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ALABAMA PERMANENT COMMITTEE ON REAPPORTIONMENT
AND REDISTRICTING PUBLIC HEARING

HELD ON
THURSDAY, JULY 13TH, 2023

LOCATION:
ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA 36104
AND
ONLINE VIA ZOOM

TRANSCRIBED REMOTELY BY:
ANNA RUFFIN, CCR
COURT REPORTER

1 COCHAIRMAN LIVINGSTON: We're going to
2 get started here. If I could ask the clerk to call
3 the role, please.

4 THE CLERK: Senator Barfoot?

5 SENATOR BARFOOT: Here.

6 THE CLERK: Senator Bell?

7 SENATOR BELL: Here.

8 THE CLERK: Senator Chesteen?

9 SENATOR CHESTEEN: Here.

10 THE CLERK: Senator Figures?

11 (No response.)

12 THE CLERK? Senator Livingston?

13 COCHAIRMAN LIVINGSTON: Here.

14 THE CLERK: Senator Orr?

15 (No response.)

16 THE CLERK: Senator Roberts?

17 (No response.)

18 THE CLERK: Senator Scofield?

19 (No response.)

20 THE CLERK: Senator Singleton?

21 SENATOR SINGLETON: Here.

22 THE CLERK: Senator Smitherman?

23 SENATOR SMITHERMAN: Here.

24 THE CLERK: Senator Williams?

25 SENATOR WILLIAMS: Here.

1 THE CLERK: Representative Almond?

2 REPRESENTATIVE ALMOND: Here.

3 THE CLERK: Representative Boyd?

4 (No response.)

5 THE CLERK: Representative Carns.

6 REPRESENTATIVE CARNS: Here.

7 THE CLERK: Representative Clouse?

8 (No response.)

9 THE CLERK: Representative Ellis?

10 REPRESENTATIVE ELLIS: Here.

11 THE CLERK: Representative England?

12 (No response.)

13 THE CLERK: Representative Hall?

14 REPRESENTATIVE HALL: Here.

15 THE CLERK: Representative Jones?

16 REPRESENTATIVE JONES: Here.

17 THE CLERK: Representative Lovvorn?

18 REPRESENTATIVE LOVVORN: Here.

19 THE CLERK: Representative Reynolds?

20 (No response.)

21 THE CLERK: I have 17 present. You

22 have the quorum -- oh, 18 present.

23 COCHAIRMAN LIVINGSTON: 18 present.

24 With 18 being present and the quorum being called,

25 next order of business would be the review and

1 approve the meetings from the last meeting, which are
2 in your packets.

3 SENATOR ORR: Mr. President?
4 Mr. Chairman?

5 COCHAIRMAN LIVINGSTON: Senator Orr.

6 SENATOR ORR: I move we approve the
7 minutes from the previous meeting.

8 COCHAIRMAN LIVINGSTON: There's a
9 motion from Senator Orr. Is there a second.

10 SENATOR SMITHERMAN: Second. Second.

11 COCHAIRMAN LIVINGSTON: Mr. Smitherman
12 seconded.

13 All in favor of approving the minutes
14 say Aye.

15 (A collective Aye was heard throughout
16 the room.)

17 COCHAIRMAN LIVINGSTON: Like signed
18 Aye and minutes are approved.

19 Mr. Pringle?

20 COCHAIRMAN PRINGLE: May the question
21 now before the Bodies' adoption of the guidelines, do
22 we have a motion? Do we have a motion for moving
23 adoption.

24 REPRESENTATIVE HALL: Mr. Chair?

25 COCHAIRMAN PRINGLE: Ms. Hall, do you

1 second it.

2 REPRESENTATIVE HALL: Yes. And I
3 would like to speak when you finish.

4 UNIDENTIFIED MALE: I second,
5 Mr. Chairman.

6 COCHAIRMAN PRINGLE: We have a motion
7 and we have a second --

8 UNIDENTIFIED MALE: Role call voting
9 at the present time, Mr. Chairman, whenever --

10 COCHAIRMAN PRINGLE: If the clerk will
11 call the roll.

12 REPRESENTATIVE HALL: Mr. Chair,
13 that's why I was asking. We have a proposed
14 amendment to the guideline plan, so when you plan to
15 consider those --

16 COCHAIRMAN PRINGLE: If Mr. England's
17 here, do you have an amendment.

18 REPRESENTATIVE HALL: Yeah, I have the
19 amendment. It should be in everybody's folder.

20 COCHAIRMAN PRINGLE: Would you like to
21 present the amendment, Ms. Hall.

22 REPRESENTATIVE HALL: I'll be happy
23 too.

24 COCHAIRMAN PRINGLE: Thank you.

25 REPRESENTATIVE HALL: The amendment

1 that you have is -- is -- for each one of the members
2 that is in the folders. And these -- just for
3 clarification for those that did not have a copy of
4 that.

5 "Because the U.S. District Court in
6 Milligan v. Allen has ordered the State to enact a
7 new congressional map that remedies the violations of
8 Section 2 of the Voting Rights Act, the
9 Reapportionment Committee shall prioritize all plans
10 that follow the U.S. District Court's guidance.
11 Accordingly, all proposals shall include at least two
12 of seven congressional districts in which members of
13 the plaintiff class identified in Milligan have an
14 equal opportunity to elect candidates of choice. In
15 assessing compliance with the Court order, this
16 committee shall consider the court's fact findings on
17 communities of interest, racially polarized voting,
18 and other factors that inform its conclusion that the
19 congressional current map with a single
20 majority-black district illegally dilutes black
21 voting strength.

22 The committee shall also obtain an
23 written report by an independent expert (a generally
24 recognized authority on the Voting Rights Act) that
25 analyzes any plan submitted to a committee vote.

1 Such report should specifically deliver an opinion
2 and supporting analysis as to whether and how the
3 proposed plan satisfies the U.S. District Court's
4 directives in Milligan. All reports should become
5 part of the record for legislative consideration and
6 shared with the public."

7 This is the amendment I move that we
8 adopt at this time.

9 COCHAIRMAN PRINGLE: Ladies and
10 gentlemen of the committee, the proposed amendment
11 would embedded -- embedded in the guidelines
12 arguments by counsel for the Milligan and Caster
13 plans about the US Supreme Court's recent decision in
14 Allen versus Milligan. And for that reason alone, it
15 should be rejected. Guidelines are no place for a
16 party's legal arguments.

17 Moreover, the proposed amendment is
18 unnecessary and is not good practice. The first
19 paragraph was a proposed amendment that will require
20 the committee to comply with Section Two the Voting
21 Rights Act. The guidelines already require the
22 committee to comply with the Voting Rights Act, as
23 well as the US Constitution, which the proposed
24 amendment does not mention, to comply under Section
25 Two of the Voting Rights Act and what the US

1 Constitution necessarily means complying with court
2 decisions that interpret those provisions.

3 The committee cannot feasibly amend
4 the guidelines every time a court interprets these
5 provisions, and it would be unwise to start picking
6 and choosing among court decisions to include some of
7 them and guidelines and leave others out.

8 The proposed amendment is also subject
9 to different interpretations. The first paragraph
10 mentions congressional districts in which members of
11 the plaintiffs class identified and, Milligan have an
12 equal opportunity to elect candidates of their
13 choice. But even among plaintiff suing the State,
14 the meaning of an equal opportunity to elect
15 candidates of choice is in dispute.

16 And Milligan plans apparently argued
17 this means districts with over 50% black voting age
18 population, but the single complainers have advocated
19 remedial districts would be the APs and low to mid
20 40s, which incidentally, the Milligan plan is
21 repeatedly endorsed until just recently.

22 We should not include the guidelines
23 language that is at best unclear and at worst
24 incorporates an unproven argument of one set of
25 plaintiffs. The proposed amendment would require the

1 committee to consider the courts fact finding of
2 communities of interest. Whatever the trial court
3 found about the Gulf Coast, being a community of
4 interest, was a preliminary finding based on limited
5 record compiled in an expedited hearing. It's not a
6 final judicial determination and does not preempt the
7 committee's ability and responsibility under the
8 guidelines to identify and respect communities of
9 interest, including the Gulf Coast and the black belt
10 when it trolls to those remedial districts.

11 One purpose of the hearing, the
12 committee is considering is to receive public comment
13 and communities of interest, and we should be open to
14 that evidence and not instead default to the
15 arguments of the Milligan, plaintiff's lawyers. The
16 second paragraph that the proposed amendment would
17 require the committee to receive and review a report
18 by an independent expert upon whether the proposed
19 plan complies with the trial court's directives and
20 Milligan, which directives this language refers to is
21 unclear or whatever directives are intended or
22 preliminary finding the conclusion of love, made in a
23 hurry record.

24 They do not reflect what the court
25 will say after it has had the opportunity to review a

1 complete record. Moreover, no such report has been
2 submitted by Milligan and Caster plaintiffs and
3 supported their VRA plaintiffs' remedial plan that
4 was presented and discussed in the last hearing.

5 That said, I anticipate that when the
6 House of Senate leadership submits a plan for the
7 Committee's review will be supported by one more --
8 one of more functionality reports. In short, the
9 proposed amendment is not needed and would
10 incorporate into our guidelines, the arguments of the
11 Milligan plaintiffs lawyers, and for these reasons,
12 the motion to amend the guidelines should be denied.

13 REPRESENTATIVE FIGURES: Mr. Chairman?

14 COCHAIRMAN PRINGLE: Yes.

15 SENATOR FIGURES: In light of the fact
16 that Representative Hall's, amendment did not get a
17 second, let it go on the record showing --

18 UNIDENTIFIED MALE: I will --

19 SENATOR FIGURES: You would --

20 UNIDENTIFIED MALE: No, I will.

21 SENATOR FIGURES: No. I was just
22 going to let the record show that I second it.

23 COCHAIRMAN PRINGLE: Thank you,
24 Senator Figures.

25 SENATOR FIGURES: Also, Mr. Chairman,

1 can we get a copy of the statement you just read?

2 COCHAIRMAN PRINGLE: It's in the
3 record, and I'll be glad to share it with you.

4 SENATOR FIGURES: Thank you.

5 COCHAIRMAN PRINGLE: Senator
6 Smitherman.

7 SENATOR SMITHERMAN: To listen to
8 report that the co-chair gave, I think that I feel
9 duly noted, based on my opinion and my own
10 interpretation to make a few corrections. One is
11 that in this -- in this proposed amendment, if you
12 look at this from the middle part on down, it says,
13 "In asserting compliance with the Court's order.
14 This committee shall consider the Court's fact
15 findings on community interest, racially polarized
16 voting, and other factors that inform its conclusion
17 that the congressional current map with a single
18 majority black district, it legally dilutes black
19 voting strength."

20 I think that's, I think that's why
21 we're here in the first place. I think that's how we
22 got here by the courts, saying this is what -- the
23 map wasn't right. So I think that it makes only
24 common sense to follow directives from the Court.

25 The second thing I want to say is

1 this: As I heard the response, I kind of heard
2 something like this and I'll stand corrected. But it
3 said that -- when we were talking -- you were talking
4 about the taking the directions that -- that this
5 amendment was trying to take us. It was something to
6 the effect that this would be carrying furthering the
7 ruling of the Court, it was something of that nature.
8 I want to set the record straight. This is a
9 two-part situation. This is not a continuation from
10 the first ruling on the merits that the Court did on
11 the initial complaint.

12 There is two phases to this. The
13 first phase is them ruling what they're ruling. This
14 phase -- and if you look in the orders, when he
15 talked to orders at the -- when he talked about that
16 they were going to use strict scrutiny in the
17 principles of coming up with the remedy. The end of
18 phase two is that the remedy now has to meet what the
19 Court says and has to meet the procedural --
20 substantive procedures that is -- that is used by
21 those have to meet those standards that they have.
22 So it would make to me only common sense to take that
23 part right there because the Court has said, that's
24 the flaw. And we got to go from here to try to
25 correct this and would you present us back if there's

1 going to be acceptable? So I want to make that very
2 clear to everybody in here that this is not one
3 carryover from the ruling. There's two parts to it.
4 Now we in the remedy phase, and the remedy phase is
5 totally independent, as it relates to the ruling that
6 we have to come up with another remedy. Thank you,
7 Mr. Chairman.

8 SENATOR ORR: Mr. Chairman?

9 COCHAIRMAN PRINGLE: Mr. Orr.

10 SENATOR ORR: In light of Chairman
11 Pringle's comments, I would move to table the
12 amendment.

13 COCHAIRMAN PRINGLE: There's a motion
14 to table. Is there a second.

15 SENATOR SMITHERMAN: Second.

16 COCHAIRMAN PRINGLE: Second by Senator

17 --

18 (Cross-talk.)

19 COCHAIRMAN PRINGLE: Roll-call vote.

20 THE CLERK: Senator Barfoot.

21 SENATOR BARFOOT: Aye.

22 THE CLERK: Senator Bell?

23 SENATOR BELL: Aye.

24 THE CLERK: Senator Chesteen?

25 SENATOR CHESTEEN: Aye.

1 THE CLERK: Senator Figures?

2 SENATOR FIGURES: No.

3 THE CLERK? Senator Livingston?

4 (No response.)

5 THE CLERK: Senator Orr?

6 SENATOR ORR: Aye.

7 THE CLERK: Senator Roberts?

8 (No response.)

9 THE CLERK: Senator Scofield?

10 (No response.)

11 THE CLERK: Senator Singleton?

12 SENATOR SINGLETON: No. No, no, no.

13 THE CLERK: Senator Smitherman?

14 SENATOR SMITHERMAN: Aye.

15 THE CLERK: Senator Williams?

16 SENATOR WILLIAMS: Aye.

17 THE CLERK: Representative Almond?

18 (No response.)

19 THE CLERK: Representative Boyd?

20 (No response.)

21 THE CLERK: Representative Carns.

22 REPRESENTATIVE CARNS: Aye.

23 THE CLERK: Representative Clouse?

24 (No response.)

25 THE CLERK: Representative Ellis?

1 REPRESENTATIVE ELLIS: Aye.

2 THE CLERK: Representative England?

3 (No response.)

4 THE CLERK: Representative Hall?

5 (No response.)

6 THE CLERK: Representative Jones?

7 REPRESENTATIVE JONES: No.

8 THE CLERK: Representative Lovvorn?

9 REPRESENTATIVE LOVVORN: Aye.

10 THE CLERK: Representative Reynolds?

11 (No response.)

12 THE CLERK: I have Aye as 13 and No to
13 6.

14 COCHAIRMAN LIVINGSTON: The guidelines
15 have been adopted in a 13-6 vote. Chairman Pringle?

16 COCHAIRMAN PRINGLE: Ladies and
17 gentlemen, we're going to now move to a discussion of
18 a couple of things. We're gonna talk about some of
19 the plans that are pending before the committee. But
20 I'd like to get started. If you would like to speak,
21 in general terms, about different issues, communities
22 of interest or historical sights, not specifically on
23 a plan, there's a signup sheet. There's a sign up
24 sheet right over here.

25 If you'll come sign up, we'll

1 recognize you. This is for people here to talk about
2 general communities of interest. Then we're going to
3 have you -- if you want to talk about a specific
4 plan, there's a sign up sheet for each specific plan,
5 and we'll be glad to call you up and let you talk
6 about each plan.

7 And you can sign up for multiple --
8 multiple plans. It doesn't bother me. But we just
9 want to make sure when we call you, you're going to
10 talk about the plan that we have before us.

11 SENATOR FIGURES: Mr. Chair?

12 COCHAIRMAN PRINGLE: Yes, Senator
13 Figures?

14 SENATOR FIGURES: I understand that
15 plans -- were the -- the deadline for plan
16 submittal was July 7, how many plans have been
17 submitted? And how will we know which plan --

18 COCHAIRMAN PRINGLE: We're actively
19 processing plans as fast as possible, but there was
20 an overwhelming number sent into the committee. From
21 all over, from France, from New Zealand and all over
22 out of state. Right now, we're trying to consolidate
23 and get our plans from Alabama residents to you as
24 fast as possible. We're just -- to be frank, we're
25 just overwhelmed. We are working as diligently as

1 possible to do --

2 SENATOR FIGURES: How do we have a
3 public hearing on the plans that were submitted, if
4 we don't have the plans before us?

5 COCHAIRMAN PRINGLE: I got some plans
6 that have been submitted that are run through our
7 computers. And we can put numbers on the screen for
8 you. We just haven't got to all of them. I'm doing
9 the best I can, Senator in a very, very, very
10 time-compressed --

11 SENATOR FIGURES: I'm not complaining.
12 I'm just saying it makes sense if we're having a
13 public hearing about plans submitted, we need the
14 plans.

15 COCHAIRMAN PRINGLE: Yeah. We've got
16 numerous plans we're gonna put up before --
17 Will -- will they be bringing us copies of the plan
18 -- we'll turn everything over to you as fast as we
19 can get it.

20 One of the problems is, some of the
21 plans are not compatible with Maptitude. So we have
22 to get the plans we have to get them in loaded in our
23 computer into Maptitude. And then process them so we
24 can run them.

25 SENATOR SMITHERMAN: Mr. Chairman?

1 COCHAIRMAN PRINGLE: Mr. Smitherman?

2 MR. SMITHERMAN: Mr. Chairman, I don't
3 mind yielding -- outspoken -- I like to be recognized
4 after that.

5 SENATOR ENGLAND: Yes, Mr. Chairman,
6 as a member of this permanent legislative committee,
7 and as part of the minority of this committee, we
8 have not been privy to any maps drawn by this
9 committee itself. And we're talking about going into
10 session on next week. I wrote a letter titled to
11 Chairman Livingston, yourself, and Attorney Dorman
12 Walker, asking for any maps or other functionality
13 reports that can that this committee already has
14 drawn, and we have not received anything.

15 Could you please respond to that in
16 terms of maps, that this committee and where we are,
17 and while we as the minority has not been a part of
18 that process?

19 SENATOR FIGURES: That's drawn by the
20 majority -- not by this committee that you're
21 referring to.

22 COCHAIRMAN PRINGLE: And, Senator, as
23 I told you, we just adopted guidelines a few minutes
24 ago. I don't know how I can present plans to a
25 committee when I haven't guidelines to guide me

1 drawn.

2 REPRESENTATIVE ENGLAND: Why don't we
3 sit down together and draw our map?

4 COCHAIRMAN PRINGLE: We are working on
5 that as fast as we can. I've got nothing to hide,
6 Senator, and I'm ready to get started on that plan.

7 REPRESENTATIVE ENGLAND: Will I be
8 involved with that plan?

9 COCHAIRMAN PRINGLE: Yes.

10 (Cross-talk.)

11 COCHAIRMAN PRINGLE: I understand and
12 we're working as diligently as possible. We have --
13 committee staff has been completely overwhelmed. We
14 are working as diligently as possible to produce all
15 of the information.

16 REPRESENTATIVE ENGLAND: I'm not a
17 part of that "we" though.

18 COCHAIRMAN PRINGLE: Yes, Senator
19 Smitherman?

20 MR. SMITHERMAN: Mr. Chairman, I --
21 you know I wrote a letter requesting the same
22 information, and I like that to be, you know, kind of
23 spread over out minutes. It's a letter. At some
24 point in time, I'm going to hand it back to -- it's
25 evident that I actually sent in a letter requesting

1 that. But my statement is to give more to the fact
2 we have already functionality reports.

3 I'm not -- I'm not putting them out
4 map -- the map that we're talking about that we're
5 gonna try to put together as a group. I'm saying on
6 all these other maps, not all of them, but we have
7 many of these other maps, we have functionality
8 reports. And I mean, I'm not saying that's anybody's
9 keeping me from it. But anything that's spread in
10 that office, in this committee, to be a member you
11 should have -- all of us should have access to. So I
12 think it's very important and critical, that whatever
13 we do have now, if that that'd be presented an
14 opportunity for every member on this committee to be
15 able to get it. So as we go through this meeting,
16 and as we get ready to go through the next --
17 whatever next step it is, we will have a chance to
18 review some of that information and be able to
19 discuss it as we go through this process here.

20 That's why I had asked about the
21 meeting a little bit before the meeting up until
22 today. So if it can be produced, I still would like
23 to get it. And I don't mind looking at it as we go
24 through this process. But I need whatever we have.
25 Thank you.

1 COCHAIRMAN PRINGLE: And I understand
2 we are processing the maps. We've processed the
3 remedial maps we have been reviewing and running the
4 analysis on it. As fast as we can possibly do it.
5 We've processed the DRA plans for remedial map, which
6 we'll have today. We've processed the CLC Map 1. We
7 processed a Singleton Congressional Map Plan 3, and
8 we processed the Hatcher Remedial Congressional Plan
9 1.

