SENATOR SHARON HEWITT: All right. I'd like to call the meeting of the Senate Governmental Affairs Committee to order. It's February 8th. I'd like to call the meeting to order of the Senate Governmental Affairs Committee. It's February the 8th. Madam Secretary, if you would please call the roll.

MADAM SECRETARY: Senator Hewitt?

SENATOR SHARON HEWITT: Present.

MADAM SECRETARY: Present. Senator Milligan?

SENATOR BARRY MILLIGAN: Present.

MADAM SECRETARY: Present. Senator Allain?

SENATOR R.L. BRET ALLAIN: Here.

MADAM SECRETARY: Present. Senator Foil?

SENATOR FRANKLIN FOIL: Here.

MADAM SECRETARY: Present. Senator Tarver? Senator Womack?

SENATOR GLEN WOMACK: Present.

MADAM SECRETARY: Present. Senator Reese?

SENATOR MIKE REESE: Here.

MADAM SECRETARY: Present. Senator Harris? And Senator Price?

SENATOR EDWARD J. PRICE: Here.

MADAM SECRETARY: Present. That is seven and a quorum.

Hearing Exhibit
PR-61
3:22-cv-00211-SDD-RLB

SENATOR SHARON HEWITT: All right. Thank you very much. All right. The first thing on our agenda is approval of the Minutes from February the 3rd. Members, those should be in your folder. Senator Milligan moves that we adopt the Minutes. Any objections? Seeing no objections, those Minutes are approved. All right. We have a number of bills on our agenda today. They are Public Service Commission, BESE and the Supreme Court. We heard yesterday, PSC and BESE bills, some of which were amended so we chose to defer them and allow them to lie over. There is one bill, one Public Service Commission bill by Senator Fields, Senate Bill 3 that we did not hear yesterday that he has asked to have heard today. No, okay. Update, Senator Fields, you did not intend to hear Senate Bill 3 today? Okay. All right.

SENATOR CLEO FIELDS: We got to defer to Senator Reese's bill.

SENATOR SHARON HEWITT: Okay. All right. Thank you. All right. Let's do that. Let's do that. If we could, Senator Reese, let's take up Senate Bill 19. All right, I'll give you an opportunity to close on your bill. Members of the public, if you have any comments on any of these bills, we will take them up kind of one at a time. So, if you have any particular

comments, we will give you an opportunity first to comment on Senate Bill 19, and then I will invite Senator Reese to close on this bill. Okay. So, Senate Bill 19, we do have one card. And again, I will invite other members of the public if you have a card to turn that in. Peter Robins Brown, present, would like to speak on Senate Bill 19. Welcome.

PETER ROBINS BROWN: Good morning. Thank you. As you saw I'm putting the white card. Just wanted to note that in our State, we have 60 Louisiana energy user group sites. These are sites that tend to have the most active sort of industrial sites, also would have the highest emissions and 31 of those 60 are currently in one district. One service commissioner has a disproportionate number and has to carry a heavier burden of discussing dealing with remediation and regulation. I would just say that through this process considering where those sites are potentially trying to even out that distribution a little bit more so that burden is shared a little bit more as we have five commissioners. It seems like it would make a little bit more sense to not have one commissioner have a majority of those 60 sites and sort of have to be dealing with such a heavy burden on this issue. Happy to take any questions on that.

SENATOR SHARON HEWITT: Okay. I appreciate that comment. Senator Foil?

SENATOR FRANKLIN FOIL: Thank you Madam Chair. Which district is that?

PETER ROBINS BROWN: I think District 2. It's the current district that runs sort of like along the river from New Orleans up into Baton Rouge. So, you would be able to -- if I'm getting my numbers right, I believe I am. It wouldn't be that hard to redistribute a few of those sites at least to one and three, which kind of right around it on either side, if we're keeping the map roughly the same and I admit that I have not been able to dive as deeply in Senator Reese's map as I would have liked.

[00:05:11]

I'm really kind of speaking the missing concept as opposed to like we can move this line or that line, so I apologize for not having had the opportunity to dive into his as deeply as I would have liked.

SENATOR SHARON HEWITT: Just to clarify, I think it is District 3 that is along the river and District 1 and 2 on other side.

PETER ROBINS BROWN: Again, and I apologize for not having had that ready. But yeah, I think that if

you look at the map as currently as I've been able to look at Senator Reese's map and Senator Fields' map to the extent I've been able to, because of the alignment, you wouldn't have to blow up the map and kind of start all over. You could move lines a little bit and maintain that district as a majority-minority district.

SENATOR FRANKLIN FOIL: I appreciate the information. It's something I hadn't really thought about so I appreciate you bringing that to the committee's attention. Thank you, Madam Chair.

SENATOR SHARON HEWITT: Thank you, Senator Foil. I guess you could argue, you could really argue it both ways, couldn't you? On the one hand you can say, well there's expertise then that could be built up by that commissioner by having so many of those facilities in his or her district.

PETER ROBINS BROWN: Yeah. I mean, I think we're talking about 60, right? It's a lot. I think no matter who, I mean, if you have 20, you could build up a lot of expertise. If you have even 25 and I'm not saying that necessarily the best way to do this, is to draw that number down from 31 to 20. It's just to distribute it a little bit more evenly as much as possible and that's why I brought up that specific

sort of area of the map because that's, I'm not talking about necessarily touching that Central and Northern Louisiana District or the Southwest one is that you have those three aligned around each other. You could move, again, relatively slight changes in the lines to just a little bit more evenly distribute that. I mean, I would hope that all public service commissioners would have some pretty strong expertise in this issue. It's just a little bit more about spreading the burden of dealing with it to a little and maybe burden isn't the right word. I'm thinking a bit more interest in terms of what they would have to deal with but. Again, maybe burden isn't the right word but spreading that responsibility, let's say, a little bit more evenly.

SENATOR SHARON HEWITT: Okay. All right. Any other questions or comments from the committee? All right. Thank you.

PETER ROBINS BROWN: If anybody is interested in taking a look at that. I have been talking to some demographers who would be happy to, if it's an amendment or something to look at. If anybody's interested, if Senator Reese, if you were interested in looking at that, I'd be happy to sort of connect folks and look at how that could be done.

SENATOR SHARON HEWITT: Okay. All right. Thank you.

PETER ROBINS BROWN: Thank you.

SENATOR SHARON HEWITT: All right. I don't see anything else on the Board. I don't have any other cards on this bill. Senator Reese, you're welcome to close.

SENATOR MIKE REESE: One of the things I learned from my colleague, Senator Price, is to know when you're ahead. I would just ask for the committee's favorable passage of the [INDISCERNIBLE 00:08:08].

SENATOR SHARON HEWITT: Okay. I believe we did amend this bill. Did we not yesterday?

SENATOR MIKE REESE: It has amended.

SENATOR SHARON HEWITT: Okay. So, Senator Reese moves that we report this bill as amended or with amendments. Any objection to doing that? All right. Senate Bill 19 will be reported with amendments. All right. Thank you, Senator. All right. Let's work our way now if we can through that the BESE bills. We'll begin with Senator Fields with Senate Bill 7.

