REP. JOHN STEFANSKI: Members. If you please take your seats. I'm going to call The Joint House and Senate Governmental Affairs Committee to order. We will go ahead and read the House roll first. Ms. [INDISCERNIBLE 00:00:18]

FEMALE 1: Chairman Stefanski.

REP. JOHN STEFANSKI: Present.

FEMALE 1: Present. Vice Chairman Duplessis.

REP. ROYCE DUPLESSIS: Here.

FEMALE 1: Present. Representative Beaullieu.

REP. GERARD BEAULLIEU: Present.

FEMALE 1: Present. Representative Wilford Carter. Representative Deshotel.

REP. DARYL DESHOTEL: Here.

FEMALE 1: Present. Representative Farnum.

REP. LES FARNUM: Here.

FEMALE 1: Present. Representative Gadberry.

REP. FOY BRYAN GADBERRY: Here.

FEMALE 1: Present. Representative Hodges.

REP. VALARIE HODGES: Present.

FEMALE 1: Present. Representative Horton. Representative Ivey.

REP. BARRY IVEY: Here.

FEMALE 1: Present. Representative Jenkins.

REP. SAM JENKINS: Present.

Hearing Exhibit
PR-47
3:22-cv-00211-SDD-RLB

FEMALE 1: Present. Representative Mike Johnson.

REP. MIKE JOHNSON: Here.

FEMALE 1: Present. Representative LaCombe.

REP. JEREMY LACOMBE: Here.

FEMALE 1: Present. Representative Lyons.

REP. RODNEY LYONS: Here.

FEMALE 1: Present. Representative Magee.

PRO TEMP. REP. TANNER MAGEE: Present.

FEMALE 1: Present. Representative Newell.

FEMALE 1: Representative Thomas.

REP. POLLY THOMAS: Here.

FEMALE 1: Present. Representative White. The House has fourteen members in a quorum.

REP. JOHN STEFANSKI: Now we'll read the Senate roll please.

FEMALE 2: Chairwoman Hewitt.

REP. SHARON HEWITT: Present.

FEMALE 2: Present. Vice Chairman Milligan.

REP. BARRY MILLIGAN: Present.

FEMALE 2: Present. Senator Allain.

SENATOR BRET ALLAIN: Here.

FEMALE 2: Present. Senator Foil.

SENATOR FRANKLIN FOIL: Here.

FEMALE 2: Present. Senator Harris. Senator Price.

SENATOR EDWARD PRICE: Here.

FEMALE 2: Present. Senator Reese.

SENATOR MIKE REESE: Here.

FEMALE 2: Present. Senator Tarver. And Senator Womack.

REP. JOHN STEFANSKI: Thank you. I want to thank everybody for coming today. This is the culmination of months of traveling in essence. This is the last of our roadshow days. We've traveled the state. We have heard from the public and my hope is today we will have checked a lot of boxes and really made everyone feel like we're trying to be as both transparent and is open to the public comments and input as possible, because at the end of the day we want your comments. We want to know what the people of Louisiana think and that is the goal. And so, if you see the agenda both members and members of the public, we have four agenda items. And so, I'm going to kind of give an overview of how this is going to work. First up is going to be the discussion of vacancies on the Board of Ethics. Staff is going to discuss with us both the House and the Senate separate duties regarding the appointments to the ethics board. We are next going to have staff discuss the redistricting roadshow and the plan evaluation

form. After that, similar to all the other roadshows that we have done, we are going to have a public comment portion. If you are a member of the public and you would like to give testimony today, please fill out a card and you will have an opportunity to do that. We are going to again going to ask that you keep those comments within five minutes so that we have an opportunity to get to everyone. And then, finally, the fourth aspect of today is a review of the submitted proposals. We all of the maps that have been submitted in a block equivalency file timely, we're going to give the committee an opportunity to ask the person who has submitted that map a question. That's the purpose of that portion as well. So, again, that's an overview of what we're doing. I want to thank everybody for coming today. I am going to pass it over to Chairwoman Hewitt to give some remarks as well.

REP. SHARON HEWITT: Thank you, Mr. Chairman. I appreciate that and it's great to see everyone here. This is kind of the culmination of several months' worth of work. And so, first of all, I would like to thank the legislators on this committee, both House and senate members for your commitment to this process. State law in many states requires public

hearings. Our state law does not, but it was important to the chairman and to me that we have again, a very public and transparent process. So, thank you to the members for your commitment to that. Thank you to the staff for your commitment to the process as well so that we could make this a process that everyone can participate in. So, today, we're going to hear a lot of really valuable information. And so, thank you all for attending and cooperating with us so that we can get through a lot of information today. So, thank you, Mr. Chairman. I've enjoyed working with you so far.

REP. JOHN STEFANSKI: Absolutely. It has been great. Thank you, Madam Chairwoman. All right. So, members, we're going to go to item number one. The discussion of vacancies on the Board of Ethics and I will have both House and senate staff give us an explanation.

PATRICIA LOWRY-DUFOUR: Hi members. I'm Patricia Lowry-Dufour. The Senior Legislative Analyst for House and Governmental Affairs.

[00:05:02]

I'm going to give you a very brief overview. In your folders members is a copy of the relevant statute and the code of ethics that covers how Board

1 of Ethics members are appointed. Also, the
2 restrictions that are upon them and who is not
3 eligible to serve. So, briefly, the Board of Ethics
4 administers and enforces the code of governmental
5 ethics, the campaign finance disclosure law, the
6 lobbyist registration and disclosure laws, and very
7 specific laws relative to election integrity, as well
8 as gaming and lottery conflicts of interest. The
9 board consists of eleven members, each of whom serve
10 a staggered five-year term. No member can serve more
11 than two terms on the board. Of those eleven members,
12 the governor appoints seven. Two members are selected
13 by the House of Representatives and two members are
14 selected by the Senate. Again, these are separate
15 appointments. The House has two appointments and the
16 Senate has two appointments. On December the 10th,
17 the nominating committee which is composed of the
18 presidents of designees of very specific independent
19 colleges and universities and again, you will find
20 the nominating committee and that statute that is in
21 your folders submitted a list of five eligible
22 nominees per vacancy. So, the Speaker of the House of
23 Representatives received two lists for the two
24 vacancies that have occurred in the House list. Their
25 terms are up. The current House appointees are not

limited, but their terms are up and the House again will go through this process. One of the first things that the committee will have to do is have a meeting on the Committee on House and Governmental Affairs typically interviews each of the nominees and makes a recommendation to the full House of the person that they believe would be best suited to serve on the Board of Ethics. The deadline for the House of Representatives to make that selection is February the 8th. So, the chairman has determined that on February the 2nd, the committee will have a hearing to interview the nominees. So, there are ten nominees on the Board of Ethics. We are currently in the process of gathering information about these nominees. We've asked each to fill out a questionnaire as well as a financial disclosure form. There have been varying degrees of compliance with that, but come February the 2nd, we'll have an opportunity to interview those nominees for our two ethics board vacancies that are coming up. And I'm going to turn it over now to J. W. Wiley to discuss briefly the Senate process.

J. W. WILEY: Good morning members. J. W. Wiley the First Assistant Secretary of the Senate. Our process is somewhat similar to the house's process.

We did receive a letter December 10 to the president's office where they listed out the two groups, Group A and Group B. In Group A, there was five people, in Group B there was five people. What will occur according to the statute is that the S&GA committee will meet and we are planning tentatively February 2nd in the afternoon to interview the nominees and to make a recommendation. By custom and tradition, the Senate typically does one nominee per group to recommend them to the full senate. At that point in time, the full senate will meet by February 8 to elect the members. What it will happen is on the floor they'll come up and we'll do the nominee and make the recommendation and the full body will actually vote on that nomination. Information from the nominees, they're filling out questionnaires right now, similar to the house. Once we get all that information, we'll compile it for everyone and get it in the folder to everyone. And with that, the processes are similar and sounds like even the dates are going to be similar. February 2nd and February 8th. Yeah.

REP. JOHN STEFANSKI: Good deal. Any questions members? Seeing no questions. Let's go ahead and move

on to agenda item number two, an overview of the roadshow.

PATRICIA LOWRY-DUFOUR: Okay members. This is going to be a recap of the roadshow. So, on October 20th, the joint committees traveled to Monroe, Louisiana. We had 147 members of the public that attended that meeting, 24 people testified at that meeting and we received six written statements or testimony. Then on October 21st we traveled to Shreveport. We had 132 members of the public in attendance.

[00:09:59]

We had 18 people testify and we have five written statements or testimonies. Then on October 26th, we traveled to Lafayette. We had 115 members of the public in attendance. We had 26 people testify and six written testimonies. On November 9 thin Alexandria, Louisiana, we had 67 members of the public in attendance. 20 people testified and we had five written statements or testimony. On November 16th, we were back in Baton Rouge. We had 144 people in attendance. We had 28 people testify and we have fourteen written statements or testimonies presented to the committee. On November 30th, we were in Covington, Louisiana where we have 52 members of the

1 public in attendance. We had eighteen people testify
2 and thirteen written statements or testimonies. On
3 December 15th, we traveled to Lake Charles, Louisiana
4 where we had 92 people in attendance. We had 24
5 people testify and seven written statements or
6 testimony submitted. On January the 5th, we were in
7 New Orleans, Louisiana. We had a 167 people in
8 attendance. We have 46 people testify and we received
9 82 written statements or testimonies. And then, on
10 January the 11th, we were in Thibodaux where had 46
11 members of the public in attendance. Seven people
12 testified and we had eleven written statements or
13 testimonies. And again, all of the video for each of
14 the meetings, as well as the documents that were
15 received by the committee is available on the
16 redistricting website attached to the meeting on that
17 date in that location. During the course of this
18 process, to date, we have received 27 block
19 equivalency files for various proposals on
20 redistricting plans. We received two House plans,
21 five senate plans, sixteen congressional plans, two
22 messy [PH 00:12:13] plans and two Supreme Court
23 plans, one is a seven-member Supreme Court plan and
24 the other is a nine-member Supreme Court plan. And
25 again members, I'll remind you all that the nine-

1 member proposal would additionally require a
2 constitutional amendment. Again, all of the ones that
3 we submitted by the deadline are posted on the
4 redistricting webpage under public submissions by
5 plan type. So, you will find all of the information
6 there including the evaluation. So, I want to review.
7 If you'll open up your folders. Obviously, it was a
8 lot of documentation. It would have been over 1,000
9 pages per each of you to give you the full version of
10 what is posted on the website. So, in your folders
11 members, we've included a copy of the plan
12 evaluation, as well as a copy of the map. If you want
13 the detailed information, you must go to the
14 redistricting webpage and click on those plans.
15 REP. JOHN STEFANSKI: Obviously members as you
16 can imagine, a thousand pieces of paper in everyone's
17 folder, it's a little unmanageable and probably not
18 an efficient way to do business. So, all that can be
19 found online. The things we're going to discuss today
20 when we go map by map can all be found online, but if
21 there's a specific thing you need, please let staff
22 know we can try to go print you out something if you
23 would like any more discussion.
24 PATRICIA LOWRY-DUFOUR: Indeed and I do want to
25 hit a few items. So, as you're looking at the plan

1 evaluation form, I want you to be aware of a few
2 things. One is on the question of the majority-
3 minority districts, we had to make a choice. And so
4 we quantified that answer by 50 plus one Black pop,
5 and 50 plus one Black, voting-age pop. So, only if a
6 district crossed that threshold is it going to be
7 counted as a majority-minority district? I want to be
8 clear though. There are certain proposals in which
9 there are some districts that the white alone
10 population does not constitute a majority. So, be
11 aware of that and you will be able to see that in the
12 detailed reports that are attached to the plan
13 evaluations. That's one. The other is on the question
14 of how many municipalities are split in the plan.
15 Please be aware that Louisiana has not only
16 municipalities that are designated as places in the
17 census data. There are also what they call CDPs which
18 are census-designated places. We have 303 - let me
19 check my number really quick, actual Incorporated
20 municipalities in the state.
21 [00:15:03]
22 But we have an additional I think 169 census-
23 designated places. So, it could be that that answer
24 does not correspondent directly to an incorporated
25 municipality. The other thing I want to hit on are

split precincts. Even though a plan may indicate that there was a precinct split in the population reports that you will have attached to the plan evaluations, if a precinct population that is split is zero, it could be that there are minor variations between the plan submitter's database on which they confected that plan and our database, and it may have not been a deliberate choice on their part to split a precinct. So, please be aware of these things. And I want to be perfectly clear. If any member of the legislature is interested in pursuing any of the proposals that were submitted as potential legislation in the upcoming redistricting session, your designated redistricting staff will work with and at the direction of the member to resolve any issues with the criteria deficiencies that may have been in a proposal that was submitted. And finally, Mr. Chairman, we'll turn it back over to you.

REP. JOHN STEFANSKI: Thank you. We do have one question of from Representative LaCombe. Representative LaCombe, just an overview and for all the members, staff is not here to discuss in detail the elements of the plans. They're just here to talk about the form or any procedural things that you may need. Representative LaCombe.

REP. JEREMY LACOMBE: It wasn't me.

REP. JOHN STEFANSKI: It's not you? Oh, it's Gadberry. I'm sorry. Representative Gadberry. Poor LaCombe. I was giving you a hard time too. Representative Gadberry I apologize. I was counting three over.

REP. FOY BRYAN GADBERRY: On the website, does it give the CSV file for each map that we could import and review?

PATRICIA LOWRY-DUFOUR: No sir, but we can certainly upload those after the meeting. We can have those uploaded.

REP. FOY BRYAN GADBERRY: I mean, just in case I want to look at them.

PATRICIA LOWRY-DUFOUR: Absolutely. We can attach.

REP. FOY BRYAN GADBERRY: I wouldn't upload every one of them.

PATRICIA LOWRY-DUFOUR: We can attach the block equivalencies to the submittals to those submittals. We absolutely can do that.

REP. FOY BRYAN GADBERRY: Okay. Thank you.

PATRICIA LOWRY-DUFOUR: Thank you.

REP. JOHN STEFANSKI: Thank you, Representative Gadberry. Okay members, if there are no more

1 questions for staff, I'll ask staff to leave the
2 table and we're going to - and again, I'll talk about
3 agenda item three and four one more time. We are
4 going to have a public comment portion very similar
5 to everywhere else on the roadshow where we're going
6 to allow the public to come up. I'm giving every five
7 minutes to make a statement. After we're done with
8 that public comment. I will go basically map by map
9 of these middles and ask if the author is here and if
10 the committee in an opportunity to allow the
11 committee to ask the author any questions about the
12 submittal, okay? First up we have is Checo Yancy [PH
13 00:18:16]. Mr. Yancy. Yes sir.
14 CHECO YANCY: Good morning, everyone.
15 REP. JOHN STEFANSKI: Good morning.
16 CHECO YANCY: I am here today to talk about the
17 representatives and the senators that have prisons in
18 their districts and we're going to talk about
19 gerrymandering and prison-based gerrymandering.
20 Prison gerrymandering results from the choice to
21 treat incarcerated people as residents of their cells
22 rather than their home communities. It distorts
23 democracy and denies any many Louisiana's fair and
24 equal representation. Prison gerrymandering dilutes
25 the representation of people living in districts

1 without prisons conversely. It gives greater
2 representation to people living in districts with
3 prisons. And I want to re-emphasize that if you have
4 a district and you have a prison in it, always
5 looking at some numbers and they are counting people
6 where in the prison but not where they live. Prison
7 gerrymandering allows district containing prison to
8 inflate their population count with incarcerated
9 people even though people convicted of felonies in
10 Louisiana cannot vote. While they' incarcerated and
11 people who are incarcerated for misdemeanors or while
12 awaiting trial for absentee in their home districts.
13 Under these practice, incarcerated people are
14 theoretically represented by elected officials who
15 are not accountable to them in any way. Based on the
16 fiction that they reside in a place where they have
17 no opportunity to participate in civil, social
18 economic life. Prison gerrymandering distorts
19 distribution of political representation, violating
20 fundamental constitutional principles and equity of
21 the democracy process. The state legislature can and
22 should address prison gerrymandering do
23 [INDISCERNIBLE 00:20:26] recycle. The legislature
24 should and could pursue a range of measures to
25 address prison gerrymandering. It could require that

incarcerated people be counted in the right location, their home communities. This is the solution that the principles of dignity, equality, and fair representation demand. On the partial solution, it could require that incarcerated population be removed from the total population count of the district containing prisons all be spread equally across all districts. Short of these approaches, itcould simply take incarcerated people into account when drawing districts for example by using allowable deviations to place more non-incarcerated people in districts with prison so that that non-incarcerated population of those districts, approaches more closely to the population of other districts that do not contain prisons. All I'm asking is that when you look at this, make sure it's done fair and equally. I'll take any questions if there are any.

REP. JOHN STEFANSKI: Thank you, Mr. Yancy. Are there any questions? We appreciate your testimony.

CHECO YANCY: Thank you.

REP. JOHN STEFANSKI: Thank you. Next card is Liddie Radaman [PH 00:21:56]. Hope I'm pronouncing that right. All right.

LIDDIE RADAMAN: I'm not sure what qualifies the people to sit before and decide the faith of others.

They've never and quite possibly will never meet. Looking at census reports, old maps and their own personal agendas, nefarious or not seems very one-sided. Hacking up a district to meet some court requirements without principles is ludicrous. We are guaranteed a republican form of government. We are guaranteed some form of government that is not arbitrary. The parameters that have been laid out here all of them sound arbitrary to me, 5%, 10%, voting age population and party affiliations. 105, 39, too difficult to understand. All the while I have this quote echoing in my head. I can't get it out of my head. Maybe this whole thing should be reduced to some kind of an equation or perhaps, "An arithmetical operation upon which no two men could differ." In other words, so that somebody does not walk away feeling like they got screwed. Better still, that their blessings of liberty remain secure. Thank you for letting me speak here today.

REP. JOHN STEFANSKI: Thank you for your testimony. Next card J. Frankie Hyers [PH 00:23:41]. You have five minutes.

J. FRANKIE HYERS: You won't suffer a poem or a song from Frankie Hyers from Jefferson Parish and I'm just here to spark a little curiosity. I can't teach

you all anything you don't want to learn about. I'm a perpetual student so I don't really know anything. I submitted what Jefferson said about this and he is the authority to go down this rabbit hole. You'll find out that in 1849 the Tally Court deferred and decided that the executive branch would define what Republican form meant, right? I've looked at the census numbers and the one thing that wasn't mentioned in most of those meetings was while there's a drift towards the I-10 route.

REP. JOHN STEFANSKI: Could you speak into the microphone, please.

J. FRANKIE HYERS: While there's a drift to the I-10 route. Thank you. What we don't see is this, right, is that we're actually evacuating the rurals. The rural parishes are being evacuated in an unprecedented manner. Only the top fifteen populated parish has really gained any substantial population with the exceptions of West Baton Rouge and St. Bernard which neighbor two of the three most populous parishes. So, we got to figure out how this is going to work out with regards to principled representation because principal representation matters, right?