10 We had been reviewing the maps,
11 putting them into computer and running the analysis
12 on them, as fast as we can possibly do. We just got
13 completely overwhelmed with the number of maps sent
14 in. And so we picked y'all's maps first, and we ran
15 those in length. We picked Senator Singleton's maps
16 and the plaintiffs' maps. We've picked the maps that
17 come in from Senator Singleton. That -- that -- the
18 Singleton Congressional Plan Number three is -- does
19 not -- is that your map?

20 SENATOR SMITHERMAN: No, I'm the
21 sponsor of that one.

22 COCHAIRMAN PRINGLE: Oh, you're the
23 sponsor for the Singleton Map? I'm sorry, Senator
24 Smitherman.

25 But anyway, again, we are -- we are

1 processing it as fast as possible. And we're going
2 to get you the information as soon as we can. We
3 just have a horribly compressed timeframe, yet again
4 in this committee. I wish we could go back to the
5 days when we had a year to do this, but we've never
6 been given that length of time to -- to draw these
7 maps has always been very late.

8 SENATOR FIGURES: We didn't have an
9 opportunity for a long time before.

10 SENATOR PRINGLE: Yes, Representative
11 England?

12 REPRESENTATIVE ENGLAND: Thank you for
13 the recognition. There's something interesting that
14 you said it kind of struck me, and please forgive me
15 him, no disrespect about this at all. But I wasn't
16 aware that this was like a y'all process. And I
17 thought that we had a court order where we were
18 trying to build a map that we were all supposed to be
19 working on to a certain degree.

20 And also since we have a public
21 hearing today, it's not since just a y'all situation
22 for us to present maps but everybody to present maps
23 so we can actually get a better idea of what, you
24 know, I guess for lack of a better term "public
25 communities of interest" are -- or what other

1 perception you have of the court order so we can
2 actually look at opposing maps and have a public
3 hearing where everybody's here as input on not only,
4 I guess, y'all's maps, but everybody else's maps too.

5 So it kind of puts us as members of
6 the committee and the public at a disadvantage
7 because they will not have an opportunity to provide
8 any public input on maps that y'all present. So
9 again -- I echo the sentiments of Senator Singleton
10 and Senator Figures when, I mean, I would prefer that
11 this is a process where we're all kind of building a
12 resolution to satisfy a court order that we all got
13 to look at everybody's proposal when we're not just
14 seeing it on Monday when we -- when we arrive at the
15 State House for a special session and then be
16 expected to vote on it within five days.

17 So I'll yield but that's just --
18 that's just interesting to me.

19 SENATOR SMITHERMAN: Mr. Chairman, I
20 would like to present this to the community.

21 COCHAIRMAN PRINGLE: Senator
22 Smitherman has presented it to me, and if you don't
23 mind, I like to change your memorandum to read
24 Cochairman Livingston and Cochairman Pringle. I'm
25 not Vice Chairman.

1 Thank you.

2 And with that, I like to recognize
3 Frank Schmitz, former mayor Dothan, currently serving
4 as civilian aid to Secretary of the Army.

5 When you get to the microphone, please
6 speak into the microphone and state your name and
7 where you're from there because there are people
8 listening to us. It was very difficult last time to
9 people that are listening to. The clerk is in the
10 back room to hear you, so speak into your microphone.
11 And, Members, if you'll turn your mics off, I
12 understand we had a problem with back feed last time.
13 Thank you so much.

14 MR. SCHMITZ: Thank you so much.
15 Well, good afternoon. First of all, thank you for
16 this opportunity. My name is Mike Schmitz. I'm from
17 the great City of Dothan, Alabama. I'm in the
18 automobile business there for 35 years. I sell
19 Hyundai's and Mercedes made in Alabama, by Alabama
20 folks. So I'm proud of that. I also had the honor
21 of being mayor of the city and the privilege of being
22 mayor from 2009 to October 2017 in Dothan, and then I
23 stepped down from there after two terms into our
24 public school system became chairman of the board,
25 COVID hit. So it was an exciting, interesting four

1 years. I learned a lot. And then after I stepped
2 out of that, I got appointed by the Secretary of the
3 Army. It's a volunteer position. I represent
4 Alabama South. I represent Fort Novosel Army
5 Reserve, and anything to do with the military JROTC,
6 Army National Guard and report directly to the
7 Pentagon and to the Secretary of the Army.

8 I'm here as a concerned -- not a
9 concerned -- I am a concerned citizen, involved
10 citizen. As someone who's been involved with
11 economic development with partnerships with southeast
12 Alabama, I'm very protective of us. Because we stand
13 alone, most of us are small communities. And as we
14 stand alone, we can't succeed. So we have created
15 partnerships that have lasted 50 and 100 years that
16 have helped all our communities grow, and my purpose
17 today is simply ask you, I don't have a map. I don't
18 know what maps you have. But I would love to see
19 those in Houston County stay in line with Montgomery
20 and all the communities that were involved going out
21 to southeast edge of Alabama.

22 We have many partnerships. One is
23 southeast Alabama gas, we're 14 municipalities from
24 Dothan up to Greenville -- southeast Alabama gas and
25 that creates profits or benefits for -- for each

1 community and helps them grow. The 14 mayors sit
2 down every month, and we work together and see how we
3 can help each other because we don't have anyone
4 else. And so we work together. We have prospered.
5 We are booming, and I hate to see that change. We
6 other -- we also have an education Troy, Troy
7 University and Troy Dothan, the medical school we
8 have in Dothan in economic development. We, as City
9 of Dothan, go out -- not out of our way, but we try
10 to partner with all these smaller communities and
11 help them create jobs because we know floats all
12 boats, right?

13 We know it helps Geneva, helps us what
14 helps Enterprise helps us or Greenville, so we worked
15 really, really hard together to do that. We also
16 have -- the biggest purpose I have today for this is
17 we -- the world is changing and with Fort Novosel --

18 COCHAIRMAN PRINGLE: One minute.

19 MR. SCHMITZ: Okay. Fort Novosel and,
20 and Maxwell Air Force Base. We got to be careful.
21 We got to protect the values. We got to stay
22 together to make sure they are benefited. And they
23 continue to grow to protect our country. And we have
24 incredible amount of partnership to help protect
25 that. We cannot lose this. We also -- if you move

1 us West, I believe Houston and Dothan County will
2 lose our voice and lose our vote. Thank you very
3 much. God bless you.

4 COCHAIRMAN PRINGLE: Thank you so
5 much.

6 The Chair now recognized Jeff Brandon,
7 CEO of Flowers Hospital in Dothan.

8 MR. BRANDON: Thank you, Mr. Chairman.
9 My name is Jeff Brandon. I -- thank you -- I'll be
10 happy to do that. I am the CEO of Flowers Hospital.
11 I have lived in this district all my life. I'll be
12 65 years old in September of this year. My dad is
13 93. He served in the Military, Alabama National
14 Guard, Civil Service, and we are very -- as Mayor
15 Schmitz just said. I'm here today as a concerned
16 citizen as someone that realizes the benefit of
17 collaboration, cooperation communication, all of
18 those things that he just referenced that are
19 critically important for us not to forget.

20 I believe that our economy is strong
21 today because of the things that Mayor Schmitz just
22 mention. I can tell you that our health care
23 community is stronger than it's ever been in our
24 district. We have a Southeast Alabama Hospital
25 Council that met yesterday that goes over five

1 different counties that we're all focused on making
2 sure that everyone has access to excellent health
3 care in our community, and I don't think that we
4 should shy away from being very proud of that.

5 Certainly, he mentioned the medical
6 school. My hospital alone is about to stand up
7 internal medical permanency program. I can just say
8 this from a personal perspective, not just from
9 personal -- from a professional perspective, but I'm
10 six generations living in this particular district.
11 My children have been educated in this district and
12 continue to live and work in this area.

13 I'm very blessed to see my seven
14 grandchildren and my two great-grandchildren on a
15 regular basis. I'm very proud of all the things that
16 they've accomplished, as well as continuing to see
17 people in our community to grow and thrive. I think
18 again -- that's our main reason for being here today,
19 again, is to talk about what's good, what's right,
20 what's worked, and we want to continue to support
21 that. We certainly be open to hear from others as
22 well, but I think that's what makes our community
23 strong is the fact that I mentioned those three C's:
24 Communication, collaboration, and cooperation. Want
25 to continue see that happen.

1 Thank you very much for allowing me to
2 speak and appreciate all the hard work that everyone
3 sitting up there does each and everyday. Very
4 appreciative of all of your service. Thank you.

5 COCHAIRMAN PRINGLE: Thank you so
6 much.

7 And let me -- for people that are
8 watching us on live stream, if you would like to
9 comment, send your emails to district@alsenate.gov,
10 district@alsenate.gov. We'll be glad to take your
11 comments, and we'll be glad to take your comments and
12 we'll read them from the podium.

13 From that now, the Chair recognizes
14 Ronald Jackson from Birmingham, for three minutes.

15 MR. JACKSON: Good morning,
16 Legislatures and my fellow citizens of Alabama. I'm
17 Ronald Jackson. I'm a formal member of the Alabama
18 legislature. I'm hear to speak today on behalf of
19 citizens of better schools and sustainable
20 communities, and legal evaluations, and action
21 project. We are here to support the Blacksher the
22 plan -- everything is going be on the Internet. But
23 we're here to tell you that -- I'm from Birmingham,
24 Jefferson County, Alabama.

25 But these plans, these proposals that

1 have been put out, that I have seen thus far. They
2 are unfair, inequitable, noncompliant with the recent
3 decision by the United States Supreme Court and --
4 for Jefferson County, which if you all will go back
5 to that original Singleton decision that created this
6 one person, one vote.

7 And I want everybody to understand
8 this, what this legislature must do when they adopt
9 what they're going to adopt. That -- that
10 preservation of one person, one vote, must be active,
11 that's the euphemism they use about continuity,
12 making sure your vote count.

13 We want to say to you today, and let
14 you be placed on public notice, that citizens with
15 better schools and sustainable communities, with
16 legal evaluation and action project, we have counsel.
17 And we are prepared that we will respond to a special
18 master, and if you don't keep Jefferson County
19 together and not split it off anywhere to pull up
20 some votes that you think you need to have, just
21 think about what Attorney Blacksher has written to
22 you.

23 In conclusion, Jefferson County is the
24 economic engine of this State. Those of you that
25 talk about the automobile industry, no, you really

1 got it. Mayor Richard Arrington, Governor Polson,
2 when out of Birmingham we gave you the money to get
3 the Mercedes plan, and you think we going to let you
4 split us up? You got another funk coming.

5 All I wanted say to you is this, we
6 stand on this cardinal principle, autonomous --
7 defendere. If you don't know what that means, I'll
8 tell you in Alabama language: We dare defend our
9 rights, and I leave you with one other Latin
10 expression: "Illegitimus non carborundum" because
11 what I see on these plans is that. Now, you look it
12 up. I'm not going to say what it means, because it's
13 a language I would not say, with children listening.
14 Support the Blacksher Plan. Thank you.

15 COCHAIRMAN PRINGLE: Thank you,
16 Mr. Jackson.

17 The Chair now recognizes William Bowan
18 from Opelika. Did I say that correctly?

19 MR. BOWHALL: The name is William
20 Bowhall of Opelika, Alabama. I'm here to talk to
21 this member body and the public about some overlooked
22 issues that this State needs to take care of.
23 Because I've been a citizen of this state and
24 resident for 25 years. And my needs have not yet
25 been observed or tended to by the Republicans or

1 Democrats. I demand representation. I have a reason
2 for it. I'm going to present it to you. It involves
3 technology, advanced aerospace applications for land,
4 air, sea, and space. And this will contribute to
5 national security in both economic and military
6 applications.

7 It's been overlooked. I went to my
8 representatives, starting with Riley back in '99
9 before he began governor. I talked to multiple
10 representative and attempted to talk to others, such
11 as Mike Rogers -- as recently as 2018 before the last
12 state election Whatley, Joe Lovvorn. I don't know if
13 that's the same person. I have never spoken to him
14 in person. But I made multiple phone calls and
15 Whatley was the only that I caught actually in
16 session with aid, quote on quote.

17 Now, I moved down to Alabama 25 years
18 ago. I gave up an inheritant house that was given to
19 me from my grandparents raised me as a child --

20 COCHAIRMAN PRINGLE: One minute.

21 MR. BOWHALL: -- all right? I gave
22 that up to come down to bring -- to try to establish
23 jobs and bring technology to this state when you
24 needed it. I've been ignored ever since. My life's
25 been turned upside down. I've been forced into low

1 income, 9, \$10-hour-job, which I used to do some
2 research for my needs of this technology, industry
3 never got establish. This state needs to bring a
4 crap-load of money into this state to establish this
5 technology because it's not individual applications
6 that we're speaking of the way you would establish an
7 auto industry or an aircraft industry.

8 This is cross-over technology. I need
9 to get all phases established, so it makes it more
10 economically to manufacture, and the fact -- the
11 technology I'm about to show you, just a child --

12 COCHAIRMAN PRINGLE: Your time is
13 expired, sir.

14 MR. BOWHALL: Well, let me do this
15 because this is why I came here, and the public needs
16 to know about it because the mapping does not cover
17 the contingency of third party independent
18 representation and that's an absolute must to see
19 that this technology is protected, that the labor
20 force gets established, the future needs of
21 infrastructure get established to support its gross.

22 This hasn't been done in this state,
23 and you put millions of dollars in road work,
24 refurbishing in Birmingham. Now y'all see me take
25 this that can be manufactured over and over again.

1 This is just a basic application of an air foil --

2 COCHAIRMAN PRINGLE: You need to speak
3 into the microphone.

4 MR. BOWHALL: You got in manufacture
5 now. It has nothing you have in manufacture now that
6 can provide a safer needs for transportation for
7 land, air, sea, and space. And I can't go into
8 additional components that would be added to it, but
9 it supports it's own -- own means of flight. And
10 with attachable and re-attachable units, compartment
11 to be saved --

12 SENATOR FIGURES: Mr. Chair?

13 COCHAIRMAN PRINGLE: Sir, your time's
14 expired, sir. We're here to talk about congressional
15 redistricting, not technology. So your time is
16 expired, sir. I'm sorry. I gave you three minutes
17 to talk about congressional redistricting, and I
18 yielded extra time to you. You're here talking about
19 technology.

20 MR. BOWHALL: But the redistricting
21 refers to the black community.

22 COCHAIRMAN PRINGLE: Well, we're here
23 to talk about, sir --

24 MR. BOWHALL: You can't --

25 COCHAIRMAN PRINGLE: Sir, I'm going to

1 ask you to sit down, and if you don't sit down, that
2 gentleman will remove you.

3 Now, the next one is David -- is it
4 L-U-S-S-E-U from Birmingham? I can't read the
5 handwriting. David Lusseau or -- okay. I'm sorry. I
6 can't read your handwriting. Thank you. Come
7 forward. I'm going to hold you to three minutes.

8 MR. LUSSEU: It won't take three
9 minutes. I'm David Lusseau. I was here last week,
10 and my mind still hasn't wrapped around the
11 chairperson and vice chair. You know, when I left
12 out of here last week, they told me there were two
13 professors up there on the -- one of them is not he
14 today, but one of them had a PHD from the University
15 of Alabama, and we had two attorneys and one of them
16 attorneys was from the prestige University of
17 Montevallo, and then we got a former mayor over
18 there, was the mayor of the third largest city.

19 Now, out of all of that qualification,
20 and we could not any much find to get vice chair from
21 that group. You know, it seem kind of obvious that,
22 you know, this is a two-black district and with all
23 of that qualification, and we could not pull out a
24 vice chair out of that community. It was kind of
25 hard -- until Alabama get they act together, there's

1 no state that can get their act together. Everything
2 starts here in Alabama. When we become like the
3 University of Alabama football team, then we will
4 begin to look upon a different perspective. When
5 Nick Saban puts his players out there, he puts his
6 players out to win. He doesn't put his players on
7 the field, saying that this player is a Republican,
8 this player is a Democrat, this player is black, this
9 player is white. He puts players on the field to win
10 and that's what we should start off at the beginning.
11 You started off in the wrong area by not selecting a
12 vice chair.

13 I'm hoping that when the legislature
14 go in session on the 17th, that we can formulate a
15 football team. We formulate a football that we going
16 to win for the State of Alabama. This is two-black
17 districts. Now, Blacksher's maps, which I was kind
18 of concerned about, but it's not about me, it's
19 what's best for the State of Alabama. I think this
20 is what we need to start doing looking for the State
21 of Alabama. Thank you.

22 COCHAIRMAN PRINGLE: Thank you. The
23 Chair now recognizes former member Mike Holmes from
24 Wetumpka, Alabama. Welcome back, Mike.

25 MR. HOLMES: Thank you, sir. Well, I

1 see in the last couple of speakers, we've veered off
2 the topic quite a bit. I'm going to try to get back
3 toward the topic at hand, which is redistricting.

4 I've come up with a former -- I don't know if I call
5 it constituent anymore, but a former constituent of
6 mine, when I was serving up until November of 2022 in
7 the House of Representatives. My name is Mike
8 Holmes, served there for about nine years, enjoyed
9 every minute of it. I see a lot of old friends from
10 college. It's good to see you again.

11 I want to zero in on something that --
12 let me get my glasses, so don't miss anything. This
13 constituent brought me a brief from the University of
14 Alabama policy -- policy center. The title of the
15 study is "Defining Alabama's Black Belt Region."

16 "For the purposes of this issue brief
17 series, the University of Alabama's Education.
18 Policy Center used an expansive definition of the
19 Black Belt encompassing 24 counties. But we note
20 that Crenshaw, Montgomery, Pike and Russell counties
21 have had modest growth, which means that the
22 population loss, K12 enrollment decline, lower
23 employment, and labor force participation rates, and
24 other issues identified are likely more severe in the
25 remaining Black Belt counties -- especially those west

1 of Montgomery. Readers should keep this in mind as
2 they review the data presented below. All of this
3 speaks to the need for a uniform, agreed-upon
4 definition of the Black Belt, an issue discussed in
5 detail in this brief."

6 The whole point, as I stated in the
7 beginning, you cannot measure what you cannot define.
8 You cannot measure what you cannot define.

9 "Every Alabamian knows the Black Belt.
10 They know it from their history books as the area in
11 south central Alabama where the cotton was and is
12 still grown. The Black Belt is where slaves tended
13 the fields, and where sharecropping replaced
14 plantations after Reconstruction. Everyone knows the
15 Black Belt from iconic novels such as Harper Lee's,
16 'To Kill a Mockingbird.'"

17 "For far too long, the Black
18 Belt has been known for exporting its most talented
19 young people. But the Black Belt has been poorly
20 defined. There are different definitions of which
21 counties constitute it for federal, state, and
22 local/regional programs. These include the federal
23 Delta Regional Authority, the State of Alabama's
24 Black Belt Action Commission, the University of
25 Alabama-led Institute for Rural Health Research, and

1 the University of West Alabama's Alabama Black Belt
2 Heritage Area. Inconsistent definitions make it
3 difficult to develop and sustain political coalitions
4 over time to positively impact policies and
5 programs."

6 "The final step in any comprehensive,
7 research-based approach to help lift up Alabama's
8 Black Belt region is to develop a consistent
9 definition. This is a necessary precursor to
10 creating actionable programming for the long-term,
11 and to synchronize state and federal policy. In a
12 press statement that accompanied his signing of the
13 2004 Executive Order creating the Black Belt Action
14 Commission, Governor Bob Riley declared:

15 'This is not another effort to study
16 the Black Belt. I'm not appointing the commission so
17 we can have another report on conditions
18 in the Black Belt. The Black Belt has been studied
19 and studied. The problems there have already been
20 identified.'"

21 COCHAIRMAN PRINGLE: Thank you,
22 Mr. Holmes.

23 MR. HOLMES: Thank you.

24 COCHAIRMAN PRINGLE: I would for you
25 to do me a favor please. Would you sign that and put

1 your name on there, and pass it to me.

2 I'll have it entered into the
3 permanent record --

4 MR. HOLMES: Did you get a copy?

5 COCHAIRMAN PRINGLE: I got a copy. I
6 would like to have --

7 MR. HOLMES: Can I sign yours? I
8 think that's the last one I had. Here's one.

9 COCHAIRMAN PRINGLE: I just need one
10 with your signature -- yeah, if you don't mind,
11 please, sir. Thank you. I'll put it into the
12 permanent record.

13 The Chair now recognized Kathy Jones
14 from Huntsville.

15 MS. JONES: All right. Good
16 afternoon. My name is Kathy Jones, and I am from
17 Huntsville, Alabama. I'm the president of the League
18 of Women Voters of Alabama. Start off by saying,
19 this past year the League of Alabama joined with
20 several other organizations who filed amicus brief in
21 support of the Milligan plaintiffs.

