

In the Supreme Court of the United States

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PRESS ROBINSON, et al.,  
*Applicants,*

*v.*

PHILLIP CALLAIS, et al.,  
*Respondents.*

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APPENDIX TO EMERGENCY APPLICATION  
FOR STAY OF INJUNCTION

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**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,	)	
BRUCE ODELL, ELIZABETH ERSOFF,	)	
ALBERT CAISSIE, DANIEL WEIR,	)	
JOYCE LACOUR, CANDY CARROLL	)	
PEAVY, TANYA WHITNEY, MIKE	)	
JOHNSON, GROVER JOSEPH REES,	)	
ROLFE MCCOLLISTER,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No.
	)	
NANCY LANDRY, IN HER OFFICIAL	)	
CAPACITY AS LOUISIANA	)	
SECRETARY OF STATE,	)	
	)	
Defendant.	)	

**COMPLAINT**

**Violations of Civil Rights Protected by the Fourteenth and Fifteenth Amendments  
of the United States Constitution; 42 U.S.C. § 1983;  
Three-Judge Court Requested Under 28 U.S.C. § 2284**

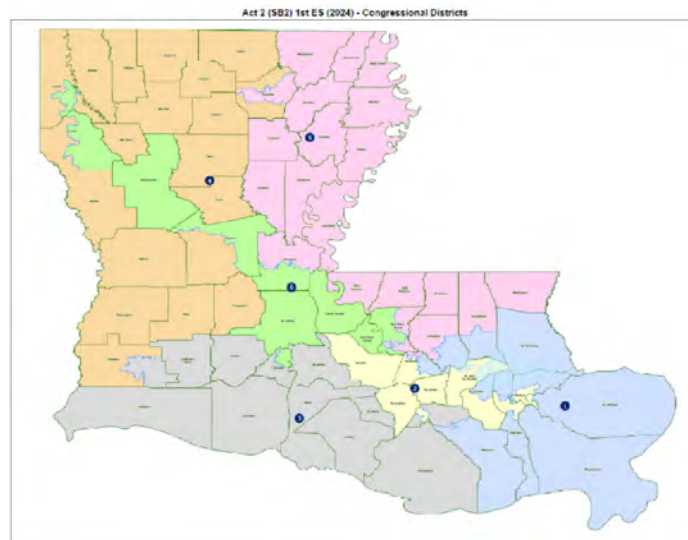
**I. Introduction**

1. In a matter of eight days, a bill to redistrict all the congressional districts of the State of Louisiana, SB8, was introduced in the Louisiana Senate, went through Senate committee hearings, passed by a vote in the Senate, was transferred to the Louisiana House of Representatives, went through House committee hearings and amendments, was passed by a vote

in the House, went back to the Senate with amendments and passed by a vote, was sent to the Governor's desk, and was signed by the Governor.

2. From start to finish the State's purpose was clear: segregate voters based entirely on their races and create two majority-African American voting districts and four majority non-African American districts, without regard for any traditional redistricting criteria. SB8's sponsors and many other lawmakers expressly stated their intent was to maximize the voting strength of African American voters by stripping them from their communities in far-flung regions of Louisiana and consolidating them into two districts that stretched hundreds of miles in length and dwindled to less than a mile in width. In doing so, the State engaged in textbook racial gerrymandering and violated the U.S. Constitution.

3. The State's new map divides its congressional districts into six bizarre shapes:<sup>1</sup>



4. The State of Louisiana has tried this redistricting strategy before. Not long ago, the State, after years of litigation and several trips to the Supreme Court, enacted a map remarkably similar to the one in SB8:

<sup>1</sup>

This official map can be found along with the text of the enacted statute and reports for SB8/Congress Act 2 on the Louisiana Government Redistricting website: [https://redist.legis.la.gov/2024\\_Files/2024CONGRESSACT2](https://redist.legis.la.gov/2024_Files/2024CONGRESSACT2).



*Hays v. Louisiana*, 936 F. Supp. 360, 374 app. III (W.D. La. 1996). That map too had two majority-minority districts: District 2 and District 4. District 4 was long and narrow and slashed from the Northwest corner of Louisiana down to Southeastern Baton Rouge. But the Court recognized the map for what it was: an unconstitutional racial gerrymander. *Hays v. Louisiana* “presents us with what we in Louisiana call a ‘Goose’ case,” meaning it is almost factually identical to the case before this Court today. *Id.* at 368. Like District 4 of the past, District 6 in SB8 today “is approximately 250 miles long.” *Id.* “The District thinly links minority neighborhoods of several municipalities from Shreveport in the northwest to Baton Rouge in the southeast (with intermittent stops along the way at Alexandria, Lafayette, and other municipalities), thereby artificially fusing numerous and diverse cultures, each with its unique identity, history, economy, religious preference, and other such interests.” *Id.* The resemblances between the past and present State actions are extraordinary. Only here, the facts are far worse for the State.

5. Here, the State has engaged in explicit, racial segregation of voters and intentional discrimination against voters based on race. The State has drawn lines between

neighbors and divided communities. In most cases, the lines separate African American and non-African American voters from their communities and assign them to Districts with dominating populations far away. In the matter of a mile, a person can travel in a straight line from a majority-non-African American district to a majority-African American district and then back to a majority-non-African American one. The State has not even tried to cover its motives or offer race-neutral reasons for the map. *Cf. id.* at 369. Legislators have openly admitted that the sole purpose behind the configuration of these bizarre districts was to create “two congressional districts with a majority of Black voters” with “over 50% Black voting age population,”<sup>2</sup> without considering any traditional criteria such as compactness or communities of interest, so Louisiana would have “two majority-minority districts that perform.”<sup>3</sup> But the State has conceded that it is “impossible” that “a second majority-minority district can be drawn without impermissibly resorting to mere race as a factor,”<sup>4</sup> that any attempt to do so with Louisiana’s African American voters dispersed throughout the State is only doable as an unconstitutional “racial gerrymander,”<sup>5</sup> and that “attempting to pick out only those census blocks over 50% population and excluding to the extent possible blocks of less than 50% Black population” on a map demonstrates “the exact type of evidence of racial intent that dooms legislative action.”<sup>6</sup> These statements confirm that the State has violated the U.S. Constitution by enacting SB8 in at least two ways. First, the State has violated the Equal Protection Clause of the Fourteenth Amendment by enacting racially gerrymandered districts. And second, the State has violated the Fourteenth and Fifteenth Amendments by intentionally discriminating against voters and abridging their votes based on racial classifications across the State of Louisiana. Accordingly, Plaintiffs respectfully ask the Court for declaratory and injunctive relief.

## **I. Jurisdiction**

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<sup>2</sup> See the introductory statements of Senator Glen Womack and Representative Beau Beaulieu on the Senate and House floors, respectively. Louisiana State Senate, *Senate Chamber 1ES Day 3* (Jan. 17, 2024), [https://senate.la.gov/s\\_video/VideoArchivePlayer.aspx?v=senate/2024/01/011724SCHAMB](https://senate.la.gov/s_video/VideoArchivePlayer.aspx?v=senate/2024/01/011724SCHAMB) [hereinafter Senate Archive]; Louisiana State House of Representatives, *House Chamber Day 5, 1ES – SINE DIE* (Jan. 19, 2024), [https://house.louisiana.gov/H\\_Video/VideoArchivePlayer?v=house/2024/jan/0119\\_24\\_1ES\\_Day5](https://house.louisiana.gov/H_Video/VideoArchivePlayer?v=house/2024/jan/0119_24_1ES_Day5) [hereinafter House Archive].

<sup>3</sup> See statement of Senator Gary Carter quoting Congressman Troy Carter during the Senate debate. Senate Archive, *supra.*; see also statement of Senator Royce Duplessis, *id.*, and statement of Representative C. Denise Marcelle, House Archive, *supra.*

<sup>4</sup> *Intervenor-Defendant the State of Louisiana’s Combined Opposition to Plaintiffs’ Motions for Preliminary Injunction* at 15, *Robinson v. Ardoin*, No. 3:22-cv-00211-SDD-SDJ (M.D. La. Apr. 29, 2022), ECF 108.

<sup>5</sup> *Id.* at 13-15.

<sup>6</sup> *Id.* at 14-15.

1. This Court has jurisdiction under 42 U.S.C. §§ 1983 and 1988, as well as 28 U.S.C. §§ 1331, 1343(a)(3), and 1343(a)(4).

2. Plaintiffs are entitled to have their case decided by a three-judge district court panel because this action challenges “the constitutionality of the apportionment of congressional districts.” 28 U.S.C. § 2284(a).

3. Venue is proper in this district because a “substantial part of the events or omissions giving rise to the claim occurred” here. 28 U.S.C. § 1391(b)(2). Specifically, Plaintiff-voters suffered a violation of their rights under the Fourteenth and Fifteenth Amendments in this district.

4. This Court has authority to award the requested declaratory and injunctive relief under 28 U.S.C. §§ 2201 and 2202.

#### **I. Parties**

1. Plaintiff Albert Caissie, Jr., is a non-African American voter who resides in Monroe, Louisiana and Ouachita Parish. He resided at the same address before SB8 was enacted. He plans to vote in the 2024 congressional election. Prior to the enactment of SB8, his address was in congressional District 5. SB8 now places his address in District 5.

2. Plaintiff Phillip Callais is a non-African American voter who resides in Brusly, Louisiana and West Baton Rouge Parish. He resided at the same address before SB8 was enacted. He plans to vote in the 2024 congressional election. Prior to the enactment of SB8, his address was in congressional District 2. SB8 now places his address in District 6.

3. Plaintiff Elizabeth Ersoff is a non-African American voter who resides in Shreveport, Louisiana and Caddo Parish. She resided at the same address before SB8 was enacted. She plans to vote in the 2024 congressional election. Prior to the enactment of SB8, her address was in congressional District 4. SB8 now places her address in District 6.

4. Plaintiff Grover Joseph Rees is a non-African American voter who resides in Lafayette, Louisiana and Lafayette Parish. He resided at the same address before SB8 was enacted. He plans to vote in the 2024 congressional election. Prior to the enactment of SB8, his address was in congressional District 3. SB8 now places his address in District 6.

5. Plaintiff Lloyd Price is a non-African American voter who resides in DeVille, Louisiana and Rapides Parish. He resided at the same address before SB8 was enacted. He plans

to vote in the 2024 congressional election. Prior to the enactment of SB8, his address was in congressional District 5. SB8 now places his address in District 6.

6. Plaintiff Rolfe McCollister is a non-African American voter who resides in Baton Rouge, Louisiana and East Baton Rouge Parish. He resided at the same address before SB8 was enacted. He plans to vote in the 2024 congressional election. Prior to the enactment of SB8, his address was in congressional District 6. SB8 now places his address in District 5.

7. Plaintiff Candy Carroll Peavy is a non-African American voter who resides in Shreveport, Louisiana and Caddo Parish. She resided at the same address before SB8 was enacted. She plans to vote in the 2024 congressional election. Prior to the enactment of SB8, her address was in congressional District 4. SB8 now places her address in District 4.

8. Plaintiff Mike Johnson is a non-African American voter who resides in Shreveport, Louisiana and Caddo Parish. He resided at the same address before SB8 was enacted. He plans to vote in the 2024 congressional election. Prior to the enactment of SB8, his address was in congressional District 4. SB8 now places his address in District 4.

9. Plaintiff Bruce Odell is a non-African American voter who resides in Lafayette, Louisiana and Lafayette Parish. He resided at the same address before SB8 was enacted. He plans to vote in the 2024 congressional election. Prior to the enactment of SB8, his address was in congressional District 3. SB8 now places his address in District 3.

10. Plaintiff Joyce LaCour is a non-African American voter who resides in Gonzales, Louisiana and Ascension Parish. She resided at the same address before SB8 was enacted. She plans to vote in the 2024 congressional election. Prior to the enactment of SB8, her address was in congressional District 6. SB8 now places her address in District 2.

11. Plaintiff Tanya Whitney is a non-African American voter who resides in Sorrento, Louisiana and Ascension Parish. She resided at the same address before SB8 was enacted. She plans to vote in the 2024 congressional election. Prior to the enactment of SB8, her address was in congressional District 6. SB8 now places her address in District 1.

12. Plaintiff Daniel Weir, Jr., is a non-African American voter who resides in Meraux, Louisiana and St. Bernard Parish. He resided at the same address before SB8 was enacted. He plans to vote in the 2024 congressional election. Prior to the enactment of SB8, his address was in congressional District 1. SB8 now places his address in District 1.



13. Defendant is Secretary of State Nancy Landry. She is only sued in her official capacity. As Secretary of State, she is “the chief election officer of the state.” La. Const. art. 4, § 7; La. R.S. § 18:421. The State Constitution requires her to “prepare and certify the ballots for all elections, promulgate all election returns, and administer the election laws, except those relating to voter registration and custody of voting machines.” La. Const. art. 4, § 7. Her oversight of elections extends to federal congressional elections. La. R.S. §§ 18:452, 18:462. She opens and determines whether potential candidates qualify to run in federal congressional elections before placing their names on the ballot, and she holds and conducts the elections. *Hall v. Louisiana*, 974 F. Supp. 2d 978, 993 (M.D. La. 2013); *Johnson v. Ardoin*, No. CV 18-625-SDD-EWD, 2019 WL 2329319, at \*3 (M.D. La. May 31, 2019).

14. Each Plaintiff is a registered voter who has a right to vote and plans to vote in the 2024 congressional election.

15. Plaintiffs have standing to challenge SB8 because the law classifies and segregates them into distinct districts based on their races for purposes of voting. *See North Carolina v. Covington*, 138 S. Ct. 2548, 2552-54 (2018) (per curiam) (holding that plaintiffs can establish a cognizable injury by showing “they had been placed in their legislative districts on the basis of race”); *see also Miller v. Johnson*, 515 U.S. 900, 911 (1995); *Shaw v. Reno (Shaw I)*, 509 U.S. 630, 650 (1993); *Harding v. Cnty of Dallas, Tex.*, 948 F.3d 302 (5th Cir. 2020). They all reside in racially gerrymandered districts. Plaintiffs have thereby suffered a constitutional injury that is traceable to the challenged law and redressable by this Court.

16. Plaintiffs also have standing because they suffered unlawful, intentional discrimination based on race when the State used a racial quota to create two majority-African American districts. *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 1 (2023); *Adarand Constructors v. Pena*, 515 U.S. 200 (1995); *Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989).

17. Plaintiffs also have standing because they have suffered an abridgement of their rights to vote. *Shaw v. Hunt (Shaw II)*, 517 U.S. 899, 917 (1996); *Gomillion v. Lightfoot*, 364 U.S. 339 (1960).

18. These injuries are traceable to SB8, which directly and intentionally caused these injuries.

19. These injuries are also redressable by this Court because this Court can declare this map invalid and enjoin its use, and thereby stop the constitutional harm and unlawful racial discrimination. This Court can also reshape each district to remedy the violation of Plaintiffs' constitutional rights.

### **I. Statement of Facts**

1. During its 2021 legislative session, the Louisiana State Legislature received the 2020 decennial census data and learned that the State of Louisiana would continue to have six congressional districts.

2. The census data revealed that 29.87% of the Louisiana voting age population was non-Hispanic African American and 31.25% of the voting age population was African American.

3. The Louisiana Legislature then adopted a joint rule to establish redistricting criteria. La. Leg. J.R. 21A. From October 2021 to January 2022, the Legislature held public meetings to solicit comments on redistricting maps. Then after this extensive process, the Legislature convened. On February 1, 2022, both Chambers presented identical redistricting bills. After weeks of deliberation and debate, the bills passed in each Chamber. Louisiana Governor John Bel Edwards vetoed the two bills, but the Legislature overrode the veto for the House bill, and it became law on March 30, 2022.

4. On March 9, 2022, some voters filed a lawsuit against the Louisiana Secretary of State and sought a preliminary injunction. The State of Louisiana intervened.

5. On April 29, 2022, the State, through then-Attorney General Jeff Landry's Office, argued before the district court in opposition to the preliminary injunction: "No sufficiently numerous and geographically compact second majority-minority district can be drawn in Louisiana." *Intervenor-Defendant the State of Louisiana's Combined Opposition to Plaintiffs' Motions for Preliminary Injunction* at 6, *Robinson v. Ardoin*, No. 3:22-cv-00211-SDD-SDJ (M.D. La. Apr. 29, 2022), ECF 108 [hereinafter *State Motion*]. It went on to say: "The minority population in Louisiana is not compact" when accounting for the necessary "traditional districting principles." *Id.* at 11. Rather, to draw two districts with a certain African American voting age population percentage, you "had to ignore any conception of communities of interest." *Id.* at 8; *see id.* ("The fact that so many communities of interest were either divided among the Congressional districts or paired with unlikely and dissimilar larger cities begs the

question of whether the distribution of African Americans are truly compact enough to create a second majority-minority Congressional district.”). The State also claimed, “no constitutional second majority-minority congressional district is *possible* in Louisiana” and any attempt to create one would be an unconstitutional “racial gerrymander.” *Id.* at 13 (emphasis added). The State also said plaintiffs presented “the exact type of evidence of racial intent that dooms legislative action.” *Id.* at 14-15. In sum, the State repeatedly stressed that it was “impossible . . . to demonstrate that a second majority-minority district can be drawn without impermissibly resorting to mere race as a factor.” *Id.* at 15; *see also id.* at 7 (“again, . . . you cannot create two legally sufficient BVAP congressional districts”). In doing so, the State admitted that it could not create two majority-African American districts without violating the U.S. Constitution. *Id.*

6. SB8 did exactly that by creating two majority-African American districts.

7. The State also acknowledged the limits of Section 2 of the Voting Rights Act in the briefing, arguing that, “it is well established that when a plaintiff brings a claim under Section 2, there is ‘nothing in [Section 2 that] establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.’” *Id.* at 10-11 (citing 52 U.S.C. § 10301(b); *Thornburg v. Gingles*, 478 U.S. 30, 43 (1986)).

8. The State also argued that maps proposed by the plaintiffs in that case, creating majority-African American districts composed of African American voters in cities 152 and 157 miles apart, demonstrated that the districts were not compact. *Id.* at 12.

9. SB8 later created majority-African American districts with African American voters in cities 250 miles apart.

10. Despite the State’s arguments and admissions, the United States District Court for the Middle District of Louisiana granted a preliminary injunction. But the District Court did not issue a final order. The case never advanced to the merits. At no point did any court—not the Middle District of Louisiana, the United States Court of Appeals for the Fifth Circuit, or the Supreme Court of the United States—issue a final order on the merits.

11. Defendant Nancy Landry was elected to serve as Louisiana Secretary of State in November 2023 and assumed office on January 8, 2024.

12. Jeff Landry, who previously defended the State as Attorney General, was elected to serve as Louisiana Governor in November 2023 and assumed office on January 8, 2024.

13. On the Governor’s very first day in office, he called a special legislative session specifically to redistrict Louisiana’s congressional districts.

14. On January 15, 2024, the Governor opened the session with a few remarks. He said he called the Legislature to the redistricting special session to perform “[a] job that our own laws direct us to complete” and “a job that our individual oaths promised we would perform.” Office of the Governor, *Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting* (Jan. 16, 2024), <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting>. He said he gathered the Legislature to “seek to amplify the voice of the few.” *Id.*

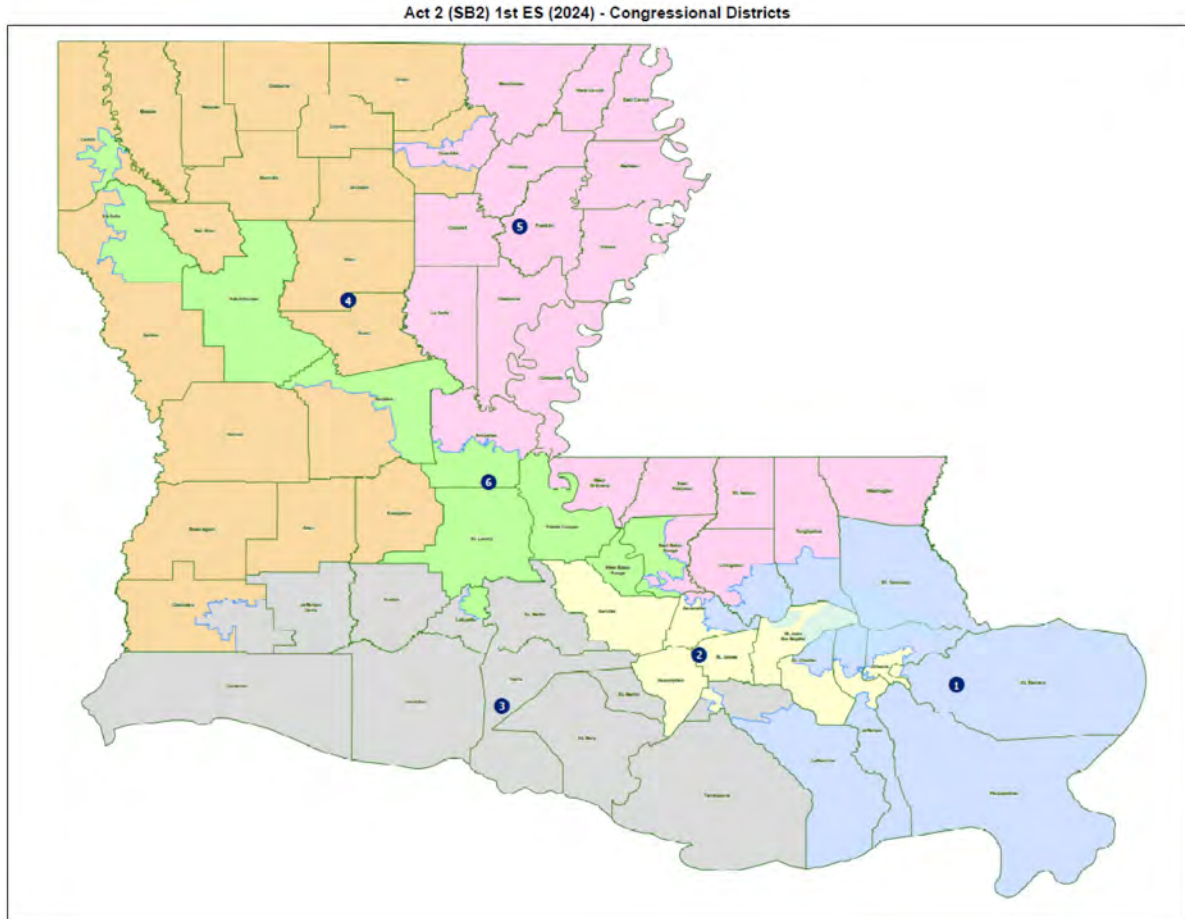
15. During that special session, Senator Glen Womack introduced SB8, a bill to redistrict Louisiana’s congressional districts, with the stated goal of creating two majority-African American districts.

16. SB8 repealed La. R.S. § 18:1276—the State’s congressional redistricting map enacted on March 30, 2022.

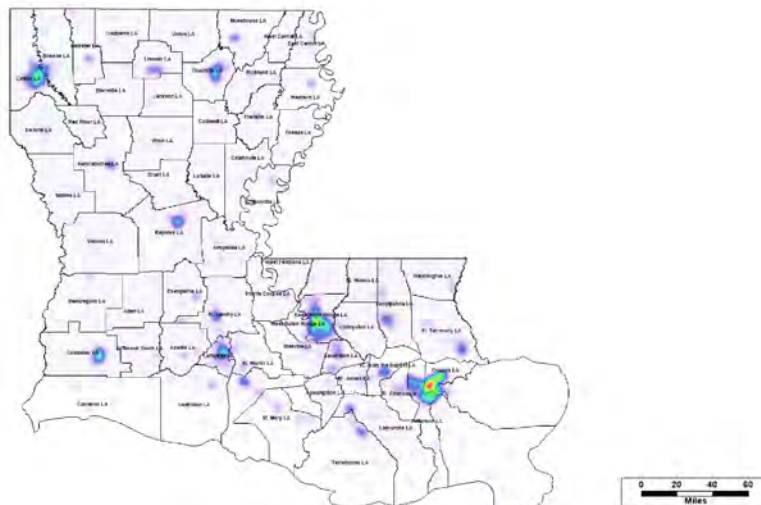
17. SB8’s final map created two majority-African American districts, Districts 2 and 6, and four majority-non-African American districts, Districts 1, 3, 4, and 5.

18. The map was drawn on the presumption that African American voters in Louisiana all share the same interests and issues because of their race, regardless of where they geographically reside, and even though Louisiana’s African American residents are dispersed throughout the State, living in integrated parishes and cities throughout Louisiana.

19. That map, as laid out in the legislative reports, is included here:



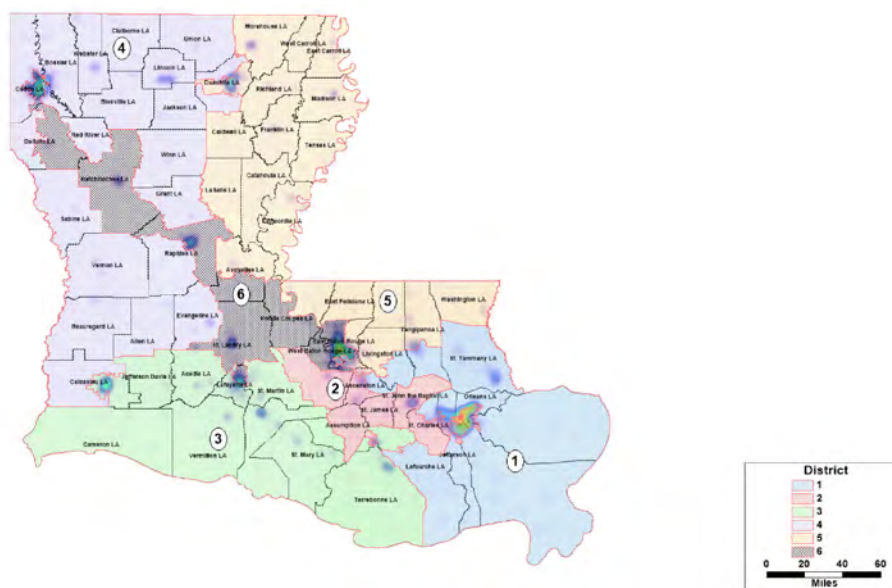
20. A map of the dispersion of these African American voters is included here, with the highest numbers of African American voters located first in New Orleans, then Baton Rouge, and finally in Shreveport.



21. SB8's map did not resemble any alternative maps presented in the prior litigation.

22. SB8's enacted District 6 stretches in a familiar slash mark, reminiscent of the rejected map in *Hays*, from the top Northwest corner of the State in Shreveport, diagonally to central Alexandria, and then further down to Baton Rouge in the Southeast. It also takes an abrupt detour even further South to Lafayette in the heart of Acadiana to pick up African American voters.

23. SB8 drew Districts 6 and 2 to "connect the dots" of areas with large numbers of African American voters. A map depicting the areas with the highest numbers of African American voters alongside SB8's district lines illustrates this point.



24. Baton Rouge and Shreveport are roughly 250 miles apart. They are not only separated by distance but also by culture, industry, topography, and even common natural disasters. The geographic, economic, and cultural gulf between Shreveport in the North and Lafayette in the South looms just as large.

25. In Rapides Parish, District 6 dwindles down to a narrow width of 2.5 miles before continuing its snake upward toward Shreveport.

26. District 6's appendages are also extremely narrow. It dwindles down to a width of less than a mile—4,384.17 feet—wide in East Baton Rouge Parish between I-10 and the juncture of Perkins Road and Dawson Creek. Another slice of District 6 at the bottom of East Baton Rouge Parish between Burbank Drive and the Iberville Parish line is only 1.82 miles wide. Another appendage between St. Landry Parish and Lafayette Parish is only 2.95 miles wide. In North De Soto Parish, District 6 carves out a 1.9-mile-wide sliver between Wallace Lake and Linwood Avenue.



27. District 6 cuts through and divides many parishes, including Caddo, De Soto, Rapides, Lafayette, Avoyelles, and East Baton Rouge Parishes—six out of the ten parishes in District 6.

28. District 2 divides even more parishes: Ascension, Assumption, Terrebonne, St. Charles, Jefferson, St. Bernard, and Orleans—seven out of the nine parishes in District 2.

29. The map also intentionally created four majority-non-African American districts and excluded African American voters in Districts 1, 3, 4, and 5.

30. These districts too were gerrymandered based on race.

31. District 5 barely satisfies the contiguity requirement. A minuscule land bridge only 1.2 miles wide at the juncture of West Feliciana and Avoyelles Parishes unites District 5's Northern and Southern arms, which threaten to break in half from erosion. It is only contiguous by virtue of the Mississippi River; the surrounding shores and an island are uninhabited. These two halves are unconnected by road, bridge, ferry, trail, or path. Any unity or community of interest is pure myth.

32. District 5 and District 6 divide Baton Rouge purely based on race. The areas of Baton Rouge with predominantly non-African American populations were drawn to fall under District 5, which was designed to be a majority-non-African American District. The areas of Baton Rouge with predominantly African American populations were drawn to fall under District 6, which was designed to be a majority-African American District.

33. District 4 is nearly cut in half by District 6.

34. None of these six districts are compact. When measured on the Polsby-Popper Scale of 0 to 1, with a score of 0 indicating absolutely no compactness and 1 indicating total compactness, all six districts barely rise above 0. District 6 is the worst, with a score of 0.05 compactness. But Districts 4 and 5 both have a staggering score of 0.08 compactness. District 2 has a score of 0.11. And the State's most compact districts, District 1 and District 3, have scores of 0.16 and 0.19, respectively. The mean of all six districts was 0.11 for compactness.

35. These compactness scores are lower than the scores for the State's 2022 enacted map.

36. Of special concern, SB8 divided communities of interest. Some residents in Shreveport, for example, were carved out of District 4 from their neighbors to join residents in



East Baton Rouge, a city 250 miles away with its own ideals, values, culture, economics, and concerns, solely because they are the same race as those people in East Baton Rouge.

37. SB8 also stripped Lafayette residents from their community of interest in Southern Louisiana and forced them into the same district as residents of Shreveport in Northern Louisiana. Lafayette is the core city of “Acadiana,” a region also known as Cajun Country and home to most of the State’s Francophone population, many of whom identify as Cajuns or Creoles. Residents of Lafayette and Southern Louisiana pride themselves on their unique, rich culture with its French and Spanish roots. Southern Louisiana is organized around sugar cane farming, fishing, and more recently the oil industry. Northern Shreveport has more in common culturally, socially, economically, and agriculturally with neighboring Texas than with Southern Louisiana. The only reason to include these two disparate cities in one district and divide both from their cultural regions is race.

38. SB8 significantly altered the percentages of voting age populations in each district along racial lines, demonstrating the State’s sole purpose to consolidate African American voters into two districts.

39. The voting age population (“VAP”) percentages for the previously enacted districts were:<sup>7</sup>

District	African American VAP %	Non-African American VAP %
1	13.482%	86.518%
2	58.650%	41.350%
3	24.627%	75.373%
4	33.820%	66.180%
5	32.913%	67.087%
6	23.861%	76.139%

40. The voting age population percentages for SB8’s enacted districts are:<sup>8</sup>

District	African American VAP %	Non-African American VAP %
1	12.692%	87.308%

<sup>7</sup> This data comes from the official Report for Congress Act 5 (HB1) on the Louisiana Redistricting website. *See Report – Congressional Districts by Parish – Pop (2020), VAP (2020) and Registration (12-2022)*, Louisiana Redistricting, [https://redist.legis.la.gov/2023\\_07/2023CONGRESSACT5](https://redist.legis.la.gov/2023_07/2023CONGRESSACT5).

<sup>8</sup> This data comes from the official Report for Congress Act 2 (SB8) on the Louisiana Redistricting website. *See Report – Congressional Districts by Parish – Pop (2020), VAP (2020), and Registration (12-2023)*, Louisiana Redistricting, [https://redist.legis.la.gov/2024\\_Files/2024CONGRESSACT2](https://redist.legis.la.gov/2024_Files/2024CONGRESSACT2).

2	51.007%	48.993%
3	22.568%	77.432%
4	20.579%	79.421%
5	26.958%	73.042%
6	53.990%	46.010%

41. The biggest change was in District 6, where the African American VAP percentage increased sharply by 30%, from 23.861% to 53.990%, even though District 6 previously held the second lowest African American VAP and the second highest non-African American VAP. The non-African American VAP in District 6 decreased proportionately.

42. SB8 decreased the African American VAP percentage in every district except District 6. In District 2, African Americans still held a majority of the VAP at 51%.

43. SB8 increased the non-African American VAP percentage in every district except District 6, where it dramatically decreased, so non-African Americans went from the majority to the minority.

44. SB8 gave African Americans a majority, as measured by the BVAP criterion, in Districts 2 and 6.

45. Senator Womack was the author of SB8. He first introduced SB8 in the Senate on January 15, 2024. SB8 then went to the Committee on Senate and Governmental Affairs. On January 17, 2024, it was presented on the Senate floor again for a third reading and final passage.

46. During that third reading and final passage on January 17, 2024, several Senators debated and spoke on the bill. Senator Womack, author and sponsor of SB8, stated the bill intentionally created “two congressional districts with a majority of Black voters.” Senate Archive, *supra*, at 8:47-8:54. He went on to discuss “the boundaries of District 2 and District 6 on your map,” and emphasized that both were “over 50% Black voting age population.” *Id.* at 9:20-9:35. He went on to state: “Given the State’s current demographics, there is not enough high Black population in the Southeast portion of Louisiana to create two majority Black districts and to also comply with the U.S. Constitution’s one-person one-vote requirement. That is the reason why District 2 is drawn around Orleans parish while District 6 includes the Black population of East Baton Rouge Parish and travels up the I-49 corridor to include Black population in Shreveport.” *Id.* at 9:35-10:00.

47. Senator Womack repeated throughout his remarks that his primary goal in drafting SB8 was to create two majority-African American districts. He repeatedly referred to District 2 and District 6 as the “minority” or “Black” districts. *Id.* at 9:00-10:40, 16:35-16:43, 18:15.

48. Senator Womack did not identify any traditional redistricting criteria, such as compactness or communities of interest, as part of his analysis in crafting SB8 and selecting the district lines. In fact, he disavowed that he had complied with traditional redistricting criteria.

49. Senator Jay Morris asked Senator Womack about the two majority-minority districts: “Among the factors that you considered, was the community of interest of the district something that was considered in coming up with this version of the map that we have before us? . . . You didn’t consider the community of interests of people having something in common with one another within the district?” *Id.* at 11:10-11:53. Senator Womack then responded: “No, I didn’t because it was, we had to draw two districts and that’s the only way we could get two districts . . .” *Id.* at 11:54-12:05. Senator Womack also denied that he considered agriculture as a community of interest in District 6. *Id.* at 12:09-12:48.

50. Senator Womack repeatedly referred to the 250 miles between Baton Rouge and Shreveport in District 6 as merely a “corridor.” *Id.* at 9:55-10:00, 12:50-12:55.

51. Senator Morris also asked Senator Womack when referring to District 6: “Would you say the heart of the district is Northeast Louisiana, North Central Louisiana?” *Id.* at 12:50-13:05. Senator Womack responded: “I wouldn’t say the heart of that district is that way.” *Id.* at 13:05-13:20. He went on to state District 6 simply “had to be drawn like it had to be drawn to pick that up.” *Id.* at 13:05-13:20. Senator Morris asked again: “So is there a heart of the district?” *Id.* at 13:20-13:25. Senator Womack said: “I don’t think it has a heart of the district.” *Id.* at 13:25-13:35. In doing so, Senator Womack stated that there was no tie or common interest between the Northern region of District 6 and its other regions. Race was the only reason District 6 extended into far-flung regions of Louisiana.

52. When Senator Morris raised other concerns about the districts, Senator Womack agreed that these issues were valid but said: “Where we had to draw two minority districts, that’s the way the numbers worked out. You’ve worked with redistricting before and you have to work everyone around that the best you can.” *Id.* at 18:08-18:30.

53. Senator Gary Carter then rose to speak. *Id.* at 24:30. He raised concerns about the “current African American voting age population in District 2” because it was now only “51%.” *Id.* at 24:30-25:10. He had “serious concerns” with whether “District 2 continues to perform as an African American district.” *Id.* at 25:10-25:25. But despite those concerns about African American “perform[ance]” in District 2, he supported the legislation. *Id.* In making these comments, Senator Carter demonstrated that he was especially concerned about ensuring a certain percentage of the population was African American in District 2. Senator Carter also read and endorsed a statement on the Senate floor from Congressman Troy Carter, who currently represents District 2 in the U.S. House of Representatives. He said: “My dear friends and colleagues, as I said on the steps of the Capitol, I will work with anyone who wants to create two majority-minority districts. I am not married to any one map. I have worked tirelessly to create two majority-minority districts that perform. That’s how I know that there may be better ways to craft both of these districts. There are multiple maps that haven’t been reviewed at all. However, the Womack map creates two majority-minority districts and therefore I am supportive of it, and I urge my former colleagues and friends to vote for it while trying to make both districts stronger with appropriate amendment. We do not want to jeopardize this rare opportunity to give African American voters the equal representation they rightly deserve.” *Id.* at 26:00-27:00.

54. Senator Katrina Jackson also said on the floor that she supported SB8. *Id.* at 28:00. She stated, “I don’t think we’re in the hands of a heavy-handed judge.” *Id.* at 29:50-30:00. “There is nothing that says that a second African American serving in Congress in Louisiana will not help the masses. If we think that, then we think that we’re less than or better than a person based on race. If anyone in this chamber could articulate a reason why they believe that any African American that sits before you today wouldn’t go before you with the same heart and zeal and vigor and heart for the people, then maybe we can say that there’s not an African American in this State that’s not going to stand before Congress and represent us. But I literally do not believe that there’s a colleague in here that looks across this Chamber at any member of the Black Caucus that does not believe that we would not go to Congress and represent the State of Louisiana. And so I stand in support with reluctance of having to talk to my constituents after this vote but with carrying the spirit of fairness that they asked me to carry in the last redistricting session.” *Id.* at 30:00-32:08.

55. Senator Jackson also stated that her “constituents and a lot of constituents in North Louisiana are experiencing ice . . . and so a lot of them don’t even know that we’re down here right now passing maps and so this is the first time in a long time that I am probably going to vote for something that I haven’t vetted through my constituency.” *Id.* at 28:00-29:30. She went on to state that she, along with “Representative Fisher [and] Representative Morrell will have a zoom community meeting to catch them up on what they have lost while they were at home.” *Id.* at 28:00-29:30.

56. Senator Royce Duplessis spoke next, stating that SB8 “was much more than lines on a map.” *Id.* at 32:30-33:00. He said SB8 “was about one-third of this State going underrepresented for too long.” *Id.* at 33:00-34:15. “So I think it’s important that we keep the focus on why we’re here today.” *Id.* at 34:15-34:35. His reference to one-third of the State was a reference to the African American population. He went on to state: “Just like Senator Carter, I’m not thrilled with what’s happening in District 2 and the way it’s lowering the numbers,” referring to the numbers of African American voters Senator Carter discussed. *Id.* at 34:40-34:52. Senator Duplessis discussed how he had created a map with Senator Price that “we thought performed better.” *Id.* at 34:52-35:00. He stated he would support SB8 “because he thought it was time to give people of this State fair representation.” *Id.* at 35:25-35:32.

57. Senator Thomas Pressly also rose in opposition, stating that Northwest Louisiana was “unique from the rest of our State, and I believe that commonalities of interest are important.” *Id.* at 35:55-36:40. He explained the strong cultural, industrial, and agricultural differences between Northwest Louisiana and Baton Rouge, as well as the different natural disasters facing the two regions. *Id.* at 37:14. He stated: “I cannot support a map that puts Caddo Parish and portions of my district, which is over 220 miles from here, in a district that will be represented by someone in East Baton Rouge Parish that may or may not have ever even been to Northwest Louisiana and certainly doesn’t understand the rich culture, rich important uniqueness of our area of the State.” *Id.* at 36:55-37:23. He went on: “When we look at Louisiana we often talk about North and South. And that division is true. It’s real. I think all of us acknowledge that. The I-10 corridor has unique needs. When we think of the challenges you face with storms, often you think of hurricanes. In North Louisiana we think of tornadoes and ice storms. When you look at the important regions of our States and the diverse industries that we have . . . that is something that we must keep in mind as we continue through this process.” *Id.* at 37:23-38:14.

He said: “I am concerned with the important part of this State—Northwest Louisiana—not having the same member of Congress.” *Id.* at 38:14-38:29. He said it made no sense to create two congressional districts and draw District 6 and District 4 “along a line that’s based purely on race.” *Id.* at 38:29-38:40.

58. SB8 passed in the Louisiana Senate on January 17, 2024, by a vote of 27-11.

59. SB8 was then transferred and presented in the Louisiana House of Representatives on January 17, 2024. SB8 went to the Committee on House and Governmental Affairs that same day.

60. Then, on January 19, 2024, Representative Beau Beaulieu, as the bill sponsor, presented SB8 to the House of Representatives for debate and final passage. During his opening remarks, Representative Beaulieu stated that SB8 created “two congressional districts with a majority of Black voters.” House Archive, *supra*, at 2:48:25-2:48:31. Like Senator Womack, he discussed, “the boundaries for District 2 and District 6,” and emphasized that “both of which are over 50% Black voting age population or BVAP.” *Id.* at 2:49:00-2:49:13. He went on to state: “Given the State’s current demographics, there is not a high enough Black population in the Southeast portion of Louisiana to create two majority Black districts and to also comply with the U.S. Constitution’s one-vote one-person requirement. That is the reason why District 2 is drawn around Orleans Parish, why District 6 includes the Black population of East Baton Rouge Parish and travels up the I-49 corridor and the Red River to include Black population in Shreveport.” *Id.* at 2:49:19-2:49:49.

61. Representative C. Denise Marcelle also expressed that the goal was to get “a second congressional district.” *Id.* at 2:43:25-2:43:30.

62. Only one Representative asked Representative Beaulieu a question after his presentation. Representative Beryl Amedee asked, “Is this bill intended to create another Black district?” Representative Beaulieu responded: “Yes, ma’am.” *Id.* at 2:51:00-2:51:17.

63. Representative Mike Bayham then rose in opposition of SB8. *Id.* at 2:51:30. He stated: “St. Bernhard [Parish] has never been split into two congressional districts.” *Id.* at 2:52:07-2:52:10. “Looking at these precincts, and I know every precinct, I’ve campaigned in every precinct in St. Bernhard, we have two precincts, for example, that are in the second congressional district. One, Precinct 24, gave President Trump 75% of the vote. Precinct 25 gave President Trump 69% of the vote. Those are in the second district. And the first district is

Precinct 44 which gave President Biden 83% of the vote. Precinct 45 gave President Biden 85% of the vote. It seems like these precincts were just thrown together like a mechanical claw machine just grabbing people and dropping them off.” *Id.* at 2:52:17-2:23:05. St. Bernhard Parish is divided between District 1 and 2. He went on to state: “We are being told that we have to redraw all of this in a period of less than eight days. That is not how you make sausage. That’s how you make a mess. I cannot in good conscience vote for this bill that divides my community and I will stand by that for my community.” *Id.* 2:53:10-2:53:33.

64. No other representatives spoke.

65. SB8 then went to a vote, and it passed in the Louisiana House of Representatives by a vote of 86-16 on January 19, 2024.

66. SB8 was then sent to the Senate with House amendments, and it passed by a vote of 27-11 on January 19, 2024.

67. Even before the special session, legislators voiced their intent to create two majority-African American districts. When he received the Governor’s call for the special legislative session on January 8, 2024, Representative Matthew Willard told the press: “The math is clear. A third of six is two. And so we look forward to beginning that redistricting session and walking away with two majority-minority African-American congressional districts.” *See* Sabrina Wilson, *Gov. Landry calls special session on redistricting as new legislature takes office*, Fox 8 (Jan. 8, 2024), <https://www.fox8live.com/2024/01/09/gov-landry-calls-special-session-redistricting-new-legislature-takes-office/>. He also told the public: “We’ll be doing everything we can to make sure that we are not diluting the voices of Black voters in Louisiana and to get those two majority-minority seats.” *Id.* Representative Willard had recently received a new leadership role in the House as the chair of the House Democratic Caucus, where in his words, he “lead[s] the caucus of 32 members.” *Id.*

68. Other elected officials in Louisiana remarked on the purpose of the bill to create two majority-African American districts and four majority-non-African American districts.

69. Congressman Troy Carter of the U.S. House of Representatives held a press conference on January 15, 2024, where he stated: “For nearly two years, I have consistently called for the creation of a second majority-minority district. . . . This is our responsibility, not the judiciary. . . . I stand here with my friends from the Legislative Black Caucus, the NAACP, Urban League of Louisiana, and civil rights leaders to firmly state that we are unified and ready



to work with anyone who is working to create a map that establishes two majority-minority districts that give Black candidates a meaningful opportunity to win.” Press Release, *Congressman Troy Carter Demands Fair Congressional Maps* (Jan. 15, 2024), <https://troycarter.house.gov/media/press-releases/congressman-troy-carter-demands-fair-congressional-maps>. The press conference was an effort to express his “commitment to work with the Louisiana Legislature and Governor Landry to develop a constitutional map that contains two majority-minority congressional districts.” *Id.*

70. As the current Congressman for District 2, Congressman Carter’s voice was especially important for the passage of SB8. His statements were read on the Senate floor right before the vote for SB8’s final passage.

71. Other officials made similar comments. For example, Tres Bernhard, adviser to Congressman Carter, told the Illuminator: “This historical moment is about creating two seats that a Black person can win . . . . And that’s what this is about. It’s not about a Democratic seat, it’s about creating two seats that a Black person can win.” *Id.*

72. After both Houses passed SB8 on Friday, January 19, 2024, the bill went to the Governor’s desk.

73. The following Monday, January 22, 2024, the Governor signed SB8 into law. Upon his signature, SB8 went into effect and repealed the 2022 redistricting law.

74. The entire process—from the first introduction of SB8 until the Governor signed it into law—took only eight days.

### **Count I: Racial Gerrymandering in Violation of the Fourteenth Amendment**

75. The above paragraphs are hereby incorporated by reference as if set forth fully herein.

76. The Equal Protection Clause of the Fourteenth Amendment provides that “[n]o State shall . . . deny any person within its jurisdiction the equal protection of the laws.” U.S. Const. amend. XIV, § 1. States must “govern impartially [and] not draw distinctions between individuals solely on differences that are irrelevant to a legitimate governmental objective.” *Id.*

77. The Equal Protection Clause forbids racial gerrymandering. The State “may not separate its citizens into different voting districts on the basis of race.” *Miller*, 515 U.S. at 911. Racial gerrymandering and segregation harm all voters, regardless of race.



78. To prevail on a racial gerrymandering claim, plaintiffs must show race was the predominant factor the State considered when creating the challenged districts.

79. Plaintiffs can rely on either circumstantial evidence of a district's shape and demographics or more direct evidence of legislative purpose to show that race was the predominant factor governing the State's line-drawing decisions. *Covington*, 138 S. Ct. at 2553.

80. Here, Plaintiffs have presented sufficient direct and circumstantial evidence to show the State's consideration of race predominated over its consideration of traditional redistricting criteria when it created all six districts. The evidence demonstrates that race was not just the State's predominant factor. Race was the State's sole factor.

81. First, Plaintiffs have presented sufficient direct evidence of the State's purpose to draw all six districts predominantly based on the race of voters.

82. Immediately prior to SB8's passage, bill sponsors and other legislators on the Senate and House floors stated that the lines were drawn purely based on race.

83. Both SB8 sponsors, Senator Womack and Representative Beaulieu, separately stated that the goal was to create "two congressional districts with a majority of Black voters." Senate Archive, *supra*; House Archive, *supra*. They drew "the boundaries for District 2 and District 6" to include "over 50% Black voting age population." Senate Archive, *supra*; House Archive, *supra*. And they stated that the districts were drawn *solely* with that goal in mind: "Given the State's current demographics, there is not a high enough Black population in the Southeast portion of Louisiana to create two majority Black districts and to also comply with the U.S. Constitution's one-vote one-person requirement. *That is the reason why* District 2 is drawn around Orleans Parish, *why* District 6 includes the Black population of East Baton Rouge Parish and travels up the I-49 corridor and the Red River to include Black population in Shreveport." Senate Archive, *supra* (emphasis added); *see also* House Archive, *supra*.

84. The one question Representative Beaulieu was asked after presenting SB8 was: "Is this bill intended to create another Black district?" He answered: "Yes." House Archive, *supra*.

85. The bill sponsors "purposefully established a racial target"—*i.e.* an African American voting majority in two districts—and they were "not coy in expressing that goal." *Cooper v. Harris*, 581 U.S. 285, 299-300 (2017). They "repeatedly told [] colleagues that [the

districts] had to be majority-minority.” *Id.* at 299. Their statements show that race predominated over other traditional criteria.

86. Additionally, SB8 sponsor Senator Womack conceded that he did not consider communities of interest or other traditional redistricting criteria when selecting this map. He never mentioned compactness. In fact, he acknowledged the odd shape of District 6 when addressing “why” it narrowly “travels up the I-49 corridor and the Red River.” Senate Archive, *supra*. He also said that District 6 simply “had to be drawn like it had to be drawn to pick [] up” African Americans. *Id.*

87. Other Senators and Representatives identified race as the chief districting criterion in creating all six districts. *See Shaw II*, 517 U.S. at 906–07; *Miller*, 515 U.S. at 917–18. For example, Senator Pressly said the lines were drawn “based purely on race.” Senate Archive, *supra*. Senator Duplessis said the “focus of why we’re here today” was to increase African Americans’ voting power. *Id.* Senator Carter relayed Congressman Carter’s statement that the singular goal was to create “two majority-minority districts.” *Id.* Senator Carter and Senator Duplessis discussed the importance of how District 2 would “perform” as an African American majority district. *Id.* Representative Marcelle expressed the goal to get “a second congressional district.” House Archive, *supra*.

88. Many also stated that the goal was to reach a certain threshold percentage of African American voters in two districts, so that African Americans would hold the VAP majority in those districts. Senator Carter, for example, stated that he was concerned about District 2 only having a “51%” African American majority, but because SB8 reached the threshold majority, he would vote in favor of SB8. Senate Archive, *supra*. Senator Duplessis expressed the same sentiment about the “the numbers.” *Id.*

89. Several senators and representatives in addition to SB8’s sponsors expressed that SB8 did not conform to any traditional redistricting criteria. Senator Pressly stated that the line between District 4 and District 6 was “purely based on race,” and did not account for the “commonalities of interest” of people in Northwest Louisiana and the “unique,” “rich culture,” “industries,” and even natural disasters that distinguished the region from the rest of the State. Senate Archive, *supra*. Representative Bayham also raised concerns about the failure to abide by traditional redistricting criteria. He said the distinction between voters who were split between District 1 and District 2 did not even divide on partisan lines. Rather the line-drawing seemed

“like a mechanical claw machine just grabbing people and dropping them off.” House Archive, *supra*. Senator Morris also raised concerns about whether there were any “communities of interest” considered, a concern that was answered negatively by Senator Womack. Senate Archive, *supra*. No traditional redistricting factors account for these decisions. Only racial considerations drove this line-drawing.

90. The Governor’s statements prior to the legislative session also indicate that the goal was to redistrict race-based lines. Speaking on behalf of the State while serving as Attorney General, he said that it was “impossible” for the State to create a second majority-African American district without violating the U.S. Constitution and traditional criteria, “without impermissibly resorting to mere race as a factor” and without engaging in an unconstitutional “racial gerrymander.” *State Motion, supra*, at 13-15. These filings from “a state official,” not to mention one of the key lawmakers in enacting SB8, is “powerful evidence” that the State “subordinated traditional districting principles to race when it ultimately enacted a plan creating [the] majority-black districts.” *Miller*, 515 U.S. at 919.

91. Second, circumstantial evidence establishes that the State flouted traditional redistricting criteria, including compactness, contiguity, and cohesiveness of communities of interest, to draw all six districts based purely on race.

92. All the districts are “narrow and bizarrely shaped.” *Allen v. Milligan*, 599 U.S. 1, 28 (2023) (quoting *Bush v. Vera*, 517 U.S. 952, 965 (1996) (plurality)).

93. The districts are not compact. *Shaw I*, 509 U.S. at 646–48. District 6, for example, is a narrow diagonal line that runs along the Interstate 49 corridor akin to North Carolina’s infamous slash district that stretched approximately 160 miles along the Interstate 85 corridor and was struck down as an unconstitutional racial gerrymander by the Supreme Court in *Shaw*. *Id.* at 635. District 6 stretches at least 250 miles between its appendages in Shreveport and Baton Rouge, cities in opposite corners of the State. *Cf. Hays*, 936 F. Supp. at 370 (It “meanders for roughly 250 miles from the northwestern corner of the state to the southeast, dividing parishes and municipalities while surgically agglomerating pockets of minority populations along the way.”). It then plunges South to the heart of Cajun Country in Lafayette to encompass African American voters there. In Rapides Parish, it dwindles down to a narrow width of 2.5 miles before continuing its snake upward toward Shreveport. It has a compactness score of 0.05, with 0 being a total lack of compactness and 1 being total compactness. The sole goal behind District

6's narrow line across Louisiana is obvious: maximize the African American vote. The other districts fare no better. Their compactness scores are all extremely low. The Northern and Southern portions of District 5, for example, are barely connected. District 5 is *only 1.2 miles wide* at the juncture of West Feliciana and Avoyelles Parishes and is only contiguous by virtue of the Mississippi River; the surrounding shores and an island are uninhabited. They are unconnected by road, bridge, ferry, trail, or path. District 4 is nearly cut in half, and it extends from Northern to Southern Louisiana, despite the diverging interests of these two regions. Both District 4 and District 5 have compactness scores of 0.08. District 2 only has a compactness score of 0.11. District 1 and District 3 only reach scores of 0.16 and 0.19, respectively. All the shapes are bizarre. The goal of the districts is clear from their shapes: gerrymander and segregate voters purely based on race.

94. The districts also separate communities of interest and unite disparate groups of people with nothing in common apart from race. District 6 carves out a long, narrow peninsula into District 4, splicing several parishes and communities of interest. For example, the cultural and industrial unity of people in Caddo Parish and Northwest Louisiana far outweighs any unity between the sliver of people dissected from Caddo Parish and part of the population in East Baton Rouge, hundreds of miles away. Northern and Southern Louisiana have very distinct cultures. Race is the only reason to create districts crisscrossing the State.

95. The harm is felt by African American and non-African American voters alike, who no longer can influence their communities. *See Gomillion v. Lightfoot*, 364 U.S. 339 (1960). Instead, both sets of voters are separated from their communities and thrust into districts with other voters hundreds of miles away, with whom they have little in common apart from race. The result is they do not have the same power to appeal to their congressional representatives—some of whom may have no knowledge of their region or culture.

96. The districts cut through many parishes. *Bush v. Vera*, 517 U.S. 952, 974 (1996) (plurality opinion); *Cooper*, 581 U.S. at 301 n.3 (finding a “conflict with traditional redistricting principles” where the legislature “split[] numerous counties and precincts”). District 2 severs seven of the nine parishes it touches. District 6 splinters six out of the ten parishes it cuts through.

97. The legislators' comments and map show that race was not just the predominant purpose. Race was the sole purpose behind SB8. Plaintiffs have thereby satisfied their burden to show that race predominated over other traditional districting criteria.

98. Since Plaintiffs have satisfied their burden, the State has the burden to satisfy strict scrutiny, meaning the State must show it drew the challenged districts in pursuit of a compelling state interest, and the resulting districts were narrowly tailored to achieve that interest. *Shaw II*, 517 U.S. at 908.

99. First, the State must show it enacted these maps pursuant to a compelling state interest. The Supreme Court has assumed (but never held) that compliance with Section 2 of the Voting Rights Act ("VRA") can be a compelling interest, but a State's "ostensible effort to comply with the Voting Rights Act" does not allow for racial gerrymandering. *Covington*, 138 S. Ct. at 2550.

100. To satisfy strict scrutiny, the State must first show that the compelling interest applies—that the VRA is indeed triggered by Louisiana's demographics, voting trends, and other factors. Only if the answer is "yes" may the State proceed to its second burden, meeting the narrow tailoring requirement by presenting actual "evidence or analysis supporting [the] claim that the VRA require[s]" creation of the districts as drawn on a district-by-district basis. *Wis. Legislature v. Wis. Elecs. Comm'n*, 595 U.S. 398, 403 (2022); *Bethune-Hill v. Va. State Bd. of Elecs.*, 580 U.S. 178, 191-92 (2017). The State must have a strong basis in evidence or good reasons as to why it drew the districts it did. Courts will not "approve a racial gerrymander whose necessity is supported by no evidence" and that proceeds on a legally mistaken view of the VRA. *Cooper*, 581 U.S. at 306.

101. Should the State rely on the VRA, it will fail at step 1. VRA Section 2 "never require[s] adoption of districts that violate traditional redistricting principles." *Milligan*, 599 U.S. at 30; *see also Hays*, 936 F. Supp. at 370 ("Reduced to its essentials, the VRA simply does not *require* the enactment of a second majority-minority district in Louisiana.").

102. The State has already conceded that it did not abide by traditional redistricting criteria. The State has previously admitted it is "impossible" that "a second majority-minority district can be drawn without impermissibly resorting to mere race as a factor," that any attempt to do so would be an unconstitutional "racial gerrymander," and that attempts to slice voters into districts that could create such a map demonstrate "the exact type of evidence of racial intent that

dooms legislative action.” *State Motion, supra*, at 13-15. These statements alone show that the State did not abide by traditional redistricting criteria. *Miller*, 515 U.S. at 919.

103. Second, even if the State could surmount these hurdles, it will fail at step 2. The legislators’ statements also show that they failed to comply with any traditional redistricting criteria. Senator Womack, SB8’s author and sponsor, said so himself. *See supra* ¶¶ 69-75.

104. Additionally on step 2, the maps themselves show that the State violated traditional districting criteria. *Milligan*, 599 U.S. at 27 (quoting *Shaw*, 509 U.S. at 647); *see supra* ¶¶ 114-19.

105. The VRA is only satisfied if the State demonstrates that each minority-majority district complies with all three of the *Thornburg v. Gingles*, 478 U.S. 30 (1986), factors: (1) a “sufficiently large and geographically compact” minority, that is (2) “politically cohesive,” and (3) subject to majority bloc voting that usually defeats the minority group’s preferred candidate. *Id.* at 49-51.

106. The State cannot even satisfy the first *Gingles* factor—*i.e.* a showing of a “sufficiently large and geographically compact” minority. *Id.* at 50. These districts are plainly not compact. *See supra* ¶ 116; *Hays*, 936 F. Supp. at 370.

107. The State’s failure to comply with traditional redistricting principles or the *Gingles* factors demonstrates that the districts it drew were not narrowly tailored to serve any compelling interest. *Cooper*, 581 U.S. at 306. Thus, the State cannot satisfy strict scrutiny.

108. Accordingly, Plaintiffs are entitled to relief.

## **Count II: Plaintiffs’ Votes Are Abridged in Violation of the Fourteenth and Fifteenth Amendments**

109. The above paragraphs are hereby incorporated by reference as if set forth fully herein.

110. The Fifteenth Amendment states: “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.” U.S. Const. amend. XV, § 1. The Fifteenth Amendment “right to vote” may “be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.” *LULAC v. Edwards Aquifer Auth.*, 937 F.3d 457, 462 (5th Cir. 2019) (quoting *Reynolds v. Sims*,

377 U.S. 533, 555 (1964)). States cannot abridge the right to vote by using racial criteria. *Shaw I*, 509 U.S. at 640-41.

111. This legislation has abridged Plaintiffs’ right to vote based solely on their race. While Plaintiffs recognize that no group of voters is entitled to proportional representation under the U.S. Constitution and the application of traditional race-neutral criteria may result in an underrepresentation or overrepresentation of racial, religious, or political groups, the Constitution clearly protects all racial groups from representational schemes which have as their sole purpose the intentional overrepresentation of voters of a particular race over all other voters in a jurisdiction. See *Gomillion v. Lightfoot*, 364 U.S. 339 (1960).<sup>9</sup> A claim that an election scheme is based predominantly on such discriminatory racial intent and results in the intended harm is actionable.

112. Here, as in *Gomillion*, SB8 imposes an obvious racial preference which abridges the ability of non-African American voters to engage in the normal compromises and influence that would exist in districts drawn consistent with traditional redistricting principles. The State has chosen to intentionally gerrymander for the sole purpose of providing a racial minority a greater proportion of congressional districts than their citizen voting age population. Each Plaintiff experiences this injury in his or her own district. African Americans constitute a little more than 29% of the citizen voting age population. The redistricting intentionally creates two majority-African American districts of the six districts, or slightly more than 33%. Using a mandatory racial quota to not only approach, but to exceed, the African American share of the citizen voting age population, constitutes an additional concrete harm to all non-African American voters, unseen in previous racial gerrymandering cases.<sup>10</sup>

113. Turning to the Fourteenth Amendment, the Equal Protection Clause prohibits a State from “deny[ing] to any person within its jurisdiction the equal protection of the laws.” U.S.

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<sup>9</sup> Justice Stevens dissented in *Shaw* and *Miller v. Johnson* because he found the stereotyping harm in both to be insufficient, concluding that “[n]either in *Shaw* itself nor in the cases decided today has the Court coherently articulated what injury this cause of action is designed to redress.” *Miller v. Johnson*, 515 U.S. 900, 929 (1995) (Stevens, J., dissenting). Justice Stevens explained that the plaintiffs in those cases had made no showing of “vote dilution... to an identifiable group of voters” nor under the facts of the case were they capable of so doing. *Id.* (Stevens, J., dissenting). Louisiana’s current redistricting scheme obviates Justice Stevens’s concerns about the missing harm to plaintiffs in prior redistricting challenges.

<sup>10</sup> The racial gerrymandering cause of action in Count I is the same cause of action in the seminal case *Shaw v. Reno* and all its progeny, including *Hays*. The harm in those cases, and in this one, arises from stereotyping based on race and is felt by all voters in racially gerrymandered districts. In those earlier racial gerrymandering cases, the percentage of the challenged majority-minority gerrymandered districts compared to total districts was still less than the percentage of minority’s proportion of the citizen voting age population.



Const. amend XIV, § 1. The Equal Protection Clause requires States to draw legislative districts so that citizens' votes are counted equally. *Baker v. Carr*, 369 U.S. 186 (1962). Thus, the Clause prohibits a State from gerrymandering in such a way that the State dilutes the votes of one class of voters and thereby treats voters unequally under its laws. *Shaw I*, 509 U.S. at 640-41.

114. As previously stated, the statements of lawmakers leave no doubt that race was not only the predominant reason for the passage of the current redistricting scheme. Race was the sole reason. No further proof of invidious discriminatory intent is necessary. However, sufficient circumstantial evidence also proves such intent. *See Rogers v. Lodge*, 458 U.S. 613 (1982).

115. The harm to all non-African American voters is the same harm described in other non-election law claims where States use racial quotas to discriminate against races or ethnicities outside the target group. *See, e.g., Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 1 (2023); *Adarand Constructors v. Peña*, 515 U.S. 200 (1995); *Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989).

116. SB8 gave African American voters the majority in two congressional districts, where they previously held the majority in one, by consolidating them into these two districts from across the State. This required displacing other racial groups from the territories of Districts 2 and 6, and forcing them into adjoining portions of Districts 1, 3, 4, and 5. Had traditional districts been drawn that did not “bear[] more heavily on one race than another,” *Vill. of Arlington Heights v. Metro. Housing Dev. Corp.*, 429 U.S. 252, 266 (1977) (quoting *Washington v. Davis*, 426 U.S. 229, 242 (1976)), these non-African American voters would have constituted a majority in five of Louisiana's six districts. But because the State acted with discriminatory intent and developed racial quotas, it injured non-African American voters by costing them one district.

117. SB8 was created by means of an irregular procedure. It was the first legislative session after the Governor assumed office. In fact, on the Governor's *first* day in office—January 8, 2024—he called for the legislative special session to focus exclusively on redistricting. The legislative session was a special one and SB8 was passed by both Chambers and signed by the Governor in a matter of eight days. There was little debate, and the entire process was rushed to create two majority-African American districts and reduce the existing five majority-non-African American districts to four. While the Legislature had previously spent



months after the 2020 census travelling across the State and soliciting public input, legislators did not even have time to *inform* their constituents about the redistricting bill or special session—much less ask their constituents for their opinions and provide proper representation on their behalf. *See* Senate Archive, *supra*, at 28:00-29:30. The entire session was a whirlwind. The historical background of the challenged decision and the sequence of events leading up to the challenged action show that SB8’s maps were drawn specifically to form two majority-African American districts and reduce the number of majority-non-African American districts from five to four districts.

118. The viewpoints expressed by legislators and other decision makers show that they intended to abridge the votes of non-African American voters and that they were motivated by race when they configured the districts. *United States v. Brown*, 561 F.3d 420, 433-34 (5th Cir. 2009). The legislators claimed they drew these districts to allow for two majority-African American districts and four majority-non-African American districts, where there had previously been five, even though these legislators were fully aware that they were violating all traditional redistricting criteria and creating a racial quota based on super-proportional representation at the expense of other voters.

119. For the reasons previously stated, this discrimination cannot satisfy strict scrutiny.

120. Thus, Plaintiffs are entitled to relief on Count II.

### **Prayer for Relief**

WHEREFORE Plaintiffs pray that this Court “immediately notify the chief judge of the circuit, who shall designate two other judges” so that “[t]he judges so designated, and the judge to whom the request was presented, shall serve as members of the court to hear and determine the action or proceeding.” 28 U.S.C. § 2284(b)(1). Plaintiffs pray that this Court issue a declaratory judgment that SB8 is unconstitutional under the Fourteenth and Fifteenth Amendments, issue an injunction barring the State of Louisiana from using SB8’s map of congressional districts for any election, and institute a congressional districting map that remedies these violations. Plaintiffs also request all fees and costs recoverable under 42 U.S.C. § 1988.

Dated this 31<sup>st</sup> day of January, 2024

Respectfully submitted,

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**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,	)	
BRUCE ODELL, ELIZABETH ERSOFF,	)	
ALBERT CAISSIE, DANIEL WEIR,	)	
JOYCE LACOUR, CANDY CARROLL	)	
PEAVY, TANYA WHITNEY, MIKE	)	
JOHNSON, GROVER JOSEPH REES,	)	
ROLFE MCCOLLISTER,	)	
	)	Case No. 3:24-cv-00122-DCJ-CES-RRS
Plaintiffs,	)	
	)	
v.	)	District Judge David C. Joseph
	)	Circuit Judge Carl E. Stewart
NANCY LANDRY, IN HER OFFICIAL	)	District Judge Robert R. Summerhays
CAPACITY AS LOUISIANA	)	
SECRETARY OF STATE,	)	Magistrate Judge Kayla D. McClusky
	)	
Defendant.	)	

**PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION**

Plaintiffs Phillip Callais, Lloyd Price, Bruce Odell, Elizabeth Ersoff, Albert Caissie, Daniel Weir, Joyce LaCour, Candy Carroll Peavy, Tanya Whitney, Mike Johnson, Grover Joseph Rees, and Rolfe McCollister, by and through their counsel, respectively move this Court to: (1) enjoin Defendant Secretary of State Nancy Landry from implementing the congressional redistricting map set out in Congress Act 2 (SB8) enacted by the State of Louisiana in January 2024 to administer any elections, and (2) order Defendant to implement the congressional redistricting map set out in Exhibit A to administer future elections. A preliminary injunction is justified for the reasons set forth in the memorandum of law, exhibits, declarations, and expert reports attached to this motion.

Plaintiffs meet the traditional factors to compel preliminary injunctive relief. Plaintiffs are likely to prevail on the merits, Plaintiffs face irreparable harm, the balance of equities favors Plaintiffs, and the public interest is not disserved by injunctive relief.

First, Plaintiffs are likely to prevail on the merits of both their claims: racial gerrymandering in violation of the Fourteenth Amendment and abridgement of voting rights in violation of the Fourteenth and Fifteenth Amendments. Plaintiffs will likely succeed on the racial gerrymandering claim because they can show that race predominated in the State’s redistricting decisions and the State cannot satisfy strict scrutiny—the “most rigorous and exacting standard of constitutional review.” *Miller v. Johnson*, 515 U.S. 900, 920 (1995). Plaintiffs will also likely prevail on their voter abridgement claim because they can show that the State intentionally abridged their right to vote on the basis of race.

Second, Plaintiffs face irreparable harm. The current congressional map violates—and will continue to violate in upcoming elections—Plaintiffs’ fundamental constitutional rights under the Fourteenth and Fifteenth Amendments. This harm is irreparable absent injunctive relief. *BST Holdings, LLC v. OSHA*, 17 F.4th 604, 618 (5th Cir. 2021) (“[T]he loss of constitutional freedoms . . . ‘unquestionably constitutes irreparable injury.’” (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976))); *League of United Latin Am. Citizens v. Abbott*, 601 F. Supp. 3d 147, 182 (W.D. Tex. 2022) (holding that alleged violations of voters’ Fourteenth Amendment equal protection rights and Fifteenth Amendment voting rights from Texas’ redistricting map constituted irreparable harm); *League of Women Voters of N.C. v. North Carolina*, 769 F.3d 224, 247 (4th Cir. 2014) (“Courts routinely deem restrictions on fundamental voting rights irreparable injury.” (citing *Obama for Am. v. Husted*, 697 F.3d 423, 436 (6th Cir. 2012); *Williams v. Salerno*, 792 F.2d 323, 326 (2d Cir. 1986); *Alt. Political Parties v. Hooks*, 121 F.3d 876 (3d Cir.1997))).

Finally, the balance of equities favors Plaintiffs, and the public interest is advanced by awarding an injunction. The current map is “likely unconstitutional” so “[a]ny interest” Defendant “may claim in enforcing [it] is illegitimate.” See *BST Holdings*, 17 F.4th at 618; see also

*Ingebrigtsen v. Jackson Public Sch. Dist.*, 88 F.3d 274, 280 (5th Cir. 1996) (holding that where an enactment is unconstitutional, “the public interest [is] not disserved by an injunction preventing its implementation”).

Additionally, Plaintiffs request a waiver of security otherwise required by Federal Rule of Civil Procedure 65(c). This is a “a matter for the discretion of the trial court,” which “may elect to require no security at all.” *Kaepa, Inc. v. Achilles Corp.*, 76 F.3d 624, 628 (5th Cir. 1996) (quotation omitted); *see also Planned Parenthood Gulf Coast, Inc. v. Kliebert*, 141 F. Supp. 3d 604, 652 (M.D. La. 2015). Courts often do so when constitutional rights are at stake, or when plaintiffs seek to protect the public interest. *See Thomas v. Varnado*, 511 F. Supp. 3d 761, 766 n.1 (E.D. La. 2020); *see also Schultz v. Medina Valley Indep. Sch. Dist.*, 2011 WL 13234770, at \*2 (W.D. Tex. June 1, 2011) (“Because this suit seeks to enforce fundamental constitutional norms, it is further ORDERED that the security requirement of Federal Rule of Civil Procedure 65(c) is waived . . .”).

Dated this 7th day of February, 2024

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I do hereby certify that, on this 7th day of February 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record. Additionally, copies of all pleadings and other papers filed in this action to date or to be presented to the Court at the hearing have been mailed to the adverse party.

/s/ Paul Loy Hurd

Paul Loy Hurd

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

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 JOHNSON, GROVER JOSEPH REES, )  
 ROLFE MCCOLLISTER, )

Plaintiffs, )

v. )

NANCY LANDRY, IN HER OFFICIAL )  
 CAPACITY AS LOUISIANA )  
 SECRETARY OF STATE, )

Defendant. )

Case No. 3:24-cv-00122-DCJ-CES-RRS

District Judge David C. Joseph  
 Circuit Judge Carl E. Stewart  
 District Judge Robert R. Summerhays  
 Magistrate Judge Kayla D. McClusky

**PLAINTIFFS' MEMORANDUM IN SUPPORT OF THEIR  
MOTION FOR PRELIMINARY INJUNCTION**

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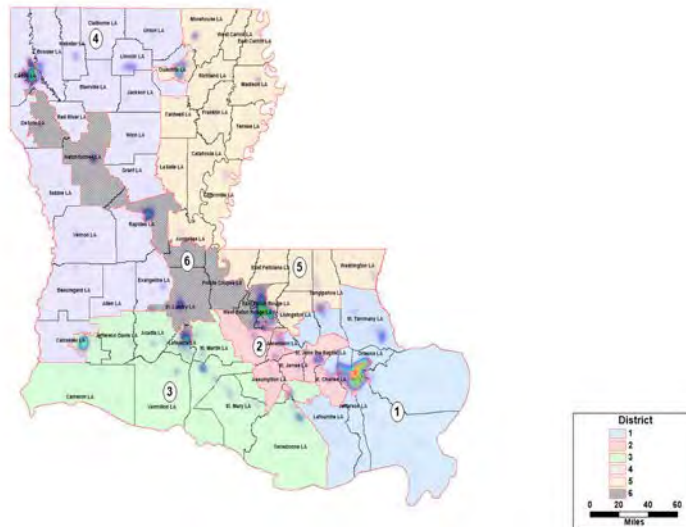
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## INTRODUCTION

Thirty years ago, a three-judge panel of this very Court invalidated a racial gerrymander eerily similar to SB8, the redistricting map Plaintiffs challenge here. The circumstances were nearly identical. While defending Voting Rights Act (“VRA”) litigation, the State quickly passed a new map to add a second majority-African American district out of seven total. The VRA, it said, compelled the new district, which slashed the State in half for hundreds of miles, from Baton Rouge to Shreveport. The original majority-minority district focused on Orleans Parish. This Court found that the district from Baton Rouge to Shreveport was an unconstitutional racial gerrymander. *Hays v. Louisiana*, 936 F. Supp. 360, 367 (W.D. La. 1996).

The only difference now is that Louisiana has just six districts. In eight days, the State drew and passed a congressional redistricting bill with the sole purpose of drawing districts and segregating voters based on race. A map of the district lines around dots representing high populations of African American voters shows that the State created an intentional racial hedge.



**Ex. A at 23.**<sup>1</sup> In viewing its citizens through a purely racial lens, the State’s gerrymander reduces each individual to a racial stereotype who is then expected to vote to achieve a race-based outcome. Not only is such treatment a grave affront to the God-given freedom and dignity of each Louisiana voter, it also violates the Fourteenth Amendment’s guarantee of equal protection. Where, as here, race predominates in the State’s line-drawing and the State cannot satisfy strict scrutiny, the “most rigorous and exacting standard of constitutional review,” Plaintiffs will prevail on a racial gerrymandering claim. *Miller v. Johnson*, 515 U.S. 900, 920 (1995).

The State did not merely allow race to predominate, it intentionally fixed an explicit racial quota of two African American districts. Even worse than its 1993 effort, Louisiana tried to guarantee one racial group a percentage of the Congressional delegation that exceeds its actual share of the voting population, and to ensure that, by this same degree, all other racial groups would be under-represented. Such intentional discrimination has no place under the Fourteenth and Fifteenth Amendments. In our democracy, there can be no excuse for burdening citizens based on their race. *See Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181 (2023).

The current map cannot stand. Plaintiffs ask that this Court issue a preliminary injunction that (1) enjoins Defendant Secretary of State Nancy Landry from using the current map to qualify candidates and carry out elections and (2) orders Defendant to enforce a new map—Plaintiffs’ Illustrative Map or another map that does not contravene the Fourteenth or Fifteenth Amendments—to remedy these constitutional injuries. **Ex. A at 12** (Plaintiffs’ Illustrative Map).

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<sup>1</sup> Citations to “Ex.” refer to Exhibits listed in the Declaration of Edward D. Greim.

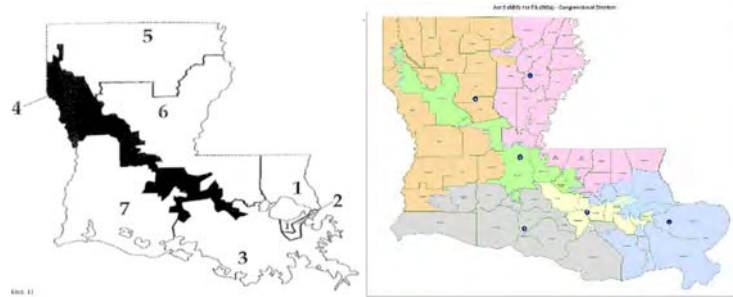
## BACKGROUND

### I. Louisiana unsuccessfully tried this redistricting strategy after the 1990 census.

In the early 1990s, the Louisiana Legislature tried to create a second majority-African American district out of its seven congressional districts. *United States v. Hays (Hays II)*, 515 U.S. 737, 740 (1995). One encircled New Orleans and the other formed a “Z” slashing across Northern Louisiana, turning south, and then jutting east toward Baton Rouge. *Id.* at 741; *Hays v. Louisiana*, 839 F. Supp. 1188, 1199 (W.D. La. 1993). Several voters challenged the scheme. While the appeal was pending before the Supreme Court, the Legislature repealed that original map and enacted a map remarkably similar to the one in SB8. *Hays*, 936 F. Supp. at 374 app. III.

1993 Map

2024 Map<sup>2</sup>



The 1993 map too had two majority-African American districts. *Id.* at 364. One encircled New Orleans; the other was long and narrow and slashed 250 miles from Shreveport down to Southeastern Baton Rouge. *Id.* But the district court recognized the scheme as an unconstitutional racial gerrymander and determined that it had no choice but to issue a remedial map. *Id.* at 372.

### II. Louisiana enacted an initial redistricting map after the 2020 census.

Thirty years later, the Legislature dusted off the same playbook. Its first congressional redistricting attempt with the 2020 decennial Census data began in 2021. **Ex. B, C, D, E, F.** From

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<sup>2</sup> See Exhibit P for enlarged view of SB8’s enacted map.



October 2021 to January 2022, the Legislature held public meetings to solicit comments on redistricting maps. **Ex. D; Ex. A at 4.** After this extensive process, on February 1, 2022, the House of Representatives presented a redistricting bill. **Ex. B, E.** After weeks of deliberation and debate, the bill passed in both Chambers. **Ex. B.** The Legislature overrode a gubernatorial veto on March 30, 2022, and it became law. **Ex. B.** The plan created five majority-non-African American districts and one majority-African American district based on Census data revealing that 29.87% of the Louisiana voting age population (“VAP”) was non-Hispanic African American and 31.25% of the Louisiana VAP was African American. **Ex. C, F, G.** A group of voters challenged the bill in court. **Ex. H at 1.** The State of Louisiana intervened. *Id.*

On April 29, 2022, the State, through then-Attorney General Jeff Landry’s Office, argued before the district court in opposition to the plaintiffs’ preliminary injunction motion: “No sufficiently numerous and geographically compact second majority-minority district can be drawn in Louisiana.” *Id.* at 6. It went on to say: “The minority population in Louisiana is not compact” when accounting for the necessary “traditional districting principles.” *Id.* at 11. Rather, to draw two districts with a certain African American VAP percentage, you “had to ignore any conception of communities of interest.” *Id.* at 8; *see id.* (“The fact that so many communities of interest were either divided among the Congressional districts or paired with unlikely and dissimilar larger cities begs the question of whether the distribution of African Americans are truly compact enough to create a second majority-minority Congressional district.”). The State recognized that “no constitutional second majority-minority congressional district is *possible* in Louisiana” and any attempt to create one would be an unconstitutional “racial gerrymander.” *Id.* at 13 (emphasis added). As a corollary, the State recognized that the plaintiffs in that case—whose aim was precisely to mandate the creation of two majority-minority districts—presented “the exact type of

evidence of racial intent that dooms legislative action.” *Id.* at 14-15. In sum, the State repeatedly stressed that it was “impossible . . . to demonstrate that a second majority-minority district can be drawn without impermissibly resorting to mere race as a factor.” *Id.* at 15; *see also id.* at 7 (“again, . . . you cannot create two legally sufficient BVAP congressional districts”). The State thereby admitted that it could not create two majority-minority districts without violating the Constitution.

The State also addressed the plaintiffs’ proposed maps, which created majority-African American districts composed of African American voters in cities 152 and 157 miles apart. Citing these statistics, the State admitted that the districts were not compact. *Id.* at 12. Soon after, however, in SB8, the State created majority-African American districts with African American voters in cities at least 230 miles apart. **Ex. A at 26.**

Neither the district court nor the United States Court of Appeals for the Fifth Circuit ever issued a final order on the merits.

### **III. Louisiana rushed to pass a new congressional redistricting map.**

The Attorney General, who had litigated on behalf of Louisiana, was elected Governor and assumed his new office on January 8, 2024. **Ex. I, J.** On that very day, he called for the legislative special session to focus on redistricting. **Ex. I, J.** A week later, the Governor opened the session by calling upon the Legislature to perform “[a] job that our own laws direct us to complete” and “a job that our individual oaths promised we would perform.” **Ex. K, L.** At the beginning of the session, on January 15, 2024, Senator Glen Womack introduced SB8. **Ex. L, M.** Four days later, it passed both Houses, and the Governor voiced his approval. **Ex. L, N, O.** The following Monday, he signed it into law. **Ex. L.**

**IV. SB8 segregated voters based on race.**

SB8 repealed the prior redistricting law—which had been effective for the 2022 election—and enacted a new one. **Ex. N.** It created two majority-African American districts, Districts 2 and 6, and four majority-non-African American districts, Districts 1, 3, 4, and 5. **Ex. Q.** While all district lines were redrawn, the biggest change was to District 6. **Ex. A, P, Q.** It saw a 30% increase in African American voters, and a proportionate decrease in non-African American voters. **Ex. A, F, Q.** SB8 packed non-African American voters predominantly into District 1, 3, 4, and 5; as a result, majorities they held in these districts became massive super-majorities. **Ex. A, F, Q.**

SB8 drew Districts 6 and 2's tendrils specifically to capture areas with large numbers of African American voters. **Ex. A at 23; Ex. P, S-CC.** District 6, for example, stretches in a slash mark from the top northwest corner of the State in Shreveport, diagonally to central Alexandria, and then further down to Baton Rouge in the southeast. **Ex. A, P.** Midway, it abruptly detours even further south to Lafayette in the heart of Acadiana solely to pick up African American voters. **Ex. A, P.** These are all areas with high numbers of African American voters. **Ex. A at 11, 22-23.**

**V. Lawmakers admitted they intentionally drew districts along race-based lines.**

Shortly after the Governor called the special session, legislators made clear that their purpose was to somehow draw two African American-majority districts. Louisiana Representative Matthew Willard, for example, told the press: “[W]e look forward to beginning that redistricting session and walking away with two majority-minority African-American congressional districts.” **Ex. DD.** He also told the public: “We’ll be doing everything we can to make sure that we are not diluting the voices of Black voters in Louisiana and to get those two majority-minority seats.” **Ex. EE.** Rep. Willard had recently received a new leadership role in the House as the chair of the House Democratic Caucus, where in his words, he “lead[s] the caucus of 32 members.” **Ex. DD.**

An influential voice, U.S. Representative Troy Carter, the Congressman for District 2, made similar comments. **Ex. FF.** From beginning to end, his voice was especially important for SB8's passage. Later, just before the vote for SB8's final passage, his remarks were read on the Senate floor. Louisiana State Senate, *Senate Chamber IES Day 3*, at 26:00-27:00 (Jan. 17, 2024), [https://senate.la.gov/s\\_video/VideoArchivePlayer.aspx?v=senate/2024/01/011724SCHAMB](https://senate.la.gov/s_video/VideoArchivePlayer.aspx?v=senate/2024/01/011724SCHAMB) [hereinafter Senate Archive].

During SB8's third reading and final passage, several Senators spoke on the bill. Sen. Womack opened the discussion by presenting SB8 and answering legislators' questions. He said SB8 intentionally created "two congressional districts with a majority of Black voters." *Id.* at 8:47-8:54. He went on to discuss "the boundaries of District 2 and District 6 on your map," and emphasized that both were "over 50% Black voting age population." *Id.* at 9:20-9:35. He went on to state:

Given the State's current demographics, there is not enough high Black population in the Southeast portion of Louisiana to create two majority Black districts and to also comply with the U.S. Constitution's one-person one-vote requirement. That is the reason why District 2 is drawn around Orleans parish while District 6 includes the Black population of East Baton Rouge Parish and travels up the I-49 corridor to include Black population in Shreveport.

*Id.* at 9:35-10:00. Sen. Womack repeatedly referred to the 250 miles between Baton Rouge and Shreveport in District 6 as merely a "corridor." *Id.* at 9:55-10:00, 12:50-12:55.

Sen. Womack repeated throughout his remarks that his primary goal in drafting SB8 was to create two majority-African American districts. He repeatedly referred to District 2 and District 6 as the "minority" or "Black" districts. *Id.* at 9:00-10:40, 16:35-16:43, 18:15.

In an important exchange, Sen. Womack disavowed that he had complied with traditional redistricting criteria. Sen. Jay Morris first asked Sen. Womack about the two majority-minority districts: "Among the factors that you considered, was the community of interest of the district

something that was considered in coming up with this version of the map that we have before us? . . . You didn't consider the community of interests of people having something in common with one another within the district?" *Id.* at 11:10-11:53. Sen. Womack then responded: "No, I didn't because it was, we had to draw two districts and that's the only way we could get two districts . . . ." *Id.* at 11:54-12:05. Sen. Womack also denied that he considered agriculture as a community of interest in District 6. *Id.* at 12:09-12:48.

Sen. Morris also asked Sen. Womack when referring to District 6: "Would you say the heart of the district is Northeast Louisiana, North Central Louisiana?" *Id.* at 12:50-13:05. Sen. Womack responded: "I wouldn't say the heart of that district is that way." *Id.* at 13:05-13:20. He went on to state District 6 simply "had to be drawn like it had to be drawn to pick that up." *Id.* at 13:05-13:20. Sen. Morris asked again: "So is there a heart of the district?" *Id.* at 13:20-13:25. Sen. Womack said: "I don't think it has a heart of the district." *Id.* at 13:25-13:35. Sen. Womack recognized there was no tie or common interest between the district's northern and southern regions. Race was the only reason it extended into far-flung regions of Louisiana.

Sen. Womack, sympathizing with a colleague's concerns, admitted: "Where we had to draw two minority districts, that's the way the numbers worked out. You've worked with redistricting before and you have to work everyone around that the best you can." *Id.* at 18:08-18:30.

Sen. Gary Carter next raised concerns about the "current African American voting age population in District 2" because it was now only "51%." *Id.* at 24:30-25:10. He had "serious concerns" with whether "District 2 continues to perform as an African American district." *Id.* at 25:10-25:25. But despite those concerns about African American "perform[ance]" in District 2, he supported the legislation. *Id.* In making these comments, Sen. Carter demonstrated that he was especially concerned about ensuring a certain percentage of the population was African American

in District 2. Sen. Carter also read and endorsed a statement from Congressman Troy Carter, who currently represents District 2 in the U.S. House of Representatives. He said: “My dear friends and colleagues, as I said on the steps of the Capitol, I will work with anyone who wants to create two majority-minority districts. I am not married to any one map. I have worked tirelessly to create two majority-minority districts that perform. That’s how I know that there may be better ways to craft both of these districts. There are multiple maps that haven’t been reviewed at all. However, the Womack map creates two majority-minority districts and therefore I am supportive of it, and I urge my former colleagues and friends to vote for it while trying to make both districts stronger with appropriate amendment. We do not want to jeopardize this rare opportunity to give African American voters the equal representation they rightly deserve.” *Id.* at 26:00-27:00.

Sen. Royce Duplessis affirmed his intent that SB8 “was about one-third of this State going underrepresented for too long.” *Id.* at 33:00-34:15. “So I think it’s important that we keep the focus on why we’re here today.” *Id.* at 34:15-34:35. His reference to one-third of the State was a reference to the African American population. He went on to state: “Just like Senator Carter, I’m not thrilled with what’s happening in District 2 and the way it’s lowering the numbers,” referring to the numbers of African American voters Sen. Carter discussed. *Id.* at 34:40-34:52. Sen. Duplessis discussed how he had created a map with Sen. Price that “we thought performed better.” *Id.* at 34:52-35:00. He stated he would support SB8 “because he thought it was time to give people of this State fair representation.” *Id.* at 35:25-35:32.

Sen. Thomas Pressly rose in opposition, stating that Northwest Louisiana was “unique from the rest of our State, and I believe that commonalities of interest are important.” *Id.* at 35:55-36:40. He stated: “I cannot support a map that puts Caddo Parish and portions of my district, which is over 220 miles from here, in a district that will be represented by someone in East Baton Rouge

Parish that may or may not have ever even been to Northwest Louisiana and certainly doesn't understand the rich culture, rich important uniqueness of our area of the State.” *Id.* at 36:55-37:23. He went on: “When we look at Louisiana we often talk about North and South. And that division is true. It’s real. I think all of us acknowledge that. The I-10 corridor has unique needs. When we think of the challenges you face with storms, often you think of hurricanes. In North Louisiana we think of tornadoes and ice storms. When you look at the important regions of our States and the diverse industries that we have . . . that is something that we must keep in mind as we continue through this process.” *Id.* at 37:23-38:14. He said: “I am concerned with the important part of this State—Northwest Louisiana—not having the same member of Congress.” *Id.* at 38:14-38:29. He said it made no sense to create two congressional districts and draw District 6 and District 4 “along a line that’s based purely on race.” *Id.* at 38:29-38:40.

SB8 passed the Senate on January 17, 2024, by a vote of 27-11. **Ex. L.** That same day, it was presented in the House and assigned to committee. *Id.* Two days later, Rep. Beau Beaulieu, its sponsor, presented SB8 to the House for debate and final passage. *Id.* In his opening remarks, Rep. Beaulieu stated that SB8 created “two congressional districts with a majority of Black voters.” Louisiana State House of Representatives, House Chamber Day 5, 1ES – SINE DIE, at 2:48:25-2:48:31 (Jan. 19, 2024), [https://house.louisiana.gov/H\\_Video/VideoArchivePlayer?v=house/2024/jan/0119\\_24\\_1ES\\_Day5](https://house.louisiana.gov/H_Video/VideoArchivePlayer?v=house/2024/jan/0119_24_1ES_Day5) [hereinafter House Archive]. Like Sen. Womack, he discussed “the boundaries for District 2 and District 6,” and emphasized that “both” “are over 50% Black voting age population or BVAP.” *Id.* at 2:49:00-2:49:13. Like Sen. Womack, he went on to admit:

Given the State’s current demographics, there is not a high enough Black population in the Southeast portion of Louisiana to create two majority Black districts and to also comply with the U.S. Constitution’s one-vote one-person requirement. That is the reason why District 2 is drawn around Orleans Parish, why District 6 includes

the Black population of East Baton Rouge Parish and travels up the I-49 corridor and the Red River to include Black population in Shreveport.

*Id.* at 2:49:19-2:49:49.

Rep. C. Denise Marcelle agreed that the goal was to get “a second congressional district.”

*Id.* at 2:43:25-2:43:30. The only colleague to question Rep. Beaulieu confirmed this. When Rep. Beryl Amedee asked, “Is this bill intended to create another Black district?” Rep. Beaulieu responded: “Yes, ma’am.” *Id.* at 2:51:00-2:51:17.

Rep. Mike Bayham then rose in opposition, declaring that “St. Bernhard [Parish] has never been split into two congressional districts.” *Id.* at 2:52:07-2:52:10. He continued:

Looking at these precincts, and I know every precinct, I’ve campaigned in every precinct in St. Bernhard, we have two precincts, for example, that are in the second congressional district. One, Precinct 24, gave President Trump 75% of the vote. Precinct 25 gave President Trump 69% of the vote. Those are in the second district. And the first district is Precinct 44 which gave President Biden 83% of the vote. Precinct 45 gave President Biden 85% of the vote. It seems like these precincts were just thrown together like a mechanical claw machine just grabbing people and dropping them off.

*Id.* at 2:52:17-2:23:05. St. Bernhard Parish is divided between District 1 and 2. Rep. Bayham concluded: “We are being told that we have to redraw all of this in a period of less than eight days. That is not how you make sausage. That’s how you make a mess. I cannot in good conscience vote for this bill that divides my community and I will stand by that for my community.” *Id.* at 2:53:10-2:53:33. No other representatives spoke. *Id.*

SB8 passed the House by a vote of 86-16 on January 19, 2024. **Ex. L.** The same day, it returned to the Senate with amendments, where it passed by a vote of 27-11, and went to the Governor’s desk. **Ex. L.** The Governor publicly approved it and signed it into law the following Monday, January 22, 2024, and it became immediately effective. **Ex. L, N, O.**



## **VI. Plaintiffs filed this lawsuit.**

On January 31, 2024, Plaintiffs, voters from all six of the newly enacted congressional districts who plan to vote in the 2024 congressional election, sued the Louisiana Secretary of State in her official capacity under 42 U.S.C. § 1983, challenging the newly enacted congressional districts as unconstitutional under the Fourteenth and Fifteenth Amendments and seeking declaratory and injunctive relief. **Dkt. 1; Ex. GG-RR.** Plaintiffs now request a preliminary injunction, asking this Court to stop the irreparable harm and violation of their constitutional rights and to institute a new map to remedy these constitutional violations.

## **ARGUMENT**

Plaintiffs “seeking a preliminary injunction must establish that (1) they are likely to succeed on the merits, (2) there is a ‘substantial threat’ they will suffer an ‘irreparable injury’ otherwise, (3) the potential injury ‘outweighs any harm that will result’ to the other side, and (4) an injunction will not ‘disserve the public interest.’” *Missouri v. Biden*, 83 F.4th 350, 373 (5th Cir. 2023) (quoting *Atchafalaya Basinkeeper v. U.S. Army Corps of Eng’rs*, 894 F.3d 692, 696 (5th Cir. 2018)). Plaintiffs can establish all four factors, and they respectfully request the Court to enter an injunction to stop the use of SB8 and institute Plaintiffs’ proposed remedial map.

### **I. Plaintiffs are likely to prevail on the merits.**

Plaintiffs are likely to succeed on the merits of both Count I and II. **Dkt. 1.**

#### **a. Hays decides this case.**

*Hays* “presents us with what we in Louisiana call a ‘Goose’ case,” meaning it is almost factually identical to the case before this Court today. *Hays*, 936 F. Supp. at 368. Louisiana is right back where it was 30 years ago. Like the slash district of 1993, District 6 in SB8 today “is approximately 250 miles long.” *Id.* “The District thinly links minority neighborhoods of several

municipalities from Shreveport in the northwest to Baton Rouge in the southeast (with intermittent stops along the way at Alexandria, Lafayette, and other municipalities), thereby artificially fusing numerous and diverse cultures, each with its unique identity, history, economy, religious preference, and other such interests.” *Id.*

In 1993, as now, the Legislature’s racial gerrymandering was not confined to one district. *Cf. id.* at 364 n.17. Abutting districts received super-majority non-African American populations and “disproportionately small” African American populations, thereby “minimiz[ing] the influence” of those African American voters in the super-majority districts. *Cf. id.*

There, as here, there is not only circumstantial evidence of intentional racial segregation based on the map—there is *direct evidence* of statements from legislators in *both* chambers, made as SB8 was being passed, that their intent was to create racially gerrymandered districts. *Cf. id.* at 368-69. In 1993, as now, this is the State’s *second* attempt to create a congressional map based on one Census in the face of an impending congressional election. *Cf. id.* at 364.

Finally, there, as here, this Court cannot remedy the map by ordering yet another do-over. *Cf. id.* at 371-72. Election procedures start too soon, and the likelihood of another constitutional violation is too high. History is repeating itself, and Louisiana must answer for its persistent unconstitutional actions. The State failed to create a redistricting map thirty years ago and has already failed twice this census cycle. How many more years will it take for these unconstitutional racial gerrymanders to cease? Absent action from this Court, there is no end in sight to this madness. Like this Court did thirty years ago, the Court must issue its own map. *Cf. id.* at 371-72.

**b. Plaintiffs are likely to succeed on Count I.**

Plaintiffs are likely to succeed on Count I, racial gerrymandering in violation of the Fourteenth Amendment. The Equal Protection Clause of the Fourteenth Amendment provides: “No

State shall . . . deny any person within its jurisdiction the equal protection of the laws.” U.S. Const. amend. XIV, § 1. The Equal Protection Clause forbids States from racial gerrymandering—that is, “separat[ing] its citizens into different voting districts on the basis of race.” *Miller*, 515 U.S. at 911. That is because “[a]t the heart of the Constitution’s guarantee of equal protection lies the simple command that the Government must treat citizens as individuals, not as simply components of a racial, religious, sexual or national class.” *Id.* (quoting *Metro Broad., Inc. v. FCC*, 497 U.S. 547, 602 (1990) (O’Connor, J., dissenting)). To protect this guarantee, race-based redistricting is subject to strict scrutiny. *Bethune-Hill v. Va. State Bd. of Elecs.*, 580 U.S. 178, 187 (2017).

To trigger strict scrutiny, plaintiffs must first demonstrate that “race was the predominant factor” behind redistricting decisions. *Id.* Then, the burden shifts to the State to satisfy strict scrutiny, the “most rigorous and exacting standard of constitutional review.” *Miller*, 515 U.S. at 920. The State can only meet this “rigorous and exacting standard” if it can prove both that it has a compelling interest in segregating voters based on race and that its racially drawn map is narrowly tailored to achieve that interest. *Id.*

**i. Race was the predominant purpose behind the State’s redistricting.**

To show that race predominated in the State’s calculus, Plaintiffs must show that the State subordinated other traditional redistricting factors—such as compactness, contiguity, respect for communities of interest, natural geographic boundaries, and parish lines—to racial considerations. *Cooper v. Harris*, 581 U.S. 285 (2017); *Allen v. Milligan*, 599 U.S. 1, 35 (2023).

Plaintiffs can rely on “circumstantial evidence of a district’s shape and demographics or more direct evidence going to legislative purpose” or a mix of both to show race was the predominant factor behind the Legislature’s districting decisions. *Bethune-Hill*, 580 U.S. at 187. Plaintiffs do not need to present a specific type of direct or circumstantial evidence. *Cooper*, 581

U.S. at 319 n.4. Here, Plaintiffs have presented sufficient direct and circumstantial evidence that race was not only the State’s predominant purpose behind SB8—race was the State’s sole purpose.

### 1. Direct Evidence

First, Plaintiffs have presented direct evidence “that the State’s [decisionmakers] purposefully established a racial target.” *Cooper*, 581 U.S. at 299. SB8’s author, sponsor, and other lawmakers expressly stated that attaining a certain racial percentage within the districts was the nonnegotiable goal. *Shaw v. Hunt (Shaw II)*, 517 U.S. 899, 906–07 (1996). The legislators “were not coy in expressing that goal” and instead “repeatedly told their colleagues that [the two districts] had to be majority-minority.” *Cooper*, 581 U.S. at 299. Both SB8 author Sen. Womack and sponsor Rep. Beaulieu separately stated that the goal was to create “two congressional districts with a majority of Black voters.” Senate Archive, *supra*; House Archive, *supra*. They claimed they drew “the boundaries for District 2 and District 6” to include “over 50% Black voting age population.” Senate Archive, *supra*; House Archive, *supra*. They said they drew solely with that goal in mind:

Given the State’s current demographics, there is not a high enough Black population in the Southeast portion of Louisiana to create two majority Black districts and to also comply with the U.S. Constitution’s one-vote one-person requirement. *That is the reason why* District 2 is drawn around Orleans Parish, *why* District 6 includes the Black population of East Baton Rouge Parish and travels up the I-49 corridor and the Red River to include Black population in Shreveport.

Senate Archive, *supra* (emphasis added); *see also* House Archive, *supra*. The one question Rep. Beaulieu was asked after presenting SB8 was: “Is this bill intended to create another Black district?” He answered: “Yes.” House Archive, *supra*.

Other lawmakers expressed that the goal was to reach a threshold majority of African American voters in two districts. Sen. Duplessis called it the “focus of why we’re here today.” *Id.* Sen. Carter, for example, stated that he was concerned about District 2 only having a “51%” African American majority, but because the district reached the threshold majority, he approved it.

Senate Archive, *supra*. Sen. Duplessis expressed the same sentiment about “the numbers.” *Id.* Sen. Carter relayed Congressman Carter’s statement that the singular goal was to create “two majority-minority districts.” *Id.* Sen. Carter and Sen. Duplessis discussed the importance of how District 2 would “perform” as an African American majority district. *Id.* Rep. Marcelle discussed the goal to get “a second congressional district.” House Archive, *supra*.

Lawmakers made clear that they did not consider traditional redistricting criteria when fixing these racial quotas. In fact, Sen. Womack disavowed that he had complied with traditional redistricting criteria when drafting SB8. Sen. Jay Morris asked Sen. Womack about the two majority-minority districts: “Among the factors that you considered, was the community of interest of the district something that was considered in coming up with this version of the map that we have before us? . . . You didn’t consider the community of interests of people having something in common with one another within the district?” Senate Archive, *supra*, at 11:10-11:53. Sen. Womack responded: “No, I didn’t because it was, we had to draw two districts and that’s the only way we could get two districts . . .” *Id.* at 11:54-12:05; *see also id.* at 12:09-12:48. Sen. Womack repeatedly referred to the hundreds of miles between Baton Rouge and Shreveport in District 6 as merely a “corridor.” *Id.* at 9:55-10:00, 12:50-12:55. He also admitted: “I don’t think it has a heart of the district.” *Id.* at 13:25-13:35. District 6, he said, simply “had to be drawn like it had to be drawn to pick that up,” referring to African American voters in Northern Louisiana. *Id.* at 13:05-13:20. These remarks show the Legislature found no tie or common interest between the district’s northern region and its southeastern and Acadiana regions. When Sen. Morris raised traditional redistricting criteria concerns, Sen. Womack sympathized but said: “Where we had to draw two minority districts, that’s the way the numbers worked out. You’ve worked with redistricting before and you have to work everyone around that the best you can.” *Id.* at 18:08-18:30.

Neither Sen. Womack nor Rep. Beaullieu (the two sponsors) mentioned compactness in their discussions. It was wholly absent from every proponents' discussion of the bill. Only critics flagged compactness as a special concern. Both sponsors acknowledged the odd shape of District 6 when addressing "why" it narrowly "travels up the I-49 corridor and the Red River." Senate Archive, *supra.*; House Archive, *supra.*

Like the two sponsors, other key legislators admitted that SB8 was based on race, not traditional redistricting criteria. Sen. Pressly stated that the line between District 4 and District 6 was "purely based on race," and did not account for the "commonalities of interest" of people in Northwest Louisiana and the "unique," "rich culture," "industries," and even natural disasters that distinguished the region from the rest of the State. Senate Archive, *supra.* Rep. Bayham also raised concerns about the failure to abide by traditional redistricting criteria. He said the divide between voters in Districts 1 and 2 did not even split on partisan lines. Rather the line-drawing seemed "like a mechanical claw machine just grabbing people and dropping them off." House Archive, *supra.* When Sen. Morris asked whether "communities of interest" were considered, Sen. Womack answered negatively. Senate Archive, *supra.* Traditional redistricting factors were disregarded.

Even if the State had considered race-neutral factors, the record reveals that those "considerations only came into play *only after* the race-based decision had been made." *Bethune-Hill*, 580 U.S. at 189 (quotation omitted) (emphasis added). Race predominated in the decision.

The State also conceded previously that the State could not comply with traditional redistricting criteria by creating two majority-African American districts. *Cf. Miller*, 515 U.S. at 919 (noting that an attorney general's objection to creating "three majority-black districts on the ground that to do so the State would have to 'violate all reasonable standards of compactness and contiguity'" was "powerful evidence that the legislature subordinated traditional districting

principles to race when it ultimately enacted a plan creating three majority-black districts”). Speaking on behalf of the State while serving as Attorney General, Governor Landry said it was “impossible” for the State to create a second majority-African American district without violating the U.S. Constitution and traditional redistricting criteria, “without impermissibly resorting to mere race as a factor” and without engaging in an unconstitutional “racial gerrymander.” **Ex. H at 13-15**. These filings from “a state official,” not to mention one of the key lawmakers in enacting SB8, is “powerful evidence” that the State “subordinated traditional districting principles to race when it ultimately enacted a plan creating [the] majority-black districts.” *Miller*, 515 U.S. at 919.

## **2. Circumstantial Evidence**

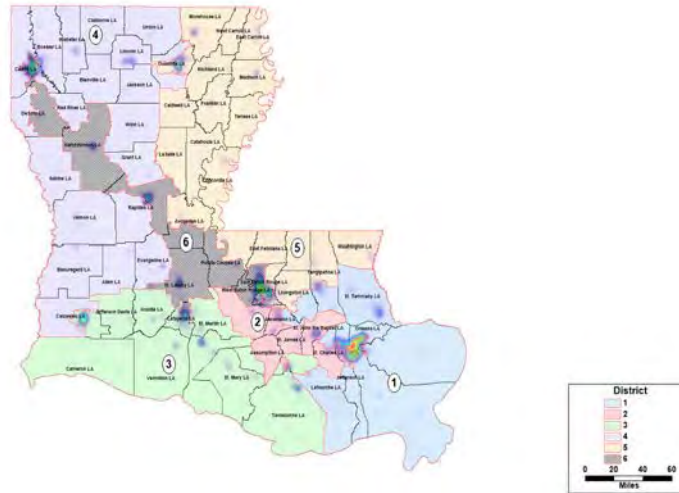
Even without this abundant direct evidence, plentiful circumstantial evidence establishes that the State did not abide by traditional redistricting criteria, including compactness, contiguity, and cohesiveness of communities of interest, but instead drew all six districts based on race.

The State engaged in racial gerrymandering across all six districts, just as it did in all seven districts in 1993. *Cf. Hays*, 936 F. Supp. at 364 n.17 (noting that the racial gerrymandering pervaded in all districts because the Legislature pushed predominately African American “neighborhoods into the majority-minority district” and non-African American ones into the adjoining districts, which required “splitting parishes, splitting precincts, splitting metropolitan areas, and combining distant and disparate geographical, economic, social, religious and cultural groups and areas”). “Districts share borders, after all, and a legislature may pursue a common redistricting policy toward multiple districts.” *Bethune-Hill*, 580 U.S. at 192.

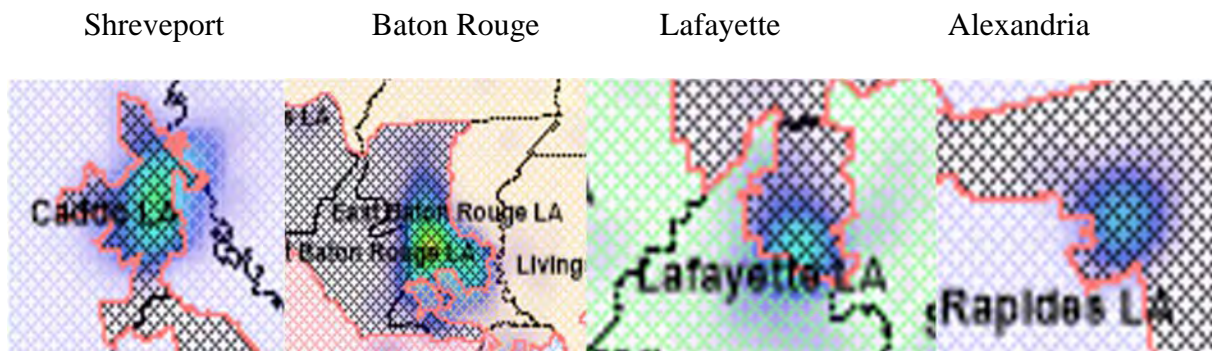
First, the very shape of the districts show that the State simply tried to “connect the dots” of African American voters in Districts 2 and 6 and exclude as many African American voters in Districts 1, 3, 4, and 5. **Ex. A at 22-23**. The largest concentrations of African American voters are



in New Orleans, Baton Rouge, and Shreveport. ***Id.* at 22.** The district lines show the State’s purpose was to pack as many African American voters as possible into Districts 2 and 6. ***Id.* at 23.**



***Id.*** District 6 stretches just far enough to reach African American voters in Northwest Shreveport and Southeast Baton Rouge, not one block further. District 6 takes a sudden detour from its narrow diagonal trek to barely encircle African American voters in Lafayette in the heart of District 3 and Acadiana—a distinct region of Louisiana. A closer view of the lines drawn around the major pockets of African American voters in District 6 demonstrates the intentional gerrymandering.



***Id.*** Other areas with high African American populations, for example, De Soto Parish, were also exactly carved in. ***Id.* at 23-26; Ex. W.** The legislature’s precise tracing around the dots to include as many African American voters as possible and as few non-African American voters as possible demonstrates that it intentionally drew these lines purely based on race.



Second, all the districts are “narrow and bizarrely shaped,” demonstrating that the singular goal was to segregate voters by race. *Milligan*, 599 U.S. at 28 (quoting *Bush v. Vera*, 517 U.S. 952, 965 (1996) (plurality)).

District 6, for example, is a narrow diagonal line that runs along the Interstate 49 corridor. Compared to North Carolina’s infamous slash district that stretched approximately 160 miles along the Interstate 85 corridor and was struck down as an unconstitutional racial gerrymander by the Supreme Court in *Shaw*, this is an easy case. *Id.* at 635. District 6 stretches at least 230 miles between its appendages in Shreveport and Baton Rouge, cities in opposite corners of the State. **Ex. A at 26.** *Cf. Hays*, 936 F. Supp. at 370 (It “meanders for roughly 250 miles from the northwestern corner of the state to the southeast, dividing parishes and municipalities while surgically agglomerating pockets of minority populations along the way.”). It then plunges South to the heart of Cajun Country in Lafayette to encompass African American voters there. In Rapides Parish, it dwindles to a width of 2.7 miles before continuing its snake upward toward Shreveport. **Ex. A at 26.** In DeSoto Parish, it is only 1.9 miles wide. *Id.*; *cf. Miller*, 515 U.S. at 917 (“[I]t was ‘exceedingly obvious’ from the shape of the Eleventh District, together with the relevant racial demographics, that the drawing of narrow land bridges to incorporate within the district outlying appendages containing nearly 80% of the district’s total black population was a deliberate attempt to bring black populations into the district.”). District 6’s appendages are also sinuous, some just a few blocks wide. **Ex. A at 24-26.** Each twist and turn tightly encircles African American voters.

Districts 5 and 4 are equally bizarre. Like a crooked hourglass, District 5’s massive northern and southern portions touch only at a narrow impassible “land bridge[]” demonstrating that this district was an intentional racial gerrymander. *Miller v. Johnson*, 515 U.S. 900, 917 (1995). District

4 is nearly halved by District 6; it extends from northern to southern Louisiana, despite the diverging interests of these two regions. **Ex. P.**

It would be difficult to draw less compact districts. *Shaw v. Reno (Shaw I)*, 509 U.S. 630, 646–48 (1993). District 6 has a compactness score of 0.05, with 0 measuring total non-compactness and 1, total compactness. **Ex. A at 16-17.** Both Districts 4 and 5 score 0.08. **Id. at 17.** District 2 scores just 0.11. **Id.** District 1 and District 3 score 0.16 and 0.19, respectively. **Id.**

The districts also slice and divide many parishes. *Bush v. Vera*, 517 U.S. 952, 974 (1996) (plurality opinion); *Cooper*, 581 U.S. at 301 n.3 (finding a “conflict with traditional redistricting principles” from “split[] numerous counties and precincts”). The plan split (16) parishes into thirty-four (34) parts. **Id. at 10, 14.** The splits affected 2,930,650 people who reside in all districts, or 63% of the State’s total population. **Id. at 10, 14.**

The districts also separate communities of interest and unite disparate groups of people with nothing in common apart from race. Communities of interest are often defined geographically, such as by parishes, cities, and towns. **Id. at 6-7.** They also cluster around groups with a common culture, values, economy, religion, or local tradition. **Id. at 7.** Importantly, communities of interest are determined by the people. **Id. at 5.** Here, the Legislature ignored traditional communities of interest and instead presumed that African American voters all share the same interests and issues because of their race. The Legislature thereby created and defined its own community of interest based solely on racial characteristics. Cities as culturally and economically diverse as Shreveport, Alexandria, Baton Rouge, and Lafayette are linked together only based on race. Senate Archive, *supra* (Sen. Pressly); **Ex. MM**; *cf. Miller*, 515 U.S. at 908-09 (noting that one district “centered around four discrete, widely spaced urban centers that ha[d] absolutely nothing to do with each other, and stretch[ed] the district hundreds of miles across rural counties and narrow swamp

corridors” was a geographic “monstrosity”). The rural areas between these cities are treated as mere land bridges to reach pockets of African American voters, rather than important areas with their own unique ideals, values, cultures, and economic needs. **Ex. A at 21-23, 26.** The disparate needs of Northern and Southern Louisiana are especially stark. Among other things, the South faces hurricanes; the North deals with tornadoes and ice storms. Senate Archive, *supra* (Sen. Pressly). These areas also have divergent industries, agriculture, and economies. *Id.*; **Ex. MM.**

Not only does the map unite different communities of interest, but it also *divides* a larger number of communities of interest. SB8 split 83 municipalities, or over 1.55 million people, as well as dozens of parishes. **Ex. A at 15.** One example is where District 6 carves out a long, narrow peninsula in District 4 even though the cultural and industrial unity of people in Caddo Parish and Northwest Louisiana is incredibly strong. Senate Archive, *supra* (Sen. Pressly).

Additionally, the dramatic changes in percentages of voters by race across districts demonstrates that these fluctuations were not random—they were intentional choices to segregate voters based on race. *Cooper*, 581 U.S. at 310. The chart below records the percentage of African American and non-African American VAP for each district under the 2022 map and the current map, as enacted under SB8. **Ex. F, Q.**

District	2022 African American	2022 Non-African American	SB8 African American	SB8 Non-African American
1	13.482%	86.518%	12.692%	87.308%
2	58.650%	41.350%	51.007%	48.993%
3	24.627%	75.373%	22.568%	77.432%
4	33.820%	66.180%	20.579%	79.421%
5	32.913%	67.087%	26.958%	73.042%

6	23.861%	76.139%	53.990%	46.010%
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In all four majority non-African American districts, racial disparities grew more dramatic. For example, in District 4, the percentage of non-African American voters shot up 13% and the percentage of African American voters decreased proportionally, creating a severe gap between non-African American and African American voters. *Cf. Cooper*, 581 U.S. at 310 (finding that an increase in BVAP of less than 7% was a “sizable jump”). The gap between African American and non-African American voters also grew in Districts 1, 3, and 5. Now all four majority-non-African American districts are super-majority districts, with non-African American voters holding roughly 87%, 79%, 77%, and 73% of the VAP in every single one, and African American voters comprising only 12%, 22%, 20% and 27% of those districts. The State’s goal was to create non-African American super-majorities and to exclude African American voters, “minimizing the *influence*” of African American voters in those districts. *Hays*, 936 F. Supp. at 365 n.17 (“Racial minority political influence in the resulting super-majority districts . . . is either lost or significantly diminished because office holders and office seekers no longer need to heed the voices of the minority residents . . . once their influence has been gerrymandered away.”).

The changes in District 2 and District 6 also demonstrate the State’s racial gerrymandering. District 6 was the most dramatic, swinging from a non-African American majority district to an African American majority district by decreasing and increasing those VAPs by 30%, over *four times greater* than the “sizable jump” observed by the Supreme Court in *Cooper v. Harris*. 581 U.S. at 311. District 2, where the African American population decreased, still demonstrates a racial gerrymander. There, the African American population decreased but held the majority at 51%, a number that both Sen. Carter and Sen. Duplessis noted as sufficient to create a majority-African American district. This choice was deliberate. *Cf. Cooper*, 581 U.S. at 311 (noting the

State’s deliberate decision to increase a district’s BVAP to 50.7% so African Americans would hold a majority indicated racial gerrymandering).

Finally, Plaintiffs have presented an alternative map, which “is helpful but not necessary to meet [their] burden” to show racial predominance. *Cooper*, 581 U.S. at 319. That map includes markedly more compact districts that actually trace communities of interest. **Ex. A. at 28**. At the same time, it retains the core of District 2, which has long elected African Americans around Orleans Parish and its environs. *Id.*

**ii. The State’s racial gerrymandering cannot survive this Court’s strict scrutiny.**

Since Plaintiffs have satisfied their burden to show race predominated in the State’s decision, the State has the burden to satisfy strict scrutiny, meaning the State must show it segregated voters based on race by drawing these districts in pursuit of a compelling state interest, and the resulting segregated districts were narrowly tailored to achieve that compelling interest. *Shaw II*, 517 U.S. at 908. This analysis proceeds in two steps.

First, the State must show it enacted these maps pursuant to a compelling state interest. Only if the State identifies a compelling interest may the State proceed to its second burden, the even more rigorous narrow tailoring requirement.

The Supreme Court has assumed (but never decided) that satisfaction of the Voting Rights Act of 1965, 52 U.S.C. § 10101 (“VRA”) is a compelling interest. But to show the racially gerrymandered districts were narrowly tailored to satisfy the VRA without violating the Constitution, the State must present actual “evidence or analysis supporting [the] claim that the VRA require[s]” the districts as drawn on a district-by-district basis. *Wis. Legislature v. Wis. Elecs. Comm’n*, 595 U.S. 398, 403 (2022) (emphasis added); *see also Bethune-Hill v. Va. State Bd. of*

*Elecs.*, 580 U.S. 178, 191-92 (2017). Not any evidence or analysis suffices. The Supreme Court has required “a strong showing of a pre-enactment analysis with justifiable conclusions.” *Abbott v. Perez*, 138 S. Ct. 2305, 2335 (2018) (citing *Bethune-Hill*, 580 U.S. at 191-92). Courts will not approve a racial gerrymander that proceeds on a legally mistaken view of the VRA. *Cooper*, 581 U.S. at 306. If the State relies on the VRA, its claim will fail for at least two reasons.

First, the State did not engage in “a strong . . . pre-enactment analysis with justifiable conclusions” before it segregated voters into race-based districts. *Abbott v. Perez*, 138 S. Ct. 2305, 2335 (2018). This analysis must be district-by-district. *Bethune-Hill*, 580 U.S. at 191. So even if the State was under the mistaken belief that it could create two majority-African American and four majority-non-African American districts and comply with traditional redistricting criteria, the State’s failure to engage in a strong pre-enactment analysis with justifiable conclusions as to each of the specific districts enacted in SB8 dooms the State’s case.

Second, the State proceeded on a mistaken understanding of the VRA. *Cooper*, 581 U.S. at 305. VRA Section 2 “never require[s] adoption of districts that violate traditional redistricting principles.” *Milligan*, 599 U.S. at 30 (citation omitted); *see also Cooper*, 581 U.S. at 305; *Hays*, 936 F. Supp. at 370 (“[T]he VRA simply does not require the enactment of a second majority-minority district in Louisiana.”). And even if these districts did not violate traditional criteria, VRA Section 2 never requires the State “to maximize the number of reasonably compact majority-minority districts.” *Johnson v. DeGrandy*, 512 U.S. 997, 1022 (1994).

That’s because the VRA should never compel a state to violate the Constitution, and a state’s attempt to “concentrate[] a *dispersed* minority population in a single district by disregarding traditional districting principles such as compactness, contiguity, and respect for political subdivisions” and create a “reapportionment plan that includes in one district individuals who

belong to the same race, *but who are otherwise separated by geographical and political boundaries*,” presents “serious constitutional concerns.” *Milligan*, 599 U.S. at 27 (quoting *Shaw I*, 509 U.S. at 647). VRA claims are rarely successful today because “minority populations’ geographic diffusion” across States and integration of various racial groups often prevents creation of “an additional majority-minority district” that satisfies the compactness requirement. *Milligan*, 599 U.S. at 29. African Americans are a dispersed minority across the State of Louisiana. **Ex. A at 22.** The State’s attempt to force this dispersed group into two districts fails constitutional scrutiny.

Additionally, the State has already conceded that it did not abide by traditional redistricting criteria. It admitted that after the 2020 Census, it is “impossible” that “a second majority-minority district can be drawn without impermissibly resorting to mere race as a factor,” that any attempt to do so would be an unconstitutional “racial gerrymander,” and that attempts to slice voters into districts that could create such a map demonstrate “the exact type of evidence of racial intent that dooms legislative action.” **Ex. H. at 13-15.** These statements alone (even without legislators’ countless statements that they ignored traditional criteria, *see* Senate Archive, *supra*; House Archive, *supra*) show that the State did not follow traditional criteria. *Miller*, 515 U.S. at 919. SB8 is simply not narrowly tailored to meet any alleged interest in complying with the VRA.

**c. Plaintiffs are likely to succeed on Count II.**

Plaintiffs are also likely to succeed on Count II—intentional discrimination in violation of the Fourteenth and Fifteenth Amendments. The Supreme Court has recently reiterated that the Equal Protection Clause forbids not just *Shaw*-style racial classifications, it prohibits *all* discrimination:

These decisions reflect the “‘core purpose’ of the Equal Protection Clause: “do[ing] away with *all* governmentally imposed discrimination based on race.” *Palmore v. Sidoti*, 466 U.S. 429, 432 (1984) (footnote omitted)...

Eliminating racial discrimination means eliminating *all of it*. And the Equal Protection Clause, we have accordingly held, applies “without regard to any differences of race, of color, or of nationality”—it is “*universal* in [its] application.” *Yick Wo v. Hopkins*, 118 U.S. 356, 369 (1886). For “[t]he guarantee of equal protection cannot mean one thing when applied to one individual and something else when applied to a person of another color.” *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265, 289–290 (1978) (opinion of Powell, J.). “If both are not accorded the same protection, then it is not equal.” *Id.* at 290.

*Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181, 206 (2023) (emphases added). The election context is no different.

The Fifteenth Amendment only reinforces these decisions in the election context, as it expressly prohibits discrimination between voters based on race and abridgement of voting rights based on race. *Gomillion v. Lightfoot*, 364 U.S. 339, 342 (1960); U.S. Const. amend. XV, § 1 (“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.”). The Fifteenth Amendment “right to vote” may “be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.” *LULAC v. Edwards Aquifer Auth.*, 937 F.3d 457, 462 (5th Cir. 2019) (quoting *Reynolds v. Sims*, 377 U.S. 533, 555 (1964)). In doing so, the “Fifteenth Amendment nullifies sophisticated as well as simple-minded modes of discrimination.” *Gomillion*, 364 U.S. at 342 (quoting *Lane v. Wilson*, 307 U.S. 268, 275 (1939)).

SB8 has discriminated against Plaintiffs based solely on race. Plaintiffs recognize that no group of voters is entitled to proportional representation under the U.S. Constitution, and the application of traditional race-neutral criteria may often result in the mathematical underrepresentation or overrepresentation of racial, religious, or political groups. But the Constitution clearly protects all racial groups from representational schemes which have as their sole purpose a discriminatory quota that imposes an intentional overrepresentation of voters of a



particular race over all other voters in a jurisdiction. *See Gomillion*, 364 U.S. 339.<sup>3</sup> A claim that an election scheme is based predominantly on such discriminatory racial intent and results in the intended harm is actionable under the Fourteenth and Fifteenth Amendments. *Reno v. Bossier Parish Sch. Bd.*, 520 U.S. 471, 481 (1997); *Fusilier v. Landry*, 963 F.3d 447, 463 (5th Cir. 2020).

As shown above, the legislators’ statements alone prove discriminatory intent. Legislators admitted they intentionally drew these districts to create precisely two majority-African American districts, even while fully aware that this violated all traditional redistricting criteria and enforced a racial quota based on super-proportional representation at the expense of other voters. This cut the majority-non-African American districts from five to four. In doing so, the State sought to “*substantially disadvantage[] certain voters in their opportunity to influence the political process effectively.*” *Shaw I*, 509 U.S. at 663 (White, J., dissenting). That intent alone sufficiently shows discrimination.

Circumstantial evidence also shows discriminatory intent. *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 266 (1977). For example, the history of SB8, the whirlwind session that led to its passage, the special nature of the session announced on the Governor’s first day in office, contemporaneous viewpoints expressed by SB8’s key decisionmakers (discussed at length), and its known discriminatory impact all show that SB8 was passed with discriminatory intent. *Id.* at 266-68; *Fusilier*, 963 F.3d at 463. SB8 was created by means of an irregular procedure. It was the first legislative session after the Governor assumed office, it was a special session to focus exclusively on redistricting, and it was announced by the Governor on his very first day in

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<sup>3</sup> Justice Stevens dissented in *Shaw* and *Miller* because he found the stereotyping harm in both to be insufficient, concluding that “[n]either in *Shaw* itself nor in the cases decided today has the Court coherently articulated what injury this cause of action is designed to redress.” *Miller*, 515 U.S. at 929 (Stevens, J., dissenting). Justice Stevens explained that plaintiffs in those cases had made no showing of “vote dilution ... to an identifiable group of voters” nor could they under the facts. *Id.* (Stevens, J., dissenting). Louisiana’s current redistricting scheme obviates Justice Stevens’s concerns about the missing harm in prior redistricting challenges.

office. SB8 was introduced, passed by both Chambers, and signed by the Governor in a matter of eight days. There was little debate, and the entire process was rushed to create two majority-African American districts and reduce the existing five majority-non-African American districts to four. While the Legislature had spent months travelling across the State and soliciting public input for the prior redistricting law, legislators did not even have time to inform their constituents about the redistricting bill or special session—much less ask their constituents for their opinions and provide proper representation on their behalf. *See* Senate Archive, *supra*, at 28:00-29:30.

Likewise, SB8 had a discriminatory impact and discriminatory effect on Plaintiffs. **Ex. GG-RR.** SB8 undoubtedly “bears more heavily on one race than another.” *Arlington Heights*, 429 U.S. at 266 (citing *Washington v. Davis*, 426 U.S. 229, 242 (1976)). Here, as in *Gomillion*, SB8 imposes an obvious racial preference which hampers the ability of non-African American voters to engage in the typical compromises and influence that would exist in districts drawn consistent with traditional redistricting principles.

Here, the percentage of majority-minority gerrymandered districts compared to total districts is greater than the percentage of the minority’s proportion of the citizen VAP. African Americans constitute a little more than 29% of the citizen VAP. The redistricting intentionally creates two majority-African American districts of the six districts, or slightly more than 33%. Although this gap is not large, the size of the gap is not the point. Instead, it is the intentional creation of the gap that works an injury.<sup>4</sup> Using a mandatory racial quota to not only approach, but to exceed, the African American share of the citizen VAP is an additional concrete harm to all non-

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<sup>4</sup> To the extent any such intentional discrimination could ever be excused by means-end analysis, the State cannot meet strict scrutiny here for the reasons discussed in point I.A.

African American voters, amounting to the application of affirmative action in redistricting, unseen in previous racial gerrymandering cases.<sup>5</sup> *Cf. Students for Fair Admissions, Inc.*, 600 U.S. 181.

## II. Plaintiffs will suffer irreparable injury absent injunctive relief.

Plaintiffs have suffered and will suffer a loss of constitutional rights when they cast their ballots in the 2024 election. Such harm is irreparable without immediate equitable relief. *BST Holdings, LLC v. OSHA*, 17 F.4th 604, 618 (5th Cir. 2021) (“[T]he loss of constitutional freedoms . . . ‘unquestionably constitutes irreparable injury.’” (quoting *Elrod v. Burns*, 347 U.S. 373 (1976))); *see also Book People, Inc. v. Wong*, 91 F.4th 318 (5th Cir. 2024); *Opulent Life Church v. City of Holly Springs, Miss.*, 697 F.3d 279, 294 (5th Cir. 2012); *Deerfield Med. Ctr. v. City of Deerfield Beach*, 661 F.2d 328, 338 (5th Cir. unit B 1981); *DeLeon v. Perry*, 975 F. Supp. 2d 632, 663 (W.D. Tex. 2014), *aff’d sub nom.*, *DeLeon v. Abbott*, 791 F.3d 619 (5th Cir. 2015) (“Federal courts at all levels have recognized that violation of constitutional rights constitutes irreparable harm as a matter of law.”). Racial gerrymandering and discriminatory voting laws create irreparable injuries to voters, requiring “immediate relief.” *United States v. City of Cambridge*, 799 F.2d 137, 140 (4th Cir. 1986); *see also, e.g., Obama for Am. v. Husted*, 697 F.3d 423, 436 (6th Cir. 2012); *Williams v. Salerno*, 792 F.2d 323, 326 (2d Cir. 1986); *cf. Alternative Political Parties v. Hooks*, 121 F.3d 876 (3d Cir. 1997). After all, “once the election occurs, there can be no do-over and redress” for Plaintiffs. *League of Women Voters of N.C. v. North Carolina*, 769 F.3d 224, 247 (4th Cir. 2014). This Court must act now.

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<sup>5</sup> The harm in *Shaw v. Reno* and all its progeny, including *Hays*, arises from stereotyping based on race and is felt by all voters in racially gerrymandered districts. That harm is present in this case as well. But in those earlier racial gerrymandering cases, the percentage of the challenged majority-minority gerrymandered districts compared to total districts was still less than the percentage of the minority’s proportion of the citizen VAP. Here, the reverse is true. Thus, Plaintiffs experience an additional harm by virtue of their race.

### **III. The balance of equities weighs in Plaintiffs' favor.**

The equities favor Plaintiffs. This racial gerrymander violates the constitutional rights of all Louisiana voters of all races who have been stereotyped and districted based on their race and presumed voting characteristics, masking their actual preferences and reducing their influence in their communities. *See Gomillion*, 364 U.S. 339. SB8 separates both sets of voters from their communities and puts them in districts with other voters hundreds of miles away, with whom they have little in common apart from race. **Ex. A, MM.** The result is they do not have the same power to appeal to their representatives—some of whom may have no knowledge of their region or culture. The harms to all voters go even deeper; when the State engages in race-based redistricting, it stereotypes all voters “as the product of their race, evaluating their thoughts and efforts—their very worth as citizens—according to a criterion barred to the Government by history and the Constitution.” *Miller*, 515 U.S. at 912 (quoting *Metro Broad., Inc. v. FCC*, 497 U.S. 547, 604 (1990) (O’Connor, J., dissenting)); *see also Shaw I*, 509 U.S. at 647; *Students for Fair Admissions*, 600 U.S. at 220-21 (quoting *Miller*, 515 U.S. at 911-12, and *Shaw I*, 509 U.S. at 647).

Compared to this, the State’s interests are minimal. Any interest in enforcing a redistricting law that violates constitutional rights is “illegitimate.” *See BST Holdings*, 17 F.4th at 618. That’s especially true in the election context, given that elections are at the heart of democracy and meant to reflect the people’s true democratic choice. Moreover, Plaintiffs’ requested remedy gives Defendant adequate time to enforce the new map in advance of the 2024 congressional election.

### **IV. The preliminary injunction does not weigh against the public interest.**

Finally, a preliminary injunction is in the public interest. *See Ingebrigtsen v. Jackson Pub. Sch. Dist.*, 88 F.3d 274, 280 (5th Cir. 1996) (holding that where an enactment is unconstitutional, “the public interest [is] not disserved by an injunction preventing its implementation”); *DeLeon*,

791 F.3d 619 (“[A] preliminary injunction preventing the enforcement of an unconstitutional law serves, rather than contradicts, the public interest.”); *G & V Lounge, Inc. v. Mich. Liquor Control Comm’n*, 23 F.3d 1071 (6th Cir. 1994) (“[I]t is always in the public interest to prevent the violation of a party’s constitutional rights.”). Prohibiting the Defendant Secretary from implementing SB8 during the pendency of this litigation before election processes begin would merely “freeze[] the status quo,” precisely the purpose of a preliminary injunction. *Wenner v. Tex. Lottery Comm’n*, 123 F.3d 321, 326 (5th Cir. 1997); *see also Univ. of Tex. v. Camenisch*, 451 U.S. 390, 395 (1981).

**V. Conclusion: Plaintiffs are entitled to an injunction of SB8 and issuance of a new map.**

Because Plaintiffs are very likely to succeed on their claims, the remedy is clear: This Court should enjoin use of this map and issue one that remedies Plaintiffs’ rights in advance of the election. *Reynolds v. Sims*, 377 U.S. 533, 585 (1964) (“[O]nce a State’s legislative apportionment scheme has been found to be unconstitutional, it would be the unusual case in which a court would be justified in not taking appropriate action to [e]nsure that no further elections are conducted under the invalid plan.”); *Louisiana v. United States*, 380 U.S. 145, 154 (1965) (noting that in the face of racial discrimination, a district court has “not merely the power but the duty to render a decree which will so far as possible eliminate the discriminatory effects of the past as well as bar like discrimination in the future”); *United States v. Paradise*, 480 U.S. 149, 184 (1987) (noting it is within a district court’s discretion to craft remedies for racial discrimination). Indeed, it would be unusual for a court to not take appropriate action to ensure no elections are conducted under an unconstitutional districting plan. *See, e.g., Wright v. Sumter Cnty. Bd. of Elecs. & Registration*, 361 F. Supp.3d 1296, 1305 (M.D. Ga. 2018), *aff’d*, 979 F.3d 1282 (11th Cir. 2020); *Navajo Nation v. San Juan Cnty.*, 2:12- CV-00039, 2017 WL 6547635, at \*19 (D. Utah Dec. 21, 2017), *aff’d*, 929 F.3d 1270 (10th Cir. 2019) (same).

Injunctive relief should be two-fold. First, the Court should strike down the current map as unconstitutional and enjoin Defendant Secretary of State Nancy Landry from enforcing it. Second, the Court should issue a remedial map for Defendant to use to qualify candidates and carry out the election. Plaintiffs are entitled to this requested relief under either Count I or Count II. Like *Hays*, the State's record here leaves no doubt that it would not follow traditional redistricting criteria and avoid intentional race-based discrimination by enacting a new map. *Hays*, 936 F. Supp. at 372; *see also Hays v. Louisiana*, 862 F. Supp. 119, 124-25 (W.D. La. 1994). Thus, Plaintiffs urge this Court to adopt Illustrative Plan 1. **Ex. A at 12.**

Dated this 7th day of February, 2024

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I do hereby certify that, on this 7th day of February 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record. Additionally, copies of all pleadings and other papers filed in this action to date or to be presented to the Court at the hearing have been mailed to the adverse party.

/s/ Paul Loy Hurd  
Paul Loy Hurd

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**MOTION TO INTERVENE AS DEFENDANTS AND TRANSFER**

Movants Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, National Association for the Advancement of Colored People Louisiana State Conference (“Louisiana NAACP”), and Power Coalition for Equity and Justice (collectively, the “Proposed Intervenor-Defendants”) respectfully move (i) pursuant to Fed. R. Civ. P. 24(a) and (b), for leave to intervene in this action as Defendants as a matter of right, or in the alternative, permissively, and file an answer; and (ii) pursuant to the common law first-to-file rule, *see Save Power Ltd. v. Syntek Fin. Corp.*, 121 F.3d 947, 950 (5th Cir. 1997), to transfer this action to the Middle District of Louisiana for consolidation or coordination with *Robinson v. Ardoin*, No. 3:22-cv-02111-SDD-SDJ.



Pursuant to Rule 24, Proposed Intervenor-Defendants are filing herewith a Proposed Answer to the Complaint. In accordance with Local Rule 7.6, counsel for Proposed Intervenor-Defendants have presented the Proposed Answer to counsel for Plaintiffs, and requested their positions on intervention and transfer. Plaintiffs' counsel oppose intervention and transfer. Proposed Intervenor-Defendants have been unsuccessful in their attempts to ascertain the identity of counsel for Defendants, who have yet to appear before the Court.

DATED: February 7, 2024

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, John Adcock, counsel for Proposed Intervenor-Defendants, hereby certify that on February 7, 2024, I caused a copy of this Motion to Intervene as Defendants and Transfer, to be served on counsel for Plaintiffs of record by electronic service, and on Defendant by mail service to the following addresses:

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**MEMORANDUM OF LAW IN SUPPORT OF  
MOTION TO INTERVENE AS DEFENDANTS AND TO TRANSFER**

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### **PRELIMINARY STATEMENT**

Proposed Intervenor-Defendants (“Movants”) are Black Louisiana voters and civil rights organizations. For nearly two years, they have been actively—and successfully—pursuing claims under Section 2 of the Voting Rights Act (“VRA”) in the pending case of *Robinson, et al. v. Landry*, No. 3:22-cv-02111-SDD-SDJ (M.D. La.). In *Robinson*, Movants seek to compel Louisiana to adopt a congressional district map with two districts that will give Louisiana’s Black voters an equal opportunity to elect candidates of their choice. As a direct consequence of multiple court rulings in their favor on the merits of their Section 2 claims, the Legislature enacted and the Governor signed Senate Bill 8 (“SB8”) to provide for new congressional districting plan with two majority-Black districts. Any changes to the SB8 map that may result from decisions in this case would directly implicate the relief Movants have sought and secured in *Robinson*.

Both *Robinson* and this case center on the same core question: must Louisiana draw a congressional plan with two opportunity districts for Black voters? The district court in *Robinson* has held that it likely must, and two unanimous panels of the Fifth Circuit agreed with that conclusion. Each of those courts has likewise rejected the State’s argument that any efforts to draw a second majority-Black district would require the unconstitutional elevation of race as a predominant districting consideration. Plaintiffs here, meanwhile, contend that Louisiana need not draw a second majority-Black district, and in fact that it cannot constitutionally do so.

Movants should be granted leave to intervene because they have a strong interest in defending the *Robinson* courts’ core factual findings and legal conclusions against the claims in this case that SB8—or any other congressional map with two majority-Black districts—represents an unconstitutional racial gerrymander. They also have a direct interest in ensuring that a map with a second congressional district in which Black voters have an opportunity to elect the candidate of their choice remains in place for the 2024 congressional election. Plaintiffs’ challenge

to SB8 should fail because the shape of the district they challenge represents predominately political rather than racial choices. Moreover, even if Plaintiffs are successful in striking down SB8, this Court would be required to devise a remedial map that complies with Section 2 and the rulings in favor of Movants in *Robinson*, which demonstrate that Louisiana could easily create a second constitutional Black opportunity district consistent with traditional redistricting principles.

Additionally, this case should be transferred to the Middle District of Louisiana, given the ongoing nature of the *Robinson* proceeding and the likelihood that *Robinson* will continue if SB8 is invalidated, to avoid the possibility of conflicting rulings by different courts regarding the same map and duplication of effort with that court.<sup>1</sup>

### **BACKGROUND**

The map at issue in this case, SB8, is the direct result of Movants’ successful litigation of the *Robinson* action. Office of the Governor, *Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting* (Jan. 16, 2024), <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting>. After a week-long evidentiary hearing, during which the district court reviewed 244 exhibits and heard and weighed testimony from 22 witnesses, and based on extensive pre- and post-hearing briefing, Chief Judge Shelly Dick in the Middle District of Louisiana granted Movants a preliminary injunction enjoining enforcement of the State’s previous congressional district plan, concluding that Movants were “substantially likely to prevail on the merits of their claims brought under Section 2 of the Voting Rights Act” and that “[t]he appropriate remedy in this context is a remedial congressional

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<sup>1</sup> Movants have filed in the *Robinson* case a motion requesting that Judge Dick deem that action first-filed. See ECF No. 345, *Robinson v. Landry*, No. 3:22-cv-02111-SDD-SDJ (M.D. La. Feb. 5, 2024). The district court has directed Defendants in that case, including Secretary of State Nancy Landry, to file a response by February 15 and set a status conference in the case for February 21. ECF No. 349.

redistricting plan that includes an additional majority-Black congressional district.” *Robinson v. Ardoin*, 605 F. Supp. 759, 766 (M.D. La. 2022). A motions panel of the Fifth Circuit unanimously denied the defendants’ motion for a stay pending appeal based on its assessment that the defendants were unlikely to overturn the district court’s injunction order, *Robinson v. Ardoin*, 37 F.4th 208, 215 (5th Cir. 2022), and a merits panel subsequently affirmed Chief Judge Dick’s “conclusions that the Plaintiffs were likely to succeed on their claim that there was a violation of Section 2 of the Voting Rights Act,” *Robinson v. Ardoin*, 86 F.4th 574, 583 (5th Cir. 2023). The Fifth Circuit subsequently denied the defendants’ petition for rehearing *en banc*, with no judge on the court asking for a poll on the petition. Order, Dkt. No. 363 at 2, *Robinson v. Ardoin*, No. 22-30333, (5th Cir. Dec. 15, 2023). Chief Judge Dick, at the Fifth Circuit’s direction, gave the Legislature an opportunity to enact a new remedial map, and, in the event Louisiana failed to enact a Section 2 compliant map, established a schedule for trial. The *Robinson* case is still pending and is currently set for trial to begin on March 25, 2024. Dkt. No. 315, *Robinson, et al. v. Landry*, No. 3:22-cv-00211-SDD-SDJ (M.D. La. Nov. 27, 2023).

The Legislature adopted SB8 in an effort by the State to comply with the *Robinson* courts’ rulings and with the VRA, and to avoid the district court imposing its own VRA-compliant remedial map that may not reflect the Legislature’s policy preferences. As the Governor urged the Legislature at the outset of the special session called to adopt a new congressional districting plan, a new plan was necessary because “we have exhausted all legal remedies” and the Legislature should “make the adjustments necessary [and] heed the instructions of the Court.”<sup>2</sup> The Governor called upon the Legislature to adopt its own redistricting plan that reflected the wishes of the

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<sup>2</sup> Office of the Governor, *Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting* (Jan. 16, 2024), <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting>.

Legislature rather than surrender the drafting to Chief Judge Dick, urging the legislature to “take the pen out of the hand of non-elected judges and place it in your hand—the hand of the people.”<sup>3</sup>

Legislator after legislator echoed these sentiments.

The legislative record makes clear that the contours of the new map adopted in SB8 were not predominantly motivated by improper racial considerations on the Legislature’s part as Plaintiffs contend. Instead, the record reflects that the Legislature’s goals were to protect favored congressional incumbents, further the interests of the majority party, and connect communities of interest along the Red River and the I-49 corridor, as well as to comply with the rulings by Chief Judge Dick and the Fifth Circuit.

Throughout the *Robinson* litigation and during the Special Session, Movants had proposed maps that would protect their rights under the VRA, by including two majority-Black districts. Movants’ proposed maps and would also better comply with all traditional redistricting principles(such as geographic compactness and limiting the number of Parish splits) and the guidelines outlined by the Legislature in Joint Rule 21, than the map the Legislature enacted in 2022, which Louisiana used in the 2022 elections. In the *Robinson* litigation, Movants offered a remedial plan with a very different configuration than SB8, with a new majority-Black district extending into the Delta Parishes instead of along the Red River and I-49. Other examples for potential configurations that include two majority-Black districts were provided to the Legislature in 2022.<sup>4</sup>

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<sup>3</sup> *Id.*

<sup>4</sup> See H.B. 4, 1st Spec. Sess. (La. 2022); H.B. 5, 1st Spec. Sess. (La. 2022); H.B. 7, 1st Spec. Sess. (La. 2022); H.B. 8, 1st Spec. Sess. (La. 2022); H.B. 9, 1st Spec. Sess. (La. 2022); H.B. 12, 1st Spec. Sess. (La. 2022); S.B. 2, 1st Spec. Sess. (La. 2022); S.B. 4, 1st Spec. Sess. (La. 2022); S.B. 6, 1st Spec. Sess. (La. 2022); S.B. 9, 1st Spec. Sess. (La. 2022); S.B. 10, 1st Spec. Sess. (La. 2022); S.B. 11, 1st Spec. Sess. (La. 2022); S.B. 16, 1st Spec. Sess. (La. 2022); S.B. 18, 1st Spec. Sess. (La. 2022); Amendment #88 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #99 to H.B.

Movants’ proposed remedial plan and other plans with two majority-Black districts offered in 2022 would have placed incumbent Congresswoman Julia Letlow in a newly created majority-Black district, potentially imperiling her chances for reelection.

In contrast, SB8 places incumbent Congressman Garret Graves in the new majority-Black district, reflecting the Legislature’s political preferences.<sup>5</sup> As the sponsor of SB8 emphasized in presenting the bill and rejecting the *Robinson* Movants’ more compact configurations:

While this is a different map than the plaintiffs in the [Robinson] litigation have proposed, ***this is the only map I reviewed that accomplished the political goals I believe are important*** for my district for Louisiana for my country. While I did not draw these boundaries myself, I carefully considered a number of different map options. I firmly submit that the Congressional voting boundaries which are represented in this bill best achieved ***the goal of protecting Congresswoman Letlow[’s] seat, maintaining strong districts for Speaker Johnson and Majority Leader***

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1, 1st Spec. Sess. (La. 2022); Amendment #153 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #62 to S.B. 2, 1st Spec. Sess. (La. 2022); Amendment #116 to S.B. 5, 1st Spec. Sess. (La. 2022); Amendment #91 to S.B. 5, 1st Spec. Sess. (La. 2022).

<sup>5</sup> Numerous media reports make clear that the map was driven by political goals, including protecting favored Republican incumbents. *E.g.*, Piper Hutchinson, *Graves to lose U.S. House seat under Louisiana redistricting plan that adds minority seat*, LOUISIANA ILLUMINATOR (Jan. 19, 2024), <https://lailluminator.com/2024/01/19/graves-to-lose-u-s-house-seat-under-louisiana-redistricting-plan-that-adds-minority-seat/> (“While no Republican has outwardly said so, Graves was clearly chosen as the Republican sacrifice . . . legislators were explicit about who they wanted to protect . . . [lawmakers] said they would rather approve a map drawn with their political interests in mind rather than allow a judge to do so”); Greg Hilburn, *Garret Graves blasts congressional map as ‘boneheaded’ move by Louisiana governor, Legislature*, SHREVEPORT TIMES (Jan. 23, 2024), <https://www.shreveporttimes.com/story/news/2024/01/23/garret-graves-blasts-new-louisiana-congressional-map-as-boneheaded-move-by-governor-jeff-landry/72318012007/> (“Many believe Landry targeted Graves’ district because the congressman supported Republican Stephen Waguespack in last fall’s governor’s election”); Kelsey Brugger, *Garret Graves defiant as state lawmakers cut up his district*, E&E NEWS (Jan. 19, 2024), <https://www.eenews.net/articles/garret-graves-defiant-as-state-lawmakers-cut-up-his-district/> (“Ostensibly, Landry and the state Legislature are trying to get ahead of Obama-appointed Judge Shelly Dick from redrawing the congressional map to comply with the Voting Rights Act. But observers say interparty [*sic*] politics are also at play.”).

*Scalise, ensuring four Republican districts*, and adhering to the command of the federal court in the Middle District of Louisiana.<sup>6</sup>

In addition to the political and partisan motivation for anchoring the new majority-Black district in Shreveport and Baton Rouge, the Legislature heard testimony and evidence that constructing such a district would keep intact a Red River community of interest. For example, Senator Womack, SB8’s sponsor, noted that the map that became SB8 “goes along the Red River, it’s the I-49 corridor,” and that “[w]e have commerce through there. We have a college through there. We have a lot of ag[riculture], cattlemen, as well as farm[s], row crop, and a lot of people up through that corridor come back to Alexandria using that corridor for their healthcare.”<sup>7</sup>

During the Special Session in January 2024, maps reflecting Movants’ proposed districting configurations were introduced by Senators Price and Duplessis as S.B. 4 and Representative Marcelle as H.B. 5 and are a part of SB8’s legislative record. Those plans were rejected by the Legislature, which chose instead to adopt SB8. The legislative record thus makes clear that the Legislature’s choice of the map that extends from Shreveport to Baton Rouge rather than a map similar to the ones Movants supported was predominantly motivated by politics and policy preferences rather than race. Although the Legislature ultimately chose a different configuration than those Movants preferred, SB8 does provide a second Black opportunity district, as Movants sought, and may, if approved by Chief Judge Dick and not disturbed in this parallel litigation, provide a basis for resolving the *Robinson* litigation.

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<sup>6</sup> See Statement of Senator Womack, at 33:50 – 34:22 (Jan. 16, 2024), [https://senate.la.gov/s\\_video/VideoArchivePlayer?v=senate/2024/01/011624SG2](https://senate.la.gov/s_video/VideoArchivePlayer?v=senate/2024/01/011624SG2).

<sup>7</sup> See Statement of Senator Womack, at 03:56 – 04:22 (Jan. 18, 2024), [https://redist.legis.la.gov/default\\_video?v=house/2024/jan/0118\\_24\\_HG\\_P2](https://redist.legis.la.gov/default_video?v=house/2024/jan/0118_24_HG_P2).

### **ARGUMENT**

Movants should be granted leave to intervene because they have a “direct, substantial, [and] legally protectable” interest in defending SB8 and in protecting their rights under the VRA, *New Orleans Pub. Serv., Inc. v. United Gas Pipe Line Company*, 732 F.2d 452, 463 (5th Cir. 1984), and those interests would be gravely impaired if Plaintiffs prevail in this case. Courts have recognized the appropriateness of intervention in precisely this circumstance, where prior litigants seek to defend a district map drawn to ensure compliance with Section 2. *See, e.g., Clark v. Putnam Cnty.*, 168 F.3d 458, 460 (11th Cir. 1999); *Johnson v. Mortham*, 915 F. Supp. 1529, 1536 (N.D. Fla. 1995); *United Jewish Orgs. of Williamsburg, Inc. v. Carey*, 430 U.S. 144, 151-53 (1977). And Black and other registered voters regularly intervene in racial gerrymandering cases to defend legislative maps. *See, e.g., Easley v. Cromartie*, 532 U.S. 234, 241 (2001); *Lawyer v. Dep’t of Justice*, 521 U.S. 567, 572 (1997); *Clark*, 168 F.3d at 462 (collecting cases); *Theriot v. Par. of Jefferson*, No. CIV. A. 95-2453, 1996 WL 517695, at \*1 (E.D. La. Sept. 11, 1996). Nor can Defendant—the Louisiana Secretary of State—adequately represent Movants’ interests in this case. Defendant is herself a defendant in the *Robinson* action, and (as the Complaint makes clear) her predecessor aggressively contested Movants’ claims in that action for nearly two years. The other factors relevant under Rules 24(a) and 24(b) likewise warrant granting Movants leave to intervene.

The Court should also transfer this action to the Middle District of Louisiana for consolidation or coordination with the *Robinson* action pursuant to the first-to-file rule in view of the substantial factual and legal overlap between this case and *Robinson*, both of which centrally concern the lawfulness of Louisiana’s congressional map, and to avoid the potential for conflicting rulings if two actions involving the same fundamental issues are litigated in two different courts.



**I. Movants Should Be Granted Intervention**

Intervention is appropriate pursuant to Rule 24 of the Federal Rules of Civil Procedure as a matter of right and, alternatively, by permission. Rule 24(a) requires federal courts to grant intervention by right to a non-party who “claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant’s ability to protect its interest, unless existing parties adequately represent that interest.” Fed. R. Civ. P. 24(a)(2). Alternatively, Rule 24(b) authorizes courts to permissively allow intervention by non-parties who raise “a claim or defense that shares with the main action a common question of law or fact.” Fed. R. Civ. P. 24(b)(1)(B). “Rule 24 is to be liberally construed” in favor of intervention. *Brumfield v. Dodd*, 749 F.3d 339, 341 (5th Cir. 2014). Intervention should be granted—whether as of right or at the court’s discretion—“where no one would be hurt and the greater justice could be attained.” *Tex. v. U.S.*, 805 F.3d 653, 656 (5th Cir. 2015) (citations omitted); *see also Wal-Mart Stores, Inc. v. Tex. Alcoholic Beverage Comm’n*, 834 F.3d 562, 565 (5th Cir. 2016). The court’s inquiry is “flexible” and should be based on a “practical analysis of the facts and circumstances of each case.” *Brumfield*, 749 F.3d at 341. Movants satisfy the requirements for intervention as of right and, in the alternative, for permissive intervention under Fed. R. Civ. P. 24.

**A. Movants Are Entitled to Intervene as of Right**

Intervention as of right must be granted where a party satisfies Rule 24(a)’s four prerequisites: (1) “the application for intervention must be timely”; (2) “the applicant must have an interest relating to the property or transaction which is the subject of the action”; (3) “the applicant must be so situated that the disposition of the action may, as a practical matter, impair or impede his ability to protect that interest”; and (4) “the applicant’s interest must be inadequately represented by the existing parties to the suit.” *See Brumfield*, 749 F.3d at 341. Courts in the Fifth

Circuit construe Rule 24(a) liberally, “with doubts resolved in favor of the proposed intervenor.” *Energy Gulf States La., L.L.C. v. EPA*, 817 F.3d 198, 203 (5th Cir. 2016) (internal quotation marks omitted).

Movants satisfy each of the requirements of Rule 24(a).

**1. This Motion is Timely**

There can be no question that Movants’ motion is timely. Courts in this Circuit assess four factors to determine the timeliness of an intervention motion: (1) the length of time the potential intervenor waited to file; (2) the prejudice to the existing parties from any delay that may result from a grant of intervention; (3) the prejudice to the potential intervenor if intervention is denied; and (4) any unusual circumstances when determining the timeliness of an intervention motion. *See, e.g., Stallworth v. Monsanto Co.*, 558 F.2d 257, 264-66 (5th Cir. 1977).

The filing of this motion is timely. The Complaint was filed less than a week ago, and no other action has taken place. Courts routinely permit intervention at a far more advanced stage. *See Edwards v. City of Houston*, 78 F.3d 983, 1000 (5th Cir. 1996) (finding that motion to intervene filed after “only 37 and 47 days . . . [was] not unreasonable”); *Students for Fair Admissions, Inc. v. Univ. of Tex. at Austin*, 338 F.R.D. 364, 368-69 (W.D. Tex. 2021) (motion to intervene timely when filed nearly five months after complaint); *United States v. Commonwealth of Virginia*, 282 F.R.D. 403, 405 (E.D. Va. 2012) (“Where a case has not progressed beyond the initial pleading stage, a motion to intervene is timely.”); *Mullins v. De Soto Securities Co.*, 3 F.R.D. 432, 433 (W.D. La. 1944) (finding motion to intervene timely during the initial pleading stage); *see also Wal-Mart Stores, Inc.*, 834 F.3d at 565 (motion to intervene timely when filed after discovery had commenced because it did not seek to delay the litigation). The docket does not reflect that Defendant has even been served, and Defendant has yet to file a responsive pleading.

Intervention at this early stage of the litigation will not prejudice any of the existing parties to the action. “This factor is concerned only with the prejudice caused by the applicants’ delay, not that prejudice which may result if intervention is allowed.” *Edwards*, 78 F3d at 1002. Given the early stage of the proceedings, the proposed intervention will not cause any material delay, the existing parties will not be prejudiced by intervention.

Lastly, Movants would be severely prejudiced if intervention is denied. As discussed above, Movants have extensively and successfully litigated their claim that a Louisiana congressional districting plan with fewer than two majority-Black districts dilutes their votes in violation of Section 2 of the Voting Rights Act. And as explained below, no other party has the same interest as Movants in ensuring the rulings in their favor in *Robinson* are not undermined.

**2. Movants Have A Strong Interest in the Maintenance of Two Majority-Black Congressional Districts in Louisiana and in Protecting the Legal Rulings in Their Favor in *Robinson*.**

Under Rule 24(a), proposed intervenors must have a “direct, substantial, [and] legally protectable” interest in the subject matter of this litigation. *New Orleans Pub. Serv., Inc.*, 732 F.2d at 463. “[A]n interest that by itself could be a case or controversy will meet the requirement, but ... it is not necessary for an intervenor to have a right to bring suit independently.” *N.A.A.C.P., Inc. v. Duplin Cnty., N.C.*, No. 7:88-CV-00005-FL, 2012 WL 360018, at \*3–4 (E.D.N.C. Feb. 2, 2012) (citing *U.S. v. Philip Morris USA Inc.*, 566 F.3d 1095, 1145 (D.C. Cir. 2009)). In addition, the Fifth Circuit has held that in cases involving matters of public interest brought by a public interest group, the “interest requirement may be judged by a more lenient standard.” *La Union del Pueblo Entero v. Abbott*, 29 F.4th 299, 305 (5th Cir. 2022) (quoting *Brumfield*, 749 F.3d at 344). Movants—both the individual voters, as well as the Louisiana NAACP and Power Coalition—plainly satisfy this requirement. Their claims implicate distinct legally protectable interests that warrant intervention.

Specifically, Movants have a legally protectable interest in defending legislation brought about through the *Robinson* litigation against the same party who is the Defendant in this litigation. The Fifth Circuit has held that parties with a concrete and particularized interest in the maintenance of government policies they helped bring about or that protect their individual interests may intervene as of right. In *City of Houston v. American Traffic Solutions, Inc.*, for example, the Fifth Circuit held that individual organizers who “engineered the drive that led to a city charter amendment over the nearly unanimous, well funded, and longstanding opposition of the Mayor and City Council” had a legally protected interest for purposes of Rule 24(a) in litigation challenging the amendment. 668 F.3d 291, 294 (5th Cir. 2012). Here, Movants have succeeded through the *Robinson* litigation in securing the passage of SB8 and protecting against the unlawful vote dilution in congressional elections in violation of Section 2, and they have an interest in ensuring that their success in that effort is not undermined or reversed in this case.

Additionally, even if protecting the rulings in their favor in *Robinson* were not enough, the individual Movants have a stake in this case because the relief Plaintiffs seek would impair their right to vote. As demonstrated in the *Robinson* litigation, any districting congressional districting plan without two opportunity districts for Black voters in Louisiana denies the individual Movants their rights under Section 2 of the Voting Rights Act. That threat to Movants’ right to vote alone is sufficiently concrete and specific to support intervention. See *League of United Latin American Citizens, District 19 v. City of Boerne*, 659 F.3d 421, 434 (5th Cir. 2011) (interest in protecting the intervenors’ interest in voting in at-large elections, which could be adversely affected by litigation, was sufficient to support intervention as of right). The Individual Movants “plainly have an interest in this action sufficient to satisfy Rule 24(a), since the action challenges the legality of a redistricting plan that implicates their voting rights.” *Shaw v. Hunt*, 1993 WL 13149438 at \*1

(E.D.N.C Nov. 3, 1993).

The Louisiana NAACP and Power Coalition likewise have a legally protectable interest sufficient to satisfy the Fifth Circuit’s “lenient” standard. *La Union del Pueblo Entero*, 29 F.4th at 305 (quoting *Brumfield*, 749 F.3d at 344). The Louisiana NAACP has members who reside in every congressional district in Louisiana, including CD 2 and CD 6, who have a right under Section 2 to have an equal opportunity to elect candidates of choice. *See Johnson v. Mortham*, 915 F. Supp. at 1538 (Florida NAACP had a “protectable interest” in the litigation “to the extent [they] represent[ed] voters” within the challenged district). In addition, both the Louisiana NAACP and Power Coalition have a direct interest in this action by virtue of their long history of working to engage Black voters across the state of Louisiana in the political process. The Louisiana NAACP and Power Coalition expend considerable resources educating, mobilizing, and registering voters throughout the state, and the “claims brought by [Plaintiffs] could affect [their] ability to participate and maintain the integrity of the election process” for Black voters across the state. *La Union del Pueblo Entero*, 29 F.4th at 304, 306 (where organizations that expend “substantial resources towards educating, mobilizing, assisting, training, and turning out voters, volunteers, and poll watchers” had a “direct and substantial interest in the proceedings”).

Accordingly, Movants have demonstrated sufficiently concrete, legally protectable interests that support intervention by right.

**3. Disposition of Plaintiffs’ Racial Gerrymandering Claims Would Impair Movants’ Opportunity to Elect a Candidate of Choice**

Prospective intervenors “must demonstrate only that the disposition of the action ‘may’ impair or impede their ability to protect their interests.” *Brumfield v. Dodd*, 749 F.3d 339, 344 (5th Cir. 2014) (citation omitted). “Though the impairment must be ‘practical’ and not merely

‘theoretical,’ [applicants] need only show that if they cannot intervene, there is a possibility that their interest could be impaired or impeded.” *La Union del Pueblo Entero*, 29 F.4th at 307.

Movants readily satisfy this requirement, as they would be severely prejudiced if intervention is denied. As noted, the district court and two panels of the Fifth Circuit have unanimously concluded that Movants are likely to prevail on their claim that they and other Black Louisiana voters must be afforded the opportunity to elect candidates of choice in two majority-Black congressional districts. As also discussed above, SB8 was enacted in recognition of those rulings.

Yet Plaintiffs in this action seek a declaration from the Court that SB8 is an unconstitutional racial gerrymander and that the State “could not create two majority-African American districts without violating the U.S. Constitution.” Compl. ¶ 9. Movants will be gravely harmed if they are precluded from defending the map that was the direct result of their litigation in *Robinson* or from defending against Plaintiffs’ claim that the Voting Rights Act cannot require the adoption of a different map with two majority Black districts. *Id.* ¶¶ 99-107. Furthermore, Movants will be harmed if they are precluded from participating in any proceeding (as Plaintiffs request) “institut[ing] a congressional map that remedies” the alleged constitutional infirmities in SB8. *See, e.g., League of United Latin Am. Citizens*, 659 F.3d at 434 (explaining that a movant for intervention would be “severely prejudiced” if his motion was denied, where there was no other mechanism to persuade the court of his injury under the Voting Rights Act).

If Plaintiffs prevail here, Movants and other Black Louisiana voters will be deprived of the second majority-Black congressional district that the *Robinson* court held the Voting Rights Act likely requires, and that they finally received after years of fighting for this outcome in litigation. *See La Union del Pueblo Entero*, 29 F.4th at 307 (impairment requirement satisfied where statute

“grants rights” to proposed intervenors that “could be taken away if the plaintiffs prevail”); *see also Shaw*, 1993 WL 13149438 at \*1 (ruling striking down the enacted plan as unconstitutional would impair the proposed intervenors’ interest because it could “result in the adoption of an alternative redistricting plan which was unfavorable to the[ir] political interests”). Similarly, “[i]f the district court either partially or fully grants the relief sought by [Plaintiffs], [Movants] will have to expend resources to educate their members [and voters across the state] on the shifting situation in the lead-up to the [2024] election.” *La Union del Pueblo Entero*, 29 F.4th at 307. Movants’ interests thus could be practically impaired as a result of this litigation, warranting intervention as a matter of right.

**4. The Existing Parties Do Not Adequately Represent Movants’ Interests**

The burden to show inadequate representation “should be treated as minimal.” *Trbovich v. United Mine Workers of Am.*, 404 U.S. 528, 538 n.10 (1972); *see also Brumfield*, 749 F.3d at 345. The applicant need only show that the existing parties’ representation “may be” inadequate, *see Trbovich*, 404 U.S. at 538 n.10, not that it “will be, for certain, inadequate.” *La Union del Pueblo Entero*, 29 F.4th at 307–08 (quoting *Tex.*, 805 F.3d at 661). The Fifth Circuit recognizes a presumption of adequate representation where (i) the would-be intervenor has the same ultimate objective as a party, which may be overcome by showing adversity of interests, collusion, or nonfeasance on the part of an existing party; or (ii) where the putative representative is a governmental body or officer charged with representing the intervenor’s interests, which may be overcome if the intervenor shows that the interest is in fact different from that of the governmental entity and the interest will not be represented by the entity. *See Tex.*, 805 F.3d at 662–63.

Neither presumption applies here. Plaintiffs plainly do not represent Movants’ interests. On the contrary, their claims directly threaten the maintenance of two majority-Black districts in Louisiana, which the district court in *Robinson* held is likely required by Section 2 of the VRA.

*See Robinson v. Ardoin*, 86 F.4th 574 (5th Cir. 2023) (holding that district court did not err in its analysis that plaintiffs were likely to succeed on the merits of claim that VRA requires two majority-Black districts in Louisiana); *see also League of United Latin Am. Citizens*, 659 F.3d at 435 (existing parties opposed relief intervenor sought and therefore did not adequately represent his interest).

Defendant likewise cannot be relied upon to adequately represent Movants' interests. *See Tex.*, 805 F.3d at 661; *Brumfield*, 749 F.3d at 346 ("The lack of unity in all objectives, combined with real and legitimate additional or contrary arguments, is sufficient to demonstrate that the representation *may* be inadequate"). As the Complaint itself acknowledges, the defendants in *Robinson*, including the Defendant here, aggressively opposed Movants' claims for over two years, and the Legislature adopted SB8 only after repeated court rulings in Movants' favor. *See City of Houston v. American Traffic Solutions, Inc.*, 668 F.3d 291, 294 (5th Cir. 2012) (city may inadequately represent interests of intervenors who enacted city charter amendment over city's opposition, where intervenors demonstrated interest in cementing their victory and defending the amendment, and an unfavorable ruling would mean "their money and time will have been spent in vain."). State officials have continued to insist that they disagree with these court rulings and adopted SB8 only as a matter of prudence because their litigation options had been exhausted. For example, in opening the January 2024 special session of the Legislature, Governor Landry—who was himself a defendant in *Robinson* in his previous position as Attorney General—said:

I have done everything I could to dispose of this litigation. I defended the re-districting plan adopted by this body as the will of the people . . . We have exhausted ALL legal remedies . . . Let's make the adjustments necessary, heed the instructions



of the Court, take the pen out of the hand of non-elected judges and place it in your hand – the hand of the people.”<sup>8</sup>

Likewise, Louisiana’s new Attorney General stated: “We have exhausted all reasonable and meaningful avenues for legal remedies available to us. Now, we have a federal judge holding her pen in one hand and a gun to our head in the other.”<sup>9</sup> Movants cannot be asked to have their interests in this action represented by State officials who vigorously litigated against their claims and continue to express their disagreement with the court decisions in Movants’ favor.

The Defendant cannot be expected to adequately represent the interests of Movants for other reasons as well. Movants’ principal interest is assuring that their votes and those of other Black Louisiana voters are not unlawfully diluted. Defendant, as the principal State official charged with overseeing State elections, has asserted multiple interests, including “maintaining the continuity of representation in its districting plans” and the efficient administration of elections. Dkt. No. 101 at 18, 20-21, *Robinson v. Landry*, 22-cv-211-SDD-SDJ (Apr. 29, 2022). These differences in interest likewise cut against any finding that Defendant can represent Movants’ interests here. *See Brumfield*, 749 F.3d at 346 (intervenors did not share all of the state’s “many interests,” which “surely” might result in adequate representation); *Wal-Mart Stores, Inc. v. Tex. Alcoholic Beverage Comm’n*, 834 F.3d 562, 569 (5th Cir. 2016) (state defendant’s representation was inadequate where the proposed intervenor’s private interests “are narrower than” the defendant’s “broad public mission”).

Movants thus satisfy all of the requirements for intervention as of right and their motion to intervene under Rule 24(a) should be granted.

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<sup>8</sup> Office of the Governor, *Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting* (Jan. 16, 2024), <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting>.

<sup>9</sup> Attorney General Liz Murrill (@AGLizMurrill), X (Jan. 16, 2024, 4:53 PM), <https://twitter.com/AGLizMurrill/status/1747376599446516056>.

**B. In the Alternative, the Court Should Grant Permissive Intervention**

Rule 24(b)(1) provides that, on timely motion, “the court may permit anyone to intervene who . . . has a claim or defense that shares with the main action a common question of law or fact.” The court “must consider whether the intervention will unduly delay or prejudice the adjudication of the original parties’ rights.” Fed. R. Civ. P. 24(b)(3). Courts may also consider whether the existing parties adequately represent the prospective intervenor’s interests and whether the intervenors will significantly contribute to fully developing the factual record. *See Kneeland v. Nat’l Collegiate Athletic Ass’n*, 806 F.2d 1285, 1289 (5th Cir. 1987). As with intervention as of right, Rule 24 is to be “liberally construed” and “[f]ederal courts should allow intervention when no one would be hurt and the greater justice could be attained.” *See Wal-Mart Stores, Inc.*, 834 F.3d at 565 (citations omitted).

For the reasons already stated, Movants’ motion is timely, and poses no risk of delay or prejudice to the original parties. *See supra* Section I(A)(1). And, as discussed, Movants’ interests are not adequately represented by the existing parties. *See supra* Section I(A)(4). That leaves only the question of whether Movants have a claim or defense that shares a common question of law or fact presented in this action.

There are ample common questions of law and fact between this case and *Robinson*. The court has “broad discretion” to allow intervention where the proposed intervenor “has a claim or defense that shares with the main action a common question of law or fact.” *Hanover Ins. Co. v. Superior Lab. Servs., Inc.*, 179 F. Supp. 3d 656, 667 (E.D. La. 2016). Indeed, this case turns on multiple questions of law or fact that are at the heart of Movants’ claims in *Robinson*. The core legal question in cases is whether Louisiana permissibly may or indeed must draw a congressional plan with two majority-Black districts. Plaintiffs contend that Louisiana need not draw a second

majority-Black congressional district: the legal question central to the *Robinson* litigation, which Movants vigorously dispute. *See, e.g.*, Ex. A at 27. And even the constitutional issue itself overlaps with *Robinson*, where both the district court and the Fifth Circuit have *rejected* the State's argument that efforts to draw a second Black-opportunity district would necessarily violate the Constitution—the same argument that Plaintiffs recycle here, and that Movants again dispute.

Plaintiffs' claims, Defendants' defenses, and Movants' anticipated defenses arise from Louisiana's redistricting process following the 2020 decennial census, the subsequent litigation prosecuted by Movants, and the enactment of SB8 in response to *Robinson*. Because Movants are still litigating the Louisiana congressional map's compliance with the VRA, and have done so for nearly two years, they are uniquely situated to contribute to full development of the factual record in this case. Adjudication of Movants' defenses would efficiently resolve the factual and legal questions arising from the enactment of SB8 and facilitate full development of the factual record.

Accordingly, permissive intervention under Rule 24(b) should be granted.

## **II. This Case Should Be Transferred to the Middle District of Louisiana**

In addition to allowing Movants to intervene, this Court should transfer this case to the Middle District of Louisiana, where the *Robinson* action is pending and remains active. This case raises substantially similar issues to the first-filed and currently pending *Robinson* action, which risks duplicative dispositions and waste of judicial resources, and thus should be transferred under the well-settled first-to-file rule. Plaintiffs' claims concerning SB8 should be heard in the Middle District, where Chief Judge Dick has overseen years of litigation relating to Louisiana's obligations under the VRA, the constitutionality of alternative congressional maps, and the implementation of a new congressional map in accordance with federal law, and has heard and weighed extensive documentary evidence and lay and expert testimony on these issues. If this Court were to issue the injunction and declaration Plaintiffs seek and proceed to a remedial phase,

it would significantly risk conflict with the proceedings in the *Robinson* action. Transfer to the Middle District would benefit the parties, the witnesses, and the court system by allowing for adjudication of the substantially overlapping issues in this action and the *Robinson* action in a single, finally determined action.

The Fifth Circuit has “long advocated that district courts exercise their discretion to avoid duplication of proceedings where related claims are being litigated in different districts.” *Schauss v. Metals Depository Corp.*, 757 F.2d 649, 654 (5th Cir. 1985). Under the “first-to-file” rule applied in this Circuit, “[c]ourts prophylactically refus[e] to hear a case raising issues that might substantially duplicate those raised by a case *pending* in another court.” *Def. Distributed v. Platkin*, 55 F.4th 486, 494 (5th Cir. 2022) (citations omitted). Neither the substance of the cases nor the parties need to overlap perfectly. *Harris Cnty., Tex. v. CarMax Auto Superstores Inc.*, 177 F.3d 306, 319 (5th Cir. 1999) (citations omitted). “[T]he crucial inquiry is one of substantial overlap.” *In re Amerijet Int’l, Inc.*, 785 F.3d 967, 976 (5th Cir. 2015) (citations omitted). In deciding whether a substantial overlap exists, courts in the Fifth Circuit consider “whether core issues are the same or whether much of the proof adduced would likely be identical.” *Cormeum Lab Servs., LLC v. Coastal Lab’ys, Inc.*, No. CV 20-2196, 2021 WL 5405219, at \*3 (E.D. La. Jan. 15, 2021). “Where overlap between two suits is less than complete, the judgment is made case-by-case, based on such factors as the extent of overlap, the likelihood of conflict, the comparative advantage, and the interest of each forum in resolving the dispute.” *State v. Biden*, 538 F. Supp. 3d 649, 653–54 (W.D. La. 2021) (citations omitted).

The first-filed rule does not require perfect overlap of issues or parties. “Instead, the crucial inquiry is one of ‘substantial overlap.’” *In re Amerijet Int’l, Inc.*, 785 F.3d 967, 976 (5th Cir. 2015), as revised (May 15, 2015) (citations omitted). To determine if substantial overlap exists, the Fifth

Circuit “has looked at factors such as whether ‘the core issue . . . was the same’ or if ‘much of the proof adduced . . . would likely be identical.’” *Int’l Fid. Ins. Co. v. Sweet Little Mexico Corp.*, 665 F.3d 671, 678 (5th Cir. 2011) (citations omitted). Even where the overlap between two suits is “less than complete,” the first-filed rule can still be applied on a “case by case [basis], based on such factors as the extent of overlap, the likelihood of conflict, the comparative advantage and the interest of each forum in resolving the dispute.” *Id.*; see, e.g., *Salazar v. Bloomin’ Brands, Inc.*, No. 2:15-CV-105, 2016 WL 1028371, at \*4 (S.D. Tex. Mar. 15, 2016) (finding “imperfect overlap” but “conclud[ing] that the risk of conflict and the courts’ comparative interests in these actions favor transfer”). This is a textbook case for application of the first-to-file rule.

In their Complaint, Plaintiffs ask this Court to strike down SB8 as a violation of the Equal Protection Clause and “institute a congressional districting map” that, according to the Plaintiffs, may not constitutionally include a second majority-Black district. Should Plaintiffs succeed in invalidating SB8, the *Robinson* plaintiffs are entitled to a trial on their Section 2 claim. And should the *Robinson* plaintiffs prevail—which, again, two panels of the Fifth Circuit and the district court held they are likely to do—the *Robinson* district court must then order a congressional plan containing two majority-Black districts to be implemented, pursuant to the Fifth Circuit’s instructions on remand, no later than the end of May 2024. The result of a ruling such as the Plaintiffs seek here, in other words, is that two separate federal district courts will simultaneously be charged with crafting new and likely conflicting congressional maps, both of which cannot be implemented, leaving the Secretary of State—a defendant in both cases—in the impossible position of having to violate one court’s order or the other.

Even if competing maps could be avoided, allowing two courts to proceed in parallel in adjudicating these overlapping claims and factual questions would violate one of the primary goals of the first-filed rule: avoiding “piecemeal resolution of issues that call for a uniform result.” *Cadle*

*Co. v. Whataburger of Alice, Inc.*, 174 F.3d, 599, 603 (5th Cir. 1999). It is hard to imagine an issue less suited for competing decisions than a State’s congressional redistricting plan. Redistricting cannot tolerate dueling decisions on the relationship between the VRA, the Fourteenth Amendment, and the State’s congressional plan. Ultimately, the 2024 elections will need to be held under a single plan. Of course, that plan cannot simultaneously respect the *Robinson* court’s ruling that Louisiana must have a second Black-opportunity district, *and* the ruling Plaintiffs seek here, which might preclude that very same second Black-opportunity district.

In short, allowing this case to proceed before this Court would force the Court to consider legal issues and evidence that the *Robinson* court has already weighed. Worse, it risks “the waste of duplication,” a “ruling[] which may trench upon the authority of” another federal district court, and “piecemeal resolution of issues that call for a uniform result.” *W. Gulf Mar. Ass’n v. ILA Deep Sea Local 24*, 751 F.2d 721, 729 (5th Cir. 1985). Applying the first-filed rule and transferring this case to the Middle District of Louisiana would alleviate those concerns and the Court should do so here.

### **CONCLUSION**

For the foregoing reasons, this Court should permit Movants to intervene in this action under Fed. R. Civ. P. 24 and file Movants’ answer to the complaint. The Court should also transfer this case to the Middle District in accordance with the first-to-file rule.

DATED: February 7, 2024

Respectfully submitted,

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES, and  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**[PROPOSED] ANSWER OF INTERVENOR-DEFENDANTS TO PLAINTIFFS’  
COMPLAINT**

Proposed Intervenor-Defendants Press Robinson, Alice Washington, Clee Ernest Lowe, Ambrose Sims, Edgar Cage, Dorothy Nairne, Davante Lewis, Edwin René Soulé, Martha Davis, Louisiana State Conference of the NAACP, and Power Coalition for Equity and Justice hereby answer the Complaint of Plaintiffs Phillip Callais, Lloyd Price, Bruce Odell, Elizabeth Ersoff, Albert Caissie, Daniel Weir, Joyce Lacour, Candy Carroll Peavy, Tanya Whitney, Mike Johnson, Grover Joseph Rees, and Rolfe McCollister and assert their Affirmative Defenses as follows:

**INTRODUCTION**

1. Intervenor-Defendants admit the allegations in Paragraph 1 of the Complaint.
2. Intervenor-Defendants deny the allegations in Paragraph 2 of the Complaint.

3. Intervenor-Defendants admit that the image below Paragraph 3 represents the map enacted through S.B. 8 but deny the remaining allegations in Paragraph 3.

4. Intervenor-Defendants deny the allegations in Paragraph 4, except to refer to the published decision in *Hays v. Louisiana*, 936 F. Supp. 360 (W.D. La. 1996), for its contents, and deny that *Hays* has any application here.

5. Intervenor-Defendants deny the allegations in Paragraph 5 of the Complaint.

### **JURISDICTION**

1. The allegations in Paragraph 1 constitute legal conclusions to which no response is required.<sup>1</sup> To the extent a response is required, Intervenor-Defendants admit that 42 U.S.C. §§ 1983 and 1988, and 28 U.S.C. §§ 1331, 1343(a)(3), and 1343(a)(4) confer jurisdiction over the claims asserted in the Complaint but lack knowledge or information sufficient to form a belief as to whether this case raises a case or controversy under Article III of the U.S. Constitution.

2. The allegations in Paragraph 2 constitute legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants admit the allegations in Paragraph 2.

3. The allegations in Paragraph 3 constitute legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 3, except lack knowledge or information sufficient to form a belief as to the truth of Plaintiffs' allegations concerning the districts in which the Plaintiffs reside.

4. The allegations in Paragraph 4 constitute legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants admit that the Court has

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<sup>1</sup> Paragraph numbering in the Complaint restarts at 1 in each section. In addition, all of the sections are numbered "I". The paragraphs in this [Proposed] Answer are numbered in accordance with the paragraph in the complaint to which they respond.

authority to award declaratory and injunctive relief under the statutes identified in Paragraph 4 but deny that Plaintiffs are entitled to such relief.

### **PARTIES**

1. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1.

2. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2.

3. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3.

4. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4.

5. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5.

6. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6.

7. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 7.

8. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 8.

9. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 9.

10. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10.

11. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 11.

12. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12.

13. Intervenor-Defendants admit the allegation in Paragraph 13 that Defendant Nancy Landry is the Secretary of State of Louisiana. The remaining allegations in Paragraph 13 constitute legal conclusions to which no response is required. To the extent a response is required, the allegations are admitted, except to refer to the statutes and cases cited for their contents.

14. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14.

15. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegation concerning the districts in which the Plaintiffs reside, and Intervenor-Defendants deny the remaining allegations in Paragraph 15.

16. Intervenor-Defendants deny the allegations in Paragraph 16.

17. Intervenor-Defendants deny the allegations in Paragraph 17.

18. Intervenor-Defendants deny the allegations in Paragraph 18.

19. Intervenor-Defendants deny the allegations in Paragraph 19.

#### **STATEMENT OF FACTS**

1. Intervenor-Defendants admit the allegations in Paragraph 1.

2. Intervenor-Defendants admit the allegations in Paragraph 2.

3. Intervenor-Defendants admit the allegations in Paragraph 3.

4. Intervenor-Defendants admit the allegations in Paragraph 4.

5. Intervenor-Defendants deny the allegations in Paragraph 5 except admit that the State of Louisiana opposed a motion for a preliminary injunction filed by the plaintiffs in *Robinson v. Ardoin*, a federal court challenge to the congressional plan filed on March 30, 2022, refer to the State's brief in opposition to the preliminary injunction for its contents, and deny the substance of the quoted language. *Intervenor-Defendant the State of Louisiana's Combined Opposition to Plaintiffs' Motions for Preliminary Injunction, Robinson v. Ardoin*, No. 3:22-cv-00211-SDD-SDJ (M.D. La. Apr. 29, 2022), ECF 108.

6. Intervenor-Defendants deny the allegations in Paragraph 6.

7. Intervenor-Defendants deny the allegations in Paragraph 7, refer to the State's submissions in the *Robinson* litigation for their contents, admit that the State's briefing in the *Robinson* litigation included the language quoted in Paragraph 7, and deny the substance of the quoted language.

8. Intervenor-Defendants deny the allegations in Paragraph 8, except to refer to the State's submissions in the *Robinson* litigation for their complete and accurate contents, and deny the substance of the arguments to which Paragraph 8 refers.

9. Intervenor-Defendants deny the allegations in Paragraph 9.

10. Intervenor-Defendants deny the allegations in Paragraph 10, except admit that the District Court for the Middle District of Louisiana granted a preliminary injunction in favor of the plaintiffs in *Robinson*, and refer to the decisions and orders of the district court, the Fifth Circuit, and the Supreme Court for their contents.

11. Intervenor-Defendants admit the allegations in Paragraph 11.

12. Intervenor-Defendants admit the allegations in Paragraph 12.

13. Intervenor-Defendants deny the allegations in Paragraph 13, except admit that Governor Landry called a special legislative session on his first day in office, and that redistricting Louisiana's congressional districts was one of the stated objectives for which the special session was called.

14. Intervenor-Defendants deny the allegations in Paragraph 14, except to refer to Governor Landry's statement for its contents.

15. Intervenor-Defendants deny the allegations in Paragraph 15, except admit that Senator Womack introduced S.B. 8 during the special session and that S.B. 8 was a bill to redistrict Louisiana's congressional districts, and refer to Senator Womack's statements during the special session for their contents.

16. Intervenor-Defendants admit the allegations in Paragraph 16.

17. Intervenor-Defendants admit the allegations in Paragraph 17.

18. Intervenor-Defendants deny the allegations in Paragraph 18.

19. Intervenor-Defendants admit the allegations in Paragraph 19.

20. Intervenor-Defendants lack information or knowledge sufficient to admit or deny the allegations in Paragraph 20.

21. Intervenor-Defendants deny the allegations in Paragraph 21.

22. Intervenor-Defendants admit that S.B. 8's enacted District 6 includes parts of Shreveport, Lafayette, Alexandria, and Baton Rouge. Intervenor-Defendants deny the remaining allegations in Paragraph 22.

23. Intervenor-Defendants lack information or knowledge sufficient to admit or deny the allegations in Paragraph 23 concerning the Legislature's intent in drafting Districts 6 and 2 and in

the second sentence and image contained in Paragraph 23. Intervenor-Defendants deny the remaining allegations in Paragraph 23.

24. Intervenor-Defendants admit that Baton Rouge and Shreveport are slightly less than 250 miles apart. Intervenor-Defendants deny the remaining allegations in Paragraph 24.

25. Intervenor-Defendants deny the allegations contained in Paragraph 25, except to refer to the map adopted pursuant to S.B. 8 for its contents.

26. Intervenor-Defendants deny the allegations contained in Paragraph 26, except to refer to the map adopted pursuant to S.B. 8 for its contents.

27. Intervenor-Defendants admit that District 6 contains ten parishes, and that it includes parts of Caddo, De Soto, Rapides, Lafayette, Avoyelles, and East Baton Rouge Parishes, deny the remaining allegations contained in Paragraph 27, and refer to the map adopted pursuant to S.B. 8 for its contents.

28. Intervenor-Defendants admit that District 2 includes parts of Ascension, St. Charles, Jefferson, St. Bernard, and Orleans Parishes, deny the remaining allegations contained in Paragraph 28, and refer to the 2024 First Extraordinary Session, Act No. 2 (S.B. 8) for its contents.

29. Intervenor-Defendants deny the allegations in Paragraph 29, except admit that four of the six congressional districts created by S.B. 8 are majority-white.

30. The allegations in Paragraph 30 constitute a legal conclusion to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 30.

31. Intervenor-Defendants deny the allegations in Paragraph 31, except to refer to the map adopted pursuant to S.B. 8 for its contents.

32. Intervenor-Defendants deny the allegations in Paragraph 32, except to refer to the map adopted pursuant to S.B. 8 for its contents.

33. Intervenor-Defendants deny the allegations in Paragraph 33, except to refer to the map adopted pursuant to S.B. 8 for its contents.

34. Intervenor-Defendants admit that the Polsby-Popper score for District 6 is .05. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations concerning the Polsby-Popper scores of the remaining districts in S.B. 8, and deny the remaining allegations in Paragraph 34.

35. Intervenor-Defendants deny the allegations in Paragraph 35.

36. Intervenor-Defendants deny the allegations in Paragraph 36.

37. Intervenor-Defendants deny the allegations in Paragraph 37.

38. Intervenor-Defendants admit the allegation in Paragraph 38 that the racial composition of the districts in S.B. 8 differs from the racial composition of the districts in the State's 2022 enacted map, and deny the remaining allegations in Paragraph 38.

39. Intervenor-Defendants admit the allegations in Paragraph 39.

40. Intervenor-Defendants admit the allegations in Paragraph 40.

41. Intervenor-Defendants admit that the largest change in Black VAP occurred in Congressional District 6, but otherwise deny the allegations in Paragraph 41.

42. Intervenor-Defendants admit the allegations in Paragraph 42.

43. Intervenor-Defendants admit the allegations in Paragraph 43 that the non-Black VAP increased in S.B. 8's Congressional Districts 1, 3, 4, and 5 and decreased in District 6 in comparison to the congressional map enacted in 2022, but otherwise deny the allegations in Paragraph 43.



44. Intervenor-Defendants admit the allegations in Paragraph 44.

45. Intervenor-Defendants admit the allegations in Paragraph 45.

46. Intervenor-Defendants deny the allegations in Paragraph 46, except to refer to Senator Womack's statements for their complete and accurate contents.

47. Intervenor-Defendants deny the allegations in Paragraph 47, except to refer to Senator Womack's statements for their complete and accurate contents.

48. Intervenor-Defendants deny the allegations in Paragraph 48.

49. Intervenor-Defendants deny the allegations in Paragraph 49, except to refer to Senator Womack's and Senator Morris's statements for their complete and accurate contents.

50. Intervenor-Defendants deny the allegations in Paragraph 50, except to refer to Senator Womack's statements for their complete and accurate contents.

51. Intervenor-Defendants deny the allegations in Paragraph 51, except to refer to Senator Womack's and Senator Morris's statements for their complete and accurate contents.

52. Intervenor-Defendants deny the allegations in Paragraph 52, except to refer to Senator Womack's and Senator Morris's statements for their complete and accurate contents.

53. Intervenor-Defendants deny the allegations in Paragraph 53, except to refer to Senator Carter's and Congressman Carter's statements for their complete and accurate contents.

54. Intervenor-Defendants deny the allegations in Paragraph 54, except to refer to Senator Jackson's statements for their complete and accurate contents.

55. Intervenor-Defendants deny the allegations in Paragraph 55, except to refer to Senator Jackson's statements for their complete and accurate contents.

56. Intervenor-Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 56 concerning what Senator Duplessis was referring to in

his statement and deny the remaining allegations in Paragraph 56, except to refer to Senator Duplessis's statements for their complete and accurate contents.

57. Intervenor-Defendants deny the allegations in Paragraph 57, except to refer to Senator Pressly's statements for their complete and accurate contents.

58. Intervenor-Defendants admit the allegations in Paragraph 58.

59. Intervenor-Defendants admit the allegations in Paragraph 59.

60. Intervenor-Defendants deny the allegations in Paragraph 60, except to refer to Representative Beaulieu's statements for their complete and accurate contents.

61. Intervenor-Defendants deny the allegations in Paragraph 61, except to refer to Representative Marcelle's statements for their complete and accurate contents.

62. Intervenor-Defendants deny the allegations in Paragraph 62, except to refer to Representative Beaulieu's and Representative Amedee's statements for their complete and accurate contents.

63. Intervenor-Defendants admit that St. Bernard Parish is divided between Districts 1 and 2 in S.B. 8. Intervenor-Defendants deny the remaining allegations in Paragraph 63, except to refer to Representative Bayham's statements for their complete and accurate contents.

64. Intervenor-Defendants lack information or knowledge sufficient to admit or deny Paragraph 64. Intervenor-Defendants deny Paragraph 64 to the extent it suggests that the complete statements of any of the representatives quoted are included in the Complaint.

65. Intervenor-Defendants admit the allegations in Paragraph 65.

66. Intervenor-Defendants admit the allegations in Paragraph 66.

67. Intervenor-Defendants lack information or knowledge sufficient to admit or deny the allegations in Paragraph 67 concerning Representative Willard's statements to the media.

Intervenor-Defendants admit that Representative Willard is the chair of the House Democratic Caucus. Intervenor-Defendants deny the remaining allegations in Paragraph 67.

68. Intervenor-Defendants lack information or knowledge sufficient to admit or deny the allegations in Paragraph 68.

69. Intervenor-Defendants admit that Congressman Carter held a press conference on January 15, 2024 and that he issued a press release containing the quoted statements, and refer to the press release for its complete and accurate contents. Intervenor-Defendants lack information or knowledge sufficient to admit or deny Paragraph 69's allegations concerning Congressman Carter's purpose in holding the press conference. Intervenor-Defendants otherwise deny the allegations in Paragraph 69.

70. Intervenor-Defendants lack information or knowledge sufficient to admit or deny the allegations in Paragraph 70, except admit that Congressman Carter currently represents Congressional District 2.

71. Intervenor-Defendants lack information or knowledge sufficient to admit or deny the allegations in Paragraph 71.

72. Intervenor-Defendants admit the allegations in Paragraph 72.

73. Intervenor-Defendants admit the allegations in Paragraph 73.

74. Intervenor-Defendants admit the allegations in Paragraph 74 to the extent that there were eight days, inclusive, from the introduction of S.B. 8 in the Senate on the first day of the Special Session until the Governor signed S.B. 8, as amended, into law. Intervenor-Defendants lack information or knowledge sufficient to admit or deny the remaining allegations in Paragraph 74.

## **COUNT I**

75. Intervenor-Defendants incorporate their responses to the above paragraphs by reference as if set forth fully herein.

76. Intervenor-Defendants admit that the Fourteenth Amendment to the U.S. Constitution provides that “[n]o State shall . . . deny any person within its jurisdiction the equal protection of the laws.” Intervenor-Defendants deny the remaining allegations in Paragraph 76.

77. Paragraph 77 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 77.

78. Paragraph 78 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants admit the allegations in Paragraph 78.

79. Paragraph 79 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 79.

80. Intervenor-Defendants deny the allegations in Paragraph 80.

81. Intervenor-Defendants deny the allegations in Paragraph 81.

82. Intervenor-Defendants deny the allegations in Paragraph 82.

83. Intervenor-Defendants deny the allegations in Paragraph 83, except to refer to Senator Womack’s and Representative Beaulieu’s statements for their complete and accurate contents.

84. Intervenor-Defendants deny the allegations in Paragraph 84, except to refer to Representative Beaulieu’s statements for their complete and accurate contents.

85. Intervenor-Defendants deny the allegations in Paragraph 85.

86. Intervenor-Defendants deny the allegations in Paragraph 86, except to refer to Senator Womack’s statements for their complete and accurate contents.

87. Intervenor-Defendants deny the allegations in Paragraph 87, except to refer to the statements by Senator Pressly, Senator Duplessis, Senator Carter, and Representative Marcelle for their complete and accurate contents.

88. Intervenor-Defendants lack information or knowledge sufficient to admit or deny the allegations in Paragraph 88 regarding Senator Carter's or Senator Duplessis's concerns. Intervenor-Defendants deny the remaining allegations in Paragraph 88, except to refer to the statements by Senator Carter and Senator Duplessis for their complete and accurate contents.

89. Intervenor-Defendants deny the allegations in Paragraph 89, except to refer to the statements by Senator Pressly, Representative Bayham, Senator Morris, and Senator Womack for their complete and accurate contents.

90. Intervenor-Defendants deny the allegation in the first sentence in Paragraph 90. Intervenor-Defendants deny the allegations in Paragraph 90 purporting to represent Governor Landry's litigation position in the *Robinson* litigation, except to refer to the State's submissions in the *Robinson* litigation for their complete and accurate contents.

91. Intervenor-Defendants deny the allegations in Paragraph 91.

92. Intervenor-Defendants deny the allegations in Paragraph 92.

93. Intervenor-Defendants deny the allegations in Paragraph 93, except to refer to the map adopted by S.B. 8 for its contents.

94. Intervenor-Defendants deny the allegations in Paragraph 94.

95. Intervenor-Defendants deny the allegations in Paragraph 95.

96. Intervenor-Defendants admit that District 6 splits six parishes, but deny that District 2 divides seven parishes. Intervenor-Defendants deny the remaining allegations in Paragraph 96.

97. Intervenor-Defendants deny the allegations in Paragraph 97.

98. Paragraph 98 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 98, except to refer to the *Shaw II* opinion and other relevant cases and authorities for their contents.

99. Paragraph 99 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants admit that compliance with Section 2 of the VRA is a compelling state interest but deny that compliance with Section 2 does not allow for race-conscious districting or even racially predominant districting narrowly tailored to achieve compliance with Section 2. Intervenor-Defendants deny the remaining allegations in Paragraph 99, except to refer to the cited cases and other relevant legal authorities for their complete and accurate contents.

100. Paragraph 100 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 100 except to refer to the cited cases and other relevant legal authorities for their complete and accurate contents.

101. Paragraph 101 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 101.

102. Intervenor-Defendants deny the allegations in Paragraph 102, except to refer to the State's submissions in the *Robinson* litigation for their contents.

103. Intervenor-Defendants deny the allegations in Paragraph 103.

104. Intervenor-Defendants deny the allegations in Paragraph 104.

105. Paragraph 105 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 105.

106. Intervenor-Defendants deny the allegations in Paragraph 106.

107. Intervenor-Defendants deny the allegations in Paragraph 107.

108. Intervenor-Defendants deny the allegations in Paragraph 108.

## **COUNT II**

109. Intervenor-Defendants incorporate their responses to the above paragraphs by reference as if set forth fully herein.

110. Intervenor-Defendants deny the allegations in Paragraph 110, except to refer to the cited cases and other relevant legal authorities for their complete and accurate contents.

111. Paragraph 111 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 111, except to refer to the cited cases and other relevant legal authorities for their complete and accurate contents.

112. Paragraph 112 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 112.

113. Paragraph 113 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 113, except to refer to the cited cases and other relevant legal authorities for their complete and accurate contents.

114. Paragraph 114 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 114.

115. Paragraph 115 contains legal conclusions to which no response is required. To the extent a response is required, Intervenor-Defendants deny the allegations in Paragraph 115.

116. Intervenor-Defendants deny the allegations in Paragraph 116.

117. Intervenor-Defendants deny the allegations in Paragraph 117.

118. Intervenor-Defendants deny the allegations in Paragraph 118.

119. Intervenor-Defendants deny the allegations in Paragraph 119.

120. Intervenor-Defendants deny the allegations in Paragraph 120.

### **INTERVENOR-DEFENDANTS' AFFIRMATIVE DEFENSES**

1. *First Affirmative Defense:* Plaintiffs fail to state a claim upon which relief may be granted.

2. *Second Affirmative Defense:* Plaintiffs have not been deprived of any federal constitutional rights because the plan adopted and approved by the Louisiana State Legislature on January 22, 2024 does not violate the United States Constitution.

3. *Third Affirmative Defense:* The State's compelling interest in achieving compliance with Section 2 of the Voting Rights Act of 1965 required the State to draw a plan with two congressional districts in which Black Louisianans can elect candidates of their choice.

4. *Fourth Affirmative Defense:* Plaintiffs are unable to establish the elements required for injunctive or declaratory relief.

5. Intervenor-Defendants reserve the right to amend their defenses and to add additional ones including lack of subject matter jurisdiction based on the mootness or ripeness doctrines, as further information becomes available in discovery or on any other basis permitted by the Federal Rules of Civil Procedure.

### **PRAYER FOR RELIEF**

WHEREFORE Intervenor-Defendants pray that this court dismiss Plaintiffs' claims in their entirety, with prejudice, and award Intervenor-Defendants such other and further relief, including attorney's fees, as the Court deems necessary and proper.



DATED: February 7, 2024

Respectfully submitted,

By: /s/ Tracie L. Washington

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**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

PHILIP CALLAIS, LLOYD PRICE, )		
BRUCE ODELL, ELIZABETH ERSOFF, )		
ALBERT CAISSIE, DANIEL WEIR, )		
JOYCE LACOUR, CANDY CARROLL )		
PEAVY, TANYA WHITNEY, MIKE )		
JOHNSON, GROVER JOSEPH REES, )		
ROLFE MCCOLLISTER, )		
	)	Case No. 3:24-cv-00122-DCJ-CES-RRS
Plaintiffs,	)	
	)	
v.	)	District Judge David C. Joseph
	)	Circuit Judge Carl E. Stewart
NANCY LANDRY, IN HER OFFICIAL )		District Judge Robert R. Summerhays
CAPACITY AS LOUISIANA )		
SECRETARY OF STATE, )		Magistrate Judge Kayla D. McClusky
	)	
Defendant.	)	

**PLAINTIFFS’ RESPONSE TO MOTIONS TO INTERVENE  
AND MOTION TO TRANSFER**

Plaintiffs Philip Callais, Lloyd Price, Bruce Odell, Elizabeth Ersoff, Albert Caissie, Daniel Weir, Joyce LaCour, Candy Carroll Peavy, Tanya Whitney, Mike Johnson, Grover Joseph Rees, Rolfe McCollister (collectively, “Plaintiffs”), by and through their counsel, submit the following response to the Motion to Intervene as Defendants and Transfer of Movants Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, National Association for the Advancement of Colored People Louisiana State Conference, and Power Coalition for Equity and Justice (collectively, “Robinson Movants”) (**Doc. 18**), and the Motion to Intervene of Movants Edward Galmon, Sr., Ciara Hart, Norris Henderson, Tramelle Howard, and Dr. Ross Williams (collectively, “Galmon Movants”) (**Doc. 10**).

For the reasons set forth more fully in the attached memorandum of law, Plaintiffs request that the Court deny both Motions. First, Plaintiffs request that the Court deny both Motions to Intervene (**Doc. 10, 18**), or at the very least deny Galmon Movants' Motion to Intervene, given that their interests in intervention are especially weak and their interests are adequately represented by the State and cumulatively represented if Robinson Movants are permitted to intervene. Plaintiffs also request that this Court deny Robinson Movants' Motion to Transfer (**Doc. 18**) because this Court must hear and decide the case pursuant to 28 U.S.C. § 2284; venue is proper in this tribunal; there is no Article III case or controversy in the proposed transferee Court; and the first-to-file principle does not apply.

Dated this 14th day of February, 2024

**PAUL LOY HURD, APLC**

/s/ Paul Loy Hurd

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**CERTIFICATE OF SERVICE**

I do hereby certify that, on this 14th day of February 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record.

/s/ Edward D. Greim  
Edward D. Greim

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

PHILIP CALLAIS, LLOYD PRICE, )  
 BRUCE ODELL, ELIZABETH ERSOFF, )  
 ALBERT CAISSIE, DANIEL WEIR, )  
 JOYCE LACOUR, CANDY CARROLL )  
 PEAVY, TANYA WHITNEY, MIKE )  
 JOHNSON, GROVER JOSEPH REES, )  
 ROLFE MCCOLLISTER, )

Plaintiffs, )

v. )

NANCY LANDRY, IN HER OFFICIAL )  
 CAPACITY AS LOUISIANA )  
 SECRETARY OF STATE, )

Defendant. )

Case No. 3:24-cv-00122-DCJ-CES-RRS

District Judge David C. Joseph  
 Circuit Judge Carl E. Stewart  
 District Judge Robert R. Summerhays  
 Magistrate Judge Kayla D. McClusky

**PLAINTIFFS' MEMORANDUM IN RESPONSE  
TO MOTIONS TO INTERVENE AND MOTION TO TRANSFER**

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## INTRODUCTION

The Callais Plaintiffs brought this claim seeking speedy relief from a January 2024 Congressional redistricting map (“SB8”) that racially gerrymanders them (and all Louisianians) into six districts based solely on race. The facts will show that the State started with a goal of drawing two majority African American districts, an impermissible racial quota. It then traced nearly the same bizarre district outline that this Court invalidated 30 years ago as an obvious racial gerrymander. This jagged gash cuts hundreds of miles across the state to nearly-perfectly carve in clusters of African American voters. It encompasses no community of interest and earns nearly the lowest score possible on most compactness scales. The Movants, two sets of plaintiffs<sup>1</sup> from an earlier case, seem to actually agree that a two-majority-minority district goal predominated, but for them, this was SB8’s core feature, not a bug. They then seem prepared to argue that the bizarre shape and mathematically precise inclusion of African American voters was consistent with a non-racial political deal. If this is all Movants can add to the State’s defense of SB8, then it should quickly fall both as a racial gerrymander under the Fourteenth Amendment and as invidious discrimination and vote dilution under the Fourteenth and Fifteenth Amendments.

What, then, is the harm of adding Movants as parties defendant under Rule 24? Simply this: Movants have no intention of litigating before this Court or any other three-judge court. They seek instead to trigger a delay-inducing round of procedural briefing. This allegation is not made lightly, but Movants’ papers do not inspire confidence. They fail to even cite the controlling statute, 28 U.S.C. § 2284(a), which requires that the current three-judge court try and issue a judgment in

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<sup>1</sup> The Plaintiffs here will designate them as the “Robinson” and “Galmon” Movants based on the first-named plaintiffs in two cases, brought by two separate groups of attorneys, that were consolidated into an earlier case, *Robinson, et al. v. Landry*, 605 F. Supp. 3d 759 (M.D. La. 2022), *vacated and remanded*, 86 F.4th 574 (5th Cir. 2023). As will be seen, the Galmon Movants also include one newly-recruited individual who did not participate in *Robinson*. Even with this new recruit, the basic characteristics of the Galmon Movants add nothing, for standing or relief purposes, to the slightly more diverse characteristics of the Robinson Movants, which include two associations claiming associational standing.

this case; they presumably plan to spring their position in Replies. Nor does either Movant reveal to this Court that they had made filings in *Robinson*—over which Chief Judge Dick solely presides in the Middle District of Louisiana—admitting that they have no objections to litigate over SB8. They instead tell this Court that a *Robinson* trial is set for March 2024—but, given their *Robinson* filings, trial over what? Movants again seem to be reserving their Replies to answer these obvious questions. Finally, the Movants are apparently re-filing the parties’ filings before this Court in *Robinson*, but they are failing to disclose key *Robinson* filings in this Court. This hides the ball.

All of this aside, familiar principles require that neither intervention nor transfer should be granted. Movants’ interest in a map with two majority-minority districts is not legally protectable and in any event is adequately protected by the State, which everyone agrees drew SB8 with precisely that goal. The individual Movants uniformly claim to endorse SB8 for drawing two majority-minority districts, yet it has no discernible impact on half of them. For others, SB8 may move them out of true majority-minority district into a district that can’t perform. These Movants have no legally protectable interest in trading off their own voting strength just to see other members of their race gain districts elsewhere. If the Court has any doubt, the Galmon Movants—and an entirely duplicative set of lawyers, experts, and schedules—can be eliminated because for standing and remedy purposes, the Robinson Movants have them totally covered.

Finally, there is no good-faith basis for transfer. The Robinson Movants refused to provide any basis for transfer—even upon request—in a perfunctory pre-motion email. Venue is proper here; only this Court can have jurisdiction under 28 U.S.C. § 2284; the *Robinson* Court no longer has a case or controversy; and the first-to-file principle can’t apply. For all of these reasons, both Motions to Intervene and the Motion to Transfer should be denied and the parties should advance to the Preliminary Injunction hearing.

## RESPONSE TO MOVANTS' BACKGROUND FACTS

The Movants concede that they won no final judgment in their Voting Rights Act case. **Galmon Movants' Motion to Intervene ("Galmon Motion"), Doc. 10 at 8** (admitting preliminary relief was stayed and then vacated by the United States Court of Appeals for the Fifth Circuit). The Movants had challenged HB1, Louisiana's 2022 map. HB1 was fully repealed by SB8, a new map. The Movants support SB8 and tout it as their own historic victory. *Id.* at 6; **Robinson Movants' Memorandum of Law in Support of Motion to Intervene as Defendants and Transfer ("Robinson Motion"), Doc. 18-1 at 8.**

Yet neither set of Movants discloses to this Court the decisive event that occurred just eight days ago, on February 6, 2024. At the direction of the Middle District of Louisiana, they each filed consents stating that they do not object to SB8. *Notice Regarding Plaintiffs' Position on New Enacted Congressional Map, Robinson v. Ardoin*, No. 3:22-cv-00211-SDD-SDJ (M.D. La. Feb. 6, 2024), ECF 347 [hereinafter *Robinson Plaintiffs' Notice*]; *Galmon Plaintiffs' Notice Regarding the New Enacted Congressional Map, Robinson v. Ardoin*, No. 3:22-cv-00211-SDD-SDJ (M.D. La. Feb. 6, 2024), ECF 356 [hereinafter *Galmon Plaintiffs' Notice*]. On February 8, 2024, the deadline for amended pleadings in *Robinson* came and went. No dispute lingers over fees or other ancillary matters. No case or controversy remains in *Robinson*. The State Defendants pointed this out to the Middle District in a Motion to Dismiss filed on February 9, 2024. Yet the Robinson Movants represent to this Court that trial is "set" for March 2024 and that some dispute there remains pending. **Robinson Motion, Doc. 18-1 at 9.** That the Movants would make this representation to this Court at the end of a purportedly exhaustive procedural history, but without disclosing their concession regarding SB8 in their required February 6, 2024, filings, shows less than full candor.

The Movants also portray the *Robinson* case as having somehow secured a legally protectable interest, to wit, that every potential Louisiana congressional map must include two

majority-minority districts. But Movants merely obtained a preliminary injunction that was never implemented and later dissolved. At minimum, the procedural history deserves closer scrutiny.

The Movants' complaints were filed in March and April 2022. They obtained a preliminary injunction in early June 2022, but the injunction was stayed and HB1 was used for the 2022 election. *In re Landry*, 83 F.4th 300, 304 (5th Cir. 2023); *Robinson v. Ardoin*, 86 F.4th 574, 586 (5th Cir. 2023). The Fifth Circuit recognized that trial might well be litigated with very different facts and law than the State had relied on at the preliminary injunction hearing. *In re Landry*, 83 F.4th at 306 n.6 (noting that the State had previously put "all its eggs" in one legal basket, and that "[n]o litigant . . . is bound at trial on the merits to a defense strategy that failed to succeed on a preliminary injunction"); *id.* at 305 ("That the state lacked a full opportunity to mount a defense on the merits is likely accurate.").

The appellate merits panel, too, noted that the State had made the strategic decision to rest on legal arguments rather than joining issue with the plaintiffs on the facts. *Robinson*, 86 F.4th at 599. It noted that the State asserted legal theories without knowing they would later be undermined by the Supreme Court's 5-4 decision in *Allen v. Milligan*, 599 U.S. 1 (2023), which was issued during the seventeen months of near-inactivity that elapsed between the preliminary injunction hearing and the Fifth Circuit's merits review. *Robinson*, 86 F.4th at 599.

In conducting that review in the fall of 2023, the merits panel agreed with an earlier motions panel that the plaintiffs' arguments were not "without weakness," but the panel found its hands tied on the merits: it was "primarily" charged with conducting "clear error" review to sustain the district court's heavily fact-reliant reasoning. *See, e.g., id.* at 591-94, 597. At no point did the Fifth Circuit find, remark, or suggest that the VRA likely entitled the plaintiffs to "two" (or any other fixed quota of) majority-minority districts in future map configurations. Instead, it merely held

that, taking the 2022 map as the starting point (as it had to under the posture of the case), the District Court did not commit clear error in its factual findings and in deciding plaintiffs were likely to prevail on a Voting Rights Act challenge *to that 2022 map*. *Id.* at 583, 588-89. There was no holding that future redistricting must yield districts like the Movants' proposed remedial plans, and there was no holding that future Louisiana plans had to draw two majority-minority districts. Movants' claim to have achieved a massive legal victory compelling two districts, then, is a myth.

As noted above, the Fifth Circuit concluded by dissolving the preliminary injunction. Again, it noted that the State might mount a different or more fulsome defense at trial, *in re Landry*, 83 F.4th at 306 n.6, *Robinson*, 86 F.4th at 584, or that the Legislature could resolve the matter by passing a map acceptable to the plaintiffs, *id.* at 583-84.

Just days ago, the State chose option two. Of its own volition, the State chose not to put on a new factual and legal case at trial. It instead enacted into law a new map, SB8. As the Callais Plaintiffs show in their Motion for Preliminary Injunction (**Doc. 17**), SB8 resurrects a 1993 map this Court found to have been racially gerrymandered, featuring a long, sinuous district stretching from pockets of African American voters in Southeastern Baton Rouge to other pockets Northwest of Shreveport. Strikingly, the facts will show that approximately 82% of the African American population in 2024's SB8 was included in 1993's judicially invalidated racial gerrymander.

Also as noted above, the Movants each made filings before the Middle District of Louisiana conceding that they did not object to SB8. This ended any case or controversy between the Movants-qua-plaintiffs and the State. Yet given their prior position, this was no foregone conclusion. Movants consented to SB8 despite its failure to provide most of the actual named plaintiffs with legally cognizable relief. In contrast to SB8's effort to link Shreveport with Baton Rouge, the plaintiffs' proposed remedial maps had generally veered Northeast in search of African



American voters, stretching from East Baton Rouge to the Northern reaches of the Mississippi Delta counties. Most of the maps would have placed the Galmon Movants either in what they claimed was a newly-created majority-minority district, or kept them in their pre-existing majority-minority districts with marginally reduced majorities. With respect to the Robinson Movants, only a few individuals potentially saw a reduction in their alleged “voter dilution” injury under SB8. SB8 simply brought no meaningful gain for Movants (indeed, it may have harmed several), assuming their initial claims of injury were really about packing, cracking, and voter dilution.

Perhaps for that reason, the Movants now retrospectively redefine what they had been seeking in *Robinson*. The district court “win” that gives rise to their intervention interest, they say, was in generally mandating that two of the six districts must be majority-minority. But as noted above, the Fifth Circuit recognized that such racial-proportion claims were not and could not be the basis for decision under the VRA. *Robinson*, 86 F.4th at 597-99. As shown below, these Movants are now mere bystanders who are cheerleading for a 4-2 map. They neither intensify nor meaningfully diverge from the State’s interest in defending SB8, a map the Movants did not seek and which conferred little benefit on them. That the Movants are cheered by the two purportedly majority-minority districts drawn by SB8 gives them no unique or concrete interest in contesting the Callais Plaintiffs’ racial gerrymandering and other constitutional claims.

## **ARGUMENT**

### **I. The Movants are not entitled to intervention of right.**

The Movants’ wish for two majority-minority districts is not a legally protectable interest. Even if it were, they have not demonstrated that State Defendants will not adequately protect it.

**A. No voter has a legally protectable interest in the principle of two African American-majority congressional districts existing in Louisiana.**

*i. The requisite interest must be legally protectable.*

Intervention is only appropriate for a “legally protectable” interest. *Texas v. United States*, 805 F.3d 653 (5th Cir. 2015). Where as here movants wish to secure some non-pecuniary benefit of a challenged state action, they must at least be “intended beneficiaries” of that action such that their interest is protected by the Due Process Clause. *Id.* at 660 (immigrants who stood to lose the benefit of deferred action under DAPA had a Fifth Amendment right to due process in deportation proceedings, even if they had no *legally enforceable right* to deferred action). In redistricting, the “intended beneficiary” criterion imposes particular limits on what can constitute a legally protectable interest: when can a voter claim to be an “intended beneficiary” of a given redistricting map? One such limit applies here. The statewide mass of voters of a particular race have no legally protectable interest—let alone a legally enforceable right—in elections with a particular quota of districts in which their preferred candidate can be expected to win. Indeed, it would not even be lawful to attempt to vindicate such a group interest, for “[f]orcing proportional representation is unlawful and inconsistent with this Court’s approach to implementing § 2.” *Allen*, 599 U.S. at 28.

In contrast, individual voters subjected to racial gerrymandering or a VRA-violative instance of packing or cracking in their individual districts may have an interest in protecting their own voting within those districts. *See, e.g., Shaw v. Hunt*, 517 U.S. 899, 904 (1996). Associations of those voters may have associational standing. But in a redistricting case, it will not do to resort to considerations from inapplicable cases, such as the moral right of initiative proponents to defend a red-light-camera ordinance they spent substantial funds to pass in the face of possibly collusive litigation between a hostile city and camera vendor, *City of Houston v. Am. Traffic Sols., Inc.*, 668 F.3d 291, 294 (5th Cir. 2012), or the right of political committees who train poll watchers to

challenge a law that regulates poll watchers, *La Union del Pueblo Entero v. Abbott*, 29 F.4th 299, 306 (5th Cir. 2022).

Unlike the intervenors in those cases, the individual Movants here do not allege that they have spent any funds of their own or have devoted any substantial time lobbying for SB8. Indeed, as discussed below, because SB8 actually seems to have *excluded* many of the individual Movants from majority-minority districts or to have undermined the weight of their votes, it is hard to understand what unique interest they might now add, other than the cheerleading interest in watching other voters of the same race cast ballots in other supposedly majority-minority districts.

*ii. The Movants' interests are not legally protectable or endangered.*

The following chart indicates that at least seven of the fourteen individual Movants received no benefit from, or were objectively harmed by, SB8. Five highlighted Movants started in, and under SB8 remained in, non-African American majority districts in which, because of SB8's packing of non-African American voters, these unfortunate Movants became an even smaller minority. One highlighted Galmon Movant, Norris Henderson, stayed in the longtime majority-minority District 2, although he faces a sharp drop in minority control, from 58.65 to 51.01% BVAP, and his brief tellingly does not cite him as receiving a benefit.<sup>2</sup> Ross Williams, in red, is a new Movant recruited by the Galmon Movants to join them as an intervenor, and is unaffected by SB8 because as of Movants' filing, he likely remained a Texas voter.<sup>3</sup> Five individuals, bolded, moved from old District 2 to the newly-created District 6, staying within African American majority districts but experiencing a drop in their percentage of control from

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<sup>2</sup> See State of Louisiana calculations online at [https://redist.legis.la.gov/2024\\_Files/2024CONGRESSACT2](https://redist.legis.la.gov/2024_Files/2024CONGRESSACT2) (SB8, 2024 map) and [https://redist.legis.la.gov/2023\\_07/2023CONGRESSACT5](https://redist.legis.la.gov/2023_07/2023CONGRESSACT5) (HB1, 2022 map).

<sup>3</sup> The facts will show that as of January 12, 2024, the last Texas voter file update, he remained registered there; as of February 1, 2024, he did not appear in Louisiana's voter file. The Galmon Movants may have known this, as they do not actually claim he is a Louisiana voter, has registered, or plans to vote.

58.65 to 53.99% BVAP. Only Cleo Lowe and Dorothy Nairne (both Robinson Movants) actually moved from a non-majority-minority district (old 6) into a majority-minority district (new 2).

**Robinson Movants (highlighted saw no change; bolded moved from Dist. 2 to 6)**

First Name	Last Name	City	Parish	2022 HB1	2024 SB8
<b>Press</b>	<b>Robinson</b>	<b>Baton Rouge</b>	<b>EBR</b>	<b>2</b>	<b>6</b>
<b>Edgar</b>	<b>Cage</b>	<b>Baker</b>	<b>EBR</b>	<b>2</b>	<b>6</b>
Dorothy	Nairne	Napoleonville	Assumption	6	2
Edwin	Soule	Hammond	Tangipahoa	5	1
Alice	Washington	Baton Rouge	EBR	6	5
Cleo	Lowe	Baton Rouge	EBR	6	6
<b>Davante</b>	<b>Lewis</b>	<b>Baton Rouge</b>	<b>EBR</b>	<b>2</b>	<b>6</b>
<b>Martha</b>	<b>Davis</b>	<b>Baton Rouge</b>	<b>EBR</b>	<b>2</b>	<b>6</b>
Ambrose	Sims	W. Feliciana	West Feliciana	5	5

**Galmon Movants (individual in red did not appear in Louisiana voter rolls as of 2/1/24)**

First Name	Last Name	City	Parish	2022 HB1	2024 SB8
Edward	Galmon	Greensburg	St. Helena	5	5
Ciara	Hart	Baton Rouge	EBR	6	5
Norris	Henderson	New Orleans	Orleans	2	2
<b>Tramelle</b>	<b>Howard</b>	<b>Baton Rouge</b>	<b>EBR</b>	<b>2</b>	<b>6</b>
Ross	Williams	Natchitoches	Natch.	(in Texas)	(in Texas)

Despite such divergent results, Movants’ counsel have represented in *Robinson* that each Movant uniformly supports SB8. *Robinson Plaintiffs’ Notice, supra*, at 2; *Galmon Plaintiffs’ Notice, supra*, at 1-2. Indeed, counsel trumpet SB8 as an unambiguous “win” because, in place of their clients, it allows *non-clients* of the same race to vote in two purportedly majority-minority districts. This position bodes ill for civil rights litigation. It is a premise of “highly suspect validity” to suggest that “the rights of some minority voters under § 2 may be traded off against the rights of others of the same minority class” in service of some overall proportionality-based quota. *Johnson v. DeGrandy*, 512 U.S. 997, 1019 (1994) (rejecting State’s proposed “safe harbor” of proportionality for § 2 purposes). Sacrificing one’s own alleged voting power to support a

statewide race-based quota may for some feel like an act of altruism, but it cannot be a “legally protectable interest,” and should never become the basis for intervention in federal court.

More broadly, there is no such thing as a statewide racial group’s legally protectable interest in controlling two districts. *See Allen*, 599 U.S. at 28. The desire to see two majority-minority districts—now, wrongly claimed as the result of and even the mandate arising from *Robinson*—is no basis for intervention. If any group or person is allowed to intervene, it should be a litigant that can establish an interest in protecting an individual voting rights benefit (undoing a “pack” or “crack”) from a threat that could materialize in this litigation if the Court adopts a remedy. But that is not what these Movants allege. No Movant so much as speculates that a departure from SB8 may pack or crack any particular voter. Instead, the Movants simply base their “interest” on the “right” to two majority-minority districts. That right does not exist. Therefore, the Movants cannot show a “legally protected interest” that could be impaired or endangered by this litigation.

**B. Movants have not demonstrated that their interests will not be adequately represented by the State Defendant.**

Two presumptions control. First, a “public entity must normally be presumed to represent the interest of its citizens and to mount a good faith defense of its laws.” *City of Houston*, 668 F.3d at 294. In *City of Houston*, that presumption was overcome only because the City and its red-light-camera vendor, which were both opposed to a citizen-initiated red-light-camera measure and which each had “millions of dollars” at stake, appeared to have engaged in “hasty” and collusive litigation, including an agreed-order to preserve the cameras, raising “substantial doubts” about the City’s “motives and conduct” within the litigation. *Id.* As in *City of Houston*, the intervenor must show “that its interest is in fact different from that of the government entity and that the interest will not be represented by it.” *Texas v. United States*, 805 F.3d at 661-662.

A second presumption arises where the “would-be intervenor has the same ultimate objective as a party to the lawsuit;” it is overcome by showing “adversity of interest, collusion, or nonfeasance on the part of the existing party.” *Id.*; see also *Bush v. Viterna*, 740 F.2d 350, 355 (5th Cir. 1984). Movants must “produce something more than speculation as to the purported inadequacy.” *Moosehead Sanitary Dist. v. S.G. Phillips Corp.*, 610 F.2d 49, 54 (1st Cir. 1979).

Both presumptions apply, but Movants overcome neither because they cannot make the showings required in *Texas v. United States*. Starting with the state-entity presumption, Movants did not show that their interest is different from the Defendant’s. This Court must take Movants at their word that their interest is in protecting the two-district quota for African American majorities, rather than in protecting any particular Movant from cracking or packing. As the Callais Plaintiffs pleaded and showed in their Motion for Preliminary Injunction, meeting this two-district quota was the sole reason for SB8. **Doc. 17-1, at 2, 15-24, 27-28**. This conclusion is amply cited by direct evidence as well as circumstantial evidence, such as the bizarre shape of new District 6 that is perfectly traced to encompass African American populations over a several-hundred-mile stretch.

The Movants cite no reason whatsoever to disbelieve that the current Defendant—a new State officeholder who was not a party defending the prior law, HB1—would somehow refuse to enforce SB8. Instead, Movants cite back to *other* State officeholders’ original defense of HB1 in *Robinson*. Had SB8 not been enacted, or had Movants taken the position that SB8 was an inadequate remedy that betrayed the State’s resistance to their claims, Movants would be on the road to an argument. But Movants claim that SB8 is the result of their “win” in *Robinson* and was compelled by *Robinson*. They have told the Middle District and this Court that they support SB8. Thus, there’s no evidence that Movants and the Defendant have different interests or objectives.

For similar reasons, Movants cannot overcome the second presumption. They did not show adversity of interest, nonfeasance, or collusion. So far, the Defendant in this case has taken no steps to injure Movants. Simply put, Movants cannot on the one hand sound the trumpet of triumph by claiming that their *Robinson* win compelled a 4-2 map and that the State acceded in SB8, but then on the other claim that the State somehow remains recalcitrant. There is no evidence of inadequate representation.

**C. There is no basis for the Galmon Movants—the original Galmon plaintiffs and the new individual they recruited—to intervene here.**

“A court must be circumspect about allowing intervention of right by public-spirited citizens in suits by or against a public entity for simple reasons of expediency and judicial efficiency.” *City of Houston*, 668 F.3d at 294. The greatest danger in admitting intervenors to a fast-moving case like this is the possibility of delay and procedural maneuvering. That danger is not theoretical. The Movants’ primary purpose is not the defense of SB8 before this three-judge Court where the case must be tried, but instead, the improper transfer of this proceeding back to a single-judge district court which no longer presides over any case or controversy. *See infra* Part II-III. Such procedural maneuvering wastes party and judicial resources and, more importantly, delays the fact-finding and legal analysis that must occur quickly in an election year.

Here, if any Movants will be admitted, there is one set—the Galmon Movants—whose interest is particularly thin and, more importantly, who merely duplicate (at best) the interests of organizational entities and other individuals who are represented by another group of counsel. The Galmon Movants include four plaintiffs from *Robinson* and one newly-recruited individual, and none can contribute any unique facts or injury that is not already represented among the Robinson entity-plaintiffs or some of the individual Robinson Movants. Two of the original Galmon plaintiffs began and, under SB8, remain in non-majority-minority districts. One original plaintiff

began in and remains in District 2 under SB8, and one other original plaintiff began in District 2 and moves to the new District 6 under SB8—fact patterns already represented by no fewer than four Robinson Movants. *See supra*, Part I.A.ii. If these Robinson Movants intervene, there is no reason to admit a fifth person with the exact same characteristics, bringing in an entirely new team of lawyers and experts and the attendant costs and delay.

The original Galmon plaintiffs seemingly recognized this problem, recruiting a brand new individual solely for purposes of intervention in the apparent hope that the new recruit could be used to bootstrap the original individuals into party status. This new recruit, Ross Williams, claims to “reside” in Natchitoches Parish, which moved from District 4 to the new District 6 under SB8. But tellingly, Williams does not claim to be *registered* in Natchitoches Parish, to have been burdened by *voting* in the old District 4, or to have specific plans to *vote* in SB8’s new District 6. A review of Louisiana voter rolls reveals that Ross Williams has *never* been registered to vote in Natchitoches Parish. The last place he was registered to vote was in DeSoto, Texas. His mere residence in a “corridor” parish, which was narrowly included in District 6 on its path between areas with larger African American populations, does not create a sufficient interest to grant him (and a host of attorneys) intervention of right in addition to the Robinson Movants.

In short, in the event this Court is inclined to admit any Movant-Intervenor, it should be limited to a few of the unique Robinson Movants. The Galmon Movants add nothing and, in any event, derived little or no benefit from SB8. On the other hand, avoiding a superfluous set of counsel and experts will expedite the case and result in substantial savings for the other parties.

## **II. The Movants are not entitled to permissive intervention.**

Movants alternatively seek permissive intervention pursuant to Rule 24(b). Movants have the burden to show they “(A) [are] given a conditional right to intervene by a federal statute; or (B) [have] a claim or defense that shares with the main action a common question of law or fact.”



Fed. R. Civ. P. 24(b)(1). Only (B) is at issue here. And even if Movants satisfy Rule 24(b)(1), permissive intervention remains discretionary. *Kneeland v. Nat'l Collegiate Athletic Ass'n*, 806 F.2d 1285, 1289 (5th Cir. 1987). It is never required. Critically, “[i]n exercising its discretion, the court must consider whether intervention will unduly delay or prejudice the adjudication of the original parties’ rights.” Fed. R. Civ. P. 24(b)(3). These Movants should not join the case; their case shares no questions of law or fact the present one, they are already adequately represented, and their proposed intervention can only disturb the efficient disposition of this case.

First, Movants have not satisfied the commonality requirement of Rule 24(b). They merely claim they “are uniquely situated to contribute to full development of the factual record in this case.” **Robinson Motion, Doc. 18-1 at 24**. But the facts are entirely different here. SB8, not HB1, is the basis for this litigation. The Federal Constitution, not the VRA, is the basis for the claims.

Second, Movants are not entitled to permissive intervention because, as shown above, they are already adequately represented by another party. *New Orleans Pub. Serv., Inc. v. United Gas Pipe Line Co.*, 732 F.2d. 452, 472 (5th Cir. 1984) (noting that the district court should consider, among other factors, whether intervenors are adequately represented). As stated above, Movants have not demonstrated any inadequacy in the Defendant’s defense or any divergent interest. At a minimum, it is unnecessary to allow the Galmon Movants to intervene, as they duplicate the Robinson Movants and no one has shown that they cannot adequately represent voters’ interests.

Third, Movants’ reason for intervening in this litigation appears to simply be to create a procedural hurdle by forcing an improper transfer, *see infra* Part III, which will only cause undue delay. The resulting prejudice and undue delay to Plaintiffs, who have suffered unconstitutional injury that must be immediately repaired, weigh against intervention. Fed. R. Civ. P. 24(b)(3).

### III. Transfer is unwarranted.

This Court should deny Robinson Movants’ Motion to Transfer for several independent reasons: (A) the application of 28 U.S.C. § 2284 bars transfer; (B) Plaintiffs and Movants agree that venue is proper in this tribunal; (C) the proposed transferee court no longer has Article III jurisdiction over Movants’ original case; and (D) the first-to-file principle does not apply.

#### A. 28 U.S.C. § 2284 bars transfer.

Congress has granted Plaintiffs an undeniable statutory right to litigate their constitutional claims before this three-judge Court. 28 U.S.C. § 2284(a); *Shapiro v. McManus*, 577 U.S. 39, 43 (2015). 28 U.S.C. § 2284 says that a “district court of three judges *shall* be convened when otherwise required by Act of Congress, or when an action is filed challenging the constitutionality of the apportionment of congressional districts or the apportionment of any statewide legislative body.” 28 U.S.C. § 2284(a) (emphasis added). As the United States Supreme Court has stated:

That text’s initial prescription could not be clearer: “A district court of three judges *shall be convened* ... when an action is filed challenging the constitutionality of the apportionment of congressional districts....” 28 U.S.C. § 2284(a) (emphasis added). Nobody disputes that the present suit is “an action ... challenging the constitutionality of the apportionment of congressional districts.” It follows that the district judge was *required* to refer the case to a three-judge court, for § 2284(a) admits of no exception, and “the mandatory ‘shall’ ... normally creates an obligation impervious to judicial discretion.” *Lexecon Inc. v. Milberg Weiss Bershad Hynes & Lerach*, 523 U.S. 26, 35 (1998); *see also National Assn. of Home Builders v. Defenders of Wildlife*, 551 U.S. 644, 661–662 (2007) (same).

*Shapiro*, 577 U.S. at 43.<sup>4</sup> There is absolutely no “grant of discretion to the district judge to ignore § 2284(a).” *Id.* It’s clear that “Congress intended a *three-judge court*, and *not a single district*

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<sup>4</sup> *See also Abbott v. Perez*, 138 S. Ct. 2305, 2315 (2018) (noting that a case where plaintiffs brought constitutional and VRA claims that “some of the districts in the new plans were racial gerrymanders, some were based on intentional vote dilution, and some had the effect of depriving minorities of the equal opportunity to elect the candidates of their choice . . . was assigned to a three-judge court, *as required* by 28 U.S.C. § 2284(a) (emphasis added)); *Bethune-Hill*

*judge*, to enter *all* final judgments in cases satisfying the criteria of § 2284(a).” *Shapiro*, 577 U.S. at 44 (emphasis added); *see also* 28 U.S.C. § 2284(b)(3) (forbidding a single judge from taking such action). It would plainly violate the express command of a Congress for a single judge to adjudicate constitutional claims that meet the “low bar” of § 2284. *Shapiro*, 577 U.S. at 46.

Moreover, Congress’s plain text requires that the *specific* three-judge Court empaneled under § 2284(b)(1) both try the case and enter judgment, including a remedy. *See* 28 U.S.C. § 2284(b)(3). Congress even prevented a single judge from entering a preliminary injunction. *Id.* Once plaintiffs request a three-judge panel (which happened here, **Doc. 1**), and the court grants the request (which happened here, **Doc. 5**), and the chief judge of the circuit empanels two other judges (which happened here, **Doc. 5**), the statute mandates: “The judges so designated, and the judge to whom the request was presented, *shall* serve as members of the court to hear and determine the action or proceeding.” 28 U.S.C. § 2284(b)(1). Like “shall” in § 2284(b)(3), “shall” in § 2284(b)(1) is an “explicit command.” *Shapiro*, 577 U.S. at 44. As with § 2284(a), “the mandatory ‘shall’ . . . creates an obligation impervious to judicial discretion.” *Id.* at 43 (quoting *Lexecon Inc. v. Milberg Weiss Bershad Hynes & Lerach*, 523 U.S. 26, 35 (1998)); *see also id.* (noting that § 2284(b)(1) must be read as “entirely compatible” with § 2284(a), a conclusion “bolstered by § 2284(b)(3)’s explicit command”); *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181, 290 (2023) (“This Court has long recognized, too, that when Congress uses the same

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*v. Va. State Bd. of Elecs.*, 137 S. Ct. 788, 796 (2017) (“Because the claims ‘challeng[ed] the constitutionality of the appropriation of [a] statewide legislative body,’ the case was heard by a three-judge District Court.” (quoting 28 U.S.C. § 2284(a))); *Cooper v. Harris*, 581 U.S. 285, 293 n.2 (2017) (“Challenges to the constitutionality of congressional districts are heard by three-judge district courts, with a right of direct appeal to this Court.”); *Harris v. Ariz. Indep. Redistricting Comm’n*, 578 U.S. 253, 257 (2016) (noting that 28 U.S.C. § 2284(a) “provid[es] for the convention of such a court *whenever* an action is filed challenging the constitutionality of apportionment of legislative districts” (emphasis added)).

terms in the same statute, we should presume they ‘have the same meaning.’” (quoting *IBP, Inc. v. Alvarez*, 546 U.S. 21, 34 (2005))).

Plaintiffs have plainly met the criteria for § 2284 by filing “an action . . . challenging the constitutionality of the apportionment of congressional districts or the apportionment of any statewide legislative body.” 28 U.S.C. § 2284(a); *Shapiro*, 577 U.S. at 46. They have filed an action challenging the constitutionality of Louisiana’s congressional apportionment statute under the Fourteenth and Fifteenth Amendments. **Doc. 1.** Plaintiffs present the same Fourteenth Amendment gerrymandering challenge to this apportionment scheme presented in dozens of other cases where courts have empaneled a three-judge district court under § 2284.<sup>5</sup> **Doc. 1, 17.** Plaintiffs also satisfied any procedural requirements under § 2284(b)(1). **Doc. 1, 5.** Thus, Plaintiffs are entitled to have their constitutional challenges to the apportionment scheme heard before this three-judge Court. It would violate the “explicit command” of Congress for this Court to transfer the case to another single-judge court. *Shapiro*, 577 U.S. at 44.

#### **B. Venue is proper in this Court.**

Additionally, the Robinson Movants agree with Plaintiffs that jurisdiction and venue are proper before this tribunal. **Robinson Motion, Doc. 18-2 at 2** (“Intervenor-Defendants admit that 42 U.S.C. §§ 1983 and 1988, and 28 U.S.C. 1331 and 1343(a)(3) and (a)(4) confer jurisdiction over the claims . . . .”); *see also Galmon Motion, Doc. 10-1 at 2* (stating in response to jurisdictional and venue paragraph in Plaintiffs’ Complaint that it “contains a legal conclusion to which no response is required”); Fed. R. Civ. P. 8(b)(6) (failure to respond amounts to an

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<sup>5</sup> *See, e.g., Allen v. Milligan*, 599 U.S. 1, 16 (2023); *Abbott*, 138 S. Ct. at 2315; *Bethune-Hill*, 137 S. Ct. at 796; *Cooper*, 581 U.S. at 293 n.2; *Evenwel v. Abbott*, 578 U.S. 54, 62 (2016); *Perry v. Perez*, 565 U.S. 388, 391 (2012) (per curiam); *LULAC v. Perry*, 548 U.S. 399, 409 (2006); *Reno v. Bossier Parish Sch. Bd.*, 117 S. Ct. 1491, 1507 (1997); *United States v. Hays*, 515 U.S. 737, 741 (1995); *Miller v. Johnson*, 515 U.S. 900, 909 (1995); *Shaw v. Reno*, 509 U.S. 630, 637 (1993).

admission). By their failure to properly deny the appropriateness of venue, the Movants posit that they have no qualms with the present venue. Transfer is wholly unwarranted.

**C. There is no longer a case or controversy in the Middle District of Louisiana.**

Even if the explicit command of § 2284 and the Movants' admissions on the present venue did not bar transfer, the absence of Article III jurisdiction and of a live controversy before the Middle District of Louisiana should. The Robinson Movants argue that transfer is necessary because "the *Robinson* action is pending and remains active" in the Middle District. **Doc. 18-1 at 24.** But there is no longer a case or controversy there; this Court should not transfer the case.

Article III limits the judicial power of federal courts to adjudicating "cases" and "controversies." U.S. Const. art. III, § 2. This requires federal courts to ensure, among other things, that parties have standing, the parties satisfy the adversariness requirement, the case is not moot, and the parties have not merely asked the court to issue an advisory opinion. If any of these elements are lacking, no case or controversy exists, and the court must immediately dismiss the case for lack of jurisdiction. *See Pool v. City of Houston*, 87 F.4th 733, 733 (5th Cir. 2023).

Movants' standing in their original case arose from their allegations that the State's 2022 redistricting plan (HB1) violated their rights under the VRA, that injury was traceable to the State, and that injury was redressable by the Court.

Galmon Movants recently informed the Middle District of Louisiana single-judge Court that "they do not oppose Senate Bill 8 ("S.B. 8"), the new enacted congressional map that was passed by the legislature in the 2024 First Extraordinary Session and was signed by the Governor and became effective on January 22, 2024." *Galmon Plaintiffs' Notice, supra*, at 1-2. They did so the same day they moved to intervene in this case. In doing so, they admitted that the injury they had asserted all along—the injury from an unlawful redistricting map—had been fully redressed by the State's action, and there was no additional action for the Middle District to take. However,

Movants still requested that the “Court retain jurisdiction of this action to adjudicate challenges to S.B. 8 and any related litigation regarding Louisiana’s congressional map.” *Id.* at 2.

Robinson Movants also told the Middle District that they “do not oppose the new enacted map.” *Robinson Plaintiffs’ Notice, supra*, at 2. They too thereby admitted that they no longer suffer an injury traceable to the State. They nonetheless argued that the case before the Middle District “is not moot” because the single-judge Court “should retain jurisdiction over this matter to determine the legal viability of the State’s Remedial Map.” *Id.*

These notices strip the Middle District of Louisiana of jurisdiction for several reasons.

First, all that is left for the Middle District to do is issue an advisory opinion. The Robinson Movants *admitted* in their notice to the Middle District that even though neither party opposed or contested SB8, the Court should nonetheless assess the legal viability of SB8. *Id.* In doing so, they urged the Court to render an unconstitutional advisory opinion in violation of Article III. *See TransUnion LLC v. Ramirez*, 594 U.S. 413, 423-24 (2021) (“Under Article III, federal courts do not adjudicate hypothetical or abstract disputes. Federal courts do not possess a roving commission to publicly opine on every legal question. Federal courts do not exercise general legal oversight of the Legislative and Executive Branches, or of private entities. And federal courts do not issue advisory opinions.”); *see also Haaland v. Brackeen*, 599 U.S. 255, 294 (2023). The Middle District may not do so; since there is no remaining adjudication, it must dismiss the case.

Second, the necessary adversariness for the Middle District to retain jurisdiction under Article III has fully ceased to exist now that the State has repealed HB1 and Movants have accepted SB8 without objection. *Baker v. Carr*, 369 U.S. 186, 204 (1962); *Pool v. City of Houston*, 87 F.4th 733, 734 (5th Cir. 2023). That’s evident from Movants’ own admission to the original court and their position in this Court that they desire to defend the State and its recently enacted redistricting

map. Movants and the State agree on the legal issue before the Middle District—*i.e.* the legality of the State’s redistricting map. Thus, “there is no adversity and hence no Article III case or controversy.” *Pool*, 87 F.4th at 734.

Finally, the case before the Middle District is moot. Now that the State has repealed HB1 and enacted a new map, and Movants have *expressly* admitted that they have no qualms with the new map, all three of these required elements for standing have vanished from their original case. Thus, there is no longer the required Article III case or controversy for the single-judge Court to entertain. *See* U.S. Const. art. III. As the Supreme Court has recently stated:

At all stages of litigation, a plaintiff must maintain a personal interest in the dispute. The doctrine of standing generally assesses whether that interest exists at the outset, while the doctrine of mootness considers whether it exists throughout the proceedings. To demonstrate standing, the plaintiff must not only establish an injury that is fairly traceable to the challenged conduct but must also seek a remedy that redresses that injury. And if in the course of litigation a court finds that it can no longer provide a plaintiff with any effectual relief, the case generally is moot.

*Uzuegbunam v. Preczewski*, 141 S. Ct. 792, 796 (2021). Movants no longer assert an injury that is traceable to the State, and they no longer seek any remedy from the State. *Id.* Movants admit that the State HB1 has been fully repealed, and SB8 does not injure them in any way. *Fantasy Ranch Inc. v. City of Arlington, Tex.*, 459 F.3d 546, 564 (5th Cir. 2006); *cf. North Carolina v. Covington*, 138 S. Ct. 2548, 2551 (2018) (where plaintiffs continued to contest the State’s newly enacted map). Thus, the case is moot.

Admitting that they no longer suffer constitutional injury from the repealed law (and thus the *Robinson* Court no longer has Article III jurisdiction), Movants argue, nonetheless, that the case is not moot because they *may* someday suffer a new injury “[s]hould Plaintiffs succeed in invalidating SB8.” **Robinson Motion, Doc. 18-1 at 26.** But that argument fails on several fronts.

Movants were not, nor have they ever been, entitled to the particular map enacted in SB8. Neither the Middle District nor the Fifth Circuit ever issued a final order entitling them to this

map—or even a map with two majority-minority districts. They have no enforceable judgment. Nor does the VRA entitle them to the map in SB8 or even a map with two majority-minority districts. *Allen*, 599 U.S. at 28; *Robinson*, 86 F.4th at 597-99.

Additionally, now that their original injury has vaporized, any injury they claim to suffer from this lawsuit is not a traditionally recognized injury at common law, *see Spokeo, Inc. v. Robins*, 578 U.S. 330, 341 (2016); *TransUnion LLC v. Ramirez*, 141 S. Ct. 2190, 2204 (2021); has plainly not materialized, *see Spokeo*, 578 U.S. at 339; and is too speculative to support standing and the continued jurisdiction of the single-judge Court, *see Clapper v. Amnesty Int’l USA*, 568 U.S. 398 (2013). Moreover, any injury is plainly not traceable to State Defendants in the Middle District to support the single-judge Court’s continued exercise of jurisdiction. *Uzuegbunam*, 141 S. Ct. at 796. The case is moot.

