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Paul, Weiss, Rifkind, Wharton & Garrison LLP
February 9, 2024
Transcript by TransPerfect

FEMALE 1: And Senator Womack.

SENATOR WOMACK: Present.

FEMALE 1: We have nine members.

CHAIRMAN FIELDS: Nine members present on a quorum. First, let me thank the members of the public who are here. We had to delay it because of the weather. We wanted to give people more of an opportunity to get here. And I know today is probably one of the coldest days in Baton Rouge, and if you don't like today, tomorrow is going to be even colder, I understand. But thank you all so much for coming. We're here pursuing to Proposition No. 1. Special session called by the governor as a result of a map that was passed by this legislature and challenged in court. And both the district and the appeals court have said we need to do something before the next congressional elections. And there are other things in the call, but we're going to first take congressional redistricting. Let me advise the public. We're only going to take before we break two congressional maps. In fact, Senator Carter. And then we're going to do Senator Price bill. The Womack bill will be delayed until after we recess. So Senator Carter would like to be recognized on a matter of personal privilege first, Senator Carter. But before I do, I want to welcome all of the members to this committee, and I think it'd be appropriate, Senator Carter, if you would just yield just for a second to let each member kind of introduce themselves to the public. And we'll start with Senator Miller.

SENATOR GREG MILLER: Thank you, Mr. Chairman. Greg Miller, Senate District 19. That's all of St. Charles Parish parts of the east bank of St. John the Baptist Parish, parts of Jefferson, Kenner, and then North Lafourche. And I'm coming over here after serving three terms in the House, where I also served, I think, eight years on House and Governmental Affairs and one year as chairman. Thank you.

CHAIRMAN FIELDS: Thank you, Senator Miller. You're going to be a great addition to this committee. Let's now go to Senator Womack.

SENATOR WOMACK: Good morning, Senator Womack from District 32. Senate District 32 go from Avoyelles, West Feliciana, Concordia, LaSalle, Catahoula, Rapides, Caldwell, Franklin, Richland, and Ouachita, ten parishes. This is my second term. I served on Senate and Governmental Affairs last term and glad to be back on the team. Thank you.

CHAIRMAN FIELDS: Thank you, Senator Womack, and welcome back. Let's now go to Senator Kleinpeter.

SENATOR KLEINPETER: Thank you, Mr. Chairman. Senator Kleinpeter, District 17. I as well represent ten parishes, St. Helena, East Feliciana, West Fel., part of East Baton Rouge, and I jump across Pointe Coupee, West Baton Rouge, Iberville, and jump across the other river and go into upper St. Martin, part of Lafayette and St. Landry. I was on SGA last year, ran in a special election, and look forward to working with everybody on this panel.

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CHAIRMAN FIELDS: Welcome back, Senator Kleinpeter. And now we're going to go to another freshman member who by way of the House of Representative, Senator Miguez.

SENATOR BLAKE MIGUEZ: How are you doing? Happy to be here this morning. My name is Blake Miguez. I'll be representing Senate District 22, which is Iberia, St. Martin and a portion of Lafayette Parish. I had the honor to serve nine years in the House of Representatives. I look forward to serving here on the Senate Governmental Affairs Committee. I appreciate the president giving me this opportunity and I look forward to serving with you, Mr. Chairman. And I hope to provide a great balance and help you work towards solving the problems for our state.

CHAIRMAN FIELDS: Thank you, Senator Miguez. And Senator Miguez is also the vice chair of the committee. Now we go to Senator Fesi.

SENATOR FESI: Thank you, Mr. Chairman. I represent Senate District 20, which is Terrebonne, main portions of Terrebonne and Lafourche.

CHAIRMAN FIELDS: Thank you, Senator Fesi, and welcome back to the committee. And now we go into another house member who moved from the house and now in the senate, Senator Sam Jenkins.

SENATOR SAM JENKINS: Thank you, Mr. Chairman. Good morning, everyone. It's good to see everybody out today. Glad to have you here. I'm glad to be here. Eight years in the House of Representatives on House and Governmental affairs. Now I'm here on Senate and Governmental Affairs. So the learning curve has been somewhat steep coming from the House to the Senate.

[00:05:00]

But a few days in, I see a whole lot of familiar faces here that used to be in House and Governmental Affairs, often to testify. I represent Senate District 39, and that's parts of Shreveport and Blanchard.

CHAIRMAN FIELDS: I welcome Senator Jenkins. And now we're going to go to a returning member of the committee, Senator Reese.

SENATOR MICHAEL REESE: Thank you, Mr. Chairman. Michael Reese, Senate District 30, which is Western Calcasieu Parish, all of Beauregard Parish, all of Vernon Parish, and most of Western Rapides Parish. Had the privilege of serving on the committee during our last term in redistricting and through that process. So I want to say I'm thankful to be back, I guess. Thank you, Mr. Chairman.

CHAIRMAN FIELDS: Thank you, Senator Reese. And last but certainly not least, we go to a returning member of the Senate, Senator Carter, who's going to be recognized to introduce himself and also on a matter of personal privilege. Senator Carter.

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SENATOR GARY CARTER: Thank you, Mr. Chairman and members, I'm State Senator Gary Carter. I represent District 7, which is the west bank of Arlene's and Jefferson Parishes, and also the east bank of Plaquemines Parish. It's really good to be on this committee given the important work that we have in front of us, and I'm ready to get started. I do have a matter of personal privilege that I want to take. Congressman Carter was hoping to be here today, but with the weather and traveling to DC for votes, he was unable to make it. But he asked that I enter into a record a letter that all of us have from his office that I'd like to take time just to read very briefly, and it's addressed to us directly to the chairman. And this is from Congressman Troy Carter, representing the Second Congressional District in Louisiana. Dear Senator Fields, I regret that I cannot be here today due to the weather conditions on the roads. I pray that all throughout the state are remaining safe and warm as they wait for this winter storm to pass. As a member of Congress, I stand ready to help anyone affected in any way that I can. Watching a storm roll in brings back the memories of other storms that have rolled through the state, Katrina, Rita, Gustav, Ike, great flood of 2016, Ida, and so many more have altered life for everyone. During the immediate aftermath of natural disasters, this state shows the compassion and resilience that others envy. However, as we learn from natural disasters, recovery is different in every community. The disparate needs of communities give concrete examples of why representation matters. As a former member of this beloved body, I know your hearts because I have the opportunity to see them up close and personal. While we have not always agreed on policy, we have always agreed on the love of our country, community, and the great people of Louisiana. Dr. Martin Luther King said, "The time is always ripe to do what is right." Today, Louisiana stands ready to enact constitutional congressional maps that reflect that map is map. One third of six is two. I am willing to work with anyone to produce a constitutional map creating two majority minority districts that give black candidates a meaningful opportunity to win. Louisiana stands ready to show that all of its citizens deserve equal opportunity to elect their candidates of choice. Louisiana stands ready to do the right thing. I trust that my former colleagues and distinguished members of this committee will not wait. I pray you will do the right thing. And it's signed by Congressman Troy Carter. And I asked that a copy of it be entered into the record. Thank you, Mr. Chairman.

CHAIRMAN FIELDS: Without objections, so ordered a copy of the congressman letter will be entered into the record. Members would take up our first bill for today. We'll take Senate Bill 4 by Senator Price, which provides for the redistricting of Louisiana Congressional Districts. Senator Price, if you can come forward and you can bring whomever you so desire to the table. Welcome Senator Price. Why don't we have everyone at the table to introduce themselves, and then we get started. All right. This is a new little gizmo for me. I got you. I think I can do this. Let's see. I'm going to put all three on at the same time.

SENATOR ED PRICE: Thank you. Thank you, Mr. Chairman and member of the committee, Senate and Governmental Affairs.

[00:10:00]

I'm State Senator Ed Price, and I represent the River Parishes, St. James, St. John, Ascension, Iberville, West Baton Rouge, Assumption and Lafourche.

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SENATOR ROYCE DUPLESSIS: Good morning Chairman and senate colleagues, my name is Royce Duplessis, and I represent senate District 5, Orleans Parish, and a portion of both east and west Bank of Jefferson Parish.

JARED EVANS: Good morning, Mr. Chairman and members, I'm Jared Evans. I am a Senior Policy Counsel with the NAACP Legal Defense Fund, and I'm also counsel for the plaintiffs in Robinson v. Landry.

CHAIRMAN FIELDS: Let me say you before you get started Senator Price. Mr. Evans, you've been before this committee quite some time. I want to thank you for all your hard work, and you're the reason why we're here today. Senator Price, you're recognized.

SENATOR ED PRICE: Thank you, Mr. Chairman. Members, I come before you today to present Senate Bill 4. We all know that we've been ordered by the court that we draw congressional district with two minority districts. This map will comply with the order of both the Fifth Circuit Court of Appeal and the district court. They have said that the legislature must pass a map that has two majority black districts. In this map, those districts are District 2 and District 5. I will walk through the cohesion of the black population in both of the districts. Okay. And so, what we're going to talk about today is getting there, but I do want to say, before I turn it over to our attorney with the LDL on the roadshow, and I was on Senate and Government Affairs at the time, and I attended every roadshow that we had. And one of the things that was talked about at all this roadshow was that we should have fair maps. Fair maps in a second congressional district. We all know that one third of six is two, and that was pushed very hard during these roadshows by a lot of speakers that came forward. So, when designing this map, we made sure that it was very compact, we didn't split a lot of Parishes, and we think that this is a fair map that can meet the muster of the courts. At this time, I want Senator Duplessis to give his statement, and then we'll turn it over to Jared.

SENATOR ROYCE DUPLESSIS: Thank you, Senator Price. I want to begin -- there we are. I'd like to just begin by thanking Senator Price for his leadership and filing this map. While he was on Senate and Governmental Affairs, I served on House and Governmental Affairs as Vice Chair, so had the opportunity to be intimately involved in this process. And as we sit here today, it brings me back to more than two years ago, as Senator Price just mentioned, where we began this process going to every corner of this state on the roadshow, northeast, northwest, southeast, southwest, Central Louisiana, all throughout this state that we began. I want to say in the fall of 2021, and here we are now in 2024 trying to resolve this matter at the direction of the court. So, I would just like to read just a few comments for purposes of Senate Bill 4, which we believe is the best path forward given the order of the court, and provides some motivating factors in the creation of this map. In drawing this map that complies with Section 2 of the Voting Rights Act, we considered equal population, contiguity, compactness, parish splits, and communities of interest. Consideration of the legislature's Joint Rule 21 was paramount in this process, but the overall strategy was to balance all of the relevant districting principles without allowing any single factor to predominate. Unlike many of the maps for the legislature and other bodies, the ideal population deviation of each district is zero, as close to zero deviation as possible. So, our

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goal is to have 776,292 people in each district. We balance this with keeping as many parishes whole as possible. The few parishes that are split in this map are done so to keep each district with as close to the same number of people as possible.

