

# NC General Assembly County Clusterings from the 2020 Census

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In the North Carolina General Assembly districting process, county clusters are used to minimize the overall number of county splits while maintaining population balance in the redistricting process. Determining the county clusters for the NC House and for the NC Senate is the first step in the redistricting process for the NC General Assembly. The county clusters are largely algorithmically determined through an optimization procedure outlined by the NC Supreme Court in [Stephenson v. Bartlett](#). However there are often multiple optimal county clusterings that minimize county splitting (see [the Quantifying Gerrymandering blog](#) and [the Districks.com explainer](#) for more details). The release of the 2020 census data allows us to determine the possible county clusterings for both the North Carolina State House and State Senate redistricting processes. The one part of Stephenson v. Bartlett which this analysis does not reflect is compliance with the Voting Rights Act. To determine the county clusters, we used the implementation of the court order procedure described in Cater et al.<sup>5</sup>

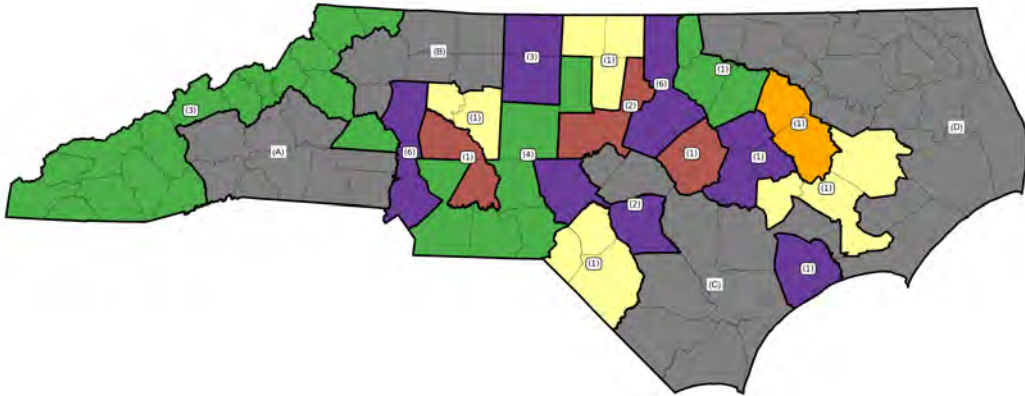


Figure 1: The NC Senate clusters that are fixed shown as colored regions annotated with a number in parentheses giving the number of districts the cluster contains. The four grayed-out regions (labeled A-D) each contain two alternative clusterings. The different options of the grayed-out regions are given in Figure 2. One may mix and match different choices from each of the two options which yields a total of 16 different county clustering maps.

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<sup>5</sup> *Optimal Legislative County Clustering in North Carolina*. Daniel Carter, Zach Hunter, Dan Teague, Gregory Herschlag, and Jonathan Mattingly. Statistics and Public Policy, Volume 7, 2020

## NC State Senate County Clusterings

In the state Senate, there are 17 clusters containing 36 of the 50 districts that are fixed based on determining optimal county clusters. These are represented by the colored county groupings in Figure 1. The white numbers annotating each county clustering give the number of districts that county cluster should contain. Ten of these clusters contain one district, meaning that ten of the 50 senate districts are fixed (i.e. these will be the official districts in the coming cycle). The remaining county clusters must be further subdivided into legislative districts in the coming redistricting process in the General Assembly.

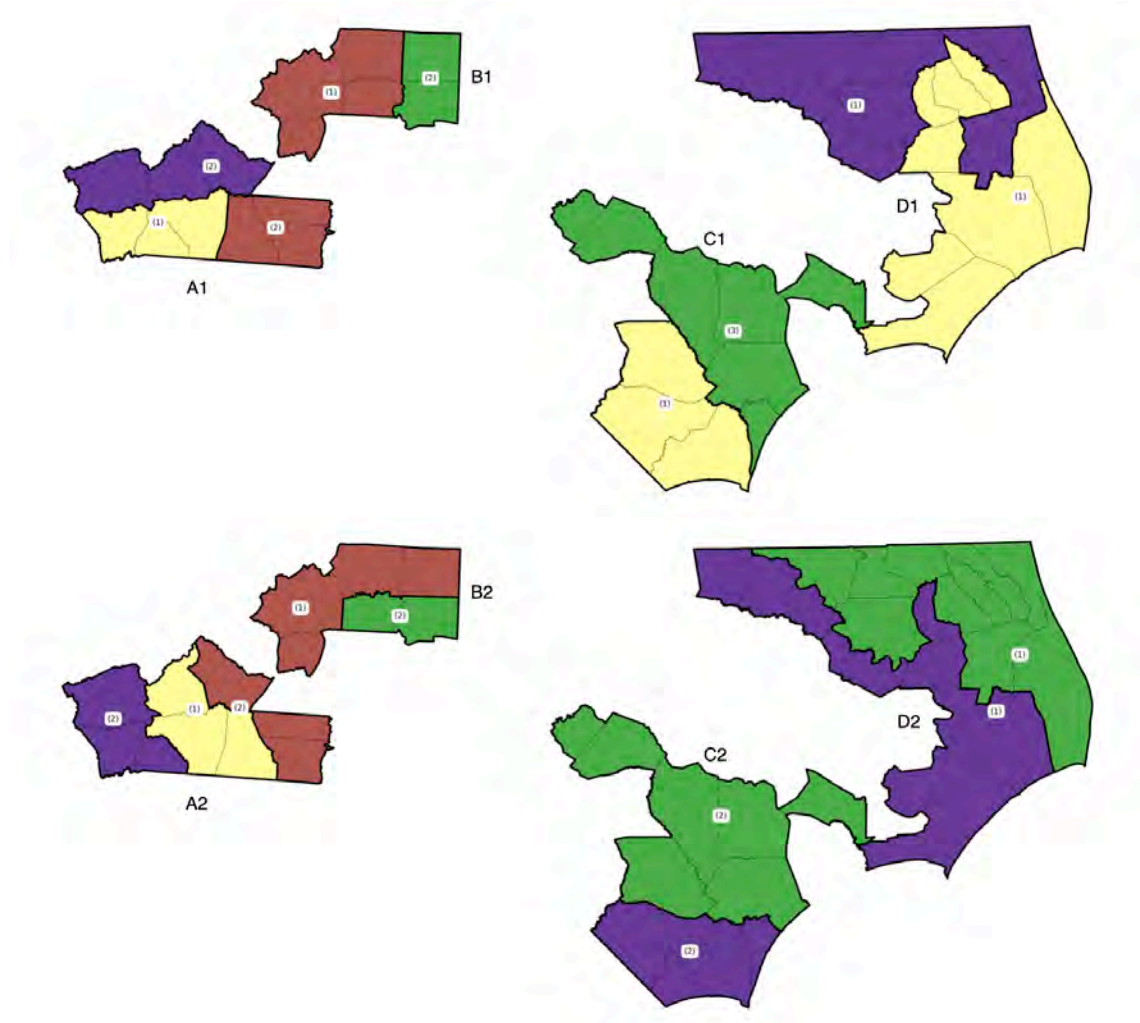


Figure 2: The two possible options in regions A, B, C and D of the NC Senate County Clusterings (top and bottom). The options from the two figures may be mixed. For example, a Senate clustering may be comprised of the fixed clusters from Figure 1, along with options A1, B2, C2, and D1. Again, the numbers in parentheses give the number of districts contained in each cluster.



The remaining clusters (shown in gray) are separated into four groups. Each group has two possible clusterings that minimize county splitting. In combination, there are 16 total possible statewide county clusterings. For simplicity of discussion, we have labeled the different regions where a choice exists as A, B, C, or D and denoted the two choices for each region as 1 or 2. Hence A1 and A2 are the two choices for the A region. No preference is intended by the 1 versus 2 labeling.

The two options in each of the four regions are shown in Figure 2.

In region A to the southwest, Buncombe County may be paired either with McDowell and Burke Counties (A1), or with Henderson and Polk Counties (A2). In both cases, the cluster would be comprised of two districts, however, A2 necessitates that Burke County is paired with Gaston and Lincoln Counties through a very narrow connection which may impede compactness considerations. Furthermore, the Lincoln-Cleveland-Gaston cluster in A1 also exists in the current map. This may mean that the A1 southwestern cluster may be perceived as the more favorable option over A2 since it (i) provides an opportunity to create more compact districts and (ii) may provide an opportunity to draw districts that are nearly identical to the ones that exist in the Lincoln-Cleveland-Gaston cluster (conditioned on fluctuations in the population).

In region B to the northwest, Forsyth County may either be paired with Stokes (B1) or Yadkin (B2); the remaining county (either Yadkin or Stokes) would then be paired with Surry, Wilkes, and Alexander Counties. In region C to the south, Brunswick and Columbus may be paired either with Bladen to create a one-district cluster (C1) or with New Hanover to create a two-district cluster (C2). Finally, in region D to the east, Carteret, Pamlico, Washington, Chowan, and Hyde Counties may either be paired with Dare, Perquimans and Pasquotank Counties (D1), or with Martin, Halifax and Warren Counties (D2).

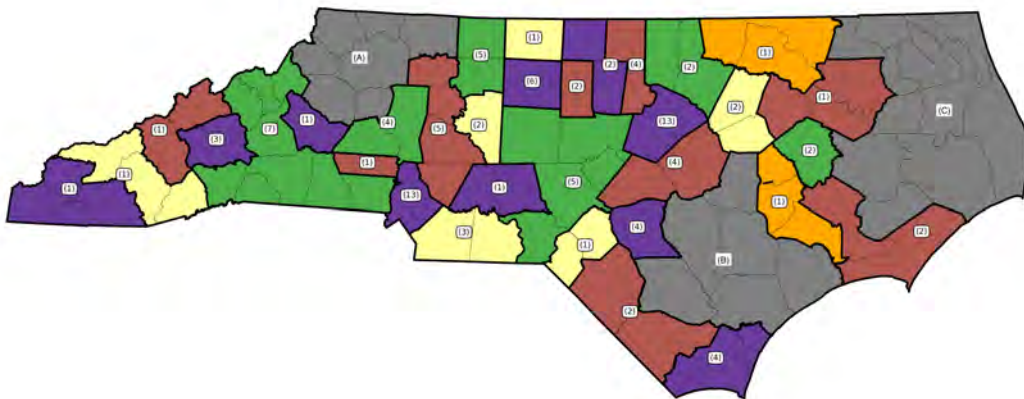


Figure 3: The NC House clusters that are fixed; there are three grayed-out regions (labeled A-C) that each contain two alternative clusterings. The different options of the grayed-out regions are given in Figure 4. One is free to mix and match different choices from the two options which yields a total of eight different county clustering maps.

## NC State House County Clusterings

In the state House, there are 33 clusters containing 107 of the 120 districts that are fixed based on determining optimal county clusters. These are represented by the colored county groupings in Figure 2. Again, the white numbers annotating each county clustering give the number of districts that county cluster should contain. Eleven of these clusters contain one district, meaning that eleven of the 120 house districts are fixed (i.e., these will be the official districts in the coming cycle).

The remaining clusters (shown in gray) are separated into three groups. Each group has two possible clusterings that minimize county splitting. In combination, there are eight total possible statewide county clusterings in the house. The two options in each of the three regions are shown in Figure 4.

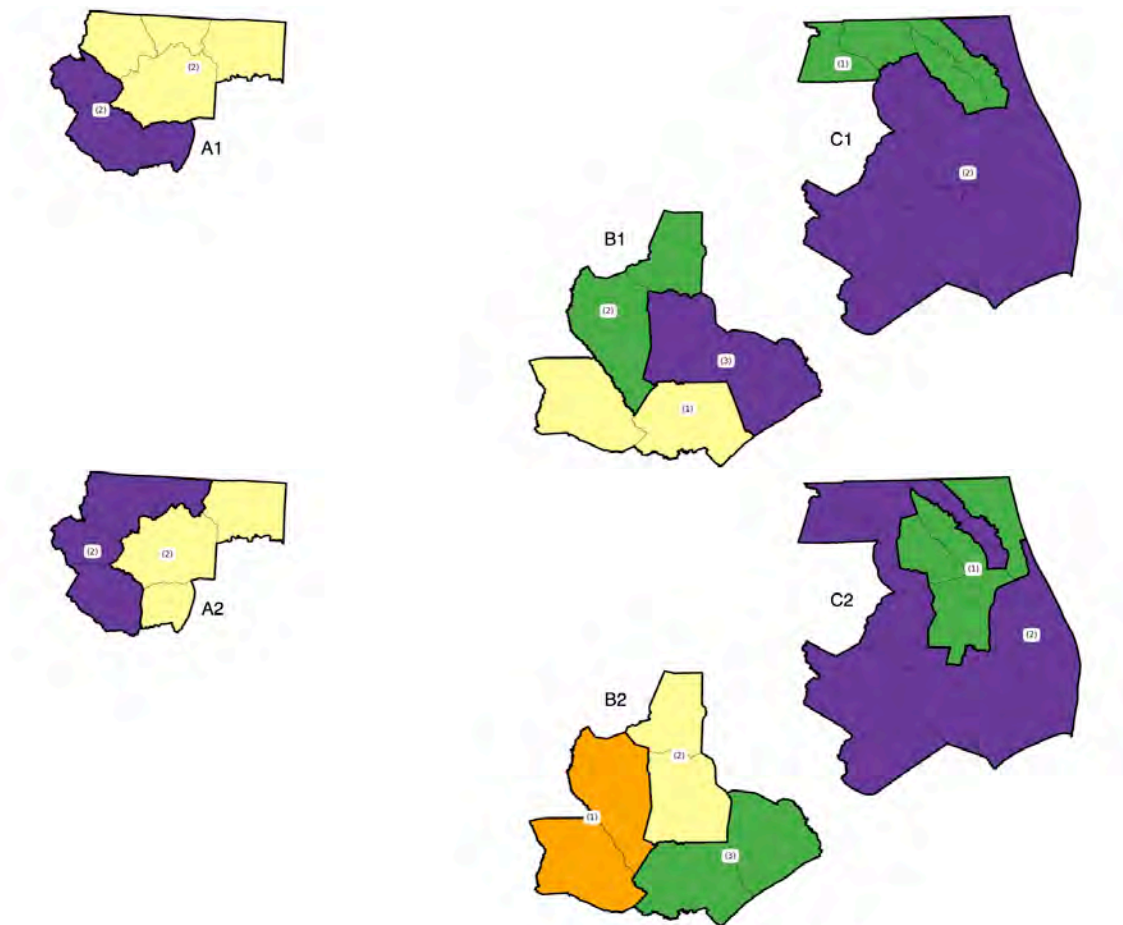


Figure 4: The two possible options in regions A, B, and C of the NC House County Clusterings (top and bottom). The options from the two figures may be mixed. For example, a House clustering may be comprised of the fixed clusters from Figure 3, along with options A2, B1, C2.

In region A to the northwest, Watauga and Caldwell may either be paired with Alexander (A1; purple) or with Ashe and Alleghany (A2; purple).

In region B to the south, Onslow may either be paired with Duplin (B1; purple) or with Pender (B2; green). The Duplin-Onslow cluster currently forms a three-district cluster and thus there may be an opportunity to minimally alter the three existing districts in this cluster (perhaps needing to adjust district boundaries based on population fluctuations). Because of this, B2 may end up as the selected clustering.

Finally, in region C to the east, either Currituck, Tyrell, Perquimans and Pasquotank will form a single district (C1), or Hertford, Gates, Camden and Pasquotank will form a single district (C2). In both cases, the remaining counties will form a cluster of two districts.

## Population Deviations

All the county clusterings are required to have populations such that the resulting districts are within 5% of the ideal district population, hence all the possible county clusters we have listed have population deviations less than 5%. In the Senate clusters, all possible choices of clusterings contain at least one district with a population deviation of more than 4.9%. In the House clusters, all possible choices of clusterings contain at least one district with a population deviation of 4.71%. Averaged across all the districts, all of the county clusterings have a mean deviation between 3.1% and 3.5% in the NC Senate and 1.2% and 1.5% in the NC House.

Tables 1 through Table 4 list each of the different county clusters contained in the different county clusterings. For each cluster, the relative average population deviation per district is given. Negative values indicate that the average district may be less populated than the ideal population size while positive values indicate that the average district will be more populated than the ideal population size.

The ideal population size is calculated by first taking the population of each cluster and dividing it by the number of districts in the cluster to obtain the average population per district for the cluster. The ideal district population is obtained by dividing the state population by the total number of districts (120 districts in the House and 50 districts in the Senate). The ideal population is then subtracted from the average population of a district in a cluster to obtain the deviation of the average cluster population from the ideal cluster population. This is then converted to a relative population deviation by dividing by the ideal population. It is this relative error, expressed as a percentage, which is reported in the table.

Tables 1 and 2 give the data for the different options for the NC Senate and NC House respectively. The clusters are grouped by the region label (A, B, C or D in the Senate and A, B, or C in the House). The labeling corresponds to that in the Figures in the preceding sections. Tables 3 and 4 give the data for the clusterings which are fixed in the Senate and House, respectively.

NC Senate Clusters Which Vary Across Clusterings	Number of Districts	Option	2020 Census Population	Average Population Deviation
Buncombe-Burke-McDowell	2	A1	401,600	-3.83%
Cleveland-Gaston-Lincoln	2	A1	414,272	-0.79%
Henderson-Polk-Rutherford	1	A1	200,053	-4.18%
Buncombe-Henderson-Polk	2	A2	405,061	-3.00%
Cleveland-McDowell-Rutherford	1	A2	208,541	-0.12%
Burke-Gaston-Lincoln	2	A2	402,323	-3.65%
Forsyth-Stokes	2	B1	427,110	2.28%
Alexander-Surry-Wilkes-Yadkin	1	B1	210,986	1.05%
Forsyth-Yadkin	2	B2	419,804	0.53%
Alexander-Stokes-Surry-Wilkes	1	B2	218,292	4.55%
Bladen-Brunswick-Columbus	1	C1	216,922	3.90%
Duplin-Harnett-Jones-Lee-New Hanover-Pender-Sampson	3	C1	599,681	-4.26%
Bladen-Duplin-Harnett-Jones-Lee-Pender-Sampson	2	C2	403,585	-3.35%
Brunswick-Columbus-New Hanover	2	C2	413,018	-1.09%
Carteret-Chowan-Dare-Hyde-Pamlico-Pasquotank-Perquimans-Washington	1	D1	199,750	-4.33%
Bertie-Camden-Currituck-Gates-Halifax-Hertford-Martin-Northampton-Tyrrell-Warren	1	D1	198,430	-4.96%
Carteret-Chowan-Halifax-Hyde-Martin-Pamlico-Warren-Washington	1	D2	198,557	-4.90%
Bertie-Camden-Currituck-Dare-Gates-Hertford-Northampton-Pasquotank-Perquimans-Tyrrell	1	D2	199,623	-4.39%

Table 1: This table gives the NC Senate Clusters which vary across the 16 different possible clusterings of the entire state. The different clusterings are formed by choosing either option 1 or 2 from the four different regions (A, B, C, and D).



NC House Clusters Which Vary Across Clusterings	Number of Districts	Option	2020 Census Population	Average Population Deviation
Alexander-Surry-Wilkes	2	A1	173,772	-0.13%
Alleghany-Ashe-Caldwell-Watauga	2	A1	172,203	-1.03%
Alexander-Caldwell-Watauga	2	A2	171,182	-1.61%
Alleghany-Ashe-Surry-Wilkes	2	A2	174,793	0.46%
Bladen-Pender	1	B1	89,809	3.23%
Duplin-Onslow	3	B1	253,291	-2.95%
Sampson-Wayne	2	B1	176,369	1.37%
Bladen-Sampson	1	B2	88,642	1.89%
Duplin-Wayne	2	B2	166,048	-4.56%
Onslow-Pender	3	B2	264,779	1.45%
Beaufort-Chowan-Currituck-Dare-Hyde- Pamlico-Perquimans-Tyrrell-Washington	2	C1	167,493	-3.73%
Camden-Gates-Hertford-Pasquotank	1	C1	82,953	-4.65%
Beaufort-Camden-Chowan-Dare-Gates- Hertford-Hyde-Pamlico-Washington	2	C2	165,528	-4.86%
Currituck-Pasquotank-Perquimans-Tyrrell	1	C2	84,918	-2.39%

Table 2: This table gives the NC House Clusters which vary across the eight different possible clusterings of the entire state. The different clusterings are formed by choosing option 1 or 2 from the 3 different regions (A, B, or C).

NC Senate Clusters Which Are Fixed Across Clusterings	Number of Districts	2020 Census Population	Average Population Deviation
Iredell-Mecklenburg	6	1,302,175	3.95%
Granville-Wake	6	1,190,402	-4.98%
Alamance-Anson-Cabarrus-Montgomery-Randolph- Richmond-Union	4	870,409	4.22%
Guilford-Rockingham	3	632,395	0.96%
Alleghany-Ashe-Avery-Caldwell-Catawba- Cherokee-Clay-Graham-Haywood-Jackson-Macon- Madison-Mitchell-Swain-Transylvania-Watauga- Yancey	3	642,393	2.56%
Chatham-Durham	2	401,118	-3.94%
Cumberland-Moore	2	434,455	4.04%
Caswell-Orange-Person	1	210,529	0.83%
Franklin-Nash-Vance	1	206,121	-1.28%
Johnston	1	215,999	3.45%
Rowan-Stanly	1	209,379	0.28%
Beaufort-Craven-Lenoir	1	200,494	-3.97%
Hoke-Robeson-Scotland	1	202,786	-2.87%
Edgecombe-Pitt	1	219,143	4.96%
Davidson-Davie	1	211,642	1.37%
Onslow	1	204,576	-2.02%
Greene-Wayne-Wilson	1	216,568	3.73%

Table 3: This table gives the NC Senate clusters which are fixed across all 16 of the possible clustering maps.

NC House Cluster Which Are Fixed Across Clusterings	Number of Districts	2020 Census Population	Average Population Deviation
Mecklenburg	13	1,115,482	-1.37%
Wake	13	1,129,410	-0.13%
Avery-Cleveland-Gaston-Henderson-McDowell- Mitchell-Polk-Rutherford-Yancey	7	623,272	2.35%
Guilford	6	541,299	3.70%
Forsyth-Stokes	5	427,110	-1.81%
Chatham-Lee-Moore-Randolph-Richmond	5	426,414	-1.97%
Cabarrus-Davie-Rowan-Yadkin	5	452,605	4.05%
Brunswick-New Hanover	4	362,395	4.14%
Cumberland	4	334,728	-3.81%
Harnett-Johnston	4	349,567	0.46%
Catawba-Iredell	4	347,303	-0.19%
Durham-Person	4	363,930	4.58%
Anson-Union	3	260,322	-0.25%
Buncombe	3	269,452	3.24%
Columbus-Robeson	2	167,153	-3.93%
Nash-Wilson	2	173,754	-0.14%
Carteret-Craven	2	168,406	-3.21%
Davidson	2	168,930	-2.91%
Franklin-Granville-Vance	2	172,143	-1.06%
Pitt	2	170,243	-2.15%
Alamance	2	171,415	-1.48%
Caswell-Orange	2	171,432	-1.47%
Rockingham	1	91,096	4.71%
Bertie-Edgecombe-Martin	1	88,865	2.15%
Lincoln	1	86,810	-0.21%
Hoke-Scotland	1	86,256	-0.85%

NC House Cluster Which Are Fixed Across Clusterings	Number of Districts	2020 Census Population	Average Population Deviation
Haywood-Madison	1	83,282	-4.27%
Greene-Jones-Lenoir	1	84,745	-2.59%
Jackson-Swain-Transylvania	1	90,212	3.70%
Halifax-Northampton-Warren	1	84,735	-2.60%
Burke	1	87,570	0.66%
Montgomery-Stanly	1	88,255	1.45%
Cherokee-Clay-Graham-Macon	1	84,907	-2.40%

Table 4: This table gives the NC House clusters which are fixed across all 8 of the possible clustering maps.



## Incumbents

We now perform a simple analysis of the effect of the new county clustering on the ability to preserve incumbencies. We do this, not to endorse or critique incumbency preservation, but because the NC General Assembly has identified it as one of its [redistricting criteria](#). The new county clustering is only one way in which the new 2020 Census data influences the incumbency protection efforts. A more complete understanding of the effect on incumbency protection will require an analysis how geopolitical geography of the new Census data interacts with the redistricting process. We hope to investigate this more completely in the coming months.

For the moment, we simply note the number of incumbents in each county cluster (based on their official county of residence as obtained from the [Redistricting Data Hub](#)) and compare it to the number of districts each county clustering dictates. The following figures are repeats of the previous figures with an additional number added to the annotating white circles. The first number still gives the number of districts for each county cluster and the second number gives the number of incumbents currently residing in county cluster. When the first number is larger than the second, we outline the label in green to denote there is an opportunity to elect a new representative, assuming a current incumbent from another cluster does not relocate, even if all of the incumbents are re-elected.<sup>6</sup> When the second number is larger than the first, we outline the label in red to denote that at least one of the incumbents cannot be re-elected from this county cluster.

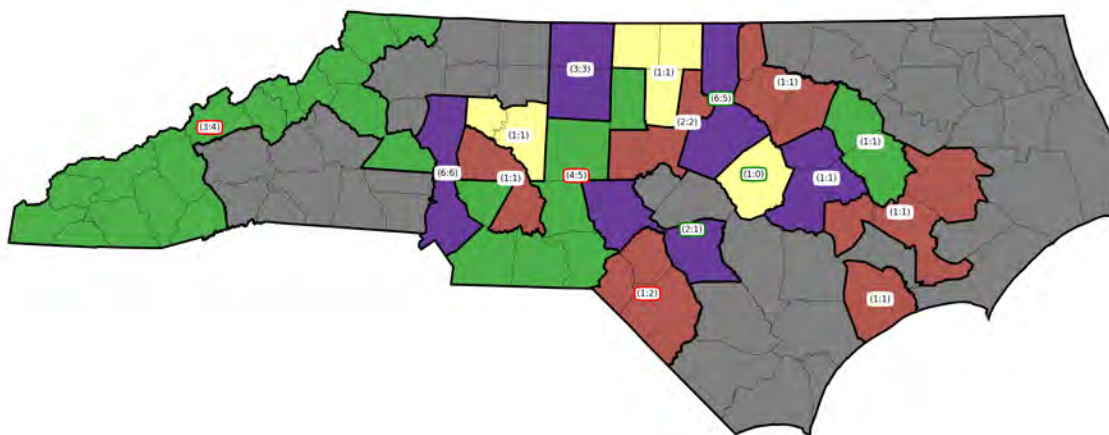


Figure 5: For the fixed clusters in the NC Senate, we display the number of districts followed by the number of incumbents within the cluster. Cluster labels highlighted in red must double bunk at least two incumbents. Cluster labels highlighted in green will elect at least one representative who is not currently serving in office.

<sup>6</sup> Candidates for the General Assembly must reside in their district at least once year prior to the general election.

Figure 5 highlights impacts in the NC Senate. The fixed clusterings in Johnston County, Wake-Granville, and Moore-Hoke will each elect at least one representative not currently serving in office. The following three fixed clusters will double bunk at least two incumbents:

- Alamance-Anson-Cabarrus-Montgomery-Randolph-Richmond-Union
- Alleghany-Ashe-Avery-Caldwell-Catawba-Cherokee-Clay-Graham-Haywood-Jackson-Macon-Madison-Mitchell-Swain-Transylvania-Watauga-Yancey
- Hoke-Robeson-Scotland

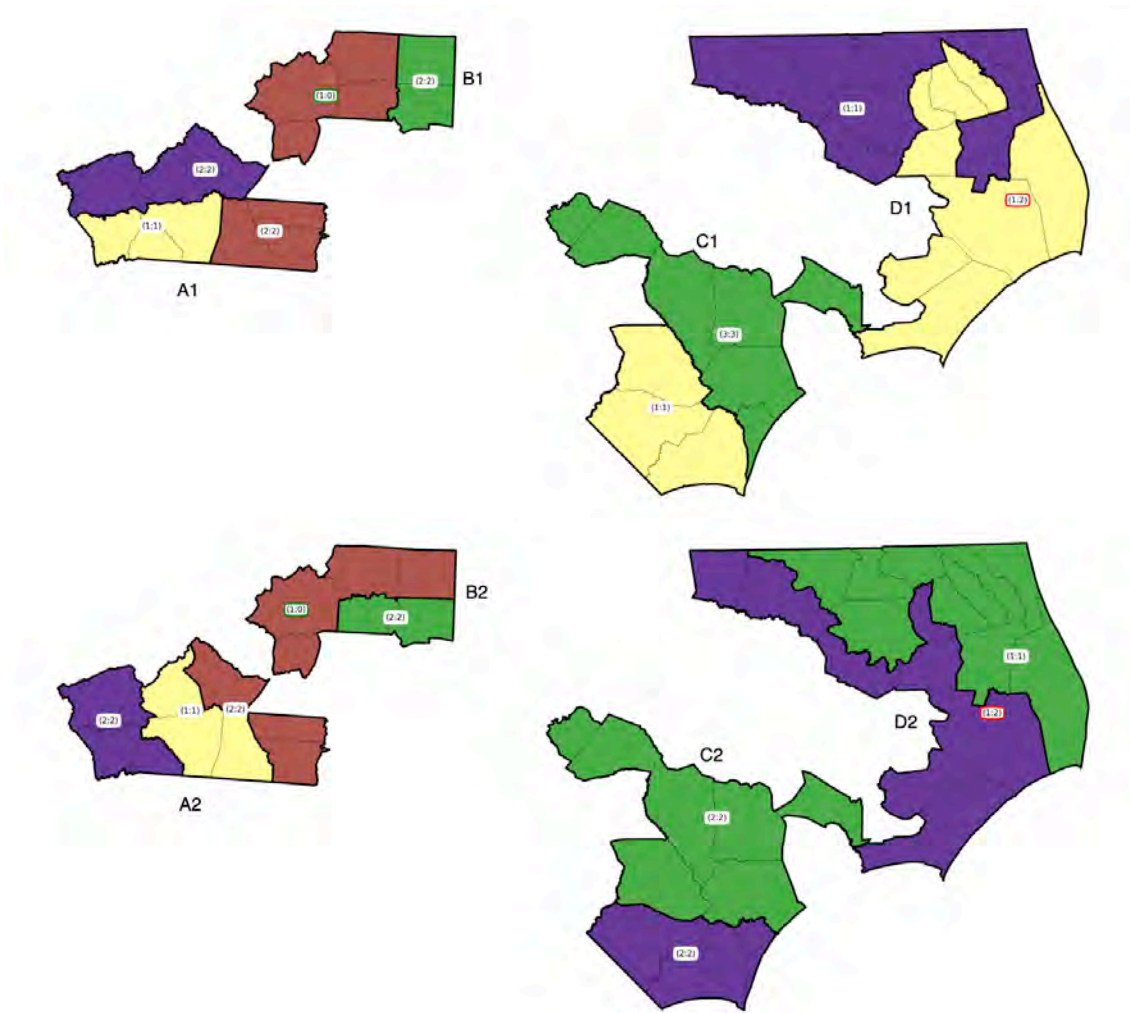


Figure 6: For the optional clusters in the NC Senate, we display the number of districts followed by the number of incumbents within the cluster. Cluster labels highlighted in red must double bunk at least two incumbents. Cluster labels highlighted in green will elect at least one representative who is not currently serving in office.

Figure 6 indicates that the clusters in region D produce a cluster that will double bunk two incumbents.

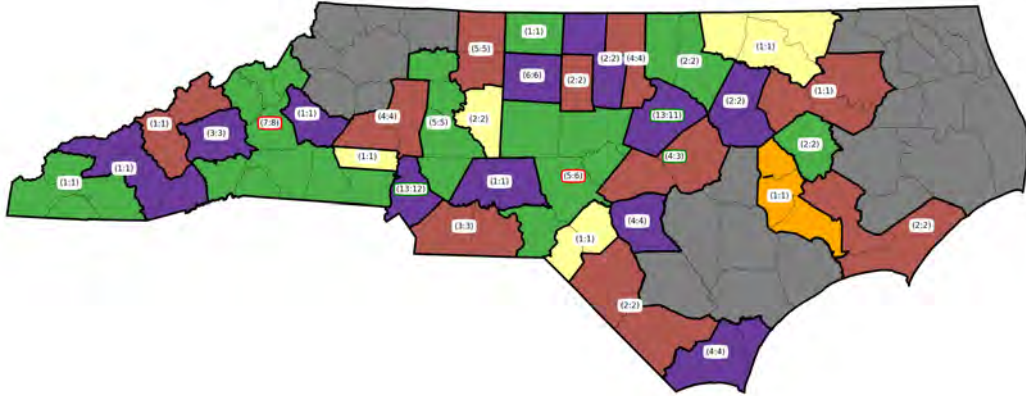


Figure 7: For the fixed clusters in the NC House, we display the number of districts followed by the number of incumbents within the cluster. Cluster labels highlighted in red must double bunk at least two incumbents. Cluster labels highlighted in green will elect at least one representative who is not currently serving in office.

Figure 7 highlights impacts of redistricting in the NC House. The fixed clusterings of Mecklenburg, Wake, and Harnett-Johnston will each elect at least one representative not currently serving in office. The following two fixed clusters will double bunk at least two incumbents:

- Avery-Cleveland-Gaston-Henderson-McDowell-Mitchell-Polk-Rutherford-Yancey
- Chatham-Lee-Moore-Randolph-Richmond

Figure 8 indicates that all options of potential clusters (A, B, and C) for the NC House will cause double bunking of at least two incumbents in two districts.

In addition to the above analysis, we also analyze the clusters with respect to minimizing county traversals. A county traversal occurs when a district extends over the boundary of two counties. Even though the number of incumbents may match the number of districts, it could still be impossible to draw districts that minimize county splitting and county traversals.

We have only discovered one cluster in which it is not possible to draw district boundaries while simultaneously minimizing traversals and preventing two incumbents being placed in the same newly formed district. This instance is in Cabarrus-Davie-Rowan-Yadkin House cluster in which Davie and Yadkin each hold an incumbent, however, the two counties do not have enough joint population to make up a single house district. Because of the geometry of the cluster, these two

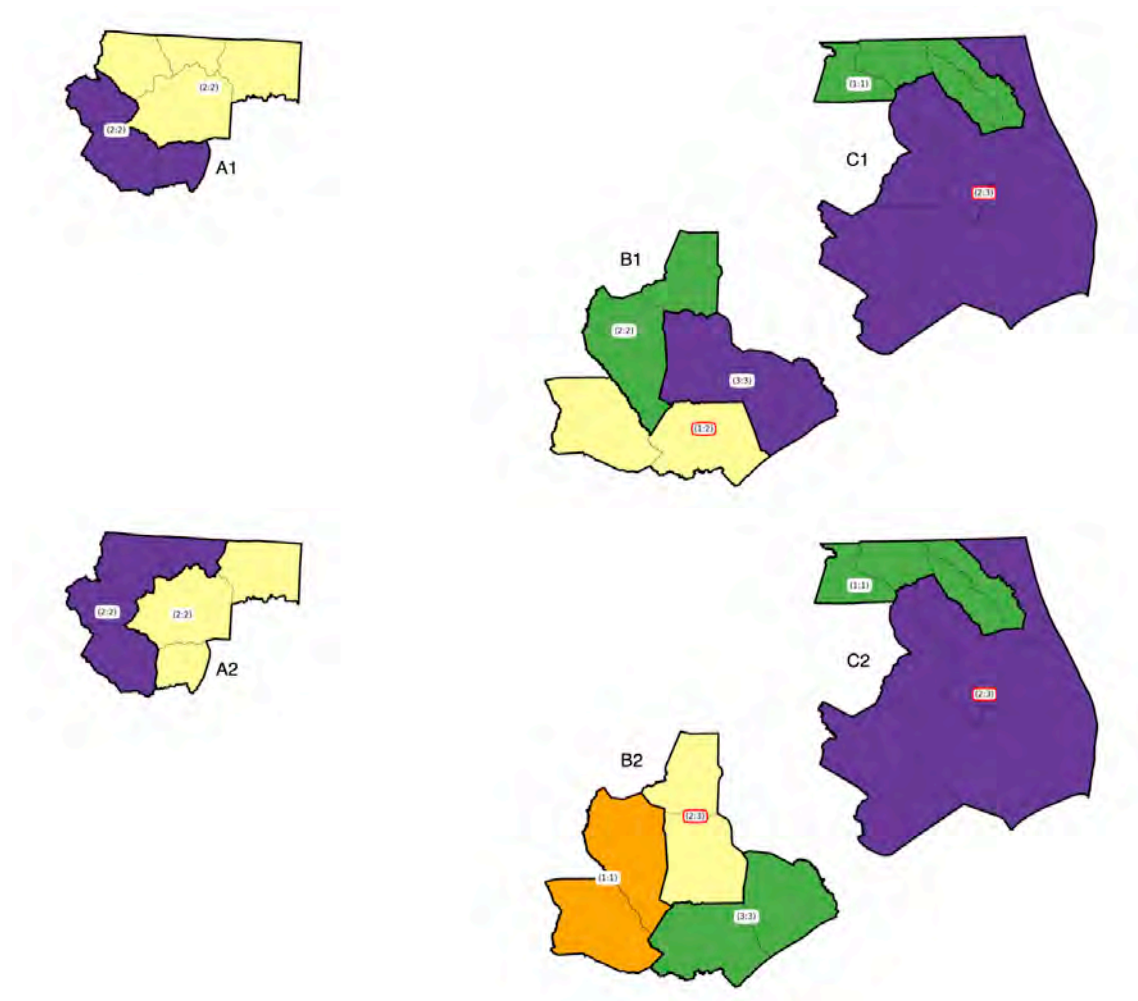


Figure 8: For the optional clusters in the NC House, we display the number of districts followed by the number of incumbents within the cluster. Cluster labels highlighted in red must double bunk at least two incumbents. Cluster labels highlighted in green will elect at least one representative who is not currently serving in office.

counties must then be combined as part of a single district ensuring the one of the two incumbents is not re-elected (see Figure 8 and the northern two counties within the 4-county 5:5 green cluster in the center of the state).

In aggregate, the NC Senate will contain four double bunched districts (regardless of the clustering options used), and the NC House will contain five double bunched districts (regardless of the clustering options used).

## Conclusion

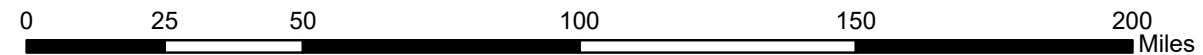
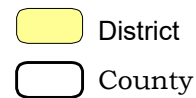
Based on the 2020 Census, we have provided all of the possible county clusterings for the NC House and Senate obtain by the procedure outlined in *Stephenson v. Bartlett*. The consultants



associated with The Differentiators have announced that they have obtained the same groupings we have found using the software we released.

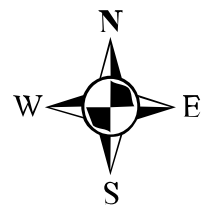
Although many of the clusters are now fixed, the General Assembly will be left to choose between various clustering options in some parts of the state. Certainly, compliance with the Voting Rights Act will be a key consideration in choosing between potential clusters. Preservation of communities of interest might also drive the decision to select one option over another. One could also consider choosing clusters to reduce the population deviations. For example, the B2 options in both the House and Senate clusterings have one district with a relative population deviation above 4.5%. As this necessitates that at least one of the districts in this cluster has a similarly large population deviation, it provides a reasonable rationale (if all other considerations are equal) to select the other clustering. There are clusterings with equally large deviations which might suggest choosing the alternative clustering option. One might also consider compactness, though a less compact clustering, does not necessitate that the resulting districts are not compact. Hence this would need to be considered in each case.

We intend to follow this initial analysis with more in-depth looks at the clusterings and their implications.



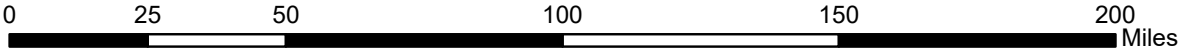
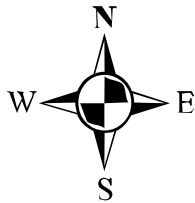
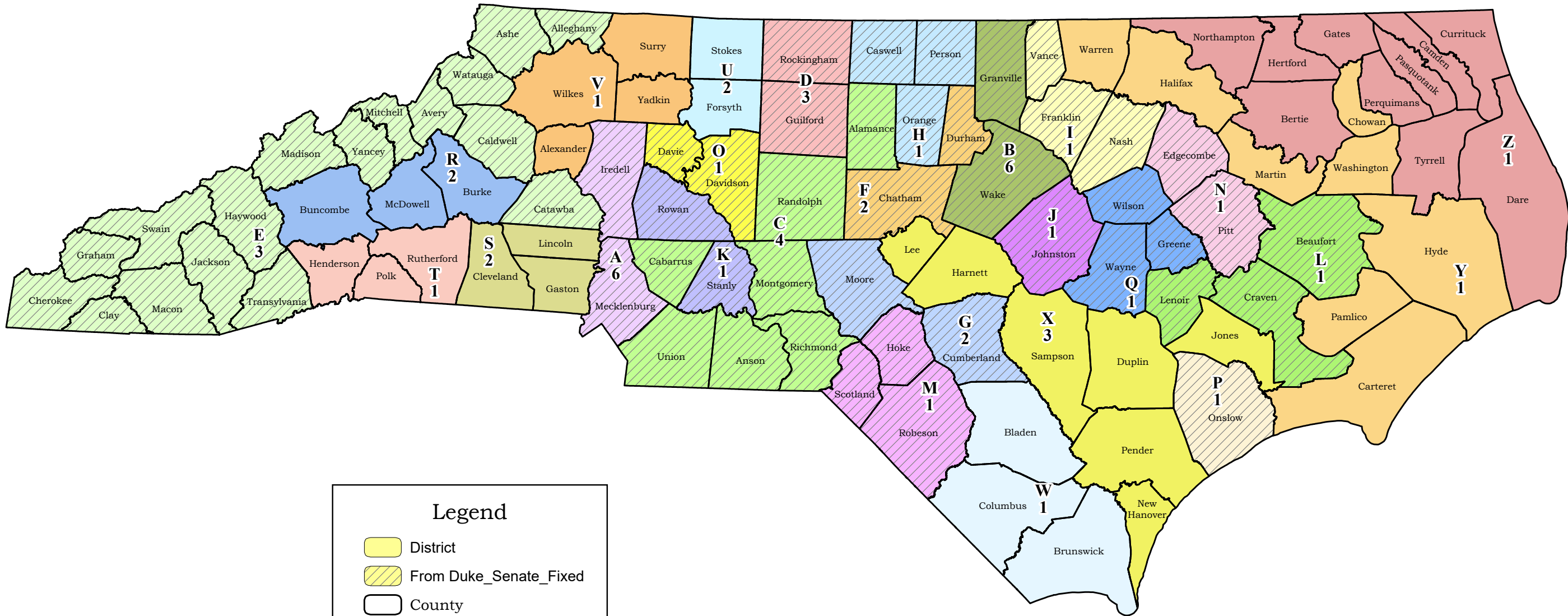
DUKE SENATE GROUPINGS

Plan Name	A	B	C	D
Duke_Senate 01	A1	B1	C1	D1
Duke_Senate 02	A1	B1	C1	D2
Duke_Senate 03	A1	B1	C2	D1
Duke_Senate 04	A1	B1	C2	D2
Duke_Senate 05	A1	B2	C1	D1
Duke_Senate 06	A1	B2	C1	D2
Duke_Senate 07	A1	B2	C2	D1
Duke_Senate 08	A1	B2	C2	D2
Duke_Senate 09	A2	B1	C1	D1
Duke_Senate 10	A2	B1	C1	D2
Duke_Senate 11	A2	B1	C2	D1
Duke_Senate 12	A2	B1	C2	D2
Duke_Senate 13	A2	B2	C1	D1
Duke_Senate 14	A2	B2	C1	D2
Duke_Senate 15	A2	B2	C2	D1
Duke_Senate 16	A2	B2	C2	D2

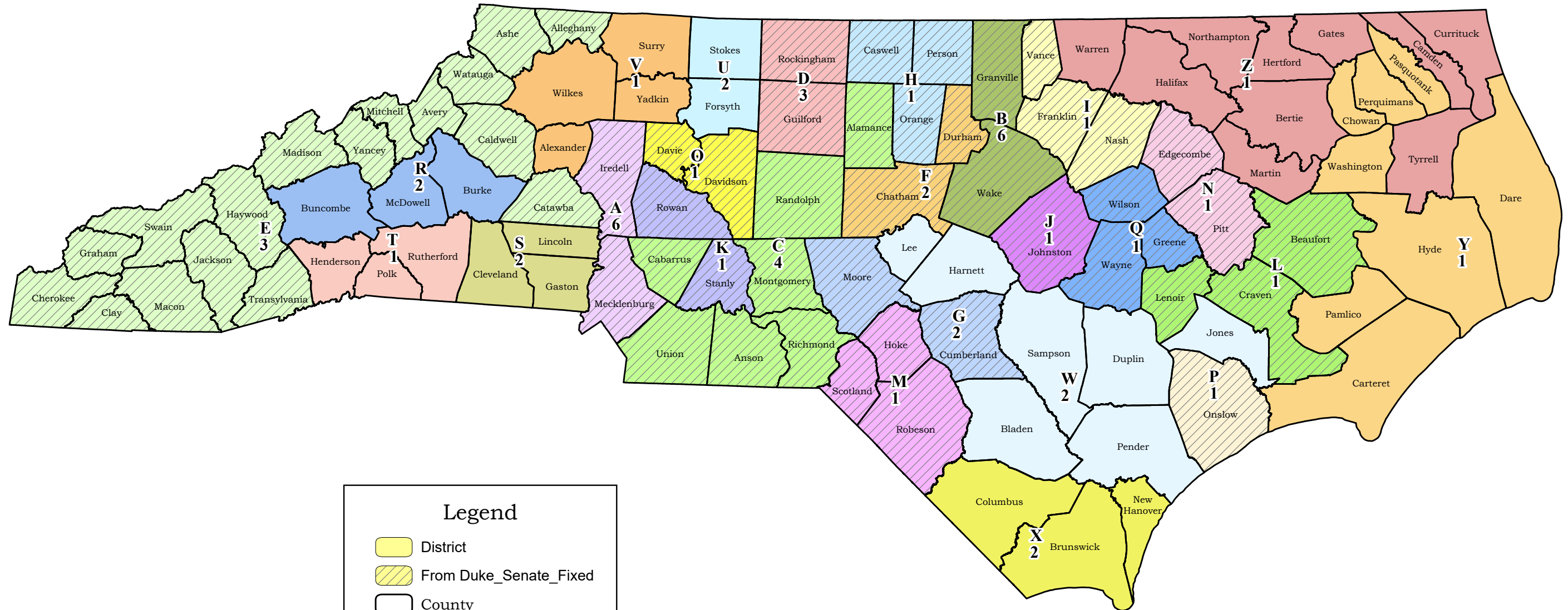




# Duke\_Senate 02

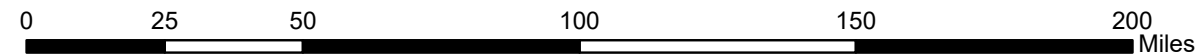
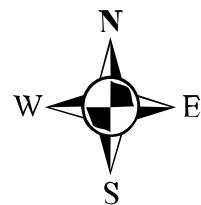


# Duke\_Senate 03



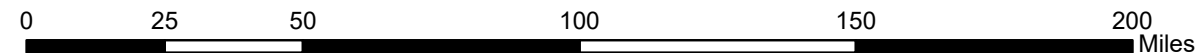
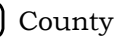
**Legend**

- District
- From Duke\_Senate\_Fixed
- County

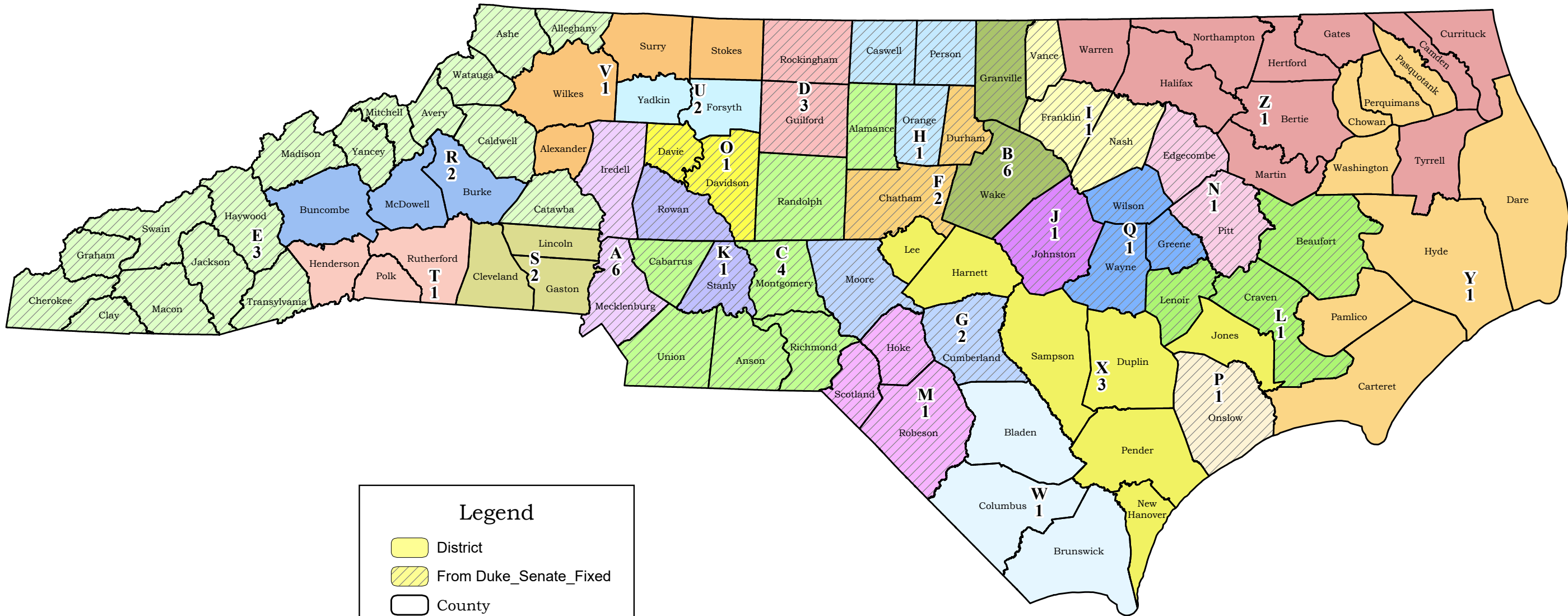




From Duke\_Senate\_Fixed



# Duke\_Senate 05

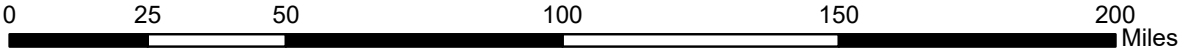
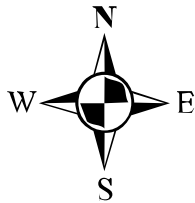


Legend

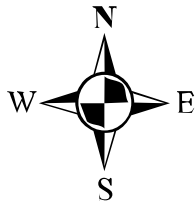
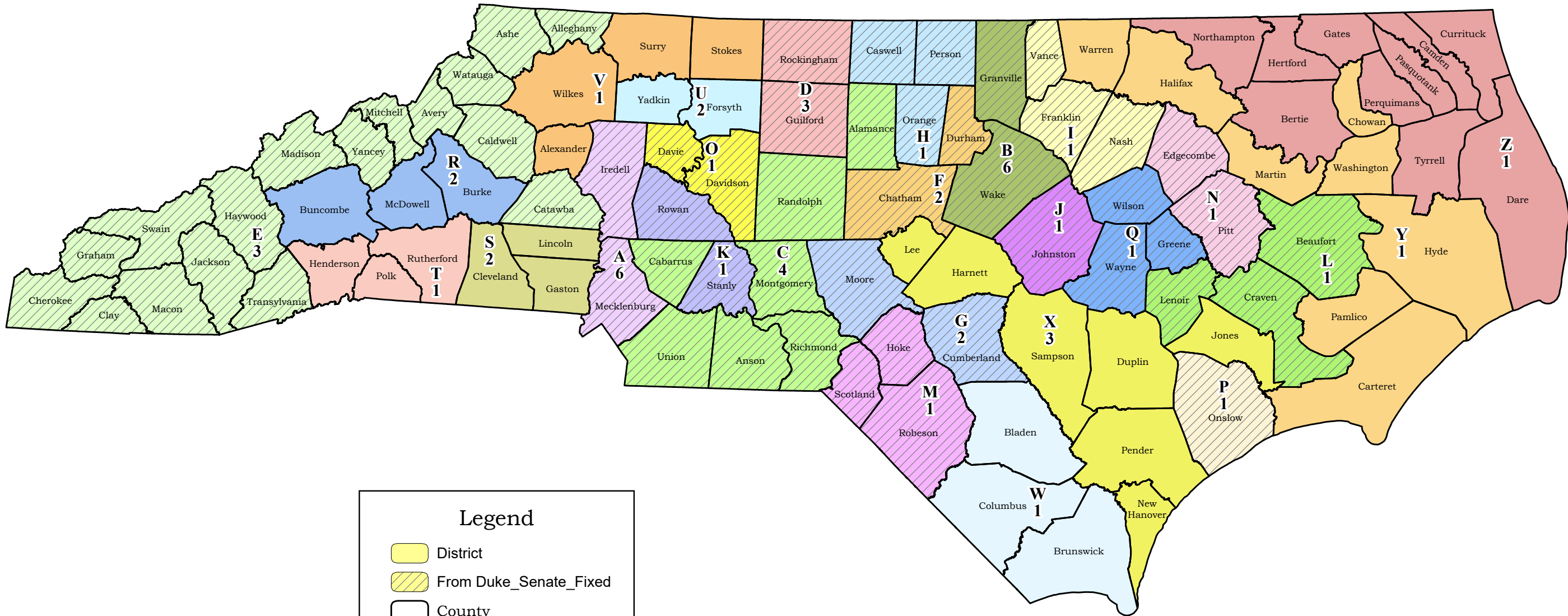
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From Duke\_Senate\_Fixed

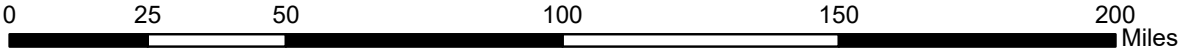
County



# Duke\_Senate 06



Duke\_Senate 06

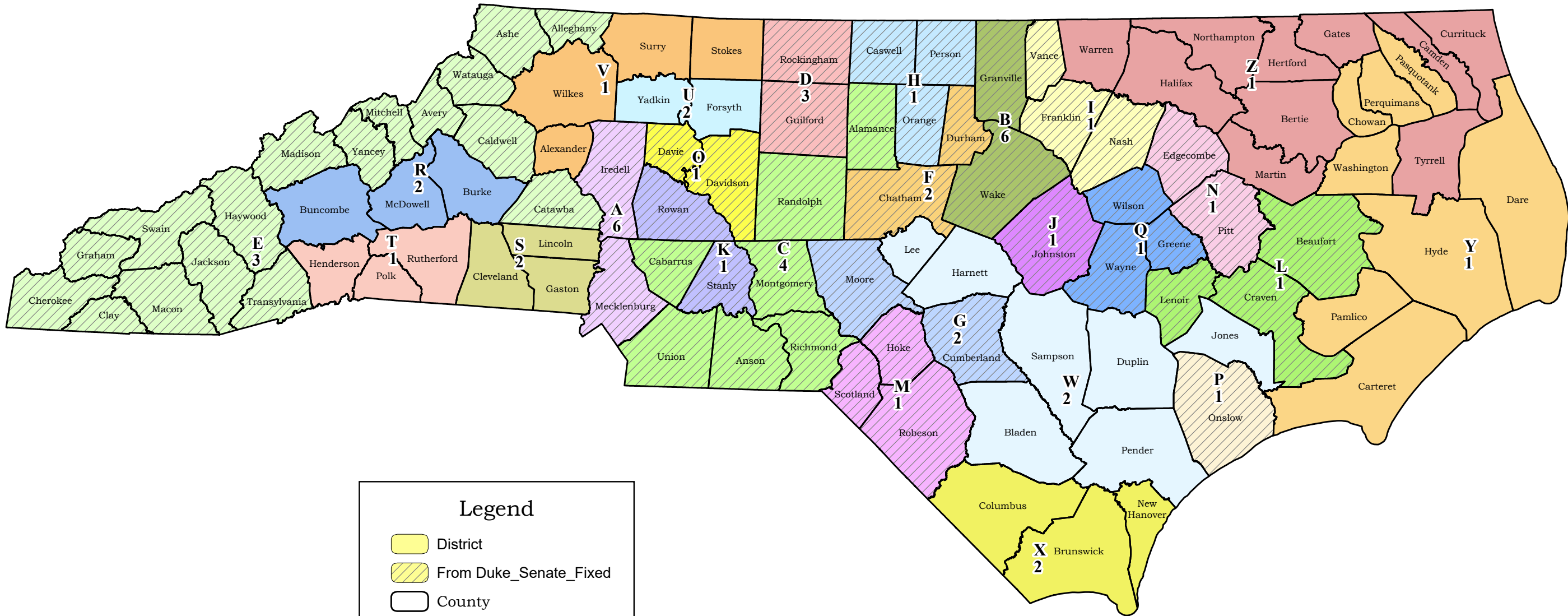


Printed by the NC General Assembly, October 1, 2021





# Duke\_Senate 07

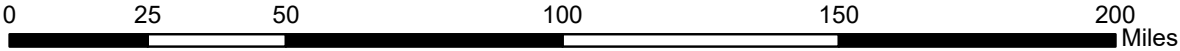
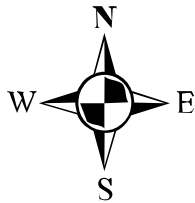


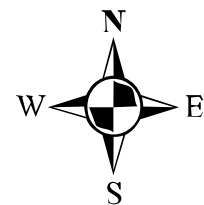
Legend

District

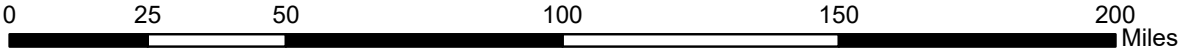
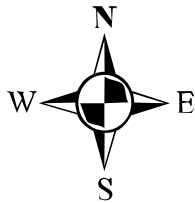
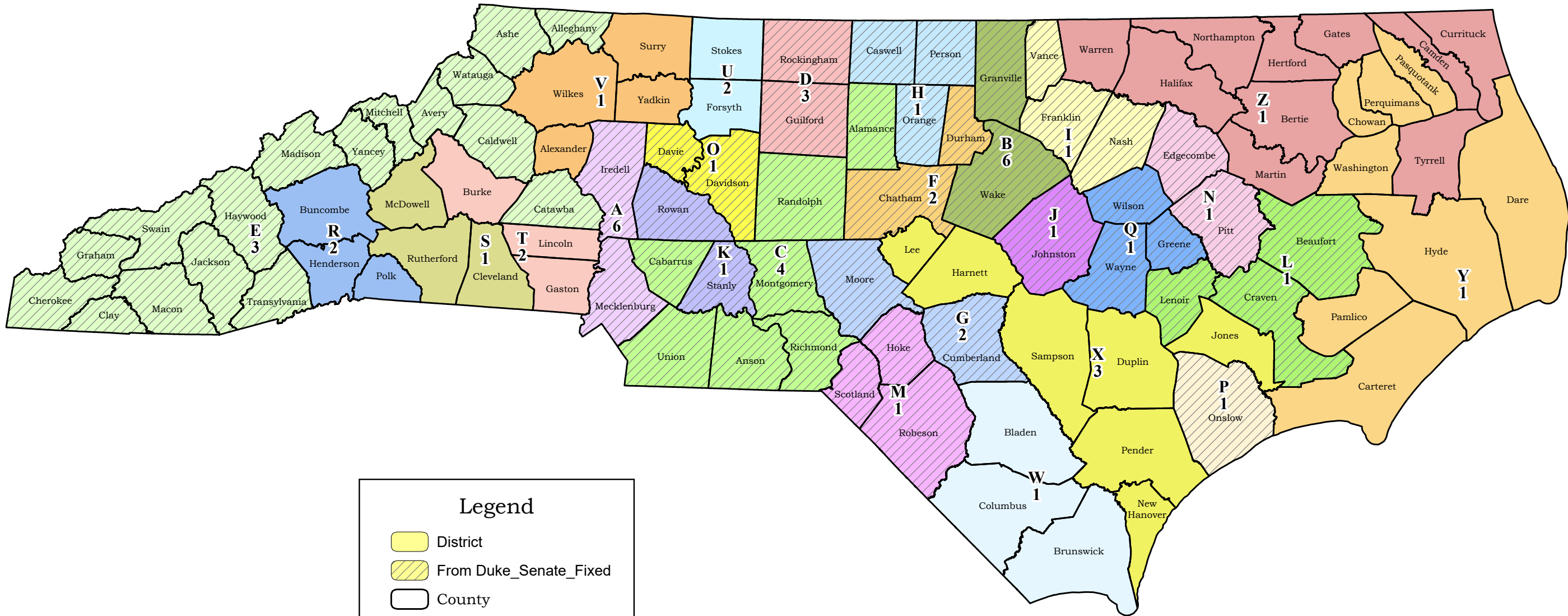
From Duke\_Senate\_Fixed

County





# Duke\_Senate 09



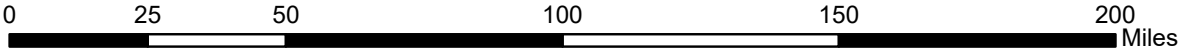
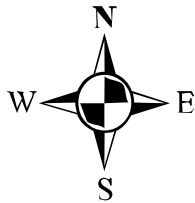
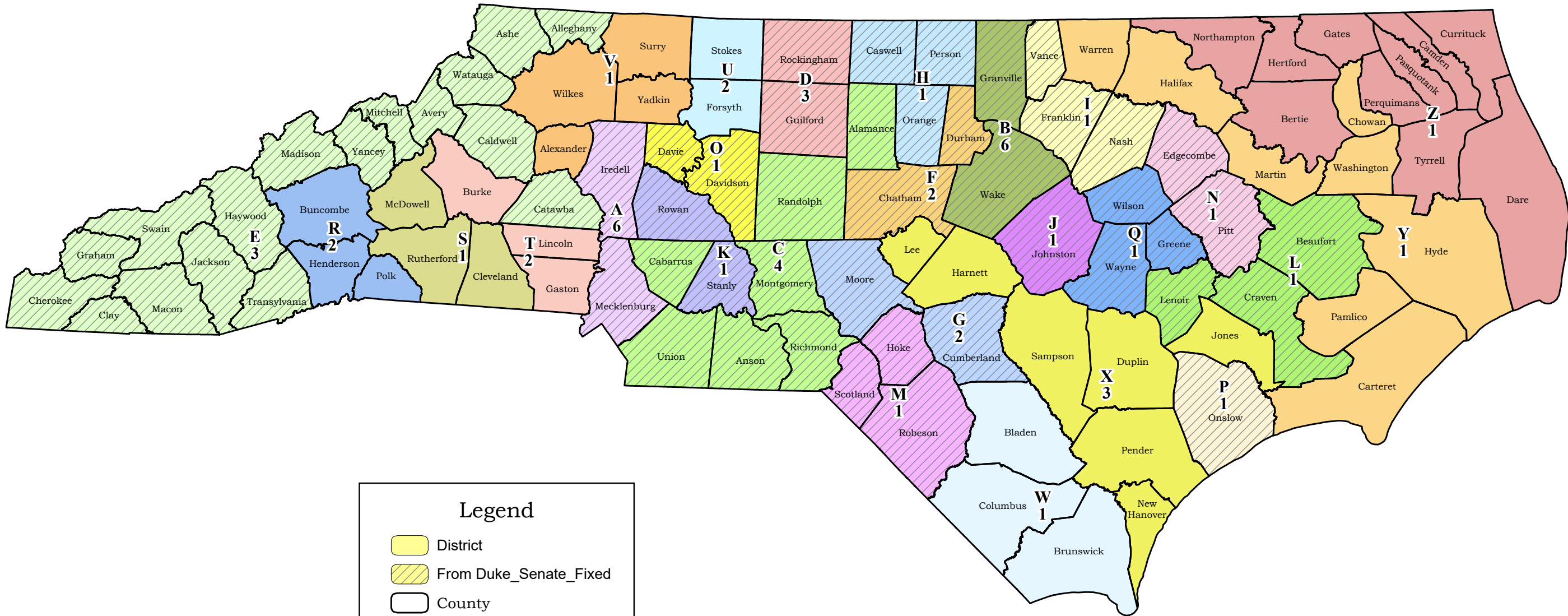
Duke\_Senate 09

Printed by the NC General Assembly, October 1, 2021

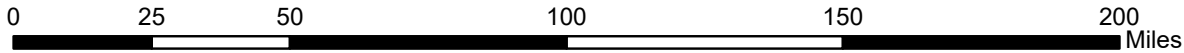
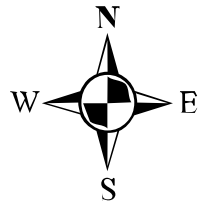
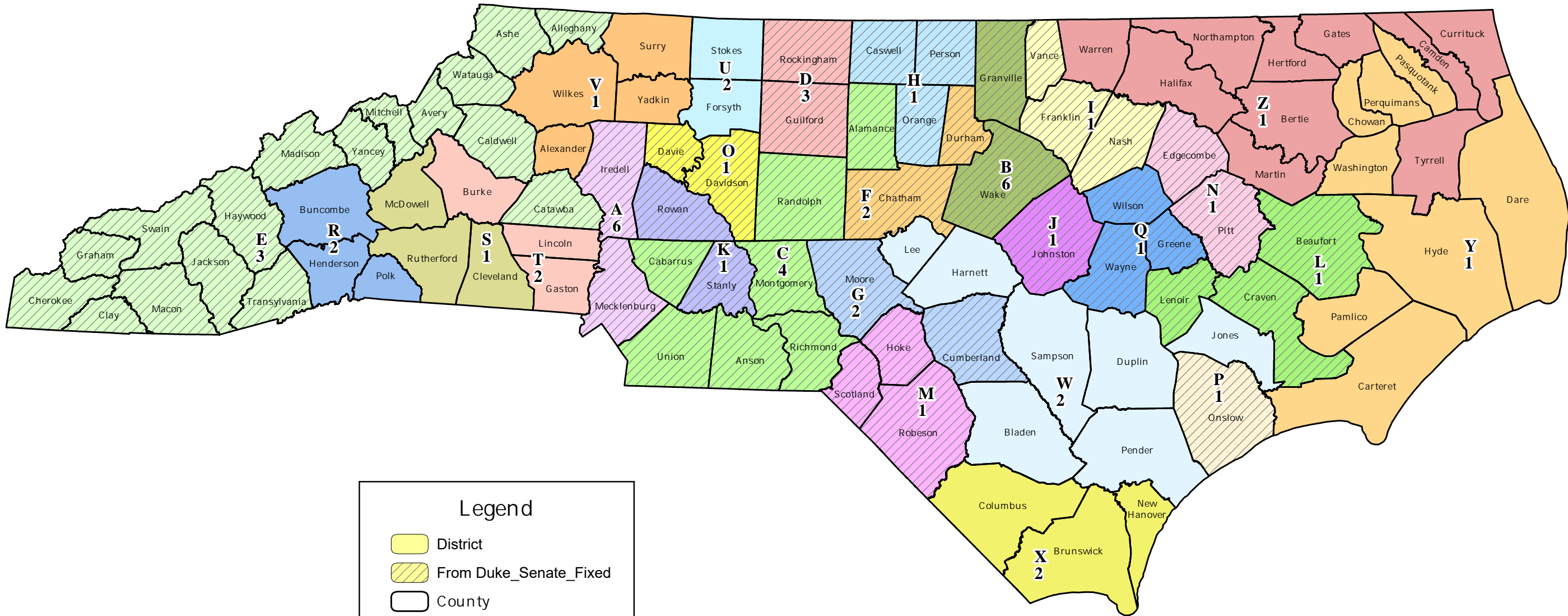




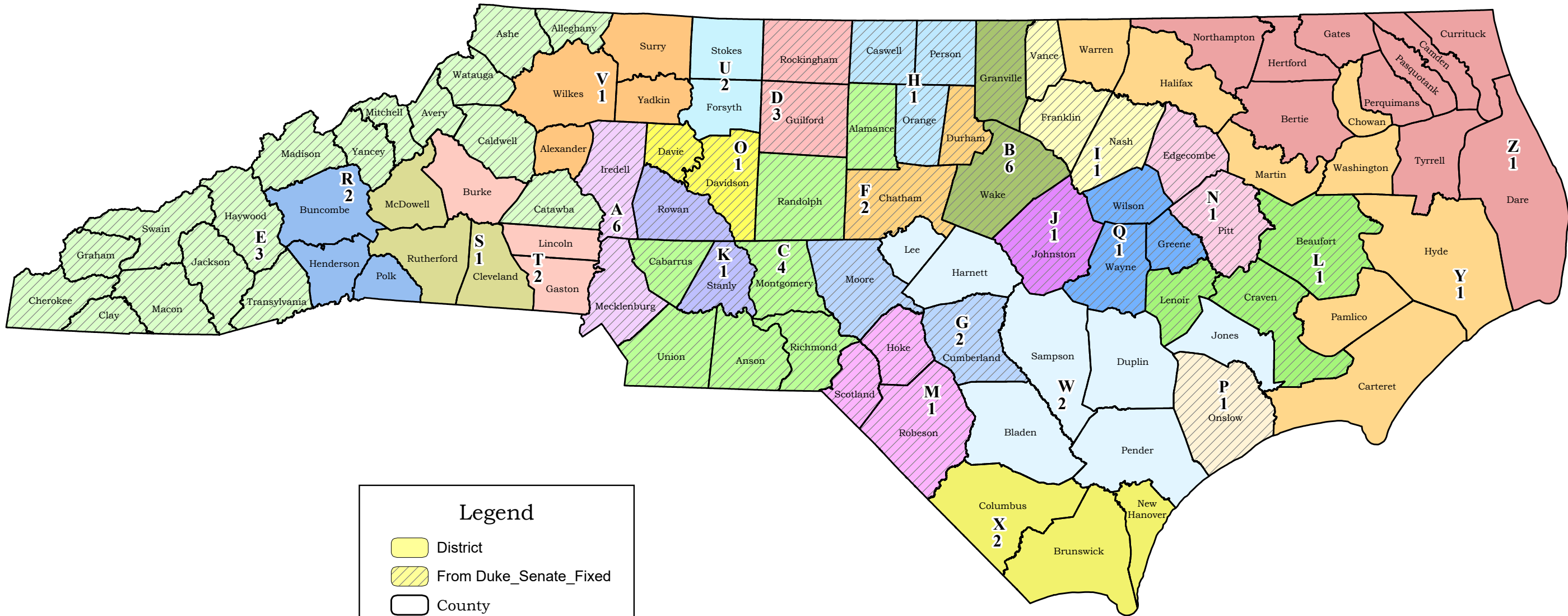
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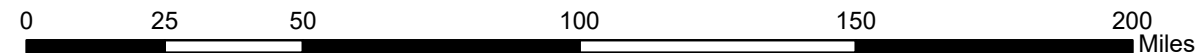
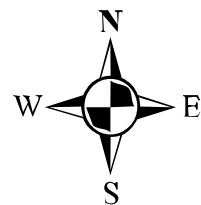
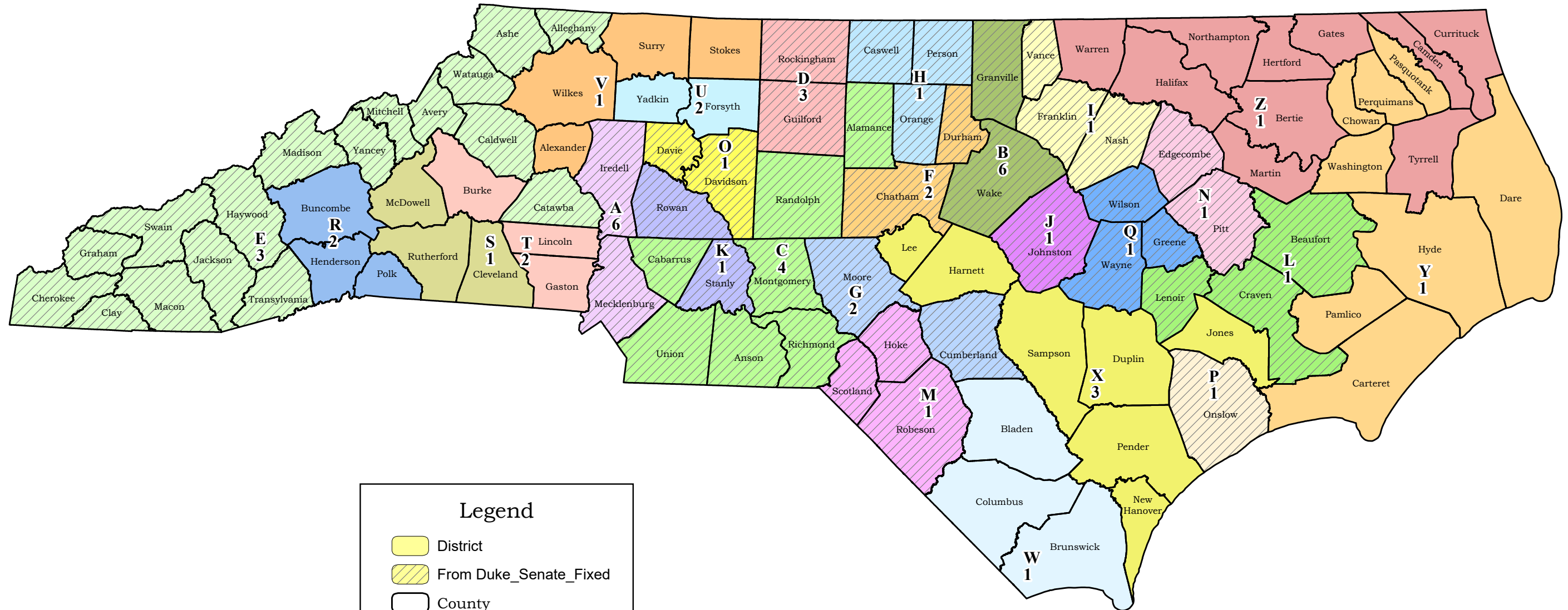
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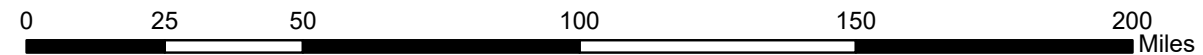
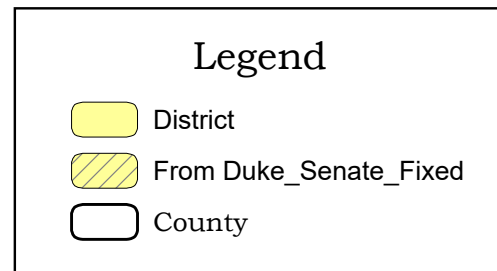


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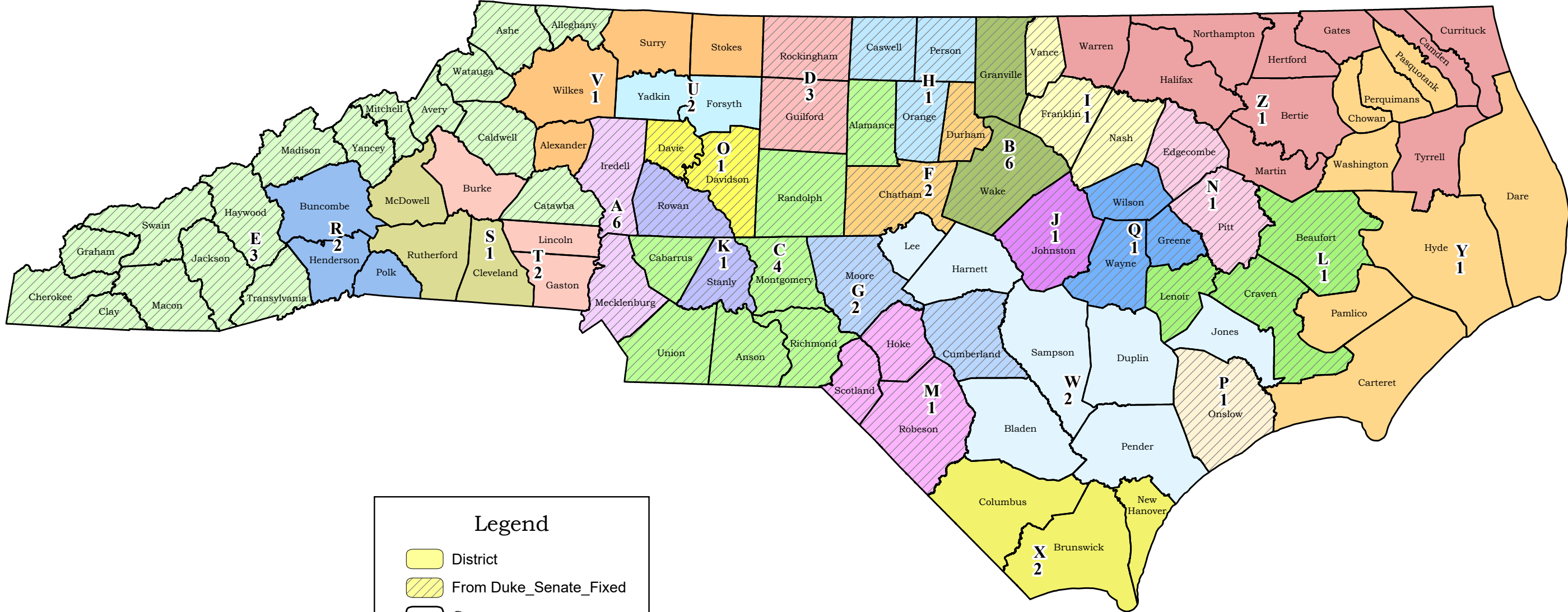
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# Duke\_Senate 15

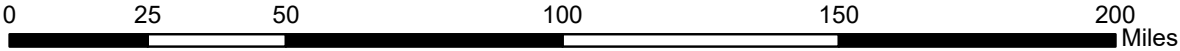
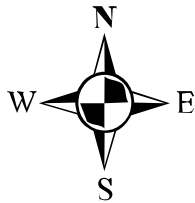


Legend

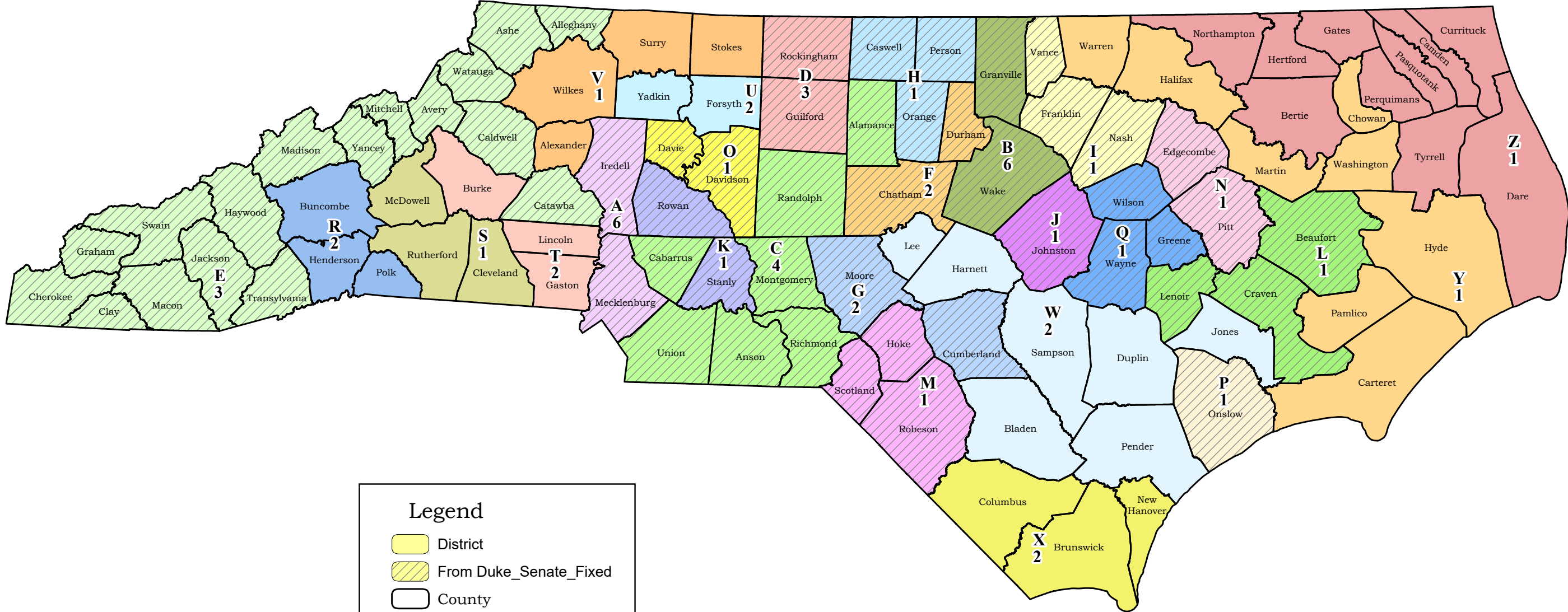
District

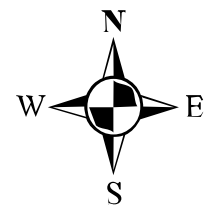
From Duke\_Senate\_Fixed

County



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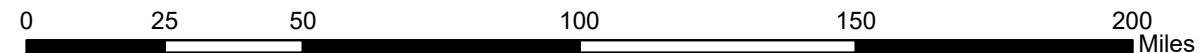
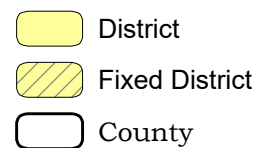




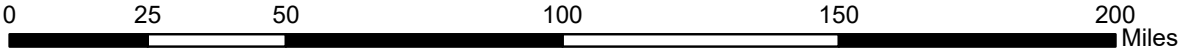
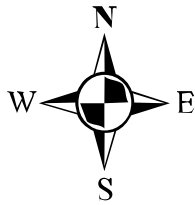
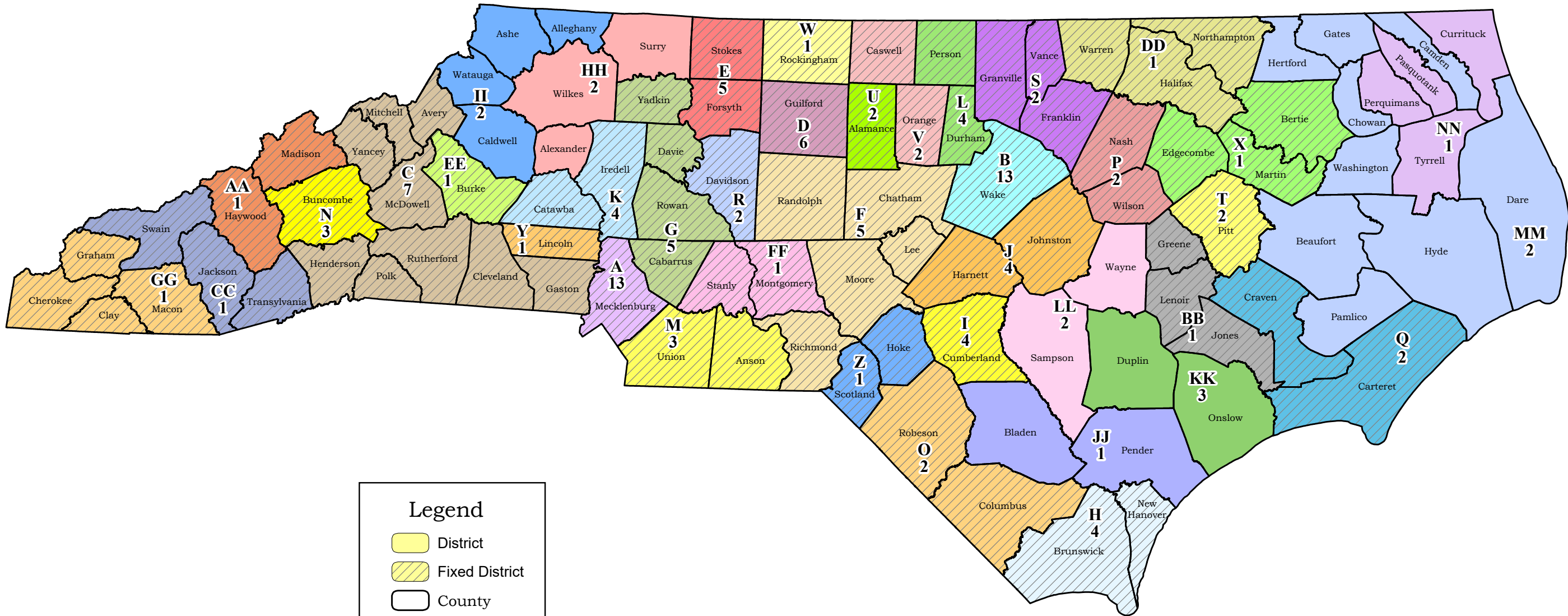


DUKE HOUSE GROUPINGS

Plan Name	A	B	C
Duke_House 01	A1	B1	C1
Duke_House 02	A1	B1	C2
Duke_House 03	A1	B2	C1
Duke_House 04	A1	B2	C2
Duke_House 05	A2	B1	C1
Duke_House 06	A2	B1	C2
Duke_House 07	A2	B2	C1
Duke_House 08	A2	B2	C2



# Duke\_House 02

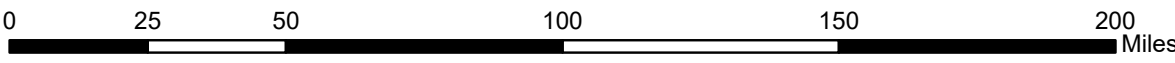
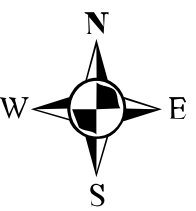
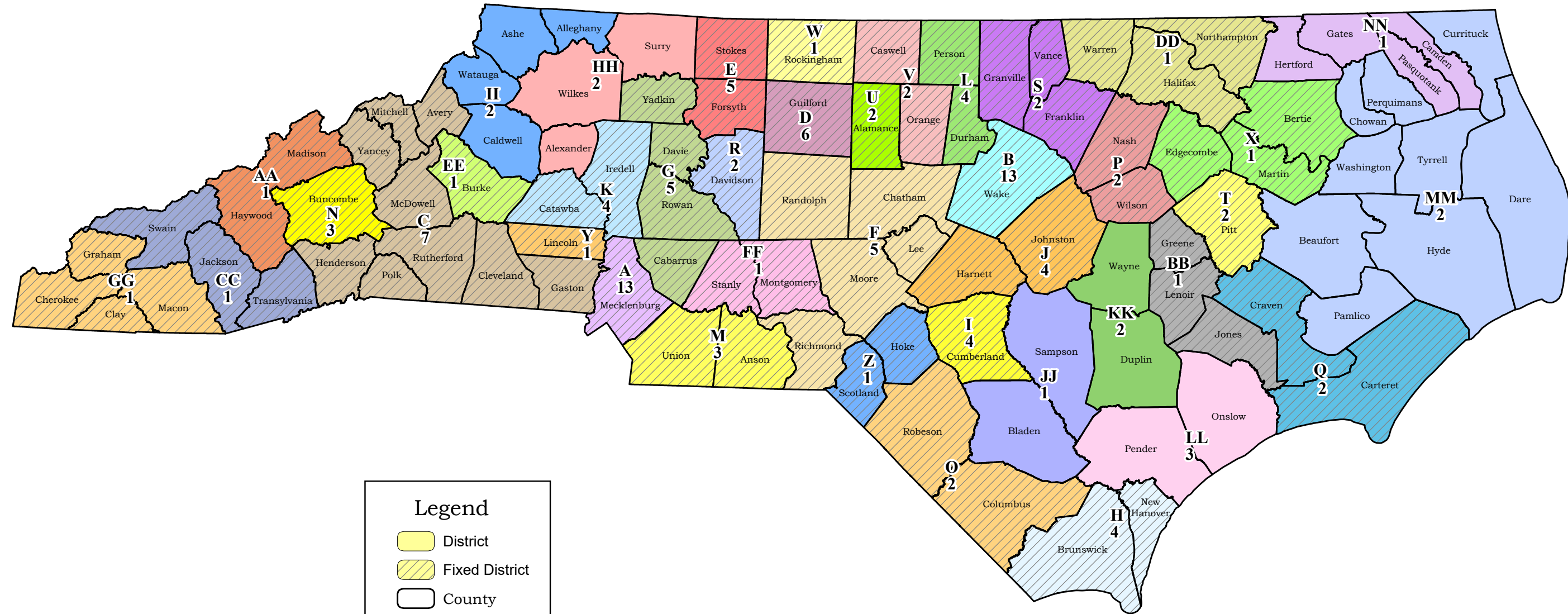


Duke\_House 02

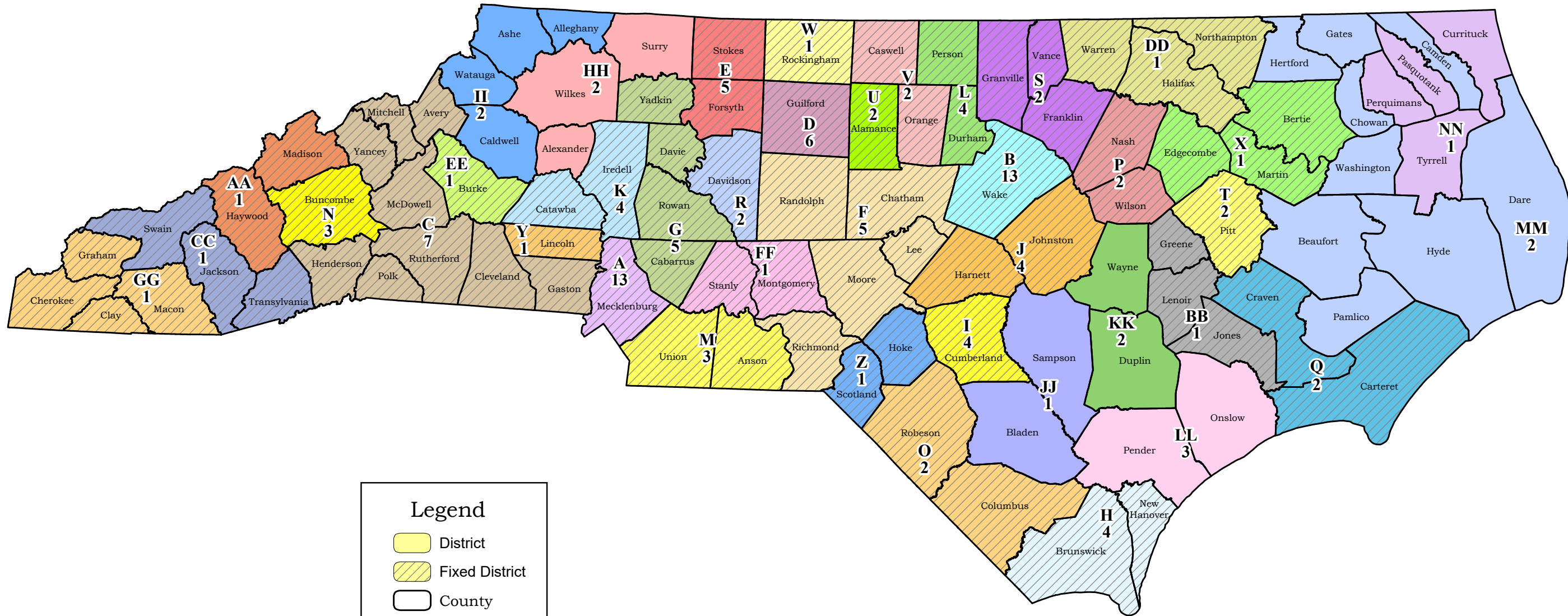
Printed by the NC General Assembly, September 29, 2021



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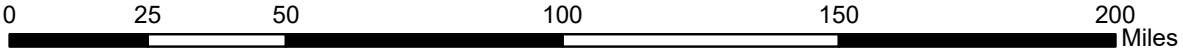
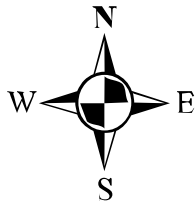


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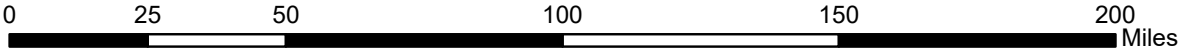
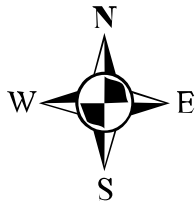
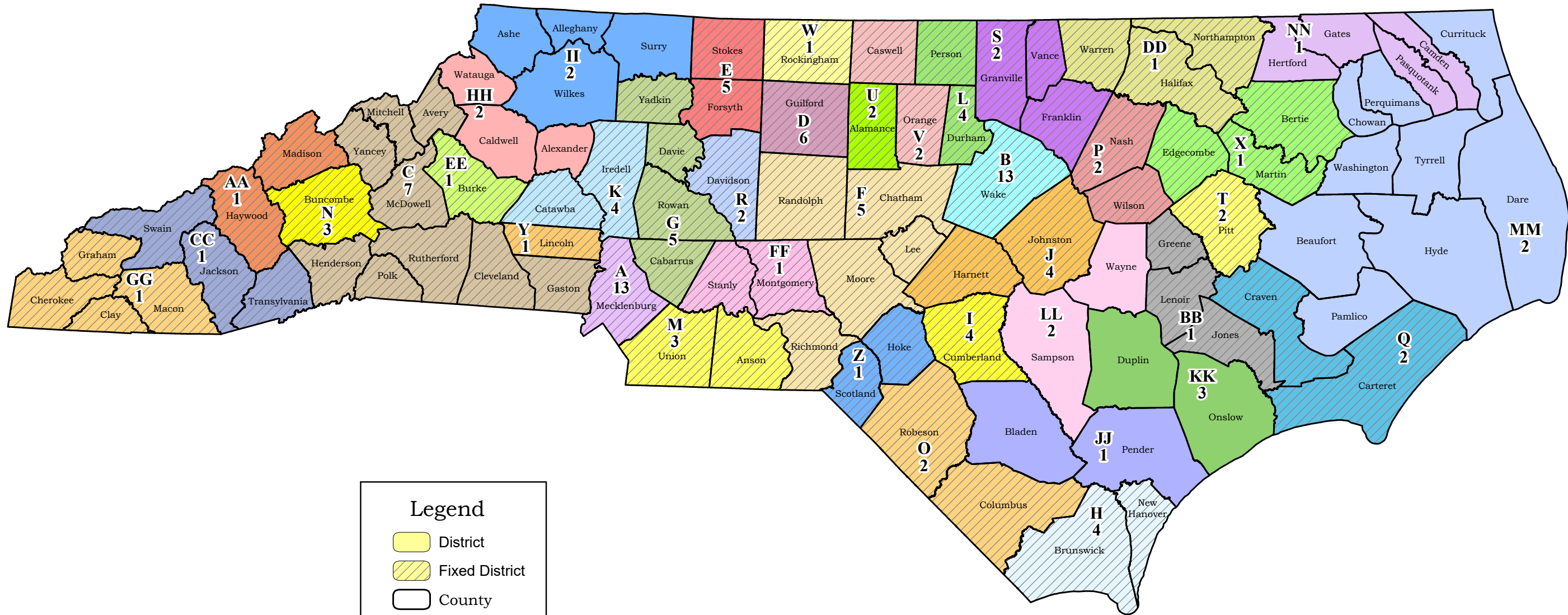
**Legend**

- District
- Fixed District
- County

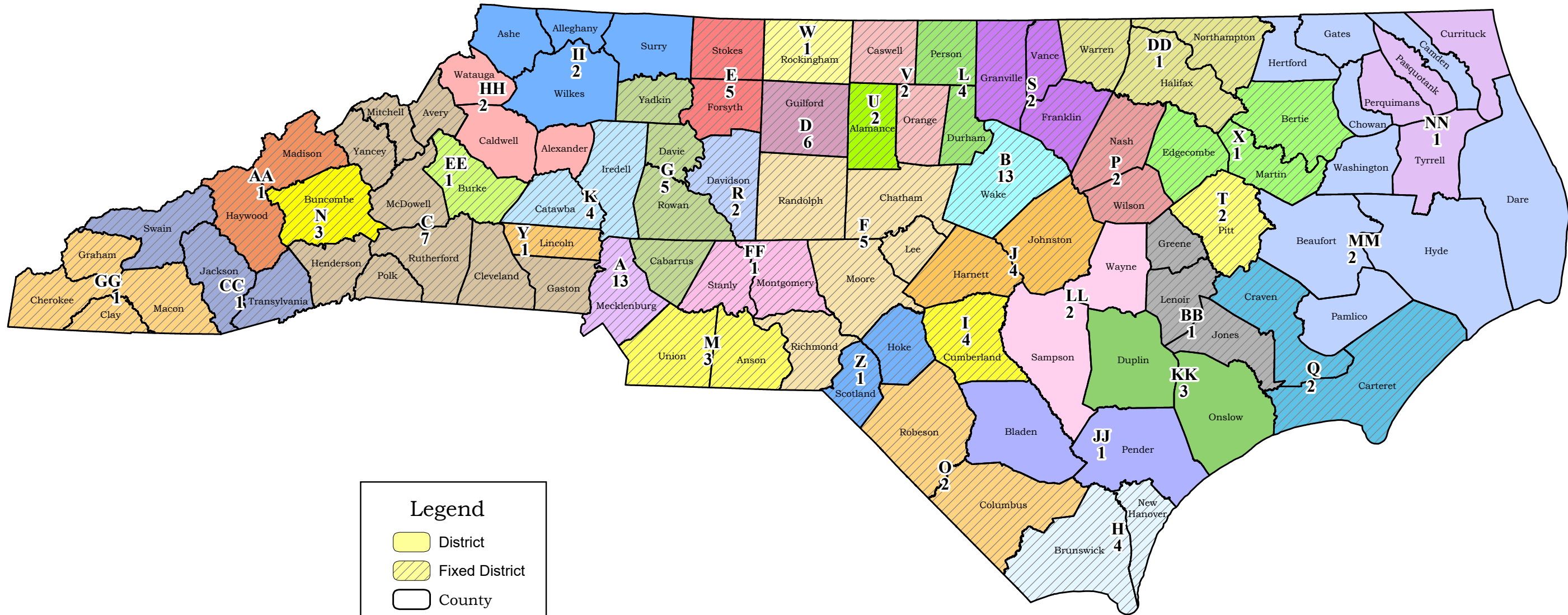




# Duke\_House 05



# Duke\_House 06

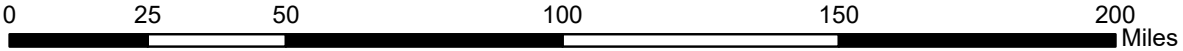
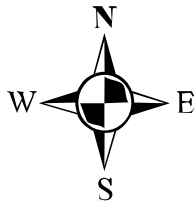


Legend

District

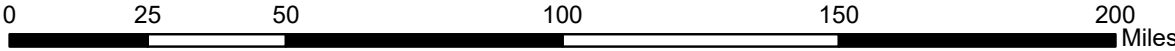
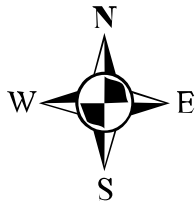
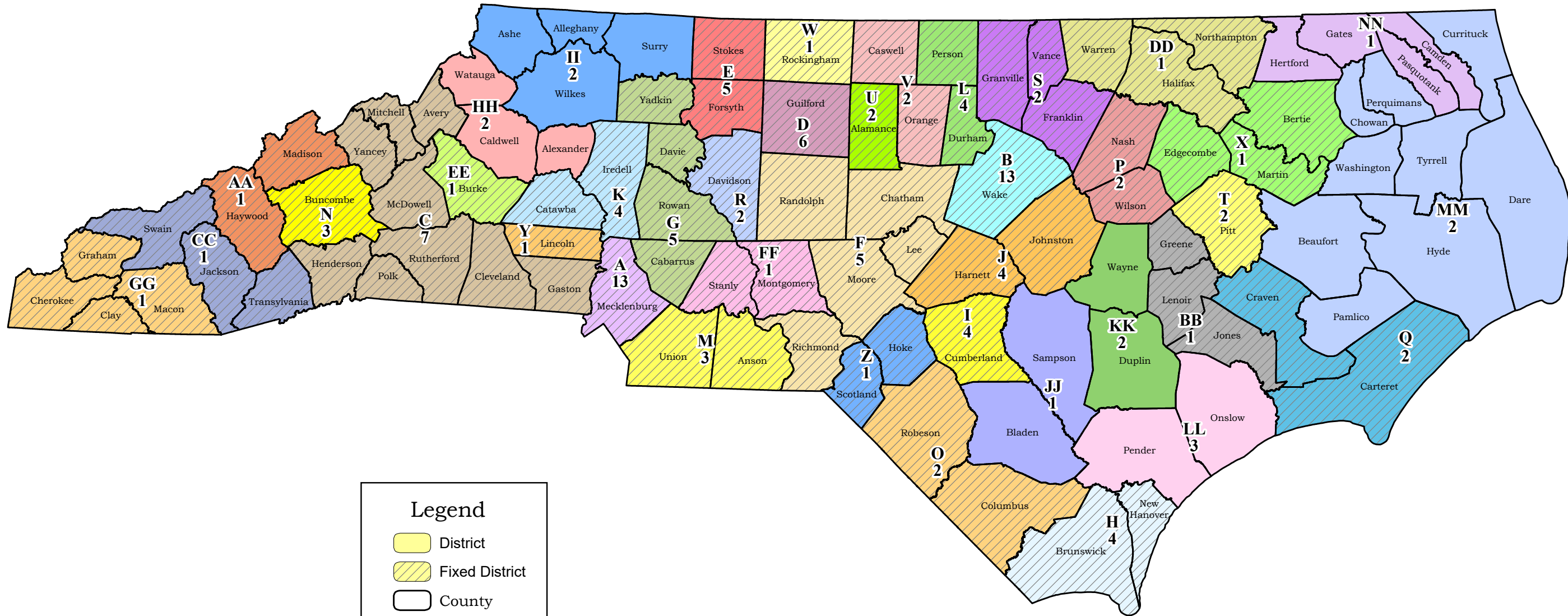
Fixed District

County

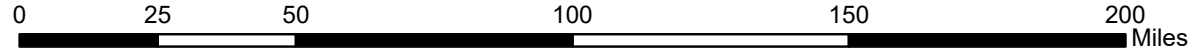
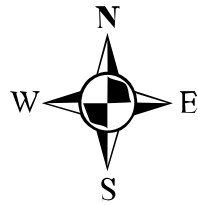
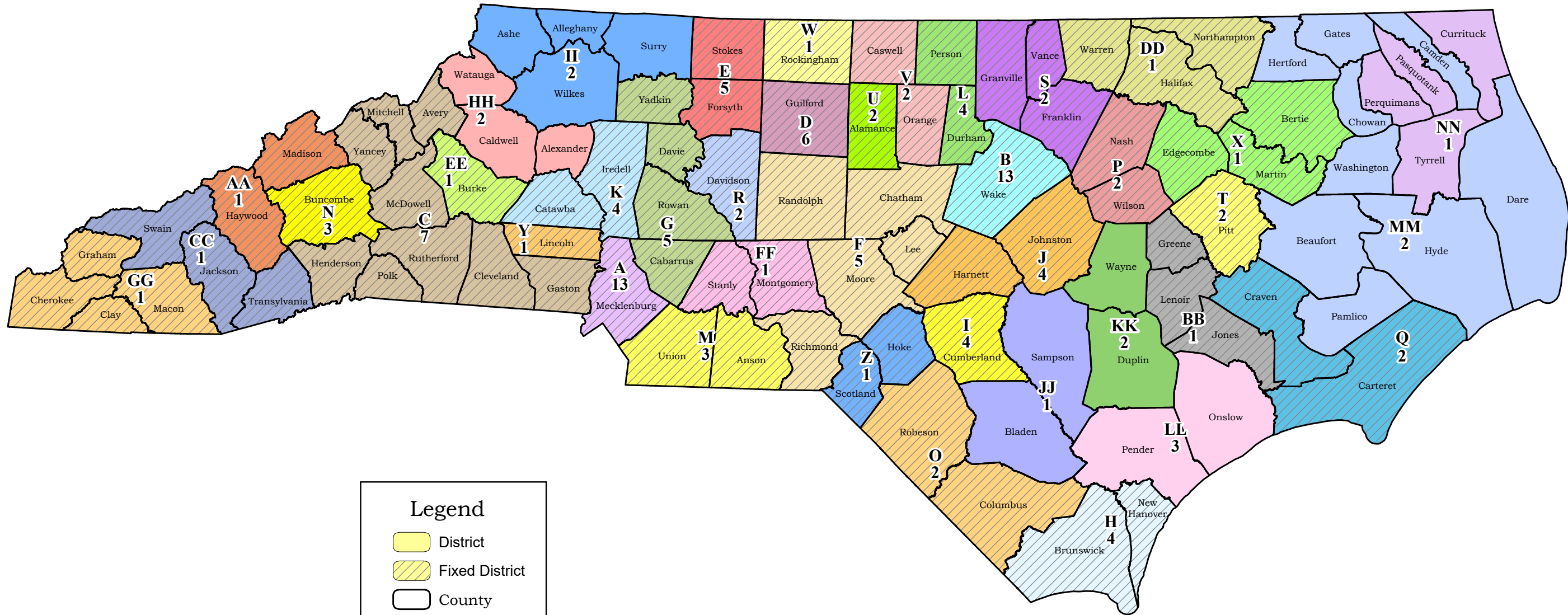




# Duke\_House 07



# Duke\_House 08



## Joint Meeting of Committees

August 12, 2021

House Committee on Redistricting  
Senate Committee on Redistricting and Elections

Offered by:  
Senator Blue

Pass: \_\_\_\_\_

Fail: \_\_\_\_\_

---

### Amendment to Proposed Criteria

**Voting Rights Act.** As condemned by the United States Supreme Court in Cooper v. Harris and Covington v. State of North Carolina, African-Americans shall not be packed into any grouping or district to give partisan advantage to any political party.

NORTH CAROLINA GENERAL ASSEMBLY

JOINT COMMITTEE MEETING

AUGUST 5, 2021

Transcribed by:

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1 (Transcription from YouTube started at  
2 24:29.)

3 CHAIRMAN HALL: Come to order.

4 Members, as you can see, the  
5 sergeant-of-arms is still passing out some  
6 documents that the chairs would like all  
7 committee members to have, and so I apologize  
8 for the delay in getting all those and starting  
9 the meeting today, but we did want to get those  
10 to you.

11 Members, the purpose of today's meeting  
12 is just simply to give some sort of roadmap to  
13 the committee members about the way that the  
14 chairs intend to at least initiate this process.

15 Chair intends to call on Senator Newton  
16 momentarily. After that, the chair will call on  
17 Erika Churchill from legislative staff.

18 Ms. Churchill is going to give an overview of  
19 ISD setup, how members can go about drawing maps  
20 on computers. She's going to talk some, I  
21 think, about public records, and she's going to  
22 talk some about the ways that legislative  
23 confidentiality may be a bit different on the  
24 redistricting committee than you might be used  
25 to in some of the other committees that you

1       serve on.

2               After that, the chair is going to put  
3       forth some scheduling, at least for next week,  
4       for committee members so that you all can go  
5       ahead and have an idea of what the chairs intend  
6       to do next week.

7               With that being said, the chair will  
8       recognize Senator Newton.

9               SENATOR NEWTON: Thank you,  
10       Mr. Chairman.

11               Members and members of the public,  
12       thank you for being here. I'm reminded in this  
13       packed room of some comments made at a  
14       redistricting conference several of us attended  
15       in Salt Lake City a couple of weeks ago, and the  
16       comments were made from the podium that, you  
17       know, ten years ago you couldn't draw a fly to a  
18       redistricting discussion, and now everybody is  
19       interested in redistricting. And I asked  
20       Senator Blue if he thought he had been involved  
21       in more redistrictings than anyone else in this  
22       room, and his response was "How about anyone in  
23       history." So we're going to lean on you heavily  
24       through this process.

25               Obviously, 2021 redistricting process

1 is unique because of COVID-19 and the resulting  
2 delay in the decennial census data. We're  
3 getting a much later start than we do in a  
4 normal redistricting year. These events are  
5 beyond our control, but we plan to carry out our  
6 constitutional duty as a legislature to draw new  
7 maps for Congress, the Senate, and the House in  
8 a timely manner with opportunity for public  
9 input and a deliberative legislative process  
10 that will involve members of both parties and be  
11 transparent to all North Carolinians.

12 In just a bit, as the chair mentioned,  
13 Erika Churchill, from our legislative analysis  
14 division, will cover the nuts and bolts of the  
15 legislative redistricting process, including our  
16 timeline.

17 But first, I just want to say that I  
18 think North Carolina is in a unique position as  
19 we embark on this next decade's redistricting  
20 process. We know there are a lot of contentious  
21 legal battles behind us in the last decade, but  
22 in the shifting sands of the legal doctrines  
23 associated with redistricting during the 2010  
24 cycle produced several rounds of map drawing  
25 both for congress and state legislative



1 districts, but by 2019, this body was able to  
2 engage in a process that members of both parties  
3 largely supported and was transparent and open  
4 to public input. I think both the House and the  
5 Senate expect that we would largely stick to  
6 that successful formula and that process that  
7 involved successful -- produced successful  
8 redistricting product at the end of the last  
9 decade.

10 And as chairs, we welcome input from  
11 minority party about -- as we proceed and every  
12 member of this committee about how we can  
13 further improve the process as we move forward.  
14 And as this committee continues to do its work,  
15 I hope we all have open communication in order  
16 to ensure that we're doing the people's business  
17 in such a way as they have the opportunity to  
18 participate and feel that this process reflects  
19 the input from people all across North Carolina.

20 So thank you for being here. Thank  
21 you, Mr. Chairman, and we look forward to  
22 learning from the past to have the best process  
23 we've ever had going forward.

24 CHAIRMAN HALL: Thank you, Senator  
25 Newton.

1           The chair's going to recognize Erika  
2 Churchill. Ms. Churchill, you can speak from  
3 your seat there or you can come up to the podium  
4 over here, whichever one you prefer.

5           And, Members, did everyone receive two  
6 sheets of paper from the sergeant-at-arms? Any  
7 members not receive both of those sheets?  
8 Seeing none --

9           ERIKA CHURCHILL: I think  
10 Representative Zachary.

11          CHAIRMAN HALL: We've got a hand back  
12 here. So the sergeant-at-arms will ensure that  
13 the gentleman has both sheets.

14          Ms. Churchill, you're recognized.

15          ERIKA CHURCHILL: Okay. Thank you,  
16 Mr. Chair.

17          Of these two sheets, I'm going to start  
18 with the one that has writing on the front and  
19 the back. Both of these are ISD policies that  
20 parallel the policies of the 2011 redistricting  
21 cycle. For those of you who were here, you'll  
22 remember, central staff are available to assist  
23 you in drawing maps. We use a software package  
24 called Maptitude. It is something that our  
25 folks in ISD, who are the true experts in data

1 analysis and data processing, they assist us  
2 with that. These policies simply say, they help  
3 us, they are our support in learning that  
4 software, maintaining that software and helping  
5 you utilize that software to produce the map.

6 In addition to that, you have the  
7 opportunity to use that software directly if you  
8 want to, and the general public also has the  
9 opportunity to use that software with our  
10 database information in it if they choose to.  
11 That's what the very first piece of this policy  
12 is about is public access. It says that ISD  
13 will provide at least one terminal. Right now  
14 the plan is to have two, as we begin the decade,  
15 so that members of the General Assembly and  
16 members of the public can sign up to use those  
17 terminals directly.

18 I would note that when you choose to do  
19 it that way, ISD will help you in learning the  
20 software. ISD is not there to maneuver the  
21 software for you. ISD is not there to provide  
22 you with legal assistance or advice. They are  
23 simply your technical assistant. The same is  
24 true for the public. They ask that you schedule  
25 those appointments in advance. For the public,

1 Monday through Friday, 8:00 to 5:00 are the  
2 hours. For members of the General Assembly, it  
3 can be scheduled in advance in congruence with  
4 ISD making certain that there will be staff  
5 there to assist you if you need to stay until  
6 5:30 or something of that nature.

7 Remember that you are responsible for  
8 copies of all of your files if you choose to  
9 draw this way. You will also be asked to use  
10 the naming conventions so that there are no  
11 duplicates of names in the public record.

12 As Chairman Hall mentioned, there's  
13 something slightly different with legislative  
14 confidentiality. In redistricting, the statutes  
15 do say that certain things do become a public  
16 record upon enactment of the plans. Obviously,  
17 for members of the general public using the  
18 system, they are creating a public document at  
19 the moment it is done.

20 For public comment or public input, the  
21 General Assembly ISD staff will, at the  
22 directions of the committee chairs, make  
23 available to the general public a comment form  
24 to receive anything they want to say to the  
25 members of the committee about redistricting.

1 It will be open as the chairs instruct. Reports  
2 will come to the members of the committee as the  
3 chairs instruct. It will close as the chairs  
4 instruct.

5 Moving on to the second page, the  
6 posting of plans to the website. As we neared  
7 the end of the last decade, our General Assembly  
8 committees had stepped up to technology and  
9 availability. And in general, almost all of our  
10 standing committees have a web page that is  
11 maintained by the committee clerks for the  
12 posting of documents before that committee.  
13 That is how the redistricting committees will  
14 work.

15 For the plans and amendments that are  
16 being considered by the committee, the clerks  
17 will post that information as instructed by the  
18 chairs on the timing instructed by the chairs.

19 With respect to any bills that are  
20 before the chamber floor, that same information,  
21 the plans and the associated statistical data,  
22 along with maps and block and shape files, will  
23 be available posted by the Information Systems  
24 Division associated with the bill status page  
25 for that bill before the chamber floor.

1           Any member of the public desiring  
2 additional information is free to write to, in  
3 some fashion or form, including by email, to get  
4 that information from ISD. You will only be  
5 given the public record if you are a member of  
6 the public. If you were seeking something that  
7 is still a confidential record, it will be up to  
8 the holder of that confidentiality to determine  
9 whether you have access.

10           And lastly, plan imports. This  
11 happened a couple of times during the last  
12 decade. The General Assembly can import a plan  
13 from outside of the General Assembly; however,  
14 it needs to be in some sort of block and shape  
15 assignment file that our system can read. That  
16 desired import will be checked for viruses and  
17 things of that nature. If it will harm our  
18 network system, it is subject to being declined  
19 for import. Any of those imports would need to  
20 be at the request of a member of the General  
21 Assembly.

22           And the second page is the Public User  
23 Access Agreement. I would note a couple of  
24 things about this. Anyone that comes in from  
25 the general public will be asked to sign this

1 agreement in order to use the General Assembly  
2 Maptitude and database. They will be asked to  
3 sign that they have been offered a copy of the  
4 general statutes related to public records  
5 because they are going to be creating a public  
6 record. They will be reminded that it is their  
7 responsibility to keep a copy of any of the  
8 plans and the associated data that they create,  
9 especially if they want to come back and work on  
10 it at a future time. And they also agree to use  
11 the naming conventions to avoid that duplication  
12 of names in the system.

13 And that is all I have, Mr. Chair.

14 CHAIRMAN HALL: Thank you,  
15 Ms. Churchill.

16 Do any members have questions for  
17 Ms. Churchill?

18 Representative Harrison, the lady is  
19 recognized.

20 REPRESENTATIVE HARRISON: I'm not sure  
21 if this is for Ms. Churchill or for the chairs,  
22 but regarding public comment and public input,  
23 so if I understand this correctly, the public  
24 will have access to the terminals to possibly  
25 draw their own versions of the maps, but I'm

1     wondering -- and then there will be public  
2     comment input through some form, but if I  
3     remember from 2019 redraw, we had the portal and  
4     the public could put comments on, but those  
5     comments weren't available to the public, if I  
6     remember that correctly. And will that be  
7     different during this process?

8             CHAIRMAN HALL: And, Representative  
9     Harrison, the chair will take that question.

10            The answer to that is, it's going to be  
11     up to this committee. I anticipate a similar  
12     process to what we've used in the past. And so  
13     if those comments weren't public to others, then  
14     they may not be this time, but a decision about  
15     that specific question hasn't been made by the  
16     chairs yet, but we would love to hear your input  
17     about what you would like to see happen.

18            REPRESENTATIVE HARRISON: Follow-up.

19            And I very much appreciate that, and I  
20     appreciate the cooperative nature of the 2019  
21     redraw.

22            At some point, is that happening today  
23     where you would like suggestions along those  
24     lines, along transparency and public input? Is  
25     that for this meeting, or is that down the road?



1 CHAIRMAN HALL: That will be  
2 appropriate to some degree today. And again,  
3 some of this is going to be clarified when the  
4 chair gives a little bit of the idea of the  
5 schedule moving forward, but certainly, if the  
6 lady has some suggestion -- I will tell the  
7 committee today that the chairs intend to send  
8 out -- to have staff send out today the 2019  
9 criteria and to go ahead and open up the portal  
10 for open public comment. And so that will  
11 happen at some point after this committee  
12 meeting today.

13 So if any members have suggestions on  
14 the way to do that public comment, again, just  
15 on the online version -- there's going to be  
16 opportunity for in-person public comment that  
17 the chair will get to momentarily, but if the  
18 lady has suggestions about online version, or  
19 any other members have suggestions, go ahead and  
20 put those forth.

21 REPRESENTATIVE HARRISON: Well, I would  
22 just like to comment on that because I heard  
23 concerns from individuals who weren't able to  
24 access the other public comments and the like,  
25 and I don't know any reason why we wouldn't make

1       them available. So I'd like to offer my  
2       encouragement that we include the public --  
3       online comments be made available to of the  
4       public. I think it's always helpful for  
5       contributing to debate to know what others are  
6       thinking.

7               If you're talking about other kind of  
8       public access, I will wait until this next  
9       presentation because I have some concerns about  
10      that as well.

11             CHAIRMAN HALL: Noted.

12             Any other questions for Ms. Churchill?

13             SENATOR CLARK: Mr. Chair.

14             CHAIRMAN HALL: Senator Clark.

15             SENATOR CLARK: Yes. I have questions  
16      regarding plan imports. Will the formats that  
17      are generated by online systems, such as  
18      Districtr, as well as -- what's the other one --  
19      Dave's Redistricting app, do they comply with  
20      this?

21             CHAIRMAN HALL: The lady is recognized.

22             ERIKA CHURCHILL: Senator Clark, I'm  
23      happy to look into that. As long as they have  
24      some ability to save those plans in a block  
25      assignment or a shape file, they would comply

1 with this.

2 SENATOR CLARK: Okay. Thank you.

3 Question, Mr. Chair.

4 CHAIRMAN HALL: The gentleman is  
5 recognized.

6 SENATOR CLARK: Also you indicated that  
7 you all would be providing some forms of  
8 criteria I think from 2019. I would also like  
9 to submit Senate Bill 581 which I filed earlier  
10 which has recommended criteria for distribution  
11 to the committee members, if that's so pleases  
12 the chair.

13 CHAIRMAN HALL: The gentlemen is so  
14 welcome to send the committee whatever he  
15 pleases. And the gentleman may want to wait a  
16 moment to hear the rest of the plan, and we can  
17 come back to you if you still want to do that.

18 SENATOR CLARK: Thank you, Mr. Chair.

19 CHAIRMAN HALL: Further questions for  
20 Ms. Churchill? If not, thank you,  
21 Ms. Churchill. She's going to hang around for a  
22 moment, so if any questions come up.

23 Members, now to the schedule, at least  
24 in so far as it's been decided at this point,  
25 you all know that the data was delayed due to

1 COVID. That's the census data that has been  
2 delayed. You've heard some of about that  
3 already. We're waiting on that data to come.  
4 It's going to be here I think August 15th or  
5 16th, but then it takes a period of time, once  
6 you get that data, for staff to load it into the  
7 computers here for it to be useful for this  
8 committee to be able to draw. That, of course,  
9 creates a problem for this committee because, as  
10 we all know, the filing for the 2022 election is  
11 to take place in December of this year.

12 The chair is informed that the Board of  
13 Elections needs at least three weeks of lead  
14 time in order to be able to draft ballots, of  
15 course, so they need these new maps at least  
16 three weeks, and they'd like to have more time  
17 than that, really would like have four, before  
18 that December 6th date that filing opens.

19 And so that puts this committee in a  
20 position of essentially having to try to get  
21 something done, get maps done at some point  
22 probably early November, and chairs believe that  
23 this committee can certainly do that. That's  
24 why we're starting now here in August, even  
25 though we're in the midst of budget debate. The

1 House is going to have their budget out soon and  
2 then, of course, we'll go into conference with  
3 the Senate.

4 So there's a lot going on here. And so  
5 the chairs have essentially decided that the  
6 best course moving forward is to have this  
7 meeting today, give you some sort of overview,  
8 but to go ahead and give you a schedule for next  
9 week.

10 So the chairs at next Thursday intend  
11 to have another meeting where the chairs intend  
12 to vote on some proposed criteria for drawing  
13 the maps -- for this committee's drawing of the  
14 maps. That schedule will essentially be this,  
15 and I'll try to give you as much specificity as  
16 I can.

17 As I've already said, at the end of the  
18 committee today, the portal will open for public  
19 comment, staff is going to send out the 2019  
20 criteria. If Senator Clark wants, of course,  
21 his bill to be sent out, the chair will so  
22 direct staff to do that.

23 The chairs intend to have the chair's  
24 proposed criteria out at least by the end of the  
25 day on this coming Monday, if not before. This

1 committee will meet, then, on Monday, August 9th  
2 at 3:00. You'll get a notice sent out in plenty  
3 of time. In fact, that notice will probably go  
4 ahead and be sent out today so that everyone can  
5 have plenty of time to know to be here Monday,  
6 August 9th at 3:00.

7 The purpose of that meeting will be  
8 discussion only for this committee to discuss  
9 criteria. And let me say, any committee member  
10 can put forth any set of criteria that any  
11 committee member pleases. Committee members can  
12 go ahead and begin drafting those proposed  
13 criteria now, and they can go ahead and start  
14 sending them in to the chair.

15 And, Representative Richardson, I will  
16 get with you in just one second, if I can finish  
17 this.

18 But, obviously, if members can have  
19 those in as soon as they can, that will be  
20 helpful because, as the chair said, we plan to  
21 vote on Thursday on whatever set of criteria  
22 this committee is going to use. So that's for  
23 discussion on Monday.

24 Then on Tuesday, August 10th, the  
25 chairs intend to take public comment on proposed

1 criteria. That public comment will begin at  
2 8:30 in the morning, and the chairs will have  
3 some sort of system in place to make sure that  
4 all of those who want to be heard will be heard.

5 After that meeting, there will be no  
6 meeting on that Wednesday of next week of this  
7 committee, but on Thursday, August 12th,  
8 sometime after the House adjourns that day, and  
9 probably we're going to peg it at 30 minutes  
10 after the House adjourns on Thursday,  
11 August 12th, the chairs intend to take up some  
12 set of criteria to be approved to use for  
13 redistricting by this committee.

14 After that, then the chairs  
15 anticipate -- that leaves a couple of weeks left  
16 in August, and the chairs anticipate using those  
17 two weeks to set up a public hearing schedule,  
18 so we will likely have some meeting where we can  
19 talk about what the schedule's going to look  
20 like, what members want to see in public  
21 hearings. Do you want it to be all right here  
22 in, you know, Raleigh, or do you want it to be  
23 across the state? The chair anticipates the  
24 desire to have it across the state, but we need  
25 to talk about where and when and how, so we'll



1 have a meeting to discuss those things.

2 And then finally, at some point, and  
3 the chair intends to do this by the end of  
4 August, to actually vote on a public hearing  
5 schedule. So this committee will actually vote  
6 on a public hearing schedule by the end of  
7 August. As far as when those public hearings  
8 will be, that's the purpose of our meeting to  
9 discuss and talk about what that looks like.

10 With that being said, Representative  
11 Richardson, the gentleman is recognized.

12 REPRESENTATIVE RICHARDSON: I think you  
13 answered my question with the public hearing  
14 schedule.

15 Will we decide what the criteria -- or  
16 what will be discussed or what will be allowed  
17 in public input? For example, let's say the  
18 public wants to strongly voice their opinion  
19 that there ought to be an independent  
20 commission. Will that be received? Will that  
21 type of input be received, or is it just  
22 strictly how the maps are drawn?

23 CHAIRMAN HALL: Well, Representative  
24 Richardson, the chair anticipates just opening  
25 up public hearing and, you know, if folks want

1 to talk about redistricting or anything else,  
2 they're certainly welcome to show up and be  
3 heard.

4 The chair anticipates the real purpose  
5 is to hear just generally about redistricting  
6 and whatever it is that's on an individual  
7 member of the public's mind. Some folks are  
8 more concerned about different parts of  
9 redistricting. So whatever element of  
10 redistricting a member of the public would like  
11 to discuss there, that's up to that member of  
12 the public to decide.

13 REPRESENTATIVE RICHARDSON: Follow-up.

14 CHAIRMAN HALL: The gentleman is  
15 recognized.

16 REPRESENTATIVE RICHARDSON: Has the  
17 lateness of the census and the COVID problem,  
18 basically, from a logistic standpoint, almost  
19 ruled out any type of public redistricting  
20 process this time?

21 CHAIRMAN HALL: Well, I guess I would  
22 ask the gentleman, what do you mean by the  
23 public redistricting process?

24 REPRESENTATIVE RICHARDSON: Like having  
25 the public or a public committee draw the lines.

1 CHAIRMAN HALL: Okay. Well, that's a  
2 policy consideration for this committee and any  
3 member can put forth -- I think Senator Clark's  
4 got a bill that I haven't read so I don't know  
5 what's in it, but it may have something to do  
6 with that. And members can put forth those  
7 bills, and it's a decision for this committee to  
8 make.

9 REPRESENTATIVE RICHARDSON: Yeah. One  
10 last comment.

11 CHAIRMAN HALL: The gentleman is  
12 recognized.

13 REPRESENTATIVE RICHARDSON: I've always  
14 liked that, but it seems like we're really up  
15 against the wall in terms of what is expected of  
16 us constitutionally in terms of getting it done  
17 and having that type of mechanism. The lateness  
18 of the census and the COVID issue really has put  
19 us up against a really big timeline.

20 CHAIRMAN HALL: You're absolutely  
21 right; it has put us up against the wall. And  
22 again, that's why the chairs decided to go ahead  
23 and have this meeting today, as we're in the  
24 thick of the budget in the House because we  
25 really felt like we needed to act as soon as we

1 possibly could because, again, it's going to  
2 take some lead time to get that data put into  
3 the computer system. But the chairs are  
4 confident that we can do what the constitution  
5 requires us, and that is draw these maps and do  
6 it in a timely manner without even having to  
7 change any filing deadlines so long as we stick  
8 to this schedule and we've got this roadmap in  
9 place. And then, as we get into September, it  
10 will be up for the committee to decide how to  
11 move forward.

12 SENATOR BLUE: Thank you, Mr. Chairman.

13 I'm just wondering -- I know that it  
14 will take some time to convert the data to a  
15 usable form, as opposed to waiting for the  
16 census bureau to give it to us I guess a month  
17 from next week, from the 15th of August.

18 How long are you thinking it will take  
19 our people in ISD to convert the data into a  
20 usable form based on the data that's presented  
21 on October on August 15th?

22 CHAIRMAN HALL: Senator Blue -- and I'm  
23 going to recognize Ms. Churchill in just a  
24 moment. As I understand it, it's going to take  
25 about three weeks, and as I understand it, part

1 of that calculation is them knowing what  
2 criteria this committee intends to use because  
3 that in some way speaks to how they upload this  
4 data and which data they need to upload.

5 But the short answer to your question,  
6 I believe it's about three weeks

7 Ms. Churchill, the lady is recognized.

8 ERIKA CHURCHILL: Thank you, Mr. Chair.

9 Senator Blue, Chairman Hall, we are  
10 definitely estimating roughly three calendar  
11 weeks, and that will give time not only to  
12 import the raw data but to do some quality  
13 assurance, to make sure that we have imported it  
14 correctly.

15 With that, even if we -- the formal  
16 data that normally has come, like what is going  
17 to be released on September 30th, that still  
18 takes time to import into the system because you  
19 are merging together multiple pieces of  
20 information into multiple places, so just kind  
21 of remember that. But with that three weeks,  
22 hopefully we'll be ready -- the system would be  
23 ready for anyone who wanted to draw, if the  
24 committee were ready to draw.

25 CHAIRMAN HALL: Senator Blue.

1           SENATOR BLUE: So that I understand it  
2 correctly, after Monday, your criteria, that is,  
3 the chair's criteria for drawing, will be  
4 available to the general public, but immediately  
5 following this meeting, or at least following  
6 this meeting, in a relatively short time, the  
7 public will have access to the portal so that  
8 they can give comment or suggestions on  
9 criteria. They don't have to wait until you  
10 send out the criteria so that they're reacting  
11 to that.

12           CHAIRMAN HALL: That's exactly right,  
13 Senator Blue. Members can begin making comment  
14 today after this committee meeting.

15           SENATOR BLUE: Okay.

16           CHAIRMAN HALL: Senator Clark.

17           SENATOR CLARK: Thank you, Mr. Chair.

18           Is it the intent of the chair that the  
19 criteria will also deal with the process by  
20 which we establish county cluster groupings for  
21 use in legislative redistricting?

22           CHAIRMAN HALL: Well, if I understand  
23 the gentleman's question correctly, there is a  
24 process for the county groupings that must be  
25 had, and it's essentially a math problem.

1           So we have to follow the constitution,  
2           of course; we have to do the whole county  
3           provision. And so the answer is, yes, the chair  
4           does intend to follow the law on the whole  
5           county provisions.

6           SENATOR CLARK: Okay. Let me be a  
7           little bit more clear.

8           Yes, there is the mathematical problem,  
9           but does the committee have a process by which  
10          it will select from amongst the constitutionally  
11          compliant maps that emerge from that  
12          mathematical process?

13          CHAIRMAN HALL: Yeah, and that's part  
14          of what the committee will be deciding after we  
15          adopt criteria is moving into that first phase  
16          of adopting those groupings at that point. And  
17          so again, it will be up to the committee to  
18          decide what's the process that we're going to  
19          use to adopt those groupings.

20          SENATOR CLARK: Okay. Well, I have a  
21          recommendation for that all also. I'll send it  
22          to you.

23          CHAIRMAN HALL: Send it to me.

24          Senator Blue.

25          SENATOR BLUE: If I could follow up to



1       that.

2               With respect to choosing the groupings,  
3       the criteria that is developed will apply to  
4       that as well. I mean, I know what the standard  
5       criteria will be, but even that will apply to  
6       the groupings, the clusters, as well as when we  
7       get down to the individual districts that we  
8       start formulating.

9               CHAIRMAN HALL: Further discussion or  
10       debate.

11              Representative Harrison.

12              REPRESENTATIVE HARRISON: Thank you,  
13       Mr. Chair. Just a couple of questions.

14              To clarify, we're talking about public  
15       comments after the data is released but before  
16       the maps are drawn and then a public commenting  
17       process after the maps are drawn?

18              CHAIRMAN HALL: That's right.

19              REPRESENTATIVE HARRISON: Perfect.  
20       Thank you.

21              Separately, a question about  
22       transparency. We all received a letter on  
23       August 2nd, I think all the members of the  
24       committee, from a coalition of good government  
25       groups concerned about the redistricting

1 process, and there was a whole list of concerns  
2 about transparency.

3 I appreciate that the 2019 redraw was  
4 the most transparent redistricting process we've  
5 had in this legislature, at least that I'm aware  
6 of, but the bar was really low, and there were a  
7 lot of concerns that were expressed about  
8 inability to hear members clustered around a  
9 terminal or people going out of the room and  
10 coming back with maps and that sort of thing.

11 I just wondered if we are going to be  
12 talking about a transparency proposal for this  
13 process?

14 CHAIRMAN HALL: Well -- and the lady is  
15 welcome to put forth whatever she wants to as  
16 part of a proposed plan as to how to actually  
17 come in and draw those maps.

18 The chair will simply say, as the lady  
19 stated, the 2019 process was the most -- it's  
20 not even arguable, but it was the most  
21 transparent process of redistricting in this  
22 state's long history. And so the chair is  
23 generally comfortable with the process that was  
24 used in 2019.

25 But again, that's the purpose of these

1 committee meetings is to hear from members, and  
2 this chair will certainly take into  
3 consideration any members' suggestions.

4 REPRESENTATIVE HARRISON: Just a quick  
5 follow-up.

6 I actually think that the letter that  
7 these groups sent us actually contains a list of  
8 really solid suggestions about how to improve  
9 the transparency of what was otherwise a much  
10 better process, much improved process of 2019.

11 And if I could just add, if we could  
12 have our future meetings in the larger room, if  
13 it's available, I would be grateful. Thank you.

14 CHAIRMAN HALL: The chair anticipates  
15 having future meetings in larger rooms, but  
16 appropriations meeting -- we will likely, the  
17 next week, have to meet back in here again  
18 because of House appropriations meeting  
19 upstairs, but after that, the chair will  
20 commandeer -- in his role as rules chair will  
21 commandeer the room upstairs. And I think  
22 Senator Rabon will agree with that.

23 REPRESENTATIVE HARRISON: Thank you.

24 CHAIRMAN HALL: Senator Newton.

25 SENATOR NEWTON: Thank you,

1 Mr. Chairman.

2 Representative Harrison, thank you for  
3 that question. It helps us to make a finer  
4 point about this committee's role in what the  
5 rules of the road for map drawing will be, and  
6 that I think is what you're getting at.

7 And even though Ms. Churchill did a  
8 great job explaining what maps can and cannot be  
9 imported into the state system, that doesn't  
10 mean -- probably doesn't mean, depending on the  
11 wisdom of this committee, you can sit at home  
12 and draw your own map and submit it and this  
13 committee is going to going to consider that.

14 There will be rules for the  
15 consideration of maps by this committee that  
16 this committee will design, and that input that  
17 you just described is exactly what we need to  
18 see to make those decisions. Thank you.

19 CHAIRMAN HALL: Further discussion or  
20 debate or comments.

21 Members, the chair will also make clear  
22 that the chair laid out the timeline and  
23 essentially an end stop deadline that the  
24 committee has if we don't want to move filing.  
25 And again, that filing opens on December 6th.

1 According to the Board of Elections, we would  
2 need to get these maps done sometime in  
3 November. But it's the chair's intention to get  
4 it done sooner than that and as soon as we  
5 possibly can, of course, because we want folks  
6 to have some idea of what the districts are  
7 going to look like before the day of filing.

8 So it will be this committee's goal to  
9 get this thing done as quickly as possible. And  
10 as evidenced by having this meeting today, going  
11 ahead and trying to put forth some criteria in  
12 the next week to vote on it, and then having  
13 essentially an expedited schedule to get some  
14 public comment in, and then we'll move through  
15 that public comment at the committee's will and  
16 hopefully come back in here and draw maps and  
17 get them done as quickly as we reasonably can  
18 under the law.

19 With that said, if there are no further  
20 comments or questions, there being no further  
21 business before the committee, the committee is  
22 now adjourned.

23 (Transcription from YouTube ended at  
24 56:20.)  
25

1 STATE OF NORTH CAROLINA )  
 ) C E R T I F I C A T E  
2 COUNTY OF WAKE )

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Joint Committee Meeting held on August 5, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

12 Signed this the 21st day of December 2021.

16	Denise Myers Byrd CSR 8240, RPR, CLR 102409-2
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NORTH CAROLINA GENERAL ASSEMBLY

JOINT COMMITTEE MEETING

AUGUST 9, 2021

Transcribed by:

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1 (Transcription from YouTube started at  
2 19:54.)

3 CHAIRMAN DANIEL: ...on redistricting.  
4 The purpose of today's meeting is to -- for the  
5 committee to have discussion only on the  
6 proposed redistricting criteria.

7 I do want to kind of go over the  
8 scheduling for the week just so that the  
9 committee and the public are aware of that.

10 So we have scheduled three meetings of  
11 the committee for this week, the first one being  
12 today, and the next meeting tomorrow we will  
13 begin at 8:30. It will be a two-hour meeting  
14 for public comment on the criteria. The website  
15 will have available sign-up for members of the  
16 public that want to reserve a slot to come in to  
17 the committee and speak to the committee.

18 So there will be 30 slots available on  
19 the website just to take into account that there  
20 may be folks that want to come and speak, that  
21 show up, that weren't aware of the way to sign  
22 up online. So since we're doing a two-hour  
23 public meeting, we anticipate each speaker will  
24 be given two minutes as their allotment of time  
25 to speak, so we anticipate that we could have

1 roughly 60 speakers tomorrow morning.

2 Understand that this room is limited in  
3 size, so most likely there's going to be a  
4 number of the speakers that will have to wait in  
5 a queue outside, and our sergeants-at-arms will  
6 be aware of that, and they'll be able to usher  
7 in speakers as one speaker speaks and leaves and  
8 the next one can come in.

9 Thursday's meeting will also begin at  
10 8:30, and that will be the meeting to adopt  
11 criteria. We expect that meeting to last about  
12 an hour. And I would just encourage the  
13 committee members to submit your amendments. We  
14 invite you to submit your amendments to the  
15 criteria in advance so that they can be reviewed  
16 in advance and not disrupt the committee time.  
17 You know, if we get a last-minute amendment, we  
18 may need to take a recess to look at it or  
19 something like that. So if you can give it to  
20 us in advance, then the chairs can look at that.

21 The purpose of today's meeting is for  
22 the chairs to present to you what we believe is  
23 the best criteria for this committee to adopt  
24 moving forward in the process. And Senator  
25 Newton is going to give the overview of that in

1 a moment.

2 I think that kind of covers most of the  
3 housekeeping matters, other than that I did  
4 neglect to recognize the sergeants-at-arms, and  
5 I may have misplaced my list. Let's see.

6 We have six sergeants-at-arms here  
7 serving our committee today in the House. We  
8 have Terry McCraw, Bill Moore, and Nina Lage.  
9 And in the Senate, Terry Barnhart, John Enloe,  
10 and Mike Harris.

11 One final thing is that when -- Senator  
12 Newton's going to go through the criteria one by  
13 one, we ask that you just hold your questions  
14 until the end and then we'll get to all the  
15 questions at that time.

16 Anything else, Senator, that I need  
17 to...

18 Chairman Hall is caught in a traffic  
19 jam but should be here momentarily, so we're  
20 keeping tabs on his location. I know when I  
21 drove in earlier day, I had to go through two  
22 automobile -- or two truck wrecks, actually, so  
23 I know there's a lot of hazards out there.

24 So, Senator Newton, if you're ready,  
25 I'll turn the mic over to you, and please --

1 REPRESENTATIVE DIXON: Mr. Chair.

2 CHAIRMAN DANIEL: Representative Dixon.

3 REPRESENTATIVE DIXON: I didn't hear  
4 the time for the Thursday meeting.

5 CHAIRMAN DANIEL: So the two subsequent  
6 meetings after today will begin at 8:30.

7 SENATOR NEWTON: All right. Thank you,  
8 Mr. Chairman.

9 Members, I suppose this will be the  
10 portion that is for the auditory learners  
11 because we do have -- in front of you, you  
12 should have both electronically and available a  
13 paper copy of the proposed criteria, so I'm  
14 going to walk you through each one.

15 First is equal population.

16 No, people do not have copies. I'll  
17 ask the staff -- here we go.

18 CHAIRMAN DANIEL: And the criteria are  
19 posted on the committee website, I believe.

20 SENATOR NEWTON: So raise your hand if  
21 you need a copy.

22 CHAIRMAN DANIEL: So the tree-huggers  
23 are the ones do not have their hands raised.

24 SENATOR NEWTON: All right. Everybody  
25 got one that needs one? I see no hands raised

1       so we'll go ahead.

2               So the first criterion is equal  
3       population. The committees will use the 2020  
4       federal decennial census data as the sole basis  
5       of population for the establishment of districts  
6       in the 2021 Congressional, House and Senate  
7       plans.

8               The number of persons in each  
9       legislative district shall be within plus or  
10      minus 5 percent of the ideal district population  
11      as determined by the most recent federal  
12      decennial census. The number of persons in each  
13      congressional district shall be as nearly as  
14      equal as practicable as determined under the  
15      most recent federal decennial census.

16              Criterion Number 2 is contiguity.  
17      Legislative and congressional districts shall be  
18      comprised of contiguous territory. Contiguity  
19      by water is sufficient.

20              The third criterion is counties,  
21      groupings, and traversals. Counties, groupings,  
22      and traversals. The committees shall draw  
23      legislative districts within county groupings as  
24      required by *Stephenson v Bartlett*. I'll spare  
25      you the legal citations, but it's *Stephenson I*,

1       Stephenson II, Dickson I, Dickson II.

2               And within county groupings, county  
3       lines shall not be traversed except as  
4       authorized by Stephenson I, Stephenson II -- I'm  
5       sorry -- Dickson I and Dickson II. The full  
6       citations are there for those of you who are  
7       interested.

8               Criterion Number 4, racial data. Data  
9       identifying the race of individuals or voters  
10      shall not be used in the construction or  
11      consideration of districts in the 2021  
12      Congressional, House and Senate plans.

13              Criterion 5, VTDs. Voting districts  
14      should be split only when necessary.

15              Criterion 6, compactness. The  
16      committees shall make reasonable efforts to draw  
17      legislative districts in the 2021 Congressional,  
18      House and Senate plans that are compact. In  
19      doing so, the committee may use, as a guide, the  
20      minimum Reock, that's dispersion, and  
21      Polsby-Popper perimeter scores identified by  
22      Richard Pildes and Richard Niemi in Expressive  
23      Harms, "Bizarre Districts," and Voting Rights:  
24      Evaluating Election-District Appearances After  
25      Shaw v. Reno, so that's a law review article.

1                   Criterion Number 7 is municipal  
2 boundaries. The committees may consider  
3 municipal boundaries when drawing districts in  
4 the 2021 Congressional, House and Senate plans.

5                   The eighth criterion is election data.  
6 Partisan considerations and election results  
7 data shall not be used in the drawing of  
8 districts in the 2021 Congressional, House and  
9 Senate plans.

10                  Criterion Number 9, member residence.  
11 Member residence may be considered in the  
12 formation of legislative and congressional  
13 districts.

14                  And the final criterion, Criterion  
15 Number 10, community consideration. So long as  
16 a plan complies with the foregoing criteria,  
17 local knowledge of the character of communities  
18 and connections between communities may be  
19 considered in the formation of legislative and  
20 congressional districts.

21                  So, Mr. Chair, that covers the criteria  
22 themselves. And at this point, we'd be happy to  
23 do our best to answer questions that members may  
24 have.

25                  CHAIRMAN DANIEL: Thank you, Senator



1     Newton.  And I do want to -- if I could refer  
2     you back to Criteria 3.

3             SENATOR NEWTON:  Yes.

4             CHAIRMAN DANIEL:  Counties, groupings  
5     and traversals.  I believe you did not read the  
6     section on congressional criteria.

7             SENATOR NEWTON:  Oh, I apologize.  You  
8     are right.  That's the break in the page.  So  
9     let's go back.  Thank you, Mr. Chairman,

10            Back to Criterion Number 3, counties,  
11    groupings, and traversals, and add to what I  
12    described, division of counties in the 2021  
13    Congressional plan shall only be made for  
14    reasons of equalizing population and  
15    consideration of double-bunking.  If a county is  
16    of sufficient population size to contain an  
17    entire congressional district within the  
18    county's boundaries, the committees shall  
19    construct a district entirely within that  
20    county.

21            Thank you, Mr. Chairman.

22            CHAIRMAN DANIEL:  Thank you, Senator  
23    Newton.

24            Senator Clark.

25            SENATOR CLARK:  Thank you, Mr. Chair.

1           Since the equal population section does  
2 not mention the zero deviation standard -- the  
3 zero deviation standard as it has in the past,  
4 what does the chair plan to impose in terms of a  
5 deviation requirement for congressional  
6 districts?

7           CHAIRMAN DANIEL: I think, Senator  
8 Clark, that that criteria is intended to be a  
9 zero deviation standard. We understand the  
10 wording to be that we're going to adopt a zero  
11 deviation standard for congressional districts.

12           SENATOR CLARK: Follow-up.

13           CHAIRMAN DANIEL: Follow-up.

14           SENATOR CLARK: Mr. Chair, given the  
15 fact that the differential privacy is going to  
16 create the blocs that do not have exact  
17 populations, what use is it to have zero  
18 deviation standard for congressional districts?

19           SENATOR NEWTON: Mr. Chairman.

20           CHAIRMAN DANIEL: Senator Newton.

21           SENATOR NEWTON: What Senator Clark is  
22 referring to is differential privacy that has  
23 injected -- the federal government has injected  
24 noise into the data for privacy purposes. We  
25 can't change that. There's nothing we can do

1 about that, so it's still the best data we have.  
2 So we will continue with these criteria with the  
3 data they provide us.

4 SENATOR CLARK: Mr. Chair.

5 CHAIRMAN DANIEL: Follow-up.

6 SENATOR CLARK: Thank you, Mr. Chair.

7 What does the General Assembly plan to  
8 do in terms of the VRA? What are our legal  
9 requirements, if any?

10 SENATOR NEWTON: Mr. Chairman.

11 CHAIRMAN DANIEL: Senator Newton.

12 SENATOR NEWTON: We intend to comply  
13 with the Voting Rights Act.

14 SENATOR CLARK: Mr. Chair.

15 CHAIRMAN DANIEL: The gentleman is  
16 recognized for a series of questions.

17 SENATOR CLARK: Okay. In the counties,  
18 groupings, and traversals, as I guess the  
19 speaker indicated, that we could modify or I  
20 guess get an exemption to the traversal  
21 requirement based upon the requirements or  
22 authorizations of Stephenson I, II, and  
23 Dickson I and II.

24 What are those exemptions that would  
25 allow us to violate the traversal requirement?

1 CHAIRMAN DANIEL: Senator Newton.

2 SENATOR NEWTON: Thank you, Mr.  
3 Chairman.

4 I think the holdings in those cases  
5 speak for themselves, and I'm not going to try  
6 to recharacterize those for you here.

7 SENATOR CLARK: Could staff enlighten  
8 us, please.

9 CHAIRMAN DANIEL: Ms. Churchill, is  
10 that a question you can answer?

11 ERIKA CHURCHILL: Mr. Chair, that is  
12 not a question we have studied up on those cases  
13 in depth preparing for this. We're happy to  
14 review those cases and report back to Senator  
15 Clark.

16 SENATOR CLARK: Let's see. No more  
17 questions at this time.

18 CHAIRMAN DANIEL: Any other members  
19 that would like to have a question or a comment?

20 Senator Marcus.

21 SENATOR MARCUS: Thank you, Mr. Chair.

22 I would like to ask about the two  
23 bullet points. One is the voting district's  
24 bullet point and then the municipal boundaries  
25 bullet points. I notice that sometimes when we

1 talk about not splitting the VTDs or municipal  
2 boundaries, we talk about them in the same  
3 sentence. I noticed they're broken out here in  
4 two separate bullet points, and I wonder if  
5 that's on purpose, if they will be handled  
6 differently.

7 I guess the first question is the VTD  
8 should only be split when necessary. In the  
9 past we've said when necessary to comply with  
10 population requirements, but here we're just  
11 ending it with when necessary. What is the  
12 intent there? Is it, as we've done before, to  
13 deal with population differences, or would  
14 something else be considered in there as well?  
15 And then I have a follow-up about the municipal.

16 CHAIRMAN DANIEL: Senator, do you have  
17 a comment on that?

18 SENATOR NEWTON: Mr. Chairman and  
19 Senator Marcus, I'm not aware of any substantive  
20 change created by that break in the sentence.

21 SENATOR MARCUS: A follow-up.

22 CHAIRMAN DANIEL: Follow-up.

23 SENATOR MARCUS: Is it implied that  
24 "when necessary" means to comply with the  
25 population requirements set forth above, then,

1 or is there a reason why it just says "when  
2 necessary," period?

3 SENATOR NEWTON: My belief is that that  
4 refers to sort of the hierarchy, if you will, of  
5 the criteria, and where a criterion is legally  
6 mandated, that takes priority over the question  
7 you are asking, so I think that's the answer.

8 We're going to comply with the law even  
9 if it's necessary to do something we may not  
10 prefer to do with respect to a VTD.

11 SENATOR MARCUS: Okay. And then if I  
12 could, on the municipal boundaries part, it says  
13 the committee may consider municipal boundaries,  
14 but it doesn't say anything about attempting not  
15 to split municipalities.

16 Is that what is intended to be said  
17 here, that we're going to try to keep  
18 municipalities together when possible?

19 I'm just not sure what it means to say  
20 that we can consider the boundaries without  
21 saying in what way we're considering them or for  
22 what purpose we're considering them.

23 SENATOR NEWTON: Right. Mr. Chairman.

24 CHAIRMAN DANIEL: Senator Newton.

25 SENATOR NEWTON: This is new to the

1 congressional criteria but not to the State and  
2 House processes. So by respecting, we mean we  
3 we're going to make an effort to keep them  
4 whole.

5 SENATOR MARCUS: Okay. I would just  
6 point out that that's not spelled out in any way  
7 here, so I would recommend that we consider  
8 that.

9 And if I can have one more question,  
10 Mr. Chair.

11 CHAIRMAN DANIEL: Follow-up, Senator  
12 Marcus.

13 SENATOR MARCUS: Thank you.

14 And then on the member residence, I  
15 notice it also says that member residence may be  
16 considered in the formation of legislative and  
17 congressional districts. It doesn't say for  
18 what purpose. It doesn't say, as we have in the  
19 past sometimes, to protect incumbents or to  
20 avoid double-bunking. It just says that you can  
21 consider where members live. And it doesn't say  
22 if we do it for one, we should do it for all, or  
23 if we don't do it -- you know, when we should do  
24 it, and I wondered if there's any more you could  
25 enlighten us on what's intended by that bullet

1 point.

2 CHAIRMAN DANIEL: Senator Newton.

3 SENATOR NEWTON: Thank you.

4 I think what you said is accurate. It  
5 reads the way it reads and means what it means,  
6 And there's a degree of flexibility when and if  
7 we have to cross that bridge.

8 SENATOR MARCUS: Okay. So I'm hearing  
9 you say that you agree it's, to a certain  
10 extent, vague and you want to keep it that way.

11 SENATOR NEWTON: Well, no, I'm not  
12 saying that at all. I'm saying that that's an  
13 appropriate criterion to allow us to consider  
14 residence when we're drawing districts if you've  
15 got -- well, period.

16 SENATOR MARCUS: Okay. Thank you.

17 CHAIRMAN DANIEL: And again, this is a  
18 discussion period for members to look at the  
19 criteria and suggest amendments that might be  
20 beneficial to the body.

21 Senator Clark, do you have another  
22 question?

23 SENATOR CLARK: Yes, I have a question  
24 since you mentioned the amendments. In what  
25 form should we submit the amendments? And I



1     guess we can start at any time, or is it after  
2     the public hearing tomorrow?

3             CHAIRMAN DANIEL: I mean, you could  
4     submit them any time between now and Thursday,  
5     and even at Thursday's meeting. It just might  
6     be helpful to submit them before Thursday.

7             Can staff help members put that in a --  
8     it's not like a bill format.

9             SENATOR CLARK: Right. So that's why I  
10    was wondering how do you want that handled? Any  
11    particular way? Does a paragraph put this in  
12    instead of that or something?

13            ERIKA CHURCHILL: Mr. Chair, we are  
14    happy to assist any member who wants to submit  
15    some sort of changes or alterations. We will do  
16    our best to come up with a method that will be  
17    understandable, what is the difference between  
18    the proposed criteria and the suggested  
19    criteria. Obviously, it's not going to look  
20    exactly like a bill or an amendment, but we will  
21    do our best to help members come up with  
22    something consistent so that the committee will  
23    have hopefully an ease of consideration.

24            CHAIRMAN DANIEL: And I think along  
25    those lines, when you're drafting it, if you can

1 kind of make it so that it's redlined like a  
2 normal amendment would be so that the members  
3 can see what the suggested change is.

4 ERIKA CHURCHILL: Yes, sir, I'm glad to  
5 try.

6 SENATOR CLARK: Question, Mr. Chair.

7 CHAIRMAN DANIEL: Yes, sir. Senator  
8 Clark.

9 SENATOR CLARK: Okay. On your bullet  
10 here under election data, you indicate that  
11 election results data shall not be used in the  
12 drawing of districts in the 2021 Congressional,  
13 House and senate plans.

14 Can election data be used for the  
15 analysis of such plans that have been submitted  
16 via ensemble analysis?

17 SENATOR NEWTON: I'm sorry. Mr. Chair,  
18 would you mind repeating that question.

19 CHAIRMAN DANIEL: So I think, Senator  
20 Clark, to answer your question that this -- and  
21 this is just the same criteria we had in 2019.  
22 The election data will not be used on the public  
23 computers in drawing districts. After a  
24 district is -- after a proposed map is drawn,  
25 then members can ask staff to overlay whatever

1 they want on it as far as that goes.

2 SENATOR CLARK: Oh, that's good. We  
3 weren't able to do that the last time because I  
4 inquired. They didn't load election data into  
5 the system the last time.

6 CHAIRMAN DANIEL: Okay. Staff's  
7 telling me that I'm not remembering 2019  
8 correctly and that we didn't have election data  
9 entered into the public terminals.

10 ERIKA CHURCHILL: Mr. Chair, if I  
11 might.

12 In 2019, for the public-drawing  
13 terminals that were available to each member to  
14 utilize, there was no election data, there was  
15 no voter registration data. However, we did  
16 have a means, if Senator Clark will remember,  
17 that we could export that plan into a database  
18 to actually report out some reports to utilize  
19 the voter registration and the election data.

20 We can set up to do that again this  
21 time if that is what the committees desire.

22 CHAIRMAN DANIEL: At this point, this  
23 the committee hasn't -- you know, we will adopt  
24 the policies of the committee with respect to  
25 map drawing, and we just haven't done that yet.

1 SENATOR CLARK: Follow-up.

2 SENATOR NEWTON: Mr. Chairman.

3 CHAIRMAN DANIEL: Senator Newton.

4 SENATOR NEWTON: I'd like to address  
5 that. But as we are talking about criteria, it  
6 is the intent of Number 8, election data, as  
7 worded, to say that election results data and  
8 maps drawn using that data will not be  
9 considered by this committee. Thank you.

10 SENATOR CLARK: Follow-up, Mr. Chair.

11 CHAIRMAN DANIEL: Senator Clark.

12 SENATOR CLARK: Does that apply to the  
13 selection of county cluster groupings as well?

14 CHAIRMAN DANIEL: Senator Newton.

15 SENATOR NEWTON: I believe the answer  
16 to that is yes, subject to check.

17 SENATOR CLARK: Follow-up.

18 CHAIRMAN DANIEL: Follow-up.

19 SENATOR CLARK: I notice we do not  
20 mention the selection of county grouping and  
21 clusters within this criteria. Is it the  
22 chair's intent that we include such elements in  
23 the criteria?

24 CHAIRMAN DANIEL: Can you repeat your  
25 question?

1           SENATOR CLARK: I notice that we do not  
2 mention the selection of county groupings for  
3 the Senate or for the House in this set of  
4 criteria. Is it our intent to include such  
5 criteria for the selection thereof? We had  
6 mentioned the calculation of the criteria  
7 groups, but we don't say how we're going to  
8 select from amongst the set of maps that will be  
9 available or constitutionally compliant from  
10 each one.

11           CHAIRMAN DANIEL: Senator Newton.

12           SENATOR NEWTON: I would just say to  
13 that, Senator Clark, this provision on what I've  
14 got as Number 3, counties, groupings, and  
15 traversals, is substantially similar to what we  
16 used in 2019, and we were successful there  
17 getting court approval of that effort.

18           SENATOR CLARK: Mr. Chair.

19           CHAIRMAN DANIEL: Senator Clark.

20           SENATOR CLARK: We didn't make a  
21 selection of the county groupings in 2019. The  
22 original county groupings were selected in 2011.  
23 And actually, they weren't really selected.  
24 Only one was introduced for the Senate and one  
25 was introduced for the House. And at that time,

1       there were actually four constitutionally  
2       compliant cluster sets available for the Senate.

3               So really I want to know what is going  
4       to be our process from selecting amongst  
5       constitutionally compliant clusters for the  
6       Senate and for the House during this effort.

7               CHAIRMAN DANIEL: Well, I know I've  
8       served in three different districts in the last  
9       10 years, so I'm not sure your statement is  
10      correct. We can chew on that and try to get  
11      back to you.

12              SENATOR CLARK: Okay.

13              CHAIRMAN DANIEL: Any other questions  
14      from the committee?

15              Representative Harrison.

16              REPRESENTATIVE HARRISON: Thank you,  
17      Mr. Chair.

18              I just wanted to follow up on a point  
19      that I had made on Thursday's committee meeting.  
20      And I think you alluded to this a bit in terms  
21      of transparency, the transparency I believe that  
22      was required by the ruling in the Common Cause  
23      decision but also public participation piece.

24              Are we going to set that out? Can we  
25      set that out now? Can we set this out when we

1 adopt the criteria on Thursday? There's been a  
2 lot of interest in public participation and how  
3 that will play out with this redistricting  
4 process.

5 CHAIRMAN DANIEL: So I think the chairs  
6 don't anticipate scheduling the public  
7 hearing -- or establishing the public hearing  
8 schedule this week, but we will notice a future  
9 meeting, whether it's next week or the week  
10 after, to try to schedule that and would  
11 anticipate probably that starting in September,  
12 I would think. The House is -- everybody sort  
13 of got preoccupied with the budget at the  
14 moment.

15 REPRESENTATIVE HARRISON: Just a quick  
16 follow-up.

17 CHAIRMAN DANIEL: Follow-up.

18 REPRESENTATIVE HARRISON: Thank you.

19 Also the issue about the transparency.  
20 We'll be adopting that at the next meeting as  
21 well?

22 CHAIRMAN DANIEL: If you're talking  
23 about the process by which maps will be drawn,  
24 there will be a subsequent meeting at which the  
25 committee will have to adopt all of the rules

1     that we're going to follow in the map-drawing  
2     process which I guess would include the  
3     transparency.

4             REPRESENTATIVE HARRISON:   Last  
5     follow-up.

6             And I very much appreciate that.   It  
7     sort of needs to be pointed out, we've spent a  
8     lot of money, I think something like  
9     \$10 million, defending maps, that's just state  
10    taxpayer money spent on defending maps.   So I  
11    hope we can adopt a process that we can all  
12    agree to that will serve the public the best, so  
13    thank you.

14            CHAIRMAN DANIEL:   Thank you.

15            Any other questions or comments from  
16    the committee?   Seeing none, I know that  
17    probably all of you are eager to get to other  
18    committee meetings, so this meeting will stand  
19    adjourned, and we will reconvene tomorrow  
20    morning at 8:30.   Is that correct?   Okay,  
21    tomorrow morning at 8:30.

22            (Transcription from YouTube ended at  
23    46:21.)



STATE OF NORTH CAROLINA )  
C E R T I F I C A T E  
COUNTY OF WAKE )

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Joint Committee Meeting held on August 9, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

12 Signed this the 20th day of December 2021.

16	Denise Myers Byrd CSR 8240, RPR, CLR 102409-2
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<b>traversals</b> 6:21 6:22 9:5,11 11:18 21:15	<b>VRA</b> 11:8	<hr/> <b>0</b> <hr/>	<b>8</b> 20:6	
<b>traversed</b> 7:3	<b>VTD</b> 13:7 14:10	<hr/> <b>1</b> <hr/>	<b>8:30</b> 2:13 3:10 5:6 24:20,21	
	<b>VTDs</b> 7:13 13:1	<b>2</b>	<b>8240</b> 25:16	
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	<b>wait</b> 3:4	<b>2011</b> 21:22	<hr/> <b>9</b> <hr/>	
	<b>WAKE</b> 25:2	<b>2019</b> 18:21 19:7 19:12 21:16,21	<b>9</b> 1:3 8:10 25:7	
	<b>walk</b> 5:14	<b>2020</b> 6:3	<b>919</b> 1:24	
	<b>want</b> 2:7,16,20 9:1 16:10 17:10 19:1 22:3			
	<b>wanted</b> 22:18			
	<b>wants</b> 17:14			
	<b>water</b> 6:19			
	<b>way</b> 2:21 14:21 15:6 16:5,10			

Dwight Green (00:02):

Test, test. Joint legislative committee on redistricting, August 10th, 2020, 8:30 a.m., room 544. Recorder, Dwight Green. Test, test.

Senator Newton (00:26):

[inaudible 00:00:26] meeting. I want to welcome the public here to our first public hearing of the Joint Redistricting Committee for 2021. Thank you, members, for being here this morning and doubly thank you to the members of the public that signed up to speak. I'd like to first acknowledge our sergeant-at-arms, the House sergeant-at-arms, Nina [inaudible 00:00:50]. Did I have that pronounced correctly?

Nina (00:53):

[inaudible 00:00:53]

Senator Newton (00:54):

Ah, sorry. I apologize in advance also to our public speakers if I destroy your name. Terry McCraw is here from the House as well. Hi, Terry. From the Senate side, we got Rod [Fuller 00:01:06], there's Rod Fuller, Dwight Green, Dwight, [Sharee Hedrick 00:01:10], Sharee, Chris Moore, and Hal Roach. Thank you all for being here. Appreciate it in advance your help this morning.

Today is going to be limited to an opportunity for the public to comment on the criteria that we provided publicly yesterday. In 2019, we were able to engage in an overall process that was largely supported by both parties and transparent to the public. I think the expectation is that we are going to largely stick to or improve upon that process as we head into 2021 redistricting here today. Part of that improvement process is listening to suggestions from the public. Again, that's why we're here today.

The purpose, focusing on criteria, let me just check my notes here. There will be later opportunities for the public to have input on the map drawing. That's really not the subject for today. I'm not going to cut anybody off if they want to go beyond the criteria. We do prefer... We think it'll be more productive if you stick to the scope of the intended public comments today which are the criteria that we talked about already.

I also want to mention that the House in particular is tied up with budget work, so you may see some folks coming and going today both on the House and the Senate side for different reasons. There is no disrespect intended to our members of the public. We have lots of eyes and ears here. We are going to capture your good comments even if one or another of us is not in the room at the time you speak. What you're saying to us is important, and we will capture the substance of that no doubt. I just want to tell you in advance some will have to come and go, and no disrespect is intended at all. Anything else?

Let me turn to Chairman Hall. He's good. Chairman Daniel? You're good? With that, let's get going. I've got a pre-signup sheet. It was done electronically that we now have in our hands. Our belief is that everyone who is physically here is reflected on this sheet, so I'm just going to go down this sheet. Now, if you got here later and you signed up, that's okay. It looks like we're going to have plenty of time to hear your comments. You'll be given two minutes to make your comments. I'm going to go down this sheet. If we miss you, please talk to the sergeant-at-arms, and we'll make sure you're taken care of. We're going to start this morning with Guy Smith. Is Guy Smith here this morning? Mr. Smith. When you come to the microphone, and this is true for everyone, please state your name and the organization you represent for the record. Thank you.

Guy Smith ([04:11](#)):

My name is Guy Smith. I run an operation called the Patriots Business Alliance. It's not really the main reason I'm here this morning. I'd just like to thank you for the opportunity to address you. I guess I'm just crazy to think that we might use the same criteria for redistricting that was used the first time maps were drawn and received pre-clearance from the US Department of Justice without protest since the Voting Rights Act of 1965 was passed. I understand that was the attorney general, Eric Holder, Justice Department. Yes, that's right, back in the ancient year of 2011, the first maps drawn by Republican majority since the VRA of 1965 was implemented.

Sadly because of Democrat's "sue until blue tactics" and the illegal actions of multiple judges and courts owned by Democrats, this General Assembly was forced to act in direct violation of the North Carolina State Constitution as specified in Article II, Section 3, Sentence (4) which reads, "When established, the senate districts and the apportionment of Senators shall remain unaltered until the return of another decennial census of population taken by order of Congress." In Article II, Section 5, Sentence (4) reads, "When established, the representative districts and the apportionment of Representatives shall remain unaltered until the return of another decennial census." I guess I'm just a little baffled that this body and our state government in general doesn't understand, if it ain't broke, don't fix it. Am I wrong? Thank you for your attention. God bless the United States, and God bless the great state of North Carolina.

Senator Newton ([06:03](#)):

Thank you for your comments, Mr. Smith. Bob Phillips.

Bob Phillips ([06:20](#)):

Good morning. My name is Bob Phillips, and I work for Common Cause North Carolina. I wish I were here today addressing an independent commission as I believe that's really the best way to do redistricting. But since that's not up for consideration, we have this simple plea: Make this redistricting process fair, transparent, and inclusive. A great place to start is abiding by the Common Cause v. Lewis ruling from 2019 that prohibits the use of election and partisan data drawing the maps. Another criteria important to us is to respect communities of interest. We know that this is where past general assemblies have gotten into trouble: packing, clacking, slicing, dicing communities of interest for partisan gains. Don't do it. That's what we're all going to be watching for. Here's a chance to surprise us and do the right thing by respecting communities of interest.

From a process standpoint, we hope you put a premium on public input, and today's a good example of that: have a series, however, of public hearings across the state on the front end before the maps are drawn and on the back end after the maps are created. No one knows their own communities better than your constituents, so help them guide you on where the line should be drawn. It's incumbent on this committee to ensure that all North Carolinians can have a say in what the next decade's voting maps look like.

I'll use the L word here, litigation. The way to avoid it is not to engage in partisan and racial gerrymandering. Our job is to hold you accountable to the important task of drawing the lines in a fair and transparent manner. It's important for the public to have a better understanding of what you are doing when you are drawing the maps. Mr. Chairman, I have submitted some specific recommendations to that end. Common Cause is not interested in outcomes in elections but the process of how things are done. We want redistricting, as I mentioned, to be fair, inclusive, and transparent, a process that instills



confidence from the people that indeed their voice is being heard. I believe those goals are in everyone's-

Senator Newton ([08:28](#)):

Thank you, Mr. Phillips. Andy Jackson.

Andy Jackson ([08:42](#)):

Andy Jackson, John Locke Foundation. I'm going to start off by saying I'm grateful that the Joint Redistricting Committee's proposed criteria includes a ban on political and racial data for redistricting. The proposed criteria also includes incumbent's addresses. If incumbent's addresses are included in the final criteria list, that consideration should be secondary to other considerations especially compactness.

This leaves us with two major criteria: making districts reasonably compact along with other standards and considering North Carolina's geography and preserving communities of interest. On that second point, preserving communities of interest, that's generally accomplished by not splitting political units particularly counties and voting districts and, where practical, municipalities. Beyond that, claims or communities of interest, of which you're going to hear a lot over the next several months, are often in the eye of the beholder and should be considered within the context of keeping districts compact and preserving political boundaries. Beyond that, I appreciate that we are going to anticipate an open process in the actual drawing of maps. Thank you.

Senator Newton ([10:02](#)):

Thank you for those comments. Jenny Kotora-Lynch.

Jenny Kotora-Lynch ([10:16](#)):

Hi. My name's Jenny Kotora-Lynch. I'm speaking for myself. I'm an Apex resident for the last 35 years. I had an opening to talk about redistricting in general, but we all know that doing it fairly is the right thing for everybody. So here are my thoughts. Please don't skimp on gathering public comment across the state. I know time constraints are tight, but you don't have to plan a traveling road show to go to every public meeting in each place. Instead, you can let members hold individual meetings in their own districts, livestream them, and record them. Schedule those meetings by next week and publicize them on all your platforms so people can make plans to go. Make it easy for people to get their comments to you. You can't wait till the last minute to notify people of a meeting and then expect a broad, cross-section of views.

Today's a good example. We heard about the meeting last Friday afternoon with the promise that the meeting would run until all attendees have a chance to speak. On Monday, yesterday, at 4:00 we were told a maximum of 60 speakers are allowed. Online signup wasn't possible till almost 5:00 o'clock, not much lead time there and no time to get the word out. This committee can and should do better. The comments we make here today and elsewhere are part of the public record, so give us the chance to see each other's comments as your mapping goes on. We're the voters, and we need to know how you grind the sausage and make the laws, and what's the input that drives the decisions you're going to make. Also I ask, with livestream meetings, keep count of who is listening on the telephone and who is streaming. Then let us know so we know how much interest there is in the community. It helps us to trust, and you want us to trust you. Thank you.

Senator Newton ([11:58](#)):

Thank you. Lekha Shupeck.

Lekha Shupeck ([12:11](#)):

Hi. My name is Lekha Shupeck. I'm coming here today to comment on the redistricting criteria that were proposed yesterday. These redistricting criteria are unfortunately so vague that I worry that they do not actually constrain the map drawing in any meaningful way. There are many, many criteria that say things like, for example, "Municipal boundaries may be considered, VTDs may be split when necessary," but they don't actually specify when that necessary is or what the terms of "may be considering municipality boundaries" are. Similarly when we look at compactness, there is a academic paper cited that supposedly contains minimum scores. Those minimum scores are not explicitly given, and they only said that they may be considered as a guide. That does not, in my opinion, constrain map drawing in any meaningful way.

Also, the provisions like no racial data and no election data, I assume in practice mean that that data is not going to be uploaded to the software used by legislators to draw maps. However, that does not say anything about the outcome of the maps. We know you are legislators. You know your precincts in your areas, in your districts well. You have a lot of that information in your heads. We also know that maps are going to be allowed to be uploaded to that software from outside of the software not natively drawn there. We do not know how those maps will be evaluated for the use of election and racial data. So in essence, the criteria that we are seeing are not criteria that seem to meaningfully constrain the map drawing in a way that will result in maps that have fair representation for the people of this state.

Senator Newton ([14:00](#)):

Thank you for those comments. Jennifer Rubin.

Jennifer Rubin ([14:14](#)):

Hi. My name is Jennifer Rubin. I'm the vice president of the League of Women Voters of North Carolina. Redistricting is very important for the 18 leagues across the state. On behalf of the League of Women Voters we would like to encourage you to take the following steps into consideration. A redistricting timeline should ensure the opportunity for informed public comment at every step of the process before and after maps are drafted. We recommend meaningful public comment opportunities throughout the state with options for written public comment. Increased transparency throughout the redistricting process should be ensured through broadcasting and recording of public hearings and making proposed maps fully accessible to the public. In addition to these steps, we ask that in the drawing of districts, there is respect for communities of interest and that redrawing districts avoids division of counties, municipalities, and precincts. These recommendations provide a blueprint for meaningful public input which will make our 2021 redistricting process more fair, inclusive, transparent, and timely. Thank you for the work you do on behalf of the people of North Carolina.

Senator Newton ([15:31](#)):

Thank you, Miss Rubin. Marilyn Hartman.

Marilyn Hartman ([15:41](#)):

Thank you. Hi. My name's Marilyn Hartman. I live in Durham. I think the most important criteria to me, the one that I'd like to see prioritized by the General Assembly is one that would end partisan gerrymandering. In other words, I'm calling on you to create a prohibition on favoring or disfavoring a

political party. This means that political affiliation data should be used but only to make redistricting fair. Every member of the legislature knows the election data in their head even when that data are not explicitly considered, so let's use this information fairly.

Right now I believe there are slightly more registered Democrats than Republicans in North Carolina. In 2020, it was 36% versus 30%. This means that our elected officials should be more equally divided between Republicans and Democrats. This is important to me because I believe in fairness. With current partisan gerrymandering we have a disproportionate advantage for Republicans, and that's not what democracy looks like. We've had gerrymandering by Democrats in the past, and that's not fair either.

Partisan gerrymandering matters. In recent years it has resulted in many of us not having our voices adequately represented by our elected officials. It has meant that despite the fact that a majority of North Carolinians favor access to health insurance for everyone, too many people in our state live without it. It has meant that although most people in North Carolina send their children to public schools, these schools are inadequately funded by our General Assembly. In Congress, it means we have few gun control laws that most North Carolinians are favor of such laws.

I could go on, but the bottom line is if we didn't have partisan gerrymandering, we would more likely have more laws and policies that reflect the values of the majority of voters in this state. I'd like to see the General Assembly adopt the proportionality criteria that is being used by Ohio as one of our state's high priority criteria. With this criteria, the portion of districts for each political party would closely mirror the portion of voters from each party based on data from the last 10 years. I'd be open to other ways of reducing partisan gerrymandering, but at the end of the day I hope you will establish a set of criteria that are fair to people regardless of their political persuasion. This is what-

Senator Newton ([17:44](#)):

Thank you, Ms. Hartman. Jennifer Bremer.

Jennifer Bremer ([17:59](#)):

Hi. My name's Jennifer Bremer, and I'm a redistricting nerd from Orange County. I'd like to comment on something that I'm pretty sure no one else will, the choice of the Pildes and Niemi article to set a standard for how compact the districts must be. This is a bizarre choice, frankly, because Pildes and Niemi set no such standard. Their article was published back in '93 shortly after the explosion in racial gerrymandering in the 1990 redistricting round. That's the round that gave us the infamous snake, otherwise known as CD-12, one of the most contested racial gerrymanders in the country. Pildes and Niemi rated it the single worse district in the country. In the last round the legislature wisely decided to end the controversy by coiling it up neatly and stuffing it into a basket called Mecklenburg County.

Back in the '90s, Pildes and Niemi wanted to find the very worst gerrymanders that had just been drawn. Lacking the tools we have now, they decided to look only at compactness. They picked two measures, Polsby, Popper and [inaudible 00:18:58], that each defines scores from zero, least compact, to 100, the most compact. They arbitrarily picked a score of 10 out of 100 as their cut off for really, really bad compactness. Obviously, a score of 10% out of 100 is not a measure of good or even good enough. It's a score signally truly awful.

Some time ago just to be sure, I contacted Professor Pildes, now at NYU Law School, to confirm that this cut off was not meant to be a standard of any kind and confirm it he did. So when former Representative Lewis set 10 out of 100 as the minimum compactness score and cited their article, this was basically a little David Lewis joke. Perhaps he was disappointed that no one got it. Maybe he was

amused to see the judges pick it up in their decision. I was not. Someone's clerk needs to be talked to. While David Lewis left the building a year ago and his little joke needs to go away, too. Please talk to the experts and set a real standard for acceptable compactness.

Senator Newton ([19:58](#)):

Thank you, Ms. Bremer. Aylett Colston.

Aylett Colston ([20:11](#)):

Hi. I'm Aylett Colston. I live here in Raleigh. When it comes to drawing fair voting maps, I'd really like to see an open process with citizen participation and access at all levels and steps in the process. We're here today to talk about criteria. We would like to see impartial criteria that does not include considering the address or location of incumbents. So your districts will have to be apportioned substantially on population. Obviously, one person, one vote. They also should not intentionally or unduly favor or disfavor any political party. Communities of interest should be considered in drawing electoral districts provided that such districts do not dilute the effective representation of minority citizens. No use or consideration should be made of the address of incumbents.

Now in the past, both Democrats and Republicans have prioritized protecting incumbents. I know we often talk about bipartisanship, so one bipartisan way to deal with this is do something no one's completely happy with, and that is completely disallowing use of the address of incumbents and candidates when it comes to drawing voting districts. That's my bipartisan suggestion for you.

Additionally, we need to talk about the priority of criteria, and compactness should not be prioritized over other community considerations. Compactness, mathematicians have done studies, and we see that compactness does not prohibit parties from stacking the decks in their favor. Also, to jump on what Jennifer said, if you insist on using compactness as a primary criteria, I would suggest you look at a method like the population polygon or something other than the Polsby/Popper which has been shown not to be as effective as we would like. Thank you.

Senator Newton ([22:09](#)):

Thank you very much, Ms. Colston. Robert Cushman. Is there a Robert Cushman? Seeing none, Harry Taylor.

Harry Taylor ([22:30](#)):

I'm Harry Taylor from Charlotte. I'm with the League of Women Voters. Democracy refers to a government with supreme powers vested in the people, and that power is to elect through representatives in free elections from time to time as prescribed. Rigging election district lines via gerrymandering for political power has nothing to do with democracy, a practice now 233 years old. It's dishonest. It's anti-democratic. It's unethical, but it's entirely legal because this body continues to choose to do nothing about it. I'm here today to ask you to do something about that. We can have democracy or we can have gerrymandering, but we can't have both.

On the brink of a new decade, 35 of you are impaneled to create maps to take back to your various chambers for approval to decide who's going to vote for who for the next 10 years. From the time you're sworn in to office, you were bestowed an honorific. You're called for the rest of your life, honorable people. There's nothing honorable about election rigging. I'm here today to ask you on behalf of 10 and a half million North Carolinians to create fair, balanced districts for the next 10 years for the US House, North Carolina House, North Carolina Senate so that on general election day from here on in,

for the next 10 years every single person on that ballot has an equal chance to win that race. Thank you for listening to me today, Your Honorables.

Senator Newton ([24:13](#)):

Thank you, Mr. Taylor. William Doom.

William Doom ([24:19](#)):

Thank you. My name is William Doom, and I am a long-term resident of Davidson County. I'm representing myself. There are several nations all around the world that have an official political party. If you're a member of that political party, you can be selected as a candidate. The government selects the candidates. If you are not a member of that party, your vote has no voice. That's the way it feels to many of us in Davidson County.

A gerrymandered district is a sign that the legislature does not respect the idea of self-governments. It has no intention of representing the interests of the constituents. Being in a safe district means you do not have to carefully listen to your constituents to get reelected. The result is that the government is less and less responsive to the citizens. The government is less and less trusted by the citizens. Cynicism and the disrespect of the government rise. It's a destructive force. Excuse me. The only way to rebuild trustworthy, honest, responsive government is to get rid of gerrymandering. To do that, election maps must be drawn with fairness as a central criteria. If we could have compact districts with constituents sharing many common interests, we could confer with our fellow constituents and then inform our representatives of our preferences, and our representatives could hear our voices and actually represent us. Thank you very much.

Senator Newton ([26:04](#)):

Thank you, Mr. Doom. Kathy Wheeler.

Kathy Wheeler ([26:16](#)):

Good morning. My name is Kathy Wheeler. I live in Summerfield in Guilford County. I'm here because I know how fragile our elections and all things related including redistricting really are. So I'm here to try to strengthen them by offering comment on these criteria. My major concern relates to the low priorities given to two of the criteria. This will mirror some comments you've already heard. I believe they should be of higher priority. Municipal boundaries at number seven and community consideration at number 10. In most cases, the common interest in a municipality and in a community are the best reason for keeping them together. That's how to best meet the legislative needs of the voters in these entities. If split apart, those needs are diluted and are not met.