In sum, Movants no longer have a case or controversy in the Middle District. The presence of a lawsuit somewhere else does not revive Article III jurisdiction. Movants cannot cure this defect by dragging in another party to oppose them in the State’s stead. *Cf. Hollingsworth v. Perry*, 133 S. Ct. 2652 (2013). This Court should not grant the transfer motion.

**D. The first-to-file principle does not apply.**

In the face of all these bars to transfer, Movants rely wholly on the first-to-file principle. Movants claim “[t]his case raises substantially similar issues to the first-filed and currently pending Robinson action.” **Robinson Motion, Doc. 18-1 at 24**. They tendered a “first-filed” motion to the Middle District two days before moving to transfer here. ***Id.* at 8 n.1**. Transfer based on the first-to-file principle, though, would be error for three independent reasons.



*i. The statutory mandate trumps this principle of comity.*

First, the first-to-file principle cannot apply because it is strictly a discretionary judicial principle of comity, and as such, it “must yield” to statutory commands. *Sutter Corp. v. P & P Indus, Inc.*, 125 F.3d 914, 917 (5th Cir. 1997) (holding that “concerns about comity notwithstanding . . . the ‘first to file rule’ must yield” in the face of a federal statute, “even though the same issues were first raised” another court). This three-judge Court has been convened in this case pursuant to 28 U.S.C. § 2284, which now requires this three-judge Court to hear this case. *See* Part III.A, *supra*. Thus, first-to-file comity must yield to this statutory guarantee.

The principle is also “discretionary,” not mandatory. *Int’l Fidelity Ins. Co. v. Sweet Little Mexico Corp.*, 665 F.3d 671, 677 (5th Cir. 2011) (quotation omitted). Because § 2284 is mandatory and forbids the exercise of judicial “discretion,” *Shapiro*, 577 U.S. at 43, this Court is not at liberty to exercise such discretion under the first-to-file principle.

Additionally, the first-to-file principle is inapplicable because it is only used where the transferor and transferee courts are of “coordinate jurisdiction and equal rank.” *Sutter Corp.*, 125 F.3d at 917 (quoting *W. Gulf Maritime Ass’n v. ILA Deep Sea Local 24*, 751 F.2d 721 (5th Cir. 1985)). Here, the jurisdiction and rank of this three-judge Court empaneled pursuant to a statutory mandate, and that of the *Robinson* single-judge Court, are not equal.

As Chief Judge Dick of the Middle District of Louisiana has recently noted based on Supreme Court precedent, redistricting cases may and often do operate on “parallel” tracks, given the unique application of § 2284 to some but not all redistricting claims. *Nairne v. Ardoin*, 2023 WL 7427789, at \*1 (M.D. La. Nov. 9, 2023) (quoting *Allen*, 599 U.S. at 16). Thus, it’s not uncommon for two redistricting cases to proceed simultaneously without reference to the first-to-file principle.

ii. *Alternatively, Robinson does not “substantially overlap.”*

Even apart from that statutory trump card, the first-to-file principle does not apply here. Unlike § 2284, this Court has discretion to decide to apply the principle. *Int’l Fidelity Ins. Co. v. Sweet Little Mexico Corp.*, 665 F.3d 671, 677 (5th Cir. 2011) (quotation omitted). But before it exercises such discretion, the moving party must make several showings.

A party seeking transfer based on the first-to-file principle must show that the two actions “substantially overlap.” *Mann Mfg., Inc. v. Hortex, Inc.*, 439 F.2d 403, 408 (5th Cir. 1971). Actions do not overlap when they are “capable of independent development.” *Id.* at 407. Crucially, if the dominant issues may “ultimately turn out to be distinct in each suit” transfer is unwarranted. *Mann Mfg.*, 439 F.2d at 408. “[S]ome risk of ‘duplication’” between the cases also cannot compel transfer. *Int’l Fidelity Ins. Co.*, 665 F.3d at 678.

Transfer is unwarranted. This case is more than “capable of independent development.” *Id.* at 407. Plaintiffs here seek redress for constitutional harms arising from SB8. *Robinson* plaintiffs previously sought redress for statutory harms related to the enactment of HB1. These cases implicate entirely different legal bases, state statutes, and facts. Movants have admitted that they have no qualms with SB8, and thus it is not the subject of litigation or any case or controversy in *Robinson*. Not only that, but there is no more “independent development” to be had in *Robinson* since it is plainly moot *Id.* Thus, all future development in this case is, by nature, independent.

Movants reason that this Court should grant transfer because of the *Robinson* Court’s experience in the prior lawsuit. **Robinson Motion, Doc. 18-1 at 24.** But the facts of *that* case, HB1, and a VRA challenge to *that* map, do not inform the facts of *this* case, SB8, and constitutional challenges to *this* map. SB8’s map was never litigated or discussed in *Robinson*. The constitutional questions in this case were never litigated or discussed in *Robinson*. SB8 was never litigated or

discussed in *Robinson*. Thus, factual development of this case, expert reports based on this new map, and discovery will be entirely different than *Robinson*.

Movants' fears regarding conflicting rulings are equally unavailing. Specifically, Movants worry that a "plan cannot simultaneously respect the *Robinson* court's ruling . . . and the ruling Plaintiffs seek here." **Robinson Motion, Doc. 18-1 at 27**. But again, the *Robinson* Court has issued no ruling or final order, and it has lost jurisdiction to enter a ruling that might have preclusive effect. *Steel Co. v. Citizens for a Better Env't*, 523 U.S. 83, 94 (1998); *Pool*, 87 F.4th at 734 (barring district court from reaching merits or issuing preclusive judgment when it lacks jurisdiction and requiring it to immediately dismiss the case). Further, as shown in the Background, *supra*, *Robinson* did not require that all future maps have two majority-minority districts; it simply found, without deciding, that, from the starting point of HB1, the *Robinson* plaintiffs' proposed alternative maps likely showed that a second district could be drawn and therefore showed that HB1 likely violated the VRA. But now we are starting from SB8, or from no map at all. From this new slate, it may be that two majority-minority districts need not be drawn—particularly with new and more recent facts and analysis. Thus, there simply are no, nor will there be, any conflicting rulings.

*iii. Alternatively, compelling reasons bar application of the rule.*

Because the first-to-file principle does not apply, this Court need go no further. But if this Court were to favor its application, an exception should apply. The first-to-file principle is not a rigid rule to be mechanically applied; circumstances may compel the opposite outcome. *Portchartrain Partners, LLC v. Tierra de Los Lagos, LLC*, 48 F.4th 603, 606 (5th Cir. 2022). With respect to later-filed § 2284 redistricting cases, "it is appropriate to depart" from the first-to-file principle when the second action convenes a three-judge panel under § 2284, given the "special circumstances which justify giving priority to the second action." *Barnett v. Alabama*, 171 F. Supp. 2d 1292, 1296 (S.D. Ala. 2001). Likewise, the absence of a live Article III case or controversy in

the first-filed case is a compelling reason not to apply it. Thus, even if *Robinson* did substantially overlap with this case, special circumstances preclude applying the rule. If Movants nonetheless insist on consolidation, *Robinson* should be transferred and consolidated into this case—not vice versa.

### CONCLUSION

Plaintiffs respectfully ask the Court to deny the Motions to Intervene and the Motion to Transfer (**Doc. 10, 18**).

Dated this 14th day of February, 2024

**PAUL LOY HURD, APLC**

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**CERTIFICATE OF SERVICE**

I do hereby certify that, on this 14th day of February 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record.

/s/ Edward D. Greim  
Edward D. Greim

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**PHILLIP CALLAIS ET AL**

**NO: 3:24-CV-00122-DCJ-CES-RRS**

**VERSUS**

**THREE-JUDGE COURT**

**NANCY LANDRY**

**SCHEDULING ORDER**

The following case-specific deadlines are hereby set in accordance with Fed. R. Civ. P. 16(b). If you have any questions about the rules or deadlines fixed by this order or otherwise wish to contact chambers, you may reach Judge Joseph's chambers by calling (337) 593-5050. You may also reach the Magistrate Judge's chambers by dialing the main line for those chambers.

PRELIMINARY INJUNCTION  
HEARING CONSOLIDATED WITH  
TRIAL ON MERITS:

**April 8-9, 2024, at 9:00 a.m.** in Shreveport,  
Courtroom 1, before Circuit Judge Carl E. Stewart,  
Judge Robert R. Summerhays, and Judge David C.  
Joseph

---

PRE-TRIAL  
DEADLINES:

FOR:

- |            |                                                                                             |
|------------|---------------------------------------------------------------------------------------------|
| 2/23/2024  | 1. Answer to Plaintiffs' Complaint due                                                      |
| 2/27/2024  | 2. Defendant's Response to Plaintiffs' Preliminary Injunction Motion due                    |
| 03/08/2024 | 3. Reply in Support of Preliminary Injunction Motion due                                    |
| 03/22/2024 | 4. Expert designation and reports shall be exchanged among the parties                      |
| 04/1/2024  | 5. Exhibit and Witness Lists shall be exchanged among the parties and provided to the Court |

- 4/1/2024
6. **Trial Depositions.** Depositions authorized by the Court for use at trial, if any (see below), shall be edited to remove nonessential, repetitious, and unnecessary material, as well as objections and colloquy of counsel. A copy of edited trial deposition transcripts shall be included in the bench books. All objections thereto must be filed and briefed by this deadline. Objections to deposition testimony will be waived unless submitted along with the deposition transcripts.
- 4/1/2024
7. **Bench Books.** The parties shall deliver one bench book to each of the judge's chambers for use by the judges at trial. The bench books should be tabbed and indexed with a cover sheet on which each party is to state all objections to the admissibility of exhibits. A fourth copy of the bench book shall be placed at the witness stand on the morning of the trial for use by testifying witnesses. In addition, the parties will provide a digital copy of the bench book to the judges' law clerks. The original exhibits must be entered into evidence at trial. After trial, the exhibits actually admitted into evidence must also be submitted on a flash drive or DVD.
- 4/1/2024
8. **Real Time Glossary.** The real time glossary shall be delivered to the Clerk of Court in Lafayette by this date, for transmittal to the court reporter. The glossary shall contain all "key word indexes" from all depositions taken in the case, all witness lists, all exhibit lists, and copies of all expert reports, as well as any other technical, scientific, medical, or otherwise uncommon terms that are likely to be stated on the record during trial.
- Real-Time.** Real-time is available, and arrangements must be made with the court reporter at least one week prior to trial.

**Trial Testimony:** Testimonial evidence offered as part of a party's case-in-chief **shall be presented by live testimony** of the witness(es) absent leave of Court. Deposition testimony is disfavored by the Court and will only be authorized for good cause shown.

**Continuances:** Motions to continue a trial date, even if agreed upon by the parties, are disfavored by the Court absent compelling circumstances. See also Standing Order in Civil and Criminal Cases. True conflicts in counsel's trial calendars may be addressed with the Court at the pre-trial conference.

**Filing Instructions:** E-Filing is mandatory in the Western District of Louisiana. In an emergency, printed materials may be filed with the Clerk of Court's Office in any division of the Western District.

**Extensions:** No Scheduling Order deadline will be extended unless for good cause and only in the interest of justice.

**Communicating with the Court:** Notwithstanding mandatory e-filing here in the Western District of Louisiana, the parties are welcome to contact the Court by telephone, mail, or e-mail at [joseph\\_motions@lawd.uscourts.gov](mailto:joseph_motions@lawd.uscourts.gov). All written communication must be copied to opposing counsel and any telephone conference must include all parties involved.

A copy of any dispositive motions, *Daubert* motions, or Motions in Limine (with all required attachments) shall be **e-mailed to [joseph\\_motions@lawd.uscourts.gov](mailto:joseph_motions@lawd.uscourts.gov)** in Word format and **sent via hard copy** to each judge's chambers.

All matters that must be exchanged among counsel must be exchanged by hand delivery or certified mail, unless all counsel agree otherwise, IN WRITING, or unless this Court orders otherwise.

All deadlines in this Order are case specific and override any deadlines for the same matter found in an applicable rule of civil procedure. All other deadlines in the Federal Rules of Civil Procedure shall govern this case and shall be enforced by this Court. Counsel should note Rule 26 and Rule 37(c)(1).

This Court will enforce Fed. R. Civ. P. 30, particularly Rule 30(a)(2)(A) (the ten-deposition rule), and Rule 30(d)(1) (the rule limiting depositions to one day/seven hours), absent written stipulation of the parties or court order. This Court shall enforce Rule 26 unless changed by case-specific order or by subsequent court order.

THUS, DONE AND SIGNED in chambers on this 21st day of February, 2024.

Carl E. Stewart, Circuit Judge  
Robert R. Summerhays, U. S. District Judge  
David C. Joseph, U. S. District Judge



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

PHILLIP CALLAIS, et al

CIVIL DOCKET NO. 3:24-CV-00122-  
DCJ-CES-RRS

VERSUS

NANCY LANDRY, in her official  
capacity as Louisiana Secretary of  
State

THREE-JUDGE COURT

ORDER

Before the Court is a MOTION TO INTERVENE [Doc. 10] filed by Edward Galmon, Sr., Ciara Hart, Norris Henderson, and Tramelle Howard (collectively, the “*Galmon* movants”) on February 6, 2024, and a MOTION TO INTERVENE AS DEFENDANTS AND TRANSFER<sup>1</sup> [Doc. 18] filed by Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, the National Association for the Advancement of Colored People Louisiana State Conference (“LA NAACP”), and the Power Coalition for Equity and Justice (collectively, the “*Robinson* movants”) on February 7, 2024.<sup>2</sup> Plaintiffs, Phillip Callais, Lloyd Price, Bruce Odell, Elizabeth Ersoff, Albert Caissie, Daniel Weir, Joyce LaCour, Candy Carroll Peavy, Tanya Whitney, Mike Johnson, Grover

<sup>1</sup> In their Reply brief, the *Robinson* movants respectfully withdrew their Motion to Transfer. [Doc. 76, p. 2].

<sup>2</sup> Both sets of movants were parties to a suit in the Middle District, *Robinson v. Ardoin*, No. 3:22-cv-02111-SDD-SDJ, in which parties litigated whether HB1, a prior iteration of Louisiana’s Congressional districting map, violated Section 2 of the Voting Rights Act of 1965, 52 U.S.C. § 10301.

Joseph Rees, and Rolfe McCollister (collectively, the “*Callais* plaintiffs”) oppose the Motions. [Doc. 33].

Additionally, before the Court is an unopposed Motion to Intervene filed by the State of Louisiana, by and through its Attorney General, Elizabeth Murrill, on February 20, 2024. [Doc. 53].

## **I. Motions to Intervene**

### **a. Legal Standard**

All movants claim that intervention as a matter of right is proper under Federal Rule of Civil Procedure 24(a) or in the alternative, permissive intervention under Federal Rule of Civil Procedure 24(b) is appropriate.

Federal Rule of Civil Procedure 24(a) provides that on “timely motion” the court must permit intervention by anyone who is either: (1) given an unconditional right to intervene by federal statute; or (2) “claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant’s ability to protect its interest, unless existing parties adequately represent that interest.” To intervene as a matter of right under Rule 24(a)(2), a proposed intervenor must meet the following four requirements:

(1) The application for intervention must be timely; (2) the applicant must have an interest relating to the property or transaction which is the subject of the action; (3) the applicant must be so situated that the disposition of the action may, as a practical matter, impair or impede his ability to protect that interest; (4) the applicant’s interest must be inadequately represented by the existing parties to the suit.

*New Orleans Public Service, Inc. v. United Gas Pipe Line Co.*, 732 F.2d 452, 463 (5th Cir. 1984) (quoting *International Tank Terminals, Ltd. v. M/V Acadia Forest*, 579 F.2d 964, 967 (5th Cir. 1978)). The applicant must satisfy each factor in order to show a right to intervene. *Guenther v. BP Retirement Accumulation Plan*, 50 F.4th 536, 542-43 (5th Cir. 2022). The inquiry under Rule 24(a)(2) “is a flexible one, which focuses on the particular facts and circumstances surrounding each application,” and “intervention of right must be measured by a practical rather than technical yardstick.” *Edwards v. City of Hous.*, 78 F.3d 983, 999 (5th Cir.1996).

Federal Rule of Civil Procedure Rule 24(b) provides that a “court may permit anyone to intervene who: ... has a claim or defense that shares with the main action a common question of law or fact.” Permissive intervention is “wholly discretionary with the [district] court ... even though there is a common question of law or fact, or the requirements for Rule 24(b) are otherwise satisfied. *Kneeland v. Nat'l Collegiate Athletic Ass'n*, 806 F.2d 1285, 1289 (5th Cir. 1987); *see also United States v. Texas E. Transmission Corp.*, 923 F.2d 410, 416 (5th Cir. 1991); *see also New Orleans Pub. Serv., Inc. v. United Gas Pipe Line Co.*, 732 F.2d 452, 471 (5th Cir.1984) (en banc) (quoting Wright & Miller, *Federal Practice and Procedure: Civil* § 1913 at 551 (1972)), *cert. denied*, 469 U.S. 1019, 105 S. Ct. 434, 83 L.Ed.2d 360 (1984). In exercising its discretion, the court must consider whether the intervention will unduly delay or prejudice the adjudication of the original parties’ rights. Fed. R. Civ. P. 24(b)(3). In reviewing a motion for permissive intervention, a court can weigh, among other things, “whether the intervenors’ interests are adequately represented by other

parties” and whether they “will significantly contribute to full development of the underlying factual issues in the suit.” *New Orleans Pub. Serv., Inc. v. United Gas Pipe Line Co.*, 732 F.2d 452, 472 (5th Cir. 1984).

## **b. Analysis**

### **i. *Robinson* Movants**

In regard to the *Robinson* movants, the Court finds that the first three factors required for intervention as a matter of right are met and that the only factor at issue is the fourth factor – the adequacy of representation. “The applicant has the burden of demonstrating inadequate representation, but this burden is ‘minimal.’” *Brumfield v. Dodd*, 749 F.3d 339, 345 (5th Cir.2014) (quoting *Sierra Club v. Espy*, 18 F.3d 1202, 1207 (5th Cir.1994)). The applicant’s burden is satisfied if he shows that the existing representation “may be inadequate,” the showing “need not amount to certainty.” *Guenther v. BP Ret. Accumulation Plan*, 50 F.4<sup>th</sup> 535, 543 (5th Cir. 2022).

However, the burden “cannot be treated as so minimal as to write the requirement completely out of the rule.” *Haspel & Davis Milling & Planting Co. v. Bd. Of Levee Commissioners of The Orleans Levee Dist. & State of Louisiana*, 493 F.3d 570, 578 (5th Cir. 2007). A movant must overcome two presumptions so that this requirement “ha[s] some teeth.” *Brumfield*, 749 F.3d at 345. The first only arises if “one party is a representative of the absentee by law” — which is inapplicable to this case. *Id.* The second “arises when the would-be intervenor has the same ultimate objective as a party to the lawsuit.” *Id.* To overcome this presumption, the movant must establish “adversity of interest, collusion, or nonfeasance on the part of the

existing party.” *Id.* An intervenor shows adversity of interest if it demonstrates that its interests “diverge from the putative representative’s interests in a manner germane to the case.” *Guenther*, 50 F.4<sup>th</sup> at 543. Differences of opinion regarding an existing party’s litigation strategy or tactics used in pursuit thereof, without more, do not rise to an adversity of interest. *Lamar v. Lynaugh*, 12 F.3d 1099, 1099 n.4 (5th Cir. 1993) (per curiam); *accord SEC v. LBRY, Inc.*, 26 F.4th 96, 99–100 (1st Cir. 2022) (“A proposed intervenor’s desire to present an additional argument or a variation on an argument does not establish inadequate representation.”); *United States v. City of New York*, 198 F.3d 360, 367 (2d Cir. 1999); *United States v. Territory of Virgin Islands*, 748 F.3d 514, 522 (3d Cir. 2014); *Bradley v. Milliken*, 828 F.2d 1186, 1192 (6th Cir. 1987); *Jenkins by Jenkins v. Missouri*, 78 F.3d 1270, 1275 (8th Cir. 1996) (“A difference of opinion concerning litigation strategy or individual aspects of a remedy does not overcome the presumption of adequate representation.”)

Here, the second presumption applies. In this case, the Secretary of State is sued in her official capacity, thus the State through the Attorney General is implicated as well. Broadly, the Attorney General’s job is to represent the State of Louisiana in lawsuits and defend the laws of the state – that is the oath she made to the state and what she was elected by the citizens of Louisiana to do. In this case, the State must defend SB8 as a constitutionally drawn Congressional redistricting map. This is the same ultimate objective movants would have and interest they would defend at this stage of the proceedings. Further, at this time, the Court finds no indication of the likelihood of collusion or nonfeasance on behalf of the State.

Because they failed to establish adversity of interest, collusion, or nonfeasance on the part of the State at this time, movants have not overcome the second presumption of adequate representation. Therefore, the Court does not find grounds for intervention as a matter of right under Rule 24(a) and turns to whether the *Robinson* movants may intervene under Rule 24(b) permissive intervention.

Permissive intervention is a two-stage process. First, the district court must decide whether “the applicant’s claim or defense and the main action have a question of law or fact in common.” Fed. R. Civ. P. 24(b)(2). If this threshold requirement is met, the court must then exercise its discretion in deciding whether intervention should be allowed. *Stallworth v. Monsanto Co.*, 558 F.2d 257, 269 (5th Cir. 1977).

To be clear – SB8 is not the Congressional districting map of the proposed *Robinson* and *Galmon* intervenors. It is the Congressional districting map of the State of Louisiana – passed by both Houses of the Louisiana Legislature and signed into law by the Governor. The *Robinson* and *Galmon* movants have neither a greater nor lesser interest in ensuring that this map does not run afoul of the 14<sup>th</sup> Amendment to the United States Constitution than any other citizen of the State of Louisiana. However, the Court does agree with movants’ contention that they have an interest in furthering their litigation objectives when, or if, the litigation enters any remedial phase. A remedial phase would implicate the main objective movants fought for in the *Robinson* case, two Black-majority Congressional districts as they allege is required by the Voting Rights Act and provide an opportunity to introduce the same or similar evidence and maps as in that case.

Imposing reasonable conditions on intervention is a “firmly established principle” in the federal courts. *Beauregard, Inc. v. Sword Servs., LLC*, 107 F.3d 351, 352-53 (5th Cir. 1997); *see also Stringfellow*, 480 U.S. at 378 (limitations upon intervention do not constitute a denial of the right to participate). It is undisputed that virtually any condition may be attached to a grant of permissive intervention. *Beauregard, Inc.*, 107 F.3d at 353 (5th Cir. 1997); *cf. United Nuclear Corp. v. Cranford Ins. Co.*, 905 F.2d 1424 (10th Cir.1990); *Fox v. Glickman Corp.*, 355 F.2d 161, 164 (2d Cir.1965); Wright, Miller & Kane, *Federal Practice & Procedure: Civil 2d*, § 1913, § 1922 (1986) (“Since the court has discretion to refuse intervention altogether, it also may specify the conditions on which it will allow the applicant to become a party.”). Thus, the Court grants the *Robinson* movants’ motion to intervene for the limited purpose of partaking in the remedial phase of trial, should the case advance to such stage. The Court will allow the *Robinson* movants to be present at all hearings, and movants may seek reconsideration of this ruling if they can establish adversity or collusion by the State.

## ii. *Galmon* Movants

The *Galmon* movants’ motion merits the same analysis as the *Robinson* movants. However, since the Court is allowing the *Robinson* movants to intervene, albeit in a limited role, the Court does not find it necessary to also allow the *Galmon* movants to intervene. Their interests and objectives will be adequately represented by the *Robinson* movants. Further, the *Robinson* movants constitute the plaintiffs in the lead case of *Robinson v. Ardoin*, No. 3:22-cv-02111-SDD-SDJ, with which the suit

filed by the *Galmon* plaintiffs was consolidated. Ultimately, because their interests will be adequately represented by the *Robinson* intervenors in any remedial phase, the Court denies the *Galmon* movants' motion to intervene.

**iii. State of Louisiana**

Lastly, as stated above, SB8, the map challenged by plaintiffs in this suit, was formulated and passed by the Louisiana Legislature and signed into law by the Governor. The State of Louisiana clearly has a compelling interest in defending the Congressional redistricting map formulated and passed by its own legislators, alongside its Secretary of State, in her official capacity. Therefore, the State's unopposed Motion to Intervene is granted. The Secretary of State and the State of Louisiana, as defendants, shall confer with each other to consolidate their briefings so as to avoid duplicative arguments. *See WildEarth Guardians v. Jewell*, 320 F.R.D. 1,6, 96 Fed. R. Serv. 3d 1469 (D.D.C. 2017) (allowing Colorado, Wyoming, and Utah to intervene as defendants in an action regarding the approval of oil and gas leases on public lands, but limiting the length of Colorado and Utah's briefing in phase of litigation involving leases in Wyoming, and directing the states to "confer with one another to consolidate their briefing and avoid duplicative arguments"); *see also Fisher-Borne v. Smith*, 14 F. Supp. 3d 699, 710, 89 Fed. R. Serv. 3d 1676 (M.D. N.C. 2014 (limiting potential pleadings of proposed intervenors)).



**II. Conclusion**

Accordingly,

IT IS HEREBY ORDERED that the *Robinson* movants' Motion to Intervene [Doc. 18] is GRANTED but limited only to the remedial phase, if one is needed, later in this suit, and the *Galmon* movants' Motion to Intervene [Doc. 10] is DENIED.

IT IS FURTHER ORDERED that the State of Louisiana's Motion to Intervene [Doc. 53] is GRANTED.

THUS, DONE AND SIGNED on this 26<sup>th</sup> day of February 2024.

/s/ Carl E. Stewart

CARL E. STEWART

CIRCUIT JUDGE

UNITED STATES COURT OF APPEALS

FIFTH CIRCUIT



ROBERT S. SUMMERHAYS

UNITED STATES DISTRICT JUDGE

WESTERN DISTRICT OF LOUISIANA



DAVID C. JOSEPH

UNITED STATES DISTRICT JUDGE

WESTERN DISTRICT OF LOUISIANA

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**ROBINSON PLAINTIFFS' AMICUS BRIEF  
IN OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

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### **PRELIMINARY STATEMENT**

This case asks whether the State of Louisiana was justified in enacting a congressional districting plan with two majority-Black districts after multiple federal courts held that a plan with only one district violated Section 2 of the Voting Rights Act of 1965 (“VRA”). And it asks whether, in carrying out that statutory mandate, the State has the flexibility to elevate political considerations over traditional redistricting concerns such as compactness and maintaining whole parishes, while still ensuring compliance with Section 2. In light of the robust evidentiary record developed in the Section 2 litigation in *Robinson v. Ardoin*, currently pending in the Middle District of Louisiana, the rulings of the district court and the Fifth Circuit in that litigation, and a complete accounting of the legislative record supporting SB8, the answer to both questions is indisputably, “yes.” See *Robinson v. Ardoin*, 605 F. Supp. 3d 759 (M.D. La. 2022) (“*Robinson I*”); *Robinson v. Ardoin*, 37 F.4th 208 (5th Cir. 2022) (“*Robinson II*”); *Robinson v. Ardoin*, 86 F.4th 574 (5th Cir. 2023) (“*Robinson III*”). Accordingly, the preliminary injunction must be denied.

Decades of case law establish that heeding the requirements of the VRA is both mandatory and constitutional. Even though the 2020 census revealed that almost all of Louisiana’s population growth was driven by minority populations, in 2022 the State enacted a congressional map (“HB1”) that diluted Black voting strength by “packing” large numbers of Black voters into a single majority-Black congressional district and “cracking” the State’s remaining Black voters among the five remaining districts, all of which were majority white. The congressional map Plaintiffs seek would do the same. But the district court in *Robinson* and two unanimous panels of the Fifth Circuit concluded that Section 2 likely requires Louisiana to adopt a congressional district map that includes two districts in which Black voters have an opportunity to elect their candidates of choice. *Robinson I*, 605 F. Supp. 3d at 766; *Robinson II*, 37 F.4th at 215; *Robinson III*, 86 F.4th at 583.

In this case, Plaintiffs seek to vitiate the effect of these rulings and foist on Louisiana a congressional map materially identical to the one challenged in *Robinson* that unlawfully diluted the votes of Black voters. Louisiana has already gone through one election under a map that violates Section 2, and Plaintiffs must not be permitted, in this collateral litigation, to disrupt the orderly implementation of a lawful plan in advance of the 2024 election. Under clearly established Supreme Court precedent, Plaintiffs are exceedingly unlikely to prevail on their Fourteenth and Fifteenth Amendment claims. The litigation and legislative record amply demonstrate that the Legislature had a strong basis in evidence for creating a second district to provide Black Louisianans an opportunity to elect candidates of their choice, and that politics, not race, drove the particular line-drawing decisions that led to SB8's final district configuration. In light of this record, it is clear that race did not predominate in the creation of SB8, and even if it did, it was justified by the State's need to comply with the VRA and the rulings of two federal courts.

Plaintiffs' intentional discrimination argument fails for the same reasons. There is no evidence that the Legislature was driven by animus toward Plaintiffs or the class of "non-African American" voters whose interests they purport to represent. There is likewise no evidence that SB8 has the effect of diluting Plaintiffs' votes on account of their non-African American status.

Moreover, Plaintiffs cannot establish irreparable injury, and the balance of the equities and public interest weigh heavily against injunctive relief. Here, the only risk of irreparable injury lies with the *Robinson* Amici and Black Louisianians, who would suffer vote dilution in yet another election if this Court imposes Plaintiffs' illustrative map. Such a result would harm all Louisiana voters, including Plaintiffs, by resulting in an election under congressional districts that likely violate the law. The public's expectations for the 2024 election are finally settled through the acts of their elected representatives after hard-fought litigation about what the law requires. The process



that led to SB8 is exactly the process that the Fifth Circuit contemplated when it remanded the *Robinson* case to the district court and imposed a deadline for the Legislature to come into compliance with Section 2. Plaintiffs must not be allowed to disrupt that orderly process through a last-minute collateral attack. Plaintiffs' preliminary injunction motion should be denied.

### **FACTUAL BACKGROUND**

#### ***Louisiana has a long history of disenfranchising and discriminating against Black voters.***

As the *Robinson* district court found, “[t]here is no sincere dispute” about “Louisiana’s long and ongoing history of voting-related discrimination.” *Robinson I*, 605 F. Supp. 3d at 848. Although nearly one-third of Louisiana’s voting-age citizens are Black, the State’s congressional districting maps included no majority-Black districts until the 1980s. Only after a federal court held that the State’s prior congressional district map violated the VRA did the State adopt a map with one majority-Black district. *See Major v. Treen*, 574 F. Supp. 325 (E.D. La. 1983).

As the *Robinson* court also found, voting in Louisiana is starkly polarized by race, and, except in majority-Black districts, white voters in Louisiana have consistently voted as a bloc to defeat the candidates preferred by Black voters. *Robinson I*, 605 F. Supp. 3d at 839–844. No Black candidate has been elected to statewide office since Reconstruction; Louisiana has never elected a Black candidate to Congress from a non-majority-Black district; and Black Louisianians are substantially underrepresented in both houses of the State legislature. *Id.* at 845–46.

#### ***The Louisiana Legislature enacts HB1 over a gubernatorial veto.***

The 2020 census revealed that Louisiana’s population increased since 2010, that this growth was driven almost entirely by growth in minority populations, and that Black citizens represent approximately 33.1% of the State’s total population and 31.2% of its voting age population. *Id.* at 851. The census also showed that the State’s congressional apportionment remained unchanged from 2010 at six congressional seats. *Id.* at 767. Consistent with its

constitutional obligation to ensure that its congressional districts are as equal in population as possible, the State undertook its decennial redistricting process to redraw its district maps. *Id.* at 769–70.

Between October 2021 and January 2022, the Legislature held public hearings across the State to solicit views about congressional redistricting. Voter after voter urged the Legislature to enact a map including two districts in which Black voters would have the same opportunity as white voters to elect their candidates of choice. Voters and Louisiana-based voting rights organizations also provided detailed analysis showing that the adoption of a plan with two districts in which Black voters had an equal opportunity to elect their candidates of choice was required by the VRA.<sup>1</sup> Multiple proposals for district maps with two majority-Black districts, including maps resembling SB8, were presented to the Legislature.<sup>2</sup>

The Legislature rejected these plans and adopted HB1. Like its predecessors, HB1 had one majority-Black district stretching from New Orleans to Baton Rouge. HB1 also provided for five districts with large white voting age majorities. Then-Governor Edwards vetoed HB1 on the ground that it “violate[d] Section 2 . . . and further is not in line with the principle of fundamental fairness.” The Legislature overrode the Governor’s veto and HB1 became law.<sup>3</sup>

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<sup>1</sup> Email Testimony of Michael Pernick submitted to the Monroe, La. Redistricting Roadshow (Oct. 18, 2021), [https://redist.legis.la.gov/2020\\_Files/MtgFiles/Email Testimony - Michael Pernick, NAACP Legal Defense & Educational Fund, Inc., & others.pdf](https://redist.legis.la.gov/2020_Files/MtgFiles/Email%20Testimony%20-%20Michael%20Pernick,%20NAACP%20Legal%20Defense%20&%20Educational%20Fund,%20Inc.,%20&%20others.pdf).

<sup>2</sup> See H.B. 4, 1st Spec. Sess. (La. 2022); H.B. 5, 1st Spec. Sess. (La. 2022); H.B. 7, 1st Spec. Sess. (La. 2022); H.B. 8, 1st Spec. Sess. (La. 2022); H.B. 9, 1st Spec. Sess. (La. 2022); H.B. 12, 1st Spec. Sess. (La. 2022); S.B. 2, 1st Spec. Sess. (La. 2022); S.B. 4, 1st Spec. Sess. (La. 2022); S.B. 6, 1st Spec. Sess. (La. 2022); S.B. 9, 1st Spec. Sess. (La. 2022); S.B. 10, 1st Spec. Sess. (La. 2022); S.B. 11, 1st Spec. Sess. (La. 2022); S.B. 16, 1st Spec. Sess. (La. 2022); S.B. 18, 1st Spec. Sess. (La. 2022); Amendment #88 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #99 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #153 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #62 to S.B. 2, 1st Spec. Sess. (La. 2022); Amendment.

<sup>3</sup> March 9, 2022 Letter from Governor John Bel Edwards to Hon. Clay J. Schexnayder, <https://gov.louisiana.gov/assets/docs/Letters/SchexnayderLtr20220309VetoHB1.pdf>.

***The district court enjoins HB1 as likely violating the VRA.***

Immediately after the veto override, the *Robinson* and *Galmon*<sup>4</sup> plaintiffs—voting rights organizations and individual Black voters from across the state—commenced actions in the U.S. District Court for the Middle District of Louisiana against the Secretary of State challenging HB1 on the ground that it dilutes the voting strength of the state’s Black voters in violation of Section 2 and moved for preliminary injunctions against the plan’s implementation. The Attorney General and the leaders of both houses of the Legislature intervened as defendants, and the Legislative Black Caucus intervened as a plaintiff. In May 2022, the district court held a five-day evidentiary hearing on the plaintiffs’ preliminary injunction motions. The parties presented testimony from seven fact witnesses and fourteen experts and made extensive pre- and post-hearing written submissions. *Robinson I*, 605 F. Supp. 3d at 768–69.

On June 6, 2022, Judge Dick issued a 152-page Ruling and Order granting plaintiffs’ motion for a preliminary injunction. *Id.* at 766. The court concluded that the plaintiffs were substantially likely to prevail on each of the preconditions for establishing Section 2 liability under *Thornburg v. Gingles*, 478 U.S. 30 (1986), and, as *Gingles* also requires, with regard to the totality of the circumstances. The court considered and squarely rejected the arguments Plaintiffs urge here that the first *Gingles* precondition—namely, a showing that the Black population is sufficiently large and geographically compact to constitute a majority in a single member district that is reasonably compact and drawn in conformity with traditional redistricting principles—cannot be established; that the illustrative maps plaintiffs presented showing two majority-Black districts were unconstitutional racial gerrymanders; and that the *Hays* cases from the 1990s precluded enactment of a congressional map with two majority-Black districts. *Id.* at 820–39.

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<sup>4</sup> *Galmon v. Ardoin*, No. 3:22-cv-00214-SDD-SDJ (M.D. La.).

In granting the preliminary injunction, the court provided the Louisiana Legislature an opportunity to adopt a remedial plan that included two majority-Black districts. *Id.* at 766. The court emphasized the Supreme Court’s direction that “[s]tates retain broad discretion in drawing districts to comply with the mandate of § 2,” and that the State is not required to “draw the precise compact district that a court would impose in a successful § 2 challenge.” *Id.* at 857 (quoting *Shaw v. Hunt*, 517 U.S. 899, 917 n.9 (1996), and *Bush v. Vera*, 517 U.S. 952, 978 (1996)); *see also id.* at 857–58 (nothing that “deference is due to [the State’s] reasonable fears of, and to their reasonable efforts to avoid, § 2 liability”) (quoting *Vera*, 517 U.S. at 978).

***The Fifth Circuit denies a stay pending appeal, but the Supreme Court stays the preliminary injunction pending Allen v. Milligan.***

The defendants in *Robinson*—two of which are Defendants here—filed notices of appeal and moved for a stay pending appeal. On June 12, 2022, a Fifth Circuit motions panel unanimously denied the *Robinson* defendants’ motion, concluding that the defendants had “not met their burden of making a strong showing of likely success on the merits.” *Robinson II*, 37 F.4th at 215. The panel squarely rejected defendants’ arguments that “complying with the district court’s order [to adopt a plan with two majority-Black districts] would require the Legislature to adopt a predominant racial purpose.” *Id.* at 222–24; *see also id.* at 215 (noting that the district court’s order on appeal “requires the Louisiana Legislature to enact a new congressional map with a second black-majority district”); *id.* at 223 (“[T]he defendants have not overcome the district court’s factual findings indicating that the [plaintiffs’] illustrative maps are not racial gerrymanders.”).

The Supreme Court subsequently ordered that the case be “held in abeyance pending this Court’s decision” in *Allen v. Milligan* (then-named *Merrill v. Milligan*), a case involving a challenge to Alabama’s congressional district map under Section 2 of the VRA. *See Ardoin v. Robinson*, 142 S. Ct. 2892 (2022). On June 8, 2023, the Court issued its decision in *Milligan*,

upholding the lower court’s preliminary injunction against the Alabama map and strongly reaffirming the *Gingles* framework. *See Allen v. Milligan*, 599 U.S. 1, 17 (2023). The Court thereafter lifted the stay in *Robinson* and remanded “for review in the ordinary course and in advance of the 2024 congressional elections in Louisiana.” *Ardoin v. Robinson*, 143 S. Ct. 2654 (2023).

***The Fifth Circuit agrees that HB1 likely violates the VRA, but vacates the injunction because there was adequate time for a trial before the 2024 election.***

On November 10, 2023, the merits panel of the Fifth Circuit issued a unanimous opinion endorsing the *Robinson* court’s ruling that plaintiffs were likely to succeed on the merits of their Section 2 claim. *Robinson III*, 86 F.4th at 583. The court concluded that a redistricting objective to establish two majority-Black districts “does not automatically constitute racial predominance.” *Id.* at 594 (citing *Milligan*, 599 U.S. at 32–33). The court rejected the defendants’ argument that, because the plaintiffs’ proposed illustrative maps were “designed with the goal of at least 50 percent [Black Voting Age Population],” they were impermissible racial gerrymanders. *Id.* at 593. The court reasoned that “[a]ttempting to reach the needed 50 percent threshold does not automatically amount to racial gerrymandering.” *Id.* at 594. The “target of reaching a 50 percent BVAP was considered alongside and subordinate to the other race-neutral traditional redistricting criteria *Gingles* requires,” including consideration of “communities of interest, political subdivisions, parish lines, culture, religion, etc.” *Id.* at 595. The court concluded that “[t]he district court’s preliminary injunction . . . was valid when it was issued.” *Id.* at 599.

The Fifth Circuit nevertheless vacated the preliminary injunction on the ground that “[f]or the 2024 Louisiana elections calendar . . . there is no imminent deadline,” and because a trial on the merits could be held before that election, a preliminary injunction “is no longer required to prevent the alleged elections violation.” *Id.* at 600. The court allowed the Legislature until January

15, 2024, to enact a new congressional redistricting plan and directed that “[i]f no new plan is adopted, then the district court is to conduct a trial and any other necessary proceedings to decide the validity of the H.B. 1 map, and, if necessary, to adopt a different districting plan for the 2024 election.” *Id.* at 601–02. The district court subsequently extended that deadline, at the defendants’ request, to January 30, 2024. *Robinson I*, ECF No. 330. The Fifth Circuit denied defendants’ motion for reconsideration en banc. *Robinson III*, ECF No. 363.

***Governor Landry calls a Special Session to enact a new congressional map.***

On January 8, 2024, newly inaugurated Governor Landry called the Legislature into an extraordinary session to, *inter alia*, “legislate relative to the redistricting of the Congressional districts of Louisiana.”<sup>5</sup> One week later, the Legislature convened. Prior to the commencement of session, the Committee on House and Governmental Affairs met for an informational briefing from committee staff and the Attorney General on the requirements for the redistricting process and legal process that led to the special session.<sup>6</sup> The briefing emphasized population shifts reported in the last census, traditional redistricting principles, and the court record in *Robinson*.<sup>7</sup>

In a speech to the Legislature, Governor Landry explained that the purpose of the Special Session was to approve a new Congressional district map that satisfied the VRA and that was chosen by the Legislature rather than the courts. He averred that the State had “exhausted all legal remedies” to defend HB1.<sup>8</sup> He implored the legislators to “join [him] in adopting the redistricting maps proposed,” stating the “maps will satisfy the court and ensure that the congressional districts

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<sup>5</sup> Proclamation 01 JML 2024, Call and Convene the Legislature of Louisiana into Extraordinary Session (Jan. 8, 2024), available at <https://www.gov.louisiana.gov/assets/ExecutiveOrders/2024/JML-Proclamation-01.pdf>.

<sup>6</sup> See generally La. Committee on House and Governmental Affairs Meeting (Jan. 15, 2024), available at [https://redist.legis.la.gov/default\\_video?v=house/2024/jan/0115\\_24\\_HG](https://redist.legis.la.gov/default_video?v=house/2024/jan/0115_24_HG) (“Ex. 1”).

<sup>7</sup> *Id.*

<sup>8</sup> Office of the La. Governor, Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting (Jan. 16, 2024), <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting>.

of our State are made right here in the Legislature and not by some heavy-handed member of the federal judiciary.”<sup>9</sup>

Seven bills were filed to reconfigure the congressional district lines. Six of those bills provided for two majority-Black districts.<sup>10</sup> SB8, the bill ultimately enacted, provides for a bare majority of Black voters in two districts, CD2 and CD6. An alternative bill, SB4, mirrored a map proposed as a remedial plan by the Plaintiffs in the *Robinson* litigation, which included Black voting age majorities in CD2 and CD5, was substantially identical to maps the district court had held were consistent with traditional redistricting principles and were not predominantly motivated by race or unconstitutional racial gerrymanders.<sup>11</sup>

***Senator Womack describes the political rationale behind SB8.***

The legislative record reflects that the Legislature’s primary purpose in enacting SB8 was politics rather than race. Senator Womack, the lead Senate sponsor of SB8, described the bill as the “product of a long, detailed process” to achieve “several goals.”<sup>12</sup> First among these goals, Senator Womack stated, was to ensure that his congressional representative, Julia Letlow, “remains both unpaired with any other incumbents and in a congressional district that should

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<sup>9</sup> *Id.*

<sup>10</sup> See H.B. 2, 1st Spec. Sess. (La. 2024); H.B. 5, 1st Spec. Sess. (La. 2024); H.B. 14, 1st Spec. Sess. (La. 2024); H.B. 19, 1st Spec. Sess. (La. 2024); S.B. 4, 1st Spec. Sess. (La. 2024); S.B. 8, 1st Spec. Sess. (La. 2024); S.B. 10, 1st Spec. Sess. (La. 2024).

<sup>11</sup> *Robinson I*, 605 F. Supp. 3d at 838 (“There is *no factual evidence* that race predominated in the creation of the illustrative maps in this case . . . Plaintiffs’ expert witnesses William Cooper and Anthony Fairfax explicitly and credibly testified that they did not allow race to predominate over traditional districting principles as they developed their illustrative plans.”); see also *Robinson II*, 86 F.4th at 592 (“The district court reviewed the evidence before it and made a factual finding as to what the evidence showed, acknowledging throughout its decision the State’s omission of contrary testimony. It concluded that the facts and evidence demonstrated the Plaintiffs were substantially likely to prove the geographic compactness of the minority population . . . There was no clear error by the district court when it found the illustrative maps created a different community of interest and the first *Gingles* precondition was met.”).

<sup>12</sup> See La. Committee on Senate and Governmental Affairs Meeting (Jan. 16, 2024) (“Ex. 2”), Part II available at [https://senate.la.gov/s\\_video/VideoArchivePlayer?v=senate/2024/01/011624SG2](https://senate.la.gov/s_video/VideoArchivePlayer?v=senate/2024/01/011624SG2) (starting around 30:17).

continue to elect a Republican to Congress for the remainder of this decade.”<sup>13</sup> In this critical way, Senator Womack and other legislators acknowledged, SB8 differed from SB4 (a bill that, as noted, resembled a map proposed by the *Robinson* plaintiffs), which created a new majority-Black district in CD5 which Representative Letlow currently serves.<sup>14</sup> Instead, SB8 created a new majority-Black district in CD6, the district currently held by Congressman Garrett Graves.<sup>15</sup>

Senator Womack further emphasized the political goal of maintaining four “safe Republican seats,” and ensuring that the seats currently held by Speaker of the U.S. House of Representatives Mike Johnson and U.S. House Majority Leader Steve Scalise “will have solidly Republican districts at home so that they can focus on . . . national leadership.”<sup>16</sup> Senator Womack stated that he “considered a number of different map options” to comply with the federal courts’ directives to abide by Section 2, but decided to sponsor SB8 because he believed it best “accomplished the political goals” he believed are “important” for his “district, for Louisiana, and for our country.”<sup>17</sup> Senator Womack expanded upon his motivations and the mapping process during questioning from committee members. After acknowledging that SB8 split more parishes than SB4, Senator Womack noted that political considerations were prioritized in balancing other principles, like parish splits: “It was strictly—politics drove this map.”<sup>18</sup>

Other legislators were similarly clear about their primary motivation—the safe political futures of select Republican incumbents. While House Speaker Johnson, Majority Leader Scalise, and Representatives Letlow and Higgins were all named during the process,<sup>19</sup> Representative

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<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> See S.B. 8, 1st Spec. Sess. (La. 2024).

<sup>16</sup> See Ex. 2 at 31:18 – 31:54 (Jan. 16, 2024).

<sup>17</sup> *Id.* at 33:55 – 34:23.

<sup>18</sup> *Id.* at 34:30 – 35:44.

<sup>19</sup> See, e.g., La. Committee on House and Governmental Affairs, at 26:00 – 26:32 (Jan. 18, 2024), [https://redist.legis.la.gov/default\\_video?v=house/2024/jan/0118\\_24\\_HG\\_P2](https://redist.legis.la.gov/default_video?v=house/2024/jan/0118_24_HG_P2) (“Ex. 4”).



Graves was conspicuously left out of the on-the-record statements by proponents of SB8—consistent with the widely reported accusations that the Governor and allies in the Legislature were motivated to pass a map that would undermine Representative Graves’ political future in retaliation for his support of political opponents of both Majority Leader Scalise in his brief candidacy for Speaker of the House and Governor Landry in his recent campaign for Governor.<sup>20</sup>

Senator Womack expressly stated that race was “not the predominant factor” in adopting SB8 but was instead a “secondary consideration.”<sup>21</sup> When asked if he analyzed whether the majority-Black districts in SB8 would perform for Black voters, he responded that he conducted no such analysis, but added that he knew how the districts would perform on party lines: “Our analysis is on party, not race.”<sup>22</sup> And when asked why the map joined Shreveport and Baton Rouge, Senator Womack stated, “we had to draw two districts, and that’s the only way we could get two districts ... one of the ways we could get two districts and still protect our political interest.”<sup>23</sup>

***Senator Womack describes traditional redistricting principles guiding SB8.***

Senator Womack and other proponents of SB8 also highlighted the shared interests of Louisianians united in the new configuration of CD6, highlighting the communities tied together by the Red River and I-49.<sup>24</sup> Legislators emphasized the shared industry and commerce,

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<sup>20</sup> See, e.g., Tyler Bridges, *Rep. Garret Graves was on top. Now he's fighting for his political life. What happened?*, NOLA.COM (Jan. 20, 2024), [https://www.nola.com/news/politics/rep-garret-graves-sees-fortunes-fall-steeply/article\\_c4592922-b721-11ee-bba8-c3fe4cd6a7ad.html](https://www.nola.com/news/politics/rep-garret-graves-sees-fortunes-fall-steeply/article_c4592922-b721-11ee-bba8-c3fe4cd6a7ad.html) (“After deciding not to run himself for governor, Graves ran afoul of Landry by backing the bid of Stephen Waguespack, an ally who was then the head of the Louisiana Association of Business and Industry... Apart from payback, Landry has an additional reason to want to sideline Graves, political insiders say. As a sitting congressman with an ability to raise money, Graves could be a formidable challenger to Landry’s re-election in 2027. Graves, meanwhile, upset Scalise by not publicly supporting his bid to be speaker in October after McCarthy resigned.”).

<sup>21</sup> Ex. 2

<sup>22</sup> Ex. 2 at 38:50 – 43:16.

<sup>23</sup> Meeting of the Louisiana State Senate at 11:10 – 12:08 (Jan. 17, 2024), [https://senate.la.gov/s\\_video/VideoArchivePlayer?v=senate/2024/01/011724SCHAMB](https://senate.la.gov/s_video/VideoArchivePlayer?v=senate/2024/01/011724SCHAMB) (“Ex. 3”).

<sup>24</sup> Ex. 2 at 38:08 – 38:24.

educational institutions, agriculture, cattlemen, farms, row crops, and healthcare centers common to the regions connected in CD6 under SB8.<sup>25</sup> During debate in the Committee on House and Governmental Affairs following Senator Womack's introduction of SB8, for example, Representative Ed Larvadain stated his initial preference for the alternative map presented by the *Robinson* plaintiffs, but voiced support for SB8 due to the communities of interest it ties together. Representative Larvadain, who represents communities in Alexandria at the heart of SB8's CD6, detailed communities connected throughout the district in an exchange with Senator Womack:

**REPRESENTATIVE LARVADAIN:** Okay. Now, when you look at the community of interest, I'm in Rapides. My district is cut up in two spots. I'm in District 4 and District 6. I know in the community of interest, you've got Rapides and Natchitoches, and I think that you've got the Creole Nation, you've got Northwestern State University. A lot of my students in my district attend those, so that's a community of interest. Would you agree?

**SENATOR WOMACK:** I agree.

**REPRESENTATIVE LARVADAIN:** When you look at Natchitoches, there's a community of interest with Natchitoches and Caddo. You've got lumber companies in that Natchitoches area. A lot of people work. RoyOMartin has a big plant at Natchitoches, and a lot of folks in my area work there. RoyOMartin is from Alexandria, and a lot of folks work in DeSoto where you have a lot of timber. And would you agree with that?

**SENATOR WOMACK:** I agree.

**REPRESENTATIVE LARVADAIN:** You look at St. Landry. St. Landry has -- Opelousas has a nice size, medium sized hospital. So those folks in Pointe Coupee, they will go to St. Landry to get the medical care and so forth in Opelousas area. Would you agree with that?

**SENATOR WOMACK:** I agree.

**REPRESENTATIVE LARVADAIN:** And you look at West Baton Rouge, East Baton Rouge Parish.

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<sup>25</sup> See, e.g., Ex. 4 (starting at 3:52) ("[T]he map that I presented goes along the Red River. It's the I49 corridor. We have commerce through there. We have a college through there. We have a lot of ag[riculture], cattlemen, as well as farm, row crop, and a lot of people up through that corridor come back to Alexandria using that corridor for their healthcare.").

[...]

**REPRESENTATIVE LARVADAIN:** And it goes all the way to the great City of Shreveport?

**SENATOR WOMACK:** Right. Where our LSU hospital is.

**REPRESENTATIVE LARVADAIN:** The hospital is vital because in Alexandria, we had Huey P Long [Medical Center]. You're familiar with that, and Jindal shut my Huey P. Long, so my folks in Rapides have to go to LSU. So that's a community of interest.<sup>26</sup>

Despite numerous amendments offered to SB8 through the week-long session, only a handful were accepted.<sup>27</sup> Right before final passage on the last day of the special session, the House of Representative stripped away an amendment to the bill accepted in House and Governmental Affairs that increased the BVAP in both CD2 and CD6.<sup>28</sup> Reflecting the version endorsed by the Governor over amendments and alternatives, SB8 passed 86-16 in the House,<sup>29</sup> and was accepted by concurrence in the Senate, 27-11, on January 19, 2024.<sup>30</sup> Governor Landry signed the map into law as Act 2 on January 22, 2024.<sup>31</sup>

***The Callais Plaintiffs sue.***

Almost immediately after the enactment of SB8, Plaintiffs, a group of “non-African American” voters, filed the present suit attacking SB8 as a racial gerrymander and raising the exact legal issue that the *Robinson* court has already answered in the affirmative: whether Section 2

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<sup>26</sup> *Id.* at 20:50 – 28:38.

<sup>27</sup> See, e.g., S.B. 8, 1st Spec. Sess. (La. 2024) House Floor Amendment #83 Beaulieu Adopted; S.B. 8, 1st Spec. Sess. (La. 2024) House Committee Amendment #74 H&G Adopted; S.B. 8, 1st Spec. Sess. (La. 2024) House Committee Amendment #68 H&G Draft; S.B. 8, 1st Spec. Sess. (La. 2024) House Committee Amendment #70 H&G Draft; S.B. 8, 1st Spec. Sess. (La. 2024) Senate Committee Amendment #48 S&G Adopted; S.B. 8, 1st Spec. Sess. (La. 2024) Senate Committee Amendment #38 S&G Draft; S.B. 8, 1st Spec. Sess. (La. 2024) Senate Committee Amendment #34 S&G Draft; S.B. 8, 1st Spec. Sess. (La. 2024) Senate Committee Amendment #31 S&G Draft.

<sup>28</sup> Piper Hutchinson, *Louisiana House committee alters, advances congressional map with 2nd Black district*, Louisiana Illuminator (Jan. 18, 2024), <https://lailuminator.com/2024/01/18/louisiana-house-committee-alters-advances-congressional-map-with-2nd-black-district/>.

<sup>29</sup> Vote on Final Passage, S.B. 8, 1st Spec. Sess. (Jan. 19, 2024).

<sup>30</sup> Concurrence Vote, S.B. 8, 1st Spec. Sess. (Jan. 19, 2024).

<sup>31</sup> Act 2, 1st Spec. Sess. (La. 2024).

requires Louisiana to have a second congressional district where Black voters can elect a candidate of choice. Compl., ECF No. 1 at 22–28. Plaintiffs also asked this Court to enjoin SB8 and reinstate a map with a single district in which Black voters could elect a candidate of their choosing. Mot., ECF No. 17 at 2. Plaintiffs’ Illustrative Map 1 closely resembles Louisiana’s 2022 map, which has been held to likely violate the *Robinson* plaintiffs’ rights under Section 2 of the VRA. *Robinson I*, 605 F. Supp. at 766; *Robinson II*, 37 F.4th at 215; *Robinson III*, 86 F.4th at 583.

### **ARGUMENT**

“[A] preliminary injunction is ‘an extraordinary remedy never awarded as of right.’” *Benisek v. Lamone*, 585 U.S. 155, 158 (2018). To obtain a preliminary injunction, the movant must establish four elements: “(1) a substantial likelihood of success on the merits, (2) a substantial threat of irreparable injury if the injunction is not issued, (3) that the threatened injury if the injunction is denied outweighs any harm that will result if the injunction is granted, and (4) that the grant of an injunction will not disserve the public interest.” *Robinson III*, 86 F.4th at 587. The balance of the equities and the public interest “merge” as factors in the preliminary injunction analysis “when the Government is the opposing party.” *Nken v. Holder*, 556 U.S. 418, 435 (2009). Plaintiffs “clearly carr[y] the burden of persuasion on all four elements,” and must meet that burden with respect to each element in order for a preliminary injunction to issue. *Lake Charles Diesel, Inc. v. General Motors Corp.*, 328 F.3d 192, 195 (5th Cir. 2003).

#### **I. Plaintiffs are not likely to succeed on the merits of their claims.**

The Supreme Court has imposed a “high bar to racial gerrymandering challenges.” *Robinson III*, 86 F.4th at 595; *Cooper v. Harris*, 581 U.S. 285, 291 (2017). To meet that high bar, Plaintiffs must prove that “race was the predominant factor” motivating the Louisiana Legislature to pass SB8. *Id.* That requires a showing that the Legislature “‘subordinated’ other [traditional districting] factors,” including compactness, respect for political subdivisions, political influences,

and communities of interest, to race. *Id.* “Strict scrutiny does not apply merely because redistricting is performed with consciousness of race.” *Vera*, 517 U.S., at 958 (O’Connor, J., principal opinion); *cf. Milligan*, 599 U.S. at 30 (Roberts, C.J., plurality opinion) (holding that “race consciousness does not lead inevitably to impermissible race discrimination,” and that in fact “Section 2 itself ‘demands consideration of race.’”) (citations omitted).

Even where race is the predominant factor, a racial gerrymandering claim will not succeed if strict scrutiny is satisfied, as it is here. Strict scrutiny is satisfied if “the State’s decision to draw [an additional majority-Black district] [wa]s narrowly tailored to the compelling interest of compliance with the VRA.” *Walen*, 2023 WL 7216070, at \*10.

To prevail on an intentional vote dilution claim under the Fourteenth and Fifteenth Amendments, Plaintiffs must show that the redistricting plan (i) has a discriminatory effect and (ii) was enacted with a discriminatory purpose. *Hall v. Louisiana*, 108 F. Supp. 3d 419, 439 (M.D. La. 2015). This is a fact-intensive standard. *See Vill. of Arlington Heights v. Metro Housing Dev. Corp.*, 429 U.S. 252, 266–68 (1977).

Plaintiffs cannot establish a likelihood of proving any of these necessary components of their claims, and their preliminary injunction must be denied.

**A. The State and the Legislature had a strong basis in evidence to believe Section 2 required a second majority-Black district.**

A race-conscious redistricting plan requires a “strong basis in evidence” for concluding that it otherwise would be vulnerable to a Section 2 vote dilution claim. *Alabama Legislative Black Caucus v. Alabama*, 575 U.S. 254, 278 (2015); *Clark v. Calhoun Cnty., Miss.*, 88 F.3d 1393, 1405–06 (5th Cir. 1996). Evidence sufficient to provide the requisite “strong basis” for the use of race in redistricting need not conclusively establish that a Section 2 violation would occur without it. The “strong basis” standard

does not require the State to show that its action was actually . . . necessary to avoid a statutory violation, so that, but for its use of race, the State would have lost in court. Rather, the requisite strong basis in evidence exists when the legislature has “good reasons to believe” it must use race in order to satisfy the Voting Rights Act, even if a court does not find that the actions were necessary for statutory compliance.

*Bethune-Hill v. Virginia State Bd. of Elections*, 580 U.S. 178, 194 (2017) (cleaned up).

Here, the decisions by the district court and two unanimous Fifth Circuit panels in *Robinson* provided the State with much more than required to give it a strong basis, supported by ample and substantial evidence and thorough analysis, to conclude that the VRA required it to adopt a congressional map with two majority-Black districts. The district court, based on evidence presented during a five-day hearing, concluded in a 152-page opinion that the plaintiffs were substantially likely to establish each of the *Gingles* preconditions and prove Section 2 liability in the totality of the circumstances. *See Robinson I*, 605 F. Supp. 3d at 766. Two unanimous panels of the Fifth Circuit—*first*, denying the State’s motion to stay pending appeal, *see Robinson II*, and *second*, by the full merits panel, *see Robinson III* at 600-601—agreed with the district court’s findings. *See Theriot v. Par. of Jefferson*, 1996 WL 637762, at \*1 (E.D. La. Nov. 1, 1996) (where “copious litigation and appeals” finding that each *Gingles* precondition was satisfied provided the state with “a strong basis in evidence to believe a black-majority district was reasonably necessary to comply with Section 2 and thus provided a compelling interest in [an additional] majority-minority district”); *see also Clark*, 88 F.3d at 1408 (holding that there was a strong basis in evidence for concluding a VRA-compliant map was necessary where court had “already found that the three *Gingles* preconditions exist[ed] [t]here”).

Plaintiffs make no effort to show that the *Gingles* preconditions are not satisfied. They do not even cite *Gingles*. Instead, despite this “copious” litigation record, *Theriot*, 1996 WL 637762, at \*1, Plaintiffs attempt to revisit arguments already decided and squarely rejected in *Robinson*,

including whether, using 2020 census data, a sufficiently numerous and geographically compact second majority-Black district can be drawn in Louisiana, and whether drawing such a district would require the State to impermissibly use race as the predominant factor. ECF No. 17-1 at 25–26. Plaintiffs extensively cite legal arguments—which Plaintiffs call “admissions,” despite their rejection by the courts—from the State’s *briefing* on the preliminary injunction in *Robinson* to assert it is “impossible” to draw a second majority-Black district “without impermissibly resorting to mere race as a factor.” ECF No. 17-1 at 26. But the district court and the Fifth Circuit rejected those arguments. *Robinson I*, 605 F. Supp. 3d at 827; *Robinson II*, 37 F.4th at 222. In these circumstances, the Legislature had a more than strong basis in evidence to conclude that the VRA required a congressional redistricting plan with two districts in which Black Louisianans could elect candidates of their choice.

**B. Race was not the predominant factor in the enactment of SB8; the legislative record shows that the Legislature enacted SB8 to comply with the VRA, and the contours of the map were driven by politics, not race.**

“Electoral districting is a most difficult subject for legislatures, requiring a delicate balancing of competing considerations, [and] differs from other kinds of state decision making in that the legislature always is aware of race when it draws district lines, just as it is aware of ... a variety of other demographic factors.” *Bethune Hill*, 580 U.S. at 187. “[T]he legislature ‘must have discretion to exercise the political judgment necessary to balance competing interests,’ and courts must ‘exercise *extraordinary caution* in adjudicating claims that a State has drawn district lines on the basis of race.’” *Easley v. Cromartie*, 532 U.S. 234, 241 (2001) (quoting *Miller v. Johnson*, 515 U.S. 900, 915–16 (1995)) (emphasis in original). “Caution is especially appropriate . . . where the State has articulated a legitimate political explanation for its districting decision.” *Id.* at 242; *see also Robinson I*, 605 F. Supp. 3d at 856–58; *Robinson III*, 86 F.4th at 601.

To prevail on their claim that SB8 made unconstitutional use of race in establishing district lines, “[r]ace must not simply have been *a* motivation for the drawing of a majority-minority district, but the ‘*predominant factor*’ motivating the legislature’s districting decision.” *Easley*, 532 U.S. at 241 (emphases in original) (cleaned up). A district’s unusual shape is not conclusive evidence of a racial gerrymander. Where a district’s shape can be explained by other districting considerations, such as politics, it carries little to no weight as evidence of racial gerrymandering. *Cromartie*, 532 U.S. at 243–53.

Likewise, stray comments by legislators—even the chief sponsor of the redistricting plan—that race factored into a plan’s overall configuration must not be viewed in isolation but must be considered in context and in light of the entire legislative record. *Id.* at 253–54. In *Cromartie*, for example, the Supreme Court reversed the district court’s finding that race predominated and rejected the court’s fact-finding from the legislative record. *Id.* Where the district court had relied on the bill sponsor’s statement that the challenged plan achieved “racial and partisan balance,” the Supreme Court, reviewing that comment in context, concluded that it merely demonstrated that race was one consideration among many and did not establish racial predominance. *Id.*

As in *Cromartie*, the legislative record here, viewed as a whole, demonstrates that the legislature’s configuration of CD6 was overwhelmingly driven by political rather than racial considerations. Indeed, contrary to Plaintiffs’ telling, the legislative record on SB8 makes clear that non-racial motivations were centered in the development of the plan. Concerns over legislative control of the redistricting process—a desire for the Legislature to draw a Section 2-compliant map on their own terms, rather than accept districts imposed by the judiciary—echoed from the



Governor's speech to the final passage of SB8.<sup>32</sup> Maintaining control over the process was a first and essential display of power for the newly elected Governor and state legislative leadership after securing a partisan sweep of statewide political offices and a supermajority in the Legislature.<sup>33</sup> This incentive was coupled with a clear list of motivating factors for the particular configuration of SB8, in which race figured as a distant and distinctly secondary factor, namely:

1. To ensure Representative Letlow remains unpaired with other incumbents and in a district that will continue to elect a Republican to Congress;<sup>34</sup>
2. To maintain four Republican seats, with special effort to ensure Speaker Johnson and Majority Leader Scalise are in "safe Republican seats";<sup>35</sup>
3. To connect the communities with shared interests along the Red River and I-49 corridor, which share commerce, a college, agriculture, cattlemen, farms, row crops, and healthcare centers, among other connective tissue;<sup>36</sup> and
4. To comply with the Fifth Circuit's and District Court's decisions concerning the requirements of Section 2, while still accomplishing "the political goals" stated above.<sup>37</sup>

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<sup>32</sup> See, e.g., Office of the Governor, *Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting* (Jan. 16, 2024), <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting> ("We do not need a federal judge to do for us what the people of Louisiana have elected you to do for them. You are the voice of the people, and it is time that you use that voice."); Liz Murrill (@AGLizMurrill), Twitter (Jan. 16, 2024, 4:53 PM), <https://twitter.com/AGLizMurrill/status/1747376599446516056> ("[W]e have a federal judge holding her pen in one hand and a gun to our head in the other."); La. House of Representatives Floor Debate (Jan. 19, 2024) available at [https://www.house.louisiana.gov/H\\_Video/VideoArchivePlayer?v=house/2024/jan/0119\\_24\\_1ES\\_Day5](https://www.house.louisiana.gov/H_Video/VideoArchivePlayer?v=house/2024/jan/0119_24_1ES_Day5) ("Ex. 5") (starting at 2:48:44) ("If we don't act, it's very clear that the federal court will impose the plaintiff's proposed map on our state and we don't want that.").

<sup>33</sup> See, e.g., *id.*, see also Piper Hutchinson, *Louisiana's special session on election matters: Winners and losers*, LA. ILLUMINATOR (Jan. 20, 2024), <https://lailluminator.com/2024/01/20/louisianas-special-session-on-election-matters-winners-and-losers/> (Highlighting the fact that "Louisiana's brand-new governor got the congressional map he asked for with two majority Black districts," as an important win given the "gamble" he took on other priorities during the session; also noting "Senate President Cameron Henry, R-Metairie, is clearly running the show at the Capitol," and that the Senate "got its own way in almost everything, including a congressional map its senator sponsor drew.").

<sup>34</sup> See Ex. 2 (starting around 30:17); Ex. 4 (starting at 1:44); Ex. 5 (starting at 2:46:00).

<sup>35</sup> See Ex. 2 (starting around 31:18); see also Ex. 4 (starting at 3:01).

<sup>36</sup> Ex. 2 (starting at 33:50).

<sup>37</sup> *Id.* (starting at 33:50).

In light of this record, Plaintiffs’ contention that race predominated in the drawing of SB8 does not withstand scrutiny. Plaintiffs point to statements by legislators that SB8 was adopted to create a second majority-Black congressional district in order to comply with the VRA. But the courts have been clear that a state’s effort to comply with Section 2 does not entail that race was the predominant factor in any possible map. *See Allen*, 599 U.S. at 32–33 (plurality opinion) (concluding that race had not predominated in an illustrative plan’s creation of a second majority-Black district to support plaintiffs’ Section 2 claim); *Robinson III*, 86 F.4th at 595 (evidence that map drawer had the goal of reaching a particular target Black voting age population to comply with Section 2, which was balanced with other, non-racial considerations, was insufficient to establish racial predominance). Race was not—and did not need to be—the Legislature’s primary consideration for it to achieve two majority-Black districts. *See Cromartie*, 532 U.S. at 253 (comments by legislators that race was part of the legislature’s calculus “says little or nothing about whether race played a *predominant* role comparatively speaking.”) (emphasis in original).

Moreover, Plaintiffs mischaracterize the testimony they rely on for this point. For example, Plaintiffs cite Senate Womack’s statement that SB8’s unusual configuration “was the only way we could get two districts ...,” trailing off with an ellipsis. Mem. at 8. What they elide is the critical context of Senator Womack’s statement: that SB8 “was the only way we could get two districts ... *and still protect our political interest.*”<sup>38</sup>

Plaintiffs’ other citations of the legislative record are similarly misleading. For example, Plaintiffs’ assertion that “[r]ace was the only reason [CD6] extended into far-flung regions of Louisiana,” Mem. at 8, ignores the significant testimony about the economic, social, and community ties among the communities drawn together in the district. For example, Plaintiffs

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<sup>38</sup> Ex. 3 (starting at 10:30 (emphasis added)).

assert that Senator Womack disavowed that CD6 comprised a community of interest, and “denied that he considered agriculture a community of interest.” *Id.* But whether characterized as a “community of interest” or as a “positive of going up that corridor,” as Senator Womack explained his thought process in configuring CD6 to encompass “your timberland, your ag[riculture], your hospitals,”<sup>39</sup> it provides a non-racial explanation for the configuration of CD 6 that Plaintiffs completely ignore. Plaintiffs also ignore the extended colloquy between Representative Larvadain and Senator Womack about the numerous educational, healthcare, economic, employment, and other ties binding the communities in CD6. *See supra* pp. 12–13.<sup>40</sup>

Plaintiffs contend that CD6’s peculiar shape in SB8 is explainable only by race. Even accepting that SB8 violates traditional redistricting principles—which Amici do not concede<sup>41</sup>—Plaintiffs’ argument that race was the reason is belied by the legislative record. *See* Mem. at 18–24. As the Supreme Court made clear in *Cromartie*, it is not the fact of a district’s shape that alone establishes racial predominance, but the reasons for choosing a bizarre district configuration. 532 U.S. at 238. Here, the evidence is plain that (1) the legislature had predominantly political reasons for choosing to configure CD6 the way it did, and (2) it could have achieved the goal of creating a second majority-Black district with a more compact district configuration that split fewer parishes and municipalities. With respect to the second point, in the First Extraordinary session,

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<sup>39</sup> *Id.* (starting at 12:20).

<sup>40</sup> Even the statements of opponents of SB8 on which plaintiffs rely do not establish that race predominantly explains the plan’s district configuration. For example, Plaintiffs point to Rep. Bayham’s discontent over the split of St. Bernard Parish and his statement that the boundary did not appear to split voters in the parish “on partisan lines.” Mem. at 17. But nowhere did Rep. Bayham suggest that race provides a better explanation of the split—it didn’t. He simply did not want his parish split at all. Ex. 5 (starting at 2:50:00).

<sup>41</sup> CD6 and other districts in SB8 are no less compact than districts around the country that have been upheld as appropriate exercises of the states’ obligation to avoid minority vote dilution and comply with the VRA. For example, in *Abbott v. Perez*, the Supreme Court uphold “a viable opportunity district along the I–35 corridor.” 585 U.S. 579, 615–16 (2018). Moreover, in the racial gerrymandering context, the courts have given the term a more expansive definition than in the Section 2 context, including such consideration as protecting incumbents and partisanship. *See, e.g., Cromartie*, 532 U.S. at 248.

the Legislature had opportunities to adopt a map—for example, in SB4, which mirrored the *Robinson Amici*’s proposed remedial map—that would have created two majority-Black districts and fared better than SB8 on traditional principles like parish splits, population deviation, and compactness, among others.<sup>42</sup> Instead, the Legislature favored the configuration in SB8 for the conspicuous political objective to defend Representative Letlow and other specific Republican incumbents at the expense of Representative Graves. The sponsor of the bill was candid that “politics drove this map” while race was a “secondary consideration” and “not the predominant factor.”<sup>43</sup> Given that the Legislature could have selected a plan that achieved the same VRA-compliance goals as SB8 in a form that better adhered to traditional redistricting principles, but chose not to so as to achieve explicitly political (and non-racial) goals, an honest reading of the legislative record establishes that choice of the purportedly “bizarre” configuration of districts in SB8 was driven by politics, not race.

Plaintiffs’ reliance on Mr. Hefner’s report to support their contention that SB8 elevates race over traditional redistricting principles is misplaced. *See* ECF No. 17-1 at 25. Mr. Hefner’s analysis is far from comprehensive.<sup>44</sup> On the contrary, it contains no analysis of communities of interest, other than a numerical count of parish and municipality splits. Mr. Hefner’s report also differs markedly from a report he submitted in the *Robinson* litigation, where he defended the “regional communit[y] of interest” along the Red River Valley—a community that the drafters of SB8 expressly sought to unite—stating that “[c]ultural links along the Red River Valley . . . has

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<sup>42</sup> *See, e.g.*, H.B. 5, 1st Spec. Sess. (La. 2024); S.B. 4, 1st Spec. Sess. (La. 2024). Both HB5 and SB4 split only 11 parishes, had a deviation of 67, and fared better than SB8 on both subjective and objection measures of compactness (e.g. the eyeball test, Polsby-Popper, etc.).

<sup>43</sup> *See* Ex. 2 (starting around 34:30).

<sup>44</sup> More than one court has found Mr. Hefner’s testimony to be unhelpful. *See, e.g., Terrebonne*, 274 F. Supp. 3d at 422 (rejecting Hefner’s opinion because he failed to provide any objective basis for his analysis and rejecting Hefner’s opinion that the mapmaker’s illustrative plan was a racial gerrymander); *Thomas v. School Board St. Martin Parish*, 544 F. Supp. 3d 651, 688, 689 (W.D. La. 2021) (court considered Hefner’s opinions to be “weak” and “based on unreliable data”).

[sic] commonality with the northern part of the Acadiana Region as the Red River connected to the Atchafalaya River at its juncture with the Mississippi River and form[s] an important water transportation route.” *Robinson I*, ECF No. 108-3 at 33. Likewise, his analysis of SB8’s treatment of majority-Black precincts at best establishes that race was a consideration, as it must be in a map that is intended to comply with the VRA. *See, e.g., Milligan*, 599 U.S. at 30 (“Section 2 itself demands consideration of race.”) (internal quotations omitted). It does not establish that, given the Section 2 violation the *Robinson* Amici demonstrated, race was used impermissibly.

Thus, Plaintiffs’ assertion that SB8 was configured “solely with that goal [of creating two majority-Black districts] in mind,” Mem. at 15, is false and unsupported by the legislative record. The record as a whole and the circumstances surrounding the passage of SB8 demonstrate that race was just one of several factors, which also include politics, social and economic ties, and other considerations, that the Legislature considered in adopting the new plan. Plaintiffs’ evidence fails to establish that race predominated over these other considerations, and their racial gerrymandering claim must fail. *See Cromartie*, 532 U.S. at 257 (racial gerrymandering claim fails where plaintiff “has not successfully shown that race, rather than politics, predominantly accounts for the result”). “Strict scrutiny does not apply merely because redistricting is performed with consciousness of race.” *Vera*, 517 U.S., at 958 (O’Connor, J., principal opinion).

**C. SB8 was drawn to further the State’s compelling interest in complying with Section 2 of the VRA.**

Even if Plaintiffs could succeed in showing that race predominated the map-drawing process—and they cannot—SB8 survives strict scrutiny because the Legislature adopted it to further the State’s compelling interest in complying with the VRA and used race no more than necessary to achieve that goal. “[C]ompliance with Section 2 constitutes a compelling governmental interest,” *Clark*, 88 F.3d at 1405, sufficient to “justif[y] the predominant use of race

in redistricting” so long as it is narrowly tailored to that goal, *Bethune Hill*, 580 U.S. at 193; *see also Prejean v. Foster*, 227 F.3d 504, 515–19 (5th Cir. 2000). As explained above, the State and Legislature had a compelling basis in evidence to conclude that Section 2 required them to create a second district in which Black voters would have an opportunity to elect candidates of their choice, and indeed, that this second opportunity district had to be majority Black. *See supra* Sec. I. A.

The Legislature’s use of race in SB8 is narrowly tailored to satisfy that legal obligation. A VRA-compliant map is narrowly tailored where it, like SB8, “substantially address[es]” the purported Section 2 violation and does not subordinate traditional redistricting principles “*for predominantly racial reasons*.” *Clark*, 88 F.3d at 1407–08 (quoting *Bush*, 517 U.S. at 994 (O’Connor, J., concurring)) (emphasis added). Courts, including the Fifth Circuit, have consistently held that a map will be narrowly tailored so long as it “does not ‘subordinate traditional districting principles *to race* substantially *more than is* ‘*reasonably necessary*’ to avoid § 2 liability.’” *Clark*, 88 F.3d at 1407 (quoting *Vera*, 517 U.S. at 979) (emphases added); *see also, e.g., Addy v. Newton Cnty.*, 2 F. Supp. 2d 861, 862–64 (S.D. Miss. 1997), *aff’d*, 184 F.3d 815 (5th Cir. 1999); *Theriot v. Par. of Jefferson*, 966 F. Supp. 1435, 1447–48 (E.D. La. 1997).

Importantly, the teaching of these cases is *not* that congressional maps may never deviate from the bounds of traditional restricting principles. Once a state has the requisite strong basis in evidence that the VRA mandates an additional majority-minority district, it is not obligated to choose the most compact map that satisfies the VRA. To be sure, Section 2 “never *require[s]* adoption of districts that violate traditional redistricting principles,” *Milligan*, 599 U.S. at 30 (emphasis added), but it is also true that “Section 2 *does not forbid* the creation of a noncompact majority-minority district.” *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 430

(2006) (“*LULAC*”) (emphasis added). In *Addy v. Newton County*, for example, the district court found that there was “no equal protection violation since the decision as to where to place the district lines was driven by politics, not race.” 2 F. Supp. 2d at 863–64 (quoting *Theriot v. Par. of Jefferson*, 1997 WL 204919, at \*13–14 (E.D. La. 1997)). The parish leadership there, who redrew their maps in response to a successful Section 2 challenge, faced a choice between two potential remedial maps, one that created a “east-west” majority-minority district and another that created a “north-south” district. The court found that the legislators selected the map with the north-south configuration “to protect their own seats and to undermine the chance of [another legislator’s] reelection ... by placing him in the majority-minority district,” and “to the extent the [Parish] may have sacrificed a degree of compactness by selecting the north-south rather than east-west location for the majority-minority district, it did so exclusively for political, not racial reasons.” *Id.*

Here, SB8 substantially addresses the likely Section 2 violation found by Judge Dick and the Fifth Circuit because, consistent with those rulings, it includes two majority-Black districts in which the BVAP is only slightly above 50% and is no higher than necessary to create the electoral opportunities Section 2 requires. Moreover, the fact that the districts in SB8 are not as compact as HB1 or other alternatives and that it splits more parishes and municipalities is not evidence that it is insufficiently narrowly tailored.

The record establishes that, here, creating a second majority-Black district did not *require* deviating from traditional redistricting principles—as evidenced by SB4, which was substantially similar to plans offered by the plaintiffs in the *Robinson* litigation that the courts found compact and reasonably configured. SB8 thus does not subordinate traditional redistricting principles *to race* more than necessary to avoid Section 2 liability. Rather, as in *Addy*, the Legislature *chose* to subordinate compactness and other considerations in adopting SB8 to political considerations, not



racial ones—to protect the seats of specific Republican congresspeople and to thwart the potential reelection of Representative Graves by placing him in the new majority-Black district. *See supra* pp. 9–11. In other words, SB8’s sacrifice of certain redistricting principles “was not predominantly attributable to gerrymandering that was racially motivated and/or achieved by the use of race as a proxy, but instead was a case of predominantly, nonracial, political motivations.” *Addy*, 2 F. Supp. 2d at 862–64 (citations omitted).<sup>45</sup>

Plaintiffs’ remaining arguments are unavailing. Plaintiffs argue—incorrectly—that compliance with the VRA is not a compelling interest here because the Legislature did not engage in a “pre-enactment analysis.” PI at 5. This argument ignores more than two years of litigation which resulted in a robust evidentiary record and multiple court rulings showing that Section 2 likely required a second Black-opportunity district and that such a district could be achieved without violating the Constitution. The legislature was permitted to rely on that litigation record. *See Theriot*, 1996 WL 637762, at \*1 (finding “a ‘strong basis in evidence’ to believe a black-majority district was ‘reasonably necessary’ to comply with Section 2” based on previous Section 2 litigation record) (citation omitted); *see also Abbott v. Perez*, 585 U.S. 579, 616 (2018) (where legislature adopted new districting map to resolve VRA litigation, evidence from litigation record could provide “good reasons” to use race in remedial map). Plaintiffs’ argument also ignores the extensive record from the 2020 redistricting public hearings and the 2024 special session analyzing a second majority-Black district.<sup>46</sup>

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<sup>45</sup> Furthermore, this is not a case where the map was drawn as a partisan gerrymander, so there can be no allegation that the Legislature used political party as a proxy for race. The political motivation here was not a desire to accrete power to a specific party but to protect some Congressional members over others--the Legislature apparently choose SB8 over other options as an act of political retribution to make it harder for Representative Graves to be reelected to Congress. There is nothing in the Constitution that prevents elected officials from carrying out personal political agenda in redistricting decisions.

<sup>46</sup> *See Ex. 2.*



Plaintiffs’ reliance on *Wisconsin Legislature* and *Bethune-Hill* for the proposition that the State must show that the VRA requires the specific map it adopts “on a district-by-district” basis is misplaced. *See* ECF No. 17-1 at 24. The law does not require the State to show that the VRA specifically required *each district* exactly as the legislature drew it. Neither *Bethune-Hill* nor *Wisconsin Legislature* suggest that compliance with the VRA satisfies the Fourteenth Amendment only if the State establishes that the VRA requires the specific map it adopts. *Cf. LULAC*, 548 U.S. at 429–30 (state’s remedial map creating majority-Latino district that excluded plaintiffs would not violate Section 2 if including plaintiffs would require excluding other Latinos). Rather, the courts have been clear that a state has “leeway” in how it chooses to comply with Section 2. *Bush*, 517 U.S. at 977. To be sure, the state may not justify unlawful vote dilution in one part of the state by creating a remedial district in a different place. *See Shaw v. Hunt*, 517 U.S. at 917 (“The vote-dilution injuries suffered by these persons are not remedied by creating a safe majority-black district somewhere else in the State.”). But here, the district court in *Robinson* found a likely violation of Section 2 based on an illustrative map that included the cities of Baton Rouge, Lafayette, and Alexandria, which are also included in the new majority Black district in SB8. *Robinson I*, 605 F. Supp. 3d at 766. The *Robinson* record also included evidence of racial polarization in the 2022 plan’s CD4, which included Caddo, DeSoto, and Natchitoches Parishes.

2. *See Robinson I*, ECF No. 41-3 at Ex. 2.<sup>47</sup> The State thus had every reason to believe that a new majority-Black district drawing these areas together was sufficiently tied to the demonstrated Section 2 violation to be within the leeway the Constitution affords. *Cf. LULAC*, 548 U.S. at 429 (where state must choose among voters “with a VRA right” because all cannot be drawn into majority-minority districts, it cannot be faulted for its choices).

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<sup>47</sup> HB1 Enrolled Map, available at <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1248568>.

Finally, Plaintiffs argue this Court should enjoin SB8 and draw a remedial map because another three-judge court struck down a map with two majority-Black districts 30 years ago in the *Hays* litigation. But here, as in *Robinson I*, the “invocation of *Hays* is a red herring.” *Robinson I* at 834. The *Hays* court never held that two majority-Black districts are *per se* invalid or could never be required by the VRA. Both the district court and the Fifth Circuit in *Robinson* rejected this very argument. *Robinson I* at 834 (rejecting similar assertions by the State that the “*Hays* maps [were] instructive, applicable or otherwise persuasive” or “useful comparators” in any way). The district court in *Robinson* firmly stated that *Hays* “is not a magical incantation with the power to freeze Louisiana’s congressional maps in perpetuity.” *Id.* More important, here the district court and the Fifth Circuit held—based on conditions as they exist in Louisiana today, not 30 years ago—that a congressional plan with one majority-Black district likely violates the VRA and rejected the State’s argument that creating a second majority-Black district necessarily entailed racial gerrymandering. *Robinson III* at 593–94.

Further, any comparison between SB8 and the maps at issue in *Hays* is inapposite. Plaintiffs assert that *Hays* is “factually identical to the case before this Court.” ECF No. 17-1 at 12. That is simply inaccurate. Whatever the superficial resemblance between SB8 and the *Hays* map, the process that led to SB8 was entirely different. In the *Hays* cases, the court concluded that race predominated because the cartographer on numerous occasions admitted that he “concentrated virtually exclusively on racial demographics and *considered essentially no other factor* except the ubiquitous constitutional ‘one person-one vote’ requirement.” *Hays v. State*, 936 F. Supp. 360, 368 (W.D. La. 1996) (emphasis added). Similarly, in *Hays*, the court concluded that the proffered justifications for the district’s shape were “patently post-hoc rationalizations,” explaining that “neither the Red River nor socio-economic factors were relied on by legislators at the time of the

drawing of the district.” *Id.* at 369. Here, however, Plaintiffs provide no evidence that legislators, having resolved to remedy the Section 2 violation, concentrated on anything other than “political interest” and the social and economic factors that provided a “positive of going up that [Red River] corridor.”<sup>48</sup>

**D. Plaintiffs are unlikely to prevail on their intentional vote dilution claim under the Fourteenth and Fifteenth Amendments.**

Plaintiffs are also unlikely to succeed on their claim of intentional vote dilution under the Fourteenth and Fifteenth Amendments. To prevail on that claim, Plaintiffs must show that redistricting plan (i) has a discriminatory effect and (ii) was enacted with a discriminatory purpose. *Hall*, 108 F. Supp. 3d at 439.<sup>49</sup> This is a fact-intensive standard. *See Vill. of Arlington Heights*, 429 U.S. at 266–68. Plaintiffs’ misguided legal arguments and utter lack of factual support are far from what is required to demonstrate likelihood of success on the merits of their intentional discrimination claim.

*First*, Plaintiffs cannot establish that the enactment of SB8 has a discriminatory effect on themselves and other “non-African American” voters. “To prove discriminatory effect, a plaintiff must show that the redistricting scheme impermissibly dilutes the voting rights of the racial minority. Broadly speaking, this requires proof that the racial minority’s voting potential has been minimized or cancelled out or the political strength of such a group adversely affected.” *Backus v. South Carolina*, 857 F. Supp. 2d 553, 567–70 (D.S.C.) (cleaned up), *aff’d*, 568 U.S. 801 (2012). In evaluating claims of intentional vote dilution, courts analyze whether bloc voting occurs along racial lines; whether the group is excluded from the political process; whether minority voter

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<sup>48</sup> Ex. 3 (starting at 10:30).

<sup>49</sup> Because Plaintiffs do not distinguish their Fourteenth and Fifteenth Amendment claims, these arguments in opposition to their preliminary injunction motion apply equally to their claims under both Amendments. *See League of United Latin Am. Citizens v. Abbott*, 2022 WL 4545757, at \*1 n.7 (W.D. Tex. Sept. 28, 2022) (applying same arguments to Fourteenth and Fifteenth Amendments).

registration is low; whether elected officials are unresponsive to the needs of the group; and whether the group occupies depressed socioeconomic status because of inferior education or employment and housing discrimination. *See York v. City of St. Gabriel*, 89 F. Supp. 3d 843, 864 (M.D. La. 2015); *Hall*, 108 F. Supp. 3d at 439; *Backus*, 857 F. Supp. at 568.

Plaintiffs cannot plausibly allege, much less establish, that any of these factors weighs in their favor. At the outset, proof of intentional discrimination requires evidence of discrimination against an “identifiable group,” *Fusilier v. Landry*, 963 F.3d 447, 463 (5th Cir. 2020), and Plaintiffs have not offered any evidence that “non-African Americans”—a term which, as the Plaintiffs use it, encompasses every person in Louisiana who is not Black, including Latino, Asian, and Native American, as well as white Louisianians—form a cohesive racial group whose members share a common experience of discrimination. Plaintiffs have offered no evidence that non-Black voters—the vast majority of whom are white—are excluded from the political process or have elected representatives who are unresponsive to their needs; no evidence that non-Black Louisianians as a group suffer from low socioeconomic status or face discrimination in other areas of life; and no evidence that non-Black voters form a cohesive voting bloc whose distinctive voice is minimized as a result of bloc voting by Black voters.<sup>50</sup> Indeed, the district court and Fifth Circuit rulings in *Robinson* prove the opposite: that *Black* voters face barriers to participation and bloc voting by white voters that thwarts their electoral opportunities. *See Robinson I* at 839, 844–45,

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<sup>50</sup> There is, of course, substantial evidence that other non-white Louisianians—in addition to Black people—have been subject to voting and other forms of discrimination in Louisiana. *See, e.g., VAYLA New Orleans v. Tom Schedler*, 3:16-cv-305-BAJ-RLB (M.D. La. 2016) (alleging discrimination in voter registration against foreign-born voters); Letter from Jean Charles Choctaw Nation to U.S. Department of Housing and Urban Development re Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and 40 C.F.R. Part 7 against the Louisiana Division of Administration (Dec. 21, 2023), *available at* <https://earthrights.org/wp-content/uploads/2023/12/IDJC-Resettlement-Title-VI-Complaint-for-website.pdf> (alleging discrimination against Native Americans in management of the Isle de Jean Charles Resettlement Program)

846–48. Accordingly, Plaintiffs are unlikely to prove that SB8 has had a discriminatory impact on non-Black voters or in any way diluted their voting power.

*Second*, Plaintiffs cannot establish SB8 was enacted with intent or purpose to discriminate against the misleadingly labeled category of “non-African American” voters. “Discriminatory intent implies more than intent as volition or intent as awareness of consequences . . . It implies that the decisionmaker . . . selected or reaffirmed a particular course of action at least in part because of, not merely in spite of, its adverse effects upon an identifiable group.” *Fusilier*, 963 F.3d at 463–65 (citation and quotations omitted). In order to determine whether a particular decision was made with discriminatory intent, courts consider the non-exhaustive factors set forth in *Arlington Heights*, including (i) the historical background of the decision; (ii) the sequence of events leading up to the challenged action; (iii) departures from the normal decision-making process; and (iv) legislative history, including contemporaneous viewpoints expressed by the decisionmakers. 429 U.S. at 266–68; *see also Veasey v. Abbott*, 830 F.3d 216, 231 (5th Cir. 2016). Plaintiffs fail to analyze any *Arlington Heights* factors, cite any cases that support their position, or point to any evidence even suggesting that SB8 was enacted with an intent to discriminate against “non-African American” voters. An analysis of those *Arlington Heights* factors shows they uniformly weigh against a finding of discriminatory intent.

In evaluating claims of discriminatory intent, courts weigh the historical background of the decision, including recent or contemporary examples of State-sponsored discrimination. *Veasey*, 830 F.3d at 239. Here, Plaintiffs do not—and cannot—point to any examples of institutional discrimination against non-Black voters as an identified group. Plaintiffs have likewise cited no evidence that there is a history of non-Black voters being subject to voting discrimination because they are not Black, such as being purged from voter rolls, or any evidence of official discrimination

in other areas of life against non-Black Louisianians as a whole. *Cf. id.* at 239–40 (“contemporary history” of state-sponsored discrimination included Texas’s attempt to purge minorities from the voter rolls); *Patino v. City of Pasadena*, 230 F. Supp. 3d 667, 721–28 (S.D. Tex. 2017) (disparate treatment of Latinos by police was contemporary evidence of discrimination).<sup>51</sup>

In addition, none of the events leading up to the enactment of SB8 suggest that legislators enacted the map because of—rather than in spite of—its potential adverse effect on non-Black voters. Rather, the sequence of events makes explicit the inclusion of congressional redistricting in the special session call was specifically in response to the *Robinson* litigation. And while the legislative process that led to the enactment of SB8 was abbreviated, that timeline was driven by the litigation and the need to adopt a new map in time for the 2024 federal election, so Louisiana voters would not have to endure a second congressional election under a map that violated the VRA. And indeed, the relevant process cannot be limited to the 2024 special session but must also consider that the Legislature had already taken extensive time in both 2021 and 2022 to consider redistricting and hold roadshows that heard public testimony from around the state.

The legislative history also reveals that there was no intent to enact SB8 “because of” any potential adverse effect on non-Black voters. As explained *supra*, legislators were driven primarily by an intent to protect their partisan advantage while also complying with federal law and court orders from the *Robinson* district court and Fifth Circuit. The legislators must be afforded the presumption of good faith and Plaintiffs point to no evidence to overcome that presumption. *Fusilier*, 963 F.3d at 464–66 (reversing the district court’s finding of legislative discriminatory intent based in part on the finding that the district court did not afford legislators the presumption of good faith).

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<sup>51</sup> Again, there is no lack of discrimination in Louisiana against voters of color who are non-Black, a fact that Plaintiffs’ use of the term “non-African American” elides.

**II. Plaintiffs will not suffer irreparable injury absent an injunction.**

Plaintiffs have not satisfied their burden of demonstrating that they would suffer an irreparable harm absent a preliminary injunction, which this Court has explained is the “most essential” prerequisite for a preliminary injunction. *Holmes v. BellSouth Telecommunications, LLC*, 2023 WL 5610359, at \*2 (W.D. La. Aug. 29, 2023). “[P]laintiffs seeking preliminary relief [must] demonstrate that irreparable injury is *likely* in the absence of an injunction.” *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22 (2008) (emphasis in original). A hypothetical constitutional injury arising from an electoral map designed to remediate a likely Section 2 violation, with no clear evidence of racial predominance or racial discrimination, does not satisfy the irreparable injury requirement.

**III. The balance of equities and public interest weigh against injunctive relief.**

The balance of the equities and the public interest “merge” as factors in the preliminary injunction analysis “when the Government is the opposing party.” *Nken*, 556 U.S. at 435. “When addressing these factors, courts must balance the competing claims of injury and must consider the effects on each party of the granting or withholding of the requested relief.” *Clarke v. Commodity Futures Trading Comm’n*, 74 F.4th 627, 643 (5th Cir. 2023) (citation and quotation omitted). The district court and Fifth Circuit in *Robinson* made clear that the Amici and other Louisiana voters face irreparable harm if the Court imposes a new map with only one majority-Black district or allows another election to be held under HB1—an injury they have already suffered in one congressional election under a dilutive map. The courts have already held that the HB1 likely violates Section 2, diluting the votes of the *Robinson* Amici. *See Robinson I; Robinson II; Robinson III*. Given that “protecting voting rights is quite clearly in the public interest, while allowing elections to proceed under a map that violates federal law most certainly is not,” *Robinson I* at 852, the balance of the equities weighs against an injunction. Plaintiffs’ invocation of *Students*

*for Fair Admissions, Inc. v. President & Fellows of Harvard College* (“*SFFA*”), ECF No. 17-1 at 26–27, should be rejected for the same reason the Fifth Circuit rejected the analogy to *SFFA* in *Robinson*. See 86 F.4th at 593 (holding that *SFFA* decision on university admissions was a “tough analogy” in the context of the VRA); see also *Milligan*, 599 U.S. at 32-33 (affirming use of race conscious districting to remedy proven Section 2 violation).

The public interest plainly weighs against an injunction that would undo a remedial redistricting plan that was enacted to resolve litigation in another court that found that a map materially indistinguishable from the one Plaintiffs proffer violated the VRA.<sup>52</sup>

#### **IV. Plaintiffs’ proposed remedial map violates the VRA and should be rejected.**

Even if Plaintiffs were somehow able to establish that they are likely to succeed on their claims and that the equities favor enjoining SB8—and they have not—this Court must implement a map that complies with Section 2 of the VRA. After nearly two years of litigation, the district court and two unanimous panels of the Fifth Circuit have concluded that any congressional districting plan without two districts that provide Black voters an opportunity to elect their candidates of choice likely violates Section 2 and denies Black voters their right to participate equally in the political process. Nothing in the intervening time since these court rulings disturbs that fundamental conclusion. Yet, instead of making any effort to propose a map that complies with the district court and Fifth Circuit decisions, Plaintiffs here proffer a map that returns Louisiana to the state of affairs that led to the *Robinson* litigation in the first place.

For the same reasons those courts found HB1 to likely violate Section 2, Plaintiffs’ Illustrative Plan 1, which includes only one district where Black voters have the opportunity to

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<sup>52</sup> Given the timing of the litigation, there is also a concern that the court could adequately litigate both a liability and remedial phase in time to prevent the type of voter confusion that *Purcell* and its progeny warn courts against. See generally *Purcell v. Gonzalez*, 549 U.S. 1 (2006) (per curiam).



elect a candidate of choice, does not comply with Section 2. This Court should not impose it on Louisianians. Instead, the procedure contemplated by the Fifth Circuit in the *Robinson* should be followed: this Court should stay this case in favor of remedial proceedings before the *Robinson* court to adopt a VRA-compliant remedial map, as the Fifth Circuit directed in the event that the Legislature failed to enact a lawful map.

In the alternative, the Court should adopt the *Robinson* Amici's proposed remedial map or one of their illustrative maps. The district court in *Robinson* held that the *Robinson* Amici's illustrative maps from the *Robinson* litigation (which were substantially similar to their proposed remedial plan) conform to traditional redistricting principles and were not drawn with race as the predominant factor. Plaintiffs offer no evidence to the contrary; indeed, neither Plaintiffs nor Mr. Hefner even mentions or analyzes any of those maps. Amici's plan has already passed constitutional muster in the Fifth Circuit and the Middle District based upon an extensive evidentiary record, including cross-examination of the map drawer. Unlike Plaintiffs' Illustrative Map 1, which has not had the benefit of any court scrutiny, Amici's plan can be implemented without further ado.

Regardless of how this Court chooses to proceed, it must ensure Louisiana's congressional map provides Black voters an opportunity to elect candidates of their choice in two districts.

### **CONCLUSION**

For all of the reasons above, the Amici respectfully request that this Court deny the motion for a preliminary injunction.

DATED: February 27, 2024

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**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**ROBINSON MOVANTS' MOTION TO  
RECONSIDER INTERVENTION ORDER AND TO EXPEDITE BRIEFING ON THE  
MOTION**

Pursuant to Federal Rule of Civil Procedure 54(b) and this Court's Order, ECF No. 79, Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, the National Association for the Advancement of Colored People Louisiana State Conference, and the Power Coalition for Equity and Justice (collectively, the "*Robinson Movants*") respectfully move this Court for reconsideration of its Order granting Movants' application for intervention, but limited only to a potential remedial phase. *See* ECF No. 79 at 7. The Order invited Movants to move for reconsideration if it became evident that their interests diverged from those of the State. *Id.*

As set forth in the accompanying Memorandum of Law, the Secretary of State and the State have now indicated, among other things, that they do not intend to contest critical legal issues bearing on the constitutionality of SB8. *See* ECF Nos. 82, 86. Therefore, the Secretary of State and the State cannot adequately represent Movants' interests. The Court should reconsider its Order limiting intervention to the remedial phase and grant *Robinson* Movants' motion to intervene as a matter of right under Rule 24(a)(2), or, in the alternative, permit them to intervene under Rule 24(b) for all phases of this litigation.

Pursuant to 28 U.S.C. § 1657(a), the *Robinson* Movants also respectfully request that the Court set an expedited briefing schedule on this Motion to Reconsider. Mindful that the Court has set an expeditious schedule for discovery and trial, the *Robinson* Movants seek to promptly resolve this threshold Motion. Without an expedited briefing schedule, any opposition to this Motion would be due on March 31, nearly ten days after the exchange of expert reports and one day before exhibit and witness lists for trial are due. *See* L.R. 7.5; ECF No. 63. An expedited briefing schedule would benefit the Court and the parties by settling the identity of the merits litigants without disrupting the schedule.

Moreover, the prolonged exclusion of the *Robinson* Movants during the liability phase will prejudice their interest in vigorously defending SB8 and guarding against the unlawful vote dilution that Plaintiffs' illustrative map would impose. Particularly now that the Secretary of State and the State have not meaningfully disputed core substantive issues bearing on Plaintiffs' claims, ECF Nos. 82, 86, and that Plaintiffs have confirmed their intention to press those issues, ECF No. 101, immediate representation of the *Robinson* Movants' interests is essential to full and fair adjudication of this case.

The *Robinson* Movants respectfully propose the following expedited briefing schedule:

March 12, 2024: Deadline for any Responses to the *Robinson* Movants' Motion to Reconsider Intervention Order

March 13, 2024: Deadline for Reply to the *Robinson* Movants' Motion to Reconsider Intervention Order

In the alternative, in the interest of avoiding delay, proceeding expeditiously to trial, and adequately preparing for a potential remedial phase, the *Robinson* Movants respectfully request leave to participate in discovery while the motion for reconsideration is pending.

DATED: March 9, 2024

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**CERTIFICATE OF SERVICE**

I, John Adcock, counsel for the *Robinson* Movants, hereby certify that on March 9 2024, a copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system, and that service will be provided through the CM/ECF system.

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**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**ROBINSON MOVANTS' MEMORANDUM IN SUPPORT OF THEIR MOTION TO  
RECONSIDER INTERVENTION ORDER**

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### **PRELIMINARY STATEMENT**

Movants are the plaintiffs in the extensive prior litigation challenging Louisiana’s 2021 congressional plan under the Voting Rights Act (“VRA”). In the *Robinson* action, both the district court and two unanimous panels of the Fifth Circuit agreed with Movants that the 2021 plan likely violates the VRA, and that the remedy for this violation is a plan with two congressional districts that provide Black voters an opportunity to elect candidates of their choice. In ruling that the *Robinson* Movants need not participate in the liability phase of these proceedings, this Court concluded on the record then before it that Defendant Secretary of State and Defendant-Intervenor the State of Louisiana (together, the “Defendants”) shared with Movants “a compelling interest” in defending the State’s newly enacted congressional plan (“SB8”) against Plaintiffs’ racial gerrymandering claim. ECF No. 79 (“Order”) at 8. The Court also expected that Defendants would adequately represent the *Robinson* Movants’ interest. *Id.*

Unfortunately, Defendants’ subsequent responses to Plaintiffs’ motion for preliminary injunction show that the Court’s confidence was misplaced. ECF Nos. 82, 86. The Secretary does not even oppose the preliminary injunction motion. Instead, she has submitted a bare three-paragraph response taking “no position” on the motion. ECF No. 82 at 1. Her stated indifference to the outcome of this motion contrasts starkly with the Secretary’s aggressive defense of the 2021 plan in the *Robinson* case, including in forcefully opposing the *Robinson* Movants’ preliminary injunction motion.

The State does little better than the Secretary. The State begrudgingly and, at best, nominally opposes the motion. Fundamentally, as Plaintiffs have pointed out in their reply brief in support of their preliminary injunction, *see* ECF No. 101, at 1, 7, the State fails to challenge *at all* core parts of Plaintiffs’ argument, including their central contention that race was the predominant factor in the State’s adoption of SB8 and that SB8 has a discriminatory effect on

“non-African American” voters. The State’s response to the preliminary injunction submission—a submission consisting of a 33-page brief, a 28-page expert report, and more than 200 pages of exhibits—is a cursory 18-page brief that addresses the merits of Plaintiffs’ claims in a mere six pages and includes no expert reports, exhibits, or any other evidence. Its brief does not even mention the extensive legislative record supporting SB8, despite the gross mischaracterizations of that record in Plaintiffs’ complaint and preliminary injunction motion.

Nor has the State challenged the reliability or conclusions of Plaintiffs’ sole expert, Michael Hefner. *Cf., e.g., Thomas v. Sch. Bd. St. Martin Par.*, No. 65-11314, 2023 WL 4926681, at \*12, \*29, (W.D. La. July 31, 2023) (concluding that Mr. Hefner used “‘guesswork,’ flawed methodology, and inaccurate population measurements” and he lacked the credibility or credentials of other experts); *Thomas v. Sch. Bd. St. Martin Par.*, 544 F. Supp. 3d 651, 685 (W.D. La. 2021) (observing that Mr. Hefner’s “testimony was argumentative and conclusionary”), *aff’d in part, rev’d in part sub nom. Borel v. Sch. Bd. St. Martin Par.*, 44 F.4th 307 (5th Cir. 2022). Moreover, the State proffered Mr. Hefner on the same subject matter in the *Robinson* action, yet it makes no mention of Mr. Hefner’s evident conflict of interest or the inconsistencies in his opinions.

In contrast, Movants filed a 35-page amicus brief taking on these issues in detail. Movants provided transcripts of the legislative hearings on SB8 and explained the full legislative context that led to the passage of SB8. They provided a rebuttal to Plaintiffs’ central argument that race predominated in the creation of SB8 that the State was evidently unwilling or unable to make. And rather than cursorily citing the rulings of the Robinson district court and the Fifth Circuit—with which the State continues to disagree—Movants provided a full discussion of the record in *Robinson* that led to the district court’s conclusion that the 2021 plan likely violated Section 2.

Thankfully, the Court’s Order on intervention foresaw the possibility of a half-hearted defense by the existing Defendants, and explicitly invited Movants to seek reconsideration if Defendants’ interests and objectives diverge from their own. Order at 7. Defendants’ faint responses to Plaintiffs’ preliminary injunction motion have since clarified that this is the case. To be sure, the Order permits the Movants to participate as parties in any remedial proceedings, should this case proceed to that stage. *Id.* But Movants will be severely prejudiced, and the Court will be deprived of important argument and evidence, if Plaintiffs’ substantive arguments on liability—including responding to Plaintiffs key claim that a map containing two majority-Black districts is a racial gerrymander or discriminates against “non-African-American” voters—go undisputed. Moreover, many of these key questions overlap with questions relevant to remedy, and this Court’s findings made during the liability phase—potentially based on an incomplete record—may constrain the nature and breadth of the remedy contemplated by the Court during the remedial phase. That is particularly so because the arguments Plaintiffs urge here—which the State makes no effort to counter—were squarely rejected by the Fifth Circuit in the *Robinson* action. *See Robinson v. Ardoin*, 86 F.4th 574, 595 (5th Cir. 2023) (affirming that Movants’ illustrative maps with two majority-Black districts were not illegal racial gerrymanders).

It is clear from their submissions that Defendants are unwilling to adequately represent Movants’ interest in ensuring a VRA-compliant map with two districts in which Black voters can elect candidates of their choice is in place for the 2024 elections. *Cf. Ardoin v. Robinson*, 143 S. Ct. 2654 (2023) (ordering the resolution of the *Robinson* action in “advance of the 2024 congressional elections in Louisiana”). Movants have vigorously pursued their interests across two years of successful litigation the district court, Fifth Circuit, and Supreme Court and back

again. Accordingly, Movants respectfully request that this Court reconsider its Order on intervention and grant the request to intervene as parties in the liability phase of the case.

### **LEGAL BACKGROUND**

Under Rule 54(b), “the Court has broad discretion to ‘reconsider, rescind, or modify an interlocutory order for cause seen by it to be sufficient.’” *Terrell v. Richardson*, No. CV 20-999, 2022 WL 1597841, at \*1 (W.D. La. May 18, 2022) (quoting *Melancon v. Texaco, Inc.*, 659 F.2d 551, 553 (5th Cir. 1981)). The Court is “free to reconsider and reverse its decision for any reason it deems sufficient, even in the absence of new evidence or an intervening change in or clarification of the substantive law.” *Austin v. Kroger Texas, L.P.*, 864 F.3d 326, 336 (5th Cir. 2017) (quoting *Lavespere v. Niagara Mach. & Tool Works, Inc.*, 910 F.2d 167, 185 (5th Cir. 1990)). When the Court issued its Order—in advance of the deadline for responses to the preliminary injunction motion—the Court concluded that “at this time” proposed intervenors had failed to establish “establish adversity of interest, collusion, or nonfeasance on the part of the State.” Order at 6. But the Court was clear that the proposed intervenors could seek reconsideration of this ruling in light of later developments. The subsequently filed briefs demonstrate that, if intervention were not appropriate before, it is appropriate now.

### **ARGUMENT**

Rule 24 entitles parties to intervene and requires courts to grant intervention where four elements are satisfied: “(1) the application for intervention must be timely; (2) the applicant must have an interest relating to the property or transaction which is the subject of the action; (3) the applicant must be so situated that the disposition of the action may, as a practical matter, impair or impede his ability to protect that interest; [and] (4) the applicant’s interest must be inadequately represented by the existing parties to the suit. *La Union del Pueblo Entero v. Abbott*, 29 F.4th 299, 305 (5<sup>th</sup> Cir. 2022) (internal citation omitted). The Court has already concluded that Movants



established the first three elements for intervention as a matter of right, so the only factor at issue is adequacy of representation. Order at 4.

As the Court has recognized, for the fourth factor, the Movants have “the burden of demonstrating inadequate representation, but this burden is ‘minimal.’” Order at 4 (quoting *Brumfield v. Dodd*, 749 F.3d 339, 345 (5th Cir. 2014)). The applicants’ burden is satisfied if they show that the existing representation “may be inadequate”; this showing “need not amount to certainty.” *Id.* (quoting *Guenther v. BP Ret. Accumulation Plan*, 50 F.4th 535, 543 (5<sup>th</sup> Cir. 2022)). Rule 24(a) is construed liberally, “with doubts resolved in favor of the proposed intervenor.” *Entergy Gulf States La., L.L.C. v. U.S. EPA*, 817 F.3d 198, 203 (5th Cir. 2016) (internal quotation marks omitted).

**I. Defendants’ Submissions Show That Defendants Will Not Adequately Represent the Robinson Movants’ Distinct Interests**

The submissions by the State and the Secretary of State in response to Plaintiffs’ preliminary injunction motion confirm the necessity of intervention by the *Robinson* Movants in the liability phase of the case. A state defendant’s representation is inadequate where the proposed intervenor’s private interests “are narrower than [the state’s] broad public mission.” *Wal-Mart Stores, Inc. v. Tex. Alcoholic Beverage Comm’n*, 834 F.3d 562, 569 (5th Cir. 2016); *Brumfield v. Dodd*, 749 F.3d 339, 346 (5<sup>th</sup> Cir. 2014) (similar). Defendants’ responses here demonstrate the difference between a generalized governmental obligation to defend legislative acts and the particular interests of Movants in defending a congressional map adopted, in part, to vindicate their federally protected voting rights as a result of court rulings in their favor—interests that can only be vindicated through intervention. *See Trbovich v. Mine Workers*, 404 U.S. 528 (1972) (explaining that inadequacy of representation exists where a proposed intervenor seeks to vindicate

individual interests while the government defendant must to “bear in mind broader public policy implications”).

In the case of the Secretary, there is not even the bare minimum of acknowledgment of an obligation to defend the map. Despite her status as the sole named Defendant in the case, the Secretary explicitly “takes no position” on the merits of the preliminary injunction. ECF No. 82 at 1. Instead, the Secretary blandly recites her ministerial obligations under the Louisiana Constitution and promises merely to effectuate the current law unless the Court orders otherwise. *Id.* at 2. There can be no starker example of “non-feasance” that would overcome a presumption of adequate representation. Order at 4–5.

Reading the Secretary’s response, one might be tempted to conclude the Secretary as a matter of principle does not take positions on the merits of redistricting or defend maps resulting from such processes. No such principle animated the Secretary’s response to the Movants’ pleadings in the *Robinson* action, however. There, in response to Movants’ motion for a preliminary injunction challenging the State’s 2021 plan, the Secretary filed a comprehensive, 147 page submission—including two expert reports and two declarations by election administrators—aggressively defending the map against a preliminary injunction. *See* Def.’s Opp’n to Pls.’ Mots. For Prelim. Inj., *Robinson v. Ardoin*, No. 3:22-cv-00211-SDD-SDJ (M.D. La. Apr. 29, 2022), ECF No. 101–101-4.

In dramatic contrast, the Secretary’s written response in this case barely totals one page and contains no such defense. Whatever the reason, the Secretary has made a deliberate choice here to stay silent about SB8. The Secretary’s decision not to defend the constitutionality of SB8 means that she cannot adequately represent the Movants’ interests in the liability phase of the case.

The submission by Louisiana similarly demonstrates a significant divergence between the State’s interests and those of Movants—and certainly, between its half-hearted defense of SB8 and the comprehensive defense Movants are prepared to offer. On its face, and unlike the Secretary, the State’s response purports to defend SB8. But that is where any alignment between the State and Movants ends. The State ignores the primary argument underpinning Plaintiffs’ request for a preliminary injunction—that race predominated in the passage of SB8. Plaintiffs cite extensively (and misleadingly) to testimony from the Special Legislative Session in January 2024 to support this claim. *See* ECF No. 17-1 at 15–24.

The State does not dispute this selective evidence or cite any of the extensive evidence from the legislative record (thoroughly marshalled in the *Robinson* Movants’ amicus brief, see Amicus Br., ECF No. 87-2, at 8–13, 17–23) showing that, contrary to Plaintiffs’ position, race was not the predominant factor in the enactment of SB8. The State cites *no* legislative testimony or statements by the bill’s sponsors or supporters from the legislative record, nor points to the extensive evidence that other factors, including political motivations and commonality of interests, explain the outcome of the redistricting process, all of which are discussed extensively by Movants in their amicus brief. *Id.* (discussing the legislative record).

Instead, the State’s submission principally complains about the “tension” that it perceives in existing voting rights jurisprudence, explains that it saw the “writing on the wall” made evident through the *Robinson* action, and offers the narrowest possible defense of SB8, asserting that any racial motivations by the Legislature survive strict scrutiny. ECF No. 86 at 1–2, 7–12. Although Movants’ agree that SB8 would be upheld under a strict scrutiny analysis, the evidence the State omits from its defense shows that strict scrutiny is not warranted, because race did not predominate in the passage of SB8. This divergence is evidence of the fundamental difference in the interests

of the State, which wishes—even after enacting SB8—to maintain its position that its original congressional map was lawful, and the Movants, who have litigated for two years to establish that it was not and that Section 2 of the VRA can constitutionally require the State to create a second majority-Black congressional district. This divergence in interests is more than enough to clear the low threshold required for intervention. Fed. R. Civ. P. 24; *see also La Union del Pueblo Entero v. Abbott*, 29 F.4th 299, 305 (5th Cir. 2022) (reversing the denial of intervention because the private interests of intervenors differed from the public interests of the State).

Plaintiffs’ reply confirms the threat to Movants’ interests posed by the State’s meager defense of SB 8. Plaintiffs contend that the State’s failure to respond to the charge of racial predominance amounts to a “concession” that race predominated in SB 8.” ECF No. 101 at 1. Plaintiffs again recite selective testimony from the legislative record—testimony that Defendants did not address or supplement—and assert that they have “have shown racial predominance by direct evidence.” *Id.* at 3. Movants’ participation during the liability phase is essential to ensuring that this assertion does not go un rebutted.

Plaintiff also submitted the expert report of Michael Hefner in connection with their preliminary injunction motion, who offers an illustrative plan in his report containing one majority-Black district. ECF No. 17-3 at 12; ECF No. 101 at 7. Mr. Hefner is the *same* expert that the State retained in the *Robinson* action,<sup>1</sup> and the State does not question any of his conclusions here. Yet despite this obvious conflict of interest as well as the inconsistencies in Mr. Hefner’s reports in this case and in *Robinson*, where he described a Red River community of interest running “from Shreveport to the Mississippi River,” (*see* Ex. A attached hereto), the State has wholly failed to

<sup>1</sup> Although the State offered a lengthy expert report by Mr. Hefner in *Robinson* regarding communities of interest and included him on its pretrial witness list, it chose not to call him to testify at the preliminary injunction hearing in that case.

challenge Mr. Hefner's reliability or his conclusions. *Cf., e.g., Comfort ex rel. Neumyer v. Lynn Sch. Comm.*, 283 F. Supp. 2d 328, 341 (D. Mass. 2003), *aff'd* 418 F.3d 1 (1st Cir. 2005) (en banc) (finding expert who switched sides and positions not credible).

These are not mere differences in "litigation strategy" or "variation[s] on an argument." Order, ECF No. 79 at 5 (internal citations omitted). The State's inability or unwillingness to address key arguments made by Plaintiff or to challenge the credibility of Plaintiffs' expert (because that expert also works for the State) reflects a clear divergence between the State's interests and the interests of the *Robinson* Movants. This is evinced in the State's attempt to thread the needle through omission of references to the legislative process, its evident reluctance to criticize an expert that it has previously used (and perhaps may wish to use again), and its unwillingness to contradict prior positions that it has taken in public and in the *Robinson* action. The State's response further highlights the reality that it cannot adequately represent the *Robinson* Movants' interests in this action. *See Brumfield v. Dodd*, 749 F.3d 339, 346 (5th Cir. 2014) ("We cannot say for sure that the state's more extensive interest will *in fact* result in inadequate representation, but surely they might, which is all that the rule requires."); *Clark v. Putnam Cnty.*, 168 F.3d 458, 461–62 (11th Cir. 1999) (finding "sufficient divergence of interest" between county commissioners and proposed defendant-intervenors representing Black voters).

## **II. Intervention at the Merits Stage is Essential to Protect *Robinson* Movants' Interests in the Remedial Phase**

The Court's intervention Order permits Movants to be present at hearings and to participate as parties in the remedial phase. Order, ECF No. 79 at 7. But in light of the Defendants' unwillingness to challenge Plaintiffs on critical legal and factual issues that are relevant to both liability and remedy, this late-stage intervention is insufficient to protect Movants' interests, or to

enable the Court to receive a fair and complete presentation of the issues implicating those interests.

Plaintiff has urged arguments that were squarely rejected in *Robinson*. If Plaintiffs' position is accepted at the liability stage of these proceedings, it could severely narrow the scope of any remedial hearing and limit potential remedies. For example, Plaintiff asserts in their preliminary injunction motion that *any* congressional map in Louisiana that has more than one majority-Black district is necessarily a racial gerrymander. ECF No. 17-1 at 4-5, 17-18. That assertion was squarely by the Fifth Circuit in *Robinson*. See *Robinson v. Ardoin* (“*Robinson II*”), 37 F.4th 208 (5th Cir. 2022); *Robinson v. Ardoin* (“*Robinson III*”), 86 F.4th 574 (5th Cir. 2023). Plaintiffs double down on this point in their reply, asserting that they “will show *at trial* that the VRA is fully satisfied with one majority-minority district because it is not possible to draw a second under *Gingles*.” ECF No. 101 at 19 (emphasis added). Should Plaintiffs' argument be accepted by the Court during the liability phase, it could preclude Movants from offering evidence that race did not predominate in any proposed remedial map with two majority-Black districts and that such a map can, in fact, be used as a remedy.

Plaintiffs—relying on Mr. Hefner's presentation—also call on the Court to evaluate traditional restricting principles, including communities of interest, during the liability phase. ECF No. 17-1 at 9-10, 21. But any remedial map that complies with the VRA will also likely require analysis of communities of interest and other traditional redistricting principles. If the court has already made findings on these issues or accepted Mr. Hefner's opinions in the liability phase because Defendants did not challenge Plaintiffs' evidence, and Movants may be prejudiced at the remedial phase if they are precluded from litigating these issues.

As with Plaintiffs' other arguments, neither defendant disputes Plaintiffs' characterizations of these issues. *See* ECF Nos. 82, 86. Plaintiffs' reply reveals that allowing Movants to submit an amicus brief at the liability phase is insufficient to protect their interests in view of Defendants' failure to offer a robust defense of SB 8. Movants should be able to participate as full parties during discovery and trial to ensure that the Court may benefit from a complete record on these important legal and factual issues.

**III. At a Minimum, Movants Should Be Permitted to Participate Fully in the Litigation as Amici to Protect Their Interests and Provide the Court with a Complete Presentation of the Issues.**

If the Court declines to grant intervention in the liability phase, *Robinson* Movants respectfully request that the Court permit them to participate as amici in oral argument, discovery, and witness examinations—including by ordering that all papers, discovery, deposition transcripts be shared with the *Robinson* Movants—in order to protect their interests discussed above and to provide the Court with the expertise of Movants and their counsel and a complete evidentiary record.

This Court has the discretion to allow amicus participation in the development of the trial record. *See Morales v. Turman*, 820 F. 2d 728, 730 (5th Cir. 1987) (noting that amici actively participated in depositions, offered its own experts and witnesses, and cross-examined the parties' witnesses at trial). As one court has noted, amici "have been allowed at the trial level where they provide helpful analysis of the law, they have a special interest in the subject matter of the suit, or existing counsel is in need of assistance." *Perry-Bey v. City of Norfolk, Virginia*, No. 2:08CV100, 2008 WL 11348007, at \*3 (E.D. Va. Aug. 14, 2008) (cleaned up). District courts adopt a "flexible" approach to amicus participation, permitting a "range of roles" as the circumstances demand, including by permitting a more "active participatory" role beyond providing mere information. *See Wyatt By & Through Rawlins v. Hanan*, 868 F. Supp. 1356, 1359 (M.D. Ala. 1994) (allowing

*amici* to conduct discovery and participate “fully in trial, including examining witnesses and presenting its own witnesses”).

If a third-party is denied intervention, courts regularly provide them with the opportunity to participate as an amicus where doing so is in the interest of justice. *See, e.g., Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 807 F.3d 472, 478 n.3 (1st Cir. 2015) (allowing would-be intervenors to serve as amici, including the right to submit briefs and exhibits on any dispositive motions, participate in oral argument, and submit declarations or affidavits); *United States v. Hooker Chemicals and Plastics Corp.*, 749 F.2d 968, 991-92 (2d Cir. 1984) (permitting amicus to submit briefs and call its own witnesses and cross-examine other witnesses); *Smith v. Hosemann*, No. 3:01-CV-855-HTW-DCB, 2022 WL 2168960, at \*3 n.6 (S.D. Miss. May 23, 2022) (three-judge court) (permitting amici to file a brief with expert reports and participate in oral arguments); *E.E.O.C. v. Boeing Co.*, 109 F.R.D. 6, 11-12 (W.D. Wash. 1985) (denying intervention, but permitting amici to participate in “in various aspects of discovery and trial,” including participation in trial and depositions and, with leave of the court, the ability to file independent motions and conduct discovery); *Russell v. Bd. of Plumbing Examiners of Cnty. of Westchester*, 74 F. Supp. 2d 349, 351 (S.D.N.Y. 1999), *aff’d*, 1 F. App’x 38 (2d Cir. 2001).

To serve as litigating *amici*, Movants need only have an “interest in the case.” *See Lefebure v. D’Aquila*, 15 F.4th 670, 671 (5th Cir. 2021) (noting that the relevant interest need not be the same as a party or an interest sufficient for standing, and that an *amici* need not even be helpful to the court); *Neonatology Assocs., P.A. v. Comm’r of Internal Revenue*, 293 F.3d 128, 132 (3d Cir. 2002) (Alito, J.) (similar). “Courts should welcome amicus” because they help courts “avoid error in their judgments.” *Lefebure*, 15 F.4th at 675. For the reasons articulated here and in Movants’ intervention papers, *see* ECF No. 18-1, Movants unquestionably have an interest in this litigation,



and allowing their participation as amici in pretrial proceedings and trial is in the interest of justice because it would ensure that the Court has the benefit of legal arguments and evidentiary development that would otherwise be missing from the presentation of this case.

Should the Court deny the request for reconsideration of their motion to intervene, the *Robinson* Movants request the ability, as amici, to (i) participate in trial, including presenting its own witnesses and experts, cross-examining the parties' witnesses, and offering opening and closing statements or oral argument; (ii) participate in fact and expert discovery, including in depositions noticed by other parties; and (iii) with permission of the court, notice a limited number of narrowly targeted depositions. The Court should also require that all papers exchanged by the parties at the liability phase, including discovery requests and responses, produced documents, deposition transcripts, and expert reports be shared with the *Robinson* amici. Such participation is essential to enable Movants to participate fully in the remedial stage and to ensure the Court's review of questions relevant to both liability and remedy are based on a complete presentation of the issues and arguments.

### **CONCLUSION**

For all of the reasons above, the *Robinson* Movants respectfully request that this Court reconsider its reconsider its Order denying intervention and grant motion to intervene under Rule 24.

DATED: March 9, 2024

Respectfully submitted,

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**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

PHILIP CALLAIS, LLOYD PRICE, )  
 BRUCE ODELL, ELIZABETH ERSOFF, )  
 ALBERT CAISSIE, DANIEL WEIR, )  
 JOYCE LACOUR, CANDY CARROLL )  
 PEAVY, TANYA WHITNEY, MIKE )  
 JOHNSON, GROVER JOSEPH REES, )  
 ROLFE MCCOLLISTER, )

Plaintiffs, )

v. )

NANCY LANDRY, IN HER OFFICIAL )  
 CAPACITY AS LOUISIANA )  
 SECRETARY OF STATE, )

Defendant. )

Case No. 3:24-cv-00122-DCJ-CES-RRS

District Judge David C. Joseph  
 Circuit Judge Carl E. Stewart  
 District Judge Robert R. Summerhays  
 Magistrate Judge Kayla D. McClusky

**PLAINTIFFS' OPPOSITION TO ROBINSON MOVANTS' MOTION TO  
RECONSIDER ORDER DENYING INTERVENTION**

## INTRODUCTION

The Robinson Movants re-argue their Motion to Intervene without raising significant new points, let alone presenting the “extraordinary” circumstances necessary for this Court to undo its prior order. *See Leong v. Cellco P’ship*, No. CIV.A. 12–0711, 2013 WL 4009320 (W.D. La. July 31, 2013) (Rule 54(b) reconsideration of interlocutory orders follows the same standard as Rule 59(e) motions to alter or amend a final judgment); *Templet v. HydroChem Inc.*, 367 F.3d 473, 479 (5th Cir. 2004) (movant must show a “clearly establish[ed] manifest error of law or fact” or “newly discovered evidence” to show a court’s prior judgment was incorrect).

In this, the Robinson Movants copy the approach of the Galmon Movants’ Motion for Reconsideration (**Doc. 96-1**). For that reason—although the Robinson Movants’ Motion provides a lengthier argument than the Galmon Movants’—Robinson Movants should share the Galmon Movants’ fate. The Robinson Movants identify neither a manifest error of law or fact nor newly discovered evidence. The State has presented a *more* rigorous defense of SB8 than the Robinson Movants initially predicted, as demonstrated in the State’s Response to Plaintiffs’ Preliminary Injunction, **Doc. 86**. Like the Galmon Movants, the Robinson Movants not only ignore the merits of this filing, but they also make no attempt to satisfy the requisite standard for intervention that this Court indicated it would apply to future motions: “adversity of interest, collusion, or nonfeasance on the part of the State.” **Doc. 79, at 6**.

The Robinson and Galmon Movants’ shared desire that the State raise a slightly different argument—that the drafting of SB8 was motivated by other factors—falls far short of adversity of interest, collusion, or nonfeasance. As Plaintiffs showed in their Preliminary Injunction Reply, the “political motivation” argument is never a stand-alone basis for satisfying strict scrutiny in the face of a racial gerrymander. It is certainly not a defense in this case even under the Robinson Movants’ unsupported and unsupportable version of the facts. The State is doing the parties, the Court, the

voters, and even the Movants themselves a service by refraining from exploring that rabbit hole. The Robinson and Galmon Movants are free to continue to file their own amicus briefs, but their shared strategy of raising a “political” diversion cannot be allowed to stall this case and possibly endanger a remedy for SB8’s blatant racial gerrymander. Thus, for these reasons, and the reasons discussed more fully below, the Court should deny their Motion to Reconsider (**Doc. 103-1**).

### **BACKGROUND**

On February 7, 2024, Press Robinson, Edgar Cage, Dorothy Nairene, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, National Association for the Advancement of Colored People Louisiana State Conference, and Power Coalition for Equity and Justice (collectively, the “Robinson Movants”) filed a Motion to Intervene as Defendants, arguing for intervention as of right or permissively. **Doc. 18, at 1**. Another group, the “Galmon Movants,” **Doc. 10**, and the State of Louisiana also sought intervention, **Doc. 53**. This Court partially granted the Robinson Movants’ motion—allowing them to intervene in any remedial phase of this case, denied the Galmon Movants’ motion in toto, and granted the State’s Motion to Intervene. **Doc. 79, at 9**.

The Court found the Robinson Movants had failed to establish the necessary “adversity of interest, collusion, or nonfeasance on the part of the State” to show that their interests were not adequately represented by the State. **Doc. 79, at 6**. The Court found that the State “must defend SB8 as a constitutionally drawn Congressional redistricting map” and that “[t]his is the same ultimate objective movants would have and interest they would defend at this stage of the proceedings.” **Doc. 79, at 5**. The Court similarly concluded that the Robinson Movants do not have a special interest in presenting a defense in this litigation: “The *Robinson* and *Galmon* movants have neither a greater nor lesser interest in ensuring that this map does not run afoul of the 14<sup>th</sup>

Amendment to the United States Constitution than any other citizen of the State of Louisiana.” **Doc. 79, at 6.** Thus, it found that the State would adequately represent their interests. *Id.*

However, this Court did find that the Robinson Movants may permissibly intervene in the remedial phase of this case, reasoning that “[a] remedial phase would implicate the main objective movants fought for in the *Robinson* case[.]” **Doc. 79, at 7.** This Court stated that it would allow the *Robinson Movants* to “seek reconsideration of this ruling if they can establish adversity or collusion by the State.” *Id.*

Since this Court’s Order regarding intervention, Defendants Secretary of State and the State filed Responses to Plaintiffs’ Motion for Preliminary Injunction (**Doc. 17**). **Doc. 82 and 86**, respectively. The Galmon and Robinson Movants also filed lengthy and detailed Amicus Briefs opposing Plaintiffs’ Motion for Preliminary Injunction. **Doc. 93 and 94**, respectively. Plaintiffs filed their Reply in Support of Preliminary Injunction, addressing all four briefs. **Doc. 101.**

On March 9, 2024, the Robinson Movants filed a Motion to Reconsider this Court’s Order denying their intervention in part. **Doc. 103.** For the reasons stated below, this Court should deny the Robinson Movants’ Motion to Reconsider.

### ARGUMENT

No Federal Rule of Civil Procedure specifically applies to a motion to reconsider. *Cressionnie v. Hample*, 184 Fed. App’x. 366, 369 (5th Cir. 2006); *Shepard v. Int’l Paper Co.*, 372 F.3d 326, 328 (5th Cir. 2004). But a district court may reconsider an interlocutory order pursuant to Federal Rule of Civil Procedure 54(b), which allows courts to revise “any order or other decision, however designated, that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties ... before the entry of judgment.” Fed. R. Civ. P. 54(b).

Courts in the Western District of Louisiana typically evaluate Rule 54(b) motions to reconsider interlocutory orders under the same standards that govern Rule 59(e) motions to alter

or amend a final judgment. *See Leong*, 2013 WL 4009320. And so construed, the Court has discretion in deciding such motions to reconsider. *Templet*, 367 F.3d at 482–83.

Though the Court has some discretion exists, altering or amending a judgment under Rule 59(e) is an “extraordinary remedy” used infrequently, and only in specific circumstances. *Templet*, 367 F.3d at 482–83. “A motion to alter or amend the judgment under Rule 59(e) ‘must clearly establish either a manifest error of law or fact or must present newly discovered evidence’ and ‘cannot be used to raise arguments which could, and should, have been made before the judgment issued.’” *Schiller v. Physicians Res. Grp., Inc.*, 342 F.3d 563, 567 (5th Cir. 2003) (quoting *Rosenzweig v. Azurix Corp.*, 332 F.3d 854, 863–64 (5th Cir. 2003)) (other citations and quotation marks omitted).

This Court should deny the Robinson Movants’ Motion to Reconsider for multiple reasons. First, the State adequately represents the Robinson Movants’ interests. Second, all Robinson Movants’ arguments are suited for a remedial phase of this case—to which they will be a party. Third, it would be unnecessary and burdensome for the Court to treat them as litigating Amici.

**I. The State Adequately Represents Robinson Movants in this Litigation.**

**a. The State’s interest is not adverse to the interest of Robinson Movants.**

The Robinson Movants concede that they share the same ultimate interest with the State—defending SB8. **Doc. 103-1, at 11.** In fact, neither the interests of the State nor of the Robinson Movants have changed since this Court’s Order. Even so, the Robinson Movants suggest their interest “diverges” from the State in that the “State ignores the primary argument underpinning Plaintiffs’ request for a preliminary injunction—that race predominated in the passage of SB8.” **Doc. 103-1, at 11.** The Robinson Movants then imply that “other factors, including political motivations and commonality of interests” explain away the Legislature’s action. **Doc. 103-1, at 11.** But this supposed “divergence” is truly no more than a preference regarding litigation strategy,



and, as this Court observed in its original Order denying the Robinson Movants’ intervention in part, “[d]ifferences of opinion regarding an existing party’s litigation strategy or tactics used in pursuit thereof, without more, do not rise to an adversity of interest.” **Doc. 79, at 5** (quoting *Lamar v. Lynaugh*, 12 F.3d 1099, 1099 n.4 (5th Cir. 1993) (per curiam). Something “more” is required. *Id.*

One reason for this requirement is that the State has the ethical obligation to represent the State of Louisiana and its laws, including SB8. *Id.* Given that charge, the State itself is in the best position to evaluate its own case, develop a litigation strategy, and craft arguments in favor of that litigation strategy. There is no reason this Court should doubt the State’s ability to do so, and the Robinson Movants supply none. Indeed, in its Order partially denying intervention, this Court found “no indication of the likelihood of collusion or nonfeasance on behalf of the State.” *Id.* The Robinson Movants provide no basis to disturb this finding.<sup>1</sup>

**b. There is no conflict of interest regarding Dr. Hefner.**

Movants, without support, allege an “obvious conflict of interest” because the State used Michael Hefner as an expert in the Robinson litigation. **Doc. 103-1, at 12.** No such conflict exists. As the State made clear in its Responses to Galmon and Robinson Movants’ Motions to Reconsider (**Docs. 104, 107**), the State hardly used Dr. Hefner as an expert in the *Robinson* case, only citing his report a handful of times during the preliminary injunction briefing before “never utiliz[ing] Dr. Hefner for the remainder of the *Robinson* litigation.” **Doc. 104, at 4-5; Doc 107, at 5.**

<sup>1</sup> Robinson Movants briefly imply that the State is too tethered to the positions it took in the *Robinson* litigation to adequately represent them. **Doc. 103-1, at 13.** But this fear is misplaced. In short, the old law at issue in the *Robinson* litigation (HB1) is fully repealed, and the State has no ability or reason to further defend it.

Moreover, there are no inconsistencies to point out in Dr. Hefner's reports. The Robinson Movants, in referring to their single alleged inconsistency, quote a part of Dr. Hefner's report that compares two different maps of Louisiana broken down into regions based on various categories. **Doc. 103-1, at 12; Doc. 103-3, at 9-10** ("The Louisiana Regional Folklife Program briefly describes each region as follows . . ."). At no point did Dr. Hefner "describe[] a Red River community of interest running 'from Shreveport to the Mississippi River.'" **Doc. 103-1, at 12.** Instead, Dr. Hefner was referencing a map made by the Louisiana Regional Folklife Program, containing five regions and their geographical descriptions. **Doc. 103-3, at 9.** Even so, as addressed below, Robinson Movants are free to express their opinions of experts as amici.

**c. The State has adequately represented Robinson Movants' interest by choosing to forego baseless arguments.**

Finally, Robinson Movants are not entitled to intervene at the liability stage merely so they can fight a losing battle. They seek to argue that other considerations such as "political motivations," rather than race, predominated in SB8. **Doc. 103-1, at 11.** But for the reasons stated more fully in Plaintiffs' Reply Brief, **Doc. 101**, that is an argument doomed to fail at the predominance stage (*Shaw* prong 1)—and that actually undermines the State's (and Robinson Amici's) entire defense at the strict scrutiny stage (*Shaw* prong 2).

At *Shaw* prong 1, the facts demonstrate that race predominated in the legislators' construction of this map that, in their own words, *had* to have two majority-African American districts with over 50% BVAP. **Doc. 101, at 10, 22.** Direct evidence of legislators' statements and circumstantial evidence of these two bizarrely shaped districts uniting disparate parts of Louisiana all point toward that inevitable conclusion. And contrary to Robinson Movants' contention, the presence of traditional redistricting criteria would not save the State's case. *Bethune-Hill v. Va. State Bd. of Elecs.*, 580 U.S. 178, 189 (2017).

At *Shaw* prong 2, the political defense would destroy the State’s case for at least two reasons. First, political considerations are not a compelling interest to justify racial line-drawing. *See Cooper v. Harris*, 581 U.S. 285, 308 n.7 (2017) (“If legislators use race as their predominant districting criterion with the end goal of advancing their partisan interests . . . their action still triggers strict scrutiny. . . . In other words, the sorting of voters on the grounds of their race remains suspect even if race is meant to function as a proxy for other (including political) characteristics.” (citing *Bush v. Vera*, 517 U.S. 952, 968-70 (1996) (plurality opinion) and *Miller v. Johnson*, 515 U.S. 900, 914 (1995))); *Bush*, 517 U.S. at 972-73 (finding race predominated where race was used “both as a proxy to protect the political fortunes of adjacent incumbents, and for its own sake in maximizing the minority population of District 30 regardless of traditional districting principles”). Otherwise, a State could freely racially gerrymander so long as its goal was to create a political majority. *See Cooper*, 581 U.S. at 319 n.15 (noting a legislature may not “resort to race-based districting for ultimately political reasons, leveraging the strong correlation between race and voting behavior to advance their partisan interests”). And second, the political defense is in tension with the State’s (and Robinson Amici’s) VRA defense. *Cf. id.* at 308 n.7, 317. The State could not argue on the one hand that it was motivated by political concerns, and then on the other hand that it was motivated by the VRA’s racial concerns. *Id.* at 308 n.7, 317-18. The State had to choose one. It has made the litigation choice it believes will most likely preserve two minority-controlled districts—the litigation goal it shares with Robinson Movants.

**II. The Court has sufficiently protected Robinson Movants’ alleged interest.**

**a. Robinson Movants’ interest has not changed since its first motion.**

This Court only grants a Motion to Reconsider when there is a significant change in law or fact or clearly established manifest error. *Schiller*, 342 F.3d at 567. Robinson Movants identify no

new law or interests in their Motion to Reconsider, and their interest and position have not changed since the Court's Order. **Doc. 103-1**. Thus, the Court need not reconsider its Order.

As this Court previously acknowledged, Robinson Movants have no special vindicable interest in the liability stage of the proceedings. All that is at issue in this stage is the constitutionality of SB8, not any proposed maps by Robinson Movants. As the Court made clear:

SB8 is not the Congressional districting map of the proposed Robinson and Galmon intervenors. It is the Congressional districting map *of the State of Louisiana* – passed by both Houses of the Louisiana Legislature and then signed into law by the Governor. The *Robinson* and *Galmon* movants have neither a greater nor lesser interest in ensuring that this map does not run afoul of the 14<sup>th</sup> Amendment to the United States Constitution other than any citizen of the State of Louisiana.

**Doc. 79, at 6** (emphasis added). The map was enacted by the State and is defensible by the State and its designated agents alone. *Berger v. N.C. State Conference of the NAACP*, 597 U.S. 179, 193 (2022); *Va. House of Delegates v. Bethune-Hill*, 139 S. Ct. 1945, 1952 (2019); *Hollingsworth v. Perry*, 570 U.S. 693, 708, 710 (2013) (holding that a private party may not defend constitutionality of state statute). A sovereign entity has the right to speak “with a single voice” and the right to choose who may litigate on its behalf. *Va. House of Delegates*, 139 S. Ct. at 1952. “[T]he choice belongs to’ the sovereign State.” *Berger*, 597 U.S. at 192 (quoting *Va. House of Delegates*, 139 S. Ct. at 1952). Robinson Movants cite no authority under Louisiana law that grants them the power to defend the State's laws as quasi-state officers.

Moreover, they have no interest in defending this law. As the Court acknowledged, Robinson Movants are not entitled to the particular map in SB8 any more than any other private citizens. **Doc. 79, at 6**. Thus, Robinson Movants have no interest in intervention at this stage, much less in setting the State's litigation strategy.

**b. The Court's Orders already protect Robinson Movants' alleged interest.**

Likewise, Robinson Movants are sufficiently protected because the Court has already given them a forum to advance their alleged interest in a map with “two Black-majority Congressional districts.” **Doc 79, at 6**. Because the liability stage of the proceedings only deals with the constitutionality and legality of SB8, not the lawfulness of proposed maps, Robinson Movants will have a full opportunity to protect their alleged interest without prejudice at the remedial stage when the Court considers a map to institute.

Not only has the Court granted them full participation in the remedial stage to make these arguments, but the Court has also permitted them to file briefs as amici in the preliminary injunction stage. **Doc. 92**. The Court has done more than enough to accommodate them.

**c. Further intervention would significantly harm existing parties.**

Moreover, as part of the intervention calculus, “the court must consider whether the intervention will unduly delay or prejudice the adjudication of the original parties’ rights.” Rule 24(b)(3). Those concerns are even more prevalent now than when this motion was originally litigated given the impending trial. Robinson Movants only moved to reconsider on Saturday, March 9—less than a month before trial commences, **Doc. 63**, and almost two weeks after the Court’s Order denying intervention, **Doc. 79**. Intervention at this stage on this expedited schedule would invite chaos. Document discovery is already underway (and it is too late to serve new discovery), expert designation and reports are due in ten days, exhibit lists, witness lists, and bench books are due in twenty days, and trial is only twenty-seven days away. **Doc. 63**. Movants would add over twenty attorneys from seven different offices, **Doc. 103-1, at 18-19**, and would cram their case into an already full two-day trial. This would severely prejudice the parties who actually have an interest at the liability stage of the proceedings, and whose trial preparation has already been interrupted by serial efforts to intervene by two different sets of movants. *Rotstain v. Mendez*, 986

F.3d 931, 938 (5th Cir. 2021) (noting that existing parties experience prejudice from intervention when they would face additional discovery and increased litigation costs).

Additionally, Robinson Movants' proposed scheme where the Court would grant them the opportunity to argue at the liability trial, conduct their own discovery, and do their own witness examinations as "Amici" would work the same prejudice to existing parties. **Doc. 103-1, at 11.** This would be an effective intervention in the liability stage, and Robinson "Amici" would be litigating parties in all but name. Again, Robinson Movants do not have an interest in the liability stage of the proceedings. And even if they did, the existing prejudice, harm, and undue delay to existing parties with actual interests when trial is less than a month away and only lasts for two days prohibits this litigating position. Fed. R. Civ. P. 24(b).

Finally, intervention is wholly unnecessary here for two additional reasons. Plaintiffs will continue to not oppose Robinson Movants' motions to file amicus briefs. (Plaintiffs did not oppose Robinson Intervenors' Motion to File an Amicus Brief, **Doc. 87, at 1-2**, and Plaintiffs provided a fulsome response to that Brief, **Doc. 101**.) And, as already communicated to Robinson Movants, Plaintiffs will share any discovery sent to Defendants with Robinson Movants.

### **CONCLUSION**

Plaintiffs respectfully ask the Court to deny the Motion for Reconsideration (**Doc. 103**).

Dated this 13th day of March, 2024

Respectfully submitted,

**PAUL LOY HURD, APLC**

/s/ Paul Loy Hurd

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**CERTIFICATE OF SERVICE**

I do hereby certify that, on this 13th day of March 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record.

/s/ Edward D. Greim

Edward D. Greim



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

PHILLIP CALLAIS, et al

CIVIL DOCKET NO. 3:24-CV-00122-  
DCJ-CES-RRS

VERSUS

NANCY LANDRY, in her official  
capacity as Louisiana Secretary of  
State

THREE-JUDGE COURT

**ORDER**

Before the Court are the following: (1) MOTION TO RECONSIDER ORDER DENYING INTERVENTION [Doc. 96], (2) MOTION TO EXPEDITE BRIEFING ON THEIR MOTION TO RECONSIDER [Doc. 100]; and (3) MOTION FOR LEAVE TO FILE A REPLY IN SUPPORT OF THEIR MOTION TO RECONSIDER ORDER DENYING INTERVENTION [Doc. 108], all filed by the *Galmon*<sup>1</sup> movants; (4) MOTION TO RECONSIDER INTERVENTION ORDER AND TO EXPEDITE BRIEFING [Doc. 103]; and (5) MOTION FOR LEAVE TO FILE A REPLY IN SUPPORT OF THEIR MOTION TO RECONSIDER ORDER DENYING INTERVENTION [Doc. 112], both filed by the *Robinson*<sup>2</sup> movants; and (6) MOTION FOR LEAVE TO FILE A RESPONSE IN OPPOSITION TO MOTION FOR RECONSIDERATION [Doc. 105]; and (7) MOTION FOR LEAVE TO FILE A RESPONSE IN OPPOSITION TO ROBINSON MOTION FOR RECONSIDERATION [Doc. 111], both filed by Plaintiffs.

<sup>1</sup> The *Galmon* movants include Edward Galmon, Sr., Ciara Hart, Norris Henderson, and Tramelles Howard.

<sup>2</sup> The *Robinson* movants include Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, the National Association for the Advancement of Colored People Louisiana State Conference (“LA NAACP”), and the Power Coalition for Equity and Justice.

The Court previously ruled that the *Robinson* movants could participate in the remedial phase of the case. The *Robinson* movants now seek reconsideration to be permitted to participate in the initial phase of the case. The Court has reviewed the pleadings and will permit the proposed briefs to be filed. No further briefing is necessary.

The Court finds that the *Robinson* movants have demonstrated that the existing representation of their interests may be inadequate for the initial phase of the case, specific to the issues of: (1) whether race was the predominant factor in the creation of SB 8; and (2) if so, whether SB 8 can pass strict scrutiny review. The Court will therefore grant reconsideration and permit the *Robinson* movants to participate in the initial phase of the case in addition to any remedial phase but will limit their role in the initial phase to presenting evidence and argument as to: (1) whether race was the predominant factor in the creation of SB 8; and (2) if so, whether SB 8 can pass strict scrutiny review.

As to the *Galmon* movants, the Court's analysis that their interest is adequately represented by the *Robinson* movants has not changed. Therefore, the Court will not grant reconsideration as to the *Galmon* movants.

#### CONCLUSION

Accordingly,

IT IS HEREBY ORDERED that the *Galmon* Movants' Motion to Expedite Briefing, [Doc. 100], is DENIED AS MOOT;

IT IS FURTHER ORDERED that the Motions for Leave to File Responses and/or Replies filed by the *Galmon* Movants [Doc. 108], the *Robinson* Movants [Doc. 112], and the Plaintiffs [Docs. 105, 111], are all GRANTED;

IT IS FURTHER ORDERED that the *Galmon* Movants' Motion to Reconsider Order Denying Intervention, [Doc. 96], is DENIED; and

IT IS FURTHER ORDERED that the *Robinson* Movants' Motion to Reconsider Intervention Order and to Expedite Briefing, [Doc. 103], is GRANTED. The Court will permit the *Robinson* movants to participate in the initial phase of the case but will limit their role to presenting evidence and argument as to: (1) whether race was the predominant factor in the creation of SB8; and (2) if so, whether SB 8 can pass strict scrutiny review.

IT IS FURTHER ORDERED that all parties to the suit will attend a status conference on **Friday, March 22, 2024**, to be held via Zoom at 10:00 a.m. CST.

THUS, DONE AND SIGNED on this 15<sup>th</sup> day of March 2024.

/s/ Carl E. Stewart

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CARL E. STEWART  
CIRCUIT JUDGE  
UNITED STATES COURT OF APPEALS  
FIFTH CIRCUIT



---

ROBERT R. SUMMERHAYS  
UNITED STATES DISTRICT JUDGE  
WESTERN DISTRICT OF LOUISIANA



---

DAVID C. JOSEPH  
UNITED STATES DISTRICT JUDGE  
WESTERN DISTRICT OF LOUISIANA

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**ROBINSON INTERVENORS' MOTION FOR CONTINUANCE OR, IN THE ALTERNATIVE,  
TO DECONSOLIDATE PRELIMINARY HEARING FROM THE MERITS TRIAL**

Defendant-Intervenors Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, the National Association for the Advancement of Colored People Louisiana State Conference, and the Power Coalition for Equity and Justice (the "Intervenors") respectfully move this Court to continue trial in the above-captioned matter. Trial is currently scheduled for April 8-10. Intervenors seek a three-week continuance. In the alternative, if the Court denies that request, Intervenors respectfully request that the Court deconsolidate the preliminary injunction hearing from the full trial on the merits and continue the preliminary injunction hearing by one week. In either event, Intervenors further request that the court set the trial for four days to allow each side to fully present its case.

Intervenors respectfully request leave to file this motion notwithstanding Judge Joseph's Standing Order on motions to continue, which require a continuance motion to be filed at least fourteen days before trial is scheduled to commence.<sup>1</sup> In this case, the Court granted Intervenors' Motion to Reconsider the partial denial of their intervention on March 15, 2024, only twenty-four calendar days (and fifteen business days) before trial was scheduled. Since that time, Intervenors have been working diligently to comply with the Court's schedule. As explained in the attached memorandum, it has only become evident in the last approximately 48 hours that the trial schedule will prejudice Intervenors by depriving them of their right to fully and fairly present their case.

Pursuant to Local Rule 7.9, Counsel for *Robinson* Intervenors has contacted counsel for the other parties to ascertain their positions on this motion. Plaintiffs oppose "both prongs of the request on the grounds that a delay may well endanger [their] right to relief, and because [they] have expended substantial time and cost in meeting this trial schedule." Defendant Secretary of State Nancy Landry opposes this motion "as a delayed trial or hearing could impact her ability to secure the needed finality on Louisiana's Congressional plan by May 15, 2024 and could impede her ability to administer the 2024 Congressional Elections under the deadlines set by state and federal law." Defendant-Intervenor State of Louisiana has indicated that it "opposes this motion to the extent it could have a negative impact on the orderly administration of elections in Louisiana. Otherwise, the State takes no position on this motion."

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<sup>1</sup> <https://www.lawd.uscourts.gov/sites/lawd/files/UPLOADS/StandingOrder.Joseph.MotionsToContinue.pdf>

DATED: April 6, 2024

Respectfully submitted,

By: /s/ Tracie L. Washington

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**CERTIFICATE OF SERVICE**

I, Daniel Hessel, counsel for the *Robinson* Intervenors, hereby certify that on April 6, 2024, a copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system, and that service will be provided through the CM/ECF system.

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**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**MEMORANDUM IN SUPPORT OF *ROBINSON* INTERVENORS' MOTION FOR  
CONTINUANCE OR, IN THE ALTERNATIVE, TO DECONSOLIDATE  
PRELIMINARY HEARING FROM THE MERITS TRIAL**

This case has moved at breakneck speed, based largely on a schedule proposed by Plaintiffs and unopposed by Defendants. Doc. 43 (Unopposed Motion for Expedited Preliminary Injunction and Trial Schedule); Doc. 63 (Scheduling Order). Trial of this important and complex matter—which will determine the congressional representation of 4.6 million Louisianans for the rest of the decade—is scheduled to begin 68 days (and end 70 days) after Plaintiffs commenced this action. The Court entered that schedule before it determined the *Robinson* Intervenor (“Intervenor”) had a right to participate in the liability phase (on reconsideration of its earlier order denying them that right), and Intervenor thus had no input on the schedule. By the time the

Court granted Intervenor's leave to participate in the liability phase, only twenty-four days remained before trial.

While Intervenor has made every effort to hew to the Court's schedule, it is clear that this highly compressed schedule has deprived them of the ability to fully develop and present their case and is incompatible with their due process rights. Intervenor has been unable to take meaningful fact discovery; have had to exchange expert reports and conduct expert discovery involving seven separate experts in only two weeks; and have been given only eight hours—to be shared with two other separately represented defendants—to present their case and cross-examine Plaintiffs' witnesses. Respectfully, several of the Court's pre-trial decisions, which Intervenor understands were driven by the perceived need to maintain the current schedule, have underscored and even aggravated that harm. This situation would be bad enough if next week's hearing were only for preliminary relief—it is even more unjust and untenable for a full trial on the merits leading to a final judgment.

The prejudice to Intervenor is magnified by the fact that neither of the other parties on the Defendants' side are presenting a substantial factual or expert defense to Plaintiffs' claims. The State has not proffered a single expert witness (including any expert witnesses to respond to any of the Plaintiffs' array of experts) or designated a single fact witness for trial. The Secretary has gone even further. She is not defending the statute at all and has identified only one "may call" witness to testify about election administration, whose testimony appears to be relevant only to the timing of any remedy if the Court rules in Plaintiffs' favor on liability. Thus, the defense against Plaintiffs' claims at the liability hearing has fallen almost entirely on the Intervenor, who as of yesterday will have been involved in the liability phase for exactly three weeks.

Intervenors therefore respectfully move the Court to continue the trial scheduled for April 8-10 by three weeks. In the alternative, if the Court denies that request, Intervenors respectfully request that the Court deconsolidate the preliminary injunction hearing from the full trial on the merits and continue the preliminary injunction hearing by one week. In either event, Intervenors further request that the court set the trial for four days to allow each side to fully present its case.

### **BACKGROUND**

Plaintiffs filed this case on January 31, alleging that SB8—which was enacted in response to court rulings finding the State of Louisiana in likely violation of Section 2 of the Voting Rights Act of 1965—is a racial gerrymander, Doc. 1, and moved for a preliminary injunction on February 7, Doc. 17. Also on February 7, the *Robinson* Intervenors moved to intervene as a matter of right or permissively to defend the law. Doc. 18. The next day, this Court ordered that, once Plaintiffs served the Defendant Secretary of State, they contact the Court to determine a briefing and hearing schedule on both the preliminary injunction motion and Intervenors’ then-pending motion to intervene. Doc. 19. Six days later, on February 14, Plaintiffs opposed intervention. Doc. 33. Although the Court’s order implicated Intervenors’ then-pending motion, Plaintiffs never contacted Intervenors regarding scheduling. Ex. 1, Decl. of Stuart C. Naifeh (“Naifeh Decl.”) ¶ 3. Instead, they moved on February 19 for an expedited briefing schedule, Doc. 43, and asserted that briefing on the Intervention Motion was complete and the motion ripe for resolution (although Intervenors had yet to file a reply), Doc. 43-1 at 3.

In that motion, Plaintiffs proposed an extraordinarily aggressive schedule for this case. They asked the Court to set a preliminary injunction hearing for March 25 and 26, and to consolidate that hearing with a full trial on the merits pursuant to Federal Rule of Civil Procedure 65(a)(2). Doc. 43. The Secretary of State, the only other party to the case at that time, did not

oppose that motion. *Id.* Because Intervenor’s motion for leave to intervene was still pending, they had no opportunity to respond to Plaintiffs’ scheduling motion. Naifeh Decl. ¶ 3. By Order entered February 21, 2024, the Court scheduled a two-day trial, consolidated under Rule 65(a)(2), beginning April 8. Doc. 63. (In a subsequent order, the Court extended the trial to three days, but kept the April 8 start date. Doc. 130.) The Court also set expert designations and reports to be exchanged among the parties by March 22, 2024. Doc. 63.

Since entry of the Court’s initial Scheduling Order, two new parties (or groups of parties) have joined the case. First, the State of Louisiana, through its Attorney General, moved to intervene as a defendant. Doc. 53. The State’s intervention motion was granted on February 26, 2024, after the Scheduling Order was in place. The named Defendant Secretary of State (who had not opposed consolidation of the preliminary injunction and trial or the expedited schedule) has subsequently made clear that she will not defend SB8 on its merits, leaving that effort to the State and the Intervenor. Doc. 101.

Second, after initially granting the *Robinson* Intervenor’s motion to intervene only to the extent of permitting them to participate in any remedial hearing, Doc. 79, the Court subsequently granted Intervenor’s motion for reconsideration and permitted them to participate to a limited extent in the liability phase. Doc. 114. That motion was granted on March 15—twenty-four days before trial commenced, and more than three weeks after the Scheduling Order was entered. One week later, the Court held a status conference in which it told the parties that each side of the case would be limited to eight hours of trial time (including cross-examination), and that the three sets of Defendants, including Intervenor, would have to split the time amongst themselves. Doc. 130.

The schedule set by the Court has not allowed Intervenor a fair opportunity to conduct discovery. For example, even though Intervenor were granted permission to intervene “for the

limited purpose of partaking in the remedial phase of trial,” on February 26, 2024, Doc. 79, at 7, and expressly requested Plaintiffs share any discovery they propounded or received on March 7, it was only through the Secretary’s counsel’s transmission of her responses and objections to Plaintiffs discovery requests on March 18 that Intervenors were made aware of the ongoing discovery in the case. Naifeh Decl. ¶¶ 4-5.

Intervenors received Plaintiffs’ expert reports on March 22, 2024, a week after they were granted leave to participate in the liability phase. Naifeh Decl. ¶ 7. None of these reports were the same ones included in their motion for a preliminary injunction and indeed included two new witnesses unmentioned by Plaintiffs in any of their previous papers. *Id.* Intervenors were then required to submit rebuttal reports by March 27, a mere three business days thereafter. *Id.* Data relied upon by one expert, Dr. Stephen Voss, was not provided to Intervenors when the reports were submitted. Naifeh Decl. ¶ 8. Plaintiffs submitted three more expert reports on April 1, a week before trial, including a report by a brand-new purported rebuttal expert, Dr. Ben Overholt. Naifeh Decl. ¶ 10; *see also* Doc. 145-1, at 2-5. Dr. Overholt revealed at his deposition on April 4, 2024, that he had relied on code to conduct his analysis that Plaintiffs’ counsel had failed to turn over along with his report. Naifeh Decl. ¶ 10; *see also* Doc. 155, at 6. That material was finally provided by Plaintiffs’ counsel on Friday April 5, the Friday before the commencement of trial. Naifeh Decl. ¶ 10; *see also* Doc. 155, at 6; Doc. 155-5.

Even though Dr. Overholt’s testimony was not timely disclosed by the Court-imposed deadline for the submission of expert reports on March 22, and was improperly offered as rebuttal testimony given that his principal opinion is that Congressional District 6 in SB 8 will not “perform” for the Black voters in that district, which does not “contradict or rebut evidence on the same subject matter” offered by any opposing expert, Fed. R. Civ. P. 26(a)(2)(D)(ii), the Court

deferred ruling on Intervenors' motion until the witness was offered at trial. Doc. 152, at 2. The Court simultaneously denied Intervenors' request to offer any rebuttal testimony to Dr. Overholt from any new expert witness on the ground that the Court believed it was too close to trial to add an expert witness.

At the Final Pretrial Conference on April 4, 2024, Intervenors sought a reciprocal addition of a mere two hours for presentation of evidence for both sides, given the complexity of the issues presented in this case and the number of witnesses the parties have designated to testify—a total of ten “will call” witnesses and an additional nine “may call” witnesses. As Intervenor noted in making the request, the additional time (resulting in twenty total hours of trial time) would not prevent the trial from being completed in the scheduled three days. Docs. 152, 63, 130. The Court, however, declined to allow any additional time. While the Court stated that “upon completion of each case-in-chief and for good cause shown, the Court may revisit this issue and consider awarding additional time,” Doc. 152, the parties cannot assume that any such request will be granted, and thus must plan and present their cases within the eight-hour time the Court has allowed.

## **ARGUMENT**

### **A. The Court Should Continue the Trial**

“It [is] highly prejudicial” to compel Intervenors “to pull together their entire case . . . on such short notice.” *Dillon v. Bay City Construction Company*, 512 F.2d 801, 804 (5th Cir. 1975). The Supreme Court has long made clear that due process requires that a party have the opportunity to develop and present evidence in support of its case. *See, e.g., Fayerweather v. Ritch*, 195 U.S. 276, 299 (1904). In addition, as the courts have recognized, “discovery is necessary for the parties to adequately pursue and defend this case and to meaningfully prepare for trial,” *Carollo v. ACE*

*Am. Ins. Co.*, No. CV 18-13330-WBV-KWR, 2019 WL 4038602, at \*4 (E.D. La. Aug. 27, 2019), and Federal Rule of Civil Procedure 26 gives them that right, *see, e.g., Dillon*, 512 F.2d at 804.

Intervenors have been deprived of those rights in this case, based on a timeline that the Court set following Plaintiffs' motion for an expedited schedule—which Intervenors had no opportunity to weigh in on, and which was unopposed by a Defendant who concededly is not defending against Plaintiffs' claims. This schedule has forced Intervenors to forgo most discovery and limit the little discovery they could pursue. Next week, it will force them to present a complex case in less than eight hours.

In particular, Intervenors have been prejudiced by a trial schedule that is incompatible with an appropriate discovery process. By the time Intervenors were belatedly granted permission to vindicate their rights in defense of SB8, only fifteen business days stood between them and trial. The Court made clear at a status hearing a week later that the litigants would have to shoehorn any discovery into the timeframe before trial. That approach has had the result of depriving Intervenors of a meaningful opportunity to conduct discovery.

The prejudice to Intervenors is amplified by the fact that they are the only parties on the defense side presenting a substantial factual or expert defense at the liability hearing. The State has not proffered any expert witnesses and has not identified any fact witnesses it intends to call at trial. Doc. 157. The Secretary concededly is not defending the statute at all and has identified only one “may call” witness to testify about election mechanics, whose testimony appears to be relevant only to the timing of any remedy if the Court rules in Plaintiffs' favor on liability. Doc. 136. In contrast, Plaintiffs have submitted reports from four experts (one of whom they subsequently decided not to call at trial), and have identified five “will call” witnesses (including three experts) and another “may call” witness. Doc. 141. The *Robinson* Intervenors have similarly



identified five “will call” witnesses (including three experts, two of whom were called to respond to testimony by Plaintiffs’ experts) and four additional “may call” fact witnesses, and have asked the Court for leave to present an additional expert to respond to Dr. Overholt, one of Plaintiffs’ experts. Doc. 143. Thus, the defense against Plaintiffs’ claims at the liability hearing has fallen almost entirely on the Intervenors.

The impairment of Intervenors’ ability to conduct meaningful discovery is particularly prejudicial in this case, which centers on questions of legislative intent. Racial gerrymandering claims require a court to undertake a “holistic analysis” that accounts for the “districtwide context” to determine “the legislature’s predominant motive for the design of the district as a whole.” *Bethune-Hill v. Va. State Bd. of Elections*, 580 U.S. 178, 192 (2017). Because intent can be difficult to ascertain, this analysis typically involves “‘direct evidence’ of legislative intent, ‘circumstantial evidence of a district’s shape and demographics,’ or a mix of both,” *Cooper v. Harris*, 581 U.S. 285, 291 (2017) (citation omitted), often relying on expert testimony. In the ordinary course, a litigant seeking to probe legislative intent would also seek discovery from the legislature. Such discovery can be time-consuming because it can implicate legislative privilege issues that the parties and potentially the Court need to work through. *See, e.g., La Union Del Pueblo Entero v. Abbott*, 68 F.4th 228 (5th Cir. 2023) (interlocutory appeal following denial of legislative privilege protections). Here, the schedule has provided the *Robinson* Intervenors no time to conduct such discovery.

Worse yet, the schedule afforded Intervenors virtually no time to prepare expert reports. *See In re Landry*, 83 F.4th at 305 n.5 (noting importance of expert testimony to cases involving redistricting). Based on the Court’s order, Plaintiffs served their expert reports on Friday, March 22, 2024. Naifeh Decl. ¶ 7. Intervenors’ affirmative expert reports and rebuttal reports were due

on Wednesday, March 27—three business days later—based on an agreement between the parties reached in light of the Court’s trial schedule. *Id.* Plaintiffs’ counsel resisted making even a single Plaintiff available for a deposition and refused to make their expert witnesses available for depositions of more than three hours. Naifeh Decl. ¶¶ 6, 9. Ultimately Intervenor were only able to spend a *total* of eight hours to depose witnesses. *But see* Fed. R. Civ. Proc. 30(d)(1) (ordinarily, *each* deposition can last up to seven hours). And these depositions involved complex expert reports using a variety of technical methods. Finally, at the eleventh hour, Plaintiffs disclosed an improper “rebuttal” report that far exceeds the scope of any existing report or opinion, and that reflects work begun shortly after the complaint was filed and withheld until the eve of trial. *See* Docs. 145, 155; *see also Conway v. Chem. Leaman Tank Lines, Inc.*, 687 F.2d 108, 112 (5th Cir. 1982) (“[T]his Court has acknowledged that continuance is a preferable remedy for prejudicial error from unfair surprise.”). Taken together, the Court’s unrelenting schedule has “inhibited altogether the extensive discovery and investigation necessitated” by the claim “and to which [the parties] had a right under [Federal Rule of Civil Procedure] 26.” *Dillon*, 512 F.2d at 804.

Several of the Court’s subsequent orders, which the Court has explained have been largely driven by the trial schedule, have compounded this harm, making it impossible for Intervenor to effectively present their case. The Court has given each side of the dispute eight hours over three days to present their case, including any cross-examination time. *Robinson* Intervenor must split that time with both the Defendant Secretary of State and Intervenor-Defendant State of Louisiana. Doc. 130. Although it will not present any witnesses, the State has reserved 15 minutes per witness called by any other party for its own questioning. For the ten “will-call” witnesses designated by the Plaintiffs and the *Robinson*-Intervenor, that amounts to 2.5 hours, leaving Intervenor with only 5.5 hours to present their case and cross-examine Plaintiffs’ witnesses—assuming the

Secretary does not need some of that time for her “may call” witness. That is insufficient time for a fact-heavy case involving complex witness testimony. In contrast, a recent racial gerrymandering trial in South Carolina took eight trial days and involved “the testimony of numerous witnesses” and “hundreds of exhibits.” *S.C. State Conf. of NAACP v. Alexander*, 649 F. Supp. 3d 177, 183 (D.S.C. 2023); *see also Bethune-Hill v. Va. State Bd. of Elections*, 326 F. Supp. 3d 128, 143 (E.D. Va. 2018) (considering evidence presented at initial four-day trial *and* a second four-day trial after remand); *Ala. Legislative Black Caucus v. Alabama*, 231 F. Supp. 3d 1026, 1032 (M.D. Ala. 2017) (four-day bench trial supplemented after remand by hundreds of additional exhibits).<sup>1</sup> It would be challenging for Intervenor to fully put on their case in (some subdivided portion of) eight hours under the best of circumstances. It is near-impossible for them to do so under the current circumstances. Without a sufficient opportunity to depose Plaintiffs’ experts, Intervenor, despite their best efforts, may have to engage in time-consuming cross-examinations that they could otherwise streamline based on depositions. Similarly, the inability to depose third-party fact witnesses will force Intervenor to either risk calling witnesses who don’t prove useful but expend precious time, or decline to call those witness, who may have been helpful, to save time.<sup>2</sup>

Several orders from the bench at the Final Pretrial Conference, again, as the Court explained, justified by the need to maintain of the schedule, further aggravated the situation. First, the Court denied Intervenor’s request for a modest, bilateral extension to ten hours per side, even though this would not have required additional trial days. Pretrial Conf. Tr. (April 4, 2024) at 18:9-

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<sup>1</sup> To be sure, some courts have held shorter racial gerrymandering trials. The court *Harris v. McCrory*, for example, held a three-day bench trial, as this Court intends to do. 159 F. Supp. 3d 600, 604 (M.D.N.C. 2016). But there, trial commenced two years after the claim was filed and after extensive discovery that allowed the parties to streamline their trial presentations. *Id.* at 609–10.

<sup>2</sup> Intervenor sought to alleviate these burdens and streamline the trial with stipulated facts. Plaintiffs declined to stipulate to many of Intervenor’s proposed facts.

20:22. That request reflected the underlying complexity of the case and the fact that, since the Court announced the eight-hours-per-side rule, the parties have noted ten “will call” witnesses and another nine “may call” witnesses. While the Court left open the possibility of revisiting that decision at the end of trial, that does not mitigate the harm to Intervenor. They must still plan a case and conduct all of their witness examinations on the assumption that they will have only eight hours.

Second, and relatedly, the Court declined to admit the underlying expert reports into evidence, even where the expert is available for cross-examination at trial, meaning the parties must now spend precious trial time going into details of the experts’ opinions. There is no prejudice to the parties in admitting an expert’s written reports where the expert has been qualified by the court and can be cross-examined about their opinions, and the bilateral admission into evidence of expert reports in such circumstances is par-for-the-course in redistricting cases and bench trials generally.

Third, the Court denied without explanation Intervenor’s motion in limine. *See* Doc. 142. Plaintiffs seek to introduce irrelevant evidence that substantially expands the scope of this case to encompass a range of factors potentially relevant under VRA Section 2 but not to Plaintiffs’ claim for racial gerrymandering. Again, while the Court left open the possibility of sustaining objections at trial, Intervenor must still prepare to rebut this testimony in their (portion of) eight hours.

Fourth, the Court declined to strike the irrelevant and improper rebuttal testimony of Dr. Ben Overholt while denying Intervenor’s request for leave to offer expert testimony in response. *See* Doc. 145. Initially, at the April 4 Final Pretrial Conference, the Court indicated willingness to accept a rebuttal served by the end-of-day on April 5. Pretrial Conf. Tr. (April 4, 2024) at 4:25-5:7. When Intervenor made clear that a new expert, rather than one of Intervenor’s existing

experts, would be needed to offer this rebuttal opinion, *id.* at 5:8-5:24, 7:8-7:13, the Court reversed course and precluded that option, *id.* at 7:14-7:18. But the fact that Intervenor’s existing witnesses lack expertise in fields related to Dr. Overholt’s testimony only underscores that his is not proper *rebuttal* testimony, but a whole new opinion unmoored from any other experts in the case. The Court did not clarify why it would permit Intervenor to present this testimony from an existing witness, but not a new witness.

These circumstances, taken together, have undermined Intervenor’s “right to the ‘integrity and accuracy of the fact-finding process,’” *United States v. Thoms*, 684 F.3d 893, 900 (9th Cir. 2012) (quoting *United States v. Bergera*, 512 F.2d 391, 393 (9th Cir. 1975)). It is appropriate for the Court to exercise its discretion and continue trial for three weeks to allow limited time for additional fact and expert discovery.

**B. In The Alternative, The Court Should Reconsider its Decision to Advance the Trial on the Merits in this Case Pursuant to FRCP 65(a)(2)**

A continuance is the most appropriate course of action, because even holding a hearing on a preliminary injunction motion under these circumstances is highly prejudicial. But, at the very least, in the alternative, this Court should deconsolidate the full trial on the merits from the preliminary injunction hearing—a decision that was made based on an unopposed motion before either the *Robinson* Intervenor or State Intervenor were part of this case.

This case, on its current schedule, is unsuitable for a consolidated trial under Federal Rule of Civil Procedure 65(a)(2). While the rule allows a court to “advance the trial on the merits and consolidate it with the [preliminary injunction] hearing,” FRCP 65(a)(2), the Supreme Court has held that “it is generally inappropriate for a federal court at the preliminary-injunction stage to give a final judgment on the merits.” *Univ. of Texas v. Camenisch*, 451 U.S. 390, 395 (1981).

Consolidation must “still afford the parties a full opportunity to present their respective cases.” *Id.* (citation omitted). As a result, “[c]onsolidation is most appropriate when the relevant issues are solely legal, not factual, and the parties agree that they have had a full opportunity to introduce evidence in support of and argue their case.” *Kyocera Document Sols. Am., Inc. v. Div. of Admin.*, No. 23-cv-4044, 2023 WL 8868837, at \*8 (D.N.J. Dec. 22, 2023).<sup>3</sup>

Unlike cases most suitable for Rule 65(a)(2) consolidation, this case is extraordinarily fact-heavy. Racial gerrymandering claims involve “a two-step analysis.” *Cooper*, 581 U.S. at 291. First, plaintiffs must prove “race was the predominant factor motivating the . . . decision to place a significant number of voters within or without a particular district,” *Miller v. Johnson*, 515 U.S. 900, 916 (1995), and “that the legislature subordinated traditional race neutral districting principles . . . to racial considerations,” *Bethune-Hill v. Va. State Bd. of Elections*, 580 U.S. 178, 187 (2017). This “holistic analysis,” *id.* at 192, typically involves both direct and “circumstantial evidence,” *Cooper*, 581 U.S. at 291 (quoting *Miller*, 515 U.S. at 916). While this case should end at that first step because race did not predominate here, “[w]here a challenger succeeds in establishing racial predominance, the burden shifts to the State to demonstrate that its districting legislation is narrowly tailored to achieve a compelling interest.” *Bethune-Hill*, 580 U.S. at 193 (cleaned up). That, too, is an intensely factual inquiry, which requires an assessment of whether the State “ha[d] ‘good reasons to believe’ it must use race in order to satisfy the Voting Rights Act.” *Id.* at 194 (quoting *Ala. Legislative Black Caucus v. Alabama*, 575 U.S. 254, 278 (2015)).

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<sup>3</sup> It is important to acknowledge that at the time the Court ordered consolidation, no existing party opposed the effort. Doc. 63. The Secretary of State, the only Defendant at the time, did not oppose Plaintiffs’ proposal. Doc. 43-1. And it appears that the State Intervenor-Defendant’s defense of SB8 may forgo any argument that politics, not race, drove SB8, *see* Doc. 86, at 7-8, thus limiting many of the factual disputes at issue. With *Robinson* Intervenor’s more fulsome defense of SB8, that fact-heavy inquiry is at the core of this case.

As Intervenors described above, they have been stymied in their ability to develop and present their case. This situation precludes Rule 65(a)(2) consolidation. “[T]he Trial Judge must not force the parties by the consolidation to sacrifice their right to fully present the available evidence.” *Dillon*, 512 F.2d at 804; Wright & Miller, 11A Fed. Prac. & Proc. Civ. § 2950 (3d ed.) (“[T]he key is that the notice should provide a reasonable time to permit a litigant to prepare a showing upon which the final outcome of the case may depend”). That’s why consolidation is usually appropriate when a case can be decided on legal issues alone, rather than factual disputes or credibility determinations. Here, the nature of the claim and defenses requires both factual investigation and expert assessment. Even where courts consolidate more fact-heavy cases such as this one, they do so only after “grant[ing] the parties multiple continuances to allow them to gather evidence and prepare for trial.” *Texas v. Garland*, No. 5:23-CV-034-H, 2024 WL 814498, at \*12 (N.D. Tex. Feb. 27, 2024), superseded, No. 5:23-CV-034-H, 2024 WL 967838 (N.D. Tex. Feb. 27, 2024).

Once granted intervention, Intervenors have made every effort to hew to the schedule the Court had previously adopted. Lamentably, it is now clear that this schedule will prejudice their ability to present their case and violate their due process rights. Under the circumstances, it is necessary to either continue the consolidated trial sufficiently to ensure each party has fair opportunity to develop its case or to deconsolidate the full trial on the merits from the preliminary injunction hearing and grant a shorter continuance of the preliminary injunction hearing.

### **CONCLUSION**

The Court should grant the *Robinson* Intervenors’ motion to continue the trial by three weeks, or, in the alternative, deconsolidate the merits with the preliminary injunction hearing and

continue the preliminary injunction hearing by one week. In either event, Intervenor further request that the court set the trial for four days to allow each side to fully present its case.

DATED: April 6, 2024

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**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

PHILIP CALLAIS, LLOYD PRICE,	)	
BRUCE ODELL, ELIZABETH ERSOFF,	)	
ALBERT CAISSIE, DANIEL WEIR,	)	
JOYCE LACOUR, CANDY CARROLL	)	
PEAVY, TANYA WHITNEY, MIKE	)	
JOHNSON, GROVER JOSEPH REES,	)	
ROLFE MCCOLLISTER,	)	
	)	Case No. 3:24-cv-00122-DCJ-CES-RRS
Plaintiffs,	)	
	)	
v.	)	District Judge David C. Joseph
	)	Circuit Judge Carl E. Stewart
NANCY LANDRY, IN HER OFFICIAL	)	District Judge Robert R. Summerhays
CAPACITY AS LOUISIANA	)	
SECRETARY OF STATE,	)	Magistrate Judge Kayla D. McClusky
	)	
Defendant.	)	

**PLAINTIFFS’ RESPONSE IN OPPOSITION TO MOTION TO CONTINUE**

At 7:30 p.m. on Saturday, April 6, 2024, as counsel and witnesses had begun travel for trial on Monday, April 8, 2024, the Robinson Intervenors (the “Intervenors”) filed a Motion for Continuance or, in the Alternative, to Deconsolidate Preliminary Injunction Hearing from the Merits Trial (Doc. 161). Such a request on the eve of trial is usually reserved for emergencies, natural disasters, or personal tragedy. Intervenors’ filing, in contrast, is a litany of grievances they have apparently been nursing since joining this action as limited-purpose parties under this Court’s Order (Doc. 114) on March 15, 2024. Whatever the reason for the delay in Intervenors’ filing, the substance of their motion should not move this Court. The Intervenors’ factual recitation is misleading and certainly does not require delay of this trial.

The Intervenors’ claims of unfairness due to sharp dealing by the Plaintiffs and quick, but necessary, scheduling by the Court are, regrettably, based on a series of half-truths and outright fabrications. Intervenors first complain that they were unfairly excluded from the Court’s decision

to set trial for April 8 and 9. Doc. 161-1, at 3-4. But the Intervenorors were not yet in the case. Doc. 114. And the trial schedule was a fact of which Intervenorors were well aware when they intervened. In fact, Intervenorors represented to the Court in their Motion for Reconsideration of their Motion to Intervene, Doc 112, that they would be able to meet all deadlines, including the trial deadline, when Plaintiffs raised a concern about undue delay. Doc. 112-1, at 9 (“Plaintiffs raise the unfounded specter of intervention delaying or prejudicing the adjudication of the action. Pls. Opp. at 9-10. The facts demonstrate otherwise. . . . Nor is the number of lawyers is a proxy for calendar delay. Pls. Opp. at 9. If intervention is permitted, Movants will swiftly take any document discovery and meet the remaining deadlines in the case.”). Based on those representations, the Court granted their intervention. Doc. 114.

Intervenorors claim deep experience in redistricting cases (fairly so, having just completed one), but upon their entry, they did not lodge complaints about the timing or length of trial. After their intervention, in a pre-conference meeting with the parties or at the March 22 initial conference with the Court, the Robinson Intervenorors did not push for a later trial date or more trial time. Edward D. Greim Declaration (“Greim Dec.”), ¶ 1. Nor did they complain that they were being treated unfairly or couldn’t participate in discovery. *Id.*

Indeed, after the Robinson Intervenorors were admitted to the case on March 15 (Doc. 114), they served no additional written discovery on any party. Greim Dec. ¶2. This is surprising, given that as non-parties, they had improperly served requests for production of documents to Plaintiffs on March 14, demanding a response by March 22, 2024. *Id.* The Plaintiffs nonetheless complied, made a complete and on-time production, and worked in good faith with all parties to define discovery deadlines in the absence of a formal Rule 26 conference. *Id.* Plaintiffs stood ready to engage in other written discovery. None was forthcoming. Greim Dec. ¶3. Even after the Plaintiffs

served written discovery on the Intervenor on March 20, seeking responses by March 27 under the parties' agreement, the Intervenor declined to issue additional written discovery. Greim Dec. ¶4.

Indeed, the Intervenor never requested any other written discovery, formally or informally, either from the Plaintiffs or the State. Greim Dec. ¶5.

The Intervenor's one and only pursuit of factual discovery was a blind notice, issued Friday night, March 22, 2024, for the deposition of Plaintiff Rolph McCollister on Thursday, March 28, 2024. Greim Dec. ¶6. No pleading, brief, or party's Rule 26 disclosures identified McCollister, who is not a legislator, lobbyist, or expert, as having any particular knowledge on the legislature's intent or any other fact issue. *Id.* Intervenor would not disclose and have never disclosed why the deposition was necessary, but claimed to want to designate his testimony rather than live questioning at trial—something the Court has repeatedly stated is disfavored. *See, e.g.*, Doc. 63, at 3 (“Deposition testimony is disfavored by the Court and will only be authorized for good cause shown.”). Though Plaintiffs attempted to draw the Intervenor's attention to this Court instruction, they did not relent. *Id.*

Neither McCollister nor Plaintiff's counsel was available until Monday, April 1. Greim Dec. ¶7. Given the press of time and the Court's instructions, Plaintiffs offered an alternative: to ensure his attendance at trial. *Id.* Plaintiffs further offered to answer interrogatories or other written discovery probing McCollister's knowledge on 36 hours' notice so that Intervenor could decide whether McCollister was truly worth the time. *Id.* Intervenor declined both offers, claiming it would reveal their strategy. Greim Dec. ¶8. They withdrew their notice after deciding they did not want to offer his testimony as a mere designation. *Id.* From the parties' discussions to the present

motion, Intervenorors have never articulated what particularly useful information McCollister is supposed to have. *Id.*

Next, Intervenorors claim Plaintiffs misled them regarding the sharing of discovery. *See* Doc. 161-1, at 4-5; Doc. 162, at ¶¶ 4-5. In truth, Intervenorors requested the parties share discovery with them before they were even parties to this portion of the case on March 7. Greim Dec. ¶9. Plaintiffs’ counsel responded on March 12, still before Intervenorors were parties to this portion of the case, thanking the Intervenorors for reaching out and stating, “Plaintiffs will share discovery with the Robinson Intervenorors once it has been produced.” *Id.*, Ex. A. The Intervenorors’ complaint seems to be that *before they became parties on the merits*, they did not receive *copies of requests* that had been served but not yet answered—a promise they incorrectly believed had been made. Instead, when non-parties, Plaintiffs gratuitously promised Intervenorors that they would receive all productions. Within days of being made parties, Intervenorors received all requests that had been made at that point. Greim Dec. ¶10. They received all of the existing parties’ productions, and engaged in all discovery conferences on all matters, including serious disputes between the Plaintiffs and the State. *Id.* They participated fully and on equal footing with all other parties. *Id.*

Intervenorors and Plaintiffs negotiated timing for the receipt and exchange of expert reports, deals which Plaintiffs believed were satisfactory and which they hardly expected to later find cited as a form of oppression. Greim Dec. ¶11. It is true that Dr. Voss’ data was not ready when his report was issued, but to account for this, Plaintiffs gave and Intervenorors accepted an extra day for the expert—McCartan—they had designated as responding to the technical part of Dr. Voss’s report. Such give-and-take is common in trial preparation. *Id.* Finally, Intervenorors’ complaints regarding Dr. Benjamin Overholt’s allegedly improper rebuttal of Mr. Fairfax, and their Friday night attempt to add Dr. Lisa Handley as a sur-rebuttal witness, are addressed in Plaintiffs’ opposition, Doc. 158.

Intervenors also complain that Plaintiffs would not agree to much of their stipulations. Plaintiffs communicated expeditiously with the parties, including Intervenors, regarding stipulations and joint exhibits on March 21. Greim Dec. ¶12, Ex. B, C. The Robinson Intervenors gave no response, not even to suggest redlines, until March 28. *Id.* That same day, Plaintiffs reviewed Intervenors' redlines and began responding. Intervenors had inserted many disputed facts to which Plaintiffs simply could not agree. *Id.* In the end, the parties agreed to basic party facts and no more. *Id.* Similarly, Plaintiffs attempted several times to rouse the Robinson Intervenors regarding joint exhibits, even circulating a draft joint exhibit list multiple times, beginning on March 21, 2024. Greim Dec. ¶13. Such attempts to work together to lessen the parties' burden were not well received. *Id.* It was not until after this Court's final pre-trial conference on Thursday, April 4 that the Robinson Intervenors decided to work with Plaintiffs. *Id.* Plaintiffs again circulated the exhibit list that same day—the same list Plaintiffs had originally circulated two weeks earlier, with no response. *Id.*

Intervenors' claim that this case is exceptionally complex is belied by their actual conduct in seeking almost no fact discovery from any party. Indeed, Intervenors claim that their earlier case is preclusive now, so that no party should be permitted to introduce evidence or argue the issue of strict scrutiny. If this position is serious, it eliminates the majority of the case. Intervenors must have genuinely held this position, for when it was time to submit reports, Intervenors' experts assiduously avoided (with one exception in a portion of Mr. Fairfax's report) doing anything other than critiquing the analysis of Plaintiffs' experts. Intervenors claimed to have involvement in securing SB8's passage, experience litigating in Louisiana for years, deep connections with the Legislature, and a bevy of top Democratic experts that they used in their prior litigation. Their

decision to bring none of this to bear was strategic. It is not the fault of the other parties or the Court.

The Intervenors also make much of the State and Secretary's strategy in this case. Doc. 161-1, at 7-8. But this is not a new complaint. They made this same argument in their Motion to Reconsider their Motion to Intervene, Doc. 18, 112-1. Under this reasoning, the Motion for Continuance was ripe weeks ago, not 36 hours before trial. Moreover, different party strategies are part of litigation; and in fact, this is why Intervenors pressed to enter the litigation in the first place. Ironically, the litigating position of the Robinson Intervenors and the State has since become virtually identical.

Moreover, the Intervenors' attempt to extend this case could potentially create a *Purcell* problem—a problem they accused *Plaintiffs* of potentially creating in their Amicus Brief in Opposition to Plaintiffs' Motion for Preliminary Injunction. Doc. 94, at 39 (“Given the timing of the litigation, there is also a concern that the court could adequately litigate both a liability and remedial phase in time to prevent the type of voter confusion that *Purcell* and its progeny warn courts against. *See generally Purcell v. Gonzalez*, 549 U.S. 1 (2006) (per curiam).”). Now, Intervenors have seemingly seized upon a strategy of nightly motion practice, hoping the frenzy of paper clogs the litigation and makes their early “warning” of delay into a reality. Plaintiffs would be deeply prejudiced by further delay and would potentially be deprived of their constitutional rights if forced to vote under this unconstitutional map in November 2024.

### **CONCLUSION**

For the foregoing reasons, Plaintiffs respectfully ask the Court deny the Motion for Continuance.

Dated this 7th day of April, 2024

Respectfully submitted,

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/s/ Paul Loy Hurd

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*Attorneys for Plaintiff*



**CERTIFICATE OF SERVICE**

I do hereby certify that, on this 7th day of April, 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record.

/s/ Edward D. Greim  
Edward D. Greim

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION  
(Held in Shreveport)**

**PHILLIP CALLAIS ET AL**

**CASE NO. 3:24-CV-00122**

**VERSUS**

**JUDGES CARL E. STEWART, ROBERT  
R. SUMMERHAYS, DAVID C. JOSEPH**

**NANCY LANDRY**

**MAG. JUDGE KAYLA D. MCCLUSKY**

**MINUTES OF COURT:  
BENCH TRIAL**

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Date:	April 8, 2024	Presiding:	Judges Carl E. Stewart, Robert R. Summerhays, David C. Joseph
Court Opened:	9:02 AM	Courtroom Deputy:	Lisa LaCombe/Chrissy Craig
Court Adjourned:	5:30 PM	Court Reporter:	Diana Cavenah
Statistical Time:	6:26	Courtroom:	Courtroom 1

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Jackson Tyler	For	Phillip Callais, All Plaintiffs
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A. Bradley Bodamer	For	Phillip Callais, All Plaintiffs
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Jonathan Hurwitz	For	Robinson, All Intervenor Defendants
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Morgan Brungard	For	State of Louisiana, Attorney General

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Brennan Bowen	For	State of Louisiana
Phillip Gordon	For	State of Louisiana
Phillip J. Stracer	For	Nancy Landry, Secretary of State
John C. Walsh	For	Nancy Landry, Secretary of State

---

### **PROCEEDINGS**

Case called for Bench Trial regarding [1] Complaint Seeking Declaratory Judgement and Injunctive Relief and [17] Motion for Preliminary Injunction by all Plaintiffs.

For the reasons stated on the record, the Court **DENIED** [161] Motion to Continue Trial with Opposition and Motion to Deconsolidate Preliminary Hearing from the merits trial.

The Court **GRANTED IN PART and DENIED IN PART** [155] Motion for Reconsideration / Motion to Reconsider Denial of Leave to Present Responsive Expert Testimony. The Court will allow rebuttal expert testimony of Dr. Ben Overholt for the limited purposes discussed on the record.

Opening statements by all parties.

Evidence and testimony for the Plaintiffs began.

Evidence and testimony for the Robinson Intervenors began.

Case laid over to Tuesday, April 9, 2024, at 9:00 a.m.

### **COMMENTS:**

The Court qualified Dr. Stephen Voss as an expert in the field of:

- (i) racial gerrymandering
- (ii) compactness
- (iii) simulations

Without objections, the Court accepted Dr. Cory McCartan as an expert in the field of redistricting and simulations.

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION  
(Held in Shreveport)**

**PHILLIP CALLAIS ET AL**

**CASE NO. 3:24-CV-00122**

**VERSUS**

**JUDGES CARL E. STEWART, ROBERT  
R. SUMMERHAYS, DAVID C. JOSEPH**

**NANCY LANDRY**

**MAG. JUDGE KAYLA D. MCCLUSKY**

**MINUTES OF COURT:  
BENCH TRIAL – Day 2**

---

Date:	April 9, 2024	Presiding:	Judges Carl E. Stewart, Robert R. Summerhays, David C. Joseph
Court Opened:	9:08 AM	Courtroom Deputy:	Lisa LaCombe/Chrissy Craig
Court Adjourned:	5:10 PM	Court Reporter:	Diana Cavenah
Statistical Time:	5:26	Courtroom:	Courtroom 1

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**APPEARANCES**

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Katherine Graves	For	Phillip Callais, All Plaintiffs
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Phillip J. Stracer  
John C. Walsh

For Nancy Landry, Secretary of State  
For Nancy Landry, Secretary of State

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**PROCEEDINGS**

Case called for Bench Trial regarding [1] Complaint Seeking Declaratory Judgment and Injunctive Relief and [17] Motion for Preliminary Injunction by all Plaintiffs.

Evidence and testimony for the Plaintiffs continued and concluded.  
Plaintiffs rest.

Evidence and testimony for the Robinson Intervenors continued.  
Case laid over to Wednesday, April 10, 2024, at 9:00 a.m.

**COMMENTS:**

After objections noted, the Court accepted Michael Hefner as an expert.

The Court qualified and accepted Anthony Fairfax as an expert in redistricting and demography.

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**ROBINSON INTERVENORS' POST-TRIAL MEMORANDUM**

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### **PRELIMINARY STATEMENT**

In January 2024—after losing a preliminary injunction that enjoined the congressional plan enacted in 2022 (“HB1”) for violating § 2 of the Voting Rights Act of 1965 (“VRA”); losing a motion for a stay pending appeal in a decision in which the Fifth Circuit largely agreed with the district court on the merits; receiving an adverse decision on the merits from another Fifth Circuit panel; and exhausting attempts at en banc and Supreme Court review—the State of Louisiana adopted a new congressional plan (“SB8”) with two majority-Black districts. *See Robinson v. Ardoin*, 605 F. Supp. 3d 759 (M.D. La. 2022) (“*Robinson I*”); *Robinson v. Ardoin*, 37 F.4th 208 (5th Cir. 2022) (“*Robinson II*”); *Robinson v. Ardoin*, 86 F.4th 574 (5th Cir. 2023) (“*Robinson III*”); *Ardoin v. Robinson*, 143 S. Ct. 2654 (2023); Order, *Robinson v. Ardoin*, No. 22-30333, ECF 363 (5th Cir. Dec. 15, 2023); *see also* JE-14. The Louisiana Legislature acted because, based on the advice of Governor Jeff Landry and Attorney General Elizabeth Murrill—both of whom served as counsel for the State in the *Robinson* litigation—they understood that if they failed to create a plan that satisfied the VRA and the multiple federal court rulings, the State would face a trial it would likely lose, and the *Robinson* district court would impose a plan. FOF ¶ 116. Rather than cede control of the process to the federal courts, the Legislature and the Governor came together to produce a map that balanced satisfying the VRA with achieving their political objectives. *Id.* SB8 was chosen over other plans with two majority-Black districts that were more compact and split fewer parishes and municipalities because those plans failed to achieve the overriding goal of protecting the seats of House Speaker Mike Johnson, Majority Leader Steve Scalise, and Representative Julia Letlow at the expense of Representative Garret Graves. FOF ¶ 135–142.

Plaintiffs ask this Court to blind itself to this history and context and to review SB8 as if it had been enacted in a vacuum. They ignore and minimize the court decisions in *Robinson* as well as the timeline—puzzlingly labeling those rulings a “post hoc” justification for SB8,

4/10 Tr. 594:21–23, 595:7–9; they call the acknowledged political considerations of the legislature a “political conspiracy” theory, 4/10 Tr. 603:1–2; and yet they wholly fail to offer any alternative rationale for the Legislature’s choice of SB8 over more compact VRA-compliant maps. In Plaintiffs’ context-free telling, the Republican-controlled Legislature came into session at the behest of Louisiana’s Republican Governor and, on the advice of the State’s Republican Attorney General, threw out a map with five safe Republican seats in favor of a non-compact plan with an additional majority-Black district that they acknowledged would likely elect a Democrat. And they did so—according to Plaintiffs’ theory of the case—for no reason other than a desire to assign Louisianians to congressional districts on the basis of race. Plaintiffs’ version of the genesis of SB8 is implausible because it is not what happened.

Let there be no mistake: if Plaintiffs prevail, it will place states and local governments in an impossible position. It is precisely to preclude cases such as this one that the Supreme Court long ago established the principle that government actors must be given “breathing room” to comply with the VRA when they have good reason to believe they must, without facing liability under the Fourteenth Amendment. *Bethune-Hill v. Va. St. Bd. of Elec.*, 580 U.S. 178, 196 (2017). Plaintiffs would squeeze all the air out of that breathing room, leaving states “trapped between the competing hazards of liability under the Voting Rights Act and the Equal Protection Clause.” *Id.* at 196 (cleaned up). According to Plaintiffs, states faced with potential liability for § 2 violations must defy decisions of “merely a single judge,” 4/10 Tr. 595:4–7; they must litigate § 2 cases to a final judgment and exhaust all appeals, *id.* at 609:8–18; and when one legal strategy is rejected by the Supreme Court, the state must try another, *id.* at 611:25–612:3. Only then, say Plaintiffs, may the state conclude that the Fourteenth Amendment permits consideration of race to remedy a VRA violation; and even then, a legislatively drawn plan may not depart, even for non-racial reasons,

from the illustrative plan considered by the court. *Id.* at 603:19–604:11. And when engaging in that remedial process, Plaintiffs urge, the state may not rely on a court’s rulings but must carry out its own full-blown *Gingles* analysis to determine the precise racial makeup of the district, no more and no less, needed to provide the opportunity §2 demands. *Id.* at 605:19–606:9, 607:6–15.

That is not the law. Consideration of race to remedy an identified VRA violation “does not lead inevitably to impermissible race discrimination.” *Shaw v. Reno*, 509 U.S. 630, 646 (1993) (“*Shaw I*”). And even where race predominates, strict scrutiny requires only that the state have “good reasons” to believe that the VRA requires race-conscious districting. *Alabama Legislative Black Caucus v. Alabama*, 575 U.S. 254, 278 (2015) (“*ALBC*”). When such good reasons exist, the state need not draw a perfect district. *Id.* It need not engage in the complex analysis involving “evaluation of controverted claims about voting behavior,” *id.*, required to prove or disprove a VRA violation or “show that its action was actually . . . necessary to avoid a statutory violation,” *Bethune-Hill*, 580 U.S. at 193–94; accord *Theriot v. Par. of Jefferson*, 185 F.3d 477, 490 (5th Cir. 1999) (“*Theriot II*”) (“Once a litigant has demonstrated vote dilution and the court has directed redress, the litigant need not prove vote dilution once again before a court can assess the merits of the proposed remedy.”).

This Court should reject Plaintiffs’ attempts to remake the law and decline their invitation to disregard the political and practical background against which SB8 was adopted. When the evidence of that context is considered in light of the law as it actually exists, it is clear Plaintiffs have not come close to satisfying their demanding burden to establish that race predominated in the construction of SB8. The evidence viewed under the applicable legal standard also demonstrates that the state had much more than the necessary strong basis in evidence for believing a plan with two majority-Black districts was required and that its choice of SB8 achieved that goal

as well as other lawful legislative objectives with no greater consideration of race than necessary. The Court should affirm that the State has lawfully remedied the violation of the Voting Rights Act and should put an end to years of uncertainty for the benefit of all Louisiana voters. It should deny Plaintiffs' motion for a preliminary injunction and enter judgment in favor of Defendants and the *Robinson* Intervenors.

## **ARGUMENT**

### **I. Plaintiffs Failed to Prove Race Predominated in the Enactment of SB8**

Courts must “exercise extraordinary caution in adjudicating claims that a State has drawn district lines on the basis of race.” *Easley v. Cromartie*, 532 U.S. 234, 242 (2001). To prevail on their claim, Plaintiffs “must prove that the legislature subordinated traditional race-neutral districting principles . . . to racial considerations.” *Miller v. Johnson*, 515 U.S. 900, 916 (1995). Plaintiffs must show more than that race was simply “a motivation for the drawing of a majority-minority district”; they must show it was “the *predominant* factor motivating the legislature’s districting decision.” *Cromartie*, 532 U.S. at 242 (emphasis in original; cleaned up). “The ultimate object of the inquiry . . . is the legislature’s predominant motive for the design of the district as a whole.” *Bethune-Hill*, 580 U.S. at 192. Where, as here, a district’s shape can be explained by non-racial factors such as politics, it carries little to no weight as evidence of racial predominance. *Cromartie*, 532 U.S. at 243–53.

Plaintiffs’ evidence falls far short of the demanding showing required to prove that race predominated in the drawing of SB8.

#### **A. Intentionally Drawing Districts to Satisfy the VRA, Without More, Does Not Show That Race Predominated**

Plaintiffs first offer what they call “direct evidence” that race was the predominant purpose. Plaintiffs contend that the mere fact that the Legislature set out in the January special session called

by Governor Landry to create a congressional plan with two majority-minority districts is proof of racial predominance. Legislators acknowledged the task given to them by the courts in the *Robinson* litigation to draw a map with two Black opportunity districts or face a trial that would likely result in a court-drawn map. *See, e.g.*, FOF ¶ 120. Plaintiffs contend—incorrectly—that this evidence alone is the beginning and ending of the racial predominance inquiry.

Contrary to Plaintiffs’ argument, merely “showing [that] redistricting maps were designed to establish two majority-black districts . . . does not automatically constitute racial predominance.” *Robinson v. Ardoin*, 86 F.4th 574, 592–94 (5th Cir. 2023); *see also United States v. Hays*, 515 U.S. 737, 746 (1995) (“We have never held that the racial composition of a particular voting district, without more, can violate the Constitution.”). The Supreme Court has long been clear that “intentional creation of majority-minority districts,” without more, is not sufficient to establish racial predominance or trigger strict scrutiny. *Bush v. Vera*, 517 U.S. at 958, 962 (1996) (evidence that State was “committed from the outset to creating majority-minority districts” was not “independently sufficient to require strict scrutiny”). In *Bethune Hill*, the Court explained that the use of a target in drawing district lines is just one part of a holistic inquiry into the “legislature’s predominant motive for the design of the district,” not the entire inquiry as Plaintiffs would have it. 580 U.S. at 191–92. Just last term in *Allen v. Milligan*, Chief Justice Roberts reaffirmed this principle and rejected the argument that simply attempting to satisfy the VRA constitutes *per se* racial predominance. 599 U.S. 1, 32 (2023) (plurality); *see also id.* at 34 n.7; *accord DeWitt v. Wilson*, 856 F. Supp. 1409 (E.D. Cal. 1994) (declining to apply strict scrutiny to an intentionally created majority-minority district), *aff’d*, 515 U.S. 1170 (1995). Accordingly, Plaintiffs’ purported direct evidence of legislative intent does not satisfy their burden of proving racial predominance.

#### **B. Plaintiffs’ Other Evidence of Racial Predominance Fails to Meet Their Burden**

Plaintiffs attempt to buttress their case with testimony from two expert witnesses, which

they claim provides circumstantial evidence of racial predominance. Neither expert moves the needle. Both offer opinions on features of the plan that they say depart from traditional redistricting principles in ways only explainable by race. But neither expert engages with the evidence showing other explanations for SB8's configuration and the overt political calculus of the Governor and the Legislature. Nor do they attempt to show how race explains the choice of one redistricting plan with two majority-Black districts over other more compact plans that also have two such districts. Their analysis is divorced from the reality that animated the enactment of SB8 and does not assist the Court in evaluating the question of racial predominance.

*1. Plaintiffs' Experts Made No Effort to Disentangle Race and Politics*

The factual evidence is undisputed that political considerations were the predominant reason for the Legislature's choice of SB8 over other maps. Every legislator who testified explained that choice by emphasizing the importance of protecting Speaker Johnson, Majority Leader Scalise, and Representative Letlow. FOF ¶ 137. As Senator Pressly explained, in creating SB8, the Legislature sought to comply with the VRA by creating a second majority-Black district "in a way to ensure that [they] were not getting rid of the Speaker of the House, the Majority Leader," and were protecting Representative Letlow. *Id.* As SB8's sponsor, Senator Womack, stated when he introduced the bill, SB8 was the only plan with two majority-Black districts that achieved these political goals. FOF ¶ 100. Senator Duplessis and Representative Landry testified that it was common knowledge that SB8 was the Governor's map and that one of the Governor's reasons for preferring SB8 was that it would likely unseat Representative Graves. FOF ¶¶ 100–102, 139. Intervenor Davante Lewis, a longtime participant in Louisiana politics, corroborated that view of the political dynamics behind SB8 and put them in a historical context. FOF ¶¶ 139, 142.

Plaintiffs likewise do not seriously dispute that other congressional plans with two majority-Black districts that more closely adhered to traditional redistricting principles were before



the Legislature in January 2024, including SB4 (known as the Price-Marcelle plan). *See* RI-24–RI-46. Indeed, Dr. Voss included a comparison of SB8 to some of those plans, which showed that they outperformed not only SB8 on traditional metrics, but also HB1. RI-295–297.

Yet neither of Plaintiffs’ experts made any meaningful effort to separate the effect of the Legislature’s political considerations from race in analyzing the reasons that the Legislature adopted SB8 over the alternative maps that included two majority-Black districts. Plaintiffs speculate SB8 may have been chosen for its slightly higher BVAP in CD6, 4/10 Tr. 599:19–25, but there was no evidence that legislators were influenced by that difference. On the contrary, the Legislature rejected an amendment that would have further increased the BVAP. FOF ¶¶ 211–213.

Mr. Hefner conceded that political considerations frequently come into play in redistricting, including whether to favor a particular incumbent. FOF ¶ 164. But although he was generally aware of the political dynamics surrounding SB8, his analysis did not take them into account. *Id.*; *see also* 4/9 Tr. 321:21–322:5. In addition, Mr. Hefner acknowledged that he had not reviewed other plans introduced in the 2024 session that included two majority-Black districts and could offer no opinion on their adherence to traditional redistricting principles or why they were rejected in favor of SB8. FOF ¶ 159. Mr. Hefner’s opinion that SB8’s low scores on compactness and splits relative to HB1 were the product of racial considerations is unreliable. By his own account, he made no attempt to account for the political factors that undisputedly drove the Legislature in configuring a second majority-Black district.

Dr. Voss likewise made no effort to include political considerations in his simulation analyses and was able to offer no opinions on the relative importance of racial and political considerations in the configuration of SB8. *See Cromartie*, 532 U.S. at 253–54 (evidence that race was considered among other factors “says little or nothing about whether race played a

*predominant* role comparatively speaking”). Instead, he offered the opinion that “If you’re not trying to draw a second Black majority district, it is very easy to protect Representative Julia Letlow.” 4/8 Tr. 108:17–19. That observation misses the point: The question legislators confronted, as Senator Pressly explained, was how to achieve the Legislature’s and the Governor’s political goals while *also* creating a second majority-Black district to satisfy the VRA and the courts. 4/8 Tr. 81:17–82:1. Of the plans before the legislature, only SB8 accomplished both goals. FOF ¶¶ 101–106; 135–143; 206–15.

Dr. Voss’s opinion that it was possible to “pull[] [Rep. Graves] into the second majority-Black district” and to “get [Rep. Letlow] into a heavily Republican, heavily white district” 4/8 Tr. 111:17–19; 112:7–12, without drawing SB8 or having “much effect on the compactness of districts” does not advance Plaintiffs’ case for two reasons. 4/8 Tr. 167:5–10. First, Dr. Voss offers no opinion that those two goals could be easily accomplished at the same time or without putting another favored incumbent at risk. 4/8 Tr. 140:10-19 (Dr. Voss conceding that some of his simulations paired Letlow and Speaker Johnson and some put Scalise in danger). Second, insofar as Dr. Voss is offering an opinion that a second majority-Black district could have easily been drawn that targeted Rep. Graves without sacrificing compactness, he seriously undermines his own claim that a plan that includes two compact majority-Black districts in which race does not predominate is difficult or impossible to draw.

The failure to even acknowledge, much less account for, the role of politics in the configuration of SB8 precludes Plaintiffs from meeting their burden to establish that race, not political considerations, predominantly explains the Legislature’s choice of SB8 or the specific districting decisions that went into it. *See Cromartie*, 532 U.S. at 257–58.

## 2. *The Experts’ Other Analysis Misses the Mark*

Rather than engage with the legislative decision-making that led to SB8, Plaintiffs’ experts

myopically focus on specific ways in which SB8 departs from traditional redistricting principles and assert that they see no reason other than race that accounts for them. But that is only because they looked for no other reason. As the Supreme Court explained in *Bethune Hill*, however, “the basic unit of analysis for racial gerrymandering claims in general, and for the racial predominance inquiry in particular, is the district.” 580 U.S. at 191. That inquiry requires a holistic analysis and cannot be confined to specific lines that allegedly conflict with traditional redistricting principles. *Id.* (“[E]ven where a challenger alleges a conflict, or succeeds in showing one, the court should not confine its analysis to the conflicting portions of the lines”).

First, Mr. Hefner offered an opinion that in creating CD6, the Legislature included more precincts with significant or majority-Black populations than it excluded. FOF ¶ 170. But on cross-examination, Mr. Hefner conceded that every majority-Black district by definition must include more Black population than population of other racial groups. *Id.* And a majority-Black district cannot be created from whole precincts that are not predominantly majority-Black in turn. Mr. Hefner’s precinct analysis thus shows nothing more than that the Legislature created a majority-Black district—a fact that, as explained above, is not in dispute and does not on its own show racial predominance. *Vera*, 517 U.S. at 958.

Plaintiffs have pointed to cases in which courts have given weight to evidence of disparities in the populations moved into and out of a district, but these cases arose where the state denied that race was a factor, *e.g.*, *Cromartie*, 532 U.S. at 242, or used a mechanical racial target that lacked a basis in evidence, *e.g.*, *ALBC*, 575 U.S. at 267, *Cooper v. Harris*, 581 U.S. 285, 300 (2017). Here, in contrast, there is no dispute that race was a consideration—it had to be for the State to comply with the VRA and avoid a trial that it was likely to lose and that would result in a court-drawn map—and Plaintiffs can point to no evidence that the Legislature relied on a

mechanical target. Consideration of race does not automatically doom a redistricting plan to an equal protection violation. *Shaw I*, 509 U.S. at 646 (“[R]ace consciousness does not lead inevitably to impermissible race discrimination”).

Mr. Hefner focuses on a single additional parish split in SB8 compared to HB1, but he fails to account for how that additional parish split came about. As the legislative record reveals, Senator Heather Cloud offered an amendment that took part of Avoyelles Parish out of CD6 and placed it back in District 5, adding an additional parish split. FOF ¶ 217. In advocating for the amendment, Senator Cloud explained that its purpose was to further protect Representative Letlow. *Id.* Failing to account for the reason for this split critically undermines the reliability of Mr. Hefner’s opinion. *Cf. Theriot II*, 185 F.3d. at 483 (no racial gerrymander where “the Parish was not unaccustomed to splitting districts in order to achieve political goals.”). Moreover, Mr. Fairfax explained that SB8 also more equitably distributed parish and municipal splits among districts, with the number of parish splits affecting each district ranging from three to six in SB8 in comparison to a range of one to 11 in HB1 and a similar reduction in the spread of split municipalities among districts. 4/9 Tr. 385:11–386:9; 389:2:21.

Likewise, Mr. Hefner observes that the districts drawn in SB8 were on average less compact mathematically than the districts in HB1. FOF ¶¶ 161–164. He asserts that only race accounts for this purported deficiency, but he fails even to acknowledge that that the Legislature chose SB8 over other more compact options that also included a second majority-Black district, much less tries to account for that choice. Dr. Voss, on the other hand, observes that SB8 was the least compact of all the maps with two majority-Black districts he reviewed, but he offers no view that race can explain the choice of SB8 over those other plans and no view on whether those other plans are or are not consistent with traditional redistricting principles. FOF ¶¶ 173–81, 188.

Where, as here, Defendants have raised politics as a defense, evidence of non-compactness “loses much of its value . . . because a bizarre shape . . . can arise from a ‘political motivation’ as well as a racial one,” *Cooper*, 581 U.S. at 308, “[a]nd crucially, political and racial reasons are capable of yielding similar oddities in a district’s boundaries.” *Id.* In looking at these aspects of SB8 in isolation, divorced from the reality in which SB8 was adopted—particularly the political backdrop and the availability of alternative plans—Plaintiffs’ experts have failed to engage in the holistic analysis the Supreme Court requires before racial predominance can be found. *Bethune-Hill*, 580 U.S. at 192.

**C. Plaintiffs’ Argument that a Reasonably Compact Majority-Minority District is Impossible Is Irrelevant and Unsupported**

Failing to account for the choice of SB8 over other VRA-compliant plans or to explain away SB8’s sponsors political motivations, Plaintiffs suggest these facts don’t matter because *any* congressional plan in Louisiana that includes two majority-Black districts would violate the Fourteenth Amendment. Plaintiffs’ attempt to demonstrate that it is impossible to create a compact second majority-Black district provides the wrong answer to the wrong question. The question before this Court is whether SB8’s CD6 is explicable predominantly on racial, as opposed to political, grounds. Plaintiffs’ efforts to show a second majority Black district is not possible are a diversion and are contradicted by the evidence in this case and the findings of the *Robinson* district court and Fifth Circuit.

Plaintiffs have not and indeed cannot demonstrate that a compact second majority-Black congressional district is impossible to create in Louisiana. Although Mr. Hefner initially offered the opinion that “you can’t create a second majority-minority district and still adhere to traditional redistricting criteria,” 4/9 Tr. 271:20–22, on cross examination, he abandoned that categorical assertion. He disclaimed any opinion on whether other plans with two majority-Black districts the

Legislature in 2024 were or were not consistent with traditional principles. *Id.* at 319:11–16. When asked whether he had a basis to assert that “it’s impossible to create a congressional plan with two majority-Black districts that perform well on traditional redistricting principles,” Mr. Hefner responded, “I can’t offer an opinion on that.” *Id.* at 320:1–5.

Dr. Voss’s simulations analysis also failed to show that that a plan with two majority-Black districts is impossible without what he calls “egregious racial gerrymandering.” 4/8 Tr. 91:10–13. As Dr. McCartan explained and Dr. Voss conceded, “simulations can’t prove something is possible or isn’t,” but rather are designed to answer questions about what is typical. *Id.* at 196:13–23. Thus, in attempting to use simulations to answer the question about the possibility of creating a district with two reasonably compact majority-Black districts, Dr. Voss was using the wrong tool. Moreover, due to errors in design and execution, the simulations Dr. Voss conducted failed to answer even the narrower question whether plans with two majority-Black districts are “typical.” *E.g.*, FOF ¶¶ 173–74, 183–88. With respect to his “race-neutral” simulations, the Supreme Court has considered and rejected the proposition that race-neutral simulations offer meaningful insight into whether race predominated in a map drawn to comply with the VRA because race-neutrality is not the relevant benchmark. *Milligan*, 599 U.S. at 34–35. As for Dr. Voss’s purportedly “race conscious” simulations, as Dr. McCartan explained, all but one of his efforts to include consideration of race in his simulations failed to actually do so. Instead, his race constraints—because of flaws in their design—dropped out of the picture so early in the simulation process that they had no effect on the resulting simulated plans. FOF ¶¶ 191–196. And the one simulation that included sufficient racial information to have any impact on the results had so little racial information that it could not possibly support the conclusion that only “egregious racial gerrymandering” would allow a second majority-Black district. FOF ¶¶ 197–201.

On cross-examination of Dr. McCartan, Plaintiffs made much of the failure of a separate research project designed to evaluate the effect of partisanship on Louisiana’s congressional map to produce two majority-minority districts. But as Dr. McCartan explained, that project, known as ALARM, was not designed to test whether maps with two majority-minority districts were possible or typical. FOF ¶¶ 202–203. Instead, it was constrained to try to draw the same number of majority-minority districts as in the State’s existing congressional plan, which at the time was one. FOF ¶¶ 203–205. Even with that status quo constraint, the simulation occasionally produced two majority-minority districts. FOF ¶ 205.

Plaintiffs flawed evidence on the *possibility* of creating a reasonably configured congressional plan with two majority-Black districts thus does not establish that race predominated in SB8. Moreover, Plaintiffs’ suggestion that such a plan is impossible based on inferences drawn from faulty simulations and limited analysis of only a few plans requires ignoring the un rebutted evidence that the Legislature considered numerous plans that contained two majority-Black districts and performed far better than either SB8 or HB1 on the traditional metrics Mr. Hefner and Mr. Voss considered important. *See* FOF ¶¶ 160–161; FOF ¶ 36 (Sen. Duplessis describing the numerous plans before the 2022 legislature that included two majority-Black districts); FOF ¶ 124 (describing Mr. Fairfax’s 2022 plan HB12); FOF ¶¶ 125–134 (describing SB4).

Plaintiffs’ position would also require this Court to disregard the conclusions of the district court in *Robinson* that Plaintiffs there “put forth several illustrative maps which show that two congressional districts with a BVAP of greater than 50% are easily achieved,” that this population is “sufficiently ‘geographically compact,’” and that there was “*no factual evidence* that race predominated in the creation of the illustrative maps.” *Robinson I*, 605 F.Supp.3d at 821–22, 838. In upholding the District Court’s findings, the Fifth Circuit concluded that “race was properly

considered by the Plaintiff experts when drawing their several illustrative maps” and that the district court “did not clearly err in its factual findings that the illustrative maps were not racial gerrymanders.” *Robinson III*, 86 F.4th at 595.

**D. Congressional District 6 Preserves Communities of Interest**

Plaintiffs suggest that SB8’s CD6 does not respect communities of interest and that it cannot be justified on that ground. Once again, Plaintiffs ignore the legislative record and their experts fail to engage with communities that CD6 does include.

The legislative record and testimony from multiple fact witnesses demonstrates that CD6 reflects communities defined by shared needs and interests, owing to similarities in “socio-economic status, education, employment, health, and other characteristics.” *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 424 (2006) (“*LULAC*”) (citation omitted); *Theriot II*, 185 F.3d at 486–87 (accepting evidence of communities of interest not explicitly mentioned in the legislative record). The Legislature emphasized that CD6 tied together communities with shared interests along the Red River and I-49 corridor, including shared economic and agricultural ties, as well as common education, healthcare, and infrastructure interests. FOF ¶ 144. Testimony at the roadshows the Legislature conducted around the state in 2021–2022 confirm the shared interests of communities throughout CD6. FOF ¶ 27–34. Testimony from Mayor Cedric Glover of Shreveport and Pastor Steven Harris of Natchitoches, both lifelong residents of cities in CD6, corroborated these ties, highlighting nonracial commonalities such as faith connections, economic needs, educational institutions and hospital systems, and a distinct shared culture within the district. 4/9 Tr. 457:17–458:18; 486:18–487:18; 467:20–468:14; 4/10 Tr. 578:14–579:6.

Mr. Hefner’s contrary testimony that SB8 divides communities of interest is unreliable and unpersuasive. He bases that opinion largely on an analysis of parish and municipal splits, which he also treats as a separate metric. FOF ¶ 167. He offers opinions about communities of interest



based on a parish level map of agricultural GDP in absolute dollars, but he conceded that this map does not provide sufficient information to assess the specific agricultural communities in or out of CD6 or the relative importance of an agricultural economy to those communities. FOF ¶ 168. Finally, he cited a map of Louisiana Folklife Regions, but Plaintiffs did not enter that map into the record and Mr. Hefner conceded that it was not intended for use in redistricting. FOF ¶ 169. He could not offer any comparative analysis of the treatment of those regions among alternative plans, and specifically between SB8 and HB1. *Id.* His conclusions should be given little or no weight.

That CD6 may include more than one community of interest is not a violation of traditional redistricting principles or evidence of racial predominance. As Senator Seabaugh testified, even his much smaller state senate district includes multiple communities of interest. 4/8 Tr. 53:7–54:4. Thus, unlike the district in *LULAC*, CD6 unites communities defined by tangible shared characteristics, needs, and interests.

**E. Comparisons to *Hays* are a Red Herring**

Although Plaintiffs ask this Court to ignore the recent history leading up to the special session and SB8, they offer a flawed analogy to even older history they say is outcome-determinative. Plaintiffs suggest the Court should strike down SB8 because another three-judge court struck down a map with two majority-Black districts 30 years ago in the *Hays* litigation. But the “invocation of *Hays* is a red herring.” *Robinson I* at 834, 852 (rejecting similar assertions by the State that the “*Hays* maps [were] instructive, applicable or otherwise persuasive” or “useful comparators”). The *Hays* court never held that two majority-Black districts are *per se* invalid or could never be required by the VRA. Evidence at trial confirms the findings of the *Robinson* court that a second majority-Black district was easily drawn in Louisiana consistent with traditional redistricting criteria. 4/9 Tr. 380:4–383:12; 396:22–397:15.

Contrary to Plaintiffs’ suggestion, the superficial resemblance of portions of the *Hays* map

to SB8 is not dispositive or even particularly relevant. What is relevant in analyzing racial predominance is the reason lines are drawn, not supposed bizarreness *per se*. In *Hays*, the court concluded that race predominated because the cartographer admitted that he “concentrated virtually exclusively on racial demographics and *considered essentially no other factor* except the ubiquitous constitutional ‘one person-one vote’ requirement.” *Hays v. State*, 936 F. Supp. 360, 368 (W.D. La. 1996) (emphasis added). The court also found the proffered justifications for the district’s shape to be “patently post-hoc rationalizations,” explaining that “neither the Red River nor socio-economic factors were relied on by legislators at the time of the drawing of the district.” *Id.* at 369. Here, in contrast, the legislative record illustrated that political considerations were paramount and that economic and other commonalities provided a rationale for the district’s configuration at the time it was enacted. FOF ¶¶ 136–144; *see Cromartie*, 532 U.S. at 257; *Theriot II*, 185 F.3d at 483 (no racial gerrymander where “political incumbency ‘drove the pencil’”).

Moreover, even the shape and configuration of the districts in SB8 and *Hays* differ materially. Plaintiffs’ own demographer conceded that SB8’s CD6 only shares 70% of the same population as the district struck down in *Hays*. 4/9 Tr. 308:5–7. The difference of geography and population would require the Plaintiffs to engage in a specific analysis of SB8 because “racial gerrymandering as a claim [requires a showing] that race was improperly used in the drawing of the boundaries of one or more *specific electoral districts*.” *ALBC*, 575 U.S. at 263 (emphasis in original); *see also Cromartie*, 532 U.S. at 237 (upholding a politically driven map against a racial gerrymandering claim when a similar district was previously struck down). *Hays* does not control the outcome here or relieve the Plaintiffs of their burden of proving that race predominated in SB8.

## **II. The Consideration of Race in the Enactment of SB8 Was Narrowly Tailored**

Even if race had predominated in the creation of SB8, the Legislature’s use of race in the plan was narrowly tailored to comply with the VRA. *Bethune-Hill*, 580 U.S. at 193.

**A. The Legislature Had a Strong Basis in Evidence to Believe a Map with Two Black Opportunity Districts was Required by the VRA**

The evidence at trial makes clear that the Legislature had the requisite strong basis in evidence to conclude that the VRA required it to adopt a plan with two majority-Black Congressional districts. A strong basis in evidence “does not demand that a State’s actions actually be necessary to achieve a compelling state interest in order to be constitutionally valid.” *ALBC*, 575 U.S. at 278 (2015). Defendants need only demonstrate the Legislature has “‘good reasons to believe’ it must use race in order to satisfy the Voting Rights Act.” *Bethune-Hill*, 580 U.S. at 194 (emphasis in original); *see also Wygant v. Jackson Bd. of Ed.*, 476 U.S. 267, 291 (1986) (O’Connor, J., concurring in part and concurring in judgment). A legislature is not required to wait for a court decision on a VRA violation before it may take race-conscious remedial action. *ALBC*, 575 U.S. at 278 (a strong basis in evidence exists “even if a court does not find that the actions were necessary for statutory compliance.”); *Bethune-Hill*, 580 U.S. at 194 (same).

Here, of course, the Legislature was presented with the rare circumstance in which a court—indeed multiple courts—did find that the VRA would likely be violated absent the enactment of a congressional map containing two majority-Black districts. The district court in *Robinson*, based on evidence presented during a five-day hearing and after hearing from 14 experts, concluded in a 152-page opinion that the plaintiffs were substantially likely to establish each of the *Gingles* preconditions and, in light of the totality of the circumstances, a violation of the Voting Rights Act. *See Robinson I*, 605 F. Supp. 3d at 766. Two unanimous panels of the Fifth Circuit—first, denying the State’s motion to stay pending appeal, *see Robinson II*, and second, by the full merits panel, *see Robinson III* at 600–601—agreed with the district court’s findings. Those proceedings were at the center of the 2024 Special Session.

Plaintiffs concede that the Special Session was convened by Governor Landry to preempt

trial in *Robinson*. In calling the session, Landry expressly referenced his role in contesting the *Robinson* litigation, stating he had “exhausted all legal remedies” and it was time to “heed the instructions of the Court” and “make the adjustments necessary” to comply with the VRA. JE-35 at 11. Plaintiffs also do not contest—indeed they emphasize—that Judge Dick’s ruling was a focal point of the legislative testimony. *E.g.*, FOF ¶¶ 117–121; JE28 at 54:15–56:5; 4/10 Tr. 597:3–8.

Plaintiffs point to no authority that a judicial decision may not constitute a strong basis in evidence. And where on-point judicial decisions are available, courts have held the opposite. *E.g.*, *Theriot v. Par. of Jefferson*, 1996 WL 637762, at \*1 (E.D. La. Nov. 1, 1996) (“copious litigation and appeals” finding that each *Gingles* precondition was satisfied provided the state with “a strong basis in evidence to believe a black-majority district was reasonably necessary to comply with Section 2 and thus provided a compelling interest in drawing [an additional] majority-minority district”) (internal quotations omitted); *cf. Abbott v. Perez*, 585 U.S. 579, 616 (2018) (where legislature adopted new districting map to resolve VRA litigation, evidence from litigation record could provide “good reasons” to use race in remedial map); *Clark v. Calhoun Cnty., Miss.*, 88 F.3d 1393, 1408 (5th Cir. 1996) (holding that there was a strong basis in evidence for concluding a VRA-compliant map was necessary where court had “already found that the three *Gingles* preconditions exist[ed] [t]here”).

None of Plaintiffs’ counterarguments have merit. In their Reply Brief in support of their Motion for Preliminary Injunction, Plaintiffs argue that the decisions of the Middle District and Fifth Circuit cannot provide a strong basis in evidence to the Legislature “[b]ecause neither . . . *finally* concluded that Louisiana requires two majority-minority districts.” ECF 101 at 11 (emphasis added). But the law requires “good reasons,” not certainty, on the part of the legislators.

Plaintiffs’ more aggressive formulation of their proposed rule goes even farther. Under that

formulation, individual legislators must undertake an independent analysis of things like “turnout rates,” “results of recent contested elections,” “[RPV] analysis,” and “statistical evidence of racial blo[c] voting,” 4/10 Tr. 605:22–606:1. Such a rule would exclude even *final* judicial determinations from constituting “good reasons” to adopt a VRA-compliant map. Indeed, even a final judgment by the Supreme Court would not protect a legislature from a racial gerrymandering challenge unless the legislature engaged in its own independent expert work. In effect, Plaintiffs’ rule would demand that legislators defy court decisions or face liability under the Fourteenth Amendment unless they subjectively agree with the court’s legal analysis and independently verify the evidentiary basis of its decision. That is not and cannot be the law.

**B. The Use of Race in the Creation of SB8 was Narrowly Tailored to Satisfy the VRA**

The Legislature’s use of race in crafting SB8 was narrowly tailored to satisfy the State’s legal obligation to comply with Section 2 of the VRA. *Bethune-Hill*, 580 U.S. at 193 (“When a State justifies the predominant use of race in redistricting on the basis of the need to comply with the Voting Rights Act, the narrow tailoring requirement insists only that the legislature have a strong basis in evidence in support of the (race-based) choice that it has made.”) (cleaned up).

Courts have consistently held that a map is narrowly tailored so long as it “does not ‘subordinate traditional districting principles to race substantially more than is ‘reasonably necessary to avoid § 2 liability.’” *Clark*, 88 F.3d at 1407 (quoting *Vera*, 517 U.S. at 979). States are accorded “leeway” in seeking to comply with the VRA. *Vera*, 517 U.S. at 977. The Legislature exercised that leeway to enact SB8, which substantially addresses the likely Section 2 violation found in *Robinson* because it includes two districts in which the BVAP is no higher than necessary to create the electoral opportunities § 2 requires.

The record at trial confirms that the Legislature did not “subordinate traditional districting principles to race substantially more than is reasonably necessary to avoid § 2 liability.” *Clark*,

88 F.3d at 1407 (emphasis added). To the contrary, to the extent SB8 departs from traditional redistricting principles, the evidence shows that those principles were subordinated to political considerations, not race. *See supra*. In any event, the Constitution does not mandate that congressional maps may *never* deviate from the bounds of traditional restricting principles. The Supreme Court has instructed that “Section 2 does not forbid the creation of a noncompact majority-minority district.” *LULAC*, 548 U.S. at 430; *see also Addy v. Newton Cnty., Miss.*, 2 F. Supp. 2d 861, 862–64 (S.D. Miss. 1997) (finding “no equal protection violation since the decision as to where to place the district lines was driven by politics, not race”); *Theriot II*, 185 F.3d at 490 (“[T]o the extent the current District 3 exceeds the benchmark [BVAP percentage], political incumbency and other political concerns were the driving force.”). The fact that the districts in SB8 are not as compact as the prior plan and that it splits an additional parish is simply not evidence that its use of race is insufficiently narrowly tailored. *See Vera*, 517 U.S. at 977 (“We thus reject, as impossibly stringent, the District Court’s view of the narrow tailoring requirement, that ‘a district must have the least possible amount of irregularity in shape, making allowances for traditional districting criteria.’”) (cleaned up).

Plaintiffs further argue that SB8 was insufficiently tied to the compelling interest of § 2 compliance because there was no evidence that it would provide Black voters with an opportunity to elect candidates of choice. The record, however, belies that assertion. Senator Womack, SB8’s sponsor, responded to questions about performance by explaining that he had seen a partisan performance analysis that showed CD6 would reliably elect Democrats. FOF ¶ 207. This proxy for racial performance was sufficient to meet the narrow tailoring requirement. In addition, both Sen. Duplessis testified he believed based on the data they had seen, including racial demographics and voter registration data, that CD6 constituted a functional majority-Black district. FOF ¶¶ 126,

207. Once again, the Legislature was not required to get the BVAP exactly right. *Cf. ALBC*, 575 U.S., at 278 (“The law cannot insist that a state legislature, when redistricting, determine precisely what percent minority population § 5 demands.”).

Plaintiffs also argue that “you have to remedy in a VRA case the injury that was proved by the VRA plaintiffs in their own region, in the district where they prove there should be a second map drawn, a second district drawn.” 4/10 Tr. 604:8–11. But there is no requirement for the State to show that the VRA requires the *specific* map the Legislature adopts. The district court in *Robinson* found a likely violation of Section 2 based on an illustrative map that included the cities of Baton Rouge, Lafayette, and Alexandria, which are also included in the new majority-Black district in SB8. *Robinson I*, 605 F. Supp. 3d at 766. The *Robinson* record also included evidence of racial polarization throughout the state, including in CD4, which includes Caddo, DeSoto, and Natchitoches Parishes. *Id.* at 802–03. The State thus had reason to believe that a new majority-Black district uniting these areas was sufficiently tied to the demonstrated Section 2 violation to be within the leeway the Constitution affords. *Cf. LULAC*, 548 U.S. at 430 (where a state must choose among voters “with a § 2 right” because all cannot be drawn into majority-minority districts, it cannot be faulted for its choices).

### **III. Plaintiffs Failed to Establish Intentional Discrimination at Trial**

Plaintiffs fail to establish that they have standing to assert their claim of intentional discrimination.<sup>1</sup> To establish an intentional discrimination claim, Plaintiffs must show that they were discriminated against based upon their race, but the trial record is devoid of any evidence of Plaintiffs’ race. *See Fusilier v. Landry*, 963 F.3d 447, 463 (5th Cir. 2020) (discrimination must be

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<sup>1</sup> Plaintiffs Caissie, McCollister, Peavy, Johnson, Odell, LaCour, Whitney, and Weir likewise lack standing with respect to racial gerrymandering because they do not reside in CD6. *See Hays*, 515 U.S. at 745-46 (holding that plaintiffs who reside outside of an allegedly racially gerrymandered district lack standing); *Shaw II*, 517 U.S. at 904.

against an “identifiable group”). Plaintiffs have also failed to offer evidence of the essential elements of an intentional discrimination claim. Plaintiffs have offered no evidence that SB8 had a discriminatory effect on them based on their race and, even if it had, no evidence of discriminatory intent—that the Legislature acted “because of” not “in spite of” the discriminatory effect of its actions. *See id.* at 466.

**IV. The Middle District and Fifth Circuit Validly Held That It Is Possible to Draw Two Majority-Black Congressional Districts Consistent with the Equal Protection Clause**

We respond here to Judge Joseph’s questions on the first day of trial whether the district court in *Robinson* evaluated whether two majority-Black congressional districts are possible without violating the Equal Protection Clause, and whether the district court and the Fifth Circuit had statutory authority to decide that question. The answer to these questions is yes.

In *Robinson*, the district court and the Fifth Circuit properly decided the plaintiffs’ Section 2 claim and addressed the constitutional arguments that the State raised in defense. To satisfy *Gingles* I, the plaintiffs submitted illustrative plans demonstrating that it was possible to create a second majority-Black district that was reasonably configured and respected traditional redistricting principles. *See Thornburg v. Gingles*, 478 U.S. 30, 46–51 (1986); *Milligan*, 599 U.S. at 18 (reaffirming *Gingles* framework). The defendants argued that “race was the predominant factor in configuring a second majority-BVAP congressional district in the illustrative plans,” and they therefore failed to satisfy *Gingles*. *See Robinson I* at 823.

The district court considered and rejected defendants’ arguments, concluding that the *Robinson* illustrative plans demonstrated that two majority-Black districts had been drawn with respect for traditional redistricting principles and without predominant consideration of race. *See Robinson I* at 831–38. In reaching that conclusion, the court analyzed the standards for determining claims of racial gerrymandering under the principal cases on which plaintiffs rely here, including



*Bethune-Hill* and *Shaw*. *Id.* at 770, 835–38. Applying those standards, the court concluded that there was “no factual evidence that race predominated in the creation of the illustrative maps” and that “the record d[id] not support a finding that race predominated in the illustrative map-making.” *Id.* at 838 (emphasis in original). Both Fifth Circuit panels concurred with the district court’s analysis. *Robinson II* at 222–24; *Robinson III* at 592–596.

Judge Dick’s recent order denying plaintiffs’ motion to apply the first filed rule does not change the analysis. *See Robinson I*, ECF No. 370. Her observation that “[t]he Western District confronts constitutional questions that were not before this Court in the captioned matter,” simply acknowledges that there was no racial gerrymandering or intentional discrimination challenge to SB8 or any other state-enacted map in *Robinson*. *Id.* at 6. The order does not suggest that the court did not address whether the illustrative plans were drawn without race as the predominant factor or whether a map with two majority-Black districts could be drawn without race predominating. Those questions had been answered in the affirmative in the *Robinson* preliminary injunction, and those findings were affirmed on appeal.

The district court’s jurisdiction in *Robinson* under 28 U.S.C. § 1331 empowered the court, and the Fifth Circuit on appeal, to resolve all issues properly presented in the litigation, including the Equal Protection argument asserted by defendants. *See Fed. Bureau of Investigation v. Fikre*, 144 S. Ct. 771, 777 (2024) (“A court with jurisdiction has a ‘virtually unflagging obligation’ to hear and resolve questions properly before it.”) (citation omitted); *Aldinger v. Howard*, 427 U.S. 1, 7 (1976) (“[W]here federal jurisdiction is properly based on a colorable federal claim, the court has the ‘right to decide all the questions in the case.’”) (citation omitted). No party or any of the six Fifth Circuit judges on the motions and merits panels, nor the Fifth Circuit considering a request

for rehearing en banc, nor the Supreme Court upon granting and vacating a stay, questioned the district court's statutory authority to address that issue.

The three-judge court statute calls for convening a panel based on the claims asserted by a plaintiff. 28 U.S.C § 2284(a). Nothing in the statute permits the appointment of a three-judge panel based on a *defense* asserted to a statutory claim or purports to preclude a single-judge district court from determining constitutional issues raised as a defense to a statutory claim. Such an a-textual reading would hamstring the ability of the federal courts to resolve § 2 cases. *See* Wright & Kane, *Pendent Claims and Supplemental Jurisdiction*, 20 Fed. Prac. & Proc. Deskbook § 20 (2d ed.) (“[A] court of original jurisdiction could not function, as [Chief Justice] Marshall recognized, unless it had power to decide all the questions that the case presents.”). If a defendant could redefine jurisdiction by raising a constitutional defense, then either the defendant would be precluded from raising the defense in a single-judge VRA court or the court would be unable to fully resolve the plaintiff's claims. Nothing in the statute suggests that Congress intended such an impractical and wasteful result, and no court has ever so held. *Cf. Thomas v. Bryant*, 919 F.3d 298, 308 (5th Cir. 2019) (recognizing “the longstanding principle that ‘congressional enactments providing for the convening of three-judge courts must be strictly construed’”) (citation omitted).

Indeed, multiple single-judge district courts deciding statutory § 2 claims have ruled on constitutional defenses to statutory claims similar to those asserted by the defendants in *Robinson*. *See, e.g., Caster v. Merrill*, No. 2:21-CV-1536-AMM, 2022 WL 264819, at \*80 (N.D. Ala. Jan. 24, 2022); *Alpha Phi Alpha Fraternity Inc. v. Raffensperger*, 587 F. Supp. 3d 1222, 1282 (N.D. Ga. 2022); *Chestnut v. Merrill*, 356 F. Supp. 3d 1351, 1357 (N.D. Ala. 2019). In *Milligan*, the Supreme Court passed on a near-identical racial gerrymandering defense raised in *Caster* in defense to a § 2 plaintiff's illustrative plans, and no justice expressed a concern about the district

court's jurisdiction or authority to decide the issue. *See Milligan*, 599 U.S. at 32; *id.* at 59 (Thomas, J., dissenting). Intervenor has identified no case in which the jurisdiction of the district court to address and rule upon such a defense has been called into question.

Because the Middle District had jurisdiction of the *Robinson* plaintiffs' § 2 claim, the Fifth Circuit had jurisdiction of the appeal of the preliminary injunction under 28 U.S.C. § 1291(a)(1). Therefore, the Fifth Circuit validly affirmed the Middle District's analysis of the racial gerrymandering defense on appeal.

### **CONCLUSION**

Plaintiffs have failed to meet their burden of proving racial predominance in SB8, a map drawn to comply with court rulings that HB1, the prior congressional map, violated the VRA. And in any event, the State had a strong—indeed the strongest—basis in evidence to believe it must create a second majority-Black congressional district and its choice for political reasons of a map that scored lower on traditional redistricting principles than available VRA-compliant alternatives does not defeat the narrow tailoring required to survive strict scrutiny. In addition, Plaintiffs have offered essentially no evidence of key elements of their intentional discrimination claim. This Court should deny Plaintiffs request for a preliminary injunction and enter judgment in favor of the Defendant and the Intervenor-Defendants.

DATED: April 17, 2024

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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which provides electronic notice of filing to all counsel of record, on this 17th day of April, 2024.

/s/ Stuart Naifeh  
Stuart Naifeh

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

***ROBINSON INTERVENORS PROPOSED FINDINGS OF FACT***

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### CITATION GLOSSARY

Party	Exhibit Designation
Plaintiffs	PE-##
Robinson Intervenors	RI-##
Joint Parties	JE-##

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Monday, April 8, 2024	4/8 Tr. ##:##-##:##
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## INTRODUCTION

*Robinson*-Intervenor Defendants respectfully submit the following proposed findings of fact. The evidence at trial showed that race did not predominate in the Legislature’s decision to enact SB8. “[I]ntentional creation of majority-minority districts” without more is not sufficient to establish racial predominance or trigger strict scrutiny. *Bush v. Vera*, 517 U.S. 952, 958 (1996). Plaintiffs must show more than that race was simply “a motivation for the drawing of a majority-minority district”; they must show it was “the predominant factor motivating the legislature’s districting decision.” *Easley v. Cromartie*, 532 U.S. 234, 241 (2001) (emphasis in original; cleaned up). Plaintiffs did not present evidence to satisfying these standards.

No witness disputes that the Legislature selected a plan that included two majority-Black districts in an effort to comply with the *Robinson* court rulings and the Voting Rights Act. The undisputed evidence also shows that the configuration of SB8 chosen by the Legislature was designed to further the political interests of the State, the Governor, and the majority of legislators. Plaintiffs’ own legislative witness Senator Thomas Pressly agreed that SB8 created a second majority-Black district “in a way to ensure that [they] were not getting rid of the Speaker of the House, the Majority Leader,” and also protected Congresswoman Julia Letlow. 4/8 Tr. at 72:3–7.

The testimony of Plaintiffs’ experts likewise does not show racial predominance—much less that *any* Congressional district map in Louisiana with two majority-Black districts is necessarily a racial gerrymander. Neither expert adequately accounted for the political motives established by the legislative record and consistently attested to by the legislators and other fact witnesses who testified.

The evidence also shows that SB8 reflects the Legislature’s reasonable judgments that the new majority-Black CD6 preserved communities of interests in central Louisiana.

Furthermore, the evidence at trial showed that the Legislature had a strong—compelling—basis in evidence to conclude that the VRA required the State to adopt a plan with two majority-Black Congressional districts. The courts’ rulings in the *Robinson* case that the plaintiffs were substantially likely to establish each of the *Gingles* preconditions and, in light of the totality of the circumstances, a violation of the Voting Rights Act were issued over nearly two years of litigation. And during this litigation, the courts, including two unanimous panels of the Fifth Circuit, squarely rejected the State’s central defenses. The courts in *Robinson* engaged in a comprehensive analysis of the relevant factors across the State.

SB8 was narrowly tailored to satisfy the VRA. It includes two majority-Black districts, as Judge Dick held was the appropriate remedy, and the Black voting-age population in both districts is slightly above 50%. The Legislature rejected an amendment that would have increased the BVAP in both districts. That SB8 is not as compact as other alternative maps the Legislature considered and splits more parishes than those other maps is immaterial, because the configuration of the majority-Black districts was driven by political rather than racial reasons. And, as the Supreme Court has repeatedly held, legislatures retain broad discretion in drawing districts to comply Section 2, and are not required to draw the same district that a court would impose.

Plaintiffs’ motion for a preliminary injunction should be denied and judgment should be entered in favor of defendants and the Robinson Intervenors.

**I. The Parties**

**A. Plaintiffs**

1. Plaintiff Philip Callais is a registered voter of District 6. PE-39 ¶ 1. Their race was not established in evidence.

2. Plaintiff Albert Caissie, Jr. is a registered voter of District 5. PE-39 ¶ 2. Their race was not established in evidence.