[00:15:02]

I want to briefly walk through this map, district by district, to talk about the communities of interest that we consider. We certainly know, starting out that Louisiana has a great agriculture heritage that can be respected in this map by maintaining primarily the rural compositions in Districts 4 and 5. Starting with District 4, the northwest corner of the state is kept intact, with Shreveport being the major anchor of the district and the surrounding parishes that have common rural and agricultural interests. Moving to District 5, which is a newly minority district in this map is similar and that it contains large agricultural communities that are united with four of the state's larger population centers being Monroe, Alexandria, Opelousas and Baton Rouge. Moving to District 3, this map preserves the connectivity of Louisiana's Acadiana region, an important theme from the roadshow. Major cities and the surrounding communities are preserved and connected to the maximum extent possible in this map by keeping Lake Charles and nearly all of Lafayette in District 3. We keep District 1 as a coastal district. District 1 also includes the southern half of St. Tammany, the northern half of Orleans, and the majority of Jefferson. These communities are greatly important to the New Orleans region. Thousands of parents work and send their children to school in New Orleans, and it was important for us to keep these communities connected to the greater New Orleans region. District 1 also includes the largest maritime community in the country. These parishes are the first line of defense when hurricanes hit the southeast corner of the state, such as Katrina did in 2005, and with respect to the representative of that district, it allows them to work closely with our federal agencies on issues like flood insurance, flood protection, coastal restoration, et cetera. Terrebonne and Lafourche and are also fully united in the map, which we also heard a lot about during the roadshow. Moving to District 6, this map unites the northwest Florida Parishes with South Baton Rouge, north Ascension, all of Livingston, and the vast majority of Tangipahoa Parish, which is the fastest growing region in the state, and this map unites those communities in the 6th District. We know thousands of residence work in and send their children to school in and worship in Baton Rouge, and it's important that we keep these communities of interest connected. Finally, instead of packing black voters in New Orleans and Baton Rouge into one district, District 2 goes west and includes communities in the River Parishes and the Bayou region. It was very important for us that New Orleans remained the heart and population center of the second congressional district. So, this map unites New Orleans with St. Martin, St. James, St. John, St. Charles, South Ascension, and Assumption. These parishes again, have many industries in common, such as fishing and energy, and also share some of the same concerns and challenges as flood protection and insurance. And I may have failed to mention the connection of sugar cane along these parishes. These communities in District 2 are also united by a large petrochemical industry. Members, as you can see, we really wanted to keep as many of these communities of interest intact as possible while maintaining close to equal population among the districts as possible. And for those reasons that I've given, and you will hear additional reasons, we believe this is the best map for us to adopt. Thank you.

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CHAIRMAN FIELDS: Thank you, senator.

JARED EVANS: Thank you, senator. Good morning, Mr. Chairman and members. As I said, I'm Jared Evans, and I'm an attorney with the NAACP Legal Defense Fund. I'm joined by my colleague, Victoria Wenger. For almost two years now, Victoria and I have had the privilege of serving as counsel for the NAACP Louisiana State Conference and the Power Coalition for Equity and Justice, and nine individual voters and their challenge to the current congressional map. Several of them are sitting behind me in the room today, and it has truly been an honor to represent them throughout this process. This special session was convened as a direct result of that litigation, *Robinson v. Landry*. The map we present here mirrors the map submitted by plaintiffs in multiple phases of our case. It has been vetted by the federal courts and now provides you with the clearest path to remedy the state's violation of Section 2 of the Voting Rights Act. This map builds off of previous versions that were presented in this committee two years ago during the roadshow. The first redistricting session. The second special redistricting session and amendments that were filed again throughout this process.

[00:20:05]

The common links between those maps and disks are multifold, including the fact that it unpacks the populations packed into a single majority black district running from New Orleans to Baton Rouge, and instead provides for a new configuration of District 5 connecting Baton Rouge with the Delta parishes. Creating new opportunities for fair representation and a second majority black congressional district. Also, like previous versions, this map is notable in that it outperforms the others that have been offered throughout this process. As the federal courts have acknowledged the map offered by the Robinson plaintiffs, the map before you today, performs equal to or better than the states enacted maps from both 2022 and 2011 in adhering to traditional and state redistricting criteria, including those embodied in the Legislature's Joint Rule 21. This map has been updated from the plaintiff's map to utilize the most up-to-date precinct lines. Unlike its prior versions, this map once again surpasses its competitors. It has fewer pair splits than the enacted map, with only 11 compared to 15. As courts have held, there is no more fundamental unit of societal organization in the history of Louisiana than the parish. This map does not split any precincts. This map splits fewer municipalities than the enacted map. It achieves better scores on three quantitative measures of compactness, most accepted by the courts, Reock, Convex Hull, Polsby-Popper. And it has less instances of fracking where two or more noncontiguous pieces of a parish are within the same district than the enacted map and alternatives here. In other words, members, this map is a better map when graded on the rubric that this legislature wrote for itself in Joint Rule 21 and the redistricting criteria accepted for decades by the federal courts. As Governor Landry acknowledged yesterday, we are not here to debate the merits of our case or whether black voters should have a map of two majority black districts. The court has already decided that and ruled in our favor. We are here to talk about what that map will actually look like. I want to thank Senators Price and Duplessis for their leadership in carrying this map and their commitment to a fair process and true representation for black residents in this state. They have stood with us and with our clients from the beginning of this process. I will now turn over to Senator Price to explain the map further.

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SENATOR ED PRICE: Thank you. As you can see, at this time, we're going to want to bring the map up. Okay.

CHAIRMAN FIELDS: Duplessis, Senator, why don't you just grab that chair and let sergeant [INDISCERNIBLE 00:23:15]? We have a sergeant so sue can sit right next to you. Thank you. You may proceed, senator.

SENATOR ED PRICE: Thank you, Mr. Chairman. As you can see on this map, Senate District 2, which is the present minority district runs from Orleans Parish through St. Charles, St. John, St. James, Ascension Assumption, Iberville, and portions which is new of St. Martin. The other district, District 5, actually runs from the bottom of the boot here from St. Helena, take a little bit of Tangipahoa, East Feliciana, East Baton Rouge, West Baton Rouge, Pointe Coupee, St. Landry, West Feliciana, Avoyelles, Concordia, Catahoula, Tensas, Franklin, Madison, Richland, East Carroll, West Carroll, Morehouse and that's basically how the present district runs down from North Louisiana all the way into the Florida Parishes presently. But a big difference there, is it picks up portion of East Baton Rouge and West Baton Rouge. District 4, of course, remains basically the same. It represents Northwest Louisiana and District 3, the southern portion from Rapides to the Cameron of Amelia and Iberia area.

[00:25:00]

One is the Orleans, the coast area and goes into St. Bernard and Orleans also. The maps at this time, population we've talked about making sure that we stay within the deviation. District 1 has 507,988 whites with 144,750 blacks. District 2; 776,287 with 275,643 white and 415,880, which is 53.73% black. District 3; 776,249 with 555,655 white, 154,675 at 71% white, 19.9% black. District 4 is 776,310 with 455,308 white, 58% 262,042 with 33.75% black. District 5; 776,309 with 310,229 white or 39.9%, 424,358, 54.664% black, and District 6; 776,286 with 552,819 71% white, 141,414 and that's 18.2% black. So those are basically the numbers for the district.

[BACKGROUND CONVERSATION]

SENATOR ED PRICE: Okay, the next is voter registration. In District 1, we have a percentage, 75% white and 15% black. District 2 is 39% white and 52.9% black. District 3, 75% total registered voters with 79% black and 16.3% black. District 4 is 65% white and 30% black. District 5 is 43% white and 53.479 black. And District 6 is 80% white, 14% black. And the others to make up the 100%, is other voters. At this time, I think we can start to take some question, because we can go over all these numbers if you want, but we'll start to take the question.

CHAIRMAN FIELDS: Why don't you have your guest to your right to introduce herself and we'll start taking questions. Unless she would like to make some opening comments.

SENATOR ED PRICE: No, hit it back. You turn it off.

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VICTORIA WENGER: All right, I think its officially afternoon, so, good afternoon, Chairman Fields and members of the committee. My name is Victoria Wenger and I'm an attorney with the Legal Defense Fund and a very proud representative of the Robinson plaintiffs, many of whom are here today.

CHAIRMAN FIELDS: Thank you very much. I have just a few questions, Senator Price, I'm familiar with this map because it's similar to the one that we had in the last redistricting session. In terms of splits, this map splits 11 parishes, is that correct?

VICTORIA WENGER: That's correct.

CHAIRMAN FIELDS: And the present congressional plan that we have that members are running under today splits 15 parishes.

VICTORIA WENGER: That's correct.

CHAIRMAN FIELDS: So, this map splits less parishes than the present map?

VICTORIA WENGER: Correct.

CHAIRMAN FIELDS: The deviation, which is another important factor. Your deviations are in line, I think your highest deviation. Your highest deviation in this plan is minus 43, is that correct?

[00:30:05]

ATTY. VICTORIA WENGER: I believe the statistic I have for the deviation is 67. So essentially 67 people between the lowest populated district and the highest populated district. Just for a point of context, the bill that originated, or the version of the map that was put in comparison in our record in the case compared to the enacted map at the time had 61 for the deviation. The difference here, the slight adjustments that have been made between the map that's been in the record before the courts and that had several versions that have been before this legislature before the prior your predecessors, that map has just been updated to reflect precinct changes in the past year or two or three, wherever we're at now. So this has a deviation of 67. The enacted plan has one of 65. In its original form, we had a deviation of 61, but all essentially trying to get as close to that one person, one vote principal.

CHAIRMAN CLEO FIELDS: All right, so your overall range is 67. And how does that compare to the map that's enacted today?

ATTY. VICTORIA WENGER: That is just within two people?

CHAIRMAN CLEO FIELDS: Lastly, in terms of Senate Bill 4, it creates two majority minority districts. One in district two, which is the present minority district, and that voter registration is 52.9. Voter registration.

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ATTY. VICTORIA WENGER: The map provides us with multiple different statistics. There are voter registration numbers. There's also the black voting age population, essentially the population of Louisianans from one race or another who are above the age of 18, so qualified to vote whether they're registered or not.

SENATOR FIELDS: So I think it's 52.9 in voter registration.

SENATOR ED PRICE: Yeah. Registered black.

CHAIRMAN CLEO FIELDS: Registered black. And then population is 53.5.

ATTY. VICTORIA WENGER: The total population, is that what you're referring to?

CHAIRMAN CLEO FIELDS: Yes, ma'am.

SENATOR ED PRICE: 53.5. That's correct.

CHAIRMAN CLEO FIELDS: All right. And now let me go to District 5. You have a voter registration of 53.4?

SENATOR ED PRICE: Yeah, 53.479.

CHAIRMAN CLEO FIELDS: And then you have a population of 54.6. Is that correct?

SENATOR ED PRICE: Yes. That is correct.

CHAIRMAN CLEO FIELDS: So my only question is, do you think that this complies with any court order that this legislature is under today?

SENATOR ED PRICE: I certainly do think that it complies with the court order, Senator Fields. We've looked at this map and we studied it, and we based on what the court ordered, and that's why we filed it the way it is. We think it meets the court order.

SENATOR FIELDS: All right. Thank you, senator. I have no other questions. I'm now Senator Carter for a question.

SENATOR CARTER: Thank you, Mr. Chairman. Thank you, Senator Duplessis. Thank you, Senator Price. And thank you to the legal defense fund for not just your work on this legislation and especially to the legal defense fund for helping get us to this point of having the court order and having us into session to do this important work. I believe Senator Fields, the chairman, asked most of my questions, but I just want to ask a couple of questions to make sure. The map that you're proposed, it creates two African-American majority districts in the state of Louisiana?

SENATOR ED PRICE: It creates two minority majority districts. Yes, sir.

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SENATOR CARTER: And they both perform as two. And you're nodding, but yes.

SENATOR ED PRICE: Yes, that's correct.

SENATOR CARTER: And when I say perform, what does that mean for those who actually run, I'm looking at you, the legal defense fund? When we hear that, does it perform as an African-American district? What does that mean? Is that calculated any sort of way? Is it analyzed any sort of way? You can help us explain how that's done.