In addition to the low priority of these criteria, I'm concerned, as others are, that the criteria are written to say "They may be considered." I believe that should be changed to "They will be considered." I believe it should be mandatory to study the common needs. I also believe these priorities, as I said before, should be higher than number seven and number 10.

My other concern is on the criteria on use of racial data and election data. The criteria say that these data shall not be used. However, what is in place to prevent knowledge versus actual data about racial makeup and election results from being used to influence the drawing of maps? There should be some safeguard written into the criteria to check for maps along the process based on knowing racial and electoral information. Thank you.

Senator Newton ([28:05](#)):

Thank you for those comments, Ms. Wheeler. Allison Riggs.

Allison Riggs ([28:21](#)):

Good morning. My name is Allison Riggs. I'm the co-executive director for programs and chief counsel for voting rights at the Southern Coalition for Social Justice. There are two problematic elements of the proposed criteria made public yesterday that I'm going to address. First, it is neither appropriate nor required to draw districts race blind. As long as redistricting has occurred, it has been a tool used to harm voters of color. Beyond compliance with the Voting Rights Act, it is entirely appropriate to advance race equity, to consider race in the drawing of districts to ensure that voters of color are not being cracked or packed. Additionally in *Covington v. North Carolina*, this legislative body tried the same thing with respect to race blind redistricting. A three-judge panel, including Republican and Democratic appointees and a unanimous Supreme Court, rejected your race blind remedial drawing of two Senate districts and two House districts. In fact, there's apparently not a federal court judge out there who agrees with this approach, and we urge you to abandon that criteria.

Second, the criteria of no election data and considering incumbent addresses is in inherent conflict and represents a farcical commitment to non-partisan line drawing. We know that when you protect incumbents, you protect your ill-gotten gains from a decade of partisan and racial gerrymandering. You are fooling no one. That criteria means nothing. We urge you to address and amend these criteria. Thank you.

Senator Newton ([30:12](#)):

Thank you, Ms. Riggs. Cheryl Tung.

Cheryl Tung ([30:22](#)):

Good morning, and thank you chairs and committee members. My name is Cheryl Tung, and I am president of the League of Women Voters of Wake County. The league has spent decades advocating for fair maps and for a transparent process that encourages public participation. The redistricting process is your duty and one that directly impacts the lives of North Carolinians. What you do over the next three months will impact voters for the next 10 years.

While the delay in census data has made the redistricting process challenging, there are many aspects of redistricting that should have been initiated months ago. This committee should have met, voted on, and put in place the processes and rules for the upcoming round of redistricting. There are criteria that were discussed within days of this week's census data release should have already been decided. While we commend you for opening a public comment portal, we are disappointed that we have not yet seen public hearings scheduled across the state. These hearings should provide opportunities for those especially in rural areas and in communities of color to have their voices heard on what constitutes their community of interest. The fact that these have not been scheduled or are being rushed with the excuse of census delays leads to the conclusion that it is your intention to yet again deny the public opportunities to participate for the state and provide adequate... I'm sorry, while you draw maps that serve your own interests. We ask this committee to hold several hearings across the state and provide adequate advance notice for these hearings and gain a better understanding of communities of interests as a redistricting criteria component.

In addition, we ask that you do not use member residency as a criteria component. We know the state legislatures like playbooks and have been using them around the country. I would invite you to

take a look at this playbook that was mailed to all of you in January of this year. It is a playbook on how to have transparency in redistricting, a playbook about providing the public with sufficient time to evaluate maps and providing the rationale for these maps, in effect, a playbook on how to gain the trust of the citizens of North Carolina.

Senator Newton ([32:26](#)):

Thank you, Miss Tung. Gary [Foreman 00:32:28].

Gary Foreman ([32:28](#)):

Thank you. My name is Gary Foreman. I'm from Durham. I represent [inaudible 00:32:40] and myself. I just wanted to draw the attention while you're making these criteria that we have two major issues already that we have a majority of Democratic voters in this state but we have a congressional ratio in the House of Representatives of eight to five. The other criteria and the thing that we have to be aware of is that whatever you guys say goes. There's only one other state in the entire Union that is not subject to veto, and that's Connecticut. You can be bullies through all of this. Please don't do that. The other criteria that I want to address myself to, which you hear a lot through here, is the criteria you adopted for preservation of communities of interest. That is in the sense that they're not diluted by cracking or packing and that the outcomes of these criteria be testing using the technology that's available to all of us now. That's what I have to say. Thank you.

Senator Newton ([33:59](#)):

Thank you, Mr. Foreman. Kathy Greggs.

Kathy Greggs ([34:14](#)):

Thank you. Thank you for allowing us to come and speak. My name is Kathy Greggs. I'm the co-founder and president of Fayetteville Police Accountability Community Taskforce, but today I come here with All in One from Cumberland County. First, I want to make sure that we understand what the word democracy means. I say this coming from an Army combat veteran of the United States Army along with Senator Kirk deViere. First, I want to make sure that we understand. Senator Kirk deViere has been assisting our community with understanding the redistricting of maps because some people don't understand what exactly this means. This is very important for the people, and democracy for the people should be heard. I ask that we allow the people that live in these communities to come and speak as well as everyone else that's sitting here. The people that are disenfranchised and de-marginalized and has not been able to vote should be able to say how they want their communities to look and who they want to vote for.

Then we also have issues where we have Army bases here where Army people don't even understand the voting process. We need to make sure that we educate the people and give them awareness on what is really going on for the next 10 years so we can live here in [inaudible 00:35:18] the actual way of life, livable conditions, instead of us asking you how we want to live. We should be able to tell you what we want. We should be able to ask you to actually listen to us. Democracy is always with the people and will always be for the people. We speak for the people by the people. Thank you.

Senator Newton ([35:38](#)):

Thank you, Ms. Greggs. Karla Icaza De Austin. Is Ms. De Austin here? Ah.



Karla Icaza De Austin ([35:50](#)):

Good morning. Thank you for allowing us to speak. I'm also from Fayetteville, North Carolina, Cumberland County. I'm an Army veteran. Today, I'm here to represent myself as an Army veteran. As an Army veteran we took an oath to defend our country against all enemies foreign and domestic. I'm sure everyone here has taken that oath to serve the people here. I'm just asking today to look at that. Active duty and veterans have been to and continue to go other countries to fix their government. Yet we come back home and this is what we have. We have a government that doesn't seem to be for us, because why? Redlining, gerrymandering, racial disparity, disparities, excuse me. It's a shame to me. It's kind of disgusting that I've been to other places to help their government. I have to come back home, and it's 2021, and we're still fighting this. It's kind of sad.

So I'm asking you to put your hand on your heart. There's active duty members. Contrary to popular belief, these active duty members and veterans, they don't make that much money, so they're living in these districts and these poor areas that are getting gerrymandered. These are people that our government sends out for all of our liberties, for all of our freedom. Yet they're not being given an equal opportunity to vote. They're not being given an equal opportunity to live their American dream. So I ask you to please do the right thing. Do the right thing. That's all we're asking you to do and represent the people that you took an oath to represent. Thank you.

Senator Newton ([37:38](#)):

Thank you, Ms. De Austin. Caitlin Metzger.

Caitlin Metzger ([37:54](#)):

Good morning. My name is Caitlin Metzger. I'm a Durham County voter. I want to comment on two main things today. First, the process that got us to this public hearing, I believe, was not given sufficient notice. In my day-to-day job I talk to voters all across the state, and many people, especially working people especially student voters and young voters, could not be here on a Tuesday morning at 8:00 a.m. We live in a vast state. In order to get to Raleigh, it really wasn't acceptable. I just want to encourage you to hold more public hearings and also give us more notice to get people here.

The second thing in terms of the criteria, I just want to urge you to move, as others have said, municipal boundaries as well as communities of interest higher on the list. It is not okay with me that incumbency is protected higher than communities of interest. The voters of North Carolina should be protected and be listened to and be respected, and they need to be higher on the list of criteria that you're considering. Thank you so much for your time.

Senator Newton ([39:00](#)):

Thank you. Did you mention, do you represent an organization?

Caitlin Metzger ([39:04](#)):

I do work in an organization called You Can Vote, but today I'm here as a Durham County voter.

Senator Newton ([39:08](#)):

Thank you. Andrew Silver.

Andrew Silver ([39:28](#)):



I'm from Durham. I'm a member of Carolina Jews for Justice, Common Cause, ACLU, NAACP, League of Women Voters among others. The most important safeguard for ensuring that districts are fairly drawn is that no data on political affiliation of voting records be allowed. The only purpose for using such data is to gerrymander the districts so that many districts are either safely Republican or safely Democrat. This makes the general election pointless and makes the primary elections decisive. Having representatives elected essentially by a single party promotes extremism so that politics have become more partisan with the two parties unable to work together. Representatives in seats safe from challenge by the other party are able to ignore their constituents, and the legislatures are, because of gerrymandering, unresponsive to the public interest. Thank you for calling my name even though I didn't see the signup online.

Senator Newton ([40:38](#)):

Certainly, no problem. Thank you, Mr. Silver. Robert Cushman, I believe is here.

Nina ([40:49](#)):

Morning.

Senator Newton ([40:49](#)):

Good morning.

Robert Cushman ([40:51](#)):

My name is Robert Cushman. I'm from Durham, North Carolina. I'm a 15th generation American, a Mayflower descendant, and have been working as a spatial analyst and a mapper for the past 25 years. I, like most Americans these days, agree with Mr. Silver that discourse has become more polarized, more divisive than ever before, and I do think that the electoral mapping is the root cause of much of this indifference.

I don't have the same thought as he does. I do think you have to look closely at the electoral party affiliation of the voters to ensure that you have proportional representation in each of the districts you create. We're a 50/50 state, a purple state. It should be easier to build consensus here than always else. Yet we have, much as he said, people from the right leaning further to the right, people from the left leaning further to the left so that they can win their primaries.

I think the electoral districts have to look more like North Carolina. You can ensure that within some limited bounds that you have equal representation from the different parties in the districts. Everybody should be able to woo my vote. I'm a moderate, but I'm not represented. There's either an extreme left or an extreme right. Many independents, moderate Republicans and moderate Democrats, such as myself, don't feel like we have any representation when November comes around. Let's make the primaries a choice that anybody could win the vote, and only you can do that. I know how important mapping is to the outcomes of this. I am a professional mapper. You can do this for the good of us all. Our representational democracy really depends on your choices. Thank you.

Senator Newton ([42:51](#)):

Thank you, Mr. Cushman. We have exhausted the list of signups. If you are in the room and did not sign up but would like to speak, we have time to do that if you would like. Yes, ma'am. If you will state your name and your affiliation, who you're representing before you get started. Thank you. Welcome.

Floyd Jean Busby ([43:15](#)):

My name is [Floyd 00:43:16] Jean Busby. I'm representing Action NC. I understand that the drawing of the lines, the redistricting, is to ensure a particular party to be reelected again. Therefore, you don't have to do nothing but just sit and get reelected. We live in a democracy, and we should have people power. You should be concerned about the people and not about your seat. I want to share a story with you about Emmett Till. A young man wrote a book about Emmett Till. I saw this on TV. He did talk about years ago when we had Moral Mondays. We had people come up here every Monday to get laws for the people. A lot of people say that that Moral Mondays did nothing because we still have the same thing. Yet, he did point out that Pat McCrory is no longer governor, so therefore people power. We all changed the laws. We changed the people sitting in the legislature. Thank you.

Senator Newton ([44:33](#)):

Thank you, Ms. Busby. Anybody else? If not, we have concluded our business unless the chairs prompt me otherwise. I thank you again for being here. Have a great day. We're adjourned.

NORTH CAROLINA GENERAL ASSEMBLY

JOINT COMMITTEE MEETING

AUGUST 12, 2021

Transcribed by:

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1 (Transcription from YouTube started at  
2 2:41:20.)

3 CHAIRMAN HALL: ... reiterate what was  
4 going on. As the committee members know, last  
5 week, a week ago, the chairs told committee  
6 members that they could put forth amendments  
7 because the chairs intended to vote on this  
8 criteria today, and so members have had that  
9 week time period to get these amendments in.  
10 And the first amendments that any of the chairs  
11 saw was well after 8:30 a.m. this morning when  
12 the committee started. Most amendments were not  
13 completed yet by staff, and so it was on  
14 probably -- well, I don't want to -- it was at  
15 least an hour or so after the committee was  
16 supposed to begin before we even actually had  
17 any final amendments.

18 The chair is in possession, and I think  
19 has been passed out, roughly somewhere between  
20 10 and 15 amendments. The chair will tell the  
21 committee members that not all of those have  
22 actually been put forth at this time.  
23 Apparently, there were some members still  
24 considering whether they actually want to offer  
25 those amendments, so they haven't been signed,

1 but the chairs directed that those be put out so  
2 that, for efficiency purposes, we can just go  
3 through the amendments that are in possession of  
4 the chairs. And if we come to an amendment that  
5 a member does not wish to put forward, then  
6 simply tell the chair that and the chair will,  
7 of course, allow that amendment to be withdrawn.

8 For House members, you've probably  
9 already seen your email. Session's been delayed  
10 until 12:00, and the chair anticipates session  
11 probably being delayed again depending on the  
12 time that it takes to hear the bills in this  
13 committee. The chair understands that this is a  
14 very important committee. It's important that  
15 we do things here in a thoughtful and  
16 deliberative way, and so we're going to give it  
17 the time that it needs today.

18 Members, I'll also start by just making  
19 a few remarks because the chair believes that  
20 this is really a historic occasion for this  
21 committee. As members will remember, in 2019,  
22 for the first time ever in the history of this  
23 state, maps were drawn without using partisan  
24 data and partisan considerations. That was, of  
25 course, ordered by court. Most of the members

1 on this committee were here at that time and  
2 probably participated in that, and the members  
3 will remember that we passed those maps and that  
4 the court reviewed those maps and upheld those  
5 maps. That was an historic occasion. This  
6 state's over 200 years old, and as far as the  
7 chair can tell, since the inception of this  
8 state, maps have been drawn by a legislative  
9 body, and they have been done using partisan  
10 means. But again, for the first time ever, in  
11 2019, that did not take place. That was court  
12 ordered.

13 Today's committee meeting is notable  
14 and historic because for the first time ever,  
15 without a court order, but with doing it  
16 voluntarily, the chairs have put forth a set of  
17 criteria before you, not -- voluntarily not  
18 using election data and partisanship. And so  
19 far as the chair can tell, that's the first time  
20 that that has ever happened in the history of  
21 this state and perhaps the first time that it's  
22 happened in this country. I know other states  
23 have decided to go in different routes. They've  
24 used independent commissions and they've done  
25 other things, but the chair is not aware of any

1 other states who have just voluntarily kept the  
2 ability to draw the maps but agreed to not use  
3 that partisan data and partisan consideration.

4 And so I hope that the members of the  
5 public and I hope that the committee members  
6 recognize through this criteria that's  
7 been proposed the commitment of the chairs to  
8 make significant and reasonable efforts to  
9 attempt to limit the partisan consideration and  
10 election results data from being used in the  
11 drawing of these maps.

12 Additionally, the chair does want to  
13 point out, one thing the chair heard often in  
14 public comment earlier this week, and that was  
15 that -- that there was some ranking of the  
16 proposed criteria of the chairs, and that's not  
17 the case. And the chair understands that that  
18 was an easy mistake or a misunderstanding that  
19 members of the public could have had. They were  
20 simply looking at a list of criteria and perhaps  
21 they thought that list was ranked. Again, it  
22 was not ranked at all. The -- certain  
23 provisions on the criteria are constitutional.  
24 Obviously, those have to take precedence over  
25 those areas that are not constitutional, but

1 otherwise, those -- those items are not ranked  
2 at all.

3 Members, the data -- as most members of  
4 the committee know, the data will be released by  
5 the Census Bureau today at about 1:00 p.m., as  
6 best we can tell, and so it is the goal of the  
7 chairs of this committee to adopt this criteria  
8 this morning. And one of the reasons for that  
9 is as we all understand, the redistricting  
10 process is a very litigious process, not just in  
11 North Carolina but really across the country,  
12 and because of that, the chairs think it's  
13 important to get criteria adopted before the  
14 data comes out so that no one can reasonably say  
15 that the chairs somehow took the data and then  
16 drew the criteria to meet the desires of the  
17 chairs. It would be impossible for the chairs  
18 to have done that. The chairs have, obviously,  
19 put out criteria already. The committees will  
20 vote on whether to amend that criteria this  
21 morning or not, but it was important before that  
22 criteria came out -- before the data came out to  
23 get the proposed criteria out.

24 Members, I'll go ahead and tell you, I  
25 expect at some point next week to have a



1 committee meeting to discuss what the committee  
2 wishes in terms of a public comment period,  
3 whether here or across the state. There's  
4 no -- we have not -- the chairs have not set a  
5 date for that yet, but check your email over the  
6 course of probably tomorrow the chairs will try  
7 to get you notice out, but again, that meeting  
8 will be for purposes of the committee discussing  
9 how we want to go about public comment. And of  
10 course, the portal is open, will remain open.  
11 Members of the public have the opportunity to  
12 continue to comment on any matter that they see  
13 fit that's before this committee, or any matter  
14 not before this committee if they see fit, but  
15 members of the public are encouraged to submit  
16 comments as to what the public schedule should  
17 be.

18 Members, with that being said, the  
19 chair will turn to Chairman Daniel.

20 CHAIRMAN DANIEL: Thank you, Mr. Chair.

21 And I guess I just thank you for those  
22 comments and also want to revisit briefly some  
23 of the discussions on Monday. There was a  
24 question or two that came up regarding proposed  
25 criteria that we said we would, you know,

1 address later on, so makes sense to address  
2 today. So I will let -- if the chair would  
3 recognize Senator Newton. He would like to make  
4 some comments.

5 CHAIRMAN HALL: Thank you,  
6 Mr. Chairman.

7 And before the chair does that, the  
8 chair also failed to note one thing, and that is  
9 this is not technically a joint committee. This  
10 is the House Senate -- the House committee and  
11 the Senate committee voluntarily meeting  
12 jointly, and so because of that, we really need  
13 to take two sets of votes on any amendments that  
14 are put forth today as well as the final set of  
15 criteria. So the method that we'll use to do  
16 that is when the House members vote on a given  
17 amendment or criteria, I will chair, and when  
18 senators are voting on the same, Chairman Daniel  
19 will step up here to chair so that there's --  
20 the chair just wants to get that out there so  
21 there's no confusion. If there's any questions  
22 about that -- I know that's not typically how  
23 it's done in most of our committees, but we're  
24 really taking two votes on each of these today.

25 Are there any comments or questions

1       about that from the committee members?

2               Seeing none, Senator Newton, the  
3 gentleman is recognized.

4               SENATOR NEWTON: Thank you,  
5 Mr. Chairman.

6               The couple of questions I wanted to  
7 address that came up on Monday. The first is  
8 related to county groupings to be used in the  
9 2021 House and Senate plans. As the criterion  
10 that we have proposed says, we will use the  
11 state constitutional standard as interpreted by  
12 the North Carolina Supreme Court in  
13 Stephenson I, Stephenson II, Dickson I and  
14 Dickson II to create these county groupings.

15              These decisions specify the procedure  
16 for how the county grouping process works and to  
17 give effect to the state constitution's whole  
18 county provision and the one person, one vote  
19 principle. I will not recite verbatim what  
20 those decisions say, but in layman's terms, that  
21 means that once the county population data is  
22 available, either -- we will use it to identify  
23 the maximum number of single counties that can  
24 support either one legislative district or  
25 multiple legislative districts using the ideal

1 district population within plus or minus  
2 5 percent and keep those counties whole for the  
3 purpose of drawing districts.

4 Next, we will find the maximum number  
5 of two county pairs that can be identified that  
6 either support one legislative district or  
7 multiple legislative districts factoring in  
8 population requirements, and we will consider  
9 those two county groupings. Next, we'll do the  
10 same for three county groupings, then four, then  
11 five and so on until there are no more counties  
12 in the map to be grouped.

13 What I want to make clear about this  
14 criterion today is that it will control how the  
15 county grouping formula is applied, but we are  
16 not adopting county groupings today. We will  
17 meet again at a later date for the Senate and  
18 the House to separately vote on county grouping  
19 plans for their respective maps, and they will  
20 be adopted by these committees. So there will  
21 be more time for input from members and the  
22 public prior to those votes to adopt county  
23 groupings taking place.

24 The second question I want to address  
25 is the decision to exclude racial data from

1 being used by this committee in the drawing of  
2 districts. Of course, we understand that  
3 North Carolina is obligated to comply with  
4 Section 2 of the Voting Rights Act when drawing  
5 districts in the 2021 Congressional, House, and  
6 Senate plans, but during the last decade, the  
7 Supreme Court told us that there is not  
8 sufficient evidence of racially polarized voting  
9 in North Carolina to justify the consideration  
10 of race when drawing districts.

11 If you have new evidence or new studies  
12 of racially polarized voting in North Carolina,  
13 we would be willing to examine that evidence,  
14 and nothing in this criteria prevents any member  
15 from bringing forward such evidence during this  
16 process.

17 Thank you, Mr. Chairman.

18 CHAIRMAN HALL: Members, the chair's  
19 now going to go into --

20 SENATOR BLUE: Mr. Chairman.

21 CHAIRMAN HALL: Senator Blue.

22 SENATOR BLUE: Yeah, I had a quick  
23 question of Senator Newton.

24 CHAIRMAN HALL: The gentleman is  
25 recognized for a question.

1           SENATOR BLUE: Senator Newton, in  
2 looking at Stephenson, the first criteria that  
3 the court says is that you have to determine  
4 what the VRA districts are, and I'm wondering  
5 how you determine a VRA district without  
6 examining the question of race which is what  
7 it's predicated on. And if in fact during the  
8 process of drawing clusters, we draw them and  
9 then you get information or an indication that a  
10 district might be a VRA -- a Section 2 district  
11 specifically, that you -- somebody brings  
12 evidence that there is sufficient racial  
13 polarization in the voting that you have to  
14 apply the laws, as evolved, over the last  
15 50 years, that then throws everything else that  
16 you're doing about clusters -- or that we're  
17 doing about clusters -- not everything, but a  
18 significant number of issues about how the  
19 clusters look and we go back to the drawing  
20 board anyhow.

21           So with respect to choosing clusters  
22 and determining whether they're necessary, I  
23 take it that you're waiting to see, whether from  
24 the committee or from interested parties,  
25 whether there are suggestions of a required VRA

1 district.

2 SENATOR NEWTON: Mr. Chairman.

3 CHAIRMAN HALL: The gentleman is  
4 recognized.

5 SENATOR NEWTON: Thank you. Thank you  
6 for that question, Senator Blue.

7 As you're aware, in 2019, when we drew,  
8 we did not consider race in the drawing of those  
9 maps, and the court ultimately adopted or  
10 embraced that process. And so we're going to do  
11 the same thing here. We're going to follow that  
12 same process, but as I suggested in my comments,  
13 if at any point there is a belief that there's a  
14 violation of Section 2, we need to know that.  
15 We'll -- we'll, you know, act appropriately at  
16 that time.

17 SENATOR BLUE: One quick follow-up.

18 CHAIRMAN HALL: The gentleman is  
19 recognized.

20 SENATOR BLUE: The reason and  
21 subsequent to 2011 that there were not the other  
22 issues on the VRA is the districts had already  
23 been drawn and the question got to be -- without  
24 considering race, the question got to be which  
25 of those districts you could justify as

1 continuing VRA districts, and so the court did  
2 another analysis on concepts of just packing,  
3 cracking, stacking, those things, and that's  
4 what we were responding to and what Rucho,  
5 whatever those cases were in the -- in the last  
6 decade. So there had already been a  
7 determination by us, as mapmakers, that there  
8 were two or three districts that merited  
9 continuation in their current form in order to  
10 avoid a Section 5 -- especially a Section 5  
11 attack.

12 Now, I know that that's been muted  
13 since 2013, but even trying to avoid a Section 2  
14 attack on the overall redistricting process.  
15 And the only aspect of it had to do with  
16 overcompensating in non-VRA-required districts,  
17 not the VRA districts other than for the Senate,  
18 Cumberland, Guilford, and I don't think -- at  
19 the last rendering, one of the districts in  
20 eastern North Carolina, either Pitt, Greenville,  
21 Wayne, Lenoir district, was challenged because  
22 of that concept, but it wasn't aimed at whether  
23 or not a VRA district actually existed. I know  
24 there were no polarization studies done, no  
25 evidence presented, and the effort was made to



1 relate back to 2001 studies to justify it.

2 But I think that -- I think that  
3 Stephenson makes it relatively clear that before  
4 you consider clustering of groupings, you have  
5 to make that VRA determination.

6 CHAIRMAN HALL: The gentleman is  
7 recognized.

8 SENATOR NEWTON: Senator Blue, thank  
9 you for your analysis on that. The chairs have  
10 considered the various options, and we will  
11 comply with the law. And the methodology we  
12 used in 2019 passed muster, and we're going to  
13 continue with that methodology, but thank you  
14 for those concerns.

15 SENATOR DANIEL: Mr. Chair.

16 CHAIRMAN HALL: Senator Daniel.

17 CHAIRMAN DANIEL: I'd like to send  
18 forth an amendment.

19 CHAIRMAN HALL: Senator Daniel is  
20 recognized to send forth an amendment.

21 The members should have -- if you look  
22 at the top right of your proposed amendments, it  
23 will say who it's offered by, and this one is  
24 offered by Senator Daniel. It's a proposed  
25 amendment to criteria for -- it says Proposed

1 Criteria for, An Amendment to Propose Criteria  
2 for. And rather than asking on each one of  
3 these does every committee member have a copy of  
4 the amendment, if we come to an amendment and  
5 you don't have a copy of it, if you will just  
6 simply let the chair know and the chair will  
7 ensure that you get a copy of the amendment.

8 Senator Daniel, the gentleman is  
9 recognized to debate the amendment.

10 CHAIRMAN DANIEL: Thank you, Mr. Chair,  
11 and thank you, Senator Newton, for your  
12 comments.

13 In order to make it clear that the  
14 committee intends to comply with the Voting  
15 Rights Act, I propose this amendment to just add  
16 a sentence under the criteria regarding racial  
17 data. The amendment would simply add the  
18 sentence "The committee will draw districts that  
19 comply with the Voting Rights Act." And I would  
20 just ask for the committee's support.

21 SENATOR CLARK: Mr. Chair.

22 CHAIRMAN HALL: Senator Clark.

23 SENATOR CLARK: Request to speak  
24 regarding the VRA requirements.

25 CHAIRMAN HALL: Well, if we're -- if

1 it's on the amendment, that's fine. We're  
2 debating the amendment right now. And members  
3 of the committee will have ample opportunity to  
4 discuss the -- well, frankly, any matter that  
5 the member wants that's relevant to the  
6 committee, but we're on the amendment now.

7 So the gentleman, if he wishes, is  
8 recognized to debate the amendment.

9 SENATOR CLARK: Well, my comments  
10 actually are relative to the amendment.

11 CHAIRMAN HALL: Well, then the  
12 gentleman is recognized to debate the amendment.

13 SENATOR CLARK: Thank you.

14 I consider the amendment to be  
15 unconstitutional because Stephenson does say,  
16 first, legislative districts required by the VRA  
17 shall be formed before non-VRA districts are  
18 created.

19 If there has been a court ruling that  
20 nullifies that requirement by Stephenson, I ask  
21 that the chairs provide that to this committee  
22 or the staff provide that to this committee if  
23 not today, then soon.

24 CHAIRMAN HALL: Further discussion or  
25 debate on the amendment.

1 Senator Blue.

2 SENATOR BLUE: One question of  
3 Senator Daniel.

4 In the amendment to criteria for,  
5 suppose you put a comma after the word plans,  
6 and then put except as -- except for purposes of  
7 compliance with Voting Rights Act.

8 CHAIRMAN DANIEL: Senator Blue, I mean,  
9 I prefer the amendment as written. You know, we  
10 sort of deliberated this at length and went over  
11 various versions that we could have considered.  
12 I think it probably -- I think it has the same  
13 effect as your language. Of course, members can  
14 submit additional amendments.

15 CHAIRMAN HALL: Further discussion or  
16 debate on the amendment.

17 Hearing none, we'll start with House  
18 vote. Are any members going to call division?  
19 Okay.

20 Hearing none, all those in favor of the  
21 amendment will say aye.

22 COMMITTEE MEMBERS: Aye.

23 CHAIRMAN HALL: All those opposed, no.

24 COMMITTEE MEMBERS: No.

25 CHAIRMAN HALL: In the opinion of the

1 chair, the ayes have it, the ayes do have it,  
2 and the amendment is adopted.

3 And the chair will now yield to  
4 Chairman Daniel for the Senate vote.

5 CHAIRMAN DANIEL: Senate members, all  
6 in favor of the amendment I just proposed, would  
7 you please indicate by saying aye.

8 COMMITTEE MEMBERS: Aye.

9 CHAIRMAN DANIEL: Opposed nay.

10 UNIDENTIFIED SPEAKER: Mr. Chair, call  
11 for division.

12 CHAIRMAN DANIEL: That's out of order  
13 in the Senate.

14 UNIDENTIFIED SPEAKER: Pardon me.  
15 Senate Rule 35, [unintelligible] division in the  
16 Senate.

17 CHAIRMAN DANIEL: All opposed nay.

18 COMMITTEE MEMBERS: No.

19 CHAIRMAN DANIEL: In the opinion of the  
20 of the chair, the ayes have it and the amendment  
21 passes.

22 CHAIRMAN HALL: Members, the next  
23 amendment the chair will take up is  
24 Senator Clark's amendment, and this is Number 6,  
25 Proposed Criteria Number 6. Says Amendment to

1 Proposed Criteria Number 6. Do all  
2 members -- and it's dealing with the issue of  
3 compactness. Again, if any member has any  
4 problem at all, if they don't have a copy of it,  
5 let the chair know.

6 Senator Clark, the gentleman is  
7 recognized to debate the amendment.

8 SENATOR CLARK: Okay. Thank you,  
9 Mr. Chair.

10 This particular amendment, essentially  
11 all it does is adds an additional item that can  
12 be considered in terms of compactness measures,  
13 and it is called the cut edges, and additionally  
14 it says that we could also rely on compactness  
15 measures that are contained within the software  
16 that we will be using for redistricting.

17 CHAIRMAN HALL: Thank you,  
18 Senator Clark.

19 Members, the chair will speak to this  
20 particular amendment, and you'll see, as we go  
21 through this, the chairs will just generally  
22 respond to the various amendments.

23 The chair believes that the amendment,  
24 number one, it contains a measure that the  
25 chairs are not familiar with. In the past, the

1 chairs -- this committee has used various  
2 methods to measure the district, so to speak, on  
3 compactness. And as you'll see in the chair's  
4 proposed criteria, we do recognize the  
5 Polsby-Popper and the Reock scores. That's  
6 what's been used in the past in this body, and  
7 that's what courts have ultimately upheld. So  
8 the chairs would ask that the members vote  
9 against this amendment.

10 Further discussion or debate on the  
11 amendment?

12 Hearing none, the House will --  
13 Senator Marcus.

14 SENATOR MARCUS: Thank you. I would  
15 just like to point out that there -- there are  
16 better methods, more modern methods, that are  
17 listed in Senator Clark's amendment. Just  
18 because we've always used only two doesn't mean  
19 that that's the way we should continue to  
20 operate when there are more clear and better  
21 methods that could also be incorporated. The  
22 amendment doesn't suggest we should get rid of  
23 Polsby-Popper or Reock but include some other  
24 very good methods by which we can test  
25 districts. And if the chair's not familiar with

1       them, perhaps we should pause and let the chair  
2       become familiar with them because they're good  
3       basis on which to determine whether maps are  
4       drawn fairly.

5               CHAIRMAN HALL: Further discussion or  
6       debate on the amendment.

7               If not, the House will now go into a  
8       vote.

9               All those in favor of the amendment,  
10      say aye.

11              COMMITTEE MEMBERS: Aye.

12              CHAIRMAN HALL: All those opposed, no.

13              COMMITTEE MEMBERS: No.

14              CHAIRMAN HALL: In the opinion of the  
15      chair, the nos have it, the nos do have it, and  
16      the amendment fails.

17              We'll now shift to the Senate vote.

18              CHAIRMAN DANIEL: Thank you, Mr. Chair.

19              For the Senate members, all in favor of  
20      the amendment, please indicate by saying aye.

21              COMMITTEE MEMBERS: Aye.

22              CHAIRMAN DANIEL: All opposed, nay.

23              COMMITTEE MEMBERS: Nay.

24              CHAIRMAN DANIEL: In the opinion of the  
25      chair, the nos have it. Thank you.



1           CHAIRMAN HALL: Members, the next  
2 amendment will be from Senator Clark again.  
3 This is his Proposed Amendment to Criteria  
4 Number 2. This is dealing with contiguity.

5           Senator Clark, the gentleman is  
6 recognized to debate the amendment.

7           SENATOR CLARK: Thank you, Mr. Chair.

8           UNKNOWN SPEAKER: Mr. Chair, two is  
9 missing from this line, sir.

10          CHAIRMAN HALL: Okay. If the  
11 sergeant-at-arms will ensure that members who  
12 raise their hands on each one of these are  
13 brought a copy of the amendment.

14          And so, Members, if you will -- on each  
15 one of these amendments -- the chair will try to  
16 go slow, but just every time raise your hand  
17 high and I will look out and try to direct  
18 sergeant-at-arms as well to get those out.

19          So we'll -- Senator Clark, just one  
20 second, let's give those members a chance to  
21 take a look at this amendment.

22          And for the sergeant-at-arms, there are  
23 some members who are not on the committee who  
24 are in the back, and so the chair would direct  
25 the sergeant-at-arms to, number one, focus on

1 the committee members, and once you've got the  
2 committee members amendments, then if you will  
3 make sure that the other members not on the  
4 committee in the back will get a copy of the  
5 proposed amendments.

6 Okay. Senator Clark, the gentleman is  
7 recognized to debate the amendment.

8 SENATOR CLARK: Thank you, Mr. Chair.

9 This particular amendment just  
10 clarifies that point contiguity -- excuse  
11 me -- point contiguity will not be permitted.  
12 That's not mentioned in the previous version.

13 CHAIRMAN HALL: Is there discussion or  
14 debate on the amendment?

15 Chairman Daniel.

16 CHAIRMAN DANIEL: Thank you, Mr. Chair.  
17 Thank you, Senator Clark, for the amendment.

18 The chairs considered this at length  
19 and would ask the committee -- we think it's a  
20 good amendment and would ask the committee to  
21 adopt it.

22 CHAIRMAN HALL: Is there further  
23 discussion or debate on this amendment? Hearing  
24 none, the House will move into a vote.

25 All those in favor of the amendment

1 will say aye.

2 COMMITTEE MEMBERS: Aye.

3 CHAIRMAN HALL: All those opposed, no.  
4 The ayes have it and the amendment is  
5 adopted.

6 We'll move into a Senate vote.

7 CHAIRMAN DANIEL: Thank you, Mr. Chair.  
8 For the members of the Senate, all  
9 favor in Senator Clark's amendment, please  
10 indicate by saying aye.

11 COMMITTEE MEMBERS: Aye.

12 CHAIRMAN DANIEL: All opposed no.  
13 The ayes have it and the amendment is  
14 adopted.

15 CHAIRMAN HALL: Members, the next  
16 amendment is proposed by Representative Reives,  
17 and this is the amendment dealing with free  
18 elections, the free elections clause. It's  
19 Representative Reives free elections.

20 Again, members of the committee will  
21 raise their hands if they don't have a copy.  
22 The chair sees Representative Brenden Jones, not  
23 sure what's going on over there with  
24 Representative Brenden Jones.

25 Representative Reives, the gentleman is

1 recognized.

2 REPRESENTATIVE REIVES: Thank you  
3 Mr. Chair.

4 And I hope that this is  
5 self-explanatory. And what it is saying is  
6 that -- as you said, it references the free  
7 elections clause and to ensure the results of  
8 elections will reflect the will of the people;  
9 that the district lines not be drawn in a manner  
10 that will likely provide any political party  
11 seats in congress or in the General Assembly  
12 that is disproportionate to the election  
13 strength of that party. We ask you to support  
14 the amendment.

15 CHAIRMAN HALL: Thank you,  
16 Representative Reives.

17 And, Members, the chair will -- is also  
18 going to take this amendment. The chair would  
19 respectfully ask members to vote against this  
20 amendment. And the reason why, I'll go back to  
21 my opening comments, and that is for the first  
22 time ever, this is a redistricting committee  
23 that intends to vote on these maps -- on a set  
24 of criteria, rather, that does not take into  
25 account political data and partisanship, and

1 this amendment would actually require us to go  
2 back on that. It would actually require us to  
3 consider election data at some point in order to  
4 meet whatever standard is in this proposed  
5 criteria.

6 And finally, the chair would just say  
7 that the chair disagrees with the interpretation  
8 of Common Cause v Lewis that is set out in this  
9 proposed amendment. And again, the chair would  
10 ask that you -- respectfully that you vote  
11 against the amendment.

12 Is there further discussion or debate  
13 on the amendment?

14 SENATOR CLARK: Mr. Chair.

15 CHAIRMAN HALL: Senator Clark.

16 SENATOR CLARK: This does not require  
17 that we use election data in the construction of  
18 the districts. We could use election data in  
19 the analysis of the districts once they had been  
20 approved by the committee.

21 CHAIRMAN HALL: Further discussion or  
22 debate.

23 Representative Reives.

24 REPRESENTATIVE REIVES: And I would  
25 reemphasize that point, that I think that the

1 way I would read the agreement and the way I  
2 would read the case, we're absolutely  
3 asking -- in fact, it seems to me that it's  
4 actually asking the opposite and more in line  
5 with what the chair is saying, respectfully,  
6 that we don't want to use political data that  
7 would allow us to do that and that this is  
8 completely an analysis amendment when it comes  
9 down to it, and so that would be something that  
10 we would have to do post taking care of these.

11 CHAIRMAN HALL: Further discussion or  
12 debate on the amendment.

13 Representative Hastings.

14 REPRESENTATIVE HASTINGS: Yeah, I was  
15 just going to say, with all the respect I have  
16 for Representative Reives, the amendment does  
17 seem somewhat vague to me, and so that's the  
18 reason I'm not going to support it.

19 CHAIRMAN HALL: Further discussion or  
20 debate on the amendment.

21 If not, the House will now vote, and  
22 the question is -- before the House is -- the  
23 question before the House members of the  
24 committee is the adoption of the amendment.

25 All those in favor will say aye.

1 COMMITTEE MEMBERS: Aye.

2 CHAIRMAN HALL: All those opposed, no.

3 COMMITTEE MEMBERS: No.

4 CHAIRMAN HALL: In the opinion of the  
5 chair, the nos have it, the nos do have it, and  
6 the amendment fails.

7 We'll move to the Senate vote.

8 CHAIRMAN DANIEL: Thank you, Mr. Chair.

9 Members of the Senate, all in favor of  
10 Representative Reives' amendment, please  
11 indicate by saying aye.

12 COMMITTEE MEMBERS: Aye.

13 CHAIRMAN DANIEL: All opposed, no.

14 COMMITTEE MEMBERS: No.

15 CHAIRMAN DANIEL: In the opinion of the  
16 chair, the nos have it and the amendment fails.

17 REPRESENTATIVE RICHARDSON:

18 Mr. Chairman.

19 CHAIRMAN HALL: Representative  
20 Richardson.

21 REPRESENTATIVE RICHARDSON: Inquiry of  
22 the chair.

23 CHAIRMAN HALL: The gentleman's  
24 recognized to communicate with the chair.

25 REPRESENTATIVE RICHARDSON: Earlier,

1       there was a Senate ruling saying the Senate  
2       rules didn't call out for a division. Do our  
3       rules apply as it relates to our votes?

4               CHAIRMAN HALL: That's right. The  
5       House rules applies. It applies to House rules  
6       and vice versa for the Senate. And that's why  
7       on the first vote the chair asked if anyone  
8       intended to call division, and that's each House  
9       member's right if they wish to do that.

10              REPRESENTATIVE RICHARDSON: Just wanted  
11       to clarify that. Thank you.

12              CHAIRMAN HALL: Yes, sir.

13              Representative Reives, we're going to  
14       go back to you. This is Representative Reives'  
15       amendment on general policy emphasis, general  
16       policy emphasis. The chair doesn't see any  
17       hands raised.

18              Representative Reives, the gentleman is  
19       recognized.

20              REPRESENTATIVE REIVES: Thank you.

21              And what this will be saying is that we  
22       will not be splitting any municipalities,  
23       counties, groupings, or VTDs in order to give  
24       favor to any voter, any candidate, or any  
25       political party. I ask you to support the



1 amendment.

2 CHAIRMAN DANIEL: Mr. Chair.

3 CHAIRMAN HALL: Senator Daniel.

4 CHAIRMAN DANIEL: Thank you, Mr. Chair.

5 In regard to this amendment, the chairs  
6 did consider this at length and feel that this  
7 criteria would be impossible to abide by without  
8 considering political data, and therefore we  
9 would feel like it would be a violation of  
10 our -- the intent of the criteria and would ask  
11 for the members to vote against it.

12 CHAIRMAN HALL: Representative Reives.

13 REPRESENTATIVE REIVES: And I would  
14 just say respectfully, just as with the other  
15 amendment, that this would be -- the intent of  
16 this amendment would be for post-map analysis,  
17 not for anything to be considered when drawing  
18 the map.

19 CHAIRMAN HALL: Further discussion or  
20 debate on the amendment. Hearing none, the  
21 House will move into a vote.

22 All those in favor of the amendment  
23 will say aye.

24 COMMITTEE MEMBERS: Aye.

25 CHAIRMAN HALL: All those opposed, no.

1 COMMITTEE MEMBERS: No.

2 CHAIRMAN HALL: In the opinion of the  
3 chair, the nos have it and the amendment fails.

4 We'll move to the Senate vote.

5 CHAIRMAN DANIEL: Thank you, Mr. Chair.

6 Members of the Senate, in regards to  
7 Representative Reives Amendment Number 2, all in  
8 favor of the amendment please indicate by saying  
9 aye.

10 COMMITTEE MEMBERS: Aye.

11 CHAIRMAN DANIEL: All opposed, nay.

12 COMMITTEE MEMBERS: Nay.

13 CHAIRMAN DANIEL: In the opinion of the  
14 chairs, the nos have it and the amendment fails.

15 CHAIRMAN HALL: Members, the committee  
16 will be at ease just momentarily.

17 [At ease.]

18 CHAIRMAN HALL: Members, now we're  
19 going to move to Senator Marcus' Amendment to  
20 Propose Criteria Number 9. This deals with  
21 member residence, Proposed Criteria Number 9  
22 from Senator Marcus.

23 SENATOR MARCUS: Thank you, Mr. Chair.

24 CHAIRMAN HALL: One second,  
25 Senator Marcus. The chair is going to make sure

1 we have -- everyone understands which -- which  
2 one we're dealing with. So if you'll get --

3 SENATOR CLARK: Mr. Chairman, may I  
4 come to the podium.

5 CHAIRMAN HALL: Come on up.

6 The committee will be at ease again  
7 momentarily.

8 [At ease.]

9 CHAIRMAN HALL: Okay. Members, as the  
10 chair said earlier, the chair was aware that  
11 perhaps some members had amendments drafted and  
12 sent to the chairs that they didn't necessarily  
13 want to put forth to the committee.

14 The chair -- Senator Marcus, the  
15 chair's in possession of three possible  
16 amendments from the senator. Will the lady read  
17 the proposed amendment that you intend to put  
18 forth.

19 SENATOR MARCUS: If it suits the chair,  
20 Senator Clark is anticipating -- I don't know  
21 why my name is on it, but he was anticipating  
22 running the first amendment on this criteria.  
23 If we could give him the floor, he can speak to  
24 that.

25 CHAIRMAN HALL: Okay. Then the chair

1 has conferred with Senator Clark on the matter,  
2 and it's -- we can make the technical change  
3 later to put Senator Clark's name on it, and  
4 Senator Clark can certainly debate it.

5 Before we move into that, though, can  
6 the members give the chair some guidance as to  
7 which of these proposed three amendments that  
8 Senator Marcus wishes to -- obviously, the one  
9 that Senator Clark has shown the chair and that  
10 is the one that's the most simple. It just says  
11 delete Proposed Criteria Number 9.

12 Senator Marcus, does the lady wish to  
13 send forth any of the other two amendments  
14 that -- that have been put forth to chairs?

15 SENATOR MARCUS: Yes, Mr. Chair. So  
16 the amendment that I seek to put forward -- it's  
17 hard to distinguish among these since they're  
18 not numbered -- begins The residence of members  
19 shall not be considered in the formation of  
20 congressional districts.

21 CHAIRMAN HALL: Okay. And to be  
22 clear -- so there is one other amendment that  
23 begins with incumbency protection, the mapmakers  
24 may take reasonable efforts and so on. And on  
25 that amendment, the lady does not wish to put

1       that amendment forward.

2               SENATOR MARCUS: I did not request  
3       this.

4               CHAIRMAN HALL: You can change your  
5       mind later on, but --

6               SENATOR MARCUS: I'm not changing my  
7       mind. I never requested this, so it -- I don't  
8       know why it has my name on it, but I am not  
9       putting it forward.

10              CHAIRMAN HALL: Okay. All right.  
11       We'll do away with that one, and we'll begin,  
12       then, with Senator Clark.

13              And, Members, if you're not confused  
14       enough already, Members, this -- Senator Clark  
15       is going to present the amendment that says  
16       Senator Marcus on the top right, and it says  
17       Amendment to Proposed Criteria Number 9 is  
18       delete Proposed Criteria Number 9.

19              Do any committee members feel that they  
20       don't know where we're at? Which would be  
21       completely reasonable at this point.

22              Okay. Do all committee members have  
23       that amendment?

24              UNIDENTIFIED SPEAKER: Yes.

25              CHAIRMAN HALL: Okay. All right.

1           Senator Clark, the gentleman is  
2 recognized.

3           SENATOR CLARK: Thank you, Mr. Chair.

4           Essentially what this will do is say we  
5 are not going to consider incumbency in the  
6 establishment of congressional or legislative  
7 districts.

8           CHAIRMAN HALL: And the chair will  
9 speak to this amendment as well.

10           Members, the chairs have already  
11 included in our proposed criteria some account  
12 for member residence, and we have included in  
13 there that the member residence may be  
14 considered in the formation of legislative and  
15 congressional districts. And the chairs feel  
16 that this is a traditional redistricting  
17 criteria that has been long used, that this  
18 committee's used it in the past. The chairs  
19 believe that it's best that this committee and  
20 this body continue to use this proposed  
21 criteria. So the chair would ask you to vote  
22 against the amendment.

23           Is there further discussion or debate  
24 on -- Senator Blue.

25           SENATOR BLUE: Yeah, just a quick

1 question, Mr. Chair.

2 Since residence is not -- I can  
3 understand looking at residence in legislative  
4 districts, since you have to live in them and  
5 you got to live in them a year before the  
6 election, but in congressional districts,  
7 there's no residential requirement. And what  
8 you effectively do is figure out a way to skew  
9 the map and not for any particular purpose, but  
10 if somebody is in a district and serving it  
11 well, they don't have to live there. We've had  
12 that instance, I think, in the current  
13 congressional delegation. I know that was the  
14 case in the delegation prior to 20 -- the one  
15 elected in 2020.

16 So what is the reason for considering  
17 congressional residence?

18 CHAIRMAN HALL: Well, thank you for  
19 this question, Senator Blue. And the chair  
20 would just simply respond by saying that this  
21 body has long used member residence both for  
22 legislative districts. As the gentleman  
23 correctly notes, a member has to live in their  
24 residence, there's a time period for that, as  
25 the gentleman knows, and the gentleman is

1 correct that congressional candidates don't  
2 necessarily have to live in their districts  
3 whether they should or not. But the chair will  
4 again say as recently as 2019, the committee has  
5 considered the member residence of both  
6 legislative and congressional members, courts  
7 have upheld that practice, and the chair  
8 believes that it works well for the efficient  
9 drafting of maps. And so again, the chair would  
10 ask that members vote against the amendment.

11 Further discussion and debate on the  
12 amendment. Hearing none, the House will move  
13 into a vote.

14 All those in favor of the amendment  
15 will say aye.

16 COMMITTEE MEMBERS: Aye.

17 CHAIRMAN HALL: All those opposed, no.

18 COMMITTEE MEMBERS: No.

19 CHAIRMAN HALL: In the opinion of the  
20 chair, the nos have it and the amendment is  
21 defeated.

22 We'll move to a Senate vote.

23 CHAIRMAN DANIEL: Thank you, Mr. Chair.

24 Senate members, we're voting on  
25 Senator Clark's amendment regarding member



1 residence. All in favor of the amendment please  
2 say aye.

3 COMMITTEE MEMBERS: Aye.

4 CHAIRMAN DANIEL: All opposed, no.

5 COMMITTEE MEMBERS: No.

6 CHAIRMAN DANIEL: In the opinion of the  
7 chair, the nos have it and the amendment fails.

8 CHAIRMAN HALL: Members, we will --  
9 we'll go back to Senator Marcus on her other  
10 amendment. And this is an amendment to Proposed  
11 Criteria Number 9 dealing with member residence.  
12 It begins -- strikes out "member" and says the  
13 residence of members may -- I'm sorry -- "the  
14 residence of members shall not be considered in  
15 the formation" and it goes on.

16 Senator Marcus, the lady is recognized  
17 to debate the amendment.

18 SENATOR MARCUS: Thank you, Mr. Chair.

19 It has been made very clear to this  
20 body through public comments that voters don't  
21 want elected officials to draw maps in districts  
22 that favor ourselves. I believe that in the  
23 past maps have been drawn with an eye on where  
24 incumbents live in order to give certain members  
25 a favorable district and others a tougher

1 district. And the member residence criteria as  
2 it's currently proposed, as was handed out to us  
3 at the beginning of this week, is so vague that  
4 it could and likely will still allow for such  
5 favoritism to occur this time around.

6 So we proposed earlier -- Senator Clark  
7 just discussed with you an amendment to  
8 eliminate consideration of member residences  
9 completely. Since that was rejected, I think  
10 it's important that if we're going to consider  
11 member residence that we do so in as minimally a  
12 way as possible, so that's why I'm submitting  
13 this compromise which is to say for the reason  
14 Senator Blue pointed out, congress people do not  
15 have to live in their district, there's no need  
16 to contort districts in order to accommodate  
17 their residence, so my amendment would say we  
18 should not consider congressional members'  
19 residence when we draw the maps, but as  
20 Senator Blue pointed out, members of the General  
21 Assembly are required to live in our districts  
22 and the court in 2019 did give permission to  
23 this body to not double-bunk legislators since  
24 we have to live in the district, and so this  
25 amendment would allow for the residence of

1 members of the General Assembly to be  
2 considered -- or shall be considered, I should  
3 point out, in the formation of legislative  
4 districts for the sole purpose of avoiding  
5 placing more than one incumbent in the same  
6 election district. And I ask for your support  
7 of this amendment.

8 CHAIRMAN HALL: Thank you,  
9 Senator Marcus.

10 Members, the chair will again speak to  
11 this amendment. And many of the same points the  
12 chair made earlier on the prior amendment apply  
13 to this amendment, so the chair won't restate  
14 those, but the chair will just simply say that  
15 the proposed criteria in the chair's amendment  
16 gives the committee the latitude to adequately  
17 make considerations about member residence. And  
18 members will be allowed to put forth -- when the  
19 map drawing begins, the members are welcome to  
20 put forth a map that doesn't take into  
21 consideration those matters.

22 And so for those reasons the chairs  
23 believe that the current criteria is sufficient  
24 and appropriate for this committee and would ask  
25 you to vote against the amendment.

1 Further discussion or debate on the  
2 amendment.

3 Representative Reives.

4 REPRESENTATIVE REIVES: Just an inquiry  
5 of the chair.

6 CHAIRMAN HALL: The gentleman is  
7 recognized.

8 REPRESENTATIVE REIVES: So under your  
9 belief under the information or the amendment,  
10 the criteria as it stands right now without  
11 taking the amendment, what reasons would you say  
12 that you feel that residency can be taken into  
13 consideration?

14 CHAIRMAN HALL: Thank you for the  
15 question, Representative Reives. And again, as  
16 the standard lays out, it just simply may be  
17 considered, and so that depends on whatever any  
18 committee member wants to put forth to this  
19 committee as to why one district or the other  
20 may be needed to be drawn where it's at.

21 And again, just like we did in 2019 and  
22 that we've done in the past and the member  
23 -- the gentleman has been here through many  
24 redraws at this point and understands how this  
25 provision plays into there, into that analysis,

1 and the chair anticipates, just as we've done in  
2 the past in other redraws and the maps that  
3 we're currently sitting under that have been  
4 upheld, that we'll interpret those the same way.

5 Further -- Senator Marcus.

6 SENATOR MARCUS: I would just like to  
7 clarify if I could, Mr. Chair, a point.

8 CHAIRMAN HALL: The lady's recognized.

9 SENATOR MARCUS: Thank you.

10 The way it's currently drafted, without  
11 an amendment, the words "may be" are very vague.  
12 That says to me that we might help some members,  
13 current members to stay in their districts and  
14 we might not help others, and that to me is a  
15 problem. We can't have a vague standard like  
16 that. That's why my amendment would make it  
17 very clear that if we're going to do it for some  
18 members, we have to do it for all, and that's  
19 why the importance of the word "shall be" is in  
20 there instead of "may," and I'd ask for your  
21 support of this amendment to make sure it's done  
22 fairly.

23 CHAIRMAN HALL: Further discussion or  
24 debate on the amendment. If not, the House will  
25 move into a vote.

1 All those if favor of the amendment  
2 will say aye.

3 COMMITTEE MEMBERS: Aye.

4 CHAIRMAN HALL: All those opposed, no.

5 COMMITTEE MEMBERS: No.

6 CHAIRMAN HALL: Nos have it, the  
7 amendment fails. We'll move to a Senate vote.

8 CHAIRMAN DANIEL: Thank you, Mr. Chair.

9 All members of the Senate who are in  
10 favor of Senator Marcus's amendment, please  
11 indicate by saying aye.

12 COMMITTEE MEMBERS: Aye.

13 CHAIRMAN DANIEL: All opposed, no.

14 COMMITTEE MEMBERS: No.

15 CHAIRMAN DANIEL: The nos have it and  
16 the amendment fails.

17 CHAIRMAN HALL: Members, the chair  
18 mentioned a moment ago the chair had another  
19 proposed amendment to Criteria Number 9, and it  
20 has Senator Marcus' name on it, but  
21 Senator Marcus, as she has said, did not ask for  
22 this one to be drafted. And so the chair would  
23 simply ask committee members -- the chair's  
24 going to read this and ask if the committee  
25 member who had this drafted will please let us

1 know who this is so we can determine whether you  
2 want this amendment to be put forth or not.

3 The amendment reads "Incumbency  
4 Protection. The mapmakers may take reasonable  
5 effort to not pair incumbents unduly in the same  
6 election district."

7 "The mapmakers may take reasonable  
8 efforts to not pair incumbents unduly in the  
9 same election district."

10 Again, this is for Proposed Criteria  
11 Number 9. Do -- does any member recognize this  
12 proposed amendment?

13 UNIDENTIFIED SPEAKER: Consider it  
14 abandoned.

15 CHAIRMAN HALL: Okay. It sounds like  
16 this one is an orphan, and we will abandon this  
17 amendment.

18 Okay. Members, the next amendment is  
19 to Proposed Criteria Number 7. This is  
20 Senator Clark's amendment, and this deals with  
21 municipal boundaries.

22 SENATOR CLARK: Mr. Chair.

23 CHAIRMAN HALL: Senator Clark, just one  
24 second.

25 Okay. All right, the gentleman's

1 recognized to send forward -- to debate the  
2 amendment.

3 SENATOR CLARK: I withdraw the  
4 amendment.

5 CHAIRMAN HALL: Okay. The gentleman  
6 wishing to withdraw his amendment, the amendment  
7 will be withdrawn.

8 Members, the next -- the next amendment  
9 is from Representative Reives, and it deal -- it  
10 begins with general policy emphasis and then it  
11 deals with post-map-drawing policy, and it looks  
12 like this is just -- instead of being an  
13 amendment to any particular piece of criteria,  
14 in the chair's criteria, this is -- this would  
15 just simply add to the criteria.

16 Seeing no members with their hands  
17 raised -- Representative Reives, the gentleman,  
18 is recognized.

19 REPRESENTATIVE REIVES: Thank you.  
20 And, Mr. Chair, I would be withdrawing this.  
21 The first part of this has already been  
22 addressed. The second part of this, there's an  
23 amendment that I think has been submitted by  
24 Senator Marcus that I would defer to.

25 CHAIRMAN HALL: Okay. The gentleman



1 wishes for his amendment to be withdrawn, and so  
2 it will be withdrawn.

3 Okay. Back to Senator Marcus, this is  
4 an amendment on post-map-drawing policy,  
5 post-map-drawing policy. Looks to be, again,  
6 another amendment to the criteria as a whole and  
7 not an amendment to any specific number in the  
8 criteria. Post-map-drawing policy,  
9 Senator Marcus.

10 Senator Marcus, the lady's recognized  
11 to debate the amendment.

12 SENATOR MARCUS: Thank you, Mr. Chair.

13 This is an amendment that attempts to  
14 address the problem that we know will come up  
15 which is maps cannot be drawn with consideration  
16 of partisan data or previous election results,  
17 but they will be analyzed after they are  
18 proposed, and we believe that they should be  
19 analyzed to see if there is a disproportionate  
20 advantage to a candidate or a political party  
21 using that data. So this attempts to make clear  
22 that that data will not be used in drawing the  
23 maps and only for analyzing them afterwards so  
24 that the public will know whether they're tilted  
25 or not. I ask for you to support the amendment.

1 CHAIRMAN HALL: Senator Daniel.

2 CHAIRMAN DANIEL: Thank you, Mr. Chair.

3 CHAIRMAN HALL: The gentleman is  
4 recognized.

5 CHAIRMAN DANIEL: And thank you for the  
6 amendment, Senator Marcus. I think the  
7 committee -- the chairs feel like that we want  
8 to draw a line in the sand, that we do not  
9 intend to use partisan data in the map-drawing  
10 process and don't want to inject it in any way,  
11 shape, or form into our criteria. Obviously,  
12 there may be outside third party groups that do  
13 analysis of our maps and that's fine, but we  
14 don't intend to do that as a committee.

15 CHAIRMAN HALL: Further discussion or  
16 debate on this amendment. Hearing none, the  
17 House will move into a vote.

18 All those in favor of the amendment  
19 will say aye.

20 COMMITTEE MEMBERS: Aye.

21 CHAIRMAN HALL: All those opposed, no.

22 COMMITTEE MEMBERS: No.

23 CHAIRMAN HALL: Nos have it, the  
24 amendment fails. We'll move to the Senate vote.

25 CHAIRMAN DANIEL: Thank you, Mr. Chair.

1 All members of the Senate in favor of  
2 Senator Marcus' amendment please indicate by  
3 saying aye.

4 COMMITTEE MEMBERS: Aye.

5 CHAIRMAN DANIEL: All opposed, no.

6 COMMITTEE MEMBERS: No.

7 CHAIRMAN DANIEL: The nos have it and  
8 the amendment fails.

9 CHAIRMAN HALL: Members --  
10 Representative Reives, we'll go back to the  
11 gentleman.

12 This is post-map-drawing policies.  
13 Does the gentleman still wish to put forth this  
14 amendment?

15 REPRESENTATIVE REIVES: Happy to  
16 withdraw it.

17 CHAIRMAN HALL: Okay. The gentleman  
18 withdraws his amendment.

19 Okay. Members, now we're back to  
20 Senator Clark's -- another amendment from  
21 Senator Clark. This is Purpose of Criteria.  
22 It's Purpose of Criteria.

23 SENATOR CLARK: Thank you, Mr. Chair.

24 CHAIRMAN HALL: Senator Clark, the  
25 gentleman is recognized.

1           SENATOR CLARK: Thank you, Mr. Chair.  
2           I, too, Mr. Chair, I went online and -- not went  
3           online myself, but I did review a lot of the  
4           comments that were provided online, and one  
5           consistent was that this particular criteria  
6           should be rated higher than this one or that one  
7           should be rated higher than that one, and as you  
8           indicated, we did not establish a priority for  
9           the criteria, but I think that we should. And  
10          this particular amendment attempts to do that by  
11          stating that -- let's see where are we at.

12                 Therefore, the priority of precedence  
13          for compliance shall be as follows: First,  
14          equal protection; second, contiguity; third,  
15          Voting Rights Act; fourth, county groupings,  
16          whole counties, communities of  
17          interest/community considerations, whole  
18          municipalities, whole VTDs and then compactness.

19                 CHAIRMAN DANIEL: Mr. Chair.

20                 CHAIRMAN HALL: Senator Daniel.

21                 CHAIRMAN DANIEL: Thank you, Mr. Chair,  
22          and thank you, Senator Clark, for the amendment.

23                 The chairs considered this amendment  
24          and believe that we're not prioritizing our  
25          criteria, we're harmonizing our criteria. We're

1 going to consider all of the criteria and try to  
2 comply with all criteria when possible --  
3 whenever possible in drawing the maps, and  
4 therefore we don't feel that the criteria should  
5 be placed in any particular order and would ask  
6 the committee to vote against the amendment.

7 CHAIRMAN HALL: Further discussion or  
8 debate on this amendment.

9 Senator Marcus.

10 SENATOR MARCUS: Question.

11 CHAIRMAN HALL: The lady's recognized  
12 for a question.

13 SENATOR MARCUS: If we're not going to  
14 explicitly prioritize -- we know that they will  
15 conflict from time to time, so what are -- what  
16 are gonna -- how are we going to handle that if  
17 we're not saying one thing is more important  
18 than another, if they conflict, who and how will  
19 we decide which one to follow first?

20 CHAIRMAN HALL: Senator Daniels.

21 CHAIRMAN DANIEL: Senator Marcus, I  
22 think we fully intend to comply with all state  
23 and federal laws and court decisions regarding  
24 the criteria and how it's applied to the maps,  
25 and that would be our -- I guess our guiding

1 star in that regard.

2 SENATOR MARCUS: Follow-up.

3 CHAIRMAN HALL: The lady's recognized.

4 SENATOR MARCUS: It's my understanding  
5 that the courts haven't clearly said -- have not  
6 made all these decisions for us already, and so  
7 my fear is if we leave it vague about which  
8 order these criteria will be considered in, the  
9 public doesn't know, members of this committee  
10 don't even know how we will resolve conflicts  
11 when the criteria do conflict.

12 CHAIRMAN HALL: Further discussion or  
13 debate on the amendment. Hearing none, the  
14 House will move into a vote.

15 All those in favor of the amendment  
16 will say aye.

17 COMMITTEE MEMBERS: Aye.

18 CHAIRMAN HALL: All those opposed, no.

19 COMMITTEE MEMBERS: No.

20 CHAIRMAN HALL: The nos have it, the  
21 amendment fails. We'll move to a senate vote.

22 CHAIRMAN DANIEL: Thank you, Mr. Chair.

23 All Senate members in favor of the  
24 amendment please indicate by saying aye.

25 COMMITTEE MEMBERS: Aye.

1 CHAIRMAN DANIEL: All opposed, no.

2 COMMITTEE MEMBERS: No.

3 CHAIRMAN DANIEL: The nos have it. The  
4 amendment fails.

5 CHAIRMAN HALL: Members, the next  
6 amendment will be from Senator Blue, begins with  
7 Voting Rights Act.

8 SENATOR BLUE: Thank you, Mr. Chairman.

9 CHAIRMAN HALL: Just one second,  
10 Senator Blue. I want to make sure every  
11 member's got a copy.

12 Looks -- Senator Jackson,  
13 Representative Hardister, right here in the  
14 middle. Yeah, just keep your hands up, Members,  
15 if you will. Again, we're on Senator Blue's  
16 Voting Rights Act amendment. And chair will  
17 give just a moment to let these members get a  
18 copy. Okay. The chair believes all members  
19 have a copy at this point.

20 Senator Blue, the gentleman is  
21 recognized.

22 SENATOR BLUE: Thank you, Mr. Chair.

23 The amendment is sort of  
24 self-explanatory. I'd simply say that for the  
25 four decades since the 1980s redistricting,

1 starting with Gingles versus Edmisten and  
2 through Shaw versus Reno and through the series  
3 of cases at the early part of this century and  
4 the cases in the last redistricting cycle,  
5 North Carolina has basically been the state with  
6 the chin out before the Supreme Court to get our  
7 redistricting plan struck down. And we've spent  
8 tens of millions of dollars over that time  
9 period, from the '80s forward, to have the  
10 Supreme Court basically say no to all of those  
11 efforts that we've done.

12 And so this is an effort to make sure  
13 that we make an effort to try to save the  
14 taxpayers what now is collectively more than  
15 \$50 million in efforts in futility by setting  
16 forth that -- related to Senator Daniel's  
17 earlier amendment that we know what the Voting  
18 Rights Act requires, we know what the Supreme  
19 Court has said, and this is the language that  
20 they have used with respect to -- in both Cooper  
21 versus Harris and Covington versus  
22 North Carolina that you got to do to comply with  
23 the Voting Rights Act.

24 And I just offer the amendment so that  
25 it's constantly before us so that we don't get



1     tempted to sort of skirt to the edge again and  
2     cost the taxpayers another 10 or \$20 million  
3     defending this thing back up through the Court  
4     of Appeals or the Supreme Court -- or a  
5     three-judge panel and the Supreme Court, so I  
6     move the adoption of the amendment.

7             CHAIRMAN DANIEL: Mr. Chair.

8             CHAIRMAN HALL: Senator Daniel.

9             CHAIRMAN DANIEL: Thank you, Mr. Chair,  
10     and thank you for the amendment, Senator Blue.  
11     Certainly, you've been involved in this process  
12     for a long time and have a lot of knowledge  
13     about that.

14             The chair, you know, we considered this  
15     particular issue as, you know, Senator Newton  
16     discussed at the beginning of the committee  
17     meeting over the last few days and, of course,  
18     we amended this criteria at the beginning of the  
19     committee meeting today to make it abundantly  
20     clear that the committee will not -- or intends  
21     to comply with the Voting Rights Act in drawing  
22     districts, and therefore I would just ask the  
23     committee to reject the amendment. The criteria  
24     explicitly states we will not use racial data in  
25     the drawing of the maps and -- but will attempt,

1 in all respects, to comply with the Voting  
2 Rights Act. And certainly we'll -- if any  
3 evidence of racially polarized voting in any  
4 part of North Carolina is presented to us, that  
5 would be something that would need to be looked  
6 at, but would ask that the members reject the  
7 amendment.

8 CHAIRMAN HALL: Senator Clark.

9 SENATOR CLARK: Thank you, Mr. Chair.  
10 I'd like to ask a few questions.

11 You may have mentioned it, but it  
12 really slipped my mind. How do we intend to  
13 comply with the Voting Rights Act if we don't  
14 use the racial data that is required to comply  
15 with it?

16 CHAIRMAN DANIEL: Well, I think,  
17 Senator Clark, just as -- thank you for the  
18 question. Just as Senator Newton explained at  
19 the beginning of the meeting that, you know, in  
20 the event that evidence is presented to the  
21 committee that there's racially polarized voting  
22 in North Carolina, then that might be something  
23 the committee would need to address. And at  
24 this point, you know, the courts in 2019 and  
25 even the Democrats own expert have said that

1       there's not racially polarized voting in  
2       North Carolina, and so, you know, that's sort of  
3       where we think we're at.

4               SENATOR CLARK:   Follow-up.

5               CHAIRMAN HALL:   The gentleman is  
6       recognized.

7               SENATOR CLARK:   Given that the  
8       Stephenson requirement is there that we do VRA  
9       districts first, is it not incumbent upon the  
10      General Assembly itself to perform racial  
11      polarized studies in order to make that  
12      determination that as we are here today that  
13      there is no racial polarization within  
14      North Carolina with regard to voting.

15              CHAIRMAN HALL:   The gentleman is  
16      recognized.

17              CHAIRMAN DANIEL:  And I think to answer  
18      your question, again, I think, you know, based  
19      on the 2019 decisions of the court and the  
20      Democrat's own expert, we don't feel that that  
21      is necessary at this point at the outset of the  
22      map drawing.

23              CHAIRMAN HALL:   Further discussion  
24      or --

25              SENATOR CLARK:   Mr. Chair.

1                   CHAIRMAN HALL:   Senator Clark,  
2 follow-up.

3                   SENATOR CLARK:   Were we considering all  
4 of the VRA districts during the 2019  
5 court -- within the 2019 court case?

6                   CHAIRMAN DANIEL:   I don't really have  
7 any further comment about this amendment,  
8 Senator -- or Representative Clark.

9                   CHAIRMAN HALL:   Is there further  
10 discussion or debate on the -- Senator Blue.

11                   SENATOR BLUE:   Just one quick comment,  
12 Mr. Chairman.   In order to make sure that the  
13 record is straight, I don't know that there's  
14 any testimony that there is no polarized voting  
15 in North Carolina.   In fact, I think it's just  
16 the opposite.

17                   CHAIRMAN HALL:   Further discussion or  
18 debate.

19                   Representative Richardson.

20                   REPRESENTATIVE RICHARDSON:   Yeah.   You  
21 know, some -- some things make perfect  
22 commonsense to me.   This amendment I think  
23 protects us in the long run, and I think we  
24 ought to adopt it.

25                   CHAIRMAN HALL:   Senator Newton.

1           SENATOR NEWTON: I'd like to comment on  
2 why we should not adopt the amendment for a very  
3 different reason.

4           The amendment is Senator Blue's summary  
5 of the case law. If we start summarizing every  
6 aspect of case law related to redistricting,  
7 we'd never stop with criteria. So I appreciate  
8 the interpretation and the summary. We are  
9 going to comply with the law as it is handed  
10 down in those decisions, period. We don't need  
11 a criteria to do that.

12           CHAIRMAN HALL: Further discussion or  
13 debate on -- Senator Fitch. I mean,  
14 Senator Lowe. I'm sorry. Excuse me.

15           SENATOR LOWE: I look so much different  
16 than Senator Fitch.

17           I think we should adopt this, and I  
18 think that -- you know, my mother used to always  
19 say if it's not in writing, it ain't so. And I  
20 think we need something clearcut for this body  
21 to look at. And I think to wait and to push  
22 that off is certainly not a good thing, and I  
23 hope that we will accept this. Thank you.

24           CHAIRMAN HALL: Further discussion or  
25 debate.

1 Representative Hawkins.

2 REPRESENTATIVE HAWKINS: Thank you,  
3 Mr. Chairman. This is just a question for  
4 Senator Daniel.

5 CHAIRMAN HALL: The gentleman is  
6 recognized to put forth a question.

7 REPRESENTATIVE HAWKINS: Thank you.

8 It's just a simple question. How -- if  
9 we -- if we find that African Americans-voters  
10 of color are packed and stacked, then what do we  
11 do in your opinion?

12 CHAIRMAN HALL: And if the Senator will  
13 yield, the chair will just simply state -- add  
14 one thing to the discussion. We've talked a lot  
15 about that 2019 case, but there was a case  
16 before that called Covington in which the  
17 General Assembly did redraw maps not using any  
18 racial data at all, and of course, those maps  
19 were upheld. And this body, and I believe our  
20 congressional districts as well, were run on  
21 after the redraw of Covington which was a racial  
22 gerrymandering claim. Again, this body came in,  
23 redrew those maps just like we are proposing --  
24 just like the chair's proposing and this  
25 criteria, redrew those maps without using race

1 and those maps were upheld, and the chairs feel  
2 that this is the best path forward to ensure  
3 that this committee and ultimately this body can  
4 draw and adopt a set of maps that are upheld by  
5 the courts.

6 CHAIRMAN DANIEL: Mr. Chair.

7 CHAIRMAN HALL: Senator Daniel.

8 CHAIRMAN DANIEL: And so I think, you  
9 know, another point to remember -- for the  
10 entire committee to remember is if you -- or  
11 Representative Hall made comments at the  
12 beginning of the committee meeting that our  
13 process is unprecedented, and at this time we're  
14 going to voluntarily have a transparent process  
15 that's done in public, all map drawing will be  
16 done in public, it will be live-streamed. And  
17 so, you know, for all -- for many of the  
18 concerns that have been addressed or expressed  
19 by members of the committee, you know, that is a  
20 deterrent for any type of, I guess, mischief, if  
21 that's what the opposing party is suggesting.  
22 It will all be transparent, it will all be done  
23 in public, and certainly once maps are proposed,  
24 then members of the opposite party can make  
25 whatever suggestions they want to in our

1        respective committees or whatever allegations in  
2        the respective committee. So I think, you know,  
3        that's the safeguard on the process that's never  
4        been done before, and we intend to follow that  
5        as we've stated.

6                SENATOR CLARK: Mr. Chair.

7                CHAIRMAN HALL: Senator Clark.

8                SENATOR CLARK: Just a point for a  
9        question for clarification.

10               The maps that were drawn as a result of  
11        the Covington case, I think that was intended to  
12        cure the racial gerrymandering; is that correct,  
13        sir?

14               CHAIRMAN HALL: Yes. Part of those  
15        were upheld and the court withdrew -- redrew  
16        some of those maps, Senator Clark.

17               SENATOR CLARK: That's right. So it  
18        was not the General Assembly's maps that were  
19        adopted. It was the maps that were generated by  
20        the special master; is that correct?

21               CHAIRMAN HALL: The majority of the  
22        maps were adopted by the General Assembly. The  
23        other -- the rest of the maps were adopted by  
24        the special master, and that was up to the  
25        court.



1           SENATOR CLARK: Thank you.

2           CHAIRMAN HALL: Further discussion or  
3 debate on the amendment. If not, the House will  
4 now move into a vote.

5           All those in favor of the amendment  
6 will say aye.

7           COMMITTEE MEMBERS: Aye.

8           CHAIRMAN HALL: All those opposed, no.

9           COMMITTEE MEMBERS: No.

10          CHAIRMAN HALL: The nos have it. The  
11 amendment fails. We'll move to the Senate.

12          CHAIRMAN DANIEL: Thank you, Mr. Chair.

13          All members of the Senate in favor of  
14 Senator Blue's amendment, please indicate by  
15 saying aye.

16          COMMITTEE MEMBERS: Aye.

17          CHAIRMAN DANIEL: All opposed, no.

18          COMMITTEE MEMBERS: No.

19          CHAIRMAN DANIEL: The nos have it. The  
20 amendment fails.

21          CHAIRMAN HALL: Members, the next  
22 amendment will be Representative Hawkins'  
23 amendment, Proposed Criteria Number 10. And it  
24 is dealing with community consideration. And  
25 we'll give the members a moment to find that

1 amendment.

2 Okay. Representative Hawkins, the  
3 gentleman is recognized.

4 REPRESENTATIVE HAWKINS: Thank you,  
5 Mr. Chairman. I appreciate it. I appreciate  
6 everyone's time because not only are we doing  
7 the important work of redistricting, we're also,  
8 in the House side at least, doing the budget.  
9 Who thought it would be fun to have all this fun  
10 together, right.

11 But this particular amendment deals  
12 with I think the crux of the matter: communities  
13 of interest. We all know that making sure that  
14 we keep communities that are similar, that have  
15 like understanding, who can talk about things  
16 that matter to them cohesively is important, and  
17 so keeping communities of interest whole is good  
18 for all North Carolinians. And so simply what  
19 this is saying is that we shall make reasonable  
20 efforts to preserve communities of interest in  
21 the construction of congressional house and  
22 senate districts.

23 I'll point to, because I was a member  
24 of this committee in 2019, my friend to my  
25 right. We -- I think everyone learned what

1 Tabor City was, if you remember that pretty  
2 fondly. We talked about it and Columbus county  
3 and that grouping quite a bit, but it was -- it  
4 was -- it was important to keep that  
5 piece -- that city together, that community  
6 together because they understood what they had  
7 in common.

8 Similarly, as proposed, is that we want  
9 to make sure and clarify that communities of  
10 interest include but are not limited to  
11 populations that share racial, cultural,  
12 ethnicity data, identity. They also share  
13 common history of marginalization and/or  
14 discrimination, natural resources, populations  
15 prone to excessive damage due to natural  
16 resources, a la Tabor City, and are organized by  
17 bodies that inform the decisionmaking processes  
18 of their community. That includes higher  
19 education institutions. That includes public  
20 schools of which, again, Tabor City and some of  
21 those other areas, you know, are not immune to.

22 And so one case in addition to that  
23 specific around higher education is  
24 North Carolina A&T State University. I think we  
25 all know that the largest HBCU in the country

1 exists in Greensboro, yet it is split between  
2 districts. And so when we start to think about  
3 what that community potentially has in common,  
4 we need to make sure that we're keeping it  
5 whole.

6 And so, you know, I just wanted to make  
7 those comments and hope that everyone will vote  
8 for this amendment. If you don't do it for me,  
9 do it for Representative Brenden Jones and  
10 Tabor City. Because as Senator Blue said, we  
11 spent millions on defending maps over the last  
12 decade, and if we do not get this right, what  
13 will we do again: spend millions, Senator  
14 Daniel.

15 And I want to also close by saying that  
16 2019 is our floor and not our ceiling, and so I  
17 hope that we will all use that as our guiding  
18 principle to ensure that we can build on the  
19 2019 process so that this 2021 process will move  
20 us forward and make sure that we don't have to  
21 go through another decade of multiple map draw.  
22 Thank you, sir.

23 CHAIRMAN HALL: Thank you,  
24 Representative Hawkins.

25 Members, the chair will take this one.

1 The chair thanks Representative Hawkins for his  
2 always thoughtful additions to the redistricting  
3 committee. And the chair respectfully would ask  
4 the committee to vote against this amendment,  
5 and here's why: The chairs believe that the  
6 current criteria does account for a number of  
7 different criteria that could be encapsulated in  
8 some areas of this proposed amendment. Also,  
9 the chair -- it's the chair's understanding that  
10 community of interest is a legal term of art and  
11 that could throw some unintended consequences  
12 into this criteria that the committee may not  
13 actually intend to do.

14 The amendment also mentions not using  
15 affiliation relationships with a political  
16 party, so election data, for example. And as  
17 the committee now well knows, the chairs have  
18 said that we don't want to use that election  
19 data. And I know this is not saying you can do  
20 that, but the chairs believe it to be, again, an  
21 unnecessary piece of language in the amendment.

22 And chair would, you know, finally say,  
23 you know, it speaks to local neighborhood and so  
24 it's one of those things that if we're  
25 describing -- literally we're going to always

1 consider these local neighborhoods, that can  
2 become difficult to do as well.

3 Again, the chair thanks the member for  
4 a thoughtful amendment, but the chair would have  
5 to respectfully ask the committee to vote  
6 against the amendment.

7 Is there a discussion or debate on the  
8 amendment. Hearing none, the House will  
9 move --

10 SENATOR MARCUS: Mr. Chair.

11 CHAIRMAN HALL: Senator Marcus.

12 SENATOR MARCUS: I'd like to speak to  
13 the amendment, if I could.

14 CHAIRMAN HALL: The lady's recognized.

15 SENATOR MARCUS: Thank you.

16 I think we need to make the point that  
17 public input that we have asked for from the  
18 public for purposes of drawing criteria is  
19 overwhelmingly in favor of an amendment like  
20 Representative Hawkins. There have been more  
21 comments in favor of an amendment like this than  
22 any other topic, from my reading of those online  
23 and in-person comments.

24 As the criteria's currently written, I  
25 think it's vague. There's no definition of what

1 community means, and it only says that we --  
2 that those communities, quote, may be  
3 considered, which again, as is the problem with  
4 other criteria, means that it might not be and  
5 that's unacceptable. I think this is a really  
6 important amendment and we should support it.

7 CHAIRMAN HALL: Further discussion or  
8 debate. Hearing none, the House will move into  
9 a vote.

10 All those in favor of the amendment  
11 will say aye.

12 COMMITTEE MEMBERS: Aye.

13 CHAIRMAN HALL: All those opposed, no.

14 COMMITTEE MEMBERS: No.

15 CHAIRMAN HALL: The nos have it. The  
16 amendment fails. We'll move to the Senate.

17 CHAIRMAN DANIEL: Thank you, Mr. Chair.

18 Members of the Senate, all in favor of  
19 Representative Hawkins' amendment please  
20 indicate by saying aye.

21 COMMITTEE MEMBERS: Aye.

22 CHAIRMAN DANIEL: All opposed, no.

23 COMMITTEE MEMBERS: No.

24 CHAIRMAN DANIEL: The nos have it and  
25 the amendment fails.

1           CHAIRMAN HALL: Okay. Members,  
2           Senator Clark's amendment on VTDs, voting  
3           district splits, voting district splits.

4           Senator Clark, the gentleman is  
5           recognized when he's ready to debate the  
6           amendment.

7           SENATOR CLARK: Thank you, Mr. Chair.

8           This particular amendment essentially  
9           just states that to the extent that a VTD is  
10          split that it shall not conflict with a higher  
11          priority criteria and the geographic integrity  
12          of the VTD shall be preserved.

13          CHAIRMAN DANIEL: Mr. Chair.

14          CHAIRMAN HALL: Senator Daniel.

15          CHAIRMAN DANIEL: Thank you, Mr. Chair.  
16          Thank you, Senator Clark, for the amendment.

17          I think we sort of discussed this in  
18          general terms before. Just to reiterate, we're  
19          not prioritizing criteria, we're harmonizing our  
20          criteria. And we already do have a criteria  
21          that says that voting districts should not  
22          be -- should be split only when necessary, so  
23          therefore I would also respectfully ask that the  
24          members vote against this amendment.

25          CHAIRMAN HALL: Further discussion or



1 debate on the amendment. Hearing none, the  
2 House will move into a vote.

3 All of those if favor will say aye.

4 COMMITTEE MEMBERS: Aye.

5 CHAIRMAN HALL: All those opposed, no.

6 COMMITTEE MEMBERS: No.

7 CHAIRMAN HALL: The nos have it and the  
8 amendment fails. We'll move to the Senate.

9 CHAIRMAN DANIEL: Members of the  
10 Senate, all in favor of Senator Clark's  
11 amendment, please indicate by saying aye.

12 COMMITTEE MEMBERS: Aye.

13 CHAIRMAN DANIEL: All opposed, no.

14 COMMITTEE MEMBERS: No.

15 CHAIRMAN DANIEL: In the opinion of the  
16 chair, the nos have it. The amendment fails.

17 CHAIRMAN HALL: Members, the next  
18 amendment will be Representative Harrison's  
19 amendment dealing with equal population. It's  
20 equal population. This is Proposed Amendment to  
21 Criteria Number 1.

22 Representative Harrison, the lady's  
23 recognized.

24 REPRESENTATIVE HARRISON: Thank you,  
25 Mr. Chair. And just to clarify, because I

1 believe you all might have two copies of  
2 amendment of Criteria 1 in front of you, and the  
3 one that I am proposing would strike the  
4 language "as nearly equal as possible in the  
5 congressional district drawing" and replace it  
6 with "within plus or minus 150 people of the  
7 ideal district population."

8 CHAIRMAN HALL: Representative  
9 Harrison, if we can suspend just one moment.

10 Okay. So the chair does have two  
11 proposed amendments from Representative  
12 Harrison.

13 Where's the other one.

14 REPRESENTATIVE HARRISON: It's  
15 Criteria 1.

16 CHAIRMAN HALL: One of them deals with  
17 within plus or minus 150 people; the other, the  
18 chair's going to have to locate to make sure we  
19 can -- okay.

20 Is the lady withdrawing the other  
21 amendment?

22 REPRESENTATIVE HARRISON: I am, and I'm  
23 sorry if I wasn't clear.

24 CHAIRMAN HALL: No, that's fine.

25 The lady is withdrawing her equal

1 population amendment that just simply strikes  
2 out the very last sentence of that criteria, so  
3 that amendment will be withdrawn.

4 The amendment that the lady is putting  
5 forth, Members, is again an amendment to  
6 Proposed Criteria 1. And the amendment, if  
7 you'll look down in the body of the amendment,  
8 equal population says within plus or minus 150  
9 people of the ideal district population. That  
10 is the amendment that the lady's putting forth.

11 And, Representative Harrison, the  
12 lady's recognized.

13 REPRESENTATIVE HARRISON: So I will  
14 explain, and I believe I talked about this in  
15 the 2019 redraw as well.

16 So there have been several court  
17 decisions, most prominently the US Supreme Court  
18 in Tennant versus Jefferson County, that allowed  
19 for deviation in the drawing of congressional  
20 districts. If I heard Senator Daniel correctly  
21 on Monday, I believe he said that as nearly  
22 equal as practicable meant zero, zero deviation.  
23 So this amendment would allow for a minimal  
24 amount of deviation based on the Tennant  
25 precedent, when the Tennant precedent actually

1 allows seven-tenths of a percent of deviation,  
2 which is a pretty significant number. This just  
3 proposes 150 people which is equivalent to .02  
4 of the ideal population for North Carolina  
5 congressional districts. So this just gives  
6 flexibility to the map drawing and may be able  
7 to avoid split precincts and those sorts of  
8 problems, and I would urge your support. Thank  
9 you.

10 CHAIRMAN HALL: The chair thanks the  
11 lady, and the chair will handle this amendment.

12 Members, the chairs believe that the  
13 safest legal way to draw these maps is through  
14 zero deviation. And of course, this way, the  
15 amendment from Representative Harrison, would  
16 not follow zero deviation, so the chairs believe  
17 that the safest path forward is to do that  
18 traditional redistricting criteria, the one that  
19 this committee has used, one the body has used I  
20 guess at least in the most recent history and go  
21 zero deviation. The chair would ask the members  
22 to vote against the amendment.

23 Further discussion or debate on the  
24 amendment.

25 SENATOR CLARK: Mr. Chair.

1                   CHAIRMAN HALL:   Senator Clark.

2                   SENATOR CLARK:   And this particular  
3                   proposal is also intended to take into  
4                   consideration the fact that the census block  
5                   data at the block level is not accurate as it  
6                   was in the past.   The Census Bureau has  
7                   intentionally introduced error into the data for  
8                   the protection of privacy, so the notion that  
9                   we're going to really have a great degree of  
10                  resolution that will support a zero deviation  
11                  standard is sort of farcical.

12                  CHAIRMAN HALL:   Well, and the  
13                  gentleman -- as the gentleman knows, there has  
14                  been what they're determine noise put into the  
15                  data to try to protect folks' privacy, the chair  
16                  understands that, and so the chairs believe  
17                  that, really, all we can do is go based off of  
18                  the numbers that the census gives us.   Whether  
19                  that accounts for noise or not is not  
20                  100 percent accurate.   All we can do is go with  
21                  those numbers and try to do zero deviation of  
22                  those numbers.   And again, the chairs believe  
23                  that to be the legally safest path forward for  
24                  this committee and the body.

25                  Further discussion or debate on the

1 amendment. Hearing none, we'll move to a House  
2 vote.

3 All those in favor of the amendment  
4 will say aye.

5 COMMITTEE MEMBERS: Aye.

6 CHAIRMAN HALL: All those opposed, no.

7 COMMITTEE MEMBERS: No.

8 CHAIRMAN HALL: The nos have it. The  
9 amendment fails. We'll move to the Senate.

10 CHAIRMAN DANIEL: Thank you, Mr. Chair.

11 For members of the Senate, all in favor  
12 of Representative Harrison's amendment, please  
13 indicate by saying aye.

14 COMMITTEE MEMBERS: Aye.

15 CHAIRMAN DANIEL: All opposed, no.

16 COMMITTEE MEMBERS: No.

17 CHAIRMAN DANIEL: In the opinion of the  
18 chair, the nos have it. The amendment fails.

19 CHAIRMAN HALL: Okay. Members --

20 REPRESENTATIVE HAWKINS: Mr. Chairman.

21 CHAIRMAN HALL: Representative Hawkins.

22 REPRESENTATIVE HAWKINS: Can we be  
23 advised on what's happening with the session in  
24 the North Carolina House because it's 12:30.

25 CHAIRMAN HALL: Well, the chair is

1 going to check the chair's text messages and  
2 emails.

3 REPRESENTATIVE HAWKINS: Thank you.

4 CHAIRMAN HALL: Well, the chair's  
5 confident -- the chair sees one senior  
6 appropriations chair sitting over here, the  
7 majority leader and the rules chair's here, so  
8 the chair's confident that the member's not  
9 missing any votes. So I anticipate session is  
10 going to be delayed until this committee  
11 finishes its business which hopefully won't be  
12 too long.

13 REPRESENTATIVE HAWKINS: Thank you.

14 CHAIRMAN HALL: Members, the last -- I  
15 think the last -- we're out of amendments.

16 There is one document that the chair  
17 wants to --

18 SENATOR CLARK: Mr. Chair.

19 CHAIRMAN HALL: Senator Clark.

20 SENATOR CLARK: May I approach the  
21 dais.

22 CHAIRMAN HALL: Yes, absolutely.

23 [At ease.]

24 CHAIRMAN HALL: There is actually one  
25 more amendment and -- Mr. Sergeant-At-Arms, has

1     this one been passed out yet, this last one that  
2     you -- okay.

3             Members, the amendment the chair is  
4     referring to is Senator Clark's amendment  
5     dealing with counties, groupings, and  
6     traversals. Counties, groupings and traversals.  
7     Will members raise their hand if they don't have  
8     a -- Senator Clark. Okay. Sergeant-at-arms  
9     will get -- will please distribute a copy of  
10    that amendment, and --

11            Okay. And, Members, the chair's  
12    informed that the House will not go into session  
13    until this committee has completed its business  
14    today.

15            Representative Warren.

16            REPRESENTATIVE WARREN: Thank you,  
17    Mr. Chair. I was just curious. The one  
18    amendment that was accredited to Senator Marcus,  
19    and I think we identified it was actually  
20    Senator Clark's, on Proposed Criteria Number 9,  
21    the member residence, was that withdrawn? Did I  
22    just --

23            CHAIRMAN HALL: You know, the one that  
24    was withdrawn, and the gentleman will have to  
25    get with staff to determine which one was



1 actually withdrawn.

2 Representative Stevens.

3 REPRESENTATIVE STEVENS: [Inaudible.]

4 CHAIRMAN HALL: Yeah, we're waiting  
5 right now. We're handling some other business.  
6 We're handling some old business, it sounds  
7 like.

8 Members, the chair is also in  
9 possession of a document that is, I don't know,  
10 three and a half pages long. It says Proposed  
11 Criteria for Redistricting August 12, 2021, and  
12 the chair was just given this.

13 Does any member -- I'm going to hold it  
14 up. Has a member put this forth as an  
15 amendment? There's no name on it and it was  
16 given by staff.

17 Senator Clark.

18 Okay. Members, this is the last  
19 amendment that the committee is in possession  
20 of. This again is Senator Clark's amendment to  
21 Proposed Criteria 3, counties, groupings, and  
22 traversals. The chair believes the committee is  
23 in possession -- all members are in possession  
24 of it now.

25 Senator Clark, the gentleman is

1 recognized to speak to the amendment.

2 SENATOR CLARK: Thank you, Mr. Chair.

3 There are quite a few moving pieces in  
4 this one so I'll just focus on a few components  
5 here. Let's see. If we go down to the third  
6 paragraph, it states "The committee shall select  
7 from the total set of constitutionally compliant  
8 county grouping maps, one each for the House and  
9 Senate, a grouping map that shall be used for  
10 the construction of House and Senate districts.  
11 When choosing from among constitutionally  
12 compliant county groupings maps, the grouping  
13 map closest to zero population deviation shall  
14 be used."

15 And the purpose of this particular one  
16 is to make sure we understand that there will be  
17 more than one constitutionally compliant set of  
18 grouping maps and therefore we have to have in  
19 place some sort of mechanism for deciding  
20 amongst those constitutionally compliant maps  
21 which we will select.

22 Then the following paragraph says "To  
23 achieve population balance in the 2021  
24 congressional plan, some counties must be split.  
25 The number of counties that may be split shall

1 not exceed 14 which is the number of  
2 congressional districts."

3 The reason for this particular  
4 provision is to provide specificity in terms of  
5 how many counties can be split. There is none  
6 in the criteria as currently stated.

7 And it says "When splitting counties,  
8 reasonable efforts shall be made not to split  
9 communities of interest."

10 And then the final one says that after  
11 making any available single-county congressional  
12 districts -- and this relates to the one in the  
13 first paragraph which I skipped -- but it says  
14 "After making any available single-county  
15 congressional districts, any two-county grouping  
16 with a total population sufficient to contain a  
17 congressional district within the combined  
18 borders, the committee shall construct such a  
19 district and the larger of the two counties,  
20 based upon population, shall remain whole and  
21 not be split."

22 CHAIRMAN HALL: Senator Daniel.

23 CHAIRMAN DANIEL: Thank you, Mr. Chair.

24 Thank you, Senator Clark, for the  
25 amendment. Of course, the chair -- or I would

1 remind the committee that a future vote will  
2 happen on the county groupings, so this  
3 amendment in part is not appropriate at this  
4 time. The chairs feel like that the -- this  
5 criteria as currently drafted, as is shown on  
6 the top of Senator Clark's amendment, is  
7 entirely appropriate and adequate for this  
8 particular topic, and would ask that --  
9 respectfully that the committee reject the  
10 amendment.

11 CHAIRMAN HALL: Further discussion or  
12 debate on the amendment. Seeing none, we'll  
13 move into a House vote.

14 All those in favor of the amendment  
15 will say aye.

16 COMMITTEE MEMBERS: Aye.

17 CHAIRMAN HALL: All those opposed, no.

18 COMMITTEE MEMBERS: No.

19 CHAIRMAN HALL: The nos have it. The  
20 amendment fails. We'll move to the Senate.

21 CHAIRMAN DANIEL: Thank you, Mr. Chair.

22 Members of the Senate, all in favor of  
23 Senator Clark's amendment, please indicate by  
24 saying aye.

25 COMMITTEE MEMBERS: Aye.

1 CHAIRMAN DANIEL: All opposed, no.

2 COMMITTEE MEMBERS: No.

3 CHAIRMAN DANIEL: The nos have it and  
4 the amendment fails.

5 CHAIRMAN HALL: Okay. Members, that's  
6 all the amendments the chair has in the chair's  
7 possession. So now we will move to the  
8 criteria -- Representative Harrison.

9 REPRESENTATIVE HARRISON: [Inaudible.]

10 CHAIRMAN HALL: Okay. We will move to  
11 the criteria -- the chair's proposed criteria  
12 now as amended. And, of course, that has  
13 previously been sent out, and it was amended  
14 today, but if any members feel like they need to  
15 get another copy of that, then the chair will so  
16 direct.

17 Representative Harrison.

18 REPRESENTATIVE HARRISON: Thank you,  
19 Mr. Chair.

20 I did not propose it today after  
21 consultation with folks about the potential of  
22 adding some criteria related to transparency,  
23 which is something we've heard about from the  
24 public speakers and online comments, and I  
25 wanted to propose a process for transparency,

1 but I didn't want to include it with the  
2 criteria because it didn't seem to fit, and I  
3 just wanted to make that point on the record,  
4 and I hope to bring it forward next week. Thank  
5 you.

6 CHAIRMAN HALL: Absolutely. And the  
7 lady, Representative Harrison, and all members  
8 are encouraged to put forth whatever their  
9 thoughts and opinions are on the way that we  
10 should conduct this process, how we should go  
11 about whatever level of transparency the  
12 committee sees fit. And the committee, of  
13 course, has a little bit of time to look at  
14 those things because, of course, we're not going  
15 to have enough data to draw any maps we believe  
16 for at least three and a half weeks so we've got  
17 some time. And we want to do public comment,  
18 really, before we start drawing those maps. So  
19 do give us your ideas about how you want to see  
20 the process ran.

21 Mr. Chair.

22 CHAIRMAN HALL: Senator Daniel.

23 CHAIRMAN DANIEL: Mr. Chair, I would  
24 move at this time for the adoption of the  
25 criteria as amended and ask that staff engross

1       that into a new document and provide it to the  
2       committee members and also post it on the  
3       committee website.

4               CHAIRMAN HALL: And you want them to  
5       make technical changes as needed, I believe,  
6       Senator Daniel.

7               CHAIRMAN DANIEL: Yes.

8               CHAIRMAN HALL: Okay. Members, is  
9       there -- Representative Hawkins.

10              REPRESENTATIVE HAWKINS: This goes back  
11      to since we're moving forward on these, it was a  
12      question that I just didn't get a ton of clarity  
13      on.

14              When was asked, you know, regarding  
15      Senator Blue's statements about, you know,  
16      packing of African Americans, and like what  
17      happens -- what happens if we find that there  
18      ends up being, based on our -- you know, our  
19      best outlines of not using racial data, if we  
20      find that African Americans have been packed,  
21      what do we do? And so I understand -- and  
22      I'm -- you know, I'm not a country lawyer, but I  
23      want to make sure because people are asking  
24      those kinds of questions online, and we want to  
25      make sure that this process is above, you know,

1 reproach, right, that we move forward and we  
2 hope that we will not be in litigation for the  
3 next decade. And I again just want to make sure  
4 I'm asking that question clearly because it  
5 didn't come across as clear in the first.

6 CHAIRMAN HALL: Okay. Well,  
7 Representative Hawkins, the chair will try to  
8 answer that question as best I can. Again,  
9 knowing this is a committee, it's a body that  
10 makes a decision. We're agreeing -- or at least  
11 we're proposing in this criteria not to use  
12 racial data at all in the drawing of these maps,  
13 but as Senator Daniel has said, members of the  
14 committee and members of the public are welcome  
15 to gather whatever evidence and put forth  
16 evidence that might fall under Section 2 of the  
17 Voting Rights Act, that that may require some  
18 use of racial data. And, of course, that will  
19 be up to this body, to this committee, and  
20 ultimately two bodies of the two chambers as to  
21 whether to consider that and how to do that.  
22 But at this point, none of that evidence has  
23 been put forth.

24 SENATOR CLARK: Mr. Chair.

25 CHAIRMAN HALL: Senator Clark.



1           SENATOR CLARK: Thank you, Mr. Chair.

2           And I did ask the committee earlier on,  
3           and I want to restate my request, and that is  
4           that the committee provide any ruling that  
5           specifically nullified the requirement of  
6           Stephenson that states that first legislative  
7           districts required by the VRA shall be formed  
8           before non-VRA districts are created.

9           CHAIRMAN HALL: Further discussion or  
10          debate.

11          Again, Senator Daniel has made a motion  
12          on the criteria -- post criteria as amended.  
13          Seeing none -- Senator Marcus.

14          SENATOR MARCUS: I just -- I guess a  
15          point of clarification. I'm going through my  
16          notes here and just want to be clear that we are  
17          now being asked to vote on the criteria that  
18          were handed out on Monday with the addition of  
19          Senator Daniel's amendment.

20          CHAIRMAN HALL: That's correct,  
21          Senator Marcus.

22          SENATOR MARCUS: And by my count there  
23          were 12 Democratic amendments. Only one -- only  
24          one carried, and that is Senator Clark's on  
25          Criteria Number 2, so that is now part of the

1 criteria that we're voting on.

2 CHAIRMAN HALL: That's right. There  
3 was one Republican amendment adopted and one  
4 Democratic amendment adopted.

5 Further discussion or debate on the  
6 motion. If not, the House will move into a  
7 vote.

8 All those in favor of Senator Daniel's  
9 motion will signify it by saying aye.

10 COMMITTEE MEMBERS: Aye.

11 CHAIRMAN HALL: All of those opposed,  
12 no.

13 COMMITTEE MEMBERS: No.

14 CHAIRMAN HALL: The ayes have it and  
15 the motion carries. We'll move to a Senate  
16 vote.

17 CHAIRMAN DANIEL: Thank you, Mr. Chair.  
18 Senate members, all in favor of the  
19 criteria -- of adopting the criteria as amended,  
20 please indicate by saying aye.

21 COMMITTEE MEMBERS: Aye.

22 CHAIRMAN DANIEL: All opposed, no.

23 COMMITTEE MEMBERS: No.

24 CHAIRMAN DANIEL: The ayes have it and  
25 the criteria is adopted.

1 CHAIRMAN HALL: Okay. Members, a  
2 couple of housekeeping items for staff that the  
3 chair has been passed up, and the chair is going  
4 to call on Erika Churchill to explain these.

5 Number one, the chair anticipates  
6 instructing central staff to process the legacy  
7 data from the Census Bureau.

8 Ms. Churchill, will you -- will you  
9 discuss what that means.

10 MS. CHURCHILL: Yes, sir. That means  
11 that the Information Systems Division will  
12 receive the Census Bureau legacy data whenever  
13 it is released by the census, which we  
14 anticipate to be sometime today, and it means  
15 they will begin processing that data for use in  
16 the Maptitude system and our reporting engines  
17 which allow us to actually produce the bills  
18 that technically is what the General Assembly is  
19 enacting.

20 CHAIRMAN HALL: Okay.

21 MS. CHURCHILL: And as long as we have  
22 the instruction to begin that processing, we  
23 will begin it as soon as the Census Bureau  
24 releases it.

25 CHAIRMAN HALL: Okay. Members,

1 with --

2 SENATOR CLARK: Mr. Chair.

3 CHAIRMAN HALL: Senator Clark.

4 SENATOR CLARK: I have a request. Once  
5 the data is downloaded, can the ISD provide us  
6 with the county population data. That's pretty  
7 easy.

8 CHAIRMAN HALL: The chair will so  
9 direct that that will be provided when it's  
10 downloaded.

11 MS. CHURCHILL: As soon as we have it  
12 available and we've done our few little cross  
13 checks for quality assurance, we'll be glad to  
14 post that to the web.

15 CHAIRMAN HALL: Let the chair clarify.  
16 That will be sent out once it's in a readable  
17 format to where it can be sent out and properly  
18 read --

19 MS. CHURCHILL: Yes, sir.

20 CHAIRMAN HALL: -- and it has been  
21 checked, as the lady said, for any technical  
22 issues.

23 MS. CHURCHILL: Yes, sir.

24 CHAIRMAN HALL: Senator Clark.

25 SENATOR CLARK: Yes, but the Census

1 Bureau provides those files, and essentially  
2 it's nothing but a CSV file that you can  
3 access -- access via Microsoft Access. All I'm  
4 asking for is the 100 counties and what is the  
5 population of those counties. There's no  
6 quality check required for that.

7 CHAIRMAN HALL: Ms. Churchill, the lady  
8 is recognized.

9 MS. CHURCHILL: I will not speak for  
10 our Information Systems Division. I do know  
11 that they want some time to make sure that what  
12 they are inputting into the General Assembly  
13 systems is the same as what the Census Bureau is  
14 delivering. If we have available from the  
15 Census Bureau the CSV file, obviously, it will  
16 be available on the Census Bureau's website. We  
17 are happy to post a link at the General  
18 Assembly's website.

19 SENATOR CLARK: Thank you, Mr. Chair.  
20 I'll get it myself.

21 CHAIRMAN HALL: Okay.

22 Members, the chair intends to make that  
23 direction to staff to process the legacy data  
24 from the Census Bureau without objection. So  
25 ordered.

1           Members, staff has requested  
2 instructions for central staff, that is, to  
3 develop a 2021-2022 residency layer. I think  
4 that's self-explanatory.

5           Ms. Churchill, this committee has  
6 adopted a set of criteria that allows it to  
7 consider incumbency of members, and the staff  
8 just needs to be able to overlay that on the  
9 map.

10           Did I say that pretty much correct in  
11 simple terms?

12           MS. CHURCHILL: Absolutely. And just  
13 as a reminder for those of you who have been  
14 here before as these residency layers have been  
15 developed, we will be contacting each of you  
16 individually to confirm what your residency is.  
17 We do ask that when we make that contact that  
18 you sign and return to us. We will also be  
19 making the same contact of all 13 congressional  
20 delegation members for the same information.

21           CHAIRMAN HALL: Members, as previously  
22 stated, the chair anticipates the committee  
23 meeting at some point next week to discuss how  
24 this committee will go about the public comment  
25 portion of our work and, again, by way of

1       example, the chairs will be listening to hear  
2       whether the committee wants to hold meetings all  
3       across the state or here in this room via video  
4       feed, whatever the committee's wish may be.

5               So if committee members will, you can  
6       go ahead and start putting forth some of those  
7       suggestions. We want to come back in here and  
8       have, again, an open, transparent discussion  
9       next week about what committee members feel  
10      would be the best path forward on the public  
11      comment period. Don't know that we will  
12      necessarily make a decision on that criteria  
13      next week, but we'll see how it goes.

14             Also, the public comment portal is  
15      going to continue to be open. Again, members of  
16      the public are encouraged to send forth any  
17      thoughts they have about the entire process,  
18      especially right now, how they would like to see  
19      public comment conducted moving forward now that  
20      we have criteria adopted.

21             And, of course, members are encouraged  
22      to reach out to their constituents and hear what  
23      they have to say about it.

24             Just momentarily, the committee will be  
25      at ease.

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[At ease.]

CHAIRMAN HALL: At this point, there is  
no further business before the committee today  
and therefore the committee is now adjourned.

(Transcription from YouTube ended at  
4:14:51.)



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Signed this the 12th day of December 2021.

95

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NORTH CAROLINA GENERAL ASSEMBLY

JOINT COMMITTEE MEETING

AUGUST 18, 2021

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1 (Transcription from YouTube started at  
2 21:36.)

3 CHAIRMAN HISE: ...redistricting. I  
4 will begin by introducing our sergeant-at-arms.  
5 Beginning from the House, Nina Lage. Oh,  
6 handing out there in the middle. Terry McGraw,  
7 and handing out as well. And William Moore in  
8 the back. Senate sergeant-at-arms, Michael  
9 Carvanus. Thank you. Jim Hamilton, behind me  
10 over here. Charles Marsalis, over here. And  
11 Linda Matthews. So thank you all for your  
12 service today in helping with the committee.

13 Members, I wanted to point out, I  
14 guess, first, you should have two things that  
15 are in front of you. They are the county  
16 populations according to the 2020 census, as  
17 well as the ideal district ranges for those  
18 spreadsheet detailing those as well as relisting  
19 the county populations.

20 We had intended this morning -- we may  
21 hear some from Erika Churchill in a minute, but  
22 we wanted to open up this morning for  
23 discussions on the public hearings and the  
24 public hearing schedules. We had a few comments  
25 about that coming in, and we wanted to give

1 opportunity to bring those up in front of the  
2 committee.

3 So beginning on that point, are there  
4 any comments or questions regarding --

5 Pricey -- Representative Harrison.

6 REPRESENTATIVE HARRISON: Thank you,  
7 Mr. Chair.

8 I distributed to the chairs yesterday  
9 afternoon a proposed draft of the public process  
10 and the transparency, and it's based on the  
11 August 2nd letter that we all received, all the  
12 committee members received, proposing a more  
13 transparent and public-friendly process and --  
14 which was required by the 2019 court on the  
15 remedial maps. And I just put together a  
16 proposal that incorporated those, and they  
17 reflect a lot of the public comment. We were --  
18 I was going through the comments last night.  
19 There were something like 290 requests for a  
20 more transparent process on the online public  
21 comments that had been received the last three  
22 days.

23 So I just offered it to you all. I'd  
24 like to offer it to the committee for  
25 discussion. I think it also includes a timeline

1     that reflects the schedule that is proposed in  
2     the document. Thank you.

3             CHAIRMAN HISE: Members,  
4     sergeant-at-arms will be handing out the  
5     presentations we have -- or the copies we have  
6     of the comments from Representative Harrison.

7             Representative Harrison, while the  
8     sergeant-at-arms is giving those out, would you  
9     like to summarize for us.

10            REPRESENTATIVE HARRISON: Sure.  
11    Basically -- so it's -- I don't want to go -- I  
12    guess I'll just start.

13            The setup in a way that could apply to  
14    future redistricting processes, so the first  
15    item just starts with starting the redistricting  
16    process immediately upon legacy data release.  
17    Obviously, that has started, but this is meant  
18    to be more universally applied, and providing  
19    redistricting information on NCGA website.

20            That has been a complaint that we've  
21    heard from the public, and this more easily  
22    found and tracked information on one site on the  
23    General Assembly that would include all the  
24    information, comments filed, meeting notices,  
25    draft maps, and any related data and

1 information, and added a comment about the fact  
2 that we heard a lot from folks who wanted to see  
3 the public comments that had been submitted  
4 online that have not been available to the  
5 public. Now, I've talked to staff about the  
6 feasibility of that, but a lot of folks feel  
7 that would be important.

8 The third item is to permit written and  
9 oral public comment, ensuring that all  
10 North Carolinians have a chance to submit  
11 comments either through a portal, email, postal  
12 service, or in person. And this would apply  
13 before maps are drawn and after final maps are  
14 drawn but before they're voted on by the  
15 committees.

16 The next item, Number 4, would ensure  
17 quality video and audio broadcast in public  
18 meetings. This was an issue we heard about in  
19 the last process. As technology improves, this  
20 seems to be easy to comply with.

21 Also, I think in this one, there would  
22 be -- the commission -- the committee would stop  
23 drawing maps until any technical issues are  
24 resolved if there is a problem with video or  
25 audio feed.

1           And then Number 5 is holding public  
2           hearings throughout the state. The proposal in  
3           the letter from the advocates indicated they  
4           thought 13 hearings reflecting the current 13  
5           congressional districts. I realize there will  
6           be a 14th, but we don't know where that will be  
7           yet. That would address regions around the  
8           state where individuals could give input and  
9           also making sure that there is a remote option  
10          for those who cannot get to the site or who have  
11          COVID concerns, as we are still dealing with  
12          that, and making sure that the schedule of  
13          public hearings is two weeks' notice. I think  
14          that folks have been concerned about finding out  
15          about a public hearing the night before, and  
16          that would set up a process where folks had good  
17          notice.

18                Number 6 is disclosing all third  
19          parties involved in redistricting, that the  
20          committee would disclose all consultants and  
21          counsel to members of the legislature and  
22          committees of either house and who are paid by  
23          state funds and will be participating in the  
24          redistricting process. And that requirement  
25          would occur within 24 hours of adoption of the

1 criteria or engagement.

2 And the committee consideration of  
3 maps, which is Item Number 7. Now, the  
4 committee should only consider maps that comply  
5 with all the following:

6 Item Number 1 is that any criteria,  
7 systems or data used in developing of the maps  
8 have been disclosed to the public in advance of  
9 its use.

10 Number 2 is that the map was released  
11 online for public comment and the public had  
12 adequate time to review the map and submit  
13 comments.

14 Number 3 is that the map was drawn in  
15 public view, including livestreaming of the  
16 drawing.

17 And then Number 4 would be a written  
18 documentation justifying the district's chosen.

19 8 would require the disclosure of  
20 initial draft maps. After receiving an  
21 incorporating public comment, these should be  
22 released online for additional public comment  
23 within 30 days of the committee starting the  
24 map-drawing process.

25 And then Number 9 also relates to the

1 timeline that submitting the final proposed maps  
2 to the General Assembly should be publicly  
3 released no later than 21 days -- released  
4 online no later than 21 days after the draft  
5 maps are released.

6 And the maps should be -- the final  
7 proposed bill should be sent to the appropriate  
8 chamber within 10 days of the release of the  
9 final maps.

10 And that contemplates adequate time for  
11 public notice and input, but also recognizing  
12 the short timeframe that we have to get through  
13 this process but leave enough time at the back  
14 end where folks -- candidates that are  
15 considering running know what the districts are  
16 going to look like or any issues that need  
17 adjudicating could get resolved before -- well  
18 in time since filing, I believe, starts on  
19 December 6th.

20 So that's the proposal that I'd like  
21 the committee, and I'd like to offer it for the  
22 committee's consideration. That's the  
23 substance. And then separately, there is an  
24 actual timeline proposed. Thank you.

25 CHAIRMAN HISE: Thank you,



1 Representative.

2 Any questions or comments from members  
3 of the committee?

4 Questions or comments about the process  
5 in general for public hearings?

6 Senator Marcus.

7 SENATOR MARCUS: Thank you, Mr. Chair.

8 I was not here when we did statewide  
9 redistricting back in 2011, and I have heard  
10 various people mention how it was done then,  
11 specifically, how many public hearings were held  
12 across the state. And I wondered if staff, or  
13 maybe anyone who was here at that time, could  
14 clarify how many public hearings were held last  
15 time around. I'm trying to assess whether 13,  
16 as proposed here, is similar to what we did  
17 before or significantly less. I've heard that  
18 there were as many as 60 hearings across the  
19 state. I don't know if that's true or not. I  
20 wondered if anyone could address that. Thank  
21 you.

22 CHAIRMAN HISE: So I can confirm I was  
23 not involved in 60 hearings, that's coming in,  
24 but we did multiple sites at times that would  
25 occur at the same hearing, that's at coming in,

1 but staff may be able to give you some specific  
2 numbers, but I would categorize it as similar in  
3 scope.

4 ERIKA CHURCHILL: Mr. Chair, if I  
5 might, we're happy to count up, but I don't know  
6 that it's going to be an apples-to-apples  
7 comparison because, as Senator Hise mentioned,  
8 in the 2011 round of redistricting, as we were  
9 technologically capable of doing something that  
10 today seems like old hat, at the time it was  
11 almost novel, and it was to have interconnected  
12 public hearings via technology.

13 So there may have been five sites  
14 around the state, but it was technically one  
15 public hearing because everyone in every site  
16 was hearing and seeing all of the other people,  
17 or at least that was the attempt. I do realize  
18 that a couple of times the technology failed a  
19 little bit, but remember, that was 10 years ago.

20 But we're happy to count up all of the  
21 locations that the General Assembly went to.  
22 Just know that the number of hearings, from a  
23 technical perspective, may be a little less than  
24 the number of sites where the General Assembly  
25 went.

1           SENATOR MARCUS: Follow-up.

2           CHAIRMAN HISE: Follow-up.

3           SENATOR MARCUS: Thank you for that.

4           Yeah, I would be interested to know all  
5 of those details just so we -- I think the  
6 public expects something similar or maybe even  
7 better than what we had in 2011.

8           Your answer raises, for me, some  
9 questions I hope this committee will address  
10 about what these public hearings that we're  
11 proposing will look like, how they'll be run,  
12 Will they be livestreamed for anyone who wants  
13 to watch to watch? Are they going to be, as  
14 Ms. Churchill said -- what was that word you  
15 used -- simultaneous across the state?

16           ERIKA CHURCHILL: Simultaneously  
17 interconnected.

18           SENATOR MARCUS: Right. I think it's  
19 important that we have some guidelines and  
20 expectations in place. How many members of this  
21 committee will be at any of those -- any  
22 individual public meeting so the public doesn't  
23 feel like they're just speaking to a screen but  
24 to actual legislators and those sorts of things.

25           Being new to this process, I'm just

1       throwing those questions out there, hoping that  
2       we'll address some of them today.

3               CHAIRMAN HISE: Thank you.

4               Any other questions?

5               Senator Perry.

6               SENATOR PERRY: Thank you,  
7       Mr. Chairman. If we could, if we're going to  
8       have staff look into that, I don't know the  
9       value of a single reference, a single data  
10      point. If we could go back to 2001, also, so  
11      that we've got kind of a run rate approach and  
12      understand how it's been done over time, I think  
13      that'd be helpful. Thank you.

14              CHAIRMAN HISE: And I'll also say both  
15      2001, 2011, we were under the requirements of  
16      preclearance, and a lot of those hearings were  
17      based on very specific things required for  
18      preclearance. So that's coming in.

19              Any other questions that are coming?  
20      If not, I think Erika Churchill has to hand  
21      out --

22              Representative Carney.

23              REPRESENTATIVE CARNEY: Thank you,  
24      Mr. Chairman.

25              I just wanted to acknowledge what is in

1     this proposal that we just had handed out. A  
2     lot of that has come from the public hearings.  
3     If you all have gone back and listened to any of  
4     those, I think a lot of these requests are  
5     coming from the public and some members' input.  
6     So I do support the direction that we're going  
7     in and being very inclusive on having the public  
8     weigh in at every step of the way for all of us  
9     as we chart our way through this.

10           Thank you, Mr. Chairman.

11           CHAIRMAN HISE: Thank you.

12           REPRESENTATIVE HARRISON: Mr. Chair.

13           CHAIRMAN HISE: Representative  
14     Harrison.

15           REPRESENTATIVE HARRISON: Thank you.

16           I wondered about the process here. I  
17     will just add that I looked up the very specific  
18     comment that was made about the amount of  
19     taxpayer money that went into defending and  
20     litigation on redistricting. It was a little  
21     over \$11 million in the past decade. And I  
22     appreciate the committee's commitment to making  
23     this a more transparent process, including the  
24     public participation piece, so I'm mindful of  
25     that. I'm hoping we can do this right.

1           But I offer this up as a -- I don't  
2           know how to describe this. I offer this up as a  
3           proposed redistricting process for a formal  
4           vote. I knew that -- I believe last week  
5           Chair Hall indicated that we would be talking  
6           about the public process today. I just see a  
7           handout related to that. So I'd like to offer  
8           this up as a proposal for a vote, please.

9           CHAIRMAN HISE: For this meeting as a  
10          whole, we are not anticipating taking any votes  
11          and have moved in that direction for what we may  
12          propose or others. So we're holding this for  
13          discussion only, and we will continue to read  
14          that, but we have all received what you have  
15          presented.

16          REPRESENTATIVE HARRISON: Thank you.

17          CHAIRMAN HISE: Thank you.

18          So seeing none again, this room gets a  
19          little confusing.

20          Does everyone have the proposed weekly  
21          schedule of public hearings that's coming in?  
22          If they do, I'm about to recognize staffer Erika  
23          Churchill to explain what's here in this  
24          proposal.

25          ERIKA CHURCHILL: Okay. Thank you,

1 Mr. Chair.

2 As Senator Hise mentioned, this is the  
3 proposed list of counties in which public  
4 hearings would be conducted prior to the  
5 development of maps. In alphabetical order,  
6 they would be Caldwell, Durham, Forsyth,  
7 Jackson, Mecklenburg, Nash, New Hanover,  
8 Pasquotank, Pitt, Robeson, trying to group like  
9 areas of the state with like areas of the state.

10 The proposal of the weekly schedule  
11 would be the week after Labor Day, which  
12 technically starts on Labor Day, would be  
13 Caldwell county. The next week would be one  
14 group of folks going to the western part of the  
15 state, Jackson and Mecklenburg counties, and one  
16 group of folks going to the eastern part of the  
17 state, Nash, Pasquotank, and Pitt. The week of  
18 September 20th, Durham and Forsyth. The week of  
19 September 27th, New Hanover and Robeson.

20 And we would strive to use university  
21 system facilities or community college  
22 facilities depending on their availability.

23 CHAIRMAN HISE: Members, I think I  
24 would also state that we're going to put this  
25 out for comment. We're open to any suggestions

1 as we finalize this kind of plan and others.  
2 We'll have the chairs put that out. I think  
3 it's important to recognize that we're an  
4 environment that may require potentially a lot  
5 of flexibility in being able to do these. We  
6 will put out the schedule, and we will hold to  
7 it as we can, but we're looking at various  
8 requirements and other things that could impact  
9 any one of these. We're not aware of any at  
10 this point for holding a public hearing, but we  
11 will -- I think it's important to realize that,  
12 as the chairs know, we will need the ability to  
13 adjust maybe quickly and on the fly as those  
14 occur.

15 So Representative Harrison and Senator  
16 Blue.

17 REPRESENTATIVE HARRISON: Thank you,  
18 Mr. Chair.

19 I just noticed that Guilford county is  
20 not on here, the third largest county in the  
21 state. I see Forsyth is, but Forsyth is not  
22 Guilford. I just wondered if there would be any  
23 appetite for adding a Guilford hearing. Thanks.

24 CHAIRMAN HISE: Thank you.  
25 Representative, a lot of counties are not on



1 here.

2 Senator Blue.

3 SENATOR BLUE: In light of your  
4 observation, Mr. Chairman, and I think it's  
5 totally spot on, it seems to me that  
6 collectively and what I see missing are  
7 schedules in the exceptionally rural parts of  
8 the state. I'd suggest one up in the  
9 northwestern part of the state, on the edge  
10 of -- you know, from Watauga county down because  
11 if people are traveling, especially if they got  
12 long distances to travel to a public hearing --  
13 now, if all of these are virtual or something,  
14 that's different, but if they got to travel, you  
15 probably want to make it as less stressful as  
16 possible.

17 And the same thing with respect to the  
18 northeastern part of the state. And if you want  
19 some real drama and great participation, you'd  
20 probably add Wake county anyhow, since it's sort  
21 of a central place, and it's also a place that  
22 probably has got more redistricting within it  
23 than any other, but just some ideas.

24 And I'm especially sensitive to this in  
25 the extreme areas of the state because of

1 transportation and because of the other issues  
2 related to the times in which we live. And when  
3 I say northeast, I'm talking about maybe  
4 Northampton, Hertford, some of those places. I  
5 noticed that Pasquotank is on, and that is a  
6 central part, but that is a long ways generally  
7 speaking. And the same thing as I was talking  
8 about, whether it's Avery or Ashe or in that  
9 area.

10 CHAIRMAN HISE: I appreciate your  
11 comments. I'd be more than happy to discuss  
12 those coming in.

13 Representative Hawkins.

14 REPRESENTATIVE HAWKINS: Yes, sir.  
15 Thank you, Mr. Chairman.

16 And to overlay with Senator Blue's  
17 statements, I absolutely agree. And one of the  
18 places -- well, let me first start, thank you  
19 for proposing this so that we have something to  
20 react to, but one of the places that is missing,  
21 of course, is the Sandhills area, between sort  
22 of Fayetteville and Charlotte. You know, those  
23 areas are, of course, not really close to much  
24 in our state, and so we want to make sure that  
25 everybody understands and feels like they're

1 counted. One of the other pieces to also  
2 mention is making sure that we at least have one  
3 in some of our most populous counties.

4 And I did, before going to my next  
5 question, wanted to go back to something that  
6 Erika Churchill mentioned was that they had one  
7 site but multiple, I guess, sort of a satellite  
8 arrangement in previous redistricting hearing  
9 sessions. Can someone explain that a little bit  
10 further to me so that I can sort of understand  
11 how that operates because, you know, otherwise,  
12 if you're looking at a Wake or a Mecklenburg,  
13 you know, it can take you a good long ways to  
14 get from one side to the other, and we want to  
15 make these as convenient as possible for people  
16 who want to attend in person and not have to  
17 travel, you know, an hour-ish to go from  
18 somewhere like Guilford county to have to come  
19 to Durham county, which I invite everyone to  
20 come to Durham county, but I want to make sure  
21 that this process at least is convenient for  
22 them.

23 CHAIRMAN HISE: The chair will respond  
24 to that briefly to give you the best explanation  
25 of how 10 years ago and somewhere in the middle

1     it also occurred again, when we were doing the  
2     public hearings.

3             They were holding a central meeting  
4     generally here at the General Assembly. They  
5     would then connect to an area in the west and/or  
6     an area in the east and put them on various  
7     screens that were here, and then they would go  
8     through some rotation. They would say, okay,  
9     first, we're going to hear from this site, then  
10    this site, maybe this site here, then this site,  
11    this site.

12            I will say, at least from my memory,  
13    there were a lot of technical challenges for  
14    responding between the multiple sites, and the  
15    transition between sites did not create an  
16    efficiency of process. I guess I'll leave that  
17    as kind of the neutrals, I would say.

18            I don't know how much those kind of  
19    things have changed, but I will say that -- and  
20    the amount of technology and others you had at  
21    different areas in the sites varied greatly for  
22    what was available and how it could do, and so  
23    the participation at different areas varied for  
24    individuals. Some would have a lot of people  
25    show up and some would have a handful of people

1 show up, and as we tried to balance all that,  
2 there were some headaches.

3 I will also say that one of the other  
4 considerations for as we do it now or as we did  
5 it then, is the staffing required to be at every  
6 single site at a simultaneous time, that was  
7 what's coming in that had to do that, and that  
8 includes sergeant-at-arms staffs, that may  
9 include capitol police staff, that includes  
10 central staff, that includes ISD staff, and how  
11 you make sure that people's viewing of that, if  
12 they were just on the viewing areas was a  
13 monumental task.

14 So that's my, from 10 years ago, close  
15 summary. I think some people that have been  
16 around for that time period are nodding their  
17 heads, that's with coming in.

18 So this is a more broken-up process on  
19 this schedule that focuses on a particular area  
20 when we have the public comments there, but  
21 again, this is up for proposal.

22 REPRESENTATIVE HAWKINS: Okay. Thank  
23 you.

24 One last follow-up, Mr. Chairman.

25 CHAIRMAN HISE: Sure.

1 REPRESENTATIVE HAWKINS: I appreciate  
2 that thorough answer.

3 And this is probably, of course,  
4 already set in stone, but are we married or  
5 willing to extend the schedule at all from the  
6 week of September 6th to the week of  
7 September 27th? Are we married to it, or is  
8 that up for debate or potential --

9 CHAIRMAN HISE: We have not said I do,  
10 so this is the proposal for the prenup.

11 REPRESENTATIVE HAWKINS: Thank you for  
12 that. I'm glad that option is on the table.  
13 Thank you, Mr. Chairman.

14 CHAIRMAN HISE: Thank you.

15 SENATOR CLARK: Mr. Chair.

16 CHAIRMAN HISE: Senator Clark.

17 SENATOR CLARK: When do we plan on  
18 making a decision regarding the sites?

19 CHAIRMAN HISE: I would hope the chairs  
20 will be able to have something out -- we're  
21 still having comment on it. I would hope the  
22 chairs will be able to have something out next  
23 week for kind of the sites that would be in  
24 these areas. I know there's specific sites  
25 they're looking at at this area, but there are

1 some technical things that would need to be  
2 nailed down with those facilities. Again,  
3 mostly they're attempting to use community  
4 colleges and universities for this process. So  
5 they're opening for classes right now and trying  
6 to figure out how they're planning for students  
7 and responding to the virus as it's coming out.  
8 So a lot of that's in flex right now as to  
9 whether you can have an event on their --

10 SENATOR CLARK: Okay. Thank you,  
11 Mr. Chair.

12 One more comment.

13 CHAIRMAN HISE: Yeah.

14 SENATOR CLARK: Okay. For the area  
15 that I perceive the Robeson site will be  
16 handling, I think that Cumberland county might  
17 be a more appropriate location, so I would  
18 appreciate if that consideration could be  
19 considered.

20 CHAIRMAN HISE: Okay.

21 Any other questions or comments?

22 Senator Marcus.

23 SENATOR MARCUS: Thank you, Mr. Chair.

24 It's hard for me to assess the proposed  
25 weekly scheduled public hearings without knowing

1 when this committee expects to have draft maps  
2 available. To me, that has to go hand in hand.

3 I'm sort of guessing based on  
4 Representative Harrison's proposal, if we're  
5 going to accept that, that initial maps would be  
6 released by September 30th, that all these  
7 hearings would happen before then, which I think  
8 we do need to have a full round of hearings  
9 before the initial maps are released.

10 But then I hope that this committee is  
11 also going to have hearings similar to this  
12 schedule after those proposed maps are released.  
13 Because just like in this committee, once we see  
14 something that we can, as Representative Hawkins  
15 said, react to, I think the public will feel the  
16 same way and want to be able to comment on the  
17 maps.

18 So are we going to talk about that  
19 today, the schedule for hearings after maps are  
20 released, as well?

21 CHAIRMAN HISE: So we do not have  
22 proposals of this for consideration today on  
23 beginning of the map-drawing process and others.  
24 I will say that historically, we have completed  
25 this statewide open hearing in that process



1 before we begin that.

2 But I will say that as maps are  
3 proposed, as maps are put out, and I don't know  
4 if it would be the joint committee or the  
5 separate Senate or House committees, almost  
6 every committee I've ever dealt with has public  
7 hearing in regard to the legislation proposed in  
8 front of the committee, and I believe even some  
9 of the rules of the chambers may require that.

10 As we move through this process, I  
11 think there would be plenty of opportunity in  
12 addition to this to comment on anything that  
13 would continue to move out. This is not to  
14 cutoff the public. I think we would intend to  
15 keep the public comment portal open for the  
16 entire period.

17 SENATOR MARCUS: Follow-up.

18 CHAIRMAN HISE: Follow-up.

19 SENATOR MARCUS: Are you saying that  
20 once the initial maps are drafted, there will  
21 only be public hearings in this building, more  
22 like a typical committee, and then online, not  
23 another round of statewide meetings?

24 CHAIRMAN HISE: Unless somebody  
25 corrects me otherwise, that has been the

1 historical utilization of the public hearing  
2 process. We have not or aren't considering any  
3 different proposal, so --

4 SENATOR MARCUS: Follow-up comment if I  
5 could.

6 If we're only going to do one round of  
7 statewide hearings, it would be my thought that  
8 they would be more useful after draft maps are  
9 available, then. People are going to have  
10 reactions to the actual maps and want to speak  
11 to us, and I don't think just a typical public  
12 hearing in this meeting at that point in this  
13 building would be sufficient.

14 CHAIRMAN HISE: Okay. Any other  
15 questions or comments?

16 All right. Members, we will attempt to  
17 continue to work on this process and see what we  
18 can adapt from comments today and see how  
19 quickly we can get you something out from the  
20 chairs regarding the public comment schedule.

21 So seeing no other questions or  
22 comments and having exhausted the agenda, this  
23 committee will stand adjourned.

24 (Transcription from YouTube ended at  
25 50:05.)

STATE OF NORTH CAROLINA )  
C E R T I F I C A T E  
COUNTY OF WAKE )

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Joint Committee Meeting held on August 18, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

12 Signed this the 21st day of December 2021.

16	Denise Myers Byrd CSR 8240, RPR, CLR 102409-2
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TRANSCRIPTION OF AUDIO FILE  
NORTH CAROLINA HOUSE COMMITTEE  
ON REDISTRICTING  
OCTOBER 5, 2021

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DIGITAL EVIDENCE GROUP  
1730 M Street, NW, Suite 812  
Washington, D.C. 20036  
(202) 232-0646

1 UNKNOWN MALE: House Committee on  
2 Redistricting, Tuesday, October 5, 2021, 643 LOB.

3 CHAIRMAN HALL: Committee will come to  
4 order. The Chair apologizes for delay in getting  
5 started this afternoon. Thanks to the committee  
6 members for their patience.

7 Members, I want to start off by thanking  
8 you all, the members, staff, and the public who  
9 chose to participate in our public hearings across  
10 the state over the last several weeks. I think we  
11 heard varying opinions. It was great to see folks  
12 engaged, and we had members, many -- many member,  
13 not even just the folks on this committee, but  
14 several members of the House and the Senate, who are  
15 not on this committee, who attended those meetings  
16 and gave folks a chance to be heard about what they  
17 want this process to look like.

18 The purpose of today's meeting is to --  
19 just to do some Housekeeping to give folks an idea  
20 of what the map-drawing process is going to look  
21 like. And we anticipate, beginning tomorrow,  
22 starting the map-drawing process, and so we want to  
23 lay out very clearly what the criteria will be -- or  
24 rather the rules will be for this committee for  
25 drawing maps.

1                   So we'll just jump right into it. We're  
2   going to have four terminals. And if you look  
3   around this room, you see the big screens. There  
4   are going to be four of those. One will be  
5   dedicated to the chair of this committee. One will  
6   be dedicated to the minority leader, or his  
7   designee. I should have said on the first station,  
8   it will be dedicated to the chairman or chair's  
9   designee. And then the other two will be for any  
10  other committee member, or any member of the House  
11  who wishes to come in and draw on those terminals.

12                  For now, the plan is to go from 9:00 to  
13  5:00 each day. So we'll come in, gavel in at 9  
14  o'clock. This committee room will stay open  
15  throughout the day. Those of you who have been  
16  through this before, you know it's not like a  
17  typical committee where we're always with a chair  
18  standing up here, like I am right now. What we  
19  typically do, we'll gavel in, and folks can go draw.

20                  We may take breaks throughout the day. We  
21  may just leave the committee room open. We want to  
22  be cognizant of staff, let them be able to eat  
23  lunch, and that sort of thing, so we may take a few  
24  breaks and there. But by and large, the committee  
25  room is going to be open from 9:00 to 5:00. We're

1 going to plan to do that Monday through Friday, for  
2 now.

3           So, as of right now, chair anticipates  
4 having this committee room open throughout the rest  
5 of this week, until Friday at 5 o'clock. But the  
6 chair will say that if significant progress is made,  
7 we may not keep the committee open all day on  
8 Friday, so that we don't have to keep staff here.  
9 And obviously, folks will be -- members will be  
10 traveling back to their districts. To prevent them  
11 from having to travel back on Friday night, we may  
12 go ahead and may not have a committee meeting Friday  
13 or may end the committee early on Friday. So just  
14 wait and see on that front.

15           And this is a rule that I want to make sure  
16 all members are clear on, but this committee, and  
17 the House as a whole, will only consider maps that  
18 are drawn in this committee room, on one of the four  
19 stations. So if a map is not drawn on one of these  
20 four stations, in this committee room, during those  
21 committee hours that the committee is open, then  
22 those maps will not be considered for a vote by this  
23 committee, and of course, will not be considered for  
24 a vote by the House.

25           And we'll be able to know because when you

1 put a map into one of these computers, that becomes  
2 a matter of public record, and we can tell which  
3 were drawn on these computers. It has to be drawn  
4 in this committee room.

5 When this committee is open, we'll maintain  
6 a live stream and live audio during the whole time  
7 of map-drawing, so that the process will be, we  
8 believe, just about as transparent as we humanly can  
9 do. And that's what we heard in public comment. We  
10 heard folks say, "We want a transparent process."

11 Well, that's what we're going to give the  
12 public. We're going to give the members of this  
13 body and the public a transparent process where we  
14 draw maps in this room with a live audio feed and a  
15 live video feed. And we're going to create a rule  
16 that we're only going to consider the maps that are  
17 drawn in this room, in the House, in this committee,  
18 and ultimately, in the House.

19 Members, we're going to continue to have  
20 session, of course, regular session, throughout this  
21 process. As the members know, we're still dealing  
22 with the budget right now. And so, obviously, the  
23 speaker is aware that this process of redistricting  
24 takes a lot of labor, and we'll give us ample time  
25 to do that. But we have to continue with the

1 business of the House in general, so we'll do just  
2 the best we can on that, understanding we're  
3 operating under a tight time line.

4 And we've talked about that a lot  
5 throughout this committee process that, because of  
6 the delay in the census data, we're just now getting  
7 to a point where we can draw these maps, after doing  
8 the public comment we wanted to do. But with filing  
9 coming in December, we really need to get these maps  
10 drawn as close as we can, or at least by the end of  
11 this month, if not sooner.

12 That's going to be our goal to try to get  
13 these things done by the end of the month. That way  
14 we can give the board of elections time to get  
15 ballots printed and let folks know what districts  
16 they're going to be in, so they can decide if they  
17 want to run or not run. Whether they be members of  
18 this committee, or folks who are not in the General  
19 Assembly at all.

20 Members, with that being said --

21 REPRESENTATIVE RICHARDSON: Mr. Chairman,  
22 can I have a quick question?

23 CHAIRMAN HALL: I'm going to take questions  
24 in a little while, but you know, if it's something  
25 that's really important right now, okay. All right.

1 I'm going to take questions at the end.

2 So for ground rules, that's it for now. I  
3 may have left something out, and if so, members can  
4 ask me in a moment.

5 The second step in today's committee is  
6 going to be the presentation of the optimum county  
7 groupings that have been come up with by the non-  
8 partisan staff. And so the chair is going to turn  
9 this over to Erika Churchill, in just a moment, to  
10 make a presentation on the optimum county groupings  
11 that have been crafted by the non-partisan staff.

12 But what the chair will ultimately say  
13 about these groupings is: in years past, if you've  
14 been on this committee, you know that we have  
15 adopted certain groupings. Chair does not  
16 anticipate adopting any particular grouping this  
17 time around because there are multiple options  
18 within the county groupings. And that's what you've  
19 got in front of you, and that Ms. Churchill is going  
20 to explain in more detail here in just a bit.

21 Rather than limit any member of this  
22 committee into just certain groupings, what the  
23 chair anticipates is that members can use whichever  
24 combination of the groupings that you see before  
25 you, in drawing whichever map a member sees fit to



1 draw.

2           The only groupings that will be considered  
3 are those that are in the packet that's in front of  
4 you. These were initially put forth by Duke  
5 University, and a non-partisan staff has also drawn  
6 their own groupings and confirmed that the Duke  
7 groupings were correct. And so we're confident that  
8 using the algorithm, as required in the law, that  
9 these are the possible groupings -- the possible  
10 optimum groupings.

11           Again, I'll answer questions momentarily on  
12 that front. But with that, the chair is going to  
13 turn it over to Erika Churchill to speak to the  
14 county groupings and to also show an example of how  
15 to use the terminals when drawing the maps.

16           Ms. Churchill, you're recognized.

17           MS. CHURCHILL: Thank you, Mr. Chair. As  
18 you mentioned, central staff, were asked to take a  
19 presentation by Christopher Cooper, Blake Esselstyn,  
20 Gregory Herschlag, Jonathan Mattingly, and Rebecca  
21 Tippet from the quantifying gerrymandering group,  
22 which is a non-partisan research group centered at  
23 Duke Math.

24           And they produced a paper entitled, "North  
25 Carolina General Assembly County Clusterings from

1 the 2020 Census." It was posted by Mr. Herschlag on  
2 August 17, 2021. And we took it as a recipe,  
3 because throughout this, they gave instructions as  
4 to what they believed were the optimum county  
5 groupings.

6 I would note that they particularly say,  
7 "However, there are often multiple optimal county  
8 clusterings that minimize county splitting." And  
9 they reference two other blogs that they have  
10 posted. The release of the 2020 census data allows  
11 us to determine the possible county clusterings for  
12 both the North Carolina State House and State Senate  
13 redistricting processes.

14 The one part of *Stephenson v. Bartlett*  
15 which this analysis does not reflect, is compliance  
16 with the Voting Rights Act. To determine the county  
17 clusters, we used the implementation of the court  
18 order procedure described in *Carter, et al.* The  
19 site they gave for *Carter, et al.* is "Optimal  
20 Legislative County Clustering in North Carolina" by  
21 Daniel Carter, Zach Hunter, Dan Teague, Gregory  
22 Herschlag, and Jonathan Mattingly. *Statistics and*  
23 *Public Policy* Volume 7, 2020.

24 For the state House, what you have before  
25 you in hardcopy, on the screen, and I believe they

1 will be posted to the web, are the nine maps that  
2 resulted from this paper with respect to the North  
3 Carolina State House. The very first one does not  
4 have the entire state assigned. They call this the  
5 fixed groupings. Throughout the maps that we'll go  
6 through, you will find that these will be hash  
7 tagged. A little bit of crosshatching on them to  
8 identify these are the ones that this particular  
9 group say are the optimal.

10 They created 33 clusters containing 107 of  
11 the 120 districts that are fixed based on  
12 determining optimal county clusters. 11 of these  
13 clusters contain 1 district, meaning that 11 of the  
14 120 House districts are fixed.

15 So as you're looking at the map, whether in  
16 hardcopy or online, you will see that there is a  
17 letter assigned to each. I'm just going to pick on  
18 Carteret and Craven, in the eastern part of the  
19 state, in the blue shading, it is Q2. The Q is just  
20 an easy letter reference if you need to talk about  
21 that particular grouping with anyone. The 2 means  
22 that that is population sufficient for 2 House  
23 members. The same if you look just to the left, in  
24 the gray, the green Lenore Jones BB cluster, or  
25 grouping, has a 1 underneath it, meaning that would

1 be a single member grouping.

2 So the white areas that are left can each  
3 be assigned two different ways. So that would get  
4 you to the lovely House maps that are left.

5 (Sound interruption)

6 So starting with the Western area that was  
7 left kind of unassigned, needs to be grouped. As  
8 you will see it on the Duke House 01 map, it would  
9 be districts HH and II. The first option here would  
10 be to combine Surry, Wilkes, and Alexander to create  
11 a two-member district. And Alleghany, Ashe,  
12 Watauga, and Caldwell to create a two-member  
13 district.

14 If you will skip over to Duke House 05,  
15 this would give you a visual of the second option  
16 for this particular grouping. It would be a  
17 combination of Surry, Alleghany, Ashe, and Wilkes  
18 for a two-member grouping. And Watauga, Caldwell,  
19 and Alexander for a two-member grouping.

20 Staying on the Duke House 05, and heading  
21 east to the southeast, the options in that southeast  
22 area here would be to combine Wayne and Sampson into  
23 a two-member district. Duplin and Onslow into a  
24 three-member district. And Pender and Bladen into a  
25 one-member district.

1                   And so if you just fast forward one to Duke  
2 House 08, the second option in the southeastern  
3 corner would be to combine Wayne and Duplin into a  
4 two-member district. Sampson and Bladen into a one-  
5 member district and Onslow and Pender into a three-  
6 member district.

7                   Duke House 05 will be our example of the  
8 northeastern corner. Option one would be to combine  
9 Hertford, Gates, Pasquotank, and Camden into a  
10 single-member district. And Currituck, Dare, Hyde,  
11 Pamlico, Beaufort, Washington, Tyrrell, Perquimans,  
12 and Chowan into a two-member district.

13                  The other option in the northeastern  
14 corner, if you will go to Duke House 06, you can see  
15 a visual of that. The single member district would  
16 be Currituck, Pasquotank, Perquimans, and Tyrrell.  
17 The two-member district would be Beaufort, Pamlico,  
18 Hyde, Dare, Washington, Chowan, Camden, Gates, and  
19 Hertford.

20                  Each of the multimember districts  
21 throughout all of these would need to be divided  
22 into single-member districts for compliance with  
23 Stephenson opinion.

24                  I should probably note, just so that  
25 everybody is aware, the ideal population for a North

1 Carolina House district is 86,995 people, according  
2 to the 2020 Decennial Census, with a plus or minus 5  
3 percent deviation. That leaves a range of 82,645 to  
4 91,345 people.

5 CHAIRMAN HALL: Okay, members. The chair  
6 is going to give Ms. Churchill an opportunity in a  
7 moment to display and give an example of how the  
8 terminals will work.

9 But if that is it for your presentation on  
10 groupings, if you'll stand there for just a second.

11 MS. CHURCHILL: Yes, sir.

12 CHAIRMAN HALL: Committee members, do any  
13 members have any questions for legislative staff at  
14 this point about groupings? And again, chair's  
15 going to take some questions at the end.

16 Representative Torbett.

17 REPRESENTATIVE TORBETT: Just if she could  
18 repeat the numbers she used there at the last time.  
19 There was three. There was a total and the range.

20 MS. CHURCHILL: Okay. Ideal population for  
21 a North Carolina House of Representatives districts,  
22 86,995. Creating a plus or minus 5 percent range of  
23 82,645 to 91,345 people.

24 CHAIRMAN HALL: The chair is going to make  
25 sure that all committee members have a document

1 showing the ideal population for each level of  
2 grouping. So for one-member grouping, two-member.  
3 And I know we've had that in the past, and it may  
4 have already been passed out at one of the meetings  
5 we've had. So let's make sure, if we will -- we'll  
6 send that out to the committee via email, and we'll  
7 have some paper copies at the meeting tomorrow.

8 MS. CHURCHILL: We will actually have a  
9 laminated copy at every station.

10 CHAIRMAN HALL: Okay, great.

11 MS. CHURCHILL: And we will also be glad to  
12 email that out to everyone. It has been passed out  
13 at a previous meeting.

14 CHAIRMAN HALL: And we're going to go ahead  
15 and have paper copies for folks to be able to take  
16 with them if they want to.

17 MS. CHURCHILL: Glad to take care of that.

18 CHAIRMAN HALL: Representative Harrison.

19 REPRESENTATIVE HARRISON: Thank you,  
20 Mr. Chair. Thank you, Erika.

21 If I heard you right, so did you -- when  
22 you started -- and I've got the article in front of  
23 me from Doctors Mattingly, et al. -- did you say  
24 that the fixed -- the fixed clusters -- we're  
25 working from a basis of the fixed clusters, and

1     those represent 107 of the 120 members; is that  
2     right?

3                 MS. CHURCHILL:   Yes, ma'am.

4                 REPRESENTATIVE HARRISON:   And then our  
5     options are to figure out how to manipulate the  
6     other white, unshaded counties, and that's what  
7     we're going to be doing with the other map options?

8                 MS. CHURCHILL:   Mr. Chair?

9                 CHAIRMAN HALL:   Lady is recognized to  
10    respond.

11                MS. CHURCHILL:   Yes, Representative  
12    Harrison.   With the crosshatched districts in the  
13    Duke House fixed, that would establish the groupings  
14    for 107 of the 120 districts.   Of that 107, 11 -- or  
15    of the 33 clusters, 11 of those clusters would be  
16    single-member districts.   The remainder would still  
17    need to be divided into single-member districts.   So  
18    the counties in white that have no shading, no  
19    crosshatching, would be the options to combine  
20    together to create the remaining 13 House districts.

21                CHAIRMAN HALL:   And members, and for those  
22    folks listening at home, the chair has often  
23    referred to these maps as groupings, and you hear  
24    Ms. Churchill refer to them as clusters, and those  
25    are synonymous terms, just for those listening, to



1 make sure everybody understands. If you've been  
2 through this before, you know that. But if you're  
3 new to this committee, or you're listening online  
4 and haven't watched this committee before, that may  
5 be confusing.

6 But is that your understanding,  
7 Ms. Churchill?

8 MS. CHURCHILL: Yes, sir. There's actually  
9 three terms that I've heard for it. There's the  
10 clustering, which is the phrase that the group from  
11 Duke used in their paper, which is what I was  
12 reading from. There's also groupings, which is kind  
13 of in the court orders, as well as clustering. The  
14 other phrase I've heard used to describe this is  
15 podding, or creating a pod. I believe all three to  
16 be completely interchangeable.

17 CHAIRMAN HALL: That's right. That's the  
18 chair's understanding as well.

19 Representative Harrison.

20 REPRESENTATIVE HARRISON: Mr. Chair, if we  
21 have questions about the clusters and the process,  
22 should we ask them now of you and the committee, or  
23 do you want her to talk about the technical and then  
24 have the questions after that?

25 CHAIRMAN HALL: At this point, if you've

1 got a question for the chair, let's just wait. This  
2 is just questions for right now to Ms. Churchill.  
3 She's not going to leave after this. She'll be  
4 right up here, so if we have another question for  
5 her later. But while they're there at the podium,  
6 the chair thinks it's appropriate to give members  
7 the opportunity to ask them questions.

8 Representative Warren.

9 REPRESENTATIVE WARREN: I've got a question  
10 for Ms. Churchill.

11 I'm sorry, when you look at the white  
12 clusters, and the different iterations of them on  
13 the following maps, I noticed that the numbers stay  
14 the same within those configurations. So is this  
15 just a matter of looking at those particular  
16 counties in terms of their connection to each other,  
17 continuity of it, or the contiguousness of it, or  
18 whatever the word is we're looking for there?

19 MS. CHURCHILL: So, Mr. Chair, if I might?

20 CHAIRMAN HALL: Lady may answer.

21 MS. CHURCHILL: So you are absolutely  
22 correct. So starting kind of in that western  
23 corner, the counties of Surry, Alleghany, Ashe,  
24 Watauga, Wilkes, Caldwell, and Alexander, that white  
25 area has a population in it sufficient to support

1 four single-member districts. So it becomes a  
2 question of how to group those counties together to  
3 best create districts that are in compliance with  
4 Stephenson. And there are two options there. Both  
5 would be two-member districts. It's just a matter  
6 of what the committee chose to use.

7 REPRESENTATIVE WARREN: And follow-up?

8 CHAIRMAN HALL: The gentleman is  
9 recognized.

10 REPRESENTATIVE WARREN: So, Ms. Churchill,  
11 one of the things I noticed in the hearings I  
12 attended was some folks in the general public not  
13 having an understanding that we try to do these in  
14 terms of, not breaking down counties or  
15 municipalities, but to stay within the mandates of  
16 the population, and you're staying within this  
17 cluster. That, in some cases, creates a situation  
18 where you have no choice but to comply with the  
19 district's population; is that correct?

20 CHAIRMAN HALL: The lady is recognized.

21 MS. CHURCHILL: I will attempt that one.  
22 And I'm going to pick on the chair for just a  
23 moment. His home county of Caldwell --

24 CHAIRMAN HALL: Join the club.

25 MS. CHURCHILL: -- as an example.

1 According to the federal decennial census, it's  
2 80,652 people, which is outside that ideal range of  
3 82,645 to 91,345 for a single-member district. So  
4 it would need to be combined with some other  
5 contiguous county to create a single-member  
6 district. Or it would need to be divided with some  
7 other contiguous counties to create two  
8 single-member districts. That would be up to the  
9 committee how they wanted to do that.

10 REPRESENTATIVE WARREN: Thank you very  
11 much.

12 CHAIRMAN HALL: Further questions or any  
13 comments for legislative staff?

14 Representative Dixon.

15 REPRESENTATIVE DIXON: Thank you,  
16 Mr. Chair.

17 Ms. Churchill, without having to add them  
18 up, how many House seats are there in the white area  
19 including Duplin and then this white area with  
20 Tyrrell?

21 MS. CHURCHILL: So --

22 Mr. Chair?

23 The area --

24 CHAIRMAN HALL: The lady is recognized.

25 MS. CHURCHILL: -- including Duplin, Wayne,

1 Sampson, Bladen, Pender, and Onslow is population  
2 sufficient to support six single-member House  
3 districts. That northeastern corner beginning at  
4 Pamlico, running all the way up to Currituck and  
5 over to Hertford, is population sufficient to  
6 support three single-member districts.

7 REPRESENTATIVE DIXON: Thank you.

8 CHAIRMAN HALL: Further discussion or any  
9 questions for legislative staff?

10 Okay. Ms. Churchill, if you want to give  
11 us an example of how to use these terminals, the  
12 lady is recognized to do that.

13 MS. CHURCHILL: I'm going to ask Will.  
14 He's going to come up and help me.

15 CHAIRMAN HALL: Along with -- yeah,  
16 absolutely.

17 MS. CHURCHILL: So I would note a couple of  
18 things, as Will is getting us started. Each one of  
19 these terminals will be directly fed to a  
20 livestream. An audio from that terminal will be fed  
21 to the livestream. There will not be a video  
22 associated with that terminal. There will be a  
23 video of the room that will be seen by the public.  
24 The public here in the room can choose to use the  
25 screens here, or they can choose to use the North

1 Carolina General Assembly Wi-Fi to log on, if they  
2 wanted to focus on just one of the four terminals.

3 And I'm going to walk over to the terminal,  
4 so we can turn that on, so you'll see what it's  
5 going to look like. So from here, you will be able  
6 to see a House plan. And so, these are just  
7 examples that we have been testing to make sure that  
8 everything works. These are existing plans; they  
9 are nothing new. We just wanted to make sure that  
10 everyone had a map that could be seen, can be used;  
11 the software works.

12 So this is what you would see on the screen  
13 in the room. We will leave this up and going until  
14 after the committee adjourns, so that someone can  
15 walk around and see what an actual drawing station  
16 would look like as you were sitting at it to engage  
17 with the staff to instruct us how to draw a map of  
18 your choosing.

19 CHAIRMAN HALL: And, Ms. Churchill, if you  
20 will describe what's the large TV to your right for?

21 MS. CHURCHILL: They are identical. So a  
22 staff member will be sitting at the smaller screen.  
23 Member, or whoever -- whatever group of members are  
24 together, will have the larger screen available to  
25 them to stand behind, to sit behind, just so that

1 it's a little larger, a little easier to see.

2 CHAIRMAN HALL: Members, do we have any  
3 questions for -- questions or debate about how the  
4 process will work in terms of what Ms. Churchill has  
5 just described? Again, I'm going to stand for some  
6 questions.

7 Representative Torbett.

8 REPRESENTATIVE TORBETT: Just for  
9 reference, it's my understanding -- I think she  
10 eluded to it -- the staffer is there to actually to  
11 the map drawing with assistance and information from  
12 the member; is that how that's going to work?  
13 Because some of us in here have never done map  
14 drawing.

15 CHAIRMAN HALL: The staff folks are there  
16 because they understand how to use the software, but  
17 it will be completely up to the member to direct the  
18 staff member as to how to draw those maps. And  
19 staff will -- it wouldn't be appropriate, of course,  
20 for staff to make decisions about how to draw. But  
21 to answer your question, yeah. You're absolutely  
22 right. It will be up to the member to tell the  
23 staff member, who knows how to use the technology,  
24 how to draw.

25 Representative Carney.

1                REPRESENTATIVE CARNEY: So I'm not sure if  
2        this question is for now or later, but. So if I  
3        come in as a member and I'm drawing on a map, and I  
4        leave the room, somebody else comes in, draws  
5        another map, and then I want to make an amendment,  
6        how does that work?

7                CHAIRMAN HALL: The chair is going to  
8        initially respond to that and let Ms. Churchill  
9        respond to sort of the mechanics of how that works.  
10       But, in the past, what has happened is, if you go in  
11       and draw a map, and let's say you want to take a  
12       break and go eat lunch, or whatever it is you want  
13       to do, you can save your map in the system, so that  
14       somebody doesn't come behind you and start drawing  
15       on the map that you've already created. So you'll  
16       be able to save that. You'll be able to come back  
17       later on and draw that map.

18               Now, Ms. Churchill, is that correct, in  
19       terms of technology?

20               And I'm going to continue on with that to  
21       try to answer what I think your whole question is,  
22       but yeah.

23               REPRESENTATIVE CARNEY: Okay.

24               MS. CHURCHILL: So, yes, sir. Unlike with  
25       our drafting system where you were used to us being



1 able to get to any prior iteration that we have  
2 drafted for you, the mapping software doesn't work  
3 quite like that. But we are set up internally to  
4 make sure that the map that you closed out before  
5 you stepped away to get a bite to eat or go to a  
6 committee meeting is always there.

7           When you come back, we will be copying that  
8 map to pick up exactly where you left off, so that  
9 we will always have that first map, just in case  
10 something goes wrong, and you just need to go back  
11 to it. So there will be an option for you to pick  
12 up wherever you left off and continue going from  
13 there. There will be an option for you, if you  
14 really like what you -- hated what you did in that  
15 second session, you can go back to the first session  
16 and pick up again and start over.

17           CHAIRMAN HALL: And to answer your question  
18 about how to, perhaps, change a member that another  
19 member's drawn -- and I guess the real question is  
20 amendments -- there will be an opportunity for  
21 members of the committee to put forth amendments on  
22 whatever map or maps this committee ultimately takes  
23 up.

24           And the chair anticipates, as we've done in  
25 the past, members can decide whether they want to

1 put forth a whole map of the state as an amendment,  
2 or whether they're just wanting to amend certain  
3 groups or I guess even certain districts. Members  
4 will be given an opportunity to put those forth.

5 REPRESENTATIVE CARNEY: So just a follow-  
6 up.

7 CHAIRMAN HALL: Yes. Lady is recognized.

8 REPRESENTATIVE CARNEY: And I have never  
9 drawn these maps before, so that's why I have all  
10 these questions. So these amendments would come --  
11 our amendments would come after we have a map?

12 CHAIRMAN HALL: Yeah. So if the lady will  
13 think about it just like a normal committee meeting,  
14 where a bill is before the committee --

15 REPRESENTATIVE CARNEY: Right.

16 CHAIRMAN HALL: -- and members are putting  
17 forth their own amendments, or perhaps they're  
18 wanting their own bills to be put forth at a given  
19 time. Really, the easier way to think of it is,  
20 members are wanting to put forth their amendments to  
21 the bill that's on the floor. The opportunity to do  
22 that will be there.

23 If, let's just say that you like the map  
24 that's before the committee, but for a couple of the  
25 groupings, and you know, rather -- if you just want

1 to focus your argument, or whatever the case may be,  
2 on those two groupings, the lady can say, look, here  
3 are the two groupings. I'm just putting those forth  
4 as an amendment. I'm okay with the rest of the map.  
5 The opportunity to do that will be given.

6 REPRESENTATIVE CARNEY: Thank you very  
7 much.

8 CHAIRMAN HALL: And let me say with that,  
9 obviously, we're under a tight time constraint. And  
10 so we don't have time for the committee to consider  
11 100 maps from every member, you know, who's on  
12 there. So at some point, the chair will have to  
13 limit that. But as of now, the chair doesn't  
14 anticipate having to limit members amendments or  
15 proposed maps. Chair thinks that we'll be able to  
16 do that in a time efficient way, and still get our  
17 work done in time for filing.

18 Other questions or debate again for  
19 legislative staff?

20 REPRESENTATIVE RICHARDSON: Mr. Chairman?

21 CHAIRMAN HALL: Representative Richardson.

22 REPRESENTATIVE RICHARDSON: If I might.  
23 Would it be the best practice if when we're drawing  
24 -- if we're doing a map, that we articulate our  
25 reasonings? Like the criteria that we have listed

1 and adopted, like communities of interest, should we  
2 -- if we do an amendment, or do part of a map, or do  
3 part of a district, should we state the reasoning on  
4 there that it follows the criteria and which  
5 criteria it follows or just not comment? Or what  
6 are we -- give us some guidance on that.

7 CHAIRMAN HALL: You know, that's really up  
8 to each individual member as to what they want to  
9 say while they're drawing the map. And if a member  
10 wants to say, "Here's why I'm doing this," every  
11 member is free to do that. This committee has  
12 adopted a set of criteria that's to be used in  
13 drawing the maps, and so that will be the member's  
14 choice whether they think that is a best practice or  
15 not a best practice.

16 Further questions or debate?

17 Representative Carney.

18 REPRESENTATIVE CARNEY: Thank you,  
19 Mr. Chairman. So if -- did I hear you or Erika say  
20 that the public is going to have access to all these  
21 portals; is that correct?

22 CHAIRMAN HALL: So --

23 REPRESENTATIVE CARNEY: As we are drawing.

24 CHAIRMAN HALL: -- I'll let --

25 Ms. Churchill, go ahead and answer that,

1 and I may weigh in.

2 MS. CHURCHILL: Okay.

3 So, Representative Carney, as this is set  
4 up currently, a member of the public can choose to  
5 look at what is happening at station one online. A  
6 member of the public could choose to come to the  
7 room and sit in the back and could see all four  
8 stations going simultaneously. But to the best of  
9 our knowledge, the public will not be standing  
10 behind a station, over your back, over staff's back,  
11 instructing, conversating, that kind of thing.

12 REPRESENTATIVE CARNEY: Okay. Just a  
13 follow-up.

14 CHAIRMAN HALL: The lady is recognized.

15 REPRESENTATIVE CARNEY: So will that --  
16 each time a member comes and draws a map, is that  
17 archived for the public?

18 CHAIRMAN HALL: So the chair's  
19 understanding is that any map that's drawn by a  
20 member of this committee in this committee room  
21 becomes a public record.

22 Ms. Churchill, will you speak to that?

23 MS. CHURCHILL: Yes, sir.

24 Our understanding, as well, because this  
25 map is being drawn in public before the committee,

1 it is a public record. We will have a copy of it.  
2 It will be saved forevermore. At this time, we have  
3 not been instructed to place any of those maps  
4 online. If the committee so instructs, we will be  
5 happy to do that.

6 REPRESENTATIVE CARNEY: So that -- may I  
7 just comment why I'm asking that question?

8 CHAIRMAN HALL: The lady is recognized.

9 REPRESENTATIVE CARNEY: Is through the  
10 public hearings, I was -- attended a lot of those,  
11 and that was one of the questions that kept coming  
12 up over and over again is, will the public have an  
13 opportunity to be a part of drawing these maps, or  
14 seeing, actually having access to the drawing of  
15 these maps, publicly. That was why I was going that  
16 way.

17 CHAIRMAN HALL: Representative Cooper-  
18 Suggs.

19 REPRESENTATIVE COOPER-SUGGS: Thank you,  
20 Mr. Chair.

21 And thank you, Erika.

22 Still on that same vein, in talking about  
23 the public, and the maps that we're going to see, we  
24 know that the public has had that keen interest, by  
25 attending the sessions, as well as the feedback that

1     they have given. So what steps are you proposing to  
2     assure that the public be involved in these maps  
3     that represent them?

4                 CHAIRMAN HALL: And if the lady will  
5     indulge me to wait just a minute, until I can let  
6     Ms. Churchill sit down. Because the chair is going  
7     to take questions like that one, for example.

8                 If there are any other questions for  
9     Ms. Churchill --

10                And I will come back to you, Representative  
11    Cooper-Suggs.

12                REPRESENTATIVE COOPER-SUGGS: Thank you so  
13    much.

14                CHAIRMAN HALL: Representative Torbett.

15                REPRESENTATIVE TORBETT: Thank you. I was  
16    going hope I think this one fits in this segment.  
17    Is there intent -- should we have an anomaly or a  
18    glitch in the technology, do we think the mapping  
19    should suspend until such time that that glitch will  
20    reconnect or --

21                CHAIRMAN HALL: We'll deal with that if and  
22    when it happens at the time. Let's hope it doesn't.  
23                Representative Brockman.

24                REPRESENTATIVE BROCKMAN: I'm not really  
25    sure if this question was answered, but

1 Representative Carney asked if members of the public  
2 would know who was drawing maps at the specific  
3 time. Will they know, say, for example,  
4 Representative Brockman is working on a map at this  
5 time; will they know that?

6 CHAIRMAN HALL: Ms. Churchill?

7 MS. CHURCHILL: At this time, the way it is  
8 set up, no, sir. They will know that -- they will  
9 be able to see what is being drawn on station one.  
10 From the audio, they would be able to hear your  
11 voice, your instructions, but there would not be a  
12 label that was there at all times to say that this  
13 is Representative Brockman speaking. We can try to  
14 work on something of that nature, if the committee  
15 would like.

16 CHAIRMAN HALL: The gentlemen is  
17 recognized.

18 REPRESENTATIVE BROCKMAN: But there would  
19 be something that says, at the end of the day, that  
20 this is Representative Brockman's map; is that  
21 correct?

22 CHAIRMAN HALL: Yes. So the chair will  
23 speak to that. There will be something on the final  
24 map that says who has drawn that map, at least the  
25 original part of it. It may be amended, but the



1 amendment will have the member's name on that. And  
2 we've done that in the past.

3 Ms. Churchill.

4 MS. CHURCHILL: And I might kind of step in  
5 just a little bit to remind everyone that the maps  
6 are not what the General Assembly enacts. It is the  
7 bill that is sponsored by a bill sponsor, just like  
8 every other bill in the institution. The amendments  
9 the same way. For an amendment offered by  
10 Representative Brockman, the amendment will state  
11 that it was offered by Representative Brockman. It  
12 will have attached with it a visual of the map, but  
13 it is still technically the amendment that the  
14 General Assembly is voting on. So yes, sir. All of  
15 that will come together.

16 CHAIRMAN HALL: Okay, members. Are there  
17 any questions that are just for Ms. Churchill, at  
18 this point? I know another one may arise, so she's  
19 not leaving.

20 Okay. If not, Ms. Churchill, thank you  
21 very much for your eloquent presentation.

22 Members, the chair is going to hand the  
23 gavel over to Representative Saine and stand for  
24 questions.

25 VICE CHAIR SAINE: All right,

1 Representative Hall. Are you ready?

2 CHAIRMAN HALL: I am. And, Mr. Chairman,  
3 if you will start with Representative Cooper-Suggs.  
4 She had a question that was appropriate for the  
5 chair, but I wanted to wait until I got over here to  
6 answer it.

7 VICE CHAIR SAINÉ: The chair would be happy  
8 to do that.

9 Representative Cooper-Suggs.

10 REPRESENTATIVE COOPER-SUGGS: I can wait.  
11 I can hold off for a moment. If that's all right.

12 CHAIRMAN HALL: Okay. Fair enough.

13 VICE CHAIR SAINÉ: Fair enough. Thank you,  
14 Representative Cooper-Suggs.

15 Representative Richardson, I think I've got  
16 you, and then maybe Representative Harrison.

17 REPRESENTATIVE RICHARDSON: Mr. Chairman,  
18 thank you for taking these questions. When we went  
19 to these public hearings, I heard over, and over,  
20 and over again several things, you know, communities  
21 of interest, you know, and the like. But one thing  
22 I heard repeatedly was -- is that the public wanted  
23 input after we came up with maps, before we voted on  
24 them. I know we're on a tight budget, a tight  
25 schedule, you know, with this, and it's going to be

1 tough. But is it your plan to have some public  
2 hearings after -- before we vote on the final maps,  
3 but while the maps are up for consideration?

4 CHAIRMAN HALL: Thank you, Representative  
5 Richardson. So what I will say is that I do  
6 anticipate there being some manner of public hearing  
7 on whatever the final proposed version of the map  
8 is, before the House approves that. And we've done  
9 that in the past.

10 But, you know, I want to speak to what I  
11 think is often missed sort of in the story about  
12 when or how we're going to do public comment this  
13 time around. And that is, the way that we're doing  
14 this, the way this committee, as well as the Senate  
15 committee, has decided to do this process is simply  
16 unprecedented.

17 The folks on this committee could decide as  
18 a committee that we're not going to do this out in  
19 the open. The law would allow committee members, we  
20 could just simply have somebody draw these maps  
21 behind closed doors, as has been done in the past.  
22 The law would allow the use of election data to be  
23 used in these maps, and there's no binding  
24 precedent, whatsoever, that prevents this committee  
25 from using election data in drawing those maps and

1 preventing the committee from doing it behind closed  
2 doors.

3 We are voluntarily saying we don't think  
4 that's the best way to do this. We think the best  
5 way to do this is in this committee room, with these  
6 screens, the technology to allow members of the  
7 public to watch what's going on, to listen to what  
8 we're saying as we're drawing these maps, to  
9 literally, in real time, watch us draw these maps.  
10 That has never been done before in a voluntary  
11 manner.

12 In 2019, you were here, Representative  
13 Richardson, and many members of this committee were  
14 here, we did that in some fashion because we were  
15 court ordered to. Gentleman's a lawyer, I think  
16 he'll agree, there's no binding precedent from that  
17 decision, and this committee would be free to go  
18 right back to having some consultant draw these  
19 behind closed doors, put them on the floor here, and  
20 vote on them. But we're choosing not to do that.

21 We're taking the unprecedented step of  
22 being as transparent as I believe we possibly can  
23 with the way that we're doing this committee  
24 process. Obviously, you know, things can always be  
25 done better. We want to do that, if we can. But

1 the unprecedented amount of transparency should not  
2 be lost, not only on the members of this committee,  
3 but the members of the public, as they watch us do  
4 our business.

5 REPRESENTATIVE RICHARDSON: Thank you.

6 VICE CHAIR SAINÉ: Thank you.

7 Representative Harrison.

8 REPRESENTATIVE HARRISON: Thank you,  
9 Mr. Chair.

10 Thank you, Chair Hall. Looking at --  
11 looking at Doctors Carter, Mattingly, et al.'s  
12 article -- and Erika Churchill mentioned this --  
13 they say they want -- that's the one part of the  
14 Stephenson v. Bartlett decision this analysis does  
15 not reflect its compliance with is the Voting Rights  
16 Act.

17 So I sort of skimmed Stephenson v.  
18 Bartlett, in anticipation of this meeting, and I'm  
19 just wondering, because that seems a very important  
20 point of the Stephenson decision is compliance with  
21 the Voting Rights Act. So how -- so we're starting  
22 with maps that don't take that into account at all,  
23 and I'm just wondering how we're complying with  
24 that?

25 CHAIRMAN HALL: Thank you for the question,

1 Representative Harrison. As the lady knows, this  
2 committee has made a decision to not use race at all  
3 in the drawing of our maps. I'll also note that, as  
4 you know, there's been a lot of litigation in this  
5 state over the redistricting process in general.  
6 We've had many, many lawsuits going back to when  
7 Democrats were in the majority and since Republicans  
8 have been the majority. It's really been no  
9 different. We've had many, many lawsuits.

10 What we've seen in those lawsuits, at least  
11 in the last few lawsuits that we've seen, is the  
12 plaintiffs in those suits that were trying to set  
13 aside those maps have said that there is no legally  
14 significant racially polarized voting in North  
15 Carolina. That's the plaintiffs and their own  
16 experts who are saying that.

17 We've drawn maps in both 2017 and 2019, not  
18 using racial data at all. And those maps have been  
19 approved -- groupings, rather -- the lady's question  
20 is specifically as to groupings, and I'm sort of  
21 answering the grouping and map question in one. But  
22 we've used groupings in 2017 and in 2019, not taking  
23 into account any sort of racial data at all. And  
24 courts have uniformly upheld those groupings that  
25 we've used, without using racial data.

1           So we are going to stick with the criteria  
2   of the committee and not consider any racial data at  
3   all. And based on the past precedent of doing this,  
4   we're confident that that will comply with the  
5   Voting Rights Act.

6           REPRESENTATIVE HARRISON: Follow up?

7           VICE CHAIR SAINÉ: You're recognized.

8           REPRESENTATIVE HARRISON: I appreciate that  
9   very thoughtful answer. I actually meant with  
10   regard actually to the whole mapping process, so you  
11   anticipated my question. But I'm looking at section  
12   two, that provides to states that "political  
13   subdivisions can't impose any voting qualification  
14   or prerequisite that impairs or dilutes, on account  
15   of race or color, a citizen's opportunity to  
16   participate in the political process to elect the  
17   representative of his or her choice."

18           So how do we know -- if we don't take into  
19   account race, how do we know that we're complying  
20   with the Voting Rights Act? And I kind of  
21   understood you to say that we're relying on past,  
22   but I'm just -- can you respond to that, please?

23           CHAIRMAN HALL: And that's the way -- the  
24   way we know is because we've already done it. We've  
25   done it before and courts have upheld the drawings

1 of these maps, the groupings and the districts  
2 themselves, without this committee using any racial  
3 data at all. We've done that twice now, so I'm  
4 confident that, without using racial data, we will  
5 comply with the Voting Rights Act.

6 REPRESENTATIVE HARRISON: One more follow-  
7 up, I think.

8 VICE CHAIR SAINÉ: You're recognized for  
9 follow-up.

10 REPRESENTATIVE HARRISON: Thank you.

11 And I guess a lot of my questions have to  
12 do with compliance with the Voting Rights Act, and I  
13 think I understand your answer is going to be the  
14 same, so I'll move to the Common Cause decision that  
15 you referenced earlier. And I appreciate the  
16 committee's commitment to transparency.

17 You did say it's an non-binding precedent,  
18 so you all don't anticipate -- do you anticipate  
19 using any of the ruling from the holding from that  
20 decision to guide this process? Do you all feel  
21 bound by any of that decision in terms of following  
22 the process that the court ordered?

23 CHAIRMAN HALL: From a strictly legal  
24 stance, it's not a binding precedent that anyone is  
25 required to follow. But as the lady knows, based on



1 the criteria the committee has adopted, that is  
2 something that this committee has to follow. And  
3 we've taken a lot of language out of that opinion  
4 and put it into this committee's criteria.

5 The computers that you see here and the  
6 online audio and video, none of that is binding. We  
7 are voluntarily doing that. You know, frankly, we  
8 learned from that case that perhaps a better process  
9 is one that is just like we're doing -- like we did  
10 then, like we're doing now, as an open and  
11 transparent process. So, you know, while it may not  
12 be binding, the committee has chosen to impose upon  
13 itself some of the principle outlined in the Common  
14 Cause case.

15 REPRESENTATIVE HARRISON: I think I'm going  
16 stop for now and let somebody else ask questions. I  
17 might have more. Thank you.

18 VICE CHAIR SAINÉ: Thank you,  
19 Representative Harrison.

20 I have Representative Cooper-Suggs and then  
21 Representative Hawkins.

22 Representative Cooper-Suggs, you're  
23 recognized.

24 REPRESENTATIVE COOPER-SUGGS: Thank you so  
25 much, Mr. Chair, and Representative Hall. Thank you

1 so much.

2 My question was -- it goes back to the  
3 public's input and that the keen interest that  
4 they've had in this process, and we've seen that,  
5 you know, as I stated earlier, through the  
6 districting process as well as through the online  
7 portals too. Over 3000 people have responded, so we  
8 know that there's interest out there.

9 And so my question deals with, what steps  
10 are you proposing to assure that the public be  
11 involved in the efforts to create maps that  
12 represent them?

13 CHAIRMAN HALL: Thank you, Representative  
14 Cooper-Suggs, for the question. So I'll go back to  
15 what I said previously in response to, you know,  
16 what efforts are we making to make sure those folks  
17 can follow this process to make sure that it's doing  
18 whatever they feel like it should do. Because some  
19 of members of the public feel one way about what  
20 this process should ultimately end up with, and  
21 others feel in different ways. They're differing  
22 opinions.

23 Again, I think it's important to understand  
24 context of what's happened in the past, in this  
25 building, for the past 200 years when this body has

1 drawn maps. What has happened in the past is some  
2 outside entity, a consultant, goes and they draw the  
3 map behind closed doors. We would come into this  
4 committee, just like we're in right now, and throw a  
5 map down in front of the committee members and say,  
6 "Here's the map that we propose."

7 We're not doing that this time. What we're  
8 going to do this time is a more open and  
9 deliberative process for this committee. We will  
10 literally be drawing on the stations that you see,  
11 so members of the public across the state and, in  
12 fact, across the world, can log onto the website and  
13 watch these maps as we draw them in live fashion.

14 And then, we've seen that the public  
15 comment portal is actually much more popular than  
16 the in-person public comment method, for one reason  
17 or the other. We get many more comments through  
18 that portal. We get many more emails, as members of  
19 this committee can attest. You receive emails all  
20 the time from folks and, you know, probably messages  
21 in many different ways and phone calls.

22 So the public has favored that online  
23 portal in telling us how they want to see this done.  
24 That portal is going to stay open throughout this  
25 process, so an individual sitting anywhere in our

1 state, and again, anywhere in the world, can sit and  
2 watch what's happening. Can literally send a  
3 comment right then, simultaneous with that drawing  
4 going on and say, "I'm watching station four. I  
5 don't like what I see in X district," or "I do like  
6 what I see in X district."

7 That's going to be time-stamped. The  
8 committee members are going to have a chance to read  
9 every one of those. And so, there is ample  
10 opportunity for members of the public to weigh in on  
11 these maps. Again, in the past, there's been little  
12 opportunity because the maps are already drawn.  
13 Folks can come in here and talk all they want, but  
14 the map has been drawn.

15 That's not the case here. We had public  
16 comment ahead of time. We're going to draw these in  
17 public. And I do anticipate at least some in-person  
18 public comment moving forward. With all of that  
19 said, I do anticipate at least some form of in-  
20 person public comment at the end of this.

21 REPRESENTATIVE COOPER-SUGGS: Follow-up  
22 question.

23 VICE CHAIR SAINÉ: You're recognized for a  
24 follow-up.

25 REPRESENTATIVE COOPER-SUGGS: I just want

1 to make sure I fully understand this. So how are we  
2 going to use the comments -- the public comments  
3 when drawing these maps? Their actual comments, how  
4 are we going to use those?

5 CHAIRMAN HALL: So that's up to each member  
6 of this committee to decide what they want to  
7 discern from a given comment. We know that if you  
8 read all of these comments, there are some of them  
9 that you can't do what both of them say. So you can  
10 pick out two messages, and one person wants you to  
11 do one thing; and the other person wants you to do  
12 something else. So what do you do? Well, that's  
13 the decision for each member of this committee to  
14 make, what they want to do in response to that  
15 public comment. What I can tell you this committee  
16 has done in response to that is to ensure that we  
17 have the most transparent process in the history of  
18 this state.

19 REPRESENTATIVE COOPER-SUGGS: Thank you so  
20 much.

21 VICE CHAIR SAINÉ: Thank you.

22 Representative Hawkins.

23 REPRESENTATIVE HAWKINS: Thank you,  
24 Mr. Chairman.

25 Thank you, Chairman Hall. I really

1 appreciate you taking the time, and not only to sort  
2 of travel across the state for these public  
3 hearings, but to take these questions.

4 And so, one of the things that you  
5 mentioned that I want to follow up on is you said,  
6 "throughout this process." Meaning that the public  
7 comment portal will be opening throughout this --  
8 can you define what that is? Because I know I've  
9 actually received that question on our start and  
10 ending time, so that people know how to engage it  
11 fully, and sort of when their last time is to do so.

12 CHAIRMAN HALL: I anticipate that public  
13 comment portal being open until at least the time  
14 that this body adopts -- meaning the House and the  
15 Senate, the General Assembly, at least until the  
16 time the General Assembly adopts state House maps,  
17 state Senate maps, and congressional maps. That  
18 public comment portal will stay open until at least  
19 that time.

20 REPRESENTATIVE HAWKINS: Follow-up.

21 VICE CHAIR SAINÉ: You're recognized for a  
22 follow-up.

23 REPRESENTATIVE HAWKINS: Thank you,  
24 Mr. Chairman.

25 So a follow-up question is around I think,

1     you know, earlier, yourself or Erika Churchill  
2     mentioned hearings. And so, of course that's  
3     probably the most popular question is if we're going  
4     to have hearings after this. And you said that that  
5     would be up to this body.

6             Can you give us a time line in the way you  
7     see this and when we would kind of make that  
8     decision? And when you think that this body should,  
9     you know, between now and when we actually have to  
10    file, when we need to do that? Because I think,  
11    again, a lot of folks would want to know if we're  
12    going to sort of go back out on the road and talk  
13    about these again.

14            CHAIRMAN HALL: You know, I'll answer that  
15    by saying, you know, as the gentleman knows, we're  
16    on an extremely truncated time line, and that's  
17    nobody's fault in this body, on either side of the  
18    aisle. We just simply didn't get the data in time  
19    to do this in the way that it's been done in the  
20    past. And especially when you couple it with the  
21    fact that the maps aren't being drawn by a  
22    consultant somewhere and being delivered here, and  
23    us going and voting on them. We're going to do  
24    that.

25            We're going to take the time to draw these

1 in this committee, out in the open, and that takes  
2 time. As the gentleman knows, you know, we've drawn  
3 these maps together in years past. We haven't done  
4 it this year, for everybody listening at home. He  
5 and I, in the past, we've worked together on drawing  
6 maps in prior sessions.

7 So it's difficult to say and commit to some  
8 form of public comment afterwards because the  
9 reality is we've got to get these done in time for  
10 the state board of elections to get ballots  
11 finalized. I don't know, frankly, how long it's  
12 going to take us to draw these maps. I expect to  
13 hopefully start to get some gauge as we get in this  
14 thing tomorrow, but for all I know, you know, it may  
15 be the last week of October and we're still in this  
16 room trying to finalize one version of these maps.

17 And they really need to all be done in the  
18 sense that we need to have some final map in place  
19 before that public comment comes in, so that they  
20 can comment on whatever it is that we're  
21 considering.

22 Again, I will say that I do anticipate at  
23 least some form of in-person public comment. I just  
24 don't know the method, where it will be at, and how  
25 much it will be, because of our truncated time line.



1 But I will just again say, the online version has  
2 been extremely popular. We've had a lot more  
3 comments there than we've had at some of the in-  
4 person sites, where we didn't have a ton of people  
5 show up. Some sites, we did have a lot, and others,  
6 not so much.