[00:25:00]

1 You got 49 out of 64 parishes that are being
2 evacuated with the exception of those two mentioned.
3 So, how are we going to deal with this? I thought
4 about submitting a map and I may try and do one
5 still. It's not easy because of the constraints of
6 this federal law that you all want to bend over for.
7 When federal law supplants principles representation
8 and would endorse virtual representation, it has
9 failed, and that needs to be addressed. Mr. Jefferson
10 does this and I submitted this already once. If you
11 permit, the large fraction of one parish to choose a
12 representative from one of the small fractions of
13 another parish, you take from the latter it's
14 election, which constitutes real representation as
15 substitute and substitute a virtual representation of
16 the disenfranchised fractions, and the tendency of
17 the doctrine of virtual representation has been too
18 well discussed in appreciated by reasoning and
19 resistance on a former great occasion to need
20 development now. I didn't say that. I couldn't think
21 of that. It took me a long time to figure out what
22 that even means. All right. To reduce this to an
23 arithmetical operation upon which no two persons can
24 differ. Secure the blessings of liberty, right? Those
25 things mean something and it's what how the executive

1 branch define republican form. Were guaranteed
2 republican form at the state level. We got to figure
3 this out. You all have a chance right now. And if
4 anybody wants to get curious about this. You can find
5 somebody else who understands the constitution.
6 They're going to find you down to the tally court and
7 they're going to defer the executive branch. The
8 Supreme Court decisions in 60s band-aid fixes an
9 arbitrary at best. Mayberry phenomena, right? You got
10 on one side everybody begging and pleading for
11 fairness and equity. On the other side everybody just
12 wants to maintain their community. Give me my
13 Mayberry. Just let me have my wonderful Mayberry.
14 Otis [PH 00:26:45] never gets prosecuted. Sheriff
15 Andy, he's going to pick his replacement so you all
16 are term-limited. Every one of the rural parishes
17 gets to hand pick their own replacements. This is
18 absurd. That's another discussion. With regards to
19 apportionment, we got to figure out how to do it with
20 some principles. So, federal government, you got six
21 districts, right? We've been apportioned six due to
22 the method of
23 equal proportions. Everybody know where that came
24 from. This guy named EV Huntington, a mathematician
25 in early 1900s. Basically begged by the republican

1 party at that time to establish this formula. They
2 failed in 1902 to actually do what they're commanded
3 to do constitutionally. So, federally speaking, we
4 don't really have a government. If the contract is
5 null and void 1920, nobody's willing to address that
6 yet. We are not going to even talk about it. But
7 where it applies to us is that there are principles
8 established in the constitution and apportionment
9 means something, right? The respective numbers of the
10 portions matter. If there's going to be a senate
11 equal suffrage is the is a principle. There's
12 uniformity and apportionment. They're applied to
13 taxation and representation. It's why we formed a
14 union, to establish justice. To establish means to
15 set up and affirm on a permanent basis because we
16 have mental process and not firm. It's firm, not
17 permanent. Justice is moral decision-making process.
18 We lack for that terribly. But if you don't have
19 principles representations, it's easy for the
20 legislative branch of the carried away. For Mayberry
21 phenomena to take effect. The people who suffer for
22 the for those statutes that are cumulative, are the
23 people who don't know the sheriff. Lo and behold,
24 it's mostly going to be people of color and people in
25 bigger places. So, all this matters, right? Jefferson

said the application one ratio would be intelligible to people and therefore approved. While the complex operations of everything else we're coming up with here, rarely understood. Never comprehended by them. They can acquiesce and we've been acquiescing for a long time here. You have the opportunity to do something about it. Those six districts—

REP. JOHN STEFANSKI: Mr. Hyers, you're almost out of time.

J. FRANKIE HYERS: The six most populated parishes get a district each, get a representative. Note, it's a House of representatives based on population. East Baton Rouge, Jefferson, Orleans, St. Tammany, Lafayette, Caddo and Calcasieu, right? No Caddo, sixth most populous. Down to Caddo, they get the representatives. The rest of the parishes can pick which one of those six districts they want to align themselves with. No mapmaking. Allow the people to choose their representative.

REP. JOHN STEFANSKI: Thank you, Mr. Hyers.

J. FRANKIE HYERS: And same principles could be applied to every other [INDISCERNIBLE 00:29:10] Spring court and every other district that needs to be redone. Establish some principles, please. I'm begging you. On behalf of Thomas Jefferson and

Jefferson Parish was afforded but three minutes for the great or New Orleans area. I want to establish this for the record. Three minutes of afforded to the greater New Orleans area, 700 thousand plus.

REP. JOHN STEFANSKI: You've been afforded more than that. Thank you for your time. Thank you for your active participation throughout this process. Thank you. Next card, Mary Susie Labry.

MARY SUSIE LABRY: Thank you. All right.

REP. JOHN STEFANSKI: No problem. Yes ma'am. Whenever you're ready.

[00:29:59]

MARY SUSIE LABRY: Yeah. I'm going to make it short and sweet. All I want to know is what I'm asking for is on a U. S. Congressional level, I'm not going to ask for much change. I do not think we need two minority districts. I think we need to district around the community of interest. And one thing I do want to note is I want to stand for the rural people. I'm a city slicker from New Orleans originally and I live in a suburb in the South Tangipahoa Parish and I love Steve Scalise, he's my man. And what I want to say is I want to stand for the rural people. I want to stand for the farmers and I want to stand for small businesses, small oil, the supply chains. And

that is the hand that feeds us. I see an axes of urban versus rural which I have been seeing since the days in the early 60s and late 50s. We need to thank our rural people because that is a hands that feed us. You wouldn't have the urban areas if it wasn't for the rural people. The rural people who raised us. I'm for preservation of families and heritage and these farms. I'm for the small farms, and I'm for big when it works, but I'm not for big at the sacrifice of the small businesses and small farms. And I just want to make sure that these people have good representation and I want to preserve number five and they need to be a little bit of change. Now, another subject I think we need more state legislators on the heavily populated area. We have one senator where we should be heading three senators for example in my district. And I thank you very much.

REP. JOHN STEFANSKI: Thank you, ma'am. Next, we have Dr. Sheila Lewis. Welcome.

DR. SHEILA LEWIS: Thank you. Chair Stefanski and Hewitt, I would ask you all to please join me and my fellow sorors for a moment of silent prayer. We just found out a few minutes ago that the organization that I represent, our national president died this morning. And so we will pause just for a moment of

1 silence. Amen, and thank you. I am Sheila Lewis,
2 representing the members of Delta Sigma Theta
3 Sorority Incorporated in the State of Louisiana.
4 Representative Stefanski, Senator Hewitt, chair and
5 members of the committees on the House and
6 governmental affairs. I come this morning to share
7 with you a resolution that is presented by the sorors
8 of the organization in Louisiana of which I
9 represent. I'm a lifelong citizen of the state of
10 Louisiana. Also a proud member of Delta Sigma Theta
11 Sorority Incorporated. Whereas Delta Sigma Theta
12 Sorority Incorporated with more than 5,000 members in
13 the state of Louisiana is a nonpartisan sisterhood
14 organization founded in 1913 on the principles of
15 sisterhood, scholarship and service with a five-point
16 programmatic thrust that includes political awareness
17 and involvement. Whereas the 2020 decennial census,
18 PL94-171 redistricting data has identified that
19 Louisiana's demographics have changed and the state
20 has become more diverse with African-Americans making
21 up over 1/3, 33.13% or 1,543,119 of the state's total
22 population of 4,657,757 residents. Whereas Delta
23 Sigma Theta Sorority Incorporated asserts that
24 Louisiana should have a second majority-minority
25 congressional district to fairly represent Black

1 voters and further it is our hope that when the
2 Louisiana congressional district maps are redrawn,
3 this goal is achieved. Whereas the change in face of
4 Louisiana's population requires an important question
5 to be asked, specifically, are African-Americans
6 equitably and fairly represented at all levels of
7 Louisiana's highest positions of the elected
8 government? Thus, the state legislature, the U. S.
9 Congress, the Supreme Court, BESE and the PSC,
10 whereas African-American voters in the state have
11 been historically discriminated against and
12 unlawfully excluded in the redistricting process that
13 has led to litigation in federal court in the past.
14 [00:35:08]
15 Whereas every initial state legislative
16 redistricting plan for the Louisiana House of
17 Representatives has been challenged in federal court
18 since the Voting Rights Act was passed in 1965.
19 Whereas the state legislature has an affirmative
20 obligation to comply with the Fourteenth and
21 Fifteenth Amendments to the U. S. Constitution and
22 the Voting Rights Act of 1965 to protect the right to
23 vote of American citizens and prohibit racial
24 gerrymandering during the redistricting process.
25 Whereas the urge the Louisiana state legislator to

adopt maps that reflected 2020 census data verifying that one-third of Louisiana's citizens are African-American and should have the opportunity to choose the representative of their choice rather than representatives choosing their constituents. Whereas elected officials are more responsive to constituents when voters have a choice of candidates and districts are more competitive, thus increasing accountability and serving the best interest of the voters of Louisiana. Whereas it is critically important that neither partisan or racial gerrymandering remain the standard for the draw of district lines to either dilute, crack or concentrate and cluster pack districts with Black voters to limit the impact of our voting strength. Whereas this resolution should be announced publicly as a testament to the commitment of Delta Sigma Theta Sorority Incorporated to a fair and equitable redistricting process in the State of Louisiana and to the elimination of all aspects of unlawful gerrymandering that have been a past practice in redistricting by the Louisiana legislature. Whereas Delta Sigma Theta Sorority Incorporated is committed to expanding an African-American voting strength throughout the state and unequivocally supports the drawing of maps that

1 create two competitive majority-minority United
2 States congressional districts that provide a
3 reasonable opportunity for African-American to elect
4 their candidates of choice. Now, therefore, be it
5 resolved that the Louisiana members of the Delta
6 Sigma Theta Sorority Incorporated urge the House and
7 senate governmental affairs joint committee to draw a
8 fair and equitable maps based on the principles of
9 equal protection and one man one vote which would
10 allow more than one-third of the state citizens to
11 have a greater voice in our government. This
12 resolution was passed, approved and adopted on the
13 18th day of January 2022. I'm going to ask this time
14 for those members of Delta Sigma Theta from across
15 the Louisiana who are here and many of you will know
16 us because you know us for wearing red. We are always
17 here during the legislative session. To my sorors
18 behind me, please stand. Thank you so much for your
19 presence.
20 REP. JOHN STEFANSKI: Thank you, ma'am.
21 DR. SHEILA LEWIS: Thank you so much Chair
22 Stefanski, Chair Hewitt and members of the Senate
23 governmental committee for allowing me this
24 opportunity to address you today. Good morning to all
25 of you.

REP. JOHN STEFANSKI: Good morning to you as well ma'am. Next up we have a Peter Robins-Brown. Whenever you're ready sir.

PETER ROBINS-BROWN: Yeah. Peter Robins-Brown, Louisiana Progress. Throughout this process, Louisiana Progress have tried to do the best we can to get information out to the public, work on tools and resources that people can use to better understand the process. And not just the public but hopefully for legislators who are involved since many of you are doing this for the first time due to term limits. So, one of the tools that we have worked on and made available is a website called Louisiana Redistricting & You. You can find that at louisiana.redistrictingandyou.org. Currently what we have up there are the current maps and some proposed maps that have been drawn by various groups or individuals and there's a really unique slider tool and you can just slide it and you see how the lines change and how the demographics would change between districts. During the special session, we are going to try to get proposed maps that move out of committees up onto that website as quickly as we can and hopefully like within the same day so that as these maps move through the process, the public can

look at them and see exactly how a proposed map would compare to a current map. And again, be able to hopefully have the legislators make it a little bit easier for you all to compare maps. I think if you do, take a chance to look at that tool, again, louisiana.redistrictingandyou.org. If you look at it, it's really easy to use. You can understand it in about 30 seconds. I think some of the tools and technology on this can be a little bit hard to deal with especially if you're not experienced working with technology. So, I just really recommend that you look at that.

[00:39:58]

And again, we'll try to keep that updated throughout the special session so that again, for the public and for you all to look at. Another tool that we worked on with some of our partners and friends at ACLU of Louisiana and NAACP LDF, Affair Districts Louisiana, was we ran a redistricting poll in the state last week and released the results two days ago now. As far as we can tell, no poll like the one that we've run has been - has been run anywhere in the country, let alone in Louisiana. I think there were some interesting findings. You can check it out. It's also on our Louisiana progress website, under our

1 redistricting page, where you can go and look at all
2 of the questions that were asked, all of the
3 responses, the crosstabs, every piece of information.
4 So, I think the things that stood out for me
5 personally looking at it were, number one, a solid
6 majority of 58% of the state - of the respondents did
7 want to see maps that reflect the state's racial
8 diversity. We've heard a lot about that. I'm sure
9 we'll hear more. Also, I'll leave that for others to
10 discuss. 59%, don't think it's important to draw maps
11 that protect incumbents, so I think that's something
12 we've heard talked about a lot throughout this
13 process, sort of whether it's good or bad. I think
14 this poll shows that a majority don't really think
15 that's important. The thing that stood out to me
16 personally the most was the overwhelming support for
17 politically competitive maps. So, according to the
18 poll's results, 78% of people in the state want to
19 see - I think it's very important and should be
20 prioritized, that we have politically competitive
21 maps. I think there's a lot of reasons for that and
22 we could we could go through a lot them and it would
23 take probably a lot more than five minutes. From my
24 own perspective on it, I think that having some
25 competition, it's really good for the system as a

whole for our political system as a whole. It makes people feel like they really have a stake in outcomes of elections right now. Of our 150 combined state, house, senate, and congressional districts, you could really only argue that five or six of them are politically competitive. That's a really tiny, tiny number and I think when we talk about why do people not turn out to vote at the rates we'd like to see, why do people maybe not engage in the political process at the rate we'd like to see, it's because whether they know those numbers or not, they can kind of feel that. Of our 144 state legislative seats, 53 of them were one uncontested in 2019. Again, I think that speaks to the fact that people who would consider a challenge kind of know that the outcome is largely predetermined in so many districts. I think it's good for our democracy for us to create as many competitive districts as we can. It's kind of impossible to create 150 competitive districts. But looking for every opportunity possible to create some more competitive districts so that people really do feel like their vote and just as individuals who want to be active in the system that they really have a stake in it. Thank you for the time. Happy to take any questions.

REP. JOHN STEFANSKI: Thank you. I don't see any questions, but thank you, sir. Next we have Christian Green. - Yes, ma'am, whenever you're ready.

M. CHRISTIAN GREEN: Thank you very much. I am M. Christian Green, vice president of the League of Women Voters of Louisiana and chair of our Voting Rights Committee. I'm here today mostly to give effect to testimony provided by our president, Hilda Walker Thomas, which was submitted by email yesterday, so you should have it in your packets. And there are roughly three categories that the statement addresses, some of them are procedural about participation and we thank the committee for this robust series of public opportunities for testimony and certainly praise organizations like our coalition partner, Louisiana Progress Action, for making these wonderful map tools available. We have the usual concerns about not protecting incumbency, ensuring competitive districts. I have to say, when I see a district office that's has no competition, a single candidate, I always see that as something of a failure of democracy. We have a strong concern for communities of interest, not carving up parishes too much, not dividing districts among an excessive number of parishes. But I think one of our main

points that we want to make today and you'll hear it from a number of us has to do with our coalition's call for a second majority-minority congressional district, a third BESE majority-minority district, and also that the state legislative redistricting be done in a way that ensures greater representation of people of color in our state, in our legislature. And I just want to say that this actually filters down to the local level. In Lafayette, we noticed that the maps that our coalition has proposed show Lafayette being divided.

[00:44:59]

Lafayette Parish, a rather small parish geographically, being divided among two, perhaps three congressional representatives. So, this kind of forced us to have a little conversation about, "Well, how do we really feel about this? What does this mean to us?" And I think one of the members of our local league put it very well in saying that we want to ensure that communities of interest in our parish have an opportunity to elect representatives that provide perhaps a better representation that they're getting now and we shouldn't stand in the way of this. So, we're fine with being carved up a little bit if that gives people in our parish a better

voice, an equal representation. And on a personal level, I just want to say that a lot of my work is global. I work in law, religion and human rights. I travel quite a bit. And last night, I was thinking about high school trip to Russia where I had the opportunity to have dinner at the home of the wife of a senior Russian diplomat and they were very high in the communist party. We had about 24 people in our group and we had to divide ourselves into about four groups and wait in the end of an alley and go up in little groups 10 minutes apart so that we wouldn't attract undue attention. So, when we finally got up there, of course the first thing we did was introduce ourselves. I think I was the last person to introduce myself and I said that I was from Louisiana. And our hostess looked at me – eyes, very big, she said, "Louisiana, [INDISCERNIBLE 00:46:31]. Wait for a minute." She went to another room and came back with a huge box of Louis Armstrong records in which we ended up listening to for the entire evening. So, I think we often think of ourselves as a state and our particular conception of ourselves, but the world is watching as well. And I hear from my African colleagues that they've heard of the jazz festival in New Orleans. So, we actually have a kind of global

reputation for being a very culturally diverse and rich state. And so, I hope that we can see some of that richness and diversity in our representation at all levels of government. Thank you.

REP. JOHN STEFANSKI: Thank you. Next, we have former representative, Melissa Flournoy.

MELISSA FLOURNOY: Thank you, Mr. Chairman and Madam Chairman, I appreciate the efforts of this committee to engage the public to participate in the roadshows to make an effort to get around the state. One of the issues that's vitally important as you draw these maps really is this notion of accountability to the public and transparency. You heard my colleague Peter Robins-Brown talk about a new website called Louisiana Redistricting & You, and the effort of that is to really give citizens as well as elected officials and members of the media an opportunity to compare maps. One of the biggest challenges you'll face over the next 30 days will be trying to work to make everyone happy. We know that the job before you is remarkably difficult. And at the end of these 30 days, potentially no one will be happy. I want to complement the comments of Mrs. Sheila Lewis because she laid out the issues facing redistricting and facing the work of the committee.

My final comment is that public interest matters, the voices of the people matter. The poll that was referenced was done by Public Policy Polling, a very reputable firm out of North Carolina. The results really do indicate that the people of Louisiana don't want politics as usual, don't want to protect incumbents, particularly, and want to address the issues around the diversity of the state. So, as you review the data, as you try and accommodate the political interests and needs for your own constituents as well as your friends in the legislature, please be mindful that the people of Louisiana deserve and want fair representation. They want racial proportionality. They want competitive districts. We have a tremendous responsibility to protect democracy, not only in Louisiana, but in the nation and it's very important that the lines we draw serve the people of the state so we can make every vote count. Thank you for your time.

REP. SHARON HEWITT: Thank you very much for your comments. All right, our next speaker is Frankie Robertson.

FRANKIE ROBERTSON: Good morning. My name is Frankie Robertson and I'm here to read a prepared statement on behalf of a community colleague.