ATTY. VICTORIA WENGER: Absolutely. So we have a very thorough record on this. In the court, we had a PhD, Dr. Lisa Hanley, who has essentially gone, and she's recompiled the results of prior elections and superimposed those on the districts that we have here. So she was able to analyze 15 elections at that primary stage and then nine elections where you're looking at the outcomes when you're putting the candidates of choice here in the elections that she analyzed, black candidates. But truly, we're looking at who is the candidate of choice of the voters, black voters here, who we represent in contest with the candidate of choice of white voters here, white candidates as well.

[00:35:05]

So in 15 primary elections and 9 runoffs, she was able to analyze what the results would be on our district lines. In District 2, the current black majority district represented by Congressman Carter. In these elections, in all of the 24 that she analyzed, the candidate of choice of black voters was elected 100% of the time. So 24 out of 24 elections. If you were using these district lines and looking at the outcome of those elections that have happened. So, many of these are statewide elections looking at secretary of state or governor or other offices where we have votes for each and every precinct within the configuration of the districts as they've been drawn here 100% of the time.

SENATOR CARTER: And let me pause you. That's 100% of the time for District 2, which is current congressional.

ATTY. VICTORIA WENGER: Correct. As we reconfigured here, which, yes, it will bring down the black population. It'll look different than the district that it's drawn as right now. But maintaining that majority, black population, not only as a total population or a registered voter population, which were the metrics presented before, but the black voting age population, which the court is often looking to. That's the primary metric we're using here. Here, we have a black voting age population above 50%, lower than its current percentage, but still 100% of the time on those elections, black voters were able to see the candidate that they want win.

SENATOR CARTER: And let me ask you, so 100% of the time performance for District 2. The other district that's created will be District 5, the third African-American majority seat. Did you run the performance numbers on that one as well?

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ATTY. VICTORIA WENGER: We certainly did. We did for all six districts. But let me talk about District 5, the real one in question here. In the 15 primary elections here, 86.7% of the time, black voters saw their candidate of choice succeed. Looking to the later elections, between, in two candidate contests, 77.8% of the time, black voters were seeing their candidate of choice succeed. I'll note that once you get to that runoff scenario, those nine elections in the remaining of the districts, you're very rarely, if ever, seeing black voters have their candidates of choice elected. But in District 5, an opportunity is created here that just has not been recorded in recent history and certainly is not provided under the currently enacted map.

SENATOR CARTER: Thank you. Thank you for your questions. Thank you, Mr. Chairman.

SENATOR FIELDS: Thank you, senator. Senator Jenkins.

SENATOR JENKINS: All right. Thank you, Mr. Chairman. And let me start off also by just expressing my appreciation for all the hard work that has gone into this effort. I said in my opening comments, well, my introduction, that I served in-house and governmental affairs. So I was very much a part of the redistricting process over there, served with Senator Duplessis, who was vice chair of our House and governmental affairs committee, and certainly want to salute you, sir, on your leadership once again. We touched upon it somewhat, but I just want, just for the record, if we could, can you expand a little bit on the motivating factors behind this particular map?

ATTY. VICTORIA WENGER: Certainly. So I can speak from the perspective of the litigation, and again, where the map was a teeny, tiny bit different because this one has been adjusted for precinct lines and updates since our phases of litigation, when this map was introduced jointly by parties involved. But we had our incredible map drawer Tony Fairfax, who's been credited by courts for decades now testified before the district court about his process of drawing a map. And he spoke to balancing principles, to really looking at joint Rule 21, the rules of the game that the legislature here enacted, but also what courts have sustained for decades now. We really look at the rubric provided by *Thornburg v. Gingles*, which was upheld in *Allen v. Milligan* just last year. The Alabama case, very analogous to this one before the Supreme Court and argued by my colleagues at LDF. So he was able to provide in his analysis, and this is all in the public record. I can provide it, or you can find it there. A comparison on eight of the quantitative measures for redistricting that really put in joint Rule 21 into numeric measures so that you can see a side by side of this map compared to the enacted map or any of the other maps that were presented or argued either as bills or amendments during prior redistricting sessions or in the session that we were reconvened for today. So we can first talk about population deviation. At the time that Mr. Fairfax was working on this map, we spoke to this earlier, he was able achieve a deviation of only 61 people HB1 have a deviation of 65.

[00:40:07]

Both maps were able to comply with the principle of geographic contiguity. That's the idea that you don't have one pocket of a district over here and the other pocket over here. Everything is connected by land or waterway. You can get from one point in a district to the other without

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needing to go through another district. Both were successful on that, but he was ensuring that he was complying with that principle. Parish splits is a huge one here and my colleague, Jared, spoke to it earlier. Mr. Fairfax was able to get parish splits down to 11. We've seen very few bills here, or in other phases of the process that we're able to keep so many parishes whole. And in Louisiana, that's a huge deal. If you do anything on elections, voter registration, and I know each one of you all do, because you have to run for office. That's the level at which elections are administered. Ballots are often built at that level. But you also see school boards, administration, all these other elements of civic and public life really codified around that parish level. So keeping parishes whole was a huge guiding principle here, but again, balanced with all of these other dynamics. In comparison, again, HB-1 split 15 parishes. VTD splits, that's a fancy census way of saying precinct splits. This legislature is very committed to making sure that number is zero, both maps achieved that. Census place split. So that's another fancy term for municipal splits, but also accounting for unincorporated areas. It's really what's your hometown and is it encompassed in one district or cut up into multiple. Mr. Fairfax was able to get it down to 27 splits in comparison to HB-1, the enacted maps 32. Landmark splits. So this is where we're talking about airports, cemeteries, parks, schools, churches. How many times are they sliced and diced into multiple different districts? Mr. Fairfax had it at 58. Same number for HB-1. Now let's get into compactness. The layman's way of analyzing compactness is something very scientific called the Eyeball Test. How does it look? Do the district lines look silly? Do they look like they have a bunch of tendrils going in one direction or another? Just illogical if you're taking any kind of rivers or other things that may also wind and bent out of the equation. What's that eyeball test? You can run the eyeball test for yourself. If I was offering my opinion here, I would say that our map looks much more compact than the enacted map that voters are participating on to this day and represented under right now. But we also have some math to back that up. And specifically, Mr. Fairfax was looking at three tests, which again, my colleague mentioned earlier, the Reock Test which calculates the ratio of district area to the smallest circle containing the district. So draw the district and try to have a circle encompass it, you can run some numbers to see what that ratio is. You have the Convex-Hull Test, which determines the ratio of the area of the district to the convex-hull area of the district. And then finally, the Polsby-Popper Test, which calculates the ratio of the same area of the district to the area of a circle with the same perimeter. So here your goal is to get as close to one as possible. And I'll give you the numbers for Mr. Fairfax's map and then the enacted one. He was able to get to a compactness score of point 0.4, 0.2 and 0.7 compared to HB-1's 0.37, 0.14 and 0.62. In easiest terms, this map that we're presenting here today beats the enacted map and many of the others that it was up against throughout the multi fold processes we've been before the legislature during it outperforms on every measure. So compactness is another check in favor of this bill. And then finally, Fracking, which I know can mean different things in different contexts. But here fracking is whether or not discontinuous parts of a district are or of a parish are populating the district. So essentially, how are things being sliced and diced. Here, Mr. Fairfax was able to get the number down to 12. Again, lower the better versus the inactive plan at 17. So that is 8 quantitative measures where at worst this map is exactly the same as the enacted map and at best it is well outperforming it. But on one measure which is listed towards the top, if not at the top of Joint Rule 21, and a guiding principle for how redistricting comes into play is compliance with Federal and State Law. And one of those Federal Laws is the Voting Rights Act of 1965, including Section 2, including the promise that black voters where there's an opportunity to create a second black majority district

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or any additional majority districts that give black voters an opportunity to elect their candidate of choice where it is possible, we're number one, and this is the Jingles Test.

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It's possible to draw a map because that population lives geographically compactly enough to be able to draw the district. So again, this is not about just some ratio, it's not because black voters are 1/3 of the state that they inherently get another black majority district, it's because of where they live, it's because we've seen multiple maps presented here in these chambers and in front of the courts that showed it's possible, it's easy, and in fact, you can do a better and comply with all of these other measures, better wills doing that, then passing the map that you all have enacted here and that voters are operating under today. So number one, is it possible. Number two, is it necessary. The Voting Rights Act looks to voting behaviors. It's asking in the second part of that Jingles test, if the black voters are voting cohesively, if they really have a voting block and shared interests and community and needs based off of legacies of discrimination, but also contemporary realities. And then two, are white voters, the majority population voting in the opposite direction. So unless you create a geographic majority, black voters or whatever the minority population is are just not going to see their candidates of choice elected. Those conditions exist here. This record is replete with examples, including ones filed finally from across the aisle here that show it's possible to create another black majority district. And we know from Dr. Lisa Hanley's analysis and other record evidence before the courts that it is necessary because of patterns of racially polarized voting in this state. If those elements weren't here, we wouldn't be in this place. There's a future where maybe those elements subside where the state is more integrated, where the politics are less divided by race. We are not there yet. So we're in this situation. And so what we have here is a map that complies with the Voting Rights Act of 1965, that has withstood that test of jingles, which has now been in play wills, we had to see that test sustained through *Allen v. Milligan* and the Supreme Court of the United States. All of these factors bring us to today and bring us to this map which is well vetted by the courts and which a lot of folks in this room have been really excited about for many years now. So I'll leave it at that. But the point is, this map complies with the Voting Rights Act, and we hope that you can get on board with it.

SENATOR JENKINS: Great answer. And much needed. Thank you so much for that information.

ATTY. VICTORIA WENGER: Thank you.

SENATOR JENKINS: Senator Price, you mentioned about the roadshows that took place. You went to a larger roadshow.

SENATOR PRICE: Yes, went to all of them.

SENATOR JENKINS: All right. and I went to a majority of them myself. And would you agree with me that there was a broad cross section of the community at most of those roadshows talking about redistricting?

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SENATOR PRICE: Yes.

SENATOR JENKINS: All right. Do you feel like this particular map represents the voices of the people that we heard, regardless of race, color, creed at those roadshows?

SENATOR PRICE: It absolutely does.

SENATOR JENKINS: And Senator Duplessis, you know when we are drawing these maps, we're not just drawing them, just drawing two minority districts, am I right?

SENATOR DUPLESSIS: Correct.

SENATOR JENKINS: What we have to do is present a map that contains all of the geography of Louisiana.

SENATOR DUPLESSIS: That's correct.

SENATOR JENKINS: And do you feel like this map adequately represents all the geography of Louisiana, and the community of interest, the very community interests that take place in different parts of the state?

SENATOR DUPLESSIS: I do. Yes, sir.

SENATOR JENKINS: All right. Thank you for your answers and for the information. I think it was something we needed to discuss and make sure that it's in a record. Thank you, Mr. Chairman.

CHAIRMAN CLEO FIELDS: Thank you, Senator Jenkins. Now we'll go to Senator Reese. Before we do, let me say that there is an overflow room, Room E, that the sergeant at arms have opened up, so those individuals who are in Room E now, when we get to the testimony, we'll call you and if you hear your name, you can come. Senator Reese.

SENATOR REESE: Thank you, Mr. Chairman. Senator Price, thank you for the work that you put into this. Certainly respect your time and effort in it. I would like to take a moment though to point out my reservation about this map and it's not one that I've pointed out in similar drawn maps before. For me, it's difficult to abandon one set of standards for the Voting Rights Act to accept others. And district three, we split in Vernon Parish, the state's largest single federally owned asset in the state of Louisiana, which is a military installation. So that that is now fully consumed in District Four. So not only do we abandon our continuity representation, and a well-defined community of interest from a federal standard.