7 So, you know, folks across the state still  
8 have the ability to directly communicate with us and  
9 they've got the chance to watch this happen live.  
10 So, you know, I am satisfied that the public's got  
11 ample opportunity to weigh in on what we're doing  
12 in.

13 REPRESENTATIVE HAWKINS: Thank you.

14 One last follow-up, Mr. Chairman.

15 REPRESENTATIVE SAINE: You're recognized  
16 for a follow-up.

17 REPRESENTATIVE HAWKINS: Again, to be  
18 clear, in 2019, when we worked on this project  
19 together on behalf of the citizens of North  
20 Carolina, we both had -- and everyone did -- had a  
21 keen interest in groupings because we understand  
22 that the way that counties are grouped directly  
23 relates to how districts are potentially drawn.

24 And so one thing that came up last time,  
25 but I think we can sort of potentially get ahead of

1     it this time, is how, you know -- how the committee  
2     will approve the entire map. Or is it possible for  
3     us to go and approve grouping by grouping, once we  
4     go through this process?

5             Because I think, again, if you remember, a  
6     division of the vote in the 2019 session, that would  
7     have given us the ability to isolate and really draw  
8     down on each individual grouping, which I think  
9     could be really helpful. But I wanted to see what  
10    the chairman thought about that ability for us to do  
11    that this go round, sort of understanding how we did  
12    operate in 2019.

13            CHAIRMAN HALL: You know, I anticipate, as  
14    I said earlier, taking up member's amendments that  
15    they have, in whatever format that they want to put  
16    forth, whether that be an entirely new map or a  
17    specific grouping, with the only caveat of saying we  
18    can't take up -- every member of this committee  
19    can't up with 50 or 100 amendments and us possibly  
20    have time to get this done.

21            So assuming that doesn't take place --  
22    which it hasn't in the past, and so I don't  
23    anticipate that being the case this time around -- I  
24    think it will be similar to what we saw last time,  
25    and that is, you know, members can put the amendment

1 in whatever form they really saw fit.

2 REPRESENTATIVE HAWKINS: I keep saying one  
3 last follow-up, Mr. Chairman.

4 VICE CHAIR SAINÉ: Well we'll give you one  
5 last follow-up.

6 REPRESENTATIVE HAWKINS: And so, you know,  
7 I, like you, native North Carolinian, and my  
8 birthday is in May, so I was always used to having a  
9 May primary. And I understood, you know, why we  
10 moved it to March, to play in the presidential. But  
11 this is a mid-term, and so, is there any appetite,  
12 potentially, to move the primary back to May, in the  
13 mid-term, versus the way we do it in presidential  
14 years? To give us the ample amount of time to work  
15 on these maps and have the potential public comment  
16 and have the fun that we did last go round on this  
17 project.

18 CHAIRMAN HALL: You know, I'll answer that  
19 question by saying you know, I haven't seen that  
20 appetite from the body. You know, I chair  
21 redistricting and rules and I will leave it at that.  
22 You know, I don't anticipate us moving that deadline  
23 back, I think for a number of reasons.

24 But one of the best reasons, I think, is  
25 folks have planned for that for some time now, and I

1 certainly understand the gentleman's argument that  
2 perhaps it gives us more time to get it done. But  
3 on the same token, you've got folks who have been  
4 running for maybe statewide offices, and you've got  
5 folks who have planned to run at given times, and  
6 so, at this point in the game, I anticipate keeping  
7 our filing deadlines as is.

8 REPRESENTATIVE HAWKINS: Sure. Well I  
9 would just argue, Mr. Chairman, that it gives those  
10 people -- North Carolina has ten and a half million  
11 people, and it's a pretty big state, so that would  
12 give those statewide folks a lot of time to know the  
13 people of North Carolina. But I really appreciate  
14 your time, Mr. Chairman. And thank you for the  
15 ability to ask questions.

16 CHAIRMAN HALL: Thank you, sir.

17 VICE CHAIR SAINÉ: Thank you.

18 Any other questions?

19 Representative Harrison, and then  
20 Representative Carney.

21 REPRESENTATIVE HARRISON: Thank you, Mr.  
22 Chair.

23 And Chair Hall, when you were talking about  
24 us being bound by the criteria of not using race or  
25 partisan data, so any individual can -- any member

1 of the House can draw a district, will they be bound  
2 by the same criteria?

3 CHAIRMAN HALL: Yes. So to be clear, only  
4 a map that's drawn in this room is going to be  
5 considered by this committee. And on these  
6 computers in this room, you essentially are bound by  
7 that criteria because there is no racial data or  
8 election data that's loaded into these computers.

9 But to answer your question, yes.  
10 Everybody will be bound by the same criteria. It's  
11 not that a member that's not on the committee can go  
12 draw whatever map they want to and sort of get  
13 around our rules because they're not on the  
14 committee. They must follow the criteria.

15 REPRESENTATIVE HARRISON: For a follow-up?

16 VICE CHAIR SAINÉ: You're recognized for  
17 follow-up.

18 REPRESENTATIVE HARRISON: But it seems  
19 like if you come in, and you might have the material  
20 with you, it might not be actually loaded in the  
21 software, but you might actually have -- I just  
22 didn't know if there was some way to enforce that,  
23 or how do you plan to do that?

24 CHAIRMAN HALL: Well, you know, I don't  
25 plan to search every member who comes into this

1 committee room, nor do I want to do that. I don't  
2 want to know what some of you all have in there.  
3 But, you know, it's one of those things where, at  
4 the end of the day, the members of this committee  
5 are elected representatives. You're elected by your  
6 constituents to come up here and do a job. And, you  
7 know, I'm not going to -- I always try not to  
8 question people's motives when they do something,  
9 and I think this falls in that same vein.

10 So, you know, members can -- are free to  
11 handle those issues as they see fit, but they will  
12 follow the criteria in the sense that that data is  
13 not in these computers. But I'm not going to -- I'm  
14 not going to search their bags when they walk in.

15 VICE CHAIR SAINÉ: Recognized for a follow-  
16 up.

17 REPRESENTATIVE HARRISON: Thank you.  
18 Appreciate that.

19 And I think in 2019 we had a portal open  
20 for the public to draw maps. Are we planning on  
21 doing that this time around?

22 CHAIRMAN HALL: We are.

23 And if the chair will recognize  
24 Ms. Churchill to speak to that.

25 MS. CHURCHILL: Yes, ma'am. Representative

1 Harrison, there will be two public terminals  
2 available for use starting tomorrow morning at 9:00  
3 a.m. The public will be asked to schedule in  
4 advance, so that they can assure that a terminal is  
5 there during the time that they want to use it.  
6 They will be asked to bring a thumb drive, or other  
7 device where they can save their work, because the  
8 terminal will be reduced back to its original state  
9 when they leave.

10 REPRESENTATIVE HARRISON: I appreciate  
11 that.

12 I think I have two more questions, and  
13 they're quick, hopefully. I don't want to belabor  
14 the point, but in the last meeting we had on August  
15 18th, several of us had gotten together and  
16 advocates had proposed a public participation  
17 process and a transparency process.

18 We also all received a letter from Caroline  
19 Fry, on Friday, that came from a large group of  
20 advocates asking for procedures to be followed by  
21 this committee. One of those is transparency  
22 related to third-party participation, disclosure of  
23 that. Is there any plan to the extent that folks  
24 are consulting with counsel or data people, or -- is  
25 there any plan for disclosure of that sort of issue?

1                   CHAIRMAN HALL: You know, in the same vein  
2 of -- as chair of this committee, I'm not going to  
3 make it a practice to search people's folders or  
4 their bags when they come into this room. I'm also  
5 not going to inquire into everybody that they're  
6 talking to one way or the other. Again, we're all  
7 elected here. You've got a duty to your  
8 constituents, and you've got the decision to make as  
9 to how you want to carry out that duty. But I, as  
10 the chair of this committee, I'm not going to police  
11 who folks are talking to.

12                  REPRESENTATIVE HARRISON: I appreciate  
13 that. And just last follow-up. I don't think I was  
14 asking about policing, but just disclosure. And I  
15 think that was what the public was asking for.  
16 Thank you.

17                  VICE CHAIR SAINE: Thank you.

18                   I've got Representative Carney and then  
19 Representative Hawkins.

20                   Representative Carney.

21                  REPRESENTATIVE CARNEY: Thank you,  
22 Mr. Chairman, and Representative Saine.

23                   And Mr. Chairman, thank you for taking all  
24 of our questions this afternoon. I want to go back  
25 to the drawing of these maps in this room. And I



1     guess I am one that envisioned, at first, that this  
2     committee would come in here for two weeks, gathered  
3     around the maps, work together in a non-partisan way  
4     to draw these maps out in the public, as you've  
5     stated. But I'm hearing now, and I'm understanding,  
6     member -- when you said any member can come in here  
7     from 9:00 to 5:00 Monday through Friday for two  
8     weeks -- correct me if I'm wrong.

9             CHAIRMAN HALL: That's right.

10            REPRESENTATIVE CARNEY: But any member of  
11     the legislature. House members in here, and I guess  
12     the Senate will be doing the same. So it is going  
13     to be beyond -- the map drawing will go beyond just  
14     the committee members; is that correct?

15            CHAIRMAN HALL: Yes. And one thing I do  
16     what to correct that you said. You said Monday  
17     through Friday for two weeks. I don't know if it's  
18     going to be two weeks or not. I don't know how long  
19     it's going to take. But -- and I understand why the  
20     lady is asking the question.

21            And, you know, having done this in a  
22     similar fashion in 2019, what ends up happening when  
23     you leave this committee room open for that long, it  
24     gives members an opportunity to come in and draw as  
25     they see fit. Just as you and I have the right as

1 House members to draft -- to have drafted whatever  
2 bill we want to have drafted.

3 The reason that we're doing it that way is,  
4 you know, we wouldn't tell members, prior to the  
5 filing or bill drafting deadline, we wouldn't say,  
6 you know, only certain members can file bills. You  
7 know, sometimes that may be preferable for our given  
8 caucuses, but unfortunately, maybe unconstitutional.

9 So, in the same vein, I want to give every  
10 member of the House an opportunity to be able to  
11 draft their bill, so to speak, if they want to do  
12 that. But you also see happening, especially sort  
13 of in peak hours, so to speak -- so, you know, in  
14 the mornings I would anticipate on like Tuesday,  
15 Wednesday, Thursday, you're going to have several  
16 people in here. And Representative Hawkins and I  
17 have done this in the past. Some of those parts of  
18 the maps that we're under right now, he and I  
19 literally drew together in this committee room. I  
20 mean, substantial parts of them. We didn't have to  
21 agree on every single thing, but substantial parts  
22 of them, you know, we sat down and drew them  
23 together.

24 So some of that will happen. You know,  
25 members may ask members from given districts to come

1 over and say, "Hey, what do you think about, you  
2 know, this given area? You know it better than I  
3 do." So that's going to be allowed, I mean, that  
4 teamwork, so to speak. But the reason for leaving  
5 it open so much is just to give members the  
6 opportunity to have their voice heard, so to speak,  
7 in this committee room.

8 REPRESENTATIVE CARNEY: So a follow-up?

9 VICE CHAIR SAINÉ: You're recognized.

10 REPRESENTATIVE CARNEY: If there are 120  
11 members out of 120 -- let's say every member decided  
12 to come in and put something in to these maps, a  
13 little section, or their own, or whatever, their own  
14 districts, how do we pull all of that together? And  
15 I know staff will be the ones that will pull that so  
16 that it meets all of the criteria, and pass all the  
17 must, or whatever. Will we come up with one map, or  
18 two, or three maps that then the committee would  
19 vote on? I'm just asking.

20 CHAIRMAN HALL: I think we'll have multiple  
21 maps that the committee will vote on. You know,  
22 just like with any other committee, if you're not a  
23 member of this committee, if you want to draw a map,  
24 you're going to need to get a member of this  
25 committee to present that for you. Just like on any

1 other committee, if you've got a bill that, if you  
2 can't be in a given committee, or you're not on it,  
3 you just want somebody on it to present, they need  
4 to present it for you.

5 That's probably -- and actually, now that I  
6 say that, it depends on the timing. Let me actually  
7 take that back. Because if we have time, you know,  
8 to let other members come in and speak to that, just  
9 like we would other committees, we'll do that. But  
10 I do anticipate that sort of creating a time crunch  
11 for us. And so most likely what we're going to do  
12 is limit it to the members of this committee  
13 presenting amendments and presenting their various  
14 maps.

15 REPRESENTATIVE CARNEY: And one final. How  
16 will this be -- how will we let the other members  
17 know -- and of the course the public that is  
18 listening -- how will we let them know about this  
19 process? Is there going to be an email sent out to  
20 everyone that they will understand what we're doing?

21 CHAIRMAN HALL: We will probably send  
22 something out just to say, you know, if you want to  
23 come in and draw, that you can. But I think that,  
24 you know, the rules are fairly simple. Once you get  
25 in here you see, you know, you can go to the station

1 and draw as you see fit. But we will make it known  
2 that all House members have the ability to come in  
3 here and draw maps during the committee period.

4 REPRESENTATIVE CARNEY: Thank you.

5 REPRESENTATIVE SAINÉ: Thank you.

6 Representative Hawkins.

7 REPRESENTATIVE HAWKINS: Yes, sir. Thank  
8 you, so much, for the second opportunity to ask  
9 questions about redistricting. The first question  
10 is around the ability for multiple language speakers  
11 to use this portal and have their languages  
12 translated properly.

13 Representative Torbett and I were in  
14 Durham, and he was so kind to allow for a  
15 translator, a Spanish speaking translator, for our  
16 Spanish speaking population to take part. And maybe  
17 this is a question for staff, since we potentially  
18 may not have in-person public hearings in the  
19 future, how are multiple languages being transferred  
20 into the English language, so that we can decipher  
21 it and make sure that they have a part in the  
22 process?

23 VICE CHAIR SAINÉ: Ms. Churchill.

24 MS. CHURCHILL: Representative Hawkins, I'm  
25 not going to commit to anything, because I'm not

1     sure what we can do with the technology, but we are  
2     absolutely happy to look into what our options are,  
3     and report that back to the chair.

4             REPRESENTATIVE HAWKINS:   Okay.   I also  
5     heard you were Erika Churchill, and you can do all  
6     things, but just putting that out there.

7             MS. CHURCHILL:   Speaking French is not one  
8     of those things.

9             REPRESENTATIVE HAWKINS:   Okay.   10-4.   Just  
10    --

11            CHAIRMAN HALL:   I believe she said not yet.

12            REPRESENTATIVE HAWKINS:   Follow up,  
13    Mr. Chairman.

14            VICE CHAIR SAINÉ:   You're recognized for a  
15    follow-up.

16            REPRESENTATIVE HAWKINS:   And this is just,  
17    you know, full transparency, Mr. Chairman, so that  
18    the public can know that we're, you know, working  
19    with all cards up.   Is there, you know, any -- I  
20    want to make sure that there have been no maps drawn  
21    outside of this building that any of us have been  
22    privy to.   Can we say that unequivocally that that's  
23    been the case?

24            CHAIRMAN HALL:   I can't speak for other  
25    members of this committee.   What I'll say is that I

1 have not contributed to the drawing of any map, at  
2 all.

3 REPRESENTATIVE HAWKINS: Awesome. Thank  
4 you, Mr. Chair.

5 VICE CHAIR SAINÉ: Thank you.  
6 Representative Warren.

7 REPRESENTATIVE WARREN: Thank you. I  
8 propose this to the Chair, but probably going to  
9 deflect it to Ms. Churchill. Can you explain what  
10 the matrix is on page 2 of this stack of maps?

11 VICE CHAIR SAINÉ: Ms. Churchill.

12 REPRESENTATIVE WARREN: I knew it. She can  
13 do anything.

14 CHAIRMAN HALL: When we're using the word  
15 "matrix," generally I'm going to go ahead and  
16 deflect that one on over.

17 MS. CHURCHILL: So, Representative Warren,  
18 I'm not sure that it is a matrix in the form that  
19 many people think of when you say that word. But it  
20 was our attempt to keep up with how the group from  
21 Duke was allocating the options to create the eight  
22 different combinations for a fully assigned  
23 statewide map.

24 So when you see the A1 option in the Duke  
25 House 01 through 04, that is associated with the

1 western part of the state, that northwestern corner  
2 that was unassigned in the fixed map. The option  
3 one, the combination is Surry, Wilkes, Alexander,  
4 for two members. And Alleghany, Ashe, Watauga, and  
5 Caldwell for two members. And so it's just, we  
6 wanted you all to know that we were trying to  
7 methodical and systematic, following the recipe. So  
8 it's just simply the designations they were using to  
9 tell us whether to add salt or to add sugar.

10 VICE CHAIR SAINÉ: Thank you, sir.

11 Any other questions for Chairman Hall?

12 Representative Brockman.

13 Representative Brockman, Representative  
14 Reives, and then Representative Harrison.

15 REPRESENTATIVE BROCKMAN: I know we're not  
16 considering race, but are we considering party  
17 registration when we're drawing the maps, as  
18 criteria?

19 CHAIRMAN HALL: Nope.

20 VICE CHAIR SAINÉ: Representative Reives.

21 REPRESENTATIVE REIVES: Thank you, Mr.

22 Chair. I had a -- I wouldn't call them a series,  
23 but you may call them a series of questions --

24 VICE CHAIR SAINÉ: You're recognized for a  
25 series, sir.



1                   REPRESENTATIVE REIVES: All right. Thank  
2 you.

3                   I wanted to make sure, and I apologize if  
4 this is repeating anything, I don't know that I have  
5 the answer in my head, and I know that when we walk  
6 out of this room, that I'm going to get all these  
7 questions, so I'm trying to kind of figure out where  
8 we are.

9                   So on the drawing of the maps, I think my  
10 big question is -- and I've got to get my glasses  
11 back on because I had to type this because I can't  
12 see, and I can't read anymore. See what you guys  
13 did to me in 10 months. I had 2020 vision when I  
14 got here.

15                  But I guess first following up on  
16 Representative Hawkins' question, and again, it's  
17 just the question we've got to ask. He asked if  
18 there have been any maps drawn outside this  
19 building. I would like to know if there have been  
20 any maps drawn inside the building?

21                  CHAIRMAN HALL: No. Great lawyer question.  
22 But no.

23                  REPRESENTATIVE REIVES: Just making sure.  
24 I got to ask.

25                  CHAIRMAN HALL: You know, again, I'm

1 speaking for myself, as the gentleman understands.  
2 I can't speak for what other members have done, on  
3 either side of the aisle, or in the Senate, but I  
4 have not participated inside or outside of the  
5 drawing of any maps, for this session.

6 REPRESENTATIVE REIVES: That's good. I  
7 appreciate that. And going on that same issue, and  
8 you really, you and I have talked, and now I want to  
9 say publicly, you have been very good about keeping  
10 me up to date with what we're trying to do, how  
11 we're trying to do it, and I appreciate that. And  
12 we had this discussions, but I want to kind of get  
13 it clearer now.

14 So my concern is similar to Representative  
15 Harrison's concern because here seems to be the  
16 problem that you run into. So let's say somebody --  
17 and I'll use somebody who would never do this. I'm  
18 going to use Representative Bell. So let's say  
19 Representative Bell comes in and he's gone, and he's  
20 talked to, you know, non-member Billy Richardson,  
21 and Billy has said, "Oh, man. This would be a great  
22 map for you, John Bell, because, you know, you put  
23 all the democrats over here. You put all the  
24 republicans here. And then you got you all the  
25 black people here and the white people here, and all

1     that stuff." Obviously using racial and partisan  
2     data that we're not using.

3             And so then he says, "Here's my map, so you  
4     don't have to worry about drawing it." Well if  
5     Representative Bell, under what I'm hearing, brings  
6     that map in, sits it down in front of him at the  
7     terminal, and just draws it on a computer, then he,  
8     at that time, has been allowed to draw a map that's  
9     been drawn on a computer, so it can be used, but  
10    it's still using racial and partisan data.

11            And I'm just like Representative Harrison,  
12    I'm definitely not asking anybody to police anyone,  
13    but do we have anything in place that would kind of  
14    help prevent that? Because to me, that sounds an  
15    easy get around, in a legal sense, around the  
16    criteria that we've set up.

17            CHAIRMAN HALL: Well, you know, I would  
18    initially say that the problem that you face at the  
19    end of the day, as the gentleman already knows, and  
20    as I've said, I don't think I have the ability to  
21    police members of this committee, nor do I want to  
22    try to do that. I don't think it can effectively be  
23    done.

24            The committees of this -- the members of  
25    this committee have an elective duty to do things, I

1 think in the right way. And we have a set of  
2 criteria that we have used in here. I know I'm not  
3 going to bring in a map and sit down and draw it,  
4 but you know, the reality is, we're elected  
5 officials, and people will talk to us, and they call  
6 us all the time. And throughout this process, many  
7 members of the committee and the body are going to  
8 be told by folks, whether in their district or in  
9 the halls out here, what they think they should do.

10 And in fact, as many of the questions today  
11 have shown us, the members of this committee really  
12 want the public's comment. And, you know, those  
13 members of the public may say, "Representative  
14 Reives, I want you to draw the district this way and  
15 I want you to do this precinct." And that's up to  
16 you to determine how you want to handle doing that.

17 But at the end of the day, I think we've  
18 done all that we can, in the sense of we're only  
19 putting the data that's allowed to be used in the  
20 computers, in this room, and we've got a live audio  
21 feed, and a live video feed. I'm not sure that we  
22 can do a whole lot else, humanly, to prevent any  
23 sort of noise, so to speak, from coming in, other  
24 than doing those things.

25 REPRESENTATIVE REIVES: Is it possible,

1 just as a follow-up, that we could at least prevent  
2 the bringing in of a physical map to draw from? Is  
3 that something possible?

4 CHAIRMAN HALL: Yeah. You know, and you  
5 and I talked about this the other day, and I thought  
6 it was a great question, something I hadn't really  
7 thought about. And, you know, and I certainly, I  
8 see your point. But what I don't want to get into,  
9 as the chair of this committee, is when, you know,  
10 Representative Warren comes in here and he's got  
11 this big spread, me, you know, telling the sergeant  
12 in arms to take Representative Warren, you know --  
13 or take his map away from him or take him out of  
14 this committee room. You know, I want to avoid  
15 that.

16 And, you know, it's one of those things  
17 that there might be a scenario where, you know, you  
18 draw one map in here -- you've been through this  
19 before -- you draw a map, you have it printed out,  
20 and you might take it with you to study it and think  
21 about it, and to determine what you want to do to  
22 perhaps change it. Maybe you want to take it to  
23 your constituents and say, "Look, here's what I'm  
24 thinking. What do you think about this?" And maybe  
25 they give you input.

1           And you might want to bring that very map  
2 back in here, that you drew in this committee, and  
3 sit down and, based on the changes -- the input,  
4 rather -- the input you've got from other folks, and  
5 make those changes. And I don't know how we would -  
6 - again, I go back to the word policing it -- how I  
7 -- I can't stand over somebody's shoulder and say,  
8 "Now that's not the map you drew in here. That's a  
9 map -- I don't know where that came from." I just  
10 don't -- I don't think it's possible to do that.

11           But what I can tell the members of this  
12 committee, as the chair, I won't be brining any maps  
13 in here to draw off of. But I want to be clear that  
14 when members of the public that are watching these  
15 live video feeds, or members who are sitting in the  
16 back, they're going to see members of this committee  
17 walking around with maps in their hands. Some  
18 people like to have a sheet of paper in front of  
19 them. You know, you're probably like me. I like to  
20 read, you know, a statue printed out, rather than  
21 read it on a computer screen, so that I can write on  
22 it, and think about it a little easier.

23           So, because of that, I'm afraid, you know,  
24 even if we tried to do that, the optics of removing  
25 members from this committee, and people seeing

1 people walking around with maps that have been  
2 printed out because they were drawn in here, I think  
3 it ultimately results in the best path forward to  
4 just say, you know, look folks, the map you draw has  
5 got to be the one that you do in here and nowhere  
6 else. And that's up to the members and their  
7 integrity as to how they want to handle that.

8 REPRESENTATIVE REIVES: And I would say  
9 then, based on that, I'm assuming we will be  
10 instructing members that you are not to use racial  
11 or partisan data in the drawing of the maps that you  
12 do in here.

13 CHAIRMAN HALL: Absolutely.

14 REPRESENTATIVE REIVES: And I would also, I  
15 guess, say that once we're down to the maps that  
16 we're going to be voting on, I mean, I would think  
17 that's something that we can ask members when  
18 they're presenting a map. You know, if a member  
19 comes up and says, "This is my map we're voting on,"  
20 you could say, "Okay. You didn't use racial or  
21 partisan data," and that won't be considered out of  
22 line.

23 CHAIRMAN HALL: I think that's, you know, a  
24 fair question for any member of this committee or  
25 anyone in the House to ask those very questions.

1               REPRESENTATIVE REIVES: All right. Well  
2 then that gets us to the next question I've got.  
3 We've got criterion that we've put in place that we  
4 set up for the whole map drawing process. What my  
5 question is is what criteria are we going to use to  
6 choose between grouping options? Are we going to  
7 have some plain set out criteria saying this is what  
8 gives us the best grouping options?

9               CHAIRMAN HALL: So the committee is not  
10 going to adopt any specific of the options and  
11 groupings. We have said, as I said a moment ago  
12 when I was chairing, the only groupings that we're  
13 going to consider, are those that's in this packet.  
14 But as you know, and the committee members know,  
15 there are multiple possible groupings within that  
16 packet. We're not going to vote on which one  
17 members have to use.

18              So that's going to be up to the members of  
19 this committee what combination of groupings each  
20 member wants to use in drawing their maps. Within  
21 that, there might be, you know, one particular  
22 grouping, or set of groupings, that somehow results  
23 in a map that more fairly meets the criteria, over  
24 some other set of groupings. But that's -- you  
25 know, in large part, some of that is subjective.



1 Not all of it, but some of it is subjective.

2 But it's going to be up to the committee  
3 members to decide what set of groupings they want to  
4 use. We're not going to limit the committee to any  
5 one combination of groupings.

6 REPRESENTATIVE REIVES: Thank you for that.  
7 And back to some of Pricey's questions on the Voting  
8 Rights Act. Because I'll be the first to say, I  
9 don't practice in that area, so I don't profess to  
10 completely understand what we're supposed to do.

11 I think what my question would be is, what  
12 do you feel like our obligations are under the  
13 Voting Rights Act, at this point? Because I  
14 understand that you're saying that we won't be using  
15 racial data to determine what those districts look  
16 like, initially, which I think was done before. So  
17 what do you think our obligations would be and how  
18 are we going to comply?

19 CHAIRMAN HALL: Well, obviously, you know,  
20 we're obligated to comply with section two of the  
21 Voting Rights Act. But as I said earlier, we've  
22 seen a lot of litigation in this state, and you've  
23 followed that, I've followed it. I can't say I've  
24 read every line of every single case, because that's  
25 all you would ever do, you know, if you were going

1 to go do that. But I've read a lot of it, and in my  
2 opinion, what the plaintiffs have said -- so those  
3 folks who have tried to set aside maps -- have said  
4 -- and their experts, by the way. The experts that  
5 they hired to go to court for them. They've all  
6 said that there is no legally significant racially  
7 polarized voting in North Carolina.

8 That's the evidence in the record from past  
9 cases that we have. In my opinion, that's what the  
10 Covington Court found. So Judge Wynne found that  
11 there was no legally significant racially polarized  
12 voting in North Carolina. But certainly, the  
13 plaintiffs and their experts made that claim.

14 So without that, we believe, as we've done  
15 in the past two sessions that we've redrawn, not  
16 considering race is actually, not only proper, but  
17 it's the best way forward to make sure that we are  
18 complying with, not only the Voting Rights Act, but  
19 other state and federal laws.

20 REPRESENTATIVE REIVES: And also, based on  
21 the court decisions, I heard you earlier say that we  
22 are choosing not to use partisan data, but since  
23 there's no binding precedent -- was your statement  
24 about that -- then what obligations do  
25 you feel like we have, based on the case that talked

1 about partisan gerrymander? Do you feel like that  
2 we have any obligations based on that case, or  
3 that's just something we all have to talk about?

4 CHAIRMAN HALL: It's not a legally binding  
5 precedent. It's not an appellant, because the  
6 gentleman knows it wasn't an appellate court that  
7 made any of those decisions. So to answer the  
8 technical aspect of your question, it is not legally  
9 binding.

10 However, we have adopted some of the  
11 opinion in our criteria, so to the extent that we  
12 adopted it into our criteria, that's binding on this  
13 committee. We've also taken some things that we  
14 didn't really adopt as criteria, but simple  
15 instructions to the committee that was in that case,  
16 and that is all of these computer stations that we  
17 see around, the live audio, live video, we're  
18 voluntarily doing that.

19 Again, not binding on us at all. There is  
20 certainly no state law that requires this body to  
21 have TV cameras to watch us do anything. I mean, we  
22 can have -- we have to have open meetings, when the  
23 body's meeting, but there's no law that requires us  
24 to be transparent in this process. We are  
25 voluntarily choosing, at every single step along

1     this line. We are going above and beyond what the  
2     law requires us to do, in my opinion, in terms of  
3     transparency.

4             REPRESENTATIVE REIVES: All right. And I  
5     think I've got one follow-up that may be more  
6     appropriate for staff, but if you'll just determine,  
7     Mr. Chair, who is best to do it. Because while you  
8     were talking, I was also thinking back on the Voting  
9     Rights Act. I guess my question is, how do we know  
10    we're in compliance with the Voting Rights Act with  
11    a map then, if we're not using racial data during  
12    this time?

13            CHAIRMAN HALL: Well, again, I would fall  
14    back on what we've done in the past. And we have  
15    done this in the past in the very method -- with the  
16    very method that we're using right now. We haven't  
17    used racial data. And those courts have upheld that  
18    process. So we're essentially sticking with what  
19    works.

20            As the gentleman knows, this is an  
21    ever-evolving body of law around redistricting. All  
22    we can do is try to stick with what we know works  
23    based on past precedent. And in this particular  
24    instance, we're confident, just as we've done in the  
25    past, that we should not use racial data at all, and

1 that doing so, we'll be in compliance with all state  
2 and federal laws.

3 REPRESENTATIVE REIVES: Okay. And I'm  
4 going to repeat what I think I'm hearing, and just  
5 tell me if I'm accurate. So, if I'm hearing you  
6 correctly, we won't be doing anything proactively to  
7 see if we're in compliance. What we'll be doing is  
8 we'll draw maps, and it's our believe that those  
9 maps will comply. And then if the courts tell us  
10 they're not in compliance, then that would be when  
11 remedial measures would be taken.

12 CHAIRMAN HALL: In my opinion, not using  
13 racial data will ensure that we are in compliance  
14 with those laws. So yes.

15 REPRESENTATIVE REIVES: Okay. Got it. And  
16 when we get down to the point on voting on these  
17 maps, I mean, are we going to do any kind of culling  
18 -- I'm with you in the sense I want this to be more  
19 of an efficient process, and if I'm hearing  
20 correctly, what our process is, in theory, 120  
21 members can walk in here and draw 120 maps, and then  
22 can have 120 amendments, which could really kind of  
23 have us all over the place. Is there anything that  
24 we're doing to kind of cull this down so that we're  
25 not voting on 120 maps when we make our committee

1 vote?

2 CHAIRMAN HALL: Well, you know, the  
3 gentleman may want to address that in caucus, before  
4 we vote on these maps. But outside of that, you  
5 know, it's one of those things that I don't know how  
6 many we're going to have. I don't want to sit here  
7 and say, now look, we're not going to consider --  
8 we're only going to consider 10 maps, so come up  
9 with your best 10. I don't want to do that. I want  
10 to give members of this body who are elected the  
11 opportunity to be heard.

12 You know, on the floor, people can put  
13 forth amendments all day, just like, you know, we  
14 see them often do. And so we don't want to limit  
15 that. But what I'll say is, you know, if we get in  
16 here as a committee, and we've got a ton of these  
17 amendments and proposed maps coming in, at some  
18 point -- and the chair -- I will say, I will talk to  
19 you about this ahead of time -- at some point, you  
20 and I are going to have to get together and say, you  
21 know, we're going to have to talk to the folks in  
22 our respective caucuses and limit the number of maps  
23 and amendments that we're putting forth in this  
24 committee, and tell them, save it for the floor. If  
25 you want to put it forth on the floor, they're

1 certainly welcome to do that.

2 But what I'll commit to is an interactive  
3 process with you, especially, and really all the  
4 members of this committee, that we try to get it  
5 done in an efficient process. And that may take,  
6 you know, you and I putting our heads together and  
7 figuring out which amendments we should take up on  
8 this committee, and which may need to wait for the  
9 floor.

10 REPRESENTATIVE REIVES: All right. Well I  
11 think those are my questions. Thank you.

12 VICE CHAIR SAINÉ: Thank you, sir.

13 Next, Representative Harrison.

14 REPRESENTATIVE HARRISON: Thank you, Mr.  
15 Chair.

16 And Mr. Chair, I apologize for the barrage.  
17 I think these are really simple questions. If I  
18 heard Erika correctly, the public can draw maps on  
19 public terminals that are set up, but not in this  
20 room or in 544; is that accurate?

21 REPRESENTATIVE SAINÉ: Ms. Churchill.

22 MS. CHURCHILL: Yes, Representative  
23 Harrison. That is accurate. The drawing stations  
24 in room 544 and 643 are reserved solely for members  
25 of the General Assembly.

1                REPRESENTATIVE HARRISON: So as a follow-up  
2 to that, did I hear that we're only considering maps  
3 that are drawn in this room and in 544? And if  
4 that's the case, then what are we doing with the  
5 public's maps?

6                CHAIRMAN HALL: So --  
7 Mr. Chairman, sorry.

8                REPRESENTATIVE SAINÉ: Go ahead.

9                CHAIRMAN HALL: So if a member of the  
10 public comes in, and as I've said earlier, just like  
11 any other bill, you know, one of your constituents  
12 or the member of the public may say, "Look,  
13 Representative Harrison, here's what I think you  
14 should do," you're obviously welcome to take a look  
15 at that. And herein lies sort of the friction  
16 between the position that Representative Reives  
17 talked about, and what you're saying right now.

18                So if I'm to say, as the chair of this  
19 committee, you cannot bring a map in here, period,  
20 well, if one of your constituents says,  
21 "Representative Harrison, I went to the portal  
22 downstairs, I drew this map, and I really think this  
23 is a good idea," and you agree with it, if we have  
24 that rule in place, you wouldn't be able to bring  
25 that map in this room. You wouldn't be able to take



1     into account the -- and that's literally public  
2     input that you wouldn't be able to take into  
3     account.

4                 So the maps that we take up must be drawn  
5     in this committee room. Now, we'll talk about maps  
6     that are drawn, you know, downstairs, but with the  
7     same data loaded into the computers, and how we'll  
8     go about handling that, you know, if a member  
9     literally wants to take one of those up. But what I  
10    anticipate right now is requiring that it be drawn  
11    in this committee room.

12                REPRESENTATIVE HARRISON: I appreciate  
13    that, and I just have one question and I think I'm  
14    done. I must have missed the congressional map  
15    discussion. Have we talked about that? When does  
16    it happen?

17                CHAIRMAN HALL: So one thing I do want to  
18    clarify. So in this room, we won't be drawing any  
19    state Senate maps. Just as, you know, we're not  
20    going to let them screw up our state House maps, so  
21    they're not going to be able to draw ours. The  
22    congressional maps, so I think technically, and  
23    staff can correct me if I'm wrong, I think the data  
24    is in there right now to be able to draw a  
25    congressional map.

1                   Is that right, Ms. Churchill, just in  
2   general --

3                   Okay. So you could start on a  
4   congressional map if you wanted to. That's up to  
5   each member of this committee. I know my hope is is  
6   that we sort of tackle the state House map first, as  
7   a committee. So if you're drawing, just know, the  
8   first map that I anticipate taking up as a chair, is  
9   going to be the state House map. So you need to  
10   work on that one first if you want it to be ready to  
11   go to put forth whatever your amendment may be. And  
12   then after that, at some point, we'll do the  
13   congressional map.

14                  REPRESENTATIVE HARRISON: If I could follow  
15   up --

16                  VICE CHAIR SAINÉ: You're recognized for a  
17   follow-up.

18                  REPRESENTATIVE HARRISON: And I'm sorry if  
19   you said this -- so when do you think we're going to  
20   be done with all these maps, in terms of us enacting  
21   them?

22                  CHAIRMAN HALL: Yeah. You know, I really  
23   don't know when we're going to be done. What I'll  
24   say is that I believe we need to be done by the end  
25   of this month. We may have a few more days past

1     that, that the state board of elections can still  
2     give us turnaround. But the mindset that I've had  
3     is let's get this done by the end of October, that  
4     way everyone gets ample time to know what districts  
5     are going to look like and the state board of  
6     elections can get things done.

7             But, you know, the problem is, you know, we  
8     are drawing the whole map for the first time, I  
9     guess since 2011. And what we've done, you know,  
10    since I've been in this body -- I've been through  
11    this process a number of times, but it's always  
12    typically been with a more limited part of the map  
13    that we're required to redraw. So that's one of the  
14    issues. And that is, this is so unprecedented, we  
15    have never done it this way. This body has never  
16    drawn the whole map in complete public view with  
17    live audio, live video. We don't know how long that  
18    process is going to take. But, you know, the goal  
19    is to get it done by the end of October.

20            REPRESENTATIVE SAINÉ: Representative  
21    Carney.

22            REPRESENTATIVE CARNEY: Just one last  
23    question, and Mr. Chairman, thank you so much for  
24    your indulgence. And we're about to beat the Senate  
25    on this committee meeting length of all of us being

1 able to answer questions, so I appreciate that.

2 I'm just hung up on the maps being drawn in  
3 this room, and I'm trying not to be. Because on one  
4 hand we're stating that the only maps we will  
5 consider will be the maps that are drawn on these  
6 computers, in these rooms. But now I'm hearing that  
7 it doesn't preclude someone coming to me, from the  
8 public, and giving me information and a map, and  
9 then I come in here and transport it into the  
10 portal.

11 That takes that to the level of there can  
12 be maps -- and help me understand if I'm wrong --  
13 there can be maps drawn outside of this building,  
14 from any group, and given to a member, or a group of  
15 members, and they can come in and put it into the  
16 portal. It would be under their name. Is that  
17 correct?

18 CHAIRMAN HALL: Well, I guess in a literal  
19 sense, you certainly could hear from somebody else,  
20 and come in here, and draw a map. And there's  
21 really nothing we can do about that. It's a first  
22 amendment issue. The members of this committee have  
23 a first amendment right to go talk and hear from  
24 their constituents. Their constituents have a first  
25 amendment right to talk to their legislatures. Well

1 even if you're not their legislature. The folks of  
2 this country have a right to say what they want to,  
3 and if you're walking down the street, they can come  
4 up to you and say, "Representative Carney, here's  
5 what I think you should do."

6 It's then up to you, as a member of this  
7 committee, to handle that in whatever way you see  
8 fit. Just like you would a bill. Some individual  
9 in your district, or not your district, may write  
10 out a bill for you. You're not going to go  
11 introduce that, obviously, and us vote on it to go  
12 through the bill drafting process. So in some ways,  
13 you know, it's very similar.

14 The other thing that I'll say though, I  
15 think what may be getting lost in the weeds is, when  
16 you actually sit down to do this, this is a big  
17 state. There's a bunch of precincts on the  
18 congressional maps. You have to get things -- with  
19 zero deviation it's going to be very difficult to  
20 sit down and memorize an entire map, and come in  
21 here and sit down and pinpoint, you know, wherever  
22 an outside map was that you saw.

23 But I think, fundamentally, the issue is  
24 going back to the law would allow exactly what  
25 you're saying, but even on another level. It would

1 allow you to go hire somebody to draw whatever map  
2 you felt like was the best map, and bring it in  
3 here, and put it before this committee. But we're  
4 going above and beyond what the law requires, in  
5 terms of transparency. We're going to require them  
6 to be drawn in here.

7 REPRESENTATIVE CARNEY: Thank you.

8 REPRESENTATIVE SAINÉ: Any other questions  
9 for Chairman Hall? Seeing none, I believe the  
10 business of the committee is completed today.

11 Is that right, Chairman Hall?

12 CHAIRMAN HALL: That's right, Chairman  
13 Sainé. And the members, we'll be back in here at 9  
14 o'clock in the morning. We'll have in, and members  
15 will be able to draw. And let's see how much we can  
16 get done tomorrow and perhaps part of Thursday and  
17 see if we need to work on Friday.

18 REPRESENTATIVE SAINÉ: You've heard the  
19 gentleman. Come in tomorrow ready to work. With  
20 that --

21 I'm sorry. Representative Carney.

22 REPRESENTATIVE CARNEY: So that turned into  
23 one more question.

24 VICE CHAIR SAINÉ: You're recognized.

25 REPRESENTATIVE CARNEY: Does that mean that

1 the full committee, Monday through maybe Friday, if  
2 we have a duration, we are to be present in here  
3 every day that the maps are being drawn?

4 CHAIRMAN HALL: No. You don't have to  
5 present. That's completely up to you as a committee  
6 member. You can come for all of it or come for none  
7 of it. But it's up to you.

8 REPRESENTATIVE CARNEY: We have a choice.  
9 Thank you.

10 VICE CHAIR SAINÉ: We stand adjourned.  
11 Thank you.

12 (END OF AUDIO FILE)

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1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true and  
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8 financially interested in the action.

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Julie Thompson, CET-1036



NORTH CAROLINA GENERAL ASSEMBLY

SENATE REDISTRICTING COMMITTEE

OCTOBER 5, 2021

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1 (Transcription from YouTube started at  
2 6:57.)

3 CHAIRMAN HISE: ... Rod Fuller, Mike  
4 Harris, behind me, Charles Marsalis, he's over  
5 here, and Linda Matthews. I saw her in the  
6 back. Thank you all for being here today.

7 Welcome back to the Senate  
8 Redistricting Committee. I wanted to start off  
9 by thanking members of the public who came out  
10 to our 13 public hearings held across the state  
11 last month. There were a number of constructive  
12 and useful suggestions made throughout the  
13 process as the committee will be able to better  
14 respond to the concerns of North Carolinians as  
15 a result of hearing that feedback.

16 I also want to thank the members of the  
17 committee who were able to attend those meetings  
18 to hear from our constituents. Finally, and  
19 probably most importantly, I thank our staff and  
20 our sergeant-at-arms and General Assembly police  
21 for helping make that process run as smoothly as  
22 possible.

23 What we're here to do today is to begin  
24 the map-drawing process. In doing so, it will  
25 be important for this committee to understand

1 the county groupings to be used in the 2021  
2 Senate plan. As the criteria this committee  
3 adopted several weeks ago say, we will use state  
4 constitutional standards as interpreted by the  
5 North Carolina Supreme Court in Stephenson I,  
6 Stephenson II, Dickson I, and Dickson II to  
7 create these county groupings. These decisions  
8 specify the procedure for how the county  
9 grouping process works to give effect to the  
10 state's constitutional whole county provision  
11 and the one person, one vote principle.

12 I won't recite verbatim what those  
13 decisions say, but in layman terms, this means  
14 the county population will be used to identify  
15 the maximum number of single-county districts  
16 that can either support one or multiple  
17 legislative districts. Next we will find --  
18 after that is completed, you will find the  
19 maximum number of two-county districts that will  
20 support one or multiple districts that don't  
21 landlock parts of the state without a district,  
22 then to three, then to four and so on through  
23 the process until no more counties are allowed  
24 to be grouped.

25 So in a moment, we'll hear from our

1 nonpartisan staff about the different options  
2 that are available for county groupings and how  
3 they comply with the state constitution and the  
4 Stephenson decisions. I want to emphasize that  
5 the chairs believe that there are multiple  
6 options for grouping counties in a way that is  
7 legally compliant.

8 This committee will consider maps that  
9 use the constitutionally compliant county  
10 groupings as our adopted criteria require us to  
11 do. Maps that do not use legal county groupings  
12 will not be considered by this committee.

13 I will now ask Erika Churchill to  
14 explain the county grouping options for the 2021  
15 senate plans. And I think they have passed out  
16 the packet of 16 plus a blank map that's for  
17 coming in with some other information.

18 Does everyone have that? It appears  
19 everyone has it, Erika.

20 ERIKA CHURCHILL: Very good. So we're  
21 going to be looking at it on the screen as well.

22 CHAIRMAN HISE: Senator Clark, if you  
23 can just --

24 SENATOR CLARK: How do we introduce  
25 additional constitutionally compliant cluster

1 maps into the process?

2 CHAIRMAN HISE: Anything you'd like  
3 to -- anything will be open for you to draw or  
4 consider what you want. She's getting ready to  
5 present what we think the options are for  
6 constitutionally compliant maps, those kind of  
7 things, so those will be open for anyone, but  
8 I'm going to let her finish her presentation and  
9 we'll go through some questions.

10 SENATOR CLARK: Thank you, Mr. Chair.

11 ERIKA CHURCHILL: Okay. Jessica and I  
12 are going to walk through this the best we  
13 understand it.

14 So we were asked to start with a paper  
15 entitled North Carolina General Assembly County  
16 Clusterings from the 2020 Census. It was  
17 written by Christopher Cooper, Blake Esselstyn,  
18 Gregory Herschlag, Jonathan Mattingly, and  
19 Rebecca Tippet, and is available on the Duke  
20 University website Quantifying Gerrymandering,  
21 which is a nonpartisan research group centered  
22 at Duke Math. To the best of my knowledge, the  
23 post that released this was posted on  
24 August 17th of this year.

25 So they started with trying to

1 determine, as Senator Hise mentioned, what are  
2 all the single-county clusters, meaning a county  
3 that is within a population range of plus or  
4 minus 5 percent deviation off of the ideal  
5 deviation for a Senate district. The ideal  
6 population for a Senate district for the 2020  
7 decade is 208,788 people according to the  
8 federal decennial census, with a plus or minus  
9 range, that means a range of 198,348 people to  
10 219,227 people.

11 So in starting their process, this  
12 group determined that there are 17 clusters  
13 containing 36 of the 50 districts that are fixed  
14 based on determining optimal county clusters.  
15 They are represented by the colored county  
16 groupings in the map that you have before you  
17 that are crosshatched. This will stay static  
18 throughout the presentation. There are 16  
19 additional maps of how the counties in white can  
20 be grouped for the remaining 14 districts.

21 For the fixed districts, 10 of these  
22 contain a one single-member district, meaning  
23 that 10 of the 50 Senate districts would be  
24 fixed under this particular configuration.  
25 Those would be District P in Onslow county;

1 District L, which is Beaufort, Craven, and  
2 Lenoir; District N, which is Edgecombe and Pitt;  
3 District Q, which is Wilson, Greene, and Wayne;  
4 District J, which is Johnston; District I, which  
5 is Nash, Franklin, and Vance; District H, which  
6 is Person, Caswell, and Orange; and District O,  
7 which is Davidson and Davie; District K, which  
8 is Rowan and Stanly; District M, which is Hoke,  
9 Scotland, and Robeson.

10 The remainder of the groupings would be  
11 multi-member groupings, which means they would  
12 have to eventually be divided into single-member  
13 districts within that plus or minus 5 percent  
14 ideal range for a single member.

15 So now comes the interesting part.

16 JESSICA SAMMONS: So what we did was  
17 take the available options from those groupings  
18 that were in white from that first map that was  
19 on the screen and in your packet, and according  
20 to this group, there are multiple configurations  
21 that those counties could be grouped into, and  
22 so we created this chart of the different  
23 configurations.

24 For each of the groups in white, you'll  
25 see that there's kind of four distinct groupings

1 in white on that first page, one involving  
2 Buncombe county to the west, one involving  
3 Wilkes, Yadkin, Surry, Stokes, Forsyth,  
4 Alexander, one to the southeast, and then one to  
5 the east and northeast up at the top.

6 ERIKA CHURCHILL: I will jump in and  
7 note, starting with our western grouping,  
8 including Buncombe, this is sufficient  
9 population for five single-member Senate  
10 districts.

11 For that northwestern corner with the  
12 Wilkes-Surry-Forsyth area, that is sufficient  
13 for three single-member districts.

14 For this southeastern corner with  
15 Brunswick, New Hanover, Pender in it, that is  
16 sufficient for four single-member districts.

17 And starting with Caldwell, Pamlico and  
18 all the way back over to Warren in the northeast  
19 corner, that is sufficient for two single-member  
20 districts.

21 JESSICA SAMMONS: So what we did is we  
22 took the options that were in the article Erika  
23 mentioned from Duke, at Math, that Quantifying  
24 Gerrymandering group, and they had two different  
25 options for each of those white areas from the



1 first page. And we basically did all the  
2 configurations and came up with 16 different  
3 maps. And what we're going to do now is just  
4 roll through all 16 of them.

5 This first one, as you can see, fills  
6 in all those white spaces with one of the  
7 available options.

8 ERIKA CHURCHILL: And I would note for  
9 each of these, remember, the crosshatching is  
10 the fixed area from the Duke report.

11 The second thing that I would note is  
12 when you see the, like R2, which is Buncombe,  
13 McDowell, and Burke on Duke Senate 01, the "2"  
14 means that is a two-member district. When you  
15 see T1, which is Henderson, Polk, and  
16 Rutherford, that means that is a single-member  
17 district.

18 JESSICA SAMMONS: So explaining this  
19 map, you will see that here for Grouping R, that  
20 includes Buncombe, McDowell and Burke grouped  
21 together; Henderson, Polk, Rutherford grouped  
22 together; Lincoln, Gaston, Cleveland grouped  
23 together; and then move up to that second  
24 grouping, Wilkes, Alexander, Surry, Yadkin  
25 grouped together; Surry and Stokes -- Stokes and

1 Forsyth grouped together; and then over in the  
2 southeast, Harnett, Lee, Sampson, Duplin, Jones,  
3 Pender, New Hanover grouped together; Bladen,  
4 Columbus, and Brunswick grouped together; and  
5 then over to the east and northeast, Pamlico,  
6 Craven, Hyde, Dare, Washington, Chowan,  
7 Perquimans, and Pasquotank grouped together; and  
8 then the remaining of those eastern --  
9 northeastern counties grouped together.

10 ERIKA CHURCHILL: As we scroll through  
11 these, you will notice that you see a variation  
12 on a theme. There will be one district -- or  
13 one area of the four that will be changed in  
14 each one of these. The remainder will remain  
15 the same from a previous version. So it is  
16 simply the configurations of how these four  
17 areas of the state could potentially be broken  
18 down in two different ways and then reconfigured  
19 with the rest of the state that can also be  
20 broken down in two different ways.

21 So we're happy to scroll through these  
22 and read through each of the counties and each  
23 of the groupings, if the chair would like.

24 CHAIRMAN HISE: Yeah.

25 JESSICA SAMMONS: Okay. So In the

1 second map, you have -- looking back over at the  
2 west, you have a grouping of Buncombe and  
3 McDowell and Burke; you have a grouping of  
4 Henderson, Polk, and Rutherford; a grouping of  
5 Cleveland, Lincoln, and Gaston. To a little bit  
6 northeast of that, you've got Wilkes, Alexander,  
7 Yadkin, and Surry grouped together; Stokes and  
8 Forsyth grouped together. Down to the  
9 southeast, Buncombe, Columbus, and Bladen  
10 grouped together; and then Lee, Harnett, Duplin,  
11 Jones, Sampson, Pender, New Hanover grouped  
12 together. And Then moving over to the east, you  
13 have Warren, Halifax, Martin, Washington,  
14 Chowan, Hyde, Pamlico, and Carteret grouped  
15 together; and then the remainder would be in a  
16 grouping by themselves.

17 ERIKA CHURCHILL: For Duke Senate 3 --

18 UNIDENTIFIED SPEAKER: Mr. Chair.

19 ERIKA CHURCHILL: -- back over in the  
20 west, Buncombe, McDowell, and Burke would still  
21 be grouped together for a two-member district.

22 CHAIRMAN HISE: Excuse me for a second.  
23 Senator Marcus.

24 SENATOR MARCUS: Sorry, Erika, to  
25 interrupt you. I think it would help me if you

1 could maybe point out, as you're going through  
2 these, which section of it is different from the  
3 map before. I don't know if that's what  
4 everybody else was doing, but I'm flipping back  
5 and forth between the one we just talked about  
6 and then the next one. So maybe if you could,  
7 you know, obviously do as the chair's requested,  
8 but if you could also mention where the change  
9 is so our eyes could go there first, I think  
10 that would be helpful.

11 ERIKA CHURCHILL: So the first of these  
12 series --

13 JESSICA SAMMONS: The first four -- the  
14 first eight.

15 ERIKA CHURCHILL: -- the first eight of  
16 these we're going to go through --

17 JESSICA SAMMONS: It's the same.

18 ERIKA CHURCHILL: -- the western part  
19 of the state, the Buncombe-McDowell-Burke trio,  
20 the Henderson-Polk-Rutherford trio, and the  
21 Cleveland-Lincoln-Gaston trio will not change  
22 for the first eight maps.

23 For the first four of these maps, that  
24 Forsyth-Stokes combination, with the  
25 Wilkes-Alexander-Surry-Yadkin combination, also

1 will not change for the first four. The changes  
2 will be in the eastern part of the state.

3 CHAIRMAN HISE: It may just be simplest  
4 if you focus on each of the four grand pod areas  
5 and show what are the two options for that area,  
6 holding everything else in the state kind of  
7 consistent. That might --

8 ERIKA CHURCHILL: Great idea.

9 So starting with Duke Senate 3, let's  
10 look at the southeastern portion of the state.  
11 One option is what is now will be labeled  
12 District X. It would have two members. It  
13 would be Columbus, Brunswick, and New Hanover.  
14 And then the remainder of that southeastern  
15 portion would be Lee, Harnett, Sampson, Duplin,  
16 Jones, Pender, and Bladen with two members as  
17 well. If you want to;

18 JESSICA SAMMONS: Page 18.

19 ERIKA CHURCHILL: I'll go back up.  
20 Oops, went too far. If you will back up to Duke  
21 Senate 01, that same area -- sorry. I was  
22 trying to get to 2.

23 To Duke Senate 02, that same area of  
24 the state, that southeastern corner, can be  
25 broken down differently. District X would be

1 Lee, Harnett, Sampson, Duplin, Jones, Pender,  
2 and New Hanover, and it would be population  
3 sufficient to support three single-member Senate  
4 districts. The remainder, District Y as  
5 labeled, would be Bladen, Columbus, and  
6 Brunswick, and it would be a single-member  
7 Senate district.

8 Again, staying in the eastern part of  
9 the state, staying with Duke Senate 02, that  
10 northeastern corner, one option would be to  
11 combine Warren, Halifax, Martin, Chowan,  
12 Washington, Hyde, Pamlico, and Carteret for a  
13 single-member district, and to combine  
14 Northampton, Hertford, Bertie, Gates,  
15 Perquimans, Pasquotank, Camden, Currituck, Dare,  
16 and Tyrrell for a single-member district.

17 JESSICA SAMMONS: Go back one. 3, go  
18 to page 3.

19 ERIKA CHURCHILL: The other option in  
20 that northeastern corner will be to combine  
21 Carteret, Pamlico, Hyde, Dare, Washington,  
22 Chowan, Perquimans, and Pasquotank for a  
23 single-member Senate district, and for Warren,  
24 Halifax, Northampton, Hertford, Bertie, Martin,  
25 Tyrrell, Gates, Camden, and Currituck to be

1 combined for a single-member Senate district.

2 JESSICA SAMMONS: You need to go to  
3 Map 9.

4 ERIKA CHURCHILL: Skipping ahead to  
5 Duke Senate 09, the -- well, let's back up to  
6 Duke 08 for a second just to look at that  
7 southwestern area one more time.

8 Option 1 would be Buncombe, McDowell,  
9 and Burke for a two-member Senate district;  
10 Rutherford, Polk, and Henderson for a  
11 single-member Senate district; Lincoln, Gaston,  
12 and Cleveland for a two-member Senate district.

13 The other option in that southwestern  
14 corner would be to combine Buncombe, Henderson,  
15 and Polk for a two-member Senate district;  
16 McDowell, Rutherford, and Cleveland for a  
17 single-member Senate district; and Burke,  
18 Lincoln, and Gaston for a two-member Senate  
19 district.

20 Moving to that northwestern corner or  
21 area, the first option would be to combine  
22 Forsyth and Stokes for a two-member Senate  
23 district; and Surry, Wilkes, Yakin, and  
24 Alexander for a single-member Senate district.

25 JESSICA SAMMONS: Go back one.

1           ERIKA CHURCHILL: The other option in  
2 that northwestern corner will be to combine  
3 Forsyth and Yakin for a two-member Senate  
4 district; and Stokes, Surry, Wilkes, and  
5 Alexander for a single-member Senate district.

6           CHAIRMAN HISE: Members, I will take a  
7 moment now to see if there are any questions.  
8 As I summarize this, there are four areas of the  
9 state where the podding, for example, in the  
10 west, will contain three three-county pods.  
11 There are two options for what counties cluster  
12 together for those three. So with four areas in  
13 the state, two options in each, that will give  
14 you a total of 16 possibilities that could be  
15 selected for a map.

16           Staff's here and we'll continue to --  
17 and I will answer any questions you may have.  
18 If you will please direct your questions to the  
19 chair.

20           Senator Blue.

21           SENATOR BLUE: Thank you, Mr. Chair.

22           It might be that the staff can answer  
23 this, but I'll ask you directly because I have  
24 the greatest amount of respect for Mattingly,  
25 Tippet and the various others that you talked



1 about who were involved in this project. And  
2 maybe staff knows, but do you know whether or  
3 not, in drawing these initial maps, what the  
4 total criteria was? You say the Stephenson  
5 criteria. I didn't hear you mention some of the  
6 lawyers who would have interacted in this to  
7 determine whether in their laying out these maps  
8 they looked at first Stephenson criteria which  
9 is that Voting Rights district requirement --  
10 Voting Rights Act requirements.

11 And so do you know whether they  
12 factored in that initial criteria in Stephenson  
13 in drawing these maps or they just did it on  
14 population and the Stephenson criteria generally  
15 on the whole county?

16 ERIKA CHURCHILL: Senator Blue, I'm  
17 going to read directly from their --

18 SENATOR BLUE: Okay. That would be  
19 helpful.

20 Erika CHURCHILL: -- work because I'm  
21 not really sure other than to read directly from  
22 what they said. And this is in the very first  
23 paragraph.

24 "However, there are often multiple  
25 county clusterings that minimize county

1 splitting." And it has links to two different  
2 blogs.

3 "The release of the 2020 census data  
4 allows us to determine the possible county  
5 clusterings for both North Carolina State House  
6 and State Senate redistricting processes. The  
7 one part of Stephenson v Bartlett which this  
8 analysis does not reflect is compliance with the  
9 Voting Rights Act. To determine the county  
10 clusters, we use the implementation of the  
11 court-ordered procedure described in Cater,  
12 et al., which has a reference to optimal  
13 legislative county clustering in North Carolina.

14 "Daniel Carter, Zach Hunter, Dan  
15 Teague, Gregory Herschlag, and John Mattingly,  
16 Statistics and Public Policy, Volume 7, 2020."

17 SENATOR BLUE: Follow-up.

18 CHAIRMAN HISE: Follow-up.

19 SENATOR BLUE: And the reason that I  
20 mentioned that is that Tippet is an absolute  
21 asset to the state and her population center,  
22 whatever the name of it is, over at Chapel Hill,  
23 and she projects those numbers and understands  
24 them as well if not better than anybody else in  
25 the state. And so she's a -- I want to say

1 cartographer, whatever the term is that  
2 describes those who study population and create  
3 maps based on it.

4 Mattingly, on the other hand, is,  
5 again, public policy, statistician, and a great  
6 one at that, a mathematician/statistician, but  
7 it seems to me that if they are saying that they  
8 have not done the first thing in the Stephenson  
9 requirements, then these clusters would be  
10 suspect until that kind of determination is  
11 made.

12 And I say all of this, Mr. Chairman,  
13 because I've lived through this -- those eastern  
14 counties, and again, it's totally an exercise in  
15 academics to talk about anything initially other  
16 than the 42 eastern counties plus two or three  
17 urban counties that were involved in the  
18 Section 5 formulation of the Voting Rights Act.

19 In the 80s, in the litigation, it was a  
20 determination not by the legislature, but by the  
21 courts that they were going to basically nullify  
22 the maps in the Gingles case because of that.  
23 And since they were able to penetrate two or  
24 three urban areas, Cumberland, Mecklenburg, and  
25 Gilford, they were able to impose a broad

1 standard across the state with all of the urban  
2 areas.

3 And In the 90s, they determined that  
4 they would not just take the Section 5 issues  
5 but they would impose Section 2 issues across  
6 the state. That's why you got the weird  
7 district from Gastonia to Durham, congressional  
8 district. But they cleaned it up, and then  
9 Stephenson came along in the first part of this  
10 century, the Stephenson case, and imposed the  
11 whole county provision on it, but recognized the  
12 jurisprudence that it evolved over the prior 20  
13 years under the Voting Rights Act.

14 And So that's why I think Stephenson  
15 said the first thing you got to do, since state  
16 law doesn't trump federal law, is try to figure  
17 out how you comply with the Voting Rights Act as  
18 you do clusters and as you do districts.

19 Now, I go back again to the fact that  
20 Cumberland, Mecklenburg, and Guilford are outside  
21 that range now, so you're really narrowing it  
22 again to the areas up in eastern and  
23 northeastern North Carolina which got us on this  
24 treadmill in the first place.

25 And if there's been no analysis made to

1 whether or not there's going be compliance of  
2 the Voting Rights Act, then we're setting  
3 ourselves up again perfectly to sort of lead  
4 with the chin and be the poster child for  
5 redistricting nationally that gets struck down  
6 in this decade.

7 And so I asked you, since you -- staff  
8 pointed out that they made that an exception to  
9 their maps, can we do legitimate maps without a  
10 constitutional -- without seeing what the  
11 constitutional requirement is?

12 CHAIRMAN HISE: I don't know if you  
13 want to respond to that or not.

14 So the response I will give to the  
15 question is we believe that constitutionally  
16 compliant maps can be presented under the Voting  
17 Rights Act under these county clusters. As much  
18 as we are required to -- what's remaining of the  
19 Voting Rights Act to comply, we will comply and  
20 believe it can be done within these existing  
21 clusters. I see them as two separate things.  
22 We must comply with federal law, we must comply  
23 with state law, and within these clusters, we  
24 believe there is the option for doing both.

25 SENATOR BLUE: Could I follow-up,

1 Mr. Chairman.

2 CHAIRMAN HISE: You may.

3 SENATOR BLUE: Because I want to do  
4 that, but how would you propose to comply --  
5 what would be the analysis to determine that you  
6 are complying with the Voting Rights Act?  
7 That's the ultimate question because Gingles set  
8 forth the criteria that you have to use to  
9 determine whether there's a Voting Right Act  
10 violation.

11 CHAIRMAN HISE: Well, having gone  
12 through all these cases as much as I could, I  
13 wish it was a simple standard in which they  
14 could determine what was the demographics or the  
15 process of a district in order to comply with  
16 the Voting Rights Act.

17 But we believe that however these  
18 districts may form or the options that are  
19 chosen for how these districts form, it is still  
20 very much possible to create districts, and  
21 intend to, that comply with the Voting Rights  
22 Act.

23 SENATOR BLUE: One last question. So  
24 it's the chair's position that you can actually  
25 determine clusters without doing the first

1     Stephenson analysis? Analysis is replicable. I  
2     mean, that's what a scientific approach to it  
3     is, that folk have to understand that you have  
4     to have specific criteria and you can replicate  
5     it.

6             And so is it your position that we can  
7     comply with the Voting Rights Act without doing  
8     the analysis to determine whether there are  
9     Voting Rights Act requirements before you do the  
10    clustering, which is what Stephenson says you  
11    have to do?

12            CHAIRMAN HISE: Is there a  
13    determination that you can comply with both laws  
14    at the same time? Yes.

15            SENATOR CLARK: Mr. Chairman.

16            CHAIRMAN HISE: Yes. Senator Clark.

17            SENATOR CLARK: Thank you,  
18    Mr. Chairman.

19            During the last decennial redistricting  
20    process, the General Assembly identified three  
21    Senate districts as being VRA districts: Senate  
22    District 3, Senate District 4, and Senate  
23    District 5. Those three were located in the  
24    northeastern region of the state of North  
25    Carolina.

1           If I look at this Duke Senate 3 here, I  
2       would say that they were in the area where you  
3       have Z1, Y1, I1, N1, Q1, and L1. So what we  
4       have there are three clusters, each showing what  
5       I would call single district clusters, six of  
6       them. So how do we know that within that  
7       grouping that there are three that are VRA  
8       compliant as is the case currently with Senate  
9       District 3, 4, and 5?

10           CHAIRMAN HISE: I can only say at this  
11       point that having nothing been done that we  
12       believe that compliant districts can be drawn  
13       within these clusters.

14           SENATOR CLARK: Follow-up, Mr. Chair.

15           CHAIRMAN HISE: Follow-up.

16           SENATOR CLARK: Mr. Chair, could we  
17       have staff provide us with the total BVAPs for  
18       those particular clusters I just identified?

19           CHAIRMAN HISE: I believe at this point  
20       we don't have a sense of what a total package  
21       is, but we can provide the information that's  
22       consistent with the guidance of this committee  
23       at this point, not including racial data as were  
24       coming in.

25           SENATOR CLARK: Well, a BVAP is racial



1 data. It stands for Black Voting Age  
2 Population, and TBVAP is Total Black Voting Age  
3 Population, and those were used during the 2011  
4 redistricting process. And I know our criteria  
5 says that we will not use racial data in the  
6 construction of legislative districts; however,  
7 Stephenson has already created them for us in  
8 that particular case. Therefore, I just want  
9 the data to evaluate what Stephenson has done.

10 CHAIRMAN HISE: As I said, the  
11 committee will continue on the process of data  
12 that's available under its stated criteria. And  
13 I don't even know that that's available in the  
14 system.

15 ERIKA CHURCHILL: At this time, central  
16 staff have followed the committee's  
17 instructions, and total population is the only  
18 data available to evaluate.

19 CHAIRMAN HISE: Senator Nickel.

20 SENATOR NICKEL: I'm just kind of  
21 trying to figure out the foundational part to  
22 how we do all this. And if we're going to  
23 comply with state law and federal law and the  
24 Voting Rights Act and Stephenson, race is a  
25 central part of all this. So how can we comply

1 with federal law and all of this without looking  
2 at any racial data?

3 CHAIRMAN HISE: So we've been through  
4 multiple decisions. The last decade, the  
5 General Assembly was told by the federal courts  
6 that there is not sufficient evidence of  
7 racially polarized voting in North Carolina to  
8 justify the use of race when drawing districts.  
9 So no additional information has been presented  
10 to this committee regarding racial polarized  
11 voting and none was received during the public  
12 comment period held last month. As we have said  
13 in the past, if information does come forward  
14 regarding racially polarized voting, we will  
15 consider it.

16 SENATOR CLARK: Mr. Chair.

17 CHAIRMAN HISE: Senator Marcus is next.

18 SENATOR MARCUS: Thank you, Mr. Chair.

19 It seems to me that the way to answer  
20 the question is that this committee should  
21 conduct a racialized polarized voting study, and  
22 I'm asking now whether you intend to do that  
23 either before we set these county clusters or  
24 before we set the final maps.

25 CHAIRMAN HISE: I would repeat that no

1 evidence has been presented to this committee of  
2 racially polarized voting. When We went through  
3 this 10 years ago, we put mountains of  
4 information together that the court found would  
5 be insufficient for doing so, and we have taken  
6 no additional action, and I'm aware of no  
7 commission study or others from this committee  
8 or from the General Assembly but would consider  
9 anything presented.

10 SENATOR MARCUS: Follow-up.

11 Just to clarify, so I hear what you're  
12 saying is nobody else has presented this  
13 committee with this information, but it's my  
14 belief, and I think many others, that it is  
15 incumbent on this committee to make that  
16 determination, and to do so, you would need a  
17 racialized polarized voting study.

18 So are you saying, Mr. Chair, that you  
19 are not going to order that study? As chair of  
20 this committee, that it's somehow up to somebody  
21 else to present it to you?

22 CHAIRMAN HISE: I will say the  
23 committee will consider the available  
24 information we have. There is no plan or  
25 process right now for commissioning a particular

1 study in any of the budget processes or in  
2 legislation.

3 So then I have Senator Clark, then back  
4 to Senator Nickel.

5 SENATOR CLARK: Thank you, Mr. Chair.

6 Dickson v Rucho indicates that VRA  
7 compliance can be a compelling interest of the  
8 General Assembly. And we have codified -- well,  
9 codify is not the proper term, but we have  
10 stated in essence to our criteria that we  
11 consider VRA compliance to be a compelling state  
12 interest. Therefore, Dickson v Rucho would  
13 require that the General Assembly do a racial  
14 polarization study in order to fulfill that  
15 obligation.

16 CHAIRMAN HISE: I appreciate your  
17 comment.

18 Senator Nickel.

19 SENATOR NICKEL: Question for staff.

20 CHAIRMAN HISE: You can direct your  
21 questions to the chair.

22 SENATOR NICKEL: My question for staff  
23 is just, number one, can we overlay racial data  
24 if requested? And, number two, can staff  
25 perform a racial polarized voting study if

1 directed?

2 CHAIRMAN HISE: Racial data is not  
3 available in the system and cannot be produced  
4 for the committee and will not be considered by  
5 this committee consistent with its criteria.

6 I will repeat again, we have no  
7 directives right now for some kind of ambiguous  
8 racial polarized voting study that would take an  
9 indefinite amount of time in the process.

10 SENATOR PERRY: Mr. Chair.

11 CHAIRMAN HISE: Next, Senator Perry.

12 SENATOR PERRY: Thank you,  
13 Mr. Chairman.

14 Mr. Chairman, please forgive my  
15 impatience, but it feels like you're having to  
16 answer the same question, phrased differently,  
17 over and over again, and I would like to move  
18 forward to understand the information we have in  
19 front of us at the appropriate time.

20 CHAIRMAN HISE: So we're open for  
21 questions right now. This, I guess, is kind of  
22 the way the legal process works when people are  
23 trying to create --

24 SENATOR BLUE: Mr. Chairman.

25 CHAIRMAN HISE: Senator Blue.

1           SENATOR BLUE: One point that I would  
2 follow up on, and Senator Clark raised it, and  
3 again, staff can be of some assistance, but the  
4 jurisprudence in the area, he's pointed out that  
5 you got three districts that were constructed in  
6 that area beginning in the 80s and 90s that were  
7 purposefully preserved in the 2011  
8 redistricting, and part of the problem that was  
9 resolved in Rucho is that they were overly  
10 preserved and that is they were guilty of  
11 efforts to pack, to use the terminology that the  
12 courts use.

13           And there is a body of law that says  
14 before you deconstruct these districts,  
15 basically redistrict and not take into account  
16 the history of them, you have to make certain  
17 findings, and I think that's what these members  
18 are getting at with respect to a VRA study. It  
19 might -- a polarization study.

20           It might be that a polarization study  
21 would show that you can't justify maintaining  
22 them as VRA districts, but the law is you can't  
23 deconstruct them until you sort of know that  
24 they're not serving the purpose any longer for  
25 which they were created. And that's the

1 importance at least in those districts. And  
2 again, this whole effort in all of these cases  
3 over the last 30, 40 years have been about  
4 primarily this area of the state.

5 And so before deconstructing these  
6 districts, unless you're going to make specific  
7 findings that the three districts that Senator  
8 Clark pointed out to us no longer are needed or  
9 they can maintain their status as VRA-created  
10 districts, that you're walking into a trap to  
11 just deconstruct them without any of the  
12 information that would support your decision to  
13 purposefully deconstruct them or allow them to  
14 be deconstructed.

15 And I think that that's -- at least  
16 that's what I gathered the overview of the law  
17 in the area is. I might be wrong, but it seems  
18 that some analysis along that line is necessary  
19 to satisfy Stephenson, the very first prong of  
20 Stephenson, what that case determined in 2002 or  
21 2003 as well as the subsequent Stephenson case,  
22 and certainly in Rucho and the subsequent cases  
23 in the last decade.

24 CHAIRMAN HISE: What I continue to say  
25 is that this committee is still open to consider

1 any information that exists on racially  
2 polarized voting. There has been no standard  
3 that has been met or that the committee should  
4 consider at this point. I would also say that  
5 for consideration, not considering race is  
6 compliant with what this body did -- has done  
7 previously in drawing the maps and clearly in  
8 what has been upheld by the courts.

9 So I think next I had Senator Clark and  
10 then back to Senator Nickel again, so we'll see  
11 if the questions start.

12 SENATOR CLARK: Thank you, Mr. Chair.

13 Back to the 16 maps we have before us,  
14 I had asked previously was there a methodology  
15 by which we could introduce additional cluster  
16 maps that we consider to be constitutionally  
17 compliant. And the reason I asked that is  
18 because these maps were done using the Duke  
19 code, which I'm familiar with, and Python, and  
20 the deviation was set at point 5 -- at  
21 5 percent, excuse me, therefore, this goes to  
22 range from zero to 5 percent plus a minus, that  
23 is.

24 However, it's the prerogative of this  
25 body, should we choose to do so, to say we're



1 going to have a cap lower than the 5 percent.  
2 So if you take the cap lower than 5 percent,  
3 there are additional options out there, and I  
4 would like the authority to submit such a map  
5 for consideration, cluster map.

6 CHAIRMAN HISE: I would just say that  
7 we will take a look at anything you submit.  
8 You're open to draw anything or others. It  
9 would be less compliant if there was more  
10 one-county pods formed in the map, more  
11 two-county pods formed in the map, more  
12 three-county pods formed in the map. In  
13 creating it, the plus or minus 5 percent is a  
14 court standard that we have utilized and  
15 adopted.

16 If you could produce a map that  
17 produces a greater number of smaller county  
18 clusters than exists in this map, then the  
19 committee would consider that and would look to  
20 change our process.

21 SENATOR CLARK: Thank you, Mr. Chair.

22 CHAIRMAN HISE: So then, I think, back  
23 to Nickel again.

24 SENATOR NICKEL: Just a data question.  
25 Can we get a copy of the population groupings

1 for each of these 16 different -- well, it's  
2 four-county groupings with, you know, two  
3 different clusters in each of the four  
4 groupings. I'd just like to see that data, what  
5 the total numbers are for one versus the other.

6 ERIKA CHURCHILL: Yes, sir. We can  
7 provide total population reports for each of the  
8 17 maps.

9 SENATOR NICKEL: Thank you.

10 CHAIRMAN HISE: Any other questions?  
11 Senator Marcus.

12 SENATOR MARCUS: Thank you, Mr. Chair.  
13 This is the first that this committee  
14 has presented any maps that the public can look  
15 at, and I'm wondering whether -- I don't know  
16 what the chair's plan is for today's committee  
17 meeting, whether we're voting on these maps and  
18 choosing one and moving forward that quickly,

19 But I would like to have on record a  
20 request that the public have time to look at  
21 these and to respond to them, and I think we  
22 need more public hearings both on county cluster  
23 maps but also on whatever additional maps we  
24 draw after this process.

25 I guess my question is what are the

1 plans for public input on these county cluster  
2 possibilities and then moving forward with  
3 whatever additional maps are proposed?

4 CHAIRMAN HISE: So the other purposes  
5 today is to announce the beginning of the voting  
6 process that's coming in, and that may be -- the  
7 drawing process. As you will see, this room is  
8 set up with four stations. I believe that one  
9 of the stations will be with the data for  
10 congressional maps and the other three for -- do  
11 all four have all four?

12 ERIKA CHURCHILL: All four stations  
13 will be set up, Mr. Chair, to draw any house,  
14 senate or congressional plan. So any member  
15 that's sitting down at any one of the stations  
16 could choose to start on any one of those three  
17 types of plans. And we can do a little bit of a  
18 demo as to what folks will be seeing, if you  
19 would like that.

20 CHAIRMAN HISE: We'll get to that in  
21 just a second.

22 That's what's coming in, but starting  
23 tomorrow morning, this room will be open for  
24 members to come in and begin the process of  
25 drawing. There are 16 possible options that

1     exist under these clusters to submit maps.   Some  
2     think there's a more optimal podding out there.  
3     We would be open to that consideration, if there  
4     is a more optimal podding, but for right now,  
5     without that evidence coming forth to the  
6     committee, the committee will consider any of  
7     these 16 possible maps as compliant in that  
8     process.   And so for the committee to ultimately  
9     consider it, it needs to meet one of these 16  
10    parameters.   If you have found a more optimal  
11    pod, please let us know as soon as possible.

12                So what is happening after this is we  
13    are opening up the drawing process, all 16 of  
14    these maps, and the choices you make that exist  
15    within these maps will be up to the individual  
16    drawer.

17                I think Senator Blue was --

18                SENATOR BLUE:   Thank you, Mr. Chairman.

19                I just wanted to make sure you -- you  
20    alluded to not just the senate maps but also  
21    congressional maps too.

22                Other than the clustering requirement  
23    in the legislative maps, is the criteria that  
24    we're going to use in the congressional  
25    redistricting process the same as was formulated

1 for legislative redistricting? I mean, I know  
2 the difference in the population and you don't  
3 use clusters, but --

4 CHAIRMAN HISE: There's no variance --  
5 I believe that there is a determination there is  
6 no cluster that exists in the congressional  
7 maps. I think it's all 100 counties and  
8 14-county cluster. This is coming in with no  
9 variance. So this will come in in the same  
10 other criteria we've used for compactness and  
11 others that are out there and for not using  
12 racial data and others are the same criteria  
13 that exist across both maps.

14 And again, they will be open for  
15 drawing house, senate, or congressional maps,  
16 although this committee will be considering at  
17 least we know right now senate maps. The house,  
18 as is tradition, we will consider house maps  
19 first.

20 So with all that, maybe we want to get  
21 a few moments just to go through what you would  
22 be seeing in the process.

23 ERIKA CHURCHILL: As in 2019, these  
24 will be public drawing stations. Everything  
25 that is done on one of these drawing stations

1 will be capable of being viewed by the public.  
2 With that, there -- Will is showing you what  
3 here in the room the stream will look like.  
4 Anyone that is sitting in the back will be able  
5 to see the screens and identify which station is  
6 the one they want to focus on.

7 As you can see on the backs of the  
8 large monitors, there's four of those. They do  
9 have a sign that says Station 1, which is behind  
10 Senator Blue, Station 2, which is with Senator  
11 Clark, Station 3, which is kind of in between  
12 Senator Nickel and Senator Ford, and Station 4,  
13 which is with Senator Krawiec.

14 We'll open up Station 4 so that  
15 everybody can see what it will look like with  
16 the drawing active. So hopefully, as we  
17 understand that the process is going to work,  
18 the area where the stations are will be for the  
19 staff and the membership. The public will still  
20 sit in the area where the public normally sits.  
21 The public can sign onto the General Assembly  
22 wi-fi if they want to focus on Station 2 or they  
23 can use the monitors in the room if they want to  
24 kind of monitor what's happening at all four  
25 stations simultaneously.

1           There will also be a feed of all of the  
2 audio that is said at each of the stations. So  
3 please, as members, remember what is being said  
4 at one of the drawing stations will be, as I've  
5 heard a member say in the past, heard in Greene  
6 county and China simultaneously.

7           Will, do you want to let me sign in.

8           JESSICA SAMMONS: We also are going to  
9 have a video stream of the entire room, so  
10 anyone that signs onto the General Assembly  
11 website will be able to see a live stream of  
12 everything happening in the room from the  
13 perspective of that back camera.

14          ERIKA CHURCHILL: As you can see, we  
15 have a --

16          CHAIRMAN HISE: They're behind the  
17 monitor.

18          ERIKA CHURCHILL: As you can see, we  
19 have attempted to test out what is going on so  
20 that everyone will hopefully have as few hiccups  
21 as possible when the public drawing starts  
22 tomorrow morning, but this is roughly what you  
23 would see on the screen in the room.

24          If anybody wants to come around, we'll  
25 leave this up so that you can see what the

1 actual screens in the drawing station looks  
2 like, after the committee adjourns, so everybody  
3 can take a look at that.

4 CHAIRMAN HISE: Just to add to the  
5 concept and finally get it all official.

6 Much like in 2019, we will open this  
7 room for members for drawing maps. Beginning  
8 tomorrow, this room will be open 9:00 a.m. to  
9 5:00 p.m., Monday through Friday, for members  
10 who are interested in working with staff to draw  
11 redistricting maps for the senate and for  
12 congress. Data will be available for the house  
13 as well.

14 The proceedings will be live-streamed  
15 on the General Assembly website. Only maps  
16 drawn in full public view will considered by  
17 this committee. So if you want to draw a map or  
18 an amendment to a map, you will need to draw it  
19 here. We anticipate map drawing continuing for  
20 at least two weeks. Depending on the level of  
21 interest, we may have to expand the hours for  
22 drawing or open up this room on weekends as  
23 well. We will keep you updated on any changes  
24 to the schedule as this process moves forward.

25 At this point, I will continue to be



1 happy to answer any questions or any technical  
2 inquiries you may have about the process.

3 Senator Clark.

4 All right. Senator Nickel.

5 SENATOR NICKEL: Just on the timing  
6 here, when is your plan to vote on the county  
7 cluster groupings? Because, you know, it's a  
8 waste of time for a lot of senate maps if we're  
9 not doing the right county cluster grouping.

10 CHAIRMAN HISE: So there is no -- the  
11 committee has not adopted one of the 16 clusters  
12 as counties. They will be open to all members  
13 drawing and available for all members while  
14 drawing maps.

15 SENATOR NICKEL: Follow-up.

16 CHAIRMAN HISE: Follow-up.

17 SENATOR NICKEL: When is that going to  
18 happen in the process? I mean, It should be  
19 sooner than the end.

20 CHAIRMAN HISE: We will consider any of  
21 the 16 maps that are here in this process or  
22 consider additional information that is  
23 submitted. So as we begin this process and as  
24 we go through this process, all 16 will continue  
25 to be available for the committee.

1 SENATOR NICKEL: So just to follow-up.

2 CHAIRMAN HISE: Follow-up again.

3 SENATOR NICKEL: If I'm drawing a map,  
4 I can't -- you know, I don't want to draw a map  
5 that doesn't have the right county cluster  
6 groupings at some point before that end of the  
7 two weeks is up. So do you have a plan to vote  
8 on the cluster groupings prior to that end of  
9 two weeks?

10 CHAIRMAN HISE: We do not.

11 Any other questions? Hearing none, I  
12 think that covers everything we have for this  
13 meeting.

14 As we begin tomorrow at 9:00, happy  
15 drawing. For the fun and exciting part of this,  
16 we look forward to doing it. We will have some  
17 specifics out for people for observation and  
18 others, but this is all streamed for  
19 individuals. So I look forward to seeing you  
20 all here and look forward to all this.

21 This meeting -- having exhausted the  
22 agenda, this meeting stands adjourned.

23 (Transcription from YouTube ended at  
24 55:23.)

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Signed this the 18th day of December 2021.

43

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NORTH CAROLINA GENERAL ASSEMBLY

SENATE REDISTRICTING COMMITTEE

NOVEMBER 1, 2021

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1 (Transcription from YouTube started at  
2 36:33.)

3 CHAIRMAN HISE: The committee will come  
4 to order. Thank you for everyone being here.  
5 Welcome to the Senate Committee on Redistricting  
6 and Elections.

7 Our sergeant-at-arms today are -- for  
8 the Senate, John Enloe, Dwight Green, right  
9 here, Ed Kessler, Chris Moore, and Hal Roach,  
10 right there. Thank you all for being here today  
11 in this process.

12 Members, we have -- on the agenda  
13 today, we have three bills, all representing  
14 submitted congressional redistricting plans. We  
15 will present, as we have with every other bill  
16 we do in committee, we will consider each bill  
17 individually, and if an appropriate motion is  
18 made, we will consider it favorable or  
19 unfavorable for review to the floor.

20 Any questions about process? I wanted  
21 to get that out of the way before we begin.

22 Seeing none, we will begin with  
23 Senate Bill 740, Congressional Redistricting  
24 Plan 21 CST-13.

25 Senator Daniels will be recognized to

1 explain the bill.

2 CHAIRMAN DANIEL: Thank you, Mr. Chair,  
3 members of the committee.

4 So this is going to be a little dry,  
5 but I'm just going to explain the map district  
6 by district, beginning with District 1.

7 So Congressional District 1 is a  
8 coastal district. It's anchored in eastern  
9 North Carolina. It contains 15 whole counties.  
10 The 15 counties are Beaufort, Camden, Carteret,  
11 Chowan, Craven, Currituck, Dare, Gates, Hyde,  
12 Jones, Lenoir, Pamlico, Pasquotank, Perquimans,  
13 and Tyrrell. And it has two partial counties:  
14 Onslow and Pitt.

15 The district takes in the Outer Banks  
16 and most of the state's shoreline. Its shape is  
17 mostly dictated by the Atlantic Ocean. There  
18 are zero municipalities split by the district's  
19 boundaries. VTDs are only split for the purpose  
20 of equalizing population to zero deviation.

21 This district keeps all of the finger counties  
22 in northeastern North Carolina together in the  
23 same district as well as most of the counties  
24 that run along the Virginia border. Ms. Keesha  
25 Adobe spoke at the Pasquotank public hearing and

1 asked that the northeast be maintained as a  
2 community of interest. That public input helped  
3 inform the construction of this district.

4 Congressional District 2.

5 Congressional District 2 is a district taking in  
6 most of rural northeastern North Carolina. It  
7 contains 16 whole counties: Bertie, Caswell,  
8 Edgecombe, Franklin, Granville, Greene, Halifax,  
9 Hertford, Martin, Nash, Northampton, Person,  
10 Vance, Warren, Washington, and Wilson. There  
11 are two split counties: Pitt and Wayne. There  
12 are zero municipalities split by this district.  
13 There is one precinct split in Pitt county and  
14 one in Wayne county for the purpose of  
15 equalizing population.

16 Congressional District 3.

17 Congressional District 3 is a district based in  
18 southeastern North Carolina. It improves upon  
19 the compactness of the current district by  
20 keeping mostly rural counties closer to the  
21 coast in the same district as the remaining  
22 coastal counties. It contains seven whole  
23 counties: Bladen, Brunswick, Columbus, Duplin,  
24 New Hanover, Pender, and Robeson, and one split  
25 county, Onslow. The district contains zero



1 split municipalities, and the only split VTD is  
2 required in order to equalize population.

3 The district is a product of input from  
4 the New Hanover public hearing where Barbara  
5 Guerrero asked that the Cape Fear River basin be  
6 kept in one congressional district. Herb Harton  
7 and Frank Williams, a Brunswick County  
8 commissioner, asked that New Hanover and  
9 Brunswick counties be kept together, and Keith  
10 Graham asked that Bladen and Columbus counties  
11 be linked in a district.

12 Congressional District 4.

13 Congressional District 4 is a nearly perfect  
14 four-county district south of where we are right  
15 now. It includes Cumberland, Harnett, Johnston,  
16 and Sampson counties, and a small portion of  
17 Wake -- of Wayne county to balance the  
18 population. These counties have similar  
19 geography, industry in proximity to the  
20 population base in the region near Fayetteville  
21 and Raleigh. The district is extremely compact  
22 and contains zero split municipalities. There  
23 is one VTD in Harnett county and one in Wayne  
24 county. Both were split to equalize population  
25 between the districts.

1           In an online public comment from Linda  
2           Devore submitted on September 22, she asked for  
3           Cumberland, Harnett, and Sampson counties to be  
4           kept together in a congressional district. By  
5           adding the population of Johnston and one  
6           precinct in Wayne county, this forms the ideal  
7           population for one compact district.

8           Congressional District 5.

9           Congressional District 5 is based entirely in  
10          Wake county. It is made up of Garner,  
11          Knightdale, Raleigh, Rolesville, Wake Forest,  
12          Wendell, and Zebulon. Raleigh and the other  
13          municipalities in Wake county share common  
14          interests. Many people live and work and  
15          commute between the different cities and towns  
16          in Wake county. There are no split  
17          municipalities in this district, and any VTDs  
18          that are split are done for the purpose of  
19          maintaining municipal boundaries or equalizing  
20          population.

21          Congressional District 6.

22          Congressional District 6 is made up of Durham  
23          county, Orange county, and the portion of Wake  
24          county that contains Apex, Cary, and  
25          Morrisville. This is a district that has

1       existed in one shape or form for decades. As  
2       the population has grown in the area, it has  
3       been concentrated more specifically in the  
4       Triangle. It is home to some of the state's  
5       most prominent universities and hospitals.  
6       Along with Charlotte, it is the preeminent urban  
7       population based in our state. There are no  
8       split municipalities in the district, and any  
9       split VTDs are located in Wake county and split  
10      to equalize population or to keep municipalities  
11      whole.

12               Congressional District 7 is made up of  
13      four whole counties and portions of five other  
14      counties that includes all of Alamance, Chatham,  
15      Lee, and Randolph, and parts of Davidson,  
16      Guilford, Harnett, and Wake. The district runs  
17      from the Triangle west through the central  
18      Piedmont region. It's made up of the smaller  
19      cities and towns as well as the rural areas that  
20      make up this area of the state. There's only  
21      one split municipality in the district as it  
22      contains a very small portion of Greensboro.  
23      VTDs are only split for the purpose of  
24      equalizing population or keeping cities  
25      together.

1 I'm going to pause for a minute to get  
2 a drink of water.

3 So we'll move on now to go  
4 Congressional District 8. Congressional  
5 District 8 is made up of eight whole counties:  
6 Anson, Hoke, Montgomery, Moore, Richmond,  
7 Scotland, Stanly, and Union, and part of  
8 another, Mecklenburg. The district takes in  
9 most of the counties considered to be in the  
10 Sandhills region. There are no split  
11 municipalities in the district, and one VTD is  
12 split in Mecklenburg county for the purposes of  
13 equalizing population.

14 In an online public comment submitted  
15 on September 30th, Maurice Holland Jr., chair of  
16 the Moore County Democrat Party, asked for  
17 Sandhills counties, including Moore, Scotland,  
18 and Hoke, be kept together in a Sandhills  
19 district. By adding in Anson, Montgomery, and  
20 Richmond, we believe this district will be  
21 rooted in the Sandhills and represent that  
22 region of our state well.

23 Congressional District 9 is a Charlotte  
24 district. Charlotte's population is too large  
25 for one congressional district so it must be

1 split. 97 percent of this district is made up  
2 of Charlotte, and 83 percent of the city is in  
3 the congressional district. VTDs are split only  
4 to equalize population and ensure that there are  
5 no other municipalities in the district.

6 Congressional District 10 is made up of  
7 three whole counties: Cabarrus, Davie, and  
8 Rowan, as well as parts of Iredell, Davidson,  
9 and Guilford. This district takes in the  
10 counties and suburban and exurban areas that  
11 stretch between the two population centers of  
12 Charlotte and the Triad. There's only one split  
13 municipality, as mentioned before, in  
14 Greensboro.

15 The district does contain all of  
16 High Point as Martha Schaeffer requested at the  
17 Forsyth public hearing that High Point be kept  
18 whole in one congressional district. VTDs are  
19 only split for the purpose of equalizing  
20 population.

21 Congressional District 11 is based in  
22 the northwestern corner of North Carolina and is  
23 made up of eight whole counties. Those whole  
24 counties are Alexander, Alleghany, Ashe,  
25 Caldwell, Stokes, Surry, Rockingham, and Wilkes.

1 The district also contains a portion of Guilford  
2 county and one precinct in Watauga county where  
3 the current incumbent lives. There is one split  
4 municipality, Greensboro, and more than  
5 90 percent of Greensboro residents are kept  
6 together in this district.

7 Congressional District 12 is made up of  
8 four whole counties and one partial county. It  
9 contains all of Catawba, Forsyth, Lincoln, and  
10 Yadkin counties, plus a portion of Iredell  
11 county. It is a compact district that connects  
12 the suburbs outside Charlotte to the area in and  
13 around Winston-Salem. It splits no  
14 municipalities, and it splits -- and splits VTDs  
15 in Iredell county for the purpose of equalizing  
16 population.

17 Congressional District 13 is made up of  
18 seven whole counties: Burke, Cleveland, Gaston,  
19 McDowell, Rutherford, and Polk, and a portion of  
20 Mecklenburg county that contains the  
21 municipalities and towns to the west and north  
22 of Charlotte.

23 In an online public comment submitted  
24 on September 24th, Mary Elizabeth Voss asked the  
25 towns of north Mecklenburg, including Cornelius,

1     Huntersville, and Davidson not be split and kept  
2     together in a district. The only municipality  
3     split in this district is Charlotte because it  
4     must be, and VTDs are split only to equalize  
5     population.

6             Finally, Congressional District 14 is a  
7     western North Carolina district and takes in  
8     most of the mountain counties in the westernmost  
9     tip of North Carolina. It contains 14 whole  
10    counties, including Avery, Buncombe, Cherokee,  
11    Clay, Graham, Haywood, Henderson, Jackson,  
12    Macon, Madison, Mitchell, Swain, Transylvania,  
13    and Yancey. It splits one VTD in Watauga county  
14    to avoid double-bunking two incumbents. There  
15    are no municipalities split by the district.  
16    The district is a result of public input from  
17    CJ Breland at the Jackson County public hearing  
18    who asked that McDowell and Polk be removed from  
19    the current district and which is currently  
20    Congressional District 11 and that the district  
21    be drawn into Watauga county.

22            Going through our criteria, all 14 of  
23    the districts are drawn to zero deviation or to  
24    one person less than ideal. There's no point  
25    contiguity used in this map. The map divides 11

1 counties solely to equalize population. There  
2 are districts wholly within Mecklenburg and Wake  
3 counties which are the only two counties of  
4 sufficient size to contain a congressional  
5 district.

6 Racial data was not used in drawing of  
7 this map. VTDs were only split when necessary  
8 for balancing population or keeping  
9 municipalities whole. There are 24 total split  
10 VTDs in the map. All of the districts are  
11 compact. Only two municipalities are split in  
12 the entire state. This map was not drawn using  
13 partisan data, and member residence was  
14 considered. Community considerations were made  
15 to try to keep communities together,  
16 particularly in terms of cities and towns.

17 And, Mr. Chair, that is the  
18 presentation of the map.

19 CHAIRMAN HISE: Thank you, Senator  
20 Daniel.

21 Any questions or comments regarding the  
22 map? Senator Nickel.

23 SENATOR NICKEL: Yeah. I have a  
24 question and want to use a display here to try  
25 to explain it.



1           Here we've got -- what I see is what  
2           you started with which is a map of  
3           North Carolina as a 50/50 state. 50 percent  
4           Democrats, 50 percent Republicans. We voted for  
5           Donald Trump for president and Roy Cooper for  
6           governor. And we can start and draw the maps  
7           any way we want here with these circles. So  
8           I've got 14 rows, five red, five blue. And we  
9           could start and we could gerrymander for  
10          competition. We could make every single one of  
11          these a 50/50. It would look a little weird,  
12          but we could do it.

13                 But what you've done here is pretty  
14          basic. You have drawn 6/4, and it's this great  
15          little pattern that I use where I do 6/4, 6/4,  
16          and then I do the same pattern again with my  
17          blue marker. So you've got six red circles,  
18          six, and four blue, so 60 percent Republican.  
19          And then we've got some Democrats left so we do  
20          another one here, 80 percent Democrat,  
21          20 percent Republican. Same pattern again, 6  
22          and 4, 60/40, again 60/40, again 60/40. And  
23          again, the blue marker for the rest with our  
24          district here, 80 percent Democrat, 20 percent  
25          Republican. Last one here, 6/4, again 6/4, and

1 again 6/4. And then we've got the blue marker  
2 again for this Democratic district. And then  
3 the last one -- we've got two more left here.  
4 You know, this is -- we'll call it 6 Republican,  
5 4 Democrat, but I really think GK Butterfield's  
6 district is a lot closer than this, but just in  
7 fairness we'll call it 6/4, 6/4.

8 So that gives us 10 to 11 for the red  
9 circles and 3 to 4 for the blue circles. And  
10 that's what we've seen here. We're a 50/50  
11 state.

12 We heard the public comment that  
13 gerrymandering is less popular than herpes, in  
14 Durham. That was one of my favorites. But, you  
15 know, I think it's important -- as we look at  
16 this, this is -- this is -- this is what this  
17 map is. It's a 10 to 11 -- or sorry -- a 10 to  
18 4 or an 11 to 3 depending on that one area where  
19 GK is. And we've been through decades of  
20 litigation on this.

21 Ten years ago, David Lewis was the lead  
22 Republican author when we drew maps. He's now a  
23 convicted felon. At the time he said "I think  
24 electing Republicans is better than electing  
25 Democrats, so I drew this map to help foster

1 what I think is better for the country." He  
2 then said, "I propose that we draw the maps to  
3 give a partisan advantage to 10 Republicans and  
4 3 Democrats because I don't believe it would be  
5 possible to draw an 11 to 2 map."

6 Now, Mr. Chairman, I know you are too  
7 smart to say something like that. And I'm not  
8 going to try to play gotcha here because I know  
9 you're briefed and you're not going to say  
10 something as bad as that, but I do recall on the  
11 floor, the last go around, when Senator Tillman  
12 was talking, I thought you were going to have a  
13 heart attack when he started talking about how  
14 Republicans were going to draw Republican maps,  
15 and he made his position very clear about that.

16 And, you know, it would be great if we  
17 could have an honest debate about this, but this  
18 is what we see here. And you don't need to say  
19 anything because this map speaks louder than  
20 words. You can't argue with the math, and it's  
21 right there in front of us. We've heard the  
22 public comments, we've heard the outside  
23 experts, and you can see in my diagram exactly  
24 what's going on. This is a map that robs  
25 10.7 North Carolinians of any real choice at the

1 ballot box. It's a map that guarantees that 10  
2 or 11 Republicans will be elected in our 50/50  
3 state. It doesn't pass the eye test. It  
4 doesn't pass the smell test.

5 I wish I could make this committee  
6 understand why this is so wrong, why this is so  
7 wrong for every single voter in our state, and I  
8 wish we could sit down and have a private  
9 conversation about this with folks who would  
10 truly listen and truly find a compromise on  
11 this. And I wish we could have a competition at  
12 the ballot box for the best ideas, but you can't  
13 have a competition at the ballot box for the  
14 best ideas when you decide the outcome in  
15 advance. This is not a fair fight.

16 You know, we could do 50/50 districts  
17 in every part of the state. And I think the  
18 most important question is very simple. With  
19 this whole process, you know, in this committee  
20 and on the floor of the senate is how greedy are  
21 you going to be with these maps. If you pass an  
22 11 to 3 or a 10 to 4 map, I think you can  
23 guarantee action by the State Supreme Court on  
24 state constitutional grounds. We have heard  
25 what they said the last go around, and we fixed

1     our maps.

2             We came back and drew an 8 to 5 map.  
3     Now you're taking seats to make an 11 to 3 map  
4     or a 10 to 4. Control of the next congress will  
5     be decided by just a few seats, and just by  
6     drawing the lines, we can decide who's going to  
7     be in control of the next congress. So this is  
8     a big deal for my constituents, for all of our  
9     folks.

10            And listen, I look at this like a  
11    father. When I talk to my kids, who are still  
12    probably sleeping from their Halloween candy  
13    hangover, and I explained it to my six-year-old  
14    daughter and my nine-year-old son, and there's  
15    only one way to describe it: It is cheating,  
16    plain and simple. You are cheating and robbing  
17    the voters of any real choice at the ballot box  
18    with this map.

19            And so I thank the committee for  
20    listening to me here. And I just have one  
21    question, Senator Daniel.

22            You just said you didn't consider  
23    partisan data at all. So how do you get a map  
24    that is an extreme partisan gerrymander that  
25    completely favors Republicans?

1 CHAIRMAN HISE: Senator Daniel -- and I  
2 will remind the committee, as with all committee  
3 process, questions are directed to the chair and  
4 the chair will direct those questions for an  
5 answer.

6 Senator Daniel.

7 CHAIRMAN DANIEL: Well, I think,  
8 Senator Nickel, you know, Senator Berger has  
9 probably said this best many times, you know,  
10 both on the senate floor and in public,  
11 that -- you know, the population of our state is  
12 such that Democrats have congregated themselves  
13 in urban areas, so really the only way to  
14 accomplish what you're suggesting is to  
15 gerrymander. And I would just reiterate that  
16 the Senate plan splits 11 counties, only 2  
17 municipalities in the whole state out of  
18 probably over 400, I don't know the exact  
19 number, and it splits 24 VTDs. So I would just  
20 challenge -- I mean, I think those statistics  
21 are hard to beat.

22 CHAIRMAN HISE: Senator Perry.

23 Any other questions or comments  
24 regarding the map? Senator Marcus.

25 SENATOR MARCUS: Thank you, Mr. Chair.

1           When I look at this map, I see  
2 something really obviously problematic with it  
3 which is that you've targeted the three largest  
4 counties and split them each three ways. I'm  
5 wondering how -- first, Mr. Chair, how you  
6 ranked the criteria that this committee adopted  
7 and whether you took unnecessary splitting of  
8 counties into account. Because when I look at  
9 this, these counties are split more than they  
10 need to be, and I'm wondering why you did it  
11 that way.

12           CHAIRMAN HISE: To briefly respond to  
13 the first question, as you are well aware, there  
14 is no ranking of the criteria that was placed  
15 in -- the committee did not approve a ranking  
16 order of any of the criteria so one was not in  
17 place. And the map before you splits 11  
18 counties in the state, the lowest of any map  
19 submitted.

20           SENATOR MARCUS: Follow-up.

21           CHAIRMAN HISE: You're recognized for a  
22 question.

23           SENATOR MARCUS: Thank you.

24           I understand that they weren't ranked.  
25 We asked for there to be some ranking for some

1 clarification, but I will just state that I  
2 think splitting these three counties three times  
3 is unnecessary and to me a clear indication of  
4 an intent to give one party a partisan  
5 advantage, but just to be a little more  
6 specific, I noticed that when the map was  
7 presented, there were mentions of citizen input  
8 to justify many of the districts. There was no  
9 mention of any citizen input to justify putting  
10 part of Mecklenburg county with what you call  
11 the Sandhills district.

12 I was at all the hearings. I reviewed  
13 many of the online public comments. I saw  
14 absolutely zero requests for part of Mecklenburg  
15 to be added to this more rural Sandhills  
16 district made up of Union, Anson, Richmond,  
17 Scotland, Hoke, et cetera.

18 I guess my question to the chair is are  
19 you aware of any input from folks in Mecklenburg  
20 requesting to be spread out so far to the east  
21 in these rural counties?

22 CHAIRMAN HISE: I'm not aware of  
23 specific input for many decisions made within  
24 the map, but thank you for your comments.

25 SENATOR MARCUS: Okay. Can I ask



1 another question.

2 CHAIRMAN HISE: You are recognized for  
3 another question.

4 SENATOR MARCUS: Thank you. Again, a  
5 similar question. I was at all the hearings,  
6 and I actually know the person that you  
7 mentioned to justify what you did to the  
8 northern and northwestern part of Mecklenburg  
9 county, which is to split the county again into  
10 a third piece and put us -- that's where I  
11 happen to live so I'll say us -- put us in this  
12 purple district that goes very far to the west  
13 also with a rural part of the state.

14 You mentioned Mary Elizabeth Voss. I  
15 know Liz Voss. She did ask that north  
16 Mecklenburg be kept together, but she never said  
17 please put us with a rural county to the west  
18 with people we have very little in common with  
19 to justify a congressional district perhaps for  
20 Speaker Moore. I know she didn't say that.  
21 What she wants is what we all want in  
22 Mecklenburg county, and I would say everyone in  
23 this state wants, is to stay with our  
24 communities of interest. North Mecklenburg  
25 towns live in Mecklenburg county and we deserve

1 to have a congressional district that honors  
2 that.

3 And so I'm asking if you would like to  
4 give any other reason, other than the one you  
5 mentioned about what Liz Voss said, because  
6 that's not -- that doesn't justify this. Is  
7 there any other way to justify putting a third  
8 part of Mecklenburg county in with yet another  
9 rural area district?

10 CHAIRMAN HISE: Senator, I will say  
11 that it is obvious that Charlotte and  
12 Mecklenburg county is too large for a district.  
13 And I'm sorry for your comments the people  
14 outside of that district don't want to be with  
15 anybody around them.

16 SENATOR MARCUS: That's not what I  
17 said.

18 CHAIRMAN HISE: Do you have another  
19 question?

20 SENATOR MARCUS: Not right now.

21 CHAIRMAN HISE: Okay. Any other  
22 questions or comments?

23 SENATOR BLUE: I do, Mr. Chair.

24 CHAIRMAN HISE: Senator Blue.

25 SENATOR BLUE: Thank you, Mr. Chairman.

1 I'm trying to get a handle on looking  
2 at what you've drawn, but Senator Daniel  
3 indicated that Raleigh and other municipalities  
4 in Wake county shared a common interest; is that  
5 correct? Question to Senator Daniel.

6 CHAIRMAN HISE: Senator Daniel, would  
7 you like to respond?

8 CHAIRMAN DANIEL: Senator Blue, can  
9 you --

10 CHAIRMAN HISE: Can you restate your  
11 question.

12 SENATOR BLUE: I'll be happy to.  
13 You commented that --

14 CHAIRMAN DANIEL: Reference by a  
15 district number would be helpful.

16 SENATOR BLUE: Well, your comment was  
17 that Raleigh and other municipalities in Wake  
18 county shared a common interest, and I'm talking  
19 about -- let's see how many of them. Talking  
20 about District 5, District 6, and District 7.  
21 And --

22 CHAIRMAN HISE: I believe we're going  
23 to try to get a larger version up on the -- of  
24 where you're talking about in Wake county.

25 SENATOR BLUE: Okay. I think I got the

1 same map that I'm looking -- yeah. I'm talking  
2 about District 5, District 6, and District 7 on  
3 the map. It's S740 that was on my desk. I  
4 guess that's the same as the one you have up.

5 You had commented that citizens of Wake  
6 county -- Raleigh and the citizens of Wake  
7 county and the municipalities shared a common  
8 interest.

9 CHAIRMAN DANIEL: That's correct.

10 SENATOR BLUE: Yeah. Why don't the  
11 remaining municipalities in Wake county share a  
12 common interest?

13 CHAIRMAN DANIEL: I mean, they probably  
14 do, Senator Blue, but, you know, a congressional  
15 district can only be 700 and some thousand  
16 people, and you can't fit, you know, every  
17 municipality in Wake county into one district.

18 SENATOR BLUE: Yeah. Follow-up.

19 CHAIRMAN HISE: Follow-up.

20 SENATOR BLUE: I was just trying to  
21 sort out your justification for the whole  
22 district which you have no choice and you had to  
23 create one, and any one that you created was  
24 going to involve some of the municipalities in  
25 Wake county. There are 11 of them, by the way.

1           And so if in fact that is true, that  
2           the municipalities of Wake county, that is, the  
3           remaining 400,000 plus people, shared a common  
4           interest, was there any effort made to keep them  
5           together because they share a common interest  
6           with each other? Not necessarily with the whole  
7           district that you've created.

8           CHAIRMAN DANIEL: Senator Blue, my  
9           understanding is that the Congressional  
10          District 5 -- you said there's 11 municipalities  
11          in the county. Eight of those are entirely  
12          contained in Congressional District 5, and then  
13          the remaining three were placed in Congressional  
14          District 6.

15          So I think the answer is, without  
16          knowing the numbers off the top of my head,  
17          that, you know, we put as many as we could  
18          population-wise into one district and then the  
19          remaining three we put altogether in a separate  
20          district.

21          SENATOR BLUE: Another question. If I  
22          can call your attention to the map.

23          CHAIRMAN HISE: You are recognized.

24          SENATOR BLUE: Are you saying that none  
25          of the yellow portion in Wake county, at the

1 bottom of Wake county, there at the southwest  
2 90-degree angle that comes together there at  
3 Wake county, are you saying none of those are in  
4 a municipality? Is Fuquay not down there?

5 CHAIRMAN DANIEL: I'm not sure. Apex,  
6 Cary, and Morrisville are in 6. And I'm not  
7 sure where -- Fuquay would make 12, then,  
8 because I've already counted 11.

9 SENATOR BLUE: Fuquay, Holly Springs.

10 CHAIRMAN DANIEL: So there's more than  
11 11.

12 SENATOR BLUE: Okay. Got too many. We  
13 only got 11. Ten plus the county got --

14 CHAIRMAN DANIEL: The small ones, I  
15 didn't know.

16 SENATOR BLUE: Okay. Another question,  
17 Mr. Chairman.

18 CHAIRMAN HISE: Yes.

19 SENATOR BLUE: Was the same observation  
20 made about Guilford county, that -- Guilford  
21 county, the citizens of High Point and  
22 Greensboro share a common interest, is that  
23 correct, based on your reasoning of Wake  
24 county's municipalities and the city of Raleigh?

25 CHAIRMAN HISE: Senator Daniel.

1 CHAIRMAN DANIEL: I don't know what  
2 those folks would say. High Point's a furniture  
3 town and Greensboro is probably a textile town.

4 UNIDENTIFIED SPEAKER: Wait. I have to  
5 talk on that one. I have to talk on that one.

6 SENATOR BLUE: Let me ask him another  
7 question, if I could, Mr. Chairman.

8 CHAIRMAN HISE: You're recognized for  
9 another question.

10 SENATOR BLUE: What -- I grew up and  
11 took mandatory North Carolina geography in the  
12 eighth grade. It's been a while, but I remember  
13 a lot of it. What counties do you consider the  
14 Sandhill counties, and where do you consider the  
15 anchor of the Sandhills based on your eighth  
16 grade geography course?

17 CHAIRMAN DANIEL: I don't know that I  
18 can answer that question, Senator Blue.

19 SENATOR BLUE: If I could comment.

20 CHAIRMAN HISE: You are recognized for  
21 a comment.

22 SENATOR BLUE: Wasn't Cumberland county  
23 an essential county that you learned in the  
24 eighth grade was the anchor of the Sandhills?

25 CHAIRMAN DANIEL: I don't recall.

1           SENATOR BLUE: One other question in  
2           that regard.

3           Was Union county a Sandhills county  
4           based on how the Sandhills got their name in  
5           sort of prehistoric geography and the way the  
6           ocean deposited sand in that area of the state?

7           CHAIRMAN DANIEL: I just can't remember  
8           my eighth grade history, Senator Blue.

9           SENATOR BLUE: Okay. Let me ask one  
10          other one related to this and I'll move on.

11          CHAIRMAN DANIEL: I would say that -- I  
12          mean, I think sometimes we split hairs over, you  
13          know, communities of interest. I think, you  
14          know, we're all Americans, we're all  
15          North Carolinians, and I think we're sometimes  
16          making too much of a "I shouldn't be with the  
17          county next door to me because we're different."  
18          You know, I mean, we're all North Carolinians  
19          and we travel to shop in the same places with  
20          our next-door neighbor counties.

21          SENATOR BLUE: Let me ask you this,  
22          then, if I could, Mr. Chairman.

23          CHAIRMAN HISE: You are recognized.

24          SENATOR BLUE: You indicated that  
25          keeping municipalities whole was a priority.



1 CHAIRMAN DANIEL: It was.

2 SENATOR BLUE: High Point -- High Point  
3 is in four counties. Was it kept whole?

4 CHAIRMAN DANIEL: My understanding is  
5 High Point was kept whole, and the only two  
6 municipalities that were split were Greensboro  
7 and Charlotte.

8 CHAIRMAN HISE: Senator Blue, I will  
9 clarify that county line splitting  
10 municipalities is not a municipal split. It  
11 is -- as the system reads it, it would be a  
12 municipality within a county, whether that is  
13 split is how the system would determine. We  
14 also -- for clarification purposes, a split that  
15 was zero population is not a split.

16 CHAIRMAN DANIEL: So I'm not sure of  
17 the answer to -- if I answered your question  
18 right then or not, Senator Blue.

19 SENATOR BLUE: Make a comment,  
20 Mr. Chairman.

21 CHAIRMAN HISE: Recognized for a  
22 comment.

23 SENATOR BLUE: Yeah. I point that out  
24 because we go through great lengths to not say  
25 what is obvious, but the lawyers in here know

1     darn well -- and I don't know who the lawyers  
2     are, who is advising anybody, that -- now,  
3     there's not always direct evidence from the  
4     standpoint of somebody saying something is  
5     something. Circumstantial evidence is just as  
6     good as direct evidence to prove a point, prove  
7     intent and all of those kinds of things, and I  
8     think that what we fail to realize is that the  
9     kind of illustration that Senator Wiley just  
10    made, every mathematician in this state would  
11    agree that that's what the mathematics says.  
12    And at least I'm one who still believes in the  
13    science and in mathematics, and if the  
14    mathematics says it, I'm enough of an inherent  
15    to scientific proof and theory that I believe  
16    it's got to be so until you disprove it, and I  
17    haven't seen any proof, hypotheticals that would  
18    disprove that.

19             And so I'm saying that the proof of  
20    what is behind drawing this map is obvious to  
21    anybody who takes a serious look at it. And I  
22    am concerned that we went through this exercise  
23    two years ago and we came through it victorious.  
24    Not -- not that it was everybody got what they  
25    wanted, an 8/5 split is not a 50/50 split, but

1 the court blessed that split, and here we are  
2 two years later, just merely two years later  
3 spitting in their face saying that 8/5 is what  
4 we did because you made us do it, but we really  
5 wanted 11/3.

6 And that does not make commonsense to  
7 me. I'm a simple guy, and commonsense is what I  
8 try to use to determine what really ought to  
9 happen, informed by my basic belief in, you  
10 know, what I learned in Sunday school when I was  
11 five or six years old. And so I'm trying to  
12 figure out what is the commonsensical basis of  
13 taking 450,000 leftover people in Wake county,  
14 450,000 leftover people in Mecklenburg county,  
15 and then all of the 500,000 people in Guilford  
16 county, treating them differently than you're  
17 treating every other county in the state. The  
18 magic running through these three counties  
19 is -- you are treating counties that still have  
20 400 plus thousand people to contribute to the  
21 redistricting effort differently than you're  
22 treating every other county in the state.

23 And you pointed out that the Democratic  
24 concentration is in urban areas, and it's not  
25 coincidence that it's only in the urban areas

1 that you subject these counties to that kind of  
2 treatment. And I'm saying that commonsense  
3 would inform me if I were a judge, which I never  
4 had the desire to be, but it would inform me  
5 that you got something else at work here rather  
6 than the comments that you made about who wanted  
7 districts run in a certain way. And I'm really  
8 hoping that we can look seriously at  
9 redistricting this state in a way that does not  
10 offend the basic fairness of the process, offend  
11 people all across the state but -- so that you  
12 can retain some aspect of legislators playing a  
13 role in this process.

14 You know, I happen to believe in  
15 neutrals doing this because of the experiences  
16 I've had over the years, but this kind of  
17 radical, extreme effort simply takes us out of  
18 the process. And I think that you're as  
19 convinced as I am that it's not going to stand  
20 so why don't we fix it right while we have an  
21 opportunity to do it and not be governed by what  
22 interests outside of North Carolina tell us we  
23 ought to do in handling North Carolina business.

24 CHAIRMAN HISE: Thank you for your  
25 comments.

1 I next have Senator Perry and then  
2 Senator Lowe and then Senator Davis.

3 SENATOR PERRY: Thank you,  
4 Mr. Chairman.

5 I just want to share some comments and  
6 thoughts. And I heard my colleague mention  
7 commonsense approach. He also asked or  
8 mentioned he didn't know how many lawyers were  
9 involved, but I know how many lawyers are  
10 involved. In my opinion -- and no offense meant  
11 to my colleagues in the room, but I'll say it's  
12 too many, and entirely too many, too many  
13 attorneys up here that preplan every  
14 conversation that goes on in any committee we go  
15 to, especially this one. And it seems to have  
16 lost the flavor of the citizen lawmaker.

17 But I did have a question. I was  
18 looking at the visual aid that Senator Nickel  
19 provided and I was trying to figure out which  
20 one of those represented the congressional  
21 district that he's running for. And when I was  
22 looking at the map, it hit me. In these  
23 metropolitan areas, when the population's over  
24 700,000, they're going to be split. They have  
25 to be. You got -- but not only do they have to

1 be split because of population, but those places  
2 are going to have three members of congress  
3 representing them. That's a lot more horsepower  
4 to advocate for things and bring things back for  
5 an area. And I probably see it that way because  
6 coming from a rural area where we lose  
7 population and districts get bigger, it feels  
8 like we always have less representation. So I  
9 look at that and I think there's no way not to  
10 do it, and it's actually beneficial to them to  
11 have additional members of congress advocating  
12 for that area.

13 Now, that's not a legal argument that  
14 lawyers are going to make. That's nothing  
15 salacious or interesting or headline grabbing  
16 for most, but it is the commonsense view of just  
17 an average non-lawyer citizen lawmaker. Thank  
18 you.

19 CHAIRMAN HISE: Senator Lowe.

20 SENATOR LOWE: Common citizen. I'm  
21 just a country preacher from a tobacco town, and  
22 when I look at this map, I gotta say it, and I  
23 see Winston-Salem, I see Greensboro, I see  
24 High Point. I think we have more in common than  
25 most on this map, and to split us up like this,

1 it's -- I can't make sense of it. And I really  
2 want to understand it because when I see Forsyth  
3 county swinging around and we're connecting to  
4 Lincoln, I mean, what in the hell do we have to  
5 do with Lincoln? It doesn't make sense to me.  
6 And I want to understand this, but I don't get  
7 it.

8 And I know that there's a lot of  
9 lawyers here, mathematicians and indian chiefs  
10 and all kinds of stuff here and people that are  
11 far smarter than me, but when I look at what has  
12 been going on in this community that I live in  
13 for the last 30 years as it relates to industry,  
14 as it relates to communities of interest and I  
15 see the blatant legislative process that pulls  
16 this apart. And you can do it, you got the  
17 votes. You've heard me say this before, but it  
18 just -- when I talk to the citizens in my  
19 community, I don't hear any of them jumping up  
20 and down about this, and I gotta say something.

21 Now, some of you I've talked to about  
22 all kinds of things, and some things we agree on  
23 and some things we don't agree on and then we go  
24 out and eat together, but when I look at this  
25 and when I look at Guilford and Forsyth, that is

1 a natural to be together, it's just a natural  
2 progression in the order of things. So I really  
3 want to understand the rationale for  
4 discombobulating -- maybe that's a good word --  
5 this. Help me.

6 CHAIRMAN HISE: Senator Daniel, any  
7 comments?

8 CHAIRMAN DANIEL: I think, you know, we  
9 followed the criteria to the best we could, and  
10 we were able to only split 11 counties and 2  
11 municipalities in the whole state.

12 CHAIRMAN HISE: Senator Davis.

13 Do you have any follow-up?

14 SENATOR LOWE: I meant -- you know, my  
15 brother's a lawyer.

16 CHAIRMAN HISE: Follow-up, Senator  
17 Lowe.

18 SENATOR LOWE: Follow-up.

19 My brother is a lawyer, and there are  
20 some conversations I've come to grips with that  
21 are useless to have with him, and it seems like  
22 we're getting to that point, but you can give me  
23 the real answer. I know there is one. I may  
24 not know it, but I know there is a real answer,  
25 and the answer you gave me is not it. Thank



1       you.

2                   CHAIRMAN HISE: Thank you for your  
3       comment.

4                   Senator Davis.

5                   SENATOR DAVIS: Thank you so much,  
6       Mr. Chair.

7                   And I guess in listening to all these  
8       comments, I'll start by just making sure  
9       everyone knows, I'm not an attorney either. I  
10      come from -- I'm a small town country boy.

11                  But one thing that is important to me  
12      is the people, their voices in this process, and  
13      not just this process but in all processes.  
14      Everything that, you know, we engage in, whether  
15      it's the good, whether it's the bad, you know,  
16      the ugly, just taking the time to listen to the  
17      residents of the state.

18                  So I want to first, actually, if I  
19      could change the tone just a second and thank  
20      you for making adjustments along the way because  
21      I know there was concerns -- I continue to hear  
22      concerns along the way about the public  
23      hearings, you know, making sure that there were  
24      enough before the map was released and then  
25      making certain there were -- there was an

1 opportunity to comment after, then the map was  
2 released. I know efforts were made then to do  
3 so.

4 Now, I continue to hear along the way,  
5 you know, there were still concerns about things  
6 like, you know, individuals wanting to comment,  
7 but when they went in, it was locked out and  
8 they couldn't get in and things like that. But  
9 I do appreciate those comments -- or at least  
10 what efforts were made even though, again, I  
11 continue to hear the desire for more.

12 But my question, then, is -- I was  
13 listening to Senator Daniel today, and I'm just  
14 curious. In this process, what was the total  
15 number of individuals that actually made  
16 comments and those that came in on the public  
17 portal?

18 CHAIRMAN HISE: Senator Davis, I'm not  
19 sure that anyone has that information, a tally  
20 in front of them at this point, but I'm  
21 confident staff can get you that report.

22 SENATOR DAVIS: Okay. Thank you,  
23 Mr. Chair. Follow-up.

24 CHAIRMAN HISE: Follow-up.

25 SENATOR DAVIS: Okay. Can -- I'm just

1     curious, because I know specific names. I guess  
2     some members know who they were. I don't know  
3     necessarily all the names that were mentioned in  
4     sharing the input that was made and considered  
5     in this map. Do we -- and I'm just curious to  
6     have kind of a total number that were used that  
7     went into this specific map that we pull from  
8     wherever the portal, from comments that were  
9     made because obviously I'm assuming you've  
10    reviewed it in order to incorporate some of  
11    those names.

12           CHAIRMAN HISE: So just from what I  
13    received from staff, it says the total online  
14    comments to date are 4,037.

15           SENATOR DAVIS: 4,037. Okay. And  
16    follow-up. Just going back to the question I  
17    had before that, and thank you for that.

18           How -- based on -- there were names  
19    that were shared today. Do we have any feel for  
20    how this map aligns with those comments, those  
21    over 4,037 plus?

22           CHAIRMAN DANIEL: I don't think we know  
23    any statistics about that.

24           CHAIRMAN HISE: I think that even  
25    whether those 4,000 comments relates directly to

1 the map is sometimes in question. Some -- more  
2 seem to be about the process or the others that  
3 are going. But do we have a tally of how many  
4 made an impression on the map drawers and others  
5 and was something they utilized, I don't know  
6 that that even exists.

7 SENATOR DAVIS: Okay. I was just  
8 curious. Thank you.

9 CHAIRMAN HISE: Okay. Thank you.  
10 Is there anyone else who's not spoken  
11 yet who would like to be recognized? If not,  
12 I'll go back to the repeats.

13 Okay. Senator Nickel is recognized for  
14 a second time.

15 SENATOR NICKEL: Thank you. And I am a  
16 lawyer, and I'm proud to be one because I  
17 understand how our -- how our system of  
18 government works and how the court system works.  
19 And I think this map is begging for court  
20 action. And when the courts have gotten  
21 involved, we've seen much better outcomes that  
22 give voters a real choice at the ballot box.

23 My question, though, is about  
24 Section 10 of the North Carolina Constitution,  
25 and it states all elections shall be free.

1           Now, we had a unanimous ruling by a  
2           three-judge panel in 2019, and they said it is  
3           not the free will of the people that is fairly  
4           ascertained through extreme partisan  
5           gerrymandering, rather, it is the carefully  
6           crafted will of the map drawer that  
7           predominates.

8           So my question is in two parts. Number  
9           one, how do you define an extreme partisan  
10          gerrymander? And number two, is a map that  
11          elects 71 percent to 79 percent of members of  
12          one political party to the delegation of  
13          Washington an extreme partisan gerrymander?

14          CHAIRMAN HISE: Senator Nickel, I will  
15          immediately respond. I'm not going to give a  
16          definition for a term the court came up with  
17          coming in that the legislature did not, but I  
18          will say that a free election, there would be no  
19          different in a map orchestrated or designed to  
20          elect 7/7 individuals that -- if it doesn't have  
21          variance, it doesn't have variance that's with  
22          coming in in order to occur. And so I think the  
23          maps that I've seen elsewhere that we'll discuss  
24          later that are clearly drawn for partisan  
25          reasons that's coming in.

1 I will say that we have not looked at  
2 any partisan data in drawing this map, nor have  
3 we looked at racial data as consistent with the  
4 criteria of the committee, and the results are  
5 as they are.

6 SENATOR NICKEL: Follow-up.

7 CHAIRMAN HISE: Do you want to respond  
8 to the question or -- okay.

9 Senator Nickel is recognized.

10 SENATOR NICKEL: So getting rid of  
11 lawyer terms, is a map that elects 79 percent  
12 Republicans a fair map?

13 CHAIRMAN HISE: A map that  
14 predetermines the outcomes based on partisan  
15 data would be an issue that -- inconsistent with  
16 the criteria of this committee.

17 SENATOR NEWTON: Mr. Chairman.

18 CHAIRMAN HISE: Senator Newton.

19 SENATOR NEWTON: For the reasons  
20 articulated by Senator Daniel, I'd like to move  
21 for a favorable report on Senate Bill 740.

22 CHAIRMAN HISE: We have a motion for a  
23 favorable report. Last chance. Any comments  
24 from the committee?

25 SENATOR BLUE: Mr. Chairman.

1 CHAIRMAN HISE: Senator Blue.

2 SENATOR BLUE: How can you entertain a  
3 motion for a favorable report if you've adopted  
4 this bill and be fair to the other mapmakers who  
5 have bills that are before this committee on the  
6 same subject?

7 CHAIRMAN HISE: Senator Blue, as  
8 consistent with all the processes of the  
9 committee as I have been here, they consider one  
10 bill at a time. There is no limitations of what  
11 bills can receive a favorable or unfavorable  
12 report, and all bills from committee are  
13 referred to the floor with either a favorable or  
14 unfavorable report.

15 SENATOR BLUE: Follow-up.

16 CHAIRMAN HISE: Follow-up.

17 SENATOR BLUE: So you're telling me  
18 that this committee can pass out three bills on  
19 the very same subject, bills conflicting with  
20 each other?

21 CHAIRMAN HISE: The -- as I'm sure  
22 you're aware, the arbiter of law is the passage  
23 of both chambers, and what a particular chamber  
24 or both chambers, for that matter, can consider  
25 are not limited, and that has been consistent in

1 the 11 years that I've been here. I've  
2 discussed many bills with the House that we have  
3 had differences of opinion on the passage of the  
4 bills, and that's why we have a conference  
5 committee process as well.

6 SENATOR BLUE: Follow-up.

7 CHAIRMAN HISE: Follow-up.

8 SENATOR BLUE: There is no conference  
9 committee process in the Senate with competing  
10 bills unless I missed something, right? So once  
11 we've passed something out of a committee, that  
12 is the official position of the committee. And  
13 what I'm asking is how can we then conflict  
14 it -- or how can we then consider anything else  
15 unless it's an amendment to the bill that we're  
16 discussing?

17 CHAIRMAN HISE: So, Senator Blue, there  
18 is no process for the committee to consider two  
19 things simultaneously. That is not in our  
20 process.

21 Any other questions or comments?

22 Seeing none, Senator Newton has moved  
23 for a --

24 SENATOR MARCUS: Mr. Chair.

25 CHAIRMAN HISE: Senator Marcus.



1           SENATOR MARCUS: One -- a question,  
2     please.

3           CHAIRMAN HISE: You're recognized for a  
4     question.

5           SENATOR MARCUS: One topic we haven't  
6     talked is the application of the Voting Rights  
7     Act to this map. I asked, when we met earlier,  
8     that this committee, before we even set county  
9     clusters, and certainly before we vote on a map,  
10    that we do a racial polarized voting study. At  
11    that time, the chair informed me that there was  
12    no intention to do that, at least at that time.

13          I'd like to ask whether that research  
14    has been done and in any way is reflected in  
15    this map that we're about to vote on.

16          CHAIRMAN HISE: No studies have been  
17    done by this committee, no evidence of racially  
18    polarized voting has been submitted to this  
19    committee for consideration, and racial data was  
20    not used in the creation of these maps.

21          Seeing no other comments, Senator  
22    Newton has moved for a favorable report,  
23    Senate Bill 740. All those in favor please  
24    signify by saying aye.

25          COMMITTEE MEMBERS: Aye.

1 CHAIRMAN HISE: Opposed, no.

2 COMMITTEE MEMBERS: No.

3 CHAIRMAN HISE: The ayes have it.

4 Senate Bill 740 received favorable report and  
5 will be referred to the floor.

6 Next bill we have up on the calendar,  
7 Senate Bill 737, Congressional Redistricting  
8 Plan 2021, CCH-6. Senator Clark.

9 And the packets are being distributed.  
10 We did hold those to avoid confusion so that  
11 members can have one packet in front of them.

12 Senator Clark, is it your intent to  
13 amend it before discussion?

14 SENATOR CLARK: [Unintelligible].

15 CHAIRMAN HISE: Okay. So not at the  
16 beginning.

17 Staff will now begin -- at the  
18 senator's request -- at Senator Clark's request,  
19 we will pass out copies of the amendment as  
20 well. We will consider the bill as is until the  
21 amendment is submitted.

22 Members, as I am reading what is before  
23 me, the bill we are considering right now, the  
24 map is labeled Senate Bill 738 1st Edition.  
25 What is being passed out at this point I'm

1 understanding will be the proposed amendment  
2 from Senator Clark which is labeled as -- the  
3 map is labeled as CCG-7. The bill text is  
4 attached to both maps.

5 Seems that everyone -- does everyone  
6 have a copy, every member of the committee have  
7 a copy of both? Yes. Okay.

8 Recognizing that, Senator Clark is  
9 recognized for his explanation.

10 SENATOR CLARK: Thank you, Mr. Chair.

11 CHAIRMAN HISE: And this is -- hold on.  
12 I have --

13 UNIDENTIFIED SPEAKER: Mr. Chair --  
14 [unintelligible] the next bill.

15 CHAIRMAN HISE: So we'll hold again  
16 while we pass out the bill.

17 738 is Senator Chaudhuri's bill that's  
18 coming in. What you will need is 737 1st  
19 Edition. That's 738 again. Sorry,  
20 Senator Clark.

21 SENATOR CLARK: No problem. We're not  
22 going anywhere.

23 CHAIRMAN HISE: Again, does everyone  
24 have in front of them Senate Bill 737  
25 1st Edition as the map is labeled? Okay.

1 We -- if everyone has it, we will go ahead and  
2 allow Senator Clark to begin his process.

3 SENATOR CLARK: Thank you, Mr. Chair.

4 Okay. The bill under consideration has  
5 the Plan CCH-6, and I'm going to recommend that  
6 we amend that with another plan, but I did not  
7 want you to think I'm trying to hoodwink you or  
8 anything so I want to explain how the maps  
9 differ.

10 So if you look at the one on the screen  
11 or in your hand, we'll start with CCH-6. If you  
12 look in the western part of the state -- I guess  
13 I shouldn't move away from the microphone.

14 If you look in the western part of the  
15 state, you'll see a configuration for that most  
16 western district which I refer to as a tight  
17 pack, okay, and you can understand why we'll  
18 call it that.

19 Now, in the bill submitted by the  
20 chairs, they use what I call a western slant  
21 which is shown there. So what I decided to do  
22 is take that western slant -- excuse me -- and  
23 included in the bill that I will be putting  
24 forth as an amendment. Okay. And one of the  
25 reasons I did that was because at the public

1     hearings, one of the individuals speaking  
2     lamented the fact that Watauga was not included  
3     in the traditional Congressional District 11, so  
4     I decided I would make that change by  
5     incorporating the majority's plan with regard to  
6     that particular district into mine. Okay.

7             Another change that is made, I would  
8     like to direct your attention to Wake county.  
9     And you can see the configuration of Wake county  
10    that I had there initially. Well, what I  
11    decided to do is modify that. As you see here,  
12    it goes further to the south, that particular  
13    district that is embedded wholly within Wake  
14    county. Essentially what I've done is I've gone  
15    to Senator Chaudhuri's bill and I snatched his  
16    version of Wake county from him and incorporated  
17    it into this plan.

18            And one other minor change that's not  
19    necessarily visible in this particular map here  
20    is I changed the boundary just a little bit that  
21    separates the east from the west by saving a  
22    split VTD; in other words, I reduced the split  
23    VTDs by one.

24            And so that being said, Mr. Chairman, I  
25    would like to amend the bill with the plan that

1 has CCG-7.

2 CHAIRMAN HISE: Senator Clark, as a  
3 request that has come to the chairman, as we  
4 have not seen this until now, I think it is  
5 appropriate before we -- we'll consider the  
6 amendment as proposed before the committee, but  
7 before we begin discussions and vote on the  
8 amendment, we're going to let the committee  
9 stand in recess for about we'll say 20 minutes  
10 to review this map, allow us to continue, as  
11 many of the members of the committee are seeing  
12 this for the first time now.

13 So we'll pick that up in just a moment  
14 and the committee will stand in recess until,  
15 let's see, 10:25. So we're in recess.

16 [In Recess.]

17 (Transcription from YouTube ended at  
18 1:35:33 and started again at 1:57:30.)

19 CHAIRMAN HISE: The committee will come  
20 back to order.

21 Where we left out, we had a motion on  
22 the floor to amend the bill in whole with CCG-7,  
23 the packet that you have.

24 The chairs have decided for their  
25 consideration that they would support the

1 amendment of the bill on the basis that  
2 Senator Clark can submit a bill to be considered  
3 by the committee but would do so as to without  
4 comment as to whether the amendment is more  
5 consistent with our criteria or others as  
6 Senator Clark could have just submitted this as  
7 his bill.

8 So I'll go ahead and take all those in  
9 favor of the amendment please signify by saying  
10 aye.

11 COMMITTEE MEMBERS: Aye.

12 CHAIRMAN HISE: Opposed, no.

13 The ayes have it. The bill as amended  
14 CCG-7 is before the committee.

15 SENATOR CLARK: Thank you, Mr. Chair.

16 CHAIRMAN HISE: Thank you.

17 SENATOR CLARK: Okay. That being  
18 said -- let's see. We're now on CCG-7. That is  
19 the map that is under consideration before the  
20 committee here.

21 And one thing you think about when  
22 you're doing a map is what are my objectives and  
23 are there things that I'm trying to make sure  
24 that don't perpetuate themselves, are there  
25 things that I want to include in the map going

1 forward. And I want to talk about those things  
2 because one of the things that was mentioned by  
3 one of the members -- not members -- by one of  
4 the individuals who came to the last public  
5 hearing, she said, "There's no context here. I  
6 don't understand where this map came from or why  
7 y'all made the map the way you did."

8 So for me, the best thing to do, I  
9 believe, is to first start from our current  
10 congressional maps because there are things in  
11 that map that I thought were egregious that I  
12 did not want to continue on into the map that is  
13 before you now. All right. So that will just  
14 take a couple of seconds.

15 So first of all, this is our current  
16 congressional plan. And if you look at it, you  
17 see in the center near Mecklenburg county, there  
18 is a circle there. From the center of  
19 Mecklenburg county out to that circle is the  
20 distance of about 20 miles. Within that tight  
21 radius there, we have four congressional  
22 representatives there. Also, you see some black  
23 dashed lines that end in balls that extend far  
24 out into North Carolina. And if you follow the  
25 trajectory of those dashed lines back into that



1 circle, you see we have one, two, three, four,  
2 five congressional districts that terminate far  
3 ends of the state that also have points of  
4 contiguity within Mecklenburg county. And to  
5 me, something's wrong with that.

6 And also if you do the counting and  
7 count the number of districts that are rooted in  
8 the west versus in the east based on population,  
9 you'll see that we have eight -- excuse me -- I  
10 believe it's seven in the west and only five in  
11 the east -- or 8/5, excuse me, and I think  
12 something's wrong with that.

13 I think the common person out there  
14 would think, well, we ought to have a balance  
15 there, but we don't have that. And so one of  
16 the things I wanted to do moving forward in the  
17 plan that I have before you today is make sure  
18 that in the east and west we have seven  
19 districts in each based on a split of the  
20 population.

21 And so that brings us to this diagram  
22 here. The area in the green represents the  
23 west; the area in pink represents the east. And  
24 as you can see, the actual populations are quite  
25 similar. As a matter of fact, the deviation

1     between the two -- there's a minus one/plus one  
2     deviation on having equal populations in the  
3     west and equal populations in the east.

4             And as you'll see in the 7/7 plan, as  
5     I've been calling it, there will be seven  
6     districts in the west, seven districts in the  
7     east. No district in the west shall cross over  
8     to the east, and no district in the east shall  
9     cross over to the west. I know that was not a  
10    criteria of the committee, but it was a  
11    self-imposed criteria that I placed upon myself  
12    because -- by the way, in case you're wondering,  
13    I do comply with all of the committee criteria.

14            But the thing I understand, and I  
15    suspect most folks understand, is that in  
16    addition to the criteria that we guide ourselves  
17    by as a committee, we also have other objectives  
18    when we sit down and do a plan, whether it's a  
19    legislative plan, congressional plan. And our  
20    folks who have come to the hearings and our  
21    folks back home, they want transparency. They  
22    want to understand why it is that we did what we  
23    did. And I'm going to try my best to explain  
24    why I did what I did.

25            And in part of what I did is because of

1 the constraint I imposed upon myself to bring  
2 about an issue of fairness I believe most  
3 citizens in North Carolina would agree to. If  
4 we split the population in half, we ought to  
5 have seven congressional districts in the east  
6 and seven in the west.

7 And in addition to that, I believe that  
8 every major geocultural region in the state of  
9 North Carolina should have a congressional  
10 district rooted within.

11 This particular diagram is a  
12 three-dimensional diagram that shows -- gives a  
13 feeling for the population densities in the  
14 various major geographical regions across  
15 North Carolina. I've circled them in either  
16 black or I've circled them, one, in red. If we  
17 start in the west, we see that the western  
18 region of the state has a congressional district  
19 rooted therein. The northwest does, the Triad  
20 does, the Charlotte metropolitan region, greater  
21 metropolitan region has one. Actually, they  
22 have about three or four. I lose count. And  
23 then you have the Triangle up there; it does.  
24 The northeast, the coast, and the southeast.  
25 But who's missing one? The Sandhills.

1           And by the way, before I forget, our  
2 friends across the aisle mentioned that Maurice  
3 Holland indicated in his written comments that  
4 he wanted a Sandhills district. Yes, indeed, he  
5 does. As a matter of fact, I know Maurice.  
6 He's the chair of the Democratic Party in Moore  
7 county, and he showed up for our last public  
8 hearing and specifically endorsed CBK-4 which  
9 contained the construct and the plan that I'm  
10 presenting to you today as his preferred choice  
11 for a Sandhills district.

12           So that was another one of the  
13 self-imposed constraints or objectives I had  
14 with regard to a map.

15           Okay. To summarize, I have my points  
16 here. In addition to our criteria and my  
17 objective for a congressional plan for  
18 North Carolina to have equal representation in  
19 the east and west, to have districts that are  
20 rooted in each major geocultural region in the  
21 state -- and I can't read from here, but I know  
22 it says another thing is to not split any county  
23 more than one time, which is what we did in our  
24 previous congressional plan. We did not split a  
25 single county more than once. As a matter of

1 fact, I made that as a recommendation for the  
2 committee, but it was rejected, but the reason I  
3 did that, because I've been reviewing a lot of  
4 maps over the past year. You know, I have a lot  
5 of enthusiasts out there doing their own maps  
6 and people really like doing maps.

7 But one thing that started to become  
8 apparent to me is that the gateway to  
9 gerrymandering is to go in and split a  
10 municipality more than one time. So I was not  
11 shocked, I fully expected it, when I saw the map  
12 that was produced by the folks across the aisle  
13 when I saw three of the large urban counties --  
14 was three -- well, two splits which made three  
15 pieces, and I said, okay, they're exercising  
16 that gateway to gerrymandering. And I know what  
17 they say about the number of splits, but we'll  
18 talk more about that later. I don't want to get  
19 off track here. Okay. So in my case, I did not  
20 split any county more than once.

21 Okay. So that being said, clearly, I  
22 am influenced by other things. Like I said,  
23 I've seen a lot of maps, but probably the three  
24 most important maps that I took into  
25 consideration as I embarked on the effort to do

1 a congressional plan for the state of  
2 North Carolina are the three that we'll go over  
3 now.

4 The first being the North Carolina  
5 prosperity zones. If you look up there, you see  
6 the state of North Carolina. As a matter of  
7 fact, this was done early in the McCrory  
8 administration when these zones were  
9 established. We have a western region, and  
10 surprisingly, or not surprisingly, that looks  
11 like a tight pack construction for a western  
12 district in the state of North Carolina. And  
13 then you see the northeastern region up there,  
14 probably looks similar to many of us. Then you  
15 have the Triad region, the north central region,  
16 the northeast region, southeastern, and you have  
17 the Sandhills. Now, clearly, all of those  
18 counties you see there are not going to fit in  
19 Sandhills. Senator Blue already gave us a  
20 geography lesson on the ones that make up  
21 essentially the central core of the Sandhills  
22 regions which are the ones that were adopted in  
23 the plan that I'm going to use.

24 But also I would like to draw your  
25 attention to over in the Charlotte metropolitan

1 statistical area, you see that gray mass over  
2 there. Another one of my objectives was to try  
3 to constrain districts to that area to the  
4 greatest extent possible because clearly, they  
5 have interests in common in that area.

6 So another map. This is another map  
7 generated by the State of North Carolina  
8 Department of Health and Human Services for  
9 Public Health Preparedness and Response.

10 If you look on the western side, you  
11 see something similar. You see a grouping of  
12 counties along the western border, and you also  
13 see that configuration in the Charlotte  
14 metropolitan area. I think one difference is  
15 the Catawba has been added. So I used that to  
16 guide my approach as well.

17 Third map, North Carolina Appalachian  
18 Regional Commission Counties. I think there you  
19 have about 29 counties that are part of that  
20 commission. As a matter of fact, every single  
21 one of those counties, say one, except Davie,  
22 form what you might call a two congressional  
23 district cluster which hold the two western  
24 districts that are in the plan that I put  
25 forward. I don't think anyone would doubt that

1     there's a lot of communities of interest within  
2     that group.

3             Okay. So that being said, that brings  
4     us back to the CCG-7 plan. Okay. And I  
5     included the white line in there which  
6     represents the boundary between the east and the  
7     west.

8             So when you're looking at that blank  
9     slate of North Carolina, it's like, well, where  
10    do I start? Where do I start? Unlike I guess  
11    about four bienniums ago when I sat down in the  
12    basement of one of the buildings here with one  
13    of the staffers with Maptitude and told her I  
14    wanted to practice trying to figure out how to  
15    do a congressional plan and she asked me where I  
16    wanted to start, and I looked at it and I didn't  
17    have a clue, but I had a clue this time, I had a  
18    clue this time. And you have to sort of think,  
19    well, what do the citizens of North Carolina  
20    want? What do they want?

21            Well, first of all, they want us to  
22    fully comply with the criteria which in part  
23    says if you have a county that has substantial  
24    population in which a complete congressional  
25    district can be embedded, we must do that. So,



1     okay, well, I guess I'd better go ahead and take  
2     care of Mecklenburg county and Wake county.

3             So under our current congressional  
4     district plan, we've resolved that by  
5     essentially pushing the population up against  
6     the northern border in Wake -- I mean,  
7     Mecklenburg county and taken the balance from  
8     the south and pushing that into another  
9     district. So I chose to do that in this plan,  
10    and I tried, to the extent possible, to the best  
11    of my abilities, anyway, to avoid splitting  
12    municipalities in that process.

13            So then I head on over to Wake county.  
14    Now, in our current congressional plan, the  
15    opposite is done. The population is pushed down  
16    to the south, and it's the northern portion of  
17    Wake county that serves as an outlet into other  
18    districts. I chose not to take that route. I  
19    chose instead to push it up to the north and  
20    make the outlet the southern portion. So you  
21    might ask, well, why did he do that?

22            Oh, boy, let me back up here. Can  
23    someone help me out, one of the technology  
24    people, put it back in the proper mode. Okay.  
25    I hit the wrong -- you may want to stay there

1     until I get going again. I think I hit the  
2     wrong button on here. Try to back up and see.  
3     Okay, that does it. Okay.

4             Okay. So one thing I knew that was  
5     going to happen is if you look in the district  
6     labeled 7, we have that boundary constraint  
7     there. I knew I was going to have to come  
8     across the top and initially connect the first  
9     three counties and try to build up to the  
10    required population, but I did a full stop at  
11    Granville county. So why did I do a full stop  
12    at Granville county? Because that's going to  
13    serve as the basis for what we consider now to  
14    be a VRA district, currently numbered  
15    Congressional District 1, congressional --  
16    Congressman Butterfield's district. And I'll  
17    talk more about that later, but I just wanted  
18    you to know why I did that full stop. Okay. I  
19    was going to do that full stop, but -- so I'll  
20    come back to that later.

21            So let's move back to the west. So we  
22    have Mecklenburg county taken care of, and I  
23    want to take care of another area out west. I  
24    think you may appreciate this, Senator Lowe. A  
25    lot of folks at those public hearings said that

1 they wanted to keep Congressional District 6, as  
2 we currently call it, pretty much intact. And  
3 as a matter of fact, the first iteration of the  
4 map that I did did exactly that, and it pretty  
5 much looked like the one we had today. I just  
6 expanded it a little bit in order to make sure  
7 it got up to the ideal population.

8 But then during the public hearings,  
9 one of the speakers indicated that Kernersville  
10 should be part of Congressional District 6 and  
11 they shouldn't be connected to the west. So I  
12 said, well, I guess I better go in and make that  
13 fix. And also while I was at it, I decided to  
14 fix Walkertown, too, and make it part of that  
15 district. And as a result, it became somewhat  
16 more compact, and it also helped me eliminate  
17 two municipal districts. I began to realize  
18 that that was a premium criteria for some around  
19 here. So I eliminated two split municipalities,  
20 and I tightened it up, gave it a much cleaner  
21 appearance and retained it as the folks in that  
22 region had asked that we do through the portal  
23 and through public comment and hearings.

24 So now in the west I have Mecklenburg  
25 taken care of and I have congressional

1 District 6, now 12, taken care of.

2 So where do I go from there? I said,  
3 well, okay, let me go ahead and take care of the  
4 western part of the state. And as you know now,  
5 I started out with a tight pack configuration,  
6 but I thought Senator Hise and Daniel's version  
7 was better so I adopted the western slant  
8 variation, which you see here, which  
9 necessitated a change to District 14 up there.

10 Okay. So now in this version, it runs  
11 all the way from Polk county up to -- I can't  
12 see my glasses -- without my glasses. -- up to  
13 Stokes county. But remember, those group of  
14 counties in those most western districts are the  
15 same counties that are in that ARC commission,  
16 say one, that being Davie county.

17 So then I said, okay, I got that  
18 squared away. Maybe it's time to move east from  
19 Mecklenburg county. Now, remember, we're going  
20 to be constrained by that east-west boundary  
21 because we want to make sure we have seven  
22 districts in the west and seven in the east. So  
23 I begin heading out and I go from Mecklenburg  
24 county to Union, then Anson, and it's time for a  
25 full stop. Then I run up and I capture a little

1 bit there -- let's see -- Richmond, then  
2 Montgomery and back to Stanly where I still  
3 don't have enough population, and then I group  
4 in some of the southern portion of Cabarrus  
5 county, and that provides a congressional  
6 district that lies pretty much almost completely  
7 encased with that eastern portion of  
8 Charlotte -- greater Charlotte metropolitan  
9 statistical area that we talked about  
10 previously.

11 Okay. Then from there you can move  
12 northward to the next one. I take the rest of  
13 Cabarrus county and I group that with Rowan,  
14 Davie, and then head on out to the west until I  
15 get to -- let's see, what do we got over  
16 there -- Randolph and that forms another  
17 district. Remember, it couldn't go any further  
18 because we have Congressional 6 already has  
19 taken that territory up northward. Yet in whole  
20 for the most part, it too is encased within that  
21 greater Charlotte metropolitan statistical area  
22 in the region that we saw in the previous maps  
23 that impact the way I was going to approach this  
24 process.

25 So if we go to the eastern side, we see

1     that we have another component of that which  
2     includes the counties you see there: Iredell,  
3     Catawba, Lincoln, Gaston, and Cleveland.

4             And I haven't mentioned it before, but  
5     since it's on my mind -- and by the way, this  
6     map doesn't double-bunk a single incumbent, so  
7     all the ones that are out there, they can feel  
8     safe. No double-bunking of a single incumbent  
9     in this plan.

10            But then that pretty much takes care of  
11    the west. I've achieved half of my objectives  
12    so far. We have seven districts in the west.  
13    All of them are compact within major  
14    geographical regions in the state. All of them  
15    are consistent with regions that we have  
16    established before within the state, whether it  
17    be the economic regions, whether it be part of  
18    the ARC, et cetera. There's method to the  
19    madness, if you want to call it madness.

20            So let's head back to these. I'll  
21    start up this seven. As I indicated before, I  
22    had to come across the top there, pulled in the  
23    first three counties and hit the full stop at  
24    Granville. So then I had to go grab the three  
25    counties beneath. And then when I got to

1 Durham, of course, it was like population  
2 overload, so I'm going to have to reduce some of  
3 the population, and I decided to take that out  
4 of Durham. So I took that southeastern corner  
5 out of Durham and said, well, that will be part  
6 of the district that would lie beneath it, okay,  
7 which also somewhat adjoins southern Wake  
8 county.

9 But remember, full transparency. I  
10 also told you that one of my objectives was  
11 going to be to establish a congressional  
12 district that was rooted in the only region that  
13 does not have one at this point and that was the  
14 Sandhills. Yes, citizens did ask for this. As  
15 a matter of fact, for those of you who were at  
16 the Cumberland county public hearing, 40 percent  
17 of the people that spoke requested a Sandhills  
18 district that contained these counties. And  
19 among the people there were some people from  
20 Moore county. There were also people from  
21 Robeson county. As a matter of fact, when I  
22 went to the public hearing in Robeson county,  
23 about 30 percent of those people spoke in favor  
24 of a Sandhills district comprising these  
25 counties. And Maurice Holland was one of the

1 people that said they like this version.

2 But it's more than about the Sandhills,  
3 you know. This region is home to a major  
4 influence in this state that we call Fort Bragg.  
5 I know one of my fellow members, a good senator,  
6 linked a community of interest, if you will,  
7 with Fort Bragg regarding some three other  
8 counties. But let me tell you something,  
9 probably unbeknownst to many folks that when  
10 they think of Fort Bragg, they just think of the  
11 installation itself, but the majority of the  
12 Fort Bragg training area lies within the  
13 northern portion of Hoke county, spans across  
14 the entire tier of Hoke county. And also, in  
15 that confluence of counties down there, where  
16 you have Moore county, you have Hoke county, you  
17 have Scotland county and Richmond county, and in  
18 that little knob we have a place called Fort  
19 Mackall military installation somewhat linked to  
20 Fort Bragg where they train special forces  
21 troops, has an impact on them all.

22 If you run down the southern border of  
23 Moore county there, the lower third or lower  
24 quarter, if you will, that whole area has been  
25 designated in their land use plan as a military



1 impact area. So when I came into that, I had  
2 those things in mind. So, of course, took  
3 Richmond. We grabbed what I considered the belt  
4 of Sandhills down there. Then we took -- added  
5 Robeson county and then Moore county in there,  
6 but that still wasn't enough population. So the  
7 question becomes, well, do I head over to Bladen  
8 county or maybe Sampson county or maybe up to  
9 Harnett county. I decided to go up to Harnett  
10 county, and I'll explain why, but before I do  
11 that, I want to mention something else.

12 In my initial version of the CBK-4,  
13 inadvertently, I guess I had gone up too high  
14 and I took a precinct that inadvertently split  
15 Lillington in half, and one of the speakers at  
16 the last public hearing lamented that she did  
17 not appreciate someone putting a map out there  
18 that split Lillington that way. So I wasn't  
19 sure that I was the one who did that, but I went  
20 back and looked at my map and lo and behold,  
21 ouch, it was me. So I said, well, let me take  
22 that precinct and put it up there in the 6 and  
23 take it out of 4.

24 Now, I didn't have any political data,  
25 didn't need any, been looking at these maps a

1 long time, but I do know that that precinct I  
2 popped up to 4 and out of the Sandhills is a  
3 Democratic-leaning VTD. I just know that. I  
4 suspect you guys in your areas know how various  
5 precincts trend; you just know. It's in your  
6 area; you just know. And therefore it ended up  
7 getting swapped out for a precinct that was more  
8 Republican leaning got added into the Sandhills,  
9 but that's okay, that's okay. Because my  
10 interest is not trying to establish a map that  
11 leans Republican or leans Democrat. My total  
12 objective, from beginning to end, was to try to  
13 develop a map that was fair, fair in the  
14 east-west distribution, fair in the distribution  
15 of seats into the major geopolitical regions.

16 Sandhills, I don't know whether  
17 that -- if somebody asked me is that going to be  
18 a Republican or Democratic district, I don't  
19 know, I don't know, but you know what, if it's a  
20 Republican or whether it's a Democrat, it will  
21 be a Democrat or Republican of the Sandhills and  
22 not of Charlotte or Cabarrus county. The people  
23 in the Sandhills are tired of being split as  
24 population fodder for other districts, so that  
25 is why that was done.

1           So now having -- also, forgot to  
2 mention, we also have communities of interest  
3 with Harnett county. As you're leaving  
4 Spring Lake on to 11 heading into Harnett  
5 county, you'll see a large presence of military  
6 families. As a matter of fact, they even have  
7 military housing up there in that area, a lot of  
8 military movement to the houses up there and the  
9 businesses cater to veterans, active duty, and  
10 retirees, so there is a significant community of  
11 interest attached to Harnett county as well.

12           So now having established that 7 and  
13 that 4 as numbered there, essentially I have the  
14 makings for 6, but there's not sufficient  
15 population. So, of course, there's only one  
16 other place to go at this time and it's under  
17 Johnston county. So I move east and grab  
18 sufficient population to build out the district.

19           Now, in one of my earlier versions of  
20 the map, I had Johnston county connected to the  
21 coastal district, and I had Onslow county split  
22 with a portion being with the coastal and a  
23 portion with the southeast. Some folks didn't  
24 necessarily like that. One commented that  
25 Onslow county should be kept whole because of

1 the military presence there that essentially  
2 permeated the entire environment of the county,  
3 so I honored that and I made Onslow county whole  
4 and kept it up in the east. And then some  
5 prefer the Johnston county, if it's going to be  
6 connected to another region, that stay as it  
7 was, which was the southeast region, so I did  
8 that. Had to make adjustments to Wayne county  
9 in order to rebalance the population, and then  
10 you have 3 and 1 as you see on there.

11 Okay. So I guess that leaves only one  
12 other district to talk about, and that's that  
13 Voting Rights Act district. And early on we  
14 asked our members to say, well, we're going to  
15 need to use racial data in order to make sure  
16 that we comply with VRA with regarding to the  
17 districts we draw, and they didn't want to do  
18 that, and that's their prerogative. So since I  
19 couldn't use racial data as my guide, I relied  
20 on a 2011 drawing generated by this body, the  
21 Senate, that has the VRA requirements for the  
22 Senate districts that were being contemplated at  
23 the time. And essentially what they did is they  
24 identified areas that were considered to have  
25 significant racial polarization when it came to

1 voting.

2 So I said, well, if I keep most of the  
3 counties reflected in this document produced by  
4 the North Carolina Senate in 2011 and I try to  
5 keep most of the counties that were in our  
6 current plan, I probably have a chance of,  
7 hopefully, making sure I comply with VRA  
8 requirements with regard to maintaining that  
9 district, so that's what I did. Remember, I  
10 said I constrained it to Granville county and we  
11 have what we have.

12 Now, we've heard some talk about  
13 different types of data that come into play  
14 here. Oops, back up. Erika, I've done it  
15 again.

16 Yeah, the backup kicks me out for  
17 whatever reason if I go too far. Don't go  
18 anywhere. Okay. Where's forward. Get me  
19 forward to the next -- I think I keep hitting  
20 something wrong. The next one. Okay. Okay.

21 Okay. So we've talked about the splits  
22 before. There are splits and then there are  
23 splits. In this plan I have before you, 13  
24 counties are split. And in the Republican plan  
25 that was presented to us, 11 counties are split.

1 The reason that is is because in that plan they  
2 chose to split counties more than one time. And  
3 as I indicated to -- sorry.

4 The reason they did that was because  
5 they chose to split counties more than one time  
6 which I chose not to do deliberately because in  
7 my most humble opinion, when a split counties  
8 more than one time, that is a clear indication  
9 of an intent to gerrymander. But one thing also  
10 that was not mentioned is that that also results  
11 in a different number of county splits. So in  
12 the plan before you now -- I mean, the number of  
13 times a county was split. Before you now,  
14 counties were split only 13 times whereas in the  
15 other plan, because of all this double  
16 splitting, counties were split a total of 14  
17 times, for what that's worth, just to bring a  
18 little bit of transparency to that situation.

19 We talked about municipal splits.  
20 Okay. Total number of splits in the plan I have  
21 is 41. Total number in the plan presented by my  
22 friends across the aisle is 13. Now, altogether  
23 we have 553 municipalities in the State of  
24 North Carolina, but as Senator Hise informed us,  
25 all splits are not the same. There's the kind

1 of split, I call it a phantom split. I think  
2 Senator Hise called in a zero split, so really,  
3 they don't count because what happens it's  
4 split -- one side is split doesn't have any  
5 population in it so it doesn't matter.

6 Then also Senator Hise mentioned about  
7 what I call the cross county splits, when you  
8 have a municipality that goes across the  
9 counties and therefore is split by virtue of the  
10 fact that you don't necessarily combine those  
11 counties, had 19 of those, and by my count they  
12 had 20, about the same.

13 Now, the big difference here is in the  
14 intra county splits. Clearly, my friends made a  
15 very concerted effort not to split those types  
16 of municipalities, and they only had two. I  
17 think they were in the major cities like  
18 Charlotte, if I recall correctly, and one other  
19 county they mentioned.

20 Now, of course, each of those splits  
21 will have -- be associated with different  
22 populations. And of the 13 of mine, the  
23 majority of the three came from the same two as  
24 they have here as well as in Pitt county was  
25 split into Greenville. Now, the reason I didn't

1 split Greenville is because I felt I did not  
2 want to move too far away from the precedent  
3 that had been established in the setting of the  
4 VRA district in Congressional District 1 up  
5 there. As I look back on all the maps, there's  
6 a split there, and I assume it's there for a  
7 purpose. Yeah. And I can remember a former  
8 senator that was here when I first arrived, he  
9 said if you walk up to a fence post and it's  
10 tied together with bailing wire, you better  
11 think twice before you remove that wire:  
12 Senator Nesbitt. So I figured I probably should  
13 leave well enough alone and not do too much of  
14 messing around in Pitt county.

15 And also VTD splits, we talked about  
16 that briefly. In the plan before you, there are  
17 14 VTD splits, one in most counties that have  
18 them and two in one, happens to be Iredell  
19 county. If I had had time, I could probably go  
20 back and fix that, but right now they'll do.

21 And in the plan presented by our  
22 Republican friends across the aisle there, they  
23 only have -- they have 24, and I expect the  
24 number's a little bit higher probably due to  
25 their efforts to avoid splitting municipalities,



1 so like you have to pick your poison, split more  
2 municipalities or split more VTDs. Sometimes  
3 you just have to pick the poison. Depends on  
4 what sort of priority you establish. But, of  
5 course, we didn't establish any priorities in  
6 the committee here. What we did is we said we  
7 were going to harmonize. My good friend the  
8 chairman said we're going to harmonize the  
9 criteria.

10 Well, folks, hopefully I've harmonized  
11 well enough and hopefully you'll consider this  
12 bill for adoption. Any questions?

13 CHAIRMAN HISE: Thank you,  
14 Senator Clark.

15 Any questions, comments. Senator Blue.

16 SENATOR BLUE: I do have a question of  
17 Senator Colonel Clark.

18 Since you mentioned the military, it  
19 might be that -- and you do because you live in  
20 it, but as you created the Sandhills district,  
21 it might be that folk don't fully understand or  
22 appreciate the impact that the military presence  
23 at Fort Bragg has in all of those counties,  
24 particularly Robeson county, and the residents  
25 in Robeson county who go to Fort Bragg every

1 morning, but as importantly, the civilian  
2 workforce that that base, the biggest in the  
3 country and I think probably one of the biggest  
4 in the world, how it pulls on that whole region  
5 and ties together the whole region. And as well  
6 as Harnett county because even though it's  
7 adjacent to Wake county, sandwiched between  
8 Cumberland and Wake county, a significant  
9 portion of its population and its housing  
10 pattern and industry is predicated on what's  
11 happening at Fort Bragg.

12 And I'm wondering in addition to the  
13 things that you pointed out, since you know, you  
14 work on the base and you do analysis, since you  
15 know the different impacts that that 50, 60,000  
16 troop base has in that area, are there other  
17 things that sort of factored into your decision  
18 that may have been related to Fort Bragg or  
19 Pope Airfield, now they call it rather than  
20 Pope Air Force base, that sort of informed you  
21 as to how this was probably the greatest  
22 community of interest in the whole state that  
23 hadn't been recognized.

24 SENATOR CLARK: That's true,  
25 Senator Blue. And you mentioned Harnett county

1       so we'll start there.

2               Right on the northern border of  
3       Cumberland county, right north of the  
4       installation, if you go stand out there until  
5       11:00 in the morning to watch the folks come  
6       into that post, the cars will just come, they  
7       keep coming and coming and coming. You don't  
8       see much traffic going in the other direction in  
9       the morning, but you go stand at that same spot  
10      in the afternoon, when the folks get off from  
11      work, and you just see the cars rolling out,  
12      out, out and out.

13              And a similar thing in Hoke county. As  
14      a matter of fact, in Hoke county, about 30,  
15      35 percent of the folks in Hoke county travel  
16      over to Cumberland county for work. That's the  
17      largest percentage of members in a given county  
18      traveling to another county for work in the  
19      state, and most of that is tied to the economic  
20      driver in the region known as Fort Bragg.

21              Senator Blue talked about Robeson  
22      county where he is from; you have the same thing  
23      coming up 95. As a matter of fact, one of my  
24      co-workers retired about a couple years ago came  
25      all the way from Fairmont down in Robeson

1 county. And he wasn't alone. You have a lot of  
2 folks from Robeson county coming up to  
3 Cumberland county to work.

4 And like I already talked about  
5 Camp Mackall, same thing in Southern Pines,  
6 lower portion -- I mean, Moore county. They  
7 have communities that formally establish their  
8 connection to the post. You can go to their  
9 websites. They're military veteran friendly.  
10 So that really is a giant region that represents  
11 one giant ball of common interest.

12 And additionally, even things not  
13 related to that. There's a cultural dimension  
14 too. I don't have the racial data or political  
15 data, whatever. Just common knowledge of the  
16 geography of the state, as Senator Blue  
17 indicated, but four of those counties that form  
18 the belt of that region are majority-minority  
19 counties. And of course, they wonder why it is  
20 that they keep getting split like that.

21 And in this plan before us here,  
22 that -- it is just completely intolerable. Not  
23 the one before us here. The one that was  
24 presented. From that region, it splits off Hoke  
25 county in one direction. It takes Hoke county,

1 Scotland in another direction and Robeson county  
2 in a whole other direction, a three-part split.  
3 No one, absolutely no one in that region  
4 supports that notion.

5 . And as I indicated before, if you  
6 were there present at the Cumberland county  
7 hearing, and even if you weren't present and you  
8 want the transcript -- I've had my LA produce a  
9 written transcript for you so you can read what  
10 the 20 people who spoke plus -- 20 plus people  
11 spoke at that hearing had to say. Even the  
12 chairman -- former chairman of the Republican  
13 Party in Cumberland county spoke in favor of  
14 that construct that we have here. She said she  
15 had been there for -- I forgot how many years --  
16 and seen I don't know how many different  
17 configurations of congressional districts coming  
18 down into the Sandhills. And it's a shame, it's  
19 a shame.

20 Had a retired army general,  
21 General Anderson who spoke, spoke to the  
22 commonality of the community of interest related  
23 to military interests there, Senator Blue. Had  
24 folks from Robeson county -- I mean, Hoke county  
25 who came over in favor of that construct that is

1 in this map here. They're tired of being  
2 sliced, diced and split up. They believe they  
3 deserve the same as every other major  
4 geocultural region in the state, and I just  
5 happen to agree with them.

6 CHAIRMAN HISE: Senator Blue.

7 SENATOR BLUE: One last --

8 CHAIRMAN HISE: Then I have Senator  
9 Newton and Senator Nickel.

10 SENATOR BLUE: One last comment that I  
11 would point out to Colonel Clark is that there  
12 was an interesting article in the local news  
13 this weekend, and it may have been in either  
14 yesterday or today's newspaper, about a powwow  
15 that occurred at the new Dix Park here, and it  
16 involved the eight recognized Native American  
17 tribes in North Carolina.

18 And in that cluster of counties that  
19 you have in the Sandhills, and I know it because  
20 I lived there and grew up with it, but in those  
21 four counties, Robeson, Cumberland, Hoke, and  
22 Scotland, are contained probably 90 percent of  
23 the Lumbee Tribe that still live in  
24 North Carolina, a good number here and in  
25 Charlotte, the remainder, Mecklenburg and Wake

1 the remainder. And they constitute the biggest  
2 Native American or indigenous tribe east of the  
3 Mississippi River. And then you look at the  
4 other tribes, and all of them are, you know,  
5 cultural preservation and those kinds of issues  
6 that are important to people who live there and  
7 people who study them and people who understand  
8 what cultural connections really mean, and  
9 they've been talking about it lately.

10 And that would be a further reason to  
11 seriously look at a congressional district  
12 because the biggest challenge to them now is not  
13 only recognition but status. It is a tribe that  
14 got recognized in 1957 as an Indian or Native  
15 American tribe, but they don't have status like  
16 the other recognized Indian tribes in Oklahoma  
17 or the Cherokee or various others. So that's  
18 been in the debate a long time.

19 And so there are many other reasons,  
20 but I just wanted to commend you on basically  
21 popping the ball up in the air to discuss the  
22 lack of an organizing cluster in those counties  
23 as the other sections of the state have,  
24 especially with respect to the Sandhills  
25 district, but also on -- showing that you can

1 draw a VRA district simply by knowing what VRA  
2 means and what the historical nature of those  
3 black belt counties along the top of  
4 North Carolina is and the history associated  
5 with it and how that is a way that  
6 North Carolina got into discussion about the  
7 Voting Rights Act in the first place. So  
8 recognizing that you can draw that district at a  
9 way that is valid without having the specifics  
10 of the population in a precinct or the  
11 population in a VRA, but simply knowing those  
12 counties and knowing what the population is  
13 going to add up to. So if you know how to use  
14 them to create the population necessary, you  
15 certainly know how to use them to destroy the  
16 population necessary for the preservation of a  
17 VRA district.

18 CHAIRMAN HISE: Senator Newton.

19 Thank you for your comment.

20 SENATOR NEWTON: Thank you,  
21 Mr. Chairman. Just a couple of questions, if I  
22 could, for Senator Clark.

23 Senator Clark, in your explanation of  
24 your map, you talked about objectives and you  
25 used -- you talked about VRA district, you



1 talked a little bit about a fair number of seats  
2 being an objective. So I just wanted to confirm  
3 that as you worked through your map and  
4 developed your map, you did not consider either  
5 partisan considerations or racial  
6 considerations.

7 CHAIRMAN HISE: Senator Clark.

8 SENATOR CLARK: Thank you for the  
9 question.

10 Absolutely not. As a matter of fact,  
11 Senator Newton, if I wanted to be a partisan, I  
12 certainly have it within my abilities to create  
13 a Democratic partisan gerrymander. I chose not  
14 to.

15 SENATOR NEWTON: Thank you.

16 CHAIRMAN HISE: Senator, follow-up.

17 SENATOR NEWTON: I do have a follow-up.

18 When you ran your amendment off, so we  
19 paused, we took a look, and there's a miscount  
20 here in terms of the intra county, city or  
21 municipal splits. And what I would like to  
22 do -- we -- I counted 17 splits that do not  
23 exist in the Senate map, so 17 additional  
24 municipalities are split under your map that do  
25 not exist in the Senate map by my count, but you

1 said there were 13 additional splits. So what I  
2 would like to do is go through the list that I  
3 have and maybe you can correct me and tell me  
4 which of these municipalities in fact are not  
5 split.

6 SENATOR CLARK: Well, I'm not going to  
7 be able to do that unless we sit down together  
8 with the maps themselves and with the reports  
9 generated by the staff. Certainly I can't sit  
10 up here at this podium and figure that out so  
11 you may as well save your time.

12 SENATOR NEWTON: Thank you.

13 Mr. Chairman, I have a follow-up.

14 SENATOR CLARK: But I am more than  
15 willing to meet with you and go --

16 CHAIRMAN HISE: The senator is  
17 recognized.

18 SENATOR NEWTON: Okay. Well, for  
19 purposes of members of the public that are  
20 listening, committee members who are -- know the  
21 criteria know that it was our goal not to split  
22 municipalities. I'm going to list what I have  
23 as 17 additional municipalities that are split  
24 in your map.

25 Cary is split -- but in each one of

1 these they're kept whole in the Senate map.

2 Chapel Hill is split. Clayton is  
3 split. Dunn is split. Durham is split.  
4 Fuquay-Varina is split. Greenville is split.  
5 Harrisburg is split. Holly Springs is split.  
6 Lillington is split. Mooresville is split.  
7 Mt. Olive is split. Mount Pleasant is split.  
8 Raleigh is split. Winston-Salem is split. And  
9 I think that's it.

10 SENATOR CLARK: What about Dunn?

11 SENATOR NEWTON: That's it.

12 SENATOR CLARK: You forgot Dunn.

13 SENATOR NEWTON: Oh, Dunn. Yeah, I did  
14 miss Dunn. Sorry.

15 SENATOR CLARK: And can I respond to  
16 that, Mr. Chair.

17 CHAIRMAN HISE: You may respond to the  
18 question.

19 SENATOR CLARK: And one thing we need  
20 to understand also is that all splits are not  
21 equal. The Dunn split essentially splits off  
22 one person. It's in an adjoining VTD. So I had  
23 the decision to make, well, do I go split  
24 another VTD in order to keep from splitting a  
25 municipality or do I just leave it as is. One

1 person. I chose to just leave it as is.

2 And as a matter of fact, like I said,  
3 all splits are not the same. Some splits  
4 involve very little population, some involved a  
5 lot. And I appreciate the fact that my friends  
6 across the aisle made that one of their top  
7 priorities, not splitting municipalities. That  
8 was not one of my top priorities.

9 SENATOR NEWTON: Thank you,  
10 Mr. Chairman.

11 CHAIRMAN HISE: Thank you, Senator  
12 Newton.

13 Senator Nickel.

14 SENATOR NICKEL: I think this is a  
15 good -- a good committee discussion, but once  
16 all the debate is finished, I'll have a motion  
17 on this map.

18 You know, for the committee, there are  
19 I think two things that I want to share that  
20 give me nightmares. Number one, it's being on  
21 the floor of the Senate and having Senator Hise  
22 table my amendments. I think that's probably  
23 happened more than any other senator since I've  
24 been here. And number two, it's being  
25 unprepared in front of Judge Fitch in his

1 courtroom. There are some judges you just don't  
2 mess with, and if you don't have your facts and  
3 you lie to them, they get really upset.

4 And to say that the map that we just  
5 passed is a fair map and not an extreme partisan  
6 gerrymander is just laughable. And so I would  
7 just say to the committee, you know, if you're  
8 going to say that, judges get pretty upset, and  
9 judges like Judge Fitch, you know, they let you  
10 know about it.

11 But my question for Senator Clark is  
12 twofold. Number one, there were a lot of  
13 outside groups who have scored these maps. I'd  
14 like to know what they scored the map that we  
15 just passed and the version of your map that  
16 they scored with a letter grade, A through F.  
17 And then also would you define extreme partisan  
18 gerrymandering as a map that guarantees election  
19 of to 71 to 79 percent of seats from one  
20 political party.

21 SENATOR CLARK: Thank you, Senator  
22 Wiley.

23 First of all, unfortunately, we were  
24 unable to determine the performance of maps that  
25 we had completed within this committee because

1 we chose not to use the partisan data for the  
2 purposes of evaluation. I agree and understand  
3 that they did not want to use it in the  
4 construction process. However, we all did  
5 understand that there were going to be nonprofit  
6 entities out there rating these maps.

7 And, yes, the Princeton Gerrymandering  
8 group and the FiveThirtyEight group were among  
9 those, and they rated the Clark 7/7 maps, as  
10 people referred to them, as A's in every  
11 circumstance. And like I said, I didn't seek  
12 out with an objective of making a proportional  
13 map, but what the map proves, based on what  
14 those entities have said, is that it is in fact  
15 a proportional map that provides, or likely will  
16 provide, proportional representation, and I say  
17 that again recognizing that our US Constitution  
18 doesn't require that. Our state constitution  
19 does not require that. However, it could be an  
20 objective of this body, but it is not. But  
21 clearly for the common folks out there like  
22 myself and Senator Lowe, our idea of fairness,  
23 that if you have seven in the west, you ought to  
24 have seven in the east. If you have -- if  
25 you're going to have one in every other major

1 geocultural region, you ought to have one in the  
2 Sandhills too.

3 And what was that other question,  
4 Senator Nickel?

5 SENATOR NICKEL: How do you define  
6 extreme partisan gerrymandering?

7 SENATOR CLARK: Oh, extreme partisan  
8 gerrymandering, okay.

9 Well, people have their own definitions  
10 of this, but I like to use the construct report  
11 to us by the mathematicians and they use what's  
12 called an ensemble analysis. So they use their  
13 mathematical wizardry to generate hundreds of  
14 thousands of maps made, and they take these maps  
15 that we've created and they establish a  
16 distribution and they see where these maps we've  
17 created fall within that span.

18 Now, if you're somewhere in the central  
19 tendency in that process, you'll say that's  
20 probably not gerrymandering, but if somehow or  
21 another your map shows up on the tail end of  
22 that distribution, you have an indication that  
23 something might be awry there and that it may  
24 not be consistent what might happen in a natural  
25 order, in other words, what might happen if we

1 did things like in a 7/7 way, if we did things  
2 in a way which every major geocultural region  
3 had a congressional district embedded in it.

4           You know, it's not likely that such a  
5 map is going to show up at the tail end of those  
6 distributions. My guess -- and it's only a  
7 guess because I'm not a mathematician and I  
8 don't personally know how to do it, but if you  
9 were to compare the 7/7 map and the distribution  
10 such as that, it would likely on the central  
11 tendency is my guess. Because there's been this  
12 grand myth out there that we can't draw a fair  
13 map in North Carolina that will provide  
14 proportional representation because, as we've  
15 heard before, because all the Democrats live in  
16 the cities. Well, I think the 7/7 throws that  
17 notion out of the window completely. It reveals  
18 that statement for what it is.

19           So when you have a map that  
20 purportedly -- I don't know. I'm not a smart  
21 guy. I can't do that kind of analysis -- but  
22 purportedly will generate a seat distribution  
23 along the lines of 10 Republicans and 4  
24 Democrats on a good day and the one according to  
25 FiveThirtyEight, Princeton Gerrymandering



1 groups, that might generate, I don't know, what,  
2 maybe 7/7 or maybe 8/6 or something like that.

3 I think when you compare those two in terms of  
4 seat distribution, one certainly would likely  
5 lie at the extremes and people would call that  
6 partisan gerrymandering, Senator Nickel. I hope  
7 that answers your question.

8 CHAIRMAN HISE: Senator Marcus.

9 SENATOR MARCUS: Thank you.

10 Senator Clark, since you're from the  
11 Sandhills and I am not, I would like you to  
12 provide your belief to this committee about  
13 whether any part of Mecklenburg county has ever  
14 been considered to be part of the Sandhills  
15 region.

16 SENATOR CLARK: I'm glad you asked  
17 that, Senator Marcus. At the public hearing  
18 that took place down in Robeson county, there  
19 was a lady there who lived in Mecklenburg  
20 county -- I mean, excuse me, not Mecklenburg  
21 county. Yeah, it was Mecklenburg county.  
22 That's correct, Mecklenburg county. And she now  
23 lives in Robeson county. And you know what she  
24 told us, Senator Marcus. She said that when she  
25 was in Mecklenburg county, she was in a

1 particular congressional district, and she found  
2 her way all the way to Robeson county in her new  
3 home and lo and behold she was still in the same  
4 congressional district. It's like what in the  
5 world. How in the world, she thought, could I  
6 still be in the same congressional district.  
7 Mecklenburg county has absolutely nothing in  
8 common with folks out there in Robeson county.  
9 It's two completely different worlds. It makes  
10 absolutely no sense.

11 And in our current congressional  
12 districting plan, it does not need to be that  
13 way. You could have two compact districts  
14 there. And it certainly does not need to be  
15 there again in the proposed congressional  
16 districting plan. Thank you, Senator Marcus.

17 SENATOR MARCUS: One additional  
18 question, if I could, Mr. Chair.

19 CHAIRMAN HISE: Final follow-up.

20 SENATOR MARCUS: Senator Clark, do  
21 you -- have you had an opportunity to compare  
22 compactness scores? That's one of the criteria  
23 that this committee adopted, and we haven't  
24 really talked about compactness scores. I don't  
25 know if you've analyzed your map as compared to

1 the map we already passed out, the Republican  
2 version map. And if so, could you share that  
3 information.

4 SENATOR CLARK: Thank you,  
5 Senator Marcus.

6 When it comes to the compactness  
7 scores, I had to take the Senator Lowe approach.  
8 I assume he properly shares my approach. What  
9 do the common people see when they look at that  
10 map, the regular folks out there? We could  
11 stand up here and talk about Polsby-Popper,  
12 Reock, cut edges, whole convection, whatever,  
13 about 30 different doggone compactness scores  
14 available in Maptitude, but of course the  
15 committee said you can, you may consult those.  
16 Didn't say you had to.

17 And even with regard to the  
18 Polsby-Popper and Reock, we didn't set a limit  
19 on what value would be considered good.  
20 Sometimes Polsby-Popper gives a better reading  
21 than the Reock. Sometimes they give the same  
22 reading. As a matter of fact, as a trivia  
23 question, what geographic figure would give the  
24 same reading on a Polsby-Popper and a Reock  
25 score? A circle. Thank you, Senator Marcus. A

1 circle. They both give the value of one.  
2 Because when we talk about the Reock,  
3 essentially what we're doing is dividing the  
4 perimeter -- I mean, dividing the area of the  
5 district by the minimum circumscribing circle.  
6 And when we do the Polsby-Popper, it's going to  
7 be the area of the district dividing by a circle  
8 of equal perimeter. But when you start talking  
9 stuff like that to our folks back at home, what  
10 you talking about? Man, look at that. Did you  
11 see my map -- put -- where's my map at. Well,  
12 you have a picture of it.