3. Plaintiff Elizabeth Ersoff is a registered voter of District 6. PE-39 ¶ 3. Their race was not established in evidence.

4. Plaintiff Grover Joseph Rees is a registered voter of District 6. PE-39 ¶ 4. Their race was not established in evidence.

5. Plaintiff Lloyd Price is a registered voter of District 6. PE-39 ¶ 5. Their race was not established in evidence.

6. Plaintiff Rolfe McCollister is a registered voter of District 5. PE-39 ¶ 6. Their race was not established in evidence.

7. Plaintiff Candy Carroll Peavy is a registered voter of District 4. PE-39 ¶ 7. Their race was not established in evidence.

8. Plaintiff Mike Johnson is a registered voter of District 4. PE-39 ¶ 8. Their race was not established in evidence.

9. Plaintiff Bruce Odell is a registered voter of District 3. PE-39 ¶ 9. Their race was not established in evidence.

10. Plaintiff Joyce LaCour is a registered voter of District 2. PE-39 ¶ 10. Their race was not established in evidence.

11. Plaintiff Tanya Whitney is a registered voter of District 1. PE-39 ¶ 11. Their race was not established in evidence.

12. Plaintiff Danny Weir, Jr. is a registered voter of District 1. PE-39 ¶ 12. Their race was not established in evidence.

**B. Defendant**

13. Defendant Secretary of State Nancy Landry is “the chief election officer of the state.” La. Const. art. 4, § 7; La. R.S. § 18:421. The State Constitution requires her to “prepare and certify the ballots for all elections, promulgate all election returns, and administer the election

laws, except those relating to voter registration and custody of voting machines.” La. Const. art. 4, § 7. Her oversight of elections extends to federal congressional elections. La. R.S. §§ 18:452, 18:462. PE-39 ¶ 13.

**C. Intervenor-Defendant the State of Louisiana**

14. Intervenor-Defendant the State of Louisiana is represented by Attorney General Elizabeth Murrill. As Attorney General, she is Louisiana’s “chief legal officer,” is charged with “the assertion and protection of the rights and interests” of the State of Louisiana, and has a sworn duty to uphold the State’s Constitution and laws. La. Const. art. IV., § 8. PE-39 ¶ 14.

**D. Robinson-Intervenor Defendants**

15. Robinson Intervenor-Defendants are Black Louisiana voters and civil rights organizations. They were Plaintiffs in *Robinson v. Landry*, No. 3:22-cv-02111-SDD-SDJ (M.D. La.), which challenged Louisiana’s congressional map as a violation of Section 2 of the Voting Rights Act. PE-39 ¶ 15.

16. *Robinson* Intervenor-Defendant National Association for the Advancement of Colored People Louisiana State Conference has members who live in every parish in Louisiana and in each of the six congressional districts in HB1. *Robinson v. Ardoin*, 605 F. Supp. 3d 759, 817 (M.D. La. 2022) (“*Robinson I*”).

17. *Robinson* Intervenor-Defendant Davante Lewis is a Black resident of Baton Rouge, Louisiana, who is registered to vote and intends to vote in future congressional elections. Mr. Lewis lives in Congressional District 6 under S.B. 8, 4/10 Tr. 567:23–568:1, and currently represents the third district of the Louisiana Public Service Commission. *Id.* at 542:22–543:2. Commissioner Lewis was actively involved as an advocate in the redistricting processes in Louisiana following the 2020 census, including being present at the Capitol during all of the legislative session. *Id.* at 548:12–15.

18. Commissioner Lewis is Black. *Id.* at 542:14–15. Commissioner Lewis has worked in Louisiana politics for the duration of his adult life and has closely followed redistricting efforts for decades.

19. *Robinson* Intervenor-Defendant Power Coalition for Equity and Justice (“Power Coalition”) is a coalition of groups from across Louisiana whose mission is to organize, educate, and turn out voters, and fight for policies that create a more equitable and just system in Louisiana. 4/9 Tr. 475:20–477:8.

20. Ashley Shelton is the Founder, President and CEO of Power Coalition. *Id.* at 474:18–21. Power Coalition was a plaintiff in *Robinson v. Landry* and an Intervenor-Defendant in the present action. *Id.* at 475:7–8; PE-39 ¶ 15. Power Coalition is a “nonpartisan 501(c)(3)” that works “to create pathways to power for historically disenfranchised communities.” 4/9 Tr. 474:22–475:6. They have been heavily involved in the redistricting process since the start of Census and throughout the special session this past January. *Id.* at 475:17–477:8.

## **II. Louisiana’s Long History of Disenfranchising and Discriminating against Black Voters.**

21. As the *Robinson* district court found, “[t]here is no sincere dispute” about “Louisiana’s long and ongoing history of voting-related discrimination.” *Robinson I*, 605 F. Supp. 3d at 848.

22. Although nearly one-third of Louisiana’s voting-age citizens are Black, the State’s congressional districting maps included no majority-Black districts until the 1980s. Only after a federal court held that the State’s prior congressional district map violated the VRA did the State adopt a map with one majority-Black district. *See Major v. Treen*, 574 F. Supp. 325 (E.D. La. 1983).



23. As the *Robinson* court also found, voting in Louisiana is starkly polarized by race, and, except in majority-Black districts, white voters in Louisiana have consistently voted as a bloc to defeat the candidates preferred by Black voters. *Robinson I*, 605 F. Supp. 3d at 839–844.

24. No Black candidate has been elected to statewide office since Reconstruction; Louisiana has never elected a Black candidate to Congress from a non-majority-Black district; and Black Louisianians are substantially underrepresented in both houses of the State legislature. *Id.* at 845–46.

### **III. 2020 Census and 2022 Redistricting**

#### **A. 2020 Census**

25. Per the results of the 2020 Census, Black Louisianians represent approximately 33.1% of the State’s total population and 31.2% of its voting age population. *Robinson I*, 605 F. Supp. 3d at 851.

26. The results of the 2020 Census were delivered to Louisiana in April 2021 and under the new numbers, Louisiana’s congressional apportionment remained six seats in the U.S. House of Representatives. *Robinson I*, 605 F. Supp. 3d at 767.

#### **B. Roadshows and legislative hearings (2021–2022)**

27. Consistent with its constitutional obligation to ensure that its congressional districts are as equal in population as possible, the State undertook its decennial redistricting process to redraw its district maps. *Id.* at 769–70.

28. Prior to the start of the legislative session on redistricting, members of the Legislature traveled across the state conducting public hearings, or roadshows, to give the public the opportunity to voice their interests in the redistricting process. *See* JE-3; *see also* 4/10 Tr. 513:14–514:17. The roadshows were “designed to share information about redistricting and solicit public comment and testimony.” *Robinson I*, 605 F. Supp. 3d at 767.

29. The court found that lawmakers described this Roadshow process as “absolutely vital.” *Id.* The Senate Governmental Affairs and House Governmental Affairs conducted ten hearings as part of the roadshow across the state. 4/9 Tr. 476:18–25; 4/10 Tr. 513:18–514:7.

30. The roadshows were held by the Senate and House Governmental Affairs Committees after the Census and before the redistricting session. 4/9 Tr. 476:18–25. Citizens could provide testimony on their redistricting preferences. *Id.*

31. Senator Royce Duplessis, who served as Vice Chair of the House and Governmental Affairs Committee at the time, attended the roadshows and testified that “the purpose of the road shows was to give the public the opportunity to share their thoughts and what they wanted to see in redistricting.” 4/10 Tr. 514:8–17.

32. *Robinson*-Intervenor Power Coalition organized citizens to attend all of the roadshow stops and provide testimony at these hearings. 4/9 Tr. 476:18–477:8.

33. During the roadshows in 2021, a number of maps were presented to the Legislature for consideration, including a map drawn by Mr. Anthony Fairfax that looked similar to SB 8. Ex. RI-294; 4/9 Tr. 381:8–383:12.

34. The Legislature convened a special session in February 2022 to enact a Congressional map. *Robinson I*, 605 F. Supp. 3d at 767–68.

**C. Proposed maps presented to the Legislature with two majority-Black districts**

35. The House and Governmental Affairs Committee was the Committee charged with vetting all the redistricting bills that filed during each legislative session. 4/10 Tr. 514:19–23.

36. Senator Duplessis testified that he attended every House and Governmental Affairs Committee because of his role as Vice Chair. During the first redistricting legislative session, he

recalled numerous bills for congressional plans that included two majority-Black districts. *Id.* at 515:17–20.

37. Mr. Lewis testified that more than six bills were introduced during the first extraordinary session of 2022 with congressional maps containing two majority-Black congressional districts. *Id.* at 548:16–21.

**D. Legislature rejects proposed plans with two majority-Black congressional districts and instead enacts HB1 over then-Governor Edwards's veto**

38. Senator Duplessis testified that none of the proposed congressional plans with two majority-Black districts made it out of his Committee. *Id.* at 515:21–23.

39. HB1 included only one majority-Black district despite the many calls for fair and equitable maps. 4/9 Tr. 480:10–17.

40. The Legislature rejected these plans and adopted HB1. Like its predecessors, HB1 had one majority-Black district stretching from New Orleans to Baton Rouge. HB1 also provided for five districts with large white voting age majorities. *Robinson I*, 605 F. Supp. 3d at 768–69.

41. On February 18, 2022, HB1 and SB5, the bills setting forth new maps for the 2022 election cycle, passed the Legislature. *Id.* at 768–69. The congressional map enacted by these bills contained only one majority-Black congressional district. *Id.*

42. Then-Governor John Bel Edwards vetoed HB1 and SB5 on March 9, 2022. *Id.*

43. The Legislature then voted to override the Governor's veto on March 30, 2022. *Id.*; 4/10 Tr. 516:8–16, 551:15–19.

#### IV. The *Robinson* Litigation

A. ***Robinson I*: Judge Dick found on the basis of an extensive evidentiary record that HB1 likely violated Section 2 and that the appropriate remedy was a new plan with two majority-Black congressional districts**

44. Immediately after the veto override, the *Robinson* Intervenors commenced actions in the U.S. District Court for the Middle District of Louisiana against the Secretary of State challenging HB1 on the ground that it diluted the voting strength of the state's Black voters in violation of Section 2 and moved for preliminary injunctions against the plan's implementation. *Robinson I*, 605 F. Supp. 3d at 768–69.

45. The Attorney General and the leaders of both houses of the Legislature intervened as defendants, and the Legislative Black Caucus intervened as a plaintiff. *Id.*

46. In May 2022, the district court held a five-day evidentiary hearing on the plaintiffs' preliminary injunction motions. *Id.* The parties presented testimony from seven fact witnesses and fourteen experts and made extensive pre- and post-hearing written submissions. *See generally Robinson I*, ECF Nos. 152, 154–55, 158–59, 161–64, 167–68.

47. On June 6, 2022, Judge Dick issued a 152-page Ruling and Order granting plaintiffs' motion for a preliminary injunction. *Id.* at 766. The court concluded that the plaintiffs were substantially likely to prevail on each of the preconditions for establishing Section 2 liability under *Thornburg v. Gingles*, 478 U.S. 30 (1986), and, as *Gingles* also requires, with regard to the totality of the circumstances. *Robinson I*, 605 F. Supp. 3d at 820–51.

48. The court considered and rejected arguments by defendants that the first *Gingles* precondition (*Gingles I*) cannot be established. *Id.* at 820–39.

49. The court found that the Black population in Louisiana is sufficiently large and geographically compact to constitute a majority in a single member district that is reasonably

compact and drawn in conformity with traditional redistricting principles. *Id.* at 820–21. It found that “the relevant question is whether the population is sufficiently compact to make up a second majority-minority congressional district in a certain area of the state. The fact that Plaintiffs’ illustrative maps feature districts with 50% + BVAP while scoring well on statistical measures of compactness is the best evidence of compactness.” *Id.* at 826.

50. The court next analyzed plaintiffs’ illustrative plans for compliance with the Legislature’s stated criteria in Joint Rule 21, finding the illustrative plans complied with the Joint Rule 21 better than the enacted plan. *Id.* at 828–30. The court emphasized, however, that “there is no need to show that the illustrative maps would ‘defeat [a] rival compact district[]’ in a ‘beauty contest[]’.” The relevant question is whether, taking into account traditional redistricting principles including communities of interest, a reasonably compact and regular majority-Black district can be drawn.” *Id.* at 829 (citations omitted and alterations in original). Because “[p]laintiffs’ maps protect incumbents, reflect communities of interest, and respect political subdivisions, splitting fewer parishes than the enacted map” the court found that “the illustrative plans developed by [p]laintiffs’ experts satisfy the reasonable compactness requirement of *Gingles I*.” *Id.* at 831.

51. While the illustrative plans presented by plaintiffs included majority-Black districts between New Orleans and Baton Rouge (CD 2) and in the Delta, River, and Florida Parishes and parts of East Baton Rouge Parish (CD 5), nothing in the court’s discussion of *Gingles I* reflects any finding that the Black population in parts of the State outside of those areas was not sufficiently compact to enable a majority-Black district to be created consistent with TRPs. *See id.* at 820–39 (findings of fact regarding *Gingles I* precondition).

52. The court considered and rejected the defendants’ arguments that (a) it is impossible to create a second majority-Black district consistent with traditional redistricting

principles, *id.* at 820–31 and (b) plaintiffs’ illustrative maps were unconstitutional racial gerrymanders, *id.* at 831–39, esp. 834–38 (rejecting defendants’ argument that because “drawing two majority-minority districts was ‘non-negotiable’” and that “race was ‘the overriding reason for choosing one map over others,’ . . . [plaintiffs’] illustrative plans are unconstitutional” (citations omitted)).

53. The court credited testimony by expert demographers Anthony Fairfax and William Cooper that race did not predominate in their illustrative plans. *Id.* at 838. The court emphasized Mr. Fairfax’s use of socioeconomic data and endorsed his preliminary use of racial data to understand where BVAP in the state is located, finding “that ‘race consciousness’ is not prohibited during the drawing of illustrative maps.” *Id.* at 838–39. The court likewise credited testimony by Mr. Cooper that, although he was asked to draw a plan with two majority-minority districts, race did not predominate in the drawing of his plans. *Id.* at 838.

54. The court found that the *Hays* cases from the 1990s were a “distinguishable and inapplicable” “red herring” and did not preclude enactment of a congressional map with two majority-Black districts. *Id.* at 834. The court noted that “[b]y every measure, the Black population in Louisiana has increased significantly since the 1990 census that informed the *Hays* map.” *Id.* The court found that “*Hays*, decided on census data and demographics 30 years ago, is not a magical incantation with the power to freeze Louisiana’s congressional maps in perpetuity.” *Id.*

55. The court’s decision was not focused on any particular part of the State but on the State as a whole. The plaintiffs in Robinson alleged that HB1 violated Section 2 of the VRA statewide—that is, “by ‘packing’ large numbers of Black voters into a single majority-Black congressional district . . . and ‘cracking’ the remaining Black voters among the other five districts, where . . . they are sufficiently outnumbered to ensure that they are unable to participate equally

in the electoral process.” *Id.* at 768 (citations omitted). While the plaintiffs’ illustrative maps showed a second majority-Black district in East Baton Rouge and the Delta, River, and Florida parishes, the court’s analysis and findings regarding racially polarized voting, the inability of Black voters to elect their representatives of choice, and the Senate factors applied across the State. *See e.g., id.* at 797–804 (summary of plaintiffs’ evidence regarding *Gingles* II and III preconditions); *id.* at 806–815 (discussion of plaintiffs’ evidence regarding Senate factors); *id.* at 839–44 (findings regarding *Gingles* II and III preconditions); *id.* at 844–851 (findings regarding Senate factors).

56. Among other things, the court credited testimony by plaintiffs’ experts that in both Statewide elections and in congressional elections across the State, voting in Louisiana is starkly racially polarized and white voters consistently vote as a bloc to defeat candidates preferred by Black voters, and that Black voters would not have an opportunity to elect their candidates of choice in any district in HB1 other than the sole majority-Black district CD 2. *Id.* at 797–804, 839–44.

57. The court found that all the congressional elections evaluated in Congressional Districts 3, 4, 5 and 6 were “quite racially polarized” and that none of the Congressional District in H.B.1 other than Congressional District 2 provided Black voters an opportunity to elect the candidate of their choice. *Id.* at 801, 803–04.

58. The court considered and rejected the defendants’ arguments that (a) it is impossible to create a second majority-Black district consistent with traditional redistricting principles, *id.* at 820–31; and (b) plaintiffs’ illustrative maps were unconstitutional racial gerrymanders, *id.* at 831–39, esp. 834–38 (rejecting defendants’ argument that because “drawing two majority-minority districts was ‘non-negotiable’” and that “race was ‘the overriding reason

for choosing one map over others,’ . . . [plaintiffs’] illustrative plans are unconstitutional” (citations omitted)).

59. In granting the preliminary injunction, the court provided the Louisiana Legislature an opportunity to adopt a remedial plan that included two majority-Black districts. *Id.* at 766. The court emphasized the Supreme Court’s direction that “[s]tates retain broad discretion in drawing districts to comply with the mandate of § 2,” and that the State is not required to “draw the precise compact district that a court would impose in a successful § 2 challenge.” *Id.* at 857 (quoting *Shaw v. Hunt*, 517 U.S. 899, 917 n.9 (1996), and *Bush v. Vera*, 517 U.S. 952, 978 (1996)); see also *id.* at 857–58 (noting that “deference is due to [the States’] reasonable fears of, and to their reasonable efforts to avoid, § 2 liability”) (quoting *Vera*, 517 U.S. at 978).

60. Governor Landry (then the State Attorney General) and Attorney General Murrill (then the State Solicitor General) were actively involved throughout the *Robinson* litigation representing the State. See *id.* at 768; *Robinson v. Ardoin*, 37 F.4th 208, 214 (5<sup>th</sup> Cir. 2022) (“*Robinson II*”) (listing counsel); *Robinson v. Ardoin*, 86 F.4th 574, 582 (5<sup>th</sup> Cir. 2023) (“*Robinson III*”) (listing counsel).

**B. The Legislature reconvenes in Special Session in light of Judge Dick’s ruling but again fails to adopt new plan with two majority-Black districts, although once again proposed plans with two such districts are presented**

61. After Judge Dick gave the Legislature the opportunity to produce a map with two majority-Black districts, the Governor called a Special Session to begin on June 15, 2022. *Robinson II*, at 216 & n.1; 4/10 Tr. 517:3–7.

62. There were maps proposed during this June 2022 special session with two majority-Black districts, but none passed. 4/10 Tr. 517:16–21. For instance, Senator Duplessis proposed a



congressional map with two majority-Black districts that complied with traditional redistricting principles and the Voting Rights Act, but his map was not adopted. *Id.* at 517:25–518:4.

63. The special session in June 2022 did not result in the adoption of a new map, leaving HB1 in place. *Id.* at 517:4–15.

**C. *Robinson II*: A unanimous panel of the Fifth Circuit denies defendants’ motion for a stay pending appeal**

64. The defendants in *Robinson*—two of which, the State and the Secretary of State, are Defendants here—filed notices of appeal and moved for a stay pending appeal. *Robinson II*, 37 F.4th at 216.

65. On June 12, 2022, a Fifth Circuit motions panel unanimously denied the *Robinson* defendants’ motion, concluding that the defendants had “not met their burden of making a strong showing of likely success on the merits.” *Id.* at 215.

66. The panel rejected defendants’ arguments that “complying with the district court’s order [to adopt a plan with two majority-Black districts] would require the Legislature to adopt a predominant racial purpose.” *Id.* at 222–24; *see also id.* at 215 (noting that the district court’s order on appeal “requires the Louisiana Legislature to enact a new congressional map with a second black-majority district”); *id.* at 223 (“[T]he defendants have not overcome the district court’s factual findings indicating that the [plaintiffs’] illustrative maps are not racial gerrymanders.”).

67. The panel concluded that defendants did not meet “their burden of making a strong showing of likely success on the merits.” *Id.* at 215.

68. The panel concluded that the district court did not err in finding that the population of Black voters in Louisiana is sufficiently large and compact to form a majority in a second district. *Id.* at 216–22. The court noted that “plaintiffs’ evidence of compactness [is] largely uncontested.” *Id.* at 218. The court held that testimony by defendants’ expert that the plaintiffs’

illustrative districts divided communities of interest “is outweighed by the plaintiffs’ direct testimony that the black populations in CD 5 are culturally compact.” *Id.* at 220. The court also gave little weight to testimony from another defense expert challenging the plaintiffs’ *Gingles* I showing based on simulations of redistricting in Louisiana. The expert testified that he “ran 10,000 simulations of redistricting in Louisiana and concluded that his simulated districts never had a majority of black voters and were more compact than those in the illustrative plans.” *Id.* The court held that this testimony was properly discounted because the expert “did not take communities of interest, previous district boundaries, or municipal boundaries into account when programming his simulations.” *Id.*

69. The panel also rejected defendants’ argument that “plaintiffs’ maps prioritized race so highly as to commit racial gerrymandering,” or that adopting a plan with two majority-Black districts “would require the Legislature to adopt a predominant racial purpose.” *Id.* at 222; *see also id.* at 223 (concluding that defendants “have not overcome the district court’s factual findings indicating that [plaintiffs’] illustrative maps are not racial gerrymanders”).

70. The panel also emphasized that in adopting a remedial districting plan, the “Legislature will be free to consider all those proposals [presented by plaintiffs or previously considered by the Legislature] or come up with new ones and to weigh whatever factors it chooses alongside the requirements of *Gingles*. The task will no doubt be difficult, but the Legislature will benefit from a strong presumption that it acts in good faith.” *Id.* at 223–24 (citing *Miller*, 515 U.S. at 915).

**D. Supreme Court grants cert before judgment and orders case held in abeyance pending a ruling in *Milligan*, eventually vacating the stay in June 2023**

71. Following the Fifth Circuit’s denial of a stay, the Supreme Court ordered that the case be “held in abeyance pending this Court’s decision” in *Allen v. Milligan* (then named *Merrill*

v. *Milligan*), a case involving a challenge to Alabama’s congressional district map under Section 2 of the VRA. *See Ardoin v. Robinson*, 142 S. Ct. 2892 (2022).

72. On June 8, 2023, the Court issued its decision in *Milligan*, upholding the lower court’s preliminary injunction against the Alabama map and strongly reaffirming the *Gingles* framework. *See Allen v. Milligan*, 599 U.S. 1, 17–19 (2023).

73. The Supreme Court rejected the State’s argument that Alabama’s congressional district map “cannot have violated § 2 because none of plaintiffs’ two million odd maps [generated by a computer simulation program] contained more than one majority-minority district.” *Id.* at 36–37.

74. The plurality rejected defendants’ argument that the plaintiffs’ illustrative maps were racial gerrymanders because they were produced with an “express racial target.” *Id.* at 32–33.

75. The Supreme Court thereafter lifted the stay in *Robinson* and remanded “for review in the ordinary course and in advance of the 2024 congressional elections in Louisiana.” *Ardoin v. Robinson*, 143 S. Ct. 2654 (2023).

**E. *Robinson III*: The merits panel of the Fifth Circuit unanimously endorses Judge Dick’s reasoning and factual findings, and vacates the PI solely for timing reasons**

76. On November 10, 2023, the merits panel of the Fifth Circuit issued a unanimous opinion endorsing the *Robinson* district court’s ruling that plaintiffs were likely to succeed on the merits of their Section 2 claim. *Robinson v. Ardoin*, 86 F.4th 574, 583 (5th Cir. 2023) (“*Robinson III*”).

77. The court concluded that a redistricting objective to establish two majority-Black districts “does not automatically constitute racial predominance.” *Id.* at 594 (citing *Milligan*, 599 U.S. at 32–33).

78. The court rejected the defendants’ argument that, because the plaintiffs’ proposed illustrative maps were “designed with the goal of achieving a second majority-minority district of at least 50 percent [Black Voting Age Population],” they were impermissible racial gerrymanders. *Id.* at 593. The court reasoned that “[a]ttempting to reach the needed 50 percent threshold does not automatically amount to racial gerrymandering.” *Id.* at 594. The court characterized *Milligan* as holding that “expert testimony showing redistricting maps [that] were designed to establish two majority-black districts . . . does not automatically constitute racial predominance,” and that “an express racial target is just one consideration in a traditional redistricting analysis under *Gingles*.” *Id.* at 594 (citing *Milligan*, 599 U.S. at 32–33). In *Robinson III*, the court held, the “target of reaching a 50 percent BVAP was considered alongside and subordinate to the other race-neutral traditional redistricting criteria *Gingles* requires,” including consideration of “communities of interest, political subdivisions, parish lines, culture, religion, etc.” *Id.* at 595. The court found that the “high bar” the Supreme Court has implemented to racial gerrymandering challenges “was not met on this record.” *Id.*

79. The court concluded that “[t]he district court’s preliminary injunction . . . was valid when it was issued.” *Id.* at 599.

80. The Fifth Circuit vacated the preliminary injunction solely on the ground that “[f]or the 2024 Louisiana elections calendar . . . there is no imminent deadline,” and because a trial on the merits could be held before that election, a preliminary injunction “is no longer required to prevent the alleged elections violation.” *Id.* at 600.

81. The Fifth Circuit allowed the Legislature until January 15, 2024, to enact a new congressional redistricting plan and directed that “[i]f no new plan is adopted, then the district

court is to conduct a trial and any other necessary proceedings to decide the validity of the H.B. 1 map, and, if necessary, to adopt a different districting plan for the 2024 election.” *Id.* at 601–02.

82. The district court subsequently extended that deadline, at the defendants’ request, to January 30, 2024. *Robinson I*, ECF No. 315.

83. The Fifth Circuit denied the defendants’ motion for reconsideration en banc, with no member of the court recorded as having voted for reconsideration. *Robinson III*, ECF No. 363.

84. Members of the Legislature understood the courts’ rulings as meaning HB1 was “not . . . in compliance with the Voting Rights Act” and that “after a lot of litigation [the Court] ordered . . . the [l]egislature to draw a map that was compliant with the Voting Rights Act.” 4/10 Tr. 516:21–517:2.

85. Senator Duplessis testified that “based on litigation that was going on at the U.S. Supreme Court, litigation at the U.S. Fifth Circuit Court of Appeals, that . . . we had to draw a map that was compliant with the Voting Rights Act, and that is what basically forced members who previously did not support that, and may not still want to see that, but they knew we had to comply with the Voting Rights Act.” *Id.* at 528:24 – 529:6. Senator Duplessis further testified to his understanding of the *Robinson* litigation: “[p]laintiffs filed suit contesting the original map that was adopted, that it was not compliant with the Voting Rights Act. And then we were ordered by the Court to go back and draw a fair map that was compliant with the Voting Rights Act, a map that had two majority-Black districts and a map that gave Black voters in the State of Louisiana the opportunity to elect their candidate of choice.” *Id.* at 537:4–11.

86. Senator Alan Seabaugh testified that “Judge Dick has signaled through some preliminary proceedings . . . [and] she has kind of told everybody how she was going to rule and ordered us to draw a second majority-minority district or she was going to do it.” 4/8 Tr. 62:17–

21. Senator Thomas Pressly testified to his understanding that the outcome of these court proceedings was that the Legislature had to draw a congressional map with two Black majority districts. “[A]ll indications seemed to be that, again, we would have two majority-minority districts, and it would be drawn as the judge wished to do so.” *Id.* at 81:24–82:1.

**V. 2024 Special Session**

**A. Governor Landry calls the Special Session to address redistricting, and urges the Legislature to adopt a plan with two majority-Black districts that will satisfy the Voting Rights Act**

87. Louisiana Governor Jeff Landry released the call for the 2024 First Extraordinary Session among his first actions after inauguration on Monday, January 8, 2024. JE-8. The call directed the Legislature to “legislate relative to the redistricting of the Congressional districts of Louisiana,” among fourteen legislative items related to redistricting and elections. *Id.*

88. The Legislature convened starting on Martin Luther King Jr. Day, January 15, 2024, one week after the Governor’s call—the earliest time permitted under the Louisiana Constitution. *See id.*; *see also* La. Const. Art. III, § 2(B).

89. On the first day of session, Governor Landry addressed the joint chambers. After detailing his extensive efforts in *Robinson* to defend the congressional map enacted in 2022, he stated: “We have exhausted all legal remedies and we have labored with this issue for far too long.” JE-35 at 11.

90. “[N]ow, once and for all,” he continued, “I think it’s time that we put this to bed. Let us make the necessary adjustments to heed the instructions of the court. Take the pen out of the hand of a non-elected judge and place it in your hands. In the hands of the people. It’s really that simple. I would beg you, help me make this a reality in this special session, for this special purpose, on this special day.” *Id.*

91. Legislators understood the Governor’s goal to be to pass a plan to end the litigation. 4/9 Tr. 367:9–368:12 (Landry); 4/10 Tr. 519:16–23 (Duplessis).

92. Senator Duplessis attended Governor Landry’s address to the Legislature to convene the 2024 special session. 4/10 Tr. 519:16–18. He testified that he understood that the Governor’s goal was “to put an end to the litigation and adopt a map that was complaint with the judge’s order.” *Id.* at 519:22–23. Representative Mandie Landry also attended that address. She testified of her impression that the Governor wanted “[t]o make sure we passed a new congressional bill that would be accepted by the courts.” 4/9 Tr. 367:3-12.

93. Senator Duplessis explained that Governor Landry “clearly expressed that he was going to support a map to resolve the litigation.” *Id.* at 525:1–3. None of Plaintiffs’ witnesses disputed Senator Duplessis’s characterization of the Governor’s address.

94. Senator Pressly testified that “Judge Dick is the one that ultimately told the Legislature” that two majority-Black districts were required and that “Governor Landry stated that when he opened . . . the special session and we heard it from Attorney General Murrill as well.” 4/8 Tr. 70:6–9.

95. The Governor and Republican leadership sought to avoid a court-drawn map that might be less politically advantageous than one they drew themselves. 4/9 Tr. 368:6–12 (Landry).

96. The community was very involved in the special sessions and advocated for fair and equitable maps. *Id.* at 477:12–20; 480:12–17; 483:18–24.

**B. Multiple maps with two majority-Black districts are presented to the Legislature, including maps closely resembling the *Robinson* Plaintiffs’ remedial maps**

97. Six congressional maps were filed across both chambers by the end of the day on January 15, 2024. RI-26; RI-27; RI-28; RI-29; RI-30; RI-31. Five included two majority-Black

districts, including the Governor's preferred map, SB8, 4/9 Tr. 368:13–19, and the *Robinson* Plaintiffs' preferred map, SB4. *Id.* at 481:14–25; 4/10 Tr. 63:14–24.

98. SB4 closely mirrored maps filed throughout the earlier redistricting process and in the *Robinson* litigation. *See, e.g.*, 4/10 Tr. 553:17–22.

99. SB4 created an additional majority-Black district in District 5, currently represented by Congresswoman Julia Letlow. *See* RI-30; *see also* 4/10 Tr. 560:19–21. SB4 was the preferred map of the *Robinson* Defendant-Intervenors. 4/9 Tr. 481:14–25.

100. Senator Duplessis, who co-authored SB4, believed SB4 was compliant with the Voting Rights Act and “met the proper redistricting principles” and “would put an end to the litigation that we were ordered . . . by the [c]ourt to comply with.” 4/10 Tr. 521:5–10; *see also* RI-30. But, as Senator Duplessis testified, “SB4 was voted down in committee.” *Id.* at 523:14–16.

### **C. Legislature instead adopts SB8**

101. SB8 was filed by Senator Glen Womack. *See* JE-11. Senator Womack stated that SB8 was the only map he reviewed that “accomplished the political goals” he found important. JE-29 at 3, 4:2–8.

102. It was clear to the Legislators that voted for SB8 that it was Governor Landry's preferred map, 4/9 Tr. 368:13–16 (Landry), and the “one Bill [legislators] all understood was going to go through,” *id.* at 370:3–6 (Landry).

103. Legislators understood that Governor Landry preferred the map because it would result in unseating Garret Graves. There were “hundreds, if not more” conversations to that effect during the special session. *Id.* at 371:16–19 (Landry). These conversations involved both Republicans and Democrats. 4/9 Tr. 374:21–375:9 (Landry).

104. Power Coalition supported SB8 because it met traditional redistricting principles while creating a second majority-Black district. 4/9 Tr. 275:6-15. Power Coalition did not support



maps that would have increased BVAP in majority-Black districts but made the map less compact. 4/9 Tr. 275:16-276:2.

105. SB8 was the only congressional map to advance out of committee and through the legislative process. The map was passed on Friday, January 19 and signed by the Governor as Act 2 on January 22, 2024. JE-10.

106. SB8 split zero precincts. SB8 split 16 parishes total. JE-15. SB8 had an overall deviation of 87 people between the largest and smallest district. JE-11.

## **VI. This Case**

107. *Callais* Plaintiffs filed suit challenging SB8 as an unconstitutional racial gerrymander on January 31, 2024. ECF No. 1.

108. *Robinson* Intervenor-Defendants moved to intervene on February 7, 2024. ECF No. 18.

109. On February 21, 2024, the Court entered a Scheduling Order calling for a preliminary injunction hearing consolidated with the trial on the merits commencing on April 8, 2024. ECF No. 63.

110. On February 26, 2024, the Court entered an Order granting *Robinson* Intervenor-Defendants' motion to intervene but limited only to the remedial phase, if one is needed. ECF No. 79.

111. On March 9, 2024, *Robinson* Intervenor-Defendants moved for reconsideration of the Court's denial of their request to participate in the merits phase of the case. ECF No. 103.

112. On March 15, 2024, *Robinson* Intervenor-Defendants were granted leave to intervene for the merits phase on the issues of: (1) whether race was the predominant factor in the creation of SB 8; and (2) if so, whether SB 8 can pass strict scrutiny review. ECF No. 114.

113. *Robinson* Intervenor-Defendants were denied any opportunity to depose Plaintiffs or question them on the injuries they allegedly faced. ECF No. 161–2 ¶¶ 6, 9.

114. On April 6, 2024, *Robinson* Intervenor-Defendants moved for a continuance of the trial. ECF No. 161. The Court denied the motion on the record on the first day of trial. 4/8 Tr. 7:17–19.

115. None of the *Callais* Plaintiffs testified at trial. Thus, none of them appeared to explain to the Court why they brought this case or to support their claims that they have been deprived of their rights to equal protection or that their rights to vote have been abridged, or to subject themselves to cross-examination.

**VII. Plaintiffs Have Not Established That Race Predominated in the Drawing and Adoption of SB 8**

**A. The evidence did not show that race predominated in the drafting of SB8**

116. In introducing SB8, Senator Womack was clear that race was considered to comply with the orders of the *Robinson* courts and was balanced with other redistricting criteria and the political preferences of state leadership. *See, e.g.*, JE-29 at 2–3. Direct and circumstantial evidence supports the same. The evidence at trial did not establish that considerations of race predominated in the Legislatures adoption of SB 8.

**B. The Legislature sought to comply with the federal courts’ rulings in *Robinson***

117. At the start of the 2024 First Extraordinary Session, Governor Landry and Attorney General Murrill, who were both involved in the *Robinson* litigation in their prior roles as Attorney General and Solicitor General, respectively, emphasized to legislators that the passage of a new map was the necessary path forward to bring the litigation to an end. *See e.g.*, JE-35 at 10–11; 4/10 Tr. at 590:10–23 (Governor Landry: “As Attorney General, I did everything I could to dispose of

this litigation. . . .[But w]e have exhausted all legal remedies.”); *see also* 4/10 Tr. at 588:4–16 (Attorney General Murrill: “Judge Dick has put us in a—in a position—and the Fifth Circuit, the panel that reviewed that decision, and the whole court, when I asked them to go en banc, by declining to go en banc, have put us in a position of where we are today, where we -- we need to draw a map. So I’m here to tell—I’m not here to tell you don’t draw a map. I mean, I think we do have to draw a map.”).

118. Senator Womack and other legislators made clear that they endeavored to comply with the federal courts’ orders under the Voting Rights Act in advancing SB8. *See, e.g.*, JE-29 at 3, 4:9–16 (Senator Womack: “I firmly submit the congressional voting boundaries represented in this bill best achieve the goals of protecting Congresswoman Letlow’s seat, maintaining strong districts for Speaker Johnson and Majority Leader Scalise, ensuring four Republican districts, *and adhering to the command of the federal court in the Middle District of Louisiana.*” (emphasis added)); JE-33 at 5, 11:5–8 (Chairman Beaulieu: “We’re under a federal judge’s mandate, and this bill is our best attempt to comply with her decision. So, members, I ask you to support me in voting for this map.”).

119. Senator Duplessis testified that he went into the 2024 redistricting session seeking to “adopt a map that was compliant with the Voting Rights Act, to adopt a map that was fair and to finally put an end to [the *Robinson*] litigation.” 4/10 Tr. 519:1–5. The Court finds Senator Duplessis to be credible and persuasive and credits his testimony as evidence that members of the Legislature sought to comply with the VRA and the federal court rulings in *Robinson*.

120. Senator Seabaugh offered no amendments to SB8, 4/8 Tr. 56:2–4, did not testify in the Senate and Governmental Affairs Committee, *id.* at 56:8–10, and has never voted in favor of a

plan that created two majority-Black congressional districts in his two decades in the Louisiana state house. *Id.* at 57:9–59:16.

121. Senator Pressly testified, “I certainly think that this was the one last chance prior to having trial where all indications seemed to be that, again, we would have two majority-minority districts, and it would be drawn as the judge wished to do so.” *Id.* at 81:17–82:1. Senator Pressly also understood that legislators “were given one last chance to try to cure the defect that was being alleged against us.” *Id.* at 83:2–9.

**C. The Legislature was aware that a congressional district plan in Louisiana can be drawn with two majority-Black districts consistent with traditional redistricting principles**

122. In the years since the 2020 Census, the Legislature has been presented with congressional map options that contained two majority-Black districts and complied with redistricting principles. *See, e.g.*, 4/10 Tr. 515:17–23; 517:16–21; *see also* RI-275 at 3 (citing H.B. 4, 1st Spec. Sess. (La. 2022); H.B. 5, 1st Spec. Sess. (La. 2022); H.B. 7, 1st Spec. Sess. (La. 2022); H.B. 8, 1st Spec. Sess. (La. 2022); H.B. 9, 1st Spec. Sess. (La. 2022); H.B. 12, 1st Spec. Sess. (La. 2022); S.B. 2, 1st Spec. Sess. (La. 2022); S.B. 4, 1st Spec. Sess. (La. 2022); S.B. 6, 1st Spec. Sess. (La. 2022); S.B. 9, 1st Spec. Sess. (La. 2022); S.B. 10, 1st Spec. Sess. (La. 2022); S.B. 11, 1st Spec. Sess. (La. 2022); S.B. 16, 1st Spec. Sess. (La. 2022); S.B. 18, 1st Spec. Sess. (La. 2022); Amendment #88 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #99 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #153 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #62 to S.B. 2, 1st Spec. Sess. (La. 2022); Amendment #116 to S.B. 5, 1st Spec. Sess. (La. 2022); Amendment #91 to S.B. 5, 1st Spec. Sess. (La. 2022)).

123. All but two Senators charged with redistricting the map in 2024 had been legislators during the redistricting sessions following the Census—including the entire membership of the

Committee on Senate and Governmental Affairs. *See* 4/10 Tr. 519:6–15; 544:20–545:24; 562:3–15.

124. During the 2024 special session, legislators were presented with maps that were substantially similar to the illustrative maps in *Robinson*, including SB4. *See* JE-36 at 6; 4/10 Tr. 553:13–23 (Lewis); 4/9 Tr. 382:18–383:12 (Fairfax). The Legislature considered a plan referred to as the Marcelle Price plan during the 2024 legislative session that created two majority-Black congressional districts and that was similar to the plan offered by the *Robinson* plaintiffs. 4/9 Tr. 382:18–383:12. Mr. Fairfax also created a plan submitted to the state legislature in 2021 that created a second majority-Black Congressional district in the “river region” of the state, connecting Shreveport and Baton Rouge, and it was considered by the legislature in the form of HB 12. *Id.* at 381:14–382:1; 382:18–383:6; 456:3–8.

125. SB4 created two majority-Black districts and was the preferred map of the *Robinson* Plaintiffs, who submitted written testimony in support of the bill and testified during the 2024 special session. *See generally* RI-276; *see also* 4/9 Tr. 481:14–482:2; 4/10 Tr. 553:13–561:18; JE-36 at 18–21.

126. Senator Duplessis’ map, SB4 (like the illustrative plans in *Robinson*), contained a second majority-Black district that went from “Baton Rouge up to northeast Louisiana, the Monroe area.” 4/10 Tr. 524:10–17. Senator Duplessis testified that the “geographic design” was the main distinction between his map and SB8 but that the “numbers,” including the “information on parishes, precincts, race, gender, party registration” were “very similar.” *Id.* at 524:3–17. Given Senator Duplessis’ prior experience as Vice Chair of the House and Governmental Affairs Committee and his experience throughout the 2020 redistricting cycle, the Court credits his testimony about SB4.

127. In introducing SB4 alongside sponsors Senators Price and Duplessis, counsel for the *Robinson* Plaintiffs provided extensive briefing to legislators on the features of the map. *See* JE-36 at 6 (“The map we present here mirrors the map submitted by plaintiffs in multiple phases of our case . . . 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.”).

128. First, SB4 was updated from similar versions of maps submitted in the *Robinson* litigation to “utilize the most up-to-date precinct lines.” *Id.*

129. SB4 “perform[ed] 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.” *Id.*

130. SB4 had “fewer [parish] splits than the enacted map, with only 11 compared to 15,” did not split any precincts, and split “fewer municipalities than the enacted map.” *Id.*

131. SB4 achieved “better scores on three quantitative measures of compactness, most accepted by the courts, Reock, Convex Hull, Polsby-Popper.” *Id.*

132. SB4 had “less instances of fracking where two or more noncontiguous pieces of a parish are within the same district than the [2022] enacted map and alternatives [in 2024].” *Id.*

133. In sum SB4 was “a better map when graded on the rubric that [the Louisiana] legislature wrote for itself in Joint Rule 21 and the redistricting criteria accepted for decades by the federal courts.” *Id.*

134. The sponsors of SB4 and counsel for the *Robinson* Plaintiffs also fielded questions from legislators regarding how the majority-Black districts would perform for Black voters. Senator Price confirmed the districts would perform, and *Robinson* counsel cited expert findings

from the Robinson litigation that demonstrated that Black voters were able to successfully elect their candidates of choice in 100% of recompiled election results in District 2 and 77.8%–86.7% of elections analyzed for District 5. JE-36 at 9–11.

**D. In drawing and selecting SB8 rather than one of the alternative maps presented, the Legislature sought to further the political interests of the State, the Governor, and the legislative majority of protecting Speaker Johnson, Majority Leader Scalise, and Representative Letlow, and in retaliating against Representative Graves**

135. The evidence at trial shows that the Legislature’s adoption of SB8 rather than SB4 or any of the alternative maps it considered was driven by politics and other race-neutral factors, not race.

136. Senator Womack was clear about the driving force behind the configuration of districts in SB8, stating that “politics drove this map.” JE-29 at 3. Race, he said, was a “secondary consideration.” *Id.*

137. Senator Womack and SB8 supporters specifically endeavored to protect “four safe Republic seats” and the political futures of Representative Julia Letlow, Speaker of the House Johnson, and U.S. House Majority Leader Steve Scalise, especially. JE-29 at 1–3.

138. It is undisputed that legislators understood that any new map could have a negative impact on some incumbents and that it therefore was important to protect certain incumbents. *See* 4/10 Tr. 525:20–24 (Senator Duplessis testifying that drawing a map is like “playing musical chairs” and as such “[t]here’s going to be someone who’s negatively impacted from an incumbency standpoint”); 4/8 Tr. 71:11–18, 79:1–4 (Senator Pressly testifying that “[w]e certainly wanted to protect Speaker Johnson . . . We wanted to make sure that we protected Steve Scalise. Julia Letlow is on Appropriations. That was also very important that we try to keep her seat as well” and that “[c]ertainly it would be important to keep our leadership in Washington and our power base for the state in Washington”); *id.* at 72:3–7 (Senator Pressly testifying that the question

was how to draw maps in a way to ensure that “we’re not getting rid of the Speaker of the House, the Majority Leader, and . . . Julia Letlow as well.”); *id.* at 60:8–61:15 (Senator Seabaugh testified that it is “kind of a big deal” that Speaker and the Majority Leader of the U.S. House of Representatives are from Louisiana and that protecting Speaker Johnson, Majority Leader Scalise and Representative Letlow was “an important consideration when drawing a congressional map”).

139. As Senator Duplessis stated on the Senate floor when voting in favor of SB8, the Legislature had “heard a lot from Chairman Womack and [his] colleague, Senator Stine, about the importance of protecting certain elected officials.” JE-30 at 7, 20:9–21.

140. Governor Landry and Congressman Garret Graves were known political rivals. 4/10 Tr. 568:21–569:5. Multiple witnesses directly involved in the passage of SB8 or close to the process understood SB8 to be a direct effort by the Governor to undermine Representative Graves’ political future. *Id.* (Lewis: “Congressman Graves had flirted with running openly against Governor Landry, did not endorse Governor Landry after he decided not to run for the race, and there was known tension between supporters of Congressman Graves and Governor Landry that this just seemed to be a traditional Louisiana tactic that, once you got some power, you went after your enemies”); *Id.* at 527:11–19 (Duplessis: a “political decision was made to protect certain members of Congress and to not protect on member of Congress, and it was clear that that members was going to Congressman Garret Graves”); 4/9 Tr. 368:8 – 12, 369:13–17 (Landry testifying that “Republicans were afraid that if they didn’t [pass a map], that the Court would draw one that wouldn’t be as politically advantageous for them. They kind of wanted to put this to rest and the Governor wanted Congressman Graves out,” and explaining that it was well known within the Capitol at the time that this was one of the goals of the bill).



141. Beyond protecting Representatives Letlow, Scalise, and Johnson, legislators understood that Senator Womack proposed SB8 because of Governor Landry's political interest in retaliating against Representative Graves.

142. Senator Duplessis was clear that one of the primary political objectives for SB8 was to retaliate against Congressman Garrett Graves. He testified it was clear that there was "the political decision . . . made to protect certain members of Congress and to not protect one member of Congress, and it was clear that that member was going to be Congressman Garrett Graves." *Id.* at 527:11–19. None of Plaintiffs' witnesses disputed this evidence and the Court credits Senator Duplessis' testimony about the political motivations underlying the passage of SB8.

143. The Governor's effort to utilize SB8 as a vehicle to undercut Representative Graves' political future was so widely known among legislators and others that it was the subject of a skit by members of the Capital Press Association at their annual Gridiron Dinner following the enactment of the map. *Id.* at 577:1–578:7. The skit was viewed by multiple members of Louisiana's political elite including Representative Graves himself, who nodded his head and laughed in reaction. *Id.*

**E. The Legislature respected legitimate communities of interest in the drawing of CD6 in SB8**

144. The Legislature also reasonably concluded that CD6 in SB8 tied together communities of interest along the Red River and I-49 corridor, including shared economic and agricultural ties, as well as educational and healthcare infrastructure. *See, e.g.*, JE-30 at 3, 5:4–17 (Womack: "The corridor that you see on the map that—that you have on your—your table, if you'll notice the map runs up Red River, which is barge traffic, commerce. It also has I-49, which. . . goes from Lafayette to Shreveport, which is also a corridor for our state that is very important to our commerce. We have a college. We have education along that corridor. We have a presence

with ag[riculture] with our row crop, as well as our cattle industry all up along Red River in those parishes. A lot of people from that area, the Natchitoches Parish, as well as Alexandria, use Alexandria...for their healthcare, their hospitals, and so forth in that area.”); *see also* JE-31 at 7–8 (exchange between Representative Larvadain and Senator Womack).

145. The significance of these community ties was echoed in testimony at trial. Mayor Cedric Glover, Ashley Shelton, Pastor Steven Harris, and Commissioner Davante Lewis testified to shared needs and interests in areas within the district, like Baton Rouge, Alexandria, Monroe, Lafayette, and Shreveport. 4/9 Tr. 457:15–459:5, 486:5–487:18, 466:20–468:14; 4/10 Tr. 578:8–579:20.

146. Commissioner Lewis, who lives in CD6 in SB8, stated that as a voter he felt “comfortable having commonality with people elsewhere in the district,” naming several factors including shared economies, civic organizations, faith traditions, university programs, energy production, manufacturing, and music. 4/10 Tr. Tr. 578:8–579:6. From his perspective as a Public Service Commissioner, he testified that almost the entirety of CD6 in SB8 shares a common investor-owned utility model (“IOU”), unlike municipality-run electric systems or electric co-ops like those run in more rural places. *Id.* at 579:7–581:22. He explained that this common interest has direct relevance to congressional representation when it comes to the engagement around transmission planning, generation buildup, the energy transition, and appropriations. *Id.*

147. Commissioner Lewis testified that he was pleased with the passage of SB8 because it accomplished the goals he wanted to see met, namely, “complying with the rule of law as well as creating a second Black-majority district.” 4/10 Tr. 576:12–18. Commissioner Lewis testified that he is afraid that if the new map is overturned, it would only enhance “divisiveness” in state

politics and enhance division among class, among race, among regions, among political affiliations, and continue to “toxic our environment.” *Id.* at 584:3–7.

148. Mayor Cedric Glover, who lives in CD6 in SB8, is a longtime public servant who was twice elected to the Shreveport City Council, served two terms as the Mayor of Shreveport, and served five terms in the Louisiana House of Representatives. 4/9 Tr. 454:12–20. Mayor Glover testified to several factors uniting the district, including geography and shared economic, educational, and hospital systems. He testified that the location of I-49 “essentially makes Shreveport, Mansfield, Natchitoches, all one general commuting area.” *Id.* at 457:17–458:4. He described the “series of lock and dams, five of them between [Shreveport] and where the Red River flows into the Mississippi. That essentially mirrors the eastern side of [the] district.” *Id.* at 457:23–458:1. Mayor Glover discussed the Shreveport-based Louisiana Economic Partnership, an “entity that is in partnership with economic leaders from south of us all the way down to Natchitoches working to retain and grow jobs.” *Id.* at 458:23–459: 4. And just last week, the organization announced a “huge job announcement down in DeSoto Parish.” *Id.* at 458:23–25. Mayor Glover described the shared healthcare systems of the district, “a series of hospitals between Willis-Knighton, the CHRISTUS system, but more specifically the Ochsner/LSU system, which has a presence here in Shreveport, Natchitoches, and even has a residency program that’s in Alexandria.” *Id.* at 458:11–16. Mayor Glover also discussed “the higher education connections,” including campuses of Northwestern State University both in Shreveport and in Natchitoches, and “campuses in southern Shreveport and Southern University Baton Rouge” as connecting factors. *Id.* at 458:4–10.

149. Pastor Steven Harris, a full-time pastor who has served on the Natchitoches School Board for three terms, testified to the shared culture in the district. *Id.* at 463:5–10. Throughout his

28 years performing his duties as a pastor in Natchitoches, he regularly travels to Shreveport, Alexandria, Lafayette, and Baton Rouge. *Id.* at 463:15–465:20. He testified that he travels four to five times a week to hospitals in Shreveport and Alexandria to visit sick parishioners in hospitals and other medical facilities. *Id.* at 463:21–464:19. He described the shared culture of areas within the district as compared to New Orleans, “[t]he culture is different, much different. Foods are different than we eat. Even the music . . . is different. In New Orleans, the food is mostly cayenne pepper, and in Baton Rouge and Alexandria and Natchitoches, we do more brown gravy.” *Id.* at 467:21–468:3. “[A]nd I have, in my engagement in even the music. In Baton Rouge and in Natchitoches and things, we play more of a bottom bass line. In the area of New Orleans, it’s more of a house party kind of atmosphere.” *Id.* at 468:10–14. Pastor Harris also spoke of the sense of community and shared interests that exist among the Protestant pastors in the district. He testified that he has relationships and connections with pastors in Shreveport, Alexandria, Lafayette, and Baton Rouge and that he is frequently invited to preach in those areas. *Id.* at 467:6–9; 469:17–470:8. He spoke to cultural institutions and events that unite communities in CD6, such as the State Fairs in Baton Rouge and Alexandria. *Id.* at 471:12–20. He also described connected educational systems, describing how students from Northwestern State University and LSU-Shreveport, where his youngest daughter is a student, regularly attend services at his church. *Id.* at 467:13–16. Pastor Harris testified to driving the I-49 highway when performing services in Natchitoches, Shreveport, Alexandria, and Baton Rouge. *Id.* at 469:7–16. He also described the significance of the Red River in the region, which comes into the Natchitoches port and is how residents of CD6 (in Shreveport and elsewhere) get their materials to build roads and infrastructure. *Id.* at 468:15–469:4.

150. The Power Coalition organizes in communities throughout the newly enacted CD 6. *Id.* at 485:8–17. Ashley Shelton testified that SB8 reflects communities of interest because it

“actually centered communities that have never been centered in any of the current congressional districts that they are within.” *Id.* at 483:6–8. Power Coalition works throughout CD 6 as configured in SB 8 and Ms. Shelton knows first-hand that these communities share commonalities, such as “living in poverty, hav[ing] poor health outcomes, lack of access to economic opportunity, similar hospitals, similar sized airports” *Id.* at 483:8–12; *see also id.* at 484:20–486:2; 487:5–18.

151. Mr. Fairfax testified that his maps demonstrated that CD6 of SB8 could be explained by socioeconomic commonalities not considered by Dr. Voss. *Id.* at 398:6–9; 399:2–9. In Baton Rouge, for example, the six socioeconomic factors Mr. Fairfax considered in drawing the Robinson illustrative maps followed the configuration of CD6 of SB8. RI-299; 4/9 Tr. 399:2–9. Likewise, looking at census places together like the location of the city of Central and the majority of LSU Baton Rouge also could have explained the boundary lines of CD6 of SB8 in the Baton Rouge area. RI-299; 4/9 Tr. 399:2–400:7. Mr. Hefner did not consider these socioeconomic commonalities together, which “doesn’t present all of the picture,” which is why Mr. Fairfax as a demographer overlays these factors together to “show[ ] a commonality of all these six different socioeconomic aspects.” 4/9 Tr. 400:15–22.

152. Senators Seabaugh and Pressly did not provide any evidence addressing communities of interest that was contrary to the evidence presented by the *Robinson* Intervenor-Defendants.

153. Senator Pressly testified, “I have looked at a lot of maps on this issue,” 4/8 Tr. 76:8–11, but did not specifically recall seeing alternative proposals that would have kept all of northwest Louisiana in one congressional district, while also maintaining two majority-Black congressional districts, as SB4 would have done. *Id.* at 75:8–17. He also did not “recall specifically” seeing a

map that would have placed Representative Letlow in a majority-Black district, as SB4 would have done. *Id.* at 75:18–22.

154. Senator Pressly did not testify that SB8 was selected over the alternative maps for racial reasons. He ultimately “did not publicly support any of the alternatives” and was of the view that “we should keep the map that was put forth in 2022.” *Id.* at 77:6–8.

155. The Court therefore finds that Senator Pressly’s testimony does not support that SB8 was selected over SB4 and other alternative proposals for race-predominant reasons.

156. Senator Seabaugh testified that his own senate district, District 31, which includes portions of Bossier, Caddo, DeSoto, Natchitoches, Rapides, Red River, Sabine, Webster and Winn parishes, was “not particularly” a community of interest. *Id.* at 54:22–23. Senator Seabaugh offered no amendments to SB8, *id.* at 56:2–4, did not testify in the Senate and Governmental Affairs Committee, 4/8 Tr. 63:12–1, and has never voted in favor of a plan that created two majority-Black congressional districts during his two decades in the Louisiana state house. *Id.* at 57:9–58:23.

**F. The opinions of plaintiffs’ experts are not reliable and the experts do not show that SB8 was predominantly driven by race or that it is impossible to draw a congressional district plan in Louisiana with two majority-Black districts consistent with TRPs**

**1. Overholt**

157. Plaintiffs promised in their opening statement to present testimony by Dr. Overholt that “SB8’s ugly shape helps it to include more Black voters and perform better than the competing two minority maps.” *See id.* at 17:18–22. But plaintiffs ultimately chose not to call Dr. Overholt.

**2. Hefner**

158. The Court gives no weight to the testimony of Mr. Hefner. As a preliminary matter, Mr. Hefner has a long history of both technical and legal errors that undermine the reliability of his opinions. *See* 4/9 Tr. 263:9–266:20 (Lafayette Parish sued as a result of a discrepancy solely

due to Hefner's admitted error in failing to use the correct maps when drafting the textual descriptions); *Kishbaugh v. City of Lafayette Gov't*, 275 So.3d 471, 477 (La. App. 3d. 2019) ("The textual descriptions adopted by the Lafayette City-Parish Council, however, did not match these maps due solely to Mr. Hefner's admitted error in failing to use the correct maps when drafting the textual descriptions" which resulted in the City being sued); 4/9 Tr. 267:18–268:8 (DeSoto Parish Police Jury threatened with litigation as a result of Hefner's redistricting plans' non-compliance with the constitutional requirement and traditional districting criteria of equal population); *id.* at 269:14–22 (Court described Hefner's recommendations to the DeSoto Parish Police Jury as "constitutionally suspect").

159. In this case, Mr. Hefner offered the opinion that the Black population in Louisiana was geographically distributed and concentrated in such a way that it is impossible to create a second majority-Black district without sacrificing traditional districting criteria. *Id.* at 271:11–22. On cross-examination, however, Mr. Hefner abandoned this opinion, stating that he could offer "no opinion on" whether it was possible to draw a congressional redistricting plan with two majority-Black districts that was consistent with traditional redistricting principles. *Id.* at 320:1–5.

160. Mr. Hefner did not review any redistricting plans with two majority-Black districts that were considered by the Legislature during the 2024 redistricting session nor any amendments to SB 8. *Id.* at 318:2–8. Instead, his analysis of the impossibility of creating a second majority-Black district in Louisiana was based solely on his limited analysis of HB 1, Plaintiff's Illustrative plan, SB8 and what he called his "own edification and in exploring," which he did not describe. *Id.* at 318:9–25. On cross-examination, he admitted that he actually could not "offer an opinion

about” whether the plans the Legislature considered in 2024 with a second majority-Black congressional district complied with traditional redistricting criteria. *Id.* at 319:11–16.

161. Mr. Hefner drew no map which created a second majority-Black congressional district in Louisiana in this case. Yet as Mr. Fairfax testified, in assessing whether the Black population is distributed in such a way that you could create a second majority-Black district and comply with traditional redistricting principles, as a demographer, “you attempt to develop a plan, a plan that follows or adheres to either their redistricting criteria that’s established by the State.” *Id.* at 396:22–397:15. And Mr. Fairfax in fact developed several districting plans that created two majority-Black districts and adhered to traditional redistricting criteria, neither of which Mr. Hefner considered. RI-300; 4/9 Tr. 396:22–397:15. Mr. Hefner’s opinion on the impossibility of creating a second majority-Black congressional district that conforms to traditional redistricting principles is unsupported, contrary to his concession that he could offer no opinion about whether plans with two majority-Black districts considered by the Legislature conformed to traditional redistricting principles, and entitled to no weight.

162. Mr. Hefner also offered the opinion that “race predominated in the drafting of Senate Bill 8” as “evidenced by the lack of compactness” and “deviation from the traditional core districts.” 4/9 Tr. 271:23–272:14. Mr. Hefner admitted, however, he did not consider incumbency in his analysis of the compactness of SB 8. *Id.* at 272:9. Mr. Hefner did not consider the Court’s order in the Robinson litigation nor that core retention is largely irrelevant when a state is seeking to comply with Section 2. Indeed, all he looked at “were the districts themselves,” “[t]he political boundaries generally,” “compactness, core districts, and communities of interest.” *Id.* at 294:7–15.

163. Mr. Hefner’s testimony that race predominated in the drawing of SB8 because the plan does not conform to traditional redistricting principles was superficial and misleading.



164. With respect to compactness, Mr. Hefner offered the opinion that because CD6 of SB8 may stretch 251 miles, “it’s not compact” and “if it was compact, it would be far less distance from one side of the district to the other.” *Id.* at 48:2–12. Yet, Mr. Hefner “didn’t run the comparisons [of district length] on HB1,” and he was forced to admit that he had no basis to opine whether a district that spans 250 miles was unusual. JE-16; 4/9 Tr. 101:25–102:12.

165. Map makers, unlike Dr. Voss and Mr. Hefner in their analysis for this case, traditionally also take account of “political considerations” in their map drawing process as well as “assets” that are desirable in any district such as “a college or university, military bases” and of course “incumbent locations.” 4/8 Tr. 160:8–19. Dr. Voss and Mr. Hefner did not provide any accounting of these considerations in their testimony.

166. In terms of parish splits, Mr. Fairfax testified that the SB8 plan and the HB1 plan split a similar number of parishes, and that SB8 “more evenly split” those parishes “across the plan.” *Id.* at 161:5–18. Mr. Hefner acknowledged on cross-examination that he did not consider that SB8, as originally introduced, split 15 parishes, the same number of split parishes as in the HB1 plan, and that it did not split Avoyelles Parish. JE-11; 4/9 Tr. 86:14–23. Nor did Mr. Hefner review any of the legislative testimony regarding the amendment that introduced the split to Avoyelles Parish nor whether the split had any effect on the Black population of CD 6. 4/9 Tr. at 86:24–87:12. Mr. Fairfax was unable to agree that the parish splits in the SB8 plan and the limited analysis offered by Dr. Voss and Mr. Hefner supported a conclusion that race predominated over the preservation of parishes in the SB8 plan. 4/8 Tr. 164:11–23.

167. Mr. Hefner’s analysis of census places, which he termed “municipalities” similarly did not show that race predominated over their preservation. *Id.* at 166:4–20. The SB8 plan split 42 “municipalities” and HB 1 split 32. 4/8 Tr. 165:7–12. As Mr. Fairfax testified, “42 and 32 is

not a significant difference when you consider that you have 488 municipalities or census places” and “[o]nce again, you have a more evenly spread of splits across the plan; and the largest congressional district in the HB1 plan splits 19; in the SB 8 plan, it splits only 15.” *Id.* at 165:16–22. Dr. Voss included no evidence about the role of municipality preservation in his analysis, which misses a critical component of any analysis necessary to determining whether race predominated over other considerations in the configuration of CD6 of SB8. *Id.* at 166:9–15.

168. In terms of racial predominance and communities of interest, Mr. Hefner testified that “[a]griculture is generally going to be one of the main economic activities” defining communities of interest in many parts of Louisiana; thus, he looked at “gross domestic product” (“GDP”) in Louisiana from agriculture, which is collected by the Bureau of Economic Analysis and only available at the parish level. 4/9 Tr. 59:9–22. Mr. Hefner’s map showed 2021 GDP for forestry, agriculture, fishing and hunting at the parish level overlaid on Louisiana parishes. PE-20; 4/9 Tr. 89:19–24. On cross-examination, Mr. Hefner acknowledged that analysis of this map does not provide a basis to know whether particular communities within the parishes are more dependent on agriculture than other communities. 4/9 Tr. 90:16–22. The map also combined fishing, agriculture, forestry and hunting into a single figure, so it is not possible to determine whether the parishes in the map are dependent, for example, on forestry versus agriculture. *Id.* at 90:23–91:5. Mr. Hefner also acknowledged that his map showed total GDP, and not as a percent of GDP for the parish, so ultimately his map would not help anyone determine whether a map drew or excluded agricultural economic communities of interest together or not. PE-20; 4/9 Tr. 92:2–93:7.

169. Mr. Hefner also considered the Louisiana Regional Folklife Program areas, and how the SB 8 plan split those five regions. 4/9 Tr. 74:24–77:5, offering the opinion that because

CD 6 of SB8 split three Folklife regions, the map did not preserve communities of interest. *Id.* Yet on cross-examination, he admitted that the Louisiana Folklife map was not created for redistricting purposes, and his report offered no opinions on how many Folklife regions were split between the districts in the HB1 plan. *Id.* at 105:2–16. He thus could offer no opinion whether CD 4 and CD 5 of HB1, covering the entire northern half of the state of Louisiana, each split the same number of Folklife regions as CD6 in SB8. PE-20; 4/9 Tr. 105:10–16; 106:6–15.

170. Mr. Hefner offered an opinion that in creating CD6, the Legislature included more precincts with significant or majority-Black populations than it excluded. 4/9 Tr. 289:6–290:21. On cross-examination, Mr. Hefner conceded that every majority-Black district by definition must include more Black population than population of other racial groups. 4/9 Tr. 332:9–333:9; 334:4–14. The court does not credit Mr. Hefner’s testimony because a majority-Black district cannot be created from whole precincts that are not predominantly majority-Black in turn. Mr. Hefner’s precinct analysis thus shows nothing more than that the Legislature created a majority-Black district.

### **3. Voss**

171. Plaintiffs’ expert Dr. Stephen Voss relied on the REDIST package developed by Robinson Intervenors’ expert Dr. Cory McCartan to generate map simulations of Louisiana’s congressional districts. 4/8 Tr. 135:11–14; 162:3–6. Dr. Voss relied on these simulations to develop analyses to assess two questions: (1) is SB8 s a racial gerrymander and (2) is it possible to draw two majority-Black districts while conforming with traditional redistricting principles. *Id.* at 101:2–20. But his simulation analyses do not aid the Court in assessing these questions and Plaintiffs’ claims. 4/8 Tr. 213:15–215:9. To begin, he admitted that he is unaware of any peer-reviewed articles in his professional field about the propriety of using REDIST map simulation

techniques to assess whether a particular map is a racial gerrymander and whether such techniques have been applied in the racial gerrymandering context altogether. *Id.* at 164:8–165:4.

172. Dr. Voss offers two conclusions, (1) Louisiana’s Black population is too dispersed to comprise a compactly drawn congressional district (based on “race-neutral” simulations) and (2) it is not possible to draw two majority-Black districts (based on what he calls “race-conscious” simulations). *Id.* at 195:20–196:8. Dr. Cory McCartan, the creator of both the REDIST software and Sequential Monte Carlo, one of the main algorithms it uses, persuasively testified that these conclusions are fundamentally flawed in both design and execution. *Id.* 212:25–213:17.

**a) Dr. Voss’ “race-neutral” simulations**

173. Dr. Voss admitted that his “race-neutral” simulations were not “100 percent race-neutral because some of the things that on the surface are race neutral aren’t necessarily in practice.” *Id.* at 130:14–18.

174. As Dr. McCartan testified, the simulation analyses conducted by Dr. Voss do not and cannot show whether it is impossible to draw a second majority-Black district that complies with traditional redistricting principles. *Id.* at 196:13–23. Dr. McCartan explained that simulations are not suited to determine what is or is not possible; instead, they can demonstrate what is typical or average resulting from the simulation constraints applied. *Id.* Dr. Voss even conceded that “proving that something is impossible is not something you really can do with quantitative analysis.” *Id.* at 108:4–9.

175. Indeed, as Dr. Voss conceded, the number of potential simulations that the algorithm can generate for Louisiana’s congressional map is close to infinite. *Id.* at 151:6–10; 200:22–201:2 (In a state like Louisiana, “the number of plans that meet all those criteria is probably bigger than the number of atoms in the entire universe...you really prove impossibility”). None of

Dr. Voss' "race-neutral" analyses reflect the considerations that real mapmakers consider when drawing maps.

176. Dr. Voss conceded that his maps were not representative of "what an actual legislature may consider," but rather "representative criteria that come up with the range of maps designed to meet with the constraints" that he had chosen to program into the simulation. *Id.* at 176:18–177:2. But as Dr. McCartan testified, this is not what simulations are designed to do. The purpose of simulations are to try "to simulate what might have happened or what would have come out of a map-drawing process that followed certain criteria or constraints provided by the analyst." *Id.* at 189:4–11.

177. Dr. Voss admitted that changing the simulation constraints used (or changing the weight of existing constraints are applied) would necessarily result in different sets of maps. *Id.* at 151:23–152:11; *See id.* at 191:5–17.

178. Dr. Voss admitted that "the population tolerances required from real maps without splitting precincts," a requirement of Joint Rule 21, "may not be achievable with a simulation method" and "in many cases" may "not be feasible maps." *Id.* at 152:23–153:10.

179. Dr. Voss also conceded that balancing redistricting criteria in the real-life mapdrawing process may require tradeoffs between one criterion and another. *Id.* at 144:15–20.

180. Dr. Voss admitted that he has no understanding of how the Legislature and its mapmakers applied redistricting factors when developing SB8 and the other maps introduced during the Special Session, including how they chose to balance redistricting criteria in creating those maps. *Id.* at 144:16–147:20.

181. Dr. Voss conceded that his simulations constraints did not include most of the redistricting criteria that the Legislature outlined in Joint Rule 21, including, but not limited to, the

consideration of *any* communities of interest, except to the extent captured indirectly within his inclusion of parish splits and Metropolitan Statistical Area (“MSA”) splits simulation constraints. *Id.* at 154:5–156:23; RI-301. As just one example, his simulations, would therefore not account for communities of interest articulated by the legislators who supported SB8. *Id.* at 156:12–157:5.

182. Even Dr. Voss’ decision to include parish and MSA splits as constraints further illustrates the limited utility simulations offer to reflect information about the real-life balancing of redistricting criteria that actual mapmakers must engage in, given that mapmakers sometimes split MSAs and parishes to protect communities of interest. *Id.* at 158:2–159:1.

183. Dr. Voss’ ability to assess compactness is further limited by his decision to not include criteria such as municipal splits and following natural geographic boundaries as constraints—both of which directly affect compactness. *Id.* at 199:22–200:8; 154:5–156:23. And as Dr. McCartan testified, “if you’re missing certain factors that we know are likely to affect compactness and you’re also basing a judgment about the role of race on, for example, differences in compactness...you can’t tease out how much of this is race and how much of that is failing to include these other considerations.” *Id.* at 200:7–200:19.

184. Dr. Voss’ failure to include certain criteria that affect compactness render the simulations a “much less useful benchmark or comparator against SB8.” 4/8 Tr. 218:20–219:4.

185. Dr. Voss’ simulations do not reflect many other factors that the Legislature may have considered in crafting SB8 beyond Joint Rule 21, such as socioeconomic and educational differences between populations or political considerations made by the Legislature. *Id.* at 160:18–161:11; 193:6–194:23.

186. Moreover, the simulation constraints that Dr. Voss did apply are not instructive in determining whether race predominated or whether two majority-Black districts are possible.

187. As Dr. McCartan demonstrated, while Dr. Voss did apply compactness pressure as a simulation constraint, the degree to which he applied that compactness pressure resulted in simulated plans that were far more compact than any of the maps that the Legislature enacted. *Id.* at 202:4–203:6; RI-302.

188. As a result of these errors, his simulations do not provide a useful benchmark or comparator against SB8. *Id.* at 200:11–21; 198:9–24 (“[T]he simulations are useful for answering a question on the role of race only to the extent that the difference between the enacted and the submitted plans only involve race. Other factors are also changing, then it can’t be sure whether the differences are because of racial differences or whether they’re because of these other factors.”).

189. Similarly, Dr. Voss’ application of a parish split constraint does not reflect choices that actual mapmakers have historically made about parish splits in creating Louisiana maps. *Id.* at 203:21–205:13; RI-303. The degree to which Dr. Voss applied this parish constraint resulted in most of his map simulations containing either more than 29 splits or fewer than five splits. *Id.* at 205:19–206:3; RI-303. Dr. Voss admitted that neither of these ranges reflect the ranges of parish splits in prior redistricting plans considered or enacted by the Legislature. *Id.* at 161:24–162:14; RI-303; RI-306.

190. As Dr. McCartan explained, comparing Dr. Voss’ simulations to SB8 is “not an apples-to-apples comparison” because his simulations do not account for the relevant redistricting criteria and factors that the Legislature considered during the map drawing process. *Id.* at 216:21–217:3; 176:24–177:25; 222:2–224:20; RI-301. Therefore, the conclusions he draws from those “race-neutral” simulations are not useful for assessing the question he seeks to answer.

**b) Dr. Voss’ “race-conscious” simulations**

191. Dr. Voss claims he also conducted “race-conscious” simulations. *Id.* at 169:5–22. Dr. Voss admitted that the analyses he utilized in these “race-conscious” simulations have not been peer reviewed nor ever used by any legislature. *Id.* at 171:4–16.

192. Because Dr. Voss’ “race-conscious” simulations do not accurately incorporate racial information, they cannot determine whether it is impossible to draw two majority-Black districts while adhering to traditional redistricting principles. *Id.* at 196:4–7; 196:24–197:12 (“There’s a very big difference between saying that a simulation that uses a tiny bit of racial information doesn’t produce black districts, and then extrapolating from there to say that if you produce two black districts, it must be racial gerrymandering.”)

193. As Dr. McCartan explained, while some of Dr. Voss’ analyses include “some racial information,” in “some cases the amount of racial information provided is basically zero”. *Id.* at 206:9–17. Three of Dr. Voss’ “race-conscious” simulations “use the same overall strategy” to define the majority-Black precincts in the state and then “instruct the algorithm to avoid splitting those more than once or twice.” *Id.* at 206:21–207:4; RI-306 (Simulations 4, 5, and 6).

194. For example, in Simulations 5–1 and 5–2, Dr. Voss attempts to assign all the majority-Black precincts in the state to the *same* district. But it is impossible to put all majority-Black precincts of Louisiana in the same district. Even putting that impracticality aside, the way Dr. Voss put that instruction into the algorithm “meant that if you couldn’t satisfy that constraint” the constraint was then “turned off.” *Id.* at 207:4–19; RI-306 (Simulations 5–1 and 5–2). Thus, the set of statewide Black population simulations “functionally had very little, if any, racial information.” *Id.* at 207:19–21.

195. Similarly, in Simulations 4 and 6, Dr. Voss designed the simulations to discourage certain groups of parishes from being split. But as Dr. McCartan testified, “[t]he only way racial



information possibly enters is in how these groupings are defined.” And again, once the groupings are violated more than twice, that encouragement was turned off. *Id.* at 207:22–208:3; RI-306 (Simulations 4 and 6).

196. These simulations are “race-conscious” in name only. *Id.* at 227:5–228:1. Due to their flawed design, which resulted in the racial constraints being disregarded early in the process, Dr. Voss’ constraints had little to no effect on the BVAP share of the resulting simulated plans, evident from his own tables. *Id.* at 208:4–23; 225:9–228:1; RI-304 (showing effect of simulated plans on BVAP share); RI-306.

197. As his final “race-conscious” analysis, Dr. Voss claimed he “protect[ed] enacted cores” or tried to “avoid breaking apart” the two majority-Black districts in SB8. *Id.* at 130:24–132:11. Dr. Voss testified that these simulations designed to “protect enacted cores” best encapsulated his conclusions, rather than the other analyses. *Id.* at 138:17–139:26; 211:15–21; RI-306 (Simulation 7–1).

198. The purpose of this simulation is to “encourage” core protection in the areas where the districts are being drawn “with the intention of being majority-Black.” *Id.* at 245:16–246:7. .

199. Dr. Voss professed to use the method “that Professor McCartan’s team had used” to encourage core protection. *Id.* at 131:11–14. But Dr. McCartan testified that Dr. Voss’ simulations did not, in fact, encourage protection of cores, because again, Dr. Voss did not properly conduct the simulation. At a base level, Dr. Voss defined no cores within the district and did not even instruct the algorithm to even “try to keep those regions together” in the two majority-Black districts. *Id.* at 245:4–246:7; 209:7–23; RI-305 (demonstrating lack of defined core areas).

200. Dr. Voss' failure to define any core demonstrates that the simulations did not use any, if at all, racial information, rendering his analyses useless. *Id.* at 211:22–12; 232:11–233:17; 267:12–19.

201. Based on the design and execution flaws in Dr. Voss' analyses, this Court should not credit his testimony that (1) Louisiana's Black population is too dispersed to comprise a compactly drawn congressional district and (2) it is not possible to draw two majority-Black congressional districts.

**c) ALARM Project**

202. Dr. Cory McCartan helped lead the ALARM project, an academic research project designed to evaluate the impact of partisan considerations on congressional maps in 50 states, including Louisiana. *Id.* at 242:21–244:5.

203. The ALARM project was not designed to test whether two majority-Black districts could be created in Louisiana consistent with traditional redistricting principles. *Id.* at 244:6–14.

204. The simulations of the ALARM project were constrained to recreate the same number of majority-minority districts as existed in the State's existing congressional plan, which when the research was conducted was one. *Id.*

205. Even with the constraint to draw the same number of majority-minority districts as existed in the State's congressional plan, Dr. McCartan testified that the simulation sometimes produced two majority-minority districts. *Id.* at 237:2–8.

**VIII. SB8 Was Enacted to Further the State’s Compelling Interest in Complying with Section 2 of the VRA**

**A. The evidence available to the Legislature supports the conclusion that a second majority-Black district was required by Section 2 of the VRA.**

206. The Legislature properly relied on the *Robinson* decisions in concluding that they were required to draw two majority-Black districts. *See supra* ¶¶ 117–21.

207. Senator Womack stated on the record that he had reviewed performance data online and SB8 “does perform very well,” JE-31 at 6–7. In response to questions from legislators about performance, Senator Womack also explained that he had seen partisan performance analysis that showed that CD6 would reliably elect Democrats and that the performance “appears to be positive for the minority district.” JE-29 at 6. Other legislators, like House and Governmental Affairs Vice Chair Rodney Lyons, confirmed their confidence that SB8 performed for Black voters. JE-31 at 5–6. Senator Duplessis testified that he reviewed “information” and “data” including voter registration and racial demographic data to determine that SB8 would allow Black voters the opportunity to elect their candidate of choice. 4/10 Tr. 524:3–17, 527:22–528:10, 529:11–530:8; *see also* JE-11.

208. Both Governor Landry and Attorney General Murrill advised members of the Legislature that despite their intensive efforts to defend the map enacted in 2022, passing a new map was a necessary step forward to dispose of the *Robinson* litigation. *See supra* ¶¶ 93–116. The Legislature had reason to believe their advice, as the two lead attorneys defending the map as the former and current Attorney General.

209. In addition to the guidance of the Governor and Attorney General, legislators also received briefing on the requirements of redistricting and the Voting Rights Act from well-experienced committee staff. *See* JE-28 at 3–11; *see also* 4/10 Tr. Tr. 62:22–63:11.

210. Legislators believed that the VRA required a second majority Black district. 4/9 Tr. 368:20–24. Senator Duplessis testified that his understanding of the *Robinson* litigation was the court held that a map with two majority-Black districts was required by the VRA. 4/10 Tr. 536:18–537:11. Senator Alan Seabaugh testified that he understood that Judge Dick has ordered a map with a second majority-minority district. 4/8 Tr. 47:22–48:1. Senator Thomas Pressly testified to his understanding that the court has ordered the Legislature to draw a congressional map with two Black majority districts. *Id.* at 81:17–82:1.

211. Senator Duplessis believed that SB8 would comply with the Voting Rights Act and his belief was informed in part by his prior experience as the Vice Chair of the House and Governmental Affairs Committee and his “understanding of what [he] was able to learn about the Voting Rights Act [and] what was required under Section 2.” 4/10 Tr. 529:11–530:8.

212. As Senator Duplessis explained, the Legislature, which had failed to pass maps with two majority-Black districts during the two previous redistricting sessions in January and June 2022, finally accepted that it had to “come to the end of the road,” and that the *Robinson* litigation had “basically forced members who previously did not support [maps with two majority-Black districts], and may not still want to see that,” to realize that “we had to comply with the Voting Rights Act.” *Id.* at 528:10–529:6. The Court credits Senator Duplessis’ testimony given his prior experience as Vice Chair of the House and Governmental Affairs Committee and throughout the 2020 redistricting cycle.

213. Legislators also received letters from civil rights organizations and the *Robinson* plaintiffs reiterating the findings of the *Robinson* courts and establishing that the Legislature must pass a new map with two majority-Black districts to remedy the Voting Rights Act violation. *See generally* RI-275; RI-276. Counsel for the *Robinson* plaintiffs and Intervenor-Defendants also

directly briefed legislators on elements of the cases and application to bills presented during the January 2024 session. *See* JE-36 at 4; *see also* JE-31 at 17–21.

214. Plaintiffs’ contention that the State was unable to put on its full case in the litigation, 4/8 Tr. 14:16–17, ignores the extensive evidentiary record in the case as reflected in Judge Dick’s decision and contrary to the statements by the Governor and the State Attorney General that the State had come to the end of the road in the litigation.

215. Plaintiffs put on no evidence in this case about the State’s litigation strategy in the *Robinson* litigation, or any evidence showing what, if anything, the State could have presented in that case that it did not. Indeed, the State successfully objected to the *Robinson* Intervenor’s request to put the record in the *Robinson* case in the record here.

**IX. SB8 is Narrowly Tailored to Achieve the Compelling State Interest in Complying with the VRA**

**A. SB8 does not take account of race more than necessary to comply with the VRA**

216. SB8 includes two majority-Black districts, and the BVAP in both such districts is only slightly above 50 percent and remaining less than 55 percent. *See* JE-15.

217. SB8 as enacted reflects only one amendment made during the legislative process. The amendment, supported by Senator Heather Cloud, was adopted for the express non-racial purpose of moving her constituents into Representative Letlow’s district. *See* R42; *see also* JE-29 at 5–6; 4/10 Tr. 564:13–564:21. The amendment added a single parish split, bringing the total to sixteen (one more than the map enacted in 2022). *Id.*

218. The second proposed amendment to SB8 was adopted in committee but removed in a floor vote. *See* RI-45; RI-46. Specifically, the Committee for House and Governmental Affairs voted to adopt an amendment offered by Representative Farnum. RI-45; *see also* JE-31 at 9–21; 4/10 Tr. 571:10–575:20.. While Representative Farnum represented that his intention for the

amendment was to keep Calcasieu Parish whole, he admitted that other legislators, including Senator Carter, were involved in negotiations regarding additional changes that would have increased the BVAP in Districts 2 and 6, resulting in multiple splits of East Baton Rouge Parish. *Id.*

219. *Robinson* Plaintiff Commissioner Davante Lewis actively lobbied against the amendment because of his perception that it was “a direct push by some to make both districts Blacker.” 4/10 Tr. 574:4–575:20. Commissioner Lewis reached out to “just about every member” that he “personally knew or could” as well as members of the Governor’s staff in opposition to the Amendment. *Id.*

220. The House of Representatives voted to remove the Farnum Amendment from SB8 on the House Floor in a resounding bipartisan vote, 84–16, before advancing SB8 for final passage. *See* RI-46; RI-35; *see also* JE-33 at 3. The earlier amendment supported by Senator Cloud was thus the only alteration to SB8 upon final passage as compared to the original version of the bill filed.

221. As discussed above, the fact that SB8 is not as compact as other alternatives and that it splits more parishes was driven by political, not racial, reasons.

**B. Demographic conditions have changed since the *Hays* litigation**

222. Since the *Hays* litigation, the demographic conditions have changed such that a Red River map is feasible consistent with traditional redistricting principles.

223. There has been an increase in the Black population in Louisiana since the 1990s, and since Hurricane Katrina, the State’s Black population has shifted out of the New Orleans area into other areas of the state. 4/9 Tr. 339:7–340:15; *Id.* at 392:13–393:20.; *see also Robinson I*, 605 F. Supp. 3d at 834 (“By every measure, the Black population in Louisiana has increased significantly since the 1990 census that informed the *Hays* map.”).

224. Plaintiffs' own demographer conceded that in population SB8 is not a carbon copy of the *Hays* map. 4/9 Tr. 308:5–9 (Mr. Hefner testifying that SB8 CD 6 only shares 70% of the same population as the district struck down in *Hays*).

**X. Plaintiffs have not established that SB 8 has a discriminatory effect or was enacted with a discriminatory purpose**

225. Plaintiffs did not testify at trial. The only information about Plaintiffs in the trial record is the agreed upon stipulated facts which does not include their racial identification. PE-39. Plaintiffs cannot without a racial identification assert they were discriminated against on account of their race.

226. Plaintiffs did not put on any evidence of discriminatory effect. Plaintiffs did not put on any evidence to show that their voting potential is minimized or cancelled out or that their political strength has been adversely affected. The evidence at trial was contrary that Plaintiffs living in North Louisiana could benefit from having two congressional representatives. Mayor Glover testified that “it was necessary to ensure that we ended up with a fair and balanced representation throughout the State, but especially, if possible, through—for Northwest Louisiana. The idea of ending up with a set of circumstances where you could have two members of congress, based from this area, ending up representing not just a fair distribution of congressional districts throughout the State, but an opportunity to be able to really elevate and advance this particular region.” 4/9 Tr. 459:19–460:6.

227. Further Plaintiffs put on no evidence that bloc voting occurs along racial lines; that the Plaintiffs' group is excluded from the political process; that voter registration is low among the Plaintiffs' group; that elected officials are unresponsive to the needs of the group; nor that the group occupies depressed socioeconomic status because of inferior education or employment and housing discrimination.

228. Last, Plaintiffs fail to establish that the act was taken in part to discriminate against their group. The decision to enact SB8 was to meet the requirements of the district court and the Fifth Circuit and for political reasons. *See supra*. The procedure followed was that of a special session which is necessary for mid-cycle redistricting.



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Respectfully submitted,

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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**PHILLIP CALLAIS, ET AL**

**CIVIL DOCKET NO. 3:24-CV-00122  
DCJ-CES-RRS**

**VERSUS**

**THREE-JUDGE COURT**

**NANCY LANDRY, in her official  
capacity as Louisiana Secretary of  
State**

**INJUNCTION AND REASONS FOR JUDGMENT**

*Opinion of the Court by David C. Joseph and Robert R. Summerhays, District Judges.*

The present case involves a challenge to the current congressional redistricting map enacted in Louisiana on the grounds that one of the congressional districts created by the Louisiana State Legislature — District 6 — is an impermissible racial gerrymander in violation of the Equal Protection Clause of the Fourteenth Amendment. This challenge reflects the tension between Section 2 of the Voting Rights Act and the Equal Protection Clause. The Voting Rights Act protects minority voters against dilution resulting from redistricting maps that “crack” or “pack” a large and “geographically compact” minority population. On the other hand, the Equal Protection Clause applies strict scrutiny to redistricting that is grounded predominately on race.

The challenged Louisiana redistricting scheme originated in response to litigation brought under Section 2 of the Voting Rights Act in a separate suit filed in the United States District Court for the Middle District of Louisiana, challenging Louisiana’s prior redistricting scheme under Section 2 of the Voting Rights Act.

*Robinson, et al v. Ardoin*, No. 3:22-cv-211; consolidated with *Galmon et al v. Ardoin*, No. 3:22-cv-214 (M.D. La.) (“*Robinson* Docket”). There, the district court concluded that the *Robinson* plaintiffs were likely to succeed on the merits of their claim that Louisiana’s prior redistricting plan violated Section 2 of the Voting Rights Act. In response, the Legislature adopted the present redistricting map (created by Senate Bill 8) (“SB8”), which established a second majority–Black congressional district to resolve the *Robinson* litigation. The plaintiffs here then filed the present case challenging this new congressional map on the grounds that the second majority–Black district created by the Legislature violates the Equal Protection Clause.

This matter was tried before the three-judge panel from April 8-10, 2024. Having considered the testimony and evidence at trial, the arguments of counsel, and the applicable law, we conclude that District 6 of SB8 violates the Equal Protection Clause. Accordingly, the State is enjoined from using SB8 in any future elections. The Court’s Opinion below constitutes its findings of fact and conclusions of law. The Court sets a status conference with all parties to discuss the appropriate remedy.

## I. PROCEDURAL AND HISTORICAL BACKGROUND

### A. The *Hays* Litigation

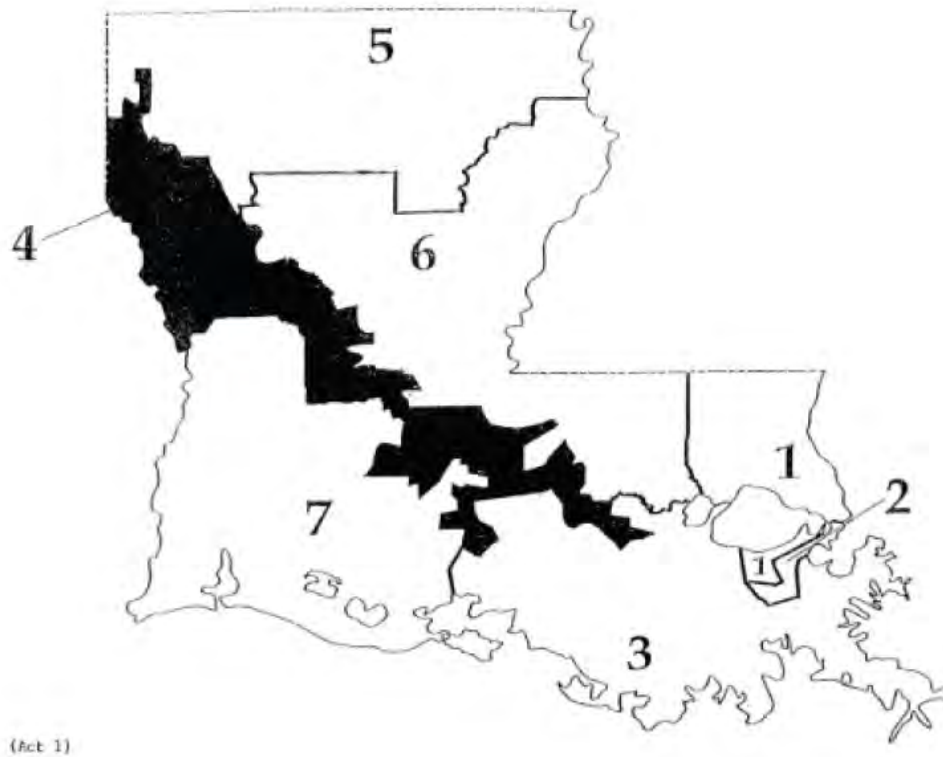
“Those that fail to learn from history are doomed to repeat it.”  
- Winston Churchill

Following the 1990 census, the Louisiana State Legislature (the “Legislature”) enacted Act 42 of 1992, which created a new congressional voting map. Prior to the Act 42 map, Louisiana had seven congressional districts, one of which included a majority-Black voting population. Act 42 created a second majority-Black district.

The existing majority-Black district encircled New Orleans, and the other, new one, “[l]ike the fictional swordsman Zorro, when making his signature mark, ... slash[ed] a giant but somewhat shaky ‘Z’ across the state.” *Hays v. State of La.*, 839 F. Supp. 1188, 1199 (W.D. La. 1993), *vacated sub nom. Louisiana v. Hays*, 512 U.S. 1230, 114 S. Ct. 2731, 129 L.Ed.2d 853 (1994) (“*Hays I*”).

Several voters challenged the scheme. After a trial, a three-judge panel of the Western District of Louisiana concluded that Act 42’s plan violated the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution, and accordingly enjoined the use of that plan in any future elections. *Id.* In 1993, while an appeal of the district court’s findings in *Hays I* was pending before the Supreme Court of the United States, the Legislature repealed Act 42 and passed Act 1, creating a new map. *Hays v. State of La.*, 862 F. Supp. 119, 125 (W.D. La. 1994), *aff’d sub nom. St. Cyr v. Hays*, 513 U.S. 1054, 115 S. Ct. 687, 130 L.Ed.2d 595 (1994), *and vacated sub nom. United States v. Hays*, 515 U.S. 737, 115 S. Ct. 2431, 132 L.Ed.2d 635 (1995) (“*Hays II*”).

The 1993 map, like the 1992 map, had two majority-African American districts. *Id.* One encircled New Orleans, while the other was long and narrow and slashed 250 miles in a southeasterly direction from Shreveport down to Baton Rouge. This district was described as resembling “an inkblot which has spread indiscriminately across the Louisiana map.” *Id.*



PE22 (Map from *Hays II*).

The Supreme Court vacated *Hays I* and remanded the case for further proceedings in light of the passage of Act 1. *See Louisiana v. Hays*, 512 U.S. 1230, 114 S. Ct. 2731, 129 L.Ed.2d 853 (1994). The panel of our colleagues making up that three-judge court determined that the Legislature had once again allowed race to be predominant in the map's creation and declared Act 1 unconstitutional. *Hays II* at 121. The case was again appealed to the Supreme Court. Without addressing the merits of the case, the Supreme Court determined that the plaintiffs lacked standing to challenge Act 1 as they did not reside in the challenged district. *United States v. Hays*, 515 U.S. 737, 115 S. Ct. 2431, 132 L.Ed.2d 635 (1995).

On remand, the three-judge panel permitted an amended complaint to address the standing issue. The court then reiterated its findings from *Hays II* that Act 1

constituted a racial gerrymander and was not narrowly tailored to further a compelling state interest. The court therefore found that Act 1 violated the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution and ordered the state to implement a redistricting plan drawn by the court. *Hays v. Louisiana*, 936 F. Supp. 360 (W.D. La. 1996) (“*Hays III*”).

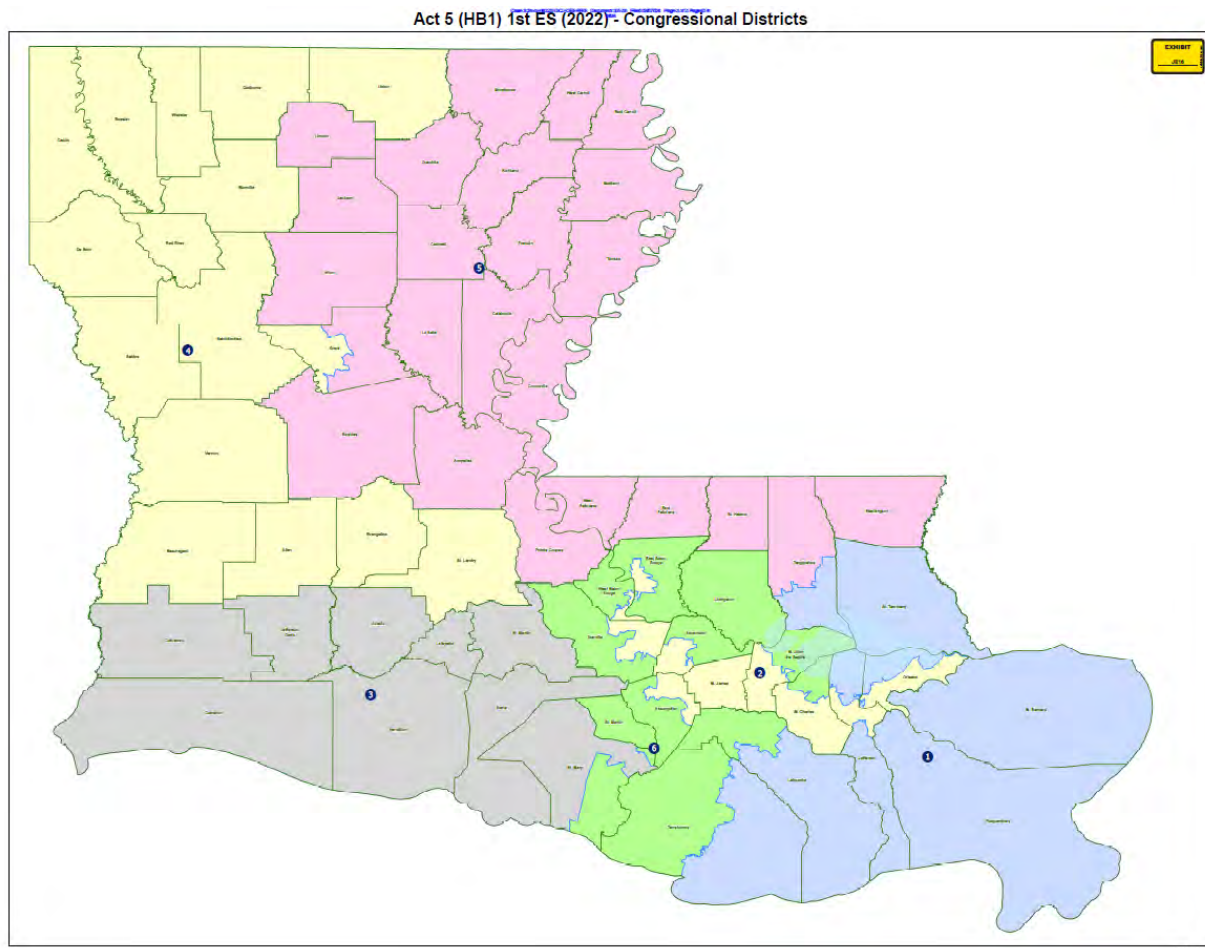
**B. 2020 Census and Events Leading up to the *Robinson* Litigation**

Based on the 2020 Census, Louisiana’s population stood at 4,657,757 with a voting-age population of 3,570,548. JE6; JE15. As a result, the state qualified for six congressional districts — one less district than it had during the *Hays* litigation, but the same number it was allotted after the 2010 Census. JE15. Prior to the start of the legislative session on redistricting, members of the Legislature traveled across the state conducting public hearings, called “roadshows,” to give the public the opportunity to voice their views on the redistricting process. *See* JE-3; *see also* Tr., Vol. III, 513:14–514:17. The roadshows were “designed to share information about redistricting and solicit public comment and testimony.” *Robinson v. Ardoin*, 605 F.Supp.3d 759, 767 (M.D. La. 2022), *cert. granted before judgment*, 142 S. Ct. 2892, 213 L.Ed.2d 1107 (2022), *and cert. dismissed as improvidently granted*, 143 S. Ct. 2654, 216 L.Ed.2d 1233 (2023), *and vacated and remanded*, 86 F.4th 574 (5th Cir. 2023) (“*Robinson* Injunction Ruling”).

The Louisiana Senate Governmental Affairs and House Governmental Affairs conducted ten hearings as part of the roadshow across the state. Tr., Vol. II, 476:18–25; Tr., Vol. III, 513:18–514:7. These hearings allowed citizens to testify on their redistricting preferences. *Id.* Senator Royce Duplessis, who served as Vice Chair of

the House and Governmental Affairs Committee at the time, attended the roadshows and testified that “the purpose of the road shows was to give the public the opportunity to share their thoughts and what they wanted to see in redistricting.” Tr., Vol. III, 514:8–17.

Louisiana ultimately enacted a new congressional map, created by House Bill 1 (“HB1”), on March 31, 2022. JE1. As with Louisiana’s prior congressional map, HB1 had one majority-Black district. Louisiana Governor John Bel Edwards vetoed HB1, but the Legislature overrode that veto. *Robinson Injunction Ruling at 767*.





### C. The *Robinson* Litigation

On the same day that HB1 was enacted, a group of plaintiffs led by Press Robinson<sup>1</sup> (the “*Robinson* Plaintiffs”), and a second group of plaintiffs led by Edward Galmon, Sr.<sup>2</sup> (the “*Galmon* Plaintiffs”), filed suit against the Louisiana Secretary of State in the United States District Court for the Middle District of Louisiana. *Robinson* Injunction Ruling at 768. The Middle District consolidated the *Robinson* and *Galmon* suits and allowed intervention by the President of the Louisiana State Senate, the Speaker of the Louisiana House of Representatives, and the Louisiana Attorney General. *Id.* at 768-69.

The *Robinson* and *Galmon* Plaintiffs alleged that the congressional map created by HB1 diluted the votes of Black Louisianians in violation of Section 2 of the Voting Rights Act of 1965, 52 U.S.C. § 10301. *Robinson* Injunction Ruling at 768. This dilution was purportedly accomplished through “‘packing’ large numbers of Black voters into a single majority-Black congressional district...and ‘cracking’ the remaining Black voters among the other five districts...to ensure they [would be] unable to participate equally in the electoral process.” *Id.* at 768. Both sets of plaintiffs sought a preliminary injunction that would prohibit the Secretary of State from using the HB1 map in the 2022 congressional elections, give the Legislature a deadline to enact a map that complied with the Voting Rights Act, and order the use

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<sup>1</sup> Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, National Association for the Advancement of Colored People (“NAACP”) Louisiana State Conference, and Power Coalition for Equity and Justice.

<sup>2</sup> Edward Galmon, Sr., Ciara Hart, Norris Henderson, and Tramelle Howard.

of a map proposed by the plaintiffs in the event the Legislature failed to enact a compliant map. *Id.* at 769.

The Middle District held an evidentiary hearing in the *Robinson* matter, beginning May 9, 2022. *Robinson* Injunction Ruling at 769. On June 6, 2022, the court issued a preliminary injunction finding that the *Robinson* and *Galmon* Plaintiffs were likely to prevail on their Section 2 vote dilution claims. *Id.* at 851-52. The Middle District further determined that a new compliant voting map could be drawn without disrupting the 2022 election. *Id.* at 856.

Accordingly, the Middle District entered an order enjoining the Secretary of State from conducting elections using the HB1 map, ordered the Legislature to enact a new voting map that included a second majority-Black voting district by June 20, 2022, and stayed the state's nominating petition deadline until July 8, 2022. *Robinson* Injunction Ruling at 858. In the event the Legislature failed to enact a new map before the deadline, the Middle District set an evidentiary hearing for June 29, 2022, regarding which map should be used in its place. *Robinson* Docket, [Doc. 206].

On June 9, 2022, the Middle District denied a motion to stay the injunction pending appeal. *Robinson v. Ardoin*, No. CV 22-211-SDD-SDJ, 2022 WL 2092551 (M.D. La. June 9, 2022). While the United States Court of Appeals for the Fifth Circuit initially stayed the injunction review on the same day, *Robinson v. Ardoin*, No. 22-30333, 2022 WL 2092862 (5th Cir. June 9, 2022), it vacated the stay a few days later. *Robinson v. Ardoin*, 37 F.4th 208, 232 (5th Cir. 2022). On June 28, 2022, the Supreme Court of the United States again stayed the Middle District's injunction. *Ardoin v. Robinson*, 142 S. Ct. 2892, 213 L.Ed.2d 1107 (2022). On June 26, 2023,

after the Supreme Court issued its decision in *Alabama v Milligan*, 599 U.S. 1, 143 S. Ct. 1487, 216 L.Ed.2d 60 (2023), the court vacated the stay in *Robinson* as improvidently granted, allowing review of the matter to continue before the Fifth Circuit. *Ardoin v. Robinson*, 143 S. Ct. 2654, 216 L.Ed.2d 1233 (2023).

In response to the Supreme Court's action in vacating the stay, the Middle District reset the remedial evidentiary hearing to begin October 3, 2023. *Robinson* Docket, [Doc. 250]. The Louisiana Attorney General sought mandamus from the Fifth Circuit, which vacated the evidentiary hearing. *In re Landry*, 83 F.4th 300, 308 (5th Cir. 2023).

On November 10, 2023, the Fifth Circuit issued its decision on the Secretary of State's appeal of the Middle District's preliminary injunction. *Robinson v. Ardoin*, 86 F.4th 574 (5th Cir. 2023) ("*Robinson* Appeal Ruling"). Although noting that the *Robinson* Plaintiffs' arguments were "not without weaknesses," the Circuit Court found no clear error with the Middle District's factual findings, nor with its conclusion that the HB1 map likely violated Section 2, and held that the preliminary injunction was valid when it was issued. *Robinson* Appeal Ruling at 599. However, because the 2022 election had already occurred and because the Legislature had time to enact a new map without disrupting the 2024 election, the Fifth Circuit concluded that the district court's preliminary injunction was no longer necessary. *Id.* Accordingly, the Fifth Circuit vacated the injunction to give the Legislature the opportunity, if it desired, to enact a new redistricting plan before January 15, 2024. *Id.* at 601. The Fifth Circuit opinion did not provide any parameters or specific direction as to how the Legislature was to accomplish this task. *Id.* If no new re-districting plan was

enacted before January 15, 2024, the Fifth Circuit directed the district court, “to conduct a trial and any other necessary proceedings to decide the validity of the HB1 map, and, if necessary, to adopt a different districting plan for the 2024 elections.” *Id.*

The Middle District thereafter set a remedial evidentiary hearing for February 5, 2024. Prior to that date, and as detailed below, the Legislature enacted SB8, creating a new congressional districting map. Upon notice of SB8’s enactment, the Middle District cancelled the remedial hearing. *Robinson* Docket, [Doc. 343].

#### **D. Legislative Response**

Among the first actions of newly inaugurated Governor Jeff Landry was to call the 2024 First Extraordinary Session on Monday, January 8, 2024 (the “Special Session”). JE8. This call directed the Legislature to, among other things, “legislate relative to the redistricting of the Congressional districts of Louisiana.” *Id.* On the first day of the Special Session, Governor Landry addressed the joint chambers. After detailing his extensive efforts in *Robinson* to defend the congressional map enacted in 2022, he stated: “we have exhausted all legal remedies and we have labored with this issue for far too long.” JE35 at 11. “[N]ow, once and for all,” he continued, “I think it’s time that we put this to bed. Let us make the necessary adjustments to heed the instructions of the court. Take the pen out of the hand of a non-elected judge and place it in your hands. In the hands of the people. It’s really that simple. I would beg you, help me make this a reality in this special session, for this special purpose, on this special day.” *Id.*

The product of the Special Session was SB8, which was passed on January 22, 2024. JE10. The Court has reviewed the entire legislative record, including the January 15 Joint Session, the January 15 House and Governmental Affairs Committee hearing, the January 16 Senate and Governmental Affairs Committee hearing, the January 17 Senate floor debate, the January 17 House and Governmental Affairs Committee hearing, the January 18 House floor hearing, the January 18 House and Governmental Affairs Committee hearing, the January 19 House of Representatives floor debate, and the January 19 Senate floor debate. PE23-29. Numerous comments during the Special Session highlight the intent of the Legislature in passing SB8.

Senator Glen Womack, the Senate sponsor of SB8, stated at the legislative session that redistricting must occur because of the litigation occurring in the Middle District of Louisiana. PE41, at 18. Specifically because of that litigation, Senator Womack opined that “we had to draw two majority minority districts.” PE41, at 20. Later in the Special Session, Senator Womack, in addressing the odd shape of SB8’s District 6 (shown below), admitted that creating two majority-Black districts is “the reason why District 2 is drawn around the Orleans Parish and why District 6 includes the Black population of East Baton Rouge Parish and travels up I-49 corridor to include Black population in Shreveport.” PE41, at 26. Senator Womack also professed: “we all know why we’re here. We were ordered to draw a new black district, and that’s what I’ve done.” JE31, 121:21-22

Likewise, in the House of Representatives, Representative Beau Beaulieu was asked during his presentation of SB8 by Representative Beryl Amedee, “is this bill

intended to create another Black district?” and Representative Beaulieu responded, “yes, ma’am, and to comply with the judge’s order.” JE33, 9:3-8. . Representative Josh Carlson stated, even in his support of SB8, that “the overarching argument that I’ve heard from nearly everyone over the last four days has been race first” and that “race seems to be, at least based on the conversations, the driving force” behind the redistricting plan. *Id.* at 97:18-19, 21-24.

But, Representative Carlson acknowledged that racial integration made drawing a second majority-Black district difficult:

And so the reason why this is so difficult is because we are moving in the right direction. We don't have concentrated populations of – of certain minorities or populations of white folks in certain areas. It is spread out throughout the state. Compared to Alabama, Alabama has 17 counties that are minority-majority, and they’re all contiguous. Louisiana has seven parishes that are minority-majority and only three are contiguous. That’s why this process is so difficult, but here we are without any other options to move forward.

*Id.* at 98:2-12.

Representative Rodney Lyons, Vice Chairman of the House and Governmental Affairs Committee, stated that the “mission that we have here is that we have to create two majority-Black districts.” JE31, 75:24-76:1. Senator Jay Morris also remarked that “[i]t looks to me we primarily considered race.” JE34, 7:2-3. Senator Gary Carter went on to express his support for SB8 and read a statement from Congressman Troy Carter on the Senate floor:

My dear friends and colleagues, as I said on the steps of the capital, I will work with anyone who wants to create two majority-minority districts. I am not married to any one map. I have worked tirelessly to help create two majority-minority districts that perform. That’s how I know that there may be better ways to create – to craft both of these districts. There are multiple maps that haven’t been reviewed at all.

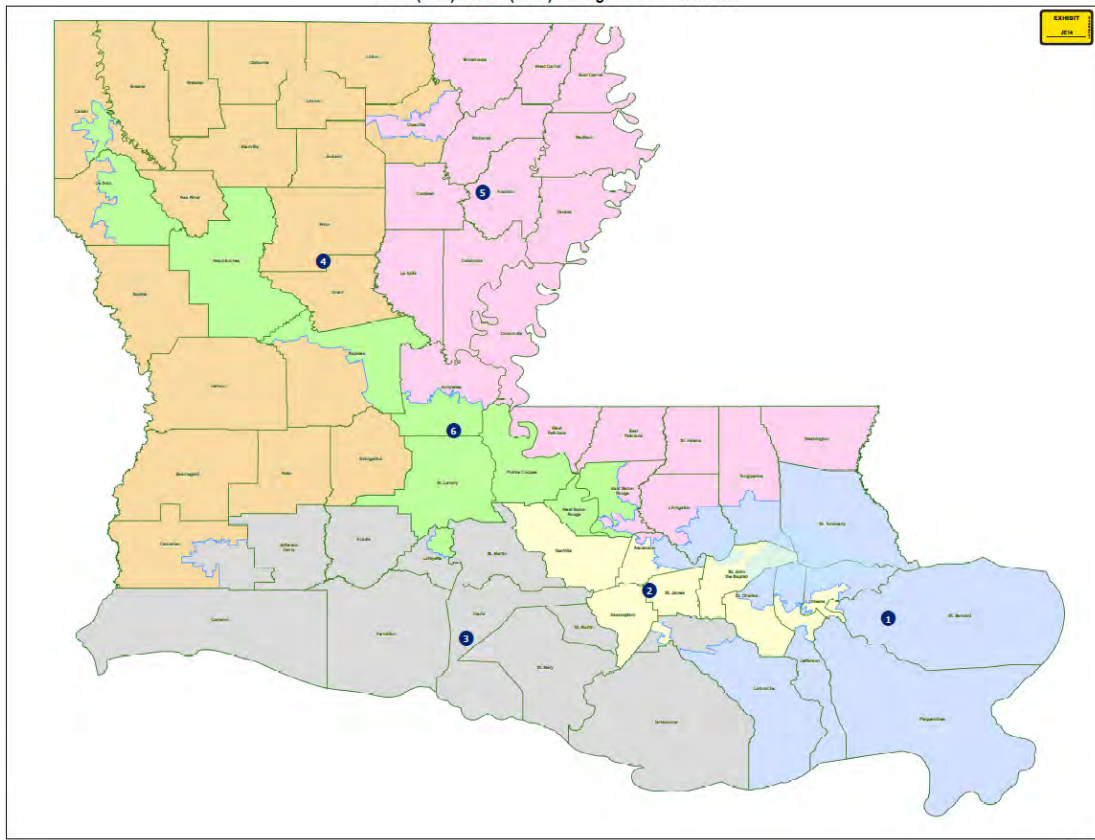
However, the Womack map creates two majority-minority districts, and therefore I am supportive of it. And I urge my former colleagues and friends to vote for it while trying to make both districts stronger with appropriate amendment. We do not want to jeopardize this rare opportunity to give African American voters the equal representation they rightly deserve.

JE30, 16:10-25.

Louisiana Attorney General Murrill also gave the legislators advice during the Special Session. She told them that the 2022 enacted map, HB1, was a defensible and lawful map. JE28, 36:24-37:1. She stated, “I am defending that map, and so you won’t hear me say that I believe that that map violated the redistricting criteria,” *Id.* at 42:23, and “I am defending it now.” *Id.* at 46:3-4. She further declared “I am defending what I believe to have been a defensible map.” *Id.* at 53:2. She also informed legislators that the *Robinson* litigation had not led to a fair or reliable result. *Id.* at 61:20-62:12, 62:24-63:3, 63:6-17.

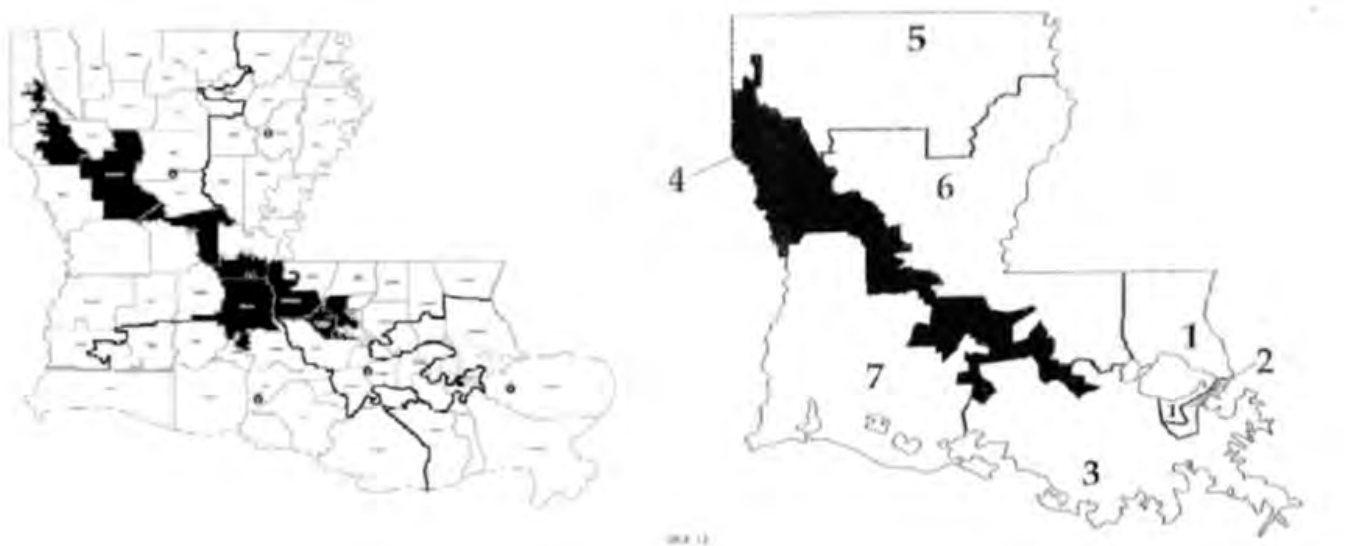
SB8 was the only congressional map to advance out of committee and through the legislative process. The map was passed on Friday, January 19, 2024, and signed by the Governor as Act 2 on January 22, 2024. JE10. SB8’s second majority-minority district, District 6, stretches some 250 miles from Shreveport in the northwest corner of the state to Baton Rouge in southeast Louisiana, slicing through metropolitan areas to scoop up pockets of predominantly Black populations from Shreveport, Alexandria, Lafayette, and Baton Rouge. The figure below, which shows the map enacted by SB8, demonstrates the highly irregular shape of Congressional District 6.





PE14.

When converted to a black and white map and placed next to the *Hays II* map, the similarities of the two maps become obvious.



Black and White Version of PE14 (left) and PE22 (right).



### **E. The Parties and Their Claims**

The Plaintiffs, Philip Callais, Lloyd Price, Bruce Odell, Elizabeth Ersoff, Albert Caissie, Daniel Weir, Joyce LaCour, Candy Carroll Peavy, Tanya Whitney, Mike Johnson, Grover Joseph Rees, and Rolfe McCollister, challenge SB8. [Doc. 156]. Plaintiff Philip Callais is a registered voter of District 6. *Id.* Plaintiff Albert Caissie, Jr. is a registered voter of District 5. *Id.* Plaintiff Elizabeth Ersoff is a registered voter of District 6. *Id.* Plaintiff Grover Joseph Rees is a registered voter of District 6. *Id.* Plaintiff Lloyd Price is a registered voter of District 6. *Id.* Plaintiff Rolfe McCollister is a registered voter of District 5. *Id.* Plaintiff Candy Carroll Peavy is a registered voter of District 4. *Id.* Plaintiff Mike Johnson is a registered voter of District 4. *Id.* Plaintiff Bruce Odell is a registered voter of District 3. *Id.* Plaintiff Joyce LaCour is a registered voter of District 2. *Id.* Plaintiff Tanya Whitney is a registered voter of in District 1. *Id.* Plaintiff Danny Weir, Jr., is a registered voter of District 1. *Id.* Each of the Plaintiffs is described as a “non-Black voter.” [Doc. 1].

The State Defendants are Secretary of State Nancy Landry, in her official capacity, and the State of Louisiana, represented by Attorney General Elizabeth Murrill. [Doc. 156]. The State intervened as a defendant on February 26, 2024. [Doc. 79].

Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, National Association for the Advancement of Colored People Louisiana State Conference, and Power Coalition for Equity and Justice (collectively “*Robinson Intervenors*”) are African American Louisiana voters and civil rights organizations.

[Doc. 156]. They were Plaintiffs in *Robinson, et al v. Landry*, No. 3:22-cv-0211-SDD-SDJ (M.D. La.) and intervened here as defendants to defend SB8. [Doc. 156]. They intervened permissively in the remedial phase of this litigation on February 26, 2024, and permissively in the liability phase on March 15, 2024. [Docs. 79, 114]. Davante Lewis lives in District 6. Tr., Vol. III, 567:23–568:1. The voting districts for the other individual *Robinson* Intervenors was not established in the record.

Plaintiffs assert that: (1) the State has violated the Equal Protection Clause of the Fourteenth Amendment by enacting a racially gerrymandered district; and (2) the State has violated the Fourteenth and Fifteenth Amendments by intentionally discriminating against voters and abridging their votes based on racial classifications across the State of Louisiana. [Doc. 1, ¶ 5]. The Plaintiffs request that the Court issue a declaratory judgment that SB8 is unconstitutional under the Fourteenth and Fifteenth Amendments, issue an injunction barring the State of Louisiana from using SB8's map of congressional districts for any election, and institute a congressional districting map that remedies these violations. *Id.*, p. 31.

#### **F. The Three-Judge Panel and Trial**

On February 2, 2024, Priscilla Richman, the Chief Judge of the Fifth Circuit Court of Appeals, issued an Order Constituting Three-Judge Court. [Doc. 5]. Chief Judge Richman designated Judge Carl E. Stewart, of the Fifth Circuit Court of Appeals, Judge Robert R. Summerhays, of the Western District of Louisiana, and Judge David C. Joseph, of the Western District of Louisiana, to serve on the three-judge district court convened under 28 U.S.C. § 2284. *Id.* On February 17, 2024, Plaintiffs filed a Motion for Preliminary Injunction. [Doc. 17]. On February 21, 2024,

the Court issued a Scheduling Order setting the hearing on the Preliminary Injunction—consolidated with trial on the merits—to commence on April 8, 2024, in Shreveport, Louisiana. [Doc. 63]. The hearing commenced on April 8, 2024, and ended on April 10, 2024. Collectively, the parties introduced thirteen (13) witnesses and one hundred ten (110) exhibits.

## **II. EVIDENTIARY RECORD**

### **A. Fact Witnesses**

#### **1. Legislators**

##### **a. Alan Seabaugh**

Alan Thomas Seabaugh is a Louisiana State Senator for District 31, located in northwest Louisiana. Senator Seabaugh took office in January 2024. He had previously served as a Louisiana State Representative for thirteen years. Tr. Vol. I, 42:16-17. Senator Seabaugh testified that the only reason the Legislature was attempting to pass a redistricting plan during the Special Session was the litigation pending in the Middle District of Louisiana, and specifically “Judge Dick saying that she – if we didn’t draw the second minority district, she was going to. I think that’s the only reason we were there.” *Id.* at 47:22-48:1. When asked if having a second majority-Black district was the one thing that could not be compromised in the plans being considered, Senator Seabaugh testified “that’s why we were there.” *Id.* at 50:2. Senator Seabaugh ultimately voted no to SB8 and indicated that he believed the 2022 map (HB1) was a good map. *Id.* at 52:19-22. On cross examination, Senator Seabaugh acknowledged that, in determining how to draw the new districts,

protecting the districts of Mike Johnson and Stephen Scalise – two of Louisiana’s representatives in the United States House of Representatives, serving as Speaker and Majority Leader, respectively – were important considerations. *Id.* at 60:8-20.

**b. Thomas Pressly**

Thomas Pressly is a Louisiana State Senator for District 38, which is located in the northwest corner of Louisiana. Senator Pressly took office in January 2024. He had previously served as a Louisiana State Representative for four years. *Tr.*, Vol. I, 66:1-6. Senator Pressly testified that during the Special Session, “the racial component in making sure that we had two performing African American districts was the fundamental tenet that we were looking at. Everything else was secondary to that discussion.” *Id.* at 69:16-19. Senator Pressly acknowledged that political considerations were also factored into the ultimate redistricting plan, stating:

[t]he conversation was that we would – that we were being told we had to draw a second majority-minority seat. And the question then was, okay, who – how do we do this in a way to ensure that we’re not getting rid of the Speaker of the House, the Majority Leader, and Senator Womack spoke on the floor about wanting to protect Julia Letlow as well.

*Id.* at 72:1-7. Senator Pressly testified that he did not believe that his district in the northwest corner of Louisiana shares a community of interest with either Lafayette or Baton Rouge, both located in the southern half of Louisiana, based on either natural disaster concerns or educational needs. *Id.* at 73:1-23. Senator Pressly spoke against SB8 during the Special Session and testified that he believed the 2022 map should be retained. *Id.* at 77:6-8.

**c. Mandie Landry**

Mandie Landry is a Louisiana State Representative for House District 91, located in New Orleans. She took office in January 2020. Tr., Vol. II, 366:2-3. Representative Landry testified that the Special Session was convened because the Republicans were afraid that if they did not draw a map which satisfied the court, then the court would draw a map that would not be as politically advantageous for them. *Id.* at 368:8-10. Representative Landry indicated that she understood Governor Jeff Landry to favor the map created by SB8, in part because he believed the map would resolve the *Robinson* litigation in the Middle District, and in part because the new map would cause Congressman Garrett Graves – a Republican incumbent with whom Landry was believed to have a contentious relationship – to lose his seat. *Id.* at 369:10-15.

**d. Royce Duplessis**

Royce Duplessis is a Louisiana State Senator representing Senate District 5, which is located in the New Orleans area. He took office in December 2022 and previously served as a Louisiana State Representative for over four years. Tr. Vol. III, 512:21-24. Senator Duplessis testified that his understanding of the reason for the Special Session was “to put an end to the litigation and adopt a map that was compliant with the Judge’s order.” *Id.* at 519:22-23. Though he was not a member of the Senate’s redistricting committee, Senator Duplessis co-sponsored a separate bill during the Special Session, namely SB4, which also created two majority-Black districts. *Id.* at 521:1-2. SB4 was ultimately voted down in committee in favor of SB8. *Id.* at 523:14-23. Senator Duplessis testified that he believed SB8 passed

because Governor Landry supported SB8 for political reasons. *Id.* at 525:1-7. Senator Duplessis voted in favor of SB8 because he believed it complied with the Voting Rights Act, it met the criteria ordered by the court, and was a fair map which would satisfy the people of Louisiana. *Id.* at 527:23 -528:9. Senator Duplessis testified that he was very proud of the passage of SB8 because:

It was always very clear that a map with two majority black districts was the right thing. It wasn't the only thing, but it was a major component to why we were sent there to redraw a map.

*Id.* at 530:15-19.

## **2. Community Members**

### **a. Cedric Bradford Glover**

Cedric Bradford Glover is a resident of Shreveport, Louisiana, who previously served a total of five terms in the Louisiana House of Representatives, and two terms as mayor of Shreveport. Tr., Vol. II, 454:12-20. Mayor Glover testified that he believes SB8's District 6 reflects common communities of interest, specifically the I-49 corridor, the communities along the Red River, higher education campuses, healthcare systems, and areas of economic development. *Id.* at 457:17-458:21.

### **b. Pastor Steven Harris, Sr.**

Steven Harris, Sr. resides in Natchitoches, Louisiana, where he serves as a full-time pastor and a member of the Natchitoches Parish School Board. Tr., Vol. II, 463:5-6. Pastor Harris' ministerial duties require him to travel to Alexandria, Shreveport, Lafayette, Baton Rouge, and places in between. *Id.* at 463:18-20. Pastor Harris, who lives and works in District 6, testified that there are communities of interest among the areas in which he regularly travels, specifically churches and

educational institutions. *Id.* at 466:24 – 467:16. Pastor Harris testified that he believes Baton Rouge has more in common with Alexandria and Shreveport than with New Orleans, due to the different culture, foods, and music. *Id.* at 467:20-468:14.

**c. Ashley Kennedy Shelton**

Ashley Kennedy Shelton resides in Baton Rouge and founded and runs the Power Coalition for Equity and Justice (the “Coalition”), one of the *Robinson* Intervenors. Tr., Vol. II, p. 474:8-11. The Coalition is a 501(c)(3) civic engagement organization which seeks to create “pathways to power for historically disenfranchised communities.” *Id.* at 474:24-475:1. She testified that the Coalition has been involved with the redistricting process since the 2020 census by educating the community about the redistricting process, as well as encouraging community involvement in that process. *Id.* at 475:21. Ms. Shelton initially supported SB4, another map offered in the Special Session which also contained two majority-minority districts, but that map did not move out of committee. *Id.* at 482:1-2. Ms. Shelton, along with the Coalition, went on to support SB8 because it:

centered communities that have never been centered in any of the current congressional districts that they are within. And so when you look at the district that’s created in SB8, the communities across that district are living in poverty, have poor health outcomes, lack of access to economic opportunity, similar hospitals, similar size airports. Like there is this – there is this opportunity to really center these communities in a way that they have not had the attention in the current districts that they exist within.

*Id.* at 483:6-15.

**d. Davante Lewis**

Davante Lewis, one of the *Robinson* Intervenors, is a resident of Baton Rouge, Louisiana, and currently serves as a commissioner for the Louisiana Public Service Commission and chief strategy officer of Invest in Louisiana. Tr., Vol. III, 542:23-25. Commissioner Lewis testified that he has been involved in politics since he was a teenager and has taken part in the redistricting process on numerous occasions as a lobbyist. *Id.* at 548:3-15. During the Special Session, Commissioner Lewis initially supported SB4, another bill which also included two majority-minority districts but failed to pass out of committee. *Id.* at 553:15-22. Commissioner Lewis, who is now a resident in District 6, testified that he was happy with the passage of SB8 because “it accomplishes the goals that I wanted to see which was complying with the rule of law as well as creating a second [B]lack-majority district.” *Id.* at 576:16-18. Commissioner Lewis believes that he shares common interests with voters living in other areas within District 6, namely economies, civic organizations, religious organizations, educational systems, and agriculture. *Id.* at 578:14-25. On cross-examination, Commissioner Lewis admitted that District 6 intersects four of the five public service commission districts in the state.

**B. Expert Witnesses**

**a. Dr. Stephen Voss**

The Court accepted Plaintiffs’ witness Dr. Stephen Voss as an expert in the fields of: (i) racial gerrymandering; (ii) compactness; and (iii) simulations.<sup>3</sup> Tr., Vol.

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<sup>3</sup> Plaintiffs retained Dr. Stephen Voss to answer three questions: (1) whether SB8 represents an impermissible racial gerrymander, where race was the predominant factor in



I, 92:13-25; 93:1-19; 111:6-7; 123:7-9. Dr. Voss was born in Louisiana, lived most of his life in Jefferson Parish, and earned his Ph.D. in political science at Harvard University, where his field of focus was quantitative analysis of political methodology. *Id.* at 85:12-13; 87:8-21.

Dr. Voss began his testimony by comparing the districts created by SB8 to past enacted congressional maps in Louisiana and other proposals that the Legislature considered during the Special Session. Tr., Vol. I, 97:19-98:2. Dr. Voss described District 6 as a district:

that stretches, or I guess the term is “slashes,” across the state of Louisiana to target four metropolitan areas, which is the majority of the larger cities in the state. It then scoops out from each of those predominant – the majority black and predominantly black precincts from each of those cities.

*Id.* at 93:25; 94:1-5. Dr. Voss explained that the borders of District 6, which include portions of the distant parishes of Lafayette and East Baton Rouge, track along Black communities, including precincts with larger Black population percentages while avoiding communities with large numbers of white voters. *Id.* at 94:18-95:10. Dr. Voss reiterated that the boundaries of District 6 were drawn specifically to contain heavily Black-populated portions of cities while leaving more white-populated areas in the neighboring districts. *Id.* at 96:7-16; PE3; PE4. Dr. Voss also testified that, compared to other maps proposed during the Special Session and other past congressional maps, SB8 split a total of 18 of Louisiana’s 64 parishes, Tr., Vol. I,

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the drawing of district lines; (2) whether SB8 sacrificed traditional redistricting criteria in order to create two majority-minority districts; and (3) whether the Black population in Louisiana is sufficiently large and compact to support two majority-minority districts that conform to traditional redistricting criteria. Tr., Vol. I, 91:3-25 (Voss).

97:19-99:11, and, at 62.9 percent of Louisiana’s population, had the highest percentage of individuals affected by parish splits. *Id.* 98:3-99:11; PE6.

Dr. Voss also studied the compactness of SB8 under three generally accepted metrics: (i) Reock Score; (ii) Polsby-Popper score; and (iii) Know It When You See It (“KIWYSI”).<sup>4</sup> *Tr.*, Vol. I, 100:22-103:5. Dr. Voss found that across all three measures of compactness, SB8 performed worse than either HB1 (the map that was enacted in 2022) or the map that HB1 replaced from the previous decade. *Id.* at 104:25-105:4; PE7. Thus, SB8 did not produce compact maps when judged in comparison to other real-life congressional maps of Louisiana. *Tr.*, Vol. I, 107:16-21. Dr. Voss also found that SB8’s majority-Black districts were especially non-compact compared to other plans that also included two majority-minority districts. *Id.* at 106:17-24. According to Dr. Voss, SB8’s District 6 scored worse on the Polsby-Popper test than the second majority-Black districts in other proposed plans that created a second majority-Black district. *Id.* at 106:17-24.

Dr. Voss further testified that SB8’s and District 6’s uniquely poor compactness was not necessary if the goal was to accomplish purely political goals. “If you’re not trying to draw a second black majority district, it is very easy to protect Representative Julia Letlow. Even if you are, it’s not super difficult to protect

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<sup>4</sup> According to Dr. Voss, a district’s “Reock score” quantifies its compactness by measuring how close the district is to being a circle. *Tr.*, Vol. I, 100:23-6. A district’s “Polsby-Popper” score is intended to take into account a district’s jagged edges and “tendrils.” *Id.*, 101:25-102:19. Finally, the “Know It When You See It” method uses a metric derived by panels of judges and lawyers and a representative sample of people looking at the shape of a district and giving their quantification of compactness. *Id.*, 102:20-104:2. The KIWYSI method originated from individuals’ subjective judgments, but the metric itself is standardized and uses specific software to compute a numerical figure representing compactness. *Id.*, 103:15-104:2.

Representative Julia Letlow,” he testified. Tr., Vol. I, 108:17-21. Additionally, according to Dr. Voss, the Legislature did not need to enact a map with two majority-minority districts in order to protect Representative Letlow’s congressional seat: “[Representative Letlow] is in what historically is called the Macon Ridge...[a]nd given where she is located, it is not hard to get her into a heavily Republican, heavily white district.” *Id.* at 111:15-23. Dr. Voss testified similarly with respect to Representative Garrett Graves, concluding that the Legislature did not need to enact a second majority-minority district in order to put Representative Garrett Graves in a majority-Black district. *Id.* at 112:2-16. Thus, Dr. Voss concluded that neither the goal of protecting Representative Letlow’s district, nor the goal of targeting Representative Graves, would have been difficult to accomplish while still retaining compact districts. *Id.* at 110:15-22.

Dr. Voss testified extensively about simulations, explaining that he used the Redist simulation package (“Redist”) to analyze the statistical probability of the Legislature creating SB8 without race predominating its action.<sup>5</sup> *Id.* at 113:14-115:6. Using Redist, Dr. Voss compared “lab-grown” simulations of possible maps to SB8 in order to analyze the decisions the Legislature made during the redistricting process, *Id.* at 114:2-23, so that he could judge whether the parameters or constraints under which he created the simulations could explain the deviations evident in SB8. *Id.* at 118:15-23. Dr. Voss testified that he performed tens of thousands of both “race-

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<sup>5</sup> According to Dr. Voss, Redist uses Sequential Monte Carlo (“SMC”) simulation in order to generate a representative sample of districts that could have been drawn under certain parameters. *Id.*, 113:8-114:10.

conscious” and “race-neutral” simulations, and that none of these simulations randomly produced a map with two Democratic districts. *Id.* at 138:9-14. On that basis, Dr. Voss opined that the non-compact features of SB8 are predominantly explained by racial considerations. *Id.* at 139:17-23.

Concluding that District 6 performs worse on the Polsby-Popper score than the second majority-Black district in the other plans; worse on the Reock score than the other plans that created a second majority-Black district, with a very low score; and worse on the KIWYSI method than the other plans and the majority-Black districts they proposed, *Id.* at 106:18-24, Dr. Voss ultimately opined that SB8 represents an impermissible racial gerrymander. *Id.* at 92:23-24.

**b. Dr. Cory McCartan**

Dr. Cory McCartan was proffered by the *Robinson* Intervenors in rebuttal to Dr. Voss and was qualified by the Court as an expert in the fields of redistricting and the use of simulations. Tr., Vol. I, 187:5-14. Though Dr. McCartan criticized Dr. Voss for a number of his methodologies, the Court notes that Dr. McCartan conducted no tests or simulations of his own, *Id.* at 215:18-21, and his testimony was often undercut by his own previous analysis.

First, Dr. McCartan criticized Dr. Voss’s simulations on grounds that Dr. Voss did not incorporate the relevant redistricting criteria used by actual mapmakers. *Id.* at 198:10-24. Dr. McCartan also questioned the efficacy of simulations in detecting racial gerrymandering. *Id.* at 196:13-25; 197:1-12. Yet Dr. McCartan had previously led the Algorithm Assisted Redistricting Methodology (“ALARM”) Project team, which traversed the country simulating multiple districts in multiple states,

including Louisiana, and authored a paper which declared that simulations are well-suited to assess what types of racial outcomes could have happened under alternative plans in a given state. *Id.* at 227:9-21. Dr. McCartan also testified that he himself used the ALARM project to detect partisan, or political gerrymandering – ultimately finding that Louisiana had only one plausible district favoring the Democratic party. *Id.* at 216:23-25. And on cross-examination, Dr. Voss confirmed that Professor Kosuke Imai, who helped develop the Redist software, applied these same simulation techniques in the racial gerrymandering context. *Id.* at 150:18-151:1. On this point, therefore, the Court finds Dr. McCartan’s testimony unpersuasive.

Dr. McCartan also criticized Dr. Voss for not imposing a constraint in his simulations for natural or geographic boundaries. *Id.* at 200:1-6. Yet Dr. McCartan acknowledged that in his work with ALARM to generate Louisiana congressional map simulations, his team did not impose any kind of requirement for natural or geographic boundaries. *Id.* at 230:24-231:1. Dr. McCartan also criticized Dr. Voss for not adding incumbent protection as a constraint in the simulations, but when pressed, could not testify that this extra constraint would trigger the creation of a second majority-minority district. *Id.* at 238:11-16 (McCartan).

Similarly, Dr. McCartan could not give a convincing reason why it was appropriate for his own team to use a compactness constraint of 1.0, while testifying that this same criterion made Dr. Voss’s simulations unrepresentative. *Id.* at 231:5-16. Dr. Voss, on the other hand, explained why adjustments to the compactness criterion made the simulation results less reliable. *Id.* at 162:22-24, 163:21-165:19. Finally, Dr. McCartan confirmed that both his simulations on Louisiana

congressional maps and Dr. Voss's simulations generated plans that were more compact than the enacted version of SB8, which was far worse than the Polsby-Popper compactness scores of both Dr. McCartan's and Dr. Voss's simulations. *Id.* at 233:20-24 (McCartan). Dr. McCartan also acknowledged that his own partisan gerrymandering simulations yielded no more than 10 out of 5,000 maps with a second Democratic seat. *Id.* at 235:4-236:12.

In evaluating the testimony of Dr. Voss and Dr. McCartan, the Court finds Dr. Voss's testimony to be credible circumstantial evidence that race was the predominant factor in crafting SB8. Though Dr. McCartan provided some insight into the uses of simulations in detecting the presence of racial gerrymandering, his testimony indicated that his own team had performed simulations under conditions not unlike Dr. Voss's, and with conclusions that supported Dr. Voss. Dr. McCartan's other criticisms of Dr. Voss were either not well-founded or rebutted.

**c. Michael Hefner**

Plaintiffs proffered Michael Hefner as an expert demographer, and he was qualified by the Court as such. Tr., Vol. II, 270:23-15; 271:1-5. Mr. Hefner is from Louisiana and has lived his whole life in various parts of the state. *Id.* at 258:3-6; [Doc. 182-8]. Having worked in the field of demography for 34 years, most of Mr. Hefner's work consists of creating redistricting plans for governmental entities, including municipalities and school boards, throughout the State of Louisiana after decennial censuses; conducting precinct management work for Louisiana parish governments; working on school desegregation cases in Louisiana; and conducting site-location analyses in Louisiana. Tr., Vol. II, 257:9-22; Doc. 182-8. Mr. Hefner

testified that he came to the following conclusions during his analysis for this case: (1) given the geographic distribution and concentration of the Black population in Louisiana, it is impossible to create a second majority-minority district and still adhere to traditional redistricting criteria, Tr., Vol. II, 271:11-22, 282:21-283:6; and (2) race predominated in the drafting of SB8. *Id.* at 271:23; 272:1-14.

Mr. Hefner explained that the Black population in Louisiana is highly dispersed across the State and is concentrated in specific urban areas, including New Orleans, Baton Rouge, Alexandria, Lafayette, and Shreveport.<sup>6</sup> Tr., Vol. II, 281:7-15; 283:19-285:1; 339:20-340:4 (Hefner); *see also* Mr. Hefner's Heat Map, [Docs. 182-9, 182-10]. Using a heat map he created based on data representing the Black voting age population ("BVAP") across the State from the 2020 census, Mr. Hefner testified that outside the New Orleans and East Baton Rouge areas, the Black population is highly dispersed across the state. Tr., Vol. II, 281:4-15. Mr. Hefner opined that, given this dispersion, it is impossible to draw a second majority-minority congressional district without violating traditional redistricting criteria. *Id.* at 282:22-283:6.

Focusing on SB8, Mr. Hefner testified that SB8 is drawn to trace the areas of the state with a high BVAP to create a second majority-minority district, Tr., Vol. II, 283:15-285:1, echoing the testimony of Dr. Voss. Specifically, Mr. Hefner stated that District 6's borders include the concentrated Black populations in East Baton Rouge, Alexandria, Opelousas, Natchitoches, Mansfield, Stonewall, and up to Shreveport, *Id.*

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<sup>6</sup> According to Mr. Hefner, the highest concentration of African American voters is in New Orleans; the second highest concentration is in East Baton Rouge; and the third highest concentration is in Shreveport. Tr., Vol. II, 281:4-15.

at 283:15-285:1, but carved concentrated precincts out of the remainder of the parishes to avoid picking up too much population of non-Black voters. *Id.* at 283:15-285:1. Taking Lafayette Parish as an example, Mr. Hefner testified that District 6 includes the northeast part of the parish, where voting precincts contain a majority of Black voters, while excluding the remainder of the parish, in which the precincts are not inhabited by predominantly Black voters. *Id.* at 283:22-284:4. Likewise, in Rapides Parish, District 6 splits Rapides Parish to include only the precincts in which there is a high concentration of Black voters, for the purpose of including the overall BVAP in the district. *Id.* at 284:4-8.

Mr. Hefner also testified that SB8's compactness score is extremely small. In fact, it is so low on the Polsby-Popper and Reock metrics that it is almost not compact at all.<sup>7</sup> *Id.* at 302:21-303:2; PE21. Explaining that District 6 is extremely long and extremely strung out, Tr., Vol. II, 303:18-20, Mr. Hefner testified that SB8 scored lower than HB1 on both the Polsby-Popper and Reock tests. *Id.* at 302:16-303:25; PE21. Mr. Hefner testified that District 6 is not reasonably compact, Tr., Vol. II, 304:11-14; its shape is awkward and bizarre, *Id.* at 304:23-305:6; it is extremely narrow at points, *Id.* at 305:18-306:2; its contiguity is tenuous, *Id.* at 293:23-24; and it splits many parishes and municipalities, including four of the largest parishes in the State (Caddo, Rapides, Lafayette, and East Baton Rouge), each of which are communities of interest. *Id.* at 295:7-8. Finally, Mr. Hefner testified that the Plaintiffs' redistricting plan, introduced as Illustrative Plan 1, was a reasonable plan

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<sup>7</sup> The Polsby-Popper scale goes from 0 (no compactness) to 1 (total compactness). Mr. Hefner testified that District 6 had a Polsby-Popper score of 0.05. *Id.*, 303:13-20.



that can be drawn in a race-neutral manner; adheres to the use of traditional redistricting principles; preserves more communities of interest; provides more compact election districts; preserves the core election districts; and balances the population within each district. *Id.* at 272:17-25; 273:1-2.

**a. Anthony Fairfax**

Mr. Anthony Fairfax testified on behalf of the *Robinson* Intervenors to rebut the testimony of Mr. Hefner, and was qualified by the Court as an expert in redistricting and demography. Tr., Vol. II, 379:6-15. Contradicting Mr. Hefner, Mr. Fairfax testified that traditional redistricting principles could be used to create maps with a second majority-Black district. *Id.* at 381-383:24. But on rebuttal, Mr. Fairfax admitted that the map he used did not account for where people lived within parishes, and his map therefore failed to take account of where Black voters are located in each parish. *Id.* at 407:4-125; 408:1-12. Therefore, on the issue of parish splitting, Mr. Fairfax's testimony was unpersuasive. Rather, as Mr. Hefner testified, Fairfax's analysis fails to show the Court whether District 6 specifically targeted those pockets of high populations of Black voters. *Id.* at 292:13-293:3. Tellingly, in discussing preservation of communities of interests, parishes, and municipalities, Mr. Fairfax agreed with Mr. Hefner that SB8 split more parishes and municipalities than HB1, *Id.* at 385:14-18; 389:5-9, and that SB8 split more parishes and municipalities than the previously enacted plan. *Id.* at 385:11-15; 389:2-9.

### III. APPLICABLE LAW

To obtain permanent injunctive relief, the plaintiffs must establish by a preponderance of the evidence: “(1) actual success on the merits; (2) that it is likely to suffer irreparable harm in the absence of injunctive relief; (3) that the balance of equities tip in that party’s favor; and (4) that an injunction is in the public interest.”<sup>8</sup> *Crown Castle Fiber, L.L.C. v. City of Pasadena, Texas*, 76 F.4th 425, 441 (5th Cir. 2023), *cert. denied*, 144 S. Ct. 820 (2024); *see also Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20, 32, 129 S. Ct. 365, 172 L.Ed.2d 249 (2008).

The Equal Protection Clause of the Fourteenth Amendment provides that: “[N]o state shall ... deny to any person within its jurisdiction the equal protection of the laws.” U.S. CONST. AMEND. XIV, § 1. The intent of the provision is “to prevent the States from purposefully discriminating between individuals on the basis of race.” *Shaw v. Reno*, 509 U.S. 630, 642, 113 S. Ct. 2816, 2824, 125 L.Ed.2d 511 (1993) (“*Shaw I*”). As applied to redistricting, the Equal Protection Clause bars “a State, without sufficient justification, from ‘separat[ing] its citizens into different voting districts on the basis of race.’” *Bethune–Hill v. Virginia State Bd. of Elections*, 580 U.S. 178, 187, 137 S. Ct. 788, 797, 197 L.Ed.2d 85 (2017) (citing *Miller v. Johnson*, 515 U.S. 900, 911, 115 S. Ct. 2475, 132 L.Ed.2d 762 (1995)). Thus, the Equal Protection Clause prohibits the creation and implementation of districting plans that include racial gerrymanders, with few exceptions. “A racial gerrymander [is] the

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<sup>8</sup> The Court consolidated the preliminary injunction hearing with the full trial on the merits. *See* [Doc. 63].

deliberate and arbitrary distortion of district boundaries ... for [racial] purposes.” *Shaw I*, 509 U.S. at 640 (citing *Davis v. Bandemer*, 478 U.S. 109, 164, 106 S. Ct. 2797, 2826, 92 L.Ed.2d 85 (1986) (Powell, J. concurring in part and dissenting in part), *abrogated on other grounds by Rucho v. Common Cause*, 588 U.S. 684, 139 S. Ct. 2484, 204 L.Ed.2d 931 (2019)). Courts analyze racial gerrymandering challenges under a two-part burden-shifting framework.

First, a plaintiff bears the burden to prove that “race was the predominant factor motivating the legislature’s decision to place a significant number of voters within or without a particular district.” *Miller*, 515 U.S. at 916. This requires a plaintiff to show that “the legislature ‘subordinated’ other factors – compactness, respect for political subdivisions, partisan advantage, what have you – to ‘racial considerations.’” *Cooper v. Harris*, 581 U.S. 285, 291, 137 S. Ct. 1455, 1464, 197 L.Ed.2d 837 (2017) (citing *Miller*, 515 U.S. at 916). The plaintiff may make the requisite showing “either through circumstantial evidence of a district’s shape and demographics or more direct evidence going to legislative purpose, that race was the predominant factor motivating the legislature’s decision....” *Alabama Legislative Black Caucus v. Alabama*, 575 U.S. 254, 267, 135 S. Ct. 1257, 1267, 191 L.Ed.2d 314 (2015) (citing *Miller*, 515 U.S. at 916).

If Plaintiff meets the burden of showing race played the predominant factor in the design of a district, the district must then survive strict scrutiny. *Cooper*, 581 U.S. at 292. At this point, the burden of proof “shifts to the State to prove that its race-based sorting of voters serves a ‘compelling interest’ and is ‘narrowly tailored’ to that end.” *Cooper*, 581 U.S. at 285 (citing *Bethune-Hill*, 580 U.S. at 193). “Racial

gerrymandering, even for remedial purposes” is still subject to strict scrutiny. *Shaw I*, 509 U.S. at 657. Where the state seeks to draw a congressional district by race for remedial purposes under Section 2, the state must have a “strong basis in evidence” for “finding that the threshold conditions for section 2 liability are present” under *Gingles*. And, to survive strict scrutiny, “the district drawn in order to satisfy § 2 must not subordinate traditional districting principles to race substantially more than is ‘reasonably necessary’ to avoid § 2 liability.” *Bush v. Vera*, 517 U.S. 952, 979, 116 S. Ct. 1941, 1961, 135 L.Ed.2d 248 (1996).

#### IV. FINDINGS OF FACT AND CONCLUSIONS OF LAW

##### A. Racial Predominance

The Court first addresses whether Plaintiffs have met their burden of showing that race predominated in drawing District 6. Racial *awareness* in redistricting does not necessarily mean that race *predominated* in the Legislature’s decision to create a second majority-minority district. *Shaw I*, 509 U.S. at 646. When redistricting, a legislature may be aware of race when it draws district lines, just as it is aware of other demographic information such as age, economic status, religion, and political affiliation. *Shaw I*, 509 U.S. at 646. Race consciousness, on its own, does not make a district an unconstitutional racial gerrymander or an act of impermissible race discrimination. *Id.* But while districts may be drawn for remedial purposes, Section 2 of the Voting Rights “never require[s] adoption of districts that violate traditional redistricting principles.” *Allen v. Milligan*, 599 U.S. 1, 29 – 30, 143 S. Ct. 1487, 1492, 216 L.Ed.2d 60 (2023) (internal citations omitted). Indeed, to survive strict scrutiny,

“the district drawn in order to satisfy § 2 must not subordinate traditional districting principles to race substantially more than is ‘reasonably necessary’ to avoid § 2 liability.” *Vera*, 517 U.S. at 979. As discussed above, racial predominance may be shown through either circumstantial evidence, direct evidence, or both. *Ala. Legis. Black Caucus*, 135 S. Ct. at 1267.

Here, the *Robinson* Intervenors and the State argue that political considerations predominated in drawing the boundaries of District 6. They argue that the State had to create a second majority-minority district based on the district court’s ruling in the *Robinson* litigation and that District 6 was drawn with the primary purpose of protecting key Republican incumbents, such as Speaker Mike Johnson, Majority Leader Steve Scalise, and Representative Julia Letlow. It is clear from the record and undisputed that political considerations – the protection of incumbents – played a role in how District 6 was drawn. Plaintiffs, however, contend that considerations of race played a qualitatively greater role in how the State drew the contours of District 6 than these political considerations.

### **1. Circumstantial Evidence**

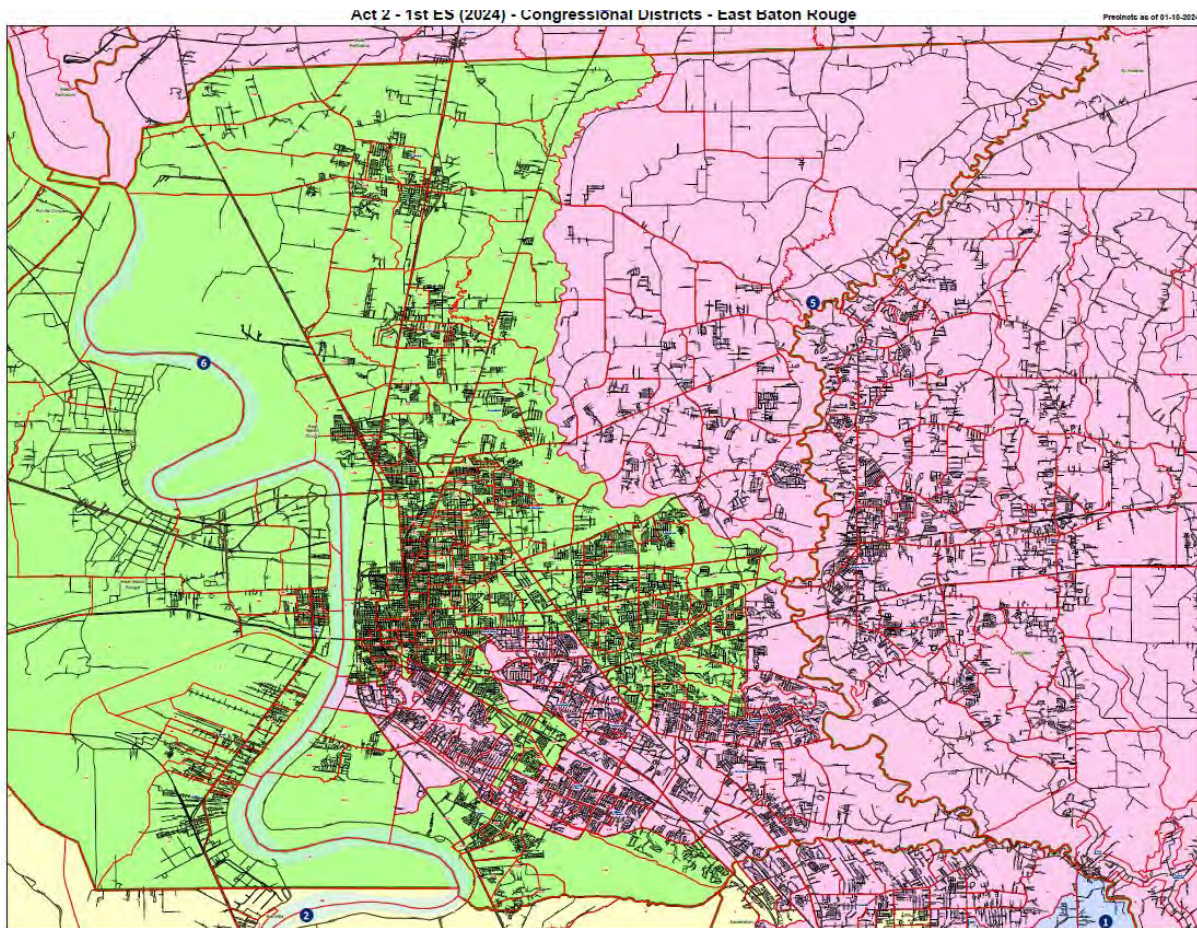
In the redistricting realm, appearances matter. A district’s shape can provide circumstantial evidence of a racial gerrymander. *Shaw I*, 509 U.S. at 647. In the past, the Supreme Court has relied on irregular district shapes and demographic data to find racial gerrymandering.<sup>9</sup> *See Shaw v. Hunt*, 517 U.S. 899, 910-16 (1996) (“*Shaw II*”); *Miller*, 515 U.S. 900; *Vera*, 517 U.S. 952.

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<sup>9</sup> Significantly, “[s]hape is relevant not because bizarreness is a necessary element of the constitutional wrong or a threshold requirement of proof, but because it may be



Here, as described by Dr. Voss, District 6 “‘slashes’ across the state of Louisiana” and includes portions of four disparate metropolitan areas. But – critical to our analysis – District 6 only encompasses the parts of those cities that are inhabited by majority-Black voting populations, while excluding neighboring non-minority voting populations. Tr., Vol. I, 93:25; 94:1-5; 94:18-95:10; 96:7-16; PE3; PE4. His description encapsulates what the following maps show on their face:

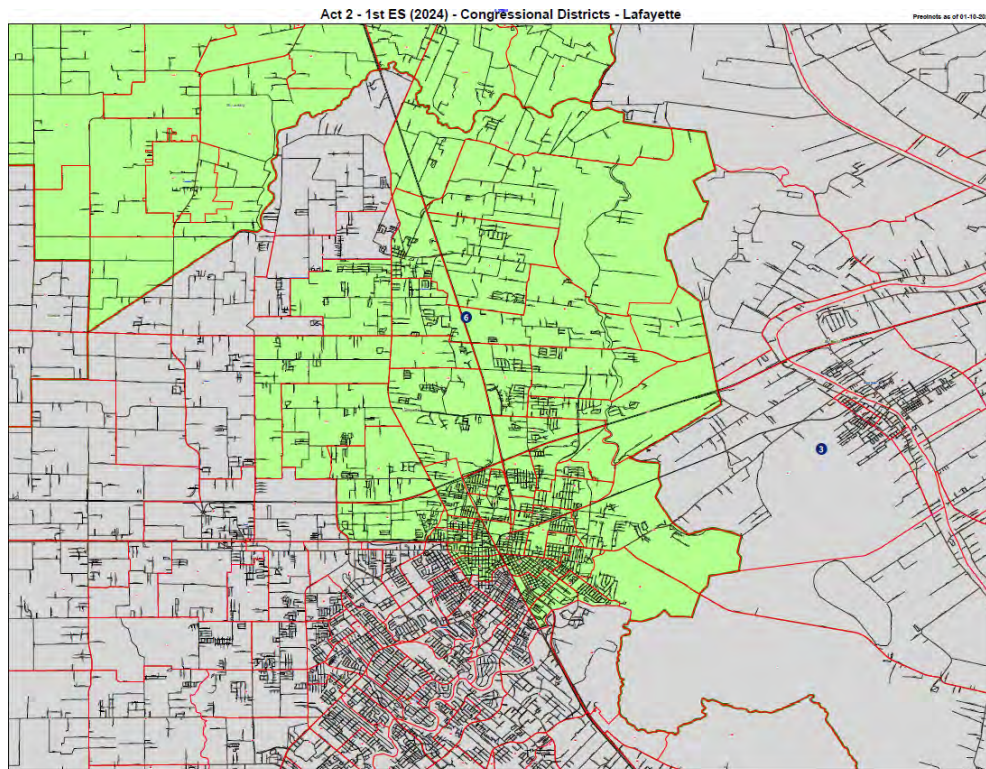


Baton Rouge Close Up of 2024 Enacted Map (JE17).

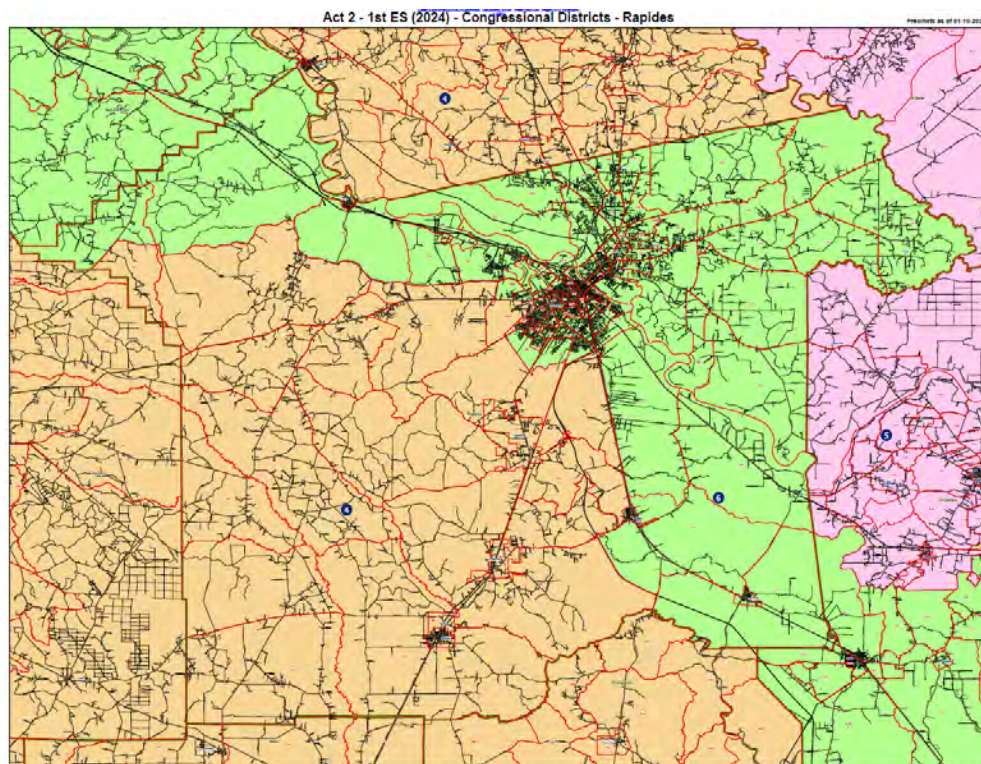
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persuasive circumstantial evidence that race for its own sake, and not other districting principles, was the legislature's dominant and controlling rationale in drawing its district lines.” *Miller*, 515 U.S. at 912-913; *See Shaw v. Hunt*, 861 F. Supp. 408, 431 (E.D.N.C. 1994); *Hays I*; but see *DeWitt v. Wilson*, 856 F. Supp. 1409, 1413 (E.D. Cal.1994). Thus, a district's bizarre shape is not the only type of circumstantial evidence on which parties may rely. *Id.*



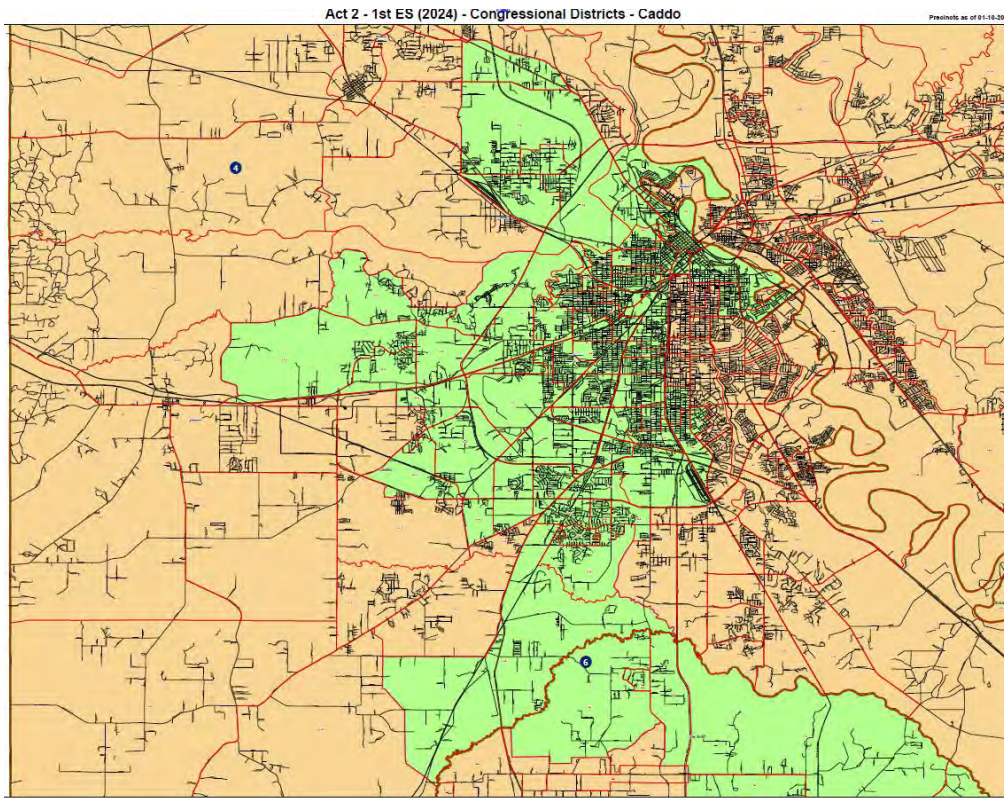


Lafayette Close Up of 2024 Enacted Map (JE17).



Alexandria Close Up of 2024 Enacted Map (JE17).





Shreveport Close Up of 2024 Enacted Map (JE17).

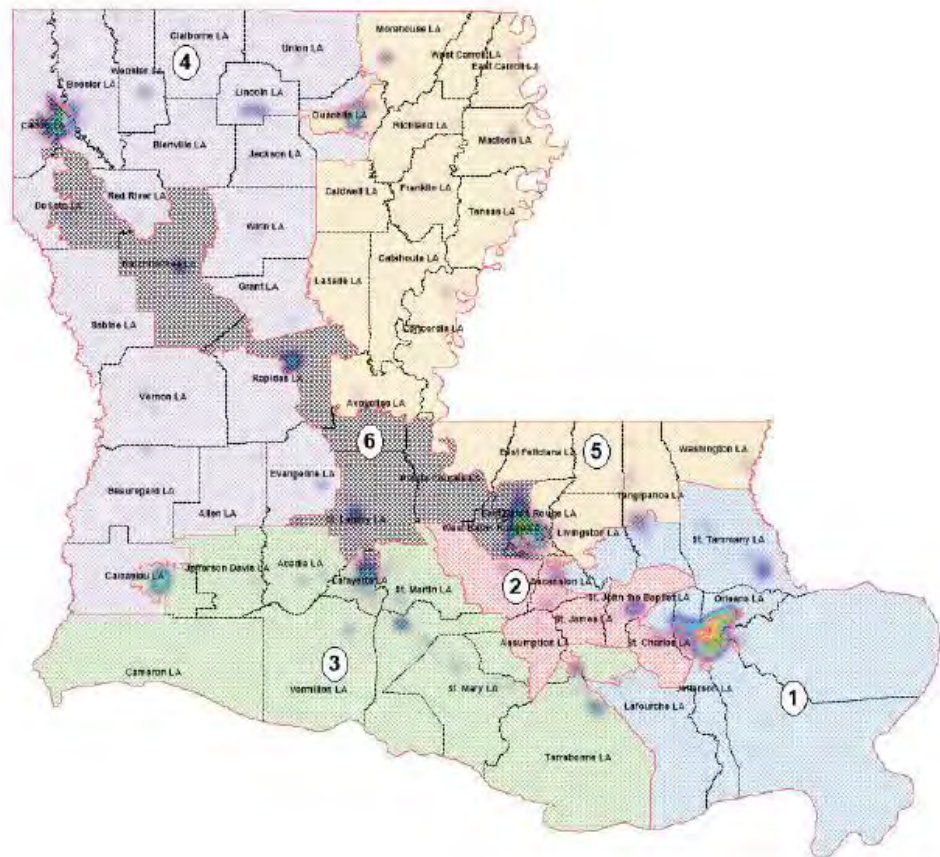
Like *Shaw II* and *Vera*, this case presents evidence of “mixed motives” in creating District 6 – motives based on race and political considerations. Unlike a single motive case, any circumstantial evidence tending to show neglect of traditional districting principles, such as compactness and respect for parish lines, caused District 6’s bizarre shape could seemingly arise from a “political motivation as well as a racial one.” *Cooper v. Harris*, 581 U.S. at 308 (citing *Hunt v. Cromartie*, 526 U.S. 541, 547 n.3, 119 S. Ct. 1545, 1549, 143 L.Ed.2d 731 (1999)). In mixed motive cases such as this one, the Supreme Court has noted that “political and racial reasons are capable of yielding similar oddities in a district’s boundaries.” *Id.* Accordingly, this Court faces “a formidable task: It must make ‘a sensitive inquiry’ into all ‘circumstantial and direct evidence of intent’ to assess whether the plaintiffs have



managed to disentangle race from politics and prove that the former drove a district’s lines.” *Id.*

Turning to the record, Mr. Hefner’s “heat map” is particularly helpful as circumstantial evidence of the motives driving the decisions as to where to draw the boundaries of District 6. The “heat map” shows that outside of the New Orleans and East Baton Rouge areas, the state’s Black population is highly dispersed across the state. Tr., Vol. II 281:4-15. Mr. Hefner opined that District 6 was designed as such to collect these highly dispersed BVAP areas in order to create a second majority-minority district. *Id.*, 283:15-285:1.

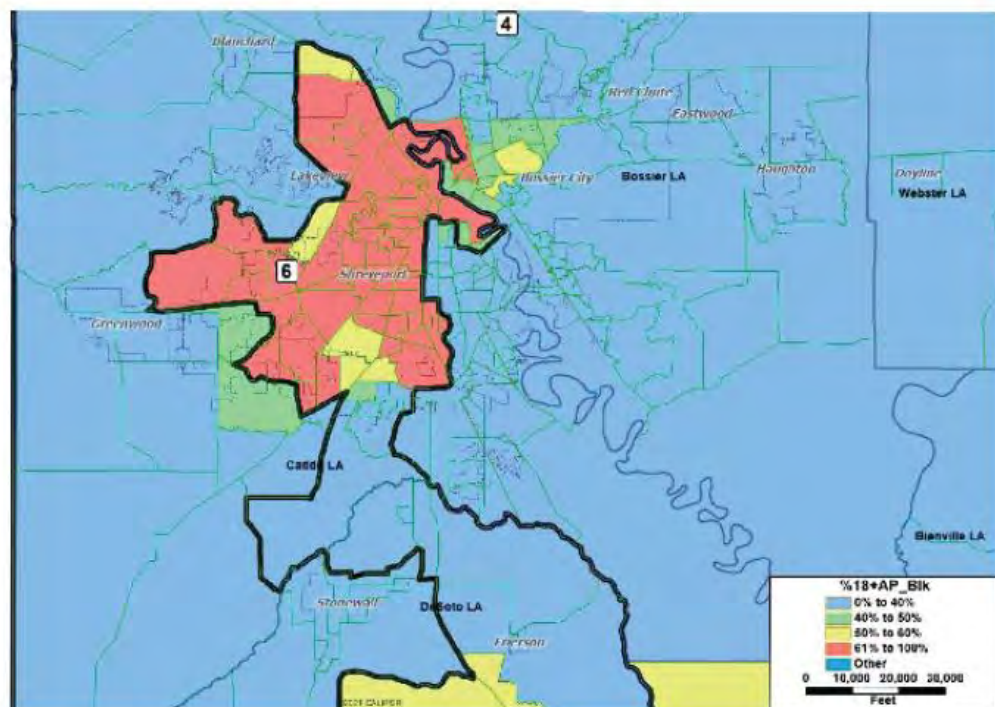
**Map 15 – SB 8 Plan with African American Populations**



PE 16.

When Mr. Hefner’s heat map is superimposed on SB8, the “story of racial gerrymandering” becomes evident. *See Miller*, 515 U.S. at 917 (“... when [the district’s] shape is considered in conjunction with its racial and population densities, the story of racial gerrymandering ... becomes much clearer”). That exhibit shows that District 6 sweeps across the state to include the heavily concentrated Black population neighborhoods in East Baton Rouge, Alexandria, Opelousas, Natchitoches, and Mansfield. Most telling, District 6 juts up at its northern end to carve out the Black neighborhoods of Shreveport and separates those neighborhoods from the majority white neighborhoods of Shreveport and Bossier City (“Shreveport-Bossier”). *Tr.*, Vol. II, 283:15-285:1.

Map 21 – Shreveport Area in Caddo Parish



PE 18.

District 6 also dips down from its northwest trajectory and splits the majority of Black neighborhoods of Lafayette from the rest of the city and parish. Specifically, District 6 includes Lafayette’s northeast neighborhoods, which contain a predominantly Black population, while leaving the rest of the city and parish in neighboring District 3. *Id.* at 283:22-284:4. In sum, the “heat maps” and demographic data in evidence tell the true story – that race was the predominate factor driving decisions made by the State in drawing the contours of District 6. This evidence shows that the unusual shape of the district reflects an effort to incorporate as much of the dispersed Black population as was necessary to create a majority-Black district.

## **2. Direct Evidence**

The Court next looks to the direct evidence of the Legislature’s motive in creating District 6 – in other words, what was actually said by the individuals who had a hand in promulgating, drafting, and voting on SB8. The direct evidence buttresses the Court’s conclusion that race was the predominant factor the legislators relied upon in drawing District 6.

The record includes audio and video recordings, as well as transcripts, of statements made by key political figures such as the Governor of Louisiana, the Louisiana Attorney General, and Louisiana legislators, all of whom expressed that the primary purpose guiding SB8 was to create a second majority-Black district due to the *Robinson* litigation. As discussed *supra*, the Middle District, after the preliminary injunction hearing in *Robinson*, found a likelihood of success on the merits of the *Robinson* Plaintiffs’ claim that a second majority-minority district was required by Section 2 of the Voting Rights. Although the preliminary injunction was

vacated by the Fifth Circuit to allow the Legislature to enact a new map, legislators chose to draw a map with a second majority-Black district in order to avoid a trial on the merits in the *Robinson* litigation. *See, e.g.*, Tr. Vol. III, 588:11-17 (“Judge Dick has put us in a position and the Fifth Circuit, the panel that reviewed that decision, and the whole court, when I asked them to go *en banc*, by declining to go on *en banc*, have put us in a position pus [sic] of where we are today where we need to draw a map.”); JE28, 46:5-101 (same); *see also* Tr. Vol. III, 589:1-3 (“The courts, never the less, have told us to draw a new map. And they have indicated that we have a deadline to do that or Judge Dick will draw the map for us.”); JE28 at 36:14-17 (same); JE36 at 33 (Senator Price: “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.”); JE36 at 1 (Senator Fields: “[B]oth the district and the appeals court have said we need to do something before the next congressional elections.”); JE31, 26:12–24 (Chairman Beaulieu: “Senator Womack, why are we here today? What – what brought us all to this special session as it – as it relates to, you know, what we’re discussing here today?”); Senator Womack: “The middle courts of the district courts brought us here from the Middle District, and said, ‘Draw a map, or I’ll draw a map.’”; Chairman Beaulieu: “Okay.”; Senator Womack: “So that’s what we’ve done.”; Chairman Beaulieu: “And – and were you – does – does this map achieve that middle court’s orders?”; Senator Womack: “It does.”); PE41, 75:24-76:2 (Representative Lyons, Chairman of the House and Governmental Affairs Committee, stating “[T]he mission we have here is that we have to create two majority-Black districts.”); PE41, 121:19–22 (Senator Womack stating that “... we all know why we’re here. We were

ordered to – to draw a new Black district, and that’s what I’ve done.”); PE41, 9:3-8 (Representative Amedee: “Is this bill intended to create another black district?” Representative Beaulieu: “Yes, ma’am, and to comply with the judge’s order.”); JE31, 97:17-19, 21-24 (Representative Carlson: “the overarching argument that I’ve heard from nearly everyone over the last four days has been race first ... race seems to be, at least based on the conversations, the driving force....”). SB 8’s sponsor, Senator Womack, also explicitly admitted that creating two majority-Black districts was “the reason why District 2 is drawn around the Orleans Parish and why District 6 includes the Black population of East Baton Rouge Parish and travels up the I-49 corridor to include Black population in Shreveport.” PE41 at 26.

The Court also acknowledges that the record includes evidence that race-neutral considerations factored into the Legislature’s decisions, such as the protection of incumbent representatives. *See* JE29 at 2-3 (Senator Womack discussing that SB8 protects Congresswoman Julia Letlow, U.S. Speaker of the House Mike Johnson, and U.S. House Majority Leader Steve Scalise); Tr. Vol. I, 71:11-18, 79:1-4 (Senator Pressley testifying that “[w]e certainly wanted to protect Speaker Johnson ... We wanted to make sure that we protected Steve Scalise. Julia Letlow is on Appropriations. That was also very important that we try to keep her seat as well.”); *Id.* at 60:8-61:15 (Senator Seabaugh testifying that the fact that the Speaker and Majority Leader are from Louisiana is “kind of a big deal” and that protecting Speaker



Johnson, Majority Leader Scalise, and Representative Letlow was “an important consideration when drawing a congressional map.”).<sup>10</sup>

However, considering the circumstantial and the direct evidence of motive in the creation of District 6, the Court finds that “racially motivated gerrymandering had a qualitatively greater influence on the drawing of the district lines than politically motivated gerrymandering.” *Vera*, 517 U.S. at 953. As in *Shaw II* and *Vera*, the State first made the decision to create a majority-Black district and, only then, did political considerations factor into the State’s creation of District 6. The predominate role of race in the State’s decisions is reflected in the statements of legislative decision-makers, the division of cities and parishes along racial lines, the unusual shape of the district, and the evidence that the contours of the district were drawn to absorb sufficient numbers of Black-majority neighborhoods to achieve the goal of a functioning majority-Black district. If the State’s primary goal was to protect congressional incumbents, the evidence in the record does not show that District 6 in its current form was the only way to achieve that objective. As explained by the Supreme Court:

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<sup>10</sup> At bottom, it is not credible that Louisiana’s majority-Republican Legislature would choose to draw a map that eliminated a Republican-performing district for predominantly political purposes. The Defendants highlight the purported animosity between Governor Jeff Landry and Representative Garrett Graves to support their contention that political considerations served as the predominant motivating factor behind SB8. However, given the slim majority Republicans hold in the United States House of Representatives, even if such personal or intra-party animosity did or does exist, it is difficult to fathom that Louisiana Republicans would intentionally concede a seat to a Democratic candidate on those bases. Rather, the Court finds that District 6 was drawn primarily to create a second majority-Black district that they predicted would be ordered in the Robinson litigation after a trial on the merits. Thus, it is clear that race was the driving force and predominant factor behind the creation of District 6.

One, often highly persuasive way to disprove a States contention that politics drove a district's lines is to show that the legislature had the capacity to accomplish all its partisan goals without moving so many members of a minority group into the district. If you were really sorting by political behavior instead of skin color (so the argument goes) you would have done – or, at least, could just as well have done – this. Such would-have, could-have, and (to round out the set) should-have arguments are a familiar means of undermining a claim that an action was based on a permissible, rather than a prohibited, ground.

*Cooper*, 581 U.S. at 317. In the present case, the record reflects that the State could have achieved its political goals in ways other than by carving up and sorting by race the citizens of Baton Rouge, Lafayette, Alexandria, and Shreveport. Put another way, the Legislature's decision to increase the BVAP of District 6 to over 50 percent was not required to protect incumbents and supports the Plaintiffs' contention that race was the predominate factor in drawing the district's boundaries. In sum, Plaintiffs have met their initial burden, and the burden now shifts to the State to prove that District 6 survives strict scrutiny.

## **B. Strict Scrutiny**

When a Plaintiff succeeds in proving racial predominance, the burden shifts to the State to “demonstrate that its districting legislation [was] narrowly tailored to achieve a compelling interest.” *Bethune-Hill*, 580 U.S. at 193 (citing *Miller*, 515 U.S. at 920).

### **1. Compelling State Interest**

The State argues that compliance with Section 2 of the Voting Rights Act is a compelling state interest. The Supreme Court has repeatedly assumed without deciding that compliance with the Voting Rights Act is a compelling interest. See *Shaw II*, 517 U.S. at 915; *Cooper*, 581 U.S. at 292; *Bethune-Hill*, 580 U.S. at 193. To

show that the districting legislation satisfies the “narrow tailoring” requirement “the state must establish that it had ‘good reasons’ to think that it would transgress the act if it did not draw race-based district lines.” This “strong basis (or ‘good reasons’) standard” provides “breathing room” to the State “to adopt *reasonable* compliance measures that may prove, in perfect hindsight not to have been needed.” *Cooper*, 581 U.S. at 293 (quoting *Bethune–Hill*, 581 U.S. at 293) (emphasis added). Moreover, the Supreme Court has often remarked that “redistricting is primarily the duty and responsibility of the State,” not of the courts. *Abbott v. Perez*, 585 U.S. 579, 603, 138 S. Ct. 2305, 2324, 201 L.Ed.2d 714 (2018) (citing *Miller*, 515 U.S. at 915).

Turning to the present case, the State argues that it had a “strong basis” in evidence to believe that the district court for the Middle District was likely, after a trial on the merits in *Robinson*, to rule that Louisiana’s congressional map violated Section 2 of the Voting Rights Act and order the creation of a second majority-Black district. *See Robinson* Appeal Ruling at 583 (vacating the district court’s preliminary injunction and granting the Legislature the opportunity to draw a new map instead of advancing to a trial on the merits of HB1); *See also Robinson* Docket, [Doc. 315] (“If the Defendant/Intervenors fail to produce a new enacted map on or before [January 30, 2024], this matter will proceed to a trial on the merits on [February 5, 2024], which shall continue daily until complete”); *see, e.g.*, JE36 at 4 (Senator Price: “We all know that we’ve been ordered by the court that we draw congressional districts with two minority districts. This map will comply with the order of both the Fifth Circuit Court of Appeals and the district court. They have said that the Legislature must pass a map that has two majority black districts.”); JE33, 5:1-7



(Representative Beaulieu: “As Senator Stine said earlier in this week, ‘It’s with a heavy heart that I present to you this other map,’ but we have to. It’s that clear. A federal judge has ordered us to draw an additional minority seat in the State of Louisiana.”); JE34, 11:3–7 (Senator Carter: “[W]e came together in an effort to comply with a federal judge’s order that Louisiana provide equal representation to the African Americans in the State of Louisiana, and we have an opportunity to do that.”); JE36 at 18 (Representative Marcelle: “Let’s not let Judge Dick have to do what our job is, which is to create a second minority-majority district.”); JE30, 20:22–21:4 (Senator Duplessis: “It’s about a federal law called the Voting Rights Act that has not been interpreted just by one judge in the Middle District of Louisiana who was appointed by former president Barack Obama, but also a U.S. Fifth Circuit Court of Appeals that’s made up of judges that were appointed by predominantly Republican presidents, and a United States Supreme Court that has already made rulings.”); Tr. Vol. I, 47:22-48:1 (Senator Seabaugh: “Well, the – really, the only reason we were there was because of the other litigation; and Judge Dick saying that she – if we didn’t draw the second minority district, she was going to. I think that’s the only reason we were there.”); Tr. Vol. I, 69:24-70:4 (Senator Pressly: “We were told that we had to have two performing African American districts. And that we were – that that was the main tenet that we needed to look at and ensure that we were able to draw the court – draw the maps; otherwise, the Court was going to draw the maps for us”).

The Court assumes, without deciding, that compliance with Section 2 was a compelling interest for the State to attempt to create a second majority-Black district in the present case. However, even assuming that the Voting Rights Act is a

compelling state interest in this case, that compelling interest does not support the creation of a district that does not comply with the factors set forth in *Gingles* or traditional districting principles. *See e.g., Shaw II*, 517 U.S. at 915 (“We assume, *arguendo*, for the purpose of resolving this suit, that compliance with Section 2 could be a compelling interest” but hold that the remedy is not narrowly tailored to the asserted end); *Vera*, 517 U.S. at 977 (plurality opinion) (“[W]e assume without deciding that compliance with [the Voting Rights Act], as interpreted by our precedents, can be a compelling state interest” but hold that the districts at issue are not “narrowly tailored” to achieve that interest (citation omitted)); *Ala. Legis. Black Caucus*, 575 U.S. at 279 (“[W]e do not here decide whether ... continued compliance with § 5 [of the Voting Rights Act] remains a compelling interest” because “we conclude that the District Court and the legislature asked the wrong question with respect to narrow tailoring.”).

Indeed, the Supreme Court has made clear that, in the context of a constitutional challenge to a districting scheme, “unless each of the three *Gingles* prerequisites is established, “ ‘there neither has been a wrong nor can be a remedy’” and the districting scheme does not pass muster under strict scrutiny. *Cooper v. Harris*, 581 U.S. at 306 (quoting *Grove v. Emison*, 507 U.S. 25, 41, 113 S. Ct. 1075, 1084, 122 L.Ed.2d 388 (1993)). With respect to traditional districting requirements, the Supreme Court has consistently warned that, “§ 2 never require[s] adoption of districts that violate traditional redistricting principles. Its exacting requirements, instead, limit judicial intervention to ‘those instances of intensive racial politics’ where the ‘excessive role [of race] in the electoral process ... den[ies] minority voters

equal opportunity to participate.’” *Allen v. Milligan*, 599 U.S. at 29–30 (internal citations omitted).<sup>11</sup> Accordingly, whether District 6, as drawn, is “narrowly tailored” requires the Court to address the *Gingles* factors as well as traditional districting criteria.

**a. Consideration of the *Gingles* Factors**

The Supreme Court in *Gingles* set out how courts must evaluate claims alleging a Section 2 violation of the Voting Rights Act. *Gingles* involved a challenge to North Carolina’s districting scheme, which purportedly diluted the vote of its Black citizens. *Gingles*, 478 U.S. at 34–36.

*Gingles* emphasized precisely what Section 2 guards against. “The essence of a § 2 claim,” the Court explained, “is that a certain electoral law, practice, or structure interacts with social and historical conditions to cause an inequality in the opportunities enjoyed by black and white voters.” *Id.* at 47. This inequality occurs where an “electoral structure operates to minimize or cancel out” minority voters’ “ability to elect their preferred candidates.” *Id.* at 48. This risk is greatest “where minority and majority voters consistently prefer different candidates” and where minority voters are submerged in a majority voting population that “regularly defeat[s]” their choices. *Ibid.*

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<sup>11</sup> The concern that Section 2 may impermissibly elevate race in the allocation of political power within the states is, of course, not new. *See, e.g., Shaw I*, 509 U.S. at 657 (“Racial gerrymandering, even for remedial purposes, may balkanize us into competing racial factions; it threatens to carry us further from the goal of a political system in which race no longer matters.”); *Allen v. Milligan*, 599 U.S. at 41–42. To ensure that *Gingles* does not improperly morph into a proportionality mandate, courts must rigorously apply the “geographically compact” and “reasonably configured” requirements. *Id.* at 44 (Kavanaugh concurrence, n. 2).

But Section 2 of the Voting Rights Act explicitly states that, “nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.” 52 U.S.C. § 10301. And the Supreme Court has repeatedly admonished that *Gingles* does not mandate a proportional number of majority-minority districts. Indeed, “[i]f *Gingles* demanded a proportional number of majority-minority districts, States would be forced to group together geographically dispersed minority voters into unusually shaped districts, without concern for traditional districting criteria such as county, city, and town lines. But *Gingles* and this Court’s later decisions have flatly rejected that approach.” *Allen v. Milligan*, 599 U.S. at 43–44 (Kavanaugh concurring) (citing *Abbott*, 585 U.S. at 615; *Vera*, 517 U.S. at 979; *Gingles*, 478 U.S. at 50; *Miller*, 515 U.S. at 917–920; and *Shaw I*, 509 U.S. at 644–649).

Instead, *Gingles* requires the creation of a majority-minority district only when, among other things: (i) a State’s redistricting map cracks or packs a large and “geographically compact” minority population and (ii) a plaintiff’s proposed alternative map and proposed majority-minority district are “reasonably configured” – namely, by respecting compactness principles and other traditional districting criteria such as county, city, and town lines. *Allen v. Milligan*, 599 U.S. at 43 (Kavanaugh concurring) (citing *Cooper*, 581 U.S. at 301–302; *Voinovich v. Quilter*, 507 U.S. 146, 153–154, 113 S. Ct. 1149, 122 L.Ed.2d 500 (1993)).

In order to succeed in proving a Section 2 violation under *Gingles*, Plaintiffs must satisfy three specific “preconditions.” *Gingles*, 478 U.S. at 50. First, the “minority group must be sufficiently large and [geographically] compact to constitute

a majority in a reasonably configured district.” *Wisconsin Legislature v. Wisconsin Elections Comm’n*, 595 U.S. 398, 402, 142 S. Ct. 1245, 1248, 212 L.Ed.2d 251 (2022) (per curiam) (citing *Gingles*, 478 U.S. at 46–51). Case law explains that a district will be reasonably configured if it comports with traditional districting criteria, such as being contiguous and reasonably compact. *See Ala. Legis. Black Caucus*, 575 U.S. at 272. “Second, the minority group must be able to show that it is politically cohesive.” *Gingles*, 478 U.S. at 51. Third, “the minority must be able to demonstrate that the white majority votes sufficiently as a bloc to enable it ... to defeat the minority’s preferred candidate.” *Ibid.* Finally, a plaintiff who demonstrates the three preconditions must also show, under the “totality of circumstances,” that the political process is not “equally open” to minority voters. *Id.* at 38-38 and 45-46 (identifying several factors relevant to the totality of circumstances inquiry, including “the extent of any history of official discrimination in the state ... that touched the right of the members of the minority group to register, to vote, or otherwise to participate in the democratic process.”).

Each of the three *Gingles* preconditions serves a different purpose. The first, which focused on geographical compactness and numerosity, is “needed to establish that the minority has the potential to elect a representative of its own choice in some [reasonably configured] single-member district.” *Grove*, 507 U.S. at 40. The second, which concerns the political cohesiveness of the minority group, shows that a representative of its choice would in fact be elected. *Ibid.* The third precondition, which focuses on racially polarized voting, “establish[es] that the challenged districting thwarts a distinctive minority vote” at least plausibly on account of race.

*Ibid.* Finally, the totality of circumstances inquiry recognizes that application of the *Gingles* factors is “peculiarly dependent upon the facts of each case.” 478 U.S. at 79. Before a court can find a violation of Section 2, therefore, they must conduct “an intensely local appraisal” of the electoral mechanism at issue, as well as “searching practical evaluation of the ‘past and present reality.’” *Ibid.*

In the present case, the State simply has not met its burden of showing that District 6 satisfies the first *Gingles* factor – that the “minority group [is] sufficiently large and [geographically] compact to constitute a majority in a reasonably configured district.” The record reflects that, outside of southeast Louisiana, the State’s Black population is dispersed. That required the State to draw District 6 as a “bizarre” 250-mile-long slash-shaped district that functions as a majority-minority district only because it severs and absorbs majority-minority neighborhoods from cities and parishes all the way from Baton Rouge to Shreveport. As discussed below, this fails to comport with traditional districting principles.

**b. Traditional Districting Principles**

The first *Gingles* factor requires that a minority population be “[geographically] compact to constitute a majority in a reasonably configured district.” *Allen v. Milligan*, 599 U.S. at 18 (quoting *Wisconsin*, 595 U.S. at 402). This requires consideration of traditional districting principles.

Traditional districting principles consist of six criteria that arose from case law. The first three are geographic in nature and are as follows: (1) compactness, (2) contiguity, and (3) preservation of parishes and respect for political subdivisions. *Shaw I*, 509 U.S. at 647. The Supreme Court has emphasized that “these criteria are

important not because they are constitutionally required – they are not, *cf. Gaffney v. Cummings*, 412 U.S. 735, 752, n. 18, 93 S. Ct. 2321, 2331, n. 18, 37 L.Ed.2d 298 (1973) – but because they are objective factors that may serve to defeat a claim that a district has been gerrymandered on racial lines.” *Id.* The other three include preservation of communities of interest, preservation of cores of prior districts, and protection of incumbents. *See Miller*, 515 U.S. at 916; *Karcher v. Daggett*, 462 U.S. 725, 740 (1983).

Joint Rule 21 – enacted by the Legislature in 2021 – contains criteria that must be satisfied by any redistricting plan created by the Legislature, separate and apart from compliance with the Voting Rights Act and Equal Protection Clause. JE2. Joint Rule 21 states, relevantly, that “each district within a redistricting plan ... shall contain whole election precincts as those are represented as Voting Districts (VTDs)” and “[i]f a VTD must be divided, it shall be divided into as few districts as possible.” *Id.* at (G)(1)-(2). Joint Rule 21 further requires the Legislature to “respect the established boundaries of parishes, municipalities, and other political subdivisions and natural geography of this state to the extent practicable.” *Id.* at (H). However, this requirement does not take precedence over the preservation of communities of interest and “shall not be used to undermine the maintenance of communities of interest within the same district to the extent practicable.” *Id.*

The Supreme Court case of *Miller v. Johnson* demonstrates how traditional districting criteria applies to a racial gerrymandering claim. 515 U.S. at 910–911. There, the Supreme Court upheld a district court’s finding that one of Georgia’s ten congressional districts was the product of an impermissible racial gerrymander. *Id.*

At the time, Georgia’s BVAP was 27 percent, but there was only one majority-minority district. *Id.* at 906. To comply with the Voting Rights Act, Georgia’s government thought it necessary to create two more majority-minority districts – thereby achieving proportionality. *Id.* at 920–921. But like North Carolina in *Shaw I*, Georgia could not create the districts without flouting traditional criteria. Instead, the unconstitutional district “centered around four discrete, widely spaced urban centers that ha[d] absolutely nothing to do with each other, and stretch[ed] the district hundreds of miles across rural counties and narrow swamp corridors.” *Miller*, 515 U.S. at 908. The Court called the district a geographic “monstrosity.” *Allen v. Milligan*, 599 U.S. at 27–28 (citing *Miller*, 515 U.S. at 909).

**c. Communities of Interest**

Perhaps more than any other state of its size, the State of Louisiana is fortunate to have a rich cultural heritage, including diverse ethnicities, customs, economic drivers, types of agriculture, and religious affiliations. While the Court is not bound by the decisions in the *Hays* litigation – made some thirty years ago and involving a different though similar map, and different Census numbers – much of the “local appraisal” analysis from *Hays I* remains relevant to an analysis of SB8. There, the *Hays* court concluded that the distinct and diverse economic interests encapsulated in the challenged district, namely

cotton and soybean plantations, centers of petrochemical production, urban manufacturing complexes, timberlands, sawmills and paper mills, river barge depots, and rice and sugarcane fields are strung together to form the eclectic and incoherent industrial base of District 4. These diverse segments of the State economy have little in common. Indeed, their interests more often conflict than harmonize.



*Hays I*, 839 F. Supp. at 1201. Though this was written 30 years ago, the same is true today. And like the predecessor districts drawn in *Hays*, it is readily apparent to anyone familiar with Louisiana history and culture that Congressional District 6 also

violates the traditional north-south ethno-religious division of the State. Along its circuitous route, this new district combines English–Scotch–Irish, mainline Protestants, traditional rural Black Protestants, South Louisiana Black Catholics, Continental French–Spanish–German Roman Catholics, sui generis Creoles, and thoroughly mixed polyglots, each from an historically discrete and distinctive region of Louisiana, as never heretofore so extensively agglomerated.

*Id.*

Indeed as succinctly stated by the *Hays* court, the differences between North Louisiana, Baton Rouge, and Acadiana in term of culture, economic drivers, types of agriculture, and religious affiliations are pronounced.<sup>12</sup> This is so well known that

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<sup>12</sup> Among other strong cultural and ethnic groups divided by SB8, the French Acadian (“Cajun”) and Creole communities in Southwest Louisiana have a strong identity and a shared history of adversity. The Acadians, for their part, were expelled from Nova Scotia by the British and Anglo-Americans during the French and Indian War, and some settled into the southwestern parishes of Louisiana (“Acadiana”). See Carl A. Brasseaux, *The Founding of New Acadia: The Beginning of Acadian Life in Louisiana, 1765-1803* (Chapter 5) (Louisiana State University Press 1987). This historical event is well-known in Louisiana and referred to as *Le Grand Dérangement*. See William Faulker Rushton, *The Cajuns From Acadia to Louisiana* (Farrar Straus Giroux 1979). The Acadian refugees made their homes in the foreign swamps and bayous of southern Louisiana and from there, built a rich and persisting culture – marked by their distinct dialect of French, and their cuisine, music, folklore, and Catholic faith. See Brasseaux, *The Founding of New Acadia*.

In 1921, Louisiana’s Constitution eliminated any reference to the French language and instead required only English to be taught, used, and spoken in Louisiana schools, which detrimentally affected the continuation of Cajun French. Roger K. Ward, *The French Language in Louisiana Law and Legal Education: A Requiem*, 57 La. L. Rev. 1299 (1997). <https://digitalcommons.law.lsu.edu/cgi/viewcontent.cgi?article=5694&context=lalrev>.

Remarkably, after years of cultural suppression, the late 1960s/early 1970s witnessed collective activism to revive Cajun French and culture in the area. *Id.* at 1299; see also <https://www.nationalgeographic.com/culture/article/reviving-the-cajun-dialect>. Thankfully, Louisiana’s 1974 Constitution safeguarded efforts by Cajun cultural groups to “ensure [their] preservation and proliferation.” *Id.* at 1300. To this day, Acadiana celebrates its

any Louisiana politician seeking statewide office must first develop a strategy to bridge the regional cultural and religious differences in Louisiana.<sup>13</sup>

There is no doubt that District 6 divides some established communities of interest from one another while collecting parts of disparate communities of interest into one voting district. Among other things, District 6 in SB8 splits six of the ten parishes that it touches. As the Court succinctly states in *Hays*, “there is no more fundamental unit of societal organization in the history of Louisiana than the parish.” *Hays I*, 839 F. Supp. at 1200.

District 6 also divides the four largest cities and metropolitan areas in its path along clearly racial lines. Among these are three of the four largest cities in Louisiana — *i.e.*, Baton Rouge, Lafayette, and Shreveport. And the maps in the record are clear that the division of these communities is based predominantly on the location of majority-Black voting precincts. Indeed, SB8, just like the congressional districts in *Hays I*, “violates the boundaries of nearly all major municipalities in the State.” *Hays*

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Francophone ties with festivals such as Festival International de Louisiane, which features Francophone musicians and artisans from around the world, and Festival Acadiens and Créoles, the largest Cajun and Creole festival in the world. Further, to preserve the language, organizations such as CODOFIL support the preservation of the French language in Louisiana, and on a smaller scale, many community members form “French tables” where only French is allowed to be spoken. The unique community of Acadiana, among many others in Louisiana, with a deep connection and awareness of its past, certainly constitutes a community of interest. Race predominating, SB8 fails to take into account Louisiana’s diverse cultural, religious, and social landscape in any meaningful way.

<sup>13</sup> Attempting to bridge the north-south religious divide, one of Louisiana’s most famous politicians, Huey Long, began his stump speech by claiming, that, “when I was a boy, I would get up at six o’clock in the morning on Sunday, and I would take my Catholic grandparents to mass. I would bring them home, and at ten o’clock I would hitch the old horse up again, and I would take my Baptist parents to church.” A colleague later said, “I didn’t know you had any Catholic grandparents.” To which he replied, “Don’t be a damned fool. We didn’t even have a horse.”

*I*, 839 F. Supp. at 1201. The law is crystal clear on this point. As the Supreme Court held in *Allen v. Milligan*, it is unlawful to “concentrate[] a dispersed minority population in a single district by disregarding traditional districting principles such as compactness, contiguity, and respect for political subdivisions,” reaffirming that “[a] reapportionment plan that includes in one district individuals who belong to the same race, but who are otherwise separated by geographical and political boundaries,” raises serious constitutional concerns. 599 U.S. at 27 (citing *Shaw I*, 509 U.S. at 647). Based upon the foregoing, the Court finds that SB8’s District 6 does not satisfy the “geographically compact” and “reasonably configured” *Gingles* requirement.

**d. Respect for Political Subdivisions and Natural Boundaries**

Nor does SB8 take into account natural boundaries such as the Atchafalaya Basin, the Mississippi River, or the Red River. Just as in *Miller*, District 6 of SB8 “centers around four discrete, widely spaced urban centers that have absolutely nothing to do with each other, and stretches the district hundreds of miles across rural counties and narrow swamp corridors.” 515 U.S. at 908; *Allen v. Milligan*, 599 U.S. at 27–28 (citing *Miller v. Johnson*). Specifically, District 6’s population centers around the widely-spaced urban centers of Shreveport, Alexandria, Lafayette, and Baton Rouge – each of which is an independent metropolitan area – and are connected to one another only by rural parishes having relatively low populations. Importantly, none of these four cities or the parishes in which they are located are, by themselves, large enough to require that they be divided to comply with the “one person, one vote”

requirement of the Fourteenth Amendment. *Reynolds v. Sims*, 377 U.S. 533, 566, 84 S. Ct. 1362, 1384, 12 L.Ed.2d 506 (1964).

**e. Compactness**

The record also includes statistical evidence showing that District 6 is not “compact” as required by traditional districting principles. Specifically, Dr. Voss testified that, based on three measures of compactness — (i) the Reock Score; (ii) the Polsby-Popper score; and (iii) the Know It When You See It (“KIWYSI”) score — the current form of District 6 in SB8 performs worse than the districts in either HB1 (the map that was enacted in 2022) or the map that HB1 replaced from the previous decade. Tr., Vol. I, 100:22-103:5; 104:25-105:4; PE7. Thus, SB8 does not produce compact maps when judged in comparison to other real-life congressional maps of Louisiana. Tr., Vol. I, 107:16-21. Dr. Voss also opined that SB8’s majority-Black districts were especially non-compact compared to other plans that also included two majority-minority districts. *Id.* at 106:17-24. According to Dr. Voss, SB8’s District 6 scored worse on the Polsby-Popper test than the second majority-Black districts in other proposed plans that created a second majority-Black district. *Id.* at 106:17-24.

In sum, District 6 does not satisfy the first *Gingles* precondition nor does it comply with traditional districting principles. Accordingly, SB8 and, more specifically, District 6 cannot withstand strict scrutiny. That being said, while the record is clear that Louisiana’s Black population has become more dispersed and integrated in the thirty years since the *Hays* litigation (and Louisiana now has only six rather than the seven Congressional districts it had at that time), this Court does not decide on the record before us whether it is feasible to create a second majority-

Black district in Louisiana that would comply with the Equal Protection Clause of the Fourteenth Amendment. However, we do emphasize that Section 2 of the Voting Rights Act never requires race to predominate in drawing Congressional districts at the sacrifice of traditional districting principles. *Allen v. Milligan*, 599 U.S. at 29–30 (internal citations omitted).

## V. REMEDIAL PHASE

The Court will hold a status conference to discuss the remedial stage of this trial on May 6, 2024, at 10:30 a.m. CST.

## VI. CONCLUSION

As our colleagues so elegantly stated in *Hays II*, the long struggle for civil rights and equal protection under the law that has taken place in Louisiana and throughout our country, includes:

countless towns across the South, at schools and lunch counters, at voter registrar’s offices. They stood there, black and white, certain in the knowledge that the Dream was coming; determined that no threat, no spittle, no blow, no gun, no noose, no law could separate us because of the color of our skin. To say now: “Separate!” “Divide!” “Segregate!” is to negate their sacrifice, mock their dream, deny that self-evident truth that all men are created equal and that no government may deny them the equal protection of its laws.

*Hays II* at 125. The Court agrees and finds that SB8 violates the Equal Protection Clause as an impermissible racial gerrymander.

In light of the foregoing, the Court GRANTS PLAINTIFFS’ REQUEST FOR INJUNCTIVE RELIEF. The State of Louisiana is prohibited from using SB8’s map of congressional districts for any election.

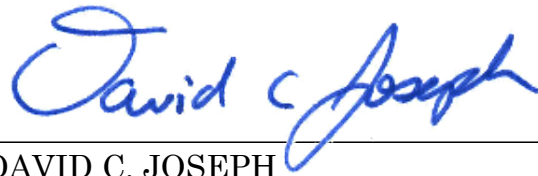
A status conference is hereby set on **May 6, 2024, at 10:30 a.m. CST** to discuss the remedial stage of this trial. Representatives for each party must attend.

THUS, DONE AND SIGNED on this 30<sup>th</sup> day of April 2024.



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ROBERT R. SUMMERHAYS  
UNITED STATES DISTRICT JUDGE  
WESTERN DISTRICT OF LOUISIANA



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DAVID C. JOSEPH  
UNITED STATES DISTRICT JUDGE  
WESTERN DISTRICT OF LOUISIANA

Carl E. Stewart, *Circuit Judge*, dissenting:

Contrary to my panel colleagues, I am not persuaded that Plaintiffs have met their burden of establishing that S.B. 8 is an unconstitutional racial gerrymander. The totality of the record demonstrates that the Louisiana Legislature weighed various political concerns—including protecting of particular incumbents—alongside race, with no factor predominating over the other. The panel majority’s determination that S.B. 8 is unconstitutional is incredibly striking where, as here, Plaintiffs did not even attempt to address or disentangle the various political currents that motivated District 6’s lines in S.B. 8.<sup>1</sup> While this inquiry should end at racial predominance, I would further hold that S.B. 8 satisfies strict scrutiny because the Supreme Court has never imposed the aggressive incursion on state sovereignty that the panel majority advocates for here. Indeed, the panel majority’s requirements for permissible electoral map trades in the substantial “breathing room” afforded state legislatures in reapportionment for a tightly wrapped straight-jacket. Therefore, I respectfully dissent.

### **I. Factual Background**

The Supreme Court has undoubtedly recognized that in a “more usual case,” alleging racial gerrymandering, a trial court “can make real headway by exploring the challenged district’s conformity to traditional districting principles, such as compactness and respect for county lines.”

<sup>1</sup> Notably, none of the plaintiffs in this case demonstrated that S.B. 8 had a discriminatory effect on them based on their race. None of them testified or otherwise entered any evidence into the record of their racial identity, which conflicts with the well-recognized principle that actionable intentional discrimination must be against an “identifiable group.” See *Fusilier v. Landry*, 963 F.3d 447, 463 (5th Cir. 2020). As an aside, nearly all of the plaintiffs in this case lack standing to allege this racial gerrymandering claim because they do not reside in District 6. See *United States v. Hays*, 515 U.S. 737, 744–45 (1996).

*Cooper v. Harris*, 581 U.S. 285, 308 (2017). Notably, the panel majority has proceeded full steam ahead in this direction without proper regard for the atypical nature of this case and trial record. Because of this, the panel majority has mis-stepped with regard to their approach, resulting in numerous errors and omissions in both their reasoning and holding.

One such omission derives from the fact that none of the prior redistricting cases arrive from the same genesis as this one. This case involves important distinctions, worth noting, that make it anything but a “usual” racial gerrymandering case. *See Cooper*, 581 U.S. at 308. First, the State has made no concessions to racial predominance.<sup>2</sup> Second, the State affirmatively invokes a political motivation defense.<sup>3</sup> Third, the State constructively points—not to a Justice Department demand letter as “a strong basis in evidence” but—to the findings of an Article III judge.<sup>4</sup> The panel majority has failed to adequately grapple with each of these relevant factors, I will address them herein.

I start with the 2020 Census because understanding the setting is necessary in deciding this nuanced and context-specific case. The Supreme Court has said as much. It has held that the “historical background of the decision is one evidentiary source, particularly if it reveals a series of official

<sup>2</sup> *See Miller v. Johnson*, 515 U.S. 900, 918 (1995) (“The court supported its conclusion not just with the testimony . . . but also with the State’s own concessions.”).

<sup>3</sup> *E.g., Cooper*, 581 U.S. at 308 (2017) (citing *Hunt v. Cromartie*, 526 U.S. 541, 547 n.3 (1999) (“*Cromartie I*”)) (emphasizing the importance of inquiries into asserted political or partisanship defenses since bizarrely shaped districts “can arise from a ‘political motivation’ as well as a racial one”).

<sup>4</sup> *See Miller*, 515 U.S. at 918 (“Hence the trial court had little difficulty concluding that the Justice Department spent months demanding purely race-based revisions to Georgia’s redistricting plans, and that Georgia spent months attempting to comply.”) (internal citation and quotation marks omitted).



actions taken for invidious purposes. The specific sequence of events leading up to the challenged decision also may shed some light on the decisionmaker's purposes." *Village of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 267 (1977) (internal citations omitted). Effectually, it is a mistake to view this case in a vacuum—as if the Louisiana Legislature's redistricting efforts and duties burgeon in January 2024. Instead, viewing the case within the lens of the appropriate backdrop—the United States and Louisiana Constitutions, *Robinson v. Ardoin*,<sup>5</sup> and Governor Landry's call to open the 2024 Extraordinary Legislative Session—the Legislature had an obligation to reapportion.

The U.S. Constitution sets out that "[t]he House of Representatives shall be composed of Members chosen every second Year by the People of the several States." It further vests state legislatures with the primary responsibility to craft federal congressional districts, namely through the Election Clause. U.S. Const. art. I, § 4, cl. 1. Article III, § 6 of the Louisiana Constitution charges the Louisiana Legislature with the duty to reapportion the single-member districts for the U.S. House of Representatives after each decennial census. La. Const. art. III, § 6. In April 2021, the results of the 2020 Census were delivered to Louisiana and the state's congressional apportionment remained six seats in the U.S. House of Representatives. Robinson Interv. FOF, ECF 189-1, 11 (citing *Robinson I*, 605 F. Supp. 3d 767). The 2020 Census data would drive the state of Louisiana's redistricting process. See La. Const. art. III, § 6; *Robinson I*, 605 F. Supp. 3d at 767.

<sup>5</sup> *Robinson v. Ardoin*, 605 F. Supp. 3d 759, 767 (M.D. La. 2022) ("*Robinson I*"), cert. granted before judgment, 142 S. Ct. 2892 (2022), and cert. dismissed as improvidently granted, 143 S. Ct. 2654 (2023), and vacated and remanded, 86 F.4th 574 (5th Cir. 2023).

“Leading up to their redistricting session, legislators held a series of ‘roadshow’ meetings across the state, designed to share information about redistricting and solicit public comment and testimony, which lawmakers described as absolutely vital to this process.” *Id.* “The drawing of new maps was guided in part by Joint Rule No. 21, passed by the Louisiana Legislature in 2021 to establish criteria that would ‘promote the development of constitutionally and legally acceptable redistricting plans.’” *Robinson I*, 605 F. Supp. 3d at 767. “The Legislature convened on February 1, 2022 to begin the redistricting process; on February 18, 2022, H.B. 1 and S.B. 5, the bills setting forth new maps for the 2022 election cycle, passed the Legislature.” *Id.* at 767–68.

Following the promulgation of H.B. 1, a select group of Black voters brought a claim under § 2 of the Voting Rights Act of 1965 (“VRA”) to invalidate the congressional maps. *See id.* at 760. The events of that litigation as it proceeded through in the Middle District of Louisiana and the Fifth Circuit propelled the newly elected Governor Jeff Landry to call an Extraordinary Legislative Session in January 2024. *See* JE 35 at 10–14. Ultimately, S.B. 8 “was chosen over other plans with two majority-Black districts that were more compact and split fewer parishes and municipalities because those plans failed to achieve the overriding goal of protecting the seats of United States House Speaker Mike Johnson, Majority Leader Steve Scalise, and Representative Julia Letlow at the expense of Representative Garret Graves.” *Robinson Interv. Post-trial Memo*, ECF 189 at 1; *Robinson Interv. FOF*, ECF 189-1, at 33–35, ¶¶ 135–142.

While the panel majority repeatedly concedes that the *Hays* litigation is three decades old and relies on now-antiquated data, its opinion nevertheless presses forward by drawing parallels and making conclusions that are devoid of crucial context. The panel majority avers that “much of

the ‘local appraisal’ analysis from *Hays I* remains relevant to an analysis of S.B.8,” claiming that S.B. 8’s District 6 succumbs to the same violations of the “traditional north-south ethno-religious division of the State.” Majority Op. 53-54. Unlike *Hays*, where the cartographer tasked with drawing the map *conceded* that he “concentrated virtually exclusively on racial demographics and considered essentially no other factor except the ubiquitous constitutional ‘one person-one vote’ requirement,”<sup>6</sup> the record before this court is filled with evidence that political factors were paramount in the drawing of S.B. 8. Additionally, the racial makeup of the state has changed *drastically* over the past three decades. As the Middle District of Louisiana adeptly concluded:

By every measure, the Black population in Louisiana has increased significantly since the 1990 census that informed the *Hays* map. According to the Census Bureau, the Black population of Louisiana in 1990 was 1,299,281.285. At the time, the Census Bureau did not provide an option to identify as more than one race. The 2020 Census results indicate a current Black population in Louisiana of 1,464,023 using the single-race Black metric, and 1,542,119 using the Any Part Black metric. So, by the Court’s calculations, the Black population in Louisiana has increased by at least 164,742 and as many as 242,838 since the *Hays* litigation. *Hays*, decided on census data and demographics 30 years ago, is not a magical incantation with the power to freeze Louisiana’s congressional maps in perpetuity. *Hays* is distinguishable and inapplicable.

*Robinson I*, 605 F. Supp. 3d at 834. Given this pivotal context, I deem it a grievous error for the panel majority to place the *Hays* map and S.B. 8 map

<sup>6</sup> *Hays v. State*, 936 F. Supp. 360, 368 (W.D. La. 1996).

side-by-side and imply that the similarities in district shape alone are dispositive. The panel majority is correct, however, that “[this] Court is not bound by the decisions in the *Hays* litigation.” Majority Op. 53.

## II. Racial Predominance

Because of the interminable interplay between satisfying the Fourteenth Amendment and complying with § 2 of the VRA, it is axiomatic that electoral districting involves some racial awareness. Redistricting violates the Equal Protection Clause of the Fourteenth Amendment when race is the “predominant” consideration in deciding “to place a significant number of voters within or without a particular district.” *Miller*, 515 U.S. at 913, 916. However, the Supreme Court has highlighted that:

[Electoral] districting differs from other kinds of state decision-making in that the legislature always is aware of race when it draws district lines, just as it is aware of age, economic status, religious and political persuasion, and a variety of other demographic factors. That sort of race consciousness does not lead inevitably to impermissible race discrimination.

*Shaw v. Reno*, 509 U.S. 630, 646 (1993) (“*Shaw I*”); see also *Miller*, 515 U.S. at 915–16 (“Redistricting legislatures will . . . almost always be aware of racial demographics; but it does not follow that race predominates in the redistricting process.”). The Court again reemphasized in *Easley v. Cromartie* that “race must not simply have been a motivation for the drawing of a majority-minority district but the predominant factor motivating the legislature’s districting decision.” 532 U.S. 234, 241 (2001) (“*Cromartie II*”) (internal citations and quotation marks omitted). Consequently, in my view, the panel majority has not properly assessed “predominance” under the relevant caselaw.

Specifically, the Supreme Court has directed “courts, in assessing the sufficiency of a challenge to a districting plan, [to] be sensitive to the

complex interplay of forces that enter a legislature’s redistricting calculus.” *Miller*, 515 U.S. at 915–16. This sensitive inquiry requires a careful balancing of the legislative record and evidence adduced at trial to unpack the motivations behind the lines on the map. The Court in *Miller* explained that:

The distinction between being aware of racial considerations and being motivated by them may be difficult to make. This evidentiary difficulty, together with the sensitive nature of redistricting and the presumption of good faith that must be accorded legislative enactments, requires courts to exercise extraordinary caution in adjudicating claims that a State has drawn district lines on the basis of race.

*Id.* at 916. The Supreme Court in *Alabama Legislative Black Caucus v. Alabama* reaffirmed the characterizations of “predominance” and the associated burden of proof. 575 U.S. 254, 272 (2015) Plainly, “a plaintiff pursuing a racial gerrymandering claim must show that race was the predominant factor motivating the legislature’s decision to place a significant number of voters within or without a particular district.” *Id.* (quoting *Miller*, 515 U.S. at 916) (internal quotation marks omitted). Here, Plaintiffs have shown racial awareness—to be sure. But identifying awareness is not the end of the inquiry.

To prove racial predominance, a “plaintiff must prove that the legislature subordinated traditional race-neutral districting principles . . . to racial considerations.” *Miller*, 515 U.S. at 916. The relevant “traditional race-neutral districting principles,” which the Court has listed many times, include “compactness, contiguity, respect for political subdivisions or communities defined by actual shared interests,” incumbency protection, and political affiliation. *Miller*, 515 U.S. at 901; *Bush v. Vera*, 517 U.S. 952, 964, 968 (1996). A plaintiff’s burden in a racial gerrymandering case is “to show, either through circumstantial evidence of a district’s shape and

demographics or more direct evidence going to legislative purpose, that race was the predominant factor motivating the legislature's decision." *Miller*, 515 U.S. at 916. Plaintiffs have failed to show racial predominance through either direct or circumstantial evidence or any combination thereof.

*A. Circumstantial Evidence*

Like the plaintiffs in *Cromartie I*, Plaintiffs here seek to prove their racial gerrymandering claim through circumstantial evidence—*e.g.*, maps showing the district’s size, shape, an alleged lack of continuity, and statistical and demographic evidence. *See* 526 U.S. at 541–43. In their post-trial memorandum, Plaintiffs maintain that the “bizarre shape of District 6 reveals racial predominance.” ECF 190 at 15. In opposition, the State raises its “political motivation” defense by alleging that: (1) “the Governor and the Legislature made a political judgment to reclaim the State’s sovereign right to draw congressional maps rather than cede that responsibility to the federal courts” and (2) “the contours of the S.B. 8 map were themselves motivated by serious political calculations.” State’s Post Trial Memo at 5–6. Because “political and racial reasons are capable of yielding similar oddities in a district’s boundaries,” the Court in *Cooper* entrusted trial courts with “a formidable task: [to] make ‘a sensitive inquiry’ into all ‘circumstantial and direct evidence of intent’ to assess whether the plaintiffs have managed to disentangle race from politics and prove that the former drove a district’s lines.” *Cooper*, 581 U.S. at 308 (quoting *Cromartie I*, 526 U.S. at 546). Here, the trial record underscores that Plaintiffs have made no effort to disentangle race consciousness from the political factors motivating District 6’s precise lines. Therefore, the panel majority cannot undertake the “sensitive inquiry” required. Because Plaintiffs have fallen short, the panel majority takes a myopic view of the record and pieces together slithers of circumstantial evidence without comprehensively analyzing all pieces of evidence to the contrary to craft a “story of racial gerrymandering.” *See* Majority Op. at 39 (citing *Miller*, 515 U.S. at 917).

First, I begin by explaining how the panel majority's narrow perspective incorporates no evidence that District 6's lines were drawn solely based on race. Second, I address how Plaintiffs' inconsistent demographic testimony is deficiently limited in scope to support the conclusion that race predominated. Third, I discuss how Plaintiffs' similarly impaired simulation data fails to meet the demanding burden as required by binding precedent.

*i. The Shape of District 6*

A point of agreement amongst the panel in this case is that “[a] district’s shape can provide circumstantial evidence of a racial gerrymander.” Majority Op. 35. However, we diverge based on how we apply this significant point, as the panel majority confuses evidence that the Legislature sought to create a second majority-Black district with evidence that race was the “dominant and controlling” factor in the drawing of S.B. 8’s contours.



The Supreme Court has acknowledged that notwithstanding the fact that circumstantial evidence—like a district’s unusual shape—can give rise to an inference of an “impermissible racial motive,” such a bizarre shape “can arise from a ‘political motivation’ as well as a racial one.” *Cooper*, 581 U.S. at 308; *Cromartie I*, 526 U.S. at 547 n.3.<sup>7</sup> As such, the inquiry does not stop at a rudimentary examination of the district’s lines in some precincts. In *Cooper*, the Court further clarified this point by articulating that “such evidence [of a ‘highly irregular’ shape] loses much of its value when the State asserts partisanship as a defense, because a bizarre shape” may be attributed best to political or personal considerations for a legislator instead of racial considerations. *See* 581 U.S. at 308. The panel majority’s and Plaintiffs’ inability to coherently parse these considerations is particularly striking as there have been several instances in Louisiana “where legislators wanted a precinct in their district because their grandmother lived there.” *See, e.g.*, Trial Tr. 177 (testimony of Dr. Voss). Nonetheless, the panel majority ignores this crucial step of the circumstantial evidence analysis, eliding to other “mixed motive” cases. Majority Op. 38.

<sup>7</sup> *See also Shaw v. Hunt*, 517 U.S. 899, 905 (1996) (“*Shaw II*”) (acknowledging that “serpentine district” was “highly irregular and geographically non-compact by any objective standard”); *Miller v. Johnson*, 515 U.S. 900, 913 (1995) (“Shape is relevant . . . because it may be persuasive circumstantial evidence that race for its own sake, and not other districting principles, was the legislature’s dominant and controlling rationale in drawing its district lines.”).

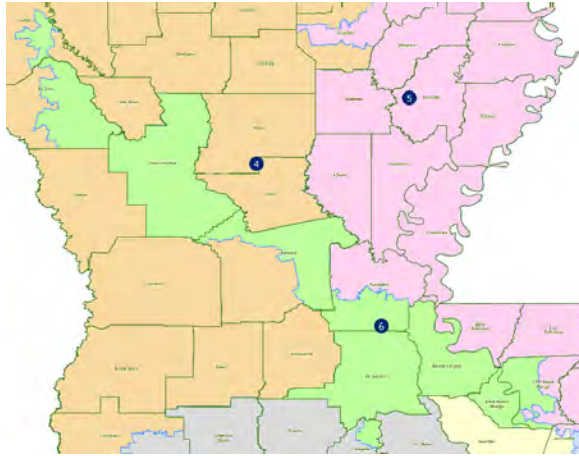
However, a closer comparison between the instant case and those prior “mixed motive” cases reveals how inapt these comparisons are. In *Shaw I*, the Court stated that in “exceptional cases,” a congressional district may be drawn in a “highly irregular” manner such that it facially cannot be “understood as anything other than an effort to segregate voters on the basis of race.” *Shaw I*, 509 U.S. at 646–47 (internal citation and quotation marks omitted); see also Richard H. Pildes, Richard Niemi, *Expressive Harms, “Bizarre Districts,” and Voting Rights: Evaluating Election-District Appearances After Shaw v. Reno*, 92 Mich. L. Rev. 483 (1993). Since that utterance in *Shaw I*, the Court has never struck down a map based on its shape alone. Nonetheless, the panel majority functionally does so here on the basis of severely cabined analyses of select precincts in the metropolitan areas within the district. See Plaintiffs’ Br. 9–10; Majority Op. 38.

The panel majority cites to *Vera* as a basis for its conclusion that the circumstantial evidence in this case is sufficient to show racial predominance. A closer look at that case demonstrates how inapt that comparison is. In *Vera*, the Court considered a challenge to three districts in Texas's reapportionment plan following the 1990 census. 517 U.S. at 956. There, as here, the Texas Legislature admitted that it intentionally sought to draw three districts "for the purpose of enhancing the opportunity of minority voters to elect minority representatives to Congress." *See Vera v. Richards*, 861 F. Supp. 1304, 1337 (S.D. Tex. 1994). However, the record there was replete with specific, direct evidence that several members of the Texas Legislature were moving around Black neighborhoods and precincts into the new Congressional districts that they then hoped to run for. *Id.* at 1338–40. The Court noted that the Texas Legislature used a computer program called "REDAPPL" to aid in drawing district lines. 517 U.S. at 961. The software incorporated racial composition statistics for the proposed districts as they were drawn on a "block-by-block" level. *Id.* (noting that the "availability and use of block-by-block racial data was unprecedented"). With all of this in mind, the Court then rejected the state's incumbency protection defense because the district court's "findings amply demonstrate[d] that such influences were overwhelmed in the determination of the districts' bizarre shaped *by the State's efforts to maximize racial divisions.*" 517 U.S. at 975.

None of that is present in this case. This is not a case like *Vera*, where the political motives of self-interested electoral hopefuls directly attributed to the precise placement of the electoral map lines that comprised those racially gerrymandered districts. There is no § 5 preclearance letter in which the state legislature, speaking with one voice, explains that the odd shapes in the map result solely from "the maximization of minority voting

strength.” *See id.* The panel majority is correct in noting that this is a mixed motive case. But to note this and then to subsequently make a conclusory determination as to racial predominance is hard to comprehend. Particularly so where broad swaths of the record are not addressed. In fact, a quick comparison of District 6 (depicted in lime green below) to the “highly irregular” districts from *Vera* (depicted in black outlines) underscores how the district’s shape alone is insufficient evidence to prove racial predominance.<sup>8</sup> Simply put, one of these is not like the others.

<sup>8</sup> While the following images are not at a 1:1 scale, the striking visible differences between District 6 in S.B. 8 and the districts in *Vera*—which more clearly evince an intent to carve up communities and neighborhoods under the guise of invidious racial segregation—show how just examining a few portions of the district is insufficient to parse out whether race predominated. *See* 861 F. Supp. at 1336 (noting the borders “change from block to block, from one side of the street to the other, and traverse streets, bodies of water, and commercially developed areas in seemingly arbitrary fashion”).



District 6's shape is not meaningfully comparable to the series of substantially thinner, sprawling, salamander-like districts that have been deemed impermissible racial gerrymanders. In spite of these glaring differences, the panel majority erroneously concludes that a racial gerrymander occurred here in spite of several inconsistencies in Plaintiffs' expert testimony and a limited review of the legislative and trial records. *See Cromartie II*, 532 U.S. at 242–43. It ignores the Court's explicit determinations that evidence of race-consciousness considered in conjunction with other redistricting principles "says little or nothing about whether race played a *predominant* role" in the reapportionment process. *Id.* at 253–54 (emphasis in original); *Miller*, 515 U.S. at 916 (legislatures "will . . . almost always be aware of racial demographics" in the reapportionment process); *Shaw I*, 509 U.S. at 646 (holding same). It also ignores the well-established principles that "[p]olitics and political considerations *are inseparable* from districting and apportionment . . . [and] that districting inevitably has and is intended to have substantial political consequences." *Gaffney v. Cummings*, 412 U.S. 735, 753 (1973); *see also Vieth v. Jubelirer*, 541 U.S. 267, 285 (2004) (plurality opinion) (acknowledging that districting is "root-and-branch a matter of politics"); Trial Tr. 80 (testimony of Sen. Pressly) (admitting that adjudging political considerations of competing prospective legislative actions are "root and branch"). Where there is a "partisanship" or "political motivation" defense, more is required.

The panel majority errs in its analysis of the metropolitan areas in District 6 because it relies solely on the fact that the Legislature created a second majority-Black district<sup>9</sup> to show racial predominance. In *Shaw I*, the Court declined to adopt the view that the panel majority offers here—that evidence of “the intentional creation of majority-minority districts, without more, always gives rise to an equal protection claim.” 509 U.S. at 649 (cleaned up). *Compare id.* (expressing no view as to whether this action constitutes a de facto equal protection violation), *with id.* at 664 (White, J., dissenting) (“[T]hat should not detract attention from the rejection by a majority [of the Court] of the claim that the State’s intentional creation of majority-minority districts transgressed constitutional norms.”); *see also United Jewish Orgs. of Williamsburgh, Inc. v. Carey* (“*UJO*”), 430 U.S. 144, 165 (1977) (“It is true that New York deliberately increased the nonwhite majorities in certain districts in order to enhance the opportunity for election of nonwhite representatives from those districts. Nevertheless, there was no” equal protection violation); *cf. Vera*, 517 U.S. at 959 (“We thus differ from Justice Thomas, who would apparently hold that it suffices that racial considerations be *a* motivation for the drawing of a majority-minority district” for strict scrutiny to apply) (emphasis in original). In *Bethune-Hill v. Virginia State Board of Elections*, the Court explained that “[e]ven where a challenger alleges a conflict [with traditional redistricting principles], or succeeds in showing one, the court should not confine” its racial predominance “inquiry to the conflicting portions of the lines.” 580 U.S. 178, 191 (2017).

<sup>9</sup> *Vera*, 517 U.S. at 958.

Here, the panel majority makes the mistake of stopping at the district's contours in the major metropolitan areas in the state without fully considering or crediting the abundance of evidence demonstrating these choices were political. See Majority Op. 40 ("In sum, the 'heat maps' and demographic data in evidence tell the true story—that race was the predominate factor driving decisions made by the State in drawing the contours of District" Six). Because the panel majority's plain eye examination loses much of its value in the face of the state's "political motivation" defense, I now will contextualize the relevant circumstantial evidence of legislative intent in this case, including claims of political motivation.

*ii. Expert Testimony*



Plaintiffs' circumstantial evidence elicited through expert testimony fails to demonstrate that race was the Legislature's controlling motive in drawing S.B. 8. The panel majority makes much ado of Mr. Michael Hefner's dot density map<sup>10</sup> and testimony that the districting decisions shaping District 6 in Lafayette, Alexandria, Baton Rouge, and Shreveport could only be explained by racial considerations. While the Court has accepted evidence of a district's shape and demographics to prove racial predominance, it has required the plaintiff to disentangle race from political considerations. *See Cromartie I*, 526 U.S. at 546. Here, Plaintiffs' expert testimony fails to account for several valid, non-racial considerations that explain the district's shape to impermissibly conclude that race predominated. *Cf. Chen v. City of Houston*, 206 F.3d 502, 506 (5th Cir. 2000) ("[T]he plaintiffs' burden in establishing racial predominance is a heavy one.").

Plaintiffs point to the district's low compactness scores and testimony from two experts opining that the Legislature subordinated traditional redistricting criteria to prove their case via circumstantial evidence. Plaintiffs' Br. 8–12. Notwithstanding my own evidentiary determination that several traditional principles of redistricting do explain District 6's shape in S.B. 8,<sup>11</sup> I now explain that Plaintiffs' offered circumstantial evidence is insufficient to prove the predominance of race. *See Chen*, 206 F.3d at 506.

*a. Demographic Evidence*

<sup>10</sup> **Majority Op. 38–39.**

<sup>11</sup> *See infra* Part I.B.i–ii.

The legislative record in this case is inundated with both direct and circumstantial evidence that political considerations predominated in the drafting and passing of S.B. 8.<sup>12</sup> Plaintiffs assert that their demographer, Mr. Hefner, provided testimony that the “awkward and bizarre shape” of the district suggests that race predominated over traditional redistricting criteria. Trial Tr. 304–05. He testified that the district was “very elongated,” “contorted,” and narrow at points to attach two centers of high BVAP together in one district. Trial Tr. 286. However, Mr. Hefner also acknowledged that incumbency and compliance with the VRA are also important traditional redistricting criteria.<sup>13</sup> Trial Tr. 293. He also explained that political dynamics frequently factor into redistricting. Trial Tr. 321. Ultimately, he concluded that the Louisiana Legislature “can’t create a second majority-minority district and still adhere to traditional redistricting criteria” and that “race predominated in the drafting” of S.B. 8. Trial Tr. 271–72. Put another way, no permissible redistricting factor could explain S.B. 8’s configuration.

<sup>12</sup> *See id.*

<sup>13</sup> Q. Are there additional criteria that can be considered?

A. Yes. Incumbency can be considered as to not putting incumbents against each other. Preservation of political entities. It’s similar to communities of interest but some specified as political entities, which would be parishes, precincts, municipalities, those that have political boundaries. Also, too, race plays a factor as well, because that’s part of what the Voting Rights Act calls attention to for consideration. *So those are some of the other criteria that we generally take a look at as we’re drafting redistricting plans.* Trial Tr. 293 (emphasis added).

But there are several logical gaps in Mr. Hefner's testimony. Mr. Hefner limited his examination of S.B. 8 to the factors of communities of interest, compactness, and preservation of core districts. Thus, he "did not review incumbency." Trial Tr. 272. When asked about the importance of incumbency on redistricting, he opined that a legislature should avoid pitting incumbents against each other to prevent very contentious and unproductive political bodies that fail to "serve the needs of the people." Trial Tr. 335. Mr. Hefner's failure to consider the other politically motivated incumbency protection rationales provided by S.B. 8's sponsor<sup>14</sup> demonstrates the unreliability of his testimony. He further constrained his analysis to S.B. 8, H.B. 1, and Plaintiffs' Illustrative Plan 1. He did not review any "of the other plans with two majority black districts" proposed in the 2024 redistricting session, nor did he review "any of the amendments that were offered on [S.B. 8] in the 2024 redistricting session." Trial Tr. 317–18.

<sup>14</sup> See *supra* Part II.B.i.a.

The gaps in Mr. Hefner's analysis severely undercut his opinion that race predominated over respecting communities of interests and political subdivisions. It strains credulity to say that one factor was controlling over all others while simultaneously ignoring several overriding factors. While Mr. Hefner criticized S.B. 8 for the number of parish and community splits it contained, he did not criticize the other maps he examined for that purpose. For instance, his opinion that race predominated in the drafting of S.B. 8 was based in part on the amount of parish splits and divisions of cultural subdivisions tracked by the Louisiana Folklife Program as compared to prior maps. Trial Tr. 337. However, on cross-examination, Mr. Hefner conceded that a district in H.B. 1 split the same number of folklife areas as District 6 in S.B. 8. Trial Tr. 337–38. Additionally, Intervenor's expert, Mr. Fairfax, provided credible testimony that showed that S.B. 8 distributed its parish and municipal splits amongst the districts more equitably in comparison to H.B. 1. Trial Tr. 385–89. Mr. Hefner did not account for such distinguishing factors, which tended to challenge his broad conclusion that two majority-minority districts could not be drawn in Louisiana while adhering to traditional redistricting principles.

Further inconsistencies persisted in his testimony. Mr. Hefner did not offer the same critiques of the shapes of districts in Plaintiffs' Illustrative Plan 1. In fact, he opined that that map "adhered to traditional redistricting principles."<sup>15</sup> Notwithstanding this point, Mr. Hefner agreed that District 5 of Illustrative Plan 1 spanned approximately 230 miles from end to end.<sup>16</sup> By Mr. Hefner's own calculus, District 5 of the plan is a district that is virtually not compact at all. District 6 of S.B. 8 ranges nearly the same length, but he did not agree that S.B. 8 "adhered to traditional redistricting principles." These shifting goalposts based upon whether Plaintiffs or the Intervenor posited the question further demonstrates that little to no weight can be placed on his testimony. Thus, the obvious tension between his opinions based on which party it benefits substantially diminishes its weight here, but the panel majority erroneously accepts portions of his testimony to justify its conclusion. It does so even though none of Mr. Hefner's testimony attempts to unpack the entanglement of the two factors of race and politics plainly present in this case.

<sup>15</sup> Q. Let me just ask it this way. What does Plaintiffs' Illustrative Plan Number 1, Exhibit PE-14, what does that represent?

A. That plan is a congressional plan that preserves District 2 as a traditional majority-minority district. It generally follows what has been in place for the past couple of census cycles. And the division of the rest of the state into districts largely follows. It's somewhat similar to the traditional boundaries that have been used in the past. Some deviations, but generally overall it follows that general configuration.

*Q. Based on your review of this map, does it adhere to traditional redistricting principles?*

*A. In my opinion it does.*

**Trial Tr. 275–76.**

<sup>16</sup> The Plan's District Five contained a district spanning roughly 230 miles from Washington Parish in the Southeastern tip of the state all the way up to the Northern portion of the state, with Ouachita Parish serving as a main population center. **See Trial Tr. 341.**

Mr. Hefner testified that he did not speak to any legislators from the 2024 session or consult any sources within the Legislature informing him of the legislative imperatives underlying S.B. 8. See Trial Tr. 321 (“Q. And do you have any other basis for knowing what any particular legislator thought about the district lines in [S.B. 8] or why they supported them? A. I did see some [television] interviews of some legislators after [S.B. 8] was approved.”). Thus, his ultimate conclusion that race predominated over any permissible factor is factually unsupported because he failed to examine several traditionally accepted factors of redistricting. Most glaring is his failure to examine, analyze, or otherwise critique S.B. 8’s incumbency protection considerations or the Legislature’s rejection of amendments that solely sought to increase BVAP within the district and added additional parish splits. RI 42; Trial Tr. 573–74 (describing how the legislature struck down an amendment “increased the BVAP in both District 2 and District 6” in a bipartisan vote because it added additional parish splits to the map); Trial Tr. 575 (noting the Legislature’s bipartisan rejection of efforts to just “mov[e] black precincts around for no particular reason other than to do so”).

The legislative history of S.B. 8 demonstrates that the Legislature took great consideration to avoid merely lumping enough Black Voting Age Population (“BVAP”) into two districts to satisfy the *Robinson I* court. Mr. Hefner’s failure to account for the history of amendments to S.B. 8 demonstrates how his narrative of racial predominance in the Legislature disintegrates upon review of the record. The Legislature rejected amendments that solely sought to increase BVAP in specific districts and were voted down and discouraged by the bill’s proponents and author. See Trial Tr. 317–18. As the legislative record shows, Senator Heather Cloud of Avoyelles Parish introduced an amendment that introduced an additional split in District 6, increasing the number of parish splits in S.B. 8 to sixteen, one more split than H.B. 1. Although Mr. Hefner criticizes the number of parish splits in S.B. 8 to serve as evidence that the Legislature racially gerrymandered here, he admittedly did not know that Senator Cloud’s amendment was offered to further protect Congresswoman Letlow’s seat by moving her own constituents into Letlow’s district. JE 29 at 5–6. This extra parish split also narrows District 6 before it traverses through Alexandria. It also explains why the district is narrower at that point and—in Mr. Hefner’s view—bears tenuous contiguity.<sup>17</sup> See Trial Tr. 293–94.

<sup>17</sup> On a related note, the legislative record also established that Rapides Parish is accustomed to split representation in a single-member district capacity. Senator Luneau of Rapides Parish noted that in the reapportionment process for State Senate districts, his home parish answered to “six different [state] senators.” JE 34 at 9–10. Prior jurisprudence demonstrates that further segmentation of parishes accustomed to splitting to achieve partisan goals. In *Theriot v. Parish of Jefferson*, the Fifth Circuit held that no racial gerrymander occurred where “the Parish was not unaccustomed to splitting districts in order to achieve political goals.” 185 F.3d 477, 483 (5th Cir. 1999). Thus, the contours of the Rapides Parish area in S.B. 8 cannot seriously be considered to be the product of racial gerrymandering—as Plaintiffs allege—without more evidence than mere conjecture.

Senator Cloud described her amendment at the Senate and Governmental Affairs Committee hearing as an amendment seeking to protect the only Republican Congresswoman in Louisiana's Congressional Delegation. JE 29 at 13–14. Senator Cloud's amendment was the only one made during the legislative process that withstood detailed examination by both houses of the Louisiana Legislature. RE 42; JE 29 at 5–6. The only other amendment that passed in committee was offered by Representative Les Farnum of Calcasieu Parish. Trial Tr. 571–72. Representative Farnum introduced an amendment before the House and Governmental Affairs Committee that sought to make his constituents in Calcasieu Parish in one whole district. Trial Tr. 572. While the amendment advanced out of committee, it was removed from the bill after substantial bipartisan opposition prompted a floor vote to strip the amendment from S.B. 8. Trial Tr. 573–74. Particularly revealing is that S.B. 8's legislative history demonstrates how the Legislature actively sought to prevent the gross contravention of traditional redistricting principles in favor of just getting specific districts to certain BVAP concentrations. *See id.* (detailing the Legislature's denial of amendment to subdivide Baton Rouge into three congressional districts in favor of increasing BVAP in District 2 by some amount).



The history of amendments to the bill do not fit the creative narrative that Mr. Hefner paints in this case to show racial predominance. In the light of all this information publicly available in the legislative record, Mr. Hefner cabined his analysis to just the final enacted version of S.B. 8 and two other maps, without seeking to get the full scope of the legislative environment that created S.B. 8. Notably, the Court said in *Cooper* that where political concerns are raised in defense of a map, evidence of non-compactness “loses much of its value . . . because a bizarre shape . . . can arise from a ‘political motivation’ as well as a racial one.” 581 U.S. at 308. Furthermore, “political and racial reasons are capable of yielding similar oddities in a district’s boundaries.” *Id.* Here, Senator Glen Womack of Catahoula Parish, the author of S.B. 8, addressed those reasons at numerous points during the legislative session. His intent was clear and consistent. JE 31 at 121–22 (statement of Sen. Womack) (“We were ordered to draw a [second majority-Black] district, and that’s what I’ve done. *At the same time*, I tried to protect Speaker Johnson, Minority Leader Scalise, and my representative Congresswoman Letlow.”). He stated that he sought to draw “boundaries in th[e] bill” to “ensure that Congresswoman Letlow remains both unimpaired with any other incumbents and in a congressional district that should continue to elect a Republican to Congress for the remainder of this decade.” JE 29 at 2 (Sen. Womack’s Remarks Before January 16, 2024 Senate Governmental Affairs Committee Hearing). Based on this strong evidence of legislative will directed at preserving political and personal interests during the redistricting process, I would hold that Plaintiffs’ circumstantial demographic evidence cannot be taken in whole or in part to satisfy its burden of showing that race predominated in the drafting of S.B. 8.

*b. Simulation Evidence*

Neither does Plaintiffs' simulation evidence move the needle for them toward satisfying their stringent burden of proof.. The panel majority likewise credits the marginally relevant testimony of Plaintiffs' other expert, Dr. Stephen Voss. Dr. Voss opined that simulation techniques demonstrate that (1) S.B. 8 constitutes an impermissible racial gerrymander because no other legislative imperatives would create districts in those forms; (2) the Louisiana Legislature "compromised" various "traditional redistricting criteria" in drawing S.B. 8, and; (3) there "is not a sufficiently large and compact African American population to allow [two majority-Black] districts that would conform to traditional redistricting criteria." Trial Tr. 91.

When posed with the question of S.B. 8's political goals, Dr. Voss opined that "[i]f you're not trying to draw a second Black majority district, it is very easy to protect Representative Julia Letlow." Trial Tr. 108. This commentary misses the mark entirely. Neither through simulations nor testimony, Dr. Voss did not demonstrate that it is possible to achieve *all* of S.B. 8's main political goals *and* generate extremely compact districts. On cross-examination, he admitted that he did not "explore" directing the software to prevent "double bunking" or pairing of two specific incumbents. See Trial Tr. 175 (cross-examination of Dr. Voss).

As such, Dr. Voss's conclusion that only racial considerations account for District 6's shape flies in the face of his testimony that permissible considerations include regional representation, incumbency protection, and various other personally politicized considerations held by legislators in redistricting. *Compare* Trial Tr. 177–78 (admitting that the Legislature's rationales given ordinarily constitute valid reasons justifying a map's shape), *with* Trial Tr. 180 (attempting to distinguish those factors' application in this case). At most, Dr. Voss only measured or weighed two political motives at the same time: (1) "sacrificing" Congressman Graves and (2) protecting Congresswoman Letlow. Trial Tr. 110 (stating that the Legislature could have complied with these two specific goals and presented a map that is less offensive to traditional redistricting principles); Trial Tr. 111–12 (stating same). With the aid of his simulations, he argued that it would be easy to protect Congresswoman Letlow by pulling her westward into a North Louisiana district even if a second majority-Black district stretched up the Mississippi River into Northeast Louisiana. But pulling her district westward draws her closer to the population bases supporting Speaker Johnson's prominence in his district Northwest Louisiana based district.

Dr. Voss neglected to address protecting the Speaker of the House and Majority Leader *at the same time* as protecting Congresswoman Letlow and cutting out Congressman Graves. *See id.* On direct, Dr. Voss stated that out of his 20,000 simulations, he did have difficulty with securing Congresswoman Letlow and Speaker Johnson without risking Majority Leader Scalise's seat. Trial Tr. 140. Then on cross examination, Dr. Voss conceded that his simulations could not consistently guarantee safe seats for Speaker Johnson, Majority Leader Scalise, and Congresswoman Letlow. Trial Tr. 140 (conceding that many simulations jeopardized Scalise's seat and others pitted the Speaker against Letlow). Attempting to rationalize why he could not account for these valid considerations, Dr. Voss testified on redirect that some unknown number of simulations generated plans without two majority-Black districts that also achieved these political goals.