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We personally believe in congress' primary responsibility as the national defense of our country. That is a strong, very strong community of interest. They're occupying about half of the land mass of Vernon Parish and currently encapsulated within one congressional district in one area of responsibility. In addition to that, when the map is drawn in the fashion in which it is, the housing for the military installations captured in District 3 while training lands are captured in District 4. And so, you have a population there of nearly 8,000 to 10,000 people that would be counted in the population but who do not typically register to vote in the State of Louisiana. And so, it's for those two reasons and I've articulated this before. I had really good discussion with the chairman as a matter of fact during our last round of redistricting about this topic. I'll continue to listen to the debate and again appreciate the work put into but I just want to voice serious reservation about the split of that strong federal community of interest in the way that we manage Vernon Parish in this version of the redistricting map. Thank you.

CHAIRMAN CLEO FIELDS: Thank you. And thank you for your concern. I think when we look at it, we had to have some split for population reason and that's why that area right there does constitutes a split. But we have less split than we have right now in enacted map and I know probably an enacted map stayed whole. But because of the population and the deviation and trying to make sure we have the minimum amount of deviation, that's the way we had to do it.

SENATOR REESE: There's no perfect way to define the areas that you have to make those divides. I just have to express what I believe is serious consideration for that community of interest, continue the representation in that large federal asset in that area. Thank you, Mr. Chair.

CHAIRMAN CLEO FIELDS: Thank you, Senator Reese. The Board is clear. I want to thank each of you for your testimony. We're going to announce or taken some testimony from the public. I do have a state representative here. We'd take her. Do you wish to be heard? Yes, we're going to hear the state rep. You want to be heard now? First, let's hear from Senator Jackson and then Senator Marcelle, if you would come to the table as well. And then, we'll start taking public testimony. First, Senator Jackson wish to be heard. So, Senator Jackson, you recognize and then we'll hear from Representative Denise Marcelle. Senator Jackson.

SENATOR JACKSON: Thank you, Senator Fields and members of the committee. Mr. Chairman, I want to first thank you for your work not just today but throughout this entire process even from last term and what you've done to try to create a fair and equitable districts and this committee. We're under a duty, I understand, of the court but I must come express my concern that while North Louisiana is ice stun, our legislative assistance cannot even get to our offices to our constituent databases. Some of our constituents do not know that we're here today and in the process of redistricting, I want to express my strong opposition that this body continues to meet while North Louisiana, specifically for me, Northeast Louisiana constituents cannot come and give their testimony nor can we communicate with them as we normally would through our office process to give them the maps that we received on yesterday. I know that this legislature has attempted not to act in a clandestine way and we're up against a clock of a court order, as well as this ice storm that Northeast Louisiana and I think Northwest is experiencing. However, in redistricting, the constituents input is paramount to understand the communities of interest for me and how our constituents feel. My constituents, Northeast Louisiana constituents,

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cannot be here now. And worse than that is that our mechanisms and our databases for communicating with them are in offices that our staff cannot reach. And for that reason, Mr. Chairman, in a very respectful way for all of the work that you and other committee members have done. It is my hope that at some point the resolve would be for this legislature to at least ask for an extension of time based on this ice storm that we cannot effectuate the goals of the order because I agree with the court order. Let me say that. I firmly agree with it. That fairness must prevail. However, in fairness, how fair is it for my constituents not to be able to look at maps that I have to vote on.

[00:55:01]

Because if I can't hear from them, how do I take a vote that's in their best interest. And so, I know this is not idea, right? And I know that no one could have planned what is happening in the North Louisiana, in Northwest Louisiana, Northeast Louisiana but our constituents have not seen these maps. And usually, I have a database of 4,000 or 5,000 constituents and you noticed about me, Mr. Chairman, you worked with me long enough that I would've sent out and said, "These are the maps that's introduced." You at home, "The data is great. Please look at them. Communicate with us. Let's get on Zoom and talk about them." But as I come today, a couple of my more learned constituents about the process have called and expressed concern that if they wanted to there was no way for them to get in their car and drive here and express concerns they have with some of the maps that's been introduced. And for that reason, I believe and I may stand alone in this belief that those attorneys who represent us and the state and others who support the legal defense on point should have at least asked for an extension so our constituents could take part in this process. I do not believe maps should be passed in a way where our constituents can't get here. What I don't want to happen is, and I think every senator and representative from my area should feel the same way or any area this iced in, is that maps are passed and we go home and our constituents gain knowledge of it are their path and the time to speak to the senators who are elected to represent them is over because the maps are sitting in the house and that's the place I found myself in today and I have to speak up for those constituents who can't be here and don't know what's going on. And that's with all due respect to all of your hard work because I greatly appreciate it Mr. Chairman and I agree with the court's ruling. I just think that we're up against a clock that may be ticking to a point where our constituents cannot participate in the process. Thank you.

CHAIRMAN CLEO FIELDS: Thank you, Senator. Comment will be noted for the record. I mean, as all of us know when the governor made this call, no one knew, at least I didn't know and I don't think any member of this committee knew, that we would be in the conditions that we're in now but we are against a mandate from the courts and you can take that up with the president.

SENATOR JACKSON: I've expressed my concern to the president. That's why great deference to the committee chairman and its members, that at some point both parties in this lawsuit should consider that and I wanted that to go on the record. That no one could have known this ice storm was coming but our goal is to effectuate the goals of the people and the wishes of the people and represent them. And if our people can't be here, then I think it's only

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incumbent upon those in leadership to ask for that extension until such time as half of the state can come because right now half of the state is iced in and can't be here. Thank you.

CHAIRMAN CLEO FIELDS: Thank you, madam. I mean, Senator Jackson. Now, we hear from Representative Denise Marcelle who wants to be a senator. I'm just teasing.

REPRESENTATIVE DENISE MARCELLE: Is that right?

CHAIRMAN CLEO FIELDS: I'm just teasing. Please, proceed Representative.

REPRESENTATIVE DENISE MARCELLE: Thank you for the promotion. I appreciate it, Chairman, and thank you Senator Price and Senator Royce Duplessis for putting on this SB4. I certainly appreciate it. I thought it was important that I come over because I have the same identical map on the house side. I don't believe in duplicating things, so I'm going to park my map on my bill until I see if this bill moves forward. I do want to go on the record with my testimony though that I believe that this map represents communities of interest. I believe that District 5, the new district that's being created unites the Baton Rouge with the Delta, Monroe, Alexandra, and St. Landry and I think that's important. You know, when we attempted to address redistricting a few sessions ago, we found that Baton Rouge had growth. To me, it made perfect sense that Baton Rouge would have its own congressional district. We added population. Others lost population. So, I thought it was a great thing to create the district where Baton Rouge would have representation and that's important because there are some goals that we had to achieve with a fair map given African-Americans an additional seat. There is a need to unpack Black voters. And in my opinion, the current configuration is a map where we have compact voters. Black voters particularly.

[01:00:03]

And so that leaves us with the one district. One of the things that I thought about as I came up here that there is a history of voter suppression in Louisiana. I started thinking back about why did we actually have to do this and I started thinking about before, we used to have a pre-clearance method that we had to take up, but that was removed by the decision of Shelby. That was the protection because it appears that this is not the first time that we could not do what was right in Louisiana. I listened very intently in H&G today as we talked about the courts and I know we're on the congressional map, but it's the same thing. We have not fixed the map of the Supreme Court in over 100 years. Think about that just for a moment. 100 years we have not done it. Hence is the reason we used to have the protection when we were doing redistricting, but that has been again removed. As we go through this process for the third time, for the third time, I just want you all to remember that a third of six is two. If the shoe were on the other foot, would you want a second congressional district? Know, the district are not going to be idea of what everybody wants. Somebody is going to lose something. This is not about a person. It is about the entire Louisiana. And until we can see it that way, everybody has to have a seat at the table and have proper representation, and until we do what's right in Louisiana, we always going to be in the back. I don't want to see us do that. My ideas may be different from your ideologies, but I should have a seat at the table or I should be able to go to Congress and fight for the people

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in my district. I shouldn't be outnumbered unfairly. I should be able to do what Section II provides. And so that's why I came to give my testimony in support of this map. We have failed to do what's right. That's why the courts have ordered us to do it. And some of us are still saying we don't want to do it. We want to defy what the court's opinion is. We don't want to look at facts. We want to look at what we believe should happen so we can have the control. It's not about one party having the control over the other. It's about what the constitution says and it provides, and the Voting Rights Act was clear. Of course, we had to fight for that as well so that we could have a seat at the table and represent our people. I think we need to do what's right. I think we need to pass this map. It is the best representation that I've seen of fair maps for the congressional district. Let's do what's right. Let's not let Judge Dick have to do what our job is, which is to create a second minority-majority district. I beg of you to do the right thing. Thank you.

CHAIRMAN CLEO FIELDS: Thank you very much. Members of the public, please keep your opinions to yourself. But thank you very much, Ms. Marcelle, for your testimony. Now we're going to now go to public testimony. I know I saw Press Robinson, are there any other plaintiffs? I take you off first and then we'll take -- will all the plaintiffs just come? I know Press Robinson, you first up on my list, and just identify yourself for the record and you all may proceed. I'm sorry, Devante. Commissioner Davante Lewis I forgot. Identify yourselves for the record and you may proceed however you so desire.

ASHLEY SHELTON: Good afternoon. My name is Ashley Shelton and I'm the Founder, President and CEO of the Power Coalition for Equity and Justice.

CHAIRMAN CLEO FIELDS: Identify yourself and you may proceed.

ASHLEY SHELTON: I'm sorry, thought we were going to all go. I'll introduce myself. You know, I kind of changed my talking points up today because as I sit before you, I'm a little tired.

[01:05:00]

We have been moving this process, working with community, educating community for over two years. And actually, for us, we've been doing this since the census. We've been working with communities across the State of Louisiana and I think it is unfortunate that fairness is a concept that evades us here in the legislature. And so as we sit here today with one more chance to do what's right, I hope that we find a pathway there. Because what is true is that for many of the plaintiffs, what I'm clear is that if we can't get our map through this session, then Judge Dick is going to give us a second minority-majority district. And what I do know too, is I've traveled the state. We have worked on this process starting with the roadshows. Hundreds of folks participated in the roadshow stops across the state. We trained, talked to, worked with communities. We also had unprecedented citizen participation within the redistricting process. We know that at least on one day there were over 300 green cards, which you know are affidavits. So these are Louisiana citizens and other folks from our legal team, from outside the state as well who said that they support this map. And they think that today we have some community with us. Certainly the weather put us in a position to not have as many people be able

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to join us, but what we know is that the theme that has been clear is that across those roadshows and throughout all of the redistricting sessions, the veto session and the sessions that would follow and court that at the end of the day, people want a fair map. And the people have said it time and time again and here's what I think is important around what is important to understand around African-American voters. When we were in that first session around redistricting, African-American voters from all over this state, folks that would not even benefit and would not even live in the two or three potential districts that could be created, understood that they wanted to have one more voice in Congress that reflected their experiences, their values, and fighting for the things that matter to them. For example, the infrastructure bill that was basically our entire delegation with the exception of Congressman Charles Carter was voted down, was not voted for by our delegation. And so in the second poorest state in the country, I am always confused around why we are voting around political lines that are voting for the needs and the interests of our people. I also want to talk about the cohesion of this map. I support this map because it does something that I think is very true for all of the parishes that are included in the new district. All of the areas that are included in the new district, it is composed of all of the communities that are overlooked in the current districts where they exist, whether it's North Baton Rouge, the Flora parishes, or the delta. We find that all of those communities are not centered in the districts that they are in. And so this would be an opportunity for these communities to actually have a voice. And we also know that these communities have rich culture and history, but also have some of our lowest life indicators, whether it's life expectancy, maternal mortality and other issues. And so these are things that we can fix not only at this legislative level, but certainly at the federal level and they need that attention. So for me, this is really just an opportunity to, again, affirm what I have said now for the last two years, which is you know, fairness isn't complicated, and I think Representative Marcelle said it best. We're not going to all get what we want, but two districts should -- I think we've shown both through the original session that there were eight different maps that showed that it could be done eight different ways. And here we are again, looking at a number of maps, including ours, and proving yet again that it can be done. And so with that, I will conclude my testimony and certainly allow my other plaintiffs to speak.