SENATOR CLEO FIELDS: Thank you, Madam Chair and members of the committee. Senate Bill 7 basically is a BESE bill. It creates two majority-minority districts. BESE is created by the constitution with 8

1 districts, 3 appointed by the governor. We heard the
2 bill on yesterday. I ask for your favorable
3 consideration.
4 SENATOR SHARON HEWITT: And this bill was amended
5 as well. Also, just to remind the committee. Okay.
6 All right. Senator Tarver moves favorable on Senate
7 Bill 7. Is there any objection? Senator Foil?
8 SENATOR FRANKLIN FOIL: I'd like to make a
9 substitute motion to defer the bill.
10 SENATOR SHARON HEWITT: Senator Foil proposes a
11 substitute motion to defer the bill. All right. So,
12 we will take a vote.
13 [00:10:00]
14 A vote yes is to defer the bill, a vote no is to
15 consider the original motion. All right, Madam
16 Secretary, if you would please call the vote.
17 MADAM SECRETARY: Senator Milligan?
18 SENATOR BARRY MILLIGAN: Yes.
19 MADAM SECRETARY: Senator Allain? Senator Foil?
20 SENATOR FRANKLIN FOIL: Yes.
21 MADAM SECRETARY: Yes. Senator Tarver?
22 SENATOR GREGORY TARVER: No.
23 MADAM SECRETARY: No. Senator Womack?
24 SENATOR GLEN WOMACK: Yes.
25

MADAM SECRETARY: Yes. Senator Reese? Yes. Senator Price?

SENATOR EDWARD J. PRICE: No.

MADAM SECRETARY: No. Senator Hewitt.

SENATOR SHARON HEWITT: Yes.

MADAM SECRETARY: Yes. That would be five yeas and two nays. The bill is deferred.

SENATOR SHARON HEWITT: Okay. Senate Bill 7 will be deferred.

SENATOR CLEO FIELDS: You want me to do 12?

SENATOR SHARON HEWITT: Yeah, while you're there, let's see. Yes, Senate Bill 12 which is also a BESE Bill by Senator Fields. Please.

SENATOR CLEO FIELDS: Thank you, Madam Chair and members of the committee. Senate Bill 12 also is a BESE Bill. It creates eight BESE districts, single member districts and the creation of the eight single-member districts. It also creates two majority-minority districts which complies with Subsection 2 of the Voting Rights Act. I this ask for your favorable consideration.

SENATOR SHARON HEWITT: All right, what's the pleasure of the committee?

[BACKGROUND CONVERSATION]

SENATOR SHARON HEWITT: All right, Senate Bill 12, Senator Price has moved favorable. Is there any objection to that? Senator Milligan?

SENATOR BARRY MILLIGAN: Madam Chair, I offer substitute motion to defer Senate Bill 12.

SENATOR SHARON HEWITT: Senator Milligan has proposed a substitute motion to defer Senate Bill 12. Madam Secretary will call the roll. A vote yes is to defer, a vote no is to consider the original motion.

MADAM SECRETARY: Senator Milligan?

SENATOR BARRY MILLIGAN: Yes.

MADAM SECRETARY: Yes. Senator Foil?

SENATOR FRANKLIN FOIL: Yes.

MADAM SECRETARY: Yes. Senator Tarver?

SENATOR SHARON HEWITT: Senator Tarver?

SENATOR GREGORY TARVER: No.

MADAM SECRETARY: No. Senator Womack?

SENATOR GLEN WOMACK: Yes.

MADAM SECRETARY: Yes. Senator Reese?

SENATOR MIKE REESE: Yes.

MADAM SECRETARY: Yes. Senator Price?

SENATOR EDWARD J. PRICE: No.

MADAM SECRETARY: No. And Senator Hewitt?

SENATOR SHARON HEWITT: Yes.

MADAM SECRETARY: Yes. That will be five yeas, two nays. The bill is deferred.

SENATOR CLEO FIELDS: Thank you, Madam Chair and members.

SENATOR SHARON HEWITT: Thank you, Senator. All right, Senate Bill 12 has been deferred. All right, Senate Bill 14 by Senator Cortez, I believe being handled by Senator Foil, will be our next bill.

SENATOR FRANKLIN FOIL: Thank you, Madam Chair and members of the committee. I presented this bill yesterday along with President Cortez and what this bill does is it takes the existing districts and adjust the populations for the ideal population of 582,219. The goal is to keep the continuity of the districts as much as possible and we believe this is a good bill which follows federal and state law. I would move that we report this bill as amended.

SENATOR SHARON HEWITT: Yes, thank you for the reminder. It was amended. All right, Senator Foil has moved that we report Senate Bill 14 as amended or Senate Bill 14 with amendments?

SENATOR GREGORY TARVER: I would ask a question.

SENATOR SHARON HEWITT: A question from Senator Tarver.

SENATOR GREGORY TARVER: How many minority districts?

SENATOR FRANKLIN FOIL: Two majority-minority districts.

SENATOR GREGORY TARVER: How many?

SENATOR FRANKLIN FOIL: Two.

SENATOR GREGORY TARVER: Two minority districts? SENATOR FRANKLIN FOIL: Yes, Senator.

SENATOR GREGORY TARVER: Okay. Thank you.

SENATOR FRANKLIN FOIL: Thank you.

SENATOR SHARON HEWITT: All right, any other questions? So, again, Senator Foil has moved that we report Senate Bill 14 with amendments. Is there any objection? Senator Price objects. We will call the roll. Hang on. A vote yes is to report the bill with the amendments. A vote no is to not report the bill.

MADAM SECRETARY: Senator Milligan?

SENATOR BARRY MILLIGAN: Yes.

MADAM SECRETARY: Yes. Senator Foil?

SENATOR FRANKLIN FOIL: Yes.

MADAM SECRETARY: Yes. Senator Tarver?

SENATOR GREGORY TARVER: No.

MADAM SECRETARY: No. Senator Womack?

SENATOR GLEN WOMACK: Yes.

MADAM SECRETARY: Yes. Senator Reese?

SENATOR MIKE REESE: Yes.

MADAM SECRETARY: Yes. Senator Price?

SENATOR EDWARD J. PRICE: No.

MADAM SECRETARY: No. Senator Hewitt?

SENATOR SHARON HEWITT: Yes.

MADAM SECRETARY: Yes. That is --

[OVERLAY]

MADAM SECRETARY: Okay. Senator Allain?

SENATOR R.L. BRET ALLAIN: Yes.

MADAM SECRETARY: Yes. That is six yeas, two nays and the bill is reported with amendments.

SENATOR FRANKLIN FOIL: Madam Chair, I would like to be added as a co-author on this bill if the [INDISCERNIBLE 00:14:46] wants to, that will be fine as well.

SENATOR SHARON HEWITT: Okay. I'll ask staff to pass along a sheet of co-authors so anyone else on the committee that would like to co-author this bill would be welcome to do so.

{00:15:04]

All right, so Senate Bill 14 will be reported with amendments. All right, and then our last BESE Bill is Senate Bill 21 by Senator Barrow. I do not see her here. I don't know if you all would like to -

- if anyone would like to speak on that bill or we just want take action on that? Okay. Senator Barrow did present her bill yesterday. As you recall, Senate Bill 21. What is the pleasure of the committee on Senate Bill 21?

SENATOR EDWARD J. PRICE: I'm in favor.

SENATOR SHARON HEWITT: Senator Price moves favorable on Senate Bill 21. Is there any objection? Senator Reese?

SENATOR MIKE REESE: Thank you, Madam Chair. Well, I will make a substitute motion to defer.

SENATOR SHARON HEWITT: All right. Senator Reese has made a substitute motion to defer Senate Bill 21. We will take a vote. A vote yes is to defer, a vote no is to consider the original motion. Madam Secretary, if you would please call the roll.

MADAM SECRETARY: Senator Milligan?

SENATOR BARRY MILLIGAN: Yes.

MADAM SECRETARY: Yes. Senator Allain?

SENATOR R.L. BRET ALLAIN: Yes.

MADAM SECRETARY: Yes. Senator Foil?