22 And I'm here today to express our
23 continued support for the plaintiffs and their
24 request to create two black-majority districts where
25 voting age adults have a real opportunity to elect

1 the candidates of their choice. Yesterday, I was
2 reading through the Supreme Court opinion, and I
3 found several quotes that I thought it would really
4 benefit everyone here, as well as the folks watching
5 online, if I mentioned them because they were frankly
6 shocking.

7 I felt like it's so important for us
8 to realize what the Supreme Court said about what the
9 Alabama map represented. First of all, the Supreme
10 Court held that the District Court's determination
11 that the Plaintiffs demonstrated a reasonable
12 likelihood of success on their claim that HP1
13 violates the Section 2 of the Voting Rights Act.

14 As a matter of fact, they quoted the
15 fact that the District Court said that the Section 2
16 violation was "not even close." The District Court
17 also, and this is a direct quote, "The District Court
18 concluded that Plaintiffs had carried their burden of
19 proof given the racial polarization of elections in
20 Alabama, where 'Black Alabamians enjoy virtually zero
21 success in statewide elections' and where 'Alabama's
22 extensive history of repugnant racial and
23 voting-related discrimination is undeniable and well
24 documented.'"

25 Alabama also -- this is another --

1 COCHAIRMAN PRINGLE: One minute.

2 MS. JONES: All right. I'll hurry it
3 up. "Alabama argues that the Gulf Coast region in
4 the southwest of the State is a community of
5 interest."

6 The Supreme Court says, "We do not
7 find the State's argument persuasive." They also,
8 that's the end of the quote, but the Supreme Court
9 opinion also went into a lot of detail to explain why
10 they felt like Alabama's theory of race neutral map
11 drawing was wrong and erroneous and disagreed in
12 every respect.

13 And so the only viable option is left
14 for the reapportionment committee is to create a
15 congressional map, which complies with this --
16 direction, meets all three, the Voting Rights Act,
17 federal law, and meets all three of the Gingles
18 preconditions, and creates two black-majority
19 congressional districts where black voting age adults
20 have an opportunity that long lasts to elects the
21 candidates of their choice. Thank you.

22 COCHAIRMAN PRINGLE: Your timing was
23 perfect. Thank you so much.

24 The Chair now recognizes Camilo Fuller
25 from Bessemer. Am I saying that right? Thank you.

1 MR. FULLER: To all you guys, I really
2 appreciate you taking time to listen to us, and I'm
3 glad that you took time to listen to the public. I'm
4 one of the public, and my name is Camilo. That's a
5 Spanish name. In my life, the whole of my life,
6 people have stereotyped me as being something that
7 I'm not. I have on the constitution shirt. The
8 reason I do, because we have a lot of people that
9 have opinions.

10 I really like the opinions of our
11 forefathers. They started with, "We the people."
12 And we the people have been left out, and
13 particularly me, I'm a -- in Jefferson County. And
14 frankly, I vote Republican. That would probably get
15 me stoned in here because I got a lot of Democrats --
16 so I take persecution. In fact, I've been named
17 everything from, if you say Republican, well, you
18 racist. Although, I grew up black. My mom's black,
19 and my dad's black. So now I'm experiencing all this
20 other stuff that's going on.

21 So what has happened to me is I've not
22 been represented. And I got people that go, well,
23 you've been represented because you're in Jefferson
24 County. No, because I've been stereotyped, and
25 thought because I was black, I was Democrat. That

1 mean I didn't have the ability to think. If somebody
2 -- some thing, I'm just supposed to agree with it.
3 I'm sorry. I was born a soul. I'm an individual
4 person. And I stick to the Declaration of
5 Independence, that says "We hold these truths
6 self-evident that all men are created equal."

7 So I stand by that and that's why I'm
8 here today. I want to make sure no matter where
9 you're at, that you recognize that there are people
10 like me that -- well, I've been stereotyped. They
11 say, well, you're black, so you must vote this way.
12 This is what -- I'm determined to the vote.

13 COCHAIRMAN PRINGLE: One minute.

14 MR. FULLER: Thank you.

15 And I think that is wrong. I think
16 that is wrong on all of our parts, whether you're
17 black or whenever you're white just to label
18 somebody. Are you Democrat? Republican? I just
19 happen to vote how I think. So I'm a person that
20 think a particular way. Most people don't think the
21 way I think and that's okay. I think you got a right
22 to think and that's good. I'm an individual soul.
23 So, please, keep in mind: Do not do what you're
24 doing based on stereotypes. Because most of my
25 neighborhood is black, most of my neighborhood is

1 Democrat. I'm totally left out, so I guess I'm
2 supposed to move or something. I don't think that's
3 so. I think you should not do it based on
4 stereotype.

5 Thank you very much for your time.

6 COCHAIRMAN PRINGLE: Thank you.

7 The Chair now recognizes Davin
8 Rosenberry (phonetically)? From Pennsylvania? Do I
9 have Davin here? Who's Davin? You are.

10 MR. ROSBOROUGH: Hello.

11 COCHAIRMAN PRINGLE: Okay. Because
12 I've got -- I recognize several of my friends
13 standing behind you who have all signed up to speak.
14 They are the Milligan plaintiffs. Is that correct?
15 Are you speaking on their behalf, or do they want to
16 speak?

17 MR. ROSBOROUGH: No. They are going
18 to speak on their own behalf. Actually, I like to
19 turn my time over to them, if that's all right.

20 COCHAIRMAN PRINGLE: Three minutes for
21 all of them or three minutes each?

22 MR. ROSBOROUGH: Three minutes each, I
23 think. Thank you.

24 COCHAIRMAN PRINGLE: Who's the first?

25 MR. SIMELTON: Good afternoon,

1 everyone.

2 COCHAIRMAN PRINGLE: And you are?

3 MR. SIMELTON: My name is Benard
4 Simelton. I'm president of the Alabama of the
5 Alabama State Conference of the National Association
6 for the Advancement of Colored People. I just like
7 to say thank you all for giving us this opportunity
8 to explain to you why we are and what we are asking
9 you to do.

10 COCHAIRMAN PRINGLE: I'm assuming
11 y'all are here to talk in general terms and not about
12 your specific plan, correct? Or do you want to come
13 back and talk about your specific plan when we put it
14 up it on the screen.

15 MR. SIMELTON: I'm here to talk about
16 general terms.

17 COCHAIRMAN PRINGLE: That's fine.
18 Just making sure we're on the same page.

19 MR. SIMELTON: Okay. But that didn't
20 -- the clock hasn't started yet, has it?

21 COCHAIRMAN PRINGLE: Yeah, it started,
22 but I'll give you 15 more seconds.

23 MR. SIMELTON: Okay. I too would like
24 to say that I served in the United States Air Force,
25 protecting many of you all. While you were sleeping,

1 i was in the launch site in Grand Forks, North
2 Dakota, so that you all could sleep well.

3 But as we learn that we're still in
4 the process of protecting our freedom and it's a
5 different type of protection from a different enemy.
6 Alabama is often has been on the wrong side of
7 history and the wrong side of justice, from school
8 segregation, to voting rights, to employment, to
9 criminal justice issues, Alabama has been many times
10 on the right side -- I mean, the wrong side.

11 Usually, congress and the courts have
12 had to step in to correct the wrong that has been
13 done. And now the Supreme Court of United States of
14 America has found that Alabama has, again, erred in
15 its responsibility to be fair and equitable,
16 especially when it comes to its people of color,
17 black people.

18 The Supreme Court found that the
19 legislature in 2021 map violated Section 2 of the
20 Voting Rights Act of 1965 by failing to create a
21 second-majority district and dividing communities of
22 interest, like the Black Belt. The Court found that
23 the map passed by the legislature in 2021, dilutes
24 the votes of black Alabamians violated Section 2 of
25 the Voting Rights Act.

1 But I state through this legislature
2 has been given another opportunity to correct and to
3 get it right this time. The legislature can correct
4 this wrong by discriminating -- against black voters.
5 But if either the legislature fails to act or the map
6 that the legislature adopts does not completely
7 remedy the violation of Voting Rights Act, then the
8 court will take over and process and impose a map of
9 its own. The legislature will lose control of
10 map-joining process.

11 My fellow plaintiffs and I will
12 discuss the many benefits of our plans, but the
13 primary benefit is that the Voting Rights Acts
14 Plaintiffs remedial plan gives the legislature the
15 opportunity to get it right this time. And I urge
16 you to support the Plaintiffs' plan. Thank you so
17 much.

18 COCHAIRMAN PRINGLE: Your timing was
19 almost perfect.

20 MR. SIMELTON: Pardon me?

21 COCHAIRMAN PRINGLE: Your timing was
22 perfect.

23 MR. SIMELTON: Okay. Thank you. I'm
24 a perfect person.

25 COCHAIRMAN PRINGLE: All right. Who's

1 next? Please step to the microphone and identify
2 yourself.

3 MS. DOWDY: Will we be allowed to
4 start talking about our plan now that the Plaintiffs
5 are up here? Can we talk about our plan since all
6 the Plaintiffs are up here, or are we still on the
7 open commentary section?

8 COCHAIRMAN PRINGLE: Let's go ahead
9 and put the plan on the screen. Can we put it up
10 there? We're kind of getting out of order. I was
11 trying to say general, then we'll be on the plans.
12 We're going to get to it. That's the plan on the
13 screen right there. Is that it?

14 MS. DOWDY: That is.

15 COCHAIRMAN PRINGLE: And you are?

16 I'll get into it.

17 Good afternoon. Thank you for
18 allowing me to speak today. My name is Shalela
19 Dowdy. Currently, a major in the United States Army
20 and a plaintiff in the Allen versus Milligan voting
21 rights case, representing the first congressional
22 district as a citizen from Mobile. I joined the
23 lawsuit because I want someone in congress who is
24 adamant about equality and empowerment in all areas
25 of the congressional district. I joined because I

1 want someone who is not afraid to engage in the
2 demographic, that is the majority in the first
3 congressional district, which will be the black
4 citizens of Mobile.

5 I want myself and my community to have
6 a seat at the table, rather than be on the menu. I
7 urge the Alabama legislature to support the VRA
8 Plaintiffs' remedial plan because it gives the City
9 of Mobile, which has a deep and long standing ties
10 with the Black Belt, an opportunity for real
11 representation.

12 At the trial in the case, I testified
13 about the difficulty that Mobile voters face in
14 getting their congressional representatives to
15 support -- infrastructure projects to fully fund our
16 school and support broad access in health care and
17 hospitals.

18 The VRA Plaintiffs' plan connect
19 Mobile with the Black Belt that is very similar to
20 the State Board of Education plan passed by the
21 legislature in 2021. Since 2010, when the
22 legislature began connecting Mobile and the Black
23 Belt in the State Board of Education District 5,
24 Mobilians have been able to select black preferred
25 candidates to the State Board of Education.

1 The VRA Plaintiffs' plan is also very
2 similar to the plans approved by the three-judge
3 court and the United States Supreme Court as
4 constitutionally acceptable remedies to the VRA
5 violations. The VRA Plaintiffs' plan is the only
6 plan which has already been evaluated in a similar
7 form by both District Court and the Supreme Court.

8 Both of these courts found the VRA
9 Plaintiffs' plan decision to connect parts of Mobile
10 County to the Black Belt, very constitutionally
11 acceptable. The Court also found that the VRA
12 Plaintiffs' plans were reasonably configured as they
13 were similar to or better to the legislature's plan
14 in complying with redistricting principles. The VRA
15 Plaintiffs' plan has the strongest defense against
16 any argument that the plan either uses race in a
17 unconstitutional manner or doesn't comply with the
18 VRA.

19 This cannot be said of any other plan
20 that has been introduced. Please remove the work
21 that has been done this far to get us here and
22 respect those efforts by choosing to support the VRA
23 Remedial Plan. I wholly support our plan and ask
24 that the Committee and the legislature support it
25 too. I thank you for the opportunity and your time.

1 COCHAIRMAN PRINGLE: Thank you so
2 much. And you are?

3 MS. STONE: Khadidah Stone. Let me
4 know can I go --

5 COCHAIRMAN PRINGLE: Yes, Ms. Stone.
6 Thank you.

7 MS. STONE: Good afternoon, everyone.
8 My name is Khadidah Stone. I'm also a plaintiff in
9 the Allen v. Milligan Case. I joined the --

10 COCHAIRMAN PRINGLE: Where you from?

11 MS. STONE: Oh. I'm from Montgomery,
12 from here, Montgomery, Alabama. I joined this case
13 because I could not go another ten years without fair
14 representation for me or my community. In addition
15 to what my fellow Plaintiffs have said, I support the
16 VRA Plaintiffs' remedial plan because it addresses
17 the Court and the communities concerns about the need
18 for a district that would actually elect
19 black-preferred candidates.

20 In its decision, the three-judge court
21 instructed that, as a legislator considers remedial
22 plans, it should be mindful of the practical reality
23 based on the ample evidence of intensely racially
24 polarized voting adduced during the preliminary
25 injunction proceedings. That any remedial plan will

1 need to include two districts, in which black voters
2 are either comprised of voting-age majority or
3 something quite close to it.

4 Congressional District Two in our plan
5 is 51 percent black citizens voting-age population.
6 Congressional District Two would also have about 5
7 percent other minority population and a 44 percent
8 white citizen voting-age population. 52 percent of
9 the registered voters are black according to the
10 Secretary of State's voter registration records.
11 Congressional district seven is 56 percent black
12 citizen voting-age population and 58 percent of the
13 registered voters are black.

14 The two majority black districts will
15 give black voters in those districts the ability to
16 elect candidates of their choice and statewide
17 elections from 2014 to 2020. The VRA Plaintiffs'
18 expert witnesses in the litigation analyzed that
19 black candidates carried these districts even though
20 they lost at a statewide level. We have heard
21 concerns about the presence of people in prisons in
22 our district, meaning that black voters won't have an
23 opportunity to elect their candidates of choice in
24 these districts. But even accounting for people in
25 prisons, our districts are still majority black.

1 According to the Alabama Department of
2 Corrections there are about 4000 people -- okay.
3 There are about 4000 people in the prisons in Bullock
4 and Butler County in our VRA Plaintiffs'
5 Congressional District Two. And although the Alabama
6 Department of Corrections does not provide a racial
7 breakdown, even if all 4000 of those people in prison
8 were black, the VRA Congressional District Two would
9 still have a black majority for over 2500 citizens.

10 Like my fellow plaintiffs, I'm
11 confident that our plan will provide black voters
12 with a fair opportunity to elect candidates of their
13 choice. Thank you so much for your time.

14 COCHAIRMAN PRINGLE: Thank you. And
15 you are welcome.

16 MS. DANIELS: Good afternoon. I'm
17 trying to get my comments here, sir. Okay. Here we
18 go. Good afternoon. My name is Latetia Daniels
19 Jackson, and I am from the great circle city of
20 Dothan, Alabama. You all heard from my former mayor,
21 who I'm also called to my friend earlier. And I'm
22 glad that he agrees that Dothan should stay with
23 Montgomery because that is exactly what our map does.

24 Representation matters. Having
25 someone who understands your community and -- your

1 community issues and concerns in an elective body is
2 important. I decided to join this lawsuit because I
3 hadn't felt represented on a federal level for a
4 very, very long time. In fact, I never received any
5 correspondence at all from my congressional member
6 until I became a plaintiff in this case. He has,
7 never to my knowledge, been in my community, never
8 held a town hall meeting or any other meeting in the
9 black community. And when I received notices of
10 meetings, they are never anywhere near where black
11 voters live and frequent.

12 When elected, even though we may be
13 from different political ideologies and may not agree
14 on much, it is important that the elected leaders of
15 our community represent the whole community. To talk
16 to us and to attempt to gain some knowledge and
17 understanding of our issues and things that concern
18 us, to communicate with us about federal dollars
19 coming into the state that can be accessed by our
20 communities to address the needs that we have, such
21 as the digital divide, but we understand there are
22 millions, millions of dollars set to come in from the
23 state to address the broadband issues --

24 COCHAIRMAN PRINGLE: One minute.

25 -- the gap.

1 Billions of dollars will be spent to
2 make broadband accessible to rural communities like
3 the Black Belt. However, we haven't received any of
4 information in our community from out congressional
5 member about these dollars. Representation matters.
6 And that is the key premise of Section 2 of the
7 Voting Rights Act, on which we base our lawsuit.

8 So I urge you all to listen to our
9 concerns, to hear us, to understand the importance
10 that representation does matter. And we need
11 representation. And we need our voices heard. Thank
12 you.

13 COCHAIRMAN PRINGLE: Thank you. I
14 think we all recognize you.

15 I recognize you too, sir.

16 COCHAIRMAN PRINGLE: But you do have
17 to state your name for those who are watching on live
18 stream.

19 MR. MILLIGAN: Yes, sir. Good
20 afternoon. My name is Evan Milligan, Executive
21 Director of Alabama Forward. I'm also long-time
22 resident of Montgomery, and my maternal side, my
23 mother's side, have been living in the Black Belt
24 area for at least eight generations. I'm six
25 generations removed from enslavement, and my son and

1 daughter are the seventh generation. When I look at
2 them, I want to commit to them inheriting in Alabama
3 that allows them an opportunity to lead, to dream,
4 and to make contributions to the community. The same
5 that you want for your children and you
6 grandchildren.

7 When you look out in the audience
8 today, you see lots of young people. And what I hope
9 is that -- you see them as your children, as
10 Alabama's children. There are young people here that
11 are participating in summer activities to learn about
12 leadership. They can be doing anything. And what I
13 want for these young people to know that there is a
14 future for them in this state.

15 Representative Pringle, you mentioned
16 that there are maps that have been sent in from New
17 Zealand, from far, Australia, maybe. We all know
18 there are Alabamians living all around the world
19 making contributions. Many of them have left the
20 state. We talked about exporting our home, growing
21 our babies. We need to build a state that actually
22 looks into our future in this country, embraces our
23 promise as a multicultural community and provides a
24 path forward, so that young people like we see
25 sitting here today, can see themselves in position of

1 leadership. This congressional district that we're
2 talking about today can provide one path forward for
3 that. We've mentioned some of the things that are
4 featured on our map, but I really just want you think
5 about the soul of the matter. Do you see as your
6 children?

7 You, as the State of Alabama
8 representing us, do you see us as people that are
9 qualified to lead, to serve, those of that are
10 serving in the military to die, to show up when there
11 are tornadoes, to show up when there are accidents on
12 our highways? If we qualified to serve in those
13 areas, then please consider how you can design a map
14 that can allow us to serve at the federal level. In
15 the eyes of the nation -- and the eyes of the nation
16 are looking at you, I know it's hard. I know you
17 have people that you answer to. I know this is not
18 an easy job. But if you can cut out the noise, look
19 within, you can look to history.

20 You can make a mark in history that
21 will set a standard for this country, the same way we
22 done with NASA and technology up in Huntsville down
23 to all the aquatics industry down in Mobile and the
24 sports that we talked in Tuscaloosa and Auburn. We
25 can do that same thing with our government and our

1 education, and it starts with this conversation.

2 So I hope that you would consider what
3 we've said. Consider our map. We thank you for your
4 time.

5 COCHAIRMAN PRINGLE: Thank you,
6 Mr. Milligan.

7 MR. ROSS: How are you all doing? My
8 name is Deuel Ross. I see my name on the list there.

9 COCHAIRMAN PRINGLE: I see. And
10 you're from where?

11 MR. ROSS: I'm the lead attorney for
12 the Milligan Plaintiffs to argue the case in the
13 Supreme Court.

14 COCHAIRMAN PRINGLE: And you live?

15 MR. ROSS: I live in DC.

16 COCHAIRMAN PRINGLE: Okay. That's
17 what I thought.

18 MR. ROSS: I was asked by the attorney
19 for the cochairs to read from a letter that we sent
20 to him on behalf of the Milligan and the Caster
21 plaintiffs. I'll try to paraphrase. I think you all
22 have copies of it. The letters make four points.
23 The first is that our clients were brave enough to
24 speak today in this case. The only ones who won a
25 case so far, the only ones who were in the Supreme

1 Court, were the Milligan and the Caster plaintiffs,
2 my clients here.

3 The Singleton Plaintiffs respectfully,
4 have not won anything in the District Court or in the
5 Supreme Court. Second, there's been some
6 conversation from my good friend and colleague Jim
7 Blacksher about whole county plan. We have looked at
8 the results of the elections that Mr. Blacksher
9 provided to you. The black and black-preferred
10 candidates lost 5 out of the 11 biracial elections in
11 the Singleton whole county plan.

12 They lost four of the biracial
13 elections in the CLC Plan, that Mr. Blacksher is
14 talking about. As my clients testified, that's not
15 true for the elections that were analyzed for the
16 Plaintiffs' remedial plan. The black-preferred
17 candidates and black candidates won all of the
18 biracial elections that were analyzed between 2014
19 and 2020.