CHAIRMAN CLEO FIELDS: Thank you very much, Ms. Shelton and for braving this cold weather and coming here. Mr. Robinson, please identify yourself for the record, please.

PRESS ROBINSON: My name is Press Robinson. I'm one of the plaintiffs in the Robinson v. Landry litigation related to the redistricting of its congressional boundaries. Pursuant to of course the 2020 census, by law, the Louisiana Legislature is responsible for redistricting a number of districts for the state, but none more important than those for the US House of Representatives.

[01:10:04]

I hope that the legislature will not repeat the mistake of the past by denying Black citizens of the state their rightful opportunities to elect representatives of their choice. Now, according to the 2020 census, Blacks represent approximately a third of the state's population, and they live close enough together to easily create two majority Black districts. Easily to create two majority Black districts. You know, it's really unfortunate that here we are today, amidst the celebration of Martin Luther King's birthday, fighting for rights that we thought had been earned in 1965 with

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a passing of the Voting Rights Act by the US Congress. That's almost as old as I am, and yet here we are still fighting today for those same rights. But because you are the elected officials with the responsibility of joining the congressional districts, I strongly, very strongly urge you to live up to your charge by adopting a lawful map and thus avoid a court imposed remedial one. The map represented by SB 4 is plaintiff's offering, and it balances traditional redistricting principles, including those articulated by the legislature here in the State of Louisiana as the top priorities for this redistricting session, as well as uniting communities with common interests. But perhaps just as important, the passes of SB 4 is the clearest route, the clearest route to ending the Robinson litigation. Thank you.

CHAIRMAN CLEO FIELDS: Thank you, Mr. Robinson. Commissioner, thank you. Please identify yourself for the record.

DAVANTE LEWIS: Yes, sir. Good afternoon Committee, and thank you, Mr. Chairman. My name is Davante Lewis. I proudly serve on the Louisiana Public Service Commission, representing the third district which includes 10 parishes here in the State of Louisiana, primarily East Baton Rouge Parish and Orleans Parish. And as you can imagine, I was up late last night ensuring that most of my constituents did not lose power. Their power was restored. But when my grandmother called me this morning to check on me and we had a talk, she reminded me of an old hymn that she would sing in church about how I feel this morning. And she told me to wake up this morning with my mind state on freedom. And so that is why I'm here. That is why I am a plaintiff in this case, because we have been asking to be free for too long. Senate Bill 4 presents a plan that complies with the Voting Rights Act, keeps community of interest in the State of Louisiana together, and allows us, as Louisiana finally an opportunity to join as one and do something right for our people. I'm often reminded by what St. Augustine said, which is, we love the truth when it enlightens us, but we hate it when it convicts us. And the truth is, the map that we passed into law showcased that we did not put the best interest of Louisiana first. This map in Senate Bill 4 gives us the opportunity to do what is right, to do what is just, and to give every Louisiana the opportunity to be heard and their voices be recognized in these elections. I appreciate what Senator Jackson said, as we would have had more people here had the bad weather not been, but I would be remiss not to remind the Committee that the judge gave us until January 30th to pass a new map, not until January 23rd. There are still seven more days that we can do it. But we all know, I'll admit we wanted to go to Washington Mardi Gras, but I think if we can't get this done in the next few days, instead of leaving our responsibility, we should not travel to DC, we should not go to balls, we should not go to the events, we should stay here and do the work of the Louisiana people.

CHAIRMAN CLEO FIELDS: Members of the public, please do not show any expressions.

[01:15:03]

If we do it again, I may have to have the sergeant at arms, so please work with me. You may proceed.

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DAVANTE LEWIS: Thank you, Mr. Chairman. I will say in conclusion, my fellow plaintiffs and I have worked tirelessly and we appreciate the work that we know you have done. Looking at models and districts, looking at how we can do this, and we strongly believe this is the best path, the clearest path, the legal path to getting it done, and I'll end with the reason why I put my name on this lawsuit was not for anything of personal self-gratification, but because I'm reminded of what my grandmother always taught me which is, when you get to judgment day, you will not be judged by what you personally accomplished in your life, but you will be judged by where you stood in relationship with those in despair. And there are people in our state who felt they are in despair because their voices haven't been heard and I would not do my job on this Earth if I did not stand with them. Thank you, Mr. Chairman.

CHAIRMAN CLEO FIELDS: Thank you, Commissioner. Appreciate your testimony. And the last plaintiff, please identify yourself, ma'am.

DR. DOROTHY NAIRNE: Hey. My name is Dr. Dorothy Nairne, and I'm a plaintiff in the case and I am here on the shoulders of my ancestors who are from this region, from Assumption Parish, so I saw Senator Price. That's my elected official. And for me, on a cold day, when we couldn't go outside and somebody was misbehaving, it was like we had to wait until everybody was behaving well and then we could go outside. So I look at that here in Louisiana, where if we, as African-Americans are a third of the population, then when we rise, everyone rises. So when I see this map as a plaintiff, I sign up, because this map represents everyone, and together we rise. So elected officials watch us all rise as we celebrate the saints, as we stand on the sidelines for Mardi Gras and catch beads. Let's all rise together, just like it's Mardi Gras every day, so that our least thought of members of our community in places like Napoleonville have some opportunities. The despair that I see around me every day in Assumption Parish, it's weathering and I just moved back here. So just to give a little background, I lived in South Africa for 20 years and moved back here to Louisiana in 2016, and it's been really difficult where I don't see the opportunities for my people. I don't see how we can elect ourselves. I don't see the answers for my people where I live. But one step in having answers and solutions which we have ourselves would be in the passing of this map. So instead of putting more energy into maps, we can put our energy, once we pass the map, that makes good sense to the majority of people. We can put our energy into our economic development. So that's what we're here for and we represent a whole lot of people who together are talking about glimmers of hope, whether they're being snuffed out or whether they're being lifted up. So lift us up, because together we can go outside. Together we can win something. And this map is a step towards our together, Louisiana together. Together, we thrive together.

CHAIRMAN CLEO FIELDS: Thank you very much, ma'am, for your testimony. Let me thank all the plaintiffs. We appreciate you all coming here in this tough weather. We only have now nine other individuals who wish to be heard on the bill and we have one person who wished to be heard in opposition, and I'm going to put everybody cards in the record. Let me first take -- is this Jacqueline [PH 01:19:12] Germany? If you're here and you still wish to testify, you may come forward. And Carlos Pollard, Jr. with Power Coalition. If you're still here and you wish to testify, please come forward. And Morgan Walker, if you are still here, you may come forward and you may testify. Please identify yourself for the record and you may proceed.

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JACQUELINE GERMANY: Okay, first, good afternoon, Chairman Fields and other members of the Senate Committee. My name is Jacqueline Germany, and I'm a member of East Veterans Parish and Senate District 14. Your district Senator Fields.

[01:20:00]

CHAIRMAN CLEO FIELDS: Welcome to the committee. And this is the most important witness I want every member to pay attention to. Please proceed.

JACQUELINE GERMANY: I have lived and worked in Baton Rouge, East Baton Rouge Parish for 74 years and I'm very proud of that and I'm a very active member. Today, I come before you do with members of the community and other groups and coalitions at Lord. I also come to speak for those who are afraid to speak. I come to speak for the voiceless, the ones who feel like their voices cannot be heard. Today, I urge you to keep my community together, to give us fair representation. Since the beginning of the redistrict process beginning with the roadshows which I attended, and I testified, and I've come before senate committees and testified and given you my opinion as to how I feel. We need fair representation. I need to feel like my voice is heard, that I have a part of the process, that I have a right to have. For far too long, justice had been denied and I have something that I use to say and sometime I back up from saying it but I'm sick and tired of feeling like I'm not a part and we are not a part of the process. My community deserves fair representation. We deserve to be heard, to be a part of everything. Not to sit back and look over and feel like I'm not a part of that. I work in the community trying to encourage people to vote and it's hard because they feel like they don't have a voice, that their voices are not being heard, that they're not a part of the process. You all have an opportunity to give us a chance, to give us what we deserve and that's fair representation. The time is right to do what is best by giving me, my community and others the right to have a choice. A choice in who we want to serve us and feel like that person understands how I feel, what I need, what my community need and wants. We have values and we have expectations, and we need those things heard and we need those things expressed. Thank you very much for listening to me and please give us fair and equitable maps. Thank you.

CHAIRMAN CLEO FIELDS: Thank you very much. Ms. Germany. Please identify yourself.

CARLOS POLLARD, JR.: Yes, sir. Good afternoon. I am Carlos Pollard, Jr. with Power Coalition for Equity and Justice and a 2L at Southern University Law Center. I am happy to be here, but also tired as Ms. Jacqueline Germany expressed and the plaintiffs because I started off this redistricting process as a redistricting fellow almost three years ago and today, we're still here fighting the same fight and I just came here to express that back in 2022, we mobilized over 300 people to come to the capitol to express their need and their want for fair representation across this state. And yet, in 2024, we still have not received that. And we, again today had planned to mobilize over 200 people. And just in response to Senator Jackson's sentiments earlier, we had planned two busloads of people from North Louisiana to come here today to testify what they want in their state that they live, pay taxes in. So again today, we're in support of Senate Bill 4, and we deserve two majority minority districts in this state.

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[01:25:07]

CHAIRMAN CLEO FIELDS: Thank you very much, Mr. Pollard.

MORGAN WALKER: Good afternoon. I'm Morgan Walker, the founder and executive director of Bike N Vote, here with Power Coalition as well. And I just want to reiterate and express some of the things that the community said. Bike N Vote is a Louisiana non-profit organization dedicated to mobilizing millennials in Louisiana to register to vote and get out to vote in an innovative way. I traveled here to express my sentiments to the people Louisiana elected to represent us and vote for us on our behalf. Two years ago, close to this exact date, the first special session was held for the redistricting cycle where over 250 people traveled to our state capitol to urge you all to pass fair maps. To date in 2024, we are urging you to do the same thing we urged in 2022. The numbers have shown as Black people make up one-third of Louisiana population and this session presents an opportunity to create two out of the six congressional districts where Black voters can have their voices heard. Today, I urge you, as a Louisiana constituent, to vote in the favor of the Senate Bill 4. This map illuminates fair representation. Fair representation can lead to real change for Black Louisianans and help improve disparities in education, health care access, environmental safety, infrastructure, and more. Please, on the behalf of your constituents, pass a fair map. Thank you.

CHAIRMAN CLEO FIELDS: Thank you all so very much for coming to the Committee to testify in this inclement weather. Thank you all. Next, we have John Milton, Devon Trey Newman, and Wilfred Johnson. If you're still here, you can come forward. Please identify yourself for the record and you may proceed.