This testimony, while sensible in the abstract, is nonsensical when applied to the appropriate legislative and constitutional context. Article III, § 6 of the Louisiana Constitution specifies that "the legislature shall reapportion the representation in each house as equally as practicable on the basis of population shown by the census." It is indelibly clear—seemingly to everyone except Plaintiffs' experts—that redistricting is a "root-and-branch" political matter. *See Vieth*, 541 U.S. at 285; *Shaw*, 509 U.S. at 662 (White, J., dissenting) ("[D]istricting inevitably is the expression of interest group politics."). We are tasked with evaluating legislation that is the product of the legislative body's choice resulting from a political process. For this reason, failing to evaluate a politically charged defense that frequently yields oddly shaped districts for personal and political goals of the legislators involved cannot be adequate proof that meets the demanding standard required of Plaintiffs.

Numerous current and former elected officials from both major political parties testified that the legislative aims raised in the 2024 session were (1) satisfying the VRA, (2) protecting senior incumbents with influential national positions, and (3) maintaining the sovereign prerogative of the legislature. *See, e.g.*, JE 31 (Rep. Carlson) (“I can assure you this . . . we’re not here today because we’re caving to any kind of political pressure. The fact of the matter is, like it or not, Judge Dick has said, ‘Either you do your job and draw the map, or I’ll draw the map for you,’ period.”); Trial Tr. 47–48 (“[T]he only reason we were there was because of the other litigation; and Judge Dick saying that she — if we didn’t” comply with the VRA “she was going to” draw the State’s map for them); Trial Tr. 81–82 (testimony of Sen. Pressly) (stating that Judge Dick would draw the maps if the Legislature did not, and would not consider political benefits to any party or persons); Trial Tr. 368. In my view, Intervenor’s expert, Dr. Cory McCartan, credibly demonstrated how the limitations of Dr. Voss’s purported race-conscious simulations actually failed to account for race in any meaningful manner. Trial Tr. 196–97. Dr. McCartan noted the substantial difference between stating that “a simulation that uses a tiny bit of racial information doesn’t produce black districts, and the extrapolating from there to say that if you produce two black districts, it must be extreme racial gerrymandering.” Trial Tr. 196–97. The panel majority avoids this potent adverse testimony by distinguishing Dr. McCartan’s work with his ALARM team from the present case. Majority Op. 26–28.

The panel majority’s brief discussion of the limitations on Dr. Voss’s simulation evidence is in tension with the nature of the pivotal inquiry that this panel was convened to undertake: To evaluate whether the *Legislature*— and not a rebuttal witness’s own team—had subjugated all traditional redistricting principles to yield a certain result—i.e., the challenged district. Dr. McCartan’s testimony credibly shows that simulations cannot prove the “impossibility” that Dr. Voss sought to prove,<sup>18</sup> and that Dr. Voss’s simulation methods added additional restraints that in turn stopped generating results which would more closely resemble the factors that the Legislature actually considered in this case. Trial Tr. 196.

<sup>18</sup> Dr. Voss even acknowledged this, stating that in Louisiana “the number of plans that meet all [traditional redistricting principles] is probably bigger than the number of atoms in the entire universe.” **Trial Tr. 200–201; see also Trial Tr. 130.**

Setting aside the panel majority's attempts to justify the relevance of Dr. Voss's simulations,<sup>19</sup> the simulation evidence in this case is precisely the type of inconclusive evidence that insufficiently pits S.B. 8 in "endless beauty contests" with other potential maps the Legislature could have drawn but never would have realistically considered for a myriad of reasons other than race. *See Vera*, 517 U.S. at 977. Absent from the panel majority's analysis of Dr. Voss's simulation testimony was his admission that "the population tolerances required from real maps without splitting precincts," as required by Joint Rule 21,<sup>20</sup> "may not be achievable with a simulation method" and likely does not yield "feasible maps" in "many cases." Trial Tr. 152–53. This admission again demonstrates how this evidence fails to encapsulate the pressing factors that the Legislature actually considered. In sum, this evidence does not satisfy Plaintiffs' burden.

<sup>19</sup> Trial Tr. 179 (redirect examination of Dr. Voss); Majority Op. at 28.

<sup>20</sup> The Louisiana Legislature passed Joint Rule 21 in 2021 to establish criteria that would "promote the development of constitutionally and legally acceptable redistricting plans." Joint Rule 21 (2021), <https://www.legis.la.gov/legis/Law.aspx?d=1238755>.

Through Voss's and Hefner's testimony, Plaintiffs present a simple syllogism. (A) An unconstitutional racial gerrymander occurs where traditional redistricting criteria and other permissible factors cannot account for the shape of the offending district. (B) District 6's shape in S.B. 8 cannot be explained by any permissible reapportionment factors. (C) Thus, S.B. 8 constitutes an unconstitutional racial gerrymander. The glaring gap in the expert testimony results from the fact that both Voss and Hefner did not account for numerous valid justifications for District 6's shape. Thus, it is disingenuous to conclude that no permissible factors—such as protecting incumbents,<sup>21</sup> eliminating the Governor's political opponents,<sup>22</sup> connected ethno-religious networks,<sup>23</sup> the linkage of the District's communities via the I-49 corridor and Red River Basin,<sup>24</sup> veritable cultural similarities,<sup>25</sup> and shared educational and health resources amongst residents of District 6,<sup>26</sup> among others—justify or explain District 6's shape.

<sup>21</sup> Q. And so you mentioned the difference in configuration between your Bill S.B. 4 and S.B. 8. Did you have any impression about any rationale behind those different configurations?

A. So during the whole time I spent in redistricting, you don't have to be a redistricting expert to know that any time a new map is drawn, it's kind of like playing musical chairs. There is going to be someone who is negatively impacted from an incumbency standpoint. And of the six congressional districts, the question was always if there was going to be a second majority black district drawn, who would be negative -- who would be most negatively impacted by this if we are -- again, we have -- a new map has to be drawn. So I believe that ultimately played into what map the Legislature chose to support.

**Trial Tr. 525–26; see also Trial Tr. 71** (testimony of Sen. Pressly) (“There were certainly discussions on ensuring — you know, we’ve got leadership in Washington. You have the Speaker of the House that’s from the Fourth Congressional District and we certainly wanted to protect Speaker Johnson. The Majority Leader, we wanted to make sure that we protected, Steve Scalise. Julia Letlow is on Appropriations. That was also very important that we tried to keep her seat as well.”); **Trial Tr. 79** (testimony of Sen. Pressly); **Trial Tr. 63** (testimony of Sen. Seabaugh) (stating same).



<sup>22</sup> See, e.g., **Trial Tr. 527** (testimony of Sen. Duplessis) (“[A]s [redistricting] relates to incumbency, there will be someone who is negatively impacted, so the choice had to be made — *the political decision* was made to protect *certain members of congress* and to *not protect one member of congress* and it was clear that that member was going to be Congressman Garret Graves.”); **Trial Tr. 369–71** (testimony of Rep. Landry) (stating same); **Trial Tr. 60–61** (testimony of Sen. Seabaugh) (agreeing that “protecting” Speaker Johnson, Majority Leader Scalise, and Congresswoman Letlow “is an important [political] consideration when drawing a congressional map”).

Q. Let me ask that again. Do you have an understanding if one of the current congressional incumbents was drawn out of his or her seat, so to speak, in Senate Bill 8? A. Congressman Graves was targeted in the map, correct. Q. And were you surprised that Congressman Graves was targeted in the map? A. *No. Everyone -- everyone knew that. All the legislators, the media reported it. They have had a long-standing contentious relationship.* Q. And when you say “they,” who are you referring to? A. The Governor and Congressman Graves.

**Trial Tr. 369–71** (testimony of Rep. Landry).

<sup>23</sup> **Trial Tr. 466–67** (testimony of Pastor Harris).

<sup>24</sup> Q. So in your experience as an elected official and a community leader, does Congressional District 6 in S.B. 8 reflect common communities of interest?

A. Yes, it does.

Q. And how so?

A. Well, I think the two that come most quickly to mind would be the I-49 corridor and the Red River. Obviously, Shreveport itself was founded by the clearing of the Red River. One of the big things that helped make this area grow was navigation thereof. We had leadership over the course of the last 50 years that's worked very hard towards trying to bring that back. You now have a series of lock and dams, five of them, between here and where the river flows into the Mississippi. That essentially mirrors the eastern side of that district. *When you add to it, the connecting factor of I-49, that essentially makes Shreveport, Mansfield, Natchitoches, all one general commuting area, all of those are connecting factors.*

**Trial Tr. 457–58** (testimony of former Mayor Glover) (emphasis added).

<sup>25</sup> See, e.g., **Trial Tr. 467–68** (testimony of Pastor Harris) (explaining that Baton Rouge, Alexandria, Lafayette, Natchitoches, and Shreveport share far more cultural commonalities than any of those cities and New Orleans).

<sup>26</sup> See, e.g., **Trial Tr. 457–58** (testimony of Mayor Glover) (explaining that the shared Willis-Knighton, Ochsner/LSUS, and Christus medical systems within District 6 provide the bulwark of medical care to the persons of the region).

Plaintiffs' position ignores that the record as a whole establishes that incumbency protection was the most often stated motivating factor<sup>27</sup> behind S.B. 8. Instead, they adhere closely to a minority of voices within the Louisiana Legislature.<sup>28</sup> Respectfully, I strongly disagree with the panel majority's narrow reading of the conflicting demographic and statistical opinions offered to fashion its conclusion that race was "the legislature's *dominant and controlling* rationale in drawing its district lines." *See Miller*, 515 U.S. at 913.

*iii. Any Allegory to Hays or Application of its Outdated Rationales is Misguided*

<sup>27</sup> As evidenced by the fact that all other, more compact maps from the 2024 legislative session that also sought to comply with the VRA died in committee. *See, e.g., Trial Tr. 482 (testimony of Ms. Thomas).*

<sup>28</sup> *Trial Tr. 533 (testimony of Sen. Duplessis) ("I think some of the members of the Shreveport delegation may have voted against [S.B. 8], but it passed overwhelmingly.")*.

Similarly difficult to comprehend is the panel majority's position that *Hays* provides this court with a helpful allegory to make its determination. In *Hays I* and *Hays II*, the district court invalidated congressional maps with two majority-minority districts as impermissible racial gerrymanders on Equal Protection grounds. See *Hays I*, 839 F. Supp. at 1195; see also *Hays v. Louisiana*, 936 F. Supp. 360, 368 (W.D. La. 1996) (*Hays IV*). In *Hays I*, the district court was confronted with an equal protection challenge to a district bearing similarities to District 6. The panel described the contested district as "an inkblot which has spread indiscriminately across the Louisiana map." 936 F. Supp. at 364. Throughout Mr. Hefner's and Dr. Voss's testimonies, they repeatedly stated, suggested, and opined that Louisiana's configuration of minority populations today does not allow the Legislature to draw a map with two minority-Black districts without violating the Constitution.

But when confronted with these assertions on cross-examination, each quickly equivocated stating that they either "can't offer an opinion on" whether "it's impossible to create a congressional plan with two majority-Black districts that perform well on traditional redistricting principles," Trial Tr. 318–320, or that the simulations could not account for other traditional redistricting principles that the Legislature considered in drafting S.B. 8, Trial Tr. 160–61. Aside from the limited testimony parroting the dated proposition derived from the *Hays* litigation, Plaintiffs ignore the fact that *Hays* does not account for drastic changes in the state's population dynamics that have occurred since the late 1990s.<sup>29</sup> The decennial census has occurred three times since the ink dried on the last iteration of the *Hays* case.

<sup>29</sup> See *supra*, p. 4.

It is for this reason, among others, that the Middle District of Louisiana rejected every formulation of the argument that the “*Hays* maps [were] instructive, applicable, or otherwise persuasive.” See 605 F. Supp. 3d 759, 852 (M.D. La. 2022); see also *id.* at 834. Not only was this sentiment accepted by the Fifth Circuit,<sup>30</sup> but it was also accepted by the Louisiana Legislature during the 2024 redistricting session. Members of the House and Governmental Affairs Committee repeatedly rejected the assertion that *Hays* preempts S.B. 8’s design of District 6. JE 31 at 117–18. During the testimony of Mr. Paul Hurd, counsel for Plaintiffs in this case, Representative Josh Carlson of Lafayette Parish clarified that *Robinson* presented the Legislature with the “complete opposite scenario than [*Hays*] 20 years ago.” See JE 31 at 117. Despite several attempts to analogize S.B. 8 to the *Hays* cases, no legislator on the committee bought the argument that the State could not draw a map that included two majority-Black districts. See JE 31 at 115–18.

<sup>30</sup> See 86 F.4th at 597 (determining that the Middle District of Louisiana’s preliminary injunction holdings were not clearly erroneous).

In response to this repudiation of *Hays*-like rationales to abandon S.B. 8, Plaintiffs' own counsel conceded that a congressional map with two majority-minority districts was constitutionally valid during his testimony during the 2024 legislative session. JE 31 at 118. During that same House and Governmental Affairs Committee meeting, Mr. Hurd testified that "I believe that my districting plan that I've handed in and I did it for an — an example is as close as you can get to a non-racially gerrymandered district and get to two majority-minority districts, and it does." JE 31 at 31 (page 118). He further stated that "[t]here are abilities to draw a [second] compact contiguous majority-minority district" in the State of Louisiana. *Id.* This evidence in the record demonstrates precisely how Plaintiffs' circumstantial case fails to meet their burden. Their case is directly rooted to expert demographic and simulation testimony that merely repackages an outdated and factually unsupported thesis: that any congressional map with two majority-Black districts must be unconstitutional for the reasons derived from data and occurrences from nearly three decades ago. *See Hays I*, 839 F. Supp. at 1195; *Robinson*, 605 F. Supp. 3d at 852. To avoid addressing these inconsistencies apparent from the record, the panel majority blends the circumstantial and direct evidence together to conclude that race played a qualitatively greater role in S.B. 8's drafting. A look at the direct evidence shows how this conclusion is unwarranted based on the totality of the legislative record.

*B. Direct Evidence: Legislators' Intent*

The panel majority states that it “acknowledges that the record includes evidence that race-neutral considerations factored into the Legislature’s decisions.” Majority Op. 43. However, it disregards the mountain of direct evidence showing that the political directives “could not be compromised,” as each of the other proposed bills that did not achieve those goals were not seriously considered by the Legislature. *See Bethune-Hill*, 580 U.S. at 189. The panel majority embraces only the quotes from the legislative session that refer to the Legislature’s decision to exercise its sovereign prerogative to draw its maps under the Louisiana Constitution following *Robinson I*. Majority Op. 41–42. It cites some language from Senator Womack, the bill’s sponsor, stating that he drew the map to create two majority-Black districts as direct evidence of racial predominance. It quotes the statements from select members of the Legislature at functionally every time they mention *Robinson I* and the Governor’s decision to place the task of drawing new electoral maps into the hands of the Legislature.<sup>31</sup>

<sup>31</sup> Indeed, it is clear that the district court ordered the Legislature to draw a map consisting of two majority-Black districts. As result, Plaintiffs assert that race was not only the predominant factor, but the *only* factor. Assuming *arguendo*, how then can we reconcile the assertion that race was the only factor considered when drawing S.B. 8 with the existence of several other maps, including S.B. 4 which contained even more compact districts than the adopted map? How is it possible that each proposed map, and the ensuing amendments, resulted in distinct district renderings? Neither Plaintiffs nor the majority broach this issue because they would be forced to confront what is clear: that factors beyond race, including political considerations, went into the drawing of the maps that included two majority-Black districts, including S.B. 8.

These statements—either alone or crammed together with the circumstantial evidence—are insufficient to show racial predominance. The panel majority’s conflation of evidence of race consciousness for the purpose of avoiding successive § 2 violations under the VRA with racial predominance is unprecedented. Its decision to do so after it acknowledges that evidence of race consciousness *does not* constitute evidence of racial predominance is also somewhat hard to comprehend. Majority Op. 34 (citing *Shaw I*, 509 U.S. at 646; *Milligan*, 599 U.S. at 29). Through contextualizing the totality of the legislative record, I will show precisely why those statements referencing *Robinson I* do not prove racial predominance.

*i. Legislative Record*

Unlike *Cooper*—which turned on “direct evidence of the General Assembly’s intent in creating the [challenged district], including many hours of trial testimony subject to credibility determinations,”<sup>32</sup>—this case involves limited trial testimony regarding legislative intent. Although a “statement from a state official is powerful evidence that the legislature subordinated traditional districting principles to race when it ultimately enacted a plan creating [] majority-black districts,” the Court has never expressly accepted statements evincing an intent to create a majority-minority district alone as prima facie evidence that a racial gerrymander occurred. See *Shaw II*, 509 U.S. at 649; see also *Miller*, 515 U.S. at 917–19.

<sup>32</sup> *Cooper*, 581 U.S. at 322.

*a. Incumbency Protection*

First and foremost, it strains credulity to relegate the potent evidence of political considerations and incumbency protection to a minor factor in the Legislature's decisions in this case. The trial record emphatically shows that S.B. 8's sponsor, Senator Womack, spoke continuously and fervently about his aims to protect certain incumbents—as well as to encase specific communities of interest within District 6. The record shows that while the Legislature considered race, it only considered it *alongside* other political and geographic considerations. *See Cromartie II*, 532 U.S. at 236. The legislative record reveals that Senator Womack's personal goals necessitated the protection of certain members of Louisiana's Republican delegation in Congress. *See, e.g.*, JE 31 at 25.

On January 16, 2024, the first day of the 2024 legislative session, Senator Womack introduced his bill to the Senate and Governmental Affairs Committee. *See generally* JE 29 (transcript of committee meeting). In his opening statement, Senator Womack averred that “[t]he boundaries in this bill I’m proposing ensure that Congresswoman Letlow remains both unimpaired with any other incumbents and in a congressional district that should continue to elect a Republican to Congress for the remainder of this decade.” JE 29 at 1. He continued to assert that the bill ensured four safe Republican seats and a “Louisiana Republican presence in the United States Congress [that] has contributed tremendously to the national discourse.” JE 29 at 2. He described the personal pride that resulted from the fact that the state's congressional delegation included the Speaker of the U.S. House of Representatives, Mike Johnson, and House Majority Leader Steve Scalise. *Id.* He went on to state that “[h]is map ensures that the two of them will have solidly Republican districts at home so that they can focus on the national leadership that we need in Washington, DC.” JE 29 at 2.



After the bill passed to the House and Governmental Affairs Committee for a hearing on January 18, 2024, Senator Womack stated that he sought to protect Representatives “Scalise, as well as Johnson, Letlow,” and “Higgins.” JE 31 at 25. Senator Womack left one “odd man out” of the delegation. He directly stated that one member of the state’s Republican delegation that was not part of the “Republican team.” *See id.* And that one member was Congressman Garret Graves. *See id.* Thus, it is convincing to credit Senator Womack’s unwavering assertions that these political considerations were the “primary driver[s]” of S.B. 8. *See id.*

In that same committee hearing, the line of questioning shifted to comparing S.B. 8 to the rejected S.B. 4 map proposed by Senator Ed Price of Ascension Parish and Senator Royce Duplessis of Orleans Parish. While comparing his map to S.B. 4, Senator Womack agreed that his bill proposed districts that were less compact than S.B. 4. *Id.* But he attributed the less compact shape of District 4 in S.B. 8—which impacted District 6’s compactness—to his attempt to comply with the VRA *while also* protecting Speaker Johnson and Congresswoman Letlow in North Louisiana and Majority Leader Scalise in Southeast Louisiana “[a]t the same time.” *See* JE 31 at 22–25; 31. He continued to state that his map diverged from S.B. 4’s configuration which he believed to threaten Congresswoman Letlow’s chances of remaining in the House of Representatives. *See* JE 31 at 25–26.

This is precisely because S.B. 4 proposed that District Five would constitute a more compact, second majority-minority district that enveloped Congresswoman Letlow's home precinct.<sup>33</sup> Trial Tr. 524 (testimony of Sen. Duplessis) ("The map that I co-authored with Senator Price, the second majority-Black district went from Baton Rouge up to northeast Louisiana, the Monroe area."). Senator Womack agreed with the characterization that while the Legislature's Democratic caucus supported S.B. 4 for a myriad of reasons, he offered this "political map" to protect his personal political interests as well as Louisiana's standing in the national conversation. See JE 31 at 26. In an exchange with House and Governmental Affairs Committee Chairman Gerald Beaulieu of Iberia Parish, Senator Womack explained that he sought to protect the national interests of the state's conservative majority leadership through protecting its most established leaders. JE 31 at 26–27. Senator Womack declared that "[i]t's bigger than just us," and that Louisiana's more influential members of Congress should be protected to elevate the state based on his view of the state's "poor position." JE 31 at 27. Before amendments were offered, Senator Womack and Chairman Beaulieu agreed that S.B. 8 was "able to accomplish what the [Middle District of Louisiana] has ordered through [the] map, and also . . . protect[s] the political interest[s]" raised by Senator Womack. *Id.*

<sup>33</sup> Trial Tr. 524 (testimony of Sen. Duplessis) ("I recall the [population] numbers being very similar" between S.B. 4 and S.B. 8, with "[t]he main difference between the two maps . . . [being] just the[ir] geographic design[s]"). Opponents of S.B. 8 suggested that the bill does not actually seek to protect Letlow because it "puts too many votes in the south" or Florida Parishes of District Five. JE 34 at 6 ("I applaud [Sen. Womack] for having stated that [protecting Congresswoman Letlow] is one of the objectives of this bill, but this bill doesn't do that."). These assertions were mere conjecture that: (A) proposed no other reasonable or possible alternative map and sought to risk the probable liability after a full trial in the Middle District of Louisiana; (B) did not consider the fact

The panel majority minimizes the political reasoning behind the map's contours but cites this exact quote from the exchange between Chairman Beaulieu and Senator Womack as direct evidence of racial predominance. Majority Op. 43. The panel majority ignores key pieces of information from the trial record to suggest its conclusion of "racial gerrymandering," where none exists. Regrettably, it subjugates the copious evidence of the overarching political motives in the Legislature. Respectfully, the panel majority ignores wholesale references to partisan politics and incumbent protection in its direct evidence analysis, only to throw it in as an aside before reaching its ultimate conclusion. *See* Majority Op. 43. It "acknowledge[d]" that "race-neutral considerations factored into the Legislature's decisions, such as the protection of incumbent representatives." Majority Op. 43. It then cites trial testimony from Senator Pressly and Senator Seabaugh agreeing that protecting the Republican leadership in Washington played a part in the legislative session. *Id.* (citing Trial Tr. 60, 71, 69).

This narrow examination of the trial record stops short of corroborating whether Plaintiffs actually satisfied their burden of disentangling race from politics. Furthermore, the evidence the panel majority pieces together from trial is far from the only evidence of political motives adduced from the numerous fact witnesses serving in the Legislature.

that the alternative maps introduced in the legislative session placed Congresswoman Letlow in far less favorable positions. *See* **Trial Tr. 560** (testimony of Commissioner Lewis) (stating that S.B. 4 and H.B. 5 placed Congresswoman Letlow in the second majority-Black district).

Take for instance the trial testimony of Representative Mandie Landry of Orleans Parish, who testified to the “fear among Republicans that if they” failed to pass a map before the *Robinson I* trial “that the [Middle District of Louisiana] would draw one that wouldn’t be as politically advantageous for them.” Trial Tr. 367–68. She then said the quiet part out loud—that “everyone knew that” Governor Landry “wanted Congressman Graves out.” Trial Tr. 370. Her unrefuted testimony demonstrated that S.B. 8 was “the Governor’s bill” and that the Republican delegation’s leadership supported it. *See id.* Representative Landry also noted that there were “a couple dozen bills [addressing] other issues that we understood were the Governor’s bills,” each tracking an item addressed in the Governor’s call for a special session.<sup>34</sup> Trial Tr. 371 (explaining that the Legislature was “also discussing the [Louisiana] Supreme Court maps” and a bill to abolish the jungle primary system to move to “closed primaries” limited to registered party voters); *see also* JE 8 at 1–2 (calling for the Legislature to convene to draft new legislation and amendments relative to the election code, Louisiana Supreme Court districts, Congressional districts).

<sup>34</sup> The relevance of Governor Landry’s involvement in S.B. 8 cannot be overstated and is not even mentioned in a footnote by the majority. The best evidence of his involvement can be gleaned from his remarks to the Legislature at the opening of the 2024 Extraordinary Legislative Session. To assert that the Louisiana Legislature confronted this redistricting issue solely at the behest of the district court is plainly unsupported based on the Governor’s statements and contradicts the language of Article III, § 6 of the Louisiana Constitution which states that “the legislature shall reapportion the representation in each house as equally as practicable on the basis of population shown by the census.” Governor Landry—a lawyer, a former Congressman of District 3, and the former Attorney General of Louisiana who “did everything [he] could to dispose of [the *Robinson*] litigation,” and who was well aware of the redistricting process—seized the initiative and called upon the Legislature to exercise its sovereign prerogative (and the legislative obligation) to draw the map. During his remarks, when he stated that the district court handed down an order, he specified that the order was for the Legislature to “perform our job... our job that our own laws direct us to complete, and our job that

From Representative Landry's time in the House Chamber during prior legislative sessions and the 2024 legislative session, she noted "hundreds" of discussions with House Republicans that made clear that any legislation that contradicted the political dynamics around S.B. 8 were non-starters. Trial Tr. 375. Representative Landry testified that these political discussions "had been going on since the Governor was elected among us and [in] the media" and "increased [in frequency] as we got closer to [the Governor's] inauguration." Trial Tr. 370–71.

our individual oaths promise we would perform." **JE 35 at 10.** He continued by asserting that "[w]e do not need a federal judge to do for us what the people of Louisiana have elected you to do for them. You are the voice of the people, and it is time that you use that voice. The people have sent us here to solve problems, not to exacerbate them, to heal divisions, not to widen them." **JE 35 at 11.**

Louisiana Public Service Commissioner Davante Lewis also testified at trial as to the overarching, dominant political objectives of the 2024 legislative redistricting session. With years of experience working in the state capitol as a legislative aide, lobbyist, and elected official, he provided ample evidence of what transpired during the 2024 legislative session. Trial Tr. 562 (stating that he “knew the entire [Senate] committee” because he “had worked with them” in the Legislature for “over eight years”). Commissioner Lewis explained that there were two other redistricting maps that did not advance to the full floor for votes: S.B. 4, sponsored by Senators Price and Duplessis, and H.B. 5, sponsored by Representative Marcelle. Trial Tr. 560. He stated that both of those maps placed Congresswoman Letlow in the second majority-Black congressional district, with Congressman Graves in a safe Republican seat. See Trial Tr. 560 (“Q. How many majority black districts were in the map[s]? A. Two. Q. Who currently represents those districts? A. It would be Congressman Carter and *Congresswoman Letlow*.”); Trial Tr. 524 (“The main difference between the two maps . . . was just the geographic design of the map.”).

Commissioner Lewis recounted that he testified in favor of S.B. 4 before the Senate and Governmental Affairs Committee on January 16, 2024. Trial Tr. 560–61. He testified that S.B. 4 did not advance out of committee on that day. Trial Tr. 563. He stated that the vote “came down on party lines,” and that “[a]ll Republicans voted against it.” Trial Tr. 563. From this testimony, it is safe to say that more compact bills that included two majority-Black districts but did not protect the right Republican incumbents were effectively dead on arrival.

A clear example of this sentiment in action in the legislative record comes from Representative Marcelle’s statements in front of the House and Governmental Affairs Committee on January 17, 2024. Less than twenty-

four hours after S.B. 4 was shot down in committee on purely partisan lines, Representative Marcelle voluntarily pulled H.B. 5 from consideration. She stated that her reasons for doing so were based on “knowing what the politics are at play.” JE 37 at 6. She further stated that any “[b]ill that was very similar” to H.B. 5 and S.B. 4 would “probably never make it to the floor.” JE 37 at 6.

Senator Duplessis’s trial testimony provides even more context dating back to the initial 2022 legislative redistricting session. As a member of the House and Governmental Affairs for that session, Senator Duplessis “traveled for months across the state and conducted roadshows and listened to the community” to assess what they would like to see in the redistricting process.<sup>35</sup> Trial Tr. 513–14. He witnessed countless perspectives from voters across the state that called for fair maps that would reflect the state’s population and comply with the VRA. *See* Trial Tr. 515. Recalling the session that followed the roadshow process, Senator Duplessis explained that legislation featuring an electoral map that included two majority-Black districts were “all voted down” in committee. Trial Tr. 515. In spite of the populace’s clear expression for the Legislature to pass fair maps<sup>36</sup> the Legislature ultimately chose H.B. 1. He continued to explain

<sup>35</sup> *See, e.g.,* Power Coalition, *Legislative Redistricting Roadshow Comes to Alexandria on Tuesday, November 9, 2021*, (Nov. 9, 2021), <https://powercoalition.org/legislative-redistricting-roadshow-comes-to-alexandria-on-tuesday-november-9-2021/>.

<sup>36</sup> Indeed, the Legislature’s deliberative process was informed by community perspectives that demonstrated the unity of interests behind an electoral map that included two majority-Black districts. This sharply contrasts with the situation in *Vera*. *See* 861 F. Supp. at 1334 (“The final result seems not one in which the people select their representatives, but in which the representatives have selected the people.”). Members of both major political parties in the Legislature attended the nearly dozen roadshows across the state and heard this ubiquitous message.

that the Legislature convened for a special redistricting session in June 2022 after the preliminary injunction decision in *Robinson I*. Trial Tr. 517. He testified that several bills introduced in that special session would have complied with the VRA as ordered by the Middle District of Louisiana and adhered to traditional districting principles. Trial Tr. 518. Ultimately, none were adopted in that session for the same reasons that S.B. 4 and H.B. 5 failed; they were not supported by the Governor and the Republican delegation's leadership.

Senator Duplessis further contended that the Governor's influence over S.B. 8 led to its quick passage in the Legislature. Trial Tr. 525. Noting the Governor's position "coming off an election with no runoff," Senator Duplessis testified that "[the Governor's] support would have a lot of influence on what does and doesn't get passed." Trial Tr. 525. He stated that after Senator Womack's bill was filed "it became clear that that was the map that Governor Landry would support." *Id.* He continued to state that one does not "have to be a redistricting expert to know that any time a new map is drawn," that "[t]here is going to be someone who is negatively impacted from an incumbency standpoint." *Id.* On the floor of the Legislature during the 2024 session, Senator Duplessis noted that Senators Womack and Stine consistently talked about "the importance of protecting certain elected officials." JE 30 at 20; Trial Tr. 527. When questioned about this statement at trial, he stated that "the political decision was made to protect certain members of Congress and to not protect one member of Congress and that it was clear that that member was going to be Congressman Garret Graves." Trial Tr. 527.

After the floor was open to amendments to S.B. 8 in the House and Governmental Affairs Committee, Senator Womack and Representative Michael Johnson of Rapides Parish noted that S.B. 8 was not drafted "in a



vacuum” and that the congressional map would affect people in Senator Womack’s own State Senate district. JE 31 at 45–46. Senator Womack accepted that while some Republicans may give him “a lot of heat” for the decision to draw a map that included two majority-minority districts, he agreed with Representative Johnson that S.B. 8 “present[s] a map that achieves all the necessary requirements [of a valid map] and . . . [is] the best instrument that [he] could come up with.” JE 31 at 46.

Thus, the legislative record in this case reveals the true “dominant and controlling” factors driving the adopted map’s boundaries. *See Miller*, 515 U.S. at 913. One such factor was the need to protect every member of Louisiana’s Republican delegation in the U.S. House of Representatives *except for Congressman Graves*. That was the criterion that “could not be compromised.” *See Bethune-Hill*, 580 U.S. at 189 (quotation omitted). On this point, not even S.B. 8’s detractors—either at trial or during the legislative session—attempted to debunk or attack this offered rationale. *See* Trial Tr. 71 (testimony of Sen. Pressly) (“There were certainly discussions [in the Republican Delegation] on ensuring” that Speaker Johnson, Majority Leader Scalise, and Congresswoman Letlow were protected); Trial Tr. 76–77 (agreeing that a “Republican would be likely to lose in a second majority-Black district” like the other maps proposed in the Legislature); Trial Tr. 61 (testimony of Sen. Seabaugh). With all of this context, it becomes indelibly clear that Governor Landry’s and the Republican delegation’s decisions to protect Speaker Johnson, Majority Leader Scalise, and Congresswoman Letlow and cut out Congressman Graves shows that political motivations “could not be compromised” during the redistricting process. *See Bethune-Hill*, 580 U.S. at 189. Thus, the overwhelming evidence of the goal of incumbency protection in the legislative record shows that Plaintiffs have

failed to meet their burden to prove racial predominance in this “mixed motive” case, as required by Supreme Court precedent.

*b. Other Traditional Redistricting Principles Respected in S.B. 8*

The evidence in the record as to the communities of interest contained within S.B. 8 substantially undermines the assertion that race predominated in the bill's drafting. The Supreme Court has warned that "where the State assumes from a group of voters' race that they 'think alike, share the same political interests, and will prefer the same candidates at the polls,' it engages in racial stereotyping at odds with equal protection mandates." *Miller*, 515 U.S. at 920. Notably, this record is flush with community of interest evidence that rebuts the allegations of racial stereotyping. *See Theriot*, 185 F.3d at 485.

There are tangible communities of interest spanning District 6. The panel majority cannot plausibly conclude that the evidence compels a determination that there are no tangible communities of interest contained in District 6. Unlike in *Miller* in which the Court was presented with a comprehensive report illustrating the fractured political, social, and economic interests within the district's Black population, this court was only presented with trial testimony subject to credibility determinations. *Miller*, 515 U.S. at 919.

“A district may lack compactness or contiguity—due, for example, to geographic or demographic reasons—yet still serve the traditional districting goal of joining communities of interest.” *Cromartie I*, 526 U.S. at 555 n.1 (Stevens, J., concurring). A determination that race played a predominant role—over incumbency protection, communities of interest, compactness, and contiguity—is crucial to Plaintiffs’ case. However, the Plaintiffs rely on this court solving every conflict of fact in their favor and accepting their inferences in order to hold that they have satisfied their burden of proof. The Court has advised courts that “[w]here there are such conflicting inferences one group of them cannot, be[] labeled as ‘prima facie proof.’” *Wright v. Rockefeller*, 376 U.S. 52, 57 (1964). If one inference were to be “treated as conclusive on the fact finder,” it would “deprive him of his responsibility to choose among disputed inferences. And this is true whether the conflicting inferences are drawn from evidence offered by the plaintiff or by the defendant or by both.” *Id.* The record does not support the panel majority’s view that Plaintiffs’ evidence has established a prima facie case compelling this panel, despite conflicting inferences which could be drawn from that evidence, to hold that the State drew S.B. 8 solely on the basis of race. *See id.*

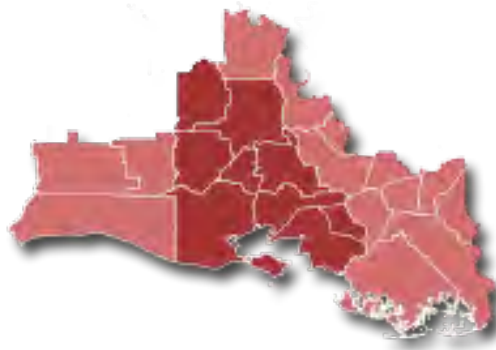
The panel majority clings to rationales from *Hays*, averring that its descriptions of cultural divides are still true today. It bears repeating that—considering the long passage of time and trends of cultural integration over the last few decades—it is unreasonable and untenable for this court to conclude “much of the ‘local appraisal’ analysis from *Hays I* remains relevant to an analysis of S.B.8.” See Majority Op. at 53–54. Citing the map’s divisions of the Acadiana region, the majority contends that S.B. 8 “fails to take into account Louisiana’s diverse cultural, religious, and social landscape in any meaningful way.” Majority Op. 55 n.11. But the panel majority’s narrow view rooted from its cursory consultation of select cultural historical sources and *Hays* sharply conflicts with decades of electoral history.

Several witnesses that testified in this case stated that Louisiana's political subdivisions and geographical and cultural hotspots are routinely split in different electoral districts. Instead of evaluating it based on the evidence in this case, the panel majority condemns S.B. 8 for its multiple divisions of the "strong cultural and ethnic groups" in the Acadiana area.<sup>37</sup> At first glance, the panel majority's aim is noble and sensible. But the complexity of relationships between populations within the Acadiana area, as well as its geographic composition, do not promote one unitary community of interest. In 1971, the Louisiana Legislature passed a resolution officially recognizing and protecting the "traditional twenty-two parish Cajun homeland."<sup>38</sup> The Acadiana Delegation in the Legislature provides the following map of Acadiana and segments the often referred-to Cajun Heartland (in darker red) from the rest of Acadiana.<sup>39</sup>

<sup>37</sup> The panel majority also paints with a broad brush to describe the region, but its high-level discussion assumes that two distinctive cultures that have learned how to live harmoniously in a large shared geographic region morphs those distinctive communities into a homogenous, unitary community of interest. Cajun and Creole populations have different histories, languages, food, and music. In my view, the intriguing relationship between Cajuns and Creoles may lend itself to noting that they do not neatly fit into a unitary community of interest. Somewhat respecting this notion, the Legislature has consistently segmented the Acadiana area into multiple congressional districts over the past few decades.

<sup>38</sup> Acadiana Legislative Delegation, (last visited April 29, 2024), <https://house.louisiana.gov/acadiana/#:~:text=Acadiana%20often%20is%20applied%20only,sometimes%20also%20Evangeline%20and%20St.>

<sup>39</sup> *Id.* ("Acadiana often is applied only to Lafayette Parish and several neighboring parishes, usually Acadia, Iberia, St. Landry, St. Martin, and Vermilion parishes, and sometimes also Evangeline and St. Mary; this eight-parish area, however, is actually the 'Cajun Heartland, USA' district, which makes up only about a third of the entire Acadiana region.").



Under the delegation's definition, the Acadiana parishes contain portions of three of the state's five major population centers: Lake Charles, Lafayette, and the outskirts of Baton Rouge.<sup>40</sup> Acadiana stretches from the marsh lands in St. Mary Parish all the way up to Avoyelles Parish in the Red River Basin. Importantly, the majority ignores the fact that the twenty-two parishes that lie within this corner of the state have been segmented into multiple single-member congressional districts since the 1970s.<sup>41</sup>

The following map demonstrates the congressional districts for the majority of the 1970s. Notably it splits Acadiana into three congressional districts:

<sup>40</sup> *See id.*

<sup>41</sup> Even if the panel majority restricts its description of Acadiana into the "Cajun Heartland" parishes, *see supra* n.40, it also cannot account for the fact these have been routinely split into multiple congressional districts for decades. The following maps are retrieved from shapefile data compiled and organized by professors from the University of California at Los Angeles. Jeffrey B. Lewis, Brandon DeVine, Lincoln Pitcher, & Kenneth C. Martis, *Digital Boundary Definitions of United States Congressional Districts, 1789-2012* (2013) (datafile and code book generating district overlays), <https://cdmaps.polisci.ucla.edu>.



Continuing to the 1980s, the Legislature continued to segment Acadiana for another decade:





Even the congressional districts drawn by the *Hays* panel were no different on this front, also splitting up the Acadiana area into multiple districts:<sup>42</sup>



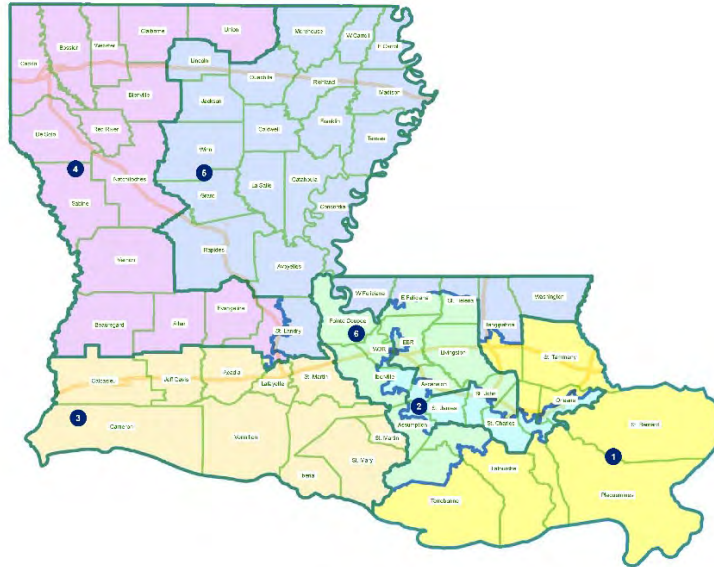
Neither did the congressional districts enacted after the turn of the millennium keep Acadiana whole:<sup>43</sup>



<sup>42</sup> 936 F. Supp. 360, 372 (W.D. La. 1996) (“The State of Louisiana is directed to implement the redistricting plan drawn by this court and ordered implemented in *Hays II*.”). The judicially created map split Acadiana into districts 3, 5, 6, and 7.

<sup>43</sup> See Act 10, H.B. 2 (2001) (splitting Acadiana into four congressional districts).

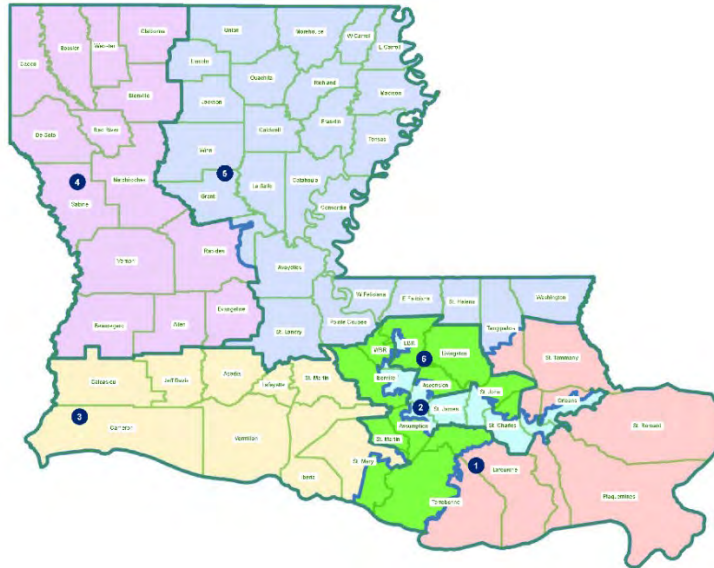
Another decade passes, and the Legislature carves up Acadiana once more. The Legislature continued this trend after the 2010 census. The electoral map enacted in 2011<sup>44</sup> likewise split Acadiana into four districts:



If the majority's formulation is correct, then none of these maps, including H.B. 1 (depicted below),<sup>45</sup> had adequately accounted for Louisiana's diverse cultural landscape in any meaningful way.

<sup>44</sup> Act 2, H.B. 6 (2011) (same).

<sup>45</sup> Act 5, H.B. 1 (2022) (dividing Acadiana into four single-member congressional districts).



Thus, dating back decades, it is safe to say Acadiana has been a community that is “not unaccustomed to splitting” in order to achieve a variety of other goals in Congressional reapportionment. *Cf. Theriot*, 185 F.3d at 483; *Theriot v. Parish of Jefferson*, 966 F. Supp. 1435, 1444 (E.D. La. 1997). For this reason, S.B. 8’s division of Acadiana cannot persuasively be interpreted to prove that race predominated in its drafting. *See* H.B. 1, Act 5 (2022) (dividing the Acadiana region into four Congressional districts); H.B. 6, Act 2 (2011) (doing the same). Absent from the majority’s analysis is discussion of precedent making clear that an electoral map that splits a community of interest is not strong evidence of racial predominance if the community is accustomed to being split into multiple districts. *Cf. Theriot*, 185 F.3d at 485. Furthermore, the legislative record in this case shows that the Legislature considered a number of other communities of interest and apportioned them appropriately into single-member districts.<sup>46</sup>

<sup>46</sup> *See also supra* notes 21–26.

Here is what the record demonstrates as to the communities of interest factor. In testimony before the House and Governmental Affairs Committee, Senator Womack and numerous other members of the Louisiana House of Representatives noted that District 6 in S.B. 8 contained numerous communities of interest. Representative Larvadain of Rapides Parish noted that District 6 respected regional education and employment interests, noting that Rapides area residents lie within a “community of interest with Natchitoches and Caddo” parishes. JE 31 at 21. He further noted that residents of Point Coupee Parish in District 6, which lies almost midway between Opelousas and Baton Rouge, utilize health systems services and hospitals in Saint Landry Parish’s more densely populated seat of Opelousas. JE 31 at 21–22. As another note, S.B. 8’s District 4 contains the two major military bases in the state under the watch of the most powerful member of the U.S. House of Representatives, Speaker Johnson. Trial Tr. 384 (noting that assets like military bases, along with colleges or universities are information that legislators and electoral demographers consider as communities of interest).

The majority does not grapple with any of this. Instead, it clings tightly to Mr. Hefner’s dot density map and testimony on the contours of the district’s lines in certain areas instead of truly examining whether Plaintiffs had disentangled politics and race to prove that the latter drove District 6’s lines. *See Cromartie I*, 526 U.S. at 546; *Theriot*, 185 F.3d at 486 (“Our review of the record leads us to conclude that the inclusion or exclusion of communities was inexorably tied to issues of incumbency.”). Thus, the majority cannot convincingly hold that Plaintiffs have met their burden of debunking the State’s “political motivation” defense.

### III. Strict Scrutiny

In my view, the panel majority adopts an incomplete interpretation of the legislative record and inconsistent circumstantial evidence to hold that S.B. 8 constitutes a racial gerrymander. Following that determination, the panel majority asserts that S.B. 8 fails strict scrutiny. Notwithstanding my writings above that demonstrate that S.B. 8 does not constitute an impermissible racial gerrymander, I now explain how the majority's second major determination also lacks a substantial basis in the record.

#### *A. Compliance with the VRA is a Compelling State Interest*

To survive an equal protection challenge to an election redistricting plan which considers race as a factor, the state must show that its redistricting plan was enacted in pursuit of a compelling state interest and that the plan's boundaries are narrowly tailored to achieve that compelling interest. *See Vera*, 517 U.S. at 958–59. In my view, it is clear that the State has satisfied its burden in demonstrating that District 6's boundaries in S.B. 8 were created pursuant to a compelling state interest and were narrowly tailored to achieve that interest.

It is axiomatic that "compliance with § 2 of the Voting Rights Act constitutes a compelling governmental interest." *See Clark v. Calhoun Cnty.*, 88 F.3d 1393, 1405 (5th Cir. 1996); *Cooper*, 581 U.S. at 301. Furthermore, the Supreme Court has consistently made clear that "a State indisputably has a compelling interest in preserving the integrity of its election process." *Brnovich v. Dem. Nat'l Comm.*, 141 S. Ct. 2321, 2347 (2021) (quoting *Purcell v. Gonzalez*, 549 U.S. 1, 4 (2006) (per curiam) (internal quotation marks omitted)).

In the face of this, Plaintiffs argue that compliance with the VRA is not a compelling governmental interest based on this record. Plaintiffs

categorize the State's decision to settle the *Robinson* matter by calling a special session to draw new maps as "pretrial court-watching" insufficient to constitute "a compelling interest to justify race-based line drawing." Plaintiffs' Br. 14. They contend that the State's reliance on the VRA is based on the Attorney General's "calculated guess" on how the Middle District would rule, rather than an independent analysis of H.B. 1's performance under the VRA. Plaintiffs point to the Attorney General's responses to questioning during an information session before the 2024 Legislative Session formally opened in the morning hours of January 16, 2024, to support the theory that the Legislature did not truly consider VRA compliance in deciding to promulgate S.B. 8. Plaintiffs' Br. 15. Alternatively, they assert that the VRA is merely a "*post-hoc* justification[]" offered by the State to avoid liability. *See Bethune-Hill*, 580 U.S. at 190.

None of these arguments are persuasive. The State has pointed to a compelling state interest recognized by binding Supreme Court precedent. *See Cooper*, 581 U.S. at 292, 301; *Shaw II*, 517 U.S. at 915. I now proceed to address narrow tailoring as the State has sufficiently established a strong basis in evidence underlying its redistricting decisions.

#### *B. Strong Basis In Evidence*

The State argues that it had good reasons to believe that it had to draw a majority-minority district to avoid liability for vote dilution under § 2 of the VRA. *See Ala. Legis. Black Caucus v. Alabama*, 575 U.S. 254, 278 (2015) (holding that legislators "may have a strong basis in evidence to use racial classifications in order to comply with a statute when they have good reasons to believe such use is required, even if a court does not find that the actions were necessary for statutory compliance"); *Cooper*, 581 U.S. at 287 ("If a State has good reason to think that all three of these [*Gingles*] conditions are met, then so too it has good reason to believe that § 2

requires drawing a majority-minority district. But if not, then not.”). Moreover, the Court has emphasized that as part of the strict scrutiny inquiry “a court’s analysis of the narrow tailoring requirement insists only that the legislature have a ‘strong basis in evidence’ in support of the (race-based) choice that it has made.” *Ala. Legis. Black Caucus*, 575 U.S. at 278. In essence, the Court has indicated that the State must establish a strong basis in evidence for concluding that the threshold *Gingles* conditions for § 2 liability are present, namely:

First, “that [the minority group] is sufficiently large and geographically compact to constitute a majority in a single member district”; second, “that it is politically cohesive”; and third, “that the white majority votes sufficiently as a bloc to enable it . . . usually to defeat the minority’s preferred candidate.”

*Vera*, 517 U.S. at 978 (quoting *Thornburg v. Gingles*, 478 U.S. 30, 50–51, (1986)) (internal citation omitted).

The majority errs in asserting that the State has not met its burden here. See Majority Op. at 51. Markedly, the majority has incorrectly articulated the State’s burden as requiring it to show that the contested district, District 6, satisfies the first *Gingles* factor. The Supreme Court has already directed that the first *Gingles* condition “refers to the compactness of the minority population [in the state], not to the compactness of the contested district.” *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 433 (2006) (“*LULAC*”) (quoting *Vera*, 517 U.S. at 997 (Kennedy, J., concurring))). As such, the State’s actual burden is to show that the first *Gingles* condition—the Black population is sufficiently large and geographically compact to constitute a majority in a single-member district—is *present* so as to establish that it had a strong basis in evidence for concluding that its remedial action to draw a new map was required.



*Cooper*, 581 U.S. at 287; *Vera*, 517 U.S. at 978. “If a State has good reason to think that all the *Gingles* preconditions are met, then so too it has good reason to believe that § 2 requires drawing a majority-minority district.” *Cooper*, 581 U.S. at 302 (internal quotation marks omitted).

The Black population’s numerosity and reasonable compactness within the state must first be established as required by *Gingles*. *Cooper*, 581 U.S. at 301; *Allen v. Milligan*, 599 U.S. 1, 19 (2023). To satisfy the first *Gingles* precondition, plaintiffs often submit illustrative maps to establish reasonable compactness for purposes of the first *Gingles* requirement. *Milligan*, 599 U.S. at 33 (“Plaintiffs adduced at least one illustrative map that comported with our precedents. They were required to do no more to satisfy the first step of *Gingles*.”). As such, courts evaluate whether the illustrative plans demonstrate reasonable compactness when viewed through the lens of “traditional districting principles such as maintaining communities of interest and traditional boundaries.” *LULAC*, 548 U.S. at 433 (internal quotation marks omitted). With respect to the first *Gingles* precondition, in *Robinson I*, the Middle District of Louisiana found both (1) that Black voters could constitute a majority in a second district in Louisiana and (2) that a second district could be reasonably configured in the state. *Robinson I*, 605 F. Supp. 3d at 820–31; see *Milligan*, 599 U.S. at 19. Following *Milligan*’s lead, the *Robinson I* court analyzed example districting maps that Louisiana could enact—each of which contained two majority-Black districts that comported with traditional districting criteria—to conclude that a second majority-minority district could be formulated from Louisiana’s demographics. *Robinson I*, 605 F. Supp. 3d at 822–31; see *Milligan*, 599 U.S. at 20.

Because the Middle District of Louisiana had thoroughly conducted a *Gingles* analysis, the State had good reasons to believe (1) that the *Gingles*



threshold conditions for § 2 liability were all present and (2) that it was conceivable to draw two majority-minority congressional districts that satisfy the first prong of *Gingles* while adhering to traditional redistricting principles. The *Robinson I* court's thorough analysis that the plaintiffs were substantially likely to prevail on the merits of their §2 claim provided powerful evidence and analysis supporting the State's strong basis in evidence claim that the VRA requires two majority-Black districts. *Cf. Wisconsin Legis. v. Wis. Elections Comm'n*, 595 U.S. 398, 403 (2022) (holding that the Governor failed to carry his burden because he "provided almost no other evidence or analysis supporting his claim that the VRA required the seven majority-black districts that he drew"). The majority points to no precedent requiring the State to reestablish or embark on an independent inquiry regarding the numerosity and reasonable compactness of Louisiana's Black population after an Article III judge has already carefully evaluated that evidence in a preliminary injunction proceeding. *Id.* at 410 (Sotomayor, J., dissenting) ("The Court points to no precedent requiring a court conducting a malapportionment analysis to embark on an independent inquiry into matters that the parties have conceded or not contested, like the *Gingles* preconditions here.").

Notably, both the majority and the *Robinson I* court would agree that where the record reflects that the Black population is dispersed then § 2 does not require a majority-minority district. *Compare* 605 F. Supp. 3d at 826 ("If the minority population is too dispersed to create a reasonably configured majority-minority district, [§ 2] does not require such a district.") (internal citation and quotation marks omitted), *with* Majority Op. at 51 ("The record reflects that, outside of southeast Louisiana, the Black population is dispersed."). But it was the *Robinson I* court that was provided with an extensive record—particularly extensive for a preliminary

injunction proceeding—regarding the numerosity and geographic compactness of Louisiana’s Black population. And this court should not deconstruct or revise that finding. Despite the majority’s suggestion that the “[instant] record reflects that, outside of southeast Louisiana, the Black population is dispersed,” this record makes no such certitude. See Majority Op. at 51.

Likewise, the Supreme Court has been clear that compactness in the equal protection context, “which concerns the shape or boundaries of a district, differs from § 2 compactness, which concerns a minority group’s compactness.” *LULAC*, 548 U.S. at 433 (quoting *Abrams v. Johnson*, 521 U.S. 74, 111 (1997)). “In the equal protection context, compactness focuses on the contours of district lines to determine whether race was the predominant factor in drawing those lines.” *Id.* (citing *Miller*, 515 U.S. at 916–17). The inquiry under § 2 is whether “the minority group is geographically compact.” *Id.* (quoting *Shaw II*, 517 U.S. at 916) (internal quotation marks omitted).

The instant case is about an asserted equal protection violation. The fully developed trial record substantiates District 6’s compactness as it relates to traditional redistricting factors. Conversely, *Robinson I* and its associated record are about a vote dilution violation. In essence, the record in *Robinson I* is replete with evidence concerning the inquiry under § 2 into whether the minority group is geographically compact. *Robinson I*, 605 F. Supp. 3d at 826. The *Robinson I* court correctly determined that “[t]he relevant question is whether the *population* is sufficiently compact to make up a second majority-minority congressional district in a certain area of the state.” *Robinson I*, 605 F. Supp. 3d at 826. And that is the determination that the Middle District of Louisiana made. Equipped with expert testimony regarding the numerosity and reasonable compactness of the Black

population in Louisiana, the *Robinson I* court made a finding that the “Black population in Louisiana is heterogeneously distributed.” 605 F. Supp. 3d at 826. In *Robinson I*, the court determined that “[p]laintiffs have demonstrated that they are substantially likely to prove that Black voters are sufficiently ‘geographically compact’ to constitute a majority in a second congressional district.” *Robinson I*, 605 F. Supp. 3d at 822. It would be unreasoned and inappropriate for this court—without the benefit of a record relevant to vote dilution—to now *post hoc* suggest that Black voters are not sufficiently “geographically compact” and thus overrule the *Robinson I* court’s finding.

After determining that the previously enacted redistricting plan, H.B. 1, likely violated § 2, the Middle District of Louisiana did not impose a particular map or course of action on the State. *Id.* at 857 (“The State . . . is not required to [use one of plaintiffs’ illustrative plans], nor must it ‘draw the precise compact district that a court would impose in a successful § 2 challenge.’”). Rather, the *Robinson I* court highlighted that the State retained “broad discretion in drawing districts to comply with the mandate of § 2.” *Id.* (quoting *Shaw II*, 517 U.S. at 917 n.9). It emphasized the State’s numerous options for a path forward, namely that the State could “elect to use one of Plaintiffs’ illustrative plans” or “adopt its own remedial map.” The State chose the latter. At the same time, the *Robinson I* court cautioned the State to respect its own traditional districting principles and to remain cognizant of the reasonableness of its fears and efforts to avoid § 2 liability. *Id.* (quoting *Vera*, 517 U.S. at 978).

Although District 6 was not present in any of the illustrative maps submitted to satisfy the first *Gingles* factor in *Robinson I*, the State has shown that as a remedial plan District 6 is reasonably compact when viewed through the lens of “traditional districting principles such as maintaining

communities of interest and traditional boundaries.” *LULAC*, 548 U.S. at 433 (internal quotation marks omitted).<sup>47</sup> Recall that a “§ 2 district that is reasonably compact and regular, taking into account traditional districting principles such as maintaining communities of interest and traditional boundaries, may pass strict scrutiny without having to defeat rival compact districts designed by plaintiffs’ experts in endless beauty contests.” *Vera*, 517 U.S. at 977.

Make no mistake—the “special session [called by Governor Landry] was convened as a direct result of [] litigation, *Robinson v. Landry*.” JE36 at 6. Certainly, some state legislators colloquially characterized the genesis of the special session by expressing that “we’ve been ordered by the court that we draw congressional district with two minority districts.” JE36 at 4 (Sen. Ed Price). But, while some state legislators conversationally expressed that “we are now in 2024 trying to resolve this matter at the direction of the court,” all legislators formally and collectively understood the redistricting process to have begun in the fall of 2021 “where [the Legislature] began [the] process going to every corner of this state on the roadshow, northeast, northwest, southeast, southwest, central Louisiana, all throughout this state.” JE36 at 4 (Sen. Royce Duplessis). Most of these senators—with the exception of two newly elected senators—were involved in the redistricting process when it began more than two years before the January 2024 special session, in the fall of 2021. Trial Tr. 545 (noting that except for only two newly-elected state senators to the 2024 Legislature, “the rest of the Senate serv[ed] for the full duration of the redistricting process following the 2020 census”).

<sup>47</sup> See *supra* Part II.A-B.

As mentioned above, the testimony and evidence show that the legislators gave careful thought when identifying and assessing communities of interest; strategizing incumbency protection; calculating how often maps split parishes, census places (or municipalities), and landmarks, and measuring and comparing compactness scores. Although the impetus for the special session was litigation, the record confirms that the legislators considered traditional redistricting criteria in drawing and amending the maps. During the January 2024 special session, the legislators continuously cited “redistricting criteria, including those embodied in the Legislature’s Joint Rule 21” as foremost in their minds while promulgating, drafting, and voting on S.B. 8.<sup>48</sup> As discussed, the record illustrates that the legislators balanced all the relevant principles, including those described in Joint Rule 21, without letting any single factor dominate their redistricting process.

To further imprint that the State had a strong basis in evidence for finding that the *Gingles* preconditions for § 2 liability were present, I examine the remainder of the *Gingles* factors. *See Vera*, 517 U.S. at 978. Louisiana electoral history provided evidence to support the remaining *Gingles* prerequisites. The second *Gingles* factor asks whether Black voters are “politically cohesive.” The court determines whether Black voters

<sup>48</sup> Moreover, Patricia Lowrey-Dufour, Senior Legislative Analyst to the House and Governmental Affairs Committee, presented an oral “101” orientation about the redistricting process. Specifically, she provided an overview of redistricting terms, concepts, and law, redistricting criteria, the 2020 census population and population trends, malapportionment statistics, and illustrative maps. Moreover, Ms. Lowrey-Dufour directed legislators to “a plethora of resources available on the redistricting website of the legislature.” In other words, the confection of these redistricting plans did not occur in a vacuum. S.B. 8 was adopted as part of a process that began with the decennial and in which legislators were immensely informed of their duties and responsibilities. **JE28 at 3–11.**

usually support the same candidate in elections irrespective of the contested district. The third *Gingles* factor requires an inquiry into whether White voters in Louisiana vote “sufficiently as a bloc to usually defeat [Black voters’] preferred candidate.” Again, the court makes this determination unrelatedly of the contested district. Relying on a record that established racially polarized voting patterns in the state of Louisiana, the State had a strong basis in evidence for finding that the second and third *Gingles* factors were present.

Further, the Middle District of Louisiana court analyzed “the Senate Factors . . . and then turned to the proportionality issue.” *Robinson I*, 605 F. Supp. at 844. By evaluating the Senate Factors,<sup>49</sup> the *Robinson I* court determined that the plaintiffs had “established that they are substantially likely to prevail in showing that the totality of the circumstances weighs in their favor.” 605 F. Supp. at 844–51. Lastly, when evaluating the proportionality factor, the Middle District of Louisiana concluded that the “Black representation under the enacted plan is not proportional to the Black share of population in Louisiana . . . Although Black Louisianans make up 33.13% of the total population and 31.25% of the voting age population, they comprise a majority in only 17% of Louisiana’s congressional districts.” *Id.* at 851. Thus, each of the three *Gingles* prerequisites was sufficiently established.

In sum, not only did the State have a strong basis in evidence for believing that it needed a majority-minority district in order to avoid liability under § 2 but—in drafting the remedial plan—it also ensured that its

<sup>49</sup> The Senate Report of the Senate Judiciary Committee—which accompanied the 1982 amendments to the VRA—specifies factors (“Senate Factors”) that are typically relevant to a § 2 claim and elaborate on the proof required to establish § 2 violations. See *Gingles*, 478 U.S. at 43–44.

proposed redistricting plan met the traditional redistricting criteria and was geographically compact so as to not offend the VRA. *See Shaw II*, 517 U.S. at 916–17 (rejecting the argument that “once a legislature has a strong basis in evidence for concluding that a § 2 violation exists in the State, it may draw a majority-minority district anywhere, even if the district is in no way coincident with the compact *Gingles* district”). Thus, District 6, as drawn, is “narrowly tailored.”

*Shaw II* recognizes that: (1) the State may not draw a majority-minority district “anywhere [in the state] if there is a strong basis in evidence for concluding that a § 2 violation exists somewhere in the State and (2) “once a violation of the statute is shown[,] States retain broad discretion in drawing districts to comply with the mandate of § 2.” *Shaw II*, 517 U.S. at 901, 917 n.9. Citing *Shaw II*, the *Robinson I* court made no determination that a district should be drawn *just anywhere* in the state. 605 F. Supp. 3d at 857–58. Nor did the State seek to embark on such an endeavor. Rather, the *Robinson I* court afforded the State “a reasonable opportunity for the legislature to meet [applicable federal legal] requirements by adopting a substitute measure rather than for the federal court to devise and order into effect its own plan.” *Wise v. Lipscomb*, 437 U.S. 535, 540 (1978) (citing *Burns v. Richardson*, 384 U.S. 73, 85 (1966)). Because the Supreme Court has emphasized “[t]ime and again” that “reapportionment is primarily the duty and responsibility of the State through its legislature or other body, rather than of a federal court,” this three-judge panel should not usurp the State’s efforts to narrowly tailor its reapportionment scheme. *See Voinovich v. Quilter*, 507 U.S. 146, 156 (1993). Under the *Burns* rule, “a State’s freedom of choice to devise substitutes [or remedial plans] for an apportionment plan [that was] found unconstitutional . . . should not be restricted beyond the clear commands

of the Equal Protection Clause.” *Lipscomb*, 437 U.S. at 536–37; *Burns*, 384 U.S. at 85.

Far from a map “drawn anywhere” in the state simply because “there is a strong basis in evidence for concluding that a § 2 violation exists somewhere in the State,” District 6 reasonably remedies potential § 2 violations because (1) the Black population was shown to be “geographically compact” to establish § 2 liability, *Gingles*, 478 U.S. at 50, and (2) District 6 complies with “traditional districting principles such as compactness, contiguity, and respect for political subdivisions,” *See Miller*, 515 U.S. at 919. *Shaw II*, 517 U.S. at 900. For the foregoing reasons, I would hold that because S.B. 8 is narrowly tailored to further the State’s compelling interests in complying with § 2 of the VRA, it survives strict scrutiny and is therefore constitutional.

#### **IV. Conclusion**

The panel’s mandate in this case was clear: Plaintiffs needed to prove by a preponderance of the evidence that race predominated in the drawing of the district lines found in S.B. 8. The panel majority, relying on decades-old case law with antiquated observations, and by giving undue disproportionate weight to the testimonies of Plaintiffs’ witnesses, concluded that Plaintiffs met their burden. Respectfully, my assessment of the evidence adduced at trial and my complete review of the entire record in this case convinces me that Plaintiffs failed to disentangle the State’s political defense from the consideration of race in the formulation of S.B. 8. Not only is the panel majority’s decision particularly jarring here, but it also creates an untenable dilemma for the State and eviscerates the semblance of its sovereign prerogative to draw maps.

The Louisiana Legislature conducted roadshows, held floor debates, had the author of the bill and numerous legislators explicitly state the



political impetus for their efforts, and drafted several maps and amendments before finally passing S.B. 8. If, after all of that, the majority still found that race predominated in drawing District 6, are we not essentially telling the State that it is incapable of doing the job it is tasked with under the United States and Louisiana constitutions? While the panel majority states that this court does not decide “whether it is feasible to create a second majority-Black district in Louisiana,” the context underlying this case in conjunction with its holding functionally answers that question. Majority Op. 58. I worry that the panel majority’s decision fails to properly assess the history that led to S.B. 8 and, consequently, dooms us to repeat this cycle. For the foregoing reasons, I would determine that Plaintiffs have failed to meet their burden showing racial predominance in the drafting of S.B. 8. Alternatively, I would hold that S.B. 8 is constitutional because it is narrowly tailored to further the State’s compelling interests in complying with § 2 of the VRA.

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**ROBINSON INTERVENOR-DEFENDANTS' NOTICE OF APPEAL**

Notice is hereby given that Intervenor-Defendants Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, National Association for the Advancement of Colored People Louisiana State Conference ("Louisiana NAACP"), and Power Coalition for Equity and Justice appeal to the Supreme Court of the United States the following orders entered in this case.

- **Preliminary Injunction and Reasons for Judgment**, April 30, 2024 (ECF No. 198)
- **Scheduling Order Consolidating the Preliminary Injunction Hearing With Trial on Merits**, February 21, 2024 (ECF No. 63)
- **Order on Motion to Intervene as Defendants and Transfer**, February 26, 2024 (ECF No. 79)

- **Order Denying Motion to Continue Trial with Opposition and Motion to Deconsolidate the Preliminary Injunction Hearing**, April 8, 2024 (ECF No. 173, Tr. Transcript: 4/8 7:7-8:19)
- **Order Denying Admission of Record of *Robinson* Proceedings**, April 9, 2024 (ECF No. 175, Tr. Transcript: 4/9 351:7-360:13)

This appeal is taken under 28 U.S.C. § 1253.

DATED: May 1, 2024

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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which provides electronic notice of filing to all counsel of record, on this 1<sup>st</sup> day of May, 2024.

/s/ Stuart Naifeh  
Stuart Naifeh

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
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ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

***ROBINSON INTERVENORS' MOTION FOR STAY PENDING APPEAL***

Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, the National Association for the Advancement of Colored People Louisiana State Conference, and the Power Coalition for Equity and Justice (the “*Robinson* Intervenors”) move for the Court to stay its April 30, 2024 Order, ECF 198, enjoining Louisiana’s enacted congressional map, SB8, pending appellate proceedings in the United States Supreme Court. The Court’s order imposes irreparable harm on *Robinson* Intervenors, Louisiana voters, and the general public; it is unlikely to withstand appellate scrutiny on the merits; and the balance of equities favors a stay pending appeal. In the alternative, *Robinson* Intervenors respectfully request that the Court enter an administrative stay, which would temporarily stay the Court’s injunction to permit the *Robinson* Intervenors to move the United States Supreme Court for a stay pending appeal. The bases of *Robinson* Intervenors’ motion are

set forth in the accompanying memorandum of law, which is incorporated herein by reference. For the reasons stated therein, this motion for stay pending appeal should be granted.

Due to the consequential and time-sensitive nature of these proceedings, *Robinson* Intervenor respectfully request that the Court rule on this motion expeditiously and that it do so no later than Friday, May 3, 2024.

DATED: May 1, 2024

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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which provides electronic notice of filing to all counsel of record, on this first day of May, 2024.

/s/ Stuart Naifeh  
Stuart Naifeh

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,  
BRUCE ODELL, ELIZABETH ERSOFF,  
ALBERT CAISSIE, DANIEL WEIR,  
JOYCE LACOUR, CANDY CARROLL  
PEAVY, TANYA WHITNEY, MIKE  
JOHNSON, GROVER JOSEPH REES,  
ROLFE MCCOLLISTER,

*Plaintiffs,*

v.

NANCY LANDRY, in her official capacity  
as Secretary of State for Louisiana,

*Defendant.*

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**ROBINSON INTERVENORS' MEMORANDUM OF LAW  
IN SUPPORT OF MOTION FOR STAY PENDING APPEAL**

Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, the National Association for the Advancement of Colored People Louisiana State Conference, and the Power Coalition for Equity and Justice (the “*Robinson* Intervenors”) move for the Court to stay its April 30, 2024 Order, ECF No. 198, enjoining Louisiana’s congressional map (“SB8”) pending a resolution of the *Robinson* Intervenors’ appeal to the United States Supreme Court. The *Robinson* Intervenors have duly filed a notice of appeal.

All four factors relevant to a stay pending appeal support granting *Robinson* Intervenors’ motion. *See Nken v. Holder*, 556 U.S. 418, 426 (2009). *Robinson* Intervenors are likely to succeed on the merits because the Court erred by failing to afford the Legislature the latitude the Constitution allows when states have good reason to believe the Voting Rights Act requires race-conscious redistricting, applying an incorrect legal standard for racial predominance, and improperly subjecting SB8 to a *Gingles* analysis. *See Thornburg v. Gingles*, 478 U.S. 30 (1986). The Order deprives the Legislature of the breathing room to craft a map that complies with the Voting Rights Act and the 14th Amendment to which the State is entitled under longstanding Supreme Court precedent. *See, e.g., Bethune-Hill v. Va. St. Bd. of Elec.*, 580 U.S. 178, 196 (2017). The *Robinson* Intervenors and all Louisiana voters will be irreparably harmed absent a stay, and the public interest and balance of the equities support staying these proceedings until the Supreme Court has considered and resolved the *Robinson* Intervenors’ appeal.

## ARGUMENT

Courts apply a four-part test when weighing whether to grant a stay: “(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will

substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.” *Nken v. Holder*, 556 U.S. 418, 426 (2009). *See also NFIB v. Dep’t of Lab., Occupational Safety & Health Admin.*, 142 S. Ct. 661, 665–66 (2022). These factors are not to be applied “in a rigid or mechanical fashion.” *Campaign for S. Equal. v. Bryant*, 773 F.3d 55, 57 (5th Cir. 2014) (alterations accepted). A movant “need only present a substantial case on the merits when a serious legal question is involved and show that the balance of equities weighs heavily in favor of granting the stay.” *United States v. Baylor Univ. Med. Ctr.*, 711 F.2d 38, 39 (5th Cir. 1983) (citation omitted).

All four *Nken* factors support a stay here.

**I. *Robinson* Intervenors are likely to prevail on the merits.**

*Robinson* Intervenors are likely to succeed on the merits of their appeal because, among other errors, the Court erred in applying the *Gingles* standard to the State’s enacted plan, SB8; failed to afford the State flexibility in remedying the likely Section 2 violation found by the Middle District and affirmed by the Fifth Circuit; and improperly equated consideration of race in an effort to remedy a Section 2 violation with racial predominance, contrary to the Supreme Court’s repeated teachings.

*First*, the Court committed a categorical error in holding that SB8 was required to satisfy the first *Gingles* precondition. The Court held that “the State simply has not met its burden of showing that District 6 satisfies the first *Gingles* factor.” ECF No. 198 at 52. *See also id.* at 47–48 (asserting that the State’s assumed compelling interest in complying with the Voting Rights Act “does not support the creation of a district that does not comply with the factors set forth in *Gingles* or traditional districting principles”).

But where, as here, the Legislature has a strong basis in evidence to conclude that the VRA requires an additional majority-minority district, the Supreme Court has never held that a plan adopted by the Legislature must itself satisfy *Gingles* or traditional redistricting principles, so long as any departure from those principles is not predominantly motivated by race. As the Court itself noted, “*Gingles* set out how courts must evaluate claims *alleging a Section 2 violation* of the Voting Rights Act.” ECF No. 198 at 49 (emphasis added). *See also Allen v. Milligan*, 599 U.S. 1, 17 (2023) (“For the past forty years, we have evaluated *claims brought under § 2* using the three-part framework developed in our decision [in *Gingles*]”) (emphasis added); *id.* at 19 (“To succeed in proving a § 2 violation under *Gingles*, plaintiffs must satisfy three ‘preconditions.’”). The State’s burden in this case was to show that it had a strong basis in evidence to believe that the *Gingles* factors existed, necessitating a second majority-Black district to comply with Section 2, not that the map it adopted itself satisfied *Gingles*. *See Cooper v. Harris*, 581 U.S. 285, 302 (2017); *Bush v. Vera*, 517 U.S. 952, 978 (1996). The Court’s opinion cites no authority to support the proposition that a map adopted by the State must satisfy *Gingles I* where, as here, the State has a strong basis in evidence—in the form of a prior court order, affirmed on appeal, that already found that *Gingles I* could readily be satisfied—that Section 2 required race-conscious districting.

The Court also improperly disregarded the rulings by the Middle District and the Fifth Circuit in *Robinson* that the Black voting age population in Louisiana does satisfy *Gingles I*. *See Robinson v. Ardoin*, 605 F. Supp. 3d 759, 820–31 (M.D. La. 2022) (“*Robinson I*”); *Robinson v. Ardoin*, 86 F.4th 574, 589–592 (5th Cir. 2023) (“*Robinson III*”). The Middle District found that the plaintiffs there “put forth several illustrative maps which show that two congressional districts with a BVAP of greater than 50% are easily achieved,” that this population is “sufficiently ‘geographically compact,’” and that “the illustrative plans developed by Plaintiffs’ experts satisfy

the reasonable compactness requirement of *Gingles I.*” *Robinson I*, 605 F. Supp. 3d at 821–22, 831; *see also Robinson III*, 86 F.4th at 592 (finding “no clear error by the district court when it found . . . the first *Gingles* precondition was met”). The Court’s opinion does not dispute these findings, and its conclusory observation that “the State’s Black population is dispersed” outside of Southeast Louisiana does not change the result for *Gingles I*. ECF No. 198 at 52.

*Second*, the Court’s opinion erred by failing to afford the Legislature “breathing room” to navigate the competing demands of the VRA and the 14th Amendment. *Bethune-Hill*, 580 U.S. at 196; *see also Vera*, 517 U.S. at 977 (rejecting, as “impossibly stringent,” the view that a district must have the least possible amount of irregularity in shape such that the state is “‘trapped between the competing hazards of liability’ by the imposition of unattainable requirements under the rubric of strict scrutiny”) (citation omitted)). Because the Middle District and the Fifth Circuit held that Louisiana is likely required to maintain two majority-Black districts to comply with Section 2, the State had “‘good reasons to believe’ it must use race in order to satisfy the Voting Rights Act.” *Bethune-Hill*, 580 U.S. at 194 (emphasis in original); *see also Abbott v. Perez*, 585 U.S. 579, 616 (2018) (evidence from litigation record could provide “good reasons” to use race in remedial map; *Clark v. Calhoun Cnty., Miss.*, 88 F.3d 1393, 1408 (5th Cir. 1996) (holding that there was a strong basis in evidence for concluding a VRA-compliant map was necessary where court had “already found that the three *Gingles* preconditions exist[ed] [t]here”); *Theriot v. Par. of Jefferson*, 1996 WL 637762, at \*1 (E.D. La. Nov. 1, 1996) (“copious litigation and appeals” finding that each *Gingles* precondition was satisfied provided the state with “a strong basis in evidence to believe a black-majority district was reasonably necessary to comply with Section 2 and thus provided a compelling interest in drawing [an additional] majority-minority district”) (internal quotations omitted).

In these circumstances, the Legislature was free, in selecting among possible maps to remediate the likely Section 2 violation found in *Robinson*, to select a less compact map (or one that otherwise departs from traditional redistricting principles) for political or other non-racial reasons. Here, the Legislature properly exercised that discretion by prioritizing incumbent protection and the Red River community of interest over competing district configurations (such as the SB4 plan originally supported by Senator Duplessis and the *Robinson* Intervenors and amendments to SB8 to make it more compact). ECF No. 198 at 19–20; *id.* at 94–95 (Stewart J., dissenting). The Middle District and the Fifth Circuit properly did not direct the Legislature to draw the map in a particular manner, so long as it complied with Section 2, and these courts recognized that the political and policy choices implicated by redistricting are committed to the Legislature’s judgment. *See Robinson I*, 605 F. Supp. 3d at 857 (emphasizing the State’s “broad discretion in drawing districts to comply with the mandate of § 2” and noting that the State need not “draw the precise compact district that a court would impose in a successful § 2 challenge”) (quoting *Shaw II*, 517 U.S. at 917 n.9 and *Vera*, 517 U.S. at 978)).

By contrast, the Court here faulted the Legislature on the ground that “the evidence in the record does not show that District 6 in its current form was the only way to achieve” incumbent protection and second majority-Black district. ECF No. 198 at 44. The Court asserts that “the State could have achieved its political goals in other ways.” *Id.* at 45. But that assertion erroneously imposes on the State the straitjacket against which the Supreme Court has warned. *See Vera*, 517 U.S. at 977 (“If the State has a ‘strong basis in evidence,’ for concluding that creation of a majority-minority district is reasonably necessary to comply with § 2, and the districting that is based on race ‘substantially addresses the § 2 violation,’ it satisfies strict scrutiny.”) (citations omitted); *Bethune-Hill*, 580 U.S. at 196; *Perez*, 585 U.S. at 587.

*Third*, the Court erred by treating the State’s intent to create a second majority-Black district for purposes of complying with the VRA as direct evidence that race was the predominant factor in its adoption of SB8. The Supreme Court has cautioned against just that presumption. “Strict scrutiny does not apply merely because redistricting is performed with consciousness of race” and it does not “apply to all cases of intentional creation of majority-minority districts.” *Vera*, 517 U.S. at 958, 962 (evidence that the State was “committed from the outset to creating majority-minority districts” was not “independently sufficient to require strict scrutiny”); *see also Shaw I*, 509 U.S. at 646 (“[R]ace consciousness does not lead inevitably to impermissible race discrimination”); *DeWitt v. Wilson*, 856 F. Supp. 1409 (E.D. Cal. 1994) (declining to apply strict scrutiny to an intentionally created majority-minority district), *aff’d*, 515 U.S. 1170 (1995); *cf. Milligan*, 599 U.S. at 31–32 (plurality) (holding that race did not predominate in an illustrative map drawn to satisfy *Gingles* by including a greater than 50% Black Voting Age population); *id.* at 34 n.7 (rejecting the argument that the intentional creation of a majority-minority district in an illustrative plan dooms the enterprise and observing that “[t]he very reason a plaintiff adduces a map at the first step of *Gingles* is precisely *because of* its racial composition—that is, because it creates an additional majority-minority district that does not then exist.”). The Court improperly based its racial predominance determination on statements by legislators that they sought to draw a second majority-Black district in order to comply with the Middle District and Fifth Circuit’s orders. ECF No. 198 at 41–45. The Court thus disregarded the commands of *Vera* and *Shaw I* by treating the State’s determination to create a second majority-Black district when it had every reason to think it must as “racially motivated gerrymandering.” *Id.* at 44. By this standard, Louisiana had no way to avoid liability: it would violate Section 2 if it decided not to draw a second majority-Black district, or it would violate the Constitution if it did. This is the wrong standard.



*Vera*, 517 U.S. at 962 (“commit[ing] from the outset to creat[e] majority-minority districts” is not “independently sufficient to require strict scrutiny”).<sup>1</sup>

## **II. *Robinson*-Intervenors will be irreparably injured absent a stay.**

*Robinson* Intervenors have a direct and substantial interest in this litigation, *see* ECF Nos. 18, 79, 103, 114—an interest that will be irreparably harmed absent a stay.

The *Robinson* district court and two unanimous panels of the Fifth Circuit have held that the Voting Rights Act likely requires Louisiana to enact a congressional map with two majority-Black districts, and the *Robinson* plaintiffs would suffer irreparable harm if a congressional election were held using a map with only one majority-Black district. *Robinson I*, 605 F. Supp. 3d at 766; *Robinson v. Ardoin*, 37 F.4th 208, 228–32 (5th Cir. 2022) (“*Robinson II*”); *Robinson III*, 86 F. 4th at 583. That harm has already occurred once when the Middle District’s preliminary injunction was stayed, and the 2022 congressional election was held using the previously enacted map. Thereafter, the Supreme Court and the Fifth Circuit merits panel instructed that the violation be remedied in advance of the 2024 congressional election. *See, e.g., Ardoin v. Robinson*, 143 S. Ct. 2654 (2023) (dismissing writ of certiorari dismissed as improvidently granted and vacating stay to “allow the matter to proceed . . . in advance of the 2024 congressional elections in Louisiana”); *Robinson III*, 86 F. 4th at 600–02. The Legislature proceeded to enact a map with a second majority-Black congressional district, which was the remedy that *Robinson* Intervenors had sought through years of litigation and advocacy. Permitting SB8 to be struck down would reverse

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<sup>1</sup> The Court’s injunction erred in other respects as well. Among other things, the Court’s reliance on the *Hays* decisions from the 1990s is misplaced given the substantial demographic changes in Louisiana since those cases were decided and the fact that—in contrast to the extensive record evidence here that SB8 was driven by political considerations—the map drawer in *Hays* acknowledged that he “considered essentially no other factor” apart from race. *Hays v. State*, 936 F. Supp. 360, 368 (W.D. La. 1996). The Court also failed to address the extensive testimony by Mayor Glover, Pastor Harris, Ms. Shelton, and Commissioner Lewis—all lifetime residents of Louisiana—attesting to the communities of interest tied together in CD6.

the opportunity Louisiana has finally afforded after years of litigation for Black Louisianians to have an equal choice in their representatives to Congress.

Simply put, without SB8 in place, there is a significant risk—accounting for the time it will take for any remedial proceedings to occur and for appeals to be litigated to conclusion—that a VRA-compliant map will not be in place for the 2024 elections. That outcome irreparably harms *Robinson* Intervenor and contravenes the Supreme Court and Fifth Circuit’s expectation that a map compliant with Section 2 will be in place ahead of the 2024 elections.

### **III. The Balance of Equities and Public Interest Clearly Favor the Issuance of a Stay.**

The harm to the State’s interest in enforcing its laws, the minimal harms to Plaintiffs’ interest, and the public’s interest in the resolution of this litigation all weigh in favor of the issuance of a stay. A stay is justified because a stay will substantially injure neither the Plaintiffs’ interest nor the State’s interest and because the public interest is plainly served by permitting the plan enacted by the State’s Legislature to remain in place and by ending the uncertainty surrounding Louisiana’s congressional map while this case makes its way through the appellate process.

Nor are Plaintiffs harmed by the issuance of a stay. Plaintiffs presented no evidence at trial—nor could they—that they were injured by SB8. Most do not even live in the challenged district. Unlike *Robinson* Intervenor, none of the Plaintiffs testified about the harm they faced as a result of SB8. None testified or otherwise entered evidence into the record about their racial identity. *See* ECF No. 198 at 61, n.1 (Stewart, J., dissenting). Plaintiffs cannot be irreparably injured by allowing SB8 to remain in effect pending appellate review when they failed to prove that SB8 had a discriminatory effect on them because of their race. *Id.*

Lastly, the public interest is undoubtedly served by the issuance of a stay. As a result of this litigation and the extensive *Robinson* litigation, if this Court’s injunction of SB8 is not stayed

pending appeal, Louisianans will be deprived of the congressional district plan approved by their Legislature and their newly elected Governor. As a result of the Court's order, there is currently no map in place, resulting in uncertainty and confusion for voters, voter advocacy organizations, political candidates, and election officials alike. A stay would serve the public interest because it would afford Louisiana's voters certainty about the congressional map in advance of the 2024 congressional election while this proceeding works its way through the appellate process.

### **CONCLUSION**

The Court should stay its April 30, 2024, Order pending appeal to the United States Supreme Court.

DATED: May 1, 2024

Respectfully submitted,

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\*\*Practice is limited to federal court.

**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which provides electronic notice of filing to all counsel of record, on this first day of May, 2024.

/s/ Stuart Naifeh  
Stuart Naifeh

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

PHILIP CALLAIS, LLOYD PRICE,	)	
BRUCE ODELL, ELIZABETH ERSOFF,	)	
ALBERT CAISSIE, DANIEL WEIR,	)	
JOYCE LACOUR, CANDY CARROLL	)	
PEAVY, TANYA WHITNEY, MIKE	)	
JOHNSON, GROVER JOSEPH REES,	)	
ROLFE MCCOLLISTER,	)	
	)	Case No. 3:24-cv-00122-DCJ-CES-RRS
Plaintiffs,	)	
	)	
v.	)	District Judge David C. Joseph
	)	Circuit Judge Carl E. Stewart
NANCY LANDRY, IN HER OFFICIAL	)	District Judge Robert R. Summerhays
CAPACITY AS LOUISIANA	)	
SECRETARY OF STATE,	)	Magistrate Judge Kayla D. McClusky
	)	
Defendant.	)	

**PLAINTIFFS’ RESPONSE IN OPPOSITION TO  
ROBINSON INTERVENORS’ MOTION TO STAY PENDING APPEAL**

The Robinson Intervenor’s Motion to Stay is effectively a Motion to Reconsider the Order this Court entered just two days ago enjoining enforcement of a blatantly unconstitutional gerrymander. Rather than preserving the status quo “pending appeal,” a stay would virtually ensure that SB8 rises from the ashes to control the 2024 election. Millions of voters would be forced to cast ballots in districts in which they have been grouped predominantly by race—a morally repugnant classification. The Robinson Intervenor’s seek to gain the fruits of victory not by pointing to some major oversight, but instead by quibbling around the edges of this Court’s decision, distorting the record and law. This Court’s Order was amply supported, and the Robinsons cannot hope to prevail on appeal. Indeed, *they cannot even hope to appeal*, as they lack standing on the merits, and the United States Supreme Court cannot review the several non-merits orders of which they complain. This latest effort to delay Plaintiffs’ relief must be rejected.

## **I. Legal Standard**

To determine whether a party is entitled to a stay pending appeal, courts apply four factors: “(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.” *Nken v. Holder*, 556 U.S. 418, 433-34 (2009) (quotation omitted). The burden to meet each of these factors rests on the movant. *Whole Woman’s Health v. Jackson*, 595 U.S. 30 (2021). And even if the movant meets this burden, the court retains discretion to deny a stay:

A stay is not a matter of right, even if irreparable injury might otherwise result.” *Virginian R. Co.*, 272 U. S., at 672. It is instead “an exercise of judicial discretion,” and “[t]he propriety of its issue is dependent upon the circumstances of the particular case.” *Id.*, at 672–673. . . . The party requesting a stay bears the burden of showing that the circumstances justify an exercise of that discretion.

*Nken*, 556 U.S. at 434 (citation omitted). Critically, courts grant stays “only in extraordinary circumstances.” *All. for Hippocratic Medicine v. FDA*, No. 23-10362, 2023 WL 2913725, at \*3 (5th Cir. Apr. 12, 2023) (per curiam). This rule reflects the fact that “a stay is not a matter of right, even if irreparable injury might otherwise result.” *Id.* (quoting *Virginian Ry. Co. v. United States*, 272 U.S. 658, 672 (1926)). A “decree creates a strong presumption of its own correctness,” which often counsels against a stay. *Id.* (quoting *Virginian Ry. Co.*, 272 U.S. at 673). But the Court need not even reach the question of whether to exercise such discretion because Robinson Intervenors have not satisfied their burden to meet the *Nken* factors to warrant this extraordinary relief.

## **II. Application of *Nken* Factors**

### **a. The Robinsons have not made a strong showing of likely success on merits.**

First, the Court should reject the stay application because Robinson Intervenors have not made a “strong showing” that they are likely to succeed on the merits. *Nken*, 556 U.S. at 434. This



is one of the “most critical” preconditions for a stay. *Id.* The Court need not look further than its own April 30 Order (the “Order”), where it held in permanently enjoining SB8 that Defendants and Defendant-Intervenors did *not* succeed on the merits. **Doc. 198.** In challenging that final order where the merits have already been “conclusively determined,” Robinson Intervenors’ Motion for a Stay really operates as a Motion for Reconsideration rather than a traditional stay. *Nken*, 556 U.S. at 428. Thus, this Court should hold Robinson Intervenors to the higher standard of showing actual success on the merits to overturn a permanent injunction. *Crown Castle Fiber, L.L.C. v. City of Pasadena, Tex.*, 76 F.4th 425, 441 (5th Cir. 2023), *cert. denied*, 144 S. Ct. 820 (2024). Regardless, Robinson Intervenors have not made a strong showing of a likelihood of success on the merits.

Robinson Intervenors three allegations of error fail on the law and facts. Even were their qualms valid, they are too trivial to meet their heavy burden to effectively overturn the Order.

**i. Court correctly applied the *Gingles* standard.**

First, Robinson Intervenors allege that the Court erred in looking to the *Thornburg v. Gingles*, 478 U.S. 30 (1986), factors to determine whether the State had a strong basis in evidence. To create an alleged remedial district to comply with the VRA, the State must first determine that there is a VRA violation and that the newly created district will remedy that violation. *Cooper v. Harris*, 581 U.S. 285, 306 (2017); *Shaw v. Hunt (Shaw II)*, 517 U.S. 899, 916 (1996). The only way for the State to do so is by analyzing the *Gingles* factors. *Wis. Legislature v. Wis. Elecs. Comm’n*, 595 U.S. 398, 403 (2022) (per curiam); *Cooper*, 581 U.S. at 302; *Bush v. Vera*, 517 U.S. 952, 978 (1996) (plurality). The State must “carefully evaluate” whether the *Gingles* preconditions and totality-of-circumstances are met based on “evidence at the district level.” *Wis. Legislature*, 595 U.S. at 404-405. The State may not “improperly rel[y] on generalizations to reach the conclusion that the preconditions were satisfied.” *Id.* at 404. And *Gingles* is not just a test for a

VRA claim; *Gingles* is the standard by which to evaluate the State's burden to show a strong basis in evidence for believing the VRA demanded such a district in response to a Fourteenth Amendment claim. *Wis. Legislature*, 595 U.S. at 401-02; *see also Cooper*, 581 U.S. at 302 ("If a State has good reason to think that all the "*Gingles* preconditions" are met, then so too it has good reason to believe that § 2 requires drawing a majority-minority district. *See Bush v. Vera*, 517 U.S. 952, 978 (1996) (plurality opinion). But if not, then not."). That requires analysis and evidence that a § 2 plaintiff could demonstrate *each Gingles* factor and the totality of the circumstances in *each* particular remedial district. *Wis. Legislature*, 595 U.S. at 404-405; *Cooper*, 581 U.S. at 302; *Bush*, 517 U.S. at 978; *Gingles*, 478 U.S. at 79. The State concededly failed to conduct such an analysis and adduce such evidence, instead drawing this gerrymandered district based on generalizations. **Trial Tr. 1**, 25:8-26:10 (opening); **Trial Tr. 3**, 624:5-625:1 (closing). Accordingly, its racially gerrymandered map fails strict scrutiny. *Wis. Legislature*, 595 U.S. at 404-405.

Additionally, the Court correctly analyzed the application of traditional redistricting principles to determine that SB8 was not narrowly tailored to comply with the VRA. A state legislature must always satisfy traditional redistricting principles to comply with the VRA. *Allen v. Milligan*, 599 U.S. 1, 30 (2023); *LULAC v. Perry*, 548 U.S. 399, 431 (2006); *Bush*, 517 U.S. at 979. The Court rightly recognized that SB8 does not and struck it down.

Moreover, this Court correctly concluded that decisions in *Robinson v. Ardoin* cannot save the gerrymandered map. Robinson Intervenor's argue that *Robinson's* analysis of *Gingles I* is dispositive here, and that the Court does not adequately "dispute these findings." **Doc. 201-1, at 5**. But the *Gingles* analysis is "an intensely local appraisal," so discussion of other potential remedial districts in the *Robinson* litigation cannot provide the requisite *Gingles* analysis for SB8's districts, particularly where SB8 creates an allegedly remedial district in another part of the state

with a different population than at issue in *Robinson. Gingles*, 478 U.S. at 79; *see also Wis. Legislature*, 595 U.S. at 404. Even if the State has some inkling that a VRA violation exists somewhere, it cannot draw a remedial district just anywhere. *LULAC*, 548 U.S. at 431; *Bush*, 517 U.S. at 979; *Shaw v. Hunt (Shaw II)*, 517 U.S. at 916-17. The *Gingles* factors do not apply state-wide. *Wis. Legislature*, 595 U.S. at 404. Moreover, it is not the Court’s burden to show the *Gingles* factors were *not* met; it was the State’s burden alone to show that these factors *were* met—a burden the State did not, or even try to, satisfy. Accordingly, the Court’s analysis was more than sufficient.

**ii. Court gave the State sufficient breathing room.**

Second, Robinson Intervenors claim the Court gave the State insufficient breathing room. While states have some breathing room, “[s]trict scrutiny remains, nonetheless, strict.” *Bush*, 517 U.S. at 978. The State blasted far past any “room” needed for breathing when it refused to conduct *any* pre-enactment *Gingles*-factor analysis and cynically used race to gerrymander a noncompact district using different voters in another part of the state. *Cooper*, 581 U.S. at 293; *Wis. Legislature*, 595 U.S. at 404. The Court properly exercised its Article III authority.

**iii. The Court correctly determined that the State acted with racial predominance, not mere racial consciousness.**

Third, Robinson Intervenors wrongly claim the State was conscious of race, but race did not predominate. Race consciousness can quickly become predominance, given that the “moral imperative of racial neutrality is the driving force of the Equal Protection Clause.” *Bartlett v. Strickland*, 556 U.S. 1, 21-22 (2009) (plurality) (quoting *Richmond v. J.A. Croson Co.*, 488 U.S. 469, 518, 519 (1989) (Kennedy, J., concurring in part and concurring in judgment)). Here, racial predominance, not mere consciousness, was clear. The Court properly weighed the mountain of evidence of racial predominance and determined that the State veered far into unconstitutional territory. **Doc. 98, at 34** (“Race consciousness, on its own, does not make a district an

unconstitutional racial gerrymander or an act of impermissible race discrimination.”); *id.* at 35-45 (analyzing facts and reaching the unavoidable conclusion of racial predominance).<sup>1</sup>

Robinson Intervenors wrongly rely on *Robinson* and legislative remarks about that case as showing mere race consciousness. “[R]ace-based redistricting, even that done for remedial purposes, is subject to strict scrutiny” *because it shows racial predominance*. *Clark v. Calhoun County, Miss.*, 88 F.3d 1393, 1405 (5th Cir. 1996); *Shaw v. Reno*, 509 U.S. 630, 657 (1993) (“Racial classifications with respect to voting carry particular dangers. Racial gerrymandering, even for remedial purposes, may balkanize us into competing racial factions; it threatens to carry us further from the goal of a political system in which race no longer matters—a goal that the Fourteenth and Fifteenth Amendments embody, and to which the Nation continues to aspire.”). The State’s *motives* for racial gerrymandering have no bearing on the racial predominance analysis. Even had the State truly desired to comply with the court order and truly thought it had violated the VRA, its action would still be subject to strict scrutiny. *Clark*, 88 F.3d at 1407.

Regardless, this gripe applies to just one source of evidence of racial predominance (*i.e.*, legislators’ remarks about *Robinson*). The Robinsons’ passing scowl at an anthill ignores the remaining mountain of direct and circumstantial evidence of racial predominance. Nor does it meet their burden to make a strong showing of likely success on the merits. *Nken*, 556 U.S. at 434.

**b. The Robinson Intervenors fail to show irreparable injury.**

Primarily, the Robinson Intervenors claim irreparable harm if a “VRA-compliant map [is not] in place for the 2024 elections.” **Doc. 201-1, at 9**. This allegation hinges on two misguided

<sup>1</sup> Contrary to Robinson Intervenors’ position, the evidence of racial predominance went far beyond “statements by legislators that they sought to draw a second majority-Black district in order to comply with the Middle District and Fifth Circuit’s orders.” **Doc. 201-1, at 7**.

notions: (1) that this Court will be unable to swiftly adjudicate the remedial phase of this case; and (2) that even if this Court does timely impose a remedial map, it will not comply with the VRA.

Addressing the first notion, this Court, conscious of the time constraints regarding the 2024 election, has moved expeditiously throughout this litigation, in spite of the Robinson Intervenor's multiple attempts at delay. *See e.g.*, **Doc. 161** (Robinson Intervenor's Motion to Continue Trial), **Doc. 200** (Robinson Intervenor's Notice of Appeal challenging, among other things, this Court's Scheduling Order and this Court's Order Denying Motion to Continue). These repeated and unfounded attempts to delay judicial proceedings belie the Robinson Intervenor's sudden supposed fear that a constitutional map will not be in place for the 2024 election.

Second, the Robinson Intervenor provides no reason, and none exists, to believe that a map from this Court will violate the VRA. This purely speculative harm cannot support a stay. *Holland Am. Ins. Co. v. Succession of Roy*, 777 F.2d 992, 997 (5th Cir. 1985) ("Speculative injury is not sufficient; there must be more than an unfounded fear on the part of the applicant.").

**c. The issuance of a stay would cause Plaintiffs substantial harm.**

As a preliminary matter, the Robinson Intervenor asserts the third stay factor is the balance of equities and the public interest. **Doc. 201-1, at 9**. This is wrong for two reasons. First, the third prong evaluates the harm to other parties, not the balance of equities. *Nken*, 556 U.S. at 435. Second, the third and fourth stay factors do not merge because the Government is not an opposing party to this appeal. *Id.* The Court must consider the third and fourth stay factors separately.

With regard to the third factor (harm to other parties), issuance of a stay will seriously harm Plaintiffs and other parties. This Court already found that Plaintiffs are *irreparably* harmed absent an injunction. **Doc. 198, at 59**. Plaintiffs and other non-party voters will at least be *substantially* harmed (a lesser standard) if that injunction is now stayed because a blatant gerrymander will rise from the ashes, even if technically just "pending appeal." The inevitable delay in adjudication

would nearly ensure that the State could not pass a remedial map in time for the 2024 election—effectively reinstating the gerrymander and preventing relief to the prevailing party. This Court should be reluctant to grant a stay with the effect of “giv[ing] appellant the fruits of victory whether or not the appeal has merit.” *Jimenez v. Barber*, 252 F.2d 550, 553 (9th Cir. 1958). *See also BST Holdings, LLC v. OSHA*, 17 F.4th 604, 618. (5th Cir. 2021).

Finally, the Robinson Intervenors claim that because no Plaintiff testified at trial, they were unharmed in the first place and ipso facto are unharmed by a stay. **Doc. 201-1, at 9**. This is wrong. Each Plaintiff is harmed *as a matter of law* because they are subject to a racial gerrymander under SB8. *See North Carolina v. Covington*, 138 S. Ct. 2548, 2552-54 (2018) (per curiam) (holding that plaintiffs can establish a cognizable injury by showing “they had been placed in their legislative districts on the basis of race”); *see also Miller v. Johnson*, 515 U.S. 900, 911 (1995); *United States v. Hays*, 515 U.S. 737, 744-45 (1995); *Shaw v. Reno (Shaw I)*, 509 U.S. 630, 650 (1993); *Harding v. Cnty. of Dallas, Tex.*, 948 F.3d 302 (5th Cir. 2020). Contrary to the Robinson Intervenors’ purely speculative harm, if Plaintiffs are forced to vote under SB8, a map this Court already found is unconstitutional, their harm would be real and imminent.

Delay in implementing a remedy would also harm other parties. The Secretary of State’s *only* interest is in the proper and timely administration of the 2024 election. *See* Doc. 82 (Defendant Secretary of State’s Response to Plaintiffs’ Motion for Preliminary Injunction). Any needless delay in imposing a remedial map will necessarily harm the Secretary and voters.

The State, for its part, has no interest in enforcing an unconstitutional law; the Robinson Intervenors have no valid interest in voting under an unconstitutional scheme. *BST*, 17 F.4th at 618 (“Any interest . . . in enforcing an unlawful (and likely unconstitutional) [law] is illegitimate.”).

This Court should not award the Robinson Intervenors “the fruits of victory” mere days after ruling against them on the merits, especially after they made every attempt to stall proceedings.

**d. The public interest weighs against a stay.**

Finally, the public interest weighs heavily against a stay. The harm to Plaintiffs is shared by every Louisiana voter. Once a scheme is found unconstitutional, “it would be the unusual case in which a court would be justified in not taking appropriate action to ensure that no further elections are conducted under the invalid plan.” *Reynolds v. Sims*, 377 U.S. 533, 585 (1964). This is no such case; no equitable considerations justify the withholding of immediate relief. *Id.*

The Robinson Intervenors allude to the principle that the public interest is best served when a state legislature draws congressional districts. **Doc. 201-1, at 9-10**. Yet this Legislature used its available time and resources to pass a map that was clearly unconstitutional and was prepared with no *Gingles* analysis of any kind. It is too late for a third bite at the apple.

**III. Court should deny a stay because Robinson Intervenors cannot appeal the Order.**

Moreover, the Court should deny a stay because it would be futile. Robinson Intervenors solely plan to appeal the Order to the U.S. Supreme Court. **Doc. 201-1, at 2**. But Robinson Intervenors are merely permissive intervenors, **Doc. 198, at 16**, and lack standing to appeal this Order, *Va. House of Delegates v. Bethune-Hill*, 139 S. Ct. 1945, 1951 (2019); *Hollingsworth v. Perry*, 570 U.S. 693, 705 (2013); *Louisiana v. Haaland*, 86 F.4th 663, 666 (2023).<sup>2</sup>

*Hollingsworth v. Perry*, 570 U.S. 693 (2013), decides this case. There, as here, private parties intervened as defendants alongside the State in the district court to defend a constitutional challenge to a state law. *Id.* at 705. There, as here, the court declared the law unconstitutional and

<sup>2</sup> Robinson Intervenors did not need to and did not establish standing when they permissively intervened. *Town of Chester, N.Y. v. Laroe Estates, Inc.*, 581 U.S. 433, 339 (2017); *see also Town of Chester*, 581 U.S. at 339. Thus, the issue of standing to appeal arises for the first time now.

enjoined enforcement. *Id.* There, as here, the private-party-intervenor-defendants were the only parties to appeal the order, even though “the District Court had not ordered them to do or refrain from doing anything.” *Id.* There, as here, the private-party-intervenor-defendants claimed they had standing to appeal because they participated in the enactment of the law. *Id.* at 706-07 (noting that private-party-intervenor-defendants were “the official ‘proponents’” of the measure that became law and was the subject of the litigation). There, as here, the private-party-intervenor-defendants nonetheless did not have standing. *Id.* at 706-07. The Court determined: “Their only interest in having the District Court order reversed was to vindicate the constitutional validity of a generally applicable [State] law,” and “such a ‘generalized grievance,’ no matter how sincere, is insufficient to confer standing.” *Id.* at 706. There, as here, private-party-intervenor-defendants “have no role—special or otherwise—in the enforcement of” the law, and “therefore have no ‘personal stake’ in defending its enforcement that is distinguishable from the general interest of every citizen.” *Id.* at 707 (quoting *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560-61 (1992)).

For the same reasons as in *Hollingsworth*, Robinson Intervenor lack standing to appeal. Their grievances are generalized and do not belong to them alone. *Id.* at 706. Their participation in the *Robinson* litigation and testimony before the Louisiana Legislature does not give them the right to enforce the law nor does it give them a particularized grievance. *Id.* at 706-07; *id.* at 707 (“No matter how deeply committed petitioners may be to upholding [the state law] or how ‘zealous [their] advocacy,’ *post*, at 2669 (Kennedy, J., dissenting), that is not a ‘particularized’ interest sufficient to create a case or controversy under Article III.”). Therefore, because Robinson Intervenor lack standing to appeal, this Court should deny their Motion to Stay Pending Appeal.

### **CONCLUSION**

For the foregoing reasons, the Motion for Stay should be denied.



Dated this 2nd day of May, 2024

Respectfully submitted,

**PAUL LOY HURD, APLC**

/s/ Paul L. Hurd

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**CERTIFICATE OF SERVICE**

I do hereby certify that, on this 2nd day of May, 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record.

/s/ Edward D. Greim  
Edward D. Greim  
*Attorney for Plaintiffs*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

PHILLIP CALLAIS, ET AL

CIVIL DOCKET NO. 3:24-CV-00122  
DCJ-CES-RRS

VERSUS

THREE-JUDGE COURT

NANCY LANDRY, in her official  
capacity as Louisiana Secretary of  
State

**ORDER**

The present matter before the Court is the *ROBINSON* INTERVENORS' MOTION FOR STAY PENDING APPEAL. [Doc. 201]. The *Robinson* Intervenor ask the Court to stay its April 30, 2024, Injunction and Reasons for Judgment [Doc. 198] which enjoins Louisiana's enacted congressional map, SB8, pending appellate proceedings in the United States Supreme Court. Rule 62(d) of the Federal Rules of Civil Procedure provides that:

While an appeal is pending from an interlocutory order or final judgment that grants, continues, modifies, refuses, dissolves, or refuses to dissolve or modify an injunction, the court may suspend, modify, restore, or grant an injunction on terms for bond or other terms that secure the opposing party's rights.

The rule, however, goes on to state that:

If the judgment appealed from is rendered by a statutory three-judge district court, the order must be made either:

(1) by that court sitting in open session; or

(2) by the assent of all its judges, as evidenced by their signatures.

Having polled the three members of the panel, all of the members of the panel do not assent to a stay of the court's judgment pending appeal.

Accordingly,

IT IS HEREBY ORDERED THAT the *ROBINSON* INTERVENORS' MOTION FOR STAY PENDING APPEAL [Doc. 201] is DENIED.

THUS, DONE AND SIGNED in Chambers on this 3<sup>rd</sup> day of May 2024.



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DAVID C. JOSEPH  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
 WESTERN DISTRICT OF LOUISIANA  
 MONROE DIVISION

PHILLIP CALLAIS, LLOYD PRICE, )  
 BRUCE ODELL, ELIZABETH ERSOFF, )  
 ALBERT CAISSIE, DANIEL WEIR, )  
 JOYCE LACOUR, CANDY CARROLL )  
 PEAVY, TANYA WHITNEY, MIKE )  
 JOHNSON, GROVER JOSEPH REES, )  
 ROLFE MCCOLLISTER, )

Plaintiffs, )

VS. )

NANCY LANDRY, in her official )  
 capacity as Secretary of State, )

Defendant. )

Civil Action  
 No. 3:24-cv-00122

PRELIMINARY INJUNCTION HEARING  
 CONSOLIDATED WITH BENCH TRIAL  
 OFFICIAL TRANSCRIPT OF PROCEEDINGS, VOLUME I  
 BEFORE THE HONORABLE CIRCUIT JUDGE CARL E. STEWART  
 THE HONORABLE DISTRICT JUDGE DAVID C. JOSEPH  
 AND THE HONORABLE DISTRICT JUDGE ROBERT R. SUMMERHAYS  
 APRIL 8, 2024  
 SHREVEPORT, LOUISIANA

DIANA CAVENAH, RPR  
 FEDERAL OFFICIAL COURT REPORTER  
 300 FANNIN STREET, SUITE 4203  
 SHREVEPORT, LOUISIANA 71101  
 (318) 934-4754

1 of other lawyers who are currently sitting in the gallery.  
2 Some of them will be participating in the --

3 JUDGE JOSEPH: Okay.

4 MR. NAIFEH: -- trial case.

5 JUDGE JOSEPH: They can make their appearances  
6 as they come to the podium.

7 MR. NAIFEH: Thank you.

8 MS. BRUNGARD: Good morning, Your Honors.  
9 Morgan Brungard, Deputy Solicitor General for the State of  
10 Louisiana.

11 MR. TORCHINSKY: Your Honor, Jason Torchinsky of  
12 Holtzman Vogel on behalf of the State of Louisiana.

13 MR. GORDON: Your Honor, Phillip Gordon from  
14 Holtzman Vogel on behalf of the State of Louisiana.

15 MR. JONES: Carey Jones from the Attorney  
16 General's Office on behalf of the State.

17 MR. BOWEN: Good morning, Your Honors. Brennan  
18 Bowen from Holtzman Vogel on behalf of the State of  
19 Louisiana.

20 JUDGE JOSEPH: From what firm -- what did you  
21 say?

22 MR. BOWEN: Holtzman Vogel, Your Honor.

23 MR. ENSIGN: Good morning, Your Honors. Drew  
24 Ensign from Holtzman Vogel on behalf of the State of  
25 Louisiana.

1 JUDGE JOSEPH: Good morning.

2 Okay. Let's go through these motions. We did  
3 receive a motion to continue.

4 And what's the document number on that, the docket  
5 number, Lisa?

6 MS. LACOMBE: It's 161, Judge.

7 JUDGE JOSEPH: Okay. We received a filing over  
8 the weekend to continue the trial we have set for today.  
9 And, in the alternative, to separate the preliminary  
10 injunction hearing from the trial.

11 That motion is opposed -- is it opposed by the State  
12 as well?

13 MR. GORDON: No, Your Honor. The State's  
14 position was that we oppose it to the extent it would  
15 interfere with the election calendar; otherwise, we take  
16 no position.

17 JUDGE JOSEPH: Okay. All right. In ruling on  
18 that motion, that motion to continue is denied for the  
19 following reasons.

20 First, the weekend before a trial is not the  
21 appropriate time to ask for a trial continuance absent  
22 some emergency. We very well may have granted a  
23 continuance had the motion to continue been timely filed.

24 Second, the intervenors' role in this case is limited  
25 to the subject matters permitted by the Court in order to

1 supplement the State's defense. But the map of the  
2 plaintiffs' challenge is not the Robinson intervenors'  
3 map. It's the State's map, duly enacted into law by the  
4 Legislature and signed by the Governor through the  
5 democratic process. It's primarily the State's duty to  
6 defend the map. And both the plaintiffs and the State  
7 defendants initially requested an abbreviated time frame  
8 in order to ensure that there was certainty in the  
9 election map in sufficient time to have the election this  
10 fall. There is also substantial public interest of the  
11 citizens of Louisiana in ensuring certainty in the  
12 election map in sufficient time so that the candidates can  
13 decide to run and the voters can do due diligence on their  
14 preferred candidates.

15 Third, although the Robinson intervenors came into  
16 this case later than the other parties, they've been  
17 involved in redistricting litigation in the Middle  
18 District for years. They are very familiar with the  
19 subject matter of this case.

20 Now, I would like to go to the motion to reconsider  
21 striking the plaintiffs' expert, their rebuttal expert.  
22 I have read the -- we have read the briefing on that. I  
23 think I have a proposal that may be acceptable to both  
24 parties, to all three parties.

25 It seems that the plaintiffs' position about the



1 performance of these districts is not rebuttal to the  
2 Robinson intervenors' expert. Okay. The performance of  
3 this district, the challenged district, and the  
4 performance as majority-minority district of the proposed  
5 districts in the Robinson litigation, I can't see a way  
6 that's rebuttal.

7 I think what is rebuttal is the fact that this map is  
8 more racial than the other proposed maps. So we will  
9 allow your rebuttal expert to testify on that point, that  
10 it's more racial, but not on the performance, the validity  
11 of these districts as racial districts. And I think  
12 Robinson intervenors' main point was that we haven't had a  
13 chance to run the stats on that; or if you have, that you  
14 don't have an expert designated for that. Right?

15 MR. NAIFEH: Yes, Your Honor. That is  
16 acceptable.

17 JUDGE JOSEPH: Is that acceptable to you?

18 MR. NAIFEH: Your Honor, yes. That I think  
19 resolves our primary concern that the expert is being  
20 offered in rebuttal to testify about something that goes  
21 beyond the --

22 JUDGE JOSEPH: Yeah. I think that's beyond; I  
23 think the performance is beyond.

24 All right. With that being said, the plaintiffs have  
25 the burden of proving its case. Please proceed.

1 referring to creating a second majority-black district,  
2 one with national implications, without going to trial,  
3 right?

4 A. Correct. That's what I said earlier. I would like  
5 to have gone to trial on the 2022 districts because I  
6 don't think they were bad.

7 Q. So you would have voted against any bill that  
8 created two majority-black districts without going to  
9 trial, right?

10 A. In 2024, yes, I would have. Because, again, I will  
11 stand by the 2022 district. I still think it was good.

12 Q. So in two decades of redistricting, you have never  
13 voted in favor of a map that would create two  
14 majority-black districts, right?

15 A. If somebody could show me one that didn't violate the  
16 Fourteenth Amendment, I would.

17 MS. SADASIVAN: Nothing further.

18 CROSS-EXAMINATION

19 BY MR. GORDON:

20 Q. Good morning, Senator.

21 A. Good morning.

22 Q. My name is Phillip Gordon. I represent the State of  
23 Louisiana. How are you doing today?

24 A. I'm good.

25 Q. Sort of dovetailing on the question of national

1 implications that Counsel just mentioned. Do you know  
2 what parish the United States Speaker of the House Mike  
3 Johnson lives in?

4 A. He lives in Bossier now.

5 Q. Do you know what parish the Majority Leader Scalise  
6 lives in?

7 A. Jefferson, I believe.

8 Q. Would you consider it important to Louisiana that the  
9 Speaker and the Majority Leader of the U.S. House of  
10 Representatives are from Louisiana?

11 A. Yes.

12 Q. Yeah. In fact, it's beneficial to Louisiana that  
13 certain high-ranking members of the majority of the  
14 U.S. House of Representatives are from Louisiana.

15 A. Sure.

16 Q. And, you know, to lose either of those members would  
17 then, therefore, be bad for Louisiana.

18 A. Well, yes. Whether they're the Speaker or -- I mean  
19 Speaker and Majority Leader are kind of a big deal, so  
20 yes.

21 Q. Agreed. Do you know what parish Representative  
22 Letlow lives in?

23 A. I believe she's in Ouachita.

24 Q. Are you aware that Representative Letlow is on the  
25 Appropriations Committee?

1 A. I am.

2 Q. Are you aware that the Appropriations Committee is a  
3 very important committee of the U.S. House of  
4 Representatives?

5 A. I am.

6 Q. And, you know, it would be also important to the  
7 State of Louisiana that Representative Letlow maintain her  
8 seat so she can continue her work on the Appropriations  
9 Committee; is that right?

10 A. Less important than the other two, but yes.

11 Q. And would you say that protecting the three members  
12 I just discussed -- Speaker Johnson, Majority Leader  
13 Scalise, and Representative Letlow -- is an important  
14 consideration when drawing a congressional map?

15 A. Yes.

16 Q. And, in fact, that would be a political  
17 consideration; is that true?

18 A. Yes.

19 Q. And political considerations are the day-to-day work  
20 of a senator such as yourself?

21 A. We don't do this very often. It's not a big part of  
22 being a senator, but when you're discussing redistricting,  
23 yes.

24 Q. Sure. But I mean --

25 A. In general, political considerations, yes.

1 Q. Right. I mean, you mentioned a minute ago that you  
2 had had a caucus meeting about this regarding the  
3 congressional map.

4 A. Yes.

5 Q. And I'm sure you have meetings with the caucus about  
6 a great many other issues; is that right?

7 A. Yes.

8 Q. And I'm sure politics is discussed at those meetings?

9 A. Yes.

10 Q. Are you aware of the still-pending litigation in the  
11 Middle District of Louisiana over HB1, the map that  
12 preceded SB8?

13 A. Are you talking about the 2022 map?

14 Q. Yes, sir.

15 A. Yes, I am aware of it.

16 Q. What is your understanding of that case?

17 A. That it has not gone to trial yet, but that Judge  
18 Dick has signaled through some preliminary proceedings  
19 that they had, that she has kind of told everybody how she  
20 was going to rule, and ordered us to draw a second  
21 majority-minority district or she was going to do it.

22 Q. And just on a related point, we saw the map of the  
23 current senate districts on there. You're aware that  
24 that map has also been enjoined?

25 A. Yes. I don't agree with her about that either.

1 Q. And so going back to the Representative Letlow. It  
2 was important that Representative Letlow be -- her  
3 district be protected in the SB8 map; is that right?

4 A. It was a consideration that -- it was certainly  
5 important to Senator Womack. I don't know how important  
6 it was to everybody else, but yes.

7 Q. But as we covered, it is important that she maintain  
8 her work on the Appropriations Committee?

9 A. Sure.

10 Q. And you can't very well do that if you're not a  
11 member of the U.S. House of Representatives.

12 A. Well, that's true. But somebody else could be  
13 appointed. I mean, it's not -- you know, it's -- the  
14 Speaker and Majority Leader are not on the same level as a  
15 member of Appropriations.

16 Q. Was it also important in the creation of SB8, the map  
17 we're here about today, that Louisiana maintain two  
18 members from Northern Louisiana?

19 A. That was something that I preferred, yes.

20 Q. And surfing back really quick to the political point  
21 we made earlier. You would say it's part of your job to  
22 make certain political decisions when you're deciding to  
23 vote for or against certain laws.

24 A. Of course.

25 Q. And that's perfectly fine for a sitting senator to

1 do.

2 A. It's part of the job, yes.

3 Q. Do you know if federal judges are supposed to  
4 consider politics in making their considerations?

5 A. I don't believe they are.

6 Q. Then something like protecting Majority Leader  
7 Scalise, Speaker Mike Johnson, or Representative Letlow  
8 wouldn't necessarily be a consideration for, say, the  
9 Middle District of Louisiana, would it?

10 A. That's probably true.

11 MR. GORDON: Thank you. No further questions.

12 JUDGE JOSEPH: All right. Any redirect?

13 MR. GREIM: No, Your Honor.

14 MR. STRACH: No questions.

15 MR. GREIM: We are ready to call our next -- we  
16 have no further questions.

17 JUDGE JOSEPH: You have no redirect?

18 MR. GREIM: No.

19 JUDGE JOSEPH: All right, Senator. You may step  
20 down. Thank you for your testimony.

21 MR. GREIM: Your Honor, our next witness is  
22 going to be Tom Pressly.

23 JUDGE JOSEPH: And I'll just ask, generally  
24 speaking, please, please go at a cadence so our court  
25 reporter can follow the questions and the answers.

1 that was the main tenet that we needed to look at and  
2 ensure that we were able to draw the court -- draw the  
3 maps; otherwise, the court was going to draw the maps for  
4 us.

5 Q. And who told the Legislature that? Do you recall?

6 A. Judge Dick is the one that ultimately told the  
7 Legislature. Governor Landry stated that when he opened  
8 the committee -- I'm sorry -- the Special Session and we  
9 heard it from Attorney General Murrill as well.

10 Q. Now, different versions of two majority-minority seat  
11 maps were considered, right?

12 A. I believe that's correct. But this was the main bill  
13 that was being considered.

14 Q. What was the partisan impact of all of the different  
15 two majority-minority maps, if any? In other words, what  
16 was the -- let me rephrase that.

17 what was the impact on the partisan split of the  
18 congressional delegation of all of the two  
19 majority-minority maps?

20 A. So like what would the ultimate impact of partisan  
21 Republican/Democrat split be?

22 Q. Yes.

23 A. So, ultimately, we'd go from 5-1 Republican/Democrat  
24 to 4-2, more than likely with the way that it was drawn.

25 Q. And so, in other words, a Republican would lose a



1 seat?

2 A. That's correct.

3 Q. Was there --

4 A. Most likely.

5 Q. Most likely. Was there a discussion within the  
6 caucus about if that was going to happen which  
7 Republicans ought to be protected?

8 A. And when say "caucus," you're talking the  
9 Republican delegation, right?

10 Q. That's right.

11 A. There were certainly discussions on ensuring -- you  
12 know, we've got leadership in Washington. You have the  
13 Speaker of the House that's from the Fourth Congressional  
14 District and we certainly wanted to protect Speaker  
15 Johnson. The House Majority Leader, we wanted to make  
16 sure that we protected, Steve Scalise. Julia Letlow is on  
17 Appropriations. That was also very important that we  
18 tried to keep her seat as well.

19 Q. I just want to be very clear: Did anybody discuss  
20 creating a second majority-minority seat in order to  
21 protect any incumbent?

22 A. I'm sorry. Can you reask the question?

23 Q. Sure. Did any Republican legislator at any time  
24 suggest creating a second majority-minority seat in order  
25 to protect any congressional incumbent?

1 A. No. The conversation was that we would -- that we  
2 were being told we had to draw a second majority-minority  
3 seat. And the question then was, okay, who -- how do we  
4 do this in a way to ensure that we're not getting rid of  
5 the Speaker of the House, the Majority Leader, and  
6 Senator Womack spoke on the floor about wanting to protect  
7 Julia Letlow as well.

8 Q. Earlier you discussed that one issue that's  
9 considered by the Legislature is communities of interest.  
10 If we could put the map up again as a demonstrative.  
11 I'm going to show you your parish again. I mean, I don't  
12 think you need to see it. That's really all for our  
13 benefit.

14 A. Sure.

15 Q. Let me ask you, which parish do you generally cover?

16 A. So about 85 percent of my district is in Caddo  
17 Parish, the southern portion of Caddo Parish and western  
18 portions of Caddo Parish. And then I represent the  
19 western side of DeSoto Parish, and the northern portion  
20 kind of splits in a 45-degree angle between Senator  
21 Seabaugh and my district in DeSoto Parish.

22 Q. And do you believe your own senate district is in a  
23 community of interest?

24 A. I do.

25 Q. How would you describe it?

1 A. So certainly -- you know, it's the northwest corner  
2 of the state. So when you're dividing by about 120,000  
3 people, you know, I represent a large portion of the city  
4 of Shreveport. I represent folks in DeSoto Parish, the  
5 northern portion of DeSoto Parish. A lot of those kids go  
6 to school in South Shreveport as well. I represent folks  
7 that are -- you know, it's generally the urban area of  
8 Shreveport as well as some rural outskirts of the third  
9 largest city in our state.

10 Q. Do you consider any part of your district to share a  
11 community of interest, for example, with Lafayette?

12 A. I don't. I think there is a large divide between  
13 North and South Louisiana. You know, when you're looking  
14 at natural disasters, for example, we're concerned about  
15 tornadoes and ice storms; they are concerned about  
16 hurricanes.

17 when you're looking at educational needs, you know,  
18 our community has two satellite public universities  
19 being -- actually three -- being LSU-Shreveport,  
20 Northwestern State University's Nursing School is up here,  
21 as well as having, you know, Southern University at  
22 Shreveport; whereas Lafayette has a Tier 1 research  
23 institution in University of Louisiana Lafayette.

24 Q. Same question, but what about Baton Rouge? Do you  
25 believe any part of your district shares communities of

1 You consider it important to Louisiana that the current  
2 United States Speaker of the House of Representatives and  
3 the Majority Leader are from Louisiana?

4 A. Are what?

5 Q. Are from Louisiana?

6 A. Yes. I think that's a huge benefit to our state and  
7 our region.

8 Q. Right. And then losing either of those members would  
9 therefore be bad for Louisiana?

10 A. Absolutely.

11 Q. And I think you mentioned this earlier as well:  
12 Representative Letlow is on the Appropriations Committee.

13 A. That's correct.

14 Q. And are you aware that's a very important and  
15 influential committee of the U.S. House of  
16 Representatives?

17 A. So I've heard.

18 Q. And so you would say that keeping Representative  
19 Letlow on the Appropriations Committee would be important  
20 to the state of Louisiana as well?

21 A. Absolutely.

22 Q. And sort of following from that, then, you would say  
23 protecting Speaker Johnson, Representatives Scalise and  
24 Letlow would be an important consideration when drawing a  
25 congressional map?

1 A. Certainly it would be important to keep our  
2 leadership in Washington and our power base for the state  
3 in Washington, yes, I would agree with that fundamentally.  
4 Yes.

5 Q. And that's fundamentally a political consideration,  
6 isn't it?

7 A. Yeah. It's a political consideration to ensure that  
8 we keep those that are in power up there. But I think  
9 that you -- also, again, going back to the fundamental  
10 what we were told we had to do was create two minority  
11 districts, right? That's issue one that we were asked to  
12 do.

13 Issue two was: Okay, now what? Right? And that's  
14 where that secondary decision of okay, how do we draw this  
15 in a way that we are keeping Speaker Johnson, Leader  
16 Scalise, and Julia -- and Representative Letlow in power.

17 Q. And to the point you were just making that it was the  
18 primary consideration, are you aware of the ongoing  
19 litigation right now in the Middle District of Louisiana  
20 over House Bill 1, the previous congressional map?

21 A. I am familiar with that.

22 Q. What do you understand that litigation to be about?

23 A. That there were challenges made to the way that we  
24 redrew the maps in 2022, and that the plaintiffs asked for  
25 a trial on the merits of whether or not the maps were

1 racially gerrymandered in a way that limited the African  
2 American ability to draw a map.

3 Q. All right.

4 A. Influence in electing their member of Congress  
5 rather.

6 Q. Understood. And are you aware that the Middle  
7 District Court preliminarily enjoined HB1?

8 A. Yes. And that's why we were called to the First  
9 Special Session. Again, we were told that essentially we  
10 were being forced to draw a second majority-minority  
11 district prior to any other consideration.

12 Q. And, similarly, you are aware that the same Middle  
13 District Court enjoined the current senate map that you  
14 sit in; is that right?

15 A. I am familiar with that, yes.

16 Q. And just touching again on the issue of politics,  
17 sort of as a sitting state senator, politics is part of  
18 your job; is that right?

19 A. It is.

20 Q. It's sort of the day-to-day root and branch thing you  
21 do?

22 A. Day to day, when I'm not in session, I try to  
23 practice a little bit of law. I'm having a harder and  
24 harder time with all of these special sessions, though.

25 Q. Understood. And do know if federal -- I mean, you're

1 an attorney. Do you know if federal judges are supposed  
2 to consider politics when rendering their decisions?

3 A. They're not.

4 Q. And then so therefore protecting Representative  
5 Scalise, Speaker Johnson, Representative Letlow wouldn't  
6 be something the Middle District Court would consider,  
7 would it?

8 A. They're not supposed to get into politics, that is  
9 correct. I can't tell you how that would -- as far as the  
10 individuality of a case, I can't speak on behalf of a  
11 federal judge. Even -- even during my time clerking for a  
12 federal judge, I wasn't able to speak on their behalf.

13 Q. Nor am I trying to do any of that either. I am just  
14 really trying to make the point that based on your  
15 previous answer, the Middle District Court isn't supposed  
16 to?

17 A. That's correct. I mean, certainly, you know -- and I  
18 think that was my understanding of what we were  
19 essentially being told to do. I think Senator Stine said  
20 the federal judge basically had a gun to our head and we  
21 were being forced to draw two majority-minority districts.  
22 I wouldn't put it in that -- in that terminology, but I  
23 certainly think that this was the one last chance prior to  
24 having trial where all indications seemed to be that,  
25 again, we would have two majority-minority districts and

1 it would be drawn as the judge wished to do so.

2 Q. Thank you, Senator. A couple of additional  
3 questions. About how many people are in a state senate  
4 district in Louisiana?

5 A. I believe it's about 120,000.

6 Q. And about how many people are in a congressional  
7 district in the state of Louisiana?

8 A. You're putting me on the spot, but I want to say it's  
9 somewhere in the 770,000 range.

10 Q. Something like 776 --

11 THE REPORTER: Can you slow down?

12 MR. GORDON: Oh, I'm so sorry.

13 Q. (BY MR. GORDON) I have something like 776?

14 A. Sure.

15 Q. So that sounds close enough to me. So by necessity,  
16 a congressional district is going to have to cover more  
17 geographical area than a state senate seat; is that right?

18 A. That's correct.

19 Q. Thank you. No more questions.

20 JUDGE JOSEPH: All right. Secretary?

21 MR. STRACH: None from us, Your Honor.

22 JUDGE JOSEPH: All right. Any redirect?

23 MR. GREIM: A little bit.

24 JUDGE JOSEPH: Okay.

25 REDIRECT EXAMINATION



1 BY MR. GREIM:

2 Q. Senator Pressly, you were asked several questions  
3 about Judge Dick's proceeding in the Middle District.  
4 You never understood that the Legislature was actually  
5 under an order from Judge Dick at the time that you were  
6 in session, did you?

7 A. No. We were -- I was told that we were given one  
8 last chance to try to cure the defect that was being  
9 alleged against us.

10 Q. And the Attorney General, when she addressed the  
11 Legislature, did you ever hear her once state that the  
12 State actually believed that the Voting Rights Act  
13 required two majority-minority districts?

14 A. I don't recall her ever saying that.

15 MR. KLEIN: Objection. It's a leading question.

16 JUDGE JOSEPH: He's asking his personal  
17 knowledge, so he can answer the question. Overruled.

18 MR. GREIM: No further questions.

19 JUDGE JOSEPH: All right. May Senator Pressly  
20 be released?

21 MR. GREIM: Yes, he may.

22 JUDGE JOSEPH: All right.

23 Senator, you may step down. Thank you for your  
24 testimony.

25 THE WITNESS: Thank you, Judge.

1 JUDGE JOSEPH: I think it's time for our morning  
2 break. We will take a 15-minute break and come back at  
3 10 after 11. I think we'll probably go a little later and  
4 maybe take lunch around one or so today, okay?

5 (Recess.)

6 JUDGE JOSEPH: Please be seated. Plaintiffs may  
7 call their next witness.

8 MR. GREIM: We call Dr. Stephen Voss.

9 (Oath administered to the witness.)

10 MR. CHAKRABORTY: Your Honor, before we get  
11 started, when we had the pretrial conference you mentioned  
12 that if we have objections in terms of renewing our  
13 objections with respect to our motion in limine, to do  
14 them now. So we are lodging that objection to Dr. Voss's  
15 testimony on the record for the same reasons that are  
16 outlined in our --

17 JUDGE JOSEPH: To all of his testimony?

18 MR. CHAKRABORTY: Say it one more time.

19 JUDGE JOSEPH: You're objecting to all of his  
20 testimony?

21 MR. CHAKRABORTY: I'm sorry. We are objecting  
22 to the portions of his testimony that are -- that we are  
23 objecting to in our motion in limine.

24 JUDGE JOSEPH: Okay. That motion is overruled.  
25 Please proceed, Counsel.

## 1 CERTIFICATE OF OFFICIAL REPORTER

2  
3 I, DIANA CAVENAH, RPR, Federal Official Court  
4 Reporter, in and for the United States District Court for  
5 the Western District of Louisiana, DO HEREBY CERTIFY that  
6 pursuant to Section 753, Title 28, United States Code,  
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16 Federal Official Court Reporter  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

PHILLIP CALLAIS, LLOYD PRICE, )  
BRUCE ODELL, ELIZABETH ERSOFF, )  
ALBERT CAISSIE, DANIEL WEIR, )  
JOYCE LACOUR, CANDY CARROLL )  
PEAVY, TANYA WHITNEY, MIKE )  
JOHNSON, GROVER JOSEPH REES, )  
ROLFE MCCOLLISTER, )

Plaintiffs, )

VS. )

NANCY LANDRY, in her official )  
capacity as Secretary of State, )

Defendant. )

Civil Action  
No. 3:24-cv-00122

PRELIMINARY INJUNCTION HEARING  
CONSOLIDATED WITH BENCH TRIAL  
OFFICIAL TRANSCRIPT OF PROCEEDINGS, VOLUME II  
BEFORE THE HONORABLE CIRCUIT JUDGE CARL E. STEWART  
THE HONORABLE DISTRICT JUDGE DAVID C. JOSEPH  
AND THE HONORABLE DISTRICT JUDGE ROBERT R. SUMMERHAYS  
APRIL 9, 2024  
SHREVEPORT, LOUISIANA

DIANA CAVENAH, RPR  
FEDERAL OFFICIAL COURT REPORTER  
300 FANNIN STREET, SUITE 4203  
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1 Q. So the map on the right you're saying -- it's your  
2 testimony that the map on right doesn't include people who  
3 never went to high school at all?

4 A. Yeah. That would be nine through twelve. Those are  
5 those that went -- the accurate depiction of that is those  
6 that went through nine through twelve and did not get a  
7 high school diploma.

8 Q. That makes sense. I understand.

9 Mr. Hefner, in this case you don't offer an opinion  
10 that every majority black district is a racial gerrymander  
11 by definition, correct?

12 A. I would agree with that. Not every one of them;  
13 that's correct.

14 Q. And you would also agree that every majority black  
15 district has a majority of its population who are black,  
16 correct?

17 A. That's what makes it majority.

18 Q. Yeah. And that means that a majority of the  
19 population that the map-drawer put in that district are  
20 black, correct?

21 A. Yeah. Generally when you're looking at majority,  
22 you're looking at the voting age population.

23 Q. Let's agree we'll be talking about voting age  
24 population.

25 A. Okay.

1 Q. Let me just rephrase the question just to make sure  
2 we're clear. In every district, every majority black  
3 district required that the map-drawer -- that a majority  
4 of the voting age population that the map-drawer placed  
5 within the district is black, correct?

6 A. Yes.

7 Q. And that's true for every majority black district  
8 that has ever been drawn, correct?

9 A. To my knowledge.

10 Q. I mean, if you couldn't -- would you have a  
11 majority black district if you didn't put the majority of  
12 the voters in the district?

13 A. That, I think would be a safe conclusion, yes.

14 Q. So you would agree then that the mere fact that the  
15 map-drawer drew in black voters and drew out white voters  
16 doesn't show that race predominated?

17 A. In the context of other criteria, I wouldn't agree  
18 with that.

19 Q. well, I'm just talking about that fact alone, not in  
20 the context of other criteria.

21 A. From a demographer standpoint, it depends on how that  
22 district was configured and the reason for the  
23 configuration. That's a question you ask yourself as a  
24 demographer: why was this drawn this way? And --

25 Q. That's looking at all the other criteria, right, not

1 just at the population alone?

2 A. Other things could influence why the line was drawn  
3 where it was.

4 Q. But any district that's majority black is going to --  
5 is going to have -- at some point require the map-drawer  
6 to put a majority of the -- make the majority of the  
7 population in that district black, correct?

8 A. Yeah. Has to reach that threshold.

9 Q. Yeah. And so that, just knowing that that's what  
10 they did doesn't tell you anything about whether it's a  
11 racial gerrymander or whether race dominated, correct, if  
12 that's all you know?

13 A. Not on that alone but within the context of the  
14 totality of the circumstances.

15 Q. So earlier you mentioned that the distance from one  
16 end of CD-6 to the other in SB8 is about 250 miles, I  
17 think you said?

18 A. Yes.

19 Q. And are you aware that in HB1, in CD-4, there are  
20 parts of Caddo Parish that are about 220 miles from  
21 parts of St. Landry Parish?

22 A. I didn't run the comparisons on HB1 with regards  
23 to --

24 Q. So you can't say whether a district that spans 250  
25 miles is unusual?

1 A. No, because I didn't run those numbers for HB1.

2 Q. So in your experience as a demographer, legislatures  
3 commonly take account of political goals in redistricting,  
4 correct?

5 A. Yes. That's what makes our job so interesting.

6 Q. Pardon?

7 A. That's what makes our job so interesting.

8 Q. Yeah. And one of the political goals that's quite  
9 common that legislatures take into account is protecting  
10 incumbents, correct?

11 A. Yes.

12 Q. And in your experience drawing districts for local  
13 governments, have you ever been asked to protect  
14 incumbents in the maps that you draw?

15 A. We generally -- I generally as a rule try to avoid  
16 putting incumbents against each other.

17 Q. And is that often because that's what the people who  
18 hired you want you to do?

19 A. Well, generally it's -- there's a couple of reasons  
20 for it. One is if you deliberately draw in incumbents  
21 against each other, you are going to have a very  
22 contentious board or jury or council as they try to  
23 outmaneuver each other leading up to the elections. So it  
24 doesn't always serve the needs of the people.

25 Q. And sometimes there are circumstances where you can't



1 JUDGE SUMMERHAYS: Yeah, you're going -- yeah,  
2 why don't you come on up to the front and that may be  
3 easier. Can you repeat those again and slow down between  
4 each group?

5 MR. NAIFEH: Yes. Robinson Exhibits 24 to 30,  
6 which are bills introduced in the 2024 legislative session  
7 for various redistricting plans for congress. Those have  
8 been objected to by the plaintiffs on relevance grounds.

9 JUDGE SUMMERHAYS: Let's start with that group.  
10 Counsel?

11 MR. GREIM: We'll withdraw our relevance  
12 objection. This is only on Exhibits 24 to 30, the other  
13 bills that were proposed.

14 JUDGE SUMMERHAYS: So you don't have any  
15 objections to 24 through 30?

16 MR. GREIM: Correct.

17 JUDGE SUMMERHAYS: All right. Anybody else?

18 MR. GORDON: No, Your Honor.

19 JUDGE SUMMERHAYS: All right. Those are  
20 admitted.

21 MR. NAIFEH: All right. And then exhibits --  
22 Robinson Exhibits 31 to 46, those are mostly vote tally --  
23 amendments to some of those same bills.

24 JUDGE SUMMERHAYS: Counsel?

25 MR. NAIFEH: Those are not objected to at least

1 on the exhibit list.

2 JUDGE SUMMERHAYS: Counsel?

3 MR. GREIM: Yes, Your Honor, we don't have any  
4 objection to those either, to the amendments.

5 JUDGE SUMMERHAYS: They're admitted. Those are  
6 31 through 46.

7 MR. NAIFEH: All right. And then we have  
8 Robinson Exhibits 114 to 124. Those are expert reports  
9 that were admitted into evidence in the Robinson  
10 litigation. And they have been -- they have objected to  
11 them on hearsay, relevance and prejudice. We are not  
12 offering them for the truth of the matter, so I don't  
13 think the hearsay objection applies. We were offering  
14 them as information that was part of the court record that  
15 the Legislature had before them when they adopted SB8.

16 MR. GREIM: Well, Your Honor, we do object. I  
17 mean I think there has to be a foundation laid that the  
18 Legislature actually believed the VRA, you know, required  
19 these districts and that they relied on these. That  
20 they're in the court record is one thing. It might get us  
21 past judicial notice on the fact of these, but I don't  
22 think the contents all just come into this case.

23 JUDGE SUMMERHAYS: So your argument is that  
24 there is no foundation that they relied on these specific  
25 expert reports that saying to introduce?

1           MR. GREIM: That's right. And I mean I take it  
2 that the contents are not going to come in as substantive  
3 evidence of what they're testifying to. But I don't think  
4 we even have the other ground either, so...

5           JUDGE SUMMERHAYS: Counsel?

6           MR. NAIFEH: There were -- legislative  
7 leadership were intervenors in that case. They were  
8 aware -- leadership were aware of these documents. I  
9 think -- I don't have the transcript from yesterday in  
10 front of me, but I believe that some of the legislators  
11 who testified here yesterday were aware of those  
12 documents -- testified that they were aware of those  
13 documents in the court record --

14          JUDGE SUMMERHAYS: That they reviewed the expert  
15 reports?

16          JUDGE JOSEPH: No one testified to that.

17          JUDGE SUMMERHAYS: I don't recall that either.

18          MR. NAIFEH: Okay. Then we can potentially move  
19 these in through one of our other witnesses.

20          JUDGE SUMMERHAYS: I'll leave it open if you  
21 wish to, if you wish to try to -- again, it would be  
22 admissible if you were to do that. Only first you would  
23 have to establish foundation that it was relied upon by  
24 those witnesses, that the Legislature relied upon it in  
25 connection with the passage of Senate Bill 8. But it

1 would only be admissible for the limited purpose that this  
2 was something that they reviewed and relied on.

3 Any dissents from --

4 JUDGE JOSEPH: No. That's correct.

5 JUDGE SUMMERHAYS: All right. You may proceed.  
6 At this point I am going to reserve --

7 JUDGE STEWART: The only question I have with  
8 respect to that, not putting cart before the horse because  
9 of the order going, but just sort of one allowed given the  
10 State's answer to the lawsuit and some other aspect that  
11 it's adverted to about the Robinson case. Just sort of a  
12 little curious as to whether this piece was something the  
13 State was going to be -- you follow my -- based on the  
14 answers in the State's answer, i.e., Robinson lawsuit, et  
15 cetera, et cetera, there are some other things coming out.  
16 I guess I am circling back to where we were earlier about  
17 pieces of this coming in for one person and pieces for  
18 something else, and we're kind of doing it on the front  
19 end before anybody's testified.

20 So it's a little awkward trying to get a real grasp  
21 on where it fits in. You know what I'm saying? I mean,  
22 we're just starting this case and then we have got  
23 documents, they're not joint, we've got objections.  
24 The other stuff they did, they were all agreed to.

25 So I am just wondering. But anyway, this is your

1 offer; it's not a joint with the State, correct?

2 MR. GORDON: Your Honor, I mean, we have  
3 slightly different take on some of these documents and I  
4 was going to raise that after Mr. Naifeh finished.

5 JUDGE STEWART: Okay. Got you. But I don't  
6 have any dissent with what the Court has said. I merely  
7 was trying to get clarity simply because looking at the  
8 answers filed, there's a lot in there in the State's  
9 answer about the Robinson case, et cetera, et cetera.  
10 And so given that, and there being other testimony,  
11 whether this -- was this prepared, something the State was  
12 putting in? So we need all that foundation. That was  
13 just a clarification, not a suggestion about what should  
14 or shouldn't. But basically just leaving it open subject  
15 to foundation.

16 JUDGE SUMMERHAYS: Did the State want to make a  
17 statement or take a position at this point?

18 MR. GORDON: So I think the State's position --  
19 and we can refer to the State's exhibit list if you'd  
20 like. But we believe these -- the separate list of what  
21 we have labeled as exhibits that are in reference to  
22 certain expert reports and the Robinson preliminary  
23 injunction decision, as well as the Fifth Circuit's  
24 decision upholding that in part, are material to which the  
25 Court can take judicial notice of and should take judicial

1 notice of because it's not offered for its truth or really  
2 for any of the content or fact-finding therein, just for  
3 its mere existence.

4 JUDGE SUMMERHAYS: Counsel?

5 MR. GREIM: Sure. And they cited a case on  
6 judicial notice but that only gets us past one hurdle.

7 I think the problem is this. The State -- just going  
8 to the evidence we've heard so far, the State -- we've  
9 heard nobody from the State saying that we have a belief  
10 that the VRA requires it. Here is where it came from,  
11 these materials in this other case, but we reviewed them  
12 and we think that they made a pretty good case. Instead,  
13 testimony has been something different.

14 And so I don't think it can come in even for that  
15 limited purpose unless there is somebody who can say that.  
16 And we have -- not to go too far now, but in discovery we  
17 asked the State for, you know, the purposes behind the  
18 bill, et cetera, et cetera, and the State said, well,  
19 that's something that the Legislature has. We don't have  
20 access to that. I don't think the State can take that  
21 position in discovery but then come in here and say, well,  
22 we offer this. It's something the Legislature considered.  
23 I mean, there has to be a person who can say that.

24 JUDGE SUMMERHAYS: Yeah. And again, I think  
25 this goes to foundation. I'm going to reserve, subject to

1 dissent from my colleagues, reserve ruling on the  
2 admissibility of those documents until a foundation has  
3 been laid. And that includes consideration of judicial  
4 notice, which is the State's alternative approach.

5 MR. GORDON: If I could be heard just one more  
6 moment, Your Honor --

7 JUDGE SUMMERHAYS: Yes.

8 MR. GORDON: -- on this issue and then we can  
9 certainly take it up later. Is that the rules state that  
10 the Court must take judicial notice if it's properly  
11 offered. And I will refer to a case from the Fifth  
12 Circuit: That a court may take judicial of a document  
13 filed in another court, not for the truth of the matter as  
14 asserted in the other litigation, but rather to establish  
15 the fact that such litigation and related filings.

16 And that's merely what we wish to do here, Your  
17 Honor.

18 JUDGE JOSEPH: Is there an objection to just  
19 to -- to admitting it for the purpose of saying it exists?

20 MR. GREIM: Well, the problem is, you know,  
21 saying it exists has to be relevant in this case.

22 JUDGE JOSEPH: Okay.

23 JUDGE SUMMERHAYS: It's not relevant without a  
24 foundation.

25 MR. GREIM: That's right. I mean, judicial

1 notice, that's the Hornbook law. No one's going to fight  
2 that you can take judicial notice of the records of  
3 another court or this court. That's not at issue. It's  
4 what Judge Joseph said, that basically there's a relevance  
5 objection and that's really foundational here.

6 JUDGE SUMMERHAYS: And again, I'll rule on the  
7 judicial notice as well as foundation once a foundation  
8 has been laid. You can reassert your request for judicial  
9 notice. You can reassert your request that the documents  
10 be admitted.

11 Unless there is dissent, I am going to reserve ruling  
12 on the objection until a foundation has been laid.

13 MR. GREIM: Your Honor --

14 JUDGE SUMMERHAYS: Yes, sir.

15 MR. GREIM: -- if I could add one more thing, I  
16 would just say that in the Rule 26 disclosures in the  
17 discovery, no witness has been identified who can come in  
18 and actually do that thing, who has been proffered as  
19 someone who can do it. But I don't want to get ahead of  
20 myself. I just -- I'll leave it there.

21 JUDGE SUMMERHAYS: Very good. So that's 31  
22 through -- that's 114 through 124. The Court will  
23 reserve ruling on those documents that you may try to lay  
24 a foundation. What else do you have?

25 MR. NAIFEH: All right. We have Robinson 125



1 and 126, which are hearing transcripts from the Robinson  
2 preliminary injunction hearing. I gather the objection is  
3 going to be the same, although there is no hearsy  
4 objection to those for obvious reasons. There is a  
5 relevance objection.

6 JUDGE JOSEPH: There is no hearsay objection for  
7 what reason?

8 MR. NAIFEH: Well, I think because it's a court  
9 record. It's a --

10 JUDGE JOSEPH: The plaintiffs were in that case.

11 MR. NAIFEH: They were not in that case.

12 JUDGE JOSEPH: So that matters.

13 MR. NAIFEH: They didn't raise a hearsay  
14 objection.

15 JUDGE SUMMERHAYS: Counsel?

16 MR. GREIM: My notes show that we did raise a  
17 hearsay objection and there would be hearsay within  
18 hearsay as well. But unless I -- my notes say that we've  
19 raised hearsay, relevance, and prejudice.

20 JUDGE STEWART: Yeah. I mean, I think the  
21 comfort level is reserving the ruling on it despite  
22 you've worked well, but, you know, with all trials  
23 obviously you're not agree on everything. So we're not  
24 pointing to that. Although we have the threshold on this.  
25 You fleshed out sort of where you're coming from and

1 you've alerted to that. You know, my preference would be:  
2 whatever we can get started doing, turn to testimony and  
3 so on and so forth, that would do that and not bog down  
4 here on evidentiary stuff without anybody being prejudiced  
5 to your position. It may well be that you'll need to burn  
6 some midnight oil in terms of providing a basis for  
7 whatever your proposed offer is for us to do something  
8 different. Now that you've been alerted to it, weave it  
9 in. If you've got some case or cases that support what  
10 you want to do, you or somebody may have to burn some oil  
11 in terms of that so we're not just dealing with argument  
12 of counsel. We got the rule books up here, but this is a  
13 nuanced case and everybody realizes that. So just know  
14 that that's an issue there. We can proceed with some  
15 testimony. We get to the end of the day and that's an  
16 issue. Since we know we're going to be here tomorrow,  
17 you'll know what you got to do or whenever, we can get  
18 around to it. Then, you know, we can rule on it.

19 JUDGE SUMMERHAYS: We will reserve judgment on  
20 125 to 126.

21 MR. NAIFEH: Shall I proceed or is it Your  
22 Honor's suggestion that we go ahead with witnesses and  
23 take that --

24 JUDGE STEWART: No. I was only suggesting if  
25 you continue down, you know, testimony, transcript, that

1 kind of thing. I don't know what else...

2 MR. NAIFEH: Well, we definitely got some  
3 other --

4 JUDGE JOSEPH: Let's go ahead and admit the ones  
5 that are going to be agreed to and then save argument for  
6 when a witness is on the testimony and the exhibits have  
7 been offered into evidence for those that just not agreed  
8 to.

9 JUDGE SUMMERHAYS: Because I think our concerns  
10 are going to be the same on all of the documents that are  
11 related to the Robinson Middle District case.

12 MR. NAIFEH: That's all I have for that category  
13 of documents, so...

14 JUDGE SUMMERHAYS: Okay.

15 MR. NAIFEH: Next I have 127 through 150, and  
16 194 and 195. Those are bills and amendments containing  
17 congressional maps with two majority black districts that  
18 were introduced and considered in the 2022 First  
19 Extraordinary Session, which is when HB1 was adopted.  
20 That's the prior congressional map that SB8 replaced.  
21 The plaintiffs have objected to those on relevance and  
22 prejudice grounds.

23 Our position -- well, shall I --

24 JUDGE SUMMERHAYS: You can finish. You can  
25 finish.

1           MR. NAIFEH: Our position is one of the issues  
2 in this case is that whether it's possible to create a  
3 congressional map with two majority black districts that  
4 complies with traditional redistricting principles. There  
5 are numerous examples from the legislative record that are  
6 maps that contain two majority black districts, and so our  
7 position is that those are relevant to that issue in the  
8 case.

9           JUDGE SUMMERHAYS: Counsel?

10          MR. GREIM: A couple of things, Your Honor.  
11 First of all, at this -- at the liability phase, we're  
12 asking whether Senate Bill 8 is a racial gerrymander.  
13 We're not asking whether some other district exists that's  
14 not Senate Bill 8 that would not have been a racial  
15 gerrymander. And so that might be relevant if there is a  
16 remedial phase, but that doesn't seem relevant today.

17          The other problem is that this is a different  
18 legislature. In the 2022, that's not the same legislature  
19 that enacted these districts. And we've already heard  
20 insinuations about, you know, Joint Rule 21 may not bind  
21 future legislatures.

22          So it's just that's 60 exhibits, like just 60  
23 exhibits. We don't know anything about how any of it's  
24 going to be used. And it just seems like *en masse* it is  
25 not relevant, it's a lot of evidence that is not really

1 Q. When were you first elected to the State House?

2 A. I was elected in November 2019 and sworn in January  
3 of 2020.

4 Q. Have you faced reelection since then?

5 A. Yes. I was reelected in October and sworn in this  
6 January.

7 Q. Are you familiar with the case that was filed in 2022  
8 challenging HB1?

9 A. Yes.

10 Q. What is your understanding of the nature of that  
11 case?

12 MR. TYLER: Objection, Your Honor. This is  
13 exactly what we were referring to with the evidence.

14 JUDGE SUMMERHAYS: Sustained.

15 Q. (BY MR. HESSEL) Representative, when were you sworn  
16 in for your second term?

17 A. January 8th.

18 Q. Of which year?

19 A. This year.

20 Q. What was the first legislative item of your second  
21 term?

22 A. We had a special session on redistricting about a  
23 week later.

24 Q. Are you familiar with Senate Bill 8?

25 A. Yes.

1 Q. When did you first see Senate Bill 8?

2 A. Either the first day of session or the day before.

3 Q. Was that the day that Governor Landry addressed  
4 chambers?

5 A. The first day of session, yes, was the day he  
6 addressed chambers.

7 Q. Did you attend that address?

8 A. Yes.

9 Q. What did you understand the Governor's goals to be  
10 for the special session?

11 A. To make sure we passed a new congressional bill that  
12 would be accepted by the courts.

13 Q. Did you ever have an impression of why the Governor  
14 wanted to pass this bill?

15 A. A few reasons --

16 MR. TYLER: Objection. Foundation.

17 JUDGE SUMMERHAYS: Overruled.

18 Q. (BY MR. HESSEL) Did you form an impression of why the  
19 Governor had this call?

20 A. Yes. So after two years, it was time to put this to  
21 rest after so much litigation. There was fear among  
22 Republicans that if they didn't do this the Court --

23 MR. TYLER: Objection. Foundation.

24 JUDGE SUMMERHAYS: Overruled.

25 MR. TYLER: And hearsay. Sorry.

1           MR. HESSEL: The witness is testifying her  
2 impression that she had that led her to cast her vote on  
3 Senate Bill 8 and not for the truth of the matter  
4 asserted.

5           JUDGE SUMMERHAYS: All right. Overruled.

6 Q.   (BY MR. HESSEL) Did you have an impression of why the  
7 Governor wanted to pass the map?

8 A.   Yeah. So as I said, Republicans were afraid that if  
9 they didn't, that the Court would draw one that wouldn't  
10 be as politically advantageous for them. They kind of  
11 wanted to put this to rest and the Governor wanted  
12 Congressman Graves out.

13 Q.   At some point during the special session, did you  
14 have a sense of which bill the Governor preferred?

15 A.   We all knew from the beginning that the bill that was  
16 going to be passed was Senate Bill 8.

17 Q.   And do you know how many majority black districts  
18 there are in Senate Bill 8?

19 A.   Two.

20 Q.   And did you think that Senate Bill 8 would bring an  
21 end to the litigation?

22 A.   Most likely. It's impossible to predict, but all of  
23 our understanding was that it was very likely to meet the  
24 requirements of the Voting Rights Act.

25 Q.   Do you have an understanding if one of the

1 incumbents -- current congressional incumbents was drawn  
2 out of his or her seat, so to speak, in Senate Bill 8?

3 A. Yes. Congressman Graves.

4 MR. TYLER: Object to foundation.

5 JUDGE SUMMERHAYS: Overruled.

6 Q. (BY MR. HESSEL) Let me ask that again. Do you have  
7 an understanding if one of the current congressional  
8 incumbents was drawn out of his or her seat, so to speak,  
9 in Senate Bill 8?

10 A. Congressman Graves was targeted in the map, correct.

11 Q. And were you surprised that Congressman Graves was  
12 targeted in the map?

13 A. No. Everyone -- everyone knew that. All the  
14 legislators, the media reported it. They have had a  
15 long-standing contentious relationship.

16 Q. And when you say "they," who are you referring to?

17 A. The Governor and Congressman Graves.

18 Q. Did you support Senate Bill 8?

19 A. Yes, I voted for it.

20 Q. Why did you support Senate Bill 8?

21 A. As I said, the understanding was that it was very  
22 likely to be approved under the Voting Rights Act.

23 Q. And did you think that Senate Bill 8 could pass the  
24 Legislature?

25 A. Yes.



1 Q. Why did you conclude that Senate Bill 8 could pass  
2 the Legislature?

3 A. It was the Governor's bill. All of leadership was  
4 behind it. It was the one bill that we all understood was  
5 going to go through. No other bill even made it out of  
6 committee regarding the congressional districts.

7 Q. You testified earlier that you formed an impression  
8 that Governor Landry supported the bill because of his  
9 relationship with Congressman Graves; is that right?

10 A. Yes.

11 Q. What formed that impression for you?

12 A. I mean, there's a 144 of us constantly talking and  
13 meeting --

14 MR. TYLER: Objection. Hearsay.

15 MR. HESSEL: Your Honor, again, it's not for the  
16 truth of the matter asserted, but the --

17 JUDGE SUMMERHAYS: Overruled.

18 MR. HESSEL: Thank you.

19 Q. (BY MR. HESSEL) So let me just ask that again.  
20 What formed your impression that SB8 was viable because of  
21 the relationship between Governor Landry and Congressman  
22 Graves?

23 A. Yeah. So this had been -- this discussion of the new  
24 districts had been going on since the Governor was elected  
25 among us and the media. It increased as we got closer to

1 inauguration. The chatter got bigger. The media was  
2 reporting constantly on it. There were lots of meetings  
3 on it. Of course, I didn't hear from Republican  
4 leadership but we eventually all knew what bill it was  
5 going to be. And there were actually a couple dozen bills  
6 and other issues that we understood were the Governor's  
7 bills.

8 Q. Can you try to quantify for the Court how many of  
9 these conversations were going on?

10 A. Constantly. The Legislature is a semicircle.  
11 Because we wanted to know what was going on, when it was  
12 going to end, which bills were being presented, what  
13 amendments might be presented. We were also discussing  
14 the Supreme Court maps. There was closed primaries. I  
15 mean, we were barely -- there was a lot going on.

16 Q. Try to quantify how many of those conversations  
17 revolved around this political dynamic that drove SB8.

18 A. Since October, hundreds, if not more, that week. I  
19 mean the same, maybe it was constant.

20 Q. And did you at some point form an impression that  
21 your view on why SB8 was viable was shared by many in the  
22 Legislature?

23 A. I mean, the whole time, before we went in, there was  
24 going to be a map that the Court was likely to accept  
25 under the Voting Rights Act, and that this would be done

1 that week.

2 Q. What impression have you gotten from constituents in  
3 communities in the state about having a map with two  
4 majority black districts?

5 A. So over the last couple of years, it's been  
6 heartening to see the public has come to understand better  
7 gerrymandering, redistricting, what that means, what  
8 that -- you know, the effects of that, packing. And it's  
9 been interesting to see, since I've been elected, the more  
10 people who understand that and they might not know the  
11 details but my constituents in New Orleans generally  
12 understands that we are probably going to get the second  
13 district. And, you know, in a time of negative politics,  
14 it's actually a good thing.

15 Q. And as a public leader, what's your impression of the  
16 impact on the communities you serve and people across the  
17 state if SB8 were struck down?

18 A. I mean, this is the South. There is a long history  
19 of oppression here. To have a second district means a lot  
20 of minority communities, not just racial minority, but  
21 rural areas, poor areas, will have better representation  
22 in congress. More money will flow to infrastructure  
23 projects. They'll just have someone who better  
24 understands and has to represent them in particular.

25 Q. Thank you very much. I have no further questions.

1 A. Thank you.

2 JUDGE STEWART: Before you go further, would you  
3 clarify, because your name is Landry, if you are related  
4 at all to either the Secretary of State or the Governor,  
5 just so the record is clear if you are or you aren't.

6 THE WITNESS: I am not related to anyone who was  
7 elected with the last name Landry. I have heard this  
8 before.

9 JUDGE STEWART: Thank you, ma'am.

10 JUDGE SUMMERHAYS: Counsel?

11 MR. GORDON: No questions from the State, Your  
12 Honor.

13 JUDGE SUMMERHAYS: Plaintiffs, cross?

14 MR. TYLER: Cross, Your Honor.

15 CROSS-EXAMINATION

16 BY MR. TYLER:

17 Q. Ms. Landry, you testified that you did not talk to  
18 Republican leadership; is that correct?

19 A. Directly, no.

20 Q. And so your information regarding that did not come  
21 from them?

22 A. No.

23 Q. Were you a fan of SB8?

24 A. I agreed and was satisfied that it would meet the  
25 requirements of the Voting Rights Act. It had two

1 majority-minority districts, which is what we've been  
2 hoping for the whole time. I was kind of indifferent to  
3 other the political issues because they didn't really  
4 involve my party. But I thought the map was sufficient.

5 Q. But you believe that it could have been drawn better?

6 A. There were other maps in 2022 that as Democrats we  
7 liked better, but this one was the one that was going to  
8 pass.

9 Q. And it's true, isn't it, that the Democrats did not  
10 have much say in this map?

11 A. We did not.

12 Q. And that is your party, correct?

13 A. Correct.

14 MR. TYLER: Let me confer with counsel, if  
15 that's okay. We have no further questions.

16 JUDGE SUMMERHAYS: Any redirect?

17 MR. HESSEL: I have one question, Your Honor.

18 JUDGE SUMMERHAYS: You may proceed.

19 REDIRECT EXAMINATION

20 BY MR. HESSEL:

21 Q. Representative Landry, during this process they were  
22 describing, did you talk to any Republicans about what was  
23 going on?

24 A. You mean during the January session? Yes, through my  
25 colleagues. I mean this a very --

1 MR. TYLER: Objection, Your Honor. This is not  
2 redirect. This was not covered on direct.

3 JUDGE SUMMERHAYS: Overruled.

4 Q. (BY MR. HESSEL) Did you talk to any Republicans  
5 during the special session?

6 A. Yes. We were all in the chamber. Where I sit, I'm  
7 surrounded by Republicans. We talk about all bills,  
8 what's going on and what's going to fail and what's going  
9 to pass.

10 Q. Thank you very much.

11 A. Thank you.

12 JUDGE SUMMERHAYS: Can we release  
13 Representative Landry?

14 MR. HESSEL: Yes.

15 JUDGE SUMMERHAYS: You are free to step down.  
16 You can go.

17 Counsel, you may call your next witness.

18 MS. SANDASIVAN: Your Honors, Kathryn Sadasivan  
19 for the Robinson intervenors. The Robinson intervenors  
20 call Anthony Fairfax by remote testimony.

21 JUDGE SUMMERHAYS: The witness will approach.

22 MS. SADASIVAN: By remote testimony, Your Honor.  
23 I apologize.

24 JUDGE JOSEPH: This is a housekeeping matter.  
25 What measures have you taken to make sure that the

1 situation -- obviously that witness is not in the  
2 courtroom. We don't know who is in the room with him,  
3 what materials he has. Have you told him he needs to be  
4 by himself without any access to materials other than what  
5 you show him?

6 MS. SANDASIVAN: Yes, Your Honor. And he was  
7 given the exhibits from the plaintiffs they asked for him  
8 to have.

9 JUDGE JOSEPH: Sure. And that's fine as long as  
10 it's all disclosed what's being shown to him and what he  
11 has.

12 MS. SANDASIVAN: Yes, Your Honor.

13 Good afternoon, Mr. Fairfax. Can you hear me?

14 THE WITNESS: Yes, I can. Good afternoon.

15 JUDGE SUMMERHAYS: We'll go ahead and swear the  
16 witness in.

17 (Oath administered to the witness.)

18 JUDGE SUMMERHAYS: You may proceed.

19 MS. SANDASIVAN: Thank you, Your Honor.

20 ANTHONY EDWARD FAIRFAX,  
21 having been first duly sworn to testify the truth, the  
22 whole truth, and nothing but the truth, testified as  
23 follows via Zoom:

24 DIRECT EXAMINATION

25 BY MS. SANDASIVAN:

1 was the predominant motive of the Legislature in drawing  
2 the SB8 plan?

3 A. No, I was not.

4 Q. Let's turn to your methodology. How did you go about  
5 reviewing and offering opinions on the reports of  
6 Mr. Hefner and Dr. Voss?

7 A. I first began to obtain the appropriate data. I  
8 downloaded the plans that were on the legislative  
9 websites, including HB1, SB8, the Plan A3. I also  
10 included or accessed data that I had previously created,  
11 for example, CVAP data, socioeconomic aspects or  
12 indicators that I used previously in court. And there was  
13 one plan that I forgot. That's why I hesitated. The sell  
14 points plan. I couldn't think of that. I downloaded that  
15 as well. I also was sent the plan from Mr. Hefner, the  
16 Illustrative Plan 1. I apologize for the brain fog.

17 MR. GORDON: I'm sorry to interpret, Your  
18 Honors. I notice that on the monitor there is a  
19 projection of the courtroom that has one of the -- I  
20 believe of Your Honors' monitors on it. I don't believe  
21 it's readable at all, but I just wanted to bring that to  
22 the Court's attention in case that was a concern for  
23 anybody.

24 JUDGE SUMMERHAYS: I think the -- which one is  
25 it?



1 JUDGE JOSEPH: I think it's got your monitor on  
2 it.

3 MR. GORDON: Perhaps it's the court reporter's.  
4 I'm sorry. Okay. I'm sorry.

5 (Off the record.)

6 JUDGE SUMMERHAYS: All right. You may proceed.

7 MS. SADASIVAN: Thank you, Your Honor.

8 Can you please pull up what I am going to ask -- what  
9 I will call Robinson Exhibit 294?

10 Q. (BY MS. SADASIVAN) Mr. Fairfax, are you familiar with  
11 the two figures hopefully before you?

12 A. Yes, I am.

13 Q. And how are you familiar with them.

14 A. One of them on the left is the Illustrative Plan 2023  
15 that I developed and submitted in a report in December of  
16 2023. The other is a plan that I referred to before,  
17 Plan A3. That was developed in 2021. It was submitted or  
18 presented during that period of time where the state  
19 legislature was requesting input from the community and  
20 anyone else. So the Power Coalition and LDF submitted  
21 this as a proposed plan during that time.

22 Q. And where did the Robinson Illustrative 2023 Plan 2  
23 described in your report come from?

24 A. It was a modification of the previous plan,  
25 Illustrative Plan, 4 that was submitted during the

1 Robinson litigation. Made some slight changes.

2 Q. And are you aware of whether any of these -- either  
3 of these plans was introduced in the Louisiana  
4 legislature?

5 A. There was a very similar plan, an HB12 plan that was  
6 similar to the Robinson plan that was submitted.

7 Q. Do you know when it would have been considered by the  
8 Louisiana legislature?

9 A. In 2024. Excuse me, in 2021. I apologize.

10 Q. So just to clarify, which figure, Figure 3 or  
11 Figure 4 from your report in Exhibit 294 would have been  
12 considered by the Louisiana legislature in 2021?

13 A. Plan A3.

14 Q. Okay. And that's Figure 4.

15 A. I'm sorry. I'm sorry. The HB12 plan I believe  
16 was -- check that. Yes. I'm sorry. I apologize.  
17 Continue, please.

18 Q. Ask you again? When was the -- do you know which of  
19 these plans was introduced in the Louisiana legislature?

20 A. Yes. Plan HB12 similar to Plan A3.

21 Q. Okay. And when was HB12 introduced in the Louisiana  
22 legislature?

23 A. In 2021.

24 Q. And is this -- did Robinson Illustrative 2023 Plan 2  
25 and Figure 3 and the A3 plan and Figure 4 that you drew

1 create two majority black congressional districts?

2 A. Yes, it did.

3 Q. In the Marcelle-Price plan that you also considered  
4 from the 2024 legislative session, did that create two  
5 majority black congressional districts?

6 A. Yes, it did.

7 Q. Did these plans represent the only way in which you  
8 could have drawn two majority black congressional  
9 districts?

10 A. No. During the process, there are many different  
11 configurations you can actually configure the two majority  
12 black districts.

13 Q. And what were the metrics by which you compared the  
14 SB8 plan with other redistricting plans that you  
15 considered in your report?

16 A. I used traditional redistricting criteria. A core  
17 sequel population is always a consideration, but I looked  
18 at contiguity. I looked at compactness. I looked at  
19 preserving communities of interest and minimizing  
20 political subdivision splits.

21 Q. How did you prioritize the traditional redistricting  
22 criteria that you considered?

23 A. When there is no priority given any guidance, then  
24 what you do is you attempt to balance the criteria.

25 Q. What sources did you look at to identify communities

1 of interest in evaluating Dr. Voss and Mr. Hefner's  
2 analysis of whether the SB8 plan respected traditional  
3 districting principles?

4 A. Mr. Hefner, in his first report, utilized communities  
5 of interest or established communities of interest of  
6 parishes and municipalities. And so I looked at those in  
7 regards -- in reality, they could be also be political  
8 subdivision that you actually look for minimizing  
9 political subdivision splits.

10 Q. And what socioeconomic data did you look at?

11 A. I looked at six different socioeconomic indicators:  
12 Income, education, poverty, renter percentage, food  
13 stamps. And then there is one that the Census Bureau  
14 actually creates called Community Resilience Estimates.  
15 And it's a ranking of how resilient a population can come  
16 back from a disaster. And so I looked at that as well.

17 Q. Are there other types of information that a  
18 map-drawer might consider when drawing a congressional  
19 districting plan, for example, on behalf of a legislature?

20 A. Yes. Yes. Of course, there are political  
21 considerations with any of the plans. It could be, for  
22 example, assets. They call it assets. These are areas  
23 that would be included, that's desirable to be in a  
24 particular district. So, for example, like a college or a  
25 university, the military bases. And then, of course,

1 principles, how do you as a demographer go about  
2 determining whether it's possible?

3 A. Well, you attempt to develop a plan, a plan that  
4 follows or adheres to either their redistricting criteria  
5 that's established by the State or what's called  
6 traditional redistricting criteria. And, in essence,  
7 that's what I did. I developed a plan that created two  
8 majority black districts and adhered to traditional  
9 redistricting criteria.

10 Q. Thank you. And why does that make sense as a way of  
11 determining whether or not it's possible?

12 A. Well, if you are going to try to determine something,  
13 I think it's good to attempt to try to do it to see if  
14 it's possible. But that's something that you would do in  
15 many analysis that you perform.

16 Q. And so in Mr. Hefner's heat map on the left -- and  
17 just to go back -- what is the differences that you were  
18 describing between the way the black population is  
19 depicted in Mr. Hefner's heat map on the left and your map  
20 specifically of the black population by parish on the  
21 right?

22 A. In his map, it gives the impression that the black  
23 population only exists in those areas that you see are  
24 colored in. And that's not the true reality. They exist  
25 throughout. And some of those areas that you can't see

1 that doesn't have them -- for instance, you don't see a  
2 clear demarcation in East Carroll, Madison and Tensas, but  
3 they're majority black. And those would be, you know,  
4 likely candidates to actually include in a majority black  
5 district.

6 Q. Okay. Thank you. And did Dr. Voss offer opinions on  
7 socioeconomic factors as nonracial considerations that  
8 could have motivated the lines in the SB8 plan?

9 A. I believe Dr. Voss did not.

10 Q. And in your opinion does that impact Dr. Voss's  
11 ability to conclude that race was the predominant factor  
12 motivating the district lines in the SB8 plan?

13 A. Yes. There's a component of that. Yes.

14 Q. And Mr. Hefner later looked at the socioeconomic  
15 factors that you considered in your report; is that right?

16 A. Yes, that's correct.

17 Q. And did anything in Mr. Hefner's report change your  
18 opinion that Mr. Hefner couldn't conclude that  
19 socioeconomic factors couldn't explain the district lines  
20 in the SB8 plan?

21 A. No, nothing changed my mind or conclusions.

22 Q. So I'll ask to pull up Robinson Exhibit 298. Do you  
23 recognize the figures in this exhibit?

24 A. Yes.

25 Q. And how do you recognize the figures in this exhibit?

1 A. These were two maps that I included in my report.

2 Q. And these maps depict East Baton Rouge -- sorry.

3 what does the map on Figure 5 from your report on the left  
4 demonstrate?

5 A. It shows the boundaries of CD-6 and SB8. And then it  
6 overlays the six socioeconomic aspects or indicators that  
7 I mentioned before. And the reason why I utilize them to  
8 show if the socioeconomic aspects could generally define  
9 the configuration of the districts, and they do so.

10 Q. And what does Figure 6 from your response report on  
11 the right illustrate?

12 A. This shows I guess another aspect that could be  
13 looked at. And that's municipal boundaries in an asset of  
14 LSU. And so when you show these and overlay the census  
15 places on top of the map and the boundaries, you show that  
16 they generally attempt to follow the census places. You  
17 see central up at the top. You know, you see the one  
18 downs on the bottom? They are generally attempting to  
19 include them as whole census places. The encroachment if  
20 you will of CD-5, the district on the east, let's say,  
21 goes all the way to what I consider LSU. And it could be  
22 an attempt to include the majority of LSU inside CD-5.

23 Q. And as a demographer with -- drawn for numerous  
24 states, drawn maps on behalf of numerous states and local  
25 entities, are these maps that you use in drawing plans on

1    behalf of those entities?

2    A.    The types of maps is what you're referring to?

3    Q.    Yes.    Sorry.

4    A.    Yes.    Yes.    Routinely you would overlay municipal  
5    boundaries just to check out to see if they follow.    And,  
6    of course, the socioeconomic aspects are used to sometimes  
7    even draw plans as I have done or to verify.

8    Q.    And did anything of Mr. Hefner's report lead you to  
9    conclude that racial considerations had to predominate  
10   over the preservation of communities of interest,  
11   including the socioeconomic communities of interest in the  
12   SB8 plan?

13   A.    No.    No.

14   Q.    And why not?

15   A.    Because one of the things that he did, I believe he  
16   included the separate maps with socioeconomic aspects.  
17   And that can be used but that doesn't present all of the  
18   picture, so overlaying them on top shows a commonality of  
19   all of these six different socioeconomic aspects or  
20   indicators which allow you to reveal whether that district  
21   actually truly followed those six versus looking at it one  
22   at a time.

23   Q.    And do you agree with Mr. Hefner and Dr. Voss's  
24   opinion that the black population is too dispersed to  
25   create a second majority black congressional district



1 without sacrificing traditional districting principles?

2 A. No, no. I don't agree.

3 Q. And do you agree with Mr. Hefner and Dr. Voss that  
4 race had to be the predominant motive of the Louisiana  
5 legislature in enacting SB8?

6 MR. GREIM: I do object on this question  
7 because we're now asking, while we're mentioning Dr. Voss  
8 and Dr. Overholt and Dr. Hefner -- I'm sorry --  
9 Mr. Hefner, the very first thing the witness said is he is  
10 not offering opinion on whether race predominated. Now he  
11 is being asked that question basically in just different  
12 words.

13 MS. SADASIVAN: What I said was: Do you agree  
14 with Mr. Hefner and Dr. Voss that race had to be the  
15 predominant motive of the Louisiana legislature, whether  
16 or not -- in other words, their conclusions would lead him  
17 analyzing it to conclude that it had to be the predominant  
18 motive?

19 JUDGE SUMMERHAYS: I am going to overrule the  
20 objection. Proceed, please.

21 Q. (BY MS. SADASIVAN) Would you like me to ask the  
22 question again, Mr. Fairfax?

23 A. Yes, please.

24 Q. Sorry about that. Based on the testimony you've  
25 heard from Mr. Hefner and Dr. Voss, do you agree with

1 and try and sort that out.

2 JUDGE SUMMERHAYS: Do you want to take a brief  
3 recess?

4 JUDGE JOSEPH: Do you we need a recess for Mayor  
5 Glover?

6 MR. NAIFEH: I think a five-minute recess might  
7 be helpful.

8 JUDGE SUMMERHAYS: We'll take a short recess.  
9 We'll come back in five.

10 JUDGE STEWART: He just walked in the door.  
11 (Off the record.)

12 MS. ROHANI: Good afternoon, Your Honors.

13 JUDGE SUMMERHAYS: Good afternoon. We are going  
14 to swear in the witness as soon as we get everything  
15 ready.

16 (Oath administered to the defendant.)

17 JUDGE SUMMERHAYS: Counsel, you may proceed when  
18 ready.

19 MAYOR CEDRIC BRADFORD GLOVER  
20 having been first duly sworn to testify the truth, the  
21 whole truth, and nothing but the truth, testified as  
22 follows:

23 DIRECT EXAMINATION

24 BY MS. ROHANI:

25 Q. Thank you. Good afternoon, Mayor Glover.

1 A. Good afternoon.

2 Q. Thank you for joining us. Will you please state and  
3 spell your full name for the record?

4 A. Full name is Cedric Bradford Glover. That's  
5 C-E-D-R-I-C, B-R-A-D-F-O-R-D, G-L-O-V-E-R.

6 Q. So, Mayor Glover, where do you currently live?

7 A. Here in Shreveport, Louisiana.

8 Q. And how long have you live here in Shreveport?

9 A. All of my life.

10 Q. And can you briefly describe your professional  
11 background in public service?

12 A. I started as the president of the Martin Luther King  
13 Neighborhood Association, became twice elected to  
14 Shreveport City Council. Served three terms in the  
15 Louisiana House of Representatives. Was elected mayor of  
16 the city of Shreveport. I served two terms there to be  
17 term limited and returned back to Louisiana House of  
18 Representatives for two additional terms. Over the course  
19 of that time, I professionally have worked in the staffing  
20 industry.

21 Q. Thank you. And during your tenure as a state  
22 representative, were you involved in the redistricting  
23 process?

24 A. I was.

25 Q. And since your tenure as a state representative

1 ended, have you continued to follow redistricting efforts?

2 A. Yes, I have.

3 Q. Now, I would please like to pull up what's marked as  
4 Joint Exhibit 11.

5 And, Mayor Glover, I am going to ask you if you are  
6 familiar with the map that was passed -- you don't have to  
7 look yet -- well, it's up now. So are you familiar with  
8 the map that was passed in January of this year?

9 A. Yes, I am.

10 Q. And I will refer to that as SB 8. And is the map  
11 that's presented on the screen the map that you are  
12 familiar with?

13 A. To the best of my recollection, it certainly  
14 resembles it.

15 Q. And were you surprised by the configuration of the  
16 districts when you first saw SB8?

17 A. Surprised that it passed, but not necessarily  
18 ultimately that was offered.

19 Q. Can you please elaborate a little bit about that?

20 A. Well, it was just not ever sure that the Legislature  
21 would ultimately do the right thing, that this represented  
22 the first time, to my recollection, since the *Shelby* case  
23 that you had seen an actual advancement around this  
24 particular issue without the literal force of the federal  
25 government stepping in to actually do it for us as opposed

1 to the Legislature taking initiative and actually doing it  
2 itself.

3 Q. And during the redistricting process, had you ever  
4 seen a congressional map with a similar configuration of  
5 districts?

6 A. Yes, I did, on two occasions. One, that I, myself,  
7 drafted and considered offering and one that was actually  
8 offered by Representative Marcus Bryant.

9 Q. Thank you. And are you familiar with Senator  
10 Pressly?

11 A. Yes, I am.

12 Q. And if we could go to the next slide, please.

13 Mayor Glover, I would like to read you a quote from  
14 Senator Pressly and I would like to get your reaction.  
15 This is from the senate floor debate. And do you see it  
16 on the screen?

17 A. I do.

18 Q. What I am concerned with the important part of this  
19 state, northwest Louisiana not having the same member of  
20 congress. With having two members of congress, that has  
21 the potential to split our community even further along  
22 the line that's purely based purely on race and I am  
23 concerned about that; therefore, I am voting no and I urge  
24 you to do the same.

25 Mayor Glover, what is your reaction to this

1 statement?

2 A. I respect this, but I disagree. I think it's a --  
3 not necessarily a bad thing. I think it was a great thing  
4 to be able to have two different members of congress  
5 representing this region, especially one of those members  
6 being the Speaker of the House and the other member more  
7 largely probably being a member of the democratic caucus.  
8 That's where you have both of those -- both sides of the  
9 congressional equation represented within one region, one  
10 area I think would be a definite positive for us.

11 Q. Thank you. And if we could turn back to slide one,  
12 please. So in your experience as an elected official and  
13 a community leader, does Congressional District 6 in SB 8  
14 reflect common communities of interest?

15 A. Yes, it does.

16 Q. And how so?

17 A. Well, I think the two that come most quickly to mind  
18 would be the I-49 corridor and the Red River. Obviously,  
19 Shreveport itself was founded by the clearing of the  
20 Red River. One of the big things that helped make this  
21 area grow was navigation thereof. We had leadership over  
22 the course of the last 50 years that's worked very hard  
23 towards trying to bring that back. You now have a series  
24 of lock and dams, five of them, between here and where the  
25 river flows into the Mississippi. That essentially

1 mirrors the eastern side of that district. When you add  
2 to it, the connecting factor of I-49, that essentially  
3 makes Shreveport, Mansfield, Natchitoches, all one general  
4 commuting area, all of those are connecting factors. You  
5 layer on top of that the higher education connections  
6 where you have campuses of Northwestern State University,  
7 both in Shreveport and in Natchitoches. You have  
8 campuses in southern Shreveport and Southern University,  
9 Baton Rouge, the main campus being Baton Rouge as  
10 connecting factors. And then when you put -- and wrap all  
11 of that around the health-care component in that you have  
12 a series of hospitals between Willis Knighton, the  
13 CHRISTUS system, but most specifically the Ochsner/LSU  
14 system which has a presence here in Shreveport,  
15 Natchitoches, and even has a residency program that's in  
16 Alexandria. All of those are connections and commonalities  
17 that represent communities of interests from my  
18 perspective.

19 Q. Thank you. And are there other shared communities of  
20 interest that you can think of that unite the area?

21 A. From an economic development standpoint?

22 Q. Correct.

23 A. You have the North Louisiana Economic Partnership  
24 which is based here in Shreveport that just last week  
25 announced a huge job announcement down in DeSoto Parish.

1 So you have an actual Shreveport-based entity that is in  
2 partnership with economic leaders from the south of us,  
3 all the way down to Natchitoches working to retain and  
4 grow jobs, all of those represent commonalities and  
5 communities of interest.

6 Q. Thank you. And, Mayor Glover, did you and other  
7 people from Shreveport articulate these ties earlier in  
8 the redistricting process?

9 A. Yes.

10 Q. And can you tell me a little bit more about that?

11 MR. GREIM: Objection. I object. It calls for  
12 hearsay, talking about what he heard other people say.

13 JUDGE SUMMERHAYS: Counsel, can you rephrase?

14 Q. (BY MS. ROHANI) Mayor Glover, did you articulate  
15 these ties earlier in the redistricting process?

16 A. Yes.

17 Q. And can you tell me a little more about your  
18 experiences?

19 A. Basically, that it was necessary to ensure that we  
20 ended up with a fair and balanced representation  
21 throughout the State, but especially, if possible,  
22 through -- for Northwest Louisiana. The idea of ending up  
23 with a set of circumstances where you could have two  
24 members of congress, based from this area, ending up  
25 representing not just a fair distribution of congressional



1 districts throughout the State, but an opportunity to be  
2 able to really elevate and advance this particular region.  
3 Since we know obviously the southern part of the state has  
4 benefited New Orleans, Baton Rouge being the capital. So  
5 more representation in this area ends up representing  
6 greater opportunity and potential for us.

7 Q. And without getting into the substance of the other  
8 conversations, were there other individuals attesting to  
9 these ties as well during the redistricting process?

10 MR. GREIM: Your Honor, I object. It, again,  
11 calls for hearsay, just in an indirect way, asking if  
12 other people said the same thing.

13 JUDGE SUMMERHAYS: Counsel?

14 MR. ROHANI: You can strike that question.

15 Q. (BY MS. ROHANI) So, Mayor Glover, lastly, what would  
16 the impact on your community would be if this map was  
17 taken away?

18 A. It would mean that you would have the ability to be  
19 able to look to two members of congress to represent,  
20 advance and elevate the interests of this region, whether  
21 you're talking about higher education, whether you're  
22 talking about research dollars, whether you're talking  
23 about infrastructure funding, whether you're talking about  
24 workforce development, to be able to have two individuals  
25 representing both caucuses of the Congress representing

1 Northwest Louisiana would be something that would be  
2 highly beneficial and highly empowering for Shreveport and  
3 the rest of the region.

4 MS. ROHANI: Thank you. One moment to confer.

5 Q. (BY MS. ROHANI) Mayor Glover, as the Legislature, did  
6 you ever hear testimony of other community members  
7 informing your impressions on communities of interest?

8 MR. GREIM: Objection. Calls for hearsay again  
9 and also this witness was not a legislator in the last  
10 session. So we are probably going a couple of sessions  
11 back. We've got a relevance issue as well.

12 JUDGE SUMMERHAYS: Counsel?

13 MS. ROHANI: No further questions, Your Honor.  
14 Thank you.

15 MR. GORDON: Nothing from the State.

16 JUDGE SUMMERHAYS: Counsel, cross?

17 MR. GREIM: Nothing from plaintiffs.

18 JUDGE SUMMERHAYS: We can release the mayor?

19 MR. GREIM: Yes.

20 JUDGE SUMMERHAYS: Thank you, Mayor, for  
21 appearing here today. Appreciate the time.

22 Counsel, you may call your next witness.

23 MR. NAIFEH: My next witness is coming in now.

24 JUDGE SUMMERHAYS: And this is Ms. Shelton?

25 MR. NAIFEH: This is Pastor Steven Harris from

1 Natchitoches Parish.

2 JUDGE SUMMERHAYS: Okay.

3 (Oath administered to the witness.)

4 PASTOR STEVEN HARRIS, SR.

5 having been first duly sworn to testify the truth, the  
6 whole truth, and nothing but the truth, testified as  
7 follows:

8 DIRECT EXAMINATION

9 BY MR. EVANS:

10 Q. Good afternoon, Pastor Harris.

11 A. Good afternoon.

12 Q. Can you please state your name and spell it for the  
13 record?

14 A. Steven, S-T-E-V-E-N, Harris, H-A-R-R-I-S, Senior.

15 Q. Pastor Harris, where do you currently live?

16 A. Natchitoches, Louisiana.

17 Q. Where and what schools did you attend?

18 A. Elementary school, Goldonna, Louisiana. Camp Ti.  
19 Grambling State University. Went to seminary in  
20 Slideell Bible College. And in Metairie at Victory School  
21 of Ministry.

22 Q. What did you do after you finished school?

23 A. Got involved in what I had been studying in, in  
24 seminary. Assistant pastor, youth pastor, different  
25 pastoral callings.

1 Q. And where did you do this work at?

2 A. Jonesborough. In Natchitoches. And in Red River.

3 A little place called Lake End.

4 Q. What do you currently do for a living?

5 A. I'm full time pastor and I set on the Natchitoches  
6 Parish School Board.

7 Q. And how long have you been a pastor?

8 A. Around 28 years.

9 Q. And how long have you served on school board?

10 A. This is my third term. I think about nine years.

11 Q. What do your duties as a pastor entail?

12 A. Preparing messages for parishioners, doing marriages  
13 and premarital counseling, funerals, visiting hospitals,  
14 correctional centers, and things like that.

15 Q. And when you are performing these services and these  
16 sacraments, does it require you to travel at all?

17 A. Yes.

18 Q. Where does it require you to travel to?

19 A. Anywhere from Alexandria, Shreveport, Lafayette,  
20 Baton Rouge, places in between.

21 Q. So let's break that down a little bit, Pastor Harris.  
22 You said that your duties as a pastor require you to  
23 travel to Shreveport; is that correct?

24 A. Yes.

25 Q. How often would you say that you travel to

1 Shreveport?

2 A. Anywhere between four and five times during the week.

3 Q. And what is the nature of your business to

4 Shreveport?

5 A. Either to hospitals. My dad is a veteran of the  
6 Korean Conflict and so many times I have to take him  
7 either to the VA Hospital in Shreveport or the VA in  
8 Alexandria. And also visiting parishioners that may be at  
9 one of the hospitals.

10 Q. You said that your duties as a pastor require you to  
11 travel to Alexandria or Alec, as we call it; is that  
12 correct?

13 A. Yes.

14 Q. How often would you say that you travel to Alec?

15 A. Probably around the same amount of times, four or  
16 five times during the week.

17 Q. And what is the nature of your visits to Alec?

18 A. Seeing parishioners in the hospital. Things like  
19 that.

20 Q. You said that your duties as a pastor require you to  
21 travel to Baton Rouge; is that correct?

22 A. Yes.

23 Q. How often would you say that you travel to Baton  
24 Rouge?

25 A. Maybe about four times out of a month or so. And

1 kind of been traveling more since I got a new grandbaby.

2 My daughter lives in Baton Rouge as well.

3 Q. So in addition to visiting your grandbaby in Baton  
4 Rouge, what is the nature of your other visits to that  
5 city?

6 A. Sometime going to meet with some of my friends, as  
7 far as pastor friends, part of the associations and things  
8 like that.

9 Q. You said that your duties as a pastor require you to  
10 travel to Lafayette; is that correct?

11 A. Absolutely.

12 Q. Does that include the Opelousas area?

13 A. Yes.

14 Q. And how often would you say that you travel to the  
15 Opelousas and Lafayette area?

16 A. Anywhere between two to four times during the month.

17 Q. And what is the nature of your visits to Opelousas  
18 and Lafayette?

19 A. Basically the same things. Seeing about parishioners  
20 or going to an association convention.

21 Q. So, Pastor Harris, you shared with us that you live  
22 in Natchitoches Parish?

23 A. Yes.

24 Q. But that your duties as a pastor require you to  
25 travel to Shreveport?

1 A. Yes.

2 Q. To Alexandria, to Opelousas, and Lafayette and to  
3 Baton Rouge, that's correct?

4 A. Yes.

5 Q. In your opinion, and based off of your own  
6 experience, is there a sense of community and commonality  
7 between these areas?

8 MR. GREIM: I just to have to object. I don't  
9 think the foundation has been laid for a general sense of  
10 community among all of these different cities based on  
11 this one witness's travel.

12 MR. EVANS: Your Honors, Pastor Harris is a  
13 lifelong resident of this area. He has pastored, lived,  
14 worked and served in these areas. He's an elected  
15 official for three terms. He's speaking to his own lived  
16 experiences in these communities?

17 JUDGE SUMMERHAYS: I am inclined to overrule the  
18 objection. You may proceed.

19 MR. EVANS: Thank you.

20 Q. (BY MR. EVANS) Pastor Harris, my last question was:  
21 In your own opinion and based off of your own lived  
22 experience, is there a sense of community and commonality  
23 between these areas that we talked about?

24 A. Yes, there is, because, you know, most of us  
25 fellowship in our different churches, conventions, other

1 times seeing one another at these events and things.

2 Q. You mentioned events. Can you elaborate explain what  
3 you mean by events?

4 A. Our associations.

5 Q. When you say "our," what do you mean there?

6 A. Church. Church associations. Just recently we had  
7 the Baptist Convention. And we fellowship with both  
8 Baptist, Church of God in Christ. All of these different  
9 conventions bring us together and we fellowship.

10 Q. And so when you say that there is a sense of  
11 community, is there any events or institutions that you  
12 could cite?

13 A. Yes. Northwestern State University where my youngest  
14 daughter attends and has a whole lot of friends and things  
15 that come to our church, as well as where my daughter  
16 attend both LSU as well as Southern University, the same.

17 Q. Pastor Harris, earlier you said that you studied in  
18 New Orleans, correct?

19 A. Yes.

20 Q. In your own opinion, does Baton Rouge reflect more  
21 commonality with New Orleans or Alexandria?

22 A. Alexandria.

23 Q. Why do you say that?

24 A. The culture is different. Much different. Foods are  
25 different that we eat. Even the music and thing is



1 different. In New Orleans the food is mostly cayenne  
2 pepper, and in Baton Rouge and Alexandria and  
3 Natchitoches, we do more brown gravy.

4 Q. And how about Shreveport? would you say that Baton  
5 Rouge has more in common with Shreveport or New Orleans?

6 A. Shreveport.

7 Q. And why do you say that, Pastor?

8 A. Some of the some thing. Music even, it's different.  
9 The culture is just so different. And you have to be  
10 there to actually see it, and I have in my engagement in  
11 even the music. In Baton Rouge and in Natchitoches and  
12 things, we play more of a bottom baseline. In the area of  
13 New Orleans, it's more of a house party kind of  
14 atmosphere. Like that's why it's called The Big Easy.

15 Q. Pastor Harris, are you familiar with the Red River?

16 A. I am. Very much so.

17 Q. What, if anything, is the significance of the Red  
18 River to your community?

19 A. That's how we get our material to do our  
20 infrastructure, our roads, and things like that. It comes  
21 in on the river at the port. And we either go up the  
22 river into the Shreveport area --

23 Q. When you say port, do you mind elaborating what you  
24 mean by that?

25 A. The Natchitoches port, which is across the Red River

1 bridge, which is close to also where my residence is at.  
2 And then we go down south and either drop off or pick up  
3 things. But it's very important to our area in order for  
4 us to get products for roads and things like that.

5 Q. Pastor Harris, are you familiar with Interstate 49?

6 A. Very much so.

7 Q. What, if anything, is the significance of I-49 to  
8 your community?

9 A. Very convenient in time in getting me from  
10 Natchitoches to Shreveport about an hour 15 minutes from  
11 Natchitoches to Alexandria from about 45 minutes. And  
12 when I'm having to run those areas, sometimes going to  
13 Shreveport to go visit parishioners and going to  
14 Alexandria or having to head all the way down into the  
15 southern end, Baton Rouge or something, it's definitely  
16 good on me and my vehicle.

17 Q. Pastor, I would like to go back to something that you  
18 mentioned earlier when you were talking about your work as  
19 a pastor. Do you ever have guest pastors or guest  
20 churches come and visit your congregation?

21 A. All the time.

22 Q. And when these guest pastors and churches come to  
23 visit your church, where are they visiting from?

24 A. Anywhere from Shreveport, Alexandria, Opelousas,  
25 Baton Rouge, anywhere in between there.

1 Q. And do you yourself ever receive invitations to speak  
2 at other churches?

3 A. All the time.

4 Q. And where do these invitations come from? These  
5 churches that you are invited to speak at, where are they  
6 located mostly?

7 A. Mansfield, Shreveport, Alexandria, Baton Rouge, all  
8 over the state. Even other states.

9 Q. Pastor Harris, are you familiar with the map that  
10 passed in January of this year, which I will refer to as  
11 SB8?

12 A. I am.

13 MR. EVANS: I'd like to pull up Joint Exhibit  
14 11.

15 Q. (BY MR. EVANS) Pastor Harris, can you see this map on  
16 your screen there?

17 A. I can.

18 Q. And is this the map that you're familiar with?

19 A. Yes.

20 Q. Which district do you live in under this map?

21 A. District 6.

22 Q. And where is your church located in this map?

23 A. In the Natchitoches District 6.

24 Q. And where is the majority of your church congregation  
25 located at under this map?

1 A. District 6.

2 Q. And the majority of churches that you visit as a  
3 pastor, where are those churches located at?

4 A. In District 6.

5 Q. Pastor Harris, in your experience living, working,  
6 serving, pastoring and preaching in Natchitoches, does the  
7 Sixth Congressional District in this map in SB8 reflect  
8 common communities of interest?

9 A. They do.

10 Q. Can you cite some of those communities of interest or  
11 explain what you mean there for the Court.

12 A. Yes. Again, we have different things, events that go  
13 on, whether it's going to the state fair in Baton Rouge or  
14 going to the state fair as a community church to Baton  
15 Rouge or going to Alexandria to one of the events there,  
16 we oft times commune together. Matter of fact, we have a  
17 couples retreat that we do, called "weekend getaways"  
18 where about 250 couples from all over the state, as well  
19 as other states, come to Baton Rouge. And those are some  
20 of the things that we have in common.

21 Q. My last few questions for you, Pastor. This map was  
22 passed by the Legislature in January of this year.

23 A. Uh-huh.

24 Q. So there has not been an election held on this  
25 particular map yet. So, should this map still be in

1 place, you will be voting for the first time this fall in  
2 a majority black district where your preferred candidate  
3 would be able to be elected. Is that correct?

4 MR. GREIM: Objection. Leading question.

5 JUDGE SUMMERHAYS: Sustained.

6 Q. (BY MR. EVANS) So you will be voting for the first  
7 time under this map, Pastor Harris. I'm rephrasing, Your  
8 Honors. You will have the opportunity to vote under this  
9 current map. Pastor Harris, what does that mean to you?  
10 Can you tell the Court today, sitting there, not just as a  
11 pastor, not as a black man in Louisiana, but just as an  
12 American, as a human being, what does voting under this  
13 map mean to you?

14 A. I think it means that I have an opportunity to elect  
15 someone who I have their ear as well as I have their  
16 voice. That's what I think.

17 Q. Anything else you want to share with the Court what  
18 about this map means to you, Pastor?

19 A. Again, it gives us the opportunity to have someone  
20 that has shared values, that are concerned about some of  
21 the same things that we are concerned about in our  
22 communities, whether it's in education or healthcare or  
23 whatever the case may be.

24 MR. EVANS: No further questions, Your Honor.  
25 Thank you, Pastor.

1 JUDGE SUMMERHAYS: Counsel?

2 MS. THOMAS: As of right now, she is not  
3 testifying to any statements that were made by anyone  
4 else. She is testifying to things that -- actions that  
5 occurred that she witnessed herself.

6 JUDGE SUMMERHAYS: If you'd limit the question  
7 to those actions and not to statements, I'll allow the  
8 question. If we limit it that way, I'll overrule the  
9 objection. You may proceed.

10 Q. (BY MS. THOMAS) To state my question again, what was  
11 the outcome of the 2022 redistricting process?

12 A. We -- there was -- the process ensued, people  
13 testified, and our legislators ultimately approved a map  
14 that only had one African American district even though  
15 there was -- yeah, even though there was lots of, you  
16 know, lots of requests and talk about fair and equitable  
17 maps including two districts.

18 Q. And were you involved in the litigation that ensued  
19 after the 2022 redistricting process?

20 A. Yes.

21 Q. And why was the Power Coalition a part of that  
22 litigation?

23 A. Power Coalition is a nonprofit dedicated to building  
24 pathways to power for historically-disenfranchised  
25 populations, and so black and brown people need support to

1 be able to understand that their vote and their voice  
2 actually matter and it actually does have the ability to  
3 change outcomes for themselves and their communities.

4 Q. And was Power Coalition involved in the 2024 special  
5 legislative session that just happened this past January?

6 A. We were.

7 Q. And what was Power Coalition's involvement in the  
8 special legislative session?

9 A. It was the same as it has been throughout the  
10 redistricting process over the last two and a half years:  
11 Education, information, and to support the engagement of  
12 anybody in the state who wanted to engage and have their  
13 voices heard in the process.

14 Q. And was there a bill or map that you supported as  
15 part of the special legislative session in 2024?

16 A. Yes, SB4.

17 Q. And why did you support SB4?

18 A. Because it was the most compact map. And, you know,  
19 the map made sense. It also was drawn by Tony Fairfax,  
20 who is one of -- in my opinion, one of the best  
21 demographers in the country. And so when I looked at it,  
22 that was my opinion of SB4.

23 Q. And do you know if SB4 contained two black majority  
24 districts?

25 A. Yes, it did.

1 Q. What happened to SB4?

2 A. It died in committee.

3 Q. And are you familiar with Senate Bill 8?

4 A. I am.

5 Q. And what is Senate Bill 8?

6 A. It was a bill introduced by Senator Womack.

7 Q. And do you know if SB8 included two black majority  
8 districts?

9 A. It did.

10 Q. And were you present at the legislature when SB8 was  
11 debated and voted on?

12 A. Yes. I was in governmental affairs when it was  
13 presented.

14 Q. And you mentioned in your earlier testimony that  
15 there are these things called red cards and green cards.  
16 Can you just briefly describe those?

17 A. Yes. Green cards are for support. Anybody that  
18 gives testimony must complete one of the cards, whether  
19 green for support, red for opposed, white for information.

20 Q. And did you submit a red card in support of SB8?

21 A. No, I did not.

22 Q. I'm sorry. I would just like to rephrase. I think I  
23 read two questions together. So just for the record is  
24 clear, did you support a red card in opposition to SB8?

25 A. We did not.



1 Q. Did you support a green card in support of SB8?

2 A. No, we did not.

3 Q. Did you end up supporting SB8 in other ways?

4 A. Yes. I mean, from the perspective of education and  
5 looking at the map from the perspective of creating a new  
6 district that actually centered communities that have  
7 never been centered in any of the current congressional  
8 districts that they are within. And so when you look at  
9 the district that's created in SB8, the communities across  
10 that district are living in poverty, have poor health  
11 outcomes, lack of access to economic opportunity, similar  
12 hospitals, similar size airports. Like there is this --  
13 there is this opportunity to really center these  
14 communities in a way that they have not had the attention  
15 in the current districts that they exist within.

16 Q. And what were the most important factors that you  
17 considered in deciding to support SB8?

18 A. Again, you know, the opportunity to, one, realize a  
19 second majority-minority district, a district that makes  
20 sense, a district that met the redistricting principles,  
21 and also was fair and equitable. And again, as we looked  
22 at that map and went through that redistricting process,  
23 ultimately that map, it got -- it made it -- it worked.  
24 It worked.

25 Q. Are you aware of amendments to SB8 that would have

1 increased BVAP in both CD-6 and CD-2?

2 A. Yes.

3 Q. Did you support those amendments?

4 A. I did not.

5 Q. why?

6 A. Because, one, it made the map less compact. And then  
7 also, the -- you know, like I think that the idea that we  
8 were going to make the map less compact, to just pick up,  
9 you know, pick up more BVAP didn't really make sense, and  
10 so for us, we did not support the amendments.

11 Q. Do you know what happened to those amendments.

12 A. Yes. They were voted down on the house floor if I'm  
13 not mistaken.

14 Q. We're going to pull up Joint Exhibit 11. I think  
15 we've been looking at this document quite a bit. Do you  
16 recognize this document?

17 A. Yes.

18 Q. And does this look like an accurate version of SB8?

19 A. Yes.

20 Q. What were your impressions about the geography of SB8  
21 when you saw it?

22 A. That, you know, these are -- these are communities  
23 even though, you know, you have north Baton Rouge, which  
24 is probably -- well, North Baton Rouge and Shreveport  
25 which have, you know, strong population, that these are

1 all, again, poor communities that are not -- that have  
2 never benefited from, you know, congressional leadership  
3 that was going to vote on the things that they cared about  
4 and things that matter to them. And so for me, it was  
5 really just an opportunity to see a district that just  
6 made sense in comparison to HB1 that packs Baton Rouge and  
7 New Orleans into the same district.

8 Q. Does Power Coalition organize in communities  
9 throughout CD-6?

10 A. We do -- we have staff throughout -- throughout the  
11 new district before it even was a district. We have  
12 always worked in communities throughout CD-6 and also do  
13 work in other parts of the state. But we have organized,  
14 we have talked to, we have worked with, we have done  
15 "Get Out to Vote." We have done deep listening and we  
16 have done policy work in support of the interests and  
17 voices of those communities.

18 Q. And are you familiar with the term "communities of  
19 interest"?

20 A. I am.

21 Q. And what is your understanding of a community of  
22 interest?

23 A. The things that, you know, bring communities  
24 together, the things that define the passions of a  
25 community, the things that kind of define, you know,

1 define, to them, you know, for themselves what makes their  
2 community unique.

3 Q. How do you think SB8 compared to HB1 along  
4 communities of interest, as you understand them?

5 A. You know, again, as I said, you know, HB1 packed  
6 Baton Rouge and New Orleans into the same district. SB8,  
7 one of the things that I'm really clear about is that,  
8 you know, outside of New Orleans, certainly African  
9 American communities and other communities of color kind  
10 of have the same experience in this state as evidenced by  
11 the fact that when you look at this particular district,  
12 if you look at quality of life indicators, job  
13 opportunities, again hospitals, airports, there's a lot  
14 more similarities than there are with Baton Rouge and the  
15 city of New Orleans. I mean, again, I think that there  
16 is, you know, there's kind of, unfortunately a very  
17 similar experience being experienced by people in CD-6.

18 Q. Do you think Baton Rouge has more in common with New  
19 Orleans or with Alexandria?

20 A. Alexandria.

21 Q. Do you think Baton Rouge has more in common with New  
22 Orleans or Monroe?

23 A. Monroe.

24 Q. Do you think Baton Rouge has more in common with New  
25 Orleans or Lafayette?

1 A. Lafayette.

2 Q. Do you think Baton Rouge has more in common with New  
3 Orleans or Shreveport?

4 A. Shreveport.

5 Q. And why do you give those answers about commonalities  
6 between Baton Rouge and these other parts of the state?

7 A. Because of the -- you know, like, again, for those of  
8 us that work in the state and understand the state and its  
9 demographics and the issues with folks throughout these  
10 communities, again, the issues are the same and their  
11 experience is the same. High electricity bills. Again,  
12 lack access to healthcare, small airports, et cetera. And  
13 New Orleans is much more of a -- you know, it's a historic  
14 city. They have a pipeline of leaders. They have the  
15 first Supreme Court justice seat. They have, you know,  
16 much more of a history of, you know, of leadership and the  
17 ability -- the ability like to hold, you know, to hold  
18 what is now CD-2 wholly to themselves.

19 Q. What was your impression of community sentiment  
20 around SB8 when it was first passed?

21 A. Communities were excited. I mean, I think it was the  
22 opportunity to see their voices realized in a map.

23 MR. TYLER: I'm going to object to hearsay  
24 there.

25 JUDGE SUMMERHAYS: Counsel?

1 MS. THOMAS: She didn't testify to any  
2 statements. I asked her about her impressions. Her work  
3 as an organizer organizing communities. She is here on  
4 behalf of an organizing NGO.

5 JUDGE SUMMERHAYS: As long as we keep it away  
6 from the statements of others --

7 MS. THOMAS: Yes, Your Honor.

8 JUDGE SUMMERHAYS: -- I'll allow it; I will give  
9 some leeway on that.

10 Q. (BY MS. THOMAS) And you mentioned that community was  
11 excited about SB8. Why was community excited about SB8?

12 A. I think after -- again, after kind of moving and  
13 watching this process over the last two and a half years,  
14 community was really clear that this was an opportunity  
15 again to have their voices centered in a congressional  
16 district and as well as it establishing a second  
17 majority-minority district.

18 Q. What are the current impressions of the community?  
19 What are your impressions about community sentiment around  
20 SB8 currently?

21 A. I think communities are waiting to see. I think, me  
22 personally, as well as our organization, we do voter  
23 education and voter information. And so as we prepare for  
24 the 2024 elections, you know, there are so many questions  
25 around like what district do people live in? Is the

1 CERTIFICATE OF OFFICIAL REPORTER  
2

3 I, DIANA CAVENAH, RPR, Federal Official Court  
4 Reporter, in and for the United States District Court for  
5 the Western District of Louisiana, DO HEREBY CERTIFY that  
6 pursuant to Section 753, Title 28, United States Code,  
7 that the foregoing is a true and correct transcript of the  
8 stenographically-reported proceedings held in the  
9 above-entitled matter and that the transcript page format  
10 is in conformance with the regulations of the Judicial  
11 Conference of the United States.  
12

13 /s/ Diana Cavenah  
14 DIANA CAVENAH, RPR  
15 Federal Official Court Reporter  
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1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF LOUISIANA  
3 MONROE DIVISION

4 PHILLIP CALLAIS, LLOYD PRICE, )  
5 BRUCE ODELL, ELIZABETH ERSOFF, )  
6 ALBERT CAISSIE, DANIEL WEIR, )  
7 JOYCE LACOUR, CANDY CARROLL )  
8 PEAVY, TANYA WHITNEY, MIKE )  
9 JOHNSON, GROVER JOSEPH REES, )  
10 ROLFE MCCOLLISTER, )

11 Plaintiffs, )

12 VS. )

13 NANCY LANDRY, in her official )  
14 capacity as Secretary of State, )

15 Defendant. )

Civil Action  
No. 3:24-cv-00122

16 PRELIMINARY INJUNCTION HEARING  
17 CONSOLIDATED WITH BENCH TRIAL  
18 OFFICIAL TRANSCRIPT OF PROCEEDINGS, VOLUME III  
19 BEFORE THE HONORABLE CIRCUIT JUDGE CARL E. STEWART  
20 THE HONORABLE DISTRICT JUDGE DAVID C. JOSEPH  
21 AND THE HONORABLE DISTRICT JUDGE ROBERT R. SUMMERHAYS  
22 APRIL 10, 2024  
23 SHREVEPORT, LOUISIANA

24 DIANA CAVENAH, RPR  
25 FEDERAL OFFICIAL COURT REPORTER  
300 FANNIN STREET, SUITE 4203  
SHREVEPORT, LOUISIANA 71101  
(318) 934-4754



1 terms of what they wanted to see in the redistricting  
2 process. So I was very involved in that. And once we  
3 started the special session again, I was in every  
4 committee meeting because I was vice chair of the  
5 committee. So every bill that was filed and heard on the  
6 House side, I was very involved in that. So a lot of time  
7 was spent there.

8 Q. And going back to the roadshows that you mentioned,  
9 what was your reason for attending those roadshows?

10 A. So the roadshows are something that are done in every  
11 redistricting process. It was my first time doing it and  
12 it was our opportunity -- it was our -- the purpose of the  
13 roadshows was to give the public an opportunity to share  
14 their thoughts and what they wanted to see in  
15 redistricting. So my job -- I viewed my job as going in  
16 and listen, to listen to the people of Louisiana, and what  
17 they wanted to see from the redistricting process.

18 Q. And you also mentioned that you were the vice  
19 chair --

20 A. Yes.

21 Q. -- of the House and Governmental Affairs Committee.  
22 And so, could you describe a little bit what role you  
23 played as the vice chair?

24 A. So I was -- I worked very closely with the chairman.  
25 I'm a -- you know, because things are partisan, I guess

1 you could say, in the Legislature, you know, I'm a  
2 registered Democrat, so, I guess, you could say I was a  
3 ranking member for the Democrats on that committee. Also  
4 a member of the Black Caucus, so I had a leading role in  
5 that -- in that effort.

6 Q. And we're still talking about that early 2022  
7 session. What did you hope that the Legislature would do  
8 in creating a congressional map?

9 A. That we would draw a map that was fair, that we would  
10 draw a map that would reflect the State, and that we would  
11 draw a map that the people of Louisiana wanted to see.  
12 And everything that I gathered from the roadshows was that  
13 people wanted to see a map that was compliant -- well, not  
14 that they wanted to see a map, but that we needed to draw  
15 a map that was compliant with the Voting Rights Act.  
16 That's what I wanted us to do.

17 Q. Do you recall whether there were bills introduced  
18 during that first session that included two majority black  
19 districts?

20 A. Yes.

21 Q. And were any of those proposed plans with two  
22 majority black districts passed by your committee?

23 A. No, they were all voted down.

24 Q. And was there a different bill from that session that  
25 was adopted by the Legislature?

1 A. Yes.

2 Q. And are you okay with us calling that bill "HB1"?

3 A. Sure. I don't have a problem with it. I just don't  
4 remember the bill number.

5 Q. And do you recall how many majority black districts  
6 HB1 had?

7 A. Just one.

8 Q. Do you know whether that bill was adopted over a  
9 Governor's veto?

10 A. I believe -- yes. Yes. I believe that that original  
11 one that was passed was vetoed by the Governor.

12 Q. And so the bill was enacted?

13 A. Yeah, then it was enacted. Yeah. Uh-huh.

14 Q. And the Governor at the time was -- was that  
15 Governor Edwards?

16 A. Yes. Uh-huh.

17 Q. Are you familiar with the Robinson litigation?

18 A. Somewhat, yes.

19 Q. And so at a very high level, can you describe what  
20 happened in that case?

21 A. That lawsuit was brought after the map we just talked  
22 about was enacted as not being in compliance with the  
23 Voting Rights Act. So the judge -- the Court in that  
24 litigation ruled that the map was not compliant with the  
25 Voting Rights Act and eventually, after a lot of

1 litigation, ordered us back to the Legislature to draw a  
2 map that was compliant with the Voting Rights Act.

3 Q. So going back in time, after the first district court  
4 decision, do you recall whether there was a special  
5 session that was called to address redistricting around  
6 June 2022?

7 A. Yes.

8 Q. And did that session adopt a new map?

9 A. No.

10 Q. And do you have an understanding of why not?

11 A. Well, I remember we were there for a limited number  
12 of days. We had a limited number of days in which to do  
13 it. Ultimately no map was adopted from what I recall and  
14 I don't know the reason as to why we did not adopt a map,  
15 but we didn't.

16 Q. Were any of the maps proposed during that session  
17 maps that contained two majority black districts?

18 A. Yes.

19 Q. But none of those maps were adopted?

20 A. That's correct. I actually filed one, but none of  
21 those maps were adopted.

22 Q. So the bill that you filed, did that have two  
23 majority black districts?

24 A. Yes, it did.

25 Q. And did you believe at the time that your bill

1 complied with traditional redistricting principles?

2 A. Yes. Based on what I knew of redistricting  
3 principles and its compliance with the Voting Rights Act,  
4 yes, I do believe that.

5 Q. And so could you describe a little bit about what you  
6 knew about redistricting principles?

7 A. Yes. So one of the biggest takeaways that I learned  
8 as it relates to the Voting Rights Act was that if we, as  
9 a legislature could show or had the opportunity to draw a  
10 map where black voters could elect the candidate of their  
11 choice, then we had -- then we had an obligation to do  
12 that under the Voting Rights Act. And then there were  
13 other principles that were also pretty critical around  
14 compactness, contiguity, the number of split parishes,  
15 et cetera. So -- and the main driving force was  
16 communities of interest, so those were the factors that we  
17 all took into consideration.

18 Q. So moving forward to 2024, were you a member of the  
19 legislature during this most recent 2024 special session  
20 on redistricting?

21 A. Yes, I was.

22 Q. And were you in the Senate at that point?

23 A. Yes.

24 Q. And what, if anything, did you hope that the  
25 Legislature would do during that session?

1 A. My hope was that we would finally do what we was  
2 supposed to do from the beginning, which was to adopt a  
3 map that was compliant with the Voting Rights Act, to  
4 adopt a map that was fair, and to finally put an end to  
5 this litigation.

6 Q. Now, of your colleagues that were in the Senate  
7 during the 2024 special session, do you have a general  
8 sense of how many had been in the Legislature for the  
9 first redistricting session in January 2022?

10 A. I don't know the number, but I am pretty confident  
11 that it was the majority of members.

12 Q. What about that June 2022 session?

13 A. I would say the majority of the members who were  
14 there during the June session were also there during the  
15 original session, but I don't know the number.

16 Q. Did you attend Governor Landry's address to convene  
17 the 2024 session?

18 A. Yes, I did.

19 Q. And based on what you heard from the Governor, what  
20 did you understand to be his goal for that special  
21 session?

22 A. It was to put an end to the litigation and adopt a  
23 map that was compliant with the Judge's order.

24 Q. And Governor Landry represented -- strike that.  
25 Governor Landry was the Attorney General before he was

1 Governor; is that your understanding?

2 A. Yes.

3 Q. And do you know if he had any involvement in the  
4 Robinson litigation?

5 A. As Attorney General, my understanding is that he  
6 defended the State during that litigation, or represented  
7 the State, defended the State.

8 Q. So what role did you play in the 2024 redistricting  
9 session?

10 A. So my role was a little different in the 2024  
11 redistricting session because I was not a member of the  
12 redistricting committee, just one of 39 members. I had an  
13 opportunity to vote, like the rest of my colleagues, but I  
14 wasn't a member of the committee.

15 Q. Would you say that you were an active participant in  
16 the session?

17 A. Active to the extent that I did co-author a map and I  
18 did present on that map in the Senate Governmental Affairs  
19 Committee. So, yeah, I would say I was probably more  
20 active than any other colleagues who didn't file a map,  
21 yeah.

22 Q. So you mentioned that you introduced a bill during  
23 the 2024 session. Is it okay if I refer to that bill as  
24 "SB4"?

25 A. Yes.

1 Q. Did you get an impression, based on those  
2 conversations, of why they supported your bill?

3 A. Because they don't --

4 MR. GREIM: Objection, Your Honor. I don't  
5 think we have -- I think we got hearsay here. We haven't  
6 laid a foundation that it's being used for anything other  
7 than the truth of the matter.

8 JUDGE JOSEPH: Can you rephrase the question?

9 MS. MCTOOTLE: Sure.

10 Q. (BY MS. MCTOOTLE) You mentioned that you spoke with  
11 legislators who supported your bill; is that correct?

12 A. Yes.

13 Q. And do you have any belief about why they supported  
14 your bill?

15 MR. GREIM: Your Honor, I think, again, I am  
16 going to object. It's calling for hearsay.

17 JUDGE JOSEPH: I do want to give some latitude  
18 for this witness to discuss what -- his view of what  
19 happened in the Senate was during this process, but is  
20 there any -- other than the fact that what other  
21 legislators told us as true, what's the relevance of that,  
22 of those discussions?

23 MS. MCTOOTLE: It goes to just his general state  
24 of mind throughout the legislative process. It goes to  
25 his -- it's relevant his background for the process of



1 leading up to.

2 JUDGE JOSEPH: I'll allow it. Go ahead,  
3 Mr. Senator.

4 THE WITNESS: What I can say is that there were  
5 conversations, both informal and formal. Because during  
6 the presentation of the bill in committee, that was an  
7 opportunity for those who supported the map to actually  
8 take a vote on it. So I took their vote yes -- those who  
9 voted yes for the map as a sign of support. Although it  
10 didn't get enough votes to get out of committee, those  
11 members who voted yes for the bill was an indication to me  
12 that they supported the map.

13 MS. MCTOOTLE: Thank you.

14 Q. (BY MS. MCTOOTLE) And so what ultimately happened  
15 with SB4?

16 A. SB4 was voted down in committee.

17 Q. Was there a bill that ultimately was enacted?

18 A. Yes.

19 Q. And what bill was that?

20 A. That was a bill that was authored by Senator Glen  
21 Womack.

22 Q. And are you okay if I refer to that bill as "SB8"?

23 A. Yes.

24 Q. Great. Were there any differences between your bill  
25 and SB8?

1 A. There were.

2 Q. Can you talk a little bit about those differences?

3 A. So with each bill that gets drafted and filed, there  
4 is a lot of -- a lot of information, a lot of data, that  
5 describes each District 1 through 6. A lot of information  
6 on parishes, precincts, race, gender, party registration,  
7 you name it. I mean, it's a lot of information.

8 I recall the numbers being very similar. The main  
9 difference between the two maps, that I recall, was just  
10 the geographic design of the map, if you will. The map  
11 that I co-authored with Senator Price, the second  
12 majority black district went from Baton Rouge up to  
13 northeast Louisiana, the Monroe area. The map that  
14 Senator Womack authored went from Baton Rouge to the  
15 northwest area of the State up to the Shreveport area.  
16 And that was the only difference that I could point out or  
17 remember in the two maps.

18 Q. Did you have any opinion about whether SB8 would  
19 pass, whether it would be enacted?

20 A. I believed that it would.

21 Q. And why was that?

22 A. So as a member of the Legislature and sometimes just  
23 as a member of the general public, if you are listening to  
24 conversations, or if you are just paying attention, it was  
25 common knowledge in the Legislature that that was the map

1 that Governor Landry would support. He clearly expressed  
2 that he was going to support a map to resolve the  
3 litigation. And then Senator Womack filed a map and  
4 that -- it became clear that that was the map that  
5 Governor Landry would support and that the majority --  
6 not all, but the majority of the Legislature would also  
7 support.

8 Q. How much influence did you understand the Governor to  
9 have with respect to the passage of SB8?

10 A. Newly-elected Governor, first session, literally his  
11 first session after coming off of an election with no  
12 runoff, pretty strong politically, in a legislature where  
13 two-thirds of vote chambers share his party affiliation, I  
14 would say that his support would have a lot of influence  
15 on what does and doesn't get passed.

16 Q. And so you mentioned the difference in configuration  
17 between your Bill SB4 and SB8. Did you have any  
18 impression about any rationale behind those different  
19 configurations?

20 A. So during the whole time I spent in redistricting,  
21 you don't have to be a redistricting expert to know that  
22 any time a new map is drawn, it's kind of like playing  
23 musical chairs. There is going to be someone who is  
24 negatively impacted from an incumbency standpoint. And of  
25 the six congressional districts, the question was always

1 if there was going to be a second majority black district  
2 drawn, who would be negative -- who would be most  
3 negatively impacted by this if we are -- again, we have --  
4 a new map has to be drawn. So I believe that ultimately  
5 played into what map the Legislature chose to support.

6 Q. Did you hear anything based on your experience during  
7 the redistricting sessions about Representative Graves'  
8 seat in relation to support or not for SB8?

9 MR. GREIM: Your Honor, I object. This is  
10 calling for hearsay without the proper foundation for how  
11 it impacted this witness's actions.

12 JUDGE JOSEPH: Can you lay a foundation?

13 MS. MCTOOTLE: Yes. I'll rephrase.

14 Q. (BY MS. MCTOOTLE) So I would like to read you  
15 something that you said on -- during one of the  
16 legislative debates. Is that all right?

17 A. Yes.

18 MR. GREIM: Your Honor, I object to this. I  
19 think we have to first lay a foundation that the witness  
20 can't remember something before we start reading the  
21 witness's own words back to them on direct.

22 JUDGE JOSEPH: well, I think it's fine to read a  
23 public statement that he made in the Legislature and then  
24 ask him follow-up questions on that, on what he meant by  
25 that. That's fine.

1 MS. MCTOOTLE: Thank you.

2 Q. (BY MS. MCTOOTLE) You stated --

3 MS. MCTOOTLE: And, Your Honors, I'm referring  
4 to RI 15, page 9, which has already been admitted into  
5 evidence.

6 Q. (BY MS. MCTOOTLE) You stated, "We've heard a lot from  
7 Chairman Womack and my colleague Senator Stine about the  
8 importance of protecting certain elected officials."  
9 Do you recall making that statement?

10 A. Yes.

11 Q. What were you referring to when you said "the  
12 importance of protecting certain elected officials"?

13 A. Right. So going back to my earlier comment about the  
14 redistricting process and as it relates to incumbency,  
15 there will be someone who is negatively impacted, so the  
16 choice had to be made -- the political decision was made  
17 to protect certain members of congress and to not protect  
18 one member of congress and it was clear that that member  
19 was going to be Congressman Garret Graves.

20 Q. Thank you. Did you ultimately vote in favor of SB8?

21 A. Yes.

22 Q. And why did you vote in favor of SB8?

23 A. Because as I mentioned earlier -- when I looked at  
24 the numbers, I thought they were pretty similar, and I  
25 believe that it actually complied with the Voting Rights

1 Act. I believe that it met the criteria that we were  
2 ordered to meet by the Court. And I believe that it was a  
3 fair map, that the people of Louisiana would be satisfied  
4 with, based on all the time I spent on the road and people  
5 saying repeatedly that they wanted to see a map that gave  
6 voters the opportunity to elect their candidate of choice.  
7 And I believe we had a map, although it wasn't the map  
8 that I introduced, it still met the principles of what we  
9 were there to do.

10 Q. And so you mentioned earlier that after the  
11 January 2022 session and after the June 2022 session, that  
12 the Legislature did not adopt any maps with two majority  
13 black districts; is that correct?

14 A. June 2022?

15 Q. Yeah.

16 A. Correct. We did not -- we did not adopt a map during  
17 that special session.

18 Q. So what was your understanding of the shift and --  
19 strike that. What was your understanding of why the  
20 Legislature was likely to pass a map with two majority  
21 black districts?

22 A. To me it appeared as though the majority of the  
23 Legislature and the newly-elected governor realized we had  
24 come to the end of the road, that based on litigation that  
25 was going on at the U.S. Supreme Court, litigation at the

1 U.S. Fifth Circuit Court of Appeals, that there was -- we  
2 had to draw a map that was compliant with the Voting  
3 Rights Act, and that is what basically forced members who  
4 previously did not support that and may not still want to  
5 see that, but they knew we had to comply with the Voting  
6 Rights Act.

7 Q. So we've talked a little bit about compliance with  
8 the Voting Rights Act. Would you say that was one of your  
9 reasons for supporting SB8?

10 A. Yes.

11 Q. And did your belief about SB8 and the Voting Rights  
12 Act, in part, rely on your prior experience as the vice  
13 chair of the House and Governmental Affairs Committee  
14 dealing with redistricting issues?

15 A. Yes.

16 Q. Was it based on anything else?

17 A. It was based on -- you know, my understanding of what  
18 I was able to learn about the Voting Rights Act and what's  
19 required under Section 2, it was based upon just my life  
20 experience, you know. It was based on what I heard  
21 traveling the state, where people showed up to those  
22 roadshows and consistently said that they wanted to see  
23 fair maps drawn. They wanted to see maps that they felt  
24 they could elect somebody that shared their values, that  
25 shared their -- that shared their interests on a multitude

1 of issues, and I believe that that's -- that's what we  
2 were doing. So that's what largely influenced my thinking  
3 and my decision-making as it pertains to the redistricting  
4 process.

5 Q. At the time that you voted for SB8, did you believe  
6 that it would give black voters the opportunity to elect  
7 their candidate of choice?

8 A. Yes.

9 Q. And as a public leader, what did it mean to you that  
10 the Legislature enacted SB8?

11 A. It was an incredibly proud moment. Of course, I wish  
12 it didn't take as much time as it did. I wish we didn't  
13 have to be forced to do it by the federal government or  
14 the federal courts rather. But it was also a sign, an  
15 indication, that we can do the right thing. And it was  
16 always very clear that a map with two majority black  
17 districts was the right thing. It wasn't the only thing,  
18 but it was a major component to why we were sent there to  
19 redraw a map. So that voters in Lake Charles or voters in  
20 Alexandria or voters in Monroe, Shreveport, wherever they  
21 live, feel like there is a map that's fair based upon the  
22 diversity and the makeup of this state. Again, not just  
23 racial diversity, but the diversity of interests that we  
24 share, and congressional representation is a big part of  
25 that. So I think it was a big deal for our state to make



1 on the -- I wasn't on the committee as a member in the  
2 Senate, but I tried to watch the hearings as much as  
3 possible. I did -- I did bring a bill, so I spent some  
4 time in the committee. But most of the public input that  
5 I can recall, most was all the support of this map. If  
6 there was any opposition, it was -- it just seemed to be  
7 real disconnected. I just recall it being overwhelming  
8 support.

9 Q. (BY MR. GORDON) And would public support for a bill  
10 be part of your consideration to whether to vote for or  
11 against a bill?

12 A. Absolutely.

13 Q. And would that also inform your political calculus as  
14 to vote for or against a bill?

15 A. Yes.

16 Q. Because, I mean, these would be your constituents --

17 A. Yes.

18 Q. -- essentially? You made several references to  
19 litigation sort of driving the process. Do I remember  
20 that correctly?

21 A. Well, litigation was a big piece of all this. I  
22 believe litigation is what led us back to all the special  
23 sessions that we ended up having after the first session.

24 Q. And are you referring to the Robinson litigation when  
25 you make those comments?

1 A. Yes.

2 Q. And what was your understanding of the Robinson  
3 litigation?

4 A. Plaintiffs filed suit contesting the original map  
5 that was adopted, that it was not compliant with the  
6 Voting Rights Act. And then we were ordered by the Court  
7 to go back and draw a fair map that was compliant with the  
8 Voting Rights Act, a map that had two majority black  
9 districts and a map that gave black voters in the state of  
10 Louisiana the opportunity to elect their candidate of  
11 choice.

12 Q. And are you aware of the process that courts use when  
13 they're evaluating these maps?

14 A. No, not -- not -- Court's process? I can't -- I'm  
15 not sure I can speak to that.

16 Q. Fair enough. And then sort of just the final --  
17 your final button on this, you voted for SB8; is that  
18 right?

19 A. Yes.

20 Q. And do you support SB8?

21 A. Yes.

22 Q. And you would like to see the current map remain the  
23 current map?

24 A. Yes.

25 Q. Thank you.

1 JUDGE JOSEPH: Cross-examination.

2 CROSS-EXAMINATION

3 BY MR. GREIM:

4 Q. Good morning --

5 A. Good morning.

6 Q. -- Senator. My name is Eddie Greim and I represent  
7 the Plaintiffs in this case. Nice to meet you.

8 A. Good morning. Nice to meet you.

9 Q. You testified a few moments ago that Lake Charles and  
10 Monroe would now be represented with the new map. Do you  
11 recall that testimony?

12 A. Yes. And I was speaking just generally --

13 MS. MCTOOTLE: Objection.

14 A. -- but yes, I was just kind of speaking in  
15 generalities about it.

16 JUDGE JOSEPH: what's the objection?

17 MS. MCTOOTLE: Objection. It mischaracterizes  
18 his testimony.

19 JUDGE JOSEPH: I think he said that. He is  
20 explaining what he said. Overruled.

21 THE WITNESS: Yeah. Can I explain what I meant?

22 Q. (BY MR. GREIM) Sure.

23 A. I remember being in Lake Charles on the Roadshow and  
24 I remember a gentleman -- they had been hit really, really  
25 bad by a hurricane several years ago. And I remember a

1 delegation? Any familiarity with them?

2 A. I know just about all of them.

3 Q. Can you walk me through each? Let's start with  
4 District 1.

5 A. Yes. I met Congressman Scalise when he was in the  
6 State Senate and I was advocating in the early 2000s. I  
7 have known Senator -- excuse me -- Congressman Carter  
8 since he was in the State Senate. We have worked on  
9 bills together. We have had social gatherings together  
10 many occasions. Congressman Higgins represents most of my  
11 family since I'm from Calcasieu Parish in Southwest  
12 Louisiana and so we've had a few interactions in meetings  
13 with his office and with him. I met Congressman Johnson  
14 or Speaker Johnson, I should say, when he was elected to  
15 the State House of Representatives. I have known  
16 Congresswoman Letlow from her time working at the  
17 University of Louisiana Monroe while I worked at the --  
18 served on the board at the University of Louisiana system,  
19 which governs and oversees the University of Louisiana  
20 Monroe and I was friends with her late husband,  
21 Congressman Luke Letlow. And then Congressman Graves, I  
22 have known since he was at CPRA and he is a neighbor, so I  
23 see him every once in a while walking the dogs in the  
24 morning.

25 Q. Have you followed the redistricting process since the

1 2020 census at all?

2 A. I have.

3 Q. Have you been involved in any redistricting processes  
4 prior?

5 A. Yes. I advocated in the 2010 redistricting process.

6 Q. And can you expand upon the nature of your  
7 involvement in that redistricting process?

8 A. Yes. I was an advocate at the time, just advocating  
9 and researching. I was still in undergrad, and so I wrote  
10 some papers specifically on redistricting and that process  
11 that was going on at the Louisiana Legislature.

12 Q. For this more recent process, were you at the  
13 Capitol for any of the sessions regarding redistricting  
14 following the 2020 census?

15 A. I was at all of them.

16 Q. In the First Extraordinary Session of 2022, do you  
17 recall any maps filed that created an additional  
18 majority black district?

19 A. I do.

20 Q. Do you have a ballpark estimate of how many?

21 A. There were many. I would say at least six plus.

22 Q. And do you recall any amendments to the bill that was  
23 ultimately enacted that would have also created a second  
24 majority black district?

25 A. I do.

1 Q. Did you form any impressions of those maps?

2 A. Yes.

3 Q. What rubric did you use to form your impressions?

4 A. I looked at a variety of things. I tried to ground  
5 myself in, as a nerd, in the rules of the Legislature and  
6 the Voting Rights Act, looking at what redistricting  
7 should be, so I studied a lot using Dave's Redistricting  
8 and following the process in other states and how they did  
9 so. But I particularly was interested in compactness,  
10 communities of interest, ensuring that we weren't packing  
11 and cracking certain districts to achieve certain goals.  
12 And so it was kind of a variety of places and information  
13 that I had gathered over the years that I kind of brought  
14 into my evaluation.

15 Q. Do you believe any of those maps introduced in that  
16 2020 session complied with the Voting Rights Act?

17 MR. TYLER: Judge, we're going to object to this  
18 line of questioning. This is expert testimony that we  
19 have heard a lot of through this case and the witness has  
20 not been established as an expert.

21 JUDGE STEWART: He hadn't been asked an opinion  
22 yet.

23 JUDGE JOSEPH: I think he is being asked a legal  
24 opinion, isn't he?

25 MR. TYLER: Asking for his legal opinion, yes.

1 A. It was the concluding day or better known as *sine*  
2 *die*, so we still had some bills to be passed. And as we  
3 were waiting for some of the final bills -- I can't  
4 remember if it was the budget or capital outlay bill -- we  
5 had received notice of the Supreme Court's ruling.

6 Q. And what was your impression of what that ruling  
7 meant for the path forward here in Louisiana?

8 MR. TYLER: Objection. Calls for a legal  
9 conclusion.

10 JUDGE JOSEPH: Sustained.

11 Q. (BY MS. WENGER) what were your sentiments that day?

12 A. I was happy. I mean, I had seen, as an observer and  
13 I like to say a lay lawyer since I'm not a lawyer, but I  
14 like to read case law and follow the Supreme Court, it was  
15 a very joyous and happy moment to see that the Court had  
16 did something that I thought it should have done and I  
17 agreed with their ruling.

18 Q. Were you the only one celebrating that day?

19 A. Oh, no.

20 Q. Who else was?

21 A. I mean, multiple people. I mean, legislators,  
22 advocates. As I said, we were all at the Capitol for the  
23 conclusion of the day, and there is typically a  
24 legislative *sine die* party where both parties and all  
25 advocates and lobbyists come together. It was a day of a

1 lot of social interaction and so a lot of happy faces  
2 around the Capitol.

3 Q. Any not-so-happy faces?

4 A. I don't think so. I think there was some confused  
5 faces, but I wouldn't say some people were -- were  
6 frowning.

7 Q. All right. Let's talk about the January 2024  
8 First Extraordinary Session. Did you engage in any  
9 lobbying during that session?

10 A. Yes.

11 Q. And what was the purpose of that session?

12 A. That was a redistricting session following the Court.

13 Q. Was there any bill that you supported most during  
14 that session?

15 A. Yes. Senate Bill 4.

16 Q. Why was that?

17 A. Senate Bill 4 was a map that had been in existence  
18 since the start or a version of a map that had been in  
19 existence since redistricting. And looking at it with all  
20 the criteria that I have studied and talking with fellow  
21 Plaintiffs, it was the map that I thought was the most  
22 viable path to accomplish the goal that we had set out.

23 Q. And what about SB4, if anything else, made you feel  
24 like it was the most viable map?

25 MR. TYLER: Objection. Calls for a legal



1 conclusion.

2 JUDGE JOSEPH: Can you rephrase the question?

3 MS. WENGER: I don't mean "viable" legally. I  
4 mean viable in the political process at the Legislature.

5 JUDGE JOSEPH: Overruled.

6 THE WITNESS: Well, one, it did the least  
7 disruption to the existing congressional district. So  
8 when you looked at -- I mean, just the eyeball test, it  
9 did not fundamentally alter the congressional map in such  
10 a way. It also provided, I thought, keeping communities  
11 of interest, that had already been together, a part of it,  
12 and it just followed all of the principles that we had  
13 identified and outlined that we wanted to see in  
14 redistricting.

15 Q. (BY MS. WENGER) Did you sign on to any written  
16 testimony in support of SB4?

17 A. I did.

18 Q. I would like to pull up Robinson Exhibit 275.  
19 Commissioner Lewis, do you recognize this letter?

20 A. I do.

21 Q. What is it?

22 A. It is a letter that was sent to the committee of  
23 Senate Governmental Affairs right at the beginning of the  
24 special session about our support for Senate Bill 4 or any  
25 map that created two minority-majority districts.

1 page 4. In the last paragraph, if we can zoom in, it  
2 states, "The federal courts have been clear that the  
3 Robinson Plaintiffs' Section 2 claims are well supported,  
4 and resolution is necessary this year. Passing SB4 or  
5 another VRA-compliant map would ensure that nearly two  
6 years of costly, taxpayer-financed litigation can finally  
7 conclude." Do you recall that representation,  
8 Commissioner Lewis?

9 A. I do.

10 MS. WENGER: At this time I would like to move  
11 for the admission of Robinson Exhibit 276.

12 MR. TYLER: Same objection.

13 MR. BOWEN: No objection.

14 JUDGE JOSEPH: Let me confer with my colleagues  
15 on that as well. Hold on.

16 The one difference I think in this letter and the  
17 other one is this one is actually signed by counsel for  
18 the Robinson intervenors, and it is advocating their  
19 position in the Robinson litigation. However, we will  
20 admit it into evidence and give it the weight it deserves.

21 MS. WENGER: Thank you, Your Honors.

22 Q. (BY MS. WENGER) Commissioner Lewis, what was your  
23 recollection of the reactions you received from  
24 legislatures to that letter from plaintiffs like yourself?

25 A. That they were interested to hear where the

1 plaintiffs stood as most took the impression that we were  
2 only in the special session because of litigation, and so  
3 they were really interested to see what our thoughts would  
4 be on potentially ending that litigation.

5 Q. Did that inform your perceptions of how they felt  
6 about Senate Bill 4 or, quote, "another VRA-compliant  
7 map"?

8 A. Yes.

9 MS. WENGER: We can take that one down.

10 Q. (BY MS. WENGER) who sponsored Senate Bill 4?

11 A. It was sponsored by Senator Ed Price and Senator  
12 Royce Duplessis.

13 Q. Did any House member sponsor a similar version of  
14 that same map?

15 A. Yes. Representative Denise Marcelle had a map on the  
16 House side.

17 Q. How many majority black districts were in the map?

18 A. Two.

19 Q. Who currently represents those districts?

20 A. It would be Congressman Carter and Congresswoman  
21 Letlow.

22 Q. Did you offer any oral testimony in support of SB4?

23 A. I did.

24 Q. What or who prompted you to testify when you did?

25 A. After the bill was presented by the authors,

1 Senator Fields, as the chairman, recognized the plaintiffs  
2 who were present. There was about four of us. And he  
3 called us to the witness table to make statements and  
4 there gave testimony in support of Senate Bill 4.

5 Q. Do you remember who those other plaintiffs were?

6 A. I believe it was Dr. Nairne and Mr. Robinson and I  
7 believe Mr. Cage.

8 Q. When did that meeting take place? Do you recall?

9 A. That took place on Tuesday. So, I guess, that would  
10 have been January 16th. I vividly remember it, because it  
11 was an ice storm and all the state government and state  
12 buildings had closed for the day. And I was, as a  
13 utility commissioner, really worried about power outages,  
14 and so I kind of very much remember that day.

15 Q. Do you recall if Ashley Shelton was there with you?

16 A. She was.

17 Q. Do you recall if she testified?

18 A. I believe she did, yes.

19 Q. Can you describe the meeting? For example, who else  
20 was in the room?

21 A. Yeah. I would say for a day where all State  
22 buildings were closed, it was a pretty packed committee  
23 hearing. About 50 to 60 people. There were advocates  
24 from across the State that had been present that I knew  
25 of. Quite a lot of journalists were in the room. A few

1 of the lobbyists. So for a cold and icy Tuesday morning,  
2 it was a very packed room.

3 Q. And any familiar faces on the committee?

4 A. Yes, I knew the entire committee.

5 Q. And why was that?

6 A. I had worked with them, because they all either  
7 served in the Legislature or previously served in the  
8 Legislature.

9 Q. Any former House members?

10 A. Yes. Senator Miguez, Senator Jenkins were two House  
11 members who are now on Senate Governmental Affairs that I  
12 had worked with for over eight years on the House side.

13 Q. Do you recall if either of them had also served on  
14 House and Governmental Affairs?

15 A. Senator Jenkins did.

16 Q. Had you testified in front of members of the Senate  
17 and Governmental Affairs Committee meeting? And I mean  
18 those individual members in that room that day before?

19 A. Yes.

20 Q. During the prior redistricting processes?

21 A. Yes.

22 Q. And had you been present when they received any  
23 briefing on redistricting principles in the past?

24 A. Yes.

25 Q. How about the Voting Rights Act?

1 A. Yes.

2 Q. Who did they receive that briefing from?

3 A. Typically it was from Trish Lowrey, who is one of the  
4 staff attorneys on House Governmental Affairs, and then  
5 Dr. Bill Blair, who is the Senate demographer.

6 Q. About how much experience do you understand  
7 Ms. Lowrey to have?

8 A. Years. She had been there when I started as a young  
9 child, so, I mean, I would say at least 15 years plus.

10 Q. Did that include any prior redistricting processes?

11 A. Yes.

12 Q. Did SB4 make it out of committee that day?

13 A. No.

14 Q. How did the vote come down?

15 A. It came down on party lines. So all Democrats voted  
16 for it. All Republicans voted against it.

17 Q. Did any congressional redistricting bills get out of  
18 committee that day?

19 A. Yes. Senate Bill 8.

20 Q. All right. Let's shift and talk about Senate Bill 8.  
21 When did you first see Senate Bill 8?

22 A. Senate Bill 8 was released publicly after the  
23 Governor's State of the State Address on January 15th.  
24 Typically, we see bills prefiled before the gaveling in of  
25 the session, but this was one of the rare occasions where

1 the bill dropped after the session had started.

2 Q. Let's pull up that original version of the bill,  
3 Joint Exhibit 11. Can we go to page 16.

4 Is this your recollection of the map as filed?

5 A. Yes.

6 Q. From your understanding, how many majority black  
7 districts were in SB8?

8 A. Two.

9 Q. And do you recall any amendments being adopted on the  
10 map in Senate and Governmental Affairs that day?

11 A. I do.

12 Q. And what do you recall of those amendments?

13 A. It was an amendment by Senator Heather Cloud. She  
14 represents a part of central Louisiana, and she had some  
15 concerns, I want to say, about Avoyelles Parish that she  
16 represents in the State Senate and their continuous  
17 representation in Congresswoman Letlow's district, and so  
18 she was offering an amendment to fix those concerns from  
19 her constituents.