20 I think -- one other thing is really
21 important to emphasize here. Because my clients are
22 the only ones who have actually won a case, the
23 Supreme Court considered arguments about communities
24 of interests, considered arguments about the Black
25 Belt as a community that has been discriminated

1 against for close to 200 years. And the Supreme
2 Court found that the Black Belt is a significant
3 community of interest. It's a community that
4 deserves representation, just like every other
5 community in Alabama.

6 So with that, I'll leave you all. As
7 I said, I'm trying to summarize this letter that we
8 sent to Mr. Walker at his request. But if you all
9 have any questions, I'm happy to -- my clients and I
10 are happy to answer them. Thank you.

11 COCHAIRMAN PRINGLE: I thank you for
12 your testimony. We're going to talk about your plan
13 later. Y'all jumped in front of everybody else. So
14 before we start a question and answer on your plan,
15 we're going to finish -- we're going to go in the
16 order.

17 I don't mind doing it. I want you to
18 understand that, but y'all kind of jumped in and
19 wanted to talked about your plan when we're in
20 general discussion. Let me talk to Davin Rosborough.
21 And we're going to get back to you and let you talk
22 about your letters and your plan.

23 MR. ROSBOROUGH: Thank you. My name
24 is Davin Rosborough. I'm cocounsel for the Milligan
25 Plaintiffs. I'm a lawyer with ACLU Voting Project.

1 I just want to make a few comments addressing some
2 things that have been said today that I hope will be
3 helpful for consideration as you all consider to vote
4 on plans.

5 First of all, although the victory in
6 the Milligan/Caster cases, which was affirmed by the
7 Supreme Court was from a preliminary injunction. It
8 is a final judgment for purposes of the 2024
9 elections at least. Second, we've heard a lot today
10 about the redistricting guidelines that this
11 committee passed. We heard about Voting Rights Acts
12 compliance. We've heard about communities of
13 interest.

14 Communities of interest are obviously
15 an important consideration in drawing any plan. I
16 like to point out, though, the committee's own
17 guidelines here, recognize that the Voting Rights
18 Act, Voting Rights Act compliance take precedence
19 over some of those other provisions, specifically
20 Part J of the redistricting guidelines say, the
21 following redistricting policies are to be followed:
22 "To the extent they do not violate or subordinate the
23 following policies prescribed by the constitution and
24 laws in the United States and the State of Alabama,
25 that of course includes the Voting Rights Act."

1 Finally, I want to address a comment
2 that a gentleman made earlier today about
3 redistricting based on stereotype. The rulings that
4 this Court made were based on hours and days of
5 testimony, hundreds of thousands pages in the record,
6 many hundred page decision, which was then heard and
7 affirmed by the United States Supreme Court. They
8 show stark racially polarized voting in Alabama.
9 Race still infuses the political system here. And
10 that's why the race-conscious remedy that's
11 presented, which still respects political boundaries
12 and communities of interests, like the Supreme Court
13 recognized is a proper remedy. Thank you.

14 COCHAIRMAN PRINGLE: Again, thank,
15 y'all after we get off the general discussion portion
16 of this.

17 So with that, the next person that is
18 signed up is Kenneth Paschal from Pelham, Alabama.

19 MR. PASCHAL: Thank you for the
20 recognition.

21 COCHAIRMAN PRINGLE: Thank you for
22 being here. State your name for the record so they
23 can hear you.

24 MR. PASCHAL: My name is Kenneth
25 Paschal from Pelham, Alabama. After 21 years in the

1 military, I could have moved anywhere in the world,
2 anywhere in the country, I decided to move back to
3 Alabama. I live in Pelham. And today, July 13, two
4 years ago something specially unique happened in
5 Alabama. I stand before you today, as celebrating a
6 two-year anniversary of being elected to the Alabama
7 State Legislature as some people it's say it's a
8 historical event.

9 The first person of color elected to
10 Alabama State Legislature since reconstruction,
11 approximately 140 years ago -- although I capture
12 that historic moment for about five seconds, but my
13 takeaway is what Dr. King said in 1863. He said, "I
14 look to the day where people would not be judge by
15 the color of their skin, but by the contents of their
16 character."

17 The people Shelby County, my district,
18 they did not vote for me because the color of my
19 skin. They voted for me because they saw a
20 God-fearing man, a veteran who serves the country,
21 loves the country, who got out and engaged with the
22 people in the community.

23 And so your task to represent the
24 people in your district, and also everyone else in
25 this state, you have a tough task before you. I just

1 wanted to take a few minutes and to kind of share
2 that with you because what I'm hearing -- what I've
3 been hearing is, a lot of focus on -- and skin color.

4 I just wanted to let you know, Alabama
5 -- once again, I could have moved anywhere in the
6 world, anywhere in the country. And I stand before
7 you today as a proud American, as a proud father, as
8 a proud black man that lives in Alabama and
9 represents the great people in Shelby County in a
10 Republican party.

11 I just wanted to say you have tough
12 task before you. But just please listen to what I
13 share with you, and say Dr. King's dream is alive in
14 Alabama. We have come a long way, and I'm living
15 proof that it is not based on color, as far as
16 representative -- I represent everybody in Shelby
17 County. Thank you for your time.

18 COCHAIRMAN PRINGLE: The Chair now
19 recognizes Donna George from Newton.

20 MS. GEORGE: Thank you, Chairman. I'm
21 here today to talk about an important issue and
22 something that is deeply concerning to me. It's a
23 stereotype that leaves black voters completely
24 forgotten and ignored. I'm a black Republican, and
25 I'm here to represent thousands of black voters, who

1 are also Republicans, that stereotypes of all black
2 voters are not Democrats.

3 And it's disrespectful to black
4 Republicans across the state and across the country.
5 I hope that you all take us and our opinions into
6 account when drawing district lines. We deserve a
7 voice too. Thank you for your time.

8 COCHAIRMAN PRINGLE: Thank you so
9 much.

10 Now, the Chair recognizes Belinda
11 Thomas from Newton.

12 MS. THOMAS: Good afternoon. My name
13 is Councilwoman Belinda Thomas. I represent the
14 great town of Newton, Alabama in the great area of
15 the Wiregrass. I am the first African American to be
16 elected council. I was the only female to be elected
17 council. I'm a patriot. I'm a Republican. I love
18 this state. I love my party.

19 It is unfair that we talk about
20 redistricting based on color. Because the city I
21 live in, the state I live in, it's not a lot of us.
22 So I was elected for my beliefs. And what I wanted
23 to do for the people, not because of my color.
24 I'm also a business woman bringing industry to the
25 state of Alabama, through my company, Alabamboo, not

1 based on color, based on building infrastructure,
2 bringing jobs bringing opportunity. I'm also the
3 founder of a nonprofit that bills farmers, not based
4 on color, not based on districting but based on need.

5 I pray that when you look at this, you
6 see me as a black Republican, but as a woman, and not
7 based on whether I'm Democrat or Republican based on
8 what's right. I feel that Wiregrass is an area that
9 needs to stay together, and stay with Montgomery.
10 Thank you.

11 COCHAIRMAN PRINGLE: Thank you so
12 much. The Chair now recognizes Tia -- is Lennora
13 Pierrot? I got it. Yay.

14 MS. PIERROT: Good afternoon. I am
15 Tia Lennora Pierrot. I am representing Macon County.
16 I am here today truly thankful for the opportunity
17 to be here in Alabama. I have been here for 11
18 years, and within those 11 years, I have really seen
19 the lack of for us for African Americans. And it is
20 really important as leaders who are representing us,
21 we need to be informed. We, as citizens, are not
22 informed. We vote for you, and we don't get the
23 information that we need. We don't know what it is
24 that's happening. We don't know what and how you
25 guys are leading our lives.

1 So today, I am here to ask on your
2 behalf to please if we vote for you, let us know
3 what's going on, let us know how our lives are being
4 impacted, let us know what we need to do. The
5 information that's been given here today and so many
6 people do not know that this stuff is happening.

7 It is necessary for us, as citizens of
8 Alabama to be aware what it is that's going on in
9 your community. As a associate for the Black Belt
10 Foundation, it is important because we have
11 individuals who are doing the work, and they're not
12 getting recognized for anything that they're doing in
13 Alabama. It's really sad that while we're here, at
14 this point in history, in 2023 we are the living
15 legacy of the individuals that have died for the
16 opportunity to sit in a seat for the opportunity to
17 sit over here and lead the individuals.

18 So whether or not, I am a black
19 Republican or a black Democrat, should not matter as
20 to whether or not the things that we do and the
21 things that you -- the laws that you dominate us
22 within our community, we as individuals, we as
23 citizens, it is necessary that we are informed.

24 And Alabama Forward, I thank you guys
25 for the work that you do. Because if it wasn't for

1 that you did, a lot of us within our communities
2 would not be aware of the things that's been going
3 on. So I say thank you because we do need to have
4 forward movement, but it has to be from a place of
5 consistently united. We have to unite. The
6 Republicans and the Democrats have to come together
7 because we live together.

8 So being two percent Republican in
9 Macon County that doesn't mean I'm a "anti-my
10 people," it means I want to work for my people. And
11 I am here today to ask my leaders, the people who
12 represent me, the people that I voted for, to please
13 inform the people. Because we don't know what's
14 going on. I live in Macon. Lee County has such a
15 better educational system in Macon County, and it's
16 not right. So I need representation. Thank you.

17 COCHAIRMAN PRINGLE: Thank you so
18 much. The Chair recognize Benard Simelton -- you
19 already started -- I love you, but no.

20 Yolanda Flowers from Birmingham?
21 Yolanda Flowers from Birmingham? Okay. I heard a
22 voice.

23 MS. FLOWERS: Good afternoon. I'm
24 Yolanda Flowers from Birmingham. I was told that I
25 am -- I just sign in. So I just followed suit. I

1 just did what I was told to do. But -- in regards --
2 since I'm here, I would like to talk about
3 representation as we've heard several people have --
4 have voiced. And it is important. We do know the
5 schism that is taking place in our state, which is
6 not good. But none of us know if it's fair.

7 And so I'm being as one is
8 representing many others, both Democrat and
9 Republican because we are here and we do have
10 liberals as well. To -- to think about the whole, to
11 not think about one party or the next but to think
12 about what is best for everybody and I believe that's
13 what -- Legislators, you all have been missing the
14 mark in terms of us citizens, to hear our voices, to
15 know what is fair, considering the history of Alabama
16 and all so please bear that in mind in regards to all
17 of us, because it behooves all of us. If Alabama is
18 to -- to thrive and to do better than what Alabama
19 has done. The history of Alabama is not good. And
20 we know that and you all are in a prime position to
21 make it best for all of us. The whole country, even
22 the whole world as I stated during the campaign, if
23 we're looking at Alabama, we know Alabama is a racist
24 place. I gotta say it, you know, the foundations
25 have not been fair, and as much blood has been spilt

1 on this ground and -- and has produced strange fruit.

2 So I've just -- just thank you for
3 listening. And I pray that God will arrest y'all's
4 heart when you all go to make the decision that you
5 will make it right. If Alabama is to be healed,
6 please make it right for us all. Thank you.

7 COCHAIRMAN PRINGLE: Thank you, Ms.
8 Flowers.

9 The chair now recognizes Patrick
10 McWilliams from Spanish Fort.

11 MR. McWILLIAMS: Good afternoon,
12 Cochair Livingston and Cochair Pringle as esteemed
13 committee members. I am Patrick McWilliams from
14 Spanish Fort. I am also the chairman of Baldwin
15 County Republican Party. I am here today because the
16 Senate and the House leadership saw fit not to
17 appoint anyone to this committee that resides in
18 Baldwin County. I think it is worthwhile to state
19 the merits of Allen versus Milligan and how it
20 pertains Baldwin County and Coastal Alabama.

21 Baldwin County because of Alabama. We
22 need to call it like it is with this ruling. This
23 was a 4.75 to 4.25 vote. Justin Cavanaugh said that
24 on Part 3 B1 of Chief Justice Roberts' opinion. This
25 margin is as razor thin as it gets concerning the

1 14th and 15th Amendments. I have not heard anyone
2 bring up the dissenting opinion -- opinion of Justice
3 Thomas, who has been hearing cases on Voting Rights
4 Act for over 30 years. Thomas' opinion specifically
5 addresses congressional district -- and communities
6 of similar interest. It specifically states, it is
7 indisputable that the Gulf Coast region is a sort of
8 community of interests that Alabama Legislator might
9 reasonably think and congressional districts should
10 be built the route.

11 With the Plaintiffs' remedial map, you
12 can have a congressional district that is Mobile to
13 Dothan lumping a congressional district from Alabama
14 Mississippi lines into Dothan region will complicate
15 major economic policy initiatives like the Interstate
16 10, Mobile River Bridge and Bayway project that
17 connects downtown Mobile to Baldwin County. Is that
18 a priority for someone that lives in Enterprise? Or
19 will for -- the Ross Clark Circle in Dothan be a top
20 priority for somebody in Foley.

21 Another issue that should concern all
22 of us as earmarks for federal budget appropriations.
23 We would to have two large universities with South
24 Alabama and Troy. Then you have Coast Guard aviation
25 training center in Mobile, and army -- aviation

1 training center at Fort Novosel. Both are critical
2 training for aviators for national defense. There
3 are only so many earmarks you can get in one
4 congressional district. They close -- Mobile,
5 Baldwin counties are a community of interest. I will
6 remind this committee that none of you had any
7 problem reaching in the Baldwin County and absorbing
8 the entire city of Spanish Fort to create a new
9 senate District 33, which is 73 percent black and 23
10 percent white.

11 I think we can all agree there is no
12 easy way to make this fair and equitable for
13 everyone. But however, this may fall out the
14 Plaintiffs' remedial map will negatively impact not
15 only coastal Alabama, but the socioeconomic health of
16 the entire state. Thank you.

17 SENATOR FIGURES: Mr. Chairman?

18 COCHAIRMAN PRINGLE: Thank you. Yes,
19 Senator Figures?

20 SENATOR PRINGLES: I just like to tell
21 the young man that I was a part of that person who
22 got in Baldwin County, and you're my constituent.
23 But I didn't vote for that plan, so -- the same
24 people who voted for this congressional plan and went
25 to the Supreme Court, and they voted it down, then --

1 those are the same people who put me in your county.
2 I just wanted to make that clear to you.

3 COCHAIRMAN PRINGLE: Thank you,
4 Senator. Thank you, Mr. McWilliams.

5 Now, the Chair recognizes the final
6 person on our general then we'll go to the individual
7 plans. Reverend Rayford Mack.

8 MR. MACK: Good afternoon, committee
9 members. I came here today with a written-out
10 appeal, but after hearing and feeling what has
11 happening, I had to throw that out the window. If
12 the committee itself that's working on the plan, is
13 not initiating and doing the right things to come up
14 with -- what needs to be done, how is it going to
15 move forward?

16 Senator Smitherman stated that this is
17 a new start. We're here today because of power and
18 privilege. We still fighting for power and
19 privilege. There's no way you could deny. We want
20 the privilege to vote, which would give us power.
21 The committee wants to retain a certain power for a
22 certain demographic. We're here for the same reason
23 that got us here before. We're tired of this
24 situation.

25 So I'm going to read the first

1 statement. We find ourself at a critical junction --
2 always at a critical junction in this state. So for
3 once and for all, let's do the right thing. You
4 know, if I had been born white, I would not want to
5 give up my privilege, this unforeseen, unknown
6 privilege that I have. I would not want to do that.
7 In all honesty, it's no way that you can come about
8 this being fair, but you can't be fair, but you can
9 do the right thing.

10 COCHAIRMAN PRINGLE: One minute.

11 MR. MACK: So I grew up in Mobile. I
12 spent the past 30 years in Montgomery. I know what
13 city-wide elections -- everybody in the county voting
14 for who they wanted to vote for, majority is white.
15 It's time for a change. It's time for a change.
16 And, if you there sitting on the committee, don't see
17 that, we will be right back here again in 2053,
18 fighting these same issues because of power and
19 privilege, and nobody wants to share in this power
20 and privilege.

21 But we'll be here to fight for our
22 rights as citizens in the state of Alabama and
23 citizens of America. Thank you very much.

24 COCHAIRMAN PRINGLE: Thank you so
25 much, Reverend.

1 That concludes our discussion on the
2 general issue of redistricting and reapportionment.
3 Now, we'll move to -- if the clerk will please put up
4 the VRA Plaintiffs' remedial map on the screen, and
5 we'll begin discussing this particular map.

6 The Chair now recognizes Travis
7 Jackson for the purposes of discussing this plan.

8 MR. JACKSON: Thank you all for
9 allowing me to be here, Chairman, and all the
10 reapportionment committee members. Thank y'all for
11 what you do for our community, as well as state.

12 My name is Travis Jackson, just like
13 many countless people that have spoken, I am too a
14 war veteran. I am a war veteran of the Iraq
15 Campaign. I deployed for 15 months during Bush Jr.'s
16 -- from 2007 through 2008. I'm also a huge advocate
17 for Black Lives/Voters Matter. I'm a firm believer,
18 as you all should believe, that not all voters cannot
19 matters until black voters matter.

20 I am a huge supporter of the VRA
21 Plaintiffs' remedial map. I say that because after
22 researching on my own accord, as well as reading the
23 opinion of the Supreme Court, I've come to realize
24 that we for years and years and decades and decades,
25 Alabama has been national embarrassment, for not just

1 America but a world-wide embarrassment.

2 It is long overdue for us to recognize
3 that black voters are -- black voters do deserve not
4 only fundamental rights, but they do need to have
5 their proper recognition as being political
6 superheroes of the land. I -- if you all do vote and
7 support of the VRA Plaintiffs' remedial map, I have
8 some few suggestions for y'all to take into
9 consideration, and I will speak on the
10 recommendations.

11 I highly recommend that there is
12 voters with disability. I urge you all to consider
13 voting accessibility, as well as disable
14 accessibility in the buildings, inside and outside of
15 the buildings. I highly recommend that there will be
16 actually adequate or adequate or healthy water. I
17 recommend that there is no police presence whatsoever
18 because in the year and years since black voters have
19 had the fundamental rights to vote. The police have
20 been camouflaged as, many of them, as the Ku Klux
21 Klan by intimidating black voters every time they go
22 to the voting poll. They do so through unethical
23 search methods, whether it's patting down or
24 commanding them to empty all the items in their
25 clothing or purses or bags or whatsoever.

1 And they also -- and they also stopped
2 and pulled people over, black voters in particularly.
3 This is in my opinion, this is not the Ku Klux Klan,
4 but any police force that intimidates minority
5 voters, I like to call them the "Blue Klux Klan."

6 In consideration -- in conclusion, I
7 would just like to say when this map is voted upon
8 that you look at all voters as equal and not just
9 white voters only. Because all voters can't matter
10 until black votes matter. Thank you.

11 COCHAIRMAN PRINGLE: Thank you, sir.
12 I'm going to ask people testifying, talk about the
13 plan. What we're here to talk about is the VRA
14 Plaintiffs' remedial map. That's the issue before
15 this committee. We need to stay on the issue before
16 the committee and what this map before you looks
17 like.

18 The Chair now recognizes Khadidah
19 Stone from Montgomery? Y'all don't want to speak
20 again. Okay.

21 Reverend Mack has already spoken.
22 Mike -- I can't read. Looks like from Montgomery
23 Mike Mila [sic]?

24 Didn't she already speak? Latetia
25 Daniels Jackson -- Commissioner Sheila Tyson.

1 MS. TYSON: It's lunchtime, now,
2 y'all, right?

3 Good afternoon. I brought some maps
4 since y'all have maps, you have so many, but I
5 brought the Plaintiffs' map, and I wanted y'all to
6 know that's the one I'm supporting. And my speech
7 today, to what I wrote -- I'm just going to disregard
8 that. I want you to know I am a county commissioner
9 in Jefferson County. I have people that represent me
10 that sit on this committee in Jefferson County. I am
11 here as a county commissioner, but I'm also here for
12 a convenor for the Black Women's Roundtable.

13 I am became a convenor for the Black
14 Women's Roundtable because of the representation of
15 black people and black women and children that we
16 were not receiving in the state of Alabama. We work
17 out four counties in this state. We have women and
18 children that are not being represented in this
19 state. We have access to resources from out of the
20 state of Alabama that we have bring to this state in
21 order to cover the counties that they are being
22 represented in. From clean water, health care, food
23 deficiencies, throughout this state, educational
24 program. I can go -- utilities -- I can go on and on
25 and on.

1 I would like for you to look at these
2 lines, just from this paper that I have received that
3 Senator Smitherman and three, four other senators,
4 Representative Hall have brought to y'all's
5 attention. The disrespect of the court system, that
6 y'all turn around and rewrote something to fit what
7 y'all wanted. I just really hope that you all do
8 this on no -- be on the right side of history, on
9 this decision.