JOHN W. MILTON: Thank you, sir. I'm John W. Milton. I am a resident of Carencro, Lafayette area, and I am here today in support of the Senate Bill 4. I've been out of law school for over 35 years. I've never come to this body, the legislative body, to ever testify. I remember some years ago when I was in law school, 1987, I think it was, and there were some issues of how do we get African-American on the judiciary, and so, I did some research as part of the Louisiana, Martin society and realized the dynamics that required and the state did take some action to set up an opportunity where there would be subdistricts and African-Americans could enter the judiciary and be a part of the process of governing our people in the State of Louisiana. I remember that time, Senator Fields, if you remember, we had a very gerrymandered second district while we had seven congressional seats available in the State of Louisiana before Katrina. And I remember how awkward that was and how crazy it was. Thank God these maps don't look like that. But I say to you that I think one thing that was most important if I had a couple of minutes to say to you is that where I lived, my neighbor on my right was a very staunch Democrat, I'm sorry, my neighbor on my left. My neighbor on my right was a very staunch Republican, and we were all three friends. But when you ran for governor, there was a Mary Landrieu sign, a Cleo Fields sign and a Mike Foster sign. And I'll be darned, when you entered the election, I'm not sure if all the members are aware what I'm talking about, but most of you, I think would that when Senator Fields entered into the runoff against Governor Mike Foster, my

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neighbor on the left took down his Mary Landrieu sign when we all walked out to get our newspaper, The Daily Advertiser.

[01:30:00]

And I saw a Mike Foster sign. I'm thinking all of the issues that were on the table, [INDISCERNIBLE 01:30:09], were like this. And Foster was over here, and he looked at me and said, "John, I know how it looks. It looks bad". And he gave me some reason why he would not, as a Democrat, not vote for Cleo Fields for governor, and why he put up a sign, and all of a sudden, that was a republican sign. I'm saying to you that race is a factor. It is undeniable. And while the day after the King holiday, we talk about the move toward integration and one America, one Louisiana, and how miserably a failure that has been, the reality of it. So, if we're not going to go there as a people, then allow the African-American community to have some type of representation so that we can be a part and continue to participate in self-governance and make sure that we are protected in all of the rights that all American should continue to have. So, I simply rise for that purpose to say that the creation of districts that are majority-minority, while is not desired by me or most people in this room, we shouldn't have to do that. It is only a band aid on a bigger problem of white supremacy and racism in America in this state and until we can get to the root of it, let's go ahead on and take care of this and at least show some empathy to all of the people of this state. Thank you.

CHAIRMAN CLEO FIELDS: Thank you, sir, for your testimony. Please identify yourself and you may proceed.

DEVON TREY NEWMAN: My name is Devon Trey Newman. I am an activist and community person from Lafayette, Louisiana. I travel here on behalf of the Village 337 as the president and director of the organization in partnership with the Power Coalition and many other organizations that are here today. We traveled here with a bus of about 30 people from places from Lafayette to New Iberia, Carencro, Opelousas. And we were scheduled to leave at 6:00 a.m. but we waited it out and waited until we had clearance to leave. And so, we are here today. I'm here to support House Senate Bill 4, and thank you all for your time and allowing us to be here. And I want to say that it is disheartening that we are still here today. I believe it was in the year 2020 when there was an attack on the 1965 -- '64, '65 Voting Rights Act. And unfortunately, this is, I believe, part of the problem. We see that this is only -- as the bishop said, putting a band aid on the problem. But as we continue to address these issues, we wanted it to be known that people from across the state of Louisiana are aware of what's happening. Part of the problem that we see too often is that things go on in this great building without us ever knowing about it, without people -- and when I say us, I mean people who live in the community for real. I'm not talking about those that wear suits like we all have on most of the time. I'm talking about the ones who struggle to make ends meet. I'm talking about the ones who are going to be affected mostly by how the resolve of this is. We hope today that this can be resolved and that it doesn't have to go back to the courts, because we know that that means that somebody's going to be making a choice for black people once again in Louisiana. And we are sick and tired of other people making choices for us and being pushed in corners like we're being pushed in today, that we have to choose when most of the state or most of the people who want to be here cannot be

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here. We actually were supposed to bring two busloads, but unfortunately, due to those conditions, we cannot. And so, again, even in this situation, our people are underrepresented, under supported, and rushed again to make the decisions that will affect not only their lives, but the lives of their families in their future. I pray that this resolve does give us more representation and that we can continue to work towards a more equal Louisiana. But we cannot go without acknowledging the fact that this is deeply rooted in racism and white supremacy. And if we look at the representation here today, I think that especially when you talk about involving and engaging younger voters, and everybody's complaining as to why young, particularly young black voters, don't vote. Well, when you look at what our options are, it's kind of hard for me to make that argument. Especially I'm not talking about individuals, but I'm talking about on what we actually can vote for. Having the idea that we have to engage young people in 2024 about coming to the state capitol to make sure that we can have fair and equitable maps and lines drawn out to represent them is what makes them not want to participate in the process.

[01:35:15]

So, I hope and pray that going forward, we can continue to engage and we just wanted it to be known that people from across the State of Louisiana are aware, and we do. Thank you, Mr. Chairman, for your support in all what you're doing to make this happen. Thank you.

CHAIRMAN CLEO FIELDS: Thank you, Mr. Trey Newman. And you may identify yourself and proceed.

REV. WILFRED JOHNSON: Good afternoon, Mr. Chairman and to this committee. I am Reverend Wilfred Johnson. I'm from a little small town called Jeanerette, Louisiana. My senator just walked out. I wish he wouldn't have, but I wanted to look him in the eye when I say what I have to say. I'm also founder of A New Chapter Push, which is a community organization that was founded in 2007 that focus upon assisting those that were formally incarcerated. I myself, as a formerly incarcerated individual, after serving 20 years in Angola, the majority of my life now is focused upon the community affairs. I'm here also representing Power Coalition. We've been here too long. Three years is too long. As I look, as some of the testimonies been going on, some people are not even paying attention. They're looking away. They're doing other things. They're not even hearing what we're saying. It's like it doesn't even matter. I mean, when is this going to stop? When are we going to live out the life that we say we are? I promise you, if I ask every one of you to raise your hand, if you're God fearing, you will. But how can you be God fearing when you can't do the right thing, when you can't see that the numbers, that is, before you make all the sense there is, we shouldn't be going through this. There shouldn't have been a federal judge that has to make a decision when those that we've elected can't make the decision for us. It saddened my heart. I mean, I just got my voting rights back five years ago, and I'm always excited to vote, but the point I'm making is, guys, come on. Look at it for what it is. We got to do the right thing because it's the right thing to do. Anybody know who said that? The Honorable Dr. Martin Luther King. So, we got to understand what it is that we're here for, man, we drove -- we didn't know what we was going to run into icy roads. We came down here, like Devon and Pastor Milton said. I mean, we had to busload of people to come, but unfortunately, that didn't happen. But we're here, and we speak for those that didn't come, that wanted to come. We speak for

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those that are not in Louisiana. That is ice out that couldn't get here. We speak for those in New Orleans and all over the State of Louisiana to let you all know, man, we're sick and tired of going through the same thing over and over again. When you have been elected to do a job that you are not doing. Cut it out. Give us what we deserve. We deserve fair mapping. That's all I have to say.

CHAIRMAN CLEO FIELDS: Thank you very much, reverend. Both reverends, thank you all for your testimony. Appreciate you being here today. We now have three left, and then we get to the opposition. No, we have two because we've [PH 01:38:36] Bristetta Carter. Did I mispronounce that? And Marja Broussard are the last two witnesses who I have cards for and we put the others in the record. Please identify yourself and you may proceed.

RADISHA CARTER: Good afternoon, Chairman. My name is [PH 01:39:00] Radisha Carter and I am a first-year law student at Southern University Law Center. I am a resident of Shreveport, Louisiana, in Caddo Parish. I have been a resident of this community for 34 years, my entire life. I am here with my community members and larger coalitions. I urge you to vote in favor of Senate Bill 4. My goal for this redistricting process is for our elected officials to pass Senate Bill 4, a fair and equitable map that does not deflate my power in the election process. Our voices cannot go unheard on this matter. Shreveport and Caddo Parish are unique from the rest of the state and so are our traditions and issues that we are facing. According to The Daily Advertiser, in 2022, Caddo Parish had an average weekly average of \$1,109, ranking next to last among the large Louisiana parishes.

[01:40:06]

This redistricting cycle has been going on for close to three years now and the numbers have been the same. Fair representation can lead to real change for Black Louisianans. Please, as a person you represent, pass Senate Bill 4 for a fair and equitable map. Thank you.

CHAIRMAN CLEO FIELDS: Thank you very much for your testimony.

MARJA BROUSSARD: Good afternoon. My name is Marja. M-A-R-J-A.

CHAIRMAN CLEO FIELDS: I'm sorry, Ms. Marja.

MARJA BROUSSARD: Marja Broussard. I am the NAACP Louisiana State Conference District D, Vice President, also a member of The Village 337. Vote Imani Temple and many other community organizations. I'm from Lafayette. Have been a longtime community activist in hopes to move our people, people who look like me, forward. It's important for Louisiana to secure a second majority congressional seat for many reasons. Representation, equal opportunity, protecting minority voting rights. As far as representation is concerned, a second majority black congressional seat would ensure better representation for the significant black population in Louisiana. As of now, Louisiana has one majority black seat despite having a substantial African-American population. Having another district with a majority black representation will give a greater voice to the concerns and the interests of this community. As far as equal

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opportunity, a second majority black congressional seat would provide an opportunity for fair representation and better political participation. It allows for diverse range of perspectives and experiences to be brought to decision making processes, leading to more equitable policies that addresses the unique needs and challenges faced by the black community, which is different than what faces the white community, or the Hispanic community, or the Asian community, or any other community protecting majority-minority voting rights. The creation of a second congressional black seat can help safeguard minority voting rights. Louisiana, like many other states, has an ugly history, and that history is of gerrymandering and racially discriminatory redistricting practices. By establishing another district with a majority black population, it becomes more difficult to dilute the voting power of the African-American community through redistricting plans that minimize their influences. Overall, securing a second majority black congressional seat in Louisiana is crucial to advancing representation, equal opportunity, protecting voters' rights, and addressing specific community concerns and promoting diverse perspective in policy making. Now, what's most concerning to me is that each person who is sitting on this seat here, each of you know that it is right -- you know that a second congressional seat is needed to represent the African-American community. And every elected official, every elected lawmaker know that this is the right thing. It is disheartening for me to sit before you this afternoon and watch this process, to watch my people beg the lawmakers to do what is right. You are elected to do what is right. We shouldn't need a judge to tell us what to do. We shouldn't need a judge to tell you what to do. You guys represent us, knowing what is the right thing to do. You know it, yet you still fight not to do it. That's scary and as Reverend Johnson said, "Martin Luther King said, the time is always right to do what is right." And we're asking you because I don't want to be -- I'm a proud woman. I don't want to be perceived as a beggar, okay?

[01:45:00]

So, I refuse to beg you to do the right thing. I'm a proud black woman, unapologetically black and beautiful, and have five beautiful black daughters and beautiful black grandkids. And I refuse to beg you guys to do what is right. But I will make a request that you do what is right. Thank you.

CHAIRMAN CLEO FIELDS: Thank you very much for your testimony. Members, I've had -- I know people have driven here doing inclement weather, but I picked up three more cards when I closed. But Christopher Toombs, if you must be heard, please come. Jordan, is that Braithwaite? If you must be heard, please come and then lastly, Maya -- I didn't bring my glasses. And those would be the last cards and then we close off. Those would be all of the people who wish to be heard. Please proceed, sir.