SENATOR FRANKLIN FOIL: Yes.

MADAM SECRETARY: Yes. Senator Tarver?

SENATOR GREGORY TARVER: No.

MADAM SECRETARY: No. Senator Womack?

SENATOR GLEN WOMACK: Yes.

MADAM SECRETARY: Yes. Senator Reese?

SENATOR MIKE REESE: Yes.

MADAM SECRETARY: Yes. Senator Price?

SENATOR EDWARD J. PRICE: No.

MADAM SECRETARY: No. And Senator Hewitt?

SENATOR SHARON HEWITT: Yes.

MADAM SECRETARY: Yes. Six yeas, two nays and the bill is deferred.

SENATOR SHARON HEWITT: Okay. All right, I think that concludes our BESE bills. I appreciate everyone's work on those bills. All right, the next bills that we have on our schedule today are Supreme Court bills. This will be the first time they have been heard in this committee and so I will begin. Senator Fields, if you would like to begin, you have two bills, Senate Bill 8 and Senate Bill 13.

SENATOR CLEO FIELDS: Thank you, Madam Chair, members of the committee. Can I take Senate Bill 13 first?

SENATOR SHARON HEWITT: Okay. We'll take up Senate Bill 13 first.

SENATOR CLEO FIELDS: Senate Bill 13. The court is divided into several districts. For the Supreme Court, this bill sent to seven districts in the

Supreme Court, there is no requirement that the court under the present scheme is divided equally and as you stated, Madam Chair, the court hadn't been apportioned in about 30 years. Under this bill, the court is apportioned pretty much equally. The idea deviation is idea population under an equal population is 665,393 votes. Under this plan, District No. 1 has 684,284 persons which is slightly over the deviation of about 18,000. District No. 2 has 680,000, 774,000 people which is slightly over by 15,000. District No. 3 has 669,591 which is slightly over 4,198. District No. 4 has 674,381 which is slightly over 8,988. District No. 5 Would have a population of 644,270 which is a little under of 21 which is the second highest deviation which is 21,123 people. District No. 6 has a population of 667,801 people and it is slightly over the ideal deviation of 2,408.

[00:20:10]

District No. 7, is slightly under the deviation, it has 636,676 people, which is slightly under 28,717. So, those are the deviations. Now, let me give you the breakdowns of each of the individual districts. In District No. 1, the ratio breakdown in District No. 1, it has 70.2% white, 14.5% Black.

1 District No. 2 is 62.1% white, 30.0% Black. District
2 No. 3 is 67.3% white and 24.7% Black. District No. 4
3 continues to be a majority white district at 57.3%
4 white and 35.5% Black. District No. 5 becomes 36.9%
5 white and 56.0% Black. That district becomes a
6 majority-minority district and District No. 6 is
7 70.1% white and 18.4% Black. And lastly, District No.
8 7 is a majority-minority district at 32.7% white and
9 54.7% Black. Caught into the most recent voter
10 registration numbers and that was pulled as of
11 December 21, the voter registration numbers in each
12 one of these districts. In District No. 1, the voter
13 registration numbers is 80% white and 11% Black.
14 District No. 2 is 67% white, 28% black. District No.
15 3 is 73% white, 22% Black. District No. 4 is 63%
16 white and 32% Black. District No. 5, 39% white, 56%
17 Black. District No. 6, 78% white, 15% Black. And
18 District No. 7 is 36% white and 54% voter
19 registration Black. So, both of these districts, I
20 mean, both of these districts are highly performed
21 African American districts. Now, let me give you the
22 splits as it relates to parishes. District No. 1,
23 there are seven split parishes and one whole parish.
24 District No. 2, there are 2 split parishes and 10
25 whole parishes. District No. 3, all of the parishes

are whole. District No. 4, there's 1 split parish and 12 whole parishes. District No. 5, there are 6 split parishes and 11 whole parishes. District no. 6, there's five split parishes and four whole parishes. And District No. 7, there are six split parishes. So, that's the breakdown of the map. It complies with all sections of the Voting Rights Act. It is a very compact district and I tender it to you for your consideration.

SENATOR SHARON HEWITT: Okay. All right. Well, thank you for that rundown. If I can maybe just summarize what I think I heard you say is this map continues to provide for District 7 to continue to be a majority-minority district. It creates a new majority-minority district in District 5.

[00:25:02]

And I think that it splits 12 parishes overall, if I was counting everything correctly, 12 parishes overall split in the map, is that correct?

SENATOR CLEO FIELDS: Right about somewhere about 12 parishes. I can give you the exact count.

SENATOR SHARON HEWITT: Okay. So, then I guess one observation and I'll just sort of ask you about kind of how you got to this point. One of our redistricting principles is that to maintain the core

of the present districts, and this map is a lot different just visually if you look at it compared to the current map in that you can just even start with the North Louisiana part. Under the current map, they run more north-south. Yours are running more east-west, et cetera. And so, I guess just sort of talk about that, if you would, and kind of what your thought process was in creating the map as you did.

SENATOR CLEO FIELDS: Well, in lieu of the fact that we hadn't redistrict the Supreme Court in 30 years, I wanted to also respect incumbency, the incumbents there in the district, so I tried to respect that as well. And so, looking at the minority population, I wanted to see how those populations were dispersed across the state of Louisiana, and in doing, taking all those things into consideration, that's how I came up with this map, and it's pretty much similar to the present map. Do you have a copy of the present map? You don't.

SENATOR SHARON HEWITT: Of which map?

SENATOR CLEO FIELDS: Of the present. I tried to keep it as close to the present map as possible, but under the present map, there is no consideration given to population consideration. For example, the

Orleans Parish Justice, I think I don't know what is the population consideration?

SENATOR SHARON HEWITT: It's in the 400,000 range. I do have those numbers.

SENATOR CLEO FIELDS: And so, it's hard to give respect to the present map in lieu of the fact that there is no population consideration, and under this map, we give in population consideration to each of the several districts.

SENATOR SHARON HEWITT: We'll debate my map in a few minutes, but I would submit to you that I think you can honor population and working to get them more equal in population and still respect the general cores of the existing districts. This is the map, I know you all can't see it very well, and I don't know or we have the ability to pull it up? Okay. That is the current map up on the screen, and I think it does just visually look very different to me than the general characteristics of your map in terms of how it was drawn.

SENATOR CLEO FIELDS: Okay. That's my map, and that's the current, so go back to my map. That's my map, and go to the current and that's the current justices. Go to my map.

SENATOR SHARON HEWITT: I love the technology. Thank you for being able to do that. You can toggle back and forth, that's great. I'm pretty sure they didn't have this 10 years ago.

SENATOR CLEO FIELDS: So, you can see the coast, that's the present and then go back to my map. So, I respect that the coast on the -- so, I did as best I could to respect the present integrity of the 30-year goal plan as best I could, but this map here is in compliance in my view of the Voting Rights Act and it creates two minority districts in lieu of the fact that the state is 33% black and it creates two districts, one in the northeast corner of the state and the other one in the seventh district.

SENATOR SHARON HEWITT: Okay. Would you take a question from Senator Tarver?

SENATOR CLEO FIELDS: Yes, we have to.

SENATOR GREGORY TARVER: Tell me why you think that the map had never been drawn in districts in 30 years?

SENATOR CLEO FIELDS: Well, I don't know. I was here 30 years ago. This -- the first --

[00:30:04]

SENATOR SHARON HEWITT: You were serving at age 12 or what?

SENATOR GREGORY TARVER: Flatter will get you nowhere.