10 We have the whole world looking at us.
11 They already think we're a bunch of country bumpkins
12 and the most racist state in the world. Make sure
13 that you represent your families. Y'all have
14 families that's going to look back in history and see
15 what you were doing because of a race issue that
16 should not be addressed through this. Do the right
17 thing. Draw the lines right. Do not send us back to
18 the court system. Used the maps that the Plaintiffs
19 that have given you. Everyone told me, you go up
20 there, they are not going to pay any attention to
21 nothing that you say. They are going draw it on
22 party line. But I am hoping that you don't.

23 I am hoping that you would be on the
24 right side of history and do what the courts ask you
25 to do.

1 COCHAIRMAN PRINGLE: Thank you so
2 much, Commissioner.

3 Chair now recognizes Bianca Baxter
4 from Montgomery.

5 MS. BAXTER: Good afternoon, everyone.
6 My name is Bianca Baxter. I am 16. I am in the 11th
7 grade at Brewbaker Tech Magnet High School. I'm
8 speaking today on the Southern Youth Leadership
9 Development Institute founded by Ms. Doris Crenshaw.
10 While my fellow students had to leave, I am here to
11 speak on our behalf and bring awareness to a
12 situation.

13 First, I would like to open with a
14 quote from Kofi Annan, "We may have different
15 religions, different languages, even different color
16 skins, but we belong to all one human race." This
17 summer we've been learning about the current status
18 of the Allan vs. Milligan case. We are grateful for
19 those who have taken extreme efforts to bring
20 attention to this state issue of restricting. As
21 Milligan stated earlier, we deserve to know and be
22 acknowledged as a part of this human race as well.

23 Soon, we will be included in civics,
24 processes, as well as informed citizens. We hope to
25 make the greatest impact possible with our vote. As

1 youth in Alabama, we will be included in the voting
2 process in these upcoming years. This aspires us to
3 learn about other injustices that may impact my
4 future, our future.

5 My question is, or if this map is not
6 passed nor acknowledged by the State of Alabama, what
7 rights and opportunity will be at risk for my youth
8 as future voters? Also what statutes will be
9 implemented to ensure the fairest map and effectively
10 abided by if this map is in fact passed? That is my
11 question to you all. If this is not passed, what
12 will future look like here?

13 COCHAIRMAN PRINGLE: One minute.

14 MS. BAXTER: I'm going to let that sit
15 for my one -- I will stand here for my one minute
16 and, I will acknowledge my question. I will keep
17 repeating it. If this is not passed, what will my
18 and my siblings, my children, your children, what
19 will their future look like here in Alabama? I'll
20 say it again. What will my future look like here in
21 Alabama if this is not acknowledged? I matter, you
22 matter, we all matter. We are all the same. We all
23 believe. 16 young and educated.

24 COCHAIRMAN PRINGLE: Thank you. Your
25 time has expired.

1 The Chair now recognizes Tammie Smith
2 from Birmingham.

3 MS. SMITH: Good afternoon. I just
4 got one thing -- well a couple of things. If the
5 line wasn't drew right this time, what insurance do
6 we have that it's going to be drawn right now?
7 Because if the same people are rewriting them and
8 then do it right, what makes it so special that
9 you're going to draw them properly -- right -- this
10 go-round?

11 It's no secret that we've been stacked
12 and packed -- and cut up and spit out as black
13 people. And on this side of the panel, looking up
14 there, we fighting the news about it anyway. What
15 insurance are we going to get? Because some of you
16 have no idea how it feels that we still being fight
17 -- still fighting about -- it's 2023. We still are
18 fighting for rights to be counted as voters. We
19 fighting to be counted as voters. They're fighting
20 get to decide what they're going to put they next
21 million-dollar project at.

22 It's -- uneven the playing field is.
23 We still don't get justice. That's so, so unfair.
24 Even with this stacked and packed and cut up and
25 diced up, it's still the blacks -- it's still the

1 blacks that being affected the most. You can't know
2 how it feels. We always talk about being accounted,
3 being accounted. If it ain't the census, it's
4 something else.

5 And with this redrawing line, why was
6 it necessary to cut us up and dice us up and spit us
7 out anyway? So is it beneficial for the ones that's
8 writing it? For us to be not include or included?
9 Is it benefit -- for their personal gain? We always
10 been the political puns in Alabama. And being from
11 Birmingham, I don't have to tell you nothing.
12 Because even there, if we leave Jefferson County
13 Birmingham, like it is. It don't need to be cut up
14 and diced up just to set -- power they be.

15 Because the problem we got down here,
16 it start right down here it behind these walls. It's
17 so unfair to people of color. It always amazing that
18 the ones who made the decision about the people of
19 color never is the ones that's the people of color.
20 So it don't make sense. So try to understand from
21 this side, being still counted in 2023, 1965 Voters
22 Rights Act. What kind of since do that make? It's a
23 horrible feeling. We have to travel to go down there
24 just to be recognized. They don't have to try --
25 just to vote all in favor. And it's still not right.

1 So factor that in when you want to
2 chop them up again and redraw -- what difference is
3 it going to make if it's going to be redrawn, and we
4 going to end right back here with the same problem.
5 So if you draw fairly in the first place, because you
6 don't separate the money when it come to what we have
7 to pay for. You know, we pay for a lot of the stuff
8 that you do, so you don't separate that money. So
9 stop separating us. Thank you.

10 COCHAIRMAN PRINGLE: Thank you.

11 The chair now recognizes Ron Jackson
12 from Birmingham.

13 Okay. Sheila Dowdy from Mobile?

14 Okay. Are any of the members of
15 committee have any questions on the VRA Plaintiffs'
16 remedial map? Are there any questions from the
17 members of the committee on the Plaintiffs' map? Is
18 there anybody else that would like to discuss the
19 Plaintiffs' -- yeah.

20 Senator Figures?

21 SENATOR FIGURES: Thank you,
22 Mr. Chairman. I just wanted to say that I am honored
23 to be the sponsor of that map, and we'll introduce it
24 on Monday.

25 COCHAIRMAN PRINGLE: Okay. Thank you.

1 No other comments on that matter?

2 Now, if the clerk will please put the
3 Hatcher Remedial Congressional Plan 1 on the board.

4 Yes, Representative Almond?

5 REPRESENTATIVE ALMOND: I'm a little
6 slow. But I do have one question about the VRA
7 Plaintiffs' remedial map. Which groups support this
8 plan?

9 COCHAIRMAN PRINGLE: That's the
10 plaintiffs. I don't think any of the plaintiffs
11 left, have they? I see you. I'm sorry.

12 REPRESENTATIVE ALMOND: So is it only
13 the Milligan plaintiffs --

14 COCHAIRMAN PRINGLE: -- y'all experts
15 have drawn, correct? Your attorneys and experts --
16 well, I'm sorry. Mr. Ellis was blocking you.

17 MR. ROSS: I can answer your question.
18 What was it?

19 REPRESENTATIVE ALMOND: My question is
20 who supports this plan? Is it just the plaintiffs or
21 do you have other groups?

22 MR. ROSS: The Milligan plaintiffs and
23 the Caster plaintiffs support the plan. You heard
24 folks from the audience, including my client, the
25 president of the Alabama NAACP spoke. I heard the

1 president of the Legal Women Voters speak. I heard
2 Commissioner Tyson speak. So there's a number of
3 groups and individuals who are supportive of the
4 plan. My clients are the one who brought this case
5 and the Caster plaintiffs. Those are the plaintiffs
6 who have won so far.

7 REPRESENTATIVE ALMOND: Thank you.

8 COCHAIRMAN PRINGLE: Any more
9 questions for members of the committee while we have
10 the attorney here?

11 Thank you so much.

12 MR. ROSS: Thank you.

13 COCHAIRMAN PRINGLE: We're ready to
14 move on. Let's move to the next map please, which
15 will be Hatcher Remedial Plan 1.

16 The Chair recognizes Dr. Joe Reed.
17 Thank you, Dr. Reed, for being here.

18 DR. REED: Thank you for receiving me,
19 sir. I'll get straight to the point. First, let me
20 thank you for taking time to hear us out, and I hope
21 it's meaningful. A few things I call to your
22 attention. There are three names I like to put
23 before you, going to ask you to do what they did.
24 One is Lister Hill Proctor, a former senator from
25 Talladega. Jimmy Clobb, a former Speaker of the

1 House from Barbour County. And John Teague, a former
2 senator from Talladega. I want you to do what they
3 did. What did they do? They put Alabama first.
4 They put Alabama first.

5 We were doing reapportionment plans
6 back in 1980, and John Teague and Proctor were in the
7 same county, Talladega County, but they were two
8 different districts. At that time, we were trying to
9 put ties together. And those guys met. They knew
10 one of them was going to fall through the political
11 process, but they agreed to support a reapportionment
12 plan that put them in the same district. Because we
13 were trying to put all the counties back together.
14 They said they wanted to put Alabama first.

15 A few years later, Jimmy Clobb, and
16 most of you remember him --

17 (Technical difficulties.)

18 DR. LEE: -- the reapportionment plan.
19 He said he was tired by the federal government having
20 to do what Alabama ought the do. Jimmy Clobb's
21 talking now -- be surprising me too, yeah.

22 We talked and put the plans together.
23 If you go back, you are going to find a court case on
24 it at that time. What did he do? He pulled it
25 together, told Jimmy Evans to come over, said we've

1 gotten together, we got a plan that fair to blacks,
2 and it was. It's a plan fair to white, it was. And
3 he told Jimmy Evans, former Attorney General, he said
4 go and tell that judge that we are together and that
5 he had to be with us.

6 You know how Jimmy Clobb talks, well,
7 it was conveyed to the judge that we had a settlement
8 and we had one. That ended it. We put it together.
9 We had more blacks in the Legislature and the House
10 and in the Senate. I want to remind you -- something
11 else another Alabamian said, he said that, today as
12 an American, what he likes is constitutional, what he
13 dislikes is unconstitutional.

14 So the average Legislature -- if your
15 district is a good district. If it doesn't fit it --
16 it be kind of strange. The point I'm making, is that
17 -- I'm not going to spend a lot of time rehashing the
18 history. We know that there will be two majority
19 black districts. I believe that -- of the committee
20 and other members are you committed, ought to get
21 together with the plaintiffs, and let's get this
22 matter settled. Why spend all this time when the end
23 results going to be -- this is going to be a results
24 tests when it's all over. There will be two majority
25 black districts.

1 I'll tell you right now, I am in favor
2 of the one that I drafted because it's right.
3 Because it's right. It is right. This is 48th year.
4 I've been drawing reapportionment plans for 48 years.
5 I'm an old man now. And I look forward to the day,
6 as Judge Johnson said in 1980, when the citizens of
7 Alabama can come together and draw a plan itself.
8 Now, there will be a plan and that will be two
9 majority black districts. Whether we put them
10 together as Alabamians or whether we let some
11 "outside expert" come in and draw a plan and give it
12 to us. And we still got that to abide by. That's
13 all I'm going to say.

14 COCHAIRMAN PRINGLE: Thank you, Mr.
15 Reed. I have a question for you.

16 DR. REED: And I thank you for
17 listening to me. Let's get together and put the plan
18 together.

19 COCHAIRMAN PRINGLE: I have a couple
20 questions on the Hatcher. How many counties are
21 broken in this plan?

22 DR. REED: My plan?

23 COCHAIRMAN PRINGLE: Yes.

24 DR. REED: Eight.

25 COCHAIRMAN PRINGLE: Eight?

1 DR. REED: All of north Alabama is in
2 good shape. And let me just say one little thing, I
3 saw one plan where a lot the economy was broken and
4 it should not be broken. It doesn't have to be.

5 COCHAIRMAN PRINGLE: Okay. How many
6 voting precincts are broken in this plan?

7 DR. REED: How many what, sir?

8 COCHAIRMAN PRINGLE: Voting precincts.

9 DR. REED: Oh, when I draw
10 reapportionment plan, I count people, not precincts.
11 Because precincts vary from -- depends on what you
12 want. They county commission may want one kind,
13 Legislature may want another kind. Basically, it's
14 people. And all the district lines are together --
15 and the people -- are you talking about plus or
16 minus?

17 COCHAIRMAN PRINGLE: Yep.

18 DR. LEE: Zero.

19 COCHAIRMAN PRINGLE: You got ten
20 counties split. You have 87 voting precincts split,
21 and you've got -- your deviation are higher than zero.

22 DR. LEE: One of them is a deviation.
23 I can tell you exactly why it's deviated. It was
24 question whether we were going to break Morgan
25 County. We're going to break Morgan County. We

1 broke Morgan County to get to one person, one vote --
2 District 5 is very compact. We broke Morgan County.
3 We got a couple of them we did not break. We could
4 have broken Blount County and Jefferson. We did not
5 break that because of 42 people.

6 And we figured it was easier and
7 better. That should be a footnote in this plan here.
8 It should've been better to keep it as it is, really,
9 rather trying to get the 42 people so that Jefferson
10 County have to set up another voting place. All of
11 those splits, necessary splits, for constitutional or
12 statutory purposes. Because the -- to one person, one
13 vote, what we call necessary splits. The other ones
14 are statutory to comply with Section 2 of the Voting
15 Rights Acts. They all, what we call necessary
16 splits, not -- splits. But they are there and their
17 explanation for it and -- we did at one time have
18 another time, but the Court thought it was all right.
19 We don't know what this Court is going to thing
20 because you got different judges.

21 COCHAIRMAN PRINGLE: You're okay with
22 it not achieving de minimis deviations? The other
23 plans are zero deviations and yours is not. So
24 you're okay --

25 DR. REED: Now, some plans are zero

1 deviation, and we can be zero deviation if we break
2 more counties. But 42 people shift to say from
3 Blount County to Jefferson County is not enough for
4 Jefferson County is not enough for Jefferson County
5 to -- another preset. And that is very minus. If
6 this was a plus or minus one plan, we wouldn't have
7 the problem. Plus or minus five, we wouldn't have a
8 problem.

9 COCHAIRMAN PRINGLE: You broke ten
10 counties and broke 87 voting precincts.

11 DR. REED: What's that?

12 COCHAIRMAN PRINGLE: You broke ten
13 counties and broke 87 voting precincts.

14 DR. REED: Yeah. And all of them,
15 what we call necessary splits.

16 COCHAIRMAN PRINGLE: Did you pair any
17 incumbents together in this plan?

18 DR. REED: One, you ain't got to.
19 Well, you don't really have to. It depends on what
20 -- wants to be. If an incumbent wants to be any
21 black majority district and this would have done in
22 the Mobile in the second congressional district
23 areas. That's what that would have been. If that
24 person want to be in a majority black district, you
25 can either make that change.

1 COCHAIRMAN PRINGLE: I know where
2 Mr. Carl lives.

3 DR. REED: The bottom list is if you
4 don't put him in a majority black district, you got
5 -- two incumbents together --

6 COCHAIRMAN PRINGLE: And which
7 incumbents did you pair together in your plan?

8 DR. LEE: As far as I recall, it's
9 first district and the second district. That's
10 Mobile and Coffee County. But the first and second
11 district.

12 COCHAIRMAN PRINGLE: You did not care
13 to represent Congresswoman Sewell and Congressman
14 Palmer together?

15 DR. LEE: Who's that?

16 COCHAIRMAN PRINGLE: Sewell and
17 Palmer?

18 DR. LEE: I don't think so.

19 COCHAIRMAN PRINGLE: So you did not
20 pair those two together?

21 DR. LEE: No, sir -- I was just double
22 checking with my assistants here. No. They're not
23 together. One is in Hoover, and one is in
24 Birmingham. They in different districts altogether.
25 This plan does not have a crooked stuff, sliders fast

1 balls, curves, anything. It's an old plan designed
2 for two things. That's as clean as I can be with
3 you.

4 This plan is to get two majority black
5 districts, not close, two majority black districts.
6 That's all. Not trying to trick the Republicans. I
7 -- there's going to be five white districts, and
8 they're all going to be Republicans. Now, how they
9 come out, I have no fight with anybody, not trying to
10 make one. We're trying to get two majority black
11 districts. That's all we're trying to get.

12 Let me say one other thing about
13 Mobile. Mobile got a hundred and some thousand black
14 folks to put Mobile with Baldwin County, and the
15 first congressional district is ridiculous. Because
16 you done killed every one of those black voters,
17 because they're not going to win anything, darling,
18 as long as they are in that first congressional
19 district. That's how it voted.

20 COCHAIRMAN PRINGLE: Senator Figures?
21 Yes?

22 SENATOR FIGURES: Thank you, Mr.
23 Chairman.

24 Dr. Reed, with all due respect, and I
25 know you have done so much with drawing maps over the

1 years. But with this many split precincts, that's a
2 big problem for us and other elections, even when
3 it's just a few split precincts. And you're talking
4 about 87, you're talking about chaos at its highest.

5 DR. REED: Let me say this about
6 precincts: You're going to have to split them
7 anyway -- county commission districts. You got to
8 split them. There's no such thing -- city council.
9 You're going to have to split those districts again.
10 Right now in Mobile right now throwing district lines
11 for city council. You're going to have to split
12 those districts again. One thing that y'all will
13 have, and I'll tell you. Anytime you draw city
14 council districts, county commission districts,
15 legislative districts, school board districts, all of
16 those will impact a precinct. All of them. There's
17 no such thing as a precinct being sacred.

18 SENATOR FIGURES: But we definitely
19 need to focus on these districts in the congressional
20 --

21 (Cross-talk.)

22 SENATOR FIGURES: We are -- that vote.
23 Get that to see.

24 DR. REED: It does not matter,
25 Senator. I can promise you it don't matter.

1 SENATOR FIGURES: I won't argue with
2 you, Dr. Reed. Thank you, Mr. Chairman.

3 COCHAIRMAN PRINGLE: Thank you,
4 Senator. Does anybody else have a question of the
5 Hatcher Remedial Congressional Plan?

6 We have several people signed up to
7 speak on it. Thank you, Dr. Reed. Please stay with
8 us unless something else comes up.

9 The Chair now recognizes Richard
10 Williams from Montgomery.

11 MR. WILLIAMS: I want to share with
12 you that I'm a Methodist and I signed up on the wrong
13 paper. My expectation was to sign up on the general
14 paper, and I do believe the amount of papers in the
15 process maybe because it was paper, and I'm a
16 millennial that I needed a tech to be able to press a
17 button. But if it would be your pleasure, I would
18 really love to give general comments to this, if it
19 would be allowed.

20 COCHAIRMAN PRINGLE: That'll be fine.
21 Thank you so much.

22 MR. WILLIAMS: My name is Richard
23 Williams. I live in Montgomery, Alabama, where I
24 made the biggest purchase of my life in purchasing a
25 home. I also serve as a pastor Metropolitan United

1 Methodist Church, but these views are mine. Psalms
2 37: 27 and 29, "For those who follow the gospel,
3 since turn from evil and do good, then you will dwell
4 in the land forever. For the Lord loves the just and
5 will not forsake his faithful ones. Wrongdoers will
6 be completely destroyed. The offspring of the wicked
7 will perish. The righteous will inherit the land and
8 dwell in it forever."

9 Clearly, this is a polarizing issue,
10 and I know that many decisions have already been
11 made, but I do believe that God still has a way of
12 waking us up in the morning and allowing us to lie
13 down in the evening. Thank you for allowing me for
14 this opportunity to share with you as we embark on
15 the importance task of redrawing Alabama's
16 congressional maps. I urge each of you to keep in
17 mind of the fundamental principles that I think you
18 believe, that all young folks and persons of seasons
19 as yourselves should hold near and dear to your
20 hearts, fairness, representation, and inclusivity.

21 It is our duty to ensure that all
22 voices are heard and that the diverse population of
23 this great state are adequately represented in all
24 that we do. Today, I stand before you as an advocate
25 for inclusion and empowerment for Alabama's black

1 voters and redistricting process.

2 We must recognize the historical
3 context that communities of color including African
4 American citizens have faced significant barriers
5 over and over again. Now, is the time for us to be
6 able to rectify what has already been done. I know
7 there are many opinions within this space, and I know
8 there are those that you must go home and have
9 conversation with. That's a political reality that
10 we must all deal with, but I do believe that there is
11 a God that will allow you to wake you to wake up in
12 the morning and that will give you the strength to
13 make bold decisions that are not just based on party
14 lines and not just based on your comfort for an
15 election.

16 I do believe that you can create a
17 congressional map that gives voice to Alabama's black
18 voters and a means of insuring that communities are
19 not fractured or even diluted. I do believe that
20 there is way because of these minds that you have,
21 that have been given to you that there is a real way
22 that the democracy can exist, where all are able to
23 have voice and representation. And I also believe
24 that because you were elected, and you were given the
25 responsibility to be able to serve not just those who

1 fund, but also the ones that you represent. We will
2 make it happen.