13 Now, that's a pretty map. And you have  
14 to admit -- I know you're not going to admit it,  
15 but that's a pretty map. And the folks at home  
16 look at that and they say he did a good job on  
17 that map. And I know it's true because they've  
18 told me so. It's a pretty map. Nothing looks  
19 jerked up or jacked up in that thing. And even  
20 to the extent it does, if it does, there's a  
21 rationale behind it that they understand why it  
22 is the way it is. And I've gone through great  
23 pains to try to explain to them why the map is  
24 the way it is, what was my thinking behind doing  
25 that map.

1           And to the credit of Senator Blue and  
2           the attorneys out there, they let me up here to  
3           just speak my mind. They didn't try to tell me  
4           how to do the map. They didn't say, well,  
5           preserve district for so and so or for this  
6           person or that person, just do the map. That's  
7           what I did.

8           Senator Hise.

9           CHAIRMAN HISE: Members, I will just  
10          say the Reock and Polsby-Popper scores are part  
11          of your stat pack that you've received for each  
12          of the districts that are attached to the map.

13          SENATOR CLARK: So if you want to take  
14          a look at those numbers, have at it and come  
15          back to me and tell me what they mean.

16          CHAIRMAN HISE: Senator Daniel.

17          CHAIRMAN DANIEL: Thank you, Mr. Chair.  
18          I'd just like to make a comment.

19          So, you know, Senator Clark has  
20          referred to Senator Lowe quite a bit in his  
21          remarks, and I know in the previous bill, you  
22          know, Senator Lowe indicated that his county of  
23          Forsyth was grouped with Lincoln county in the  
24          previous map. Well, in this map Forsyth County  
25          is split in half. In fact, Winston-Salem is

1 split almost 50/50 down the middle. It's  
2 actually 55/45, but this district traverses all  
3 the way to Polk county. And so if you  
4 just -- you know, we've talked about travel  
5 times and so forth. So, you know, from  
6 Winston-Salem to the county seat of Lincoln  
7 county, which is Lincolnton, you know, it's a  
8 90-mile -- 90-minute drive. If you do the  
9 travel time from Winston-Salem to the county  
10 seat of Polk county, which is Columbus, that's a  
11 two-and-a-half-hour drive.

12 So I'm not sure Senator Lowe, based on  
13 his criteria he stated earlier, should be  
14 necessarily happy with this map more than the  
15 previous map. He can speak for himself, of  
16 course.

17 SENATOR LOWE: I certainly will.

18 CHAIRMAN DANIEL: But that's the --  
19 that's the reality of this map is it splits  
20 multiple -- and Colonel Clark said that splits  
21 aren't all equal. Well, that's true. Of  
22 course, the Senate map only splits two  
23 municipalities in the state. Well, this one  
24 splits Charlotte 66/34, Clayton 84/16, Durham  
25 83/17, Greenville 54/46, Harrisburg 73/27,

1 Mooresville 63 -- 64/36, and Winston 55/45. So  
2 there's quite a number of major municipal  
3 splits.

4 So it's interesting that, you know,  
5 sometimes we hear the opposing party saying,  
6 well, all of us should be all represented by one  
7 congressman, but then they embrace, well, it's  
8 okay if we split all these into two  
9 congressional districts. So I just kind of  
10 wanted to note the inconsistency in the  
11 arguments that we hear sometimes in this  
12 committee.

13 SENATOR CLARK: Mr. Chair, I would like  
14 to respond.

15 CHAIRMAN HISE: I don't believe there  
16 was a question. I believe it was a comment.

17 SENATOR CLARK: I would like to  
18 comment, Mr. Chair.

19 CHAIRMAN HISE: I'll get to you in just  
20 a second.

21 Senator Edwards.

22 SENATOR EDWARDS: Thank you, Mr. Chair.

23 May I ask -- I'd like to ask  
24 Senator Clark if he has an overlay of the maps  
25 that he started out with in his presentation to

1 the congressional -- or to CGC-7 [sic], meaning  
2 that the presentation started with some very  
3 compelling maps that had population  
4 concentration, prosperity zones and that sort of  
5 thing. I'd just like to know is there an  
6 overlay available for us onto this map so that I  
7 could see the commonalties.

8 SENATOR CLARK: Thank you, Mr. Chair.

9 The slides that I have used are from  
10 the public records and you have complete access  
11 to them, if that's what you need.

12 SENATOR EDWARDS: Mr. Chair, do I take  
13 that as a no, there's not an overlay?

14 CHAIRMAN HISE: The committee does not  
15 have anything submitted that would be an  
16 overlay. I don't know if they could create one,  
17 but we don't have one.

18 SENATOR EDWARDS: Thank you. If I  
19 might be allowed to just make a few comments,  
20 then.

21 CHAIRMAN HISE: Recognized for  
22 comments.

23 SENATOR EDWARDS: When Senator Clark  
24 began the conversation in presenting those maps,  
25 I saw some slides, some data that really caught



1 my attention, and I thought, okay, these -- this  
2 is his basis, maybe we're going somewhere here,  
3 but the more that I reflect back on how I  
4 remember those slides to indicate those various  
5 areas, you know, prosperity zones established by  
6 Governor McCrory and population and such. And  
7 in my mind I try to overlay those to this map.  
8 There's absolutely no comparison whatsoever, and  
9 so I'm not sure that there's any relevance to  
10 those bases to this map.

11 My next thought is that I continue to  
12 hear this conversation about third parties  
13 scoring maps. Every indication that I've seen,  
14 in every one of those situations, partisan  
15 information has been used, and that's one of the  
16 criteria that this committee clearly said that  
17 we did not want to use.

18 And to me, as a member of this  
19 committee, I believe that our responsibility and  
20 our definition of fair should be did we draw  
21 these maps according to the criteria that the  
22 committee set out, not necessarily some group  
23 from Princeton or someplace else. Did we follow  
24 our criteria.

25 And then the last point that I'd like

1 to make is while -- I heard Senator Newton ask  
2 the question of Senator Clark was racial data  
3 used, and I thought that I heard the answer to  
4 that as being no. Well, I'm not a lawyer  
5 either. I'm just a common citizen legislator,  
6 but when I hear that consideration was given to  
7 not only VRA districts that are based off of  
8 racial data, but there was consideration given  
9 to VR districts that are ten years old which I  
10 think would be totally irrelevant. The reason  
11 we're drawing maps now is that constitutionally  
12 we're asked to draw maps after every census.  
13 And so I believe that while, obviously, there  
14 was some racial consideration in that thought,  
15 it's too old to be valid.

16 And then the last thing that I -- well,  
17 I said that was the last one. One more, really.  
18 I was part of the map-drawing process in the  
19 fall of 2019 when the court ordered us to redraw  
20 maps, and I remember vividly that one of the key  
21 criteria that we used then was to not split  
22 municipalities. And I hear Senator Clark  
23 saying, well, Dunn is only -- it's only one  
24 person, also it's okay, but then I hear Senator  
25 Daniel go through a list of other significant

1 splits that really worries me that we would  
2 set -- if we were to set ourself up with that  
3 criteria to the court ordered -- to the court  
4 orders in 2019, we would have failed miserably.  
5 And so I have a real concern with this map from  
6 that perspective as well.

7 Thank you, committee. I appreciate you  
8 indulging me.

9 CHAIRMAN HISE: Thank you for your  
10 comments.

11 Next, Senator Lowe. Senator Lowe does  
12 not want to speak.

13 Senator Clark.

14 SENATOR CLARK: I'd like to respond.  
15 There are a lot of statements made so I may miss  
16 a few so I'll start with the most recent  
17 regarding the criteria on municipal splits.

18 In the criteria we adopted this time is  
19 that municipalities may be considered. It did  
20 not say that we shall not split municipalities.  
21 When the members -- my Democratic fellows asked  
22 for a priority of the committee in terms of  
23 splits, we were told there was none.

24 You also mentioned earlier about the  
25 prosperity zones not matching up with -- exactly

1 with the map I have here for consideration.

2 Well, of course not. First of all, there are  
3 fewer prosperity zones, and also the prosperity  
4 zones are not population balanced. What I said  
5 is it served as an input for me in terms of how  
6 districts might potentially be grouped.

7 And I forgot the other two things you  
8 said and what Senator Daniel said so it's hard  
9 for me to respond. If they really want an  
10 answer or just wanted to be heard, that's fine,  
11 but if you want an answer to the comment, I'm  
12 more than willing to hear the statement again  
13 and respond to it appropriately.

14 Oh, he did mention something that my  
15 criteria -- or something I had done may not sit  
16 well with Senator Lowe, but with all due respect  
17 to Senator Lowe, we get along quite well, but he  
18 didn't draw my map. I drew that for the  
19 betterment of the citizens as I saw it in the  
20 state of North Carolina. And if I caused some  
21 offense there, forgive me, but as we all know,  
22 there are compromises that have to be made in  
23 this process. Sometimes you may have to split a  
24 municipality that you don't want to. Sometimes  
25 you may have to split a VTD that you don't want

1 to. Sometimes you have to mess up your pretty  
2 map in order to balance the population. Stuff  
3 happens. It's -- at the same time it's an easy  
4 process but a complicated one trying to do the  
5 right thing. That's all I tried to do. I tried  
6 to do a map that the citizens would look at and  
7 they would say -- not just this committee, but  
8 they, folks out there watching this on TV today,  
9 they would say that this is a good map.

10 CHAIRMAN HISE: Senator Nickel, you had  
11 been asked earlier to be recognized for a  
12 motion.

13 SENATOR NICKEL: Are we all -- we're  
14 finished?

15 CHAIRMAN HISE: I have no additional  
16 speakers that have asked to speak.

17 SENATOR NICKEL: Move for a favorable  
18 report.

19 CHAIRMAN HISE: There's a motion on the  
20 floor for a favorable report for -- let's see.  
21 This is Senate Bill 737 as amended, we'll go  
22 with rolled into an original PCS  
23 unfavorable -- rolled into a new PCS unfavorable  
24 as to the original bill.

25 All those in favor please signify by

1 saying aye.

2 COMMITTEE MEMBERS: Aye.

3 CHAIRMAN HISE: Opposed, no.

4 COMMITTEE MEMBERS: No.

5 CHAIRMAN HISE: The nos have it, does  
6 not receive a favorable report.

7 Senator Daniel.

8 CHAIRMAN DANIEL: A motion, Mr. Chair.

9 CHAIRMAN HISE: You're recognized for a  
10 motion.

11 CHAIRMAN DANIEL: Mr. Chair, I would  
12 move that Senate Bill 737 as amended receive an  
13 unfavorable report from the committee.

14 CHAIRMAN HISE: There's a motion on the  
15 floor of the Senate from Senator Daniel,  
16 Senate Bill 737 receive an unfavorable report to  
17 the bill as amended, also unfavorable to the  
18 original bill.

19 All those in favor please signify by  
20 saying aye.

21 COMMITTEE MEMBERS: Aye.

22 CHAIRMAN HISE: Opposed, no.

23 COMMITTEE MEMBERS: No.

24 CHAIRMAN HISE: The ayes have it and  
25 Senate Bill 737 will be reported unfavorably.

1 Senate Bill 738. Senator Chaudhuri.

2 And I think we'll go ahead and have  
3 staff go ahead and begin the process of passing  
4 this out. Oh, yeah, it was passed out.

5 Does every member have a copy of  
6 Senate Bill 738 1st Edition? I do not believe  
7 there's an amendment to this. All right. I  
8 think everybody's got it.

9 Senator Chaudhuri.

10 SENATOR CHAUDHURI: Thank you,  
11 Mr. Chair. I don't know if it's necessary to  
12 put my map on the screen or not for members of  
13 the public, but let me say from the outset,  
14 we've had a lot of folks talk about being  
15 citizen legislators becoming country folks. I'm  
16 just a lawyer, Mr. Chair, and I feel like I'm a  
17 caveman lawyer this afternoon. I'm just a  
18 caveman lawyer, and your world frightens and  
19 confuses me, to quote Saturday night live.

20 So what I thought I would do is walk  
21 through the map that I've drafted and provide an  
22 explanation similar to Senator Daniel and then  
23 I'll also comment on the objectives. I think  
24 one of the things that you will see with this  
25 map is it's actually quite similar to

1 Senator Clark's map, so I say that hopefully in  
2 order to avoid duplicative questions and move us  
3 along schedule.

4 So on the far east, you will see Senate  
5 District 3 that is a Senate district primarily  
6 comprised of the coastal counties. And as we  
7 move towards the east -- west, excuse me, you'll  
8 see Senate District 1 that runs from Granville  
9 county to Pasquotank county as indicated by  
10 Senator Clark. If you do look at the 2011 data  
11 that he had revealed, this could potentially be  
12 a VRA district that I believe would also answer  
13 some of the questions and concerns expressed by  
14 committee members with regard to the fact that  
15 under the Stephenson Supreme Court decision  
16 there needs to be compliance with VRA first  
17 before drawing the remainder of the districts.

18 Next, I'm going to move to  
19 Congressional District 2 which is a primarily  
20 downtown northern Wake district. I think it's  
21 important for purposes, as we've discussed here  
22 and has been highlighted by Senator Clark, that  
23 Wake county district has only been split twice  
24 and not three times compared to the Hise-Daniel  
25 map.



1 I will then move to Senate --  
2 Congressional District 13. You will see in this  
3 congressional district as an example in  
4 comparison to the Hise-Daniel map, this actually  
5 keeps together all of southern Wake county. It  
6 also puts Cary and Morrisville together which I  
7 know is one of the comments that we heard during  
8 public comments and then extends to Chatham,  
9 Lee, and Harnett county which I believe are  
10 natural extensions of the Triangle and also  
11 share part of the economic development and  
12 recruitment as a region.

13 From there, we move to Congressional  
14 District 7 which runs from Johnston county all  
15 the way down to Brunswick and New Hanover  
16 county. This is essentially what would be  
17 called a southeastern North Carolina district.

18 Then we move to Congressional  
19 District 14. This is a variation of the  
20 Sandhills district. I think a couple of points  
21 to reiterate. For this district, one is I think  
22 the linkage between Hoke and Cumberland county  
23 is critical, and we talked about the military  
24 community of interest. In addition, I think a  
25 question was posed by Senator Blue, it is hard

1 to design and create a Cumberland county  
2 district -- it's hard to draw a Cumberland --  
3 Sandhills district without including Cumberland  
4 county in it.

5 We then move to -- I'm going to move up  
6 north to Congressional District 4. This runs  
7 from part of Rockingham county to Person and  
8 then runs down to Alamance and Durham county.  
9 Again, is -- these counties have actually been  
10 clustered as legislative -- state legislative  
11 districts for a number of years and also share a  
12 lot of regional cooperation, including mental  
13 health cooperation. Also, it's important to  
14 note that I-85 runs through this district as  
15 well.

16 Then we come to Congressional  
17 District 6. This combines part of Forsyth and  
18 Guilford county. I think this clearly  
19 illustrates a Triad congressional county, again,  
20 similar to what Senator Clark mentioned and also  
21 important in highlighting that these communities  
22 of interest stay together. As you'll notice,  
23 Forsyth county here is not divided twice but  
24 only once.

25 And then we come to Congressional

1 District 8 which runs from part of Iredell  
2 county to the east of Randolph county, and then  
3 we come down to -- coming down to Congressional  
4 District 12 which is the Mecklenburg county  
5 district. As the criteria states, you should  
6 begin by splitting the county once, if possible,  
7 and so here we have Congressional District 12  
8 which runs from the western -- southwestern part  
9 of Mecklenburg county all the way to the north.

10 And then we've created a Congressional  
11 District 9. Again, this is the eastern part of  
12 Mecklenburg county that includes Union and  
13 Stanly county which I think are natural part of  
14 the growth that we are seeing in Mecklenburg  
15 county.

16 We then come to Congressional  
17 District 10 which runs from Iredell to  
18 Rutherford county.

19 Congressional District 5 which is  
20 essentially the northwestern district running  
21 from Avery to Rockingham county.

22 And then lastly, Congressional  
23 District 11, which is the western North Carolina  
24 district as well.

25 This district -- some of these

1 districts, I should say, towards the end  
2 somewhat come close to the districts that have  
3 been presented by Senator Hise and Daniel.

4 Let me make a few other comments. I'm  
5 happy to take questions after that.

6 So as I mentioned, you know, the  
7 criteria that was mentioned -- that was agreed  
8 upon by the committee stated that voting  
9 districts shall be split only when necessary,  
10 and in this instance -- and I think this  
11 warrants a discussion if we want to revisit  
12 this. In these instances, the districts are  
13 only split up into 14 voting districts compared  
14 to 24, I believe, in the districts shared by  
15 Senator Daniel and Senator Hise.

16 Secondly, we've made -- I've made a  
17 reasonable effort to draw districts that are  
18 compact. And while Senator Clark wasn't willing  
19 to share his Reock, Polsby-Popper scores, I can  
20 tell you that the scores -- the average scores  
21 for this were .45 and .36. And those compact  
22 scores are certainly worth I think discussing in  
23 comparison and contrast to the maps that were  
24 shared by Senator Daniel and Hise.

25 And then finally, I should say

1     that -- or I should also say that this map  
2     attempts to consider member residence. And  
3     similar to Senator Clark's map really avoids any  
4     double-bunking that takes place.

5             And finally, I should mention that with  
6     regard to communities of interest, again, it's  
7     important to highlight the preservation of the  
8     Sandhills area and the fact that the three  
9     largest counties, Wake county, Guilford county,  
10    and Mecklenburg county, are only split once.

11            And that's my presentation, Mr. Chair.

12            CHAIRMAN HISE: Thank you, Senator  
13    Chaudhuri.

14            I will add that the previous map  
15    discussed was sponsored by myself, Senator  
16    Daniel, and Senator Newton, for those who are  
17    coming in just to make sure that's not left out.

18            Speaking of which, Senator Newton, I  
19    believe, has some questions.

20            SENATOR NEWTON: Thank you so much,  
21    Mr. Chairman.

22            Senator Chaudhuri, you identified  
23    certain communities of interest. Do you  
24    consider municipalities to be communities of  
25    interest?

1           SENATOR CHAUDHURI: Senator Newton, I'm  
2 happy to answer that question. Yes, I would  
3 consider municipalities be communities of  
4 interest, but I would also consider voting  
5 districts to be communities of interest, and I  
6 would also consider counties to be voting -- of  
7 communities of interest.

8           And I think to Senator Clark's point,  
9 it is difficult to identify what the priorities  
10 were for the criteria that was set out. And so  
11 I think as we discussed, there seems to be a  
12 clear trade off between the splitting of  
13 counties versus splitting of municipalities.

14           SENATOR NEWTON: Thank you. Follow-up.

15           SENATOR CHAUDHURI: Yes.

16           SENATOR NEWTON: So I have a list of  
17 the municipalities that your map splits. It's  
18 actually two more than Senator Clark's map  
19 split. I'm going to list these. Would you tell  
20 me if I'm in error with any of these  
21 municipalities.

22           I've got your map splitting Cary,  
23 Charlotte, Clayton, Concord, Durham, Eden,  
24 Elizabethtown, Eureka, Fuquay-Varina,  
25 Glen Alpine, Goldsboro, Greenville,

1 Holly Springs, Morganton, Mount Pleasant,  
2 Raleigh, Troutman, Wentworth, and Winston-Salem.

3 Is that a correct list of your  
4 municipal splits?

5 SENATOR CHAUDHURI: How many splits are  
6 those, Senator Newton?

7 SENATOR NEWTON: 19.

8 SENATOR CHAUDHURI: I didn't know if it  
9 was 19 splits, but I thought it was 14, but  
10 regardless, if the municipal splits or your  
11 count, I will accept your word for that.

12 SENATOR NEWTON: Thank you,  
13 Mr. Chairman.

14 SENATOR CHAUDHURI: Mr. Chairman, may I  
15 respond briefly.

16 CHAIRMAN HISE: Senator, you are  
17 recognized for comment.

18 SENATOR CHAUDHURI: Again, I think -- I  
19 think it's important to point out again that  
20 there was no priority identified with the  
21 municipal splits. And, Senator Newton, while  
22 you've identified some of the splits that have  
23 taken place with the -- with the municipalities  
24 that you've identified, I would tell you I'm  
25 happy to work with you to remedy the splits for

1 those municipalities provided that we can  
2 continue to protect and preserve the county  
3 splits. As I mentioned, and I think has been  
4 mentioned here a number of times today in this  
5 committee meeting, we're also seeing large  
6 county splits done twice in the three largest  
7 counties here in the state.

8 CHAIRMAN HISE: Senator Marcus.

9 SENATOR MARCUS: Thank you, Mr. Chair.

10 Senator Chaudhuri, you just started to  
11 touch on an issue that matters to me a lot from  
12 Mecklenburg county. If you could please, for  
13 us, compare how your map compares to Senator  
14 Hise and Senator Daniel's map on various  
15 criteria but --

16 CHAIRMAN HISE: And Senator Newton.

17 SENATOR MARCUS: -- specifically -- and  
18 Senator Newton. As long as we don't call it  
19 "the Senate map" which a few of you have been  
20 calling it. As far as I know, there is no  
21 Senate map yet.

22 -- specifically when it comes to  
23 slicing and dicing the major -- the large  
24 counties, like Mecklenburg, Guilford, and Wake.

25 SENATOR CHAUDHURI: Sure,



1 Senator Marcus, I'm happy to provide to you some  
2 comparisons and contrasts.

3 Is that your question about comparing  
4 and contrasting?

5 SENATOR MARCUS: Yes. Yes. That one  
6 specific criteria is important -- you know, is  
7 important to me, but there are many criteria so  
8 I would like to hear them all and hear your  
9 comparison between the two maps.

10 SENATOR CHAUDHURI: So, you know, I  
11 think to be clear, the map was not -- was not  
12 designed or drawn using partisan data, but as we  
13 now know based on third-party analysis, there  
14 have been public reports that have compared and  
15 contrast the different maps that have been  
16 published. And so let me start by first  
17 discussing the Princeton Gerrymandering Project.

18 You know, during the public comment  
19 period, we repeatedly heard that the Princeton  
20 Gerrymandering Project gave the map that was  
21 drawn by Senator Hise and Senator Daniel a  
22 fairness grade of F for what's described as a  
23 significant Republican partisan advantage. The  
24 gerrymandering project further points out that  
25 their map receives a partisan fairness

1 grade -- gives the Republicans a partisan  
2 advantage of 21.4 percent. The map that I  
3 presented, and I believe Senator Clark's map was  
4 similar, gets a fairness grade of A and gives no  
5 partisan advantage to either party. And in  
6 fact, the partisan advantage is actually  
7 zero percent compared to 21.4 percent Republican  
8 advantage under Senator Hise's map.

9 Second, Senator Marcus, I would point  
10 out that the analysis carried out by  
11 FiveThirtyEight, there were a few takeaways  
12 based on this. One is that Senator Hise's map  
13 would produce three Democratic-leaning seats,  
14 ten Republican-leaning seats, and one highly  
15 competitive seat. In contrast, this map would  
16 produce four Democratic-leaning seats, six  
17 Republican-leaning seats, and four highly  
18 competitive seats.

19 And then secondly, there is a so-called  
20 efficiency gap, and this is the idea that  
21 there's a difference between each party's share  
22 of wasted votes. The efficiency gap that's been  
23 scored for the Hise-Daniel map was 21.1 percent  
24 favoring Republicans. Generally, an efficiency  
25 gap score over 8 percent is a red flag. The map

1 that I present here before you has an efficiency  
2 score of 5.8 percent but still favoring  
3 Republicans.

4 And then lastly, an analysis from our  
5 nonpartisan staff found a compactness score, as  
6 I mentioned a Reock score of .42 compared to  
7 Senator Hise's-Daniel's Reock score of  
8 point -- excuse me. Ours was .45 and the Reock  
9 score for Senator Hise was .42. And our  
10 Polsby-Popper score was .364 versus the  
11 Hise-Daniel Polsby-Popper score of .30.

12 And while we've discussed the splitting  
13 municipalities, I should point out that this map  
14 splits only 14 voter districts compared to 24  
15 voting districts by the Hise-Daniel map.

16 SENATOR MARCUS: Follow-up.

17 CHAIRMAN HISE: Follow-up.

18 SENATOR MARCUS: Thank you, Mr. Chair.

19 Two follow-ups. Could you explain what  
20 makes a Reock or Polsby-Popper score better. In  
21 other words, what do those mean? And then  
22 second, could you explain what a wasted vote is.

23 SENATOR CHAUDHURI: Yep. So as I think  
24 as Senator Clark mentioned, a Polsby-Popper  
25 Reock score is basically an indicator of

1 compactness. The closer you get to one, the  
2 more ideal the compact score is there. And so  
3 as we look at the higher score will be a general  
4 indicator of what is more compact in that  
5 instance.

6 And with regard to wasted votes, wasted  
7 votes is a measure in determining basically how  
8 many voters that would go to the poll would  
9 essentially not have their votes counted because  
10 of the districts being skewed towards one --  
11 having one partisan advantage or the other.

12 And as I mentioned, the efficiency  
13 score as indicated by the FiveThirtyEight site  
14 points out that the Hise-Daniel map had a wasted  
15 score vote of 20.1 percent favoring Republicans.  
16 Generally, the red flag for an efficiency gap  
17 score is over 8 percent.

18 SENATOR MARCUS: Comment, please.

19 CHAIRMAN HISE: Recognized for a  
20 comment.

21 SENATOR MARCUS: That last thing that  
22 you mentioned, Senator Chaudhuri, we haven't  
23 talked about enough in my opinion, the idea of  
24 wasted votes because that to me matters to  
25 voters. I know you've all heard, I've heard

1 people say "I don't vote because my vote doesn't  
2 count. I feel like it doesn't matter. My  
3 district's already decided which party it's  
4 going to go for before I go."

5 And so that efficiency gap really goes  
6 to one of the major things this committee should  
7 be thinking about. And if we want to waste that  
8 high number of votes in order to get the  
9 Republican-submitted map here, I'd say that's  
10 very un-Democratic.

11 CHAIRMAN HISE: Senator Blue.

12 SENATOR BLUE: A question of Senator  
13 Chaudhuri.

14 I heard some issues raised about  
15 various things, some questions about your map.  
16 Do you think it would make sense to withdraw it  
17 and let us look at some of those observations?  
18 And if you're willing to do that, perhaps we can  
19 see what folk have had time to analyze and  
20 determine whether those are actually flaws in  
21 your map.

22 SENATOR CHAUDHURI: Mr. Chair.

23 CHAIRMAN HISE: Yes.

24 SENATOR CHAUDHURI: Yes, Senator Blue,  
25 I'd be more than happy to withdraw my map at the

1 current time so that we can reexamine some of  
2 the concerns raised by this committee.

3 CHAIRMAN HISE: We'll let the committee  
4 stand in recess just a minute.

5 [At ease.]

6 CHAIRMAN HISE: Thank you, members of  
7 the committee. After consultation with the  
8 chairs as well as with Senator Blue, the  
9 chairman will withdraw Senate Bill 738 from  
10 today's calendar and for consideration from the  
11 committee.

12 Having nothing else existing on the  
13 agenda, this committee will stand adjourned.

14 (Transcription from YouTube ended at  
15 3:28:38.)

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Denise Myers Byrd

CSR 8240, RPR, CLR 102409-2

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NORTH CAROLINA GENERAL ASSEMBLY

HOUSE REDISTRICTING COMMITTEE

NOVEMBER 1, 2021

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1 (Transcription from YouTube started at  
2 9:36:14.)

3 CHAIRMAN HALL: ... today and were  
4 being printed downstairs. And, of course, we  
5 need a copy for every member to be able to look  
6 at, and that takes time to print these color  
7 copies, so that's what we've been waiting on  
8 this evening.

9 Members, we'll go ahead and jump right  
10 into it. I am going to move that the PCS for  
11 HBK-12 be before the committee. And without  
12 objection, that PCS will be before the  
13 committee.

14 I do have a proposed amendment to that,  
15 but I am going to yield the chair to  
16 Chairman Saine for him to chair, and I'm going  
17 to present from the podium. Chairman Saine.

18 CHAIRMAN SAINE: Thank you,  
19 Mr. Chairman. Thank you, members of the  
20 committee.

21 We're going to start with Amendment 2;  
22 is that correct? Okay.

23 And the gentleman is recognized.

24 CHAIRMAN HALL: Thank you,  
25 Mr. Chairman.

1           Members, this is H -- it's entitled  
2 HBK Amendment Number 2. There's two pages to  
3 this amendment, and I'll briefly go through,  
4 sort of from west to east, the reasons behind  
5 the changes in this map.

6           Beginning with Cabarrus county, the  
7 chair was informed that Representative Pittman  
8 does not plan to run again, and so we didn't  
9 have the concern of not double-bunking.  
10 Representative Pittman said -- so I went in and  
11 tried to make it a bit more compact, so that's  
12 the reason for that change.

13           Moving east into the Durham  
14 and -- excuse me -- the Chatham-Randolph  
15 grouping, I did -- we heard a lot of public  
16 comment about population deviations between  
17 Chatham and the Randolph district, and so I went  
18 in and tried to fix some of that, to make those  
19 districts a little bit more even in terms of  
20 population deviation.

21           Moving on to the east in the  
22 Sampson-Bladen-Wayne-Duplin-Pender-Onslow  
23 groupings, we -- I felt that Bladen and Pender  
24 made more sense being together in terms of  
25 counties that have similar interest, and if we



1 draw it this way, we're able to draw more  
2 compact districts.

3 So, Mr. Chair, I would move that this  
4 amendment be adopted.

5 CHAIRMAN SAINÉ: Any further  
6 presentation and the motion -- any questions for  
7 the maker of the motion?

8 Representative Szoka.

9 REPRESENTATIVE SZOKA: Thank you,  
10 Mr. Chair.

11 Just for clarity sake, I believe you  
12 said Bladen and Pender would be together.  
13 Mr. Chairman, I think you meant to say Bladen  
14 and Sampson because that's what the map shows,  
15 just for clarity.

16 CHAIRMAN HALL: That's right,  
17 Representative Szoka. You're correct. My  
18 apologies.

19 REPRESENTATIVE SZOKA: Thank you.

20 CHAIRMAN SAINÉ: Any other questions?  
21 Representative Harrison.

22 REPRESENTATIVE HARRISON: Thank you,  
23 Mr. Chair. Chair Hall, I'm just -- it's hard to  
24 read this on the fly, but I'm wondering, are you  
25 splitting precincts, VTDs in Durham? And if so,

1       why?

2                   CHAIRMAN HALL: Representative  
3 Harrison, VTDs have been split, and that's  
4 because the populations are so large in that  
5 part of the state that they need to be split.

6                   REPRESENTATIVE HARRISON: Can I have a  
7 follow-up.

8                   CHAIRMAN SAINÉ: You're recognized for  
9 a follow-up.

10                  REPRESENTATIVE HARRISON: And again,  
11 apologies for last minute here.

12                  So with the -- with the Wayne grouping,  
13 what VRA issues did you take into consideration?

14                  CHAIRMAN SAINÉ: The gentleman's  
15 recognized.

16                  CHAIRMAN HALL: As the lady knows, and  
17 I've said previously in this committee, courts  
18 have found that there is no legally significant  
19 racially polarized voting in North Carolina.  
20 The committee decided not to use race as a  
21 factor in drawing these maps, and therefore the  
22 maps comply with the VRA.

23                  REPRESENTATIVE HARRISON: Follow-up, if  
24 I may.

25                  CHAIRMAN SAINÉ: You're recognized for

1 follow-up.

2 REPRESENTATIVE HARRISON: I appreciate  
3 that. We may have a difference of opinion about  
4 that, but I'll wait for that discussion.

5 Another thing -- and I apologize. Are  
6 you splitting any municipalities in this -- in  
7 the Wayne county proposal?

8 CHAIRMAN HALL: No.

9 REPRESENTATIVE HARRISON: And if I may  
10 have one more follow-up.

11 CHAIRMAN SAINÉ: Yeah, one more.

12 REPRESENTATIVE HARRISON: Are you  
13 splitting any VTDs in Wayne?

14 CHAIRMAN HALL: There is one VTD that's  
15 split in the district.

16 CHAIRMAN SAINÉ: Seeing no other  
17 questions, you've heard the motion. All those  
18 in favor signify with saying aye.

19 COMMITTEE MEMBERS: Aye.

20 CHAIRMAN SAINÉ: Those opposed, like  
21 sign.

22 COMMITTEE MEMBERS: No.

23 CHAIRMAN SAINÉ: In the opinion of the  
24 chair, the ayes have it, the ayes do have it,  
25 and the amendment is adopted.

1           Recognize the gentleman from Caldwell  
2           county.

3           CHAIRMAN HALL: Thank you,  
4           Mr. Chairman.

5           And, Members, now that the PCS as  
6           amended is before the committee, I do want to  
7           make some brief opening remarks because I think  
8           that the process, as I've previously said  
9           chairing this committee and in presenting, this  
10          is a historic process in this body that has  
11          never happened in the history of this state and  
12          in the history of this General Assembly.

13          We've embarked on the most transparent  
14          redistricting process in North Carolina history,  
15          and there is simply no debate that can be had  
16          about that. Every part of this map-making  
17          process was done in public, and it was recorded,  
18          it was archived for anyone who would like to see  
19          it. Not only was it the most transparent  
20          process, but for the first time in  
21          North Carolina history, the legislature adopted  
22          a process on our own, on our own volition, that  
23          did not include the use of political data.

24          Further, we received an immense amount  
25          of public input on the maps which has resulted

1 in a North Carolina House map that reflects  
2 weeks of public comment both in person and  
3 online. Additionally, this room has been open  
4 since October 6th, Monday through Friday, from  
5 9:00 a.m. to 5:00 p.m., wherein any member could  
6 come in and draw whatever maps that they saw  
7 fit. There was not a problem with resources in  
8 terms of the computer. I was in here quite a  
9 bit over the course of that roughly three and a  
10 half weeks, and I don't think at any point that  
11 I see all four stations being filled at one  
12 time, so every member had every opportunity to  
13 come in and draw whatever map that they saw fit.

14 Members, as you all know, the rural  
15 areas in North Carolina have lost an immense  
16 amount of population in the past decade which  
17 has resulted in wholesale change of some  
18 districts and areas. A couple of examples of  
19 that is Representative Willingham's district,  
20 where he kept all of his current district in  
21 Edgecombe and Martin, but he had to add the  
22 entirety of Bertie to make the minimum  
23 population. Same goes for Representative Wray  
24 who had to add another whole county, Warren  
25 county, to his current district of Halifax and

1 Northampton.

2 In addition, many of the groupings did  
3 not change over the course of the decade, or  
4 they remained similar to the previous decade,  
5 and given that there was so much litigation over  
6 the course of the last decade with respect to  
7 maps, the chair took advantage of many court  
8 cases that had previously dictated to the  
9 General Assembly on how to draw -- how to draw  
10 legislative maps and congressional maps. This  
11 is not applicable in all cases, however, but  
12 where applicable, the chair made every effort to  
13 keep the current districts intact and will  
14 encourage negative votes on any amendment that  
15 does not attempt to achieve that same goal.

16 I want to begin the presentation of the  
17 chair's proposed map by going through the  
18 criteria that this committee adopted and how the  
19 proposed map coincides with that criteria.

20 First, we decided to keep counties  
21 whole. Within the map -- of course, we all know  
22 that's a constitutional revision to the  
23 Stephenson decision. And within this map, where  
24 counties could be kept whole, they are kept  
25 whole. We kept every county whole that we

1     could. For example, Chatham, Lee county, Polk  
2     county are some counties where we had choices to  
3     make about keeping counties whole, and we kept  
4     those counties whole.

5             We attempted not to split VTDs. In  
6     2011, there were hundreds of hundreds of VTD  
7     splits in the 2011 maps that were drawn. In the  
8     chair's proposed map that's before you today,  
9     there are only six VTD splits across the entire  
10    state of North Carolina, only six in this entire  
11    map.

12            We honored municipal boundaries. The  
13    chair made every effort to keep municipalities  
14    whole throughout the draw. The report in front  
15    of you will say that there are 82 municipality  
16    splits across the state, but the bulk of the  
17    split municipalities that you see in the report  
18    either have no population or extraordinarily  
19    small populations in the parts that are split.

20            Contiguity. Every district in this map  
21    is contiguous.

22            Incumbency considerations. In this  
23    map, we chose the bare minimum of number  
24    of -- of number of members who are  
25    double-bunked.

1           We looked at compactness. Despite not  
2 being drawn by a computer algorithm, this map  
3 contains the compactness of the current map that  
4 had the advantage of being drawn with a computer  
5 algorithm.

6           We did not consider race. As chair, I  
7 did not look at racial data in drawing these  
8 maps.

9           We did not consider political data. I  
10 did not look at political data in drawing these  
11 maps.

12           Again, given that I did not have a  
13 computer-based algorithm or consultant using an  
14 algorithm, the final product has resulted in an  
15 impressive map that splits very few precincts,  
16 keeps municipalities whole, and creates compact  
17 districts.

18           And with that, Mr. Chairman, I will  
19 yield back to you.

20           CHAIRMAN SAINÉ: The chair thanks the  
21 gentleman from Caldwell.

22           It's the chair's understanding that  
23 there are some amendments that will come before  
24 the committee today.

25           And is there a particular order,



1 Mr. Chairman.

2 CHAIRMAN HALL: Probably just the order  
3 that are numbered, whatever you have in front of  
4 you. There's no particular --

5 CHAIRMAN SAINÉ: So the chair will take  
6 up Amendment 1, looks like Mecklenburg county.  
7 Who will be presenting that?

8 Representative Reives.

9 I'm sorry.

10 UNIDENTIFIED SPEAKER:

11 [Unintelligible].

12 CHAIRMAN SAINÉ: Okay. So this  
13 actually will be Amendment Number 2, but on your  
14 sheet it's labeled 1. So Amendment 2.

15 Representative Reives, you are  
16 recognized.

17 REPRESENTATIVE REIVES: Thank you,  
18 Mr. Chair.

19 And one thing I would ask -- I'd be  
20 asking for the ayes and nos on each of these,  
21 and so if we could see about doing that now,  
22 then --

23 CHAIRMAN SAINÉ: If the gentleman wants  
24 to have that, then the chair will gladly  
25 entertain that.

1                   REPRESENTATIVE REIVES: Thank you very  
2 much.

3                   CHAIRMAN SAINÉ: Sure. And you are  
4 recognized.

5                   REPRESENTATIVE REIVES: Thank you.

6                   And what I would say is this: that  
7 looking at the map that we already have that's  
8 been presented by Chairman Hall, you -- and I'm  
9 trying to read my own writing. There's a  
10 split --

11                  CHAIRMAN HALL: It says that one looks  
12 good.

13                  REPRESENTATIVE REIVES: That is what my  
14 note says. It's amazing. You already saw it.

15                  It says that VTD Number 134 was split  
16 in District 89, and you also have a lack of  
17 compactness in districts across that county.

18                  The amendment that I presented --  
19 excuse me -- would split Charlotte definitely,  
20 splits Huntersville, and splits Stallings which  
21 crosses county lines, but it does not split any  
22 of the VTDs. And the average Reock score across  
23 all 13 districts is 49, compared to 44 with the  
24 chairman's map, and also the Polsby-Popper  
25 difference is 45 to 33. And so I would say with

1 the compactness and with the fact it doesn't  
2 split VTDs that I feel like it complies with the  
3 committee's criteria more and therefore we would  
4 ask that you accept the amendment.

5 CHAIRMAN SAINÉ: I read the gentleman's  
6 proposal. Anyone wishing to comment?

7 Representative Carney.

8 REPRESENTATIVE CARNEY: Thank you,  
9 Mr. Chairman, and thank you to Leader Reives for  
10 this amendment.

11 As he had pointed out, it doesn't split  
12 VTDs, but you did -- this amendment has no split  
13 VTDs, but the Hall map does have. It splits  
14 134. And can you tell me why you had to split  
15 that VTD.

16 CHAIRMAN SAINÉ: Representative Hall,  
17 you are recognized.

18 CHAIRMAN HALL: Representative Carney,  
19 I -- let me -- let me get a more precinct-level  
20 detailed map so I can see exactly which one it  
21 is you're talking about.

22 REPRESENTATIVE CARNEY: Okay.

23 CHAIRMAN SAINÉ: And as they're looking  
24 for that, the chair is just going to -- as  
25 you're going through your paperwork, the next

1 one that we'll take up after this one will be  
2 Amendment 3 as it's labeled.

3 UNIDENTIFIED SPEAKER: Mr. Chair.

4 CHAIRMAN SAINÉ: HBVA Amend 3, if you  
5 just want to get that in your queue.

6 REPRESENTATIVE CARNEY: That --  
7 Mr. Chairman, that -- Chairman Hall, that  
8 precinct is in District 89, I think, if that  
9 helps.

10 CHAIRMAN HALL: Mr. Chairman.

11 CHAIRMAN SAINÉ: You are recognized,  
12 Representative Hall.

13 CHAIRMAN HALL: I don't have that  
14 particular VTD map in front of me,  
15 Representative Carney. The reason that that  
16 split was made was to try to keep the  
17 municipality whole in northern Mecklenburg. I  
18 believe that's Huntersville that we were trying  
19 to keep whole, and that's why that was split.

20 REPRESENTATIVE CARNEY: Okay. And in  
21 District 90, there was another split VTD, and  
22 that particular one has the worst compactness  
23 score in the state. And so why -- I'm just  
24 questioning why did you draw it that way  
25 compared with the more compact version that we

1 have shown with the amendment offered by  
2 Representative Reives?

3 CHAIRMAN SAINÉ: Mr. Chairman, if we  
4 could perhaps displace that amendment and move  
5 on so I can get a copy of the Mecklenburg map  
6 with those precincts that are on there, we'll  
7 come back to that.

8 REPRESENTATIVE CARNEY: Sure. I  
9 appreciate that.

10 CHAIRMAN SAINÉ: Yeah, we can displace  
11 that. We'll hold on to that one.

12 We'll move to what the chair had  
13 described as HBVA -- or HBV Amend 3 which looks  
14 like you'll see Randolph, Moore, Richmond.

15 Representative Harrison.

16 REPRESENTATIVE HARRISON: That's my  
17 amendment.

18 CHAIRMAN SAINÉ: Okay. You're  
19 recognized.

20 REPRESENTATIVE HARRISON: Thank you.  
21 Thank you, Mr. Chair.

22 So I'm not sure exactly how this  
23 compares to the changes that were made in  
24 Chair Hall's amendment, but there are -- there's  
25 a population deviation problem with Chatham and

1 the adjacent districts.

2 We heard a lot of comments, the public  
3 comments written and those who were present,  
4 that talked about the addition of -- I think it  
5 was the Providence precincts, specifically  
6 adding it to the Chatham county, which is  
7 rapidly growing, whereas the adjacent county  
8 Randolph is not and it's actually  
9 underpopulated. So this amendment simply takes  
10 that Providence voter tabulation district and  
11 keeps it in with House District 60, which is  
12 Representative McNeill's district.

13 And I believe that -- I believe that's  
14 all I have to say about that. I think it -- I  
15 think it handles the population issues better  
16 because you have -- Chatham county right now is  
17 nearly at 5 points, and it's growing rapidly,  
18 whereas the others are 3 to 5 points under the  
19 recommended deviation as required by Stephenson.  
20 So I would recommend this amendment for your  
21 approval.

22 CHAIRMAN SAINÉ: Thank you,  
23 Representative Harrison.

24 Any questions for the maker of the  
25 amendment?

1 CHAIRMAN HALL: Mr. Chairman.

2 CHAIRMAN SAINÉ: Representative Hall,  
3 you're recognized.

4 CHAIRMAN HALL: Members of the  
5 committee, the chair -- well, I listened to the  
6 public comment as well, and we did hear a lot of  
7 public comment about the deviation changes  
8 between the Chatham and Randolph districts. And  
9 so I am going to support this amendment, and I  
10 ask that you vote in favor of the amendment.

11 CHAIRMAN SAINÉ: Any others wish to  
12 speak on the amendment?

13 Seeing none, all those in favor of the  
14 amendment please signify with saying aye.

15 COMMITTEE MEMBERS: Aye.

16 CHAIRMAN SAINÉ: Those opposed.

17 In the opinion of the chair, the ayes  
18 have it. The ayes do have it.

19 Representative Reives, you are correct.  
20 You asked for a roll call vote. I will  
21 certainly honor that.

22 If the clerk will call the roll.

23 THE CLERK: Adams.

24 REPRESENTATIVE ADAMS: Aye.

25 THE CLERK: Brockman.

1 Carney.  
2 REPRESENTATIVE CARNEY: Aye.  
3 THE CLERK: Cooper-Suggs.  
4 REPRESENTATIVE COOPER-SUGGS: Aye.  
5 THE CLERK: Dixon.  
6 REPRESENTATIVE DIXON: Aye.  
7 THE CLERK: Hardister.  
8 REPRESENTATIVE HARDISTER: Aye.  
9 THE CLERK: Garrison.  
10 REPRESENTATIVE GARRISON: Aye.  
11 THE CLERK: Hastings.  
12 Hawkins.  
13 REPRESENTATIVE HAWKINS: Aye.  
14 THE CLERK: Jones.  
15 REPRESENTATIVE JONES: Aye.  
16 THE CLERK: Mills.  
17 REPRESENTATIVE MILLS: Aye.  
18 THE CLERK: Reives.  
19 REPRESENTATIVE REIVES: Aye.  
20 THE CLERK: Rogers.  
21 REPRESENTATIVE ROGERS: Aye.  
22 THE CLERK: Szoka.  
23 REPRESENTATIVE SZOKA: Aye.  
24 THE CLERK: Warren.  
25 REPRESENTATIVE WARREN: Aye.



1 THE CLERK: Zachary.  
2 REPRESENTATIVE ZACHARY: Aye.  
3 THE CLERK: Richardson.  
4 [Unintelligible].  
5 THE CLERK: Saine.  
6 CHAIRMAN SAINE: Aye.  
7 THE CLERK: Torbett.  
8 REPRESENTATIVE TORBETT: Aye.  
9 THE CLERK: Bell.  
10 REPRESENTATIVE BELL: Aye.  
11 THE CLERK: Stevens.  
12 Chairman Hall.  
13 CHAIRMAN HALL: Aye.  
14 CHAIRMAN SAINE: Before the clerk  
15 proceeds, Representative Richardson, I see you  
16 on the -- on Webex, and I also see  
17 Representative Hastings. We didn't get audio  
18 from you. If you'd like to cast your vote,  
19 Representative Richardson.  
20 If you'll give me a thumbs up. It  
21 looks like aye; is that correct?  
22 Okay, we've got an aye for  
23 Representative Richardson.  
24 Representative Hastings.  
25 REPRESENTATIVE HASTINGS: Aye.

1 CHAIRMAN SAINÉ: And, Representative  
2 Brockman, did we miss -- he's out of the room.

3 UNIDENTIFIED SPEAKER: Aye.

4 CHAIRMAN SAINÉ: Representative  
5 Hastings. There you are. We don't have audio,  
6 but if you're an aye, please signify with a  
7 thumbs up. And we'll record that as aye.

8 And Brockman online is giving us a  
9 thumbs up. If the committee members will verify  
10 that. It sounds like everyone's in agreement.

11 And the amendment does pass  
12 unanimously.

13 Representative Hall, do you have the  
14 data that you needed and we can go back to that?

15 CHAIRMAN HALL: If you will continue  
16 on, Mr. Chairman, and I will let you know when I  
17 get that up here.

18 CHAIRMAN SAINÉ: We've got -- the  
19 chair's just randomly pulling from his stack,  
20 just like yours. The chair pulls HST Amend 1.  
21 It looks like Alamance county.

22 Representative Harrison, is that yours?

23 REPRESENTATIVE HARRISON: If I'm not  
24 mistaken, it's Representative Reives.

25 CHAIRMAN SAINÉ: Representative Reives,

1     you're recognized.

2             REPRESENTATIVE REIVES:   Thank you.

3             And in both the chair's map and my  
4     amendment, we split the city of Burlington, but  
5     both do not split VTDs or double-bunk any  
6     incumbents. My amendment proposes a more  
7     compact drawing of the two districts in  
8     Alamance, and I would ask that the committee  
9     adopt this amendment because of that.

10            CHAIRMAN SAINÉ:   Okay. You've heard  
11    the presentation on the amendment.

12            CHAIRMAN HALL:   Mr. Chairman.

13            CHAIRMAN SAINÉ:   Anyone wishing to be  
14    recognized.

15            Representative Hall.

16            CHAIRMAN HALL:   Thank you,  
17    Mr. Chairman.

18            Members, Alamance county has been the  
19    subject of litigation in the past. And as I  
20    said earlier, we tried to take what we learned  
21    from those cases and apply them to these maps.  
22    And so in this map, I only made three total  
23    changes in terms of VTDs in the -- in the  
24    whole -- the whole map, in this grouping, and so  
25    because of that, I would ask you to oppose this

1 amendment.

2 CHAIRMAN SAINÉ: Any others wishing to  
3 speak?

4 Representative Harrison.

5 REPRESENTATIVE HARRISON: Thank you,  
6 Mr. Chair.

7 Chair Hall, just a couple of quick  
8 questions. Comparing Representative Reives'  
9 proposed map -- proposed changes to the -- your  
10 proposal, it just looks on the face of it that  
11 Representative Reives' amendment is more  
12 compact. And I think you said this, but the  
13 Polsby-Popper score is .39 versus .31, and you  
14 can see that there's that little, odd precinct  
15 that pokes out into Representative Riddell's  
16 proposed district from Representative Hurtado's.

17 And it seems like -- it looks like  
18 you're putting North Thompson voting tabulation  
19 district into 54 and you moved the South  
20 Burlington voter tabulation district out of 54,  
21 where there were other VTDs such as Faucette,  
22 and the northern section of the county that had  
23 an identical population or close population to  
24 Northern Thompson. So do you mind saying why  
25 you chose the ones you did.

1 CHAIRMAN SAINÉ: Representative Hall.

2 CHAIRMAN HALL: Thank you,  
3 Representative Harrison, for the question.

4 As an aside, the chair will say that  
5 this committee room has been open for three and  
6 a half weeks. I was not given any of these  
7 amendments until last night. That -- I don't  
8 want to cast aspersions on anyone, but one can  
9 infer that that was by design.

10 And so again, what I will say about  
11 this map and the one that was drawn is that  
12 Alamance county has been litigated and the  
13 current district has been upheld in a court, and  
14 so when I went in to draw this, my goal was to  
15 make as few changes as possible and as few  
16 changes as reasonably required with population  
17 changes because, again, it's been litigated and  
18 in making as few changes as possible, we stick  
19 with something that's similar to the current  
20 district and makes it more likely that it will  
21 be upheld.

22 Again, I didn't -- I've got eight  
23 amendments I think that are being put forth  
24 tonight, didn't get them until last night. Some  
25 of the printouts don't even have precinct-level

1 numbers on them. No members approached me  
2 during the map-drawing process. I did speak  
3 with Representative Reives quite a bit, and he  
4 was always open with me and upfront, and I was  
5 the same with him, but it doesn't change the  
6 fact that the members of this committee have had  
7 three and a half weeks to put forth amendments.  
8 We didn't get them until last night.

9 And so I think that -- you know,  
10 because of that, it makes it difficult to sit  
11 down and talk about precinct-level data with the  
12 members asking questions on amendments that they  
13 sent last night. Please oppose the amendment.

14 CHAIRMAN SAINÉ: Representative  
15 Harrison.

16 REPRESENTATIVE HARRISON: Just a quick  
17 follow-up.

18 CHAIRMAN SAINÉ: You are recognized.

19 REPRESENTATIVE HARRISON: These are not  
20 my amendments so I can't speak to the process,  
21 but I do know that the staff has been pretty  
22 backed up drafting because we're just seeing  
23 them for the first time too.

24 I just -- not a question, but just  
25 think there are ways to move precincts and equal

1 populations that would improve the map's  
2 compactness because the Polsby-Popper scores are  
3 clearly better in Reives' amendment, so I would  
4 urge you to support it. Thank you.

5 CHAIRMAN HALL: Mr. Chairman.

6 CHAIRMAN SAINÉ: You're recognized,  
7 sir.

8 CHAIRMAN HALL: I would like to see if  
9 Representative Harrison would yield for a  
10 question.

11 CHAIRMAN SAINÉ: Representative  
12 Harrison, will you yield?

13 REPRESENTATIVE HARRISON: Yes.

14 CHAIRMAN HALL: The lady said that  
15 these are not your amendments. Can you tell the  
16 committee whose amendments these are.

17 REPRESENTATIVE HARRISON: I believe  
18 Representative Reives. It's  
19 Representative Reives' amendment. I just  
20 offered the Chatham county one. Thank you.

21 CHAIRMAN HALL: Thank you.

22 CHAIRMAN SAINÉ: Thank you.

23 Any others wishing recognition.

24 Seeing not, we will go into a roll call  
25 vote at the request of Representative Reives.

1           The clerk will call the roll.  
2           THE CLERK:   Adams.  
3           REPRESENTATIVE ADAMS:   No.  
4           THE CLERK:   Brockman.  
5           Carney.  
6           REPRESENTATIVE CARNEY:   Aye.  
7           THE CLERK:   Cooper-Suggs.  
8           REPRESENTATIVE COOPER-SUGGS:   Aye.  
9           THE CLERK:   Dixon.  
10          REPRESENTATIVE DIXON:   No.  
11          THE CLERK:   Hardister.  
12          REPRESENTATIVE HARDISTER:   No.  
13          THE CLERK:   Harrison.  
14          REPRESENTATIVE HARRISON:   No.  
15          THE CLERK:   Hastings.  
16          REPRESENTATIVE HARRISON:   I'm sorry.   I  
17   meant to say aye.   I apologize.  
18          THE CLERK:   Hastings.  
19          CHAIRMAN SAINE:   Representative  
20   Hastings and Representative Brockman, the chair  
21   and the vice chair have noticed you signified  
22   with a thumbs up as aye.   If the clerk will  
23   record that for Representative Brockman.  
24               Representative Hastings, we have no  
25   audio on your -- on your feed.   If you could



1 either signify by cutting your camera on and  
2 showing us or using the app there that can give  
3 the thumbs up. We'll come back to you before we  
4 finish.

5 Go ahead, clerk.

6 THE CLERK: Hawkins.

7 REPRESENTATIVE HAWKINS: Aye.

8 THE CLERK: Jones.

9 REPRESENTATIVE JONES: No.

10 THE CLERK: Mills.

11 REPRESENTATIVE MILLS: No.

12 THE CLERK: Reives.

13 REPRESENTATIVE REIVES: Aye.

14 THE CLERK: Rogers.

15 REPRESENTATIVE ROGERS:

16 [Unintelligible].

17 THE CLERK: Szoka.

18 REPRESENTATIVE SZOKA: No.

19 THE CLERK: Warren.

20 REPRESENTATIVE WARREN: No.

21 THE CLERK: Zachary.

22 REPRESENTATIVE ZACHARY: No.

23 THE CLERK: Richardson.

24 CHAIRMAN SAINÉ: Richardson on visual  
25 is signifying aye.

1 THE CLERK: Saine.

2 CHAIRMAN SAINÉ: No.

3 THE CLERK: Torbett.

4 REPRESENTATIVE TORBETT: No.

5 THE CLERK: Bell.

6 REPRESENTATIVE BELL: No.

7 THE CLERK: Stevens.

8 Hall.

9 CHAIRMAN HALL: No.

10 CHAIRMAN SAINÉ: We'll try one  
11 time -- one more time with Representative  
12 Hastings.

13 Representative Hastings, if you can  
14 come to your video or signify with the app  
15 there, with the thumbs up or thumbs down,  
16 whichever you prefer.

17 REPRESENTATIVE HASTINGS: Can you hear  
18 me now, Mr. Chair?

19 CHAIRMAN SAINÉ: The chair sees no  
20 response from Representative Hastings.

21 The clerk --

22 COMMITTEE MEMBERS: There he is.

23 CHAIRMAN SAINÉ: Representative  
24 Hastings signifies no. Thank you, sir.

25 THE CLERK: 7 yes; 14 no.

1 CHAIRMAN SAINÉ: The amendment fails.

2 Next in our stack of stuff, try for  
3 HBA Amend 3 which looks like Cumberland county.  
4 Who's the maker of this amendment? Who wants to  
5 present?

6 Representative Reives, you're  
7 recognized.

8 REPRESENTATIVE REIVES: All right. And  
9 thank you for that, Mr. Chair.

10 And what I would note for the committee  
11 is this amendment does not split any VTDs, does  
12 not double-bunk any incumbents. We believe it  
13 better follows the committee's criteria in two  
14 ways. First, other than Fayetteville, there are  
15 no municipality splits. The chair's map splits  
16 the town of Hope Mills. Second, this amendment  
17 has a better average compactness score than the  
18 chair's map, and therefore we would ask that the  
19 committee adopt the amendment.

20 CHAIRMAN SAINÉ: Okay. You've heard  
21 the presentation on the amendment. Any --

22 CHAIRMAN HALL: Mr. Chairman.

23 CHAIRMAN SAINÉ: Representative Hall  
24 and then Representative Cooper-Suggs.

25 CHAIRMAN HALL: Mr. Chairman, I'll

1 yield to Representative Cooper-Suggs.

2 CHAIRMAN SAINÉ: Representative  
3 Cooper-Suggs, you're recognized.

4 REPRESENTATIVE COOPER-SUGGS: Thank  
5 you, Mr. Chair, and thank you,  
6 Representative Hall. I have a question that I'd  
7 like to ask.

8 The amendment, as Leader Reives says,  
9 does not split Hope Mills, but why does your map  
10 split the town?

11 CHAIRMAN SAINÉ: Representative Hall.

12 CHAIRMAN HALL: 95 percent of  
13 Hope Mills is not split in the map. Well -- and  
14 I'd like to be recognized at the appropriate  
15 time to speak to the amendment.

16 CHAIRMAN SAINÉ: You're recognized.

17 CHAIRMAN HALL: And I use 95 percent as  
18 a rough figure. But as to this particular map,  
19 again, I'll note, I've seen this amendment last  
20 night. The map that I put out was put out over  
21 a week ago now with precinct-level data. I  
22 wanted to give the public time to look at it and  
23 make whatever suggestions they wanted to make.  
24 I seen this one, again, last night.

25 Cumberland county's been subject to

1 intense litigation over the course of the last  
2 decade in state and federal courts, and as a  
3 result, the map that we currently have on our  
4 current districts has been upheld in court. And  
5 so again, going with the same theory as some of  
6 the previous groupings, my goal in this map was  
7 to make as few changes as reasonably necessary  
8 with population shifts to ensure that we  
9 continued to have a legal map, and that's what  
10 you have before you.

11 REPRESENTATIVE COOPER-SUGGS: I have  
12 another question.

13 CHAIRMAN SAINÉ: Representative  
14 Cooper-Suggs.

15 REPRESENTATIVE COOPER-SUGGS: Yes, just  
16 to follow up.

17 Chairman Hall, for Districts 27 and 28,  
18 before we pass these maps, are you going to take  
19 any steps to ensure that African American voters  
20 are not packed, being packed into these maps?

21 CHAIRMAN SAINÉ: Representative Hall.

22 CHAIRMAN HALL: Thank you,  
23 Mr. Chairman.

24 As previously said, this map has been  
25 upheld -- the current -- the current districts

1 we have has been upheld in court. This map  
2 makes the minimal changes to that map, and so I  
3 am confident that this will be upheld in court.

4 CHAIRMAN SAINÉ: Any others wishing to  
5 speak on the amendment? Seeing none, we will  
6 move to a roll call vote.

7 The clerk will call the roll.

8 THE CLERK: Adams.

9 REPRESENTATIVE ADAMS: No.

10 THE CLERK: Brockman.

11 CHAIRMAN SAINÉ: And just for those on  
12 Webex know, they're working on the audio now.

13 Brockman signifies aye with a thumbs  
14 up.

15 THE CLERK: Carney.

16 REPRESENTATIVE CARNEY: Aye.

17 THE CLERK: Cooper-Suggs.

18 REPRESENTATIVE COOPER-SUGGS: Aye.

19 THE CLERK: Dixon.

20 REPRESENTATIVE DIXON: No.

21 THE CLERK: Hardister.

22 REPRESENTATIVE HARDISTER: No.

23 THE CLERK: Harrison.

24 REPRESENTATIVE HARRISON: Aye.

25 THE CLERK: Hastings.

1                   Hawkins.  
2                   REPRESENTATIVE HAWKINS:   Aye.  
3                   THE CLERK:   Jones.  
4                   REPRESENTATIVE JONES:   No.  
5                   THE CLERK:   Mills.  
6                   REPRESENTATIVE MILLS:   No.  
7                   THE CLERK:   Reives.  
8                   REPRESENTATIVE REIVES:   Aye.  
9                   THE CLERK:   Rogers.  
10                  REPRESENTATIVE ROGERS:   No.  
11                  THE CLERK:   Szoka.  
12                  REPRESENTATIVE SZOKA:   No.  
13                  THE CLERK:   Warren.  
14                  REPRESENTATIVE WARREN:   No.  
15                  THE CLERK:   Zachary.  
16                  REPRESENTATIVE ZACHARY:   No.  
17                  THE CLERK:   Richardson.  
18                  UNIDENTIFIED SPEAKER:   He's a yes.  
19                  CHAIRMAN SAINE:   Richardson has  
20                  signified yes, thumbs up.  
21                  THE CLERK:   Saine.  
22                  CHAIRMAN SAINE:   No.  
23                  THE CLERK:   Torbett.  
24                  REPRESENTATIVE TORBETT:   No.  
25                  THE CLERK:   Bell.

1 REPRESENTATIVE BELL: No.

2 THE CLERK: Stevens.

3 Hall.

4 CHAIRMAN HALL: No.

5 CHAIRMAN SAINÉ: And the chair will  
6 also note that Representative Richardson is  
7 having fun with emojis, and Representative  
8 Hastings has signified no.

9 THE CLERK: 7 yes; 14 no.

10 CHAIRMAN SAINÉ: The amendment does  
11 fail.

12 The chair has been informed it is time  
13 for us to go to session. We're going to stand  
14 at ease as a committee and we will come back ten  
15 minutes immediately after session.

16 UNIDENTIFIED SPEAKER: Mr. Chair, can  
17 we leave our stuff.

18 CHAIRMAN SAINÉ: You can leave your  
19 stuff in the room. It will be attended to while  
20 we're in session.

21 [At ease.]

22 (Transcription from YouTube ended at  
23 10:07:09 and started again at 10:59:42.)

24 CHAIRMAN SAINÉ: ... in the room  
25 anticipating that he may be presenting these.



1 Let's see if this is one of his amendments, but  
2 we'll give it a few minutes. If somebody would  
3 like to text him and tell him we're starting.

4 REPRESENTATIVE HARRISON: And,  
5 Mr. Chair, I don't mind trying to offer an  
6 amendment in his name if you want to get moving  
7 while we're waiting on him. It's up to the  
8 committee.

9 CHAIRMAN SAINÉ: Yeah. The chair will  
10 give him a moment if anyone gets a response  
11 back. You got him on the phone.

12 UNIDENTIFIED SPEAKER: What are we  
13 looking at?

14 CHAIRMAN SAINÉ: So you can go ahead  
15 and pull up HBV Amend 5. Stokes is at the top  
16 of that one.

17 CHAIRMAN HALL: Mr. Chairman.

18 CHAIRMAN SAINÉ: Representative Hall.

19 CHAIRMAN HALL: I've called  
20 Representative Reives. He's on his way up right  
21 now, so if we can give him just a minute.

22 CHAIRMAN SAINÉ: We will certainly  
23 suspend until he arrives.

24 We're going to start with HBV Amend 5,  
25 and it's got Stokes in yellow at the top.

1 Representative Hall, do you know if  
2 we've got the audio fixed for the folks on  
3 Webex?

4 CHAIRMAN HALL: If we can just direct  
5 staff, make sure that the audio is working for  
6 the folks on Webex.

7 REPRESENTATIVE RICHARDSON: Can you  
8 hear me.

9 CHAIRMAN SAINÉ: Representative  
10 Richardson, we can hear you, sir. Thank you for  
11 the mic check.

12 Representative Reives, we'll give you  
13 just a moment to get settled. We're looking at  
14 the HBV Amend 5 which has got Stokes county in  
15 yellow at the top.

16 REPRESENTATIVE REIVES: Thank you for  
17 that, Mr. Chair.

18 CHAIRMAN SAINÉ: Yes, sir. When you  
19 get settled, just let me know.

20 REPRESENTATIVE REIVES: All right.

21 Okay, I'm ready to proceed. Thank you.

22 CHAIRMAN SAINÉ: Yes, sir. And is this  
23 your amendment?

24 REPRESENTATIVE REIVES: Yes, it is.

25 CHAIRMAN SAINÉ: Okay. You are

1 recognized, sir.

2 REPRESENTATIVE REIVES: All right.

3 Thank you.

4 I would ask the committee consider  
5 supporting this amendment. This amendment does  
6 not double-bunk any incumbents; it does not  
7 splitting any VTDs. It does split Walkertown  
8 and Winston-Salem which is the same as the  
9 chair's map. And this amendment better complies  
10 with our criteria by not splitting Tobaccoville.  
11 This amendment also has better average  
12 compactness scores across all five districts. I  
13 would ask the committee to consider adopting the  
14 amendment.

15 CHAIRMAN SAINÉ: You've heard the  
16 amendment. Are there any questions or  
17 commentary?

18 Representative Hall.

19 CHAIRMAN HALL: Thank you,  
20 Mr. Chairman.

21 Members, I took the same approach with  
22 this one as I previously have stated in other  
23 parts of the map, and that is Forsyth has been  
24 heavily litigated over the course of the last  
25 decade, and so I started with the current set of

1 districts and tried to make changes based upon  
2 population. One of the changes that had to be  
3 made in this grouping is the change between  
4 Stokes and Yadkin counties. The prior grouping  
5 had Yadkin county. This grouping has Forsyth  
6 and Stokes county, and so I basically swapped  
7 Stokes and Yadkin and then tried to make minimal  
8 changes to the district, again, knowing that  
9 this has been heavily litigated and trying to  
10 stick with something similar to what was already  
11 there. So I would respectfully ask the  
12 committee to vote no on the amendment.

13 CHAIRMAN SAINÉ: Thank you.

14 Representative Harrison.

15 REPRESENTATIVE HARRISON: Thank you,  
16 Mr. Chair. Thank you, Chair Hall. I just had a  
17 couple of questions.

18 In looking at the map -- so as  
19 Representative Reives said, the compactness  
20 scores are quite different in the amendment that  
21 is before you and the proposed PCS. So  
22 the -- specifically the Reock is .52, which is  
23 great, and Chair Hall's map is .42, and then on  
24 the Polsby-Popper it's .46 to .33, which I would  
25 say is a fairly significant difference on the

1 compactness scores.

2 But if you'll look at on the  
3 Stokes -- on proposed House District 69, you see  
4 that weird finger that goes down into -- into  
5 Forsyth county, into Winston-Salem and takes out  
6 12 percent of Winston-Salem residences and puts  
7 them in with Stokes county, which I would say is  
8 probably not a good fit. It seems like it would  
9 make more sense to keep Winston-Salem a little  
10 bit more whole. So I am trying to figure out  
11 why you did it the way you did it, unless you've  
12 already answered that.

13 CHAIRMAN SAINÉ: Representative Hall.

14 CHAIRMAN HALL: That change was made to  
15 keep Wake Forest whole.

16 REPRESENTATIVE HARRISON: Follow-up.

17 CHAIRMAN SAINÉ: Representative  
18 Harrison, you are recognized for a follow-up.

19 REPRESENTATIVE HARRISON: And if I  
20 could also ask why you split the town of  
21 Tobaccoville. Or the amendment that  
22 Representative Reives is offering does not split  
23 Tobaccoville.

24 CHAIRMAN SAINÉ: Representative Hall.

25 CHAIRMAN HALL: Again, this is a map

1 that I received last night. My map has been out  
2 for nearly ten days now. Members have had a  
3 chance to look at it. Nobody came to me until  
4 last night to try to change this map.

5 I stuck with what the current map was  
6 and tried to make minimal changes to it. The  
7 result is a map that complies with our criteria  
8 and also complies with a similar map to what the  
9 courts have already upheld. I would ask you to  
10 vote no on the amendment.

11 CHAIRMAN SAINE: Representative  
12 Harrison.

13 REPRESENTATIVE HARRISON: And just one  
14 more follow-up.

15 And I appreciate that response,  
16 Chair Hall. I do want to just point out, sort  
17 of in general, you mentioned this a couple of  
18 times about making minimal changes, but we have  
19 other -- we have other proposed districts where  
20 we started from scratch, say Buncombe county,  
21 and we have nuisances data and new county  
22 groupings, so I think it is worth contemplating  
23 making more compact districts in different  
24 configuration, and I will just end there. Thank  
25 you.

1 CHAIRMAN SAINÉ: Thank you. Any others  
2 wishing recognition.

3 Seeing none -- Representative  
4 Richardson on Webex.

5 REPRESENTATIVE RICHARDSON: Yes. Thank  
6 you, Mr. Chair. I'll be very brief.

7 I would hope that rather than looking  
8 at when the amendment came in, and I know it's  
9 frustrating and it's hard to compile all this,  
10 that we look at the actual merits of this. And  
11 while I do think it's important that we keep  
12 Wake Forest together, but taking Tobaccoville  
13 out of it, it seems like to me we can do a  
14 little bit better, and I think this amendment  
15 does that, so I would encourage folks to vote  
16 for the amendment. Thank you.

17 CHAIRMAN SAINÉ: Thank you,  
18 Representative Richardson.

19 Any others wishing recognition?

20 Seeing none, as previously asked by  
21 Representative Reives, we will move to a roll  
22 call vote, and the clerk will call the roll.

23 THE CLERK: Adams.

24 REPRESENTATIVE ADAMS: No.

25 THE CLERK: Brockman.

1 REPRESENTATIVE BROCKMAN: Yes.

2 THE CLERK: Carney.

3 REPRESENTATIVE CARNEY: Aye.

4 THE CLERK: Cooper-Suggs.

5 REPRESENTATIVE COOPER-SUGGS: Aye.

6 THE CLERK: Dixon.

7 REPRESENTATIVE DIXON: No.

8 THE CLERK: Hardister.

9 REPRESENTATIVE HARDISTER: No.

10 THE CLERK: Harrison.

11 REPRESENTATIVE HARRISON: Aye.

12 THE CLERK: Hastings.

13 CHAIRMAN SAINÉ: Representative  
14 Hastings -- and the clerk, did you record  
15 Representative Brockman as a yes?

16 THE CLERK: Yes.

17 CHAIRMAN SAINÉ: Okay. Representative  
18 Hastings signifies no.

19 THE CLERK: Hawkins.

20 REPRESENTATIVE HAWKINS: Aye.

21 THE CLERK: Jones.

22 REPRESENTATIVE JONES: No.

23 THE CLERK: Mills.

24 REPRESENTATIVE MILLS: No.

25 THE CLERK: Reives.



1 REPRESENTATIVE REIVES: Aye.  
2 THE CLERK: Rogers.  
3 REPRESENTATIVE ROGERS: No.  
4 THE CLERK: Szoka.  
5 REPRESENTATIVE SZOKA: No.  
6 THE CLERK: Warren.  
7 REPRESENTATIVE WARREN: No.  
8 THE CLERK: Zachary.  
9 REPRESENTATIVE ZACHARY: No.  
10 THE CLERK: Richardson.  
11 REPRESENTATIVE RICHARDSON: Aye.  
12 THE CLERK: Saine.  
13 CHAIRMAN SAINÉ: No.  
14 THE CLERK: Torbett.  
15 REPRESENTATIVE TORBETT: No.  
16 THE CLERK: Bell.  
17 REPRESENTATIVE BELL: No.  
18 THE CLERK: Stevens.  
19 Hall.  
20 CHAIRMAN HALL: No.  
21 THE CLERK: 7 yes; 14 no.  
22 CHAIRMAN SAINÉ: The amendment does  
23 fail.  
24 Members, next, choosing from the stack  
25 here, I've got HBV Amend 6. Looks like Guilford

1 county. I'll give you a moment to pull that up.

2 And who's the sponsor of that  
3 amendment? All right. Representative Reives.

4 REPRESENTATIVE REIVES: Thank you,  
5 Mr. Chair.

6 And like we've just seen with the prior  
7 amendment, the differences in compactness and  
8 natural-looking districts I think are clear when  
9 comparing these to the map that we're presented  
10 with as the overall chair map. The average  
11 Reock score for these six districts in amendment  
12 is 52, compared to 40 for the main map;  
13 Polsby-Popper is 43 compared to 30.

14 And I know that -- we've seen a lot of  
15 this, but I would make the same argument here  
16 that with the compactness and with the natural  
17 look, we'd ask that you support this amendment.

18 CHAIRMAN SAINÉ: Thank you. Others  
19 wishing recognition.

20 Representative Hall.

21 CHAIRMAN HALL: Thank you,  
22 Mr. Chairman.

23 Members, as previously stated and as  
24 the same for Guilford county. Guilford county  
25 was heavily litigated over the course of the

1 last decade, so the chair took measures to try  
2 to make minimal changes. My map moved only four  
3 total precincts from the 2020 map that was  
4 approved by the court, and the proposed  
5 amendment completely changes how Guilford  
6 county's drawn and the district that the members  
7 currently represent, so I would respectfully ask  
8 the committee members to vote no.

9 CHAIRMAN SAINÉ: Any others wishing  
10 recognition.

11 Representative Harrison.

12 REPRESENTATIVE HARRISON: Thank you,  
13 Mr. Chair, and thank you, Chair Hall.

14 I wanted to reiterate, I think  
15 Representative Reives commented about the  
16 compactness, and it's an important criteria in  
17 the criteria that we are operating under in  
18 drawing maps that shouldn't be understated. But  
19 I was wondering why you split the town of  
20 Summerfield into three districts.

21 CHAIRMAN SAINÉ: Representative Hall.

22 CHAIRMAN HALL: Again, I received this  
23 amendment last night with no prior warning. No  
24 member came to me to talk about, for example,  
25 the question the lady just asked whatsoever.

1           Again, I made minimal changes. I moved  
2           only four precincts from the map in 2020 to deal  
3           with population shifts. This map comports with  
4           prior court rulings, and I ask you to vote no on  
5           the amendment.

6           CHAIRMAN SAINÉ: Any others wishing  
7           recognition.

8           Representative Harrison.

9           REPRESENTATIVE HARRISON: Just a quick  
10          follow-up.

11          I disagree -- I want to encourage  
12          members to support this amendment because I  
13          think the compactness, which is a criteria in  
14          drawing the maps, is much better than the  
15          current proposal, and also we have a  
16          municipality that is not going to be split in  
17          the amendment that is being offered, so I  
18          encourage you to support Representative Reives'  
19          amendment. Thank you.

20          CHAIRMAN SAINÉ: Any others on Webex or  
21          here in the room. Seeing none, the clerk will  
22          call the roll.

23          THE CLERK: Adams.

24          REPRESENTATIVE ADAMS: No.

25          THE CLERK: Brockman.

1 CHAIRMAN SAINÉ: Representative  
2 Brockman. Representative Brockman signifies  
3 aye.

4 THE CLERK: Carney.

5 REPRESENTATIVE CARNEY: Aye.

6 THE CLERK: Cooper-Suggs.

7 REPRESENTATIVE COOPER-SUGGS: Aye.

8 THE CLERK: Dixon.

9 REPRESENTATIVE DIXON: No.

10 THE CLERK: Hardister.

11 REPRESENTATIVE HARDISTER: No.

12 THE CLERK: Harrison.

13 REPRESENTATIVE HARRISON: Aye.

14 THE CLERK: Hastings.

15 REPRESENTATIVE HASTINGS: No.

16 THE CLERK: Hawkins.

17 REPRESENTATIVE HAWKINS: Aye.

18 THE CLERK: Jones.

19 REPRESENTATIVE JONES: No.

20 THE CLERK: Mills.

21 REPRESENTATIVE MILLS: No.

22 THE CLERK: Reives.

23 REPRESENTATIVE REIVES: Aye.

24 THE CLERK: Rogers.

25 REPRESENTATIVE ROGERS: [Inaudible.]

1 THE CLERK: Szoka.  
2 REPRESENTATIVE SZOKA: No.  
3 THE CLERK: Warren.  
4 REPRESENTATIVE WARREN: No.  
5 THE CLERK: Zachary.  
6 REPRESENTATIVE ZACHARY: No.  
7 THE CLERK: Richardson.  
8 REPRESENTATIVE RICHARDSON: Aye.  
9 THE CLERK: Saine.  
10 CHAIRMAN SAINE: No.  
11 THE CLERK: Torbett.  
12 REPRESENTATIVE TORBETT: No.  
13 THE CLERK: Bell.  
14 REPRESENTATIVE BELL: No.  
15 THE CLERK: Stevens.  
16 Hall.  
17 CHAIRMAN HALL: No.  
18 THE CLERK: 7 yes; 14 no.  
19 CHAIRMAN SAINE: And the amendment

20 fails.

21 Next we will take up HCE Amend 1 which  
22 is Pitt county. Who's the sponsor of this one?

23 Representative Reives, you're  
24 recognized.

25 REPRESENTATIVE REIVES: Thank you,

1 Mr. Chair.

2 And I would ask that the committee  
3 support this particular amendment. In the  
4 chair's map in my opinion will not be as compact  
5 as this map, and I've tried to improve on the  
6 compactness here. When you look at all the  
7 scores that we normally look at, it scores  
8 better on both scores, and also this amendment  
9 does not split the town of Winterville while the  
10 chairman's map, so no split VTDs, no  
11 double-bunked incumbents. I ask for your  
12 support.

13 CHAIRMAN SAINÉ: Thank you, sir.  
14 Representative Hall.

15 CHAIRMAN HALL: Thank you,  
16 Mr. Chairman.

17 Members, again, I ask you to vote no on  
18 the amendment. I believe that my map does a  
19 better job of keeping municipalities whole.  
20 Winterville in this map is mostly unsplit.  
21 Again, I'd ask for you to vote the amendment  
22 down.

23 CHAIRMAN SAINÉ: Representative  
24 Hawkins.

25 REPRESENTATIVE HAWKINS: Yes, sir.

1 Chairman Hall, I want to thank you for  
2 being willing to answer questions today. And,  
3 you know, having grown up in eastern  
4 North Carolina, I'm still vaguely familiar with  
5 sort of the landscape, and so it really does beg  
6 the question about the town of Winterville. You  
7 know, the amendment that Representative Reives  
8 put forward does keep it intact.

9 And so I guess the question is is why  
10 didn't yours, and what was the decisionmaking  
11 that sort of went into your splitting of  
12 Winterville?

13 CHAIRMAN HALL: Thank you for the  
14 question.

15 CHAIRMAN SAINE: Representative Hall,  
16 you are recognized.

17 CHAIRMAN HALL: Thank you, sir.

18 You know, again, I'll go back to this  
19 amendment was just given to me last night. And  
20 I always enjoy working with the gentleman on  
21 redistricting, and as I've said, you're very  
22 thoughtful on these issues, and I appreciate  
23 that.

24 The position that I'm put in tonight is  
25 I've been in this room for three weeks drawing



1 maps. You've been in here some, but, you know,  
2 this is another area of the map where in my  
3 opinion, had I heard from other -- from members  
4 of the minority party, you know, we may have  
5 been able to give some of that input, but again,  
6 this is sort of sprung on me in the sense that I  
7 do want to give Representative Reives credit for  
8 letting me know -- he and I discussed amendments  
9 today, but as you know, Representative Hawkins,  
10 this is complicated stuff. And the map that  
11 I've got in front of me, I can't tell what  
12 cities are where.

13 Again, I know that the map that we  
14 currently have does a better job of keeping  
15 Winterville whole, and for those reasons I would  
16 ask members to vote no on the amendment.

17 CHAIRMAN SAINÉ: Representative  
18 Hawkins.

19 REPRESENTATIVE HAWKINS: Follow-up --

20 CHAIRMAN SAINÉ: And, Representative  
21 Richardson, I've got you next.

22 REPRESENTATIVE HAWKINS: And thank you  
23 so much for that answer. And again, I look  
24 forward to, you know, many more times of working  
25 on these maps with you because it seems like

1       that's where we're headed for this decade.

2               But one of the things that I want to  
3       make sure of, of course, is, again, sort of  
4       being familiar with the landscape and even in  
5       Pitt county, we know that voters live on  
6       different sides of town. And so are you  
7       concerned about sort of packing and sort of the  
8       ways that one district seems pretty --  
9       potentially pretty heavy with African American  
10      voters? I know you did not take this into  
11      consideration due to our rules and what we voted  
12      on, but I do want to make sure that if we find  
13      out that this is the case, how do we approach  
14      that?

15              CHAIRMAN HALL: I have not looked at  
16      race at all, Representative Hawkins, and so I  
17      can't answer that question.

18              REPRESENTATIVE HAWKINS: Thank you,  
19      Mr. Chairman. Follow-up.

20              CHAIRMAN SAINTE: You are recognized for  
21      a follow-up.

22              REPRESENTATIVE HAWKINS: And I -- you  
23      know, I understand that we -- as this process  
24      has gone on, things do get presented with  
25      not -- you know, without the opportunity to be

1 fully digestible even for a skillful lawyer like  
2 yourself, but one of the things that I -- you  
3 know, before I ask my next question I'll just  
4 say this as a statement.

5 We're only bound by the ways in which  
6 we do this and sort of our own timelines and our  
7 own criteria so, you know, if the chairman feels  
8 that, you know, we don't have enough time to  
9 digest some of this, I do kindly offer,  
10 Mr. Chairman, that we look at, you know, pushing  
11 back our primaries and giving ourselves more  
12 time so that we can do that because I do believe  
13 that the people of North Carolina would want us  
14 to get it right, and I think, as you have so  
15 clearly stated, we're only supposed to do this  
16 once a decade, and so I want to make sure that  
17 we get a chance to, but I'll ask my question  
18 now. That was just my statement, Mr. Chairman.

19 So one of the things, too, is that, you  
20 know, the number of the ways in which you split  
21 these precincts is -- you know, didn't  
22 necessarily seem like you had to. Was there any  
23 rhyme or reason for the split of VTDs?

24 CHAIRMAN SAINÉ: Representative Hall.

25 CHAIRMAN HALL: Again, Representative

1 Hawkins, the gentleman's asking me just a  
2 general question tonight and, you know, sort of  
3 being bombarded. And I don't mean that as a --

4 REPRESENTATIVE HAWKINS: Oh, sure.

5 CHAIRMAN HALL: -- as a criticism of  
6 the gentleman, but we have gone through the  
7 most -- the most transparent process in this  
8 state's history. I literally drew this in in  
9 this committee room. Anybody in the public can  
10 go back and watch this video.

11 I believe that this map complies better  
12 with our criteria than the amendment. I don't  
13 have a lot of information about the amendment  
14 other than a picture of it in front of me that  
15 doesn't -- doesn't contain any of the VTDs, and  
16 so therefore I would ask the folks -- the  
17 members to oppose the amendment.

18 CHAIRMAN SAINE: Representative  
19 Hawkins.

20 REPRESENTATIVE HAWKINS: Last question.

21 And, you know, specific to sort of your  
22 map, and not the one that was put forth to you  
23 tonight, because I do understand that being sort  
24 of tougher to digest, but for the one that you  
25 drew, that, you know, you did within the last

1 three weeks, it seems that the southern -- it's  
2 specifically those southern precincts that  
3 border Lenoir county that seem to be one of the  
4 ones that -- you know, some of the issue that I  
5 want to sort of take note to and just sort of  
6 get a little bit of a thought process behind,  
7 you know, why we decided to do those because,  
8 you know, the way the county is broken up, it  
9 just didn't seem like it had to be done that  
10 way. So this is just referring specifically to  
11 the map that you drew, Mr. Chairman.

12 CHAIRMAN SAINÉ: Representative Hall.

13 CHAIRMAN HALL: Again, Representative  
14 Hawkins, the map complies with the criteria. It  
15 actually -- it looks -- in my opinion, it looks  
16 like a better district when you look at Pitt  
17 county compared to the amendment, basically  
18 splitting the county in half from -- a northern  
19 portion and a southern portion, and I would ask  
20 the committee members to oppose the amendment.

21 CHAIRMAN SAINÉ: Representative  
22 Richardson -- Representative Hawkins, did you  
23 exhaust your question?

24 Okay. Representative Richardson, you  
25 are recognized.

1           REPRESENTATIVE RICHARDSON: Yes. Just  
2 for a brief making a point.

3           I don't know much, but I know this,  
4 that whenever you take a county as vital -- and  
5 I want to underscore vital -- to eastern  
6 North Carolina as this county is and you make it  
7 less competitive on both sides, it's not good.

8           You know, I know what the criteria are,  
9 but everybody in this room knows exactly what's  
10 going on here, and it needs to be -- this -- one  
11 of those districts needs to be a very  
12 competitive district. We get better people up  
13 here when we have competitive districts. Thank  
14 you.

15           CHAIRMAN SAINÉ: Thank you,  
16 Representative Richardson.

17           Any others wishing recognition.

18           Representative Hall.

19           CHAIRMAN HALL: Mr. Chairman, I'll  
20 yield to Representative Reives.

21           CHAIRMAN SAINÉ: I'm sorry.  
22 Representative Reives.

23           REPRESENTATIVE REIVES: Thank you,  
24 Mr. Chair, and thank you, Mr. Chair.

25           I had one question with Pitt. One of

1 the things that we've talked about -- first I'll  
2 make a statement just for clarification. And I  
3 appreciate the chair's comments earlier that,  
4 you know, this wasn't an intentional spring.  
5 You know, staffs had to do a yeoman's job trying  
6 to get all of this stuff together for all of us,  
7 and we started putting together amendments as  
8 soon as we could based on once we saw the map  
9 we'd be working from. We did think it would be  
10 unproductive that every time somebody came in  
11 here and did a map that we would then come right  
12 behind them and tell them, hey, you've got to  
13 fix this or do this, and I tried to be  
14 considerate of people's process.

15 But with that being said, my question  
16 is so far with the amendments we've had, one of  
17 the things that we've emphasized have been  
18 minimalist changes to the prior maps. My  
19 question is what is it that was different about  
20 this county that -- you know, because, clearly,  
21 I mean, when you look at the maps and you look  
22 at the former map, there haven't been minimalist  
23 changes here but there have actually been a lot  
24 of changes. What is it about this particular  
25 map that caused this to have so many more

1 changes?

2 CHAIRMAN SAINÉ: Representative Hall.

3 CHAIRMAN HALL: One of the things was  
4 that previously Pitt county had roughly two and  
5 a half members and now, because of population  
6 changes, they just have two members. And so  
7 just because of that fact alone, it's going to  
8 have to change. And again, I want to -- I do  
9 want to correct a couple of things that were  
10 said.

11 This does not -- this grouping in this  
12 map for Pitt county does not split any precincts  
13 at all in the chair's map.

14 And the other point that I want to  
15 speak to is Representative Richardson's comments  
16 about outcomes. I have not looked at any  
17 political data in drawing these maps, and so I  
18 do not know what the partisan outcome may be.

19 CHAIRMAN SAINÉ: Any others wishing  
20 recognition on the amendment. Seeing none,  
21 we'll move to a roll call vote. The clerk will  
22 call the roll.

23 THE CLERK: Adams.

24 REPRESENTATIVE ADAMS: No.

25 THE CLERK: Brockman.



1 CHAIRMAN SAINÉ: Brockman signifies  
2 aye.

3 THE CLERK: Carney.

4 REPRESENTATIVE CARNEY: Aye.

5 THE CLERK: Cooper-Suggs.

6 REPRESENTATIVE COOPER-SUGGS: Aye.

7 THE CLERK: Dixon.

8 REPRESENTATIVE DIXON: No.

9 THE CLERK: Hardister.

10 REPRESENTATIVE HARDISTER: No.

11 THE CLERK: Harrison.

12 REPRESENTATIVE HARRISON: Aye.

13 THE CLERK: Hastings.

14 REPRESENTATIVE HASTINGS: No.

15 THE CLERK: Hawkins.

16 REPRESENTATIVE HAWKINS: Aye.

17 THE CLERK: Jones.

18 REPRESENTATIVE JONES: No.

19 THE CLERK: Mills.

20 REPRESENTATIVE MILLS: No.

21 THE CLERK: Reives.

22 REPRESENTATIVE REIVES: Aye.

23 THE CLERK: Rogers.

24 REPRESENTATIVE ROGERS: No.

25 THE CLERK: Szoka.

1 REPRESENTATIVE SZOKA: No.  
2 THE CLERK: Warren.  
3 REPRESENTATIVE WARREN: No.  
4 THE CLERK: Zachary.  
5 REPRESENTATIVE ZACHARY: No.  
6 THE CLERK: Richardson.  
7 REPRESENTATIVE RICHARDSON: A big aye.  
8 THE CLERK: Saine.  
9 CHAIRMAN SAINE: No.  
10 THE CLERK: Torbett.  
11 REPRESENTATIVE TORBETT: No.  
12 THE CLERK: Bell.  
13 REPRESENTATIVE BELL: No.  
14 THE CLERK: Stevens.  
15 Hall.  
16 CHAIRMAN HALL: No.  
17 THE CLERK: 7 yes; 14 no.  
18 CHAIRMAN SAINE: In the opinion of the  
19 chair, and according to the vote, the amendment  
20 fails.  
21  
22 REPRESENTATIVE RICHARDSON:  
23 Mr. Chairman, a point of order.  
24 CHAIRMAN SAINE: You're recognized for  
25 a point.

1 REPRESENTATIVE RICHARDSON: In the  
2 interest of time, I think the last five votes  
3 have been 7 to -- 14 to 7. Can we short circuit  
4 this and say does anybody want to change their  
5 vote from the last five votes on the next  
6 amendment, speeding it up.

7 CHAIRMAN SAINÉ: Representative  
8 Richardson, while the chair certainly  
9 appreciates the notion behind the request, I'm  
10 going to honor Representative Reives' original  
11 request. And we only have two more to go so I  
12 think we can make it through, but I do  
13 appreciate it and thank the gentleman.

14 Next we will take up HBA Amend 2 which  
15 is Wake county. Who is the sponsor of this  
16 amendment?

17 Representative Reives, you are  
18 recognized.

19 REPRESENTATIVE REIVES: And thank you  
20 for honoring the ayes and nos request. I  
21 appreciate that.

22 CHAIRMAN SAINÉ: Yes, sir.

23 REPRESENTATIVE REIVES: And as to this  
24 amendment, like in the chair's map, it doesn't  
25 split any VTDs, doesn't double-bunk anybody.

1 The maps also have the same Reock compactness  
2 averages, but this amendment has a much better  
3 Polsby-Popper average, and so we feel it  
4 complies better in our compactness criteria, and  
5 therefore, based on that and based on the fact  
6 that we do a better job of not splitting any  
7 municipalities, like Rolesville, Morrisville,  
8 Fuquay-Varina, we'd ask that you support this  
9 amendment.

10 CHAIRMAN SAINÉ: Representative Hall.

11 CHAIRMAN HALL: Thank you,  
12 Mr. Chairman.

13 Members, the chair's map does a better  
14 job of keeping the smaller, more rural  
15 municipalities in Wake county intact instead of  
16 lumping them in with Raleigh. Examples are  
17 Fuquay-Varina, Apex, Wake Forest, Roseville, and  
18 Angier.

19 And so the other note that the chair  
20 would make, again, and I made this a few times,  
21 but I want to be clear. I had -- we had --  
22 there's a tab on our website for  
23 member-submitted maps, and I submitted a map,  
24 and I asked others, and I've announced this on  
25 the floor several times, get us a map if you

1 want to put it out. So none of these  
2 amendments, none other than my map, were put out  
3 as member-submitted maps for members of the  
4 public to be able to take a look at.

5 So again, as was the case for the other  
6 amendments, I would ask you to oppose this  
7 amendment.

8 CHAIRMAN SAINÉ: Thank you. Those  
9 wishing recognition.

10 Representative Hawkins.

11 REPRESENTATIVE HAWKINS: Thank you.

12 And, you know, I want to make sure that  
13 the chairman hears that, you know, the time and  
14 the talent that went into drawing these is  
15 something that I'm just enamored with and so  
16 that's why I have sort of the questions that I  
17 do about sort of how you originated with some of  
18 these maps and sort of how you -- because  
19 Wake county is -- you know, it's the most  
20 populous county in the state so it's not an easy  
21 draw, and that was probably 50 percent of your  
22 time here while you were drawing.

23 But one of the things that I wanted to  
24 ask so that we can -- you know, especially for  
25 those who are in the committee just for their

1 pleasure and for those who are potentially  
2 watching at home, one of the questions, you  
3 know, for me is, you know, where did you start?  
4 And as a potential starting point, you know, did  
5 you look at and start with District 35? And so  
6 District 35 is sort of -- according, I guess --  
7 you know, I make sure that I would start with  
8 Durham, but then, you know, I sort of center  
9 everything else around that, but District 35 is  
10 southwest Wake county. And so did you start  
11 there, you know, with District 35 in the north  
12 and then 39 and 40 in the south before filling  
13 in the rest of the map? So walk us through how  
14 you built your -- your Wake county structure.

15 CHAIRMAN SAINÉ: Representative Hall.

16 CHAIRMAN HALL: Thank you,  
17 Representative Hawkins.

18 I know the gentleman's question is in  
19 good faith, but from my perspective, I sat in  
20 this room for three weeks, I made probably  
21 thousands -- or directed thousands of clicks on  
22 this map, and so to expect me to remember  
23 literally which one of these districts I started  
24 on in this map I don't believe is a fair  
25 question. And again, I'm not saying it's a

1 question that's in bad faith at all, but it is  
2 8:30, I've been in here for three weeks, but I  
3 will try to answer the gentleman's question.

4 When drawing a map like Wake county,  
5 it's typically easier to start somewhere on the  
6 outside than it is to sort of start in the  
7 beginning and going out. And the gentleman  
8 knows, you sat in here and drawn some of these  
9 maps as well. So if the gentleman goes back and  
10 looks at the instant replay of how I did it,  
11 he'll be able to see which one I started with.

12 REPRESENTATIVE HAWKINS: Follow-up,  
13 Mr. Chairman.

14 CHAIRMAN SAINÉ: You are recognized for  
15 a follow-up, Representative Hawkins.

16 REPRESENTATIVE HAWKINS: I didn't  
17 realize that was an option, but now I may take  
18 you up on that.

19 The follow-up question for me is, you  
20 know, the amendment that was given -- was put  
21 forth does split fewer municipalities than your  
22 map, Mr. Chairman, in all due respect. And so  
23 in particular, why is Morrisville split 50/50  
24 between two districts? Is there -- and I know,  
25 again, in broad strokes, you may not

1 remember -- well, in broad strokes, you may  
2 remember, but detail you may not, but that's a  
3 pretty broad question about a major municipality  
4 and why it was split in half between two  
5 districts.

6 CHAIRMAN SAINÉ: Representative Hall.

7 CHAIRMAN HALL: Well, in large part, it  
8 is because of Adcock and Dahle's residences  
9 makes it very difficult to draw a map that  
10 doesn't do that.

11 REPRESENTATIVE HAWKINS: Thank you,  
12 Mr. Chairman. Follow-up.

13 CHAIRMAN SAINÉ: You are recognized for  
14 a follow-up.

15 REPRESENTATIVE HAWKINS: And so one of  
16 the things -- and I do, I think -- not to --  
17 again, with all due respect, you know, the  
18 amendment has a better compactness score. And  
19 again, you put a lot of work into yours, and so  
20 one of the -- that was put forth, but one of the  
21 questions is is that if you look at, you know,  
22 the VTDs and if you're looking here, you look at  
23 what -- this looks like -- almost like a red  
24 finger. And so, you know, why did you include  
25 that red finger VTD in District 45 instead of in



1 District 35? And so if you're, again, looking  
2 at the map here, you're looking at District,  
3 sort of, 35, which is southwest Wake county,  
4 sort of towards the bottom of Wake county, and  
5 if you're looking at the one that's sort of, you  
6 know, next to it, it sort of has a little bit of  
7 a red finger. And so I wanted to make sure that  
8 we sort of asked the question about sort of the  
9 red finger VTD that looks like that. And I'm  
10 just -- you know, that's something that we can  
11 all sort of look at and use as a common because  
12 the majority knows what a finger looks like, but  
13 thinking about sort of how you got to that  
14 process and why that was put there.

15 CHAIRMAN SAINÉ: Representative Hall.

16 CHAIRMAN HALL: Representative Hawkins,  
17 that is the shape of the VTDs, and my map does  
18 not split any VTDs in Wake county.

19 REPRESENTATIVE HAWKINS: Okay. Thank  
20 you, Mr. Chairman.

21 CHAIRMAN SAINÉ: Thank you,  
22 Representative Hawkins.

23 Any others wishing recognition? Seeing  
24 none, the clerk will call the roll.

25 THE CLERK: Adams.

1 REPRESENTATIVE ADAMS: No.  
2 THE CLERK: Brockman.  
3 REPRESENTATIVE BROCKMAN: Aye.  
4 THE CLERK: Carney.  
5 REPRESENTATIVE CARNEY: Aye.  
6 THE CLERK: Cooper-Suggs.  
7 REPRESENTATIVE COOPER-SUGGS: Aye.  
8 THE CLERK: Dixon.  
9 REPRESENTATIVE DIXON: No.  
10 THE CLERK: Hardister.  
11 REPRESENTATIVE HARDISTER: No.  
12 THE CLERK: Harrison.  
13 REPRESENTATIVE HARRISON: Aye.  
14 THE CLERK: Hastings.  
15 REPRESENTATIVE HASTINGS: No.  
16 THE CLERK: Hawkins.  
17 REPRESENTATIVE HAWKINS: Aye.  
18 THE CLERK: Jones.  
19 REPRESENTATIVE JONES: No.  
20 THE CLERK: Mills.  
21 REPRESENTATIVE MILLS: No.  
22 THE CLERK: Reives.  
23 REPRESENTATIVE REIVES: Aye.  
24 THE CLERK: Rogers.  
25 REPRESENTATIVE ROGERS: No.

1 THE CLERK: Szoka.  
2 REPRESENTATIVE SZOKA: No.  
3 THE CLERK: Warren.  
4 REPRESENTATIVE WARREN: No.  
5 THE CLERK: Zachary.  
6 REPRESENTATIVE ZACHARY: No.  
7 THE CLERK: Richardson.  
8 REPRESENTATIVE RICHARDSON: Aye.  
9 THE CLERK: Saine.  
10 CHAIRMAN SAINE: No.  
11 THE CLERK: Torbett.  
12 REPRESENTATIVE TORBETT: No.  
13 THE CLERK: Bell.  
14 REPRESENTATIVE BELL: No.  
15 THE CLERK: Stevens.  
16 Hall.  
17 CHAIRMAN HALL: No.  
18 THE CLERK: 7 yes; 14 no.  
19 CHAIRMAN SAINE: In the opinion of the  
20 chair and according to the vote, the amendment  
21 fails.  
22 The chairman is in possession of one  
23 last amendment which we attempted to take up  
24 earlier from Representative Reives. It's  
25 HBA Amend 1, and it's Mecklenburg county. We

1 were giving Chairman Hall a little bit of time  
2 to gather some information. We're back on that  
3 amendment.

4 Representative Hall, you're recognized.

5 CHAIRMAN HALL: Thank you,  
6 Mr. Chairman.

7 And I want to speak to Representative  
8 Carney's question. And one of the reasons I  
9 wanted to get a copy of the map because I -- and  
10 I may have misunderstood the lady, but I thought  
11 I heard the lady say that we had two split  
12 precincts, and my recollection, off the top of  
13 my head, was we only had one split precinct in  
14 Wake county, so I wanted to get a copy of my  
15 map, and I've gotten that. I'm sorry.  
16 Mecklenburg county. And I've gotten that now,  
17 and I've confirmed that only one precinct is  
18 split in Mecklenburg county.

19 The other thing that I will note on  
20 this map is what I did here was essentially  
21 start with a version of the current map because  
22 the current version of Mecklenburg county, if  
23 folks will remember back in 2019, when we redrew  
24 these, was basically largely drawn by the  
25 Democratic members of the House in this

1 committee room. And, of course, you know, we  
2 were all in front of the computer, but at the  
3 time this was one that the Democrats really had  
4 a huge amount of input on. And so one thought  
5 in drawing it this way was, well, Democrats have  
6 had a bunch of input on that and nobody seemed  
7 interested in giving me any other input during  
8 this process, so I took the prior input into  
9 consideration in drawing this map, but it only  
10 splits one precinct, and therefore I would ask  
11 you to vote no on the amendment.

12 CHAIRMAN SAINÉ: Representative  
13 Hastings -- excuse me, Representative Hall.

14 Representative Hastings, your mic is  
15 on.

16 I apologize Representative Hall. Had  
17 you concluded your remarks?

18 CHAIRMAN HALL: I've concluded.

19 REPRESENTATIVE HASTINGS: I apologize.

20 CHAIRMAN SAINÉ: No problem,  
21 Representative Hastings.

22 And the chair does apologize to the  
23 committee. We did find one more amendment, so  
24 we will have one more left in my stack of stuff,  
25 but those wishing recognition on the amendment.

1           Seeing none, we will move into a roll  
2           call vote. The clerk will call the roll.

3           THE CLERK: Adams.

4           REPRESENTATIVE ADAMS: No.

5           THE CLERK: Brockman.

6           REPRESENTATIVE BROCKMAN: Aye.

7           THE CLERK: Carney.

8           REPRESENTATIVE CARNEY: Aye.

9           THE CLERK: Cooper-Suggs.

10          REPRESENTATIVE COOPER-SUGGS: Aye.

11          THE CLERK: Dixon.

12          REPRESENTATIVE DIXON: No.

13          THE CLERK: Hardister.

14          REPRESENTATIVE HARDISTER: No.

15          THE CLERK: Harrison.

16          REPRESENTATIVE HARRISON: Aye.

17          THE CLERK: Hastings.

18          REPRESENTATIVE HASTINGS: No.

19          THE CLERK: Hawkins.

20          REPRESENTATIVE HAWKINS: Aye.

21          THE CLERK: Jones.

22          REPRESENTATIVE JONES: [Inaudible.]

23          THE CLERK: Mills.

24          REPRESENTATIVE MILLS: No.

25          THE CLERK: Reives.

1 REPRESENTATIVE REIVES: Aye.  
2 THE CLERK: Rogers.  
3 REPRESENTATIVE ROGERS: No.  
4 THE CLERK: Szoka.  
5 REPRESENTATIVE SZOKA: No.  
6 THE CLERK: Warren.  
7 REPRESENTATIVE WARREN: No.  
8 THE CLERK: Zachary.  
9 REPRESENTATIVE ZACHARY: No.  
10 THE CLERK: Richardson.  
11 REPRESENTATIVE RICHARDSON: Aye.  
12 THE CLERK: Saine.  
13 CHAIRMAN SAINÉ: No.  
14 THE CLERK: Torbett.  
15 REPRESENTATIVE TORBETT: No.  
16 THE CLERK: Bell.  
17 REPRESENTATIVE BELL: No.  
18 THE CLERK: Stevens.  
19 Hall.  
20 CHAIRMAN HALL: No.  
21 THE CLERK: 7 yes; 14 no.  
22 CHAIRMAN SAINÉ: The amendment does  
23 fail.  
24 Last, unless someone produces something  
25 else, I believe we've got the last amendment.

1 It's HBV Amend 2, and it's Buncombe county. And  
2 who is the sponsor of that amendment?

3 Representative Reives, you're  
4 recognized.

5 REPRESENTATIVE REIVES: Thank you,  
6 Mr. Chair.

7 In this particular amendment, again, I  
8 understand there's been an attempt to stick to  
9 minimal changes, and I think on the chair's map  
10 on this particular district -- or set of  
11 districts, we do have a lot of changes. In both  
12 my map and the chair's map, we split Asheville  
13 and one smaller municipality in the county.  
14 Neither of us split any VTDs, nor double-bunk  
15 any incumbents.

16 I would ask that the committee support  
17 my amendment because this proposes a much more  
18 compact drawing of the three districts in  
19 Buncombe. Average Reock score of my amendments  
20 49 compared to 42. Difference with the  
21 Polsby-Popper is even greater with a 32 compared  
22 to 23. And because of the huge difference in  
23 compactness, I would ask the committee to  
24 support this amendment.

25 CHAIRMAN SAINÉ: Representative Hall.



1           CHAIRMAN HALL: Members, in this  
2 particular map, Asheville -- we attempted to  
3 keep Asheville in as few districts as possible.  
4 The amendment essentially slices Asheville  
5 into -- as far as I can tell in just looking at  
6 this without any municipality overlay and,  
7 again, just seeing it last night, along with all  
8 the amendments before you and some other  
9 proposed amendments, it looks to me like what  
10 this does is equally splits Asheville. And I  
11 believe that it's better to try to keep  
12 Asheville in as few districts as possible, and  
13 so therefore I would ask you to oppose the  
14 amendment.

15           CHAIRMAN SAINÉ: Anyone seeking  
16 recognition? Representative Carney.

17           REPRESENTATIVE CARNEY: Thank you,  
18 Mr. Chairman.

19           And again, I'm going to point out to  
20 all the members in here and to the chair, I wish  
21 that the podium was back in the middle of the  
22 room because over here we have to turn to  
23 watch -- look at the people we're speaking to,  
24 so I apologize if my back or side is to you,  
25 Mr. Chairman.

1           So I just have a question about  
2     the -- obviously, when you look at the map, the  
3     chairman's map, Chairman Hall's map and then you  
4     look at the configuration of Representative  
5     Reives' map, there's a big, vast difference when  
6     you look at the compactness of it. I mean, it's  
7     blatant.

8           But I'm just curious that why -- well,  
9     the District 16 -- 116 and 117 are in very  
10    different shapes, and when you look at the map  
11    of Representative Reives, it's very -- it's a  
12    map that citizens can look at and it makes sense  
13    to them and it shows that it's compact, but we  
14    don't have that with the way you've drawn it.

15           Could you -- could you elaborate on why  
16    you chose 116 and 117 to draw them the way you  
17    did.

18           CHAIRMAN HALL: And I believe the  
19    numbers are different --

20           CHAIRMAN SAINES: Representative Hall,  
21    you are recognized.

22           CHAIRMAN HALL: The numbers are  
23    different in my map, but, you know, essentially,  
24    the amendment splits -- again, splits Asheville.  
25    It looks to be sort of an equal -- in equal

1 spaces. And so what I tried to do is in this  
2 map try to put Asheville in two districts rather  
3 than trying to split it equally between the  
4 three districts to try to keep it as whole as we  
5 could, and that's the difference that you see.

6 REPRESENTATIVE CARNEY: And a  
7 follow-up.

8 CHAIRMAN SAINÉ: Representative Carney.

9 REPRESENTATIVE CARNEY: Thank you, and  
10 thank you, Mr. Chairman.

11 In District 117, that district in the  
12 last court rulings in the last decade, it was  
13 ruled as unconstitutional. It looks very  
14 similar as far as partisan gerrymandering. If  
15 partisan gerrymandering was -- partisan, rather,  
16 data was not used, how did you arrive again to  
17 this shape of 117?

18 CHAIRMAN SAINÉ: Representative Hall.

19 CHAIRMAN HALL: Again, I'm trying to  
20 put Asheville in as few districts as we could to  
21 try to keep Asheville as whole as we could.

22 CHAIRMAN SAINÉ: Any others wishing  
23 recognition? Seeing none, we will move into a  
24 roll call vote. The clerk will call the roll.

25 THE CLERK: Adams.

1 REPRESENTATIVE ADAMS: No.  
2 THE CLERK: Brockman.  
3 REPRESENTATIVE BROCKMAN: Aye.  
4 THE CLERK: Carney.  
5 REPRESENTATIVE CARNEY: Aye.  
6 THE CLERK: Cooper-Suggs.  
7 REPRESENTATIVE COOPER-SUGGS: Aye.  
8 THE CLERK: Dixon.  
9 REPRESENTATIVE DIXON: No.  
10 THE CLERK: Hardister.  
11 REPRESENTATIVE HARDISTER: No.  
12 THE CLERK: Harrison.  
13 REPRESENTATIVE HARRISON: Aye.  
14 THE CLERK: Hastings.  
15 REPRESENTATIVE HASTINGS: No.  
16 THE CLERK: Hawkins.  
17 REPRESENTATIVE HAWKINS: Aye.  
18 THE CLERK: Jones.  
19 REPRESENTATIVE JONES: No.  
20 THE CLERK: Mills.  
21 REPRESENTATIVE MILLS: No.  
22 THE CLERK: Reives.  
23 REPRESENTATIVE REIVES: Aye.  
24 THE CLERK: Rogers.  
25 REPRESENTATIVE ROGERS: No.

1 THE CLERK: Szoka.  
2 REPRESENTATIVE SZOKA: No.  
3 THE CLERK: Warren.  
4 REPRESENTATIVE WARREN: No.  
5 THE CLERK: Zachary.  
6 REPRESENTATIVE ZACHARY: No.  
7 THE CLERK: Richardson.  
8 REPRESENTATIVE RICHARDSON: Aye.  
9 THE CLERK: Saine.  
10 CHAIRMAN SAINE: No.  
11 THE CLERK: Torbett.  
12 REPRESENTATIVE TORBETT: No.  
13 THE CLERK: Bell.  
14 REPRESENTATIVE BELL: No.  
15 THE CLERK: Stevens.  
16 Hall.  
17 CHAIRMAN HALL: No.  
18 THE CLERK: 7 yes; 14 no.  
19 CHAIRMAN SAINE: And the amendment does  
20 fail.  
21 Back on the original proposal. Anyone  
22 seeking -- Representative Harrison and then  
23 Representative Hawkins.  
24 REPRESENTATIVE HARRISON: Thank you,  
25 Mr. Chair. I have a question for Chair Hall.

1 CHAIRMAN SAINÉ: You are recognized.

2 REPRESENTATIVE HARRISON: Thank you.

3 I'm -- we heard -- we heard a lot of  
4 comments from the public about the maps.  
5 We -- I think there have been more than 4,000  
6 submitted online. I haven't had a chance to go  
7 through all of them, but I'm wondering if you  
8 all had a way to -- I've been trying to get  
9 through them, but there are a lot.

10 How did -- did you all have a way to  
11 organize those comments and to consider them in  
12 terms of the map drawing?

13 CHAIRMAN SAINÉ: Representative Hall.

14 CHAIRMAN HALL: I don't know if I  
15 really understand the question. We were in the  
16 same committee room together listening to what  
17 folks were saying. We all had an opportunity to  
18 listen to that. The chair has directed -- as  
19 the chair of this committee, I've directed staff  
20 to regularly send out the public comments to  
21 everybody on the committee so we've all had time  
22 to read those.

23 CHAIRMAN SAINÉ: Representative  
24 Harrison.

25 REPRESENTATIVE HARRISON: Follow-up. I

1 think my question was just more specifically how  
2 were you taking into account public input when  
3 you were drawing the maps, but that -- that's  
4 good.

5 I also wondered how -- so if you had  
6 criteria that were in conflict -- we had the  
7 list of criteria that we had adopted back in  
8 August. Was there -- I know that, if I recall,  
9 you declined to create a hierarchy, but how did  
10 you prioritize when they were in conflict, such  
11 as compactness versus splitting voter tabulation  
12 districts or splitting municipalities or  
13 incumbent protection.

14 CHAIRMAN SAINÉ: Representative Hall.

15 CHAIRMAN HALL: I looked at it  
16 holistically and tried to comply with as much of  
17 the criteria as possible.

18 REPRESENTATIVE HARRISON: I appreciate  
19 that. I -- there are -- we heard a lot of  
20 comments from the public about the Princeton  
21 Gerrymandering Project and how it gave the House  
22 map and the Senate map and the proposed  
23 Congressional maps grades of F, but I appreciate  
24 that.

25 I'm mindful of the fact that if I

1 recall from some previous research that we spent  
2 \$11 million in taxpayer money on the past decade  
3 of redistricting litigation, so this drawing  
4 maps that are not going to pass court muster is  
5 expensive to the taxpayer, and I want us to be  
6 mindful that there's a way to do it and a way to  
7 do it right, and we thought we had proposed some  
8 good amendments that would have fixed some  
9 problematic areas. I just will -- those will be  
10 it for now. Thank you.

11 CHAIRMAN SAINÉ: Thank you.

12 Representative Hawkins.

13 REPRESENTATIVE HAWKINS: Thank you,  
14 Mr. Chairman.

15 And hopefully I'm the last voice that  
16 you may hear. Hopefully it's one that's  
17 impactful and helps to inform decisions about  
18 how you want to improve these maps. I'm glad to  
19 be that person for you, glad to be that  
20 colleague for you.

21 But one of the things that I want to  
22 talk about is the PCS, and so that should be  
23 fresh in your mind because we just got that last  
24 night and it was, you know, sort of proposed  
25 today, so we should be able to sort of discuss



1     that with a clear mind and potentially some  
2     detail.

3             You know, one thing about Durham is  
4     that it has not sort of gone through -- I think  
5     what I've heard quite a bit is that, you know,  
6     some of these areas have gone through  
7     litigation. Durham sort of -- and now this new  
8     grouping of Durham and Person have not for  
9     whatever reason. I guess I'm glad for it.

10            But one of the things that I sort of,  
11     you know, wanted to sort of dig into the detail  
12     just a little bit on is the fact that if, you  
13     know, you're looking at sort of this breakdown  
14     of how the maps and the individual VTDs were  
15     broken down, one thing I guess for the -- sort  
16     of the pleasure of the group is could you walk  
17     through -- you know, sort of what does it mean  
18     when it says VTD and then has all these little  
19     numbers by it? Is that something that you can  
20     sort of explain? Because not only are we, you  
21     know, trying to make better maps, but we're also  
22     trying to inform the greater public about sort  
23     of how this is going because I think that that's  
24     just worth, to me, a little bit of detail  
25     because then it sort of sets up another question

1 about some reasoning and how you wanted to  
2 construct VTDs in some of those areas.

3 CHAIRMAN SAINÉ: Representative Hall.

4 CHAIRMAN HALL: VTD is a voter  
5 tabulation district. And some of the numbers  
6 that you might see when you're looking at these  
7 maps are the census data for folks who live in  
8 that particular VTD.

9 REPRESENTATIVE HAWKINS: Yep. And so  
10 that -- follow-up, Mr. Chairman.

11 CHAIRMAN SAINÉ: You're recognized.

12 REPRESENTATIVE HAWKINS: And so, you  
13 know, one of the things that we see as you go  
14 through this -- thank you for that clarification  
15 for the public -- is that as you go through VTD  
16 and you're started to looking at VTD 32, VTD 37,  
17 VTD 44, VTD 45, you get to a place like VTD 30-2  
18 which in this grouping and the way that it was  
19 drawn seems pretty intentional. And so, you  
20 know, I'm pretty familiar with this grouping,  
21 and so it does sort of beg the detail of the  
22 question about after that, you're right. So  
23 many different individual census blocks were  
24 chosen to sort of build out the rest of this  
25 grouping alongside the Person county.

1           And so again, we just got these, they  
2           were just PCS last night so they, you know,  
3           should be fresh detail because those decisions  
4           should have just been made. Is there a reason  
5           that we decided to go into that individual  
6           precinct and pick those individual, you know,  
7           census blocks in that VTD? Because, you know,  
8           again, that sets up my follow-up, Mr. Chairman.

9           CHAIRMAN SAINÉ: Representative Hall.

10          CHAIRMAN HALL: Thank you, and I'll try  
11          to answer the gentleman's question.

12          Because there was no amendment on this  
13          particular grouping, I don't have a map -- a  
14          layered map that shows which VTDs the  
15          gentleman's talking about, but what I can say is  
16          that the -- that part of Durham, as you get down  
17          into the bottom of District 51 on the chair's  
18          map, the precincts or the VTDs are very large in  
19          number, and when you get down there it becomes  
20          very difficult to try to keep your populations  
21          correct.

22          And so some of the comment that we  
23          heard through public comment was the changes in  
24          deviations or the discrepancies in deviations,  
25          and one of the things that I did today is I went

1 in and tried to equalize those deviations. And  
2 I can tell you, at least as to the change today,  
3 that was the purpose of doing that was to change  
4 those deviations.

5 REPRESENTATIVE HAWKINS: Follow-up,  
6 Mr. Chairman.

7 CHAIRMAN SAINÉ: You are recognized for  
8 a follow-up, Representative Hawkins.

9 REPRESENTATIVE HAWKINS: And related  
10 to -- and I'm pretty sure we'll get into some of  
11 this tomorrow, too, but, you know, for that side  
12 of town, you know, that sort of VTD, we have  
13 30-2 and then VTD 32. And so the detail that  
14 I'm following are -- you know, it's not  
15 necessarily overlaid in a map, but it is  
16 outlined in the PCS. And so not only does it do  
17 every VTD that's in a district that also gives  
18 all the census blocks that are associated, and  
19 so we don't necessarily need the overlay to  
20 answer these questions.

21 But, you know, can you also talk about  
22 sort of what you think -- and I know as we have  
23 gone through a lot of this, we have talked about  
24 communities of interest and we talk about sort  
25 of making sure that areas are compact and that,

1 of course, voters understand who their  
2 representative is and people that have things in  
3 common. Can you talk about what you think those  
4 people in this side of Durham in VTD 32 have in  
5 common with the people in Person county in the  
6 remainder of the grouping.

7 CHAIRMAN SAINÉ: Representative Hall.

8 CHAIRMAN HALL: Part of the problem,  
9 Representative Hawkins, is, you know, the  
10 grouping of Person and Durham counties. The  
11 gentleman probably agrees that Person and  
12 Durham, they don't really have a whole lot in  
13 common, but unfortunately, or depending on how  
14 you look at it, the Supreme Court has said  
15 there's a way to do groupings. And I think  
16 everybody agrees this is the optimal county  
17 grouping for Durham county, Durham and Person.

18 Obviously, you've got to include a good  
19 chunk of Durham to get enough population into  
20 Person. So what I tried to do is to create a  
21 district that, as best I could, was compact and  
22 complied with our criteria, and I think that's  
23 what we've done.

24 CHAIRMAN SAINÉ: Thank you. Any others  
25 seeking recognition.

1                   Representatives Harrison.

2                   REPRESENTATIVE HARRISON: Thank you,  
3                   Mr. Chair.

4                   I just wanted to raise a couple  
5                   questions about the Voting Rights Act. I  
6                   reviewed Stephenson in advance of today. I'm  
7                   going to review Gingles tonight again, but  
8                   Stephenson, from my perspective, mandates that  
9                   we would draw the Voting Rights Act districts  
10                  prior to drawing the rest of the plan, so I'm  
11                  trying to figure out how -- how did you ensure  
12                  VRA compliance.

13                  CHAIRMAN SAINÉ: Representative Hall.

14                  CHAIRMAN HALL: Thank you,  
15                  Mr. Chairman.

16                  And the lady is correct as to what  
17                  Stephenson says, but the rest of that story is  
18                  there was a case called Covington versus  
19                  North Carolina that was from 2016, and in that  
20                  case the court found there was not sufficient  
21                  evidence of legally significant racially  
22                  polarized voting in North Carolina. And so  
23                  since that time, we have operated under the  
24                  draws that we've done under a race-blind  
25                  approach. That has been successful in court,

1 and so we're going to continue with that.

2 REPRESENTATIVE HARRISON: Follow-up.

3 Sorry.

4 CHAIRMAN SAINÉ: Representative  
5 Harrison, you are recognized.

6 REPRESENTATIVE HARRISON: Thank you.

7 And I remember Covington because I  
8 believe my district was one of the 28 that were  
9 race -- considered racially gerrymandered that  
10 the legislature had to redraw, and they found  
11 them unconstitutional, the districts  
12 unconstitutional racial gerrymanders. I'm just  
13 reading some facts here, unconstitutional racial  
14 gerrymanders, those 28 districts, and they  
15 acknowledge that there were two reports before  
16 the legislature indicating that there was  
17 statistically significant racially polarized  
18 voting in the state.

19 So I will just like -- I disagree with  
20 y'all's perspective on this. I think that this  
21 is a very big problem for us, and we're reminded  
22 of it through communications from the very first  
23 day of public comments that we heard back in  
24 August. So I just -- I think this is a big  
25 problem for us, and I just -- I think we need a

1 racially polarized voting analysis. I think  
2 that in order to comply with Stephenson and the  
3 federal Voting Rights Act, excuse me, we need to  
4 be mindful of this problem. And I'll stop  
5 there. Thank you.

6 CHAIRMAN SAINÉ: Any others seeking  
7 recognition.

8 Representative Richardson from Webex.  
9 Representative Richardson, we don't have your  
10 audio. If you'll unmute your mic.

11 REPRESENTATIVE RICHARDSON: Thank you,  
12 Mr. Chairman, and I'll be very brief.

13 I just want to raise two points. In  
14 listening to us tonight and in watching us  
15 tonight, somebody asked a very pointed question,  
16 all we pay attention to is what the public  
17 hearing citizens demanded of us and requested of  
18 us.

19 And the second observation has to do  
20 with this process is virtually impossible to do  
21 and to do fairly if you don't listen to what the  
22 people are telling us to do. And let's go back  
23 to that. We heard time and time and time again  
24 that we need to have an impartial committee.  
25 And I know it takes a constitutional amendment,



1 but that's real simple to overcome and that is  
2 you can add legislative approval to the  
3 recommendation, but we need to have an impartial  
4 committee that -- commission that does this and  
5 we vote on it and approve it.

6 But the bottom line is we're not going  
7 to be a good body, we're not going to do what we  
8 need to do unless we have very competitive  
9 districts to draw out the best in all of us, in  
10 the ones that are elected. It just is essential  
11 that we go back to as many competitive districts  
12 as we possibly can have and then we let the  
13 people draw these lines. We're just not going  
14 to get anywhere. This is -- this process is  
15 impossible. A good man like Representative  
16 Hall, it's just so hard to do. You just -- you  
17 know, and follow all these guidelines and these  
18 theorems and these theories and what -- you  
19 know, and these precincts.

20 Let's just draw competitive districts,  
21 let the people draw competitive districts and  
22 let's move on. That's what we should do.  
23 That's what they want us to do. Thank you.

24 CHAIRMAN SAINE: Thank you.

25 Representative Carney.

1           REPRESENTATIVE CARNEY: Thank you,  
2 Mr. Chairman.

3           And to that point I just wanted to  
4 share with the members that I looked up, and  
5 since 2003, when I came to this legislature,  
6 there have been 39 -- 39 independent  
7 redistricting commission bills filed. 39. I  
8 just wanted you to know that. And that's -- the  
9 public has been weighing in all the years I have  
10 been up here and we still haven't done it.

11           CHAIRMAN SAINE: Representative  
12 Hawkins.

13           REPRESENTATIVE HAWKINS: To speak to  
14 the bill.

15           CHAIRMAN SAINE: You are recognized.

16           REPRESENTATIVE HAWKINS: Thank you.

17           I just want to sort of talk about the  
18 fact that before we sort of go into votes on  
19 this fairly soon, the remainder of the body, you  
20 know, that democracy just depends on what we do.  
21 And so the people -- the ten and a half people  
22 that call the great state of North Carolina home  
23 sort of depend on the 120 of us, and those  
24 specifically on this committee, to make sure  
25 that we're making the best decisions possible so

1     that they can have faith in the systems that we  
2     put forth, in the elections process, democracy,  
3     and so the way that they will be governed are  
4     potentially for the next decade and sort of how  
5     they will have relationship with the people who  
6     represent them, right. And so many want to make  
7     sure that they have a pretty decent hand in  
8     that, and so one of the ways, of course, we can  
9     always do that is by having fair maps, making  
10    sure that something is pretty, you know, dear to  
11    me and I know dear to all of you who give of  
12    your time and your talent to come to Raleigh is  
13    that people have faith in -- faith in these  
14    processes, but most importantly that they know  
15    who their representatives are; that we keep  
16    communities of interest whole so that when  
17    voters are making decisions and having  
18    conversations that we're talking about some of  
19    the same things. And so if a city, municipality  
20    is split in half or if an area is sort of placed  
21    in -- you know, awkwardly in a district that it  
22    doesn't have anything in common with, that sort  
23    of hurts the way that people understand and are  
24    able to connect to the important work that we  
25    do.

1           And so that goes down to making sure  
2           that we lessen the amount of split VTDs, which I  
3           know has been a goal; that compactness is  
4           something that -- as we look back and make final  
5           decisions is something that's absolutely  
6           paramount because, again, you know, many of us  
7           get a chance to dig into the details, like the  
8           chairman and I have just here today, by looking  
9           at and actually understanding what a VTD is and  
10          what a census block is, but so many people  
11          don't. They look at the actual map and they do  
12          the eye test, right. They make sure that they  
13          understand that, well, it looks like I should be  
14          in this area and it looks like, you know, myself  
15          and my neighbors should be able to vote for this  
16          same person, and when they can't do that, it  
17          puts us all in jeopardy.

18                 And again, I want to commend the 120  
19          members who come up here every single day. Some  
20          people come here for three or four hours away,  
21          some people come from 30 minutes, some people  
22          come from ten, but you give up your life, your  
23          talent and being able to do something else  
24          because you believe -- you know, was it  
25          Esse Quam Videri, that we are -- you know, we

1 are to be rather than we are to seem, and so we  
2 want to make sure that we're doing all the  
3 things that put us in the best possible light of  
4 the people because, again, we don't spend time  
5 here until 8:00 or 9:00 just for our health. We  
6 do it because we love this state, and so we have  
7 to make sure that we are being rather than  
8 seeming. And so I just want to leave this  
9 committee with this tonight, and I hope that  
10 when we have this discussion tomorrow it will be  
11 fruitful. Thank you.

12 CHAIRMAN SAINÉ: Any others seeking  
13 recognition. Seeing none, I believe  
14 Representative Torbett has a motion.

15 REPRESENTATIVE TORBETT: Thank you,  
16 Mr. Chairman. My motion is that the House  
17 Committee on Redistricting report favorably to  
18 House Bill 976 as amended wrote into a new PCS  
19 with H976-ABA-31 controlling for Chatham, Lee,  
20 Moore, Randolph, and Richmond counties and leave  
21 the committee for staff to alter the short title  
22 to reflect the new resulting map.

23 CHAIRMAN SAINÉ: You have heard the  
24 motion, and the clerk will call the roll.

25 THE CLERK: Adams.

1 REPRESENTATIVE ADAMS: Aye.  
2 THE CLERK: Brockman.  
3 REPRESENTATIVE BROCKMAN: No.  
4 THE CLERK: Carney.  
5 REPRESENTATIVE CARNEY: No.  
6 THE CLERK: Cooper-Suggs.  
7 REPRESENTATIVE COOPER-SUGGS: No.  
8 THE CLERK: Dixon.  
9 REPRESENTATIVE DIXON: Aye.  
10 THE CLERK: Hardister.  
11 REPRESENTATIVE HARDISTER: Aye.  
12 THE CLERK: Harrison.  
13 REPRESENTATIVE HARRISON: No.  
14 THE CLERK: Hastings.  
15 REPRESENTATIVE HASTINGS: Aye.  
16 THE CLERK: Hawkins.  
17 REPRESENTATIVE HAWKINS: No.  
18 THE CLERK: Jones.  
19 REPRESENTATIVE JONES: Aye.  
20 THE CLERK: Mills.  
21 REPRESENTATIVE MILLS: Aye.  
22 THE CLERK: Reives.  
23 REPRESENTATIVE REIVES: No.  
24 THE CLERK: Rogers.  
25 REPRESENTATIVE ROGERS: Yes.

1 THE CLERK: Szoka.  
2 REPRESENTATIVE SZOKA: Aye.  
3 THE CLERK: Warren.  
4 REPRESENTATIVE WARREN: Aye.  
5 THE CLERK: Zachary.  
6 REPRESENTATIVE ZACHARY: Yes.  
7 THE CLERK: Richardson.  
8 REPRESENTATIVE RICHARDSON: A regretful  
9 no.  
10 THE CLERK: Saine.  
11 CHAIRMAN SAINE: Aye.  
12 THE CLERK: Torbett.  
13 REPRESENTATIVE TORBETT: Aye.  
14 THE CLERK: Bell.  
15 REPRESENTATIVE BELL: Aye.  
16 THE CLERK: Stevens.  
17 Hall.  
18 CHAIRMAN HALL: Aye.  
19 THE CLERK: 14 yes; 7 no.  
20 CHAIRMAN SAINE: The ayes have it. The  
21 motion passes.  
22 With no other business being before the  
23 committee, we stand adjourned.  
24 (Transcription from YouTube ended at  
25 11:57:36.)





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NORTH CAROLINA GENERAL ASSEMBLY

SENATE REDISTRICTING COMMITTEE

NOVEMBER 2, 2021

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1 (Transcription from YouTube started at  
2 1:00:15.)

3 CHAIRMAN NEWTON: All right. Good  
4 morning, everyone. Welcome to the Senate  
5 Committee on Redistricting. We're going to go  
6 ahead and get started this morning.

7 I want to begin by thanking our  
8 sergeant-at-arms for helping us today. We've  
9 got Michael Cavness. Michael, thank you.  
10 Thanks for being here. Rod Fuller is here.  
11 Hey, Rod. Jim Hamilton. Jim. Mike Harris and  
12 Sherrie Hedrick, thank you so much for being  
13 here and being a part of this team.

14 We are going to hear Senate Bill 739  
15 this morning. Senator Hise is going to present  
16 that. Shortly thereafter, we are going to take  
17 a break. There are a number of amendments --  
18 proposed amendments that Senator Blue and  
19 Senator Clark are going to be offering this  
20 morning. Those are in process. So we're going  
21 to take a little bit of a recess, then we will  
22 get our arms around those amendments, come back,  
23 do the Q and A around the map and do the  
24 amendments and Q and A around the amendments.

25 So with that, Senator Hise, the floor



1 is yours.

2 CHAIRMAN HISE: Thank you, all members.  
3 I'm going to present Senate Bill 739. You  
4 should have the map and the bill in front of  
5 you. I want to go through an explanation of the  
6 50 districts and, once again, be thankful I'm  
7 not in the House. That's for coming in.

8 So Senate District 1 is created by  
9 county groupings chosen in northeast  
10 North Carolina. The chairs chose the  
11 configuration that makes SD 1 out of the  
12 following whole counties: Bertie, Camden,  
13 Currituck, Dare, Gates, Hartford, Northampton,  
14 Pasquotank, Perquimans, and Tyrrell.

15 The configuration leaves four of the  
16 five finger counties in the northeast in one  
17 district. We had some public comments about  
18 keeping these counties together or the northern  
19 Outer Banks together. Seven of the ten counties  
20 and 81 percent of the population in SD 1 are in  
21 the Norfolk media market, Camden, Currituck,  
22 Dare, Gates Hertford, Pasquotank, and  
23 Perquimans, while others are divided between  
24 Greenville and Raleigh containing 19 percent of  
25 the district's population.

1 All North Carolina counties in the  
2 Norfolk media market are in SD 1 except for  
3 Chowan county, this being a whole county  
4 district. There are no split VTDs or split  
5 municipalities within the counties in SD 1. The  
6 incumbent for this district is Senator Bazemore.

7 Senate District 2 follows the Roanoke  
8 River from Warren county to Albemarle Sound in  
9 Washington county, Chowan county directly across  
10 from the Albemarle Sound from Washington county.  
11 It is also grouped -- is also grouped in this  
12 district. Hyde county, also on the  
13 Albemarle Sound, is in this district as is  
14 Pamlico county. Along the Pamlico River and the  
15 Pamlico, five of the eight counties in the  
16 district are in the Greenville media market with  
17 the others being split between the Raleigh media  
18 market and the Norfolk media market. Two-thirds  
19 of the population of this district live in the  
20 Greenville media market. This being a whole  
21 county district, there are no split VTDs or  
22 split municipalities. In Senate District 2,  
23 there are two incumbents in this district:  
24 Senator Sanderson and Senator Steinburg.

25 Senate District 3 is created by the

1 base county grouping map: Beaufort, Craven, and  
2 Lenoir counties. This being a whole county  
3 district, there are no split VTDs or split  
4 municipalities. The incumbent is Senator Perry.

5 Senate District 4 is created by the  
6 base county grouping map: Green, Wayne, and  
7 Wilson counties. This being a whole county  
8 district, there are no split VTDs or split  
9 municipalities. The incumbent in Senate  
10 District 4 is Senator Fitch.

11 Senate District 5 is created by the  
12 base county grouping map: Edgecombe and Pitt  
13 counties. This being a whole county district,  
14 no split VTDs or split municipalities within  
15 counties. The incumbent for Senate District 5  
16 is Senator Davis of Pitt county.

17 Senate District 6 is created by the  
18 base county grouping map: Onslow county. This  
19 is a single county district; no split VTDs or  
20 split municipalities.

21 Senate District 7 [unintelligible]  
22 together comprise Brunswick, Columbus, and  
23 New Hanover counties. Senate District 7 is  
24 created by the county grouping choice in  
25 southeastern North Carolina. New Hanover county

1 is slightly larger than the maximum senate  
2 district, therefore the chairs chose to move  
3 three whole precincts out of Senate District 7  
4 into Senate District 8.

5 Senate District 7 is thus New Hanover  
6 county minus these three precincts: CFO-1,  
7 CFO-6 and HO-1. These precincts were selected  
8 to keep all the municipalities in New Hanover  
9 county whole and to keep as much of the  
10 population in the county as possible in Senate  
11 District 7. The district based in the county,  
12 there are no split VTDs or split municipalities  
13 within New Hanover county. The incumbent for  
14 Senate District 7 is Senator Lee.

15 Senate District 8 includes Brunswick  
16 and Columbus county plus the previously  
17 mentioned precincts in New Hanover county.  
18 There are no split VTDs or split municipalities  
19 within the counties of the district. The  
20 incumbent is Senator Rabon.

21 Senate District 9 and 12 make a  
22 two-district, seven-county cluster also created  
23 by the county grouping decision in southeastern  
24 North Carolina. Bladen, Duplin, Jones, and  
25 Pender counties are whole in Senate District 9.

1 Sampson county is split between the two  
2 districts. The chair chose to leave as much of  
3 Sampson county whole in Senate District 9 as  
4 possible. They had the choice of moving one  
5 precinct from northern Sampson county into  
6 Senate District 12; however, this would have  
7 split two municipalities and removed more  
8 residents from Sampson county into Senate  
9 District 12 than the alternative which they  
10 selected, which was to split the two precincts  
11 leaving the town of Plain View intact in Senate  
12 District 12 and the town of Spivey's Corner and  
13 the rest of Sampson county intact in Senate  
14 District 9. There are two split VTDs and no  
15 split municipalities within the counties in the  
16 district. The incumbent for Senate District 9  
17 is Senator Jackson.

18 Senate District 12 is made up of  
19 Harnett and Lee county plus the municipalities  
20 of Plain View and Sampson county as described  
21 above. There are two split VTDs shared within  
22 Senate District 9 as previously mentioned and no  
23 split municipalities within the counties in the  
24 district. The incumbent for Senate District 12  
25 is Senator Berger.

1 Senate District 10 is created by the  
2 base grouping map Johnston county. It's a  
3 single county district. There are no split VTDs  
4 or municipalities.

5 Senate District 11 is created by the  
6 base grouping map: Franklin, Nash, and Vance.  
7 Being whole county district, there are no split  
8 VTDs or split municipalities. The incumbent for  
9 Senate District 11 is Senator Barnes.

10 Granville and Wake counties form a  
11 six-district, two-county grouping in the base  
12 senate map. Within this grouping, the chairs  
13 are attempting to keep municipalities whole  
14 while splitting as few precincts as possible to  
15 accomplish this task and comply with the one  
16 person, one vote. The overall population when  
17 this -- within this county grouping is  
18 1,190,402, meaning the ideal population for each  
19 of the six districts is 198,400, which is only  
20 52 people above the minus 5 percent deviation  
21 minimum for senate districts in the state. In  
22 other words, all six districts were incredibly  
23 close to the minus 5 deviation minimum and some  
24 VTDs had to be split to the comply with the one  
25 person, one vote within Wake county.

1           Raleigh is too large for one senate  
2           district and, therefore, must be split. The  
3           chairs were unable to keep Cary or Apex whole  
4           within a district due to the populations and  
5           geography. However, all other municipalities --  
6           Fuquay-Varina, Garner, Holly Springs,  
7           Knightdale, Morrisville, Rolesville,  
8           Wake Forest, Wendell, and Zebulon -- were kept  
9           whole. Ten percent were split in Wake county to  
10          keep the municipalities whole and balance  
11          populations between the districts. Ten  
12          precincts were split to keep the populations  
13          whole.

14                 Senate District 13 includes Granville  
15          county and unincorporated areas in northern Wake  
16          county plus the north wake towns of Rolesville,  
17          Wake Forest, Zebulon -- and Zebulon. Raleigh,  
18          the second largest city in North Carolina, again  
19          is too large for a senate district and was,  
20          therefore, contained in four senate districts.  
21          Over 98 percent of Raleigh is in three senate  
22          districts. Senate District 13 has the smallest  
23          portion of the population, less than 2 percent.  
24          The towns of Rolesville, Wake Forest, and  
25          Zebulon are left whole and 100 percent of their

1 Wake county populations are within Senate  
2 District 13.

3 One precinct was split with Senate  
4 District 18 to keep Wake Forest whole. Two  
5 precincts were split with Senate District 14 to  
6 keep Wendell whole. In the district, there are  
7 no incumbents in Senate District 13.

8 Senate District 14 includes Garner,  
9 Knightdale, Wendell, southeast Raleigh and parts  
10 of downtown Raleigh. 21 percent of the  
11 population of Raleigh is in Senate District 14.  
12 There are no split municipalities in the  
13 district other than Raleigh. 100 percent of the  
14 populations of Garner, Knightdale, and Wendell  
15 are in the district. As mentioned, two of the  
16 precincts are split with Senate District 13 to  
17 keep Wendell whole in Senate District 14. Three  
18 precincts are split along the southern edge of  
19 the district to keep Garner whole. Two  
20 precincts are split in east Raleigh to balance  
21 its population with the districts within the  
22 deviation range. The incumbent in Senate  
23 District 14 is Senator Blue.

24 Senate District 15 is in west Raleigh  
25 downtown and contains a portion of eastern Cary.



1 36 percent of the population of Raleigh is in  
2 Senate District 15. Within the district,  
3 85 percent of the population is in Raleigh and  
4 12 percent is in Cary. Senate District 15  
5 splits two precincts with other districts to  
6 balance population. The incumbent in this  
7 district is Senator Chaudhuri.

8 Senate District 16 is centered in Cary  
9 and western Wake. 80 percent of the population  
10 of Cary is in Senate District 16. 45 percent of  
11 the population of Apex is in the district. The  
12 town of Morrisville is kept whole within Senate  
13 District 16. Of the population of the district,  
14 69 percent is Cary, 15 percent is Morrisville,  
15 and 13 percent is Apex. There are two split  
16 precincts to balance population. One was Senate  
17 District 15 and one was Senate District 17. The  
18 incumbent for Senate District 16 is  
19 Senator Nickel.

20 And Senate District 17 includes  
21 Holly Springs, Fuquay-Varina, 55 percent of  
22 Apex, and 6.5 percent of Cary. Three VTDs were  
23 split to keep Garner whole in Senate  
24 District 13, and another VTD was split to  
25 balance population between 17 and 16. The

1 incumbent in this district is Senator Batch.

2 To recap, the Wake county senate map,  
3 the chairs decided to split ten VTDs to balance  
4 the population of the districts and to make as  
5 many of the municipalities as whole as possible.  
6 Apex, Cary, and Raleigh were each split into  
7 more than one district, and Fuquay-Varina,  
8 Garner, Holly Springs, Knightdale, Morrisville,  
9 Rolesville, Wake Forest, Wendell, and Zebulon  
10 were each left whole within one district.

11 Cumberland and Moore county form a  
12 two-county, two-district grouping in the base  
13 map. Senate District 19 was drawn to keep as  
14 much of Fayetteville as whole as possible. The  
15 city of Fayetteville has an irregular shape and  
16 many satellite annexations and shares precincts  
17 with other municipalities such as Hope Mills,  
18 and the chairs were not able to leave it whole.  
19 The result is a district that includes over  
20 88 percent of the population of Fayetteville and  
21 nearly 15 percent of the population of  
22 Hope Mills. There are no split VTDs in the  
23 district. The incumbent in Senate District 9 is  
24 Senator deViere.

25 Senate District 21 was drawn keeping

1 Moore county whole in part with the remaining  
2 rural areas of Cumberland county. As stated  
3 above, the irregular shapes of municipalities  
4 and precincts containing more than one  
5 municipality in them made it difficult to keep  
6 all municipalities whole.

7 Senate District 21 includes 85 percent  
8 of the population of Hope Mills and 12 percent  
9 of the population of Fayetteville. There are no  
10 split VTDs in Senate District 21, and there is  
11 no incumbent in the district.

12 Chatham and Durham counties form a  
13 two-county, two-district grouping in the base  
14 senate map. Senate District 20 includes all of  
15 Chatham county, any unincorporated Durham  
16 county, and the peripheral Durham city  
17 precincts. The town of Chapel Hill has some  
18 territory in two Durham county precincts. The  
19 chairs decided to keep the town of Chapel Hill  
20 whole and place both the precincts in Senate  
21 District 20. Most of the City of Durham is in  
22 Senate District 20 and Senate District 22, but  
23 SD 20 includes 30 percent of the city's  
24 population. There are no split VTDs in the  
25 district, and the incumbent is Senator Murdock.

Senate District 22 was drawn within the city of Durham. The city is larger than a senate district and is, therefore, split between Senate District 22 and Senate District 20. 70 percent of the population of Durham will reside in Senate District 22. There are no split VTDs in Senate District 22. Senator Woodard is the incumbent in the district.

Senate District 23 is created by the base county grouping map: Caswell, Orange, and Person counties. This being a whole county district, there are no split VTDs or split municipalities. The incumbent in Senate District 23 is Senator Foushee.

Senate District 24 is also created by the base county grouping map: Hoke, Robeson, and Scotland counties. This being a whole county district, there are no split VTDs or split municipalities. There are two incumbents in this district, Senator Clark and Senator Robins -- Senator Britt from Robeson. Sorry.

Alamance, Anson, Cabarrus, Montgomery, Randolph, Richmond, and Union counties comprise a seven-county, four-district grouping with the Senate Seats 25, 29, 34, and 35. The county

1 grouping is the base group in the senate map.  
2 Because of how the counties are aligned and the  
3 populations that live there, the counties must  
4 be split between districts are Cabarrus,  
5 Randolph, and Union. Alamance, Anson,  
6 Montgomery, and Richmond counties were left  
7 whole within the district.

8 Senate District 25 comprises Alamance  
9 county and eastern Randolph county. The chairs  
10 opted to keep as many precincts whole in  
11 Randolph as possible while also keeping  
12 municipalities whole. One precinct was split to  
13 keep all of Asheboro whole in Senate District 29  
14 and to keep all of Randleman whole in Senate  
15 District 25. All other precincts in Randolph  
16 county are left whole as are municipalities in  
17 the county. Senator Galey is the incumbent for  
18 Senate District 25.

19 CHAIRMAN NEWTON: Senator Hise.

20 CHAIRMAN HISE: Yes.

21 CHAIRMAN NEWTON: I just want to  
22 congratulate you for being halfway through.

23 CHAIRMAN HISE: Actually, it's a little  
24 more than that, but that's good.

25 Senate District 29 comprises the rest

1 of Randolph county, including all of Asheboro  
2 and the eastern side of the county, all of  
3 Anson, Montgomery, and Richmond, and eastern and  
4 southern portions of Union county. Within Union  
5 county, the district line was drawn to keep all  
6 precincts and municipalities whole. Senate  
7 District 29 shares one split precinct with  
8 Senate District 25 in Randolph county to keep  
9 the city of Asheboro whole. There are no split  
10 municipalities within counties in the district.  
11 There are two incumbents in Senate District 29:  
12 Senator Craven and Senator McInnis.

13 Senate District 35 comprises of the  
14 rest of Union county and parts of the  
15 southernmost VTDs in Cabarrus county. The  
16 chairs opted to not take the entire VTD, leaving  
17 the blocks north of the town of Midland in  
18 Senate District 34 to leave as much of the  
19 population of Cabarrus county in the district  
20 base there as possible, that being Senate  
21 District 34, and to make the populations of the  
22 districts within the pod fall within the plus or  
23 minus 5 percent range. All the districts in  
24 this county grouping are above the ideal  
25 population number with Senate District 34 and 35

1 above 218,000 people, just below the limit of  
2 219,227.

3 A second VTD was split in Senate  
4 District 34 to keep the entire municipality of  
5 Midland within 30 -- within Senate District 34.  
6 The chairs were able to leave the municipalities  
7 of Locust whole in Cabarrus county. Most of the  
8 town is in Stanly county, but there are portions  
9 in Cabarrus. The Cabarrus county portion of  
10 Locust is, therefore, split between Senate  
11 District 34 and Senate District 35. The  
12 incumbent in Senate District 35 is Senator  
13 Johnson.

14 Senate District 34 comprises most of  
15 Cabarrus county. There are two split VTDs, as  
16 mentioned before, and one split municipality.  
17 The Cabarrus county portion of Locust, the  
18 incumbent in Senate District 34 is Senator  
19 Newton.

20 Guilford and Rockingham counties form a  
21 two-county, three-district grouping in the  
22 senate base map. Rockingham county is left  
23 whole in Senate District 26. Senate District 26  
24 includes the unincorporated and bedroom  
25 community areas of Guilford county along with

1     Rockingham county. Greensboro is too large to  
2     be contained in one senate district and is,  
3     therefore, split.

4             Senate District 26 does not contain any  
5     G precincts, Greensboro [unintelligible] that  
6     begin with the letter G, but it does include  
7     4 percent of the city's population. One VTD was  
8     split, SDRI, in western Guilford county to keep  
9     the population of Kernersville, the Guilford  
10    county portion, most of the municipalities in  
11    Forsyth county but within Senate District 26,  
12    therefore in total there is one split  
13    municipality, Greensboro, and one split VTD in  
14    Guilford county. The incumbent in Senate  
15    District 26 is Senator Berger.

16            Senate District 28 is drawn respecting  
17    the city limits of Greensboro as much as  
18    possible. The city's too large for one senate  
19    district, so Senate District 28 is situated in  
20    the northern two-thirds of the city. 68 percent  
21    of Greensboro's population is in Senate  
22    District 28. There are two incumbents in the  
23    district: Senator Robinson and Senator Garrett.

24            Senate District 27 includes most of the  
25    rest of Greensboro, specifically the southern



1 sections of the city and the city of High Point,  
2 leaving the Guilford portion of the  
3 municipalities whole. There is no incumbent in  
4 Senate District 27.

5 Senate District 30 is created by the  
6 base county grouping map: Davie and Davidson  
7 counties. This being a whole county district,  
8 there are no split precincts or split  
9 municipalities. Senator Jarvis is the incumbent  
10 in Senate District 30. 30, 32. Sorry.

11 Senate District 31 and 32 are in a  
12 two-county pod that includes Stokes and Forsyth  
13 counties. The chairs opted to pair Forsyth and  
14 Stokes instead of Forsyth with Yadkin because  
15 the resulting districts both within  
16 Forsyth-Stokes county groupings and the  
17 Alexander-Wilkes-Surry-Yadkin groupings are more  
18 compact and because its configuration leaves two  
19 more municipalities whole spanning the two  
20 counties Germantown and King which span  
21 Forsyth-Stokes county line.

22 Senate District 31 is drawn to keep  
23 Stokes county whole and to keep as many  
24 municipalities whole within Forsyth as possible.  
25 Senate District 31 keeps the suburban towns

1 around Winston-Salem whole: Bethania, Clemmons,  
2 Germantown, Kernersville, King, Lewis,  
3 Rural Hall, Tobaccoville, and Walkertown. This  
4 configuration keeps the municipalities King and  
5 Germantown whole across the Forsyth-Stokes  
6 counties. There are no municipalities that span  
7 the Yadkin-Forsyth county line, the alternative  
8 option for the two-county groupings, therefore  
9 selecting the Forsyth-Stokes county grouping  
10 option creates more compact districts and keeps  
11 two more municipalities whole across the  
12 counties.

13 Senate District 31 also includes parts  
14 of Winston-Salem that are in shared precincts  
15 with these two towns. The populations of  
16 Winston-Salem is too large for one senate  
17 district, therefore it is split between Senate  
18 District 31 and Senate District 32.

19 Senate District 31 contains 16 percent  
20 of the city's population. There are no split  
21 VTDs in the district. The incumbent in Senate  
22 District 31 is Senator Krawiec.

23 Senate District 32 is drawn within the  
24 city of Winston-Salem since it's larger than the  
25 population range for a senate district. Senate

1 District 32 contains 84 percent of the  
2 population of Winston-Salem. All VTDs were left  
3 whole in Forsyth county. The incumbent for  
4 Senate District 31 is Senator Lowe.

5 Senate District 36 is created by the  
6 same grouping choice in northwestern  
7 North Carolina: Alexander, Surry, Wilkes, and  
8 Yadkin counties. The alternative configuration  
9 for this district follows the Stephenson  
10 criteria, and Alexander, Surry, Wilkes, and  
11 Stokes trading Yadkin for Stokes. The chairs  
12 opted for the configuration that includes Yadkin  
13 because the district is more compact and leaves  
14 two more municipalities whole that span the  
15 border of Forsyth and Stokes. There are no  
16 split VTDs or split municipalities within this  
17 district, and there is no incumbent for Senate  
18 District 36.

19 Senate District 33 is created by the  
20 base county grouping map: Rowan and Stanly  
21 counties. This being a whole county district,  
22 there are no split VTDs or split municipalities  
23 within the counties in the district. Senator  
24 Ford is the incumbent in Senate District 33.

25 Six senate districts are contained in

1 the two-county grouping of Iredell and  
2 Mecklenburg county. Senate District 37, 38, 39,  
3 40, 41, and 42. The county grouping is created  
4 by the base map.

5 Senate District 37 keeps Iredell whole  
6 and contains the northmost precincts of  
7 Mecklenburg county. The municipality of  
8 Davidson spans Iredell and Mecklenburg county,  
9 so Senate District 37 includes the Mecklenburg  
10 precincts containing Davidson, keeping the  
11 Mecklenburg and Iredell portions of that  
12 municipality whole. Part of Davidson is in  
13 Cabarrus county, but that piece of the  
14 municipality is in Senate District 34.

15 The town of Cornelius is too large to  
16 also fit in Senate District 37, and a split  
17 municipality is unavoidable. Senate District 37  
18 includes 33 percent of the population of  
19 Cornelius. This is the only split municipality  
20 in the district. There are no split precincts.  
21 The incumbents in Senate District 37 are  
22 Senator Sawyer and Senator Marcus.

23 I would like to note that the Senate  
24 Democrats' amendment for Mecklenburg and Iredell  
25 county contains this same district, Senate

1 District 37, exactly the same way, creating the  
2 same double-bunking.

3 Senate District 38 is in northern  
4 Mecklenburg county, directly south of Senate  
5 District 37. This includes the town of  
6 Huntersville, 67 percent of the town of  
7 Cornelius, and 14 percent of the city of  
8 Charlotte. Charlotte, the largest city in the  
9 state, has over 857,000 people and is therefore  
10 contained in the five Mecklenburg base senate  
11 districts. Senate District 38 includes about a  
12 dozen north Charlotte precincts. There are no  
13 split precincts in this district, and the  
14 incumbent is Senator Mohammed.

15 Senate District 39 is in western  
16 Mecklenburg county and includes the  
17 unincorporated areas along with the Gaston  
18 county along and the South Carolina border along  
19 with parts of uptown, west Charlotte,  
20 Still Creek and the town of Pineville and  
21 southern Mecklenburg county. Of the population  
22 in the district, 81 percent is in Charlotte,  
23 5 percent is in Pineville, and 14 percent is in  
24 the unincorporated areas of the state. Of the  
25 total population of Charlotte, Senate District

1     39 contains about 20 percent of the population.  
2     There are no split VTDs in this district.  
3     Senator Salvador is the incumbent in Senate  
4     District 39.

5             Senate District 40 is in northeastern  
6     Charlotte and includes 24 percent of the city's  
7     population. Of the population in the district,  
8     96 percent is in Charlotte and 4 percent is in  
9     unincorporated areas of Mecklenburg along the  
10    eastern edge of the county bordering Cabarrus.  
11    There is no split precincts in the district.  
12    Senator Waddell is the incumbent in Senate  
13    District 40.

14            Senate District 41 includes south  
15    Charlotte and the towns of Matthews and  
16    Mint Hill. They're unincorporated areas in the  
17    district. Of the population in the district,  
18    71 percent is Charlotte, 14 percent is Matthews,  
19    12 percent is Mint Hill, and the remaining  
20    4 percent is Union county base municipalities  
21    with territories in southern Mecklenburg and  
22    unincorporated areas. Approximately 18 percent  
23    of the population of Charlotte is in this  
24    district. There are no split precincts, and  
25    there is no incumbent in Senate District 41.

1 Senate District 42 includes parts of  
2 uptown Charlotte, south Charlotte, and east  
3 Charlotte. 100 percent of the district's  
4 population is in the city of Charlotte. The  
5 district includes 25 percent of Charlotte's  
6 population. There are no split precincts in  
7 Senate District 42, and the incumbent in the  
8 district is Senator Jackson.

9 There are two options for county  
10 groupings in the southwest part of the state.  
11 The chairs selected the county group  
12 configuration that combines Cleveland, Gaston,  
13 and Lincoln counties in a 3-2 district pod,  
14 Henderson, Polk, and Rutherford counties in a  
15 3-1 district pod, and Buncombe, Burke, and  
16 McDowell in a three-county, two-district pod.  
17 The chairs selected this because the resulting  
18 districts are the most compact.

19 Senate District 43 is drawn within  
20 Gaston county and keeps all the precincts and  
21 municipalities whole. Five VTDs were pulled out  
22 of the Gaston county district, the three  
23 Cherryville VTDs, Landers Chapel, and Tryon, to  
24 stay within the correct population range. The  
25 incumbent in District 45 is Senator Harrington.

1 Senate District 44 is comprised of the  
2 five VTDs from Gaston county and Cleveland and  
3 Lincoln counties. There are no split precincts  
4 or municipalities within the counties in Senate  
5 District 44. The incumbent in this district is  
6 Senator Alexander.

7 Senate District 48 is combined of three  
8 county groupings: Henderson, Polk, and  
9 Rutherford counties. This being a whole county  
10 district, there are no split municipalities or  
11 precincts. The incumbent for Senate District 48  
12 is Senator Edwards.

13 Senate District 46 includes all of  
14 Burke and McDowell county plus unincorporated  
15 precincts and small towns in Buncombe county.  
16 One VTD is split to keep the municipality of  
17 Woodfin whole within Senate District 49. There  
18 is no split municipalities in the district. The  
19 incumbent for District 47 is Senator -- 46 is  
20 Senator Daniel.

21 Senate District 49 includes the rest of  
22 Buncombe county, including Asheville,  
23 Biltmore Forest, Weaverville, Woodfin -- and  
24 Woodfin. This splits one VTD mentioned above to  
25 keep Woodfin whole. There are no split



1 municipalities in the district. The incumbent  
2 for District 48 is Senator Mayfield.

3 The senate based map includes a western  
4 North Carolina county grouping comprising three  
5 districts, 45, 47, and 50, and 17 counties,  
6 Alleghany, Ashe, Avery, Caldwell, Catawba,  
7 Cherokee, Clay, Graham, Haywood, Jackson, Macon,  
8 Madison, Mitchell, Swain, Transylvania, Watauga,  
9 and Yancey. Because of how these counties are  
10 aligned and the populations, the counties must  
11 be split between districts are Caldwell and  
12 Haywood.

13 Senate District 45 contains all of  
14 Catawba county and a portion of Caldwell county.  
15 The chairs kept the municipalities in Caldwell  
16 whole as Lenoir -- with Lenoir going to Senate  
17 District 47 and the small towns in the southeast  
18 of Lenoir in Senate District 45. There are two  
19 split precincts in Caldwell to keep the  
20 municipalities of Lenoir whole. There are no  
21 split municipalities within the district.  
22 Senator Proctor is the incumbent in Senate  
23 District 45.

24 Senate District 47 includes the rest of  
25 Caldwell county, all of Alleghany, Ashe, Avery,

1 Madison, Mitchell, Watauga, and Yancey counties  
2 and a portion of Haywood county. The chairs  
3 kept all municipalities and VTDs whole within  
4 Haywood county. In Haywood county, Senate  
5 District 47 includes the town of Canton. The  
6 larger municipality of Waynesville is left whole  
7 in Senate District 50. There are no split  
8 municipalities in the district, and only the two  
9 split precincts shared with Senate District 45  
10 to keep Lenoir whole. There are two incumbents  
11 in Senate District 47, myself and Senator  
12 Ballard.

13 Senate District 50 includes the rest of  
14 Haywood county, includes all of Cherokee, Clay,  
15 Graham, Jackson, Macon, Swain, and Transylvania.  
16 There are no split precincts or municipalities  
17 in the district. Senator Corbin is the  
18 incumbent for Senate District 50.

19 CHAIRMAN NEWTON: Senator Hise, thank  
20 you. That's a lot of work, especially for a  
21 math guy. Very well done.

22 [Applause.]

23 CHAIRMAN NEWTON: Yeah, give him a  
24 hand. Well done.

25 So, Members, where we're going to go

1 from here is I'm going to be making a statement  
2 of the chairs. We have a number of amendments  
3 that are being pulled together that I think will  
4 answer or go to many of the questions that you  
5 may have for Senator Hise.

6 So what we're going to do, I'm going to  
7 provide you the statement of the chairs, we're  
8 going to then pause, go into recess for enough  
9 time to get our arms around these amendments,  
10 see what we've got, then we'll reconvene and  
11 you'll be able to ask Senator Hise any questions  
12 you have about the map and then follow that with  
13 your amendment if you think that cures a concern  
14 that you have.

15 So, Senator Hise, you're welcome to  
16 take a seat at this point because you're not  
17 going to have to be asked any questions until a  
18 little bit later.

19 So the chairs wanted to be direct and  
20 address an issue that's being raised by some,  
21 and that is whether the General Assembly is  
22 required to draw districts using racial data.  
23 We've also received a lawsuit already  
24 from -- against the General Assembly filed  
25 before the plan has even passed. This interest

1 group activity litigated against the General  
2 Assembly this past decade and succeeded in  
3 developing some of the strict limits on  
4 permissible racial consideration -- racial  
5 considerations it now asks us to defy. I want  
6 to explain at the outset why we cannot do that.  
7 So just to be clear, they litigated to limit our  
8 ability to use racial data, we're choosing, as  
9 we did in 2019, not to use racial data, and now  
10 they're litigating, saying we should have used  
11 racial data.

12 So first, the General Assembly, the  
13 allegation is, cannot draw districts using  
14 race -- well, no, this is the law. Apologies.

15 First, the General Assembly cannot draw  
16 districts using race under the Voting Rights Act  
17 unless we satisfy the three Gingles  
18 preconditions. They are, one, a reasonably  
19 compact majority-minority VAP district; two, a  
20 politically cohesive minority community; and  
21 three, white bloc voting usually defeating that  
22 community's candidate of choice.

23 To draw VRA districts according to  
24 Covington and other recent court cases, the  
25 General Assembly would need a strong basis in

1 evidence -- quote, a strong basis in evidence,  
2 for each of those three factors. Specific  
3 evidence would come in the form of reliable  
4 racial bloc voting analysis by an expert in the  
5 field. Spreadsheets and argument based on  
6 inadequate data do not create the strong basis  
7 in evidence the General Assembly would need to  
8 overcome a constitutional challenge.

9 Second, if we draw districts using race  
10 and we do not satisfy the Gingles preconditions,  
11 we risk violating the Equal Protection Clause of  
12 the 14th Amendment to the United States  
13 Constitution. In short, making one districting  
14 choice over another for racially predominant  
15 reasons will be subjected to strict scrutiny by  
16 the courts.

17 Our present record and most recent  
18 litigation does not provide a yes answer to any  
19 of the Gingles factors. Our two most recent  
20 redistricting efforts, overseen and approved by  
21 the courts, in the Covington case and the Lewis  
22 case did not consider race. In fact, in Lewis,  
23 a three-judge panel analyzed all regions of the  
24 state last year, last year, and found no region  
25 where the Gingles factors were met. Some have

1 asked about whether the Stephenson case require  
2 that race be used in redistricting. Stephenson  
3 says VRA districts must be drawn first only if  
4 there are VRA districts. Stephenson does not  
5 require VRA districts be drawn independent of  
6 the requirements of federal law. Stephenson  
7 assumed there would be VRA districts because  
8 Section 5 of the VRA then applied here which  
9 meant VRA districts would need to be preserved  
10 independent of the Gingles factors I just  
11 discussed, but the US Supreme Court has held  
12 that VRA Section 5 no longer applies which means  
13 it no longer protects the General Assembly from  
14 racial gerrymandering claims.

15 Now, I'll discuss district-specific  
16 issues several members have asked us about.

17 In the Wilson-Wayne area, we do not  
18 have any proposed plan from any member of this  
19 body that includes a reasonably compact  
20 majority-minority district in that area. If you  
21 have one, and we mean a complete plan with a  
22 majority-minority VAP district in that area,  
23 please provide it. If no such district can be  
24 drawn, then there is no need to continue the  
25 Gingles analysis. Creating such a district

1 would violate the 14th Amendment's Equal  
2 Protection Clause.

3 In addition, the General Assembly  
4 cannot justify departure from the whole county  
5 rule for expressly and predominantly racial  
6 reasons without a strong basis in evidence of  
7 the type I described earlier. Under current  
8 law, only majority-minority districts required  
9 under Section 2 of the VRA can be formed prior  
10 to other districts in a plan under Stephenson.  
11 Following this request would put the map  
12 squarely in conflict with the 14th Amendment.

13 Some members of this committee have  
14 also expressed concern about the grouping  
15 decision we made for SD 1 in the northeastern  
16 part of the state. The General Assembly is not  
17 in a position to create so-called crossover  
18 districts in this map. First, Section 2 of the  
19 VRA does not require such districts.

20 Second, if the General Assembly were to  
21 engage in such race-predominant drawing, they  
22 would run into claims of racial gerrymandering  
23 under the 14th Amendment and they would be  
24 without the protection of the VRA to survive  
25 strict scrutiny.

1           Finally, no one has given the General  
2           Assembly the data necessary to develop a strong  
3           basis in evidence for engaging in such drawing.  
4           That district was drawn with neutral criteria  
5           predominating as just explained when going over  
6           the map.

7           In short, we take our role and the  
8           legal precedence that guide it seriously. We  
9           reject the notion that we should flout binding  
10          precedent and clear guidance from the courts  
11          even when facing a lawsuit from a litigious  
12          group that developed some of the very guidance  
13          it now asks us to ignore.

14          Now we'll take a short recess in order  
15          to see these proposed amendments, and after that  
16          we will open the floor for the committee to ask  
17          questions of Senator Hise and to consider those  
18          amendments. So let's take a break. We will  
19          recess until -- what time is it, about ten till.  
20          Let's go till quarter after, and if that's not  
21          enough time we may have to go back and recess  
22          for a few more minutes. Thank you. So we  
23          recess now until 10:15. Thank you.

24                 (Transcription from YouTube ended at  
25                 1:40:34 and started again at 2:21:59.)



1           CHAIRMAN NEWTON: We are going to  
2 conclude our 15-, 20-minute recess now, and  
3 we're at the point in the agenda where we are  
4 going to open the floor to members to ask any  
5 questions of Senator Hise that you might have  
6 but also to offer any amendments that you may  
7 have. So, members of the committee, the floor  
8 is open for either questions or for amendments.

9           Senator Clark.

10          SENATOR CLARK: I'd like to send forth  
11 an amendment.

12          CHAIRMAN NEWTON: Thank you.  
13 Senator Clark's sending forth an amendment.

14          Do the members have that already,  
15 Senator Clark? Not yet. Okay. So they'll need  
16 to be passed out.

17          CHAIRMAN HISE: Which one is it?

18          SENATOR CLARK: SCG-3.

19          CHAIRMAN NEWTON: Question for staff.  
20 Are we going to hand out all the amendments to  
21 the --

22          UNIDENTIFIED SPEAKER: Do you want to  
23 do that? Are all the amendments --

24          CHAIRMAN NEWTON: I'd rather go ahead  
25 and hand them all out. Members, we'll try to

1 give them to you in order so you can minimize  
2 the shuffling, but that way you've got them and  
3 we won't have to pause for distribution for  
4 every -- because there's a bunch of amendments  
5 being offered here, so let's go ahead and send  
6 them all out.

7 CHAIRMAN HISE: Do we want to put them  
8 in packets and hand them out that way?

9 [Unintelligible.]

10 CHAIRMAN NEWTON: Members, just FYI.  
11 There are going to be 12-ish proposed  
12 amendments. And again, we're going to try to  
13 give those to you in order.

14 So, Members, they're coming to you in  
15 reverse order to make your life a little bit  
16 easier.

17 I'm now going to remove my guarantee  
18 that they're in reverse order. They may not be.  
19 We'll figure it out.

20 Members, you should be receiving SBVA  
21 Amend-3 is the last map you're handed, but it  
22 will be the first map we discuss -- or  
23 amendment.

24 Members, we're almost ready to go. We  
25 are going to go out of order, just to make

1 things interesting as we get started here.  
2 SCH Amendment 1 is going to be the first  
3 amendment to be discussed. If you want to go  
4 ahead and shuffle your packet, it should be the  
5 second one down in your packet.

6 All right. Members, we are going to go  
7 ahead and get started again. And at this point  
8 I'm opening the floor to members for amendments  
9 or questions of Senator Hise.

10 Senator Clark.

11 SENATOR CLARK: I'd like to send forth  
12 an amendment, Mr. Chair.

13 CHAIRMAN NEWTON: Okay. Thank you,  
14 Senator Clark. Which amendment are you sending  
15 forth?

16 SENATOR CLARK: SCH Amendment 1,  
17 Cumberland county and Moore county cluster.

18 CHAIRMAN NEWTON: All right. Thank  
19 you. Senator Clark, are you moving for the  
20 amendment, or you just want to explain it at  
21 this point?

22 SENATOR CLARK: I will explain and ask  
23 that it be accepted.

24 CHAIRMAN NEWTON: Thank you. You have  
25 the floor.

1           SENATOR CLARK: Okay. Thank you,  
2 Mr. Chair. I appreciate y'all's effort to do a  
3 grouping -- or should I say separation within  
4 the group of a senate district between Moore and  
5 Cumberland counties. However, I think I have an  
6 option that will probably serve the communities  
7 of that -- those two counties a little bit  
8 better.

9           As you come down from Moore county,  
10 which is numbered Senate District 21 in this  
11 particular iteration, the first thing you see  
12 essentially is Fort Bragg, which is that large  
13 block Manchester precinct that is there, and  
14 adjacent to it in the top right-hand corner you  
15 will find the Spring Lake precinct, and then  
16 this little knob down at the bottom is what we  
17 call west area. Essentially, they provide for a  
18 very tight community of interest within the  
19 Fort Bragg community that is also associated  
20 with this lower tier in Moore county which much  
21 of it has been designated as a protection for  
22 the military training environment.

23           But instead of coming down and forming  
24 a block such as you all do, I connect this  
25 Manchester precinct with some of the

1     northwestern precincts in Cumberland county as  
2     well as Hope Mills. So essentially it is  
3     splitting the same municipalities as your plan,  
4     both of them split Fayetteville and both of them  
5     split Hope Mills, but I believe this supports  
6     the community of interest concept much better.  
7     And for one thing, like the -- I guess you can  
8     say the top portion of this, what looks like a C  
9     beneath the Manchester precinct, that is a part  
10    of what we call the big bang expansion in  
11    Cumberland county, when Fayetteville expanded  
12    out from its original boundaries, and it picked  
13    that area up. And then to the south of that you  
14    have Hope Mills, so we have all of the  
15    Hope Mills precincts.

16            But as you indicated, because of the  
17    irregularities in the VTDs within Cumberland  
18    county, invariably you're going to, you know,  
19    possibly split a municipality, and that's why we  
20    split a little bit of Hope Mills, just as your  
21    plan does, in addition to splitting  
22    Fayetteville.

23            So that being said, Mr. Chair, I  
24    recommend to the committee that we adopt this  
25    version of the cluster.

1                   CHAIRMAN NEWTON: Thank you,  
2                   Senator Clark.

3                   So Senator Clark is moving that we  
4                   adopt this amendment. First, are there any  
5                   questions by members before we take that vote?  
6                   Any questions of Senator Clark on his amendment?

7                   All right. If not, those in favor of  
8                   Senator Clark's adopting this amendment to the  
9                   map say aye.

10                  COMMITTEE MEMBERS: Aye.

11                  CHAIRMAN NEWTON: Those opposed.

12                  COMMITTEE MEMBERS: No.

13                  CHAIRMAN NEWTON: All right. The nos  
14                  have it.

15                  So thank you, Senator Clark. Are you  
16                  up next as well?

17                  SENATOR CLARK: I'm not up next.  
18                  Senator Blue is up next.

19                  CHAIRMAN NEWTON: All right. So just  
20                  so the record is clear, SCH Amendment 1 was  
21                  voted nay, and now we have SBV Amendment 3; is  
22                  that correct?

23                  SENATOR BLUE: Is that the first one?  
24                  I'm sorry, I'm out of order here. I'm trying  
25                  to -- is that the northeast one?

1           CHAIRMAN NEWTON: I have -- we took  
2 Senator Clark's out of order at his request.

3           SENATOR BLUE: I want the northeast  
4 cluster.

5           CHAIRMAN NEWTON: Okay. Senator Blue  
6 is asking to go to the northeast cluster which  
7 is SBA Amend-2. Is that what you'd like?

8           SENATOR BLUE: Yes, that's it. It was  
9 initially SST 10.

10          CHAIRMAN NEWTON: It should be the next  
11 to last map in your packet, Members,  
12 SBA Amend-2. And this is -- Senator Blue is  
13 offering this amendment.

14          SENATOR BLUE: Yes. Thank you,  
15 Mr. Chairman. If everybody has gotten it, I'll  
16 comment.

17          CHAIRMAN NEWTON: Okay. Senator Blue,  
18 you have the floor.

19          SENATOR BLUE: Thank you, Senator  
20 Newton.

21                 First, I'd like to sort of follow up  
22 and explain in this district what the comments  
23 that the chair ably stated just before we took a  
24 recess, and that is whether the General Assembly  
25 is required to draw districts regarding race.

1           And I simply go back to the Stephenson  
2       decision that said that before you do any  
3       clusters or do any kind of redistricting, you  
4       first must determine the VRA districts. And I  
5       say it against this context. At least as I  
6       understand it -- and I don't hold myself out to  
7       be an expert in this area and haven't litigated  
8       in it in 40 years, but let me simply say that if  
9       you look at Senate District Number 1 and  
10      Number 2, there are two clusters up there, and  
11      there was a choice of clusters that the  
12      committee made.

13           I heard Senator Hise explain the  
14      historic reason of putting certain counties  
15      together in that area, but history indicates  
16      just the opposite has happened.

17           There are seven or eight counties along  
18      the North Carolina-Virginia border that  
19      historically I'll call the black belt of  
20      North Carolina because they're majority black  
21      counties, and you don't need to consider race or  
22      statistics to know that. If you -- again, I go  
23      back to eighth grade geography. It's one of the  
24      lessons you learned. And if you go to the  
25      efforts in the 1960s, voter registration efforts



1 and all that, you got it reinforced, and when I  
2 was in college in the '70s you got it reinforced  
3 again. And those counties have not  
4 significantly changed population percentages.  
5 They're losing populations like all of the other  
6 counties -- almost all of the other counties in  
7 that region.

8 Starting in 1980, after the census,  
9 starting in '81, when the districts were drawn,  
10 there was no minority district drawn up there.  
11 There was one black House member who had gotten  
12 elected in 1980, the first African American from  
13 that area, that entire area of the state to be  
14 elected since 1900 -- either 1898 or 1900. And  
15 so following that is what led to the Gingles  
16 decision. A lawsuit was filed. It was  
17 originally Gingles versus Edmisten, because  
18 Rufus Edmisten was the attorney general. A  
19 lawsuit was filed. It was a Section 5 lawsuit,  
20 meaning that the counties had to be pre-cleared.  
21 There were 42 counties in North Carolina under  
22 Section 5 of the Voting Rights Act that had to  
23 be pre-cleared. You couldn't change them  
24 without getting the justice department's  
25 permission.

1           The justice department objected. Went  
2 back, tried to fix them again. A district was  
3 drawn up there in 1984, after the Gingles  
4 decision, and that's where the doctrine that you  
5 just recited came from. And the Gingles  
6 decision, later changed to Gingles versus -- the  
7 successor to Rufus Edmisten as attorney general  
8 and later on another name. But anyhow, the  
9 court in that case decided that you had to,  
10 because of history in that area, and that  
11 history was a history of polarized voting, that  
12 you had to draw certain districts in there if  
13 as -- again, using your criteria, if they were  
14 reasonably compact, if there were politically  
15 cohesive, meaning they voted primarily,  
16 minorities in that area, as a bloc, and you  
17 could show racially polarized voting, that is,  
18 you could show that whites tended not to vote  
19 for African Americans in that district.

20           The districts were drawn, it later  
21 evolved in the mid '80s to a senate district  
22 drawn pretty much along that same area, with  
23 those seven counties in it.

24           What you have here is -- and in Senate  
25 District 1, with the amendment that I'm

1 offering, is putting those counties back  
2 together naturally, because that's how they've  
3 been, and they have elected a minority from that  
4 district I think since it was created. That  
5 became the case in the 1990s in the various  
6 lawsuits that came about. Even when the justice  
7 department wasn't sure what they were requiring  
8 with congressional districts, they required that  
9 one up there. That was the case in 2000, the  
10 district was drawn with those counties together,  
11 and it was the case in 2011.

12 Now, an interesting thing happened in  
13 America during that time and particularly in  
14 North Carolina. Initially, Guilford county and  
15 Cumberland county and Mecklenburg county were  
16 affected counties because of their voting  
17 patterns, and you can show all of these Gingles  
18 factors.

19 Over the course of the last almost  
20 40 years, since the Gingles decision by the  
21 United States Supreme Court, areas of the state  
22 are less polarized in their voting patterns.  
23 Wake county never was a Section 5 county,  
24 neither was Durham county. And in fact, in the  
25 Gingles decision, the court pointed out that

1 Durham was not a Voting Rights district because  
2 you could not show polarized voting, although  
3 you could show the other aspects of it. Durham,  
4 as Wake county, had elected African Americans  
5 countywide, the judgeships, county commission  
6 races, and various other races, so you could not  
7 show polarized voting and, consequently, you  
8 couldn't create majority-minority districts.

9 The problem -- and I think the way it  
10 was described, and I know that folk interpret  
11 this different ways -- is that Rucho -- the case  
12 Rucho in 2011 that was filed was because even in  
13 places that you had not had -- you could not  
14 prove racially polarized voting, this General  
15 Assembly took the number of minority voters in  
16 every district in the urban areas, in every  
17 district that African Americans represented with  
18 the exception of Orange county, took them up to  
19 50 percent plus one minority voters, voting age  
20 population and minority voters. That way all of  
21 the districts that were represented by African  
22 Americans were placed in the category of Voting  
23 Rights Act districts, they weren't, but what  
24 that case brought to the forefront was a  
25 doctrine called packing which meant that you

1 would put all of the African Americans, or the  
2 minorities, in as few districts as possible, and  
3 that's what you did when -- this assembly did,  
4 you were not here so you didn't do it.

5 So when you took all of these districts  
6 up to 50 percent plus, the court did not make  
7 the specific determination that they were -- the  
8 determination was not made that you could  
9 justify 50 percent certainly in non-VRA  
10 districts but even more so in VRA districts such  
11 as this district was. And it said now because  
12 the idea behind the Voting Rights Act was  
13 overtime to ameliorate the effects of polarized  
14 voting and the inability of blacks to get whites  
15 to vote for them, and all of the counties in  
16 eastern North Carolina were part of the 42 that  
17 were covered by Section 5 of the Voting Rights  
18 Act.

19 Section 2 of the Voting Rights Act  
20 covered the entire country, not just this -- the  
21 way Section 5 affected 42 counties out of 100 in  
22 North Carolina. But the court said in Rucho  
23 that what you have done in taking all of these  
24 districts above 50 percent is in violation of  
25 the Voting Rights Act. First, you haven't shown

1 the Gingles measurements, and it is possible to  
2 have VRA districts that are not 50 percent plus.  
3 Justice Kennedy said in his ruling that if in  
4 fact you try to dismantle a VRA district where  
5 you can create one, then that raises serious  
6 questions under the 14th Amendment and the  
7 Voting Rights Act, the Equal Protection Clause  
8 of the 14th Amendment.

9 So when you say that you haven't shown  
10 any VRA violations, it begs the question that  
11 you don't have to show 50 percent in the  
12 district for it to be an operating VRA district.

13 The point that I've been trying to make  
14 all along is if you can show that you can draw a  
15 VRA district that meets these criteria, you  
16 don't have to draw that district because you can  
17 analyze what's been going on over time, and you  
18 can take that number down because ideally, all  
19 of us want that number to disappear, but you  
20 gradually take it down without doing it  
21 abruptly. And when you do it abruptly, you  
22 dismantle districts where you've shown a history  
23 of polarized voting.

24 And that's what the letters to the  
25 chairs and to all of the members were trying to

1 get at; that the preliminary evidence shows that  
2 you have a responsibility to inquire as to  
3 whether or not there is further need for a  
4 Voting Rights Act district. The burden of  
5 making the inquiry is on the legislature, not on  
6 citizens out here because when citizens do it,  
7 they sue you because you haven't done it. And  
8 Stephenson says that you will make that analysis  
9 before you do all of the clustering and all of  
10 the other things.

11 What becomes obvious here in this  
12 cluster -- and mind you, the Voting Rights Act  
13 trumps the clustering, and that's why Stephenson  
14 says you first make the inquiry as to whether  
15 you can create -- or you must create VRA  
16 districts. You can show up in the northeast  
17 that you can create a VRA district, and you can  
18 show that you can -- look, I will tell you, it  
19 probably would take four hours to get from one  
20 end of the district that you've recommended down  
21 to Carteret county. No direct way to do it.  
22 You might have to catch boats, planes, and cars  
23 to get there. But the point is that there have  
24 been districts drawn down there that have been  
25 determined to be compact, now, even if they

1 meander through 8 or 10 or 12 counties and they  
2 dip into counties, affecting counties that ought  
3 not be affected in it you can draw, because  
4 we've drawn in the past, and the population is  
5 still there to support a VRA district.