[00:50:03]

Dear chairpersons, Sharon Hewitt, John Stefanski, and members of the Joint Governmental Affairs Committee. My name is Raymond A. Jetson and I serve as the chief executive catalyst at MetroMorphosis where we believe in the value of lived experience and that the people closest to the problem are closest to the solutions. I have lived as a public servant in Baton Rouge for over 30 years in different positions and titles. I stand in solidarity with my community members and the organizations that support it to demand fair maps. I urge you to be intentional by listening to community members today as they are engaging in this process because they care about what happens to their communities and the right to elect fair representation. Today, the solution is drawing fair maps, maps that are free of retrogression, maps that are absent of gerrymandering, maps that support equitable majority-minority districts, and maps that are absent of vote dilution, maps that provide opportunities for minorities and majority white districts to have an influential voice in expressing their needs and concerns in the community. Political districts must accurately reflect how populations have changed statewide and locally over the past

decade and provide fair representation to each individual and group. When they are drawn fairly and equitably, they give all communities power. When they are drawn to dilute voices, silence communities, or amplify the power of certain groups, they further those inequities. The same in equities which must be addressed each legislative session that have dire consequences, especially for minority communities. Louisiana has to provide its minority communities with the opportunity to place individuals in office who have a genuine concern for their communities and well-being. The impact of your decision-making in drawing maps will impact all communities. The precious people and families of our state for decades to come. Today, I'm asking you to remember the remarks of these community members and organizations understanding that this is what democracy looks like and to not dismiss it when it is time to make decisions. I, alongside my colleagues at MetroMorphosis and many community stakeholders speaking and sending written communication today, will continue engaging throughout this process. Thank you for your time and leadership. Best, Raymond A. Jetson, chief executive catalyst at MetroMorphosis. Thank you.

REP. SHARON HEWITT: Yes, ma'am. Thank you very much. Our next speaker is Taylor Hodge with the Power Coalition.

[BACKGROUND CONVERSATION]

REP. SHARON HEWITT: Okay. So, Taylor filled out a card. They did submit - the Power Coalition did submit today a map. It did not meet our deadline of submitting it 24 hours in advance. And so, we're not going to discuss it as we are the other maps, but I was going to give Mr. Hodge - it will be posted on the website. It will be public information just like everything else. It just doesn't get the opportunity - we won't have the opportunity for members to question him or her about the map, but I was still going to offer them the opportunity to say a few words at the table if they were in the room. Did you understand the issue or what I'm saying?

JANEA JAMISON: Yup, I'm aware. Thank you so much.

REP. SHARON HEWITT: Okay. All right, so, members, you will have that information available to you and it will be on the website for the public and that will be distributed to members because the map was submitted this morning instead of yesterday by the deadline

JANEA JAMISON: Right.

REP. SHARON HEWITT: We will still be in the process, okay?

JANEA JAMISON: Great. Thank you for that.

REP. SHARON HEWITT: I'll give you minutes to say anything about it that you would like or any general comments.

JANEA JAMISON: Again, my name is Janea Jamison, director of programs with Power Coalition. I mean, our organization in partnership with various organizations have made a presence at each roadshow. We've been in the forefront for community engagement, providing resources and ensuring that individuals can digest this very long and sometimes intimidating process. So, saying that to say it won't be very long at all, but we know there are great population shifts throughout the state. We know if this process is done correctly, then these districts should be drawn according to these population shifts whether they have increased or decreased, but we know across the state of Louisiana many areas have increased in population, many minority-majority areas have increased in population.

[00:55:05]

So, saying that to say there is room for additional representation in almost every level of government. So, I do hope that as elected leaders, you take into consideration the principles of equity within this entire process. From time and time again, we can look at the historical context of Louisiana and within this process of racially-gerrymandered maps and I hope that as moving forward, we really dissect these principles and adhere to what is the compliance of the Section 2 of the Voting Rights Act which states that with Black voters, being one-third of the population, that we have the opportunity to elect a candidate of choice and have competitive districts as you have heard before. And so, in closing, I do hope that as a legislative body that we do not focus or you do not focus on rather partisan strategies over the compliance of the VRA and that we do keep our Louisiana voters in mind throughout this entire process and that our voices are amplified and heard, and that can only be done if we are fairly represented. Thank you.

REP. SHARON HEWITT: Thank you. And I would ask if you have not completed a white card, if you would do that, please, I would appreciate that. In addition, staff had reminded me that you all had not

submitted yet a block equivalency file for your map, so until that's done, of course, we cannot share that with members or post that to our website for the public. So, we appreciate you being involved. You just kind of missed the deadline a little bit, but you're still in the system. Okay. All right, we are now going to move into the map section of this meeting. We're going to begin with the Senate plans and what I will do is invite the authors of the maps that have been submitted to the table one at a time and give you a minute to speak about the map. This will give members then an opportunity to ask questions, clarifying questions, so you understand the intent of the map. And so, members, again, a little bit of information is available in your folder. An awful lot of information is available online about each specific map, so it's a hundred pages or so per map of information that's available. All right, let's begin first with Ryan Gomez.

[BACKGROUND CONVERSATION]

REP. SHARON HEWITT: Okay. So, members, let me just try to help orient everybody here as we're shifting into this next agenda item. So, you should have in your packet these plan evaluation forms, members, and there will be - they're grouped, so

you'll see BESE plan submissions, congress, et cetera, House and senate. So, if you will go through your packet, you will get to a grouping of senate, plan submissions. We have one from the ACLU. We have Gomez 1A, 2A, 3A and we have one titled Mark Steven Spencer. Those are the Senate maps that have been submitted. I'm giving members a chance here to kind of catch up a little bit. Okay. And then, if you are online on your computer, there will be - if you clicked on the link and that we sent the link out on the Senate, you all probably have it in the house. You will see that there's a senate link there for maps and each of those maps that I just read out are highlighted and you can click on whichever one we're talking about and you could see again the hundred pages or so of analytical data about the map that our staff prepared. Okay, members, are you kind of catching up with us a little bit now? All right. So, Mr. Ryan Gomez, are you here and interested in coming to the table to answer questions from the committee? Okay. All right, that's fine. I mean, we have lots of data we can digest. All right. Our next submitter then was Mark Steven Spencer.

[01:00:03]

1 Mr. Spencer, are you here and interested in
2 coming to the table to answer questions from the
3 committee? All right, our last author of a senate
4 plan is Chris Kaiser with the ACLU. If you'd like to
5 come to the table and we're going to give members -
6 let's just start - I want to start with members
7 asking questions first. Okay. So, members, so this is
8 the ACLU plan under the Senate tab that you see.
9 Okay. So, again, members, what you have is kind of
10 like a summary sheet of the evaluation of the plan
11 and as you know, we passed a resolution with the
12 redistricting principles that we are going to use,
13 the House and senate joint rule on redistricting. And
14 so, this evaluation form, we also did agree we passed
15 at a joint committee hearing on the things that we
16 were going to look at in the plan to evaluate each
17 plan. And so, you will see that is basically what is
18 on the website and on your computers right now. So, I
19 will maybe start Mr. Kaiser with a couple of
20 questions then give me sort of the idea of what your
21 goal was or your objective in this plan. What were
22 the things that you were trying to accomplish in your
23 plan?
24 CHRIS KAISER: Sure. So, thank you, Madam
25 Chairwoman and members of the committee, for having

us today first of all. My name is Chris Kaiser, I'm the advocacy director with the ACLU of Louisiana. You've heard a lot from us over the last few months about redistricting in general. I'm here today to really focus on the Senate House plans that we submitted, so to your question, Chairwoman Hewitt, we are interested in ensuring compliance with Section 2 of the Voting Rights Act on both the Senate and House configurations that the legislature is about to adopt. Under our current configurations, there is not equal and fair representation for minority voters and, in particular, Black voters in this state. The Black voters are underrepresented about 25% of the legislature compared with the—

REP. SHARON HEWITT: So, my question then is, how did you accomplish that in your plan?

CHRIS KAISER: So, ahead of this meeting, you have received a letter from our coalition of 16 civil and human rights organizations that detail, not only your obligations under the VRA Section 2, but also have provided two illustrative plans that show how the legislature can comply with Section 2 by adding nine additional majority-minority opportunity districts in the house—

REP. SHARON HEWITT: And we're talking about the Senate plan. We are talking about the Senate plan right now, and I want to know how you accomplish those objectives in your plan.

CHRIS KAISER: As to the Senate, we have added four additional majority-minority opportunity districts in the Senate plan. This is primarily an approach of acknowledging that the configuration as it currently stands as compared with the census data for 2020 includes a lot of examples of packing where Black voters, minority voters are unduly concentrated into single districts as opposed to providing an opportunity to elect candidates of their choice in multiple districts, and that has the effect of diluting their voting power overall. And so, that's kind of the thrust and the approach of the plan that we put forward.

REP. SHARON HEWITT: Okay. So, in your plan, you created four additional majority-minority districts—

CHRIS KAISER: Correct.

REP. SHARON HEWITT: – and your senate plan? All right, so that you – and how do you define a majority-minority district in your plan?

CHRIS KAISER: These are districts that are – just as Ms. Lowry said earlier, 50 plus 1, Black population and Black voting age population.

REP. SHARON HEWITT: Okay. So, you looked at voting age population for the Black community, and if it was at 50% plus 1, you identified that as a majority-minority district.

CHRIS KAISER: That's correct.

REP. SHARON HEWITT: Okay. All right, any other – I see a question here. All right, Representative – sorry Ivey.

REP. BARRY IVEY: Thank you, Senator Hewitt. So, just for clarification purposes, you use the word "increased" for majority-minority opportunity – was it the word "opportunity"? Which word did you describe?

CHRIS KAISER: That's correct.

REP. BARRY IVEY: Okay.

[01:05:00]

So, to get achieve – your threshold kind of tying in to what Senator Hewitt asked you, so your threshold to achieve a majority-minority opportunity district is 50 plus 1 of the voting age population?

CHRIS KAISER: That's right. I don't mean to complicate—

REP. BARRY IVEY: So, it's not a - technically, again to distinguish between a majority-minority district versus a majority-minority opportunity district, are those two different things in your opinion?

CHRIS KAISER: Opportunity district is a term that's used in the Section 2 case law for our purposes in discussing this. We're talking about majority Black districts majority-minority district.

REP. BARRY IVEY: By virtue of population of voting age, that's it. That's what constituted then.

CHRIS KAISER: That's right.

REP. BARRY IVEY: Okay, thank you.

REP. SHARON HEWITT: Thank you, representative. All right, who have I got over here? Is that -- Representative Foy Gadberry?

REP. FOY GADBERRY: Thank you. What's your definition of fair district? What's fair?

CHRIS KAISER: We're not asserting a definition of fair. We're talking about compliance with Section 2 of the Voting Rights Act.

REP. FOY GADBERRY: But what's fair? What do you think fair is?

CHRIS KAISER: I can tell you what fair is not.

REP. FOY GADBERRY: Okay.

CHRIS KAISER: I mean, based on our current census data, enacting a senate plan that provides for about the same level of underrepresentation from minority voters is highly likely to violate Section 2 of the Voting Rights Act. So, fairness is not a term that I think is particularly useful to discuss this when we get down this granular-legal level. We're talking about compliance with the law. And based on our census data right now, we look at pretty pervasive underrepresentation in the Senate plan as well as the House plan.

REP. FOY GADBERRY: Well, In the 10 meetings we've had, everybody uses the word "fair", "make fair districts, make fair districts". I just want to know what the definition of fair is. Also, my next question – obviously, you've answered it well enough for me. The next question is you say you've created four additional minority – or majority-minority districts, which is minority black. There's other minorities other than Black is my point that needed to be included in the majority-minority districts.

CHRIS KAISER: I wouldn't disagree with that.

REP. FOY GADBERRY: Okay. Thank you.

REP. SHARON HEWITT: All right, thank you, representative. Is that Representative Farnum?

Senator Reese? Representative Jenkins, excuse me. I can't see overall the laptops now that we're all high-tech here.

REP. SAM JENKINS: Not a problem, Madam Chairman. I'd be honest with you, I'm trying to make sure I'm pushing the right button. Okay. Look, you have done a lot of hard work and I followed it as we've gone through the - on your environment. Now, can you tell me which four districts - or can you point out the four districts ? I was trying to go through it and look at the numbers that would now under this plan be majority-minority?

CHRIS KAISER: Give me one moment, Representative.

REP. SAM JENKINS: Sure. It looks like I see two, but I'm not sure about—

CHRIS KAISER: So, we're looking at—

[BACKGROUND CONVERSATION]

CHRIS KAISER: So, in the Senate plan, the districts that are majority-minority under our plan but not under the current enacted plan would be District 5, District 8, District 17 and District 38.

If I may make one comment more generally applicable, I want to make clear that the plans that we've put forward are meant to be illustrative. We're

not making the assertion that these configurations are the only way to achieve Section 2 compliance or a fair and equal representation for minority voters. But what these are intended to show is that it's entirely possible and within the legislature's ability to achieve this kind of remedy of underrepresentation [INDISCERNIBLE 01:09:31] that we have in our current maps. So, I certainly appreciate you all want to focus on the specific districts that are affected, but I do want to be clear that we're not here to make the assertion that this has to be the way it happens. We're talking about the more birds-eye view, statewide view of representation or, in this case, underrepresentation of minority voters.

REP. SAM JENKINS: And it still remained at 39 senate districts, correct?

CHRIS KAISER: Correct.

[01:10:00]

REP. SAM JENKINS: One moment, Madam Chairwoman, I'm trying to see something here.

REP. SHARON HEWITT: Were you wanting to create more senate districts, Representative Jenkins? Or eliminate one? No, I'm kidding. I'm kidding. We have some constitutional issues with that.

REP. SAM JENKINS: Absolutely. Okay. I thought I saw something else I wanted to ask about, but I want to hold - can get to it later. Thank you, Madam Chairwoman.

REP. SHARON HEWITT: Thank you. It is a lot of information to digest, so thank you. All right. Who is it? President Pro Temp. Magee.

PRO TEMP. REP. TANNER MAGEE: Thank you, Madam Chairwoman.

REP. SHARON HEWITT: Speaker Pro Temp.

PRO TEMP. REP. TANNER MAGEE: I'm looking at the maps and I don't want to kind of ask question about you just said was you're saying they're illustrative, they're not necessarily defined maps, so you wouldn't necessarily recommend we adopt this exact map?

CHRIS KAISER: It's definitely a serious proposal. I'm just making the qualification, Representative, that there very well may be other configurations that satisfy the legislature's obligations under Section 2. So, to the extent that a particular - I mean, just to take these examples. District 8 and Jefferson Parish is affected by this proposal. There very well may be a way to comply with Section 2 that doesn't affect District 8. So, this

isn't like targeting these particular districts. It's just a way to draw it.

PRO TEMP. REP. TANNER MAGEE: And did you all look at like commonality of the neighbor - of the regions?

CHRIS KAISER: Yeah. And so - and I'll say a couple things about that. This not only achieves—

[BACKGROUND CONVERSATION]

CHRIS KAISER: This not only achieves increased minority representation, but in many instances our plans improve on certain measures of geographic compactness and numbers of parish and precincts split statewide, so I think that overall represents an improvement on some of those things. But as far as communities of interest go, the priority is Section 2 compliance which affects minority voters.

PRO TEMP. REP. TANNER MAGEE: I'm looking at the map and I'm looking at [INDISCERNIBLE 01:12:08] 20 and I see that it grabs Eastern Terrebonne and then basically, to me, appears like Chalmette and Port Sulphur. I mean, I know that on a map it looks like you can just drive straight there, but you have to go up and then back down, that seems like it'd be a really hard district for somebody - a senator to represent effectively considering he had to -

wherever he lives, he had to drive an hour to New Orleans and an hour away to the next place.

CHRIS KAISER: I would say that's really great feedback from a representative from the area. So, I mean those types of items I think are good notes on this. And as long as we're keeping our eye on the ball for overall statewide minority representation, those sorts of amendments or changes I think are completely - we're kind of agnostic on some of that.

PRO TEMP. REP. TANNER MAGEE: Sure, thank you. Thank you, Madam Chairwoman.

REP. SHARON HEWITT: Thank you. All right. I see no other questions on the board. Thank you very much for your work and submitting your plan. I appreciate that very much.

CHRIS KAISER: Thank you all.

REP. SHARON HEWITT: Excuse me. Excuse me, one more question from Representative Duplessis.

REP. ROYCE DUPLESSIS: I just wanted to be clear, were you going to discuss the Senate and the house, or just the state senate?

CHRIS KAISER: I had some prepared remarks that sort of blended the two, but given the way that the committee has broken this down, I can come back to talk about the house.

REP. ROYCE DUPLESSIS: Okay. And I guess, that was the okay decision by the chairwoman to focus on the Senate. Understood. That's fine.

REP. SHARON HEWITT: Yeah, we were focusing—

REP. ROYCE DUPLESSIS: Yeah, we'll follow that order. Understood.

REP. SHARON HEWITT: We're going to take them kind of by groups—

REP. ROYCE DUPLESSIS: Got it.

REP. SHARON HEWITT: - so, I think that was the Senate plans that have been submitted by the public.

CHRIS KAISER: Thank you.

REP. SHARON HEWITT: I will turn it back over to Chairman Stefanski and he will walk us through some of the other maps.

REP. JOHN STEFANSKI: Okay, members, let's move on to the House plans. First one up is Mr. Spencer here is - for that one, I know he was called for the Senate, but Mark Steven Spencer. No? Okay. And then, next up, I shouldn't have made him leave the table. Mr. Kaiser, I apologize. We should've just switched right to you. I'll invite you up to discuss the House or rather - see if members have questions regarding the House map and I will kind of start the questioning off while I give the members an

opportunity to pull up that map. Just basically what was the intent of this proposal that you have sent us?

CHRIS KAISER: Thank you, Mr. Chairman. Just like the Senate plan, I think we're focused here on achieving Section 2 compliance by remedying the pretty significant underrepresentation of minority voters.

[01:15:02]

And so, the general thrust and approach to this is to look for opportunities where there are majority Black districts that are pretty packed that deprived Black voters in those districts of an opportunity of electing candidates of their choice in multiple districts rather than just the single district are packed into which as you know has the effect overall of diluting minority voting strength in general. So, in our House plan, we have provided a configuration that provides nine additional majority-minority districts in the house.

REP. JOHN STEFANSKI: Were there any other factors besides what you just articulated that were used to draw them up?

CHRIS KAISER: So, once again, we've achieved that increase in majority-minority districts while

also improving upon the current configuration in some instances on geographic compactness and the number of parish and precinct splits. I believe that the Black communities themselves that are drawn into additional majority Black districts are actually all more geographically compact than they are under the current configuration.

REP. JOHN STEFANSKI: For question, Representative Ivey.

REP. BARRY IVEY: Thank you. Just for understanding on your approach, obviously when you get down to a House district, it's actually my opinion a lot easier to kind of keep things compact because the districts themselves are inherently compact versus congressional and all the other ones where there's a million ways to slice and dice those. So, in the hierarchy and not having had the opportunity to really go through the map at a detailed-focus level, if you have people that live in a single community, East Baton Rouge Parish has multiple cities in it as an example, so what's the hierarchy in your opinion - again, knowing that there's an entire state and representation in trying to get more seats and what equal Section 2

compliance, is that Section 2 compliance per region or as a state overall? What's your thoughts on that?