3 In conclusion, I am implore each and
4 everyone of you to approach this redistricting
5 process with a commitment to justice and equality,
6 and the wellbeing of Alabama residents. We are
7 thankful for the plaintiffs that have served and done
8 the work. Now, it's your turn to stand up.

9 COCHAIRMAN PRINGLE: Amen.

10 I like to hear you preach on Sunday.
11 The Chair now recognizes Tammie Smith from Birmingham
12 to speak on the Hatcher Remedial Congressional Plan.
13 Going once, going twice.

14 The Chair now recognizes Ron Jackson
15 from Birmingham to speak on the -- he spoke? Well --
16 okay.

17 And the last is -- I can't tell if
18 it's Felix Dawn from Montgomery. F-E -- okay. Fine.

19 DR. LEE: I just want to thank you
20 very much. And, Mr. Chairman and members of the
21 committee, I think all of y'all ought to pay
22 attention what I'm about to say. All precincts are
23 realigned after reapportion -- all of them are
24 realigned. There's no such thing as a precinct
25 standing in the way of reapportionment. You do it at

1 the county level, you do it at the city council
2 level. You do it all over the county, and all of our
3 counties must be realigned. And you got to realign
4 precincts the same way.

5 Often times, when you realize what was
6 in one district last time around going to be in
7 another district this time around. The same thing in
8 the Legislature. So I want to make the committee
9 mindful of that fight. Precinct lines don't make the
10 voters. The voters make the precinct. That's very
11 much - you need to know that. And again, I want to
12 say you get necessary splits.

13 I want to point out one other thing to
14 you and that is, if you're to going have majority
15 black districts, you're going to where black people
16 are. You got to go where the black people are. And
17 what we did in this plan, we followed some things,
18 you already set as Legislatures. The State Board of
19 Education district, run from Montgomery, where, to
20 Mobile, District 5. We couldn't count it piece by
21 piece, but we couldn't count it county by county, but
22 we followed it tremendously in many, many respects.

23 So that happens and that's what we
24 call communities of interests, tradition -- we follow
25 all of that. But the splits we have are necessary

1 splits. If you don't want to split it all, you're
2 not going to get the numbers we have. And I think as
3 far as I can tell, our numbers -- we have some reason
4 for chance, a good chance of electing two blacks,
5 Montgomery, Mobile. That's the same quarter that we
6 use in State Board District Number 5, and we
7 compacted some of it.

8 I think -- we started really doing
9 District 5 first in Huntsville. It was just so
10 compact. We put it right together. I talked to
11 people in Lauderdale County. I went up there two
12 weeks ago to conduct some hearings. And the people
13 up there don't want Lauderdale County split. You
14 don't have to split it because nobody want that kind
15 of split -- but fundamentally -- more particular
16 about the issues on the precinct lines that is very
17 crucial. They all have to be redrawn when you
18 reapportion, whether you're at the congressional
19 level or whether you're at the council level.

20 COCHAIRMAN PRINGLE: Thank you,
21 Mr. Reed. I can assure you in the ten county splits
22 you have, I can find people that can disagree about
23 having their county split. I like to analyze the 87
24 voting precincts. Did you vote -- those 87
25 precincts, did y'all split those along racial lines?

1 Were y'all looking for African Americans when you
2 split those voting precincts and pull them in one
3 district to the other?

4 DR. REED: I keep saying, we looking
5 for people --

6 CHAIRMAN PRINGLE: Were you looking
7 for African American --

8 DR. REED: -- no, no. I'm not going
9 to say that. If anybody tell you draw two black
10 districts and that you weren't looking for blacks,
11 they lying to you. Anybody else is lying who said
12 they weren't looking for them. Just like your
13 district, the one you're in now. In all due respect,
14 you look for people help you get elected when you --
15 everybody in here wanted districts to help them. And
16 I'm not going to sit here and tell you and I'm not
17 going to even tell the Court that we didn't look for
18 blacks to get black folks in the district. We surely
19 did.

20 COCHAIRMAN PRINGLE: You drew on
21 racial lines then?

22 DR. REED: Not on the racial lines,
23 because that would have been 100 percent black, but
24 the bottom line is, we did look for communities of
25 interests, the same thing when you put District 5

1 together. I'm talking about the Legislature. You
2 put District 5 together, you put Mobile and
3 Montgomery together.

4 COCHAIRMAN PRINGLE: You do remember
5 in 2017 a federal court told us that we split too
6 many voting precincts --

7 DR. REED: Because I ask them not to
8 do it.

9 COCHAIRMAN: You formed that lawsuit
10 saying we can't split voting precincts along racial
11 lines.

12 DR. REED: District 26 --

13 COCHAIRMAN PRINGLE: It wasn't that
14 long. The Court told that we couldn't split voting
15 precincts along racial lines. And you won.

16 DR. REED: You the Chairman of the
17 Committee, but I'm going to debate you one way or the
18 other because you're the Chairman of the Committee --

19 COCHAIRMAN PRINGLE: In 2017 --

20 DR. REED: When Jimmy Clark and I sat
21 down and put it together, back in 1990, we put blacks
22 in the district. You can't put blacks in a district
23 without putting blacks in a district. You can't put
24 whites in a district without putting whites in a
25 district. And anybody tell you -- anybody in this

1 committee -- we drew it in a blind.

2 Lady Liberty had all of these --
3 blindfolds on her head. It was done. That was not
4 done. It's never been done. You never done it here.
5 Since 1975, I've been drawing reapportion plans and
6 never been done. The drafter who drafts the plan,
7 has something in mind. And finally --

8 COCHAIRMAN PRINGLE: This is his plan.
9 I'm going to yield to him. I have a lot of respect
10 for him.

11 DR. REED: When the Supreme Court says
12 go back and draw some districts, what do they mean?
13 They are going to find some black folks to put in
14 these districts. That's what that meant.

15 COCHAIRMAN PRINGLE: Let me ask this,
16 one more question. You did pair more members of
17 congress together? You put congressman from the
18 first and second in the same district?

19 DR. REED: If so, we didn't know that.
20 We missed where they were located.

21 COCHAIRMAN PRINGLE: All right. Thank
22 you so much. Do we have any more questions on this
23 plan at all? Okay.

24 I'm trying to be fair and give
25 everybody time to --

1 Now, we'll put up CLC Map 1.

2 The Chair now calls Deuel Ross from
3 DC.

4 Senator Singleton?

5 SENATOR SINGLETON: I'll be very
6 brief. I won't hardly take the three minutes because
7 we'll put it in the record. The CLC map basically
8 draws two districts. One, keeping Jefferson County
9 whole, and we're keeping community interest of the
10 Black Belt whole. And when you look at -- we have
11 split there in Tuscaloosa, that splits Tuscaloosa,
12 and you get a small split down in Elmore County.

13 This is a -- District 6 with
14 56.3 percent of African-Americans. And District 7 is
15 59.13 percent. I'm sorry. 59.19 percent
16 African-American and the other one -- in Democrats.
17 And the other one is 56 percent democratic leaning.
18 And we have a black population that shows District 7,
19 a majority black population, another majority black
20 population in the District 6 is going to be right at
21 49.83 percent.

22 COCHAIRMAN PRINGLE: Do any members of
23 the committee have a question? Anybody from the
24 audience have a question?

25 Yes, ma'am. Please come forward and

1 state your name in the microphone. Some people that
2 are watching online.

3 MS. JACKSON: Yes. Latetia Daniels
4 Jackson, on of the Milligan plaintiffs. I was just
5 wanting to know why did you have CLC Milligan on this
6 map because it's not a Milligan map.

7 SENATOR SINGLETON: It's not a
8 Milligan map. No, it's not.

9 MS. JACKSON: So that's an error?

10 SENATOR SINGLETON: That's an error.

11 MS. JACKSON: Okay. Thank you for the
12 record.

13 COCHAIRMAN PRINGLE: Anybody else?

14 (Inaudible.)

15 MR. MILLIGAN: Campaign Legal Center.
16 Evan Milligan, Montgomery, Alabama. I also wanted to
17 note that Campaign Legal Center wrote a letter, I
18 believe, stating that they no longer support this
19 matter.

20 SENATOR SINGLETON: We're fine with
21 that. Again, we are utilizing this map and the
22 Campaign Legal Center gave us the right to utilize
23 this map. We also have a letter rebutting some of
24 that statement he just made from Campaign Legal
25 Center.

1 UNIDENTIFIED SPEAKER: Repeat your
2 percentages.

3 (Inaudible.)

4 COCHAIRMAN PRINGLE: That is true,
5 Dr. Reed. You do not have to reside in your
6 congressional district to be elected in it. 180 days
7 after your election, you must establish a residency
8 in that district. But to get elected in it, you do
9 not have to reside in it. You are absolutely
10 correct. And you can move into the district one day,
11 and you are a resident of that congressional district
12 and have the legal right to run.

13 REPRESENTATIVE ALMOND: We don't have
14 a copy of the letter that was referenced, I don't
15 believe, do we --

16 COCHAIRMAN PRINGLE: I'm listening.
17 Yes, ma'am.

18 REPRESENTATIVE ALMOND: The letter
19 that Mr. Milligan referenced, we don't have a copy of
20 that, do we?

21 SENATOR SINGLETON: It came last week
22 some time.

23 COCHAIRMAN PRINGLE: Yeah. I believe
24 this is the letter that the -- yes. I believe this
25 is the letter here. It should be on your maps. "On

1 behalf of the Plaintiffs Milligan, et al, Allen, we
2 write to provide additional information related to
3 the VRA Plaintiffs' remedial plan" -- I'm trying to
4 scan through all this legal fees. I'm sorry.

5 "Counsel for the Singleton plaintiffs
6 spoke out against the VRA Plaintiffs' remedial plan
7 and offered a plan found in an amicus brief that the
8 Campaign Legal Center filed in support of the VRA
9 Plaintiffs in the Supreme Court. According to him,
10 the CLC Plan is a viable remedy for the VRA violation
11 because it has two "crossover" districts in which
12 Black voters do not form the majority but can elect
13 preferred candidates."

14 Y'all have to understand we're
15 swimming in a sea of papers up here. I mean, it's
16 flying. As an additional matter, CLC has not
17 proposed -- I'm looking at it. Deuel, it's you. And
18 Davin Rosborough. Okay. And that's where you are
19 saying you do not support this plan, correct?

20 Okay. That's -- ladies and gentlemen,
21 that plan is the July 11th, 2023, letter. It should
22 be in your packet somewhere.

23 Yes, sir. Mr. Milligan?

24 MR. MILLIGAN: Yes, sir. The Campaign
25 Legal Center drafted a letter for the Legislature

1 committee on reapportionment. It was dated June 30th
2 of this year. I'll just read the first two
3 paragraphs. "Dear Reapportionment Committee Members,
4 Campaign Legal Center is a nonparty or CLC is a
5 nonparty nonprofit organization committed to advance
6 democracy through law. We write this letter to
7 provide context for the committee's consideration and
8 crafting a remedial plan to correct the existing
9 congressional plan violation of Section 2 of the
10 Voting Rights Act.

11 A map derived from a brief written by
12 CLC has been proposed by some as a potential remedial
13 plan, but the committee must understand the context
14 in which that plan arose. Additionally, we wish to
15 dispute the claim the VRA Plaintiffs' map may be
16 unconstitutional." The letter is five pages long. I
17 believe they submitted it to you, but I can text this
18 to Ms. Overton.

19 REPRESENTATIVE ALMOND: We do have
20 that, yes. I didn't realize it.

21 COCHAIRMAN PRINGLE: Okay. I think I
22 have my plan mislabeled. Senator Smitherman, I think
23 we're ready to move on to your plan, but I have it
24 listed as Singleton Congressional Plan 3. That's
25 going to be Senator Smitherman's plan.

1 SENATOR SMITHERMAN: Yes, sir. That's
2 the one I'm offering.

3 SENATOR FIGURES: Mr. Chairman?

4 COCHAIRMAN PRINGLE: Yes, ma'am,
5 Senator Figures?

6 SENATOR FIGURES: Let it be noted that
7 I can add much information to the VRA plan, but I
8 think the Plaintiffs did a wonderful job in
9 explaining it. So in the interest of time, I won't
10 read out mine.

11 COCHAIRMAN PRINGLE: We're going to
12 put all that in the record. All the letters and the
13 correspondence back and forth will be a part of the
14 plan.

15 SENATOR SMITHERMAN: Are you ready?

16 COCHAIRMAN PRINGLE: I'm ready.

17 SENATOR SMITHERMAN: Oh, okay. I was
18 waiting on you to give me the green light. Thank you
19 very much.

20 As you can see on the map that is
21 Singleton Plan 3. I want to share some preliminary
22 information prior to going into it. Mr. Chairman,
23 the information is going to be in part that's part of
24 the packet. In our packet that we received today as
25 it relates to that plan. I was going to ask that it

1 would be made part of our public hearing today and
2 the record thereof. So if that's the case, I will
3 request that -- I'll give it back to you with my name
4 on it, where as you see fit.

5 My name is Roger Smitherman. I
6 represent District 18. I can't set -- for accuracy
7 about how long my colleagues have been on
8 reapportionment, but I came into Alabama Legislature
9 in 1994. And I've been on the reapportionment
10 committee everyday of my life, ever since I've been
11 on the Legislature. I think -- I said that for a
12 simple reason. I don't say that -- expert and
13 everything. There ain't many people sitting in here
14 that I have more knowledge over 29 years, than I do.
15 So I want to say that first.

16 Secondly, I want to say by profession,
17 I'm an attorney. Been one before I even came into
18 the Legislature.

19 I will share some information with you
20 in part -- the letter that's part of our packets, but
21 for the people who do not have a packet like ours or
22 may not have this letter. I'm going to share this
23 information and put it into the record. We're
24 talking about the Singleton Plan Number 3 -- and by
25 the way this last leg, I would say regarding this.

1 If you look on the list of the Plaintiffs in the
2 Singleton case, you'll see Senator Singleton name,
3 Number 1. And you'll see my name Number 2. I'm the
4 main plaintiff on -- to try to get adequate
5 representation in the state of Alabama for
6 minorities.

7 "Counsel suggest that we have no role
8 to play in proceedings to remedy the Voting Rights
9 Act violation affirmed by the Supreme Court, because
10 the District Court deferred ruling on the Singleton
11 Plaintiffs' claim that the 2021 enacted Congressional
12 plan is an unconstitutional racial gerrymander. That
13 is incorrect. As the Alabama Attorney General keeps
14 reminding us, trial on the merits is still pending,
15 and it may be necessary to decide the Singleton claim
16 in order to enter final judgment. Singleton remains
17 consolidated with Milligan and Caster." " Singleton
18 remains consolidated with Milligan and Caster."

19 And I state that twice because it has
20 been stated it does not involve where we are now.
21 The courts put them together.

22 "And Paragraph 5 of the District
23 Court's order entered June 20, 2023, says 'any set of
24 Plaintiffs' may object to the remedial plan enacted
25 by the Legislature."

1 Any set of Plaintiffs -- and right
2 now. "The question before the Legislature is whether
3 a remedial plan that splits Jefferson County and
4 Mobile County along racial lines complies with both
5 the Voting Rights Act and the Constitution."

6 Now, let me say this: As we people
7 talk about the qualifications up here. I just
8 haven't had the opportunity to teach constitutional
9 law to seniors in law school for 25 straight years.
10 I'm not saying anybody know -- I don't know it better
11 than anybody in here, there ain't nobody in here that
12 knows the Constitution better than I do. I know as
13 good as you do. I'm not saying I know it better than
14 you. I'm guaranteeing you don't know it better than
15 I do.

16 "The District Court's opinion says:
17 The Legislature retains 'flexibility' in their work,
18 subject to the rule that a 'district drawn in order
19 to satisfy § 2 must not subordinate traditional
20 districting principles to race substantially more
21 than is reasonably necessary to avoid § 2 liability.'

22 At the hearing on June 27, I told the
23 Reapportionment Committee that the Singleton
24 plaintiffs support plans that do not split Jefferson
25 County, specifically, Singleton plan no. 3 and the

1 Campaign Legal Center (CLC) plan no. 1. They show
2 that it is not necessary to draw districts along
3 racial lines in order to provide two "opportunity"
4 districts, i.e., districts in which Black voters have
5 a realistic opportunity to elect candidates of their
6 choice."

7 And let me share this: Is that -- the
8 district that I represent from '94 to now, and I
9 stand to be corrected by our reapportionment
10 committee, but the voting population is only, to my
11 knowledge, has been more African-American. Also, I
12 want to share with everybody in here, and I stand
13 corrected by the experts, that's our reapportionment
14 office had something like maybe 45 or 46 percent
15 African-American vote, yet I think at our last two
16 elections we elected nine African-American females to
17 serve in district judgeships.

18 That's what we were talking about,
19 democratic votes. That's what we were talking about
20 opportunity districts.

21 "Counsel for the Milligan and Caster
22 Plaintiffs contend that "the CLC Plan is not a viable
23 remedy for the VRA violation because it does not
24 provide Black voters with a sufficient opportunity to
25 elect their preferred candidates." That is

1 incorrect. We have provided you and the Milligan and
2 Caster Plaintiffs spreadsheets showing that, based on
3 statewide elections going back to 2012, CLC Districts
4 6 and 7 consistently elect candidates favored by
5 Black voters. Enclosed with this letter is a summary
6 of those results.

7 But legal issues aside, there are
8 reasons why the CLC plan, which is a modification of
9 Singleton 3, is good for all Alabama citizens. The
10 two most important communities of interest in this
11 state are the Black Belt and Jefferson County. CLC
12 plan Number 1 places all of the majority-Black Black
13 Belt counties except Barbour County, in one
14 district."

15 The significance of that is simply
16 this: I heard somebody get up here, and I'm not
17 going to single them out to have them come back and
18 explain it. But I sat right here and heard them talk
19 about how the assets of the funds come into a certain
20 area. But yet, that area does not have a an
21 opportunity to take advantage of it. And that's
22 true.

23 So many times in these split districts
24 that there are organizations or entities that put all
25 these black voters in for the number, but yet that

1 money never get over there because it stays in that
2 particular area. This gives the Black Belt a chance
3 to bring all their resources straight into the Black
4 Belt. And I said that with a lot of strength and
5 vigor and vitality. And I don't represent the Black
6 Belt. I care about everybody in this state, but I
7 definitely care about those resources being
8 concentrated in that complete area of the Black Belt.
9 So that they can enjoy the economic fruits that we've
10 enjoyed in so many other areas in our state.

11 And it keeps Jefferson County whole.
12 Jefferson County has developed more biracial
13 electoral correlations in any other Alabama county.
14 This is a trend that should be celebrated and
15 encouraged. Most people don't know this: Jefferson
16 County is the -- prod example of this state. We --
17 close to the majority of the Latino community, of the
18 Jewish community, of the Greek community. We have
19 the majority of most of our communities who pull
20 together, who pull together, not on racial lines.
21 Pulled together on issue lines. And the same thing
22 with candidates.

23 "Moreover, CLC plan no. 1 preserves
24 the Gulf Coast community of interest." I just heard
25 about what was going to happen in the Gulf Coast

1 interest and being split. This map preserves that
2 entrance.

3 "We urge the Legislature to adopt a
4 plan that keeps Jefferson County whole." Jefferson
5 County you heard people get up here and say that
6 we've been used as a pawn to satisfy all other
7 districts. With the sacrifice and the risk to the
8 county itself because we don't have a one voice and
9 one interests as it relates to this county. The
10 population will sustain a congressional district.
11 It's the largest county in the state of Alabama.

12 "The following table shows the results
13 of previous statewide races in Congressional
14 Districts 6 and 7 of the proposed Singleton 3 Plan
15 and CLC 1 Plan. For each race -- "

16 In the 2012 presidential race with
17 President Obama and the candidate, I think, it was --
18 Romney -- the democratic voting percentages was 53.2
19 in District 6 as it stands. And 55.7 in District 7.
20 In 2014, Governor's race was Governor Bentley.
21 District 6 as it stands up there voted 50.3 Democrat.
22 And the District 7 voted 53.5 Democrat.

23 In the 2014 Lieutenant Governor's
24 Race -- in 2014 Auditor's race, you had Joseph and
25 Ziegler, and it voted 50.5 in 6 and 53.6 in

1 Democratic in 7. The presidential race in 2016 with
2 President Clinton and President Trump -- not
3 President Clinton but Hilary Clinton and Trump.
4 District 6 voted Democratically, 53.6. And district
5 53.9.

6 In the senate race with Crumpton as a
7 Democratic and Shelby as a Republican. The
8 democratic in favor voted in that race was 52
9 percent, and 62.5 in 7. In the Senate race with
10 Jones and Moore. In District 6 as it's comprised on
11 that map. It voted Democratic 68.8 percent in the
12 District 6 and voted Democratic 65.4 percent in
13 District 7.