6           What I've offered in this amendment is  
7 a solution to that problem, a simple solution.  
8 The fact of the matter is, as pointed out in the  
9 communications that have come to the chair, is  
10 that this district, as appears up here, that was  
11 created by the clustering, not by any drawing  
12 that I've done, all whole counties, are  
13 certainly much more compact than the two  
14 districts that the committee is recommending.  
15 But what I've shown is is that you can adopt  
16 that cluster and you got a functioning VRA  
17 district just by accepting this top cluster with  
18 those counties in it.

19           It is currently represented by an  
20 African American woman, and it would still  
21 be -- she would still be residing in that  
22 district. You're not looking at race figures in  
23 the district, but the communication that you got  
24 indicated that black candidates, African  
25 American candidates had consistently scored



1 50 percent of the vote -- 50 plus percent of the  
2 vote, so you don't have polarization to the  
3 extent that whites are not voting for African  
4 Americans, and they point out that in those  
5 districts, 53 percent of the vote went to these  
6 African American statewide candidates. And  
7 that's how they suggest that there's enough  
8 information that would make you inquire whether  
9 or not you can create a functioning district  
10 without having 50 plus percent in that district.

11 Because you can create the district  
12 without the disruption that creating a full VRA  
13 district would require, it seems the choice  
14 would be to create that district because then  
15 would you not tear into all of those counties,  
16 ferreting out the black vote in all of those  
17 counties the way the 1980s, 1990s, and 2000  
18 district initially did before the whole county  
19 provision was reactivated in 2003. And prior to  
20 that time, I might add, that for 20 years plus,  
21 the state was districted without regard to the  
22 whole county provision in the state constitution  
23 because folk had assumed that it was repealed by  
24 the Voting Rights Act.

25 So that's why I'm offering this

1 district. The two groups that have communicated  
2 with the chair and with this committee have made  
3 it plain to you that this is a VRA district.  
4 You have all the tools at your disposal to  
5 inquire as to whether you can create it, how you  
6 would create it, but they point out to you that  
7 based on this anecdotal evidence you clearly  
8 still have a degree of racially polarized  
9 voting. I believe, and I think you believe too,  
10 that it's not to the degree that it was in the  
11 1980s or 1990s, but it hasn't gotten to the  
12 point that it is in these urban areas which are  
13 no longer -- which no longer have the degree of  
14 polarized voting that existed, those areas that  
15 were covered by Section 5 and, again, all of us  
16 by Section 2.

17 One of the things -- and I'll point  
18 this out because I've been asked about it.  
19 Gingles, the decision, and you can read it in  
20 black and white, points out, and they point it  
21 out in Gingles itself, and we've referred to it  
22 in many cases since then, that you can do, as  
23 far as drawing, whatever you need to in Durham  
24 county now, in Wake county, in Mecklenburg  
25 county, and in Guilford county, and that on its

1 face is not violating the Voting Rights Act  
2 unless you can show packing again in Guilford  
3 county or Cumberland county. But with respect  
4 to the others, there is no Voting Rights Act  
5 violation unless you unreasonably take the black  
6 vote beyond the level where it is functioning  
7 effectively, but that doesn't say that you can  
8 go 50 percent plus without justification because  
9 that was Gingles -- I mean, that was Rucho. And  
10 Rucho did not say you no longer look for Voting  
11 Rights Act districts and that there are none any  
12 more. Rucho just said you hadn't done the study  
13 that supports your taking these districts to  
14 50 percent plus. And the case was finally  
15 resolved when this legislature redrew the  
16 districts, took them down in the 30s and 40s.  
17 There are African Americans representing senate  
18 districts with 20 some percent African American  
19 population that went up to 50 plus. Rucho said  
20 you got to bring that back down. There were  
21 districts such as mine that went back into the  
22 low 30s and had not been in the 40s.

23 And I'll just make one comment and I'll  
24 shut up on this amendment. There were nine  
25 senate districts represented by African

1 Americans prior to 2011. Nine. None of them  
2 except this one -- I believe this was the only  
3 one. There were three districts in the east,  
4 but none of them, I believe except one, had a  
5 VRA greater than 50 percent, yet all of them had  
6 elected African Americans which showed that the  
7 Voting Rights Act was working and you were  
8 bringing the polarization down and we were all  
9 getting to the point that I hope all of us  
10 aspire to.

11 So I'm suggesting to you that this  
12 district, this district recognizes the progress  
13 that's been made, but it does not dismantle a  
14 district without at least doing the baseline  
15 study which has a burden on the General Assembly  
16 to do. You indicated you had not done it, you  
17 did not plan to do it, and this morning, Senator  
18 Newton, you indicated you were not doing it  
19 because you didn't see any need to do it because  
20 the people who litigated it to the limit -- to  
21 limit it now want to make you look at it. The  
22 people who litigated it litigated it because you  
23 had packed all of these other districts and said  
24 you got to unpack and make sure that the Voting  
25 Rights Act is working, not that you're going

1 back to pre-1965 practices.

2 So this district in the northeast,  
3 District 1, whatever it is officially,  
4 would -- it's reasonably compact, because it's a  
5 cluster; it's politically cohesive, because  
6 that's what the information from these various  
7 groups have told you that it is; and there is  
8 racially polarized voting in it to some extent  
9 but not to the degree -- not to the degree that  
10 you got to create a district that's 50 percent  
11 plus African American minority.

12 Now, you say that there's no expert  
13 evidence available. The burden is on this  
14 General Assembly to have the experts tell you  
15 that there's no need for it, not on the  
16 citizenry to tell you that there is a need. But  
17 if you're looking for that, the public hearings  
18 tell you that the citizens in this district  
19 think you ought to preserve the district as it  
20 is and keep those counties together.

21 What you've done in choosing one option  
22 over the other with these two -- and again,  
23 they're two clusters. You can choose one  
24 cluster over the other. Senator Hise explained  
25 why you chose the first cluster. Well, the

1 first cluster hasn't been like that over the  
2 years. It hasn't been like that in the earlier  
3 cluster, and it should not present an excuse to  
4 you to do it like that when you know that you're  
5 dismantling a functioning VRA district.

6 So I'll answer any questions, but I  
7 would move the adoption of the amendment,  
8 Mr. Chair, because I believe -- I sincerely  
9 believe that in this map that you've presented  
10 there are two viable Voting Rights Act claims  
11 that would survive in this action.

12 Now, the theory might be -- and I don't  
13 know what the lawyers' strategies may be on  
14 this. The theory might be that maybe you want  
15 to tee it up and let the supreme court decide  
16 further what Section 2 means or what the Voting  
17 Rights Act means, but what you do is put the  
18 burden of doing that on the taxpayers of  
19 North Carolina. And again, we spend tens of  
20 millions of dollars litigating something that at  
21 the end of the day we're going to lose unless  
22 the United States Supreme Court significantly  
23 changes the law on it. And we go back up to a  
24 fourth circuit that issued some of the harshest  
25 rulings in the last cycle about North Carolina's

1     redistricting than it did of any other  
2     redistricting in the country from any of the  
3     circuit courts -- or any of the three-judge  
4     panels. I'm sorry.

5             And so I would ask you to really look  
6     seriously at this. And I will offer one more  
7     amendment so that you can absolve the state of  
8     Voting Rights Act violations and litigate  
9     whatever else you have done in the context of  
10    whether it is political gerrymandering because  
11    those are the choices. You had two issues in  
12    2010 decade: Racial gerrymandering, which I  
13    have just described to you why the court  
14    reversed it, but the court didn't say you didn't  
15    have to look at it. And secondly, political  
16    gerrymandering. The issues that might remain in  
17    Guilford county and Cumberland county or the  
18    other urban counties are issues of political  
19    gerrymandering unless you far exceed what the  
20    court said in 2015 or '16 you had to do with  
21    respect to creating minority districts within  
22    those areas if you were going to create them,  
23    and no requirement that you create them, but you  
24    can't unreasonably -- I don't think there's a  
25    requirement except maybe again in Greensboro and

1 Fayetteville because it was covered -- as long  
2 as you don't unreasonably discriminate against  
3 minorities.

4 But what I am trying to offer to you is  
5 a way to stay clear of federal court with  
6 respect to the racial gerrymander and leave open  
7 these issues of the political gerrymander,  
8 because that's the only thing that I've seen the  
9 letters about, these two districts, and those  
10 clearly are racial gerrymander issues that bring  
11 in other parts of the state that don't have to  
12 be involved in we fix them here without leaving  
13 it to the courts to send it back and involving a  
14 much broader swath of the state.

15 CHAIRMAN NEWTON: Thank you,  
16 Senator Blue.

17 Senator Hise, or any other members that  
18 may have comments or questions.

19 CHAIRMAN HISE: I'd like to respond.

20 Members, I think it is clear with what  
21 we have here that this is not a consideration  
22 under the Voting Rights Act. I think  
23 Senator Blue has made it clear several times  
24 that that is a separate consideration that must  
25 be done first and considered prior to the



1 consideration of county pods, if it's necessary.  
2 We may disagree on the concept of whether those  
3 standards have been met, whether the anecdotal  
4 evidence proves those standards have been met.

5 But this decision is clearly about  
6 Stephenson groupings in the two districts. We  
7 have moved on -- Stephenson requires, says ten  
8 counties are grouped in one manner and eight  
9 counties are grouped in another, there are two  
10 options for doing so. And so his amendment  
11 presents one of those options, our amendment  
12 presents -- our bill presents a different option  
13 chosen. Both meet the Stephenson criteria.  
14 Both are drawn under the Stephenson criteria.

15 As I have said previously, the chairs  
16 looked at this extensively and made a decision  
17 as to which of those best conformed communities  
18 of interest. We looked at compactness. The map  
19 you currently have -- not the amendment.  
20 District 1 is the most compact of the four  
21 districts that are created in the map. The  
22 fingerling counties and [unintelligible] are  
23 most contained within this map. Four of the  
24 five are placed together in the current map. It  
25 moves it to a 3/2 split in the other map.

1        Particularly looking at the northern Outer Banks  
2        region, the map that you have contains all of  
3        those counties together in a more compact  
4        district. So I would ask that the committee  
5        reject the amendment and consider the map as is.

6                SENATOR BLUE: Mr. Chairman, can I ask  
7        Senator Hise a question.

8                CHAIRMAN NEWTON: Thank you, Senator  
9        Hise.

10               Yes, you may. Senator Hise.

11               SENATOR BLUE: Senator Hise, you  
12        indicate that your map is more compact. How do  
13        you determine that having a map that runs from  
14        Warren county down to Carteret county is more  
15        compact than what we see on the board up here.

16               CHAIRMAN HISE: Senator Blue, I'll be  
17        clear on what I said, not transpose what I said.

18               There are four districts that can be  
19        created. District 1 in the map that we  
20        currently have is the most compact of the four  
21        districts.

22               SENATOR BLUE: Let me ask another  
23        question --

24               CHAIRMAN NEWTON: Follow-up. Sure,  
25        Senator Blue.

1           SENATOR BLUE: And so it's your  
2 testimony that you chose -- you chose the  
3 district in your map because it is more compact  
4 than the other two?

5           CHAIRMAN HISE: I can repeat my answer.

6           SENATOR BLUE: Please do.

7           CHAIRMAN HISE: District 1 that is  
8 created is the most compact of the districts  
9 formed. I also stated that it keeps more of the  
10 finger counties, which we heard from both  
11 comments and others that are community of  
12 interest, keeps more of those counties together  
13 within that map and keeps the northern  
14 Outer Banks region together within a map.

15           I also talked about in the choice for  
16 the districts comparing the media markets that  
17 the two were in versus which ones are in the  
18 Norfolk media markets and which ones are in the  
19 Raleigh or Greenville media markets for those  
20 considerations. All of that went into those  
21 considerations for determining communities of  
22 interest as well as looking at the compactness.

23           CHAIRMAN NEWTON: Follow-up,  
24 Senator Blue.

25           SENATOR BLUE: Follow-up.

1           So that I understand, then, compactness  
2           is the dominant issue in this choice of  
3           districts.

4           CHAIRMAN HISE: I never said that. I  
5           said it is one of the issues.

6           SENATOR BLUE: What are the other  
7           issues that --

8           CHAIRMAN HISE: Considering communities  
9           of interest, and that included a consideration  
10          of the fingerling counties, that included a  
11          consideration of the media markets that the  
12          counties are in and the northern Outer Banks  
13          region.

14          SENATOR BLUE: Follow-up.

15          CHAIRMAN NEWTON: Follow-up.

16          SENATOR BLUE: So the media market is  
17          in your opinion a legitimate community of  
18          interest?

19          CHAIRMAN HISE: It identifies -- it  
20          would help identify a community of interest,  
21          yes.

22          SENATOR BLUE: Follow-up.

23          CHAIRMAN NEWTON: Yes, sir.

24          SENATOR BLUE: Did you examine the  
25          community of interest of all of these

1 traditionally African American counties and  
2 agricultural counties as opposed to aquacultural  
3 counties or various other things that the  
4 coastal counties might entail?

5 CHAIRMAN HISE: Senator, we looked at  
6 as many considerations as we could to identify  
7 which of these two choices were the better  
8 choice to make between the grouping -- the 10/8  
9 groupings of the counties, and from what we  
10 concluded, with keeping the fingerling counties  
11 whole as well as the northern Outer Banks region  
12 together that this better met the needs of that  
13 region.

14 SENATOR BLUE: Further question.

15 CHAIRMAN NEWTON: Yes, Senator Blue.

16 SENATOR BLUE: Did you consider the  
17 community of interest of the northern border  
18 counties?

19 CHAIRMAN HISE: I would say that with  
20 the exception of inland to Halifax or Warren,  
21 so -- and the only one of those that happens to  
22 be different would be Warren, all the northern  
23 border counties are the same -- with the  
24 exception of Warren county are in the same  
25 district in both maps.

1                   CHAIRMAN NEWTON: Follow-up,  
2                   Senator Blue?

3                   SENATOR BLUE: Yeah, further question.

4                   CHAIRMAN NEWTON: Yes.

5                   SENATOR BLUE: In looking at the map  
6                   that's displayed on the screen, could you tell  
7                   me what the communities of interest are if you  
8                   start in the northeast at Warren county, which  
9                   is the extreme -- northwest, rather, in the pink  
10                  and go all the way down to Carteret county which  
11                  is in -- below the south central eastern part of  
12                  North Carolina.

13                  CHAIRMAN HISE: Senator Blue, I did not  
14                  determine the two possible groupings for the  
15                  counties. We were just in a position to make a  
16                  choice between the two possible groupings.

17                  SENATOR BLUE: Further follow-up.

18                  CHAIRMAN NEWTON: Another follow-up.

19                  SENATOR BLUE: My question is what is a  
20                  community of interest if I flow through them  
21                  from Warren county, then looks like is it  
22                  Halifax, Northampton and then down a couple  
23                  hundred miles or so to Carteret county which is  
24                  a coastal county?

25                  CHAIRMAN HISE: Other than looking at

1     what I've said previously about a similar media  
2     market for those counties, I would say that we  
3     have identified and mentioned the communities we  
4     were trying to keep whole and keep together, and  
5     when choosing between two groupings of counties,  
6     there was only one grouping of counties that did  
7     that.

8             SENATOR BLUE: I think one last  
9     question, if I could, Mr. Chairman.

10            CHAIRMAN NEWTON: Yes, sir.

11            SENATOR BLUE: Senator Daniel pointed  
12     out yesterday, when we were considering the  
13     congressional map, that one of the things that  
14     you had considered or that you thought about was  
15     the travel time. One of the congressional maps  
16     caused him some hiccups with respect to travel  
17     time. I think it may have been from Forsyth  
18     county down to Lincoln county.

19            Did you have an idea of what the travel  
20     time is from Warren county down to  
21     Morehead City?

22            CHAIRMAN HISE: I don't. I'm sure  
23     that's a number we could get you on what the  
24     travel time is.

25            I will tell you that it is clear that

1 when you're doing congressional maps, you are  
2 not drawing predetermined poddings of counties  
3 that you choose between. So congressional maps  
4 are open. There -- we did the analysis. There  
5 are no poddings of counties in congressional  
6 maps. In this manner, we had two choices of  
7 podding between two groups of poddings to choose  
8 from.

9 SENATOR BLUE: So -- and one last one.

10 CHAIRMAN NEWTON: One last, last one.

11 SENATOR BLUE: As I understand it -- as  
12 I understand it, in this grouping, the only  
13 thing that mattered was compactness.

14 CHAIRMAN HISE: I never said that. I  
15 said we looked at a lot of considerations, and  
16 what we -- and I could go through them all  
17 again, which communities were important to stay  
18 as together as possible, what media markets they  
19 were in and others and made the choice for the  
20 other podding different than this amendment.

21 SENATOR BLUE: Well, that does call for  
22 one last question.

23 CHAIRMAN NEWTON: Okay.

24 SENATOR BLUE: And as I understand it,  
25 the media market in Warren county, what's that



1 media market? Is it Raleigh?

2 CHAIRMAN HISE: I can go back through  
3 and see if I've got --

4 CHAIRMAN NEWTON: Senator Blue, we're  
5 hearing someone in the gallery saying, yes, it  
6 is in fact Raleigh.

7 SENATOR BLUE: What about Carteret  
8 county?

9 CHAIRMAN HISE: Bertie, Tyrrell,  
10 Northampton, Raleigh.

11 So I have that the Greenville media  
12 market is Carteret, Hyde, Martin, Pamlico, and  
13 Washington that's coming in. The Raleigh media  
14 market will be Halifax and Warren. The Norfolk  
15 media market will be Chowan. The Greenville  
16 media market would also be Bertie and Tyrrell in  
17 the northern, and Raleigh would be in the  
18 Northampton media market. The rest, Camden,  
19 Currituck, Dare, Gates, Hertford, Pasquotank,  
20 Perquimans, in the Norfolk market.

21 SENATOR BLUE: Would Carteret --

22 CHAIRMAN NEWTON: Senator Blue, you  
23 have a last, last, last, last, last question.

24 SENATOR BLUE: Yeah, just a follow-up  
25 because I'm intrigued by this media market

1 element.

2 CHAIRMAN NEWTON: Sure.

3 SENATOR BLUE: But is it fair to say,  
4 and I'll put multiple ones together, there's a  
5 New Bern media market that would be affecting  
6 this district, there's a Wilmington media market  
7 that would be affecting this district as well as  
8 a Greenville media market?

9 CHAIRMAN HISE: We have identified a  
10 Greenville media market. I'm assuming the  
11 others --

12 SENATOR BLUE: Well, there are TV  
13 stations in all of those towns.

14 CHAIRMAN HISE: I come from the  
15 mountains so we're all pretty consistent on  
16 where WLOS or those go to, but they identify --  
17 those areas identify their media markets.

18 SENATOR BLUE: Thank you.

19 CHAIRMAN NEWTON: Thank you,  
20 Senator Blue.

21 Senator Marcus, no, your question has  
22 been answered.

23 Seeing no -- Senator Nickel.

24 SENATOR NICKEL: Yeah. I just kind of  
25 did a double take with the distance and looked

1 on my phone to try to figure out how long it  
2 would take someone to go from Emerald Isle in  
3 Carteret county all the way up to -- I found  
4 Wise, North Carolina, right along the Virginia  
5 border. And Senator Blue is about right, if you  
6 stop for a rest break, it's about 4 hours,  
7 177 miles, and that's if you're cutting through  
8 Senator Perry, Senator Davis, Senator Barnes'  
9 districts to get there.

10 You know, so my question just is what  
11 does somebody living in Emerald Isle, all the  
12 way on the bottom there on the coast, have in  
13 common with someone living in Wise,  
14 North Carolina, way on the Virginia border, up  
15 there, in Warren county.

16 CHAIRMAN NEWTON: So, Senator Nickel,  
17 I'll allow Senator Hise to answer that question,  
18 but I think it's essentially asked and answered  
19 multiple times with Senator Blue, but Senator  
20 Hise.

21 CHAIRMAN HISE: Having served for 10  
22 years in a district that's over a three-hour  
23 drive from Marshall to Tryon, about three and a  
24 half, if you do that, I understand the  
25 complexities of doing so, but that is in a lot

1 of ways the geographics of the map and the  
2 county pods that formed.

3 CHAIRMAN NEWTON: Thank you.

4 Anything else, Senator Nickel?

5 Okay. Well, with that, Senator Blue  
6 has moved for the adoption of SBA Amendment 2.  
7 All those in favor say aye.

8 COMMITTEE MEMBERS: Aye.

9 CHAIRMAN NEWTON: All those opposed,  
10 no.

11 COMMITTEE MEMBERS: No.

12 CHAIRMAN NEWTON: The nos have it.

13 So the next amendment -- I'll ask the  
14 proponent. The next one that I have on my list  
15 is actually right back up to the top which is  
16 SBV Amendment 3. Is that what you would like to  
17 pursue next?

18 UNIDENTIFIED SPEAKER: Just Buncombe  
19 county.

20 CHAIRMAN HISE: Buncombe, McDowell,  
21 Burke. It's red and pink. It's on the screen  
22 as well.

23 CHAIRMAN NEWTON: It's up to the  
24 sponsor what order you'd like to take these in.  
25 I've done my best.

1 [Unintelligible.]

2 CHAIRMAN NEWTON: Okay. Not that one.  
3 Members.

4 SCH Amendment 2. Is that the Moore,  
5 Cumberland 21, 19 districts. Okay, very good.  
6 All right. And who is going to be offering  
7 these?

8 SENATOR BLUE: I'll talk about it. I  
9 want to first ask Senator Hise a couple  
10 questions since this is before us, but I want to  
11 ask Senator Hise a couple questions.

12 CHAIRMAN NEWTON: Okay. Go ahead.

13 SENATOR BLUE: Yes. Senator Hise, I'm  
14 trying to get straight in my mind these criteria  
15 that the committee adopted, and they were all  
16 listed with specific statement by you, I  
17 believe, that you couldn't rank order them, but  
18 you could consider all of them depending on what  
19 you were looking at at the time.

20 And what I'm trying to figure out about  
21 this is you mentioned that keeping  
22 municipalities whole was one of the priorities  
23 at least in the other maps that you've drawn; is  
24 that right.

25 CHAIRMAN HISE: And continues to be in

1 both maps, yes.

2 SENATOR BLUE: Keeping municipalities  
3 whole. And following that, what was the next  
4 most important criteria that you think you  
5 applied?

6 CHAIRMAN HISE: Senator Blue, I can go  
7 through the entire list of the criteria. We  
8 have made no statements about most important or  
9 next important. These are the criteria of the  
10 committee, and we considered them when drawing  
11 maps.

12 SENATOR BLUE: Okay. So is it fair to  
13 say --

14 CHAIRMAN HISE: Each member will make  
15 their own choice.

16 CHAIRMAN NEWTON: Senator Blue.

17 SENATOR BLUE: Thank you. So is it  
18 fair to say that you got this set of criteria  
19 and no one criteria determined the outcome?

20 CHAIRMAN NEWTON: Senator Hise.

21 CHAIRMAN HISE: So, Senator Blue, I  
22 would not say that that -- I think that is true  
23 for several criteria. There are criteria in the  
24 maps that I do see as absolute. We had said  
25 that -- when we said that we would comply with

1 the Voting Rights Act, we will comply with the  
2 Voting Rights Act. When we said that the  
3 Stephenson groupings -- so violating the  
4 Stephenson groupings would be absolutes for the  
5 committee to consider. Not using race, not  
6 using political data were absolute  
7 considerations of the committee.

8 Beyond that, we moved to considerations  
9 minimizing -- which is not an exact science, but  
10 minimizing, dividing counties, dividing VTDs,  
11 dividing municipalities. All of those have  
12 varying levels that maps are drawn to try to  
13 accommodate them, but there were also absolute  
14 criteria that we felt were important to comply  
15 with.

16 SENATOR BLUE: Another question.

17 CHAIRMAN NEWTON: Yes, Senator Blue.

18 SENATOR BLUE: And what made me ask you  
19 that question, Senator Hise, is because in many  
20 of the clusters, as you explained them earlier  
21 this morning, it appears that you prioritize not  
22 splitting municipalities. For example, when you  
23 say that next door in Sampson county that you  
24 decided -- you went out of the way to split a  
25 precinct in order to keep I believe the

1 municipality of Plain View, one of those places  
2 next to the hollerin' capital of the world.

3 CHAIRMAN NEWTON: Spivey's Corner.

4 SENATOR BLUE: Yeah, Spivey's Corner.  
5 You went out of the way not to split  
6 precincts -- or you went out of the way, rather,  
7 to split a precinct to keep the municipality  
8 whole, but in Cumberland county your map decided  
9 to split Hope Mills.

10 Tell me, what was your thought process  
11 in determining the split Hope Mills and not  
12 Plain View?

13 CHAIRMAN NEWTON: Senator Hise.

14 CHAIRMAN HISE: And I believe in the  
15 same map we, by necessity, also split  
16 Fayetteville. With coming in, for the way it  
17 was coming, it is a balancing factor, and in  
18 choosing to make -- you know, could we choose to  
19 split a single VTD in order to keep a  
20 municipality whole, we made that choice and  
21 could do so. Would that choice be different if  
22 it required splitting multiple VTDs that's  
23 coming in in order to keep a municipality whole  
24 would be a different consideration and decision.

25 SENATOR BLUE: Follow-up.



1                   CHAIRMAN NEWTON: Follow-up.

2                   SENATOR BLUE: Now, in your map, I  
3 believe you split Fayetteville several times; is  
4 that right?

5                   CHAIRMAN HISE: Fayetteville is split.

6                   SENATOR BLUE: Several times.

7                   CHAIRMAN HISE: Fayetteville is split.  
8 There's a portion -- I think it came to  
9 12 percent or something like that of  
10 Fayetteville is in a different district.

11                  SENATOR BLUE: Just for information,  
12 you had to split it because of Fort Bragg, I  
13 believe you got to split it at least once, but  
14 you split it more than once.

15                  CHAIRMAN HISE: We did keep -- all the  
16 military installations are whole within a  
17 district.

18                  SENATOR BLUE: And one last follow-up.  
19 But you split Hope Mills also.

20                  CHAIRMAN HISE: I believe we did.

21                  SENATOR BLUE: And would you agree that  
22 a better cluster map in Cumberland county would  
23 be one where you didn't jeopardize any of the  
24 other criteria? You kept municipalities whole,  
25 you didn't split precincts, et cetera,

1 et cetera.

2 CHAIRMAN NEWTON: Senator Blue. I  
3 mean, I'm sorry. Senator Hise.

4 CHAIRMAN HISE: He'll answer his own  
5 question. That's the attorney side.

6 What I would say is, again, it is  
7 weighing multiple considerations, and the  
8 challenge would be, in doing so, taking a  
9 district that was 80 percent contained in  
10 Fayetteville and trying to divide it to more of  
11 a 50/50 district would be something that would  
12 weight that decision I think more towards  
13 keeping more of Fayetteville within a district.

14 SENATOR BLUE: Okay. Thank you,  
15 Mr. Chairman.

16 Senator Hise, I offer you a district  
17 that does not split Hope Mills in Cumberland  
18 county and it splits Fayetteville only in the  
19 place that you split it. I believe it splits  
20 Fayetteville only at that place. I'm trying to  
21 remember my geography of my used-to-be next door  
22 neighboring county, but I think it -- but if it  
23 splits Cumberland -- or Fayetteville, it doesn't  
24 split it more times than you do, but it keeps  
25 Hope Mills totally whole as you did the

1 surrounding districts up in its neighboring  
2 Sampson county.

3 CHAIRMAN NEWTON: Is that a question or  
4 a comment?

5 SENATOR BLUE: It's a statement. And  
6 with that said, unless I'm wrong on that, which  
7 I don't believe I am, I would move the adoption  
8 of the map.

9 CHAIRMAN NEWTON: Thank you,  
10 Senator Blue.

11 Senator Hise, any other comments?

12 CHAIRMAN HISE: I am trying to find,  
13 and I don't believe that it's in this pack, the  
14 percentage of Fayetteville that is now in the  
15 district. It now takes Fayetteville I believe  
16 to a 53/47 split between the two districts, as I  
17 had said earlier, and makes a district that was  
18 a predominant Fayetteville district and kept as  
19 much of it as whole as possible to almost an  
20 even split between the two, and I see no reason  
21 and would not support making that decision.

22 CHAIRMAN NEWTON: All right. Thank  
23 you.

24 Seeing no other comments or questions,  
25 Senator Blue has moved to amend the map

1 SCH Amendment 2. All those in favor say aye.

2 COMMITTEE MEMBERS: Aye.

3 CHAIRMAN NEWTON: All those opposed say  
4 no.

5 COMMITTEE MEMBERS: No.

6 CHAIRMAN NEWTON: The nos have it.  
7 Okay. Senator Blue, which is your  
8 next?

9 SENATOR BLUE: Yeah, let me get out of  
10 my own way.

11 CHAIRMAN NEWTON: No worries. Take  
12 your time.

13 SENATOR BLUE: Question of -- I'm going  
14 to introduce -- the next one I'm going to  
15 introduce is going to be SBK 3 is the number I  
16 have. I don't know what the corresponding new  
17 number for the amendment is.

18 CHAIRMAN NEWTON: SBA --

19 SENATOR BLUE: SBK. SBK 3.

20 CHAIRMAN NEWTON: SBA Amendment 3.

21 SENATOR BLUE: Is that it?

22 CHAIRMAN NEWTON: I don't have an SB 8.

23 SENATOR BLUE: No. It's -- SBK 3 was  
24 my old one.

25 CHAIRMAN NEWTON: SBA 3. Is this it?

1 SENATOR BLUE: It's a Wake county map.

2 CHAIRMAN NEWTON: Members, SCG  
3 Amendment 6 we think is the -- Granville and  
4 Wake. SCH -- SCH Amendment 6? Sorry.

5 SENATOR BLUE: SCG Amendment 6, is that  
6 it?

7 CHAIRMAN NEWTON: That's it. I got it.

8 SENATOR BLUE: Question first of  
9 Senator Hise. And it might -- it might help if  
10 we could have displayed the map that Senator  
11 Hise is defending.

12 CHAIRMAN NEWTON: So I'll ask staff if  
13 we can -- you want a split screen, if we can get  
14 that.

15 SENATOR BLUE: Yes.

16 CHAIRMAN NEWTON: So, staff, if we  
17 can -- if not, you just want Senator Hise --

18 SENATOR BLUE: Just Wake county  
19 portion.

20 CHAIRMAN NEWTON: Wake county portion.

21 SENATOR BLUE: With the Wake-Granville  
22 county portion of Senator Hise -- that cluster.  
23 There it is.

24 CHAIRMAN NEWTON: How about that.

25 SENATOR BLUE: That's perfect.

1           CHAIRMAN NEWTON:  Senator Blue, you  
2           have the floor.

3           SENATOR BLUE:  Thank you, Mr. Chairman.

4           And, Senator Hise, correct me if I'm  
5           wrong, and I'll ask you because I can't keep up  
6           with all this stuff.  In looking at your drawing  
7           of Wake county, if I could first go to the  
8           Granville-Wake county district.

9           It looks like in doing those six  
10          districts you appear to split ten precincts and  
11          split three municipalities; is that right?

12          CHAIRMAN HISE:  I believe that is  
13          accurate.

14          SENATOR BLUE:  I think you split  
15          Raleigh --

16          CHAIRMAN HISE:  I don't have that  
17          report in front of me.

18          SENATOR BLUE:  I think you split  
19          Raleigh -- Raleigh, Apex, and Cary, I believe.

20          CHAIRMAN HISE:  Yes.

21          SENATOR BLUE:  And did you find keeping  
22          municipalities whole to be of higher importance  
23          than splitting VTDs?

24          CHAIRMAN HISE:  There were individual  
25          cases in which we felt like we could pick an

1 individual VTD and as a result not split  
2 municipalities, but again, there was no priority  
3 on the criteria that ranks one higher than the  
4 other.

5 SENATOR BLUE: Then if you -- so none  
6 of them have -- again, and you said this, but I  
7 want to make sure I understand it. None of them  
8 have necessarily a higher priority. It just  
9 depends on the specific district that you're  
10 drawing at the time.

11 CHAIRMAN HISE: And we are showing how  
12 we considered each of them in the reports for  
13 what the results are.

14 SENATOR BLUE: Okay. If you will take  
15 a look at that protrusion from the green  
16 district into the blue district up there, that's  
17 from -- I can't see the Raleigh district number.  
18 I think it may be -- I don't know what the  
19 district is, but there's a protrusion reaching  
20 sort of north that extends from the green  
21 district into the blue district.

22 Do you see that?

23 CHAIRMAN HISE: I see it.

24 SENATOR BLUE: Okay. If you look at  
25 that, tell me why you determined to put that

1 protrusion in the map as you were drawing it.

2 CHAIRMAN HISE: As I said when I  
3 explained this map, our intent was to connect  
4 Granville county with the unincorporated, more  
5 rural areas of the northern county. All of  
6 drawing this two-county pod was exceptionally  
7 difficult compared to the fact that our variance  
8 for the district was already at 4.9 percent  
9 below the average district, and so we really  
10 only had an average variance of about 52  
11 individuals per district. I know you and others  
12 that have drawn in Wake county ran into this  
13 same complexities in doing so.

14 And so balancing populations required  
15 many more circumstances in which you could not  
16 keep VTDs whole and others in doing so in  
17 drawing it, but literally this district was  
18 drawn starting with Granville county and looking  
19 at the northern particularly unincorporated  
20 areas of Wake county and adding the two of those  
21 into the district and then coming down into the  
22 district as was necessary to balance population.

23 CHAIRMAN NEWTON: Senator Blue.

24 SENATOR BLUE: Follow-up.

25 So you chose not to split Raleigh where



1 it protrudes up into the district, that is, the  
2 blue district.

3 CHAIRMAN HISE: Correct. Well, we  
4 can't show it on these. On the map you could  
5 put the city limits up and I could better  
6 respond to that question, but we -- again, by  
7 adding the unincorporated areas and kind of  
8 moving down to get towards that equal population  
9 number.

10 SENATOR BLUE: Further question.

11 CHAIRMAN NEWTON: Question.

12 SENATOR BLUE: In looking at the stat  
13 pack on that district, you did split Raleigh,  
14 and you have part of Raleigh into the blue  
15 district. And so could you tell me why you  
16 chose to put the part of Raleigh to the left of  
17 that green protrusion into the blue district and  
18 not part of the green since both of them are  
19 part of Raleigh's corporate limits.

20 CHAIRMAN HISE: A specific decision for  
21 that choice, I think you're looking at as we  
22 were coming south, when you look in the other  
23 part of the green area, those seem to be  
24 smaller, more compact VTDs, particularly with  
25 higher populations that's with coming in. And

1 so when we're trying to balance populations, as  
2 we're getting close, we're looking for the VTDs  
3 that closest match that in order to minimize the  
4 splitting of VTDs.

5 CHAIRMAN NEWTON: Follow-up.

6 SENATOR BLUE: Follow-up.

7 But you could split one precinct and  
8 one VTD and make up for any difference in  
9 population.

10 CHAIRMAN HISE: And that would be an  
11 additional split VTD.

12 SENATOR BLUE: Yes, sir.

13 Another question.

14 CHAIRMAN NEWTON: Yes. Follow-up.

15 SENATOR BLUE: And one of the criteria  
16 that you looked at, one of the criteria adopted  
17 by the committee was not to split precincts  
18 except where it was necessary.

19 CHAIRMAN HISE: Yeah.

20 SENATOR BLUE: And that was because  
21 when you start splitting precincts, you create a  
22 lot of districts for election officials in  
23 trying to match up all of these areas with  
24 what's in and what's out since we elect on a  
25 precinct basis.

1           CHAIRMAN NEWTON:  Senator Blue, I'll  
2 just note that you're kind of answering your own  
3 question there.

4           SENATOR BLUE:  Thank you, sir.  Thank  
5 you.  I don't mean to answer it, but I think  
6 he's going to say yes so I'll state it for him,  
7 lead him a little bit, if you will.

8           So if you had a map that didn't split  
9 any precincts and still conformed with all of  
10 the other criteria, would that not be a superior  
11 map?

12          CHAIRMAN HISE:  Senator Blue, I  
13 think -- I don't know if there's a distinction  
14 being made.  The data in the system is by VTDs.  
15 In some areas, those are not consistent with  
16 what are called precincts but in others they are  
17 and I don't have an answer off the top of my  
18 head where those are coming in.

19          I will tell you with an average  
20 variance of 52 individuals, not dividing a VTD  
21 in Wake county was a -- considering that your  
22 VTD probably minimum size is somewhere around a  
23 thousand.  If there's many below that, there's  
24 not many, that's coming in and having to get  
25 districts within 50 people of each other

1       necessitates the division of VTDs.

2               CHAIRMAN NEWTON: Follow-up.

3               SENATOR BLUE: So then -- thank you  
4       very much.

5               So, Senator Hise, I'm going to show  
6       you, if you would refer to the map that I have  
7       up over there which is before us. It is a map  
8       that splits no precincts in Wake county.

9               Would that not be a superior map based  
10       on the criteria? No split precincts.

11              CHAIRMAN HISE: It would meet the  
12       criteria of not splitting VTDs more efficiently,  
13       but there are other considerations to consider,  
14       including what does it do splitting  
15       municipalities, what is the change on that, all  
16       the other criteria. I could go through the  
17       list, but if you're asking if splitting fewer  
18       VTDs meets the criteria better of splitting  
19       fewer VTDs, the answer is yes.

20              CHAIRMAN NEWTON: Follow-up.

21              SENATOR BLUE: I move the adoption.

22              CHAIRMAN NEWTON: All right.

23       Senator Blue moves the adoption --

24              SENATOR NICKEL: Can I ask a question  
25       first?

1 CHAIRMAN HISE: Sure.

2 CHAIRMAN NEWTON: Senator Nickel, yes.

3 SENATOR NICKEL: We were talking  
4 yesterday about Senator Tillman, and I just  
5 wanted to dig up what he said in lead up to my  
6 question here.

7 On the floor of the senate, the last  
8 session, he said that this process is --

9 CHAIRMAN NEWTON: I'm sorry,  
10 Senator Nickel. Who is he?

11 SENATOR NICKEL: Senator -- Republican  
12 Senator Jerry Tillman.

13 CHAIRMAN NEWTON: Okay. He is not  
14 serving in this body. Is this relevant to  
15 today's discussion?

16 SENATOR NICKEL: It is to my question.

17 UNIDENTIFIED SPEAKER: Mr. Chairman,  
18 point of order. We had a motion on the floor.

19 CHAIRMAN NEWTON: You are correct, we  
20 do have a motion on the floor.

21 Do you want to speak to that motion  
22 without -- something that is germane to the  
23 motion on the floor today?

24 SENATOR NICKEL: I think we've got  
25 another Wake map coming up; is that correct?

1 Senator Blue, we have a second Wake map? I can  
2 give my comments then.

3 CHAIRMAN NEWTON: All right.

4 Senator Hise, would you like to make  
5 any other comments before we vote?

6 All right. Those in favor of the  
7 motion to adopt SCG Amendment 6 say aye.

8 COMMITTEE MEMBERS: Aye.

9 CHAIRMAN NEWTON: Those opposed, no.

10 COMMITTEE MEMBERS: No.

11 CHAIRMAN NEWTON: The nos have it.

12 Senator Blue, do you know which  
13 amendment you'd like to propose next?

14 SCH Amend-6. SCH Amend-6.

15 CHAIRMAN HISE: That might be the one  
16 that I don't have. There's a lot of Wake county  
17 options here.

18 CHAIRMAN NEWTON: All right.

19 Senator Blue, who's going to be proposing this  
20 amendment? The question is Senator Blue is  
21 going to be presenting this amendment and he has  
22 a question for Senator Hise.

23 You have the floor, Senator Blue.

24 SENATOR BLUE: Yeah. Senator Hise, in  
25 the last series I asked you about was splitting

1 VTDs and you said that that was important and  
2 probably took precedence over splitting  
3 precincts, at least as you drew the  
4 Granville-Wake county district; is that correct?

5 CHAIRMAN HISE: Again, I would  
6 make -- I'm assuming on this line of question  
7 that the VTDs and the precincts are not aligned  
8 in Wake county.

9 SENATOR BLUE: They pretty much are  
10 aligned, they pretty much are.

11 CHAIRMAN HISE: And as we -- because  
12 it's the layer in the system, we have looked at  
13 this from the lens of splitting VTDs.

14 SENATOR BLUE: Okay.

15 CHAIRMAN NEWTON: Follow-up.

16 SENATOR BLUE: Follow-up.

17 You think that splitting -- at least as  
18 you made the decision here, you wanted to split  
19 as few VTDs as possible in Wake county.

20 CHAIRMAN HISE: We balanced the  
21 criteria between splitting VTDs, municipalities,  
22 compactness of districts, all that exists in  
23 coming up with these maps.

24 SENATOR BLUE: And if I were to show  
25 you a map that split two municipalities as

1       opposed to the three that you split in your map  
2       and it split only three VTDs as compared with  
3       the ten VTDs that you split in your map, would  
4       you agree that that's probably a better map  
5       using the criteria that the committee adopted?

6               CHAIRMAN NEWTON:   Senator Hise.

7               CHAIRMAN HISE:   Senator Blue, I will  
8       actually say on what's being presented,  
9       SCH Amendment 6, it is our understanding from  
10      the report it splits the same municipalities.

11              SENATOR BLUE:   And let me correct that.  
12      That's what I was going to point out to you. It  
13      leaves six people in one of the -- I think it's  
14      an Apex VTD, but those people could easily be  
15      transferred out to a neighboring district and it  
16      wouldn't affect the numbers.

17              So if in fact you split two  
18      municipalities versus three and you split  
19      only -- and you split only three VTDs, that  
20      would be a better map using the committee's  
21      criteria.

22              CHAIRMAN HISE:   There are a lot of  
23      considerations under those specific areas. I  
24      will say that if you -- driving this home, if  
25      you split fewer municipalities, you have better



1 met the criteria for splitting municipalities.  
2 If you split fewer precincts or VTDs, you have  
3 better met the criteria of meeting VTDs. That  
4 does not imply in some manner that the overall  
5 has better complied with the map drawing because  
6 it met any one particular criteria in a better  
7 manner.

8 CHAIRMAN NEWTON: Senator Blue.

9 SENATOR BLUE: [Unintelligible] a  
10 question again and we'll move on and other folk  
11 can ask questions.

12 But if you improve on both of those,  
13 which of the criteria you used to determine how  
14 to draw this map, you say these are the  
15 important considerations, then it is a better  
16 map if it's improved on the other aspects of the  
17 criteria.

18 CHAIRMAN HISE: I would not limit my  
19 comment to both. If you meet all of the  
20 criteria better, then you have drawn a better  
21 map.

22 SENATOR BLUE: Okay. I'll hold it for  
23 a minute. I think Senator Nickel --

24 CHAIRMAN NEWTON: Senator Nickel.

25 SENATOR NICKEL: My question is about

1 the partisan intent of drawing the map. And,  
2 you know, I represent Wake county so I know  
3 every single precinct here pretty well. I know  
4 how they perform. I know where people live and  
5 how they vote. And in the last session I know  
6 Senator Jerry Tillman, who's not here, but he  
7 said "This is set up to be partisan. Do you  
8 think we're going to draw Democrat maps? We're  
9 doing exactly what you all did for 140 years."

10 And so my question is about intent.  
11 And you know, I'm a lawyer, I was a prosecutor,  
12 I'm a defense lawyer. You know, we talk to  
13 people and you try to ask them to tell you  
14 things that will help with their intent for the  
15 fact finder, and it's rare that people will say,  
16 "Oh, hey, I did it, I did it."

17 But the question I have is very  
18 specific about Wake county. I know if I wanted  
19 to draw two Republican maps, I'd do the top part  
20 and then I'd do the bottom part, and that's  
21 where the Republicans live, on the top part and  
22 on the bottom part.

23 And so one of the things that's neat  
24 about this process, and really boring at the  
25 same time, is watching people draw maps. And I

1 got to watch when you were drawing Wake county,  
2 and, you know, you did it and you started at the  
3 top with Granville and then you did that weird  
4 finger thing and the top part of Wake, and then,  
5 instead of drawing other districts, you skipped  
6 down to the bottom and you did the Republican  
7 district on the bottom.

8 So my question just is I believe if I  
9 were trying to draw two Republican maps, that's  
10 the way I would do it, but my question is why  
11 did you start at the top and then, instead of  
12 doing other districts, skip down to the bottom?

13 CHAIRMAN NEWTON: Senator Hise.

14 CHAIRMAN HISE: So I appreciate you  
15 giving your intent for drawing several of the  
16 other options that are available for us to be  
17 considered and for what your intent was. I will  
18 say --

19 SENATOR NICKEL: I didn't draw maps.

20 CHAIRMAN HISE: -- we began this  
21 process in the northern because there is  
22 actually a requirement under the Stephenson that  
23 when Granville does not meet the criteria of a  
24 district in size that it be -- that the county  
25 can remain whole and be added to another

1 district. It so happens in this map that it  
2 connects to Wake in the northern area of the  
3 county, so we knew that we had to come in and  
4 transverse into Wake county on the northern end  
5 of the county, that's with coming in. So we  
6 completed that district first with the others.

7 Do I have a propensity to start north?  
8 South? East? West? It probably depends more  
9 which mood I'm kind of in coming in, and most of  
10 my maps I've drawn with the state I've started  
11 in the west with coming in. I think it's clear  
12 versus the first time I was involved in drawing  
13 maps ten years ago where we had data that told  
14 us the election results of the top ten districts  
15 in every precinct in the state or VTD in the  
16 state and how it performed and formed those  
17 together for that purpose.

18 We have not considered any political  
19 data in doing this, and to somehow suggest that  
20 my knowledge of political data in Wake county,  
21 you know, some 250 miles away from where I live,  
22 was somehow the basis for why, after drawing the  
23 required transversal, I then moved to the bottom  
24 of the county it seems to me a little  
25 ridiculous.

1           CHAIRMAN NEWTON: Senator Nickel, do  
2 you have a follow-up?

3           SENATOR NICKEL: I mean, my follow-up  
4 is just pretty obvious. You know, all the  
5 experts who have commented on these maps call it  
6 an extreme partisan gerrymander because there's  
7 virtually no other way to draw Wake-Granville to  
8 make two districts more favorable for  
9 Republicans, and that's what I see here.

10           And, you know, Senator Blue's amendment  
11 would have a community of interest, you know, on  
12 the top northwest corner. You know, you see on  
13 his map, those folks there have a lot more in  
14 common with folks from the east and all the way  
15 over to the west side. So for me I see, you  
16 know, if we're following criteria with that  
17 district, one that makes a lot more sense with  
18 the committee's criteria.

19           CHAIRMAN NEWTON: Senator Nickel, are  
20 you moving for the adoption of SCH Amendment 6?

21           SENATOR NICKEL: No.

22           CHAIRMAN NEWTON: Senator Blue.

23           SENATOR BLUE: Mr. Chairman, thank you.  
24 And I want to thank Senator Hise for catching  
25 the same error in this map that I caught, but it

1 is my intention to fix that error so that it  
2 does have fewer things. So I can end the  
3 discussion, but I will fix that error in it, but  
4 the point is to show you that we can draw a more  
5 efficient map. And I say that because, you  
6 know, I'm probably the only person around who  
7 has represented every single inch of the  
8 geography in Wake county. I've represented this  
9 entire county in different forms in senate  
10 districts, house districts or the county as a  
11 whole.

12 And I will tell you that for those of  
13 us in these urban areas, and it's something that  
14 you might really take seriously, we look at  
15 ourselves as representing the county, for the  
16 most part, and that's the way the county looks  
17 at us, especially the business community, that  
18 we represent collectively the interests of Wake  
19 county, the interests of the state, but these  
20 nuances and fine pickings, once we get real  
21 communities of interest out of the way, don't  
22 really carry the kind of sway. We've got a  
23 consolidated school system, so we all -- you  
24 know, we work for the same school board. We've  
25 got commissioners that are countywide, and so

1 we -- so we see ourselves as representing the  
2 county. So these fine points that you're  
3 raising don't register as much here as they do  
4 in some of the other areas where you have other  
5 entities that are being represented in so  
6 many -- you know, if you're representing a  
7 senate district, most of you have six or eight  
8 school districts and those kinds of things or  
9 other cities and towns outside the immediate  
10 area that you're in.

11 But I want to fix this map by putting  
12 those six people into a -- so that we're not  
13 making another municipal split so that you can  
14 see that we can draw a map that still protects  
15 all of the interests that the criteria pointed  
16 out that we were going to consider and have  
17 fewer split municipalities and fewer split VTDs.

18 So with that said, I will withdraw this  
19 map -- and no hurry to get it done. I will just  
20 offer it again tomorrow. Okay.

21 CHAIRMAN NEWTON: Thank you,  
22 Senator Blue.

23 All right. So SCH Amendment 6 has been  
24 withdrawn.

25 What's up next, Senator Blue?

1                   SENATOR BLUE:   Senator Marcus.

2                   SENATOR MARCUS:   Mr. Chair, I believe  
3 we are going to move to Durham and Chatham  
4 county now, and that's amendment -- SBVA  
5 Amend-2.

6                   CHAIRMAN NEWTON:   SBVA Amendment 2.

7                   SENATOR MARCUS:   Yeah. I said that A  
8 twice. Sorry about that. If staff could have  
9 the side-by-side up again, that would be I think  
10 most helpful for people following along.

11                  CHAIRMAN NEWTON:   All right.  
12 Senator Marcus, you have the floor.

13                  SENATOR MARCUS:   Shall I let Erika get  
14 that other map up before I start.

15                  CHAIRMAN NEWTON:   It's up to you.

16                  SENATOR MARCUS:   Okay, here we go.  
17 Thank you so much.

18                  This amendment that we're submitting  
19 here is an amendment that honors the criteria of  
20 compactness better than the map that is  
21 otherwise drawn here, the Republican map.

22                  So the map that we're offering is the  
23 one on the screen to the left compared to the  
24 one on the right which is the Republican map.  
25 And that one on the right has one very compact



1 district. You can see it's a tight circle  
2 around the center of the city of Durham there,  
3 that green area inside all the purple.

4 And then the other part of this county  
5 cluster is not compact at all. It's pretty  
6 stretched out. It's oddly shaped. It goes  
7 around, it goes over the next two and then under  
8 Durham and then picks up all of Chatham county,  
9 so it's pretty contorted. It also, this map,  
10 unfortunately cuts up some communities of  
11 interest.

12 So the amended map that we're offering  
13 here makes two equally compact districts  
14 instead, that's the one on the left without any  
15 odd shape, and it has a better both  
16 Polsby-Popper average compactness score. Ours  
17 is a 42 versus the map on the right which is 32.  
18 The Reock scores are about the same since when  
19 you look at an average of the two they come out  
20 to be about the same.

21 So between these two maps there's no  
22 difference in municipality or VTD splits, so we  
23 don't have to worry about that, and we're  
24 offering this alternative to make both districts  
25 compact, for the map to make more sense to the

1 community, and to improve the compactness of the  
2 overall county cluster. So unless there are any  
3 questions.

4 CHAIRMAN NEWTON: Thank you,  
5 Senator Marcus.

6 The chair has two questions for Senator  
7 Murdock because she's the most impacted -- just  
8 not catching you cold. We talked about this  
9 with respect to one other amendment and one  
10 other senator as well.

11 Are you in favor of this amendment?

12 SENATOR MURDOCK: Yes, I am.

13 CHAIRMAN NEWTON: And is it your view  
14 that it complies with the VRA?

15 SENATOR MURDOCK: That it complies with  
16 the VRA?

17 CHAIRMAN NEWTON: It complies -- is it  
18 your understanding, your view, your belief that  
19 it complies with the Voting Rights Act if we  
20 take this amendment?

21 SENATOR MURDOCK: It's my  
22 understanding.

23 CHAIRMAN NEWTON: Okay. Very good.

24 All right. Anybody else have any  
25 questions? Senator Hise?

1           CHAIRMAN HISE: So, Members, I will  
2 just add, in choosing this district was unique.  
3 We tried to keep as much of Durham as possible,  
4 but Durham is sufficiently too large to be  
5 contained in a senate district and -- both in  
6 this amendment and the map we had to divide  
7 Durham in order to do so, and so I'm actually  
8 okay with it.

9           CHAIRMAN NEWTON: All right.

10          Senator Marcus, have you moved for the  
11 adoption of the amendment?

12          SENATOR MARCUS: I believe Senator Blue  
13 would like to be recognized.

14          SENATOR BLUE: I just want to make one  
15 point, Mr. Chairman. And again, I want to  
16 disclaim any expertise in the area, but I just  
17 don't see any Voting Rights Act violations in  
18 Durham, not that there aren't some and maybe  
19 experts can tell you differently, but I know  
20 that Senator Murdock indicated to her  
21 understanding that it complied with the VRA.

22           I'd rephrase that to say that I am  
23 aware of no violations of the Voting Rights Act  
24 that exist in the Durham county redistricting.  
25 I think that they just want to do it because it

1 satisfies some community-of-interest issues, but  
2 I'm not aware of any VRA issues in the way that  
3 Durham county is -- there may be some other  
4 issues. As I said, there may be some issues on  
5 gerrymandering still, even though it might not  
6 have any effect, but again, that's my lay  
7 opinion. That's not an expert opinion.

8 CHAIRMAN NEWTON: Thank you,  
9 Senator Blue.

10 And is there a motion.

11 SENATOR MARCUS: I move for the  
12 adoption of this amendment.

13 CHAIRMAN NEWTON: Thank you.

14 Senator Marcus has moved for the  
15 adoption of SBV Amendment 2. All those in favor  
16 say aye.

17 COMMITTEE MEMBERS: Aye.

18 CHAIRMAN NEWTON: All those opposed.  
19 All right. The amendment is in fact  
20 adopted.

21 Next up. Who would like to lead the  
22 charge on whatever amendment you prefer next?

23 UNIDENTIFIED SPEAKER: Looks like --

24 SENATOR BLUE: It's my understanding  
25 that there's a Guilford county amendment that's

1 up next; is that right?

2 UNIDENTIFIED SPEAKER: Yes.

3 CHAIRMAN NEWTON: Is that SBV  
4 Amendment 3?

5 SENATOR CLARK: Yes. I'll do that,  
6 Mr. Chair.

7 CHAIRMAN NEWTON: Wait a minute. Hold  
8 on. I've got the wrong one there. Let's find  
9 the right map. Which one is it?

10 SCG Amendment 3? Is that the one, SCG?

11 SENATOR CLARK: I will handle SCG  
12 Amendment 3, Mr. Chair.

13 CHAIRMAN NEWTON: Okay. Thank you,  
14 Senator Clark. You have the floor.

15 SENATOR BLUE: Is it SCG Amendment 1,  
16 the one that Senator Lowe has?

17 SENATOR LOWE: Yes. I have 3.

18 SENATOR BLUE: Senator Clark just said  
19 he has 3.

20 SENATOR CLARK: I have SCG Amendment 3.  
21 That's the one that's on the screen now.

22 CHAIRMAN NEWTON: Senator Lowe has made  
23 the handoff, a good, clean handoff to  
24 Senator Clark.

25 SENATOR CLARK: Okay. Thank you,

1 Mr. Chair. Thank you, Senator Lowe. Sorry for  
2 the confusion there.

3 But anyway, Mr. Chair, I would like to  
4 move that the committee accept this amendment.  
5 What it does, it follows one of the criteria  
6 that we have established, and that is to give, I  
7 guess, relief to the double-bunking of members  
8 if we can do so in a reasonable way.

9 And what this particular amendment does  
10 is it essentially changes the orientation of the  
11 Senate District 28 and 27 as in the plan put  
12 forth by the Senate Republicans by shifting it  
13 from a north-south orientation essentially to an  
14 east-west orientation, and also it avoids the  
15 double-bunking of Senators Robinson and Garrett.

16 CHAIRMAN NEWTON: Thank you,  
17 Senator Clark.

18 And, Senator Robinson, I do have the  
19 same two questions for you that we asked Senator  
20 Murdock. Are you in favor of this redraw, this  
21 amendment?

22 SENATOR ROBINSON: Yes, I am.

23 CHAIRMAN NEWTON: And is it your  
24 understanding, belief, view that it complies  
25 with the VRA to take this amendment?

1           SENATOR ROBINSON: Yes. Based on the  
2 previous ruling of the courts, yes.

3           CHAIRMAN NEWTON: Thank you, Senator  
4 Robinson.

5           Senator Blue.

6           SENATOR BLUE: I make the same  
7 observation that I'm certainly not an expert,  
8 and I don't think Senator Robinson is holding  
9 herself out as one in this area, but I believe  
10 that the issue in Guilford county that we  
11 wrestle with with these two districts the last  
12 time had to do with partisan gerrymandering, and  
13 there was a special master appointed who drew  
14 what had been earlier VRA district and we  
15 complied with the special master's  
16 recommendation and that's how we settled the  
17 last lawsuit. And so I'm assuming that this  
18 configuration doesn't change radically anything  
19 that the special master did in District 28. I  
20 think that was the number of it when he did it  
21 the last time, and that resolved the voting  
22 rights issues in that district as well as  
23 political gerrymandering issues.

24           CHAIRMAN NEWTON: Thank you,  
25 Senator Blue.

1           Senator Hise, do you have any comments  
2 on the proposed amendment?

3           CHAIRMAN HISE: No, I think  
4 [unintelligible] ...functionally equivalent.

5           CHAIRMAN NEWTON: Okay. So Senator  
6 Hise endorses the amendment as well, and  
7 Senator Clark has moved that we adopt SCG  
8 Amendment 3.

9           All those in favor say aye.

10          COMMITTEE MEMBERS: Aye.

11          CHAIRMAN NEWTON: All those opposed.  
12 The amendment is adopted.

13          All right. Senator Blue, we'll look to  
14 you to determine which amendment is up next.

15          SENATOR BLUE: I think Senator Lowe  
16 has -- on the list I got is SCG Amendment 1.

17          CHAIRMAN NEWTON: All right. Senator  
18 Lowe, I think we have the pink SCG Amendment 1  
19 in front of us.

20          SENATOR LOWE: We do have pink.

21          CHAIRMAN NEWTON: And you have the  
22 floor.

23          SENATOR LOWE: Just looking at this  
24 map, it's a much cleaner-looking map, and I  
25 think it can be well seen that it's cleaner and



1 it gets to the point and it does what the  
2 criteria is trying to do. And I certainly  
3 submit this map -- submit this amendment unto  
4 you.

5 CHAIRMAN NEWTON: Thank you,  
6 Senator Lowe.

7 Members or Senator Hise, do you have  
8 any comments?

9 CHAIRMAN HISE: Yeah. I would just  
10 say, technically, I think this amendment would  
11 undo the previous amendment we just did and  
12 replace the two-county podding with a different  
13 two counties, three districts, replace them with  
14 different others. This seems to significantly  
15 change, I don't have them on top of it, but  
16 where High Point would go as well as what in  
17 Greensboro would go and how it was configured  
18 and would not support -- especially in light of  
19 having just changed it to change it again for  
20 the committee, I don't think that's a really  
21 good fit.

22 CHAIRMAN NEWTON: Thank you, Senator  
23 Hise.

24 Senator Blue.

25 SENATOR BLUE: Thank you, Mr. Chair. I

1 will simply say that's why they were staged in  
2 the order that they were staged.

3 CHAIRMAN NEWTON: Do you want to --

4 SENATOR LOWE: I will withdraw.

5 CHAIRMAN NEWTON: The motion to amend  
6 SCGA Amend-1 has been withdrawn.

7 Members, we're getting very close now.  
8 Next map or next amendment.

9 SENATOR MARCUS: Okay, Mr. Chair, I  
10 believe I'm up next.

11 CHAIRMAN NEWTON: What number?

12 SENATOR MARCUS: This is SCH Amend-5  
13 for Mecklenburg and Iredell.

14 CHAIRMAN NEWTON: You have the floor to  
15 explain proposed Amendment SCH Amend-5.

16 SENATOR MARCUS: I'll give staff just a  
17 minute to get the side-by-side up. I'll get my  
18 papers here.

19 Okay, thank you so much.

20 So this amendment concerns the new  
21 two-county cluster of Mecklenburg and Iredell  
22 counties. As you know, this body must carve  
23 those two counties into six districts, trying to  
24 keep population as equal as possible and  
25 following all the other criteria that this body

1 has adopted. As the chairs have mentioned  
2 several times throughout this process, the  
3 criteria are not ranked, rather the criteria are  
4 considered co-equal and in the chair's own words  
5 should be blended to be fair and to honor all of  
6 the criteria whenever possible.

7 So the Republican map, which is on the  
8 left, for this cluster, it fails to meet at  
9 least two of the criteria that this committee  
10 adopted. First, it has low compactness scores.  
11 I'll note that when the chair presented the map,  
12 he did not even mention this criteria in his  
13 discussion of the map to justify why it's drawn  
14 as it was and that he also has emphasized  
15 frequently, when he was speaking to Senator Blue  
16 earlier, that there should not be any one  
17 criteria that trumps all the other criteria,  
18 that we should blend them all.

19 The second reason that this map, as  
20 drawn, fails to meet this committee's criteria  
21 is that it double-bunks two current members of  
22 this body, putting the precinct where I live in  
23 a district that is now represented by Senator  
24 Sawyer in Iredell county. This double-bunk is  
25 especially egregious for two reasons. First, it

1 takes me across county lines, out of the county  
2 in the community where I live and I serve,  
3 north Mecklenburg, to tack me into a district  
4 that is made up almost entirely of Iredell  
5 county. And the second reason is it's the only  
6 double-bunk that still exists in this entire  
7 state map that could have been avoided.

8 The members of the Mecklenburg  
9 delegation thought that we could do a better job  
10 of honoring all of the criteria, so we sat  
11 together and we drew this map that is now on the  
12 right of your screen which I now offer to you as  
13 an amendment.

14 Our map puts all incumbents in separate  
15 districts and is significantly more compact.  
16 Our Reock average score is .48 which is  
17 11 points higher than the Republican map which  
18 scores only a .37. Our map has a better  
19 Polsby-Popper compactness score too. Our score  
20 is .39 while the Republican map scores only .32.

21 At the start of this redistricting  
22 process, this committee required all current  
23 senators to provide a map which marked with an X  
24 exactly where we live. I did that. I hoped  
25 that that information would be used to honor the

1 criteria about considering member residences and  
2 the rule that this committee has followed in the  
3 past with the court's blessing, I will mention,  
4 to avoid pairing incumbents in the same district  
5 when it can be avoided with reasonable efforts.

6           Unfortunately, when I saw the  
7 Republican-proposed map, it seemed to me that my  
8 information was used for the opposite purpose,  
9 since the Republican map double-bunks me,  
10 pitting me against one of the few other female  
11 members of this body who also happens to be of  
12 the opposite political party.

13           Now, it's true that some incumbents  
14 from other parts of the state, including one of  
15 the chairs of this committee, ended up in the  
16 same district with another member due to the  
17 county clustering rules. Those double-bunks  
18 were unavoidable, they're not in anyone's  
19 control, and they will eliminate some members of  
20 this body on a partisan-blind basis. But the  
21 double-bunk in Mecklenburg-Iredell that is in  
22 this map on your screen now is not necessary and  
23 in fact drawing the map that way makes it less  
24 compact and therefore less fair on two of the  
25 criteria that this committee said it would

1 follow when drawing maps.

2 In Common Cause v Lewis, the court  
3 approved using reasonable efforts to avoid  
4 pairing incumbents in the same district. It is  
5 certainly reasonable in this case where the map  
6 that avoids pairing incumbents is more compact  
7 than the map that double-bunks. Now that you've  
8 fixed Guilford county's map, there aren't any  
9 other double-bunk members when it can be  
10 avoided.

11 And I'm asking you to treat me and the  
12 voters I represent fairly based on their public  
13 comment that does not like your map and taking  
14 into account all the criteria in a blended way  
15 and applying those criteria consistently across  
16 all districts.

17 This map that I'm offering is more  
18 fair, it is more compact on both Reock and  
19 Polsby-Popper, it splits zero precincts or VTDs,  
20 and it allows all current members to remain in  
21 separate districts. It's fair, and I ask for  
22 your support for this amendment.

23 I'll pause to see if there's any  
24 questions.

25 CHAIRMAN NEWTON: Thank you,

1 Senator Marcus.

2 Senator Hise.

3 CHAIRMAN HISE: Yeah. I think -- I  
4 think there's -- and similar to the proposal the  
5 Democrats put forward for how to draw this map  
6 that we mentioned earlier, there are some  
7 absolute criteria in drawing, and that is that  
8 when you have this two-county pod, Iredell  
9 county must be kept whole, Mecklenburg is  
10 divided, and so it is a narrow region in the  
11 northern part of Mecklenburg county where you  
12 cross into Mecklenburg and are required to  
13 transverse into Mecklenburg.

14 It does not seem unreasonable to find  
15 that the most north municipality in Davidson  
16 would be wholly contained in that district when  
17 it could be wholly contained in that district  
18 versus the options in this. I think it's about  
19 a 60/40 split of Davidson coming in and  
20 intentionally splits that for the criteria that  
21 says we may consider members' addresses in  
22 drawing maps.

23 So I think it is the most -- I'll also  
24 say that it is really a misrepresentation of the  
25 scores for compactness to average six scores

1 together and compare the averages of those  
2 scores. With coming in, that's not how they  
3 were designed, and so trying to take six  
4 separate circles and the percentage that fills  
5 the circle and somehow averaging that over six  
6 circles and making conclusions from that misses  
7 a lot of variance that's not included in that,  
8 but I know I digress on that, but by comparison  
9 of what you may look specifically at what  
10 district 37 does -- I don't have those in front  
11 of me. It seems to what is being changed  
12 specifically in this map, but I am not inclined  
13 to support this amendment.

14 CHAIRMAN NEWTON: Thank you, Senator  
15 Hise.

16 Senator Marcus.

17 SENATOR MARCUS: Could I make a  
18 comment?

19 CHAIRMAN NEWTON: Yes.

20 SENATOR MARCUS: Thank you, Mr. Chair.

21 I will just respond to that by saying  
22 it sounds to me like Senator Hise is saying that  
23 he didn't like the way we're taking an average  
24 compactness score on both and that therefore,  
25 what, would should -- there's no other way to



1     assess that. We should just not use compactness  
2     in this cluster? I mean, the statistics I  
3     showed you are average compactness scores for  
4     the cluster on my map and on the Republican map.  
5     And so I hope we all agree that compactness is a  
6     criteria that this committee adopted and is  
7     definitely relevant here as is consideration of  
8     member residences which is a criteria you've  
9     taken into account in every other district that  
10    we've drawn for the whole state.

11             And so I'm just asking you to consider  
12    both of those when you look at this map and find  
13    that it is more fair -- my amended map is more  
14    fair and meets more of the criteria better than  
15    your map.

16             CHAIRMAN NEWTON: Thank you for your  
17    comment, Senator Marcus.

18             Other questions, comments. Is there  
19    a -- Senator Daniel.

20             SENATOR DANIEL: I mean, I guess, if I  
21    could, I would like to ask Senator Marcus a  
22    question.

23             CHAIRMAN NEWTON: Senator Marcus, will  
24    you stand for a question?

25             SENATOR MARCUS: Sure.

1           SENATOR DANIEL: Do you consider  
2 Davidson a community of interest?

3           SENATOR MARCUS: I do. And you know,  
4 this is painful to put up a map that has to  
5 split my municipality. I didn't want to do  
6 that. It certainly wasn't my first choice the  
7 way it seems to be Senator Hise's first choice  
8 to put Davidson with Iredell. I heard from so  
9 many -- so many people who live in Davidson that  
10 don't want to be moved into the much more rural  
11 area outside of our county, but there's no other  
12 way to draw this map.

13           You're splitting Davidson as well, I'll  
14 point out, going over into Cabarrus county. I  
15 know you say that doesn't count, but that's also  
16 a split of Davidson. Davidson is an oddly  
17 shaped municipality, and I will note that in  
18 other cases you specifically took into account  
19 the oddly shaped municipality to split some VTDs  
20 to make it work there.

21           So I know that the people of Davidson  
22 feel very much part of north Mecklenburg. That  
23 is how we refer to ourselves. That's the area  
24 where we shop and go to church and go to school.  
25 And so at least my map allows some of Davidson

1 to stay with north Mecklenburg.

2 CHAIRMAN NEWTON: Senator Daniel, you  
3 good?

4 SENATOR DANIEL: No follow-up.

5 CHAIRMAN NEWTON: Okay. Any other  
6 comments, questions?

7 Senator Nickel.

8 SENATOR NICKEL: Yeah. You know, I  
9 just want to say I think, you know, if we reject  
10 this amendment, you're ending Senator Marcus's  
11 career in the senate, and I just -- I hope that  
12 this committee and the chairs will continue to  
13 meet with Senator Marcus and the members of the  
14 Mecklenburg delegation about this issue. We're  
15 not done yet, we're not at the floor, and I  
16 think the way we address this is going to  
17 determine how we proceed as a body. And I  
18 hope -- I hope there's a way to find a solution  
19 here that follows the committee criteria and  
20 allows folks to have a real choice here.

21 So I know where this is going, I  
22 believe, but I truly, truly hope that, you know,  
23 the conversation can continue here because I  
24 have been with Senator Marcus here since I got  
25 here and seen how hard she works every day to

1 represent her constituents.

2 CHAIRMAN NEWTON: Thanks,  
3 Senator Nickel.

4 Senator Lowe, do you have a comment or  
5 are you good?

6 SENATOR LOWE: Yes. As I look at this  
7 amendment, I am really hoping that there is a  
8 way that given the criteria that is given that  
9 we can make the necessary adjustments so that we  
10 don't have these two senators double-bunked. I  
11 think that there is a way. As a matter of fact,  
12 I know there is a way. If we put our heads to  
13 it, we can figure this one out, and I'm hoping  
14 that we'll do everything that is necessary,  
15 hopefully in this meeting, to figure this out so  
16 that we don't have a two of our members  
17 double-bunked. I think it's important to the  
18 work that we're doing to figure this one out.

19 CHAIRMAN NEWTON: Thank you,  
20 Senator Lowe.

21 Any other comments, questions?

22 SENATOR BLUE: One here, Mr. Chairman.

23 CHAIRMAN NEWTON: Senator Blue.

24 SENATOR BLUE: Yeah, and I would simply  
25 say that there is precedent for what

1 Senator Marcus is asking for. In the dialogue  
2 between Senator Hise and me a little bit  
3 earlier, I think I pointed out to him that  
4 decisions are made to split townships or not  
5 split -- not townships. I'm sorry. -- towns,  
6 municipalities, and we've done it in Sampson  
7 county, putting it together, but yet we come to  
8 Cumberland county and we split Hope Mills, a  
9 town which I'm very familiar, they still stay in  
10 the same cluster, and that's in effect what you  
11 would be doing here. Yeah, you come down from  
12 the north, which is what Granville did to Wake  
13 county, came down from the north, and you  
14 decided to take a radical left turn. That's  
15 strange, but you took a left turn when you could  
16 have taken a right turn coming down in Wake  
17 county from Granville. Took a left turn to go  
18 over to Zebulon and in that area.

19 And here you're coming down, you got  
20 these four, five precincts across the top -- or  
21 towns across the top of Mecklenburg county, you  
22 can come down the -- as I look at it, the left  
23 edge from here and allow this split in that city  
24 just like you did in Hope Mills. And that's  
25 what I was trying to get at. If none of the

1 criteria trumps the other, that is, if none is  
2 more important than the other criteria and you  
3 got eight or ten criteria, none is more  
4 important than any other criteria and you got  
5 eight of them, you've shown that you're willing  
6 to elevate one to a higher level depending on  
7 what you're trying to achieve.

8 So there's no reason not to split  
9 Davidson, it's still got the same group of  
10 people representing it, and you can do it within  
11 these other five districts in Mecklenburg county  
12 in that cluster without -- you can accommodate  
13 the question of members who already occupy this  
14 body. That's why you put it in as one of the  
15 considerations, one of the criteria.

16 And as I told you privately, I'll tell  
17 you publicly, I appreciate the efforts that the  
18 three of you have made to unbunk Democrats  
19 because we're the ones in the urban areas who  
20 ended up being double-bunked. You did it in the  
21 case of Wake county. You did it in one instance  
22 in the case of Mecklenburg county. You did it  
23 in Guilford county. You may have done it  
24 somewhere else, but you've done it in the places  
25 where we ended up double-bunked.

1           Certainly, you didn't have to split  
2 municipalities or anything like that, you can  
3 shift things around, but again, this is a case  
4 where you can do some of the things that you've  
5 done in other districts and observe that  
6 criterion in this decision.

7           Again, as Senator Nickel said, there  
8 are ways you can do it and still preserve the  
9 efforts that you've made in the rest of this  
10 map, and you know you can in southern  
11 Mecklenburg county still preserve the effort  
12 that you've made down there, but not just end up  
13 in this being the single double-bunk where you  
14 could do something about that you didn't do  
15 something about.

16           CHAIRMAN NEWTON: Senator Blue and  
17 Members, in the discretion of the chair, I'm  
18 going to recommend that we displace this  
19 amendment. Let's get our heads together. I  
20 will -- I will point out, just for fun, the  
21 humor in the fact that I think Senator Marcus  
22 championed an amendment to remove consideration  
23 of members' residences from the criteria, but  
24 that's okay, that was yesterday. Today's today.  
25 And why don't we displace this and we'll spend a

1 little time seeing if we can find a solution.

2 All right. Thank you. Next amendment.

3 SENATOR MARCUS: Mr. Chair, can I just  
4 set the record straight on that since you  
5 represented what I said.

6 This caucus, not me, did put forward an  
7 amendment when we were adopting these criteria  
8 to say let's not consider anybody's residence,  
9 to be fair, and the committee turned that down.  
10 They said, no, no, we want to consider member  
11 residence. So my amendment, for the record, was  
12 to say let's be fair and make sure that we use  
13 that data for everyone to not double-bunk.

14 CHAIRMAN NEWTON: Thank you,  
15 Senator Marcus.

16 SENATOR MARCUS: And you turned that  
17 amendment down. So we are where we are for  
18 exactly that reason. I don't think I've been  
19 inconsistent. I'm trying to be consistent and  
20 honest. Obviously, I have feelings about this,  
21 and I hope you'll forgive me for being a little  
22 bit emotional about it, but I don't want you to  
23 misrepresent or suggest that I've been  
24 inconsistent in how I feel about this issue.

25 CHAIRMAN NEWTON: Thank you,



1 Senator Marcus.

2 SENATOR MARCUS: And I'll be happy to  
3 displace this for today.

4 CHAIRMAN NEWTON: Thank you.

5 Senator Blue, what's the next  
6 amendment?

7 SENATOR BLUE: Since this one is  
8 displaced, Mr. Chair, I have I think one other  
9 amendment, and I'll be very brief on that.  
10 That's SBK 4. It's a VRA district based in  
11 Wilson county.

12 CHAIRMAN NEWTON: I don't have that  
13 nomenclature before me.

14 SENATOR BLUE: Let's see.

15 SENATOR MARCUS: Senator Blue, I  
16 believe it's SCH Amend-7.

17 SENATOR BLUE: Okay. I've got it here.  
18 SBA Amend-3.

19 CHAIRMAN NEWTON: Okay, got it.

20 So, Members, it's SBA Amend-3.

21 SENATOR MARCUS: I'm sorry.

22 CHAIRMAN NEWTON: Members found that  
23 map, we're good to go. The map's up on the  
24 screen.

25 Senator Blue, you have the floor.

1                   SENATOR BLUE: Is that it?

2                   CHAIRMAN NEWTON: Vance. That is  
3 not -- that is not it.

4                   SENATOR BLUE: That's not it.

5                   CHAIRMAN NEWTON: How about to the left  
6 there. Yeah.

7                   SENATOR BLUE: Yeah, that's it, that's  
8 it. I'm looking at the wrong one.

9                   I won't repeat everything I said about  
10 a VRA district, but this was one of the  
11 originally created VRA senate districts, and it  
12 stayed in place through 2011. I think it was  
13 created in the -- in 2003 with the whole county  
14 provision applicable, and this body redid it in  
15 2011, and Senator Angela Bryant was representing  
16 various portions of it.

17                   The only thing I've done here -- and  
18 again, this is a solution to a problem before it  
19 becomes a problem. The only thing I've done is  
20 take districts whatever it was beforehand, but  
21 as to Wilson, Nash, Edgecombe area, and it  
22 starts up in Vance county, comes down to  
23 Franklin, then through Nash. It takes those two  
24 clusters -- there are two clusters. It takes  
25 those two clusters and it combines them because

1     you can create the functioning VRA district  
2     without going through the exercise of the  
3     original VRA district which had Wilson, Nash,  
4     Edgecombe, Northampton -- I think Northampton,  
5     but Halifax and Warren and maybe even Vance, but  
6     it went into all of those counties.

7             And its configuration after Rucho -- or  
8     as a result of Rucho was Wilson -- Wilson,  
9     Halifax, and Edgecombe, those three counties,  
10    and it met the requirements of a VRA district as  
11    it was intended to be. And once it got thrown  
12    into this new cluster that it was thrown into,  
13    it dissolves that VRA district. And as I said  
14    earlier, Stephenson can't in and of itself  
15    dissolve a VRA district. You've got to make the  
16    study. It, too, was one of the districts  
17    pointed out by those who were telling you some  
18    problem areas and it showed the statistics.

19            What this would do is preserve that  
20    district and it would combine those two  
21    districts so that the remaining district --  
22    again, just as with my first formulation over in  
23    the northeast, it would combine the districts,  
24    and the remaining district would be the second  
25    district of those two. It would still be three

1 counties. It wouldn't cause any other  
2 configurations under the Stephenson criteria  
3 because you will have created a VRA district and  
4 then you are left with three counties from that  
5 VRA district -- from creating that VRA district  
6 just as it is going into it. So it's a  
7 three-county cluster. It would still be a  
8 three-county cluster. The cluster around it  
9 would still be a two-county cluster, and this  
10 would be a cluster going into three or four  
11 counties, but it would be a VRA district so it  
12 wouldn't count against that, and it solves a  
13 problem before you have to address it in any  
14 other proceeding win or lose. It gives you  
15 certainty through this decade, and it doesn't do  
16 any harm to the other stuff that you've come up  
17 with cluster-wise or any other way. So I offer  
18 it to you for your consideration and move its  
19 adoption.

20 CHAIRMAN NEWTON: Thank you,  
21 Senator Blue.

22 And before we take up the motion,  
23 Senator Hise.

24 CHAIRMAN HISE: Thank you,  
25 Mr. Chairman.

1 I guess I want to point out that this  
2 fails to create a two-county pod for Edgecombe  
3 and Pitt, a three-county pod for Wilson, Greene,  
4 and Wayne, and a three-county pod for Vance,  
5 Franklin, and Nash, and instead creates an  
6 eight-county pod that it divides among three  
7 members. No evidence to suggest that that is  
8 required that I have seen before you bypass the  
9 entire podding and destroy three pods.

10 Even if I accepted that, I do not --  
11 the challenges of why Edgecombe would be divided  
12 seems to make no sense to me when Edgecombe and  
13 Pitt form a two-county pod already, and so  
14 you've got this small, little blip that was  
15 divided just because.

16 But trying to get into those, I think  
17 that the request here is to throw out the  
18 Stephenson poddings of a two-county pod and two,  
19 three-county pods and instead make that an  
20 eight-county pod and divide it among three  
21 districts, splitting all those counties and  
22 others.

23 They claim that -- the claim is being  
24 made that there are some VRA requirement that  
25 has to do so. I refer everyone to the statement

1 we've made earlier today that we don't see that,  
2 and I think it would be a tremendous mistake for  
3 us to go this far in violating all the pods and  
4 others in order to accommodate with certain  
5 other people's opinions of what's required of  
6 us.

7 CHAIRMAN NEWTON: Thank you, Senator  
8 Hise.

9 Senator Blue, comment.

10 SENATOR BLUE: Just to be clear,  
11 Stephenson says you first draw the VRA  
12 districts. That's an instruction to the General  
13 Assembly. Nobody disputes that. That is the  
14 first thing that the opinion says that you do.  
15 It says first draw the VRA districts.

16 After you draw the VRA districts, then  
17 you group counties, those that can be separate  
18 in and of themselves, a single-member district,  
19 you do that. Those that contain within  
20 themselves a concrete number of districts, then  
21 you do that. So you get Wake -- you used to get  
22 Wake and Mecklenburg, and that's how you got  
23 Onslow.

24 Then it says after -- after you do the  
25 VRA district, you do the clustering. After I've

1 done this proposed VRA district, the clustering  
2 is still the Pitt-Edgecombe cluster. That's the  
3 cluster. That's a two-county cluster because it  
4 disregarded what you did to draw the VRA  
5 district. The cluster is still Nash, Wilson,  
6 and Wayne, a three-county cluster which is what  
7 it is now. So those are the clusters that you  
8 draw after you've drawn the VRA district.

9 And that's what Stephenson says you do,  
10 no difference than what you did when you started  
11 initially. You just didn't recognize the  
12 obligation to do a VRA district. That's all  
13 this does. It doesn't make an eight-county  
14 super cluster. You haven't -- remember, you  
15 haven't done the clusters when you do the VRA  
16 district. You do the clustering afterwards, and  
17 that's why it leaves these counties intact. You  
18 don't -- you're still observing the clustering  
19 mandate.

20 Remember, the whole theory behind  
21 Stephenson was that you harmonized the whole  
22 county provision with -- and that's the language  
23 from the case, you harmonize it with federal  
24 law, which is what I just tried to do, and  
25 that's what I was pointing out to you. It does

1 not create an eight-county super cluster.

2 CHAIRMAN NEWTON: Thank you,  
3 Senator Blue.

4 Seeing no other comments or questions,  
5 Senator Blue has moved for the adoption of SBA  
6 Amendment 3. All those in favor say aye.

7 COMMITTEE MEMBERS: Aye.

8 CHAIRMAN NEWTON: Those opposed no.

9 COMMITTEE MEMBERS: No.

10 CHAIRMAN NEWTON: The nos have it, so  
11 we will not be amending the map.

12 All right. So I know Senator Blue said  
13 that was his last amendment, but I do have a  
14 couple other maps here. I don't know if  
15 somebody else moving for those amendments, or  
16 are those withdrawn at this point? I've got  
17 SBVA Amend-3 and SCHA Amend-7.

18 SENATOR BLUE: SCH -- I pulled back  
19 SCH 10 Amend-7 because you said you're going to  
20 set the discussion that Senator Marcus was  
21 having aside.

22 CHAIRMAN NEWTON: 3 and 7.

23 SENATOR BLUE: Yeah. So it wouldn't be  
24 appropriate to do that one until I see how  
25 that's resolved.



1           CHAIRMAN NEWTON: So that takes care of  
2     7. And then so I still --

3           SENATOR BLUE: And we're pulling back  
4     on 3.

5           CHAIRMAN NEWTON: You're pulling back  
6     on 3 as well? Okay.

7           So that is all the amendments. Am I  
8     missing anything? That's all the amendments you  
9     wanted to offer today.

10          SENATOR BLUE: I think it is. It's all  
11     that I have. I don't know whether some other  
12     members have other amendments.

13          CHAIRMAN NEWTON: Okay. I want to make  
14     the committee aware that we will be having a  
15     committee meeting tomorrow. The time is TBD  
16     because I think it's dependent on some work the  
17     House is doing, but I wanted to put that on your  
18     radar. As soon as we know the schedule, we will  
19     certainly let you know.

20          And I'd like to stand at east for just  
21     five minutes or less here. The chairs need to  
22     caucus a second.

23          SENATOR BLUE: Can I do one thing  
24     before you go at ease --

25          CHAIRMAN NEWTON: Sure.

1           SENATOR BLUE: -- to make sure that  
2 the -- so the staff knows where we're going.

3           Again, and I appreciate publicly the  
4 effort that the three chairs made with respect  
5 to not unnecessarily changing district numbers  
6 in the same counties, and I acknowledge that,  
7 and I certainly appreciate it for those members  
8 in these counties who are returning who order  
9 their supplies in great quantities -- in great  
10 quantities so that you'll save some trees. And  
11 I'm sure that Senator Hise recognizes that from  
12 the western part of the state where they just  
13 cut down Christmas trees.

14           But so that the staff will understand,  
15 in case there's a need for them to renumber  
16 whatever the final districts are within your map  
17 where you've changed, and we won't be rushed to  
18 do it, if you could sort of give them some  
19 direction in that regard. I know you changed  
20 mine in the ones in Wake county, but I didn't  
21 know whether there were others where you had  
22 made those kinds of --

23           CHAIRMAN NEWTON: Thank you,  
24 Senator Blue. The staff's got that on their  
25 radar.

1           ERIKA CHURCHILL: Mr. Chair, if I  
2 might, we're happy to engross today's amendments  
3 into an underlying map if y'all will give us a  
4 couple of hours and then we can reopen the  
5 drawing room if Senator Blue and the chairs  
6 would like to come in and instruct us how to  
7 renumber.

8           CHAIRMAN NEWTON: All right. Let us  
9 caucus here for just a moment. Thanks.

10           [At ease.]

11           CHAIRMAN NEWTON: I'll start with just  
12 a little housekeeping. The chairs have  
13 discussed with Senator Blue the best mechanism  
14 for -- if we can come to agreement to cure the  
15 double-bunk that Senator Marcus has, we can do  
16 that as a floor amendment, so we're going to  
17 proceed today to vote out the map as amended  
18 with any changes thereto either being technical  
19 which we're going to give the staff the ability  
20 to make at the direction of the chairs or it can  
21 be done on the floor.

22           And with that, Senator Hise has a  
23 motion.

24           CHAIRMAN HISE: Thank you,  
25 Mr. Chairman.

1 I move for a favorable report to  
2 Senate Bill 737 as amended rolled into a new PCS  
3 with leave for staff to make technical and  
4 informing changes inclusive of the numbering of  
5 districts as technical, unfavorable to the  
6 original bill on the direction of the chairs.

7 CHAIRMAN NEWTON: That is well done,  
8 Senator Hise.

9 Any comments, questions? Good.

10 All those in favor --

11 SENATOR BLUE: One --

12 CHAIRMAN NEWTON: Senator Blue, of  
13 course. I should have known.

14 SENATOR BLUE: No. No. I want to make  
15 a statement so the record is clear.

16 I was iterating the different versions  
17 of Edmisten, and the second iteration was  
18 Gingles versus Thornburg.

19 CHAIRMAN NEWTON: Thank you so much for  
20 that clarification to the record.

21 All those in favor of the motion say  
22 aye.

23 COMMITTEE MEMBERS: Aye.

24 CHAIRMAN NEWTON: Those opposed.

25 The ayes have it. And so the motion

1 that's been adopted is unfavorable to the  
2 original bill, favorable to the bill as amended  
3 rolled into a new Proposed Committee Substitute  
4 with a favorable report to the committee  
5 substitute and to make technical changes which  
6 include renumbering of districts under the  
7 direction of the chairs, and with that we stand  
8 adjourned. Thank you.

9 (Transcription from YouTube ended at  
10 4:41:50.)  
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Denise Myers Byrd

CSR 8240, RPR, CLR 102409-2

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NORTH CAROLINA GENERAL ASSEMBLY

HOUSE REDISTRICTING COMMITTEE

NOVEMBER 3, 2021

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1 (Transcription from YouTube started at  
2 23:22.)

3 CHAIRMAN HALL: Today's calendar for  
4 the committee, we have the proposed state Senate  
5 map which we'll take up first, then we've got  
6 the proposed congressional map which we'll take  
7 up second. I anticipate -- the chair  
8 anticipates having both of these maps on the  
9 House floor tomorrow.

10 With that said, Senator Hise, the  
11 gentleman is recognized to debate the proposed  
12 state Senate map.

13 SENATOR HISE: Thank you for the  
14 opportunity. I am sure that you all have been  
15 highly anticipating the Senate map and looking  
16 forward to what changes we may have put  
17 together. I will say that as far as the  
18 criteria, we have met the plus or minus  
19 5 percent population. There's no point  
20 contiguity in the districts.

21 The things I would like to highlight  
22 about the map is that in drawing 50 districts,  
23 we only split 15 of 100 counties, we only split  
24 11 out of 552 municipalities, and, finally, we  
25 only split 19 VTDs out of 2,647 voter tabulation

1 districts.

2 If you have any specific questions, we  
3 did take a couple Democratic amendments in the  
4 Senate process to change some things, and I'd be  
5 happy to answer anything else you may have. It  
6 might be important to note we just put the House  
7 map through the Senate committee and it went  
8 through flawlessly, with no amendments as well.

9 CHAIRMAN HALL: So the chair will note  
10 that the leverage is in our hands now. They've  
11 already passed our map so have at it.

12 Further discussion or debate on the  
13 proposed state Senate map.

14 Representative Cooper-Suggs.

15 REPRESENTATIVE COOPER-SUGGS: Thank  
16 you, Mr. Chair, and thank you, Senator.

17 My question deals -- my question is in  
18 reference to Wayne -- Senator Fitch's district,  
19 District 4. And I'd like to know why -- why did  
20 you place us in -- with this configuration  
21 since -- since we in Wilson county have very  
22 little to do with those other two communities of  
23 interest.

24 CHAIRMAN HALL: Senator Hise is  
25 recognized.



1           SENATOR HISE: Yeah. The answer is  
2 actually pretty simple when you look at what are  
3 Districts 4, 5, and 11. When we followed the  
4 Stephenson criteria that exists, District 5  
5 forms a two-county pod which those two counties  
6 contain a single-member district; District 4 is  
7 a three-county, whole county pod that contains  
8 one member; and District 11 is a three-county,  
9 whole county pod. All three of those districts  
10 were formed by the Stephenson pairings of  
11 counties.

12           CHAIRMAN HALL: Further discussion or  
13 debate on the bill.

14           Representative Hawkins, the gentleman  
15 is recognized.

16           REPRESENTATIVE HAWKINS: I'll yield to  
17 Representative Harrison. She had her hand up  
18 first.

19           CHAIRMAN HALL: Representative  
20 Harrison, the lady is recognized.

21           REPRESENTATIVE HARRISON: Well, thank  
22 you, Mr. Chair, and thank you, Chair Hise.

23           I just -- I know that y'all had a  
24 healthy debate about the Senate maps in the  
25 Senate and these are y'all's maps, but I think

1 it can't go without saying that a lot of us have  
2 concerns about the potential violation of the  
3 Voting Rights Act looks like not only Senator  
4 Fitch's district, maybe Senator Bazemore, I  
5 don't know if there are others, but I think a  
6 lot of us feel very strongly that we should have  
7 done a racially polarized voting analysis prior  
8 to drawing the maps and drawing the VRA  
9 districts first.

10 And I think this map, like the House  
11 map, got an F from the Princeton Gerrymandering  
12 Project. I think we're looking at litigation,  
13 and I think it's unfortunate because we spent  
14 \$11 million in taxpayer money in the past decade  
15 defending indefensible maps. And I just will  
16 end it there. Thank you.

17 CHAIRMAN HALL: Representative  
18 Brockman.

19 REPRESENTATIVE BROCKMAN: Thank you,  
20 Mr. Chair, and thank you, Senator Hise.

21 I have a question about the  
22 congress -- or excuse me -- the Guilford county  
23 Senate maps and particularly wondering how we  
24 got to having a High Point district with someone  
25 who doesn't necessarily live in High Point.

1 I've gotten some feedback from folks who live in  
2 High Point who are very much appreciative of  
3 High Point getting a Senate district but are  
4 kind of wondering how we ended up with someone  
5 who actually doesn't live in High Point to  
6 represent that district.

7 CHAIRMAN HALL: The gentleman's  
8 recognized.

9 SENATOR HISE: Districts 27 and 28 were  
10 created in this configuration actually by an  
11 amendment from the Democrats in that group that  
12 changed the split of 27 and 28 into the manner  
13 you currently see. It was a north-south split  
14 for 27, 28, and that was changed by the  
15 Democrats in the committee. They have  
16 indicated, when making the map, that there are  
17 no VRA issues that they saw in creating that  
18 district, and this represented a fair division  
19 of that county in these districts.

20 CHAIRMAN HALL: Representative Hawkins.

21 REPRESENTATIVE HAWKINS: Yes, sir.  
22 Thank you, Mr. Chairman, and thank you, Senator  
23 Hise.

24 My question is about Senate District 2.  
25 You know, the question that, you know, is just,

1 you know, sort of a part of this is how do we  
2 speak to compactness, communities of interest,  
3 and how do we speak to sort of the eye test for  
4 the voter when they're trying to get to  
5 know -- I mean, you know, I'd hate to be the  
6 senator running in this district for sure, but I  
7 do want to make sure that we do ask that  
8 question related to how we look at  
9 Polsby-Popper, how we look at, you know,  
10 compactness, how we look at communities of  
11 interest because this -- this does stretch from  
12 the Virginia line to the Crystal Coast.

13 CHAIRMAN HALL: Senator Hise.

14 SENATOR HISE: Thank you.

15 Districts 1 and 2 formed an 18-county  
16 pod in eastern North Carolina that had to be  
17 divided under the Stephenson criteria into a  
18 10-county pod and an 8-county pod. There  
19 actually were two possible configurations for  
20 what counties make up the 10-county pod and what  
21 counties make up the 8-county pod, but that were  
22 the only standards that produced four districts  
23 that were here, two pairs of two districts that  
24 were here.

25 The Senate chairs are making the

1 decision for this. In the version we have in  
2 front of you, District 1 that is here is the  
3 most compact of all the four districts that are  
4 drawn. It does conversely change the  
5 compactness of Senate District 2, but 1 is the  
6 most compact of the four districts drawn.

7 We looked from public comments of  
8 keeping as much as possible what are called the  
9 finger counties, the five finger counties  
10 possible. This configuration paired four of  
11 them together with one of the counties. You can  
12 see what it is. The other was a 3-2 so we chose  
13 the one that kept more of the finger counties  
14 together.

15 And this looked at the communities of  
16 interest for the northern Outer Banks region and  
17 keeps the northern Outer Banks region whole in  
18 that district versus the other configuration  
19 that divided that region.

20 REPRESENTATIVE HAWKINS: Thank you,  
21 Mr. Chairman.

22 CHAIRMAN HALL: Representative  
23 Richardson.

24 REPRESENTATIVE RICHARDSON: Thank you,  
25 Mr. Chair, and I have a question for the

1 distinguished senator.

2 Looking at Senate District 21,  
3 traditionally, we have very little -- as much as  
4 I love Representative Boles, Cumberland does not  
5 have a lot in common with Moore. We  
6 traditionally have been with Hoke and Robeson or  
7 we've been with Harnett, but, I mean, there's  
8 this little finger joining Moore in, you know,  
9 21 to Cumberland.

10 And why did you switch it from Hoke and  
11 put it into Moore where we have very little in  
12 common with them?

13 CHAIRMAN HALL: Senator Hise.

14 SENATOR HISE: We did not split as the  
15 Stephenson pairings came together. That is,  
16 they are contiguous counties. That is not point  
17 contiguity between the two so there actually is  
18 an area. And those two counties, Moore and  
19 Cumberland, formed a two-county pod with two  
20 members. In dividing within, we kept as much of  
21 Fayetteville as possible within District 19,  
22 created the Fayetteville district. The  
23 remainder creates District 21, but it is as  
24 simple a question as a two-county pod could be  
25 created in that process, therefore it must be

1 created.

2 CHAIRMAN HALL: Further discussion or  
3 debate.

4 Representative Carney.

5 REPRESENTATIVE CARNEY: Thank you,  
6 Mr. Chairman.

7 Chairman Hise, I'm in Mecklenburg  
8 county. I'm sorry I have to turn my body. I'm  
9 going to complain about this every meeting.  
10 That should be in the middle of this room.

11 Anyway --

12 SENATOR HISE: I didn't place it.

13 REPRESENTATIVE CARNEY: -- be that as  
14 it may -- I know you didn't do it.

15 But I've been from Mecklenburg county,  
16 and I've been to several of our public hearings,  
17 and I've heard from several people, lots of  
18 people in north Mecklenburg, and just today I  
19 would like to ask you, so I can have an answer  
20 for them, why are we now -- the people in  
21 northern Iredell have been writing us, asking us  
22 not to keep them whole as a county, Mecklenburg,  
23 and now it appears that the northern tip of the  
24 county is now part of Iredell. Could you just  
25 give me an answer to that, please.

1                   CHAIRMAN HALL:   Senator Hise.

2                   SENATOR HISE:   I will.   As I've said  
3   with other districts, Iredell and Mecklenburg  
4   form a two-county pod.   Those two counties are  
5   podded together for I believe a six-member  
6   district that is in there, so those two have to  
7   form.   By the transversal rules, the smaller  
8   county would be kept whole, so -- and so  
9   therefore you must keep Iredell whole.   And as  
10   you transverse into Mecklenburg county, as you  
11   would see, that's a very narrow path to come  
12   there, and I believe it is Davidson that is in  
13   the northern part.   The map that we drew kept  
14   Davidson whole in avoiding that, so it did  
15   create issues.

16                  I will say specifically on this, the  
17   Senate considered an amendment from the  
18   Democrats that had asked to remove the  
19   double-bunk that that creates, and we withdrew  
20   it on committee.   They drew a map that we had  
21   said was acceptable, but they have decided  
22   specifically not to offer that amendment to  
23   create -- to change the double-bunk on the floor  
24   today so it stands as is.

25                  REPRESENTATIVE CARNEY:   Wow.   Thank



1       you.

2               CHAIRMAN HALL: Further discussion or  
3       debate on the bill.

4               If not, Representative Torbett is  
5       recognized for a motion.

6               REPRESENTATIVE TORBETT: Mr. Chairman,  
7       I move that the House Committee on Redistricting  
8       report favorably as to Senate Bill 739.

9               CHAIRMAN HALL: And, Members, the chair  
10      does intend to call the roll.

11              Further discussion or debate.

12              If not, you've heard the motion from  
13      Representative Torbett. Those in favor will  
14      vote aye. Those opposed will vote no.

15              The clerk will call the roll.

16              THE CLERK: Adams.

17              REPRESENTATIVE ADAMS: Aye.

18              THE CLERK: Brockman.

19              REPRESENTATIVE BROCKMAN: No.

20              THE CLERK: Carney.

21              REPRESENTATIVE CARNEY: No.

22              THE CLERK: Cooper-Suggs.

23              REPRESENTATIVE COOPER-SUGGS: No.

24              THE CLERK: Dixon.

25              REPRESENTATIVE DIXON: Aye.

1 THE CLERK: Hardister.  
2 REPRESENTATIVE HARDISTER: Aye.  
3 THE CLERK: Harrison.  
4 REPRESENTATIVE HARRISON: No.  
5 THE CLERK: Hastings.  
6 REPRESENTATIVE HASTINGS: Aye.  
7 THE CLERK: Hawkins.  
8 REPRESENTATIVE HAWKINS: No.  
9 THE CLERK: Jones.  
10 REPRESENTATIVE JONES: Aye.  
11 THE CLERK: Mills.  
12 REPRESENTATIVE MILLS: Aye.  
13 THE CLERK: Reives.  
14 REPRESENTATIVE REIVES: No.  
15 THE CLERK: Rogers.  
16 REPRESENTATIVE ROGERS: Yes.  
17 THE CLERK: Szoka.  
18 REPRESENTATIVE SZOKA: Aye.  
19 THE CLERK: Warren.  
20 REPRESENTATIVE WARREN: Aye.  
21 THE CLERK: Zachary.  
22 Richardson.  
23 REPRESENTATIVE RICHARDSON: No.  
24 THE CLERK: Saine.  
25 REPRESENTATIVE SAINE: Aye.

1 THE CLERK: Torbett.

2 REPRESENTATIVE TORBETT: Aye.

3 THE CLERK: Bell.

4 REPRESENTATIVE BELL: Aye.

5 THE CLERK: Stevens.

6 Hall.

7 CHAIRMAN HALL: Aye.

8 THE CLERK: 13 yes; 7 no.

9 CHAIRMAN HALL: 13 having voted in the  
10 affirmative and 7 in the negative, the motion  
11 carries and the bill receives a favorable  
12 report.

13 SENATOR HISE: Thank you, Mr. Chair.

14 CHAIRMAN HALL: Members, I am now going  
15 to shift to the congressional map, and the chair  
16 is going to move over to the dais, along with  
17 our friend from the Senate, to present the  
18 congressional map, and I am going to turn the  
19 chair over to Chairman Saine.

20 CHAIRMAN SAINÉ: Thank you, Members of  
21 the Committee.

22 Representative Hall, you are  
23 recognized.

24 CHAIRMAN HALL: Thank you,  
25 Mr. Chairman.

1           Members, I won't say a lot of the same  
2 things that I've said already in this committee,  
3 but I will just briefly say again that this is  
4 an historic process that we've undertaken in  
5 both the House committee and the Senate  
6 committee. It's the most transparent process in  
7 the history of North Carolina in redistricting.  
8 It's also unprecedented in the decision to not  
9 use political data in the drawing of these maps.

10           We've had this room open now for over  
11 three weeks. Any member who wanted to could  
12 come in and draw these maps. Any member of the  
13 public who wanted to, anywhere in the world, who  
14 had an internet connection, could log in and  
15 watch as these maps were drawn live and they  
16 could listen to the audio that was being said at  
17 the computer terminal that was being drawn on.

18           Members, I was disappointed to see that  
19 no members -- none of the Democratic members put  
20 forth any congressional maps as member-proposed  
21 maps. I solicited those from the floor and also  
22 sent emails out to let members know that prior  
23 to public comment, we would be putting the  
24 proposed-member maps out on our committee  
25 website. I submitted a map , but I didn't

1 receive any other maps.

2 So, Members, as for the map itself  
3 that's before you today, I will mention that the  
4 House and the Senate have now filed the same  
5 map. This is not the initial map that I  
6 drafted, but for process purposes, we're going  
7 to be taking up the Senate version even though I  
8 did file the same one.

9 The map before you and the map that I  
10 filed were both drawn in the Senate committee  
11 room. I drew a separate map that was posted on  
12 the House committee website, but again, I  
13 ultimately decided that the map drawn in the  
14 Senate committee was a better map because, among  
15 other reasons, it splits fewer municipalities  
16 than the initial map that I drew. Also, in  
17 public comment, we heard from folks that it was  
18 important to keep those finger counties together  
19 in northeastern North Carolina, and I advocated  
20 for that change to be made and the Senate chairs  
21 agreed with that and that change was made, and  
22 therefore I felt the map drawn in the Senate  
23 committee with those changes was the best  
24 member-submitted map.

25 I will -- Mr. Chairman, I will turn

1       this over now to Senator Daniel to speak to the  
2       map if he sees fit.

3               CHAIRMAN SAINÉ: Thank you,  
4       Representative Hall.

5               Senator Daniel, you're recognized.

6               SENATOR DANIEL: Thank you, Mr. Chair  
7       and Representative Hall. And I guess if it  
8       pleases the chair, I can go through and give a  
9       general description of each of the 14  
10      congressional districts just as we've done in  
11      the House and the Senate.

12              So let's start in the east with  
13      Congressional District 1. So this is a coastal  
14      district that's anchored in eastern  
15      North Carolina. It contains 15 whole counties.  
16      I won't go through those because you can see  
17      them there, and it contains two partial counties  
18      which are Onslow and Pitt.

19              The district takes in the Outer Banks  
20      and most of the state's shoreline. Its shape is  
21      mostly dictated by the Atlantic Ocean. And in  
22      this district there is zero municipalities split  
23      by the district boundaries, and VTDs are only  
24      split for the purpose of equalizing population  
25      to zero deviation.

1           The district keeps all of the finger  
2 counties in northeastern North Carolina together  
3 in the same district as well as most of the  
4 counties that run along the Virginia border.  
5 And that was some of the public comment that we  
6 had heard during public hearings, that the  
7 finger counties, it was important to them as a  
8 community of interest to be kept together.

9           Congressional District 2 is a district  
10 taking in most of rural northeastern  
11 North Carolina. It contains 16 whole counties,  
12 and there are two split counties, Pitt and  
13 Wayne. There is zero municipalities split by  
14 this district, and there is one precinct split  
15 in Pitt county and one split in Wayne county for  
16 the purpose of equalizing population.

17           Congressional District 3 is a district  
18 based in southeastern North Carolina. It  
19 improves upon the compactness of the current  
20 district by keeping mostly rural counties closer  
21 to the coast in the same district as the  
22 remaining coastal counties. It contains seven  
23 whole counties and one split county that is  
24 Onslow. The district contains zero split  
25 municipalities, and the only split VTD is

1 required in order to equalize population. So  
2 this district is also a product of public input  
3 from some of the comments at the New Hanover  
4 public hearing. And I guess that's all for  
5 Congressional District 3.

6 Congressional District 4 is a nearly  
7 perfect four-county district south of where we  
8 are right now. It includes Cumberland, Harnett,  
9 Johnston, and Sampson counties, and a small  
10 portion of Wayne county that is necessary to  
11 balance population. These counties have similar  
12 geography, industry, and proximity to the  
13 population base in the region near Fayetteville  
14 and Raleigh. The district is extremely compact  
15 and contains zero split municipalities. There  
16 is one split VTD in Harnett county and one in  
17 Wayne county. Both were split to equalize  
18 population between the districts.

19 Moving on to Congressional District 5.  
20 It's based entirely in Wake county. It's made  
21 up of the following municipalities: Garner,  
22 Knightdale, Raleigh, Rolesville, Wake Forest,  
23 Wendell, and Zebulon. Raleigh and the other  
24 municipalities in Wake county share common  
25 interests. Many people live and work and



1 commute between these different cities and towns  
2 in Wake county. There are no split  
3 municipalities in this district, and any VTDs  
4 that are split are done for the purpose of  
5 maintaining municipality boundaries or  
6 equalizing population.

7 Congressional District 6 is made up of  
8 Durham county, Orange county and the portion of  
9 Wake county that contains Apex, Cary, and  
10 Morrisville. This is a district that has  
11 existed in one shape or form for decades. As  
12 the population has grown in the area, it has  
13 been concentrated more specifically in the  
14 Triangle. It is home to some of the state's  
15 most prominent universities and hospitals.  
16 Along with Charlotte, it is the preeminent urban  
17 population based in our state. There are no  
18 split municipalities in the district, and any  
19 split VTDs are located in Wake county and also  
20 are done merely for the purpose of equalizing  
21 population or to keep municipalities whole.

22 Congressional District 7 is made up of  
23 four whole counties and portions of five  
24 counties. That includes all of Alamance,  
25 Chatham, Lee, and Randolph, parts of Davidson,

1 Guilford, Harnett, and Wake. The district runs  
2 from the Triangle west through the central  
3 Piedmont region. It is made up of the smaller  
4 cities and towns as well as the rural areas that  
5 make up this area of the state. There is only  
6 one split municipality in the district as it  
7 contains a very small portion of Greensboro.  
8 VTDs are only split for the purpose of  
9 equalizing population and keeping cities whole.

10 Congressional District 8 is made up of  
11 eight whole counties and part of one county,  
12 Mecklenburg. The district takes in most of the  
13 counties considered to be in the Sandhills  
14 region. There are no split municipalities in  
15 the district, and one VTD is split in  
16 Mecklenburg county for the purpose of equalizing  
17 population. By adding Anson, Montgomery, and  
18 Richmond, we believe this district will be  
19 rooted in the Sandhills region and represent  
20 that region of our state well.

21 Congressional District 9 is a Charlotte  
22 district. Charlotte's population, as you know,  
23 is too large for one congressional district so  
24 it must be split, so 97 percent of this district  
25 is made up of Charlotte, and 83 percent of the

1 city is in this congressional district. VTDs  
2 are split only to equalize population and ensure  
3 that there are no other municipalities in the  
4 district.

5 Congressional District 10 is made up of  
6 three whole counties, Cabarrus, Davie, and  
7 Rowan, as well as parts of Iredell, Davidson,  
8 and Guilford. This district takes in the  
9 counties in suburban and exurban areas that  
10 stretch between the two population centers of  
11 the Charlotte and the Triad. There is only one  
12 split municipality, as mentioned before, which  
13 is Greensboro. The district does contain all of  
14 High Point, and VTDs are split only for the  
15 purpose of equalizing population.

16 Congressional District 9 -- 11, I mean,  
17 is based in the northwestern corner of  
18 North Carolina, is made up of eight whole  
19 counties. The district also contains a portion  
20 of Guilford county and one precinct in Watauga  
21 where the current incumbent lives. There's one  
22 split municipality, again, that's Greensboro,  
23 but more than 90 percent of Greensboro residents  
24 are kept together here in this congressional  
25 district. And that was one of the things that

1 we tried to do in order to honor the spirit of  
2 the criteria which was to consider  
3 municipalities and to try to keep them whole.  
4 As a community of interest, we would try to keep  
5 as many -- much of the population of a town  
6 together as possible -- or a city together as  
7 possible.

8 Congressional District 12 is made up of  
9 four whole counties and one partial county. It  
10 contains all of Catawba, Forsyth, Lincoln, and  
11 Yadkin, and a portion of Iredell. It is a  
12 compact district that connects the suburbs  
13 outside Charlotte to the area in and around  
14 Winston-Salem. It contains no municipality  
15 splits, and it splits VTDs in Iredell only for  
16 the purpose of equalizing population.

17 Congressional District 13 is made up of  
18 seven whole counties and the portion of  
19 Mecklenburg county that contains the  
20 municipalities and towns to the west and north  
21 of Charlotte. The only municipality split by  
22 this district is Charlotte because it has to be  
23 split, and VTDs are split only to equalize  
24 population.

25 Finally, Congressional District 14 is a

1 western North Carolina district that takes in  
2 most of the mountain counties in the westernmost  
3 tip of North Carolina. It contains 14 whole  
4 counties, which I won't read, but you can see  
5 there on the map. It splits one VTD in Watauga  
6 county to avoid double-bunking two incumbents.  
7 There are no municipalities split by the  
8 district. And this district was based in part  
9 on public comment that we heard during the  
10 comments that suggested that the western  
11 district should go more north towards Watauga  
12 county rather than taking in some of the  
13 southern North Carolina -- southwestern  
14 North Carolina counties.

15 So to summarize, going through the  
16 committee criteria that was passed by the joint  
17 House-Senate Redistricting Committee, all of  
18 these districts are drawn to zero deviation or  
19 to one person less than ideal. There is no  
20 point contiguity used in this map. It divides  
21 only 11 counties. It divides 24 VTDs out of  
22 over 2600, which is less than 1 percent, so over  
23 99 percent of VTDs are kept together. And it  
24 divides only two municipalities in the entire  
25 state, one of which had to be divided just based

1 on numbers.

2 Racial data was not used in the drawing  
3 of this map and neither was partisan data used  
4 drawing this map. Member residence was  
5 considered when possible and communities  
6 considerations were made to try to keep  
7 communities of interest together particularly in  
8 terms of towns and cities.

9 So, Mr. Chair, that's the description  
10 of the map. Sorry if it was too lengthy, but it  
11 was shorter than the 50 Senate district  
12 description we heard from Senator Hise in our  
13 own committee.

14 CHAIRMAN SAINÉ: Your brevity is  
15 greatly appreciated, sir.

16 I see that Representative Harrison has  
17 a question, you are recognized, and then  
18 Representative Richardson after that.

19 REPRESENTATIVE HARRISON: It may be a  
20 comment. Is a comment appropriate at this time?  
21 I mean, I --

22 CHAIRMAN SAINÉ: You may make a  
23 comment.

24 REPRESENTATIVE HARRISON: Okay. I  
25 appreciate that.

1 I start going into questions about why  
2 Greensboro is split the way it is, but I think  
3 you probably answered it the way you're going to  
4 answer it so I don't want to waste anybody's  
5 time, but I did want to note -- well, a couple  
6 things.

7 I appreciate -- I appreciate that the  
8 chairs have all tried to make this a very  
9 public, transparent process, and at the  
10 risk -- it's not a hearing in Guilford, it was  
11 in Forsyth or Alamance and some participated  
12 online. As I said yesterday, I haven't read all  
13 4,000 comments, but there was a very strong  
14 commentary on the -- and recommendation to keep  
15 Guilford whole and to keep the Triad whole.  
16 Greensboro, High Point, Winston-Salem are the  
17 Piedmont Triad, and this map splits it up very,  
18 very significantly and in ways that are  
19 splitting up the large African American  
20 populations and communities of interest. And  
21 I -- it confounds me how -- how y'all came up  
22 with this map for Guilford county because  
23 it's -- it's just taking downtown Greensboro all  
24 the way to the Tennessee border just doesn't  
25 seem to make a lot of sense so me. And you have

1 Representative Fox's precinct carved out, and  
2 that's sort of not very compact, and members  
3 don't have to live in their district at the  
4 congressional level anyway, so I'm not sure why  
5 you did that.

6 But I did want to -- I do want to note  
7 that this is a problem. It's a problem with all  
8 the three major urban counties. And I'll let  
9 the others speak to their respective counties,  
10 but the folks in Greensboro are pretty upset  
11 about it.

12 So I wrote -- I wrote my notes, so I  
13 took notes on everybody who spoke at the post  
14 map drawing, and the maps were described as  
15 ludicrous, racially unfair, grossly partisan  
16 gerrymandered, disconnected, scary,  
17 undemocratic, dishonest, confusing and more.  
18 And I think that there was sure a better way to  
19 do this.

20 Right now Congressional District 6 is  
21 entirely Guilford county and half of Forsyth  
22 county, and that's worked out very well. And  
23 the folks who spoke at the public hearing talked  
24 about how the current Congresswoman Manning has  
25 done a great job representing the interest of



1 the Piedmont Triad.

2 And I think that it was a problem for  
3 us not to consider, as I said, on the Senate  
4 maps and the House maps the Voting Rights Act  
5 implications for this because I think you have a  
6 serious violation here with the African American  
7 populations in Greensboro that are all divided  
8 up. I just don't understand it. I think it's a  
9 terrible congressional map. The partisan  
10 analysis shows this as a possible 11-3 in a  
11 50/50 state, and that's just flat wrong. And  
12 that's all I'm going to say. Thank you.

13 CHAIRMAN SAINÉ: Thank you,  
14 Representative Harrison.

15 Representative Richardson, I didn't  
16 mean to bypass you, sir. I did have you as  
17 first, but we'll go to you now.

18 REPRESENTATIVE RICHARDSON: I think  
19 Representative Harrison said it all.

20 As you look at the map, it seems pretty  
21 contiguous, but there's some glaring spots where  
22 it's not, and I think they're easy fixes, and  
23 I'd like to offer a couple. For example, with  
24 Wayne in District 4. Wayne has very little in  
25 common with Cumberland, Harnett, Johnston. That

1     could be -- that could fill in all of Onslow and  
2     you could -- you could easily move -- we could  
3     take Lee and put that in the 4 and then that way  
4     that you would -- you would not have these  
5     counties split like that.

6             And another example of that is over in  
7     the west where you split one -- you know,  
8     Iredell. There's a way to fix those splits.  
9     And I think if you did that it would vastly  
10    improve these maps to the point I could almost  
11    vote for them, but you've got -- there's some  
12    glaring -- there's some -- the overall map  
13    is -- really follows the guidelines and does a  
14    good job. It's just those glaring exceptions  
15    that are -- that are there that cause a problem.  
16    And if possible, I'd like to sit down with the  
17    chairs and offer a fix on that.

18            But that's what I've noticed is the  
19    overall map's outstanding. It's the glitches  
20    that really devalue the map in terms of its  
21    voting value. Thank you.

22            CHAIRMAN SAINÉ: Thank you, sir.

23            Any other members seeking recognition.

24            Representative Cooper-Suggs and then  
25    Representative Reives.

1 REPRESENTATIVE COOPER-SUGGS: Thank  
2 you, Mr. Chair, and thank you, Senator.

3 As I look at the maps, I'm looking at  
4 eastern North Carolina, and we know that for  
5 those of us who live down east that Pitt county  
6 is basically the heart of the east, but when I  
7 look at this map and I look at District 2, Pitt  
8 county was excluded from it. And I'm saying  
9 part of this because I know that from Wilson's  
10 area, we travel to Pitt, to the hospitals, to  
11 shopping and other kind of things that we do.

12 So my question is why was Pitt county  
13 excluded from District 2 but yet and still you  
14 added Caswell and Person? So why was Person and  
15 Caswell added to District 2 when, once again, we  
16 look at interests and how a person could best  
17 represent persons who have very similar  
18 interests. So why was Pitt excluded and then  
19 but yet instead you added Caswell and Person?

20 CHAIRMAN SAINE: Senator Daniel.

21 SENATOR DANIEL: Thank you, Mr. Chair,  
22 and thank you for the question.

23 I don't know that there's an easy way  
24 to answer that other than, you know, we started  
25 drawing the map from the east and the west and

1 worked towards the middle. Obviously, you know,  
2 in both of those areas of the state, the west  
3 and the east, you have low-population counties  
4 and it takes a lot of counties to make up an  
5 entire congressional district. And, you know,  
6 when you try to put all the criteria together,  
7 splitting as few counties as you have to, trying  
8 to make it as compact -- the district as compact  
9 as you can, we just felt like this was the best  
10 configuration of that area of the state.

11 REPRESENTATIVE COOPER-SUGGS: May I do  
12 a follow-up.

13 CHAIRMAN SAINÉ: You're recognized for  
14 a follow-up.

15 REPRESENTATIVE COOPER-SUGGS: Okay. My  
16 next question deals with do you intend to run  
17 any analytical checks on these maps, now that  
18 you created them, to make sure that all voters  
19 are treated fairly?

20 SENATOR DANIEL: These maps were drawn  
21 without partisan data or racial data, and I  
22 don't believe the Senate has any intention to  
23 run those, you know, partisan checks now. And I  
24 don't know about the House.

25 REPRESENTATIVE COOPER-SUGGS: Thank

1       you, Mr. Chair.

2               CHAIRMAN HALL: Mr. Chair, if I may  
3       speak to that as well.

4               CHAIRMAN SAINÉ: Representative Hall.

5               CHAIRMAN HALL: Our criteria, as the  
6       lady knows, is we're not going to use any  
7       election data and we're not going to use any  
8       racial data at all in analyzing these maps,  
9       drawing them or analyzing them. Of course,  
10      there are compactness scores that we voted on  
11      and so they can be analyzed in that sense  
12      pursuant to our criteria, but we're not going to  
13      use any racial data or any election data in  
14      analyzing nor drawing these maps.

15              REPRESENTATIVE COOPER-SUGGS: A  
16      comment.

17              CHAIRMAN SAINÉ: You're recognized.

18              REPRESENTATIVE COOPER-SUGGS: Okay.  
19      Thank you so much.

20              We've heard before about the Princeton  
21      Gerrymandering Project. And I'm a former  
22      classroom teacher, national board certified, so  
23      whenever I see an F in grading anything, I know  
24      that something was not right. When we look at  
25      the criteria, even though we said that we

1 followed all the criteria, that's truly a  
2 concern to me, it truly is.

3 So therefore I just want to say that,  
4 you know, it's disheartening for us not to truly  
5 go back and look at this and get it right  
6 because I think the state of North Carolina is  
7 better than an F, and that's just one of the  
8 agencies that have graded us. Thank you.

9 CHAIRMAN SAINÉ: Thank you.

10 I've got Representative Reives, and  
11 then after Representative Reives, Representative  
12 Hawkins. Representative Reives.

13 REPRESENTATIVE REIVES: Thank you,  
14 Mr. Chair.

15 I want to go back to District 11. And,  
16 Senator Daniel, I appreciate you being here, and  
17 I appreciate the work you guys put in. What I  
18 was trying to figure out with residence being  
19 taken into consideration, like, what I'm looking  
20 at just on its face, Congresswoman Manning is  
21 barely in the district on one side and then, as  
22 Representative Harrison was discussing,  
23 Congresswoman Fox, you know, had to be -- I  
24 don't know what term is best to use that isn't  
25 charged, but there had to be some movement to

1 get her into that district.

2 And so my question is why was that  
3 done? Because, I mean, that took some effort.  
4 So what was the thought process behind doing  
5 that?

6 SENATOR DANIEL: Thank you for the  
7 question.

8 CHAIRMAN SAINÉ: Senator Daniel is  
9 recognized.

10 SENATOR DANIEL: So I think this is the  
11 district that contains 90 percent of Greensboro,  
12 and so in trying to keep Greensboro whole,  
13 that's just, you know, the way the district was  
14 drawn. And so I don't know that there's a  
15 better answer than that. There -- I think there  
16 may be another district where there's some  
17 pairings of members. Like Congressional  
18 District 9, it was just difficult to eliminate  
19 that everywhere, accommodate all the  
20 congressional members.

21 CHAIRMAN SAINÉ: Representative Reives.

22 REPRESENTATIVE REIVES: Right. And I  
23 understand that. Like, for instance, 9 is the  
24 first thing you look at clearly because  
25 Congressperson Adams and Congressman Bishop live

1 right beside each other almost, but, you know,  
2 here, for instance, if we're keeping Greensboro  
3 whole, it seems you just take the 10 percent of  
4 Greensboro that's not in this district and  
5 include that and don't include that finger that  
6 goes into Watauga, and that makes it pretty  
7 easy, like, you know, and then that actually  
8 makes it a cleaner district.

9 So what was the decision as to not  
10 taking that 10 percent of Greensboro and  
11 bringing that in but instead going into Watauga,  
12 and instead of keeping Watauga whole, taking  
13 that little finger out of Watauga? Because, I  
14 mean -- and I guess to take it to its next  
15 logical conclusion, Congresswoman Fox was going  
16 to get double-bunked either way, but I think  
17 Congresswoman Manning could have easily not been  
18 double-bunked so that's why I'm asking that.

19 CHAIRMAN SAINÉ: Senator Daniel.

20 SENATOR DANIEL: I guess, you know, on  
21 the one hand I think just to say it was -- you  
22 know, it was a choice of the Senate chairs who  
23 drew the map to do it that way. And in terms of  
24 the population you were mentioning, there are  
25 very few people that live in that section of



1 Watauga so it wouldn't be apples to apples in  
2 terms of, you know, you wouldn't be able to get  
3 much more of Greensboro -- you know, I don't  
4 think you could probably -- you may not even be  
5 able to get 1 percent of Greensboro to swap for  
6 that, so...

7 CHAIRMAN SAINÉ: Representative Reives.

8 REPRESENTATIVE REIVES: Thank you.

9 And my next question is I know that  
10 there are different interpretations as to how  
11 the Voting Rights Act applies to redistricting  
12 and how we take that into consideration.

13 My question is how do you feel the  
14 Voting Rights Act applies in terms of trying to  
15 make sure that we're complying with it in  
16 drawing congressional maps?

17 CHAIRMAN SAINÉ: Representative Hall.

18 CHAIRMAN HALL: Mr. Chairman, if I can  
19 take that one.

20 Representative Reives, as you know, and  
21 we've talked about this previously in committee,  
22 the courts have said that there is not  
23 sufficient evidence of legally significant  
24 racially polarized voting in North Carolina, and  
25 therefore we believe that the legally safest way

1 to draw these maps is not using race at all.

2 CHAIRMAN SAINÉ: Representative Reives.

3 REPRESENTATIVE REIVES: Okay. But  
4 then -- so going on the assumption that applies  
5 on the congressional maps the same as it does on  
6 our Senate and House maps, if I'm  
7 understanding -- and I really am trying to make  
8 sure I'm not restating anything incorrectly. So  
9 the position you've taken when drawing this map,  
10 or any of these maps, is saying that you would  
11 have to have evidence of racially polarized  
12 voting to then affirmatively go in and try to  
13 make sure we're complying with the VRA; is that  
14 correct?

15 CHAIRMAN SAINÉ: Representative Hall.

16 CHAIRMAN HALL: That's generally my  
17 understanding of the law, but again, as we know  
18 in the past few cases we've seen or the  
19 Covington case, they found that there was not  
20 sufficient evidence of that. Then we went in  
21 2019, of course, and drew maps not using race at  
22 all, those maps were upheld, and so we're trying  
23 to stick with what the courts have told us works  
24 which is in this case drawing these maps without  
25 using race at all.

1 REPRESENTATIVE REIVES: All right.

2 Thank you.

3 CHAIRMAN SAINÉ: Representative  
4 Hawkins.

5 REPRESENTATIVE HAWKINS: Thank you,  
6 Mr. Chairman.

7 And Representative Reives and  
8 Cooper-Suggs mentioned a lot of things that I  
9 also had in mind, but I want to speak to two  
10 things. First, you know, are the communities of  
11 interest, and I'll start with District 6, if  
12 that's okay, Senator.

13 You mentioned that there were very few  
14 sort of breaks in municipalities. Is that true?

15 And the question for District 6 is did  
16 you -- were you able to keep Morrisville, Cary  
17 and those areas together in whole? And -- well,  
18 I'll ask that question first, then I'll ask my  
19 follow-up, Mr. Chairman.

20 CHAIRMAN SAINÉ: Senator Daniel.

21 SENATOR DANIEL: Thank you, Mr. Chair,  
22 and thank you for the question, Representative  
23 Hawkins.

24 My understanding is there's only two  
25 municipalities split in this entire map, which

1 is Greensboro and Charlotte. If you want staff  
2 to verify, I'm sure they can do that. That  
3 should be in the stat pack. So all the towns  
4 you mentioned, they should be kept whole.

5 REPRESENTATIVE HAWKINS: Follow-up,  
6 Mr. Chair.

7 CHAIRMAN SAINÉ: You're recognized for  
8 a follow-up.

9 REPRESENTATIVE HAWKINS: Thank you,  
10 Mr. Chairman.

11 And so also, when we're looking at Wake  
12 county -- and I know you did go over this in  
13 your overview, but do you think there was  
14 another way that we could have drawn this  
15 district without breaking up, you know, arguably  
16 the largest county in the state in three ways?  
17 Did you see any other alternatives? I know you  
18 probably went through many, many versions of  
19 this so I'm not doubting that, but I just wanted  
20 to think if you all thought that this was the  
21 best way and the best potential configuration  
22 because it does sort of break those -- that  
23 county into three. And I don't necessarily know  
24 because I'm like you, I don't use partisan or  
25 racial data to analyze these and will not know

1     until much later, right, until actual maps  
2     are -- until people run on these maps.

3             But I do wonder, you know, why that was  
4     the choice and if you had any other strong  
5     alternatives that could have potentially kept  
6     Wake county broken into two at least because,  
7     you're right, it will hold one congressional  
8     district on its own and have to be broken, but  
9     this breaking it into three just seems like it  
10    does sort of break areas that work all together.

11            And I give context to that because  
12    Research Triangle Park sits on the eastern  
13    portion of Durham and some of those people in  
14    Cary and Morrisville do participate in the  
15    economy that Durham creates, but it just seems a  
16    little unnatural is the word I want to use for  
17    that southern portion to be connected to  
18    Chatham, Lee and others.

19            CHAIRMAN SAINE:   Senator Daniel.

20            SENATOR DANIEL:   Thank you, Mr. Chair.

21            So, Representative Hawkins, if you  
22    followed the discussions in the Senate  
23    Redistricting Committee, you know, there were  
24    some other alternatives that were offered by,  
25    you know, members of our opposite party that,

1     you know, took a different approach than we  
2     took. And so in harmonizing all of the  
3     criteria, we tried to maximize -- or minimize  
4     the number of counties split. So in this map it  
5     keeps 89 of 100 counties whole, without being  
6     split, and it also only splits two  
7     municipalities. So we just -- I guess we chose  
8     to place weight on those criteria in drawing the  
9     map, and that's just what we did, but, you know,  
10    there were other choices that could have been  
11    made and there were other options that were  
12    offered.

13                 REPRESENTATIVE HAWKINS: Follow-up,  
14    Mr. Speaker. So that actually -- may I be  
15    recognized.

16                 CHAIRMAN SAINTE: You are recognized,  
17    Representative Hawkins.

18                 REPRESENTATIVE HAWKINS: That was  
19    actually an incredible lead into my next  
20    question is when you were giving weight to  
21    criteria -- and we've asked this question of  
22    Representative Hall as well and ours and so  
23    we're familiar with his answers, but this one  
24    for you, Senator, is as you went district by  
25    district, did you prioritize those that you just

1 mentioned, or did you sort of standardize the  
2 way that you put weight on the criteria?

3 And that's a really interesting  
4 question for us to sort of understand how you  
5 sort of went through the list and decided across  
6 the state or just district by district.

7 CHAIRMAN SAINÉ: Senator Daniel.

8 SENATOR DANIEL: I don't know,  
9 Representative, if there's an easy way to answer  
10 that because as you go district by district, you  
11 just try to harmonize the criteria. I think we  
12 tried to harmonize it in each district. It  
13 makes it difficult in congressional-district  
14 mapping because you have to have zero deviation  
15 between the districts which makes the choices  
16 difficult.

17 And I know like Representative  
18 Richardson was talking about, you can move this  
19 here and move this here. Well, you know, every  
20 time you shift something, then you really can't  
21 just change one district, you have to -- you  
22 kind of have to draw a whole map.

23 But I would say that we did -- you  
24 know, we were -- you know, I cited the  
25 statistics of VTDs, county splits, and municipal

1 splits because those were three things that we  
2 thought were very important.

3 REPRESENTATIVE HAWKINS: Okay. Good.

4 Last question, Mr. --

5 CHAIRMAN SAINE: You are recognized,  
6 Representative Hawkins.

7 REPRESENTATIVE HAWKINS: Thank you,  
8 Mr. Speaker.

9 And I do want to go back to the 11th.  
10 You know, again -- and I'm always a fan of sort  
11 of, you know, if it's hard to figure out,  
12 sometimes we just need additional time to let,  
13 you know, sort of cooler heads prevail. And,  
14 you know, after, of course, we've had the  
15 opportunity to look at these maps and everyone  
16 actually has something -- you know, they've had  
17 their feedback and had, you know, opportunities  
18 to lay their eyes on this, it does seem in the  
19 11th, as Representative Reives mentioned, there  
20 is just another potential alternative.

21 Now, I know that Representative Hall is  
22 okay with that because, you know, he's an  
23 App State grad and being connected to App State  
24 is probably preferable for him, but when it  
25 comes to sort of the eye test, having that



1 finger jut out when we could have included a  
2 little more of Guilford county -- this is  
3 District 11 -- you know, just seems to, you  
4 know, ensure that, again, communities of  
5 interest are put together, you know, compactness  
6 is sort of ensured and again, just for the  
7 voter, you know, sort of catches the eye test.

8 And not to mention in the  
9 double-bunking, you know, also I have to sort of  
10 mention that, you know, sort of using your  
11 words, not mine, that a choice had to be made  
12 about who was double-bunked and where. And it  
13 seems that -- you know, I'm a college football  
14 fan, and App State is a great college football  
15 town, but it just doesn't have much  
16 interest -- in interest with the remainder of  
17 the district.

18 And so I'm always concerned about that  
19 as we try to explain these things to voters  
20 because though we don't live in those areas, of  
21 course, all of our constituents ask us how these  
22 things come to be, and so I want to make sure  
23 that -- I'm giving that as a statement but also  
24 giving you an opportunity to sort of think  
25 through how we can explain that in particular

1 because if we -- if we can't, that means -- I'll  
2 go back to my famous statement, that I was a May  
3 baby and so nothing wrong with a May primary and  
4 us really pushing this back and doing the best  
5 that we can to best serve the people of  
6 North Carolina.

7 CHAIRMAN SAINÉ: Senator Daniel.

8 SENATOR DANIEL: Thank you, Mr. Chair.

9 So I guess one point that I should have  
10 made but didn't is that when you go into Watauga  
11 county, it would have overpopulated the 14th  
12 district so you had to cut out some of Watauga  
13 county in order to make a -- you know, a zero  
14 deviation district.

15 Appalachian State -- all the  
16 universities are kept whole, and my  
17 understanding is that all of Appalachian State  
18 is still in the 14th district, unless staff  
19 corrects me on that. I don't think it's in the  
20 11th district.

21 CHAIRMAN SAINÉ: Any others wishing  
22 recognition.

23 Representative Hawkins.

24 REPRESENTATIVE HAWKINS: I didn't know  
25 if the staff was going to verify that.

1 CHAIRMAN SAINÉ: Standby.

2 Staff is indicating they would have to  
3 pull that up to verify that. They can get that  
4 answer for you probably after the committee  
5 hearing.

6 SENATOR DANIEL: Our staff says that I  
7 have that reversed and that Appalachian State is  
8 kept whole but it is in the 11th district.  
9 Okay. So you're right. You're right.

10 REPRESENTATIVE HAWKINS: Yeah. Thank  
11 you, Mr. Chairman.

12 CHAIRMAN SAINÉ: Thank you.

13 Any other members wishing recognition.  
14 Representative Carney.

15 REPRESENTATIVE CARNEY: Well, we can't  
16 let all the Democrats speak and leave me by  
17 myself. So I do just have a quick question of  
18 Senator Daniel. You want to correct me. That's  
19 okay. Just a quick question.

20 You said that you only split, out of  
21 all the -- correct me if I'm wrong. Out of all  
22 the municipalities in the state, you only split  
23 two. One was Charlotte. What was the other  
24 one?

25 SENATOR DANIEL: The other one is

1 Greensboro, and Greensboro is kept 90 percent  
2 whole in one district.

3 REPRESENTATIVE CARNEY: Okay. And I  
4 probably should know this, but in the last --  
5 currently now in Charlotte in the congressional  
6 seat that's in there, is the city of Charlotte  
7 split?

8 CHAIRMAN SAINÉ: Senator Daniel.

9 SENATOR DANIEL: I don't have the  
10 current congressional map with me so I can't  
11 answer that question.

12 REPRESENTATIVE CARNEY: Okay. And  
13 so -- and maybe staff might know, but I can find  
14 that out later.

15 SENATOR DANIEL: And staff, Mr. Chair,  
16 might be able to answer the question.

17 CHAIRMAN SAINÉ: Refer to staff.  
18 They're looking that up now.

19 REPRESENTATIVE CARNEY: Okay. And so,  
20 Senator Daniel, you were saying -- excuse me.  
21 You were saying that they were split because of  
22 the need to disperse the population. Is that  
23 what you were saying?

24 CHAIRMAN SAINÉ: Senator Daniel.

25 SENATOR DANIEL: Mr. Chair.

1           Yes, ma'am. So the only city that was  
2           required to be split was Charlotte because it  
3           was too large for one district, so we kept as  
4           much as we could in one district for that -- for  
5           that municipality.

6           REPRESENTATIVE CARNEY: Okay. I  
7           appreciate that.

8           CHAIRMAN SAINE: Thank you. And I have  
9           online, on Webex, Representative Brockman,  
10          you're recognized, sir.

11          REPRESENTATIVE BROCKMAN: Thank you,  
12          Mr. Chair. And this is a simple question.

13          Representative Harrison mentioned that  
14          we would be producing maps that would produce a  
15          result of 11-3, and we've heard time and time  
16          again from our constituents during this process  
17          that we should be producing fair maps.

18          Fundamentally, I would ask is do you  
19          think that these -- are we living up to the  
20          expectations of our constituents if we produce  
21          maps that are 11-3? Is that fundamentally fair  
22          and are we living up to what is being asked of  
23          the constituents -- of all of our constituents?

24          CHAIRMAN SAINE: Thank you,  
25          Representative Brockman.

1 Representative Hall.

2 CHAIRMAN HALL: You know, what I would  
3 respond to that with is this, and I've said this  
4 many times, but it again bears repeating.

5 Never in the history of this state has  
6 this body chosen to not use election data. The  
7 law would allow this body to hire some outside  
8 consultant to use a computer algorithm to go in  
9 and try to maximize whatever advantage the body  
10 wanted to maximize, but we have voluntarily  
11 decided that we will not use election data, and  
12 we haven't done that. That wasn't done in the  
13 drawing of this map; it wasn't done in the  
14 drawing of any of the maps. And that's  
15 significant. It is a big deal to decide to hold  
16 back from doing that and say we're not going to  
17 use election data to draw these maps.

18 This committee adopted a set of  
19 criteria using traditional redistricting  
20 principles, and as a result of those principles,  
21 this is the map that you have before you. I  
22 have no idea what the outcome of this map will  
23 be because I'm not looking at election data, but  
24 I have looked at our criteria, and this map  
25 complies with our criteria.

1           And so to answer your question, yes, I  
2           am happy to present this to my constituents and  
3           the people of North Carolina.

4           CHAIRMAN SAINES: Thank you,  
5           Representative Hall.

6           Are there any other members seeking  
7           recognition?

8           Representative Richardson.

9           REPRESENTATIVE RICHARDSON:  
10          Mr. Chairman, you're a wonderful lawyer, and you  
11          can say -- and I know you didn't look at  
12          election data per se, but when a map shows a  
13          favorable rating in 11 districts and a favorable  
14          rating for the other party in 3 districts, it's  
15          an awful big coincidence that that wasn't --  
16          that that somehow wasn't intentional. And I  
17          don't mean it that way.

18          What I mean is is that it's impossible  
19          for your party or my party to draw fair maps,  
20          and that's why we need to go to an impartial  
21          redistricting commission. I don't impute any  
22          ill will in what you did whatsoever. You're the  
23          majority party. I really don't, and I  
24          know -- and I don't think you intentionally did  
25          it by numbers, but you're an astute, intelligent

1 man, and you can look at areas of populations  
2 and know where the voter turnout is going to be  
3 and what the voter turnout is going to be like.  
4 And it's virtually impossible for either party,  
5 it is, to produce a map that would be totally  
6 fair to everybody.

7 So I don't want to call you on it, but  
8 I feel like that we've got to be honest about  
9 this to a degree, and these maps do favor your  
10 party, and they should, you won, but we should  
11 go to an impartial redistricting commission for  
12 that very reason. Thank you.

13 CHAIRMAN SAINÉ: Any other comments,  
14 any other questions before the committee?

15 Seeing none, Representative Torbett,  
16 you are recognized for a motion.

17 REPRESENTATIVE TORBETT: Thank you,  
18 Mr. Chairman. I move that the House Committee  
19 on Redistricting report out as favorable to  
20 Senate Bill 740.

21 CHAIRMAN SAINÉ: The committee has  
22 heard the motion. As per the request, we are  
23 going to go to a roll call vote, and the clerk  
24 will call the roll.

25 THE CLERK: Adams.



1 REPRESENTATIVE ADAMS: Aye.  
2 THE CLERK: Brockman.  
3 REPRESENTATIVE BROCKMAN: No.  
4 THE CLERK: Carney.  
5 REPRESENTATIVE CARNEY: No.  
6 THE CLERK: Cooper-Suggs.  
7 REPRESENTATIVE COOPER-SUGGS: No.  
8 THE CLERK: Dixon.  
9 REPRESENTATIVE DIXON: Aye.  
10 THE CLERK: Hardister.  
11 REPRESENTATIVE HARDISTER: Aye.  
12 THE CLERK: Harrison.  
13 REPRESENTATIVE HARRISON: No.  
14 THE CLERK: Hastings.  
15 REPRESENTATIVE HASTINGS: Aye.  
16 THE CLERK: Hawkins.  
17 REPRESENTATIVE HAWKINS: No.  
18 THE CLERK: Jones.  
19 REPRESENTATIVE JONES: Aye.  
20 THE CLERK: Mills.  
21 REPRESENTATIVE MILLS: Aye.  
22 THE CLERK: Reives.  
23 REPRESENTATIVE REIVES: No.  
24 THE CLERK: Rogers.  
25 REPRESENTATIVE ROGERS: Aye.

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THE CLERK: Szoka.  
REPRESENTATIVE SZOKA: Aye.  
THE CLERK: Warren.  
REPRESENTATIVE WARREN: Aye.  
THE CLERK: Zachary.  
Richardson.  
REPRESENTATIVE RICHARDSON: No.  
THE CLERK: Saine.  
CHAIRMAN SAINE: Aye.  
THE CLERK: Torbett.  
REPRESENTATIVE TORBETT: Aye.  
THE CLERK: Bell.  
REPRESENTATIVE BELL: Aye.  
THE CLERK: Stevens.  
Hall.  
CHAIRMAN HALL: Aye.  
THE CLERK: 13 yes; 7 no.  
CHAIRMAN SAINE: And the motion does  
carry.

With no other business being before the  
committee, we stand adjourned.  
(Transcription from YouTube ended at  
1:17:21.)

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NORTH CAROLINA GENERAL ASSEMBLY

SENATE REDISTRICTING COMMITTEE

NOVEMBER 3, 2021

Transcribed by:

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1 (Transcription from YouTube started at  
2 32:16.)

3 CHAIRMAN DANIEL: Come to order. So  
4 welcome to the Senate Redistricting Committee,  
5 November 3, 2021.

6 I'd like to thank our sergeant-at-arms,  
7 Michael Cavness, Rod Fuller, Dwight Green, Chris  
8 Moore, and Hal Roach. Gentlemen, thank you for  
9 being here.

10 We have one bill on the calendar today.  
11 It's House Bill 976. All the members should  
12 have a copy of that. It's the -- it's the House  
13 of Representatives -- [audio stopped.]

14 Representative Hall, present the map.  
15 So, Representative Hall, you have the floor.

16 REPRESENTATIVE HALL: Thank you,  
17 Mr. Chairman. Good to see all my friends in the  
18 Senate committee. I will not be real long  
19 unless the members of this committee want me to  
20 be long.

21 But I'll start by saying we conducted a  
22 process in the House committee, similar to your  
23 committee here, in my opinion that is the most  
24 transparent process in the history of this state  
25 regarding redistricting. We also took the

1       unprecedented step of choosing not to use  
2       election data at all in the drawing of our maps.

3               We've had a thorough debate on these  
4       maps, including proposed amendments in the  
5       House, both in committee and on the floor. I'm  
6       glad to go into those if the committee so  
7       wishes, but I'll say that we don't intend to  
8       likely amend the Senate map over in the House,  
9       and we hope that you won't amend this one  
10      either, and we hope that you will vote for this  
11      map.

12              CHAIRMAN DANIEL: Are there any  
13      questions from the committee?

14              Senator Hise.

15              SENATOR HISE: Move for favorable  
16      report.

17              SENATOR MARCUS: I'm sorry.

18              CHAIRMAN DANIEL: We have a motion for  
19      a favorable report.

20              SENATOR MARCUS: I did have a question.  
21      I'm sorry.

22              CHAIRMAN DANIEL: That's okay.

23              Senator Marcus, what's your question?

24              SENATOR MARCUS: Mr. Chair, just a  
25      couple questions, Representative Hall, about



1 Mecklenburg county.

2 I'm chair of that delegation, and so I  
3 just want to be sure here. It's very hard to  
4 see on this map which doesn't -- doesn't have  
5 a -- my version -- my printed version doesn't  
6 come out here.

7 But in Mecklenburg county, does your  
8 map pair any current members of the House in the  
9 same district?

10 REPRESENTATIVE HALL: No.

11 SENATOR MARCUS: No double bunks.

12 REPRESENTATIVE HALL: No.

13 SENATOR MARCUS: And then I believe  
14 there's one new district, then, that would be an  
15 open seat. Is that true?

16 REPRESENTATIVE HALL: That's right.

17 SENATOR MARCUS: And can you just  
18 clarify for me what you've numbered that on this  
19 map or where it is or what color it is just so I  
20 can find it on this map.

21 REPRESENTATIVE HALL: While we look  
22 through this map, I will say all of the  
23 districts have slightly shifted somewhat. And  
24 I'm told it's District 96 that is the, quote,  
25 unquote, new district.

1                   SENATOR MARCUS: Thank you.

2                   CHAIRMAN DANIEL: Any other questions,  
3 comments from the committee?

4                   Seeing none, we have a motion from  
5 Senator Hise to give House Bill 976 a favorable  
6 report. All in favor of that motion please  
7 indicate by saying aye.

8                   COMMITTEE MEMBERS: Aye.

9                   CHAIRMAN DANIEL: All opposed, no.

10                  COMMITTEE MEMBERS: No.

11                  CHAIRMAN DANIEL: Ayes have it and the  
12 motion passes.

13                  There being no further business to come  
14 before this committee, it is adjourned.

15                  (Transcription from YouTube ended at  
16 35:50.)

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25

Denise Myers Byrd

CSR 8240, RPR, CLR 102409-2

<p align="center"><b>A</b></p> <p>ability 6:8 accurate 6:11 adjourned 5:14 amend 3:8,9 amendments 3:4 <b>ASSEMBLY</b> 1:1 audio 2:13 aye 5:7,8 Ayes 5:11</p> <hr/> <p align="center"><b>B</b></p> <p>believe 4:13 best 6:8 bill 2:10,11 5:5 bunks 4:11 business 5:13 Byrd 1:18 6:4,15</p> <hr/> <p align="center"><b>C</b></p> <p>C 6:1,1 calendar 2:10 Carolina 1:1,23 6:1 Cavness 2:7 certify 6:5 chair 3:24 4:2 Chairman 2:3 2:17 3:12,18 3:22 5:2,9,11 choosing 3:1 Chris 2:7 clarify 4:18 CLR 6:16 color 4:19 come 2:3 4:6 5:13 comments 5:3 committee 1:2 2:4,18,19,22 2:23 3:5,6,13 5:3,8,10,14 6:7 conducted 2:21 constitute 6:10 copy 2:12 county 4:1,7 6:2 couple 3:25 Court 1:19 6:4 CSR 1:18 6:5,16</p>	<p>current 4:8</p> <hr/> <p align="center"><b>D</b></p> <p>DANIEL 2:3 3:12,18,22 5:2 5:9,11 data 3:2 day 6:12 debate 3:3 December 6:12 delegation 4:2 Denise 1:18 6:4 6:15 denise@disco... 1:25 Discovery 1:19 district 4:9,14 4:24,25 districts 4:23 double 4:11 drawing 3:2 Dwight 2:7</p> <hr/> <p align="center"><b>E</b></p> <p>E 6:1,1 either 3:10 election 3:2 ended 5:15</p> <hr/> <p align="center"><b>F</b></p> <p>F 6:1 favor 5:6 favorable 3:15 3:19 5:5 find 4:20 floor 2:15 3:5 foregoing 6:10 Forks 1:21 friends 2:17 Fuller 2:7 further 5:13</p> <hr/> <p align="center"><b>G</b></p> <p>GENERAL 1:1 Gentlemen 2:8 give 5:5 glad 3:6 go 3:6 Good 2:17 Green 2:7</p>	<p align="center"><b>H</b></p> <p>Hal 2:8 Hall 2:14,15,16 3:25 4:10,12 4:16,21 hard 4:3 held 6:7 Hise 3:14,15 5:5 history 2:24 hope 3:9,10 House 2:11,12 2:22 3:5,8 4:8 5:5</p> <hr/> <p align="center"><b>I</b></p> <p>including 3:4 inclusive 6:10 indicate 5:7 intend 3:7</p> <hr/> <p align="center"><b>J</b></p> <hr/> <p align="center"><b>K</b></p> <hr/> <p align="center"><b>L</b></p> <p>Legal 1:20 LLC 1:20 long 2:18,20 look 4:21</p> <hr/> <p align="center"><b>M</b></p> <p>map 2:14 3:8,11 4:4,8,19,20,22 maps 3:2,4 Marcus 3:17,20 3:23,24 4:11 4:13,17 5:1 Mecklenburg 4:1,7 members 2:11 2:19 4:8 5:8,10 Michael 2:7 Moore 2:8 motion 3:18 5:4 5:6,12 Move 3:15 Myers 1:18 6:4 6:15</p> <hr/> <p align="center"><b>N</b></p> <p>new 4:14,25</p>	<p>North 1:1,23 6:1 November 1:3 2:5 6:7 numbered 4:18</p> <hr/> <p align="center"><b>O</b></p> <p>okay 3:22 open 4:15 opinion 2:23 opposed 5:9 order 2:3</p> <hr/> <p align="center"><b>P</b></p> <p>pages 6:10 pair 4:8 passes 5:12 please 5:6 present 2:14 printed 4:5 process 2:22,24 proposed 3:4</p> <hr/> <p align="center"><b>Q</b></p> <p>question 3:20,23 questions 3:13 3:25 5:2 quote 4:24</p> <hr/> <p align="center"><b>R</b></p> <p>R 6:1 Raleigh 1:23 real 2:18 recorded 6:6 recording 6:11 redistricting 1:2 2:4,25 6:6 regarding 2:25 report 3:16,19 5:6 Reporter 6:5 Reporters 1:19 Representative 2:14,15,16 3:25 4:10,12 4:16,21 Representatives 2:13 right 4:16 Roach 2:8 Road 1:21 Rod 2:7</p>	<p>RPR 1:18 6:16</p> <hr/> <p align="center"><b>S</b></p> <p>saying 2:21 5:7 seat 4:15 see 2:17 4:4 Seeing 5:4 Senate 1:2 2:4 2:18 3:8 6:6 Senator 3:14,15 3:17,20,23,24 4:11,13,17 5:1 5:5 sergeant-at-ar... 2:6 shifted 4:23 Signed 6:12 similar 2:22 Six 1:21 slightly 4:23 somewhat 4:23 sorry 3:17,21 start 2:21 started 2:1 state 2:24 6:1 Stenographic 6:4 stenographica... 6:8 step 3:1 stopped 2:13 Suite 1:22 supervision 6:9 sure 4:3</p> <hr/> <p align="center"><b>T</b></p> <p>T 6:1,1 taken 6:7 thank 2:6,8,16 5:1 thorough 3:3 today 2:10 told 4:24 transcribed 1:16 6:9 transcription 2:1 5:15 6:6,11 transparent 2:24 true 4:15 6:10</p>
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<b>version</b> 4:5,5 <b>Videographers</b> 1:20 <b>vote</b> 3:10	<b>919</b> 1:24 <b>96</b> 4:24 <b>976</b> 2:11 5:5			
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## Joint Public Hearing Schedule

September 13, 2021

House Committee on Redistricting  
Senate Committee on Redistricting and Elections

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Wednesday, September 8 – **Caldwell Community College and Technical Institute**, hearing starts at 6:00 pm

Tuesday, September 14 –

- **Forsyth Technical Community College**, hearing starts at 4:00 pm
  - 1615 Miller St, Winston Salem NC, 27103, Rhoades Center, Robert L. Strickland Center
- **Elizabeth City State University**, hearing starts at 5:00 pm
  - 1704 Weeksville Rd, Elizabeth City NC, 27909, NC, K.E. White Center

Wednesday, September 15 –

- **Durham Technical Community College**, hearing starts at 6:00 pm
  - 1613 Lawson St, Durham NC, 27703, Main Campus, Building 5
- **Nash Community College**, hearing starts at 5:00 pm
  - 522 N. Old Carriage Rd, Rocky Mount NC, 27804, Brown Auditorium

Thursday, September 16 –

- **Alamance Community College**, hearing starts at 5:00 pm
  - 1247 Jimmie Kerr Rd, Graham NC, 27253, Patterson Auditorium
- **Pitt Community College**, hearing starts at 3:00 pm
  - 169 Bulldog Run, Winterville NC, 28590, Craig F. Goess Student Center

Tuesday, September 21 – **Western Carolina University**, hearing starts at 5:00 pm

- 3971 Little Savannah Rd, Cullowhee NC, 28723, Health & Human Sciences Building

Wednesday, September 22 – **Central Piedmont Community College**, hearing starts at 3:00 pm

- 3216 CPCC Harris Campus Dr, Charlotte NC, 28208, Harris Conference Center

Thursday, September 23 – Mitchell Community College, **Iredell County Campus**, hearing starts at 3:00 pm

- 500 W Broad St, Statesville NC, 28677, Shearer Hall

Tuesday, September 28 – **UNC-Pembroke**, hearing starts at 4:00 pm

- 115 Livermore Drive, Pembroke NC, 28372, Office for Regional Initiatives

Wednesday, September 29 – **UNC-Wilmington**, hearing starts at 5:00 pm

- 615 Hamilton Drive, Wilmington NC, 28403, Lumina Theater, Fisher Student Center

Thursday, September 30 – **Fayetteville Technical Community College**, hearing starts at 6:00 pm

- 2220 Hull Road, Fayetteville NC, 28303, Tony Rand Student Center, Rooms 9.1 & 9.2

Dustin Hall ([00:00](#)):

(silence) Still on the honeymoon.

Speaker 2 ([00:33](#)):

All right. You'll be on the honeymoon for at least three years. (silence)

Dustin Hall ([02:29](#)):

Committee will come to order. The chair wishes to welcome everybody to one of the beautiful counties in this state, in fact, the most beautiful county in this state, Caldwell County, which, of course, is the home of the chair. Chair also wants to recognize our folks from the general assembly staff who are here today, our sergeant-at-arms, David Layton, Glen Wall, Chris Moore. Want to thank our general assembly police officers who are here with us today, including Sergeant Robert Barcooper. The chair also wants to recognize the members of the general assembly who are here tonight. They're all to the left of the chair, Senator Warren Daniel, who is one of the chairs of the Senate Redistricting Committee. Again, I'm Dustin Hall. I chair the House Redistricting Committee. We have Senator Chuck Edwards, Senator Dean Proctor, Representative Jeffrey Elmore, Representative Ray Pickett, Representative Jay Adams, Representative John Torbett, Representative Jon Hardister and Representative Becky Carney. I think I got everyone.

Chair wants to thank everyone who is here tonight to come out to this first round of public comment for this cycle of redistricting. I think this chair can speak for all of the members here and all the members of the general assembly in saying that we value your comments, and we're excited to hear what members of the public have to say about the redistricting process in North Carolina. Chair's got a number of folks who have signed up, both online and in-person here today. The committee is going to limit comment of each person up to two minutes per person. And the sergeant-at-arms will keep that time and will notify each speaker when they reach the two minute mark. With that said, we will begin with Sue Smith, who is an online [inaudible 00:04:34]. Is Sue Smith in the audience? If not, we'll move on down the list. Dr. Sharon Brown? Is Dr. Sharon Brown here today? Dr. Sharon Brown. All right, we'll move on. Zachary Brocas. Zachary Brocas? [inaudible 00:05:05]. Chair sees Senator Lowe coming in and wants to recognize him as well for being here. And we'll get you a chair. Bob Phillips. Mr. Phillips. Good to see you. If you will, approach the microphone.

Bob Phillips ([05:31](#)):

Representative Hall and Senator Daniel, it's great to be here in your home district. My name is Bob Phillips. I'm actually a Raleigh resident, but I'm representing Common Cause. We have several hundred members in this area. I actually have roots in Catawba County, so I know this area. Let me first say thank you for what you all are doing in terms of giving the public an opportunity to speak to you about their views of redistricting and how it should be done. Representative Hall, as you've mentioned, you want to see the finest and best redistricting process possible, and to that end, as Common Cause, we will try to hold you accountable. And I have just a few suggestions I'd like to make.

First and foremost, I would like to see, and I'm disappointed perhaps, that this is not a livestreamed event. We're standing here in Caldwell County. And Representative Hall, you probably know this. Since early July, the COVID cases have climbed 4,000% since early July. Senator Daniel, Burke County has a positivity COVID rate of triple what it was in early July. I guess my point in is there's a lot of people who would probably like to participate from the comfort of their home. All of us have done virtual meetings since March of 2020. You all have certainly conducted the people's business that way. I

would love to see you all try to livestream these and offer an opportunity for folks to participate again virtually. So that's one suggestion.

The other is in October when you all start drawing the maps, it would be great if you could make it a little bit easier, better audio, more cameras. Again, if you're going to copy or mimic what you did in 2019, that would be great. Last thing, again, in the spirit of giving the public an opportunity to tell you what they think after those draft maps come out, it would be great for you to have a series of public hearings. In fact, Representative Hall, right here in the finest county in the state would be a perfect place to have them than the other sites that you have, just to give, again, an opportunity for folks to comment. Again, I want to thank you. I know this is not an easy ask. And thank you for your public service, and I look forward to the process continuing.

Dustin Hall ([07:44](#)):

Thank you. Thank you, Mr. Phillips. Kim Moss.

Kim Moss ([07:55](#)):

Good evening. My name is Reverend Kim Moss. I am here representing the Caldwell County NAACP. I am the president. On behalf of the Caldwell County NAACP, I would like to emphasize that in the past, North Carolina has recognized communities of interest as racially neutral redistricting criteria. Yet, communities of interest will be given little to no consideration in this year's redistricting criteria. I would also like to emphasize the importance of complying with the Voting Rights Act and other laws in the redistricting process, as well as the need for an open and transparent process that values community input. In particular, I would like to highlight the importance of considering the history of discrimination in voting and redistricting in North Carolina. Between 2010 and 2020, federal courts have found that North Carolina's redistricting plans have discriminated against black voters and voters of color by diluting minority votes. The general assembly failed to include the consideration of the history of discrimination. I strongly oppose the exclusion of the history of discrimination in criteria and urge the general assembly to expressly consider the history of the discrimination.

Finally, we ask that there be additional opportunities for public comment at all stages of the map drawing. We ask that for two weeks, notice to the public for all hearings, speakers should be able to sign up for virtual participation prior to all hearings as is allowed for in-person testimony. Thank you for the opportunity to provide this public comment.

Dustin Hall ([07:55](#)):

Thank you.

Kim Moss ([07:55](#)):

Thank you.

Dustin Hall ([09:45](#)):

Thank you, Ms. Moss. Jeffrey Ridge. Jeffrey Ridge. Phil Ingle. Mr. Ingle, if you will, approach the microphone.

Phil Ingle ([10:07](#)):

Thank you. Welcome to Caldwell County. I come before you as the party chairman for Caldwell County Republican Party. I'm here not so much to talk about the process, which I think is great, the



transparency that we're seeing and being able to hold a forum such as this to discuss the redistricting. But what I would ask for Caldwell County, and this has answered some of the rumors that we're hearing, leave Caldwell County alone. We like being a whole county. We like being ourselves in the fifth district. We're very happy where we are. We're very satisfied with our congressional delegation and really don't see a need to change that. I equate it to you dating your wife and/or your husband or your significant other. You get to know them real well, and you know their inferences and what they want to do. And then all of a sudden, poof, they're gone. And I really don't want to see that here. And on behalf of the 25,000 registered Republicans here in Caldwell County, I would ask you to leave Caldwell County as it is, not split it, but leave it whole and leave it in the fifth district. And I thank you, and thank you, again, for the transparency.

Dustin Hall ([11:34](#)):

Thank you, sir. Smith Drake Jr. Smith Drake Jr. [Pro Hass 00:11:48]. Pro Hass. [I. Pam 00:11:58]. I. Pam. [Jaman 00:12:02] Tom. Jaman Tom. Jeffrey Odom. Jeffrey Odom. Catherine Levy. Catherine Levy. Mary Moretz. Mary Moretz. Deborah McGivern.

Deb McGivern ([13:03](#)):

Good evening. I'm Deb McGivern, President of the League of Women Voters of Catawba Valley and a resident of Catawba County. We believe we speak for many voters that partisan politics should not play a role in the drawing of our voting maps. We ask for a transparent process that includes meaningful input from the public. We want voting maps that do not consider incumbents, addresses or residents' voting histories or party affiliations. We ask for political neutral criteria. Polling shows that the majority of North Carolinians support a nonpartisan approach to redistricting. We want voters to pick their representatives, not politicians picking their voters. Transparency and public input are critical in having a fair district. We apply to having public hearings in 13 areas. That is not enough. During this past year, I echo what Common Cause adjusted. Virtual meetings are important. It is important for people to have their voices heard in a safe environment. We ask for the public hearings not only before maps are drawing, but after those draft maps have been drawn. So I hope that that first round meant that there was a second round after those draft maps. This is an exciting time for North Carolina. Our growth has given us another US representative. We ask our legislators to take that response responsibility to heart. The North Carolina constitution states all persons are created equal. We ask that all votes are created equal. Thank you.

Dustin Hall ([14:50](#)):

Thank you. Perry Aletto. Perry Aletto. Rosanna McDonald.

Rosanna McDonald ([15:17](#)):

Good evening, everyone. My name's Rosanna McDonald. I am a Caldwell County resident for 20 years. I'm an RN. I'm a member of the NAACP and the League of Women Voters of Catawba Valley. I'm here to ask for better and more transparent process in redistricting hearings to come. We need more public education about redistricting and the impact on all North Carolinians, especially communities of interest, like black and Latino communities. We need more public hearings to be scheduled. They have been slashed from 62 to 13 since 2011, and they exclude major counties. We need more timely and crucial details posted, like the exact addresses of the hearings. People were showing up at Caldwell Community College instead of coming here because the original information was just Caldwell Community college.

We need more safety information posted. This is the middle of a pandemic, and people want to know that they're safe coming to a meeting. There's no sanitizer outside. We need more video conferencing, I totally agree with the other speakers, so people can see this from their home. We need to have access to comments posted on the North Carolina General Assembly redistricting website and access to comments at video conferencing. And we need more hearings scheduled after maps are drawn. Currently, there's only one scheduled in Raleigh, and that's really unacceptable. And in general, just when drawing the maps, race data really needs to be included because race neutrality in map drawing is detrimental to communities of color. And thank you for your time.

Dustin Hall ([17:11](#)):

Thank you. Melissa Patton.

Melissa Patton ([17:12](#)):

Thank you for coming to Caldwell County. All of you that are not local, welcome to our county. I'm representing my friends and family and myself tonight. We would like to thank the general assembly for coming out to our community and other communities across the state to discuss this very complex issue and for your efforts on openness and transparency for us as voters. We appreciate you doing this for us. We support the banning of racial and political data to help control against gerrymandering. Just want you to know that. We strongly support a whole county provision to ensure fair and legal districts are drawn. We also would like to ask that our counties not be divided in congressional districts. Splitting counties is very confusing to voters. And in recent years, Caldwell County in particular has been in three different congressional districts. And so we personally would like to see us stay in the fifth district, but we just would like for you to not split our county, both on the state level and on the federal level. Please keep us whole. We also support an open, fair and constitutional process and appreciate the general assembly's efforts and this committee's efforts in that. Thank you.

Dustin Hall ([18:37](#)):

Donnie Potter.

Donnie Potter ([18:45](#)):

Good evening. I want to take this opportunity to thank each of you for taking the time to come to our county and visit. I know it was a lot of traveling for quite a few of you. My name's Donnie Potter. I'm a Caldwell County Commissioner and a resident here for the last 21 years. I guess my biggest concern, they echoed some of this, but it's important to me and important to us as a citizen and as county commissioner that we leave our county whole, that we do not split the county. I think it's an issue. We understand that the census has changed, and we are close, right there at that cusp, a little bit short. But I'm asking you to keep us whole to keep Caldwell County together. It's very close. It just doesn't make sense to break us up. We've got a great working relationship with our House of Representatives and our other legislators across the state and the federal government. We communicate well. We know who to talk to when things happen in the county. I represent both parties in this county. I represent Republicans and Democrats. When I get a phone call, I don't and ask them what party they're with. I try to help them. And I can tell you that I've had a lot of success with my legislators. They work hard just like the rest of you do.

I urge the committee tonight to keep Caldwell County whole and do not combine it with another county, specifically primary reason in my opinion is combining a tier one county with potential tier three county. That's problematic. My fear is that the resulting shifting resources that are desperately here in

Caldwell County to Watauga, who does not need it as bad as we do here in Caldwell. Caldwell County, like many other counties in the Western, has struggled for decades to get funding that is needed. Tier one counties have specifically been forgotten and underfunded through the years. And I fear that it would be worse if we combined a tier one and tier three county. That's problematic for all of us, our education system. It's problematic for the whole system. For that reason tonight, I urge you to please keep Caldwell County whole. We trust that you'll make the right decisions. These folks have made some great comments, but I appreciate the fact that you've come to this county. You've stood on this stage. You've listened to us. That takes a lot. Thank you so much for your time and appreciate you being here. And welcome to Caldwell County.

Dustin Hall ([21:17](#)):

Thank you, sir. Cindy Sellers.

Cindy Sellers ([21:34](#)):

Good evening, everyone. Thank you so much for being here tonight and listening to our comments, and appreciate you coming. My name is Cindy Sellers, and I am the mother of two Afghanistan veterans. And that's first thing I've got to say because I'm so proud of them. I was raised to be a very patriotic person. Proud that I am a retired teacher. And I am from Alexander County with some folks from Alexander County, and we are Democrats. Many of us are passionate and proud of our roots in North Carolina. We love our country. We have shared that with students over many careers in our group in classrooms in North Carolina. But currently, we cannot stand behind what we held high in our classrooms in our careers. Everyone in North Carolina can vote. We told students that their votes do count, but even though this is a purple state, leaders have neutered the votes of rural North Carolina. When lines are drawn by politicians who brag that the reason the lines aren't more gerrymandered is because that's the best they could do and joke about it. And I don't know who said that, but I know someone said that. Our state is in trouble. When there's an R besides someone's name and that person will automatically be elected no matter their qualifications, our state is in trouble.

The proof is making the headlines with crazy North Carolina people like Madison Cawthorn charging up the crowds with threats of violence and bloodshed. Yes, words coming out of mouths are fueling hatred and nonsensical actions, which can lead to more radical elements such as what took place on January the sixth. And I'm scared for my grandchildren. Where are the common sense voices? Where the leaders who don't care if they are elected again, who will vote for the good of the people, not for the money they were received from voting for special interests? The minority voters deserve a voice instead of being thrown into a district where their vote means nothing. We all deserve a fair shot at picking-

Dustin Hall ([23:49](#)):

Sorry about. Yeah. And ma'am, if you will, wrap up your comments.

Cindy Sellers ([23:59](#)):

I will. I will. I'm a Rotarian. And I feel like some of you folks sitting up there right now are Rotarians too. And one of the things that we say at the end of our meeting is, is it fair to all concerned? And I want to leave that with you today. Thank you so much.

Dustin Hall ([24:15](#)):

Thank you, ma'am. Barbara Kirby.

Barbara Kirby (24:31):

Thank you. I'm a fourth-generation Caldwell County citizen. I live in the Oak Hill community currently. I am a retired educator and currently work as a part-time librarian. On August 12th, the state legislator adopted district map-making rules for 2020. Following court losses in 2011, 2016 and 2019 because of racial and political gerrymandering, this time they say they will not use racial or political data to draw their maps. They will also attempt to follow county boundaries. This seems like a good start to draw drawing fair maps. However, there are details and vagaries in the rules that are troubling. The Raleigh News and Observer sites some examples. The rules state that the addresses of current lawmakers may be considered in drawing the maps, a measure that would protect incumbents. Other rules state that municipal boundaries may be considered, voting districts can be split only when necessary, lawmakers should make reasonable efforts to draw districts compactly and knowledge of communities may be considered.

I'm particularly concerned about the last one, that it will allow map makers to and work around their own rule of not using political data. I am worried that this fuzzy language will enable the majority party to continue with the districting shenanigans for which they are notorious and that our maps will not be much better than in the past. North Carolinians need to keep a very close eye on our legislators as they begin to redraw the district maps that we will live with for the next 10 years. Thank you so much.

Dustin Hall (26:25):

Thank you. Carlos Lopez.

Carlos Lopez (26:38):

Good evening, everyone. Hope you're all doing well. Though I do not live in the Caldwell County area, I am from a rural town known as McDowell. I will use this platform to be able to address the needs of the county. My name is Carlos Lopez, like I said. I'm representing Centro Unido Latino-Americano, also known as CULA, all inclusive organization, nonprofit that serving communities of color, underserved and marginalized communities in the McDowell County area, Marion, North Carolina, a place I've called home for 16 years. And I am here today to encourage further transparency and public disclosure for redistricting in North Carolina. I am a youth coordinator at my organization, teaching young people in my community social skills, education and the significance of being informed and engaged with the powers that be through collaborative activities and team building. McDowell's population currently sits at 46,427 people, and 22.3% of those people are under 19, the highest percentage and the second being 19.9 for folks over 65. Throughout life, I've created bonds with all sorts of people with different backgrounds, occupations and interest, and there's rarely been any division between my community. And I would like for that not to take place. My cultural knowledge helps me bring my community together. And we have Spanish-speaking students, students of color and aspiring white young students as well. And we are all unified by the common goal of having a better future for everybody.

But when young folks are asked why they're not engaged in civic engagement in McDowell, most common answer is that they feel undermined due to the age and "lack of experience". Now imagine how they will feel once they realize that the redistricting process where they live is not as transparent as they would expect it to be. I am their role model advocating for recognition involvement for younger audiences, so I ask that public disclosure for map redistricting be reconsidered with the future generation in mind. Ask yourself, what will I leave for them? I thank you. And thank you for your time. Thank you for the opportunity.

Dustin Hall (28:50):

Thank you, sir. Margarita Ramirez.

Margarita Ramirez (29:04):

Hello. Thank you. My name is Margarita Ramirez. I am the executive director of Centro Unido Latino-Americano, a nonprofit organization that serves the Latinx community and Marion, McDowell. In 2011, you held 60 hearings, 60 hearings. And I think that the [inaudible 00:29:22] needed to have a hearing. It makes it impossible for a lot of the community to drive and come to a hearing. Being part of the [inaudible 00:29:30] community for over 20 years, I have witnessed the systematic barriers, inequality that exists for the community I serve. In Centro Unido Latino-Americano, we serve between 800 to 1,200 people in a month. This numbers shows that the percentage of the Latinx community in McDowell is much larger than what we think. Living in McDowell and from my own lived experience, I realized from a very young age that I had to serve as an interpreter to my community because the service was not available. And it's not available in many places. That issue is one of the systematic barriers that I'm talking about.

I don't want to talk to you only about what we need but also about what my community contributes. My community not only [inaudible 00:30:13] in its culture and traditions, but above all, we stand out for our dedication and work ethic. An example is that the majority work in agriculture, greenhouses and factories and restaurant. They are essential workers, and they do the work that nobody else wants to do. This is not just the history of McDowell County but all western North Carolina. Western North Carolina is overlooked, and the contributions of my community gets the overlook. This is why I ask that we be fair in the division of district and that we focus on all communities receiving the necessary resources. For that to happen, my community needs to have a fair representation. A better and most transparent hearing with a virtual option is much needed, not only for English speaking, but for everyone. Thank you for your time and consideration.

Dustin Hall (31:05):

Thank you. Ed Blair.

Ed Blair (31:15):

I'm Ed Blair from Lenore. Gerrymandering has a long history. In the past legislators with majority control, both Democrats and Republicans, have used gerrymandering, not to design voting districts aimed at hearing the voice of our people, but instead, to keep themselves individually and as a political party in power, regardless of the will of the people. As it has been and continues to be used, gerrymandering violates the equal protection clause of our constitution, which mandates that all of our people enjoy equal protection of the law. The constitution requires that votes of any voter or group of voters not be degraded for the political gain of any political party or politician. The insidious threat and corruption presented by gerrymandering has increased in recent years. Modern partisan legislators now have sophisticated tools such as computer-generated mapping based on racial, ethnic, economic, age and other group characteristics to use crafting districts to their own political advantage.

They minimize the impact of appropriate criteria, such as county and municipal boundary lines, in order to achieve their purely partisan goals. Reliance on such inappropriate group information and designing voting districts to discriminate against groups of voters is not only unlawful and contrary to our constitutions and the principles of democracy; it is also a manifestation of the bad character of any legislator who acts or votes to support such shameful purposes. I urge my fellow North Carolina citizens

to pay attention to the way that members of our general assembly, particularly their own Representative or Senator, how they act as they design our new voting districts. Consider whether or not their actions are done to promote democracy, or are they engaged in unlawful gerrymandering in order to accomplish personal or partisan political gain? Thank you.

Dustin Hall ([33:29](#)):

Thank you, sir. T. Anthony Splorna. And I botched that last name and I apologize.

Anthony Spearman ([33:44](#)):

Thank you, sir. Spearman is the name. To the lady and gentlemen of the Redistricting Committee of the general assembly, I am the Reverend Dr. T. Anthony Spearman, President of the North Carolina NAACP. And I represent thousands of members across the length and breadth of the state. So I will more than likely be shadowing you to meetings of these redistricting hearings. Redistricting is essential to voting rights and electoral representation for historically underrepresented groups. Fair community-generated redistricting testimony and proposals positively impact policy outcomes for African Americans and provide an opportunity for underrepresented groups to fairly choose electoral representatives. As the Reverend Kim Moss has already said, the general assembly failed to include the consideration of the history of discrimination in North Carolina, which is necessary to ensure compliance with section two of the Voting Rights Act in its redistricting criteria. I strongly oppose the exclusion of the history of discrimination in the criteria and urge the general assembly to expressly consider the history of discrimination in voting and redistricting so it does not again violate section two of the Voting Rights Act further. The criteria provides minimal consideration of communities of interest. Communities of interest are communities that have a shared interest or passion and may benefit from cohesive representation in the legislature. Redistricting should focus on communities, not politicians and incumbents. Thank you.

Dustin Hall ([35:55](#)):

Thank you, sir. Chuck Gore.

Chuck Gore ([36:03](#)):

Thank you very much. Well, native North Carolinian, resident of Caldwell for 14 years, [inaudible 00:36:29]. I'm going to speak of my own experience in that of helplessness. A lot of times I don't feel that I have representation within my district. And without going into a lot of the reasons for it, where it really concerns me, if I feel that way, then there are many others. Whatever process you use to redistrict, make sure that all that are represented. Give someone a fair chance. Let a person win on their merits, not on the folks that, well, I just don't want to participate. North Carolina deserves an informed and an engaged electorate.

The number of people I run into who can't tell me who US Congressman is, who can't tell me who their state Representative or their state Senator is, that needs to change. It needs to change for the good of our state, not just so our needs can be met and our concerns have a voice, but also to hold those accountable. We've seen through the toxic political climate, the lady was speaking about Madison Cawthorn, if we don't have a way... And the vote is the way to do it. The vote is the proper way to do it, to hold people accountable. And there have been some, there have been seven, that have engaged in what I consider seditious activity. Voting is the democratic way of doing it. And it only works when everyone has that fair shot. So I implore you all to make it as fair as possible. And thank you. Thank you for your time.

Dustin Hall ([38:19](#)):

Thank you, sir. So we have reached the end of all those who have signed up. However, the chair does want to give an opportunity in case anyone came in who had signed up to be able to speak. So is there anyone in the audience who signed up, whether online or here in-person tonight, who did not hear their name called out? If you signed up and did not hear your name called out, please raise your hand or come towards the front. Seeing no one, was there anyone who showed up and was not able to find the sign-in sheet to be able to sign up who would like to sign up? If so, just simply raise your hand and we'll direct the sergeant-at-arms to you.

Seeing none, the chair, again, wants to thank all the members of the public who came out tonight. The members of the general assembly, again, speaking for the members who are here, we really value the time that you all have taken. We've got members here tonight, really, from all over the state who have taken their time to come right here to Caldwell County to be able to listen to what folks in this area, in this region have to say on this matter. And again, there will be additional public comment periods across the state. I would encourage you to go on the North Carolina General Assembly's website. There's a special page there for redistricting. You can get a lot of information on that page, including committee meeting notices, where you can listen or watch online to committee meetings. There are lists of the various areas where public hearings are to be held. There will be at some point in the future when the body does begin drawing those maps, which, of course, has not happened yet, all of that will be online for the public to go and for the public to view. So with that being said, we will now adjourn the meeting. (silence)



Warren Davis ([01:21](#)):

Good evening. Welcome to Elizabeth City State University. I'm [Warren Davis 00:01:23]. I'm the Co-Chair of the Senate Redistricting and Elections Committee. It's good to be with all of you at Elizabeth City. It's a beautiful city, and it's a special city to me and my family. My daughter Brenna graduated from Elizabeth City State University and is now employed by the university, so we're glad to be here with you tonight. I'd like to recognize our staff that has come with us from Raleigh, so we have our sergeant-at-arms and those are [Glen Wall 00:01:55] from the House and [White Green 00:01:58] from the Senate, and we have also with us General Assembly police officers, Sergeant Walters and Officer Torres, so we always thank our staff for their service to us. We also have a couple members of the General Assembly that come to be with us tonight. On my left is President Bobby Hanig and then [inaudible 00:02:24] is here [inaudible 00:02:25]. So we're thankful for every citizen who has come here tonight, and assure you the General Assembly values your comments and this meeting and your input to this process [inaudible 00:02:38] redistricting.

This meeting is scheduled for three hours, so we can accommodate approximately 88 to 90 speakers. But if there's not that many, then we'll just adjourn if anybody [inaudible 00:02:54] include in their remarks. So a number of individuals have signed up both online and some out in the lobby, so we'll go through those lists. If you weren't able to sign up yet, then don't worry, we'll reserve time for you at the end. If you haven't been able to sign up, you could just notify Blake in the back and he could help you with that. So without further ado, we'll go ahead and get into the list and we'll just go. We're going to start with the list, who signed up online and we'll just go in order of the signup. Then when we're done with that list, we'll go to the list of those individuals who signed up this evening. So first on the list is Mrs. Sue Inglehart.

[inaudible 00:03:45] by the [inaudible 00:03:46] that Jessica [inaudible 00:03:48] microphone, each speaker's allotted two [inaudible 00:03:51] sergeant-at-arms will notify you have one minute remaining and then when your time has expired, and we'll of course be glad to allow you to [inaudible 00:03:58] speakers.

Speaker 2 ([04:01](#)):

[inaudible 00:04:01].

Celia ([04:07](#)):

Thank you for the opportunity to speak. [inaudible 00:04:07] from the [inaudible 00:04:08] nonpartisan organization that's voter registration and vote [inaudible 00:04:15].

Speaker 4 ([04:16](#)):

Right, [inaudible 00:04:16] really important [inaudible 00:04:17] for that. [inaudible 00:04:18].

Female ([04:16](#)):

No, we get more time.

Speaker 4 ([04:22](#)):

[inaudible 00:04:22]

Male ([04:22](#)):



Is there anybody that can turn up the volume a little bit?

Celia ([04:43](#)):

Ready? Okay, all right. [Celia Novares 00:04:45] from the League of Women Voters, Northeastern North Carolina. We're a organization's nonpartisan in voter education and voter rights are the most important causes for us. Thank you for the opportunity to speak. No matter what our color, background or [inaudible 00:05:01], voters should pick their leaders, not the other way around. [inaudible 00:05:06] a handful of politicians in our North Carolina General Assembly that have been allowed to draw their own district's lines to guarantee their reelection. Legislators drawing their own district boundaries is a major conflict of interest that contributes to partisan gridlock and prevents voters from holding lawmakers accountable. The process is called gerrymandering, [inaudible 00:05:29] that word, and is a threat to our democracy. Political history has shown that both parties have gerrymandered in North Carolina. It provides advantages to the party in power, the aggregated communities which they think are likely to vote for their respective party.

They can also gerrymander by splitting communities apart such as the voting [inaudible 00:05:51] areas unfairly diluted, making residents a less consequential group come voting time. Over time one party can become so entrenched that the winners are a sure thing and voters lose interest in elections, which is not good at all. Despite pandemic-related delays of the release of census data, it's imperative that the maps are drawn with full public participation. I know this is a first step of that. Due to [inaudible 00:06:16] increase in population, North Carolina has been allotted an additional US congressional district which adds to the challenge [inaudible 00:06:24]. NCGA, North Carolina General Assembly communities have decided to hold these public hearings in only 13 locations. We are lucky to have one here in Pasquotank County, but other districts are not so lucky to include the areas where North Carolina has the largest populations, Raleigh, Greensboro, and Asheville.

A new public hearing schedule should be released that includes public hearings in every congressional district of the state. Also public hearings have been scheduled prior to maps being drafted and no hearings scheduled after maps have been drawn, released to the public. Contrast this schedule to the one provided in 2011 where 62 hearings in 36 counties were convened before and after maps were drafted. With communications technology making the sharing of information easier, we should be increasing transparency, not moving backward. Nobody knows our communities [inaudible 00:07:15] the people who live in them. We need more public hearings.