CHRIS KAISER: So, I think the short answer, you're right that there's a lot of variables involved in this. I think to begin with, statewide numbers and the level of representation are underrepresentation as we have under our current maps, but also at the regional level. And I think you saw this conversation play out during the roadshow quite a bit that there's this dynamic across Louisiana and particularly in a lot of urban and suburban areas where the overall population has increased a little bit perhaps, but that's being driven by minority population increases and in some instances like the greater capital area, for example, a decrease, in the white population. And so, I think as we look at the level of overall representation for a region or an individual parish, you have to keep in mind that that dynamic in the demographic shift that has happened since 2010. So, that kind of drives—

REP. BARRY IVEY: Those are indicators on where focus may need to be, sure.

CHRIS KAISER: I agree. And likewise, in the north, I think the Caddo, Bossier, Desoto Parishes saw a decrease in overall population, but at the same

time, there was a 2.3% increase in the Black population. And so, even as there's lost population, potentially lost representation overall, it can sometimes warrant still greater representation for minority voters in those areas.

REP. BARRY IVEY: Okay. And I'm trying to hierarchically come up with as consistent of a principle of process, knowing that there's a little give and take in this process because it's not an exact science as far as how to achieve great districts, particularly communities of interest are of a central focus for me. And so, can you justify splitting up a municipality, a small municipality all right, for the specific purpose of trying to add enough minority population in an adjacent community in order to achieve the objective of creating some balance? I mean, is that fair in your opinion and does that occur - how often does that occur in what you presented?

CHRIS KAISER: The question is to whether it's fair is a very difficult question to answer in the abstract. I think you have to look at it in context of the statewide plan. You might have a breaking up of a community of interest as you described it in one area. But if that helps achieve a really close margin

for a better minority representation statewide, then it may be justifiable. But if you're not—

REP. BARRY IVEY: But it might be at the expense of an intact - an otherwise intact community of interest. Even amongst the minority population in that community, it may actually be against their best interest to split that.

CHRIS KAISER: These are hypothetical, so I think that—

[01:19:59]

REP. BARRY IVEY: Again, without looking at it - again, I'm not - you know—

CHRIS KAISER: The overarching controlling factor in this is Federal Law Section 2 of the Voting Rights Act which requires the legislator to look at it from a statewide view. We have to look at the level of representation or under-representation minority voter statewide. Within that, there are a lot of pieces that can move around. You may be right that you can achieve Section 2 compliance without messing with a particular community of interest. That's not minority voters at the local level, but it would - I would be speaking out of turn to hold forth on how that should look at any given place without benefit of seeing a particular—

REP. BARRY IVEY: Sure.

CHRIS KAISER: - statewide plan that you're offering.

REP. BARRY IVEY: Sure. And I want to tell you is look, the only Black and white I see is going to be the data, okay? And I'm going to be largely driven by the data and communities of interest and what makes sense for the people agnostic to you know, I'm not a term-limited, so I've no - I wouldn't care anyway. So, one of my colleagues made a point, you know, and I think one of the things is - and again, this is the first opportunity we have had on the roadshow as members to really ask questions. So, I appreciate you bearing with me for a minute. I'm just trying to put --gaining some clarity questions I couldn't ask during the roadshow. One of my colleagues brought up a point, you know, I believe, you know, one of the challenges with certain maps is going to be the distribution of the minority population, particularly the congressional district maps. It's the distribution of populations - of minority populations in particular that can make it kind of difficult to achieve when you just look at the overall numbers. You know, the State of Louisiana has population of this overall and this is the minority populations and

1 you know, we did the simple math, you know, that's,
2 you know, one-third, one-third, you know, two seats.
3 That's what it means. But drawing a map for that, I
4 know there's plenty of examples being presented, you
5 know, because of the population distribution, we get
6 - we do get a little further and further away from
7 what would otherwise be in a, you know, more ideal
8 district for - you know, other larger communities of
9 interest and it's not - and not that we shouldn't at
10 times go out and color outside the lines in order to
11 achieve, you know, some balance but there - there
12 should be limits to it. And so with that said, you
13 know, population distribution, what if we had - we'll
14 use the, you know, the rough numbers, you know, one-
15 third minority population and then every neighborhood
16 across the entire State of Louisiana, every resident,
17 every third House or fourth house, whatever it is,
18 was minority. How could you draw minority districts
19 at that point as an example?
20 CHRIS KAISER: Well, you may be describing a
21 hypothetical that - where it's not possible. I mean,
22 these are hypotheticals. I think in the map is a plan
23 that we've put forward. We've actually created
24 greater geographic compactness for communities of
25 color and I would just, you know, return to your

1 original point that we do want a whole community of
2 interest in - above some of these other traditional
3 redistricting principles that's reflecting your joint
4 rule and—
5 REP. BARRY IVEY: Sure.
6 CHRIS KAISER: - that's all, right? And so, I
7 would just offer that in this date, minority voters
8 and in particular Black voters are themselves
9 communities of common interest—
10 REP. BARRY IVEY: Absolutely.
11 CHRIS KAISER: - we heard that time and again
12 from - during the roadshow and they're not only
13 communities of interest but they're communities of
14 interest that have experienced widespread and
15 pervasive under representation at all levels
16 [OVERLAY].
17 REP. BARRY IVEY: Absolutely.
18 CHRIS KAISER: So—
19 REP. BARRY IVEY: I know the history in Louisiana
20 and it's - it exists and so there may be traces of it
21 in current maps or the absence of revisiting current
22 maps that we're going to be looking at this term. So,
23 I understand that. But, you know, there are
24 communities in the State of Louisiana who - where
25 there is greater diversity, you know. And so, again,

population distribution, where that is, it can become more of a challenge and so, you know, keeping the eye on the ball, if a map is drawn solely or exclusively with the intent to first anyone objective, there's going to be sacrifice. And so, I'm trying to figure out where the threshold of sacrifices that you've all identified like, you know, in the process.

CHRIS KAISER: So one quick point on that. I think that's a really helpful framing that like we're drawing this map for any one purpose. What Section 2 prohibits is using race as a predominant factor—

REP. BARRY IVEY: Racial gerrymandering, yeah.

CHRIS KAISER: Racial gerrymandering, right? And so, I think what we're trying to convey here is that the reason that we have such widespread pervasive under representation in our House and Senate districts is the configuration of our current districts. There's nothing natural or necessary about that. And so, allowing that configuration to remain in place, that's the choice. That's the - that would be a choice on the part of the legislature to - that would very likely violate Section 2.

[01:25:00]

What we're offering is a way not to make that choice toward under representation.

REP. BARRY IVEY: Right. And then, just—

REP. JOHN STEFANSKI: Representative Ivey, if I can just interject. Just - if you have a couple more questions, then I want to comment. We have a lot of stuff.

REP. BARRY IVEY: I'm going to wrap it up, yeah. These are some of the ones that I think are helpful for me to just going forward is the big meeting here. So, - I'm sorry, I had the question. Thank you, Mr. Chairman.

REP. JOHN STEFANSKI: I'm sorry.

REP. BARRY IVEY: What was that last thing you said?

CHRIS KAISER: I was responding to the suggestion that like if there's—

REP. BARRY IVEY: Oh, I got it. So, the current districts, right? So did these - were these challenged in the Court, the current districts we have for the House and the Senate? Were they challenged in the Courts and were - was it determined that the current maps did not meet Section 2?

CHRIS KAISER: So I can't speak to any challenge or lack thereof in 2010, but I can tell you that the standard that we're judging them against now has to do with 2020 census but not in 2010.

REP. BARRY IVEY: Sure. Things changed.

CHRIS KAISER: So, it's—

REP. BARRY IVEY: Yeah, okay. But - so, my point is, I don't believe based on the conversations I've had with staff and everything that, you know, obviously I think just about everywhere there's always some challenging, but I do believe that we passed muster and the Justice Department accepted our maps and so there wasn't any - I mean, obviously, there was a bigger issue.

CHRIS KAISER: One quick response to that in respect to the Section 2 compliance. In 2010, remember Section 5, it was this pre-Shelby County and so the question whether—

REP. BARRY IVEY: I wasn't here, so I couldn't remember but—

CHRIS KAISER: Shelby County was handed down in 2013 and Section 5 has to do with whether the Department of Justice wants to intervene in a change to election law. That's no longer what we're talking about.

REP. BARRY IVEY: Okay.

CHRIS KAISER: Just the fact that—

REP. BARRY IVEY: Okay. I appreciate that. I'll have to update my law there. But, last question, so,

there was a lot of, you know, presentation or testimony presented on packing and cracking. And so, trying to understand, you know, from a purely logical perspective where the lines are on that, you know, because you - when you have communities of interest like specifically urban areas that are high population minority, you know, you can get accused of being packing, but what else can you do? You know, I mean, if it's regional, you know, and that in a large urban city where it's 80% minority as an example, I mean, how - I mean, that's just where people live. It's a community. You have neighborhoods that are communities of interest that should be intact and so, how do you prevent that or how do we not be accused of that when it really genuinely is communities of interest versus cracking which is splitting up those larger areas and so, anyway, maybe later you can come up with some, you know, a written explanation of the difference. I haven't, you know, found anything to kind of help find - distinguish when it is and what not.

CHRIS KAISER: You're asking the good challenging questions, Representative. I think that one thing that our House configuration is striving to do is show those districts that are currently pretty packed

in ways that you can begin to unpack those. Either in our configuration, there are some districts that remain pretty significantly above 50% and that may speak to some of the challenges you're describing. It can be a challenge in some cases. Maybe it's not the best way to go.

REP. BARRY IVEY: And at the House level, again, when the districts are much smaller and I'll use these banners again as a great example, you may try to unpack a - what is a currently compact minority district where the community of interest is more, you know, intact as well and you may choose to unpack that at the expense of leading - leaving the city of Baton Rouge and grabbing part of the City of Zachary and grabbing, you know, part of unincorporated or part of Central. I mean, how does --- how was that better than a more highly populated majority-minority district?

CHRIS KAISER: It's better—

REP. BARRY IVEY: It meets the number, you know, that you're going for, but it - your representative has to actually, you know, represent the part of the community of Zachary, part of the community Central Park, or community of Baton Rouge, potentially.

CHRIS KAISER: In the sense that it would help us comply with Section 2 of the Voting Rights Act is better, but I think that - like the example, the hypotheticals your we're bringing up, what Representative McGee brought up earlier, at the granular level, there's room for movement and there's room for changes from what we've put forward. I think what we're putting forward in our configuration is just to demonstrate that we can do better and there's under representation under our current maps. There is room to improve in terms of minority representation.

REP. BARRY IVEY: Right.

CHRIS KAISER: So, what that means at the local level I think is up for debate over the next month.

REP. BARRY IVEY: Right. Thank you, Mr. Chairman.

REP. JOHN STEFANSKI: Thank you, Representative Ivey. Quick interjection before we get to my Vice Chair for questions. What are the - do you have the listed districts that are the new minority districts under your plan and which are those?

[01:30:00]

CHRIS KAISER: Give me one moment, Chairman. I don't want to speak out of turn. I think I may have a typo on one of my papers. So, what I will tell you, the letter that we submitted ahead of this meeting

has a table of data at the - in the third appendix. The districts that are currently majority-minority under the current act of plans are bolded and then in the table that reflects the ACLU Illustrative Plan, they're also bolded. So, the contrast there would show you the answer to that question.

REP. JOHN STEFANSKI: I got you. No one is asking you. Vice Chair for a question.

REP. BARRY MILLIGAN: Thank you, Mr. Chairman. As we've started and ended this roadshow, most of the conversation has been around achieving racial proportionality with respect to the Congressional Districts. This conversation we're having now applies to the State House and Senate Districts. For Section 2 purposes, Voting Rights Act purposes, achieving that racial proportionality whether it be amongst our Congressional Districts and our State House and Senate Districts, do the same principles apply from a legal standpoint? There's no difference, correct?

CHRIS KAISER: The same legal framework applies.

REP. BARRY MILLIGAN: Okay. Representative Ivey made a point that made me think about asking the question that's similar to his question, but it's not exactly the same. He asked about had any challenge has been made based on current maps. Those - that's

1 based on 2010 census data. Is it your opinion based
2 on 2020 census data in the current drawings of the
3 maps particularly with respect to House and Senate,
4 are we in compliance with the Voting Rights Act?
5 CHRIS KAISER: I think it's if the legislature
6 were to enact House or Senate Districts that provide
7 for about the same level of underrepresentation, that
8 would highly likely violate Section 2.
9 REP. BARRY MILLIGAN: Okay. Thank you.
10 REP. JOHN STEFANSKI: Thank you, Mr. Vice Chair
11 for question. Representative Magee?
12 PRO TEMP. REP. TANNER MAGEE: Thank you, Mr.
13 Chairman. Going back to this, walk me through your
14 process in creating the map. When did you all begin
15 working on drawing the map?
16 CHRIS KAISER: We began when we received the
17 census data.
18 PRO TEMP. REP. TANNER MAGEE: Okay. And what did
19 you all do as far as reaching out to the communities?
20 Did you send people to Terrebonne Parish?
21 CHRIS KAISER: We've done - lookout outreach
22 calls along with some our coalition partners to talk
23 with folks in the community. I would have to check
24 and see which specific parishes were present and not.
25 We attended all the roadshow meetings, heard from

1 folks there, held trainings for folks to tell what
2 redistricting was and get the feedback on all that.
3 PRO TEMP. REP. TANNER MAGEE: Did you send people
4 out? Because you somewhat commented, did you send
5 people out to like Bourg, Louisiana to see what their
6 interests are?
7 CHRIS KAISER: I do not have a list here for the
8 places that we were present.
9 PRO TEMP. REP. TANNER MAGEE: If you look at it,
10 if you look at the map, I see Districts 52, 53 and
11 54, I think those probably replaced the current
12 Districts 51, 52 and 53. Did you achieve more
13 minority representation in Terrebonne Parish through
14 the new map?
15 CHRIS KAISER: It looks like not really
16 significantly.
17 PRO TEMP. REP. TANNER MAGEE: So, the map you
18 proposed remains similar to the current status in
19 Terrebonne and Lafourche Parishes?
20 CHRIS KAISER: In that specific area, yes.
21 PRO TEMP. REP. TANNER MAGEE: So it's probably
22 fair to say that the current map is pretty in line
23 with the Voters Rights Act?
24 CHRIS KAISER: With - are you asking with regard
25 to that particular—

PRO TEMP. REP. TANNER MAGEE: Yes.

CHRIS KAISER: It seems to be.

PRO TEMP. REP. TANNER MAGEE: Is there a reason why you condensed 53 to be so small in that map?

CHRIS KAISER: I would have to consult our analytics team. I'm not sure.

PRO TEMP. REP. TANNER MAGEE: Do you know if communities are represented in District 53 on the map?

CHRIS KAISER: Again, I am mostly prepared to discuss these districts where we were trying to achieve additional minority representation. It's just that, I think that region remained relatively steady, but I mean, you raised a good point about the geographic change to 53.

PRO TEMP. REP. TANNER MAGEE: Do you know the communities represented by District 54 in your map?

CHRIS KAISER: From - to me—

PRO TEMP. REP. TANNER MAGEE: Do you know who these - what communities make up District 54 under your map?

[01:35:03]

CHRIS KAISER: I'm not sure what the questions is, Representative.

PRO TEMP. REP. TANNER MAGEE: Do you know what communities are represented by District 54 in your map?

CHRIS KAISER: What do you mean? Like, cultural communities?

PRO TEMP. REP. TANNER MAGEE: You can give me anything. What communities – it's opening the question for you to answer what communities – I'm looking at District 54 that strays from, to me what looks like the Coastal Louisiana way up into maybe Assumption Parish. I'm trying to figure out the common interest that you believe is represented by District 54?

CHRIS KAISER: Again, I think I'm most prepared to discuss the changes to minority voting representatives.

PRO TEMP. REP. TANNER MAGEE: You're actually prepared to answer questions I asked you to be honest with you. So, the question is, what—

CHRIS KAISER: I don't have a good answer for your question.

PRO TEMP. REP. TANNER MAGEE: Can you name the communities in 52?

CHRIS KAISER: No, Representative. Same answer.

PRO TEMP. REP. TANNER MAGEE: All right. Thank you, Mr. Chairman.

REP. JOHN STEFANSKI: Thank you,

[INDISCERNIBLE 01:36:01]. Chairwoman Hewitt here for a question.

REP. SHARON HEWITT: Thank you, Mr. Chairman. So, you gave two answers that I've wanted to seek some clarification on. So, originally you said that we created additional majority-minority districts nine in the House plan by creating them to be 50% plus one minority districts and that was to meet the Voting Rights Act Section 2 to be in compliance and you believe that map is in compliance with the Voting Rights Acts in Section 2, correct?

CHRIS KAISER: Correct.

REP. SHARON HEWITT: And yet, when Representative Duplessis asked you the question about do you believe the current maps as they exist are in compliance with the Voting Rights Act, you said "no," correct?

CHRIS KAISER: That's right.

REP. SHARON HEWITT: And so, what is the basis for that? For you saying that? What is the basis for determining what is the percentage by which you believe is in compliance with the Voting Rights Act?

CHRIS KAISER: So as we laid out in the letter that you described, we're looking at the factors that laid out in Thornburg versus Gingles which is the relevant legal standard we are looking at Section 2 compliance. It has to do with whether it's possible. First of all, to draw additional districts in which minority voters have an opportunity to elect their candidates of choice rather than the single district they're currently in.

REP. SHARON HEWITT: And you believe that by having 50% plus one that they do have an opportunity to elect a candidate of their choice?

CHRIS KAISER: To - part of response to that, Madam Chairman, we - for legal purposes, a majority Black district, which is 50 plus one, meets the standards that Courts would look to. But in addition to that, we've looked at historical election data to enter and recompiled that into our proposals to determine whether these districts that we've drawn would reliably support candidates - the candidates of choice for minority voters. We believe that each of these do reliably do that.

REP. SHARON HEWITT: Okay. All right. Thank you, Mr. Chair.

REP. JOHN STEFANSKI: Thank you, Madam Chairwoman. Yeah, [INDISCERNIBLE 01:38:11] you just hit this button again. Okay. Members, that clears the Board. Any further questions, members? Nope? Thank you, sir. I appreciate your answers to the questions and being here today. Members, that is the second submittal on the House plan. So, we've done the Senate. We've done the House. We are now going to move on to the Congressional plans and the first one I'm going to announce - obviously; I've said his named twice. He's not here. Mr. Spencer? Again, Mr. Spencer's not here. He submitted a map. We will go ahead and move to James Chris Henry. Is Mr. Henry here?

JAMES CHRIS HENRY: Yeah.

REP. JOHN STEFANSKI: So members, if you go on the website, find under Congress the submittals for Mr. Henry. And so, Mr. Henry, I guess I'll start the line of questioning off if you don't mind with the first submittal that you did. If you have - the number one. Yeah, just kind of what was the motivation or intent in this plan?