20 JUDGE JOSEPH: You had --

21 MR. TYLER: Objection. Hearsay.

22 JUDGE JOSEPH: -- a hearsay objection? I don't  
23 think it's being offered for the truth of those words as  
24 much as that was why she was offering the amendment.  
25 Correct?

1 THE WITNESS: Yes, sir.

2 JUDGE JOSEPH: All right. Overruled.

3 Q. (BY MS. WENGER) And would her statements end up in  
4 the official video recorded of that meeting?

5 A. Yes.

6 Q. And any transcription of it?

7 A. Yes.

8 Q. Let's pull up Robinson Exhibit 42. This I believe  
9 was admitted yesterday. Do you understand this to be the  
10 amendment that Senator Cloud supported in committee?

11 A. Yes.

12 Q. What was the impact of this amendment?

13 A. As I stated, the impact was to shift some voters  
14 outside, out of Avoyelles Parish, from District 6 into  
15 District 5.

16 Q. Did it increase any parish splits?

17 A. I believe it did one.

18 Q. What did you understand as the driving function of  
19 that split?

20 A. It was to have her constituents be represented by  
21 Congresswoman Letlow.

22 Q. Why did you understand Congressman Letlow to be  
23 important to Senator Cloud?

24 MR. TYLER: Objection. Calls for speculation  
25 and hearsay.



1 JUDGE JOSEPH: Sustained.

2 MS. WENGER: We can move along.

3 Q. (BY MS. WENGER) Was this amendment adopted in  
4 committee?

5 A. It was.

6 Q. And was it reflected in the engrossed version of the  
7 map that crossed over to the House?

8 A. It was.

9 Q. Which congress members currently represent the  
10 majority black districts contained in any of the versions  
11 of SB8?

12 A. It would have been Congressman Carter and Congressman  
13 Graves.

14 Q. Do you recollect any other bills that had previously  
15 been introduced during the earlier redistricting processes  
16 or this one that created a new majority black district in  
17 District 6 where Congressman Graves serves?

18 A. I think only one.

19 Q. Did the configuration of Senate Bill 8 surprise you  
20 at all?

21 A. I had a mixed view of it. I was interested to see  
22 what the Governor was proposing once he said he had a map  
23 and that Senator Womack would carry it, but once I started  
24 to really drill into the bill and look at it, as us  
25 legislative nerds do when bills drop, it did not surprise

1 me when I especially looked at East Baton Rouge Parish and  
2 what had been done there.

3 Q. What had been done there?

4 A. Well, in East Baton Rouge Parish, you have seen that  
5 there were some changes, especially around my neighborhood  
6 in the Garden District or Mid City, as we call it. As I  
7 mentioned earlier, Congressman Graves and I live just a  
8 few blocks away from each other. He lives on the northern  
9 side of the Garden District. I lived on the southern side  
10 of the Garden District. And the northern side  
11 traditionally and historically has always been one going  
12 away from Terrace Avenue to Kleinert to Dalrymple and  
13 LSU Lakes, including the main campus of LSU, while the  
14 south side of the district traditionally fell with  
15 Congressional District 2 going down towards Ascension,  
16 Assumption Parish and Orleans Parish. But there was now a  
17 split in Mid City with parts of Kleinert and Terrace  
18 neighborhood associations moving in to the blacker areas  
19 of the district which started on the south side.

20 Q. So those areas that were moved in, is it your  
21 understanding that they were majority black or majority  
22 white?

23 A. Predominantly white.

24 Q. And where do you understand Representative Graves to  
25 live within that scenario?

1 A. He would have lived in District 6 with me.

2 Q. What about your experience working in Louisiana  
3 politics informed your impressions of this configuration  
4 of SB8?

5 MR. TYLER: Objection. It calls for expert  
6 testimony. The witness has, again, not been qualified as  
7 an expert in this area.

8 MS. WENGER: He is speaking to his personal  
9 basis of knowledge that Your Honors can provide the proper  
10 weight to that.

11 JUDGE JOSEPH: I think we can qualify this as  
12 lay opinion testimony based on his experience dealing with  
13 these issues as an observer and sometime participant in  
14 the redistricting session.

15 THE WITNESS: Can you repeat the question for me  
16 again?

17 MS. WENGER: Certainly.

18 Q. (BY MS. WENGER) What, if anything, about your  
19 experience working in Louisiana politics informed your  
20 impressions of this configuration of SB8?

21 A. Well, Louisiana, I mean, as a studier of history and  
22 a participant in multiple legislative events, political  
23 retribution has been really used, I mean. And so,  
24 knowing that Congressman Graves had flirted with running  
25 openly against Governor Landry, did not endorse Governor

1 Landry after he decided not to run for the race, and there  
2 was known tension between supporters of Congressman Graves  
3 and Governor Landry that this just seemed to be a  
4 traditional Louisiana tactic that once you got some power  
5 you went after your enemies.

6 MR. TYLER: Objection, Judge. This is  
7 substantially similar to testimony that we excluded  
8 yesterday on the history of a few months ago.

9 JUDGE JOSEPH: Well, the big difference is the  
10 witness yesterday was relying on newspaper articles.  
11 This witness is relying on his experience at the  
12 legislative -- during the legislative sessions and around  
13 the Capitol, so he can form an opinion on that.

14 Q. (BY MS. WENGER) Have there ever been, in your  
15 lifetime, any other instances you're aware of when  
16 co-partisans have put their partisan ties aside for the  
17 purposes of political retribution?

18 A. Yes. I mean I think 2015 is one of the most recent  
19 examples. Senator Vitter had been running the  
20 conservative majority pack that was directly targeting  
21 Republicans in trying to build a stronger coalition and  
22 had really created odds within the Republican party and  
23 after the primary election in 2015 when State  
24 Representative John Bel Edwards advanced along with  
25 United States Senator Vitter, we saw active Republicans,

1 the current sitting Lieutenant Governor and Secretary of  
2 State Jay Dardenne publicly endorsed Governor Edwards  
3 along with former PSC Commissioner Scott Angelle, some  
4 Republican sheriffs. And so the tension showcased there  
5 was particular in Baton Rouge. In 2008 when Former  
6 State Representative Woody Jenkins was running for  
7 Congress after the retirement of Congressman Jim Baker you  
8 saw a significant amount of Baton Rouge Republicans  
9 support State Representative Don Cazayoux in that election  
10 which flipped a seat in the United States House of  
11 Representatives. Mr. Jenkins also had some history when  
12 he ran for United States Senator against Mary Landrieu in  
13 2002. And so there has been quite a -- quite often a bit  
14 of if you had an odd with somebody in your party -- you've  
15 also seen it the opposite way where Democrats have  
16 endorsed Republicans over sitting democratic elected  
17 officials. So this is, in my experience, very common in  
18 the state of Louisiana.

19 Q. Did this insight inform your perception or thoughts  
20 around the number of safe or unsafe Republican seats in  
21 SB8?

22 A. Yes.

23 Q. What, if anything, about the overall geography of the  
24 districts informed your impressions of SB8?

25 A. Can you say that again?

1 Q. I can move along. To confirm, which district do you  
2 live in under SB8?

3 A. District 6.

4 Q. Is that the same district you lived in before?

5 A. No.

6 Q. Were you at the House and Governmental Affairs  
7 Committee meeting the day that the committee considered  
8 SB8 on January 18, 2024?

9 A. I was.

10 Q. Do you recall any amendment offered by Representative  
11 Farnum that day?

12 A. I do.

13 Q. Let's pull up House Committee Amendment No. 74.  
14 This was introduced into evidence as Robinson Exhibit 45  
15 yesterday. I would like to turn to page 11 of that  
16 exhibit. Is this the amendment you recall being  
17 introduced and debated on in House and Governmental  
18 Affairs that day?

19 A. I do.

20 Q. Do you understand anyone else beyond Representative  
21 Farnum to be involved in the crafting of this amendment?

22 A. Yes. Senator Gary Carter.

23 Q. What did this amendment do?

24 A. This amendment, as Representative Farnum presented  
25 it, was to fix -- under Senate Bill 8 there was a parish

1 split in our hometown, in our home parish of Calcasieu  
2 Parish, and he was attempting to make Calcasieu whole  
3 since we had never been a split parish before and had also  
4 joined up with an amendment that Senator Carter had  
5 previously offered in Senate Governmental Affairs that  
6 would move some black precincts around in District 2 and  
7 in District 6.

8 Q. And for folks in the room not familiar like yourself  
9 with the geography of Louisiana, where is Calcasieu?

10 A. Calcasieu would be in the southwest corner of the  
11 State and so it's the last place you hit before you cross  
12 over to Texas.

13 Q. All right. So I understand it to be the blue parish  
14 right above Cameron Parish in the bottom green of the --

15 A. That is correct.

16 Q. -- southwest of the State. All right. And which  
17 congressional district was that in?

18 A. In the amendment or the map?

19 Q. In the amendment.

20 A. In the amendment it would have been District 4.

21 Q. All right. Can we turn to page 15 of the exhibit?  
22 Do you understand this to be a rendering of the  
23 amendment's treatment of East Baton Rouge Parish?

24 A. I do.

25 Q. And how did this compare to the original version of

1 SB8?

2 A. It now brought East Baton Rouge Parish into three  
3 different congressional districts instead of two.

4 Q. How about the version of SB8 that crossed over from  
5 the Senate?

6 A. It was two.

7 Q. How do you feel about the amendment?

8 A. I did not like this amendment at all. I mean, one of  
9 my main objections was East Baton Rouge Parish and so I  
10 live in the place where you see the three different  
11 colors. That's where we would call the Garden District or  
12 Mid City. And when I looked at it, I realized every  
13 morning when I would walk my dog through the park, I would  
14 walk through three different congressional districts.

15 Q. Did you lobby around the amendment at all?

16 A. I did.

17 Q. Why were you so passionate about lobbying against  
18 this amendment?

19 A. I, one, did not like what it did to East Baton Rouge  
20 Parish. Secondly, I didn't see any strong justifications  
21 for this amendment. While I appreciated Representative  
22 Farnum's desire for Calcasieu Parish where I am from, it  
23 did a lot of harm in my eyes to the map and I was worried  
24 that it would also potentially create litigation.

25 Q. What did this amendment do in regards to racial



1 demographics in the districts?

2 A. It increased the BVAP in both District 2 and  
3 District 6 slightly.

4 Q. And what was your perception on that effort?

5 A. My perception was that was a direct push by some to  
6 make both districts blacker.

7 Q. When you lobbied around this amendment, who did you  
8 reach out to?

9 A. I reached out to members of the House since it was on  
10 the House side so I talked to just about every member that  
11 I personally knew or could. So I made calls. I sent  
12 texts. I spoke to them on the floor of the House about my  
13 opposition to this amendment.

14 Q. Any other government officials?

15 A. I talked to the Governor's staff as well about my  
16 opposition to this amendment.

17 Q. Did you understand your grievances to be heard by the  
18 folks that you spoke to?

19 A. I did.

20 Q. And did this amendment end up on the final version of  
21 SB8 enacted?

22 A. No. There was an amendment offered on the House  
23 floor and it was stricken down in a bipartisan vote.

24 Q. Have you made your views on the amendment available  
25 to anyone outside of the State Capitol?

1 A. I'm a very vocal Tweeter and I Tweeted about this  
2 amendment quite a bit.

3 Q. Did you talk to the press at all?

4 A. I did talk to the press about this amendment.

5 Q. So was there any confusion in the political circles  
6 that you operate in in your perception about whether or  
7 not you supported this type of amendment?

8 A. No. I'm -- I'm a pretty vocal advocate and have been  
9 for quite some time in this state, so when I speak, I tend  
10 to make sure everybody hears that I have a view to share.

11 Q. And how about your views on how this amendment  
12 treated black voters on the basis of their race?

13 A. I made that very clear that I felt this was just  
14 moving black precincts around for no particular reason  
15 other than to do so.

16 Q. And so when this amendment was taken off of SB8 on  
17 the House floor, how did that vote go down?

18 A. That vote, I want to say, was a strong over  
19 two-thirds vote in the House. I want to say maybe 12 or  
20 16 members voted against it out of the 105.

21 Q. And did that version of SB8, now stripped of this  
22 amendment, but still containing the one from Senator  
23 Cloud, did that have an opportunity to cross over to the  
24 Senate for final ultimate passage of Senate Bill 8 as we  
25 know it enacted today?

1 A. I don't think it did. I think because there had been  
2 no amendments now at that point on the House side and both  
3 bodies had now passed a bill, it was considered now to be  
4 enrolled and sent to the governor.

5 Q. Did any final procedural steps occur to ensure that  
6 this could move along to the Governor on the Senate side?

7 A. No.

8 Q. Were you happy about the ultimate passage of Senate  
9 Bill 8?

10 A. I was.

11 Q. And why is that?

12 A. At this point we had been dealing with redistricting  
13 for quite some time and we now had passed a map. While  
14 this was not my preferred map, this was not the map. Had  
15 I been in charge of the Legislature, I would have tried to  
16 usher through the body, but it accomplishes the goals that  
17 I wanted to see which was complying with the rule of law  
18 as well as creating a second black-majority district.

19 Q. How did you feel it measured up to the rubric that  
20 you had established for yourself based off of your prior  
21 experiences with redistricting or this 2024 process?

22 A. I felt it sufficed. I'm a former elementary  
23 schoolteacher, so I'm big at making rubrics and it got a  
24 passing grade even though it wasn't the perfect score I  
25 wanted.

1 Q. What has been the impact of the passage of SB8 on the  
2 political climate that you operate in?

3 A. It has been a changing force. I mean, I think when  
4 we talk about the reaction to it, there has been multiple  
5 actions that have demonstrated how we feel. I was  
6 recently at the Capital Press (sic) Association's Gridiron  
7 dinner, which is an SNL skit fundraiser for journalist  
8 scholarships where they produce skits about politicians.  
9 I was really happy that I finally got a skit this year.

10 But they had one skit that I think summarizes this  
11 entire session which was called the "Graves Graveyard."  
12 And it had Congressman Graves lying there with a knife in  
13 him and they had all of the other members of Congress  
14 surrounding him, playing a game of Clue, and asking where  
15 each congressman or congressperson was. And at the end of  
16 the skit, here comes somebody playing Governor Landry and  
17 says, "It was me on the fourth floor with a pen signing  
18 Senate Bill 8." And that was kind of how people took what  
19 Senate Bill 8 did to the political dynamics in Louisiana.

20 Q. Were there any other political leaders at that  
21 dinner?

22 A. Yeah. We had the Chief Justice of the Supreme Court,  
23 Judge Weimer, was there. The Agricultural Commissioner,  
24 Mike Strain, was there. Members of the Legislature and  
25 the Republican leadership. Appropriations Chair, Jack

1 McFarland. Ways and Means Chair, Julie Emerson.

2 Representative Dixon McMakin and Congressman Graves was  
3 there himself.

4 Q. Did you observe any of his reactions to the skit?

5 A. I did.

6 Q. And what were they?

7 A. He just laughed and nodded his head.

8 Q. All right. As a voter, now living in Congressional  
9 District 6 in Baton Rouge, do you feel you share any  
10 common interests with voters living in the rest of  
11 District 6 under SB8?

12 A. I do.

13 Q. How so?

14 A. I mean, when you look at, one, our economies. I  
15 mean, both have significant gaming and industrial shift  
16 that exist there. When you talk about your civic  
17 organizations, like Junior League or Links or 100 Black  
18 Men, those are typically in the same regions with each  
19 other. Parts of the southern part of this area is heavily  
20 Protestant, even though the vast majority of South  
21 Louisiana is considered heavily Catholicism and that  
22 Protestant faith kind of runs up and down the Red River.  
23 When you think about the educational system, the programs  
24 that are offered at Northwestern and offered at Southern  
25 A&M are very similar. Agriculture is another place where

1 I particularly looked at because of my role as  
2 commissioner in what we were doing with energy production  
3 and plant and manufacturing. And so there was a lot of  
4 things from also the same style of music that made me feel  
5 comfortable having commonality with people elsewhere in  
6 the district.

7 Q. How about your role as a public service commissioner?  
8 Does that provide any perception on the shared needs of  
9 people in District 6?

10 A. Absolutely. District 6 in Senate Bill 8 would be in  
11 a congressional district that is almost entirely served  
12 by, what we would call in the utility regulation space, an  
13 IOU, an investor owned utility. That means there is very  
14 few municipality-run electric systems, very few electric  
15 co-ops run by kind of more rural places.

16 And so when it comes to the engagement with our  
17 federal delegation around transmission planning,  
18 generation buildup, the energy transition, we would be --  
19 this one would be well served because of the electric  
20 providers that exist within this district.

21 Q. Are any of those projects eligible for federal grants  
22 or appropriations?

23 A. Yes.

24 Q. Do you have to coordinate with Representative Letlow  
25 at all because of her role on Appropriations?

1 A. Yes. So part of the appropriation process that's  
2 important to me is affordability when it comes to utility  
3 services. And so LIHEAP, as it is known, which is the  
4 heating and cooling assistance that is given to those who  
5 may not be able to afford their utility bills, has been a  
6 very important conversation for me, as Louisiana  
7 traditionally has gotten underfunded. Right now about  
8 60,000 Louisianans receive assistance, while 600,000  
9 actually qualify for heating and cooling assistance, so I  
10 have raised that issue significantly.

11 Recently after the passage of the IRA, there was the  
12 Low Connectivity Program, which provided a rebate of \$30  
13 to individuals for access to broadband and that funding  
14 was running out, and so we -- I sent a letter to her and  
15 Congressman Scalise and I believe also Congressman Johnson  
16 about the importance of renewing this program and the  
17 recent spending package to ensure that Louisianans had  
18 access to affordable broadband. So there was a host of  
19 issues that required ensuring funding for multiple  
20 projects that have been part of the DoE or EPA or  
21 Department of Transportation or HUD through the IIJA or  
22 the IRA bills that passed Congress earlier in the term.

23 Q. Has Representative Mike Johnson's ascension to  
24 speaker of the house, now Speaker Johnson, had any impact  
25 on your ability as Public Service Commissioner to serve

1 your constituents and other Louisianans statewide?

2 A. Absolutely. The Public Service Commission uses the  
3 administrative law judge process before we make decisions  
4 and we have been having cases regarding, for instance,  
5 transmission siting, building a transmission line through  
6 portions of North Louisiana. And we had to deal with  
7 procedural hurdles from some of the intervenors because  
8 they were receiving or being invited to meetings with  
9 Speaker Johnson and we had to evaluate whether or not we  
10 would take that as a legitimate delay in our trial  
11 process. And so his ascension there has made that  
12 extremely important as part of applying for a bunch of the  
13 federal grant programs that have been offered under the  
14 IRA. So I think about the grid resiliency program. We  
15 have a project that is being funded at Beauregard Electric  
16 for a transmission line that fell down during Hurricane  
17 Laura. So these conversations and his involvement has  
18 significantly changed our interaction, especially when it  
19 comes to permitting reform, transmission buildup, the  
20 admission standards for power plants. There is a lot of  
21 issues that are now circling around, especially at the  
22 commission level.

23 Q. Are you in the same political party as Speaker  
24 Johnson?

25 A. I am not.



1 Q. Do you have any stake in his proximity to power in  
2 DC or even ascension to the presidency still?

3 A. I do not.

4 Q. Do you have any understanding of where Louisiana  
5 ranks among states on quality of life and opportunity  
6 indicators?

7 A. Yes. At Invest in Louisiana or formerly known as  
8 Louisiana Budget Project, as I mentioned, we are a  
9 nonprofit, nonpartisan policy think tank that advocates  
10 and researches on issues that affect low and moderate  
11 income families, and so every year we publish what we  
12 call the census fact check which includes the American  
13 Community Survey results, and so when we look at  
14 Louisiana, we are the second poorest state in the nation.  
15 We have the third highest child poverty rate in the  
16 nation. We have the sixth highest income and equality in  
17 the nation. And so when we look at statistics around  
18 poverty or food access, we are at 49th. And so all of my  
19 years, I've -- it's been sad to see that Louisiana  
20 typically falls at the top of every list that is bad and  
21 falls at the bottom part of every list that is good.

22 Q. And in your sense, what does power and representation  
23 in Congress mean for making changes on these measures?

24 A. Well, Louisiana's state budget is primarily federal  
25 funds. About 60 percent of our state budget is federal

1 funds that we receive. So ensuring that our congressional  
2 delegation is fighting for FITAP or CHIP or WIC or food  
3 stamps assistance is extremely important. I mean, when I  
4 think about the Department of Health's budget, for every  
5 dollar that is put into the State's budget by our  
6 self-generated revenue, we get about five dollars from the  
7 federal government. And so having a congressional  
8 delegation that reflects Louisiana and the needs of  
9 Louisiana is extremely important since we are one of the  
10 most dependent states on federal funds not only for our  
11 state budget but in terms of all of the programs that are  
12 offered through the various agencies.

13 Q. What would it mean to you if this current map under  
14 SB8 was taken away?

15 A. Well, this was the start of a new legislative  
16 session. I think, if my memory serves me correctly, this  
17 would have been my 33rd legislative session. So I now  
18 have a session just for about every year of my life. And  
19 it started off with a bipartisan endeavor, which I think  
20 is extremely hard in this new political reality that we  
21 live in of divisive politics, of parties being at odd, and  
22 to see not only a governor that I didn't support and  
23 advocated and worked against, along with the Legislature  
24 combining forces and doing something together really  
25 signified that when we put our differences aside and work

1 for the common good that we can achieve policy objectives  
2 and it was really pleasing to see that we had done so.  
3 And I'm afraid if Senate Bill 8 disappears, it only  
4 enhances the divisiveness that too much has taken over our  
5 politics and continues the division among class, among  
6 race, among regions, among political affiliations, and  
7 just continues to toxic our environment.

8 MS. WENGER: If I may have a moment, Your  
9 Honors.

10 Q. (BY MS. WENGER) Commissioner Lewis, as one of the  
11 Robinson intervenors, why was it important to you to be  
12 heard in this court?

13 A. It was extremely important to me to be heard because  
14 this is something that I have been working on for a while.  
15 Like I said, redistricting is not something that sparked  
16 my interest after the census of 2020. It has been  
17 something since being in high school and learning about it  
18 in my AP Civics course. And so I felt it was extremely  
19 important to share my experience in this process over the  
20 last 20 years what has happened and what it really means  
21 about how we were able to get Senate Bill 8 accomplished.

22 MS. WENGER: I'll pass the witness.

23 MR. BOWEN: Nothing from the State.

24 JUDGE JOSEPH: Let's take our morning 15-minute  
25 break and then we'll come back for cross-examination.

1 (Recess.)

2 CROSS-EXAMINATION

3 BY MR. TYLER:

4 Q. Mr. Lewis, this is a map of the Louisiana PCS  
5 districts?

6 A. Correct.

7 Q. And District 6 in SB8 crosses through how many  
8 different PSC districts?

9 A. It would cross through -- it would cross through four  
10 in this current map, yes.

11 Q. So four different PSC districts out of how many  
12 total?

13 A. Five.

14 MR. TYLER: No more questions.

15 JUDGE JOSEPH: Any redirect?

16 MS. WENGER: No redirect.

17 JUDGE JOSEPH: State? Nothing?

18 MR. BOWEN: Nothing from the State, Your Honor.

19 JUDGE JOSEPH: Secretary?

20 MR. STRACH: None, Your Honor.

21 JUDGE JOSEPH: All right. Commissioner, you are  
22 free to go. Thank you for your testimony.

23 MR. NAIFEH: Your Honors, the Robinson  
24 intervenors have no further witnesses.

25 JUDGE JOSEPH: And all the exhibits I think have

1 interference) or not taken our case. They took our --  
2 they stayed our case last summer, while the Alabama case  
3 went forward and was litigated. They said you just wait.  
4 They thought we had made a good case for a stay and so  
5 they paused our case while they decided that one.

6 But they did something -- and this is kind of a term  
7 of art, but I mean they granted cert in advance of  
8 judgment. That means they actually took our case and then  
9 after they decided the *Merrill* case, the Alabama case,  
10 they just vacated their own grant and sent it back to us.

11 So in a way they took our case and then they vacated  
12 their own decision to take our case and they sent it back  
13 down to the Fifth Circuit and to Judge Dick. And so it's  
14 back in the hands of the district court judge who is  
15 supervised by the Fifth Circuit Court of Appeals.

16 And so there has been some litigation between August  
17 and really through the summer since the *Merrill* case came  
18 out all the way through the time that the opinion was  
19 issued in November, I think, from the Fifth Circuit where  
20 a panel of the Fifth Circuit said you need to go draw a  
21 map by February 15th. So they actually suggested we  
22 should have done this before -- before we legally really  
23 or -- I think it was practically possible to even get it  
24 done.

25 But, you know, here you are. I think the Governor

1 heeded that call, that demand. I mean, we've had it  
2 reviewed by a number of judges. They have had nothing to  
3 say about our arguments. It's been radio silence.

4 And so the only decision that remains in front of us  
5 right now is Judge Dick's and so Judge Dick has set a  
6 timeline for us to have a trial. They did say we get to  
7 have a trial. But we don't get to have that trial until  
8 after you go through this exercise and, you know, she will  
9 do it for you. The job of (audio interference) it's not  
10 mine and I -- what I believed have been a defensible map  
11 and if you draw a new map, I will defend that map. Judge  
12 Dick has put us in a position and the Fifth Circuit, the  
13 panel that reviewed that decision, and the whole court,  
14 when I asked them to go en banc, by declining to go on en  
15 banc, have put us in a position pus of where we are today  
16 where we need to draw a map. So I'm here to tell -- I'm  
17 not here to you to tell don't draw a map. I mean, I think  
18 we do have to draw a map and I will defend that map. We  
19 (audio interference) a fact-finding mission. That's  
20 what's always happens and made fact-findings regarding the  
21 map. She issued an injunction. That injunction is not  
22 currently in effect for reasons that I can explain to you,  
23 but I think the bottom line is it is not currently in  
24 effect because the deadlines for the election that it  
25 enjoined are over.

1       The Courts, never the less, have told us to draw a  
2 new map. And they have indicated that we have a deadline  
3 to do that or Judge Dick will draw the map for us. So you  
4 have an opportunity now to go back and draw the map again  
5 and I think that it is not an easy task because the United  
6 States Supreme Court is not made it an easy task. They  
7 have given you some directives that seem to be -- to not  
8 give you a lot of clear lines for doing your job. I  
9 apologize on their behalf, but, you know, we tried. I  
10 mine I am defending that map, and so you won't hear me say  
11 that I believe that that map violated the redistricting  
12 criteria. I am defend --

13               GOVERNOR LANDRY: It is time to stop averting  
14 the issue and confront it head-on. We are here today  
15 because the federal courts have ordered us to perform our  
16 job. Our job which is not finished. Our job that are own  
17 laws direct us to complete and our job that our  
18 individuals promise we would perform.

19       To that end, I ask you to join me in adopting the  
20 redistricting maps that are proposed. These maps will  
21 satisfy the Court and ensure that the congressional  
22 districts of our state are made right here in this  
23 legislature and not by some heavy-handed federal judge.  
24 We do not need a federal judge to do for us what the  
25 people of Louisiana have elected you to do for them.

1 You are the voice of the people and it is time that you  
2 use that voice. The people have sent us here to solve  
3 problems, not exacerbate them. To heal divisions, not to  
4 widen them. To be fair and to be reasonable. The people  
5 of this state expect us to operate government officially  
6 and to act within the compliance of the laws of our nation  
7 and of our courts even when we disagree with both of them.  
8 And let me say this, I know that many of you in this  
9 Legislature have worked hard and endured the -- and tried  
10 your very best to get this right. As Attorney General, I  
11 did everything I could to dispose of this litigation. I  
12 defended the redistricting plan adopted by this body as  
13 the will of the people. We sought a stay in the Fifth  
14 Circuit. We successfully stayed the case at the United  
15 States Supreme Court for more than a year allowing the  
16 2022 elections to proceed.

17 Last October we filed for a writ of mandamus which  
18 was granted in the Fifth Circuit which would again allow  
19 us one more chance to take care of our business. However,  
20 when the Fifth Circuit panel ruled against us later in the  
21 fall we filed for an en banc hearing which they denied.  
22 We have exhausted all legal remedies and we have labored  
23 with this issue for far too long. I recognize the  
24 difficulty of getting 144 people to agree on anything.  
25 My wife and I don't agree on everything. She has kept me



1 for 21 years. But I sincerely commend you for the work  
2 you have done so far. But now, once and for all, I think  
3 it's time that we put this to bed. Let us make the  
4 necessary adjustments to heed the instructions of the  
5 Court, take the pen out of the hand of a nonelected judge  
6 and place it in your hands. In the hands of the people.  
7 It's really that simple. I would beg you, help me make  
8 this a reality in this special session for this special  
9 purpose on this special date.

10 MR. GORDON: That concludes the presentation,  
11 Your Honor. The State rests.

12 JUDGE JOSEPH: State rests. Okay. Thank you,  
13 Counsel.

14 MR. STRACH: No witnesses for the Secretary.  
15 The secretary rests.

16 JUDGE JOSEPH: No evidence heater?

17 MR. STRACH: No. No, Your Honor.

18 JUDGE JOSEPH: All right. Have the plaintiffs  
19 made a decision about whether to call their rebuttal  
20 expert?

21 MR. GREIM: We have. We are not going to call  
22 him.

23 JUDGE JOSEPH: Okay. So the plaintiffs rest  
24 their entire case then?

25 MR. GREIM: We do.

## 1 CERTIFICATE OF OFFICIAL REPORTER

2  
3 I, DIANA CAVENAH, RPR, Federal Official Court  
4 Reporter, in and for the United States District Court for  
5 the Western District of Louisiana, DO HEREBY CERTIFY that  
6 pursuant to Section 753, Title 28, United States Code,  
7 that the foregoing is a true and correct transcript of the  
8 stenographically-reported proceedings held in the  
9 above-entitled matter and that the transcript page format  
10 is in conformance with the regulations of the Judicial  
11 Conference of the United States.

12  
13 /s/ Diana Cavenah  
14 DIANA CAVENAH, RPR  
15 Federal Official Court Reporter  
16  
17  
18  
19  
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22  
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24  
25

## JRULE 21

### Joint Rule No. 21. Redistricting criteria

A. To promote the development of constitutionally and legally acceptable redistricting plans, the Legislature of Louisiana adopts the criteria contained in this Joint Rule, declaring the same to constitute minimally acceptable criteria for consideration of redistricting plans in the manner specified in this Joint Rule.

B. Each redistricting plan submitted for consideration shall comply with the Equal Protection Clause of the Fourteenth Amendment and the Fifteenth Amendment to the U.S. Constitution; Section 2 of the Voting Rights Act of 1965, as amended; and all other applicable federal and state laws.

C. Each redistricting plan submitted for consideration shall provide that each district within the plan is composed of contiguous geography.

D. In addition to the criteria specified in Paragraphs B, C, G, H, I, and J of this Joint Rule, the minimally acceptable criteria for consideration of a redistricting plan for the House of Representatives, Senate, Public Service Commission, and Board of Elementary and Secondary Education shall be as follows:

(1) The plan shall provide for single-member districts.

(2) The plan shall provide for districts that are substantially equal in population. Therefore, under no circumstances shall any plan be considered if the plan has an absolute deviation of population which exceeds plus or minus five percent of the ideal district population.

(3) The plan shall be a whole plan which assigns all of the geography of the state.

(4) Due consideration shall be given to traditional district alignments to the extent practicable.

E. In addition to the criteria specified in Paragraphs B, C, G, H, I, and J of this Joint Rule, the minimally acceptable criteria for consideration of a redistricting plan for Congress shall be as follows:

(1) The plan shall provide for single-member districts.

(2) The plan shall provide that each congressional district shall have a population as nearly equal to the ideal district population as practicable.

(3) The plan shall be a whole plan which assigns all of the geography of the state.

F. In addition to the criteria specified in Paragraphs B, C, G, H, I, and J of this Joint Rule, the minimally acceptable criteria for consideration of a redistricting plan for the Supreme Court shall be that the plan shall be a whole plan which assigns all of the geography of the state.

G.(1) To the extent practicable, each district within a redistricting plan submitted for consideration shall contain whole election precincts as those are represented as Voting Districts (VTDs) in the most recent Census Redistricting TIGER/Line Shapefiles for the State of Louisiana which corresponds to the P.L. 94-171 data released by the United States Bureau of the Census for the decade in which the redistricting is to occur. However, if the redistricting plan is submitted after the year in which the legislature is required by Article III, Section 6, of the Constitution of Louisiana to reapportion, then to the extent practicable, the redistricting plan submitted for consideration shall contain whole election precincts as those are represented as VTDs as validated through the data verification program of the House and Senate in the most recent Shapefiles made available on the website of the legislature.

(2) If a VTD must be divided, it shall be divided into as few districts as practicable using a visible census tabulation boundary or boundaries.

H. All redistricting plans shall respect the established boundaries of parishes, municipalities, and other political subdivisions and natural geography of this state to the extent practicable. However, this criterion is subordinate to and shall not be used to undermine the maintenance of communities of interest within the same district to the extent practicable.

I. The most recent P.L. 94-171 data released by the United States Bureau of the Census, as validated through the data verification program of the House and Senate, shall be the population data used to establish and for evaluation of proposed redistricting plans.

J. Each redistricting plan submitted to the legislature by the public for consideration shall be submitted electronically in a comma-delimited block equivalency file.

HCR 90, 2021 R.S., eff. June 11, 2021.

EXHIBIT

JE2

HLS 221ES-2

ORIGINAL

2022 First Extraordinary Session

HOUSE BILL NO. 1

BY REPRESENTATIVES SCHEXNAYDER, MAGEE, AND STEFANSKI

EXHIBIT

JE4

REAPPORTIONMENT/CONGRESS: Provides relative to the districts for members of the United States Congress (Item #3)

1 AN ACT

2 To enact R.S. 18:1276 and to repeal R.S. 18:1276.1, relative to congressional districts; to  
3 provide for the redistricting of Louisiana's congressional districts; to provide with  
4 respect to positions and offices, other than congressional, which are based upon  
5 congressional districts; to provide for the effectiveness; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1276 is hereby enacted to read as follows:

9 §1276. Congressional districts

10 Louisiana shall be divided into six congressional districts, and the qualified  
11 electors of each district shall elect one representative to the United States House of  
12 Representatives. The districts shall be composed as follows:

13 (1) District 1 is composed of Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14,  
14 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37,  
15 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65,  
16 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88,  
17 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 117, 118, 119,  
18 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 132, 134, 136, 138,  
19 192, 198, 199, 203, 246, 247, 248, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H,  
20 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K, 11-K,

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**ORIGINAL**  
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1        12-K, 13-KA, 14-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K, 34-K, 35-K,  
2        and 1-L of Jefferson Parish; Precincts 3-3, 3-4, 3-5, 3-6, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6,  
3        7-4, 8-1, 9-1, 9-2, 10-1, 10-2, 10-3, 10-4, 10-5, 10-6, 10-7, 10-8, 10-9, 10-10, 10-11,  
4        10-12, 10-13, 10-14, 10-15, 10-16, 11-1, 11-2, and 11-5 of Lafourche Parish;  
5        Precincts 3-20, 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21, 4-22,  
6        4-23, 5-15, 5-16, 5-17, 5-18, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8, 14-9, 14-10,  
7        14-11, 14-12, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-19, 14-20, 14-21,  
8        16-1, 16-1A, 16-2, 16-3, 17-1, 17-2, 17-17, 17-18, 17-18A, 17-19, and 17-20 of  
9        Orleans Parish; Plaquemines Parish; St. Bernard Parish; St. Tammany Parish;  
10       Precincts 70, 70A, 71, 72, 72A, 73, 74, 120, 122, 122A, 122B, 124, 124A, 139, 143,  
11       143A, 145, 147, 149, 149A, and 151 of Tangipahoa Parish; and Precincts 11, 15, 20,  
12       21, 23, 25, 27, 29, 31, 32, 34, 35, 36, 38, 41, 43, 46, 48, 49, 52, 53, 54, 55, 56, 57, 58,  
13       59, 60, 61, 63, 69, 72, 84, 85, 88, 89, 110, and 111 of Terrebonne Parish.  
14              (2) District 2 is composed of Precincts 30, 36, 37, 39, 42, 44, 45, 47, 48, 50,  
15       51, 52, 53, 54, 55, 57, and 65 of Ascension Parish; Precincts 1-1, 1-2, 2-2, 4-3, 5-5,  
16       6-1, 6-2, 6-3, and 7-1 of Assumption Parish; Precincts 1-2, 1-3, 1-4, 1-5, 1-6, 1-10,  
17       1-11, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26,  
18       1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-36, 1-50, 1-51, 1-58, 1-61, 1-62, 1-63, 1-67,  
19       1-77, 1-84, 1-85, 1-86, 1-91, 1-92, 1-93, 1-94, 1-95, 1-100, 1-101, 1-104, 2-1, 2-9,  
20       2-11, 2-13, 2-16, 2-20, 2-22, 2-23, 2-24, and 2-30 of East Baton Rouge Parish;  
21       Precincts 1, 3, 6, 7, 9, 10, 11, 12, 13C, 14, 14A, 15, 16, 17, 18, 19, 20, 21, 22, and  
22       23 of Iberville Parish; Precincts 57, 104, 108, 115, 116, 131, 133, 150, 151, 152, 153,  
23       154, 155, 156, 157A, 157B, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179A,  
24       179B, 180, 181, 182, 183, 184, 185A, 185B, 187, 188, 189, 190, 191, 193A, 193B,  
25       194A, 194B, 195, 196, 197A, 197B, 200, 201, 202, 204, 205, 210, 211, 212, 213A,  
26       213B, 213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229,  
27       230, 231, 232A, 232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G,  
28       6-G, 7-G, 8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 15-K, 21-K, 22-K, 23-K, 24-K,  
29       26-K, 29-K, 30-K, 31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W, and 7-W of

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1 Jefferson Parish; Precincts 1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 3-9,  
2 3-12, 3-14, 3-15, 3-18, 3-19, 4-2, 4-3, 4-5, 4-6, 5-1, 5-2, 5-3, 5-5, 5-7, 5-8, 5-9, 5-10,  
3 5-11, 5-12, 5-13, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 6-9, 7-1, 7-2, 7-4, 7-5, 7-6, 7-7, 7-8,  
4 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18, 7-19, 7-20, 7-21, 7-23,  
5 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29, 7-30, 7-32, 7-33, 7-35,  
6 7-37, 7-37A, 7-40, 7-41, 7-42, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12, 8-13, 8-14,  
7 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1, 9-3, 9-4,  
8 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-19, 9-21,  
9 9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D, 9-32,  
10 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40,  
11 9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B,  
12 9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N,  
13 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M,  
14 9-44N, 9-44O, 9-44P, 9-44Q, 9-45, 9-45A, 10-3, 10-6, 10-7, 10-8, 10-9, 10-11,  
15 10-12, 10-13, 10-14, 11-2, 11-3, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 11-12, 11-13,  
16 11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-9, 12-10, 12-11,  
17 12-12, 12-13, 12-14, 12-16, 12-17, 12-19, 13-1, 13-2, 13-3, 13-4, 13-5, 13-6, 13-7,  
18 13-8, 13-9, 13-10, 13-11, 13-12, 13-13, 13-14, 13-15, 13-16, 14-1, 14-23, 14-24A,  
19 14-25, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A,  
20 15-13, 15-13A, 15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D, 15-14E, 15-14F,  
21 15-14G, 15-15, 15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B, 15-18, 15-18A,  
22 15-18B, 15-18C, 15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B, 15-19C, 16-4,  
23 16-5, 16-6, 16-7, 16-8, 16-9, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11,  
24 17-12, 17-13, 17-13A, 17-14, 17-15, and 17-16 of Orleans Parish; Precincts 1-1, 1-2,  
25 1-3, 1-5, 2-1, 2-2, 2-3, 2-4, 2-5, 4-1, 4-2, 4-3, 4-4, 5-1, 5-3, 5-4, 6-6, 6-7, 6-8, 7-1,  
26 7-2, 7-3, and 7-4 of St. Charles Parish; St. James Parish; Precincts 1-1, 1-2, 1-3, 1-4,  
27 1-5, 2-1, 2-2, 2-3, 2-4, 3-1, 3-2, 3-4, 4-1, 4-2, 4-3, 4-14, 5-1, 5-8, 6-1, 6-3, 6-4, and  
28 7-7 of St. John the Baptist Parish; and Precincts 1A, 1B, 1C, 2B, 6, 7B, 8, 10A, 10B,  
29 11A, 11B, 13A, 13B, 14, and 15 of West Baton Rouge Parish.

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1           (3) District 3 is composed of Acadia Parish; Calcasieu Parish; Cameron  
2           Parish; Iberia Parish; Jefferson Davis Parish; Lafayette Parish; Precincts 3, 4, 5, 6,  
3           7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and  
4           29 of St. Martin Parish; Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,  
5           17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40,  
6           42, 43, and 44 of St. Mary Parish; and Vermilion Parish.

7           (4) District 4 is composed of Allen Parish; Beauregard Parish; Bienville  
8           Parish; Bossier Parish; Caddo Parish; Claiborne Parish; De Soto Parish; Evangeline  
9           Parish; Natchitoches Parish; Precincts C1, C2, C3, C4, C5, C6, C7, C8, C9, C10,  
10          C11-A, C11-B, C13, C14, C15, C17, C18, C19, C20, C21, C22, C23, C24, C25, C26,  
11          C27, C28, C30, C31, C32, C33, C34, C35, C36, C37-A, C37-B, C38-A, C38-B, C39,  
12          C40, C41, C42, N1, N2, N3, N4, N5, N6, N7, N8, N9, N10, N11, N12, N13-A,  
13          N13-B, N14-A, N14-B, N15, N18-A, N19, N20, N21, N22, S1, S2, S4, S5, S6A,  
14          S6B, S7, S8, S9, S10, S11, S13, S14, S15, S17, S18, S19, S20, S21, S22, S23, S24,  
15          S25, S26, S27, S28, and S29 of Rapides Parish; Red River Parish; Sabine Parish;  
16          Vernon Parish; and Webster Parish.

17          (5) District 5 is composed of Avoyelles Parish; Caldwell Parish; Catahoula  
18          Parish; Concordia Parish; East Carroll Parish; East Feliciana Parish; Franklin Parish;  
19          Grant Parish; Jackson Parish; La Salle Parish; Lincoln Parish; Madison Parish;  
20          Morehouse Parish; Ouachita Parish; Pointe Coupee Parish; Precincts N16, N17,  
21          N18-B, N23, N24, N25, N26, N27, N28, N29, and S16 of Rapides Parish; Richland  
22          Parish; St. Helena Parish; St. Landry Parish; Precincts 1, 2, 6, 11, 15, 16, 17, 18, 26,  
23          27, 28, 33, 40, 40A, 41, 42, 42A, 43, 44, 45, 45A, 46, 47, 48, 49, 101, 102, 104,  
24          104A, 105, 106, 106A, 107, 108, 109, 110, 111A, 112, 114, 115B, 116, 117, 118,  
25          119, 120A, 120B, 121, 121A, 123, 125, 127, 127A, 129, 129A, 133, 133A, 137,  
26          137A, 137B, 137C, 137D, 141, and 141A of Tangipahoa Parish; Tensas Parish;  
27          Union Parish; Washington Parish; West Carroll Parish; West Feliciana Parish; and  
28          Winn Parish.

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1                   (6) District 6 is composed of Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
2                   14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 40, 41, 43, 58,  
3                   61, 62, 63, 64, 66, 71, 72, 73, 76, 77, and 78 of Ascension Parish; Precincts 2-1, 2-3,  
4                   2-4, 2-5, 3-1, 3-2, 4-1, 4-2, 5-1, 5-2, 5-3, 7-2, 7-3, 8-1, and 9-1 of Assumption Parish;  
5                   Precincts 1-1, 1-7, 1-8, 1-9, 1-12, 1-20, 1-33, 1-34, 1-35, 1-37, 1-38, 1-39, 1-40,  
6                   1-41, 1-42, 1-43, 1-44, 1-45, 1-46, 1-47, 1-48, 1-49, 1-52, 1-53, 1-54, 1-55, 1-56,  
7                   1-57, 1-59, 1-60, 1-64, 1-65, 1-66, 1-68, 1-69, 1-70, 1-71, 1-72, 1-73, 1-74, 1-75,  
8                   1-76, 1-78, 1-79, 1-80, 1-81, 1-82, 1-83, 1-87, 1-88, 1-89, 1-90, 1-97, 1-98, 1-99,  
9                   1-102, 1-103, 1-105, 1-107, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-8, 2-10, 2-12, 2-14, 2-15,  
10                  2-17, 2-18, 2-19, 2-21, 2-25, 2-26, 2-27, 2-28, 2-29, 2-31, 2-32, 2-33, 2-34, 2-35,  
11                  2-36, 2-37, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-8, 3-9, 3-10, 3-11, 3-12, 3-13, 3-14,  
12                  3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-21, 3-22, 3-23, 3-24, 3-25, 3-26, 3-27, 3-28,  
13                  3-29, 3-30, 3-31, 3-32, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-43,  
14                  3-44, 3-45, 3-46, 3-47, 3-48, 3-49, 3-50, 3-51, 3-52, 3-53, 3-54, 3-55, 3-56, 3-57,  
15                  3-58, 3-59, 3-60, 3-61, 3-62, 3-63, 3-64, 3-65, 3-66, 3-67, 3-68, 3-69, 3-70, 3-71, and  
16                  3-72 of East Baton Rouge Parish; Precincts 4, 5, 13, 15B, 24, 25, 26, 27, 28, 29, 31,  
17                  and 32 of Iberville Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 2-1, 2-1A, 2-2, 2-3, 2-3A,  
18                  2-4, 2-5, 2-6, 2-7, 2-8, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 3-1, 3-2, 5-1, 5-1A, 5-1B,  
19                  5-2, 6-1, 6-2, 6-3, 6-4, 6-5, 7-1, 7-2, 7-3, 11-3, and 11-4 of Lafourche Parish;  
20                  Livingston Parish; Precincts 1-6, 2-6, 3-1, 3-2, 3-3, 5-5, 6-1, 6-2, and 6-4 of St.  
21                  Charles Parish; Precincts 4-13, 5-4, 5-7, 7-2, 7-3, and 7-5 of St. John the Baptist  
22                  Parish; Precincts 1 and 2 of St. Martin Parish; Precincts 24, 41, and 45 of St. Mary  
23                  Parish; Precincts 1, 4, 5, 7, 8, 9, 10, 12, 13, 14, 16, 17, 18, 19, 45, 51, 64, 65, 67, 68,  
24                  71, 73, 74, 76, 82, 83, 86, 87, and 90 of Terrebonne Parish; and Precincts 2A, 3, 4,  
25                  5, 7A, 9, 12, 16, 17, 18, 19, 20, 21, and 22 of West Baton Rouge Parish.

26                  Section 2. R.S. 18:1276.1 is hereby repealed in its entirety.

27                  Section 3.(A) The precincts referenced in this Act are those precincts identified as  
28                  Voting Districts (VTDs) in the 2020 Census Redistricting TIGER/Line Shapefiles for the  
29                  State of Louisiana as validated through the data verification program of the Louisiana House



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1 of Representatives and the Louisiana Senate and available on the legislature's website on the  
2 effective date of this Section.

3 (B) When a precinct referenced in this Act has been subdivided by action of the  
4 parish governing authority on a nongeographic basis or subdivided by action of the parish  
5 governing authority on a geographic basis in accordance with the provisions of R.S.  
6 18:532.1, the enumeration in this Act of the general precinct designation shall include all  
7 nongeographic and all geographic subdivisions thereof, however such subdivisions may be  
8 designated.

9 (C) The territorial limits of the districts as provided in this Act shall continue in  
10 effect until changed by law regardless of any subsequent change made to the precincts by  
11 the parish governing authority.

12 Section 4. The provisions of this Act shall not reduce the term of office of any  
13 person holding any position or office on the effective date of this Section for which the  
14 appointment or election is based upon a congressional district as composed pursuant to R.S.  
15 18:1276.1. Any position or office that is filled by appointment or election based on a  
16 congressional district and that is to be filled after January 3, 2023, shall be appointed or  
17 elected from a district as it is described in Section 1 of this Act.

18 Section 5.(A) Solely for the purposes of qualifying for election and the election of  
19 representatives to the United States Congress at the regularly scheduled election for  
20 representatives to the congress in 2022, the provisions of Section 1 of this Act shall become  
21 effective upon signature of this Act by the governor or, if not signed by the governor, upon  
22 expiration of the time for bills to become law without signature by the governor, as provided  
23 in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the  
24 governor and subsequently approved by the legislature, the provisions of Section 1 of this  
25 Act shall become effective on the day following such approval for the purposes established  
26 in this Subsection.

27 (B) For subsequent elections of representatives to the United States Congress and  
28 for all other purposes, the provisions of Section 1 of this Act shall become effective at noon  
29 on January 3, 2023.

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1 (C) The provisions of Section 2 of this Act shall become effective at noon on  
2 January 3, 2023.

3 (D) The provisions of this Section and Sections 3 and 4 of this Act shall become  
4 effective upon signature of this Act by the governor or, if not signed by the governor, upon  
5 expiration of the time for bills to become law without signature by the governor, as provided  
6 in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the  
7 governor and subsequently approved by the legislature, the provisions of this Section and  
8 Sections 3 and 4 of this Act shall become effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 1 Original                      2022 First Extraordinary Session                      Schexnayder

**Abstract:** Provides for the redistricting of the state's congressional districts and provides for the composition of each of the six congressional districts. Effective for election purposes only for the regular congressional elections in 2022 and for all other purposes at noon on Jan. 3, 2023.

Statistical summaries of proposed law, including district variances from the ideal population of 776,292 and the range of those variances, as well as maps illustrating proposed district boundaries accompany this digest. (*Attached to the bill version on the internet.*)

Present U.S. Constitution (14th Amendment) provides that representatives in congress shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state. The U.S. Supreme Court has held that the population of congressional districts in the same state must be as nearly equal in population as practicable.

Proposed law redraws district boundaries for the six congressional districts, effective upon signature of governor or lapse of time for gubernatorial action for purposes of the 2022 election.

Proposed law retains present districts until noon on Jan. 3, 2023, at which time present law is repealed and proposed districts are effective for all other purposes.

Proposed law specifies that precincts referenced in district descriptions are those precincts identified as Voting Districts (VTDs) in the 2020 Census Redistricting TIGER/Line Shapefiles for the state of La. as validated through the data verification program of the La. legislature. Also specifies that if any such precinct has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with present law, the enumeration of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof. Further provides that the territorial limits of the districts as enacted shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

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Proposed law specifies that proposed law does not reduce the term of office of any person holding any position or office on the effective date of proposed law for which the appointment or election is based upon a congressional district as composed pursuant to present law. Specifies that any position or office filled after Jan. 3, 2023, for which the appointment or election is based on a congressional district shall be appointed or elected from a district as it is described in proposed law.

Population data in the summaries accompanying this digest are derived from 2020 Census Redistricting Data (Public Law 94-171), Summary File for Louisiana. Population data, statistical information, and maps are supplied for purposes of information and analysis and comprise no part of proposed law.

Effective for election purposes only for the regular congressional elections in 2022; effective for all other purposes at noon on Jan. 3, 2023.

(Adds R.S. 18:1276; Repeals R.S. 18:1276.1)

Plan Statistics

Plan: HLS 221ES-2 (Schexnayder) Original

Districts:	# of Members	Actual Population	Ideal Population	Absolute Deviation	Relative Deviation
District 1	1	776,288	776,292	-4	-0.001%
District 2	1	776,293	776,292	1	0.000%
District 3	1	776,275	776,292	-17	-0.002%
District 4	1	776,321	776,292	29	0.004%
District 5	1	776,275	776,292	-17	-0.002%
District 6	1	776,305	776,292	13	0.002%
Grand Total:	6	4,657,757	4,657,752		
Ideal Population Per Member:		776292			
Number of Districts for Plan Type:		6			
Range of District Populations:		776,275	to 776,321		
Absolute Mean Deviation:		8			
Absolute Range:		-17	to 29		
Absolute Overall Range:		46			
Relative Mean Deviation:		0.00%			
Relative Range:		0.00%	to 0.00%		
Relative Overall Range:		0.00%			

<b><i>Ideal - Actual:</i></b>	<b>-5</b>
<b><i>Remainder:</i></b>	<b>5</b>
<b><i>Unassigned Population:</i></b>	<b>0</b>

Total Population

Plan: HLS 221ES-2 (Schexnayder) Original

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	VAP Hispanic Total
District 1	776,288	537,983	116,701	24,434	22,736	74,434	93,082	601,549	432,516	81,775	17,986	16,150	53,122	65,531
	100.000%	69.302%	15.033%	3.148%	2.929%	9.588%	11.991%	100.000%	71.900%	13.594%	2.990%	2.685%	8.831%	10.894%
District 2	776,293	218,067	473,978	23,727	8,188	52,333	67,702	600,015	184,800	352,563	18,931	6,367	37,354	47,363
	100.000%	28.091%	61.057%	3.056%	1.055%	6.741%	8.721%	100.000%	30.799%	58.759%	3.155%	1.061%	6.226%	7.894%
District 3	776,275	508,115	205,820	16,256	11,306	34,778	41,065	586,488	398,253	144,434	11,650	8,287	23,864	27,487
	100.000%	65.456%	26.514%	2.094%	1.456%	4.480%	5.290%	100.000%	67.905%	24.627%	1.986%	1.413%	4.069%	4.687%
District 4	776,321	438,493	276,844	12,936	18,995	29,053	36,371	591,382	348,175	199,057	9,393	14,241	20,516	24,950
	100.000%	56.483%	35.661%	1.666%	2.447%	3.742%	4.685%	100.000%	58.875%	33.660%	1.588%	2.408%	3.469%	4.219%
District 5	776,275	459,595	273,524	7,843	11,916	23,397	28,238	597,284	367,334	197,336	6,102	9,057	17,455	20,613
	100.000%	59.205%	35.235%	1.010%	1.535%	3.014%	3.638%	100.000%	61.501%	33.039%	1.022%	1.516%	2.922%	3.451%
District 6	776,305	495,399	196,252	22,092	13,919	48,643	56,091	593,830	393,433	140,604	16,354	10,138	33,301	37,718
	100.000%	63.815%	25.280%	2.846%	1.793%	6.266%	7.225%	100.000%	66.253%	23.677%	2.754%	1.707%	5.608%	6.352%
Grand Total	4,657,757	2,657,652	1,543,119	107,288	87,060	262,638	322,549	3,570,548	2,124,511	1,115,769	80,416	64,240	185,612	223,662
	100.000%	57.059%	33.130%	2.303%	1.869%	5.639%	6.925%	100.000%	59.501%	31.249%	2.252%	1.799%	5.198%	6.264%

Voter Registration

Plan: HLS 221ES-2 (Schexnayder) Original

	Reg Total Dec 2021	Reg White Dec 2021	Reg Black Dec 2021	Reg Other Dec 2021	Reg Dem Total Dec 2021	Reg Rep Total Dec 2021	Reg Other Total Dec 2021
District 1	489,126	388,604	56,870	43,652	137,925	203,404	147,797
	81.311%	79.449%	11.627%	8.924%	28.198%	41.585%	30.217%
District 2	495,171	151,791	304,309	39,071	313,201	58,654	123,316
	82.526%	30.654%	61.455%	7.890%	63.251%	11.845%	24.904%
District 3	479,827	344,683	114,946	20,198	168,883	180,513	130,431
	81.814%	71.835%	23.956%	4.209%	35.197%	37.620%	27.183%
District 4	470,683	290,476	158,433	21,774	184,700	167,337	118,646
	79.590%	61.714%	33.660%	4.626%	39.241%	35.552%	25.207%
District 5	484,754	309,664	162,222	12,868	197,517	172,071	115,166
	81.160%	63.881%	33.465%	2.655%	40.746%	35.497%	23.758%
District 6	474,785	342,771	105,968	26,046	158,778	186,801	129,206
	79.953%	72.195%	22.319%	5.486%	33.442%	39.344%	27.214%
Grand Total	2,894,346	1,827,989	902,748	163,609	1,161,004	968,780	764,562

Splits

Plan: HLS 221ES-2 (Schexnayder) Original

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2021	Reg White Dec 2021	Reg Black Dec 2021	Reg Other Dec 2021
District 1																
*Jefferson	240,887	155,928	31,112	11,891	4,421	37,535	192,684	130,249	22,749	8,966	3,340	27,380	148,329	116,351	12,947	19,031
*Lafourche	50,164	38,752	4,617	576	3,219	3,000	38,052	30,550	2,984	425	2,127	1,966	29,354	25,495	2,151	1,708
*Orleans	52,319	41,517	4,426	2,099	616	3,661	43,221	34,590	3,737	1,622	487	2,785	35,637	30,059	1,884	3,694
Plaquemines	23,515	14,287	5,428	1,317	697	1,786	17,334	10,856	3,857	925	500	1,196	13,908	9,513	3,134	1,261
St. Bernard	43,764	24,497	12,309	1,381	947	4,630	31,775	18,992	7,944	982	688	3,169	25,653	18,233	5,497	1,923
St. Tammany	264,570	196,641	38,643	5,774	5,660	17,852	202,228	154,621	26,761	4,075	4,161	12,610	178,779	145,724	21,142	11,913
*Tangipahoa	39,695	28,967	7,279	473	968	2,008	29,975	22,597	4,969	311	699	1,399	23,462	19,013	3,462	987
*Terrebonne	61,374	37,394	12,887	923	6,208	3,962	46,280	30,061	8,774	680	4,148	2,617	34,004	24,216	6,653	3,135
District 1	776,288	537,983	116,701	24,434	22,736	74,434	601,549	432,516	81,775	17,986	16,150	53,122	489,126	388,604	56,870	43,652
	100.000%	69.302%	15.033%	3.148%	2.929%	9.588%	100.000%	71.900%	13.594%	2.990%	2.685%	8.831%	81.311%	79.449%	11.627%	8.924%
District 2																
*Ascension	20,892	5,625	13,842	140	170	1,115	15,426	4,672	9,766	104	113	771	13,180	3,868	8,794	518
*Assumption	6,710	2,870	3,622	23	44	151	5,270	2,334	2,764	15	33	124	4,756	1,997	2,702	57
*East Baton Rouge	94,325	5,624	85,793	483	369	2,056	70,960	5,094	63,632	382	289	1,563	58,983	2,990	54,254	1,739
*Iberville	21,073	8,453	11,316	173	147	984	16,631	7,182	8,363	125	114	847	13,630	5,355	7,955	320
*Jefferson	199,894	65,007	95,105	11,133	3,265	25,384	151,970	53,886	69,426	8,726	2,495	17,437	114,772	43,265	56,629	14,878
*Orleans	331,678	84,945	214,543	10,757	3,050	18,383	262,975	75,662	162,331	8,898	2,461	13,623	220,607	61,927	139,641	19,039
*St. Charles	34,943	21,021	11,091	501	610	1,720	26,288	16,352	7,957	307	457	1,215	23,249	15,046	7,109	1,094
St. James	20,192	9,973	9,762	60	82	315	15,505	7,883	7,297	31	64	230	14,966	7,254	7,501	211
*St. John the Baptist	32,678	8,833	21,557	244	303	1,741	24,826	7,363	15,831	183	235	1,214	22,433	6,282	15,109	1,042
*West Baton Rouge	13,908	5,716	7,347	213	148	484	10,164	4,372	5,196	160	106	330	8,595	3,807	4,615	173
District 2	776,293	218,067	473,978	23,727	8,188	52,333	600,015	184,800	352,563	18,931	6,367	37,354	495,171	151,791	304,309	39,071
	100.000%	28.091%	61.057%	3.056%	1.055%	6.741%	100.000%	30.799%	58.759%	3.155%	1.061%	6.226%	82.526%	30.654%	61.455%	7.890%
District 3																
Acadia	57,576	44,480	10,864	238	573	1,421	42,943	34,071	7,383	173	400	916	37,678	30,555	6,407	716
Calcasieu	216,785	139,772	59,386	4,702	3,536	9,389	163,166	108,789	41,898	3,359	2,604	6,516	120,511	85,659	29,513	5,339
Cameron	5,617	5,232	125	30	75	155	4,358	4,100	79	23	47	109	4,789	4,610	88	91
Iberia	69,929	39,206	24,556	2,123	794	3,250	52,791	31,295	17,069	1,562	581	2,284	44,526	28,287	14,352	1,887
Jefferson Davis	32,250	25,066	5,837	183	472	692	24,039	19,121	4,006	111	325	476	20,013	16,350	3,202	461
Lafayette	241,753	153,363	65,136	6,454	3,210	13,590	183,875	121,608	45,917	4,664	2,387	9,299	153,493	108,645	36,481	8,367
*St. Martin	50,399	31,974	15,908	590	505	1,422	38,250	25,187	11,282	402	383	996	34,127	22,955	10,380	792
*St. Mary	44,607	24,545	15,198	489	1,518	2,857	34,054	19,719	11,013	319	1,072	1,931	27,921	17,117	9,529	1,275
Vermilion	57,359	44,477	8,810	1,447	623	2,002	43,012	34,363	5,787	1,037	488	1,337	36,769	30,505	4,994	1,270
District 3	776,275	508,115	205,820	16,256	11,306	34,778	586,488	398,253	144,434	11,650	8,287	23,864	479,827	344,683	114,946	20,198
	100.000%	65.456%	26.514%	2.094%	1.456%	4.480%	100.000%	67.905%	24.627%	1.986%	1.413%	4.069%	81.814%	71.835%	23.956%	4.209%

## Splits

Plan: HLS 221ES-2 (Schexnayder) Original

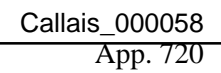
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2021	Reg White Dec 2021	Reg Black Dec 2021	Reg Other Dec 2021
District 4																
Allen	22,750	16,327	4,490	246	947	740	17,510	12,751	3,275	182	646	656	12,201	9,478	2,217	506
Beauregard	36,549	29,529	4,649	402	1,052	917	27,489	22,304	3,495	269	773	648	22,294	18,771	2,369	1,154
Bienville	12,981	6,950	5,600	57	207	167	10,073	5,486	4,284	30	162	111	8,847	4,843	3,917	87
Bossier	128,746	81,052	32,551	3,492	3,273	8,378	95,876	62,931	22,440	2,448	2,477	5,580	69,743	50,861	14,838	4,044
Caddo	237,848	103,457	119,304	4,034	3,840	7,213	182,407	85,059	86,359	3,008	2,958	5,023	151,296	73,113	71,249	6,934
Claiborne	14,170	7,263	6,360	88	185	274	11,507	6,258	4,824	55	140	230	8,598	4,632	3,820	146
De Soto	26,812	15,284	9,973	117	740	698	20,440	11,909	7,425	86	557	463	18,713	11,330	6,810	573
Evangeline	32,350	21,354	9,235	241	280	1,240	24,408	16,460	6,483	187	217	1,061	20,553	14,566	5,643	344
Natchitoches	37,515	19,361	15,725	255	861	1,313	29,349	16,010	11,415	198	683	1,043	23,107	12,850	9,224	1,033
*Rapides	111,108	60,863	41,700	2,235	2,429	3,881	84,531	48,706	29,641	1,633	1,824	2,727	68,356	41,759	23,394	3,203
Red River	7,620	4,195	3,106	25	171	123	5,714	3,338	2,164	3	116	93	5,631	3,130	2,418	83
Sabine	22,155	15,036	3,861	94	2,723	441	17,064	12,054	2,655	66	1,970	319	14,547	11,023	2,184	1,340
Vernon	48,750	35,087	7,611	1,442	1,600	3,010	36,261	26,765	5,133	1,074	1,160	2,129	24,060	19,182	3,011	1,867
Webster	36,967	22,735	12,679	208	687	658	28,753	18,144	9,464	154	558	433	22,737	14,938	7,339	460
District 4	776,321	438,493	276,844	12,936	18,995	29,053	591,382	348,175	199,057	9,393	14,241	20,516	470,683	290,476	158,433	21,774
	100.000%	56.483%	35.661%	1.666%	2.447%	3.742%	100.000%	58.875%	33.660%	1.588%	2.408%	3.469%	79.590%	61.714%	33.660%	4.626%
District 5																
Avoyelles	39,693	25,625	11,678	434	767	1,189	30,578	20,269	8,311	379	570	1,049	23,426	16,534	6,294	598
Caldwell	9,645	7,646	1,632	51	150	166	7,478	5,969	1,224	46	116	123	6,031	5,124	818	89
Catahoula	8,906	5,776	2,395	46	119	570	6,951	4,557	1,736	33	87	538	6,467	4,639	1,770	58
Concordia	18,687	10,275	7,725	122	233	332	14,217	8,108	5,613	100	167	229	11,964	7,222	4,540	202
East Carroll	7,459	2,054	5,272	29	43	61	5,901	1,773	4,043	19	27	39	4,709	1,306	3,359	44
East Feliciana	19,539	11,516	7,341	91	262	329	16,183	9,740	5,918	61	198	266	13,600	7,959	5,186	455
Franklin	19,774	12,492	6,802	70	205	205	15,028	9,901	4,779	44	153	151	13,159	9,015	4,034	110
Grant	22,169	17,709	3,335	133	644	348	17,527	13,964	2,717	97	507	242	12,688	11,174	1,176	338
Jackson	15,031	9,967	4,166	175	255	468	11,783	7,967	3,125	140	174	377	9,449	6,647	2,610	192
La Salle	14,791	11,348	1,422	283	372	1,366	11,563	8,636	1,065	264	271	1,327	8,792	7,978	637	177
Lincoln	48,396	26,034	19,364	892	662	1,444	38,655	21,306	15,119	744	526	960	25,649	15,672	9,016	961
Madison	10,017	3,475	6,363	20	59	100	7,435	2,906	4,391	9	48	81	7,278	2,494	4,674	110
Morehouse	25,629	12,281	12,484	160	370	334	20,062	10,095	9,300	117	279	271	16,922	8,505	8,131	286
Ouachita	160,368	88,545	61,217	2,788	2,661	5,157	120,200	69,974	42,290	2,118	2,059	3,759	99,752	60,515	35,658	3,579
Pointe Coupee	20,758	12,395	7,504	107	159	593	16,250	10,108	5,502	91	119	430	14,675	9,320	5,121	234
*Rapides	18,915	16,647	892	193	673	510	14,261	12,667	564	153	510	367	11,820	11,073	381	366
Richland	20,043	11,785	7,603	83	258	314	15,383	9,338	5,546	66	203	230	13,662	8,470	4,961	231
St. Helena	10,920	4,527	6,031	39	134	189	8,463	3,805	4,371	28	109	150	8,321	3,628	4,565	128

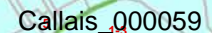


Splits

Plan: HLS 221ES-2 (Schexnayder) Original

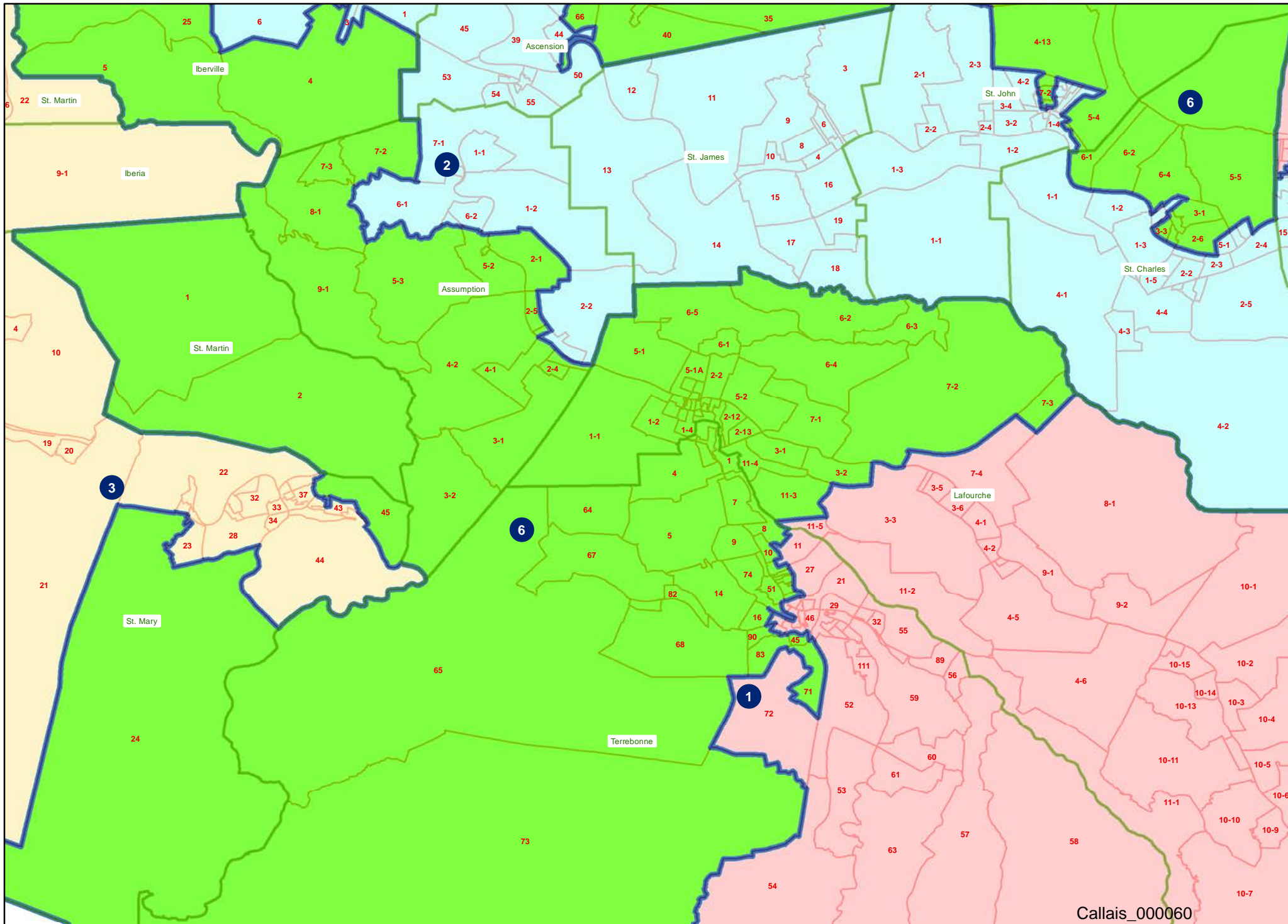
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2021	Reg White Dec 2021	Reg Black Dec 2021	Reg Other Dec 2021
District 5																
St. Landry	82,540	43,611	35,836	499	636	1,958	61,811	34,209	25,497	353	451	1,301	54,482	30,093	23,005	1,384
*Tangipahoa	93,462	52,369	34,600	1,001	1,486	4,006	71,516	42,608	24,248	789	1,128	2,743	52,794	33,899	17,063	1,832
Tensas	4,147	1,744	2,312	23	26	42	3,235	1,446	1,728	12	23	26	3,455	1,503	1,917	35
Union	21,107	14,460	5,224	62	338	1,023	16,632	11,807	3,861	39	254	671	15,221	11,066	3,692	463
Washington	45,463	29,943	13,434	216	736	1,134	34,951	23,743	9,732	154	561	761	27,587	18,835	8,102	650
West Carroll	9,751	7,894	1,425	27	180	225	7,532	6,223	1,010	20	136	143	7,038	5,913	1,040	85
West Feliciana	15,310	10,883	3,740	89	225	373	12,783	9,283	2,951	56	174	319	7,407	5,092	2,180	135
Winn	13,755	8,594	3,727	210	263	961	10,906	6,932	2,695	170	207	902	8,406	5,988	2,292	126
District 5	776,275	459,595	273,524	7,843	11,916	23,397	597,284	367,334	197,336	6,102	9,057	17,455	484,754	309,664	162,222	12,868
	100.000%	59.205%	35.235%	1.010%	1.535%	3.014%	100.000%	61.501%	33.039%	1.022%	1.516%	2.922%	81.160%	63.881%	33.465%	2.655%
District 6																
*Ascension	105,608	75,516	18,374	2,160	1,834	7,724	76,531	56,464	12,373	1,410	1,277	5,007	66,737	52,932	10,020	3,785
*Assumption	14,329	10,852	2,598	73	214	592	11,346	8,811	1,943	42	164	386	9,683	7,703	1,808	172
*East Baton Rouge	362,456	190,445	127,605	15,942	4,358	24,106	284,652	158,787	93,158	12,217	3,458	17,032	220,281	135,242	70,421	14,618
*Iberville	9,168	6,380	2,414	29	127	218	7,455	5,280	1,869	24	107	175	6,832	4,777	1,942	113
*Lafourche	47,393	32,958	11,238	449	1,005	1,743	36,567	26,288	8,093	313	650	1,223	28,924	22,972	5,013	939
Livingston	142,282	116,855	12,658	1,697	3,111	7,961	105,141	88,432	8,136	1,099	2,311	5,163	84,568	76,062	5,425	3,081
*St. Charles	17,606	12,529	2,837	336	315	1,589	13,253	9,802	1,933	222	210	1,086	11,736	9,263	1,688	785
*St. John the Baptist	9,799	5,044	3,639	159	162	795	7,677	4,259	2,606	140	115	557	6,480	3,937	2,125	418
*St. Martin	1,368	1,285	13	7	34	29	1,154	1,091	11	5	30	17	993	979	1	13
*St. Mary	4,799	2,404	793	346	152	1,104	3,467	1,875	507	274	101	710	2,289	1,595	362	332
*Terrebonne	48,206	32,540	10,260	820	2,429	2,157	36,225	25,570	7,022	559	1,602	1,472	27,716	21,179	4,913	1,624
*West Baton Rouge	13,291	8,591	3,823	74	178	625	10,362	6,774	2,953	49	113	473	8,546	6,130	2,250	166
District 6	776,305	495,399	196,252	22,092	13,919	48,643	593,830	393,433	140,604	16,354	10,138	33,301	474,785	342,771	105,968	26,046
	100.000%	63.815%	25.280%	2.846%	1.793%	6.266%	100.000%	66.253%	23.677%	2.754%	1.707%	5.608%	79.953%	72.195%	22.319%	5.486%

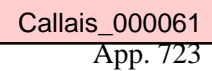






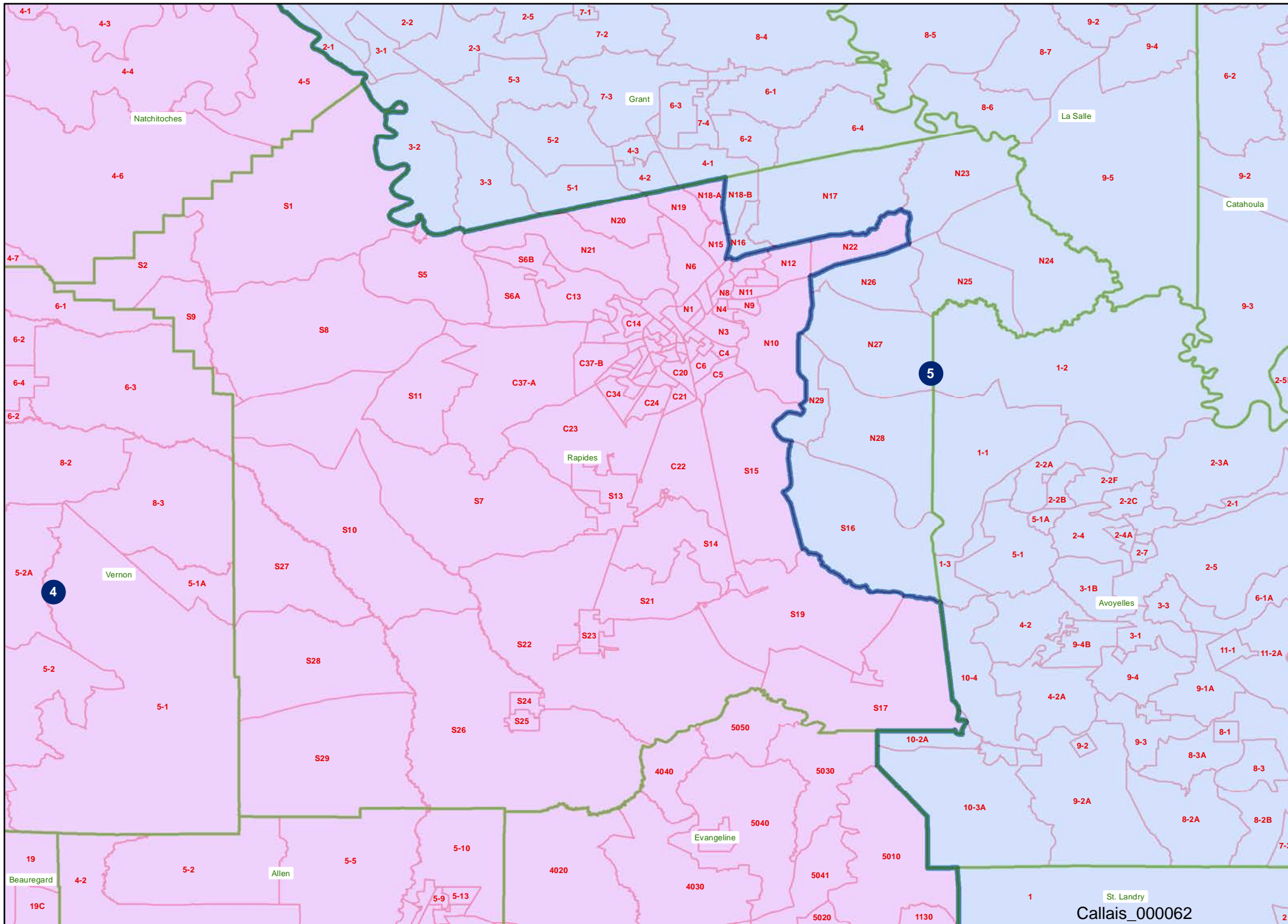
HLS 221ES-2 (Schexnayder) Original - Bayou River Region







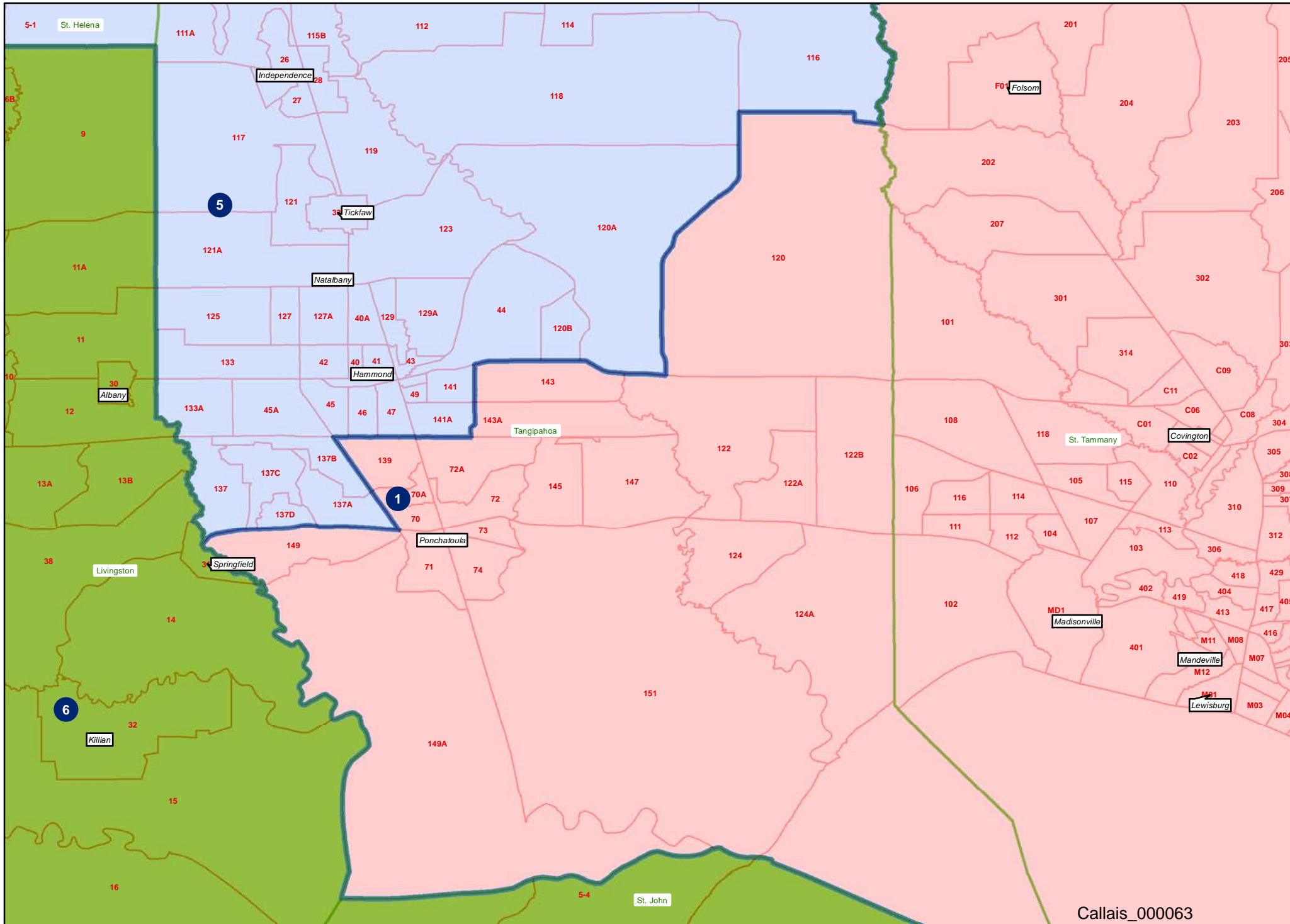
HLS22IES-2 (Schexnayder) Original - Rapides



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App. 724

HLS 221ES-2 (Scheexnayder) Original - Tangipahoa



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App. 725



EXECUTIVE DEPARTMENT  
OFFICE OF THE GOVERNOR  
PROCLAMATION NUMBER 01 JML 2024

***CALL AND CONVENE THE LEGISLATURE OF LOUISIANA  
INTO EXTRAORDINARY SESSION***

By virtue of the authority vested in me by Louisiana Constitution Article III, Section 2(B), I, Jeff Landry, Governor of the State of Louisiana, HEREBY CALL AND CONVENE THE LEGISLATURE OF LOUISIANA INTO EXTRAORDINARY SESSION to convene at the State Capital, in the city of Baton Rouge, Louisiana, during eight calendar days, beginning at 4:00 o'clock p.m. on the 15th day of January, 2024, and ending no later than 6:00 o'clock p.m. on the 23<sup>rd</sup> day of January 2024. The power to legislate at this session shall be limited, under penalty of nullity, to the consideration of the following enumerated objects.

- ITEM 1:** To legislate relative to the redistricting of the Congressional districts of Louisiana;
- ITEM 2:** To legislate relative to amendments to the election code needed for implementation of the redistricting of the Congressional districts of Louisiana;
- ITEM 3:** To legislate relative to the redistricting and elections of the Supreme Court;
- ITEM 4:** To legislate relative to amendments to the Constitution relative to the Supreme Court:  
a) composition;  
b) number of justices;  
c) number of districts;  
d) method of electing justices to the Supreme Court; and  
e) method of selecting the chief justice;
- ITEM 5:** To legislate relative to amendments to the election code needed for implementation of the redistricting of the Supreme Court;
- ITEM 6:** To legislate to provide funding, including the use of excess state general fund dollars, for the implementation of changes made to the Supreme Court;
- ITEM 7:** To legislate relative to the creation of a party primary system for elections;
- ITEM 8:** To legislate relative to campaign finance laws;
- ITEM 9:** To legislate relative to campaign qualifying fees for Presidential and Congressional elections;
- ITEM 10:** To legislate relative to amendments to the election code needed for the implementation of elections;

EXHIBIT

JE8



- ITEM 11:** To legislate to provide funding, including the use of excess state general fund dollars, for the implementation of the party primary system for elections and corresponding changes to the election laws;
- ITEM 12:** To legislate relative to amendments to the Constitution relative to the implementation of elections;
- ITEM 13:** To legislate relative to calling a special statewide election for the purposes of allowing all voters, registered and qualified, to vote on the Constitutional amendments; and
- ITEM 14:** To legislate to provide funding, including the use of excess state general fund dollars, for purposes of calling and holding a special election on the Constitutional amendments.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 8<sup>th</sup> day of January, 2024.

  
Jeff Landry  
GOVERNOR OF LOUISIANA

ATTEST BY THE  
SECRETARY OF STATE

  
Nancy Landry  
SECRETARY OF STATE

## 2024 FIRST EXTRAORDINARY SESSION

# SB8 by Senator Glen Womack

**CONGRESS:** *Provides for redistricting of Louisiana congressional districts. (Item #1)(See Act) (EN INCREASE GF EX See Note)*

**Current Status** (as of 1/31/2024 3:20 pm): **Signed by the Governor - Act 2**

<u>Date</u>	<u>Chamber</u>	<u>Journal Page</u>	<u>Action</u>
01/22	S		Effective date: See Act.
01/22	S		Signed by the Governor. Becomes Act No. 2.
01/19	S	6	Sent to the Governor by the Secretary of the Senate.
01/19	H		Signed by the Speaker of the House.
01/19	S	6	Enrolled. Signed by the President of the Senate.
01/19	S	4	Rules suspended. Amendments proposed by the House read and concurred in by a vote of 27 yeas and 11 nays.
01/19	S	3	Received from the House with amendments.
01/19	H		Read third time by title, amended, roll called on final passage, yeas 86, nays 16. Finally passed, ordered to the Senate.
01/18	H		Scheduled for floor debate on 01/19/2024.
01/18	H	3	Read by title, amended, passed to 3rd reading.
01/18	H	3	Reported without Legislative Bureau amendments.
01/18	H	1	Rules suspended.
01/18	H	1	Reported with amendments (14-1). Referred to the Legislative Bureau.
01/17	H	7	Received in the House from the Senate, rules suspended, read by title, referred to the Committee on House and Governmental Affairs.
01/17	S	2	Rules suspended. Read by title, passed by a vote of 27 yeas and 11 nays, and sent to the House. Motion to reconsider tabled.
01/16	S	3	Rules suspended. Reported with amendments. Rules suspended. Read by title; Committee amendments read and adopted. Ordered engrossed and passed to third reading and final passage.
01/15	S	5	Introduced in the Senate; read by title. Rules suspended. Read second time and referred to the Committee on Senate and Governmental Affairs.

**Authors:**

Glen Womack  
Marcus Bryant  
Wilford Carter , Sr.  
Tehmi Chassion  
Kyle M. Green , Jr.  
Mandie Landry  
Ed Larvadain III  
Pat Moore  
Larry Selders  
Joy Walters

EXHIBIT

JE10

exhibiticker.com

**Authors:**

Rashid Young

Alonzo Knox

**Available Documents:**

**Text**

SB8 Act 2 <https://legis.la.gov/legis/ViewDocument.aspx?d=1341081>  
SB8 Enrolled <https://legis.la.gov/legis/ViewDocument.aspx?d=1340797>  
SB8 Engrossed <https://legis.la.gov/legis/ViewDocument.aspx?d=1340284>  
SB8 Original <https://legis.la.gov/legis/ViewDocument.aspx?d=1340141>

**Amendments**

House Floor Amendment, #83, Beaulieu, Adopted <https://legis.la.gov/legis/ViewDocument.aspx?d=1340695>  
House Committee Amendment, #74, H&G, Adopted <https://legis.la.gov/legis/ViewDocument.aspx?d=1340645>  
House Committee Amendment, #68, H&G, Draft <https://legis.la.gov/legis/ViewDocument.aspx?d=1340501>  
House Committee Amendment, #70, H&G, Draft <https://legis.la.gov/legis/ViewDocument.aspx?d=1340478>  
Senate Committee Amendment, #48, S&G, Adopted <https://legis.la.gov/legis/ViewDocument.aspx?d=1340274>  
Senate Committee Amendment, #38, S&G, Draft <https://legis.la.gov/legis/ViewDocument.aspx?d=1340218>  
Senate Committee Amendment, #34, S&G, Draft <https://legis.la.gov/legis/ViewDocument.aspx?d=1340190>  
Senate Committee Amendment, #31, S&G, Draft <https://legis.la.gov/legis/ViewDocument.aspx?d=1340187>

**Digests**

Summary of House Amendments to SB8 <https://legis.la.gov/legis/ViewDocument.aspx?d=1340757>  
House Committee Redigest of SB8 <https://legis.la.gov/legis/ViewDocument.aspx?d=1340646>  
Digest of SB8 Engrossed <https://legis.la.gov/legis/ViewDocument.aspx?d=1340304>  
Digest of SB8 Original <https://legis.la.gov/legis/ViewDocument.aspx?d=1340142>

**Notes**

Fiscal Note - SB8 Enrolled <https://legis.la.gov/legis/ViewDocument.aspx?d=1340837>  
Fiscal Note - SB8 Engrossed With House Floor Amendments <https://legis.la.gov/legis/ViewDocument.aspx?d=1340767>  
Fiscal Note - SB8 Engrossed With House Cmte Amendments <https://legis.la.gov/legis/ViewDocument.aspx?d=1340657>  
Fiscal Note - SB8 Engrossed <https://legis.la.gov/legis/ViewDocument.aspx?d=1340336>  
Fiscal Note - SB8 Original <https://legis.la.gov/legis/ViewDocument.aspx?d=1340185>

**Votes**

Senate Vote on SB 8, CONCUR (#20) <https://legis.la.gov/legis/ViewDocument.aspx?d=1340794>  
House Vote on SB 8, FINAL PASSAGE (#21) <https://legis.la.gov/legis/ViewDocument.aspx?d=1340770>  
House Vote on SB 8, AMENDMENT # 83 BY BEAULLIEU, MOTION TO ADOPT (#20) <https://legis.la.gov/legis/ViewDocument.aspx?d=1340769>  
Senate Vote on SB 8, FINAL PASSAGE (#9) <https://legis.la.gov/legis/ViewDocument.aspx?d=1340426>

SLS 241ES-18  
2024 First Extraordinary Session  
SENATE BILL NO. 8  
BY SENATOR WOMACK

ORIGINAL



CONGRESS. Provides for redistricting of Louisiana congressional districts. (Item #1)(See Act)

1 AN ACT

2 To enact R.S. 18:1276.1 and to repeal R.S. 18:1276, relative to congressional districts; to

3 provide for the redistricting of Louisiana's congressional districts; to provide with

4 respect to positions and offices, other than congressional, which are based upon

5 congressional districts; to provide for the effectiveness; and to provide for related

6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1276.1 is hereby enacted to read as follows:

9 **§1276.1. Congressional districts**

10 **Louisiana shall be divided into six congressional districts, and the**

11 **qualified electors of each district shall elect one representative to the United**

12 **States House of Representatives. The districts shall be composed as follows:**

13 **(1) District 1 is composed of Precincts 13, 14, 15, 18, 21, 22, 25, 26, 27, 33,**

14 **34, 35, 41, 43 and 69 of Ascension Parish; Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11,**

15 **12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,**

16 **35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62,**

17 **63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85,**

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86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106,  
117, 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 132,  
134, 136, 192, 198, 199, 246, 247, 248, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H,  
8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K,  
11-K, 12-K, 13-KA, 14-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K,  
29-K, 34-K, 35-K and 1-L of Jefferson Parish; Precincts 3-3, 3-6, 4-1, 4-2, 4-3,  
4-4, 4-5, 4-6, 7-4, 8-1, 9-1, 9-2, 10-1, 10-2, 10-3, 10-4, 10-6, 10-8, 10-9, 10-10,  
10-11, 10-12, 10-13, 10-14, 10-15, 10-16, 11-1, 11-2, 11-3 and 11-5 of Lafourche  
Parish; Precincts 13A, 13B, 14, 15, 16, 17, 22, 31, 32 and 38 of Livingston  
Parish; Precincts 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21,  
4-22, 4-23, 5-12, 5-13, 5-15, 5-16, 5-17, 5-18, 6-9, 7-41, 7-42, 9-45, 9-45A, 11-4,  
11-5, 11-8, 11-9, 11-10, 11-11, 12-5, 12-6, 12-7, 12-9, 12-10, 13-5, 13-7, 13-8, 14-1,  
14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8, 14-9, 14-10, 14-11, 14-13A, 14-14, 14-15,  
14-16, 14-17, 14-18A, 14-20, 14-21, 16-1, 16-1A, 17-1, 17-17, 17-18, 17-18A, 17-19  
and 17-20 of Orleans Parish; Plaquemines Parish; Precincts 32, 33, 34, 41, 42A,  
43, 44, 45, 46, 50, 51, 52, 53, 54 and 55 of St. Bernard Parish; Precincts 1-6, 2-6,  
3-1, 3-2, 3-3, 5-5, 6-1, 6-2, 6-3, 6-4, 6-6 and 6-8 of St. Charles Parish; St.  
Tammany Parish and Precincts 44, 49, 70, 70A, 71, 72, 72A, 73, 74, 120B, 122A,  
122B, 122C, 124, 137, 137A, 137B, 137C, 137D, 139, 141, 141A, 143, 143A, 145,  
147, 149, 149A and 151 of Tangipahoa Parish.

(2) District 2 is composed of Precincts 6, 7, 9, 11, 17, 20, 23, 24, 28, 30, 31,  
32, 36, 37, 38, 39, 40, 42, 44, 45, 47, 48, 50, 51, 52, 53, 54, 55, 57, 58, 62, 63, 65, 66,  
68, 71, 72, 73, 77 and 78 of Ascension Parish; Assumption Parish; Iberville  
Parish; Precincts 57, 104, 108, 115, 116, 131, 133, 138, 150, 151, 152, 153, 154,  
155, 156, 157A, 157B, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179A, 179B,  
180, 181, 182, 183, 184, 185A, 185B, 187, 188, 189, 190, 191, 193A, 193B, 194A,  
194B, 195, 196, 197A, 197B, 200, 201, 202, 203, 204, 205, 210, 211, 212, 213A,  
213B, 213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229,  
230, 231, 232A, 232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G,

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1 6-G, 7-G, 8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 15-K, 21-K, 22-K, 23-K,  
2 24-K, 26-K, 30-K, 31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W and 7-W of  
3 Jefferson Parish; Precincts 1-2, 1-3, 1-4, 1-5, 1-6, 2-1, 2-1A, 2-3, 2-5, 2-7, 2-9,  
4 2-10, 2-11, 2-16, 5-1, 5-1A and 5-3 of Lafourche Parish; Precincts 1-1, 1-2, 1-5,  
5 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 3-9, 3-12, 3-14, 3-15, 3-18, 3-19, 3-20, 4-2, 4-3,  
6 4-6, 5-1, 5-2, 5-3, 5-5, 5-7, 5-8, 5-9, 5-10, 5-11, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 7-1, 7-2,  
7 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18,  
8 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29,  
9 7-30, 7-32, 7-33, 7-35, 7-37, 7-37A, 7-40, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12,  
10 8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1,  
11 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-19,  
12 9-21, 9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D,  
13 9-32, 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40,  
14 9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B,  
15 9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N,  
16 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M,  
17 9-44N, 9-44O, 9-44P, 9-44Q, 10-3, 10-6, 10-7, 10-8, 10-9, 10-11, 10-12, 10-13,  
18 10-14, 11-2, 11-3, 11-12, 11-13, 11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-11, 12-12,  
19 12-13, 12-14, 12-16, 12-17, 12-19, 13-1, 13-2, 13-3, 13-4, 13-6, 13-9, 13-10, 13-11,  
20 13-12, 13-13, 13-14, 13-15, 13-16, 14-12, 14-19, 14-23, 14-24A, 14-25, 14-26, 15-1,  
21 15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A,  
22 15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15,  
23 15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C,  
24 15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B, 15-19C, 16-2, 16-3, 16-4, 16-5,  
25 16-6, 16-7, 16-8, 16-9, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11,  
26 17-12, 17-13, 17-13A, 17-14, 17-15 and 17-16 of Orleans Parish; Precincts 10, 11,  
27 12, 13, 14, 15, 20, 21, 22, 23, 24, 25, 30, 31, 40 and 42 of St. Bernard Parish;  
28 Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 2-1, 2-3, 2-4, 2-5, 4-1, 4-2, 4-3, 4-4, 4-5, 5-1, 5-3,  
29 5-4, 7-1, 7-2, 7-3, 7-4, 7-5 and 7-6 of St. Charles Parish; St. James Parish and St.

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ORIGINAL  
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**John the Baptist Parish.**

**(3) District 3 is composed of Acadia Parish; Precincts 167, 260, 261, 262, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309E, 309W, 310, 311, 312, 313E, 313W, 314, 315E, 315W, 316E, 316W, 317, 318, 319N, 319S, 320E, 320W, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332N, 332S, 333, 334, 335, 336, 337, 338, 339, 340, 360, 361, 362, 363, 364, 368, 369, 370, 372, 405, 440, 441, 463, 464, 467, 800, 801, 860S, 861E and 861W of Calcasieu Parish; Cameron Parish; Iberia Parish; Jefferson Davis Parish; Precincts 1, 3, 8, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 114, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127, 128, 130, 131, 133, 134, 135 and 136 of Lafayette Parish; Precincts 1-1, 2-2, 2-6, 2-8, 2-12, 2-13, 2-14, 2-15, 3-1, 3-2, 3-4, 3-5, 3-7, 5-2, 6-1, 6-2, 6-3, 6-4, 6-5, 7-1, 7-2, 7-3 and 11-4 of Lafourche Parish; St. Martin Parish; St. Mary Parish; Terrebonne Parish and Vermilion Parish.**

**(4) District 4 is composed of Allen Parish; Beauregard Parish; Bienville Parish; Bossier Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 2-1, 2-2, 2-4, 2-7, 3-1, 3-8, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-9, 4-10, 5-10, 6-1, 7-1, 8-1, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 9-1, 9-2, 9-3, 9-5, 9-7, 9-8, 9-12, 9-13, 10-2, 10-8, 11-1, 11-2, 11-3, 11-4, 11-5, 11-6, 11-7, 11-8, 11-9, 11-10, 12-1, 12-3, 12-7 and 12-8 of Caddo Parish; Precincts 160E, 160W, 161, 162E, 162W, 163, 164, 165, 166E, 166W, 365, 366, 367, 371N, 371S, 400, 401, 402, 403, 404, 406, 407, 408, 460E, 460W, 461, 465, 466E, 466W, 468, 469, 560, 561, 562, 600, 601, 602, 603, 660, 661, 662, 663, 664, 700, 701, 702, 703, 760, 761, 762 and 860N of Calcasieu Parish; Claiborne Parish; Precincts 4, 10, 11, 11B, 11C, 16, 16A, 16B, 16C, 22, 22A, 23, 28, 30, 30A, 31A, 34, 34A, 34B, 35, 35A, 35B, 37, 37C, 44, 46, 46A, 46B, 48, 49, 49A, 51, 53 and 55 of De Soto Parish; Evangeline Parish; Grant Parish; Jackson Parish; Lincoln Parish;**



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Precincts 25, 32, 36, 38, 41, 42, 43, 44, 44A, 45, 49, 51, 51A, 53, 55, 57 and 58 of Ouachita Parish; Precincts C22, C23, C27, C30, C31, C32, C33, C34, C35, C36, C37-A, C37-B, C41, C42, S7, S8, S9, S10, S11, S13, S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S24, S25, S26, S27, S28 and S29 of Rapides Parish; Red River Parish; Sabine Parish; Union Parish; Vernon Parish; Webster Parish and Winn Parish.

(5) District 5 is composed of Precincts 1, 2, 3, 4, 5, 8, 10, 12, 16, 19, 61, 64 and 76 of Ascension Parish; Caldwell Parish; Catahoula Parish; Concordia Parish; Precincts 1-12, 1-34, 1-41, 1-42, 1-43, 1-44, 1-46, 1-47, 1-49, 1-56, 1-69, 1-74, 1-75, 1-76, 1-79, 1-80, 1-99, 1-105, 1-107, 2-6, 2-7, 2-8, 2-33, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-21, 3-22, 3-23, 3-25, 3-26, 3-29, 3-30, 3-31, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-43, 3-45, 3-46, 3-47, 3-48, 3-49, 3-51, 3-53, 3-58, 3-60, 3-61, 3-62, 3-64, 3-65, 3-66, 3-67, 3-68, 3-71, 3-73 and 3-74 of East Baton Rouge Parish; East Carroll Parish; East Feliciana Parish; Franklin Parish; La Salle Parish; Precincts 1, 1A, 1B, 1C, 1D, 2, 2A, 3, 3A, 3B, 4, 4A, 4B, 5, 5A, 5B, 5D, 6, 6A, 6B, 7, 7A, 7B, 7C, 7D, 8A, 8B, 9, 10, 11, 11A, 12, 18, 18A, 19, 19A, 20, 21, 21A, 21B, 23, 23A, 23B, 23C, 24, 24B, 24C, 24D, 25, 26, 26A, 26B, 26C, 27, 28, 29, 30, 33, 34, 35, 35A, 36, 36A, 39, 39A, 39B, 40, 40A, 41 and 43 of Livingston Parish; Madison Parish; Morehouse Parish; Precincts 1, 1A, 2, 3, 4, 5, 6, 7, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 30, 31, 33, 34, 35, 37, 39, 40, 46, 47, 48, 50, 52, 52A, 54, 56, 56A, 59, 60, 61, 62, 63, 64, 65, 65A, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78 and 79 of Ouachita Parish; Richland Parish; St. Helena Parish; Precincts 2, 6, 11, 15, 16, 17, 28, 33, 40A, 41, 42, 43, 45A, 45B, 46, 47, 101, 102, 104, 105, 106, 106A, 107, 108, 109, 110, 111A, 112, 114, 115B, 116, 117, 118, 118A, 119, 120, 120A, 121, 121A, 123, 125, 127, 129A, 133 and 133A of Tangipahoa Parish; Tensas Parish; Washington Parish; West Carroll Parish and West Feliciana Parish.

(6) District 6 is composed of Avoyelles Parish; Precincts 2-3, 2-5, 2-6, 2-8,



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2-9, 2-10, 2-11, 2-12, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7,  
5-8, 5-9, 5-11, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7,  
7-8, 7-9, 7-10, 9-4, 9-6, 9-9, 9-10, 9-11, 10-1, 10-3, 10-4, 10-5, 10-6, 10-7, 10-9,  
12-2, 12-4, 12-5, 12-6, 12-9, 12-10 and 12-11 of Caddo Parish; Precincts 1, 5, 5A,  
6, 6A, 6B, 9, 21, 26, 26A, 31, 32, 33, 33A, 38, 38A, 42, 56, 59, 60, 60A, 63 and 63A  
of De Soto Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11,  
1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26,  
1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-35, 1-36, 1-37, 1-38, 1-39, 1-40, 1-45,  
1-48, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55, 1-57, 1-58, 1-59, 1-60, 1-61, 1-62, 1-63,  
1-64, 1-65, 1-66, 1-67, 1-68, 1-70, 1-71, 1-72, 1-73, 1-77, 1-78, 1-81, 1-82, 1-83,  
1-84, 1-85, 1-86, 1-87, 1-88, 1-89, 1-90, 1-91, 1-92, 1-93, 1-94, 1-95, 1-96, 1-97,  
1-98, 1-100, 1-101, 1-102, 1-103, 1-104, 2-1, 2-2, 2-3, 2-4, 2-5, 2-9, 2-10, 2-11, 2-12,  
2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23, 2-24, 2-25, 2-26,  
2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-34, 2-35, 2-36, 2-37, 2-38, 3-8, 3-10, 3-11, 3-12,  
3-19, 3-20, 3-24, 3-27, 3-28, 3-32, 3-42, 3-44, 3-50, 3-52, 3-54, 3-55, 3-56, 3-57,  
3-59, 3-63, 3-69, 3-70, 3-72, 3-75 and 3-76 of East Baton Rouge Parish; Precincts  
2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 50, 51, 52, 53,  
54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 68, 112, 113, 122 and 129 of Lafayette  
Parish; Natchitoches Parish; Pointe Coupee Parish; Precincts C1, C2, C3, C4,  
C5, C6, C7, C8, C9, C10, C11-A, C11-B, C13, C14, C15, C17, C18, C19, C20,  
C21, C24, C25, C26, C28, C38-A, C38-B, C39, C40, N1, N2, N3, N4, N5, N6, N7,  
N8, N9, N10, N11, N12, N13-A, N13-B, N14-A, N14-B, N15, N16, N17, N18-A,  
N18-B, N19, N20, N21, N22, N23, N24, N25, N26, N27, N28, N29, S1, S2, S4, S5,  
S6A and S6B of Rapides Parish; St. Landry Parish and West Baton Rouge  
Parish.

Section 2. R.S. 18:1276 is hereby repealed.

Section 3.(A) The precincts referenced in this Act are those contained in the file  
named "2024 Precinct Shapefiles (1-10-2024)" available on the website of the Legislature  
of Louisiana on the effective date of this Section. The 2024 Precinct Shapefiles are based

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1 upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line  
2 Shapefiles for the State of Louisiana as those files have been modified and validated through  
3 the data verification program of the Louisiana House of Representatives and the Louisiana  
4 Senate to represent precinct changes submitted through January 10, 2024, to the Legislature  
5 of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and  
6 532.1.

7 (B) When a precinct referenced in this Act has been subdivided by action of the  
8 parish governing authority on a nongeographic basis or subdivided by action of the parish  
9 governing authority on a geographic basis in accordance with the provisions of R.S.  
10 18:532.1, the enumeration in this Act of the general precinct designation shall include all  
11 nongeographic and all geographic subdivisions thereof, however such subdivisions may be  
12 designated.

13 (C) The territorial limits of the districts as provided in this Act shall continue in  
14 effect until changed by law regardless of any subsequent change made to the precincts by  
15 the parish governing authority.

16 Section 4. The provisions of this Act shall not reduce the term of office of any person  
17 holding any position or office on the effective date of this Section for which the appointment  
18 or election is based upon a congressional district as composed pursuant to R.S. 18:1276. Any  
19 position or office that is filled by appointment or election based upon a congressional district  
20 and that is to be filled after January 3, 2025, shall be appointed or elected from a district as  
21 it is described in Section 1 of this Act.

22 Section 5.(A) Solely for the purposes of qualifying for election and the conduct of  
23 the election of representatives to the United States Congress at the regularly scheduled  
24 election for representatives to the congress in 2024, the provisions of Section 1 of this Act  
25 shall become effective upon signature of this Act by the governor or, if not signed by the  
26 governor, upon expiration of the time for bills to become law without signature by the  
27 governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act  
28 is vetoed by the governor and subsequently approved by the legislature, the provisions of  
29 Section 1 of this Act shall become effective on the day following such approval for the

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purposes established in this Subsection.

(B) For subsequent elections of representatives to the United States Congress and for all other purposes, the provisions of Section 1 of this Act shall become effective at noon on January 3, 2025.

(C) The provisions of Section 2 of this Act shall become effective at noon on January 3, 2025.

(D) The provisions of this Section and Sections 3 and 4 of this Act shall become effective upon signature of this Act by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, the provisions of this Section and Sections 3 and 4 of this Act shall become effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by J. W. Wiley.

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DIGEST

SB 8 Original                      2024 First Extraordinary Session                      Womack

Present U.S. Constitution (14th Amendment) provides that representatives in congress shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state. The U.S. Supreme Court has held that the population of congressional districts in the same state must be as nearly equal in population as practicable.

Present law provides for six congressional districts based upon the 2020 federal decennial census.

Proposed law redraws district boundaries for the congressional districts based upon the 2020 federal decennial census.

Proposed law provides that the new districts become effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024. Retains present law districts based upon the 2020 census until noon on January 3, 2025, at which time present law is repealed and the new districts based upon the 2020 census, as established by proposed law, become effective for all other purposes.

Proposed law specifies that precincts referenced in district descriptions are those precincts identified as Voting Districts (VTDs) contained in the file named "2024 Precinct Shapefiles (1-10-2024)" available on the La. Legislature's website. Specifies that the 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the La. legislature. Also specifies that if any such precinct has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority

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on a geographic basis in accordance with present law, the enumeration of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof. Further provides that the territorial limits of the districts as enacted shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

Proposed law specifies that proposed law does not reduce the term of office of any person holding any position or office on the effective date of proposed law for which the appointment or election is based upon a congressional district as composed pursuant to present law. Specifies that any position or office filled after Jan. 1, 2025, for which the appointment or election is based upon a congressional district shall be appointed or elected from a district as it is described in proposed law.

Population data in the summaries accompanying this digest are derived from 2020 Census Redistricting Data (Public Law 94-171), Summary File for Louisiana. Population data, statistical information, and maps are supplied for purposes of information and analysis and comprise no part of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024; effective for all other purposes at noon on January 3, 2025.

(Adds R.S. 18:1276.1; repeals R.S. 18:1276)

Plan Statistics

Plan: SLS 241ES-18 (Womack)

Districts:	# of Members	Actual Population	Ideal Population	Absolute Deviation	Relative Deviation
District 1	1	776,327	776,292	35	0.005%
District 2	1	776,316	776,292	24	0.003%
District 3	1	776,287	776,292	-5	-0.001%
District 4	1	776,314	776,292	22	0.003%
District 5	1	776,259	776,292	-33	-0.004%
District 6	1	776,254	776,292	-38	-0.005%
Grand Total:	6	4,657,757	4,657,752		
Ideal Population Per Member:		776292			
Number of Districts for Plan Type:		6			
Range of District Populations:		776,254	to 776,327		
Absolute Mean Deviation:		12			
Absolute Range:		-38	to 35		
Absolute Overall Range:		73			
Relative Mean Deviation:		0.00%			
Relative Range:		0.00%	to 0.00%		
Relative Overall Range:		0.00%			

<b><i>Ideal - Actual:</i></b>	<b>-5</b>
<b><i>Remainder:</i></b>	<b>5</b>
<b><i>Unassigned Population:</i></b>	<b>0</b>

Total Population

Plan: SLS 241ES-18 (Womack)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	VAP Hispanic Total
District 1	776,327	553,751	108,188	23,991	17,494	72,903	90,968	603,907	444,675	76,646	17,622	12,740	52,224	64,365
	100.000%	71.330%	13.936%	3.090%	2.253%	9.391%	11.718%	100.000%	73.633%	12.692%	2.918%	2.110%	8.648%	10.658%
District 2	776,316	271,367	412,387	24,960	9,683	57,919	74,305	598,204	225,203	305,124	19,711	7,377	40,789	51,406
	100.000%	34.956%	53.121%	3.215%	1.247%	7.461%	9.571%	100.000%	37.647%	51.007%	3.295%	1.233%	6.819%	8.593%
District 3	776,287	514,019	189,998	16,980	18,502	36,788	43,292	588,557	405,242	132,825	12,215	12,990	25,285	29,021
	100.000%	66.215%	24.475%	2.187%	2.383%	4.739%	5.577%	100.000%	68.853%	22.568%	2.075%	2.207%	4.296%	4.931%
District 4	776,314	539,009	172,278	13,380	20,382	31,265	39,551	594,570	423,134	124,461	9,728	15,227	22,020	27,338
	100.000%	69.432%	22.192%	1.724%	2.625%	4.027%	5.095%	100.000%	71.166%	20.933%	1.636%	2.561%	3.704%	4.598%
District 5	776,259	492,074	224,328	15,038	12,092	32,727	38,399	596,882	392,528	160,490	11,285	9,179	23,400	26,693
	100.000%	63.390%	28.899%	1.937%	1.558%	4.216%	4.947%	100.000%	65.763%	26.888%	1.891%	1.538%	3.920%	4.472%
District 6	776,254	287,432	435,940	12,939	8,907	31,036	36,034	588,428	233,729	316,223	9,855	6,727	21,894	24,839
	100.000%	37.028%	56.159%	1.667%	1.147%	3.998%	4.642%	100.000%	39.721%	53.740%	1.675%	1.143%	3.721%	4.221%
Grand Total	4,657,757	2,657,652	1,543,119	107,288	87,060	262,638	322,549	3,570,548	2,124,511	1,115,769	80,416	64,240	185,612	223,662
	100.000%	57.059%	33.130%	2.303%	1.869%	5.639%	6.925%	100.000%	59.501%	31.249%	2.252%	1.799%	5.198%	6.264%

Plan: SLS 241ES-18 (Womack)

	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023	Reg Dem Total Dec 2023	Reg Rep Total Dec 2023	Reg Other Total Dec 2023
District 1	479,186	385,098	51,969	42,119	127,253	205,251	146,682
	79.348%	80.365%	10.845%	8.790%	26.556%	42.833%	30.611%
District 2	466,623	181,215	245,721	39,687	267,146	76,552	122,925
	78.004%	38.835%	52.659%	8.505%	57.251%	16.406%	26.344%
District 3	452,113	336,261	94,266	21,586	142,481	185,022	124,610
	76.817%	74.375%	20.850%	4.774%	31.514%	40.924%	27.562%
District 4	441,028	335,655	85,837	19,536	126,254	198,958	115,816
	74.176%	76.107%	19.463%	4.430%	28.627%	45.112%	26.260%
District 5	455,822	317,221	120,765	17,836	152,554	186,002	117,266
	76.367%	69.593%	26.494%	3.913%	33.468%	40.806%	25.726%
District 6	447,515	184,996	243,271	19,248	236,818	99,841	110,856
	76.053%	41.339%	54.360%	4.301%	52.918%	22.310%	24.771%
Grand Total	2,742,287	1,740,446	841,829	160,012	1,052,506	951,626	738,155

Splits

Plan: SLS 241ES-18 (Womack)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 1																
*Ascension	27,718	23,228	2,058	201	522	1,709	20,611	17,693	1,304	121	368	1,125	17,243	15,672	954	617
*Jefferson	240,081	155,518	30,822	11,880	4,356	37,505	192,148	129,999	22,555	8,951	3,295	27,348	144,399	112,491	12,528	19,380
*Lafourche	47,193	37,212	3,189	577	3,242	2,973	35,543	29,123	1,939	413	2,140	1,928	25,117	22,442	1,115	1,560
*Livingston	13,310	11,276	1,138	84	259	553	10,369	8,949	804	46	207	363	8,639	7,732	668	239
*Orleans	64,493	50,312	6,498	2,503	749	4,431	53,843	42,329	5,556	1,950	609	3,399	41,535	34,071	3,239	4,225
Plaquemines	23,515	14,287	5,428	1,317	697	1,786	17,334	10,856	3,857	925	500	1,196	13,143	8,996	2,934	1,213
*St. Bernard	20,543	11,907	5,780	617	436	1,803	14,871	8,992	3,854	424	327	1,274	12,975	8,866	3,231	878
*St. Charles	19,887	13,870	3,607	347	356	1,707	14,990	10,865	2,485	229	241	1,170	12,791	9,837	2,063	891
St. Tammany	264,570	196,641	38,643	5,774	5,660	17,852	202,228	154,621	26,761	4,075	4,161	12,610	174,307	141,262	21,129	11,916
*Tangipahoa	55,017	39,500	11,025	691	1,217	2,584	41,970	31,248	7,531	488	892	1,811	29,037	23,729	4,108	1,200
District 1	776,327	553,751	108,188	23,991	17,494	72,903	603,907	444,675	76,646	17,622	12,740	52,224	479,186	385,098	51,969	42,119
	100.000%	71.330%	13.936%	3.090%	2.253%	9.391%	100.000%	73.633%	12.692%	2.918%	2.110%	8.648%	79.348%	80.365%	10.845%	8.790%
District 2																
*Ascension	67,009	34,447	25,291	1,260	985	5,026	48,560	26,086	17,639	850	679	3,306	41,549	23,859	15,251	2,439
Assumption	21,039	13,722	6,220	96	258	743	16,616	11,145	4,707	57	197	510	13,323	8,977	4,131	215
Iberville	30,241	14,833	13,730	202	274	1,202	24,086	12,462	10,232	149	221	1,022	19,906	9,999	9,484	423
*Jefferson	200,700	65,417	95,395	11,144	3,330	25,414	152,506	54,136	69,620	8,741	2,540	17,469	109,034	40,445	53,674	14,915
*Lafourche	19,271	10,678	7,472	188	292	641	14,620	8,657	5,185	132	200	446	10,440	6,675	3,412	353
*Orleans	319,504	76,150	212,471	10,353	2,917	17,613	252,353	67,923	160,512	8,570	2,339	13,009	196,855	52,054	127,351	17,450
*St. Bernard	23,221	12,590	6,529	764	511	2,827	16,904	10,000	4,090	558	361	1,895	12,710	9,178	2,362	1,170
*St. Charles	32,662	19,680	10,321	490	569	1,602	24,551	15,289	7,405	300	426	1,131	20,791	13,574	6,207	1,010
St. James	20,192	9,973	9,762	60	82	315	15,505	7,883	7,297	31	64	230	14,531	7,116	7,196	219
St. John the Baptist	42,477	13,877	25,196	403	465	2,536	32,503	11,622	18,437	323	350	1,771	27,484	9,338	16,653	1,493
District 2	776,316	271,367	412,387	24,960	9,683	57,919	598,204	225,203	305,124	19,711	7,377	40,789	466,623	181,215	245,721	39,687
	100.000%	34.956%	53.121%	3.215%	1.247%	7.461%	100.000%	37.647%	51.007%	3.295%	1.233%	6.819%	78.004%	38.835%	52.659%	8.505%
District 3																
Acadia	57,576	44,480	10,864	238	573	1,421	42,943	34,071	7,383	173	400	916	36,151	29,438	5,995	718
*Calcasieu	131,299	69,747	50,290	3,564	1,764	5,934	99,893	55,812	35,987	2,563	1,347	4,184	65,841	39,808	22,822	3,211
Cameron	5,617	5,232	125	30	75	155	4,358	4,100	79	23	47	109	4,072	3,936	61	75
Iberia	69,929	39,206	24,556	2,123	794	3,250	52,791	31,295	17,069	1,562	581	2,284	42,188	26,848	13,441	1,899
Jefferson Davis	32,250	25,066	5,837	183	472	692	24,039	19,121	4,006	111	325	476	18,733	15,509	2,784	440
*Lafayette	180,411	131,849	29,263	5,960	2,665	10,674	137,635	103,919	19,952	4,314	2,029	7,421	111,925	91,759	13,498	6,668
*Lafourche	31,093	23,820	5,194	260	690	1,129	24,456	19,058	3,953	193	437	815	18,681	16,364	1,750	567
St. Martin	51,767	33,259	15,921	597	539	1,451	39,404	26,278	11,293	407	413	1,013	33,997	23,306	9,880	811
St. Mary	49,406	26,949	15,991	835	1,670	3,961	37,521	21,594	11,520	593	1,173	2,641	29,204	17,999	9,570	1,635



Splits

Plan: SLS 241ES-18 (Womack)

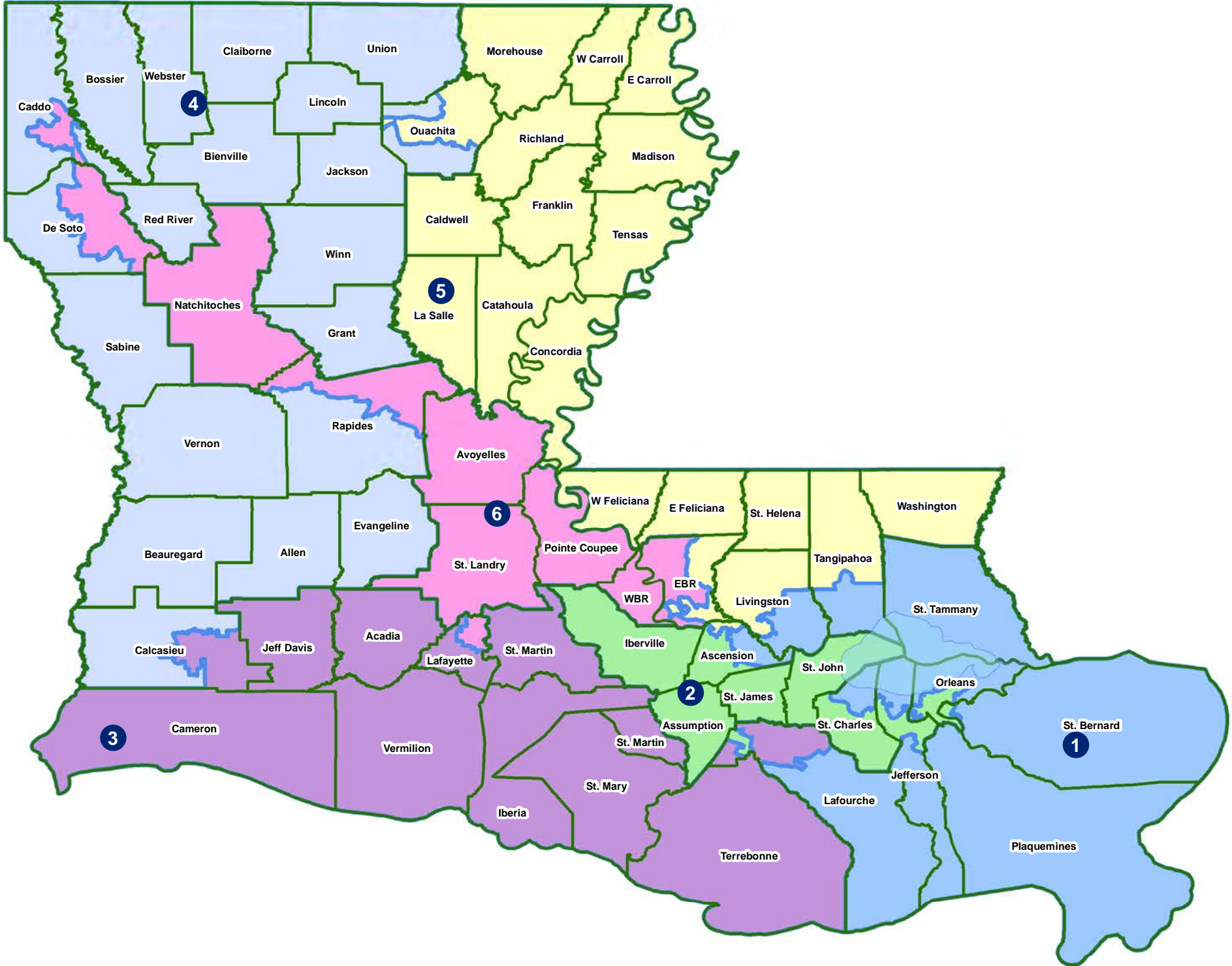
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District 3																
Terrebonne	109,580	69,934	23,147	1,743	8,637	6,119	82,505	55,631	15,796	1,239	5,750	4,089	55,810	41,601	9,910	4,299
Vermilion	57,359	44,477	8,810	1,447	623	2,002	43,012	34,363	5,787	1,037	488	1,337	35,511	29,693	4,555	1,263
District 3	776,287	514,019	189,998	16,980	18,502	36,788	588,557	405,242	132,825	12,215	12,990	25,285	452,113	336,261	94,266	21,586
	100.000%	66.215%	24.475%	2.187%	2.383%	4.739%	100.000%	68.853%	22.568%	2.075%	2.207%	4.296%	76.817%	74.375%	20.850%	4.774%
District 4																
Allen	22,750	16,327	4,490	246	947	740	17,510	12,751	3,275	182	646	656	11,079	8,704	1,920	455
Beauregard	36,549	29,529	4,649	402	1,052	917	27,489	22,304	3,495	269	773	648	22,071	18,639	2,264	1,168
Bienville	12,981	6,950	5,600	57	207	167	10,073	5,486	4,284	30	162	111	8,336	4,509	3,728	99
Bossier	128,746	81,052	32,551	3,492	3,273	8,378	95,876	62,931	22,440	2,448	2,477	5,580	65,726	48,229	13,555	3,942
*Caddo	114,165	79,332	25,268	2,803	2,688	4,074	90,157	64,820	18,302	2,076	2,067	2,892	67,861	51,103	13,239	3,519
*Calcasieu	85,486	70,025	9,096	1,138	1,772	3,455	63,273	52,977	5,911	796	1,257	2,332	45,978	40,556	3,671	1,751
Claiborne	14,170	7,263	6,360	88	185	274	11,507	6,258	4,824	55	140	230	8,390	4,557	3,677	156
*De Soto	16,131	11,671	3,364	60	535	501	12,226	8,945	2,534	41	400	306	11,099	8,487	2,256	356
Evangeline	32,350	21,354	9,235	241	280	1,240	24,408	16,460	6,483	187	217	1,061	20,388	14,274	5,744	370
Grant	22,169	17,709	3,335	133	644	348	17,527	13,964	2,717	97	507	242	12,226	10,764	1,120	342
Jackson	15,031	9,967	4,166	175	255	468	11,783	7,967	3,125	140	174	377	9,375	6,570	2,610	195
Lincoln	48,396	26,034	19,364	892	662	1,444	38,655	21,306	15,119	744	526	960	24,408	15,139	8,357	912
*Ouachita	35,274	30,867	2,018	422	947	1,020	26,555	23,493	1,293	286	749	734	23,182	21,489	961	732
*Rapides	41,762	30,822	6,574	1,190	1,153	2,023	32,201	24,432	4,687	871	867	1,344	25,132	20,354	3,398	1,380
Red River	7,620	4,195	3,106	25	171	123	5,714	3,338	2,164	3	116	93	5,475	3,034	2,358	83
Sabine	22,155	15,036	3,861	94	2,723	441	17,064	12,054	2,655	66	1,970	319	13,570	10,287	1,912	1,371
Union	21,107	14,460	5,224	62	338	1,023	16,632	11,807	3,861	39	254	671	14,802	10,847	3,497	458
Vernon	48,750	35,087	7,611	1,442	1,600	3,010	36,261	26,765	5,133	1,074	1,160	2,129	22,409	18,129	2,608	1,672
Webster	36,967	22,735	12,679	208	687	658	28,753	18,144	9,464	154	558	433	21,259	14,068	6,744	447
Winn	13,755	8,594	3,727	210	263	961	10,906	6,932	2,695	170	207	902	8,262	5,916	2,218	128
District 4	776,314	539,009	172,278	13,380	20,382	31,265	594,570	423,134	124,461	9,728	15,227	22,020	441,028	335,655	85,837	19,536
	100.000%	69.432%	22.192%	1.724%	2.625%	4.027%	100.000%	71.166%	20.933%	1.636%	2.561%	3.704%	74.176%	76.107%	19.463%	4.430%
District 5																
*Ascension	31,773	23,466	4,867	839	497	2,104	22,786	17,357	3,196	543	343	1,347	19,854	16,011	2,623	1,220
Caldwell	9,645	7,646	1,632	51	150	166	7,478	5,969	1,224	46	116	123	5,813	4,959	762	92
Catahoula	8,906	5,776	2,395	46	119	570	6,951	4,557	1,736	33	87	538	6,113	4,363	1,695	55
Concordia	18,687	10,275	7,725	122	233	332	14,217	8,108	5,613	100	167	229	11,419	6,816	4,418	185
*East Baton Rouge	172,199	119,876	31,907	8,088	2,420	9,908	138,993	99,727	23,872	6,216	1,935	7,243	104,631	81,782	15,706	7,143
East Carroll	7,459	2,054	5,272	29	43	61	5,901	1,773	4,043	19	27	39	4,564	1,218	3,305	41
East Feliciana	19,539	11,516	7,341	91	262	329	16,183	9,740	5,918	61	198	266	13,327	7,805	5,075	447

Splits

Plan: SLS 241ES-18 (Womack)

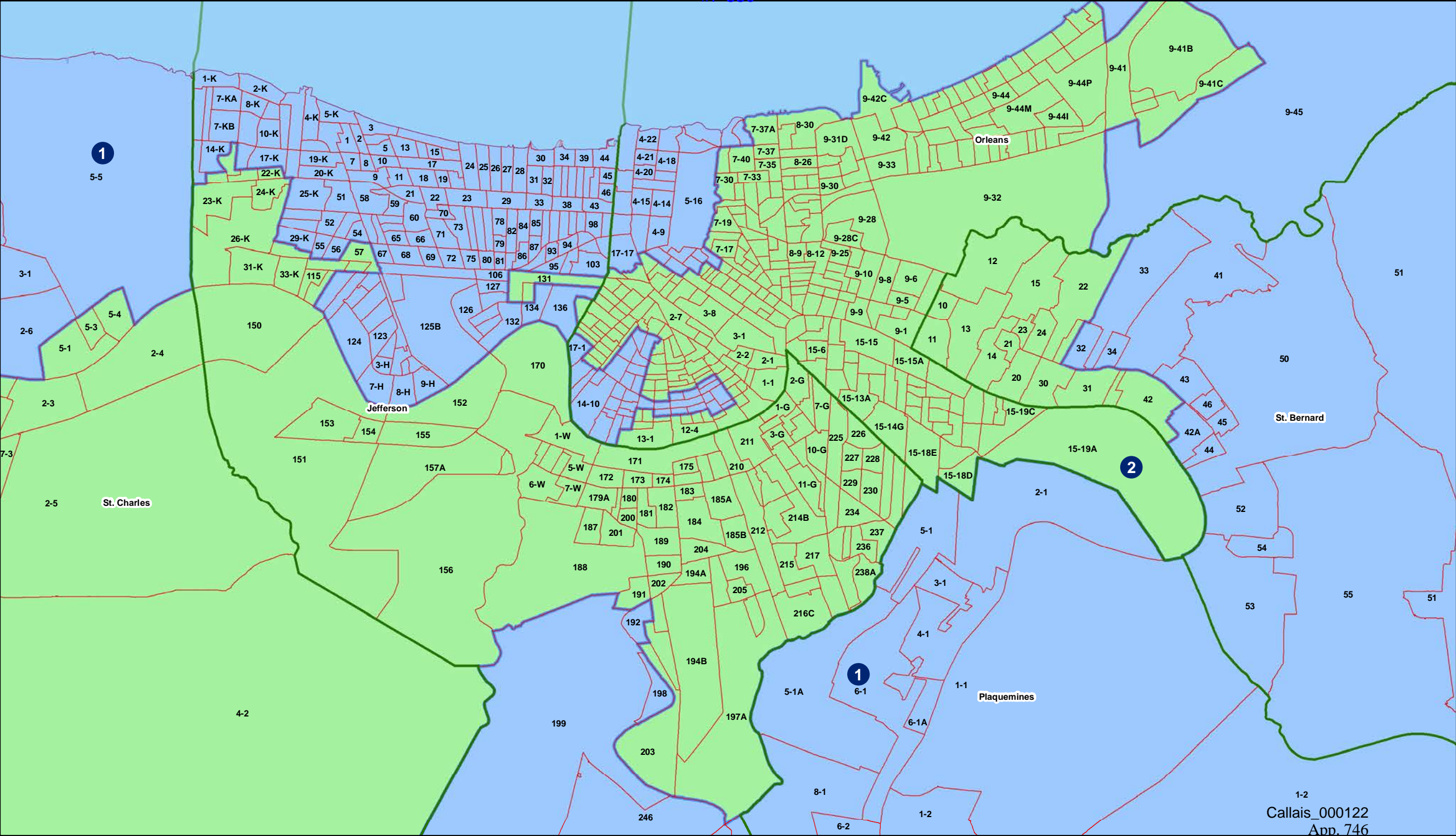
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 5																
Franklin	19,774	12,492	6,802	70	205	205	15,028	9,901	4,779	44	153	151	12,350	8,524	3,718	108
La Salle	14,791	11,348	1,422	283	372	1,366	11,563	8,636	1,065	264	271	1,327	8,380	7,633	583	164
*Livingston	128,972	105,579	11,520	1,613	2,852	7,408	94,772	79,483	7,332	1,053	2,104	4,800	73,766	65,923	4,974	2,869
Madison	10,017	3,475	6,363	20	59	100	7,435	2,906	4,391	9	48	81	7,068	2,439	4,518	111
Morehouse	25,629	12,281	12,484	160	370	334	20,062	10,095	9,300	117	279	271	15,440	7,806	7,377	257
*Ouachita	125,094	57,678	59,199	2,366	1,714	4,137	93,645	46,481	40,997	1,832	1,310	3,025	72,448	36,660	33,060	2,728
Richland	20,043	11,785	7,603	83	258	314	15,383	9,338	5,546	66	203	230	13,141	8,144	4,753	244
St. Helena	10,920	4,527	6,031	39	134	189	8,463	3,805	4,371	28	109	150	8,260	3,626	4,492	142
*Tangipahoa	78,140	41,836	30,854	783	1,237	3,430	59,521	33,957	21,686	612	935	2,331	34,249	22,443	10,704	1,102
Tensas	4,147	1,744	2,312	23	26	42	3,235	1,446	1,728	12	23	26	3,485	1,510	1,937	38
Washington	45,463	29,943	13,434	216	736	1,134	34,951	23,743	9,732	154	561	761	27,151	18,603	7,892	656
West Carroll	9,751	7,894	1,425	27	180	225	7,532	6,223	1,010	20	136	143	6,871	5,770	1,013	88
West Feliciana	15,310	10,883	3,740	89	225	373	12,783	9,283	2,951	56	174	319	7,492	5,186	2,160	146
District 5	776,259	492,074	224,328	15,038	12,092	32,727	596,882	392,528	160,490	11,285	9,179	23,400	455,822	317,221	120,765	17,836
	100.000%	63.390%	28.899%	1.937%	1.558%	4.216%	100.000%	65.763%	26.888%	1.891%	1.538%	3.920%	76.367%	69.593%	26.494%	3.913%
District 6																
Avoyelles	39,693	25,625	11,678	434	767	1,189	30,578	20,269	8,311	379	570	1,049	21,438	15,242	5,622	574
*Caddo	123,683	24,125	94,036	1,231	1,152	3,139	92,250	20,239	68,057	932	891	2,131	64,081	13,278	48,232	2,571
*De Soto	10,681	3,613	6,609	57	205	197	8,214	2,964	4,891	45	157	157	6,788	2,518	4,061	209
*East Baton Rouge	284,582	76,193	181,491	8,337	2,307	16,254	216,619	64,154	132,918	6,383	1,812	11,352	164,206	50,963	103,796	9,447
*Lafayette	61,342	21,514	35,873	494	545	2,916	46,240	17,689	25,965	350	358	1,878	36,884	14,039	21,247	1,598
Natchitoches	37,515	19,361	15,725	255	861	1,313	29,349	16,010	11,415	198	683	1,043	20,675	11,761	8,016	898
Pointe Coupee	20,758	12,395	7,504	107	159	593	16,250	10,108	5,502	91	119	430	14,107	9,040	4,837	230
*Rapides	88,261	46,688	36,018	1,238	1,949	2,368	66,591	36,941	25,518	915	1,467	1,750	50,154	29,602	18,561	1,991
St. Landry	82,540	43,611	35,836	499	636	1,958	61,811	34,209	25,497	353	451	1,301	52,429	28,933	22,135	1,361
West Baton Rouge	27,199	14,307	11,170	287	326	1,109	20,526	11,146	8,149	209	219	803	16,753	9,620	6,764	369
District 6	776,254	287,432	435,940	12,939	8,907	31,036	588,428	233,729	316,223	9,855	6,727	21,894	447,515	184,996	243,271	19,248
	100.000%	37.028%	56.159%	1.667%	1.147%	3.998%	100.000%	39.721%	53.740%	1.675%	1.143%	3.721%	76.053%	41.339%	54.360%	4.301%

Congress - Statewide



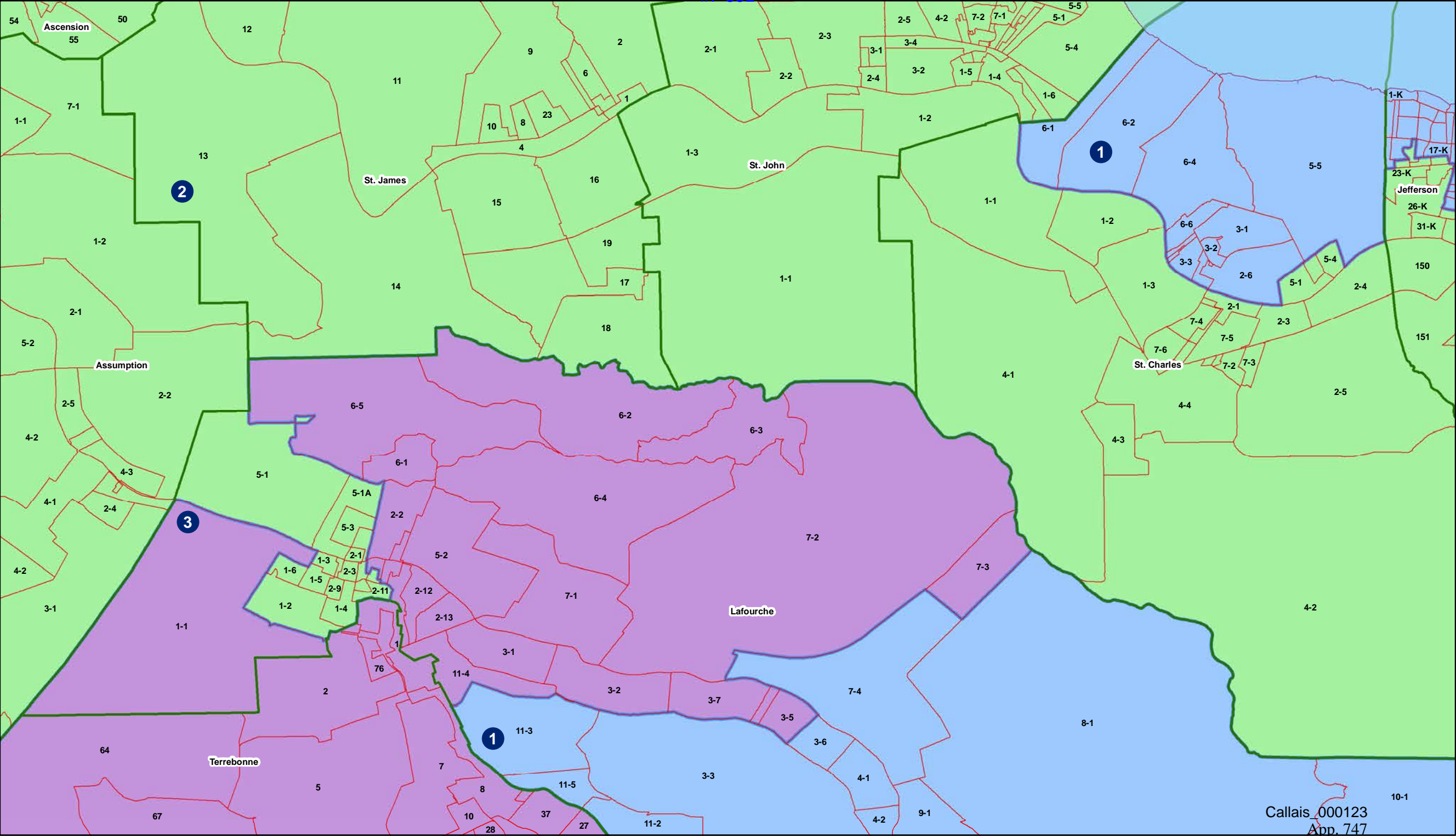


Congress - Jefferson / Orleans





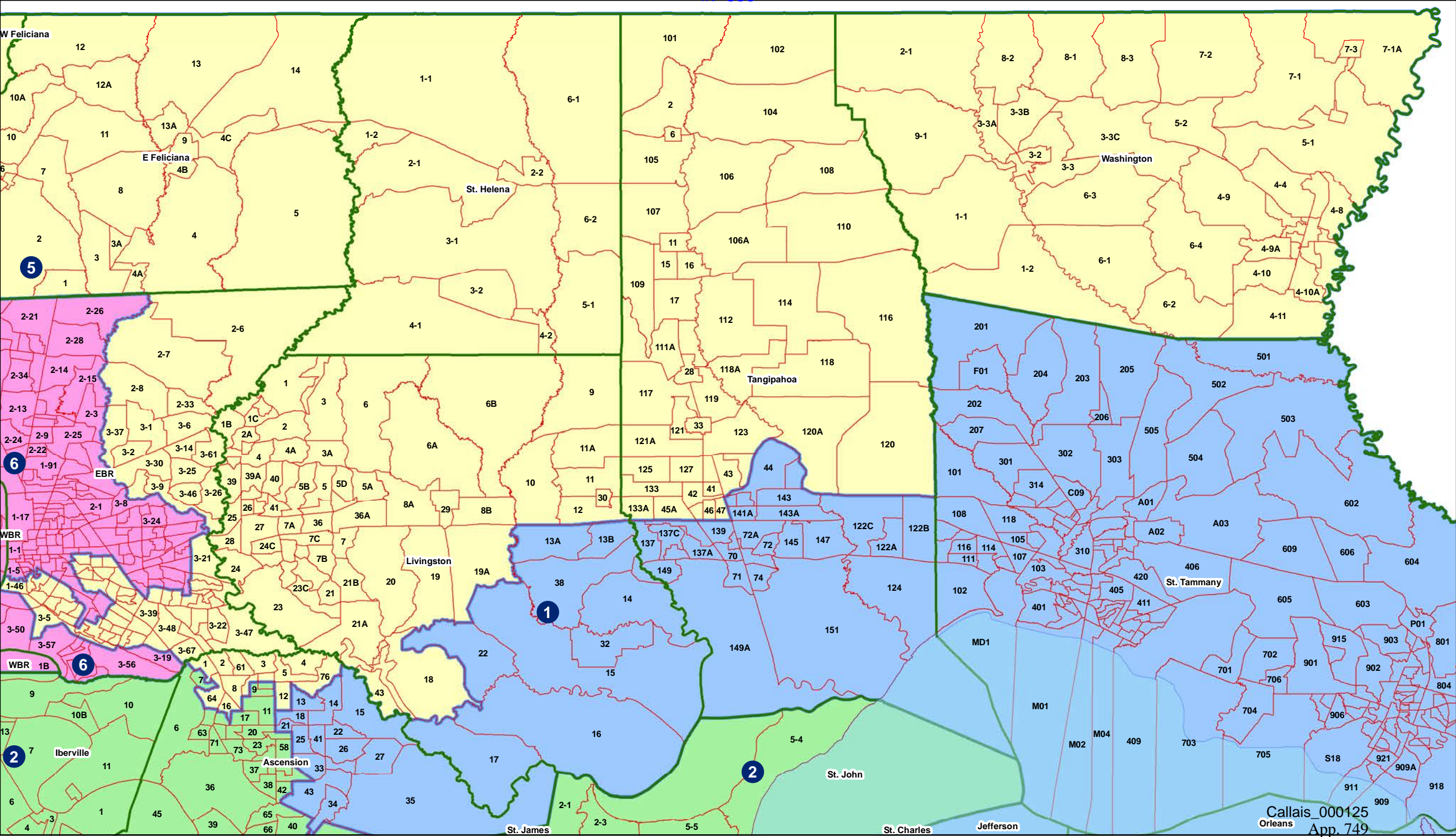
Congress - Lafourche / St. Charles





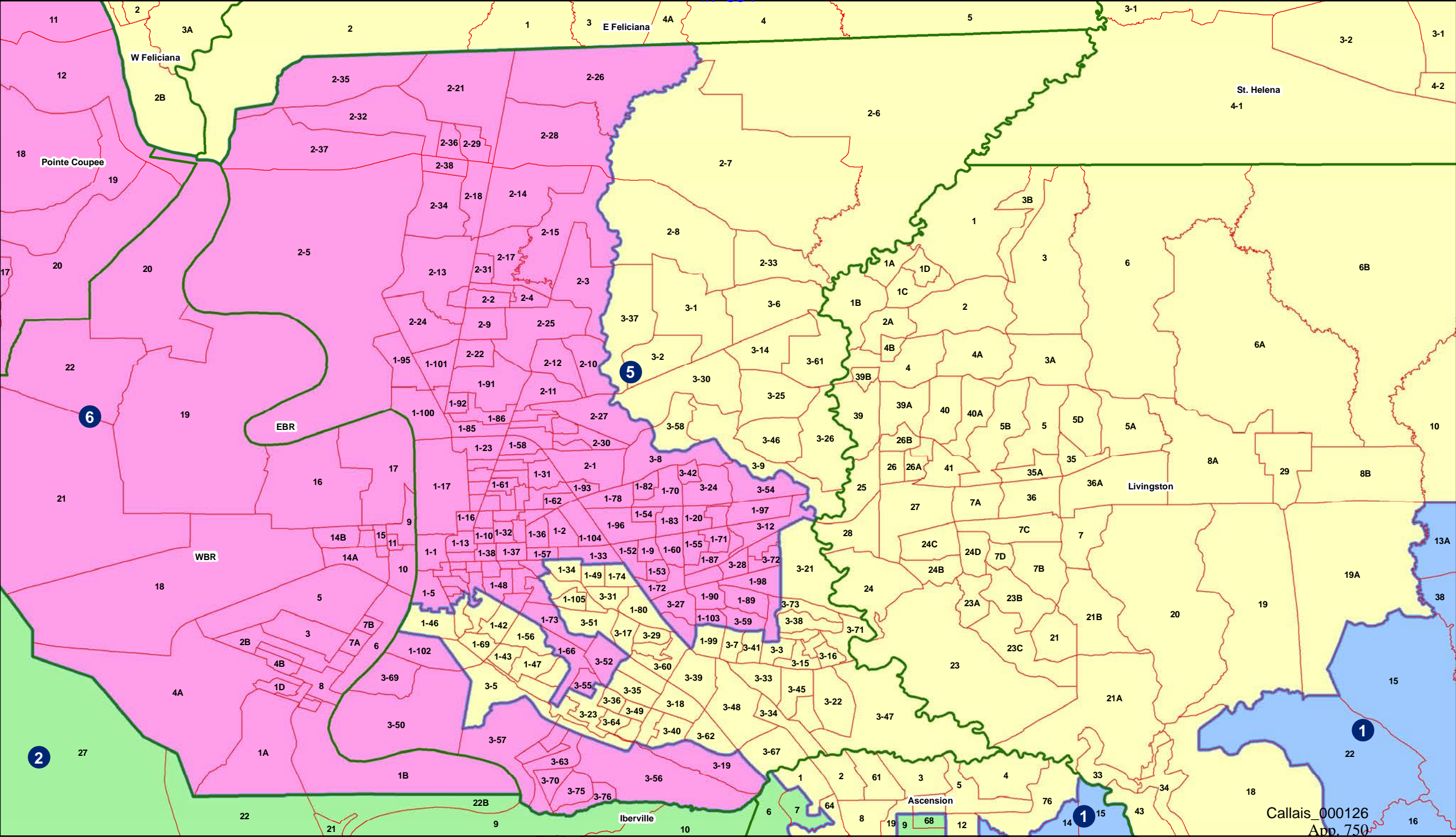


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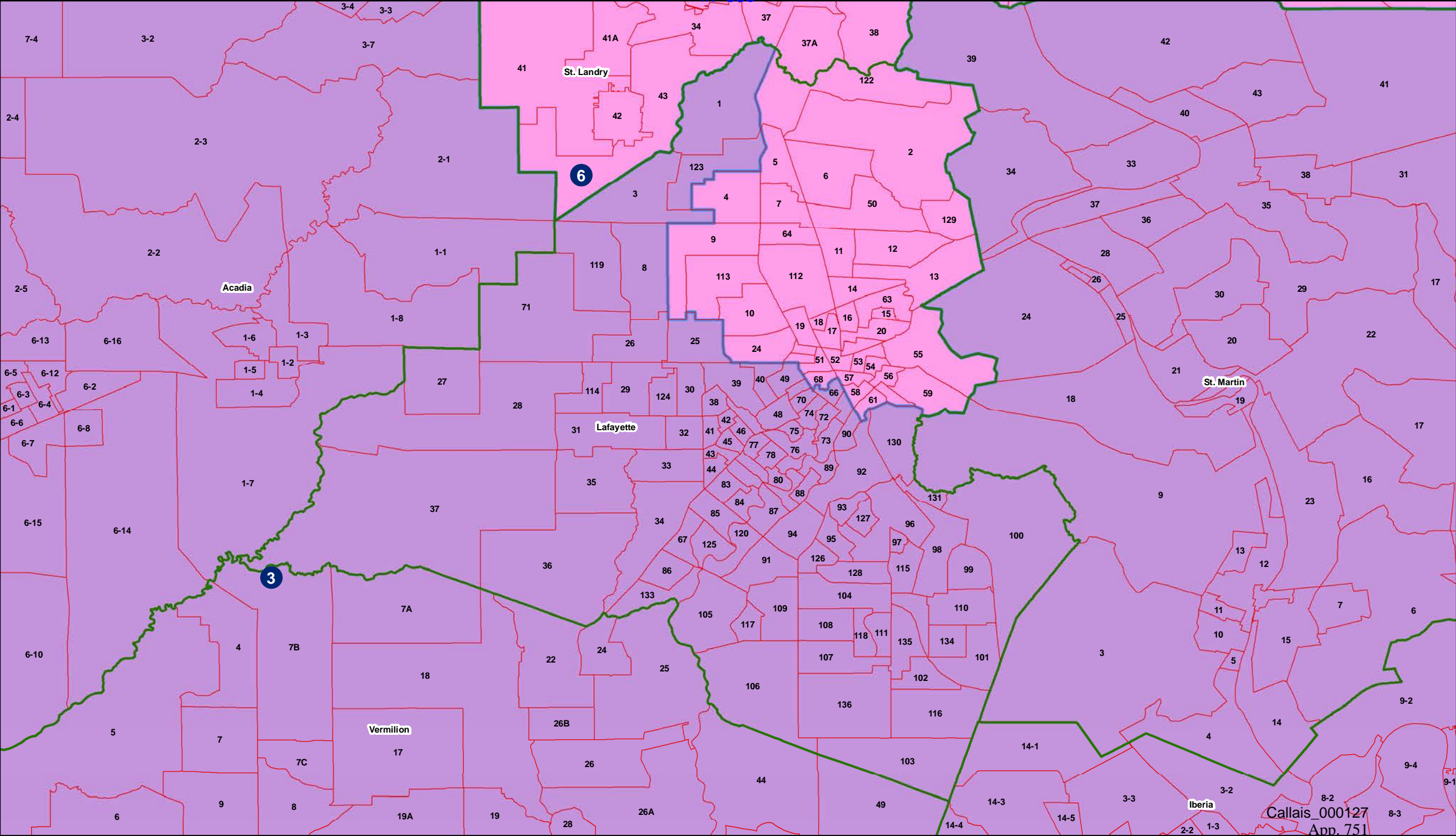


Congress - East Baton Rouge

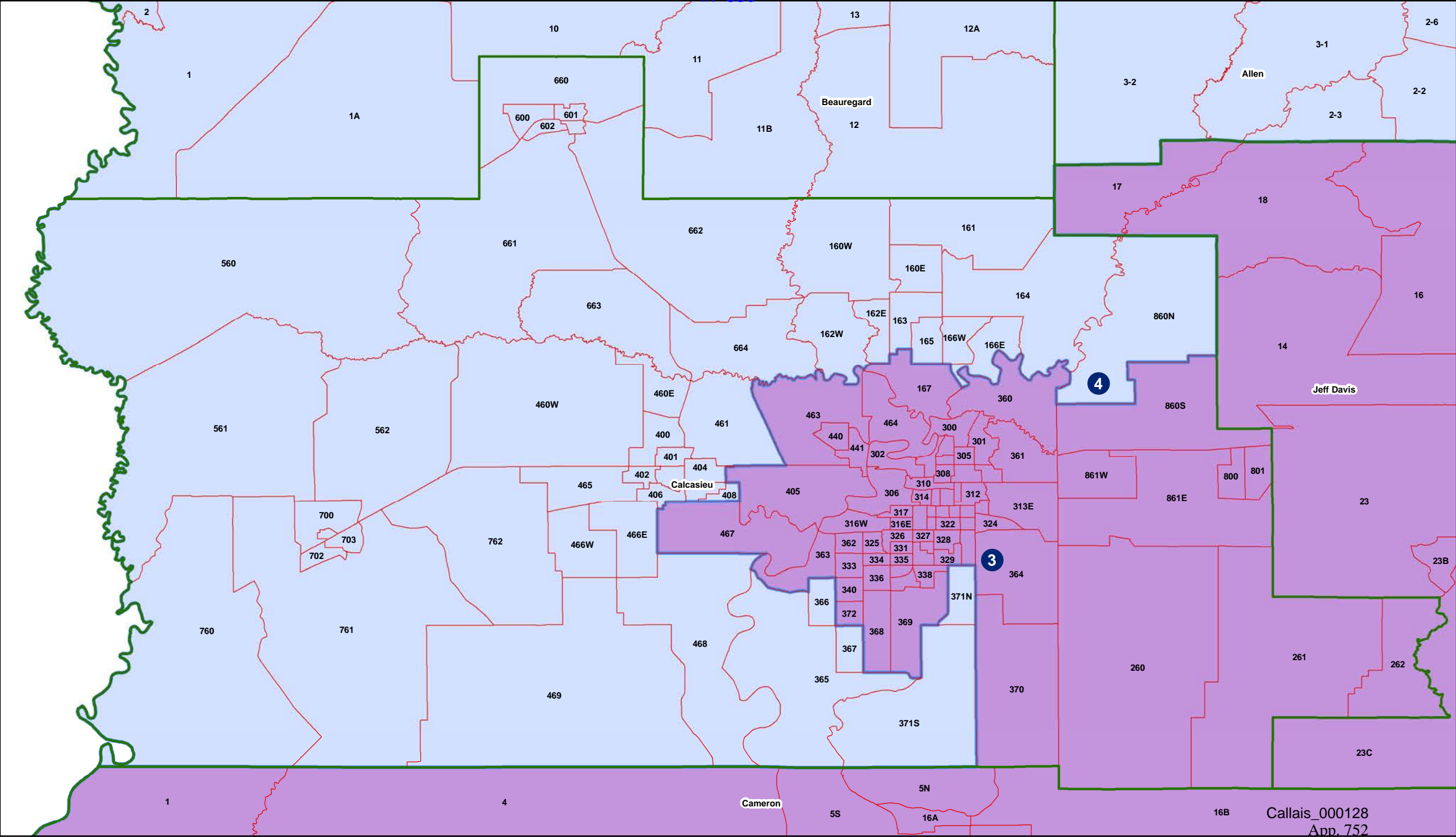




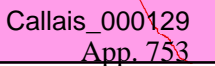
Congress - Lafayette



Congress - Calcasieu

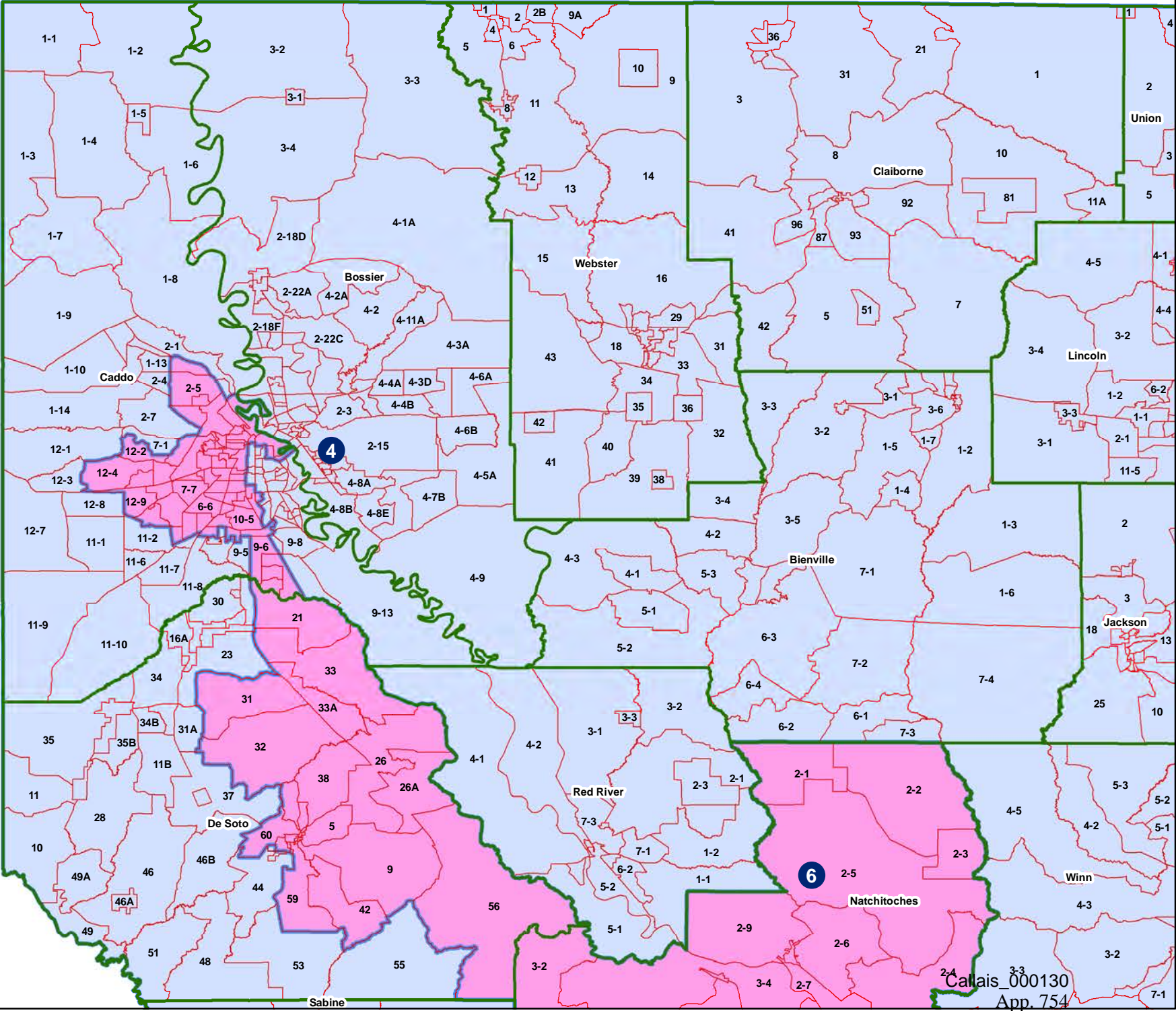


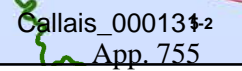






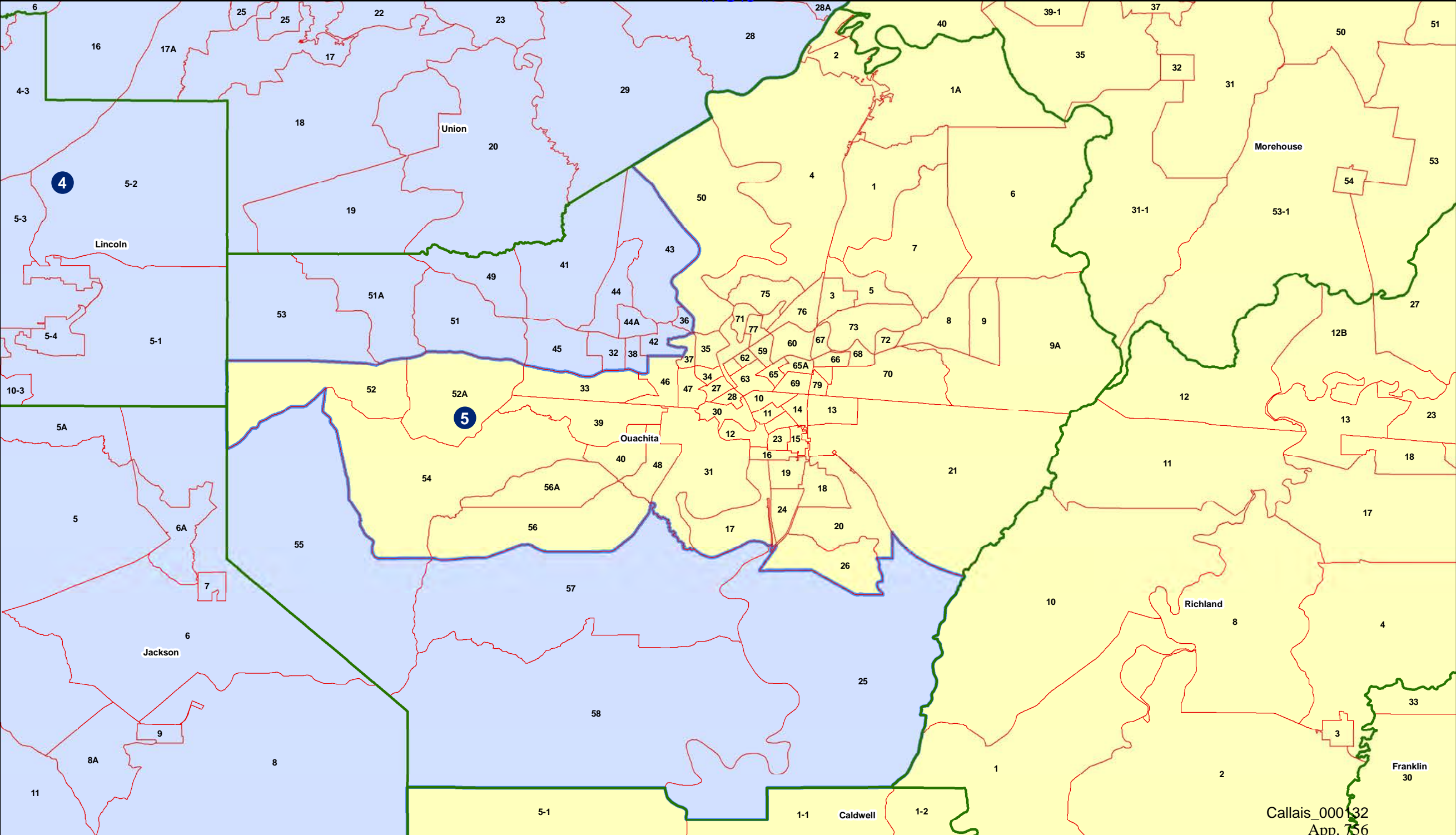
Congress - Caddo / DeSoto







Congress - Ouachita





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January 16, 2024

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In Re: Louisiana Senate Committee Video

**EXHIBIT**

**JE29**

**PLAINTIFFS'  
EXHIBIT**

**P24**

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App. 757

CHAIRMAN FIELDS: Bill by Senator Womack, Senate Bill 8. Senate Bill 8 by Senator Womack provides for redistricting of the Louisiana congressional districts.

(Pause.)

SENATOR WOMACK: Thank you, Mr. Chairman. Members of the committee, I have an amendment, if I could pass out, please. If I could, I'll -- I'll begin with my opening.

CHAIRMAN FIELDS: All right. Senator Womack, you are recognized, and you may proceed, sir.

SENATOR WOMACK: Thank you. As you know, Louisiana congressional districts must be drawn given the Federal Voting Rights Act litigation that is still ongoing in the US District Court for the Middle District of Louisiana. The map is the bill that I'm introducing, which, as the product of a long, detailed process, achieves several goals. First, as you know -- all are aware, Congresswoman Letlow, Julia Letlow, is my representative in Washington, DC.

The boundaries in this bill I'm proposing ensure that Congresswoman Letlow remains both unimpaired with any other incumbents and in a congressional district that should continue to elect a Republican to Congress for the remainder of this decade. I have great



<p style="text-align: right;">Page 2</p> <p>1 pride in the work Congresswoman Letlow has accomplished,  2 and this map will ensure that Louisianans will continue  3 to benefit from her presence in the halls of Congress  4 for a long -- for as long as she decides to continue to  5 serve our great state.</p> <p>6 Second, of Louisiana's six congressional  7 districts, the map and the proposed bill ensures that  8 four of our safe Republican seats, Louisiana Republican  9 presence in the United States Congress has contributed  10 tremendously to the national discourse. And I'm very  11 proud of both Speaker of the US House of Representatives  12 Mike Johnson and US House Majority Leader Steve Scalise  13 are both from our great state. This map ensures that  14 the two of them will have solidly Republican districts  15 at home so that they can focus on the national  16 leadership that we need in Washington, DC.</p> <p>17 The map proposed in this bill ensures that the  18 conservative principles retained by the majority of  19 those in Louisiana will continue to extend past our  20 boundaries to our nation's capital. Finally, the maps  21 in the proposed bill respond appropriately to the  22 ongoing Federal Voting Rights Act case in the Middle  23 District of Louisiana. For those of you who are  24 unaware, the congressional maps that we enacted in March  25 2022 have been the subject of litigation since the day</p>	<p style="text-align: right;">Page 4</p> <p>1 up I-49 to include back -- Black population in  2 Shreveport. While this is a different map than the  3 plaintiffs in the litigation have proposed, this is the  4 only map I reviewed that accomplished the political  5 goals I believe are important for my district, for  6 Louisiana, and for my country. While I did not draw  7 these boundaries myself, I carefully considered a number  8 of different map options.</p> <p>9 I firmly submit the congressional voting  10 boundaries represented in this bill best achieve the  11 goals of protecting Congresswoman Letlow's seat,  12 maintaining strong districts for Speaker Johnson and  13 Majority Leader Scalise, ensuring four Republican  14 districts, and adhering to the command of the federal  15 court in the Middle District of Louisiana. I'd be happy  16 to take any questions.</p> <p>17 CHAIRMAN FIELDS: All right. Thank you,  18 Senator. Just a couple questions. Do -- do -- do you  19 know how many parishes -- I did -- I tried to do a  20 count. How many -- this district here -- can you put it  21 back up? It appears to split about 15 parishes. Senate  22 Bill 8.</p> <p>23 SENATOR WOMACK: Right. It does split --</p> <p>24 CHAIRMAN FIELDS: All right. And you were  25 here and you heard the testimony of Senator Price with</p>
<p style="text-align: right;">Page 3</p> <p>1 the 2022 congressional redistricting bill went into  2 effect and even before we enacted it.</p> <p>3 After a substantial amount of prolonged  4 litigation, the federal district court has (inaudible  5 0:03:35) to its view that the federal law requires that  6 the state have two congressional districts with a  7 majority of Black voters. Our secretary of state,  8 attorney general, and our prior legislative leadership  9 appealed but have yet to succeed. And we are here now  10 because of the federal court's order that we must --  11 that we have a first opportunity to act.</p> <p>12 The district court's order that we must have  13 two majority Black voting age population districts,  14 combined with the political imperatives I just  15 described, having largely driven the boundaries of  16 District 2 and District 6, both of which are over 50  17 percent Black voting age population -- given the state's  18 current demographics, there is not a high enough Black  19 population in the southeast portion of Louisiana to  20 create two majority Black districts and to also comply  21 with the US Constitution one person, one vote  22 requirement.</p> <p>23 That is the reason why District 2 is drawn  24 around New Orleans Parish, while District 6 includes the  25 Black population of East Baton Rouge Parish and travels</p>	<p style="text-align: right;">Page 5</p> <p>1 Senate Bill 4. Senate Bill 4 split only 11 parishes, as  2 I appreciate it, and it created two majority-minority  3 districts. What was the predominant reason for you to  4 create the 6th District the way it looks now vs. just  5 going with Senator Price's bill, which created a more  6 compact district?</p> <p>7 SENATOR WOMACK: It -- it was strictly --  8 politics drove this map because of the -- the -- Speaker  9 Johnson, Majority Leader Scalise, and my congresswoman,  10 Julia Letlow, predominantly drove this map that I was a  11 part of.</p> <p>12 CHAIRMAN FIELDS: All right. So is it safe to  13 say that your convection of District 6, race is not the  14 predominant factor?</p> <p>15 SENATOR WOMACK: No. It's not the predominant  16 factor. It -- it -- it has a secondary consideration in  17 that because that was the district that we were trying  18 to -- trying to encompass, but it wasn't the primary.</p> <p>19 CHAIRMAN FIELDS: So I guess it's kind of  20 difficult when you got a speaker of the house. We're  21 very fortunate in Louisiana. But when you got two  22 members of your Congress that are the two top-ranking  23 members of the US House of Representatives, being a  24 speaker and a majority leader, you know, how much did  25 that weigh in on your decision in drawing this map?</p>

2 (Pages 2 to 5)

<p style="text-align: right;">Page 6</p> <p>1 SENATOR WOMACK: Well, it -- it -- it had a  2 lot to weigh in on. Not only that, but you have  3 Congresswoman Letlow that sits on Ag and Appropriation,  4 which is a big part of my district. So when you put  5 them all together, that's -- that's a lot of -- a lot of  6 I call it muscle that we -- we were able to look at and  7 put in for the State of Louisiana, for all of Louisiana.  8 CHAIRMAN FIELDS: Okay. So your -- your  9 minority population in District 2 is -- is -- voter  10 registration is 52.6, and your population is 53.1. And  11 in the 6th District it's 54.3 in registration and 56.1  12 in population. And this was the -- the -- you know,  13 looking at all of the issues you were dealing with, this  14 was the best you could come up with?  15 SENATOR WOMACK: Yes, sir. They perform well.  16 When you look at the performance base, when you look at  17 the District 6, the performance of it appears to be  18 positive for the minority district.  19 CHAIRMAN FIELDS: All right. Are there any  20 things that bring these communities together in District  21 6? I guess that would be considered the Red River  22 District.  23 SENATOR WOMACK: Well, you -- you got the Red  24 River, but you also got I-49 that -- that -- that goes  25 through this district from Shreveport down to Lafayette,</p>	<p style="text-align: right;">Page 8</p> <p>1 did I read that correctly?  2 MALE SPEAKER 1: (inaudible 0:10:56)?  3 SENATOR WOMACK: Yes.  4 SENATOR CARTER: Did -- was any performance  5 test conducted -- I'm sorry. I'm (inaudible 0:11:02).  6 Did -- were any performance tests or analyses conducted  7 to see how District 2 performs as an African American  8 majority district or not?  9 SENATOR WOMACK: The Democratic incumbent wins  10 over 60 percent of the time in that race.  11 SENATOR CARTER: (inaudible 0:11:43) 60  12 percent of the time?  13 SENATOR WOMACK: Okay. I'm sorry. 60 percent  14 of the vote.  15 SENATOR CARTER: Yeah, I think my microphone  16 -- can you repeat it? I'm sorry.  17 SENATOR WOMACK: The Democratic --  18 SENATOR CARTER: So my question -- well, let  19 me ask this. So my question was: how does District 2  20 perform? And you just gave me a figure. What was it?  21 SENATOR WOMACK: 60 percent of the vote on the  22 Democratic nominee.  23 SENATOR CARTER: We heard earlier when we were  24 considering Senator Price's bill that the -- the legal  25 defense fund had conducted an analysis of the</p>
<p style="text-align: right;">Page 7</p> <p>1 follows the (inaudible 0:09:30) of the Red River through  2 there.  3 CHAIRMAN FIELDS: Okay. All right. Questions  4 from members of the committee? No questions. You have  5 some amendments you had, Senator?  6 SENATOR WOMACK: I do. Did -- did you --  7 y'all have the amendments?  8 CHAIRMAN FIELDS: I'm sorry. Senator Carter  9 for --  10 SENATOR CARTER: I don't have a --  11 CHAIRMAN FIELDS: -- a question.  12 SENATOR CARTER: -- copy to (inaudible  13 0:09:50). Thank you, Mr. Chairman. I'm sorry, Senator.  14 I did have a -- a -- a question before we move to the  15 amendment. You said that both districts -- you said  16 that the district performed. You were asked a question  17 from the Chairman a minute ago about District 6 and  18 whether or not it performs as an African American  19 district. Do you remember that question a second ago?  20 SENATOR WOMACK: I do.  21 SENATOR CARTER: Same question for District 2.  22 From looking at the District 2 in your map, we have a  23 total African American population of 53.121 percent, and  24 we have the registered African American -- registered  25 African American vote for District 2 at 52.659 percent;</p>	<p style="text-align: right;">Page 9</p> <p>1 performance of that district. They conducted multiple  2 different elections based upon that district, and it had  3 a 100 percent performance race that's coming in as an  4 African American seat. And I guess I'm curious to know  5 what would be the comparable number in terms of the  6 performance of the District 2 of this particular map,  7 the District 2 on your map that's being proposed here.  8 You -- am I asking the question in a way you get what  9 I'm asking?  10 CHAIRMAN FIELDS: I think -- yeah. I think  11 what the Senator is -- is requesting -- have you done  12 any kind of performance tests for either District 6 or  13 District 2? Any performance analysis?  14 SENATOR WOMACK: I have not.  15 SENATOR CARTER: Okay.  16 SENATOR WOMACK: I -- I -- I have a report  17 here printed off on a congressional map, and in District  18 2, a Democratic candidate could win 100 percent of the  19 time.  20 SENATOR CARTER: A democratic candidate, but  21 not necessarily an African American Democratic -- an  22 African American candidate regardless of party. So you  23 said "a Democratic candidate." So I'm asking about an  24 African American candidate. You said that a Democrat  25 candidate performs in that district, but my question is</p>

3 (Pages 6 to 9)

<p style="text-align: right;">Page 10</p> <p>1 whether or not it performs as a -- for an -- as an</p> <p>2 African American district?</p> <p>3 SENATOR WOMACK: Okay. Our analysis is on --</p> <p>4 is -- is on party, not race. So -- so I can't answer</p> <p>5 that.</p> <p>6 SENATOR CARTER: There was -- there was no</p> <p>7 analysis done to determine whether or not District 2 for</p> <p>8 this map -- of your map performs as an African American</p> <p>9 district?</p> <p>10 SENATOR WOMACK: No.</p> <p>11 SENATOR CARTER: Okay. Thank you, Mr.</p> <p>12 Chairman.</p> <p>13 CHAIRMAN FIELDS: Thank you, Senator Carter.</p> <p>14 The board is clear. Do you have an amendment, Senator?</p> <p>15 SENATOR WOMACK: I do. It's Amendment 34.</p> <p>16 CHAIRMAN FIELDS: All right. Senate Womack</p> <p>17 brings up Amendment Number 34. Senator Womack on his</p> <p>18 amendment.</p> <p>19 SENATOR WOMACK: You want -- you want -- you</p> <p>20 want to pull that up and --</p> <p>21 MALE SPEAKER 2: Yes, Senator.</p> <p>22 SENATOR WOMACK: It's okay for him to pull</p> <p>23 that up?</p> <p>24 CHAIRMAN FIELDS: Yes, sir.</p> <p>25 SENATOR WOMACK: Sorry.</p>	<p style="text-align: right;">Page 12</p> <p>1 members of the -- and the percentages pretty much stay</p> <p>2 the same in the 2nd District?</p> <p>3 SENATOR WOMACK: Yes.</p> <p>4 CHAIRMAN FIELDS: And the 6th District?</p> <p>5 SENATOR WOMACK: And 6th, yeah. The -- the</p> <p>6 numbers are the same.</p> <p>7 CHAIRMAN FIELDS: Are there questions from</p> <p>8 members of the committee? All right. I do have a card</p> <p>9 - you don't need to fill out no card - from Senator</p> <p>10 Heather Cloud. If you wish to be recognized, you --</p> <p>11 please come and take --</p> <p>12 SENATOR CLOUD: Thank you, Mr. Chair. I just</p> <p>13 want to make a simple statement. As a Republican woman,</p> <p>14 I want to stand here -- or sit here, rather, and offer</p> <p>15 my support for the amendment to the map, which I believe</p> <p>16 further protects Congresswoman Julia Letlow. She is the</p> <p>17 only woman in the Louisiana's congressional district.</p> <p>18 She is a member of the Appropriations Committee in the</p> <p>19 US House, as Senator Womack stated, and also a member of</p> <p>20 the Agricultural Committee in the US House. It's --</p> <p>21 it's important to me and all of the other residents of</p> <p>22 our area that -- to have these two representatives from</p> <p>23 our crucial region in our state.</p> <p>24 I think that politically, this map does a</p> <p>25 great job protecting Speaker Johnson and Congresswoman</p>
<p style="text-align: right;">Page 11</p> <p>1 (Pause.)</p> <p>2 CHAIRMAN FIELDS: Okay. You may proceed,</p> <p>3 Senator. This is the amended -- the amended --</p> <p>4 SENATOR WOMACK: This is the amendment. What</p> <p>5 we did on that in Avoyelles Parish, we -- we took out --</p> <p>6 split Avoyelles Parish, put those into Rapides, around</p> <p>7 Alexandria, Rapides Parish. And then we moved into --</p> <p>8 that's Rapides there where we moved it to. And then we</p> <p>9 moved into Ouachita Parish and took Ouachita, West</p> <p>10 Monroe, Monroe, and Calhoun into that.</p> <p>11 CHAIRMAN FIELDS: Okay.</p> <p>12 SENATOR WOMACK: Any other -- that's it.</p> <p>13 CHAIRMAN FIELDS: All right. So how many</p> <p>14 parishes, with the -- with that amendment would the bill</p> <p>15 overall split?</p> <p>16 SENATOR WOMACK: Could you -- it'd -- it goes</p> <p>17 from 15 to 16.</p> <p>18 CHAIRMAN FIELDS: Okay. So it splits one</p> <p>19 additional one there.</p> <p>20 SENATOR WOMACK: One -- one extra parish.</p> <p>21 CHAIRMAN FIELDS: And that would be Avoyelles</p> <p>22 Parish?</p> <p>23 SENATOR WOMACK: That would be Avoyelles</p> <p>24 Parish. Okay.</p> <p>25 CHAIRMAN FIELDS: All right. Questions from</p>	<p style="text-align: right;">Page 13</p> <p>1 Julia Letlow as well as Majority Leader Scalise. It</p> <p>2 keeps CD5 in the northern Louisiana area and allows</p> <p>3 Congresswoman Letlow to keep doing the great job that</p> <p>4 she's been doing. So I just sit here and offer my</p> <p>5 support of the amendment. Thank you, members.</p> <p>6 CHAIRMAN FIELDS: Thank you. And -- and so we</p> <p>7 can be clear, Senator, just to be, like they say, on -</p> <p>8 what is it? - A Few Good Men, crystal clear, so this</p> <p>9 map, with this amendment, there are other ways we could</p> <p>10 perfect a second minority-majority district --</p> <p>11 majority-minority district that's more compact, 11</p> <p>12 parishes split. This one splits 16 parishes, and the</p> <p>13 reason you're offering this amendment is for protecting</p> <p>14 -- I hate to say for -- but to protect incumbents,</p> <p>15 members of Congress. But race is not your predominant</p> <p>16 reason for drawing and perfecting this map?</p> <p>17 SENATOR CLOUD: Mr. Chair, I have both</p> <p>18 Congresswoman Julia Letlow and Congressman Mike Johnson</p> <p>19 in my Senate -- in my district. I work well with both</p> <p>20 of them, and I want them to continue to be able to do</p> <p>21 the great job that they do on behalf of all of the</p> <p>22 constituency in my district.</p> <p>23 CHAIRMAN FIELDS: Okay. So basically, you are</p> <p>24 trying to -- attempting to comply with the federal</p> <p>25 court, but yet protect members of the US Congress, be it</p>

4 (Pages 10 to 13)

<p style="text-align: right;">Page 14</p> <p>1 a female and be it two of the most powerful members of</p> <p>2 the US Congress?</p> <p>3 SENATOR CLOUD: Yes, sir.</p> <p>4 CHAIRMAN FIELDS: All right. Senator Reese</p> <p>5 for a question.</p> <p>6 SENATOR REESE: Thank you, Mr. Chairman. For</p> <p>7 Senator Womack. First of all, you know, as we -- as we</p> <p>8 continue to contemplate these alternative maps, I've got</p> <p>9 to say that I -- I continue to move forward cautiously</p> <p>10 as I have been concerned that -- that we may indeed be</p> <p>11 taking some action that the courts may not have</p> <p>12 necessarily directed us to take yet. You know, we do</p> <p>13 know that there was an alternative to -- to ultimately</p> <p>14 end up with a hearing on the merits.</p> <p>15 But I'm also conflicted in that because I know</p> <p>16 that the person charged with the responsibility of</p> <p>17 representing the decisions we make in this legislature</p> <p>18 is our attorney general, and our attorney general has --</p> <p>19 has certainly declared that she thought it was the best</p> <p>20 action for us to -- to take at this time to -- to</p> <p>21 contemplate a different map structure. The reason we've</p> <p>22 not done that in the past is because of the difficulty,</p> <p>23 I believe, in managing what the Voting Rights Act would</p> <p>24 ask us to do and avoiding other pitfalls in the Voting</p> <p>25 Rights Act like gerrymandering to ultimately come up</p>	<p style="text-align: right;">Page 16</p> <p>1 amendment yet?</p> <p>2 CHAIRMAN FIELDS: No, we have not.</p> <p>3 (Pause.)</p> <p>4 CHAIRMAN FIELDS: What -- just -- yes. And</p> <p>5 because if you need to be -- want to --</p> <p>6 MALE SPEAKER 3: It's okay. Yeah. Just in</p> <p>7 opposition.</p> <p>8 CHAIRMAN FIELDS: Okay. Yeah. Your -- your</p> <p>9 opposition will be noted for the record. There are no</p> <p>10 other cards that I see. Senator Reese has moved that</p> <p>11 the amendments be adopted. Are there any objections to</p> <p>12 the adoption of the amendments? Hearing no objections,</p> <p>13 those amendments are adopted.</p> <p>14 SENATOR WOMACK: Thank you, committee members</p> <p>15 and Mr. Chairman. Close on my bill.</p> <p>16 CHAIRMAN FIELDS: Yes. Before you do, I have</p> <p>17 -- I wanted to just show you an amendment that I'm not</p> <p>18 -- I wanted -- Bill, can you pull up -- initially, when</p> <p>19 I -- when I saw the -- you know, I tried to -- you know,</p> <p>20 I'm a stickler to keeping parishes together, try to make</p> <p>21 districts as compact as possible. And I had tried to</p> <p>22 put something together, and I just want to get some</p> <p>23 comments from you about it. As soon as Bill pulls it</p> <p>24 up, I want to know if this amendment would impact any of</p> <p>25 the considerations you have -- you have made in</p>
<p style="text-align: right;">Page 15</p> <p>1 with the districts. And so I -- I appreciate what</p> <p>2 you're charged with trying to present here.</p> <p>3 Would you say that -- that predominantly, in</p> <p>4 the remaining districts that are not majority-minority</p> <p>5 districts, that you've tried to really adhere to the</p> <p>6 continuity of representation in those districts? And it</p> <p>7 appears perhaps that you're really trying to -- to not</p> <p>8 bust up the -- kind of the communities of interest,</p> <p>9 crack or split or divide those communities of interest.</p> <p>10 SENATOR WOMACK: Yes.</p> <p>11 SENATOR REESE: So in -- in -- in the 4th</p> <p>12 District, for instance, I noticed that you've kept</p> <p>13 together, like, our major military installations in that</p> <p>14 4th District that has -- that kind of speaks to</p> <p>15 communities of interest that it looks like you're --</p> <p>16 you're attempting to preserve with this map while you</p> <p>17 still attempt to -- to comply with -- with the objective</p> <p>18 of the courts in terms of creating another</p> <p>19 majority-minority opportunity district there.</p> <p>20 SENATOR WOMACK: That's exactly right.</p> <p>21 SENATOR REESE: The numbers -- and -- and</p> <p>22 we're talking -- we're on your amendment now, right, Mr.</p> <p>23 Chairman?</p> <p>24 CHAIRMAN FIELDS: Yes.</p> <p>25 SENATOR REESE: We've not adopted the</p>	<p style="text-align: right;">Page 17</p> <p>1 perfecting the one we just passed. Is it working?</p> <p>2 All right. I tried to keep as many parishes</p> <p>3 whole as possible in both the -- you know, in the whole</p> <p>4 state, but I particularly want to concentrate on the 2nd</p> <p>5 District and the 6th District. Would -- would -- would</p> <p>6 -- would that satisfy your -- if I -- if -- if -- if we</p> <p>7 were to adopt that amendment, would that interfere with</p> <p>8 your concerns about helping some of the members of</p> <p>9 Congress?</p> <p>10 (Pause.)</p> <p>11 CHAIRMAN FIELDS: Do we have the amendment</p> <p>12 prepared? Okay. Let me offer up the amendment. I want</p> <p>13 to offer up an amendment. I'm -- I'm going to offer it</p> <p>14 up.</p> <p>15 (Pause.)</p> <p>16 CHAIRMAN FIELDS: Give you a quick second to</p> <p>17 look at this amendment. This amendments -- amendment</p> <p>18 splits only 15 parishes. Would you have a problem with</p> <p>19 adopting this amendment?</p> <p>20 SENATOR WOMACK: Well, I -- Mr. Chairman, all</p> <p>21 due respect, if we could get a few minutes to look at</p> <p>22 it. If you could get a --</p> <p>23 CHAIRMAN FIELDS: Yes, sir.</p> <p>24 SENATOR WOMACK: Go -- maybe a 10- or</p> <p>25 15-minute recess to look at it and -- and kind of see.</p>

5 (Pages 14 to 17)

<p style="text-align: right;">Page 18</p> <p>1 I -- I -- I can see where I could have some issues with  2 it on the north end, but.  3 CHAIRMAN FIELDS: For example, it keeps --  4 keeps Avoyelles whole. And under your -- the amendment  5 we just adopted, it splits Avoyelles. Sorry. Senator  6 Miguez.  7 SENATOR MIGUEZ: Thank you, Mr. Chairman. And  8 to save a little bit of time, if you don't mind if you  9 have this information readily available, if you can give  10 us the split comparisons to the -- the author's current  11 version until now, and then give us some -- maybe the  12 African American voting population numbers as it relates  13 to Congressional District 2 and 6 in both and any other,  14 you know, notable differences in his map that's really  15 available that doesn't have me digging through the  16 entire bill trying to cross up multiple papers, if you  17 have any of that.  18 CHAIRMAN FIELDS: Yeah. The amendment  19 actually shows the split with -- with the senator's  20 amendment, and it also shows the -- the splits with the  21 amendment we're discussing. I'm -- I'm trying to show  22 that we could do -- we can create this district more  23 compact, even trying to protect members of Congress.  24 And I just want to know, could you be for that  25 amendment? And if the answer is no, that's fine.</p>	<p style="text-align: right;">Page 20</p> <p>1 precincts between what is listed as District 2, the  2 Congressional District 2, and District 6. It moves  3 approximately -- I believe it's 3,000 - approximately  4 3,000 or so voters. But what it does, though, is it  5 increases the -- very slightly, the registered  6 Democratic African American vote in District 2 by  7 increasing that number to 52.823 percent, which is a  8 very slight increase. It's an increase of right around  9 an additional thousand or so votes for District 2.  10 And it barely has any implications with the  11 new District 6. It doesn't involve and I -- and I --  12 it's my understanding from staff that it doesn't affect  13 any other districts other than District 2 and District  14 6. It doesn't affect any of the other congressional  15 districts proposed in the map.  16 CHAIRMAN FIELDS: Okay. Senator, how many  17 additional parishes would this amendment split?  18 SENATOR CARTER: Well, it does. It would  19 split West Baton Rouge Parish, but I believe West Baton  20 Rouge Parish is currently in District 2, and also very  21 slightly in Iberville Parish. There would be one, two,  22 three parishes in those for a very minor adjustment, but  23 it increases the African American population in District  24 2 by an additional couple of thousand votes or so.  25 CHAIRMAN FIELDS: So it split -- it splits two</p>
<p style="text-align: right;">Page 19</p> <p>1 SENATOR WOMACK: At -- at this point, I would  2 have to say no.  3 CHAIRMAN FIELDS: Okay. All right. I'm going  4 to withdraw the amendment. And are there -- are there  5 any further discussions on the bill? Oh, Senator  6 Carter.  7 SENATOR CARTER: No, no, no, no. Are we doing  8 any other amendments right now or just the bill?  9 CHAIRMAN FIELDS: If there is an amendment,  10 now is the time because we're going to vote one way or  11 the other in a few.  12 SENATOR CARTER: Give me one second.  13 CHAIRMAN FIELDS: Are there any further  14 amendments on the bill?  15 SENATOR CARTER: Yeah, I (inaudible 0:29:27).  16 (Pause.)  17 CHAIRMAN FIELDS: Senator Carter.  18 (Pause.)  19 CHAIRMAN FIELDS: All right. Senator Carter,  20 you're recognized.  21 SENATOR CARTER: Give me a second. I'm  22 coming. I'm looking at the numbers.  23 (Pause.)  24 SENATOR CARTER: Thank you, Mr. Chair.  25 Members, this amendment swaps one, two, three, four</p>	<p style="text-align: right;">Page 21</p> <p>1 additional parishes?  2 SENATOR CARTER: Very slightly, yes.  3 CHAIRMAN FIELDS: Senator Jenkins.  4 SENATOR JENKINS: I'm just trying to see. So  5 where -- where -- if you picked up some votes in 2,  6 which I don't inherently -- I don't inherently have a  7 problem with it, but where do -- where do they -- where  8 do those votes come from?  9 SENATOR CARTER: They came from District 6.  10 So if you look at the -- the map that's proposed  11 (inaudible 0:33:36). If you look at the map that's  12 proposed by Senator Womack, it moves precincts 1C, 1B,  13 8, and 6 from West Baton Rouge, and in Iberville Parish,  14 it will move those precincts from District 2 into  15 District 6, precincts 20, 22, and 26. So it's very,  16 very small and minor in terms of an adjustment. Small,  17 but very important. Very significant. It increases the  18 -- the African American vote in District 2 with a swap  19 between 2 and 6.  20 SENATOR JENKINS: So how much of a decrease in  21 6?  22 SENATOR CARTER: So the -- in -- with 6, 6  23 will maintain a registered African American percentage  24 of 54.189. And then for District 2, it will be 52.823.  25 (Pause.)</p>

6 (Pages 18 to 21)



<p style="text-align: right;">Page 22</p> <p>1 CHAIRMAN FIELDS: Okay. 6 is not contiguous</p> <p>2 with this amendment. I don't -- I don't know if the</p> <p>3 author knew it or not.</p> <p>4 SENATOR CARTER: I just -- I just heard from</p> <p>5 staff -- I just heard from staff that there was a</p> <p>6 problem with one of the areas being not contiguous that</p> <p>7 they just pointed out to me that we didn't discuss</p> <p>8 during the recess. Perhaps that's something we could</p> <p>9 quickly adjust in the next few minutes or so.</p> <p>10 CHAIRMAN FIELDS: Or -- or we could do it on</p> <p>11 the floor.</p> <p>12 SENATOR CARTER: I would prefer to handle it</p> <p>13 in committee, of course, Mr. Chair.</p> <p>14 CHAIRMAN FIELDS: All right. So you're</p> <p>15 splitting two additional parishes, Senator.</p> <p>16 SENATOR CARTER: And it's also my</p> <p>17 understanding that the -- in addition to that, it also</p> <p>18 is supposed to take into consideration the previous</p> <p>19 amendment that was inserted on from -- the previous</p> <p>20 amendment from Senator Womack.</p> <p>21 CHAIRMAN FIELDS: All right.</p> <p>22 SENATOR CARTER: So those are some technical</p> <p>23 revisions that -- to consider the -- the amendment that</p> <p>24 was just passed by Senator Womack and also deal with the</p> <p>25 one issue that they just mentioned regarding the</p>	<p style="text-align: right;">Page 24</p> <p>1 amendments --</p> <p>2 CHAIRMAN FIELDS: Let's -- let's --</p> <p>3 SENATOR MIGUEZ: -- that contemplate the</p> <p>4 change, basically.</p> <p>5 SENATOR CARTER: Yes. That's correct, and</p> <p>6 that's what they're working on.</p> <p>7 SENATOR MIGUEZ: Okay. Then we're not ready</p> <p>8 to really review it at this point until we can see that</p> <p>9 because that -- the version I have is based on the</p> <p>10 original version of the bill.</p> <p>11 CHAIRMAN FIELDS: Senator, you -- have you</p> <p>12 concluded, Senator?</p> <p>13 SENATOR MIGUEZ: Yes.</p> <p>14 CHAIRMAN FIELDS: Senator Kleinpeter.</p> <p>15 SENATOR KLEINPETER: Thank you, Mr. Chairman.</p> <p>16 Senator Carter, with all due respect, this -- I'm not in</p> <p>17 favor of this. This is from my -- two of my hometown</p> <p>18 parishes, growing up in Iberville and West Baton Rouge</p> <p>19 and -- and part of this is my old council district that</p> <p>20 -- we're already chopped up as it is between Senator</p> <p>21 Price and I as far as on the state level, and we're</p> <p>22 definitely going to be cutting West Baton Rouge and</p> <p>23 Iberville up. I just wanted to go on the record and</p> <p>24 voice my opinion based on this new map that has been</p> <p>25 presented to us.</p>
<p style="text-align: right;">Page 23</p> <p>1 contiguous nature of it. You were supposed to take the</p> <p>2 -- supposed to take both of those things into</p> <p>3 consideration, the amendment.</p> <p>4 CHAIRMAN FIELDS: Okay. Senator Miguez.</p> <p>5 SENATOR MIGUEZ: Thank you. Thank you, Mr.</p> <p>6 Chairman. Just -- just for clarification, and you may</p> <p>7 have just addressed this, the Womack -- I'll call it the</p> <p>8 -- the amendment that Senator Cloud just testified upon</p> <p>9 and then just got onto the bill, your new amendment</p> <p>10 doesn't contemplate those changes in Avoyelles Parish.</p> <p>11 You're going to have to rework that, because I'm looking</p> <p>12 -- I may have the wrong amendment. I'm looking at</p> <p>13 Avoyelles Parish being completely within the new --</p> <p>14 within Congressional District 6. Oh, yeah; is that</p> <p>15 right?</p> <p>16 SENATOR CARTER: It's my understanding that</p> <p>17 that is being (inaudible 0:36:41).</p> <p>18 SENATOR MIGUEZ: So --</p> <p>19 SENATOR CARTER: (inaudible 0:36:43).</p> <p>20 SENATOR MIGUEZ: So you had the --</p> <p>21 SENATOR CARTER: My amendment would assume --</p> <p>22 it should assume that that amendment was (inaudible</p> <p>23 0:36:49). So it should not affect the previous</p> <p>24 amendment that was just passed.</p> <p>25 SENATOR MIGUEZ: You have to rework your</p>	<p style="text-align: right;">Page 25</p> <p>1 CHAIRMAN FIELDS: Senator Miller.</p> <p>2 SENATOR MILLER: Thank you. Just two -- two</p> <p>3 quick questions again. What was the voting age</p> <p>4 population splits for 2 and 6 with these amendments,</p> <p>5 your math?</p> <p>6 SENATOR CARTER: The voting age --</p> <p>7 SENATOR MILLER: Voting age population, Black.</p> <p>8 SENATOR CARTER: African American voting age</p> <p>9 population in District 2 -- oh, here it is. The -- the</p> <p>10 VAP, the African American voting age population for</p> <p>11 District 2 would be 51.132 percent, and the African</p> <p>12 American voting age population for District 6 would be</p> <p>13 53.612 percent.</p> <p>14 SENATOR MILLER: Okay. And last question: did</p> <p>15 any -- did you have any information of how these would</p> <p>16 -- would perform?</p> <p>17 SENATOR CARTER: It's my understanding it</p> <p>18 would help it better perform because it is an additional</p> <p>19 increase of African American voters, even though it's a</p> <p>20 small amount of individuals. It's a small but</p> <p>21 significant change.</p> <p>22 SENATOR MILLER: But y'all -- y'all didn't run</p> <p>23 any -- any performance tests on it?</p> <p>24 SENATOR CARTER: No.</p> <p>25 SENATOR MILLER: Okay. Thank you.</p>

7 (Pages 22 to 25)

<p style="text-align: right;">Page 26</p> <p>1 CHAIRMAN FIELDS: Thank you, Senator. Senator  2 Jenkins.  3 SENATOR JENKINS: Well, I'm just trying to be  4 sure here. I mean, I fundamentally don't have an issue.  5 I'm just trying to see what's happened here in -- in  6 north Louisiana.  7 SENATOR CARTER: It shouldn't affect northern  8 Louisiana at all. It's just a swap between 6 -- sorry,  9 I'm -- I'm not on. It -- it should not affect northern  10 Louisiana. This is just a swap between District 2 and  11 District 6. At the very bottom, if you're looking at  12 Iberville and West Baton Rouge parishes right there  13 towards the bottom, it has no bearing or no effect on  14 northern Louisiana.  15 SENATOR JENKINS: Well, I'm looking at the  16 configuration. I mean --  17 SENATOR CARTER: Well, I think the difference  18 is we're looking at the configuration from the previous  19 amendment from Senator Womack. That should be  20 incorporated into the amendment that I'm offering.  21 SENATOR JENKINS: Okay. So --  22 SENATOR CARTER: So that's a technical thing  23 that they're fixing. It -- it doesn't have anything to  24 do with the swap that I am. So there was the previous  25 amendment that was offered by Senator Womack with</p>	<p style="text-align: right;">Page 28</p> <p>1 contemplate the previous amendment that got on. It was  2 my --  3 CHAIRMAN FIELDS: Yeah. Yeah.  4 SENATOR CARTER: -- understanding it was  5 supposed to, and I just heard about the issue --  6 CHAIRMAN FIELDS: Right.  7 SENATOR CARTER: -- about the contiguousness  8 of it.  9 CHAIRMAN FIELDS: I -- I hate to oppose one of  10 my distinguished colleagues in committee.  11 SENATOR CARTER: Well, I hope you don't.  12 CHAIRMAN FIELDS: But I do think we have an  13 obligation to -- to make sure that anything we do and  14 pass is not for -- race is not the predominant reason.  15 Can you give us the reason for splitting two parishes  16 other than race?  17 SENATOR CARTER: Well, I think -- one, I think  18 hearing the testimony of my previous colleague, Senator  19 Womack and Senator Cloud, this makes -- this increases  20 the odds of District 2 performing as an African American  21 district. And given the importance that our  22 congressperson has performed in District 2, I think it's  23 very important that that district remains strengthened  24 where it can perform as an African American district.  25 That is a factor. It is not the predominant factor.</p>
<p style="text-align: right;">Page 27</p> <p>1 Senator Cloud testifying at the table that got adopted.  2 SENATOR JENKINS: Okay.  3 SENATOR CARTER: This amendment doesn't --  4 SENATOR JENKINS: It doesn't -- doesn't  5 (inaudible 0:40:09).  6 SENATOR CARTER: -- doesn't undo that, doesn't  7 touch it whatsoever. This is just a very slight swap  8 between District 2 and District 6.  9 SENATOR JENKINS: I see that. Okay. Got it.  10 Thank you, Mr. Chairman.  11 CHAIRMAN FIELDS: Okay. Senator Jenkins. All  12 right. Are there any other members who wish to be heard  13 on the amendment?  14 SENATOR CARTER: At this time I would like to  15 move -- provide -- we don't have the amendment. Can we  16 do it in concept or no?  17 CHAIRMAN FIELDS: Senator Carter, why don't we  18 -- why don't we move the bill out the way it is now.  19 The -- your amendment is not ready. And you're talking  20 about 3,000 people. You know, I -- I -- (inaudible  21 0:41:02) --  22 SENATOR CARTER: I know we had the  23 conversation earlier about doing the hard work in the  24 committee and making certain we have amendments that we  25 need here. I -- I did not realize that it didn't</p>	<p style="text-align: right;">Page 29</p> <p>1 It's also consistent with the principles outlined with  2 the federal judge, and it's also consistent with  3 communities of interest and all the other factors that  4 we previously considered.  5 CHAIRMAN FIELDS: So lastly, what's the  6 predominant factor you're using to split the two  7 parishes, that -- the 3,000 people?  8 SENATOR CARTER: It's very important, and we  9 talked about very -- earlier when this hearing started,  10 we talked about many of the storms and hurricanes that  11 we've had. It's very important. You look at what  12 happened in New Orleans after Hurricane Katrina, making  13 certain we had congressional representation to deliver  14 for the City of New Orleans, for not just the City of  15 New Orleans, but for that whole area, the whole 2nd  16 Congressional District. Similarly, during hurricane --  17 not hurricane, with the pandemic with COVID, making  18 certain we have congressional representation that can  19 continue to deliver for our district.  20 CHAIRMAN FIELDS: Okay. Members, you've heard  21 the discussion by Senator Carter. The amendment can't  22 be adopted because it's not ready. We do have other  23 bills we have to hear. I would plead to the gentleman  24 to let us pass the bill, and if we can perfect your  25 amendment on the floor, we can do just that.</p>

8 (Pages 26 to 29)

<p style="text-align: right;">Page 30</p> <p>1 SENATOR CARTER: Well, my only concern with</p> <p>2 doing it on the floor is it opens it up to -- you know,</p> <p>3 it's -- it's -- it's important that we do the hard work</p> <p>4 in committee, I thought.</p> <p>5 CHAIRMAN FIELDS: All right.</p> <p>6 SENATOR CARTER: So if we can perhaps give</p> <p>7 staff --</p> <p>8 CHAIRMAN FIELDS: How much more time --</p> <p>9 SENATOR CARTER: -- an opportunity to -- to</p> <p>10 finalize the amendment so we can get that hopefully</p> <p>11 considered by the committee.</p> <p>12 CHAIRMAN FIELDS: Well, we're going to pass</p> <p>13 over -- Senator, if you -- if we could pass over your</p> <p>14 bill for now and get to the rest of these bills because</p> <p>15 --</p> <p>16 SENATOR CARTER: It shouldn't take long. It's</p> <p>17 -- it's a very small -- it's -- I believe it's less than</p> <p>18 3,000 voters, so it should be easy and quick to fix.</p> <p>19 CHAIRMAN FIELDS: All right. Let's pass over</p> <p>20 Senator -- Senator Womack, do you -- do you wish for us</p> <p>21 to pass over your bill for now?</p> <p>22 SENATOR WOMACK: That's good.</p> <p>23 CHAIRMAN FIELDS: Bill, you have it?</p> <p>24 SENATOR CARTER: I think we have it, but.</p> <p>25 MALE SPEAKER 4: (inaudible 0:44:47) not quite</p>	<p style="text-align: right;">Page 32</p> <p>1 wasn't contiguous.</p> <p>2 CHAIRMAN FIELDS: Okay. The -- the staff is</p> <p>3 -- is the staff ready? Staff?</p> <p>4 MALE SPEAKER 5: (inaudible 0:46:13).</p> <p>5 CHAIRMAN FIELDS: I'm going to lean on the</p> <p>6 gentleman one last time. Will -- will the gentleman</p> <p>7 defer to the chair and allow us to pass it now? And we</p> <p>8 will have discussions between now and the floor. You</p> <p>9 can have discussions with the author between now and the</p> <p>10 floor.</p> <p>11 SENATOR CARTER: Sounds good, Mr. Chairman.</p> <p>12 CHAIRMAN FIELDS: Thank the gentleman. All</p> <p>13 right. Thank you, Senator Carter. Are there any</p> <p>14 further discussions on the bill? Senator Reese has</p> <p>15 moved that Senate Bill 8 be reported favorable -- be</p> <p>16 reported as amended. Are there any objections to</p> <p>17 reporting Senate Bill 8 as amended? Hearing no</p> <p>18 objections, that bill is reported favorable.</p> <p>19 SENATOR WOMACK: Thank you, Mr. Chairman,</p> <p>20 members.</p> <p>21 CHAIRMAN FIELDS: Thank you. All right.</p> <p>22 Let's get into some.</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 31</p> <p>1 the same. You can't have that one.</p> <p>2 SENATOR CARTER: I believe we have the revised</p> <p>3 amendment, so don't -- don't go too far, Senator.</p> <p>4 MALE SPEAKER 4: (inaudible 0:45:02).</p> <p>5 SENATOR CARTER: Yes.</p> <p>6 (Pause.)</p> <p>7 SENATOR CARTER: Does this contemplate the</p> <p>8 previous amendment from that -- that got on from Senator</p> <p>9 Womack and Senator Cloud?</p> <p>10 MALE SPEAKER 4: (inaudible 0:45:30)?</p> <p>11 SENATOR CARTER: The one that's already</p> <p>12 passed, yes, yes.</p> <p>13 MALE SPEAKER 4: (inaudible 0:45:34).</p> <p>14 SENATOR CARTER: Without -- it doesn't undo</p> <p>15 any of the previous amendments. It maintains the</p> <p>16 revisions that was --</p> <p>17 MALE SPEAKER 4: It maintains all of that</p> <p>18 (inaudible 0:45:41).</p> <p>19 SENATOR CARTER: Okay. Good. Yes. I</p> <p>20 believe, Mr. Chairman, that the amendment is now -- it's</p> <p>21 being finalized, that solves both of those issues where</p> <p>22 it doesn't undo the previous -- where it doesn't undo</p> <p>23 the previous amendment that was offered by Senator</p> <p>24 Womack and Senator Cloud. It wasn't intended to do</p> <p>25 that. And it fixed the one part of the amendment that</p>	<p style="text-align: right;">Page 33</p> <p>1 CERTIFICATE OF TRANSCRIPTION</p> <p>2 I, Nathan Pikover, COO of TranscribeMe, Inc.,</p> <p>3 do hereby certify that 290872-Audio-Senate and</p> <p>4 Governmental Affairs-Edited.wav was transcribed</p> <p>5 utilizing computer aided means and the TranscribeMe</p> <p>6 transcription team.</p> <p>7 The transcript of the audio mentioned above,</p> <p>8 having been transcribed and reviewed by TranscribeMe,</p> <p>9 Inc. to the best of the company's ability, is a full,</p> <p>10 true, and correct transcription.</p> <p>11 I further certify that neither I, nor the</p> <p>12 TranscribeMe, Inc. transcription team, have any personal</p> <p>13 association with the parties involved or are in any way</p> <p>14 interested in the outcome thereof.</p> <p>15 Dated this 8th of March, 2024.</p> <p>16</p> <p>17 _____</p> <p>18 Nathan Pikover, COO TranscribeMe, Inc.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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MALE SPEAKER: Senate will come to order.  
Sector, open machines. Members, vote your machines.  
OCHA, machines. Senator McMath is here. Senator  
Pressly. Senator Morris. Senator Talbot. Senator  
Talbot is here. Senator Connick is here. 36 members  
are present for a quorum. Senate will rise. Senator  
Mizell will -- will open the senate in prayer and also  
lead us in the -- for the Pledge of Allegiance.

MS. MIZELL: Thank you, Mr. President.  
Members, before we pray, I just want to say, we are all  
here for a time such as this. I -- I haven't heard one  
member say this is easy, and I -- I just -- I think it  
would be appropriate if we join together in the Lord's  
Prayer of unifying our body and reaching out to God. If  
you'd join me. Our Father, who art in Heaven, hallowed  
be Thy name. Thy kingdom come. Thy will be done on  
earth, as it is in Heaven. Give us this day our daily  
bread. And forgive us our trespasses, as we forgive  
those who trespass against us.

And lead us not to temptation, deliver us from  
evil. For thine is the kingdom and the power and the  
glory forever. Amen. Thank you. Join me in the  
pledge, please.

(Pledge of Allegiance.)

MALE SPEAKER: Reading of the journal.

<p style="text-align: right;">Page 2</p> <p>1 MS. MIZELL: Official Journal of the Senate of 2 the state of Louisiana, Second day's proceedings, 3 Tuesday, January 16th, 2024. 4 MALE SPEAKER: Senator Hodges moves to 5 dispense the reading of the journal without objection. 6 MS. MIZELL: Petitions, memorials, and 7 communications, I am in receipt of a letter from the 8 president appointing the parliamentarians, Senator 9 Gregory Miller. Messages from the house, the house is 10 finally passed and asked for concurrence in the 11 following house bills and joint resolutions. House Bill 12 16. House Bill 8, respectfully submit headed. Michelle 13 Fontenot, Clerk of the House. Introduction of House 14 bills. Senator Talbot now moves for suspension of the 15 rules for the purpose of reading the house bills the 16 first and second time and referring them to Committee. 17 House Bill 8 by Representative Mike Johnson is 18 an act to Entitled 13 relative to the Supreme Court to 19 provide relative to redistricting Supreme Court Justice 20 districts. It is referred to senate and governmental 21 affairs. House Bill 16 by Representative McFarland is 22 an act to appropriate funds and to make certain 23 reductions from certain sources to be allocated to the 24 designated agencies and purposes in specific amounts for 25 making of supplemental appropriations. Refer to</p>	<p style="text-align: right;">Page 4</p> <p>1 long, detailed process, achieves several goals. 2 First, as you know and you're aware of, 3 Congresswoman Julia Letlow is my representative in 4 Washington, DC. The boundaries in the bill I'm 5 proposing ensure that Congresswoman Letlow remains both 6 unpaired with any other incumbents, and in a 7 congressional district that should continue to elect a 8 Republican to Congress for the remainder of this decade. 9 I have great pride in the work of Congresswoman Letlow 10 and -- that she's accomplished, and this map will ensure 11 that Louisianans will continue to benefit from her 12 presence in the halls of the Congress for as long as she 13 decides to continue to serve this great state. 14 Second. Louisiana has six congressional 15 districts. The map that's proposed bill ensures that 16 four are safe Republican seats. Louisiana Republican 17 presence in the United States' countours has contributed 18 tremendously to the national discourse, and I'm very 19 proud that both Speaker of the US House of 20 Representatives, Mike Johnson, and US House Majority 21 Leader Steve Scalise are both from our great state. 22 This map ensures that two of them will have solidly 23 Republican districts at home, so they can focus on the 24 national leadership that we need in Washington, DC. The 25 map that's proposed in this bill ensures conservative</p>
<p style="text-align: right;">Page 3</p> <p>1 finance. 2 MALE SPEAKER: Oh, Senator O'Connor for an 3 introduction. 4 MALE SPEAKER 2: (inaudible 0:04:15). 5 MALE SPEAKER: Oh, okay. 6 MALE SPEAKER 2: It's okay. 7 MALE SPEAKER: Never mind. It's -- that zip 8 sound? Senate bills on third reading and final passage. 9 MS. MIZELL: First bill? Senator Womack now 10 moves for a suspension of the rules for the purpose of 11 calling out of order, Senate Bill 8 by Senator Womack. 12 It's an act to amend Title 18 relative to congressional 13 districts to provide for the redistricting of 14 Louisiana's congressional 15 FEMALE SPEAKER: To provide with respect to 16 positions and offices other than congressional, which 17 are based on congressional districts. 18 MALE SPEAKER: Senator Womack, on your bill. 19 SENATOR WOMACK: Thank you, Mr. President. 20 Colleagues, I bring Senate Bill Number 8 before you this 21 evening. As you know, Louisiana congressional districts 22 must be drawn, given the Federal Voting Rights Act 23 litigation that is still ongoing in the US District 24 Court for the Middle District of Louisiana. This map in 25 the bill that I'm introducing, which is the product of a</p>	<p style="text-align: right;">Page 5</p> <p>1 principle is retained by the majority of those in 2 Louisiana and will continue to extend past our 3 boundaries to the nation's capital. 4 Third. The corridor that you see on the map 5 that -- that you have on your -- your table, if you'll 6 notice the map runs up Red River, which is barge 7 traffic, commerce. It also has I-49, which is a -- 8 which is -- goes from Lafayette to Shreveport, which is 9 also a corridor for our state that is very important to 10 our commerce. We have a college. We have education 11 along that corridor. We have a presence with ag with 12 our row crop, as well as our cattle industry all up 13 along Red River in those parishes. 14 A lot of people from that area, the 15 Natchitoches Parish, as well as Alexandria, use 16 Alexandria for -- for -- for their healthcare, their 17 hospitals, and so forth in that area. So finally, the 18 amounts in the proposed bill responds appropriate to the 19 ongoing Federal Voting Rights Act in the Middle District 20 of Louisiana. For those who are unaware, the 21 congressional amounts that we enacted in 2022 of March 22 have been the subject of litigation, roughly since the 23 day -- the 2022 Congressional Redistricting Bill went 24 into effect. Even before we enacted it. 25 After a substantial amount of prolonged</p>

2 (Pages 2 to 5)

<p style="text-align: right;">Page 6</p> <p>1 litigation, the Federal District Court has adhered to</p> <p>2 its view that the federal law requires that the state</p> <p>3 have two congressional districts with a majority of</p> <p>4 Black voters. Our secretary of state, attorney general,</p> <p>5 and our prior legislative leadership appealed that, but</p> <p>6 have yet to succeed. And we are now here because of the</p> <p>7 federal court order, that we have to have first</p> <p>8 opportunity to act. The district court order that we</p> <p>9 must have two majority voting-age population districts,</p> <p>10 combined with the political impurities I just described,</p> <p>11 have largely -- largely driven the boundaries of</p> <p>12 District Two and District Six on your map, both of which</p> <p>13 are over 50 percent voting -- Black voting age</p> <p>14 population.</p> <p>15 Given the state's current demographics, there</p> <p>16 is not enough high Black population in the southeast</p> <p>17 portion of Louisiana to create two majority Black</p> <p>18 districts, and to also comply with the US Constitution</p> <p>19 one person, one vote requirement. That is the reason</p> <p>20 why District Two is drawn around Orleans Parish, while</p> <p>21 District Six includes the Black population of East Baton</p> <p>22 Rouge Parish and travels up the I-49 quarter to include</p> <p>23 Black population in Shreveport. While this is a</p> <p>24 different map than the Plaintiffs' litigation have</p> <p>25 proposed, this is the only map I reviewed that</p>	<p style="text-align: right;">Page 8</p> <p>1 common with one another within the district?</p> <p>2 SENATOR WOMACK: No, I didn't because it was</p> <p>3 -- it was -- we had to draw two districts, and that's</p> <p>4 the only way we could get two districts. One of the</p> <p>5 ways we could get two districts, and still protect our</p> <p>6 political interest.</p> <p>7 SENATOR MORRIS: Well, one of the things you</p> <p>8 said earlier was that -- that we had in common the</p> <p>9 agriculture. You mentioned that. That's a community of</p> <p>10 interest. So you did consider agriculture as being</p> <p>11 something that everybody had in common with this</p> <p>12 district, or?</p> <p>13 SENATOR WOMACK: My comment was -- was the</p> <p>14 fact that it was along that corridor. Ag was along that</p> <p>15 corridor some -- some -- not so much in that community</p> <p>16 interest. Just maintaining -- bringing out the fact</p> <p>17 that I-49 does go through there, and it does encompass</p> <p>18 your -- your timberland, your ag, your hospitals. Just</p> <p>19 trying to bring to light some of the positives going up</p> <p>20 that corridor.</p> <p>21 SENATOR MORRIS: So would you -- would you say</p> <p>22 that the heart of this district is Northeast Louisiana</p> <p>23 and North Central Louisiana?</p> <p>24 SENATOR WOMACK: I wouldn't say the heart of</p> <p>25 the district is that way, but the way the district -- to</p>
<p style="text-align: right;">Page 7</p> <p>1 accomplishes the political goals I believe that are</p> <p>2 important for my district, for Louisiana, and for the</p> <p>3 country.</p> <p>4 While I did not draw these boundaries myself,</p> <p>5 I carefully considered the number of different map</p> <p>6 options. I firmly submit that the congressional voting</p> <p>7 boundaries represented in this bill best achieve the</p> <p>8 goals of protecting Congresswoman Letlow's seat,</p> <p>9 maintaining a strong district for Speaker Johnson, as</p> <p>10 well as Majority Leader Steve Scalise, ensuring four</p> <p>11 Republican districts, and adhering to the command of the</p> <p>12 Federal Court in the Middle District of Louisiana. And</p> <p>13 I ask for favorable passage.</p> <p>14 MALE SPEAKER: We have -- we have one question</p> <p>15 by Senator Morris for --</p> <p>16 SENATOR MORRIS: Senator Womack, among the</p> <p>17 factors that you considered was the community of</p> <p>18 interest of the district. Something that was considered</p> <p>19 in coming up with this version of the map that we have</p> <p>20 before us.</p> <p>21 SENATOR WOMACK: Senator Morris, this map was</p> <p>22 strictly drawn from the political aspect of our</p> <p>23 congressman in -- in office is how it was drawn.</p> <p>24 SENATOR MORRIS: Did -- you didn't consider</p> <p>25 the community of interest of people having something in</p>	<p style="text-align: right;">Page 9</p> <p>1 pick up the -- the -- and honor the courts, it had to be</p> <p>2 drawn like it had to be drawn to pick that up.</p> <p>3 SENATOR MORRIS: So the -- is there a heart of</p> <p>4 the district?</p> <p>5 SENATOR WOMACK: If it is, it'll be a small</p> <p>6 majority of the heart. I don't think it's a -- it's a</p> <p>7 -- it -- it has a heart of the district, but it had to</p> <p>8 start somewhere.</p> <p>9 SENATOR MORRIS: Do you know what the most</p> <p>10 populated parish is of Congressional District Five at</p> <p>11 the current moment?</p> <p>12 SENATOR WOMACK: I do not. I hadn't looked at</p> <p>13 that to -- to prove that myself. I (inaudible 0:08:54)</p> <p>14 -- could be Ouachita Parish.</p> <p>15 SENATOR MORRIS: Right. So Ouachita Parish,</p> <p>16 which is the most populated parish in Congressional</p> <p>17 District Five, which you seek to protect for</p> <p>18 Congresswoman Letlow. Your map cuts Ouachita Parish</p> <p>19 into various pieces, does it not? And puts a lot of</p> <p>20 that in Congressman Johnson's District Four, correct?</p> <p>21 SENATOR WOMACK: That's true. The way the map</p> <p>22 is drawn. That's in my bill. That is the way it's</p> <p>23 drawn.</p> <p>24 SENATOR MORRIS: And like you, your -- I -- I</p> <p>25 think you indicated that Congresswoman Letlow is your</p>

3 (Pages 6 to 9)

<p style="text-align: right;">Page 10</p> <p>1 congressperson, and -- and it's important to you for her</p> <p>2 to remain to be your Congresswoman; is that correct?</p> <p>3 SENATOR WOMACK: Very important.</p> <p>4 SENATOR MORRIS: Well, under your map, I would</p> <p>5 be Congressman Johnson's -- in his district, and so</p> <p>6 would Senator Cathey, and so would Representative</p> <p>7 Echols; is that correct?</p> <p>8 SENATOR WOMACK: That would be correct. I</p> <p>9 don't -- I know -- I've been to your house, but I hadn't</p> <p>10 been in any of the others, but I think you're correct.</p> <p>11 SENATOR MORRIS: So that would be important to</p> <p>12 me; did you know? But -- but this district as it's</p> <p>13 drawn now, would move Lincoln Parish and Louisiana Tech</p> <p>14 into Congressman Johnson's district; would it not?</p> <p>15 SENATOR WOMACK: That's a possibility.</p> <p>16 SENATOR MORRIS: Well, your map does -- map</p> <p>17 does put Lincoln Parish -- all of Lincoln Parish into</p> <p>18 Congressman Johnson's district; does it not?</p> <p>19 SENATOR WOMACK: It does do that, yes.</p> <p>20 SENATOR MORRIS: So -- but the district does</p> <p>21 reach down into Baton Rouge; does it not?</p> <p>22 SENATOR WOMACK: It does.</p> <p>23 SENATOR MORRIS: And the district includes</p> <p>24 Tiger Stadium in the district and also Joe Aillet</p> <p>25 Stadium at -- in Louisiana Tech in Ruston.</p>	<p style="text-align: right;">Page 12</p> <p>1 Louisiana Tech will be in Congressman Johnson, even</p> <p>2 though Louisiana Tech is only 30 mile -- 30, 40 miles</p> <p>3 away from Congresswoman Letlow's home.</p> <p>4 SENATOR WOMACK: I -- I agree with that --</p> <p>5 with that totally, where we had to draw two minority</p> <p>6 districts. That's -- that's the way the numbers worked</p> <p>7 out. You've worked with -- with -- with redistricting</p> <p>8 before, and that's -- that's -- you have to -- you have</p> <p>9 to work everybody around the best you can. This is --</p> <p>10 SENATOR MORRIS: Well, as of yesterday before</p> <p>11 Committee, the map -- my home and Senator Cathey's home,</p> <p>12 but you amended it to put even more in Congressman</p> <p>13 Johnson's district; did you not?</p> <p>14 SENATOR WOMACK: Senator Morris, my</p> <p>15 understanding that -- that -- that my amendment put you</p> <p>16 all in Congresswoman Letlow's district.</p> <p>17 SENATOR MORRIS: In Congressman Johnson's</p> <p>18 district under the -- under your amendment because it</p> <p>19 added more Ouachita Parish into District Four; did it</p> <p>20 not?</p> <p>21 SENATOR WOMACK: My understanding that when we</p> <p>22 moved that, that it added y'all. I could be wrong on</p> <p>23 that, but it added y'all.</p> <p>24 SENATOR MORRIS: The -- the amendment as I</p> <p>25 understand it and looked at it in Committee before</p>
<p style="text-align: right;">Page 11</p> <p>1 SENATOR WOMACK: In the minority district, in</p> <p>2 district -- in District Two -- or District Six.</p> <p>3 SENATOR MORRIS: Isn't it true that Tiger</p> <p>4 Stadium in your -- on your map is located in</p> <p>5 Congresswoman Letlow's district?</p> <p>6 SENATOR WOMACK: Yes.</p> <p>7 SENATOR MORRIS: And so is Joe Aillet Stadium</p> <p>8 at Louisiana Tech.</p> <p>9 SENATOR WOMACK: Not -- not in -- not in that</p> <p>10 district. She don't go into -- under my map, she</p> <p>11 doesn't go into Ruston.</p> <p>12 SENATOR MORRIS: Under your map, all of</p> <p>13 Lincoln Parish is in Congresswoman -- that's Lincoln on</p> <p>14 the map right there. That's where Ruston is.</p> <p>15 SENATOR WOMACK: Right.</p> <p>16 SENATOR MORRIS: And so that is Congresswoman</p> <p>17 -- that would be -- it's currently Congresswoman</p> <p>18 Letlow's, but now it's going to be Congressman</p> <p>19 Johnson's.</p> <p>20 SENATOR WOMACK: Right.</p> <p>21 SENATOR MORRIS: Okay. Right.</p> <p>22 SENATOR WOMACK: Yeah.</p> <p>23 SENATOR MORRIS: So they will be in different</p> <p>24 districts. Tiger Stadium will be in Congresswoman -- I</p> <p>25 mean, yeah, Congresswoman Letlow's district, but</p>	<p style="text-align: right;">Page 13</p> <p>1 yesterday, the bill as filed -- but now, under the</p> <p>2 current version of the bill, I am in Congressman</p> <p>3 Johnson's district.</p> <p>4 SENATOR WOMACK: Okay.</p> <p>5 SENATOR MORRIS: Don't you think we should</p> <p>6 have moved -- included Louisiana Tech and Ouachita</p> <p>7 Parish in the Northeast Louisiana Congressional</p> <p>8 District?</p> <p>9 SENATOR WOMACK: Senator Morris, it's -- it's</p> <p>10 a lot of could have, and -- and -- and I regret that</p> <p>11 it's not, but we also have to look at the other members</p> <p>12 of Congress, and what we can live with concerning that.</p> <p>13 SENATOR MORRIS: If your bill gets out of --</p> <p>14 off the floor today and goes over to the House, would</p> <p>15 you be amenable to amendments that would allow this</p> <p>16 district, as long as all the other requisites are -- are</p> <p>17 there for -- to comply with the judge's order, and to</p> <p>18 comply with, you know, the -- the community of interest</p> <p>19 and all the other redistricting principles that we have</p> <p>20 to abide by?</p> <p>21 SENATOR WOMACK: Senator Morris, I have no</p> <p>22 problem in that, as long as it -- it -- it -- it -- it</p> <p>23 meets the requirements of the bill.</p> <p>24 SENATOR MORRIS: Thank you, Senator. I</p> <p>25 appreciate your efforts, and I'm hopeful that we can --</p>

4 (Pages 10 to 13)



<p style="text-align: right;">Page 14</p> <p>1 as if -- assuming the bill does move, that we can  2 perhaps find a resolution that can make everybody, if  3 not absolutely happy, a little happier. Thank you.  4 SENATOR WOMACK: Thank you, Senator Morris.  5 MALE SPEAKER: Senator Stine for the floor.  6 (Pause.)  7 SENATOR STINE: Thank you, Mr. President.  8 Members of this esteemed chamber, today we stand at a  9 crossroads, burdened with a decision that weighs heavily  10 on each of us. The congressional map before us, a  11 construct far from our ideal, now demands our reluctant  12 endorsement. It pains me, as it does many of you, to  13 navigate these troubled waters not of our own making,  14 but of a heavy-handed, Obama-appointed federal judge,  15 who has regrettably left us little room to maneuver.  16 This map, imperfect as it is, stands as a bulwark  17 protecting not just lines on a map, but the very pillars  18 of our representation in Congress.  19 It safeguards the positions of pivotal  20 figures, the United States Speaker of the House, the  21 majority leader, and notably, the sole female member of  22 our congressional delegation. Her role is not merely  23 symbolic. She is a lynchpin in the appropriations,  24 education, and workforce committees which are vital to  25 the prosperity and well-being of our state. We are the</p>	<p style="text-align: right;">Page 16</p> <p>1 Despite those concerns, I stand in support of  2 this legislation. It still needs work, it must be  3 amended, but I stand in support of it today, and I speak  4 only for today. I would like to read to you all a  5 statement from Congressman Carter, who currently  6 represents the Second Congressional District. Many of  7 us served with him either when we were in the House, or  8 those of us who served with him in the Senate. Here's a  9 statement.  10 "My dear friends and colleagues, as I said on  11 the steps of the capital, I will work with anyone who  12 wants to create two majority-minority districts. I am  13 not married to any one map. I have worked tirelessly to  14 help create two majority-minority districts that  15 perform. That's how I know that there may be better  16 ways to create -- to craft both of these districts.  17 There are multiple maps that haven't been reviewed at  18 all. However, the Womack map creates two  19 majority-minority districts, and therefore I am  20 supportive of it. And I urge my former colleagues and  21 friends to vote for it while trying to make both  22 districts stronger with appropriate amendment."  23 "We do not want to jeopardize this rare  24 opportunity to give African American voters the equal  25 representation they rightly deserve." And that's the</p>
<p style="text-align: right;">Page 15</p> <p>1 guardians of Louisiana's voice on the national stage.  2 Our decision today, while constrained, is crucial.  3 It's about more than lines on a map. It's  4 about ensuring our state's continued influence in the  5 halls of power where decisions are made that affect  6 every citizen we represent. So with a heavy heart, but  7 a clear understanding of the stakes, unfortunately, we  8 must pass this map before us instead of giving the pen  9 to a heavy-handed, Obama-appointed federal judge who  10 seeks to enforce her will on the legislature. Into an  11 untenable situation, rather than acting as a co-equal  12 branch of government as laid out in our constitution.  13 MALE SPEAKER: Senator Carter for the floor.  14 SENATOR CARTER: Thank you, Mr. President,  15 members. This proposed map by Senator Womack -- well,  16 let me start with the current district, District Two.  17 The current African American voting age population in  18 District Two is currently 58 percent. This map proposed  19 by Senator Womack reduces it to barely 51 percent, and,  20 Committee, the bill's author testified that no sort of  21 performance analysis had been conducted to determine  22 whether or not District Two continues to consistently  23 perform as an African American district. There are  24 serious concerns about this map. There are serious  25 concerns about this proposal.</p>	<p style="text-align: right;">Page 17</p> <p>1 statement from Congressman Troy Carter. I expressed my  2 concerns. They're serious concerns. It is my  3 expectation and my hope that this bill continue to be  4 worked on, that amendments continue to happen, but today  5 I stand in support. Thank you.  6 MALE SPEAKER: Senator Jackson for the floor.  7 (Pause.)  8 SENATOR JACKSON: He tried to cut off my mic.  9 (Pause.)  10 MALE SPEAKER: Members, you have to talk  11 directly into the mic, unlike in previous times, where  12 you could kind of talk around the mic. You have to  13 literally talk directly into the mic for it to work.  14 We're going to adjust that for the next --  15 SENATOR JACKSON: Hello. Okay. Good.  16 (inaudible 0:23:11) was going to have a fit if I wasn't  17 able to speak. I stand in support of this map. I first  18 want to thank Senator Womack, who had the fortitude,  19 regardless of how we got here, but to stand up and do  20 what the last body couldn't do, and that's to come  21 together. But I do stand to say this because I said it  22 in Committee. I reluctantly came to the floor to  23 support this map because my constituents and a lot of  24 our constituents in North Louisiana right now are still  25 experiencing an ice state. That's what I call it</p>

5 (Pages 14 to 17)

<p style="text-align: right;">Page 18</p> <p>1 because we didn't get snow.</p> <p>2 And so a lot of them don't even know that</p> <p>3 we're down here right now passing maps. And so this is</p> <p>4 the first time in a long time I'm probably going to vote</p> <p>5 for something that I haven't vetted through my</p> <p>6 constituency because tonight, myself, Representative</p> <p>7 Fisher and Representative Morrell will have a Zoom</p> <p>8 community meeting to catch them up on what they have</p> <p>9 lost while they were at home, because my legislative</p> <p>10 assistant was finally able to get to the office and at</p> <p>11 least send something out to our constituency.</p> <p>12 However, at some point, what they did tell me</p> <p>13 over and over again for the last year, year and a half</p> <p>14 that we've been going through this process, that they</p> <p>15 were supportive of fair and equitable maps, and that</p> <p>16 they knew a fair and equitable -- equitable map would be</p> <p>17 something that created fair representation for all</p> <p>18 people in the State of Louisiana. I will end with this.</p> <p>19 I don't think we're in a -- in the hands of a</p> <p>20 heavy-handed judge, but we're in the hands of</p> <p>21 consequences that the last legislature created in our</p> <p>22 failure to act. And I say that with a heart of hope</p> <p>23 that we act today on what is right, on what is just, and</p> <p>24 what is fair.</p> <p>25 I don't believe, and I said this before, any</p>	<p style="text-align: right;">Page 20</p> <p>1 spirit of fairness that they asked me to carry in the</p> <p>2 last redistricting session. And I want to thank Senator</p> <p>3 Womack because the mark of a true leader is a leader</p> <p>4 that not only does what he wants to do, but what's</p> <p>5 necessary to bring resolve and wholeness to a body that</p> <p>6 has to work together on a number of issues. Thank you.</p> <p>7 MALE SPEAKER: Thank you, Senator Jackson.</p> <p>8 Senator Duplessis for the floor.</p> <p>9 SENATOR DUPLESSIS: Thank you, Mr. President.</p> <p>10 Thank you, Chairman Womack. I just want to make a few</p> <p>11 brief comments based on some comments that have been</p> <p>12 made earlier today. I was not necessarily planning to</p> <p>13 speak, but I think it's important that I just share a</p> <p>14 thought or two. It was said that this is much more than</p> <p>15 just lines on a map, and I agree. It is much more than</p> <p>16 just lines on a map. We've heard a lot from Chairman</p> <p>17 Womack and my colleague, Senator Stine about the</p> <p>18 importance of protecting certain elected officials, but</p> <p>19 it's about more than lines on a map. It's about the</p> <p>20 people of this state. It's about one-third of this</p> <p>21 state going underrepresented for too long.</p> <p>22 It's about a federal law called the Voting</p> <p>23 Rights Act that has not been interpreted just by one</p> <p>24 judge in the Middle District of Louisiana who was</p> <p>25 appointed by former president Barack Obama, but also a</p>
<p style="text-align: right;">Page 19</p> <p>1 of my colleagues in this chamber would have it to be</p> <p>2 that a certain group of people in the State of Louisiana</p> <p>3 would not be properly represented. I am an American who</p> <p>4 stands every time the flag is presented. I proudly say</p> <p>5 one nation under God. And I hope today that in this</p> <p>6 senate we will stand as one Louisiana under God, because</p> <p>7 God is for what's just and what's equitable and what</p> <p>8 helps all people.</p> <p>9 There is nothing that says that a second</p> <p>10 African American serving in Congress in Louisiana will</p> <p>11 not help the masses. Well, if we think that, then we</p> <p>12 think that we're less or better than a person based on</p> <p>13 race. If anyone in this chamber could articulate a</p> <p>14 reason why they believe that any African American that</p> <p>15 sits before you today wouldn't go to Congress with the</p> <p>16 same zeal and vigor and heart for the people, then maybe</p> <p>17 we can say that there's not an African American in this</p> <p>18 state that's going to stand in Congress and represent</p> <p>19 us.</p> <p>20 But I literally do not believe that there's a</p> <p>21 colleague in here that looks across this chamber at any</p> <p>22 member of the Black caucus and does not believe that we</p> <p>23 wouldn't go to Congress and represent Louisiana. And so</p> <p>24 I stand in support, with reluctance of having to talk to</p> <p>25 my constituents after this vote, but with carrying the</p>	<p style="text-align: right;">Page 21</p> <p>1 US Fifth Circuit Court of Appeals that's made up of</p> <p>2 judges that were appointed by predominantly Republican</p> <p>3 presidents, and a United States Supreme Court that has</p> <p>4 already made rulings. That has been made up of justices</p> <p>5 that were appointed by a majority of Republican</p> <p>6 presidents, primarily former president Trump. This is</p> <p>7 not about one judge that was appointed by former</p> <p>8 president Barack Obama. This is about the people of</p> <p>9 this state, and one-third of that state, 33 percent, to</p> <p>10 be exact, being underrepresented.</p> <p>11 So I think it's important that we keep the</p> <p>12 focus on why we're here today. None of us want to be</p> <p>13 here today. We've been at this for well over two years,</p> <p>14 and all of us have a level of reluctance with the maps</p> <p>15 that are before us. Just like Senator Carter, I'm not</p> <p>16 thrilled about what's happening to send it to</p> <p>17 Congressional District Two, and the way that it's</p> <p>18 lowering the numbers.</p> <p>19 Senator Price and I, we coauthored a bill that</p> <p>20 we felt performed better, but we too are going to</p> <p>21 support this map because not only have we been ordered</p> <p>22 to do it by, yes, a judge who was appointed by President</p> <p>23 Obama, but if we felt like the -- the -- the -- the</p> <p>24 appellate judges would overrule her, then we'd be right</p> <p>25 back in court. We're at the end of the road, and I too</p>

6 (Pages 18 to 21)



<p style="text-align: right;">Page 22</p> <p>1 will support this -- this map. Not because I think it's</p> <p>2 perfect, not because I think it's the best thing that we</p> <p>3 could do, but because it's time to give people of this</p> <p>4 state fair representation. Thank you.</p> <p>5 MALE SPEAKER: Thank you, Senator Duplessis.</p> <p>6 Senator Pressly for the floor.</p> <p>7 SENATOR PRESSLY: Thank you, Mr. President,</p> <p>8 and members. Senators, I rise today in opposition of</p> <p>9 this bill, and I rise in opposition because I represent</p> <p>10 a community that's unique and wonderful in many ways,</p> <p>11 very diverse, and clearly a passionate part of my life</p> <p>12 in Northwest Louisiana. I believe that Shreveport and</p> <p>13 Bossier City and the surrounding parishes of De Soto and</p> <p>14 Red River and Webster are unique from the rest of our</p> <p>15 state, and I believe that commonalities of -- of</p> <p>16 interest are important.</p> <p>17 I agree with -- with Senator Jackson. I would</p> <p>18 have no issue whatsoever of having any member of this</p> <p>19 body, and many others from throughout our state of any</p> <p>20 background, of any creed, of any race represent our</p> <p>21 great, wonderful, diverse state in Washington, DC. But</p> <p>22 I cannot support a map that puts Caddo Parish and</p> <p>23 portions of my district, which is over 220 miles from</p> <p>24 here, in a district that will be represented by someone</p> <p>25 in East Baton Rouge that may or may not have ever even</p>	<p style="text-align: right;">Page 24</p> <p>1 MALE SPEAKER: Thank you, Senator Pressly.</p> <p>2 The board is clear. Senator Womack, to close on your</p> <p>3 bill.</p> <p>4 SENATOR WOMACK: Colleagues, appreciate the</p> <p>5 questions and the comments, and I just ask that we move</p> <p>6 this bill favorable.</p> <p>7 MALE SPEAKER: Senator Womack has moved</p> <p>8 favorable passage of Senate Bill 8. When the machines</p> <p>9 are open, all those in favor, aye. Those opposed, vote</p> <p>10 nay. Open the machines. Madam Secretary, open the</p> <p>11 machines. Go to a machine, members. Senator -- Senator</p> <p>12 Miguez. There we go. Secretary, close the machines.</p> <p>13 27 ayes, 11 nays. The -- the -- the bill is passed.</p> <p>14 Senator Womack moves of reconsideration. The -- the</p> <p>15 vote by which the bill was passed. I lay the motion on</p> <p>16 the table without objection. So ordered.</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 23</p> <p>1 been to Northwest Louisiana, and certainly doesn't</p> <p>2 understand the rich culture, rich, important uniqueness</p> <p>3 of our area of the state.</p> <p>4 When we look at -- at Louisiana, we often talk</p> <p>5 about north and south, and that division is true. It's</p> <p>6 real. I think all of us acknowledge that. The I-10</p> <p>7 corridor has unique needs. When you look at -- at the</p> <p>8 challenges that you face with storms, often you think of</p> <p>9 hurricanes. In North Louisiana, we think of tornados</p> <p>10 and ice storms. When you look at the -- the important</p> <p>11 region of our states and the -- the diverse industries</p> <p>12 that we have in Northwest Louisiana, Barksdale is</p> <p>13 vitally important. Certainly, having Barksdale and Fort</p> <p>14 Johnson now, previously Fort Polk, together in one</p> <p>15 district is the one positive thing that I see in this</p> <p>16 map, and I think that is something that we must keep in</p> <p>17 mind as we continue through this process.</p> <p>18 But I am concerned with the important part of</p> <p>19 -- of this state, Northwest Louisiana, not having the</p> <p>20 same member of Congress. With having a -- two members</p> <p>21 of Congress, that has the potential to split our</p> <p>22 community even further along a -- a -- a -- a --</p> <p>23 line that's based purely on race, and I'm concerned</p> <p>24 about that. Therefore, I'm voting no, and I urge you to</p> <p>25 do the same.</p>	<p style="text-align: right;">Page 25</p> <p>1 CERTIFICATE OF TRANSCRIPTION</p> <p>2 I, Nathan Pikover, COO of TranscribeMe, Inc.,</p> <p>3 do hereby certify that</p> <p>4 290872-Audio-011724SCHAMB-Edited-Appended.json was</p> <p>5 transcribed utilizing computer aided means and the</p> <p>6 TranscribeMe transcription team.</p> <p>7 The transcript of the audio mentioned above,</p> <p>8 having been transcribed and reviewed by TranscribeMe,</p> <p>9 Inc. to the best of the company's ability, is a full,</p> <p>10 true, and correct transcription.</p> <p>11 I further certify that neither I, nor the</p> <p>12 TranscribeMe, Inc. transcription team, have any personal</p> <p>13 association with the parties involved or are in any way</p> <p>14 interested in the outcome thereof.</p> <p>15 Dated this 8th of March, 2024.</p> <p>16 _____</p> <p>17 Nathan Pikover, COO TranscribeMe, Inc.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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House Governmental Affairs - Audio  
Transcription

January 18, 2024

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Phillip Callais, et al.

vs.

Nancy Landry

**EXHIBIT**

**JE31**

**PLAINTIFFS'  
EXHIBIT**

**P26**

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CHAIRMAN BEAULLIEU: Good morning. Today is Thursday, January 18th, 2024. You're in the Committee of House and Governmental Affairs. We ask everyone to please silence your cell phones. If you need to take a call, please step out. There's witness cards that are maintained in committee records. Red is in -- in -- opposed. Green is in favor. If you plan on testifying, please fill out one of those cards. Ms. Baker, would you please call the roll?

MS. BAKER: Thank you, Mr. Chairman. Chairman Beaulieu.

CHAIRMAN BEAULLIEU: Here.

MS. BAKER: Present. Representative Billings.

REPRESENTATIVE BILLINGS: Here.

MS. BAKER: Present. Representative Boyd.

REPRESENTATIVE BOYD: Present.

MS. BAKER: Present. Representative Carlson.

REPRESENTATIVE CARLSON: Present.

MS. BAKER: Present. Representative Carter.  
Representative Carver.

REPRESENTATIVE CARVER: Here.

MS. BAKER: Present. Representative Farnum.  
Representative Gadberry.

REPRESENTATIVE GADBERRY: Here.