CHRISTOPHER TOOMBS: Good morning, committee members, Senator Fields and all people in attendance. I just feel like this is a Bill that we have to make sure that we pay close adherence to. When you look at the makeup of the ivory hue and the ebony hue people in this state, then you kind of see where we're trending towards a point where there has to be equitable representation. I think that when you think about things from a progressive climate standpoint with the rest of the country, we've got to keep up with the norms that are existing and the algorithm that's creating a society that we want to be a part of. And I think that in other major

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metropolis and other areas, they're able to get through the minutiae a lot easier because their policies and procedures are much more progressive. This is an opportunity to show that Louisiana, with all of our, I guess, deficiencies that we have to deal with on a day to day basis, that we take these larger, looming issues like this and we give it the proper attention it deserves. Now, here's the deal. If you look at Louisiana from unhistorical perspective, the ebony hue population has been largely underserved. This is an opportunity to show that we're making progress because we want to be progressive. Like right now, a lot of big companies look at our state and they see where we are. And it's almost like if we don't show the progress on a national level, which this can do, then we're saying that we're regressing and not progressing, right? And I just think that this is a great opportunity with a Bill like this that you can make an impact on our national image. Because here's the deal. We're in an international marketplace now. We have to show as a collective that we have the capability that we have the intentionality to get some equity in these spaces. And I'm saying this as a doctoral candidate at LSU in cultural preservation. This is all I deal with all day. I read about the history of this state. I understand the history of this state and this is an opportunity as a collective for ebony hue and ivory hue together, to come together and show that we're the progressive state that we can be, and this is your opportunity to do it. Thank you.

CHAIRMAN CLEO FIELDS: Thank you, Mr. Toombs.

JORDAN BRAITHWAITE: Good afternoon, Mr. Chairman. All the members of the committee. Thank you for taking the opportunity to hear my testimony. My name is Jordan Braithwaite, and I'm currently a proud graduating senior attending Grambling State University. And I come here on behalf of not only Power Coalition, but Louisiana NAACP, as I currently serve as the state president for the Youth and College Conference. And the main reason that I'm here, and I'm advocating and strongly urging for the adoption of the Senate Bill 4, is because it's an opportunity to allow the youth to be heard and know that our voices truly matter. When I have the pleasure in serving in this role and being able to travel across Louisiana and go to underrepresented communities and register youth to vote, black youth to vote specifically and talk and have conversations about voting with them and educating them on that knowledge, it always peaks with the conversation of the picture that's displayed that my vote doesn't matter. It goes unheard. I already know that with gerrymandering and things of that nature, that I don't have a say in our democracy. And so that's why I strongly urge the passing of this Bill, because it allows the opportunity for the youth to see that we do matter, we do have a say so, and that our future isn't in vain.

[01:50:03]

And so, that's why I came on here today, and that's mainly why I travel all the way from North Louisiana despite the weather conditions because I just wanted to ensure that the youth's voice is being heard today and that they could see this as an opportunity and understanding that we do matter and that this is happening so that we can know that our future and our democracy. This is the clearest path to that. And so, thank you again, and I appreciate your time today.

CHAIRMAN CLEO FIELDS: Thank you for coming. Thank you for your testimony.

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MAYA SANE: Good afternoon, Chairman, and members of the committee. My name is Maya Sane and I'm also a student at Grambling State University. I won't say much and I won't be long, but I do want my presence today to serve as a form of support not only for the underrepresented but African-American youth voters as well. Through my advocacy and hands-on efforts through voter registration through Northern and Southern Louisiana, the SB 4 Bill has shown its effective measures for the inclusion of not only black voters, but voters across the State of Louisiana. So, today, all I am asking is that you hear the concerns of the citizens and the youth and take heed to the major concerns regarding the current one at hand. Thank you.

CHAIRMAN CLEO FIELDS: Thanks to each of you, and let me thank all of the individuals who actually showed up today in this very bad weather to testify. There are also 47 cards which I won't read, but they -- I'm going to -- we are going to put them, make them a part of the record. Thank you all so much for coming to testify. And at this time, we start taking -- we take the -- those in opposition of the Bill and then we move on it right after that. Senator, thank you all. In opposition -- let me first -- I just have a card in who wish to speak. Former State Representative Woody Jenkins, it doesn't say opposition, it simply say that you wish to speak. So, I guess this would be an appropriate time to call up on you, Representative Woody Jenkins.

REPRESENTATIVE WOODY JENKINS: Thank you, Senator Cleo Fields, my friend. I appreciate you and this chance to speak. My name is Woody Jenkins and I did serve in the House of Representatives for 28 years. I want to especially congratulate Senator Jenkins. It is long overdue that we have a Senator Jenkins in Louisiana. I can tell you that. I want to read a statement from Speaker of the House, Mike Johnson, who wants to weigh into this, a very important message, I think. But before I say that, I want to just say that we've now set for 2 hours and 15 minutes and heard some wonderful testimony from people who are very passionate. They are coming from a Democratic perspective, that the main thing about a person is that person's race, and that when we draw maps, we ought to be looking what the race of people is and drawing maps about that. Over two-thirds of this legislature were elected on a very different philosophy, and that is the people or individuals, and they need to be treated as individuals, and we are not to be looking at their race when we do things like draw maps. In fact, the Supreme Court has said we're not supposed to draw maps based on race, and we're not supposed to gerrymander around as most of these plans do, trying to pick up precincts here and there to make an artificial racial balance. In fact, what the testimony has said not just based on race but to guarantee, if you listen to the testimony, they wanted a guarantee of the outcome and elections based on how the maps are drawn. That's all based on this philosophy that the most important characteristic about a person is their race or their sex or whatever it is. And that's not the philosophy of the people who elected you, and it's not the philosophy of most of the people sitting here. Now, this debate needs to be in the context of what's happening in this country today. We have a Speaker of the House elected from the State of Louisiana who has a two-vote majority. What's he doing up there? He's trying to stop the flow of millions and millions of illegal aliens into this country. He's trying to lead an investigation of the wrongdoing of this administration in power right now. He's trying to protect the security of this country, and he has a two-vote majority, which these Bills would deprive him of if enacted because it's going to take one vote away and take it the other way. It's a two-vote swing. So, this matter is extremely

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serious. It's not about our local politics. It's not about deals that have been made. It's not about who might run based on this district or that. It affects the security of this country. Now, here's the message from -- that I would like to read from the Speaker of the House who has made this especially for the members of this committee so that you would know how he feels about it. He said we've just seen, and this was at 10:30 this morning, he said, "We've just seen and are very concerned with the proposed congressional map presented to Louisiana legislature.

[01:55:00]

It remains my position that the existing map is constitutional and that the legal challenge to it should be tried on the merits so that the state has adequate opportunity to defend its merits, to defend its merits, which we haven't had in court. Should the state not prevail at trial, there are multiple other map options that are legally compliant and do not require the unnecessary surrender of a Republican seat in Congress." Now, that's the position of the Speaker of the House, which leads me to the next thing. We have had over and over again, we've been told in this committee something that's completely false, and what we've been told is that the Fifth Circuit Court of Appeals has ordered this legislature to redo the maps and create a second majority black district. The Fifth Circuit Court of Appeals has done nothing of the sort. It hasn't ordered this legislature to do anything, and it certainly hasn't ordered this legislature to create an additional majority black district. Here's what the Fifth Circuit Court of Appeals and, unfortunately, most people have not read it. It's not that long an opinion. You should read it. But here's the final statement in the Fifth Circuit's comments on this case. It says this, "If the legislature adopts a new redistricting plan and it becomes effective, then that map will be subject to potential new challenges." Now think about that. You top something new. That's not the end of the story. It's going to be challenged. In fact, in the 1990s, our colleague, Senator Fields, is not in Congress today because maps were thrown out by the courts where there was gerrymandering to create a second black district. Those maps were thrown out. Those maps are very similar to the maps you are looking at today. They were thrown out because they require you to look at people's race to draw congressional district maps. Now, go back to what the Fifth Circuit said. They said, "If the legislature adopts new districting plan and it becomes effective, then that map will be subject to any potential new challenge." And then it says, "If no plan is adopted," in other words, you don't pass any of these Bills, "then the District Court is to conduct a trial." The order is that if you take no action, the District Court, Judge Dick, has to have a trial. The Fifth Circuit has ordered her to have a trial.

CHAIRMAN CLEO FIELDS: Excuse me.

REPRESENTATIVE WOODY JENKINS: Yes.

CHAIRMAN CLEO FIELDS: Representative Jenkins, the gentleman has a point of order. State your point. Oh, let me turn you on first, I'm sorry.

MALE 1: Thank you, Mr. Chairman, and thank you for your testimony. It's my understanding you put in a white card as opposed to a red card, and I just question the point of order of that. It seems as if he's taking a certain position on the legislation as opposed to a neutral position.

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CHAIRMAN CLEO FIELDS: Yeah. Is it safe to say you in opposition, too?

REPRESENTATIVE WOODY JENKINS: No. I'm here giving you information about what the court said, which you have not heard here for.

CHAIRMAN CLEO FIELDS: Gentleman may proceed, but I understand your point.

REPRESENTATIVE WOODY JENKINS: It says, "If you take no action on a new plan, then the District Court is to conduct a trial and any other necessary proceedings to decide the validity of the HB1 map." And it says, "At the completion of the trial, there shall be time for appellate review." Now, that's what the court actually said. They didn't say you have to draw any new map, and they didn't say you have to have two majority black districts. It says if you take no action, the district judge has to have a trial on the merits which has never been. Attorney general said she's ready to defend our law. Now, when you look at the Roadshow, the 24 stops that the Roadshow made, and people are talking about the Great Roadshow, they did, but they didn't result in this plan. They resulted in the passage of HB1, which is the current reapportionment plan. That's what the Roadshow did. Now, we got notice anybody in this state yesterday afternoon about 5:45 of these different plans. There has not been adequate notice for the people of this state to come here and weigh in on this plan, which totally changes our existing plan. You've had bad information. No transparency. You have a good plan to defend. One of the things I want to point out as a Baton Rouge and who represented this Parish for 28 years, these bills eliminate a congressional seat for Baton Rouge, for the capital area, which normally we've had a capital-based congressional seat, which that does away with it. So, I want to just conclude by pointing out that congressman, our Speaker of the House, Mike Johnson, is opposed to all of these plans, thinks we need to go ahead and go to trial, hear the evidence and what we have an Obama judge, a Judge Dick, and we have a conservative Fifth Circuit and a Supreme Court that's conservative.

[02:00:07]

They don't think alike. So let's have a trial and see what happens and see what the judges do.

CHAIRMAN CLEO FIELDS: All right. Thank you very much, Representative Jenkins, for coming to explain to us what the Fifth Circuit has said. The last person in opposition, well, the only card I have in opposition is [PH 02:00:32] Mary Labrie. Ms. Labrie, if you come forward.

SUSIE LABRIE: I pull it up here.

CHAIRMAN CLEO FIELDS: Thank you for coming here and thank you for coming through this tough weather. Please proceed. Identify yourself, please.