JAMES CHRIS HENRY: Can I have a few minutes to kind of speak separately and build into it?

REP. JOHN STEFANSKI: Well, you know, kind of this portion really is for the members to ask you, you submitted them and so I really want to get the question and answer. I don't mind if you elaborate, kind on some things, but I really want to kind of keep the same structure.

JAMES CHRIS HENRY: Okay.

REP. JOHN STEFANSKI: Okay. If you don't mind.

JAMES CHRIS HENRY: First of, my name is James Chris Henry. Just to tell you a little bit about myself. I'm a proud father of three. I'm a medical dosimetrist out of Cancer Center. I'm a lifelong Louisiana resident and I'm not associated with any organization. I'm just here on my own behalf. I'm a little bit of a nerd and I looked at the Congressional map just as a puzzle that I would, you know, be able to play with and it would actually have some implications, some real-life implications.

[01:40:06]

And so, I have listened to every redistricting roadshow. I have read every public comment and the first submittal that I have was early on in the process and as I have received more and more comments, it builds and improved upon that. From my personal perspective, we can dismiss the first map

because it just kind of builds into the second and third maps.

REP. JOHN STEFANSKI: Okay, no problem. Well, let me – how about this, then based on what you've just said, let me ask you the same question about the third map. What was the intent in the submittal for you drawing it?

JAMES CHRIS HENRY: So listening to each of the redistricting roadshows, there was this obvious duality happening of two opposing opinions, very aggressively being stated and I was trying to constructively build a middle ground that could accomplish some of what both sides were saying and just trying to listen to everyone and trying to build – just like we talked about earlier, what is a fair map? Every single person is coming up saying "we want fair maps," but everybody is defining fair differently and that's what makes this a difficult process. And so, within my maps that I submitted, I was attempting to listen to everybody's voice and opinion of what fair is and build a map towards that.

REP. JOHN STEFANSKI: Can you discuss a little bit about the geography in your third map of the various districts if you would mind?

JAMES CHRIS HENRY: And --- I'm not sure if the order of the numbering that you have is that where Districts 4 and 5 are in a vertical - horizontal—

REP. JOHN STEFANSKI: I'm looking on the third as we have identified as your third submittal, it would - it includes East-West Districts in North Louisiana.

JAMES CHRIS HENRY: Sure. so many of the comments were made is, is it time for Districts 4 and 5 to be changed from the current vertical orientation to a horizontal orientation? The vast majority of my map remains the same between 2 and 3. This just presents an alternative that some people were asking for that changes it to a horizontal orientation. Should the district's remain in place in map version 2, the current communities of interest for District 5 would be the farmland and the universities that make up those and then for District 4, it's the military institutions that are represented there. In map 3, changing to that horizontal orientation, District 4 now represents the I-20 Corridor and District 5 would represent Cenla or Central Louisiana.

REP. JOHN STEFANSKI: In both of your maps, do any or multiple districts have a majority of citizens - voting a citizens who are majority African-American?

JAMES CHRIS HENRY: I appreciate that question. And this was exactly what Mr. Fore was talking about earlier. On you all analysis of my maps, I have zero majority-minority districts using that metric. Using the metric that I use, I have two majority-minority districts and this is where it's starting to try to pull the ideas from both sides. When I'm analyzing the fair metrics, the tool that I have is within Dave's redistricting app and there are five different metrics of fairness that are evaluated within that program. One of which is minority representation. My two maps score a 98% and a 100% out of 104 minority representation.

REP. JOHN STEFANSKI: And I guess so the answer to that question is do any of the - again, do any of the districts in your second and third submittal have a majority of voting age population that's majority African-American that's - and I know you kind of answered it, but just kind of—

JAMES CHRIS HENRY: More directly, the makeup of those - there are none. It is zero according to that statistic. Both of those districts—

REP. JOHN STEFANSKI: The answer to that question is no? I'm just trying to be clear.

JAMES CHRIS HENRY: Absolutely.

REP. JOHN STEFANSKI: Got you, okay.

JAMES CHRIS HENRY: And those two districts are also not a White majority. One is a Black plurality and the second is a White plurality.

REP. JOHN STEFANSKI: Okay. Thank you. Oh, we have a question from Representative Ivey.

REP. IVEY: Thank you, Mr. Chair. I'll be brief. First of all, are you being paid by anyone to put all this effort in to produce these maps?

JAMES CHRIS HENRY: I am not.

REP. IVEY: Okay. So, I first have to commend you for the tremendous amount of effort it takes. I have played with it for a little while and it's crazy. It's very, very difficult. I think you've done an admirable job. I know you've - we've talked before and, you know, the revising and the process you go through and I think your intentions are noble and I think something that everybody is, you know, that somewhere where we need to try to land, you know, this, you know, good common middle ground and it is hard trying to achieve all every objective, you know, but I think this is a great starting point for a conversation from what I can just, you know, glance at and see and look forward to having conversations with you in the future.

[01:45:02]

JAMES CHRIS HENRY: Thank you, I appreciate that.

REP. JOHN STEFANSKI: Thank you, Representative Ivey. For question for Representative Jenkins?

REP. SAM JENKINS: All right. Thank you, Mr. Chair. I'm trying to see here. So, how - explain to me, how do you feel like - I'm looking at your map number 3, how do you select this map achieves any kind of racial fairness? We have at least at this time one majority-minority congressional district and your proposal eliminates that.

JAMES CHRIS HENRY: So another thing that my map achieves - I'm going to talk separately and then I'll build back to that question. So, one thing that I'm very proud of within this map is District 6, which now becomes extremely competitive. In the current orientation of the map, there is no competitiveness between parties. If you look at the data from plan score and load it in, there's a greater than 99% chance of the party already being predetermined from those maps. When I run the same scores for the maps that I submit to you, District 2 remains with an effectiveness of greater than 99%. Plan score evaluates that and almost completely guarantees the outcome of that. The second district which would

1 increase representation as my competitive district
2 plan score gives it a chance of happening of 31% for
3 the Democrat candidate and Dave's redistricting app
4 gives that a 64% chance.
5 REP. SAM JENKINS: But will you agree with me
6 though and I mean looking at your plan here, District
7 1 almost guarantees that a person of color, I mean,
8 would not have an opportunity to be competitive in
9 that particular District 5 on a 41,000 White and
10 132,000 Black and then if you look at District 3,
11 almost the same thing. A person of color is not going
12 to have an opportunity to be competitive in a
13 district with that makeup. You probably got three or
14 four of them here where it's going to be - I mean, I
15 don't see how if your fact - if you're motivating
16 factor, I'm not sure is to have something competitive
17 which would be that marvel situation. I mean, you've
18 got at least - you're eliminating a Black district, a
19 minority or majority Black - majority Black district
20 and you have at least three to four districts where
21 the White population greatly outnumbers the Black
22 population. So, I'm trying to see how do you balance
23 what you see and it seems you trying to create
24 competitive districts with numbers like that.
25

JAMES CHRIS HENRY: In the current configuration and in a lot of these conversations, the - whether we're talking along racial lines or whether we're talking along partisan lines, there's a lot of overlap between those conversations.

REP. SAM JENKINS: True.

JAMES CHRIS HENRY: And so within the state in the current configuration, five of the districts are guaranteed to be Republican candidates and some could translate that to me in White candidates and there is currently one district, the only District in the current representation that has even a remote - that has a chance and a guaranteed chance of a Democratic representative and some could translate that as a Black representative is that single district. My map, even though it fails to create a Black majority district, it is a Black plurality. There were more Black people that live in that district than there are White people that live in that district. And from the analysis that I can run as a citizen that has no business doing building a map, it will continue to be guaranteed with greater than 99% predictive value for that to remain in place. The advantage and the gain for those underrepresented groups of people would be

in District 6 where they now have a competitive chance.

REP. SAM JENKINS: Well - and I don't want to debate you on that. I'm just simply saying it seems - so, you don't ascribe to the idea that with a population of the state being merely one-third people of color that we should be moving in a direction to add an additional congressional seat as opposed to eliminate one and making it competitive and having the remaining rods where - I mean, just looking at the numbers I'm looking at make it very, very difficult for a person of color to be competitive at all in those districts.

JAMES CHRIS HENRY: I want to be clear. There is still one district that remains strongly Democrat.

REP. SAM JENKINS: Slight.

JAMES CHRIS HENRY: No, strongly.

REP. SAM JENKINS: Which one are you talking about?

JAMES CHRIS HENRY: District 2 has a greater than 99% predictive value.

REP. JOHN STEFANSKI: In your second or third map?

JAMES CHRIS HENRY: Both.

REP. JOHN STEFANSKI: Both, okay.

REP. SAM JENKINS: And I'm looking at the third map right now. Let's see. Well, am I looking at the right - is it District 2? All right. 320,000 Whites, 351 Blacks now.

JAMES CHRIS HENRY: And if you look at the data specifically for the New Orleans recent reason.

[01:50:01]

So whenever you dive in deeper to the numbers, when you specifically look at the New Orleans region, New Orleans benefits from a White populace that will vote for a Black candidate. The historical data shows that one-third of the White residents around the New Orleans area have voted for a Black candidate in previous elections.

REP. SAM JENKINS: Why would we eliminate a district that pretty much assures a person of color being elected to achieve what you're trying to do here to make it, you know - you may be trying to make it a little bit more competitive but I'm just saying it seems to me why would we trade that off that way? It's just not adding up to me.

JAMES CHRIS HENRY: Okay. Again, I'm limited in my ability to analyze this. I've used multiple programs to the best of my ability to analyze those things. From my personal perspective, I think that

1 District 2 will remain - I don't think we give up
2 anything in District 2. I think this is what
3 unpacking District 2 looks like.
4 REP. SAM JENKINS: But in district - okay. In
5 District 2, let's say - I'm just - we're just talking
6 hypothetical now. I'm just saying like to me, you
7 creating a situation where if you had a White
8 candidate that could get all White vote and just pick
9 up a certain percentage of the Black vote, that White
10 candidate could be winning in a district and you
11 changing it to me, from where we, at least, can
12 almost guarantee some minority representation in
13 Louisiana from Congress with District 2 under this
14 current configuration. I don't understand why we
15 would trade that off that way.
16 JAMES CHRIS HENRY: From my analysis, we don't.
17 From my analysis, District 2 will remain safely
18 Democrat and safely Black from my analysis.
19 REP. SAM JENKINS: Okay. You could not look at
20 any of these remaining districts and make them more
21 competitive - not necessarily majority Black, but you
22 cannot look at any of these and make them more
23 competitive in your numbers? None of your analysis
24 gave you a result like that?
25

JAMES CHRIS HENRY: So, by making that one – just like you've already alluded to, by making that one – whenever we unpack one district and try to move those voters into another district, this is the trade-off that's happens and this is what makes it such a difficult process to do is by unpacking one district and moving those voters into another district to increase its numbers. There's only a certain number of voters to go around and so, you can't have it both ways. There have been other proposals that have been submitted to the committees that create two Black majority districts and in order to do so, they have to split additional parishes in order to do so. My goal was to accomplish, not just this one objective of fairness, but to go with all of the objective measures of fairness that I would had access to analyze.

REP. SAM JENKINS: It looks like you got – I mean, like to me what you've created here is a scenario where you've eliminated a district where you could almost guarantee a person of color being elected and you're wanting us to trade that off for a chance on a district where a person of color could be elected and you got five majority of White districts with some very, very high numbers where a person of

color but not be competitive. I mean, I'm still having some trouble and I don't want to talk, you know, all of the time. I can understand what you're coming from but—

JAMES CHRIS HENRY: I'm very disappointed that your analysis of the maps does not meet with my analysis of the maps. I was very proud of the fact that I - and from all of the statistical information that I have that this map is increasing minority representation and I am disheartened that you do not feel the same way about this map.

REP. SAM JENKINS: I do not feel the same way about it. If you're eliminating a majority-minority district for the trade-off that you're giving, then I hate to disappoint you but no, I just don't - I don't agree with that. But that's just me. And you certainly have a right to submit and analyze what you have and professionally speaking, I mean, I respect what you worked to achieve, but just understand to me, the goal should be trying to achieve either more - another district that's more competitive, either maintaining a minority district that we have, either creating a district another a majority-minority district or one that's more competitive and that's what I was looking for.

JAMES CHRIS HENRY: If—

REP. SAM JENKINS: And I don't see that in your plan.

JAMES CHRIS HENRY: This map can easily be adjusted to make - if you don't feel like the representation of District 2 is enough as it currently is, this map can easily be adjusted to increase the number of minority represent - minority voters within that district, but it is going to eat away at the competitiveness of that second district.

[01:55:03]

And so, under my analysis of having a 31% chance or a 64% chance depending on the analysis software, for District 6 it's going to chip away at those numbers and it's going to make it more difficult to compete in that second district. From my analysis and - whenever you look at the historical data going back to the 70s and the 80s, at one point in time, the general consensus was that it required 60% to 65% minority voters within a district in order for that district to be competitiveness because there were - the voter turnout was lower because of the various different voter suppression things that were happening and as those members have increased over time, voting that has been narrowed and so now

1 currently it is said that it is required to be 50
2 plus 1 in order for that to guaranteed to be. I think
3 that's a very general blanket statement and I think
4 it's different on a district by district basis. And I
5 think one thing that is very unique about the New
6 Orleans area, that would allow it to remain from my
7 analysis and I completely whole heartedly understand
8 that you do not share this analysis that it will
9 remain safely a Black District.
10 REP. SAM JENKINS: I appreciate you. Being here I
11 appreciate you presenting, you know, your ideas and I
12 appreciate you answer my questions. Thank you, Mr.
13 Chairman.
14 REP. JOHN STEFANSKI: Thank you, Representative
15 Jenkins. For questions, Representative Ivey.
16 REP. BARRY IVEY: Thank you, Mr. Chair. I'll be
17 very brief. First of all, you know, very forward-
18 thinking in your approach, I think I see a lot of
19 potential with this as a, you know, as a starting
20 point. The - it's also probably the cleanest map I've
21 seen. Thank you. I mean, everybody wants to complain
22 about the gerrymandering and, you know, even if you
23 have a map, your way as far as the ratio of majority
24 and all that kind of stuff, people also complain who
25 live in the districts, who live in a parish where

it's split, you know, where they're carved out. And so, to the extent that you've been able to accomplish so much and maintain geographical regional and parish, you know, communities of interest is really commendable. And again, it is a push-pull dynamic when you have - you know, to unpack a district and, you know, to try to maintain some semblance of, you know, parish wide, you know, community of interest or smaller. To do that, again, some of the maps I've seen it, we've got a map going from Baton Rouge to New Orleans, you know, in order to achieve this second, you know, minority district. We're connecting communities and unpacking it that way. And so, anyway, I think this is very clean and I appreciate all of your hard work and I really do look forward to seeing how we can maybe continue to work together and improve this.

REP. JOHN STEFANSKI: Thank you, Representative Ivey. That clears the Board. I do want to echo Representative Ivey's statements. Thank you. We - like I said, we've seen everything that gets submitted especially the maps that are submitted in the proper file that we're discussing today. I appreciate you as a fellow citizen of Louisiana.

Thank you for your interaction and thank you for coming here today.

JAMES CHRIS HENRY: Thank you.

REP. JOHN STEFANSKI: Thank you, sir. Next, members, we're going to move - stay on Congress. We're going to move to Mr. Landry, Jordan Landry. Yes, sir. So, members, again, if you on the website or in your packet, you can see there's been five submittals by Mr. Landry. How you doing, sir? So, what I would - I kind of like to ask you, you know. I have looked at all these maps. We're all just particularly - in your fourth selection if you can pull that one up.

JORDAN LANDRY: By the way, I did not know that all the evaluations were going up on the website until today. So, I'm literally wrecking off the PowerPoint I sent you in October.

REP. JOHN STEFANSKI: Well, no. Look - and we appreciate you being here and so don't feel like, you know - I hope the committee will, you know, especially for the people who just showed up here at our request won't grill you too hard. I'm just going to ask you some general questions, you know. So, on your fourth submittal, I'm just wondering what the

motivation specifically in South East Louisiana was with the configuration?

JORDAN LANDRY: So, first of all, I have to explain in general what my fourth map - I'm assuming it's the same numbering as what I sent in. So, the fourth map is what I call one of my 1.5 minority district maps which is essentially on proportionality, there should be two minority-majority/Black majority districts.

[02:00:00]

But there's an open question in my mind whether you can get that second majority block district without committing crimes against geography and geometry or for that matter, running into the Shaw v. Reno precedent, which caused us so many issues in the early '90s. When you talked about the southeast, Chairman Stefanski, are you?

REP. JOHN STEFANSKI: Well, I won't hyper-focus. I just noticed that the fourth submittal was the one that was geographically little bit different than the others. I just was asking, you can use that as a broad question. Just kind of what's the motivation behind that submittal.

JORDAN LANDRY: I guess depending, I'm guessing you're looking at the Second District probably?

REP. JOHN STEFANSKI: I'm looking to the map in particular and I know you're at a disadvantage because maybe you're not accessing this the same way we are. It is the map you submitted that has a North Louisiana East West District and then a kind of a Central Louisiana District.

JORDAN LANDRY: Yes. Horizontal north. Okay. I guess when you're talking about the southeast, you're talking about the Second District. In the different maps I send in, I'm trying to keep the Second District minority-majority, especially minority block, except for the fifth one, which is a completely different story, but I'm trying to do a slightly different arrangement to get that district, for the most part, out of Baton Rouge for various reasons, a lot of them community of interest, et cetera. The question becomes, if you're taking out the stuff that's in Baton Rouge, where do you find the rest of the population especially more minority-heavy precincts. This [INDISCERNIBLE 02:02:06] for when I looked at the data and I was using Dave's redistricting same as the last gentleman, there are different maps in there where you can see how heavily minority or majority precinct by precinct is. And when I looked in there, I saw there were some heavily

Black precincts, especially down in Plaquemine Parish, [PH 02:02:39] ditto in Slidell, which, okay, granted, now, you're starting to get into a bit of a stretch, but I think it's less of a stretch than going all the way to North of Baton Rouge. And I mean, even if it does look a bit weird going into Plaquemine Parish compared to status quo map, I think you do have some common communities of interest like transportation, like connecting the port resources, so on and so forth.

REP. JOHN STEFANSKI: I don't see any other questions from members. You submitted five maps. Would you like to give a statement on just kind of your intent or—

JORDAN LANDRY: I can do it quickly.

REP. JOHN STEFANSKI: Sure.

JORDAN LANDRY: Map number one is essentially the least changed map. I mean, not my favorite, but illustrating and I make and I think I made the point when the joint committee went to Lafayette that even if you limit the range of possible plans to two vertical northern districts, one minority majority, that sort of thing, if you look back at the proposals after 2010, which I believe are still on the legislature's website, even within that limited

universe of plans, the status quo, I find is rather messy as far as splitting parishes, splitting communities of interest. I already mentioned how Second District crawls from New Orleans all the way to North Baton Rouge, so on. Even in a least changed plan, there can certainly be some cleaning up as well, of course, as making adjustments for population changes. Scenario two is the least changed to minority-majority district scenario I have. That one stretches, I think the fourth, the Shreveport District, a bit further east and further north. Fifth District to the northeast district, narrows a bit and reaches down into Opelousas area, North Baton Rouge, Ports of Tangipahoa, grabbing some minority populations there.