Warren Davis ([07:27](#)):

Next on our list is Mr. [Charles Palling 00:07:27]. Charles Palling. We'll move on to the next speaker. Laura Overstreet.

Laura Overstreet ([07:38](#)):

Is it okay if I speak without the microphone? Can everybody hear me?

Warren Davis ([07:51](#)):

Ma'am, this is a public hearing. It has to be recorded-

Laura Overstreet ([07:51](#)):

It still has to be recorded, okay.

Warren Davis (07:56):

But let me say, before you start, I just want to acknowledge that my colleague, Senator Don Davis, has arrived, so I want to welcome Senator Davis to the meeting.

Laura Overstreet (07:58):

Okay, can you hear me?

Male (08:10):

Well, yes.

Laura Overstreet (08:12):

Okay. All right. My name is Laura Overstreet. I'm also with the League of Women Voters and I'd like to follow up a little bit on what Sue said, talking about gerrymandering, how we so desperately need to avoid it here in North Carolina, because when politicians draw their own districts, it's the voters who lose. But the voters are also the ones who can stop this from occurring, because it is our reality right now. The legislators draw their own districts and they also [inaudible 00:08:43] maps. So what we need to do in that case is get our voters involved in this process. It needs to be a fully transparent process, one that invites and encourages participation, extensive participation, from all of our citizens here in North Carolina. When we're looking at fair criteria for maps, I'm talking about keeping our districts compact and contiguous, keeping our communities together, making sure that we are complying fully with the Voting Rights Act and that there is no political data and no political aims in the drawing of these maps.

Gerrymandering undermines our guarantee of free elections. This is our right under the North Carolina Constitution. Gerrymandering of safe seats to incumbents from both parties. We the voters need real competition so that our votes matter and our voices are heard. Gerrymandering denies real choice, so legislators don't have to listen to voters. It leaves us with no way to hold them accountable. The 2019 court ordered redraw of the maps in North Carolina did not fix the problem. 93 out of 120 seats in the North Carolina House were were still safe for likely wins for one party or the other, and that's exactly how the maps were formed. In 2020, every single safe, likely, and lean seat performed exactly as designed. Please adopt a fully transparent process that allows for extensive citizen participation. Thank you.

Warren Davis (10:32):

Thank you. Now I want to also recognize our colleague from the House, Representative [Hunter Hoogsraw 00:10:37] and he's seated beside Senator [Banks 00:10:40]. Next on the list is Ms. [Tara Fox 00:10:44]. Tara Fox.

Tara Fox (10:48):

I'm Tara Fox. I'm a resident of Pasquotank County and a director of the League of Women Voters of North Carolina, Northeastern North Carolina. We want the North Carolina General Assembly communities to know that we expect the same transparency and dedication to a fair redistricting process as has been promised by the Pasquotank County commissioners. The Pasquotank County commissioners draw their own maps just like the legislators do, but voters deserve a say in how the districts are drawn. The decisions the Pasquotank County commissioners make are very important to

our community. They approved budgets, controllers and school funding, approve development projects, oversee some local utilities, fund the sheriff and courts and of course levy taxes.

On June 21st they signed a resolution establishing an open, transparent, and nonpartisan procedure for the 2021 redistricting of the Pasquotank County Board of Commissioners. They have scheduled three public meetings, one of which was last night to show us the census data, and two more will be held on October 18th and November 15th. They have committed to a redistricting process that provides for firm timelines announced publicly in advance, prompt public communication of the draft plans, timely posting of the maps and other information via website and through publication in local news outlets, well-promoted open public meetings on maps and the ability for resident citizens to review proposed maps, submit comments, and propose improvements. The resolution also encourages the North Carolina General Assembly to adopt procedures for the 2021 legislative and congressional redistricting and embodies the same principles, processes and measures in order to secure our resident citizens' right to participate fully and effectively in the 2021 redistricting process and to strengthen representation in these elected bodies. Again, we expect the same from the NC General Assembly committees. Thank you.

Warren Davis ([13:15](#)):

Thank you. Also want to recognize another member who has arrived, Representative Linda Cooper-Suggs, seated to my left. Next on our list will be Ms. Michelle Lewis. Ms. Lewis.

Michelle Lewis ([13:44](#)):

Good evening. I'm Reverend Doctor Michelle Lewis, executive director of the Peace Garden Project in unaffiliated community [inaudible 00:13:51]. Thank you for holding this meeting today to give us the opportunity to discuss redistricting here in North Carolina. However, I'd be remiss if I didn't state that the number of meetings scheduled for the state are too few. Additionally, the schedule start time of the meetings makes it difficult for those in more rural communities and those working more traditional jobs and the working poor to attend. I hope it is the plan of those involved to put people before party as the legislature draws new electoral districts that will affect our state's political system for the next decade. Gerrymandering is all too real in the state of North Carolina, and North Carolina has repeatedly proven to be one of the worst offenders, drawing lines around race and political parties. I implore the legislature to create nonpartisan commission to assist with this work. Numerous people fought and died so that we would all have the right to vote, and to make sure that each vote gets counted equally. Thank you.

Warren Davis ([15:07](#)):

Thank you. Next we have Ms. [Catherine Pruitt 00:15:07].

Cathy Pruitt ([15:28](#)):

Good evening. My name is Cathy Pruitt. I live in Hertford in Perquimans County. I am not affiliated with any political action group, George Soros or the [inaudible 00:15:34] Communist party is not funding me to advocate on their behalf. I come here as a law abiding citizen, a more than average taxpayer, and I'm going to tell you that I'm very happy with my district, which is number one, the North Carolina Senate and House, and number three would be [inaudible 00:15:59]. I firmly believe that... what I could see looking at census data and the demographics for Perquimans County, there's absolutely no justifiable reason to move our district. I also think that the only way we can hold our representatives accountable

is through our votes, and you gerrymand districts and move people around, you're putting us in a totally different area, and to my mind that's taxation without representation.

I also think that there are many, many, many other issues far more important than this, that our representatives should be concentrating on. I also think it's a colossal waste of money to keep going through this process and then going through the inevitable losses time, time and time again. So please keep Perquimans County where it is. Thank you for allowing me to speak in front of this [inaudible 00:17:09].

Warren Davis ([17:12](#)):

Thank you. Next is Ms. [Diane Laden 00:17:16]. Diane Laden? Going to move on to the next speaker. [Shelly Jackson 00:17:28].

Shelly Jackson ([17:27](#)):

Hi. My name is Shelly Jackson and I reside in Hertford of Perquimans County, and I also [inaudible 00:17:45] average person, not a hate activist. I'm concerned that our rural district could be gerrymandered to the benefit of more urban areas at the detriment of the rural counties. A change to our district would disrupt the cohesiveness of services and support our communities share from funding to healthcare to schools. The courts gave guidelines to ensure legislative districts comply, and it is in our state constitution. I'm also concerned about court gerrymandering as well. We must protect the rural vote from the larger urban areas who want to slice up rural areas and overpower the rural vote. There would be no rural voice, so essentially no vote. Kind of what Cathy said, taxation without representation.

The urban areas are being supported by special interest groups, like Common Cause and the Women's League of Voters, groups supported and funded from sources outside of North Carolina, emphasis on outside North Carolina. Please help stop the politics and protect the rural vote. Farmers, like my grandfather and North Carolina country living, by keeping our counties whole, thus protecting our social services and county integrity and local representation. And thank you for the opportunity to voice my opinion.

Warren Davis ([19:16](#)):

Thank you. Next, Alex [Irvin 00:19:20].

Alex Irvin ([19:19](#)):

Thank you. Good evening, y'all. My name's Alex Irvin and I am a [inaudible 00:19:41] support unit for the Association of Mexicans in North Carolina. I'm here today to represent the LatinX community in [inaudible 00:19:49] of North Carolina. That's our mission statement of our organization, that's what we do. With only 13 public forums, it makes it impossible for me in the Latino community to reach these events and to hear about them. [inaudible 00:20:03] of our organization, and we have served in the community for 20 years, and we know that the systemic failures in equality that face the LatinX community are too numerous to list here. But in the 28 county area that we serve, it's clear that the LatinX population is much larger than it may seem, and it's continuing to grow. I have worked in the community for one year, professionally at least, and the glaring truth that I've discovered is that based on outreach events and opportunities such as this redistricting [inaudible 00:20:35], presented primarily in English creates an additional hurdle for the LatinX community and the organizations it serves.

For example, because informative community requires translating and disseminating information about these meetings, it takes time and effort on behalf of community organizations such as ours and [inaudible 00:20:55] of this leads to a large subsection of North Carolina's population ignorant of the rights and opportunities available to them. The information about these meetings should be available in Spanish and promoted in Spanish to the general public, and should not be so rushed as to take away the ability of community organizers such as myself and community new members to prepare themselves and inform. The Latino community in this state is proud, its culture and traditions cherish dedication and work ethics. Seen by the community's involvement in agriculture, manufacturing and the service industry. They are essential workers and life without them would be unimaginable, yet they are overlooked.

That is why I ask that we be fair to division of districts and that we focus on all communities receiving the necessary [inaudible 00:21:41]. For this to happen, and it is... my counterparts here mentioned, we have to have representation. A better and more transparent hearing with a virtual option is much needed, not only for English-speaking participants but very important. Thank you for your time consideration.

Warren Davis ([19:19](#)):

Thank you. Next, Mary Cassidy.

Mary Cassidy ([22:19](#)):

Hello, my name's Mary Cassidy and I'm a resident of Perquimans County. I'm here to represent myself. As a North Carolinian and US citizen, I'm happy to have my voice heard. I've lived in Perquimans County now for a little over 10 years, moving from a very crowded and very expensive part of Virginia, which also had been gerrymandered. My husband and I chose to move to rural North Carolina for the cost of living and the lack of crowds, among other things. Having grown up in smaller communities, we identified with [inaudible 00:22:49] and the Northeast North Carolina communities. This is where I've spent my time and resources being a part of the community. I'm concerned that our rural district would be gerrymandered to the benefit of more urban areas and to the detriment of our rural counties. Should change to our district occur, it disrupts the cohesion of services and support our communities share for funding, healthcare, to other services for [inaudible 00:23:18] always last mile.

Our issues are different than the urban areas, from fishing to farming to firehouses. It's not the same transportation issues that you see in places like Durham or Charlotte. Our North Carolina House and Senate leaders from district 1, Ed Goodwin, Bob Steinburg, our Congressman Murphy for District 3, come to our homes, they come to our social events. They are part of us and they are here and local, and understand our issues. If we are redistricted, we stand to lose that understanding, that their concern and attention now will be focused in places like the more urban centers. We don't want to be redistricted with strange configurations where there's a portion of Durham and a little sliver that takes us all the way out to Perquimans County or someplace else. Please do not split apart our communities into two or more parts. I urge you to keep our district as currently designed. Thank you so much for coming out. We know it's a long trip. Take care.

Warren Davis ([24:23](#)):

Thank you. Next, [Isha Dobi 00:24:23], or Dobbi.

Isha Dobi ([24:23](#)):

Dobi.

Warren Davis ([24:23](#)):

It's Dobi?

Isha Dobi ([24:23](#)):

Good afternoon. Thank you for this opportunity to speak on behalf of my community. I'm a lifelong member of the Elizabeth City community. I'm an educator and a parent. But more than that, I care and love my community and that's the northeastern part of North Carolina. The census data from this year reflects changes in the demography of this area. We saw a decrease in our population and that decrease is concerning, because as we see that decrease, that means that our little section of the Earth over here in Northeast North Carolina can easily be eliminated as a community of interest, and we are a collective community of interest as a group of counties. I ask that you consider maintaining the Northeast as a community of interest, and when I say that I look at the issues that pertain to this community. We've seen a decrease in broadband access and with that we saw record numbers of our children not being proficient during the school year as they were sent home to have home instruction. Some did not have broadband access, some did not have devices to even access technology that the schools were mandating that they have.

So broadband access is one concern in this area. Also the mental health needs of this community are of great concern. When you have to travel so far outside of your regions to have your social, emotional needs met, that is concerning to a parent and to a community. So that's why the Northeast needs to stay intact because the resources need to be filtered throughout the Northeast community. I ask that you continue to have a transparent process, that you allow openness for opinions, that we are allowed to see maps before they're voted upon, and that you keep in mind that the Northeast is a community of interest. Thank you.

Warren Davis ([24:23](#)):

Thank you. Claude Dorsey Harris.

Claude Dorsey Harris ([27:02](#)):

Hi. I'm Claude Dorsey Harris and I am a founding board member of the League of Women Voters of the Northeastern North Carolina, and also the chairperson of the [inaudible 00:27:13] County Democratic Party. This is the first and only public hearing in Pasquotank County. We call on the joint redistricting committee to offer a robust public hearing schedule, after the maps are released to the public. North Carolinians know their communities best and can provide the most useful and important feedback to legislators after viewing the maps. We also ask that the committee immediately establish a website for redistricting information. The site needs to be easily found and easy to navigate, and should include meeting notices and livestream linked draft maps and related information and public comments.

Other states including Texas, Virginia and California have set up model websites for redistricting. Public hearings should be widely advertised and give the public enough time to prepare and should be safe and accessible to all. Videos and notes of public hearings need to be available online for public viewing. Legislators must disclose all criteria, systems and data used in drawing the maps and that information should be disclosed online to the public in advance of its use, so that the public has an opportunity to review it. Perform all map drawing and revising in public view, to include all discussions

and meetings about the maps. Final maps should be accompanied by written justification for the districts chosen. This includes all... and finally disclose all third parties engaged in redistricting.

The shape of our district matters greatly since decisions they will control they way we citizens vote for the 14 congressional delegates from North Carolina as well as legislators in the state senate and house. Thank you.

Warren Davis ([29:21](#)):

Thank you. Tim Brinn.

Tim Brinn ([29:32](#)):

Thank you. I'm Tim Brinn. I am the chairman of the Perquimans County GOP. I'm here on behalf of 3,228 Republicans, of which about 3,220 are not here, for a 5:00 pm meeting. They are on the road back from the shipyards, in the fields, on the job, and elsewhere. But we appreciate the fact that if you're going to have three hours worth of comments, you need to start early. So, thank you for being here to take the input. I will tell you that those 3,228 people, one of the things they're probably not worried about on their drive home is redistricting. They're aware of the fact that it's been a 10 year process, millions of dollars spent, with multiple [inaudible 00:30:22] and decisions and a very fair and informed process of redefine, going into the current round of redistricting, and that seems to be pretty much universal. So the fact of the matter is they're not really worried about redistricting this afternoon.

The key items, equal population, continuity, county groupings, and traversals, all of those things make perfect sense to anybody from the [inaudible 00:30:51]. When you look at Chowan County, 14,000 people, Perquimans County, 13,000 people, Elizabeth City 29,000 people, all are unique, but all are quite alike. They're the historic part of the [Albamonte 00:31:07]. Redistricting is not going to change who they are. They're bound to the [inaudible 00:31:13]. It takes three hours to get to Raleigh from here. Try finding an up-to-date News & Observer. You want a Virginia pilot? You can be in [inaudible 00:31:22] within an hour. We're different here. It's not true that the world stops at [inaudible 00:31:27] 95. So we are definitely a community of interest, we are acutely aware of not being heard historically over the years, and we currently have a good power base that represents Northeastern North Carolina as unique [inaudible 00:31:43]. And I've been told to stop, so again, thank you very much. Keep it as it is. Thank you.

Warren Davis ([31:58](#)):

Thank you. [Phyllis Nalvano 00:31:58]. Phyllis Nalvano. [Carol Terryberry 00:32:10].

Carol Terryberry ([32:19](#)):

Thank you so much. I'm Carol Terryberry, I'm the vice chair of the [inaudible 00:32:22] GOP and I just want to say thank you to the General Assembly for banning the use of racial [inaudible 00:32:27]. This will help prevent the gerrymandering [inaudible 00:32:29] the Equal Protection Clause.

Male ([32:32](#)):

[inaudible 00:32:32].

Carol Terryberry ([32:34](#)):

What's that?



Male (32:35):

[inaudible 00:32:35].

Carol Terryberry (32:37):

Okay. The strict adherence to the Stephenson criteria and their script.

Male (32:45):

Stop her time on [inaudible 00:32:46].

Carol Terryberry (32:49):

I'll start over. I just wanted to thank you guys for banning the use of racial and political data, which will help prevent the gerrymandering that violates the Equal Protection Clause. This strict adherence that you guys are abiding by to the Stephenson criteria and the respect for the North Carolina Constitution's full county provision is another strong step to create fair and legal districts. It is also a strong step to improving the process by not dividing counties into congressional districts. It helps keep our basic political units together for representation. It encourages candidates to win based on their merits, [inaudible 00:33:29] informed electorate and it prevents these districts from taking the odd shapes that they have in the past. Communities of interest do not dominate this process. Since there's no common understanding of what the community of interest is, it's in the eye of the beholder. It is appropriate that the claims of these communities of interest are considered only after the redistricting criteria's been satisfied.

So this whole county provision leading to an uneven distribution of partisan voters across the state will always result in districts and outcomes that some people don't like and that's inevitable, but an open, fair and constitutional process does guarantee that everyone can be heard and can work to influence the process. I thank you again.

Warren Davis (34:19):

Thank you. [Phil Kratzler 00:34:22].

Phil Kratzler (34:40):

Hello. I could pretty much incentivize those, so my point is I don't trust either political party in the legislature to draw fair and just maps. I want an independent, free counsel to do that. I have 21 other states doing it now. Thank you.

Warren Davis (35:00):

Thank you. If I could remind the speakers, if you'll just identify your name and what county you're from, or if you feel like identifying an organization, then please do that and [inaudible 00:35:09]. [Fred Gates 00:35:11].

Fred Gates (35:00):

Good evening.

Female (35:00):

Good evening.



Fred Gates ([35:10](#)):

I'm good to be here. I can say from [inaudible 00:35:35] off limits. But like Dr. [inaudible 00:35:39] says here, [inaudible 00:35:42] perfect month to month, that's called windfall, and the reason it's called windfall because the House blew it over. The House blew it over. But anyway, why are we here today? We're here to draw a map, to give each person an opportunity, an opportunity to exercise the American right, and that is voting. You have a right to vote. If you stack the districts and you stack them to the point of where all of them are best treated, then I'm sorry, but I be watching. Thank you.

Warren Davis ([37:00](#)):

Thank you. Rebecca Ward.

Rebecca Ward ([37:12](#)):

Hey all. [inaudible 00:37:15] today at 12:00 and then I found out what gerrymandering was at 12:30, so I'm really unprepared. But I'm not [inaudible 00:37:22] or [inaudible 00:37:22] paying attention. Thank y'all for coming out here. [inaudible 00:37:30] all over North Carolina, Raleigh, Charlotte [inaudible 00:37:33] when I was 18 I couldn't wait to get out of here. I did not want to be here. I moved back home when I was ready to settle down. Living in Raleigh and Charlotte, this is nothing like living in any of these bigger areas, or even in Greenville. I'm from [inaudible 00:37:51] County. It's super slow, traffic jamming behind tractors, you have 30 minutes to get to Walmart [inaudible 00:37:58]. But when I called, and [inaudible 00:38:03] my profession, because I'm just learning how to do this. I can call my representative and I just know that [inaudible 00:38:10]. They called me back. He explained everything. They're super nice. And I don't remember ever gotten that in Raleigh or in Charlotte, and [inaudible 00:38:23] national really.

So I mean, I just wanted to [inaudible 00:38:27] that hearing and just kind of remember that when you make your minds when you're drawing your map, that the small towns are whole lot different than living in the [inaudible 00:38:55].

Warren Davis ([38:54](#)):

Thank you. [Abby Walsh 00:38:55].

Abby Walsh ([38:54](#)):

Yes, I'm Abby Walsh and I live in Perquimans County and I have for over 18 years. I am not affiliated with any organization, just a concerned citizen. I'm delighted I live in a place where I actually get to meet my representative, and I have several times. This wasn't always the case when I came here 18 years ago, and I like just the way it is now. I'm concerned about the impact of redistricting on the vote. I realize that certain districts have to be redrawn based on the 2020 Census population changes, but I don't think that applies to Perquimans County. We should keep the North Carolina Senate and House district intact, we should keep everything as much as possible intact, so bound together with neighboring counties by a rotation of community businesses and our farms. We have very different needs than the big cities and we just can't be compared to them and we don't want to be part of them. We are rural counties, and the redistrict we could lose our political power, and impact the culture of our rural environment.

We have elected representatives that know what our counties require in order to thrive and they're able to represent our positions effectively and are accountable to us, and that [inaudible 00:40:19].

Warren Davis (40:19):

Thank you. Keith Rivers.

Keith Rivers (40:40):

Good evening. Thank you for being here. Again, I am Keith Rivers, president of Pasquotank County [inaudible 00:40:43] NAACP, as well as the third vice president of the North Carolina State [inaudible 00:40:50]. We feel the-

Male (40:52):

[inaudible 00:40:52]. Can't hear you.

Keith Rivers (40:52):

Hear me now?

Male (40:52):

Yes.

Keith Rivers (40:52):

We know and we understand that redistricting is about more than just drawing lines and putting people in to districts. Redistricting is about funding for education, redistricting is about access to healthcare, redistricting is about law enforcement accountability, redistricting is about voting rights, redistricting is about political representation. Redistricting is about ensuring all counties of shared interest remain intact. For example, in Pasquotank and surrounding counties, if you have satellite you get no North Carolina news. If you have cable, your news comes out of Wilmington which is about 4-1/2 hours away and this is exemplified, this is pushed even harder with the lack of broadband in our communities. So we are asking that our communities remain intact, that these things are taken into accountability and our districts do not stretch from here to Raleigh, North Carolina because we can see that the issues that are pressing in Raleigh are not the issues that are pressing in Pasquotank County. Redistricting is about ensuring that economic progress and wellbeing of North Carolinians, and we want maps that are compact and ensure continuity, ensure that the districts remain together. Thank you.

Warren Davis (42:32):

Thank you. James Sears.

James Sears (43:09):

Good evening. My name is James Sears, I live in the great county of Gates. Gates is just west of the Great Dismal Swamp. Glad to be here today, and I need to say to you that I'm here under the assumption that you just recently got the data from the Census Bureau, [crosstalk 00:43:19] recently got the information from the Census Bureau, and that you are not drawing the plans yet, and that you are seeking input... and you're currently seeking input from citizens with regard to what we'd like to have for redistricting. 20 years ago when we did redistricting, little Gates County got split in half and we thought that that was the most ridiculous thing we'd ever seen. We certainly hope that you would not do anything like that this time. We wish that you would search the information that you have and make a plan that many people here who already noted that you have communities of interest. But that would be what it is that

we would [inaudible 00:44:27] that you would keep our county together if you possibly could. Thank you very much.

Warren Davis (44:36):

Thank you. Wesley Stokes.

Wesley Stokes (44:36):

Good evening. I want to thank the committee for coming out to this area, but I hope that it's not [inaudible 00:45:00]. I hope that you've not come just to get this information and then the legislatures in Raleigh just do what they want to do. My name is Wesley Stokes, I'm from Washington County, I'm the chair of the Washington County Democratic Party. What we're hoping is that when you do this redistricting that you would not do the packing, just packing communities of race together. Our hope is that you will just take the numbers of the people, not [inaudible 00:45:34] affiliation, not with their race, and just group by communities together. The last time redistricting was done, the time before this one, Washington County's a very small county, population of 11,000 people, the eastern tip of the county and the western tip of the county was in one congressional district, and the middle of the county was in another, and it was only done because of race. We are asking that when you do this redistricting that it is not done on that. Thank you.

Warren Davis (44:36):

Thank you. Holly Audet.

Holly Audet (46:34):

Good evening, everyone. I want to thank you all for giving the public the opportunity to give you our input in redistricting. You have a decision that you have to take a number, equal, and divide districts based on a number that's equal, and we're asking you to give consideration to nothing other than that, and here's why. Most people don't understand that the last group that was prohibited by federal law from voting in this country was women. In fact, males got the right to vote 50 years before women by federal law. All women were prohibited from voting for 50 more years past that point. What you're hearing from this community I think the consensus is we don't care what people look like. We don't care their gender, we don't care their race. We live together as a community. Look around, see our diversity. We're telling you that we share things in common. The rest of the world may be obsessed with what people look like, we're not. We care about what we share in common, not what divides us.

And if you take people into our district and take people out of our district, and what you end up with is a conglomeration of people that share nothing in common, you will not give us good representation, because the best possibility of good representation is to take people that share lifetime things in common and give them a representative that they elect who understands what those things are that we share in common. Then they will represent our interests well. So hear us, please. Divide these districts based on population and what communities share in common. That's it. We don't want you monkeying around with the process and tinkering on the edges for any of your other politically motivate purposes. We're in communities together that share common interests. I thank you for the time.

Warren Davis (48:43):

Thank you. Quentin Jackson? While we're waiting for Mr. Jackson, is there anybody in the room who did not get an opportunity to speak or sign up, that would like to do so?

Male ([49:02](#)):

Mr. Chairman, if I could, I'd like recognize somebody again. Mayor Yates back there, the old gentleman with USMC [inaudible 00:49:16], that's the oldest serving man [inaudible 00:49:16] at Little Bighorn [inaudible 00:49:16].

Warren Davis ([49:17](#)):

Mr. Yates, [inaudible 00:49:17].

Male ([49:25](#)):

Sir, [inaudible 00:49:25].

Warren Davis ([49:27](#)):

So Mr. Jackson has declined to speak?

Male ([49:30](#)):

No, sir. I can't find him but if he comes back I'll let you know.

Warren Davis ([49:30](#)):

Okay, well, Mr. Jackson was the last member of folks who had signed up to speak, so if he's not here, then I want to thank everybody again for coming out to this meeting. I want to remind you that this is being videotaped and it will be placed on YouTube [inaudible 00:49:51]. You can find this meeting and would like to watch it or any other of the public meetings is to go to the ncleg.net website, go look under the redistricting tab, there's a link that says video, if you look at video, it will then show the date and the place of the public meeting and you can watch that if you would like. So without any further ado, I do want to thank my colleagues in the House and Senate who came here to be with us tonight, and if there's no further speakers who would like to speak, then this meeting is adjourned. Thank you.

Senator Joyce Krawiec ([00:00:00](#)):

... everybody.

Speaker 1 ([00:00:03](#)):

I'm so vulnerable. I'm so compromised. [crosstalk 00:00:04].

Senator Joyce Krawiec ([00:00:04](#)):

Can you hear me now?

Speaker 1 ([00:00:05](#)):

Mm-hmm (affirmative).

Senator Joyce Krawiec ([00:00:06](#)):

Okay. Welcome to the Joint Committee on Redistricting and Elections at Forsyth Tech. We are so glad to see all of you here. Thank you for being here. And we are here to hear from each of you. And we're going to start by recognizing our sergeant-at-arms, and thank you all for being here. These guys drove in from Raleigh today. John Enlow, he's from the Senate, and then the house sergeant-at-arms are David Layton, thank you. And the general assembly police officers are Officer Hailey Rola-Grande and Officer Thomas Rockford. Thank you all. Thank you all for being here and taking care of us today.

And I'm going to introduce our panel of legislators that are here to hear all of your or comments. My co-chair is Representative Sarah Stevens, and I'm Senator Joyce Krawiec by the way, I need to tell you that. I forgot. Representative Sarah Stevens, Senator Gladys Robinson, Representative Harry Warren, Representative Ashton Clemmons, Senator Natasha Marcus.

Senator Natasha Marcus ([00:01:29](#)):

Hi, everybody.

Senator Joyce Krawiec ([00:01:31](#)):

Senator Michael Garrett, Representative Pricey Harrington.

Speaker 2 ([00:01:37](#)):

Harrison.

Speaker 1 ([00:01:38](#)):

Harris.

Senator Joyce Krawiec ([00:01:39](#)):

Harrison. What did I say?

Speaker 2 ([00:01:41](#)):

[crosstalk 00:01:41].

Senator Joyce Krawiec ([00:01:42](#)):

Kathy. Pricey Harrison. Representative Evelyn Terry. Thank you all for joining me here tonight. We appreciate it. We have a lot of speakers lined up, and each speaker will be allowed two minutes. The sergeant-at-arms will keep the time and they will let you know when your time is winding down and then when your time is up. And we have a lot of speakers and we're looking forward to hearing from all of you. And we will probably have some more maybe sign up tonight, but we're going to start with our list. And our first speaker ... These are folks who signed up previously to tonight, and we're going to go through them first. We have Martha Shafer. Martha Shafer. There she is.

Speaker 1 ([00:02:32](#)):

[inaudible 00:02:32].

Senator Joyce Krawiec ([00:02:33](#)):

And if each speaker will introduce themselves, and if they represent an organization, just let us know what organization it might be.

Martha Shafer ([00:02:42](#)):

Good afternoon. I'm Martha Shafer, a North Carolina native and long-time resident of Guilford County. Can you hear me?

Senator Joyce Krawiec ([00:02:48](#)):

Mm-hmm (affirmative).

Speaker 1 ([00:02:49](#)):

[crosstalk 00:02:49].

Speaker 3 ([00:02:52](#)):

Can they turn it up a little bit? [crosstalk 00:02:57].

Senator Joyce Krawiec ([00:02:57](#)):

Turn it up.

Martha Shafer ([00:02:58](#)):

I'm a member of League of Women Voters and a volunteer with High Point Electoral Reform. I ran for the North Carolina House in 2018, and although I live in Summerfield, I got to know many High Point residents because a section of the city was in the House District I ran in, even though I live far away at the other end of the county. Through these new High Point friends, I came to learn about problems they saw with the way the High Point legislative maps are drawn. Both the Senate and House maps got the influence of Black voters in High Point. I bring today data and maps developed by Black and White citizens of High Point that delineate important communities of concern in High Point whose voting power should be better preserved so its residents can achieve effective and fair representation.

One way to preserve their voting power is to keep High Point whole in the larger Congressional and Senate maps. That has not been the case in the past. For the smaller North Carolina House Districts, each of these communities of concern shouldn't be split nor should they be packed together. Approximately 70% of Black High Point residents, High Point registered voters are in one house district,

House District 60. To me, that raises questions. High Point friends tell me that they think there should be two High Point-centric districts, which would offer them better, more focused representation. The current map only has one High Point-focused district. So please don't slice and dice High Point. It has a history of being treated that way. I know my High Point friends would be here today expressing these concerns if their work schedules permitted it. Thank you very much.

Senator Joyce Krawiec ([00:04:53](#)):

Thank you, Ms. Shafer. Ms. Shafer, the sergeant-at-arms will be glad to take your exhibits if you'd like to.

Martha Shafer ([00:05:05](#)):

[crosstalk 00:05:05].

Senator Joyce Krawiec ([00:05:04](#)):

And we will certainly look at them and take them into consideration. Our next speaker is Demitria Carter.

Demitria Carter ([00:05:11](#)):

Can I take my mask off? Good afternoon. Can everybody hear me? Great. My name is Demitria Carter, I live in High Point. I am a two-year North Carolinian. I moved here in 2019 from the State of Maryland. So I am one of the thousands of reasons for redistricting. I thank and commend all of you for taking on this monumental endeavor. It is a thankless job at the end of which you will either be heroes or villains. I read that you won't be using race in the construction of districts. I applaud that decision, but I am not so naive as to think that in trying to preserve communities, you won't also be preserving racial voting blocks.

I am the great granddaughter of a slave, but I am not a slave. I was born into a segregated society, I no longer live in a segregated society. I have witnessed many changes on racial attitudes and behaviors over a lot of years, I'm 70 years old, and some of it has been downright ugly and nasty. But a lot of what I have seen restores my faith in the ideals of this country, men and women are created equal under God. I also believe in the ideal of one citizen, one vote, not in the fraudulent ideal of one non-citizen, many fraudulent votes. I pray that you do your job fairly, objectively and well. Thank you.

Martha Shafer ([00:07:42](#)):

Thank you, Ms. Carter. Next we have Anne Morris. And after Ms. Morris is Joshua Fox Brown, so if you would be getting ready.

Anne Morris ([00:08:03](#)):

Good afternoon. My name is Anne Morris, and I'm a resident of Greensboro, having lived there a total of 28 years. I'm here as a private citizen, not representing any group. I'm a retired journalist and I now stay busy volunteering in my community. I remember well when Greensboro was split into two congressional districts and how confusing it was. For example, I volunteer through my church with church World Service resettling refugees. On several occasions, the volunteers wanted to meet with our congressional representative to express our views on policies that were affecting refugees. We had to reach out to both representatives because our group, all of whom were from Greensboro, had different representatives. This was very cumbersome and confusing. At my church in Greensboro, I helped to organize an offering of letters on hunger issues. And even within the same church, we had different

representatives in Congress. People needed help knowing who their representative even was so they knew how to address their letter. It's essential to keep Greensboro together in one district.

Also, I ask that you please keep Greensboro in the same district with High Point and Winston-Salem. We're urban areas that share much in common as part of the Piedmont Triad. All three cities are home to diverse populations, including large and growing refugee communities. All three cities face challenges with poverty and hunger insecurity. In fact, in 2020, the Greensboro, High Point area was ranked 14th worst in the country in terms of food insecurity. Our economic futures are bound together as most large employers draw from all three workforces. Our airport serves as an important employment hub. Having one congressional representative gives the Piedmont Triad effective representation, so please keep us together in one district. Thank you very much for taking my comment.

Senator Joyce Krawiec ([00:10:09](#)):

Thank you, Ms. Morris. And after Joshua is Claire Stone, if she would be getting prepared.

Joshua Fox Brown ([00:10:25](#)):

Good afternoon, everyone. My name is Joshua Brown. Some of you all up there actually know me as Fox as well. And for those who don't recognize me, I was part of a case on this very subject a few years ago, as one of two voter plaintiffs in who testified in front of a three-judge panel talking about this. So there's a much longer version of my thoughts on the court record. But I want to speak today as now the leader of the Progressive Democrats of Guilford County and in many other roles. And as someone who has lived for over a decade now in my house on East Lexington Avenue, located in precinct H12 of High Point, North Carolina in Guilford County.

During the time I've lived in my neighborhood, I've noticed that sometimes we are divided from our neighbors in the different districts in ways that don't always make sense. For example, some neighbors just down on the street for me in either direction are drawn into different State Senate districts than mine. I don't think that makes sense if you understand what defines our neighborhood culturally and geographically. When you look beyond precinct lines, I believe our neighborhood includes a lot of the area east of Main Street, west of the Five Points area around the interchange with Interstate 74, south of East Chester Drive and generally surrounding High Point University.

And I say that because East Lexington Avenue is more a point of connection through this area of High Point, rather than a line of division between us. So I ask that we look for ways to use a county border, city limit, a river, a major highway, or any other significant and recognizable natural or manmade lines or borders to define our districts whenever possible. And although we are happy that being a resident of any part of Guilford County now means we have the same congressional representative, some previous maps had divided parts of Guilford County, such as where I live, into combinations with our counties that don't always share the same concerns as people in my city, especially when placed in the districts that are made up of mostly rural counties. So what I'm here to ask for are lines that keep neighbors together instead of dividing us unnecessarily. My hope is that one day ... I'm out of time apparently. I'll offer my comments in writing. Thank you.

Senator Joyce Krawiec ([00:12:38](#)):

Thank you, Mr. Brown. Claire Stone. Is Claire Stone here? Claire apparently is not here. Kathy Wheeler. And after Kathy will be Wendell Schollander.

Kathy Wheeler ([00:13:11](#)):



My name is Kathy Wheeler and I live in Guilford County in Summerfield. I moved to Guilford County in 1995, working downtown in Greensboro and retiring in 2010. While I reside in Summerfield, I engage in activities and interest in communities across my county, including Greensboro, Winston-Salem and High Point. So I have a few concerns on them as several others have already expressed. I believe that High Point, Greensboro and Winston-Salem should be kept together in the current congressional district. They share common problems and common characteristics so much so that our area is known by one name, the Piedmont Triad. Our city share many of the same problems, housing, food insecurity, transportation issues, to name a few, so it makes sense that the best way to address problems is collectively with one representative who can focus on these issues for all of us. This has worked well and should continue.

High Point residents shouldn't be split across NC Senate districts. When they are, the voices are overshadowed by those of the larger district they're put in. Again, keeping the communities together so a state senator can focus on solving the problems of that community for all its residents and not just some of them. It also makes sense to me that all of Summerfield should be put together in an NC House District with areas close to it that share the same issues related to schools, transportation, recreation, businesses. That way, all residents can have their concerns, again, addressed by a representative who can focus on those concerns and not have to pick and choose which part of the district he/she should focus on. Now, part of Summerfield is split off in a district with part of High Point which has very different needs and concerns. Thank you for receiving my comments.

Senator Joyce Krawiec ([00:15:11](#)):

Thank you, Ms. Wheeler. And after Mr. Schollander is Harold Eustache.

Wendell Schollander ([00:15:22](#)):

Good evening. My name is Wes Schollander. I thank the panel for taking time to be here tonight. I, myself came out because it's my understanding that there's some talk of the legislature delegating their authority and responsibility for drawing these districts to a committee. And I came out because I wanted to address that. We're talking about changing a major overhaul of our system, a system that's been in place for hundreds of years. I think we should be circumspect before we make such changes. Our current system has one benefit that no alternative has, the legislature is directly answerable to the people. If you assign this to a committee, there's just going to be one more layer between the decision-makers and the people. I don't think there will be any direct accountability to the people.

I also have concerns about the nature of the committee. Any statewide committee tends to become a creature of Raleigh. Right now, all parts of the state have representation in drawing these districts, the west, Clay County, Graham, Cherokee, down east, the towns of Edgecombe, Tarboro and Martin, they'll all be heard. I myself got redistricted just this last time, this last redistricting, at least I had a local representative who could communicate with me about it. I don't think members of the committee are going to communicate with the public as well as your staffs do. Right now, Western Forsyth County, Davie, Stokes, all over the state, Cherokee, they all have representation. I hope that you keep the system as it is and don't delegate or issue your authority to a committee.

Senator Joyce Krawiec ([00:17:36](#)):

Thank you, Mr. Schollander. Mr. Eustache, and Charles Tally will be next.

Harold Eustache ([00:17:48](#)):

Good afternoon, panel. My name's Harold Eustache. I am the Vice Chairman of the Forsyth County Republican Party, and I'm the President of the Forsyth County Criminal Trial Lawyers Association. First, I think it's important to talk about how we got here. We got here where there was 100 years of Democrat rule between 1910 and 2010. 100. Now, that's the same state in which between 1980 and 2020, a Republican has won every single presidential election except for 2008, in which a Democrat won by 14,000 votes. And we got there because those districts were gerrymandered. So in 2010, Republicans won on districts that were written by Democrats. And now we've had millions and millions of dollars in lawsuits. But in the last year, I am asking, in the last year we've had the courts rule and give us guidance on how to proceed. And I think what we're asking for is for this panel and the state legislature to proceed on what the court has asked. That would be not taking into account race, not taking into account a person's partisanship and drawing these districts.

An independent commission. An "independent commission" won't be so independent. The North Carolina Constitution mandates that the state legislature, and the state legislature alone, the general assembly is responsible for drawing these districts, not an independent commission. This general assembly is made by the voters. The voters vote for them to represent us and draw these districts. So we are asking that race not be taken into account, partisanship not be taken into account, that communities remain whole and counties remain whole as can be done, and we don't have an independent commission because we don't need one. Thank you.

Senator Joyce Krawiec ([00:19:59](#)):

Thank you, Mr. Eustache. Charles Tally. Charles Tally. Kevin Spate. Kevin Spate. Welcome. And next will be Linda Garrou.

Kevin Spate ([00:20:19](#)):

Thank you, members of the panel and assembled guests here today. Redistricting has become an expensive, disruptive pass time in North Carolina, frequently fueled by ... Okay. Excuse me. Redistricting has become an expensive, disruptive pass time in North Carolina, most of the time fueled by lawsuits. This has disenfranchised and confused voters who frequently don't even know who represents them because of how many times they've been redistricted. There's been gerrymandering in the past. For many years, I was in Mel Watt's district in the 12th District, which if you looked it up in the dictionary was the definition of gerrymandering. The legislature and general assembly has put forward this year fair and direct rationale for the redistricting. It follows the most recently court-ordered redistricting process, which ignores both partisanship and race and it keeps communities together geographically. That's what we should do, and we should quit suing each other about it.

Senator Joyce Krawiec ([00:21:28](#)):

Thank you, Mr. Spate. Also, I want to introduce my colleague, Senator Paul Lowe has joined us late. So welcome Senator Lowe, we're glad you're here.

Senator Paul Lowe ([00:21:40](#)):

Thank you for being here. My wife is recovering from a knee operation, so I'm so thankful for the many of you that offered your prayers and thoughts. Thank you so much.

Senator Joyce Krawiec ([00:21:52](#)):

Ms. Garrou, you're recognized.

Linda Garrou ([00:21:53](#)):

Thank you. We're glad to be here in Forsyth County, Senator Krawiec and Senator Paul Lowe's district, and we wish Evelyn a happy birthday today. What a way to celebrate your birthday? We're so glad that you're having a birthday. It's a great day. Certainly the man before me mentioned the issue of spending money on court cases. And I believe in this year, particularly now that we've learned and we've realized how important it is that the legislature uses the congressional and legislative district, excuse me, based on computer layout, this is something that hadn't happened until the last few years.

I would urge you to think carefully as you begin and you work on drawing your districts. Also, keep in mind that we in the public are very well aware of the voter issues that are suppressing voters. It's not a really good sign. We read the paper every day how people don't have faith in their government, and we want to have faith in you as our North Carolina delegation. We want to know that we can depend on you to do the right thing. And I hope that you will and thank you for the opportunity to speak today.

Senator Joyce Krawiec ([00:23:15](#)):

Thank you, Ms. Garrou. Craig Schaub is next. And after Mr. Schaub is Willard Bass.

Rev. Craig Schaub ([00:23:26](#)):

Thank you for being here this afternoon to listen to our concerns. My name is Reverend Craig Schaub, I serve a church that hosts precinct 704, just across the road from here. I live here in Winston-Salem in precinct 705. I took a quick look at the data of my precinct, I came to find out that 34% of registered voters are unaffiliated. That means that more than a third of my neighbors care more about issues than about party. I've spent the last decade in our community working on nonpartisan issue campaigns, talking with my neighbors who hold a variety of perspectives, who are interested in facts, in solid arguments, and I dare say interested in the common good.

Unfortunately, in some of the recent elections and maybe some legislative work, the common good feels like it gets overshadowed by appeals to this or that voter base. That's the climate we live in. But I believe some of it is also fueled by past redistricting, stacking and packing districts that guarantee election outcomes, regardless effects and good arguments. So I appeal to your sense of common good for the sake of democracy in this state. That goes for this process as well, provide virtual opportunities other than a comment forum so people can be a part of this process right now. Give us opportunity to comment on the draft maps later this fall. Take communities of concern and contiguity as very high guides for districting. Put healthy public dialogue on the issues first before numbers of registered Democrats and Republicans. Hold fast to the vision of a common good. Thank you.

Senator Joyce Krawiec ([00:25:28](#)):

Thank you, Mr. Schaub. Willard Bass is next, and after Mr. Bass is Tara Blomquist.

Willard Bass ([00:25:41](#)):

Good afternoon. My name is Willard Bass, I am the Director of the Institute for Dismounting Racism, a member of the Ministers Conference in Winston-Salem vicinity, and also the co-founder of the Justice Collective in Winston-Salem. I grew up in this states. I remember my first involvement with politics as a college student, I was appointed the job of going out to one of the local voting sites and inspecting the ballot box. And I remember I was going out into the county and I walked up in there and there's a lot of folks that didn't look like me, and I just had to have the courage to go up there and say, "I'm here as a

representative of this democracy, and I want to see the ballot box," and they allowed me to see the ballot box. And so I remember that as a way our democracy works.

And I come here today to say to you that we must have a transparent and a fair redistricting. Our nation is in a state now where it could go either way, if you will, but we have to be certain that we do the right thing. And so I am asking you all as the leaders, if you will, of this government to work hard, to represent your districts, but also to make sure we, as citizens, as people of North Carolina, have the opportunity to vote for people that we want to vote for and have the opportunity to put people in office that would work on the issues that are important to us. Our nation is in a turmoil right now, you can make the difference. You and your decisions can make a difference. Our nation needs you, our state needs you and our cities need you. Thank you and do the right thing.

Senator Joyce Krawiec ([00:27:14](#)):

Thank you, Mr. Bass. Tara Blomquist. And Ron Moxley will follow Ms. Blomquist.

Tara Blomquist ([00:27:27](#)):

Good afternoon. My name is Tara Blomquist. I've been a resident of High Point for many years and have been shuffled around in voting districts until I'm hardly sure who represents me. I've worked in High Point at the showrooms, painting murals as a freelancer, and it's been hard to see the city struggling since the outsourcing of furniture manufacturers to cheap overseas sources. Jobs are not as plentiful nor lucrative as they once were and an increase in the minimum wage-

PART 1 OF 4 ENDS [00:28:04]

Ms. Blomquist ([00:28:00](#)):

Lucrative as they once were and an increase in the minimum wage would go a long way in easing some of that pain because high point voters have been grouped together with Randolph county voters. The people of this city have had their voices diluted. We need to keep this city whole as the Senate district. So we can elect some who will have consideration for those whose voices have been ignored for too long. This is an opportunity to write a wrong and thank you for taking my comment.

Senator Joyce Krawiec ([00:28:32](#)):

Thank you, Ms. Blomquist, Ron Moxley, And after Mr. Moxley will be Judy Derr.

Ron Moxley ([00:28:44](#)):

Thank you for holding these hearings. I hope that you'll hold more. After we hear the figures that come out, I want to concur with a lot of what's been said earlier. I should say I'm from High Point, have lived there for half my life now. I can hardly believe it, but it's true. So a lot of the things that focused on the joint problems of all of these three towns, High Point Winston-Salem and Greensboro and I concur with that, whether it's hunger, law enforcement issues, crime, social issues, we all share them. And one thing it's mostly possible even for the congressional seat to occupy or to take into account all of these three cities, the majority of the population. In other words, things are better when urban areas can be all kept together.

Otherwise, I want to say that I'm really a supportive of nonpartisan commission. The reason for that is that way, in the end, voters choose representatives and not representatives choosing voters. We all know what gerrymandering is. I didn't look it up this time around, but I'm sure some guy named

Gerry was involved and that it has to do with the shape of things, right? So at this time we really... I lived through an era when there was one party government, and there was corruption. I've been alive long enough to know that. In the past 10 years, it's been another party, and not that there's been corruption as much as there's just been the abuse of power that comes when you're in charge. So I have to say, I don't think that legislators can do this in the fairest way, but give it a shot because your job is to help all of us to have democracy better. That's all we can ask. Thank you.

Senator Joyce Krawiec ([00:30:49](#)):

Thank you, Mr. Boxley. Judy Derr and following Ms. Derr is Sandra Robinson.

Judy Derr ([00:31:03](#)):

Hello. My name is Judy Derr. I live in Knoxville in Davy county. I'm here today to ask the redistricting committee to consider three items. Number one, when the congressional and legislative districts are redrawn, please don't split up communities. That is to say as much as is possible. Don't split cities into two separate districts or smaller counties into two districts. People that have chosen to live together in one place should be able to vote together for the same representative. Number two, I'd like to see proportional representation in North Carolina. We are a purple state, therefore, our representative representation should be roughly 50/50 between the two major parties. New redistricting should reflect this. Number three, please consider the need for one more meeting. After you tentatively redraw the new districts. Currently, there's only one meeting scheduled in Raleigh for this discussion. More are needed throughout the state so that you can better understand the thoughts and needs of your constituents. Thank you. Thank you very much for your time.

Linda Dark ([00:32:17](#)):

Thank you, Ms. Derr. Sandra Robinson, and after Ms. Robinson is Steven Boyd.

Sandra Robinson ([00:32:31](#)):

First of all, thank you for being here and doing the redistricting work for all of North Carolina citizens. I'm Sandra Robinson here with all on the line, and I live in King, North Carolina. I'm concerned about the redistricting of our state to unfairly advantage one political party. One of the founding principles of our country was Liberty. Favoring one party over another in a district ensures one party's candidate always wins in those districts. On the other side of that coin, the freedom of the other party's voters to know that their vote counts is stripped away. Statistically speaking, the party gerrymandered out of that district's voting population will not win. This is disenfranchisement of all the voters whose party was gerrymandered out of that district. Their votes essentially do not count. Fairness is what compelled me to speak here today. If we look at the 2020 election in North Carolina, the two races at the entire state voted in the presidential race and the race for governor. We basically see a purple state.

Donald Trump received 74,000 more votes than Joe Biden, or 1.4% of the total votes cast. Roy Cooper received approximately 248,000 more votes in his competitor or less than 5% more than Dan Forrest. If I were an outside observer with no other data than the above about the state, I would come to the conclusion North Carolina it's fairly equally split between democratic and Republican parties. However, when drilling down a bit further to the US house, NC Senate, North Carolina house, and come up maps, they're pretty much red. Redistricting with each census offers us the opportunity every 10 years to draw district lines based on population changes. When either party tries to take advantage of this to ensure their can will win, we all lose. The best, most recent evidence of this was in 2010 when

the Republican party via red map or redistricting majority project worked to solicit donations to help ensure North Carolina, Florida, and other legislatures were controlled by Republicans.

This allowed Republicans to redistrict those states so that even though the Democrats won the White House and the Senate in 2012 and had a 1.4 million vote majority for house candidates that walked away from the election as a minority party in the house with 33 seats less than the Republicans. We have amended the constitution to protect the rights of minorities and women, and to ensure their right to vote. Yet, we have not turned into a socialist state, the rallying cry of those who are afraid of each and every vote county. We are a pluralistic diverse society, and it's high time we act like it and redistrict fairly to ensure that every vote counts.

Senator Joyce Krawiec ([00:34:50](#)):

Thank you, Ms. Robinson and Steven Boyd and our representative Amber Baker from here in Winston Salem has joined us, so welcome Representative Baker. We're glad you're here. Mr. Boyd and following Mr. Boyd will be Bronnie Vanderwerker.

Steven Boyd ([00:35:10](#)):

My name is Steven Boyd. I'm here on behalf of the justice team of the Parkway United Church of Christ, which is across the street. We're a faith community of people who live around all around foresight county. We're active in community, volunteering in various not-for-profits throughout the county. We're intentional about reflecting what our faith has to do with the issues of the day. Currently, our membership is divided between two US house of representative districts. So it's difficult for us to work together in speaking to our congressional representation. We urge you to keep Forsyth county together when it comes to dividing up our state into now 14 congressional districts.

We are very disappointed in some of the criteria the general assembly so quickly voted on in August. We feel the addresses of current legislators should not be taken into consideration. Data on race should be used as we continue to live under provisions of the voting rights act. Finally, the voices of people in the community and their concerns should also take precedence. We expect to have more opportunity for public discussion after the draft maps are released. Please give enough time in the process for broad participation by the people of North Carolina in this decision, including language options and virtual participation options. We urge fairness, openness and timeliness in this redistricting process. Thank you for your attention.

Senator Joyce Krawiec ([00:36:35](#)):

Thank you, Mr. Boyd. Bronnie Vanderwerker and follow Ms. Vanderworker is Tina Forsberg.

Bronnie Vanderwerker ([00:36:44](#)):

I'm here today from Summerfield, and I could just say 'ditto' to a lot of what I've just heard and save you a lot of time, but in keeping with repetition that I'm sure you were expecting today, I'll go ahead and tell you my opinion. I'm here today as a private citizen and a taxpayer. I did a little bit of research on redistricting, and I've learned that's been a point of contention for many years. A lot of fighting resulting in partisan name calling and legal challenges that has cost taxpayers millions of dollars. As a taxpayer, that makes me mad. Our legislators have been transparent in the process as I have read it, and it appears to me that the criteria that they're going to use for the 2021 redistrict team will be fair and balanced with only minor exceptions. I hope that is the case. I would like for the name calling to stop and the fighting, and get on with the redistricting. I have full confidence in our legislators to carry out



this job fairly, and it is my hope that they will be able to do so without further costly challenges to the taxpayers.

Senator Joyce Krawiec ([00:37:54](#)):

Thank you, Ms. Vanderwerker. Tina Forsberg and following Ms. Forsberg will be Anne Schlomer.

Tina Forsberg ([00:38:02](#)):

Thank you so much for coming out to listen to us. I too echo, and for people who don't know me, my name's Tina Forsberg. I live in Greensboro and 15 years ago, a small infant boy was dropped into hands, my first grandson. That was my political awakening, and when I started my volunteer career as a Republican volunteer, and I stand here today as the chairwoman of the sixth district. We are standing here in a district that is Democrat plus 18 points, and yet I'm still here. I'm still working on it, and I appreciate everyone coming out to talk to us. I do think that our process is just fine right now. I think that you guys have the ability to look at the computer and know where people live.

Somebody who said they think it needs to be a nonpartisan board, there really aren't any nonpartisans as other people have said, because we're all working around issues that are important to us. So if you look at the Democrat platform and the Republican platform, you'll see issues and people tend to go one way or the other. So I do hope you'll look at those statistics. I know you're going to come up with a fair process. It's apparent you all have good working relationship, and I appreciate that. I will make one last pitch since I got the one minute mark for my own personal Don Quixote cause, and that is I don't think there should be any such thing as a D plus 18 or in R plus 20. I think we need to have competitive districts. I think competitive districts will result in responsive elected officials, responsive staff of those elected officials. I also believe it'll result in better voter turnout and people really thinking that their vote can make a difference. So thank you very much.

Senator Joyce Krawiec ([00:39:51](#)):

Thank you, Ms. Forsberg. Erin Schlomer and following Erin will be Al Jabar.

Erin Schlomer ([00:40:03](#)):

Hi. I am from High Point and I have a very simple message. All elected officials from president to local office should take an afternoon to read and highlight their individual roles defined in the US constitution and the North Carolina constitution. America is unique because we are a country ruled by laws, not men. The citizens across the political spectrum, right to left, are all becoming well versed in their rights. We know when the constitution is being followed and we will not accept it when it is not. North Carolina general assembly was elected to redistrict. Stop wasting time and our tax dollars stewing over this decision. Let's move forward. Thank you.

Senator Joyce Krawiec ([00:40:54](#)):

Thank you, Al Jabar and following Mr. Jabar will be Robert Frederick.

Al Jabar ([00:41:00](#)):

Good afternoon. My name is Al [inaudible 00:41:04] Jabar. I am the president of Forsyth county NAACP. There are a couple of things I would like to share with you today. One: districts must be drawn that are compact. The current mapping for Forsyth and Gifford are not. Noncompact districts confuse voters, split communities of interests, and are often drawn to benefit certain voters or certain political parties.

Districts must be drawn that do not split precincts. Split precincts confuse voters, make it harder to administer elections, and often used to benefit certain incompetence or certain political parties. Cities and towns should not be divided unnecessarily to protect incompetence or a particular political party. Legislators should consider communities of interest and not divide them to protect incompetence or political groups. African American voters shall not be packed into a few districts through racial gerrymandering to diminish their voices. Democratic voters should not be packed into a few districts through the partisan gerrymandering to diminish their votes. When we fight, we win.

Senator Joyce Krawiec ([00:42:37](#)):

Thank you, Mr. Jabar. Robert Frederick is next and following Mr. Frederick is Beverly McFadden.

Robert Frederick ([00:42:49](#)):

Thank you, and good afternoon. My name is Robert Frederick and I live in Jamestown, North Carolina, named after a Quaker, not a king. That's the one in Virginia. Our community of 4,000 people is nestled between High Point and Greensboro. It shares borders with both. Until Jamestown's mill shut down just over a decade ago, it was the oldest continually operating cotton mill in the United States. The shutdown of the mill was pretty tough on our community. Jamestown still has some empty storefronts on main street, but there aren't any empty houses. That's because a lot of people who work in high in Greensboro now live in Jamestown. That includes our family. We moved from to Jamestown from High Point. We work, play, and pray in Jamestown, High Point, and Greensboro.

Over the past decade, however, political maps have split our communities up. For example, right now, Jamestown, and a part of South High Point, is in a North Carolina Senate District, District 26 with all of Randolph county. We don't work, play or pray in Randolph county. We live in Gilford county. We're not even close to the border and because of gerrymandering of over the past decade, both racial and partisan gerrymandering that was ruled to be illegal, our maps, and therefore our representation, kept changing. That makes it difficult to advocate for our community's needs. Jamestown should be kept whole and together with the communities we work, play and pray in, Greensboro and High Point. And maps need to be fair so they don't keep getting repeatedly thrown out and redrawn for being illegal. Thank you for your attention and for your consideration.

Senator Joyce Krawiec ([00:44:54](#)):

Thank you. Mr. Frederick. Beverly McFadden, and following Ms. McFadden is Frederick Terry.

Beverly McFadden ([00:45:05](#)):

My name is Beverly Bernice McFadden from precinct 403. It is time to take political fear off the table. My question to all of you: why are some politicians afraid to position themselves within the arms of rightness? I am standing here making this simple request. Trickery and deception should not come into play, but fairness and equity should be in place. Place the power of the people squarely on their shoulders by allowing the maps to be drawn without smokes and mirrors. It is time to do what is right for all. Allow me to quote Webster's dictionary concerning equity. It states, "Justice, according to the natural law of right, specifically freedom from bias and favoritism." Don't allow this process to have the appearance of rightness. When our political system operates within clarity and honesty, we all are winners.

Senator Joyce Krawiec ([00:46:20](#)):



Thank you, Ms. McFadden. Frederick Terry and following Mr. Terry is Pat Blackburn.

Frederick Terry ([00:46:37](#)):

Good afternoon. Again, my name is Fred Terry, live here in for side county representing precinct 501. And I would be remiss if I didn't publicly wish my bride, "happy birthday." Redistricting. I stand before you today, having come to North Carolina from a small town in New York, back in the 60's, I began work in politics, working for Representative Fry when he was first elected back in 1968. I've seen gerrymandering and all these other formations of Forsyth county and Winston-Salem over the years. Some good, some not so good. This is the second time that Winston-Salem was in one district. First time we've never had Forsyth county in one district by itself. Redistricting is important. Gerrymandering for power is not a good thing for democracy. I asked you to consider fairness and equity in redistricting. Thank you.

Senator Joyce Krawiec ([00:48:19](#)):

Thank you, Mr. Terry. Pat Blackburn, and following Pat Blackburn will be Chanel James.

Pat Blackburn ([00:48:37](#)):

Hello, my name's Pat Blackburn. Thank you for the opportunity to address you today. I am a constituent here in Forsyth County. I pay my taxes and it really bothers me when we sue each other and the only people who really win are the lawyers. Sorry, Harold. So, partisans and special interest groups were still fighting, and I've been watching your committee hearings and it seems like a precursor for more litigation and that bothers me. We found a litmus for criteria for making maps. That was when the court ruled in 2019. The rules should be don't use past election results, don't use party registration, don't use data on race. Then it also seems that the voters would like us to keep the counties as whole as possible. Sounds simple. But then we have this new wrinkle thrown into the matrix and that's the wrinkle of communities of concern or communities of interest. I got a problem with that. You see interest concentrated in one area. Why should that interest have more political clout than interest of the entire state? And then another question, is it the state's job to protect interest?

You know, communities of interest. That criteria is a little fuzzy to me. Which communities are you going to protect? We as voters are individuals and we all have different interests and not all of us vote one party or the other, and not all of us are single interest voters. We have many interests. So this idea of community interest seems like something that you were trying to avoid and all that litigation about gerrymandering. So if you want to draw a fair map, use the rules that you have that worked in 2019 and stop wasting our taxpayer dollars. Stop the lawsuits. Thank you.

Senator Joyce Krawiec ([00:50:40](#)):

Thank you, Ms. Blackburn. Chanel James is next, and following Ms. James will be Linda Dark.

Chanel James ([00:51:00](#)):

Good evening. I am happy to be here to speak for my community. I am from Gilford County, North Carolina. I rolled out of the Hills of Western North Carolina 25 years ago, and I have not left. I want to speak to two important issues. If you don't want lawsuits about districts in North Carolina, then you should include people in the conversation about districts in North Carolina, because when people consider their districts, they are fighting for their lives. When I was a part of a lawsuit in the state of

North Carolina, I was fighting for my life. I was fighting for justice. I was fighting against food deserts and what we could do about that. I was fighting for living wages in North Carolina.

So I'm going to use everything I can to make sure my districts reflect what people need, because let me get it straight for you. Everybody votes and chooses based on their interest. So I ask that you look at your criteria, look at community of interest, and please understand that a consideration for race is not the same thing as racism. We've got to get that clear. I am asking you to look at two things. One, how can we get more people to participate in these hearings? I can't talk to you really about these maps because we haven't seen them yet. So I'm asking how can you start to hear more of the voices of people who you say you represent? Where are these additional meetings going to be? How are we going to get to you so we can talk to you and tell you what's in our best interest? And then the next thing I'm going to say is thank you.

Senator Joyce Krawiec ([00:53:01](#)):

Thank you, Ms. James. Linda Dark is next and following Ms. Dark is Lee Sudbrink.

Linda Dark ([00:53:18](#)):

My name is Linda Dark. I'm a native of Forsyth County. I have voted in every election since I became eligible, up ballot, down ballot, and I'll continue. My area, my neighborhood is close to Forsyth Medical Center, the Haynes Mall area and the Sams and Costco retail warehouses. We also do not want our community split or connected with a total different district. Before the last election, Forsyth County was linked with Watauga county, which is 84 miles from me. Thankfully, we then got linked with Gilford 23 miles away where I attended UNCG. And that makes much more sense. Allow us pleased to stay in our own district. So I request no more gerrymandering from Republican or Democrats. No gerrymandering and no more voter restrictions. Don't we have enough already? I request more public education about redistricting. How did we have over 60 hearings the last time and today I think it's about 14? That doesn't make any sense to me.

I do not want packing, as other people have said, of districts, or protecting the addresses of current elected officials. We should have opportunity for competition. We should elect our representatives. There should not be favoritism. Finally, hearings and education should take place after the maps are drawn as well. In closing, I don't know whether you have children, but we always tell our kids 'just play fair.' You can do this process impartially if you'll just do it. Just play fair.

Senator Joyce Krawiec ([00:55:17](#)):

Thank you, ma'am. Lee Sudbrink, and following Ms. Sudbrink is Maria Mallorca.

Lee Sudbrink ([00:55:29](#)):

Hello, my name is Lee Sudbrink, and I'm here representing myself. I have lived in Gilford County for 31 years, and I think you've heard a repetitive theme, fairness not slanted to one party or the other, a fair fight. My congressional district is an 18 plus Democrat district. Of course, the candidate put forth by the 18 plus party won. Never has the opposing party won against an 18 plus district.

PART 2 OF 4 ENDS [00:56:04]

Speaker 4 ([00:56:00](#)):

One against an 18+ district, a candidate in such an imbalanced district has no motivation to reach out to the disadvantaged party citizens. The seat is simply and basically handed over to the favored candidate. That's not representative of the citizens, and this is not democracy at work. This is not looking out for all the views of all of the citizens in the district. And this is not a legitimate win for the 18+ favored candidate. Plus all this redistricting confuses the voters. I've been in district 6, 13, now I'm back in 6 again. Do right by the voters and make these districts competitive for all candidates, not just one party. Thank you.

Senator Joyce Krawiec (00:57:01):

Thank you, Miss [inaudible 00:57:04]. Maria Mallora and following Ms. Mallorca is Ken Raymond.

Maria Mallorca (00:57:17):

Hello, my name is Maria Mallorca and I am here as a resident of Jamestown, North Carolina, that city that is packed in between Gilford county so we get to claim Gilford county, right? So I am here to highlight just what everyone has said, right? Fair and transparency, which is something we haven't seen of this committee of the NC general assembly for the past year. As a Latina, right? Like one of three in this room, right? I'm here to tell you that we want to see the stop the segregation that happens in our neighborhoods, communities. We can see this in our bus stops, in the schools, right? We want this to stop, in order to stop fulfilling your political agenda. According to the North Carolina census in 2020, North Carolina saw an increase of that Latino community, community that looks like me, by 40%. In this same manner, all minorities increased.

I have a chart here, which I can share later on. And communities of color... It's on my phone, yeah, raised an increase by 20%, 11%, 3% and 6%. So we are tired of our community and our elected officials not being represented by people that look like us. We are tired of having individuals in power who don't look like us or have our interest at heart. So yes, we are those communities of interest that need to be represented. That need to be heard because you are talking that in your criteria you do not include race, well that hasn't been the example for North Carolina, because we know gerrymandering is about to happen again. So I ask that you allow the public to help you draw these maps have a before and after meeting for us to review and edit these maps. And again for Gilford county community to stay united and stop dividing the rural areas as our black and brown communities who need more resources and access to funding are limited because of the unjust lines that currently exist. Thank you.

Senator Joyce Krawiec (00:59:09):

Thank you, Ms. Mallorca. Next is Ken Raymond, and then following Mr. Raymond is Jim Saintsing.

Ken Raymond (00:59:25):

My name is Ken Raymond. I've lived in Winston-Salem for over 30 years and I'm chairman of Forsyth County Republican Party. Would Like to thank the members of redistricting committee for holding the statewide public hearing. It definitely helps with transparency and considering all the questions regarding elections this year, transparency is certainly what we need. I'd also like to say regarding the final decision about North Carolina's congressional state house and district lines that they should be based on guidelines, standards and ideals that bind us together and unite us as citizens and not things that divide us such as race or party affiliation. These things divide people in our state. And when decisions are made based on race or party affiliations, it does nothing but generate strife and bitterness among us. The last time the general assembly went through the redistricting process the following 10 years were marred with lawsuit, after lawsuit, after lawsuit.

And all of these things were because the lawsuits were based on divisive issues. One of the most important things that binds us and unites us as citizens of North Carolina is our state constitution and our state laws. As free citizens, black, white, Hispanic, Republican, or Democrat, the people of North Carolina approved of a state constitution as free citizens, black, white, Hispanic, or Republican or Democrat. The people of North Carolina elected a legislative body, which passed the laws that we as citizens must follow. So therefore the decision regarding our district lines should be based on the state constitution and our state laws. These things bind us, not race, party affiliations or things like that. These things generate strife. Thank you very much.

Senator Joyce Krawiec ([01:01:22](#)):

Thank you Mr. Raymond, Jim Saintsing and following Mr. Saintsing is Tyler Beal.

Jim Saintsing ([01:01:33](#)):

My name's Jim Saintsing. My wife and I have lived in Greensboro since 1985 and raised our family there. We've lived through many efforts to bind the cities of the Piedmont triad more closely to each other. And it hasn't always felt natural for them to be together, their natural and historic rivalries and differences, but it is inevitable that they will grow more and more together as a natural cohesive unit, a community if you will. Among other many interests, they have common interests in replacing old industries with new ones and in educating their citizens to lead and work in the new and developing economy. We need a common voice in the U.S. House. And for that reason, I urge you to substantially retain the present map of the sixth district in the U.S. house. Thank you.

Senator Joyce Krawiec ([01:02:27](#)):

Thank you, Mr. Saintsing. Tyler Beal. And following Mr. Bill is Steve Bird.

Tyler Beal ([01:02:40](#)):

My name is Tyler Beal. I have a friend who struggled to get on Medicaid because she fell into what is politically known as the Medicaid gap. The same gap that my sister's mother and other family and friends still find themselves in today. Fortunately, my friend Canada Moyer passed away in 2019 because the NCGA still has not resolved this gap. To the current NCGA redistricting committee and larger NCGA body, you have already been called out for your shenanigans as it relates to gerrymandering and common cause would be Lewis. Surgical precision. That was their exact words. If you were able to find and be that particular last time, then please do not waste the time, money and productivity of the 10.5 million people living in this great state. If you can't win a competitive nonpartisan campaign on your own merits, then pull yourself up, work harder and triumph.

If not today, maybe tomorrow, our communities are filled with pride and integrity and robbing or limiting our right to vote for the sake of a political party is my definition of a politician. Stop being a politician and start being a public servant. A public servant looks after their community, pursues public, not personal or partisan interests. And a public servant doesn't let citizens across the state go without clean food, clean water, shelter, education, or healthcare. Being a politician means intrinsically holding onto power for the sake of holding power while a public servant lifts others up in the communities so that in the end we all succeed. Every day is election day for you elected officials. And I hope that you'll vote to be a public servant so as a community we can start voting politicians out. I urge you to avoid partisan gerrymanderings that we can fund our schools and implement statewide broadband, progressively fight climate change through an innovative overhaul of our economy. And finally close the Medicaid gap.

Senator Joyce Krawiec ([01:04:46](#)):

Thank you, Mr. Beal. Next is Steve Bird and following Mr. Bird is Christopher [inaudible 01:04:56].

Steve Bird ([01:04:59](#)):

Hello, everybody. Can you hear me? Okay. I'm Steve Bird. And I live in the south side neighborhood in the southeast corner of downtown Greensboro. It's traditional neighborhood layout, which allows the kids in the neighborhood to play outside in groups like decades past. We are diverse in both race and income in my neighborhood. When my daughter, now 15, was younger, we would joke that she was growing up on Sesame street since all the neighbors and shop owners knew her and the rest of the kids. My home is currently in the sixth congressional district represented by Kathy Manning. I was previously in the 13th congressional district represented by Ted Bud. As gerrymandered maps are continually struck down by state courts as illegal we keep being re-sorted into different gerrymanders. Voters should be choosing our political representation. That's the whole point of self-governance. Instead our political representatives are choosing their voters. In any given election cycle, no matter if I support or oppose my representative and believe me, I've done both. The gerrymandered map means that I feel powerless as a voter. I've already been sorted into a district that has been calculated to vote in the aggregate in a certain way in order to maintain maximum partisan advantage by the map makers. Please restore some integrity to our elections. We demand compact districts, which maintain the integrity of communities and do not provide for incumbent protection. Thank you.

Senator Joyce Krawiec ([01:06:25](#)):

Thank you, Mr. Bird. Christopher [inaudible 01:06:29] and following Mr. [inaudible 01:06:30] will be Kathy Kirkpatrick.

Chris ([01:06:36](#)):

Good afternoon. My name is Chris [inaudible 01:06:38] . I currently reside in Iredell county, that's Mooresville Southwest corner. Full disclosure, I am the third vice chair of the Iredell County Democratic Party, but I am not here on their behalf or nor by their request, only as a concerned citizen of North Carolina. So today I would like to stress to the North Carolina General Assembly the importance of keeping regional interests, municipalities and communities together when drawing the district maps for the next 10 years. Despite what our politically polarized climate may lead so many to believe the interests of the community generally transcend far beyond the interest of the democratic and Republican parties. That is to say, members of both parties will within a community share so many mutual concerns. Government at all levels would serve the people of North Carolina better if the representatives prioritize the issues of their communities over the issues of their political party.

For this reason, I implore the General Assembly to leave partisanship out of the redistrict process, and instead considered drawing districts that keeps counties together, that keeps townships together, that keep rural communities together and that keep geographical regions together. North Carolina is a richly diverse state with regions and communities that have equally diverse needs. For example, communities in mountains need representatives that will protect the incredible natural resources of Western North Carolina, WNC Republicans and Democrats will both agree on that. Central North Carolina needs a variety of representatives that will advocate for the needs of very urban, suburban, and rural communities. Please avoid slicing and dicing in these communities up for political gain and instead focus on community gain. Finally, I'd like to add one natural consequence of creating regional and community oriented districts, and that is shape compactness. This means that the shape of the district will be fairly simple or that well, to get technical most straight lines drawn between two

random points in district will not cross the through another district. So we can, we've seen this before with our county maps and that'll be it. Thank you.

Senator Joyce Krawiec ([01:08:42](#)):

Thank you, Mr. [inaudible 01:08:42]. Kathy Kirkpatrick is next and following Ms. Kirkpatrick is Rhonda Maze.

Kathy kirkpatrick ([01:08:51](#)):

Good afternoon. Thank you for listening to us, and I hope you're actually hearing us. I'm Kathy Kirkpatrick, Chairman of the Democratic Party in Guilford County. I was a little perplexed that we don't have one of these hearings in Guilford county. First of all, we are one of the larger counties, little under 550,000 people. But more than that, we were also part of the court ruling in prior lawsuits. I think this frankly has a lack of respect for voters in Guilford County to be honest with you on that one. I'm also a little dismayed that the only hearing scheduled are those that are prior to the maps we have yet to see what you guys are going to do with it. I encourage you to have a second round of hearings, one of which should be in Guilford County.

After we see what you've done with the maps, I am not enamored with the process that we've had before. And a little confused about why people are confused about the lawsuits because you guys aren't being fair. So we need to make sure that that's happening. Additionally, want to make sure that when you're doing this, you're not packing or stacking black voters and brown voters, this dilutes their voices in other districts, and it has been ruled unconstitutional by the Robert Supreme Court. So I have two questions for your consideration. One, what steps are you taking to ensure that you're not packing more black and brown voters than necessary into districts to elect candidates of their choice? And number two, how does the committee leadership intend to ensure compliance with the voting rights act if you are not going to look at race at any point in the process? You're doing this under the guise of fairness and equity, but really, you know where black and brown voters live. This is a bit disingenuous. So you want the lawsuits to stop, then let's draw fair, equitable, and sensible districts and maps. Thank you.

Senator Joyce Krawiec ([01:10:46](#)):

Thank you, Ms. Kirkpatrick. Rhonda Maze and following Ms. Maze is Chelsea Griffith.

Rhonda Maze ([01:10:55](#)):

Good evening. I'm Rhonda Maze and I'm standing as an individual. Thank you for this opportunity and thank you for being here this evening. I want to make certain that when you're looking at the districts you're looking to make sure that the representatives are A, representing the people first and foremost. B, making certain that when you're drawing these lines that you're looking at a number of things. I know you say you're not going to look at race. You say you're not going to look at political party, but we need to look at what resources are in the various districts, the schools that are in those districts. So therefore we're not continuing to pack a bunch of schools in communities who do not have resources all in one area. And the representatives are working like heck to try to get resources in those communities, but they don't have an opportunity to get anything in that in those communities because they don't have bargaining chips as those who have other resources in their districts. So please look at what is available in the various communities and don't put all the resources in just particular districts. We need equality. Thank you.



Senator Joyce Krawiec ([01:12:27](#)):

Thank you, Ms. Griffith. Ms. Maze, I'm sorry. Next is Chelsea Griffith.

Chelsea Griffith ([01:12:38](#)):

Hi, my name is Chelsea Griffith and I'm not representing any group. I'm representing myself as a concerned citizen. In looking at the information that was presented, I had a concern concerning the use of the census data because considering that we have had this pandemic is in existence and in some of the neighborhoods, there was no census person that was actually going out to talk to people to get their information. So some of these areas are underrepresented, in particularly elderly people that may not be or didn't understand or was not able to actually compete complete the census. Also, my other concern is that you will not be packing and cracking the districts and neighborhoods. That is my hope and my concern that you do not do that so that we, as it was stated that we will not be back again with lawsuits. I'd like to state that as an African American or black person, that we are not a monolith. We are informed voters. We do pay attention and we will be paying attention to what will be done and said, and we will come back and vote. And if you do not represent us, as we send you to represent us, then the option is to vote you out.

Senator Joyce Krawiec ([01:14:00](#)):

Thank you, Ms. Griffith. Constance Calwell is next and following Ms. Calwell is Michael Sullivan.

Constance Calwell ([01:14:14](#)):

Good afternoon everybody and panels. I know you have heard a lot about [inaudible 01:14:20] and gerrymanders but stand here as an educator, as a teacher. I'm picking back on what one person just said about schooling. I do too wanted to say, "what were y'all going to do when impacting schools?". So as an example, Carver versus Walkertown, what are you going to do? Are you sending less kids to one side, more kids to the other side? So how are you going to fix that? Because that's the same thing that's going on with transportation. Buses are not working. So I need to know, are you going to overcrowd the school? How are you going to fix it? How are you going to make it better at zoning? We talking about the zon. Why is one side of the zone of the school, there is more funding for one side than it is on the other side. I think fairness should be when it comes to our schooling. Our kids are so important. It's not about race. It's all about fairness. So we look at our kids, all kids who be equal and be treated as fair and they all want to learn, no matter what side of the road they on, what side of the track they on. Thank you.

Senator Joyce Krawiec ([01:15:30](#)):

Thank you, miss Calwell. Michael Sullivan. Michael Sullivan? Anthony Spearman is next. And following Mr. Spearman is [inaudible 01:15:48].

Chris ([01:15:47](#)):

Or Gardner. I'm not sure. Is that a K?

Anthony Spearman ([01:15:58](#)):

Thank you, Madam Chair. I am T. Anthony Spearman, resident of Greensboro, North Carolina, president of the North Carolina NAACP. I have attended two meetings at the legislative office building in Raleigh and I'm extremely concerned with how the devil keeps showing up in the details. His first showing is in the composition of the committee itself. On the house side, twelve Republicans and seven Democrats.

And on the Senate side, ten Republicans and six Democrats, a total of 22 Republicans and 13 Democrats. With that alone, the gerrymandering has already begun. Can someone tell me why? If indeed, as the chair representative Destin Hall stated on August 12th, 2021 that, and I quote, today's committee meeting is notable and historic because for the first time ever without a court order, but with doing it voluntarily, the chairs have put forth a set of criteria before you voluntarily not using election data and partisanship.

And as far as the chair can tell that is the first time that that has happened in the history of this state and perhaps the first time that has happened in this country. To all that I can say, I hope so. But deem it prudent to remind you that the Roberts Supreme Court ruled almost unanimously that it is unconstitutional to pack black voters into a smaller number of districts in order to dilute their influence in other districts, when a smaller percentage of that minority is capable of electing a candidate of their choice. How does committee leadership intend to ensure compliance with the Voting Rights Act? If they're not going to look at race at any point in the process. In U.S. Congressional district six, there's been an increase among black voting age population of 25,609 voters. It's real simple. Draw maps that allow voters to choose who their representatives will be and not maps that will allow legislators to pick who they want to represent them in election.

Senator Joyce Krawiec ([01:18:11](#)):

Time is up, Mr. Spearman. Thank you very much. Dr. Kiani Gardner and Fleming El Amin.

Kiana Gardener ([01:18:34](#)):

Good afternoon. Thank you all for this opportunity. My name is Dr. Kiani Gardner. I am here to speak on behalf, particularly of colleges and universities in North Carolina. My love and passion for higher education in this state runs deep. I did my PhD in cell biology from Duke, became a research fellow at Duke, I am a former professor at three different institutions of higher learning here in North Carolina, including Guilford Technical Community College, right up the road. And I'm here actually on behalf of Campus Vote Project where I am the statewide coordinator in this national nonprofit, nonpartisan project that aims to increase student engagement and access to the ballot and lifelong civic engagement as part members of our community. I'm here very specifically to ask you to consider all of our colleges and universities in this state, as communities of interest, we all know and have seen in the past that North Carolina has a history of dividing up our college campuses from UNC Asheville to NCA&T.

And I'm here to make the argument that students are not temporary residents of their colleges as has been made before. The decision of a student to join an institution of higher education is based on economics, opportunity, environment. It's as holistic a decision as where any adult chooses to live their life. We can all agree that one of the great strengths of our state is our ability to produce and attract highly educated, highly competent members of the workforce. And we see that now, as we bring in top level employers. When we dilute out the power of our students by gerrymandering their campuses, we dilute their ability to impact policies that will ultimately retain highly educated individuals in our community and will ultimately decrease the economic viability of our state as a whole. When considering communities of interest, I implore you, treat our colleges and universities as important hubs of innovation and economic development, because that's exactly what they are. Thank you.

Senator Joyce Krawiec ([01:20:35](#)):

Thank you, Ms. Gardner. Fleming El Amin, and then he will be followed by James Douglas.

Fleming El Amin ([01:20:46](#)):



Good afternoon. I'm speaking as Fleming El Amin, citizen, not county commissioner, but welcome to Forsyth County. I'm going to say two things that I'm requesting of you. First, a chairman is my Senator, [inaudible 01:20:59] in the General Assembly. So welcome, Senator [inaudible 01:21:04]. It's good to say things three times. I'm asking for transparency. I'm asking for transparency. I'm asking for transparency. And I'll tell you very simply why. If you are born in democracy, your birthright is transparency in any government process, that's a birthright. If it's not done, you have lawsuits, you have discontent, you have protests. So transparency and government decisions is your birthright and a democracy. Number two, let's be fair. Now I hope that you would lean more on the common sense book written by Thomas Payne than The Prince written by Machiavelli. And those are just involving politics, know the difference between the two. And finally, I've been around long enough to know from [inaudible 01:21:55], our Congressman and I worked for his campaign, Virginia Fox, congress lady. I've seen [inaudible 01:22:04] as my Senator, [inaudible 01:22:05] as my Senator, and I thought Senator Paul would be my Senator, but that didn't work out because of redistricting. And I've seen my county divided up substantially with a little hole in the center. I'm in the 10th district.

Let me say that again. I was born and raised here, but I'm in the 10th district. So we have the 10th district and 6th district and it is a little confusing for a lot of citizens. So let's [inaudible 01:22:32] the county, let's have one voice of reason and common sense and let's be fair. And by all means, let's be transparent. Thank you for your time. And thank you for being in the best county in North Carolina.

Senator Joyce Krawiec ([01:22:43](#)):

Thank you Mr. El Amin. James Douglas, and he will be followed by Don Chiarello.

James Douglas ([01:22:59](#)):

Hello, welcome to Gilford. And a lot of you here. It's awesome. I'm here as a constituent and a longtime resident of this area. I know who's ultimately in charge of this committee and I'll try not to pretend to know what the outcome's going to be. Personally. I'd like this process to be nonpartisan, chosen by an unbiased party. But as Senator [inaudible 01:23:27] said earlier, that is now legally possible. So I'd like to appeal to the better nature's, better angels of your nature's. I know this country is divided today. Primary reason you are here is to represent the populace and not your party. I know that's hard. I know that some of you have no interest in that still I'm asking you to do what's right. Shape districts into areas not bound by race tax value, and instead focus on a diverse group of people who all work, live and vote in the same reasonably divided area.

PART 3 OF 4 ENDS [01:24:04]

James Douglas ([01:24:00](#)):

Will work, live and vote in the same reasonably divided area. Show us that you are for the people you were elected to represent, not yourselves, not because your dreams of reelection might be at risk, you're here for us. You need to be reminded of that. Thank you.

Senator Joyce Krawiec ([01:24:21](#)):

Thank you, Mr. Douglas. Don Chiarello. And he will be followed by Kevin Farmer.

Don Chiarello ([01:24:29](#)):

Thank you. My name's Don Chiarello. I'm from High Point. I'm speaking on behalf of the High Point NAACP.

In a democracy, the voters select their representatives, but that's not what we have in North Carolina, at least that's not what we've had in the past. What we have had is the elected officials picking which voters they want to support them. It's not democracy. It's a shame. Now, the North Carolina General Assembly has proven that it is incapable of fairly, honestly and transparently redistricting. So my request to you is to consider strongly having an independent group do the redistricting. And by that I mean, maybe the League of Women Voters, democracy North Carolina, or some other nonpartisan group. Democracy North Carolina is a nonpartisan group. It's a small D not a capital D. If we don't do that, the citizens of this state will never have confidence in what you're doing, because you've screwed it up every time the last 100 years. Thank you.

Senator Joyce Krawiec ([01:26:15](#)):

Thank you, Mr. Chiarello. Kevin Farmer, and he will be followed by Twana Roebuck.

Kevin Farmer ([01:26:28](#)):

Members of the committee and fellow citizens, my name is Kevin Farmer. I am here representing the Forsyth County Democratic Party. I am the chairman of the Forsyth County Democratic Party, and I am a citizen of Clemmons, North Carolina. I read in some of our talking points that we're supposed to be polite and thank the General Assembly for its work, so my remarks will be brief. Since we don't have any maps on which to comment, which seems strange for a hearing on redistricting, I can only speculate as to future intent. I imagine whatever maps you do concoct will be carefully crafted to convey an air of impartiality while retaining an advantage for the Republican Party, kind of like this hearing, which has been carefully crafted to convey the sense that public participation is welcome, but which was cobbled together at the last minute and convened without a virtual option. So to the General Assembly, I say thank you, but no thank you. You go on and do what you're going to do, because I'm sure that is the plan regardless of whatever comments we make here today.

Just be assured of the following: we're organizing, we're gaining traction in areas that have always been considered safe Republican districts. We're more than ready for whatever shenanigans the General Assembly concocts during this process. See you in 2022.

Senator Joyce Krawiec ([01:27:40](#)):

Thank you, Mr. Farmer. Next is Twana Roebuck, and she will be followed by Darrell Kicker.

Twana Roebuck ([01:27:51](#)):

Good afternoon. I am Twana Wellman Roebuck. I'm the director of an agency called ESR. Many of the people to know us as Experiment in Self-Reliance. Today, I'm here speaking on behalf of our organization, but I also want to draw to your attention something called the Community Action Agency. ESR is a Community Action Agency here in Forsyth County. And why is that important? That is important because we bring together a variety of people for services. The average age client that we serve is 26. As I looked in this audience today, there are very few people that are 26 years old or younger. So therein lies my comments. I'm a former elementary school teacher, and so one of the points I want you to remember is education. Our 26 year olds are our future voters. They're our new leaders.

I want to engage you and ask you, all of you represent counties where there is a Community Action Agency, if you think about diversity, equity and inclusion, you would think about a variety of

people, as well as a variety of ages, as well as a variety of race. I invite you to check out your Community Action Agency in your community. If you're unaware of your community action agency in your community, give me a call. Most people know ESR. I invite you to have additional meetings. You might think, "Where should we have those meetings?" I'm so glad you asked. I want to invite you to have those meetings at a Community Action Agency. Here in Winston-Salem, we are located in a low wealth neighborhood, right off of Akron drive. So there are many Community Action Agencies across our state that you can invite residents to come and be a part of your conversation, where we have education, we have informed voters as well as we have informed residents. Thank you.

Senator Joyce Krawiec ([01:30:00](#)):

Thank you, Miss Roebuck. Darrell Kicker, and Mr. Kicker will be followed by Elder Tembila Covington.

Darrell Kicker ([01:30:09](#)):

Thank you. My name is Darrell Kicker and I'm from Greensboro. Gerrymandering is just so wrong. It's wrong when Democrats do it. It's wrong when Republicans do it. When our districts are gerrymandered, this whole argument that you're held accountable by the people becomes a sham, because we are not picking you, you're picking us. North Carolina's a very evenly divided state, we all know, but I don't think that's represented in the way that our districts are drawn right now. So my question to you is, if North Carolina, being the way that it is right now, had eight congressional representatives and just five Republicans in Washington, and if our State Senate was made up of 28 Democrats and 22 Republicans, and if the house had 69 Democrats and 51 Republicans, would you all agree that's representative of North Carolina? If the answer is no, and I think that's what all of your answer would be, then you know that we've got a problem. Something's wrong. So please do the right thing. Please be fair. Thank you.

Senator Joyce Krawiec ([01:31:15](#)):

Thank you, Mr. Kicker. Elder Tembila Covington will be followed by Cathlyn Ruin Williams.

Elder Tembila Covington ([01:31:29](#)):

Good afternoon. My name is Tembila Covington, and I am the president of the Minister's Conference of Winston-Salem & Vicinity, and a Forsyth County resident. The Minister's Conference is an ecumenical group of faith leaders, and we are deeply concerned of all of the issues our communities face. We work together in trying to address as many of these issues as being a voice to the voiceless, a hub for information dissemination, and a voice in addressing the issues of our communities. But we cannot be a voice to all for all of the issues and concerns. So for this, we demand of you, our elected officials, full transparency, fairness in public input including virtual input. Basically, we need additional rounds of public hearings and these hearings should be held throughout the entire state after the maps are drafted, to give citizens a chance to give informed input of those maps.

We call on you not to split precincts, municipalities and districts. Most of all, we do not want you to delude the vote of African American voters by packing voters and our representatives of choice in all one district. If you don't know, we know this well and understand this to be gerrymandering. Thank you.

Senator Joyce Krawiec ([01:33:00](#)):

Thank you. Sathya Williams? I'm not sure if I'm pronouncing that anywhere close. Is there Sathya Ruin Williams with Carolina? I'm not sure. Do we have a Williams here that signed up to speak? Okay. Melinda Hash is next, and Melinda will be followed by Maya McCoy.

Melinda Hash ([01:33:52](#)):

Good afternoon or evening. And you won't have to use those cards on me. I'm going to be very short. Thank you so much for allowing me the opportunity to speak. But one of the things I want to say, something that I heard, and that was, "He who controls the conversation and the language controls the community." And I just want to just say to you all, to allow all of the voices to be able to be heard, allow all of the voices to be able to come to the table so that as you bring the conversations, that you bring the conversations of all. Increase your number of meetings so that all of the voices can be heard. I live in this community in Winston-Salem Forsyth County. I am a mother. I am a worker at a Community Action Agency. I'm also a member of the Minister's Conference of Winston-Salem & Vicinity. And I just ask, again, and I implore you to allow all of the voices to be heard because he who controls the conversation and the language controls the community. Thank you.

Senator Joyce Krawiec ([01:34:59](#)):

Thank you, Ms. Hash. Maya McCoy is next, and following Ms. McCoy is Jake [Gillergood 01:35:07] .

Maya McCoy ([01:35:07](#)):

Good evening. My name is Minister Maya McCoy. I am a native daughter of Winston-Salem. I am here standing in the shoes of my ancestors and the ones that have come before me. 100 years ago, I would not have had the opportunity to be in this very room or even had the right to vote. I stand at the intersections of being black, a woman, and differently able. Many of those before me were beaten, jailed, killed for the right to vote, and we are living the regression here in 2021. So often those that are marginalized are voiceless and are so often pushed farther to the margin. Two years ago, district lines were drawn, again. The blatant gerrymandering, inequalities were so segregated the Supreme Court itself defied that it was unconstitutional. Race has everything to do while we are having this issue today. We cannot ignore the politics of race, socioeconomics, as well as privilege. This is the very foundation of America. The infant mortality rate in a predominantly black and brown community here in Winston-Salem is the highest in North Carolina.

Food and justice, education and equities, health disparities, and the income wage gap has all continued to exacerbate the very communities that are our neighbors. Who are your neighbors? Those who come into contact with you each and every day. Social justice is God's justice. When one hurt, we all hurt. Thank you.

Senator Joyce Krawiec ([01:36:54](#)):

Thank you. Jake Gillergood, and following Mr. Gillergood will be Darlene Garrett.

Jake ([01:37:03](#)):

Thank you. My name is Jake Gillergood, and I'm from here in Winston-Salem. And let me say first off, I've learned my lesson. There are so many great speakers. Next time I want to sign up... 10 years now, sign up online first, so I don't have to go this late and follow so many great speakers, but I am glad to get a chance to talk to you all today. The reason that compels me to be here, I don't have any great written testimony to read to you, I just wanted to say that I spent a number of years working at a university here in the triad. I worked with first generation college students as a staffer, and I've seen some of the barriers that get put in front of students, especially around voting. And my question is why put one more barrier in front of students in voting. Let's help our new voters vote.

Let's make it accessible as possible. Let's make sure we don't split college campuses. Don't split N.C. A&T. It's been done before. It shouldn't be done again. And please think of all of the college campuses across the state, and please don't split those campuses either. I know it's hard to tell sometimes what is a community. It's an ambiguous question. It's hard to know exactly what a community is, but when I look at a college campus, I recognize community when I see it. That is a community. Please don't split these campuses. Let's make voting accessible for everyone, especially our newest voters. Thank you.

Senator Joyce Krawiec ([01:38:21](#)):

Thank you. Darlene Garrett, and she will be followed by Lee Haywood.

Darlene Garrett ([01:38:29](#)):

Good evening. Thanks for being here and allowing us this opportunity to address you. I am a resident of Guilford County over half of my life, and I'm a retired 20 year veteran of the school board, and the proud mother of Senator Garrett. I agree with so many people here about gerrymandering. It was wrong when the Democrats did it and it's wrong now. So I urge you please to be fair in drawing maps. Everyone's been talking about how important fairness and I think it really is. Also, please this isn't about the maps, but it's very important that we not pass laws trying to suppress the vote. We want everyone to be able to vote, all colors. So please don't do that like other states have. And then the young man from Guilford County, Tyler Bill said, please pass Medicaid expansion. We have so many people who need it desperately. And it'll actually bring money into our state, which is a great thing.

And hopefully you can spend it on schools. And then finally, just please have more forums after you complete the maps. And again, I know it's a difficult job, but as my parents taught me to do the golden rule as I was growing up, please, those of you that are in power, remember what you do unto others as you would have others do unto you. Thank you.

Senator Joyce Krawiec ([01:40:21](#)):

Thank you, Ms. Garrett. Lee Haywood will be followed by Kara Hammond Laraby.

Lee Haywood ([01:40:29](#)):

Good evening, everyone. I want to thank y'all up there on the dais for what you do each and every day, and I want to thank you for allowing me to stand before you and speak. I want to address a couple of the comments before I get started about gerrymandering. I'm a long time resident of Guilford County, and I remember a time when the other side of the aisle, I'm a Republican, drew the districts and Guilford county was split between three different districts. One of which ran right up I-85. Another one, which ran from the Eastern side of Guilford County all the way to Raleigh. Was that fair? I would pose it to you that when the Republicans took over back in 2010, the process of the redistricting process was more transparent than the Democrats ever gave it. So I want you to consider that. It's true.

I just want to express concern about the way the sixth district was drawn. Forsyth deserves to be in its own entity. I love my peeps in Forsyth, but I know that they want to be by themselves and they don't want to... they've never been split up before. There's a way to draw a district which includes Guilford and some of the surrounding counties without dividing Forsyth in half. I think it's the wrong thing that y'all did, and I hope that y'all will fix that mistake. Any nonpartisan commission is going to be partisan, we know this, it all depends on what kind of data is used and what kind of criteria is used. Whoever controls the legislature, controls the process. I'm much more comfortable with the

Republicans doing the process than the Democrats ever gave it time, for over 140 years. It's crazy to have the sixth district, which is a D18, and having the district 13 surrounding it and are 1000. So please change the mistake. Thank y'all very much.

Senator Joyce Krawiec ([01:42:35](#)):

Thank you, sir. Kara Hammond Laraby.

Kara Hammond ([01:42:55](#)):

Good evening. My name is Kara Hammond Laraby. I reside in Porth town, North Carolina, which is pretty rural, but I grew up in Winston-Salem. And I'd like to say as a tax payer, after a lot of the comments that I've heard this evening, I feel a need to say that if we want to avoid costly litigation in the future, let's take the time to do the right thing. Naturally, when all people have left is the court system. Instead of a responsive representation, you get lawsuits. In an increasingly worrisome world it becomes increasingly important to work for the common good, not payback for perceived wrongs. Draw districts that make sense to constituents by keeping communities together. Constituents should choose their reps, not the other way around. And it is critical to make sure the process is transparent with ample time for public response. Show us all the maps before enacting them. Thank you.

Senator Joyce Krawiec ([01:44:18](#)):

Those are all of the folks on our list who signed up. Is there anyone else that we missed or anyone else that would... James Knox? It was not on our list, but we welcome to hear your comments.

James Knox ([01:44:44](#)):

James Knox. I live up in Rural Hall, Winston-Salem. But anyway, what I'd like to say is a lot of people have been talking about the way the states is. When you don't include the unaffiliated, there are 53 counties in North Carolina with more Republicans than Democrats. I follow that, so I know. And you can go to the state website and look, Saturday Morning, they have the list. But I think Forsyth County deserves to have its own representation. We haven't had representation in Winston-Salem, Forsyth county since Richard Burr. And I think we should have our own thing. Also, when you want to put everything together, they only have a certain number they have to divide by. So everybody's not going to get put in the same area at the same time. Guilford County is too big to have one State Senate district or one State House.

It's not going to happen. Forsyth County is too big. So there are going to be some splits. You got to split it somewhere. I don't mind sharing with Surry County. I live on the Northern end of Forsyth. I don't mind sharing with Surry and Stokes County. I have no problem with that. But I'll say this, those that think compact means you get compact, everybody can't be compact. Somebody's got to give up something. The Western part of North Carolina, the area, the beach part of North Carolina is heavily Republican. And other than Buncombe County, you got to go to Mecklenburg before you hit a Democrat majority county. So you can't draw eight districts without gerrymandering, that would be Democrats, State House or State Senate. Thank y'all.

Senator Joyce Krawiec ([01:46:48](#)):

Thank you, sir. Is there anyone else who would like to speak that we missed? Joan Fleming, you are recognized.

Joan Fleming ([01:47:00](#)):

Hi. My name is Joan Fleming and I'm from Davie County. Let's talk about nonpartisan. What is nonpartisan? No one is nonpartisan. An unaffiliated voter registers nonpartisan so we don't call him on the telephone and bug him. Check his voting record. He is not nonpartisan. The districts should be drawn by the NCGA. They were elected for a reason. For 140 years, they drew the districts. It was fine when the Democrats drew it. You've heard that. It was fine. Everything was fair and balanced then, why is it not fair and balanced now? They are drawn by the census every 10 years. Why are we doing them every two years? And we're having lawsuits after lawsuits. It cost us \$7 million. Today I've heard millions, no it's \$7 million. I read it this morning before I came here. So not everybody in this room is going to be happy. Someone's going to have to give up something. And I think we elected the General Assembly, let them do it. If it was good enough for the goose, it's good enough for the gander.

Senator Joyce Krawiec ([01:48:12](#)):

Thank you. Anyone else that would like to speak? Having exhausted our agenda, we want to thank you all so much for coming. We appreciate your input. And please check with the website regularly to keep updates on what's happening. And we appreciate all of you being here. I knew this county would turn out. I think there were only a few at the last meeting, 15, and now we had all of you. So thank you so much for coming out and giving us your input. We appreciate it very much. Meeting is adjourned.

PART 4 OF 4 ENDS [01:48:56]



John Torbett ([00:00:00](#)):

We're going to start right on time, two minutes late. First and foremost, I want to thank each and every one of you all for taking up your time to being with us this evening. It makes us feel warm to see that many people coming out to speak for themselves in their government. I want to thank you first for being here. I'm Representative John Torbett. I represent the county of Gaston, which is the House District 108, which is next to Charlotte-Mecklenburg area. And I'll go ahead and go through the other members while I'm here for, before I forget someone. We have quite an array of representatives here. We have on the Senate side we have, of course, my co-chair Senator Paul Newton who's sitting to my left. And if you want to raise your hand guys as I call you name, Senator Natalie Murdock from here in Durham.

Speaker 1 ([00:00:47](#)):

Can't hear you.

Speaker 2 ([00:00:47](#)):

John, can you put the mic...

John Torbett ([00:00:49](#)):

Senator Natalie Murdock from here from Durham, Senator Wiley Nickel from Wake, Senator Norman Sanderson from Pamlico. I think he wins the furthest away this evening. Senator Mike Woodard from where are you from, Mike?

Mike Woodard ([00:01:05](#)):

County Durham.

John Torbett ([00:01:05](#)):

Durham. Thank you. Representative Vernetta Alston, Durham. Representative Rosa Gill, Wake. Representative Terry Garrison from Vance County. Representative Cynthia Ball from Wake. Representative Allison Dahle from Wake. Representative Zach Hawkins from Durham. Representative Pricey Harrison from Guilford. Representative Marcia Morey, Durham. Representative Robert Rave, and I'm kidding, Robert Reives from Chatham, teasing I'm sorry. Yeah, that's right. And also I'd like to extend a warm and welcome hand, I haven't seen you service in the Senate, Floyd Mckissick. Floyd, it's wonderful to see you joining us this evening. Thank you for being here. Okay, couple, yes... You are attending the joint committee on redistricting and elections here at the Durham Technical Community College.

We want to thank Durham Technical Community College for making the facility available. A few housekeeping managers if you don't mind, if you didn't notice coming in, when you entered the doors to your right was a men's room to your left or I hope that's right. To your left was a lady's room or vice versa. So restrooms are out there. We have exits well marked in the case of needing those exits. We'd also like to thank the folks that are here with us from our general assembly staff. We have house Sergeant in Arms who kind of helps us keep the trains on the track. And that is from the house, your friend and mine, Jonas Cherry, Jonas. He must be in the back somewhere and then from the Senate Sergeant at Arms, we have Jim Hamilton down here in front. Jim, thank you, both and Jonas, thank you for the service you provide. Not only this committee for the people in North Carolina.

In the general assembly police front we have Sergeant Paul Waters and Officer Tom Rochford. Thank you all for being here with us tonight as well. And thank you for the service you've provided not



only for us, but for the people in North Carolina. Ladies and gentlemen, couple of things that we've been informed of is that this room currently will only allow 77 people in at a time. So if you're speaking, do whatever you'd like to do, but when you get through finished speaking, if you choose to leave to allow someone else come in, should we get to full capacity, I will leave that totally up to you. We have a 9:00 leave the facility time so we're going to get right to the speakers and try to done just in here just as many as we possibly can. We have speakers that have signed in online as well as being here.

But before we start, I want you to understand this. It's come to our attention and the chairs individuals will like to celebrate Yom Kippur. And with respect to that, we'd like to begin by allowing anyone who is participating in Yom Kippur this evening that's signed up to speak, to go first. So at this time, if you wish to do that and you had signed up to speak, would you please raise your hand? Seeing none? We will go right to the speakers. And I'm going to tell you right now with cursive and some of you all's penmanship, we're going to have a challenge of some of the names. I'll do my very, very best.

The first person we have signed up to speak is Angela Sims MacMillan. Angela, if you'll come to the microphone right here. We will have a Sergeant in Arms help you with any needs you may have once you get to the microphone. You will have two minutes. They will show you on a placard when you are nearing your time. So it won't be just like cutoff. So they'll kind of give you an idea and this goes for everyone's here speaking night, we're all North Carolinians. We're all friends. We're all working to the same common good. This is North Carolina. We're your friends. Free to speak open. No need to be nervous. We're here to listen to you.

Angela Sims MacMillan ([00:05:05](#)):

Keep it on. Okay.

John Torbett ([00:05:07](#)):

And thank you for being here.

Angela Sims MacMillan ([00:05:09](#)):

Sure. Thank you. I'm here to speak for those who cannot speak. At 71 years young, I just got my first grandchild so I'm here to speak for him and others. Thank you. I'm talking from personal opinion and personal opinion only. And I just want to say that redistricting is a legislative matter that concerns me very much. I believe that districts should be drawn in a compact format. Non-compact districts confuse voters. They split communities of interest and they're often drawn to benefit certain voters or certain political parties. I live in the Hope Valley Farm area, a community near South Point and I've been there since the early nineties.

I have had five different places to vote. So I've gotten the one minute mark already. Districts must be drawn that do not split precincts. Split precincts confuse voters and make it harder to administer elections and are often used to benefit certain incumbents or certain political voices. Cities and towns should not be divided unnecessarily just to protect the incumbents. Legislators should consider communities of interest and not divide them to protect incumbents or specific political parties. African American voters should not, must not, be packed into few districts through racial gerrymandering to diminish our votes and our voices. And finally, I just want to say thank you that democratic voters should not be packed into few districts. Stop. Thank you so much for your time.

John Torbett ([00:07:24](#)):

Thank you, Miss MacMillan. Next individual I have is has Veronica G. Robinson. Veronica, if you would approach microphone. Thank you for being with us this evening.

Veronica G. Robinson ([00:07:45](#)):

I actually do not have... My name is Veronica Godfrey Robinson, and I actually don't have any real comments. I mostly have questions. And one of my questions is where are the maps? I was, I would've thought that at this meeting, this town hall meeting, even though we would discuss these various issues, I mean various things about the redistricting, that there would be some maps where we can see what the districts kind of are looking like right now. And my next question is if the maps are not ready, when will they be ready? And will they be ready in time for any kind of feedback from the community or will we have that option to do that? Those are my questions.

John Torbett ([00:08:40](#)):

Thank you. I'm been reminded that if, when you come to speak either, if you're representing yourself or an organization for our records, if you would please mention organization, you may be representing if not, you're representing yourself, that's fine as well. Our third speaker, excuse me.

Veronica G. Robinson ([00:09:01](#)):

I am a member of the Durham Committee on the Affairs department.

John Torbett ([00:09:03](#)):

Oh, okay. Thank you so very much. Good thing I had that note after you got through speaking. Yeah. Thank you. Annette Rice, Annette Rice. Annette. Thank you so much for being with us this evening.

Annette Rice ([00:09:26](#)):

Thank you for allowing me to come. I too am a member of the Durham Committee. I do live in Hope Valley, like the young lady before me, I'm here because I have five grandchildren and I don't want to see districts drawn to actually benefit one party or the other. I think each party should have the opportunity to allow their voters to pick them and not the district. And on that behalf, like my colleague before me, I would like to see the maps and know what we can do to help the districting when it comes time. That's all I have. Thank you.

John Torbett ([00:10:07](#)):

Thank you. The next speaker, Tom, here with my first mess up here, Rukowski. Did I do okay?

Tom Rukowski ([00:10:07](#)):

You did.

John Torbett ([00:10:15](#)):

Thank you. Tom, thank you also for being with us this evening.

Tom Rukowski ([00:10:19](#)):

You're welcome.

My name is Tom Rukowski and I'm an Orange County voter. First of all, I would hope that the redistricting would reflect the number of voters in each party. That's one of the issues I have. Also, I would like to suggest that you have transparency in the entire redistricting process. Therefore, after the committee has finished its work there's should it be another public session for voters to be informed and evaluate its findings. Thank you very much.

John Torbett ([00:11:05](#)):

Thank you. Thank you for being with us this evening. Here I have is Lara Inane. Thank you and ladies and gentlemen, we're I guess grateful to have people here and we also going to have an interpreter to help with her comments.

Laura Hermaine ([00:11:32](#)):

Yeah, sorry.

John Torbett ([00:11:34](#)):

Thank you very much.

Laura Hermaine ([00:11:36](#)):

My name is Lara Inane. I've been a community leader for 20 years. I had worked at the Duke University with the Department of Sociology doing research interviews. I work in neighborhoods with low income families. I always support low income families. So in my area of complex apartment, I will say they're like in deplorable conditions. The conditions are not good. Many of them they don't receive appropriate maintenance. I will also you to consider to have better resources for parks and interpretation services for our community.

John Torbett ([00:12:52](#)):

Thank you. You did great. Thank you for coming out here this evening.

Laura Hermaine ([00:12:56](#)):

Thank you.

John Torbett ([00:13:00](#)):

I've exhausted the names on the first signup sheet. There may be another one outside. If not, we'll go to the ones that may have signed up online. I have Gino Nizolilo.

Gino Nuzolilo ([00:13:10](#)):

Close, it's a tough one.

John Torbett ([00:13:11](#)):

Thank you. Gino, thanks for being here tonight.

Gino Nuzolilo ([00:13:18](#)):

Yeah, thank you sir. Good evening members of the joint redistricting committee. My name is Gino Nuzolilo. I've been a resident of Durham for the last five years during which I've seen increasing demand

for representation that can help address resource inequities and meet head on the housing, healthcare and infrastructure challenges my growing region faces. I'm here today to demand a fair, timely, inclusive, and transparent redistricting process. A process we have not yet received to get us the very representation we deserve.

I work every day with dedicated North Carolinians who want a better future for their communities and votes that matter. They've done the work, the NCGA would not to educate their neighbors about the importance of this year's redistricting cycle. And I understand their anger at what's already becoming a sham process designed to make it as difficult as possible for North Carolinians to take part. So far, we've witnessed your committee decide redistricting criteria in less than 72 hours, with little notice, for only one early morning public hearing in Raleigh. Your committee then slashed a number of public hearings this year to 13, a marked decrease since 2011 with no hearings in the state's two most populous counties.

Thus far, we have provided no livestream or video conferencing from hearings, an option even the state of Texas has provided to their residents nor language and interpretation options offered by the committee themselves and not normal citizens. Add to that. We have even refused to guarantee hearings so far after maps are revealed. North Carolina deserves better.

The data to draw maps been available for more than a month. Under the current timeline, draft maps could easily be available in the coming weeks. The committee should release member maps and hold more hearings across the state in September and October. These hearings should be accessible to every North Carolinian, which means language access, the ability to livestream testimony, and the ability to provide testimony via video conference. For in-person hearings, a joint committee ought to provide PPE at all hearings, not normal citizens like us who have to bring our own, and hold them at times all hearings that are convenient for working people. We know there have been some at 3:00 PM. All aspects of the public hearing, including recordings, and testimony given should be made publicly available. This is the floor, the bare minimum that North Carolinians deserve and I urge you to do better. Thank you for time.

John Torbett ([00:15:31](#)):

Thank you, Gino. Vicky Parker. Vicky Parker. Is there a Vicky Parker in the room?

Vicky Parker ([00:15:45](#)):

I'm coming.

John Torbett ([00:15:45](#)):

Oh, okay. Take your time. Thank you for being with us this night.

Vicky Parker ([00:15:51](#)):

Thank you for having me. Good evening everyone. My name is Vicky Lee Parker. Hi, I am... I get to serve as the Executive Director of the North Carolina Business Council, and we represent hundreds of businesses, small and large all across this great state. As you all know, small businesses make up more than 90% of the businesses in this state. And they employ almost half or sometimes more than half of our employees. And they create jobs at a rapid pace and they're sprinkled throughout North Carolina. And they are also impacted by a gerrymandered scenario or gerrymandered communities. These businesses are impacted by the same things that all the residents are impacted by when they have issues that need to be resolved. They may live five minutes from their business, but they have one

representative for their home and one representative for their business. And when they have a issue, they don't know where to go to get the issues resolved, or they have to go to two or three different people to try to get the issues resolved.

That is not a good thriving environment for our businesses. They need a government that they can trust. They need to be able to know who to go to, to get answers for their problems.

And what's happening is that they feel well, no one's going to hear them so they kind of check out, but that's not how our economy is going to grow and thrive. We need a government. We need to have fair representation. They need to feel that they can be heard that their issues will be heard by the people they elect. So we come here to urge you to do exactly what you've heard today from other people to have fair election. I mean, to have fair representation and to be transparent in your dealings in drawing these lines. We need to feel that we can trust what you're doing and right now that trust isn't there and we need to gain that back. So I thank you.

John Torbett ([00:17:50](#)):

Thank you. Elizabeth Sabrocco. Elizabeth, thank you for being with us this evening.

Elizabeth Spracco ([00:18:09](#)):

Thank you. Hi, I'm Elizabeth Spracco. I am a resident of Durham County. I live in precinct 50 and I've lived at my current address for nine years, but I've been in three different congressional districts because of all the redistricting over the last decade. I'm really involved in voter registration and voter education in my precinct. And people have called me and said things like, "I think I got the wrong ballot at the polls because I've always been in David Price's district and now I'm not. What's going on?" And they're confused.

These are educated people. These are people with Master's degrees, these are people with Medical degrees, with PhDs, who can't figure out what district they're in because they keep changing and they keep changing because they keep being drawn. Excuse me, I'm out of breath, unfairly. So here are my suggestions to draw fair maps so that we can just have them for to 10 years.

One, keep counties whole especially for congressional districts. Keep precincts whole. My precinct was split into two different state Senate districts in 2010, and it was deemed racial gerrymander, but there's no reason to split up districts or BTDs in legislative maps because there's a 5% variance that's allowed. Make districts compact. Do these three things for the voters and don't sacrifice those three things for incumbents. Figure out how to protect incumbents some other way. Finally, if there are multiple county groupings for the legislative districts, I just ask that you choose the ones that best equalize the populations between counting groups, and also give us a chance to make comments once these maps, once you have a proposed map or two or three, give us a chance to give you some feedback so that we can have fair maps for all. Thank you.

John Torbett ([00:20:08](#)):

Thank you. Jennifer Bremer, Jennifer Bremer. Thank you for being with us this evening, Jennifer.

Jennifer Bremer ([00:20:27](#)):

Yeah. Thank you very much. Good afternoon. My name is Jennifer Bremer and I'm an Orange County voter as well. Thank you for holding this hearing in Durham and for committing to an open and transparent redistricting process. North Carolina voters must be able to observe the map making and to have our say. Having spent many hours in NCGA meeting rooms, not as many as you, but observing the

2017, 2018, and 2019 redrawings, I would like to focus my remarks on how we can achieve a truly transparent process.

The 2019 process was undoubtedly the most transparent process ever carried out in North Carolina, but we still can and should do better. Here are three specific recommendations that I hope you will take into consideration. First, management of work at the redistricting terminals. Something you do it the same way. Even observers in the room found it very difficult to see what districts were being worked on and who was at the terminal. I can't imagine how people at home could follow this. There are easy fixes for this. The legislative services staff could maintain a public Google spreadsheet that shows which legislators and staff are working at each terminal, with starting end times, and what counties and districts are being redrawn. Maps should not be permitted to leave the room in any form.

Second, there should be a distribution of the draft maps. Please make every map filed or drawn on the terminals available to the public in electronic form that. Sharing all of the data that Maptitude generates. In this day and age we don't really need paper copies. We need them in computer readable form, specifically the shape files. It should be provided on block assignment files for each map. And they should be released along with the statistics that map the two turns out, who drew the map, and the image itself.

Finally, public comments. We'd like to see what our fellow voters are saying too. Please make the public comments available at the end of each business day, ideally by posting them to a Google spreadsheet so they can be shared. Georgia's legislature is doing this and even including the names and county of each person who comments. We should do it too. These improvements would help us live up to our state motto, *Esse Quam Videri*, to be rather than to seem. And thank you again for this opportunity.

John Torbett ([00:22:38](#)):

Thank you. Susan B McClanahan, Susan B McClanahan. Susan, thank you for being with us as well.

Susan B McClanahan ([00:23:00](#)):

I'm Susan B McClanahan from Orange County. During 2011 redistricting, you held 62 public hearings. 26 of those occurred after draft maps had been released in. 2021 you offer 13 public hearings across our state before the maps are released and one public hearing in Raleigh after they're release. Your plan is inadequate. There should be 26 additional public hearings across our state after this year's drafts have been shared so that citizens can respond to your proposals. 26 hearings would provide two public hearings in each of our 13 congressional districts.

Public hearings could occur again in the 13 counties you've already planned for, plus in Buncombe, Cabarrus, Dare, Davidson, Gaston, Guilford, Johnston, Stokes, Union, and Wake as some of the most populated counties in our state, Buncombe, Guilford, and Wake must be included in hearings after the draft maps, because these are the places that can most easily be gerrymandered. When you release the draft maps to the public, you should simultaneously share the complete data that was used to produce the maps and simultaneously, the map shape file should be shared so that the drafts can be analyzed by those outside of the legislature. As you know, it is hard to tell how gerrymandered a draft may be without data. This will be a test as to whether you actually mean what you say when you claim to be committed to a transparent process. Your actions will speak much louder than your words. Thank you.

John Torbett ([00:24:52](#)):

Thank you, Susan. William Lucas, William Lucas. William. Thank you for being with us this evening.

William Lucas ([00:25:04](#)):

Thank you. And I'm a little bit taller.

John Torbett ([00:25:08](#)):

I understand. You take your time. We'll get it fixed for you.

William Lucas ([00:25:10](#)):

That's okay. Thanks. Thanks commissioners for this opportunity. I know I only have two minutes. I'm a preacher of 22 years so you know that's difficult to do. However, I understand your plight. Dr. King said voting is the process by which we decide in a democracy who gets how much money, healthcare, education, jobs, et cetera. If that is the case, letting individuals vote, who have been incarcerated by your policies, who have been killed by your policies, is difficult for them to vote for you. However, there are a lot of people out here that are very close to the Republican party. If the racism dissipates, I think you would have a larger group of people following you. Tonight in the few minutes that I have left, few seconds, not minutes, I would like to leave you with this. One minute.

Lines have consequences. I'm going to tell you a story. I used to work for the district attorney in 6B and I was a little boy then, 23 years old. I would see African Americans getting arrested every single day. I asked my boss, David Beard, a question. I said, "Why are so many black folks being arrested?" And then I talked with an FBI agent. He said, "Mr. Lucas, I want to go higher but my boss tells me no." Policies make a difference. Line make a difference. Have you been to a Hardees lately? They can't find employees. Your lines are not only affecting minorities. It's affecting all of us. We all rise together or we all fall together. I pray you make the right decisions tonight. God bless you. Thank you.

John Torbett ([00:27:30](#)):

And John Ahmad. John Ahmad. And John Ahmad. Ryan Jenkins.

Ryan Jenkins ([00:27:55](#)):

You all would make me go after the best speaker of the night.

John Torbett ([00:27:58](#)):

Ryan, thank you for being with us tonight.

Ryan Jenkins ([00:27:59](#)):

Thank you all for having me. My name's Ryan Jenkins. I am President of the Progressive Caucus of Durham County. Look as much as this is an exercise in screaming into the void. It is incumbent upon every citizen to speak truth to power. That truth is twofold. First, these maps need to be drawn by independent nonpartisan civilian agencies or computer programs. We've all seen this before, haven't we? Corruption, bias, goes into these maps openly. They get overturned for the same reason, and then it comes back in a more purified and acceptable form and that can't be allowed in the future. We need a safe election for the people. Second point, multiple listening sessions. You got to have them after this. Once we've seen the maps, the people need to be able to comment. Thank you and carthago delenda est.



John Torbett ([00:28:47](#)):

Thank you. I'm going back to the second sheet of people that attended night signed up tonight. And the first name on that list is Angel Valdez. Angel Valdez. Thank you also for being with us this evening.

Angel Jimenez ([00:29:14](#)):

I thank you for your time. So my name is Angel Jimenez I don't know if my name got messed up, but I represent the Latino community. And my question is what we are doing is right. Who we benefiting? Is the question is we should have a lot of diversity into these communities so that we can know what's right. I just hope that what you're doing is for the best for the people. I thank you for your time.

John Torbett ([00:29:42](#)):

Thank you for being out with us this evening. Gary Foreman, Gary Foreman. Thank you, Gary. And thank for speaking to us this evening.

Gary Foreman ([00:30:03](#)):

I have some prepared comments here. I'm a little bit short. My name's Gary Foreman. I live in Durham now and have since the early seventies. I'm here as a private citizen. Although I wish to acknowledge being the beneficiary of All On The Line, AOTL, in their efforts to make the voting public aware of the seeming obsession of the NC General Assembly and of the North Carolina Republican Party to degrade our state from being even classified as a democracy, efforts that include the biased and gerrymandered drawing of voting maps. Because of groups like AOTL. I have been made aware of how unfair and unrepresented matters have been made so far by the Republican control of the mapping process. Despite North Carolina having democratic voters and the majority over Republicans, 36 to 30%, the congressional house representation is over 60%.

PART 1 OF 4 ENDS [00:31:04]

Gary Foreman ([00:31:00](#)):

The congressional House representation is over 60% Republican, 8 of 13 seats. And there are super majorities of Republicans in the North Carolina House and Senate. And the committee needs to know that it's just not noisy, grumpy citizens like myself or idealistic organizations like AO2L, that are complaining about unfairness. It's the Supreme Court itself that recognized it and struck down your racially biased efforts back in 2017. And I pinned that the racially biased, cited by that court, was far from a coincidence, being that the public can voter makeup is 91% white and 2% black. So I am a citizen, extremely distrustful of this committee of adopting maps that are at all fair to the voters in this state, and even in communities of interest in our county. But know that many of us US citizens are now aware of this unfavorable track record, are aware of the very strategies applied against communities of interest in cracking and packing. And we're watching, watching for you to pursue the process in a fair and representative manner.

John Torbett ([00:32:16](#)):

Thank you very much. Jill Mertens, I apologize if I got the last name, right? M-E-R-T-E-N-S.

Jill ([00:32:29](#)):

That's perfect.



John Torbett (00:32:29):

Oh, thank you, Jill. Thank you for speaking with us this evening.

Jill (00:32:32):

That's okay. I'm used to lifting my head up to talk to people. I wasn't born in North Carolina, but I got here as fast as I could. My name is Jill Mertens, and a Wake County resident, who perhaps represents the flood of Yankees moving into this state. My husband and I moved here in 1999. I love this state, and I thank each and every one of you up on the stage for serving. Personally, I'm an ex-Republican who is now registered as independent. And I made this change because of things just like the redistricting debacle after the last census. It was a national embarrassment, and I'm sure we can all agree, that's not how we want our state to make the national news.

I'm here today asking for transparency of number one, the process that you're using, number two, the people or the consultants that you engage, and number three, the criteria. Somebody said the criteria was posted. Forgive me, I have not yet seen that. But I would hope that it would and factor in that we want to keep communities of common interest bundled together. We want compactness so we don't have those crazy snake or dragon-shaped districts, and apply the one person, one vote principle.

I don't know if anybody saw it. I brought reprints if you're interested. An August 20th article in the news, an observer actually had a map from a Map Nerd based here in North Carolina. He said that these maps slightly favor the Republicans, not because of any political bias, but just because of the way the population is distributed across our state. I can buy that. That's competitive and still allows the people to speak on any particular matter. North Carolina is a purple state. I hope you will employ a fair process to allow the people to make their will known. First and foremost, you serve the people of this state, not a political party. Thank you.

John Torbett (00:34:43):

Thank you. David. I apologize, professor David Florine, is that right?

David (00:34:52):

Florence.

John Torbett (00:34:52):

Florence, thank you. Thank you for being with us this evening.

David (00:34:59):

Good evening. I apologize in advance. I just found out about this meeting today. I've recently moved here from New York. So I am a Yankee, moved down here. I moved down here because a, it's an intellectual paradise with all the academic prowess, as a professor and educator. And also, the people are just spectacular. And I live here in Durham. I moved here three months ago.

The reason I decided to speak is I run several businesses, including a nonprofit education company, a for-profit education company. And also I run a political think tank called Consensus. We work with Republicans, Democrats, liberals, conservatives, libertarians, and socialists with the ideas building the best policies possible and building consensus between different of groups. And so I'm offering my services. My company, we have over 200 educators working for my company, and offer you

the panel, opportunities to work with us, to help in a nonpartisan way, as well as help both sides in a political spectrum to get their ideas across.

I teach strategy innovation, research and alike, and I'd love to offer our company's capabilities to you. So that's basically it. I wanted to introduce myself to the community. It's a fantastic place to live already, other than the heat in the summer, which I cannot stand. But other than that, it's fantastic, and green, lush and fantastic people. So that's why I'm here. I figured I'd voice my desires to help.

John Torbett ([00:36:19](#)):

Thank You, David. Welcome to North Carolina. It gets better. Take just a minute, we had a young man walk in, to be with us this night, Representative Abe Jones from wake county. Abe, thank you for being with us. Nicholas, tell me your last name,

Nicholas ([00:36:44](#)):

Nicholas. Graber-Grace.

John Torbett ([00:36:47](#)):

Thank you. Thank you for speaking with us.

Nicholas ([00:36:51](#)):

Yes, thank you. And I'm here with the North Carolina Association of Educators.

John Torbett ([00:36:55](#)):

Thank you so much.

Nicholas ([00:36:57](#)):

So as a longtime civics teacher, I can say firsthand how confusing this process is to students and community members. Students quickly grasp the basic idea that districts should have similar population sizes to ensure fair representation. But when I show them the actual maps and students study the correlation between voter turnout and actual election results, they become frustrated. My mission as a civics teacher was always to help students first understand how our system works, and then help them buy into the idea that our democracy works better when they participate as actively engaged citizens.

That job is made harder when students in particular, black and Latino and working class students, look at district maps and draw the perfectly reasonable conclusion that the system is designed to sideline them and minimize their influence. Please draw maps that are compact, that maintain communities of interest. For example, here in Durham, elementary schools like and RN Harris and Fayetteville elementary are in the same attendance zones as certain middle schools and Hill High School, where I taught for 11 years. Those school and parent communities are important, and maps should maintain that cohesion by placing the schools that share overlapping attendance zones in the same political districts. Thank you.

John Torbett ([00:38:17](#)):

Thank you. Nimasheena, N-I-M-A-S-H-E-E-N-A. Is your last name Burns?

Nimasheena ([00:38:35](#)):

Yep.

John Torbett ([00:38:36](#)):

All right. Thank you. Thank you for being with us as evening.

Nimasheena ([00:38:39](#)):

Thank you. I'm not that short. Okay. My name is Nimasheena Burns and while I'm not representing anyone in particular, in full transparency, I am a county commissioner here in Durham.

John Torbett ([00:38:55](#)):

Thank you for your service.

Nimasheena ([00:38:56](#)):

Thank you. 58 years ago today, Addie May Collins, Denise McNair, Carol Robinson, and Cynthia Wesley walked into the 16th Baptist church, and it was blown up. And their lives were cut short that day, because somebody thought it was important to send a message that voting was not in the best interest of black people. So while we have decided that cutting people's lives too short is no longer the process, cutting people out of process is the new practice.

I am here today to ask for three things, support transparency measures. I am hopeful that we will be allowed to witness the map drawing and I'm thankful that we had this opportunity to give our input today. But we need additional public hearings. I'm happy that you have given us the opportunity to give feedback after this is over, but we need another opportunity. I would also like for you to allow more people to be in the room when these maps are drawn. And I would also like to ask for independent, nonpartisan map drawers.

When partisan gerrymandering occurs, it is always at the expense of the political voices of communities of color. When legislators feel secure in gerrymandering, they are less likely to listen to voters and are harder to hold accountable. This contributes to voter frustration and voter apathy. District lines should not be manipulated in the name of competitiveness. We should not rely on metrics that ignore the will people and allow our diverse communities to be broken apart in the name of competition. As an elected official, I shouldn't say this, but voters should be put choosing their politicians, not the other way around. States across the country are pushing for meaningful redistricting measures that protect their residents from partisan gerrymandering. North Carolina can do the same. Thank you.

John Torbett ([00:40:42](#)):

Thank you. Going back to those that signed up online, John Hollingsworth, John Hollingsworth. John, you for being with us this evening.

John ([00:40:59](#)):

Certainly. I am going to raise this in an equitable manner for those who come after me. Good evening, my name is John Hollingsworth. I'm an engaged citizen from Durham, North Carolina. Let me first say that I am under no illusion that our comments tonight will affect the outcome of the current redistricting efforts. Our GOP-controlled legislature has shown no interest in these proceedings or our desires throughout the last 10 years. So I direct my comments to the elected Democrats assembled and indeed, all north Carolinians interested in good governance. I come tonight with a bold proposal. I want

to make it impossible to gerrymand our districts. The only way I see to do that is to remove all human interference with the outcome. My perspective is that any time you have a human touching the borders of our political districts, that you invite bias, either based in corruption or just in the difficulty inherent in representing the needs of all constituents. The technical specifics are too complex to adequately discuss here, but there exist open source software at [autoredistrict.org](https://autoredistrict.org), that can create districts that are compact in form, equal in population, and minimize splitting of cities and counties.

Furthermore, this software also ensures that neither political party is disadvantaged due to the types of unintentional gerrymandering that have been identified by political scientists when purely geometric methods are used. I am sensitive to the fact that many here tonight have come to argue that their class, community, or clause must be protected. But I say to you that that advocacy is simply gerrymandering by another name. Those advocates might say that the computer-drawn districts, as I propose, would not sufficiently protect their specific interest to which I say exactly.

I envision a state in which the districts reflect the political will of the voters they contain from both major political parties. Of course, there are inherent problems with the two-party system, but it is the one we have today and is the one that must be addressed, not wished away. Lastly, I believe that this method could bring about a new politics in our state. If a politician had to appeal to multiple constituencies and the citizen had to engage a less interested politician, I believe that could be a path to a less divided and more functional society. Thank you.

John Torbett ([00:43:10](#)):

Thank you, John. Senator Murdock, I called your name, but you may not have been in a room earlier. It's your area. So we're going to give you hometown privilege here. And with us tonight also, is your Senator Natalie Murdock. Nancy McClain, Nancy McClain, Nancy, thank you for being with us this evening.

Nancy ([00:43:41](#)):

Good evening and thank you. My name is Nancy McClain. I'm a historian of the United States and a faculty member in history and public policy at Duke and a Durham voter. I'm here tonight because I'm deeply concerned about the state of our state and our country. As a historian who studies the political process, I know that self interested gerrymandering by any party undermines the principle of one person, one equal vote. In recent years, however, we have been subject to a particularly extreme form of partisan gerrymandering, using data of the art mapping software and micro-targeting data to divide natural communities and dilute the just weight of their votes.

This unnatural division of the electorate has produced the arch polarization that now threatens our public health in the pandemic. Because when districts are drawn to guarantee one party an absolute monopoly, the only competition will come from members of the monopoly party who are more zealous than those they seek to replace, in what the warped lines turn into the only elections that count in cartel politics, primaries. This kind of line drawing is killing us, literally now, particularly supporters of the party that has drawn the current lines that reward extremism. Surely no parties should draw lines that result in the death of so many of its own voters and the overwhelming of our hospitals, particularly in rural areas.

But here we are. This is not just a North Carolina problem. I know our country is in fact, the only one in the world that lets elected officials choose their voters. But here's the good news. All American voters just about, hate gerrymandering. And in fact, herpes polls better than gerrymandering. Majorities of voters in both parties and among independents, believe it is wrong for politicians to be choosing their

voters rather than the other way around. All of us want honest districts that are also competitive districts.

Oh shoot, I timed it, and it worked. Okay, well, the fact is when redistricting reform has been on the ballot, it has won by overwhelming majorities among Republican voters, Democratic voters, and independent voters in red states, blue states, and purple states. One last thing, these all right, nevermind. Okay. The only one thing, it's our choice and we would like to see you make the ethical and fair choice. Thank you.

John Torbett ([00:46:23](#)):

Were you Diane, or were you Nancy? I apologize.

Nancy ([00:46:25](#)):

Nancy.

John Torbett ([00:46:25](#)):

Thank you. Diane Horrigan. Thank you for being with us this evening, Diane.

Diane ([00:46:32](#)):

Thank you. I'm Diane Horrigan, and I live in downtown Durham. Durham is experiencing massive growth and is the largest community in district four. A fair amount of the district is rural, and Durham's needs are totally different with regards to affordable housing, gentrification, parking, traffic, infrastructure, and climate. As an example, because of the construction of high end condos and apartments, 94.7% of my track lacks tree canopy. Within the next 25 years, there will be an increase from 21 to 39 days of temperatures higher than 95 degrees. That's an increase of 18 days.

Without modern infrastructure, our community of concrete, wind and windows is hotter and does not have the same needs as a rural community. The elderly, the very young, the sick, and the poor will be unduly affected. So number one, Durham needs to be in a district with communities that have similar needs and growing pains. Number two, North Carolina is one of the most gerrymandered states in the country, and I find that personally embarrassing. We have a reputation for picking voters for our representatives with surgical precision, instead of voters picking their leaders.

Duke professor Jonathan Mattingly has testified how districts can be drawn fairly. Therefore, it's simple. Cut out the politics and follow his advice. I invite you to take us from one of the most gerrymandered states to the least and improve the state's reputation. Number three, if you are not going to follow professor Mattingly's program to fairly draw maps, then you should hold hearings again after you draw the maps, so we can give better input before the maps are finalized. Thank you.

John Torbett ([00:48:11](#)):

Thank you, Diane. Gary Whitford, Gary. Hey Gary, thanks for being with us tonight.

Gary ([00:48:22](#)):

Thank you. Thanks for being here and holding this referendum for us. We basically want to say, I'm from North Carolina. My lifetime, I've lived in Durham for 36 years. And I know that gerrymandering is something that we're not all proud of. And so I do want to applaud the general assembly for the openness and transparency that it seems that you're after and also like to commend them for not

including the racial and political concerns that are going to be something that's going to impact the drawing of the lines if you let it.

I think the lines should be following county lines. And worst case scenario, no matter what you do, somebody's not going to like it. And so there's going to be glee, there's going to be sorry, there's going to be disapproval, there's going to be approval. But what anybody that's involved in the process needs to know is fairness, bipartisanship is really what needs to happen. But we know that that's going to be challenged by somebody.

So I'd like to appeal to the people of the state to realize that the bipartisanship is going to be perceived by someone as being the cause for how the lines are drawn. And so we need to realize that without having some type of unity in our state, in our country, then we're going to continually be fighting this. So I just wanted to applaud the general assembly for doing what you need to do and what you will do, we think.

John Torbett ([00:49:59](#)):

Thank you, Gary, James Ramsay? James Ramsay. James, thanks for spending some of your time with us.

James ([00:50:10](#)):

All right, thank you. I'm Jim Ramsey from here in Durham in Mr. Hawkins' district. Thank you for this opportunity. My hope is that this redistricting process will result in districts that pass the political and legal sniff test on the first try, because they are fair from the start and not after years of lawsuits and unfair elections. To accomplish this, my greatest wish is for an independent commission. I recognize that won't happen this cycle, but want to explicitly support this approach.

My further comments today, are predicated on the purple nature of North Carolina, recognizing the virtual 50-50 split between the major parties' vote totals in recent years. So what constitutes fair? That means districts should be constructed such that the voters, not the makeup of the district, will truly have the opportunity to determine election winners. More specifically, this means that minorities' voices are heard across the state and are not packed into minority or black or Hispanic districts, where their voices are watered down. Also, this means that we won't pack one party's voters into fewer districts to minimize their voices either, thereby recognizing and honoring historical election results when creating these districts.

In terms of the mechanics of constructing fair districts, what should we consider? Compactness, which a lot of people have talked about, should not be the highest priority. It should be a factor, but should not be the highest priority. This would assuredly create numerous, non-competitive districts and undermine North Carolina's purple nature. Snake-like districts like the old congressional 12th, are not the objective either. Voting tendencies of the parties across each region county city, et cetera, must be recognized so that no party's voice is minimized. Given the geography and voting patterns in this state, however, it is almost inevitable that some districts will end up strongly favoring one party or the other. The number of these districts must be minimized. So in closing, respect each party's voices, respect the voices of all races and ethnicities, honor our purple nature, and create where the voters determine the outcomes. Thank you.

John Torbett ([00:52:29](#)):

Thank you, James. Jen Alexander, Jen Alexander? Jen, thank you for speaking to as this evening.

Jen ([00:52:51](#)):

Good evening. My name is Jen Alexander, and I'll start by saying thank you for holding these town halls and for not proposing rules that roll back too many of the gains from the last round of redistricting. However, and I know you know that was coming, the bare minimum that you should be doing is to approve an independent redistricting commission. Multiple studies, including one by Best et al, published in 2019, show that redistricting commissions create maps that are more compact and competitive, than ones created by legislatures. Commissions whose recommendations are not overridden by their legislatures and which require inclusive voting such as the one proposed in House bill 437, are even capable of generating maps with minimal partisan bias.

Even if you believe you can create maps as good as an independent commission, I would like to point out that one, House district 43 looks like a sea horse, and two, your constituents no longer trust you to create maps. That trust is not easily regained. And our own election system is in desperate need of public trust, as is the legitimacy of your own authority. Again, an independent redistricting commission is the least you can do. Ideally, I want to see North Carolina progress to policies that enable proportional representation, where our conservatives and cities and liberals and conservative [inaudible 00:54:10] still have a voice in our legislature.

That would mean shifting to multi-member districts with ranked-choice voting. The 1986 case, Thornberg versus Gingles does not prevent multi-member districts. North Carolina simply opted for single winner districts that could be gerrymandered to reduce minority representation, rather than include ranked-choice voting or other methods that would lead to minorities gaining the full power of their vote. These larger districts make it harder to gerrymander since they would need to loop around whole towns instead of just certain neighborhoods.

Since it costs more to campaign in multi-member and at-large districts, I would see that the general assembly approve funding for candidates that prove their viability. We can finance it with the money we'll save from not having to redraw the general assembly's hubris. I would also ask that you set a good example and put your masks back on, because my children are not old enough to be vaccinated.

John Torbett (00:55:05):

Thank you. Nathan Click, Nathan Click. Nathan, thank you for being here with us this evening.

Nathan (00:55:23):

Thank you for having me. I am a business owner, a veteran, and a father of four. I have a sister who does not vote. Now that breaks my heart as a descendant of those who attended North Carolina A&T as I did, Aggie pride, and participated in the civil rights demonstrations in the 60s. It breaks my heart that I have a sister that does not vote. But she does not vote, because she doesn't think it counts. She doesn't think it's worth it.

This general assembly, through its act of gerrymandering, has stolen the voice of the people. This is an attack of democracy, plain and simple. There's no other way to describe it. This general assembly needs to earn back the trust of the people. That's what everyone here has been saying tonight, unless I'm wrong about that. Did I hear everybody right? This general assembly needs to regain the trust of the people. Protecting incumbents and advancing your own political agenda or own political careers cannot be your purpose. And here's an idea, if you want to protect incumbents, serve the public. We will reelect you. If you do that. Again, my name is Nathan Click. I'm a business owner, a veteran, and a father of four. Democracy is under attack. We need to put people before partisan interests. Thank you.

John Torbett (00:57:19):



Going back to what I believe is the last people present sign-in sheet here. Allen, Nita, flip a coin. I got it wrong. No, you're fine. Thank you for being here.

Speaker 3 ([00:57:33](#)):

I'm not Nita, but I'm here on behalf of Nita. She had to go to a county commission meeting.

John Torbett ([00:57:37](#)):

Okay, you got two minutes.

Speaker 3 ([00:57:40](#)):

So Nita says, my name is Nita Alam, and I'm a constituent, as well as a commissioner of Durham county. Thank you to our legislators for their service to this state. I come before you to ask you to keep Durham county whole. I urge you to honor the Voting Rights Act so that minority voices are not prevented from having representation, and insist you host another round of public hearings after the maps are drawn, to truly hear from your constituents and have a representative government. Thanks.

John Torbett ([00:58:13](#)):

David Dixon, David Dixon, David, thanks for being with us tonight.

David D. ([00:58:28](#)):

Thank y'all for being here. My name is David Dixon. I'm a resident of precinct 31 here in Durham. Been a resident here in Durham for the past six years, come from one of the redder counties here in North Carolina, Rowan county. Thankfully have had the privilege of serving the democratic party during my time here in Durham. One of the things that we have consistently, consistently worked against, whether here in North Carolina, other states across the south, is racist gerrymandering. One of the things I think a number of us are working and advocating against is the illusion of bipartisanship. We know that a lot of folks on the other side of the aisle do not have the people of North Carolina's best interest at heart. We know that a lot of folks on the other side of the aisle continue to paint this picture that they want to work with our democratic colleague, but with their democratic co colleagues in office.

We've seen how that has been a lie in a number of a number of bills that have been put forth with this redistricting process, just kind of being a continuation of that lie. The Raleigh, Durham area recently by Forbes, has been ranked as one of the top five places to live in the country, I believe with proper assessment. But North Carolina has been ranked as the worst place to work in the entire country. So ultimately, that's as a result of preemption laws that you all have put in place with the bogus HB2 bill that blocked local municipalities, from raising the minimum wage. We have no worker protections here.

Again, this is a continuation of an illusion of bipartisanship. Ultimately, we just need to have an independent committee. However you all do it, whether it's through computers, whether it's through somebody that is not in office, that puts forth a... Gosh, I'm going to say a gerrymandering committee, because ultimately, that's what you all are, a gerrymandering committee. We need to have a nonpartisan committee put forth together. You all decide however to do it, let the community decide however to do it, but we need to put people over profit, people over politicians, people over partisanship. Work for us, as we put you all in office. So you should be working for us, not the other way around.

John Torbett ([01:00:54](#)):



Thank you. Aylette Colston? Aylette, thank you for being with this evening.

Aylette ([01:01:10](#)):

Hi, there, I'm Aylette Colston, North Carolina born and raised. I live in Wake county. I think since 2016, I've been in think maybe, three North Carolina Senate districts, two House districts, and two or three congressional districts. So I'm beginning to take it a bit personal. Maybe y'all don't like me too much, but Wake county now has well over a million people. So by necessity, Wake county will be divided into more than one voting district for Congress and state legislature. Because of the history of racially discriminatory electoral practices in North Carolina, the general assembly should consider racially-polarized voting data and racial data in an open and transparent way to ensure.

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Aylette ([01:02:00](#)):

In an open and transparent way to ensure that minority voters in Wake County are not deprived as the opportunity to elect the representative of their choice. Federal courts have told the North Carolina General Assembly that when it comes to ensuring that members of a minority group that has subject to past discrimination are treated fairly, the General Assembly must consider racial data.

The court told the General Assembly in the Covington case, that's the one that was unanimously upheld by the United States Supreme Court, that legislators should, and I quote, consider the impact of a districting plan on minority groups, including groups of voters previously subject to race-based discrimination. Covington is one of three cases where a federal court has found the General Assembly engaged in racially discriminatory electoral practices since 2013. Black voters should not be unnecessarily packed into minority districts, thus diluting their overall electoral power, nor should communities with a large number of black voters be cracked into several districts unnecessarily and in ways that do not reflect other natural boundaries and communities of interest. And when the maps are drawn, North Carolinians should have the opportunity to comment on those maps because we're the experts on our own communities. Thank you.

John Torbett ([01:03:33](#)):

Thank you. Gerald Givens. Gerald Givens. Gerald, thank you for being here this evening.

Gerald Givens ([01:03:39](#)):

Thank you. Thank you. I'm Gerald Givens. And I'm the President of the Raleigh-Apex NAACP which covers Apex, Cary, Fuquay-Varina, Garner, Holly Springs, Morrisville, and Raleigh. The census tells us who we are and where we're going as a nation. And helps us determine where to build everything from schools to supermarkets, from homes to hospitals, it helps the government decide how to distribute funds and assist states and localities. Gerrymandering allows politicians to get re-elected, even if they fail to address the problems that the majority of the public want them to solve. Racial gerrymandering not only limits representation, it also limits the influence of people of color, where they work, live and play.

The most vivid example in America is what happened to North Carolina A&T in the last decade, nine out of 10 years in the unconstitutional circumstance. In America, we have a freedom equation. Voting plus representation, times taxes, equal democracy. There is no division in that equation. We want you all to see us all for who we are. We're asking you not to discriminate against any of us for who

we are. Draw districts for candidates to earn our vote, to earn our representation, and to do what we want with our tax dollars. That's democracy. That's true integration. Sharing power, resources, and responsibilities together. The NAACP is prepared and on guard to challenge any redistricting that is unconstitutional. Thank you.

John Torbett ([01:05:28](#)):

Thank you, Gerald. Gregory Herschlag.

Barry, thanks for speaking to us this evening.

Gregory Herschlag ([01:05:51](#)):

Thanks for having me. So my name is Greg Herschlag. Together with Jonathan Mattingly, I run the Quantifying Gerrymandering Research Center at Duke University. We want to applaud the General Assembly for its decision to exclude partisan considerations from this redistricting cycle. From our previous analysis of North Carolina and other states, redistricting maps drawn without partisan considerations are responsive to voters. Responsive district maps are maps with election outcomes that change with voters preferences. Stated simply, as voters shift party preference, their preferred party wins more seats. Many of the districting maps in North Carolina that North Carolina has used in the past decades have not been responsive, as they have largely locked in the political outcome before the votes are cast. Responsive election maps are a minimal requirement for honest and functioning democracy. Citizens of the great state of North Carolina deserve elections that have consequences. Where the citizens cast their votes and those votes have real implications.

Our studies show that when elected officials use only non-partisan data, this typically produces district maps that are responsive to the voters. Our research group at Duke will be publicly providing such analysis, and we welcome you, and anyone else, to use it as a guide for the redistricting process and as a tool to critique any maps produced. We will be the first to congratulate you should you follow through on the promise of producing maps that have a typical level of responsiveness and which have not used partisan and political data considerations. Although there are many qualities to discuss when drawing maps, we've chosen to highlight responsiveness here, as it is critical to the health of our democracy and critical to ensuring that the will of the people, whatever it might be, is reflected by our representatives. Thanks.

John Torbett ([01:07:29](#)):

Thank you. Gregory. Claudia Koonz. Claudia Koonz. Thank you for being with us, Claudia.

Claudia Koonz ([01:07:38](#)):

Thank you for inviting us. My name is Claudia Koonz. I'm an all Orange County voter and I'm a member of the History Department at Duke University. I am so embarrassed, because whenever you read an analysis of gerrymandering, where is North Carolina? It's right at the bottom, sharing the bottom place with Ohio. Most of the time. This is an embarrassment. Registered Democrats actually outnumbered registered Republicans in 57 of North Carolina's 100 counties. And yet Republicans continue to dominate both houses in the State Legislature. How can we have faith in our democracy when legislators choose their voters? My field is German history. Actually, specifically, Nazism, genocide and the Holocaust. My research examined what happened to Germans, ordinary citizens, when they lost faith in their democracy. When the Nazi party won about a third of the vote and used that plurality to manipulate the constitution and seize power.

Yeah, we all know what happened, of course. It was tragic. Germans lost basic rights. The rule of law didn't apply. A dictator took them to war. But something else happened too. Something else happens under single-party dominance. Cynicism spread through the land. So did corruption. Germans came to be ruled by incompetence appointed on the basis of party loyalty. We need two parties in this state to keep our government representative, but also capable. Think of the alternative. Imagine the head of the DMV, the Department of Revenue, the Health and Human Services. Imagine that that person who was put in charge of these committees had about the same kind of qualifications as our postmaster of the United States. With Mr. Click, I think we want to regain the trust of the people. We need to have a hearing after the maps and we need a professional Redistricting Commission. Thank you.

John Torbett ([01:09:48](#)):

Thank you, Claudia. Leona Richard. Leona. And thank you for speaking to us this evening.

Leona Richard ([01:10:05](#)):

Yes. Thank you. It's my pleasure to be here this evening. I am Leona Richard. And North Carolina is my home. I vote in Durham County, the town, that little corner of Durham that's in Chapel Hill. So it's been interesting. I'm also a member of the League of Women Voters and participate in the Orange, Durham and Chatham County's chapter. So after the 2010 Census, the League of Women Voters recognized that voting districts drawn in 2011 were unfair and probably unlawful. And the districts were the product of an obscure and secretive process that intentionally packed and cracked population groups, diluting their votes to the advantage of the legislators entrusted with the task of reducing the districts. The League joined other watchful and concerned organizations to take the case to court. And won the argument that the districts were purposefully drawn to minimize representation by race, and to limit representation on the opposing political party.

We are continuing to actively advocate this year for fair districts to be drawn using the 2020 Census data. The League is in favor of transparency and public input. Public hearing locations, such as this one, are scheduled for only 10 of the state's 100 counties. Furthermore, it will be a travesty if additional public comment sessions are not provided for the draft maps. At this time, only one hearing to be held in Raleigh has been scheduled after the draft maps are produced. Many organizations, including LWV&C, have asked for transparency in the process and opportunities for adequate review and public input on draft plans. To date, those requests have been ignored. In 2011, there were 62 hearings and 35 counties convened before and after the maps were drafted. So we should be increasing transparency, not moving backward. Thank you.

John Torbett ([01:12:22](#)):

Thank you, Leona. Ivan Almonte. Ivan Almonte. Ivan, thanks for being with us this evening.

Ivan Almonte ([01:12:34](#)):

Hi, thank you. So this is my first time at a hearing on redistricting, and I wish I could bring my friends, but I mean, because we are essential workers, couldn't make it at six o'clock. So that's one of the things, this time is not accessible for all of us. So my name is Ivan Almonte. I've been a community organizer for the last two decades in Durham. And I'm also founder of Durham Rapid Response. I'm here representing my community, especially working class people. Last year, it was so challenging for organizers to encourage Latino's to be counted due to the political climate in North Carolina. It was really sad to find out that too many low income families have been displaced from their own communities. Immigrant essential workers at another community of interest that share the same values, culture and celebrate as a

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community in the neighborhoods. Gentrification has displaced this community. I will ask you to consider having more hearings in the neighborhoods where the most impacted people by redistricting live. Also provide interpretation services for Spanish speaking people. Thank you.

John Torbett ([01:13:41](#)):

Thank you, Ivan. Melanie Feinberg. Melanie Feinberg. Thank you for being here with us this evening, Melanie.

Melanie Feinberg ([01:13:56](#)):

I am a little short. I'll be brief. I have three things I want to say -

John Torbett ([01:14:00](#)):

Melanie, hang on one second. Can you pull that mic down so it's facing her mouth just a little?

Melanie Feinberg ([01:14:05](#)):

Great.

John Torbett ([01:14:05](#)):

Thank you.

Melanie Feinberg ([01:14:17](#)):

Thank you. Number one, the timeline for the entire redistricting process should be made public and widely disseminated. Number two, there should be ample time and opportunity for public comment at each stage of the redistricting process, including after draft maps have been drawn. And three, districts should be as representative of the state as possible, meaning that certain populations and political affiliations should not be sequestered into particular districts for the purpose of partisan gain. Thank you.

John Torbett ([01:14:49](#)):

Thank you. Jason Turner. Jason Turner. Is there a Jason Turner? I'll go back to that. Maybe the last sign up. Caitlin. Caitlin, I apologize. M-E-T-Z-G-U-E-R. You got to share with me that last name. Caitlin, how do you say your last name?

Caitlyn Metzguer ([01:15:31](#)):

It's Metzguer.

John Torbett ([01:15:31](#)):

Okay. Thank you.

Caitlyn Metzguer ([01:15:31](#)):

Sorry.

John Torbett ([01:15:33](#)):

Thank you for being with us as evening.

Caitlyn Metzguer ([01:15:35](#)):

Thank you. Good evening. My name is Caitlyn Metzguer. I live in Durham County. I want to bring up two things today. One about the process that we got here, and one about regions and maps. First, I want to say that I would love to see the draft maps that you have before we can make comments of about what we think about them. And I know we're under a lot of time pressure, it being September, and filing in December. But that is because you guys made it that way. So we could push the Primary to May and have more time for the back and forth process that we really deserve. I would like to see you guys move the Primary in 2022 so that we can have an entire process of hearings after we see the maps that you're talking about.

The other thing I want to talk about is the actual maps. Of course, I haven't seen them, but in this region we've seen tremendous growth. And I understand that Durham may see some changes. What I want to see though is protected, our black and brown communities specifically. And our campus communities. As has been mentioned multiple times, A&T suffered through bad maps forever. And I don't want to see the same for Central. And I don't want to see the same for any of our HBCUs across North Carolina. It's also been done at Asheville, Elon, Pembroke, there's multiple campuses like that. So I want to encourage you to respect student voters, keep them together geographically. And also please do not crack apart black and brown districts, or excuse me, neighborhoods, across North Carolina. Thank you so much.

John Torbett ([01:17:15](#)):

Thank you, Caitlyn. Brenda Pollard. Brenda Pollard. Thank you, Brenda, for being with us this evening.

Brenda Pollard ([01:17:28](#)):

I'm Brenda Pollard. I live in the Forrest Seal neighborhood for 36 years in Durham. Born in North Carolina. First, I wrote a lot of notes, but I want to just say, if you will please look at this. These ladies and these gentlemen of all ethics came to talk to you. They could be anywhere tonight. They may be frightened to be in this room, but they wanted to be heard. Please listen to them. If you listen, you're the leadership. We've given you our votes. This is something they are begging you to listen to them. And that's what I'm asking you to do. Be fair with this. Be heard. Let this State shine across America. That we are doing the right thing in this state of North Carolina. When you do these, when you draw these maps, this is the roadmap for our future of North Carolina. Please listen of their concerns. Some of these speakers have never been in front of a legislative, but you know that. They're intimidated. They shouldn't be intimidated. They should be able to talk to you.

Thank you for letting me talk, because what you've heard tonight is remarkable. It is democracy at its greatest and its finest moment. They were General Assembly members before you got there. Stand on their shoulders. Make us proud. Make us proud of this map. We don't have to come here and keep begging and keep asking for war. This is about the future, not mine per se. I'm on the edge of the stage, but the future is the children and the parents who are so upset because of masks. I will stop, but I will leave with you; make us proud. Thank you.

John Torbett ([01:19:38](#)):

Thank you. Shalandra Greenlee. Back to the sign up online. Shalandra, thank you for being with us this evening.

Shalandra Greenlee ([01:19:49](#)):

Oh, this is -

John Torbett ([01:19:57](#)):

We'll get somebody to help. Hang on a second.

Shalandra Greenlee ([01:20:06](#)):

Thank you. Excuse me. Good evening. Hello. My name is Shalandra Greenlee. My family and I settled in this great City and County of Durham 13 years ago. I would like you to keep my City and County together. My community sits in East Durham, located at Highway 98 and Mineral Springs. If you know the area, you know the traffic. And the traffic is grown. However, my Durham community is a city and County. The small farm turned into a subdivision, the revitalized downtown, and the historical North Carolina Central University. Go Eagles at Duke University. My community is my family like other families throughout the County of Durham. As a wife, mother of five, and business owner, my focus is this community. Its focus is education. Durham County continues to improve its educational system. And representation is a must for the intellectual and social growth of our children's future.

Durham has had an 8.2% growth in our child population, which makes an educational focus and funding even more important. It is different from other areas such as Alamance, which has not seen this growth. Purposefully breaking up communities takes away the community's ability to come together and to advocate for important issues. My family and children need representation that is fully committed to listening to our concerns. When maps are unfairly rigged, you end up seeing a legislator that represents special interests and politicians instead of representing the people. So like math class, show me your work. Keep my family and my community together. Thank you.

John Torbett ([01:21:59](#)):

Thank you, Shalandra. All right, Adam, I got a 50-50 chance of blowing his last name, Adam Kreidler.

Adam Kreidler ([01:22:09](#)):

Yeah, you got it.

John Torbett ([01:22:11](#)):

Thank you, and thank you for being here this evening.

Adam Kreidler ([01:22:13](#)):

Yeah, thank you. I want to thank the Chairman, members of the Joint Committee, other members of the General Assembly who are here. I appreciate the opportunity to speak. And I appreciate the steps that you've taken in the last few years to make this a more transparent process with more engagement with the community. It's important for all of us to see how the sausage gets made as voters, especially when it comes to redistricting, where as voters, we are the ground meat that goes into the sausage.

I want to believe that this engagement and this transparency, isn't just empty political theater and that we won't just have another few years of litigation and deepening distrust in this State. The reality is that folks like former Representative Lewis and Thomas Hoffler have cast dark shadows over this process through their legacies. I'm sure you'll understand that a lot of us are going to continue to be skeptical until we have a reason not to be.

Really, I think the truth is that redistricting should be a pretty simple and straightforward process. There was a 24 year old man who, right here from Durham, recently won a national competition to design fair maps for this State. It took him four hours to do so. And he was using publicly available software. If he can do it, you can too. The point is that fairness in our maps promotes competition, and competition produces better outcomes for voters and for parties. It means that there's less of a chance of hyper-partisan extremists on both sides getting elected and influencing their party's agendas. If we wanted to live in a hyper-partisan, low trust state, well then we've done everything right so far. If we want to go to a new destination, we need to build new roads. And that can start right now with this process if you so choose it. I hope for all of our sakes that you do. Thank you very much.

John Torbett ([01:23:53](#)):

Thank you, Adam. Kate Fellman. Kate Fellman. Hey Kate, thanks for being with us this evening.

Kate Fellman ([01:24:06](#)):

Hey, thank you for having me. My name is Kate Fellman and I am the Founder and Executive Director of You Can Vote, which started here, right here in Durham in 2014. And since that time, since 2014, we have spread across the State and served 43 counties. Have registered over 50,000 voters across North Carolina, and have educated through one on one conversations over 750,000 voters across the State. So I'm really proud of the non-partisan work that we do. We just are here to make people's voice heard, not tell them what to do or how to vote. Since 2014, it has been extremely difficult to educate North Carolina voters because the rules keep changing. Laws get struck down as unconstitutional. Maps get struck down as unconstitutional for targeting African Americans. And the voters are really in a hard place right now. And I'd like to share a little bit of my experience.

I am one of North North Carolina's over 2.4 million unaffiliated voters. I urge you not to take party affiliation into account when drawing maps, because unaffiliated voters are the second largest political party in the state of North Carolina. And it will be the majority party soon. Our new registrants are deliberately choosing not to be affiliated with either party. Yes, you heard that right. The largest party is about to be none of the above.

And as over 60% of the registrants that choose to be unaffiliated, what they say is, do I have to choose? That's what we're facing. That has what has happened over the past 10 years to North Carolina voters. Now, many voters believe that the representatives are not responsive to the members of opposite party or to independent voters. And many unaffiliated voters do not participate in primary, partisan elections, which is often where the elections are decided in North Carolina. 94% of North Carolina voters under 40 have never voted in a midterm primary and this needs to change, because the party affiliation of the voters should not be taken into account when you are drawing these maps. We will be the majority, and please take that into consideration and draw fair maps so that we can have representation, as well. Thank you.

John Torbett ([01:26:44](#)):

Thank you for being here. Nemishina Burns, if you're still here, I have your name on this list, too. I think you spoke earlier. So I'm going [crosstalk 01:26:51]. Thank you. Anderson Clayton. Anderson Clayton. Anderson Clayton, thank you for being with us.

Anderson Clayton ([01:27:09](#)):



Yeah, thank y'all for allowing me to be here. My name is Anderson Clayton and I have the distinct honor of representing Person County here tonight because I had to drive 55 minutes in order to be able to give a public comment at one of these listening sessions, because they're not any closer to me where I am. Rural voters in this process are being left out by only having 13 listening sessions. And I realize we don't have some of our larger counties as well. So some of y'all might be looking at me like, who are you? But rural voters in this State matter. I also have the opportunity to represent the Person County Democratic Party as their Chairwoman. And I also want to stand with everybody asking for a non-partisan districting committee to be drawing these maps. I don't believe that partisanship should matter in them either.

And I think looking at the last 10 years in this State, we can tell why. And also just historically, as well. I also want to say that I used to be Student Body President at Appalachian State University, so I'm here voicing that student concern too of don't break up our students. Keep our universities together. They have a right too. A&T with 5,000 students on one side of a line, and 5,000 students on the other is absolutely ridiculous and should never happen again in this State, quite frankly.

So just to make sure that y'all hear it from us, young voters are paying attention. You may not think that we are, but we are taking on leadership roles and we are getting active in our State every single day. And we're watching you. We're watching this decision. And we're going to make sure that we voice it at the ballot box too, come October for my municipal elections in Person County, but also next November as well. So thank you for what you do, but make sure that you are considering that you do work for the people in this room. And that's important for you to know in this process. Thank you so much.

John Torbett ([01:28:47](#)):

Thank you, Anderson. Thomas Jeffries. Thomas Jeffries. Thomas, thanks for being with us this evening.

Thomas Jeffries ([01:29:05](#)):

Thank you. I'm glad to be here. And I appreciate all the mask wearing. I am a physician from Wake County. I practice family medicine, and I certainly hope all the mask wearers are also vaccinated because that's going to help everybody in North Carolina. And I'd like to say, I've grown up in North Carolina. I've lived here for more than 60 years. I'm proud of that. And we have a very diverse, beautiful State. But what makes it really beautiful is the diversity of our population. There's diversity here, there's diversity on the stage. And I appreciate that.

And I would just like to say, I've served all kinds of people, rich and poor. We're all worthy and we all want to vote and we want our vote to count. And we can all vote now pretty much, but our votes don't count because there's been so much gerrymandering. I hope that stops. And I'm following a bunch of speakers who have said it more eloquently than me, but our State motto is, To be, rather than to seem. And I hope that's why we're all here tonight. And I hope that's why you're here tonight. Thank you so much.

John Torbett ([01:30:20](#)):

Thank you, Thomas. Gary Whitford.

Speaker 4 ([01:30:30](#)):

Already spoke.

John Torbett ([01:30:30](#)):



Already spoke. I thought that name sound familiar, as well. Aliana Ramos. Aliana, thank you for being here tonight.

Aliana Ramos ([01:30:42](#)):

Sorry. I'm short. And it's Ramos. So you were close.

So my name is Aliana Ramos. I am a Raleigh resident, and I am also one of those unaffiliated voters that will eventually become part of the majority in North Carolina. Thanks for having us here at this hearing tonight. Now, hopefully we can see these in every County and we can see them after the maps are drawn, and we can also see them online. So we've heard our redistricting chairs touting how this is the first time that political data won't be used in the drawing of new election maps, but that's not necessarily true. By including incumbent residences in the map drawing criteria, you are virtually ensuring that our State House and US House of Representatives look similar to what we've had for the past decade. But the people elected in our General Assembly don't currently reflect our registered voters. There are 7.1 million registered voters in North Carolina, 34.9% are Democrats, 33.9% are unaffiliated, and 30.4% are Republicans. Making Republicans the minority party.

Yet they are over-represented in our State House. Of the State's Senate's 50 seats, 56 are Republican. Giving them majority representation. And the same situation exists in the NC State House where 67.5% of elected officials are Republican. We didn't get here by accident. We got here through gerrymandered maps. Yet by including member residences, AKA the addresses of incumbents in the map criteria, we are being asked to accept more of the same minority party rule for at least the next decade, while also being sold on the fact that minority data isn't being used. That partisan data isn't being used. Having a General Assembly that doesn't reflect the will of the people has very real consequences. For example, North Carolina hasn't had a minimum wage increase in about 12 years, despite 57.5% bipartisan approval from voters saying that they would support an increase from \$7.25 an hour to \$15 an hour. We can't accept more of the same for the next decade and redistricting is a chance for fair representation. Thank you.

John Torbett ([01:33:03](#)):

Thank you.

PART 3 OF 4 ENDS [01:33:04]

Speaker 5 ([01:33:00](#)):

Thank you.

John Torbett ([01:33:01](#)):

Thank you. Beverly Kowalik. Beverly, thanks for joining us.

Beverly Kowalik ([01:33:22](#)):

I am Beverly Kowalik and I am a resident of Orange County. I am here to ask you to honor and respect the constitution of the United States which guarantees that each person's vote will be counted the same as every other person's vote. As legislators, you have an opportunity when drawing the new district lines to restore citizens trust in government. To do this, draw lines that ensure a fair election. Make the proposed maps available online for the public to study. Schedule more than one public hearing after the maps are available for citizens to review. Make the process fully visible to the public.

Citizens have a right to elect the people who represent them. It is up to you to uphold that right by honoring and respecting the oath that you took when you were elected.

John Torbett ([01:34:21](#)):

Thank you dear. Next speaker, your friend in mine, the former Senator, Floyd McKissick.

Floyd McKissick ([01:34:38](#)):

Thank you representative.

John Torbett ([01:34:39](#)):

Only two minutes.

Floyd McKissick ([01:34:40](#)):

Yes.

John Torbett ([01:34:41](#)):

Strict two minutes. Sergeant arms, two minutes.

Floyd McKissick ([01:34:46](#)):

Thank you. Representative Torbett, Senator Newton and of course the other members of the redistricting committee. I've been on the opposite side on many occasions on many a night. The thing I want to emphasize tonight is that we have an opportunity to do something that's unprecedented in North Carolina. We can do it in a profound and significant way, and it can be a roadmap for other states to follow, to emulate. And I think that opportunity is upon us.

Yes, we have constitutional requirement to look at districts in terms of looking at the whole county rule, but after we look at whole counties, we should try to make our districts as compact as possible and go in there and draw maps that are as compact as possible that really represent and respect communities of interest to the extent to which communities of interest can be respected. We should do so. We couldn't divide up small cities or towns or neighborhoods that are cohesive in a way that they're very identifiable.

The courts have said that we cannot have the courts voting that goes in and looks at partisanship. So partisanship has been stricken down by our State Supreme Court. Likewise, we can't gerrymander based upon race. But what we can do is a racially polarized voting study. And we should do a racially polarized voting study to see where in those sections of our State that racially polarized voting continues to exist. It would be appropriate to take race into consideration in drawing those districts in those specific areas.

That does not mean we do it all across the State of North Carolina. We don't want to look at being challenged based upon packing or cracking. We just want to make sure that those individuals and those citizens residing in those areas have an opportunity to elect their candidates of choice. And we should do a version of the map. I know you're going to do one that protects incumbents. Do a version that does not have incumbency protection and let's see what it looks like. A clean slate so that we can really see if we were using best practices what we would end up with in terms of legislative districts and what we'd end up with in terms of our congressional districts.

We know that we are a purple state and our maps should reflect that when it comes to legislative districts and congressional districts. And of course I know in terms of this area, one thing that's been looked at I understand is Chatham and Lee County, The extent to which they can be kept whole and kept together. I think that's something that when it comes to this area that should be respected and considered. Those are the observations that I would like to hear.

I'd like to say that I am not speaking on behalf of any group tonight. I'm sitting here speaking for myself as a interested, concerned voter and someone who respects the challenges that you faced in drawing these maps. I know that collectively, collaboratively working together in a bipartisan way that you are up to that occasion. Before, it was done with a higher of transparency due to a state Supreme Court decision. I hope that that same level of transparency will exist today and I hope that after the maps are drawn and perhaps several versions of those maps that include ones that don't have incumbency protection that there will be a series of public hearings conducted across the State of North Carolina.

And if that becomes challenging, we can do it as we did it before. I sat there with Senator Bob Rucho. We did it virtually with remote satellite locations being able to come in at different points in the queue and all people from all across the State, large cities and small were able to participate and to be heard, but I think if you can do that after the maps are drawn, that would excellent. I commend you all for giving your time and your energies, for being here this evening and I hope that you're all up to the challenge of doing what's in the best interest, not only of the citizens of State North Carolina, but what can be a illustrative example and model that can be emulated across the United States of America. Thank you.

John Torbett ([01:38:38](#)):

Thank you senator. Your former cop seen how long you spoke. Patricia [Kareem Obrigan Lasano 01:38:54]. Patricia Kareem Obrigan Lasano. Kyle Brazil. Kyle. Hey Kyle, thanks for being with us tonight.

Kyle Brzail ([01:39:12](#)):

Thank you. Good evening. My name is Kyle Brazil. I have lived in Durham since 2010. My daughters have been Durhamites for their entire lives. And we live between the Lakewood and Rockwood communities within a very diverse community. I'm speaking for myself this evening. My concern is the lack of accessibility during this public comment process. No interpretation being provided by the assembly. Hearings that are right at the end of the Workday, which is a burden on the many people in the triangle and many people from rural parts of the State.

Criteria that was voted on after a public hearing. That was at 08:30 AM in Raleigh after only a few days notice, not allowing people who work or people from the edges of the State enough time to plan to attend, let alone not enough time to analyze the criteria that was proposed, criteria that is not the same as the 2019 redistricting criteria which the joint committee has said it is and criteria that appears to prioritize the assemblies member's home residents address above and over the communities of interest.

Do not protect incumbents. Let the voters pick the representatives and not the other way around. And criteria that does not allow the review of race at all in the data set. A criteria which may sound fair in the surface but may have a disparate impact on our Black and Latinx and Asian communities as the assembly will not have the data to ensure that the maps drawn are not racist.

I demand for more inclusive process that includes more communities throughout the State of North Carolina. Having hearings, a process that includes weekend hearings and hearings that are

accessible online given the fact that we are still in a pandemic. And we have no hearings yet scheduled for after maps. You have not done enough to ensure all the communities are heard. There are no post map drawing hearings scheduled and the assembly's priorities are being placed above of the people's interests. Thank you.

John Torbett ([01:41:22](#)):

Thank you, Kyle. Renee Miller. Renee Miller. Renee, thanks for being with us.

Renee Miller ([01:41:35](#)):

Good evening. My name is Renee Miller and I must admit that I'm one of those people who's a little bit scared to be here because in addition to being a citizen of Wake County I'm the president of the Western Wake Republican Club. Your work and redistricting is important to me because of the rapid growth in the area of Wake County, which our club serves. Cary, Apex, Morrisville and Holly Springs will all be affected by the recent influx of more technology related businesses. Many of those people will be drawn to our towns and we want to keep the character of our towns intact. This means being sure that we have all viewpoints be able to be heard.

Presently, Wake County has a delegation of four senators and 11 representatives in the general assembly. Of these 15 legislators, only one represents the views of conservatives in the most populous county in North Carolina. Neither of our congressional districts is even competitive for conservatives, yet Republicans make up nearly one fourth of the electorate along with the Libertarians and other conservatives among the unaffiliated. We ask for compact, competitive districts at all levels of government. We encourage you to draw districts which encourage vigorous debate on the issues. Our constituents want good schools, good roads, low taxes, the freedom to live our lives as we choose and for people to be able to stand on their own two feet. We raise our children to pursue these values.

In addition, I ask that you do what you can to minimize the opportunity for legal action in drawing the districts in Wake County. We would prefer to be able to have the people's business to be attended without having prolonged court battles as we have for the last 10 years. It has been expensive, not to mention further eroding the relationship between the people and their representatives. The confusion over the ever-changing districts has had no benefit to anyone. I urge you to draw competitive districts to get back to the people's work and to stay in touch with all your constituents. Thank you.

John Torbett ([01:43:51](#)):

Thank you, Renee. Matt Hughes. Matt Hughes. Matt Hughes. David Dick. Already spoke. Lee Mortimer. Lee Mortimer. Lee, thanks for being here with us this evening.

Lee Mortimer ([01:44:17](#)):

It's okay. Lee Mortimer. 33 year resident of Durham. And thanks so much for having this hearing. I'm not so concerned about Durham districts. We know they'll all be Democrat and by hefty margins. What counts more is how many seats each party gets in Congress and in the general assembly. In our six highest profile elections in 2020 the two party statewide vote was 50.1% for Republicans and 49.9% for Democrats, yet the analysts tell us Democrats should expect to win only five, maybe six of our 14 congressional seats. That's less than 40% representation in a 50/50 voting State.

Another way of looking at it is, if you are a Democrat, your vote counts as 80 cents compared to a Republican vote that counts as a dollar and 20 cents. They say it's because Democrats are clustered in urban and metropolitan areas while Republicans are more spread out. Democrats pile up bigger winning

margins like in Durham, but win fewer districts. So it takes more democratic votes to win fewer democratic seats.

Democrats are suspicious Republicans will draw districts that are unfair to democratic candidates, but Republicans don't have to do anything underhanded and they'll still be in control even if Democrats get more votes. The US Supreme court says it can't do anything about partisan gerrymandering but State courts can. Our courts have acted and so have other States.

A few years back, Pennsylvania Supreme Court rejected their congressional districts and brought in Stanford Law Professor, Nathaniel Persily, to draw new ones. Persily has also done work for our State. Pennsylvania is another evenly divided State but its congressional delegation had 13 Republicans and only five Democrats. Professor Persily drew a new map that included partisan fairness as part of the redistrict new criteria. In the 2018 and 2020 elections, Pennsylvania voters elected nine Republicans and nine Democrats to Congress. North Carolina should voters should not be shortchanged in representation just because they may live closer to other voters in their party. Advocates for fair elections should look to examples of other States so our congressional delegation and our general assembly fairly represent our State's voters. Thank you.

John Torbett ([01:46:41](#)):

Thank you. Karen Ziegler. Karen Ziegler. Hey Karen, thanks for being with us this evening.

Karen Ziegler ([01:46:50](#)):

Hi. My name is Karen Ziegler. I'm a retired nurse and a retired pastor and I'm not going to repeat things that have been said so far. I just want to say it's very moving that we're all here with so much passion. When I feel we've been told some of us in so many ways that our vote doesn't matter, you don't care what we think and that this is just kind of theater because you're going to do what you want. So it's very moving that we believe so strongly in democracy and I just want to say that this is a really pivotal moment for our country with regard to democracy. We are in real danger of losing democracy in this country.

And I loved whatever somebody said about how you guys have an opportunity to turn a corner in this state which has been in the forefront of partisan gerrymandering. And I really plead with you around issues of transparency. Please make the maps as you draw them online available with full data file in readable form and please give the people of North Carolina the opportunity to observe what you were doing. Also so important, in 2011, there were three rounds of hearings and four rounds of map drawing and this is only one map drawing and then I think one hearing after that and that just is not going to go any distance toward restoring our faith in our elected officials.

I really agree with the person who said we have lost faith in you and this is your opportunity to restore it. And this is a really important moment to do that.

John Torbett ([01:48:28](#)):

Thank you. Laura Bravo. Laura Bravo. Laura Bravo. Claire Paulson, Claire Paulson. Claire, thank you for being with us this evening.

Claire Paulson ([01:48:54](#)):

Hi. My name is Claire Paulson and I'm a resident of Carrboro. First, I'd just like to speak briefly to what I see as my geographic community. I consider myself part of both the Carrboro town community and the broader Chapel Hill, Carrboro Community. I work as staff at UNC chapel Hill. And like me, many people

who live in Carrboro and Chapel Hill work or study at the university and define our community in large part through the university's centrality and significance to that community.

Because of this, I believe that the towns of Chapel Hill and Carrboro should remain in the same congressional district as well as in the same State legislative districts. And I'd like to echo what other folks have said about keeping communities together across the State. I think that's very important. Second, I'd like to comment on your process going forward. In order to come anywhere close to adequately serving the people of North Carolina the communities must offer additional opportunities for community input after new maps of the and proposed. Specifically, there should be a bare minimum of 20 hearings across the State and these should include hearings in higher population counties that were excluded from these initial hearings, including Wake County, Guilford County and Buncombe County.

These hearings should also offer options for remote attendance and participation for those who are unable to attend in person or don't want to attend in person due to work or family commitments, disability or safety concerns given the pandemic. Thank you.

John Torbett ([01:50:22](#)):

Thank you, Claire. John Leonard, PhD. John, thank you for speaking to us this evening.

John Leonard ([01:50:36](#)):

Thank you Mr. Chairman, members of the committee. I've got a tough act to follow. I've got all these people here. I agree with everything that's been said. Thank you so much for being here. I'm Dr. John Leonard. I'm a US coast guard vet, PhD in geographic information systems, program manage, IBM. I live in Cary, Wake County since 1992. So shout out to representative Dallas, Senator Nickel, representative Jones. I'm here to endorse five principles many organizations like Fair maps, North Carolina, Common Cause, No Labels and other seek for drawing our electoral maps.

As you know, North Carolina's constitution requires three simple things for US Congress and NC legislative districts. A, equal population. B, be compact and contiguous all in one geographic piece and C, try to keep county's whole and minimize crossing community lines. The five principles. One, include experts and citizens as members of an impartial review commission who reflect north Carolina's racial, ethnic population in the full spectrum of community diversity.

Principle two, include the legislature in the process. Obviously you approve the members of the commission. Principle three, set strict rules for the redistricting commission work that A, applies constitutional redistricting standards, i.e compact, contiguous. Keep local government units and communities of social and economic interest whole. B, here's the punchline. Do not allow use of party data or partisan objectives. C, use voting rules that require transpartisan support for any maps.

Principal four, provide for extensive citizen participation and transparency. And five, make North Carolina maps final with the nonpartisan commission's vote. In short, use regular parliamentary order with public input, not biased, partisan special interest backroom deals. In summary, please do not draw unfair gerrymandered partisan, unrepresented, unconstitutional districts. Thank you very much.

John Torbett ([01:52:59](#)):

Thank you Dr. Leonard. Joe Kapowski. Joe Kapowski. Joe kapowski. Are you Joe?

Joe Kapowski ([01:53:12](#)):

I am.

John Torbett (01:53:13):

Joe, thanks for being with us this evening.

Joe Kapowski (01:53:15):

Thank you for having me. My name is Joe Kapowski. I live in Chapel Hill. I'm a former town council member there and former mayor pro tem. According to the North Carolina's State Board of Elections, currently 36% of North Carolina voters are registered as Democrats, 33% as unaffiliated and 30% as Republicans. 36, 33 and 30. In the United States House of Representatives however, there are no unaffiliated representatives. So somehow we're going to have to divide up the unaffiliated voters of North Carolina for 14 seats that Raleigh will send to Washington.

Now, if we just divide unaffiliated voters 50/50 that will mean there will be eight Democrats and six Republicans in the North Carolina delegation. If we split 60/40 Republicans, that will make it a seven/seven split being sent to Washington. Okay? None of this begins to approach the 10 to four Republican to Democratic ratio that Dallas Woodhouse, the former executive director of the Republican Party promoted on May 2nd.

My request is to please draw redistricting maps that reflect the choice of the voters, not the choice of the party in control in Raleigh. Let me close with an idea. I've now listened to 60 some speakers here and there's been a complete dearth of compliments. Having sat in your seats and listened at public hearings it would really disturb me that everybody dislikes what you've done, and that's what I'm hearing. Thank you very much.

John Torbett (01:55:37):

Thank you, Joe. T Anthony Spearman. T Anthony Spearman. Mr. Spearman, thank you for being with us this evening.

T Anthony Spearman (01:55:56):

Good evening. I am the Reverend Dr. T Anthony Spearman, a resident of Greensboro in Guilford County and the president of the North Carolina State Conference of Branches, NAACP whose mission is to ensure the political, educational, social and economic equality of rights of all persons and to eliminate race based discrimination. The reason I emphasize all persons tonight is to make sure that everybody understands that the National Association for the Advancement of Colored People is open to all people. We do not discriminate between Republicans and Democrats, rich, poor, Black, White. Our services are available to all.

I want to say that and lift that up because there's one piece of landmark legislation that I'm hoping that those of you who are not minorities would make sure that you adhere to. And that's the Voting Rights Act of 1965. In November of 1963, I was a 12 year old living in the State of New York who was very hurt and cried all day when I learned that President John F. Kennedy had been assassinated. That's become the permanent furniture of my mind. Also, that has become the permanent furniture of my mind is June 25th to 2013 when the Supreme Court of this nation returned the verdict that they were going to eviscerate the fifth section of the Voting Rights Act of 1965, which has hurt my people ever since.

Those of you who are not minorities may not fully understand why we would compel you to please make sure that you use the Voting Rights Act of 1965 and section two in your deliberations on making sure that these maps are drawn comprehensively. I see the stop sign. I'm going to stop. And that's what I have to say tonight. Thank you so much.



John Torbett ([01:58:35](#)):

Thank you, Reverend. We've come to the point of the evening where I have exhausted the people that were listed to speak this evening and will ask, is there anyone in the audience that didn't get a chance to sign up to speak? If so, now would be the time to raise your hand or... Yes, sir. Were you wishing to speak this evening?

Marino Leone ([01:59:00](#)):

Yes, please.

John Torbett ([01:59:01](#)):

Okay. Can I get your name please?

Marino Leone ([01:59:04](#)):

Marino Leone.

John Torbett ([01:59:05](#)):

You'll have to spell it for me, please.

Marino Leone ([01:59:07](#)):

M-A-R-I-N-O L-E-O-N-E

John Torbett ([01:59:08](#)):

L-E-Y...

Marino Leone ([01:59:08](#)):

L-E-O-N-E.

John Torbett ([01:59:12](#)):

L-E-Y-

Speaker 6 ([01:59:13](#)):

L-E-O.

John Torbett ([01:59:15](#)):

L-E-O

Speaker 7 ([01:59:18](#)):

Leo.

Speaker 8 ([01:59:19](#)):

Leone.

John Torbett ([01:59:22](#)):



Got it. Sir, you have two minutes. Thank you for being with us this evening.

Marino Leone ([01:59:27](#)):

All right. First of all, I want to thank you for your patience. I'm sure it's not very fun to come to Durham, a very progressive place and hear all of this for two hours. What I do want to point out is a very easy way to avoid this in the future is just draw really good maps and then when you come here next year, we'll be very happy. Thank you. And we'll say very nice things. And if you're not here next year because you drew really good maps, then you don't have to listen to us anyway. So that's also a great thing.