SENATOR CLEO FIELDS: The way the Constitution is written, you know, to pass a redistricting map for the changing of the lines for the Supreme Court requires a two-thirds vote. So, to pass this map, it's going to take two-thirds of both Houses. It doesn't require that for any other redistricting plan in the State of it in the Supreme Court, so I would think that would be one reason.

SENATOR GREGORY TARVER: Could it be other reasons too many lawyers in a Legislature?

SENATOR CLEO FIELDS: That could be another reason, but I really don't know, Senator Tarver. But I do think it's time to change the Supreme Court and our State. It doesn't fairly represent the citizens of our State.

SENATOR GREGORY TARVER: And your -- I'll be old to deal with naming two minority districts out of seven, correct?

SENATOR CLEO FIELDS: Yes sir, two very profound --

SENATOR GREGORY TARVER: So, it'd be two minorities and five majority districts?

SENATOR CLEO FIELDS: Yes sir.

1 SENATOR GREGORY TARVER: What is basically the
2 population of Louisiana, Black/White?
3 SENATOR CLEO FIELDS: Population, I can give you
4 the exact numbers. Let me see, so that I won't give
5 you anything that's not correct. The White population
6 in Louisiana is 2.6 million (2,657,652); Black
7 population is 1,543,119.
8 SENATOR GREGORY TARVER: So you basically try to
9 give minorities a representation on the Supreme
10 Court, right? More representation, right?
11 SENATOR CLEO FIELDS: I think they are more than
12 deserving. The While population is 57.0%. The Black
13 population in the State is 33.1%.
14 SENATOR GREGORY TARVER: Okay.
15 SENATOR CLEO FIELDS: That's just only Black.
16 That's not including other minority.
17 SENATOR GREGORY TARVER: Hispanics and all those,
18 so. Okay. Thank you!
19 SENATOR SHARON HEWITT: Thank you, Senator
20 Tarver. Senator Fields, So, on that note, would you
21 agree that Section B of the Voting Rights Act does
22 not explicitly give the minority population the right
23 to representation in proportion to their population?
24 SENATOR CLEO FIELDS: It doesn't explicitly says
25 it, but it also says that to the extent that you can

because particularly in states like Louisiana, states that has historically discriminated and made it very hard for Blacks to gain access to the voting booth, that you should not discriminate against minorities. And to the extent that you can give them access when states like Louisiana block vote and State like Louisiana has a history of Black voting. Blacks vote for Blacks, Whites vote for White. And so, Louisiana can make a very strong case that because of this historical discrimination that Blacks have a lesser opportunity to electing a candidate of his choice, unless you provide them an opportunity to have a district where they're in the majority.

SENATOR SHARON HEWITT: But on the issue of proportionality, of having a right -- based on your proportion of that minority population and the greater population, the Voting Rights Act does not support that. It does not support the argument that it needs to be in the proportion of its population. Would you agree with that?

SENATOR CLEO FIELDS: No, I wouldn't agree with that. I think you got to go beyond to go Voting Rights Act. That's why you have Thornburg versus Gingles.

SENATOR SHARON HEWITT: This doesn't deal with proportionality though. I agree with you on everything else that you said in terms of, yes, you can go through the Gingles, you know, preconditions, right? So, is the minority cohesive, does the White population on the majority population vote as a block and is there a sufficient minority population that's geographically compact enough so that you could draw a district that would give them an equal opportunity to elect a candidate of their choice. I agree with that. But, the proportionality part of it, you know, I think again, the law states very clearly. There's no guarantee based on proportionality.

[00:35:04]

SENATOR SHARON HEWITT: Your ratio of population and the greater population is not a guarantee.

SENATOR CLEO FIELDS: Yes ma'am. And look, let's say I can see that point. This plan creates two majority-minority districts because the population is compact enough. And I think it's the -- which district? Can you pull it up?

MALE 1: It says five.

SENATOR CLEO FIELDS: Five. The Fifth District is created as a compact plan, and I think it's 50 some percent Black and it gives Blacks an opportunity to

elect the candidate of their choice. So, even if I concede to that point, it doesn't even have to go there because I've drawn seven districts that are very compact.

SENATOR SHARON HEWITT: So, the Black voting-age population on those two districts is 52. I could have seen it before the lights went out. It's on the order of 52% in both of those districts. I can't read the fine print now on my notes, but on the order of 52%, a little more than 52% in one of them in those two districts. I'm reading that off your bill, so you already know that. 52.954 in District 5 and 52.477 in District 7. So, you know, one of the questions then, of course is, is that enough Black voting-age population to allow those districts to perform as minority districts?

SENATOR CLEO FIELDS: Yeah, I would say yes, but the voter registration numbers that I pulled from December 21 is higher. The voter registration for example in District 5 is 56.3%, and in District 7 is 54.3%. So, those numbers are much, you know, that's high enough for a Black to elect the candidate of their choice. And the Voting Rights Act does not guarantee outcome, it only gives guarantee opportunity. So, it's up to the candidate to

guarantee the outcome and the people to guarantee the outcome. It only guarantee opportunity.

SENATOR SHARON HEWITT: But I believe the law says an equal opportunity.

SENATOR CLEO FIELDS: That's right. To guarantee opportunity.

SENATOR SHARON HEWITT: An equal opportunity. So, voter turnout matters, right, in defining or to figuring out what is an equal opportunity. And so, I think that's the crux of the debate and it has been in many of these hearings is, how do you define equal opportunity to make sure that we aren't doing what we are intending to do is to create opportunities for minorities to elect the candidate of their choice, but we want to make sure that we're really giving them an equal opportunity to do that.

SENATOR CLEO FIELDS: Well, this plan certainly gives minorities and equal opportunity at the ballot box, both [INDISCERNIBLE 00:38:23].

SENATOR SHARON HEWITT: Yeah. If you can demonstrate through evidence at that number that it would perform.

SENATOR CLEO FIELDS: Well, I can tell you what I can use. You looking at a living example. I ran in a

1 district that was 55% Black and I won for Congress.
2 So, I can speak to it through personal experience.
3 SENATOR SHARON HEWITT: But one election does not
4 make a full table of evidence. When you agree, I
5 mean, you have to look at multiple elections and
6 areas and look at multiple candidates and different
7 voter turnout to find trends where you could say with
8 statistician people. They're a lot smarter than I,
9 could look at the trends and say, "Yes, this really
10 does. There is a history here and we feel reasonably
11 confident that we are giving an equal opportunity to
12 the minorities to elect a candidate of their choice.
13 SENATOR CLEO FIELDS: Well, I'm sorry, I feel
14 very confident and very certain that this district
15 will give minorities an equal opportunity and equal
16 access to the voting box, to the ballot box rather.
17 And more so than any other plan that I've seen in
18 this session.
19 SENATOR SHARON HEWITT: Okay, and you've written
20 half of them, so. All right. Senator Foil.
21 SENATOR FRANKLIN J. FOIL: Thank you, Madam
22 Chair. Senator Fields, I've been told at least the
23 last time that we redistrict at the Supreme Court was
24 1997 based on 1990 numbers. So, clearly, the
25 population is out of whack from district to district.

[00:40:02]

SENATOR FRANKLIN J. FOIL: I mean, I understand I'm not subject to one person one vote, but I think it's good policy to try to at least make the district somewhat equal. So, I appreciate your efforts as well as the Chairwoman's to try to address this issue. And it is a tough issue because it does require a tough hurdle, because it does require two-thirds vote to get it through. But let me ask you something logistical. I've noticed that your bill goes into effect to 2023 and probably the Chairwoman's also. But as you know, unlike the Legislature and Congress, the Supreme Court has staggered terms. So, in 2023, if your bill were to pass and the districts were to change at that time, would the judges all have to run in 2023 or would they just run on the regular election cycles? It wasn't clear from the bill.