MS. BAKER: Present. Representative Johnson.

Page 2	Page 4
<p>1 Representative Larvadain. Vice Chair Lyons.  2 VICE CHAIRMAN LYONS: Present.  3 MS. BAKER: Present. Representative Marcelle.  4 REPRESENTATIVE MARCELLE: Here.  5 MS. BAKER: Present. Representative Newell.  6 REPRESENTATIVE NEWELL: Here.  7 MS. BAKER: Present. Representative  8 Schamerhorn.  9 REPRESENTATIVE SCHAMERHORN: Here.  10 MS. BAKER: Present. Representative Thomas.  11 REPRESENTATIVE THOMAS: Here.  12 MS. BAKER: Present. Representative Wright.  13 Representative Wyble.  14 REPRESENTATIVE WYBLE: Here.  15 MS. BAKER: Present. We have 12 members in a  16 quorum.  17 CHAIRMAN BEAULLIEU: Thank you, Ms. Baker.  18 Members, we have one item on the agenda today. It's  19 Senate Bill 8 by Senator Womack. Senator Womack is --  20 is delayed this morning, so what we're going to do --  21 until I hear back from Senator Womack, we're going to  22 stand at ease until then. So we just ask you all to  23 kind of stay nearby.  24 We'll give you all some time to -- to be able  25 to get back, but until we hear back from Senator Womack,</p>	<p>1 MS. BAKER: Present. Representative Johnson.  2 Representative Larvadain.  3 REPRESENTATIVE LARVADAIN: Here.  4 MS. BAKER: Present. Vice Chair Lyons.  5 VICE CHAIRMAN LYONS: Present.  6 MS. BAKER: Present. Representative Marcelle.  7 Representative Newell.  8 REPRESENTATIVE NEWELL: Here.  9 MS. BAKER: Present. Representative  10 Schamerhorn.  11 REPRESENTATIVE SCHAMERHORN: Here.  12 MS. BAKER: Present. Representative Thomas.  13 REPRESENTATIVE THOMAS: Here.  14 MS. BAKER: Present. Representative Wright.  15 Representative Wyble.  16 REPRESENTATIVE WYBLE: Here.  17 MS. BAKER: Present. We have 13 in a quorum.  18 CHAIRMAN BEAULLIEU: Thank you, Ms. Baker.  19 Members, we have one item on our agenda today. That's  20 Senate Bill 8 by Senator Womack. Ms. Lowery, would you  21 please read-in the bill?  22 MS. LOWERY: Thank you so much, Mr. Chairman.  23 Members, Senator Womack brings Senate Bill Number 8 to  24 provide relative to the redistricting of Louisiana's  25 Congressional District, to provide with respect to</p>
Page 3	Page 5
<p>1 we're going to go ahead and stand at ease. And so just  2 viewer -- members that are listening online or watching  3 online, just kind of be aware. We are hoping to come  4 back in at some time later this morning. Thank you all.  5 (Pause.)  6 CHAIRMAN BEAULLIEU: Good afternoon, members,  7 viewing audience. Thank you for your patience. We are  8 ready to resume our House and Governmental Affairs  9 Committee. Today is Thursday, January 18th, 2024. Ms.  10 Baker, can you give me an updated roll call, please?  11 MS. BAKER: Chairman Beaulieu.  12 CHAIRMAN BEAULLIEU: Here.  13 MS. BAKER: Present. Representative Billings.  14 REPRESENTATIVE BILLINGS: Here.  15 MS. BAKER: Present. Representative Boyd.  16 REPRESENTATIVE BOYD: Present.  17 MS. BAKER: Present. Representative Carlson.  18 REPRESENTATIVE CARLSON: Present.  19 MS. BAKER: Present. Representative Carter.  20 Representative Carver.  21 REPRESENTATIVE CARVER: Here.  22 MS. BAKER: Present. Representative Farnum.  23 REPRESENTATIVE FARNUM: Here.  24 MS. BAKER: Present. Representative Gadberry.  25 REPRESENTATIVE GADBERRY: Here.</p>	<p>1 positions and offices other than congressional based  2 upon congressional districts, and to provide related  3 matters.  4 CHAIRMAN BEAULLIEU: Senior Womack, on your  5 bill.  6 SENATOR WOMACK: Thank you, Mr. Chairman.  7 Committee members, good evening. Thank you for letting  8 me come in today and present this bill. As you know,  9 Louisiana Congressional Districts must be redrawn, given  10 the Federal Voting Rights Act litigation that is still  11 ongoing in the US District Court for the Middle District  12 of Louisiana. The map and the bill that I'm  13 introducing, which is the product of a long, detailed  14 process, achieves several goals.  15 First, as you all are aware, Congresswoman  16 Julia Letlow is my representative in Washington, DC.  17 The boundaries in this bill I'm proposing, ensure that  18 Congresswoman Letlow remains both unpaired with any  19 other incumbents, and in the congressional district that  20 should continue to elect a Republican to Congress for  21 the remainder of this decade.  22 I have great pride in the work that  23 Congresswoman Letlow has accomplished, and this map will  24 ensure that Louisianans will continue to benefit from  25 her presence in the halls of Congress for as long as she</p>

2 (Pages 2 to 5)

<p style="text-align: right;">Page 6</p> <p>1 decides and continues to serve our great state. As you  2 know, Congresswoman Letlow sits on appropriations. She  3 sits on ag, which is a big part of my district.  4 Second, the Louisiana 6th Congressional  5 District. The map and the proposed bill ensures that  6 four are safe Republican seats. Louisiana's Republican  7 present in the United States Congress has contributed  8 tremendously to the national discourse, and I'm very  9 proud that both Speaker of the US House of  10 Representatives, Mike Johnson, and US House Majority  11 Leader Steve Scalise are both from our great state.  12 This map ensures that the two of them will  13 have solidly Republican districts at home, so they can  14 focus on the national leadership that we need in  15 Washington, DC. The map proposed in this bill ensures  16 that the Conservative principles retained by the  17 majority of those in Louisiana will continue to extend  18 past our boundaries to our nation's capital.  19 Third, the map that I've presented is -- goes  20 along the Red River. It's the I-49 corridor. We have  21 commerce through there. We have a college through  22 there. We have a lot of ag cattlemen as well as farm  23 row crop, and a lot of people up through that corridor  24 comes back to Alexandria using that corridor for their  25 healthcare. Finally, these maps in the proposed bill</p>	<p style="text-align: right;">Page 8</p> <p>1 Constitution one person, one vote requirement. That is  2 the reason why District 2 is drawn around the Orleans  3 Parish and why District 6 includes the Black population  4 of East Baton Rouge Parish and travels up I-49 corridor  5 to include Black population in Shreveport.  6 While this is a different map than the  7 plaintiffs' litigation have proposed, this is the only  8 map I reviewed that accomplishes the political goals I  9 believe are important for my district, for Louisiana,  10 and for the country.  11 While I did not draw these boundaries myself,  12 I carefully considered a number of different map  13 options, and I firmly submit the congressional voting  14 boundaries represented in this bill best achieve the  15 goals for protecting Congressman Letlow's seat,  16 maintaining strong districts for Speaker Johnson and  17 Majority Leader Scalise, ensuring four Republican  18 districts, and adhering to the command of the Federal  19 Court in the Middle District of Louisiana. I'd be happy  20 to answer any questions.  21 CHAIRMAN BEAULLIEU: Thank you, Senator  22 Womack. Representative Marcelle for a question.  23 REPRESENTATIVE MARCELLE: Thank you, Senator  24 Womack, for presenting this bill. Were -- did you have  25 the opportunity to view the map that I filed?</p>
<p style="text-align: right;">Page 7</p> <p>1 respond appropriate to the ongoing Federal Voting Rights  2 Act case in the Middle District of Louisiana.  3 For those who are unaware, the congressional  4 maps that we enacted in March 2022 have been the subject  5 of litigation, roughly since the day the 2022  6 Congressional Redistricting Bill went into effect and  7 even before we enacted it. After a substantial amount  8 of prolonged litigation, the Federal District Court has  9 adhered to its view that the federal law requires that  10 the state have two congressional districts with a  11 majority of Black voters.  12 Our secretary of state, attorney general, and  13 our prior legislative leadership appealed, but have yet  14 to succeed, and we are now here because of the Federal  15 Court's order that we have a first opportunity to act.  16 The District Court's order that we must have two  17 majority Black voting age population districts, combined  18 with the political imperative I just described, have  19 largely driven the boundaries for District 2 and  20 District 6, both of which are over 50 percent Black  21 voting age population.  22 Given the state's current demographics, there  23 is not enough high -- high enough Black population in  24 the southeast portion of this -- Louisiana to create two  25 majority Black districts, and to also comply with the US</p>	<p style="text-align: right;">Page 9</p> <p>1 SENATOR WOMACK: I -- I reviewed several maps,  2 Representative Marcelle.  3 REPRESENTATIVE MARCELLE: HB5.  4 SENATOR WOMACK: HB5. I didn't -- I didn't  5 look at the HB5 --  6 REPRESENTATIVE MARCELLE: Did not.  7 SENATOR WOMACK: -- per se. I looked at  8 several maps. One of them could have been that.  9 REPRESENTATIVE MARCELLE: Okay. Because I  10 heard you say that you thought that your map was the  11 best possible route. A pathway to get to what we needed  12 to, first of all, make sure that we get out of the  13 litigation, apply with Section 2, and go about the  14 deviations and the compactness and all of those  15 different things that we needed to do in order to create  16 a second Black seat -- congressional seat. Is that what  17 I heard you say?  18 SENATOR WOMACK: Yes, ma'am.  19 REPRESENTATIVE MARCELLE: Okay. Well, I -- I  20 certainly want to thank you, and I know -- I spoke to  21 you yesterday about putting an amendment on your bill to  22 make sure that we could reduce the parish splits and  23 that we had some conversations, and it's a short period  24 of time. Certainly, I don't know when the amendments  25 are going to be offered up, but I certainly want to go</p>

3 (Pages 6 to 9)

<p>Page 10</p> <p>1 down those same lines of -- since I could not get my map 2 through, which I thought was the best path, that I -- I 3 would support this map, with some cleanup done to it. 4 So I -- I just want to make sure that I go on 5 the record of saying that I spoke to you. The things 6 that my amendment would do would certainly be to add Red 7 River Parish to Congressional District 6, and preserving 8 the things in Red River community as well. So I want to 9 go on the record of saying that I -- I believe that we 10 have had several maps that would have gotten us there, 11 but I think because of political reasons, we are here 12 where we are today. 13 CHAIRMAN BEAULLIEU: Representative Marcelle, 14 just if I can chime in for a second, so I can let the 15 viewing members know that online there are two different 16 amendments that -- that will likely be proposed today, 17 and both of those are available online for the -- for 18 the viewing public. If we could hold off on those 19 amendments for -- we have a -- a handful of questions on 20 the board, Representative Marcelle, and then we'll come 21 back. Is that okay with you? 22 REPRESENTATIVE MARCELLE: Yes. I just -- 23 CHAIRMAN BEAULLIEU: Okay. Good. 24 REPRESENTATIVE MARCELLE: I just wanted to -- 25 to make mention to that why -- why I was asking him some</p>	<p>Page 12</p> <p>1 very much and thank you for your work. 2 SENATOR WOMACK: Thank you. 3 CHAIRMAN BEAULLIEU: Thank you, Representative 4 Marcelle. Representative Boyd. 5 REPRESENTATIVE BOYD: Good afternoon, Senator. 6 How are you? 7 SENATOR WOMACK: Fine, thank you. 8 REPRESENTATIVE BOYD: So I agree with Rep 9 Marcelle. This is not, in my opinion, the best map that 10 I've seen, but I do understand what it took to get here, 11 and my congressman seems to also be in support of the 12 map. Therefore, I do plan on supporting the map, 13 hopefully with some amendments. Are you open to an 14 amendment on this? 15 SENATOR WOMACK: Yes, ma'am, once -- once I 16 see some amendments. 17 REPRESENTATIVE BOYD: Okay. 18 SENATOR WOMACK: You know, we'll look at 19 amendments. 20 REPRESENTATIVE BOYD: And then she mentioned 21 the parish splits. How many parish splits are they; do 22 you know? 23 SENATOR WOMACK: I think we're 16 at the -- at 24 the present time. 25 REPRESENTATIVE BOYD: And do you know the</p>
<p>Page 11</p> <p>1 of the questions. So when you did this map, you -- you 2 considered the population deviation. 3 SENATOR WOMACK: Well, we had -- had to -- to 4 create the two districts, we had to think about the 5 population. 6 REPRESENTATIVE MARCELLE: And the parish 7 splits as well? 8 SENATOR WOMACK: The parish splits as well. 9 REPRESENTATIVE MARCELLE: So you felt like 10 this was the best pathway after you viewed those areas 11 that we certainly had to do to enact this map. 12 SENATOR WOMACK: Representative Marcelle, I -- 13 I -- I want to be -- and -- and I -- I was hoping that 14 it -- that covered that in my opening statement, but it 15 -- it -- my map is politically drawn to protect our 16 members of Congress as it stands, as well as create the 17 two districts, minority district, Black districts. 18 REPRESENTATIVE MARCELLE: So in your opinion, 19 your map does two things. It satisfies the Court, and 20 it also protects the politics, or our congressional 21 members. Is that -- is that -- 22 SENATOR WOMACK: Yes, ma'am. 23 REPRESENTATIVE MARCELLE: -- accurate to say? 24 SENATOR WOMACK: Yes, ma'am. 25 REPRESENTATIVE MARCELLE: Okay. Thank you</p>	<p>Page 13</p> <p>1 BVAPs for 2 and 6? 2 SENATOR WOMACK: I'm sorry? 3 REPRESENTATIVE BOYD: The BVAPs for 2 and 6, 4 do you know what they are right now? 5 SENATOR WOMACK: No, I don't. 6 REPRESENTATIVE BOYD: Okay. Did you have any 7 communication with anybody from -- with community 8 influences on this? Have you met with other groups? 9 Who did you meet with to come up with this map? 10 SENATOR WOMACK: I've had several meetings 11 over the period of time with several groups. 12 REPRESENTATIVE BOYD: With community of 13 interest as well? 14 SENATOR WOMACK: It -- it was hard to -- to 15 create communities of interest with this map and -- and 16 -- and still achieve some of the goals that we were 17 trying to achieve from the congressional, political 18 standpoint. 19 REPRESENTATIVE BOYD: Okay. Again, based on 20 the map and my conversation with our congressman, if we 21 can get some things cleared up and straightened up on 22 it, I would be in support of the bill as well. 23 SENATOR WOMACK: Okay. Thank you. 24 CHAIRMAN BEAULLIEU: Thank you, Representative 25 Boyd. Representative Newell.</p>

4 (Pages 10 to 13)

<p style="text-align: right;">Page 14</p> <p>1 REPRESENTATIVE NEWELL: Thank you very much,  2 Mr. Chairman. Senator Womack, thank you for the time  3 that you've spent because I know myself, we've been in  4 this redistricting process for almost three years now,  5 so I -- I knew the time it took for me just to try to  6 redraw my house district because of the growth in  7 Orleans Parish. So I do understand when you're looking  8 at congressional districts. So again, I want to thank  9 you for the time that you dedicated to -- to doing -- to  10 -- to redrawing this map and submitting this bill, but I  11 must say that I am along the lines of my two colleagues  12 that just spoke.</p> <p>13 That although this is a good map, this isn't  14 the best map that has come before us. It does meet the  15 -- it does meet the Court requirements. It does meet --  16 meet the statute and the -- the -- the jurisprudence  17 that is before us that guides us as to what needs to be  18 to satisfy congressional districts. I did look at your  19 numbers, the BVAP in 2 and 6, as well as the total  20 population for the -- these two minority-majority  21 districts.</p> <p>22 However, there were two that were -- two other  23 maps that were presented that were stronger for those  24 two minority-majority districts and didn't do as many  25 splits. That's House Bill 5 and Senate Bill 4.</p>	<p style="text-align: right;">Page 16</p> <p>1 probably press my button again.</p> <p>2 SENATOR WOMACK: Thank you.</p> <p>3 CHAIRMAN BEAULLIEU: Thank you, Representative  4 Newell. Representative Marcelle would like to just make  5 a clarification for the Committee.</p> <p>6 REPRESENTATIVE MARCELLE: Thank you. Senator  7 Womack, we keep using the term BVAP, and we know that  8 there are many people in the audience who may not  9 understand that terminology. So do you want to tell  10 them what BVAP means, or you want me to do it?</p> <p>11 SENATOR WOMACK: Go ahead. You got the mic.</p> <p>12 REPRESENTATIVE MARCELLE: I got -- okay, sir.  13 I didn't want to take over your bill. It's the Black  14 voting age population for those that are -- that are  15 looking online, and maybe across the state. We --  16 because we keep using those terms, and I want to make  17 sure that everybody understands what BVAP means. Thank  18 you, Senator Womack.</p> <p>19 SENATOR WOMACK: Thank you. When she -- when  20 she asked that question, I started running through my  21 mind. It's got to be voting age population. And -- and  22 I hadn't heard the term BVAP. It's voting age  23 population, which does meet the -- I don't know exactly,  24 but it's in a high percentage, 50 percentile on that --  25 on voting age population.</p>
<p style="text-align: right;">Page 15</p> <p>1 However, the politics of those two individuals that  2 submitted those two maps, I guess, have led us to having  3 to work with yours. And -- and -- and it's -- it's  4 disheartening that we do have so much politics that are  5 guiding our maps instead of the policy, and the people  6 helping us to guide our maps and our decisions.</p> <p>7 Because your map gives us what we're -- what  8 we're wanting, I am going to support your map. And  9 again, I'm going to say it's not because it's the best  10 map, but it is because it -- it -- it looks that -- it  11 looks as though it's giving what we -- what we need. It  12 does not reflect what the African Americans that we've  13 heard from across the state during the road shows in  14 2021 asked for. It does not reflect all of what the  15 Black Caucus and the Democratic Caucus has asked for  16 these past three years.</p> <p>17 But it's the closest that we've gotten thus  18 far, and it seems like it's the closest one that we're  19 going to get that we could possibly get support from my  20 other Republican colleagues on. But I just wanted to  21 make that clear, that it is not all that we asked for,  22 and there have been better ones that were submitted by  23 Democrats. But this is the best one that we've seen  24 that's been submitted by you, sir. And again, I thank  25 you. That's all I have for now, Mr. Chair. I'll</p>	<p style="text-align: right;">Page 17</p> <p>1 CHAIRMAN BEAULLIEU: Thank you, Senator  2 Womack. And look, for the -- again, the viewing  3 audience, those numbers are all on the bill. They're  4 part of the bill that's been filed. So if you -- if  5 you're listening online and you want to scroll through  6 and -- and look at different statistics on the maps and  7 on the amendments, they're all there for you. Vice  8 Chairman Lyons.</p> <p>9 VICE CHAIRMAN LYONS: Thank -- thank you, Mr.  10 Chairman. Thank you, Senator Womack, for -- for -- for  11 bringing this like that, even though we're looking at  12 this piece, and I'm studying it as -- as it is there.  13 And you mentioned in your opening statement about the --  14 the plaintiffs and -- and the cause of -- of why you're  15 doing this, but my question is: did you do any -- any  16 comparisons to the -- the plaintiffs' map or the first  17 map that was -- that was issued, drawn on this piece  18 with your map?</p> <p>19 SENATOR WOMACK: Representative Lyons, I've  20 looked at so many maps in the last three days till --  21 till -- to say I did or didn't would be -- be -- I  22 couldn't answer that. I'm sorry, but -- but I've looked  23 at so many maps from what -- even through our roadshow.  24 But in the last two or three days to -- to say that --  25 that my map and how it compares to another map, I'm kind</p>

5 (Pages 14 to 17)



<p style="text-align: right;">Page 18</p> <p>1 of where I'm at right now, and I -- I can -- I know what</p> <p>2 my map looks like now.</p> <p>3 VICE CHAIRMAN LYONS: Well, the reason why I</p> <p>4 asked that question was I wanted to know if you did any</p> <p>5 type of analysis to see how it would perform. I mean,</p> <p>6 it looks, in particular, according to certain criteria,</p> <p>7 that it is a -- a -- a workable map of some sort, but</p> <p>8 how does it perform in comparison to the plaintiffs' map</p> <p>9 that was out there, that existing map? I -- I would</p> <p>10 think that you would compare it to that one because that</p> <p>11 was the map of -- not of choice, but that was the map in</p> <p>12 litigation. How would your map perform along with that</p> <p>13 one?</p> <p>14 SENATOR WOMACK: I -- I didn't look at a map.</p> <p>15 I looked at a performance chart --</p> <p>16 VICE CHAIRMAN LYONS: Performance. Yes.</p> <p>17 SENATOR WOMACK: -- and it -- it -- right.</p> <p>18 That was printed. It's online. That -- that we --</p> <p>19 VICE CHAIRMAN LYONS: Okay.</p> <p>20 SENATOR WOMACK: -- pull, and it does -- it</p> <p>21 does perform very well. It does in the election. It --</p> <p>22 it performs.</p> <p>23 VICE CHAIRMAN LYONS: Okay. And --</p> <p>24 SENATOR WOMACK: I -- I don't have that map in</p> <p>25 front of me, I'm sorry. I thought -- I'm looking for</p>	<p style="text-align: right;">Page 20</p> <p>1 question. Representative Larvadain.</p> <p>2 REPRESENTATIVE LARVADAIN: Thank you, Senator</p> <p>3 Womack. I want to thank you for -- for trying to make</p> <p>4 an effort to comply with the federal judge. But when I</p> <p>5 look at your map - and you have a copy in front of you -</p> <p>6 it goes from East Baton Rouge to West Baton Rouge to</p> <p>7 Pointe Coupee to Saint Landry, some of Avoyelles, some</p> <p>8 of Rapides, all of Natchitoches, DeSoto, and then some</p> <p>9 of Caddo; is that correct? Am I right? We're looking</p> <p>10 at the right map?</p> <p>11 SENATOR WOMACK: Which district are you going</p> <p>12 through, 2 --</p> <p>13 REPRESENTATIVE LARVADAIN: Yeah. District 2.</p> <p>14 SENATOR WOMACK: -- or 5 -- 6? 2?</p> <p>15 REPRESENTATIVE LARVADAIN: 6.</p> <p>16 SENATOR WOMACK: Right.</p> <p>17 REPRESENTATIVE LARVADAIN: 6.</p> <p>18 SENATOR WOMACK: You're right.</p> <p>19 REPRESENTATIVE LARVADAIN: Okay. Now, when</p> <p>20 you look at the community of interest -- I'm in Rapides.</p> <p>21 I've got -- my district is cut up two -- two spots.</p> <p>22 I'm in District 4 and District 6. I know in the</p> <p>23 community of interest, you've got Rapides and</p> <p>24 Natchitoches, and I think that you've got the Creole</p> <p>25 Nation. You've got Northwestern State University. A</p>
<p style="text-align: right;">Page 19</p> <p>1 it. But I thought it was here, but it's not. But I did</p> <p>2 have -- I did have that with me.</p> <p>3 VICE CHAIRMAN LYONS: Okay.</p> <p>4 SENATOR WOMACK: But it's not with me, but I</p> <p>5 -- I do remember us looking at that.</p> <p>6 VICE CHAIRMAN LYONS: Okay. Okay. I want --</p> <p>7 I just wanted to know if you did analysis and it was</p> <p>8 done and how it compared. I know it could perform.</p> <p>9 Basically, as I'm looking at it now, I would think it</p> <p>10 does. And I don't think it would perform better --</p> <p>11 better than the original map of -- of the plaintiff, but</p> <p>12 it does perform. I kind of want to see if something at</p> <p>13 least close to that performance measures there, but this</p> <p>14 is a performing map. Thank you for answering my</p> <p>15 questions.</p> <p>16 CHAIRMAN BEAULLIEU: Thank you, Vice Chairman</p> <p>17 Lyons. Representative Farnum for a question.</p> <p>18 REPRESENTATIVE FARNUM: Yeah. Thank you, Mr.</p> <p>19 Speaker. If it's the proper time, I'd like to offer an</p> <p>20 amendment.</p> <p>21 CHAIRMAN BEAULLIEU: Do we have any other</p> <p>22 questions before we go into the amendments? Because we</p> <p>23 do have -- we have two amendments. No other button's</p> <p>24 pushed. So give me two seconds, and we'll -- we'll come</p> <p>25 right back to you. Give me -- we've got one more</p>	<p style="text-align: right;">Page 21</p> <p>1 lot of my students in my district attend those, so</p> <p>2 that's the community of interest; would you agree?</p> <p>3 SENATOR WOMACK: I agree.</p> <p>4 REPRESENTATIVE LARVADAIN: When you look at</p> <p>5 Natchitoches, there's a community of interest with</p> <p>6 Natchitoches and Caddo. You've got a lot of -- you've</p> <p>7 got lumber companies in the Natchitoches area. A lot of</p> <p>8 people work. RoyOMartin has a big -- big plant in</p> <p>9 Natchitoches --</p> <p>10 SENATOR WOMACK: Right.</p> <p>11 REPRESENTATIVE LARVADAIN: -- and a lot of</p> <p>12 folks in my area work there. RoyOMartin from</p> <p>13 Alexandria. And a lot of folks work in DeSoto where you</p> <p>14 have a lot of timber. And would you agree with that?</p> <p>15 SENATOR WOMACK: I agree.</p> <p>16 REPRESENTATIVE LARVADAIN: You look at Saint</p> <p>17 Landry. Saint Landry has -- Opelousas has a nice-sized,</p> <p>18 medium-sized hospital. So those folks in Pointe Coupee,</p> <p>19 they will go to Saint Landry to get their medical care</p> <p>20 and so forth in the Opelousas area. Would you agree</p> <p>21 with that?</p> <p>22 SENATOR WOMACK: I agree.</p> <p>23 REPRESENTATIVE LARVADAIN: And you look at</p> <p>24 West Baton Rouge-East Baton Rouge Parish. Is East Baton</p> <p>25 Rouge Parish cut in one district or two districts in</p>

6 (Pages 18 to 21)



<p style="text-align: right;">Page 22</p> <p>1 your map? Because I'm having problems seeing it. Is it</p> <p>2 two?</p> <p>3 SENATOR WOMACK: I would have to look at the</p> <p>4 --</p> <p>5 REPRESENTATIVE LARVADAIN: Two. Okay. I've</p> <p>6 seen maps to infinitum. So I think East Baton Rouge is</p> <p>7 divided into two.</p> <p>8 SENATOR WOMACK: It's --</p> <p>9 REPRESENTATIVE LARVADAIN: Is that two? It's</p> <p>10 yellow, and I guess a white piece.</p> <p>11 SENATOR WOMACK: Yeah. Right. Two.</p> <p>12 REPRESENTATIVE LARVADAIN: Okay. And it goes</p> <p>13 all the way to the great city of Shreveport.</p> <p>14 SENATOR WOMACK: Right. Where our LSU</p> <p>15 hospital is.</p> <p>16 REPRESENTATIVE LARVADAIN: And the hospital is</p> <p>17 vital because in Alexandria, we had a HOEPA loan.</p> <p>18 You're familiar with that. And Jindal shut my HOEPA</p> <p>19 loan. So my folks --</p> <p>20 SENATOR WOMACK: Right.</p> <p>21 REPRESENTATIVE LARVADAIN: -- in Rapides have</p> <p>22 to go to LSU. So that's a community of interest. Now,</p> <p>23 with your hospital, with your district, it goes from</p> <p>24 East Baton Rouge all the way to Caddo, which is probably</p> <p>25 about a two-hour ride, give or take, because I take that</p>	<p style="text-align: right;">Page 24</p> <p>1 REPRESENTATIVE LARVADAIN: But his prior map</p> <p>2 was just one continuous area. Now he has to leave one</p> <p>3 district and go to another area, which is -- which he'll</p> <p>4 be representing; is that correct?</p> <p>5 SENATOR WOMACK: Yeah, that.</p> <p>6 REPRESENTATIVE LARVADAIN: Okay. Have you had</p> <p>7 a chance to talk to -- to Congressman Johnson about this</p> <p>8 map?</p> <p>9 SENATOR WOMACK: Not directly to him.</p> <p>10 REPRESENTATIVE LARVADAIN: Okay. Is he</p> <p>11 content with this map?</p> <p>12 SENATOR WOMACK: He's content.</p> <p>13 REPRESENTATIVE LARVADAIN: Even though it</p> <p>14 slashes right through the middle of his district.</p> <p>15 SENATOR WOMACK: Yeah. It -- it --</p> <p>16 REPRESENTATIVE LARVADAIN: Now, Ed Price and</p> <p>17 Denise Marcelle. Let's go to District 5. Let's go the</p> <p>18 District 5 area. Their map, they were looking at</p> <p>19 District 5, which is the eastern part of Louisiana. And</p> <p>20 their map, they had that as the minority --</p> <p>21 majority-minority district, I think, but you kept that</p> <p>22 map so you can help your friend, Congressman Letlow; is</p> <p>23 that correct?</p> <p>24 SENATOR WOMACK: Yes. Yes, sir.</p> <p>25 REPRESENTATIVE LARVADAIN: So this is more of</p>
<p style="text-align: right;">Page 23</p> <p>1 ride a lot going up to Meyer in Alexandria. There was a</p> <p>2 -- a different map that was heard in the Senate, but it</p> <p>3 was a much cleaner map. That map didn't get out of the</p> <p>4 Senate, and it didn't get out of this area. The map I'm</p> <p>5 talking about is Ed Price's. I think Ed Price had a</p> <p>6 map.</p> <p>7 FEMALE SPEAKER 1: It was Price and Marcelle.</p> <p>8 REPRESENTATIVE LARVADAIN: Price-Marcelle map.</p> <p>9 I'm sorry. Did you get a chance to look at that map?</p> <p>10 That map was heard on the Senate side.</p> <p>11 SENATOR WOMACK: Yes.</p> <p>12 REPRESENTATIVE LARVADAIN: Those districts</p> <p>13 were a lot closer, a lot compact, but you're presenting</p> <p>14 this district. When you look at District 4, that's --</p> <p>15 that is the district for the Speaker, Mr. Johnson; is</p> <p>16 that correct?</p> <p>17 SENATOR WOMACK: Right.</p> <p>18 REPRESENTATIVE LARVADAIN: Does he have a</p> <p>19 problem with his district being cut in -- in half like</p> <p>20 that? If you look at Winnfield, if he's in Winnfield</p> <p>21 and he goes to Sabine, he has to go through</p> <p>22 Natchitoches, which is not (inaudible 0:26:54) district.</p> <p>23 Yet you think he has a problem with that?</p> <p>24 SENATOR WOMACK: No. It looks like the</p> <p>25 shortest route would be through Natchitoches.</p>	<p style="text-align: right;">Page 25</p> <p>1 a political map.</p> <p>2 SENATOR WOMACK: Exactly.</p> <p>3 REPRESENTATIVE LARVADAIN: So our objective is</p> <p>4 to get two majority-minority districts, but you have</p> <p>5 presented us a political map; isn't that correct?</p> <p>6 SENATOR WOMACK: The influence is political.</p> <p>7 I created -- we created two minority Black districts.</p> <p>8 REPRESENTATIVE LARVADAIN: But you also said</p> <p>9 earlier that you were trying to do your best to protect</p> <p>10 Congressman Scalise.</p> <p>11 SENATOR WOMACK: That was -- that -- that --</p> <p>12 Scalise, as well as Johnson, Letlow, which is my</p> <p>13 representative, and Higgins.</p> <p>14 REPRESENTATIVE LARVADAIN: You were trying to</p> <p>15 protect your Republican team.</p> <p>16 SENATOR WOMACK: That was a primary driver.</p> <p>17 REPRESENTATIVE LARVADAIN: So this is a</p> <p>18 political matter. But the judge wanted you to make sure</p> <p>19 that you presented two --</p> <p>20 SENATOR WOMACK: Two Black.</p> <p>21 REPRESENTATIVE LARVADAIN: --</p> <p>22 majority-minority districts.</p> <p>23 SENATOR WOMACK: And I've done that.</p> <p>24 REPRESENTATIVE LARVADAIN: I don't know if</p> <p>25 you've done -- you've -- you've made an effort at it, but</p>

7 (Pages 22 to 25)

<p style="text-align: right;">Page 26</p> <p>1 there was another map. There's a lot cleaner map</p> <p>2 because the map that I see goes from Shreveport to Baton</p> <p>3 Rouge, which you're just zigzagging. And you picked up</p> <p>4 Alexandria, you picked up Natchitoches, you picked up</p> <p>5 DeSoto, but it's more of a political map. The map that</p> <p>6 the Democrats pursued, it was a map that we agreed on</p> <p>7 two majority-minority districts, and this is more of a</p> <p>8 political map.</p> <p>9 SENATOR WOMACK: Yeah, I know.</p> <p>10 REPRESENTATIVE LARVADAIN: Okay. Thank you.</p> <p>11 SENATOR WOMACK: Thank you.</p> <p>12 CHAIRMAN BEAULLIEU: Senator Womack, why are</p> <p>13 we here today? What -- what brought us all to this</p> <p>14 special session as it -- as it relates to, you know,</p> <p>15 what we're discussing here today?</p> <p>16 SENATOR WOMACK: The middle courts of the</p> <p>17 district courts brought us here from the Middle</p> <p>18 District, and said, "Draw a map, or I'll draw a map."</p> <p>19 CHAIRMAN BEAULLIEU: Okay.</p> <p>20 SENATOR WOMACK: So that's what we've done.</p> <p>21 CHAIRMAN BEAULLIEU: And -- and were you --</p> <p>22 does -- does this map achieve that middle court's</p> <p>23 orders?</p> <p>24 SENATOR WOMACK: It does.</p> <p>25 CHAIRMAN BEAULLIEU: Okay. When you were</p>	<p style="text-align: right;">Page 28</p> <p>1 CHAIRMAN BEAULLIEU: Okay. That's what --</p> <p>2 that's what I was thinking. That's what I've learned</p> <p>3 through the process, and I just wanted to make sure that</p> <p>4 your map achieved that. Yeah.</p> <p>5 SENATOR WOMACK: Yes, sir, Mr. Chairman.</p> <p>6 CHAIRMAN BEAULLIEU: All right. Senator, the</p> <p>7 board's cleared. We're going to go ahead, if you don't</p> <p>8 mind, and -- and take up the amendments right now. Bear</p> <p>9 with me for two seconds. Senator Marcelle, and -- and</p> <p>10 -- excuse me. Sorry about that promotion,</p> <p>11 Representative Marcelle.</p> <p>12 REPRESENTATIVE MARCELLE: That's okay.</p> <p>13 CHAIRMAN BEAULLIEU: And -- and Representative</p> <p>14 Farnum both have amendments.</p> <p>15 FEMALE SPEAKER 2: Here. This card's in</p> <p>16 Marcelle's name.</p> <p>17 CHAIRMAN BEAULLIEU: Okay. Hold that -- hold</p> <p>18 that for me. Bear with me. So the first amendment is</p> <p>19 how -- is Amendment 68. That is Amendment 60. Give me</p> <p>20 a second while it's loading. What amendment is 68?</p> <p>21 MS. LOWERY: That is the one offered by</p> <p>22 Representative Farnum.</p> <p>23 CHAIRMAN BEAULLIEU: Representative Farnum,</p> <p>24 we're going to take up your amendment first.</p> <p>25 Representative Farnum, on your amendment.</p>
<p style="text-align: right;">Page 27</p> <p>1 drawing the maps, you also took into consideration</p> <p>2 incumbency, correct?</p> <p>3 SENATOR WOMACK: Right.</p> <p>4 CHAIRMAN BEAULLIEU: Okay. To protect not</p> <p>5 just our state, but our national interest as well.</p> <p>6 SENATOR WOMACK: Our national.</p> <p>7 CHAIRMAN BEAULLIEU: Is that correct?</p> <p>8 SENATOR WOMACK: Right.</p> <p>9 CHAIRMAN BEAULLIEU: This is -- this is bigger</p> <p>10 than just us.</p> <p>11 SENATOR WOMACK: It's bigger than just us, and</p> <p>12 Louisiana has never been sitting in the poor position</p> <p>13 that they are today.</p> <p>14 CHAIRMAN BEAULLIEU: What -- what position</p> <p>15 does Congressman Mike Johnson have in the United States</p> <p>16 House of Representatives?</p> <p>17 SENATOR WOMACK: He's a speaker of the house.</p> <p>18 CHAIRMAN BEAULLIEU: Okay. And what about</p> <p>19 Congressman Steve Scalise?</p> <p>20 SENATOR WOMACK: Majority leader of the house.</p> <p>21 CHAIRMAN BEAULLIEU: Okay. So if we've been</p> <p>22 able to accomplish what the judge has ordered through</p> <p>23 your map, and also been able to protect the political</p> <p>24 interest, that is kosher, correct?</p> <p>25 SENATOR WOMACK: That's exactly.</p>	<p style="text-align: right;">Page 29</p> <p>1 REPRESENTATIVE FARNUM: Thank you, Mr.</p> <p>2 Speaker. So I offer -- does -- do we need to read it</p> <p>3 in?</p> <p>4 MS. LOWERY: Certainly.</p> <p>5 CHAIRMAN BEAULLIEU: Ms. Lowery, please</p> <p>6 read-in the amendment.</p> <p>7 MS. LOWERY: Thank you so much, Mr. Chairman.</p> <p>8 Representative Farnum is offering up HCASBA-36268. And</p> <p>9 on page 1, it's going to delete lines 13 through 17, and</p> <p>10 delete pages 2 through 6, and we'll be inserting a new</p> <p>11 district configuration for the congressional districts</p> <p>12 for the State of Louisiana. This amendment is available</p> <p>13 online and is available in your packets, members, and</p> <p>14 contains maps and statistics relevant to the plan.</p> <p>15 CHAIRMAN BEAULLIEU: Thank you, Ms. Lowery.</p> <p>16 Representative Farnum, on your amendment.</p> <p>17 REPRESENTATIVE FARNUM: Thank you, Mr.</p> <p>18 Chairman. So in the -- in the beginning of this</p> <p>19 process, me and my colleagues from Southwest Louisiana</p> <p>20 set out to accomplish making Calcasieu whole. In the</p> <p>21 history of -- of our -- our great parish, we've always</p> <p>22 had one congressman that represented us. And -- and --</p> <p>23 and with the current map as presented from Senator</p> <p>24 Womack, it -- it split Calcasieu Parish basically in</p> <p>25 half in population. And -- and with the community of</p>

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<p style="text-align: right;">Page 30</p> <p>1 interest in our industrial sector down there, we thought  2 that was not just for our area.  3 We -- we have -- we're -- we're probably one  4 of the top two or three economic engines for the State  5 of Louisiana with our oil and gas industries and our LNG  6 industry that's going on in -- in our region. So we  7 thought it would be -- be great to make an effort to get  8 back to one congressman.  9 We have issues with -- with all sorts of  10 natural disasters in our area, and we have a hard enough  11 time getting -- getting the -- the adequate supplies and  12 -- and resources to our region in those situations with  13 one congressman, and I -- I can imagine it might be a  14 little more difficult with two. So in that effort, we  15 set out to make -- make ourselves whole. And in the  16 process, a lot of folks in -- in other areas wanted to  17 come along and -- and get -- be a part of this to -- to  18 correct little -- little tweaks in their area.  19 So last night a group of senators and  20 representatives got together. I wasn't able to attend  21 that meeting. So this is the product of that meeting.  22 At the end of the day, we -- we accomplished a few  23 things. We -- we kept the, the basic intent of what  24 Senator Womack's bill is in place, and with a -- a --  25 kind of a counterclockwise shift that would -- but the</p>	<p style="text-align: right;">Page 32</p> <p>1 accomplished that, but it -- it actually increases the  2 -- the viability of the two minority districts.  3 CHAIRMAN BEAULLIEU: Okay. And what about  4 incumbency, are the -- the current members protected?  5 REPRESENTATIVE FARNUM: Protects all the  6 current incumbencies. I think it -- it -- it meets all  7 the -- all the checkboxes.  8 CHAIRMAN BEAULLIEU: Okay. Thank you.  9 Representative Marcelle. Again, give me a second,  10 Representative Marcelle, because I'm going to get  11 Representative Farnum added back on. Bear with me.  12 (Pause.)  13 REPRESENTATIVE MARCELLE: You ready? Thank  14 you. Representative Farnum.  15 REPRESENTATIVE FARNUM: Yes, ma'am.  16 REPRESENTATIVE MARCELLE: You said that some  17 senators and some representatives met last night, but  18 you weren't able to be there. Is that -- is that what  19 you said?  20 REPRESENTATIVE FARNUM: That's correct.  21 REPRESENTATIVE MARCELLE: So whose map is  22 this?  23 REPRESENTATIVE FARNUM: This is Senator  24 Womack's map.  25 REPRESENTATIVE MARCELLE: No, no, no, no. The</p>
<p style="text-align: right;">Page 31</p> <p>1 process has to happen that way to increase some areas in  2 -- in Northeast Louisiana to help that district to make  3 Congressman Johnson come down some.  4 That inherently makes Congressman Higgins have  5 to shift to the east, and so on and so forth. In the  6 process, we increase the -- the -- both the Black  7 population and the voting population of both of the  8 minority districts by almost a percent each in most  9 cases.  10 So it helps -- it helps the -- the workability  11 of the two new districts and -- and what they're trying  12 to accomplish, and it accomplished the -- the -- making  13 more -- more parishes whole. I think we -- we only --  14 we're down to 15 split parishes with this map, and so I  15 think we've accomplished several things in the process.  16 And -- and with that, we can answer questions or ask for  17 your passage.  18 CHAIRMAN BEAULLIEU: Representative Farnum,  19 does your -- does your amendment meet the judge's order?  20 REPRESENTATIVE FARNUM: Absolutely.  21 CHAIRMAN BEAULLIEU: Okay. And so we have two  22 majority-minority districts, or two Black districts that  23 have a voting -- a majority voting age population over  24 50 percent?  25 REPRESENTATIVE FARNUM: I -- I think it</p>	<p style="text-align: right;">Page 33</p> <p>1 amendment.  2 REPRESENTATIVE FARNUM: The amendment. I'm  3 the author because --  4 REPRESENTATIVE MARCELLE: Because if senator  5 -- I don't mean --  6 REPRESENTATIVE FARNUM: -- it has -- it has to  7 have an author from this committee, and -- and I'm --  8 REPRESENTATIVE MARCELLE: Okay. It has to  9 have an author from this committee, so that's why. Who  10 asked you to carry it is my question.  11 REPRESENTATIVE FARNUM: I started it myself  12 without anybody asking me. Now, I -- I allowed input  13 from other members of this body to -- to better my  14 amendment because it -- mine was -- mine was from my  15 region's perspective.  16 REPRESENTATIVE MARCELLE: It's Calcasieu.  17 REPRESENTATIVE FARNUM: Calcasieu's  18 perspective.  19 REPRESENTATIVE MARCELLE: And so let me -- let  20 me see -- let -- let me walk down this really quick. In  21 Calcasieu, you said that you wanted to make your parish  22 whole. Did I understand that correctly?  23 REPRESENTATIVE FARNUM: Correct.  24 REPRESENTATIVE MARCELLE: So instead of having  25 two congressional representatives, you wanted to make</p>

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<p>1 sure you were whole, and you just wanted one; is that</p> <p>2 accurate?</p> <p>3 REPRESENTATIVE FARNUM: Correct. That's</p> <p>4 correct.</p> <p>5 REPRESENTATIVE MARCELLE: Okay. But over in</p> <p>6 East Baton Rouge, if I'm reading it correctly, we now</p> <p>7 have three congressional districts; is that accurate?</p> <p>8 REPRESENTATIVE FARNUM: That's accurate.</p> <p>9 REPRESENTATIVE MARCELLE: That's accurate.</p> <p>10 Okay. Good. So on the one hand, you want to make</p> <p>11 yourself whole, and you want to split us three ways in</p> <p>12 East Baton Rouge Parish.</p> <p>13 REPRESENTATIVE FARNUM: That's the net result.</p> <p>14 REPRESENTATIVE MARCELLE: That's the net</p> <p>15 result. Okay. Got it. So are you aware of the</p> <p>16 population shift in Louisiana? You know, we had these</p> <p>17 hearings a year and a half ago, two, whatever. It was</p> <p>18 two years ago. Whenever it was. Are you aware --</p> <p>19 because I think you were on this committee.</p> <p>20 REPRESENTATIVE FARNUM: Yes, ma'am.</p> <p>21 REPRESENTATIVE MARCELLE: Okay. So are you</p> <p>22 aware of the growth, the largest growth in the state?</p> <p>23 REPRESENTATIVE FARNUM: Yes.</p> <p>24 REPRESENTATIVE MARCELLE: Where was that?</p> <p>25 REPRESENTATIVE FARNUM: Northshore.</p>	<p>1 REPRESENTATIVE FARNUM: That's correct.</p> <p>2 REPRESENTATIVE MARCELLE: -- and she picked up</p> <p>3 some more, right?</p> <p>4 REPRESENTATIVE FARNUM: That's correct.</p> <p>5 REPRESENTATIVE MARCELLE: His map -- Womack's</p> <p>6 map didn't do that. So you added back Lincoln, Jackson,</p> <p>7 and you made her whole in Ouachita.</p> <p>8 REPRESENTATIVE FARNUM: Ouachita.</p> <p>9 REPRESENTATIVE MARCELLE: Ouachita. Ouachita.</p> <p>10 REPRESENTATIVE FARNUM: Ouachita whole.</p> <p>11 REPRESENTATIVE MARCELLE: Ouachita, right?</p> <p>12 REPRESENTATIVE FARNUM: Correct.</p> <p>13 REPRESENTATIVE MARCELLE: Is that right?</p> <p>14 Okay.</p> <p>15 REPRESENTATIVE FARNUM: That's correct.</p> <p>16 REPRESENTATIVE MARCELLE: I -- I want to make</p> <p>17 sure I -- I got that straight. So it -- are you aware</p> <p>18 that this map that you're proposing has less compact</p> <p>19 overall than Womack's map or the enacting map? Are you</p> <p>20 aware of that? It has less compactness.</p> <p>21 REPRESENTATIVE FARNUM: No.</p> <p>22 REPRESENTATIVE MARCELLE: I know you didn't</p> <p>23 have a whole lot of time to study it because it was last</p> <p>24 minute.</p> <p>25 REPRESENTATIVE FARNUM: Yeah. I don't know if</p>
Page 35	Page 37
<p>1 REPRESENTATIVE MARCELLE: Where? Northshore.</p> <p>2 REPRESENTATIVE FARNUM: Northshore.</p> <p>3 REPRESENTATIVE MARCELLE: And where was Baton</p> <p>4 Rouge in that?</p> <p>5 REPRESENTATIVE FARNUM: It's probably middle</p> <p>6 of the road.</p> <p>7 REPRESENTATIVE MARCELLE: Middle of the road.</p> <p>8 REPRESENTATIVE FARNUM: Yeah.</p> <p>9 REPRESENTATIVE MARCELLE: Would you say that</p> <p>10 Baton Rouge had more growth than Calcasieu?</p> <p>11 REPRESENTATIVE FARNUM: I don't know if that's</p> <p>12 accurate. I -- I couldn't speak to that.</p> <p>13 REPRESENTATIVE MARCELLE: They did. My -- my</p> <p>14 point to you is that there was growth in -- in Baton</p> <p>15 Rouge. They lost population in North Louisiana. Is</p> <p>16 that accurate?</p> <p>17 REPRESENTATIVE FARNUM: That's correct.</p> <p>18 REPRESENTATIVE MARCELLE: They did lose</p> <p>19 population, and I'm just trying to --</p> <p>20 REPRESENTATIVE FARNUM: That's correct.</p> <p>21 REPRESENTATIVE MARCELLE: -- refresh my</p> <p>22 memory. In North Louisiana, so, but you wanted to make</p> <p>23 sure that North Louisiana -- because it looks like --</p> <p>24 I'm looking at his map and your map, and it looks like</p> <p>25 you shift Letlow back over --</p>	<p>1 I agree with that.</p> <p>2 REPRESENTATIVE MARCELLE: You don't know if</p> <p>3 you agree with it.</p> <p>4 REPRESENTATIVE FARNUM: No.</p> <p>5 REPRESENTATIVE MARCELLE: Okay. Well, it</p> <p>6 does. In fact, it's the lowest compactness of all of</p> <p>7 the maps. That's A. The district level in Congressional</p> <p>8 District 6 is less compact than Womack's map, and the</p> <p>9 Congressional District 2 is half as compact as Womack's</p> <p>10 map. Are you aware of that?</p> <p>11 REPRESENTATIVE FARNUM: So what I do know is</p> <p>12 that the -- the BVAP increased.</p> <p>13 REPRESENTATIVE MARCELLE: I'm not asking about</p> <p>14 the BVAP.</p> <p>15 REPRESENTATIVE FARNUM: The population</p> <p>16 increased, and it helps those -- the electability of</p> <p>17 those minority candidates in those areas.</p> <p>18 REPRESENTATIVE MARCELLE: I -- I guess that's</p> <p>19 your opinion, but what I'm asking you for right now is</p> <p>20 facts in -- in -- in -- in terms of the compactness of</p> <p>21 the districts. So let me go to another one. Are you</p> <p>22 aware that it splits more municipalities than Womack's</p> <p>23 and almost twice as many as the -- the bill that I</p> <p>24 brought?</p> <p>25 REPRESENTATIVE FARNUM: I'm not familiar --</p>

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<p style="text-align: right;">Page 38</p> <p>1 REPRESENTATIVE MARCELLE: Are you aware of 2 that? 3 REPRESENTATIVE FARNUM: I'm not familiar with 4 your bill. 5 REPRESENTATIVE MARCELLE: Okay. Was HB5 up? 6 REPRESENTATIVE FARNUM: We didn't -- we didn't 7 have a chance to hear that. 8 REPRESENTATIVE MARCELLE: I presented it in 9 here. You were -- you were here. 10 REPRESENTATIVE FARNUM: You -- you voluntarily 11 withdrew it. 12 REPRESENTATIVE MARCELLE: Pardon me? 13 REPRESENTATIVE FARNUM: You voluntarily 14 withdrew it. 15 REPRESENTATIVE MARCELLE: But I presented it. 16 But you had an opportunity to get it on your laptop and 17 see it like we get all bills, right, because you're on 18 this committee. 19 REPRESENTATIVE FARNUM: Yes. 20 REPRESENTATIVE MARCELLE: Okay. So this map, 21 the -- well, not map, the amendments. If these 22 amendments get on this bill, it will split more 23 municipalities than Womack's. The deviation on these 24 amendments that go to this map is a 129, which is both 25 higher than Womack's bill, which is almost twice as much</p>	<p style="text-align: right;">Page 40</p> <p>1 That would mean that Clay Higgins would 2 represent the people on Lakeshore Drive in Baton Rouge. 3 That's what that would mean. 4 REPRESENTATIVE FARNUM: So -- so in -- in my 5 area, Clay Higgins represents my house, and if I drive 6 10 houses down the road, Congressman Johnson represents 7 those people -- 8 REPRESENTATIVE MARCELLE: I guess -- 9 REPRESENTATIVE FARNUM: -- 10 houses away from 10 my house. 11 REPRESENTATIVE MARCELLE: I imagine because 12 you're on the line. But what I'm saying is that's a far 13 distance from where his district starts, to bring him 14 down to Baton Rouge, and I'm just trying to -- it's 15 unclear to me what the motivation of offering this 16 amendment is, other than political reasons. It -- it -- 17 it certainly doesn't help us in Baton Rouge. 18 REPRESENTATIVE FARNUM: Well, all -- all I can 19 say is my constituents at home expressed a strong desire 20 to remain whole. Now, whether we were in District 3 -- 21 REPRESENTATIVE MARCELLE: So do mine. 22 REPRESENTATIVE FARNUM: -- or District 4 -- I 23 -- I can appreciate that. I really can appreciate that, 24 and that's why we all get a vote here. And so it's -- 25 this is -- this is my attempt to -- to help my citizens</p>
<p style="text-align: right;">Page 39</p> <p>1 as the enacted map at 65. I -- I think what I'm saying 2 is there were more than one goal to meet when we were 3 told to draw these maps. 4 It was more than one thing that we had to 5 consider: compactness, communities of interest, not 6 splitting municipalities. And it appears that this map 7 -- or these amendments, if we were to vote on this, does 8 far more harm than good. 9 REPRESENTATIVE FARNUM: So -- so it's my 10 opinion that -- that we -- we addressed all of the 11 issues that we were set out to do. We've accomplished 12 all the goals that we were mandated by the Court to do. 13 We have the -- the two minority districts were very, 14 very lightly touched, and -- and mostly White population 15 was pulled out of those districts. 16 REPRESENTATIVE MARCELLE: Well, let -- let me 17 just say this, Representative Farnum, with all due 18 respect. If you were just trying to make Calcasieu 19 whole and that was your parish and you were trying to do 20 that, I might have a little bit more respect for this 21 amendment. But since you are trying to make yourself 22 whole, and East Baton Rouge Parish split between three 23 congressional districts, that would mean that for the 24 public that's watching -- because you can't see the map, 25 or you may not be able to understand it.</p>	<p style="text-align: right;">Page 41</p> <p>1 in my area. 2 REPRESENTATIVE MARCELLE: I get that. 3 REPRESENTATIVE FARNUM: And in the process, I 4 included -- a lot of other people from a lot of other 5 regions were included in the conversation. I can't 6 speak to who all was included that night because I 7 wasn't able to attend that. So it -- it was people from 8 New Orleans. I think Senator Womack was in the room 9 when -- when it was discussed, and -- and feel free to 10 jump in any time. 11 SENATOR WOMACK: Okay. I -- I was in that 12 meeting, and -- and the -- back to the BVAP. And in the 13 districts, District 2 and District 6 went up -- up as 14 far as Black voter age population. Senator Gary Carter 15 was in the room with us looking at this and -- and 16 working on this to -- to try to come up with the best 17 outcome. We did -- 18 REPRESENTATIVE MARCELLE: That would be -- 19 SENATOR WOMACK: -- include -- 20 REPRESENTATIVE MARCELLE: I'm sorry. That -- 21 you said Senator Carter. 22 SENATOR WOMACK: Carter. Gary Carter. 23 REPRESENTATIVE MARCELLE: And that we be 24 Congressional District 2, right? 25 SENATOR WOMACK: He was in the room.</p>

11 (Pages 38 to 41)



<p style="text-align: right;">Page 42</p> <p>1 REPRESENTATIVE MARCELLE: Okay.</p> <p>2 SENATOR WOMACK: He was in the room, and --</p> <p>3 and -- and looking at these districts with us. This</p> <p>4 wasn't -- this wasn't -- this was several senators</p> <p>5 trying to work to -- to try to accomplish, I guess, a</p> <p>6 lot of maybe concerns from different ones, but I know</p> <p>7 Red River Parish was put in.</p> <p>8 REPRESENTATIVE MARCELLE: Well, the -- the</p> <p>9 only one that could have been concerned about</p> <p>10 Congressional District 2 would be Congressman Troy</p> <p>11 Carter; is that accurate? Who -- did he have a concern</p> <p>12 about your map?</p> <p>13 SENATOR WOMACK: I -- I would think that</p> <p>14 Congressman -- Senator Carter would -- would be speaking</p> <p>15 in -- in that capacity, as to watching the -- the -- the</p> <p>16 VAP, the -- the -- the -- the voting age population. He</p> <p>17 was watching that. He was working with us to try to</p> <p>18 best fit everything that we -- that -- that people was</p> <p>19 wanting and -- and -- and concerns from each side that</p> <p>20 we're asking for and -- and to still maintain the -- the</p> <p>21 fact that -- that we -- we got a map to draw. And we</p> <p>22 had to draw this map to get --</p> <p>23 REPRESENTATIVE MARCELLE: So let me -- let me</p> <p>24 ask you, Senator. Was somebody from Baton Rouge asking</p> <p>25 to be split three ways in that room? Because I want to</p>	<p style="text-align: right;">Page 44</p> <p>1 SENATOR WOMACK: I'm sorry.</p> <p>2 REPRESENTATIVE MARCELLE: It's not your</p> <p>3 amendment.</p> <p>4 SENATOR WOMACK: Yeah. I'm sorry.</p> <p>5 REPRESENTATIVE MARCELLE: I'm just making a</p> <p>6 statement.</p> <p>7 SENATOR WOMACK: Yes, ma'am.</p> <p>8 REPRESENTATIVE MARCELLE: And I'm not voting</p> <p>9 for any map that has Baton Rouge split three ways</p> <p>10 because that's insane. It's insane. And so for</p> <p>11 whatever motive that they had, I believe that they threw</p> <p>12 a monkey wrench in a bill that I think would have gotten</p> <p>13 out of here without any opposition, which is your bill.</p> <p>14 So I don't -- I don't know if you realize it --</p> <p>15 SENATOR WOMACK: Yeah. Yeah.</p> <p>16 REPRESENTATIVE MARCELLE: -- but, I mean, I</p> <p>17 don't think what they have done has helped your bill.</p> <p>18 And if Farnum wanted to protect Calcasieu, that's</p> <p>19 Calcasieu. It ain't got nothing to do with Baton Rouge.</p> <p>20 So he should have put amendment on this bill that</p> <p>21 protects Calcasieu, not Baton Rouge. Not change</p> <p>22 anything in Baton Rouge. And that's just my honest</p> <p>23 opinion. So I -- I -- I could not -- so I would object.</p> <p>24 REPRESENTATIVE MARCELLE: I -- I -- I could</p> <p>25 not -- so I would object to this amendment being added.</p>
<p style="text-align: right;">Page 43</p> <p>1 know who that was.</p> <p>2 SENATOR WOMACK: I -- I -- I don't know where</p> <p>3 these people -- all the people live.</p> <p>4 REPRESENTATIVE MARCELLE: Don't know where the</p> <p>5 --</p> <p>6 SENATOR WOMACK: I -- I think Carter lives</p> <p>7 back toward New Orleans.</p> <p>8 REPRESENTATIVE MARCELLE: Yeah. That's what I</p> <p>9 said.</p> <p>10 SENATOR WOMACK: Okay. All right.</p> <p>11 REPRESENTATIVE MARCELLE: Right. That's what</p> <p>12 I said. And this is --</p> <p>13 SENATOR WOMACK: And -- and -- and that's --</p> <p>14 and I can't say he's been on the phone, but he was in</p> <p>15 the room and worked with us on this.</p> <p>16 REPRESENTATIVE MARCELLE: Let -- let -- let me</p> <p>17 say this, and I'll -- I'll leave it alone at this. I --</p> <p>18 I respect you, Senator Womack. That's why when I</p> <p>19 proposed a cleanup amendment to your bill, I came over</p> <p>20 to talk to you about exactly what I was going to propose</p> <p>21 on your bill. I think it's disingenuous that we sit</p> <p>22 here, and we drop maps that changes Baton Rouge because</p> <p>23 some senators got in a room and decided to change my</p> <p>24 district. This is what I represent. I -- I -- I don't</p> <p>25 mean -- I'm -- and you --</p>	<p style="text-align: right;">Page 45</p> <p>1 And I want everybody in Baton Rouge who's listening to</p> <p>2 please call your senators and the people that represent</p> <p>3 you and tell them we do not want to be split in three</p> <p>4 ways in Baton Rouge. Thank you.</p> <p>5 SENATOR WOMACK: Thank you. Just for</p> <p>6 correction, Senator Fields was in the room with us. So</p> <p>7 that -- that -- I appreciate Senator Kathy reminding me</p> <p>8 of that. He was in the room as well.</p> <p>9 CHAIRMAN BEAULLIEU: Thank you. Ms. --</p> <p>10 Representative Marcelle. Representative Johnson.</p> <p>11 REPRESENTATIVE JOHNSON: Thank you, Mr.</p> <p>12 Chairman. Senator Womack, you represent Senate District</p> <p>13 -- what's the number?</p> <p>14 SENATOR WOMACK: 32.</p> <p>15 REPRESENTATIVE JOHNSON: 32. You're my</p> <p>16 senator, and we share a lot of people, a lot of</p> <p>17 population. You have spent a lot of time on this map;</p> <p>18 haven't you?</p> <p>19 SENATOR WOMACK: Yes, sir.</p> <p>20 REPRESENTATIVE JOHNSON: And you've tried to</p> <p>21 do it as best you can and to make it legal and to make</p> <p>22 it -- to adjust the population shift that has occurred</p> <p>23 in our state; is that right?</p> <p>24 SENATOR WOMACK: That's right.</p> <p>25 REPRESENTATIVE JOHNSON: And it -- you're not</p>

12 (Pages 42 to 45)

<p style="text-align: right;">Page 46</p> <p>1 doing it in a vacuum. It's affecting people that are in</p> <p>2 your district.</p> <p>3 SENATOR WOMACK: Yes, sir. That's exactly</p> <p>4 right.</p> <p>5 REPRESENTATIVE JOHNSON: And you are catching</p> <p>6 a lot of heat because of that; aren't you?</p> <p>7 SENATOR WOMACK: That's right.</p> <p>8 REPRESENTATIVE JOHNSON: You take your</p> <p>9 responsibility seriously; don't you?</p> <p>10 SENATOR WOMACK: I do.</p> <p>11 REPRESENTATIVE JOHNSON: Even when it hurts</p> <p>12 you politically?</p> <p>13 SENATOR WOMACK: I do.</p> <p>14 REPRESENTATIVE JOHNSON: It hurts me</p> <p>15 politically.</p> <p>16 SENATOR WOMACK: It does. And I've</p> <p>17 apologized.</p> <p>18 REPRESENTATIVE JOHNSON: I know you to be a</p> <p>19 good and honest man who tries to do the right thing.</p> <p>20 Does this map, as amended by -- by Representative</p> <p>21 Farnum, my good friend from Southwest Louisiana -- well,</p> <p>22 let me back up. You believe that you have presented a</p> <p>23 map that achieves all the necessary requirements and</p> <p>24 provides us with the best instrument that you could come</p> <p>25 up with?</p>	<p style="text-align: right;">Page 48</p> <p>1 consider this -- this -- how critical it is for everyone</p> <p>2 to have these -- this information and these documents in</p> <p>3 time that those of us who are sitting right here and</p> <p>4 about to vote on this -- and Senator, I'm sorry. I'm</p> <p>5 looking directly at you, but you -- you right there.</p> <p>6 But this is -- no -- no slight against you.</p> <p>7 This was not enough time to digest everything</p> <p>8 that is in this amendment. We went at ease at about</p> <p>9 10:15, 10:20, whatever time it was in the 10 o'clock</p> <p>10 hour. We just got these maps before we sat down. When</p> <p>11 y'all saw us sit down and pick up these papers, that's</p> <p>12 why we were shuffling because we just got these</p> <p>13 amendments. And I just needed to say this is too</p> <p>14 sensitive of a issue, too sensitive of a topic to rush</p> <p>15 through it and to be thrown a set of amendments.</p> <p>16 There's probably more splits that we -- than</p> <p>17 -- than what we're noticing. Rep Marcelle saw Baton</p> <p>18 Rouge because that's where she lives. So that's what's</p> <p>19 kind of jumped out at her first. But I'm sure there's</p> <p>20 some other members that might feel slighted. There</p> <p>21 might be some other populations or communities of</p> <p>22 interest that feel that they are not being listened to</p> <p>23 or heard.</p> <p>24 We -- we -- I would have appreciated more time</p> <p>25 to understand this since I was not given the benefit of</p>
<p style="text-align: right;">Page 47</p> <p>1 SENATOR WOMACK: I do.</p> <p>2 REPRESENTATIVE JOHNSON: Do you believe that</p> <p>3 Representative Farnum's amendment makes your bill</p> <p>4 better?</p> <p>5 SENATOR WOMACK: Yes.</p> <p>6 REPRESENTATIVE JOHNSON: And would you support</p> <p>7 your bill and your map and all of your time and all your</p> <p>8 political pain that you and I are feeling if he presents</p> <p>9 that amendment?</p> <p>10 SENATOR WOMACK: I do. I would.</p> <p>11 REPRESENTATIVE JOHNSON: Okay. Thank you,</p> <p>12 Senator.</p> <p>13 CHAIRMAN BEAULLIEU: Thank you, Representative</p> <p>14 Johnson. Representative Newell.</p> <p>15 REPRESENTATIVE NEWELL: Thank you very much,</p> <p>16 Mr. Chairman. And Representative Farnum, I appreciate</p> <p>17 your attempt at drawing this map. But what I don't</p> <p>18 appreciate -- and I do understand that this is a</p> <p>19 compressed session. And let me pause right quick and</p> <p>20 say thank you to our staff because our staff is truly</p> <p>21 overworked and underpaid. So I -- I -- I -- I</p> <p>22 understand how swiftly they work to try to get bills</p> <p>23 prepared, amendments prepared so that we can have them</p> <p>24 in order to get to committee.</p> <p>25 But I -- with all of that, we also need to</p>	<p style="text-align: right;">Page 49</p> <p>1 being in the room. Rep Farnum's name is on this map,</p> <p>2 and he wasn't in the room. You mentioned a lot of</p> <p>3 senators in the room talking about something that</p> <p>4 representatives are now sitting here trying to pour</p> <p>5 over, talk about, discuss, and understand in a shorter</p> <p>6 period of time.</p> <p>7 Most of us can't really pay attention to the</p> <p>8 discussions because we're looking and trying to</p> <p>9 understand these 15 pages that we've just been given.</p> <p>10 And I just needed to put that out there, Mr. Pro Tem,</p> <p>11 that we should need to give each other more</p> <p>12 consideration in our futures, that we give each other</p> <p>13 more time to digest things that are this sensitive of a</p> <p>14 issue and of a topic. And I'm still not satisfied with</p> <p>15 this map. Thank you.</p> <p>16 CHAIRMAN BEAULLIEU: Thank you, Representative</p> <p>17 Newell. Representative Mark Wright.</p> <p>18 REPRESENTATIVE WRIGHT: Thank you, Mr. Pro</p> <p>19 Tem. I didn't expect to get called on so soon I thought</p> <p>20 there'd be a line. I -- I don't know. I'm going to</p> <p>21 upset somebody with this statement, but I'm just going</p> <p>22 to say it. I don't understand the idea of wanting just</p> <p>23 one rep for a parish.</p> <p>24 I think if you got two, you got two people to</p> <p>25 go to. I don't think congressmen sit there and say,</p>

13 (Pages 46 to 49)

<p style="text-align: right;">Page 50</p> <p>1 "Oh, you know, St. Tammany, 50 percent is there. I'm 2 only going to give it 25 percent of my time." I think 3 if you got three, I think it's possible you get three 4 congressmen working for your parish. 5 So I don't know what that does, but I just -- 6 I've been hearing this all week, heard it the last time 7 we did this, and to me, it's just not something I think 8 matters. So I'll leave it there. 9 CHAIRMAN BEAULLIEU: Thank you. 10 Representative Wright. Representative Boyd. 11 REPRESENTATIVE BOYD: Thank you, Mr. Speaker 12 Pro Tem. I think what the problem is is that, again, 13 following up on Candace -- on Rep Newell, we just were 14 presented with these amendments and your map as a matter 15 of fact. 16 I do understand, Rep Marcelle, that Senator 17 Fields was in the room with this. But that's Senator 18 Fields and Senator Carter in the room. We were not 19 privy to that conversation, so we had no idea what we 20 were expecting to see the -- today. And now we're 21 shuffling through pages and pages of a bill as well as 22 an amendment. 23 So I don't think anything was done 24 intentionally, but the frustration comes from us not 25 having this ourselves to actually digest it and meet</p>	<p style="text-align: right;">Page 52</p> <p>1 REPRESENTATIVE LARVADAIN: Okay. But your 2 parish is only single; is that correct? 3 REPRESENTATIVE FARNUM: That's correct. 4 REPRESENTATIVE LARVADAIN: I think Avoyelles 5 Parish is -- is divided into two areas; is that correct? 6 REPRESENTATIVE FARNUM: Excuse me? 7 REPRESENTATIVE LARVADAIN: Avoyelles Parish is 8 divided in District 5 and 4. 9 MALE SPEAKER 1: 5 and 10. 10 REPRESENTATIVE LARVADAIN: 5 and -- 11 REPRESENTATIVE FARNUM: Yes, and they're -- 12 they're -- 13 REPRESENTATIVE LARVADAIN: 5 and 6? 14 REPRESENTATIVE FARNUM: -- split in the 15 current map. 16 REPRESENTATIVE LARVADAIN: Okay. Now, we had 17 a better map that we think we proposed. But once again, 18 with your map, you're dipping and diving, and you're 19 going through -- you've got a -- how many split 20 districts do you have in that area; do you know? 21 REPRESENTATIVE FARNUM: How many what? 22 REPRESENTATIVE LARVADAIN: Split parishes you 23 have in -- just in District 6. 24 REPRESENTATIVE FARNUM: So in -- in this map, 25 there are 15 split parishes. And -- and in the original</p>
<p style="text-align: right;">Page 51</p> <p>1 with our people, our community of interest, and speak 2 about what's being presented. So I think -- 3 MALE SPEAKER 1: (inaudible 0:57:16). 4 REPRESENTATIVE BOYD: Exactly. So I think 5 that that's the -- the main issue here. We know who was 6 in the -- well, we know now who were in the room when 7 this was being discussed, but we weren't, if that makes 8 any sense. Thank you. 9 CHAIRMAN BEAULLIEU: Thank you, Representative 10 Boyd. Representative Larvadain. 11 REPRESENTATIVE LARVADAIN: Thank you, Mr. 12 Chair. Rep Farnum, thank you for making an effort to 13 try to comply with the judge's wishes, but I'm still 14 confused with your map. In the great parish of Rapides, 15 we've divided three ways; is that correct? 16 REPRESENTATIVE FARNUM: Two or three. 17 REPRESENTATIVE LARVADAIN: I -- three -- I see 18 pink, green, and yellow in the great -- is that correct? 19 Am I seeing something right? Yes. Look at Rapides, 20 the real parish, where I'm from and Mike Johnson. 21 Rapides is -- on the east side, it's in the yellow, 22 which is Clay Higgins. In the middle, it'll be in 23 District 6, and then it has a portion of District 5. So 24 it's three in the -- is that correct? 25 REPRESENTATIVE FARNUM: That's correct.</p>	<p style="text-align: right;">Page 53</p> <p>1 map, if I counted it right, there's 32 split parishes. 2 REPRESENTATIVE LARVADAIN: If I told you it 3 was 16 original, would that be correct? Where would you 4 get 36? 5 REPRESENTATIVE FARNUM: That's not the count 6 that I came up -- but I -- I don't know. I might be 7 wrong, but I -- I think the asterisk -- 8 CHAIRMAN BEAULLIEU: 16. 9 REPRESENTATIVE FARNUM: -- the asterisk beside 10 the parishes mean that they're split. 11 REPRESENTATIVE LARVADAIN: Okay. Let -- let 12 me correct then -- 13 REPRESENTATIVE FARNUM: There's 32 of them. 14 REPRESENTATIVE LARVADAIN: Yeah. And -- and 15 Senator Womack's map, it was 16 split; is that correct? 16 REPRESENTATIVE FARNUM: I don't believe that's 17 correct. I think there's 32 in the original map. Help 18 -- help me with that Ms. Lowery. 19 REPRESENTATIVE LARVADAIN: I think it's 16. 20 MS. LOWERY: Members, I think what 21 Representative Farnum is counting the number of 22 asterisks, but the asterisk in front of a parish on the 23 report -- on the split parish report means it is split, 24 but there are 16 split parishes -- 25 REPRESENTATIVE FARNUM: Okay.</p>

14 (Pages 50 to 53)



<p style="text-align: right;">Page 54</p> <p>1 MS. LOWERY: -- in the plan, so.</p> <p>2 REPRESENTATIVE FARNUM: Okay. So we reduced</p> <p>3 that by one.</p> <p>4 REPRESENTATIVE LARVADAIN: Those 15?</p> <p>5 REPRESENTATIVE FARNUM: I think. If I -- if</p> <p>6 I'm adding right.</p> <p>7 MS. LOWERY: 15 in his original --</p> <p>8 REPRESENTATIVE FARNUM: 15 in the original?</p> <p>9 MS. LOWERY: -- and 16 in your amendment,</p> <p>10 Representative.</p> <p>11 REPRESENTATIVE FARNUM: Okay. So we increase</p> <p>12 it by one.</p> <p>13 REPRESENTATIVE LARVADAIN: Yeah. You added</p> <p>14 one to it, okay. What about -- where does Congressman</p> <p>15 Graves live? Is he in District 6 or he's in District 5?</p> <p>16 REPRESENTATIVE FARNUM: I have no idea where</p> <p>17 Congressman Graves lives.</p> <p>18 FEMALE SPEAKER 3: I think Baton Rouge.</p> <p>19 REPRESENTATIVE LARVADAIN: I think he's in --</p> <p>20 I think he's in East Baton Rouge Parish.</p> <p>21 REPRESENTATIVE FARNUM: I -- I have no --</p> <p>22 REPRESENTATIVE LARVADAIN: If I told you --</p> <p>23 REPRESENTATIVE FARNUM: -- no idea where he</p> <p>24 lives.</p> <p>25 REPRESENTATIVE LARVADAIN: Would he -- would</p>	<p style="text-align: right;">Page 56</p> <p>1 REPRESENTATIVE LARVADAIN: Okay.</p> <p>2 REPRESENTATIVE FARNUM: He -- he -- he would</p> <p>3 like to retain part of Calcasieu if possible. And --</p> <p>4 REPRESENTATIVE LARVADAIN: Blame him. That's</p> <p>5 a big city.</p> <p>6 REPRESENTATIVE FARNUM: -- and we -- we</p> <p>7 disagreed with that.</p> <p>8 REPRESENTATIVE LARVADAIN: Yeah, I don't -- I</p> <p>9 don't blame him. I know he wants to control --</p> <p>10 represent Lake Charles.</p> <p>11 REPRESENTATIVE FARNUM: And I'm -- I'm</p> <p>12 perfectly fine having Congressman Higgins or Congressman</p> <p>13 Johnson. I like both of them. We just want to have</p> <p>14 one.</p> <p>15 REPRESENTATIVE LARVADAIN: And it's not</p> <p>16 Representative -- Congressman Higgins. It's -- you'd</p> <p>17 rather have --</p> <p>18 REPRESENTATIVE FARNUM: No. It's -- it's --</p> <p>19 REPRESENTATIVE LARVADAIN: Yeah.</p> <p>20 REPRESENTATIVE FARNUM: That's -- that's the</p> <p>21 rotation that's possible.</p> <p>22 REPRESENTATIVE LARVADAIN: Okay.</p> <p>23 REPRESENTATIVE FARNUM: Is -- is a</p> <p>24 counterclockwise rotation is the only one that's</p> <p>25 possible.</p>
<p style="text-align: right;">Page 55</p> <p>1 he be a part of District 5, that district, or you don't</p> <p>2 know?</p> <p>3 REPRESENTATIVE FARNUM: I don't know. I don't</p> <p>4 know where any of the congressmen live other than the</p> <p>5 regions that they come from.</p> <p>6 REPRESENTATIVE LARVADAIN: Okay. Okay. Did</p> <p>7 you get a chance to talk to Congressman Mike Johnson</p> <p>8 about his district?</p> <p>9 REPRESENTATIVE FARNUM: Huh? I have not. I</p> <p>10 talked to Congressman Higgins about his.</p> <p>11 REPRESENTATIVE LARVADAIN: Okay. And what did</p> <p>12 Congressman Higgins say about his district?</p> <p>13 REPRESENTATIVE FARNUM: He -- he -- he thought</p> <p>14 it was a good idea that we were okay to be split. I</p> <p>15 disagreed with him. Very -- very civil conversation.</p> <p>16 He was disappointed that we would rather push -- push to</p> <p>17 the -- a single member. But, you know, I'm -- I'm</p> <p>18 listening to my constituents, and that's -- that's who I</p> <p>19 have to answer to.</p> <p>20 REPRESENTATIVE LARVADAIN: Does Congressman</p> <p>21 Higgins have -- have a problem with going all the way</p> <p>22 from Cameron to Baton Rouge Parish? Is that ideal for</p> <p>23 him?</p> <p>24 REPRESENTATIVE FARNUM: That wasn't an issue</p> <p>25 that he -- that he expressed to me.</p>	<p style="text-align: right;">Page 57</p> <p>1 REPRESENTATIVE LARVADAIN: And I know with</p> <p>2 Congressman Mike Johnson, the Caddo Parish, they wanted</p> <p>3 to make sure Bossier -- they wanted to make sure</p> <p>4 Barksdale and Fort Johnson were in the same district; is</p> <p>5 that correct?</p> <p>6 REPRESENTATIVE FARNUM: I believe so.</p> <p>7 REPRESENTATIVE LARVADAIN: And this map does</p> <p>8 that?</p> <p>9 REPRESENTATIVE FARNUM: I believe so.</p> <p>10 REPRESENTATIVE LARVADAIN: Now, what about</p> <p>11 Congressman Scalise? Did he have a problem with his</p> <p>12 district?</p> <p>13 REPRESENTATIVE FARNUM: I don't think -- I</p> <p>14 haven't spoke with him. I haven't spoke with any of his</p> <p>15 staff. I couldn't answer that question.</p> <p>16 REPRESENTATIVE LARVADAIN: What about</p> <p>17 Congressman Letlow? Does she have a problem with her</p> <p>18 district?</p> <p>19 REPRESENTATIVE FARNUM: I think she very happy</p> <p>20 with the fact that she made Ouachita whole, which was</p> <p>21 one of her desires, and gained more northern population</p> <p>22 to -- for -- for her district. People that she's</p> <p>23 represented in the past, she wanted to retain those</p> <p>24 people.</p> <p>25 REPRESENTATIVE LARVADAIN: And you had a good</p>

15 (Pages 54 to 57)

<p style="text-align: right;">Page 58</p> <p>1 idea of what Congressman Carter wanted in District --</p> <p>2 District 2?</p> <p>3 REPRESENTATIVE FARNUM: I have no idea.</p> <p>4 REPRESENTATIVE LARVADAIN: Okay. And let me</p> <p>5 make sure in -- in District 6, the new district, the VAP</p> <p>6 -- the VAP map is 54.342; is that correct? I'm looking</p> <p>7 at it.</p> <p>8 REPRESENTATIVE FARNUM: I'll take your word</p> <p>9 for it. It -- they went up.</p> <p>10 REPRESENTATIVE LARVADAIN: Yeah. BVAP. Okay.</p> <p>11 And we know that that district will perform at that</p> <p>12 capacity?</p> <p>13 REPRESENTATIVE FARNUM: We feel like it'll</p> <p>14 perform better because the population -- the -- the BVAP</p> <p>15 has increased.</p> <p>16 REPRESENTATIVE LARVADAIN: And what about the</p> <p>17 BVAP for District 2 at 51.7? Will that increase?</p> <p>18 REPRESENTATIVE FARNUM: It -- it increased as</p> <p>19 well.</p> <p>20 REPRESENTATIVE LARVADAIN: So your -- your map</p> <p>21 will produce two majority-minority districts; is that</p> <p>22 correct?</p> <p>23 REPRESENTATIVE FARNUM: That's correct.</p> <p>24 REPRESENTATIVE LARVADAIN: But you've got</p> <p>25 several districts in District 6 where you have my</p>	<p style="text-align: right;">Page 60</p> <p>1 That's what I was being told.</p> <p>2 That's A. And B, we do have another senator in</p> <p>3 Baton Rouge. Her name is Senator Regina Barrow. She is</p> <p>4 the Pro Tem. So I'm wondering why she wasn't in the</p> <p>5 room. We're a metropolitan area. So I want to clear</p> <p>6 that up. I guess she wasn't invited to the party. I --</p> <p>7 I don't know.</p> <p>8 But I -- I do want to ask our chairman if the</p> <p>9 Legal Defense Fund can come up and help to clear up some</p> <p>10 of the questions that we may have about these map and</p> <p>11 the performance because we have the public who's</p> <p>12 listening, and they should know what's going on. I</p> <p>13 believe that these are the people who could perhaps</p> <p>14 answer some of the questions that we have.</p> <p>15 And I certainly have some questions for them</p> <p>16 myself, since I can't get a clear answer on performance</p> <p>17 or compactness. All of these issues that we're talking</p> <p>18 about: the deviation, how many splits it is. I have an</p> <p>19 attorney right here by me, Mr. Larvadain. And he's --</p> <p>20 because we were given this information a few minutes</p> <p>21 ago, as legislators, many of us can't decipher through</p> <p>22 it.</p> <p>23 So I would ask that LDF, the Legal Defense</p> <p>24 Fund, would be able to come up to the table to answer</p> <p>25 some questions as it relates to these amendments, if you</p>
<p style="text-align: right;">Page 59</p> <p>1 district, Rapides, is split three ways, and also East</p> <p>2 Baton Rouge Parish is split three ways.</p> <p>3 REPRESENTATIVE FARNUM: I -- I think in order</p> <p>4 to accomplish the shift in population, I think some of</p> <p>5 the white population was extracted from -- from that</p> <p>6 minority district in order to increase their -- their</p> <p>7 BVAP.</p> <p>8 REPRESENTATIVE LARVADAIN: Okay. That's it.</p> <p>9 Thank you.</p> <p>10 REPRESENTATIVE FARNUM: Thank you.</p> <p>11 CHAIRMAN BEAULLIEU: Thank you, Representative</p> <p>12 Larvadain. Representative Marcelle.</p> <p>13 REPRESENTATIVE MARCELLE: Thank you. Let --</p> <p>14 let -- let me start out by saying I'm not personally</p> <p>15 attacking any senator, particularly Gary Carter, who I</p> <p>16 like and have served with. I believe that you said that</p> <p>17 Senator Carter was in the room. And I believe that you</p> <p>18 said that he probably was protecting the interest or</p> <p>19 speaking on behalf of Senator -- I mean, Congressman</p> <p>20 Carter.</p> <p>21 So I -- I asked a question was anybody in</p> <p>22 there from Baton Rouge? What I'm being told by my</p> <p>23 senator or one of my senators, which is Cleo Fields,</p> <p>24 that he was handed the finished product - he did not</p> <p>25 work on the product - after the product was finished.</p>	<p style="text-align: right;">Page 61</p> <p>1 don't mind. Mr. Beaulieu -- Chairman Beaulieu. Thank</p> <p>2 you.</p> <p>3 REPRESENTATIVE JOHNSON: Someone here present</p> <p>4 from the Legal Defense Fund like to come to the table?</p> <p>5 CHAIRMAN BEAULLIEU: Ms. Lowery on a</p> <p>6 clarification.</p> <p>7 MS. LOWERY: I just wanted to correct. Hey,</p> <p>8 Members - I'm sorry - in the audience, I want to correct</p> <p>9 something I said earlier. Senator Womack's Bill</p> <p>10 presently has 16 split parishes as well as</p> <p>11 Representative Farnum's amendment at 16 split parishes.</p> <p>12 CHAIRMAN BEAULLIEU: Thank you. Ms. Lowery,</p> <p>13 Rep Marcelle. And we have -- if y'all wouldn't mind,</p> <p>14 please introduce yourselves. And y'all filled out</p> <p>15 cards?</p> <p>16 MS. WENGER: We did not, but we can.</p> <p>17 CHAIRMAN BEAULLIEU: Please do. Thank you.</p> <p>18 MS. WENGER: My name is Victoria Wenger. I'm</p> <p>19 an attorney with the Legal Defense Fund.</p> <p>20 MR. EVANS: Jared Evans, attorney with the</p> <p>21 Legal Defense Fund.</p> <p>22 REPRESENTATIVE MARCELLE: Thank you all for</p> <p>23 coming to the table, and thank you for your work on this</p> <p>24 matter. Can you please -- first of all, let me -- let</p> <p>25 me ask you a question because perhaps you all got this</p>

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<p style="text-align: right;">Page 62</p> <p>1 map a lot sooner than us. You all have been working for</p> <p>2 how many years on getting this done?</p> <p>3 MS. WENGER: We filed our litigation,</p> <p>4 Robinson, now, v. Landry - at the time it was Robinson</p> <p>5 v. Ardoin - the day that the legislature overrode the</p> <p>6 governor's veto. I believe it was March 30th, 2022.</p> <p>7 MR. EVANS: But the work started around the</p> <p>8 first roadshow in October 2021 -- September 2021.</p> <p>9 REPRESENTATIVE MARCELLE: Okay. So can you</p> <p>10 all please tell me, in your opinion, what adding -- if</p> <p>11 this amendment get on, what does it do to Womack's bill?</p> <p>12 Does it make it better? Does it make it worse? Is it</p> <p>13 more compactness? Is it more split parishes? Does it</p> <p>14 make sense?</p> <p>15 Help me and help walk us through it because</p> <p>16 the public really needs to know what's going on. And I</p> <p>17 know they can't know because we just got hit with it</p> <p>18 today.</p> <p>19 MS. WENGER: Representative Marcelle, we're in</p> <p>20 a similar posture to you. The map that we advocated for</p> <p>21 was presented here in the legislature as SB4 which died</p> <p>22 in committee, and HB5, sponsored by you. That exact map</p> <p>23 has been in public discourse since the roadshow, as my</p> <p>24 colleague mentioned, at least a similar version. Our</p> <p>25 attempt was to create a new Black-majority district in</p>	<p style="text-align: right;">Page 64</p> <p>1 members and -- and just trying to figure out exactly</p> <p>2 what putting this amendment -- and I know you hadn't had</p> <p>3 a long time to digest it. What is -- what is your</p> <p>4 opinion about adding this amendment to Senator Womack's</p> <p>5 bill?</p> <p>6 MS. WENGER: Sure. So I think I heard</p> <p>7 recently - and, again, we're processing this information</p> <p>8 as quickly as you all are - that there was 16 parish</p> <p>9 splits. Am I accurate in that?</p> <p>10 REPRESENTATIVE MARCELLE: Yeah.</p> <p>11 MS. WENGER: Okay.</p> <p>12 REPRESENTATIVE MARCELLE: That's what I</p> <p>13 counted.</p> <p>14 MS. WENGER: So the enacted map that is</p> <p>15 currently in place has 15 parish splits. The remedial</p> <p>16 map that we proposed in litigation and that been vetted</p> <p>17 by the courts --</p> <p>18 REPRESENTATIVE MARCELLE: 11.</p> <p>19 MS. WENGER: -- has 11 parish splits.</p> <p>20 REPRESENTATIVE MARCELLE: Yeah. That's what I</p> <p>21 thought.</p> <p>22 MS. WENGER: Representative Marcelle, I think</p> <p>23 you also have an amendment that -- I don't know if it</p> <p>24 has this beat, but it's certainly closer to that. And,</p> <p>25 again, I know that there's been different opinions</p>
<p style="text-align: right;">Page 63</p> <p>1 District 5, uniting north Baton Rouge with the Delta</p> <p>2 parishes.</p> <p>3 We have also seen in the public domain other</p> <p>4 versions of maps, like HB12 in 2022, that run along the</p> <p>5 Red River and the I-49 corridor. But we, for a variety</p> <p>6 of different reasons, had really coalesced around</p> <p>7 another -- another option here, and that's because it</p> <p>8 has been held up to court scrutiny for years now.</p> <p>9 It has made its way before the District Court,</p> <p>10 but also before the Fifth Circuit Court of Appeals.</p> <p>11 We've had to show that it's possible to reduce parish</p> <p>12 splits in line with Joint Rule 21, which was passed by</p> <p>13 this legislature in 2021.</p> <p>14 So I guess our journey started earlier than we</p> <p>15 represented. We've been following redistricting since,</p> <p>16 perhaps, the census and since you all made the rules.</p> <p>17 So --</p> <p>18 REPRESENTATIVE MARCELLE: So -- so I guess my</p> <p>19 question is: does this amendment make more splits than</p> <p>20 -- because I think it has 16 in it.</p> <p>21 MS. WENGER: So you'll put us on the spot. So</p> <p>22 let me pull out my notebook and -- and talk a little bit</p> <p>23 about the other maps we've seen in this process.</p> <p>24 REPRESENTATIVE MARCELLE: Okay. Well, I'm</p> <p>25 just trying to get a little clarity for myself and other</p>	<p style="text-align: right;">Page 65</p> <p>1 shared here about parish splits. But that's coming not</p> <p>2 only directly from doctrine around redistricting, but</p> <p>3 also Joint Rule 21. We have been abiding by the rules</p> <p>4 that this legislature put in place for yourselves.</p> <p>5 So that is the rubric that we are guided by,</p> <p>6 that the courts are referring to, that our map drawer is</p> <p>7 accountable to. So that's why parish splits are</p> <p>8 emphasized.</p> <p>9 There's also a logic to it. There's a lot of</p> <p>10 governing that's done at the parish level here. There's</p> <p>11 election administration, school boards, other elements</p> <p>12 of civic life that have been recognized in your</p> <p>13 politics, in your policy, in Joint Rule 21, and by the</p> <p>14 federal courts. So that's why that principle is so</p> <p>15 important. I think there's many other things.</p> <p>16 And, again, I -- I don't even have a copy of</p> <p>17 the amendment in front of me here, but we have had to</p> <p>18 comply with principles like deviation, trying to get</p> <p>19 that as close to zero as possible, certainly trying to</p> <p>20 keep important places.</p> <p>21 We've heard really compelling testimony about</p> <p>22 the importance of keeping military bases whole or the</p> <p>23 communities that serve those areas, whether it's, you</p> <p>24 know, housing or other communities of interest. We have</p> <p>25 tried to comply with that over the course of the -- the</p>

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<p style="text-align: right;">Page 66</p> <p>1 process. Even SB4 and HB5, we have alternative options</p> <p>2 that we could pursue to keep some of the military</p> <p>3 districts that have been -- or military bases that have</p> <p>4 been mentioned whole.</p> <p>5 We'd be happy to work on that with you all.</p> <p>6 We would be happy to end this litigation with a map that</p> <p>7 complies with Section 2 and also can achieve other</p> <p>8 political ends. We understand for any type of politics</p> <p>9 that our bill was not successful here.</p> <p>10 We do, however, know based off of the</p> <p>11 amendment that Representative Marcelle has presented</p> <p>12 here, based off of record from prior bills filed in this</p> <p>13 process or presented by the civil rights community that</p> <p>14 follow the Red River and I-49, that there could be ways</p> <p>15 to clean up this amendment to otherwise perfect it that,</p> <p>16 maybe, maybe, could get us further towards resolution in</p> <p>17 this litigation but none that could do that as</p> <p>18 efficiently and cost-effectively for years and years of</p> <p>19 expensive litigation with folks far above my -- my</p> <p>20 bracket to get it over with and to finally just be</p> <p>21 resolved.</p> <p>22 There is a path forward there. It is in</p> <p>23 grasp. We would love -- and on behalf of our clients,</p> <p>24 we would love to see that resolution.</p> <p>25 REPRESENTATIVE MARCELLE: Well, thank you. I</p>	<p style="text-align: right;">Page 68</p> <p>1 any genuine effort to resolve this Section 2 violation</p> <p>2 or just honor a principle of fairness.</p> <p>3 So there might be a path forward here. We</p> <p>4 tried to give a much easier one to get this litigation</p> <p>5 over with. I cannot speak to whether this is that path</p> <p>6 forward. I can speak to ways to do this better by</p> <p>7 redistricting criteria and, hopefully, give people some</p> <p>8 fairness and give you all some reprieve from federal</p> <p>9 court litigation.</p> <p>10 REPRESENTATIVE MARCELLE: Okay. Thank you.</p> <p>11 I'm -- I'm just wondering if there's a risk that the</p> <p>12 judge would say that this is -- she would go ahead and</p> <p>13 draw it herself because instead of reducing it, we</p> <p>14 increased it, and so -- the splits. And I -- and I --</p> <p>15 I'm just curious.</p> <p>16 And -- and we keep talking about the political</p> <p>17 motivations. And I heard and I respect Senator Womack</p> <p>18 who talked about he wanted to -- to make Scalise -- he</p> <p>19 checked with Scalise. He checked with Letlow. I heard</p> <p>20 every person's name except Gary Graves, and that's one</p> <p>21 of my congressmen. I was wondering if y'all had a</p> <p>22 conversation with him as well. But --</p> <p>23 MR. EVANS: Hope you're not asking us that.</p> <p>24 REPRESENTATIVE MARCELLE: Pardon me?</p> <p>25 MR. EVANS: I was talking -- yeah. You</p>
<p style="text-align: right;">Page 67</p> <p>1 -- I just was wondering, Rapides and East Baton Rouge</p> <p>2 are heavily populated by minorities, right?</p> <p>3 MS. WENGER: That's correct.</p> <p>4 MR. EVANS: That's correct.</p> <p>5 REPRESENTATIVE MARCELLE: Would you agree with</p> <p>6 that?</p> <p>7 MR. EVANS: That's correct.</p> <p>8 REPRESENTATIVE MARCELLE: And I'm just</p> <p>9 wondering how would the Court view that, that we split</p> <p>10 it three ways, both of them?</p> <p>11 MS. WENGER: I think the Court would have a</p> <p>12 lot of questions about what are the politics guiding</p> <p>13 this. And I think my question is: why, for three years</p> <p>14 or more, are we not listening to Black people who came</p> <p>15 here? We had young people who drove here overnight in</p> <p>16 the snow and back roads from my colleague's alma mater</p> <p>17 up north at Grambling University just to have their</p> <p>18 voices heard in the process.</p> <p>19 We had people who were here when the whole</p> <p>20 state was closed down, were here on Martin Luther King</p> <p>21 Day when the nation is closed down. And they came to</p> <p>22 advocate for SB4. And they still, after years, have</p> <p>23 never gotten a floor debate.</p> <p>24 They've never been able to see this</p> <p>25 conversation happen or to have their grievances met with</p>	<p style="text-align: right;">Page 69</p> <p>1 weren't asking that to me, right?</p> <p>2 REPRESENTATIVE MARCELLE: No, no, no, no, no</p> <p>3 --</p> <p>4 MR. EVANS: Yeah.</p> <p>5 REPRESENTATIVE MARCELLE: -- no, no, no. I</p> <p>6 was just making a statement because I'm -- I'm -- I'm</p> <p>7 about to be quiet.</p> <p>8 But I -- I just want to make sure that</p> <p>9 everybody understand when you start talking about -- and</p> <p>10 I said this the other day when I was at the table. If</p> <p>11 we could remove all of the people who represent the</p> <p>12 districts away from it and give it to somebody and allow</p> <p>13 them to draw it fairly, then we would get the best</p> <p>14 product because it's not impossible to draw two Black</p> <p>15 congressional districts.</p> <p>16 But if everybody -- nobody wants to give up</p> <p>17 any portion of anything, you're going to have the same</p> <p>18 problem over and over again. And -- and I do respect</p> <p>19 that Senator Womack says he's -- you know, his district</p> <p>20 is -- is getting hit as well. But everybody has to give</p> <p>21 up something to do what is right. And nobody wants to</p> <p>22 do that.</p> <p>23 Some people want to make sure that they have,</p> <p>24 you know, a certain number of a certain population to</p> <p>25 win. And it's just not right. It is not right. It is</p>

18 (Pages 66 to 69)

<p style="text-align: right;">Page 70</p> <p>1 far too long that Louisiana has done things wrong. And</p> <p>2 it's about time that we do something that's right and</p> <p>3 get us out of the courts.</p> <p>4 And I want to thank you guys for your work. I</p> <p>5 don't know if anybody else has any questions for you,</p> <p>6 but I -- I see this as strictly politics, last minute,</p> <p>7 let's throw in something and confuse the whole issue.</p> <p>8 But I will not vote for this bill with that amendment on</p> <p>9 it. Thank you.</p> <p>10 CHAIRMAN BEAULLIEU: Also -- have -- have --</p> <p>11 have y'all filled out cards. If not, would you please</p> <p>12 do it?</p> <p>13 MR. EVANS: We going to fill them out.</p> <p>14 MS. WENGER: We will. Thank you.</p> <p>15 CHAIRMAN BEAULLIEU: Thank you.</p> <p>16 Representative Wyble.</p> <p>17 REPRESENTATIVE WYBLE: Yes. Thank you. If</p> <p>18 you could remain just for a minute, please. Sorry. I'm</p> <p>19 sorry. I didn't catch your name.</p> <p>20 MS. WENGER: Sorry. I'm Victoria Wenger.</p> <p>21 REPRESENTATIVE WYBLE: Oh, thank you both for</p> <p>22 being here. I appreciate it. You mentioned in -- in</p> <p>23 your remarks, you connected splitting parishes with</p> <p>24 local politics and, like, school board elections. So</p> <p>25 just connect for me, where's the voter confusion if a</p>	<p style="text-align: right;">Page 72</p> <p>1 the time, and we represent groups that are trying to get</p> <p>2 folks engaged in this process, excited, and knowing that</p> <p>3 their vote's going to matter. So it's perhaps a way to</p> <p>4 reduce some confusion or to have, again, the lines line</p> <p>5 up.</p> <p>6 But, again, I think the legislature and the</p> <p>7 folks behind Joint Rule 21, many of y'all, colleagues,</p> <p>8 or folks that, you know, have moved along to the Senate</p> <p>9 but were part of that process, can speak best to why</p> <p>10 that matters specifically to them.</p> <p>11 But it is something that's been dignified in</p> <p>12 the courts, that's been recognized both at a very</p> <p>13 Louisiana-specific level. Most other places, we're</p> <p>14 calling them counties instead of parishes. So it means</p> <p>15 something here. It really matters.</p> <p>16 So I think that's why, perhaps, it was</p> <p>17 involved in Joint Rule 21. Perhaps it's mattered to the</p> <p>18 courts. But parish splits is -- is something you can</p> <p>19 quantify. You can look at how many times the parishes</p> <p>20 are split overall. There's this other quantitative</p> <p>21 metric we talk about called fracking, which is, like,</p> <p>22 where multiple districts or different non-contiguous</p> <p>23 parts of a district are coming into a parish.</p> <p>24 We're just really looking at what are those</p> <p>25 metrics where it's fair to put one map side by side and</p>
<p style="text-align: right;">Page 71</p> <p>1 parish is split with a school board election? Make that</p> <p>2 connection for me, because you mentioned school board</p> <p>3 particularly --</p> <p>4 MS. WENGER: So --</p> <p>5 REPRESENTATIVE WYBLE: -- specifically.</p> <p>6 MS. WENGER: Yeah, this could vary based off</p> <p>7 -- parish to parish, based off where -- what types of</p> <p>8 elections are happening, whether they're a district, at</p> <p>9 large, whether -- you know, how many folks are on a</p> <p>10 school board, if there's someone elected at large and</p> <p>11 another position. It can happen a lot of different</p> <p>12 ways.</p> <p>13 Again, what -- what I was speaking to, again,</p> <p>14 is Joint Rule 21, which signified the fact that this</p> <p>15 legislature and the prior legislature that enacted it,</p> <p>16 wanted to keep in consideration how current lines,</p> <p>17 political lines, like parishes -- that's probably the</p> <p>18 most significant one you could think of here.</p> <p>19 But another thing that our map drawer</p> <p>20 considered and that Joint Rule 21 is considering is</p> <p>21 municipalities or unincorporated areas. And so you're</p> <p>22 thinking about how are ballots drawn around that. How</p> <p>23 are people conceptualizing?</p> <p>24 And, you know, we -- we don't just work on</p> <p>25 redistricting or litigating. We do civic education all</p>	<p style="text-align: right;">Page 73</p> <p>1 make some observations about how they compare, where you</p> <p>2 can take politics or you can take other subjective</p> <p>3 measures out of the equation for a moment just to do</p> <p>4 that side by side. So I was mentioning that as one of</p> <p>5 those quantitative measures that's codified for this</p> <p>6 legislature in Joint Rule 21.</p> <p>7 REPRESENTATIVE WYBLE: I -- I was just curious</p> <p>8 where the correlation was because, I'm not sure if</p> <p>9 you're aware, but we actually have parishes in Louisiana</p> <p>10 that have multiple public school districts.</p> <p>11 MS. WENGER: Absolutely.</p> <p>12 REPRESENTATIVE WYBLE: So in some of those</p> <p>13 parishes, they're already voting for different school</p> <p>14 board members and -- and there are splits, if you want</p> <p>15 to call it that. And I just -- you -- you -- you caught</p> <p>16 my attention when you mentioned school boards. And I</p> <p>17 was trying to figure out the correlation to that and</p> <p>18 splitting a parish in a congressional district.</p> <p>19 MS. WENGER: Yeah. And it really depends</p> <p>20 parish by parish, and those are -- those are the types</p> <p>21 of lines. Or, like, you could halve the districts,</p> <p>22 those school districts. That's one of the things that</p> <p>23 map drawers can actually have on the screen and can use</p> <p>24 as a measure of how to look at that.</p> <p>25 So you can also look at what's called landmark</p>

19 (Pages 70 to 73)



<p style="text-align: right;">Page 74</p> <p>1 or COI landmark. So thinking of school districts or</p> <p>2 hospitals, airports, everything else when you're looking</p> <p>3 at that metric, all I can speak to -- I can't speak to</p> <p>4 this amendment. I just saw it. But in terms of</p> <p>5 landmark place splits, the map that we had proposed had</p> <p>6 the exact same amount as the enacted map.</p> <p>7 So that was another metric that, in our</p> <p>8 process, we were able to hold ourselves accountable to,</p> <p>9 to making sure our map was as good as or, in most of the</p> <p>10 instances, better than the enacted map.</p> <p>11 CHAIRMAN BEAULLIEU: So, Representative Wyble,</p> <p>12 what we can do -- I know you're a big school board guy.</p> <p>13 Why don't we get you with them afterwards, and y'all can</p> <p>14 talk in some details on that?</p> <p>15 MS. WENGER: We've got slide decks on this.</p> <p>16 CHAIRMAN BEAULLIEU: Right. No. They have --</p> <p>17 they have -- they have tons of information.</p> <p>18 MS. WENGER: I'd be happy to provide it for us</p> <p>19 anytime.</p> <p>20 REPRESENTATIVE WYBLE: Thank -- thank you so</p> <p>21 much.</p> <p>22 MS. WENGER: Thank you.</p> <p>23 CHAIRMAN BEAULLIEU: Thank you, Representative</p> <p>24 Wyble. Members, that clears the board. Representative</p> <p>25 Farnum has a motion on the table to adopt Amendment Set</p>	<p style="text-align: right;">Page 76</p> <p>1 to create two majority-Black districts. And performance</p> <p>2 of those maps that we saw earlier, some that didn't make</p> <p>3 it through, some that were here, including yours,</p> <p>4 Senator Womack, some of them perform. Some perform</p> <p>5 better than others.</p> <p>6 But we have to look at the -- the -- the</p> <p>7 center of this piece, and that is to create those</p> <p>8 districts that perform. And some of that's going to be</p> <p>9 for debate and some that's going to be for the -- the</p> <p>10 clearing pieces to happen as we go forward.</p> <p>11 But I just want to put on the record, you</p> <p>12 know, that I know the senators worked hard on this</p> <p>13 piece. And that goal is what was in mind, to create</p> <p>14 these two majority-Black districts and to do it with as</p> <p>15 much of the criteria as possible to be done to -- to</p> <p>16 make sure that it -- it -- it is conforming.</p> <p>17 And -- and with that being said, I wanted to</p> <p>18 get that clear of what that message is and what we're</p> <p>19 doing here, which you remember before we -- we go with</p> <p>20 this piece. And I wanted to say that, Mr. Chairman, as</p> <p>21 we go forward in this opportunity. Thank you.</p> <p>22 CHAIRMAN BEAULLIEU: Thank you, Vice Chairman</p> <p>23 Lyons. Members, back on the motion, we have a -- a</p> <p>24 motion by Representative Foreman to adopt -- Farnum to</p> <p>25 adopt Amendment Set 68. Is there any objections to the</p>
<p style="text-align: right;">Page 75</p> <p>1 68. And objection -- what's that?</p> <p>2 VICE CHAIRMAN LYONS: (inaudible 1:22:44).</p> <p>3 CHAIRMAN BEAULLIEU: Oh, oh. One second,</p> <p>4 Members. Vice Chairman Lyons.</p> <p>5 VICE CHAIRMAN LYONS: Thank you, Mr. Chairman.</p> <p>6 And I was going to address this -- this to</p> <p>7 Representative Farnum on -- on your amendment. And</p> <p>8 after the table was just -- was clear with that</p> <p>9 information, now, I -- I just want to say that the past</p> <p>10 two years, I've been through every roadshow throughout</p> <p>11 this state.</p> <p>12 I was in Calcasieu, and I heard the testimony</p> <p>13 there. And I -- I sympathize in it with the individual</p> <p>14 residents there as they talked about being whole as</p> <p>15 other communities of interest throughout the state.</p> <p>16 That was the most impacting testimony that we received</p> <p>17 throughout this process. And it went on for not only</p> <p>18 from our community to your community, everywhere else.</p> <p>19 And the question remains always - and we don't</p> <p>20 have an answer for - is: can we draw the perfect map? I</p> <p>21 don't think we ever can draw the perfect map. I don't</p> <p>22 think that there's ever going to be a situation where</p> <p>23 everybody's going to be happy or even whole.</p> <p>24 But I'm looking at the mission that we have</p> <p>25 here. And the mission that we have here is that we have</p>	<p style="text-align: right;">Page 77</p> <p>1 adoption of that amendment set? Hearing no -- no</p> <p>2 objection, Amendment Set 68 is -- is hereby adopted.</p> <p>3 On to the next amendment. We have Amendment</p> <p>4 Set 70, I believe, Representative Marcelle.</p> <p>5 Representative Marcelle, on -- on your amendment.</p> <p>6 REPRESENTATIVE MARCELLE: That's amendment</p> <p>7 (inaudible 1:25:52).</p> <p>8 CHAIRMAN BEAULLIEU: Or Ms. Lowery, would you</p> <p>9 mind reading that in?</p> <p>10 REPRESENTATIVE MARCELLE: I just missed my</p> <p>11 objection -- amendment.</p> <p>12 MS. LOWERY: Thank you, Mr. Chairman.</p> <p>13 Representative Marcelle brings Amendment Set HCSB-8362,</p> <p>14 number 70. This is available, Members, in front of you,</p> <p>15 and also for members of the public, it's available</p> <p>16 online.</p> <p>17 CHAIRMAN BEAULLIEU: Representative Marcelle,</p> <p>18 on your amendment.</p> <p>19 REPRESENTATIVE MARCELLE: Thank you.</p> <p>20 Amendment Number 3 adds River -- the Red River Parish to</p> <p>21 Congressional District 6, better preserving the Red</p> <p>22 River community of interest and the community of</p> <p>23 interest formed by Red River, Natchitoches, and DeSoto</p> <p>24 Parishes. It also makes Ouachita Parish whole in</p> <p>25 Congressional District 5.</p>

20 (Pages 74 to 77)

<p style="text-align: right;">Page 78</p> <p>1 It keeps all the Delta parishes whole and</p> <p>2 together. It reduces the parish splits to 11. It</p> <p>3 reduces the deviation to 22. It keeps more of</p> <p>4 Shreveport together in Congressional District 6 - I did</p> <p>5 that for Representative Phelps - substantially improves</p> <p>6 compactness of Congressional District 6, performs as</p> <p>7 well for Black voters as Senate Bill 8 with a lower</p> <p>8 Black voting-age population.</p> <p>9 And that's what it does. And I ask for your</p> <p>10 favorable passes. This is actually a cleanup bill. It</p> <p>11 doesn't change Senator Womack's bill a whole lot. It's</p> <p>12 just a cleanup bill, and it gives us fewer splits. And</p> <p>13 I'd ask for your favorable passage.</p> <p>14 CHAIRMAN BEAULLIEU: Thank you, Representative</p> <p>15 Marcelle. Members, just as a clarification, the way</p> <p>16 these amendments are drafted, they are drafted in a --</p> <p>17 in a -- in a fashion that -- it's the whole plan. It's</p> <p>18 not -- we're not taking a precinct here or there and --</p> <p>19 and adding them. And so it's a -- it's a whole plan.</p> <p>20 So the amendment set that we just adopted,</p> <p>21 Representative Farnum, is currently the whole plan.</p> <p>22 What Representative Marcelle is proposing is that we</p> <p>23 abandon Representative Farnum's plan and we adopt</p> <p>24 Amendment Set 70, which would be another -- which would</p> <p>25 be a separate whole plan. And should this amendment</p>	<p style="text-align: right;">Page 80</p> <p>1 you.</p> <p>2 SENATOR WOMACK: Thank you.</p> <p>3 REPRESENTATIVE MARCELLE: Thank you.</p> <p>4 CHAIRMAN BEAULLIEU: Representative Marcelle,</p> <p>5 we do have some -- some green cards. All of them</p> <p>6 present and do not wish to speak, but all in favor of</p> <p>7 this amendment set: Ms. Martha Davis (phonetic), Mr.</p> <p>8 Jared Evans, Ms. Ashley Shelton (phonetic), and Ms.</p> <p>9 Victoria Wenger. So all those green cards in favor.</p> <p>10 There are no questions for you, Representative</p> <p>11 Marcelle. Members, Representative Marcelle has offered</p> <p>12 up Amendment Set 70 --</p> <p>13 REPRESENTATIVE FARNUM: Objection.</p> <p>14 CHAIRMAN BEAULLIEU: -- for your</p> <p>15 consideration. Representative Farnum has objected. Ms.</p> <p>16 Baker, would you please call -- so look -- an -- a --</p> <p>17 vote yes replaces Representative Farnum's amendment with</p> <p>18 Representative Marcelle's amendment. A vote of no keeps</p> <p>19 Representative Farnum's amendment as your -- your</p> <p>20 primary maps. Ms. Baker.</p> <p>21 MS. BAKER: Thank you. Mr. Chairman.</p> <p>22 Chairman Beaulieu?</p> <p>23 CHAIRMAN BEAULLIEU: No.</p> <p>24 MS. BAKER: No. Representative Billings?</p> <p>25 REPRESENTATIVE BILLINGS: No.</p>
<p style="text-align: right;">Page 79</p> <p>1 pass, it would replace the Representative Farnum</p> <p>2 amendment that -- that just passed.</p> <p>3 I just want to make sure we have a</p> <p>4 clarification on there. Do we have any questions on the</p> <p>5 amendment? Okay. There are no questions at this time.</p> <p>6 If you give me a second, I believe we have some -- I got</p> <p>7 a bunch of cards up here, and we might have some cards</p> <p>8 on the amendment set. Bear with me for a second while I</p> <p>9 start through some of these.</p> <p>10 (Pause.)</p> <p>11 SENATOR WOMACK: Mr. Chairman, if I might --</p> <p>12 CHAIRMAN BEAULLIEU: Yeah. Go ahead, Senator.</p> <p>13 SENATOR WOMACK: -- have the mic. I just want</p> <p>14 to clarify that Senator Fields did come in with the plan</p> <p>15 -- on the plan, but he was not for splitting up Baton</p> <p>16 Rouge. I want to clarify that.</p> <p>17 REPRESENTATIVE MARCELLE: I -- I certainly</p> <p>18 thank you for that, because I was going to vote against</p> <p>19 Senator Fields the next time he ran if you told me he</p> <p>20 was splitting up Baton Rouge three ways. And I -- and I</p> <p>21 like him, but he -- he was going to have to go if he did</p> <p>22 that.</p> <p>23 SENATOR WOMACK: Well, I just wanted to --</p> <p>24 wanted to put that on the record.</p> <p>25 REPRESENTATIVE MARCELLE: Yes, sir. Thank</p>	<p style="text-align: right;">Page 81</p> <p>1 MS. BAKER: No. Representative Boyd?</p> <p>2 REPRESENTATIVE BOYD: Yes.</p> <p>3 MS. BAKER: Yes. Representative Carlson?</p> <p>4 REPRESENTATIVE CARLSON: No.</p> <p>5 MS. BAKER: No. Representative Carter --</p> <p>6 Representative Carver?</p> <p>7 REPRESENTATIVE CARTER: No.</p> <p>8 MS. BAKER: No. Representative Farnum?</p> <p>9 REPRESENTATIVE FARNUM: No.</p> <p>10 MS. BAKER: No. Representative Gadberry?</p> <p>11 REPRESENTATIVE GADBERRY: No.</p> <p>12 MS. BAKER: No. Representative Johnson?</p> <p>13 REPRESENTATIVE JOHNSON: No.</p> <p>14 MS. BAKER: No. Representative Larvadain?</p> <p>15 REPRESENTATIVE LARVADAIN: Yes.</p> <p>16 MS. BAKER: Yes. Representative -- Vice Chair</p> <p>17 Lyons?</p> <p>18 VICE CHAIRMAN LYONS: Yes.</p> <p>19 MS. BAKER: Yes. Representative Marcelle?</p> <p>20 REPRESENTATIVE MARCELLE: Yes.</p> <p>21 MS. BAKER: Yes. Representative Newell?</p> <p>22 REPRESENTATIVE NEWELL: Yes.</p> <p>23 MS. BAKER: Yes. Representative Schamerhorn?</p> <p>24 REPRESENTATIVE SCHAMERHORN: No.</p> <p>25 MS. BAKER: No. Representative Thomas?</p>

21 (Pages 78 to 81)

<p style="text-align: right;">Page 82</p> <p>1 REPRESENTATIVE THOMAS: No.</p> <p>2 MS. BAKER: No. Representative Wright?</p> <p>3 REPRESENTATIVE WRIGHT: No.</p> <p>4 MS. BAKER: No. Representative Wyble?</p> <p>5 REPRESENTATIVE WYBLE: No.</p> <p>6 MS. BAKER: No. There are 5 yeas and 11 nays.</p> <p>7 CHAIRMAN BEAULLIEU: Members, Amendment Set 70</p> <p>8 has failed to pass. So we're back on the bill, which is</p> <p>9 the Amendment Set of 68, which we have just adopted.</p> <p>10 We're going to go ahead and -- and -- and read in some</p> <p>11 cards present in support and not wishing to speak.</p> <p>12 We have Ms. Brianna Robillard (phonetic),</p> <p>13 present in support and not wishing to speak; Deborah</p> <p>14 Hebert (phonetic); Gary Hebert as well; Elise Blade</p> <p>15 (phonetic), present, in support, not wishing to speak.</p> <p>16 All of these are present in support, not</p> <p>17 wishing to speak. Ashley Duly (phonetic), Heather Trice</p> <p>18 (phonetic), Catherine Mays (phonetic), Gail Baralt</p> <p>19 (phonetic), Julia Harris, Joyce LaCour, Lucille Harris</p> <p>20 (phonetic), Kristy Robinson (phonetic), Kathleen --</p> <p>21 maybe, Matharms.</p> <p>22 MS. FARMS: Farms.</p> <p>23 CHAIRMAN BEAULLIEU: Form?</p> <p>24 MS. FARMS: F-A-R-M-S.</p> <p>25 CHAIRMAN BEAULLIEU: Oh, Farms. Okay, yeah.</p>	<p style="text-align: right;">Page 84</p> <p>1 -- so the bill now is the amendment. So as -- as the --</p> <p>2 the red cards come up, if they have a clarification to</p> <p>3 where they -- this is -- they're not in opposition</p> <p>4 anymore, they can waive and -- or -- or -- or correct</p> <p>5 it. And we can -- we can waive these red cards if -- if</p> <p>6 they are in favor of this amendment. So they could --</p> <p>7 we give the liberty of those who turned in the red card</p> <p>8 to be able to clarify that. I don't want to speak for</p> <p>9 them.</p> <p>10 REPRESENTATIVE NEWELL: Okay. So we listening</p> <p>11 to these red cards before we do the final vote on</p> <p>12 passing --</p> <p>13 CHAIRMAN BEAULLIEU: Yes, ma'am.</p> <p>14 REPRESENTATIVE NEWELL: -- the bill as</p> <p>15 amended.</p> <p>16 CHAIRMAN BEAULLIEU: Yes, ma'am.</p> <p>17 REPRESENTATIVE NEWELL: Okay. Thank you for</p> <p>18 that clarification, Mr. Chair.</p> <p>19 CHAIRMAN BEAULLIEU: No. I'm -- thank you for</p> <p>20 asking. Mr. Alexander.</p> <p>21 MR. ALEXANDER: Thank you, Representative</p> <p>22 Beaulieu. Thank you, members of the committee. My</p> <p>23 name is Chris Alexander. I'm here simply on behalf of</p> <p>24 the Louisiana Citizen Advocacy Group.</p> <p>25 As each of you know, conservatives in the US</p>
<p style="text-align: right;">Page 83</p> <p>1 Thank you. Farms, Tisha -- and Tisha Lathan.</p> <p>2 We have a couple of red cards present and not</p> <p>3 wishing to speak, in opposition. Christine Robinson,</p> <p>4 Gail Paralt. And then we have some red cards present</p> <p>5 and would like to speak. We'll start with Chris</p> <p>6 Alexander. So if you'll give the floor, please,</p> <p>7 Senator.</p> <p>8 MR. ALEXANDER: Thank you.</p> <p>9 CHAIRMAN BEAULLIEU: Mr. Alexander, if you</p> <p>10 would please introduce yourself for the committee?</p> <p>11 MR. ALEXANDER: Sure. My name is Chris.</p> <p>12 CHAIRMAN BEAULLIEU: Give me -- give me one</p> <p>13 second, Mr. Alexander.</p> <p>14 MR. ALEXANDER: Sure.</p> <p>15 CHAIRMAN BEAULLIEU: Representative Newell, do</p> <p>16 you have a question?</p> <p>17 REPRESENTATIVE NEWELL: Newell.</p> <p>18 CHAIRMAN BEAULLIEU: Newell.</p> <p>19 REPRESENTATIVE NEWELL: We're back --</p> <p>20 CHAIRMAN BEAULLIEU: I get it right most of</p> <p>21 the time.</p> <p>22 REPRESENTATIVE NEWELL: Sometimes you do</p> <p>23 (inaudible 1:33:36). These red cards are on the</p> <p>24 amendment that we just voted on or back on the bill?</p> <p>25 CHAIRMAN BEAULLIEU: So they can -- so that's</p>	<p style="text-align: right;">Page 85</p> <p>1 House of Representatives now have a two-vote majority,</p> <p>2 razor-thin Republican majority. This is a</p> <p>3 super-majority Republican legislature. And it's that</p> <p>4 for a reason because 70 percent of the citizens of</p> <p>5 Louisiana are conservative. And, actually, in the US</p> <p>6 House of Representatives, at this second, there's --</p> <p>7 there's a one-vote majority -- Republican majority</p> <p>8 because Representative Scalise is on medical leave now.</p> <p>9 So we're one vote away in our country right</p> <p>10 now, in the US Congress, from having the Biden-Schumer</p> <p>11 agenda essentially unleashed on the country. Some</p> <p>12 people may say it's already been. But there is some</p> <p>13 protection in the US Congress right now because of that</p> <p>14 razor-thin majority.</p> <p>15 By voting for this bill, creating an</p> <p>16 additional minority district in Louisiana, it's our view</p> <p>17 that you are giving that majority away. And you're</p> <p>18 putting the very delicate balance of power in the US</p> <p>19 Congress in very grave jeopardy on matters of profound</p> <p>20 consequence to citizens of Louisiana and citizens across</p> <p>21 the country. Everything is at risk here.</p> <p>22 Now, the argument that we've heard from a lot</p> <p>23 of Republican members here is that if you don't pass a</p> <p>24 new plan creating an additional minority district in</p> <p>25 Louisiana, then the Federal Court judge will make that</p>

22 (Pages 82 to 85)



<p style="text-align: right;">Page 86</p> <p>1 decision.</p> <p>2 Well, her actual order says that the</p> <p>3 plaintiffs, when they went into Court for a preliminary</p> <p>4 injunction, never tried on the merits, just a summary</p> <p>5 proceeding, said that they had carried their burden of</p> <p>6 showing that the current map violates Section 2 of the</p> <p>7 Voting Rights Act and that the plaintiffs had a</p> <p>8 substantial likelihood of making their claim successful,</p> <p>9 which is that we'll have a second minority district in</p> <p>10 Louisiana.</p> <p>11 But there was no trial on the merits. But the</p> <p>12 judge essentially said, if we have a trial on the</p> <p>13 merits, I'm going to rule in favor of the plaintiffs,</p> <p>14 and I'm going to create a second majority-minority</p> <p>15 district in Louisiana. That's exactly what this bill is</p> <p>16 doing right now.</p> <p>17 And if our current map goes -- if you do</p> <p>18 nothing and our current map goes back before Judge Dick,</p> <p>19 she's going to probably end up doing the same thing.</p> <p>20 But at least we have a chance to fight for the current</p> <p>21 map in our state. And no matter how she rules, we have</p> <p>22 the Fifth Circuit Court of Appeal, and we have the US</p> <p>23 Supreme Court.</p> <p>24 And, again, everything is at stake, and it</p> <p>25 seems like we're simply giving it all away right now.</p>	<p style="text-align: right;">Page 88</p> <p>1 And if six months or a year from now, the</p> <p>2 United States Congress is controlled by Democrats, it</p> <p>3 started in this house, it started and ended in this</p> <p>4 capital, and that's what will have made it possible.</p> <p>5 And the citizens of Louisiana, I can tell you, will have</p> <p>6 a very, very good memory if that occurs. I would</p> <p>7 respectfully submit that your responsibility is to</p> <p>8 represent the interests of the substantial majority of</p> <p>9 Louisiana citizens and not to cave to political</p> <p>10 pressure. And we're asking you to defeat this</p> <p>11 legislation. Thank you.</p> <p>12 CHAIRMAN BEAULLIEU: Thank you, Mr. Alexander.</p> <p>13 And look just to -- to -- and -- and you got a couple</p> <p>14 of questions. But just from -- from my standpoint, I</p> <p>15 sat on the committee when we drew the other maps that we</p> <p>16 all believe were fair, and we believe is representative</p> <p>17 of the state of Louisiana. The Fifth Circuit sent it</p> <p>18 back to the federal judge and basically held us hostage</p> <p>19 that if -- if we don't do it, she's going to do it. And</p> <p>20 so none of us like the position we're in.</p> <p>21 But -- you know, and -- and a little bit to</p> <p>22 your point, we were elected to serve, and we feel that</p> <p>23 -- that we would prefer to have the lines drawn in this</p> <p>24 committee than have some Obama-appointed judge drawing</p> <p>25 the lines for us. And so we don't like it. It's</p>
<p style="text-align: right;">Page 87</p> <p>1 We believe that this is worth fighting for. We believe</p> <p>2 that that balance of power is worth fighting for.</p> <p>3 And I would remind the members of this panel</p> <p>4 that I know, some of whom we helped get elected, along</p> <p>5 with Governor Landry whom we worked very hard for and</p> <p>6 who we respect and think he's going to be a great</p> <p>7 governor, that the citizens of Louisiana worked very</p> <p>8 tirelessly to get you elected to come here, not to cave</p> <p>9 in to political pressure, which is it appears to</p> <p>10 hundreds and hundreds of citizens across the state that</p> <p>11 that's what you're doing. You're caving in to political</p> <p>12 pressure, and you're giving in without a fight.</p> <p>13 Speaker Mike Johnson has weighed in on this.</p> <p>14 We heard some testimony earlier that Congressman Johnson</p> <p>15 apparently was okay with this proposed legislation.</p> <p>16 That's not our legislation. That's not our</p> <p>17 understanding at all. In fact, Congressman Johnson</p> <p>18 specifically said that our current map from 2022 needs a</p> <p>19 full trial on the merits, with appellate review all the</p> <p>20 way to the Supreme Court, if necessary, because the</p> <p>21 issue is so profoundly important to the future of this</p> <p>22 republic. I will -- I want to reiterate before I close,</p> <p>23 as I said, people all over the state are watching this</p> <p>24 right now, many of whom voted for you to come here, some</p> <p>25 of you who were just elected very recently.</p>	<p style="text-align: right;">Page 89</p> <p>1 painful to do. And so I feel your sentiment, and -- and</p> <p>2 I don't -- I'm not disagreeing with most of what you</p> <p>3 said. I mean, it's -- it's -- it's -- it's what goes on</p> <p>4 in a lot of our minds. So I -- I appreciate your</p> <p>5 comments. Thank you. And you do have -- you do have a</p> <p>6 question. Representative Newell.</p> <p>7 REPRESENTATIVE NEWELL: Thank you very much,</p> <p>8 Mr. Chairman. I'm troubled by your statements because</p> <p>9 this is not a process by which one party is losing</p> <p>10 power, caving into another party. This is a process by</p> <p>11 which the other 30 percent of the people in this state</p> <p>12 are trying to get the representation that their</p> <p>13 population and numbers deserve in Congress. This isn't</p> <p>14 a caving in or power grab or giving away of power or</p> <p>15 losing of power of the Republican Party.</p> <p>16 It's an opportunity for this body to represent</p> <p>17 all of the people that they supposed to represent in</p> <p>18 their district, listening to them and giving them the</p> <p>19 opportunity to vote for someone of their choice, whether</p> <p>20 that person of their choice is a Black Republican or</p> <p>21 White Democrat. It's an opportunity for Black people,</p> <p>22 as some of my colleagues would prefer to be said, but a</p> <p>23 minority-majority district to have the opportunity to</p> <p>24 vote for their candidate of choice. And I'm troubled by</p> <p>25 the way you said your statement. You're very</p>

23 (Pages 86 to 89)

<p style="text-align: right;">Page 90</p> <p>1 respectful, but I listen to the words.</p> <p>2 This is not supposed to be a process that is</p> <p>3 this contentious and this divisive, but it is a very</p> <p>4 difficult process. And we have been fighting this for</p> <p>5 three years now, and I've been on this committee since</p> <p>6 the very start. Went to Utah with the rest of the</p> <p>7 people from across this country that had the same job</p> <p>8 that we all have here to learn what we're doing.</p> <p>9 Traveled this state from north to south, east to west,</p> <p>10 to listen to what all of the people in this state</p> <p>11 wanted. The White citizens in this state, their issue</p> <p>12 was keeping their -- their communities together.</p> <p>13 You know what Black people wanted? Just an</p> <p>14 opportunity to have a voice in a room. And that is what</p> <p>15 we're trying to do. It is not to -- it's not a power</p> <p>16 grab. It's not to say that Republicans rule or that if</p> <p>17 that -- if there's another chance where Democrats are</p> <p>18 ruling, that that's a problem. We should not see one</p> <p>19 party as a problem. We should not see another person</p> <p>20 that has a different letter behind the name as the</p> <p>21 enemy. I like him. He's not the enemy because he's a</p> <p>22 Republican. We just have a different way of looking at</p> <p>23 things, and that's how we should see it. We both</p> <p>24 observing the same problem.</p> <p>25 We just have different ways as -- different</p>	<p style="text-align: right;">Page 92</p> <p>1 forever. And we're just -- I just want to see African</p> <p>2 Americans across the state have the same privileges</p> <p>3 you've had all your life, and that is voting in someone</p> <p>4 that they know or believe will have their best interest</p> <p>5 at heart, whether it's in this building or whether it's</p> <p>6 in our United States Capitol.</p> <p>7 It's not a caving-in. Because if it was a</p> <p>8 caving-in, this process would have been over a long time</p> <p>9 ago. And I just needed to say, I don't have any</p> <p>10 questions for you, but your statement kind of disturbed</p> <p>11 me a little bit --</p> <p>12 MR. ALEXANDER: Sure.</p> <p>13 REPRESENTATIVE NEWELL: -- because I don't</p> <p>14 want you to think that it's a caving-in of any party.</p> <p>15 MR. ALEXANDER: Well, I respect you,</p> <p>16 Representative Newell, and I respect your right to</p> <p>17 speak.</p> <p>18 REPRESENTATIVE NEWELL: Newell.</p> <p>19 MR. ALEXANDER: And I would always -- Newell.</p> <p>20 And I would always protect your right to speak, but we</p> <p>21 do live in a democracy here. And when a majority with a</p> <p>22 particular ideology is in power and control, policy</p> <p>23 should reflect that ideology. Our position here is very</p> <p>24 simple, that Congressman Mike Johnson, the Speaker of</p> <p>25 the House, represents a conservative ideology. Many</p>
<p style="text-align: right;">Page 91</p> <p>1 ways as how we gets to the solution. And we cannot</p> <p>2 continue to have this rhetoric on -- out in the -- in</p> <p>3 the world like it's a problem to be of another party, or</p> <p>4 it's a problem for another party to be in -- in</p> <p>5 leadership. We're not giving away power. The</p> <p>6 Republicans are not caving in because they're helping</p> <p>7 African Americans have an opportunity to vote for a</p> <p>8 candidate of their choice.</p> <p>9 That is what we're doing here because -- and</p> <p>10 we're going through this fight because, as I've said</p> <p>11 many times before, this is the first time that this</p> <p>12 country has gone through redistricting where -- after</p> <p>13 the expiration of Section 5 of the Voting Rights Act.</p> <p>14 Section 5 required all states that had a history of</p> <p>15 racism that any bills -- any laws that were passed that</p> <p>16 would affect people's access and rights to voting had to</p> <p>17 be overseen and approved by the Department of Justice.</p> <p>18 This is our first time doing this where we no longer</p> <p>19 have that supervision.</p> <p>20 And God knows, I wish we still had that</p> <p>21 supervision because, clearly, we can't do this on our</p> <p>22 own, because, clearly, somewhere along the lines, the</p> <p>23 message is getting construed that this is a giving up of</p> <p>24 power. Instead, this is an opportunity to let other</p> <p>25 people enjoy the benefits that another group has had for</p>	<p style="text-align: right;">Page 93</p> <p>1 citizens across Louisiana are very proud and happy that</p> <p>2 he's there, and this legislation threatens the authority</p> <p>3 that conservatives have in the United States Congress.</p> <p>4 He has said very clearly that our current map</p> <p>5 is constitutional and that we should fight for it in</p> <p>6 federal court in order to reflect the interests of a</p> <p>7 majority of Louisiana citizens. And democracy and a</p> <p>8 republic means something. But I would always fight, by</p> <p>9 the way, for your right to speak, and I -- I value it</p> <p>10 greatly, as much as I value mine.</p> <p>11 REPRESENTATIVE NEWELL: Thank you for giving</p> <p>12 me my right for letting me know I have a right to speak.</p> <p>13 I also have a right to vote. And I also have had a</p> <p>14 right all my life, coming from Orleans Parish as having</p> <p>15 an opportunity to vote for a representative of my</p> <p>16 choosing that I believe represented my interests. And</p> <p>17 this democracy, we need to make sure that it enables</p> <p>18 other people across this state to also have a voice and</p> <p>19 a right to vote for a candidate of choice that could</p> <p>20 also be their voices in rooms that they're not able to</p> <p>21 be in. That is what this process is, sir.</p> <p>22 So I appreciate you reminding me of my right</p> <p>23 to speak because I'm going to do it anyway.</p> <p>24 MR. ALEXANDER: Yes, ma'am.</p> <p>25 REPRESENTATIVE NEWELL: But it also is my</p>

24 (Pages 90 to 93)

<p style="text-align: right;">Page 94</p> <p>1 right to ensure that others have their right to speak  2 and their right to vote and keep their access to voting  3 intact. And while they have that right in that access,  4 that they also have the ability to vote for a person of  5 their choice. Thank you very much, Mr. Chairman.  6 CHAIRMAN BEAULLIEU: Thank you, Representative  7 Newell. We have a handful of representatives that want  8 to exercise their right to speak. Representative  9 Carlson.  10 REPRESENTATIVE CARLSON: Thank you, Mr. Chair.  11 Mr. Alexander, I appreciate your comments.  12 MR. ALEXANDER: Sure.  13 REPRESENTATIVE CARLSON: I really do. I'm --  14 MR. ALEXANDER: And congratulations on your  15 election.  16 REPRESENTATIVE CARLSON: Thank you very much.  17 I appreciate that. Look, I'm -- certainly wish that  18 we're in a different position in the House of  19 Representatives with more than just a one-vote majority  20 --  21 MR. ALEXANDER: Sure.  22 REPRESENTATIVE CARLSON: -- and that this  23 wasn't looked at as a "we're going to lose the majority  24 or not" kind of decision. But unfortunately, that's the  25 position that we find ourselves in. I can assure you</p>	<p style="text-align: right;">Page 96</p> <p>1 REPRESENTATIVE CARLSON: And, you know, I  2 would rather put this decision in the hands of elected  3 representatives than in -- in the hands of an unelected  4 judge.  5 CHAIRMAN BEAULLIEU: Thank you for that  6 (inaudible 1:48:43).  7 MR. ALEXANDER: And I very much appreciate  8 that, Representative Carlson. And I would simply argue,  9 I'm consistent with Speaker Johnson's position that our  10 current map is constitutional, and it's worth fighting  11 for when you consider what is so profoundly at stake.  12 REPRESENTATIVE CARLSON: I understand, but  13 there is no position to fight at this time. It is  14 either Judge Dick draw a map or we create a map. There  15 is no continue --  16 MR. ALEXANDER: Right. That's true.  17 REPRESENTATIVE CARLSON: The -- the fight  18 cannot continue on beyond that until we draw a map or we  19 don't draw a map.  20 MR. ALEXANDER: But if you don't draw a map,  21 you're -- or do draw a map, either way, you end up with  22 a one --  23 REPRESENTATIVE CARLSON: If we don't draw --  24 MR. ALEXANDER: -- majority-minority increase.  25 REPRESENTATIVE CARLSON: If we don't draw a</p>
<p style="text-align: right;">Page 95</p> <p>1 this: that we are not -- that we're not here today  2 because we're caving to any kind of political pressure.  3 The fact of the matter is, like it or not, Judge Dick  4 has said, "Either you do your job and draw the map, or  5 I'll draw the map for you," period. We've argued this  6 case before the Fifth Circuit twice.  7 We've asked the Supreme Court to hear it.  8 They've said, "You need to go and do your job first,"  9 which our job is to draw these maps.  10 MR. ALEXANDER: Sure.  11 REPRESENTATIVE CARLSON: I don't like this  12 position. I wish we were not in this position. I like  13 the maps that the legislature a few years ago voted on  14 and approved, but here we are. And so we -- if I -- as  15 I look at it today, I can -- I'm a -- I'm a realist,  16 right? I don't -- I -- I could say I wish things were  17 different. But today, what is presented in front of me  18 is either Judge Dick draw the map or we draw the maps.  19 I feel like this legislative body is going to draw a  20 better map than Judge Dick will, period.  21 MR. ALEXANDER: Yeah.  22 REPRESENTATIVE CARLSON: And that's why we're  23 here. That's why we're going to vote on the map that we  24 think is the best.  25 MR. ALEXANDER: Yeah.</p>	<p style="text-align: right;">Page 97</p> <p>1 map, we end up with the map that Judge Dick draws, which  2 will be a map with two majority Black districts. But if  3 you say worse than that is --  4 MR. ALEXANDER: Exactly what we're going to  5 have as a result of this legislation.  6 REPRESENTATIVE CARLSON: But it will not be as  7 good as the senator's map.  8 MR. ALEXANDER: Well, in the net effect, I  9 would respectfully submit, would be the same.  10 REPRESENTATIVE CARLSON: It -- it certainly  11 is. And, look, I -- I -- I think there is a legal basis  12 for it. Look, I'm glad that we are having this  13 conversation. In -- in all fairness and all honesty, I  14 think all of these maps look crazy because --  15 MR. ALEXANDER: Yeah.  16 REPRESENTATIVE CARLSON: -- the truth is that  17 every -- the overarching argument that I've heard from  18 nearly everyone over the last four days has been race  19 first. I wish it weren't that. This is the first  20 argument today that said, "I'm basing a -- a map on  21 political reasons, not on race." And I -- I think it's  22 a shame that we are having a conversation where race  23 seems to be, at least based on the conversations, the  24 driving force, when we do not live in a -- a -- a -- a  25 segregated society or nearly as segregated as it once</p>

25 (Pages 94 to 97)

<p style="text-align: right;">Page 98</p> <p>1 was 40, 50 years ago.</p> <p>2 And so the reason why this is so difficult is</p> <p>3 because we are moving in the right direction. We don't</p> <p>4 have concentrated populations of -- of certain</p> <p>5 minorities or populations of White folks in certain</p> <p>6 areas. It is spread out throughout the state. Compared</p> <p>7 to Alabama, Alabama has 17 counties that are</p> <p>8 minority-majority, and they're all contiguous.</p> <p>9 Louisiana has seven parishes that are minority-majority</p> <p>10 and only three are contiguous. That's why this process</p> <p>11 is so difficult, but here we are without any other</p> <p>12 options to move forward.</p> <p>13 And so I -- I hear what you're saying. I</p> <p>14 respectfully disagree with the characterization that</p> <p>15 it's bending to political pressure.</p> <p>16 MR. ALEXANDER: Yeah.</p> <p>17 REPRESENTATIVE CARLSON: I -- I -- you know</p> <p>18 me, and you know that I wouldn't do that. But I don't</p> <p>19 see any other path forward. This is the best of two bad</p> <p>20 options, and I'm going to always do my job --</p> <p>21 MR. ALEXANDER: Yeah.</p> <p>22 REPRESENTATIVE CARLSON: -- that's before me.</p> <p>23 MR. ALEXANDER: And I understand that.</p> <p>24 CHAIRMAN BEAULLIEU: Thank you.</p> <p>25 MR. ALEXANDER: Is there -- is -- is there --</p>	<p style="text-align: right;">Page 100</p> <p>1 CHAIRMAN BEAULLIEU: Representative Marcelle.</p> <p>2 REPRESENTATIVE MARCELLE: Thank you. Mr.</p> <p>3 Alexander, I guess it's disheartening for me to sit here</p> <p>4 in 2024 and hear that we certainly need to keep the</p> <p>5 power. And if you all do what's right in Louisiana,</p> <p>6 we're going to lose our thin majority. If we would have</p> <p>7 done what was right long time ago, you probably wouldn't</p> <p>8 be in a majority. If Alabama passes what they need to</p> <p>9 pass and we pass what we need to pass, then, perhaps, we</p> <p>10 will have a fair and balanced Congress.</p> <p>11 MR. ALEXANDER: And you'll be in the majority.</p> <p>12 REPRESENTATIVE MARCELLE: Well -- and -- and</p> <p>13 what's the problem with that, sir?</p> <p>14 MR. ALEXANDER: Well, there's millions of</p> <p>15 Americans who have a problem with that.</p> <p>16 REPRESENTATIVE MARCELLE: And guess what, it's</p> <p>17 millions of people who have not had an opportunity to</p> <p>18 have a seat at the table. We have a problem with voter</p> <p>19 suppression. We have a problem with people thinking</p> <p>20 that we can't make decisions. And let me say this: on</p> <p>21 the other side of the aisle -- on the other side of the</p> <p>22 chamber in the Senate, I have colleagues that have some</p> <p>23 of the same beliefs that some of you have, right? And</p> <p>24 they believe in pro-life. They are African Americans.</p> <p>25 I believe in pro-choice. So to say that everybody's</p>
<p style="text-align: right;">Page 99</p> <p>1 do you think there's anything that would be -- an option</p> <p>2 would be to allow our attorney general to argue the</p> <p>3 constitutionality of our current map in Federal Court,</p> <p>4 Fifth Circuit Court of Appeal, and Supreme Court?</p> <p>5 REPRESENTATIVE CARLSON: Already been done</p> <p>6 twice in the Fifth Circuit and asked of the Supreme</p> <p>7 Court, and they've refused to do that. And here we lie</p> <p>8 today.</p> <p>9 MR. ALEXANDER: Yeah.</p> <p>10 CHAIRMAN BEAULLIEU: There's never even been a</p> <p>11 trial on the merits, Representative Carlson, on this map</p> <p>12 --</p> <p>13 REPRESENTATIVE CARLSON: That's not our</p> <p>14 decision.</p> <p>15 CHAIRMAN BEAULLIEU: -- even in district</p> <p>16 court.</p> <p>17 REPRESENTATIVE CARLSON: That -- that is the</p> <p>18 judge's decision, unfortunately.</p> <p>19 CHAIRMAN BEAULLIEU: And if you don't do</p> <p>20 anything, they'll have one.</p> <p>21 REPRESENTATIVE CARLSON: And if we don't do</p> <p>22 anything, we'll have a worse map. Thank you, Mr. Chair.</p> <p>23 CHAIRMAN BEAULLIEU: Thank you.</p> <p>24 MR. ALEXANDER: Thank you, sir. I appreciate</p> <p>25 the interchange.</p>	<p style="text-align: right;">Page 101</p> <p>1 ideology because they are Black is one way, is certainly</p> <p>2 crazy, number one.</p> <p>3 And number two, I really agree with you with</p> <p>4 something, and that is, send it back to the courts and</p> <p>5 let Judge Shelly Dick draw the maps. We could then</p> <p>6 remove --</p> <p>7 MR. ALEXANDER: But you -- you agree with me.</p> <p>8 REPRESENTATIVE MARCELLE: I -- I do agree with</p> <p>9 that because then we could remove all of these different</p> <p>10 people and these moving parts that everybody -- these</p> <p>11 political interests because we do deserve two Black</p> <p>12 congressional seats because where I went to school - it</p> <p>13 was a Black school, though, Capitol High School - when</p> <p>14 you divide six into a third, a third into sixth, you get</p> <p>15 two. And so we deserve two seats, and that's what we</p> <p>16 deserve. We didn't -- we're not begging for something</p> <p>17 that we don't deserve. That's what we deserve.</p> <p>18 And -- and God forbid, maybe somebody will get</p> <p>19 elected that feels like you, have the same ideologies as</p> <p>20 you, but perhaps they won't. People need an opportunity</p> <p>21 to have their voices heard.</p> <p>22 MR. ALEXANDER: I respect that.</p> <p>23 REPRESENTATIVE MARCELLE: And when I send</p> <p>24 somebody to Congress that feels like you that represents</p> <p>25 my district, then you do not represent what I believe.</p>

26 (Pages 98 to 101)

<p style="text-align: right;">Page 102</p> <p>1 And that's called community --</p> <p>2 MR. ALEXANDER: But what about representing</p> <p>3 majority of the people in your district?</p> <p>4 REPRESENTATIVE MARCELLE: What -- what?</p> <p>5 CHAIRMAN BEAULLIEU: Look, let's let --</p> <p>6 REPRESENTATIVE MARCELLE: I'm -- I'm just --</p> <p>7 CHAIRMAN BEAULLIEU: The questions come from</p> <p>8 this way to you.</p> <p>9 MR. ALEXANDER: I'm sorry. I'm sorry.</p> <p>10 CHAIRMAN BEAULLIEU: So we don't go the other</p> <p>11 way.</p> <p>12 MR. ALEXANDER: Thank -- thank you. I</p> <p>13 appreciate that.</p> <p>14 REPRESENTATIVE MARCELLE: All I'm saying to</p> <p>15 you is -- is --</p> <p>16 CHAIRMAN BEAULLIEU: And we keep this</p> <p>17 timeline.</p> <p>18 MR. ALEXANDER: Yeah. Absolutely.</p> <p>19 REPRESENTATIVE MARCELLE: I think it's -- it's</p> <p>20 -- it's disingenuous to sit here and say -- and look at</p> <p>21 us in 2024 and say, "Black people in Louisiana, you</p> <p>22 might be a third. You could be 40 percent, but we do</p> <p>23 not want you at the table making decisions as it relates</p> <p>24 to what you want or your constituents want." And that's</p> <p>25 what I'm hearing. And it's really, really sad.</p>	<p style="text-align: right;">Page 104</p> <p>1 end up. But if we continue along this path, I feel this</p> <p>2 -- the state as a whole will suffer. The reality of it</p> <p>3 is, is that Mike Johnson is the Speaker of the House.</p> <p>4 They still have four Republicans representing</p> <p>5 Louisiana. We're here trying to stop just one</p> <p>6 additional African American seat. What does that say</p> <p>7 for us? We have my chairman referring to the judge as</p> <p>8 an Obama-judge. We cannot continue to divide the city</p> <p>9 -- the state and expect to survive. It won't happen.</p> <p>10 We have to learn to coexist, appreciate our differences,</p> <p>11 appreciate the culture and differences. There are</p> <p>12 things that you cannot possibly understand in African</p> <p>13 American life because you're not one. We cannot</p> <p>14 continue to throw out and spew divisive words and think</p> <p>15 that we can survive as a state. It won't happen.</p> <p>16 MR. ALEXANDER: Yeah.</p> <p>17 REPRESENTATIVE BOYD: Thank you.</p> <p>18 MR. ALEXANDER: Representative Boyd, in what</p> <p>19 you're saying, it just -- it makes me think of what</p> <p>20 Thomas Jefferson said as one of the founders of our</p> <p>21 country. He said, "In matters of taste and culture,</p> <p>22 swim like a fish. In matters of principle, stand like a</p> <p>23 rock." And that's what I'm asking this committee to do,</p> <p>24 is stand like a rock and allow our country to not argue</p> <p>25 the constitutionality.</p>
<p style="text-align: right;">Page 103</p> <p>1 MR. ALEXANDER: Representative Marcelle, I</p> <p>2 hear you.</p> <p>3 REPRESENTATIVE MARCELLE: It's really -- it's</p> <p>4 about -- it's about control. It's about power. And it</p> <p>5 is really fundamentally wrong. And I -- I said this</p> <p>6 last year, and I -- I was hoping not to get upset, but</p> <p>7 we -- we meet afterwards. We barbeque. We go across</p> <p>8 the street. We hang out. We cool. I love you. You</p> <p>9 love me. We go up to the bible study and we pray</p> <p>10 together, but we do not feel like we are equal, and that</p> <p>11 is wrong.</p> <p>12 CHAIRMAN BEAULLIEU: Thank you, Representative</p> <p>13 Marcelle. Representative Boyd.</p> <p>14 MR. ALEXANDER: Thank you, Representative</p> <p>15 Marcelle. I appreciate that.</p> <p>16 REPRESENTATIVE BOYD: Thank you, Mr. Chair.</p> <p>17 Sitting here today, thinking about the fact that we are</p> <p>18 literally fighting for an opportunity. It's not given</p> <p>19 because people still have to vote. An opportunity to</p> <p>20 have two Black representation of African Americans in</p> <p>21 DC. The opportunity, nothing is guaranteed. We're here</p> <p>22 fighting for the last three years just for the</p> <p>23 opportunity. And with voter apathy, we really don't</p> <p>24 know where that's going to end up. The closed</p> <p>25 primaries, we really don't know where that's going to</p>	<p style="text-align: right;">Page 105</p> <p>1 REPRESENTATIVE BOYD: I repeat, that makes no</p> <p>2 sense. So you're looking to further divide the state.</p> <p>3 MR. ALEXANDER: I'm not here to divide anyone.</p> <p>4 REPRESENTATIVE BOYD: That's exactly what</p> <p>5 you're doing. Thank you.</p> <p>6 MR. ALEXANDER: Thank you.</p> <p>7 CHAIRMAN BEAULLIEU: Thank you. Mr.</p> <p>8 Alexander, that clears the board.</p> <p>9 MR. ALEXANDER: Thank you. Appreciate your</p> <p>10 time.</p> <p>11 CHAIRMAN BEAULLIEU: Thank you.</p> <p>12 FEMALE SPEAKER 4: Mr. Chairman, it's possible</p> <p>13 to have a --</p> <p>14 CHAIRMAN BEAULLIEU: We -- we have three</p> <p>15 witnesses left. Let's -- let's hold tight on that.</p> <p>16 Let's try and get through these three -- three</p> <p>17 witnesses. If y'all could just be respectful of --</p> <p>18 everyone be respectful of time. Ms. -- Ms. Suzie</p> <p>19 Labrie. What's that?</p> <p>20 MS. LABRIE: Labrie.</p> <p>21 CHAIRMAN BEAULLIEU: Ms. Suzie Labrie, would</p> <p>22 you --</p> <p>23 MS. LABRIE: Yes, (inaudible 1:58:09).</p> <p>24 CHAIRMAN BEAULLIEU: -- would like to speak in</p> <p>25 opposition.</p>

27 (Pages 102 to 105)



<p style="text-align: right;">Page 106</p> <p>1 MS. LABRIE: Let me pull it up.  2 CHAIRMAN BEAULLIEU: Ms. Labrie, you're ready  3 to go.  4 MS. LABRIE: Okay. Mr. Speaker, Mr. Chair,  5 and all the state representatives and US  6 representatives, I'm Suzie Labrie, appropriate  7 situational individuals who takes one issue at a time  8 and represent -- represent myself against this bill  9 because I'm in support of J. Hill Harmon's for  10 proposals, really the Speaker of the House, Mike  11 Johnson, and Congressman Steve Scalise and the power,  12 where they sit in Congress. First, gerrymandering is  13 illegal. Number two, I'm for integration, not  14 segregation. Number three, individualism is better in a  15 collective class approach. One-size-fit-all fails by  16 hiding different individuals within a large class fall  17 between the cracks.  18 This causes -- number four, this causes  19 interdivision, which we're seeing now within the  20 political, ethnic, and cultural areas causing conflict  21 and confusion, chopping up and pulverizing once  22 contented and happy integrated districts when more  23 important deeper issues than just color. Small  24 businesses of both colors, working people of both races,  25 disabled of both races, economics and taxation streaks</p>	<p style="text-align: right;">Page 108</p> <p>1 circumstances. I want to thank you and to keep up the  2 good work and thank you for rejecting the rest of the  3 bills calling for minority districts. It's been a  4 pleasure coming to you -- before you.  5 Representatives, please keep up the good work  6 and God bless you, God bless Louisiana, God bless the  7 USA, and God bless our great Speaker Mike Johnson and  8 Congressman Steve Scalise. Thank you.  9 MR. ALEXANDER: Thank -- thank you, Ms.  10 Labrie.  11 CHAIRMAN BEAULLIEU: I have a Bert Callais  12 (phonetic), and that also says you're with Chris  13 Alexander. Is there something additional that you  14 wanted to add to -- to Chris's comments?  15 MR. CALLAIS: I don't know if it's so much in  16 addition right now. What -- what was going on is  17 Christopher had a conflict of meeting. He had to make  18 another meeting with Congressman Higgins. So he  19 couldn't be here at the time, but the recess -- or at  20 least the at ease went long enough to where he had a  21 chance to make it and speak for himself. So I'm here on  22 my own behalf.  23 CHAIRMAN BEAULLIEU: Thank you.  24 MR. CALLAIS: My name is Bert Callais. I'm  25 West Baton Rouge Parish, RPAC chairman, and I'm speaking</p>
<p style="text-align: right;">Page 107</p> <p>1 introductory to all races, schools, et cetera. I'm  2 going to skip number five. Well, it -- I want to leave  3 room for other maps to be proposed by J.C. Harmon,  4 which we had emailed to you last night. And I hope that  5 y'all have seen. It's called Harmon 2.  6 Number six, Louisiana is in a better and  7 higher position of power nationally due to Speaker Mike  8 Johnson and Majority Leader Steve Scalise and the  9 different chairs and seniority we enjoy. If we have  10 minority districts, we will -- if we have two majority  11 districts -- no. If we have two minority districts, we  12 will be short two votes in the US House of  13 Representative. Most of the state is conservative, as  14 you see here, and we don't want the House going back to  15 the left. With the present map or with J.C. Harmon's  16 map, we would beat the cost of time, effort, and money  17 in the courts and other activities.  18 Number seven, I'm either for the present map  19 or J.C. Harmon's maps, which we had emailed to you last  20 night. Eight, most everyone I have heard from in  21 Louisiana are against two or any minority districts.  22 Number nine, opening it would be other cans worms,  23 opening Pandora's box of suits, and other descriptions.  24 I love Senator Womack, who is doing well and his best to  25 serve his constituents in his district under restrictive</p>	<p style="text-align: right;">Page 109</p> <p>1 for basically my constituency. And they had some  2 concerns, and I wanted to convey that to you all.  3 They're wondering where they're -- the courage is to  4 stand up to a federal judge. Basically, this federal  5 judge, they feel is ignoring the Constitution. The  6 Constitution supersedes any act of Congress, such as the  7 Voting Rights Act. And the Constitution places  8 determining congressional districts solely on the state  9 legislatures. And we feel that it's an overreach of the  10 federal government.  11 And this is what we're having enough of being  12 dictated to by the federal government on state and local  13 issues, especially our own personal sovereignty. The  14 past two, three years, you know, is -- is -- it really  15 -- it really brought all that to light how far the  16 federal government will go to trample on individual  17 rights. So somewhere we got to stop and draw the line.  18 So, again -- and I -- I -- I grew up -- I was young when  19 -- when -- and naive, whatever you might want to call  20 it, but I was a person who supported desegregation when  21 my grandparents and my parents didn't exactly do so,  22 given the time of the '60s, early '70s.  23 I don't understand why we seem to be wanting  24 to segregate ourselves again, because all I hear -- and  25 from what I understand, gerrymandering is illegal when</p>

28 (Pages 106 to 109)

<p style="text-align: right;">Page 110</p> <p>1 it comes to prioritizing race. And they said, "Well,  2 then it's not a priority." But that's all I hear and as  3 far as the argument. And I understand having a seat at  4 the table. Trust me, I do. I served in the military  5 and swore to defend the Constitution. I sit on the  6 board of election supervisors. We've had these same  7 kind of arguments and disagreements.  8 But when I brought up the fact that if we  9 refer to the law and follow the law, no one can really  10 be upset with us, unless they're ready to change the  11 law. And -- and that is to go ahead and draw the -- the  12 -- the balls, right, with the numbers on it so that  13 there's no picking and choosing in favoritism. It's --  14 it's a blank slate. So if we follow the Constitution,  15 the basics of the Constitution, the -- the -- the core  16 of it, we really don't have this issue, other than we're  17 having to fight a judge that is trying to dictate what  18 we must do.  19 So, again, if -- if -- as one of them stated,  20 "If Martin Luther King or Nelson Mandela had been as --  21 not as strong-willed and -- and cowed to it," I'm not  22 going to -- I don't like the word cowardly in this case.  23 As our current leadership, then apartheid and Jim Crow  24 would still be in place. A country is not lost in an  25 invasion. It's lost to the cowardice on the part of its</p>	<p style="text-align: right;">Page 112</p> <p>1 MR. HURD: All right. We good?  2 CHAIRMAN BEAULLIEU: Yes, sir.  3 MR. HURD: All right. I apologize. Here's  4 where we are with Section 2 voting -- voting rights  5 claims. It is not unconstitutional to use race to draw  6 districts. It is presumptively unconstitutional, okay?  7 What does that mean? How can I use race to draw a  8 district? I can use race provided that there is a  9 compelling governmental interest, compliance with  10 Section 2. There's a compelling governmental interest.  11 Judge Dick has more or less signaled she's that far down  12 the process, okay? The second step -- and this is where  13 you're missing the opportunity of a proud vote of your  14 life.  15 And that is this: the second requirement of  16 Section 2 is whatever remedy there is going to be, it  17 must be racially narrow-tailored. What that means is  18 you take a traditional districting plan before you start  19 fixing a Section 2 remedy. And what makes it  20 constitutional is when you have an opportunity to draw a  21 majority-minority district based upon communities of  22 interest, whole parishes, whole cities. The points  23 being made today are excellent, but what I'm going to  24 tell you is you've made the full point that what you're  25 considering is a racial gerrymander. This slash -- and</p>
<p style="text-align: right;">Page 111</p> <p>1 leadership. So that's why we're not in favor of this.  2 Thank you very much.  3 CHAIRMAN BEAULLIEU: Thank you, Mr. Callais.  4 Mr. -- Mr. Hurd, the floor is yours. Would you please  5 introduce yourself? Pick one.  6 MR. HURD: My name's Paul -- Paul Hurd. I am  7 an attorney. I was lead counsel when we set this  8 foolishness aside 30 years ago. The district -- and --  9 and what I'm going to do is this: I have never  10 represented anyone but voters. I believe in compact  11 contiguous districts for White, Black, Asian voters that  12 live together, work together, go to school together. We  13 have successfully defended that right in Louisiana.  14 We've -- we've done it -- I've done it in Texas. I've  15 done it in Virginia. The point is this, you're being  16 misled, and you politicians don't get misled. It's the  17 cover. Here's where we are with the Section 2 claim.  18 It is not --  19 CHAIRMAN BEAULLIEU: I think you might have  20 pushed your own button there. You're trying to tell us  21 something?  22 MR. HURD: Even my wife can't mute me, so.  23 CHAIRMAN BEAULLIEU: Like, leave your -- you  24 -- you leave the button alone. We'll control it for  25 you; how's that?</p>	<p style="text-align: right;">Page 113</p> <p>1 it's even worse than that.  2 If you don't -- I -- I don't -- I -- I don't  3 know who was here in the '90s, but Ms. -- Ms. -- Ms.  4 Lowery and I were. And what -- two things happened.  5 The Zorro district was set aside. It went all the way  6 from Caddo -- does this ring a bell? Caddo, all the way  7 down to Baton Rouge, all the way over to Lafayette, all  8 the way a little bit east. And it was held to be a  9 gross racial gerrymander, unconstitutional, under  10 Section 2. Why? The reason it was held as  11 unconstitutional is because the use of race that is  12 apparent in that district and apparent in the -- this  13 district was not narrowly tailored to meet the  14 requirements of -- of Section 2.  15 Race was overused to the subordination of  16 other districting principles, or as Justice O'Connor  17 said, "When race predominates, it's unconstitutional."  18 If you can -- why can we draw a compact minority  19 district out of Orleans up the river? The reason why is  20 it's otherwise lots of community interests. It doesn't  21 violate commonalities of interest.  22 CHAIRMAN BEAULLIEU: Mr. Hurd, would you --  23 would you entertain a question? I think something may  24 have just come back, sparked a question. Would you  25 entertain a question?</p>

29 (Pages 110 to 113)

<p style="text-align: right;">Page 114</p> <p>1 MR. HURD: Yeah. If I can just get --</p> <p>2 CHAIRMAN BEAULLIEU: Okay.</p> <p>3 MR. HURD: Wait. Once I -- I've spent all day</p> <p>4 and I'll spend all night. I'll be glad to help anyone.</p> <p>5 But what you have done now, after we voided the -- the</p> <p>6 Zorro district, the Z district, they enacted what was</p> <p>7 called by the federal judge "the slash." This district</p> <p>8 that you're considering is 90 percent of "the slash."</p> <p>9 If you will look at Hays v. Louisiana, 839 F. Supp.</p> <p>10 1188, and then that's the Zorro district, Judge Jacques</p> <p>11 Wiener, who is still on the Fifth Circuit, went through</p> <p>12 racial gerrymandering community by community and said</p> <p>13 why it was excessive.</p> <p>14 He asked the question to start the opinion,</p> <p>15 "Can we use race in districting?" And he said the</p> <p>16 answer is yes, "We -- we can use it to comply with a</p> <p>17 compelling governmental interest." He said that this</p> <p>18 body -- two things, and I'll be glad to go anywhere that</p> <p>19 a member would like to ask. He said two things. One,</p> <p>20 this was excessive. He said the same thing about "the</p> <p>21 slash" that did exactly what you all are about to do</p> <p>22 that went up to East Baton Rouge goes to Avoyelles, then</p> <p>23 goes up the river taking minority districts.</p> <p>24 He said they're both racial gerrymanders</p> <p>25 because they subordinate all interest. This district</p>	<p style="text-align: right;">Page 116</p> <p>1 Representative Carlson for a question. Representative</p> <p>2 Carlson.</p> <p>3 REPRESENTATIVE CARLSON: Thank you, Mr. Chair.</p> <p>4 Mr. Hurd, after the Zorro district was eliminated and</p> <p>5 the -- "the slash" district, as you represented, was --</p> <p>6 was enacted, who created that district?</p> <p>7 MR. HURD: The legislature.</p> <p>8 REPRESENTATIVE CARLSON: And who did away with</p> <p>9 that district, or who said that that was</p> <p>10 unconstitutional or -- or -- or not -- could not stand?</p> <p>11 MR. HURD: Judge Jacques Wiener wrote the</p> <p>12 opinion.</p> <p>13 REPRESENTATIVE CARLSON: Okay. And then we</p> <p>14 went back to the districts that we had up until</p> <p>15 recently, right, that we were --</p> <p>16 MR. HURD: That's correct.</p> <p>17 REPRESENTATIVE CARLSON: So as I hear that --</p> <p>18 I see one major difference between then and now. I know</p> <p>19 you stated that the district that we're looking at</p> <p>20 creating through the senator's -- the senator's bill</p> <p>21 looks very similar. You said about 90 percent the same</p> <p>22 as -- as that "slash" district.</p> <p>23 MR. HURD: I will reserve because y'all have</p> <p>24 done (inaudible 2:15:30) since you've made unavailable</p> <p>25 to the public, okay?</p>
<p style="text-align: right;">Page 115</p> <p>1 will hand -- I got good news for the plaintiffs. This</p> <p>2 district, if enacted, will hand them and Judge Dick</p> <p>3 unrestrained power to redraw your district because you</p> <p>4 just did it again. And it -- it started -- it ends in</p> <p>5 --</p> <p>6 CHAIRMAN BEAULLIEU: All right. Mr. Hurd,</p> <p>7 let's -- let's get to the question. Just --</p> <p>8 MR. HURD: The last point -- the last point is</p> <p>9 what Judge Wiener said, and this is what's equally</p> <p>10 important for you. He said, "The federal government --"</p> <p>11 this point was Section 5. "The -- the federal</p> <p>12 government, one, has no authority to impose on a state</p> <p>13 the violation of the Fourteenth Amendment." So the idea</p> <p>14 that we're afraid of Judge Dick may be more demanding of</p> <p>15 the district, just like the DOJ was under pre-Clarence.</p> <p>16 It is of no concern. That's why our system gives us the</p> <p>17 Fifth Circuit in the supremes.</p> <p>18 This court -- I mean, this body should</p> <p>19 consider either giving Judge Dick an opportunity to</p> <p>20 judge it, then submit a remedy plan if you lose, or</p> <p>21 enact a remedy. Now, I've handed in material --</p> <p>22 CHAIRMAN BEAULLIEU: We've -- we've gotten all</p> <p>23 that.</p> <p>24 MR. HURD: I --</p> <p>25 CHAIRMAN BEAULLIEU: So I'm going to</p>	<p style="text-align: right;">Page 117</p> <p>1 CHAIRMAN BEAULLIEU: Like, the -- the -- the</p> <p>2 --</p> <p>3 MR. HURD: But the district isn't --</p> <p>4 CHAIRMAN BEAULLIEU: The minutes are public,</p> <p>5 and they -- they are online and public, (inaudible</p> <p>6 2:15:38).</p> <p>7 MR. HURD: You put them online ten minutes</p> <p>8 before we started the meeting six hours late. That's</p> <p>9 not available for the public.</p> <p>10 REPRESENTATIVE CARLSON: Mr. Hurd, I</p> <p>11 appreciate that, and I understand. I wish we had more</p> <p>12 time to -- to review those. That's when those were made</p> <p>13 available, but they are there for the public. I think</p> <p>14 there's one difference. We are being mandated by the</p> <p>15 judge to create a second Black district, period. In</p> <p>16 your example, it's complete opposite.</p> <p>17 MR. HURD: No, it's not.</p> <p>18 REPRESENTATIVE CARLSON: The legislature tried</p> <p>19 to create a district that followed this similar route,</p> <p>20 and it was ruled unconstitutional. We're being told by</p> <p>21 the judge, by Shelly Dick, that we must do this, period.</p> <p>22 It's complete opposite. We must do it or she will.</p> <p>23 It's a complete opposite scenario than it was 20 years</p> <p>24 ago.</p> <p>25 MR. HURD: Can I -- can I respond?</p>

30 (Pages 114 to 117)



<p style="text-align: right;">Page 118</p> <p>1 REPRESENTATIVE CARLSON: Absolutely. And</p> <p>2 thank you, Mr. Chair. I'm done.</p> <p>3 MR. HURD: It's absolutely the same. What</p> <p>4 they held was in the '90s, the federal agency that was</p> <p>5 telling you, "You had to do it," was the DOJ under</p> <p>6 Section 5, which itself was later held unconstitutional.</p> <p>7 The answer is they were wrong. They were</p> <p>8 unconstitutionally demanding racial districting beyond</p> <p>9 what the federal courts now recognize as the permissible</p> <p>10 range of remedy. We may be -- we don't -- I -- I --</p> <p>11 look, I'll give Judge Dick an opportunity. It's not</p> <p>12 that she's hailed Section 2 applies.</p> <p>13 The question is whether or not Section 2 has a</p> <p>14 constitutional remedy, i.e., I believe that my</p> <p>15 districting plan that I've handed in and I did it for an</p> <p>16 -- an example is as close as you can get to a</p> <p>17 non-racially gerrymandered district and get to two</p> <p>18 majority-minority districts, and it does. The</p> <p>19 plaintiff's remedy, Senate Bill 4 and 5, they're both</p> <p>20 racial gerrymanders and will not stand up to the Fifth</p> <p>21 Circuit. There are abilities to draw a compact</p> <p>22 contiguous majority-minority district, second one, in</p> <p>23 Louisiana. What you're going to do, you're going to</p> <p>24 enact this.</p> <p>25 If I was Judge Dick, I'd look at it and go,</p>	<p style="text-align: right;">Page 120</p> <p>1 applies on why this is a -- a -- a ineffective remedy,</p> <p>2 and I hope -- I hope your good judgment finds another</p> <p>3 solution.</p> <p>4 CHAIRMAN BEAULLIEU: Thank you.</p> <p>5 Representative Phelps, you failed to call, but you</p> <p>6 didn't say you wanted to speak. Are you trying to speak</p> <p>7 now?</p> <p>8 REPRESENTATIVE PHELPS: Yes, (inaudible</p> <p>9 2:19:39).</p> <p>10 CHAIRMAN BEAULLIEU: I know you're not on the</p> <p>11 committee, but you want -- all right. Come on. Let's</p> <p>12 -- all right. All right. So let's fill this out that</p> <p>13 says she does want to speak. She's providing</p> <p>14 information only, not a green card or a red card. So</p> <p>15 Representative Phelps?</p> <p>16 REPRESENTATIVE PHELPS: Thank you for the</p> <p>17 opportunity to speak. I -- I just wanted to mention to</p> <p>18 maybe some of our new colleagues here when we talk about</p> <p>19 why we're here. This started from an increase of the</p> <p>20 population from our census. So I -- and I think that's</p> <p>21 not -- we haven't heard a lot of that with the audience</p> <p>22 on the outside. It just was not a mandate to draw a</p> <p>23 map. So this does go with the 2020, the Census results</p> <p>24 that resulted in a population increase of African</p> <p>25 Americans across the state.</p>
<p style="text-align: right;">Page 119</p> <p>1 "I'm sorry. I've got -- already got the judge that</p> <p>2 wrote the opinion on the Fifth Circuit that says what</p> <p>3 y'all are about to do is a constitutional gerrymander.</p> <p>4 Therefore, I can disregard it." Disregard it. It is</p> <p>5 null and void. And she's going to draw the plan if you</p> <p>6 want to remedy an actual remedy. That's why it's</p> <p>7 exactly the same. You read the opinion, and you'll see</p> <p>8 they said, "The federal power does not override or force</p> <p>9 you to violate the Constitution." Stand up for the</p> <p>10 Constitution.</p> <p>11 Stand up if you want a compact district. Draw</p> <p>12 the one that makes sense with our traditional</p> <p>13 districting principles because you can do it. The --</p> <p>14 the -- the -- the -- the answer is, this is an</p> <p>15 unconstitutional alternative.</p> <p>16 CHAIRMAN BEAULLIEU: Okay. Thank you, Mr.</p> <p>17 Hurd. You -- you -- I think you've been very, very</p> <p>18 clear on it. The board is clear. We have no more</p> <p>19 witnesses. Senator Womack, we're going to go ahead and</p> <p>20 -- and call you back up to -- to close.</p> <p>21 MR. HURD: Your Honor, if -- I mean, Your</p> <p>22 Honor. I apologize. I'd like to -- I've got a copy of</p> <p>23 that opinion that outlines all the reasons that what</p> <p>24 you've got is a racial gerrymander. I had an outline of</p> <p>25 what it -- of -- of the -- each criteria that the judge</p>	<p style="text-align: right;">Page 121</p> <p>1 Secondly, I hope that there is some passion</p> <p>2 here about if there were a different population, a White</p> <p>3 population, and there was so much pushback about</p> <p>4 creating a district so that everyone would be</p> <p>5 represented, how that may feel. Just a thought.</p> <p>6 Thirdly, when I heard Judge Dick's name reference to</p> <p>7 Obama's judge, I don't know if I've ever heard someone</p> <p>8 say Trump's judge or Carter's judge or Reagan's judge or</p> <p>9 whomever. I don't know if we're going to start</p> <p>10 referencing judges that way, but I hope that we do not</p> <p>11 do that in this body.</p> <p>12 I think we should give all of our elected</p> <p>13 officials a little bit more respect in that, regardless</p> <p>14 of what president they were appointed to or from. Thank</p> <p>15 you for your time.</p> <p>16 CHAIRMAN BEAULLIEU: Thank you, Representative</p> <p>17 Phelps. The board is clear. Senator Womack, would you</p> <p>18 come up and close on your bill?</p> <p>19 SENATOR WOMACK: Thank you, Mr. Chairman.</p> <p>20 Members of the committee, we all know why we're here.</p> <p>21 We were ordered to -- to draw a new Black district, and</p> <p>22 that's what I've done. At the same time, I tried to</p> <p>23 protect Speaker Johnson, Minority Leader Scalise, and my</p> <p>24 representative, Congresswoman Letlow. I'm agreeable to</p> <p>25 the amendment, and we complied with everything the judge</p>

31 (Pages 118 to 121)

<p style="text-align: right;">Page 122</p> <p>1 has asked. And I just ask for favorable passage.</p> <p>2 CHAIRMAN BEAULLIEU: Thank you, Senator --</p> <p>3 Senator Womack. Representative Farnum has made a motion</p> <p>4 that we adopt Senate Bill 8 as amended. Is there any</p> <p>5 objection? Representative Marcell objects. Ms. Baker</p> <p>6 -- listen, do we have anybody in an anteroom needs to</p> <p>7 come in real quick? We have everyone here? Looks like</p> <p>8 everyone's here. Okay. Ms. Baker, would you please</p> <p>9 call the role? So let me clarify the vote. A vote of</p> <p>10 yes moves Senator Womack's bill as amended by</p> <p>11 Representative Farnum forward. A vote of no leaves it</p> <p>12 here in the committee. Ms. Baker?</p> <p>13 MS. BAKER: Thank you. Mr. Chairman.</p> <p>14 Chairman Beaulieu?</p> <p>15 CHAIRMAN BEAULLIEU: Yes.</p> <p>16 MS. BAKER: Yes. Representative Billings?</p> <p>17 REPRESENTATIVE BILLINGS: Yes.</p> <p>18 MS. BAKER: Yes. Representative Boyd?</p> <p>19 REPRESENTATIVE BOYD: Yes.</p> <p>20 MS. BAKER: Yes. Representative Carlson?</p> <p>21 REPRESENTATIVE CARLSON: Yes.</p> <p>22 MS. BAKER: Yes. Representative Carter?</p> <p>23 Representative Carver?</p> <p>24 REPRESENTATIVE CARVER: Yes.</p> <p>25 MS. BAKER: Yes. Representative Farnum?</p>	<p style="text-align: right;">Page 124</p> <p>1 matters before this committee. Representative Thomas</p> <p>2 had made a motion that we adjourn. Look, and -- as we</p> <p>3 adjourn, thank you everyone for your patience. Thank</p> <p>4 you everyone for your time. It's been a -- a great</p> <p>5 debate and -- and we appreciate you. Meeting adjourned.</p> <p>6 Thank you all.</p> <p>7 (Meeting adjourned.)</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 123</p> <p>1 REPRESENTATIVE FARNUM: Yes.</p> <p>2 MS. BAKER: Yes. Representative Gadberry?</p> <p>3 Yes. Representative Johnson? Representative Larvadain?</p> <p>4 Yes. Representative Lyons?</p> <p>5 VICE CHAIRMAN LYONS: Yes.</p> <p>6 MS. BAKER: Yes. Representative Marcelle?</p> <p>7 Representative Newell?</p> <p>8 REPRESENTATIVE MARCELLE: Not as amended. No,</p> <p>9 as amended.</p> <p>10 MS. BAKER: No for Representative Marcelle.</p> <p>11 REPRESENTATIVE MARCELLE: No.</p> <p>12 MS. BAKER: Representative Newell?</p> <p>13 REPRESENTATIVE NEWELL: Yes.</p> <p>14 MS. BAKER: Yes. Representative Schamerhorn?</p> <p>15 REPRESENTATIVE SCHAMERHORN: Yes.</p> <p>16 MS. BAKER: Yes. Representative Thomas?</p> <p>17 REPRESENTATIVE THOMAS: Yes.</p> <p>18 MS. BAKER: Yes. Representative Wright?</p> <p>19 REPRESENTATIVE WRIGHT: Yes.</p> <p>20 MS. BAKER: Yes. Representative Wybel?</p> <p>21 REPRESENTATIVE WYBEL: Yes.</p> <p>22 MS. BAKER: Yes. There are 14 yeas and 1 nay.</p> <p>23 CHAIRMAN BEAULLIEU: Members -- members have a</p> <p>24 vote of 14 yeas, 1 nay. Senate Bill 8 is hereby adopted</p> <p>25 as amended. Reported as amended. There are no other</p>	<p style="text-align: right;">Page 125</p> <p>1 CERTIFICATE OF TRANSCRIPTION</p> <p>2 I, Nathan Pikover, COO of TranscribeMe, Inc.,</p> <p>3 do hereby certify that</p> <p>4 291001-Audio-COMBINE-1-18-24_HG_p1-p2.MP3</p> <p>5 was transcribed utilizing computer aided means and the</p> <p>6 TranscribeMe transcription team.</p> <p>7 The transcript of the audio mentioned above,</p> <p>8 having been transcribed and reviewed by TranscribeMe,</p> <p>9 Inc. to the best of the company's ability, is a full,</p> <p>10 true, and correct transcription.</p> <p>11 I further certify that neither I, nor the</p> <p>12 TranscribeMe, Inc. transcription team, have any personal</p> <p>13 association with the parties involved or are in any way</p> <p>14 interested in the outcome thereof.</p> <p>15 Dated this 12th of March, 2024.</p> <p>16 _____</p> <p>17 Nathan Pikover, COO TranscribeMe, Inc.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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Phillip Callais, et al.

vs.

Nancy Landry

**EXHIBIT**

**JE33**

**PLAINTIFFS'  
EXHIBIT**

**P28**

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App. 859

THE CLERK: Mr. Speaker and members, Representative Beaulieu moves to advance to Regular Order No. 6, Senate Bills on Third Reading and Final Passage.

MR. SPEAKER: Without objection.

THE CLERK: Mr. Speaker and members, first instrument in this order -- only instrument in this order is Senate Bill 8 by Senator Womack: to enact Title 18 relative to congressional districts; provide relative to redistricting Louisiana's congressional district; provide with respect to offices, positions, other than congressional, which are based on congressional districts.

MR. SPEAKER: Representative Beaulieu on the bill.

REPRESENTATIVE BEAULLIEU: Thank you, Mr. Speaker. Thank you, Madam Clerk. Members, also, thank you. Thank you for your patience this week. I know we have been charged with a tall task, and your patience, your fortitude, your strong desires to represent your district, it's impressive. It's -- it's nice to see, especially -- especially with some of the new members. You've been awesome this week, and you've -- you've stood strong. And to say it's impressive is -- is -- is a -- is just the bit of it.

<p style="text-align: right;">Page 2</p> <p>1 Members, I'm bringing you this congressional</p> <p>2 redistricting map that Senator Womack presented. You've</p> <p>3 -- you've heard it debated a couple of times. You heard</p> <p>4 it in -- in committee as well. Yesterday, we added an</p> <p>5 amendment in committee to Senator Womack's bill. And so</p> <p>6 my first order of business, even before I make my</p> <p>7 opening remarks, is going to get this bill in a proper</p> <p>8 posture. I'd like to offer up an amendment to delete</p> <p>9 the amendments that we added in committee yesterday. So</p> <p>10 if you'll check your monitors, it's going to -- or Madam</p> <p>11 Clerk, would you mind reading in the amendment?</p> <p>12 THE CLERK: Mr. Speaker and members,</p> <p>13 Representative Beaulieu, as he's just discussed, is</p> <p>14 offering up a one-page set of amendments. That set is</p> <p>15 online. It's set number 83.</p> <p>16 REPRESENTATIVE BEAULLIEU: So, members, after</p> <p>17 hearing from a lot of you, it's my thought that this</p> <p>18 instrument was in its best posture when it came over</p> <p>19 here from the Senate. And so I am offering an amendment</p> <p>20 to put it back in that posture, and I'd ask for your</p> <p>21 support.</p> <p>22 MR. SPEAKER: I see no questions on the</p> <p>23 amendment. Representative Marcelle for the floor on the</p> <p>24 amendment.</p> <p>25 REPRESENTATIVE MARCELLE: Thank you, Mr.</p>	<p style="text-align: right;">Page 4</p> <p>1 REPRESENTATIVE BEAULLIEU: Members, I just ask</p> <p>2 you to support the removal of the amendment that we</p> <p>3 added in -- in House and Governmental. Thank you.</p> <p>4 MR. SPEAKER: Representative Beaulieu has</p> <p>5 offered up an amendment which Representative Farnum</p> <p>6 objects. All those in favor, vote yea. All those</p> <p>7 opposed, vote nay. The clerk will open the machine.</p> <p>8 THE CLERK: (inaudible 0:04:34).</p> <p>9 MR. SPEAKER: Wright, yea.</p> <p>10 THE CLERK: Emerson, yea.</p> <p>11 MR. SPEAKER: Emerson, yea. Are you through</p> <p>12 voting, members? The clerk will close the machine. We</p> <p>13 have 84 yeas and 16 nays, and amendment passes.</p> <p>14 Representative Beaulieu on the bill.</p> <p>15 REPRESENTATIVE BEAULLIEU: Okay, Mr. Speaker.</p> <p>16 Thank you, members, for supporting me on that amendment.</p> <p>17 You'll bear with me for a second. So, members, I -- I</p> <p>18 appreciate you giving me the opportunity to be with you</p> <p>19 here today. Two years ago, I sat on the committee that</p> <p>20 -- that passed the original congressional map after</p> <p>21 redistricting, and we spent a lot of time going around</p> <p>22 the state listening to folks from all over our state.</p> <p>23 And this House, by two -- over two-thirds vote,</p> <p>24 supported a map that we thought was fair, that we</p> <p>25 thought was representative of the state of Louisiana.</p>
<p style="text-align: right;">Page 3</p> <p>1 Speaker and Chairman. And thank you, members. On</p> <p>2 yesterday, we had a pretty, I would say, heated debate</p> <p>3 in H&amp;G about these amendments, and so I rise in support</p> <p>4 of removing those amendments. And I had a lot of</p> <p>5 questions after I got home about why didn't I object to</p> <p>6 the amendments, but I'd stepped out of the room and so</p> <p>7 that's the reason for me not objecting to the</p> <p>8 amendments. I did object to the bill because the</p> <p>9 amendments had been added.</p> <p>10 I know this is the process. I think that the</p> <p>11 bill was in its best posture when it came over with</p> <p>12 Representative -- I mean, with Senator Womack, Senate</p> <p>13 Bill 8. However, I tried to put that bill in a better</p> <p>14 posture. That matter failed. I know the process. I</p> <p>15 appreciate the process. And I appreciate the chairman</p> <p>16 taking that amendment off that I think does us no good</p> <p>17 to get to a better place where we can get the second</p> <p>18 congressional district. And I'd ask that you all would</p> <p>19 support the chairman in removing the amendment that was</p> <p>20 placed on there on yesterday. Thank you.</p> <p>21 MR. SPEAKER: Is there any objections to the</p> <p>22 adoption of the amendment? Representative Farnum,</p> <p>23 objection. Would you like to speak on your objection?</p> <p>24 Representative Beaulieu, would you like to close on</p> <p>25 your amendment?</p>	<p style="text-align: right;">Page 5</p> <p>1 As Senator Stine said earlier in this week,</p> <p>2 "It's with a heavy heart that I present to you this</p> <p>3 other map," but we have to. It's that clear. A federal</p> <p>4 judge has ordered us to draw an additional minority seat</p> <p>5 in the state of Louisiana. We have the -- the federal</p> <p>6 Voting Rights Act litigation is still going on in the US</p> <p>7 District Court in the Middle District of Louisiana. The</p> <p>8 map in this bill that I'm presenting is one of a product</p> <p>9 of long, detailed process with several goals.</p> <p>10 First, and as a lot of you are aware,</p> <p>11 Congresswoman Julia Letlow represents north Louisiana in</p> <p>12 our nation's capital and serves on both the</p> <p>13 appropriations and agricultural committees. The</p> <p>14 boundaries in the bill that I'm presenting ensure that</p> <p>15 Congresswoman Letlow remains both unimpaired with any</p> <p>16 other incumbents, and in a congressional district that</p> <p>17 should continue to elect a Republican Congress for the</p> <p>18 remainder of this decade.</p> <p>19 I have great pride in the work Congresswoman</p> <p>20 Letlow has accomplished, and this map will ensure that</p> <p>21 Louisianians will continue to benefit from her presence</p> <p>22 in the halls of Congress for as long as she decides to</p> <p>23 continue serving our great state of Louisiana.</p> <p>24 Second, of Louisiana's six congressional</p> <p>25 districts, the map and the proposed bill ensures that</p>

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<p style="text-align: right;">Page 6</p> <p>1 four are safe from -- or safe Republican seats.  2 Louisiana's Republican presence in the United States  3 Congress has contributed tremendously to the national  4 discourse, and I'm very proud, and it's remarkable, that  5 both the speaker of the United States House of  6 Representatives, Mike Johnson, and the US House majority  7 leader, Steve Scalise, are both from our great state.  8 This map ensures that the two men -- the two  9 of them will have solidly Republican districts at home  10 so they can focus on the national leadership that we  11 need in Washington, DC. The map proposed in this bill  12 ensures that the conservative principles retained by the  13 majority of those in Louisiana will continue to extend  14 past our boundaries to our nation's capital.  15 Finally, the maps in the proposed bill respond  16 appropriately to the ongoing federal litigation, the  17 ongoing federal Voting Rights Act case in the Middle  18 District of Louisiana. For those who are unaware of the  19 background, the congressional maps that we enacted, that  20 I mentioned a second ago, in March of -- in March of  21 2022, have been the subject of litigation roughly since  22 the day the 2022 congressional redistricting bill went  23 into effect, and even before we enacted it. So the suit  24 was filed before we actually enacted the bill.  25 After a substantial amount of prolonged</p>	<p style="text-align: right;">Page 8</p> <p>1 -- the reason why District 2 is growing around Orleans  2 Parish, while District 6 includes the Black population  3 of east Baton Rouge Parish and travels up the I-49  4 corridor and the Red River to include Black population  5 in Shreveport.  6 While this is a different map than the  7 plaintiffs in the litigation have proposed, this is the  8 only map I reviewed that accomplishes the political  9 goals I believe are important for my district, for  10 Louisiana, and for our country.  11 While I did not draw these boundaries myself,  12 and I'm bringing the bill to the floor for the --  13 Senator Womack carried through the Senate and through  14 committee yesterday in this House, I firmly submit that  15 the congressional voting boundaries represented in this  16 bill best achieve the goals of protecting Congresswoman  17 Letlow's seat, maintaining strong districts for Speaker  18 Johnson and Majority Leader Scalise, ensuring four  19 Republican districts, and adhering to the command of the  20 federal court in the Middle District of Louisiana.  21 I submit to you this map, and I'll be happy to  22 take any questions.  23 MR. SPEAKER: Representative Taylor on a  24 question.  25 THE CLERK: She waives.</p>
<p style="text-align: right;">Page 7</p> <p>1 litigation, two trips to the Fifth Circuit asking it to  2 reverse it, and a trip to the US Supreme Court, the  3 federal District Court has adhered to its view that the  4 federal law requires that the state have two  5 congressional districts with a majority of Black voters.  6 It's that simple. Our secretary of state, our attorney  7 general, and our prior legislative leadership appealed  8 but have yet to succeed. We are now here because the  9 federal courts order that we have a first opportunity to  10 act.  11 If we don't act, it is very clear that the  12 federal court will impose the plaintiff's proposed map  13 on our state, and we don't want that. The District  14 Court's order that we must have two majority-Black  15 voting-age population districts, combined with the  16 political imperatives I just described, have largely  17 driven the boundaries for District 2 and District 6,  18 both of which are over 50 percent Black voting-age  19 population, or BVAP as you've heard discussed a lot in  20 committees and may hear with folks discussing today.  21 Given the state's current demographics,  22 there's not a high enough Black -- Black population in  23 the southeast portion of Louisiana to create two  24 majority-Black districts and to also comply with the US  25 Constitution's one vote, one person requirement. That a</p>	<p style="text-align: right;">Page 9</p> <p>1 MR. SPEAKER: She waives. Representative  2 Amedee on a question.  3 REPRESENTATIVE AMEDEE: Thank you, Mr.  4 Speaker. Rep. Beaulieu, thanks for carrying the bill  5 over here. Is this bill intended to create another  6 Black district?  7 REPRESENTATIVE BEAULLIEU: Yes, ma'am, and to  8 comply with the judge's order.  9 REPRESENTATIVE AMEDEE: Thank you.  10 MR. SPEAKER: Seeing no further questions,  11 Representative Bayham for the floor.  12 (Pause.)  13 REPRESENTATIVE BAYHAM: When I ran for the  14 legislature, I had one goal, and that is to give my  15 community a voice. I've studied some of the plans that  16 were submitted by my colleagues here. Representative  17 Wilford Carter had a plan, I believe, that kept St.  18 Bernard Parish intact, and I appreciate that,  19 Representative Carter. I am here to stand up for my  20 community. St. Bernard has never been split into two  21 congressional districts. We've already been split into  22 two Senate districts. And to be brutally honest,  23 looking at the way these precincts are -- and I know  24 every precinct. I've campaigned in every precinct in  25 St. Bernard.</p>

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<p style="text-align: right;">Page 10</p> <p>1 We have two precincts, for example, that are</p> <p>2 in the 2nd Congressional District. One, Precinct 24,</p> <p>3 gave President Trump 75 percent of the vote. Precinct</p> <p>4 25 gave President Trump 69 percent of the vote. Those</p> <p>5 are in the 2nd District. In the 1st District is</p> <p>6 Precinct 44, which gave President Biden 83 percent of</p> <p>7 the vote. Precinct 45 gave President Biden 85 percent</p> <p>8 of the vote. It seems like these precincts were just</p> <p>9 thrown together like a mechanical claw machine, just</p> <p>10 grabbing people and dropping them off.</p> <p>11 Now, I participated in the hearings on the</p> <p>12 congressional reapportionment where they toured the</p> <p>13 state, and I appreciated the leadership of the House and</p> <p>14 the Senate, the committees in doing this. I took</p> <p>15 advantage of it. I testified. We are being told that</p> <p>16 we have to redraw all of this in a period of less than</p> <p>17 eight days. That is not how you make sausage. That's</p> <p>18 how you make a mess. I cannot in good conscience vote</p> <p>19 for this bill that divides my community, and I will</p> <p>20 stand by that for my community. Thank you.</p> <p>21 MR. SPEAKER: There's no questions.</p> <p>22 REPRESENTATIVE BAYHAM: Thank you.</p> <p>23 MR. SPEAKER: Representative Beaulieu to</p> <p>24 close on the bill.</p> <p>25 REPRESENTATIVE BEAULLIEU: As a colleague</p>	<p style="text-align: right;">Page 12</p> <p>1 -- on Senate Bill Number 8. I want to correct from</p> <p>2 absent to nay.</p> <p>3 MALE SPEAKER: Without objection.</p> <p>4 REPRESENTATIVE BAGLEY: Thank you, Mr. --</p> <p>5 MALE SPEAKER: Representative Taylor moves for</p> <p>6 a motion to correct her vote.</p> <p>7 REPRESENTATIVE TAYLOR: Good afternoon. I</p> <p>8 would also like to vote from absent to yea on the</p> <p>9 amendment.</p> <p>10 MALE SPEAKER: Without objection.</p> <p>11 Representative Jackson moves to correct his vote.</p> <p>12 REPRESENTATIVE JACKSON: Yes. I want to</p> <p>13 change my vote from nay to yea.</p> <p>14 MALE SPEAKER: Without objection.</p> <p>15 REPRESENTATIVE JACKSON: Thank you.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 11</p> <p>1 mentioned earlier - sorry, Representative Cox, if I have</p> <p>2 to poach you - "Everybody likes to eat sausage, but</p> <p>3 nobody likes to see how it's made." And it's -- it has</p> <p>4 been painful, and it has been painful for all of us.</p> <p>5 But it's simple. We're under a federal judge's mandate,</p> <p>6 and this bill is our best attempt to comply with her</p> <p>7 decision. So, members, I ask you to support me in</p> <p>8 voting for this map. Thank you.</p> <p>9 MR. SPEAKER: Representative Beaulieu moves</p> <p>10 for final passage of the bill. Those in favor, vote</p> <p>11 yea. Those opposed, vote nay. The clerk will open the</p> <p>12 machine. Vote your machine, members. Members, are you</p> <p>13 through voting? The clerk will close the machine. We</p> <p>14 have 86 yeas, 16 nays, and the bill is finally passed.</p> <p>15 Representative Beaulieu moves to adopt the title, and</p> <p>16 moves to reconsider the vote for which the bill finally</p> <p>17 passed and lay that motion on the table without</p> <p>18 objection.</p> <p>19 MR. SPEAKER: Open the machine for co-authors.</p> <p>20 (Pause.)</p> <p>21 MR. SPEAKER: The clerk will close the</p> <p>22 machine. We have ten co-authors.</p> <p>23 MALE SPEAKER: Representative Bagley for a</p> <p>24 motion to move to correct his vote.</p> <p>25 REPRESENTATIVE BAGLEY: I want to correct on</p>	<p style="text-align: right;">Page 13</p> <p>1 CERTIFICATE OF TRANSCRIPTION</p> <p>2 I, Nathan Pikover, COO of TranscribeMe, Inc.,</p> <p>3 do hereby certify that 291001-Audio-1-19-24_1es_day5 -</p> <p>4 Cut-Appended was transcribed utilizing computer aided</p> <p>5 means and the TranscribeMe transcription team.</p> <p>6 The transcript of the audio mentioned above,</p> <p>7 having been transcribed and reviewed by TranscribeMe,</p> <p>8 Inc. to the best of the company's ability, is a full,</p> <p>9 true, and correct transcription.</p> <p>10 I further certify that neither I, nor the</p> <p>11 TranscribeMe, Inc. transcription team, have any personal</p> <p>12 association with the parties involved or are in any way</p> <p>13 interested in the outcome thereof.</p> <p>14 Dated this 11th of March, 2024.</p> <p>15</p> <p>16 _____</p> <p>17 Nathan Pikover, COO TranscribeMe, Inc.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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February 9, 2024

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[BACKGROUND NOISE]

**SPEAKER DEVILLIER:** The house will come to order. The clerk will open the machines for rollcall. Members vote your machines. Are you through voting, Jordan? Fisher? Jordan? Fisher? Members are you through voting? Emerson?

[BACKGROUND NOISE]

The clerk will close the machine. We have 104 members present in quorum.

[00:05:01]

The house will be opened in prayer by Representative Amedee. Please rise.

**REPRESENTATIVE AMEDEE:** Thank you, Mr. Speaker. Heavenly Father, we come before you today. We thank you, first of all, for your precious Son. We thank you, Lord, that you could have placed us anywhere in time, and anywhere on this globe. And you saw fit to place each one of us here and now. And you also saw fit to place each legislator in their seat for such a time as this. Lord, I ask that you would help us to never take that lightly. I ask that you would guide us with the serious matters that come before us. And in this opening of this class of the legislature for the next four years, also ask that each day when we come here, we would never lose the awe of this building and all that it stands for. And we would never forget the people who sent us here to represent them. May we always legislate with Louisiana in mind. May we always make decisions that align with your vision for our state. May we take steps to bring Louisiana to the place where she leads as you planned, in Jesus name.

**SPEAKER DEVILLIER:** Thank you, Representative Amedee. Representative Knox will lead us in Pledge of Allegiance.

**REPRESENTATIVE KNOX:** I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

**SPEAKER DEVILLIER:** Morning hour number five.

**FEMALE 1:** Mr. Speaker, and members, the house is in receipt of a proclamation by virtue of the authority vested in me by the Louisiana Constitution, I, Jeff Landry, Governor in the State of Louisiana do hereby call and convene the legislature of Louisiana into extraordinary session to convene State Capital, City of Baton Rouge during eight calendar days, beginning 4:00 PM on the 15th day of January and ending no later than 6:00 PM on the 23rd day of January. The call includes 14 items and is signed by Jeff Landry, governor of the State of Louisiana.

[BACKGROUND NOISE]





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Members, the speaker appoints the following committee to notify the governor that the house is convened and is ready to conduct business. Those members are Representatives Bayham, Emerson, LaFleur, Moore and Owen. Again, Representative Bayham, Emerson LaFleur, Moore, Owen, please meet Stephen Lewis near the rear of the chamber. Please raise your hand. And Emerson, I think I may have forgotten you. Committee to notify the senate, Representative Billings, Representative Echols, Representative Larvadain, Representative Ventrella, Representative Willard, please meet Mr. Francoise near the middle rear of the chamber to notify the senate, Representatives Billings, Echols, Larvadain, Ventrella and Willard.

[BACKGROUND NOISE]

[00:10:00]

**SPEAKER DEVILLIER:** Representative Newell for a personal privilege.

**REPRESENTATIVE NEWELL:** Thank you, Mr. Speaker. Thank you, Mr. Speaker and members. First, I want to just say thank you to my colleagues who called, who sent cards, who attended. Most of you all know that my mom passed on the last day of the last special session that we had. And these past few months have been filled with a lot of firsts for me. My first birthday without the woman that gave birth to me. My first Thanksgiving without the woman that taught me how to cook. My first Christmas without the woman who made sure that Santa had all the gifts on my list. Today would have been my mama's 71st birthday. And this past Monday when we got sworn in, my biggest cheerleader was not here with me. I had intended -- fix your face. I could see you, Schlegel. Don't make me cry. I thought I would be spending today with my dad and with my mom's sisters, but that is not the case. Members, we are here in these rails for one term representing the people of our districts, and I am curious and hopeful about what we will uncover on Louisiana over the next four years. Today, please not let it be lost on us that we start this term and most of you are starting your very first term as legislators. Some are second, some are third with the most important redistricting session on a most fitting and significant day. Starting this redistricting session on Martin Luther King Day has been a controversial and a sensitive issue to some and it seems to be disrespectful to the legacy of Dr. King and his fight for civil rights and voting rights. Some of our constituents, neighbors and supportive, had touted that the beginning of a redistricting session on King Holiday is a fitting tribute to Dr. King's legacy as it is an opportunity to ensure that the electoral districts reflect the diversity and needs of the communities that we all serve. Starting this session on King Holiday is not intended to be disrespectful or divisive, but rather an effort to fulfill a constitutional and legal duty and to meet a tight deadline imposed on us by the courts and the federal government. We have drastically different opinions on how this redistricting session is being started on Martin Luther King's holiday and those opinions have been heavily contested and it's a controversial task of redistricting. But we must remember that this is a matter that will have a significant impact on the representation and power of different groups of voters, which, if not done with consideration of context and circumstances of each district, can undermine the principle of one person, one vote and the democratic rights of the people that we serve. Dr. King's cause went beyond white and black. He also dealt with concerns of poverty, privilege and access, particularly at the voting polls. Ultimately, holding a redistricting session today on King's

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holiday is a matter of debate and perspective. Therefore, any redistricting session should be guided by the values of justice, dignity and democracy that Dr. King embodied and advocated for. Thus, in the spirit of democracy, I want to remind all of our citizens and constituents that all of our sessions is open and accessible to the public. Anyone can attend and we, your legislative body, should be committed to following the principles of fairness and equality in the redistricting process. I do not believe any of us in this chamber is committed to forgetting an unerasable history and repeating or perpetuating the suppressive practices and ideologies of those such as Thurman and Wallace. We have come a long way considering the history of the south and with this governor's commitment to keeping Louisianans in Louisiana.

[00:15:02]

This is our opportunity to show all citizens that we are not only working to create opportunities of education and employment for Louisiana citizens, but also giving them fair elections and the opportunity to elect a candidate of choice. I am hopeful about the outcome of this session. And again, considering the dedication of Governor Landry and our Speaker DeVillier of ensuring this body will create that second minority majority district. On Martin Luther King's holiday, let us remember his contribution and sacrifice to voting rights and remember his words, "The time is always right to do what is right." Thank you, Mr. Speaker and members.

**SPEAKER DEVILLIER:** Thank you, Representative Newell.

**FEMALE 1:** Mr. Speaker and members, Representative Brown requests five days leave for his seatmate, Representative LaCombe.

**SPEAKER DEVILLIER:** Without objection.

[BACKGROUND NOISE]

**FEMALE 1:** Mr. Speaker and members, the Senate committee has appeared and is prepared to provide a report.

**SPEAKER DEVILLIER:** Senator Seabaugh.

**SENATOR SEABAUGH:** Members, we are here to advise that the Senate has convened and we are ready to do business. And I look forward to working with you all from over there.

**SPEAKER DEVILLIER:** Thank you, Senator.

[BACKGROUND NOISE]

**FEMALE 1:** Mr. Speaker and members, the committee sent to notify the governor has returned and is prepared to give a report.

**SPEAKER DEVILLIER:** Representative Emerson.

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**REPRESENTATIVE EMERSON:** Thank you, Mr. Speaker. Members, we have notified the governor that the House is ready to do business.

**SPEAKER DEVILLIER:** Thank you, Representative Emerson.

[BACKGROUND NOISE]

**FEMALE 1:** Mr. Speaker, the committee sent to notify the Senate has return with a report.

**REPRESENTATIVE BILLINGS:** Mr. Speaker, we have reported to the Senate.

**SPEAKER DEVILLIER:** I'm sorry, Representative Billings.

[BACKGROUND CONVERSATION]

**REPRESENTATIVE BILLINGS:** I'll say it again. Mr. Speaker, we have reported to the Senate that we are open and ready for business.

**SPEAKER DEVILLIER:** Thank you, Representative. Representative Larvadain for a personal privilege.

**REPRESENTATIVE LARVADAIN:** Thank you, Mr. Speaker. Members, can I get your attention, please? Members.

[00:20:00]

Today is my grandson, Brandon Jackson's birthday. I want to wish him a happy three-year-old. I love him and I appreciate him. I want to wish Brandon a happy birthday and also Jordan. I love him and may God continue to bless him. Thank you, Mr. Speaker.

**SPEAKER DEVILLIER:** Thank you. Representative Larvadain. Morning hour number six.

**FEMALE 1:** Introduction of resolutions, the house concurrent resolution by Representative Willard to create a task force to study reforms to Louisiana's process of redistricting and methods of elections, promote efficiency, and ensure eligible Louisiana voters can effectively participate in the process. That resolution becomes HR-1.

**SPEAKER DEVILLIER:** Representative Mike Johnson moves to suspend the rules for the purpose of referring this committee. Is there any objection? To House and governmental affairs? Without objection. So order.

[BACKGROUND NOISE]

[00:25:00]

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**SPEAKER DEVILLIER:** Representative Cruz for a personal privilege.

**REPRESENTATIVE CRUZ:** Thank you, Mr. Speaker. Members, if you've been looking at your chamber laptop, there was a reminder sent out. If you want your per diem payments non taxed, you need to sign that form today and get it to house accounting so per diem payment can be tax free if you sign that form and submit it today. Thank you, Mr. Speaker.

**SPEAKER DEVILLIER:** Thank you, Representative Cruz. Morning hour number seven.

**FEMALE 1:** House Bill by Representative Wilford Carter constitutional amendment proposing to amend Article 5 of the Constitution of Louisiana and provides relative to conversation to Supreme Court.

**SPEAKER DEVILLIER:** Representative Mike Johnson moves for a suspension of the rules for the purpose of referring all pre filed House Bills to the committee at this time without objection so order, House and Governmental.

**FEMALE 1:** House Bill by Representative Wilford Carter to enact Title 18 governmental districts redistricting positions offices based on congressional districts.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Wilford Carter Title 13 Supreme Court redistricting Supreme Court districts billing of vacancies additional judgeships becomes House Bill 3.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Marcelle Title 18 campaign finance provide for assessment of penalties becomes House Bill 4.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Marcelle Title 18 congressional districts redistricting of congressional districts positions offices based on congressional districts becomes House Bill 5.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Mandie Landry Title 18 elections nature of judicial elections exempt certain candidates from additional fees becomes House Bill 6.

**SPEAKER DEVILLIER:** House and Governmental.

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**FEMALE 1:** House Bill by Representative Melerine Title 13 Supreme Court redistricting Supreme Court justice districts into nine districts filling of vacancies to eliminate certain additional judgeships becomes House Bill 7.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Mike Johnson Title 13 Supreme Court redistricting Supreme Court districts provide for the filling of vacancies additional judgeship becomes House Bill 8.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Mandie Landry Title 18 voting by mail distribution of vote by mail ballots application for vote by mail ballot becomes House Bill 9.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Jackson Title 18 financial disclosure statements filing of financial disclosure statements after qualifying for office becomes House Bill 10.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative by Jackson Title 18 campaign contribution limits provide relative to application of campaign contribution limits for calendar year becomes House Bill 11.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Wright Title 18 party primary elections nature of primary elections mandate legislature provide for party primary elections for certain offices becomes House Bill 12.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Melerine joint resolution to amend the Constitution relative to Supreme Court number of justices of the Supreme Court number of justices required to concur in order to render a judgment becomes House Bill 13.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative Echols Title 18 congressional districts redistricting Louisiana's congressional districts positions offices based on those congressional districts becomes House Bill 14.

**SPEAKER DEVILLIER:** House and Governmental.

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**FEMALE 1:** House Bill by Representative Wilford Carter Supreme Court redistricting Supreme Court justice district filling of vacancies to eliminate statutory provisions regarding additional judgeship becomes House Bill 15.

**SPEAKER DEVILLIER:** House and Governmental.

**FEMALE 1:** House Bill by Representative McFarland to appropriate funds, make certain reductions from certain sources be allocated to designated agencies purposes for the purpose of making supplemental appropriations for fiscal year 2023 through '24 becomes House Bill 16.

**SPEAKER DEVILLIER:** Appropriations.

[BACKGROUND NOISE]

**SPEAKER DEVILLIER:** Members we're going to stand at ease and we're pinning a joint session.

[BACKGROUND NOISE]

[00:30:00]

[BACKGROUND NOISE]

[00:35:00]

[BACKGROUND NOISE]

**SPEAKER DEVILLIER:** Members, if you can head towards your seats so we can begin. Members, if you could take your seat, we'd appreciate it.

[BACKGROUND NOISE]

**SPEAKER DEVILLIER:** Members, we have one message that needs to be read. Members, please take your seats. Morning hour number five.

**FEMALE 1:** Petitions Memorials Communications, the House and receipt of a message from the Senate to the Honorable speaker, members of the House of Representatives. I am directed to inform your honorable body that the Senate has adopted and asks concurrence in the following SCRs. SCR1 respectfully submitted, Yolanda Dixon, Secretary of the Senate. SCR1 by Sarah Barrow to invite the Honorable Jeff Landry, Governor of Louisiana to address a joint session of the Legislature. Representative Marcelle moves to spin the rules for the purpose of concurring in this resolution at this time.

**SPEAKER DEVILLIER:** Without objection.

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**[BACKGROUND NOISE]**

**SPEAKER DEVILLIER:** The Joint Session will come to order. President Barrow moves to dispense of the calling of role of the Senate without objection so ordered. President pro tempore Mike Johnson moves to dispense with the calling of the role of the House without objection so ordered.

**[00:40:00]**

**SPEAKER DEVILLIER:** The President appoints, on part of the Senate, the following members to escort the Governor: Senators Harris, Pressly, Jenkins, Talbot and Owens. Harris, Pressly, Jenkins, Talbot and Owens. The speaker appoints on the part of the House the following members to escort the Governor: Bayham, Moore, Emerson, Owen and LaFleur. Go to the back door. That committee will assemble and discharge their duties. Those members need to go get the Governor. The ones I just read out, like get up and walk back there and then he walks in. Go ahead. Harris, Pressly, Jenkins. I know you all are here. They're all back there. Well, come on down, gentlemen. Come on. The members come out first. The members come out first, then the Governor. There we go.

**[APPLAUSE]**

**SPEAKER DEVILLIER:** Members, Governor Jeff Landry.

**[APPLAUSE]**

**SPEAKER DEVILLIER:** Right there. I think if you could sit in. There we go. Thank you, buddy. All right. Members, we'd like to recognize Lieutenant Governor Billy Nungesser.

**[APPLAUSE]**

**SPEAKER DEVILLIER:** Secretary of State Nancy Landry.

**[APPLAUSE]**

**SPEAKER DEVILLIER:** Attorney General Liz Murrill.

**[APPLAUSE]**

**SPEAKER DEVILLIER:** Treasurer John Fleming.

**[APPLAUSE]**

**SPEAKER DEVILLIER:** Agriculture Commissioner Mike Strain.

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[APPLAUSE]

**SPEAKER DEVILLIER:** And Commissioner of Insurance Tim Temple.

[APPLAUSE]

**SPEAKER DEVILLIER:** We also have members of the Supreme Court here. Justice Weimer.

[APPLAUSE]

**SPEAKER DEVILLIER:** Justice Crain, Justice Genovese, Justice McCallum, Justice Hughes and Justice Griffin. Thank you all for being here.

[APPLAUSE]

**SPEAKER DEVILLIER:** Representative Jason Hughes will lead us in the prayer and please remain standing afterwards for the pledge.

**REPRESENTATIVE JASON HUGHES:** All things work together for good, to those who are called before the Lord and are called according to His purpose. Members, let's go before the Lord in prayer. Father God, we thank You for this day that You have made. And with all going on in the world, Father, we are going to rejoice and be glad in it. Father, the Bible tells us to humble ourselves before You, and good will come from it. So, Father, we come before You as humbly as we know how first and foremost to say thank You, Father. Thank You for this extraordinary opportunity, Father. Father, I thank You on behalf of every person in this body, for our Governor Jeff Landry and his wife Sharon. Father, please guide his stewardship of this great State of Louisiana as he oversees 4.6 million people, Father God. Father, we thank You for all of the statewide elected officials assembled before us, may You guide them as well. Father, we thank You for our Senate President, our Speaker of the House, our respective pro tems, clerk, secretary, sergeant-at-arms, and all of the staff that keeps these noble bodies running each and every day, Father.

[00:45:11]

Father, we can't do this work without them and we are so thankful. Father, we thank You for the members of our Judiciary, our Supreme Court that are gathered here today. Father, may You continue to stand in their bodies, think with their minds and speak with their voices as they do the work of the Judiciary, Father. Father, out of 4.6 million people, You have selected, ordained, appointed, anointed only 144 people to lead the legislative branch of government. What an awesome responsibility and task that is. Father, may You remind us every day that we are all created by You. May we not see political party. May we not see race. May we not see gender. May we just see people and do the work that You have called us to do. Now, Father, let Your sweet, sweet spirit fill this place. Father, bless everyone under the sound of my voice, from this podium to the door, from the balcony to the floor, from the crowns of our heads to the soles of our feet, oh, Lord, our strength and our redeemer. And Lord, in everything, let us be so very



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careful to give You all the praise, all the glory and all the honor. Now, let us go forth conquer and do the work that You have called us to do. In Jesus' name, we pray. Let all of the people of God join me in saying. Amen!

**SPEAKER DEVILLIER:** Amen!

[APPLAUSE]

**SPEAKER DEVILLIER:** Please remain standing for the pledge. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all. Ladies and gentlemen, the Governor of Louisiana, the Honorable Jeff Landry.

[APPLAUSE]

**GOVERNOR JEFF LANDRY:** Mr. President, I would tell you and the representatives and senators that escorted me that we'll do this at least one more time before the regular session and so, we'll have it perfected for the rest of the term. Please sit. Mr. Speaker, Mr. President, Members of the House and Senate, thank you for your cordial welcome. May I begin by recognizing on this day Dr. Martin Luther King, whose moral fortitude and spiritual inspiration allowed millions to live the American dream. And I would like to begin with one of my favorite quotes of his many, that the ultimate measure of a man is not where he stands in the moments of comfort and convenience, but where he stands at times of challenge and controversy. Our stage DNA is directly connected to the diverse and varied relationships that we all share with one another. Diverse relationships between our friends, our acquaintance, our neighbors, our old classmates, our co-workers, our caregivers, our colleagues, our family and each other right here in this room. For our culture is built upon relationships. And we are here today because we have inherited the issues that others have laid at our feet. So let us accept that task. Let us do the work that is incumbent upon us so that we can move towards solving much larger problems for the people of this great State.

[APPLAUSE]

**GOVERNOR JEFF LANDRY:** Now I am well aware that Huey Long was shot over redistricting matters. And I am hopeful and I am confident that we can dispose of this matter without you all disposing of me. Is that fair? Because for various reasons, both known and unknown, spoken and unspoken, closure of this redistricting problem has evaded us. It is time to stop averting the issue and confront it head-on. We are here today because the federal courts have ordered us to perform our job. Our job which is not finished, our job that our own laws direct us to complete, and our job that our individual oaths promise we would perform.

[00:50:01]

**GOVERNOR JEFF LANDRY:** To that end, I ask you to join me in adopting the redistricting maps that are proposed. These maps will satisfy the court and ensure that the congressional

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districts of our State are made right here in this Legislature and not by some heavy handed federal judge.

[APPLAUSE]

**GOVERNOR JEFF LANDRY:** We do not need a federal judge to do for us what the people of Louisiana have elected you to do for them. You are the voice of the people, and it is time that you use that voice. The people have sent us here to solve problems, not to exacerbate them, to heal divisions, not to widen them. To be fair and to be reasonable, the people of this State expect us to operate government efficiently and to act within the compliance of the laws of our nation and of our courts, even when we disagree with both of them and let me say this. I know that many of you in this Legislature have worked hard and endured and tried your very best to get this right. As Attorney General, I did everything I could to dispose off this litigation. I defended the redistricting plan adopted by this body as the will of the people. We sought a stay in the Fifth Circuit. We successfully stayed the case at the United States Supreme Court for more than a year, allowing the 2022 elections to proceed. Last October, we filed for writ mandamus, which was granted in the Fifth Circuit, which would again allow us one more chance to take care of our business. However, when the Fifth Circuit panel ruled against us later in the fall, we filed for an en banc hearing, which they denied. We have exhausted all legal remedies and we have labored with this issue for far too long. I recognize the difficulty of getting 144 people to agree on anything. My wife and I don't agree on everything. She's kept me for 21 years. But I sincerely commend you for the work you have done so far. But now, once and for all, I think it's time that we put this to bed. Let us make the necessary adjustments to heed the instructions of the court. Take the pen out of the hand of a non-elected judge and place it in your hands. In the hands of the people. It's really that simple.

[APPLAUSE]

**GOVERNOR JEFF LANDRY:** I would beg you, help me make this a reality in this special session, for this special purpose, on this special day. The redistricting challenge goes further than just our congressional maps. While one federal judge has the pen in her hand, another is eager to pick it up from his desk and redraw our Supreme Court. In 2021, in a regular session, the Senate passed a resolution, Resolution 248, asking the State Supreme Court to provide this Legislature with the recommendations for redistricting their court. A wide majority of the court, over two-thirds, has responded. Justice McCallum, Justice Genovese, Justice Crane, Justice Hughes, and Justice Griffin, have conscientiously and unselfishly and courageously stepped forward and presented us with a map that redraws the Supreme Court districts in a manner that will comply with the Voting Rights Act and alleviate the costly litigation to the State. You can fulfill your responsibility and honorably meet your obligation to redistrict our high court so that the people of Louisiana will have a fair, democratic, and equally represented judiciary. The litigation involving our Supreme Court districts has been pending for quite some time. In fact, there are cases in all three federal districts in the State.

[00:55:04]

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**GOVERNOR JEFF LANDRY:** Again, as Attorney General, we worked to defend the State and to have those cases dismissed. I know, firsthand, how indefensible these cases are. Our Supreme Court districts have been redistricted by this Legislature only one time in 103 years. The result is that districts are grossly unbalanced with two districts twice as large as another one. Last year, I negotiated a scheduling order with the plaintiffs in one of those cases, allowing the Legislature, allowing you all a chance to willingly handle our own affairs rather than unwillingly have it done by another nonelected federal judge. I want to publicly commend the justices for their willingness to set aside any regard for their own careers or the power that they hold. They epitomize statesmanship, honor, integrity, and the very embodiment of fairness. They are a reflection of our people's goodness, decency and justness. Every single person in this great State can look up to them with pride and reverence and a reborn confidence that the judicial system in this State is great and filled with men and women who will absolutely do the right thing.

[APPLAUSE]

**GOVERNOR JEFF LANDRY:** Just as we would respect and honor and comply with any decision reached by such a majority of this court. I ask you to respect that and adopt the court's redistricting map and allow the first seat to be filled this fall. Now, every voting age citizen in Louisiana may or may not join a political party of his or her choosing. It is a choice. It is their freedom. But if you choose to join a political party, it certainly is only fair and right that you have the ability to select your party's candidate for office without the interference of another party or without the distraction and the interference of a convoluted, complicated and extended ballot to wade through and to decipher.

[APPLAUSE]

**GOVERNOR JEFF LANDRY:** As I travel the State, I have listened carefully to those who seek a more focused, electoral process where they may participate in the nomination of their party's chosen candidate. And I believe it is an issue that our Legislature should consider and we have included a proposal for a closed party primary system for your consideration for that very reason. Because it's about fairness, it's about simplicity, it's about clarity and we have tested this system before in this State, and it works. The United States House Majority Leader Steve Scalise is in his seat as a result of being elected to Congress under a party primary system. Our State Treasurer was elected to Congress under a tried and tested system. I was elected to Congress under a party primary system. President Joe Biden was elected in Louisiana's presidential primary, as was President Trump, and other presidential nominees that were put forward by this State were chosen in a party primary system which allows the major parties to pick their candidates. It is fair and it is common sense. And as for our independent or no party voters, who by their own choice, decide not to join a party, their voice is heard and their votes are counted. Counted on a simpler, shorter, clearer November election ballot containing generally one Democrat, one Republican, and ballot qualifying independent candidates. Some things make Louisiana unique. Our food, our music, and our culture. These are sources of our pride. However, our jungle primary system is the only one of its kind in this country. It is a relic of the past, which I believe has left us dead last.

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[APPLAUSE]

[01:00:07]

**GOVERNOR JEFF LANDRY:** All of our fellow southern states are succeeding, they have a closed primary system, a process which results in stronger, more unified elected leaders. It is time to rewrite our story and to move to a similar system. We have already tried, we have already tested and still use in presidential primaries and will use in February of this year. As we work on other electoral reforms with these redistricting maps. Now is the time to also deal, I believe, with this commonsense change. Today, we honor Dr. Martin Luther King. And I do not believe that it is mere irony that finds us here today on this great day, on this consecrated day, where we seek to amplify the voice of few, where we seek to broaden the opportunity for participation in the government and governance of our people. The courage and the wisdom and the relentless pursuit of fairness in our electoral process was exactly what Dr. King spoke for. And so, it should be profoundly moving that we do this on this day. In fact, his words in 1968, I believe, are wholly appropriate 56 years later at this very hour where he said, "The arc of the moral universe is long, but it bends towards justice." You see, for Dr. King's, his was an uphill journey into the headwinds of hate. His was a march into a battle, while ours is a mere walk in the park. His was a persecution for speaking his truth, while ours is just a comfortable dialogue. His was a mighty shove, while yours is simply a mere push of the button. Ladies and gentlemen, let us take these affairs and the things that have divided us in this state off the table so we can begin the work that the people have sent us here. God bless you. God bless each and every one of you. God bless the people of Louisiana, and God bless the people we represent. Thank you so very much.

**SPEAKER DEVILLIER:** Thank you, governor. Senator McMath moves that the senate retire to its chambers without objection.

[01:05:00]

[BACKGROUND NOISE]

Members, we're waiting on additional bills to be filed, so please don't leave. Members, we're waiting on additional bills to be filed, so please do not leave.

[01:10:00]

[BACKGROUND NOISE]

[01:15:00]

[BACKGROUND NOISE]

**SPEAKER DEVILLIER:** Morning hour number seven.

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**FEMALE 1:** Mr. Speaker and members, the House Bill by Representative Emerson to amend and reenact Title 18 relative to elections party primary system of elections for certain office as provides relative to nominations, recognized political parties voting and that bill becomes House Bill 17.

**[BACKGROUND CONVERSATION]**

**SPEAKER DEVILLIER:** Representative Mike Johnson moves to suspend the rules for the purpose of referring the pre-filed House Bills to committee at this time. House and Governmental.

**FEMALE 1:** A House Bill by Representative Wright joint resolution to amend the constitution, to amend Title V provides relative to Supreme Court election, statewide election of Supreme Court justices, elimination of Supreme Court District submission of proposed amendment to the electors. That bill becomes House Bill 18.

**SPEAKER DEVILLIER:** House and Governmental.

**[BACKGROUND NOISE]**

**SPEAKER DEVILLIER:** Okay, members, we're going to stand at ease until we get committee notices.

**[BACKGROUND NOISE]**

**[01:20:00]**

**[BACKGROUND NOISE]**

**[01:25:00]**

**[BACKGROUND NOISE]**

**[01:30:00]**

**[BACKGROUND NOISE]**

**SPEAKER DEVILLIER:** Announcements.

**FEMALE 1:** Announcements Mr. Speaker and members, Committee on Appropriations meets tomorrow morning, Tuesday, January 16 at 8:30 a.m., Committee Room 6 and Chair McFarland may suspend the rules for the purpose of hearing House Bill 16 at that meeting.

**SPEAKER DEVILLIER:** Without objection.

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**FEMALE 1:** Committee on House and Governmental Affairs will meet 10:00 a.m. tomorrow, Tuesday, January 16, Committee Room 5 and Representative Vallee moves to suspend the rules for the purpose of adding House Bill 6, 8, 9 and 17 to that agenda.

[01:35:05]

**SPEAKER DEVILLIER:** Without objection. Representative Thompson for a Motion.

**REPRESENTATIVE THOMPSON:** Mr. Speaker, members, I move that we adjourned to 3:00 o'clock tomorrow afternoon.

**SPEAKER DEVILLIER:** The House is adjourned.

[BACKGROUND NOISE]

[01:40:00]

[BACKGROUND NOISE]

[01:45:00]

[BACKGROUND NOISE]

[01:45:34]

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**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.

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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.

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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.

[00:45:03]

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]**

**[02:20:00]**

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**[BACKGROUND NOISE]**

**[02:21:47]**

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ORIGINAL

2024 First Extraordinary Session

HOUSE BILL NO. 19

BY REPRESENTATIVE BEAULLIEU

REAPPORTIONMENT/CONGRESS: Provides relative to the election districts for members of congress (Item #1)

1 AN ACT

2 To enact R.S. 18:1276.1 and to repeal R.S. 18:1276, relative to congressional districts; to  
3 provide for the redistricting of Louisiana's congressional districts; to provide with  
4 respect to positions and offices, other than congressional, which are based upon  
5 congressional districts; to provide for the effectiveness; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1276.1 is hereby enacted to read as follows:

9 §1276.1. Congressional districts

10 Louisiana shall be divided into six congressional districts, and the qualified  
11 electors of each district shall elect one representative to the United States House of  
12 Representatives. The districts shall be composed as follows:

13 (1) District 1 is composed of Precincts 13, 14, 15, 18, 21, 22, 25, 26, 27, 33,  
14 34, 35, 41, 43, and 69 of Ascension Parish; Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12,  
15 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35,  
16 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63,  
17 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86,  
18 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 117,  
19 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 132, 134,  
20 136, 192, 198, 199, 246, 247, 248, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H,

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CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

R026-001



App. 922

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1        9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K, 11-K,  
2        12-K, 13-KA, 14-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K, 29-K, 34-K,  
3        35-K, and 1-L of Jefferson Parish; Precincts 3-3, 3-6, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 7-4,  
4        8-1, 9-1, 9-2, 10-1, 10-2, 10-3, 10-4, 10-6, 10-8, 10-9, 10-10, 10-11, 10-12, 10-13,  
5        10-14, 10-15, 10-16, 11-1, 11-2, 11-3, and 11-5 of Lafourche Parish; Precincts 13A,  
6        13B, 14, 15, 16, 17, 22, 31, 32, and 38 of Livingston Parish; Precincts 4-7, 4-8, 4-9,  
7        4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21, 4-22, 4-23, 5-12, 5-13, 5-15, 5-16,  
8        5-17, 5-18, 6-9, 7-41, 7-42, 9-45, 9-45A, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 12-5,  
9        12-6, 12-7, 12-9, 12-10, 13-5, 13-7, 13-8, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7,  
10       14-8, 14-9, 14-10, 14-11, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-20, 14-21,  
11       16-1, 16-1A, 17-1, 17-17, 17-18, 17-18A, 17-19, and 17-20 of Orleans Parish;  
12       Plaquemines Parish; Precincts 32, 33, 34, 41, 42A, 43, 44, 45, 46, 50, 51, 52, 53, 54,  
13       and 55 of St. Bernard Parish; Precincts 1-6, 2-6, 3-1, 3-2, 3-3, 5-5, 6-1, 6-2, 6-3, 6-4,  
14       6-6, and 6-8 of St. Charles Parish; St. Tammany Parish; and Precincts 44, 49, 70,  
15       70A, 71, 72, 72A, 73, 74, 120B, 122A, 122B, 122C, 124, 137, 137A, 137B, 137C,  
16       137D, 139, 141, 141A, 143, 143A, 145, 147, 149, 149A, and 151 of Tangipahoa  
17       Parish.

18        (2) District 2 is composed of Precincts 6, 7, 9, 11, 17, 20, 23, 24, 28, 30, 31,  
19        32, 36, 37, 38, 39, 40, 42, 44, 45, 47, 48, 50, 51, 52, 53, 54, 55, 57, 58, 62, 63, 65, 66,  
20        68, 71, 72, 73, 77, and 78 of Ascension Parish; Assumption Parish; Iberville Parish;  
21        Precincts 57, 104, 108, 115, 116, 131, 133, 138, 150, 151, 152, 153, 154, 155, 156,  
22        157A, 157B, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179A, 179B, 180, 181,  
23        182, 183, 184, 185A, 185B, 187, 188, 189, 190, 191, 193A, 193B, 194A, 194B, 195,  
24        196, 197A, 197B, 200, 201, 202, 203, 204, 205, 210, 211, 212, 213A, 213B, 213C,  
25        214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229, 230, 231, 232A,  
26        232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G, 8-G,  
27        9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 15-K, 21-K, 22-K, 23-K, 24-K, 26-K, 30-K,  
28        31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W, and 7-W of Jefferson Parish; Precincts  
29        1-2, 1-3, 1-4, 1-5, 1-6, 2-1, 2-1A, 2-3, 2-5, 2-7, 2-9, 2-10, 2-11, 2-16, 5-1, 5-1A, and

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1        5-3 of Lafourche Parish; Precincts 1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8,  
2        3-9, 3-12, 3-14, 3-15, 3-18, 3-19, 3-20, 4-2, 4-3, 4-6, 5-1, 5-2, 5-3, 5-5, 5-7, 5-8, 5-9,  
3        5-10, 5-11, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 7-1, 7-2, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10,  
4        7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18, 7-19, 7-20, 7-21, 7-23, 7-24, 7-25,  
5        7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29, 7-30, 7-32, 7-33, 7-35, 7-37, 7-37A,  
6        7-40, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12, 8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22,  
7        8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10,  
8        9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-19, 9-21, 9-23, 9-25, 9-26, 9-28, 9-28C,  
9        9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D, 9-32, 9-33, 9-34A, 9-35, 9-35A,  
10       9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40, 9-40A, 9-40C, 9-41, 9-41A,  
11       9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B, 9-43C, 9-43E, 9-43F, 9-43G,  
12       9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N, 9-44, 9-44A, 9-44B, 9-44D,  
13       9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M, 9-44N, 9-44O, 9-44P, 9-44Q,  
14       10-3, 10-6, 10-7, 10-8, 10-9, 10-11, 10-12, 10-13, 10-14, 11-2, 11-3, 11-12, 11-13,  
15       11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-11, 12-12, 12-13, 12-14, 12-16, 12-17,  
16       12-19, 13-1, 13-2, 13-3, 13-4, 13-6, 13-9, 13-10, 13-11, 13-12, 13-13, 13-14, 13-15,  
17       13-16, 14-12, 14-19, 14-23, 14-24A, 14-25, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6,  
18       15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A, 15-13B, 15-14, 15-14A,  
19       15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15, 15-15A, 15-15B, 15-16,  
20       15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C, 15-18D, 15-18E, 15-18F,  
21       15-19, 15-19A, 15-19B, 15-19C, 16-2, 16-3, 16-4, 16-5, 16-6, 16-7, 16-8, 16-9, 17-2,  
22       17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12, 17-13, 17-13A, 17-14,  
23       17-15, and 17-16 of Orleans Parish; Precincts 10, 11, 12, 13, 14, 15, 20, 21, 22, 23,  
24       24, 25, 30, 31, 40, and 42 of St. Bernard Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 2-1,  
25       2-3, 2-4, 2-5, 4-1, 4-2, 4-3, 4-4, 4-5, 5-1, 5-3, 5-4, 7-1, 7-2, 7-3, 7-4, 7-5, and 7-6 of  
26       St. Charles Parish; St. James Parish; and St. John the Baptist Parish.  
27       (3) District 3 is composed of Acadia Parish; Precincts 167, 260, 261, 262,  
28       300, 301, 302, 303, 304, 305, 306, 307, 308, 309E, 309W, 310, 311, 312, 313E,  
29       313W, 314, 315E, 315W, 316E, 316W, 317, 318, 319N, 319S, 320E, 320W, 321,

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1        322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332N, 332S, 333, 334, 335, 336,  
2        337, 338, 339, 340, 360, 361, 362, 363, 364, 368, 369, 370, 372, 405, 440, 441, 463,  
3        464, 467, 800, 801, 860S, 861E, and 861W of Calcasieu Parish; Cameron Parish;  
4        Iberia Parish; Jefferson Davis Parish; Precincts 1, 3, 8, 25, 26, 27, 28, 29, 30, 31, 32,  
5        33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70, 71,  
6        72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94,  
7        95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 114,  
8        115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127, 128, 130, 131, 133, 134,  
9        135, and 136 of Lafayette Parish; Precincts 1-1, 2-2, 2-6, 2-8, 2-12, 2-13, 2-14, 2-15,  
10       3-1, 3-2, 3-4, 3-5, 3-7, 5-2, 6-1, 6-2, 6-3, 6-4, 6-5, 7-1, 7-2, 7-3, and 11-4 of  
11       Lafourche Parish; St. Martin Parish; St. Mary Parish; Terrebonne Parish; and  
12       Vermilion Parish.  
13              (4) District 4 is composed of Allen Parish; Beauregard Parish; Bienville  
14       Parish; Bossier Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11,  
15       1-12, 1-13, 1-14, 2-1, 2-2, 2-4, 2-7, 3-1, 3-8, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-9,  
16       4-10, 5-10, 6-1, 7-1, 8-1, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 9-1, 9-2, 9-3, 9-4, 9-5,  
17       9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 10-2, 11-1, 11-2, 11-3, 11-6, 11-7, 11-9,  
18       11-10, 12-1, 12-3, 12-7, 12-8, and 12-9 of Caddo Parish; Precincts 160E, 160W, 161,  
19       162E, 162W, 163, 164, 165, 166E, 166W, 365, 366, 367, 371N, 371S, 400, 401, 402,  
20       403, 404, 406, 407, 408, 460E, 460W, 461, 465, 466E, 466W, 468, 469, 560, 561,  
21       562, 600, 601, 602, 603, 660, 661, 662, 663, 664, 700, 701, 702, 703, 760, 761, 762,  
22       and 860N of Calcasieu Parish; Claiborne Parish; Precincts 10, 11, 11B, 11C, 16,  
23       16A, 16B, 16C, 23, 28, 30A, 31A, 34, 34A, 34B, 35, 35A, 35B, 37, 37C, 46, 46A,  
24       48, 49, 49A, and 51 of DeSoto Parish; Evangeline Parish; Grant Parish; Jackson  
25       Parish; Lincoln Parish; Precincts 1, 1A, 2, 4, 25, 32, 33, 38, 41, 43, 44, 44A, 45, 49,  
26       50, 51, 51A, 53, 55, 57, 58, 61, 64, 71, 75, 76, and 77 of Ouachita Parish; Precincts  
27       C22, C23, C35, C37-A, C37-B, C41, S7, S8, S9, S10, S11, S13, S14, S21, S22, S23,  
28       S24, S25, S26, S27, S28, and S29 of Rapides Parish; Red River Parish; Sabine  
29       Parish; Union Parish; Vernon Parish; Webster Parish; and Winn Parish.

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(5) District 5 is composed of Precincts 1, 2, 3, 4, 5, 8, 10, 12, 16, 19, 61, 64, and 76 of Ascension Parish; Precincts 1-1, 1-2, 1-3, 1-3A, 2-1, 2-1A, 2-2, 2-2A, 2-2B, 2-2C, 2-2D, 2-2F, 2-3A, 2-4, 2-4A, 2-5, 2-5E, 2-7, 2-8, 3-1B, 4-1, 4-2, 5-1, 5-1A, 5-1B, 6-1A, 6-2, 6-2A, 7-3B, and 9-4B of Avoyelles Parish; Caldwell Parish; Catahoula Parish; Concordia Parish; Precincts 1-12, 1-34, 1-41, 1-42, 1-43, 1-44, 1-46, 1-47, 1-49, 1-56, 1-69, 1-74, 1-75, 1-76, 1-79, 1-80, 1-99, 1-105, 1-107, 2-6, 2-7, 2-8, 2-33, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-21, 3-22, 3-23, 3-25, 3-26, 3-29, 3-30, 3-31, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-43, 3-45, 3-46, 3-47, 3-48, 3-49, 3-51, 3-53, 3-58, 3-60, 3-61, 3-62, 3-64, 3-65, 3-66, 3-67, 3-68, 3-71, 3-73, and 3-74 of East Baton Rouge Parish; East Carroll Parish; East Feliciana Parish; Franklin Parish; LaSalle Parish; Precincts 1, 1A, 1B, 1C, 1D, 2, 2A, 3, 3A, 3B, 4, 4A, 4B, 5, 5A, 5B, 5D, 6, 6A, 6B, 7, 7A, 7B, 7C, 7D, 8A, 8B, 9, 10, 11, 11A, 12, 18, 18A, 19, 19A, 20, 21, 21A, 21B, 23, 23A, 23B, 23C, 24, 24B, 24C, 24D, 25, 26, 26A, 26B, 26C, 27, 28, 29, 30, 33, 34, 35, 35A, 36, 36A, 39, 39A, 39B, 40, 40A, 41, and 43 of Livingston Parish; Madison Parish; Morehouse Parish; Precincts 3, 5, 6, 7, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 30, 31, 34, 35, 36, 37, 39, 40, 42, 46, 47, 48, 52, 52A, 54, 56, 56A, 59, 60, 62, 63, 65, 65A, 66, 67, 68, 69, 70, 72, 73, 74, 78, and 79 of Ouachita Parish; Richland Parish; St. Helena Parish; Precincts 2, 6, 11, 15, 16, 17, 28, 33, 40A, 41, 42, 43, 45A, 45B, 46, 47, 101, 102, 104, 105, 106, 106A, 107, 108, 109, 110, 111A, 112, 114, 115B, 116, 117, 118, 118A, 119, 120, 120A, 121, 121A, 123, 125, 127, 129A, 133, and 133A of Tangipahoa Parish; Tensas Parish; Washington Parish; West Carroll Parish; and West Feliciana Parish.

(6) District 6 is composed of Precincts 3-1, 3-3, 4-2A, 4-2B, 6-1B, 7-1, 7-3, 8-1, 8-2A, 8-2B, 8-3, 8-3A, 9-1A, 9-2, 9-2A, 9-3, 9-4, 9-5B, 10-2, 10-2A, 10-2B, 10-3A, 10-3B, 10-4, 11-1, and 11-2A of Avoyelles Parish; Precincts 2-3, 2-5, 2-6, 2-8, 2-9, 2-10, 2-11, 2-12, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-11, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 10-1, 10-3, 10-4, 10-5, 10-6, 10-7, 10-8, 10-9, 11-4, 11-5, 11-8,



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1        12-2, 12-4, 12-5, 12-6, 12-10, and 12-11 of Caddo Parish; Precincts 1, 4, 5, 5A, 6,  
2        6A, 6B, 9, 21, 22, 22A, 26, 26A, 30, 31, 32, 33, 33A, 38, 38A, 42, 44, 46B, 53, 55,  
3        56, 59, 60, 60A, 63, and 63A of De Soto Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6,  
4        1-7, 1-8, 1-9, 1-10, 1-11, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22,  
5        1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-35, 1-36, 1-37,  
6        1-38, 1-39, 1-40, 1-45, 1-48, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55, 1-57, 1-58, 1-59,  
7        1-60, 1-61, 1-62, 1-63, 1-64, 1-65, 1-66, 1-67, 1-68, 1-70, 1-71, 1-72, 1-73, 1-77,  
8        1-78, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-89, 1-90, 1-91, 1-92, 1-93,  
9        1-94, 1-95, 1-96, 1-97, 1-98, 1-100, 1-101, 1-102, 1-103, 1-104, 2-1, 2-2, 2-3, 2-4,  
10       2-5, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22,  
11       2-23, 2-24, 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-34, 2-35, 2-36, 2-37,  
12       2-38, 3-8, 3-10, 3-11, 3-12, 3-19, 3-20, 3-24, 3-27, 3-28, 3-32, 3-42, 3-44, 3-50, 3-52,  
13       3-54, 3-55, 3-56, 3-57, 3-59, 3-63, 3-69, 3-70, 3-72, 3-75, and 3-76 of East Baton  
14       Rouge Parish; Precincts 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21,  
15       22, 23, 24, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 68, 112, 113, 122,  
16       and 129 of Lafayette Parish; Natchitoches Parish; Pointe Coupee Parish; Precincts  
17       C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11-A, C11-B, C13, C14, C15, C17, C18,  
18       C19, C20, C21, C24, C25, C26, C27, C28, C30, C31, C32, C33, C34, C36, C38-A,  
19       C38-B, C39, C40, C42, N1, N2, N3, N4, N5, N6, N7, N8, N9, N10, N11, N12,  
20       N13-A, N13-B, N14-A, N14-B, N15, N16, N17, N18-A, N18-B, N19, N20, N21,  
21       N22, N23, N24, N25, N26, N27, N28, N29, S1, S2, S4, S5, S6A, S6B, S15, S16,  
22       S17, S18, S19, and S20 of Rapides Parish; St. Landry Parish; and West Baton Rouge  
23       Parish.

24       Section 2. R.S. 18:1276 is hereby repealed in its entirety.

25       Section 3.(A) The precincts referenced in this Act are those contained in the file  
26       named "2024 Precinct Shapefiles (1-10-2024)" available on the website of the Legislature  
27       of Louisiana on the effective date of this Section. The 2024 Precinct Shapefiles are based  
28       upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line  
29       Shapefiles for the State of Louisiana as those files have been modified and validated through

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1 the data verification program of the Louisiana House of Representatives and the Louisiana  
2 Senate to represent precinct changes submitted through January 10, 2024, to the Legislature  
3 of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and  
4 532.1.

5 (B) When a precinct referenced in this Act has been subdivided by action of the  
6 parish governing authority on a nongeographic basis or subdivided by action of the parish  
7 governing authority on a geographic basis in accordance with the provisions of R.S.  
8 18:532.1, the enumeration in this Act of the general precinct designation shall include all  
9 nongeographic and all geographic subdivisions thereof, however such subdivisions may be  
10 designated.

11 (C) The territorial limits of the districts as provided in this Act shall continue in  
12 effect until changed by law regardless of any subsequent change made to the precincts by  
13 the parish governing authority.

14 Section 4. The provisions of this Act shall not reduce the term of office of any  
15 person holding any position or office on the effective date of this Section for which the  
16 appointment or election is based upon a congressional district as composed pursuant to R.S.  
17 18:1276. Any position or office that is filled by appointment or election based upon a  
18 congressional district and that is to be filled after January 3, 2025, shall be appointed or  
19 elected from a district as it is described in Section 1 of this Act.

20 Section 5.(A) Solely for the purposes of qualifying for election and the conduct of  
21 the election of representatives to the United States Congress at the regularly scheduled  
22 election for representatives to the congress in 2024, the provisions of Section 1 of this Act  
23 shall become effective upon signature of this Act by the governor or, if not signed by the  
24 governor, upon expiration of the time for bills to become law without signature by the  
25 governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act  
26 is vetoed by the governor and subsequently approved by the legislature, the provisions of  
27 Section 1 of this Act shall become effective on the day following such approval for the  
28 purposes established in this Subsection.

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1 (B) For subsequent elections of representatives to the United States Congress and  
2 for all other purposes, the provisions of Section 1 of this Act shall become effective at noon  
3 on January 3, 2025.

4 (C) The provisions of Section 2 of this Act shall become effective at noon on  
5 January 3, 2025.

6 (D) The provisions of this Section and Sections 3 and 4 of this Act shall become  
7 effective upon signature of this Act by the governor or, if not signed by the governor, upon  
8 expiration of the time for bills to become law without signature by the governor, as provided  
9 in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the  
10 governor and subsequently approved by the legislature, the provisions of this Section and  
11 Sections 3 and 4 of this Act shall become effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 19 Original                      2024 First Extraordinary Session                      Beaulieu

**Abstract:** Provides for the redistricting of the state's congressional districts and provides for the composition of each of the six congressional districts. Effective upon signature of governor for election purposes only for the regular congressional elections in 2024 and at noon on January 3, 2025, for all other purposes.

Statistical summaries of proposed law, including district variances from the ideal population of 776,292 and the range of those variances, as well as maps illustrating proposed district boundaries accompany this digest. *(Attached to the bill version on the internet.)*

Present U.S. Constitution (14th Amendment) provides that representatives in congress shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state. The U.S. Supreme Court has held that the population of congressional districts in the same state must be as nearly equal in population as practicable.

Present law provides for six congressional districts based upon the 2020 federal decennial census.

Proposed law redraws district boundaries for the congressional districts based upon the 2020 federal decennial census.

Proposed law provides that the new districts become effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024. Retains present law districts based upon the 2020 census until noon on January 3, 2025, at which time present law is repealed and the new districts

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based upon the 2020 census, as established by proposed law, become effective for all other purposes.

Proposed law specifies that precincts referenced in district descriptions are those precincts identified as Voting Districts (VTDs) contained in the file named "2024 Precinct Shapefiles (1-10-2024)" available on the La. legislature's website. Specifies that the 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the La. legislature. Also specifies that if any such precinct has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with present law, the enumeration of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof. Further provides that the territorial limits of the districts as enacted shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

Proposed law specifies that proposed law does not reduce the term of office of any person holding any position or office on the effective date of proposed law for which the appointment or election is based upon a congressional district as composed pursuant to present law. Specifies that any position or office filled after Jan. 1, 2025, for which the appointment or election is based upon a congressional district shall be appointed or elected from a district as it is described in proposed law.

Population data in the summaries accompanying this digest are derived from 2020 Census Redistricting Data (Public Law 94-171), Summary File for Louisiana. Population data, statistical information, and maps are supplied for purposes of information and analysis and comprise no part of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024; effective for all other purposes at noon on January 3, 2025.