SUSIE LABRIE: Well, I'm very glad to be here. All right, thank you. When I'm here, the reason I'm here is I want to represent JC Harmon and also myself. JC could not be here because of the weather. He's stuck at home in Jefferson Parish. But he did send everybody a packet in the

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map that he proposed. And I hope every one of you got to see the map and the presentation, which I thought was superior. And this is my take, a combination of JC in my testimony. I like to support JC's proposal, and the reason I want to suggest JC Harmon's proposal is because, first of all, it's illegal to gerrymander. And he feels like statistically and scientifically, it is not really possible. I am Susie Labrie. I'm representing myself. I see myself as an appropriate situationalist individualist, not as a part of a collective class of color, skin, age, height, genealogy, gender, physical description, et cetera. JC was going to appear, like I told you, he was crowned. So I'm sort of representing him, too, as an individual. As redistricting, I tried to find a way to create and convert into an additional minority district. After studying up myself and with JC, I still cannot come up with any additional minority district without gerrymandering, which is illegal to add. But did try. I see it, as well as JC. That is mathematically and statistically impossible. And he has a solution that he has sent to all of us. In law, I understand that gerrymandering is illegal, like I said, number two, I see its reverse discriminations, those I see, in my opinion, such as Vietnamese, Spanish, disabilities, gender, age, so forth. And also, especially as in my district, I see it as against rural and farmers interests, small business, sole proprietors, main streets, those I had seen the electing liberals represented by unfair overtaxation and other issues on the working people, on the farms and small menaces. Number three, it would pose more central power, lessening individual power. Individual constituents would fall between the cracks and less attention would be heard or heeded to less. When you represent a collective, huge class as a one size fits all, too many fall between the cracks, especially myself. Special needs, self-identity, talents, nativities, et cetera. I've been through that. I want to integrate, not segregate, a district with a one-size fits all, collective class approach. I don't want to do that. I would not feel represented in a homogeneous, segregated community or district which hides individual needs and representation. Number four, it would cause us one vote to two votes shorts for us in the US House of Representative, which would remove Louisiana from its high position, for example, the speaker of the house and the majority leader, Mike Johnson and Steve Scalise, et cetera. Louisiana is enjoying a good position in the house if we stay put. The only way I can see for myself to add a minority district is to draw it as a Z, S, a zero or coil snake, a tornado, which all have been rejected over the decades. If we had to do this, I'm still suggesting a pop-up. A minority district is a set of archipelago islands looking like different size polka dots. Small one is as small as a voter, a minority voter's house up to the largest size you could get around a district.

[02:05:03]

And scatter these polka dots all within, all across the state, within a water of majority district or districts, or make the district as a coil, like a slinky toy or tornado, like that. And after studying that myself with JC Harmon, I find it mathematically and scientifically impossible. Number six, it would divide the state and cause disunity. So we need to integrate, not segregate. So please heed and adapt to this proposal and maps that were submitted to you. JC is a genius in research, numbers, geostatistics, engineering and science. And me being an actor myself, I'm also a great devil's advocate and trying to hit a fair approach. I have tried justifying both sides, could not find a solution until JC came around. And I suggest that you receive this. Once again, integrate, don't desegregate -- I mean, integrate don't segregate. Thank you, gentlemen.

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CHAIRMAN CLEO FIELDS: Thank you very much for your testimony. And again, we appreciate you going, coming through all this bad weather to be here to testify.

SUSIE LABRIE: It was mighty. It was a great pleasure and I thank you for having us.

CHAIRMAN CLEO FIELDS: Thank you. Members, you've heard all the testimony. There are seven other cards that do not wish to speak, but in an opposition, that would be a part of the record as well. Senator Price, to close on your bill.

SENATOR ED PRICE: Thank you, Mr. Chairman and members of the committee, I know we've had a lot of testimony today and we've been here a long time, but this bill is very and extremely important. I know we heard some comments a little while ago about race. Well, the Voting Rights Act never said that it could not be about race. It said it could not be a predominant factor. So sometimes you get information and it's just not what it should be. We've come a long way and we need to move a map forward. This map does what the court has ordered us to do. Regardless of what you heard, we are on a court order and we need to move forward. We would not be here if we were not under a court order to get this done. So I say to you that, look at the map. We have seen it. It works. It performs. It does what it needs to do to make things right. This is a fair map, a map that has been vetted, a map that has shown that it will work. And I implore upon you that we need to move a map forward. And I feel that this map will do what we intend it to do. Don't listen to some things that are just said to be said. We know what we have to do. We know that we have 33% in this state and one-third of six is two. And that's where we need to go. We have a fair map. I went all over the state of Louisiana doing the redistricting hearing. I heard what the people said. I heard from North Louisiana in Monroe, Shreveport. I heard in Alexandria. I heard in Thibodaux, Louisiana, Baton Rouge, Lake Charles. I was at every hearing and everybody wants a fair map with two minority districts. They were there. So we know what they want from around the state. I heard it all. And I ask that we move this bill favorable, we'll move it to the floor so that we can start to do what we need to do to have a fair map. My colleagues, you want to --

CHAIRMAN CLEO FIELDS: Senator Duplessis, you want to close?

SENATOR ROYCE DUPLESSIS: Just really briefly, without reiterating or repeating what Senator Price said, all the points have been made. We've been at this well over two years now. And if you compare it to a sporting event, we are past the fourth quarter. We are what I compare to double OT with no time left on the clock. This is it.

[02:10:00]

And the question I think we have to ask ourselves is how much more time, how many more resources will we expend on a process where we're at the end of the road? We have so much other business that we need to be handling on behalf of this state, and our constituents deserve us to do the right thing and move on. Governor Landry was very clear yesterday in his speech to both chambers that this is our time to get this right, to adopt the maps that have been put before us. And he was very clear in his message, and I think this is our opportunity to do that. So I'm

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asking this committee to basically do what's been consistent throughout all of this presentation today and adopt the map before us. Thank you.

CHAIRMAN CLEO FIELDS: All right. Thank you, Senator Price. You've been at this for a long time, and thank you for your former service on this committee. And thank you, Mr. Duplessis, as well. We've heard the testimony of Senate Bill 4. Members, what's your pleasure? All right, Senator Jenkins moved that we report Senate Bill 4 favorable. Are there any objections, Senator Miguez? Object. Secretary will call the role if you want to. Senator Miguez.

SENATOR BLAKE MIGUEZ: Thank you, Mr. Chairman. I want to first start off by amending my introduction that I'm also, as you know, I represent Senate District 22, which is Iberia St. Martin in Lafayette Parish. But I'm also the only member on this committee that serves in the capacity and represents the Acadiana region, the Lafayette regional area. And I think it's incumbent upon me to state the reasons for my objection here today. Also want to preface my comments to everyone that supported this particular instrument, that this is not the only instrument in the process. The instrument that's going to be heard today that's active, that creates a second majority minority district. We have SB4, which is currently up, and we also have SB8. But I'm going to talk about this bill in particular, and what's most important is to point out who is going to pay the real price for this legislation if it were to pass. And that's the Acadiana region. Senator Duplessis mentioned connectivity into the Acadiana region, which in the Acadiana region, we're looking at the Lafayette surrounding area and those parishes like Acadia, St. Morton, Vermilion, Iberian, St. Mary, that are known to have a lot of cohesiveness there. And I would disagree that they have connectivity. They're in fact split into many different areas. Senator Duplessis has also mentioned that be his area would be connected with my district, which is St. Martin Parish. And I can tell you that the folks in my district would give me a tough time at the coffee shop next week, and then they would have trouble finding a lot in common with St. Martin in Orleans Parish besides the fact that we're both Louisiana citizens. Senator Price, you mentioned that you had attended every single roadshow, so you likely attended the UL roadshow?

SENATOR ED PRICE: Yes.

SENATOR BLAKE MIGUEZ: And you got an opportunity to see a different dynamic at the UL roadshow. Not only did you hear a lot of testimony about a second majority minority district, but you got to see people come out from Iberia and St. Martin Parish and talk about the history over 60 years of how, and it was particularly about the Senate district that I currently represent, but how much we had in common. And the folks that testified were local elected officials from my business community. They were folks from my minority community, and they talked about some great testimony. I encourage you to go back and look at it. I also spoke there as well. But the testimony there also applies to this congressional proposal here today, because in this proposal, you are splitting Iberian St. Martin area. And I know you guys are some really great guys. I want to mention that. But I do have one issue with you both. You all both overachievers. I didn't get enough time to spend serving with you in the House because you all moved over to the senate so quickly. And I think it's partly my fault. And I don't think you guys are trying to adversely affect my map. And I want to have an invitation to both Senator Price, Senator

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Duplessis. I'm Cajun. We're known for our foods. You guys can come on down to my home district and I'm going to bring you some of the best local food possible. We're going to get in the car, we're going to drive around 30 or 45 minutes, and we're going to pick up some of the best shrimp in [INDISCERNIBLE 02:14:31] in congressional district three. Then we're going to go get some of the best crawfish in Breaux Bridge, just about 30 minutes away in congressional district number two. Then we're going to get some of the best Buddha in north Lafayette in congressional district number five. And then we're going to go to congressional district number one right there in Morgan City and get all the petroleum products to cook. And we're going to have a great cookout. And I want you guys, my point is that our chairman mentioned splits. This map only splits 11 ways, whereas the other map, which I believe is Senator Womack's map, splits 15 ways.

[02:15:00]

It's a difference of four, but which I'll fail to point out, is that Acadiana area gets split into four different ways. That's something that's very unique to your map. You got four congressional districts that meet between St. Landry, Lafayette, St. Morton and St. Mary Parish. I have a real issue with that, and I encourage any maps that are going through this process to weigh that in and go back. And you made some great testimony about all the people that spoke. You mentioned, I believe, 200 people. I think we had about 150 to 200 people that showed up from St. Morton, Iberia Parish to talk about keeping cohesion is there. Guys, we're just on the west side of the basin there. We got a lot in common, and we talked about our differences with folks way down the bayou in Houma. But just imagine the kind of differences that we have in Orleans Parish. So if this bill were to make it favorably here today, which I hope it doesn't, I've reserved the opportunity to maybe make it a floor amendment, and I'm going to rename it the Divide Acadian in Congress Act, because I want the public to know that's exactly what this bill does. And I want you to know that's the reason for my objection here today. But I appreciate you guys bringing the bill. And, Mr. Chairman, with that, I formally object to the bill.

CHAIRMAN CLEO FIELDS: All right, thank you. And you're going to have to operate this because I've lost all control with this computer here. Senator Jenkins moved that we report Senate Bill 4 favorable. Senator Miguez, object. Therefore, when the secretary called a roll, please vote yes if you in favor and no if you're not. All the roll.

FEMALE 1: Senator Miguez?

SENATOR BLAKE MIGUEZ: No.

FEMALE 1: Votes no. Senator Carter?

SENATOR GARY CARTER: Yes.

FEMALE 1: Yay. Senator Fesi.

SENATOR FESI: No.

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FEMALE 1: Nay. Senator Jenkins?

SENATOR SAM JENKINS: Yes.

FEMALE 1: Yay. Senator Kleinpeter?

SENATOR KLEINPETER: No.

FEMALE 1: Nay. Senator Miller?

SENATOR MILLER: No.

FEMALE 1: Nay. Senator Reese?

SENATOR MICHAEL REESE: No.

FEMALE 1: Nay. Senator Womack?

SENATOR WOMACK: No.

FEMALE 1: Votes nay.

CHAIRMAN CLEO FIELDS: And the Chair of votes yes.

FEMALE 1: Yes, sir. Excuse me. Senator Fields?

CHAIRMAN CLEO FIELDS: Yes.

FEMALE 1: Yay. I have three yays and six nays.

CHAIRMAN CLEO FIELDS: Three yays and six nays. The bill is deferred. All right. Thank you, senators. Members, we've been at it for a minute, and some of us without a restroom break, but why don't we break until 3:00 and --

[OVERLAY]

CHAIRMAN CLEO FIELDS: That's probably not going to happen. Let's break into 3:00 and if we're a little late later, members of the public, these members have not eaten, so we're going to just say 3:00 and hopefully we'll be back by three. Senator Carter moves that we recess until break until 3:00 p.m. Thanks.

[BACKGROUND NOISE]

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[BACKGROUND NOISE]

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