SENATOR CLEO FIELDS: Yeah. I don't think we can disrupt or interrupt any of the judges' terms as I appreciate it. Once they are seated, they have to serve out their respective terms.

SENATOR FRANKLIN J. FOIL: That's what I would assume would happen, but I just want to run -- talk to you about that as well on the record, so I appreciate that. Thank you, Madam Chair.

SENATOR SHARON HEWITT: You're very welcome!

SENATOR CLEO FIELDS: Yeah. Now I must admit there is a pending lawsuit that this has nothing to do with what we are doing here today, but there is a pending lawsuit in the Chism case as I appreciate it.

SENATOR SHARON HEWITT: Okay. All right, Senator Price.

SENATOR EDWARD J. PRICE: Thank you, Madam Chairman, and Senator Fields are, I think you have done a great job in putting this map together and putting this district together. I think it's time that we do something. 1990 population has been a long time, but these numbers looks very good. And Madam Chairman, at the appropriate time, I move favorable.

SENATOR SHARON HEWITT: Okay. What I would like for us to do, Senator, is as we've done with all the other bills, we'll defer it temporarily. We'll consider the other Supreme Court bills and then we will see what the pleasure is of the Committee and in terms of how we move forward. All right? So, with that, Senator Price moves, it will defer this bill. I'd like to bring it back up before we adjourn this Committee hearing. Okay, Senator, I don't see other questions. You have another Supreme Court bill, Senate Bill 8.

SENATOR CLEO FIELDS: Yes, Senate Bill 8. Thank you Madam Chair, members. Senate Bill 8 is another Supreme Court bill. To give the Committee options, this bill actually falls within the deviation minus six. In District 1, the idea of deviation is 665,393. District 1 has 671,166. It's over about 5,773. District 2 has 666,080 people. It is over 687 people. District 3 has 665,912. It is over 519. District 4 has 663,683. It is under 1,710. District 5 has 671,855. It is over 6,462. District 6 has 663,773. It is under 1,617. District 7 has 655,285. It is under 10,108. That is the population status of all seven districts. The racial breakdown in each district, District 1 is 70.4% White, 15.2% Black. District 2 is 52.8% White, 40.50% Black. District 3 is 64.7% White, 25.10% Black.

[00:45:01]

SENATOR CLEO FIELDS: District 4 is 40.0% White, 53.4% Black. District 5 is 69.6% White, 23.1% Black. District 6 is 68.0% White, 20.5% Black, and finally, District 7 is 33.0% White and 54.5% Black. Based on the population, this recreates two majority-minority districts. To go to the splits, District 1 has six split parishes and three whole parishes. District 2 has 1 split parish and 15 whole parishes. District 3

1 has four split parishes and five howl parishes.
2 District 4 has six split parishes and six whole
3 parishes. District 5 has 4 split parishes and 16
4 whole parishes. District 5 has a total of two split
5 parishes and six whole parishes. District 6 has four
6 split parishes and five whole parishes. District 7
7 has four split parishes and one whole parish. This
8 plan creates two majority-minority districts as
9 incompliant with the Voting Rights Act and is also
10 incompliance with all State laws. As you can see,
11 Senator Hewitt and members of the Committee, this
12 plan is for more compact than the previous plan. So,
13 if you're looking for compactness, this one is more
14 compact and it achieves the purpose of creating two
15 majority-minority districts. And I tender it to you
16 for your favorable approval.
17 SENATOR SHARON HEWITT: Thank you very much,
18 Senator! All right, let's start first with a question
19 by Senator Price.
20 SENATOR EDWARD J. PRICE: Thank you, Madam Chair.
21 And Senator Fields, thank you again for bringing
22 this. When we look at the voting age population and I
23 want that as just question on the previous one, is
24 always the registered democrat, I mean, the
25 registered Black is 2% to 3% higher than the voting

1 age population. We attribute in that do you think,
2 because maybe at a census count or because when you
3 look at those who are registered, it's higher and
4 [INDISCERNIBLE 00:47:52] age population. What's your
5 take on that?
6 SENATOR CLEO FIELDS: Yeah. When I was setting up
7 the computer, crunching the numbers and I was talking
8 to my good friend to my left, I was like, "How I've
9 never seen that before?" So, the only thing I can
10 contribute that to, is the fact of the pandemic and
11 not only to pandemic but also the horrific disasters
12 we've had during the time of the count. And so, I
13 think you're absolutely right, because otherwise the
14 numbers doesn't make sense, I mean, the people were
15 not here to be counted. And that's the only thing I
16 can contribute that to.
17 SENATOR EDWARD J. PRICE: Yeah, and we've seen it
18 in several instances with some of these maps and when
19 you look at the registration, which tells you that
20 people are registered to vote in those precincts and
21 they are higher than actually voting age population,
22 so, that does tell us that we probably were
23 undercounted during the census. And so, at this year
24 because of those pandemics, hurricanes and things
25 that we have had, and so some of those people are not

being counted. So, it is a good scenario that we can bring out, that it's an undercount also. So, thank you.

SENATOR CLEO FIELDS: Very much so.

SENATOR EDWARD J. PRICE: Thank you, Madam Chairman.

SENATOR SHARON HEWITT: Thank you, Senator. I'm sorry, I was a little bit distracted during some of that conversation. That's interesting. So, was your observation that the precinct registered voters was higher than the voting age population?

SENATOR EDWARD J. PRICE: Yes.

SENATOR SHARON HEWITT: Yeah, how can that be? I mean, voting age would be like 100% and percent registered voters has to be something less than that. Sorry. Let me add you in. Let's see.

SENATOR EDWARD J. PRICE: Oh, yes. That's exactly what we're talking about. It seems as if you're looking at the statistics in the data, in each one of those, the registered voters is higher in those district than --

[00:50:00]

SENATOR EDWARD J. PRICE: -- the voting age population. So that would tend to say that probably

the census count was undercounted in some of those areas, and probably due to the fact of the hurricanes and people not being at home, the pandemic when the census take would normally go out and knock on doors, they didn't do a lot of that this time. So probably the State of Louisiana, we probably have a few more people than we think we have especially when you look at more people being registered to vote in the voting age population, because the registered vote that comes strictly from the register out of the Parish. So they know the people that they have registered on their book and they report that. Whereas, the census data is just what people send in, what the count is, and it's an undercount.

SENATOR SHARON HEWITT: Okay. I've not observed that before such an interesting observation. So let me ask Dr. Blair since he's at the table and he knows a pretty good bit about the census'. Is that right the voting age population numbers come from like the Registrar voters or voter registration system not from the census?

DR. WILLIAM BLAIR: Voter registration comes from the Secretary of State by Parish.

SENATOR SHARON HEWITT: Okay. And the registered voter count is from the census count.

DR. WILLIAM BLAIR: The Voting Age Population comes directly from the census, yes.

SENATOR SHARON HEWITT: No, that's not what you -- you just conflicted yourself.

DR. WILLIAM BLAIR: Voting Age population (VAP) is collected by the Census Bureau. Registered voter data is collected by the Secretary of State.

SENATOR EDWARD J. PRICE: So that's an observation, yes.

SENATOR SHARON HEWITT: Yeah.

DR. WILLIAM BLAIR: But it doesn't mean that everybody that's eligible to register to vote registers the vote either. So you have anomalies there as well.

SENATOR SHARON HEWITT: Yup.

SENATOR EDWARD j. PRICE: All right.