My name is Marino. I'm a law student at Duke University. I'm sorry. I missed your introductions. I was a minute late, so I don't know who you are but I assume you're Republicans because you're up there and you're in power and that's how it works here. I do want to thank you for your time and your attention and your eye contact. And thank you. Yeah, I want to thank eight of you for being off your phone the whole time. I want to thank you for at least trying to hide that you were off your phone. I appreciate that a lot.

I am speaking for myself. I also think I'm sort of speaking for a generation. And my main question is just, what are you doing and are you proud of what you're doing and do you really think this is a good idea? I just feel like this is cheating in politics. I feel like it's unAmerican. I feel like you know of these things as well and it's clear that you have a lot of great power. And I think we all know from Spider-Man that with great power comes great responsibility. I hope you choose to use that responsibility.

At duke Law, I'm the president of the North Carolina club and part of the club is telling students about how great our State is and trying to convince them to stay and in the State after graduation and you're making it really hard to convince people that this is a great State and that they should spend any amount of time here more than they have to to get a degree.

I was raised Republican. My family's Republican and if you're not Republican, maybe I'm misjudging the situation, but you're really losing us. You're losing my generation and you're losing Republicans. You're losing the people who are in the middle, who are unaffiliated. You probably feel like you have to gerrymander because you don't have enough votes. But I'm telling you that you don't have enough votes because you're gerrymandering. And if you flip that, you will be A okay.

If you want enough votes, you should just have better ideas and you don't have to come up with them. We will give you our ideas for free if you listen to the people. Those are the better ideas. So take those ideas and please use them. If you don't, we're going to find a way to vote you out. And if you don't, my generation is coming for you and we will not see you in the future.

Speaker 9 ([02:02:04](#)):

I will.

John Torbett ([02:02:04](#)):

Thank you. Ladies and gentlemen, on behalf of all the members of North Carolina General Assembly, both Republican and Democrat on the podium and sitting down here in front, we'd like to thank you for participating and sending or sharing some of your time with us this evening. Being no more speakers at this time, we're going to conclude our business and call the committee adjourned. [crosstalk 02:02:34]

PART 4 OF 4 ENDS [02:02:45]

This transcript was exported on Nov 13, 2021 - view latest version [here](#).

Sen. Carl Ford ([00:00:01](#)):

[crosstalk 00:00:01]

We'll call this meeting to order. Welcome everyone here tonight. I'm Senator Carl Ford chairing tonight. On behalf of the House and Senate redistricting committees, I want to thank everyone for being here. I want to thank my fellow House and Senate members. Senator Crawford, Senator Davis, Representative Smith, Representative James Gailliard, Representative Cooper-Suggs, thank you. Representative Willingham, Representative Winslow, Representative Wray.

Is your name in here?

Sen. Barnes ([00:03:28](#)):

[inaudible 00:03:28]

Sen. Carl Ford ([00:03:33](#)):

And Senator Barnes. She didn't make the list. I don't know why she didn't make the list.

I want to thank our staff for being here. Senate Sergeant-at-Arms Hal Roach, House Sergeant-at-Arms Stanford Young, our other staff general assembly police, local police, everyone for their hard work here tonight. We appreciate you. I see Erica Churchill here, the staff, and other staff scattered around the room. We appreciate everyone being here tonight.

We usually conduct public hearings in the order that individuals have signed up. Thank you. However, it's come to the attention to the chair, that individuals that may want to celebrate Yom Kippur and, with respect to that, if you wish and you identify as that, if you want to come up and testify at the front of the line, that will be fine with us. Please introduce yourselves tonight and mention any organization that you are affiliated with when you speak.

First on tonight, docket, if you'll come up to the microphone, you have two minutes to speak, is Leonard Ward.

Barbara D'antonio, come up to the mic, you have two minutes to speak.

Barbara D'antonio ([00:05:40](#)):

My name is Barbara D'antonio, and I live in Goldsboro that is in Wayne County. I'm the president of the Democratic Women of Wayne County, and I have lived in the rural area of Wayne County for seven years.

When Wayne County is a community with lots of farmland and one large city, Goldsboro, and several small towns. The city of Goldsboro has recently completed a 20-year project of improving the downtown area. Our community problems are many; we have many challenges. As with all counties, we want better paid educators. We want better health care for everyone, including the 16,000 uninsured in our county. We have many environmental concerns, like the flooding that we have every year, every time we get a hurricane. We are also home to Seymour Johnson Air Force Base, which has a positive effect on our economy.

Okay, let me skip down here. I am concerned about the fact that we have two House of Representatives, and one of them I am concerned about is Representative Smith's district. It includes the central part of the county, including the city of Goldsboro, and several counties in Sampson County. That puts him in two congressional districts, the first and the seventh, and I would like to see that continued because there is little or no minority representation in the congressional district seven. I

know that the rules do not support minority or political gerrymandering, but I think that this representation needs to be addressed.

And now I need to stop, but I did want to say thank you all for doing this.

Audience ([00:07:50](#)):

[inaudible 00:07:50]

Barbara D'antonio ([00:07:55](#)):

I'm sorry.

Sen. Carl Ford ([00:07:57](#)):

They're having problems hearing.

Barbara D'antonio ([00:07:58](#)):

Oh.

Sen. Carl Ford ([00:08:00](#)):

It's all right. I don't think it's you.

Barbara D'antonio ([00:08:02](#)):

I just wanted to thank you all for doing this, and thank you to our representatives in Wayne County because they do listen.

Sen. Carl Ford ([00:08:09](#)):

Thank you, Ms. D'antonio.

Gary Boos. Gary Boos?

Kelby Hicks. Kelby Hicks.

Michael Bale.

Is Kelby here? Oh, I got you.

Michael Bale. If you could speak directly into the microphone, it would help us all. We appreciate it. Thank you very much.

Michael Bale ([00:08:49](#)):

Thank you so much for the opportunity to share with you. As we know, redistricting is a very vital part of our lives, and I would like for you to consider a few points that hopefully you will take into consideration. One, districts must be drawn that are compact. Non-compact district confuse voters. It split communities of interest, and are often drawn to benefit certain voters or certain political parties. In other words, community is vital and we need to stay within the amalgamation of that community. District must be drawn that do not split precincts. Split in precincts also confuse voters. It make it harder to have the administration of the elections and are often used to benefit, whether we believe it or not, the incumbent or certain political parties. Cities and towns, like Goldsboro, for example, and Wilson, should not be divided unnecessarily to protect incumbents or a particular party. What is important is that legislators should consider communities of interest and not divide in them to protect incumbents.

Please, I ask of you that you consider this, that we keep communities together.

Thank you.

Sen. Carl Ford (00:10:50):

Thank you, Mr. Bale.

Angeline Echeverria. Sorry if I butchered that name. Very sorry.

Angeline Echeverria (00:11:14):

Good afternoon. My name is Angeline Echeverria. I have lived in the Brentwood area of Raleigh, and been active in the Latino community for nine years. I'd like you to keep my community of immigrant families together. Many of my neighbors are immigrants or, like myself, children of immigrants. Looking at the businesses lining Capital Boulevard and New Hope Church Road, you see the influence of many countries from Latin America, the Caribbean, Asia, and Africa. We deserve districts that take into consideration the common experiences of migration, language barriers, and the racial and ethnic discrimination that unites us with established Black communities in our area. Local housing options include single-family homes, duplexes, apartment complexes, mobile home parks, and low-cost hotels that some families rely on due to the lack of affordable housing, rent in housing prices have skyrocketed. Many of my neighbors are being pushed out despite having contributed to the vibrant businesses, infrastructure, and construction that is drawing newcomers in. Our district should unite communities affected by gentrification so we can elect candidates who understand our struggles.

The 2020 census shows that North Carolina is growing in large part due to community members who identify as Asian or Hispanic. Even though this growth has given us an additional congressional seat, North Carolina has never elected a Hispanic or Asian congressperson, and there are very few state legislators who identify as Asian or Hispanic. We deserve a redistricting process that actively acknowledges our community's growth, promotes racial equity, and includes immigrants. Information should be disseminated widely among ethnic media, more hearings should be held, and interpretation services should be offered.

Thank you for considering my testimony.

Sen. Carl Ford (00:13:04):

Thank you, Ms. Echeverria. I probably butchered it again.

Caitlin Metzger.

Caitlin Metzger (00:13:26):

Is this okay?

Good afternoon. My name is Caitlin Metzger. I actually live in Durham County, but I came here thinking I would have more time to... a room to spread out. So, thank you for having me.

I want to talk about two main points. One is just the process that got us here. I would like to urge the general assembly to expand the redistricting process and make sure that we can push back this process to make sure that we can see the draft maps you're proposing. I would love to be able to see them before I comment on what I like and don't like about them. I know we're scheduled for a March primary which pushes this timeline up, but it is within your power to push that primary to may, and give us all a little breathing room in this process.

The other thing I want to talk about is making sure to protect communities, especially Black communities and Latinx communities. I live in a city with an HBCU, and I do not want to see that community split on the congressional level or legislative level or municipal level for that matter. I want to encourage you to respect campus communities across the state. I know we've seen that in Greensboro, in Asheville, and other communities. Please respect the campus communities as keeping them whole as well as protecting Black and Brown voters across North Carolina.

I had one more thing to say. Lastly, I really want to encourage you to have these meetings live streamed or available virtually. I've been trying to follow all of them as they've been going on, but I would love for the general assembly to offer this more widely available so that all of us can hear what all of us are saying and read the public comments that have been submitted online. We would like to watch all the hearings and read all the comments.

Thank you for having me.

Sen. Carl Ford ([00:15:25](#)):

Thank you, Ms. Metzger.

Gerald Branch.

Gerald Branch ([00:15:38](#)):

Thank you, and thank you for having me. Thank you for this opportunity for us, as citizens of this district and this area, to come forward.

Brother Bale, the previous speaker, we had come together and we had some bullet points that we wanted to cover. Basically, what he said is what we were really interested in. We're representing eastern North Carolina here. For the next 10 years, there's a lot of things going on. We just want to make sure that everything is done fairly, just above board and, I guess, just to let everybody know that, hey, all eyes will be watching what's going on here. We just want to keep it up front and above water.

Thank you.

Sen. Carl Ford ([00:16:17](#)):

Thank you, Mr. Branch.

With a reminder, recordings of this meeting, they are being recorded. They will be posted on the North Carolina leg.gov website within one day after all of these meetings, ncleg.gov.

Max Avent.

Max Avent ([00:16:46](#)):

Good afternoon. Thanks for being here. Just like Gerald, my bullet points have primarily been covered but I do want to reiterate a couple. I put just as much emphasis on the African-American voters should not be packed into a few districts through racial gerrymandering to dilute their votes. Democratic voters should not be packed into a few districts through partisan gerrymandering to dilute their votes. Districts must be drawn that are not compact.

Thank you very much.

Sen. Carl Ford ([00:17:23](#)):

Thank you, Mr. Avent.

Larry Alston.

Larry Alston ([00:17:38](#)):

Thank you for this opportunity. I too want to talk, in reference, will speak on the redrawing the voting district lands. As you understand and know already that we're doing this for North Carolina eastern part of the state. As elected officials, you are responsible for the integrity of our election process. Legislators must draw the districts that do not have split precincts. Split precincts are the source of much of the voters confusion, and it can cause other problems. Each voter in the precinct should have the same ballot, number one, contain the same candidate. When this does happen, there's confusion among the voters concerned. For instance, which line do I stand in? Why is my neighbor in a different land or has a different ballot?

Am I in the right place? Thank you. All right? Is my vote going to count? This can cause voters to stay at home out of frustration, and cause distrust with the process. Split precincts can cause voters to give up. They'll be given the wrong ballot on election day and so their vote don't even count. All right?

Polling places for split precincts are also more costly to operate because accommodation must be made for different precincts. More election officials and more voting machines should be there. All right? This is what I see that we really need to do not split the precincts.

Thank you.

Sen. Carl Ford ([00:19:37](#)):

Thank you, Mr. Alston.

Rick Horner.

Rick Horner ([00:19:55](#)):

Thank you. Welcome to Nash County, Mr. Chairman.

Sen. Carl Ford ([00:19:59](#)):

Glad to be here.

Rick Horner ([00:19:59](#)):

Please have some barbecue while you're here.

My name is Rick Horner. I used to be the senator for Nash, Wilson, and Johnson counties. I just want to address the published groupings that I've seen. I don't know if you guys are using those yet, but I've seen some algorithm. Apparently, they're pretty accepted on how these counties will be put together. If they are correct, the House and the Senate, I want to address the Nash-Wilson county grouping and the two house seats involved.

Based on the Stephenson criteria of whole counties, Wilson will obviously be kept whole, and they will use some precincts from Nash. Currently, Nash has five precincts that are grouped with Franklin. One of those has a split between Representative Gailliard and Representative Winslow. If you can eliminate that and make that a whole precinct, that makes sense to me. But what I want to say was the simplest thing for the voters, and I know we want to keep our representatives separate, which this would do anyway, is to make it simple for the voters and just move those precincts to Wilson. They're contiguous, they follow the line, the precincts in Representative Winslow's district but up to the watershed of Wilson County, Buckhorn Lake, very important. The the proximity of Sims which the town

of Bailey is three and a half miles from, that's a Wilson town, they need to put sewer through there to Wilson.

There's a lot of things Southern Ashe County has in common with Wilson, and I've been a proponent of keeping those two together as long as I've been in public service, and I've served both counties. I think it's very important that you look at that criteria of the community interest when you do these things. It will be, as everyone said, compact. They basically cover the whole line of the county. That's really the point I want to make that, when you do these things, think about the simplicity of the voters. Representative Gailliard's district would probably not even be touched, which except picking up maybe [inaudible 00:22:17], whatever the other one. [inaudible 00:22:19] or one of those districts. But anyway, the idea is to make it simple on the voters, not have to go to a precinct, and get two different ballots.

But anyway, thank you so much.

Sen. Carl Ford ([00:22:30](#)):

Thank you, Mr. Horner.

Wyatt McGhee.

Wyatt McGhee ([00:22:48](#)):

I'm speaking as a resident of Nash County. The North Carolina constitution gives our elected general assembly the authority and responsibility for drawing representative districts after every 10-year census. The North Carolina constitution does not give that authority to the courts or to special interest groups. Unfortunately, in recent years, we have seen mainly left-leaning groups who have not been happy over the balance of power in the general assembly, filed numerous lawsuits in order to circumvent the North Carolina constitution. I'm here today as a registered voter to commend our Republican-led general assembly for previously carrying out their redistricting duties in the most transparent, fair, and constitutional manner in the history of our state, and to encourage them to do the same in the current redistricting process. Based on the North Carolina constitution, each elected official should represent roughly an equal number of inhabitants. The districts must be contiguous and counties must not be divided. The fact that these public hearings are being held demonstrates the transparency of this redistricting process. The redistricting criteria put forward in the Senate Committee on Redistricting demonstrate the fairness of the process.

If anything, I am afraid that the Republican leaders in the general assembly are going too far to accommodate the other side of the aisle. The redistricting process should not seek to dilute current Republican majorities. The North Carolina constitution does not mandate that this process be nonpartisan, and the Democrats never carried out a nonpartisan process during the decades that they were in the majority. As President Obama famously said, elections have consequences. For the last 10 years, the people of North Carolina have continued to vote for a Republican majority in the general assembly, therefore, it would be unreasonable and to go against precedent to try to undermine that majority through this process.

In closing, I hope and pray that this process will continue in a fair and timely manner, and that no one will seek to use the courts or any other means to circumvent the redistricting authority granted to the general assembly by the North Carolina constitution.

Thank you.

Sen. Carl Ford ([00:25:00](#)):



Thank you, Mr. McGhee.

Robbie Davis.

Robbie Davis ([00:25:29](#)):

First, I'd like to say welcome to Nash County. I am Robbie Davis. I'm the chair of the Nash County Board of Commissioners, and we are a county of about 96,000 people. We have not grown a lot in the last 10 years but, fortunately, we have not lost population in the last 10 years either. We have a lot of movement within our county. We are a voting rights county, and we have seven commissioners that serve seven different districts. We are also known as probably the or one of the most purple counties in North Carolina. Our board currently has four Republicans and three Democrats. We get along very well, and we get a lot done for the citizens of Nash County.

The expectations from our board about redistricting at the state level is as follows: Do your best to keep it simple, so we can understand it. We want it to be fair for all voters. We would like to see it done in a way that leaves little room for challenges.

Thank you, Sir.

We would like to see it done one time that will last for the next 10 years. We hope that there will be no gamesmanship utilized in the process. We would like to see logical boundaries used whenever possible. We would like to see the maps. We would like to look at the maps when completed, and just simply be able to say, "Job well done." We understand existing member residents should be a consideration. What we would not like to see is a district created for a person that may wish to run for office. More importantly, what we would not like to see is what we have seen for the last 10 years, the last 15 years, and the last 20 years.

Thank you for your time and, again, welcome to Nash County.

Sen. Carl Ford ([00:27:32](#)):

Thank you, Mr. Davis.

George Leach.

George Leach ([00:27:50](#)):

Almost everything has already been said, and I'm not going to say anything that you don't already know.

My name is George Leach. I'm from Wilson County. After the framers had decided that the House of Representatives representation would be based on the number of people living in the nation, they chose to account them every 10 years. The first census was 1790. Since then, we have counted every 10 years. The idea was equal representation for everybody. Several cases have trickled down through the courts and various attempts to preserve the idea of equal representation and, yet, we chose to stray all the way from that idea and have representation based on a political party rather than equity.

If we base our new maps on morality, we would not have a super majority in the North Carolina general assembly. Communities of color would receive due portion of funding from the federal governments and other sources but, more than that, the people of North Carolina in general would have an adequate voice in government at the state level. Gerrymandered districts continue to create conflict and contentiousness that leads us to the courts. The North Carolina constitution and the constitution of the United States guarantees equal representation. It is time to dispense with this foolishness of drawing safe districts and move to a system of equity. I entreat you to institute morality and do the right thing. Exclude your seat from the decision-making. Issue maps before the process is made.

Thank you.

Sen. Carl Ford ([00:30:05](#)):

Thank you, Mr. Leach.

Andy Jackson.

Andy Jackson ([00:30:23](#)):

Andy Jackson, Wake County. I'm with the John Locke Foundation. I want to thank you first of all for setting up these hearings and the 12 related hearings across the state to hear our concerns and observations about redistricting. I also appreciate the criteria that was approved by the joint committees, particularly the ban on the use of racial and election data. The only unfortunate part was the adaptation of criteria that included incumbents addresses.

What I really want to address is that something that many people in this room appreciate that most folks in North Carolina do not. It's that legislators in North Carolina are restrained in drawing districts by the US constitution, the North Carolina constitution, the Voting Rights Act, and related court cases, in particular, Stephenson versus Bartlett of 2002 restrains how you can cross county lines when drawing districts. These constraints allow people to know the districts or at least a large portion of these districts before legislators even start to draw them. For example, a team of researchers led by Prof. Chris Cooper of Western Carolina University found that Nash County is going to share a senate district with Franklin and Vance counties, that Edgecombe County is going to share a district with Pitt County in the North Carolina Senate, that Wilson County is going to share a senate district with Wayne and Greene counties.

Furthermore, and this has been alluded to already, we know that Nash and Wilson counties are going to be combined to form two house districts, and they're probably going to look something similar to this, maybe some variation but about like this. I don't have any insider information. I promise I haven't talked to anybody at this table beforehand or anybody on either of the redistricting committees; it's simply a matter of geography and math. I think you, legislators, would do your community as a service if you help people appreciate better not only what legislators can do when you're drawing districts but what you cannot do.

Thank you.

Sen. Carl Ford ([00:32:35](#)):

Thank you, Mr. Jackson.

Someone with the last name Branch. I'm sorry I can't make out the first name, and that's my fault. Anyone last name Branch? The first name starts with the G [inaudible 00:32:51].

Gerald Branch ([00:32:52](#)):

I've already spoken.

Sen. Carl Ford ([00:32:52](#)):

You've already spoken.

Pete Armstrong.

Thank you for that by the way.

Pete Armstrong (00:33:06):

Good afternoon. I'm Pete Armstrong from Rocky Mount, North Carolina. What I'm going to say, I do not say out of disrespect to our local elected officials but, to me, it would be extremely helpful and important to the city of Rocky Mount if it's any way the city could be in one district. Everyone here, I think, knows of the challenges that we face as a city for being located in two counties. One factor that would help us is to have the same representation in legislative bodies to represent our region as a whole. It would be very likely that the representative would be aware of the needs, interests, and status of the whole region as opposed to looking at individual parts. Many of us are trying endlessly to bring our region together. To me, this is one way that we can prepare for the future and represent what we should be in the future of being one community.

Thank you.

Secondly, real quickly, it's somewhat appalling to me that once the maps are published, there would be only one public meeting to respond to. That says to me that what you see is what you're going to get, and I don't think that that should be right. Finally, I think it's the time to put an end to gerrymandering in North Carolina. It confuses voters, it favors politics, and I feel like that we are much better. I think that you are much better than that.

Thank you.

Sen. Carl Ford (00:34:43):

Thank you, Mr. Armstrong.

Melanie Goff Bradley.

Melanie Goff Bradley (00:34:58):

Thank you. Hello. I'm Melanie Goff Bradley. I'm the president of the League of Women Voters of the Twin Counties. Hello to my representative.

I was born in Rocky Mount on the Nash County side. I live just outside the city limits now on the Edgecombe County side in my grandfather's farmhouse. We're an unusual city in Two Counties; redistricting in 2010, split our county in half along the county line. Over the years, this has led to a hardening of two sides, us versus them, as if we are two different kinds of people living in two different cities. That is untrue, but it has led to distrust and accusations that supporting one side is to the detriment, indeed the intentional denigration of the other. This has proceeded for years so far as to wholly endanger our school system. Another 10 years could split not only the schools but also the city.

Gerrymandered redistricting is a tool used by White supremacists, not one that our selected officials should use. We, the people, are the power of our democracy, and we elect you to serve us, the population of Rocky Mount as well both of Edgecombe and Nash County can support the arrangement of one district. I ask you not to maintain this division.

Thank you.

Sen. Carl Ford (00:36:35):

Thank you, Ms. Bradley.

Marcus Thompson.

Marcus Thompson (00:36:49):

Hello. My name is Marcus Thompson with Democracy North Carolina. I thank you for being here in Nash County today.

This process of redistricting is designed to happen every 10 years, and we understand that this process is going to shape the power dynamics for the next 10 years. Because it's so important, we deserve a process that will allow input from as many people as possible, that means more hearings in more places. We need hearings at times when working people can get off of work and be at these hearings, not during the time... at 5:00 when they're still working perhaps or it would be hard to get here. We also would need a virtual option so that the public doesn't have to risk their health to come and make these public comments. It also would be good to have... not good but really vital to have hearings after the maps are drawn so that people can really see what is going to happen to them and be able to have comment at that point too.

We learned that race would not be a factor in drawing these maps, however, in order to comply with the Voting Rights Act, we believe that race should be a factor, not the only factor but it should be a factor to protect the voting rights of people who had their vote diminished in many years past.

Those are the process things that I wanted to put on the record, but I just want to take a second and talk about something a bit larger. We know that redistricting is a partisan process. Right? We understand that. I strongly encourage us to look at a process that would take as much partisanship out of this process as possible, perhaps an independent commission, something that will make it so that we're not always so divided. North Carolina is often referred to as Republican, as a purple state, and so we have a chance to draw lines that are fair for all people. Maybe we can get away from the divisions that we see in other parts of the country. Always you see old versus young, Black versus White, Republican versus Democrat. But here, we have an opportunity to draw fair districts that are competitive so that the best ideas can rise to the top and the best people so that it's not fair, better for Republicans or Democrats but best for our democracy and the people of North Carolina.

Sen. Carl Ford ([00:38:59](#)):

Thank you, Mr. Thompson.

Gary Boos.

Gary Boos ([00:39:21](#)):

I'm Gary Boos. I live near the Western Edge of Franklin County. After the Common Cause v. Lewis suit on October 2019, the North Carolina Superior Court three-judge panel ruled that the 2017 maps are hereby approved by the court. This was because, and I'll read from part of the ruling: Item 3 - All decisions to alter the base maps were narrow, reasonable, and receive broad bipartisan support. Number 4, the entire process was concluded in full public view. And 5, the senate remedial maps were adopted by the Senate with broad bipartisan support.

Reading from the dictionary of view, to see, watch or inspect. The current mid-September 2021 maps have not been created yet. There is no broad bipartisan support. There is no independent redistricting commission. There is no referee. The plan for the Republican Control Committee is to draw the maps in secret and later present the final maps. There is no process in full public view. The dye will have been cast, complaints from the public can be made but the maps will be as the Republicans desire.

Will the Republicans pack and crack? In the 2020 elections, Republicans received 49.4% of the votes for the North Carolina 13 US House seats and ended up winning eight of the 13 seats. Wouldn't the North Carolina courts expected the same criteria to be used for the 2021 maps as was ordered for the 2017 maps? Do the Republicans controlling the map drawing process have to be sued for violating

the criteria ordered for the 2017 maps? Will they be sued by common cause? Will the superior court, knowing their decree and orders for the 2017 maps have been ignored, if not violated, for the 2021 maps, will they do anything? If a scheme was ruled illegal in 2017, does the superior court have to rule that the same scheme is illegal in 2021?

Sen. Carl Ford ([00:41:29](#)):

Thank you, Mr. Boos. I'm going to go back to the top of the list and call these names folks that weren't here. Maybe they came in a little late.

Lynwood Ward.

Kelby Hicks. Oh, I thought I saw him coming to the mic.

Kyle Johnson.

Kyle Johnson ([00:42:20](#)):

Hello, everyone. My name is Kyle Johnson. I'm a resident of Rocky Mount here in Nash County. I am a former teacher. I'm a current educator. I work in ministry. I love my community. As I try to raise my children... I have two daughters and one on the way... and I try to influence the next generation, I try my very best to educate them and empower them on making sure they're fulfilling their purpose. I have to say I'm extremely disappointed consistently when I look at a government that promises an equal and fair democracy, but yet uses tactics that actually demolish that. I hope that as we are working toward this new redistricting for the next 10 years, you will ask yourself, "What's the point? Why are we doing this?" If what you're doing is hindering people, stopping people from being successful, if what we're doing is being a bad example not just to our peers but also to our next generation, what is the point? If the outcome of that is something that is negative, I would hope that as representatives who have promised to do best for the community, you will look at what is best for the whole, not just my demographic, not just the people who I think I align with, but what is best for the whole because what we do for the next 10 years will affect our city and our counties in our state for decades to come.

I realize oftentimes, as I advocate for better, as I advocate for education, as I advocate for community, that what I do in Nash county can be completely hindered by what happens in Forsyth County, and what happens in Buncombe County. As you are working toward the districts, I beg you and I implore you as a citizen as a person who loves North Carolina, as a person who loves eastern North Carolina to please remember the point of it all.

If anything that you're doing in any ways that we're drawing maps and any things that we're working toward and making backroom deals or trying to make sure that we're saying the right things up front and saying we're pro-democracy without actually supporting it by making sure that voters have equal access not just to the ballot but also to representation, I pray that you would really work to do the opposite and to work toward better, not just for now, not just for your seat, not just for your power but for what we're doing for society as a whole because it's really hard for me to know that my eight-year-old will have to wait until she's 18 to make sure that I can vote for her in the best way possible, and that those who vote for their representatives and their congress people and their senators across the state, what is happening with them will affect her when she's off ready to go to college. By then, all of the policies that have been created will either help her or hurt her. So please remember, what's the point, and please help my children in the future.

Thank you.

Sen. Carl Ford ([00:44:57](#)):

Thank you, Mr. Johnson. Come to the end of the list but if there's anyone else here that would like to speak that hasn't already spoken, of course, you are more than welcome to come up and tell us who you are and if you're with any group. You have same amount of time as anyone else. Anyone else wishing to speak? As they say in church, all hearts cleared?

Yes, Ma'am.

Sydney Meeks ([00:45:31](#)):

Hello. My name is Sydney Meeks. I'm 25, and I am newly elected as the third vice chair of the Nash Democratic Party. I also serve in many other organizations. But one thing that I wanted to say was that we live in the Bible Belt, and a lot of people claim to be Christian probably in this room. One of the things that Jesus really talked about was making sure that widows, children, and the poor were taken care of. If you believe in the same God that I do, I would ask you to not allow a tactic that has been used for several years affecting people that look like me... gerrymandering or segregation, they're no different... to make sure that everyone is has the resources that are fair in their communities. I would just ask that any map that you lay out, please use it as fairly as possible and so that it doesn't just be ruled by the majority but of all equal people under the protection of the law.

Thank you.

Sen. Carl Ford ([00:46:42](#)):

Thank you, Ms. Meeks.

Anyone else?

Mr. Hooks ([00:47:00](#)):

Good evening. Thank you for allowing me to speak. My name is [inaudible 00:47:04] Hooks. I'm from Wilson, North Carolina. I'm a 70-year old disabled American veteran who was born in Jim Crow, who was a teenager, grew up in integration. I'm concerned with the direction that this nation is going in now. Gerrymandering was wrong when I was a child. It was used to disenfranchise Black Americans here in North Carolina from 1898 to 1964. I ask you, don't take us back into that direction.

Thank you.

Sen. Carl Ford ([00:47:46](#)):

Thank you, Mr. Hooks.

Anyone else? Yes, Ma'am.

Catherine Lee ([00:48:02](#)):

Hi, everyone. My name is Catherine Lee. I'm a resident of Wilson County. I'm a millennial who's a strong advocate for the young Dems here in the east.

Okay, closer? Can everyone hear me?

Sen. Carl Ford ([00:48:18](#)):

Yes, that's better.

Catherine Lee ([00:48:18](#)):

Awesome.

One question i have in mind is how much of the redistricting will affect eastern North Carolina. The reason why I say this is because eastern North Carolina has already got the short end of the stick from the state in the past. We're already dealing with the redistricting lines that has affected the voting cycles in the past. How will this affect the future even more? That's the only question that I have in mind.

Thank you.

Sen. Carl Ford ([00:48:49](#)):

Thank you, Ms. Lee.

Anyone else? Yes, Sir.

Mick Rankin ([00:49:02](#)):

Good evening. My name is Mick Rankin. I'm running for the North Carolina House to represent Wilson. I just want to thank you all for being here, holding these hearings. I think it's important. The challenges that you face is not a matter of Republican or Democrat, but it's a matter of ensuring that everybody in the communities feel like that they are represented. Unfortunately, a lot of times when one party becomes more prevalent, people begin to feel like that they're not representative in their area. We need to make sure that when we draw the lines, that they keep them simple for the voters to know where they can go to vote and, two, that we ensure proper representation across all boundaries.

Thank you very much.

Sen. Carl Ford ([00:49:49](#)):

Thank you, Mr. Rankin.

Yes, Sir.

Yes, Ma'am. You're next. He had stood up before. You're next though.

Terry ([00:50:17](#)):

My name is Terry, and I grew up in Wyoming but I've raised my family here in Nash County, and this is where I call home.

Another thing I would implore everyone is whatever you do, make it open. Just imagine if there's a camera pointed at you the whole time, and that's public that we all get to see it. If there's something on your hard drive that the public sees and it makes you look like you're hiding something you probably are. Don't hide anything. Keep it open and transparent, and that'll keep the process protected for us as the citizens to know that what's being done is being done out in the open and transparent.

Sen. Carl Ford ([00:51:07](#)):

Thank you, Terry.

Anyone else?

Yes, Ma'am.

Christine Adams ([00:51:21](#)):

Good evening. Thank you for being here having this hearing and the first one I've been to. I'm a resident of Wilson County. My concerns are about people who are our elected officials locally and up, that this thing is going on now with the pandemic and the mask, people not wanting to go to work, public restaurants are closing or opening and closing. It's very confusing. I'm a senior citizen. And then they have programs going on for people who are not working, able-bodied people who could work but not working and they are receiving resources. My concerns are about the seniors, we can't get the \$300 or whatever dollars resources. For me, I don't have them. I'm too old to have any more children, and I want to know when they're going to focus in on out the seniors who are on fixed incomes, especially in these smaller counties or cities like Wilson, for instance, and it kind of bothers me that they're having these, they're redistricting and drawing lines and everything. I heard somebody, it's like, what's the purpose?

I see changes or I feel like changes should affect and be effective for everyone that's concerned, all voters. Me, as a voter, sometimes, I feel like I'm left out when they draw these lines. I'm either here or I'm there or I'm here or there. I want to be centered. When I go to vote, I want to feel confident that my vote is not going in as a number, but it's going in to make a difference.

Thank you.

Sen. Carl Ford (00:53:17):

What's your name, Ma'am? If we could have your name.

Christine Adams (00:53:20):

Christine Adams.

Sen. Carl Ford (00:53:22):

Thank you, Ms. Adams. Thank you.

Anyone else? Yes, Ma'am.

Griselda Alonso (00:53:56):

[Spanish 00:53:56]

Interpreter (00:53:59):

Good afternoon. My name is Griselda Alonso.

Griselda Alonso (00:54:03):

[Spanish 00:54:03]

Interpreter (00:54:07):

And I am an example of why interpretation is needed in these hearings.

Griselda Alonso (00:54:12):

[Spanish 00:54:12]

Interpreter (00:54:18):

Our community is living here. We are working here and our children have the right to vote.



Griselda Alonso ([00:54:25](#)):

[Spanish 00:54:25]

Interpreter ([00:54:37](#)):

We, as parents, have the right to live in districts that facilitate or receiving health care and access to other resources.

Griselda Alonso ([00:54:46](#)):

[Spanish 00:54:46]

Interpreter ([00:54:52](#)):

We need representatives who will represent us with dignity and with equity.

Griselda Alonso ([00:54:58](#)):

[Spanish 00:54:58]

Interpreter ([00:55:08](#)):

That's what i hope to get out of these hearings, that you will really listen to everything that all of us have to say and bring that to the table.

Griselda Alonso ([00:55:16](#)):

[Spanish 00:55:16]

Interpreter ([00:55:22](#)):

By not providing interpretation services, you are pushing our communities towards segregation.

Griselda Alonso ([00:55:30](#)):

[Spanish 00:55:30]

Interpreter ([00:55:35](#)):

I feel like there has been way too much segregation over the years. Don't you agree?

Griselda Alonso ([00:55:40](#)):

Thank you.

Sen. Carl Ford ([00:55:43](#)):

Thank you.

Anyone else wishing to speak? Yes, Sir.

Kelby Hicks ([00:55:59](#)):

Good evening, everyone. Just to be considerate of time, I'd like to read a brief statement so I can be as concise as possible with my thoughts.

In 1787, the constitution was established as the supreme law of the land. In its first 52 words, otherwise known as the preamble, the principles of fair processes and fair results were implicated as core components of our nation's governance model. My name is Kelby Hicks. I'm a native of northeastern North Carolina. I'm also an alumnus of North Carolina A&T. I was a student there when we had to navigate the confusing voting process with a gerrymandered district that left many students feeling disenfranchised. I was one of those students.

We don't do nearly enough to educate or provide notice to our electorate on this rigged process and it leaves many citizens feeling overwhelmed when attempting to exercise a fundamental right to vote for their political representation. The inadequate criteria, coupled with the lack of transparency regarding this process leads to disproportionate results and decreased public confidence. The world of the people is being subverted by the weight of map makers who've exercised wanton disregard for our interests. We need a new independent map making method that incorporates common sense criteria. We want an equal voice, an equal vote, an equal value in the political process. It's not that I don't believe our legislators know how to draw fair maps, it's that I don't believe they will because there's no incentive to do so. Absolute power corrupts absolutely, and when we give political parties the power to draw partisan maps in their favor, then they absolutely will. This doesn't lend itself to a fair and inclusive process. Political power belongs to the people. Until it is placed properly in our hands, we will continue a process that is adverse to our constitutionally protected interests.

Thank you.

Sen. Carl Ford ([00:57:49](#)):

Thank you, Mr. Hicks.

Anyone else? Yes, Sir.

Julian Abreo ([00:58:05](#)):

[Spanish 00:58:05]

Interpreter ([00:58:14](#)):

Good afternoon. My name is Julian Abreo, and I come representing Hispanic community in North Carolina.

Julian Abreo ([00:58:31](#)):

[Spanish 00:58:31]

Interpreter ([00:58:33](#)):

I come to ask you to be fair in redistricting and the distribution of resources and specifically for the Hispanic community in Nash.

Julian Abreo ([00:58:36](#)):

[Spanish 00:58:36]

Interpreter ([00:58:35](#)):

When I talk about resources, I mean resources like education, health, housing and the right to vote without being discriminated against.

Julian Abreo ([00:59:22](#)):

[Spanish 00:59:22]

Interpreter ([00:59:22](#)):

In addition, we should also have the right to interpretation at these hearings because we are part of a community that is growing rapidly and contributing to the economy.

Julian Abreo ([00:59:33](#)):

[Spanish 00:59:33]

Interpreter ([00:59:39](#)):

I hope that in the future [inaudible 00:59:41]. Thank you very much.

Sen. Carl Ford ([00:59:44](#)):

Thank you.

Anyone else?

Thank you for coming in... Oh, one more, yes.

Alonzo Lyons ([01:00:03](#)):

Good evening, everyone. My name is Alonzo Lyons. I'm a citizen of Nashville, North Carolina. I feel like I'm coming up here pretty much to say the same thing that a lot of people here are saying. We just want fairness, and everyone should be represented. It is important that the way the lines will be drawn will be impacting us for the next 10 years. It will affect us. It will affect our children, our grandchildren. It will affect our families. As a citizen, I beg of you to just do and think about your own families and think about your neighbor to try to bring us all together when redrawing these districts, so everyone can feel represented because we all should be represented because we're all one community.

Thank you all. Everyone, have a nice evening.

Sen. Carl Ford ([01:00:47](#)):

Thank you, Sir. Thank you everyone for coming tonight. I want to thank you for being a part of this and be sure to check out the website, [ncleg.gov](#). There's a comment area there where you can make online comments, and we'd love to hear from everyone. Thank you for being here tonight, and everyone have safe travels. Everyone, good? Thank you. God bless. Good night.

John Hardister (00:00:01):

Good afternoon, this meeting will come to order. Thank you all for being here. My name is Representative John Hardister. I represent District 59, Guilford County, just down the road. I want to thank you all for your attendance. I'd like to also thank my colleagues in the House and Senate who are here today. We have Representative Pyrtle from Rockingham County, Representative Hurtado from Alamance County, Representative Harrison from Guilford County, Representative Quick from Guilford County.

And in the Senate, we have, to my left, Senator Edwards and Senator Galey, who is from Alamance County. I've also been instructed to send regrets from Representative Riddell, who represents part of Alamance County, that he could not be here today. This will be a listening session. We're here to listen to you all I will note that the House and Senate redistricting committee does have a website. You can access the website at [ncleg.gov](http://ncleg.gov). And if you go there, there's an icon for redistricting that you can click on. This meeting is being recorded. All of the redistricting committee's activities and documents and so forth, will be archived on the website.

Speakers have two minutes. And when that time commences, the Sergeant-at-arms will signal once you've reached one minute. And then the Sergeant-at-arms has a stop sign, that will be held up when you've reached the two-minute maximum. We are gonna start with, we have a list of speakers who signed up online. So we'll start with that list. And once we get through this, we have a list of speakers who signed up in person. So without further ado, we're gonna get right into it. The first speaker we have signed up is John Hartwell, John Hartwell.

Oh and yeah, thank you. My coach has reminded me, if you'll suspend for one minute, I'd like to also recognize our Sergeant-at-arms who are here, who do a great job working for us at Raleigh. We appreciate them being here. In the Senate, we have Dwight Green right over here to your left. And then to your right, we have Glenn Wahl from the House. And also, of course, we'd like to thank our general assembly police for being here, Sergeant Walters and Officer Torres. Thank you all very much. With that said, Mr. Hartwell, the floor is yours.

John Hartwell (00:02:30):

You got me here? Good. So I am John Hartwell. I'm from Hillsborough. I live just south of town on a pond. There are four families. Our houses are clustered pretty close around the water, and properties all run for quite a few acres on back from the pond. We live out in the woods. We take our community activities and our responsibilities real seriously. So one of those responsibilities, of course, is about voting. And I believe everybody there has voted in every election that has been for nearly 20 years.

And our right to equal representation, which the constitution guarantees us is real important to us. And my message from my neighborhood is y'all is you're being watched. The last we went through redistricting, it was something of a fiasco. One member of the House committee, I believe, bragged that he had secured the greatest partisan advantage that would be possible. And now the worst of those maps were finally thrown out by the courts as unconstitutional, but we split counties. We even split precincts. And the general impression that people had that there was one popular state legislature trying to maintain their power by putting the expense and the burden on county election officials and deprived the citizens of their wants.

And so please let's don't do that again. Let's not have any bragging about partisan advantage. Let's put out the maps, get everybody to see the maps well ahead, secure comments on those maps, and let everybody have some faith again, in the American government.

John Hardister ([00:04:31](#)):

Thank you. And the chair apologizes in advance if I mispronounce anyone's name. I'll do the best I can. Next, we have Irving Zavalenta Jiminez.

Irving Jiminez ([00:04:54](#)):

Good afternoon. My name is Irving Zavalenta, use he and him pronouns. And I have been a resident of Burlington, North Carolina for the past 21 years. I know that you're aware the district lines must take into account the standard deviation, but I am here to demand that you protect communities of color and East Burlington from being split. Most of the members of East Burlington are black, Latinx, and working class families. While we are not uniform, we are a community of interest here in the county. We play together, we eat southern food at the gas station at the corner of Church Street and Bowman Avenue. I first taste chinese food at Cum-Park Plaza and the various taco and pupusa food trucks along North Church Street.

I truly hope that you are here, because you want to strengthen our democracy. One of the ways you can do that is to avoid packing and cracking historically marginalized communities, especially communities of color. There should be no reason why the current House district 13 is in a shape that looks like a swamp. I ask that you draw lines that are compact, that protect working families, and that you abide by the section 2 of the Voting Rights Act, and that you do not dilute the voting power of blacks and other members of community of color as well.

John Hardister ([00:06:22](#)):

Thank you. Next we have Lisa Marinas, Lisa Marinas. Okay, next we have Allen, and I don't know if I can pronounce this name, Schlotbier?

Allen Schlotbier ([00:06:42](#)):

That's right. Hello, my name is Allen Schlotbier. I've been a resident of Alamance for 21 years. I'm speaking today before our redistricting. It's a process of drawing and mapping the districts for which our public officials are elected for the US House of Representatives and the North Carolina House and Senate. By law, redistricting is required each annual censuses. That means every 10 years. Now, our forefathers thought about this and realized that our population would change. And with that, our representation requirements will change. I am here to plead that we have an independent committee to draw these maps.

These maps can be drawn by software. It's real easy. It's real hard to keep the bias out, a bias that is so tempting with all this census data, of age and race and ethnicity and location, which is easily translated into income. And it's really tempting for incumbents to use this. And it's also tempting for candidates. And I've been out on the road, with candidates, and I know how difficult it is for, excuse me, for some of these candidates to meet with people in these districts. So please talk to your representatives and your natives. Thank you.

John Hardister ([00:09:13](#)):

Thank you. Next we have Beth McKee-Huger.

Beth McKee-Huger ([00:09:28](#)):

Good evening. I'm Reverend Beth McKee-Huger. I just have two points that we need to have. At this point, a non-partisan criteria for setting the maps. Voters need to be able to choose their

representatives, rather than the party dividing up the voters into partisan stronghold, where there's safe seats for somebody and no opportunity for competition from anybody else. If I'm in a district where my party is in the majority, it's a safe seat. If I'm in a district where my party is in the minority, the elected person has no reason to listen to me.

The second point is that after the using non-partisan criteria, there needs to be transparency with the draft maps that are drawn, so that everybody gets a chance to look at them, to comment on them, and to make sure that there were not any inadvertent or intentional lines that would divide the community and keep there from being competitive process. Thank you.

John Hardister ([00:11:10](#)):

Thank you. Next, we have Chris Malone.

Chris Malone ([00:11:28](#)):

Before I start, a quick bad joke... Do you know what you get when you cross a snowman and a vampire? Frostbite. My name is Chris Malone, and I live in Guilford County, near Jamestown, a small community between High Point and Greensboro. I'm a precinct chair in the county, and my precinct, FR2, has 2,429 registered voters, 35% unaffiliated, 33% Republican, and 31% Democratic. In the 2020 election, the precinct saw 88% of registered voters cast ballots. I'm proud to be part of a precinct that turns out the votes.

As a concerned citizen and voter, I ask the North Carolina legislature to simply be fair in drawing new maps. Here's how I believe fair voting districts can be created, balanced, drawn by independent non-partisan commissions, to not give any political party or demographic unfair advantage, no gerrymandering. Compact and congruent, keep neighborhoods, precincts, and community areas together, not sliced and diced into partisan or demographic persons, no gerrymandering. The current maps for Guilford and Forsythe counties are neither compact nor congruent.

Transparency, the redistricting process should publish draft district maps for public review and comment before being finalized. Districts should be drawn so that candidates and ideas are the drivers and elections, with no influence from how the map is drawn, no gerrymandering. I hope that you agree with me, and will fair and common sense guidelines in creating new maps.

I'll close with this, in April, the Texas Republican party chairman, Allen West wrote, and I quote, "Republicans control this process and must realize the strategic opportunity and not concern themselves with fairness to the progressive socialist left." Is this what we want to see with redistricting in North Carolina? I hope not. If it is, we'll be back in the courts again. If it's done fairly in the first place, it's a win for all voters. I believe the citizens of North Carolina deserve fairness. We'll know it when we see it. Thank you for your time and service to our state.

John Hardister ([00:13:48](#)):

Thank you. Next we have Peter Boykin.

Peter Boykin ([00:13:53](#)):

Hello again. My name is Peter Boykin, and thank you for protecting our constitutional republic. I will go ahead and disclose, I am running for congress in this district. And I'm hoping that we have a district that is well-rounded, done properly and protected. And I do note that a lot of people are talking about making sure things are fair and not gerrymandered. I would like to call out if it was the opposite side, then they wouldn't be saying the same thing. But that's still very difficult for the side that's having the

legislature now to handle things. And I'm glad that they are fairly doing this and having these, so we do not have problems in the future, because obviously, that was the problem last time.

And as a candidate and all candidates would know, we don't want districts changing every two years or every four years. We'd hope we can get something solid, keep something solid. I do implore the board that if it gets to the point, because I know it's a difficult task, that things are not super rushed, that you do move back the dates for registering and the primary, to give us more time to run. It's been a very difficult time running, not knowing what we're doing. And I thank y'all very much for all of what y'all are doing. And hopefully, everybody will be listened to. Thank you.

John Hardister (00:15:26):

Thank you. Next, we have Donna van Hooke.

Donna van Hooke (00:15:44):

Good evening sir and ma'am, members of the North Carolina legislature. My name is Donna van Hooke. I live in Burlington, what we would call East Burlington. And there has been some statements made about East Burlington. I would like to say there is a discrepancy now about a Western electric site, where the building has contaminants. And so from that building, four miles towards what we would call, West Burlington, there is an 11-year difference in life expectancy. And that has been reported in the 2018 community health improvement plan.

And so I want to state that I would like to see fair and just mapping, just like everyone else who has spoken before, especially mapping that will be beneficial to communities of color. I would like to see revitalization on the east side of Burlington, what we call East Burlington, because it is predominantly black and brown. And there a lot of issues like food insecurity, versus the other side of town, which we call West Burlington. So I'm speaking today, on behalf of North Carolina Black Alliance, for redistricting, which was fair and just, and also as a resident of Burlington, for there to be better situations involved in the mapping for black and brown communities. Thank you.

John Hardister (00:17:36):

Thank you. Next we have Brittany Cartner. I apologize. You're recognized.

Brittany Cartner (00:17:52):

So my name is Brittany Cartner. I've lived in Alamance County for 33 years. I do believe that the redistricting, I would like to see the map before I make a comment whether I like it or whether I'm opposed to it. I do believe that if we only have one hearing, public comment before y'all kind of put it as firm, I would like to ask if we might could have two public hearing comments. After once we get to see it, they can do public comments. And then, maybe have a revised after, if some people are not okay with what was produced. And then, kind of reiterating no gerrymandering. Try and keep in fair.

I believe that my vote counts. I want it to count. I think everybody's vote should count. And I don't think that this 2020 election proved integrity, voter integrity. I also feel like if we have, on our ballots, serial numbers to track registered voters, and they have their own ballot that's for them, they have a serial number, we can actually track it and keep up with who's voting where. And I don't discount the mail-in ballots. But I don't think that able-bodied people should have that option. If they are able to get up and get out, they should be able to get up and get out to vote if they are registered.

For the elderly, I do believe that that is absolutely, or the disabled, I do believe that that should be a... It is a valid thing. So I'm just asking that once we see the maps, once we get all the comments, if

we can have another public hearing and then maybe go over some things that could possibly be changed, that would be awesome. Thank you for your time.

John Hardister ([00:19:55](#)):

Thank you. Next, we have Ian Baltutis.

Ian Baltutis ([00:20:13](#)):

Good evening. Thank y'all for joining us in Alamance Country. My name is Ian Baltutis. And it's my honor to serve as the mayor of Burlington, North Carolina. But today, I represent myself and my personal capacity. I've walked neighborhoods and known residents here in our community since 2012. And as I've walked and talked to people, they've expressed confusion about the districts as they've been laid out over that time frame. We've had to describe it with all kinds of different shapes and styles.

And what I'm asking for is dense and logical and representative districts here in Alamance Country, particularly ones where you don't have to describe well, if they live across the street, they're represented different by someone than here and someone different than behind you. Burlington represents a very diverse population. 50% of our population is classified as BIPOC. And that's something that I think we really need to make sure is represented when we draw these districts, something that our community, as an engine of the economy of Alamance, needs to make sure that we have representation that really helps drive Burlington's success today, and into our future. So I just wanna thank y'all for your time and your efforts in this process.

John Hardister ([00:21:25](#)):

Thank you. The chair was just informed that we are capacity in this room. There are some folks outside who would like to come in. So if you're inclined, you certainly don't have to, but if you wanna step out so others can come in, then I'll leave that at your discretion. Okay, next we have Omar Lugo.

Omar Lugo ([00:22:19](#)):

Thank you so much for this opportunity. Thank you for everything that you all are doing for our county. I am Omar Lugo, and I'm just a simple of this county. I don't even consider myself a citizen of any special class. But what I came here to say is we applauded the openness and transparency the general assembly has committed into drawing maps during open and during redistricting committee meetings and to listen to public input as they are through these hearings. Thank you so much for that.

The main point here is that I hear many people talking about communities of interest, black and brown, et cetera, et cetera. Why don't we give the integrity of our communities as such? The only colors that we should defend, and we're keeping in mind in United States of America are blue, red, and white. And that's how we should keep it. Therefore, communities of interest do not dominate the process. There's no common understanding of what a community of interest is. So a community of interest is in the eye of the beholder. It is appropriate that claims of community of interest are only considered after other redistricting criteria have been satisfied. Thank you so much.

John Hardister ([00:23:44](#)):

Thank you. Next we have Jennifer Brimmer.

Jennifer Brimmer ([00:24:03](#)):



Good afternoon. My name's Jennifer Brimmer, and I'm an Orange County voter. Redistricting requires a dialogue between the voters and the legislators. So I would like to thank you for holding this hearing here in Alamance, and for committing to engage the voters in the redistricting process. Drawing our redistricting maps is a task that our legislature takes on in trust to the voters legislature. Discharging this critical duty in an unbiased manner is vital to our representative democracy. This complex task is made all the more challenging by the severe conflict of interest inherent in drawing your own districts.

Many of you are lawyers or business people. You know how damaging such conflicts are, but we're stuck with the flawed system that we have for now, and must rely on your commitment to uphold your constitutional duty to the voters and to our constitution itself. The North Carolina constitution is crystal clear on this point, quote, "All political power is vested in and derived from the people. All government originates from the people, is founded upon their will only, and is instituted solely for the good of the whole. The people of this state have the inherent, sole, and exclusive right of regulating the internal government."

The legislator's oaths of office, which you're familiar with of course, binds each of you to support our state constitution and to faithfully discharge your duty under that constitution. We rely on all of our representatives to take this responsibility to heart, but we stand with Ronald Reagan, trust, but verify. Consequently, while we appreciate this opportunity to speak to you now, the hearings after draft maps are drawn are the most important ones.

In the 2011 redrawing, there were three rounds of hearings after the first maps were drawn, each bringing in seven to 10 sites. And we didn't even have Zoom then, so it's much easier now. We know that you can do better. Voters must be heard. Our constitution and the oath you have sworn to uphold demand no less. So we hope to see you all again soon. Thank you.

John Hardister (00:26:01):

Thank you. Next we have Donald McKennon.

Donald McKennon (00:26:34):

Good afternoon. I'm Don McKennon from High Point. With a population of 114,000, High Point is the ninth largest city in North Carolina. In spite of our many challenges, most residents feel that High Point feels like a city and functions like a city. But the redistricting has slashed our city to pieces, as if we did not matter. I'm here today to ask you to keep High Point whole during each step of the redistricting process. Today I'll focus on House seats 60 and 62.

Here is the current map. The ideal population for each house seat is about 87,000, which means High Point cannot constitute one district. But how a city is split lies at the heart of any redistricting effort anywhere in the country. High Point is 45.5% white, 54.5% non-white. This map has produced a black rep in H0 to the south and a white rep to H62 to the north. Both are residents of High Point. But at what cost?

What's the problem with this map? It's not compact. That's the problem. Most important, it puts High Point voters in 862 with voters in northern Guilford County. In fact, 59% of registered voters in H62 live outside High Point. High Point shares a natural affinity with Greensboro. That anyone in northern Guilford County would have a good understanding of High Point's needs is doubtful. But if H62 stands as it is, we face the possibility of an incumbent who at some future date, knows nothing about us.

We can do better. With this map, drawn with Maptitude for redistricting software, it emphasizes keeping High Point whole. High Point represents about 2/3 of the two districts combined. And we have paired High Point only with voters who live close to our borders. In conclusion, this new map will

probably still elect the black rep from H60 and a white rep from H62 just as now. The difference, two districts which offer our residents fair and more effective representation, because the districts will be more compact, because voters will be closer to the representatives. Thank you.

John Hardister ([00:28:47](#)):

Thank you. Next, we have Ed Priola.

Ed Priola ([00:29:05](#)):

Good evening. In the interest of transparency, I'm a candidate for Alamance State House district 63. I'm from Mebane. There was a recent meeting that I attended, about 40 or 50 people. Some candidates were there. One candidate for the state legislature stood up and somewhat arrogantly claimed, that he had inside information on a district and the way the district would be drawn. If his claim were true, of course, that's wrong. This process should be transparent, and we should have equal access to the information of how the process and the districts play out.

Regardless of party, the information should be of equal access to every candidate and in fact, every citizen. And I would join with the citizen that spoke up a little bit ago and say, this should not be your last meeting. We should know what they districts are and then have the opportunity to comment on those districts. Individual insider information should never take place. Thank you for your time.

John Hardister ([00:30:19](#)):

Thank you. Next we have Tyler Day.

Tyler Day ([00:30:36](#)):

Thank you for holding this hearing today. This past year, I was excited. It's the first time I felt I had a representative in Washington, who actually represented my community as a community. That's because my community was kept together in one congressional district for the first time in my life. In my first experience with voting, I learned of the congressional district I would be voting in. And I was stunned.

The district stretched in a skinny line from I-85 from where I live outside of Greensboro, all the way to Charlotte. And as I learned more, I found out that I and other black North Carolinians had been packed into the district strategically. A democratic candidate would win the district by a margin of 50%. So I never really felt that my vote mattered, and I didn't feel as though I had a representative focused on my community. This upset me and encouraged me to get involved, in what I believe is one of the civil rights issues of our time, fair voting districts.

I learned about our past maps, like the ones drawn by the democrats in 1992, which Supreme Court Justice, Sandra Day O'Connor said were so extremely irregular on its face that it rationally can be viewed only as an effort to segregate the races for the purpose of voting. Then I watched in awe, when I heard a state representative propose in 2016, that the districts should be drawn to, and I quote, "gain a partisan advantage to 10 republicans and three democrats."

I realized whichever party that's been in power has always drawn the districts to their liking. I'm now an organizer with Common Cause North Carolina, and I'm asking you not to follow in the footsteps of your predecessors. The redistricting criteria the committee approved, only says you may consider communities of interest. I thought the whole purpose of having a representative democracy was to have someone represent your community. If you believe that's the case, I believe you do, please make keeping communities together your primary focus when you redraw the districts. And please hold public hearings across the state after the maps are drawn, so we, the public, can react to them. Thank you.

John Hardister ([00:32:51](#)):

Thank you. Next, we have Phyllis Demco.

Phyllis Demco ([00:33:02](#)):

Good evening. I'm Phyllis Demco, and I represent the League of Women Voters of North Carolina State Board. We appreciate your having these hearings. But I have to be frank with you. We're wondering how much you really care about hearing from the public. And these are some of our reasons. For example, you're hearing schedule has totally missed two very important population centers, Guilford County and Wake County. There's been very little in way of public announcement about these hearings. You give us five days, at most, notice. And it's not really well-publicized in social media or the newspapers.

We really want to read the comments that are being put on the portal. There's no indication yet, that you will let us do that. We hope that you will. That gives us some concern about whether or not you're even going to bother to read them. Though you may not be interested in what the public has to say, we are vitally interested in what you're doing, because we know that what you now will affect what we do for the next 10 years.

In 2019, a state court required you to do remedial maps in full public view. That is certainly something that means more than what you've indicated you're going to do. We want you to make your final decisions public, not do as you recently did with the criteria and the hearing schedule, where there was absolutely no discussion. It made us feel that you already decided, behind closed doors, and then came out with criteria.

We of course, want you to give us an opportunity to look at the maps and review those maps, and comment upon those maps before they're voted on. All this is to say that we have concerns regarding public input and transparency, and we hope that you will address those. Thank you.

John Hardister ([00:35:21](#)):

Thank you. Next we have Lynn McCoy.

Lynn McCoy ([00:35:35](#)):

Thank you so much. Am I heard? Yes. We appreciate this. We appreciate these hearings. I'm Lynn McCoy, unaffiliated voter from Guilford County. And I'm here in Alamance County, because there is no hearing in Guilford County. In fact, as I understand it, there are only hearings in only 10 out of the 100 counties in North Carolina. This is not transparency. This is not working for the voters, even in spite of the portal.

So please, this is not the way North Carolina voters should be treated. Our voices should be heard. I agree completely, that the criteria should have been made public in some way, so that people could comment on them. And I agree, there should have been notice about these hearings, and certainly, more publicity. It was very hard to find out about them. But we do appreciate your having them.

Much has been said about communities of interest. And I agree, that communities of interest, neighborhoods and precincts, and universities and others should be kept together, because they have common needs. And they need common representation. I don't believe there should be incumbent protection. I don't believe any seat should be protected. And it's not a matter of who's side you're on. It's a matter of what's right for North Carolinians. Gerrymandering is wrong, no matter who does it. It does not serve the voters. And I hope that you're here for this hearing, because you intend to do fair

and just maps, that will really represent the voters. This is what we need, and this is what North Carolinians deserve.

The most important thing is what so many have said. We need hearings after the maps are drawn. We need more hearing than 10 counties. We need them publicized, please. And I think it's a great idea to have one right after the maps and then one again, after input. But certainly, more hearings after the maps are drawn. Thank you so much again.

John Hardister ([00:37:51](#)):

Thank you. Next, we have Peggy Feraby.

Peggy Feraby ([00:37:52](#)):

Hello, I'm Peggy Feraby. And thank you very much for hearing us. I'm from Summerfield, North Carolina. I first became interested in redistricting when I would go into my voting booth in various districts that I have lived and discovered that well, I needn't have shown up, because I really didn't have a choice. Either there was no competition, or it was so overwhelmingly gerrymandered, that there was really no point in voting for anyone else.

And you know what? That made me mad. Because voting is very Bedrock of our democracy. We're supposed to be the greatest democracy in the world. And we can't get this right? Right now, we're having trouble with assault on our entire electoral process. You talk to young people, and they're very, very critical and very cynical of the program. And it's stuff like this, where they feel that it doesn't matter what they do, because y'all are gonna do what you wanna do.

The only input we have is our votes. So please, I beg of you, make this a fair, transparent process. Don't divide communities like pieces of a pie, to assure someone's election. We should have hearings, I agree we should have hearings more than just in 10 counties, and we need to have hearings afterwards, so that people can comment on the maps. Democracy starts right here, at this level, with y'all and with all of us.

I have grandchildren. I want them to grow up in the kind of country I grew up with. I need y'all to be on board with us. Please, make it a fair, transparent and well-publicized event. Thank you very much.

John Hardister ([00:40:02](#)):

Thank you. Next, we have Anthony Pierce.

Anthony Pierce ([00:40:15](#)):

Mr Chair, it might not a rule, but the people behind me said they'll yield their time to me. No, I'm just joking. Good evening, my name is Anthony Pierce. I live in Haw River, but in the Melville community, just up the road from here. I come here today, representing the Alamance branch of the NAACP, where I serve as the political action committee chair and the first vice president. First and foremost, thank all of you for your service to this great state, to Alamance County, and whatever jurisdiction that you may come here representing.

As chair of the political action committee, one of our top priorities and top goals is to work to ensure that the voting process is fair, and it's convenient for all without unnecessary barriers that will suppress or restrict any Alamance County resident from being able to exercise that most basic fundamental right that's afforded to them, which is to vote. Our focus has always been on historically underserved, the under-represented, the elderly, the marginalized communities across this county. But

we need your help. As you redraw the districts across this great state and across Alamance County, we ask that you ensure the districts are drawn in a compact fashion, to prevent confusing voters and splitting communities.

There are about 38 or so precincts in Alamance County. Districts should not be drawn that split precincts, as they also further confuse voters. And it also makes it even harder for our election staff to perform and execute elections. Communities should stay together. We share common interests, and we face the same problems, and therefore should always stay together. Dividing neighborhoods will only further complicate that and should never be done.

In closing, failure to consider these non-partisan, basic requests, goes against the very fabric of our democracy and undermines the bipartisan provisions that are outlined in the Voting Rights Act. Thank you for your time, and thank you for your service.

John Hardister ([00:42:29](#)):

Thank you. Next, we have James Adams.

James Adams. ([00:42:43](#)):

Good evening. I'm James Adams from High Point, North Carolina. I'm glad to be here with your this evening, to share a request, a request that we have fair and equitable voting process here in redistricting process. There's a lot of conversation that you've heard from this floor about the concerns that we have. Let's address those concerns.

I was not here a few years ago for the last redistricting, but I'm living through the results. We need to fix this. We need to fix it now. The Voting Rights Act of 1965 afforded us the opportunity to having fair and equitable voting process. We need to practice it. We need to be committed to it, and do what we can to have our children enjoy the voting process and the results of the voting process that we have seen and we work for today.

Let's not make the same mistakes. Let's fix it. Let's do it now. Let's be mindful of a gentleman, Mr. McKenna, what he presented to us. Let's consider that. Let's look at the information that's on his boards and his paperwork. It's only gonna happen if you're committed. It's only gonna happen if you're committed. Thank you.

John Hardister ([00:44:20](#)):

Thank you. Next, we have C. Bradley Hunt. T. Anthony Spearman.

T. Anthony Spearman ([00:44:45](#)):

Thank you, I am the Reverend Doctor T. Anthony spearman, resident of Greensboro. And as a matter of fact, I am within your jurisdiction, Chair Hardister. So I need your cell phone number. And I am also the state conference president of the North Carolina NAACP. Political parties are nothing but the instruments of tyranny when they degenerate into agents of chaos and cease to represent progressive justice. All our polarized politics is producing is pain. It is for the people, who are the sovereign in this nation, to see to it that parties conserve the public interest. That is why we are here.

It is pure nonsense to expect others to perform this duty for us. Having attending two redistricting committee criteria meetings, and this makes four of the six public hearings held thus far. I have enough information to know that what the people want are fair and just maps, maps that allow voters to choose who their responsibility will be, rather than maps that allow legislators to pick who they want to represent them in elections that predetermine the winners.

In short, the maps should be about the people, and not about politicians or incumbency. The maps should be a fair representation of the rich diversity in the state of North Carolina. But at the rate we're going, we will never achieve that as long as we continue to present ourselves as a bunch of ideological contortionists, purporting to be politicians. What we the people, truly need, are more public servants. Public servants will produce fair maps. Thank you.

John Hardister ([00:47:13](#)):

Thank you. Next, we have Peter O'Connell.

Peter O'Connell ([00:47:21](#)):

Thank you. I am Peter O'Connell. I'm a resident of Guilford County. And I am an active republican voter. I urge the legislators to carry out the duties they were elected to perform. We have a redistricting process. It is a legislative process. And I urge you to follow it. Do what is fair, do what is right. And that is to follow the rules and not to change them in the middle of the game. Nothing could be more certain to create division, additional cost, and cynicism on the part of the voters.

We have a redistricting process, and we should follow it. Speakers say that you should listen to the people. Those who urge you to delegate your responsibilities, in fact, seek to overturn the will of the people. The people already have spoken. They've elected their chosen representatives, including all of you. And I ask you to please do the job that you were elected to do. And I'd also ask you to please disregard the so-called non-partisan expert route. There is no such thing as a non-partisan expert. We have seen in other states that have tried that route.

What is actually envisioned is people who have failed to obtain their desired goals at the ballot box, trying to obtain control of this process by other means. And I would urge legislators to carry out their functions. Please do what you were elected to do. Do not delegate your duties to people who are not answerable to the public. Respect all people. Respect each other. Cooperate where possible. But follow the process. Thank you.

John Hardister ([00:49:37](#)):

Thank you. Next, we have Elliot Lynch.

Elliot Lynch ([00:49:51](#)):

Good evening. My name is Elliot Lynch, and I thank you for having me available to speak tonight. I want to speak from my heart and from my experience. I've been living now in Alamance County for almost 30 years now. I grew up on a farm, sharecroppers, and one of the highlights of our year, was to load up in the car with my parents and go vote. And since that time in my life, voting has been very important to me. The political process has been very important to me. And I'm here to give you some, not things to do, but things that I plead you not to do.

I've been a chief judge in my precinct for a number of years. I ran for office a number of times. I believe in the political process. I believe in being fair, and I love people. So I'm asking you to do this for the people, particularly the people of Alamance County. We are a wide and diverse community. We have farmers to our south and north. We have urban areas in Burlington in our cities. And I ask and I plead with you, not to do these things. Please don't split up our neighbors. Please do not split up Alamance County. Do not split up our precincts, our cities, not our state legislatures, districts, or our district 13.

Right now, we're sitting a five-minute drive from Orange County. And then end of district 13 is almost in Charlotte, Cabarrus County. And that doesn't make sense to me and doesn't make sense to a lot of people. So I ask you to consider, to make these districts compact and be fair. As a matter of fact, one other thing I'd like to mention, when I go vote, I pass a church two blocks from my house and drive several miles, because the district across the street is a different district. So please consider that, and thank you. And please be fair. Thank you very much.

John Hardister ([00:52:17](#)):

Thank you. L. Harris?

L. Harris ([00:52:34](#)):

Good evening, committee. We do appreciate you offering the opportunity for us to have a hearing and public speak today. However, as a resident of Rockingham County, I'm extremely concerned that many of my other residents, as well as others in counties, are not represented here today. There's a lot of families that are not even given the opportunity, because of lack of public transit, to be able to come to the public hearings that you're offering today. I will say it is extremely important to realize that a public hearing is really for the public.

Offering live stream like it was the last time, was not a perfect process, but it did allow more transparency. Having transparency is extremely important, as it relates to encouraging and promoting trust in our legislators and in our public processes. I ask each of you to please consider everything that you hear everyone talk about today. But remember, live, in-person hearings mean you have to be willing to listen to the public. But in order to listen to the public, you must host it at locations that require less than 200 capacity. You must allow an opportunity for redistricting to educate the public on what the education of redistricting means.

Please again, I'm from Rockingham County. My neighboring counties, I drove all the way to Forsythe County the other day. After I got off work, I got there too late. But I made it today, 'cause I had to get off work early. So I'm encouraging you, understand there's many North Carolinians that are not represented today. Thank you.

John Hardister ([00:54:24](#)):

Thank you. Alejandro Garcia?

Alejandro Garcia ([00:54:26](#)):

Hey everybody. My name is Alejandro Garcia, and I've been living in Burlington for over 20 years ago. This is my hometown. As a resident of Burlington, Alamance County, I'm here to highlight the need for fair and transparent maps in order for communities of color to stop being segregated. As a Latino, I don't wanna see neighborhoods, bus stops, or schools segregated in order to fulfill elected officials' political agenda.

According to the 2020 census, North Carolina Latino population has seen a 40% growth. In this manner, all minorities and communities of color have grown. According to census, populations who identify as multi-racial, saw an increase of around 276% nationally. This is why I join everybody in this group to draw these districts so my kind and neighbors have representatives who represent them, who look like them and can share time with them.

We are tired of having individuals in power who don't look like us or have the same interest in heart. Alamance County is a key county for North Carolina, with a population of 174,000, 2020 census.



With that population, 29.3 identify as non-white. However, the current county commissioner board is entirely Caucasian. All of the current commissioners within a 10-mile radius of the western part of Alamance County in a suburban area along the I-40 corridor. Meanwhile, 28.6% of Alamance County population live in a rural area. So fair and competitively drawn districts will serve the entire population of Alamance County by establishing a fair system that allows voters to elect the candidates who are diverse, both geographically demographically. Thank you for your time and interest.

John Hardister ([00:57:16](#)):

Thank you. Next we have Ron Osborne.

Ron Osborne ([00:57:30](#)):

Thank you. My name is Ron Osborne. I'm a 35-year resident of Alamance County. Before that I lived in Guilford County, where I was born. And I live in souther Alamance County on a farm. I want to first compliment the legislature on the most recent maps. I would characterize them as less bad, but they're still not good. But at least you're making some incremental improvement as to the courts and what folks see.

The maps still guarantee safe seats for representatives. As the North Carolina Superior Court said, back in 2020, 2019, the enacted maps do not permit voters to freely choose their representatives, but rather, representatives are choosing voters, based on sophisticated partisan sorted. It is carefully crafted in the will of map drawer that predominates. The current maps marginally meet the letter of the law. But I question whether they meet the spirit of the law. And I think the data reveals that.

Is it truly representative democracy? I take issue with those that are concerned about true representative democracy and think that we're disingenuous if we question the process and the maps that are provided. I, myself, have been a registered republican, as well as a registered democrat. I've also served as a precinct worker, and I helped my neighbors vote differently than I would have voted. But that's okay. That's democracy.

I just want to see a process, an outcome that is true, fair, and equal. And I think independent and non-partisan commission is the way to go. Thank you.

John Hardister ([00:59:49](#)):

Thank you. Next we have Paul Walker. While you're approaching the microphone, Senator Galey apologizes.

Paul Walker ([01:00:00](#)):

Thank you very much for this opportunity to speak. I'm Paul Walker. That's not Paul Walker of the "Fast and the Furious" fame. I'm the slow and old. But again, I do appreciate this opportunity. And I've been a resident of Alamance County now for about 40 years. I'm a retired, agricultural agent, and I have traveled extensively in Guilford County, Alamance County, and quite a bit in Orange County. A lot of differences as you go from one part of the County to the other. As somebody has already mentioned, we go from a city to urban, to suburban, to rural.

And I would like for y'all to at least, consider geographical and populous areas, maybe put both of 'em together in drawing the maps. Perhaps, look at townships. Because within each township, there is some commonality within each township. I think that's one thing that's missing. But the main thing I would like to say is please stop the political gerrymandering. I have lived here, like I say, 40 years. I've saw both parties do it.



And then the resulting controversy and lawsuits is not pleasant to watch. So please, whatever you do, stop the political gerrymandering. Thank you very much.

John Hardister ([01:01:21](#)):

Thank you. Next, Cole Riley.

Cole Riley ([01:01:37](#)):

Thank you. Hello, thank you. Can you hear me okay? My name is Cole D'Angelo Riley. I'm a senior political science student at North Carolina A&T. I skipped my US presidency class to drive here 30 minutes, to be here today. I guess Guilford County, which was home to one of the most egregious acts of partisan gerrymandering, was not included on this public hearing tour. The general assembly split the largest HBCU in the nation into two, leaving us with diluted voting power and two representatives who did not represent, let alone reflect us.

Splitting the voting power of 13,000 predominantly black students in the black population of East Greensboro is wrong, it's racist, and it's partisan. But I fear similar tactics will be implemented again. Since I've been on campus, we've had elections scheduled during our spring break, twice. We've had our on-campus voting site removed twice. These are not accidents, but a blatant attack on our university and the black population of East Greensboro. Do not gerrymandering us into oblivion again.

Gerrymandering allows you to effectively flip democracy on its head. So it allows our representatives to choose our voters, not our voters to choose our representatives. So as stated before, some of the younger population has grown cynical and very critical of this institutions who have disfranchised us. So our demands are clear. Do not gerrymander us into oblivion again. We want an independent committee to create these maps. We want an early polling site. We do not want it to be scheduled during our spring break. And we want our polling site to be on campus. And we also want these legislative sessions to be more accessible so I can go to class.

John Hardister ([01:03:32](#)):

Thank you. Next we have Jay Kennit.

Jay Kennit ([01:03:47](#)):

Good evening. I'm Jay Kennit. I live in the city of Burlington, not far from downtown Burlington. The great mystery of every election is what my congressional district will look like. It changes every single time. In one incarnation, my neighbors, a block away, in the city of Burlington, voted for a different congressional candidate. That is not just or fair or equitable. You have heard from the people here. We are here because we hope this time, it will be different.

We have no evidence to prove that it will. But we ask you do what is right, to represent the people and to have, create free elections and fair districts that are equitable, non-partisan, and do not racially gerrymander. Thank you.

John Hardister ([01:04:44](#)):

Thank you, and the chair received a note from Representative Quick who apologizes that he had to leave for a 6:30 meeting at his church. Next we have Peter Klein.

Peter Schay ([01:05:10](#)):

My apologies for perhaps, difficult to read writing. It's Peter Schay, S-C-H-A-Y. I'm a resident of the city of Burlington in North Carolina House district 63. I'm here not representing any particular organization or any particular constituency other than voters who want good government, where the voters choose their representatives, rather than the politicians choosing their voters. I would reiterate a comment made by my friend, Mr. Schlokvir, as well as others, in support an independent redistricting commission. But in the absence of that, I am basically here to voice opposition to partisan gerrymandering. And I believe specifically, that the redistricting process should focus on three things.

First is compactness. The current shape of congressional district 13 is an abomination. Second, congruency or respect for existing boundaries, of county boundaries, city boundaries, and necessary precinct boundaries. And then finally, on support of others, that the redistricting should avoid of minority communities, so that they are disenfranchised in their choice of representatives.

And finally, I support the comment that have been made by several other speakers, that after the proposed maps have been prepared, there should be another round of hearings to enable us to give our feedback on those proposed maps before they're finalized. Thank you.

John Hardister ([01:07:18](#)):

Thank you. Next we have Lee Haywood.

Lee Haywood ([01:07:24](#)):

Thank you, Mr. Chairman. My name is Lee Haywood. I'm a longtime resident of Guilford. I live in Summerfield. And I have intentions to run again, for the 6th district congressional seat. And I wanna address that here in a second. But I wanna thank y'all for the tough job y'all are getting ready to do. You're not gonna be able to please everybody. And this is my second hearing, and I've heard a lot of good suggestions. And one of the things that really strikes me is everybody wants a non-partisan commission.

There's no such thing. It's gonna be partisan, no matter how non-partisan you try to make it. And I think since 2010, I think the process has become a lot more transparent than it was the 140 years before that. So I wanna thank y'all for what you're doing. And I wanna address the 6th district specifically. I remember when Guilford County was split into three different districts, one which ran from the eastern part of Guilford County to Raleigh. The other snaked up from Charlotte, all the way to Durham, up I-85. And the rest belonged to Howard Knob.

Now it's a lot better now. Guilford is whole, but you have divided Forsythe. Now, no offense to my peeps in Forsythe, I love 'em to death. But they deserve to made whole again. And I ask y'all to take that into account when you're redistricting the whole state. Try to keep these counties as whole as possible. Of course, it's not always gonna be able to do that, but as much as possible. It makes no sense for the 6th district to be rated a D-18, and Ted Budd's district, the 13th district, which goes right around Guilford, an R-1000. It makes no sense to have that. So now's the time to fix it. I have faith that you will. I know a few of you that sit on that commission, and I just wish you well in the process.

And I'll leave you with one thing. The fella a little while ago gave you a joke. What do you call a hot dog with the middle taken out? A Halloweenie. Thank you Chairman Hardister.

John Hardister ([01:09:39](#)):

Thank you. We have reached the end of registered commentary. Is there anyone who signed up to speak, but their name was not called? And the Chair will confer, the Sergeant-at-arms, is there anyone

waiting outside? Is there anyone who did not speak who wishes to speak? If you would please, state your name for the record, thank you.

Susan McInahan ([01:10:19](#)):

My name is Susan B. McClanahan. I'm from Orange County. Over the last decade, you spent almost \$11 million of taxpayer money on litigation. I would like to encourage you to avoid that. I'll start again.

John Hardister ([01:11:00](#)):

Restart the clock.

Susan McInahan ([01:11:02](#)):

Thank you, gentleman. My name is Susan B. McClanahan. I'm a resident of Orange County, nearly life-long. During the last decade, you have spent nearly \$11 million on litigation. [inaudible 01:11:18].

Speaker 33 ([01:11:18](#)):

Could you maybe go to the other podium, ma'am?

Susan McInahan ([01:11:31](#)):

Can you hear me now? Thank you. My name is Susan B. McClanahan. I'm from Orange County. Over the last decade, you spent nearly \$11 million of taxpayer money on fighting in the courts to entrench yourselves in power. That is wrong, no matter who does it. It is right for you to listen to the will of the people. For years, you have ignored us when we wanted Medicaid expansion, health care for everyone in North Carolina, when we wanted good schools that have been starving since you have been in charge, when we have wanted rural hospitals to be able to survive. Medicaid would have helped with that. There have been so many things that the people of North Carolina have wanted that you have ignored.

It's not okay for you to do that anymore. It is time for you to have 26 additional hearings across North Carolina once the draft maps have been shared. Those could be in the 13 current counties and in 13 others, so that there would be two hearings per congressional district. You can change to primary so that the deadline is not December 6th. You can move it to May, where it has been for years until you changed it. That would give us time to hear from the people of North Carolina, and it is required that we hear from the people of North Carolina. It's not okay for you to entrench yourselves in power.

You need to share the map shape files once the drafts are presented, and without any delay, so that the Princeton gerrymandering project can assess them, so the two other organizations can assess them, so that we know when we've been gerrymandered. Thank you.

John Hardister ([01:14:03](#)):

Thank you. Is there anyone else who would like to speak? Yes sir, you're recognized. State your name for the record. [inaudible 01:14:20]

Tom Rokoski ([01:14:28](#)):

My name is Tom Rokoski, can you hear? And I'm an Orange County resident. Thank you for letting us speak this evening. I have some comments here made when I attended a previous meeting of the general assembly during the last 10 years. First of all, I'm surprised that you do not have a presentation to the public to inform us of the redistricting process. You talk about it, but let's see what it is, along

with the provisional maps that was done 10 years ago. When I lived in Watauga County and our state representative, Jonathan Jordan, gave a video presentation of the redistricting process, with maps that had been drawn at the time. Different redistricting models were explained, and many of us there thought the Iowa State plan was superior, as districts were compact and did not have the problem of dividing counties.

Which model will you be using this time? What changes will be made because of the additional district? We wish to know. Secondly, the results of the 2020 census were later than usual. And you're starting late, as been mentioned by the previous speaker, with the information process, and you're running out of time. So good government required that districting be transparent. So there should be these forums afterwards, so that we may be able to see final maps and to have an evaluation by the public.

And I believe you could move back the time for filing, as was mentioned. You could do that. It doesn't take long to redistrict once you have a computer model, just a couple day. So let's do it and have these meetings afterwards. Thank you very much.

John Hardister ([01:16:43](#)):

Thank you. Is there anyone who'd like to speak? Anyone else who'd like to speak? With that said, the chair apologizes that the battery in the microphone apparently has gone out. We have reached the end of the public hearing. On behalf of my colleagues, I'd like to thank you all for your participation. I'd like to thank our Sergeant-at-arms [inaudible 01:17:16] employees, Alamance County college. The chair will remind everyone that you can access the committee's website at [ncleg.gov](#), and then navigate to the redistricting icon. You can also submit comments online. With that said, the hearing is completed. And we are adjourned.

Senator Jim Perry ([00:00:04](#)):

[crosstalk 00:00:04] Thank you so much. Okay. [inaudible 00:00:18]

Speaker 2 ([00:00:04](#)):

Green County girl, right?

Speaker 3 ([00:00:04](#)):

Pitt County.

Speaker 2 ([00:00:20](#)):

Oh Pitt County. I thought she lived in Green.

Speaker 3 ([00:00:22](#)):

She moved to Green. She lives in Green now.

Speaker 2 ([00:00:24](#)):

Right, right, okay.

Senator Jim Perry ([00:00:26](#)):

Okay. Everybody got water. Everybody got ... Linda, are you ready?

Speaker 2 ([00:00:30](#)):

I don't have any water.

Speaker 4 ([00:00:32](#)):

I ain't got nothing to do with it except.

Speaker 2 ([00:00:33](#)):

Oh okay, you need something here.

Speaker 3 ([00:00:35](#)):

A bottle of water please, thank you.

Speaker 4 ([00:00:37](#)):

The only thing they told me to do was [inaudible 00:00:43]. I'm saying to keep you all safe. But we already know Pitt County's the safest place in the world.

Senator Jim Perry ([00:00:37](#)):

That's right.

Speaker 5 ([00:00:55](#)):

The mike's not on.

Speaker 4 ([00:00:55](#)):

Yeah, we ain't saying [inaudible 00:00:59].

Senator Jim Perry ([00:00:55](#)):

He's going to sit down there.

Speaker 4 ([00:01:02](#)):

I'm saying that you all are the best audience in the world.

Senator Jim Perry ([00:01:07](#)):

You guys ready?

Speaker 2 ([00:01:07](#)):

I'm ready.

Senator Jim Perry ([00:01:09](#)):

Linda, you good. Okay.

Speaker 2 ([00:01:12](#)):

No, you need that here.

Senator Jim Perry ([00:01:17](#)):

Good afternoon. As the Chair, I will call this meeting to order. We would like to begin by recognizing and thanking our Sergeant at Arms for being here with us today. From the Senate, we have Mr. Mike Harris. From the House, we have Ms. Teresa Ferguson and Mr. David Leahy. Thank you for being here. Thank you for all that you do for us.

In addition, we have General Assembly police here. We have Officer Hailey [inaudible 00:01:47] over here on my left. Sorry, I couldn't see you. And Officer Thomas Rutherford back in the back. Thank you for being here, everything you do.

Okay, we will jump straight into the comment portion of the meeting today. Our format will be that we ask you to step up to the microphone. We will call two speakers. So I'd ask that you stand at least six feet behind the active speaker if you're the next one up. And we'll do that. Save time for people walking up because we do have over 30 speakers today.

You will have two minutes to make your comments. We would like for you to approach the microphone and tell everyone your name. And if you represent an organization, please share that with us too.

The committee is here to receive comments and hear your thoughts. We will take your comments back to the General Assembly. We will not be taking questions or having back and forth. This is about you and what you have to say today.

We will ask that everyone be respectful, be considerate of each other. And we look forward to a great afternoon. And we are thrilled to be in eastern North Carolina today and not in Raleigh. It's the greatest place on Earth.

So first off today, I'm going to ask Miss Ann Watson to come to the microphone. And behind Miss Watson, Miss Emily [Keel 00:03:18].

Mary Ann Watson ([00:03:22](#)):

Thanks so much. My name is Mary Ann Watson. I live in Greenville, North Carolina, in Pitt County. And I want to thank you all for coming to Pitt County. We're a great county and very active politically. Have a very active organization and appreciate you're giving us the attention to come out here.

Secondly, I am disappointed that you picked 3:00 o'clock in the afternoon on a work day. You've eliminated how many people can participate on this. I'm here on my lunch break. I postponed my lunch break so I could attend this. But many people do not have that opportunity to do that. So you've limited the input by the timing of this event.

But I appreciate you coming here. The thing I want to encourage you to do is to not draw the districts based on political parties. I do not think the legislators should be picking their own voters, but given that that's way it's set up in North Carolina, I would ask that you not do that.

And my reasons for that are because of the state of our country. We are polarized. And one of the reasons we're polarized is because we have, our districts are so often based on political parties which means that there's no good dialogue within the districts because the representatives have to be either one party or the other so there's no compromise that can happen.

If we can have non party drawn districts, we're more likely to have good dialogue and have good policies come out of that good dialogue and that's what I would encourage you to do. Thank you for giving me the opportunity to speak.

Senator Jim Perry ([00:05:06](#)):

Thank you. Stacy Jeff, if you'll please come up next. And before you speak, if I could, I failed to introduce my colleagues. I'll start on the left with Representative Linda Cooper-Suggs. Representative Chris Humphrey. My good friend, Senator Don Davis. Representative Candy Smith and Representative Brian Farkus. And I'm Senator Jim Perry.

So I apologize for missing those introductions but thank you for being here today. After Miss Keel, I don't see Stacy Jeff. I'll ask John John. Please begin.

Emily Keel ([00:05:48](#)):

Hi, I'm Emily Keel and I live in Martin County, a rural county of 23,000 people adjoining here. I'm a member of the NAACP there and of the Women's International League for Peace and Freedom. We want to remain as a unit in Martin County with no division of our population as you redistrict. No splitting us in the House, the Senate or the U.S. districts.

We are, for the most part, a multi generational population since not many people move to a rural areas with fewer employment opportunities. Our citizens have been farming and gardening together for generations. We're also bound by struggles to provide common services in our towns. They're so small.

So people have trouble with utility bills. The provision of utilities is difficult and costly for low income communities. And we've benefited from joining in cooperative efforts there.

We depend upon each other to share resources and information as we did when citizens were called on to help inform each other about the COVID vaccines and to transport each other to receive

vaccines. It's such a rural population that public transportation is limited. So we move each other around together.

Many of us in the small communities are called upon to transport neighbors for appointments and groceries. Many of live miles from medical care, from grocery stores and pharmacies so networking to assist each other is common.

There are only two public high schools in the county and they encompass and tie together each of the smallest communities. We need to be able to work together to address our common problems with our elected state representatives.

And so we need to remain an in tact community, rather than be divided into two as we were in the Senate at a previous time. Additionally, I insist that we be allowed to make public comments in numerous locations around the state after the proposal of maps is made.

It's not acceptable to prevent all in person comment or to limit it to one location. The public should also be able to see what has transpired in the legislature on a daily basis as the process of mapping takes place, perhaps through some online resource. Thank you.

Senator Jim Perry (00:07:55):

Thank you for your time. Miss Gwen Green. Miss Mary Perkins Williams, Mr. Alex Urban? [inaudible 00:08:09]. Welcome.

Gwendolyn Robinson Green (00:08:17):

Thank you. Good afternoon. I'm Gwendolyn Robinson Green. I'm a resident and homeowner in Greenville, North Carolina. And I'm very pleased to be here this afternoon. And I do thank you for giving us this opportunity to express our views in terms of redistricting.

I, along with members of the organization that I belong to, a service organization, Delta Sigma Theta sorority, our members went out. We were a part of the complete count to ensure that as many African Americans as possible would, in fact, return the census information.

And I stand here today and I encourage you to keep in mind that there are, that the citizens of North Carolina are entitled to your respect as you consider how to redistrict the state of North Carolina. I ask that you maintain the integrity of the districts. That you look at and consider. Be respectful because have worked long and hard to ensure that the census in North Carolina was done correctly and that its citizens were heard. I thank you for the opportunity and I hope that you will consider those things that I've asked you to do. Thank you.

Senator Jim Perry (00:09:43):

Thank you. Mr. Urban and then Miss Cindy Elmore, Christopher Mansfield after Miss Elmore.

Alex Urban (00:09:53):

Good afternoon. My name is Alex Urban. And I am the Advocacy Coordinator for the Association of Mexicans in North Carolina. Also known Amexican. Amexican is a nonprofit organization that serves the Latino community across eastern North Carolina.

And I am also a lifelong resident of Green County, North Carolina. Today, I bring several considerations to the NC General Assembly in regards to the process and practice of redistricting.



In 2011, the General Assembly held 60 hearings. In my and my organization's opinion, the 100 counties of North Carolina need to have more. With only 13 public forums, it makes it extremely difficult for the Latino community to drive and come to a hearing.

Additionally, the basic outreach for events and opportunities such as this one presented primarily in English creates an additional hurdle for the Latino community and the organizations that serve them.

Informing the community requires translating and disseminating information about these meetings. And it takes time and effort on behalf of the community organizations such as ours. Absence of this leads to large subsection of North Carolina's population, ignorant of the rights and opportunities available to them.

I ask that the outreach and promotional materials for these meetings be available in Spanish to the general public. Additionally, they should not be so rushed as to take away the ability of community organizes, such as myself, to prepare and inform the Latinx community.

For our districts, both on the state and federal level, we ask that you draw them compactly and contiguously. Creating districts that stretch from the coast to Raleigh, whose drawing is guided solely by advantage only serves to disenfranchise and divide communities and divide the east.

It is not a matter of a language or color. With the composition of many eastern counties increasing with a larger number of Latinos, fair and equal districts have never been more important. Especially when such cracked and fragmented districts diminish not only marginalized communities' say, but all voters' political power. Thank you for your time.

Senator Jim Perry (00:11:57):

Thank you. It's good to see you.

Alex Urban (00:12:02):

Miss Elmore, then Mr. Mansfield, then Mr. William Pitt.

Cindy Elmore (00:12:05):

Good afternoon. I'm Cindy Elmore and I live in Greenville. Please accept that the public really does care about a transparent and fair redistricting process. Most people can't come to hearings like this, but they do know and care about it.

Here's what most people I know also care about, we want to see a process that does not consider partisan data, like voter registration levels or voting histories or incumbents' places of residence in this process.

We want to see districts drawn that are contiguous, that are consistent with natural and political boundaries like county lines, for example. And we want to see compact districts. So contiguous, compact and consistent with natural boundaries.

We're also tired. We're tired of the gerrymandering that no one can pretend hasn't happened in this state. We're tired of the millions of dollars of our tax dollars, our money, being spent on the costs of defending indefensible, partisan, gerrymandered maps.

And we're tired of the justification always being, "Well, the other side did it first." Which is what children say. We're tired of, in this state, of what always seems to be gleeful, hand rubbing, political machinations done to this process so that politicians entrenched in office can safely keep themselves there which leaves half this state without proportionate representation.

And we're tired that people pretend we don't have the computerized data technologies that make it pretty easy that, for the most part, could follow contiguous, compact boundaries that put people together with the same geographic and multiple interest. That's all anybody wants. And it isn't that hard to do.

And lastly, we're tired that North Carolina has become the country's poster child for partisan gerrymandering, thank you.

Senator Jim Perry (00:14:15):

Thank you. Mr. Mansfield, Mr. Pitt and Miss Linda Harper.

Chris Mansfield (00:14:29):

Thank you for the opportunity to comment today. My name is Chris Mansfield. I have lived in North Carolina most of my life. The last 45 years in Greenville. I'm retired now, but I had a hand, a bit of a job, a part of ECU's service to eastern North Carolina and the state.

Our rural communities and towns continue to lag behind in regard to economic opportunities, financial access to medical care, education, internet access and infrastructure.

We need and deserve representatives in the General Assembly and the U.S. House who will articulate, advocate for our needs and bargain for resources to address them. We're not getting the representation we need because the democratic system has been corrupted by extreme gerrymandering.

We don't get to choose who represents us. You selected the voices. You need to get elected, beholden only to the small base voting in primaries, special interests and party leadership.

Politicians, therefore, have little incentive to represent the whole district and do the hard work of crafting bipartisan, forward thinking policy.

I hope this won't be the only opportunity to comment. I hope there will be transparency so that citizens can see how the maps are drawn, be there when they are, and see who's drawing them. Will be there an opportunity on alternative maps? On the ground rules? What metric's used to evaluate the fairness?

I don't think residence of incumbents or candidates should be a factor. Splitting VTAs, towns, neighborhoods and university campuses should not be allowed.

I drew a map of congressional districts on my own and was able to get equal populations with minimal splitting of counties, no splitting of municipalities or voting districts. But I didn't endeavor to crack and pack them. I hope that won't be allowed, thank you.

Senator Jim Perry (00:16:41):

Thank you. Mr. Pitt, Miss Linda Harper, and Miss Lori Yoshi Newman.

Mr. Pitt (00:16:52):

Thank you, Senator Perry. Thank you to the esteemed guests on the [inaudible 00:16:56]. To all those in the gallery. I would like to say that I believe that the district, not only should they be compact, they should be sensical.

I've heard it said a few times before that our districts have been drawn with surgical precision to draw certain people out of the district. It is very important that everyone's voice be heard. It is very

important that every vote counts. It is very important that we, as citizens, get to choose our legislators, not legislators choosing our citizens.

So I ask as these maps are drawn, they will be drawn fair, compact, sensical and most of all, fair. Because that's all we really want in this world, just fair. Just fair. Because that's all we really want. So thank you for your time.

Senator Jim Perry ([00:17:42](#)):

Thank you, Mr. Pitt. Miss Harper, Lori Yoshi Newman and Carol Rados or Rados?

Linda Harper ([00:17:53](#)):

I'm Linda Harper from Wayne County. Thank you for being here today. And thank you for making this available on the internet as well as these 13 places that we have.

Well, I would like to ask that all of Wayne County be placed in district one. We are talking about contiguous places so the whole county. We would like to district one. If we need more people because of the decrease in population in the census, I recommend adding Sampson County because it is a rural county and the culture is much better fit for Wayne County.

And we'd like to not to have any counties or towns or parts of towns west of 95 because east of 95 has a culture all of its own and we enjoy that rural country. So I would like to be sure that all of county is in district one and that we have Sampson County added.

Senator Jim Perry ([00:19:00](#)):

Thank you. Miss Newman, Miss Rados and Miss Diane Tindall.

Carol Rados ([00:19:09](#)):

I'm Carol Rados. And I'm not representing any particular group. I do feel that this group did choose a bad day to have this hearing because today is Yom Kippur which is a Jewish holiday and it's not a holiday that you should be having hearings for the public.

In your redistricting, I think the main thing that you need to think about is being fair and not focusing on parties and just focusing on the population and the communities. Thank you.

Senator Jim Perry ([00:20:06](#)):

Thank you. Miss Diane Tindall, Miss Minerva Freeman?

Lori Yoshi Newman ([00:20:17](#)):

Hello, committee members, legislators and all of my fellow citizens. My name is Lori Yoshi Newman and I live right here in Greenville, Pitt County. I have heard so many compelling comments already. I hope you really have taken note of what people have taken the time to come here and say.

I am here to represent democracy. I'm here with an honest intention. I'm asking you for non partisan, fair and equitable voting maps. We should have a truly independent commission. A truly independent commission to draw voting maps that do not benefit either party, candidate or incumbent.

We need maps that don't drag through the courts to conclude they were gerrymandered districts which was obvious in the beginning.

This undermines the very foundation of democracy. One person, one vote and each vote is equal. All voices are heard. I'm impressed with the comments of our Amexican representative who pointed out the inequities of the process, including the Amexican community being left out already.

We need maps where neighborhoods and precincts are in tact and districts are compact. The interests and needs of the community must come first. In our community, we need elected officials that lift up all of our community, in poor and under resourced areas.

Officials who will effectively address extreme climate disasters which will increase in both regularity and the destructive forces of flooding and high winds.

We need laws that protect flood prone areas from rampant development. And the resources to provide rapid and effective disaster response and relief for those who are impacted by these human made disasters. We, the people, want to elect legislators that are loyal to our communities and not to the parties themselves.

We want democracy that is a government of the people, by the people and for the people not politicians. Thank you.

Senator Jim Perry ([00:22:33](#)):

Thank you. And we are joined by Representative Raymond Smith who was a little detained being here but Representative Smith joined us now. Miss Diane Tindall, Miss Minerva Freeman and then Mr. Michael [Shackter 00:22:49].

Diane Tindall ([00:22:50](#)):

Good afternoon, this is an exciting time for our state. I also drew a map last night and I envy you guys. It's not an easy thing to do. But I did manage to get the boundaries fairly equal.

Unfortunately, North Carolina's history with this process has been replete with challenges and court cases because borders have often encompassed those already in office.

I would ask today that you create districts that represent all the people of North Carolina, drawn with boundaries that keep counties, voting precincts and communities whole as much as possible.

Please be mindful of shared culture and experiences such as our hurricanes in eastern North Carolina. And in doing so, make it possible that close neighbors within a county can contact the same individuals for help.

Our young people have become apathetic about government because they feel that every issue is divided. Okay, thank you. Let's see. Let's use this process to treat people as individuals, not Republicans, Democrats, Libertarians and so forth. And make fair maps so that every voice can be heard. Thank you. And I'm not sure if I said I'm from Craven County, thank you.

Senator Jim Perry ([00:24:11](#)):

Thank you. Miss Freeman, Mr. Michael [Shackter 00:24:16], Miss Sarah P. Connor.

Minerva Freeman ([00:24:22](#)):

And I'm Minerva Freeman. First, I would like to thank you all for coming here this afternoon. And to listen to us. I am from a small community, Falkland, North Carolina. But I'm representing today, I'm representing the Delta Sigma Theta, Pitt County chapter. I am representing the National Council for Negro Women and I'm also representing Pitt County branch of the NAACP.

And the message they asked me to convey to you all is to be fair. To listen, that's what I believe that you're doing now. But to go back and draw the maps a little differently than what you've done in the past.

I'll tell you, I have looked at some of the maps and they're zigzag. It's crazy, in a way of speaking, the way they are drawn. And I believe that we can do better than that. And I would just encourage you to show that diversity as you draw the map. To make certain that everybody is represented. Because that's what we need in a democracy. We need fair maps, if I could say that. And you scare me so I'm going to go sit down. Thank you.

Senator Jim Perry ([00:25:46](#)):

Thank you. Mr. [Shackter 00:25:48], Miss Connor and Miss Kelly Askew, I think.

Michael Shackter ([00:26:00](#)):

Hi, I'm Michael [Shackter 00:26:01] from the nonpartisan Craven, Get Out The Vote Coalition and the Tuscarora Rims Road Community in Craven County. Having no preliminary maps to look at is a real problem. New maps that are drawn should be drawn in a nonpartisan way, not by legislators who are choosing their voters. That's what needed.

And also transparency in the map drawing. This needs to be followed by many more meetings that are at different times so that people can attend them. And that are also virtual so that, especially at this time of COVID, so that people can comment. They don't have to be among other people. So that we can have public input across the state, especially in eastern North Carolina before the final maps are approved.

I'm going to be very specific about the community where I live on Tuscarora Rims Road, the State Road 1224 is a historical black community, but it has been split into two state house districts, district three and district 79 during the last redistricting.

This area has absolutely no collection to the far away Beaufort County and the city of Washington. The community's connections are with other communities of color off 17, such as Rocky Rim Road community and even Jones County which the Tuscarora abuts.

The arbitrary dividing line is Bachelor's Creek, but there are members of the community, starting below Clarks Road and over on Rollover Creek Road.

The community would best be served if there was one state house district nearest to the city of New Bern, thank you.

Senator Jim Perry ([00:28:12](#)):

Thank you. Miss Connor, Miss Askew and Pamela Woods.

Miss Sara P. Connor ([00:28:18](#)):

Good afternoon, I'm grateful for this opportunity to be able to speak today. After listening to the speaker in front of me, it just ... Like he have the same intention that I have also written down. It's like I could just say ditto to the speaker that was just in front of me.

I am, too, in opposition of having a public hearing prior to the maps being drawn. To me, it's like putting the cart before the horse. Why have a hearing not knowing where the maps are going to be drawn? I'm thinking well maybe you're getting input from us and then draw the map and then you

would bring the maps back to us so that we can make comments and we can have [inaudible 00:29:06] public map that would represent the public in a democracy way.

Two, I am in opposition, few hearings that are being held. For instance, like me, I do not drive long distant. So a lot of people are not afforded the opportunity to drive to attend meetings.

Also, to keep the municipality together so there would not be confusion within the community and that we would have pure, unequal ... So that we would not have unequal representation for [inaudible 00:29:42] group. These things and other things cause us to have insufficient representation that will harm us for the next 10 year. Thank you for your time. And we do want to have an opportunity to comment once the maps are drawn.

Senator Jim Perry ([00:29:58](#)):

Thank you, Miss Askew, Miss Woods and Mr. Chris Suggs.

Kelly Askew ([00:30:05](#)):

You almost got it right, it's Askew.

Senator Jim Perry ([00:30:05](#)):

I'm sorry.

Kelly Askew ([00:30:06](#)):

That's okay, I'm used to it. My name is Kelly Askew and I live in Ayden. I have two items on which I would like to comment. First, we do not want any partisan gerrymandering applied to the drawing of voting district maps because it is not fair to the people of North Carolina. We want fair maps that do not have to be fought over in the court for years.

We don't want them looking like a bunch of spaghetti thrown up on a wall. Packing once one group into one district diminishes their voices. It deters people from voting and this isn't fair.

And finally, the extreme partisan gerrymandering in North Carolina has been an embarrassment as it has been in the national news so many times. Let's draw maps that we can all proud of.

The second item upon which I would like to comment is regarding municipal boundaries. I am a resident of Ayden. We are a part of the 12th house district and 3rd congressional district. We have been sliced off the bottom of Pitt County of which we are an integral part.

Many of us work, play, go to school and do business in Pitt County and pay taxes. We do not relate to Lenoir County and it is confusing to people to know where to go, who represents them and how to vote. Please draw lines along county boundaries wherever possible. Thank you, I appreciate the opportunity to speak today.

Senator Jim Perry ([00:31:35](#)):

Thank you, Miss Woods, Mr. Suggs and then Ann Floyd Huggins.

Pam Woods ([00:31:42](#)):

Good afternoon. My name is Pam Woods and I live in Craven County. I am representing not only the citizens of Craven County, but Craven County branch, NAACP. I have some things I don't have to mention which has saved me some time.

We've talked a lot about already the time of this meeting. We are thankful to have a meeting, but the time is not really conducive for as many people to get here and the fact there is no virtual advantage.

Now most citizens are at work at this time. So they're not here to speak. So I'm going to make some few points. I live in a residential area near Trent and Noose Rivers. We have a number of manufacturing plants. We are growing in our retail centers.

Craven County is known for its tourism. We are looking for a way to make sure we continue to have affordable housing, healthy food alternatives, safe areas for our children in public schools so that the reason I say all these things is that we would like to make sure that our county is bound by a like a county.

A county that has the same sort of interests and economic problems that we have. We're trying to build and we don't really want to be with the adjacent county that's going to outshine us where we can't actually get representation or things working in our county because the other county has more advantage.

We don't want political parties to be involved in these district mapping. It is very important that we consider the type of communities, the geographic areas, what the communities are known for, are working with and what is working good in those communities when drawing the lines. It's important to our citizens that we be able to be represented by the right type of interests, thank you.

Senator Jim Perry ([00:33:38](#)):

Thank you, Mr. Suggs, Miss Huggins and Mr. Holden Spain.

Chris Suggs ([00:33:48](#)):

Good afternoon, everyone. My name is Chris Suggs. I'm 21 years old from the great city of Kinston in Lenoir County where I live, work and love my community. So thank each of you for being here and your service to east North Carolinians like myself and I hope you take our thoughts into consideration.

Kinston is a community with just over 19,000 folks. We have a population that is predominantly black. And we have a history and culture that is threaded by resilience in the face of natural disasters, being a focal point in the Civil War, a rich arts and music heritage and the best baseball, basketball and barbecue in eastern North Carolina.

It is necessary that communities of interest like Kinston be kept together in future legislative districts. Our community has been hit the hardest by some of our nation's greatest challenges, including hurricanes and flooding, exacerbated by the climate crisis. Loss of major textiles and tobacco industries causing poverty and population loss.

And being, right, the most economically distressed community in the entire state. So these issues, along with health issues exacerbated by COVID-19 have collectively caused reasons for us to be able to collectively organize and advocate and not want to be in split districts that serve party interests over public good.

It is disappointing that the committee chose to hold only 13 hearings across the state in a state that has more than ... Or exactly 100 beautiful counties. And that the meeting times have not taken into consideration, travel time, work obligations or true accessibility.

It is my request that once the drawings of maps take place, the committee holds additional hearings across the state, more than 13 and at accessible times and locations, to receive public input and engagement. Thank you [inaudible 00:35:24].



Senator Jim Perry ([00:35:23](#)):

Thank you. Miss Huggins, Mr. Spain, Mr. Tom Best.

Ann Floyd Huggins ([00:35:33](#)):

Good afternoon. To the Chair, I wear two hats. I am Ann Floyd Huggins, Chairwoman to the Pitt County Board of Commissioners. So my first hat wearing is to welcome you to Pitt County officially.

Senator Jim Perry ([00:35:51](#)):

Thank you.

Ann Floyd Huggins ([00:35:51](#)):

To the committee. And we are so glad that you chose Pitt County as one of the locations to come and bring this information and give Pitt County citizens as well as our neighboring counties an opportunity to participate in this process which makes good government.

So if I take off that hat and become the citizen, now I will say that we encourage you as you are redrawing the lines that you draw districts that are compact. And of course, some of this has already been said but I want to say it again.

Because non compact districts confuse voters. It splits community of interests and are often drawn to benefit certain voters or certain political parties.

So as I said, some of this have already been said and I want to repeat it for your hearing. And for you to really consider it when you go back to draw the lines. Again, thank you for the opportunity to speak to you this afternoon.

Senator Jim Perry ([00:37:16](#)):

Thank you. Mr. Spain, Mr. Tom Best and Mr. Charles [McLawhorn 00:37:22].

Holden Spain ([00:37:23](#)):

Good afternoon. My name is Holden Spain. I am the second Vice Chair of the Pitt County Republican Party. I would like to thank the committee, first off, for organizing this public forum and allowing the citizens of Pitt County and the surrounding area a chance to voice their concerns about redistricting.

I understand the process of redistricting is complicated and that it generates very strong opinions in citizens as evident by the crowd we have here today.

So I would like to encourage the committee and the General Assembly to work diligently to publish the proposed maps that they have in mind and to allow further time for the citizens of eastern North Carolina and citizens across the state to comment on these proposed maps before they are voted on and decided by the General Assembly. Again, I'd like to thank the committee for organizing this public event. Thank you.

Senator Jim Perry ([00:38:12](#)):

Thank you. Mr. Best, Mr. [McLawhorn 00:38:14] and Mr. Donald [Inslee 00:38:18].

Tom Best ([00:38:21](#)):



[inaudible 00:38:21] of taking off masks are very difficult with glasses. Thank you for your service to our state. I appreciate you holding this public hearing regarding new voting maps that must be drawn due to the recent 2020 Census.

I also you to return to Pitt County and share the maps you draw before you hold your final vote. My name is Tom Best. I'm a native North Carolinian and Pitt County registered voter. I served a decade working with the Pitt County Board of Elections, first as a poll worker, then a precinct chief judge for several years. And finished worked as the annex chief judge where we handled all of the problems that occurred at the precincts.

I ask you to keep the precincts whole. Do not split them between candidates. It causes confusion for the voters and sometimes the poll workers themselves.

I learned from my tenure as a chief judge, voters are very serious when they enter the polls and many are anxious. Any unnecessary issue that can cause confusion and distrust among the voters must be mitigated or avoided all together.

A split precinct is one of those issues. I actually had a situation in my tenure where a voter came in, knew the individual that was the poll worker that was handing out the ballots and read her ballot, came back to that poll worker and said, "I can't vote for the candidate that you voted for." And they lived across the street from each other.

The poll worker initiated an effort to give that voter the wrong ballot to satisfy that. Now fortunately I was told and I was there and I was able to mitigate that situation. We stopped it and it didn't happen.

I look forward to seeing you again in Pitt County after the drafts, maps are drawn. Thank you for listening.

Senator Jim Perry ([00:40:29](#)):

Thank you. Mr. [McLawhorn 00:40:31]. Mr. [Inlee 00:40:32]. Miss Sandy Smith.

Charles McLawhorn ([00:40:37](#)):

Thank you, Senator Perry. Members of the House and Senate, I, too, want to welcome you to Pitt County. We're so glad to have you here and we're glad that you've come to our Pitt community campus to be here.

The coin of the realm in Raleigh is partisanship. It is not racial composition or compactness or communities. It is partisanship. Now it's not the will of the people that the political party in power, which party that is, and it has been the Democrats at times and it's been the Republicans at other times.

But it's not the will of the people that the party in power should set up voting districts to consolidate that power or to perpetuate their control of the legislative process by drawing district lines primarily with a view to partisanship.

I have spent most of my life as an attorney. 45 years, I've tried to promote the cause of fairness and justice. Not only for my clients but for my adversary as well. It is not fair and it is not just for our citizens that politicians seek ways to dilute some voters and increase the influence of other voters by the way the district lines are drawn.

As you develop the maps, I urge you to rise above politics and look for ways to take partisanship out of the picture. Please respect the will of the people and don't cast our state back into the courts for what might be years of countless litigation. Thank you.

Senator Jim Perry (00:42:22):

Thank you. Mr. [Inslee 00:42:30], Miss Smith and then Mr. Marcus Thompson.

Don Inslee (00:42:35):

Thank you, sir. My name is Don [Inslee 00:42:38]. My wife, Ramona [Inslee 00:42:40], and I have lived in Greenville for 44 years. I am an 80 year old community activist. This afternoon, I wish to make a brief comment about one of the fundamental rights of all citizens as related to redistricting and the drawing of the maps to maintain the rights of communities.

Interest. And let me just quickly say what is a community interest. A community of interest is a neighborhood, community, a group of people who have common policy concerns and would benefit from being maintained in a single district.

Another way of understanding a community of interest is that is a simple way for a community to tell its own story about what neighborhoods share in common. And what makes us unique when compared to surrounding communities.

And let me just say, so briefly some of the things that are also important of community of interests, safety, civic engagement as well as honesty and equity. And all those things that have been previously said.

And I wish to thank you for convening this. And one last thing, it's an unfortunate situation where this was not held later this afternoon so other people who could attend and give their input as well.

And I wish to thank Senator Davis, Representative Smith, others on the voting and the redistrict committee for allowing me and others to share our input. Thank you.

Senator Jim Perry (00:44:15):

Thank you. Miss Smith, Mr. Thompson and then Mr. Keith Cooper.

Sandy Smith (00:44:23):

Good afternoon. Thank you so much for coming to Pitt County. My name is Sandy Smith. I'm a resident of Pitt County, a business owner and a property owner. I'm going to do something that hasn't been done today and I'm going to say thank you for making some huge inroads in regards to our redistricting maps on the congressional side in 2019.

We need to continue looking at our congressional maps to make them more reflective of our community. For example, eastern North Carolina is definitely more rural than Durham and Raleigh and places over in Charlotte.

We need to make sure that we are drawing these districts so they are reflective. For example, we used to have Durham in the first district. And a lot of the residents here, we felt very disenfranchised because we were neglected.

We feel that's an exact reason why we do not have broadband internet. Why we don't get business incentives here is because we were neglected because our leaders were focused on the urban areas and more not really aligning with our rural area.

So if you could, continue that progress. We appreciate that as a community. We do want these districts to be drawn compacted so we are voting for the same people as our neighbors are and that are

not split a street right in half or a county in half, things like that. Thank you again so much. God bless you all.

Senator Jim Perry ([00:45:49](#)):

Thank you. Mr. Thompson, Mr. Cooper and then Mr. Mark Parker.

Marcus Thompson ([00:45:57](#)):

Thank you for having me. My name is Marcus Thompson. I'm a longtime resident of both Martin and Pitt counties my whole life. And I've already gone on the record in other places saying that we need more hearings. The times of these hearings should be set so that people who work can attend them.

There should be a virtual option for safety. And most importantly, there should be hearings after the maps are drawn so that you can hear from the people after that.

But I just wanted to take a moment and just think about the people who are here now. The people who have been speaking at all of these events across the state. Why are these people here? They're here because this is a crazy issue, redistricting, only happens 10 years.

But people are here because they care about this issue. And for everybody that's here, there's a group of people that couldn't make it to this meeting that they, too, care about this issue.

And so you have an opportunity now. My question to you is do you really respect the people who have come to these meetings? Do you respect them? Do you really represent them? Because if you do, then it will be represented in the process that you have going forward, whether or not you care about what these people have come down here and said.

And it will be reflected in the maps that you draw. North Carolina is a 50/50 state. It's a purple state. So I truly believe that we've had court cases. We had Democrats gerrymandering, Republicans gerrymandering, and court cases. Aren't we tired of that? Aren't you tired of that?

The opportunity that you have right now is to put all that stuff aside and to just draw fair maps. North Carolina is a 50/50 state. If you have good people, good ideas, you will win. Regardless of what party it is, your party will win. You don't have to gerrymander. You don't have to cheat. You just have to draw fair maps, have good people, have good ideas and we all would benefit from that. We all would benefit from that. And that's the people really want.

So if you care about the people of this state and you really respect them, you will draw fair maps, run good candidates and then, we'll all benefit.

Senator Jim Perry ([00:48:09](#)):

Thank you. Next is Mr. Cooper, then Mr. Parker and then it looks like Mildred [Surnow 00:48:19], I hope I didn't pronounce it-

Speaker 2 ([00:48:21](#)):

[inaudible 00:48:21] Council.

Speaker 4 ([00:48:21](#)):

Council.

Senator Jim Perry ([00:48:23](#)):

Mildred Council. I'm sorry, thank you. [inaudible 00:48:30]

Keith Cooper ([00:48:31](#)):

Good evening. To echo what the previous speaker just said, sometimes I believe that some members of the community should get together and purchase copies of Merriam Webster dictionaries to send to all the legislators in the House and, of course, the state Senate so that they can look up the meaning of equity, equality and basic fairness.

But let me also say that drawing maps for redistricting purposes has been controversial for decades. We too often hear that legislators may try to score partisan advantages by supporting maps scarred and tainted by cracking and packing, gerrymandering terms.

Cracking, of course, means diluting voting power of the opposing party's supporters across many districts. My minute is up already.

Senator Jim Perry ([00:49:34](#)):

You get two.

Keith Cooper ([00:49:37](#)):

Okay, across districts. Packing means concentrating the opposing party's voting power in one district to reduce their voting power in others.

By now we know that it is illegal to redistrict in a way where race is a predominant factor. This typically means, at least in North Carolina, [inaudible 00:50:02] other parts of the country that black folks and various other people of color would be relegated to certain districts so as to dilute our vote and influencing elections.

Remember Cooper vs. Harris in 2016 when the District Court determined that race was the predominant factor motivating the redistricting plan. And therefore, that the redistricting plan was unconstitutional, racial gerrymandering that violated the equal protection clause.

And also remember that this is not a good thing to do. Racial gerrymandering. And let us send packing and cracking packing and work towards a more equitable way to redistrict while respecting pluralism and racial and ethnic diversity. Thank you very much.

Senator Jim Perry ([00:51:06](#)):

Thank you. Mr. Parker and then Miss Council.

Mark Parker ([00:51:13](#)):

Good afternoon. Buenos tardes. My name is Mark Parker. I represent CARE. And the one thing I want to say is just dare to be different. We have this tradition in North Carolina. It's time to be different. We've done it the old way. It's time to do it another way. Reckoning as defined as a settlement of an account, a bill is due.

There's a bill due. And the representatives of North Carolina have to pay that bill. We've all said the same thing. Everybody's thinking the same thing. We know the crazy uncle in this room. Its name is gerrymandering. We don't want that crazy uncle for North Carolina anymore.

Dare to be different. We all really came here to see something on that screen to talk about versus just saying how we feel. And see if okay, what are the options? We don't have any options right now. We don't have any information. So you're just hearing from us.

We need you to be more visible in our communities. Not just when it's a primary. Not just when it's election time. We need true, honest communication. Give me the good, give me the bad, but don't belittle my intelligence. We need to change right now.

North Carolina is the joke of the country. If you go all over the country, ex-military, I've been everywhere, we always talk about North Carolina. We're always in the news.

Everybody think of us as yokes, hicks, whatever. Because of all the stuff that goes on. We need to make a change. And the change start with you guys. We're ready for change. Everybody's saying the same message. We are ready for change. And the only way we're going to get the change is you guys have to pay the bill and settle this account. Thank you and gracias.

Senator Jim Perry ([00:53:13](#)):

Thank you.

Mildred Atkinson Council ([00:53:20](#)):

Good afternoon, representatives from the North Carolina General Assembly. We appreciate giving this opportunity. I am Mildred Atkinson Council. And I am a former elected official. Served 29 years in this community. 22 on the Greenville City Council and six years and nine months on the school board.

So my issue today is a little different. I have been a victim of being deliberately drawn out of my district when I was on the Board of Education. And that was between 2012 and 2018. As a candidate at that time, my name was not on the ballot when I got ready to go vote.

So therefore, I lost at least three votes. My vote, my husband, Walter's vote, and my son, Logan's vote, who at the time, was in Greenville. He's a diplomat so he was here for that time at home.

So I just want to say to you today, I'm representing four organizations. Vice President of the Pitt County Democratic Women, President of the Pitt County Chapter of Shaw University National Alumni Association which covers five counties. Beaufort, Hyde, Green, Martin and Pitt counties. And the Eastern North Carolina Regional Association of Black Social Workers who's been in this region for 46 years. And then a social worker by profession, retired now.

We know what the deal is and we want you to continue to represent us well through this redistricting process.

And lastly, I'm representing being a volunteer leader of the Pitt County 4H All Stars Club. I continue to work with youth. We're grooming them so they can be like you one day. So thank you. My last thing is to say draw those lines fairly and get it right for the first time in North Carolina because I've been through three of these and I've been giving my opinion. Thank you.

Senator Jim Perry ([00:55:41](#)):

Thank you. Is there anyone in the audience who signed up to speak, but maybe came in late and I missed hearing your name. Please come up to the podium and state your name? Thank you.

Brenda Fairfax ([00:56:04](#)):

Good afternoon. I'm Brenda Fairfax. Greenville is my home. I left here in 1970 when we didn't have an opportunity to speak. Today, to think in 2021, we're facing this issue of redistricting. I'm going to say something that probably no one has said.

I think Pitt County should be kept whole. If you look at Greenville Boulevard to the north, there is one district. If you go south, there is another district. Pitt County should be kept whole.

When we go to the polls, citizens are confused. They don't know where they're supposed to vote and who they're supposed to vote for. I also think we need one representative that we can go to for cohesiveness and speak with one voice. Thanks for being here.

Senator Jim Perry ([00:57:02](#)):

Thank you. Is there anyone in the audience who did not sign up to speak, but is here now, hasn't spoken yet and would like to speak.

Bobby Weatherly ([00:57:11](#)):

[inaudible 00:57:11]

Senator Jim Perry ([00:57:13](#)):

Please approach the podium and share your name with us please.

Bobby Weatherly ([00:57:18](#)):

My name is Bobby Weatherly. I'm a resident of Greenville and Pitt County. I am a newcomer relative to North Carolina. So I am a North Carolinian by choice. And I affirm that choice today.

First and perhaps foremost in my mind, I would like to respectfully you guys and ladies to draw some lines that don't pack African Americans in one single district. That violates, in my heart and mind, everything that the word fairness and equity means.

Today, you've heard we the people. I'm one of those. And I'm also here that the people that I'm privileged to serve, they tend to be marginalized, poor, suffering some conditions that are just bad because of the color of their skin.

That does not need to be a part of our government and our political process at all. Clear the boundaries. In the process, we beg you to be transparent. And as I don't think I've heard anything this afternoon that I disagree with, but a transparent process and let us see some maps before some final vote that we can then come here to comment. Thank you very much for being here and for hearing us and I know the word stop.

Senator Jim Perry ([00:59:22](#)):

Thank you. Anyone else in the audience who'd like to speak, please approach the podium. State your name and the organization you represent if there is one.

Ricky Hines ([00:59:33](#)):

Good evening. My name is Ricky Hines. I'm Mayor Pro Tem for Winterville. And I'd just like to thank you all for coming to Winterville. And just you to be transparent on the maps that you draw. As you can see, today you have a variety of people and they all bring great concerns. So please take that back and make sure that you're just transparent. Thank you.

Senator Jim Perry ([00:59:57](#)):

Thank you. Anyone else in the audience who would like to speak, please raise your hand? One additional speaker. Please approach the podium, state your name. If you represent an organization and you'd like to share that, please do.

Speaker 36 ([01:00:17](#)):

Good afternoon, everybody. My name is [Cyene 01:00:19]. I'm a resident here in Winterville, North Carolina. I'm also here with the Black Voters Matter, but I'm here just representing myself. I've been living in Pitt County since about 2010. This is home to me now.

And I saw what happened during, the aftermath of President Obama's election in 2010. And how we went through this whole fiasco. Like my friend Marcus said earlier, like there's no reason to go through the whole process through the courts. There's no telling how much this state actually pays when you have to go to the courts back and forth.

The truth of the matter is if the fear is that packing black voters because most likely they may vote Democrat so you can keep a Republican majority, if that's the case, that's not really true because African Americans and people in general are not monolithic people, right?

We all think differently. So really I just want to encourage folks to remember, number one, just to be fair. But secondly, after the maps is done, like let's do this again. And this is a good first step. I give everyone credit. I thank everyone for being here.

Lastly, a few more things, Pitt County, currently, according to the census data, we have about 180,000 people within our county. So that means that we really should just be one congressional district.

I can say at least the last two or three times I voted, there was different candidates for my congressional office. So it should be one congressional district, that's number one.

And number two, and property, as far as Greenville, can most likely be one senate district. So the idea is to keep it compact, keep the continuity and just be fair, thank you.

Senator Jim Perry ([01:02:01](#)):

Thank you. Any other hands in the audience. Okay, I want to share a little information with the group, if I could. I'm going to give you a website address where you can get a lot of really good information. A lot of history. You have previous maps that the state has drawn and used over the years.

Also, there is a public comment can be made at any time on the General Assembly website. And if you go to [ncleg.N-C-L-E-G.gov](#). So [N-C-L-E-G.G-O-V/redistrict](#). So if you go to that section of the General Assembly website, you will see every map that's ever been used over the last, I think, 30 years or so. Don't hold me to that.

But you'll see the members of the redistricting committees for the House and the Senate. There's also, you can access and view all of the public hearings on the site. So they're posted about the day after. So you can see the meetings from other areas of the state.

I believe when we get to the redistricting process, you'll see additional information added in a very timely manner there.

So once we begin this, I would encourage you to visit on a daily basis. To look for updates. It's very informative.

I would just like to take a moment of personal privilege and thank you for being here today. But more than that, I want to thank you for the manner in which you conducted yourselves, shared your feelings. We joked with our Sergeant at Arms and our General Assembly police who are here with us that we didn't really need them in eastern North Carolina. We're a little different down this way so give yourself a hand. We appreciate you being here and your interactions so thank you.

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I know that it's been probably a long day for some of you. We heard about some of the drives, but again, on behalf of my colleagues, thank you for being here today. Thank you for your feedback. We look forward to your continued feedback and following along on that website as this process continues. And with that, I declare this meeting adjourned, thank you.

Speaker 4 ([01:04:38](#)):

Don has great hearing. That's where the mikes are. [inaudible 01:04:43].



Senator Chuck Edwards ([00:00:00](#)):

Everyone, we appreciate you taking the time to be here. This is a public input session and there is a joint committee of the House and Senate on redistricting. This is not that committee meeting. This is the house redistricting committee and the Senate redistricting committee meeting jointly. I would, before we get started, I'd like to thank the Senate Sergeant at arms. And if you'll raise your hand and be recognized as I call your name, so everyone will know who is here that's responsible for helping us keep order I would appreciate it. Terry Barnhardt from the Senate, from the house we have Jonas Cherry.

Jonas Cherry ([00:00:51](#)):

Yes, sir.

Senator Chuck Edwards ([00:00:52](#)):

And Stafford Young. I'd also like to thank and recognize from the general assembly police Officer Barkhaffer and Officer Torres.

Thank you for making the trip. I'd also like to take the opportunity to thank all of the general assembly staff. Most of which are out in the hallway that helped organize this meeting. A key person is directly behind me as well. I hope you all enjoyed your trip to the mountains. You can see now why on Thursday afternoons, I'm always in a hurry to leave the general assembly and get back here into this wonderful country.

Speaker 1 ([00:01:42](#)):

Who are you?

Senator Chuck Edwards ([00:01:44](#)):

Oh, I'm sorry. My name is my name is Chuck Edwards, Senator Chuck Edwards. I represent District 48, Henderson, Transylvania, and Buncombe County. And I also sit on both the joint oversight committee for elections and redistricting, as well as the Senate elections and redistricting committee. So yeah. Thank you. Thank you for reminding me.

I appreciate all of you being here this afternoon for taking the time to provide us feedback on a very important process, a historical process to redraw the maps under which the general assembly and our Congress will run under for the next 10 years. Many of you are here to speak, and we appreciate the opportunity to hear from you. Many of you are here just to listen and show an interest in the process. And I thank you for taking time to be with us as well. I appreciate all of you taking time and recognizing the opportunity and the importance in participating in your state government. And I hope that you recognize the efforts that the general assembly has taken to get out to all 13 congressional districts, and to hear from the public directly on the ideas that they may have in embarking on this process.

I noticed that some of you have some signs in the audience and that's great. You're welcome to keep those with you. I would ask that you keep them below your chin so that we don't obstruct the view of the folks behind you. And I'd also like for each of us, just to take a few seconds through this process this afternoon to reflect on the benefit that we have in participating in a system like this. Isn't it great that we're part of a government where we can have a voice, where we can have a say, where those folks that govern will listen, and that we can collaborate on such an important process. I would like to also introduce the folks that are here from the general assembly to participate in this.

We have Representative Carney. We have Representative Clampitt. We have Representative Pless, and your name's escaping me because of the mask.

Representative Gillespie ([00:04:25](#)):

Representative Gillespie.

Senator Chuck Edwards ([00:04:26](#)):

Oh, Gillespie. And we have Senator Mayfield down on the end. I appreciate all of you being here to listen firsthand and to show interest in this process. With that, we're going to move directly into the public input session. You may recall that there are two ways that folks could register to provide us input this afternoon. An online enrollment process began about a week ago and it ended at 1:00 this afternoon. I have all of those names in front of me. It's quite a lengthy list. I hope all of these folks are here and we're happy that they did sign up and then beginning at 4:00 this afternoon, you could sign up right outside. And I understand that the folks outside the door are going to continue to take signups and continue to hand me sheets as we continue through this process.

So with that, let's get started. I'm going to apologize right up front if I mess anybody's name up, please just correct me. If I mispronounce a name and as you come up, if you would introduce yourself, and if you're representing any particular group, if you would tell us that. So I welcome first to the podium, Jake Quinn. And before you get started, we've agreed beforehand that each speaker will have two minutes. So if you can hold it to that, we'd appreciate it, Mr. Quinn.

Jake Quinn ([00:06:13](#)):

Thank you. Good evening general assembly members and staff. And thank you for this opportunity to address the subject of redistricting in North Carolina. My name is Jake Quinn. I am a Buncombe County resident, and I welcome your invitation to share my testimony with you. I rise here to challenge you to accomplish a feat of uncommon strength. Offer North Carolina a set of maps that does not beg for judicial review. Give us districts where people can say that while they themselves might have drawn them differently, they see nothing inherently unfair in the general assemblies maps. Please exorcise the ghost of Thomas Hofeller. Now, I view that as a hefty challenge in light of what we've seen over the past decade, but it is one that I pray that you will accept and meet.

Since 2013, we have seen North Carolina have to defend numerous sets of maps at a cost of millions of dollars in legal fees. And we lost about every case. Add to those millions the enormous costs that the state and 100 County boards of elections have to bear updating their databases and voter records and notifying every affected voter after each new law and each new court decision. Unconstitutional maps are expensive. The changes confuse and alienate voters and the inconsistency and disruptions undermine our electoral processes. The legitimacy of Republican democracy hinges on the fairness of the process by which the people choose their representatives. And so my challenge to you is to support a healthy, robust electoral process that sees its stability enhanced by a set of maps that North Carolina, all of North Carolina will see as fair. Thank you very much.

Senator Chuck Edwards ([00:08:21](#)):

Thank you, Mr. Quinn, it occurs to also I'm missed thanking a significant group of folks, and that's the staff of Western Carolina University. We appreciate you welcoming us to this beautiful facility and being so hospitable. Thank you, Jane Kanig.

Jane Konnig ([00:08:48](#)):

Konnig.

Senator Chuck Edwards ([00:08:48](#)):

Jane Konnig. Thank you, Ms. Konnig.

Jane Konnig ([00:08:53](#)):

Yes, it's Jane Konnig. I'm from Canada precinct down the road in Jackson County. And I want to talk about the 11th congressional district today. It's one of the largest districts in the entire state, 16 and a half counties, really only matched by, I think it's number three on the other far end of the state. It's a lot of territory for one person to cover much less to cover well. Numbers wise and I sat down with the 2020 numbers, thank you for putting them online for us. Current population in North Carolina is almost 10 and a half million people. You've got another congressional district at it because we've been so successful at attracting more people. So you divide that by 14 districts and you get 745,000 in some. Oh, thank you. Which ranges from 708,300 some to 782,000 based on your criterion of a plus or minus 5% around the mean population. The current population of NC 11 as it stands today is 5.8% over the mean. So something's got to go. Two things that came up that seemed easy to me. One is to take out McDowell County that would bring us down to 744,000 in sum which is per perfect. Another option, if we are trying to stick with keeping our counties whole is to take out that little half of Rutherford County and maybe attach either Polk or Avery to it, which would also bring us within the range around the mean. So that's what I would like to suggest.

Senator Chuck Edwards ([00:11:03](#)):

Thank you, Ms. Konnig. Next on my list. I see Bert Bertremis. Bertremis. Bertram says, Bertram says. Is that a person? Their organization is Bertram Says. All right, we're going to skip over that one for now. What about Graham McGuffick.

Graham McGuffick ([00:11:42](#)):

Thank you. My name is Graham McGuffick. I currently reside in Asheville, North Carolina, Buncombe County though I lived in Jackson County here for six years and have a 24 year old son born at Harris Regional down the road here. I'm here representing a political action committee. We have a project out there called firemadison.com. Our only goal is to fire Madison Cawthorn. During the previous decade, NC 11 was one of the worst gerrymandered districts in the state, and even the country. Splitting traditionally progressive Asheville in order to make what had been a fairly purple district into an incredibly red district is an example of the worst in extreme gerrymandering. And though NC 11 is now not so badly gerrymandered. It's a cautionary tale for the negative impacts of gerrymandering. Gerrymandering leads to candidates who are more extreme being elected whether the gerrymandering is at the hands of the Democrats.

We've done it. And the Republicans, who most definitely have done it. And that isn't good for anyone because most people in any district are closer to the middle than to the extreme fringes. The gerrymandering put into place by the GOP majority of the North Carolina general assembly in 2011, led to Mark Meadows winning the GOP primary, and then the general election in 2012. He was known as one of the most conservative members of Congress over his seven years in office and his replacement Madison Cawthorn, with little job experience, no educational background, and completely unqualified for the job is possibly even more conservative and completely ineffective.

Both were elected as a direct consequence of extreme gerrymandering. We are a purple state. Thanks Jake. Our representation in DC and Raleigh should reflect that. Aren't our elected officials supposed to represent all of the people in their districts, not just those who voted for them? I asked the

members of the house redistricting committee and the Senate redistricting and elections committees to allow the people of North Carolina to select their representatives and not vice versa. Thank you.

Senator Chuck Edwards ([00:13:55](#)):

Myrtle Schrader.

Myrtle Schrader ([00:14:02](#)):

Hello, I'm Myrtle Schrader. I'm a resident of Cullowhee. I've been here since 1968, and I ask you to please redistrict Jackson County with no division. In fact, keep all of our Western counties hold, draw fair maps so all votes are counted with equal weight in determining the winner of any election. Presently, gerrymandering makes some votes count more and other votes to count less in determining which candidate is elected. All of the people's voices need to be heard. All of the constituents in each district needs to be represented by a winner. Democracy can only ring true and even exist if the electoral process works fairly and voters trust it. The computer tools are now available to make North Carolina true to our state motto, to be rather than to seem. The Tar Heel State used to be a leader on so many fronts, make the right to vote in fair elections a reality for all of our citizens. Thank you.

Senator Chuck Edwards ([00:15:25](#)):

Roy Osborne.

Roy Osborne ([00:15:31](#)):

Thank you for being here and thanks to Western for hosting this. My name is Roy Osborn. I'm a resident of Cullowhee, North Carolina. Gerrymandering is typically a contentious voting issue and political parties historically have used that technique to ensure that certain, excuse me, districts, within a specific voting district boundaries favor their candidates to the extent that their candidates will win an election regardless of their opponents merit or the will of all the people being represented. That being said, now today is the perfect time to begin a new using nonpartisan committees and analysts to choose redistricting criteria that enable legitimately unbiased voting districts and to implement the criteria by drawing fair and equitable nonpartisan voting districts at the local, state, and national levels. The same computers that provided surgical solutions to gerrymandered districts in the past can also be used to construct surgically fair districts that are much closer in constituent party distribution than the 5% criteria used for the current redistricting plan.

Thank you. Competitive districts mean that candidates will be obligated to solicit votes from all district constituents because one can't win without convincing more than half the voters of one being the best candidate. That is true and trustworthy representative democracy, elected officials who represent and are accountable to all the people. Best of all, fair and competitive elections mean no elections are called minutes after the polls closed. Instead we watch the election returns with baited breath until most or all precincts are counted and will make those cable TV pundits stay up all night guessing the results. Thank you.

Senator Chuck Edwards ([00:17:20](#)):

Thank you, Mr. Osborne. Ninah Tavish.

Nina Tovish ([00:17:42](#)):

My name is Nina Tovish. I live in Buncombe County. Democracy depends on people's trust and confidence in the legitimacy of our institutions and the foundation of those institutions. The bedrock of that trust is the fairness for our elections. Democracy cannot survive if voters feel disenfranchised. Democracy cannot flourish if voters feel that elections have forgone conclusions. Democracy not be sustained if the electorate believes that nothing they do has a chance of making a difference.

You've heard this before. Why should I vote? My vote doesn't matter. People say this both when they're in the minority and when they're in the majority. Democracy, where a high proportion of eligible voters don't participate, isn't really a democracy. Faith in the political system is at a low ebb at the moment. Cynicism is rampant. Money seems to rule and people entrenched in positions of power seem willing to do just about anything to remain there.

A vital first step is to restore voters' confidence in elections. That means undertaking an open and impartial redistricting process. That means entrusting districting to a commission that doesn't have skin in the game. Give people a reason to believe in democracy. Let them know that their participation matters. Help rebuild people's faith in free and fair elections. I believe we are at risk of losing our democracy and redistricting can either contribute to saving our democracy or hasten its downfall. Thank you.

Senator Chuck Edwards ([00:19:21](#)):

Thank you, Ms. Tovish. Thomas Carver. Thomas Carver. Matt Ballance.

Matt Ballance ([00:19:55](#)):

Good afternoon. My name is Matt Ballance. I'm the chair of the NC 11th Congressional District Democrats. I want to thank the committee members for being here today and listening to the needs and wants of our community here inside of District 11. I live inside of Henderson County in District 11, and there's a lot of eloquent speakers in this room that are going to hit on a lot of points. And one that I'm already hearing right off the bat is the issue of keeping our counties whole. There are so many examples right here inside of District 11, where lines have been drawn in a way that cut our communities and our counties in half. Currently the line between the 11th and 5th congressional districts split Rutherford County right down the middle. On a state level, the majority of Haywood County is currently inside of house 118 while Waynesville is carved out and placed inside of 119 away from the rest of the county.

Likewise on the Senate side, Northern and Eastern Buckham County is placed into NC Senate 48. While the rest of the county is represented by Senate 49, the splitting of counties causes a lack of clarity and confusion for the constituency regarding who is representing whom and keeping counties whole assures that the needs of the different communities located within our counties is heard. Instead of placing a partial slice of Buncombe County inside of Senate 48. I think there are things that could be done such as making Buncombe whole inside of Senate 49, and then offsetting the change by placing Polk County inside of 48 instead of 47th. The needs of the electorate in Polk County are much more aligned with those in the other southern border counties of Transylvania and Henderson County than they are with those of the northern border counties of Mitchell, Yancey, and Madison County. We have to keep our neighbors with our neighbors so that our voices can be heard on a collective ear. Those are our concerns. You're going to hear a lot more, much more eloquent than I, thank you for your time. I appreciate it. All right.

Senator Chuck Edwards ([00:21:43](#)):

Thank you, Mr. Balance. Next up I'd like to invite Kathleen Barnes.

Kathleen Barnes (00:21:59):

Hello. My name is Kathleen Barnes. I'm secretary and political action chair of the Transylvania NAACP. I'm most concerned about the North Carolina redistricting process as it has already presented itself and in a way that is logical to anticipate how this will play out. First is this hearing itself. I'm speaking with you face to face with scores, maybe hundreds of other people in the room, despite the risk of COVID spread. Some people are unmasked. It is that important to me to be here. You made no provision for live streaming in this hearing and public comment. This shows an extreme disregard for public health. I drove here today from Transylvania County. It took us two hours to get here. You set this hearing in location in the 11th congressional district that is remote and accessible to the public only with great difficulty, on a workday, at 5:00 PM. This made attendance untenable for working voters.

This is an unpromising start from a committee that promises it will draw fair maps. This in fact makes it abundantly clear. You do not intend to draw fair maps at all. Then there are those maps. Well, those nonexistent maps at this moment, even though it's been barely more than a month since the official census results were released, it has been known for nine or 10 months or more that North Carolina has gained population and new districts would need to be drawn. Do you really expect the people of North Carolina, the ones who elected you to believe that you haven't drawn anticipated maps or even several versions? And how can we, the people, comment on maps in these sham public hearings, if we can't see them and it appears we will never have an opportunity to comment on the actual maps because there are no further public hearings scheduled after they are released. So now I cannot comment on the maps. No one can. I can only comment on the process. This process is flawed beyond redemption. It foretells a gerrymandered North Carolina that does not represent all of our communities.

Senator Chuck Edwards (00:24:06):

Thank you, Ms. Barnes. Next I'd like this call CJ Breland, CJ Breland.

CJ Breland (00:24:27):

Good evening. My name is CJ Breland. My husband and I have lived in Asheville for 21 years. I retired from teaching high school two years ago. We vote in every election. It is clear that congressional district 11 will need to be redrawn based on growth reflected in the 2020 census. And I believe that the majority of people of western North Carolina will be better served if the counties of Polk, McDowell, and the portion of Rutherford are removed and Watauga is added to District 11. Watauga County shares our topography, environmental concerns, and the joys and stresses of tourism. We not only share the beauty of our mountains, but also the challenges of maintaining mountain roads and other infrastructure in a changing climate. Watauga shares our dilemmas about how to deal with increasing tourism without destroying the natural beauty tourists came to enjoy. In addition, Appalachian State University is located in Watauga County.

District 5, Watauga's current district has many fine in community colleges, but App State is the only four year public university. In District 11 ASU would join UNCA and Western augmenting the voices of those advocating for four year colleges and the students who attend them. Subtracting Polk, McDowell, and the current sliver of Rutherford County then adding Watauga gives District 11 the ideal population for a congressional district. I did the math. I request that you consider this option. Also, my husband and I drove more than an hour to get to this meeting. I urge you to schedule virtual meetings so that more people in North Carolina cities will have the opportunity to express their opinions to you out loud. Thank you for being here. Thank you for letting me speak.

Senator Chuck Edwards ([00:26:19](#)):

Thank you. The chair would like to ask the Sergeant in Arms assistance. When you indicate a card with a time on it to the speaker, would you also flash it to me so I can keep track of where we're at. Thank you. Daniel Perlmutter.

Daniel Perlmutter ([00:26:45](#)):

Thank you. My name is Dan Perlmutter. I'm a resident of just the next valley or hollow or cove over in Jackson County. My wife and I have been here for over 30 years. There are several things I'd like to address, but given the shortness of time, I'll make this quite short and take a different tack. We are going to experience an amazing change in terms of our environment. And I'm not sure whether people recognize that the lines drawn for the various districts should represent the physiognomy of the area. In other words, mountains, piedmont, or coastal, and we are going to need the expertise and the solutions that arise from good higher education institutions. And we have had them mentioned already, and Western Carolina is one of them, but I'm most concerned about Asheville. I want the integrity of the UNCA and the community colleges in that area kept whole by keeping the entire area whole. So when this tidal change of climate change affects us, we will have the expertise in our area to help us deal with it. Thank you.

Senator Chuck Edwards ([00:28:28](#)):

Sadie Wuckert. Sadie Wuckert. Sadie Wookert. W-U-C-K-E-R-T. All right. We'll move on to Cynthia Faircloth Smith.

Cynthia Faircloth Smith ([00:28:53](#)):

My name is Cynthia Faircloth Smith, and I moved to Jackson County in 2012. My husband and I made a home here and quickly became a part of this welcoming-

PART 1 OF 4 ENDS [00:29:04]

Speaker 2 ([00:29:00](#)):

Home here and quickly became a part of this welcoming community. I began teaching as an adjunct English instructor at Southwestern Community College. And the first assignment this flatland's girl received was a critical reading class at Blue Ridge Early College in Cashiers, located at the Southern end of the county, but at its highest point accessible only by 25 minutes of winding roads, cascading waterfalls, and fall to your death cliffs. In short, I fell in love with the drive through Shangri-La and was transported to another world each time for six years, I traveled up the mountains. I provide this personal narrative to emphasize how important it is to keep north and south Jackson county together as you face the task of redistricting North Carolina. While the Cashiers, Glenville, Sylva, Dillsboro areas seem like two separate entities, they are not. For example, our county commissioners are comprised of four elected officials from north Jackson and one from south Jackson who work as a unit to ensure the wellbeing of all Jackson citizens.

Recently when Mark Jones was elected to the commission, he promised to support the revitalization of Blue Ridge school, but that cannot be accomplished without the support of fellow commission members representing north and Jackson county. I respectfully ask you, you that you keep Jackson county whole in your plans to redistrict. Since the citizens of this county see themselves as a unit politically, socially, educationally and culturally, despite the geographical boundaries punctuated by



winding roads and different elevations because the welfare of Jackson county hinges upon these efforts. Please keep it together.

Senator Chuck Edwards ([00:31:00](#)):

Thank you, Mr.s [inaudible 00:31:01]. Mr. Ted Carr.

Ted ([00:31:13](#)):

Thank you Mr. Chairman. Ted Carr from Haywood county. Two points quickly. I think it is unconscionable that the district team will be based on a census... 2020 census that made no distinction between US citizens that can vote and a illegal who cannot vote. But clearly the majority of not voting in population benefits the larger counties and therefore our Western counties are disadvantaged by that.

Second point. The laws that have been adopted for this redistricting follow the US constitution. And in that regard, I think there should be no change in those requirements late in the game. Thank you very much, sir.

Senator Chuck Edwards ([00:32:20](#)):

Thank you, Mr. Carr. The chair calls Cody Lewis. Cody Lewis.

Cody ([00:32:33](#)):

Thank you. Good afternoon. I'll keep this as concise as I can. I'm not a huge public speaker. My name is Cody Lewis. as you just said. I'm a ninth generation resident of Jackson county. My family's homestead is just across the mountain that they homesteaded in 1795. Currently, I serve as the chairman of the Jackson County Democrats. So in that capacity, I would like to implore to you to keep Jackson county whole and keep all counties whole. That long history in Jackson county has shown me and shown, I think, everyone in this room that issues that face county face entire counties, not portions of counties, not municipalities within counties, especially in the Western half of the state. And I think any fiscally conservative member of the house or of any legislative body should try to avoid adding to the \$7 million in tax payer debt we have accumulated during the court cases involved with gerrymandering over the last seven to eight years. Thank you [inaudible 00:33:35]

Senator Chuck Edwards ([00:33:34](#)):

Thank you Mr Lewis. Sharon Withrow.

Sharon ([00:33:50](#)):

My name is Sharon Withrow and I'm here on behalf of The League of Women Voters of Asheville, Buncombe county and The League of Women Voters of Henderson county. I took time off work and drove an hour to be here since this is the only public hearing on redistricting you scheduled in Western North Carolina. Please remember that many of your constituents were not able to overcome logistical challenges to be here this afternoon. The League of Women Voters believes that districts should not intentionally favor or disfavor any individual or political party and should not be drawn to protect incumbents. Legislative districts should be compact and contiguous. Districts should avoid splitting cities, counties and communities of interest, such as university campuses. Until a lawsuit forced the redrawing of districts, there were two dormitories at UNC Asheville that were split between congressional districts.



If you lived on one side of the building, you were in the 10th congressional district. If you lived on the other side, you were in the 11th congressional district. When I would do voter registration among UNCA students, I could not look at them and tell them that this was an example of good governance or the responsible use of power. This kind of gerrymandering leads to cynicism among voters, as well as unaccountability in politicians. Gerrymandering also leads to lawsuits. The maps drawn in 2011, led to the expenditure of almost \$11 million defending the maps in court. Regardless of your political priorities that money could have been put to much better use on behalf of North Carolina citizens. Fair voter maps will reduce the impact of litigation on the people of North Carolina. Finally, The League of Women Voters is asking for more public hearings after the draft maps have been proposed so that citizens can give informed feedback. Thank you.

Senator Chuck Edwards ([00:35:53](#)):

Thank you, Mrs. Withrow. The chair would like to recognize Jeffrey Rose. Jeffrey Rose. Is there a Jeffrey Rose in the room? All right, we will move on to Avram Friedman. Welcome Mr. Friedman.

Avram ([00:36:24](#)):

Hello, I'm Avram Friedman. That's how you pronounce it. And I currently serve as the chair of The Political Action Committee of the Jackson county, North Carolina branch of the NAACP. Thank you to the legislators who are holding a series of public hearings throughout the state with the stated purpose of including the input of citizens in determining fair congression on legislative districts in North Carolina. But let me be clear in saying that I and many others see and feel the deep injustice embedded in the existing districts that have been drawn in North Carolina that have resulted in an unrepresented of apportionment of power in our congressional delegation and in North Carolina general assembly. Make no mistake that the people you are supposed to be representing are unaware of the injustice and undemocratic practices that have been perpetuated by the current process of determining districts.

We know how the system is being manipulated to maintain the power of the current majority. And we know that you aren't the first ones to do it. Gerrymandering has a long and sorted history in north Carolina and in other states, but it's time to end the injustice. We now know how to draw our fair districts through a nonpartisan neutral process. We know because eight other states, both red and blue have already successfully developed redistricting processes using nonpartisan commissions to determine district boundaries. Along with this statement, I'm submitting to you a copy of the Arizona Statute that outlines their nonpartisan commission redistricting process as a Republican state. Please use this and research the other states with similar systems in place. I urge you to bring justice and democratic principles back to the North Carolina state government. You are wrong if you believe your constituents aren't watching and don't care about democratic principles. We do care and we are watching. Thank you.

Senator Chuck Edwards ([00:38:34](#)):

Thank you, Mr. Friedman. Thank you. I'd like to take a moment and recognize representative, Susan Fisher, who has joined us over here, in the beautiful yellow. Welcome. We're glad you could be with us. And next up is Cameron Lail, L-A-I-L. Cameron Lail.

Speaker 3 ([00:39:01](#)):

[inaudible 00:39:01]

Cameron ([00:39:01](#)):

Hey, my name is Cameron. Is it on?

Senator Chuck Edwards ([00:39:06](#)):

Yes sir.

Cameron ([00:39:06](#)):

Thank you. My name is Cameron. I'm a resident of Haywood county. [crosstalk 00:39:11] Still not working. A small lag.

Senator Chuck Edwards ([00:39:13](#)):

They can't hear you.

Cameron ([00:39:14](#)):

Too tall.

Speaker 4 ([00:39:15](#)):

Thank you.

Cameron ([00:39:16](#)):

Area, can you hear me now? [crosstalk 00:00:40:05] .

Senator Chuck Edwards ([00:39:16](#)):

Better.

Cameron ([00:39:18](#)):

All right. My name's Cameron I'm a resident of Haywood county. North Carolina is one of the most extremely gerrymandered states in the country. As a North Carolina citizen, who has lived here my entire life, I ask that you and the rest of the general assembly, make sure my vote counts and that you do not use your power as representatives of the state of North Carolina unfairly by using the redistricting process to alienate voters, to stay in power. I recommend an independent, nonpartisan redistricting commission. This will keep politics out of the process and restore faith in North Carolina democracy. Gerrymandering is unamerican. It is wrong when Democrats do it and is certainly wrong when Republicans do it. [crosstalk 00: 11:05] Thank you. [crosstalk 00:11:05]

Senator Chuck Edwards ([00:40:06](#)):

Dr. Steve Woodsmall. Dr. Steve Woodsmall. Dr. Steve Woodsmall. All right, Leona Richard.

Leona ([00:40:37](#)):

Thank you very much. I'm Leona Richard and North Carolina is my home and I am a member of The League of Women Voters of North Carolina. And I drove here from chapel hill.

Speaker 5 ([00:40:48](#)):

[inaudible 00:40:48].

Leona ([00:40:47](#)):

After the 2010 census, The League of Women Voters recognized that voting districts drawn in 2011 were unfair and unlawful. The districts were the product of an obscure and secretive process that intentionally packed and cracked population groups diluting their votes to the advantage of the legislators entrusted with the task of producing the districts. The League joined other watchful and concerned organizations to take the cases to court and won the argument that the districts were purposefully drawn to minimize representation by race and to limit representation of the opposing political party. We are continuing to actively advocate this year for the fair districts to be drawn using the 2020 census data. The League is in favor of transparency and public input.

Only 10 public hearing locations, such as this one are scheduled for the state's 100 counties. Furthermore, it will be a travesty of additional public comment sessions are not provided after the draft maps are produced. At this time, only one public hearing for comment on draft maps to be held in Raleigh has been scheduled. Many organizations are asking for transparency in the process and an opportunity for adequate review and public input on draft plans. In 2011, there were 62 hearings in 36 counties convened before and after maps were drafted. 10 years later, we should be increasing transparency and not moving backward. Thank you for your consideration of this appeal.

Senator Chuck Edwards ([00:42:30](#)):

Thank you, Mrs. Richard. Jane Yokihama. Jane Yokihama. Feel free to correct me on that pronunciation.

Jane ([00:42:47](#)):

Thank you. And my name is Jane Yokohama. You said it correctly.

Senator Chuck Edwards ([00:42:47](#)):

It's all right.

Jane ([00:42:51](#)):

It's Japanese, but I am of course, a US citizen here. I want to thank the redistricting committee, all the legislators who came here as well as the north Western North Carolina staff, officers and everyone else who's here. So my name is Jane Yokohama. I live in Nashville, North Carolina. I live in Buncombe county precinct, 2.1 north Carolina state. Senate district 49. Assembly district 116 and US congressional district 11. My neighborhood consists of mostly retirees and young couples. I'm fortunate to live close to [inaudible 00:14:32] homes, public housing, historic [man friend 00:14:42] , UNC Asheville, and I'm walking distance to downtown. I'm an active participant of UNCA's lifelong learning Institute and North Carolina, Asian Americans together. Both of these organizations are nonpartisan honor and respect diversity and promote community service. I'm testifying tonight because I believe strongly in fair maps, and I'm happy that 2020 maps put all of Buncombe county and district 11.

And I request that it happens again. Buncombe county and Henderson county residents use the same businesses and other things so these districts should be kept together. And like the past universities and college campuses must be kept in the same district like [lies 00:44:19] counties, Jackson. For example, small cities and towns should not be split into different districts. This would cause confusion and break up long established communities. I also like [inaudible 00:44:30] being added to district 11 since we say share similar interests and issues. Fair maps reflect the political makeup of our state and keep communities whole, it starts with a fair process. That means these public hearings should be easily accessible to all north Carolinians before and after the maps have been drawn. I'm lucky that I

have time to leave mid afternoon and drive over an hour so I can testify in person. I speak for others in our community who are not as fortunate. Please let us have equal votes, equal voices and equal value. Thank you.

Senator Chuck Edwards ([00:45:05](#)):

Thank you, Mrs. Yokohama. The chair recognizes Carol Travis. Carol Travis. Is Carol Travis in the room? All right. We'll move on to Karen Smith. Welcome Mrs. Smith.

Karen ([00:45:40](#)):

Good afternoon. My name is Karen Smith. I'm the third vice chair for district 11 Democrats and I am also a resident of Macon county. I would like to voice my concern over the hearing schedule which has limited opportunities for comment and for not having a virtual option in a surging pandemic. I respectfully request the committee refrain from splitting counties or urban centers. Rutherford county has been split between US district 5 and 11. With regard to North Carolina house boundaries. Haywood county is in a situation where part of their county that includes Waynesville is in North Carolina house district 119 instead of 118 with the rest of the county. Please cluster Graham and Swain and Jackson in North Carolina house district 119 and put the whole of Waynesville in 118. As far as North Carolina, Senate boundaries are concerned. Buncombe has historically been vulnerable to a carve-out in the east and north to weaken the democratic majority of the county. Do not place a boundary that dissects any of our urban areas in Western North Carolina. North Carolina Senate district 47 should encompass Mitchell, Yancey and Madison.

Whereas Polk shares much more in common with Henderson and Pennsylvania in district 48. Our rural Western counties share many common interests and our urban centers are critical to those surrounding counties. NC-11 is fifth among state districts and income below the poverty line. And first in residents aged 65 years and older. Both populations need access to the types of services affecting fixed and low income populations. We are tied to Asheville for healthcare, which is under assault by for-profit entities, rendering our rural areas at life-threatening risk due to the lack of emergent care and OBGYNs services. Affordable housing shortages and costs have skyrocketed in recent years, striving many who work in Asheville to the surrounding counties. We are concerned about how our community will deal with extreme heat as the climate changes. Keeping mountain watersheds intact is also important. Our elected leaders must be accountable to the voters of Western North Carolina. Thank you.

Senator Chuck Edwards ([00:47:54](#)):

Thank you, Mrs. Smith. Sharon Ramsey. Sharon Ramsey. Welcome Mrs. Ramsey.

Mrs. Ramsey ([00:48:12](#)):

Thank you. Good afternoon or evening. I'm Sharon Ramsey, a citizen of Macon county. First, thank you for traveling west of Asheville to hear our comments, we feel that most folks in North Carolina seem to think the state ends in Asheville. I wish there were more meetings scheduled. In 2011 there were over 50 meetings or opportunities to be heard on the issue of redistricting, a matter that will affect every citizen in North Carolina, whether they are a voter or not. I want the process to be transparent. Set up a website for the process, appoint an independent committee with experts. Then when they make their recommendation post the report and the data, obtain comments and hold another set of meetings such as this and add more venues and in the evenings and via zoom, which is easier for everyone to attend or to comment and let us see the proposed maps.

And then we do the right thing to make everyone's vote equal. Don't split cities or towns or universities. Every person's vote should have an equal effect in the election. By drawing districts with surgical precision to obtain favorable outcome to one party, or to save the seat of a sitting official or to draw the district to primary an official you don't like, you disregard the votes of people and make a mockery of the process. Since the previous redistricting, in which we, the people of North Carolina have spent millions of state dollars in legal fees, funds that could have been spent on education, infrastructure or healthcare rather than on attorneys fighting to keep the gerrymandered districts that were drawn for political advantage. Please, no more secrecy and tricks. We spent enough time and money cleaning up what you did before. Thank you.

Senator Chuck Edwards ([00:50:15](#)):

Thank you, Mrs. Ramsey. I'd like to remind everyone that if you came here not intending to speak and you've changed your mind, we're still taking names outside the door, feel free to sign up. Gina Collias. Gina C-O-L-L-I-A-S. We will move on to Levi Sweat.

Sweat ([00:51:05](#)):

Good afternoon members of the North Carolina general assembly. My name is Levi Sweat as you already mentioned. I'm originally from Clayton, North Carolina. Currently I'm a freshman here at WCU representing the Student Democracy Coalition. We're a nonpartisan student organization dedicated to increasing voting, voter education and voting rights on campus and across the state. Thank you for giving me the opportunity to speak today. The NC general assembly redistricting committees have dedicated 13 public hearings to redistricting across the entire state. Many of these few hearings occur during the middle of the workday in the middle of the work week. None of these public hearings are being live streamed, even in the midst of a pandemic that's killed over 15,000 north Carolinians. Furthermore, all the scheduled hearings take place before the release of the newly redistricted maps. These factors make it incredibly difficult for North Carolina citizens to have their voices heard by a general assembly that has a clear and obvious history of gerrymandering and redistricting

in the favor of the majority party. I ask you members of the NC general assembly and my fellow north Carolinians to consider who is missing here, fill up the empty chairs, the few that are here, with the single mothers, too busy working to provide for their family. To the elderly who stayed home out of fear of contracting COVID or those in Murphy in Cherokee county who couldn't make that hour and a half drive to their closest public redistricting hearing. Even though we're disappointed with these decisions, we at Student Democracy Coalition believe there's still an opportunity for the public's voice to be truly heard. We demand more opportunities for the public to testify. After the new maps have been released, we demand remote options for those who don't feel comfortable speaking in large crowds because of the pandemic. We demand future public hearings be live streamed. And finally, we demand more transparency about the redistricting process. Thank you for your time.

Senator Chuck Edwards ([00:53:12](#)):

Thank you, Mr. Sweat. I'd like to back up and make sure I didn't miss Gina Collias, C-O-L-L-I-A-S. I thought I heard a murmur from the audience after I had called that name. Is Gina C-O-L-L-I-A-S in the room? I suppose not. Boe Hess.

Boe ([00:53:54](#)):

Hello everyone. My name is Boe Hess and I am a current congressional candidate for north Carolina's district 11. Today I am making sure the commission commits to drawing equitable districts for

competitive, fair and free elections. My friends please make no mistake. Our freedoms and our democracy are under attack. The assaults on our freedoms and our democracy are coming from within our borders, within our state houses from people who claim they want less government intervention, but only impose more and more government control. Let's all pause and ask ourselves a question. Are we indeed a representative democracy if one party can essentially never be voted out of power? Or put it in another way, if one party can write jurisdictions to their advantage to stay in power. If politicians choose their voters, instead of the voters choosing their elected representatives, then our system of government is no longer serving the needs of the people. In our representative democracy,

the voters are supposed to select the representatives we send to be our voice, not for partisan politicians to draw their districts in a way that takes away the ability for voters to make a competitive choice. To be clear, fair redistricting is not and should not be a Democratic or Republican issue. Instead, this is an issue of preserving our democracy and making sure that each person matters and each vote counts. Each person matters and each vote counts. Fair districts, make sure the will of the people is enacted and will ensure that all voters and citizens have fair and equal representation. We have too many vital issues in which we need practical input and collaboration. We need to be bringing people into the processes of civic engagement instead of working to disenfranchise voters. A bipartisan compromise now is to make this process transparent now. Implement a multi-party commission, overseen by a citizen advisory panel and a panel of judges now. Thank you so much for your time.

Senator Chuck Edwards ([00:56:00](#)):

Thank you so much. I'd like to invite to the podium Jean Tunnell or Jean Tunnell. Jean Tunnel or Tunnell.

Jean ([00:56:14](#)):

Yes. Thank you very much for being here all of you. People say Tunnell, and I say, "Well, that's that hole in the mountain that you drive through" It's got two L so Tunnell, but call me anything except late to eat. Okay. I am Jean Tunnell. I'm a member of the Jackson County Democratic Party, Jackson county NAACP. Much has been said already about gerrymandering. And I'm not going to rehash things that have already been said, but I would point out that elections are supposed to represent the will of all of the people. All of the people. Think about when people in our country, march, protest, rally so forth. Do they say, "We have the freedom to do this?" No. They say, "We have the right to do this."

That's what we say about our opportunity to vote. We have the right to vote. League of Women Voters, and several others have talked about the need for additional sessions like this. I would say amen to that. And I'd like to say, we need a fair, inclusive and transparent process. And here are the four ingredients I think that most of us could agree on that should be part of that process. Number one, disclose all criteria systems and data used in the process. Number two, have all drawings and revisions of maps done in public view. Number three, ensure quality, audio and visual broadcasting in public meetings. And number four, disclose any third parties that happen to be involved in redistricting.

PART 2 OF 4 ENDS [00:58:04]

Jean ([00:58:00](#)):

That happened to be involved in redistricting. We, the people deserve an opportunity to have a say on House Bill 437, the Fair Maps Act because that's what would establish the North Carolina Citizens Redistricting Commission and remove the process from the general assembly. Thank you. There are, no doubt, people of faith here of a variety of faiths who can relate to this statement, "Woe unto those who legislate evil and rob the people of their rights." Thank you, Mr. [inaudible 00:58:41]

Senator Chuck Edwards ([00:58:42](#)):

The chair recognizes Jeff [Grow 00:58:45]. I see him coming up over here. Hi Jeff .

Jeff Grow ([00:58:50](#)):

Folks? My name is Jeff Grow. I live in Fletcher, North Carolina. Want to thank you for the opportunity to speak. Also want to thank the general assembly for having these public meetings. This is our system of government in action, and I commend everybody here that's come out today to be engaged. We need more of that, not less. Redistricting this time around as a result of the census, adding a congressional seat is a good thing. North Carolina is growing. Unlike states like California, who are losing seats. There's a reason for that. Maybe fiscal responsibility plays a part, other political and social factors. Maybe the mountains have something to do with it, but there have been endless lawsuits on the maps over the last decade that have nothing to do with the growth in our state. It's about political power.

Though I speak for myself tonight as a regional captain for the Convention of States, a grassroots organization trying to use Article V of the US Constitution to reign in an out of control federal government and bring power back to us here in North Carolina, I have seen the voter confusion that has occurred due to the constantly changing state House and Senate district lines in particular, that is not good for our representative form of government.

It has to stop. The process by law is a general assembly responsibility. And I, in my opinion, it should stay that way because it to have an independent quote unquote commission will not solve the problem. It will just add another layer of politics and all the outside groups like [Eric Colder 01:00:19] and the former US Attorney General under Obama who's the head National Democratic Redistricting Committee and common cause a source fundus organization who will no doubt file suits on whatever maps or draw need to stay out in North Carolina. This is a state issue. I support the process. That's been announced. It's the same one from the last court ordered process. Legislators will attempt to file a county by boundaries. I agree with that with some exceptions, obviously, it will prevent oddly shape districts like the famous District 12. And the process, as I understand it, will not use racial or political data. Thank you.

Senator Chuck Edwards ([01:00:56](#)):

Thank you, Mr Grow. I'd like to invite Gail Kemp to the podium. Gail Kemp, Gail Kemp. Suzanne K-L-I-M-E-K, Suzanne Klimek. Welcome.

Suzanne Klimek ([01:01:24](#)):

Hi there. Put my glasses on. My name is Suzanne Klimek. You almost got it right. I live in Waynesville, North Carolina, and today I'm just representing myself as a native North Carolinian who loves my state. In the long term, I do think that North Carolina needs an independent nonpartisan group to draw district boundaries based on census data, but in the absence of that, I'd like to share my concerns and interests for this year's redistricting effort. I believe that all North Carolinians deserve fair representation. I am adamantly against district boundaries being drawn to serve particular party or potential candidate. If I understand what I've read about this year's process, lawmakers cannot consider race partisan data or past election results in drawing these boundaries. I am asking that y'all adhere to these criteria. I also believe that the final maps should include a detail explanation of why the boundaries were chosen.

And I believe that the public should have another opportunity for input after maps had been drafted and released. I was a career civil servant for the state of North Carolina. I held public hearings and used the comments and data received to modify recommendations for specific regulations. My



interest was always in doing what was best for the citizens of the state. My final request to you is that you take this process seriously and that you consider the comments that you receive with care and that your subsequent actions are made in the interest of all North Carolinians. Thanks for the opportunity to comment.

Senator Chuck Edwards ([01:02:59](#)):

Thank you.

Gerard Stam.

Welcome Mr. Stam.

Jared Stam ([01:03:22](#)):

And you can call me Jared. My mother did.

Senator Chuck Edwards ([01:03:24](#)):

Okay. Jared.

Jared Stam ([01:03:25](#)):

And I hope you all have noticed that there is a pattern going on in this forum, and I hope you all are listening very, very closely today. Pattern. I live in [Chandler 01:03:37] on the edge of Haywood county, but I reside in Vulcan county. I'm here to speak to the most important issue for me personally and broadly for my community. And that is to have, as everybody else has said, fair and truly representational elections. However, as all of us should know, this is becoming harder and harder whenever partisan redistricting rolls around. Let's face it those in power, don't like to share their power. It's like they never went to kindergarten and they will do anything possible to retain power. Gerrymandering, the unfair partisan process of drawing voting districts, is the most sure way of keeping that political power, more so than money.

If redistricting is not conducted in an impartial nonpartisan way and not just some promise to be fair from the party in power, it will be de facto, gerrymandering. And such meetings as this will turn out to be meaningless. Worse, these public response forums would turn out to be window dressing and something the party in power can disingenuously point to as an open and transparent process. Nonetheless, I will take Senator Chuck Edwards at his word when he says public input is a historical process to which the public should contribute because of our important role. Dogunnit, we wouldn't need a meeting like this if the process was already fair in the first place, but since this is the process allowed us, please take the voices of your electorate to heart. Let us comment again. After the redistricting lines have been drawn. Let us have continued access to all the comments and, above all, ultimately change the system of redistricting to where it is totally honest and fair stop. Thank you.

Senator Chuck Edwards ([01:05:40](#)):

Thank you, Mr. Stam. Robert Thornton, Robert Thornton.

Robert Thornton ([01:06:11](#)):

There's a great deal of shame on this process. And North Carolina deservedly has the, carries the honor of a poster child for gerrymandering. Why was this meeting room and building not publicized? Why is there not signs out there on the road, showing that this is where we need to be? And why are there not



signs out here showing people how to get into this particular room? That cast a lot of doubt on this process to begin with. I want to underscore keeping the county whole, the counties whole. I want this process, of course, to be transparent. Litigation will be right around the corner, if you don't. And then the other thing I'd like to say is, very quickly, this should have been certainly should have been at least on the internet if stream, but it actually, it probably should have been on UNC public television and allowing people to call in. I would urge you to consider that. And the last thing I guess I have to say is I really miss people like Bill Friday. Thank you.

Senator Chuck Edwards ([01:07:48](#)):

Thank you, Mr. Thornton. I'm going to begin to call two names since it, apparently we've got a lot of folks in the back of the room that are speaking so that if you are in the back of the room, or if you're the next speaker up, you can move your weight closer to the front and we can get to everyone's comments. First up is Amanda Huber or Hubber and then behind that is Aaron Littlefield. So Amanda Hubber and if Aaron Littlefield is near the back of the room, if you could be close to the mic when we're ready. Thank you.

Amanda Huber ([01:08:37](#)):

Hi, my name is Amanda Huber. Close enough. I am a voter in Buncombe County and I-

Council Room ([01:08:42](#)):

Can't hear you.

Amanda Huber ([01:08:45](#)):

Better? Ooh, way to hear your own voice. My name is Amanda Huber. I am a voter in Buncombe County and the campaign manager for Eric Gas for Congress. Unfortunately he couldn't be here this evening, but I'm just here as a private citizen voter myself. I don't want to take up too much time. I thank you all for coming out. I also noticed the pro gerrymander representation is pretty low in the room this evening. I just want to underscore. So I myself turned 18 in 2006, please don't do the math. But what that means is that I've never been able to vote in a local election that hasn't been ridiculously gerrymandered. I've never been able to vote not knowing what the outcome of that election was going to be already. And for the last decade and a half, I have voted for politicians who have promised a brighter future for future generations like mine. And I urge you all to consider that as your drawing lines, through the middle of universities and down the streets where we live. Thank you.

Senator Chuck Edwards ([01:09:41](#)):

Thank you Miss. Aaron Littlefield, and then after that we have John Johnson.

Aaron Littlefield ([01:09:48](#)):

Thank you. My name's Aaron Littlefield. I'm a local here in Jackson county. I moved up for college back in 2011. So this is 10 years that I've lived here. A class of 2014 for Western Carolina University in political science. I went in knowing two things. You can always count on death and taxes, but Dr. Cooper taught me a third and that's that anytime there's redistricting in North Carolina, there's probably a lawsuit right around the corner. So I think you actually might have written a book on one of those. Any who, so I am coming as a registered Republican. I'll go ahead and out myself here in the room. That being said, I can still, I think, voice some concerns that perhaps everyone else can agree with. I think that communities of

interest should be maintained. That includes every Western North Carolina county. I think each county essentially functions, I teach social studies now, it essentially functions almost like a city state.

Jackson county has Silva. You've got Franklin and Macon county and so on and so forth. It's actually quite simple. I went online and if you were to take just the Western 15 most counties starting with Avery Mitchell, McDowell, Buncombe, Henderson, and then everything over to Cherokee that puts us within 5,000 population of whatever the mean would be for 1/14th of the district. So I would suggest for a compact district that doesn't have this former cat amount having to drive all the way to app state of four hours, way to, to do political events, to be able to just have, you know, a district that goes from Cherokee over to McDowell, it would not include anything from Rutherford county and anything from Polk, unless you have to balance out that last 5,000 people in order to make it specific.

And if you have to prioritize for balance things out, it should be done in the way that minimizes the disruptions of those communities. For example, 5,000 votes out of Polk county would be a much larger impact than say 5,000 votes out of Rutherford or Buncombe county or even Henderson county in that case. So as far as prioritization and I would recommend don't split the counties, but if you have to split a county, go for those where the few votes that you have to split are going to have the least amount of impact of disrupting a community of interest. Thank you.

Jeff Grow ([01:11:45](#)):

Thank you, John Johnson. And then after that, I only have, looks like a first name, Ariel. John Johnson, and then Ariel. Welcome Mr. Johnson.

John Johnson ([01:11:59](#)):

Thank you. I'm a citizen of Buncombe county for 45 years and I'm here representing myself and my family. Basically. I've heard just about everything I wanted say. I think that the district is too large. I think that we should be having more meetings like this. I think they should be more transparency. I believe that we should be looking at the maps after they're drawn and talking again. And I would urge this committee and, and whoever else is involved to take these points deeply to heart. Thank you.

Jeff Grow ([01:12:39](#)):

Thank you, Mr. Johnson. Ariel, and then I have behind that Emmen.

Ariel Emmett ([01:12:48](#)):

That's me Ariel.

Senator Chuck Edwards ([01:12:49](#)):

Oh, okay. We're on two different lines. We'll then Miss Emmett behind you we'll have Rosalyn Storer. So.

Ariel Emmett ([01:12:59](#)):

Thank you very much. My name's Dr. Ariel Emmett. I'm a US Fulbright scholar. I served in Kenya, Indonesia, and China, before moving to this area. I'm here to talk about the cost of gerrymandering, which was part of the column that I wrote for the Asheville Citizen Times was published on August 29th. There are two things that are very concerning to me as an outsider. I was born in New York. I've lived in North Carolina for six years on and off between my Fulbright. And the two things that I have seen that are most disturbing are the state of our public education and the state of our working poor without

healthcare insurance. Our students, now we have nearly half of all North Carolina students are living in low income or impoverished families. Our education is now ranked 39th in expenditures for our fall enrollment because the Republican legislature, excuse me, is siphoning off this money for private schools.

What are legislators who represent the public? Thank you very much. What are you doing as public servants siphoning off public money to private religious schools. That goes against our democratic principles of separation of church and state. And it's completely unacceptable. We have 61% of the black students living in low income houses or in poverty. We have 70% of Hispanic students. We have 660,000 working poor without health insurance. We've been offered Medicaid from the affordable, sorry, not the Affordable Care Act. The rescue act from Biden and the Republican legislature has turned it down. My feeling about all of this, I live in Henderson county. I'd like to see that county be one county. We have 17,000 minorities in that county, and I can tell you that these people need to be heard, not just the rich people. Thank you.

Senator Chuck Edwards ([01:15:12](#)):

Thank you Miss [inaudible 01:15:18]. Rosalyn Storer. And next up would be Carolyn Kagle. Miss Storer. Welcome

Rosalyn Storer ([01:15:42](#)):

[foreign language 01:15:42] I'm from Puerto Rico, 26 years, living here in North Carolina, Transylvania county, [foreign language 01:15:53] NAACP, [foreign language 01:15:57] NAACP, [foreign language 01:15:59]

Senator Chuck Edwards ([01:15:58](#)):

Miss Storer, if you could speak into the mic, please.

Rosalyn Storer ([01:16:11](#)):

Since the Transylvania NAACP was formed, I became a member and I'm working for social justice and for protection of the bold of black people, Hispanics and another minorities. Redistribution of districts affects black people, all the minorities. So we need not to make redistribution and protect the minorities. Candidates, do not let the voters, the voters elect the candidates.

Council Room ([01:16:51](#)):

Yay.

Senator Chuck Edwards ([01:16:54](#)):

Thank you, Carolyn Kagle. And then we'll have John Coulman Miss Kagle, welcome.

Carolyn Kagle ([01:17:04](#)):

Thank you. I'm Carolyn Kagle. I'm from Jackson county, my lifelong native of North Carolina. First, I'd like to thank you for your time and encourage each of you to do your best, to assure that we, as constituents are heard and their concerns considered in your endeavors to create equal and fair districts for Western North Carolina, I'd like to respectfully and specifically address North Carolina House redistricting and make suggestions as to how Western North Carolina counties can be grouped to best represent constituents who likely have common interest and needs. My suggestion is to group whole counties

since county governments address the needs of all constituents in each county. It seems grouping whole counties is the best way to more easily and fairly represent voters and help with similar needs within these groupings.

Here are the three groupings I would suggest. The most Western grouping would be Cherokee, Clay, Graham, and Macon, whole counties. Next grouping, the whole of Swain, Jackson, and Transylvania counties. Then this leaves the whole of Haywood and Madison counties for the last grouping. This approach would place neighboring counties together, provide good logistics and easier communication between legislators and constituents. This is, I'm sure we all agree, the primary goal of having elected representation in the democracy we know as America. Thank you again for your time and for considering my suggestions.

Jeff Grow ([01:18:39](#)):

Thank you. Thank you, John Coulman and then Jacqueline Jenkins. John Coleman, John C-O-U-L-M-A-N. John Coulman. Are you in the room? All right, then we'll invite Jacqueline Jenkins to the podium and behind that, we'll be Leslie Boyd.

Jacqueline Jenkins ([01:19:17](#)):

Thank you. Some of us are vertically challenged. Thank you all for having this hearing, but I, as someone else said, everybody said everything that I wanted to say, and I hope that means that you all are taking notes and listening because obviously it is a big, big priority to us that, especially during a time of pandemic, that we are able to have virtual experience. Like other people I'm questioning the whole process of the redistricting. It is not transparent. One thing that I wanted to mention that I think Rosalyn brought clear to us. There has been no accommodation made for translation for Spanish Cherokee speakers, nor for the hearing impaired. And I think that's unconscionable. Mostly, I want to say that I think this process as it is presented this time is a real slap in the face of democracy.

Senator Chuck Edwards ([01:20:51](#)):

Thank you, Miss Jenkins, Leslie Boyd, and then Darlene [Asarmi 01:21:02]. So Leslie Boyd, are you in the room? And if is Leslie Boyd in the room? And then if Darlene Asarmi is in the room, if you'd make your way closer to the podium. So you'll be ready when all on you I'd appreciate it. Leslie Boyd. Darlene.

Darlene Asarmi ([01:21:24](#)):

I'm Darlene.

Senator Chuck Edwards ([01:21:31](#)):

I've lost track. Darlene Asarmi and then Katie Dean. But do we have a Leslie Boyd here? All right. We're going to move on. Darlene Asarmi. You have the podium. Thank you for being here.

Darlene Asarmi ([01:21:43](#)):

Yeah. Thank you for the opportunity to speak tonight. My name is Darlene Asarmi. I am from Lincolnton North Carolina, went to school in Wilmington where I became a poll worker in my very first election. I currently reside in Swannanoa in Buncombe county, and I'm in the Buckeye Cove area. And crazy enough, my district actually shared a district with my mother who still lives in Lincolnton. I was in Patrick McHenry's district up until very recently, which just really made no sense to me and ever since getting involved in politics at a very young, in my first election, I've heard people say that "Does my vote

count?" Over and over again, all the way from Wilmington, all the way to Swannanoa. And it's commonly said that allowing politicians to draw their own maps is like letting a fox guard a henhouse. That's statistically proven to be the most effective way to explain the process to people.

So here tonight, I'm having deja vu remembering, driving out to the public hearings on voter ID. Those hearings that were held at the board of elections in Silva, and they were found to target a black people with surgical precision. And it is unacceptable. I am here tonight to echo many of the points that folks in this room have made, but in terms of the right redistricting criteria, there shall be no consideration of race in these maps when they are drawn. And you must consider communities of interest when you draw these maps, particularly folks mentioning the splitting of college campuses. It's unacceptable for college students. One dorm is one district and one dorm is another never again, never again, not in this process. We are here tonight for a reason, the fact that there were over 60 hearings in the last process and there's around ten tonight is unacceptable.

And we need to have a hearing after these maps come out, not just one in Raleigh, we need to have access. County commissions and city councils have gotten with the program. We need to have access via zoom, via phone, any other way. So folks can have their voices heard. Thank you.

Senator Chuck Edwards ([01:24:05](#)):

Thank you. We have Katie Dean. And after that will be Jennifer Knep. Ms. Dean, you have at the podium. Welcome.

Katie Dean ([01:24:19](#)):

Good evening. My name is Katie Dean. I'm one of the candidates for the US House in Washington, North Carolina, against Madison Cawthorn.

Council Room ([01:24:25](#)):

Yay.

Katie Dean ([01:24:28](#)):

And all of the other people that are running against Madison Cawthorn. And it's clear that the desire for a government that is fair and well represented. It's a testament to the room that is completely full this evening. And what I'm about to say is continued sentiments that we've already heard. Here's a few things that we know to be true. We live in the most extremely gerrymandered state in our country. The history of gerrymandering in North Carolina is long and complex, and we know it knows no party. The bias continues to keep a heavy scale, a heavy thumb on the scale and gerrymandering and dark money and politics are unraveling our democratic process as we know it. And it's led to the extremism that we see today.

The stakes continue to escalate. Here in Western North Carolina, we suffer the consequences of gerrymandering and it's weakened critical economic function in our local economies with regards to lack of access, to broadband our crumbling infrastructure, access to affordable healthcare, including expanded Medicaid and very simple decisions like giving teachers the pay raises they deserve.