[02:05:14]

Six of the districts is no longer as much a Baton Rouge District that turns into something like the previous version of the Third District in parts of the Eight District and Seventh Congressional District there. Second District, there is generally status quo other than once again, pulling the Second District out of BR. First District, lot of commonalities with status quo. Scenario three is similar to scenario one except the northern districts are horizontal and I do

1 mention in some of my previous testimony, you could
2 either do essentially like straight, I guess you
3 could say, I-20 and [INDISCERNIBLE 02:06:12]
4 districts, which both would be about I think 30%
5 Black each or you could reach the I-20 district and
6 more into the [INDISCERNIBLE 02:06:23] area, which
7 would probably get you closer to 40% Black if you're
8 looking for a minority influence district over there.
9 Scenario four, we just discussed. That's one of the
10 1.5 minority district plans. Second would remain
11 minority Black. Sixth District turns into, I think
12 US-190 based district Opelousas into Florida
13 parishes. That would become both a Black influence
14 and also a true swing district, which we haven't had
15 that in this state and a while for Congress. And
16 fifth scenario is another 1.5 minority district
17 scenario. And the way I was playing around here was
18 we need to have at least bear absolute minimum, one
19 majority Black district, but doesn't necessarily have
20 to be in New Orleans because I think the previous
21 gentleman mentioned earlier, you do have some
22 coalition crossover, et cetera voting that could
23 allow a choice of Black voters to be elected there.
24 What would happen there is second gets shrunk into
25 the core of Orleans and Jefferson and the Fifth

District becomes the main strong minority-majority district as in scenario two.

REP. JOHN STEFANSKI: Members, any questions for Mr. Landry? Seeing no questions, Mr. Landry, I'll say the same thing. Thank you. As a fellow citizen, I appreciate your participation. Thank you for the time and the effort you put into this and I'll tell you, we'll take it into consideration. Thank you, sir. Members, we will move on to the - We'll invite Mr. Pernick up, if he's here. Yes, sir. There were seven submittals by what we referred to as the NAACP Coalition. And so, there's seven maps if you go on the website, we can pull those up and we will be discussing those next.

MICHAEL PERNICK: Thank you, Chair Stefanski. Is it all right if I bring my colleague, Mr. Evans to join us as well?

REP. JOHN STEFANSKI: Sure.

MICHAEL PERNICK: Thank you.

REP. JOHN STEFANSKI: You all are both familiar after [INDISCERNIBLE 02:08:57] meetings.

MICHAEL PERNICK: It's good to see you again.

REP. JOHN STEFANSKI: Absolutely. Members as keeping consistent to what I've been doing, do we have any - I'll give everyone a chance to kind of

collect their thoughts to any initial questions on these maps? These are all the congressionals submitted by the Coalition that are on your website. I don't see any questions right now. I'm going to give you the same courtesy I gave the last gentlemen. If you would like to kind of briefly go over some of the things and we might have some questions that pop up.

MICHAEL PERNICK: I appreciate that very much, Chair Stefanski. Thank you all for the opportunity to be here today and to speak with you. Our baseline goal in all seven of these plans was to present this committee with options that comply with federal law. That means the equal protection clause, which requires that the congressional districts be drawn with population that is as nearly as practicable the same. This is different from the standard and other maps where you're permitted a deviation of plus or minus 5%.

[02:10:04]

On the congressional maps, it's important, it's required to draw districts with the same populations. It's a more stringent standard that you need to file. We also ensured that all seven of the plans that we've submitted complied with section two of the

Voting Rights Act. So, we were looking at those two federal requirements as our baseline goal, and then we did try and do as good of a job as we could. On the other redistricting criteria, including the criteria listed in HCR 90, which was passed by the legislature, that includes, of course, compactness, preservation of parish boundaries, and I can say all seven of our plans, if you measure compactness on the three standardized widely accepted measures of compactness, all seven of the plans that we submitted are more compact than the current map on at least two of all three of those metrics. If you look for instance, at the first map, it breaks parish boundaries fewer times than the current congressional map. Our goal here was to present this committee with a range of options. We are not here to endorse any one particular option but show this committee it is easy to draw a second majority Black district. It's easy to do so in a way that actually also improves on some of the other criteria when compared to the current map and we presented just seven of the ways in which you can do it. There are other ways as well to draw maps that comply with section two, happy to take questions.

SENATOR HEWITT: All right. Let me ask one question because you've already sort of spoke into this. Again, how do you demonstrate that you have drawn seven maps that are in compliance with section two?

MICHAEL PERNICK: That's a great question, Senator Hewitt. Thank you. The Supreme Court has laid out a clear and widely accepted framework for assessing section two compliance. You start with three preconditions. First, you measure and you evaluate whether it's possible to draw a district that is sufficiently with the minority population is sufficiently compact and large to constitute a majority in a single-member district. So, that's the first precondition under Thornburg versus Gingles. The second precondition, you measure whether the minority community tends to vote cohesively for the same candidates. And then, the third precondition, you measure whether white voters tend to vote as a block to prevent the minority voters from having an opportunity to elect candidates of their choice. Once you go through those three preconditions, you then assess under the totality of the circumstances, whether members of the minority group have less opportunity to participate in the political process

1 and elect candidates of their choice. Now, courts
2 have said and made very clear that it is a very
3 unusual case, a very unusual case where those first
4 three preconditions are satisfied and the map isn't
5 found to violate section two. The first thing that we
6 always look at is whether those first three
7 preconditions are present. We know that preconditions
8 two and three tend to be present in Louisiana based
9 on court cases over and over again assessing those
10 preconditions together. They're called racially
11 polarized voting. And we know that racially polarized
12 voting patterns exist here in the state of Louisiana
13 from numerous federal courts, making that evaluation.
14 So, the real question is whether it's possible to
15 draw an additional district that complies with the
16 requirements set out by courts for majority-minority
17 districts and our seven map show that it is possible
18 to satisfy that first precondition. It is possible to
19 draw demonstrative illustrative maps with that
20 additional district, so that those are the guidelines
21 under section two that we were very careful to follow
22 in all of our submissions.
23 SENATOR HEWITT: All right. Thank you. All right,
24 and you're joined at the table by another gentleman
25

that we recognize from the roadshow. Would you like to speak or are you ready to go to questions?

MICHAEL PERNICK: We're ready for questions, Senator.

SENATOR HEWITT: All right. Sorry, Chairman Stefanski and I are playing tag team here a little bit. All right, Representative Ivey for question.

REP. BARRY IVEY: Thank you. I get to ask you all a question now. It's a great. First of all, thank you all for the work you do. so many people depend on, I mean, this is weedy stuff and there's very few organizations out there who really focus on these of issues, so appreciate you all's work. One of the previous presenters, he presented some maps that did not meet what was discussed earlier is 50 plus 1 threshold, but were minority-majority populations. With regard to section two and in what you just outlined, what is the standard judicially in this? Is it a population-driven standard? Or is it a voting age population-driven standard?

[02:15:19]

MICHAEL PERNICK: Thank you, Representative Ivey. That's an important question and I appreciate you asking it. The standard was laid out by the United States Supreme Court, and in opinion, Bartlett v.

Strickland. And it was quite clear, you need to draw a district in which a majority of the voting population is of a particular minority group. That's why in our congressional maps, we're evaluating whether the population, the voting age population is majority Black. It's because the Supreme Court quite clearly said that's what's required for assessing that first precondition under Thornburg versus Gingles.

REP. BARRY IVEY: So you're saying that it is clearly through the judicial review that they would give this scrutiny. They're looking for the voting age population and not the actual minority population in a district.

MICHAEL PERNICK: This is specifically for the purpose of measuring whether you're in compliance with the first Gingles precondition, that analysis by courts according to Bartlett v. Strickland looks at the voting age population when assessing whether you're in compliance or violation of that first precondition under Gingles,

REP. BARRY IVEY: But a 50 plus 1, is that identified as the standard and that specific example, or is it other factors also go into play? Like again, the gentleman presented how through the data analysis

that some of these online service providers offer on redistricting that the probabilities of extremely high to elect a candidate of their choice, please elaborate.

MICHAEL PERNICK: The Supreme Court in Bartlett v. Strickland set a bright line rule that you need to have at least a majority, so that's been universally interpreted by courts as 50% plus 1 in order to satisfy that first Gingles precondition.

REP. BARRY IVEY: And just to be crystal clear, they specifically say, so when I go pull this up and I read it, I'm going to read voting age population.

MICHAEL PERNICK: Yes, Representative.

REP. BARRY IVEY: That's all I got for now. Thank you.

SENATOR HEWITT: Thank you, Representative Ivey. All right, who we got? Representative Beaullieu.

REP. GERARD BEAULLIEU: Thank you, Madam Chairperson. Thank you all for being here. With seven maps show, obviously, produce probably more maps than anybody else. So, thank you all for the hard work, but the commonality between all seven, because obviously, what is the number one objective of all seven maps? Is there a single item that kind of stands out?

MICHAEL PERNICK: Yes, Representative, to comply with federal law, including the equal protection clause, and section two of the Voting Rights Act. That was our goal. And again, our goal was to show you it's easy to comply with federal law and there are many different ways to do it. Again, we're not endorsing any one of these but we're presenting with you options.

REP. GERARD BEAULLIEU: That was going to be my next question. Is there a flagship map in here that you say is the perfect fit to comply with federal law under one of your maps?

MR. EVANS: Representative, we have seven and you could come up with seven and Representative Ivey can come up with seven, and Representative Johnson could come up with seven.

REP. GERARD BEAULLIEU: Representative Ivey can probably come up with a lot more than seven.

MR. EVANS: I'm sure he can. But the very reason why we submitted these seven was just to show how easy it is to draw a map with two minority districts.

REP. GERARD BEAULLIEU: Not because one of them is better than the other?

MR. EVANS: Not at all. It's easy and can be done. There's an infinite number of ways that's going to happen.

REP. GERARD BEAULLIEU: So just from a personal standpoint, I think map five should have been labeled as map seven when I'm looking at it because it looks you got a big lucky seven in that map, or we're call it the border map. And I guess kind of on this one, specifically, it looks like you're going all the way from Oil City to Kentwood, Louisiana. Do you think someone in the Shreveport area and the communities of interest and those two geographic areas of the state are all - I guess what was the thought there with just that border map?

MICHAEL PERNICK: Thank you, Representative. The thought was to present this committee with another option that shows you different ways to achieve the goals of section two. We're not endorsing that configuration and if there are concerns that this committee has with that configuration, there are six other options that we can tell you also comply with section two. It's not to push that specific approach. I will say that even in that map, it still is more compact than the current congressional map and at least two of the three measures of compactness and we

use these measures of compactness so it's sort of an objective standard.

[02:20:12]

Everybody's looking at it the same way instead of trying to look at, whether it's visually appealing, and visually pleasing, we use things like the Polsby-Popper score, like the Reock score. Those are the technical terms for these compactness measures and their objective. You put them into a formula and it spits out how compact, a measure of how compact it is and all seven of these maps are more compact than the current congressional map on at least two of the three widely accepted measures.

REP. GERARD BEAULLIEU: Do you think the current map with the updated population, I think there was a question earlier, is in violation of federal law and how so?

MICHAEL PERNICK: That's a great question, Representative, and I want to be very transparent. We have not done that particular analysis because it's hypothetical. The lines are going to change. They're going to change just to equalize population. But what we will do is when this—

REP. GERARD BEAULLIEU: I guess my point, wouldn't you have kind of started kind of with the

existing lines as a starting point, just to see how compliant or how close to compliant the existing lines are?

MICHAEL PERNICK: Yeah, I can tell you, Representative, if the current map is tweaked, kept largely the same and that's the map that's adopted, that's very likely to violate section two of the Voting Rights Act, based on our assessment of the 2020 data for a variety of reasons, but it really comes back down to those same three preconditions that I talked about at the outset. Is it possible to draw an alternate plan in which the minority community is geographically compact, is sufficiently large to constitute a majority in the Second District and we've presented here seven ways to do it. I know other members of the public have presented other options and I'll say, this is just the tip of the iceberg. There are certainly many other configurations that would very likely comply with section two of the Voting Rights Act and our goal is to equip you, arm you with that information with those options so you can make an informed choice. I have full confidence that everybody on this committee wants to comply with federal law. That's of course, your goal and you're new to this. That's

1 understandable. This is something that we do across
2 the country and our goal is to help you and to give
3 you options that you can move forward with confidence
4 knowing that they will be in compliance.
5 REP. GERARD BEAULLIEU: Thank you all for the
6 effort you put in a lot of time to this, so thank
7 you.
8 MICHAEL PERNICK: Thank you for your questions,
9 Representative.
10 REP. JOHN STEFANSKI: Thank you, Representative
11 Beaullieu for your question. Vice Chair Duplessis.
12 VICE CHAIR DUPLESSIS: Thank you, Mr. Chairman.
13 My question has more to do with what's going on in
14 other states. Obviously, you all have been focused on
15 the Louisiana. I don't know if you just focused on
16 Louisiana, but we've certainly seen you all at all
17 the meetings, and we've gotten all of the materials
18 and submissions. Every state across the country is
19 going through this process, either they've gone
20 through it or they're going through it. And I don't
21 know where we are in terms of - I know that we were
22 not one of the first to go through it, everything got
23 pushed back. Is there anything you all can speak to
24 in terms of what's going on in other states that
25 might be similarly situated around how plans are

being adopted and how these plans are being interpreted as it relates to the discussion of the day, which is the Voting Rights Act. That seems to be like the common theme of today's conversation. Is there anything you can share with us? I'm just curious. Have any rulings come down? Have there been any moves as it relates to that or we haven't gotten to that point yet?

MICHAEL PERNICK: Thank you, Vice Chair Duplessis. That's an important question. And I think that there's much that can be learned from looking at what's happening in other states. We are still relatively early in the process. Here in Louisiana, obviously, you all haven't had an opportunity to come together and start passing maps out of committee yet. Other states that has happened, so we're seeing some data points in some other states. In Alabama for instance, the legislature passed a map that did not draw an additional majority Black district, even though it was possible to do so, and that's being litigated. There was a preliminary injunction hearing which some of my colleagues at the legal defense fund and others, other organizations within the state of Alabama and national organizations as well were involved in litigating and challenging that in court.

And that preliminary injunction hearing just wrapped up and we're expecting a ruling on that map relatively soon. Similarly, there's been litigation in South Carolina over their congressional map. That litigation's in process, but it is clear that when states are enacting maps, that are not in compliance, those maps are going to court, they're being litigated, they're being challenged, and that process is going quickly.

[02:25:13]

Federal judges are taking this extremely, extremely seriously, and for a few reasons. As everybody knows, this is the first redistricting cycle, in which we don't have section five in place. And section five, although it's a different standard from section two, it's a different standard. It doesn't require the same legal evaluation. Section five looks at retrogression, looks at weather changes, make minority voters worse off whereas section two looks at racial vote dilution. There was still that process that states went through that procedurally had more deliberation and procedurally had a back and forth exchange with the Department of Justice in covered states. We don't have that this time around so that is leading to, we believe, more

maps that are not only racially dilutive, but potentially retrogressive as well. We are learning from other states. We are still early in the process, so there haven't been any major landmark decisions that have come down in section two, we'll certainly let you know if there are things that we can learn from other states as this process unfolds. It's possible we can learn from some of these other states over the next few weeks and it could be a helpful informative data point to this committee as you start to consider specific maps, but that is something that we're watching closely and happy to work with you all.

VICE CHAIR DUPLESSIS: Thank you.

REP. JOHN STEFANSKI: Thank you, Mr. Vice Chair for your question. Representative Ivey.

REP. BARRY IVEY: All right. Thank you, Mr. Chairman. Dealing with compactness, I think I heard when you say about minority compactness and so, obviously, congressional districts are very large and so, compactness is going to be very much subjective I guess as far as what that looks like population density of a parish. If you're just looking at these parish maps as an example. On some of the maps, some of them split East Baton Rouge Parish up three times.

1 East Baton Rouge Parish splits up into three
2 congressional districts. Now, I'm on the first day
3 that I'm not responsible for the current maps. And
4 so, I think talking about what is, that's old news
5 and this is what we need to focus on today. And so,
6 with regard to section two and compliance at any
7 point, does it not matter at all, like for instance,
8 the map with the number seven on it. What's wrong
9 with that, five? Yeah, I mean that's one of the
10 craziest looking maps I've seen. Now, it may meet
11 section two, but I'm telling you, you've got Shreve,
12 parts of Shreveport, Monroe, East Baton Rouge Parish.
13 I mean, my God, that's a crazy-looking map. Now, does
14 the judicially, the courts, president, doesn't even
15 care, or this is absolutely acceptable if it achieves
16 the objective that you all are trying to bring about,
17 or is there an argument made for the defense that
18 will, as an example, let's just say that the New
19 Orleans, greater Orleans area in one of the previous
20 maps actually had the 50 plus 1 but one of these
21 other districts were more competitive. Your map up
22 against that map, which has tighter communities of
23 interest regionally, and also, less split parishes,
24 but because you can bring to specific, you showed a
25 map that can bring it in the actual additional

minority-majority district, and this one does not, would the court say this one would be in violation because yours can? I mean, is it just because you can draw the map that's all you got to do?

MICHAEL PERNICK: Representative Ivey, that's a great question. And courts have been clear that section two compliance is a higher priority than other considerations, other state law considerations, the other considerations under HCR 90 that you all adopted. Section two compliance and compliance with the equal protection clause by drawing districts of the same size is a higher priority. Simply, federal law is a higher priority than state law and all of these other requirements are under state law requirements, they're not even requirements, they're guidelines. HCR 90 were guidelines and goals to follow, but in the resolution, I think you all appropriately said, achieve this goal to the extent practicable. Achieve this goal to the extent practicable for each of those considerations.

REP. BARRY IVEY: But in that case, it sounds like you're saying it's an absolute requirement in that nothing else will matter. And if that is the case, well then, historically, how is that been

1 proven in case – I mean, there would have to be cases
2 every redistricting cycle on every map?
3 [02:30:18]
4 MICHAEL PERNICK: Representative Ivey, that's not
5 what I've said. Let me clarify. I appreciate the
6 opportunity to clarify that here in Louisiana, we are
7 not dealing with a situation where the only way to
8 draw a second majority Black district is to
9 completely ignore considerations like compactness,
10 completely ignore considerations like preservation of
11 parish boundaries. There have been cases where there
12 is absolutely no regard given to those other
13 principles where courts have said, "Wait a second,
14 let me take a close look at that." And the reason for
15 that, it's in the Gingles preconditions. You need to
16 draw, you need to have a minority community that is
17 reasonably compact and there are those other factors,
18 the totality of circumstances factors. That courts
19 will consider as well.
20 REP. BARRY IVEY: All right, is there guidelines
21 from the courts on what is considered reasonably
22 compact?
23 MICHAEL PERNICK: The courts vary on that
24 measure, but what I can tell you is all seven of
25

these maps are definitely, definitely on the side of the line. That courts would be comfortable.