SENATOR SHARON HEWITT: Okay. All right, good. Good discussion about the numbers. All right. So back on -- back on the bill. Thank you for that. All right, so in this map, I know you went through a lot of these details. In this map, I think you split 14 parishes overall, and again, I do like the compactness of it, but I do also believe that it varies a lot in terms of preservation of court districts compared to the map as it currently exists

1 today. And so I guess maybe, Dr. Blair, you could
2 toggle. We'll go back to the toggle back and forth
3 between the maps so we can see that --
4 SENATOR WILLIAM BLAIR: Bill?
5 SENATOR SHARON HEWITT: So that's the bill,
6 right?
7 SENATOR WILLIAM BLAIR: That's current.
8 SENATOR SHARON HEWITT: And current. Okay.
9 SENATOR CLEO FIELDS: And Madam Chair, if I may
10 say now, and for the members' edification,
11 understand, we're dealing with a 30-year-old plan and
12 I don't know what was the population 30 years ago,
13 and we're dealing with a plan now within a 5%
14 deviation. So there's just no way you can get that
15 plan 30 years ago to look exactly like the plan that
16 we have today. And you're looking at a district that
17 was created by a lawsuit, that's much smaller plan
18 that was created, a whole plan that was created
19 actually about lawsuit, that was much smaller than
20 the present plan that we have today.
21 SENATOR SHARON HEWITT: Yeah, I agree with you.
22 It is difficult to make up 30 years of population
23 growth and such huge disparities in population
24 between districts. You know, almost double. Some
25

1 districts almost double are smallest districts. So
2 it's difficult.
3 SENATOR CLEO FIELDS: You made the point, which
4 is a good point. Why you have so many plans? Well,
5 Congress had several plans, but for the other courts,
6 I mean, for the other seats I had, I wanted to give
7 the Committee at least two options to see that you
8 can in fact draw minority districts and the beauty --
9 not beauty, I mean, this is all a political process.
10 One precinct here, two precincts there. That's
11 politics. But the question is, can you draw it? And I
12 just wanted the committee to know that you can in
13 fact draw two minority-majority supreme court
14 districts, and they can be compact and comply with
15 the Voting Rights Act.
16 [00:55:04]
17 SENATOR CLEO FIELDS: And how you draw it, I
18 really don't care, but you can do it. It really can
19 be done. And how you do it is of no moment to me, but
20 there should be no question as to whether or you can
21 do it. And I just wanted to bring that before the
22 Committee before you pass a plan out. So that was my
23 only purpose of bringing more than one plan so that
24 you could see it can be done.
25

SENATOR SHARON HEWITT: And again, and that's probably where we differ is, I don't know that I agree that you're in compliance with the Voting Rights Act if you have a minority district that does not perform as a minority district. Giving them an equal opportunity, I know the definition of a minority district is over 50% plus one, but giving them an equal opportunity, truly opportunity to elect a candidate of their choice. Okay. All right. Great work, Senator. Thank you for all of your effort. Really, you had a lot of work in this session. You brought forward a lot of ideas, and very much appreciate that.

SENATOR CLEO FIELDS: Thank you, Madam Chair and members.

SENATOR SHARON HEWITT: All right. So motion from Senator Reese to defer this bill again. We'll defer it to the end of the meeting, and then we'll decide what action the Committee wants to take going forward. All right. We have one last bill that I have authored on the Supreme Court. I'll let Senator Milligan ride shotgun here, and then we will hear public comment. Okay. We'll kind of take them all up at one time. So I've got several cards. Okay. All right.

1 SENATOR BARRY MILLIGAN: Madam Chair, on your
2 bill.
3 SENATOR SHARON HEWITT: All right. Thank you, Mr.
4 Vice Chairman. As you know, the Louisiana
5 Constitution and the statutes give the Legislature
6 the responsibility for drawing boundary lines for
7 congressional legislative PSC, BESE and the judicial
8 districts. The Constitution however does not provide
9 a deadline for the Legislature to redistrict the
10 courts every 10 years as it does with the other
11 elected offices, which as we've been talking about
12 today. It's left the State judicial districts largely
13 untouched for decades. The Louisiana Supreme Court
14 has not been redistricted since 1997. While it was
15 considered during the 2011 redistricting effort,
16 legislative leaders chose not to pursue legislation
17 to redraw these districts. While the one person one
18 vote standard applies to congressional and
19 legislative districts, the courts have found that the
20 one person one vote standard does not apply to the
21 judiciary. Courts have reasoned that the primary
22 purpose of one person one vote apportionment is to
23 ensure each member of an elected body speaks for
24 approximately the same number of constituents. But
25 because judges unlike legislators do not represent

1 people, they serve people, the courts have concluded
2 that the one person one vote standards should not
3 apply leaving the Legislature to determine what
4 evaluation standard it should use. In my opinion,
5 using the redistricting principles that the
6 Legislature has adopted for the legislature, the PSC
7 and BESE is a reasonable approach to redrawing the
8 Supreme Court boundaries. As we learned on the road
9 show, the Supreme Court is severely malapportioned,
10 if you look at population. With an ideal population
11 of 665,393, the seven Supreme Court justices very
12 greatly in population served with district seven in
13 New Orleans being the smallest at 476,554 and
14 District 5 in the Baton Rouge area being the largest
15 at 838,610. The redistricting principles that I've
16 used in drawing this map include adhering to the
17 Voting Rights Act by maintaining one majority
18 minority district, district seven, balancing these
19 districts based on a plus or minus 5% of the ideal
20 population, minimizing split parishes and split
21 precincts.
22 [01:00:07]
23 SENATOR SHARON HEWITT: And we have in my map
24 only six split parishes and zero split precincts, and
25 finally, maintaining the core of the prior districts.

And so I'd like to just highlight for you now the differences in my map and the current map, and the changes that we made to accomplish that. So we moved in my map compared to the current map, we moved Winn Parish from District 2 to District 4. We moved Avoyelles from District 3 to District 4. We moved St. Landry from District 3 to District 6. We moved Pointe Coupee and East and West Feliciana from District 5 to District 4. We moved most of Iberville from District 5 to District 6. We moved West Baton Rouge and part of East Baton Rouge from District 5 to District 6. We moved St. Charles from District 6 to District 7. We moved St. John and St. James from District 6 to District 7. And then District 7 takes part of Ascension and Iberville. And so again, the emphasis was on keeping parishes together to the extent that we could and we were able to do that with only splitting six parishes. So in conclusion, while the courts don't require the Supreme Court Districts to meet the One Man, One Vote principle and have districts balanced by population, I do believe that our constituents view population balanced maps as more equitable. And so I would very much like to see us address that in this redistricting session. And so

with that, Mr. Chairman, I'll open it up to questions.

CHAIRMAN: Any questions from the Board? Senator Price?

SENATOR EDWARD J. PRICE: Thank you Mr. Acting Chairman. Madam Chairman, and you talked about the principles and we've had some conversation. Your VAP is actually at 51.94, I think it is.

SENATOR SHARON HEWITT: Yeah, 932.

SENATOR EDWARD J. PRICE: 932.

SENATOR SHARON HEWITT: Yes sir.

SENATOR EDWARD J. PRICE: Actually lower than the conversation you just had with the senator. So I know you, but we want to make sure the public know that you've agreed even in your map that you would look at doing some things definitely to bring up the VAP there. So just want that on the record.