14 In the Governor's race, with Maddox as
15 a Democratic and Governor Ivey as a Republican,
16 District 6 voted 58.7 percent Democrat, District 7
17 voted 56 percent Democrat.

18 In the Lieutenant race with Boyd as a
19 Democrat and Ainsworth as a Republican --

20 (Zoom cut out/technical difficulties.)

21 I'm not here to criticize any other
22 areas. But I will say this: You look past the votes
23 that are African-American votes, and you look at the
24 percentage of people who are willing to vote
25 independently and openly, who are not

1 African-American. And I think that you would find
2 that there is a serious lacking in just about every
3 where in this state, but in Jefferson County in that
4 area of the state. The figures don't lie. They
5 speak for themselves.

6 In closing, Mr. Chairman, I want to
7 say that I fully support the Plan Number 3, and I
8 also support the Senator Singleton's CL -- CLC Plan.
9 And I support any plan that's going to provide us the
10 opportunity to have representation in Washington.
11 And I also support any plan that's going to keep
12 Jefferson County whole. We're tired of being the
13 split -- the surplus of everybody else around the
14 state when we have -- particular in that area, 1.2
15 million people in our Metropolitan area.

16 Just as it was said up here earlier,
17 we are definitely economic engine of the state. If
18 you look at gasoline taxes, we provide 25 percent or
19 more of the taxes for the whole state -- highways.
20 We do in that one county. And as much, we have
21 unique issues, and we need to have our county held
22 together and not our issues five or six different
23 districts that don't have an interest whatsoever --
24 as well.

25 Also the fact that this map has zero

1 -- I want everybody to hear that. Zero deviation.
2 You can't get a better deviation on any map that's
3 out there. No one person, not 1.29, not 2.8, but
4 zero deviation. And it keeps 99 -- I say 97 percent
5 of our counties whole, and that's part of the
6 constitution of interest -- myself being lead
7 Plaintiff that case to the Supreme Court. Because
8 the Constitution must take into consideration that
9 you have to do everything that's possible to keep
10 your counties whole.

11 So I thank you, Mr. Chairman for
12 allowing me that opportunity. And at the proper
13 time, I'd like to offer that information to be a part
14 of the permanent record.

15 COCHAIRMAN PRINGLE: If you would sign
16 that and give it to me, I'll put it in the permanent
17 record.

18 Let me just read this email that came
19 in. "As a lifelong citizen of Florence Alabama, I
20 would like the new map to keep Lauderdale County
21 whole in the same district. The current map splits
22 Lauderdale County into 2 different districts and it
23 led to confusion for St Florian voters. Sincerly,
24 River Alyxander Zurinsky."

25 Now, the Chair recognizes Senator

1 Figures for some comments and then we're going go to
2 Representative Jones.

3 SENATOR FIGURES: Thank you,
4 Mr. Chairman. As sponsor of the VRA Plaintiffs'
5 remedial plan, I would like to spread on the record
6 the following: "The Remedial Plan offered by the VRA
7 Plaintiffs in the Milligan and Caster litigation has
8 three key features.

9 Number one: The VRA Plaintiffs'
10 remedial plan creates two majority-Black districts
11 that will remedy the Voting Rights Act violation by
12 ensuring that Black voters can consistently elect
13 candidates of choice in those districts and fixing
14 the cracking of the Black Belt.

15 One district, Congressional District
16 7, is very similar to existing Congressional District
17 7, CD7 is currently Alabama's sole majority-Black
18 district. CD7 has existed in this form since a prior
19 round of Voting Rights Act litigation in the 1990s.
20 CD7 keeps Birmingham together with the western Black
21 Belt counties, including Dallas County.

22 The second remedial district,
23 Congressional District 2, unites the remainder of the
24 Black Belt counties and connects them to the city of
25 Mobile. In the 2021 plan, those Black Belt counties

1 are split among multiple congressional districts,
2 weakening the voice of the Alabamians who live there
3 and diluting their votes.

4 The VRA Plaintiffs' plan puts that
5 community back together. CD2 includes all of
6 Montgomery County, which has been split among two or
7 even three districts in recent decades. The VRA
8 Plaintiffs' plan unites all of the 18 traditional
9 Black Belt counties are in the two majority Black
10 districts in the Plaintiffs' plan, and doesn't split
11 any of those counties Those counties are Barbour,
12 Bullock, Butler, Choctaw, Crenshaw, Dallas, Greene,
13 Hale, Lowndes, Macon, Marengo, Montgomery, Perry,
14 Pickens, Pike, Russell, Sumter, and Wilcox.

15 Number two: The VRA Plaintiffs plan
16 is not vulnerable to a constitutional challenge. The
17 VRA Plaintiffs' plan is very similar to the plans
18 approved by the three-judge District Court and the
19 U.S. Supreme Court as constitutionally acceptable
20 remedies for the Voting Rights Act violation. The
21 VRA Plaintiffs' plan is the only plan which has
22 already been evaluated in a similar form by both
23 District Court and the Supreme Court. Both of those
24 courts and found the VRA Plaintiffs plans in the
25 litigation were not drawn using race as the

1 predominant factor in a way that would be
2 constitutionally unacceptable.

3 The courts also found the VRA
4 Plaintiffs plans were reasonably configured, as they
5 were similar to or better than the legislature's plan
6 in complying with traditional districting principles.
7 The VRA Plaintiffs' plan has the strongest defense
8 against any argument that the plan either uses race
9 in an unconstitutional manner or doesn't comply with
10 the VRA. This cannot be said of any other plan that
11 has been introduced.

12 Number three: As much as possible,
13 Plaintiffs' plan makes minimal or no changes to other
14 districts in the 2021 plan enacted by the
15 legislature. It maintains CD 4 and CD 5, exactly as
16 the Legislature drew them in 2021. Those two
17 districts stretch across the north of the state,
18 north and south of the Tennessee River. It makes as
19 minimal change as possible to CD 6 and CD 3 in the
20 center and east side of the state.

21 Some changes were necessary there to
22 allow for the remedial districts to be created, but
23 the changes are minimal. Those changes include
24 adding Autauga County to CD6 and adding Elmore County
25 to CD3, and removing Russell and Macon Counties from

1 CD3. Only CD 1 and CD 2 are significantly
2 reconfigured to allow for the creation of a second
3 majority-Black district as required by the Supreme
4 Court.

5 Demographics and performance: The
6 three-judge court instructed that 'As the Legislature
7 considers [remedial] plans, it should be mindful of
8 the practical reality, based on the ample evidence of
9 intensely racially polarized voting adduced during
10 the preliminary injunction proceedings, that any
11 remedial plan will need to include two districts in
12 which Black voters either comprise a voting-age
13 majority or something quite close to it.'

14 Milligan v. Merrill, 582 F. Supp. 3d,
15 the VRA Plaintiffs' plan complies with the Court's
16 instructions CD2 is: 51 percent Black Citizen Voting
17 Age Population. CD2 would also have an about 5
18 percent other minority population. And a 44 percent
19 white citizen voting age population. 52% of the
20 registered voters are Black according to the
21 Secretary of State's voter registration records.

22 CD7 is 56 percent Black Citizen Voting
23 Age Population. 58 percent of the registered voters
24 are Black. The two majority Black districts will
25 give Black voters in those districts the ability to

1 elect their candidates of choice. In statewide
2 elections from 2014 through 2020 that the VRA
3 Plaintiffs' expert witnesses in the litigation
4 analyzed Black candidates carried these districts,
5 even though they lost at the statewide level
6 background.

7 In November 2021, two groups of
8 plaintiffs, the Milligan Plaintiffs and the Caster
9 Plaintiffs, sued to stop the implementation of the
10 congressional map the legislature passed and the
11 governor signed. The lawsuits claimed that the
12 legislature's map violated Section 2 of the Voting
13 Rights Act by failing to create a second
14 majority-Black district. Two courts, the Supreme
15 Court and the federal court in the Northern District
16 of Alabama have now agreed with the Plaintiffs. They
17 found that the map passed by the legislature in
18 November 2021 dilutes the votes of Black Alabamians,
19 violating Section 2.

20 The legislature has been given the
21 first opportunity to correct that historic wrong
22 itself, if either: One, the legislature fails to act
23 or two, the map the legislature adopts does not
24 completely remedy the violation of the Voting Rights
25 Act. The federal court will take over the process

1 and impose a map of its own. The legislature will
2 lose control of the map-drawing process. The
3 separate Singleton Plaintiffs and their lawsuit has
4 not been successful."

5 Thank you, Mr. Chairman.

6 COCHAIRMAN PRINGLE: Thank you,
7 Senator. If you'll give those to me, I'll make sure
8 they are entered into the record of the committee.

9 The Chair now recognize a gentleman,
10 Mr. Jones from Mobile.

11 REPRESENTATIVE JONES: Thank you,
12 Mr. Chairman. We've actually had presentation on
13 four different maps today, and I believe that they
14 all were toured remedy of the Court's ruling. There
15 have been different approaches to different things,
16 different goals. And I think that's fine. I really
17 appreciate all the information we've gotten today.

18 The one thing that concerns me though,
19 there are some maps that we have nothing on. We
20 don't know what's being proposed. And we go into
21 session on Monday, I'm very concerned about that.
22 While we talked about all the facts that we have and
23 the data that's been submitted. There is data that
24 has not been submitted. And I would really hope that
25 we could get that data before we get to the floor.

1 Because where we are at this point, we
2 have actually seen Plaintiff maps, three other maps,
3 and we've heard the arguments, which I think are very
4 good arguments. Some argued for not splitting
5 counties, some argued for precincts, some argued for
6 different things, all headed to one remedy. The
7 thing that concerns me, though, is rather than we're
8 going to get something that's completely different
9 from everything we've seen here. That's what really
10 -- it should concern all of us, who is sitting on
11 this committee because we've been here two meetings,
12 we've had a lot of information presented. I don't
13 know how much information we can get presented now
14 and Monday.

15 So, Mr. Chairman and Cochair, if you
16 would, please address for us the process of being
17 thoroughly informed on the other maps that's going to
18 come before us. And the committee map also.

19 COCHAIRMAN PRINGLE: Thank you,
20 Mr. Jones. Again, I like to remind everybody that we
21 have been pretty much overwhelmed with maps coming
22 in. Today, we have finally adopted a set of
23 guidelines that the committee can use to draw maps.
24 We're going take those guidelines and we're going to
25 take the input we got today. We're going to take the

1 input that's come in through the Internet. I like --

2 We just discussed this: We're going
3 to have a meeting 10:00 a.m. to look at a map. We've
4 been looking at all these maps and analyzed, want to
5 hear what people had to say, what members of the
6 committee, so.

7 Expect us to have something on Monday
8 morning. We'll get it to you as soon as we can. But
9 Monday we will have a meeting.

10 REPRESENTATIVE HALL: Does that mean
11 that when you say, we don't have a map, does that
12 mean we, not y'all, we as a collective body will have
13 a map?

14 COCHAIRMAN PRINGLE: There will be a
15 map for this committee to vote on. Yes.

16 REPRESENTATIVE HALL: And so will we
17 at that -- before the map is provided -- when is that
18 opportunity for those of us that are sitting around
19 as members of the committee having an opportunity to
20 participate to get something --

21 COCHAIRMAN PRINGLE: As soon as I get
22 something, I'm going to send it to you. I want to
23 get something out, but it's just hard trying to
24 justify to put a map out before we finished taking
25 input from the public.

1 REPRESENTATIVE HALL: My question is,
2 I think the point has been made several times here.
3 Is that we want to be collectively be a part of
4 whatever that process is, and when -- tomorrow is
5 Friday, and we're scheduled to be here on Monday. So
6 when you're talking about putting a map together, you
7 all as Chair we'll put the map together, or we as a
8 committee will have input in that process. What does
9 that look like? I understand the being overwhelmed,
10 but we also know that we had this deadline.

11 COCHAIRMAN PRINGLE: In this very
12 compress time frame that we've been working under,
13 less than 21 days, we've been doing everything that
14 we can. We're going to release a map on what we've
15 gathered here today, the input from everybody. We
16 will send it to members of the committee as soon as
17 possible as soon as we get our analyzes of the maps
18 and the numbers together, and then Monday at
19 10:00 o'clock, we'll get here to vote. And everyone
20 will have an input to vote.

21 REPRESENTATIVE HALL: Mr. Chair?

22 COCHAIRMAN PRINGLE: Yes. Let me get
23 -- Mr. Smitherman?

24 MR. SMITHERMAN: Thank you,
25 Mr. Chairman. I'm want to kind of get a -- a clear

1 picture, you know -- put the picture on their walls,
2 but I want to give a clear picture. Everything that
3 has been presented here today, has been presented in
4 the courts, but also by individuals, whether it be
5 Legislatures, whether it be citizens.

6 This map that we're talking about
7 having from the committee should be done by -- how
8 many people we got in here? 21? All 21 of us,
9 because there is no more individuals drafting a map
10 and presentations. Usually, if you can follow where
11 I'm headed. Even the preparation what is going to be
12 sent to us, we ought to be involved in it. Because
13 it's not individuals anymore. It's not like the map
14 I put up there that we're going to get it before
15 everybody, give everybody a chance to see it, and
16 then everybody can think on it and vote on it.

17 The body of committee as one has all
18 these branches up here. And these branches have to
19 be connected in the work to present what the body is
20 going present, whether we present to our own selves,
21 them, or are other colleagues. So I'm kind of
22 following up what Representative Jones saying, but
23 I'm going more in depth.

24 When will we, because I don't want to
25 seem like I'm self-centered my own self, have an

1 opportunity through the continuing of the process to
2 get the documents ready to be presented going to be
3 involved, whether it be by Zoom, whether -- I don't
4 know -- whether it's Zoom, whether -- whether or -- I
5 think that -- I'm suggesting the work that's why
6 y'all get paid the big bucks as chairmen, but you all
7 got to sit down and come together on how you all are
8 going to pull that off because that has to be done
9 because this is the committee.

10 COCHAIRMAN PRINGLE: I understand.
11 Agree with you totally. We've spent so much time
12 analyzing these maps before us and trying the analyze
13 the other maps that have been sent in. To pull
14 together the information, look at them, and analyze
15 them see what's good and what's bad about them. As
16 soon as we have something, we're going to release
17 them to you. I'm not trying keep anything hidden.
18 I'm just trying to get something to you as fast
19 possible.

20 SENATOR SMITHERMAN: I don't think you
21 are. I'm going to repeat what you just said. You
22 said we're going --

23 COCHAIRMAN PRINGLE: The attorney --
24 (Cross-talk.)

25 SENATOR SMITHERMAN: Even if -- I'm

1 skipping what I'm saying and picking up what you just
2 said, even if the attorneys do what you saying they
3 going to do, those are our attorneys. They ain't no
4 parties' attorney. They're the committee's attorney.
5 As that attorney go through that work, I think I'm
6 hearing -- the input, what he filed and everything
7 else. We don't want to wait until Monday, 10:00
8 o'clock. If anybody is privy to add information, I'm
9 saying all of us should be privy at request, at
10 least.

11 Now, can somebody respond to that for
12 me?

13 COCHAIRMAN PRINGLE: Again, as soon as
14 I can get something to you, I'm going to get it to
15 you as far as possible. I'm working under a horrible
16 time crunch here, and it's --

17 SENATOR SMITHERMAN: Let me help you
18 out --

19 COCHAIRMAN PRINGLE: And just adopt
20 your plan?

21 SENATOR SMITHERMAN: I understand what
22 you're saying -- ain't nobody trying to pressure you
23 or push you, I'm saying -- when that drip hit, I want
24 the drip. That's all I'm saying. I don't want you
25 to wake and the bucket fill up on Monday, here is a

1 bucket of water -- we're looking at this, saying we
2 got to move this. I want to know anything about
3 moving, I don't know where to move the --

4 COCHAIRMAN PRINGLE: That's the reason
5 I want to get something to you so that you can have
6 input on it.

7 Representative England?

8 REPRESENTATIVE ENGLAND: Thank you for
9 the recognition. Just being completely honest, this
10 is a really tortured process. And like, when I heard
11 you speaking about we're going to -- after the public
12 hearing is over, after the open meeting requirements
13 are met, then we're going to go back in a room by
14 ourselves, draw a map, and then give it to you. And
15 by the time we -- whatever meeting we're having at
16 10:00 o'clock, you're going to hand us a map and say
17 vote on it. And unfortunately, by 10:00 o'clock, the
18 only maps -- I'm just going to speak frankly here.
19 This process is to be open and transparent when the
20 map that we're all going voting on, wasn't done
21 transparently in the open.

22 And again, what I'm frustrated about
23 is, you said it before. I'm not trying to say
24 anything about -- it's just the process. From the
25 very beginning, it's been an us versus y'all sort of

1 thing. Because everybody else has been presenting
2 the maps that they believe best represents the State
3 of Alabama, give everybody a change represented, but
4 the super majority has not. And ultimately -- I went
5 to school, and I majored in political science because
6 I don't do math. But in simple mathematics to know
7 that there are a lot more Republicans than Democrats
8 in the Legislature, and ultimately, your will be done.

9 If -- and you also mentioned something
10 about the rules, the guidelines, that's going to be
11 guided principle on what you do so you didn't know
12 what the guidelines are going to look at before you
13 designed or drew these new maps. But we're using the
14 same guidelines from 2021, and there was no illusions
15 -- when I came into this and anybody came into this
16 room, we're going to amend those today. So it's very
17 disingenuous to me to suggest that those rules and us
18 adopting those rules prevented you from producing a
19 map when everybody across the world in New Zealand,
20 Australia, and everywhere was able to produce a map
21 for us to at least get a look at.

22 Again, I just want to go on record
23 that this process, while giving the appearance of
24 being open and transparent is everything but. When
25 we vote on this map on Tuesday, I'm going to be

1 obligated to vote against it because I don't have --
2 there's nothing to share with my constituents.
3 There's nothing to know if it's compliant. One of
4 the rules -- one of the rules or one of the
5 guidelines or amendments that we proposed required
6 some analysis of it. But when are we going to do
7 that if the tamp is the first day of session?

8 So when are we going to get any
9 independent analysis to see if it remotely satisfies
10 the Voting Rights Acts? Or if any percentages of the
11 splits or whatever you come up with is compliant? So
12 again, it's just the general observation about the
13 process, and what it's producing, but the way that
14 this is going to end up is going to shut everybody
15 out but the Republicans and the Legislatures and
16 that's what going to eventually end up with a map
17 that only the majority approved because everybody
18 wasn't involved in the process. That's all I got.

19 COCHAIRMAN PRINGLE: I like to point
20 out, the reapportionment process is a bill. Every
21 member of the Legislature has a right to introduce a
22 bill. Every member of this committee can go to LSA
23 and produce a map and introduce as their own bill.
24 It's nothing that would preclude you from introducing
25 a competing bill in the process, and it can come on

1 the floor for a vote. I'm not denying you that
2 right.

3 So if you have a bill you would like
4 to produce, senators or whoever who wants to sponsor
5 bill, is more than welcome to sponsor a competing
6 bill.

7 REPRESENTATIVE ENGLAND: Just for a
8 point, though, the map that's coming is reported to
9 come from the committee, so I, and I know several
10 others, we're not likely to be involved in the
11 process that produces the map that comes from the
12 actual committee. So sure we're all free to
13 introduce maps, but the ones you're going to see from
14 y'all, are the ones who have invented by the entire
15 public, had an opportunity to look at and actually
16 engage us on.

17 No body is going to have an
18 opportunity to engage us on the map that's going to
19 be produced when the actual session started. We
20 don't do even do regular legislation in the regular
21 session that way, especially, with something as much
22 jeopardy as attached as a new congressional map.

23 COCHAIRMAN: The 22 members of this
24 committee will be the first people who receive the
25 map, and you will get it as fast as I can possibly

1 humanly get it to you.

2 REPRESENTATIVE ENGLAND: But the point
3 I'm trying to make is, no one else in the state of
4 Alabama is going to be able to come here and address
5 the committee about that matter before we vote on it
6 and that's just unfortunate.

7 COCHAIRMAN PRINGLE: The public
8 hearing is -- Representative Almond?

9 REPRESENTATIVE ALMOND: Sorry. I have
10 a totally different question, and I'm sure I'm not
11 reading this correctly. But when I look at the --
12 what's title CLC Map 1 and Singleton Congressional
13 Plan 3, and I look at Jefferson County 6, and I see
14 the population down there, and then I go over to the
15 Singleton Map 6 and we add three counties, and it
16 says it's basically the same. I guess my question
17 is, how could that be?