REP. BARRY IVEY: Map number five is only—

MICHAEL PERNICK: It's better than the current map.

REP. BARRY IVEY: Again, I'm not comparing it to – I mean, if that's the standard, well then, I mean, that's a low bar, right? When you say, okay. Let's get the bar high.

MICHAEL PERNICK: We do look at what the state has actually done and we have to have a benchmark. We have to have a benchmark and what the state has actually done is a benchmark that we could look to and that's why it's important to know that all of these seven maps present different options.

REP. BARRY IVEY: And I appreciate the – again, there's a lot of variety there for us to kind of have a starting point to talk about

MICHAEL PERNICK: May I say one other thing.

REP. BARRY IVEY: Absolutely.

MICHAEL PERNICK: Representative, if one of your goals is to keep a particular parish whole, if one of your goals is to maximize compactness substantially beyond what the current maps do, what we've shown you is there are ways to do that. You have options

1 available to you and there are ways to do that and
2 that's a determination that you all can make, what
3 are those priorities so long as it complies with
4 section two and here, we've given you a different
5 way, a menu of options as a starting point and there
6 are many others as well.
7 REP. BARRY IVEY: Sure. And you mentioned not
8 having section five in some of the concerns that you
9 all are seeing in other states. And you mentioned
10 something that I don't know if it's really been
11 discussed, racially dilutive. Could you explain what
12 that is? Because in discussing the conversations
13 about having to, packing, cracking, unpacking, things
14 like that. I mean, this is a push-pull situation in
15 every - anything you do, you're taking from somewhere
16 and putting it, moving it. I mean, we don't create
17 more people in this process, so what is the criteria
18 for being racially dilutive? Can you give me give an
19 example? I couldn't think of anything.
20 MICHAEL PERNICK: Absolutely. Racial vote
21 dilution simply means drawing maps in a way that
22 weaken the power, the influence of communities of
23 color. And that happens in many different ways,
24 cracking and packing are two common terms that are
25 used to describe some of the ways in which we see

1 racial vote dilution. Packing, of course, is when
2 voters of one race are packed into a particular
3 district at levels that are higher than what is
4 necessary to comply with section two of the Voting
5 Rights Act and it results in denying those voters any
6 opportunity to influence the outcome of elections and
7 other districts. Cracking, of course is if there's a
8 community of color that would be large enough to
9 constitute a majority in a single-member district,
10 but that community is split into two different
11 districts, that's an illustration of cracking.
12 REP. BARRY IVEY: Like East Baton Rouge Parish on
13 the map, I would say, you're cracking East Baton
14 Rouge Parish in some of the maps.
15 MICHAEL PERNICK: Representative, the way the
16 courts measure whether there's racial vote dilution,
17 again, goes back to those same three preconditions
18 under Thornburg versus Gingles. You look at whether
19 there's an alternate map that could be drawn in which
20 the minority community has an equal opportunity to
21 participate in the political process and elect
22 candidates of their choice through majority-minority
23 districts. You assess the second and third
24 preconditions, which is the existence of racially
25 polarized voting. And then, if those preconditions

are present, you go onto a totality of the circumstances analysis where you look at there's a nine factor test that courts look at to look at responsiveness and look at a whole range of other factors that you consider who is elected, the race of people elected. You consider all of those other factors as well when doing the analysis, but that's what courts look at.

REP. BARRY IVEY: But, again, what's the current congressional district for Orleans? At number two?

MICHAEL PERNICK: That's right.

REP. BARRY IVEY: Current congressional district number two. And what is the current minority population? Just a ballpark.

[02:35:04]

MICHAEL PERNICK: It's—

REP. BARRY IVEY: 68, 69? Close? Somewhere in there? Okay. Would it be considered being racially diluted if you brought that number down from 69 to 50 plus 1?

MICHAEL PERNICK: No

REP. BARRY IVEY: Because that's the bottom to not be racially diluted?

MICHAEL PERNICK: Again, you look at what the courts actually require and hear what courts require

is that you show that there's an alternate map that can be drawn and you show whether there's racially polarized voting and that's really the linchpin. Courts have said that's the linchpin of this analysis. Do members of the minority community vote together? And if in the absence of some sort of remedial plan, would they be denied an opportunity to elect a candidate of their choice? And that requires an analysis.

REP. BARRY IVEY: I appreciate the nuance and the level of further scrutiny necessary to determine that. You definitely helped me understand that element more. Thank you.

MICHAEL PERNICK: Thank you.

REP. JOHN STEFANSKI: Thank you, Representative Ivey for your question. Representative Gadberry? Gotcha.

REP. FOY BRYAN GADBERRY: Thank you, Mr. Chairman. Is the 50 plus 1 minority or 50 plus 1 Black?

MICHAEL PERNICK: That's an important question, Representative. Generally, in most of these cases, it looks at the population of a particular race. There are small set of cases where plaintiffs have been able to prove a violation of section two by forming a

1 coalition of two different races. On the fifth
2 circuit, those are called coalition claims. The fifth
3 circuit has recognized coalition claims, but
4 generally, we're looking at 50% plus 1 voting age of
5 a particular group and in these seven congressional
6 maps, we evaluated them based on voting age, that
7 Black voting-age population
8 REP. FOY BRYAN GADBERRY: Ten of these meetings,
9 everyone even yourselves have said majority-minority
10 instead of majority Black. That's all I've heard,
11 majority-minority. I've looked at these numbers well
12 enough, House, [PH 02:37:13] Bessie, all these
13 different maps, I can get a majority-minority, I'd
14 say, 52%, but majority Black is 47%. That's where I'm
15 confused on what is it majority-minority or majority
16 Black? I mean, that's what I'm trying to determine
17 because there's other minorities other than Black, I
18 guess. I mean, that's what I'm surmising based on the
19 statistics.
20 MICHAEL PERNICK: Thank you, Representative. When
21 our submission, the letter that we provided on
22 October 18th along with the letters, we answer that
23 question exactly. In each plan, the Black community
24 measured by the Black voting age population, within
25 each of the two majority-minority opportunity

1 districts is sufficiently large and geographically
2 compact to satisfy the first Gingles precondition.
3 According from page four of our October 18th
4 submission to you, we've been very clear from the
5 start, we are measuring majority-minority based on
6 whether it is a majority Black voting-age population
7 in the two districts.
8 REP. FOY BRYAN GADBERRY: Thank you.
9 MICHAEL PERNICK: Thank you for the question.
10 REP. JOHN STEFANSKI: Thank you, Representative
11 Gadberry. Can we talk about map five for a little
12 bit? What was the intent? I guess you gave me an
13 overall, this is what we tried to do with these seven
14 maps, but this, I just want to talk about this one.
15 When this map was drawn, what was the reasoning
16 behind it?
17 MICHAEL PERNICK: Thank you, Representative
18 Stefanski. Our goal was to present you with another
19 alternative option that we believe complies with
20 section two of the Voting Rights Act. And we were
21 trying to show you different ways to do it. We are
22 not endorsing this map. We are not endorsing any one
23 of these approaches as the right approach or the best
24 approach, but we did want to give this committee a
25 menu of options to choose from so you can start to

1 think about different ways that you could draw the
2 district that would be compliant. I understand other
3 members have expressed some concern with the shape of
4 it and that's fine and that's why there are six other
5 options that we've presented long—
6 REP. JOHN STEFANSKI: I got you, but I want to
7 talk about this map. You said that all of the maps
8 you presented, you described as geographically
9 compact. Would you describe district five as
10 geographically compact?
11 MICHAEL PERNICK: I mean, it's an objective
12 question, and the objective measures, you look at
13 Reock, you look at Polsby-Popper, and this map on at
14 least two of the three measures of compactness is
15 more compact than the current map. And that's what
16 I'll say. When you measure it compared to the current
17 map, this score is better on those objective measures
18 of compactness.
19 REP. JOHN STEFANSKI: Let's talk about those
20 objective measures. Let's go through them. Let's talk
21 about them. Explain them to me. Let's talk about it
22 and let's analyze it based on the Fifth District.
23 [02:40:07]
24 MICHAEL PERNICK: Sure.
25 REP. JOHN STEFANSKI: So, please tell me.

MICHAEL PERNICK: Sure. So, the measures Reock, Polsby-Popper, those are two that we've talked about in particular. And basically, what they do is they use a geographic assessment. For example, if you draw a circle, how much is in the circle versus outside of the circle? That's one way of doing the measure.

REP. JOHN STEFANSKI: How big was your circle in this case?

MICHAEL PERNICK: Well, you draw a circle that contains each district and you have a number that you spit out and that tells you exactly an objective measure of compactness. That's one of the ways to measure compactness. And what we can do, I mean I think that if this is something you're interested in learning more about, we're happy to provide you the data. I don't have those numbers in front of me because it's a huge amount of data looking at all these compactness but we're happy to have a dialogue about that with you and if that's one of your top goals to get those scores as optimal as possible, we're happy to work with you to develop a map that complies with section 2 and that optimizes compactness. That's something that we acknowledge as a legitimate redistricting goal. So, we're happy to collaborate with you to achieve that goal.

REP. JOHN STEFANSKI: I'm a little more curious and you discussed the measure of how much fits in the circle. I understand that analyzation but I think for a lay person looking at that presentation, District 5 is pretty hard for just a normal person without a deep understanding of redistricting law - it's been a long day already - to call that district compact. Would you agree with that?

MICHAEL PERNICK: I understand your point, Representative, and that's why we try not to look at the eyeball test. That's not how we usually approach this. We look at those objective measures, we look at the numbers and the statistics and we measure it against the current map and that's what we've tried to do here. And if that's something you're interested in having more information on, we're happy to work to get you that information. There'll just be a lot of data and sort of bogged down the conversation but we're happy to do that if that's something you're interested in.

REP. JOHN STEFANSKI: So, another question I have is you made a statement that you analyze these districts based on the Black voting-age population, I believe. And so, I'm looking at that particular map,

that particular district, the VAP for the Black population is 52.243%. Why 52.243%?

MICHAEL PERNICK: Give me one minute, please.

REP. JOHN STEFANSKI: Yeah, no problem.

MICHAEL PERNICK: I'm sorry, Representative, are you looking at --?

REP. JOHN STEFANSKI: I'm looking at VAP. I'm looking at District 5.

MICHAEL PERNICK: And you're looking at this and --?

REP. JOHN STEFANSKI: Voting age population, Black. Plan 5, I apologize. Yeah, okay. Plan 5, District 5, VAP on the African-American population.

MICHAEL PERNICK: So, I can tell you Representative, we didn't have a specific racial target. We were really just trying to comply with the requirements of the law which means that you have to have a district that's majority Black voting-age population and you need to look at the other racially polarized voting factors to see whether in the absence of that district, Black voters would be denied an opportunity, an equal opportunity, to elect candidates of their choice.

[02:45:00]

So we've done that analysis in these maps. We weren't aiming for whatever the number was. We weren't trying to achieve that specific percentage. What we we're trying to do was make sure we comply with the specific requirements set out by court. So, we're giving you options that we know are compliant, that we know are consistent with what courts have said you must do to comply with section 2.

REP. JOHN STEFANSKI: And I guess my question is more, you told me you analyze these maps based on the VAP. You made that statement earlier. "We did these maps based on the VAP in order to accomplish x goal." And my question really is, if that's the way you did it, why did you settle on that number?

MICHAEL PERNICK: Well, we used Black voting-age population to evaluate the maps once we drew them. So, we drew maps using traditional districting principles trying to go in different ways to give you options but we use those measures to look, to see, to confirm is this something that would comply with the requirements into the first Gingles precondition. Again, we were not aiming for a specific racial target. We would not do that. We we're trying to draw options, show you different ways to achieve

compliance and then use those measures to evaluate the maps and look at how they turned out.

REP. JOHN STEFANSKI: So, I guess my follow-up to that would be, again, if that's the measure, "I didn't grab that one." That's what you said and if we're using that measure, 52.243%, would that allow African-Americans in that district to elect a candidate of their choice?

MICHAEL PERNICK: Yes.

REP. JOHN STEFANSKI: Okay.

MICHAEL PERNICK: And we know that not because of the Black population percentage. We know that because we did what's called a racially polarized voting analysis and we looked at a range of past election results identified using what's called ecological inference, identified which candidates in each of those races were the candidates preferred by Black voters and then looked at how those candidates preferred by Black voters would perform in each of these districts. This is the approach that's accepted by every court. It's called an ecological inference analysis where you measure racially polarized voting and all seven of these maps, the Black preferred candidates would comfortably perform in the two majority Black districts. And that's how we know that

these are legal compliant maps compliant with section 2 because we did that analysis to ensure that that we wouldn't be giving you something that wouldn't pass muster.

REP. JOHN STEFANSKI: Okay. For questions, Chairwoman Hewitt.

REP. SHARON HEWITT: Thank you, Mr. Chairman. So, let me just follow along with that line of questioning. So, then, in your racially polarized voting analysis, there must be some minimum number then that would ensure that the minority population has an opportunity to elect the candidate of their choice. So, what is that number?

MICHAEL PERNICK: Thank you Senator Hewitt. We provided some information on this in our December 14 submission. In short, you look at a collection of races and it depends on what the data that you have is available. It tends to be more persuasive. Courts have more probative value on racially contested elections. Courts like to look at elections for multiple different election cycles and do an analysis of what those data show in terms of performance of the minority preferred candidates. And here, the data is overwhelmingly demonstrating that the minority preferred candidates would perform especially in

1 District 2 by significant margins but also in
2 District 5, the minority preferred candidates
3 consistently perform. There isn't a specific
4 threshold, it's more of a complex nuance analysis
5 depending on the elections that you have but that's
6 the work we've done, that's the outcome of our
7 analysis.
8 REP. SHARON HEWITT: You know, I understand these
9 things are complex. So, you analyzed, you did a
10 racially polarized voting analysis by looking at past
11 races and used that as a way to predict that minority
12 candidate, a Black candidate in this case, could win
13 in a district configured as you have configured it in
14 a particular map. Okay, so there has to be a number
15 right? In your analysis, you said, "Okay. Well, in
16 all of these different races where the minority
17 population was x, the minority candidate won. And so,
18 if we create a district that looks like that, then we
19 would assume that a minority candidate would win in
20 that district." So, what is that number?
21 MICHAEL PERNICK: Again Senator, courts don't
22 look for a specific number. They try and understand
23 the evidence that's available. And when all of that
24 evidence is pointing in the same direction, that's
25 something that would be very significant to a court.

[02:49:59]

Here, the elections that we analyzed especially for District 2 all pointed in the same direction that the Black preferred candidate would comfortably perform in that district. For District 5, it wasn't quite. The margins weren't quite so high. But again, I know you're looking for a specific number and I wish that courts gave us a specific number. It's not always that simple because it does depend on the availability of data. It does depend on the probative value of the elections that you're evaluating and I would encourage you. Other states have hired experts in addition to mapmakers. Other states have hired experts to conduct racially polarized voting analyses. And I would encourage you to hire an expert to conduct a racially polarized voting analysis so you have that information as well and you can feel comfortable in the maps that you're enacting comply with section 2. Many other states have done that and it is a best practice in this process to not only have a demographer look at the configuration of the districts, but also have what's called an RPV expert do the same analysis that we did.

REP. SHARON HEWITT: Well, since you all have already done that, would you be willing to share that analysis then with this committee?

MICHAEL PERNICK: I'll have to consult with my colleagues and get back to you.

REP. SHARON HEWITT: All right. That could be very useful information. So, we've been talking about race a lot in this conversation in section 2 so then did you all use race as a predominant factor in drawing your maps?

MICHAEL PERNICK: Our goal was to ensure compliance with federal law that was the baseline consideration to make sure that all of the districts have an equal population and to present you with options in which there were two majority Black districts but that wasn't the only factor that we considered. We also, as I said, considered preservation of Parish boundaries to the extent practicable. We considered maximizing compactness to the extent practicable and all seven of the maps that we presented do have better compactness scores on two of the three measures than the current congressional map. So, it wasn't just one factor. We were considering all of those factors to try and give you

1 options that might be helpful to you as you as you
2 embark on the process.
3 REP. SHARON HEWITT: But was that the predominant
4 factor in your analysis? Was it your primary priority
5 on the maps you presented?
6 MICHAEL PERNICK: Our primary goal was to ensure
7 that the maps complied with federal law and that
8 includes section 2, that includes the equal
9 protection clause. Once we achieve those goals, once
10 we know that we're presenting you with maps to comply
11 with federal law, we consider all of those other
12 factors, compactness, parish boundaries and yes, race
13 is a factor that's considered. That is actually
14 required to be considered. I wouldn't say that it's a
15 predominant factor once we comply with federal law
16 but it is something that you all are required to
17 consider to ensure compliance with section 2.
18 REP. SHARON HEWITT: And talk to me a little bit
19 about communities of interest. That is one of our
20 redistricting principles. Many members have spoken
21 about that today. We heard a lot about that in the
22 roadshow local communities talking about how they
23 viewed their communities of interest. That was one of
24 the most valuable parts of the roadshow in my opinion
25 because there's no neat drawn line that shows this is

1 a community of interest, it's for the population in
2 that area to identify themselves that way. And so,
3 I'm curious about that and how you consider that in
4 these maps. I mean, let's take map no. 5. What were
5 the communities of interest that you were trying to
6 preserve in that particular map?
7 MICHAEL PERNICK: Senator, our goal is really to
8 present you all with different options to show that
9 there are different avenues to achieve various goals.
10 If there are particular communities that are
11 important to you, it's quite possible that there
12 could be a map that has two majority Black districts
13 that corrects for the under-representation of Black
14 voters and also achieves whatever community interest
15 or whatever specific community you think should be
16 kept together. What I can say, as you know, we've
17 been present in the roadshow and we've heard the
18 testimony as well. One of the most significant
19 requests that I've heard from members of the public
20 just following this process was to not place East
21 Baton Rouge and Orleans Parish in the same
22 congressional district. And that's something that all
23 seven of these maps do achieve to keep those
24 communities separate so members voters in each of
25 those communities aren't packed together and Black

voters in particular in those communities aren't packed together in the same seat.

REP. SHARON HEWITT: Well, we certainly heard that in a couple places primarily in New Orleans and that was a theme in Baton Rouge as well. But we heard a lot in Iberia and St. Martin Parish just to give a shout out to our Lafayette friends about that being a community of interest certainly and Lake Charles and Lafayette see themselves as a community of interest so we want to make sure that we hear those issues as well.

MICHAEL PERNICK: Thank you Senator. And if there are particular communities of interest that you would like to keep together or preserve in a certain way, we're happy to have a conversation with you and work with you to see if there's a map that can be drawn that accommodates those principles and also complies with section 2.