SENATOR SHARON HEWITT: Yeah, I'd like to address that and I was giving you an opportunity to raise the issue first, so thank you for that. I've been kind of on record throughout these hearings about wanting to make sure that our minority districts really were minority districts that were giving people an equal opportunity to elect candidates of their choice. And nobody knows exactly what the magical BVAP number is;

I don't think anybody would ever be able to tell you that. But I do believe numbers in the order of 51, 52% are probably too low, and this one falls into that category, to Senator Price's point. And so yeah, I realized that last night also, I thought the number on this BVAP was higher than it is in this map and I would like an opportunity to work with Senator Price to see if we can't find some areas where we can amend this map. I do like the general configuration of the map because it honors the core districts as they currently exist today. It minimizes the number of splits of parishes, etc. But I would like an opportunity to work with Senator Price to see if we can't find a way to increase the Black Voter Age Population numbers in District 7 to ensure an equal opportunity to elect a candidate of their choice in that district. It was not my intent to make this number as low as it is and I would like an opportunity to be able to strengthen that. So that's my commitment with Senator Price. And so I want to address any other questions that the committee would have. But at that point, I would like to move that we defer this map and perhaps all of the Supreme Court maps and come back tomorrow and take them up with

perhaps any amendments that we choose to make that would make this map I believe better.

SENATOR BARRY MILLIGAN: Very well. Thank you. I would like to, while we're on 15, I would like to have these witnesses that are here today come speak if that's okay. I've got -- unless we need to wait until the amendments?

[01:05:03]

SENATOR SHARON HEWITT: No, let's hear from members of the public. I guess it was my intent to present all of the bills and here address all the members' questions and then we'll take all of the input from the public kind of at one time irregardless of which bill they want to speak on.

SENATOR BARRY MILLIGAN: Okay, that's fine. Well, we'll do that then. So we'll defer your bill and hold on to the others and we will take public testimony or read the cards that are here.

SENATOR SHARON HEWITT: Yeah, we'll do that and I'll come back up to the table.

SENATOR BARRY MILLIGAN: Very good, thank you.

SENATOR SHARON HEWITT: All right, just bear with me for just a second here. I am trying to --

SENATOR BARRY MILLIGAN: They're in order.

SENATOR SHARON HEWITT: They're in order by bill. Okay. All right. And are these all the Supreme Court bills? I've got everything in here? Okay. All right, on Senate Bill 7, which was one of our BESE bills by Senator Fields, we've got several people here who are in support, do not wish to speak; Caitlin Joshua, Janea Jameson and Janea Jamison. Sorry, that's a different bill. Senate Bill 7, Caitlin Joshua and Janea Jamison present in support, do not wish to speak. All right, Senate Bill 8, which was Senator Fields' Supreme Court bill, one of his Supreme Court bills. Janea Jameson in support, present, do not wish to speak. And then I have on Senate Bill 13, Senator Fields' other Supreme Court bill, present and would like to speak Janea Jamison on Senate Bill 13. Would you like to speak on that bill? Okay.

JANEA JAMISON: Good morning everyone. Madam Chairwoman, members of the committee. My name is Janea Jamison. I am Director of Programs with Power Coalition for Equity and Justice. We are a team of organizations that believe in the power of community and taking action and we believe that policy should center people in the most vulnerable populations within our state. Our goal is to equip our fellow Louisianians with the knowledge and information they

need to find their voice and learn where and when to use it. In recent years we set forth an agenda that addresses the needs of all residents using innovative policy, civic engagement and adequate resources. We created the People's Agenda, which highlights juvenile and criminal justice reform, economic and fiscal fairness, fair housing, healthcare access and more. I love many things about the state related to the food, culture and people. However, a harsh reality is that Louisiana has an incarceration rate of 1,094 per 100,000 people, including prisons, jails, immigration, detention and juvenile justice facilities, meaning that it locks up a higher percentage of its people than any democracy on earth. Discriminatory criminal justice policies and practices at all stages of the justice process have unjustifiably disadvantaged Black people, including through disparity and the enforcement of seemingly race neutral laws. Studies have found that Black people are more likely to be stopped by the police, detained pretrial, charged with more serious crimes and sentenced more harshly than White people, even when controlling things like offense severity. The Hispanic population is also overrepresented in prison and jails, yet common data, misclassification leads

to distorted lower estimates of the Latinx incarceration rates and distorted higher estimates of White incarceration rates.

[01:10:02]

Saying that to say, due to the historical makeup of the inequities within the criminal justice system, minorities must be represented in the judicial branch of our government, particularly at the Supreme Court, which is the highest in the state. The Supreme Court decides what affects the everyday life of all Louisianians, including issues related to education, employment, housing, healthcare, many of the issues [INDISCERNIBLE 01:10:27] as I previously mentioned on the People's Agenda. Only one of the seven seats on the Louisiana Supreme Court is held by a Black person or a person of color or is likely to be held by a candidate of choice by Black voters given current district lines and demographics. There are similar racial inequities at the local level as well. So again, the state's racial makeup is such that an additional majority-minority district should be created. The time has never been more significant for increased representation on the highest court in the state with education and health outcomes for Black communities going in the wrong direction.

1 Particularly during the height of the pandemic in
2 April of 2020, Black people accounting for 70% of
3 deaths from COVID-19 while compromising one-third of
4 the state's population. If we want to avoid or
5 minimize future events of this nature and more
6 effectively deal with the current one, we must think
7 of public health as being intertwined with every
8 aspect. Currently only one out of seven Supreme Court
9 districts are majority Black, which is 14% as stated.
10 Black people are one-third or 33.1% of the state's
11 population. The Supreme Court lines which haven't
12 been redrawn in decades deprive Black voters of
13 adequate representation on the state's highest court.
14 As a legislative body I challenge you to give
15 minority voters a prominent voice in picking judges
16 and diversifying a disproportionately White bench.
17 Therefore, I support Senate Bill 13 or any map that
18 at least tries to create a map that reflects the
19 current demographics and population shifts throughout
20 the state by adding an additional majority-minority
21 district.
22 SENATOR SHARON HEWITT: Thank you. All right, on
23 Senate Bill 14, which was a BESE bill by President
24 Cortez and Senator Foil, Torrey Email, present in
25 support, does not wish to speak. All right, and then

1 we have several other senate bill -- one other Senate
2 Bill 14 card, present, would like to speak in
3 opposition of Senate Bill 14, Kaitlyn Joshua.
4 KAITLYN JOSHUA: Hey.
5 SENATOR SHARON HEWITT: Welcome.
6 KAITLYN JOSHUA: How are you doing?
7 SENATOR SHARON HEWITT: Doing well.
8 KAITLYN JOSHUA: I am Kaitlyn Joshua. I am a
9 faith organizer in Baton Rouge, Louisiana and I am in
10 opposition of SB14 by Cortez, Senator Cortez for a
11 host of reasons. I organize with directly impacted
12 communities, members of the faith community and
13 marginalized populations. This process we engage in
14 every 10 years has a major impact as you all know,
15 barring any legal ramifications that has a direct
16 impact for the next 10 years and unintended
17 consequences for 15, 20 and more years to come. At
18 this moment we have the power to set our own course
19 and that's why I am here today, to set a course based
20 in justice; justice in this case for education and
21 for children. The final maps adopted have a profound
22 impact on how communities are represented, which in
23 turn affects policy and distribution of resources.
24 BESE is a statewide school board and with that comes
25 immense power. Those who control education have the

ability to shape our history, the story of communities and their contributions. So just like that we should not be ripping pages out of history books. Why are we ripping apart communities, communities that seem to have a certain defining characteristic? If our job is to teach children, teach them the very best we can, then it is our imperative, our duty, our responsibility to ensure that the communities they vote in are together. So their parents, caregivers, friends, family and fellow citizens are not denied true representation of their stories. This map will have to be dramatically reconfigured to ensure it will allow for equal representation. We must do better. I implore you to stop splitting up communities needlessly. If we want to restore some integrity to the democratic process by which we elect our representatives, we must also consider the ratio between elected officials and constituents. We must determine what constitutes the healthiest ratio possible and use that to determine how the districts should be drawn. So let's do just that. Once again, please vote no for SB14 as it does not keep communities together and it does not allow for equal representation for the State of Louisiana. Thank you.