18 COCHAIRMAN PRINGLE: Yes. Senator
19 Singleton?

20 SENATOR SINGLETON: What you see is
21 CLC, it bleeds over into Shelby just a little bit and
22 takes up almost 30-some thousand odd people. That
23 30-some thousand odd people in the Singleton makes up
24 those other three counties. That's why you see the
25 numbers are basically the same.

1 REPRESENTATIVE ALMOND: So the CLC Map

2 1 --

3 SENATOR SMITHERMAN: It bleeds into
4 Shelby just a little bit.

5 REPRESENTATIVE ALMOND: Okay. Just
6 behind that little faint line?

7 SENATOR SMITHERMAN: Makes up about
8 30 thousand people in Shelby.

9 REPRESENTATIVE ALMOND: So that makes
10 up for the other three entire counties?

11 SENATOR SMITHERMAN: Those three other
12 counties. Perry, Hill, and Bibb, yep.

13 REPRESENTATIVE ALMOND: Okay. Thank
14 you.

15 COCHAIRMAN PRINGLE: The Chair now
16 recognizes Dorman Walker for closing statements --

17 Senator Bell has one quick question.

18 SENATOR BELL: On your Singleton
19 Congressional Map 3 talking about Jefferson County
20 whole, it could be just the ink on my paper. It
21 looks like four comes in on the top part of Jefferson
22 County a little bit.

23 SENATOR SMITHERMAN: Just a very, very
24 little of it. Your ink is right.

25 COCHAIRMAN PRINGLE: A few thousand

1 and 551 will pull it out -- in deviation --

2 SENATOR BELL: I was, like, whoa, my
3 crayon went over the line.

4 COCHAIRMAN PRINGLE: Now, the Chair
5 now recognizes Dorman Walker for closing statements.

6 MR. WALKER: Thank you, Chairman
7 Pringle and Chairman Livingston and members of the
8 committee -- I'm sorry. Can you hear me now?

9 Okay. I don't really have a closing
10 statement. I do have some exhibits that I wanted to
11 and was asked to put into the record. I got Exhibits
12 A through S here. It'll take me a few minutes to go
13 through each one is, or at your pleasure, I can put
14 them as a group A through S and then give an index of
15 that to the court reporter. Tell me which way you
16 want me to proceed. Generally, these are exhibits
17 that support the concept of community of interest
18 based on the Gulf.

19 And there are -- there are four sets
20 of these exhibits available for review by committee
21 members in the reapportionment office in the big
22 redistricting theater. And I recommend that you go
23 by and look at them and see what they are so that you
24 can see what the evidence is of a community of
25 interest there. So do you want me to identify these

1 one by one or just put them in as a group?

2 COCHAIRMAN PRINGLE: I think we can
3 take them as a group. Is that okay?

4 MR. WALKER: Okay. I'll give you an
5 index --

6 I'll put them in one by one. Exhibit
7 A is the Alabama Port Authority 2021 Economic Impact
8 Statement, dated October 2022. Exhibit B is the
9 Alabama State Port Authority Annual Compressive
10 Financial Report For Fiscal Years Ended
11 September 30th, 2022 and 2021. Exhibit C is a brief
12 history of USA, University of South Alabama. Exhibit
13 D is a statement from a publication called Lagniappe
14 about it's coverage area. Exhibit E is a
15 December 2022 article from Lagniappe, Mobile titled
16 "ALDOT says new bridge and Bayway are 'financially
17 viable.'" Exhibit F is an article from Al.com,
18 entitled, "Redistricting Alabama: How South Alabama
19 could be split up due to Baldwin County's growth."
20 Exhibit G is a scheduled for what's called, BRATS,
21 the Baldwin Regional Area Transit System, which shows
22 trip provided by BRATS to and from Mobile and Baldwin
23 County.

24 Exhibit H is an publication by BRATS,
25 called, "Bayline Connects Mobile-Baldwin County

1 Public Transit Systems." Exhibit I is an Al.com
2 article called, Business: Making connections with
3 public transit system. Exhibit J is the homepage
4 from the South Alabama Regional Planning Commission
5 website. Exhibit K is the identification of the
6 board of directors for the South Alabama Regional
7 Planning Commission.

8 Exhibit L is a list of the
9 jurisdictions that belong to the Alabama Regional
10 Planning Commission. Exhibit M is the 2022
11 Comprehensive Development Strategy adopted by the
12 South Alabama Regional Planning Commission. Exhibit
13 N is the testimony of former Representative Byrne
14 that he gave at the preliminary injunction hearing in
15 this case. Exhibit M is the deposition of Bradley
16 Byrne --

17 REPRESENTATIVE HALL: Sorry. You said
18 2022 that M was the economic development article and
19 that N was the testimony from former Representative
20 Byrne and --

21 MR. WALKER: You know what? I have
22 some mislabeled. So M is 2022 2022 Comprehensive
23 Development Strategy adopted by the South Alabama
24 Regional Planning Commission. And what we'll call
25 M.1 is the deposition of Congressman Bradley Byrne

1 given in the Chestnut case. And N is the testimony
2 of Bradley Byrne at the preliminary injunction of
3 this case.

4 O is the deposition of former
5 Representative Josiah Bonner in the Chestnut case.
6 Again, testifying about the Mobile Bay community of
7 interest. And then I have three more, a few more
8 exhibits. Exhibit P is a letter from Mr. Blacksher
9 that I've been asked to read into the record.
10 Exhibit T is a memorandum --

11 REPRESENTATIVE HALL: Are you saying P
12 or a T?

13 MR. WALKER: T as in tango.

14 REPRESENTATIVE HALL: So you skipped
15 Q, R, and S?

16 MR. WALKER: Yes, I did. They may
17 have been pulled. Exhibit T as tango is from Craig
18 For, Etowah County Mayor's Association, Etowah County
19 Commission Chairman to the members of the committee
20 about keeping their area together. Exhibit R, as in
21 Romeo, is a letter from the Attorney General that
22 I've been asked to read. Exhibit S, as in Sierra, is
23 some talking points from the Mobile Chamber of
24 Commerce about the importance of the Mobile/Baldwin
25 County community of interest.

1 So I had three letters to read into
2 the records. One of those is from Mr. Ross, who
3 represented the lead attorney for the Milligan
4 Plaintiffs and because he was here, I gave him that
5 letter to put into the record, which he did. I have
6 a letter from Mr. Blacksher, the lead attorney for
7 the Singleton Plaintiffs, and I have a letter from
8 the Attorney General, who I think can fairly be
9 described as the lead attorney for the defendants.
10 And I like to read those into the record, if I may.

11 I'll start with the letter from
12 Mr. Blacksher. "Counsel suggest that we have no role
13 to play in proceedings to remedy the Voting Rights
14 Act violation affirmed by the Supreme Court, because
15 the District Court deferred ruling on the Singleton
16 Plaintiffs' claim that the 2021 enacted Congressional
17 plan is an unconstitutional racial gerrymander. That
18 is incorrect. As the Alabama Attorney General keeps
19 reminding us, trial on the merits is still pending,
20 and it may be necessary to decide the Singleton claim
21 in order to enter final judgment. Singleton remains
22 consolidated with Milligan and Caster, and paragraph
23 5 of the District Court's order entered June 20,
24 2023, says 'any set of Plaintiffs' may object to the
25 remedial plan enacted by the Legislature.

1 The question before the Legislature is
2 whether a remedial plan that splits Jefferson County
3 and Mobile County along racial lines complies with
4 both the Voting Rights Act and the Constitution. The
5 District Court's opinion says: The Legislature
6 retains 'flexibility' in their work, subject to the
7 rule that a district drawn in order to satisfy
8 Section 2 must not subordinate traditional
9 districting principles to race substantially more
10 than is reasonably necessary to avoid Section 2
11 liability." Then it cites the Singleton v. Merrill
12 case.

13 Next paragraph, "At the hearing on
14 June 27 I told the Reapportionment Committee that the
15 Singleton plaintiffs support plans that do not split
16 Jefferson County, specifically, Singleton Plan Number
17 3 and the Campaign Legal Center (CLC) Plan Number 1.
18 They show that it is not necessary to draw districts
19 along racial lines in order to provide two
20 'opportunity' districts, i.e., districts in which
21 Black voters have a realistic opportunity to elect
22 candidates of their choice. Counsel for the Milligan
23 and Caster Plaintiffs contend that "the CLC Plan is
24 not a viable remedy for the VRA violation because it
25 does not provide Black voters with a sufficient

1 opportunity to elect their preferred candidates."
2 That is incorrect. We have provided you and the
3 Milligan and Caster Plaintiffs spreadsheets showing
4 that, based on statewide elections going back to
5 2012, CLC Districts 6 and 7 consistently elect
6 candidates favored by Black voters. Enclosed with
7 this letter is a summary of those results.

8 But legal issues aside, there are
9 reasons why the CLC plan, which is a modification of
10 Singleton 3, is good for all Alabama citizens. The
11 two most important communities of interest in this
12 state are the Black Belt and Jefferson County. CLC
13 Plan Number 1 places all of the majority-Black Black
14 Belt counties except Barbour County, in one district.
15 And it keeps Jefferson County whole. Jefferson
16 County has developed more biracial electoral
17 coalitions than has any other Alabama county, and
18 this is a trend that should be celebrated and
19 encouraged. Moreover, CLC plan Number 1 preserves
20 the Gulf Coast community of interest just as it is
21 drawn in the 2021 plan, as well as District 4 and 5
22 in north Alabama.

23 We urge the Legislature to adopt a
24 plan that keeps Jefferson County and the Black Belt
25 whole, if the plan can be supported by evidence that

1 it performs to provide Black voters a realistic
2 opportunity to elect candidates of their choice.
3 Regards, James U. Blacksher."

4 And Mr. Blacksher includes a chart
5 that reviews election results that have a zero
6 deviation and CLC Plan would have performed elections
7 ranking to the 2022 Presidential election. I don't
8 see how I can meaningful read these to you, but I
9 will point out these are available. There are four
10 copies of this set of exhibits for you to review and
11 the reapportionment office. I think you also have a
12 copy of this letter in the package that was --

13 COCHAIRMAN PRINGLE: They're in the
14 record already.

15 MR. WALKER: I'm sorry?

16 COCHAIRMAN PRINGLE: They're offered
17 in the record already.

18 MR. WALKER: Thank you.

19 Next and last, I have the letter I
20 received this from the Attorney General. "Dear,
21 Mr. Walker, I write to respond to the July 11, 2023
22 letter you received from the plaintiffs in Milligan
23 v. Allen and Caster v. Allen. Their letter includes
24 several questionable representations and others that
25 are flat wrong. I write to ensure that the

1 Redistricting Committee and Legislature have a fuller
2 picture of the facts and law as the Legislature
3 considers adopting a new congressional map.

4 First, Plaintiff Evan Milligan has
5 repeatedly endorsed congressional plans for Alabama
6 that contain a percentage of black voting age
7 population (BVAP) below 50 percent in every district.
8 On September 16, 2021, he and his fellow plaintiff,
9 Khadidah Stone, told the Legislature that it should
10 adopt a plan introduced by Senator Bobby Singleton
11 (the Singleton plan) in which the districts with the
12 two highest BVAPs had BVAPS of 40.5 percent and 45.8
13 percent, respectively."

14 That statement and a number of other
15 statements in this letter are footnoted. I'm not
16 going to read the footnotes, which tend to be
17 technical. But, again, this letter is available for
18 your review and you have it in your packages.

19 Next, when the Milligan Plaintiffs
20 were before the U.S. Supreme Court last year, they
21 repeatedly endorsed the Singleton plan. In their
22 brief last summer, they were adamant that Alabama did
23 not need to create two majority-minority districts to
24 remedy the purported violation of Section 2. They
25 stated that the "Singleton Plan" was 'one option'

1 that kept 'Mobile and Baldwin together, and raised no
2 racial predominance concerns.' At oral argument, the
3 Milligan Plaintiffs' counsel stated that their
4 expert's 'race-blind' maps 'looked very similar to
5 the Singleton plan, which allowed for two crossover
6 districts where minority voters would have a fair
7 chance to elect their candidates of choice in at
8 least two districts.'

9 Later, he repeated the theme, saying
10 that Plaintiffs' maps were not one 'that anyone has
11 to adopt. There are maps out there in the Campaign
12 Legal Center amicus brief, in the Singleton plan that
13 don't require maximization' of BVAP in two districts.
14 And to make sure the point wasn't missed he said
15 again: 'We'd be satisfied with something like the
16 Singleton plan, which Alabama's expert said would
17 give black voters at least a fair chance, not even a
18 guaranteed chance to elect their candidates of choice
19 in the Second District. That's merely what
20 plaintiffs are looking for.'

21 Now, that they have secured an
22 affirmance from the Supreme Court, Plaintiffs are
23 looking for much more. They pretend like they never
24 endorsed a plan in which the two highest BVAP
25 districts were at 40.5 percent and 45.8 percent

1 respectively. They now demand a plan that provides
2 not just a 'fair chance' to compete, but instead a
3 guarantee of Democratic victories in at least two
4 districts. And in service of those goals, they
5 misrepresent the nature of the Campaign Legal Center
6 (CLC) plans they previously touted. Plaintiffs say
7 that 'the CLC Plan has not been proposed or endorsed
8 as a remedy by' CLC, but the CLC amicus brief stated
9 clearly that the plans presented in their brief
10 represented some of Alabama's 'remedial options.'
11 Indeed, CLC labeled their maps in their brief as "CLC
12 Remedial Map 1" and "CLC Remedial Map 2" and further
13 clarified that 'maps already in the record' including
14 'the Singleton Plan' were 'also available remedial
15 options.'

16 Any assertion that CLC's maps were not
17 presented as remedial options is demonstrably false.
18 Other statements from Plaintiffs earlier in the
19 litigation are also worth noting. The Milligan
20 Plaintiffs told the District Court that most plans
21 drawn for Alabama's congressional districts without
22 basing lines on race would contain versions of
23 Districts 2 and 7 with less than 40 percent BVAP, and
24 that any plan in which any district had 50 percent
25 BVAP would be an 'outlier.' They further argued that

1 if one district had a BVAP of 50 percent, one would
2 expect the district with the second highest BVAP in
3 that map to have around 34.5 percent BVAP, and
4 certainly nothing as high as 40 percent. Yet now
5 they demand that Alabama adopt a plan with two
6 'outlier' districts.

7 Thus, as Jim Blacksher, counsel for
8 Senator Singleton, explained at the recent
9 Reapportionment Committee hearing, the Milligan and
10 Caster Plaintiffs' plans use race in a way that
11 likely violates the Constitution. He's right.
12 Plaintiffs' maps sacrifice neutral principles
13 including compactness and maintaining the
14 long-recognized community of interest in the Gulf in
15 favor of race.

16 The Milligan and Caster Plaintiffs
17 respond that the Supreme Court rejected the argument
18 that their plans are race-based. That's not true.
19 Only four Justices, not a majority, found that on the
20 limited record before the District Court, the Caster
21 Plaintiffs' mapdrawer did not cross the line from
22 mere consciousness of race to predominantly using
23 race. But five Justices did not endorse this view.
24 Justice Kavanaugh declined to join that portion of
25 Chief Justice Roberts's opinion and four justices

1 expressly rejected it. As Justice Thomas explained,
2 'the plurality entirely ignore[d]' evidence that the
3 Milligan Plaintiffs' mapdrawer used race
4 predominantly 'presumably because her own explanation
5 of her method sounds too much like textbook racial
6 predominance. 'The plurality thus affirm[ed] the
7 District Court's finding only in part and with regard
8 to' Caster's mapdrawers' 'plans alone,' but his maps
9 are materially 'indistinguishable from [the Milligan
10 maps], and it is those very design features that
11 would require race to predominate.'

12 Adopting a plan in which race
13 predominates might satisfy the Caster and Milligan
14 Plaintiffs' statutory claim, but it would likely open
15 the State up to claims that it has violated the
16 Constitution's Equal Protection Clause. As the
17 Supreme Court held just two weeks ago when it
18 declared Harvard's race-based admissions policy
19 unconstitutional, 'the core purpose of the Equal
20 Protection Clause' is 'doing away with all
21 governmentally imposed discrimination based on race.'

22 The Court was adamant: "Eliminating
23 racial discrimination means eliminating all of it."
24 It follows, the Court held, that 'race may never be
25 used as a 'negative' and that it may not operate as a

1 stereotype.' But in Plaintiffs' Proposed Plans,
2 voters in Mobile County are divided from voters in
3 Mobile City because of their race and because of
4 stereotypes about how voters of certain races will
5 vote. The 'outright racial balancing' demanded by
6 the Caster and Milligan Plaintiffs is 'patently
7 unconstitutional.' Neither judges nor Legislatures
8 should be in the sordid business of pick[ing] winners
9 and losers based on the color of their skin.'

10 Thank you for your consideration.

11 Sincerely, Steve Marshall, Alabama Attorney General."

12 And again, I didn't read the footnotes
13 in this. You have the full letter in your file and
14 all of these exhibits are available for your review
15 in the reapportionment office. Thank you.

16 COCHAIRMAN PRINGLE: Thank you,
17 Mr. Walker.

18 UNIDENTIFIED SPEAKER: Mr. Walker, you
19 said that they're available in reapportionment
20 office?

21 MR. WALKER: Yes, sir. There are four
22 packages just like this --

23 UNIDENTIFIED SPEAKER: We're supposed
24 to read those four before Monday? They're available
25 for you to look at --

1 UNIDENTIFIED SPEAKER: No, no. That's
2 not the question I asked. Are we expected to read
3 all of those before Monday?

4 MR. WALKER: If you want to see what
5 they say.

6 UNIDENTIFIED: Well, obviously
7 somebody didn't want us to see what they say, if you
8 brought them in today.

9 The other thing what is the -- what is
10 the purpose of the Attorney General's letter?

11 MR. WALKER: I think it speaks for
12 itself.

13 UNIDENTIFIED SPEAKER: It doesn't for
14 me. I mean, what's the purpose? I think we're
15 remanded to the District Court -- was this case
16 remanded to the District Court.

17 MR. WALKER: It was.

18 UNIDENTIFIED SPEAKER: Okay. And this
19 statement that's made in the letter that he wrote is
20 that he recant what happened in the Supreme Court?
21 We know what happened in the Supreme Court.

22 MR. WALKER: Okay.

23 UNIDENTIFIED SPEAKER: My point is, I
24 don't understand how we are supposed to make an
25 intelligent decision with none of the information and

1 to come and bring it here at this, to think that we
2 all could review it by then, it's not going to
3 happen. I know that, and you know that. It's not
4 going to happen. So I'm trying to determine whether
5 we're really trying to make a determination on fact
6 or are trying to make a determination on data or we
7 already made a determination. Those are the things
8 I'm trying to determine, you know.

9 We sent some up there before. It was
10 floored, so the Supreme Court say. I wasn't sitting
11 there. It was floored. And now instead of taking
12 the time to get the correct information for everybody
13 on the committee, it seems to me that we are rushing
14 to the end before we should get there. And I'm very
15 concerned about that. I brought this up earlier that
16 the data that's needed -- I would like to see the
17 data as the rest of the plaintiffs, like the maps
18 that were submitted and the data with that.

19 What other map is going to be drawn?
20 We're not going to be able to see all that there. Do
21 we have an expert that's going to put that together?
22 Those are the things that concern me about this
23 process, Mister Cochairs. That's what concerns me.
24 And I think -- what will happen today is fair, it
25 should have been done that way, they brought us all

1 the information they had, we can digest that.

2 For what we haven't seen yet, I know
3 and most of us here know, we're not going to get that
4 before it comes time for us to act on it. That's not
5 fair at all. It's not fair for me to ask me to act
6 on something I know nothing about against something I
7 have all the data. That's just not fair. I'm not
8 directing this toward you, I was asking you a
9 question, but I'm questioning this process as a
10 whole. That's all I needed.

11 COCHAIRMAN PRINGLE: Thank you. This
12 hearing is adjourned.

13 (Meeting was adjourned at 5:04 p.m. on
14 July 13th, 2023.)
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1 REPORTER'S CERTIFICATE

2 STATE OF ALABAMA

3 ETOWAH COUNTY

4 I, Anna Ruffin, Certified Court Reporter and
5 Commissioner for the State of Alabama at Large,
6 hereby certify that on July 13, 2023, the above and
7 foregoing proceeding was taken down by me in
8 stenotype and the questions, answers, and statements
9 thereto were transcribed by means of computer-aided
10 transcription and that the foregoing, page 1 to 157,
11 represents a true and correct transcript of the said
12 proceeding.

13 I further certify that I am neither of
14 counsel, nor of kin to the parties to the action, nor
15 am I in anywise interested in the result of said
16 cause.

17

18 /s/Anna Ruffin
19 Anna Ruffin, CCR
20 Commissioner for the
State of Alabama at Large
CCR# 694, Expires 09/30/2023

21 MY COMMISSION EXPIRES: 10/21/24

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