[02:55:09]

And I would encourage you, as you're drawing maps, to think about those communities of interest. That's a good thing to be thinking about but at the same time, also see how you can accommodate those communities of interest while complying with the requirements of federal law.

REP. SHARON HEWITT: Thank you. Thank you, Mr. Chairman.

REP. JOHN STEFANSKI: Thank you Chairwoman Hewitt. One follow-up, when you discussed the analyzation on voting trends, what elections did you use to do that?

MICHAEL PERNICK: I'll have to get back to you on that. I believe we talked about some of them in our December 14 submission but there's a lot of data and figures there so I'll have to get back to you if you want more detail on it.

REP. JOHN STEFANSKI: Yeah, because only saw one election reference but I was just curious if you could provide that information. Thank you. Question from Representative Johnson. Johnson? Oh, it's Senator Price. I can't tell who's who down there.

SENATOR EDWARD PRICE: Thank you, Mr. Chairman. You can't tell between us?

REP. JOHN STEFANSKI: I can tell between you all. I'm not that blind yet. With no names down here, it's a --.

SENATOR EDWARD PRICE: Thank you. And thank you for all the work you've done and I've seen you all at all the roadshows. There was a lot of conversation today about the race and the 50.1 which is the mark

that you're using to identify a majority Black district and whether it's competitive on that. So, I just got one point and you can answer. Wouldn't you think that a 50.1 district is more competitive for people of color to elect a person of their choice than a district that's now 70/30? And so, getting to that 50.1 give those people that opportunity whether or not it's done or not but it's an opportunity as compared to district that's presently 70/30.

JARED EVANS: You said the keyword Senator is the opportunity and in each of these maps, in District 01 and District 5, there is an opportunity that we feel the minority choice candidate to be successful in that election.

MICHAEL PERNICK: And Senator, if I may add one point Senator, looking at the actual data, when we measure the current map based on the 2020 voting age population data, and it's a little bit of an odd analysis because the current map is malapportioned. But if we were to measure the current map based on that data, the current district for Black voting age population data is actually under 60%. It's 59.79%. And the seven illustrative maps that we presented bring that down, not by 15%, not by a few percentage points. And another way to think about it is to look

at the White voting age population. In District 2, the current White voting age population is 27%. So, that means 73% non-White. And our first map for instance only brings that up by 5% to 32% White voting age population which means District 2 in our first proposal is still 68% of the population is not included as White voting age population. And as my colleague, Mr. Evans, said this really is about giving voters of color that opportunity, that opportunity to elect candidates of their choice, that opportunity to participate in the political process so their congressional delegation would ultimately be more reflective of the diversity in the state.

SENATOR EDWARD PRICE: Thank you.

MICHAEL PERNICK: Thank you.

REP. JOHN STEFANSKI: Thank you for your question. Representative Farnum?

REP. LES FARNUM: Thank you, Mr. Chair. I guess my question is did you guys come up with any maps that would meet all of the section 2 requirements that did not create a second majority-minority district?

MICHAEL PERNICK: No.

REP. LES FARNUM: Or were they even evaluated at all?

MICHAEL PERNICK: The short answer to that is no.

REP. LES FARNUM: Okay. Part of the question here that I think they're trying to get around with the communities of interest and those type of issues is there's a lot of different ways to approach this. I know your objective. Your sole objective it appears to be is to create a second minority district. So, I guess there's a lot of moving dynamics in this whole process that there's probably a million ways to meet all the section 2 requirements not only the ones that are in these seven maps that you all presented today. Would you agree with that?

MICHAEL PERNICK: Well, I would say Representative, our sole objective was to give you options that comply with the law.

REP. LES FARNUM: Seven options with your objective in mind.

[03:00:01]

There's many other ways I would imagine that would meet the section 2 requirements that comply with federal law. Would you agree with that?

MICHAEL PERNICK: Not necessarily. But representative, what we would we can do, if you have a proposal, if you have a map or any member has a map, we are happy to evaluate that map and we're

happy to work with you to consider whether that map complies with section 2 and consider whether that map would be an appropriate way forward. So, if you have a specific proposal in mind, we would be happy to work with you to evaluate.

REP. LES FARNUM: I'm sure that's the objective of this entire body is to come up with a map that will meet section 2 and comply with the federal law. There's no doubt in my mind that that's what everybody's objective is here. So, thank you.

MICHAEL PERNICK: Absolutely, thank you very much.

REP. JOHN STEFANSKI: Thank you, Representative Farnum. That clears the board. Thank you all. I know this was a lot of questions but I do appreciate you all being here giving the presentation. I think you all probably have a couple more maps coming up maybe one of you will be talking about so we might just see you very shortly. And actually, the next members, we're going to move to the BESE plans. We have two of those. I don't know if you're handling the BESE plans. Okay.

MICHAEL PERNICK: Yes Representative.

REP. JOHN STEFANSKI: Great. So, that's easy. So, members, I'll give you all a few seconds to pull

1 those up. And again members, two options on those
2 that can be found online in a condensed version in
3 your packet. Members, do we have any initial
4 questions for these gentlemen? On BESE, the two maps
5 on BESE. Any initial questions? Chairwoman Hewitt.
6 REP. SHARON HEWITT: Thank you, Mr. Chairman. So,
7 in the letter that you all sent us on the BESE maps,
8 I think we got that at the Thibodeau roadshow. It
9 appears that you have considered those spandex in the
10 Black population together as one minority group. I
11 think you used a different term a few minutes ago.
12 But explain that thinking to me and what evidence you
13 have that they would vote as a cohesive group.
14 MICHAEL PERNICK: Thank you Senator Hewitt.
15 That's an important question and I do appreciate you
16 raising it. So, in the Fifth Circuit, there's a case
17 Campos v. Baytown that essentially holds that a map
18 might violate section 2. And that first Gingles
19 precondition could be satisfied if there's a
20 coalition of two different groups that are when
21 considered together, more than 50% of the voting age
22 population. So, that's something that the Fifth
23 Circuit has considered and recognized. Again, most of
24 the cases that concerned section 2 compliance
25 especially in Louisiana are not coalition claim cases

1 but it is a consideration that is permitted under
2 federal law within the Fifth Circuit. I'll be direct
3 with you. When we looked at the BESE map, we saw that
4 there was significant underrepresentation of voters
5 of color and we saw that it would be possible to
6 maintain, easily maintain the two majority Black
7 districts. We also saw in the northern part of the
8 state that communities of color were split between
9 two districts but it was difficult challenging to
10 draw a district that was majority Black. So, then we
11 considered what are some of the other avenues? What
12 are the some of the other approaches that courts
13 would look to and would be valid in the Fifth
14 Circuit? And one such approach is what's referred to
15 as a coalition claim. So, that's why we drew a
16 district that unified the communities of color in
17 Northern Louisiana and would provide those
18 communities a third opportunity to elect a candidate
19 of their choice on BESE. Like we did on the other
20 maps, we did assess whether the candidates preferred
21 by communities of color would perform in that
22 district and we're comfortable that they would.
23 Again, we put some of that data in the letter so you
24 can see the sort of analysis that we were doing but
25 that data, it's voluminous and I didn't want to bog

1 down you all with unnecessary detail. But that is an
2 analysis we did to confirm that the minority
3 preferred candidate would perform and we're
4 comfortable that the minority preferred candidate
5 would perform in all three of the majority minority
6 districts in both of the plans, the BESE plans that
7 we submitted.
8 [03:05:00]
9 The one other point I would make on this, there
10 were those two plans and the first one, we tried to
11 maximize compactness, we tried to preserve Parish
12 boundaries and we were able to do so on at least one
13 compactness measure better than the current BESE map.
14 In the second plan, we we're really trying to show
15 you that it's possible to achieve that third
16 majority-minority district while leaving the other
17 six seats that warranted Northern Louisiana leaving
18 them largely intact. So, you don't need to go in and
19 make major dramatic revisions to all eight of the
20 districts. You could leave the six districts intact
21 and then draw a new Northern Louisiana District. Now
22 of course, because the six districts aren't
23 particularly compact, the overall compactness score
24 of that map is a bit lower but that's a choice that
25 you can make if that's the direction you want to go

1 down. So, we're trying to give you two options to
2 consider. There are many, many other options that
3 would be available as well to achieve the goals that
4 we laid out.
5 JARED EVANS: And Madam Chair, if I may, as we
6 lay out in our January 20 letter, in the discussion
7 of the Senate vectors is that minority youth, both
8 Black youth and Hispanic youth, face similar
9 struggles and obstacles in terms of socioeconomic
10 factors and outcomes particularly dealing with the
11 issues that are before BESE.
12 REP. SHARON HEWITT: But isn't the issue about
13 whether they would vote similarly? I mean, what again
14 data do you have that demonstrates that the Hispanic
15 and the Black community and that newly created
16 district that you've drawn would vote similarly? How
17 did you analyze that? I mean, this is the first time
18 we've talked about the Hispanic community and lumping
19 them in with the Black community and assuming they
20 would vote similarly as a block for one of the
21 Gingles preconditions. I'm not sure that I follow
22 that.
23 MICHAEL PERNICK: Absolutely Senator Hewitt and
24 it's an important question. Here is what we've done.
25 As we said in the letter and as I said before, we

measured how the minority preferred candidate would perform in the district and confirmed that in at least a number of the last of the benchmarking elections that we use for measurement that the minority preferred candidate would perform. I would have to get back to you if you're interested in more detail on the racially polarized voting analysis on cohesion. I'd have to get back to you on that.

REP. SHARON HEWITT: Okay. Well again, if you're using that to make your points, it would be helpful for us to have that data so if you could provide that, that would be most appreciated.

MICHAEL PERNICK: And Senator, again, I would urge you to consider retaining an RPV expert just as you have retained demographic experts and map drawers to retain an RPV expert as other states have done so you all have this at your fingertips and you can move forward with the confidence that your maps would comply with section 2. We are happy to work with you on this. We're happy to evaluate maps for you and submit additional letters, additional testimony to help you. I mean, that's what we're here for to help you comply with section 2 but to have your own experts, your own advisors who are doing that work

for the state as other states have done. That's something I would encourage you to consider.

REP. SHARON HEWITT: I appreciate that, thank you.

REP. JOHN STEFANSKI: Thank you Madam Chairwoman. I've requested Vice Chair Duplessis.

VICE CHAIR DUPLESSIS: Thank you, Mr. Chairman. My question has to do with the fact that this is BESE specific in comparison to other conversations we're having around State House, State Senate Congress and the roles of each of those elected bodies versus BESE where their mission is more limited to education at the elementary and secondary levels. Does the population makeup of the schools or the potential population makeup of the schools factor in as a form of measurement in terms of communities of interest? The racial makeup of the students who are currently attending or the racial makeup of the students who could attend those schools given the more narrow focus of those who are elected to serve at BESE. This is my question as we think about it through the lens of the Voting Rights Act. Does my question make sense?

MICHAEL PERNICK: It makes perfect sense.

VICE CHAIR DUPLESSIS: Okay.

1 MICHAEL PERNICK: And it's an excellent,
2 excellent question. I would encourage this body to
3 think about the communities that are affected by the
4 decisions that you make in every map that you draw.
5 And in BESE in particular, we know that something
6 like 47. 5% of Louisiana's under-18 population is
7 Black or Latino. The communities that are most
8 directly affected by BESE are severely
9 underrepresented on BESE. It's almost half but only
10 two out of eight of the elected districts are drawn
11 in a way where voters of color have any opportunity
12 to elect candidates of their choice. Now, courts are
13 clear that when you're evaluating those three
14 preconditions, you look at voting age population.
15 [03:10:01]
16 So, for that technical evaluation, for the
17 purpose of drawing the lines, for the purpose of
18 measuring compliance or those preconditions, you look
19 at voting age population for the purpose of ensuring
20 the same population in every district. You look at
21 the total population. Courts are very clear about
22 that. That's what we've done in our maps. That's what
23 we would encourage you to do. But when thinking more
24 abstractly why is this important and what are the
25 implications of the decisions, then it's important to

consider all of the factors. It's important to consider the communities that are affected. And that's why it's especially important to go above and beyond in ensuring that communities of color have a real voice in BESE because the communities that are directly affected are almost half Black and Latino and the stakes are quite high because issues that will be considered by BESE in the coming months and years are going to be particularly important to those communities. We've heard from our partners. We submitted that letter with 16 organizations. Some of the organizations that do educational equity and educational advocacy work were some of our partners in developing the maps and thinking through why this matters so we've learned from them why this matters and that makes it particularly important to take it seriously and to seriously consider whether there are ways to improve representation on BESE.

VICE CHAIR DUPLESSIS: Thank you.

REP. JOHN STEFANSKI: Thank you, Mr. Vice Chair. For a question, Representative Johnson.

REP. MIKE JOHNSON: We'll be careful how I ask this but I want to make sure I understand it. I just hear you say that to give a minority and opportunity

to be elected, you have to draw a district with a majority of minority in it to do that?

MICHAEL PERNICK: So Representative, we look at the requirements under section 2 of the Voting Rights Act which does require the drawing of majority-minority districts when circumstances and factors are present.

REP. MIKE JOHNSON: Just for the sake of discussion, what does that presuppose that you had? That Whites will not vote for minorities?

MICHAEL PERNICK: Well, Representative, we've done that analysis here in Louisiana and generally, there are high levels of racially polarized voting.

REP. MIKE JOHNSON: Do you know where I live? You ever heard of Pineville, Louisiana?

MICHAEL PERNICK: No Representative.

REP. MIKE JOHNSON: We have 72% White population. We have elected an African-American mayor the last six times. That just defies in its face the idea that only - I guess I'm just trying to understand how in one hand we're trying to be fair and not biased, but we're operating under the idea that we have to be biased to make it fair. Is that what that means when you say to have a minority district is the only way

to give a minority a chance. Isn't that somewhat degrading?

MICHAEL PERNICK: Well Representative, we look at what, and I'm here to support you all and provide you --.

REP. MIKE JOHNSON: I'm just asking you for the sake of discussion.

MICHAEL PERNICK: Well, for the sake of discussion, Representative, I would respectfully refer you to the law and what courts have said under section 2 of the Voting Rights Act, what courts have said for compliance with the United States Constitution and there, we have clear rules that we're following.

REP. MIKE JOHNSON: And I want to follow those rules but I just hear it over and over and over and I just, I don't live in that world in Pineville, Louisiana and I just wonder why the rest of the state can get on board with the way we do without having to have districts drawn based upon the color of our skin.

MICHAEL PERNICK: Of course. And Representative, that's an important question and in many states and some states, there are not high levels of racially polarized voting. And in those states, if you don't

have high levels of racially polarized voting, you don't satisfy the second and third preconditions in the Thornburg v. Gingles and there isn't going to be a claim under section 2.

REP. MIKE JOHNSON: I understand. I've been a lawyer for close to 40 years, done desegregation, all of that and I've kept my mouth shut for nine meetings. I just thought I would ask you for the purpose of discussion today and thank you for indulging me with that.

REP. JOHN STEFANSKI: Thank you, Representative Johnson.

MICHAEL PERNICK: Thank you, representative.

REP. JOHN STEFANSKI: Members, that clears the board. Any more questions discussing these two BESE maps?

MICHAEL PERNICK: Representative, may I make a quick technical point?

REP. JOHN STEFANSKI: Sure.

MICHAEL PERNICK: Thank you, representative. We noticed in one of the plan evaluations that was prepared by staff that there was a flag on the contiguity score. There was a technical data processing issue when we prepared the block equivalency files for the two BESE plans. It doesn't

affect the configurations, doesn't affect the appearance of the maps but we're going to get that corrected and we'll send you new block equivalency files by early next week. And I apologize for that technical error.

REP. JOHN STEFANSKI: Yeah. And look, for members who might be interested in adopting a similar structure for a map, staff would work with you to clean that up. Our staff would make sure those things are appropriate once they get put into a bill form because obviously, a member has to file this. Nobody from the public can file a bill. A member has to be the one who does it. So, but thank you both very much.

[03:15:00]

We're moving right to the Supreme Court so you're not going anywhere. Members, we are now going to jump to the last item which is Supreme Court. There's two plans that have been submitted so I'm going to give everybody a couple minutes to find those and then pull up the maps if you're so inclined. Okay. Members, any initial questions? Anybody want to start the discussion from court maps? Seeing none, I'm just going to go ahead and allow you all to maybe just

1 give me a brief overview on both options and any
2 additional comments you would like to make.
3 MICHAEL PERNICK: Thank you, Representative
4 Stefanski. So, I understand, we understand that there
5 has been interest in expanding the size of the
6 Supreme Court from seven members to nine members.
7 There was a bill which Representative Stefanski I
8 believe you may have carried to do just that and it
9 made significant progress through the legislative
10 process. So, we wanted to give you all options of
11 both a seven district option which is the current
12 number of members and a nine district option which
13 would be the size if the bills such as your bill
14 Representative Stefanski - sorry, the constitutional
15 amendment were to be adopted and really for the
16 purpose of confirming that it is possible to draw two
17 majority Black districts out of seven and three
18 majority Black districts out of nine. As you may
19 recall, LDF had submitted testimony during the
20 consideration of Supreme Court expansion last year
21 indicating that we supported an expansion to nine
22 members provided that there would be three majority
23 Black districts and we wanted to follow through on
24 that advocacy by giving you a map that did just that.
25 Like the other maps, we're not endorsing these

1 necessarily, we're not saying this is the only way to
2 do it but presenting this as an option for you to
3 look at. I apologize that we don't have seven
4 versions of each of them but we did want to give you
5 at least one so you could see what's possible and
6 know that it is achievable to have two majority Black
7 districts out of seven, three out of nine. We of
8 course as with the other maps tried to be respectful
9 of the principles that were outlined in HCR 90
10 compactness preservation to the extent practicable so
11 we try to do that as well and really give you those
12 two options that you can move forward with comfort
13 that they would comply with section 2 of the Voting
14 Rights Act.
15 REP. JOHN STEFANSKI: Members, any questions? Any
16 questions members? I see none. I thank you all for
17 your time. Thank you for being a part of this process
18 in participating in coming today. We appreciate it,
19 thank you.
20 MICHAEL PERNICK: Thank you very much
21 Representative.
22 REP. JOHN STEFANSKI: Absolutely. Members, that
23 is all we have on the agenda for today. If there's
24 nothing else for the committee, I'm going to go ahead
25 and entertain a motion to adjourn. The next time you

see these two committees will be in the special session starting on February 1. So, thank you for everyone who came today. Thank you for everyone who participated in the roadshow. I've heard your comments. They mean something. They're going into this process. Thank you. And I know Chairwoman Hewitt echoes my mass sentiment as well. Chairwoman Hewitt makes a motion we adjourn without objection.

[03:18:42]

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I, Anders Nelson, hereby certify that the document "F880060-louisiana-redistricting" is, to the best of my knowledge and belief, a true and accurate transcription from English to English.

Anders Nelson
Project Manager

April 27, 2022

216 EAST 45TH STREET, 9TH FLOOR, NEW YORK, NY 10017 T +1 212.400.8845 F +1.212.867.3106 LEGAL.TRANSPERFECT.COM