1 SENATOR SHARON HEWITT: Yes ma'am, thank you.
2 [01:14:56]
3 Okay. All right, Senate Bill 15, which is my
4 Supreme Court bill, present in opposition, do not
5 want to speak, Janea Jameson. Peter Robins-Brown,
6 present and would like to speak. Mr. Brown.
7 PETER ROBINS-BROWN: Good morning. I think we're
8 still in the morning. Thank you very much again for
9 the opportunity. Peter Robins-Brown, Louisiana
10 Progress Action. One of the issues I was going to
11 address was that BVAP number, having heard a lot
12 about performance, even though I would argue about
13 that issue, I am not going to go into that at the
14 moment, but I was concerned that we had been talking
15 about sort of minimum numbers for performance and
16 that the one district in this map was below that
17 number. I hear that you're going to address that so
18 I'll sort of set that aside for the moment. I am not
19 a lawyer so maybe I think about this issue a little
20 bit differently in terms of the number of minority
21 districts that we're looking at. Regardless of what
22 the Voting Rights Act requires, I guess I think of it
23 along the lines of, if my neighbor -- if a freeze is
24 coming and my neighbor is out of town and asks me to
25 go to their house to turn the faucet on a little bit

1 to avoid their pipes freezing, I am going to do that
2 because I am their neighbor and I think that's the
3 right thing to do. The law does not require me to go
4 do that for them. I don't think about whether the law
5 requires me to do that. I think about what I think is
6 the right thing to do. When we're talking about these
7 racial proportionality numbers and sort of whether it
8 technically is required to try to meet some sort of
9 racial proportionality standard, I guess I think of
10 it similarly. You know, Louisiana is a neighborhood
11 in a sense and our neighbors have made it very clear
12 that they would like us, you, the legislature to
13 increase representation. I'll leave it to the lawyers
14 to find out whether the law requires that, but I
15 would argue that there is a moral responsibility, at
16 least in my mind, just my opinion, that we should do
17 that, and that we should be thinking of this, not
18 just from the letter of the law, but is it the right
19 thing to do. I personally think it is the right thing
20 to do, to increase minority representation and to try
21 to keep it as close to proportionality as possible. I
22 also think it's a principle of just democracy.
23 Communities should have a voice and a vote and
24 political power that is commensurate with their share
25 of the population. So it's both a moral issue, a

1 political issue, and I think that when we talk about
2 -- I don't think anybody would really argue that we
3 live in very divisive times. Politically, socially,
4 we have a lot of tension in this society right now,
5 in our state, in our cities and in parishes, in our
6 country, around the world and I think that one way to
7 try to deal with that, again, politically, socially,
8 morally is to just -- whatever the law requires in a
9 sense is to just take it on ourselves to try to fix
10 that divide. I think one way to fix that divide is
11 what we can do right here throughout the session on
12 the state Supreme Court map in particular is to just
13 say, we're going to hear what our neighbors are
14 asking of us and we're going to meet that ask. Thank
15 you for the time. I am happy to answer any questions.
16 SENATOR SHARON HEWITT: Thank you. All right.
17 Thank you sir. All right, present and would like to
18 speak, Stephen Waguespack.
19 STEPHEN WAGUESPACK: Thank you Madam Chairwoman
20 and thank you committee of the opportunity to speak.
21 My name is Stephen Waguespack with the Louisiana
22 Association of Business and Industry. I arrive today
23 just to basically condemn -- excuse me, commend, not
24 condemn.
25

SENATOR SHARON HEWITT: It's amazing what a few little letters --

STEPHEN WAGUESPACK: Few consonants can make a big difference, yes they can.

SENATOR SHARON HEWITT: The devil is always in the details in all this, Stephen.

STEPHEN WAGUESPACK: Yeah, and the devil is always lurking, we know that, absolutely. Just the fact that you're taking on this debate, it's been -- the points that have been made by you, Senator Hewitt, Senator Fields, and also you, Senator Foil, that's been since 1997, since these court lines have been revisited and that is a challenge that must be addressed. Previous legislatures have said no, we're going to take a pass. I commend you all for taking a look at it. It is a long time coming. I love the fact that there's three different bills. I love the fact that you're working on amendments along the way to get this map right. It's going to take an inclusive effort and I commend you all for doing that.

[01:20:03]

It is critical that you all leave this session ideally with a map that is more updated as compared to the ones that use 1990 numbers. On a second note, I want to let you know that also at the appellate

1 court level, those court lines have not been drawn
2 since using the 1980 census numbers. So you remember
3 that is when President Carter was replaced by
4 President Reagan. For those of you that don't study
5 this, I mean there's a lot of information out there.
6 We have 53 appellate court judges; Kentucky, the same
7 size as us, has 14; Alabama, a little bit bigger, has
8 10. We have a heavy appellate court system and why
9 you should care about that is because there is a
10 commission going on across the hall on the side of
11 this capital I believe evaluating whether to change
12 how it's funded and putting more of that at the state
13 budget level. I think it's an appropriate
14 conversation to have. I urge you, as those dialogue
15 continue, to keep in mind that you as the legislature
16 has been granted the ability to not just look at the
17 Supreme Court but other court levels as well,
18 considering every appellate court judge costs about
19 $500,000, that's from 2011 numbers; I am sure it's up
20 now, it's something you all should factor as you
21 gather data on this subject. But the underlying point
22 is to commend you all for taking a look at the
23 Supreme Court and I urge you to, as you show up again
24 tomorrow I think to consider these bills, to please
25 pass one forward and continue this march hopefully to

1 getting a bill done. And thank you all for your time
2 and efforts.
3 SENATOR SHARON HEWITT: Well, thank you very much
4 and thank you for the work of your group in kind of
5 shining a light on our judiciary and how long it has
6 been since any of the work has been done and how we
7 stack up to other states in terms of all the obvious
8 metrics; judges per case, judges per capita, all of
9 those things. I have read the report and we don't
10 stack up very favorably in terms of looking like
11 we're streamlined and not perhaps wasting taxpayers'
12 dollars in ways that don't make any sense to any of
13 us. So it's a big lift. I mean it's something I hope
14 that we'll have a chance to get to, not in this
15 session. Let's see if we can tackle the Supreme Court
16 and then perhaps there will be enthusiasm for looking
17 at other courts in the future. So we'll see.
18 STEPHEN WAGUESPACK: No one would condemn you for
19 just leaving with just one bill at this session on
20 the Supreme Court. I can promise you that.
21 SENATOR SHARON HEWITT: Thank you. Thank you. All
22 right, our last card is on Senate Bill 21. Present in
23 support, do not wish to speak, that was Senator
24 Barrow's BESE bill, Janea Jameson. All right, I
25 believe that's all the cards that I have. We've taken

action I think on everything that we can act on today. So we have deferred the three Supreme Court bills. We have moved one PSC and one BESE bill out of this committee. And so we'll take up the Supreme Court bills tomorrow and I will work with Senator Price to see if we can amend my bill in a way that I think would make more sense. Okay, any other business before the committee? Senator Milligan moves that we adjourn. Thank you very much.

[01:23:28]

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I, Anders Nelson, hereby certify that the document "F895011-louisiana-redistricting_0208_22_SG-4" is, to the best of my knowledge and belief, a true and accurate transcription from English to English.

Anders Nelson
Project Manager

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