(Adds R.S. 18:1276.1; Repeals R.S. 18:1276)

Plan Statistics

Plan: HLS 24 1 E.S.-35 (Beaullieu)

Districts:	# of Members	Actual Population	Ideal Population	Absolute Deviation	Relative Deviation
District 1	1	776,327	776,292	35	0.005%
District 2	1	776,316	776,292	24	0.003%
District 3	1	776,287	776,292	-5	-0.001%
District 4	1	776,302	776,292	10	0.001%
District 5	1	776,285	776,292	-7	-0.001%
District 6	1	776,240	776,292	-52	-0.007%
Grand Total:	6	4,657,757	4,657,752		
Ideal Population Per Member:		776292			
Number of Districts for Plan Type:		6			
Range of District Populations:		776,240	to 776,327		
Absolute Mean Deviation:		14			
Absolute Range:		-52	to 35		
Absolute Overall Range:		87			
Relative Mean Deviation:		0.00%			
Relative Range:		-0.01%	to 0.00%		
Relative Overall Range:		0.01%			

<b><i>Ideal - Actual:</i></b>	<b>-5</b>
<b><i>Remainder:</i></b>	<b>5</b>
<b><i>Unassigned Population:</i></b>	<b>0</b>

Total Population

Plan: HLS 24 1 E.S.-35 (Beaullieu)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	VAP Hispanic Total
District 1	776,327	553,751	108,188	23,991	17,494	72,903	90,968	603,907	444,675	76,646	17,622	12,740	52,224	64,365
	100.000%	71.330%	13.936%	3.090%	2.253%	9.391%	11.718%	100.000%	73.633%	12.692%	2.918%	2.110%	8.648%	10.658%
District 2	776,316	271,367	412,387	24,960	9,683	57,919	74,305	598,204	225,203	305,124	19,711	7,377	40,789	51,406
	100.000%	34.956%	53.121%	3.215%	1.247%	7.461%	9.571%	100.000%	37.647%	51.007%	3.295%	1.233%	6.819%	8.593%
District 3	776,287	514,019	189,998	16,980	18,502	36,788	43,292	588,557	405,242	132,825	12,215	12,990	25,285	29,021
	100.000%	66.215%	24.475%	2.187%	2.383%	4.739%	5.577%	100.000%	68.853%	22.568%	2.075%	2.207%	4.296%	4.931%
District 4	776,302	541,739	169,212	13,823	20,170	31,358	39,630	593,646	424,349	122,168	9,987	15,060	22,082	27,348
	100.000%	69.785%	21.797%	1.781%	2.598%	4.039%	5.105%	100.000%	71.482%	20.579%	1.682%	2.537%	3.720%	4.607%
District 5	776,285	491,932	225,122	14,471	12,211	32,549	38,166	597,217	392,767	160,995	10,902	9,249	23,304	26,564
	100.000%	63.370%	29.000%	1.864%	1.573%	4.193%	4.916%	100.000%	65.766%	26.958%	1.825%	1.549%	3.902%	4.448%
District 6	776,240	284,844	438,212	13,063	9,000	31,121	36,188	589,017	232,275	318,011	9,979	6,824	21,928	24,958
	100.000%	36.695%	56.453%	1.683%	1.159%	4.009%	4.662%	100.000%	39.434%	53.990%	1.694%	1.159%	3.723%	4.237%
Grand Total	4,657,757	2,657,652	1,543,119	107,288	87,060	262,638	322,549	3,570,548	2,124,511	1,115,769	80,416	64,240	185,612	223,662
	100.000%	57.059%	33.130%	2.303%	1.869%	5.639%	6.925%	100.000%	59.501%	31.249%	2.252%	1.799%	5.198%	6.264%

Voter Registration

Plan: HLS 24 1 E.S.-35 (Beaullieu)

	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023	Reg Dem Total Dec 2023	Reg Rep Total Dec 2023	Reg Other Total Dec 2023
District 1	479,186	385,098	51,969	42,119	127,253	205,251	146,682
	79.348%	80.365%	10.845%	8.790%	26.556%	42.833%	30.611%
District 2	466,623	181,215	245,721	39,687	267,146	76,552	122,925
	78.004%	38.835%	52.659%	8.505%	57.251%	16.406%	26.344%
District 3	452,113	336,261	94,266	21,586	142,481	185,022	124,610
	76.817%	74.375%	20.850%	4.774%	31.514%	40.924%	27.562%
District 4	443,328	339,359	84,236	19,733	124,622	202,564	116,142
	74.679%	76.548%	19.001%	4.451%	28.111%	45.692%	26.198%
District 5	453,903	315,312	120,990	17,601	154,290	182,707	116,906
	76.003%	69.467%	26.655%	3.878%	33.992%	40.252%	25.756%
District 6	447,134	183,201	244,647	19,286	236,714	99,530	110,890
	75.912%	40.972%	54.714%	4.313%	52.940%	22.260%	24.800%
Grand Total	2,742,287	1,740,446	841,829	160,012	1,052,506	951,626	738,155

Splits

Plan: HLS 24 1 E.S.-35 (Beaullieu)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 1																
*Ascension	27,718	23,228	2,058	201	522	1,709	20,611	17,693	1,304	121	368	1,125	17,243	15,672	954	617
*Jefferson	240,081	155,518	30,822	11,880	4,356	37,505	192,148	129,999	22,555	8,951	3,295	27,348	144,399	112,491	12,528	19,380
*Lafourche	47,193	37,212	3,189	577	3,242	2,973	35,543	29,123	1,939	413	2,140	1,928	25,117	22,442	1,115	1,560
*Livingston	13,310	11,276	1,138	84	259	553	10,369	8,949	804	46	207	363	8,639	7,732	668	239
*Orleans	64,493	50,312	6,498	2,503	749	4,431	53,843	42,329	5,556	1,950	609	3,399	41,535	34,071	3,239	4,225
Plaquemines	23,515	14,287	5,428	1,317	697	1,786	17,334	10,856	3,857	925	500	1,196	13,143	8,996	2,934	1,213
*St. Bernard	20,543	11,907	5,780	617	436	1,803	14,871	8,992	3,854	424	327	1,274	12,975	8,866	3,231	878
*St. Charles	19,887	13,870	3,607	347	356	1,707	14,990	10,865	2,485	229	241	1,170	12,791	9,837	2,063	891
St. Tammany	264,570	196,641	38,643	5,774	5,660	17,852	202,228	154,621	26,761	4,075	4,161	12,610	174,307	141,262	21,129	11,916
*Tangipahoa	55,017	39,500	11,025	691	1,217	2,584	41,970	31,248	7,531	488	892	1,811	29,037	23,729	4,108	1,200
District 1	776,327	553,751	108,188	23,991	17,494	72,903	603,907	444,675	76,646	17,622	12,740	52,224	479,186	385,098	51,969	42,119
	100.000%	71.330%	13.936%	3.090%	2.253%	9.391%	100.000%	73.633%	12.692%	2.918%	2.110%	8.648%	79.348%	80.365%	10.845%	8.790%
District 2																
*Ascension	67,009	34,447	25,291	1,260	985	5,026	48,560	26,086	17,639	850	679	3,306	41,549	23,859	15,251	2,439
Assumption	21,039	13,722	6,220	96	258	743	16,616	11,145	4,707	57	197	510	13,323	8,977	4,131	215
Iberville	30,241	14,833	13,730	202	274	1,202	24,086	12,462	10,232	149	221	1,022	19,906	9,999	9,484	423
*Jefferson	200,700	65,417	95,395	11,144	3,330	25,414	152,506	54,136	69,620	8,741	2,540	17,469	109,034	40,445	53,674	14,915
*Lafourche	19,271	10,678	7,472	188	292	641	14,620	8,657	5,185	132	200	446	10,440	6,675	3,412	353
*Orleans	319,504	76,150	212,471	10,353	2,917	17,613	252,353	67,923	160,512	8,570	2,339	13,009	196,855	52,054	127,351	17,450
*St. Bernard	23,221	12,590	6,529	764	511	2,827	16,904	10,000	4,090	558	361	1,895	12,710	9,178	2,362	1,170
*St. Charles	32,662	19,680	10,321	490	569	1,602	24,551	15,289	7,405	300	426	1,131	20,791	13,574	6,207	1,010
St. James	20,192	9,973	9,762	60	82	315	15,505	7,883	7,297	31	64	230	14,531	7,116	7,196	219
St. John the Baptist	42,477	13,877	25,196	403	465	2,536	32,503	11,622	18,437	323	350	1,771	27,484	9,338	16,653	1,493
District 2	776,316	271,367	412,387	24,960	9,683	57,919	598,204	225,203	305,124	19,711	7,377	40,789	466,623	181,215	245,721	39,687
	100.000%	34.956%	53.121%	3.215%	1.247%	7.461%	100.000%	37.647%	51.007%	3.295%	1.233%	6.819%	78.004%	38.835%	52.659%	8.505%
District 3																
Acadia	57,576	44,480	10,864	238	573	1,421	42,943	34,071	7,383	173	400	916	36,151	29,438	5,995	718
*Calcasieu	131,299	69,747	50,290	3,564	1,764	5,934	99,893	55,812	35,987	2,563	1,347	4,184	65,841	39,808	22,822	3,211
Cameron	5,617	5,232	125	30	75	155	4,358	4,100	79	23	47	109	4,072	3,936	61	75
Iberia	69,929	39,206	24,556	2,123	794	3,250	52,791	31,295	17,069	1,562	581	2,284	42,188	26,848	13,441	1,899
Jefferson Davis	32,250	25,066	5,837	183	472	692	24,039	19,121	4,006	111	325	476	18,733	15,509	2,784	440
*Lafayette	180,411	131,849	29,263	5,960	2,665	10,674	137,635	103,919	19,952	4,314	2,029	7,421	111,925	91,759	13,498	6,668
*Lafourche	31,093	23,820	5,194	260	690	1,129	24,456	19,058	3,953	193	437	815	18,681	16,364	1,750	567
St. Martin	51,767	33,259	15,921	597	539	1,451	39,404	26,278	11,293	407	413	1,013	33,997	23,306	9,880	811
St. Mary	49,406	26,949	15,991	835	1,670	3,961	37,521	21,594	11,520	593	1,173	2,641	29,204	17,999	9,570	1,635



Splits

Plan: HLS 24 1 E.S.-35 (Beaullieu)

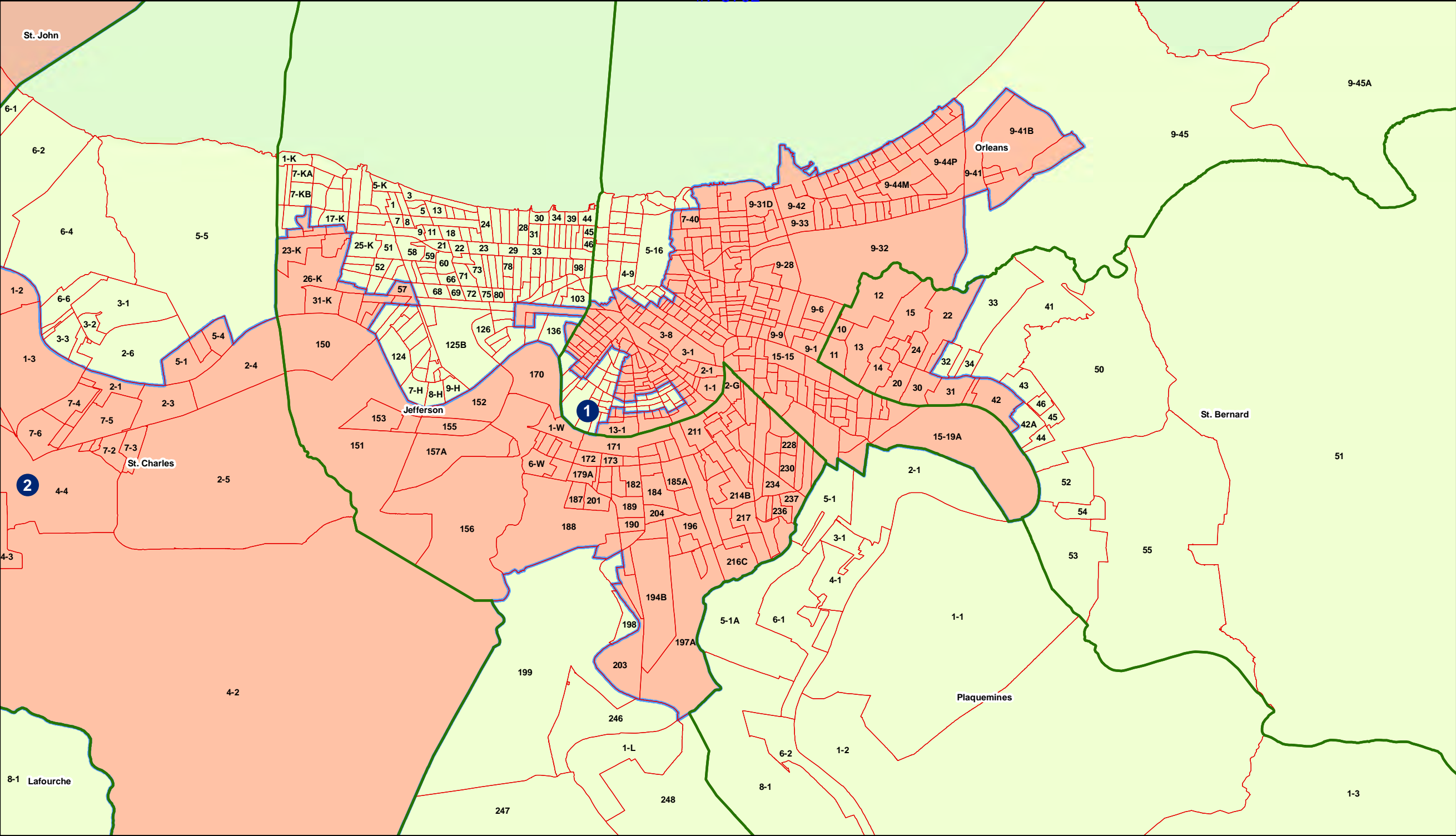
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 3																
Terrebonne	109,580	69,934	23,147	1,743	8,637	6,119	82,505	55,631	15,796	1,239	5,750	4,089	55,810	41,601	9,910	4,299
Vermilion	57,359	44,477	8,810	1,447	623	2,002	43,012	34,363	5,787	1,037	488	1,337	35,511	29,693	4,555	1,263
District 3	776,287	514,019	189,998	16,980	18,502	36,788	588,557	405,242	132,825	12,215	12,990	25,285	452,113	336,261	94,266	21,586
	100.000%	66.215%	24.475%	2.187%	2.383%	4.739%	100.000%	68.853%	22.568%	2.075%	2.207%	4.296%	76.817%	74.375%	20.850%	4.774%
District 4																
Allen	22,750	16,327	4,490	246	947	740	17,510	12,751	3,275	182	646	656	11,079	8,704	1,920	455
Beauregard	36,549	29,529	4,649	402	1,052	917	27,489	22,304	3,495	269	773	648	22,071	18,639	2,264	1,168
Bienville	12,981	6,950	5,600	57	207	167	10,073	5,486	4,284	30	162	111	8,336	4,509	3,728	99
Bossier	128,746	81,052	32,551	3,492	3,273	8,378	95,876	62,931	22,440	2,448	2,477	5,580	65,726	48,229	13,555	3,942
*Caddo	115,441	81,078	24,210	3,063	2,680	4,410	90,776	65,789	17,575	2,243	2,062	3,107	69,121	52,696	12,684	3,741
*Calcasieu	85,486	70,025	9,096	1,138	1,772	3,455	63,273	52,977	5,911	796	1,257	2,332	45,978	40,556	3,671	1,751
Claiborne	14,170	7,263	6,360	88	185	274	11,507	6,258	4,824	55	140	230	8,390	4,557	3,677	156
*De Soto	11,787	8,939	2,074	35	377	362	8,971	6,910	1,554	25	266	216	8,699	6,940	1,476	283
Evangeline	32,350	21,354	9,235	241	280	1,240	24,408	16,460	6,483	187	217	1,061	20,388	14,274	5,744	370
Grant	22,169	17,709	3,335	133	644	348	17,527	13,964	2,717	97	507	242	12,226	10,764	1,120	342
Jackson	15,031	9,967	4,166	175	255	468	11,783	7,967	3,125	140	174	377	9,375	6,570	2,610	195
Lincoln	48,396	26,034	19,364	892	662	1,444	38,655	21,306	15,119	744	526	960	24,408	15,139	8,357	912
*Ouachita	55,373	45,898	5,641	1,121	1,225	1,488	41,613	34,950	3,864	771	961	1,067	36,532	32,374	2,853	1,305
*Rapides	24,719	19,507	2,233	699	829	1,451	18,855	15,256	1,530	494	627	948	15,222	13,127	1,240	855
Red River	7,620	4,195	3,106	25	171	123	5,714	3,338	2,164	3	116	93	5,475	3,034	2,358	83
Sabine	22,155	15,036	3,861	94	2,723	441	17,064	12,054	2,655	66	1,970	319	13,570	10,287	1,912	1,371
Union	21,107	14,460	5,224	62	338	1,023	16,632	11,807	3,861	39	254	671	14,802	10,847	3,497	458
Vernon	48,750	35,087	7,611	1,442	1,600	3,010	36,261	26,765	5,133	1,074	1,160	2,129	22,409	18,129	2,608	1,672
Webster	36,967	22,735	12,679	208	687	658	28,753	18,144	9,464	154	558	433	21,259	14,068	6,744	447
Winn	13,755	8,594	3,727	210	263	961	10,906	6,932	2,695	170	207	902	8,262	5,916	2,218	128
District 4	776,302	541,739	169,212	13,823	20,170	31,358	593,646	424,349	122,168	9,987	15,060	22,082	443,328	339,359	84,236	19,733
	100.000%	69.785%	21.797%	1.781%	2.598%	4.039%	100.000%	71.482%	20.579%	1.682%	2.537%	3.720%	74.679%	76.548%	19.001%	4.451%
District 5																
*Ascension	31,773	23,466	4,867	839	497	2,104	22,786	17,357	3,196	543	343	1,347	19,854	16,011	2,623	1,220
*Avoyelles	20,125	14,889	4,417	132	397	290	15,393	11,696	3,076	102	282	237	11,431	8,976	2,117	338
Caldwell	9,645	7,646	1,632	51	150	166	7,478	5,969	1,224	46	116	123	5,813	4,959	762	92
Catahoula	8,906	5,776	2,395	46	119	570	6,951	4,557	1,736	33	87	538	6,113	4,363	1,695	55
Concordia	18,687	10,275	7,725	122	233	332	14,217	8,108	5,613	100	167	229	11,419	6,816	4,418	185
*East Baton Rouge	172,199	119,876	31,907	8,088	2,420	9,908	138,993	99,727	23,872	6,216	1,935	7,243	104,631	81,782	15,706	7,143
East Carroll	7,459	2,054	5,272	29	43	61	5,901	1,773	4,043	19	27	39	4,564	1,218	3,305	41

Splits

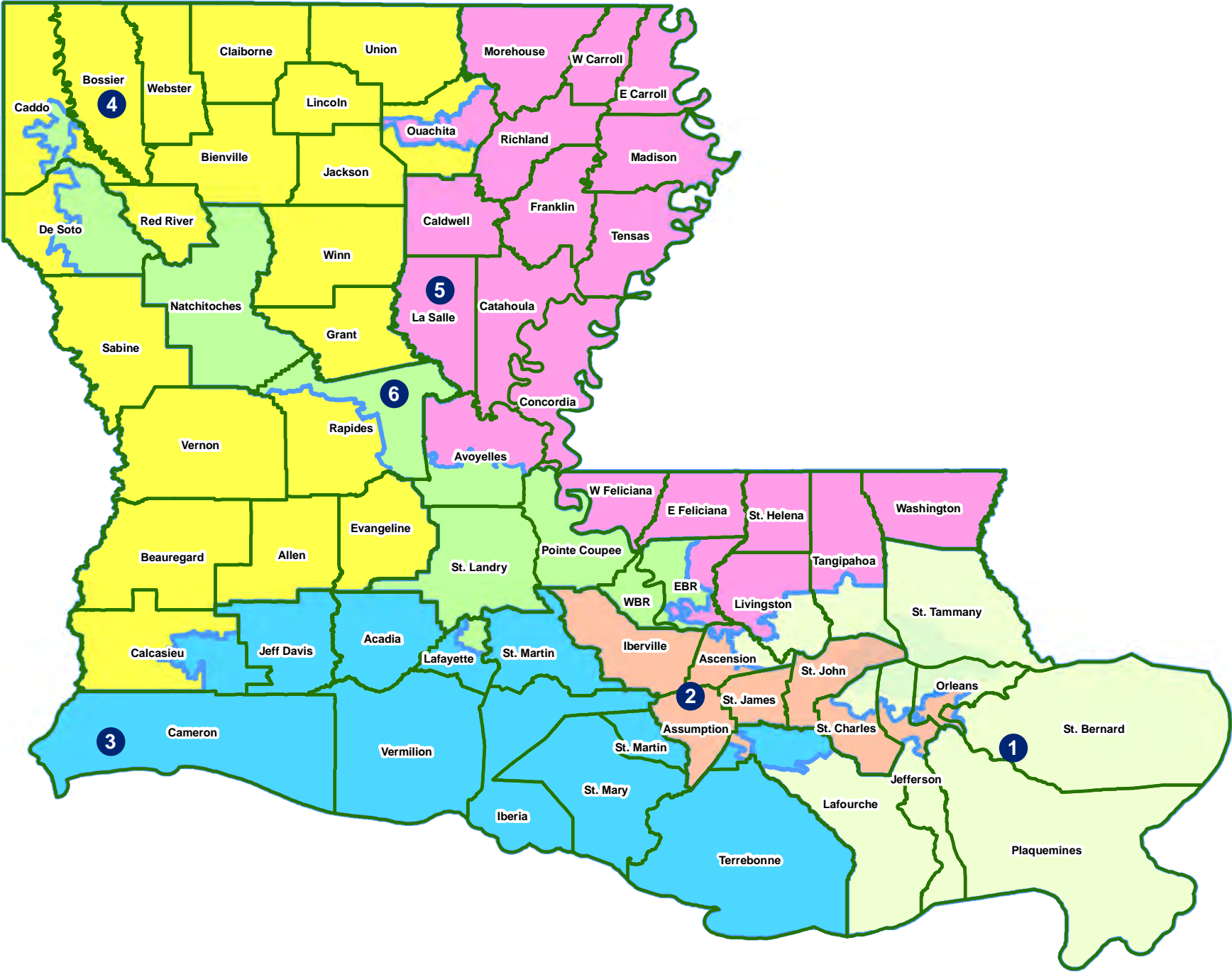
Plan: HLS 24 1 E.S.-35 (Beaullieu)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 5																
East Feliciana	19,539	11,516	7,341	91	262	329	16,183	9,740	5,918	61	198	266	13,327	7,805	5,075	447
Franklin	19,774	12,492	6,802	70	205	205	15,028	9,901	4,779	44	153	151	12,350	8,524	3,718	108
La Salle	14,791	11,348	1,422	283	372	1,366	11,563	8,636	1,065	264	271	1,327	8,380	7,633	583	164
*Livingston	128,972	105,579	11,520	1,613	2,852	7,408	94,772	79,483	7,332	1,053	2,104	4,800	73,766	65,923	4,974	2,869
Madison	10,017	3,475	6,363	20	59	100	7,435	2,906	4,391	9	48	81	7,068	2,439	4,518	111
Morehouse	25,629	12,281	12,484	160	370	334	20,062	10,095	9,300	117	279	271	15,440	7,806	7,377	257
*Ouachita	104,995	42,647	55,576	1,667	1,436	3,669	78,587	35,024	38,426	1,347	1,098	2,692	59,098	25,775	31,168	2,155
Richland	20,043	11,785	7,603	83	258	314	15,383	9,338	5,546	66	203	230	13,141	8,144	4,753	244
St. Helena	10,920	4,527	6,031	39	134	189	8,463	3,805	4,371	28	109	150	8,260	3,626	4,492	142
*Tangipahoa	78,140	41,836	30,854	783	1,237	3,430	59,521	33,957	21,686	612	935	2,331	34,249	22,443	10,704	1,102
Tensas	4,147	1,744	2,312	23	26	42	3,235	1,446	1,728	12	23	26	3,485	1,510	1,937	38
Washington	45,463	29,943	13,434	216	736	1,134	34,951	23,743	9,732	154	561	761	27,151	18,603	7,892	656
West Carroll	9,751	7,894	1,425	27	180	225	7,532	6,223	1,010	20	136	143	6,871	5,770	1,013	88
West Feliciana	15,310	10,883	3,740	89	225	373	12,783	9,283	2,951	56	174	319	7,492	5,186	2,160	146
District 5	776,285	491,932	225,122	14,471	12,211	32,549	597,217	392,767	160,995	10,902	9,249	23,304	453,903	315,312	120,990	17,601
	100.000%	63.370%	29.000%	1.864%	1.573%	4.193%	100.000%	65.766%	26.958%	1.825%	1.549%	3.902%	76.003%	69.467%	26.655%	3.878%
District 6																
*Avoyelles	19,568	10,736	7,261	302	370	899	15,185	8,573	5,235	277	288	812	10,007	6,266	3,505	236
*Caddo	122,407	22,379	95,094	971	1,160	2,803	91,631	19,270	68,784	765	896	1,916	62,821	11,685	48,787	2,349
*De Soto	15,025	6,345	7,899	82	363	336	11,469	4,999	5,871	61	291	247	9,188	4,065	4,841	282
*East Baton Rouge	284,582	76,193	181,491	8,337	2,307	16,254	216,619	64,154	132,918	6,383	1,812	11,352	164,206	50,963	103,796	9,447
*Lafayette	61,342	21,514	35,873	494	545	2,916	46,240	17,689	25,965	350	358	1,878	36,884	14,039	21,247	1,598
Natchitoches	37,515	19,361	15,725	255	861	1,313	29,349	16,010	11,415	198	683	1,043	20,675	11,761	8,016	898
Pointe Coupee	20,758	12,395	7,504	107	159	593	16,250	10,108	5,502	91	119	430	14,107	9,040	4,837	230
*Rapides	105,304	58,003	40,359	1,729	2,273	2,940	79,937	46,117	28,675	1,292	1,707	2,146	60,064	36,829	20,719	2,516
St. Landry	82,540	43,611	35,836	499	636	1,958	61,811	34,209	25,497	353	451	1,301	52,429	28,933	22,135	1,361
West Baton Rouge	27,199	14,307	11,170	287	326	1,109	20,526	11,146	8,149	209	219	803	16,753	9,620	6,764	369
District 6	776,240	284,844	438,212	13,063	9,000	31,121	589,017	232,275	318,011	9,979	6,824	21,928	447,134	183,201	244,647	19,286
	100.000%	36.695%	56.453%	1.683%	1.159%	4.009%	100.000%	39.434%	53.990%	1.694%	1.159%	3.723%	75.912%	40.972%	54.714%	4.313%

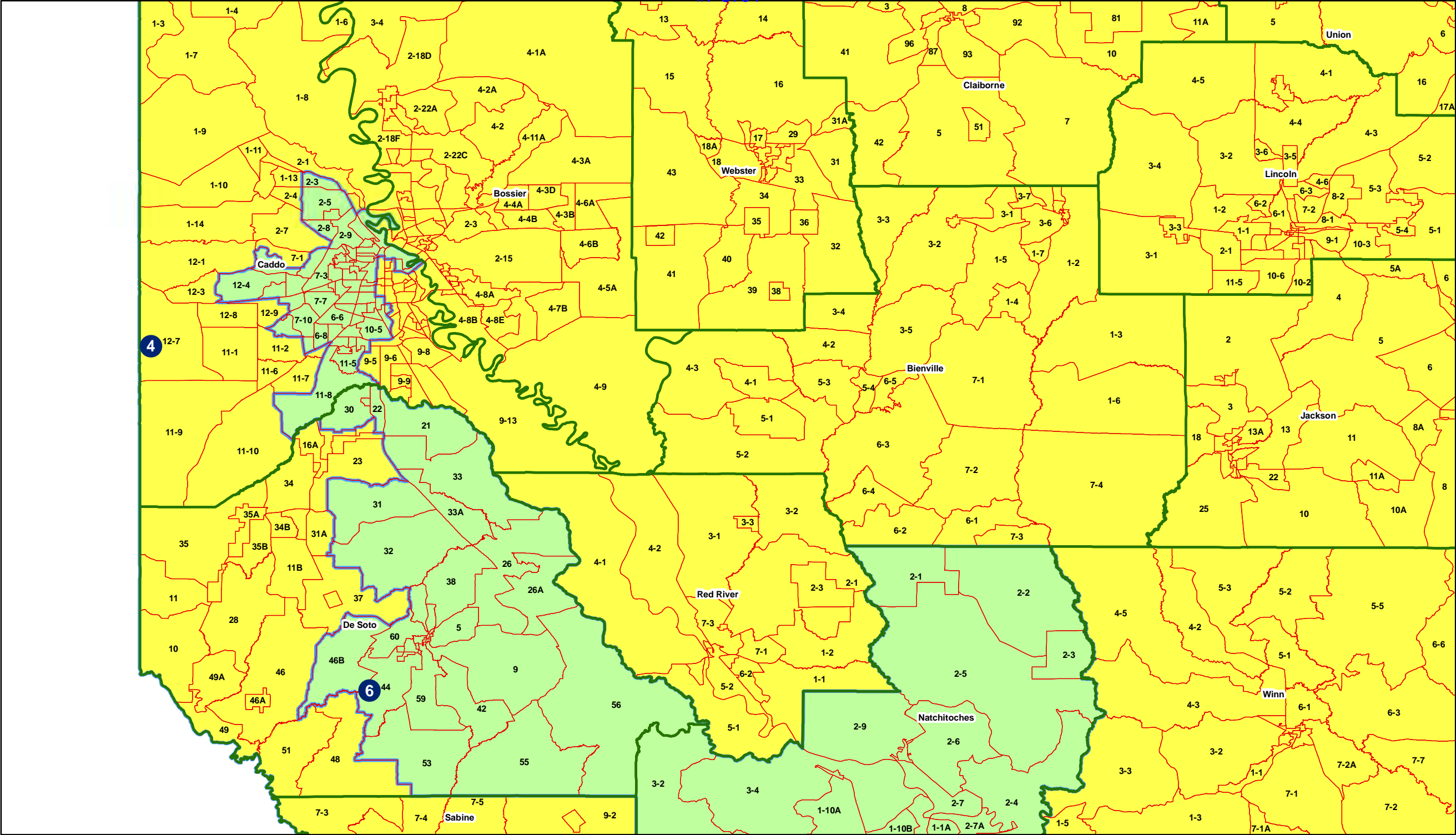
Congress - Orleans Metro



Congress - Statewide

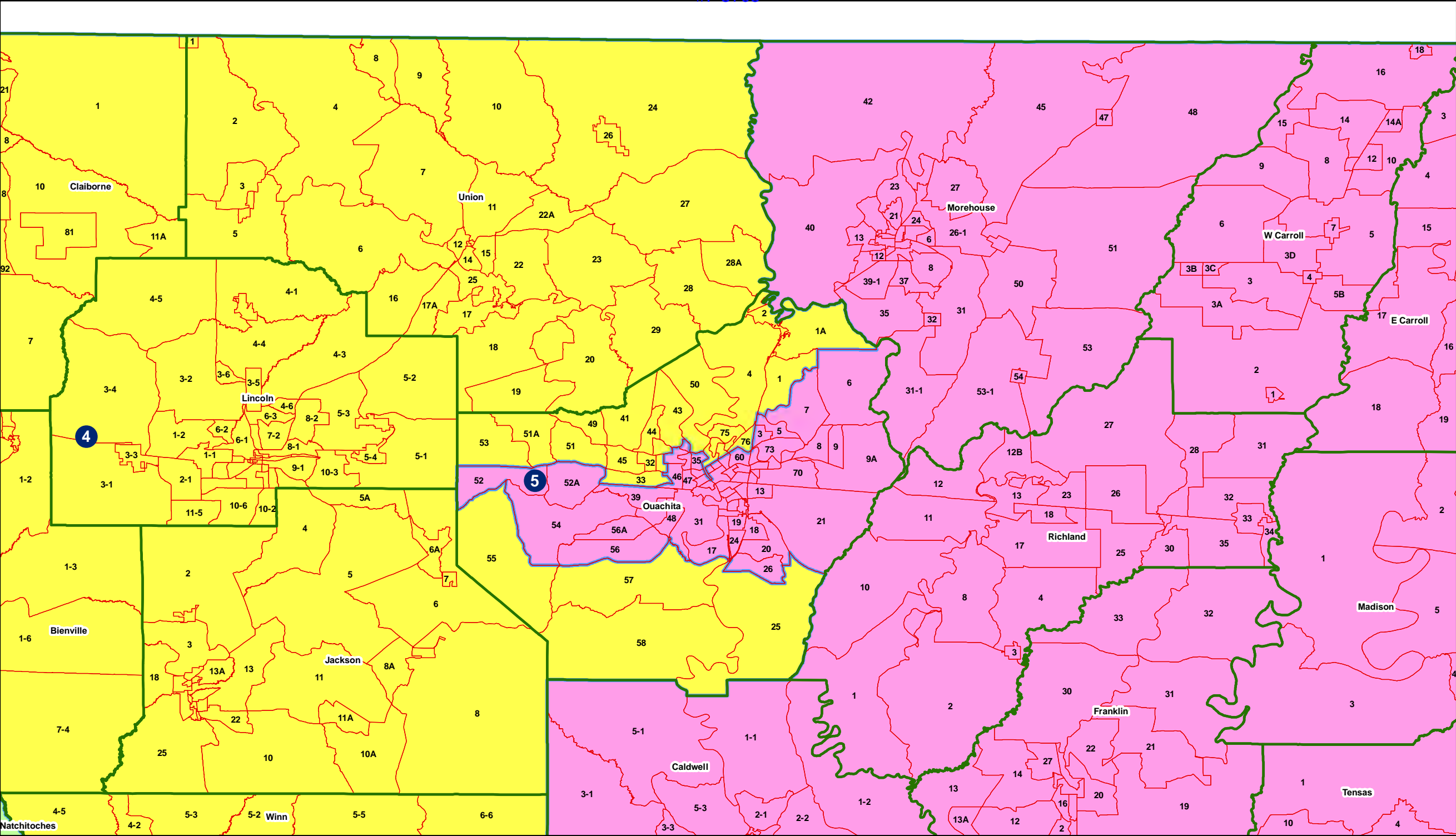


Congress - Northwest La.

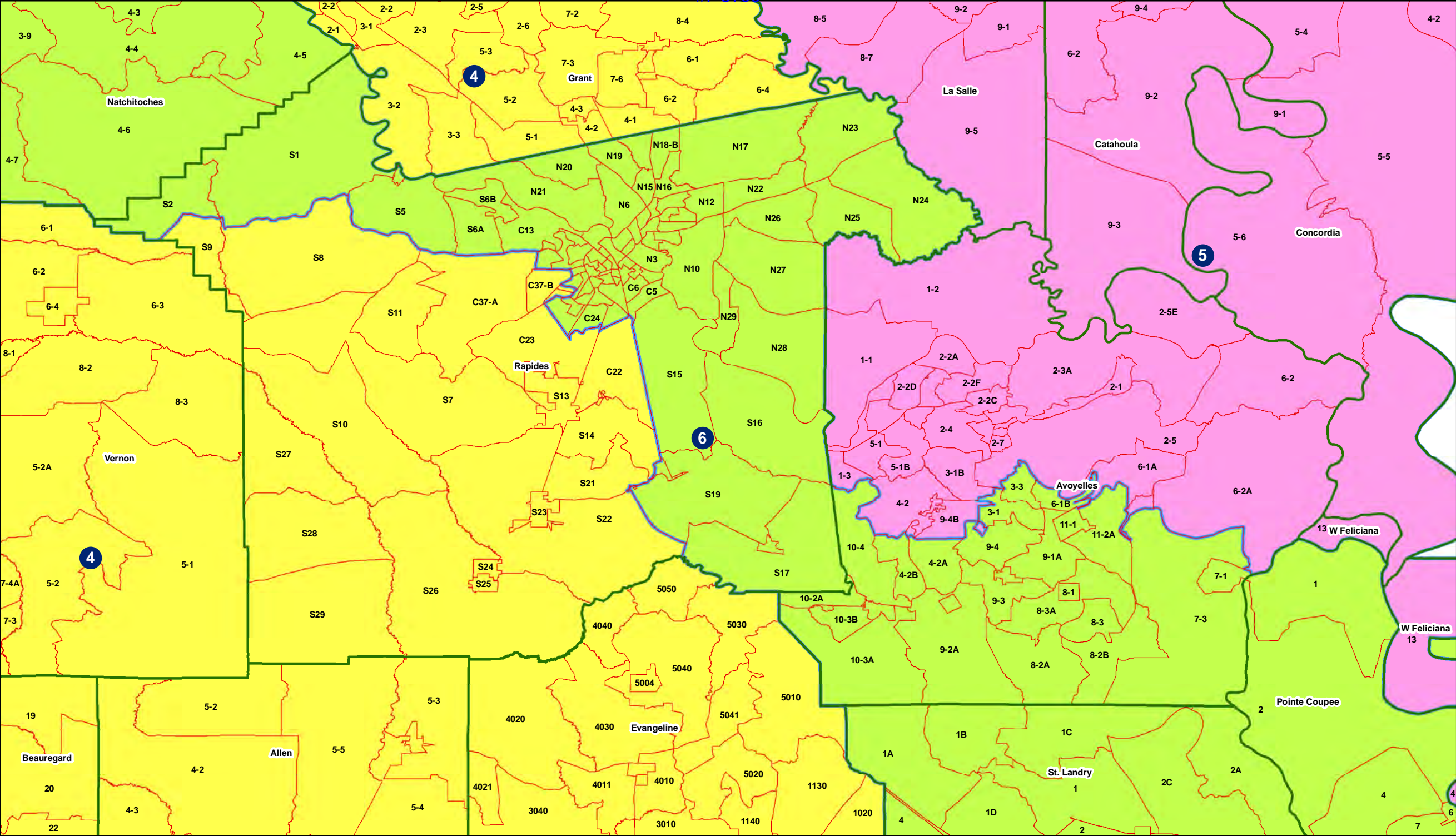




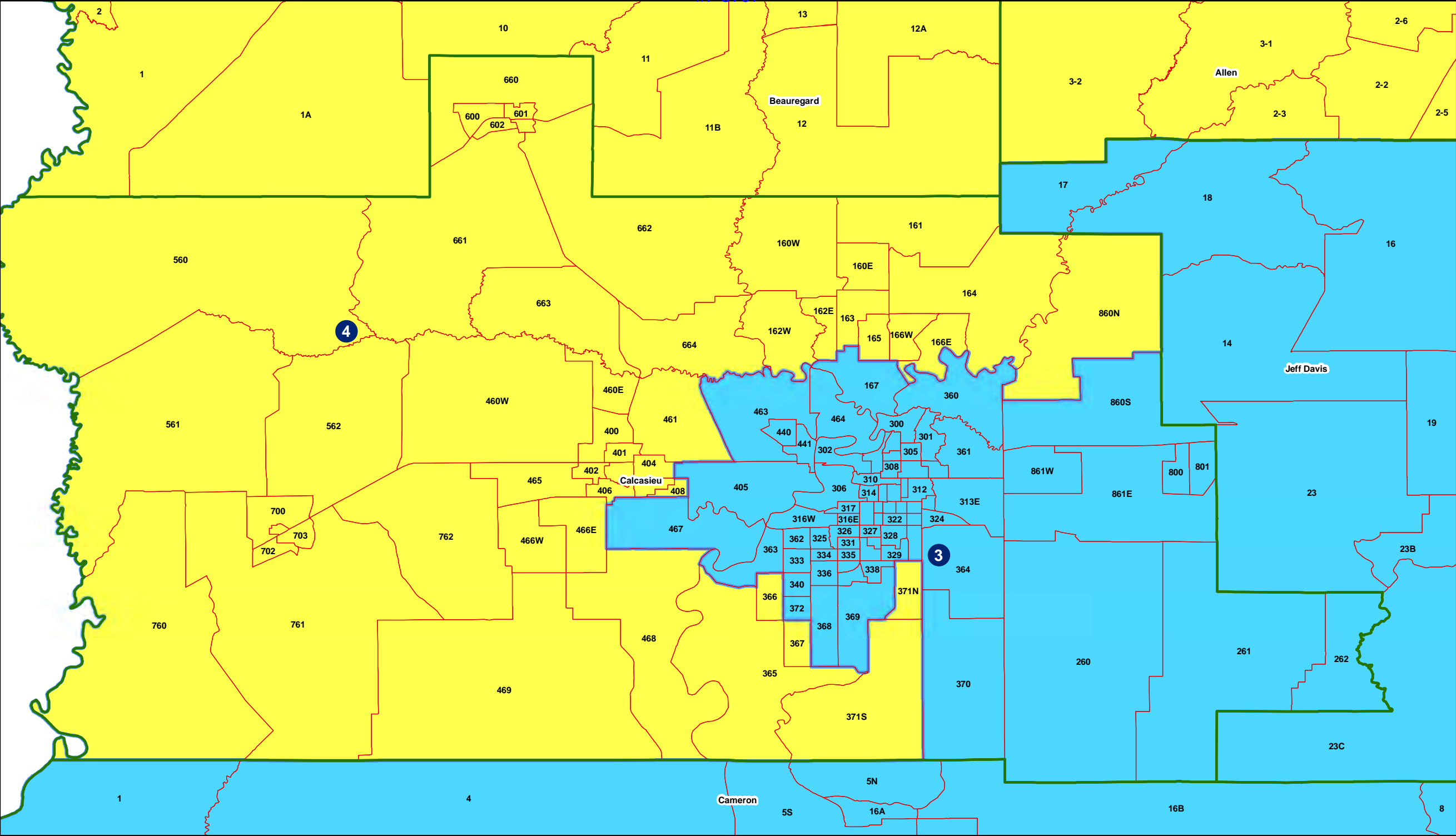
Congress - Ouachita



Congress - Central La.

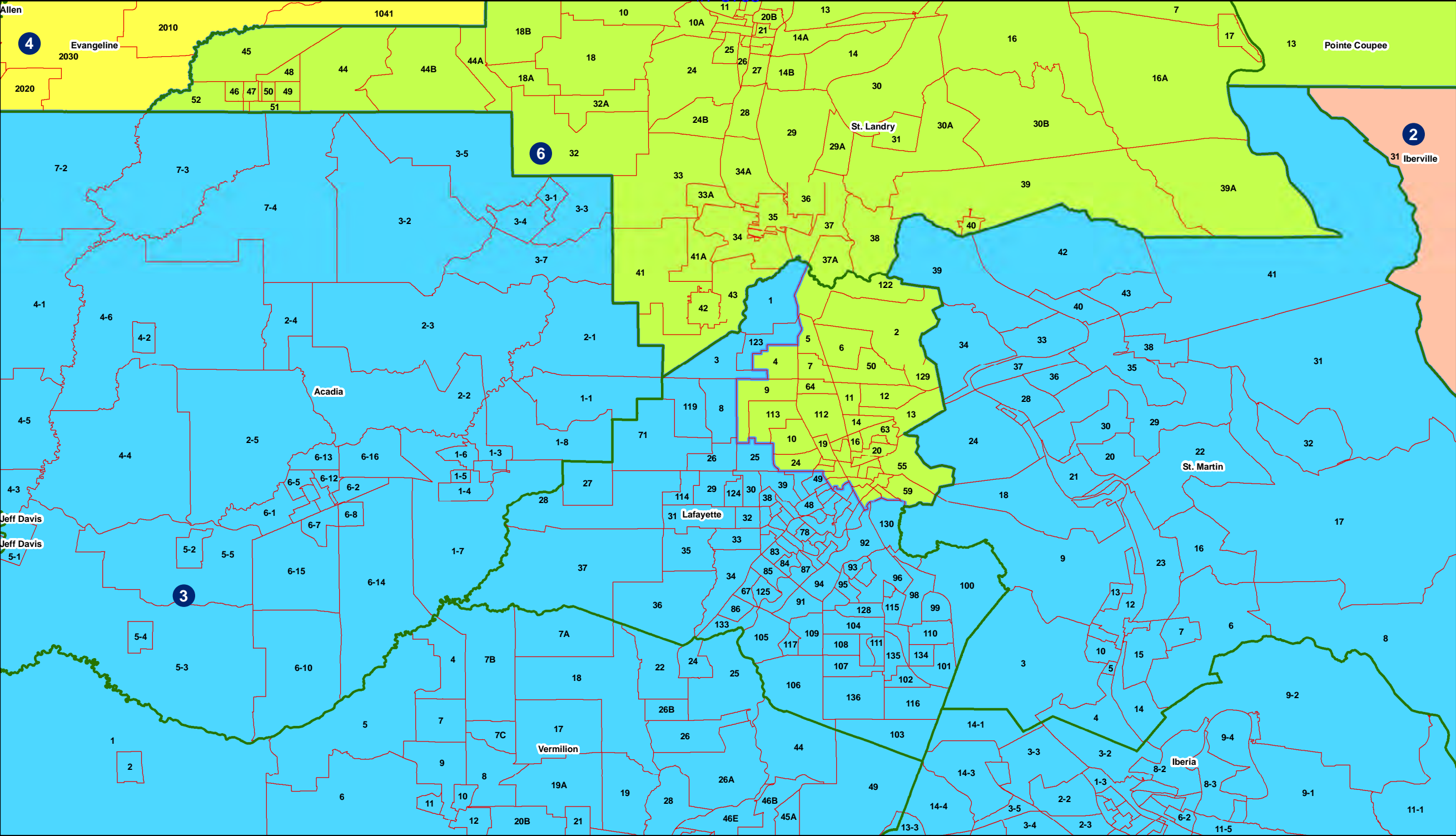


Congress - Calcasieu



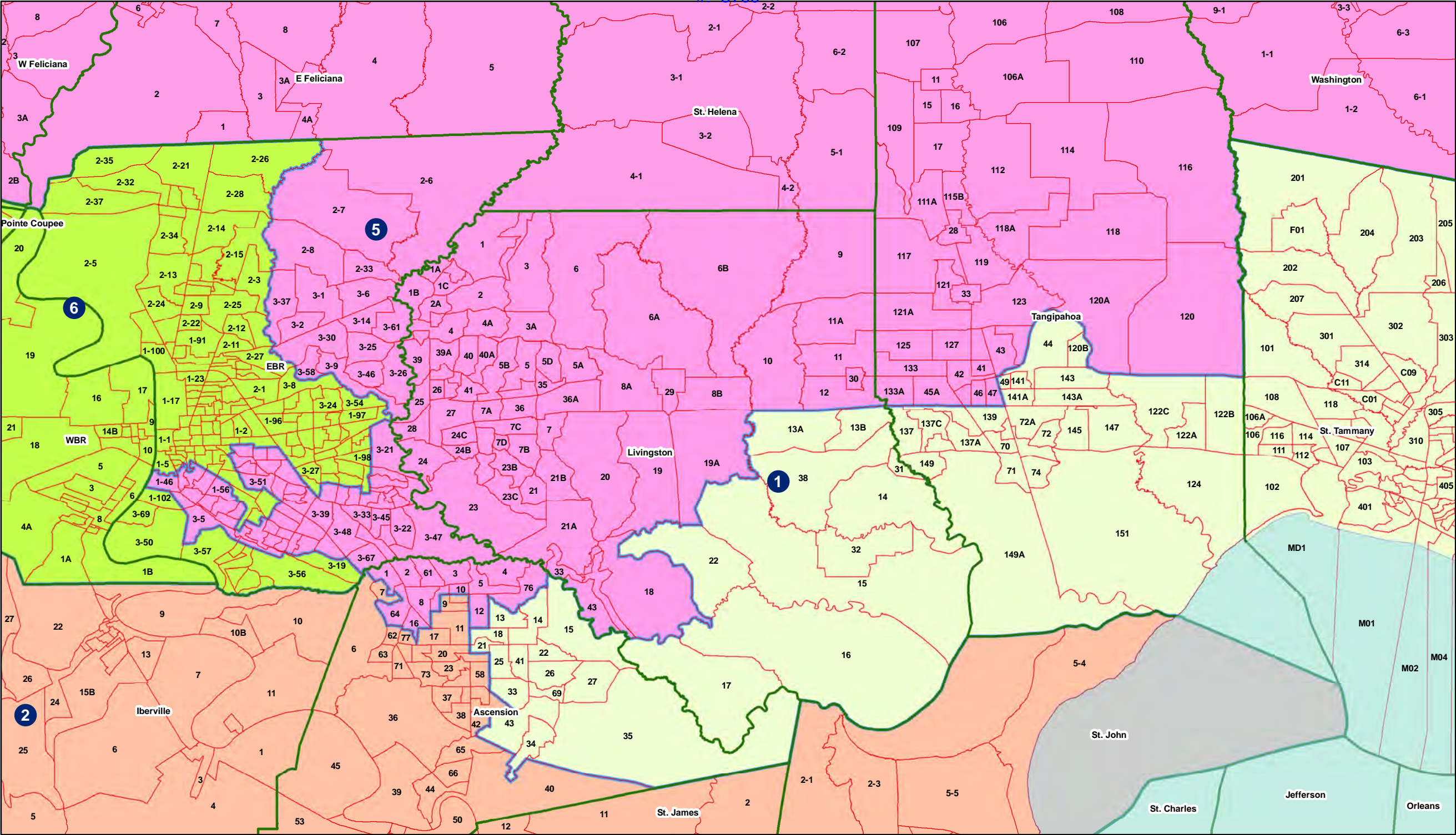


Congress - Lafayette

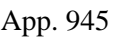




Congress - Baton Rouge Metro







HLS 241ES-15

ORIGINAL

2024 First Extraordinary Session

HOUSE BILL NO. 2

BY REPRESENTATIVE WILFORD CARTER

REAPPORTIONMENT/CONGRESS: Provides relative to the election districts for members of congress (Item #1)

1 AN ACT

2 To enact R.S. 18:1276.1 and to repeal R.S. 18:1276, relative to congressional districts; to  
3 provide for the redistricting of Louisiana's congressional districts; to provide with  
4 respect to positions and offices, other than congressional, which are based upon  
5 congressional districts; to provide for effectiveness; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1276.1 is hereby enacted to read as follows:

9 §1276.1. Congressional districts

10 Louisiana shall be divided into six congressional districts, and the qualified  
11 electors of each district shall elect one representative to the United States House of  
12 Representatives. The districts shall be composed as follows:

13 (1) District 1 is composed of Precincts 6-2, 7-1, 7-2, 7-4, 7-5, 8-1, 8-2, 8-3,  
14 9-1, 9-2, 9-4, 9-5, 11-1, 11-3, and 11-5 of Iberia Parish; Precincts 1, 2, 3, 4, 5, 7, 8,  
15 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31,  
16 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 57, 58,  
17 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81,  
18 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102,  
19 103, 105, 106, 117, 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128,  
20 129, 130, 131, 132, 133, 134, 136, 138, 246, 247, 248, 1-GI, 1-H, 2-H, 3-H, 4-H,

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.



HLS 241ES-15

**ORIGINAL**  
HB NO. 2

1        5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K,  
2        9-K, 10-K, 11-K, 12-K, 13-KA, 14-K, 15-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K,  
3        27-K, 28-K, 29-K, 34-K, 35-K, and 1-L of Jefferson Parish; Lafourche Parish;  
4        Precincts 3-19, 3-20, 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21,  
5        4-22, 4-23, 5-11, 5-12, 5-13, 5-15, 5-16, 5-17, 5-18, 6-8, 6-9, 7-17, 7-18, 9-45,  
6        9-45A, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-9, 12-10, 13-1, 13-2, 13-3, 13-4,  
7        13-5, 13-6, 13-7, 13-8, 13-9, 13-10, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8,  
8        14-9, 14-10, 14-11, 14-12, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-19,  
9        14-20, 14-21, 14-25, 16-1, 16-1A, 16-2, 16-3, 16-4, 16-5, 16-6, 16-7, 16-8, 17-1,  
10       17-2, 17-3, 17-17, 17-18, 17-18A, 17-19, and 17-20 of Orleans Parish; Plaquemines  
11       Parish; St. Bernard Parish; Precincts 2-1, 2-3, 2-5, 4-1, 4-2, 4-3, 4-5, 7-1, 7-2, and  
12       7-3 of St. Charles Parish; Precincts 1 and 2 of St. Martin Parish; Precincts 6A, 10,  
13       19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41,  
14       42, 43, 44, and 45 of St. Mary Parish; Precincts 603, 701, 702, 703, 704, 705, 706,  
15       801, 802, 802A, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815,  
16       815A, 816, 817, 818, 901, 902, 903, 903A, 904, 905, 906, 907, 909, 909A, 910, 911,  
17       913, 914, 915, 916, 917, 918, 921, 922, P01, S01, S02, S03, S04, S05, S06, S07, S08,  
18       S09, S10, S11, S13, S15, S16, S17, S18, S19, S21, S22, S23, and S24 of  
19       St. Tammany Parish; and Terrebonne Parish.

20        (2) District 2 is composed of Precincts 6, 28, 30, 31, 32, 36, 37, 38, 39, 40,  
21        42, 44, 45, 47, 48, 50, 51, 52, 53, 54, 55, 57, 58, and 71 of Ascension Parish;  
22        Assumption Parish; Precincts 1-1, 1-3, 1-7, 1-8, 2-1, 2-2, 2-3, 3-2, 3-3, 4-1, 4-2, 4-3,  
23        5-3, 6-1, 6-4, 10-1, 10-2, 11-4, 11-6, 12-1, 12-2, and 12-3 of Iberia Parish; Iberville  
24        Parish; Precincts 104, 108, 115, 116, 150, 151, 152, 153, 154, 155, 156, 157A, 157B,  
25        170, 171, 172, 173, 174, 175, 176, 177, 178, 179A, 179B, 180, 181, 182, 183, 184,  
26        185A, 185B, 187, 188, 189, 190, 191, 192, 193A, 193B, 194A, 194B, 195, 196,  
27        197A, 197B, 198, 199, 200, 201, 202, 203, 204, 205, 210, 211, 212, 213A, 213B,  
28        213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229, 230, 231,  
29        232A, 232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G,



HLS 241ES-15

**ORIGINAL**  
HB NO. 2

1        8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 21-K, 22-K, 23-K, 24-K, 26-K, 30-K,  
2        31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W, and 7-W of Jefferson Parish; Precincts  
3        1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 3-9, 3-12, 3-14, 3-15, 3-18, 4-2,  
4        4-3, 4-6, 5-1, 5-2, 5-3, 5-5, 5-7, 5-8, 5-9, 5-10, 6-1, 6-2, 6-4, 6-6, 6-7, 7-1, 7-2, 7-4,  
5        7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-19, 7-20, 7-21,  
6        7-23, 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29, 7-30, 7-32, 7-33,  
7        7-35, 7-37, 7-37A, 7-40, 7-41, 7-42, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12, 8-13,  
8        8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1, 9-3,  
9        9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-19, 9-21,  
10       9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D, 9-32,  
11       9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40,  
12       9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B,  
13       9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N,  
14       9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M,  
15       9-44N, 9-44O, 9-44P, 9-44Q, 10-3, 10-6, 10-7, 10-8, 10-9, 10-11, 10-12, 10-13,  
16       10-14, 11-2, 11-3, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 11-12, 11-13, 11-14, 11-17,  
17       12-11, 12-12, 12-13, 12-14, 12-16, 12-17, 12-19, 13-11, 13-12, 13-13, 13-14, 13-15,  
18       13-16, 14-23, 14-24A, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11,  
19       15-12, 15-12A, 15-13, 15-13A, 15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D,  
20       15-14E, 15-14F, 15-14G, 15-15, 15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B,  
21       15-18, 15-18A, 15-18B, 15-18C, 15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B,  
22       15-19C, 16-9, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12, 17-13,  
23       17-13A, 17-14, 17-15, and 17-16 of Orleans Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5,  
24       1-6, 2-4, 2-6, 3-1, 3-2, 3-3, 4-4, 5-1, 5-3, 5-4, 5-5, 6-1, 6-2, 6-3, 6-4, 6-6, 6-8, 7-4,  
25       7-5, and 7-6 of St. Charles Parish; St. James Parish; St. John the Baptist Parish; and  
26       Precincts 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24,  
27       25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and 43 of  
28       St. Martin Parish.

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(3) District 3 is composed of Acadia Parish; Allen Parish; Beauregard Parish; Calcasieu Parish; Cameron Parish; Precincts 1020, 1030, 1040, 1041, 1050, 1130, 1140, 1161, 1171, 2010, 2010A, 2020, 2030, 2040, 3010, 3020, 3030, 3031, 3032, 3040, 3050, 3051, 3052, 3060, 3070, 3071, 4001, 4010, 4011, 4012, 4020, 4021, 4030, 4040, 5004, 5010, 5020, 5030, 5040, 5041, and 5050 of Evangeline Parish; Precincts 3-4, 3-5, 5-1, 5-2, 5-5, 6-5, 10-3, 10-4, 12-4, 13-1, 13-2, 13-3, 13-4, 13-5, 14-1, 14-3, 14-4, and 14-5 of Iberia Parish; Jefferson Davis Parish; Precincts 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 114, 115, 116, 117, 118, 119, 120, 121, 124, 125, 126, 127, 128, 130, 131, 133, 134, 135, and 136 of Lafayette Parish; Precincts C22, C23, C26, C27, C30, C31, C32, C33, C34, C35, C36, C37-A, C37-B, C41, C42, N5, N6, N7, N8, N11, N12, N13-A, N13-B, N14-A, N14-B, N15, N16, N17, N18-A, N18-B, N19, N20, N21, N22, N23, N24, N25, N26, S1, S2, S4, S5, S6A, S6B, S7, S8, S9, S10, S11, S13, S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S24, S25, S26, S27, S28, and S29 of Rapides Parish; Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, and 18 of St. Mary Parish; Vermilion Parish; and Precincts 1-1, 1-1A, 1-1B, 1-2, 1-3, 1-3C, 1-4, 1-4B, 1-4C, 1-5, 1-6, 1-6A, 1-6B, 1-7, 1-7B, 1-8, 1-8A, 2-4, 3-1, 3-2, 3-3, 3-4, 3-5, 4-1, 4-2, 4-3, 4-3A, 4-3B, 4-3C, 4-3G, 4-3K, 4-3L, 4-3N, 5-1, 5-2, 5-2A, 7-1, 7-2, 7-2B, 7-3, 7-4, 7-4A, 7-5, 7-5A, 7-5D, 8-1, and 8-2 of Vernon Parish.

(4) District 4 is composed of Bienville Parish; Bossier Parish; Caddo Parish; Caldwell Parish; Catahoula Parish; Claiborne Parish; DeSoto Parish; Grant Parish; Jackson Parish; LaSalle Parish; Lincoln Parish; Natchitoches Parish; Precincts 1, 1A, 2, 4, 6, 7, 25, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 44A, 45, 46, 47, 48, 49, 50, 51, 51A, 52, 52A, 53, 54, 55, 56, 56A, 57, 58, 61, 64, 71, 75, 77, and 78 of Ouachita Parish; Red River Parish; Sabine Parish; Union Parish; Precincts 1-5A, 1-9, 2-1, 2-1A, 2-2, 2-2A, 2-3, 6-1, 6-2, 6-3, 6-4, and 8-3 of Vernon Parish; Webster Parish; and Winn Parish.

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(5) District 5 is composed of Avoyelles Parish; Concordia Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-6, 1-10, 1-11, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-36, 1-37, 1-38, 1-50, 1-54, 1-55, 1-57, 1-58, 1-61, 1-62, 1-63, 1-67, 1-70, 1-71, 1-77, 1-78, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-91, 1-92, 1-93, 1-94, 1-95, 1-96, 1-97, 1-100, 1-101, 1-104, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-8, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23, 2-24, 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-33, 2-34, 2-35, 2-36, 2-37, 2-38, 3-1, 3-2, 3-6, 3-8, 3-9, 3-12, 3-14, 3-21, 3-24, 3-25, 3-26, 3-28, 3-30, 3-32, 3-37, 3-42, 3-46, 3-54, 3-58, 3-61, and 3-72 of East Baton Rouge Parish; East Carroll Parish; East Feliciana Parish; Precincts 1010, 1031, 1080, 1081, 1090, 1091, 1100, 1101, 1110, 1120, 1150, 1160, 1162, and 1170 of Evangeline Parish; Franklin Parish; Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 68, 112, 113, 122, 123, and 129 of Lafayette Parish; Madison Parish; Morehouse Parish; Precincts 3, 5, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 30, 59, 60, 62, 63, 65, 65A, 66, 67, 68, 69, 70, 72, 73, 74, 76, and 79 of Ouachita Parish; Pointe Coupee Parish; Precincts C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11-A, C11-B, C13, C14, C15, C17, C18, C19, C20, C21, C24, C25, C28, C38-A, C38-B, C39, C40, N1, N2, N3, N4, N9, N10, N27, N28, and N29 of Rapides Parish; Richland Parish; St. Helena Parish; St. Landry Parish; Precincts 2, 6, 11, 15, 16, 17, 105, 107, 109, and 111A of Tangipahoa Parish; Tensas Parish; West Baton Rouge Parish; West Carroll Parish; and West Feliciana Parish.

(6) District 6 is composed of Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 33, 34, 35, 41, 43, 61, 62, 63, 64, 65, 66, 68, 69, 72, 73, 76, 77, and 78 of Ascension Parish; Precincts 1-5, 1-7, 1-8, 1-9, 1-12, 1-33, 1-34, 1-35, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-45, 1-46, 1-47, 1-48, 1-49, 1-51, 1-52, 1-53, 1-56, 1-59, 1-60, 1-64, 1-65, 1-66, 1-68, 1-69, 1-72, 1-73, 1-74, 1-75, 1-76, 1-79, 1-80, 1-89, 1-90, 1-98, 1-99, 1-102, 1-103, 1-105, 1-107, 3-3,



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1        3-4, 3-5, 3-7, 3-10, 3-11, 3-13, 3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-22, 3-23, 3-27,  
2        3-29, 3-31, 3-33, 3-34, 3-35, 3-36, 3-38, 3-39, 3-40, 3-41, 3-43, 3-44, 3-45, 3-47,  
3        3-48, 3-49, 3-50, 3-51, 3-52, 3-53, 3-55, 3-56, 3-57, 3-59, 3-60, 3-62, 3-63, 3-64,  
4        3-65, 3-66, 3-67, 3-68, 3-69, 3-70, 3-71, 3-73, 3-74, 3-75, and 3-76 of East Baton  
5        Rouge Parish; Livingston Parish; Precincts 101, 102, 103, 104, 105, 106, 106A, 107,  
6        108, 110, 111, 112, 113, 114, 115, 116, 118, 201, 202, 203, 204, 205, 206, 207, 301,  
7        302, 303, 304, 305, 306, 307, 308, 309, 310, 312, 312A, 313, 314, 401, 402, 403,  
8        404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420,  
9        421, 422, 426, 427, 429, 430, 501, 502, 503, 504, 505, 602, 604, 605, 606, 609, A01,  
10       A02, A02A, A03, A04, C01, C02, C03, C04, C06, C07, C08, C09, C11, F01, M01,  
11       M02, M04, M06, M07, M08, M09, M09A, M10, M11, M12, and MD1 of  
12       St. Tammany Parish; Precincts 28, 33, 40A, 41, 42, 43, 44, 45A, 45B, 46, 47, 49, 70,  
13       70A, 71, 72, 72A, 73, 74, 101, 102, 104, 106, 106A, 108, 110, 112, 114, 115B, 116,  
14       117, 118, 118A, 119, 120, 120A, 120B, 121, 121A, 122A, 122B, 122C, 123, 124,  
15       125, 127, 129A, 133, 133A, 137, 137A, 137B, 137C, 137D, 139, 141, 141A, 143,  
16       143A, 145, 147, 149, 149A, and 151 of Tangipahoa Parish; and Washington Parish.

17       Section 2. R.S. 18:1276 is hereby repealed in its entirety.

18       Section 3.(A) The precincts referenced in this Act are those contained in the file  
19       named "2024 Precinct Shapefiles (1-10-2024)" available on the website of the Legislature  
20       of Louisiana on the effective date of this Section. The 2024 Precinct Shapefiles are based  
21       upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line  
22       Shapefiles for the State of Louisiana as those files have been modified and validated through  
23       the data verification program of the Louisiana House of Representatives and the Louisiana  
24       Senate to represent precinct changes submitted through January 10, 2024, to the Legislature  
25       of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and  
26       532.1.

27       (B) When a precinct referenced in this Act has been subdivided by action of the  
28       parish governing authority on a nongeographic basis or subdivided by action of the parish  
29       governing authority on a geographic basis in accordance with the provisions of R.S.

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1 18:532.1, the enumeration in this Act of the general precinct designation shall include all  
2 nongeographic and all geographic subdivisions thereof, however such subdivisions may be  
3 designated.

4 (C) The territorial limits of the districts as provided in this Act shall continue in  
5 effect until changed by law regardless of any subsequent change made to the precincts by  
6 the parish governing authority.

7 Section 4. The provisions of this Act shall not reduce the term of office of any  
8 person holding any position or office on the effective date of this Section for which the  
9 appointment or election is based upon a congressional district as composed pursuant to R.S.  
10 18:1276. Any position or office that is filled by appointment or election based upon a  
11 congressional district and that is to be filled after January 3, 2025, shall be appointed or  
12 elected from a district as it is described in Section 1 of this Act.

13 Section 5.(A) Solely for the purposes of qualifying for election and the conduct of  
14 the election of representatives to the United States Congress at the regularly scheduled  
15 election for representatives to the congress in 2024, the provisions of Section 1 of this Act  
16 shall become effective upon signature of this Act by the governor or, if not signed by the  
17 governor, upon expiration of the time for bills to become law without signature by the  
18 governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act  
19 is vetoed by the governor and subsequently approved by the legislature, the provisions of  
20 Section 1 of this Act shall become effective on the day following such approval for the  
21 purposes established in this Subsection.

22 (B) For subsequent elections of representatives to the United States Congress and  
23 for all other purposes, the provisions of Section 1 of this Act shall become effective at noon  
24 on January 3, 2025.

25 (C) The provisions of Section 2 of this Act shall become effective at noon on  
26 January 3, 2025.

27 (D) The provisions of this Section and Sections 3 and 4 of this Act shall become  
28 effective upon signature of this Act by the governor or, if not signed by the governor, upon  
29 expiration of the time for bills to become law without signature by the governor, as provided

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1 in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the  
2 governor and subsequently approved by the legislature, the provisions of this Section and  
3 Sections 3 and 4 of this Act shall become effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 2 Original                      2024 First Extraordinary Session                      Wilford Carter

**Abstract:** Provides for the redistricting of the state's congressional districts and provides for the composition of each of the six congressional districts. Effective upon signature of governor for election purposes only for the regular congressional elections in 2024 and at noon on Jan. 3, 2025, for all other purposes.

Statistical summaries of proposed law, including district variances from the ideal population of 776,292 and the range of those variances, as well as maps illustrating proposed district boundaries accompany this digest. (*Attached to the bill version on the internet.*)

Present U.S. Constitution (14th Amendment) provides that representatives in congress shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state. The U.S. Supreme Court has held that the population of congressional districts in the same state must be as nearly equal in population as practicable.

Present law provides for six congressional districts based upon the 2020 federal decennial census.

Proposed law redraws district boundaries for the congressional districts based upon the 2020 federal decennial census.

Proposed law provides that the new districts become effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024. Retains present law districts based upon the 2020 census until noon on Jan. 3, 2025, at which time present law is repealed and the new districts based upon the 2020 census, as established by proposed law, become effective for all other purposes.

Proposed law specifies that precincts referenced in district descriptions are those precincts identified as Voting Districts (VTDs) contained in the file named "2024 Precinct Shapefiles (1-10-2024)" available on the La. legislature's website. Specifies that the 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the La. legislature. Also specifies that if any such precinct has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with present law, the enumeration of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof. Further provides that the territorial limits of the districts as enacted shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

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Proposed law specifies that proposed law does not reduce the term of office of any person holding any position or office on the effective date of proposed law for which the appointment or election is based upon a congressional district as composed pursuant to present law. Specifies that any position or office filled after Jan. 1, 2025, for which the appointment or election is based upon a congressional district shall be appointed or elected from a district as it is described in proposed law.

Population data in the summaries accompanying this digest are derived from 2020 Census Redistricting Data (Public Law 94-171), Summary File for Louisiana. Population data, statistical information, and maps are supplied for purposes of information and analysis and comprise no part of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024; effective for all other purposes at noon on Jan. 3, 2025.

(Adds R.S. 18:1276.1; Repeals R.S. 18:1276)

Plan Statistics

Plan: HLS 24 1 E.S. -15 (W. Carter)

<u>Districts:</u>	<u># of Members</u>	<u>Actual Population</u>	<u>Ideal Population</u>	<u>Absolute Deviation</u>	<u>Relative Deviation</u>
District 1	1	776,319	776,292	27	0.003%
District 2	1	776,261	776,292	-31	-0.004%
District 3	1	776,312	776,292	20	0.003%
District 4	1	776,283	776,292	-9	-0.001%
District 5	1	776,295	776,292	3	0.000%
District 6	1	776,287	776,292	-5	-0.001%
Grand Total:	6	4,657,757	4,657,752		
Ideal Population Per Member:		776292			
Number of Districts for Plan Type:		6			
Range of District Populations:		776,261	to 776,319		
Absolute Mean Deviation:		10			
Absolute Range:		-31	to 27		
Absolute Overall Range:		58			
Relative Mean Deviation:		0.00%			
Relative Range:		0.00%	to 0.00%		
Relative Overall Range:		0.00%			

<b><i>Ideal - Actual:</i></b>	<b>-5</b>
<b><i>Remainder:</i></b>	<b>5</b>
<b><i>Unassigned Population:</i></b>	<b>0</b>

Total Population

Plan: HLS 24 1 E.S. -15 (W. Carter)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	VAP Hispanic Total
District 1	776,319	515,357	139,622	24,242	23,969	73,129	92,070	604,455	418,414	98,943	17,998	16,904	52,196	64,841
	100.000%	66.385%	17.985%	3.123%	3.088%	9.420%	11.860%	100.000%	69.222%	16.369%	2.978%	2.797%	8.635%	10.727%
District 2	776,261	263,792	425,050	24,599	9,005	53,815	69,233	598,333	219,645	314,268	19,482	6,914	38,024	48,005
	100.000%	33.982%	54.756%	3.169%	1.160%	6.933%	8.919%	100.000%	36.709%	52.524%	3.256%	1.156%	6.355%	8.023%
District 3	776,312	556,282	153,444	17,330	14,775	34,481	42,420	587,223	432,539	107,194	12,511	10,839	24,140	29,097
	100.000%	71.657%	19.766%	2.232%	1.903%	4.442%	5.464%	100.000%	73.658%	18.254%	2.131%	1.846%	4.111%	4.955%
District 4	776,283	456,071	261,604	11,712	17,841	29,055	34,667	596,672	363,627	190,028	8,623	13,577	20,817	24,197
	100.000%	58.751%	33.700%	1.509%	2.298%	3.743%	4.466%	100.000%	60.943%	31.848%	1.445%	2.275%	3.489%	4.055%
District 5	776,295	313,441	420,460	9,195	7,888	25,311	29,917	587,997	253,748	303,463	6,976	5,884	17,926	20,735
	100.000%	40.377%	54.162%	1.184%	1.016%	3.260%	3.854%	100.000%	43.155%	51.610%	1.186%	1.001%	3.049%	3.526%
District 6	776,287	552,709	142,939	20,210	13,582	46,847	54,242	595,868	436,538	101,873	14,826	10,122	32,509	36,787
	100.000%	71.199%	18.413%	2.603%	1.750%	6.035%	6.987%	100.000%	73.261%	17.097%	2.488%	1.699%	5.456%	6.174%
Grand Total	4,657,757	2,657,652	1,543,119	107,288	87,060	262,638	322,549	3,570,548	2,124,511	1,115,769	80,416	64,240	185,612	223,662
	100.000%	57.059%	33.130%	2.303%	1.869%	5.639%	6.925%	100.000%	59.501%	31.249%	2.252%	1.799%	5.198%	6.264%

Voter Registration

Plan: HLS 24 1 E.S. -15 (W. Carter)

	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023	Reg Dem Total Dec 2023	Reg Rep Total Dec 2023	Reg Other Total Dec 2023
District 1	458,351	349,262	66,810	42,279	140,825	177,794	139,732
	75.829%	76.200%	14.576%	9.224%	30.724%	38.790%	30.486%
District 2	468,310	175,956	254,603	37,751	270,193	77,478	120,639
	78.269%	37.573%	54.366%	8.061%	57.695%	16.544%	25.761%
District 3	445,940	352,339	72,944	20,657	128,861	193,703	123,376
	75.940%	79.010%	16.357%	4.632%	28.896%	43.437%	27.667%
District 4	443,883	291,655	134,067	18,161	153,637	178,586	111,660
	74.393%	65.705%	30.203%	4.091%	34.612%	40.233%	25.155%
District 5	466,743	204,270	247,375	15,098	241,768	115,056	109,919
	79.378%	43.765%	53.000%	3.235%	51.799%	24.651%	23.550%
District 6	459,060	366,964	66,030	26,066	117,222	209,009	132,829
	77.041%	79.938%	14.384%	5.678%	25.535%	45.530%	28.935%
Grand Total	2,742,287	1,740,446	841,829	160,012	1,052,506	951,626	738,155

Splits

Plan: HLS 24 1 E.S. -15 (W. Carter)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 1																
*Iberia	20,725	15,413	3,901	318	262	831	15,766	12,052	2,714	193	201	606	14,301	11,412	2,426	463
*Jefferson	238,074	153,014	31,164	11,614	4,262	38,020	190,739	128,160	22,912	8,769	3,218	27,680	142,474	110,534	12,665	19,275
Lafourche	97,557	71,710	15,855	1,025	4,224	4,743	74,619	56,838	11,077	738	2,777	3,189	54,238	45,481	6,277	2,480
*Orleans	80,639	61,290	9,633	3,130	985	5,601	67,580	51,861	8,139	2,450	796	4,334	52,468	41,385	5,591	5,492
Plaquemines	23,515	14,287	5,428	1,317	697	1,786	17,334	10,856	3,857	925	500	1,196	13,143	8,996	2,934	1,213
St. Bernard	43,764	24,497	12,309	1,381	947	4,630	31,775	18,992	7,944	982	688	3,169	25,685	18,044	5,593	2,048
*St. Charles	15,971	12,994	1,550	228	382	817	11,865	9,910	985	138	275	557	10,356	9,138	750	468
*St. Martin	1,368	1,285	13	7	34	29	1,154	1,091	11	5	30	17	891	876	1	14
*St. Mary	36,254	21,990	8,999	695	990	3,580	27,425	17,486	6,309	512	742	2,376	20,370	14,463	4,728	1,179
*St. Tammany	108,872	68,943	27,623	2,784	2,549	6,973	83,693	55,537	19,199	2,047	1,927	4,983	68,615	47,332	15,935	5,348
Terrebonne	109,580	69,934	23,147	1,743	8,637	6,119	82,505	55,631	15,796	1,239	5,750	4,089	55,810	41,601	9,910	4,299
District 1	776,319	515,357	139,622	24,242	23,969	73,129	604,455	418,414	98,943	17,998	16,904	52,196	458,351	349,262	66,810	42,279
	100.000%	66.385%	17.985%	3.123%	3.088%	9.420%	100.000%	69.222%	16.369%	2.978%	2.797%	8.635%	75.829%	76.200%	14.576%	9.224%
District 2																
*Ascension	37,224	14,462	19,212	434	495	2,621	27,229	11,374	13,459	321	343	1,732	22,500	9,923	11,421	1,156
Assumption	21,039	13,722	6,220	96	258	743	16,616	11,145	4,707	57	197	510	13,323	8,977	4,131	215
*Iberia	32,046	11,302	18,255	1,069	278	1,142	23,937	9,362	12,757	815	195	808	17,353	6,758	9,783	812
Iberville	30,241	14,833	13,730	202	274	1,202	24,086	12,462	10,232	149	221	1,022	19,906	9,999	9,484	423
*Jefferson	202,707	67,921	95,053	11,410	3,424	24,899	153,915	55,975	69,263	8,923	2,617	17,137	110,959	42,402	53,537	15,020
*Orleans	303,358	65,172	209,336	9,726	2,681	16,443	238,616	58,391	157,929	8,070	2,152	12,074	185,922	44,740	124,999	16,183
*St. Charles	36,578	20,556	12,378	609	543	2,492	27,676	16,244	8,905	391	392	1,744	23,226	14,273	7,520	1,433
St. James	20,192	9,973	9,762	60	82	315	15,505	7,883	7,297	31	64	230	14,531	7,116	7,196	219
St. John the Baptist	42,477	13,877	25,196	403	465	2,536	32,503	11,622	18,437	323	350	1,771	27,484	9,338	16,653	1,493
*St. Martin	50,399	31,974	15,908	590	505	1,422	38,250	25,187	11,282	402	383	996	33,106	22,430	9,879	797
District 2	776,261	263,792	425,050	24,599	9,005	53,815	598,333	219,645	314,268	19,482	6,914	38,024	468,310	175,956	254,603	37,751
	100.000%	33.982%	54.756%	3.169%	1.160%	6.933%	100.000%	36.709%	52.524%	3.256%	1.156%	6.355%	78.269%	37.573%	54.366%	8.061%
District 3																
Acadia	57,576	44,480	10,864	238	573	1,421	42,943	34,071	7,383	173	400	916	36,151	29,438	5,995	718
Allen	22,750	16,327	4,490	246	947	740	17,510	12,751	3,275	182	646	656	11,079	8,704	1,920	455
Beauregard	36,549	29,529	4,649	402	1,052	917	27,489	22,304	3,495	269	773	648	22,071	18,639	2,264	1,168
Calcasieu	216,785	139,772	59,386	4,702	3,536	9,389	163,166	108,789	41,898	3,359	2,604	6,516	111,819	80,364	26,493	4,962
Cameron	5,617	5,232	125	30	75	155	4,358	4,100	79	23	47	109	4,072	3,936	61	75
*Evangeline	23,988	18,552	3,854	176	242	1,164	18,192	14,131	2,726	132	190	1,013	14,984	12,508	2,180	296
*Iberia	17,158	12,491	2,400	736	254	1,277	13,088	9,881	1,598	554	185	870	10,534	8,678	1,232	624
Jefferson Davis	32,250	25,066	5,837	183	472	692	24,039	19,121	4,006	111	325	476	18,733	15,509	2,784	440



Splits

Plan: HLS 24 1 E.S. -15 (W. Carter)

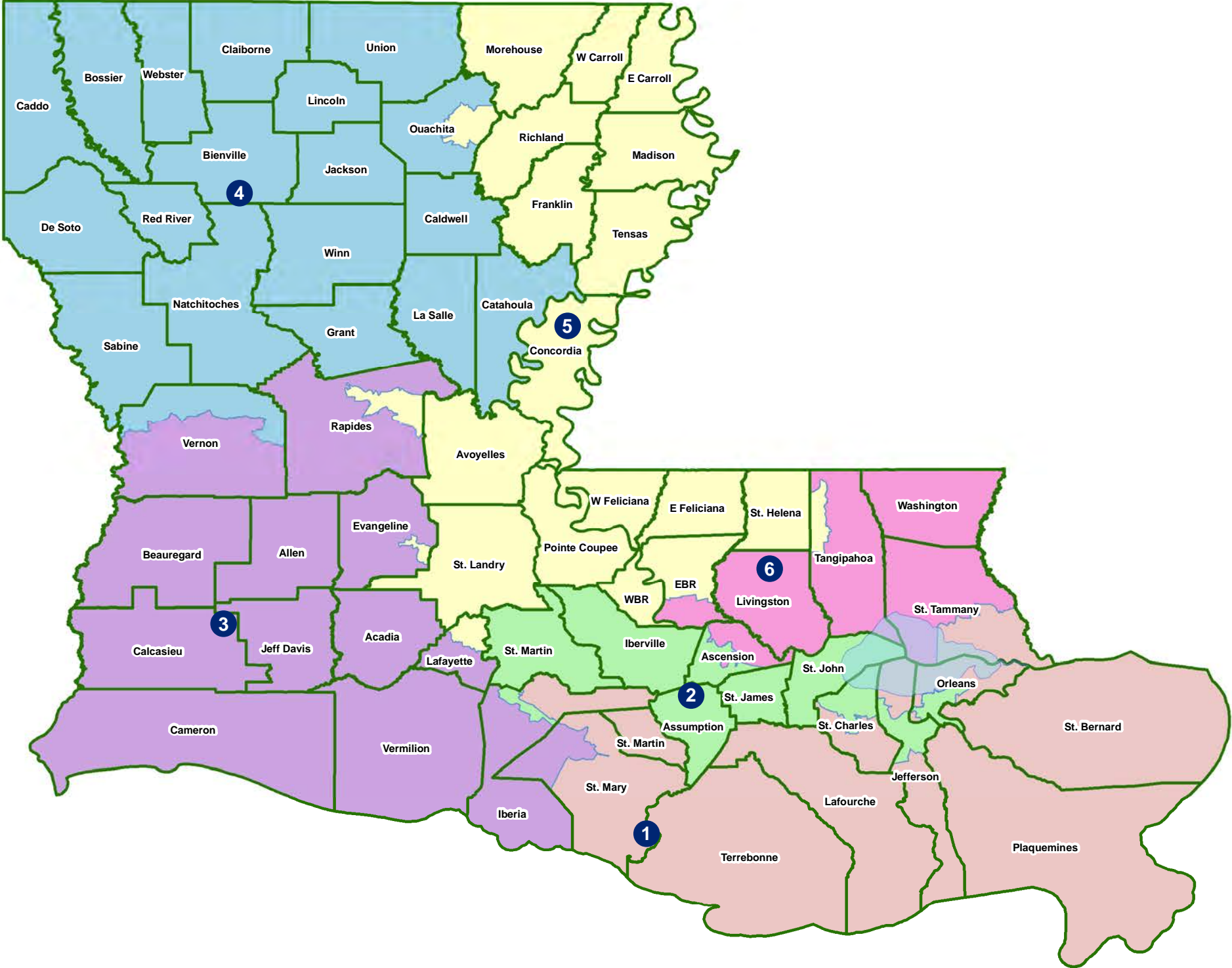
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 3																
*Lafayette	170,390	125,633	25,993	5,874	2,565	10,325	130,427	99,150	17,864	4,263	1,952	7,198	105,930	87,641	11,862	6,427
*Rapides	81,266	61,202	12,632	1,808	2,415	3,209	62,279	48,132	8,850	1,320	1,824	2,153	48,618	40,139	6,175	2,304
*St. Mary	13,152	4,959	6,992	140	680	381	10,096	4,108	5,211	81	431	265	8,834	3,536	4,842	456
Vermilion	57,359	44,477	8,810	1,447	623	2,002	43,012	34,363	5,787	1,037	488	1,337	35,511	29,693	4,555	1,263
*Vernon	41,472	28,562	7,412	1,348	1,341	2,809	30,624	21,638	5,022	1,007	974	1,983	17,604	13,554	2,581	1,469
District 3	776,312	556,282	153,444	17,330	14,775	34,481	587,223	432,539	107,194	12,511	10,839	24,140	445,940	352,339	72,944	20,657
	100.000%	71.657%	19.766%	2.232%	1.903%	4.442%	100.000%	73.658%	18.254%	2.131%	1.846%	4.111%	75.940%	79.010%	16.357%	4.632%
District 4																
Bienville	12,981	6,950	5,600	57	207	167	10,073	5,486	4,284	30	162	111	8,336	4,509	3,728	99
Bossier	128,746	81,052	32,551	3,492	3,273	8,378	95,876	62,931	22,440	2,448	2,477	5,580	65,726	48,229	13,555	3,942
Caddo	237,848	103,457	119,304	4,034	3,840	7,213	182,407	85,059	86,359	3,008	2,958	5,023	131,942	64,381	61,471	6,090
Caldwell	9,645	7,646	1,632	51	150	166	7,478	5,969	1,224	46	116	123	5,813	4,959	762	92
Catahoula	8,906	5,776	2,395	46	119	570	6,951	4,557	1,736	33	87	538	6,113	4,363	1,695	55
Claiborne	14,170	7,263	6,360	88	185	274	11,507	6,258	4,824	55	140	230	8,390	4,557	3,677	156
De Soto	26,812	15,284	9,973	117	740	698	20,440	11,909	7,425	86	557	463	17,887	11,005	6,317	565
Grant	22,169	17,709	3,335	133	644	348	17,527	13,964	2,717	97	507	242	12,226	10,764	1,120	342
Jackson	15,031	9,967	4,166	175	255	468	11,783	7,967	3,125	140	174	377	9,375	6,570	2,610	195
La Salle	14,791	11,348	1,422	283	372	1,366	11,563	8,636	1,065	264	271	1,327	8,380	7,633	583	164
Lincoln	48,396	26,034	19,364	892	662	1,444	38,655	21,306	15,119	744	526	960	24,408	15,139	8,357	912
Natchitoches	37,515	19,361	15,725	255	861	1,313	29,349	16,010	11,415	198	683	1,043	20,675	11,761	8,016	898
*Ouachita	90,391	72,679	10,981	1,396	2,092	3,243	68,357	56,173	7,345	975	1,628	2,236	56,439	49,058	5,420	1,961
Red River	7,620	4,195	3,106	25	171	123	5,714	3,338	2,164	3	116	93	5,475	3,034	2,358	83
Sabine	22,155	15,036	3,861	94	2,723	441	17,064	12,054	2,655	66	1,970	319	13,570	10,287	1,912	1,371
Union	21,107	14,460	5,224	62	338	1,023	16,632	11,807	3,861	39	254	671	14,802	10,847	3,497	458
*Vernon	7,278	6,525	199	94	259	201	5,637	5,127	111	67	186	146	4,805	4,575	27	203
Webster	36,967	22,735	12,679	208	687	658	28,753	18,144	9,464	154	558	433	21,259	14,068	6,744	447
Winn	13,755	8,594	3,727	210	263	961	10,906	6,932	2,695	170	207	902	8,262	5,916	2,218	128
District 4	776,283	456,071	261,604	11,712	17,841	29,055	596,672	363,627	190,028	8,623	13,577	20,817	443,883	291,655	134,067	18,161
	100.000%	58.751%	33.700%	1.509%	2.298%	3.743%	100.000%	60.943%	31.848%	1.445%	2.275%	3.489%	74.393%	65.705%	30.203%	4.091%
District 5																
Avoyelles	39,693	25,625	11,678	434	767	1,189	30,578	20,269	8,311	379	570	1,049	21,438	15,242	5,622	574
Concordia	18,687	10,275	7,725	122	233	332	14,217	8,108	5,613	100	167	229	11,419	6,816	4,418	185
*East Baton Rouge	232,899	61,455	153,869	4,375	1,963	11,237	174,420	49,913	112,064	3,276	1,542	7,625	138,026	41,346	90,554	6,126
East Carroll	7,459	2,054	5,272	29	43	61	5,901	1,773	4,043	19	27	39	4,564	1,218	3,305	41
East Feliciana	19,539	11,516	7,341	91	262	329	16,183	9,740	5,918	61	198	266	13,327	7,805	5,075	447

Splits

Plan: HLS 24 1 E.S. -15 (W. Carter)

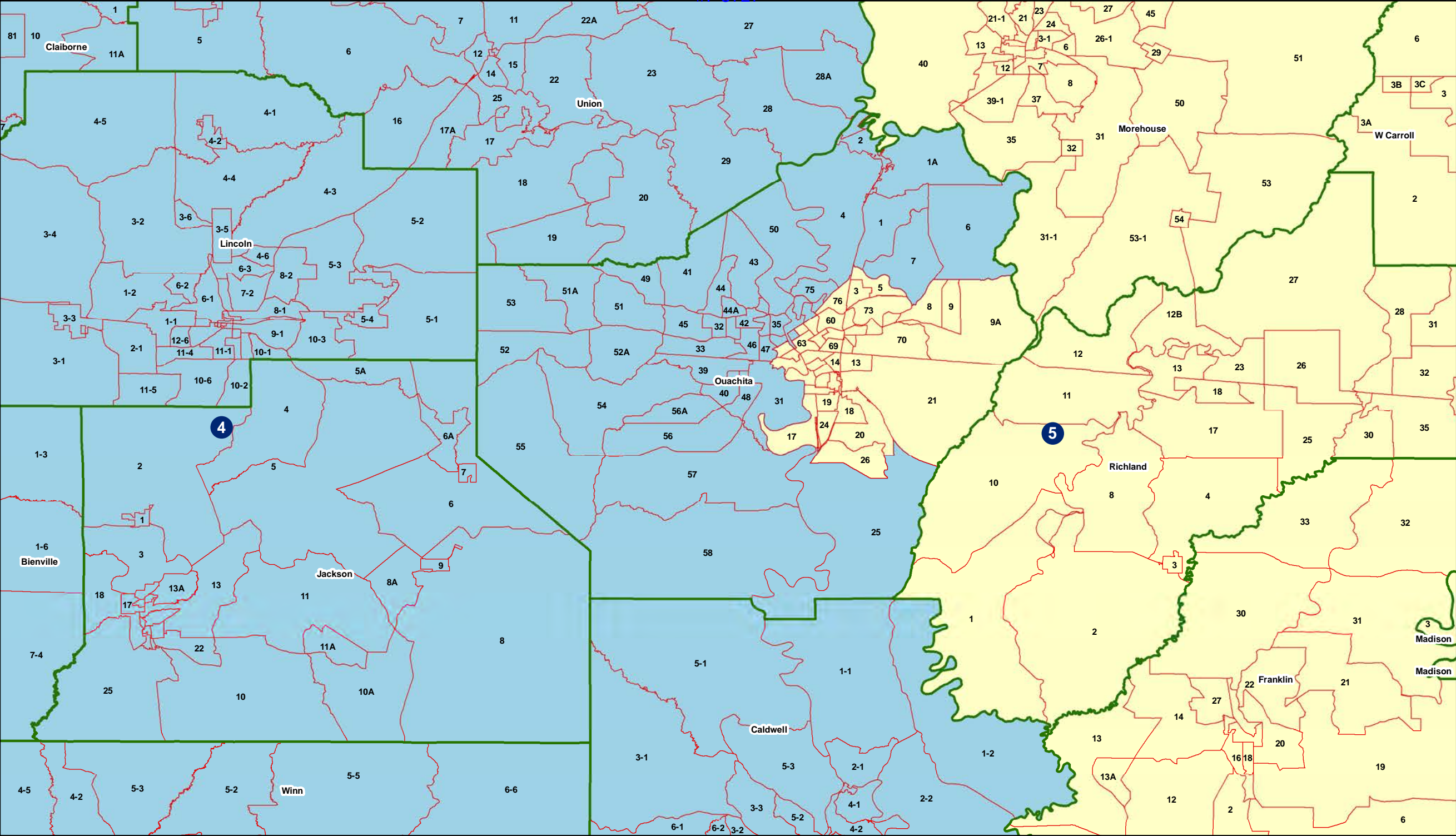
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 5																
*Evangeline	8,362	2,802	5,381	65	38	76	6,216	2,329	3,757	55	27	48	5,404	1,766	3,564	74
Franklin	19,774	12,492	6,802	70	205	205	15,028	9,901	4,779	44	153	151	12,350	8,524	3,718	108
*Lafayette	71,363	27,730	39,143	580	645	3,265	53,448	22,458	28,053	401	435	2,101	42,879	18,157	22,883	1,839
Madison	10,017	3,475	6,363	20	59	100	7,435	2,906	4,391	9	48	81	7,068	2,439	4,518	111
Morehouse	25,629	12,281	12,484	160	370	334	20,062	10,095	9,300	117	279	271	15,440	7,806	7,377	257
*Ouachita	69,977	15,866	50,236	1,392	569	1,914	51,843	13,801	34,945	1,143	431	1,523	39,191	9,091	28,601	1,499
Pointe Coupee	20,758	12,395	7,504	107	159	593	16,250	10,108	5,502	91	119	430	14,107	9,040	4,837	230
*Rapides	48,757	16,308	29,960	620	687	1,182	36,513	13,241	21,355	466	510	941	26,668	9,817	15,784	1,067
Richland	20,043	11,785	7,603	83	258	314	15,383	9,338	5,546	66	203	230	13,141	8,144	4,753	244
St. Helena	10,920	4,527	6,031	39	134	189	8,463	3,805	4,371	28	109	150	8,260	3,626	4,492	142
St. Landry	82,540	43,611	35,836	499	636	1,958	61,811	34,209	25,497	353	451	1,301	52,429	28,933	22,135	1,361
*Tangipahoa	13,471	4,416	8,585	83	103	284	10,170	3,656	6,180	71	63	200	6,431	2,414	3,865	152
Tensas	4,147	1,744	2,312	23	26	42	3,235	1,446	1,728	12	23	26	3,485	1,510	1,937	38
West Baton Rouge	27,199	14,307	11,170	287	326	1,109	20,526	11,146	8,149	209	219	803	16,753	9,620	6,764	369
West Carroll	9,751	7,894	1,425	27	180	225	7,532	6,223	1,010	20	136	143	6,871	5,770	1,013	88
West Feliciana	15,310	10,883	3,740	89	225	373	12,783	9,283	2,951	56	174	319	7,492	5,186	2,160	146
District 5	776,295	313,441	420,460	9,195	7,888	25,311	587,997	253,748	303,463	6,976	5,884	17,926	466,743	204,270	247,375	15,098
	100.000%	40.377%	54.162%	1.184%	1.016%	3.260%	100.000%	43.155%	51.610%	1.186%	1.001%	3.049%	79.378%	43.765%	53.000%	3.235%
District 6																
*Ascension	89,276	66,679	13,004	1,866	1,509	6,218	64,728	49,762	8,680	1,193	1,047	4,046	56,146	45,619	7,407	3,120
*East Baton Rouge	223,882	134,614	59,529	12,050	2,764	14,925	181,192	113,968	44,726	9,323	2,205	10,970	130,811	91,399	28,948	10,464
Livingston	142,282	116,855	12,658	1,697	3,111	7,961	105,141	88,432	8,136	1,099	2,311	5,163	82,405	73,655	5,642	3,108
*St. Tammany	155,698	127,698	11,020	2,990	3,111	10,879	118,535	99,084	7,562	2,028	2,234	7,627	105,692	93,930	5,194	6,568
*Tangipahoa	119,686	76,920	33,294	1,391	2,351	5,730	91,321	61,549	23,037	1,029	1,764	3,942	56,855	43,758	10,947	2,150
Washington	45,463	29,943	13,434	216	736	1,134	34,951	23,743	9,732	154	561	761	27,151	18,603	7,892	656
District 6	776,287	552,709	142,939	20,210	13,582	46,847	595,868	436,538	101,873	14,826	10,122	32,509	459,060	366,964	66,030	26,066
	100.000%	71.199%	18.413%	2.603%	1.750%	6.035%	100.000%	73.261%	17.097%	2.488%	1.699%	5.456%	77.041%	79.938%	14.384%	5.678%

Congress - Statewide



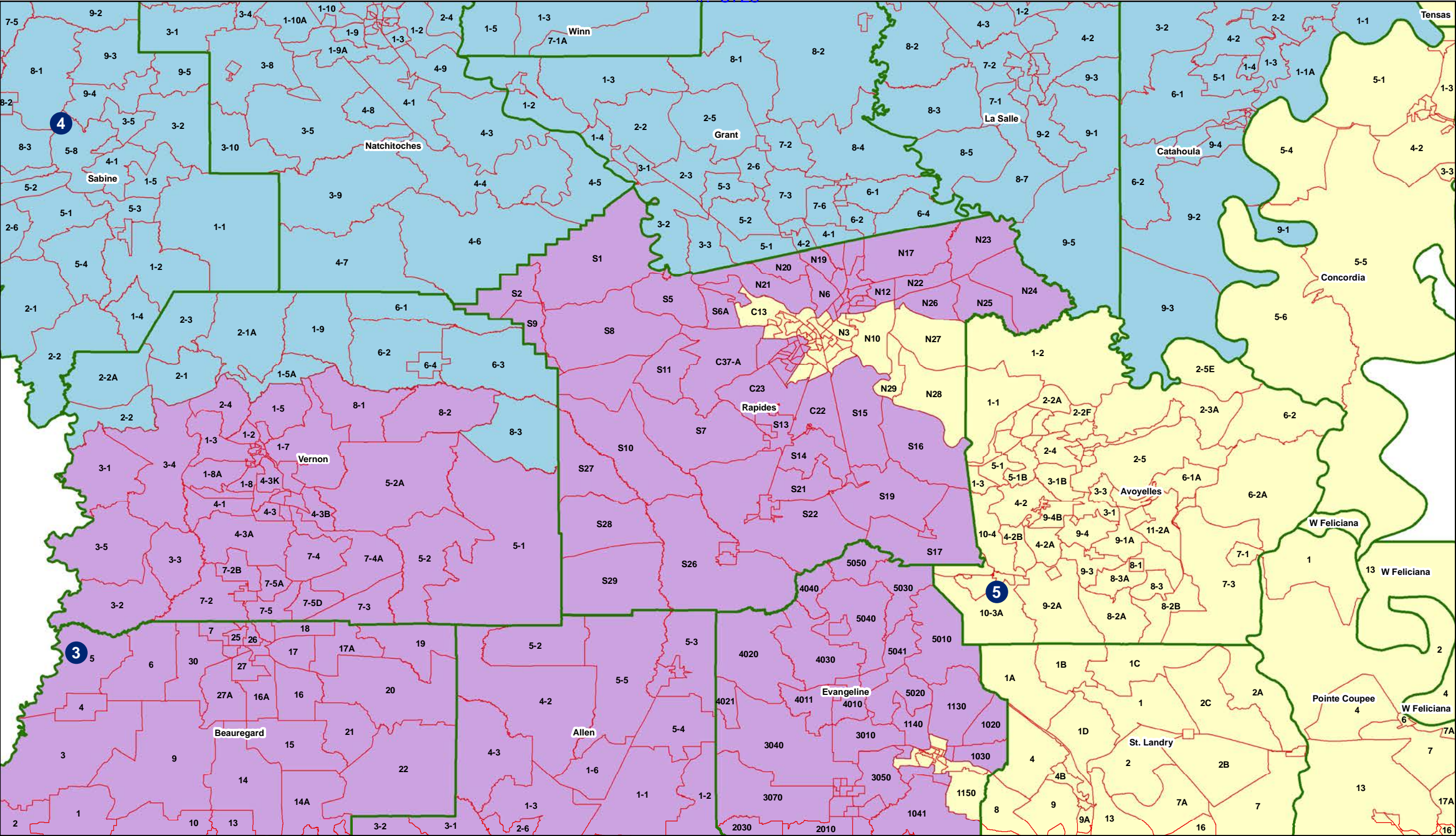


Congress - Ouachita



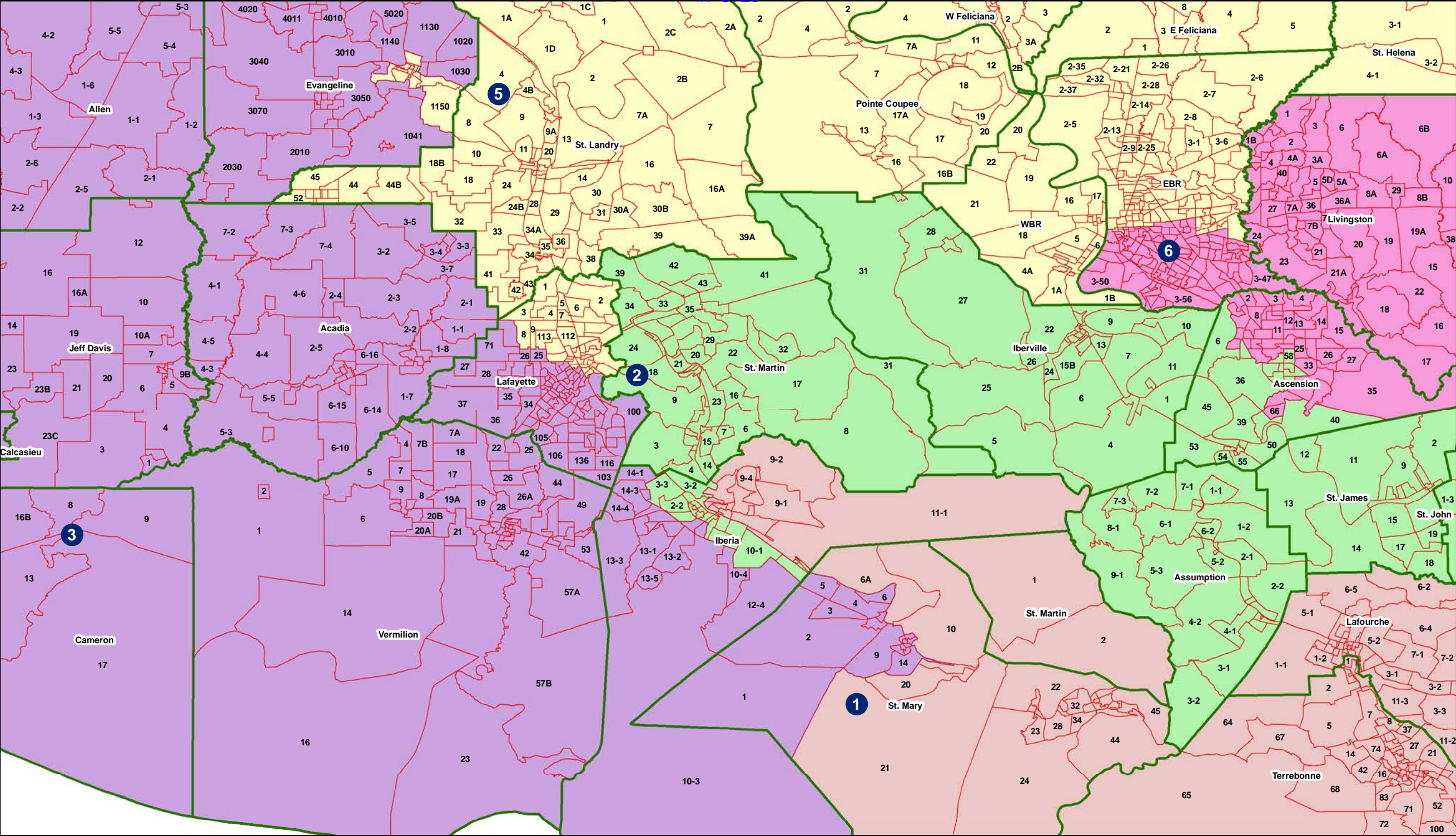


Congress - Central Louisiana



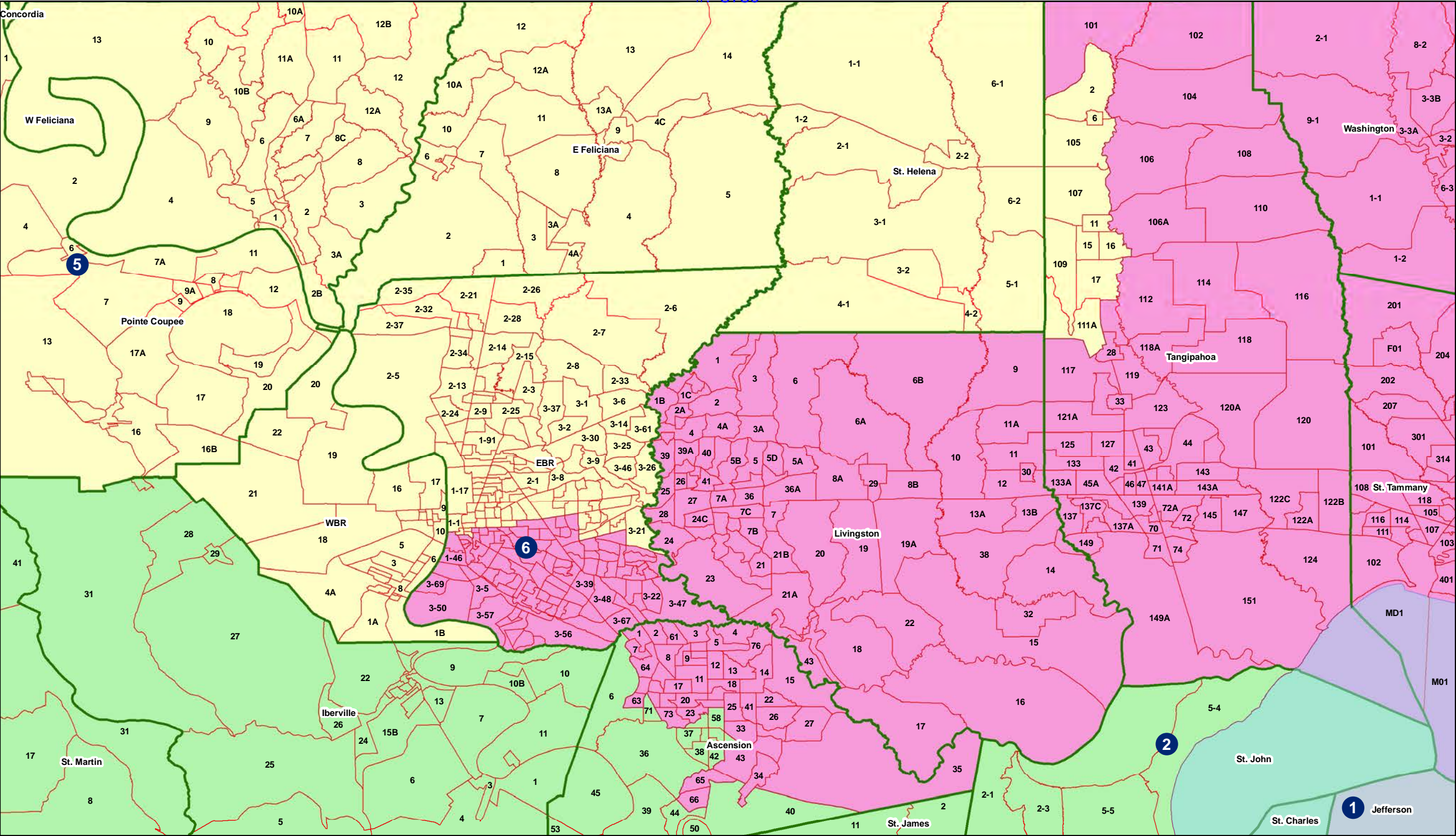


Congress - Acadiana

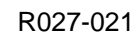




Congress - Baton Rouge Metro









HLS 241ES-26

ORIGINAL

2024 First Extraordinary Session

HOUSE BILL NO. 5

BY REPRESENTATIVE MARCELLE

REAPPORTIONMENT/CONGRESS: Provides relative to the election districts for members of congress (Item #1)

1 AN ACT

2 To enact R.S. 18:1276.1 and to repeal R.S. 18:1276, relative to congressional districts; to  
3 provide for the redistricting of Louisiana's congressional districts; to provide with  
4 respect to positions and offices, other than congressional, which are based upon  
5 congressional districts; to provide for effectiveness; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1276.1 is hereby enacted to read as follows:

9 §1276.1. Congressional districts

10 Louisiana shall be divided into six congressional districts, and the qualified  
11 electors of each district shall elect one representative to the United States House of  
12 Representatives. The districts shall be composed as follows:

13 (1) District 1 is composed of Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14,  
14 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37,  
15 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64,  
16 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87,  
17 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 117, 118,  
18 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 132, 134, 136,  
19 138, 246, 247, 248, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K,  
20 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K, 11-K, 12-K, 13-KA,

Page 1 of 8

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

R028-001



App. 967

HLS 241ES-26

**ORIGINAL**  
HB NO. 5

1        14-K, 15-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K, 29-K, 34-K, 35-K,  
2        and 1-L of Jefferson Parish; Lafourche Parish; Precincts 3-9, 3-12, 3-14, 3-15, 3-18,  
3        3-19, 3-20, 4-6, 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21, 4-22,  
4        4-23, 5-8, 5-9, 5-10, 5-11, 5-12, 5-13, 5-15, 5-16, 5-17, 5-18, 6-9, 7-17, 7-41, 7-42,  
5        9-45, 9-45A, 13-1, 13-2, 13-3, 13-4, 13-5, 13-6, 13-7, 13-8, 13-9, 13-10, 13-11,  
6        13-12, 13-13, 13-14, 13-15, 13-16, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8,  
7        14-9, 14-10, 14-11, 14-12, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-19,  
8        14-20, 14-21, 14-25, 16-1, 16-1A, 16-2, 16-3, 16-4, 16-5, 16-6, 16-7, 16-8, 17-1,  
9        17-2, 17-3, 17-17, 17-18, 17-18A, 17-19, and 17-20 of Orleans Parish; Plaquemines  
10       Parish; St. Bernard Parish; St. Mary Parish; Precincts 403, 408, 409, 412, 426, 603,  
11       604, 606, 701, 702, 703, 704, 705, 706, 801, 802, 802A, 803, 804, 805, 806, 807,  
12       808, 809, 810, 811, 812, 813, 814, 815, 815A, 816, 817, 818, 901, 902, 903, 903A,  
13       904, 905, 906, 907, 909, 909A, 910, 911, 913, 914, 915, 916, 917, 918, 921, 922,  
14       M02, M04, M09, M09A, M10, P01, S01, S02, S03, S04, S05, S06, S07, S08, S09,  
15       S10, S11, S13, S15, S16, S17, S18, S19, S21, S22, S23, and S24 of St. Tammany  
16       Parish; and Terrebonne Parish.

17       (2) District 2 is composed of Precincts 36, 37, 38, 39, 40, 42, 44, 45, 47, 48,  
18       50, 51, 52, 53, 54, 55, 57, 65, and 66 of Ascension Parish; Assumption Parish;  
19       Precincts 1-1, 1-3, 1-8, 3-2, 4-1, 4-2, 7-5, 8-2, 8-3, 9-1, 9-2, 9-4, 9-5, 10-1, 11-1,  
20       11-3, 11-4, 11-5, 11-6, 12-1, 12-2, and 12-3 of Iberia Parish; Iberville Parish;  
21       Precincts 104, 108, 115, 116, 131, 133, 150, 151, 152, 153, 154, 155, 156, 157A,  
22       157B, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179A, 179B, 180, 181, 182, 183,  
23       184, 185A, 185B, 187, 188, 189, 190, 191, 192, 193A, 193B, 194A, 194B, 195, 196,  
24       197A, 197B, 198, 199, 200, 201, 202, 203, 204, 205, 210, 211, 212, 213A, 213B,  
25       213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229, 230, 231,  
26       232A, 232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G,  
27       8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 21-K, 22-K, 23-K, 24-K, 26-K, 30-K,  
28       31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W, and 7-W of Jefferson Parish; Precincts  
29       1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 4-2, 4-3, 5-1, 5-2, 5-3, 5-5, 5-7,

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1        6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 7-1, 7-2, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12,  
2        7-13, 7-14, 7-15, 7-16, 7-18, 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-27,  
3        7-27B, 7-28, 7-28A, 7-29, 7-30, 7-32, 7-33, 7-35, 7-37, 7-37A, 7-40, 8-1, 8-2, 8-4,  
4        8-6, 8-7, 8-8, 8-9, 8-12, 8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25,  
5        8-26, 8-27, 8-28, 8-30, 9-1, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13,  
6        9-14, 9-15, 9-16, 9-17, 9-19, 9-21, 9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A,  
7        9-31, 9-31A, 9-31B, 9-31D, 9-32, 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37,  
8        9-38, 9-38A, 9-39, 9-39B, 9-40, 9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D,  
9        9-42, 9-42C, 9-43A, 9-43B, 9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J,  
10       9-43K, 9-43L, 9-43M, 9-43N, 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G,  
11       9-44I, 9-44J, 9-44L, 9-44M, 9-44N, 9-44O, 9-44P, 9-44Q, 10-3, 10-6, 10-7, 10-8,  
12       10-9, 10-11, 10-12, 10-13, 10-14, 11-2, 11-3, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11,  
13       11-12, 11-13, 11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-9, 12-10,  
14       12-11, 12-12, 12-13, 12-14, 12-16, 12-17, 12-19, 14-23, 14-24A, 14-26, 15-1, 15-2,  
15       15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A, 15-13B,  
16       15-14, 15-14A, 15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15, 15-15A,  
17       15-15B, 15-16, 15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C, 15-18D,  
18       15-18E, 15-18F, 15-19, 15-19A, 15-19B, 15-19C, 16-9, 17-4, 17-5, 17-6, 17-7, 17-8,  
19       17-9, 17-10, 17-11, 17-12, 17-13, 17-13A, 17-14, 17-15, and 17-16 of Orleans  
20       Parish; St. Charles Parish; St. James Parish; St. John the Baptist Parish; and  
21       St. Martin Parish.

22        (3) District 3 is composed of Acadia Parish; Allen Parish; Beauregard Parish;  
23        Calcasieu Parish; Cameron Parish; Evangeline Parish; Precincts 1-7, 2-1, 2-2, 2-3,  
24        3-3, 3-4, 3-5, 4-3, 5-1, 5-2, 5-3, 5-5, 6-1, 6-2, 6-4, 6-5, 7-1, 7-2, 7-4, 8-1, 10-2, 10-3,  
25        10-4, 12-4, 13-1, 13-2, 13-3, 13-4, 13-5, 14-1, 14-3, 14-4, and 14-5 of Iberia Parish;  
26        Jefferson Davis Parish; Precincts 3, 8, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36,  
27        37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75,  
28        76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98,  
29        99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 114, 115, 116, 117,

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1 118, 119, 120, 121, 124, 125, 126, 127, 128, 130, 131, 133, 134, 135, and 136 of  
2 Lafayette Parish; Precincts C22, C23, C31, C32, C33, C34, C35, C36, C37-A,  
3 C37-B, C41, C42, N6, N7, N11, N12, N13-A, N13-B, N14-A, N14-B, N15, N16,  
4 N17, N18-A, N18-B, N19, N20, N21, N22, N23, N24, N25, N26, S1, S2, S4, S5,  
5 S6A, S6B, S7, S8, S9, S10, S11, S13, S14, S21, S22, S23, S24, S25, S26, S27, S28,  
6 and S29 of Rapides Parish; Vermilion Parish; and Precincts 1-1, 1-1A, 1-1B, 1-4,  
7 1-5, 1-6A, 1-7, 1-7B, 1-8, 1-9, 4-1, 4-2, 4-3, 4-3A, 4-3B, 4-3C, 4-3G, 4-3K, 4-3L,  
8 4-3N, 5-1, 5-2, 5-2A, 6-1, 6-2, 6-3, 6-4, 7-1, 7-2, 7-2B, 7-3, 7-4, 7-4A, 7-5, 7-5A,  
9 7-5D, 8-1, 8-2, and 8-3 of Vernon Parish.

10 (4) District 4 is composed of Bienville Parish; Bossier Parish; Caddo Parish;  
11 Caldwell Parish; Claiborne Parish; De Soto Parish; Grant Parish; Jackson Parish; La  
12 Salle Parish; Lincoln Parish; Natchitoches Parish; Precincts 1, 1A, 2, 4, 6, 7, 25, 31,  
13 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 44A, 45, 46, 48, 49, 50, 51, 51A, 52,  
14 52A, 53, 54, 55, 56, 56A, 57, 58, 61, 64, 71, 75, 76, 77, and 78 of Ouachita Parish;  
15 Red River Parish; Sabine Parish; Union Parish; Precincts 1-2, 1-3, 1-3C, 1-4B, 1-4C,  
16 1-5A, 1-6, 1-6B, 1-8A, 2-1, 2-1A, 2-2, 2-2A, 2-3, 2-4, 3-1, 3-2, 3-3, 3-4, and 3-5 of  
17 Vernon Parish; Webster Parish; and Winn Parish.

18 (5) District 5 is composed of Avoyelles Parish; Catahoula Parish; Concordia  
19 Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-9, 1-10, 1-11, 1-13, 1-14, 1-15,  
20 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29,  
21 1-30, 1-31, 1-32, 1-33, 1-36, 1-37, 1-38, 1-45, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55,  
22 1-57, 1-58, 1-60, 1-61, 1-62, 1-63, 1-67, 1-68, 1-70, 1-71, 1-72, 1-74, 1-77, 1-78,  
23 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-91, 1-92, 1-93, 1-94, 1-95, 1-96,  
24 1-97, 1-100, 1-101, 1-104, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-9, 2-10, 2-11, 2-12,  
25 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23, 2-24, 2-25, 2-26,  
26 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-34, 2-35, 2-36, 2-37, 2-38, 3-8, 3-24, 3-28, 3-32,  
27 3-42, 3-54, and 3-72 of East Baton Rouge Parish; East Carroll Parish; East Feliciana  
28 Parish; Franklin Parish; Precincts 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,  
29 19, 20, 21, 22, 23, 24, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 68, 112,

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113, 122, 123, and 129 of Lafayette Parish; Madison Parish; Morehouse Parish; Precincts 3, 5, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 30, 47, 59, 60, 62, 63, 65, 65A, 66, 67, 68, 69, 70, 72, 73, 74, and 79 of Ouachita Parish; Pointe Coupee Parish; Precincts C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11-A, C11-B, C13, C14, C15, C17, C18, C19, C20, C21, C24, C25, C26, C27, C28, C30, C38-A, C38-B, C39, C40, N1, N2, N3, N4, N5, N8, N9, N10, N27, N28, N29, S15, S16, S17, S18, S19, and S20 of Rapides Parish; Richland Parish; St. Helena Parish; St. Landry Parish; Precincts 2, 6, 11, 15, 16, 17, 28, 101, 102, 104, 105, 106, 106A, 107, 108, 109, 111A, and 115B of Tangipahoa Parish; Tensas Parish; West Baton Rouge Parish; West Carroll Parish; and West Feliciana Parish.

(6) District 6 is composed of Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 41, 43, 58, 61, 62, 63, 64, 68, 69, 71, 72, 73, 76, 77, and 78 of Ascension Parish; Precincts 1-8, 1-12, 1-34, 1-35, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-46, 1-47, 1-48, 1-49, 1-56, 1-59, 1-64, 1-65, 1-66, 1-69, 1-73, 1-75, 1-76, 1-79, 1-80, 1-89, 1-90, 1-98, 1-99, 1-102, 1-103, 1-105, 1-107, 2-8, 2-33, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 3-10, 3-11, 3-12, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-21, 3-22, 3-23, 3-25, 3-26, 3-27, 3-29, 3-30, 3-31, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-43, 3-44, 3-45, 3-46, 3-47, 3-48, 3-49, 3-50, 3-51, 3-52, 3-53, 3-55, 3-56, 3-57, 3-58, 3-59, 3-60, 3-61, 3-62, 3-63, 3-64, 3-65, 3-66, 3-67, 3-68, 3-69, 3-70, 3-71, 3-73, 3-74, 3-75, and 3-76 of East Baton Rouge Parish; Livingston Parish; Precincts 101, 102, 103, 104, 105, 106, 106A, 107, 108, 110, 111, 112, 113, 114, 115, 116, 118, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 312, 312A, 313, 314, 401, 402, 404, 405, 406, 407, 410, 411, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 427, 429, 430, 501, 502, 503, 504, 505, 602, 605, 609, A01, A02, A02A, A03, A04, C01, C02, C03, C04, C06, C07, C08, C09, C11, F01, M01, M06, M07, M08, M11, M12, and MD1 of St. Tammany Parish; Precincts 33, 40A, 41, 42, 43, 44, 45A, 45B, 46, 47, 49, 70, 70A, 71, 72, 72A, 73, 74, 110, 112, 114, 116, 117, 118, 118A, 119, 120, 120A, 120B, 121, 121A, 122A, 122B,

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**ORIGINAL**  
HB NO. 5

1        122C, 123, 124, 125, 127, 129A, 133, 133A, 137, 137A, 137B, 137C, 137D, 139,  
2        141, 141A, 143, 143A, 145, 147, 149, 149A, and 151 of Tangipahoa Parish; and  
3        Washington Parish.

4        Section 2. R.S. 18:1276 is hereby repealed in its entirety.

5        Section 3.(A) The precincts referenced in this Act are those contained in the file  
6        named "2024 Precinct Shapefiles (1-10-2024)" available on the website of the Legislature  
7        of Louisiana on the effective date of this Section. The 2024 Precinct Shapefiles are based  
8        upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line  
9        Shapefiles for the State of Louisiana as those files have been modified and validated through  
10       the data verification program of the Louisiana House of Representatives and the Louisiana  
11       Senate to represent precinct changes submitted through January 10, 2024, to the Legislature  
12       of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and  
13       532.1.

14       (B) When a precinct referenced in this Act has been subdivided by action of the  
15       parish governing authority on a nongeographic basis or subdivided by action of the parish  
16       governing authority on a geographic basis in accordance with the provisions of R.S.  
17       18:532.1, the enumeration in this Act of the general precinct designation shall include all  
18       nongeographic and all geographic subdivisions thereof, however such subdivisions may be  
19       designated.

20       (C) The territorial limits of the districts as provided in this Act shall continue in  
21       effect until changed by law regardless of any subsequent change made to the precincts by  
22       the parish governing authority.

23       Section 4. The provisions of this Act shall not reduce the term of office of any  
24       person holding any position or office on the effective date of this Section for which the  
25       appointment or election is based upon a congressional district as composed pursuant to R.S.  
26       18:1276. Any position or office that is filled by appointment or election based upon a  
27       congressional district and that is to be filled after January 3, 2025, shall be appointed or  
28       elected from a district as it is described in Section 1 of this Act.

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**ORIGINAL**  
HB NO. 5

1           Section 5.(A) Solely for the purposes of qualifying for election and the conduct of  
2 the election of representatives to the United States Congress at the regularly scheduled  
3 election for representatives to the congress in 2024, the provisions of Section 1 of this Act  
4 shall become effective upon signature of this Act by the governor or, if not signed by the  
5 governor, upon expiration of the time for bills to become law without signature by the  
6 governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act  
7 is vetoed by the governor and subsequently approved by the legislature, the provisions of  
8 Section 1 of this Act shall become effective on the day following such approval for the  
9 purposes established in this Subsection.

10           (B) For subsequent elections of representatives to the United States Congress and  
11 for all other purposes, the provisions of Section 1 of this Act shall become effective at noon  
12 on January 3, 2025.

13           (C) The provisions of Section 2 of this Act shall become effective at noon on  
14 January 3, 2025.

15           (D) The provisions of this Section and Sections 3 and 4 of this Act shall become  
16 effective upon signature of this Act by the governor or, if not signed by the governor, upon  
17 expiration of the time for bills to become law without signature by the governor, as provided  
18 in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the  
19 governor and subsequently approved by the legislature, the provisions of this Section and  
20 Sections 3 and 4 of this Act shall become effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 5 Original

2024 First Extraordinary Session

Marcelle

**Abstract:** Provides for the redistricting of the state's congressional districts and provides for the composition of each of the six congressional districts. Effective upon signature of governor for election purposes only for the regular congressional elections in 2024 and at noon on January 3, 2025, for all other purposes.

Statistical summaries of proposed law, including district variances from the ideal population of 776,292 and the range of those variances, as well as maps illustrating proposed district boundaries accompany this digest. (*Attached to the bill version on the internet.*)



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**ORIGINAL**  
HB NO. 5

Present U.S. Constitution (14th Amendment) provides that representatives in congress shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state. The U.S. Supreme Court has held that the population of congressional districts in the same state must be as nearly equal in population as practicable.

Present law provides for six congressional districts based upon the 2020 federal decennial census.

Proposed law redraws district boundaries for the congressional districts based upon the 2020 federal decennial census.

Proposed law provides that the new districts become effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024. Retains present law districts based upon the 2020 census until noon on January 3, 2025, at which time present law is repealed and the new districts based upon the 2020 census, as established by proposed law, become effective for all other purposes.

Proposed law specifies that precincts referenced in district descriptions are those precincts identified as Voting Districts (VTDs) contained in the file named "2024 Precinct Shapefiles (1-10-2024)" available on the La. legislature's website. Specifies that the 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the La. legislature. Also specifies that if any such precinct has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with present law, the enumeration of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof. Further provides that the territorial limits of the districts as enacted shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

Proposed law specifies that proposed law does not reduce the term of office of any person holding any position or office on the effective date of proposed law for which the appointment or election is based upon a congressional district as composed pursuant to present law. Specifies that any position or office filled after Jan. 1, 2025, for which the appointment or election is based upon a congressional district shall be appointed or elected from a district as it is described in proposed law.

Population data in the summaries accompanying this digest are derived from 2020 Census Redistricting Data (Public Law 94-171), Summary File for Louisiana. Population data, statistical information, and maps are supplied for purposes of information and analysis and comprise no part of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024; effective for all other purposes at noon on January 3, 2025.

(Adds R.S. 18:1276.1; Repeals R.S. 18:1276)



Plan Statistics

Plan: HLS 24 1 E.S.-26 (Marcelle)

Districts:	# of Members	Actual Population	Ideal Population	Absolute Deviation	Relative Deviation
District 1	1	776,316	776,292	24	0.003%
District 2	1	776,287	776,292	-5	-0.001%
District 3	1	776,249	776,292	-43	-0.006%
District 4	1	776,310	776,292	18	0.002%
District 5	1	776,309	776,292	17	0.002%
District 6	1	776,286	776,292	-6	-0.001%
Grand Total:	6	4,657,757	4,657,752		
Ideal Population Per Member:		776292			
Number of Districts for Plan Type:		6			
Range of District Populations:		776,249	to 776,316		
Absolute Mean Deviation:		11			
Absolute Range:		-43	to 24		
Absolute Overall Range:		67			
Relative Mean Deviation:		0.00%			
Relative Range:		-0.01%	to 0.00%		
Relative Overall Range:		0.01%			

<b><i>Ideal - Actual:</i></b>	<b>-5</b>
<b><i>Remainder:</i></b>	<b>5</b>
<b><i>Unassigned Population:</i></b>	<b>0</b>

Total Population

Plan: HLS 24 1 E.S.-26 (Marcelle)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	VAP Hispanic Total
District 1	776,316	507,998	144,750	24,327	24,531	74,710	93,828	604,976	413,014	103,198	18,110	17,265	53,389	66,217
	100.000%	65.437%	18.646%	3.134%	3.160%	9.624%	12.086%	100.000%	68.269%	17.058%	2.994%	2.854%	8.825%	10.945%
District 2	776,287	275,643	415,880	24,040	9,014	51,710	66,679	598,879	228,637	307,807	18,976	6,933	36,526	46,130
	100.000%	35.508%	53.573%	3.097%	1.161%	6.661%	8.589%	100.000%	38.177%	51.397%	3.169%	1.158%	6.099%	7.703%
District 3	776,249	555,655	154,675	17,548	13,872	34,499	42,419	586,407	432,072	107,317	12,674	10,207	24,137	29,092
	100.000%	71.582%	19.926%	2.261%	1.787%	4.444%	5.465%	100.000%	73.681%	18.301%	2.161%	1.741%	4.116%	4.961%
District 4	776,310	455,308	262,042	12,026	18,028	28,906	34,609	596,380	362,830	190,355	8,867	13,745	20,583	24,005
	100.000%	58.650%	33.755%	1.549%	2.322%	3.724%	4.458%	100.000%	60.839%	31.918%	1.487%	2.305%	3.451%	4.025%
District 5	776,309	310,229	424,358	9,644	7,847	24,231	28,750	590,024	252,234	306,972	7,377	5,838	17,603	20,367
	100.000%	39.962%	54.664%	1.242%	1.011%	3.121%	3.703%	100.000%	42.750%	52.027%	1.250%	0.989%	2.983%	3.452%
District 6	776,286	552,819	141,414	19,703	13,768	48,582	56,264	593,882	435,724	100,120	14,412	10,252	33,374	37,851
	100.000%	71.213%	18.217%	2.538%	1.774%	6.258%	7.248%	100.000%	73.369%	16.859%	2.427%	1.726%	5.620%	6.373%
Grand Total	4,657,757	2,657,652	1,543,119	107,288	87,060	262,638	322,549	3,570,548	2,124,511	1,115,769	80,416	64,240	185,612	223,662
	100.000%	57.059%	33.130%	2.303%	1.869%	5.639%	6.925%	100.000%	59.501%	31.249%	2.252%	1.799%	5.198%	6.264%

Voter Registration

Plan: HLS 24 1 E.S.-26 (Marcelle)

	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023	Reg Dem Total Dec 2023	Reg Rep Total Dec 2023	Reg Other Total Dec 2023
District 1	457,120	343,796	70,257	43,067	143,303	173,425	140,392
	75.560%	75.209%	15.369%	9.421%	31.349%	37.939%	30.712%
District 2	473,883	185,949	250,792	37,142	268,004	84,364	121,515
	79.128%	39.239%	52.923%	7.838%	56.555%	17.803%	25.642%
District 3	445,031	352,141	72,719	20,171	128,776	193,532	122,723
	75.891%	79.127%	16.340%	4.532%	28.936%	43.487%	27.576%
District 4	442,996	290,311	134,060	18,625	153,079	177,962	111,955
	74.281%	65.534%	30.262%	4.204%	34.555%	40.172%	25.272%
District 5	465,296	201,079	248,836	15,381	243,650	111,458	110,188
	78.861%	43.215%	53.479%	3.306%	52.365%	23.954%	23.681%
District 6	457,961	367,170	65,165	25,626	115,694	210,885	131,382
	77.113%	80.175%	14.229%	5.596%	25.263%	46.049%	28.688%
Grand Total	2,742,287	1,740,446	841,829	160,012	1,052,506	951,626	738,155

Splits

Plan: HLS 24 1 E.S.-26 (Marcelle)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 1																
*Jefferson	236,631	152,726	30,203	11,591	4,247	37,864	189,536	127,909	22,100	8,749	3,210	27,568	141,430	110,356	11,873	19,201
Lafourche	97,557	71,710	15,855	1,025	4,224	4,743	74,619	56,838	11,077	738	2,777	3,189	54,238	45,481	6,277	2,480
*Orleans	87,257	62,884	12,857	3,297	1,129	7,090	72,861	53,123	10,767	2,605	913	5,453	56,060	42,517	7,517	6,026
Plaquemines	23,515	14,287	5,428	1,317	697	1,786	17,334	10,856	3,857	925	500	1,196	13,143	8,996	2,934	1,213
St. Bernard	43,764	24,497	12,309	1,381	947	4,630	31,775	18,992	7,944	982	688	3,169	25,685	18,044	5,593	2,048
St. Mary	49,406	26,949	15,991	835	1,670	3,961	37,521	21,594	11,520	593	1,173	2,641	29,204	17,999	9,570	1,635
*St. Tammany	128,606	85,011	28,960	3,138	2,980	8,517	98,825	68,071	20,137	2,279	2,254	6,084	81,550	58,802	16,583	6,165
Terrebonne	109,580	69,934	23,147	1,743	8,637	6,119	82,505	55,631	15,796	1,239	5,750	4,089	55,810	41,601	9,910	4,299
District 1	776,316	507,998	144,750	24,327	24,531	74,710	604,976	413,014	103,198	18,110	17,265	53,389	457,120	343,796	70,257	43,067
	100.000%	65.437%	18.646%	3.134%	3.160%	9.624%	100.000%	68.269%	17.058%	2.994%	2.854%	8.825%	75.560%	75.209%	15.369%	9.421%
District 2																
*Ascension	24,459	8,224	14,701	190	196	1,148	18,078	6,675	10,347	141	136	779	16,126	6,268	9,237	621
Assumption	21,039	13,722	6,220	96	258	743	16,616	11,145	4,707	57	197	510	13,323	8,977	4,131	215
*Iberia	32,673	16,418	14,296	663	299	997	24,693	13,063	10,228	481	225	696	20,601	11,346	8,539	716
Iberville	30,241	14,833	13,730	202	274	1,202	24,086	12,462	10,232	149	221	1,022	19,906	9,999	9,484	423
*Jefferson	204,150	68,209	96,014	11,433	3,439	25,055	155,118	56,226	70,075	8,943	2,625	17,249	112,003	42,580	54,329	15,094
*Orleans	296,740	63,578	206,112	9,559	2,537	14,954	233,335	57,129	155,301	7,915	2,035	10,955	182,330	43,608	123,073	15,649
St. Charles	52,549	33,550	13,928	837	925	3,309	39,541	26,154	9,890	529	667	2,301	33,582	23,411	8,270	1,901
St. James	20,192	9,973	9,762	60	82	315	15,505	7,883	7,297	31	64	230	14,531	7,116	7,196	219
St. John the Baptist	42,477	13,877	25,196	403	465	2,536	32,503	11,622	18,437	323	350	1,771	27,484	9,338	16,653	1,493
St. Martin	51,767	33,259	15,921	597	539	1,451	39,404	26,278	11,293	407	413	1,013	33,997	23,306	9,880	811
District 2	776,287	275,643	415,880	24,040	9,014	51,710	598,879	228,637	307,807	18,976	6,933	36,526	473,883	185,949	250,792	37,142
	100.000%	35.508%	53.573%	3.097%	1.161%	6.661%	100.000%	38.177%	51.397%	3.169%	1.158%	6.099%	79.128%	39.239%	52.923%	7.838%
District 3																
Acadia	57,576	44,480	10,864	238	573	1,421	42,943	34,071	7,383	173	400	916	36,151	29,438	5,995	718
Allen	22,750	16,327	4,490	246	947	740	17,510	12,751	3,275	182	646	656	11,079	8,704	1,920	455
Beauregard	36,549	29,529	4,649	402	1,052	917	27,489	22,304	3,495	269	773	648	22,071	18,639	2,264	1,168
Calcasieu	216,785	139,772	59,386	4,702	3,536	9,389	163,166	108,789	41,898	3,359	2,604	6,516	111,819	80,364	26,493	4,962
Cameron	5,617	5,232	125	30	75	155	4,358	4,100	79	23	47	109	4,072	3,936	61	75
Evangeline	32,350	21,354	9,235	241	280	1,240	24,408	16,460	6,483	187	217	1,061	20,388	14,274	5,744	370
*Iberia	37,256	22,788	10,260	1,460	495	2,253	28,098	18,232	6,841	1,081	356	1,588	21,587	15,502	4,902	1,183
Jefferson Davis	32,250	25,066	5,837	183	472	692	24,039	19,121	4,006	111	325	476	18,733	15,509	2,784	440
*Lafayette	175,072	128,510	27,553	5,901	2,609	10,499	133,786	101,351	18,873	4,278	1,988	7,296	108,657	89,514	12,618	6,525
*Rapides	69,584	54,292	8,596	1,655	2,166	2,875	53,146	42,439	5,966	1,201	1,634	1,906	41,989	35,665	4,304	2,020
Vermilion	57,359	44,477	8,810	1,447	623	2,002	43,012	34,363	5,787	1,037	488	1,337	35,511	29,693	4,555	1,263

Splits

Plan: HLS 24 1 E.S.-26 (Marcelle)

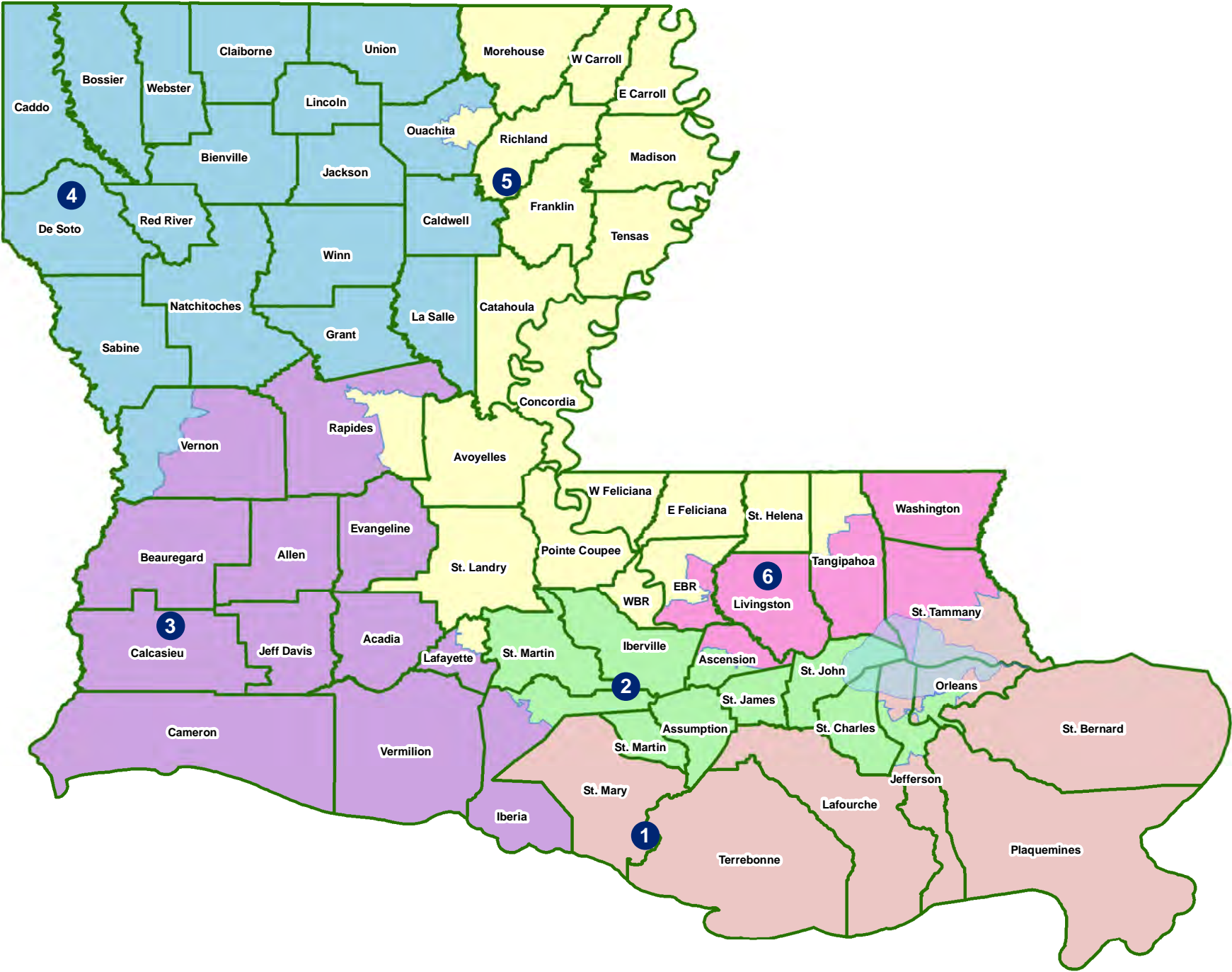
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 3																
*Vernon	33,101	23,828	4,870	1,043	1,044	2,316	24,452	18,091	3,231	773	729	1,628	12,974	10,903	1,079	992
District 3	776,249	555,655	154,675	17,548	13,872	34,499	586,407	432,072	107,317	12,674	10,207	24,137	445,031	352,141	72,719	20,171
	100.000%	71.582%	19.926%	2.261%	1.787%	4.444%	100.000%	73.681%	18.301%	2.161%	1.741%	4.116%	75.891%	79.127%	16.340%	4.532%
District 4																
Bienville	12,981	6,950	5,600	57	207	167	10,073	5,486	4,284	30	162	111	8,336	4,509	3,728	99
Bossier	128,746	81,052	32,551	3,492	3,273	8,378	95,876	62,931	22,440	2,448	2,477	5,580	65,726	48,229	13,555	3,942
Caddo	237,848	103,457	119,304	4,034	3,840	7,213	182,407	85,059	86,359	3,008	2,958	5,023	131,942	64,381	61,471	6,090
Caldwell	9,645	7,646	1,632	51	150	166	7,478	5,969	1,224	46	116	123	5,813	4,959	762	92
Claiborne	14,170	7,263	6,360	88	185	274	11,507	6,258	4,824	55	140	230	8,390	4,557	3,677	156
De Soto	26,812	15,284	9,973	117	740	698	20,440	11,909	7,425	86	557	463	17,887	11,005	6,317	565
Grant	22,169	17,709	3,335	133	644	348	17,527	13,964	2,717	97	507	242	12,226	10,764	1,120	342
Jackson	15,031	9,967	4,166	175	255	468	11,783	7,967	3,125	140	174	377	9,375	6,570	2,610	195
La Salle	14,791	11,348	1,422	283	372	1,366	11,563	8,636	1,065	264	271	1,327	8,380	7,633	583	164
Lincoln	48,396	26,034	19,364	892	662	1,444	38,655	21,306	15,119	744	526	960	24,408	15,139	8,357	912
Natchitoches	37,515	19,361	15,725	255	861	1,313	29,349	16,010	11,415	198	683	1,043	20,675	11,761	8,016	898
*Ouachita	90,953	72,958	11,272	1,451	2,101	3,171	68,844	56,386	7,617	1,018	1,638	2,185	57,035	49,426	5,606	2,003
Red River	7,620	4,195	3,106	25	171	123	5,714	3,338	2,164	3	116	93	5,475	3,034	2,358	83
Sabine	22,155	15,036	3,861	94	2,723	441	17,064	12,054	2,655	66	1,970	319	13,570	10,287	1,912	1,371
Union	21,107	14,460	5,224	62	338	1,023	16,632	11,807	3,861	39	254	671	14,802	10,847	3,497	458
*Vernon	15,649	11,259	2,741	399	556	694	11,809	8,674	1,902	301	431	501	9,435	7,226	1,529	680
Webster	36,967	22,735	12,679	208	687	658	28,753	18,144	9,464	154	558	433	21,259	14,068	6,744	447
Winn	13,755	8,594	3,727	210	263	961	10,906	6,932	2,695	170	207	902	8,262	5,916	2,218	128
District 4	776,310	455,308	262,042	12,026	18,028	28,906	596,380	362,830	190,355	8,867	13,745	20,583	442,996	290,311	134,060	18,625
	100.000%	58.650%	33.755%	1.549%	2.322%	3.724%	100.000%	60.839%	31.918%	1.487%	2.305%	3.451%	74.281%	65.534%	30.262%	4.204%
District 5																
Avoyelles	39,693	25,625	11,678	434	767	1,189	30,578	20,269	8,311	379	570	1,049	21,438	15,242	5,622	574
Catahoula	8,906	5,776	2,395	46	119	570	6,951	4,557	1,736	33	87	538	6,113	4,363	1,695	55
Concordia	18,687	10,275	7,725	122	233	332	14,217	8,108	5,613	100	167	229	11,419	6,816	4,418	185
*East Baton Rouge	216,003	45,353	155,329	4,729	1,519	9,073	162,926	38,040	113,697	3,603	1,200	6,386	127,317	29,588	91,583	6,146
East Carroll	7,459	2,054	5,272	29	43	61	5,901	1,773	4,043	19	27	39	4,564	1,218	3,305	41
East Feliciana	19,539	11,516	7,341	91	262	329	16,183	9,740	5,918	61	198	266	13,327	7,805	5,075	447
Franklin	19,774	12,492	6,802	70	205	205	15,028	9,901	4,779	44	153	151	12,350	8,524	3,718	108
*Lafayette	66,681	24,853	37,583	553	601	3,091	50,089	20,257	27,044	386	399	2,003	40,152	16,284	22,127	1,741
Madison	10,017	3,475	6,363	20	59	100	7,435	2,906	4,391	9	48	81	7,068	2,439	4,518	111
Morehouse	25,629	12,281	12,484	160	370	334	20,062	10,095	9,300	117	279	271	15,440	7,806	7,377	257

Splits

Plan: HLS 24 1 E.S.-26 (Marcelle)

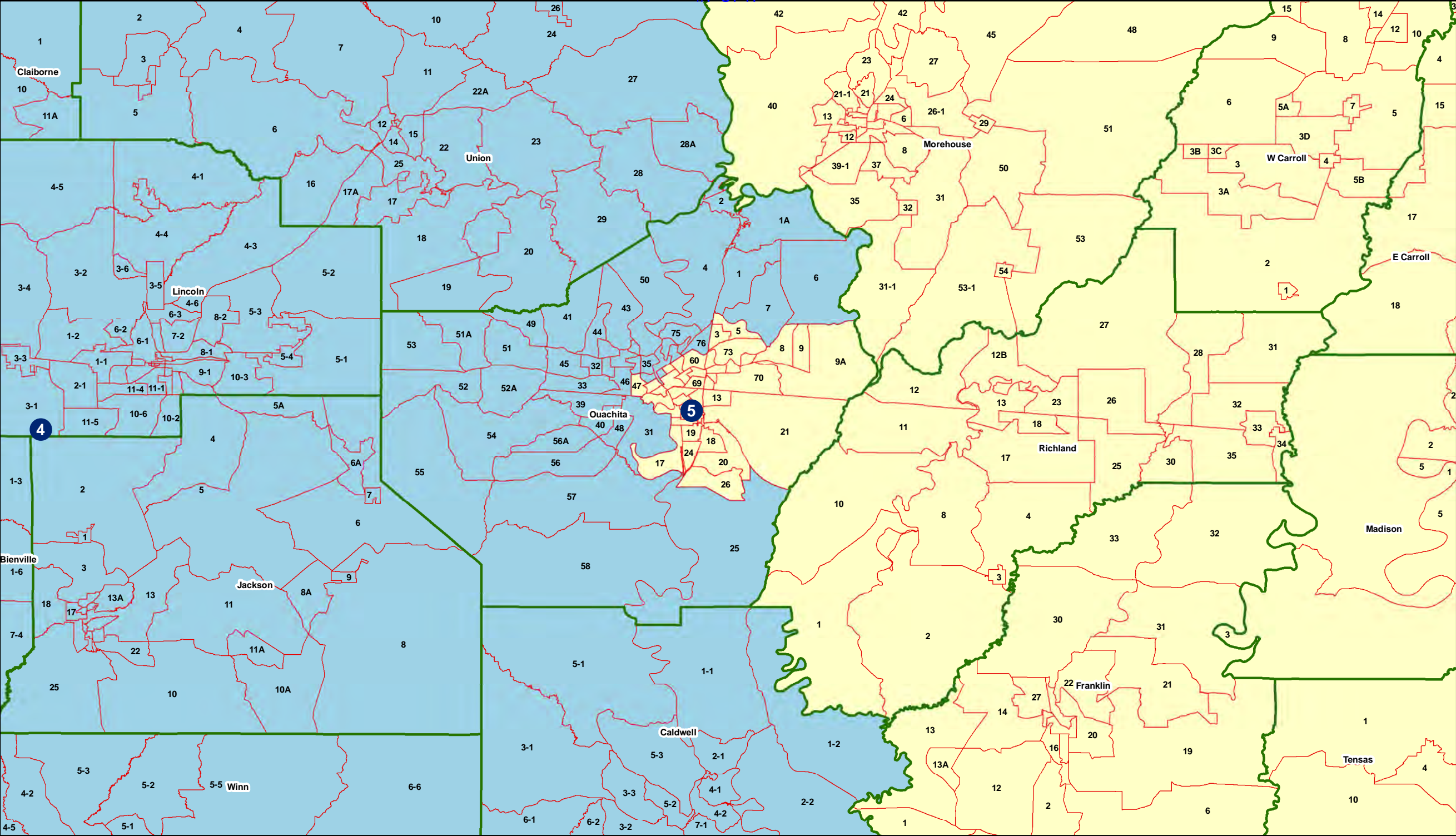
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 5																
*Ouachita	69,415	15,587	49,945	1,337	560	1,986	51,356	13,588	34,673	1,100	421	1,574	38,595	8,723	28,415	1,457
Pointe Coupee	20,758	12,395	7,504	107	159	593	16,250	10,108	5,502	91	119	430	14,107	9,040	4,837	230
*Rapides	60,439	23,218	33,996	773	936	1,516	45,646	18,934	24,239	585	700	1,188	33,297	14,291	17,655	1,351
Richland	20,043	11,785	7,603	83	258	314	15,383	9,338	5,546	66	203	230	13,141	8,144	4,753	244
St. Helena	10,920	4,527	6,031	39	134	189	8,463	3,805	4,371	28	109	150	8,260	3,626	4,492	142
St. Landry	82,540	43,611	35,836	499	636	1,958	61,811	34,209	25,497	353	451	1,301	52,429	28,933	22,135	1,361
*Tangipahoa	23,399	10,578	11,824	126	229	642	17,669	8,508	8,474	106	155	426	11,678	6,151	5,237	290
Tensas	4,147	1,744	2,312	23	26	42	3,235	1,446	1,728	12	23	26	3,485	1,510	1,937	38
West Baton Rouge	27,199	14,307	11,170	287	326	1,109	20,526	11,146	8,149	209	219	803	16,753	9,620	6,764	369
West Carroll	9,751	7,894	1,425	27	180	225	7,532	6,223	1,010	20	136	143	6,871	5,770	1,013	88
West Feliciana	15,310	10,883	3,740	89	225	373	12,783	9,283	2,951	56	174	319	7,492	5,186	2,160	146
District 5	776,309	310,229	424,358	9,644	7,847	24,231	590,024	252,234	306,972	7,377	5,838	17,603	465,296	201,079	248,836	15,381
	100.000%	39.962%	54.664%	1.242%	1.011%	3.121%	100.000%	42.750%	52.027%	1.250%	0.989%	2.983%	78.861%	43.215%	53.479%	3.306%
District 6																
*Ascension	102,041	72,917	17,515	2,110	1,808	7,691	73,879	54,461	11,792	1,373	1,254	4,999	62,520	49,274	9,591	3,655
*East Baton Rouge	240,778	150,716	58,069	11,696	3,208	17,089	192,686	125,841	43,093	8,996	2,547	12,209	141,520	103,157	27,919	10,444
Livingston	142,282	116,855	12,658	1,697	3,111	7,961	105,141	88,432	8,136	1,099	2,311	5,163	82,405	73,655	5,642	3,108
*St. Tammany	135,964	111,630	9,683	2,636	2,680	9,335	103,403	86,550	6,624	1,796	1,907	6,526	92,757	82,460	4,546	5,751
*Tangipahoa	109,758	70,758	30,055	1,348	2,225	5,372	83,822	56,697	20,743	994	1,672	3,716	51,608	40,021	9,575	2,012
Washington	45,463	29,943	13,434	216	736	1,134	34,951	23,743	9,732	154	561	761	27,151	18,603	7,892	656
District 6	776,286	552,819	141,414	19,703	13,768	48,582	593,882	435,724	100,120	14,412	10,252	33,374	457,961	367,170	65,165	25,626
	100.000%	71.213%	18.217%	2.538%	1.774%	6.258%	100.000%	73.369%	16.859%	2.427%	1.726%	5.620%	77.113%	80.175%	14.229%	5.596%

Congress - Statewide



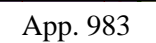


Congress - Ouachita





#: 3748

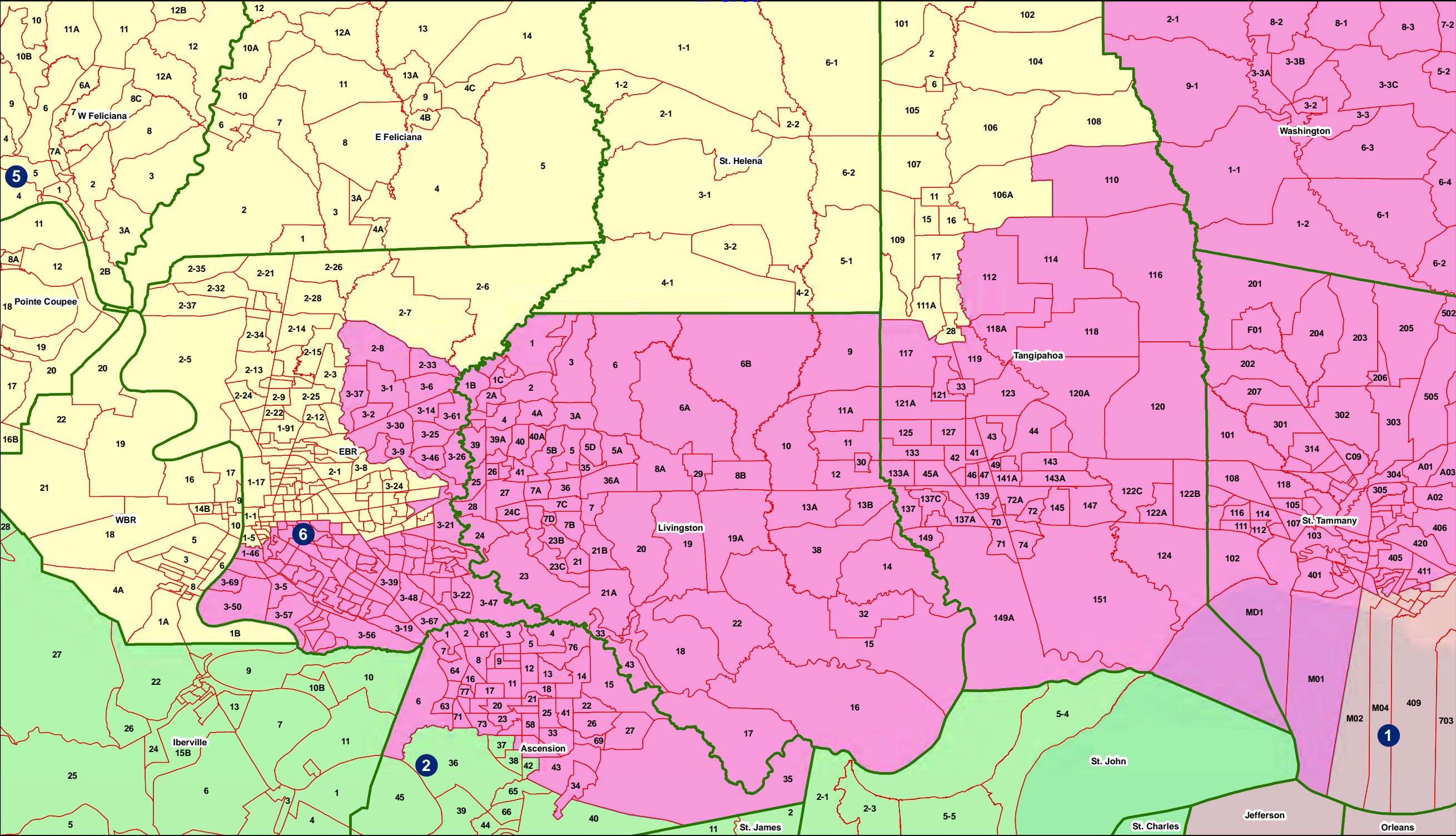




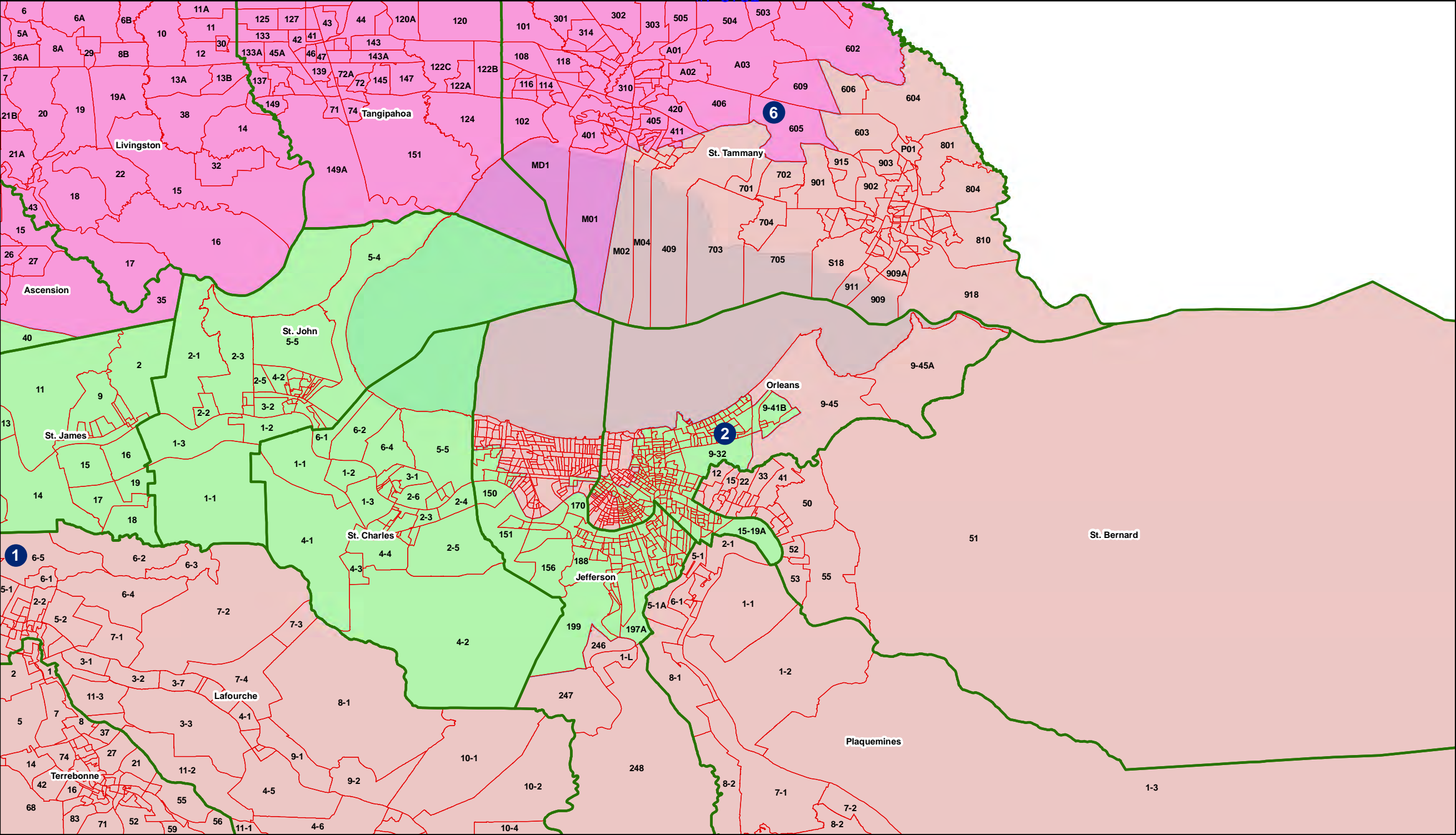




Congress - EBR Metro



Congress - Orleans Metro



SLS 241ES-26

2024 First Extraordinary Session

SENATE BILL NO. 10

BY SENATOR CARTER

ORIGINAL

CONGRESS. Provides for redistricting of Louisiana congressional districts. (Item #1)(See Act)

1

AN ACT

2

To enact R.S. 18:1276.1 and to repeal R.S. 18:1276, relative to congressional districts; to

3

provide for the redistricting of Louisiana's congressional districts; to provide with

4

respect to positions and offices, other than congressional, which are based upon

5

congressional districts; to provide for the effectiveness; and to provide for related

6

matters.

7

Be it enacted by the Legislature of Louisiana:

8

Section 1. R.S. 18:1276.1 is hereby enacted to read as follows:

9

§1276.1. Congressional districts

10

Louisiana shall be divided into six congressional districts, and the

11

qualified electors of each district shall elect one representative to the United

12

States House of Representatives. The districts shall be composed as follows:

13

(1) District 1 is composed of Precincts 2-4 (Part) Tract 050600 - Blocks

14

2003, 2016, 2024, 2025; 3-1, 3-2, 5-3, 7-2, 7-3, 8-1 and 9-1 of Assumption Parish;

15

Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,

16

24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46,

17

51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73,

SLS 241ES-26

ORIGINAL  
SB NO. 10

74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96,  
97, 98, 99, 100, 101, 102, 103, 105, 106, 117, 118, 119, 120, 121, 122, 123, 124,  
125A, 125B, 126, 127, 128, 129, 130, 132, 134, 136, 138, 246, 247, 248, 1-GI, 1-H,  
2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB,  
7-KA, 7-KB, 8-K, 9-K, 10-K, 11-K, 12-K, 13-KA, 14-K, 15-K, 16-K, 17-K, 18-K,  
19-K, 20-K, 25-K, 27-K, 28-K, 29-K, 34-K, 35-K and 1-L of Jefferson Parish;  
Lafourche Parish; Precincts 3-14, 3-19, 3-20, 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17,  
4-17A, 4-18, 4-20, 4-21, 4-22, 4-23, 5-12, 5-13, 5-15, 5-16, 5-17, 5-18, 6-9, 7-17,  
7-41, 7-42, 9-45, 9-45A, 10-7, 10-8, 10-9, 11-4, 11-5, 11-8, 11-9, 12-5, 12-6, 12-7,  
12-10, 13-3, 13-4, 13-5, 13-6, 13-7, 13-8, 13-9, 13-10, 13-12, 14-1, 14-2, 14-3, 14-4,  
14-5, 14-6, 14-7, 14-8, 14-9, 14-10, 14-11, 14-12, 14-13A, 14-14, 14-15, 14-16,  
14-17, 14-18A, 14-19, 14-20, 14-21, 16-1, 16-1A, 16-2, 16-3, 16-4, 16-5, 16-7, 16-8,  
17-1, 17-17, 17-18, 17-18A, 17-19 and 17-20 of Orleans Parish; Plaquemines  
Parish; Precincts 10, 11, 12, 13, 14, 20, 21, 24, 30, 31, 32, 33, 34, 41, 42 (Part)  
Tract 030209 - Blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008,  
2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018, 2020, 2026, 2027; 42A, 43,  
46, 51, 53, 54 and 55 of St. Bernard Parish; Precincts 2-5, 3-1 (Part) Tract  
062301 - Blocks 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2012,  
2013, 2014, 2015, 2016, 2017, 2019, 2022, 2024, 4001, 4002, 4003, 4004, 4005,  
4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013; 4-1, 4-2, 4-3, 4-5, 5-5, 6-1, 6-2,  
6-4, 7-1, 7-2 and 7-3 of St. Charles Parish; Precincts 1 and 2 of St. Martin  
Parish; St. Mary Parish; Precincts 409, 426, 603, 605, 701, 702, 703, 704, 705,  
706, 801, 802, 802A, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814,  
815, 815A, 816, 817, 818, 901, 902, 903, 903A, 904, 905, 906, 907, 909, 909A, 910,  
911, 913, 914, 915, 916, 917, 918, 921, 922, M09, M09A, M10, P01, S01, S02, S03,  
S04, S05, S06, S07, S08, S09, S10, S11, S13, S15, S16, S17, S18, S19, S21, S22,  
S23 and S24 of St. Tammany Parish and Terrebonne Parish.

(2) District 2 is composed of Precincts 28, 30, 31, 32, 36, 37, 38, 39, 40,  
42, 44, 45, 47, 48, 50, 51, 52, 53, 54, 55, 57, 58, 65, 66 and 71 of Ascension Parish;



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1        Precincts 1-1, 1-2, 1-3, 2-1, 2-2, 2-3, 2-4 (Part) Tract 050600 - Blocks 2002, 2004,  
2        2005, 2006, 2007, 2008, 2009, 2014; 2-5, 4-1, 4-2, 4-3, 4-4, 5-1, 5-2, 5-5, 6-1, 6-2,  
3        6-3 and 7-1 of Assumption Parish; Precincts 1-1, 1-3 (Part) Tract 030500 -  
4        Blocks 1006, 1007, 1012, 1013, 1014, 1015, 1016, 1017, 1019, 1020, 1021, 1022,  
5        1023, 1024, 1025, 1026, 1027, 1028 and 6005 and 6006; Tract 030601 - Blocks  
6        2013; Tract 031102 - Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1008,  
7        1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021,  
8        1022, 1023, 1024, 1025, 1026, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040,  
9        1041, 1042, 1044, 1045, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008,  
10       2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021,  
11       2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2031, 2033; 1-8, 2-1, 3-2 (Part)  
12       Tract 030201 - Blocks 5020, 5021, 5022 and 5023; Tract 030500 - Blocks 7000,  
13       7001, 7002; 4-1, 4-2, 5-3, 6-2, 7-1, 7-2, 7-4, 7-5, 8-1, 8-2, 8-3, 9-1, 9-2, 9-4, 9-5,  
14       11-1 (Part) Tract 030101 - Blocks 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007,  
15       3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020,  
16       3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033,  
17       3034, 3035, 3036, 3037, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047,  
18       3048, 3049, 3050, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062,  
19       3067, 3068, 3069, 3070, 3079, 3080, 3081, 3082, 3083 and 3084; Tract 030102 -  
20       Blocks 4000, 4001, 4003; 11-3 and 11-5 of Iberia Parish; Iberville Parish;  
21       Precincts 104, 108, 115, 116, 131, 133, 150, 151, 152, 153, 154, 155, 156, 157A,  
22       157B, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179A, 179B, 180, 181, 182, 183,  
23       184, 185A, 185B, 187, 188, 189, 190, 191, 192, 193A, 193B, 194A, 194B, 195, 196,  
24       197A, 197B, 198, 199, 200, 201, 202, 203, 204, 205, 210, 211, 212, 213A, 213B,  
25       213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229, 230, 231,  
26       232A, 232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G,  
27       8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 21-K, 22-K, 23-K, 24-K, 26-K, 30-K,  
28       31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W and 7-W of Jefferson Parish;  
29       Precincts 1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 3-9, 3-12, 3-15, 3-18,

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1 4-2, 4-3, 4-6, 5-1, 5-2, 5-3, 5-5, 5-7, 5-8, 5-9, 5-10, 5-11, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8,  
2 7-1, 7-2, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-18,  
3 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29,  
4 7-30, 7-32, 7-33, 7-35, 7-37, 7-37A, 7-40, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12,  
5 8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1,  
6 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-19,  
7 9-21, 9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D,  
8 9-32, 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40,  
9 9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B,  
10 9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N,  
11 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M,  
12 9-44N, 9-44O, 9-44P, 9-44Q, 10-3, 10-6, 10-11, 10-12, 10-13, 10-14, 11-2, 11-3,  
13 11-10, 11-11, 11-12, 11-13, 11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-9, 12-11, 12-12,  
14 12-13, 12-14, 12-16, 12-17, 12-19, 13-1, 13-2, 13-11, 13-13, 13-14, 13-15, 13-16,  
15 14-23, 14-24A, 14-25, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11,  
16 15-12, 15-12A, 15-13, 15-13A, 15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D,  
17 15-14E, 15-14F, 15-14G, 15-15, 15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B,  
18 15-18, 15-18A, 15-18B, 15-18C, 15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B,  
19 15-19C, 16-6, 16-9, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11,  
20 17-12, 17-13, 17-13A, 17-14, 17-15 and 17-16 of Orleans Parish; Precincts 15, 22,  
21 23, 25, 40, 42 (Part) Tract 030209 - Blocks 1000, 1001, 1008, 1009, 1010; 44, 45,  
22 50 and 52 of St. Bernard Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 2-1, 2-3,  
23 2-4, 2-6, 3-1 (Part) Tract 062301 - Blocks 4014, 4015, 4016, 4017, 4018, 4019,  
24 4020, 4021; 3-2, 3-3, 4-4, 5-1, 5-3, 5-4, 6-3, 6-6, 6-8, 7-4, 7-5 and 7-6 of St. Charles  
25 Parish; St. James Parish; St. John the Baptist Parish and Precincts 3, 4, 5, 6, 7,  
26 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30,  
27 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43 of St. Martin Parish.  
28 (3) District 3 is composed of Acadia Parish; Allen Parish; Beauregard  
29 Parish; Calcasieu Parish; Cameron Parish; Evangeline Parish; Precincts 1-3



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1 (Part) Tract 030402 - Blocks 9000, 9001, 9003, 9004, 9009, 9010 and 9011; Tract  
2 030500 - Blocks 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 3009,  
3 3010, 3012, 4010, 4011, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012,  
4 6000, 6001, 6007; 1-7, 2-2, 2-3, 3-2 (Part) Tract 030301 - Blocks 2000, 2001,  
5 2002, 2003, 2004, 2005, 2006, 2007, 5000, 5001, 5002, 5003, 5004, 5005, 5006,  
6 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016 and 5017; Tract  
7 030500 - Blocks 2007, 2008, 2009, 2010, 2011, 2012, 2013, 3000, 3001, 3002, 3003,  
8 3004, 3005, 3006, 3007, 3008, 3011, 4000, 4001, 4002, 4003, 4004, 4005, 4006,  
9 4007, 4008, 4009, 5000, 5001, 5002, 5003, 6002, 6003, 6004; 3-3, 3-4, 3-5, 4-3, 5-1,  
10 5-2, 5-5, 6-1, 6-4, 6-5, 10-1, 10-2, 10-3, 10-4, 11-1 (Part) Tract 030101 - Blocks  
11 1000, 1001, 1002, 1003, 1023, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007,  
12 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2018, 2019, 2020, 2021, 2022, 2027,  
13 2028, 2029, 2030 and 2031; Tract 030102 - Blocks 1008, 1009, 1010, 1011, 1012,  
14 1013, 1014, 1015, 1016, 1017, 1018, 1019, 4002, 4007, 4008, 4009, 4010, 4011,  
15 4012 and 4013; Tract 031302 - Blocks 3008, 3009, 3010, 3011, 3012; 11-4, 11-6,  
16 12-1, 12-2, 12-3, 12-4, 13-1, 13-2, 13-3, 13-4, 13-5, 14-1, 14-3, 14-4 and 14-5 of  
17 Iberia Parish; Jefferson Davis Parish; Precincts 3, 8, 25, 26, 27, 28, 29, 30, 31,  
18 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70,  
19 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93,  
20 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111,  
21 114, 115, 116, 117, 118, 119, 120, 121, 124, 125, 126, 127, 128, 130, 131, 133, 134,  
22 135 and 136 of Lafayette Parish; Precincts C22, C23, C31, C32, C33, C34, C35,  
23 C36, C37-A, C37-B, C41, C42, N6, N7, N11, N12, N13-A, N13-B, N14-A, N14-B,  
24 N15, N16, N17, N18-A, N18-B, N19, N20, N21, N22, N23, N24, N25, N26, S1, S2,  
25 S4, S5, S6A, S6B, S7, S8, S9, S10, S11, S13, S14, S21, S22, S23, S24, S25, S26,  
26 S27, S28 and S29 of Rapides Parish; Vermilion Parish; Precincts 1-1, 1-1A  
27 (Part) Tract 950400 - Blocks 2008, 2009, 2020, 2021, 2022, 2023, 2024, 2025,  
28 2031, 2032, 2033, 2034, 2035, 2044, 2046, 2047, 2048, 2049, 2050 and 2051; Tract  
29 950501 - Blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1019, 1020, 1021,

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1022, 1023, 1024, 1025, 1026, 1027, 1029, 1030, 1031, 1032, 1033, 1034, 1035,  
1036, 1042, 1043, 1055, 1061, 1062, 1063, 1064; 1-1B, 1-4, 1-5, 1-6A, 1-7, 1-7B,  
1-8, 1-8A, 1-9, 4-1, 4-2, 4-3, 4-3A, 4-3B, 4-3C, 4-3G, 4-3K, 4-3L, 4-3N, 5-1, 5-2,  
5-2A, 6-1, 6-2, 6-3, 6-4, 7-1, 7-2 (Part) Tract 950901 - Blocks 3034 and 3036;  
Tract 950902 - Blocks 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055,  
1056, 1057, 1058, 1059, 2000, 2001, 2002, 2031, 3000, 3001, 3002, 3006, 3011,  
3012, 3013, 3014, 3016, 3017, 3028, 3029, 3030, 3032, 3033, 3035, 3036, 3037,  
3038, 3039, 3040, 3041, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068,  
3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081,  
3082, 3083, 3084 and 7-2B, 7-3, 7-4, 7-4A, 7-5, 7-5A, 7-5D, 8-1, 8-2 and 8-3 of  
Vernon Parish.

(4) District 4 is composed of Bienville Parish; Bossier Parish; Caddo  
Parish; Caldwell Parish; Claiborne Parish; De Soto Parish; Grant Parish;  
Jackson Parish; La Salle Parish; Lincoln Parish; Natchitoches Parish; Precincts  
1, 1A, 2, 4, 6, 7, 25, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 44A, 45, 46,  
48, 49, 50, 51, 51A, 52, 52A, 53, 54, 55, 56, 56A, 57, 58, 61, 64, 71, 75, 76, 77 and  
78 of Ouachita Parish; Red River Parish; Sabine Parish; Union Parish;  
Precincts 1-1A (Part) Tract 950501 - Blocks 1008, 1010, 1012, 1013, 1015, 1016,  
1017, 1018, 1028, 1037, 1109, 1110, 1111; 1-2, 1-3, 1-3C, 1-4B, 1-4C, 1-5A, 1-6,  
1-6B, 2-1, 2-1A, 2-2, 2-2A, 2-3, 2-4, 3-1, 3-2, 3-3, 3-4, 3-5, 7-2 (Part) Tract 950901  
- Blocks 3015 and 3031; Tract 950902 - Blocks 3003, 3004, 3005, 3018, 3019,  
3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3042, 3043, 3044, 3045, 3046,  
3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058 and 3059  
of Vernon Parish; Webster Parish and Winn Parish.

(5) District 5 is composed of Avoyelles Parish; Catahoula Parish;  
Concordia Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-9, 1-10, 1-11, 1-13,  
1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27,  
1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-36, 1-37, 1-38, 1-45, 1-49, 1-50, 1-51, 1-52,  
1-53, 1-54, 1-55, 1-57, 1-58, 1-60, 1-61, 1-62, 1-63, 1-67, 1-68, 1-70, 1-71, 1-72,

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1-74, 1-77, 1-78, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-91, 1-92, 1-93,  
1-94, 1-95, 1-96, 1-97, 1-100, 1-101, 1-104, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-9,  
2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23,  
2-24, 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-34, 2-35, 2-36, 2-37, 2-38, 3-8,  
3-24, 3-28, 3-32, 3-42, 3-54 and 3-72 of East Baton Rouge Parish; East Carroll  
Parish; East Feliciana Parish; Franklin Parish; Precincts 1, 2, 4, 5, 6, 7, 9, 10,  
11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 50, 51, 52, 53, 54, 55, 56, 57, 58,  
59, 60, 61, 63, 64, 68, 112, 113, 122, 123 and 129 of Lafayette Parish; Madison  
Parish; Morehouse Parish; Precincts 3, 5, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17,  
18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 30, 47, 59, 60, 62, 63, 65, 65A, 66, 67, 68, 69,  
70, 72, 73, 74 and 79 of Ouachita Parish; Pointe Coupee Parish; Precincts C1,  
C2, C3, C4, C5, C6, C7, C8, C9, C10, C11-A, C11-B, C13, C14, C15, C17, C18,  
C19, C20, C21, C24, C25, C26, C27, C28, C30, C38-A, C38-B, C39, C40, N1, N2,  
N3, N4, N5, N8, N9, N10, N27, N28, N29, S15, S16, S17, S18, S19 and S20 of  
Rapides Parish; Richland Parish; St. Helena Parish; St. Landry Parish;  
Precincts 2, 6, 11, 15, 16, 17, 28, 101, 102, 104 (Part) Tract 953200 - Blocks 2007,  
2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020,  
2021, 2022, 2023, 2024, 2025, 2029, 2030, 2031, 2033 and 2034; Tract 953501 -  
Blocks 1004, 1005, 2000, 2002, 2003, 2004; 105, 106, 106A, 107, 109, 111A and  
115B of Tangipahoa Parish; Tensas Parish; West Baton Rouge Parish; West  
Carroll Parish and West Feliciana Parish.

(6) District 6 is composed of Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,  
13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 33, 34, 35, 41, 43, 61, 62, 63,  
64, 68, 69, 72, 73, 76, 77 and 78 of Ascension Parish; Precincts 1-8, 1-12, 1-34,  
1-35, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-46, 1-47, 1-48, 1-56, 1-59, 1-64, 1-65,  
1-66, 1-69, 1-73, 1-75, 1-76, 1-79, 1-80, 1-89, 1-90, 1-98, 1-99, 1-102, 1-103, 1-105,  
1-107, 2-8, 2-33, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 3-10, 3-11, 3-12, 3-13, 3-14,  
3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-21, 3-22, 3-23, 3-25, 3-26, 3-27, 3-29, 3-30,  
3-31, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-43, 3-44, 3-45, 3-46,

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3-47, 3-48, 3-49, 3-50, 3-51, 3-52, 3-53, 3-55, 3-56, 3-57, 3-58, 3-59, 3-60, 3-61, 3-62, 3-63, 3-64, 3-65, 3-66, 3-67, 3-68, 3-69, 3-70, 3-71, 3-73, 3-74, 3-75 and 3-76 of East Baton Rouge Parish; Livingston Parish; Precincts 101, 102, 103, 104, 105, 106, 106A, 107, 108, 110, 111, 112, 113, 114, 115, 116, 118, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 312, 312A, 313, 314, 401, 402, 403, 404, 405, 406, 407, 408, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 427, 429, 430, 501, 502, 503, 504, 505, 602, 604, 606, 609, A01, A02, A02A, A03, A04, C01, C02, C03, C04, C06, C07, C08, C09, C11, F01, M01, M02, M04, M06, M07, M08, M11, M12 and MD1 of St. Tammany Parish; Precincts 33, 40A, 41, 42, 43, 44, 45A, 45B, 46, 47, 49, 70, 70A, 71, 72, 72A, 73, 74, 104 (Part) Tract 953200 - Blocks 2001, 2005, 2006, 2026, 2027, 2028, 2032, 2035, 2036, 2037 and 2038; Tract 953501 - Blocks 1001, 1002, 1003; 108, 110, 112, 114, 116, 117, 118, 118A, 119, 120, 120A, 120B, 121, 121A, 122A, 122B, 122C, 123, 124, 125, 127, 129A, 133, 133A, 137, 137A, 137B, 137C, 137D, 139, 141, 141A, 143, 143A, 145, 147, 149, 149A and 151 of Tangipahoa Parish and Washington Parish.

Section 2. R.S. 18:1276 is hereby repealed.

Section 3.(A) The precincts referenced in this Act are those contained in the file named "2024 Precinct Shapefiles (1-10-2024)" available on the website of the Legislature of Louisiana on the effective date of this Section. The 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the Louisiana House of Representatives and the Louisiana Senate to represent precinct changes submitted through January 10, 2024, to the Legislature of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and 532.1.

(B) When a precinct referenced in this Act has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with the provisions of R.S.

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1 18:532.1, the enumeration in this Act of the general precinct designation shall include all  
2 nongeographic and all geographic subdivisions thereof, however such subdivisions may be  
3 designated.

4 (C) The territorial limits of the districts as provided in this Act shall continue in  
5 effect until changed by law regardless of any subsequent change made to the precincts by  
6 the parish governing authority.

7 Section 4. The provisions of this Act shall not reduce the term of office of any  
8 person holding any position or office on the effective date of this Section for which the  
9 appointment or election is based upon a congressional district as composed pursuant to R.S.  
10 18:1276. Any position or office that is filled by appointment or election based upon a  
11 congressional district and that is to be filled after January 3, 2025, shall be appointed or  
12 elected from a district as it is described in Section 1 of this Act.

13 Section 5.(A) Solely for the purposes of qualifying for election and the conduct of  
14 the election of representatives to the United States Congress at the regularly scheduled  
15 election for representatives to the congress in 2024, the provisions of Section 1 of this Act  
16 shall become effective upon signature of this Act by the governor or, if not signed by the  
17 governor, upon expiration of the time for bills to become law without signature by the  
18 governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act  
19 is vetoed by the governor and subsequently approved by the legislature, the provisions of  
20 Section 1 of this Act shall become effective on the day following such approval for the  
21 purposes established in this Subsection.

22 (B) For subsequent elections of representatives to the United States Congress and  
23 for all other purposes, the provisions of Section 1 of this Act shall become effective at noon  
24 on January 3, 2025.

25 (C) The provisions of Section 2 of this Act shall become effective at noon on January  
26 3, 2025.

27 (D) The provisions of this Section and Sections 3 and 4 of this Act shall become  
28 effective upon signature of this Act by the governor or, if not signed by the governor, upon  
29 expiration of the time for bills to become law without signature by the governor, as provided

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1 in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the  
2 governor and subsequently approved by the legislature, the provisions of this Section and  
3 Sections 3 and 4 of this Act shall become effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by J. W. Wiley.

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DIGEST

SB 10 Original                      2024 First Extraordinary Session                      Carter

Present U.S. Constitution (14th Amendment) provides that representatives in congress shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state. The U.S. Supreme Court has held that the population of congressional districts in the same state must be as nearly equal in population as practicable.

Present law provides for six congressional districts based upon the 2020 federal decennial census.

Proposed law redraws district boundaries for the congressional districts based upon the 2020 federal decennial census.

Proposed law provides that the new districts become effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024. Retains present law districts based upon the 2020 census until noon on January 3, 2025, at which time present law is repealed and the new districts based upon the 2020 census, as established by proposed law, become effective for all other purposes.

Proposed law specifies that precincts referenced in district descriptions are those precincts identified as Voting Districts (VTDs) contained in the file named "2024 Precinct Shapefiles (1-10-2024)" available on the La. Legislature's website. Specifies that the 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the La. legislature. Also specifies that if any such precinct has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with present law, the enumeration of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof. Further provides that the territorial limits of the districts as enacted shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

Proposed law specifies that proposed law does not reduce the term of office of any person holding any position or office on the effective date of proposed law for which the appointment or election is based upon a congressional district as composed pursuant to present law. Specifies that any position or office filled after Jan. 1, 2025, for which the appointment or election is based upon a congressional district shall be appointed or elected from a district as it is described in proposed law.

Population data in the summaries accompanying this digest are derived from 2020 Census Redistricting Data (Public Law 94-171), Summary File for Louisiana. Population data, statistical information, and maps are supplied for purposes of information and analysis and comprise no part of proposed law.

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Effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024; effective for all other purposes at noon on January 3, 2025.

(Adds R.S. 18:1276.1; repeals R.S. 18:1276)

Plan Statistics

Plan: SLS 241ES-26 (Carter)

<u>Districts:</u>	<u># of Members</u>	<u>Actual Population</u>	<u>Ideal Population</u>	<u>Absolute Deviation</u>	<u>Relative Deviation</u>
District 1	1	776,308	776,292	16	0.002%
District 2	1	776,290	776,292	-2	0.000%
District 3	1	776,259	776,292	-33	-0.004%
District 4	1	776,267	776,292	-25	-0.003%
District 5	1	776,310	776,292	18	0.002%
District 6	1	776,323	776,292	31	0.004%
Grand Total:	6	4,657,757	4,657,752		
Ideal Population Per Member:		776292			
Number of Districts for Plan Type:		6			
Range of District Populations:		776,259	to 776,323		
Absolute Mean Deviation:		11			
Absolute Range:		-33	to 31		
Absolute Overall Range:		64			
Relative Mean Deviation:		0.00%			
Relative Range:		0.00%	to 0.00%		
Relative Overall Range:		0.00%			

<b><i>Ideal - Actual:</i></b>	<b>-5</b>
<b><i>Remainder:</i></b>	<b>5</b>
<b><i>Unassigned Population:</i></b>	<b>0</b>



Total Population

Plan: SLS 241ES-26 (Carter)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	VAP Hispanic Total
District 1	776,308	519,275	135,044	24,124	24,564	73,301	92,096	605,534	421,990	96,018	17,950	17,289	52,287	64,922
	100.000%	66.890%	17.396%	3.108%	3.164%	9.442%	11.863%	100.000%	69.689%	15.857%	2.964%	2.855%	8.635%	10.721%
District 2	776,290	261,442	427,682	24,282	9,056	53,828	69,406	597,640	217,291	316,127	19,194	6,959	38,069	48,070
	100.000%	33.678%	55.093%	3.128%	1.167%	6.934%	8.941%	100.000%	36.358%	52.896%	3.212%	1.164%	6.370%	8.043%
District 3	776,259	554,034	156,534	17,529	13,825	34,337	42,248	586,624	430,849	108,925	12,666	10,174	24,010	28,951
	100.000%	71.372%	20.165%	2.258%	1.781%	4.423%	5.443%	100.000%	73.446%	18.568%	2.159%	1.734%	4.093%	4.935%
District 4	776,267	455,421	261,925	12,007	18,015	28,899	34,593	596,355	362,929	190,266	8,851	13,732	20,577	23,991
	100.000%	58.668%	33.742%	1.547%	2.321%	3.723%	4.456%	100.000%	60.858%	31.905%	1.484%	2.303%	3.450%	4.023%
District 5	776,310	310,477	424,046	9,671	7,851	24,265	28,798	590,113	252,499	306,739	7,398	5,835	17,642	20,411
	100.000%	39.994%	54.623%	1.246%	1.011%	3.126%	3.710%	100.000%	42.788%	51.980%	1.254%	0.989%	2.990%	3.459%
District 6	776,323	557,003	137,888	19,675	13,749	48,008	55,408	594,282	438,953	97,694	14,357	10,251	33,027	37,317
	100.000%	71.749%	17.762%	2.534%	1.771%	6.184%	7.137%	100.000%	73.863%	16.439%	2.416%	1.725%	5.557%	6.279%
Grand Total	4,657,757	2,657,652	1,543,119	107,288	87,060	262,638	322,549	3,570,548	2,124,511	1,115,769	80,416	64,240	185,612	223,662
	100.000%	57.059%	33.130%	2.303%	1.869%	5.639%	6.925%	100.000%	59.501%	31.249%	2.252%	1.799%	5.198%	6.264%

Voter Registration

Plan: SLS 241ES-26 (Carter)

	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023	Reg Dem Total Dec 2023	Reg Rep Total Dec 2023	Reg Other Total Dec 2023
District 1	457,746	350,906	64,457	42,382	139,716	178,063	139,966
	75.594%	76.660%	14.081%	9.259%	30.523%	38.900%	30.577%
District 2	471,496	176,572	257,056	37,865	271,859	78,421	121,211
	78.893%	37.449%	54.519%	8.031%	57.659%	16.632%	25.708%
District 3	445,106	350,608	74,324	20,177	129,850	192,595	122,674
	75.876%	78.770%	16.698%	4.533%	29.173%	43.269%	27.561%
District 4	442,928	290,360	133,973	18,596	153,005	177,978	111,938
	74.273%	65.555%	30.247%	4.198%	34.544%	40.182%	25.272%
District 5	465,649	201,501	248,722	15,416	243,654	111,622	110,371
	78.908%	43.273%	53.414%	3.311%	52.326%	23.971%	23.703%
District 6	459,362	370,499	63,297	25,576	114,422	212,947	131,995
	77.297%	80.655%	13.779%	5.568%	24.909%	46.357%	28.734%
Grand Total	2,742,287	1,740,446	841,829	160,012	1,052,506	951,626	738,155

Splits

Plan: SLS 241ES-26 (Carter)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 1																
*Assumption	8,540	7,657	292	49	144	398	6,829	6,264	170	34	106	255	5,033	4,876	69	90
*Jefferson	236,631	152,726	30,203	11,591	4,247	37,864	189,536	127,909	22,100	8,749	3,210	27,568	141,430	110,356	11,873	19,201
Lafourche	97,557	71,710	15,855	1,025	4,224	4,743	74,619	56,838	11,077	738	2,777	3,189	54,238	45,481	6,277	2,480
*Orleans	78,502	61,196	7,699	3,128	945	5,534	65,877	51,796	6,549	2,486	770	4,276	50,611	41,469	3,767	5,375
Plaquemines	23,515	14,287	5,428	1,317	697	1,786	17,334	10,856	3,857	925	500	1,196	13,143	8,996	2,934	1,213
*St. Bernard	31,123	20,258	5,495	1,083	721	3,566	23,094	15,781	3,520	776	535	2,482	18,872	14,954	2,354	1,560
*St. Charles	24,123	18,916	2,606	411	522	1,668	18,011	14,518	1,733	255	373	1,132	15,670	13,331	1,473	867
*St. Martin	1,368	1,285	13	7	34	29	1,154	1,091	11	5	30	17	891	876	1	14
St. Mary	49,406	26,949	15,991	835	1,670	3,961	37,521	21,594	11,520	593	1,173	2,641	29,204	17,999	9,570	1,635
*St. Tammany	115,963	74,357	28,315	2,935	2,723	7,633	89,054	59,712	19,685	2,150	2,065	5,442	72,844	50,967	16,229	5,648
Terrebonne	109,580	69,934	23,147	1,743	8,637	6,119	82,505	55,631	15,796	1,239	5,750	4,089	55,810	41,601	9,910	4,299
District 1	776,308	519,275	135,044	24,124	24,564	73,301	605,534	421,990	96,018	17,950	17,289	52,287	457,746	350,906	64,457	42,382
	100.000%	66.890%	17.396%	3.108%	3.164%	9.442%	100.000%	69.689%	15.857%	2.964%	2.855%	8.635%	75.594%	76.660%	14.081%	9.259%
District 2																
*Ascension	37,064	14,446	19,184	394	468	2,572	27,360	11,540	13,458	304	329	1,729	23,078	10,352	11,573	1,153
*Assumption	12,499	6,065	5,928	47	114	345	9,787	4,881	4,537	23	91	255	8,290	4,101	4,062	125
*Iberia	32,706	17,926	12,554	701	359	1,166	24,501	14,187	8,709	505	271	829	20,594	12,830	7,021	739
Iberville	30,241	14,833	13,730	202	274	1,202	24,086	12,462	10,232	149	221	1,022	19,906	9,999	9,484	423
*Jefferson	204,150	68,209	96,014	11,433	3,439	25,055	155,118	56,226	70,075	8,943	2,625	17,249	112,003	42,580	54,329	15,094
*Orleans	305,495	65,266	211,270	9,728	2,721	16,510	240,319	58,456	159,519	8,034	2,178	12,132	187,779	44,656	126,823	16,300
*St. Bernard	12,641	4,239	6,814	298	226	1,064	8,681	3,211	4,424	206	153	687	6,813	3,090	3,239	488
*St. Charles	28,426	14,634	11,322	426	403	1,641	21,530	11,636	8,157	274	294	1,169	17,912	10,080	6,797	1,034
St. James	20,192	9,973	9,762	60	82	315	15,505	7,883	7,297	31	64	230	14,531	7,116	7,196	219
St. John the Baptist	42,477	13,877	25,196	403	465	2,536	32,503	11,622	18,437	323	350	1,771	27,484	9,338	16,653	1,493
*St. Martin	50,399	31,974	15,908	590	505	1,422	38,250	25,187	11,282	402	383	996	33,106	22,430	9,879	797
District 2	776,290	261,442	427,682	24,282	9,056	53,828	597,640	217,291	316,127	19,194	6,959	38,069	471,496	176,572	257,056	37,865
	100.000%	33.678%	55.093%	3.128%	1.167%	6.934%	100.000%	36.358%	52.896%	3.212%	1.164%	6.370%	78.893%	37.449%	54.519%	8.031%
District 3																
Acadia	57,576	44,480	10,864	238	573	1,421	42,943	34,071	7,383	173	400	916	36,151	29,438	5,995	718
Allen	22,750	16,327	4,490	246	947	740	17,510	12,751	3,275	182	646	656	11,079	8,704	1,920	455
Beauregard	36,549	29,529	4,649	402	1,052	917	27,489	22,304	3,495	269	773	648	22,071	18,639	2,264	1,168
Calcasieu	216,785	139,772	59,386	4,702	3,536	9,389	163,166	108,789	41,898	3,359	2,604	6,516	111,819	80,364	26,493	4,962
Cameron	5,617	5,232	125	30	75	155	4,358	4,100	79	23	47	109	4,072	3,936	61	75
Evangeline	32,350	21,354	9,235	241	280	1,240	24,408	16,460	6,483	187	217	1,061	20,388	14,274	5,744	370
*Iberia	37,223	21,280	12,002	1,422	435	2,084	28,290	17,108	8,360	1,057	310	1,455	21,594	14,018	6,420	1,160

Splits

Plan: SLS 241ES-26 (Carter)

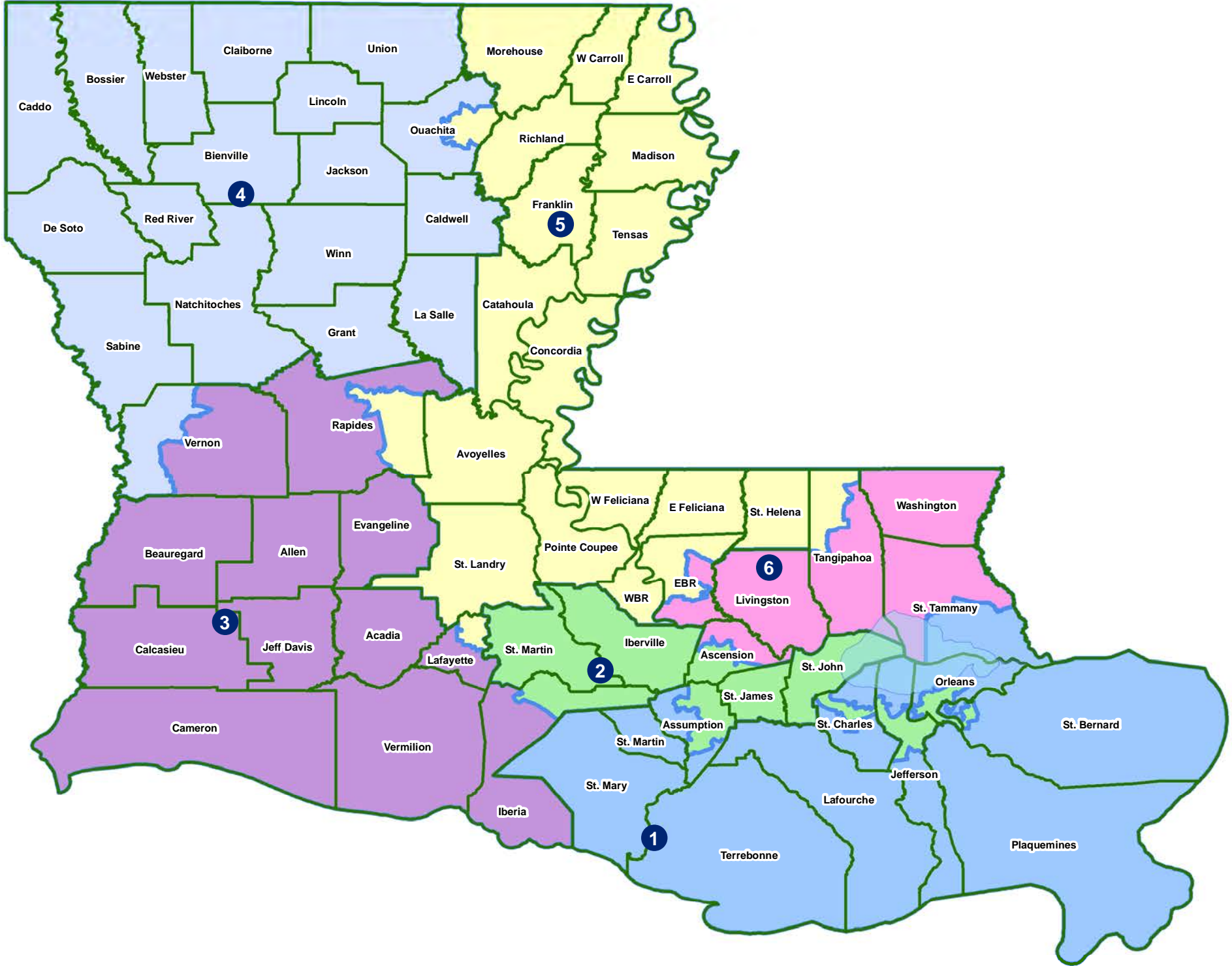
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 3																
Jefferson Davis	32,250	25,066	5,837	183	472	692	24,039	19,121	4,006	111	325	476	18,733	15,509	2,784	440
*Lafayette	175,072	128,510	27,553	5,901	2,609	10,499	133,786	101,351	18,873	4,278	1,988	7,296	108,657	89,514	12,618	6,525
*Rapides	69,584	54,292	8,596	1,655	2,166	2,875	53,146	42,439	5,966	1,201	1,634	1,906	41,989	35,665	4,304	2,020
Vermilion	57,359	44,477	8,810	1,447	623	2,002	43,012	34,363	5,787	1,037	488	1,337	35,511	29,693	4,555	1,263
*Vernon	33,144	23,715	4,987	1,062	1,057	2,323	24,477	17,992	3,320	789	742	1,634	13,042	10,854	1,166	1,021
District 3	776,259	554,034	156,534	17,529	13,825	34,337	586,624	430,849	108,925	12,666	10,174	24,010	445,106	350,608	74,324	20,177
	100.000%	71.372%	20.165%	2.258%	1.781%	4.423%	100.000%	73.446%	18.568%	2.159%	1.734%	4.093%	75.876%	78.770%	16.698%	4.533%
District 4																
Bienville	12,981	6,950	5,600	57	207	167	10,073	5,486	4,284	30	162	111	8,336	4,509	3,728	99
Bossier	128,746	81,052	32,551	3,492	3,273	8,378	95,876	62,931	22,440	2,448	2,477	5,580	65,726	48,229	13,555	3,942
Caddo	237,848	103,457	119,304	4,034	3,840	7,213	182,407	85,059	86,359	3,008	2,958	5,023	131,942	64,381	61,471	6,090
Caldwell	9,645	7,646	1,632	51	150	166	7,478	5,969	1,224	46	116	123	5,813	4,959	762	92
Claiborne	14,170	7,263	6,360	88	185	274	11,507	6,258	4,824	55	140	230	8,390	4,557	3,677	156
De Soto	26,812	15,284	9,973	117	740	698	20,440	11,909	7,425	86	557	463	17,887	11,005	6,317	565
Grant	22,169	17,709	3,335	133	644	348	17,527	13,964	2,717	97	507	242	12,226	10,764	1,120	342
Jackson	15,031	9,967	4,166	175	255	468	11,783	7,967	3,125	140	174	377	9,375	6,570	2,610	195
La Salle	14,791	11,348	1,422	283	372	1,366	11,563	8,636	1,065	264	271	1,327	8,380	7,633	583	164
Lincoln	48,396	26,034	19,364	892	662	1,444	38,655	21,306	15,119	744	526	960	24,408	15,139	8,357	912
Natchitoches	37,515	19,361	15,725	255	861	1,313	29,349	16,010	11,415	198	683	1,043	20,675	11,761	8,016	898
*Ouachita	90,953	72,958	11,272	1,451	2,101	3,171	68,844	56,386	7,617	1,018	1,638	2,185	57,035	49,426	5,606	2,003
Red River	7,620	4,195	3,106	25	171	123	5,714	3,338	2,164	3	116	93	5,475	3,034	2,358	83
Sabine	22,155	15,036	3,861	94	2,723	441	17,064	12,054	2,655	66	1,970	319	13,570	10,287	1,912	1,371
Union	21,107	14,460	5,224	62	338	1,023	16,632	11,807	3,861	39	254	671	14,802	10,847	3,497	458
*Vernon	15,606	11,372	2,624	380	543	687	11,784	8,773	1,813	285	418	495	9,367	7,275	1,442	651
Webster	36,967	22,735	12,679	208	687	658	28,753	18,144	9,464	154	558	433	21,259	14,068	6,744	447
Winn	13,755	8,594	3,727	210	263	961	10,906	6,932	2,695	170	207	902	8,262	5,916	2,218	128
District 4	776,267	455,421	261,925	12,007	18,015	28,899	596,355	362,929	190,266	8,851	13,732	20,577	442,928	290,360	133,973	18,596
	100.000%	58.668%	33.742%	1.547%	2.321%	3.723%	100.000%	60.858%	31.905%	1.484%	2.303%	3.450%	74.273%	65.555%	30.247%	4.198%
District 5																
Avoyelles	39,693	25,625	11,678	434	767	1,189	30,578	20,269	8,311	379	570	1,049	21,438	15,242	5,622	574
Catahoula	8,906	5,776	2,395	46	119	570	6,951	4,557	1,736	33	87	538	6,113	4,363	1,695	55
Concordia	18,687	10,275	7,725	122	233	332	14,217	8,108	5,613	100	167	229	11,419	6,816	4,418	185
*East Baton Rouge	217,705	46,760	155,490	4,770	1,543	9,142	164,322	39,219	113,810	3,637	1,210	6,446	128,667	30,775	91,670	6,222
East Carroll	7,459	2,054	5,272	29	43	61	5,901	1,773	4,043	19	27	39	4,564	1,218	3,305	41
East Feliciana	19,539	11,516	7,341	91	262	329	16,183	9,740	5,918	61	198	266	13,327	7,805	5,075	447

Splits

Plan: SLS 241ES-26 (Carter)

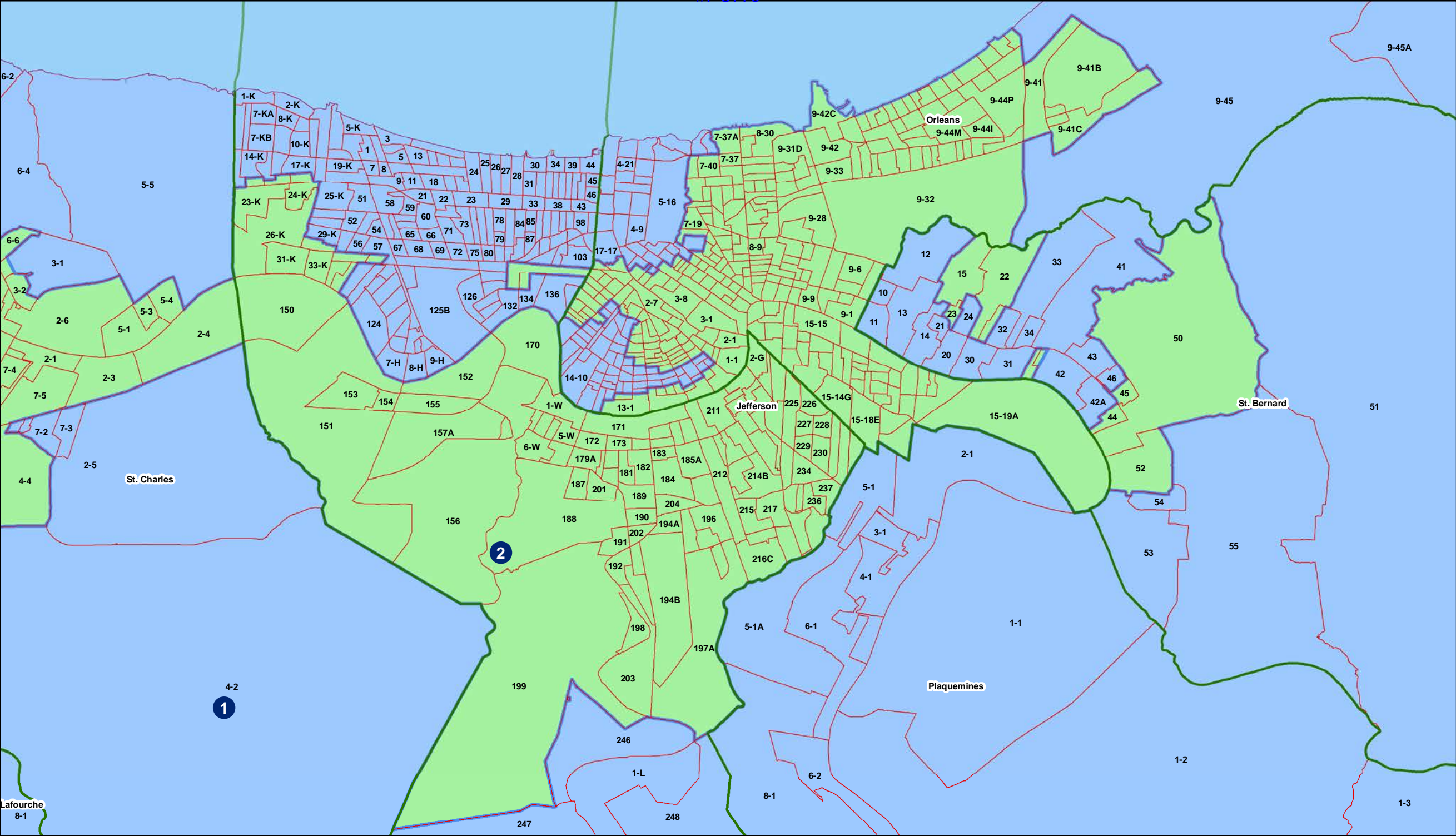
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 5																
Franklin	19,774	12,492	6,802	70	205	205	15,028	9,901	4,779	44	153	151	12,350	8,524	3,718	108
*Lafayette	66,681	24,853	37,583	553	601	3,091	50,089	20,257	27,044	386	399	2,003	40,152	16,284	22,127	1,741
Madison	10,017	3,475	6,363	20	59	100	7,435	2,906	4,391	9	48	81	7,068	2,439	4,518	111
Morehouse	25,629	12,281	12,484	160	370	334	20,062	10,095	9,300	117	279	271	15,440	7,806	7,377	257
*Ouachita	69,415	15,587	49,945	1,337	560	1,986	51,356	13,588	34,673	1,100	421	1,574	38,595	8,723	28,415	1,457
Pointe Coupee	20,758	12,395	7,504	107	159	593	16,250	10,108	5,502	91	119	430	14,107	9,040	4,837	230
*Rapides	60,439	23,218	33,996	773	936	1,516	45,646	18,934	24,239	585	700	1,188	33,297	14,291	17,655	1,351
Richland	20,043	11,785	7,603	83	258	314	15,383	9,338	5,546	66	203	230	13,141	8,144	4,753	244
St. Helena	10,920	4,527	6,031	39	134	189	8,463	3,805	4,371	28	109	150	8,260	3,626	4,492	142
St. Landry	82,540	43,611	35,836	499	636	1,958	61,811	34,209	25,497	353	451	1,301	52,429	28,933	22,135	1,361
*Tangipahoa	21,698	9,419	11,351	112	209	607	16,362	7,594	8,128	93	142	405	10,681	5,386	5,036	249
Tensas	4,147	1,744	2,312	23	26	42	3,235	1,446	1,728	12	23	26	3,485	1,510	1,937	38
West Baton Rouge	27,199	14,307	11,170	287	326	1,109	20,526	11,146	8,149	209	219	803	16,753	9,620	6,764	369
West Carroll	9,751	7,894	1,425	27	180	225	7,532	6,223	1,010	20	136	143	6,871	5,770	1,013	88
West Feliciana	15,310	10,883	3,740	89	225	373	12,783	9,283	2,951	56	174	319	7,492	5,186	2,160	146
District 5	776,310	310,477	424,046	9,671	7,851	24,265	590,113	252,499	306,739	7,398	5,835	17,642	465,649	201,501	248,722	15,416
	100.000%	39.994%	54.623%	1.246%	1.011%	3.126%	100.000%	42.788%	51.980%	1.254%	0.989%	2.990%	78.908%	43.273%	53.414%	3.311%
District 6																
*Ascension	89,436	66,695	13,032	1,906	1,536	6,267	64,597	49,596	8,681	1,210	1,061	4,049	55,568	45,190	7,255	3,123
*East Baton Rouge	239,076	149,309	57,908	11,655	3,184	17,020	191,290	124,662	42,980	8,962	2,537	12,149	140,170	101,970	27,832	10,368
Livingston	142,282	116,855	12,658	1,697	3,111	7,961	105,141	88,432	8,136	1,099	2,311	5,163	82,405	73,655	5,642	3,108
*St. Tammany	148,607	122,284	10,328	2,839	2,937	10,219	113,174	94,909	7,076	1,925	2,096	7,168	101,463	90,295	4,900	6,268
*Tangipahoa	111,459	71,917	30,528	1,362	2,245	5,407	85,129	57,611	21,089	1,007	1,685	3,737	52,605	40,786	9,776	2,053
Washington	45,463	29,943	13,434	216	736	1,134	34,951	23,743	9,732	154	561	761	27,151	18,603	7,892	656
District 6	776,323	557,003	137,888	19,675	13,749	48,008	594,282	438,953	97,694	14,357	10,251	33,027	459,362	370,499	63,297	25,576
	100.000%	71.749%	17.762%	2.534%	1.771%	6.184%	100.000%	73.863%	16.439%	2.416%	1.725%	5.557%	77.297%	80.655%	13.779%	5.568%

Congress - Statewide



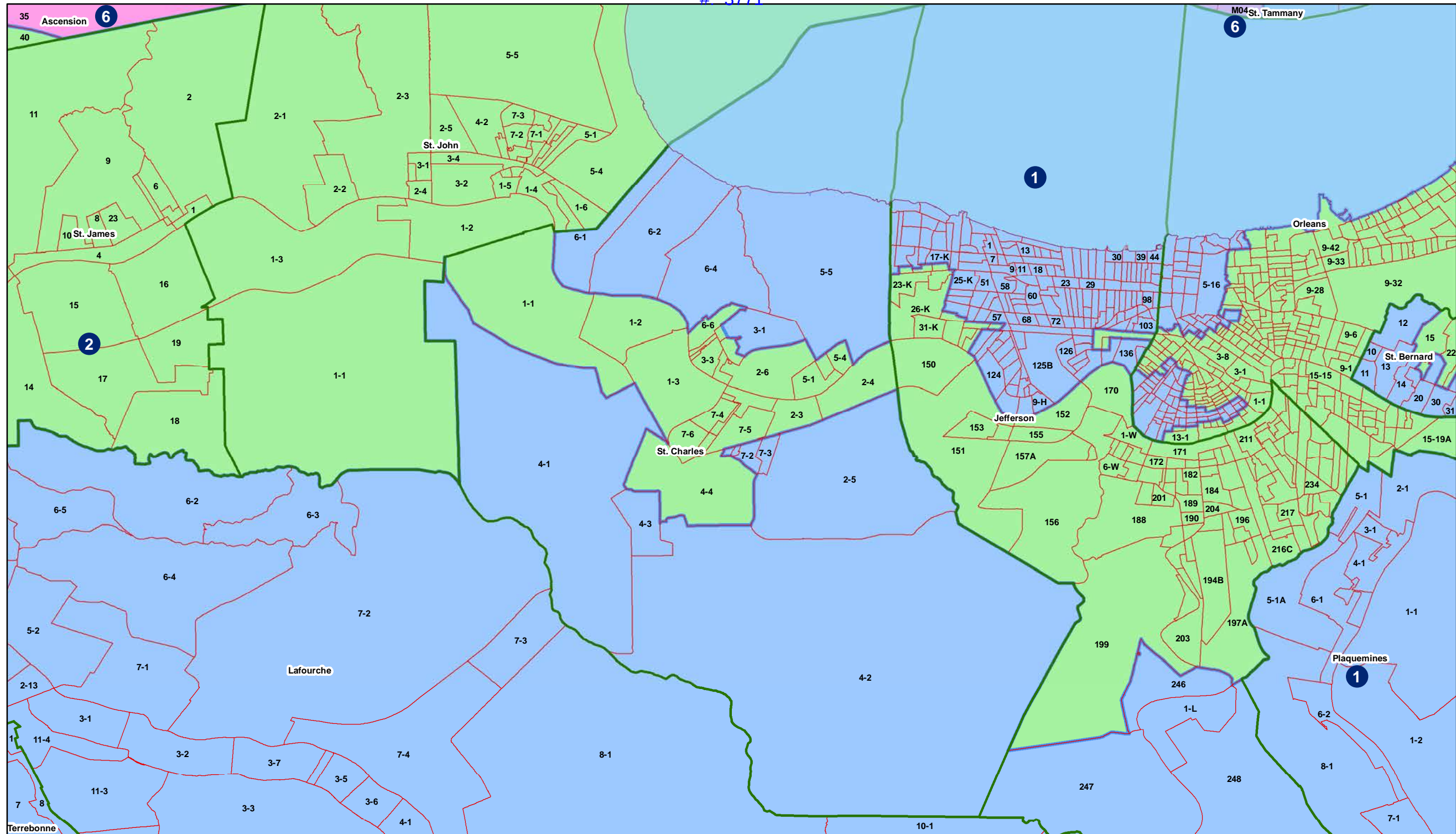


Congress - Jefferson / Orleans

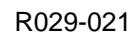


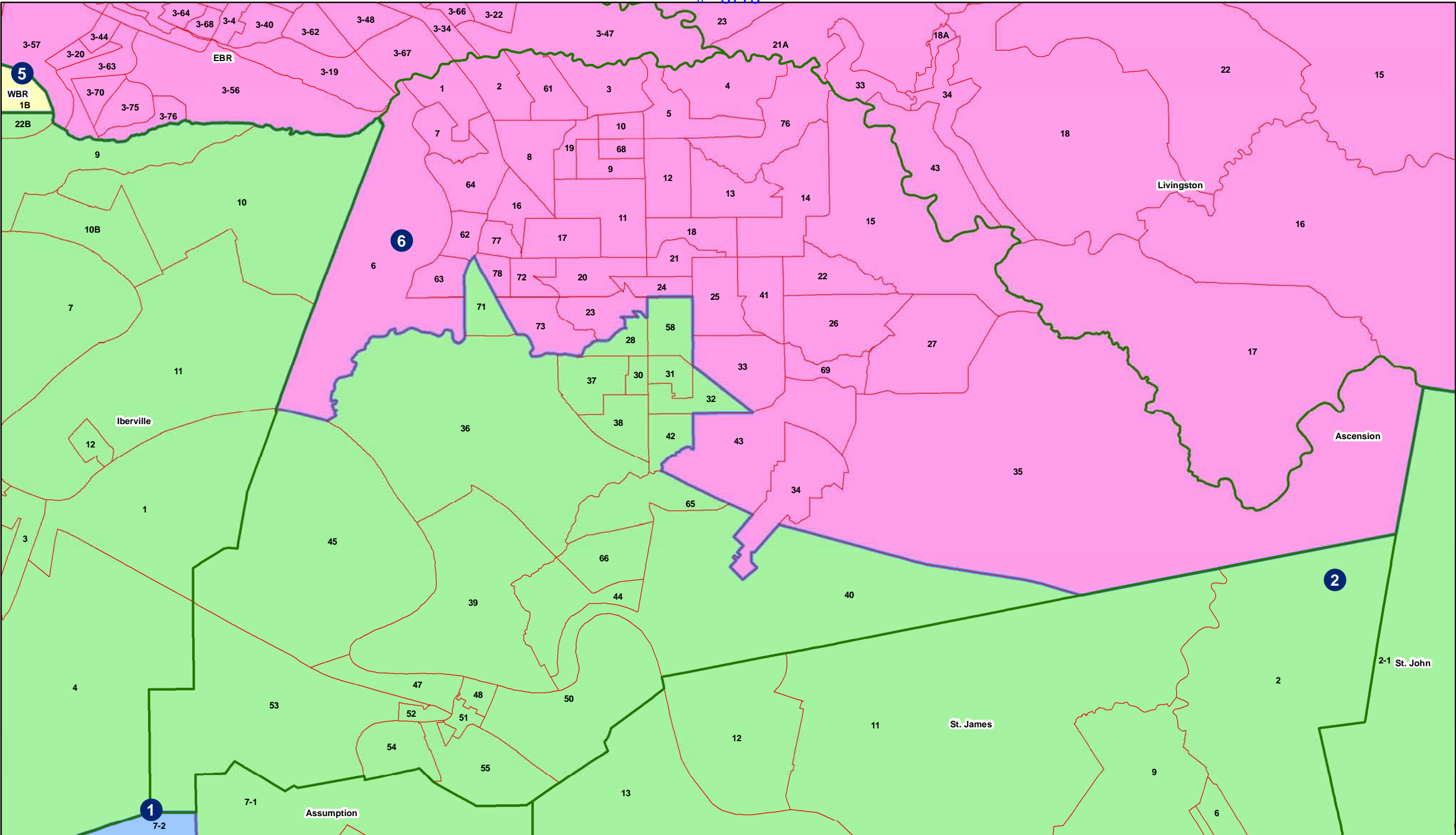


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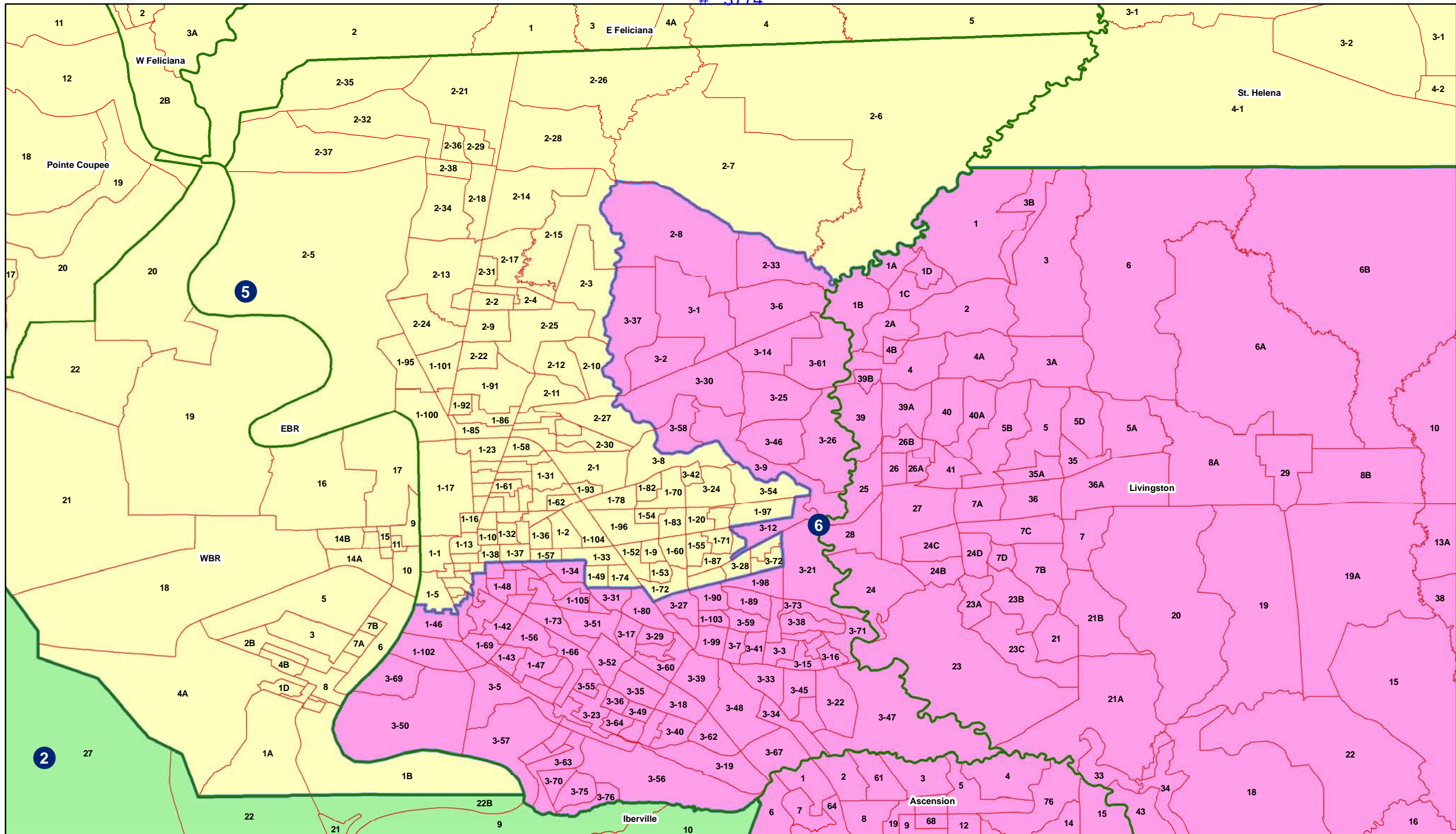






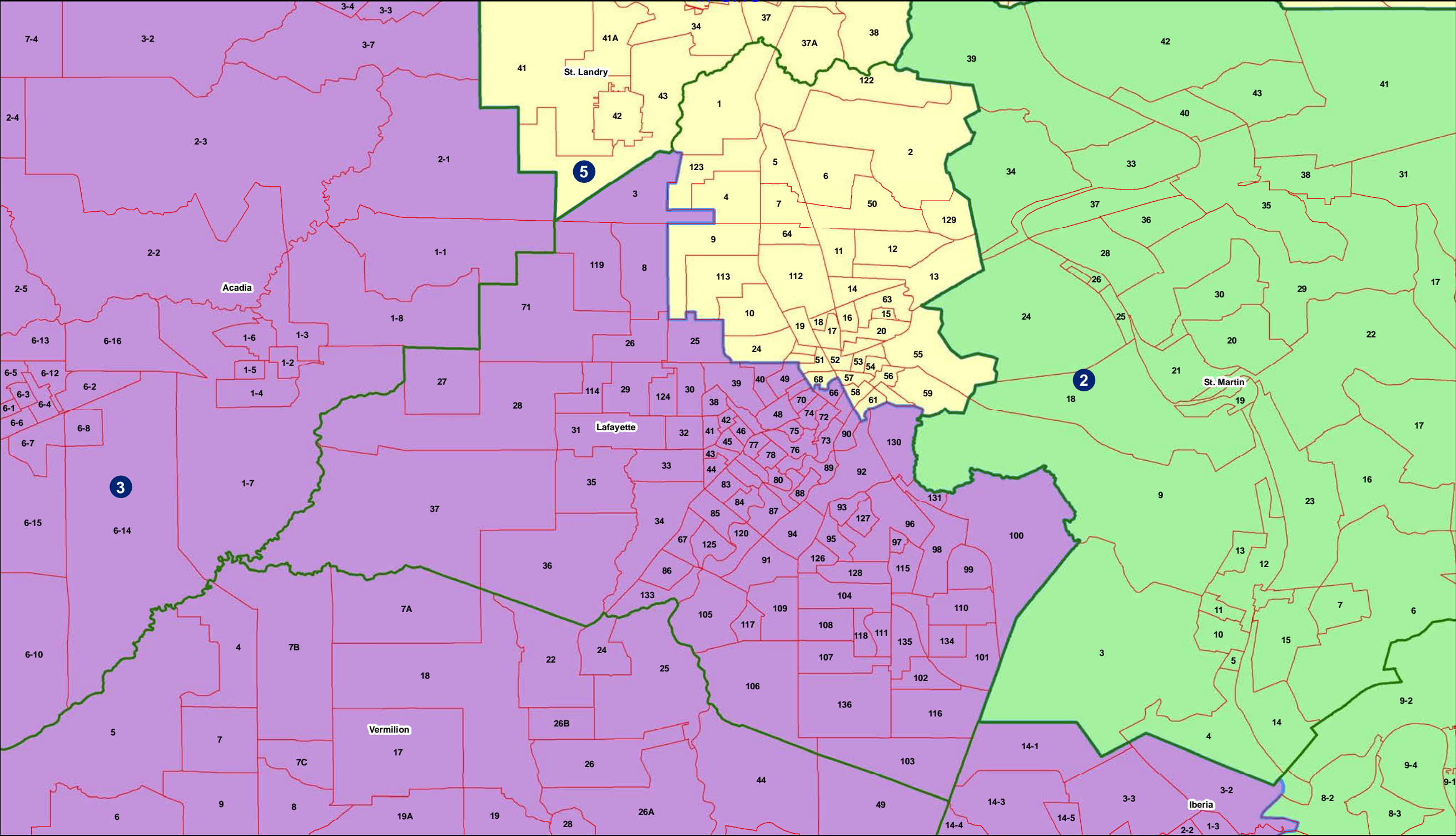




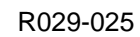




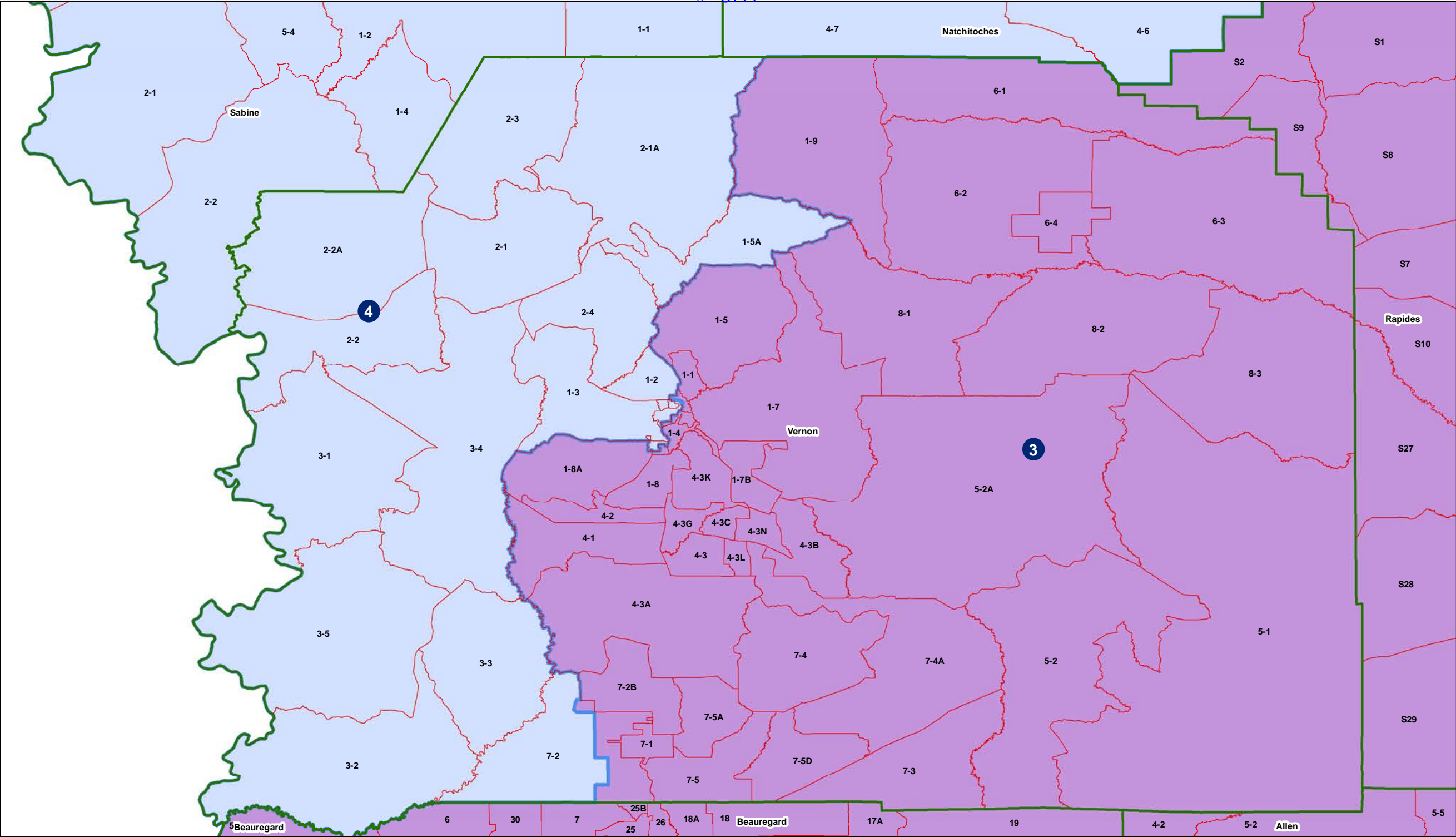
Congress - Lafayette





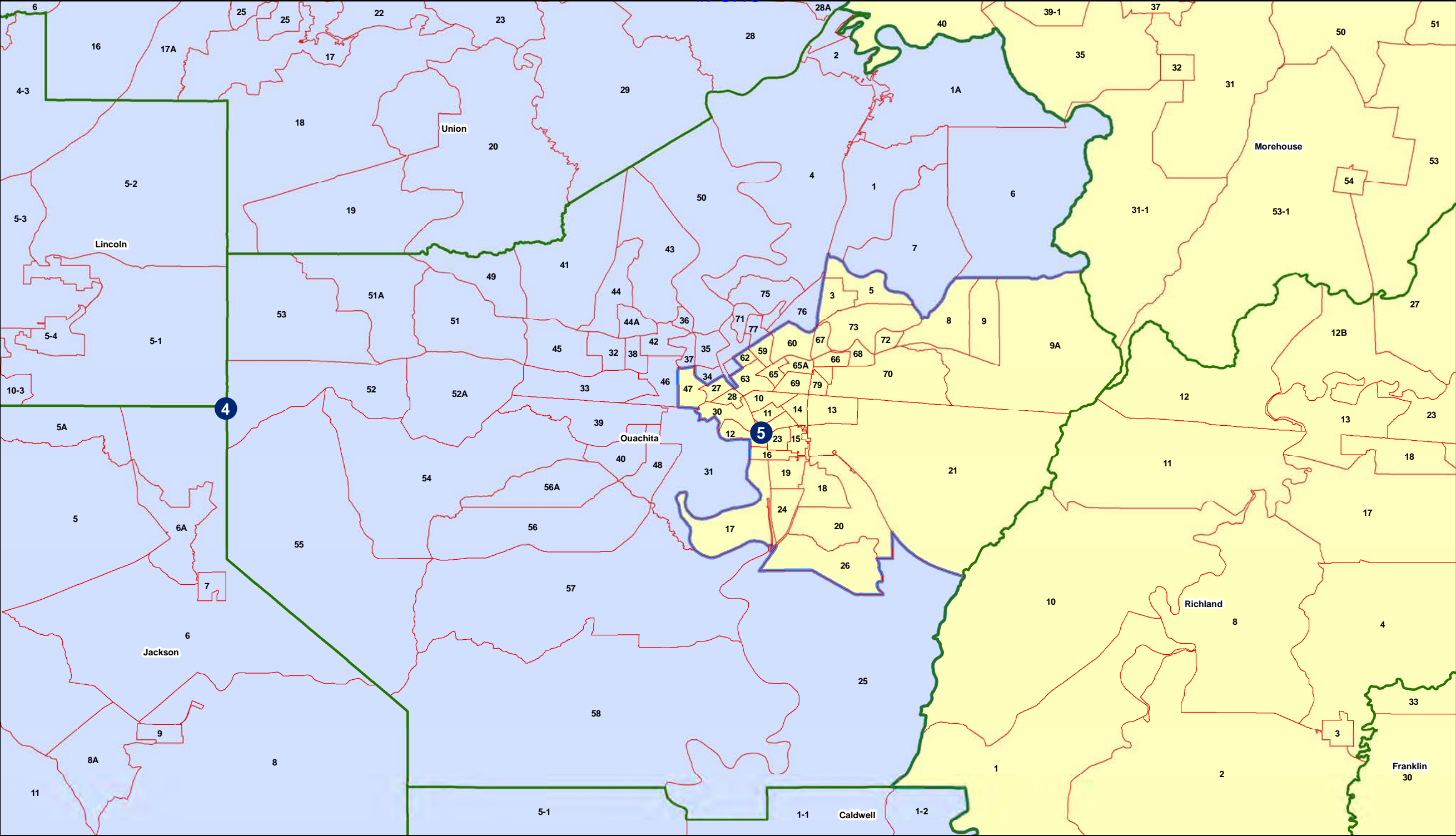


Congress - Vernon





Congress - Ouachita



SLS 241ES-21

ORIGINAL

2024 First Extraordinary Session

SENATE BILL NO. 4

BY SENATORS PRICE AND DUPLESSIS

CONGRESS. Provides for redistricting of Louisiana congressional districts. (Item #1)(See Act)

1 AN ACT

2 To enact R.S. 18:1276.1 and to repeal R.S. 18:1276, relative to congressional districts; to  
3 provide for the redistricting of Louisiana's congressional districts; to provide with  
4 respect to positions and offices, other than congressional, which are based upon  
5 congressional districts; to provide for the effectiveness; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1276.1 is hereby enacted to read as follows:

9 **§1276.1. Congressional districts**

10 **Louisiana shall be divided into six congressional districts, and the**  
11 **qualified electors of each district shall elect one representative to the United**  
12 **States House of Representatives. The districts shall be composed as follows:**

13 **(1) District 1 is composed of Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13,**  
14 **14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36,**  
15 **37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63,**  
16 **64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86,**  
17 **87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 117,**



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118, 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 132, 134, 136, 138, 246, 247, 248, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K, 11-K, 12-K, 13-KA, 14-K, 15-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K, 29-K, 34-K, 35-K and 1-L of Jefferson Parish; Lafourche Parish; Precincts 3-9, 3-12, 3-14, 3-15, 3-18, 3-19, 3-20, 4-6, 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21, 4-22, 4-23, 5-8, 5-9, 5-10, 5-11, 5-12, 5-13, 5-15, 5-16, 5-17, 5-18, 6-9, 7-17, 7-41, 7-42, 9-45, 9-45A, 13-1, 13-2, 13-3, 13-4, 13-5, 13-6, 13-7, 13-8, 13-9, 13-10, 13-11, 13-12, 13-13, 13-14, 13-15, 13-16, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8, 14-9, 14-10, 14-11, 14-12, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-19, 14-20, 14-21, 14-25, 16-1, 16-1A, 16-2, 16-3, 16-4, 16-5, 16-6, 16-7, 16-8, 17-1, 17-2, 17-3, 17-17, 17-18, 17-18A, 17-19 and 17-20 of Orleans Parish; Plaquemines Parish; St. Bernard Parish; St. Mary Parish; Precincts 403, 408, 409, 412, 426, 603, 604, 606, 701, 702, 703, 704, 705, 706, 801, 802, 802A, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 815A, 816, 817, 818, 901, 902, 903, 903A, 904, 905, 906, 907, 909, 909A, 910, 911, 913, 914, 915, 916, 917, 918, 921, 922, M02, M04, M09, M09A, M10, P01, S01, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11, S13, S15, S16, S17, S18, S19, S21, S22, S23 and S24 of St. Tammany Parish and Terrebonne Parish.

(2) District 2 is composed of Precincts 36, 37, 38, 39, 40, 42, 44, 45, 47, 48, 50, 51, 52, 53, 54, 55, 57, 65 and 66 of Ascension Parish; Assumption Parish; Precincts 1-1, 1-3, 1-8, 3-2, 4-1, 4-2, 7-5, 8-2, 8-3, 9-1, 9-2, 9-4, 9-5, 10-1, 11-1, 11-3, 11-4, 11-5, 11-6, 12-1, 12-2 and 12-3 of Iberia Parish; Iberville Parish; Precincts 104, 108, 115, 116, 131, 133, 150, 151, 152, 153, 154, 155, 156, 157A, 157B, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179A, 179B, 180, 181, 182, 183, 184, 185A, 185B, 187, 188, 189, 190, 191, 192, 193A, 193B, 194A, 194B, 195, 196, 197A, 197B, 198, 199, 200, 201, 202, 203, 204, 205, 210, 211, 212, 213A, 213B, 213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229, 230, 231, 232A, 232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G,

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8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 21-K, 22-K, 23-K, 24-K, 26-K, 30-K, 31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W and 7-W of Jefferson Parish; Precincts 1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 4-2, 4-3, 5-1, 5-2, 5-3, 5-5, 5-7, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 7-1, 7-2, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-18, 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29, 7-30, 7-32, 7-33, 7-35, 7-37, 7-37A, 7-40, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12, 8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-19, 9-21, 9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D, 9-32, 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40, 9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B, 9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N, 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M, 9-44N, 9-44O, 9-44P, 9-44Q, 10-3, 10-6, 10-7, 10-8, 10-9, 10-11, 10-12, 10-13, 10-14, 11-2, 11-3, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 11-12, 11-13, 11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-9, 12-10, 12-11, 12-12, 12-13, 12-14, 12-16, 12-17, 12-19, 14-23, 14-24A, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A, 15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15, 15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C, 15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B, 15-19C, 16-9, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12, 17-13, 17-13A, 17-14, 17-15 and 17-16 of Orleans Parish; St. Charles Parish; St. James Parish; St. John the Baptist Parish and St. Martin Parish.

(3) District 3 is composed of Acadia Parish; Allen Parish; Beauregard Parish; Calcasieu Parish; Cameron Parish; Evangeline Parish; Precincts 1-7, 2-1, 2-2, 2-3, 3-3, 3-4, 3-5, 4-3, 5-1, 5-2, 5-3, 5-5, 6-1, 6-2, 6-4, 6-5, 7-1, 7-2, 7-4, 8-1, 10-2, 10-3, 10-4, 12-4, 13-1, 13-2, 13-3, 13-4, 13-5, 14-1, 14-3, 14-4 and 14-5 of Iberia Parish; Jefferson Davis Parish; Precincts 3, 8, 25, 26, 27, 28, 29, 30, 31,

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1 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70,  
2 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93,  
3 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111,  
4 114, 115, 116, 117, 118, 119, 120, 121, 124, 125, 126, 127, 128, 130, 131, 133, 134,  
5 135 and 136 of Lafayette Parish; Precincts C22, C23, C31, C32, C33, C34, C35,  
6 C36, C37-A, C37-B, C41, C42, N6, N7, N11, N12, N13-A, N13-B, N14-A, N14-B,  
7 N15, N16, N17, N18-A, N18-B, N19, N20, N21, N22, N23, N24, N25, N26, S1, S2,  
8 S4, S5, S6A, S6B, S7, S8, S9, S10, S11, S13, S14, S21, S22, S23, S24, S25, S26,  
9 S27, S28 and S29 of Rapides Parish; Vermilion Parish and Precincts 1-1, 1-1A,  
10 1-1B, 1-4, 1-5, 1-6A, 1-7, 1-7B, 1-8, 1-9, 4-1, 4-2, 4-3, 4-3A, 4-3B, 4-3C, 4-3G,  
11 4-3K, 4-3L, 4-3N, 5-1, 5-2, 5-2A, 6-1, 6-2, 6-3, 6-4, 7-1, 7-2, 7-2B, 7-3, 7-4, 7-4A,  
12 7-5, 7-5A, 7-5D, 8-1, 8-2 and 8-3 of Vernon Parish.

13 (4) District 4 is composed of Bienville Parish; Bossier Parish; Caddo  
14 Parish; Caldwell Parish; Claiborne Parish; De Soto Parish; Grant Parish;  
15 Jackson Parish; La Salle Parish; Lincoln Parish; Natchitoches Parish; Precincts  
16 1, 1A, 2, 4, 6, 7, 25, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 44A, 45, 46,  
17 48, 49, 50, 51, 51A, 52, 52A, 53, 54, 55, 56, 56A, 57, 58, 61, 64, 71, 75, 76, 77 and  
18 78 of Ouachita Parish; Red River Parish; Sabine Parish; Union Parish;  
19 Precincts 1-2, 1-3, 1-3C, 1-4B, 1-4C, 1-5A, 1-6, 1-6B, 1-8A, 2-1, 2-1A, 2-2, 2-2A,  
20 2-3, 2-4, 3-1, 3-2, 3-3, 3-4 and 3-5 of Vernon Parish; Webster Parish and Winn  
21 Parish.

22 (5) District 5 is composed of Avoyelles Parish; Catahoula Parish;  
23 Concordia Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-9, 1-10, 1-11, 1-13,  
24 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27,  
25 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-36, 1-37, 1-38, 1-45, 1-50, 1-51, 1-52, 1-53,  
26 1-54, 1-55, 1-57, 1-58, 1-60, 1-61, 1-62, 1-63, 1-67, 1-68, 1-70, 1-71, 1-72, 1-74,  
27 1-77, 1-78, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-91, 1-92, 1-93, 1-94,  
28 1-95, 1-96, 1-97, 1-100, 1-101, 1-104, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-9, 2-10,  
29 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23, 2-24,

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1            2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-34, 2-35, 2-36, 2-37, 2-38, 3-8, 3-24,  
2            3-28, 3-32, 3-42, 3-54 and 3-72 of East Baton Rouge Parish; East Carroll Parish;  
3            East Feliciana Parish; Franklin Parish; Precincts 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 13,  
4            14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61,  
5            63, 64, 68, 112, 113, 122, 123 and 129 of Lafayette Parish; Madison Parish;  
6            Morehouse Parish; Precincts 3, 5, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19,  
7            20, 21, 22, 23, 24, 26, 27, 28, 30, 47, 59, 60, 62, 63, 65, 65A, 66, 67, 68, 69, 70, 72,  
8            73, 74 and 79 of Ouachita Parish; Pointe Coupee Parish; Precincts C1, C2, C3,  
9            C4, C5, C6, C7, C8, C9, C10, C11-A, C11-B, C13, C14, C15, C17, C18, C19,  
10           C20, C21, C24, C25, C26, C27, C28, C30, C38-A, C38-B, C39, C40, N1, N2, N3,  
11           N4, N5, N8, N9, N10, N27, N28, N29, S15, S16, S17, S18, S19 and S20 of Rapides  
12           Parish; Richland Parish; St. Helena Parish; St. Landry Parish; Precincts 2, 6,  
13           11, 15, 16, 17, 28, 101, 102, 104, 105, 106, 106A, 107, 108, 109, 111A and 115B of  
14           Tangipahoa Parish; Tensas Parish; West Baton Rouge Parish; West Carroll  
15           Parish and West Feliciana Parish.

16           (6) District 6 is composed of Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
17           14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 41, 43,  
18           58, 61, 62, 63, 64, 68, 69, 71, 72, 73, 76, 77 and 78 of Ascension Parish; Precincts  
19           1-8, 1-12, 1-34, 1-35, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-46, 1-47, 1-48, 1-49, 1-56,  
20           1-59, 1-64, 1-65, 1-66, 1-69, 1-73, 1-75, 1-76, 1-79, 1-80, 1-89, 1-90, 1-98, 1-99,  
21           1-102, 1-103, 1-105, 1-107, 2-8, 2-33, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 3-10,  
22           3-11, 3-12, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-21, 3-22, 3-23, 3-25,  
23           3-26, 3-27, 3-29, 3-30, 3-31, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41,  
24           3-43, 3-44, 3-45, 3-46, 3-47, 3-48, 3-49, 3-50, 3-51, 3-52, 3-53, 3-55, 3-56, 3-57,  
25           3-58, 3-59, 3-60, 3-61, 3-62, 3-63, 3-64, 3-65, 3-66, 3-67, 3-68, 3-69, 3-70, 3-71,  
26           3-73, 3-74, 3-75 and 3-76 of East Baton Rouge Parish; Livingston Parish;  
27           Precincts 101, 102, 103, 104, 105, 106, 106A, 107, 108, 110, 111, 112, 113, 114,  
28           115, 116, 118, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307,  
29           308, 309, 310, 312, 312A, 313, 314, 401, 402, 404, 405, 406, 407, 410, 411, 413,

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414, 415, 416, 417, 418, 419, 420, 421, 422, 427, 429, 430, 501, 502, 503, 504, 505, 602, 605, 609, A01, A02, A02A, A03, A04, C01, C02, C03, C04, C06, C07, C08, C09, C11, F01, M01, M06, M07, M08, M11, M12 and MD1 of St. Tammany Parish; Precincts 33, 40A, 41, 42, 43, 44, 45A, 45B, 46, 47, 49, 70, 70A, 71, 72, 72A, 73, 74, 110, 112, 114, 116, 117, 118, 118A, 119, 120, 120A, 120B, 121, 121A, 122A, 122B, 122C, 123, 124, 125, 127, 129A, 133, 133A, 137, 137A, 137B, 137C, 137D, 139, 141, 141A, 143, 143A, 145, 147, 149, 149A and 151 of Tangipahoa Parish and Washington Parish.

Section 2. R.S. 18:1276 is hereby repealed.

Section 3.(A) The precincts referenced in this Act are those contained in the file named "2024 Precinct Shapefiles (1-10-2024)" available on the website of the Legislature of Louisiana on the effective date of this Section. The 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the Louisiana House of Representatives and the Louisiana Senate to represent precinct changes submitted through January 10, 2024, to the Legislature of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and 532.1.

(B) When a precinct referenced in this Act has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with the provisions of R.S. 18:532.1, the enumeration in this Act of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof, however such subdivisions may be designated.

(C) The territorial limits of the districts as provided in this Act shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

Section 4. The provisions of this Act shall not reduce the term of office of any person holding any position or office on the effective date of this Section for which the appointment

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1 or election is based upon a congressional district as composed pursuant to R.S. 18:1276. Any  
2 position or office that is filled by appointment or election based upon a congressional district  
3 and that is to be filled after January 3, 2025, shall be appointed or elected from a district as  
4 it is described in Section 1 of this Act.

5 Section 5.(A) Solely for the purposes of qualifying for election and the conduct of  
6 the election of representatives to the United States Congress at the regularly scheduled  
7 election for representatives to the congress in 2024, the provisions of Section 1 of this Act  
8 shall become effective upon signature of this Act by the governor or, if not signed by the  
9 governor, upon expiration of the time for bills to become law without signature by the  
10 governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act  
11 is vetoed by the governor and subsequently approved by the legislature, the provisions of  
12 Section 1 of this Act shall become effective on the day following such approval for the  
13 purposes established in this Subsection.

14 (B) For subsequent elections of representatives to the United States Congress and for  
15 all other purposes, the provisions of Section 1 of this Act shall become effective at noon on  
16 January 3, 2025.

17 (C) The provisions of Section 2 of this Act shall become effective at noon on January  
18 3, 2025.

19 (D) The provisions of this Section and Sections 3 and 4 of this Act shall become  
20 effective upon signature of this Act by the governor or, if not signed by the governor, upon  
21 expiration of the time for bills to become law without signature by the governor, as provided  
22 in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the  
23 governor and subsequently approved by the legislature, the provisions of this Section and  
24 Sections 3 and 4 of this Act shall become effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by J. W. Wiley.

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DIGEST

SB 4 Original                      2024 First Extraordinary Session                      Price

Present U.S. Constitution (14th Amendment) provides that representatives in congress shall  
be apportioned among the several states according to their respective numbers, counting the  
whole number of persons in each state. The U.S. Supreme Court has held that the population

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of congressional districts in the same state must be as nearly equal in population as practicable.

Present law provides for six congressional districts based upon the 2020 federal decennial census.

Proposed law redraws district boundaries for the congressional districts based upon the 2020 federal decennial census.

Proposed law provides that the new districts become effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024. Retains present law districts based upon the 2020 census until noon on January 3, 2025, at which time present law is repealed and the new districts based upon the 2020 census, as established by proposed law, become effective for all other purposes.

Proposed law specifies that precincts referenced in district descriptions are those precincts identified as Voting Districts (VTDs) contained in the file named "2024 Precinct Shapefiles (1-10-2024)" available on the La. Legislature's website. Specifies that the 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the La. legislature. Also specifies that if any such precinct has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish governing authority on a geographic basis in accordance with present law, the enumeration of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof. Further provides that the territorial limits of the districts as enacted shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

Proposed law specifies that proposed law does not reduce the term of office of any person holding any position or office on the effective date of proposed law for which the appointment or election is based upon a congressional district as composed pursuant to present law. Specifies that any position or office filled after Jan. 1, 2025, for which the appointment or election is based upon a congressional district shall be appointed or elected from a district as it is described in proposed law.

Population data in the summaries accompanying this digest are derived from 2020 Census Redistricting Data (Public Law 94-171), Summary File for Louisiana. Population data, statistical information, and maps are supplied for purposes of information and analysis and comprise no part of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action for election purposes only for the regular congressional elections in 2024; effective for all other purposes at noon on January 3, 2025.

(Adds R.S. 18:1276.1; repeals R.S. 18:1276)

Plan Statistics

Plan: SLS 241ES-21 (Price)

<u>Districts:</u>	<u># of Members</u>	<u>Actual Population</u>	<u>Ideal Population</u>	<u>Absolute Deviation</u>	<u>Relative Deviation</u>
District 1	1	776,316	776,292	24	0.003%
District 2	1	776,287	776,292	-5	-0.001%
District 3	1	776,249	776,292	-43	-0.006%
District 4	1	776,310	776,292	18	0.002%
District 5	1	776,309	776,292	17	0.002%
District 6	1	776,286	776,292	-6	-0.001%
Grand Total:	6	4,657,757	4,657,752		
Ideal Population Per Member:		776292			
Number of Districts for Plan Type:		6			
Range of District Populations:		776,249	to 776,316		
Absolute Mean Deviation:		11			
Absolute Range:		-43	to 24		
Absolute Overall Range:		67			
Relative Mean Deviation:		0.00%			
Relative Range:		-0.01%	to 0.00%		
Relative Overall Range:		0.01%			

<b><i>Ideal - Actual:</i></b>	<b>-5</b>
<b><i>Remainder:</i></b>	<b>5</b>
<b><i>Unassigned Population:</i></b>	<b>0</b>



Total Population

Plan: SLS 241ES-21 (Price)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	VAP Hispanic Total
District 1	776,316	507,998	144,750	24,327	24,531	74,710	93,828	604,976	413,014	103,198	18,110	17,265	53,389	66,217
	100.000%	65.437%	18.646%	3.134%	3.160%	9.624%	12.086%	100.000%	68.269%	17.058%	2.994%	2.854%	8.825%	10.945%
District 2	776,287	275,643	415,880	24,040	9,014	51,710	66,679	598,879	228,637	307,807	18,976	6,933	36,526	46,130
	100.000%	35.508%	53.573%	3.097%	1.161%	6.661%	8.589%	100.000%	38.177%	51.397%	3.169%	1.158%	6.099%	7.703%
District 3	776,249	555,655	154,675	17,548	13,872	34,499	42,419	586,407	432,072	107,317	12,674	10,207	24,137	29,092
	100.000%	71.582%	19.926%	2.261%	1.787%	4.444%	5.465%	100.000%	73.681%	18.301%	2.161%	1.741%	4.116%	4.961%
District 4	776,310	455,308	262,042	12,026	18,028	28,906	34,609	596,380	362,830	190,355	8,867	13,745	20,583	24,005
	100.000%	58.650%	33.755%	1.549%	2.322%	3.724%	4.458%	100.000%	60.839%	31.918%	1.487%	2.305%	3.451%	4.025%
District 5	776,309	310,229	424,358	9,644	7,847	24,231	28,750	590,024	252,234	306,972	7,377	5,838	17,603	20,367
	100.000%	39.962%	54.664%	1.242%	1.011%	3.121%	3.703%	100.000%	42.750%	52.027%	1.250%	0.989%	2.983%	3.452%
District 6	776,286	552,819	141,414	19,703	13,768	48,582	56,264	593,882	435,724	100,120	14,412	10,252	33,374	37,851
	100.000%	71.213%	18.217%	2.538%	1.774%	6.258%	7.248%	100.000%	73.369%	16.859%	2.427%	1.726%	5.620%	6.373%
Grand Total	4,657,757	2,657,652	1,543,119	107,288	87,060	262,638	322,549	3,570,548	2,124,511	1,115,769	80,416	64,240	185,612	223,662
	100.000%	57.059%	33.130%	2.303%	1.869%	5.639%	6.925%	100.000%	59.501%	31.249%	2.252%	1.799%	5.198%	6.264%

Voter Registration

Plan: SLS 241ES-21 (Price)

	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023	Reg Dem Total Dec 2023	Reg Rep Total Dec 2023	Reg Other Total Dec 2023
District 1	457,120	343,796	70,257	43,067	143,303	173,425	140,392
	75.560%	75.209%	15.369%	9.421%	31.349%	37.939%	30.712%
District 2	473,883	185,949	250,792	37,142	268,004	84,364	121,515
	79.128%	39.239%	52.923%	7.838%	56.555%	17.803%	25.642%
District 3	445,031	352,141	72,719	20,171	128,776	193,532	122,723
	75.891%	79.127%	16.340%	4.532%	28.936%	43.487%	27.576%
District 4	442,996	290,311	134,060	18,625	153,079	177,962	111,955
	74.281%	65.534%	30.262%	4.204%	34.555%	40.172%	25.272%
District 5	465,296	201,079	248,836	15,381	243,650	111,458	110,188
	78.861%	43.215%	53.479%	3.306%	52.365%	23.954%	23.681%
District 6	457,961	367,170	65,165	25,626	115,694	210,885	131,382
	77.113%	80.175%	14.229%	5.596%	25.263%	46.049%	28.688%
Grand Total	2,742,287	1,740,446	841,829	160,012	1,052,506	951,626	738,155

Splits

Plan: SLS 241ES-21 (Price)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 1																
*Jefferson	236,631	152,726	30,203	11,591	4,247	37,864	189,536	127,909	22,100	8,749	3,210	27,568	141,430	110,356	11,873	19,201
Lafourche	97,557	71,710	15,855	1,025	4,224	4,743	74,619	56,838	11,077	738	2,777	3,189	54,238	45,481	6,277	2,480
*Orleans	87,257	62,884	12,857	3,297	1,129	7,090	72,861	53,123	10,767	2,605	913	5,453	56,060	42,517	7,517	6,026
Plaquemines	23,515	14,287	5,428	1,317	697	1,786	17,334	10,856	3,857	925	500	1,196	13,143	8,996	2,934	1,213
St. Bernard	43,764	24,497	12,309	1,381	947	4,630	31,775	18,992	7,944	982	688	3,169	25,685	18,044	5,593	2,048
St. Mary	49,406	26,949	15,991	835	1,670	3,961	37,521	21,594	11,520	593	1,173	2,641	29,204	17,999	9,570	1,635
*St. Tammany	128,606	85,011	28,960	3,138	2,980	8,517	98,825	68,071	20,137	2,279	2,254	6,084	81,550	58,802	16,583	6,165
Terrebonne	109,580	69,934	23,147	1,743	8,637	6,119	82,505	55,631	15,796	1,239	5,750	4,089	55,810	41,601	9,910	4,299
District 1	776,316	507,998	144,750	24,327	24,531	74,710	604,976	413,014	103,198	18,110	17,265	53,389	457,120	343,796	70,257	43,067
	100.000%	65.437%	18.646%	3.134%	3.160%	9.624%	100.000%	68.269%	17.058%	2.994%	2.854%	8.825%	75.560%	75.209%	15.369%	9.421%
District 2																
*Ascension	24,459	8,224	14,701	190	196	1,148	18,078	6,675	10,347	141	136	779	16,126	6,268	9,237	621
Assumption	21,039	13,722	6,220	96	258	743	16,616	11,145	4,707	57	197	510	13,323	8,977	4,131	215
*Iberia	32,673	16,418	14,296	663	299	997	24,693	13,063	10,228	481	225	696	20,601	11,346	8,539	716
Iberville	30,241	14,833	13,730	202	274	1,202	24,086	12,462	10,232	149	221	1,022	19,906	9,999	9,484	423
*Jefferson	204,150	68,209	96,014	11,433	3,439	25,055	155,118	56,226	70,075	8,943	2,625	17,249	112,003	42,580	54,329	15,094
*Orleans	296,740	63,578	206,112	9,559	2,537	14,954	233,335	57,129	155,301	7,915	2,035	10,955	182,330	43,608	123,073	15,649
St. Charles	52,549	33,550	13,928	837	925	3,309	39,541	26,154	9,890	529	667	2,301	33,582	23,411	8,270	1,901
St. James	20,192	9,973	9,762	60	82	315	15,505	7,883	7,297	31	64	230	14,531	7,116	7,196	219
St. John the Baptist	42,477	13,877	25,196	403	465	2,536	32,503	11,622	18,437	323	350	1,771	27,484	9,338	16,653	1,493
St. Martin	51,767	33,259	15,921	597	539	1,451	39,404	26,278	11,293	407	413	1,013	33,997	23,306	9,880	811
District 2	776,287	275,643	415,880	24,040	9,014	51,710	598,879	228,637	307,807	18,976	6,933	36,526	473,883	185,949	250,792	37,142
	100.000%	35.508%	53.573%	3.097%	1.161%	6.661%	100.000%	38.177%	51.397%	3.169%	1.158%	6.099%	79.128%	39.239%	52.923%	7.838%
District 3																
Acadia	57,576	44,480	10,864	238	573	1,421	42,943	34,071	7,383	173	400	916	36,151	29,438	5,995	718
Allen	22,750	16,327	4,490	246	947	740	17,510	12,751	3,275	182	646	656	11,079	8,704	1,920	455
Beauregard	36,549	29,529	4,649	402	1,052	917	27,489	22,304	3,495	269	773	648	22,071	18,639	2,264	1,168
Calcasieu	216,785	139,772	59,386	4,702	3,536	9,389	163,166	108,789	41,898	3,359	2,604	6,516	111,819	80,364	26,493	4,962
Cameron	5,617	5,232	125	30	75	155	4,358	4,100	79	23	47	109	4,072	3,936	61	75
Evangeline	32,350	21,354	9,235	241	280	1,240	24,408	16,460	6,483	187	217	1,061	20,388	14,274	5,744	370
*Iberia	37,256	22,788	10,260	1,460	495	2,253	28,098	18,232	6,841	1,081	356	1,588	21,587	15,502	4,902	1,183
Jefferson Davis	32,250	25,066	5,837	183	472	692	24,039	19,121	4,006	111	325	476	18,733	15,509	2,784	440
*Lafayette	175,072	128,510	27,553	5,901	2,609	10,499	133,786	101,351	18,873	4,278	1,988	7,296	108,657	89,514	12,618	6,525
*Rapides	69,584	54,292	8,596	1,655	2,166	2,875	53,146	42,439	5,966	1,201	1,634	1,906	41,989	35,665	4,304	2,020
Vermilion	57,359	44,477	8,810	1,447	623	2,002	43,012	34,363	5,787	1,037	488	1,337	35,511	29,693	4,555	1,263

Splits

Plan: SLS 241ES-21 (Price)

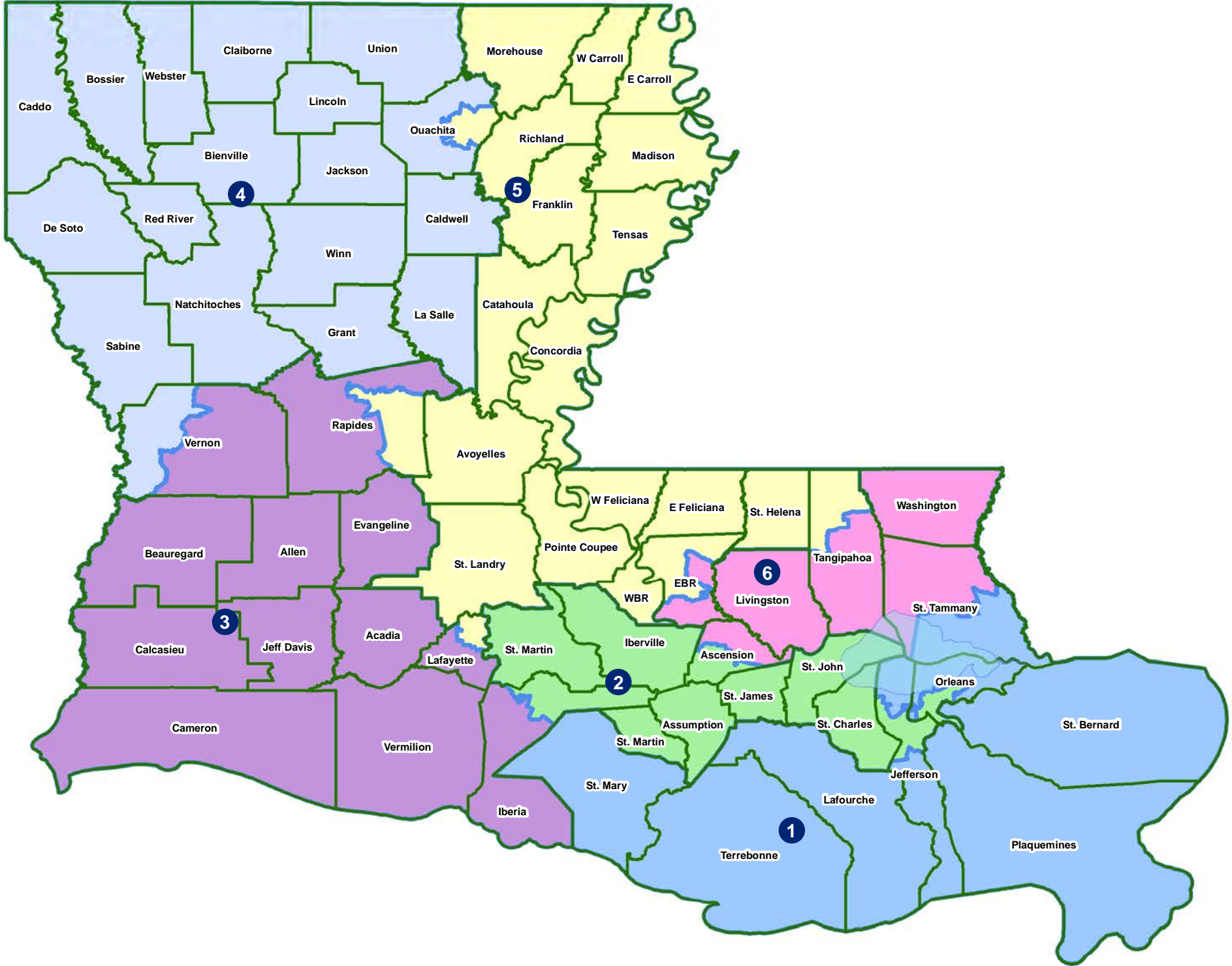
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 3																
*Vernon	33,101	23,828	4,870	1,043	1,044	2,316	24,452	18,091	3,231	773	729	1,628	12,974	10,903	1,079	992
District 3	776,249	555,655	154,675	17,548	13,872	34,499	586,407	432,072	107,317	12,674	10,207	24,137	445,031	352,141	72,719	20,171
	100.000%	71.582%	19.926%	2.261%	1.787%	4.444%	100.000%	73.681%	18.301%	2.161%	1.741%	4.116%	75.891%	79.127%	16.340%	4.532%
District 4																
Bienville	12,981	6,950	5,600	57	207	167	10,073	5,486	4,284	30	162	111	8,336	4,509	3,728	99
Bossier	128,746	81,052	32,551	3,492	3,273	8,378	95,876	62,931	22,440	2,448	2,477	5,580	65,726	48,229	13,555	3,942
Caddo	237,848	103,457	119,304	4,034	3,840	7,213	182,407	85,059	86,359	3,008	2,958	5,023	131,942	64,381	61,471	6,090
Caldwell	9,645	7,646	1,632	51	150	166	7,478	5,969	1,224	46	116	123	5,813	4,959	762	92
Claiborne	14,170	7,263	6,360	88	185	274	11,507	6,258	4,824	55	140	230	8,390	4,557	3,677	156
De Soto	26,812	15,284	9,973	117	740	698	20,440	11,909	7,425	86	557	463	17,887	11,005	6,317	565
Grant	22,169	17,709	3,335	133	644	348	17,527	13,964	2,717	97	507	242	12,226	10,764	1,120	342
Jackson	15,031	9,967	4,166	175	255	468	11,783	7,967	3,125	140	174	377	9,375	6,570	2,610	195
La Salle	14,791	11,348	1,422	283	372	1,366	11,563	8,636	1,065	264	271	1,327	8,380	7,633	583	164
Lincoln	48,396	26,034	19,364	892	662	1,444	38,655	21,306	15,119	744	526	960	24,408	15,139	8,357	912
Natchitoches	37,515	19,361	15,725	255	861	1,313	29,349	16,010	11,415	198	683	1,043	20,675	11,761	8,016	898
*Ouachita	90,953	72,958	11,272	1,451	2,101	3,171	68,844	56,386	7,617	1,018	1,638	2,185	57,035	49,426	5,606	2,003
Red River	7,620	4,195	3,106	25	171	123	5,714	3,338	2,164	3	116	93	5,475	3,034	2,358	83
Sabine	22,155	15,036	3,861	94	2,723	441	17,064	12,054	2,655	66	1,970	319	13,570	10,287	1,912	1,371
Union	21,107	14,460	5,224	62	338	1,023	16,632	11,807	3,861	39	254	671	14,802	10,847	3,497	458
*Vernon	15,649	11,259	2,741	399	556	694	11,809	8,674	1,902	301	431	501	9,435	7,226	1,529	680
Webster	36,967	22,735	12,679	208	687	658	28,753	18,144	9,464	154	558	433	21,259	14,068	6,744	447
Winn	13,755	8,594	3,727	210	263	961	10,906	6,932	2,695	170	207	902	8,262	5,916	2,218	128
District 4	776,310	455,308	262,042	12,026	18,028	28,906	596,380	362,830	190,355	8,867	13,745	20,583	442,996	290,311	134,060	18,625
	100.000%	58.650%	33.755%	1.549%	2.322%	3.724%	100.000%	60.839%	31.918%	1.487%	2.305%	3.451%	74.281%	65.534%	30.262%	4.204%
District 5																
Avoyelles	39,693	25,625	11,678	434	767	1,189	30,578	20,269	8,311	379	570	1,049	21,438	15,242	5,622	574
Catahoula	8,906	5,776	2,395	46	119	570	6,951	4,557	1,736	33	87	538	6,113	4,363	1,695	55
Concordia	18,687	10,275	7,725	122	233	332	14,217	8,108	5,613	100	167	229	11,419	6,816	4,418	185
*East Baton Rouge	216,003	45,353	155,329	4,729	1,519	9,073	162,926	38,040	113,697	3,603	1,200	6,386	127,317	29,588	91,583	6,146
East Carroll	7,459	2,054	5,272	29	43	61	5,901	1,773	4,043	19	27	39	4,564	1,218	3,305	41
East Feliciana	19,539	11,516	7,341	91	262	329	16,183	9,740	5,918	61	198	266	13,327	7,805	5,075	447
Franklin	19,774	12,492	6,802	70	205	205	15,028	9,901	4,779	44	153	151	12,350	8,524	3,718	108
*Lafayette	66,681	24,853	37,583	553	601	3,091	50,089	20,257	27,044	386	399	2,003	40,152	16,284	22,127	1,741
Madison	10,017	3,475	6,363	20	59	100	7,435	2,906	4,391	9	48	81	7,068	2,439	4,518	111
Morehouse	25,629	12,281	12,484	160	370	334	20,062	10,095	9,300	117	279	271	15,440	7,806	7,377	257

Splits

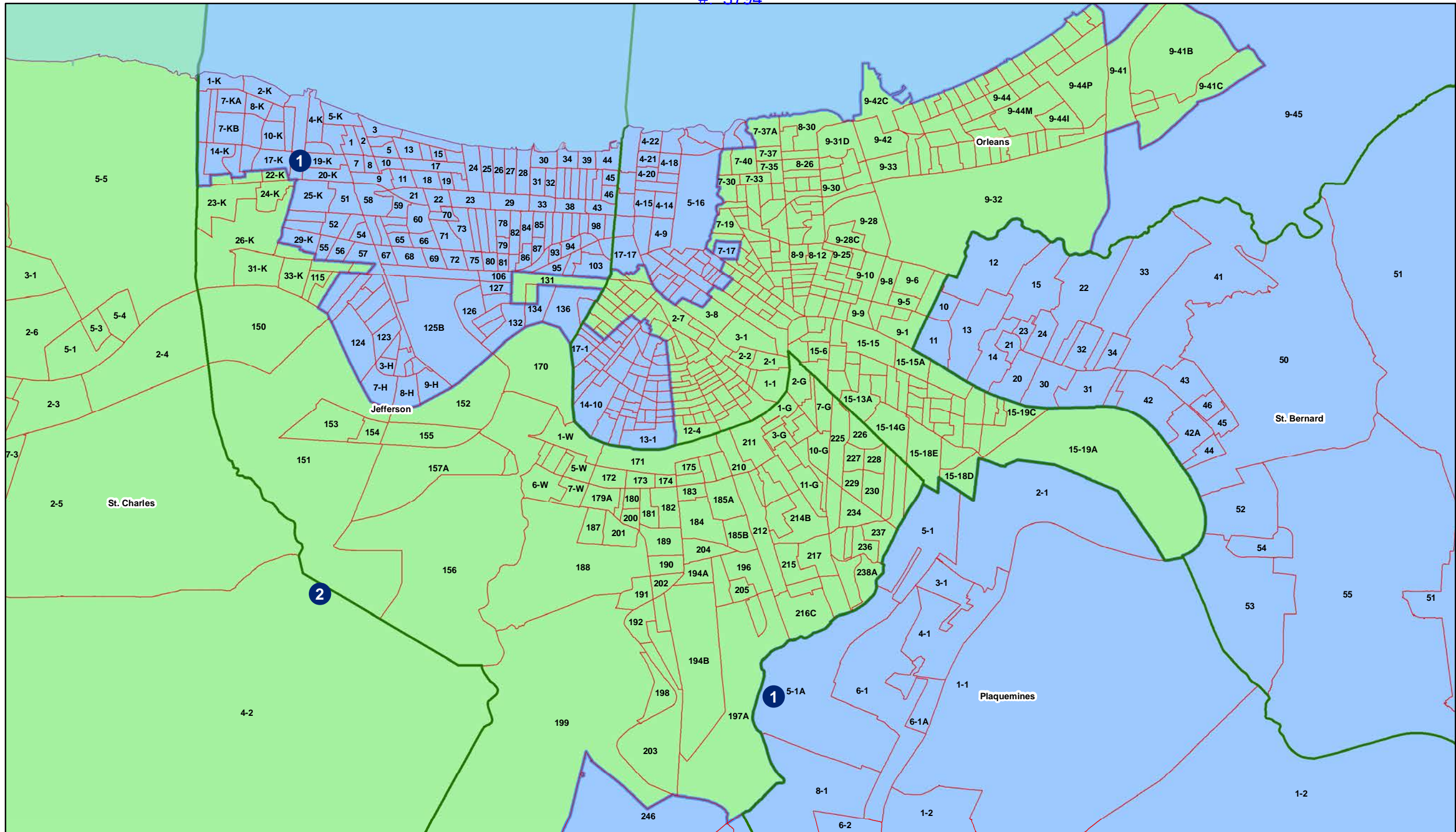
Plan: SLS 241ES-21 (Price)

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 5																
*Ouachita	69,415	15,587	49,945	1,337	560	1,986	51,356	13,588	34,673	1,100	421	1,574	38,595	8,723	28,415	1,457
Pointe Coupee	20,758	12,395	7,504	107	159	593	16,250	10,108	5,502	91	119	430	14,107	9,040	4,837	230
*Rapides	60,439	23,218	33,996	773	936	1,516	45,646	18,934	24,239	585	700	1,188	33,297	14,291	17,655	1,351
Richland	20,043	11,785	7,603	83	258	314	15,383	9,338	5,546	66	203	230	13,141	8,144	4,753	244
St. Helena	10,920	4,527	6,031	39	134	189	8,463	3,805	4,371	28	109	150	8,260	3,626	4,492	142
St. Landry	82,540	43,611	35,836	499	636	1,958	61,811	34,209	25,497	353	451	1,301	52,429	28,933	22,135	1,361
*Tangipahoa	23,399	10,578	11,824	126	229	642	17,669	8,508	8,474	106	155	426	11,678	6,151	5,237	290
Tensas	4,147	1,744	2,312	23	26	42	3,235	1,446	1,728	12	23	26	3,485	1,510	1,937	38
West Baton Rouge	27,199	14,307	11,170	287	326	1,109	20,526	11,146	8,149	209	219	803	16,753	9,620	6,764	369
West Carroll	9,751	7,894	1,425	27	180	225	7,532	6,223	1,010	20	136	143	6,871	5,770	1,013	88
West Feliciana	15,310	10,883	3,740	89	225	373	12,783	9,283	2,951	56	174	319	7,492	5,186	2,160	146
District 5	776,309	310,229	424,358	9,644	7,847	24,231	590,024	252,234	306,972	7,377	5,838	17,603	465,296	201,079	248,836	15,381
	100.000%	39.962%	54.664%	1.242%	1.011%	3.121%	100.000%	42.750%	52.027%	1.250%	0.989%	2.983%	78.861%	43.215%	53.479%	3.306%
District 6																
*Ascension	102,041	72,917	17,515	2,110	1,808	7,691	73,879	54,461	11,792	1,373	1,254	4,999	62,520	49,274	9,591	3,655
*East Baton Rouge	240,778	150,716	58,069	11,696	3,208	17,089	192,686	125,841	43,093	8,996	2,547	12,209	141,520	103,157	27,919	10,444
Livingston	142,282	116,855	12,658	1,697	3,111	7,961	105,141	88,432	8,136	1,099	2,311	5,163	82,405	73,655	5,642	3,108
*St. Tammany	135,964	111,630	9,683	2,636	2,680	9,335	103,403	86,550	6,624	1,796	1,907	6,526	92,757	82,460	4,546	5,751
*Tangipahoa	109,758	70,758	30,055	1,348	2,225	5,372	83,822	56,697	20,743	994	1,672	3,716	51,608	40,021	9,575	2,012
Washington	45,463	29,943	13,434	216	736	1,134	34,951	23,743	9,732	154	561	761	27,151	18,603	7,892	656
District 6	776,286	552,819	141,414	19,703	13,768	48,582	593,882	435,724	100,120	14,412	10,252	33,374	457,961	367,170	65,165	25,626
	100.000%	71.213%	18.217%	2.538%	1.774%	6.258%	100.000%	73.369%	16.859%	2.427%	1.726%	5.620%	77.113%	80.175%	14.229%	5.596%

Congress - Statewide

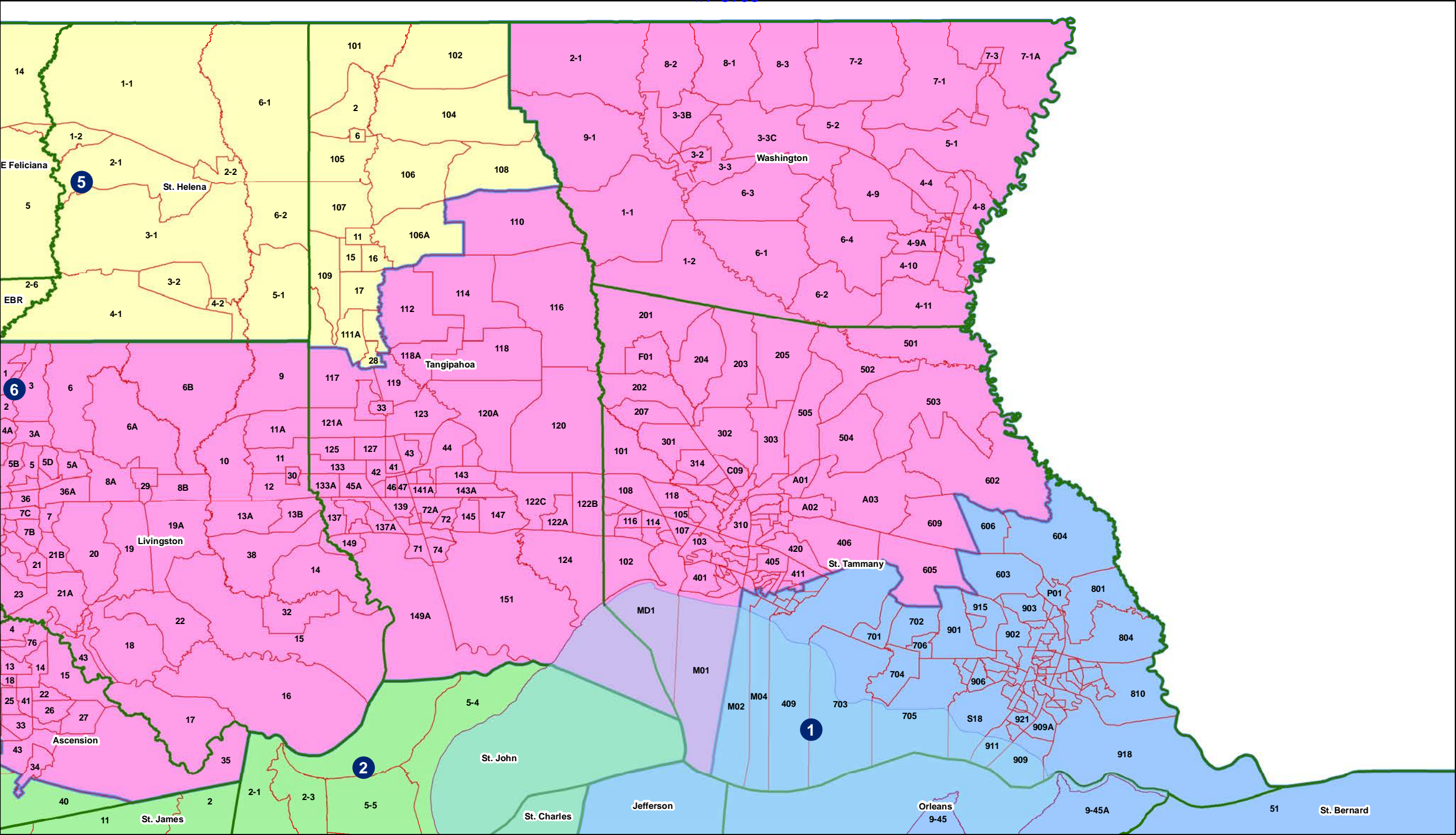






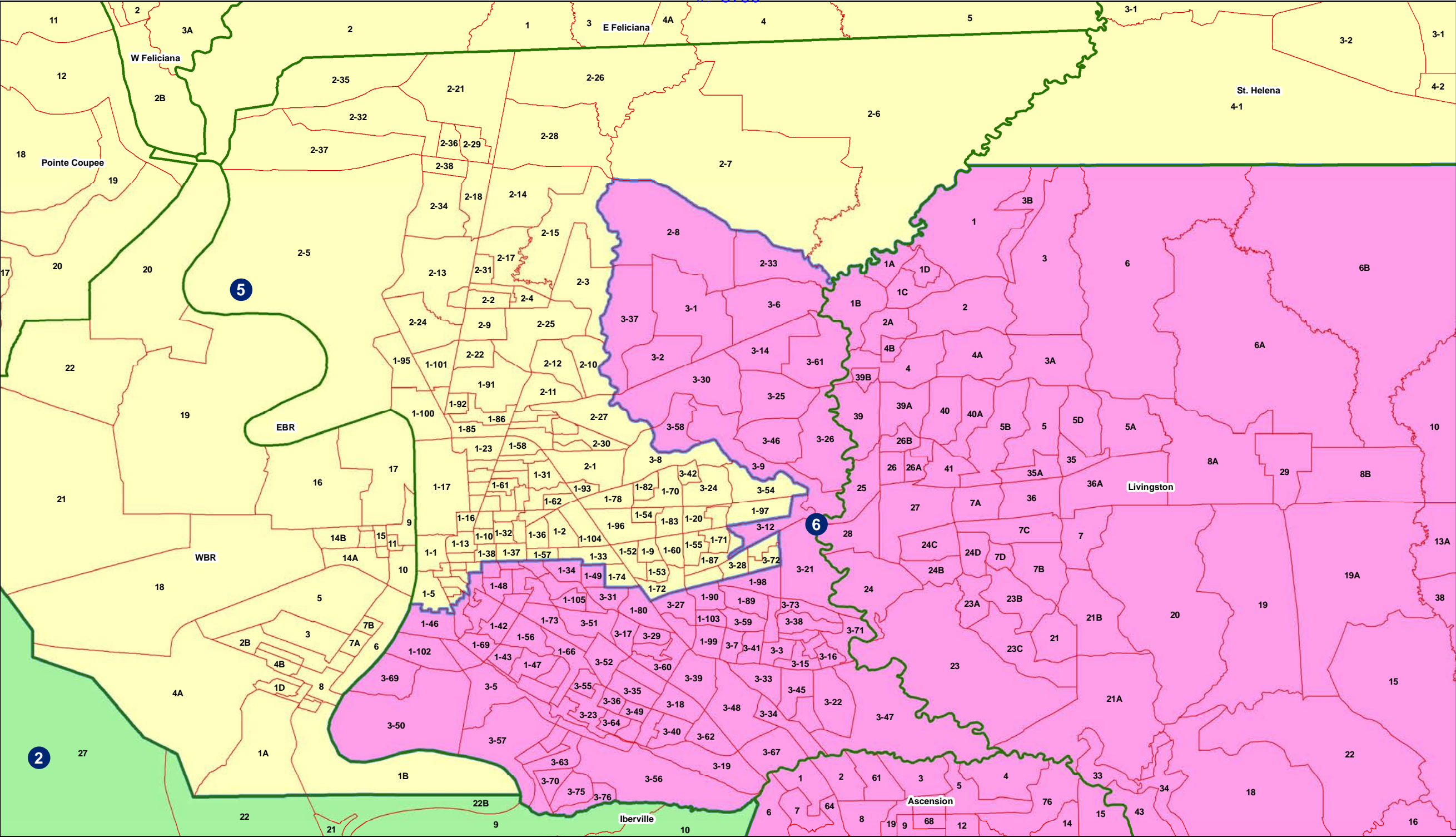


Congress - Northshore

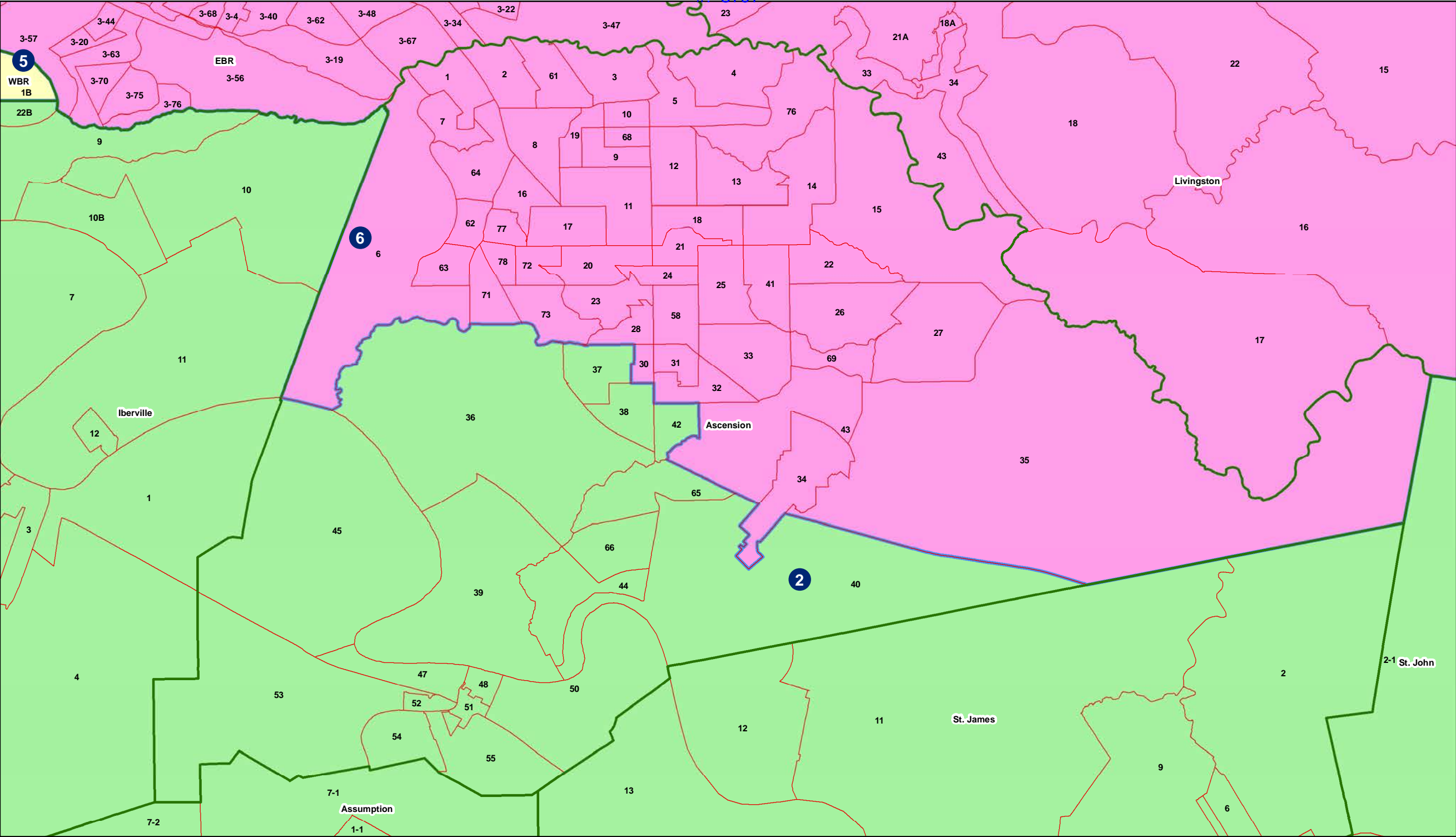




Congress - East Baton Rouge

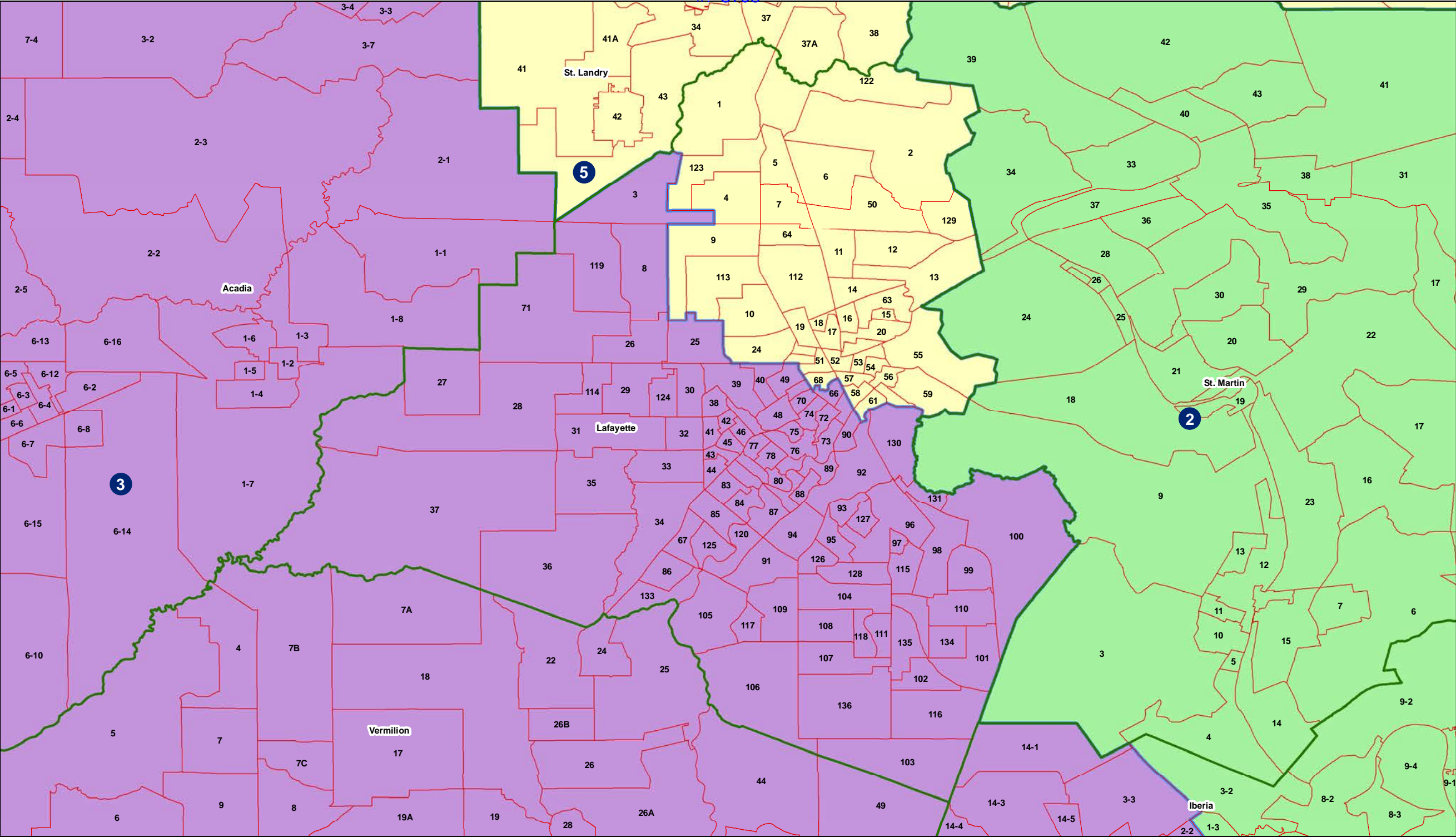


Congress - Ascension

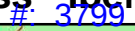




Congress - Lafayette

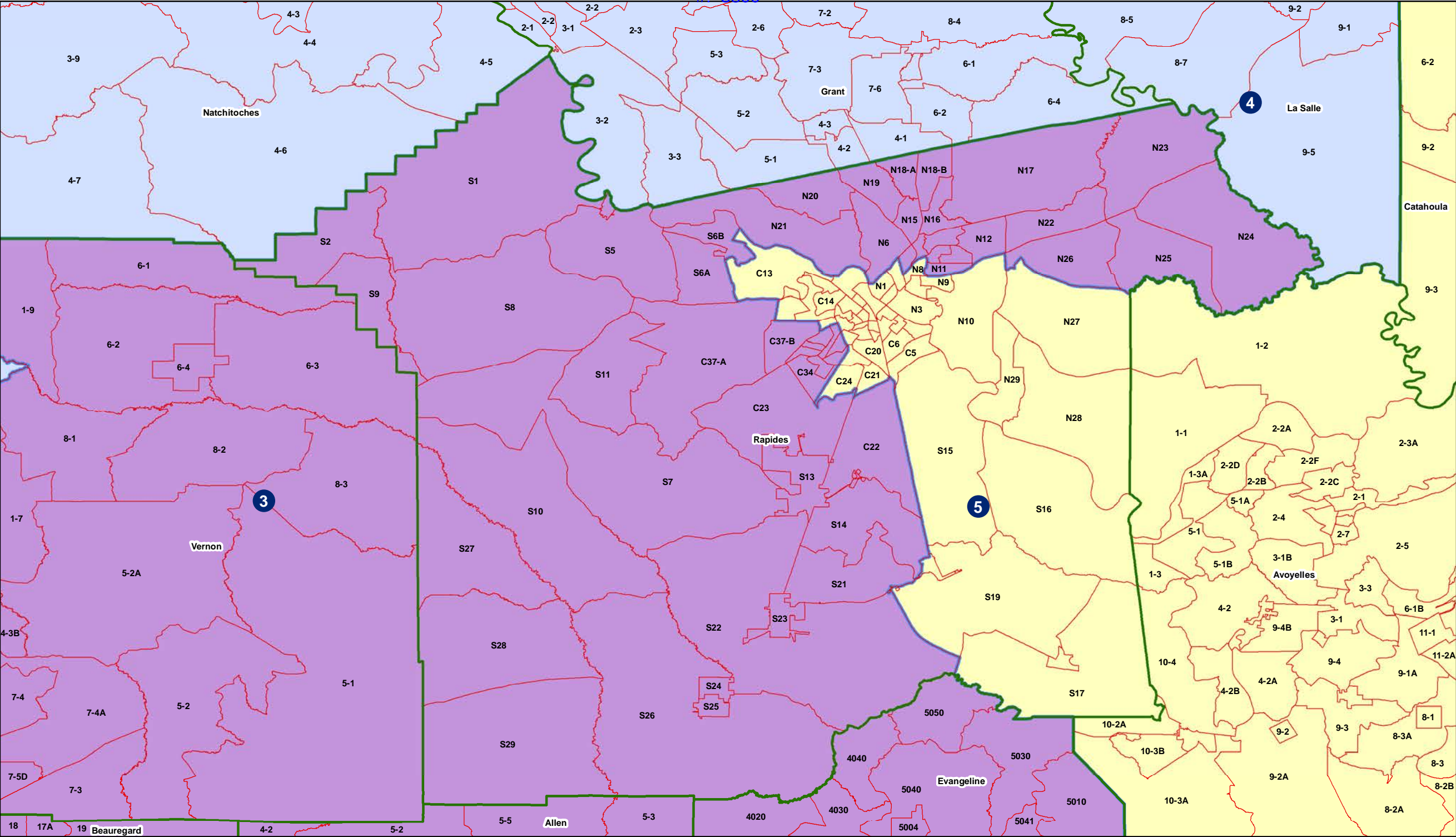


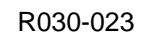
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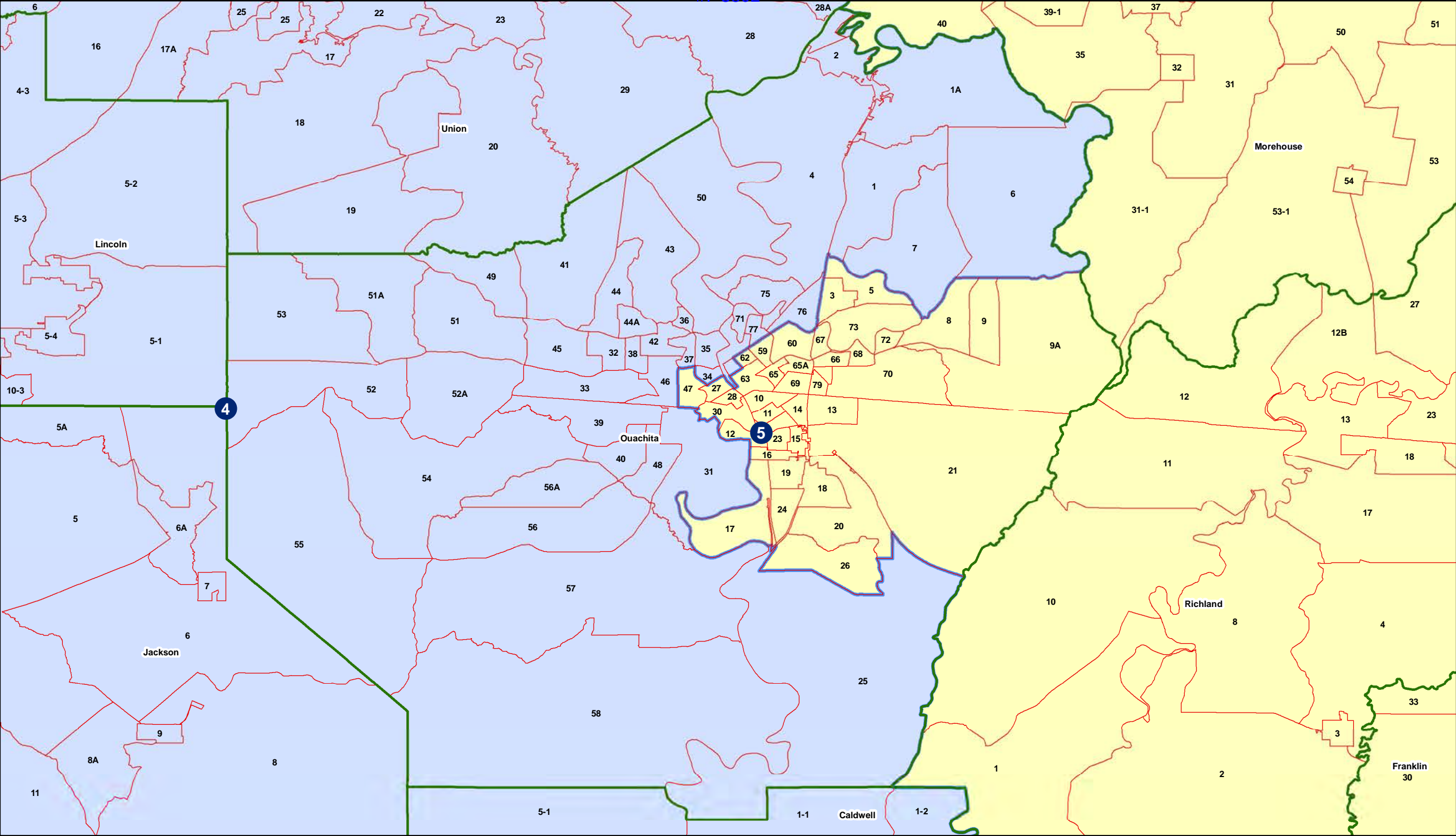
Congress - Rapides







Congress - Ouachita



2024 First Extraordinary Session

ACT No. 2

ENROLLED

SENATE BILL NO. 8

BY SENATOR WOMACK AND REPRESENTATIVES BRYANT, WILFORD CARTER,  
CHASSION, GREEN, MANDIE LANDRY, LARVADAIN, MOORE,  
SELDERS, WALTERS, YOUNG AND KNOX

1 AN ACT

2 To enact R.S. 18:1276.1 and to repeal R.S. 18:1276, relative to congressional districts; to  
3 provide for the redistricting of Louisiana's congressional districts; to provide with  
4 respect to positions and offices, other than congressional, which are based upon  
5 congressional districts; to provide for the effectiveness; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1276.1 is hereby enacted to read as follows:

9 **§1276.1. Congressional districts**

10 **Louisiana shall be divided into six congressional districts, and the**  
11 **qualified electors of each district shall elect one representative to the United**  
12 **States House of Representatives. The districts shall be composed as follows:**

13 **(1) District 1 is composed of Precincts 13, 14, 15, 18, 21, 22, 25, 26, 27, 33,**  
14 **34, 35, 41, 43 and 69 of Ascension Parish; Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11,**  
15 **12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,**  
16 **35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62,**  
17 **63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85,**  
18 **86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106,**  
19 **117, 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 132,**  
20 **134, 136, 192, 198, 199, 246, 247, 248, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H,**  
21 **8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K,**  
22 **11-K, 12-K, 13-KA, 14-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K,**  
23 **29-K, 34-K, 35-K and 1-L of Jefferson Parish; Precincts 3-3, 3-6, 4-1, 4-2, 4-3,**  
24 **4-4, 4-5, 4-6, 7-4, 8-1, 9-1, 9-2, 10-1, 10-2, 10-3, 10-4, 10-6, 10-8, 10-9, 10-10,**





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ENROLLED

10-11, 10-12, 10-13, 10-14, 10-15, 10-16, 11-1, 11-2, 11-3 and 11-5 of Lafourche Parish; Precincts 13A, 13B, 14, 15, 16, 17, 22, 31, 32 and 38 of Livingston Parish; Precincts 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21, 4-22, 4-23, 5-12, 5-13, 5-15, 5-16, 5-17, 5-18, 6-9, 7-41, 7-42, 9-45, 9-45A, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 12-5, 12-6, 12-7, 12-9, 12-10, 13-5, 13-7, 13-8, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8, 14-9, 14-10, 14-11, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-20, 14-21, 16-1, 16-1A, 17-1, 17-17, 17-18, 17-18A, 17-19 and 17-20 of Orleans Parish; Plaquemines Parish; Precincts 32, 33, 34, 41, 42A, 43, 44, 45, 46, 50, 51, 52, 53, 54 and 55 of St. Bernard Parish; Precincts 1-6, 2-6, 3-1, 3-2, 3-3, 5-5, 6-1, 6-2, 6-3, 6-4, 6-6 and 6-8 of St. Charles Parish; St. Tammany Parish and Precincts 44, 49, 70, 70A, 71, 72, 72A, 73, 74, 120B, 122A, 122B, 122C, 124, 137, 137A, 137B, 137C, 137D, 139, 141, 141A, 143, 143A, 145, 147, 149, 149A and 151 of Tangipahoa Parish.

(2) District 2 is composed of Precincts 6, 7, 9, 11, 17, 20, 23, 24, 28, 30, 31, 32, 36, 37, 38, 39, 40, 42, 44, 45, 47, 48, 50, 51, 52, 53, 54, 55, 57, 58, 62, 63, 65, 66, 68, 71, 72, 73, 77 and 78 of Ascension Parish; Assumption Parish; Iberville Parish; Precincts 57, 104, 108, 115, 116, 131, 133, 138, 150, 151, 152, 153, 154, 155, 156, 157A, 157B, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179A, 179B, 180, 181, 182, 183, 184, 185A, 185B, 187, 188, 189, 190, 191, 193A, 193B, 194A, 194B, 195, 196, 197A, 197B, 200, 201, 202, 203, 204, 205, 210, 211, 212, 213A, 213B, 213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229, 230, 231, 232A, 232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G, 8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 15-K, 21-K, 22-K, 23-K, 24-K, 26-K, 30-K, 31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W and 7-W of Jefferson Parish; Precincts 1-2, 1-3, 1-4, 1-5, 1-6, 2-1, 2-1A, 2-3, 2-5, 2-7, 2-9, 2-10, 2-11, 2-16, 5-1, 5-1A and 5-3 of Lafourche Parish; Precincts 1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 3-9, 3-12, 3-14, 3-15, 3-18, 3-19, 3-20, 4-2, 4-3, 4-6, 5-1, 5-2, 5-3, 5-5, 5-7, 5-8, 5-9, 5-10, 5-11, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 7-1, 7-2, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18, 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29,

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7-30, 7-32, 7-33, 7-35, 7-37, 7-37A, 7-40, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12,  
8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1,  
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9-21, 9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D,  
9-32, 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40,  
9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B,  
9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N,  
9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M,  
9-44N, 9-44O, 9-44P, 9-44Q, 10-3, 10-6, 10-7, 10-8, 10-9, 10-11, 10-12, 10-13,  
10-14, 11-2, 11-3, 11-12, 11-13, 11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-11, 12-12,  
12-13, 12-14, 12-16, 12-17, 12-19, 13-1, 13-2, 13-3, 13-4, 13-6, 13-9, 13-10, 13-11,  
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15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A,  
15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15,  
15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C,  
15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B, 15-19C, 16-2, 16-3, 16-4, 16-5,  
16-6, 16-7, 16-8, 16-9, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11,  
17-12, 17-13, 17-13A, 17-14, 17-15 and 17-16 of Orleans Parish; Precincts 10, 11,  
12, 13, 14, 15, 20, 21, 22, 23, 24, 25, 30, 31, 40 and 42 of St. Bernard Parish;  
Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 2-1, 2-3, 2-4, 2-5, 4-1, 4-2, 4-3, 4-4, 4-5, 5-1, 5-3,  
5-4, 7-1, 7-2, 7-3, 7-4, 7-5 and 7-6 of St. Charles Parish; St. James Parish and St.  
John the Baptist Parish.

(3) District 3 is composed of Acadia Parish; Precincts 167, 260, 261, 262,  
300, 301, 302, 303, 304, 305, 306, 307, 308, 309E, 309W, 310, 311, 312, 313E,  
313W, 314, 315E, 315W, 316E, 316W, 317, 318, 319N, 319S, 320E, 320W, 321,  
322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332N, 332S, 333, 334, 335, 336,  
337, 338, 339, 340, 360, 361, 362, 363, 364, 368, 369, 370, 372, 405, 440, 441, 463,  
464, 467, 800, 801, 860S, 861E and 861W of Calcasieu Parish; Cameron Parish;  
Iberia Parish; Jefferson Davis Parish; Precincts 1, 3, 8, 25, 26, 27, 28, 29, 30, 31,  
32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70,

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71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 114, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127, 128, 130, 131, 133, 134, 135 and 136 of Lafayette Parish; Precincts 1-1, 2-2, 2-6, 2-8, 2-12, 2-13, 2-14, 2-15, 3-1, 3-2, 3-4, 3-5, 3-7, 5-2, 6-1, 6-2, 6-3, 6-4, 6-5, 7-1, 7-2, 7-3 and 11-4 of Lafourche Parish; St. Martin Parish; St. Mary Parish; Terrebonne Parish and Vermilion Parish.

(4) District 4 is composed of Allen Parish; Beauregard Parish; Bienville Parish; Bossier Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 2-1, 2-2, 2-4, 2-7, 3-1, 3-8, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-9, 4-10, 5-10, 6-1, 7-1, 8-1, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 9-1, 9-2, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 10-2, 11-1, 11-2, 11-3, 11-6, 11-7, 11-9, 11-10, 12-1, 12-3, 12-7, 12-8 and 12-9 of Caddo Parish; Precincts 160E, 160W, 161, 162E, 162W, 163, 164, 165, 166E, 166W, 365, 366, 367, 371N, 371S, 400, 401, 402, 403, 404, 406, 407, 408, 460E, 460W, 461, 465, 466E, 466W, 468, 469, 560, 561, 562, 600, 601, 602, 603, 660, 661, 662, 663, 664, 700, 701, 702, 703, 760, 761, 762 and 860N of Calcasieu Parish; Claiborne Parish; Precincts 10, 11, 11B, 11C, 16, 16A, 16B, 16C, 23, 28, 30A, 31A, 34, 34A, 34B, 35, 35A, 35B, 37, 37C, 46, 46A, 48, 49, 49A and 51 of De Soto Parish; Evangeline Parish; Grant Parish; Jackson Parish; Lincoln Parish; Precincts 1, 1A, 2, 4, 25, 32, 33, 38, 41, 43, 44, 44A, 45, 49, 50, 51, 51A, 53, 55, 57, 58, 61, 64, 71, 75, 76 and 77 of Ouachita Parish; Precincts C22, C23, C35, C37-A, C37-B, C41, S7, S8, S9, S10, S11, S13, S14, S21, S22, S23, S24, S25, S26, S27, S28 and S29 of Rapides Parish; Red River Parish; Sabine Parish; Union Parish; Vernon Parish; Webster Parish and Winn Parish.

(5) District 5 is composed of Precincts 1, 2, 3, 4, 5, 8, 10, 12, 16, 19, 61, 64 and 76 of Ascension Parish; Precincts 1-1, 1-2, 1-3, 1-3A, 2-1, 2-1A, 2-2, 2-2A, 2-2B, 2-2C, 2-2D, 2-2F, 2-3A, 2-4, 2-4A, 2-5, 2-5E, 2-7, 2-8, 3-1B, 4-1, 4-2, 5-1, 5-1A, 5-1B, 6-1A, 6-2, 6-2A, 7-3B and 9-4B of Avoyelles Parish; Caldwell Parish; Catahoula Parish; Concordia Parish; Precincts 1-12, 1-34, 1-41, 1-42, 1-43, 1-44,

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1-46, 1-47, 1-49, 1-56, 1-69, 1-74, 1-75, 1-76, 1-79, 1-80, 1-99, 1-105, 1-107, 2-6, 2-7, 2-8, 2-33, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-21, 3-22, 3-23, 3-25, 3-26, 3-29, 3-30, 3-31, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-43, 3-45, 3-46, 3-47, 3-48, 3-49, 3-51, 3-53, 3-58, 3-60, 3-61, 3-62, 3-64, 3-65, 3-66, 3-67, 3-68, 3-71, 3-73 and 3-74 of East Baton Rouge Parish; East Carroll Parish; East Feliciana Parish; Franklin Parish; La Salle Parish; Precincts 1, 1A, 1B, 1C, 1D, 2, 2A, 3, 3A, 3B, 4, 4A, 4B, 5, 5A, 5B, 5D, 6, 6A, 6B, 7, 7A, 7B, 7C, 7D, 8A, 8B, 9, 10, 11, 11A, 12, 18, 18A, 19, 19A, 20, 21, 21A, 21B, 23, 23A, 23B, 23C, 24, 24B, 24C, 24D, 25, 26, 26A, 26B, 26C, 27, 28, 29, 30, 33, 34, 35, 35A, 36, 36A, 39, 39A, 39B, 40, 40A, 41 and 43 of Livingston Parish; Madison Parish; Morehouse Parish; Precincts 3, 5, 6, 7, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 30, 31, 34, 35, 36, 37, 39, 40, 42, 46, 47, 48, 52, 52A, 54, 56, 56A, 59, 60, 62, 63, 65, 65A, 66, 67, 68, 69, 70, 72, 73, 74, 78 and 79 of Ouachita Parish; Richland Parish; St. Helena Parish; Precincts 2, 6, 11, 15, 16, 17, 28, 33, 40A, 41, 42, 43, 45A, 45B, 46, 47, 101, 102, 104, 105, 106, 106A, 107, 108, 109, 110, 111A, 112, 114, 115B, 116, 117, 118, 118A, 119, 120, 120A, 121, 121A, 123, 125, 127, 129A, 133 and 133A of Tangipahoa Parish; Tensas Parish; Washington Parish; West Carroll Parish and West Feliciana Parish.

(6) District 6 is composed of Precincts 3-1, 3-3, 4-2A, 4-2B, 6-1B, 7-1, 7-3, 8-1, 8-2A, 8-2B, 8-3, 8-3A, 9-1A, 9-2, 9-2A, 9-3, 9-4, 9-5B, 10-2, 10-2A, 10-2B, 10-3A, 10-3B, 10-4, 11-1 and 11-2A of Avoyelles Parish; Precincts 2-3, 2-5, 2-6, 2-8, 2-9, 2-10, 2-11, 2-12, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-11, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 10-1, 10-3, 10-4, 10-5, 10-6, 10-7, 10-8, 10-9, 11-4, 11-5, 11-8, 12-2, 12-4, 12-5, 12-6, 12-10 and 12-11 of Caddo Parish; Precincts 1, 4, 5, 5A, 6, 6A, 6B, 9, 21, 22, 22A, 26, 26A, 30, 31, 32, 33, 33A, 38, 38A, 42, 44, 46B, 53, 55, 56, 59, 60, 60A, 63 and 63A of De Soto Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-35, 1-36,

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1-37, 1-38, 1-39, 1-40, 1-45, 1-48, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55, 1-57, 1-58,  
1-59, 1-60, 1-61, 1-62, 1-63, 1-64, 1-65, 1-66, 1-67, 1-68, 1-70, 1-71, 1-72, 1-73,  
1-77, 1-78, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-89, 1-90, 1-91, 1-92,  
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2-4, 2-5, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21,  
2-22, 2-23, 2-24, 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-34, 2-35, 2-36,  
2-37, 2-38, 3-8, 3-10, 3-11, 3-12, 3-19, 3-20, 3-24, 3-27, 3-28, 3-32, 3-42, 3-44, 3-50,  
3-52, 3-54, 3-55, 3-56, 3-57, 3-59, 3-63, 3-69, 3-70, 3-72, 3-75 and 3-76 of East  
Baton Rouge Parish; Precincts 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19,  
20, 21, 22, 23, 24, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 68, 112, 113,  
122 and 129 of Lafayette Parish; Natchitoches Parish; Pointe Coupee Parish;  
Precincts C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11-A, C11-B, C13, C14,  
C15, C17, C18, C19, C20, C21, C24, C25, C26, C27, C28, C30, C31, C32, C33,  
C34, C36, C38-A, C38-B, C39, C40, C42, N1, N2, N3, N4, N5, N6, N7, N8, N9,  
N10, N11, N12, N13-A, N13-B, N14-A, N14-B, N15, N16, N17, N18-A, N18-B,  
N19, N20, N21, N22, N23, N24, N25, N26, N27, N28, N29, S1, S2, S4, S5, S6A,  
S6B, S15, S16, S17, S18, S19 and S20 of Rapides Parish; St. Landry Parish and  
West Baton Rouge Parish.

Section 2. R.S. 18:1276 is hereby repealed.

Section 3.(A) The precincts referenced in this Act are those contained in the file named "2024 Precinct Shapefiles (1-10-2024)" available on the website of the Legislature of Louisiana on the effective date of this Section. The 2024 Precinct Shapefiles are based upon those Voting Districts (VTDs) contained in the 2020 Census Redistricting TIGER/Line Shapefiles for the State of Louisiana as those files have been modified and validated through the data verification program of the Louisiana House of Representatives and the Louisiana Senate to represent precinct changes submitted through January 10, 2024, to the Legislature of Louisiana by parish governing authorities pursuant to the provisions of R.S. 18:532 and 532.1.

(B) When a precinct referenced in this Act has been subdivided by action of the parish governing authority on a nongeographic basis or subdivided by action of the parish

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governing authority on a geographic basis in accordance with the provisions of R.S. 18:532.1, the enumeration in this Act of the general precinct designation shall include all nongeographic and all geographic subdivisions thereof, however such subdivisions may be designated.

(C) The territorial limits of the districts as provided in this Act shall continue in effect until changed by law regardless of any subsequent change made to the precincts by the parish governing authority.

Section 4. The provisions of this Act shall not reduce the term of office of any person holding any position or office on the effective date of this Section for which the appointment or election is based upon a congressional district as composed pursuant to R.S. 18:1276. Any position or office that is filled by appointment or election based upon a congressional district and that is to be filled after January 3, 2025, shall be appointed or elected from a district as it is described in Section 1 of this Act.

Section 5.(A) Solely for the purposes of qualifying for election and the conduct of the election of representatives to the United States Congress at the regularly scheduled election for representatives to the congress in 2024, the provisions of Section 1 of this Act shall become effective upon signature of this Act by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, the provisions of Section 1 of this Act shall become effective on the day following such approval for the purposes established in this Subsection.

(B) For subsequent elections of representatives to the United States Congress and for all other purposes, the provisions of Section 1 of this Act shall become effective at noon on January 3, 2025.

(C) The provisions of Section 2 of this Act shall become effective at noon on January 3, 2025.

(D) The provisions of this Section and Sections 3 and 4 of this Act shall become effective upon signature of this Act by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided

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1 in Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the  
2 governor and subsequently approved by the legislature, the provisions of this Section and  
3 Sections 3 and 4 of this Act shall become effective on the day following such approval.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**2024 First Extraordinary Session**

Sequence: 20

**SBS FINAL PASSAGE  
SB 8 BY WOMACK  
AMENDMENT # 83 BY BEAULLIEU  
MOTION TO ADOPT**

Date: 1/19/2024  
Time: 12:32:46 PM

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Domangue	McFarland
Adams	Edmonston	McMahan
Amedee	Egan	McMakin
Bacala	Emerson	Melerine
Bagley	Firment	Miller
Bamburg	Fisher	Moore
Bayham	Fontenot	Muscarello
Beaullieu	Freeman	Myers
Berault	Freiberg	Orgeron
Billings	Gadberry	Owen
Boyer	Galle	Phelps
Braud	Glorioso	Schamerhorn
Brown	Green	Schlegel
Bryant	Hebert	Selders
Butler	Henry	St. Blanc
Carlson	Hilferty	Stagni
Carrier	Horton	Taylor
Carter, R.	Illg	Thomas
Carter, W.	Jackson	Turner
Carver	Johnson, M.	Ventrella
Chassion	Johnson, T.	Villio
Chenevert	Jordan	Walters
Coates	Kerner	Wilder
Cox	LaFleur	Wiley
Crews	Landry, J.	Wright
Davis	Landry, M.	Wyble
Deshotel	Mack	Young
Dewitt	Marcelle	Zeringue
Dickerson	McCormick	

Total -- 86

**NAYS**

Bourriaque	Geymann	Newell
Boyd	Hughes	Riser
Brass	Knox	Romero
Echols	Lyons	Tarver
Farnum	Mena	Willard

Total -- 15

**ABSENT**

Carpenter	Larvadain
LaCombe	Thompson

Total -- 4



SENATE COMMITTEE AMENDMENTS

2024 First Extraordinary Session

Amendments proposed by Senate Committee on Senate and Governmental Affairs to  
Original Senate Bill No. 8 by Senator Womack

AMENDMENT NO. 1

On page 1, delete lines 13 through 17

AMENDMENT NO. 2

Delete pages 2 through 5

AMENDMENT NO. 3

On page 6, delete lines 1 through 25, and insert:

**"(1) District 1 is composed of Precincts 13, 14, 15, 18, 21, 22, 25, 26, 27, 33, 34, 35, 41, 43 and 69 of Ascension Parish; Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 117, 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 132, 134, 136, 192, 198, 199, 246, 247, 248, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K, 11-K, 12-K, 13-KA, 14-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K, 29-K, 34-K, 35-K and 1-L of Jefferson Parish; Precincts 3-3, 3-6, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 7-4, 8-1, 9-1, 9-2, 10-1, 10-2, 10-3, 10-4, 10-6, 10-8, 10-9, 10-10, 10-11, 10-12, 10-13, 10-14, 10-15, 10-16, 11-1, 11-2, 11-3 and 11-5 of Lafourche Parish; Precincts 13A, 13B, 14, 15, 16, 17, 22, 31, 32 and 38 of Livingston Parish; Precincts 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21, 4-22, 4-23, 5-12, 5-13, 5-15, 5-16, 5-17, 5-18, 6-9, 7-41, 7-42, 9-45, 9-45A, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 12-5, 12-6, 12-7, 12-9, 12-10, 13-5, 13-7, 13-8, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8, 14-9, 14-10, 14-11, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-20, 14-21, 16-1, 16-1A, 17-1, 17-17, 17-18, 17-18A, 17-19 and 17-20 of Orleans Parish; Plaquemines Parish; Precincts 32, 33, 34, 41, 42A, 43, 44, 45, 46, 50, 51, 52, 53, 54 and 55 of St. Bernard Parish; Precincts 1-6, 2-6, 3-1, 3-2, 3-3, 5-5, 6-1, 6-2, 6-3, 6-4, 6-6 and 6-8 of St. Charles Parish; St. Tammany Parish and Precincts 44, 49, 70, 70A, 71, 72, 72A, 73, 74, 120B, 122A, 122B, 122C, 124, 137, 137A, 137B, 137C, 137D, 139, 141, 141A, 143, 143A, 145, 147, 149, 149A and 151 of Tangipahoa Parish.**

**(2) District 2 is composed of Precincts 6, 7, 9, 11, 17, 20, 23, 24, 28, 30, 31, 32, 36, 37, 38, 39, 40, 42, 44, 45, 47, 48, 50, 51, 52, 53, 54, 55, 57, 58, 62, 63, 65, 66, 68, 71, 72, 73, 77 and 78 of Ascension Parish; Assumption Parish; Iberville Parish; Precincts 57, 104, 108, 115, 116, 131, 133, 138, 150, 151, 152, 153, 154, 155, 156, 157A, 157B, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179A, 179B, 180, 181, 182, 183, 184, 185A, 185B, 187, 188, 189, 190, 191, 193A, 193B, 194A, 194B, 195, 196, 197A, 197B, 200, 201, 202, 203, 204, 205, 210, 211, 212, 213A, 213B, 213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229, 230, 231, 232A, 232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G, 8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 15-K, 21-K, 22-K, 23-K, 24-K, 26-K, 30-K, 31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W and 7-W of Jefferson Parish; Precincts 1-2, 1-3, 1-4, 1-5, 1-6, 2-1, 2-1A, 2-3, 2-5, 2-7, 2-9, 2-10, 2-11, 2-16, 5-1, 5-1A and 5-3 of Lafourche Parish; Precincts 1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 3-9, 3-12, 3-14, 3-15, 3-18, 3-19, 3-20, 4-2, 4-3, 4-6, 5-1, 5-2, 5-3, 5-5, 5-7, 5-8, 5-9, 5-10, 5-11, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 7-1, 7-2, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18, 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29,**



7-30, 7-32, 7-33, 7-35, 7-37, 7-37A, 7-40, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12, 8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-19, 9-21, 9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D, 9-32, 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40, 9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B, 9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N, 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M, 9-44N, 9-44O, 9-44P, 9-44Q, 10-3, 10-6, 10-7, 10-8, 10-9, 10-11, 10-12, 10-13, 10-14, 11-2, 11-3, 11-12, 11-13, 11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-11, 12-12, 12-13, 12-14, 12-16, 12-17, 12-19, 13-1, 13-2, 13-3, 13-4, 13-6, 13-9, 13-10, 13-11, 13-12, 13-13, 13-14, 13-15, 13-16, 14-12, 14-19, 14-23, 14-24A, 14-25, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A, 15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15, 15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C, 15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B, 15-19C, 16-2, 16-3, 16-4, 16-5, 16-6, 16-7, 16-8, 16-9, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12, 17-13, 17-13A, 17-14, 17-15 and 17-16 of Orleans Parish; Precincts 10, 11, 12, 13, 14, 15, 20, 21, 22, 23, 24, 25, 30, 31, 40 and 42 of St. Bernard Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 2-1, 2-3, 2-4, 2-5, 4-1, 4-2, 4-3, 4-4, 4-5, 5-1, 5-3, 5-4, 7-1, 7-2, 7-3, 7-4, 7-5 and 7-6 of St. Charles Parish; St. James Parish and St. John the Baptist Parish.

(3) District 3 is composed of Acadia Parish; Precincts 167, 260, 261, 262, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309E, 309W, 310, 311, 312, 313E, 313W, 314, 315E, 315W, 316E, 316W, 317, 318, 319N, 319S, 320E, 320W, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332N, 332S, 333, 334, 335, 336, 337, 338, 339, 340, 360, 361, 362, 363, 364, 368, 369, 370, 372, 405, 440, 441, 463, 464, 467, 800, 801, 860S, 861E and 861W of Calcasieu Parish; Cameron Parish; Iberia Parish; Jefferson Davis Parish; Precincts 1, 3, 8, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 114, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127, 128, 130, 131, 133, 134, 135 and 136 of Lafayette Parish; Precincts 1-1, 2-2, 2-6, 2-8, 2-12, 2-13, 2-14, 2-15, 3-1, 3-2, 3-4, 3-5, 3-7, 5-2, 6-1, 6-2, 6-3, 6-4, 6-5, 7-1, 7-2, 7-3 and 11-4 of Lafourche Parish; St. Martin Parish; St. Mary Parish; Terrebonne Parish and Vermilion Parish.

(4) District 4 is composed of Allen Parish; Beauregard Parish; Bienville Parish; Bossier Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 2-1, 2-2, 2-4, 2-7, 3-1, 3-8, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-9, 4-10, 5-10, 6-1, 7-1, 8-1, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 9-1, 9-2, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 10-2, 11-1, 11-2, 11-3, 11-6, 11-7, 11-9, 11-10, 12-1, 12-3, 12-7, 12-8 and 12-9 of Caddo Parish; Precincts 160E, 160W, 161, 162E, 162W, 163, 164, 165, 166E, 166W, 365, 366, 367, 371N, 371S, 400, 401, 402, 403, 404, 406, 407, 408, 460E, 460W, 461, 465, 466E, 466W, 468, 469, 560, 561, 562, 600, 601, 602, 603, 660, 661, 662, 663, 664, 700, 701, 702, 703, 760, 761, 762 and 860N of Calcasieu Parish; Claiborne Parish; Precincts 10, 11, 11B, 11C, 16, 16A, 16B, 16C, 23, 28, 30A, 31A, 34, 34A, 34B, 35, 35A, 35B, 37, 37C, 46, 46A, 48, 49, 49A and 51 of De Soto Parish; Evangeline Parish; Grant Parish; Jackson Parish; Lincoln Parish; Precincts 1, 1A, 2, 4, 25, 32, 33, 38, 41, 43, 44, 44A, 45, 49, 50, 51, 51A, 53, 55, 57, 58, 61, 64, 71, 75, 76 and 77 of Ouachita Parish; Precincts C22, C23, C35, C37-A, C37-B, C41, S7, S8, S9, S10, S11, S13, S14, S21, S22, S23, S24, S25, S26, S27, S28 and S29 of Rapides Parish; Red River Parish; Sabine Parish; Union Parish; Vernon Parish; Webster Parish and Winn Parish.

(5) District 5 is composed of Precincts 1, 2, 3, 4, 5, 8, 10, 12, 16, 19, 61, 64 and 76 of Ascension Parish; Precincts 1-1, 1-2, 1-3, 1-3A, 2-1, 2-1A, 2-2, 2-2A, 2-2B, 2-2C, 2-2D, 2-2F, 2-3A, 2-4, 2-4A, 2-5, 2-5E, 2-7, 2-8, 3-1B, 4-1, 4-2, 5-1, 5-1A, 5-1B, 6-1A, 6-2, 6-2A, 7-3B and 9-4B of Avoyelles Parish; Caldwell Parish; Catahoula Parish; Concordia Parish; Precincts 1-12, 1-34, 1-41, 1-42, 1-43, 1-44, 1-46, 1-47, 1-49, 1-56, 1-69, 1-74, 1-75, 1-76, 1-79, 1-80, 1-99, 1-105, 1-107, 2-6,

SCASB8 WILEYJW 48

2-7, 2-8, 2-33, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-21, 3-22, 3-23, 3-25, 3-26, 3-29, 3-30, 3-31, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-43, 3-45, 3-46, 3-47, 3-48, 3-49, 3-51, 3-53, 3-58, 3-60, 3-61, 3-62, 3-64, 3-65, 3-66, 3-67, 3-68, 3-71, 3-73 and 3-74 of East Baton Rouge Parish; East Carroll Parish; East Feliciana Parish; Franklin Parish; La Salle Parish; Precincts 1, 1A, 1B, 1C, 1D, 2, 2A, 3, 3A, 3B, 4, 4A, 4B, 5, 5A, 5B, 5D, 6, 6A, 6B, 7, 7A, 7B, 7C, 7D, 8A, 8B, 9, 10, 11, 11A, 12, 18, 18A, 19, 19A, 20, 21, 21A, 21B, 23, 23A, 23B, 23C, 24, 24B, 24C, 24D, 25, 26, 26A, 26B, 26C, 27, 28, 29, 30, 33, 34, 35, 35A, 36, 36A, 39, 39A, 39B, 40, 40A, 41 and 43 of Livingston Parish; Madison Parish; Morehouse Parish; Precincts 3, 5, 6, 7, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 30, 31, 34, 35, 36, 37, 39, 40, 42, 46, 47, 48, 52, 52A, 54, 56, 56A, 59, 60, 62, 63, 65, 65A, 66, 67, 68, 69, 70, 72, 73, 74, 78 and 79 of Ouachita Parish; Richland Parish; St. Helena Parish; Precincts 2, 6, 11, 15, 16, 17, 28, 33, 40A, 41, 42, 43, 45A, 45B, 46, 47, 101, 102, 104, 105, 106, 106A, 107, 108, 109, 110, 111A, 112, 114, 115B, 116, 117, 118, 118A, 119, 120, 120A, 121, 121A, 123, 125, 127, 129A, 133 and 133A of Tangipahoa Parish; Tensas Parish; Washington Parish; West Carroll Parish and West Feliciana Parish.

(6) District 6 is composed of Precincts 3-1, 3-3, 4-2A, 4-2B, 6-1B, 7-1, 7-3, 8-1, 8-2A, 8-2B, 8-3, 8-3A, 9-1A, 9-2, 9-2A, 9-3, 9-4, 9-5B, 10-2, 10-2A, 10-2B, 10-3A, 10-3B, 10-4, 11-1 and 11-2A of Avoyelles Parish; Precincts 2-3, 2-5, 2-6, 2-8, 2-9, 2-10, 2-11, 2-12, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-11, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 10-1, 10-3, 10-4, 10-5, 10-6, 10-7, 10-8, 10-9, 11-4, 11-5, 11-8, 12-2, 12-4, 12-5, 12-6, 12-10 and 12-11 of Caddo Parish; Precincts 1, 4, 5, 5A, 6, 6A, 6B, 9, 21, 22, 22A, 26, 26A, 30, 31, 32, 33, 33A, 38, 38A, 42, 44, 46B, 53, 55, 56, 59, 60, 60A, 63 and 63A of De Soto Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-35, 1-36, 1-37, 1-38, 1-39, 1-40, 1-45, 1-48, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55, 1-57, 1-58, 1-59, 1-60, 1-61, 1-62, 1-63, 1-64, 1-65, 1-66, 1-67, 1-68, 1-70, 1-71, 1-72, 1-73, 1-77, 1-78, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-89, 1-90, 1-91, 1-92, 1-93, 1-94, 1-95, 1-96, 1-97, 1-98, 1-100, 1-101, 1-102, 1-103, 1-104, 2-1, 2-2, 2-3, 2-4, 2-5, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23, 2-24, 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-34, 2-35, 2-36, 2-37, 2-38, 3-8, 3-10, 3-11, 3-12, 3-19, 3-20, 3-24, 3-27, 3-28, 3-32, 3-42, 3-44, 3-50, 3-52, 3-54, 3-55, 3-56, 3-57, 3-59, 3-63, 3-69, 3-70, 3-72, 3-75 and 3-76 of East Baton Rouge Parish; Precincts 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 68, 112, 113, 122 and 129 of Lafayette Parish; Natchitoches Parish; Pointe Coupee Parish; Precincts C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11-A, C11-B, C13, C14, C15, C17, C18, C19, C20, C21, C24, C25, C26, C27, C28, C30, C31, C32, C33, C34, C36, C38-A, C38-B, C39, C40, C42, N1, N2, N3, N4, N5, N6, N7, N8, N9, N10, N11, N12, N13-A, N13-B, N14-A, N14-B, N15, N16, N17, N18-A, N18-B, N19, N20, N21, N22, N23, N24, N25, N26, N27, N28, N29, S1, S2, S4, S5, S6A, S6B, S15, S16, S17, S18, S19 and S20 of Rapides Parish; St. Landry Parish and West Baton Rouge Parish."

HOUSE COMMITTEE AMENDMENTS

2024 First Extraordinary Session

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 8 by Senator Womack

AMENDMENT NO. 1

On page 1, delete lines 13 through 17 and delete pages 2 through 6 and insert the following:

"(1) District 1 is composed of Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 117, 118, 119, 120, 121, 122, 123, 124, 125A, 125B, 126, 127, 128, 129, 130, 132, 134, 136, 192, 198, 199, 246, 247, 248, 1-GI, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-KA, 6-KB, 7-KA, 7-KB, 8-K, 9-K, 10-K, 11-K, 12-K, 13-KA, 14-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K, 29-K, 34-K, 35-K, and 1-L of Jefferson Parish; Precincts 3-3, 3-6, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 7-4, 8-1, 9-1, 9-2, 10-1, 10-2, 10-3, 10-4, 10-6, 10-8, 10-9, 10-10, 10-11, 10-12, 10-13, 10-14, 10-15, 10-16, 11-1, 11-2, 11-3, and 11-5 of Lafourche Parish; Precincts 7, 7C, 13A, 13B, 14, 15, 16, 17, 18, 18A, 19, 19A, 20, 21, 21A, 21B, 22, 23, 23A, 23B, 23C, 31, 32, 33, 34, 38, and 43 of Livingston Parish; Precincts 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21, 4-22, 4-23, 5-12, 5-13, 5-15, 5-16, 5-17, 5-18, 6-9, 7-41, 7-42, 9-45, 9-45A, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 12-5, 12-6, 12-7, 12-9, 12-10, 13-5, 13-7, 13-8, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8, 14-9, 14-10, 14-11, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-20, 14-21, 16-1, 16-1A, 17-1, 17-17, 17-18, 17-18A, 17-19, and 17-20 of Orleans Parish; Plaquemines Parish; Precincts 32, 33, 34, 41, 42A, 43, 44, 45, 46, 50, 51, 52, 53, 54, and 55 of St. Bernard Parish; Precincts 1-6, 2-6, 3-1, 3-2, 3-3, 5-5, 6-1, 6-2, 6-3, 6-4, 6-6, and 6-8 of St. Charles Parish; St. Tammany Parish and Precincts 44, 49, 70, 70A, 71, 72, 72A, 73, 74, 120, 120B, 122A, 122B, 122C, 124, 137, 137A, 137B, 137C, 137D, 139, 141, 141A, 143, 143A, 145, 147, 149, 149A, and 151 of Tangipahoa Parish.

(2) District 2 is composed of Precincts 28, 30, 31, 32, 36, 37, 38, 39, 40, 42, 44, 45, 47, 48, 50, 51, 52, 53, 54, 55, 57, 58, 65, 66, and 71 of Ascension Parish; Assumption Parish; Precincts 1, 3, 6, 7, 10B, 11, 12, 13, 14, 14A, 15, 15A, 15B, 16, 17, 18, 19, 20, and 24 of Iberville Parish; Precincts 57, 104, 108, 115, 116, 131, 133, 138, 150, 151, 152, 153, 154, 155, 156, 157A, 157B, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179A, 179B, 180, 181, 182, 183, 184, 185A, 185B, 187, 188, 189, 190, 191, 193A, 193B, 194A, 194B, 195, 196, 197A, 197B, 200, 201, 202, 203, 204, 205, 210, 211, 212, 213A, 213B, 213C, 214A, 214B, 215, 216A, 216B, 216C, 217, 225, 226, 227, 228, 229, 230, 231, 232A, 232B, 234, 235, 236, 237, 238A, 238B, 1-G, 2-G, 3-G, 4-G, 5-G, 6-G, 7-G, 8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 13-KB, 15-K, 21-K, 22-K, 23-K, 24-K, 26-K, 30-K, 31-K, 33-K, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W, and 7-W of Jefferson Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 2-1, 2-1A, 2-3, 2-5, 2-7, 2-9, 2-10, 2-11, 2-14, 2-16, 5-1, 5-1A, and 5-3 of Lafourche Parish; Precincts 1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-4, 2-6, 2-7, 3-1, 3-8, 3-9, 3-12, 3-14, 3-15, 3-18, 3-19, 3-20, 4-2, 4-3, 4-6, 5-1, 5-2, 5-3, 5-5, 5-7, 5-8, 5-9, 5-10, 5-11, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 7-1, 7-2, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18, 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29, 7-30, 7-32, 7-33, 7-35, 7-37, 7-37A, 7-40, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12, 8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-19, 9-21, 9-23, 9-25, 9-26, 9-28, 9-28C, 9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D, 9-32, 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40, 9-40A, 9-40C, 9-41, 9-41A,

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.





9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B, 9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N, 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M, 9-44N, 9-44O, 9-44P, 9-44Q, 10-3, 10-6, 10-7, 10-8, 10-9, 10-11, 10-12, 10-13, 10-14, 11-2, 11-3, 11-12, 11-13, 11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-11, 12-12, 12-13, 12-14, 12-16, 12-17, 12-19, 13-1, 13-2, 13-3, 13-4, 13-6, 13-9, 13-10, 13-11, 13-12, 13-13, 13-14, 13-15, 13-16, 14-12, 14-19, 14-23, 14-24A, 14-25, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A, 15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15, 15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C, 15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B, 15-19C, 16-2, 16-3, 16-4, 16-5, 16-6, 16-7, 16-8, 16-9, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12, 17-13, 17-13A, 17-14, 17-15, and 17-16 of Orleans Parish; Precincts 10, 11, 12, 13, 14, 15, 20, 21, 22, 23, 24, 25, 30, 31, 40, and 42 of St. Bernard Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 2-1, 2-3, 2-4, 2-5, 4-1, 4-2, 4-3, 4-4, 4-5, 5-1, 5-3, 5-4, 7-1, 7-2, 7-3, 7-4, 7-5, and 7-6 of St. Charles Parish; St. James Parish; St. John the Baptist Parish; and Precincts 1, 2, 5, 7, 20, 23, 29, 31, 34, 41, 48, 49, 52, 64, 67, 68, 71, 72, 76, 81, 83, 90, 95, and 115 of Terrebonne Parish.

(3) District 3 is composed of Acadia Parish; Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 33, 34, 35, 41, 43, 61, 62, 63, 64, 68, 69, 72, 73, 76, 77, and 78 of Ascension Parish; Cameron Parish; Precincts 1-8, 1-12, 1-41, 1-42, 1-43, 1-44, 1-46, 1-47, 1-48, 1-56, 1-69, 1-75, 3-4, 3-5, 3-23, 3-33, 3-35, 3-36, 3-40, 3-45, 3-48, 3-49, 3-62, 3-64, 3-65, 3-67, and 3-68 of East Baton Rouge Parish; Iberia Parish; Precincts 4, 5, 9, 10, 21, 22, 22B, 25, 26, 27, 28, 29, 31, and 32 of Iberville Parish; Jefferson Davis Parish; Precincts 1, 3, 4, 8, 9, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 114, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127, 128, 130, 131, 133, 134, 135, and 136 of Lafayette Parish; Precincts 2-2, 2-6, 2-8, 2-12, 2-13, 2-15, 3-1, 3-2, 3-4, 3-5, 3-7, 5-2, 6-1, 6-2, 6-3, 6-4, 6-5, 7-1, 7-2, 7-3, and 11-4 of Lafourche Parish; St. Martin Parish; St. Mary Parish; Precincts 8, 10, 11, 12, 14, 15, 16, 17, 18, 19, 21, 25, 27, 28, 30, 33, 35, 37, 38, 39, 40, 42, 43, 45, 51, 53, 55, 56, 57, 58, 59, 60, 62, 63, 65, 69, 73, 74, 84, 85, 87, 88, 94, 100, and 110 of Terrebonne Parish; and Vermilion Parish.

(4) District 4 is composed of Allen Parish; Beauregard Parish; Bienville Parish; Bossier Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 2-1, 2-2, 2-4, 2-7, 3-1, 3-8, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-9, 4-10, 5-10, 6-1, 7-1, 8-1, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 9-1, 9-2, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, 9-12, 9-13, 10-2, 11-1, 11-2, 11-3, 11-6, 11-7, 11-9, 11-10, 12-1, 12-3, 12-7, 12-8, and 12-9 of Caddo Parish; Calcasieu Parish; Claiborne Parish; Precincts 10, 11, 11B, 11C, 16, 16A, 16B, 16C, 23, 28, 30A, 31A, 34, 34A, 34B, 35, 35A, 35B, 37, 37C, 46, 46A, 48, 49, 49A, and 51 of De Soto Parish; Evangeline Parish; Grant Parish; Precincts C22, C23, C37-A, C37-B, S7, S9, S10, S11, S13, S14, S21, S22, S23, S24, S25, S26, S27, S28, and S29 of Rapides Parish; Sabine Parish; Union Parish; Vernon Parish; Webster Parish; and Winn Parish.

(5) District 5 is composed of Precincts 1-1, 1-2, 1-3, 1-3A, 2-1, 2-1A, 2-2, 2-2A, 2-2B, 2-2C, 2-2D, 2-2F, 2-3A, 2-4, 2-4A, 2-5, 2-5E, 2-7, 2-8, 3-1B, 4-1, 4-2, 4-2A, 4-2B, 5-1, 5-1A, 5-1B, 6-1A, 6-1B, 6-2, 6-2A, 7-3, 7-3B, 8-1, 8-2A, 8-2B, 8-3, 8-3A, 9-4B, and 11-2A of Avoyelles Parish; Caldwell Parish; Catahoula Parish; Concordia Parish; Precincts 1-34, 1-79, 1-80, 1-99, 1-105, 2-6, 2-7, 2-8, 2-33, 3-1, 3-2, 3-3, 3-6, 3-7, 3-9, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-22, 3-25, 3-26, 3-29, 3-30, 3-31, 3-34, 3-37, 3-38, 3-39, 3-41, 3-43, 3-46, 3-47, 3-51, 3-53, 3-58, 3-60, 3-61, 3-66, 3-71, and 3-73 of East Baton Rouge Parish; East Carroll Parish; East Feliciana Parish; Franklin Parish; Jackson Parish; La Salle Parish; Lincoln Parish; Precincts 1, 1A, 1B, 1C, 1D, 2, 2A, 3, 3A, 3B, 4, 4A, 4B, 5, 5A, 5B, 5D, 6, 6A, 6B, 7A, 7B, 7D, 8A, 8B, 9, 10, 11, 11A, 12, 24, 24B, 24C, 24D, 25, 26, 26A, 26B, 26C, 27, 28, 29, 30, 35, 35A, 36, 36A, 39, 39A, 39B, 40, 40A, and 41 of

Livingston Parish; Madison Parish; Morehouse Parish; Ouachita Parish; Precincts N10, N22, N24, N25, N26, and N27 of Rapides Parish; Richland Parish; St. Helena Parish; Precincts 2, 6, 11, 15, 16, 17, 28, 33, 40A, 41, 42, 43, 45A, 45B, 46, 47, 101, 102, 104, 105, 106, 106A, 107, 108, 109, 110, 111A, 112, 114, 115B, 116, 117, 118, 118A, 119, 120A, 121, 121A, 123, 125, 127, 129A, 133, and 133A of Tangipahoa Parish; Tensas Parish; Washington Parish; West Carroll Parish; and West Feliciana Parish.

(6) District 6 is composed of Precincts 3-1, 3-3, 7-1, 9-1A, 9-2, 9-2A, 9-3, 9-4, 9-5B, 10-2, 10-2A, 10-2B, 10-3A, 10-3B, 10-4 and 11-1 of Avoyelles Parish; Precincts 2-3, 2-5, 2-6, 2-8, 2-9, 2-10, 2-11, 2-12, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-9, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-11, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 10-1, 10-3, 10-4, 10-5, 10-6, 10-7, 10-8, 10-9, 11-4, 11-5, 11-8, 12-2, 12-4, 12-5, 12-6, 12-10, and 12-11 of Caddo Parish; Precincts 1, 4, 5, 5A, 6, 6A, 6B, 9, 21, 22, 22A, 26, 26A, 30, 31, 32, 33, 33A, 38, 38A, 42, 44, 46B, 53, 55, 56, 59, 60, 60A, 63, and 63A of De Soto Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-9, 1-10, 1-11, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-33, 1-35, 1-36, 1-37, 1-38, 1-39, 1-40, 1-45, 1-49, 1-50, 1-51, 1-52, 1-53, 1-54, 1-55, 1-57, 1-58, 1-59, 1-60, 1-61, 1-62, 1-63, 1-64, 1-65, 1-66, 1-67, 1-68, 1-70, 1-71, 1-72, 1-73, 1-74, 1-76, 1-77, 1-78, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-89, 1-90, 1-91, 1-92, 1-93, 1-94, 1-95, 1-96, 1-97, 1-98, 1-100, 1-101, 1-102, 1-103, 1-104, 1-107, 2-1, 2-2, 2-3, 2-4, 2-5, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-18, 2-19, 2-20, 2-21, 2-22, 2-23, 2-24, 2-25, 2-26, 2-27, 2-28, 2-29, 2-30, 2-31, 2-32, 2-34, 2-35, 2-36, 2-37, 2-38, 3-8, 3-10, 3-11, 3-12, 3-19, 3-20, 3-21, 3-24, 3-27, 3-28, 3-32, 3-42, 3-44, 3-50, 3-52, 3-54, 3-55, 3-56, 3-57, 3-59, 3-63, 3-69, 3-70, 3-72, 3-74, 3-75, and 3-76 of East Baton Rouge Parish; Precincts 2, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 68, 112, 113, 122, and 129 of Lafayette Parish; Natchitoches Parish; Pointe Coupee Parish; Precincts C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11-A, C11-B, C13, C14, C15, C17, C18, C19, C20, C21, C24, C25, C26, C27, C28, C30, C31, C32, C33, C34, C35, C36, C38-A, C38-B, C39, C40, C41, C42, N1, N2, N3, N4, N5, N6, N7, N8, N9, N11, N12, N13-A, N13-B, N14-A, N14-B, N15, N16, N17, N18-A, N18-B, N19, N20, N21, N23, N28, N29, S1, S2, S4, S5, S6A, S6B, S8, S15, S16, S17, S18, S19, and S20 of Rapides Parish; Red River Parish; St. Landry Parish; and West Baton Rouge Parish."

Plan Statistics

Plan: HCASB8 3645 74

<u>Districts:</u>	<u># of Members</u>	<u>Actual Population</u>	<u>Ideal Population</u>	<u>Absolute Deviation</u>	<u>Relative Deviation</u>
District 1	1	776,381	776,292	89	0.011%
District 2	1	776,280	776,292	-12	-0.002%
District 3	1	776,270	776,292	-22	-0.003%
District 4	1	776,296	776,292	4	0.001%
District 5	1	776,252	776,292	-40	-0.005%
District 6	1	776,278	776,292	-14	-0.002%
Grand Total:	6	4,657,757	4,657,752		
Ideal Population Per Member:		776292			
Number of Districts for Plan Type:		6			
Range of District Populations:		776,252	to 776,381		
Absolute Mean Deviation:		22			
Absolute Range:		-40	to 89		
Absolute Overall Range:		129			
Relative Mean Deviation:		0.00%			
Relative Range:		-0.01%	to 0.01%		
Relative Overall Range:		0.02%			

<b><i>Ideal - Actual:</i></b>	<b>-5</b>
<b><i>Remainder:</i></b>	<b>5</b>
<b><i>Unassigned Population:</i></b>	<b>0</b>

Total Population

Plan: HCASB8 3645 74

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	Total Hispanic	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	VAP Hispanic Total
District 1	776,381	553,430	108,540	24,179	17,554	72,678	90,546	603,522	444,115	76,761	17,751	12,790	52,105	64,058
	100.000%	71.283%	13.980%	3.114%	2.261%	9.361%	11.663%	100.000%	73.587%	12.719%	2.941%	2.119%	8.633%	10.614%
District 2	776,280	264,181	418,661	24,614	11,415	57,409	73,886	598,919	220,674	309,711	19,580	8,552	40,402	51,019
	100.000%	34.032%	53.932%	3.171%	1.470%	7.395%	9.518%	100.000%	36.845%	51.712%	3.269%	1.428%	6.746%	8.519%
District 3	776,270	548,487	153,456	18,279	16,940	39,108	45,887	591,560	432,325	107,053	13,253	11,933	26,996	31,168
	100.000%	70.657%	19.768%	2.355%	2.182%	5.038%	5.911%	100.000%	73.082%	18.097%	2.240%	2.017%	4.564%	5.269%
District 4	776,296	521,664	186,559	14,930	19,486	33,657	42,723	591,965	409,614	133,437	10,719	14,517	23,678	29,422
	100.000%	67.199%	24.032%	1.923%	2.510%	4.336%	5.503%	100.000%	69.196%	22.541%	1.811%	2.452%	4.000%	4.970%
District 5	776,252	490,388	234,234	11,186	12,834	27,610	31,991	594,283	388,481	168,025	8,264	9,732	19,781	22,116
	100.000%	63.174%	30.175%	1.441%	1.653%	3.557%	4.121%	100.000%	65.370%	28.274%	1.391%	1.638%	3.329%	3.721%
District 6	776,278	279,502	441,669	14,100	8,831	32,176	37,516	590,299	229,302	320,782	10,849	6,716	22,650	25,879
	100.000%	36.005%	56.896%	1.816%	1.138%	4.145%	4.833%	100.000%	38.845%	54.342%	1.838%	1.138%	3.837%	4.384%
Grand Total	4,657,757	2,657,652	1,543,119	107,288	87,060	262,638	322,549	3,570,548	2,124,511	1,115,769	80,416	64,240	185,612	223,662
	100.000%	57.059%	33.130%	2.303%	1.869%	5.639%	6.925%	100.000%	59.501%	31.249%	2.252%	1.799%	5.198%	6.264%



Voter Registration

Plan: HCASB8 3645 74

	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023	Reg Dem Total Dec 2023	Reg Rep Total Dec 2023	Reg Other Total Dec 2023
District 1	477,280	383,200	51,982	42,098	126,097	205,002	146,181
	79.082%	80.288%	10.891%	8.820%	26.420%	42.952%	30.628%
District 2	459,259	173,592	246,160	39,507	265,425	72,437	121,397
	76.681%	37.798%	53.599%	8.602%	57.794%	15.773%	26.433%
District 3	471,948	367,750	80,513	23,685	138,323	202,531	131,094
	79.780%	77.922%	17.060%	5.019%	29.309%	42.914%	27.777%
District 4	430,285	319,557	90,464	20,264	129,560	185,668	115,057
	72.688%	74.266%	21.024%	4.709%	30.110%	43.150%	26.740%
District 5	458,014	317,500	125,665	14,849	155,125	188,744	114,145
	77.070%	69.321%	27.437%	3.242%	33.869%	41.209%	24.922%
District 6	445,501	178,847	247,045	19,609	237,976	97,244	110,281
	75.470%	40.145%	55.453%	4.402%	53.418%	21.828%	24.754%
Grand Total	2,742,287	1,740,446	841,829	160,012	1,052,506	951,626	738,155

Splits

Plan: HCASB8 3645 74

	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 1																
*Jefferson	240,081	155,518	30,822	11,880	4,356	37,505	192,148	129,999	22,555	8,951	3,295	27,348	144,399	112,491	12,528	19,380
*Lafourche	47,193	37,212	3,189	577	3,242	2,973	35,543	29,123	1,939	413	2,140	1,928	25,117	22,442	1,115	1,560
*Livingston	38,424	31,997	3,335	464	764	1,864	28,563	24,368	2,098	289	562	1,246	22,459	20,136	1,557	766
*Orleans	64,493	50,312	6,498	2,503	749	4,431	53,843	42,329	5,556	1,950	609	3,399	41,535	34,071	3,239	4,225
Plaquemines	23,515	14,287	5,428	1,317	697	1,786	17,334	10,856	3,857	925	500	1,196	13,143	8,996	2,934	1,213
*St. Bernard	20,543	11,907	5,780	617	436	1,803	14,871	8,992	3,854	424	327	1,274	12,975	8,866	3,231	878
*St. Charles	19,887	13,870	3,607	347	356	1,707	14,990	10,865	2,485	229	241	1,170	12,791	9,837	2,063	891
St. Tammany	264,570	196,641	38,643	5,774	5,660	17,852	202,228	154,621	26,761	4,075	4,161	12,610	174,307	141,262	21,129	11,916
*Tangipahoa	57,675	41,686	11,238	700	1,294	2,757	44,002	32,962	7,656	495	955	1,934	30,554	25,099	4,186	1,269
District 1	776,381	553,430	108,540	24,179	17,554	72,678	603,522	444,115	76,761	17,751	12,790	52,105	477,280	383,200	51,982	42,098
	100.000%	71.283%	13.980%	3.114%	2.261%	9.361%	100.000%	73.587%	12.719%	2.941%	2.119%	8.633%	79.082%	80.288%	10.891%	8.820%
District 2																
*Ascension	37,064	14,446	19,184	394	468	2,572	27,360	11,540	13,458	304	329	1,729	23,078	10,352	11,573	1,153
Assumption	21,039	13,722	6,220	96	258	743	16,616	11,145	4,707	57	197	510	13,323	8,977	4,131	215
*Iberville	15,292	5,133	9,470	107	117	465	11,796	4,369	6,866	85	99	377	9,968	3,219	6,572	177
*Jefferson	200,700	65,417	95,395	11,144	3,330	25,414	152,506	54,136	69,620	8,741	2,540	17,469	109,034	40,445	53,674	14,915
*Lafourche	24,338	13,417	9,362	259	424	876	18,869	10,865	6,895	194	284	631	12,620	8,573	3,620	427
*Orleans	319,504	76,150	212,471	10,353	2,917	17,613	252,353	67,923	160,512	8,570	2,339	13,009	196,855	52,054	127,351	17,450
*St. Bernard	23,221	12,590	6,529	764	511	2,827	16,904	10,000	4,090	558	361	1,895	12,710	9,178	2,362	1,170
*St. Charles	32,662	19,680	10,321	490	569	1,602	24,551	15,289	7,405	300	426	1,131	20,791	13,574	6,207	1,010
St. James	20,192	9,973	9,762	60	82	315	15,505	7,883	7,297	31	64	230	14,531	7,116	7,196	219
St. John the Baptist	42,477	13,877	25,196	403	465	2,536	32,503	11,622	18,437	323	350	1,771	27,484	9,338	16,653	1,493
*Terrebonne	39,791	19,776	14,751	544	2,274	2,446	29,956	15,902	10,424	417	1,563	1,650	18,865	10,766	6,821	1,278
District 2	776,280	264,181	418,661	24,614	11,415	57,409	598,919	220,674	309,711	19,580	8,552	40,402	459,259	173,592	246,160	39,507
	100.000%	34.032%	53.932%	3.171%	1.470%	7.395%	100.000%	36.845%	51.712%	3.269%	1.428%	6.746%	76.681%	37.798%	53.599%	8.602%
District 3																
Acadia	57,576	44,480	10,864	238	573	1,421	42,943	34,071	7,383	173	400	916	36,151	29,438	5,995	718
*Ascension	89,436	66,695	13,032	1,906	1,536	6,267	64,597	49,596	8,681	1,210	1,061	4,049	55,568	45,190	7,255	3,123
Cameron	5,617	5,232	125	30	75	155	4,358	4,100	79	23	47	109	4,072	3,936	61	75
*East Baton Rouge	66,417	47,915	10,627	3,445	840	3,590	56,418	41,414	8,697	2,784	705	2,818	38,068	30,357	4,566	3,145
Iberia	69,929	39,206	24,556	2,123	794	3,250	52,791	31,295	17,069	1,562	581	2,284	42,188	26,848	13,441	1,899
*Iberville	14,949	9,700	4,260	95	157	737	12,290	8,093	3,366	64	122	645	9,938	6,780	2,912	246
Jefferson Davis	32,250	25,066	5,837	183	472	692	24,039	19,121	4,006	111	325	476	18,733	15,509	2,784	440
*Lafayette	185,749	134,269	31,733	5,992	2,740	11,015	141,431	105,821	21,557	4,336	2,078	7,639	115,072	93,393	14,863	6,816
*Lafourche	26,026	21,081	3,304	189	558	894	20,207	16,850	2,243	131	353	630	16,501	14,466	1,542	493

Splits

Plan: HCASB8 3645 74

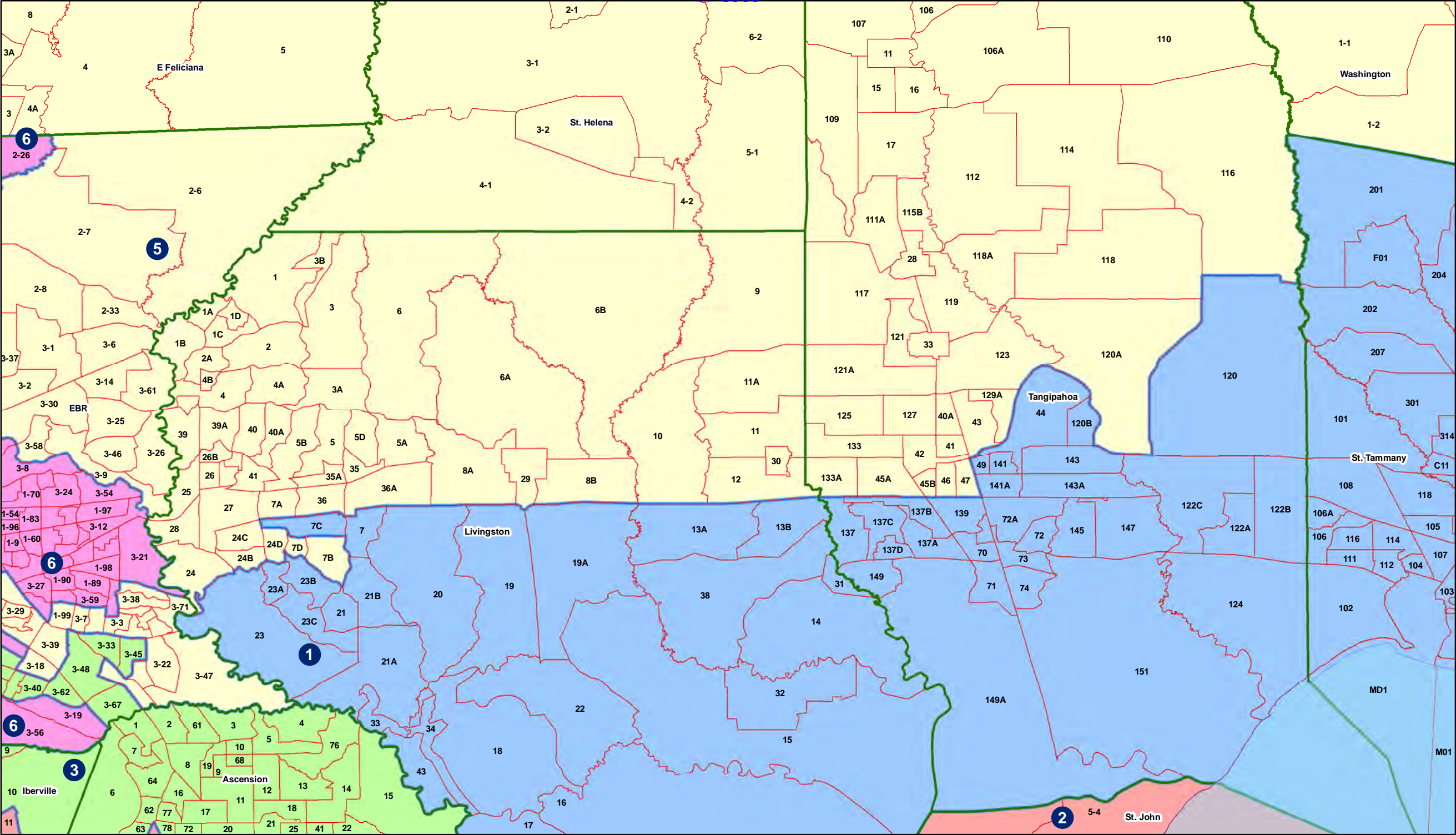
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 3																
St. Martin	51,767	33,259	15,921	597	539	1,451	39,404	26,278	11,293	407	413	1,013	33,997	23,306	9,880	811
St. Mary	49,406	26,949	15,991	835	1,670	3,961	37,521	21,594	11,520	593	1,173	2,641	29,204	17,999	9,570	1,635
*Terrebonne	69,789	50,158	8,396	1,199	6,363	3,673	52,549	39,729	5,372	822	4,187	2,439	36,945	30,835	3,089	3,021
Vermilion	57,359	44,477	8,810	1,447	623	2,002	43,012	34,363	5,787	1,037	488	1,337	35,511	29,693	4,555	1,263
District 3	776,270	548,487	153,456	18,279	16,940	39,108	591,560	432,325	107,053	13,253	11,933	26,996	471,948	367,750	80,513	23,685
	100.000%	70.657%	19.768%	2.355%	2.182%	5.038%	100.000%	73.082%	18.097%	2.240%	2.017%	4.564%	79.780%	77.922%	17.060%	5.019%
District 4																
Allen	22,750	16,327	4,490	246	947	740	17,510	12,751	3,275	182	646	656	11,079	8,704	1,920	455
Beauregard	36,549	29,529	4,649	402	1,052	917	27,489	22,304	3,495	269	773	648	22,071	18,639	2,264	1,168
Bienville	12,981	6,950	5,600	57	207	167	10,073	5,486	4,284	30	162	111	8,336	4,509	3,728	99
Bossier	128,746	81,052	32,551	3,492	3,273	8,378	95,876	62,931	22,440	2,448	2,477	5,580	65,726	48,229	13,555	3,942
*Caddo	115,441	81,078	24,210	3,063	2,680	4,410	90,776	65,789	17,575	2,243	2,062	3,107	69,121	52,696	12,684	3,741
Calcasieu	216,785	139,772	59,386	4,702	3,536	9,389	163,166	108,789	41,898	3,359	2,604	6,516	111,819	80,364	26,493	4,962
Claiborne	14,170	7,263	6,360	88	185	274	11,507	6,258	4,824	55	140	230	8,390	4,557	3,677	156
*De Soto	11,787	8,939	2,074	35	377	362	8,971	6,910	1,554	25	266	216	8,699	6,940	1,476	283
Evangeline	32,350	21,354	9,235	241	280	1,240	24,408	16,460	6,483	187	217	1,061	20,388	14,274	5,744	370
Grant	22,169	17,709	3,335	133	644	348	17,527	13,964	2,717	97	507	242	12,226	10,764	1,120	342
*Rapides	19,834	15,779	1,567	455	694	1,339	15,046	12,270	1,084	321	514	857	12,128	10,634	824	670
Sabine	22,155	15,036	3,861	94	2,723	441	17,064	12,054	2,655	66	1,970	319	13,570	10,287	1,912	1,371
Union	21,107	14,460	5,224	62	338	1,023	16,632	11,807	3,861	39	254	671	14,802	10,847	3,497	458
Vernon	48,750	35,087	7,611	1,442	1,600	3,010	36,261	26,765	5,133	1,074	1,160	2,129	22,409	18,129	2,608	1,672
Webster	36,967	22,735	12,679	208	687	658	28,753	18,144	9,464	154	558	433	21,259	14,068	6,744	447
Winn	13,755	8,594	3,727	210	263	961	10,906	6,932	2,695	170	207	902	8,262	5,916	2,218	128
District 4	776,296	521,664	186,559	14,930	19,486	33,657	591,965	409,614	133,437	10,719	14,517	23,678	430,285	319,557	90,464	20,264
	100.000%	67.199%	24.032%	1.923%	2.510%	4.336%	100.000%	69.196%	22.541%	1.811%	2.452%	4.000%	72.688%	74.266%	21.024%	4.709%
District 5																
*Avoyelles	24,985	19,169	4,768	154	489	405	19,062	14,936	3,325	119	357	325	14,217	11,550	2,270	397
Caldwell	9,645	7,646	1,632	51	150	166	7,478	5,969	1,224	46	116	123	5,813	4,959	762	92
Catahoula	8,906	5,776	2,395	46	119	570	6,951	4,557	1,736	33	87	538	6,113	4,363	1,695	55
Concordia	18,687	10,275	7,725	122	233	332	14,217	8,108	5,613	100	167	229	11,419	6,816	4,418	185
*East Baton Rouge	94,010	66,522	17,763	3,642	1,398	4,685	73,024	53,489	12,530	2,576	1,079	3,350	62,006	49,004	9,554	3,448
East Carroll	7,459	2,054	5,272	29	43	61	5,901	1,773	4,043	19	27	39	4,564	1,218	3,305	41
East Feliciana	19,539	11,516	7,341	91	262	329	16,183	9,740	5,918	61	198	266	13,327	7,805	5,075	447
Franklin	19,774	12,492	6,802	70	205	205	15,028	9,901	4,779	44	153	151	12,350	8,524	3,718	108
Jackson	15,031	9,967	4,166	175	255	468	11,783	7,967	3,125	140	174	377	9,375	6,570	2,610	195

Splits

Plan: HCASB8 3645 74

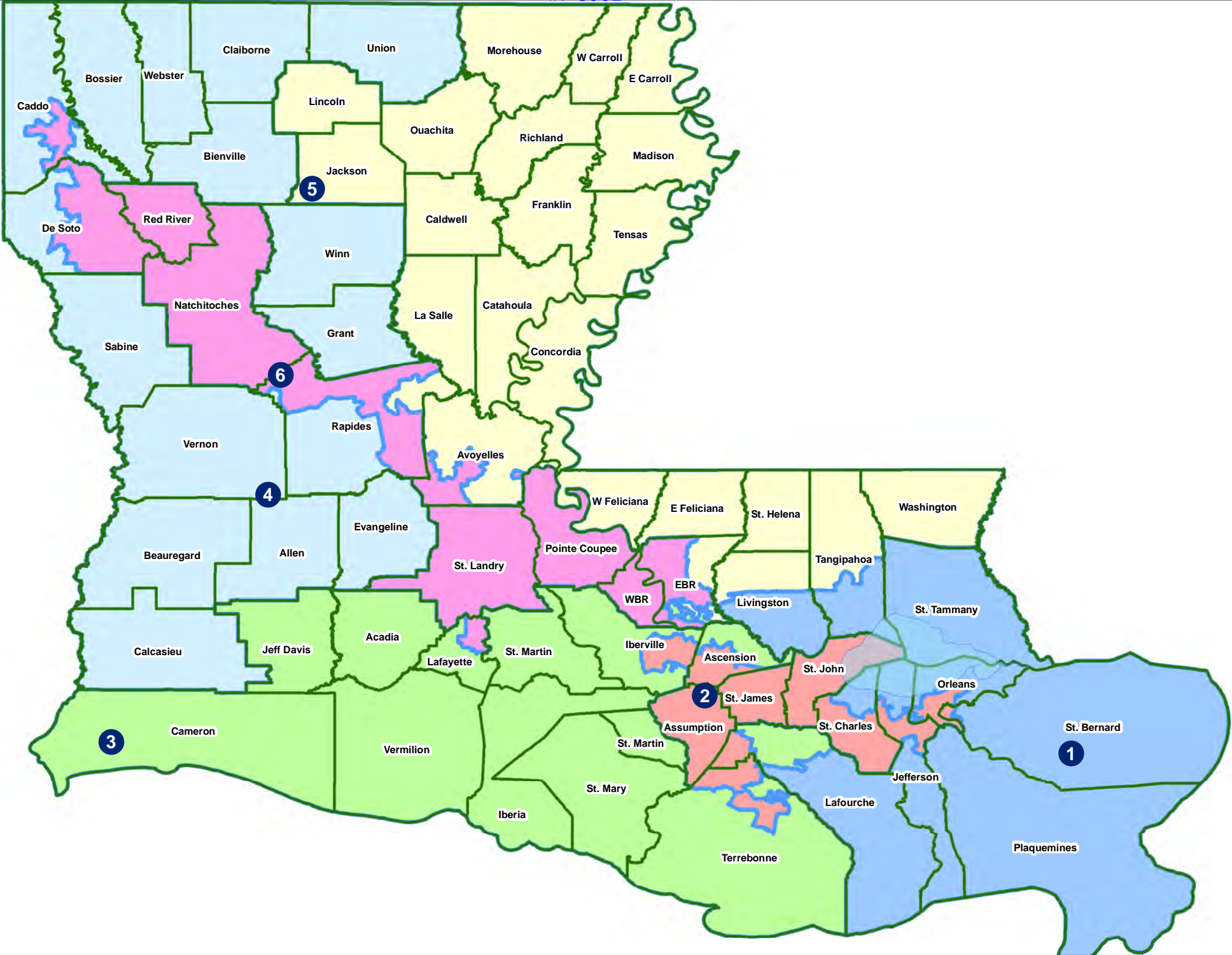
	Total Population	Total White	Total Black	Total Asian	Total American Indian	Total Other	VAP Total	VAP White	VAP Black	VAP Asian	VAP American Indian	VAP Other	Reg Total Dec 2023	Reg White Dec 2023	Reg Black Dec 2023	Reg Other Dec 2023
District 5																
La Salle	14,791	11,348	1,422	283	372	1,366	11,563	8,636	1,065	264	271	1,327	8,380	7,633	583	164
Lincoln	48,396	26,034	19,364	892	662	1,444	38,655	21,306	15,119	744	526	960	24,408	15,139	8,357	912
*Livingston	103,858	84,858	9,323	1,233	2,347	6,097	76,578	64,064	6,038	810	1,749	3,917	59,946	53,519	4,085	2,342
Madison	10,017	3,475	6,363	20	59	100	7,435	2,906	4,391	9	48	81	7,068	2,439	4,518	111
Morehouse	25,629	12,281	12,484	160	370	334	20,062	10,095	9,300	117	279	271	15,440	7,806	7,377	257
Ouachita	160,368	88,545	61,217	2,788	2,661	5,157	120,200	69,974	42,290	2,118	2,059	3,759	95,630	58,149	34,021	3,460
*Rapides	14,041	12,004	1,011	179	490	357	10,327	8,979	630	123	364	231	8,826	8,094	444	288
Richland	20,043	11,785	7,603	83	258	314	15,383	9,338	5,546	66	203	230	13,141	8,144	4,753	244
St. Helena	10,920	4,527	6,031	39	134	189	8,463	3,805	4,371	28	109	150	8,260	3,626	4,492	142
*Tangipahoa	75,482	39,650	30,641	774	1,160	3,257	57,489	32,243	21,561	605	872	2,208	32,732	21,073	10,626	1,033
Tensas	4,147	1,744	2,312	23	26	42	3,235	1,446	1,728	12	23	26	3,485	1,510	1,937	38
Washington	45,463	29,943	13,434	216	736	1,134	34,951	23,743	9,732	154	561	761	27,151	18,603	7,892	656
West Carroll	9,751	7,894	1,425	27	180	225	7,532	6,223	1,010	20	136	143	6,871	5,770	1,013	88
West Feliciana	15,310	10,883	3,740	89	225	373	12,783	9,283	2,951	56	174	319	7,492	5,186	2,160	146
District 5	776,252	490,388	234,234	11,186	12,834	27,610	594,283	388,481	168,025	8,264	9,732	19,781	458,014	317,500	125,665	14,849
	100.000%	63.174%	30.175%	1.441%	1.653%	3.557%	100.000%	65.370%	28.274%	1.391%	1.638%	3.329%	77.070%	69.321%	27.437%	3.242%
District 6																
*Avoyelles	14,708	6,456	6,910	280	278	784	11,516	5,333	4,986	260	213	724	7,221	3,692	3,352	177
*Caddo	122,407	22,379	95,094	971	1,160	2,803	91,631	19,270	68,784	765	896	1,916	62,821	11,685	48,787	2,349
*De Soto	15,025	6,345	7,899	82	363	336	11,469	4,999	5,871	61	291	247	9,188	4,065	4,841	282
*East Baton Rouge	296,354	81,632	185,008	9,338	2,489	17,887	226,170	68,978	135,563	7,239	1,963	12,427	168,763	53,384	105,382	9,997
*Lafayette	56,004	19,094	33,403	462	470	2,575	42,444	15,787	24,360	328	309	1,660	33,737	12,405	19,882	1,450
Natchitoches	37,515	19,361	15,725	255	861	1,313	29,349	16,010	11,415	198	683	1,043	20,675	11,761	8,016	898
Pointe Coupee	20,758	12,395	7,504	107	159	593	16,250	10,108	5,502	91	119	430	14,107	9,040	4,837	230
*Rapides	96,148	49,727	40,014	1,794	1,918	2,695	73,419	40,124	28,491	1,342	1,456	2,006	54,332	31,228	20,691	2,413
Red River	7,620	4,195	3,106	25	171	123	5,714	3,338	2,164	3	116	93	5,475	3,034	2,358	83
St. Landry	82,540	43,611	35,836	499	636	1,958	61,811	34,209	25,497	353	451	1,301	52,429	28,933	22,135	1,361
West Baton Rouge	27,199	14,307	11,170	287	326	1,109	20,526	11,146	8,149	209	219	803	16,753	9,620	6,764	369
District 6	776,278	279,502	441,669	14,100	8,831	32,176	590,299	229,302	320,782	10,849	6,716	22,650	445,501	178,847	247,045	19,609
	100.000%	36.005%	56.896%	1.816%	1.138%	4.145%	100.000%	38.845%	54.342%	1.838%	1.138%	3.837%	75.470%	40.145%	55.453%	4.402%





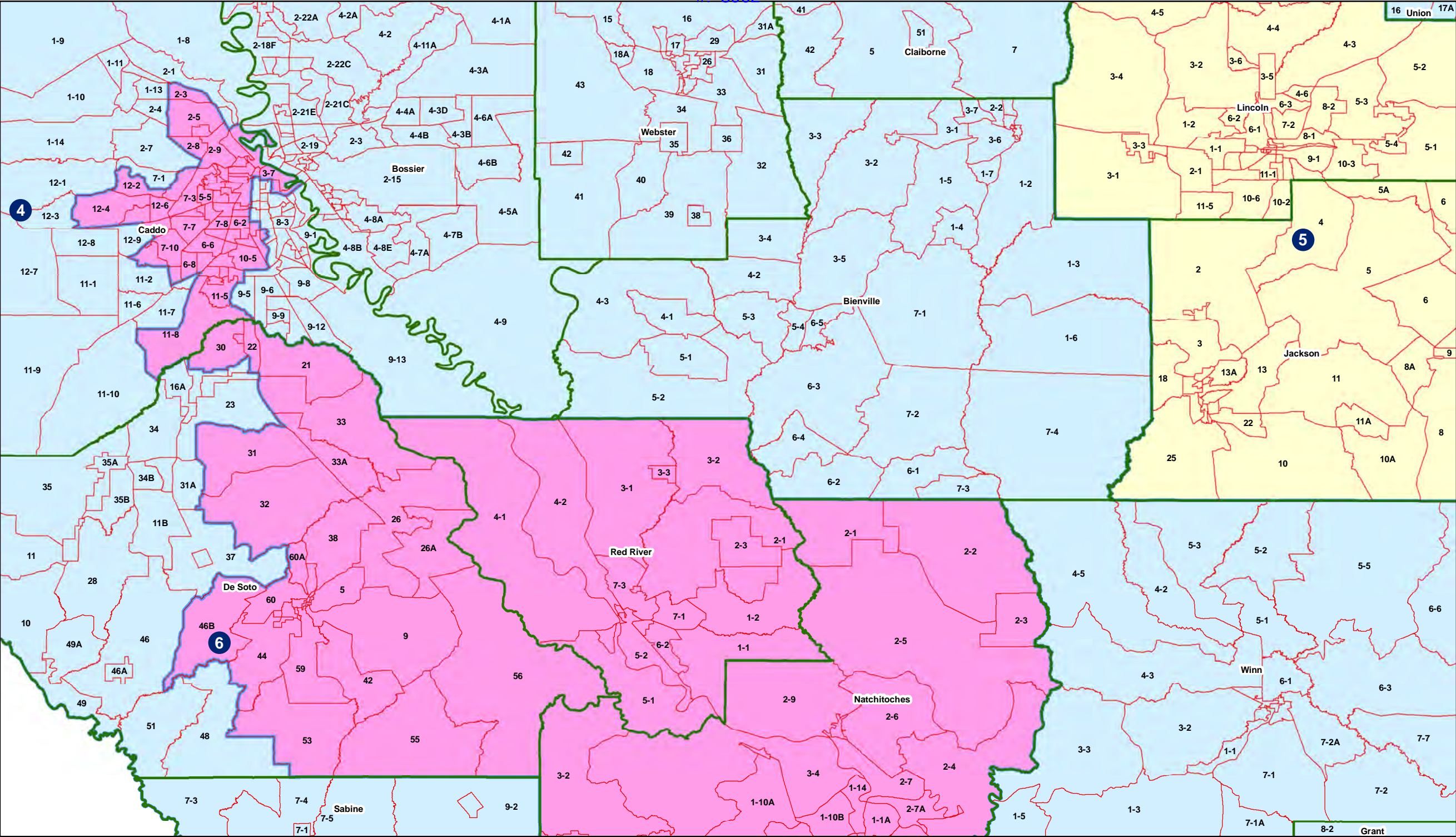


Congress - Statewide (HCSB8 3645 74)



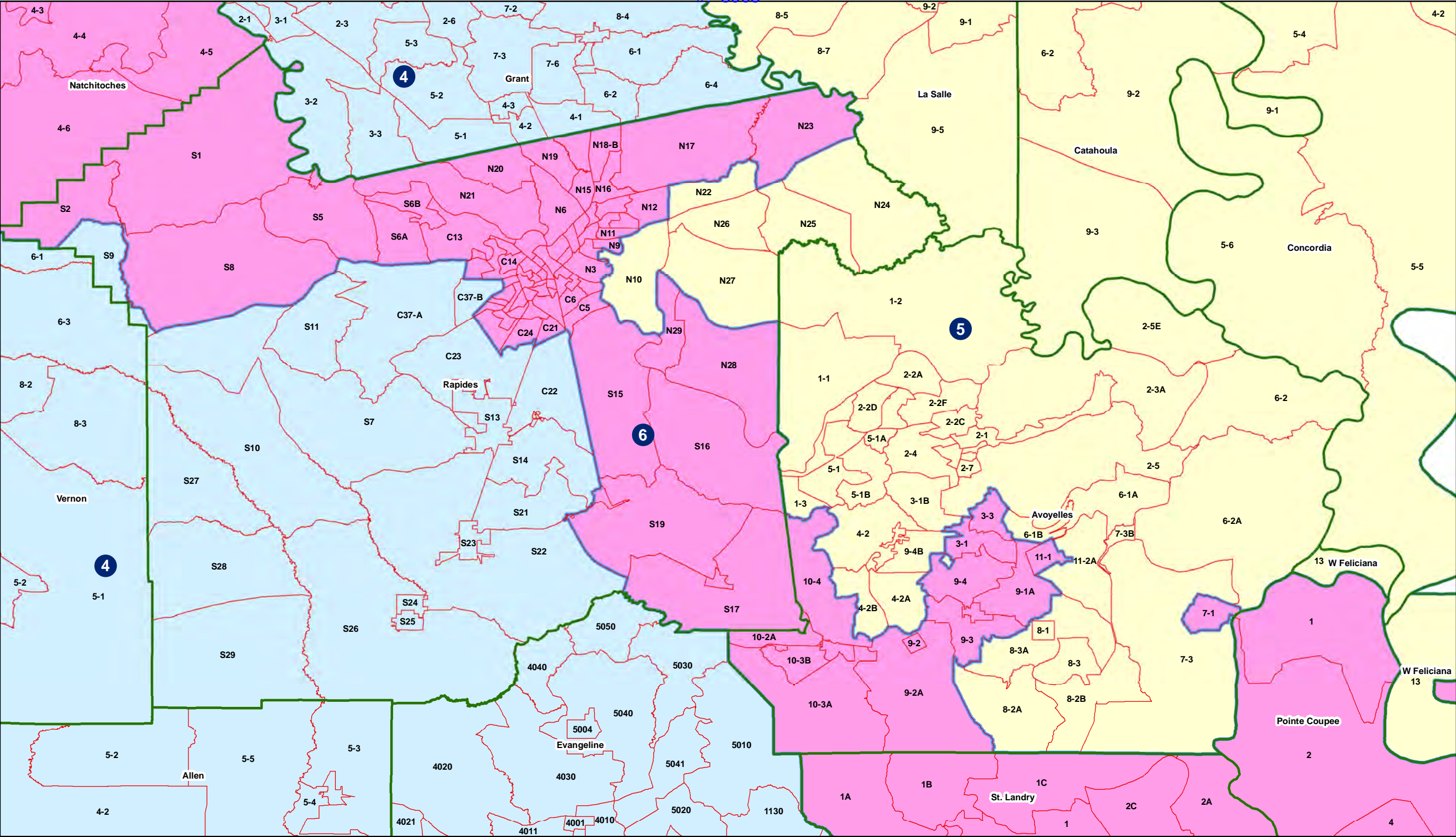


Congress - Northwest (HCSB 3645 74)



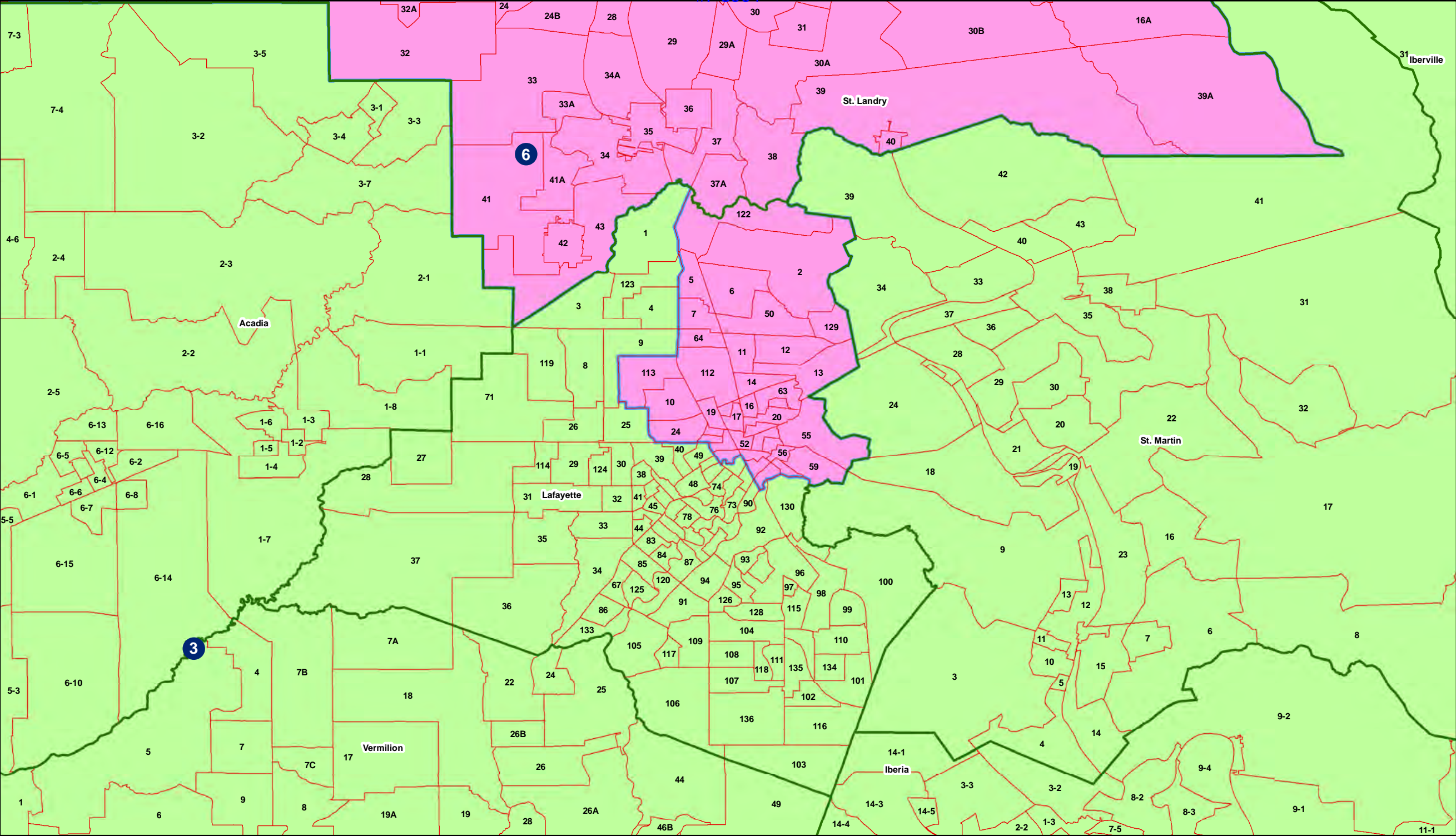


Congress - Central (HCSB8 3645 74)



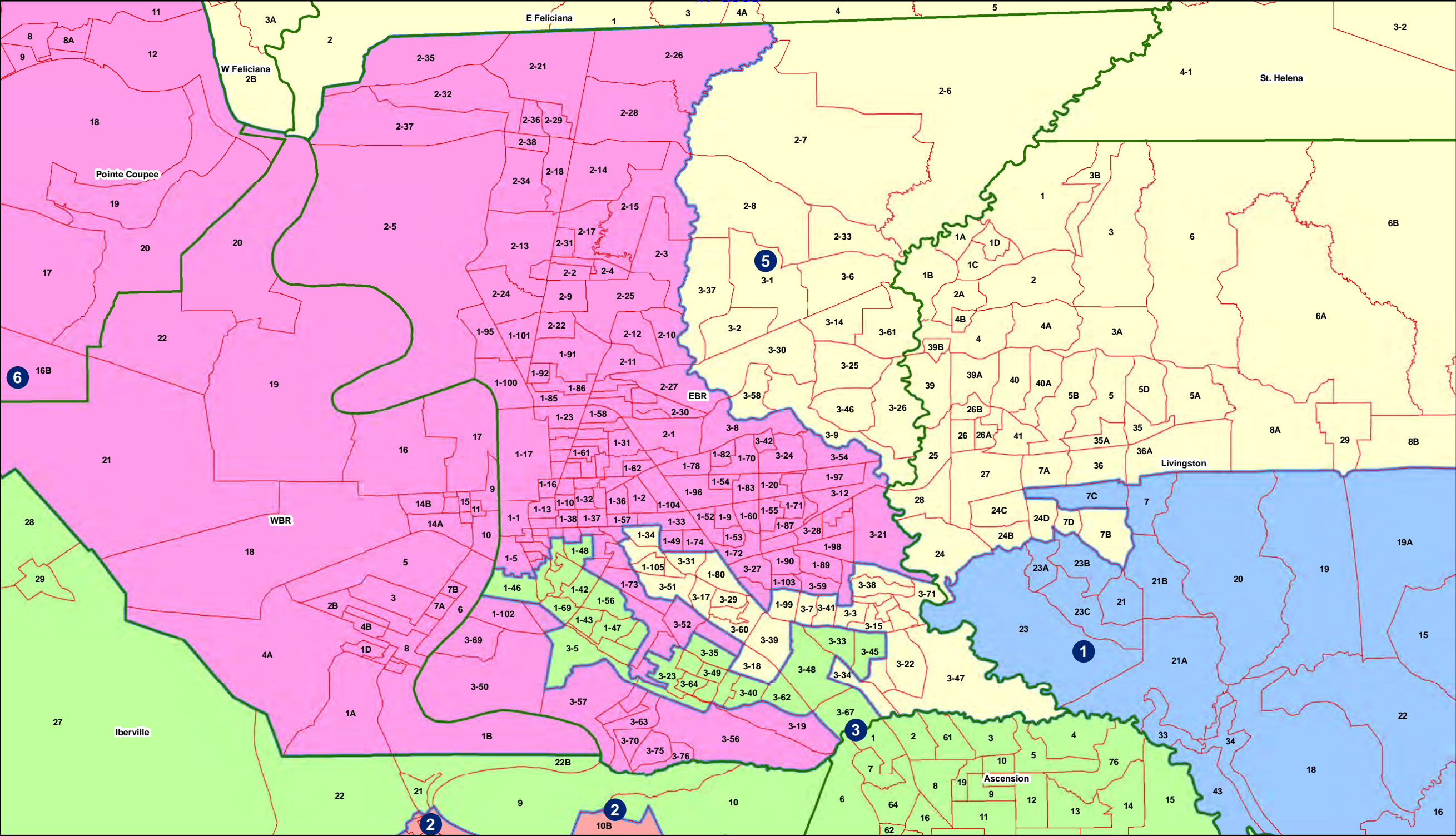


Congress - Lafayette (HCSB 3645 74)

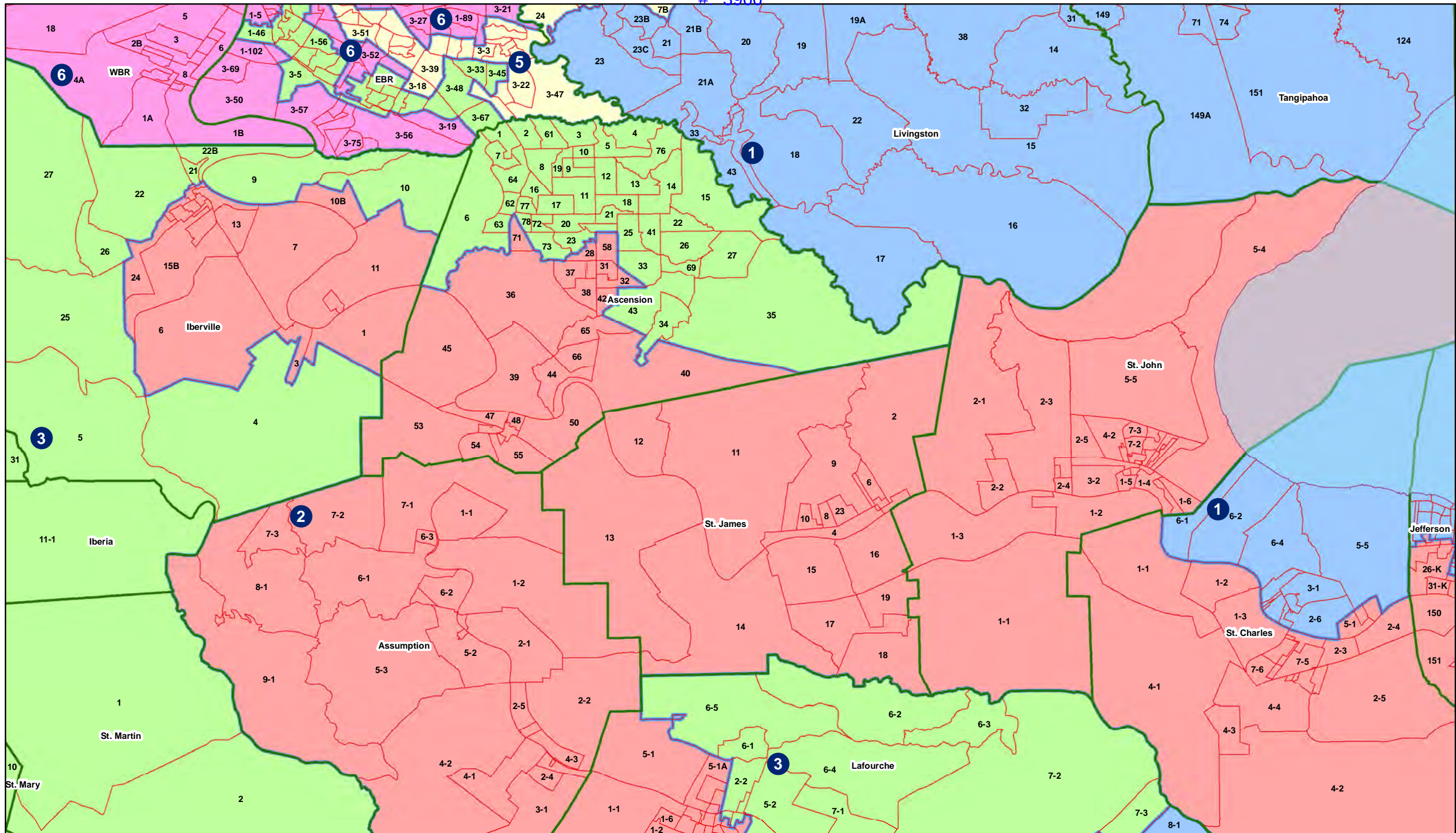




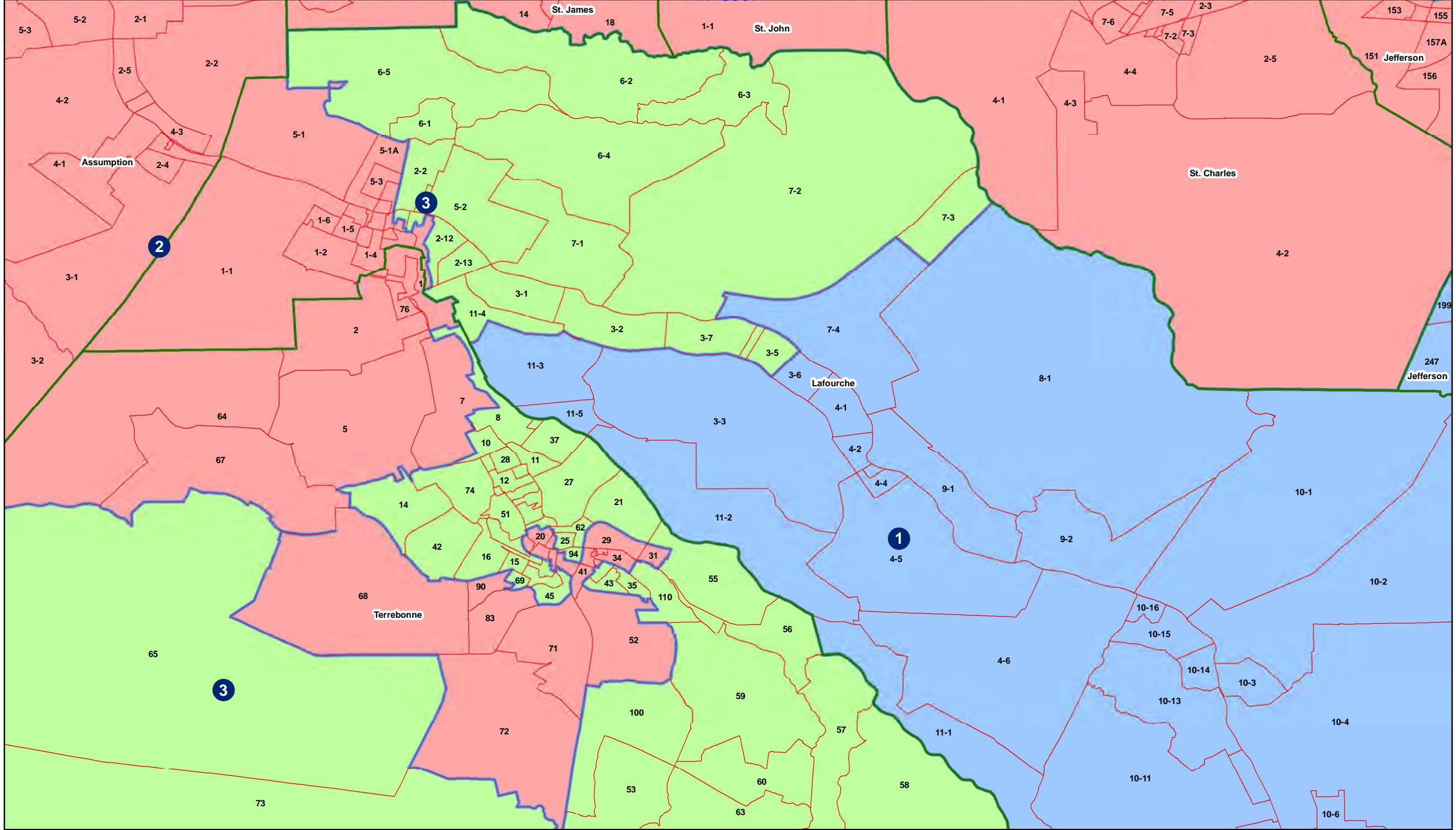
Congress - East Baton Rouge (HCSB8-3645-74)



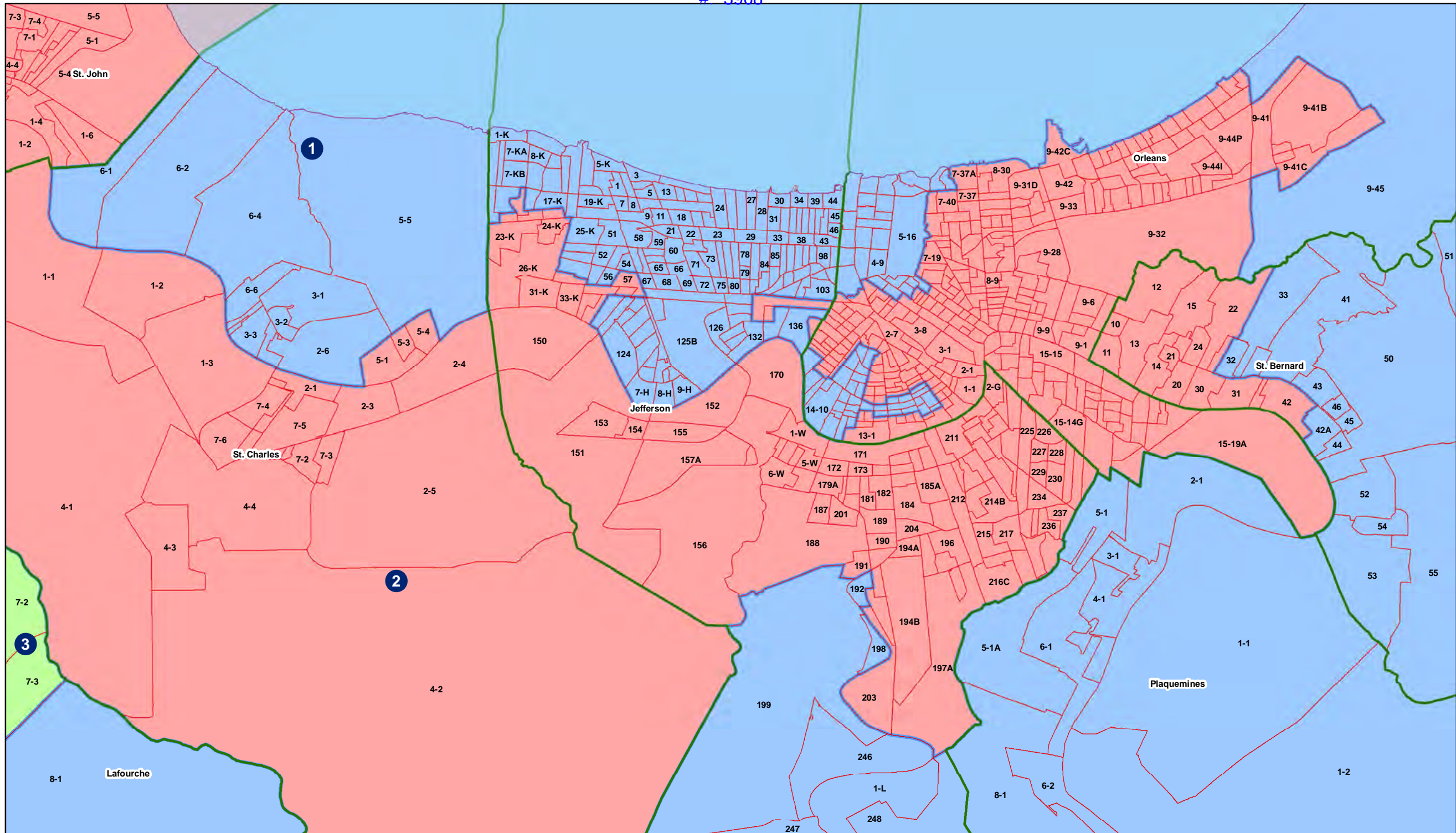












HFASB8 362 83

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**HOUSE FLOOR AMENDMENTS**  
2024 First Extraordinary Session  
Amendments proposed by Representative Beaulieu to Engrossed Senate Bill No. 8 by Senator Womack

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- 1 AMENDMENT NO. 1
- 2 Delete the set of House Committee Amendments by the House Committee on House and
- 3 Governmental Affairs (#74)

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.







January 15, 2024

Committee on Senate and Governmental Affairs  
P.O. 94138  
900 North 3rd Street  
Baton Rouge, LA 70804  
[ellisc@legis.la.gov](mailto:ellisc@legis.la.gov)

RE: SB4 and Support for Map Compliant with the Voting Rights Act



Dear Chairman Field and Members of the Committee:

On behalf of A Bella LaFemme Society, American Civil Liberties Union (“ACLU”), ACLU of Louisiana, All Streets All People, Anti-Defamation League South Central, Black Voters Matter – Louisiana, Campaign Legal Center, Crescent City Media Group, Power Coalition for Electoral Justice, Power Coalition for Equity and Justice, League of Women Voters of Louisiana, Louisiana Budget Project, Louisiana Justice Institute, Louisiana Progress, NAACP Legal Defense and Educational Fund, Inc. (“LDF” or “Legal Defense Fund”), NAACP Louisiana State Conference, National Council of Jewish Women (“NCJW”) Greater New Orleans Section, Our Voice Nuestra Voz, SPLC Action Fund, Urban League of Louisiana, Together Baton Rouge, Together Louisiana, Voters Organized to Educate, Voice of the Experienced (“VOTE”), we write to express our support for the enactment of a new congressional map that complies with the Voting Rights Act of 1965 (“VRA”) and includes a second majority-Black district.

It has been over two years since a coalition of civil rights organizations, many again represented here, wrote to the Joint Committees on Governmental Affairs calling for a fair redistricting process and a map that complied with VRA.<sup>1</sup> While much has happened since, much remains the same: it was possible to draw a map with two majority-Black districts then, and it remains a necessity now. In the years of litigation since the redistricting cycle began, cases reaching our nation’s highest courts have maintained that four decades of precedent defining the requirements of the VRA remain unshaken.<sup>2</sup> Those standards apply here, and they require urgent action to create a second majority-Black congressional district.

Section 2 of the VRA prohibits state and local governments from using any voting procedure that “results in a denial or abridgement of the right of any citizen...to vote on account of race or color.”<sup>3</sup> With only one majority-Black congressional district, Louisiana’s congressional map (the “Enacted Map”) defies Section 2’s prohibition on vote dilution by weakening the voting power of Black Louisianians, who now comprise roughly one-third of Louisiana’s population.<sup>4</sup> The map cannot stand.

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<sup>1</sup> Email Testimony of Michael Pernick submitted to the Monroe, La. Redistricting Roadshow (Oct. 18, 2021), [https://redist.legis.la.gov/2020\\_Files/MtgFiles/Email%20Testimony%20-%20Michael%20Pernick,%20NAACP%20Legal%20Defense%20&%20Educational%20Fund,%20Inc.,%20o&%20others.pdf](https://redist.legis.la.gov/2020_Files/MtgFiles/Email%20Testimony%20-%20Michael%20Pernick,%20NAACP%20Legal%20Defense%20&%20Educational%20Fund,%20Inc.,%20o&%20others.pdf) (containing a letter to the Committee on House and Governmental Affairs and Committee on Senate and Governmental Affairs on behalf of the NAACP Legal Defense and Educational Fund, Inc., Louisiana State Conference of the NAACP, Power Coalition for Equity and Justice, American Civil Liberties Union of Louisiana, the ACLU Voting Rights Project, Campaign Legal Center, Southern Poverty Law Center Action Fund, Voters Organized to Educate, Voice of the Experienced, Louisiana Progress, Fair Districts Louisiana, E Pluribus Unum, Black Voters Matter Fund, Louisiana Budget Project, League of Women Voters of Louisiana, Urban League of Louisiana, and Crescent City Media Group highlighting the Legislature’s “affirmative obligation to comply with Section 2 of the Voting Rights Act” and appending seven maps that demonstrated possible configurations to provide for a second majority-Black congressional district).

<sup>2</sup> See, e.g., *Allen v. Milligan*, 599 U.S. 1, 9-42 (2023) (applying the standards defined in *Thornburg v. Gingles*, 478 U.S. 30, (1986), to a Section 2 challenge to Alabama’s congressional map); see also *Robinson v. Ardoin*, 86 F.4th 574, 589-599 (5th Cir. 2023) (finding the district court’s application of the *Gingles* framework and granting of a preliminary injunction against Louisiana’s congressional map was valid when issued.).

<sup>3</sup> Voting Rights Act, 52 U.S.C. § 10301(a).

<sup>4</sup> *U.S. Census Bureau La. QuickFacts*, U.S. Census Bureau, <https://www.census.gov/quickfacts/fact/table/LA/POPO10220#POPO10220> (last visited Jan. 6, 2024).



The record built both in these chambers and the courts is now replete with evidence that it is not only possible but necessary to draw a map including a second district that provides Black voters with an equal opportunity to elect their candidates of choice. There are multiple ways to do this, as demonstrated by the submissions from civil rights organizations in 2021,<sup>5</sup> the twenty bills and amendments filed during the 2022 redistricting process containing two majority-Black districts,<sup>6</sup> and the legal record developed in federal court litigation since.<sup>7</sup>

SB 4 mirrors the map submitted jointly by the Plaintiffs in *Robinson v. Landry* (formerly *Robinson v. Ardoin*) during remedial proceedings in 2022 and 2023.<sup>8</sup> The map builds on similar configurations presented during the 2021-2022 legislative redistricting processes, and has been perfected throughout the litigation to excel on all standard measures of traditional redistricting principles.<sup>9</sup> These principles include those identified in Joint Rule 21 as the Legislature's foremost priorities.<sup>10</sup>

SB 4 matches or outperforms the Enacted Map on numerous redistricting principles, including parish splits, municipal splits, compactness, cracking, and more.<sup>11</sup> Most importantly, it remedies the unlawful vote dilution exhibited in the Enacted Map's packing of Black communities in New Orleans and Baton Rouge into a single district. The map maintains District 2 with a core in New Orleans and the River Parishes, while uniting Baton Rouge with the Delta Parishes in District 5.<sup>12</sup> The shared interests of the communities represented in these districts have been echoed throughout the redistricting process and recognized by both the U.S. District Court for the Middle District of Louisiana and Fifth Circuit Court of Appeals.<sup>13</sup>

<sup>5</sup> See Email Testimony of Michael Pernick *supra* note 1.

<sup>6</sup> See H.B. 4, 1st Spec. Sess. (La. 2022); H.B. 5, 1st Spec. Sess. (La. 2022); H.B. 7, 1st Spec. Sess. (La. 2022); H.B. 8, 1st Spec. Sess. (La. 2022); H.B. 9, 1st Spec. Sess. (La. 2022); H.B. 12, 1st Spec. Sess. (La. 2022); S.B. 2, 1st Spec. Sess. (La. 2022); S.B. 4, 1st Spec. Sess. (La. 2022); S.B. 6, 1st Spec. Sess. (La. 2022); S.B. 9, 1st Spec. Sess. (La. 2022); S.B. 10, 1st Spec. Sess. (La. 2022); S.B. 11, 1st Spec. Sess. (La. 2022); S.B. 16, 1st Spec. Sess. (La. 2022); S.B. 18, 1st Spec. Sess. (La. 2022); Amendment #88 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #99 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #153 to H.B. 1, 1st Spec. Sess. (La. 2022); Amendment #62 to S.B. 2, 1st Spec. Sess. (La. 2022); Amendment #116 to S.B. 5, 1st Spec. Sess. (La. 2022); Amendment #91 to S.B. 5, 1st Spec. Sess. (La. 2022).

<sup>7</sup> See *Robinson*, 86 F.4th at 592 (finding "[t]here was no clear error by the district court when it found the [Plaintiff groups' multiple] illustrative maps created a different community of interest and the first *Gingles* precondition was met.").

<sup>8</sup> See Pls.' Joint Notice of Proposed Remedial Plan and Mem. in Support, *Robinson v. Ardoin*, Case 3:22-cv-00211-SDD-SDJ (June 22, 2022), ECF No. 225, [https://vhdsfh2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/JN of Prop. Remedial Plan and Memo in Support 6.22.22.pdf](https://vhdsfh2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/JN%20of%20Prop.%20Remedial%20Plan%20and%20Memo%20in%20Support%206.22.22.pdf). SB 4 shares the same general features and lines as the remedial plans, with only minor alterations made to comply with the most up-to-date precinct lines.

<sup>9</sup> *Id.*

<sup>10</sup> La. Joint Rule 21 (HCR 90, 2021 R.S., eff. June 11, 2021), <https://www.legis.la.gov/legis/Law.aspx?d=1238755>. See also *id.* at 2, 6, 9, 10, and Exhibit A.

<sup>11</sup> See generally Pls.' Joint Notice *supra* note 8.

<sup>12</sup> See *id.* at 5 ("Under the Remedial Plan, Black voters will have the opportunity to elect their candidates of choice in two of Louisiana's six congressional districts: CD 2 and CD 5. CD 5 is centered around Baton Rouge and the Delta Parishes; CD 2 is based in New Orleans and the River Parishes.").

<sup>13</sup> *Robinson*, 86 F.4th at 590–92 (finding the district court did not err in determining that the illustrative districts "create...different communit[ies] of interest" that "share many cultural, economic, social, and educational ties," based in part on "unrebutted evidence by the Plaintiffs experts who utilized roadshow testimony and socioeconomic data to construct the plans.").

The final maps advanced by the Committee and passed by the full Legislature *must* comply with traditional redistricting principles and the promise of the Voting Rights Act. SB 4 does exactly that and is supported by an extensive record. That record also acknowledges that there may be other workable solutions. The passage of a map that complies with the dictates of state and federal law and the principles of equity and fairness has been the rallying cry of our organizations and the communities we represent since the redistricting cycle began. It is now your duty to fulfill.

The undersigned organizations support the passage of a map that finally provides Black voters in Louisiana with an opportunity to elect their candidates of choice in two congressional districts.

Sincerely,

A Bella LaFemme Society  
ACLU  
ACLU of Louisiana  
All Streets All People  
Anti-Defamation League South Central  
Black Voters Matter – Louisiana  
Campaign Legal Center  
Crescent City Media Group  
Power Coalition for Electoral Justice  
Power Coalition for Equity and Justice  
League of Women Voters of Louisiana  
Legal Defense Fund  
Louisiana Budget Project  
Louisiana Justice Institute  
Louisiana Progress  
NAACP Louisiana State Conference  
NCJW Greater New Orleans Section  
Our Voice Nuestra Voz  
SPLC Action Fund  
Urban League of Louisiana  
Together Baton Rouge  
Together Louisiana  
Voters Organized to Educate  
Voice of the Experienced (VOTE)





Advancing racial  
justice since 1940

January 15, 2024

Committee on Senate and Governmental Affairs  
P.O. 94138  
900 North 3rd Street  
Baton Rouge, LA 70804  
ellisc@legis.la.gov

RE: SB 4 and Obligations related to *Robinson v. Landry*

Dear Chairman Fields and Members of the Committee:

We write on behalf of the plaintiffs in *Robinson v. Landry* regarding your role in the extraordinary session called by Governor Landry on January 8, 2024 and ask that this letter be included in the legislative record.<sup>1</sup> The United States Court of Appeals for the Fifth Circuit and the United States District Court for the Middle District of Louisiana have provided the Legislature with an opportunity to pass a map that complies with the Voting Rights Act of 1965 (VRA) by including a second majority-Black district. Adhering to the guidance of the courts will ensure that Louisiana finally provides Black voters with an equal opportunity to participate in the political process and elect their candidates of choice—the promise in Section 2 of the VRA.<sup>2</sup> While the courts have appropriately provided the Legislature the first opportunity to develop a map that accords with their instructions, should the Legislature fail in this duty, the District Court will step in and impose a VRA-compliant map.<sup>3</sup> It is up to you to decide if the path to a fair and representative map will conclude here in the extraordinary session or will proceed in the courts—but Louisiana *will* have a congressional map that provides two districts in which Black voters can elect their preferred candidates.

In this extraordinary session, the Legislature must not repeat the mistakes of the past. The *Robinson* litigation (then *Robinson v. Ardoyn*) was filed moments after the Legislature overrode then-Governor John Bel Edwards' veto of the currently enacted congressional plan (the "Enacted

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<sup>1</sup> *Robinson v. Landry*, 3:22-cv-00211-SDD-SDJ (MDLA). Plaintiffs include the Louisiana State Conference of the NAACP, Power Coalition for Equity and Justice, and individuals Press Robinson, Edgar Cage, Dorothy Nairne, Edwin René Soulé, Alice Washington, Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims. In addition to the NAACP Legal Defense and Educational Fund ("Legal Defense Fund" or "LDF"), Plaintiffs are represented by the American Civil Liberties Union ("ACLU"), ACLU of Louisiana, Harvard Election Law Clinic, the Louisiana Justice Institute, Louisiana attorney John Adcock, and Paul, Weiss, Rifkind, Wharton & Garrison LLP.

<sup>2</sup> Voting Rights Act, 52 U.S.C. § 10301(a).

<sup>3</sup> If the Legislature fails to pass a new map, trial will begin in just a few weeks on February 5, 2024. Minute Entry, *Robinson v. Ardoyn*, Case 3:22-cv-00211-SDD-SDJ (Nov. 27, 2023), ECF No. 315 ("If the Defendant/Intervenors fail to produce a new enacted map on or before January 30, 2024, this matter will proceed to a trial on the merits on February 5, 2024 which shall continue daily until complete. If a new enacted map is produced, exchanged with Plaintiff's counsel, and filed in the record on or before January 30, 2023, a trial on the merits shall be held commencing on March 25, 2024, and shall continue daily until complete."). If the Legislature passes a new map that Plaintiffs oppose as a continued violation of the VRA, the District Court has set trial for March.

Hearing Exhibit  
**R276**

Case No. 3:24-cv-00122-DCJ-CES-RRS



Map”),<sup>4</sup> which he vetoed due to his firm belief that the map violated Section 2 and the “principle of fundamental fairness.”<sup>5</sup> After the District Court granted Plaintiffs’ Motion for Preliminary Injunction and enjoined the Secretary of State from conducting any elections under the Enacted Map, Governor Edwards called the Legislature back into session to draw a new map.<sup>6</sup> In that second extraordinary session of 2022, the previous Legislature again squandered an opportunity to pass a VRA-compliant map, convening and adjourning without any earnest attempt to pass a map with a second majority-Black district.<sup>7</sup>

Although the Enacted Map was temporarily reinstated when the U.S. Supreme Court put the case on hold pending their consideration of an analogous Section 2 case in Alabama, *Allen v. Milligan* (then *Merrill v. Milligan*),<sup>8</sup> the events that followed could not provide a clearer signal that this Legislature must now act to pass a map with a second majority-Black congressional district. In *Milligan*, the Supreme Court upheld 37 years of precedent defining the requirements for enforcement of Section 2.<sup>9</sup> Soon after, the Alabama Legislature convened and enacted a map that failed to provide the electoral opportunity for Black voters the courts had mandated.<sup>10</sup> The federal district court in Alabama rejected the state’s transparent attempt to circumvent its order, and stepped in to impose a court-drawn map instead.<sup>11</sup> Alabamians will elect congressmembers under a map with two majority-Black congressional districts this fall. As the same ultimate outcome reaches inevitability for Louisiana, what remains to be decided is if that map will result from this legislative process or another intervention by the federal courts.

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<sup>4</sup> See *Louisiana lawmakers override governor’s veto of proposed congressional remap*, Associated Press, (Mar. 30, 2022), <https://www.wbrz.com/news/lawmakers-override-governor-s-veto-of-louisiana-congressional-map>; see also Complaint, *Robinson v. Ardoin*, 3:22-cv-00211-SDD-SDJ (MDLA Mar. 30, 2022), [https://vhdsfh2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/Complaint\\_3.30.22.pdf](https://vhdsfh2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/Complaint_3.30.22.pdf).

<sup>5</sup> La. Gov. John Bel Edwards Letter to H. Speaker Clay Schexnayder re: Veto of H. B. I of the 2022 First Extraordinary Sess. (Mar. 9, 2022), <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1258719>. (“It is my firm belief that this map violates Section 2 of the Voting Rights Act of 1965 and further is not in line with the principle of fundamental fairness that should have driven this process. In choosing this map, the Legislature rejected numerous alternative maps with two majority minority districts, which happen to be one-third of the six congressional districts, that would have given more Black voters an opportunity to elect a candidate of their choice.”).

<sup>6</sup> *Robinson v. Ardoin*, 605 F. Supp. 3d 759, 766 (M.D. La. 2022).

<sup>7</sup> See Paul Braun, *Louisiana lawmakers end court-ordered redistricting session without passing new congressional map*, WRFK (Jun. 18, 2022), <https://www.wwno.org/2022-06-18/louisiana-lawmakers-end-court-ordered-redistricting-session-without-passing-new-congressional-map>.

<sup>8</sup> Order 597, *Ardoin v. Robinson*, No. 21-1596 (U.S. June 28, 2022), [https://vhdsfh2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/SCOTUS\\_Order\\_LA\\_6.28.22.pdf](https://vhdsfh2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/SCOTUS_Order_LA_6.28.22.pdf) (holding *Robinson* in abeyance pending the Court’s decision in *Merrill v. Milligan* (No. 21-1086 and No. 21-1087)).

<sup>9</sup> See, e.g., *Allen v. Milligan*, 599 U.S. 1, 9-42 (2023) (applying the standards defined in *Thornburg v. Gingles*, 478 U.S. 30, (1986), to a Section 2 challenge to Alabama’s congressional map and finding Plaintiffs were likely to succeed on the merits).

<sup>10</sup> See *Alabama lawmakers refuse to create a 2<sup>nd</sup> majority-Black congressional district*, ASSOC. PRESS (July 21, 2022) <https://www.npr.org/2023/07/21/1189494854/alabama-redistricting-map-black-districts>.

<sup>11</sup> Injunction, Order, and Court-Ordered Remedial Map, *Milligan v. Allen*, 2:21-cv-01530-AMM (Oct. 5, 2022), ECF No. 311, <https://storage.courtlistener.com/recap/gov.uscourts.alnd.179302/gov.uscourts.alnd.179302.311.0.pdf>.



Following its *Milligan* ruling, the Supreme Court allowed the *Robinson* litigation to proceed “in advance of the 2024 congressional elections in Louisiana.”<sup>12</sup> This permitted the Fifth Circuit Court of Appeals to move forward with hearing Defendants’ appeal of the District Court’s preliminary injunction ruling.<sup>13</sup> In the Fifth Circuit’s November 10, 2023 opinion, the court affirmed the strength of the Plaintiffs’ Section 2 claim and rejected the State’s legal arguments that Section 2 does not require a second majority-Black district in Louisiana.<sup>14</sup> The Fifth Circuit granted the Legislature “time to consider enacting a new congressional redistricting plan” before the district court proceeds with trial because “redistricting is a quintessential obligation of a state.”<sup>15</sup> That time, however, is finite. The Fifth Circuit set an initial deadline of January 15, 2024 for the Legislature to conclude its consideration of a new map.<sup>16</sup> That deadline was subsequently modestly extended to allow for this extraordinary session.<sup>17</sup>

Importantly, the courts were clear that the Legislature is not free to pass a map that fails to provide Black Louisianians new electoral opportunities. If the Legislature passes a map, but Plaintiffs object to its configuration as a continued violation of the VRA, the court will once again be called on to assess the map’s legality and to impose a court-ordered map, if necessary.<sup>18</sup>

The Legislature should, of course, pass a lawful map and avoid a court-imposed remedial map. The *Robinson* Plaintiffs welcome this outcome. SB 4 mirrors the map jointly submitted by Plaintiffs to the District Court during remedial proceedings in 2022 and 2023.<sup>19</sup> It reflects the input of community members across the state who participated in the redistricting roadshows and session.<sup>20</sup> It balances traditional redistricting principles, including those articulated by the Legislature as the top priorities for this redistricting cycle.<sup>21</sup> While maintaining the current majority-Black district in New Orleans and the River Parishes, it creates a new majority-Black congressional district by uniting communities in Baton Rouge and the Delta Parishes, which both

<sup>12</sup> Letter from Clerk Scott S. Harris, Off. of the Clerk, Sup. Ct. of the U.S. to Clerk of U.S. C.A. for 5<sup>th</sup> Cir., [https://vhdsf2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/LA\\_22-30333\\_237-1\\_l3cvCol.pdf](https://vhdsf2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/LA_22-30333_237-1_l3cvCol.pdf).

<sup>13</sup> *Ardoin v. Robinson*, 143 S. Ct. 2654 (Jun. 16, 2023) [https://www.supremecourt.gov/orders/courtorders/062623zor\\_7m58.pdf](https://www.supremecourt.gov/orders/courtorders/062623zor_7m58.pdf) (“The writ of certiorari before judgment is dismissed as improvidently granted. The stay heretofore entered by the Court on June 28, 2022, is vacated. This will allow the matter to proceed before the Court of Appeals for the Fifth Circuit for review in the ordinary course and in advance of the 2024 congressional elections in Louisiana.”)

<sup>14</sup> *Robinson v. Ardoin*, 86 F.4th 574 (5th Cir. 2023), [https://vhdsf2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/LA\\_22-30333\\_336-1.pdf](https://vhdsf2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/LA_22-30333_336-1.pdf).

<sup>15</sup> *Id.* at 583–84.

<sup>16</sup> *Id.*

<sup>17</sup> Minute Entry *supra* note 3.

<sup>18</sup> *Id.*

<sup>19</sup> See Pls.’ Joint Notice of Proposed Remedial Plan and Mem. in Support *Robinson v. Ardoin*, Case 3:22-cv-00211-SDD-SDJ (June 22, 2022), ECF No. 225, [https://vhdsf2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/JN\\_of\\_Prop\\_Remedial\\_Plan\\_and\\_Memo\\_in\\_Support\\_6.22.22.pdf](https://vhdsf2oms2wcnsvk7sdv3so.blob.core.windows.net/thearp-media/documents/JN_of_Prop_Remedial_Plan_and_Memo_in_Support_6.22.22.pdf). SB 4 shares the same general features and lines as the remedial plans, with only minor alterations made to comply with the most up-to-date precinct lines.

<sup>20</sup> *Id.* at 7.

<sup>21</sup> See *id.* at 2, 6, 9, 10, and Ex. A.; see also La. Joint Rule 21 (HCR 90, 2021 R.S., eff. June 11, 2021), <https://www.legis.la.gov/legis/Law.aspx?d=1238755>.

the District Court and Fifth Circuit acknowledge reflect communities with common interests.<sup>22</sup> SB 4 is thoroughly supported by the record built over the course of the legislative and legal processes since this redistricting cycle began. That record, and Plaintiffs' endorsement, mean the passage of SB 4 provides the clearest route to end the *Robinson* litigation. Other configurations may also satisfy Section 2 if they provide an opportunity for Black voters to elect their candidates of choice in two congressional districts.

Thousands of Louisianians from across the state, including the *Robinson* Plaintiffs, weighed in on the redistricting process. They testified, organized, and lifted their voices for fair representation. The federal courts have been clear that the *Robinson* Plaintiffs' Section 2 claims are well supported, and resolution is necessary this year. Passing SB 4 or another VRA-compliant map would ensure that nearly two years of costly, taxpayer-financed litigation can finally conclude. Such a map would provide Louisianians with clarity on the congressional districts they will be voting in for the remainder of the decade. And it would finally ensure Black voters are provided an equal opportunity to participate in the democratic process.

Sincerely,

/s/ Stuart Naifeh

Stuart Naifeh  
Kathryn Sadasivan  
Victoria Wenger  
NAACP Legal Defense and Educational  
Fund, Inc.  
40 Rector Street, 5th Floor  
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R. Jared Evans  
I. Sara Rohani  
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Fund, Inc.  
700 14th Street N.W. Ste. 600  
Washington, DC 20005

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<sup>22</sup> See Pls.' Joint Notice of Proposed Remedial Plan and Mem. in Support *supra* note 19; see also *Robinson*, 86 F.4th at 590–92 (finding the district court did not err in determining that the illustrative districts “create...different communit[ies] of interest” that “share many cultural, economic, social, and educational ties,” based in part on “unrebutted evidence by the Plaintiffs experts who utilized roadshow testimony and socioeconomic data to construct the plans.”).



# Fairfax Response Report

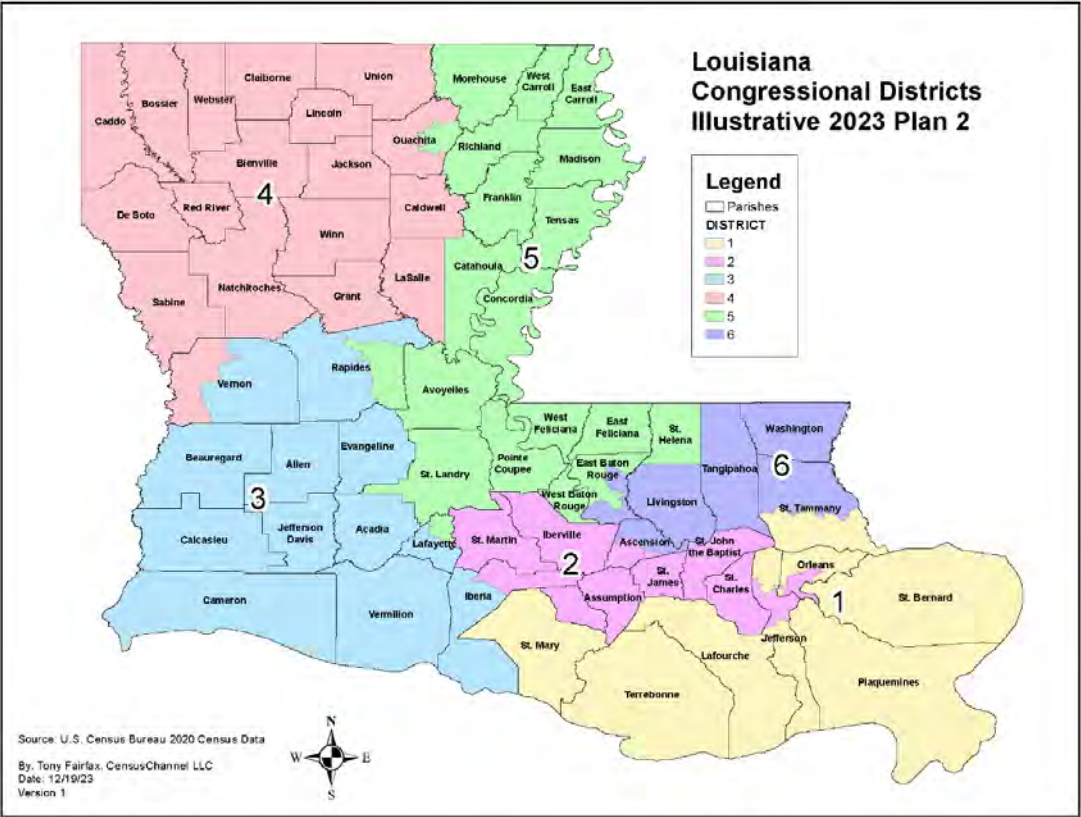


Figure 3 - Louisiana Congressional Districts of Robinson Illustrative 2023 Plan 2

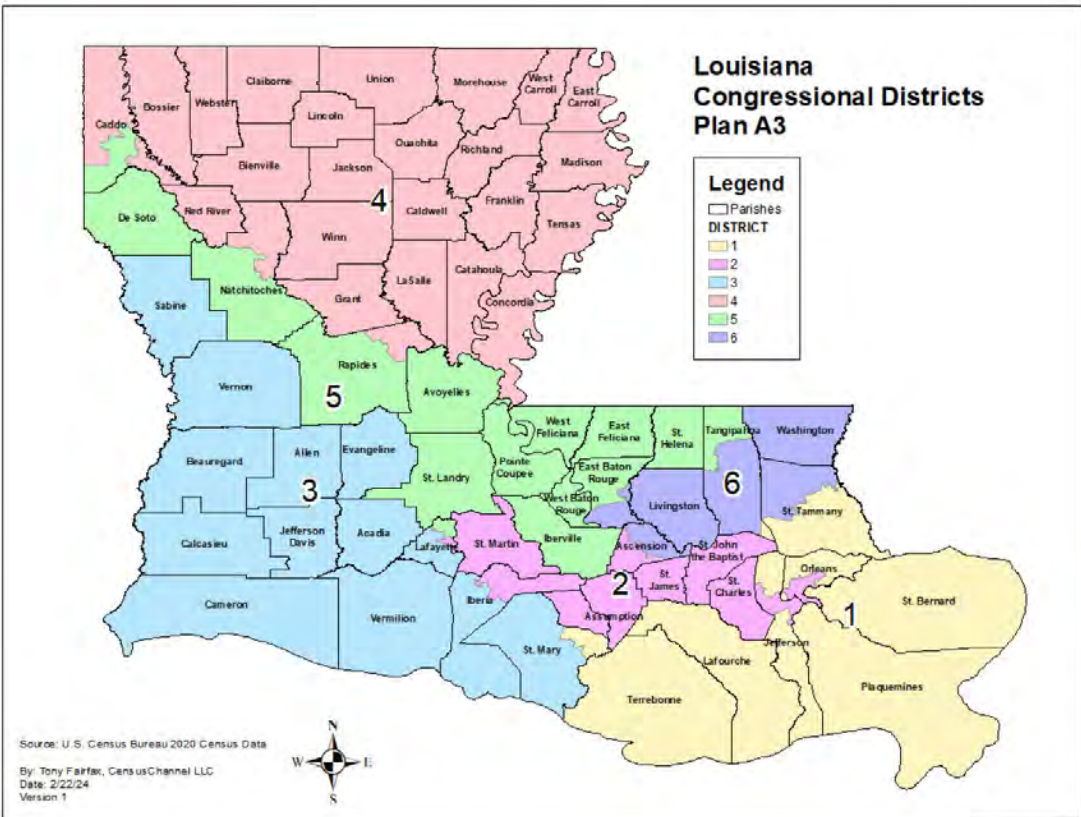


Figure 4 - Louisiana Congressional Districts of the A3 Plan

(R001) Fairfax Response Report at pp. 30-31 (Figs. 3 and 4)

# Opinions on Socioeconomic Commonalities

## Fairfax Response Report

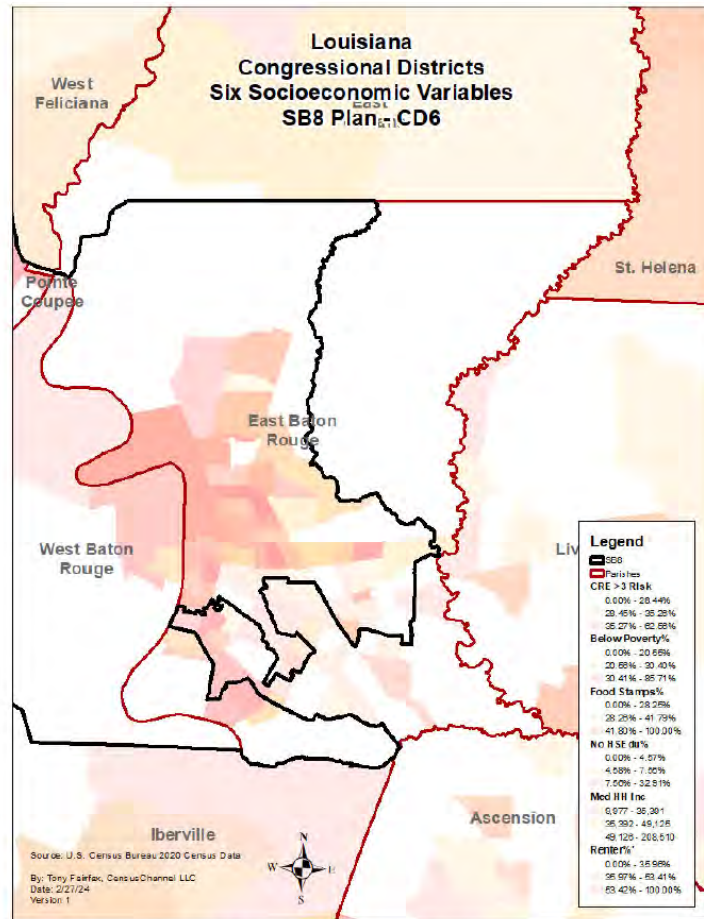


Figure 5 - CD 6 of SB8 Plan of East Baton Rouge Parish w/Six Socioeconomic Variables

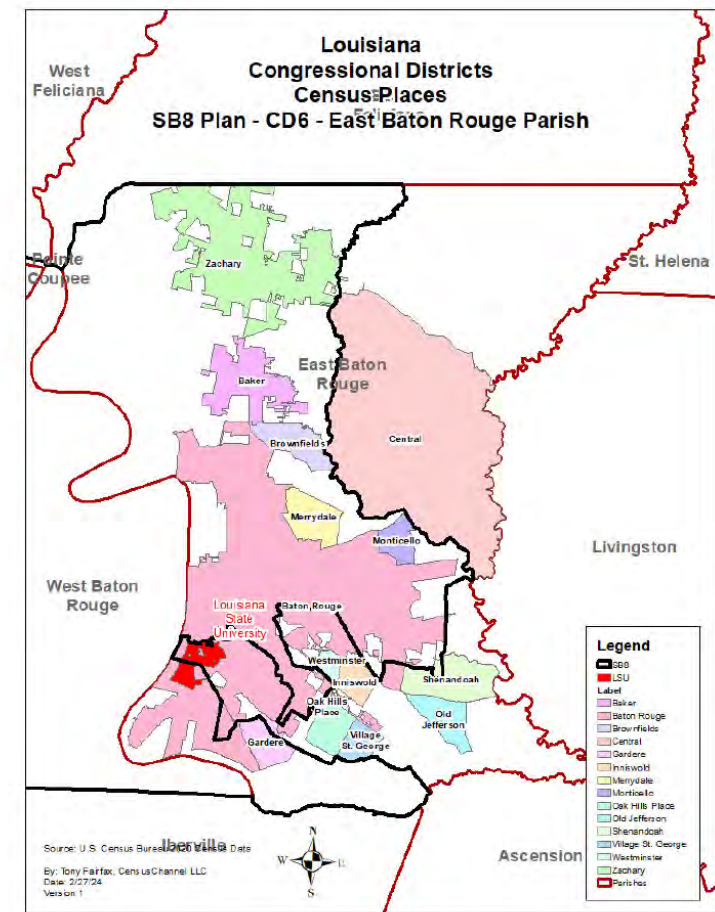


Figure 6 - CD 6 of SB8 Plan of East Baton Rouge Parish w/Census Places

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**PHILLIP CALLAIS ET AL**

**CASE NO. 3:24-CV-00122-DCJ-CES-RRS**

**VERSUS**

**THREE-JUDGE COURT**

**NANCY LANDRY**

**SCHEDULING ORDER**

Having issued our ruling on the merits, the Court now turns to an expedited schedule for the remedial phase of the case. “It is well settled that ‘reapportionment is primarily the duty and responsibility of the State,’” *Miller v. Johnson*, 515 U.S. 900, 915 (1995); that “it is the domain of the States, and not the federal courts, to conduct apportionment in the first place,” *Voinovich v. Quilter*, 507 U.S. 146, 156 (1993); that each State has a “sovereign interest in implementing its redistricting plan,” *Bush v. Vera*, 517 U.S. 952, 978 (1996); that “drawing lines for congressional districts is one of the most significant acts a State can perform to ensure citizen participation in republican self-governance,” *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 416 (2006) (citation omitted); and that because “the Constitution vests redistricting responsibilities foremost in the legislatures of the States and in Congress, a lawful, legislatively enacted plan should be preferable to one drawn by the courts.” *Id.*

Even when a federal court finds that a redistricting plan violates federal law, Supreme Court precedent dictates that the state legislature have the first opportunity to draw a new map. *See, e.g., North Carolina v. Covington*, 138 S. Ct. 2548, 2554 (2018); *White v. Weiser*, 412 U.S. 783, 794–95 (1973). Only when “those with legislative responsibilities do not respond, or the imminence of a state election makes it impractical for them to do so, [does] it become[] the unwelcome obligation of the federal court to devise and impose a reapportionment plan pending later legislative action.” *Wise*, 437 U.S. at 540 (opinion of White, J.).

The Court notes that the Louisiana Legislature is in session through June 3, 2024, and this Court provides it with the opportunity to enact a new Congressional map during that time period. However, given the time limitations outlined by the Secretary of State [Doc. 217], this Court must concurrently proceed with the “unwelcome obligation” of drawing a remedial map to ensure that a compliant map is in place in time for the 2024 congressional election. To be clear, the fact that the Court is proceeding with the remedial phase of this case does not foreclose the Louisiana Legislature from exercising its “sovereign interest” by drawing a legally compliant map.

The Court has considered the arguments from the Louisiana Secretary of State that May 15, 2024, is the deadline by which they must receive a congressional map in order to prepare for the November elections. However, the Court is aware that in



oral arguments in a related case,<sup>1</sup> the same counsel for the Louisiana Secretary of State stated that they could be adequately prepared for that same November election at issue herein if they received a map by approximately the end of May. As noted, the Louisiana Legislature is in session until June 3, 2024, and the Court finds it necessary to permit the Legislature a full opportunity to enact a new map while the Court simultaneously pursues the remedial phase. Accordingly, if the Louisiana Legislature fails to enact a new map by June 3, 2024, the Court intends to order the use of an interim remedial Congressional districting map on June 4, 2024. During the remedial phase, the Court may employ a Court-appointed technical advisor, which will be disclosed to the parties by separate order. After considering the positions of the parties, the Court imposes the following deadlines for the remedial phase of this litigation:

**DEADLINE:**

May 17, 2024

Each party, intervenor and amici may submit their proposal, which shall be limited to one map per party. The proposal shall include both evidence and argument supporting the map. The proposal and argument supporting the proposal shall be limited to twenty-five pages. Evidence in support of the proposal may be attached as exhibits.

May 24, 2024

Each party may file a single response, responding to one or more of the other parties' proposed maps. Each response shall be limited to twenty-five pages per party.

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<sup>1</sup> *Robinson v. Ardoin*, Case Number 22-30333, oral argument before the Fifth Circuit Court of Appeals held on October 6, 2023.

May 30, 2024, at 10:00 a.m.

The Court will hold a hearing in Courtroom 1, in Lafayette, Louisiana. No evidence will be introduced at the hearing, but parties may make arguments in support of their proposal and against any other party's proposal. Argument will be limited to forty-five minutes per party.

THUS DONE in Chambers on this 7th day of May, 2024.

/s/ Carl E. Stewart

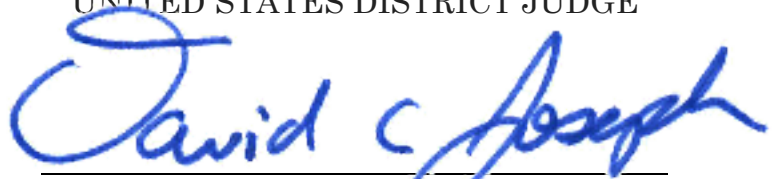
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CARL E. STEWART  
UNITED STATES CIRCUIT JUDGE



---

ROBERT R. SUMMERHAYS  
UNITED STATES DISTRICT JUDGE



---

DAVID C. JOSEPH  
UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE, )  
 BRUCE ODELL, ELIZABETH ERSOFF, )  
 ALBERT CAISSIE, DANIEL WEIR, )  
 JOYCE LACOUR, CANDY CARROLL )  
 PEAVY, TANYA WHITNEY, MIKE )  
 JOHNSON, GROVER JOSEPH REES, )  
 ROLFE MCCOLLISTER, )

Plaintiffs,

v.

Case No. 3:24-cv-00122

NANCY LANDRY, IN HER OFFICIAL )  
 CAPACITY AS LOUISIANA )  
 SECRETARY OF STATE, )

Defendant.

**THE STATE OF LOUISIANA’S SCHEDULING BRIEF**

This morning, the Court held a Status Conference, at which it ordered the State of Louisiana to file a brief listing the plausible legislative procedures for enacting another congressional map. *See* ECF No. 216. Accordingly, the State submits this brief to explain that, if the Court permits the Legislature an opportunity to draw another map,<sup>1</sup> there are only two plausible avenues for the Legislature. First, the Legislature could amend a bill that already has been introduced in the current regular session—which started on March 11, 2024, and ends on June 3, 2024—as long

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<sup>1</sup> Because the Court instructed the State not to make this brief “an advocacy piece,” the State excludes any legal argument. Nothing in this brief, however, should be read to constitute a waiver of the State’s position that the Legislature must be afforded a “reasonable opportunity” to draw a remedial map, *see In re Landry*, 83 F.4th 300, 303 (5th Cir. 2023) (*quoting Wise v. Lipscomb*, 437 U.S. 535, 540 (1978)), and the timelines provided herein do not constitute such an opportunity.



as the amendment is germane to that existing bill. Second, the Governor could call a special session in which new redistricting bills could be considered. That second option, however, is limited by the possibility of a special session to amend the Louisiana Constitution.

## **I. REGULAR SESSION**

The Legislature is currently in regular session, which is scheduled to end on June 3, 2024. *See* La. Const. art. III, § 2(A)(3)(a). The deadline for proposing new bills in the current session has passed, however. *See id.* (“No new matter intended to have the effect of law shall be introduced or received by either house after six o'clock in the evening of the twenty-third calendar day.”).

Moreover, the Louisiana Constitution contains Single-Object and Germaneness Requirements that limit legislative enactments. *See* La. Const. art. III, § 15(A) (“Every bill, except the general appropriation bill and bills for the enactment, rearrangement, codification, or revision of a system of laws, shall be confined to one object.”) (Single-Object Requirement); *id.* § 15(C) (“No bill shall be amended in either house to make a change not germane to the bill as introduced.”) (Germaneness Requirement). Under these constitutional requirements, the Legislature could potentially amend an existing bill to address congressional redistricting, but the amendment’s object (congressional redistricting) must be germane to the subject matter of the existing bill that it seeks to amend. *See id.* §§ 15(A), (C).

As Plaintiffs attested at this morning’s Status Conference, there are currently bills before the Legislature that it might conceivably attempt to amend to enact a new

congressional map. *See, e.g.*, S. Bill 468, 2024 Reg Sess. (La. 2024) (relating to *Louisiana State Senate* redistricting). But attempting to use that bill for *congressional* redistricting would be subject to a germaneness challenge because it addresses *state senate* redistricting. *See La. Fedn. of Teachers v. State*, 118 So. 3d 1033, 1063–72 (La. 2013) (“The ‘object’ of a bill has been variously defined as the aim or purpose of the enactment, its general purpose, the matter or thing forming the groundwork of the bill.”); *La. Pub. Facilities Auth. v. Foster*, 795 So. 2d 288, 299–301 (La. 2021) (“What is ‘germane’ is that which is in close relationship, appropriate, relevant, or pertinent to the general subject.”)

## II. SPECIAL SESSION

Alternatively, the Governor could call a special session (also called an “extraordinary session”) in which new bills could be considered. *See* La. Const. Art. III, § 2(B). If the Governor were to call a special session, the Legislators must be given “[a]t least seven calendar days [notice] prior to convening the legislature in extraordinary session.” *Id.* And the bill must be read by title on three separate days in each house, and a committee of each chamber must hold public hearings and reports on the bill. *Id.* § 15(D) (“Each bill shall be read at least by title on three separate days in each house. No bill shall be considered for final passage unless a committee has held a public hearing and reported on the bill.”); *see also* S. Rule 10.6. However, the obligation of the reading of the bill is waivable if approved by a majority of the Senate and two-thirds of the House. *See* S. Rule 15.2; H. Rule 13.2. Thus, if done via special session, the State would need at least twelve days to pass a new map, unless the rules were waived by the appropriate margins in each house.

### III. CONSTITUTIONAL SESSION

It is important to note that both options (special or regular session) could be limited by another proposal that is currently pending in the Legislature, which calls for a constitutional session (*i.e.*, a session to amend the Louisiana Constitution). *See* H. Bill 800, 2024 Reg. Sess. (La. 2024). If that measure passes, the regular session would end on May 20, 2024, instead of June 3, 2024, and would foreclose the Governor from calling a special session for the duration of the constitutional session. *See generally id.*

### CONCLUSION

There are only two plausible avenues for the Legislature to draw a new map. First, the Legislature could amend a bill that already has been introduced in the current regular session as long as the amendment is germane to that existing bill. Second, the Governor could call a special session in which new redistricting bills could be considered. But calling a special session is limited by the possibility of a different special session to amend the Louisiana Constitution—a possibility that is currently pending in the Legislature.

Dated: May 6, 2024

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**CERTIFICATE OF SERVICE**

I hereby declare that I served the foregoing document on counsel for all parties via email on May 6, 2024.

/s/ Morgan Brungard  
Morgan Brungard

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

PHILLIP CALLAIS, *et al.*,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity as  
Louisiana Secretary of State,

Defendant.

Case No. 3:24-cv-00122-DCJ-CES-RRS

Judge David C. Joseph  
Judge Carl E. Stewart  
Judge Robert R. Summerhays

Magistrate Judge Kayla D. McClusky

**DEFENDANT’S BRIEF REGARDING ELECTION DEADLINES**

Defendant Nancy Landry, in her official capacity as Louisiana Secretary of State (“Defendant” or the “Secretary”), hereby submits the following brief in regard to the 2024 election cycle deadlines.

La. Const. art. 4, § 7 provides that the Secretary “heads[s] the department [of State] and shall be the chief election officer of the state[,]” and that she “shall prepare and certify the ballots for all elections, promulgate all elections returns, and administer the election laws, except those relating to voter registration and custody of voting machines.” With approximately 7,161 elective offices statewide, election administration in Louisiana requires numerous overlapping and interlocking tasks.

Federal courts have repeatedly emphasized the need to consider “the mechanics and complexities of state election laws” when determining the appropriate remedy in the apportionment context. *Veasey v. Perry*, 769 F.3d 890, 893 (5th Cir. 2014) (quotation omitted). Here, complying with both state and federal election laws indicate that May 15, 2024 is the last possible date that the Secretary could receive a congressional map for implementation to ensure

an election that is as disruption-free as possible. [Hadskey Decl. ¶16]<sup>1</sup>. While November 5, 2024 is the “Election Day” for Presidential, Congressional, and other elections in Louisiana, voting in those elections really begins months earlier on September 21, 2024. [Hadskey Decl. ¶23]. This is the date by which the parish Registrars of Voters are required by state and federal law to mail all absentee ballots to overseas voters, including servicemen and women.<sup>2</sup> La. R.S. 18:1308(A)(2)(a); 52 U.S.C. § 20302(a)(8). Prior to that deadline ballots must be proofed, printed, and voters must be properly assigned to districts. [Hadskey Decl. ¶23].

The first statutory deadline impacting congressional redistricting is the June 19, 2024 deadline for candidates to submit nominating petitions to the Registrars of Voters for certification. [Hadskey Decl. ¶15 (citing La. R.S. 18:18:465(B))]. Ahead of that deadline the Secretary must complete the following:<sup>3</sup>

Date	Action
May 15, 2024	Deadline for the Secretary of State to receive redistricting information for Congressional and state Supreme Court districts.
May 16, 2024	Secretary of State begins reviewing precinct numbers that would need to change in each parish statewide for the Congressional and state Supreme Court districts. A document is created for each parish. The document is then proofed and submitted to the parishes for their review as well.
May 18, 2024	Annual Canvass begins and shall be complete no later than June thirtieth in each parish. La. R.S. 18:192 A.(1)(a)
May 22, 2024	Deadline for the Secretary of State to create a schedule for parishes that have to implement the most coding changes and contact each parish’s Registrar of Voters for proofing changes.
May 23, 2024	Earliest feasible date coding can begin in the ERIN system, parish by parish, to build up to the statewide plan. If 30 or more parishes are impacted, this usually takes at least 3 weeks. Notably, no other work in ERIN may go on while this is implemented in each parish. ERIN can only implement one plan at a time.
June 3, 2024	Yearly maintenance of all voter equipment in the state must begin.

<sup>1</sup> This is the deadline the Secretary has previously represented to multiple courts that a congressional map would be needed for implementation this year. *See e.g.* Rec. Doc. 82.

<sup>2</sup> Because this day falls on a Saturday, it likely must be completed the day before.

<sup>3</sup> Attached as **Exhibit 1** is a Declaration of Ms. Sherri Hadskey, Louisiana’s Commissioner of Elections (hereinafter, “Hadskey Decl.”).



June 11, 2024 <sup>4</sup>	Deadline by which all parish Registrars of Voters must have plans proofed, completed, and approved for Congressional and state Supreme Court districts and any other municipal jurisdictional changes.
June 12, 2024	Deadline for all work to be completed in ERIN for statewide plans so that Registrars of Voters may update information that was held while statewide plans were implemented. As soon as this is done, the Secretary must send an updated file to State Printing to create, print, and mail voter identification cards to voters for both canvass and districting notifications. <sup>5</sup>
June 17, 2024	USPS begins delivering voter identification cards for both canvass and districting to voters.
June 19, 2024	Deadline for submission of candidate nominating petitions for persons qualifying by nominating petition. La. R.S. 18:18:465(B).

[Hadskey Decl. ¶¶15, 16(a)-(f)].

This means that even under the May 15 deadline, there is only a 5-week period to code and assign all voters to their election districts so that candidate qualifying can open on time. [Hadskey Decl. ¶19]. Notably the ERIN system only allows one plan in a parish to be coded at a time, and plans must be built parish by parish up to the statewide plan. [Hadskey Decl. ¶¶21, 26]. If 30 or more parishes are impacted, this usually takes three weeks. This year, the Secretary is potentially required to implement two statewide plans. First, the Secretary must code over 2 million voters to the new state Supreme Court districts. [Hadskey Decl. ¶18]. Second, if this Court chooses to implement a plan other than H.B. 1, the Secretary must then assign voters under that new plan. [Hadskey Decl. ¶20]. These statewide changes must also be reconciled with changes for the 21 municipalities that may conduct redistricting for the Fall 2024 elections. [Hadskey Decl. ¶18]. All changes go through a multi-step verification process, including each parish Registrar of Voters who are not parties to this litigation. [Hadskey Decl. ¶13]. This process already only leaves those qualifying by nominating petition a week to obtain a list of those in the district they are attempting

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<sup>4</sup> Notably, this cuts 2 days off of the usual three-week time frame that it takes to make changes to statewide districting plans impacting 30 or more parishes.

<sup>5</sup> These identification cards notify voters which district they reside in.

to qualify for and get the requisite number of signatures. In addition to the fact that ERIN only allows for one plan to be implemented at a time, redistricting implementation also renders ERIN unusable for other tasks in that parish, such as entering new registrations, cancelling registrations, and most importantly, completion of the Annual Canvass. [Hadskey Decl. ¶¶12-13].

June 19, 2024 is the first in a long line of election administration deadlines ahead of the federal and state ballot mailing deadline in September. Below is a chart showing the deadlines the Secretary must complete after June 19, 2024:

Date	Action
June 30, 2024	Deadline for completion of Annual Canvass. La. R.S. 18:192 A.(1)(a)
July 1, 2024	Deadline for parish governing authorities to submit precinct changes (including a precinct being established or altered in any way, including alpha division by voter surname). La. R.S. 18:532.1(E).
July 10, 2024	Statutory deadline for all parish Registrars of Voters to assign voters in ERIN to each voting district for all elections, accounting for precinct changes. La. R.S. 18:58(B)(2).
July 17, 2024	Qualifying begins. This is also the deadline for parish governing authorities to submit polling place changes. La. R.S. 18:534(b)(1).
July 19, 2024	Qualifying ends at 4:30 p.m. Certified list of candidates and qualifying fees are submitted to the Secretary of State by the clerks of court for municipal and local officials. State candidates qualify with the Secretary of State. La. R.S. 18:468(A), 18:470(A)(3)(a).
July 24, 2024	Secretary of State must furnish the Supervisory Committee, Campaign Finance Disclosure Act, an alphabetical list of the candidates for each of the offices to be voted on in each election. La. R.S. 18:470.1.
July 26, 2024	Deadline for objections to candidacy or for any candidates to withdrawal by 4:30 p.m. La. R.S. 18:493, 18:1405(A); 18:501(A)(1).
August 7, 2024	Deadline for all Registrars of Voters to publish the names and addresses of persons on the inactive list for one day in the official journal of the parish governing authority. La. R.S. 18:193(F).
September 21, 2024	Deadline for all Registrars of Voters to mail all overseas ballots. La. R.S. 18:1308(A)(2)(a); 52 U.S.C. § 20302(a)(8).

[Hadskey Decl. ¶¶19(a)-(h)].

The time between deadlines here too is stretched. There are approximately 10 days between the date for precinct changes and final voter assignments on July 10, 2024. Qualifying begins 7 days later. After qualifying is complete the Secretary begins coding ballots as soon as possible.

[Hadskey Decl. ¶22]. Coding especially should not be rushed, as rushed coding could result in voters getting incorrect ballots. [See Hadskey Testimony<sup>6</sup> at 30:15-31:12 (noting that this possibility is “extremely concerning” and that hearing a voter received the wrong ballot is “the worst thing you can hear” in running an election); Hadskey Decl. ¶¶23-24]. Coded ballots must then be proofed, approved, printed,<sup>7</sup> and delivered in time for the Registrars of Voters to mail all overseas ballots pursuant to La. R.S. 18:1308(A)(2)(a) and 52 U.S.C. § 20302(a)(8). [Hadskey Decl. ¶23].

Rushing the voter assignment and ballot printing processes creates an unacceptable risk of error that can lead to flawed elections. Municipal elections that ran on March 26, 2022 on new redistricted lines, saw administration problems. [Hadskey Decl. ¶24]. Late census information caused a rushed entry of voter information and led to entry of incorrect voter information, ultimately resulting in the issuance of incorrect ballots in Calcasieu Parish. [*Id.*]. As a result, a judge required state and local officials to hold a special municipal election to remedy the issue. [Hadskey Testimony at 24:22-25; 29:1-7]. It is clear that rushing the voter assignment process creates a risk of error that leads to flawed elections. [Hadskey Decl. ¶¶23-24]. And unlike the case in Calcasieu and other parish-specific issues,<sup>8</sup> congressional districting plans shift more voters and

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<sup>6</sup> Excerpts of Ms. Hadskey’s testimony from the *Robinson* preliminary injunction hearing on May 13, 2022 are attached as **Exhibit 2** (hereinafter “Hadskey Testimony”).

<sup>7</sup> Due to their unique nature, Louisiana’s absentee ballots must be printed far in advance of any election. In fact, past bids revealed that only three companies in the entire nation can print the particular envelope the state employs. [Hadskey Testimony at 37:17-38:8].

<sup>8</sup> To the extent that this schedule differs slightly from the 2023 schedule at issue in *Means, et al. v. DeSoto Parish, et al.*, 5:23-cv-00669-DCJ-MLH (W.D. La.), Louisiana’s 2023 election schedule did not include federal elections or certain statutory deadlines implicated by federal elections that are otherwise at play 2024. Furthermore, the *DeSoto Parish* litigation involved a challenge to police jury districts in one parish only. Re-coding voters for Congressional districts crosses multiple parishes and involves more voters to be re-assigned generally.

take significantly more time to code, proof, and mail voter identification cards. [Hadskey Decl. ¶26].

Here, unlike 2022, the Secretary is implementing another statewide plan for state Supreme Court districts at the same time. [Hadskey Decl. ¶20]. It should also be noted that the federal election for 2024 is slightly earlier than it was in 2022, by three days. This means that all other deadlines for 2024, including those for ballot mailing, qualifying, and the deadline to submit nominating petitions are slightly earlier than they were in 2022.

As Louisiana's Chief Election Officer, on February 27, 2024, Defendant notified the Court that she needed an approved congressional plan no later than May 15, 2024, in order to have sufficient time and resources needed to administer the 2024 elections pursuant to federal and state law. [Rec. Doc. 82]. The same remains true today, otherwise the risk of rushed election administration resulting in errors is significant.

Respectfully submitted, this the 6th day of May, 2024.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 6th day of May, 2024, the foregoing document was filed via the Court's CM/ECF system which sent notice of the same to all counsel of record in this matter.

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# **Exhibit 1**



IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

PHILLIP CALLAIS, *et al.*,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity as  
Louisiana Secretary of State,

Defendant.

Case No. 3:24-cv-00122-DCJ-CES-RRS

Judge David C. Joseph  
Judge Carl E. Stewart  
Judge Robert R. Summerhays

Magistrate Judge Kayla D. McClusky

**DECLARATION OF SHERRI WHARTON HADSKY**

Now comes Sherri Wharton Hadskey, who deposes and says:

1. I am over 18 years of age, legally competent to give this declaration, and have personal knowledge of the facts set forth in it.

2. I have worked in election administration for over 30 years. I am currently Commissioner of Elections for the State of Louisiana, a position I have held since August of 2017.

3. I began working in administration of elections in Louisiana in 1986 as a student worker for the Department of Elections and Registrations for the state of Louisiana, and continuing in 2004 when the Department of Elections and Registration was abolished and all functions of the Department were merged into the office of the Secretary of State. I have been involved in election work in the areas of elections purchasing, registration, accounting, IT, and programming.

4. In 2005, I was appointed Director of Elections within the office of the Secretary of State and served in that capacity until I was appointed Commissioner of Elections in 2017.

5. In 2005, I was a member of the committee which selected election equipment for the state of Louisiana and my duties included– implementing the entire system for the state,

including training all Registrars of Voters, Clerks of Court, and field staff personnel, oversight of acceptance, testing and delivery of all equipment, voter outreach on the new equipment, and knowledge of the entire electronic system to program the machines.

6. In 2017, I received a certification as a Certified Elections Registration Administrator (CERA) from The Election Center, upon completion of a two year educational curriculum for elections administrators.

7. In January of 2017, I received the Dunbar Award for Civil Service, which is the highest honor a classified employee can receive for service to the citizens of Louisiana.

8. Currently, in my position as Commissioner of Elections I have approximately 235 people working under my supervision all over the state in the fields of election services, election field operation, and elections IT/ programming.

9. In the course and scope of my duties, I work closely with parish registrars of voters. We provide administrative support and direct assistance to the sixty-four registrars across the state, and we work closely with them on the administration of absentee by mail voting and early voting for each election. This office also works with the registrar of voters on all election day procedures including tabulation of early voting and absentee by mail ballots, support election day guidance and service calls, and following the election for inspection, auditing the election and recounts when necessary. I do not have direct control over the parish registrars, but we work with them on the conducting of the annual canvass of registered voters. This office works closely with the registrars of voters on the maintenance of lists for registration and other records.

10. I also work with parish Clerks of Court across the state regarding matters of voting machines, ballots, receipt of votes from Clerks of Court on election night, and any other matters prescribed by the Louisiana Election Code.

11. As Commissioner of Elections, I am familiar with the procedures for registration and voting in this State. It is primarily my responsibility to ensure that the elections run on schedule, and that all deadlines for election administration are met. I also work with the Secretary of State to implement any election related laws, including redistricting plans, passed by the Legislature, or other parishes, local municipalities, and school boards. I am also responsible for working with the Secretary of State to supervise the conduct of orderly, fair, and open elections, and ensuring that elections in Louisiana are administered in such a way as to preserve the integrity of, and protect the public confidence in, the democratic process.

12. The 2024 election cycle requires the commitment of significant administrative resources by state and parish level officials. Specifically, voters need to be assigned to new voting districts in accordance with statewide plans passed by the Louisiana Legislature, and to any new voting district subject to redistricting at the municipality, or parish level.

13. Specifically, each voter must be assigned to their new districts in our elections database system called ERIN. Once voters are assigned to new districts, the information must be carefully proofed before it goes “live” in the ERIN system. This includes coordination with parish Registrars of Voters.

14. At this time, the only Congressional plan loaded into ERIN is H.B. 1, last utilized in the 2022 federal election cycle.

15. In the months leading up to an election, every day matters. The first statutory election deadline pertaining to congressional districting is June 19, 2024, which is the deadline for candidates to submit nominating petitions. La. R.S. 18:465(E)(1).

16. In order to meet this deadline, I conferred with our staff and the Secretary. Together we determined that a congressional districting plan was needed no later than May 15, 2024. If we receive a plan by that date, our schedule to code this plan is as follows:

- a. On May 16, 2024 we would begin review of precinct numbers that would need to change in each parish statewide for the new plan. A document would then be created for each parish. This document must then be proofed and submitted to the parishes for their review as well. This must occur this year for both congressional and state Supreme Court districts. In 2022 it took a week just to review H.B. 1 for changes prior to implementation.
- b. By May 22, 2024 we must create a schedule for parishes that have to implement the most coding changes and contact each Registrar of Voters for proofing changes.
- c. May 23, 2024 is the earliest date by which we could begin making changes in ERIN. This would be done parish by parish to build up to the statewide plan. If 30 or more parishes are impacted this takes at least 3 weeks. Notably no other work in ERIN may go on while this is implemented. In ERIN you can only implement one plan at a time. This means that Annual Canvass, which is scheduled to begin on May 18, 2024, will be delayed. Annual Canvass must be completed by June 30, 2024.
- d. By June 11, 2024 all parish Registrars of Voters must have plans proofed and approved by this date for both Supreme Court and Congressional districts and any other municipal jurisdictional changes.
- e. By June 12, 2024 all work must be completed in ERIN, so that parish Registrars of Voters can update their information that was put on hold while implementing

statewide districting plans. The Secretary's team will then begin creating and printing identification cards to voters for both canvass and redistricting.

- f. On June 17, 2024, U.S.P.S. begins delivering voter cards for redistricting and canvass to voters. These cards inform voters what district they reside in.

This means that under the current schedule there is already a mere five-week period to code and assign all voters to their election districts, so that candidate qualifying by nominating petition can open on June 19, 2024. As such, this schedule already leaves virtually no room for error or unforeseen issues. A delay in receiving the map or any unforeseen issues could impact the Secretary's ability to meet these deadlines. Moreover, the further condensed this period becomes, the less clarity candidates will have to determine whether they want to run in that particular district, and who they may be running against.

17. In addition to these deadlines, we must begin yearly maintenance of voter machines and equipment on June 3, 2024. Yearly maintenance touches the following:

- a. All AVC Election Day voting machines (currently 9541 statewide);
- b. All ICX Early Voting machines (currently 820 statewide);
- c. All Canon Scanners (currently 110 statewide);
- d. All software and password updates for all laptops (over 600 statewide);
- e. Implementing all 2024 General Legislative Updates to all manuals and forms.

18. During this time we will also be working to assign voters to the new state Supreme Court districts. We anticipate moving approximately 2 million voters based on this change in the statewide plan. And while statewide redistricting plans take longer to code and proof than smaller redistricting plans at the parish or municipality level, we will also be implementing changes for the 21 municipalities and parishes that may redistrict ahead of the Fall 2024 election.

19. Election administration work continues after the June 19, 2024 deadline. The following subsequent deadlines are also in force:

- a. June 30, 2024 is the deadline by which the Annual Canvass must be complete. Again, no other work in ERIN may go on while redistricting plans are implemented in each parish, including work on the Annual Canvass.
- b. July 1, 2024 is the deadline for Parish Governing Authorities to submit any precinct changes (including a precinct being established or altered in any way, including alpha divisions by voter surname).
- c. July 10, 2024 is the deadline for parish Registrars of Voters to assign voters in ERIN to each voting district for all races, accounting for precinct changes.
- d. Qualifying begins on July 17, 2024 and ends on July 19, 2024 at 4:30 PM. Certified lists of candidates and qualifying fees are submitted to the Secretary by the Clerks of Court.
- e. July 24, 2024 the Secretary must furnish a list of candidates to campaign finance.
- f. July 26, 2024 is the deadline for objections to candidacy or any candidates to withdraw. These objections to candidacy may be filed in the state district courts.
- g. August 7, 2024 is the deadline for Registrars of Voters to publish the names and addresses of those persons on the inactive list in the official journal of the Parish Governing Authority.
- h. September 21, 2024 is the deadline for the Registrars of Voters to mail all overseas ballots. This is a deadline under both state and federal law.

20. Because this redistricting is going on at the same time as implementation for the Supreme Court districts and other municipal redistricting plans, there is still a significant amount

of coding to be completed in this tight time frame allotted for coding in the ERIN system. An addition of a Congressional plan after May 15, 2024 may render the Secretary of State unable to meet the assignment deadline ahead of the start of candidate qualifying.

21. In order for ballot coding to be complete by September 13, 2024, ballot coding must begin prior to that so that ballots can be printed and proofed. This is especially true for the federally required provisional ballots which are the first ballots to be prepared and printed.

22. For the November 2024 election the Secretary of State's office will need to prepare numerous different ballots depending on qualifying reports. A ballot will need to be prepared for each unique combination of districts that a potential voter will vote in.

23. The already condensed timeframe makes accomplishing all of these tasks difficult. And this schedule assumes that nothing goes wrong. Moving any of the aforementioned deadlines further would result in a tighter timeframe for ballot drafting, printing, and importantly, decreased time for ballot proofing ahead of the hard federal deadline for mailing ballots of September 21, 2024. Decreasing the time to code, print, and proof these ballots increases the likelihood that a serious mistake will be made that ultimately results in a voter receiving an incorrect ballot or voting in an incorrect district.

24. Such a mistake occurred in 2022. Municipal elections that ran on March 26, 2024 on new redistricted lines, saw administration problems. Late census information caused a rushed entry of voter information and led to entry of incorrect voter information, ultimately resulting in the issuance of incorrect ballots in Calcasieu Parish. As a result, a judge required state and local officials to hold a special municipal election in to remedy the issue. It is clear that rushing the voter assignment process creates an unacceptable risk of error that leads to flawed elections.



25. Further complicating this matter, parishes, by law, can merge precincts. The deadline to submit ordinances on mergers is July 1, 2024. However, practically, these mergers cannot be implemented in ERIN while Congressional redistricting is ongoing, as precincts can only be merged when all districts are in alignment. The Secretary of State's office has no control over the mergers, as they are controlled by demographers and parish councils. Therefore, later congressional districting work makes it possible a parish council could pass a merger ordinance that practically cannot be implemented because Congressional districts were still being implemented.

26. I am aware that as of the time of the execution of this declaration, that there is no Congressional districting plan either enacted by the legislature or ordered by the Court for the State to use in the November 2024 election. If a new map has split precincts we may not be able to implement that districting plan in time for the election. As discussed previously, the Secretary of State's staff needed a week to review and study H.B. 1 prior to the start of coding. That map had no split precincts. Because all split precincts will need to be addressed by the local Registrars of Voters, the Secretary of State will no longer be able to control the timeline of completing the Plan in ERIN. Implementation of any map, if it is possible at all, will only be feasible with the use of significant overtime in the form of staff working nights and weekends, as well as the likely hiring of temporary employees.

Pursuant to 28 U.S. Code §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on the 6th day of May, 2024, in Baton Rouge, Louisiana.



SHERRI WHARTON HADSKY

4889-1254-0453 v.1

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UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

PRESS ROBINSON, ET AL \* CIVIL ACTION  
\*  
VERSUS \* NO. 22-211-SDD  
\*  
KYLE ARDOIN, ET AL \* CONSOLIDATED WITH  
\*  
\*  
EDWARD GALMON SR., ET AL \* NO. 22-214-SDD  
\*  
VERSUS \* MAY 13, 2022  
\*  
KYLE ARDOIN, ET AL \* VOLUME 5 OF 5  
\* \* \* \* \*

MOTION FOR PRELIMINARY INJUNCTION BEFORE  
THE HONORABLE SHELLY D. DICK  
UNITED STATES CHIEF DISTRICT JUDGE

APPEARANCES:

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PLAINTIFFS:

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PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY USING  
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09:25 1 AREAS. SO IN THE RED, THESE WOULD BE HIGH CONCENTRATION, HIGH  
2 PERCENT WHITE VOTING AGE POPULATION SURROUNDED BY HIGH  
3 PERCENTAGE WHITE VOTING AGE POPULATION. SO IT'S NOT THE  
4 DISTRIBUTION PER SE, IT'S SHOWING A STATISTICAL SUMMARY OF A  
5 COMPARISON OF OBSERVED RACIAL POPULATION IN A BLOCK COMPARED TO  
6 ITS NEIGHBORS.

7 Q. OKAY. AND JUST SO I UNDERSTAND -- AND, AGAIN, I MAY BE  
8 SIMPLIFYING AGAIN -- ESSENTIALLY WHAT YOU'RE TELLING US, USING  
9 A MATHEMATICAL MODEL IS THAT RESIDENTIAL PATTERNS IN THESE  
10 CITIES ARE HIGHLY SEGREGATED. IS THAT CORRECT?

11 A. YES.

12 Q. I HAVE NO FURTHER QUESTIONS.

13 THE COURT: IS THERE ANY REDIRECT?

14 MR. GORDON: NOTHING FROM ME, YOUR HONOR. THANK YOU.

15 THE COURT: OKAY. YOU MAY STEP DOWN.

16 THANK YOU, SIR.

17 NEXT WITNESS.

18 MR. STRACH: THANK YOU, YOUR HONOR. PHIL STRACH.

19 THE DEFENSE CALLS SHERRI HADSKEY.

20 SHERRI WHARTON HADSKEY,  
21 HAVING BEEN DULY SWORN, TESTIFIED AS FOLLOWS:

22 THE DEPUTY CLERK: AND IF YOU WOULD, PLEASE, STATE  
23 YOUR NAME AND SPELL IT, FOR THE RECORD.

24 THE WITNESS: SURE. SHERRI, S-H-E-R-R-I, WHARTON,  
25 W-H-A-R-T-O-N, HADSKEY, H-A-D-S-K-E-Y.

**DIRECT EXAMINATION**

**BY MR. STRACH:**

**Q.** GOOD MORNING, MS. HADSKEY.

**A.** GOOD MORNING.

**Q.** COULD YOU TELL THE COURT WHAT YOUR CURRENT POSITION IS?

**A.** I AM THE COMMISSIONER OF ELECTIONS FOR THE LOUISIANA SECRETARY OF STATE.

**Q.** AND COULD YOU GIVE US A BRIEF OVERVIEW OF YOUR POSITION AND WHAT YOU DO?

**A.** I OVERSEE ELECTIONS. WE HAVE ELECTIONS OPERATIONS, ELECTIONS FIELD OPERATIONS, ELECTIONS BUSINESS, AND ELECTIONS SERVICES, AND I OVERSEE THE ADMINISTERING OF THE ELECTIONS PROCESS.

**Q.** ALL RIGHT.

**MR. STRACH:** FOREST, COULD WE PULL UP MS. HADSKEY'S AFFIDAVIT WHICH IS SOS\_1?

**BY MR. STRACH:**

**Q.** MS. HADSKEY, DOES THIS APPEAR TO BE A COPY OF -- A COPY OF THE AFFIDAVIT, THE DECLARATION YOU SUBMITTED IN THIS CASE?

**A.** YES, IT DOES.

**Q.** AND DOES THIS AFFIDAVIT OUTLINE YOUR PROFESSIONAL BACKGROUND AND CURRENT DUTIES?

**A.** YES, IT DOES.

**Q.** OKAY. ALL RIGHT. THEN WE WON'T GO INTO DETAIL ON THAT.

**MR. STRACH:** YOU CAN TAKE IT DOWN FOR US. THANK YOU.

09:29 1 PETITION BY THAT DATE?

2 A. CORRECT. WITH ALL OF THE SIGNATURES, WHICH WILL BE  
3 SUBMITTED TO THE REGISTRARS FOR VERIFICATION.

4 Q. ALL RIGHT. AND SO IS YOUR OFFICE READY AND PREPARED FOR  
5 THAT DEADLINE AS OF TODAY?

6 A. WE ARE, BECAUSE THE CARDS HAVE NOTIFIED THE VOTERS WHICH  
7 DISTRICTS THEY ARE IN. THE PEOPLE THAT WANT TO QUALIFY FOR --  
8 BY PETITION WILL HAVE THE CORRECT AREAS THAT THEY NEED TO GET  
9 THE SIGNATURES FROM.

10 Q. ALL RIGHT. WHEN IS THE QUALIFYING DEADLINE FOR  
11 CONGRESSIONAL CANDIDATES WHO WANT TO PAY THE FILING FEE?

12 A. THE QUALIFYING DEADLINE IS -- WELL, QUALIFYING IS THE  
13 20TH, 21ST AND 22ND OF JULY.

14 Q. ALL RIGHT. SO YOU'RE WORKING BETWEEN NOW, OBVIOUSLY, AND  
15 JUNE 22ND AND JULY 20TH. WHAT KIND OF ACTIVITIES IS YOUR  
16 OFFICE ENGAGED IN AND FACING BETWEEN NOW AND JULY 20TH?

17 A. SO CURRENTLY WE ARE RECEIVING THE SCHOOL BOARD PLANS TO  
18 BEGIN THE PROCESS FOR REDISTRICTING WITH THE SCHOOL BOARDS,  
19 WHICH IS QUITE COMPLICATED. WE ALSO HAVE 158 MUNICIPALITIES  
20 THAT CAN BE REDISTRICTED AND WE ARE WAITING FOR THAT  
21 INFORMATION TO COME IN AS WELL.

22 WE ARE CONDUCTING AN ELECTION ON JUNE 4TH BECAUSE OF  
23 A REDISTRICTING ERROR THAT WAS MADE IN THE MARCH 26TH ELECTION  
24 IN CALCASIEU PARISH. SO WE HAVE EARLY VOTING AND THE ELECTION  
25 PROCESS GOING ON FOR THAT PARTICULAR AREA.

09:37 1 NOW, THE PROBLEM THAT WE HAD IN CALCASIEU STEMMED  
2 FROM THE LATE CENSUS INFORMATION COMING THROUGH AND THE SHORT  
3 AMOUNT OF TIME THAT THE LOCALS HAD TO GET THAT INFORMATION  
4 ENTERED. AND BY DOING IT QUICKLY AND TRYING TO PROCESS  
5 EVERYTHING AS FAST AS THEY COULD TO BE READY FOR QUALIFYING,  
6 MISTAKES WERE MADE. SO ON ELECTION DAY, PEOPLE WERE GIVEN THE  
7 WRONG BALLOT.

8 Q. ALL RIGHT. DO YOU HAVE ANY -- OBVIOUSLY, THIS IS A  
9 ONCE-A-DECADE PROCESS FOR CONGRESSIONAL MAPS. DO YOU HAVE ANY  
10 NEW REGISTRARS AT THE LOCAL LEVEL THIS YEAR WHO HAVE NEVER DONE  
11 REDISTRICTING BEFORE?

12 A. YES. WE HAVE 19 NEW REGISTRARS THAT WILL BE DOING THIS  
13 PROCESS FOR THE FIRST TIME AS THE REGISTRAR OF VOTERS.

14 Q. ALL RIGHT. AND IF YOU HAD TO PROCESS A NEW CONGRESSIONAL  
15 PLAN SOME TIME BETWEEN NOW AND JULY 20TH, WOULD A NEW ROUND OF  
16 NOTICES HAVE TO GO OUT TO THE VOTERS?

17 A. ABSOLUTELY.

18 Q. OKAY.

19 A. THE MOST IMPORTANT THING IS THAT THE VOTER AND THE  
20 CANDIDATES KNOW THE DISTRICTS THAT THEY ARE LIVING IN AND THAT  
21 THEY WILL VOTE IN.

22 Q. AND IN THE CARDS, WOULD THEY HAVE TO GO OUT WITH PLENTY OF  
23 TIME FOR THE CANDIDATES TO ACTUALLY STUDY THE PLAN AND DECIDE  
24 WHAT TO DO AND THE VOTERS DECIDE WHAT TO DO?

25 A. YES. YES.

09:38 1 Q. ARE THERE ANY ISSUES -- IN YOUR AFFIDAVIT, YOUR  
2 DECLARATION, YOU TALKED ABOUT A PAPER SHORTAGE. WHAT DOES THAT  
3 -- HOW DOES THAT PLAY INTO THIS PROCESS?

4 A. SO WE HAVE SUPPLY CHAIN SHORTAGES RIGHT NOW THAT WE ARE  
5 DEALING WITH FOR ELECTIONS, ACTUALLY THE ENTIRE NATION IS  
6 DEALING WITH FOR ELECTIONS. ONE OF THOSE IS THE PAPER  
7 SHORTAGE. WE ATTEMPTED TO GET THE ENVELOPES FOR OUR  
8 ABSENTEE-BY-MAIL PROCESS AND WE SEARCHED -- ACTUALLY THE  
9 DIVISION OF ADMINISTRATION ASSISTED US IN SEARCHING THE ENTIRE  
10 UNITED STATES TO TRY AND FIND THE PAPER TO PRODUCE OUR  
11 ENVELOPES. THEY ALSO REACHED OUT TO CANADA. AND FORTUNATELY,  
12 AT THE LAST MINUTE, WE WERE ABLE TO FIND ONE PAPER MILL THAT  
13 COULD PROVIDE THE PAPER THAT WE NEED. HOWEVER, IT'S, OF  
14 COURSE, AT A MUCH HIGHER RATE OF PAY, RATE OF COST.

15 Q. ALL RIGHT. SO IN LIGHT OF THE -- ALL OF THE MANY  
16 ACTIVITIES YOUR OFFICE IS ENGAGED IN AND IF YOU HAD TO DO A NEW  
17 CONGRESSIONAL PLAN SOME TIME WITHIN THE NEXT FEW MONTHS, WHAT'S  
18 YOUR ASSESSMENT OF WHETHER YOU COULD -- YOU COULD PULL THAT OFF  
19 ERROR FREE?

20 A. OH, I'M EXTREMELY CONCERNED. I'M VERY CONCERNED BECAUSE  
21 WHEN YOU PUSH -- WHEN YOU PUSH PEOPLE TO TRY AND GET SOMETHING  
22 DONE QUICKLY -- AND ESPECIALLY PEOPLE THAT HAVE NOT DONE THIS  
23 PROCESS BEFORE, THE WORST THING YOU CAN HEAR FROM A VOTER IS,  
24 "I'M LOOKING AT MY BALLOT AND I DON'T THINK IT'S RIGHT. I  
25 THINK I'M IN THE WRONG DISTRICT OR I DON'T FEEL LIKE I HAVE THE

09:40 1 RIGHT RACES."

2 THE OTHER THING IS NOTIFYING THE VOTERS. I THINK WE  
3 ALL CAN RELATE TO WE KNOW WHO OUR PERSON IS THAT WE VOTED FOR,  
4 FOR CONGRESS OR FOR SCHOOL BOARD OR ANY RACE AND WHEN YOU GET  
5 THERE AND YOU REALIZE IT'S NOT THE PERSON YOU ARE LOOKING FOR,  
6 YOU'RE THINKING THAT'S WHO YOU'RE GOING TO VOTE FOR. AND THEN  
7 YOU FIND OUT, "WAIT, I'M IN A DIFFERENT DISTRICT." IF WE DON'T  
8 NOTIFY THEM IN ENOUGH TIME AND HAVE THAT CORRECTED, IT CAUSES  
9 CONFUSION ACROSS THE BOARD. NOT JUST CONFUSION FOR THE VOTERS,  
10 BUT ALSO CONFUSION FOR THE ELECTIONS ADMINISTRATORS TRYING TO  
11 GO BACK AND CHECK AND DOUBLECHECK THAT WHAT THEY HAVE IS  
12 CORRECT.

13 Q. ALL RIGHT. BROADLY SPEAKING, ASIDE FROM JUST ELECTION  
14 ADMINISTRATION, ARE THERE ANY OTHER FACTORS THAT CONCERN YOU IN  
15 CONSIDERING THE ELECTION SCHEDULE THIS YEAR?

16 A. YES. UNFORTUNATELY AND SADLY FOR THE LAST TWO YEARS, IT'S  
17 BEEN THE LAST -- THE LAST TWO YEARS HAVE BEEN THE HARDEST IN MY  
18 ENTIRE CAREER. I HAVE NO WAY OF KNOWING IF COVID IS GOING TO  
19 COME BACK UP THIS COMING FALL. AND THAT ALONE ADDED AN  
20 ADDITIONAL MASSIVE AMOUNT OF WORK ON THE LOCALS AND ON THE  
21 STATE TO BE ABLE TO PROVIDE FOR SOCIAL DISTANCING, NOT HAVE  
22 POLLING LOCATIONS IN NURSING FACILITIES, ET CETERA. SO I'M  
23 VERY CONCERNED ABOUT THAT COMING AT US LIKE A FREIGHT TRAIN.

24 AND THEN I'M ALSO CONCERNED ABOUT -- I THINK WE ALL  
25 KNOW IN 2020, WE COULD NOT FIND HAND SANITIZER. WE COULDN'T

09:49 1 Q. AND YOU WON'T KNOW WHICH CANDIDATES WILL QUALIFY TO APPEAR  
2 ON THE BALLOTS FOR CONGRESSIONAL ELECTIONS UNTIL JULY 29TH AT  
3 THE EARLIEST?

4 A. THAT'S CORRECT.

5 Q. THE NUMBER OF BALLOTS THE STATE NEEDS FOR THIS NOVEMBER'S  
6 ELECTIONS WON'T CHANGE BASED ON THE SHAPE OF THE CONGRESSIONAL  
7 DISTRICTS. CORRECT?

8 A. NO. NO, IT SHOULD NOT BASED ON THE SHAPE OF THE  
9 CONGRESSIONAL DISTRICTS. IT'S BASED ON THE NUMBER OF  
10 CANDIDATES THAT QUALIFY, THE NUMBER OF CONSTITUTIONAL  
11 AMENDMENTS. IN OTHER WORDS, YOU MAY HAVE A ONE-PAGE BALLOT OR  
12 YOU COULD HAVE A THREE-PAGE BALLOT, DEPENDING ON WHO QUALIFIES.

13 Q. RIGHT. YOU DISCUSSED ABSENTEE ENVELOPES WITH MR. STRACH,  
14 I BELIEVE. NO ABSENTEE BALLOTS HAVE GONE OUT YET. IS THAT  
15 CORRECT?

16 A. NOT YET.

17 Q. AND THOSE WON'T NEED TO BE PRINTED UNTIL 45 DAYS BEFORE  
18 THE ELECTION?

19 A. OH, NO. WE HAVE TO HAVE THEM PRINTED WAY IN ADVANCE.  
20 LOUISIANA HAS A SPECIAL ENVELOPE. IT HAS AN AFFIDAVIT FLAP ON  
21 IT. IT'S UNIQUE. THERE'S NOT -- TO MY KNOWLEDGE, THERE'S NO  
22 OTHER STATE OR JURISDICTION IN THE UNITED STATES THAT HAS THE  
23 DETAILED FLAP THAT WE HAVE. AND IT'S VERY DIFFICULT TO PRINT.

24 WHEN WE'VE PUT IT OUT TO BID IN THE PAST, ONLY THREE  
25 COMPANIES IN THE NATION WERE ABLE TO PRINT THIS PARTICULAR



09:50 1 ENVELOPE IN THE WAY THAT IT'S MADE AND THE INFORMATION THAT'S  
2 ON IT. AND IN ORDER TO HAVE THEM PRINT, PROOF, PRINT ALL OF  
3 THEM THAT ARE NECESSARY FOR THE PRIMARY AND THE GENERAL AND  
4 THEN HAVE THEM SHIPPED TO US, THEN BREAK IT DOWN AND DISTRIBUTE  
5 THEM TO THE PARISHES, WE HAVE TO RECEIVE THOSE BY AUGUST 1ST.  
6 WE CAN'T RECEIVE THEM ANY LATER THAN THAT OR WE WOULDN'T BE  
7 ABLE TO GET THEM OUT TO THE LOCALS TO BE ABLE TO HAVE THEM TO  
8 USE.

9 Q. THANK YOU.

10 THE NUMBER OF ABSENTEE BALLOT ENVELOPES WILL NOT  
11 CHANGE DEPENDING ON THE SHAPE OF THE CONGRESSIONAL DISTRICTS.  
12 CORRECT?

13 A. NO. THAT WILL DEPEND ON THE NUMBER OF PEOPLE THAT APPLY  
14 FOR AN ABSENTEE BALLOT AND THE NUMBER OF PEOPLE THAT APPLY FOR  
15 THE PROGRAMS LIKE THE OVER 65 PROGRAM OR THE DISABILITY  
16 PROGRAM; THINGS LIKE THAT.

17 Q. YOU SUGGEST THAT THE PAPER SHORTAGE MIGHT AFFECT THE  
18 PRINTING OF VOTER REGISTRATION CARDS. CORRECT?

19 A. IT COULD -- IT COULD AFFECT ANY ITEM THAT WE HAVE TO  
20 PRINT. FOR EXAMPLE, THE PAPER ROLLS FOR THE VOTING MACHINES,  
21 THE TAPES, THE CARDS OR ANY SUPPLY. IF YOU'VE GONE TO VOTE ON  
22 ELECTION DAY AND YOU WANT TO CHANGE YOUR ADDRESS OR YOU WANT TO  
23 VOTE BY AFFIDAVIT OR ANY OF THE SUPPLY ITEMS. ALSO, THE POLL  
24 BOOK PAGES, WE USE PAPER POLL BOOK PAGES. WE DON'T USE E-POLL  
25 BOOKS, SO EVERYTHING THAT IS PAPER-RELATED, WE'RE TRYING TO