Today more than ever it seems like common ground is some distant memory. So let's find our footing on the core fundamental piece of our democracy and that is our vote. So my ask is this, draft the maps using a third party nonpartisan commission so that people with the most to gain from partisan divide are not the people drawing the boundaries. As a taxpayer that's an investment I'm willing to make. At minimum have a third party, check your work. Hold more than one review session for the

entire state and make your sessions accessible to the public via livestream. And we know that that still includes and disenfranchises the bulk majority. The people deserve accountability and transparency from our elected officials. Thank you.

Senator Chuck Edwards ([01:26:28](#)):

Thank you. Jennifer Knup. And then Jake Quinn, do we have Jennifer Knup in? All right. Thank you. Welcome. Yep.

Katie Dean ([01:26:42](#)):

Hi, I'm Jennifer Knep. I live in [Atoe 01:26:46] over in Macon county and I'm here on behalf of the Franklin First United Methodist church, Social Justice Committee. So I would just like to mirror the things that have been said before about keeping counties together, but,

PART 3 OF 4 ENDS [01:27:04]

Speaker 6 ([01:27:00](#)):

About keeping counties together. But consider the fact that North Carolina is a very physio-graphically and socioeconomically complex state. So we have the mountains. We have the coast. And in both of those locations, there's a lot of issues with a lot of tourist dollars, which drive up property values with low-paying minimum wage jobs. And the people who work in these places cannot really afford to live there any longer. So it's really important to keep these areas together. So these kind of problems can be solved.

And my other point is that I'd like to suggest that, overall, the redistricting plan needs to include a second phase. After the draft maps come out, we need to have these meetings again because we're all making comments about something we have not seen. So if we could have the draft maps come out and have additional meetings that would really increase the faith of the citizenry of North Carolina in the fairness of the maps and that their voices will be heard when we vote. Both in terms of making legislative decisions and all elections. Thank you.

Senator Chuck Edwards ([01:28:21](#)):

Thank you. That completes the folks that signed up online. We're going to now begin with the folks that are here in the room. Leila Tvedt, T-V-E-D-T, and behind that will be Sergio Fernandez, F-E-R-N-A-N-D, I think it's E, maybe a Z. All right. Thank you. Correct me at the microphone, if you don't mind. Thank you.

Leila Tvedt ([01:29:03](#)):

Thank you Mr. Chairman. My name is Leila Tvedt. I'm a resident of Bryson City in Swain County. My husband is Luke Hyde. He and his family have lived in Swain County for many generations. I have not. I was born in Asheville. My dad was an officer in the US Navy and we moved about every two years. After school in Saigon and Japan and Florida, I came back as politicians like to say, I got here as soon as I could.

Let's talk about Swain county. Swain is one of the poorest counties in the state. In 2019, our poverty rate was 17.5% out of a population of about 14,000 people, only 5,642 were employed, more than 8,000 were not. And that was before COVID hit us. But being poor does not mean we are uninvolved. There are about 7 million voters in Swain county. In 2020, 36% were registered Democrat. 30% were registered Republican. Note that 33% were registered as unaffiliated. In 2020, with 7%

registered with other parties. That means the unaffiliated and other vote outnumbers Democrats and Republicans.

In fact, according to this university's Chris Cooper and every year since 2014, the plurality of new voters in North Carolina are registering as unaffiliated. Taken as a whole Western North Carolina has more people who are registered unaffiliated than any other region in the country. In the country.

Luke Hyde and I are both active in the Democratic Party. We have been for years. We believe it was wrong for Democrats to gerrymander districts when they were in power and is wrong for Republicans to do it now. If you have to manipulate district lines to stay in power, it means your politicians are too weak or your policies are too unpopular to win a fair election. That's not how we want the world to see us. You have the opportunity to make it right with districts that allow fair representation of all voters, your constituents. Please don't throw that opportunity away. Thank you for listening.

Senator Chuck Edwards ([01:31:14](#)):

Thank you.

Sergio, I'm not going to attempt this last name again, please-

Sergio ([01:31:23](#)):

Don't worry.

Senator Chuck Edwards ([01:31:24](#)):

... tell us who it is. And then Tom Downing, if you'll work your way up.

Sergio ([01:31:28](#)):

Yeah, please. I think I can. I have myself heard all the way to the end, but let's do this. Thank you.

My name is Sergio Fernandez. I don't blame you for reading my name that way. I have a horrible handwriting. I'm here. I'm the executive director at the Latino Advocacy Coalition in Henderson County. We are a nonprofit. One of our job is to advocate in favor of the Latin community. In North Carolina is 1 million strong. The census will tell you that 1 million 25, 26,000. In reality, it's a lot more than that. And the reason is because most of our people are afraid to be counted. I believe that everybody in the state needs to be heard.

Everybody needs to do what they need to do. You guys have a job to do. When I look at, and I don't mean this in any disrespect form, I don't see the diversity. I would love to see somebody that looks like me with you guys. I believe that work can be done together. I don't believe that separating ourselves can be a good thing. Thank you. I believe that we are able to offer it something that many people has asked you. I starting tomorrow and for the nine left meetings you guys have, I can provide, no cost to you, translation and streaming live of these meetings. Can I have your commitment that I'm okay to do that with you guys for the next several minutes. Is that a yes?

Senator Chuck Edwards ([01:33:06](#)):

I'm listening.

Sergio ([01:33:08](#)):



I can have these meetings live streamed with translation into Spanish, no cost to you, so everybody in the state can see what's going on here. Will that be okay with you?

Senator Chuck Edwards ([01:33:08](#)):

We appreciate that suggestion. Thank you.

Sergio ([01:33:25](#)):

I'll be there tomorrow. So you can let me know tomorrow. I have my cameras and everything with you. I hope that the redistricting of this is not affected. I know you guys do a lot of work, but also you have your personal agendas. For example, Senate Bill 101, it shouldn't be part of the decision making when the redistricting is happening. So I hope you guys do the best job. Thank you for doing this. And I'll be there tomorrow with my cameras, unless you tell me no for whatever reason

Senator Chuck Edwards ([01:33:54](#)):

We appreciate your feedback. Thank you, Mr. Fernandez. I'd just like to call to the audience's attention that I called a name while ago that I didn't recall. And the reason was I was working on a duplicate sheet, so I didn't skip over anyone. I also have a, what I think may be a duplicate name here, Cynthia Fairclaw Smith. Is there two of them in the room?

Cynthia Smith ([01:34:27](#)):

No.

Senator Chuck Edwards ([01:34:28](#)):

Just the one. Okay. Well thank you, Ms. Smith.

Tom Downing. And then Catherine, is it Garner or-

Catherine Carter ([01:34:28](#)):

Carter.

Senator Chuck Edwards ([01:34:42](#)):

Carter. Okay. If you'd work your way towards the podium, I'd appreciate it.

We did enjoy hearing now from Mr. Downing.

Tom Downing ([01:34:49](#)):

Well, thank you very much, Chairman.

My name is Tom Downing and my wife and I have lived here for 16 years, just literally, so and so down the road here in Cullowhee. When we move North Carolina was a progressive, wonderful state. North Carolina drew us here. It really did because of the people and because of the policies and because of the way that things were done fairly and squarely. My wife and I, when I retire, we're going to leave because of the BS that's gone on with this redistricting. So what I say to you is two things. Number one, change our minds. Do it fair. Do it square. Do it right. Do it the North Carolina way. The way that we thought North Carolina was that when we moved here.



And the second thing is, I would challenge each of you and every one of the general assembly on every side of the aisle. Everybody. Find a high school civics class, go to it. Explain what you're doing and listen to what they say. Find a middle school social studies class, go to it. Explain what you're doing and listen to what they say. Find an elementary school social studies class, explain what you're doing and listen to what they say and what they ask. Kids today are smart enough to understand what we're doing here. They understand division. This is a gigantic division problem. That's all it is. It's either fair or it isn't. Thank you.

Senator Chuck Edwards ([01:36:39](#)):

Thank you, Mr. Downing.

Catherine Carter. And then after that would be Brian Gastal. Is it Ms. Carter?

Welcome.

Catherine Carter ([01:36:51](#)):

Yes, thank you. My name is Catherine Carter and I live here in Cullowhee. And I would very much like to see the redistricting done, not by legislators, but by an independent commission.

And this is not a personal critique as others have noted. There's a long history of gerrymandering, not only by Republicans, but by Democrats. And this is a national embarrassment to all of us. It's an expensive national embarrassment and the quickest way to fix this is for the legislature to pass House Bill 437, the Fair Maps Act.

But that bill and none of the others like it, which have been filed this year, has not come up for a vote. And that is not happening. It needs to be happening. It is what we need in order to avoid more decisions like the 2013 decision that split Buncombe County between the 10th and 11th districts. It is what we need to avoid more maps, which split largely black cities and institutions with the effect of dividing and making worthless their votes. It is what we need to avoid the supposedly colorblind approach to redistricting, which dilutes the impact of black North Carolinians votes while claiming that it didn't do anything of the kind. And independent commission is what we need to draw new maps that can consider race and ethnicities, insofar, as is necessary to avoid violating any provisions of the Voting Rights Act, which currently stand to be violated. So thank you so much for your time.

Senator Chuck Edwards ([01:38:33](#)):

Thank you, Ms. Carter.

Next up we have Brian Gastal and then after will be Anjelica Wind.

Mr. Gastal, feel free to correct my pronunciation.

Brian Gastal ([01:38:45](#)):

That's perfect. Thanks.

Thank you for the opportunity to speak. My name is Brian Gastal and I'm a Jackson County voter. I've lived here for 23 years right in Cullowhee.

My hope is that redistricting will better reflect voter demographics, statewide, and privileged representation over partisanship. Drawing districts to reinforce partisan power within individual districts rather than to reflect statewide voter demographics, disenfranchises voters across the state. Since state representation, no longer reflects voter political positions statewide. Furthermore, such entrenchment of incumbents who are not worried about reelection because of partisan districting, does a disservice to

the citizens of their own party as well. Since representatives can rely upon districting rather than upon representing their constituents well in order to stay in office.

I'm a proud citizen of the great state of North Carolina, but I am ashamed of the extent to which our state has in the past, and on both sides of the aisle, allowed partisan power to supersede the kind of representation we expect and hope for in American Democracy. Please consider redistricting as a chance to fairly, and I would say patriotically, address gerrymandering's assault on the very core of the democratic process. Thank you.

Senator Chuck Edwards ([01:40:06](#)):

Thank you.

Ms. Anjelica Wind and then behind that will be Gail Woody.

Ms. Wind.

Anjelica Wind ([01:40:16](#)):

Thank you. Thank you to the Chairman and all of you who took the time of the day and evening to be here and continue to be here and have your voices heard. My name is in Anjelica Wind and I am here speaking on behalf of myself. I have lived in Buncombe County since 2007. I am a proud daughter of farm worker parents who picked the fruit that many of y'all probably ate when you grew up. And in your homes and families, continue to pick this fruit. And as a daughter, I remember being a child and recognizing that my parents and many other of the farm workers had no voice related to the policies that impacted them every day. And so therefore I'm here to stress the piece of voice. It is so important for us who live in this beautiful country, in this beautiful area, that we not forget that we all have a voice. Whether we can vote or not, whether we're in the process of getting legal status so we can vote. We still all have a voice. And one of the beautiful things of living in this country and why my parents chose to come here is because they knew that we had processes here that protected our voices. And as such, I come to you and advocate to not forget that all of you have a voice and all of us can stand up, but also part of that voice is transparency. And I advocate for fair transparency in this process. So that voices do not get left behind regardless of what political affiliation you have. Sometimes we as a community need to be reminded that together we're stronger. We have much of a stronger voice, we can speak louder, be heard with our voice and do not forget that. We must be heard in this process. We must be heard in this process. Thank you.

Senator Chuck Edwards ([01:42:04](#)):

Thank you, Ms. Wind.

Gail Woody.

Gail Woody ([01:42:12](#)):

Yes.

Senator Chuck Edwards ([01:42:13](#)):

And then behind Ms. Woody will be Tina Vas.

Ms. Woody, you have the podium.

Gail Woody ([01:42:19](#)):

Thank you. My name is Gail Woody. I live here in Dillsboro in Jackson County, and I have the privilege of serving on the Jackson County Board of Commissioners. As an elected official myself, I want to thank you all for being here, first of all, and then for all you do to serve the residents of North Carolina. I know it's a hard job and I appreciate what you do. I'm requesting that you all engage in an open and transparent process so that we know how and why each district is drawn. I ask that you keep county's whole. Free and fair elections are the foundation of our democracy. Thank you.

Senator Chuck Edwards ([01:43:04](#)):

Thank you. Tina Vas and then behind that, we'll have Chris Taber.

Christina Vasquez ([01:43:12](#)):

Hello. My name is Christina Vasquez. As we have discussed tonight, the state has attracted many more citizens and people, and there is a reason for that because with the quality of life. And we want to protect that quality of life. In order to protect that quality of life, we need to have fair representation. If you watch the news, the environment is probably about the most important issue at this time. And we want to make sure we get people in office that support our ideas and want to protect the environment.

Several years ago, I had an opportunity to run for the state House. I was the first Latina to run. Some people thought I had very good ideas. I was the only person who could promise a permanent budget surplus, which I think everybody in this state would like. Unfortunately, I didn't stand a chance because the area I ran was so severely gerrymandered. So please, at this time, we have a good quality of life and we want to keep it that way. We want to attract people to this state. And in order to do that, we must have fair representation. Thank you.

Senator Chuck Edwards ([01:44:31](#)):

Thank you.

Chris Taber and then behind that, we have Wilma Merlo.

Chris Taber ([01:44:41](#)):

Good evening. I'm Chris Taber. I'm from Sylva. I'm with the NAACP in Jackson County, as well as the Democratic Women of Jackson County.

I want to call gerrymandering what it is, political corruption. Plain and simple. It's a desperate and cynical bid to undermine democracy and to thrust minority war upon the people. We need to bring back integrity to the process and allow the people to hold their representatives to account. I, too, would like to second the motion to hold more hearings of this nature, put them on Zoom as well as public television. Thank you.

Senator Chuck Edwards ([01:45:28](#)):

Thank you.

William Merlo and then behind that will be David Road.

William Merlo ([01:45:37](#)):

Yes. William Merlo. Good evening. My name is William Merlo. I'm a US born citizen, who's had the privilege and opportunity of being a part of the democratic process in a red state, a blue state and even

six foreign nations. I speak four languages and I pride myself in building bridges between different cultures, communities and political views. I currently reside in Buncombe County.

I personally have always been an independent voter and do not wish to represent a party today, but rather I'm a very concerned citizen of North Carolina. As a nation and with it, this state, we have always said that we pride ourselves in the democratic principles and practices. The core heart and soul of our great nation and of our great state. We, the people of North Carolina, which include its representatives, must fight to end the gerrymandering going on in the 21st century America. This is shameful. It is corruption, and it is simply un-American.

As representatives, you fight to uphold our values as Americans and North Carolinians, and what I'm seeing today in this process of redistricting in North Carolina today, more closely resembles the voting corruption that goes on in third world nations than the most beautiful and democratic nation in the world. I urge you and hopefully compel you to go back to your main purpose as representatives, which is to uphold our democracy and make it stronger by the day and not continue the process of corruption that gerrymandering brings to us Americans.

To conclude, we need more of these events after the people and representatives have had a chance to review the maps, more virtual hearings, the end of gerrymandering throughout the entire state, and an independent nonpartisan commission to use the 21st century technology and its solutions, that are at our fingertips, to redistrict fairly correctly, and most importantly, democratically. I reiterate that it is your duty as political representatives to put democracy, sorry, democratic principles of our country and state first, at all stages of your day to day affairs. And end gerrymandering that puts us a century behind and makes our great state of North Carolina a mockery in our democracy. And if you don't do these things, you're making a mockery of all of us Americans, all of us North Carolinians. Thank you.

Senator Chuck Edwards ([01:48:02](#)):

Thank you.

David Road. Is David Road in the house?

David Road ([01:48:10](#)):

Hey Chuck. Over here.

My name is David Road and I'm a proud resident of Henderson County. Proud Western Carolina University Alumni and proud ex Student Body President of this wonderful institution. I just want to say, I'm proud of North Carolina. We're a great and powerful state. We lead in business, education, quality of life.

And I want to take a moment and thank the general assembly members here for their time and for your commitment to fair and free elections. A speaker earlier mentioned that gerrymandering was wrong when Democrats do it, but certainly wrong when Republicans do it. To that speaker, I say, it's wrong when anybody does it. Stop with a violent left, right pendulum swing of partisan politics. Get out from your telephone and your tablet screens and pay attention. There are Republicans and Democrats in this room right now. I see some very powerful ones and this room hasn't burned down yet. You're sitting next to each other.

I would also like to draw to your attention to where we are today on a college campus. My generation is more connected and involved in the political process than ever before. Western Carolina University has won national awards for their efforts in getting the students to vote. Come early voting time, we have a polling station on campus. But on election day that polling location has moved off

campus to the local rec center. We are watching. We are listening and we are running for office or plan on running for office. I will say, I do not claim the current congressional representative. But I ask that this committee, while redrawing district lines, also legislate that all higher educational institutions, community colleges, and up have a polling location during the general election. If this makes any political party nervous, develop better ideas that cater your constituents and not to your donors. And finally, for the love of God as a catamount, please do not include Watauga County. I cannot fathom being in the same district as a Mountaineer, whatever might be.

Senator Chuck Edwards ([01:50:17](#)):

Michelle Woodhouse. Welcome.

Michelle Woodhouse ([01:50:24](#)):

Thank you, Senator Edwards. Thank you general assembly members for being here and thank you fellow Western North Carolinians for being here. There's a lot of other places that you could be tonight, but you chose to be here because you care about what's happening in our communities and our country. We all moved here because you know, it's hard to get from here to there. So we all drove far. We all drove over cliffs. Hopefully not literally, but we drove here because we care about what's happening.

One in five voters in North Carolina, in the 2022 election, will come out of Charlotte or Raleigh. It'll be the first election ever when the largest voting block in North Carolina is unaffiliated voters. We've heard Democrats talk about things being unfair. We've heard Republicans tonight talk about being unfair, but I will tell you, we have to get people to the polls. Not the courtroom, to the polls. Only 75% of eligible Democrats voted in 2020. We had only 81.6% of registered Republicans vote in 2020, and only 69.8% of unaffiliated. We can draw the lines and we will draw them in a way that's constitutional. I have great confidence in the members of our general assembly, but if people don't show up to vote, the map had nothing to do with it. The map had nothing to do with it.

So thank you for your time.

Senator Chuck Edwards ([01:51:51](#)):

All right.

Thank you. Thank you, Ms. Woodhouse.

That concludes the list of folks that have signed up either online or outside. Would anyone that is in the room, that did not sign up care to get one minute? Anyone else? All right, with that, I would certainly like to thank my colleagues, representative Fisher, representative Carney, representative Clampett, representative Pless, representative Gillespie. And it is really nice to have somebody else from the Senate help anchor things, Senator Mayfield. Thank you all for being here.

Speaker 7 ([01:52:37](#)):

[inaudible 01:52:37].

What is next in the process?

Senator Chuck Edwards ([01:52:42](#)):

Next in the process is that we are continuing the public hearings and the redistricting committees will reconvene. I certainly would like to invite you because I heard a number of comments from the

audience that suggested that we should have a website for the process. We actually have that on the general assembly website. I invite you to visit it. Visit it often.

And then I also heard a number of folks may know people that had difficulty in being here for one reason or another, and there's still plenty of opportunity for those folks to give us feedback. And I invite them to do that on the general assembly website. We've got a particular portal to receive feedback.

Speaker 7 ([01:53:29](#)):

Who is leading the portal?

Senator Chuck Edwards ([01:53:32](#)):

We will be consolidating all of those comments for the benefit of the committee afterwards. So if you've got friends that couldn't make it or had difficulty in getting here, please send them to the general assembly website. And then-

Speaker 7 ([01:53:48](#)):

What is [inaudible 01:53:49] website.

Senator Chuck Edwards ([01:53:51](#)):

The website is NCLEG.gov. NCLEG.gov. And there's a special redistricting section there. I also ask you to invite your friends and neighbors to go into that portal and continue to give us feedback.

With that ladies and gentlemen, I thank all of you for your interest and participation in your state government. And this meeting is adjourn.

PART 4 OF 4 ENDS [01:54:24]

Paul Newton ([00:00:00](#)):

We're going to go ahead and call this meeting to order. Welcome, everyone. If you are hoping to find the public comments on redistricting, you have come to the right place. If you were expecting something else, you might as well run out of here now, because you'll be bored for the next couple hours. So glad that you're here. This is an opportunity for the public to offer comments on the redistricting process, to members of the General Assembly. This is an opportunity in a forum for us to hear from you. This is not a Q&A session, so don't ask your legislator a question here. You can certainly follow up, at any time, with the legislator that represents you. And we're happy for you to do that, but this is an opportunity for us to hear your comments about redistricting. That's the purpose of today's meeting.

We are grateful to have you here. We look forward to hearing from you. I have been in these types of meetings where applause was forbidden because it slows everything down. It makes it more difficult on the recording. It makes it difficult for someone in the future to transcribe the meeting. I've been in meetings where applause was allowed. So what I'm going to ask you to do is use your judgment. If you feel like you have to applaud, do it quietly and quickly, but just keep in mind, that when you're applauding, the clock's running on the next person, and we don't want to shortchange anyone here. Just keep that in mind, as you do that. And no boos. We've had one of these sessions, where somebody said something that a group wanted to boo, and we're not going to do that here. Everybody's opinion is respected, period. Let's respect one another.

Let's see here. Every speaker will have up to two minutes. And you certainly should feel free. You do not have to, but feel free. If the person before you said basically exactly what you wanted to say, then you can echo that. Say, "I agree with everything that speaker said, I want to add this." Feel free to truncate your remarks if you want to. We are going to call two names at a time. So we'll have two mics. The person to my left will be the first. Of course, the first name I call will be next up. And then, the second person will go, at the conclusion of the first person's remarks. So that will help speed things up because we don't want to keep you here all night. Let's see. Before we do get started, I wanted to introduce several members. First of all, I want to introduce John Bradford, who is my co-chair here tonight from the House. And pleased to have John here in his leadership. We have several other representatives from Mecklenburg County, that I want to make sure are acknowledged. From the Senate side, we have Senator Salvador, who sits right behind me on the Senate Chamber. And we've had lots of good discussions. She's Mecklenburg District 39. We have Senator Natasha Marcus from District 41. Senator Joyce Waddell. And do be sure to wave, so folks can see you. Where's Joyce? Senator Waddell. Thanks. Good to see you.

Representative Brandon Lofton, District 104, Mecklenburg. Representative Mary Belk from Mecklenburg District 88. Representative Rachel Hunt, Mecklenburg District 103. Representative Becky Carney, Mecklenburg District 102. Representative Terry Brown, Mecklenburg District 92. Representative Carolyn Logan, Mecklenburg District 101. Representative Wesley Harris, Mecklenburg District 105. Representative Nasif Majeed, Mecklenburg District 99. Representative John Autry, Mecklenburg District 100.

And I am Paul Newton. I am a State Senator, District 36, so your close neighbor in Cabarrus County. And I'm pleased to be here in Mecklenburg this afternoon. All right. I also want to introduce folks that are helping us be successful today: our Sergeant at Arms, Terry Barnhart. There's Terry, over there to your left. The House Sergeant at Arms, Jonas Cherry and Stafford Young, are here to assist us today. And we also have two members of The General Assembly Police Officers. Officer [Barcofer 00:04:39] is here with us. I don't know if he's... there he is. And Officer Torres. So thank, everyone, for being here.



And we do have some staff members, hopefully, you signed in with them, who are also here to help things run smoothly. And had a question before we got started about a map, that somebody wanted to attach to their comments, that they've already submitted electronically. If you have questions like that, they can help you ensure that you get the information you want to convey into the record. John, anything else you want to cover?

John Bradford ([00:05:11](#)):

All set.

Paul Newton ([00:05:12](#)):

All right. Let's go ahead and get started, then. I'll call the first two names. I'm going to apologize in advance. I'll do the very best I can with pronunciations, but your grace is appreciated. So first... Wow. It looks like the first and last names have been run together on the sheet, just to challenge me that much more. Michael Jed? Michael Jed? And James [Ineld 00:05:47]? These were online submissions. They may or may not be here. Many people who submitted online do not make it to... Matthew [Rawla 00:06:04]? Matthew Rawla. Mike Anderson. Mike Anderson. Lucille Howard and John Lingle. Lucille Howard and John Lingle. We have a winner. We have two winners. So glad you're here. All right, again, you have two minutes, and the Sergeant at Arms will help keep you in time.

Lucille Howard ([00:06:33](#)):

Good afternoon. I am Lucille Howard. For 50 years, I've been a member of a nonpartisan organization that seeks to protect democracy. And during most of those 50 years, I have seen our democracy in North Carolina eroded, as a result of unfair voting maps, no matter how much and how passionately the public speaks against it. Gerrymandering prevents the public from full participation in democracy and is wrong. It's time to begin a new era of nonpartisan map-drawing. It's time to design voting maps that are compact and contiguous without using political data or partisan objectives. And when those maps are drafted, it will be time to hear from your many citizens across the state, not just the lobbyists who can travel to Raleigh. You will need more than one hearing to do that.

Districts have been drawn in the past to protect incumbents and divide communities of interest. Public voices, in large majorities, cry out for huge state revenues to be used for unmet needs, such as adequate education. But proposals haven't been supported because too many legislators can vote against the interests of their constituents with little fear of being replaced. I want to choose my representatives. I don't want a very few legislators working behind closed doors, deciding who my representatives should be. You have the power to change this process. I urge you and your colleagues to seize the opportunity to do so, to restore public confidence in our system of government. Thank you for this opportunity.

Paul Newton ([00:08:25](#)):

Thank you, Lucille. John.

John Lingle ([00:08:31](#)):

Good afternoon. My name is John Lingle. I've been a resident of Davidson for the last 21 years. I first visited the town back in the 1940s, when visiting my grandparents. In '68, I graduated from Davidson College, before relocating back to Davidson. I'm here with other Davidson residents to urge the Committee to keep Davidson within a Mecklenburg County District. I believe Davidson's strong links to



Mecklenburg County and the towns of Cornelius and Huntersville, over the years, have created a strong community of interest. This is especially true of Davidson and Huntersville. For example, my church, Davidson College Presbyterian Church, like many other churches in town, have tutoring programs and other support programs for Huntersville Elementary School and other CMS public schools. In addition, our town library is part of the North Mecklenburg library system. Our time is further linked to Huntersville medically. Two of our town's healthcare facilities, the one at Ada Jenkins and Atrium Urgent Care Facility, were relocated to Huntersville. Finally, since many in the community commute to Charlotte, many people in Davidson do much of their shopping in Huntersville, as well as frequent their restaurants.

The North Carolina state legislation impacts each of these communities and their ability to cooperate, one with the other. If Davidson were suddenly in a district outside of Mecklenburg County, the complexity of communicating effectively with Raleigh, about our schools, our libraries, and healthcare, would increase greatly. This would prevent Davidson from having its community of interest fairly representative. Please keep Davidson within a Mecklenburg County legislative district. Thank you.

Paul Newton ([00:10:21](#)):

Thanks, John. Before I call the next two names, I did want to recognize Mujtaba Mohammed, Senator from Mecklenburg, who is here and has joined us. Good to see you. Linda Traum and Harry Taylor. Linda Traum? Harry Taylor? Yes. Welcome. Thank you for being here.

Linda Traum ([00:10:48](#)):

Okay. Can you hear? Yep.

Paul Newton ([00:10:52](#)):

Yeah.

Linda Traum ([00:10:52](#)):

Good afternoon. My name is Linda Traum, and I live in Charlotte. I'm a retired professor of Early Childhood Education. And I'm also a member of the League of Women Voters in Charlotte-Mecklenburg. And today I want to just talk to you about my concerns regarding redistricting, gerrymandering, and its potential impact on education. The redistricting process, I believe, has the potential to affect many aspects of our life in North Carolina, and these can be both in positive as well as negative ways. When the practice of drawing electoral district lines to favor one political party or individual or constituency over another, when that happens, the principle of one voice, one vote is not achieved. A 2020 report from the Center for American Progress stated, and I'm going to quote this, "Gerrymandering has real world consequences across all issues that voters care about. One of these consequences could be an inadequate education for all students, especially low-income students."

In 2019, the North Carolina Senate budget included across-the-board cuts to programs that targeted children, and these included early education as well as childcare. And I believe that childcare is education. Additionally, the governor's budget proposed a 9% increase to teachers' pay and some investments in school construction, and yet, that budget, the legislature's budget, didn't fully fund these items. And so, we have an unfunded budget. The Annie E. Casey Foundation of 2021 Kids Count Profile for North Carolina found the following, and this is from 2017 to 2019: 56% of three and four-year-olds are not currently enrolled. Okay. So...

Paul Newton ([00:13:02](#)):

Thank you.

Linda Traum ([00:13:02](#)):

Thank you.

Paul Newton ([00:13:03](#)):

Thank you, Linda. Harry.

Linda Traum ([00:13:04](#)):

Sorry about that.

Paul Newton ([00:13:05](#)):

It's all right. Harry? You're up.

Harry Taylor ([00:13:08](#)):

I'm Harry Taylor with the League of Women Voters. We're here today to exercise our constitutional right to instruct you, as our legislators, regarding 2021 redistricting. First, we find the committee's decision to hold but a single hearing, after the maps are available, is grossly inadequate. And we ask that you change that immediately, to make a far more robust schedule than what's currently on the map. Secondly, I've lived in North Carolina, in the same district here in Charlotte, for 34 years, since 1987.

The 2019 re-draw assigned me to new congressional and legislative districts. Last November was the first time in 34 years that the candidates I voted for won election. That means the first 33 years I voted, my votes were meaningless. And thanks to incessant political party mischief, that stuff doesn't change. From this point on, I want to see every voter in North Carolina given the opportunity to vote for candidates in the general election, where they have an equal chance to win that race.

On August 10, at the hearing in Raleigh, Senator Warren Daniel, one of the chairs of the Joint Committee said, "North Carolina's been the epicenter of redistricting lawsuits for decades. It's time to put the last 30 years of litigation behind us and begin a new era of nonpartisan map-drawing." To that, I say, "Hallelujah." But I hope Warren Daniels and the rest of the committee and the legislature are in earnest, because that's going to require the General Assembly to do the right thing, to flush gerrymandering out of the system and create fair competitive districts everywhere, for good. I've said this before for a dozen years: we can have gerrymandering, or we can have democracy, but we can't have both. And Mr. Chairman and Committee, 10 and-a-half million North Carolinians demand democracy. Make it so, please.

Paul Newton ([00:15:18](#)):

Thank you Mr. Taylor. Suzanne Elsberry and Jeanie Welch. Suzanne Elsberry and Jeanie... Is Jeanie Welch here? Suzanne? All right. How about Terry Taylor-Allen? Is Terry Taylor-Allen here? Yes? Okay. Excellent. Suzanne, you're up?

Suzanne Elsberry ([00:15:41](#)):

Okay. Good afternoon. Esse Quam Videri. "To be, rather than to seem." North Carolina's state motto, translated to the vernacular, means something like, "Don't be a poser. Don't fake it. Be true." In Lila

Ripley Barnwell's 1894 poem, *Esse Quam Videri*, she boasts that, within north Carolina's borders, there's no room for cunning, craft, or cold deceit and asked that we preserve the truth and honor reflected in our state motto. Sadly, we have failed to adhere to our motto, as North Carolina is the country's most gerrymandered state. An astonishing 87% of our districts being redrawn are non-competitive. The incumbents are shielded from accountability and cannot be voted out, no matter what they do to deserve it.

The continuation of this insidious manipulation of our voting maps will imperil voters' choices for another decade. Redistricting impacts every important issue, including jobs, education, environment, and healthcare. In redrawing our political maps, our legislators must act with honesty, integrity, and transparency. They need to assure democracy and fair play, even at the risk of their seats. If an end is put to gerrymandering, our elections will be, rather than to seem, democratic. Please end it now.

Paul Newton ([00:17:25](#)):

Thank you, Miss Elsberry. You represent the League of Women Voters, Charlotte-Mecklenburg?

Suzanne Elsberry ([00:17:30](#)):

I'm co- president along with Regan Aduddell.

Paul Newton ([00:17:33](#)):

Excellent. So with the speaker, if you represent an organization, after you introduce yourself, if you would introduce the organization you represent, that would be appreciated, for the record.

Suzanne Elsberry ([00:17:42](#)):

Thank you.

Paul Newton ([00:17:42](#)):

Thank you. All right. Terry Taylor-Allen.

Terry Taylor-Allen ([00:17:47](#)):

Thank you.

Paul Newton ([00:17:47](#)):

Welcome.

Terry Taylor-Allen ([00:17:48](#)):

Honorable committee members, I'll get to the point. Our topic is gerrymandering and the deep love for it, by politicians like you. Regular people, like me, are sympathetic. Don't we all have our addictions? Don't we all crave the insider advantage, the secret handshake that puts us above the fray? The allure of indifference to challenge and competition and accountability? No doubt, many people in this room have been hurt by the heart-wrenching illness of addiction. But folks like you are different because addiction to power is different. For you, the poison of gerrymandering is simply irresistible, and you are more than happy to let your addiction sicken our democracy.

The hard truth about addiction is that recovery is tough. Long periods of denial are not uncommon. That's why a politician addicted to gerrymandering might say things like, "I believe in

democracy," or, "I like a fair fight," or even, "Let's have a public hearing on redistricting without a real map." Oh sure, you all have kindly offered up one public hearing on the new maps, and I'll try to weigh in, in that sliver of opportunity. As for our democracy, sadly, all the indicators I see, suggest a North Carolina totally juiced on gerrymandering for the next decade. So my ask today is simple: please prove me wrong. Make maps fair in North Carolina.

Paul Newton ([00:19:54](#)):

Thank you, Miss Taylor-Allen.

Terry Taylor-Allen ([00:19:55](#)):

Thank you.

Paul Newton ([00:19:56](#)):

Minister Corine Mack? Corine Mack and Paulette Keffas-Chassin. Minister Corine Mack and Paulette Keffas-Chassin. Excellent. Welcome.

Paulette Keffas-Chassin ([00:20:17](#)):

Thank you.

Paul Newton ([00:20:22](#)):

Are you all switching it up?

Paulette Keffas-Chassin ([00:20:25](#)):

Oh, me? Okay. I don't know. Hope I didn't... did I lose any seconds just now?

Paul Newton ([00:20:31](#)):

Go score a touchdown now. You've got the ball.

Paulette Keffas-Chassin ([00:20:35](#)):

My name is Paulette Keffas-Chassin, and I reside in Cornelius Senate District 41, US Congressional District 12, which will be the focus of my comments. According to the Charlotte Observer, Dallas Woodhouse, a former GOP officer, reported that the Republican party would gerrymander new congressional districts to create a 10-4 advantage for the House of Representatives. I hope that is not true. I am here to urge you, instead, to draw districts which reflect the will of the people, districts, which correspond closely to the statewide preferences of the voters, which would mean potential for seven Democratic representatives and seven Republican. Why do I say that? Well, in both the 2018 and the 2020 Congressional elections, Democrats got well over half of the total votes, but Republicans won eight of the 13 seats. So the minority party is exercising majority power, and that is undemocratic. Similarly, Biden, 48%. Trump, 49. Tillis, 49. Cunningham, 47.

North Carolina is now a true 50-50 state, and our representation in Washington should reflect that. Please draw our 14 congressional districts to reflect today's preferences of the voters. Regarding my Senate District 41, due to litigation, it is a much more compact and reasonable district. The current lines serve our community well and should be maintained. Please do not redraw District 41 to what it used to be, a truly gerrymandered salamander. Please end time-consuming, expensive litigation

surrounding North Carolina's redistricting, and create fair competitive districts, meaning either party could win. Districts must reflect the preferences of today's North Carolina voters. Thank you for doing this important work.

Paul Newton ([00:22:41](#)):

Thank you for those comments. Minister Mack.

Minister Corine Mack ([00:22:45](#)):

Good evening. I'm Minister Corine Mack. I am the President of the Charlotte-Mecklenburg NAACP, and I stand on the shoulders of every black person who fought to give me and everyone in this room the right to vote in the 1965 Voting Act. Sadly, we're standing here in 2021, and the same wicked spirit of racism, implicit bias, and bigotry is alive. My conversation is not for everyone in this room. What I'm about to say is for those who have been engaged in harming black people and brown people every single day, because they have their own agenda, and that agenda is rooted in white supremacy. Redistricting is something that should happen, not with racial precision, but in fairness. It should be equitable. It should use justice, and more importantly, integrity. That's not what we're seeing in North Carolina. I've been here for almost 14 years, and I'm embarrassed at some of the things that I'm seeing coming out of the legislation, specifically redistricting.

And so, here we go. I'm asking that we draw lines that are fair and do not split precincts, do not split towns, does not split cities, and does not divide the community interest. Because the community is one. It should be oneness, which we do not have now. I believe very strongly that everything we do should have the foundation of love. I'm not seeing that, especially in how we're mapping out our voting opportunities. For those of you in the room that I know, I know that you're fighting. For those of you who I do not know, I know what you're doing. And what I'll say is this: I'm very direct, I'm very honest, and I never give up. As a black woman, I'm resilient in my fight. I'm saying to you today, the same way I see four white men sitting on your staff and not one black person, I do not want to see a map that is helpful to white folks, especially white folks in the GOP and hurtful to those of us in the Democratic party. God bless you all.

Paul Newton ([00:25:00](#)):

Thank you for those comments. Linda Levy and Armando Cruz-Martinez. Linda Levy, Armando Cruz Martinez. Excellent. Welcome. Thank you for being here.

Linda Levy ([00:25:16](#)):

Hello, Redistricting Committee members. My name is Linda Levy. I am a Charlotte resident and a member of the League of Women Voters of Charlotte-Mecklenburg and the Charlotte Chapter of the Carolina Jews for Justice. I am worried that the drawing of maps for US Congressional, North Carolina General Assembly, and North Carolina Senate Districts, will not be fair. That is, they will not represent the residents of these districts. In the past, this has reduced the importance of the general election, giving primary victors an unfair advantage in their gerrymandered districts. I am also concerned that once these maps are drawn, there will be only one scheduled hearing, for us to comment on their fairness. This deprives the right of the public to provide input. My earnest hope is that these district maps will be fairly drawn and not gerrymandered to the advantage of one party and disadvantage of the other party.

I have volunteered at a Title I elementary school in the Charlotte-Mecklenburg school districts, helping first grade students do their best in the three Rs. I'm concerned that, when these youngsters reach voting age, which would be at the end of this redistricting cycle, they will not have an opportunity to cast their vote fairly, and they will be discouraged enough to opt out of this most valuable right. One of the drivers of the work of the League of Women Voters is to promote informed and active participation in government. The most down-to-earth way to participate in government is to vote. But if voters realize that their votes do not count because of unfair districts, they will be turned away from participating in our democracy.

The principles of the Carolina Jews for Justice are guided by the need for human relationships to be just and to give opportunities for the powerful and those lacking in power. I am asking you to keep these guidelines in mind in your important redistricting work, so that the maps you draw will be fair and equitable, giving equal opportunities for all North Carolinians to participate in government and have their voices heard. Thank you for your attention. I look forward to your drawing of fair district maps.

Paul Newton ([00:27:24](#)):

Thank you, Ms. Levy. Armando.

Armando Cruz-Martinez ([00:27:26](#)):

Good afternoon, committee members. My name is Armando Cruz-Martinez. I am the Mid-Atlantic Civic Engagement Program Manager for NALEO Educational Fund, based here in North Carolina. NALEO Educational Fund is a national, non-profit, nonpartisan organization, that facilitates full Latino participation in the American political process, from citizenship to public service. Over the last two years, we worked tirelessly with partners across the state, to ensure a fair and accurate Census count. We are now advocating across the nation for redistricting processes that produce maps to provide Latinos and other underrepresented groups with a fair opportunity to elect leaders who are responsive and accountable to their communities.

To achieve this important goal, we first urge the legislature to conduct an accessible, inclusive, and transparent redistricting process. Now that the Census redistricting data have been released, we respectfully request the legislature continue hosting regional hearings and to discuss redistricting plans in public. Specifically, the process would benefit from the addition of hearings after draft maps are released and the opportunity to provide testimony virtually. Our communities deserve a meaningful opportunity to provide feedback and engage with the redistricting process.

In addition, it is critical that the maps that result from the process comply with the requirements of the US Constitution and the Voting Rights Act. To meet these requirements, we urge the legislature to take into account the growth of the Latino community over the last decade. According to Census 2020 data, Latinos now comprise 10.7% of North Carolina's population, up from 8.4% in 2010. In addition, Latino population growth outpaced overall increase in North Carolina's population, between 2010 and 2020. It is crucial that the maps reduced by the legislature reflect the growth of the Latino community and the need to ensure that Latinos achieve fair representation through new district lines. Thank you for your time and for allowing me to testify today.

Paul Newton ([00:29:28](#)):

Thank you. Thanks for being here. Bill Fountain and Barbara Prophet. Bill Fountain? Barbara Prophet? Welcome. Thank you for being here.

Bill Fountain ([00:29:48](#)):

Hi, I'm Bill Fountain from Cornelius. Thank you for visiting us and hearing the concerns of the voters and taxpayers of our representative government. I wish the same could be said about the nanny state tyranny of our County Commissioners and School Board that deny parent-

PART 1 OF 4 ENDS [00:30:04]

Mr. Fall ([00:30:00](#)):

In the state tyranny of our county commissioners and school board that denied parent, students, teachers, their freedom as it concerns mass vaccinations. And of course the latest social fact of CRT.

It's unfortunate that the demands of non-citizens in the tally delayed the 2020 census, especially since our task, your task is to draw voting district lines based on population ID voters.

I find you're redistributing criteria, refreshing and fair abiding with our forefathers declaration that God created all men equal. For example, you rightly do not consider racial data in their redistrict. I particularly appreciate your consideration of the community connections. I live in Cornelius, where we share Lake Norman with Davidson and Morrisville. With that in mind, I suggest you consider these three contiguous Lake Norman communities as a voting district in one or more of your congressional house and Senate plans. I realized that Morrisville is in Iredell County, but since they are not tethered to the Iredell County school system, that should allow the community connection criteria more weight. I also hear that they have a thriving school district that could be a model for our Charlotte Mecklenburg County. Thank you.

Speaker 1 ([00:31:34](#)):

Thank you, Mr. Fall. All right. And Barbara [Profit 00:31:39]

Speaker 2 ([00:31:40](#)):

Good afternoon, ladies and gentlemen. My name is Barbara [Profit 00:31:44]. I'm a longtime chair of Matthews precinct 218 in Mecklenburg County. I have two requests. First, I ask that you keep all of Matthews in a single congressional district. Many of us workshop and play together in this area. We have similar interest and we don't want our votes diluted as they are now. Matthew's precincts two 17 and two 18 are currently split and contorted between congressional districts nine and 12. In addition, three precincts are in congressional district nine. And another precinct is in congressional district 12. Not only do the splits, dilute our votes, but it also makes our grassroots engagement within Matthews more complicated, more than it should be or needs to be. We should be able to advocate together to one representative. I've included a map of the six precincts that constitute Matthews, and you will see how it's divided between the two congressional districts.

Second, I plead with you to draw North Carolina districts that make sense to the people who live in them. Draw the districts competitive enough so that every citizen has an incentive to vote. It's an insult to our democracy to have districts where citizens know their vote is wasted. Such an un-gerrymandered North Carolina map has been drawn by Nathaniel Fisher, a UNC graduate and North Carolina resident. So, we know it can be done. He estimates that his map would likely favor Democrats in five districts and Republicans in seven with two true swing districts. His map did win a national prize, and I've also included a copy of his map to go with my statement. It's neither gerrymandered nor contorted, and it will serve the voters, not politicians. Note that all the counties are kept intact. Thank you for the opportunity.



Speaker 1 ([00:33:51](#)):

Thank you, miss [Profit 00:33:51], thank you for being here. Patricia Dumser and Jennifer Martin, Patricia Dumser and Jennifer Martin. Welcome, thank you for being here today.

Patricia Dumser ([00:34:09](#)):

I'm alone?

Speaker 1 ([00:34:10](#)):

No, no, you got help.

Patricia Dumser ([00:34:11](#)):

Okay.

Speaker 1 ([00:34:12](#)):

Reinforcement is on the way.

Patricia Dumser ([00:34:14](#)):

Good afternoon, ladies and gentlemen. Thank you for having us. My name is Patricia Dumser. I'm a voter and a citizen from Davidson and Cornelius for the last 23 years. I'm a retired history teacher who believes sincerely that citizen input is necessary for fair redistricting free from gerrymandering. I ask for process changes to avoid the mistakes of the redistricting of 2012. That cost us not only national prestige, but a tremendous amount of wasted tax dollars for court cases. One, I believe that more meetings are necessary not only in number, but especially being held after the draft document are ready for review. Also, why are there only one third the number of meetings as we're held for the last redistricting? When we are in a period of growth and involved with an additional congressional seat. Mecklenburg County has a population of one million 115 plus thousand equivalent to the 16th most populous city in the entire nation.

And yet, we have only one meeting scheduled and that at a very inconvenient time for most voters. Secondly, why in this age of COVID and electronic ability are these meetings not streamed online for those unable to attend? Third, I have some transparency concerns. Why is there not more publicity in very accessible media? Generally, legislative websites and sources like that are not used by the average citizen. Lastly, but most importantly, we have no idea right now of proposals or mappable possibilities. More meetings to explain that are surely necessary after the draft maps are drawn. One meeting in Raleigh for citizens across New York, North Carolina is not acceptable. Thank you.

Speaker 1 ([00:36:26](#)):

You. Thank you, Ms. Dumser. Jennifer Martin. It's all yours.

Jennifer Martin ([00:36:31](#)):

Hi, my name is Jennifer. I've lived in North Carolina for 15 years and I'm not with any organization. I'm a citizen here and I'm really nervous. First, I want to thank you all for being public servants, and I appreciate that. Second, I just want to say I love this great state. I think we can do better. I just think that core principle of our democracy is that citizens select their representatives, and I think it's backwards when representatives are drawing the districts and selecting their voters. So I would



encourage nonpartisan map drawing. I just think it's a really simple concept that we all get. We know that's the right thing to do. And let's be honest, this goes both ways. We know that there have been abuse powers by everyone who has held these powers, so this isn't one party or the other it's really the right thing to do.

So I hope you will, and plead with you to do the right thing and take that at power out of the hands of the elected representatives and put it in nonpartisan hands so that we can move forward in this great state with integrity and a democracy that is strong and based on people's votes and people's ability to convey their will through their votes. I appreciate your time.

Speaker 1 ([00:37:58](#)):

Thank you for being here today, thank you for those comments. Elise McDowell and Sam Smith Jr. Elise McDowell, are you here? Sam Smith Jr. Seeing non Susan Harden and Bill Georgio. Susan Harden, Bill Georgio. Is Bill here. All right, second Margie Storch. Yes, Margie is here. So Susan Harden, the floor is yours.

Susan Harden ([00:38:32](#)):

Good afternoon, good afternoon. My name is Susan Harden, and I am secretary of the Mecklenburg County League of Women Voters. I am also a former elected official and I am a professor who teaches civic engagement at the college level. So I want you to know that all my students want to be you. And I know that each of you cares deeply about the civic life of our community and that our young people, our college students continue to be engaged in the civic life of our community. So I'm here asking you today, please know more gerrymandering. It's such an issue, especially I hear from my students all, all the time, how they feel like it's, it goes against everything we believe in. That elections are fair and democratic. They want, I want nonpartisan map drawing. So please, do a nonpartisan process and please consider leaving communities of interest intact like universities. And please offer more than one meeting so that after the maps are drawn, so that I can bring my students and they can engage in this important action of our civic life. So thank you for your service and all you do.

Speaker 1 ([00:39:58](#)):

Thank you for those comments. Ms. Storch.

Margie Storch ([00:40:02](#)):

Thank you. I live in precinct 85 in the stone Haven neighborhood in Southeast Charlotte. First of all, new districts should not be designed by politicians who have a compelling interest in protecting their reelection and their party's political power. This process should be assigned to an independent nonpartisan commission, following fair criteria, free of partisan motivations. Voters want multiple opportunities for public feedback along this process. Voters want compact districts that do not split precincts communities, cities, and counties were possible with shared interests. For example, in a populous county like Mecklenburg, why split off the Southeast section of Charlotte into a separate congressional district from the rest of the city? Wouldn't it make sense to keep the city of Charlotte intact and split off the smaller towns in Mecklenburg into other congressional districts. When choosing precincts along district boundaries, consider which precincts feed into the same schools and consider grouping those precincts together. As those residents share and edgy educational community. Voters want an initial plan publicly shared online and additional hearings held across the state after the first draft is created. And before it is finalized. To solicit additional citizen input.

And in the end, the proportion of districts leaning democratic or Republican or competitive, should fairly reflect the proportion of voters, registration statewide. Democratic, Republican, unaffiliated, et cetera. Polls show over 65% of north Carolinians feel gerrymandering in North Carolina is an important voting issue, including 59% of Republicans. Thank you.

Speaker 1 ([00:42:00](#)):

Thank you, thank you both for being here. Terry Nichols and Eileen Paroff. Terry Nichols, is Terry Nichols here? Eileen Paroff. Yeah, Eileen is here. How about William Pruett? Pruett, Pruitt? William? No William. Angela Lunking. Angela. Is there an Angela? There's an Angela. All right. So Eileen, you have the floor whenever already.

Eileen Paroff ([00:42:33](#)):

All right. Thank you. I made the mistake of using technology rather than pen and paper.

Speaker 1 ([00:42:38](#)):

That's all right. You take your time. Sorry.

Eileen Paroff ([00:42:41](#)):

So if I stop speaking, it means that my phone ran out of juice. Anyway, my name is Eileen Paroff and I'm the first vice chair of the democratic women of Mecklenburg County and a precinct chair, formerly of precinct 69 here in Mecklenburg until March of this year, when I sold my home and moved to precinct 74. So I will speak from my greatest experience, which was in precinct 69. When I became chair of precinct 69, we had a precinct split between house districts 104 and 105. This was an artificial grouping, detrimental to getting out the vote. Then new maps gave us one representative for the entire precinct. Now, we can anticipate another change in boundaries. I'd like you to see this from the grassroots and as we, the voters and their reactions to the boundaries changing. Educating voters, having an informed electorate is difficult at best, but when boundaries are frequently redrawn, the typical voter is confused and become cynical of the voting process.

In addition, voters should get to know their political representatives in all their districts to create the confidence that those we elect have a genuine understanding of a district's needs. When the electorate sees a constant changing of boundaries for port partisan gains, it loses confidence in our two party system. When gerrymandering a word indicating partisan and cynically redrawn maps, is a term of art for drawing district maps. Our democratic Republic is at stake. I urge you to consider all voters and the erosion of confidence in our system when you draw North Carolina's maps. Please make them fair and transparent. Thank you.

Speaker 1 ([00:44:33](#)):

Thank you, Ms. Paroff. Angela.

Angela Lunking ([00:44:39](#)):

Can you hear me?

Speaker 1 ([00:44:40](#)):

We can.

Angela Lunking ([00:44:41](#)):

Good afternoon. I'm Angela Lunking, Senate district 37, house district 104 congressional district number nine. I live in Charlotte Mecklenburg County. I've lived here for over a decade. I own my own business, and like many, I had to reschedule clients in a hurry to be able to attend today's meeting. Nonetheless, thank you for today's hearings. However, this is not enough. If you just hold this one round of minimal public hearings, it smacks of perfunctory political optics. Thank you for holding these hearings, but what I really hope you do next is that you go and draw wonderful maps, maps to the best of your ability with all this great input provided by citizens. And then you post them on that great website of yours, ncleg.gov/redistricting, and not only that, but you make those maps available and easily portable to apps like Dave is, davesredistricting.org and others so that all of us can easily see what you have proposed.

Once we see them, we can understand how they affect us, we can understand the parameters you've used and we make, can make our suggestions at the second round hearings. Let there be no mistake. There must be second hearings. Give us a second round of hearings, give us a second round of maps takes the people's feedback into consideration. Let's produce the best maps we can, representing all of the people of North Carolina for the next 10 years. I understand that time is tight, and you're very concerned about getting the job done, but incumbency should be the last consideration.

There is going to be disruption, no doubt with North Carolina's phenomenal growth. There's going to be a 14th congressional district, and we have to re juggle. We're working in several million more people while still providing representation for all. But then, delay the primaries to May, give everyone a chance to adjust to the new lines, figure out who their new constituents are, and put together their campaigns. Please do not underestimate the importance of the process without the trust of the people restored and how you legislate more folks will feel the misguided need to take matters into their own hands, as some Americans did on January 6th. North Carolina legislature, let's do this, right. Thank you.

Speaker 1 ([00:46:47](#)):

Thank you, Ms. Lunking, and thank you for your sacrifice to be here. Ulysses McDowell, Ulysses McDowell and Nancy Wiggins. Is there a Ulysses McDowell in the building? No Ulysses? How about a Nancy Wiggins? No Nancy Wiggins. All right, Douglas Saul. Is there Douglas Saul in the building? Mark Taylor? No Douglas.

Speaker 3 ([00:47:17](#)):

No.

Speaker 1 ([00:47:17](#)):

Is he coming? Is that Douglas?

Mark Taylor ([00:47:17](#)):

Taylor.

Speaker 1 ([00:47:20](#)):

Taylor. Mr. Taylor, welcome. And Mark Wilson, is there a Mark Wilson here? Believe that's a yes, welcome gentlemen.

Mark Taylor ([00:47:29](#)):

Yeah. My name is Mark Taylor. I raised a family in the same home in Charlotte for 27 years and I'm here like everybody else for gerrymandering purposes. My specific and suggestions-my congressional district is NC nine, that goes from where I live in Carolina's most populous city down to Carolina border east through the farmlands of Marshville, further east through Rockingham, further east through Lumberton, north to the outskirts of Fayetteville and Fort Bragg. My first suggestion, don't do that. The concerns of my city, slash suburban family, are very different from the farm communities around Marshville or the native Americans around Lumberton or the military families around Fort Bragg. My city, slash suburban community, identifies with Charlotte. Our economy, our jobs, our culture events, our educational resources, et cetera, center around Charlotte. Second suggestion, keep districts community centered. I'm betting the people just outside Fayetteville would love that too. Lastly, re criticize our enemies overseas for having corrupt preordained elections. Let's not do that in North Carolina. Let's not embarrass our ourselves again with another 10 years in court for gross partisan gerrymandering. Thank you.

Speaker 1 ([00:49:15](#)):

Thank you, Mr. Taylor. Mr. Wilson, you're out.

Mark Wilson ([00:49:23](#)):

Good afternoon, thanks for the opportunity to speak. My name's Mark Wilson, I live in Charlotte in state house district 102, Senate district 38. I'm speaking on behalf of myself. As a teacher of history at UNC Charlotte, I know that gerrymandering by both parties is a long tradition in North Carolina. Our politicians have been choosing their voters rather than the other way around. Our young people, such as the college students, I have the privilege of teaching, know that's not right. The current system undermines their belief in the very legitimacy of politics and government. That's the reality of our past and present, but it doesn't need to be our future. We can do better. And the short run our legislatures can build on the work, some of them have been doing over the last couple of years to work across party lines and make the upcoming redistricting process fair and more transparent.

But this short run solution won't suffice. In the coming months, we need to work fast to create a new better system for redistricting. North Carolina needs to join a growing number of states that are giving the work of redistricting to an independent nonpartisan commission. Technically that won't be hard to do, there are plenty of good models out there which can be adapted to our needs in North Carolina. But to get there, we need our leaders in Raleigh to put aside their short run, personal and partisan interests in favor of creating a new better system, which will help restore our citizens' faith in politics and government. Thank you for listening.

Speaker 1 ([00:51:05](#)):

Thank you, Mr. Wilson. Jane Whitley, Jane Whitley and Cameria Lawrence, Jane Whitley and Camaria Lawrence. Is there a Camaria? I may be pronouncing that incorrectly. Ms. Lawrence? No? Meko McCarthy, Meko McCarthy. Yes. All right, Ms. Whitley, the floor is yours.

Jane Whitley ([00:51:31](#)):

Thank you. My name is Jane Whitley, I am serving my third term as chairwoman of the Mecklenburg County, democratic party. And I am also a longtime resident of precinct 44, Shamrock Gardens Elementary, where I vote every time, and I've lived there since 1994. I chose my neighborhood based on many factors, including the yard signs and bumper stickers that I saw of my neighbor's boarding. It's a quirky area, older homes, we have a lot of gentrification going on, and since I've been in my

neighborhood, I have been in both congressional district nine and 12, I'm sort of in the middle, so it goes around there. I've been very close to congressional district eight. I was in congressional district 12 when it was shaped like a snake going up I-85.

And until recently, I was in, after 2010, when things changed and the Republicans took over the general assembly and we had the 2010 census. I found myself from being in a state Senate district, that was a blob of east Charlotte area of this east Charlotte area, where I felt very comfortable to being into a district that was shaped like Puff, the Magic Dragon. So I have been in a district shaped like a snake and Puff, the Magic Dragon. NoDa was the ear, Steele Creek was part of the district, it was a tail. I think there were arms around South Boulevard, and I was in the fire breathing snout of the dragon.

This is not what democracy looks like. We need to, we choose our neighbors we choose our elected representatives. We need districts that look more like blobs and less like cartoon animals. So I would hope that we all can agree that we can keep these communities of common interest together and make our maps look normal with blobs, and not cartoon animals. Thank you very much.

Speaker 1 ([00:53:36](#)):

Thank you, Ms. Whitley. Meko, Meko, do I pronounce that correctly?

Meko McCarthy ([00:53:37](#)):

It's Meko McCarthy,

Speaker 1 ([00:53:39](#)):

Meko, welcome.

Meko McCarthy ([00:53:41](#)):

I'm a stakeholder on the west side of town and I've seen too much gentrification, so I hope we aren't really do this mapping, y'all really be, really considerate, because I've seen too much change in my community and a lot of us have gotten underserved on a lot of levels. So I want y'all to be mindful. I like the representatives that I do have, although we have some hiccups with some district reps, that's a different story, but I like the relationship that I do have with the ones that are representing various communities. There's a lot of good input that's in here. I hope y'all really considerate and take people's input that they're putting out here and really take it to heart. That's all I got to say. Thank you.

Speaker 1 ([00:54:16](#)):

Thank you, Miko. Thank you for being here today. I think it's, I think it's Quinn Nasbeth. Paul Clark. Sarah Quyn, Q-U-Y-E-N. Nasbeth, not here. How about Paul Clark, is Paul Clark here? No Paul Clark. How about Kurt Nickels, Kurt and Mark Allen. Kurt Nickels. Is it, are you Mark or Kurt?

Mark Allen ([00:54:16](#)):

Mark.

Speaker 1 ([00:54:46](#)):

Mark. Welcome. No Kurt. So let me move on to Janice Robinson. Is there a Janice Robinson? Hello, Janice. Welcome. Mark, you are up.

Mark Allen ([00:54:58](#)):

Honorable committee members, my name is Mark Allen. I'm from Charlotte. The courts have made it clear that gerrymandering is unconstitutional in North Carolina and the public overwhelmingly wants nonpartisan redistricting to avoid illegal map rigging. The redistricting process in 2021 must be nonpartisan with full transparency and robust public input and be completely free from gerrymandering. Let's think about congressional maps. The work has been done by Nathaniel Fisher, a 24 year old UNC C graduate from Boone. He's self-described as a redistricting nerd. His proposed map for North Carolina's new congressional district is the overall winner for The Great American Map-Off, a national contest, excuse me, a national contest sponsored by Princeton University in the effort to promote fair redistricting. The challenge like yours, was to draw 14 district North Carolina, congressional maps, that best preserve communities of interest, groups of people in the area who have common political social or economic interests.

The result was a map of neatly formed districts without tortured extensions, and convolutions that characterized gerrymandered districts. People who live in these districts can look at those and say, that makes sense. We talk about stuffing ballot boxes or fraudulent vote voting or voter suppression, but no one accounts for impacts you see just by who draws the maps. That's the will of the people being drowned out by the will of the people drawing the maps. The more gerrymandering political maps are, the less they reflect the will of the voters. It's time to establish fair redistricting that puts people above politics and create a system that best serves North Carolina. My ask, use the winning map created by Mr. Fisher as a basis for North Carolina 14 district congressional maps. Thank you.

Speaker 1 ([00:57:06](#)):

Thank you. Thanks for those comments. Ms. Robinson.

Janice Robinson ([00:57:10](#)):

Thank you for the opportunity. My name is Janice Robinson and I'm secretary of the Mecklenburg County democratic party and chair of precinct 148 in Valentine for almost the last five years. I've had lived in Valentine area for almost 12 years. Valentine is in South Charlotte off I-85, I-485, and sits between Pineville and Matthews. Valentine has grown tremendously since I first moved here. We have become a diverse community of residents that make up almost every race and ethnicity, age, sexual orientation, religious beliefs, and those working to increase their economic status. Lots of young families now live in our community, and with that, our schools are feeling the brunt. Novant is building a satellite hospital within walking distance from my home CNPD also recently built this South Charlotte division. I will walk past on my way, walking to the new hospital. In the past, several of our precincts have been bounced back and forth between congressional districts at the whim of those drawing maps for their own personal political benefit.

Many of us who live in Valentine want to see Valentine continue this growth in diversity, and with that, ensure the opportunity for affordable housing for our teachers, MCDP officers, the hundreds of residents who make up, also make up Valentine the hundreds of residents who want to also make Valentine their home, and those who will be employed at the new Novant hospital. I will ask that keep all of this in mind, as you work on drawing fair maps for the entire Charlotte community. As a matter of fact, it makes sense to me that we should have a nonpartisan citizen committee and take gerrymandering out of the equation totally. Thank you for the opportunity.

Speaker 1 ([00:59:04](#)):

Thank you for those comments. Greg Finnegan. Greg Finnegan and Lisa Walker. Mr. Finnegan, welcome. Is there Lisa? Yes. Hi Lisa. All right.

Greg Finnegan ([00:59:16](#)):

Greg Finnegan from Charlotte. I'd just like to make a few observations. Having been involved with politics almost 50 years ago, up in New York state, it's just my observation that gerrymandering has never been a hot button issue with the average voter. Can't imagine someone voting against somebody because they were for a nonpartisan committee. So that would, I think it should be an easy decision. It's the right thing to do. That's all I have to say.

Speaker 1 ([00:59:48](#)):

Thank you. Thank you for that comment. Ms. Walker,

Mark Allen ([00:59:52](#)):

My name is Lisa Walker, I'm a resident of the Union County and the chair of the Union County democratic party and I work in the city of Monroe. And for my comments today, I just want to say what they said, cause

PART 2 OF 4 ENDS [01:00:04]

Ms. Walker ([01:00:00](#)):

For my comments today, I just want to say what they said, but I have a little bit more to say. I wanted to specifically talk to you about the city of Monroe. The math that's being used today for the house districts, has a pocket that dips down into Monroe and comes back up. Effectively splitting Monroe into two house districts. House district 55 and house district 69. This is confusing to residents and to voters. The city of Monroe is a strong community of interest. We go to the farmer's market on Saturday morning, we eat at the same restaurants, we go concerts at Belk Tonawanda Park. It's a strong community. Our students attend the same high school, Monroe High School, and like many high schools in the community, our community centers around our high school. Our high school, Monroe High School is also used as the location for early voting. I've spent a lot of time volunteering during early voting and see the confusion that people have when they don't know who's on their ballot because we have different districts. My specific request is that you keep the city of Monroe in one contiguous house district, specifically precincts one, two, three, four, 10, and 43, which make up the core of downtown Monroe. It's just common sense to keep this community together. Like everybody else, the comments that were stated today, I urge you to create nonpartisan maps that keep communities of interest together and provide time for people, the public, to give real feedback on the impact of those maps. I thank you for all you do.

Speaker 4 ([01:01:43](#)):

Thank you. Thank you for those comments, Ms. Walker. [inaudible 01:01:46]. Okay.

Speaker 5 ([01:01:48](#)):

Lawrence Tolliver and James Lee. Lawrence Tolliver and James Lee. Are you James or Lawrence?

Lawrence Tolliver ([01:01:48](#)):



Lawrence.

Speaker 5 ([01:01:59](#)):

Lawrence. Welcome, Lawrence. Is James Lee here? Seeing none. Lance Munger? Is Lance Munger ... Excellent. You will be in the batter's box. Mr. Tolliver, floor is yours.

Lawrence Tolliver ([01:02:13](#)):

I am Lawrence Tolliver, just representing my opinions, which I think highly of. I want you to ensure the integrity of town and city voting districts. I want you to make districts like my own more competitive. Increasing numbers of black and brown people will never undermine democracy. What you do to redraw voting districts will either demonstrate that you value democracy in America or demonstrate that you do not have the moral upbringing to be guardians of democracy. Stop permitting your fears to continuously weaken your confidence in healthy democratic values and principles. By courageous and faithful belief in democracy, black, brown, red, and yellow Americans have lived under Caucasian majority rule for hundreds of years. Yet, we persist in our thirst for democracy. Our faith in democracy has persisted even while your knees were on our necks. Have you really ever thought about that?

Speaker 5 ([01:03:49](#)):

Thank you, Mr. Tolliver. Mr. Munger.

Lance Munger ([01:03:58](#)):

Good afternoon. Thank you for hosting this event. It's good to see some familiar faces around here. My name is Lance Munger, I am a Huntersville town commissioner, I have lived in Huntersville since 2012. In 2011, there were 63 public hearings, but only 14 this time around. Many of them similar to this held in the middle of the week day in what appears to be an effort to limit public input. Additionally, the fact that we do not have any draft maps to review only furthers this confusion. The Northern towns of Huntersville, Cornelius and Davidson, excuse me, are interconnected in many ways. I would hate to see them divided in any of the redistricting maps either by dividing the towns or our county. In conclusion, I ask the committee to make the process more transparent, inclusive, and fair possibly by appointing a nonpartisan committee to draw maps based solely on logic and not political parties so as to not waste taxpayer dollars on any excessive litigation to come.

Speaker 5 ([01:05:08](#)):

Thank you, Mr. Munger.

Lance Munger ([01:05:09](#)):

Thank you.

Speaker 5 ([01:05:10](#)):

Lisa Ellsworth. Lisa Ellsworth and Celia Grey. Is Lisa Ellsworth here? Celia Grey? Are you-

Celia Grey ([01:05:24](#)):

Celia Grey.

Speaker 5 ([01:05:25](#)):



Celia Grey. Welcome. No Lisa Ellsworth. Okay. Nelda Leon. Nelda. All right. Celia, the floor is yours.

Celia Grey ([01:05:37](#)):

Hi, my name is Celia Grey and I'm in Senate district 41 and North Carolina House district 101. I live in precinct 150 and I was going to be the whimsical one, but Jane Whitley beat me to it. I moved to Charlotte in 2003 from Alabama and I'm right off Mount Holly-Huntersville Road, close to Gastonia, but still in the Charlotte area. When I first moved here, I went to vote at Cook's Memorial Church and, probably around 2009, they moved me so I would drive by Cook's and I have this long, snakey precinct that looks kind of like a worm with maybe a mouth at the end that crosses Brookshire Boulevard and continues on to right next to the church where we vote, which was very confusing for the people in precinct 150, having to go across there.

It seems like there could be some easier lines drawn. Like you've got the 485, now, that's cutting through, so why are we on both sides of 485? Why are we on both sides of Brookshire? If you want to look at our school district where we have the elementary school and follow those boundaries a little bit closer, that seems like it might make more sense than just split us up like that. Just wanted to share my local concerns. Thank you.

Speaker 5 ([01:07:06](#)):

Thank you, Ms. Grey. Before we go on to Nelda Leon, we have a distinguished guest here I want to recognize. Representative Kelly Alexander is here. Give everybody a wave. There. All right. Ms. Leon floor is yours.

Nelda Leon ([01:07:21](#)):

Thank you. Good afternoon. I'm Nelda Leon, and I'm a lifetime voter. I'm a person of faith. I'm an active person in my community registering voters, particularly Latino voters and I am a taxpayer. I've also lived in Charlotte and recently have moved, but I've lived in the fourth ward and precinct 11, my 27 years in Charlotte. I think I've had four different representatives, including the honorable Mr. Alexander, Ms. Logan, Becky Carney, probably half of you. We kept getting moved around and I echo what others have said about just the confusion that that causes. As a person of faith, I want to know and see a just, fair, and equitable plan without regard to partisan affiliation and that protects minority voters as well as majority voters. I think the faith community often is misrepresented and I want to be one to say that I am for voters rights and doing what is right and just.

I am a person active in community and registering voters, especially Latinos, as I mentioned, and I want to be able to look people in the eye and say, "Your vote counts. It truly counts." It's not just the representative has figured out a way to get you to be their representative, but rather that you get to select your representatives. As a taxpayer, I'm tired of paying for lawsuits over gerrymandering that we know better. I would like to echo what some have said. Just given human nature, it's hard if you have a dog in the fight to make it a fair and partisan and totally impartial kind of plan, I think we need that nonpartisan committee to do that work. Is that me? Okay. Thank you very much.

Speaker 5 ([01:09:27](#)):

Thank you, Ms. Leon. Thank you for those comments. Jonathan Miller. Jonathan Miller and Steven Justice. Jonathan, looks like you're coming up, Steven-

Johnathan Miller ([01:09:37](#)):

Yep, I'm here.

Speaker 5 ([01:09:38](#)):

... on the way. All right. Very good. Jonathan, the floor is yours.

Johnathan Miller ([01:09:41](#)):

All right. Well, thanks everybody. Good to see you today. I know this is probably my first time at one of these rodeos. I'm not a long time voter. I've probably been voting maybe 15, 20 years, something like that. I kind of stayed away from it early on. I'm here representing myself only. I know when I left the house, my wife gave me the side eye because she doesn't like the way that I dress. Anyway, I'm kind of one of those take it or leave it people. If you like me, fine, if you don't, that's okay, too. Certainly a lot of folks have said what's on my mind. That idea of a nonpartisan set up is certainly the way to go. We've heard, I think, plenty of evidence about that already. I think one thing that's not been mentioned is the whole term limit issue.

I honestly think that if races were more competitive, that term limit issue might take care of itself. I can still remember when Sue Myrick ran in '94, up one side and down the other, "Oh, I believe in term limits," but she stayed in office till what, 2013? I don't know if she was really speaking the truth there or not. Certainly if races are competitive, I think that would result in more voter interest, even. I know for me, at least, I felt like Mr. Taylor, I think, for many times I voted, I don't know that my vote mattered all that much in a race where it was really decided in the primary rather than in the general. Thanks everybody. It's good to see folks. Again, would definitely like to see that nonpartisan commission.

Speaker 4 ([01:11:20](#)):

Thanks Mr. Miller, and we all wish we were dressed like you are.

Johnathan Miller ([01:11:22](#)):

All right. Thank you.

Speaker 4 ([01:11:23](#)):

Just for the record.

Johnathan Miller ([01:11:24](#)):

I feel comfortable.

Speaker 4 ([01:11:26](#)):

Mr. Justice.

Steve Justice ([01:11:29](#)):

Good afternoon. My name's Steve Justice. I grew up in the mountains of North Carolina and I've lived in Davidson for the last 21 years. As a native North Carolinian I've been represented in the United States Senate by Sam Irvin, Terry Sanford, Jesse Helms, and John East. I know what it means to live in a tossed up state, and I'm proud I've lived in a state that is, for the most part, navigated its division civilly. An important way to navigate divisions is for bodies such as yourselves to make districting decisions that

recognize communities of people who share interests and day to day experiences. Communities can be defined by jurisdictional boundaries, such as municipalities in counties, and it's important to recognize that the three municipalities in north Mecklenburg county share boundaries in the county and they share institutions such as hospitals and schools. Perhaps more importantly, communities form naturally. After the tragedy in Charlottesville and Virginia in 2017, people from Cornelius, Huntersville and Davidson came together to reach across racial divisions and form an organization called Unity and Community, which remains active today.

It's only one of many community organizations made up of people in Cornelius, Davidson, and Huntersville working together in common purpose. This is community. Community with shared interests merit shared representation. I urge the redistricting committee to keep the municipalities of Cornelius, Davidson, and Huntersville with 93,000 people in the same district. If, for reasons related to number ceilings, that people currently in this district must be moved to another district, I suggest you look at the Southern borders and unincorporated areas and leave the north Mecklenburg community of Cornelius, Huntersville, and Davidson in the same district. Thank you.

Speaker 4 ([01:13:16](#)):

Thank you, Mr. Justice. Kendrick Cunningham. Kendrick Cunningham and Rotrina Campbell. Kendrick Cunningham. Is Kendrick here? Kendrick and Rotrina? Rotrina Campbell. Is Rotrina here? Yes. Excellent.

Speaker 6 ([01:13:32](#)):

Yes.

Speaker 4 ([01:13:33](#)):

Kendrick, whenever you're ready.

Kendrick Cunningham ([01:13:34](#)):

Hey, thank you. My name is Kendrick Cunningham and I live in a gerrymandered corridor, which is what we stand in today. The historic Southwest corridor in Charlotte, North Carolina, which is enclosed by the Brookshire Freeway, I-85 highway, I-77 highway and this is the Billy Graham Parkway is all enclosed. Thanks to the work that all the line is doing with us across the state to make sure that we understand what our community of interest is. My community interest is historic Southwest corridor, which is a working family community of interest. Many of us share the same public spaces. We share the same grocery stores, which is only four. We live in food deserts. Most of our schools are also tied in one schools and we have a very hard time with getting all of our state, our corridors separated into four district districts.

A lot of people have talked about partisan gerrymandering, but I'm here to talk about how to prevent socioeconomic gerrymandering. When we don't take into the accounts of working family communities, it really creates the situation that we see today with an increase in violent crime, increase in displacement, increase in homelessness. That's just not how we create sustainable communities for our city, our state, or our country. My ask for you today is to one, make sure that in redistricting, that you are taking into account the characteristics of communities and that we keep those communities whole, and that we don't separate communities based off of income and dilute those interests of working family communities. Thank you.

Speaker 4 ([01:15:10](#)):

Thank you, Mr. Cunningham. Ms. Campbell.

Rotrina Campbell ([01:15:13](#)):

Yes. Hello, thank you for having me today. My name is Rotrina Campbell. I am a redistricting organizer for common cause and see, but I'm also a resident of Charlotte. I've been in Charlotte for 19 years since attending that great university of John C. Smith University in 2002. I'm asking the committee to keep communities of interest together when drawing the maps. I'm asking for transparency in the map drawing process in terms of live streaming the map drawing process and having additional public hearings throughout the state after the maps are drawn. In the past, there have been maps created that split neighborhoods in the city of Charlotte, literally dividing neighbors. Representation such as in the community of Catawba Cove, which was affected by partisan gerrymandering. This divide has caused confusion and misrepresentation when citizens are working to resolve issues within their community and splitting the power to vote for representation who will fight for their issues.

This has not only happened in Charlotte, but it's also happening in cities and towns throughout the state. There should be more public hearings throughout the state. This public hearing schedule left out two of the largest counties, Wake and Guilford. I'm from Guilford. That's where I was born, in Guilford county. These public hearings are also not live streamed or give the opportunities for citizens to attend virtually, which I believe is needed in this current state of COVID. I urge you to change this and have more public hearings throughout the state once the maps are drawn, that allow citizens of North Carolina to attend and view virtually. It is imperative that you hear and consider the voices of the citizens of North Carolina during this map drawing process. Thank you.

Speaker 4 ([01:16:51](#)):

Thank you, Ms. Campbell. Betty Gunns. Betty Gunns and Beth Wells. Betty Gunns. You're Betty? Is Beth Wells here tonight? Ah, welcome Ms. Wells. Ms. Gunns, whenever you're ready.

Betty Gunns ([01:17:12](#)):

Thank you for this opportunity to speak. My name is Betty Gunns. I'm a retired psychotherapist and a full-time grandmother now. I live in Charlotte near Freedom Park. I came to Charlotte a few years ago because my grandchildren are here and it's for their future that I come to speak today because the way you draw redistricting maps will affect their lives. I'm not bringing specifics about what to do. Lord knows you have heard some great information from other speakers about what to do. My request is that you apply democratic principles and fairness. That means, don't draw maps to get yourself elected or your friends or someone in your own party. Use the guidance that the experts give you. Maybe even get somebody else to do it who's an expert and keep us informed. Keep us in the loop. Fairness and transparency. For our democracy, for my grandchildren, and for yours.

Speaker 4 ([01:18:36](#)):

Thank you, Ms. Gunns. Ms. Wells.

Beth Wells ([01:18:43](#)):

Good afternoon. My name is Beth Wells and I have lived in Charlotte for almost 75 years. I am an unaffiliated voter who always votes and encourages others to vote as well. For me, the redistricting process is a key component of our democratic system because when done in a fair, inclusive, timely, and transparent manner, it results in each of our votes having equal weight, each of our voices having equal

value, and each of our communities having equal resources. Because of the vital importance of redistricting I am very disappointed by out the lack of transparency in your committee's procedures and the very restrictive opportunities for you to hear from the public. In my opinion, these hearings have been poorly publicized with insufficient details as to exact place. In some instances, many of the larger counties have been overlooked and accessibility to the hearings as time, language, safety, and physical challenges have not been considered.

We can do better. The redistricting criteria also presents a problem because of the lack of prior public notice and therefore little public input. Communities of interest that are unique and have common policy concerns should be considered. Your committee should avoid cracking or packing districts to diminish the influence of certain groups of voters. The North Carolina Constitution commands the state legislature to draw districts for the good of the whole. We can do better. I am looking forward to the time when elected officials see themselves as true public servants and, as such, focus on improving life for all North Carolinians and not just those at the top who are already doing well. Thank you.

Speaker 4 ([01:21:00](#)):

Thank you, Ms. Wells. Lee Colter. Lee Colter and Sergio Fernandes. Is Lee Colter here? Yes. Lee and Sergio. Sergio Fernandez.

Tanya Mosier ([01:21:13](#)):

I'm not Sergio, but-

Speaker 4 ([01:21:15](#)):

You're for Sergio. I got you. Stand in. You are welcome. All right, let's start with Ms. Colter.

Lee Colter ([01:21:23](#)):

Good afternoon, chair and members of the committee. My name is Lee Colter and I'm a resident of Stallings in Union County. Currently I volunteer as a precinct vice chair, and for a number of years I volunteered and worked with cooperative extension and the countywide farmers' markets in Caberis County. Stallings is a tiny town of about 17,000 that lies along the Mecklenburg County line and adjoins Caberis County. We are exurbanites as our subdivisions have been constructed over time, just beyond the suburbs of Charlotte. My comments today address the redistricting criteria of communities of interest. Over the past few years, through my volunteer work, I became aware that my precinct and several other small voting districts adjacent to me have been, for some time, scooped into the Caberis County Senate district 36. I find this quite odd because my Caberis neighbors and I have very little in common.

In Stallings, our concerns are rapid overdevelopment, overcrowded schools, crumbling and inadequate infrastructure, and lack of community amenities, and zero walkability. My friends in Caberis County, all of whom are farmers, are mostly concerned about supply chain issues, commodity prices, production issues, equipment maintenance, and insurance cost, and how in the world their kids will be able to stay on the land and make a living. These are entirely different sets of concerns and could need redressed by state legislators. Therefore, I would like to ask the redistricting committee to draw the district boundary along the county line, defining these two disparate communities of interest. Thank you very much for the opportunity to speak today.

Speaker 4 ([01:23:23](#)):

Thank you for those comments. If you will share your name, so whoever you're affiliated with, thank you.

Tanya Mosier ([01:23:32](#)):

Yes. My name is Tanya Mosier and I'm here on behalf of Sergio Fernandez. He is the executive director of the Latino advocacy coalition of Henderson county, and he couldn't make it today. He had a family emergency.

Speaker 4 ([01:23:47](#)):

Thank you for standing in for him. You're welcome.

Betty Gunns ([01:23:49](#)):

Yes, thank you for hearing me.

Speaker 4 ([01:23:51](#)):

Mm-hmm (affirmative).

Betty Gunns ([01:23:52](#)):

Then also I wanted to say really quickly that I want to reiterate what Mr. Cunningham? Yes, and Ms. Campbell said that to take into iteration the socio economical boundaries when you're drawing them and not just the political parties and stuff like that. The Latino advocacy coalition, also called El Centro, is a nonpartisan nonprofit. We serve all of Western North Carolina. According to the most recent census, Henderson county alone, counts the Latino population at more than 11,000. We calculate it as more than 19,000 or so. There's a large Latino population. We are working with over 50 plus agencies across all of North Carolina to help educate and organize voters and registered voters, which we have over 80,000 registered voters, that are following everything that's going on closely. We are helping them to feel that their votes count, to really watch what's going on, and watch how things are being changed, how the district viewing is being done.

If it's not helping them, they need to vote and say what they need. We are making sure that they're doing that and that they are able to choose on their own. Again, we're nonpartisans, so whatever they need, but we are asking and encouraging you to keep our communities together so that the resources go to the people who specifically need them, especially minorities. We appreciate your time. Thank you for hearing me, instead of Sergio, and hope that your personal and political agendas will not interfere with your responsibility to do what is best for everyone in North Carolina. Thank you.

Speaker 4 ([01:25:59](#)):

Thank you for being here today. Carolyn Eberly and Matin Sans. This is Carolyn. Is this Matin? Is that close enough?

Speaker 7 ([01:26:17](#)):

[inaudible 01:26:17] are good, but it's fine.

Speaker 4 ([01:26:16](#)):

Welcome. Thank you for extending some grace. All right. Miss Eberly.

Carolyn Eberly ([01:26:22](#)):

Hello members of the North Carolina general assembly. Thank you for holding these public hearings. My name is Carolyn Eberly. I'm a resident of Waxhaw and Union county. I'm a precinct 20B vice chair, and also the director of the community organization, Indivisible NC district nine. I've made it a priority to be here today because the new maps drawn during this redistricting process will impact my community and all the communities within North Carolina for the next 10 years. My community, we like to call the tri-W community. Waxhaw Weddington, Wesley Chapel. We mainly work and commute to the Charlotte area. The tri-W community shares a hospital, a library, schools. We have concerns about the rapid growth in our area and significant increase in traffic and need for transportation solutions for access to the Charlotte area. Our sewer capacity has limited new housing development, and we have little to no affordable housing.

My asks are two things. One, that Waxhaw, Weddington, and Wesley Chapel community not be split in either the House, Senate, or congressional redrawn maps. Two, as a Charlotte suburb, my ask is that our tri-W community be included in a congressional district, which represents a significant portion of the Charlotte area. As a suburban community we have more issues in common with Charlotte, so we should have representation that reflects that commonality rather than inclusion in a congressional district that reaches 120 miles east of us to the borders of Robeson county. In addition, I am adamantly requesting more public hearings be held after the initial maps are drawn so that the public can specifically weigh in on their potential new maps and the effect on their communities. I'm advocating for fair maps, equal representation, and complete transparency during this public process. Thank you.

Speaker 4 ([01:28:32](#)):

Thank you. Ms. Sans, floor is yours.

Maite Sans ([01:28:38](#)):

Hi, my name is Maite Sans. I am the state liaison for indivisible North Carolina district nine. I'm a former commissioner for the North Carolina complete count commission. I am a Latina and I'm a business owner. I live in zip code 28270, congressional district nine, in the city of Charlotte in Mecklenburg county. The reason I am here is because of our congressional district. Mecklenburg county has two congressional seats, district 12 represented by Congresswoman Elma Adams and congressional seat nine by Congressman Dan Bishop. The twelfth congressional district is located in the city of Charlotte and the surrounding areas of Mecklenburg county, but the ninth congressional district, where I live, has the Southeast portion of Charlotte and also the following counties, Union, Anson, Richmond, Scotland, Robeson, and parts of Lenoir. I understand that because of population size, the city of Charlotte and even Mecklenburg county, can't be kept on its own congressional district, but the Southeast Charlotte has very different needs than its rural neighbors. Having such an expansive congressional district serves as a detriment to its constituents, not only during elections, but only with its resources. South Charlotte-

PART 3 OF 4 ENDS [01:30:04]

Speaker 8 ([01:30:00](#)):

... But only with its resources. South Charlotte lacks affordable housing and access to public transportation. My ask is that Matthews, South Charlotte, Warsaw, and Mint Hill be kept together. We would be better served as an urban district, rather than having so many rural areas interconnected with



us. Incumbents should not choose their constituents, and also please keep Latino growth in mind. Thank you for your time.

Speaker 9 ([01:30:36](#)):

Thank you. Folks that exhausts the online sign-ups. The rest of the sign-ups happened here on site, and so we're going to start on that list with Cynthia Wallace and Tanya Moser. Is Tanya here? Tanya Moser. Stephanie Stenglein, Stephanie. Welcome Stephanie. Cynthia, the floor is yours.

Cynthia Wallace ([01:31:07](#)):

Thank you so much. Good afternoon. I'm Cynthia Wallace. I live in Southeast Charlotte where I've lived for over 15 years. I'm also the executive director of the New Rural Project. We support Union, Anson, Richmond, Scotland, Robeson, Hoke, and Moore Counties. And as you can see, we haven't heard from anyone in many of those counties because they don't have a location close to them. Our goal though is to reduce the barrier to specific engagement with rural residents. I am advocating for the joint redistrict and committee to host a public hearing schedule after maps are released to the public for people in rural places, and specifically Richmond County. The closest public meeting to them during this pre-map drawing time is at least one hour East or West of them. This creates a barrier to their participation in this important effort that will define our districts for the next decade.

Richmond County doesn't have public transportation, and they have some of the highest poverty and unemployment rates of the 100 North Carolina Counties. We all want maximum engagement between our residents and elected officials, and their voices deserve to be heard. I urge you all to have a public meeting in Richmond County after the maps are drawn. This would be more accessible to people in Anson and Scotland as well. They know their communities best and would be able to provide the most helpful and impactful feedback to legislators after viewing draft maps. In addition to a public meeting occurring in Richmond after the maps are drawn, I urge you to offer live streaming as well, and give people the opportunity to speak both online and over the phone as we know there are broadband issues. Our democracy only works when public speaking opportunities are accessible for all, and a full cross section of voices are heard. Thank you.

Speaker 9 ([01:33:06](#)):

Thank you, Ms. Wallace. Stephanie.

Stephanie Stenglein ([01:33:10](#)):

Hi, good afternoon. I'm Stephanie Stenglein, and I am president of the Historic Camp Greene Neighborhood Association right down the street off Wilkinson, and I want to echo everybody's comments on gerrymandering. They've said everything that I agree with, and I want to echo those and just highlight a few things. I want to highlight districts should be compact. We are a neighborhood, we want to stay together. Communities should be kept together and not divided. Do not split precincts, we feel strongly about that. And I hope this one meeting is truly informative and not just performative. Thank you.

Speaker 9 ([01:33:45](#)):

Thank you. [Eileen Perloff 01:33:48] and Aimy Steele, Eileen Perloff.

Eileen Perloff ([01:33:52](#)):



[inaudible 01:33:52].

Speaker 9 ([01:33:51](#)):

Aimy Steele. What's that?

Eileen Perloff ([01:33:56](#)):

I already spoke.

Speaker 9 ([01:33:56](#)):

You already spoke, and you are?

Eileen Perloff ([01:33:58](#)):

Eileen Perloff.

Speaker 9 ([01:33:59](#)):

Eileen, thank you. Aimy Steele is here. Catherine Whitmire. Is Catherine Whitmire here? Yes, welcome. Aimy, the floor is floors.

Aimy Steele ([01:34:11](#)):

Thank you. I'm Aimy Steele, former candidate for the North Carolina House District 82 in Cabarrus County in 2018 and 2020, and the new executive director of the New North Carolina Project. As a former North Carolina school principal, I'm no stranger to redistricting as we did this in public schools often. It's simple, draw the lines within natural boundaries that don't divide communities, or neighborhood streets, and that are not in the best interest of the person running for office, but rather the best interest for all people, all neighbors, and all constituents.

Election day, 2020, phone call number one, Aimy, I don't see you on my ballot this year, but you were on my ballot in 2018, what happened from '18 to '20? Phone call number two, Aimy, my neighbor has you on her ballot but I don't, why? Phone call number three, Aimy, my polling location leader said, although I voted here in 2018, I have to go somewhere else to vote in 2020. North Carolina General Assembly please don't continue confusing the public, draw fair lines. Diluting our voting power and making it difficult for communities, particularly communities of color to advocate for our needs is simply inhumane. We need to be kept whole inside of any legislative and congressional districts. Do the right thing, and make right choices that do not require surgical precision. Thank you.

Speaker 9 ([01:35:51](#)):

Thank you, Ms. Steele. Ms. Whitmire.

Catherine Whitmire ([01:35:57](#)):

My name is Catherine Whitmire. I live in the South Park area of Charlotte, in the Foxcroft East neighborhood. I am represented by Dan Bishop in the ninth Congressional District. The ninth Congressional District as currently drawn does not reflect my community. My church, my volunteer work, my children's schools, our hospitals and recreation activities largely all take place in another district. As currently drawn, the ninth district extends all the way through Rockingham to Fayetteville,

both nice towns with lovely people, but not the Central Charlotte community in which I and Dan Bishop live.

How can he or any congressperson representing the ninth know the concerns of the people out in Rockingham the way someone in Charlotte would? I do not get to vote in a primary for the candidate that is realistically representing me, ever. My vote does not count. My teenage children aged 17 and 19 are both disillusioned by the sad fact of our system. My elderly parents have said for years that they often don't vote because "It doesn't count." Please change the congressional district maps in a thoughtful way. Please try to map in a way that supports the needs of the people connected by the community. It is here that we live our lives together every day regardless of our political party. Thanks.

Speaker 9 ([01:37:16](#)):

Thank you. Meredith Ritchie and Michael Evola. Welcome both of you. Miss Richie, whenever you're ready.

Meredith Ritchie ([01:37:31](#)):

My name is Meredith Ritchie, and I was born in Charlotte, and I love this city, and I live close to the center of it. But my affiliation today is none of those. It is a friend of Catherine Whitmire, who you just heard speak. She and I can walk to each other's homes. Our children went to the same elementary schools and middle schools. Our kids were on the same cross country team, and yet someone took a crayon and drew a line between our homes and made the craziest shapes I've ever seen, so I would like for that to stop, and she's part of my community. I would like to keep Charlotte a community, and not a big pie that all these politicians get to divide and get a piece of. Thank you.

Speaker 9 ([01:38:24](#)):

Thank you, Michael.

Michael Evola ([01:38:28](#)):

Good afternoon. My name is Michael Evola I'm a resident of the town of Waxhaw in Union County, and I'm chair of the Disability Issues Caucus. I agree with many of the sentiments of the previous speakers, especially those of Miss Eberly. As a young person I often believe I'm part of an underrepresented demographic, and as someone with a disability I know the issues of the disabled community often overlooked. I believe in a North Carolina with proper representation, and truly represents the people of which the districts will be drawn. In my opinion, gerrymandering of any kind inhibits accurate representation. North Carolina must draw maps that accurately represent the people in which these districts will be drawn. I believe an independent nonpartisan commission would accomplish this. Other states have adopted similar measures successfully. We must take divisive partisan politics out of this process for a more representative democracy. I would also ask that meetings like this provide an ASL interpreter, so people like me who are deaf or hard of hearing can participate without difficulty due to any lack of reasonable accommodations. Thank you.

Speaker 9 ([01:39:34](#)):

Thank you Michael for being here. [Eddie Aarons 01:39:40], I believe, is it correct?

Speaker 10 ([01:39:44](#)):

[inaudible 01:39:44].

Speaker 9 ([01:39:46](#)):

[Iddie Ivans 01:39:46]

Speaker 10 ([01:39:47](#)):

[inaudible 01:39:47].

Speaker 9 ([01:39:48](#)):

Welcome. Rodney Moore, Rodney Moore still here? Welcome, Iddie, you're up.

Speaker 10 ([01:40:00](#)):

Thank you for being here today, and thank you for allowing me to speak. And I want to speak to you today as an unaffiliated independent voter. I've lived in Charlotte now, my daughter is now 44, which means I've been here for 48 years, and I've watched people of both parties, people of goodwill behave in their own self-interest when it comes to drawing the lines. Consequently, my request today is to ask that we can have an independent nonpartisan commission draw the lines for our districts to vote. It is the only fair way. It's simply humanly impossible to ask of you all to ignore your own self-interest. It's not possible for human beings to do that all the time. What I would ask of you is to do the right thing, and turn this job over to an independent commission so that our voters can trust that they are being fairly represented. Thank you so much.

Speaker 9 ([01:41:06](#)):

Thank you. Mr. Moore.

Rodney Moore ([01:41:11](#)):

Good afternoon. My name is Rodney Moore. I am a former member of the North Carolina House, and today I speak to you as the political action chair for the Charlotte-Mecklenburg branch of the NAACP. And we have, I've listened through this session and you've heard a lot of different opinions and suggestions, and so I will not bore you with regurgitating those particular comments.

What I will say is that, I know this process. We know basically that unless we have an independent redistricting committee, and we've tried that legislation many times while I was in office and before and after, and so I would just ask publicly that we know this process. We want the process to be equal. We want the process to be fair, not taking in partisan consideration, but you also have to realize realistically, and just in reality, is that when you talk about partisan redistricting, you also talk about racial redistricting. Because, if you look at the numbers, most African Americans and minorities are parts of the Democratic Party, and so that's the challenge that you guys will face. Me personally, I will be keeping an eye on what you're doing, and thank you guys for coming out. God bless you.

Speaker 9 ([01:42:50](#)):

Thank you. Thanks for being here. Ro'shaun McClendon and Steve Martin. Ro'shaun McClendon is here. Steve Martin's heading up as well. Ro'shaun, whenever you are ready, it's all you.

Ro'shaun McClendon ([01:43:10](#)):

Firstly, thank you for your time. Sir, can you hear me?

Speaker 9 ([01:43:13](#)):

Yes.

Ro'shaun McClendon ([01:43:13](#)):

I rarely have to ask that question. But, I am here representing Gaston County. I am originally community organizer, one of the founding members the Gaston County Freedom Fighters, and I was just recently elected to be the first vice chair Gaston County Democratic Party, so do a lot of running around to say the least. And a lot of the things that I've wanted to touch on have been regurgitated, of course, and I want to keep this brief and not beat down the point. But one thing that really stuck out to me speaking to my community organizer was Mr. Cunningham, speaking about the underpinning factors of socioeconomic problems. And as someone who has done numerous voter registration drives, and as someone who wears my a Democratic Party hat well, canvassing recently, and one thing I have to confront with every individual voter is apathy.

Voter apathy is a very serious issue, especially in my county. And when I come to this person, I have to not only legitimize, not only the party, not only my credibility, but also the system that really we ought to participate in. And as someone who is a political nerd, I guess you could say, I really love the underpinnings and the details of something I obsess over. So going and speaking in front of all of you, I really do appreciate your time, and just consider all the outcomes and suggestions of those who have spoken before me. One solution I've recommended, of course, I think is the best is the nonpartisan drawing. I think that is something that's the most effective. And at the end of the day, I would like to think all of us are coming from a common place of wanting to see our democracy thrive, and I will continue to do my part. Thank you.

Speaker 9 ([01:44:54](#)):

Thank you. Thanks for those comments. Mr. Martin.

Steve Martin ([01:45:02](#)):

Thank you committee. I appreciate you being here. My name is Steve Martin and I'm a lifelong North Carolinian, life long resident of Mecklenburg County. My family goes back to the middle of the 1800s, at least that we know of, but we were still immigrants before there were quotas a while away. I was a registered and very dependable straight ticket Republican voter until 2016, and some things that happened that opened my eyes to what was going on, and I volunteered for the first time ever in my life to walk in District nine, where a lot of folks are here from that. And I want to, I'll first of all, support everything folks are saying here about non-partisan districting and so on, but if I can take you, this is a metaphor of what's going to happen here. It's both a metaphor of honesty, which is important to me.

My dad was an honest, therefore, poor mechanic. That's what we learned. And so a couple of things that I learned is I knocked on doors. This is what I heard. This is tough to hear mate, but it's probably not news to you. I heard that Democrats want to kill babies. I heard that LGBTQ children should commit suicide. I heard that migrant refugee families should be machine gunned at the border. And I just heard today on the radio coming over the disinformation about the vaccine and masks. So I don't know you folks from, as my dad used to say, Adam's house cat, but you've got an opportunity to not only in this redistricting here to do the right thing, and I think we've heard all that, that would be the right thing to do.

It's also a metaphor for what's going on in our democracy today. The misinformation that is being spewed today is horrendous. As I just referenced what I heard from what I call hate talk radio,

people are making tens of millions of dollars spreading disinformation in our society today. So please do the right thing, not only for this, but daily, if you would. You got to fight these lives that are coming out, please. Thank you.

Speaker 9 ([01:47:16](#)):

Thank you, Mr. Martin.

Steve Martin ([01:47:18](#)):

All right, [inaudible 01:47:18]

Speaker 9 ([01:47:21](#)):

Sangria Noble and Melissa Vandenberg. Welcome, Sangria.

Melissa Vandenberg ([01:47:31](#)):

I'm Melissa Vandenberg.

Sangria Noble ([01:47:32](#)):

I'm Sangria Noble.

Speaker 9 ([01:47:36](#)):

You're up. Thank you for being here both of you.

Sangria Noble ([01:47:44](#)):

I want to thank you for having us here, and thank you for coming here. And my name is Sangria Noble. I am the organizer, or criminal justice reform organizer and coordinator for Second Chance Alliance for Guilford County and Mecklenburg County. We have some concerns, but I will only address a couple of those today. One is, the times, dates, and postings for these hearings. As this hearing is held now I'm coming to you as an organizer, as a citizen, and as a mother. The dates and the times are at times where our children are at school. So for me, I had to scramble to get here, to get the kids out of school, because I am a single parent, and I'm very active in my children's education, and I don't really trust the bus system, so I'm here in Charlotte. I'm from Guilford County, but I'm here in Charlotte. And so those were some of our concerns, as far as these meetings are not accessible times for working people, normal working people.

Then when it comes to transportation, our black communities, our undeserved area, areas that are undeserved, we have a hard time getting here. This location here is a little far off from the bus stop, so if we want to voice our opinions we can't get here to do that. And then the other thing that we want you all to consider when making this decision for the mappings are the racial data. There's history of racial data that shows that North Carolina has a problem with gerrymandering, of course, as others have said, and we don't want our votes to be diluted. Thank you.

Speaker 9 ([01:49:34](#)):

Thank you, Melissa.

Melissa Vandenberg ([01:49:41](#)):

Hello everyone. Thanks for being here. I'm Melissa Vandenberg with NC Counts Coalition, nonpartisan. NC Counts Coalition we got out and got individuals counted for the census, worked hard to make sure that was done. I've lived in Charlotte, North Carolina for over 45 years, yes, I'm telling my age. And gentrification is running rapid through Charlotte. And that goes to the next level when you start drawing maps that's nonpartisan, and you start making choices, then you start finding people pushed out. I know as a Charlottean at first we was all in the center of Charlotte. Black people, Brown people, we were all in the center, Pamlico, Dalton Village, Roper, we was all in the center, now you're finding them pushed out to Cabarrus County, other areas where transportation is not there. We went, we counted the individuals for the census.

These individuals want to vote, and remember the voters get to make the choice who they vote for. You all don't get to vote, who's going to vote for you all? You all don't get to make that choice, but drawing these lines like this will divide the neighborhood and create pockets where North Carolina will have more gentrification and look worse to the rest of the country. So I'm asking you all to please think about everything that's been said here, and make a positive change. There's enough already going on negative.

Speaker 9 ([01:51:27](#)):

Thank you Miss Vandenberg. Collette Alston and Tabitha Warren. Collette Alston, Tabitha Warren, welcome. Thank you for being here.

Collette Alston ([01:51:44](#)):

Thank you. I'm Collette Alston. Again, my name is Collette Alston. I live in precinct 102 here in Mecklenburg County. I'm the vice chair, used to be the chair of Precinct 102, Matthews, North Carolina, but I have Charlotte City Council representation, I'll get into that in a second. I'm also the president of the African-American caucus of the Mecklenburg County Democratic Party. The main challenges that the African-American caucus experiences within the Black community of Mecklenburg County are access to healthcare, housing affordability, criminal justice reform, Charlotte Mecklenburg school system, and voter education.

Voter education ties back directly to each of these issues. Your precinct number determines which hospitals, urgent care facilities, and pharmacies are in your area. Your precinct number is indicative of if your area has affordable housing or not. Your precinct number is the tie to the number of Black bodies in the jails and prisons in your county and state. Your precinct number determines if you are in a school district with less than adequate educational enforcements and standards. For all of the representatives in the majority of the elected offices on our ballots here in Mecklenburg County and all counties throughout the United States of America, your precinct is tied to your representative.

These representatives are tied to districts. The determination of these districts is why we are here today. Districts must be drawn that are compact and do not split precincts. Districts should share similarity in area, for example, a city, town district should be similar to a county district, a state senate district, a state house district, a U.S. congressional district, a state superior court district, a district attorney district, you get the picture. Smaller cities and towns should not be divided to protect the incumbents or any particular political party. On behalf of the African-American caucus of Mecklenburg county, I thank this committee for your attention.

Speaker 9 ([01:54:06](#)):

Thank you. Ms. Warren.

Tabitha Warren ([01:54:12](#)):

Hi everyone. Thank you so much for having this hearing. I hope to see more of you. I wasn't planning on speaking, I'm dressed rather casually, but I've felt like I had to, I'm very fortunate to be able to even be here on a weekday during business hours, and I don't take that for granted. I live in Congressional District 12, NC Senate District 39, and NC House District 88. I voted in precinct 50, and I voted in every election, national, state, local, since I moved to North Carolina many years ago, I won't tell you how many. Sorry, I'm a little nervous. I only have three things to say really. Just because the Supreme Court says that partisan gerrymandering is constitutional, it doesn't make it right.

I ask you to please use the efficiency gap, which calculates, thank you, a formula to minimize each party's wasted votes when drawing your district lines. And instead of lawmakers choosing voters through gerrymandering and stoking culture wars, try winning hearts and minds instead, through thought out ideas and policy. The people behind me know where I stand on this, and when I turn around, you will too. Thank you.

Speaker 9 ([01:55:47](#)):

Thank you as well. Our last signed up speaker is Bill Georgio. Bill, is there a Bill Georgio here? Yes. Welcome. Your pit.

Bill Georgio ([01:56:15](#)):

I want to thank you guys for your public service. It's an honor to have the opportunity to speak in front of you. So my name's Bill Georgio, I live in Precinct 51. I have had the distinct honor of training and becoming a chief judge this past election. Why that was significant to me is, because I'm Greek-American. My ancestors created this idea of democracy and justice and we've all perfected it throughout the years through many different democracies. Right now the most important thing is when people consider voting in their civic duty, that they don't approach the game if you consider it, because I call it a game, because to me I'm a political activist. To me this is, it's embedded within me to participate civically. So when they approach the game and they say, hey, my map is gerrymander, or there's no reason to run because you can't win that election.

My previous, I grew up in Cabarrus County, and Aimy Steele has a great point, and the previous person had a, there was another speaker that spoke about District 36, why are these going over county lines? This doesn't make sense, and it turns voters off. And so it also adds this addition of, now after on election night we have to check the two different county stuff. And with technology it's not a big deal, this is first world problems, but why complicate things? And you want to keep things transparent. You want to provide maps, and you need to have more public hearings to get input, because that was great input. I now live in Precinct 51 in Mecklenburg County, it's great, but I grew up in Cabarrus County, and I specifically saw incumbents when year after year, when they didn't represent the true geography and demographic of the area.

And finally, so no splitting of precincts, precincts, are we serious? And then you want to, like we were saying about Senate District 36, you don't want to go across county lines, you want to simplify things. And finally, people want to approach voting and sincerely feel that they matter, not that they're participating, and maybe in a crap shoot they might win and feel like they have democracy provided for them. Thank you for your time. Please consider everyone's comments, because I feel like there's been many powerful arguments made. Have a great-

Speaker 9 ([01:58:33](#)):

Thank you Mr. Georgio. So I'm just going to ask, if there's anyone here who did not sign-up, but they have been moved to come speak because something that you wanted to say really was not said, we have one. If you'll give me your name and affiliation, you're welcome. And if there's anybody else who would like to come up, you're welcome to do that as well.

John Highfill ([01:58:57](#)):

My name is John Highfill, I'm affiliated with myself. And I just have three words in addition to, I appreciate you all service, every one of you. I'm in Precinct one for 41 years, ever since I've lived in Charlotte. My three words are, keep districts compact. Thank you.

Speaker 9 ([01:59:21](#)):

Thank you. Everybody, thank you for coming out. We so appreciate your participation, your presence. It means a great deal. Thank you. Have a great night. [crosstalk 01:59:31]. We're adjourned.

PART 4 OF 4 ENDS [01:59:37]



Joyce Krawiec ([00:02:21](#)):

... all for being here. Welcome to the Joint Redistricting Committee.

Speaker 2 ([00:02:27](#)):

[inaudible 00:02:27]

Joyce Krawiec ([00:02:30](#)):

How about this? Is that better?

Audience ([00:02:32](#)):

Yeah.

Joyce Krawiec ([00:02:32](#)):

Yay. Okay. Welcome to the Redistricting Committee of the joint House and Senate meeting. We're glad that you're all here and we are here to hear from you. First, I want to introduce our sergeant-at-arms and thank them for being here. From the Senate side, we have Rod Fuller. Thank you, sir. And the House sergeant-at-arms is Thomas Terry. He's outside. Thank you both for being here and taking care of us. We appreciate your service to the committee very much.

And I am Senator Joyce Krawiec. I represent Forsyth and Davie County just down the road. And I'm going to introduce my colleagues here with me. We have a Representative Wesley Harris from Mecklenburg, Senator Natasha Marcus from Mecklenburg.

Natasha Marcus ([00:03:24](#)):

Hi, everybody.

Joyce Krawiec ([00:03:26](#)):

Representative Jeff McNeely from Iredell.

Jeff McNeely ([00:03:28](#)):

I'm from here.

Joyce Krawiec ([00:03:32](#)):

Your hometown boy. And Senator Vickie Sawyer represents Iredell and Yadkin. And Senator Harry Warren from Rowan County.

Harry Warren ([00:03:41](#)):

I'm actually a representative.

Joyce Krawiec ([00:03:44](#)):

Did I call you senator?

Harry Warren ([00:03:46](#)):

You [inaudible 00:03:46], yes.

Joyce Krawiec ([00:03:49](#)):

He's a dear friend. He's so close. I think he is definitely a good friend. Representative Harry Warren from Rowan County. Thank you all for being here. And we are here to hear from each of you. We are anxious to hear what you have to say. And I also want to let you know that we do have a website. This is being recorded, so you can go back and take it in as you wish and not listen to the questions again when we're finished. But we're going to go through the list of those who signed up online. And then, we'll go through those who signed up here today.

So welcome to all of you. And our first speaker is John [Lingle 00:04:29]. And each speaker will have two minutes. And thank you, Mr. Lingle, for being here. Thank you.

John Lingle ([00:04:56](#)):

Good afternoon. My name is John Lingle. I've been a resident of Davidson, North Carolina for the last 21 years. I'm retired, but have spent the last four years working with various groups fighting for fairer elections. I'm here to urge the committee to make this redistricting process more transparent and inclusive.

The 2011 redistricting process had many flaws that cost North Carolina citizens national prestige and more than \$10 million in litigation, most of which the state lost. Improving the process this round will result in fair maps and better use of tax dollars. All North Carolinians need a reasonable chance to participate that requires more public hearings and virtual access for immunocompromised individuals. In 2011, there were 63 public hearings, but only 14 this round.

Only one inconveniently scheduled meeting is set for comments about draft maps. This is clearly discriminatory perhaps with surgical precision as it'll be much more difficult for frontline workers to participate at such an inconvenient hour during their work day. Allowing public comments only in the absence of draft maps clearly reflects an unfair, non-inclusive and secretive process. It may be too late to fix the confusion surrounding the 13th meetings with their late notifications, conflicting addresses on the legislative website and no virtual access.

It's not too late to schedule more meetings to allow public comments on draft maps. In conclusion, please make this process more transparent, inclusive and fair so we don't spend millions of our tax dollars on excessive litigation this round. Thank you.

Joyce Krawiec ([00:06:55](#)):

Thank you, Mr. Lingle. Thank you very much. Next we have Arthur [Sho 00:07:03]. Next we have Craig [Adurb 00:07:12]. Joe [Kloniger 00:07:20].

Joe Kloniger ([00:07:39](#)):

Committee members, thank you for the opportunity to speak to you this afternoon. And I'd like to thank those members that are wearing masks to help conquer COVID. My name is Joe Kloniger. My name is Joe Kloniger and I have lived in one of three towns, Davidson, Cornelius or Huntersville over the last 25 years. And currently, I'm an unaffiliated voter.

For over 20 years, I have worked for the Charlotte Mecklenburg schools as a teacher, assistant principal, and principal. I'm a parent of four children and a grandparent to six. In my days in education, and now as a volunteer, I have always believed in doing what is right and best for all. Meaning, children and adults. I am here today to talk to you about the redistricting process and what is right and best for all citizens, and especially for our young people.

I ask, number one, that the redistricting process be transparent, because that is what is right and best for the citizens you represent. Number two, I ask that the draft maps be available before these hearings. Number three, I asked to schedule public hearings in the evenings after work hours. Number four, I ask you to share the redistricting criteria online. Number five, I ask you to provide the opportunity for virtual viewing and public testimony during pandemics and to allow for four-minute public testimony as done in Texas.

Number six, I ask you to offer at least 50 locations for the public hearings across our great state of North Carolina. Number seven, I ask you not to gerrymander, and number eight, I ask that the entire public hearing mapping process be transparent and be right and best for all. Thank you for your service and I look forward to [inaudible 00:09:36] demonstrating to us that this hearing was informative and not performative.

Joyce Krawiec ([00:09:53](#)):

Thank you, Ms. Kloniger. Patricia [Dumser 00:09:59]. Patricia Dumser. And after Ms. Dumser will be Diane [Hamby 00:10:20] so she can be prepared. We need a new mic I do believe. Someone's coming to take care of the mic. Thank you for your patience. We could get with this one for now. (silence) Probably battery. It's working.

Patricia Dumser ([00:11:34](#)):

It should be okay. Okay. Thank you. Good afternoon. My name is Patricia Dumser and I have been a voter in Davidson and Cornelius for 23 years. And we'd like to thank you all for your service to the state and for giving us the opportunity, the citizens, to [inaudible 00:12:02]. I agree with all the people [inaudible 00:12:06] about concerns about access to transparency regarding [inaudible 00:12:13] use my time to speak to you from [inaudible 00:12:19] appeal to you [inaudible 00:12:21] said. I'm not a native North Carolinian but I am by the grace of God [inaudible 00:12:31] for the last 48 years.

[inaudible 00:12:35] I think it's wonderful. I want to be [inaudible 00:12:38] in the eyes of us, the nation, and my grandchildren [inaudible 00:12:44]. They need to see that going [inaudible 00:12:50] and all the districts are really without depending upon gerrymandering. North Carolina [inaudible 00:12:56] now and in the future, I hope a state is admired by the rest of the country and not locked up in court litigation costing of millions of Carolina tax dollars because we have not been open and transparent in past redistricting. I hope we will [inaudible 00:12:56] and see that, although you give us a chance to [inaudible 00:12:56] before a final decision is made. I thank you for your [inaudible 00:13:43].

Joyce Krawiec ([00:13:43](#)):

Thank you, Ms. Dumser.

Diane Hamby ([00:13:44](#)):

Thank you. [inaudible 00:13:52] Hamby.

Joyce Krawiec ([00:13:55](#)):

Ms. Hamby, we'll take just a minute because that mic wants to work part of the time, but not all of the time.

Speaker 11 ([00:14:01](#)):

[inaudible 00:14:01]

Speaker 12 ([00:14:00](#)):

Waiting for the governor's signature. Should we just share a mic?

Joyce Krawiec ([00:14:19](#)):

We could. Well, it's got a cord. I don't think it'll go that far.

Speaker 12 ([00:14:28](#)):

[inaudible 00:14:28]

Joyce Krawiec ([00:14:28](#)):

We'd have to pass it back and forth. He's getting us one.

Speaker 12 ([00:14:40](#)):

You might want to stay down here.

Joyce Krawiec ([00:14:43](#)):

Yeah. Now it's working. While we're waiting for the mic, I want to recognize or addition to our panel. Senator Joyce Waddell from Mecklenburg County has joined us. Thank you, Senator Waddell, for being here.

Diane Hamby ([00:15:15](#)):

Thank you for having these hearings. I am Diane Hamby. I've worn many hats in this community. So let me just address a few things. I had wish that you would have some sort of maps, either current or proposed so people would understand why you're having these hearings. So there's just some things I want you to consider.

Don't divide precincts. Don't divide municipalities when you draw the maps. Don't divide counties. I have lived where I have lived for a long time and I have been in four congressional districts. In Iredell County on Election Day, the poll workers have 34 different ballots to handle. I want you all to understand what a nightmare that is when we try to find poll workers. And when people get the wrong ballot they get very angry. And they don't understand that you have 34 different stacks, especially in early voting.

It is really important when you draw these maps. The notion of politicians picking their voters has got to stop. All of us want fair maps and fair elections and true choices. We don't want somebody sitting, "Well, I know this block will vote for me and this block will vote for me, so let's put them in my district." That's got to stop, folks.

I think people all across this country are tired of it. We want honest, fair elections, and fair maps. And we hope that at some time, you will post some ideas so we know what we're talking about. And again, thank you for having these, because I don't ever remember a redistrict hearing in Iredell County. Thank you.

Joyce Krawiec ([00:17:04](#)):

Thank you, Ms. Hamby. Next we have Todd Scott and following Todd will be Lisa Moser.

Todd Scott ([00:17:13](#)):

I need a flashlight.

Joyce Krawiec ([00:17:20](#)):

Welcome, Mr. Scott.

Todd Scott ([00:17:22](#)):

Hello. Thank you all for coming to Iredell. My name is Todd Scott. I'm the president of the Statesville NAACP. First off, I'd like to say that both parties have done this redistricting the wrong way at certain times. One party took it to a different level. After the maps come out, we need hearings to discuss the maps, proper time. Last time we had one of these I had to go to Lenoir. And they did brought the maps out like it was after midnight, so we had no time to look at the maps when it was up there for the meeting.

The NAACP believes race needs to be a part of this criteria. We don't want any partisan data like if you are a Democrat, and we know most African-Americans vote Democrat so you go through that whole area of a place and just pick, make that a partisan area. We don't want to pack any districts. Don't sped up the counties in three or four districts.

Joyce Krawiec ([00:18:21](#)):

Thank you.

Todd Scott ([00:18:22](#)):

People in our communities and neighborhoods have the same policy needs and need to be together. Keep neighborhoods in interest together is critical for those who are regularly left out, just like we have food deserts here. So we want everybody to have a voice and just not one side of the town or one side of the district. I want everybody to have their first shake and I agree on what a lot of people said here today, and hope y'all can come back again next time. Thank you.

Joyce Krawiec ([00:18:53](#)):

Thank you, sir. Lisa Moser, and she will be followed by Douglas Reed.

Lisa Moser ([00:19:11](#)):

Good afternoon, representative, senator. I want to put a face on the concern that without the proper representation for our community, we want the concern for our community to be there. Just because something is done, legislation passed, doesn't make it right. It might be legal. On the way over here tonight, I heard two women talking about how wonderful of a campus is and I think everybody can agree, it's so nice to walk across the campus of Mitchell, but there was a time when my mother would have loved to have gone to this college and it wasn't legal for my mother to do so.

Also, you might remember Representative McNeely, we had a conversation not too long ago about how beautiful downtown is. Many of the buildings here in downtown Statesville are over 100 years old. It's a very historic, several hundred years old when we look at the entire community. We're an old community. We're a proud community. We used to call ourselves the city of progress, do you remember that?

Well, let me just tell you that less than a mile from the downtown beautiful clean area is my old neighborhood that I grew up in as a child. And it looks like a third world. You can't get sidewalks fixed. There's no curbing, no retainer walls. When we talk about legal representation, let it be fair. Thank you.

Joyce Krawiec ([00:20:36](#)):

Thank you. Douglas Reed. Is Douglas here? Next will be Charles Quivey. Charles Quivey is not here. Next will be Deborah McGivern. And following Deborah will be Brian Duncan.

Deborah McGivern ([00:21:11](#)):

Let's see if I can stretch up. You know I'm very tall. Thank you. Thank you. I'm Deb McGivern. I'm president of the women voters of Catawba Valley. So I'm from Catawba County, which borders Iredell County. Thank you for the opportunity to speak.

The North Carolina constitution states all persons are created equal. I want all votes to be created equal. We ask for a transparent process like many of those that have spoken before that includes meaningful input from the public both before and after draft maps are drawn. What we appreciate this public hearing, the number and coverage for our state is not enough. Where are the virtual meetings? Where are the meeting's post-draft maps?

One meeting in Raleigh does not constitute public input. This past decade has seen North Carolina make the news in redistricting in ways that we should all be embarrassed by transparency in the redistricting process is a low bar to meet, yet it was a challenge. Public comments submitted through the portal should be available to all. Communities should not be divided. Partisan data or knowledge of how people vote has no place in drawing district lines. Predetermined elections do not help our communities or our state.

Our state is fortunate we're growing. We have an additional US representative, which means redistricting is broad. It's a big deal to redistrict Denada District. North Carolinians deserve to have their voices heard through input into the maps, map drawing, and an outcome that results in fair elections. Thank you for the opportunity.

Joyce Krawiec ([00:23:27](#)):

Thank you, Ms. McGivern. Brian Duncan, and following Mr. Duncan will be Robert Nim.

Brian Duncan ([00:23:36](#)):

Hi. Good afternoon. And thank you for allowing me an opportunity to speak. I'm Brian Duncan. I'm executive director of I-CARE Incorporated, which is the local community action agency here in Statesville. We serve Iredell, Lincoln, Catawba, and Alexander counties as well.

So as an agency purposed with speaking on behalf of those who have lost their voices or been disenfranchised, I just felt compelled to speak today. Redistricting is a very critical process that should be void of politics. When done fairly, district lines are redrawn to reflect population changes and racial diversity. In 2018, there were four states where the party that won less than half the votes won more than half the seats. That was the obvious result of gerrymandering.

According to my research, North Carolina was one of those states. As a citizen of one of the most gerrymandered states in the country, I'm here today to voice opposition to any redistricting met that disparately impacts communities of color, low-income communities or any vulnerable population for that matter. When maps are drawn unfairly issues that matter most to the majority of citizens in the state are not prioritized.

I'm here today to unequivocally request fairness. As a legislator, it is not your role to pick your constituents. It's the role of constituents to pick legislators. So the rule of this problem is in the process. Our current process is really a fox in the hen house exercise with little regard for fairness. This process clearly needs to be changed to one where independent experts redraw district lines based on fairness. In the current process, as I close, I do want to remind you and the public of the rules that require adherence to the Voting Rights Act and constitutional rules on race and that extreme partisan gerrymandering is prohibited. Thank you for your time.

Joyce Krawiec ([00:26:00](#)):

Thank you, Mr. Duncan. Robert Nim. Scott Huffman. And following Mr. Huffman will be Tom Watson. Welcome, Mr. Huffman.

Scott Huffman ([00:26:26](#)):

Thank you. Hello. My name is Scott Huffman and I'm running to represent North Carolina's 13th congressional district. The right to have one's voice heard is one of the most fundamental rights held by the American people. Many have made great sacrifices in order to protect it including my family and I who have given over 150 years of military service defending our constitution in North Carolina. Unfortunately, elected Republicans continue to disregard these sacrifices by drawing gerrymandered maps.

Former state Representative David Lewis once said, "I propose that we draw the maps to give a partisan advantage to 10 Republicans and 3 Democrats, because I do not believe it's possible to draw a map with 11 Republicans and 2 Democrats. That take some brass." Our democracy should not be a game played by people who only believe in cheating to win. Governance means holding responsibility for the well-being of one's fellow American, not stealing power from the people.

Politicians shouldn't be choosing politicians for the voters, voters should choose who they want. This shouldn't be a partisan issue. We need elections that people can trust and feel confident about. Ted Budd was my opponent during the 2020 election cycle and he voted against certifying the presidential results, because of the big lie, yet he accepted his gerrymandered results that gave him a third term. Cramming people of color into one district when they should have two is a deliberate and racist action, which dilutes the voices of Americans who deserve equal say. It hurts all of us.

Look, I'm not naïve. I hate to disappoint everyone who is here today. These hearings are for show. Elected Republicans have already drawn the maps in a back room without the people having input, however, let me say this to each of you. I am still hopeful that you will do the right thing for our state, our country, and draw fair maps not for the politicians, but for the people who grant you the power to govern for us. Look, we also need to stop acting like the pandemic is over. Every 43 seconds an American dies from COVID. Wear a mask and get vaccinated.

Joyce Krawiec ([00:28:52](#)):

Tom Watson. And following Mr. Watson will be Reverend Marcus Williams.

Tom Watson ([00:29:03](#)):

My name is Tom Watson. I moved to Davidson in 2014 together with my wife to start the Cedars-Davidson Bed and Breakfast. We operated this traditional bed and breakfast successfully in Davidson until age and COVID persuaded us to retire in 2020. But before we moved to Davidson, we lived in the



University City area of Charlotte, and finally moved, and when we moved here, we retained many ties to Charlotte, Cornelius, and Huntersville.

We are members of Saint Mark's Episcopal Church in Huntersville where my wife is very active in the Flyin' Lions Culinary Ministry. A program that teaches commercial kitchen skills to people in need of employment. I serve on the board of trustees of historic Rosedale, a federalist era house situated on eight acres of woods and gardens on North Tryon Street in Charlotte.

Like any older person, my wife and I have various medical needs and most of our doctors are in Huntersville, thus our shopping, church, social, and charitable connections all face towards Davidson, Cornelius, Huntersville, and ultimately Charlotte. These towns and city define our community of interest. It only makes sense to us to remain within a Mecklenburg County political district. Please do not cut our political ties with the rest of the county.

I wish I could make specific suggestions or criticisms for your consideration, but the redistricting criteria are opaque and a draft map has not been presented. All I can do is urge you to keep Davidson within a district that includes Cornelius, Huntersville, and the rest of Mecklenburg County. To act to protect all persons and groups fairly and to work transparently so that all can see and understand the process you followed to reach your decisions.

Joyce Krawiec ([00:30:52](#)):

Thank you, Mr. Watson. Reverend Marcus Williams. Crystal Guindo. Beth Kendall. And following Ms. Kendall will be Elaine Hewitt.

Beth Kendall ([00:31:16](#)):

Thank you. Hi. I'm Beth Kendall. I live in Davidson here in Iredell County. I want to thank you for taking time to go across the state and really listen to our voters from our communities. We should all be able to agree that our democracy is stronger when voters are engaged and our politicians are much better when voters hold them accountable. That becomes increasingly difficult when you're in a different voting district than your neighbor.

For example, let's say Ronda, a voter in precinct states full six who incidentally lives in Statesville ward number three talks to her up the street neighbor, John, who's also in Statesville ward number three, but precinct stays full three. Their kids play together, they go to the same school, they all go to the same church, but they're in two different NC State House Districts.

Let's say that both are really concerned about the lack of good quality affordable housing in their area and they want to act. It's a lot harder for Ronda and John to organize to put pressure on their reps. They're having to talk to two different staffs, go through two different processes. They have to identify which of their neighbors is in which rep's district. And then, on top of all that their voices are diluted because they have several neighbors, although they have several neighbors organized they make up two different districts and are a much smaller percentage of each rep's constituents. Communities, neighborhoods, and municipalities should be kept whole.

Also, districts should not look like snakes or ducks or earmuffs. North Carolina is very close to a 50-50 state, so no way should 8 of 13 representatives be from one party. Representatives shouldn't get to choose their voters, not only is that not the way democracy should work, it makes any party weaker. If an elected Democrat or Republican is always going to win a district because of the way it's drawn, they don't even try to reach out to the other side. Their only fear is someone farther to the extreme than them.



That doesn't bode well for working together and it doesn't make our state or our country stronger. It leads to cults of personality, divisiveness, and wasting time arguing about wedge issues instead of actually making people's lives better. Voters lose their power and that's not democracy.

Joyce Krawiec ([00:33:37](#)):

Thank you, Ms. Kendall. Elaine Hewitt, and following Ms. Hewitt is Sergio Fernandez.

Elaine Hewitt ([00:33:52](#)):

Hi. I'm Elaine Hewitt from Rowan County. Thank you for this opportunity to speak to the redistricting joint committee. First, I know that the legislature has numerical rules beyond their control that they have to follow. If possible, please have no precinct that is split during redistricting. And if possible, no counties that are split.

Second, I want to thank the legislature strong... Excuse me. I want to thank the legislature for the 2011 redistricting work. I lived in the Democratic legislature's drawing District 12 when it snaked down interstate 85, the position was filled by Representative Mill Watts. That District 12 was the definition of gerrymander. Third, as a citizen, it is sad to me that no matter what the Republican legislature proposes the opposition will file lawsuits. The liberal court mandated redistricting that created the current District 13 for the 2016 election led to an out of cycle special primary. To me, the last minute second primary on a date voters were unaccustomed to created significant confusion among voters and was a form of vote suppression.

The Democrat party claims that voter photo ID suppressed the vote, but they give no evidence that any specific vote has been suppressed. They asked for specific vote court cases to back up voter fraud, but they offered no court cases where specific people have had their votes suppressed. Again, thank you for the opportunity to speak. I wish the North Carolina legislature the best in their redistricting efforts.

Joyce Krawiec ([00:35:31](#)):

Thank you, Ms. Hewitt. Sergio Fernandez. Geoffrey Hoy. And following Mr. Hoy is Rosanna McDonald.

Geoffrey Hoy ([00:35:52](#)):

Good afternoon. My name is Geoffrey Hoy and I am the chairperson of the Rowan County Democratic Party. My hope is that you would share my goal of each district having enough demographic diversity so that in competitive campaigns, we would have a vigorous, healthy debate of issues, strengthening our democracy. Specifically, I would ask that, number one, you draw district lines, maintaining precincts without splitting them up, and maintaining counties if at all possible as well.

I agree with my Republican friend, Elaine Hewitt, who just said the same thing, which is kind of fun. And number two, that the next step in this process be conducted in a transparent manner, observable by all the citizens of North Carolina. Three, that the proposed new maps be presented soon enough for public comment and input. My bottom line goal would be to have elected representatives in North Carolina reflect the overall balance of the electorate as evidenced by the election of both Republicans and Democrats at the statewide level in the last election. I thank you very much and best wishes in your process.

Joyce Krawiec ([00:37:27](#)):

Thank you, Mr. Hoy. Rosanna McDonald, and following Ms. McDonald is Lisa Jewell.

Rosanna McDonald ([00:37:45](#)):

Good afternoon, everyone, who's here on behalf of drawing fair maps. My name is Rosanna McDonald. I'm from the city of Lenoir in Caldwell County. I'm the vice president of the Caldwell County NAACP. And I'm here to represent the interests of minority voters.

Redistricting is essential to voting rights and electoral representation for historically underrepresented groups. It's extremely important that transparent process is conducted that values all communities' interests. It's also important that the general assembly complies with the Voting Rights Act and other laws in the process. Between 2010 and 2020, federal courts found that North Carolina's redistricting plans discriminated against voters of color by diluting minority votes.

The general assembly failed to include the consideration of the history of discrimination in North Carolina, which is necessary to ensure compliance with section 2 of the Voting Rights Act. I strongly oppose the exclusion of the history of discrimination in the redistricting criteria. I urge the general assembly to consider the history of discrimination in voting and redistricting so the general assembly does not again violate section 2 of the Voting Rights Act.

Redistricting needs to be about equal votes, equal voices, and giving all communities equal voices, not about politicians. Thank you.

Joyce Krawiec ([00:39:08](#)):

Thank you, Ms. McDonald. Lisa Jewell, and following Ms. Jewell is David Parker.

Lisa Jewell ([00:39:24](#)):

Good afternoon. I'm Lisa Jewell and I'm the chair of Democratic Precinct 127 in Davidson. I've been a resident in Davidson for 13 years. My husband and I have raised our daughter there and sent her to public Charlotte Mecklenburg Schools. We both work in Davidson and in Charlotte. Living in Davidson is a blessing with its quaint downtown and friendly neighborhoods. Davidson is a unique blend of people with Davidson College students, families who lived there for generations, and people like me who hail from different places across the country.

We've always considered ourselves part of the North Charlotte area of Mecklenburg County that includes Huntersville, Cornelius, and Davidson. That is where we center our lives around. That is where we dine, shop, and use our tax dollars. Driving our exits 23 to 30 is how we go about our day, keeping our district reflecting how we live is vital to us. Redistricting without a fair reflection of how communities function and gather is moving from representation of the people to politicians moving to represent their own interests. I urge you to make the process of redistricting more transparent, more inclusive, and fairer. Thank you.

Joyce Krawiec ([00:40:51](#)):

Thank you, Ms. Jewel. David Parker, and Mr. Parker will be followed by Lynn Puma.

David Parker ([00:41:05](#)):

Thank you. Good afternoon. I'm David Parker. I'm the former chairman of the North Carolina Democratic Party, but I come today to commend the Republicans among you for being so honest about your objectives and your goals in this redistricting and election law revision process in stating that your goal is to protect the incumbents. But I don't think that that's what we had in mind as a country.

The hallmarks of protecting incumbents are fairly simple, the conserving and protection of the wealth and power for the few against the many. The use of redistricting and election laws to reduce the meaningful vote of many of the citizens, using rhetoric to inflame good, honest, decent people. Concealing facts such as maps in order to make it impossible for people to respond intelligently.

The Republican majority in the general assembly is proudly, loudly, honestly, and vigorously championing protecting their own power. How are you doing this? It's redistricting of the incumbents by the incumbents and for the incumbents. That's directly contrary to our Declaration of Independence and our North Carolina constitution. I commend you for being so open about it though. You're very open about the fact that you want to make it harder to meaningfully vote for the poor and easier to cheat for the wealthy.

Hundreds of millions of dollars are poured into your campaigns in order to maintain your power. You appeal to the founding fathers who made enslaved people only worth three-fifths of a person and didn't give them the right to vote. So what are you doing? You're disenfranchising [inaudible 00:43:02] so same folks. Your appeals to racism, the Republican Party proudly maintains symbols of Republican disenfranchisement that have gone over 100 years and in both parties, but you want to maintain those.

So I commend you for being forthright, but this is tyranny and this is madness, and I believe it is. And I do believe that the time is up for this kind of abuse of the Democratic rule. Thank you.

Joyce Krawiec (00:43:46):

Lynn Puma. And following Ms. Puma will be Henrietta Witty.

Lynn Puma (00:44:02):

Good afternoon. Hi, there. Thank you. I do not have a title except for a busy mom of three kids, but I felt it in my heart to come speak today to you all to remind you that North Carolina has become a textbook of what not to do when it comes to voter suppression in the US. We have a stain on our flag because of the things that have continued to go on to suppress voters, people of color. This is ground zero for gerrymandering, voter restrictions, ID, limiting voting sites, limiting the time frame. What that does is limit the people who can have access to what they need, to have a voice.

North Carolina, we have the most recent documented voter fraud case in the country right here, going all the way back to the Wilmington Massacre. Voter suppression has been going on in this state since it existed. So as a resident of Iredell County, who work and commute to Mecklenburg every day, please consider including our district with other districts outlying other counties who may have large populations commuting into Mecklenburg or other large cities.

Currently, we are districted with Surrey and Stokes County. And in Iredell County where I live, right outside of Davidson, we don't have the same issues, the same needs. I need my, whoever represents me, needs to understand the area which I live, including infrastructure, roads, transit, light rail, my environmental concerns like Norman, and land develop around me. I need that representative to understand where I live.

So I ask you, I implore you to dig inside yourself, examine your values and integrity when it comes to drawing these maps. Make them fair and make the process transparent. Thank you.

Joyce Krawiec (00:46:40):

Thank you, Ms. Puma. Henrietta Witty. Before we start on the speakers... Oh. Sorry. Is that Ms. Witty? No? Before we start on the speaker sheet that has signed up today, is there anyone here who signed up

online that we have not called? There are some registrants on here that don't really have a name. So I think we got everybody who signed up online. Okay. Thank you.

The first name on our speaker sheet for today is James Mallory. And following Mr. Mallory is Doris Allison.

James Mallory ([00:47:31](#)):

I'm James Mallory. I'm the chairman of the Iowa County Board of Commissioners. And I want to thank the joint committee for taking the time to hit the road and get some feedback from citizens. From the county perspective, I'll just say that maintaining political subdivisions is an important deliverable in your process. It's been talked about precincts being split, the difficulties that presents to our board of elections in terms of administering the election and the confusion that engenders among voters is to who this year is their representative.

Finally, you've been given, you've got a number of different squares to circle and circles to square as far as guidance from different entities, whether it's federal or state constitution or the courts. And the most recent court decisions from the three judge panel laid out some markers. And I'd say whatever you do, and however you do it, let's try to avoid litigation for the next 10 years, because that just brings pain to the whole process and brings the process into disrepute. And what we have today is a significant amount of distrust and mistrust by voters about the electoral process itself and we don't need that.

We have a very efficient and effective and accurate process, but perceptions can create realities all their own. People have spoken about gerrymandering and all that, we know it's a political process and you can't take politics out of redistricting. It just is what it is, but there was a Supreme Court justice in the '60s that was wrestling with a definition of pornography. And he said, "I can't define it, but I know it when I see it."

And so, when you set back at the conclusion of having maps presented to you, just take a quick look and if it looks wrong, it probably is. So thank you for your service and your commitment to the people of North Carolina.

Joyce Krawiec ([00:49:56](#)):

Thank you, Mr. Mallory. Doris Allison, and following Ms. Allison is Keaton Brower.

Doris Allison ([00:50:13](#)):

Good afternoon, everyone. My name is Doris Allison. I'm councilwoman of [inaudible 00:50:24] Ward 3. Ward 3 is one of the largest ward within our community, within our city, but we're also diversified, we're the most diversified. Our houses range from 85,000 up to 400, and maybe 400,000. We now are experiencing the fact that we're having houses built in our community and Larkin will be having inclusive of maybe 400 housings with Larkin, and also with Willow Spring Road in the future.

The rezoning that you all are embarking upon affects all of us, especially my community. We have been a food desk for over 20 years, and the only stores that we have is provided by states for housing authority, which is a Family Dollar, and Dollar General. We have no sidewalks, but what I'm saying to you as a representative, when you took your oath it was, should have been for the greater good of the people. And I hope it's not for your future reelection, but I can't be concerned about that right now, because I have a community that wants to be divided and we cannot afford to be divided.

We need this re-zone to be fair and transparent, because if you take out what we need, then we're going to be a desert again. And we refuse to be that way and it's not going to be about the color

of one skin or politics, being a Republican or Democrat, you're going to have people coming together, being able to say, "Enough is enough." And we will not stop until you understand, we're the people for the people and by the people, because we have a right and I say we, I'm saying we is in poverty and prosperity. So when you sit down and you leave from here, remember ward 3, because we will remember you.

Joyce Krawiec ([00:52:25](#)):

Thank you, Ms. Allison. Keaton Brower is next, and following Mr. Brower is Helen Chestnut.

Keaton Brower ([00:52:41](#)):

Hello. My name is Keaton Brower. I'm a young grassroots organizer theater artist filmmaker currently working for Scott Huffman from North Carolina who spoke earlier working to flip the 13th District. I've been a young organizer off and on for the last 10 years, and one of my big passions is driving up young people to vote, even people who I know are voting differently than me. It brings me joy when I see someone of my generation participating in our democracy, because we're the ones who are going to inherit it.

And the most disheartening thing in my time has been other young people telling me, it doesn't matter, the maps are rigged anyway. And they point out Asheville and it's cracked like a walnut and it's obvious to anyone with a mind to see what's being done there. It's not right and I know that the people who are doing it know that it's not right.

And it's especially saddening when I think of all the sacrifices people have made from the Revolutionary War, to the Civil War, to World War II, to the Civil Rights Movement for that right and when their daughters, sons, grandchildren inherit it, they don't believe in it because the maps are rigged. And unfortunately, these days I see the general assembly doing the exact same things it did 10 years ago. And it just hardens my resolve and I hope that those who are fighting for fair maps will keep fighting no matter what happens and we're going to see a better democracy. Thank you.

Joyce Krawiec ([00:54:01](#)):

Thank you, Mr. Brower. Helen Chestnut, and Ms. Chestnut will be followed by Karen Parker.

Helen Chestnut ([00:54:15](#)):

Good evening to the committee. First, I want to say thank you for having this hearing, giving us a chance to speak. My name is Helen Parker Chestnut, I'm a retiree from GE for 26 years of which 21 was in management. And I retired from the state of North Carolina Department of Juvenile Justice and the Department of Agriculture. I served as an administrative officer.

I have been a lifetime resident of Alexander County. I was born, I lived most of my life except for the 11 years I worked in Raleigh. In 2014, I retired again and returned home. Since then, I have been very active in the community of the Democrat Party, vice president of our NAACP, the 957 Mobile Café, we feed the homeless. Also, the Western Piedmont Council Governments, the Hiddenite Center and the historic preservation committee for elders in the county.

I am seeking and looking for something to help our young people to grow and be a part of. It was not easy as a black woman working for GE in the first, from the floor. It has not been easy trying to raise three children and go to college at the same time from Gardner-Webb and CVCC. Today, Alexander County only has a population of around 36,000 folks. That's what the census said in 2020, which was a 2% decline.

We do not have a local hospital. We only have one high school, two middle schools, and seven elementary schools. Because we are a small community, we have to work together regardless to our party affiliation. But today I stand to say, "It has not been fair." It's not been fair as far as the districting of our precincts. There is not a chance for a minority to be elected.

I ask that you would please consider being fair and transparent in this redistricting to make it fair to all. We do care. Thank you.

Joyce Krawiec ([00:56:37](#)):

Thank you, Ms. Chestnut. Karen Parker, and following Ms. Parker will be Fred Foster.

Karen Parker ([00:56:48](#)):

I got it. Thank you. I'll leave my mask on, so pardon me if my voice is muffled. But I'm pretty sure the political system in North Carolina is designed specifically for that effect. I'm here to promote constitutional amendment creating an independent citizen-led redistricting process. The process can be done using computer algorithms creating, easily creating fair districts.

In the past 30 years almost 40 lawsuits have been pressed over districting in North Carolina. These are routinely settled using millions of taxpayer money, because we are the one of the most gerrymandered districts or states in the nation. Both parties have had their turn in power and both engaged in gerrymandering when it was their turn to redraw the maps. Each party cries for reform when it is in power, but when is out of power, but not when it is running the show and has the power to make change.

Gerrymandering means some votes count less in North Carolina. It takes three Democrat votes to elect a House member for every one Republican vote. It's almost like voting Democrat makes you one-third of a person in the eyes of law. That it seems to be a considerable step down from previous legal views on the subject. Last century, I was registered, first registered to vote unaffiliated. To this day, I am still unaffiliated, because I vote for policy, not party, not people.

More voters in North Carolina are making the same choice. Republican political consultant Paul Schumacher from North Carolina said recently, "I actually believe next year will be the first time in history, in the history of the state that unaffiliated voters will outnumber Democrats and Republicans by the November 2022 midterm elections. This creates a bizarre situation where an unaffiliated voter may vote a split ticket and have a portion of their votes carried three times the weight than the rest of their vote, in practice, it means one specific group of voters has more representation than another effectively nullifying the greater will of the people."

The founding of our country began with a kerfuffle over an idea which included the slogan, "No taxation without representation." Think you, sir. In an ideal world this would still be true. End unequal representation by ending gerrymandering. Thank you.

Joyce Krawiec ([00:59:14](#)):

Thank you, Ms. Parker. Fred foster, and following Mr. Foster is Skip McCall.

Frederick Foster ([00:59:27](#)):

Hello. My name is Frederick Foster. I am a councilman for the City of Statesville representing ward 6. Today, I ask that y'all be more transparent. As a council member, I believe in transparency. I believe in keeping my constituency informed. I personally try to do community meetings and post stuff on Facebook to keep my constituents informed.

And today, I was not able to allow my constituents to be informed to be here so they could have a voice and opinion in this matter. I understand things can't go your way all the time, but this could have been set up a lot better. And I also feel that you should have media here, more media, TV media to cover this for the ones that not able to come. Right now I'm doing a Facebook live so my constituents can see what's going on.

All I ask is more transparency so people know what's going on. A lot of people don't trust us no more. A lot of people don't trust government. I hate to say it. They don't trust me, but I'm not a politician. I'm just a concerned citizen that ran and that cares about this community. All I ask is be more transparent. Let people know what's going on. Thank you.

Joyce Krawiec ([01:00:41](#)):

Thank you, Mr. Foster. Skip McCall, and following Mr. McCall is John Allen.

Skip McCall ([01:00:59](#)):

My name is Skip McCall. I want to thank you for allowing us to have this hearing. I'm a former school board member, I'm former president of the states for branch NAACP. And I'm also a Vietnam veteran. A gerrymander is defined as a manipulation of the boundaries of an electoral constituency so as to favor one party or class.

In other words, a gerrymander involves a purposeful effort to skew the system to the advantage of one party, group or interests. Following the election of Barack Obama, the Republicans took gerrymandering to a whole new level, utilizing the technology that we have today. And that technology has enabled the Republicans to take gerrymandering all the way to the White House, to the Senate, to the Congress, and certainly work elections in their favor.

Gerrymandering is really to me unlawful and unconstitutional, however, I was disappointed that the Supreme Court did not deal with the issue when they had the opportunity. So I think that we must deal with this issue during redistricting. We must if we're talking about fairness, talking about transparency, and all of those good things about redistricting, the first thing that we have to do is deal with gerrymandering, and the best way to deal with it is to eliminate it completely, because we cannot and will not have fair elections, honest elections until gerrymandering is eliminated and partisan politics is eliminated from redistricting and from voting in not only this state, but throughout America. Thank you.

Joyce Krawiec ([01:03:21](#)):

Thank you, Mr. McCall. John Allen, and following Mr. Allen is Kaye Richie.

John Allen ([01:03:34](#)):

Good afternoon. As a farmer in Harmony and long-time community member, I know it's important to Iredell County to remain as intact as possible. These last drawings of the legislature have been more productive for Iredell residents since we actually have Iredell residents that represent us. We have rarely been able to know our representatives very long since Eric Holder, former attorney general continues to sue until he gets his way.

This is a disservice to all voters. We need continuity and stability in who represents us and what district we live in. Constantly redrawing over lawsuits by people that are outside North Carolina is unreasonable. One party drew lines for over a hundred years and gerrymandered always, but there



were no complaints then, why is it only under a different party control for only 10 years are we now sued every year by outside interest groups from outside the state?

People basically district themselves based on where they choose to work and live. The results from the last election did not change who won. Let's stop the frivolous lawsuits by outside interest groups and keep our elected officials in charge, not random judges that are not given those powers to draw districts by our constitution.

Joyce Krawiec ([01:04:55](#)):

Thank you, Mr. Allen. Kaye Richie, and after Ms. Richie is Alejandro Garcia.

Kaye Richie ([01:05:13](#)):

Kaye Richie from Stokes County. Full to closure where I'm chair of the Democratic Party there. I agree with the previous speaker that we need to stop frivolous lawsuits, and the way to stop frivolous lawsuits is to draw fair maps. In Stokes County, as a whole county, we've been in the fifth district, we've been in the sixth district. Now, we're in the 10th district, which is why I drove an hour and a half to come to this panel meeting, because this is the congressional district that I'm in.

We have been moved districts to change the vote, to add more for predominantly Republican county, add more Republican votes. In one instance that was supposedly done by personal vendetta from a representative who wanted to not have an incumbent elected. If we have fair maps, we don't have to go through the constant judicial cases. If we have fair maps from the beginning, if we are transparent, if we keep communities together, don't divide in trying to protect incumbents or to oust incumbents, then we can go on and improve our country, our democracy, and work together to do so. Thank you for the opportunity to speak.

Joyce Krawiec ([01:06:48](#)):

Thank you, Ms. Richie. Alejandro Garcia.

Alejandro Garcia ([01:07:23](#)):

Thank you for taking the time to listen to everybody here. My name is Alejandro Garcia. I'm actually coming from Alamance County. Had to drive almost two hours from here. And I'm just here to highlight the need of fair and transparent maps, maybe possibly asking the community how to draft, how to draw those maps.

Fair and transparent maps are needed in order for communities of color to stop being segregated. As a Latino, I don't want to continue to see neighborhoods, bus stops or schools segregated in order to fulfill elected officials of political agenda. And this is why I joined everybody in this group, I mean in this room to ask you to draw these districts so my kid, neighbors, and everybody else in my community have representatives who look like them and we're tired having individuals in power who don't look like us or have our best interests in heart.

I ask you to allow the public to help you draw these maps and have a before and after meeting for us to review and edit this maps as needed. Thank you again.

Joyce Krawiec ([01:08:48](#)):



Thank you, Mr. Garcia. Those are all the names that we have signed up, but we are happy to listen to anyone who is here that did not sign up that has something that you would like to say. You're welcome to come to the microphone and identify yourself and speak. No takers?

Well, I want to remind you, again, additional information is available at [nclegg.gov](http://nclegg.gov), and go to the committee page redistricting site. There's a wealth of information there. It's updated regularly, so there are any updates that come out, you will know about them by checking there. There is an open portal that you can enter additional comments. And we thank you all so much for being here and our meeting is adjourned.

Speaker 1 ([00:00](#)):

Okay. He can just come in.

Carl ([00:02](#)):

All right.

Speaker 1 ([00:02](#)):

Let's just make sure we got a chair for him. Who do we got up here? You got me. Who's here? Yeah. Carl, come on. You may need to help me.

Carl ([00:12](#)):

Okay.

Speaker 1 ([00:13](#)):

And we got Danny right here.

Carl ([00:13](#)):

That's fine with me.

Speaker 3 ([00:20](#)):

Yeah, he's already gone past it and on his way back.

Speaker 1 ([00:21](#)):

[inaudible 00:00:21] here got lost.

Speaker 3 ([00:22](#)):

He did.

Speaker 1 ([00:27](#)):

He got lost coming here. Went the wrong place.

Carl ([00:27](#)):

Really?

Speaker 3 ([00:27](#)):

Yeah, he did.

Speaker 4 ([01:09](#)):

Yes, sir. Thank you.

Carl ([01:09](#)):

There's some important things for you to sign.

Speaker 4 ([01:09](#)):

Okay. I have one. Thank you. I don't know if it'll help.

Speaker 1 ([01:10](#)):

[inaudible 00:01:10]

Carl ([01:10](#)):

Yes, sir.

Speaker 1 ([01:12](#)):

The committee on redistrict will come to order. I'd like to thank you all for being here. I am representative Brendan Jones from Columbus and I represent Robeson County as well. Thank you on behalf of the house and Senate redistrict committee for being here. I want to thank my fellow house and Senate members. We've got Senator Clark, Senator Ford, Representative Pierce, Representative Graham, Representative Penny and hometown proud Senator Danny Britt running a few minutes late and he will be joining us here shortly. I also want to take a minute and thank our general assembly staff for being here, our serjeant-of-arms, our general assembly police and the local police and the PI Brook staff are being here to help as well.

If you would now, for every speaker, we ask that you please state your name, for the record, and any organization that you are feel affiliated with also. And for the sake of moving on, you will each have two minutes to speak. Serjeant-at-arms will be there to notify you when you get to the one minute mark, at the two minute mark, he will be cutting you off for the sake of time. I will make sure that everyone does get the opportunity to speak that has signed up. If you haven't signed up, we will make sure the end that we get you recognize. So moving on our first speaker, we have Ms Crystal Gwendo. Ms. Gwendo. Okay. Manuel Mejia Diaz. Please state your name, who you represent. You have two minutes when you start.

Manuel Mejia Diaz ([02:50](#)):

We good? All right. Good afternoon. Thank you for allowing me to speak. My name is Manuel Mejia Diaz and I'm the Southeastern regional organizer with democracy North Carolina. I also grew up in Robeson county and I'm a proud graduate from the University of North Carolina at Pembroke. What happens to Robeson County concerns me at a personal level as I considerate my and my family's home. I like to emphasize things that I'm sure everyone here heard multiple times in the last 10 years. I'm asking for transparency in the redistricting process, and I'm specifically asking for communities of interest to be kept together. Robeson County as a whole is a community of interest due to our cultural uniqueness. It should not be split when drawing federal congressional maps. I also emphasize the State legislative maps should be compact and keep communities of interest in mind as well. There are many examples for North Carolina representative districts that are not compact.

I also urge legislators to place Robeson county in a federal district with our Southeastern sister counties. Right now we are a place in a district that stretches all the way into Charlotte. And I fear that the interest of those two communities are too different. I don't want Robeson County to be overlooked due to the interest of wealthy Charlotte donors. Apart from these asks, I want to of highlight how disappointed people across the Southeast are through the current process. We don't have enough public hearings, these hearings are not being advertised enough. And I fear online public comments may be ignored. Most concerning of all is that the public cannot make comments after maps are finalized.

The people of North Carolina should be able to respond to the final maps as we have the controversial history with districts. I'd hope State leaders would've learned from the past 10 years. Bad maps will likely lead to litigation that will take money and resources away from other pressing matters across our State. Thank you.

Speaker 1 ([04:57](#)):

Thank you, Mr. Diaz. Serjeant-at-arms, Representative Jamie Boles has joined us, can we make a seat for representative... You don't want to join us up front? You're good. Okay. Well, Representative Jamie Boles has joined us as well. Next speaker. We have Ms. Caroline Sumpter. Please state your name for the record and who you're represent. Please, Ms. Sumpter, you have two minutes.

Caroline Sumpter ([05:17](#)):

Thank you. My name is Caroline Sumpter. I am a resident of Red Springs, North Carolina, serving on the town on council for the town of Red Springs, also chairperson for the Democratic Women of Robeson County. First vice chair for North Carolina Democratic Party Congressional District Nine. Thank you for hosting this meeting. My points have a very brief, lot shorter than what I've been sketching and wooing over. This meeting, as a speaker before me has stated, well, I am very thankful for the opportunity to address the redistricting committee. I would like for you to think about where we are in Robeson County. Most of our labor force are hourly workers. I myself have two small children that just got out of school at 305 and it was hustle and bustle to get here.

It would've been great to have this meeting just a little later in the afternoon, evening. So for future reference, I would ask that you would take that in consideration, rural area and the timing, kids just getting out of school. There's some educators that I know that would have loved to have been in attendance today, but they're just getting out of the classroom. I'd also like to say since been engaged in politics since about 2011, but active in my community most of my adult life, we've been in three different... When I say we, Robeson County been in three different congressional district since about 2012. We were in Congressional District Seven, Eight, and Nine.

I would like to see us in a stable, compact district as well. I would also love to see the town of Red Springs in Robeson County with the same state representative. Right now we have Representative Jones, representing part of Robeson County, which is also Columbus County, which is a stretch of the way the district lines. I would love to see our community stay together so our interest and our constituents and our voices can be maximized. Thank you.

Speaker 1 ([07:11](#)):

Ms. Sumpter, thank you for your comments. If you would hold applause, we're having a committee meeting. Ms. Ann Torack. Please state your name and who you represent please.

Ann Torack ([07:25](#)):

Hello members of the commission on redistrict-

Speaker 1 ([07:30](#)):

If you would state your name and who you represent, please.

Ann Torack ([07:30](#)):

... I'm sorry.

Speaker 1 ([07:32](#)):

You're fine. Thank you.

Ann Torack ([07:33](#)):

My name is Ann Torack. I appreciate the opportunity to speak to you. I'm a registered voter in Southern Pines, Moore County. My husband and I retired to Moore County in 2001. As my husband says, "We were not born in North Carolina, but moved here as soon as we could." Here are my suggestions concerning the serious business of redistricting. Please make more county whole for US congressional and NC Senate districts. Do not split Moore County up into more than one legislative district. Currently the residents of whispering Pines golf course, community is in two different districts. Having two districts in Moore County is so confusing. Citizens do not know who to vote for even.

My second request, after the maps are drawn, we need many opportunities for public hearings. Thank you. Not just one in Raleigh. And also the third point, since COVID and the Delta variant are raging, please have online opportunities for the public to view and participate in further public hearings about redistricting. In fact, some of my friends today did not feel safe coming out to this in-person meeting because of COVID. Thank you for your attention to this matter. I hope the legislative maps are drawn fairly for all voters. The legislative maps will be in effect for 10 years. So be very fair and conscientious. Thank you.

Speaker 1 ([09:18](#)):

Thank you so much. We appreciate you. Mr. James Davis. If you would state your name and who you represent, please.

James Davis ([09:33](#)):

James Davis, and I represent the 9th Congressional District here in North Carolina. My name is James Davis. I live at 239, Aggies Lane in Raeford, North Carolina, Hoke County. I'm here to express my concerns regarding the North Carolina redistricting process. While I want to advocate for transparency and fairness in the entire process, I also want to discuss Hoke County and the North Carolina, Sandhills region. Over the past 10 years, we in Hoke County have enjoyed a senatorial representation shared with Cumberland County. Also, we would like to retain this county cluster relationship. We have also enjoyed a legislative representation shared with Scotland County and would also like to retain this county cluster relationship.

However, over the same 10 year period, Hoke County congressional district representation have varied between the 7th, the 8th, and now the 9th congressional district. While I have had honor of being elected to lead both 8th and the 9th district as the chairman, I'm here today to advocate for a congressional district established for the North Carolina, Sandhills. I want to strongly advocate for a central county cluster of Cumberland, Hoke, Scotland, and Robeson counties for this newly created congressional district. I believe our population demographics will support this configuration with additional Sandhills counties, such as Moore and Richmond. Nevertheless, a central core county cluster of Hoke, Cumberland, Scotland and Robeson counties are requested for the Sandhill congressional district. Thank you for your time and consideration in this battle.

Speaker 1 ([11:31](#)):

Thank you very much. Thank you. Mr. Gary Locklear. Mr. Locklear, if you would state your name and who you represent, please.

Gary Locklear ([11:41](#)):

My name's Gary Locklear, I represent my two grandchildren.

Speaker 1 ([11:43](#)):

That sounds like a handful.

Gary Locklear ([11:47](#)):

No better reason than the world. They're futures at stake here. I'm retired now. I do work part-time. I live in the town of Pembroke. Albert Einstein once said, "The definition of insanity is doing the same thing over and over again and expecting different results." Well, we're all adults in this room and I really don't think none of us are insane. So we expect different results this time when you redraw the lines. It's your obligation to do it. You do it for us. You work for us. Gerrymandering is wrong on all levels. And yes, both parties are guilty. But as my mother taught me, two wrongs totally don't make a right. We got to start somewhere and we got to start some time. Why not here and why not right now?

Gerrymandering limits competition. Most seats are predetermined. You already know who's going to win the seats. There are very few seats that are close anymore. That results in very few policy debates. It's a dirty trick also, but a profitable one. If you go back and look at the numbers. That turns democracy on its head. We're taught better in our 9th grade civic class. Let's prove that we learned what we should have back then. You've all heard it before, but gerrymandering lets politicians choose their voters rather than voters choose their politicians. That's wrong. When lines are drawn, whose interest do you have in mind? The voters or your own? We all know what the answer should be. And that should be the voters.

How ironic. Today is National Voter Registration Day. Folks who registered to vote and who do vote should feel confident that their single vote is equal to everyone else's single vote. As long as we got gerrymandering, votes will never be equal. Stop gerrymandering and create an independent commission to draw the lines. We got no business in the district with Charlotte. Simple as that.

Speaker 1 ([13:46](#)):

Thank you Mr. Locklear.

Gary Locklear ([13:47](#)):

You're welcome.

Speaker 1 ([13:48](#)):

Wesley Alderman. Mr. Alderman, if you would state your name for the record who you, please.

Wesley Alderman ([14:00](#)):

All right.

Speaker 1 ([14:01](#)):

Turn it... There you go. Yeah.

Wesley Alderman ([14:06](#)):

I am Wesley Alderman of the [inaudible 00:14:08] fraternity incorporated, and a student at UNC Pembroke. I'd like to emphasize that Robeson County needs to be better kept together. But in order to do that, there needs to be a change in the redistricting process. I fear that the maps of this County have been made without the input of the public. So that I ask that after the maps are finalized, that you give easier access for the public to see these maps so the public can provide necessary feedback.

This is necessary for voting purposes so that everybody can easily give their input and be able to better keep their community together and make it easier for everybody to advocate and make sure that the right policy and things are putting together. Because I feel like there is, due to restrictions and the maps in this county, the way they're drawn up, that certain people aren't allowed to vote in certain areas. And because of this, I ask that you give us more, make it easier for the community to see the feedback of these maps so that we can give our feedback like how other people have said, so we're able to build this community and work with you so that you may work with us. Thank you.

Speaker 1 ([15:04](#)):

Thank you, Mr. Alderman. Carl, one more time because a few folks have walked in. Crystal Gwendo. Crystal, did you walk in? Okay. Mr. Tim Heath. Mr. Heath, for the record, if you would state your name in any organization that you may represent, sir. Mic is yours.

Tim Heath ([15:28](#)):

My name is Tim Heath. Good afternoon everyone. Again, my name is Tim Heath and live in Red Springs here in Robeson County. I service the first vice chair of the Democratic Party here. Robeson County is about the size of the State of Rhoda with a population around about 132,000 or more people, with a unique population being broken down of about 40% Native Americans, 28% White, 26% Black. And there are other races, the Hispanic and Asian-American others that comprise of the other 6% or so. Our community is a rural community that has suffered two 500 year storm. And that's in the last five years. And as a result, our population has been decreasing. Among the challenges are low tax base that negatively affects the funding for our schools, healthcare, job opportunities, recreation opportunities, and our infrastructure and other issues that contribute to our quality of life.

I stand before you to advocate for Robeson, Hoke, Scotland, Cumberland, and Richmond to be a cluster that you would strongly consider being that we share so much as it relates to the challenges that I just mentioned. Electing a leader from this cluster will ensure that that person will understand the needs and be responsible, and be held accountable to the constituents who share the same values and concerns as they relate to having a better quality of life for our citizens. I would strongly urge and I would recommend that you would consider this cluster as we'll be of this kind of leadership for the next 10 years. And we know where we stand now. We have some changes that we have to make. Thank you for your time and your attention today.

Speaker 1 ([17:30](#)):

Thank you, Mr. Heath. Ms. Mary Storms. Ms. Storms, if you approach, will you please state your name and anybody that you represent? You have two minutes.

Mary Storms ([17:39](#)):

Thank you. My name is Mary Storms. I represent myself, although I am a member of the League of Women Voters in the Southern Pine Hills area. Not big enough to have a whole membership there for ourselves. I do live in Lumberton. I moved to Lumberton from Charlotte never thinking I would be in the

same congressional district. Having lived in both towns for several years each, I can tell you that they're so different that us just having one representative for both constituencies seems personally ridiculous to me. I would also like to say that I generally agree with every speaker. Although I can't speak for the specific areas they are.

I just have a general statement, which is to say, our redistricting our district should have nothing to do with politics or party and everything to do with the fairness of every individual being encouraged to vote, able to vote and represented fairly. So as y'all make your decisions in whichever way you do it, I would ask you to not speak, not make decisions as Republicans or Democrats or as whatever else you have on your own personal plate, but to vote for our democracy to make it fair and encourage voters, whether they are educated voters, uneducated voters, whatever ethnicity. And forget all of that as you make your decisions about what is the right way to redistrict for our democracy to thrive. Thank y'all for being here and for letting me speak.

Speaker 1 ([19:37](#)):

Thank you, Ms. Storms. Christina Davis McCoy. Ms. McCoy. Ms. McCoy, if you would state your name for the record and anyone that you may represent. You have two minutes.

Christina Davis McCoy ([19:57](#)):

Good evening. I'm Christina Davis McCoy and I have many affiliations. Particularly this evening, I would name the Hoke branch of the NAACP. I'm a 9th Congressional District officer, Hoke County Democratic Party officer and Democratic Women of Hoke County. I've lived in the Sandhills region for the past 27 years in the community of Hoke County. During this time I have witnessed and experienced redistricting several times that has had significant impact on the voting strength of this region. As this redistricting can consideration is underway, I strongly submit my interest in advocacy for our district to remain a distinct Sandhills construct comprised of Moore, Hoke, Scotland, and Robeson Counties, unsplit, undivided.

These counties share similar histories in the region, as well as the evidence related rural characteristics in transition. In the interest to achieve the maximum miracle mix of eligible voters, I would further ask that the counties of Cumberland and Richmond complete our cluster of communities of interest for the as newly created district. Thank you so much for this opportunity to speak. And I look forward to you taking seriously the concerns of all of the voters who have spoken before me and who will come after me. Thank you.

Speaker 1 ([21:43](#)):

Thank you, Ms. McCoy. We appreciate your comments. Kara Pearson. Ms. Pearson, if you would state your name and if you represent anyone please, and you have two minutes.

Kara Pearson ([22:04](#)):

Thank you all for allowing us to speak. My name is Kara Pearson. I live here in Pembroke, North Carolina. My family has been here for five generations. My neighborhood includes retirees, working families and professionals at the university. Overall, Pembroke is a working community located in one of the most impoverished counties in the State. In the past few years, as a result of climate change, we have dealt with two hurricanes, at least at the onset of last year due to COVID. It became very obvious that broadband is a major issue in the area due to lack of access for the local students who were unable to attend classes, which was a domino effect for the educational system.



Also, we need more industry in the area to provide jobs so that residents have access to affordable housing and food. In the current congressional district map Robeson County is clustered with Mecklenburg and Union counties. Potential flooding, internet, and jobs are not in the top 10 issues and concerns for Mecklenburg and Union counties. Our cultural has historical and economic interests are in total contrast to those particular counties, which make it difficult for a congressional representative to advocate for our particular needs. Our interests are aligned with Scotland, Hoke, and Cumberland counties. We should be in a district where our congressional representative will be accountable to us as voters. Fair maps are crucial to ensuring that every vote counts equally and not in favor for a few, but to put counties like Robeson County at a disadvantage. I'm here to ask that fair, balanced district maps are created in North Carolina for the next 10 years. Thank you for your time and consideration. I represent Precinct 22.

Speaker 1 ([24:10](#)):

Thank you, Ms. Pearson. It appears that we have exhausted all those who have signed up. But it is the care's intent to let anyone who would like to speak on this matter that has not spoken, that's here in the room to speak on this matter because it's of great importance to the State. So is there anyone who has not signed up that wishes to speak at this time, please approach the microphone. No one? It's your opportunity. Okay. I would like to thank everyone who came out and participated. I would like to remind everyone that there is an online redistricting portal that can be accessed on the State's legislative website, [ncleg.gov](#). So no further business before the committee. The committee's adjourned.

Bill Raven ([00:00:00](#)):

(silence) Wow. Thank you for coming.

Speaker 1 ([00:00:57](#)):

[inaudible 00:00:57] grandchildren where I am. Where is the public speaking spot? Way over there?

Bill Raven ([00:01:08](#)):

There's a speaker over there.

Speaker 1 ([00:01:10](#)):

Oh, they're waving to you?

Bill Raven ([00:01:14](#)):

I guess they were.

Speaker 1 ([00:01:19](#)):

I'm working for my [inaudible 00:01:20]. Oh, there's mine.

Bill Raven ([00:01:20](#)):

Ncleg.gov, right?

Speaker 1 ([00:01:41](#)):

Yes. They're not letting people out the front. Maybe they don't want to go [inaudible 00:01:41].

Speaker 2 ([00:01:41](#)):

I don't blame them.

Speaker 1 ([00:01:41](#)):

I'm good. How are you?

Speaker 3 ([00:01:41](#)):

Good to see you.

Speaker 1 ([00:01:41](#)):

Thank you for being here.

Bill Raven ([00:02:30](#)):

It's five o'clock. Hey Bob, how are you?

Bob ([00:02:36](#)):

How are you?

Bill Raven ([00:02:36](#)):

I'm well, good to see you.

Bob ([00:02:38](#)):

[inaudible 00:02:38] I understand, Tuesday you're going to be meeting. Is that right? Tuesday, y'all are going to be meeting? [inaudible 00:02:42].

Bill Raven ([00:02:45](#)):

Oh, you're ahead of me. Thank you.

Speaker 4 ([00:02:45](#)):

I don't know if that mask will go over, right?

Bill Raven ([00:03:09](#)):

Well, that's why I wore it because I'm a wolf pack. I'm an NC state guy. I just thought I'd put it on and I'd see if I could ...

Speaker 4 ([00:03:09](#)):

Congratulations.

Bill Raven ([00:03:09](#)):

I'm ready?

Speaker 1 ([00:03:15](#)):

I wish I had known. I know y'all from [inaudible 00:03:16] gerrymandering comment from who was it, yesterday and today?

Speaker 3 ([00:03:29](#)):

It's going onto today and yesterday, but they take the segments and what I'll do is as your builder brand, I'll get-

Speaker 1 ([00:03:37](#)):

I think it'd be great for everybody if many of you get it.

Speaker 3 ([00:03:44](#)):

I'll make sure you'll have it.

Speaker 1 ([00:03:44](#)):

That'd be great. Good. That'd be good.

Speaker 3 ([00:03:44](#)):

Well good. I'll get out of your way.

Bill Raven ([00:03:45](#)):

We're going to get started. Are you ready? Ready on the left?

Bob ([00:03:47](#)):

I'm ready.

Bill Raven ([00:03:48](#)):

The meeting will come to order. Good evening and welcome to the New Hanover County redistricting meeting. We want to introduce our Sergeant at arms to begin the meeting tonight from the house. We have Jonas Cherry from the Senate. We have Linda Matthews and Shere Hedrick. Welcome. And thank you for coming down and helping us out tonight.

Our general assembly police officers are Sergeant Kane and Sergeant Cook. Thank you for being here and helping us tonight. Again, welcome. This is a fact gathering meeting. We want to hear from all of you and we have a list. If you are not on the list and we go completely through the list and someone would like to speak, we're going to let everyone here, have an opportunity do so. I would like to tell you all as well that you can get a lot of information about redistricting from the legislative website, ncleg.gov.

So please go there. Visit that site. I think this meeting will be recorded and probably on that site as well all of the other meetings. We appreciate you coming and we look forward to your input. So does anyone hear care to speak?

Speaker 1 ([00:05:20](#)):

You want to introduce everybody?

Bill Raven ([00:05:24](#)):

Then we will get into the-

Speaker 1 ([00:05:25](#)):

I mean, the panel. You want to introduce the panel?

Bill Raven ([00:05:28](#)):

Oh, let me introduce the members of the panel. I'm sorry. That's sort of important. We have representative Deb Butler, New Hanover, representative Becky Connie, representative Charlie Miller and representative Carson Smith and I am Senator Bill Raven. So again, welcome to them and welcome to you all.

Speaker 1 ([00:05:52](#)):

And I got the medal for coming the farthest.

Bill Raven ([00:05:56](#)):

You got the medal and I'm sure you lost the most money. And that's how they came in.

Speaker 1 ([00:06:04](#)):

I'm from Charlotte.

Bill Raven ([00:06:04](#)):

She came all the way from Mecklenburg. Very good. Let's get into our speakers, quite a number of them. If you get a little lengthy, the Sergeant at arms may notify you, but we want to hear what you have to say. We just want to respect everyone and make sure that everyone has time to speak. So let's get into it. And we will start at the top with Joann Levitan, if you would come down. Until we get this down pat, the Sergeant at arms will help you and explain. First is always the toughest and welcome.

Joann Levitan ([00:06:51](#)):

Thank you. Good evening. And thank you for the opportunity to speak to you tonight. My name is Joann Levitan. I live in Leland, North Carolina in Brunswick County. I'm speaking today as a private citizen. Brunswick County consists of a mix of rural areas with economic challenges and residential communities with relatively affluent retirees.

I have two issues that I would like to address today. The first issue is North Carolina house district 19, which was redrawn in 2019. Prior to redistricting, the entire district was in New Hanover County. It was a competitive district as evidenced by the fact that in 2018, the two top candidates were separated by only a thousand votes.

In 2019, the district was redrawn. The new configuration spans the beach towns in New Hanover and Brunswick counties, which are separated by the Cape Fear River. The new district is far less competitive as evidenced by the fact that the same candidate who lost by only 1000 votes in 2018 lost by over 9000 votes into 2020. Having a district that spans two counties violates the criteria of keeping a district in one county. I'm asking that the commission consider redrawing district 19 to keep it in one county and make it more competitive. Voters should choose their representatives, not the other way around. My second issue is the fact that these hearings are being held before the maps have been drawn.

How can the public comment on maps they haven't even seen? I urge you to consider holding public hearings again after the maps have been drawn to give the public an opportunity to address any concerns. Thank you for your consideration.

Bill Raven ([00:08:38](#)):

Thank you, ma'am. Our next speaker is Esther Murphy. Esther Murphy. Evidently not here. The next speaker, Ronald Sparks. Mr. Sparks? Not here. Next is Theodore Fuller. Mr. Fuller. Welcome. And you have the floor when you get to it.

Theodore Fuller ([00:09:18](#)):

Yes, that's good. My name is Theodore Fuller and I live here in Wilmington. North Carolina is heavily gerrymandered. Republicans have deliberately gerrymandered the votes to magnify their own political power. In 2016, the chair of the North Carolina House of Representatives Redistricting Committee testified that, "I propose that we draw maps to give a partisan advantage to 10 Republicans and three Democrats, because I do not believe it is possible to draw a map with 11 Republicans and two Democrats."

In the election of 2016, the gerrymandered congressional maps did indeed create a congressional delegation that included 10 Republicans and three Democrats. The North Carolina Supreme court insisted that the legislature redraw the maps before the 2020 election. The maps were a little bit fairer, but still gerrymandered with eight Republicans and five Democrats, even though more

people voted for democratic members of Congress than for Republican members of Congress. This is profoundly undemocratic.

Gerrymandering also leads to expensive litigation. The Winston Salem Journal has reported that over the past 10 years, that our state has had to spend roughly seven million taxpayer dollars defending indefensible gerrymandered maps. At this point, draft maps have not been drawn and there are no plans to allow public comment at forums such as this, after the maps are drawn, that is unacceptable.

The public has a right to see the maps and comment on them before the Republican controlled legislature adopts the maps. You simply can't ask the public to trust the legislature after a clear history of gerrymandering. Thank you.

Bill Raven ([00:11:13](#)):

Thank you, sir. David Smith.

David Smith ([00:11:18](#)):

Hi, my name's Dave Smith and I live in New Hanover County. And I want to thank you for giving me the opportunity to speak. Clearly, voting is the essence of a democracy and being able to speak our opinion is extremely important. With that in mind, I would like to ask you to stop gerrymandering and to go along with that, to let the public comment on the new districts before they're voted on.

And then along with that, to also publish and make available a list of the people that are on the committee that draw up the maps such as attorneys or people that are working for a particular institution so that we could see who else is involved in this. And again, thank you for allowing me to speak.

Bill Raven ([00:12:29](#)):

Thank you, sir. Frederick Bingham. Welcome.

Frederick Bingham ([00:12:46](#)):

Yes. Hello. My name is Frederick Bingham. I live here in Wilmington and I represent only myself. Thank you for are listening to the citizens of Wilmington and New Hanover County and taking our views into account in your work on redistricting. You have an awesome responsibility. Your work will determine the direction of North Carolina politics and policy for the next decade. I would like you to understand that elections for general assembly and Congress in our region are currently foregone conclusions.

They're decided ahead of time by politicians in Raleigh, who carve up the districts in a way that make elections completely one sided. Often the party out of power in a district does not even bother to field a candidate. This naturally feeds people's intuitions that elections don't matter and that elected officials do not represent them.

Our state is currently almost evenly divided into Republicans, Democrats and independents and votes for general assembly are almost evenly divided to democratic and Republican candidates. I would urge you to make it your top priority when you draw your maps to make as many seats as possible competitive with similar numbers of each affiliation. The people benefit when elections are a genuine contest of ideas and when they understand that their votes really do matter. I would ask you to consider why you are up there doing the task you are doing. Is it to benefit the people of the state of North Carolina, or is it to perpetuate you and your party's grip on power? Partisan gerrymandering is a cancer on our democracy. You have the power to stop it. Thank you.

Bill Raven ([00:14:28](#)):

Thank you, sir. Mark Johnson. Mark Johnson? Sue Marsh. This doesn't bother me. Does it bother you?

Speaker 1 ([00:14:28](#)):

Do what?

Bill Raven ([00:14:57](#)):

I said, it doesn't bother me for people to pull [inaudible 00:14:58].

Speaker 1 ([00:14:58](#)):

[inaudible 00:14:58].

Sue Marsh ([00:15:04](#)):

Hello. I'm Sue marsh. I'm from Southport. Thank you for letting me speak. I've lived in North Carolina for many years and out of North Carolina for more. North Carolina is known as the poster child for gerrymandering. And I'm asking you to be the first legislature to end that and give us fair maps.

It's not just the Republicans. The Democrats have always been guilty of this as well. So I'm not pointing fingers at either party alone. That said, I'd like to discuss one of your criteria and that's the member of residents criteria. I know these have been decided, but I would ask you to think about how you apply this criteria. As written, its member residents may be considered in the formation of legislative and congressional districts. This is ambiguous and it leads to a wide variety of outcomes. One is that you draw the maps so that the incumbent stays within his or her district giving the unfair advantage of being the incumbent. And as we know, that's always an advantage.

Another way to interpret this criteria is to enable the maps to be drawn to eliminate possible strong candidates that are opponents of the person in the seat. And the maps can be drawn to eliminate that strong candidate. These maps are being drawn close enough to the primaries so that there's a good idea as to who the candidates are going to be.

The third is that the maps could be drawn using this criteria to absolutely eliminate people who were now in the seat, eliminate them from their seats by taking those legislators, those candidates who are incumbent, but are against what you believe or against your political theory and redistricting them so that they're no longer in their incumbent seat and therefore do not have the power of the incumbency. So I'm asking you to change this criteria so that it does not consider residential areas for incumbents. Thank you.

Bill Raven ([00:18:02](#)):

Thank you. Leslie Wishman. Leslie Wishman.

Leslie Wishman ([00:18:21](#)):

Yeah, I [inaudible 00:18:22]. Excuse me. She needs to throw a light on this for me. I'm sorry.

Bill Raven ([00:18:29](#)):

There you go.

Leslie Wishman ([00:18:29](#)):

Can you put the light on?

Speaker 1 ([00:18:29](#)):

I'm turning it on.

Leslie Wishman ([00:18:31](#)):

All right. We're waiting for a light because I have very low vision. I'm very sorry about that. Thank you for this opportunity to express my concerns about redistricting in North Carolina. My name is Leslie Wishman and I live in Holly Ridge. To begin my comments, I'd like to ask you all a simple question. Do you know your nine digit zip code?

While this may seem weirdly irrelevant to you, it became an important piece of my life following the 2010 redistricting process. In 2010, the North Carolina legislature split my town, Holly Ridge, in half. They split my zip code 28445 in half and they split my island, Topsail Island in half. As a result unless I know my nine digit zip code, I cannot contact my US Congressman through the Thomas System. I am here to implore you not to divide my community again. The 2020 census clearly shows that Onslow, Pender and New Hanover counties are all experiencing rapid growth, which is creating common problems. For many of us in this area, our lived communities stretches from Jackson to Wilmington. This is where we shop, recreate, engage in civic activities, socialize, attend cultural events and obtain medical and other professional services.

We share concerns about our natural resources, excuse me, our rapidly growing communities and the strains on our infrastructure. Therefore, I ask that when you group the counties, you group Onslow, Pender and New Hanover together, and please do not split my town again.

Please do not split my zip code again. And please do not split my island again. When you disregard municipal boundaries and communities of interest and draw random arbitrary boundaries for legislative and congressional districts, you create situations where the average citizen cannot even write their Congressman without looking up their nine digit zip code. Thank you for your attention.

Bill Raven ([00:20:52](#)):

Thank you. [inaudible 00:21:00] don't have glasses. Thank you. Sonya Beniton Patrick. [inaudible 00:21:17] my glasses. I can't see.

Sonya Beniton Patrick ([00:21:25](#)):

Thank you. Good afternoon. My name is Sonya Beniton Patrick. I reside in New Hanover County. I can trace my family's history back to the late 1800s to the Bellamy plantation. On behalf of the congressional seventh district of the North Carolina Democratic Party, I would like to thank you for your contributions citizens of North Carolina.

The congressional seven includes Bladen, Brunswick, Columbus, Harnett, part of Harnett, Johnson, New Hanover, Pender and Sampsons counties. For centuries, African Americans have been victims of voter suppression and Wilmington in 1898, took place in only successful government takeover in this nation's history.

Passing laws of voter suppression clearly impacted African Americans. In 2021, it is the same dance, different music known as gerrymandering. My father was a disabled veteran. He voted in W29. My mother, who is 90 years young, still votes in W29 along with many of her classmates from Williston, the greatest school under the sun.



Speaker 1 ([00:22:38](#)):

That's what they call it.

Sonya Beniton Patrick ([00:22:42](#)):

Where W29 precinct is located, Meadowlark Lemon, Avia Gibson and other famous historic people attended there until to the school closed in 1968. However, the passion for love unity and social justice is alive and well in the community. W29 and W3 are predominantly African American precincts.

They were taken out and placed in another congressional district and later ruled unconstitutional. We ask that our municipalities and precincts not be divided into separate districts. As for UNCW, we ask that W24 not be divided and remain an NC Senate nine district. Regardless of our party affiliation, backgrounds, we are Americans.

A divided house cannot stand. We must dwell on what unites us rather than what divides us. Voting is our constitutional right shared by all citizens and our right to vote is not up for compromise and it can't be impacted by gerrymandering. We ask for fair maps that will represent all registered voters of the district, not just a select few. This is the United States of America with liberty and justice for all. Thank you for listening.

Bill Raven ([00:23:56](#)):

Thank you. Richard Pool. Thank you.

Richard Pool ([00:24:16](#)):

Thank you. Thank you for coming to New Hanover County to receive public input. I'm sure everybody in this room appreciates that. Some of my comments were already covered. I agreed with the comments made by Sonya Beniton Patrick. My first two comments are going to be aimed at please don't repeat the mistakes of the past.

In 2019, in common cause V Lewis, New Hanover districts were found to be extreme gerrymandering and intentional gerrymandering. Two items. Number one, and Sonya Beniton Patrick mentioned this, the city of Wilmington, two precincts were pulled out of New Hannover County and added to Senate district eight, which is Brunswick, Pender and some other counties.

So basically according to the court in common cause V Lewis, the intent and effect of including those voters in the Wilmington notch was to waste their votes. Thank you. Number two. Another item that came up in common cause V Lewis is the splitting of precinct W24, that's the UNCW precinct.

It was cut in half. Confusing for the students, dilutes their representation, and again, weakened their representation in the North Carolina house. In the common cause V Lewis, caused those district, two different parts of the precinct, to be rejoined in a single district.

Item three, and this will be my last one, house district 19 currently spans the Cape Fear River. Now a preceding speaker, Joann Levitan mentioned that and I want to concur with her remarks, but I have another point to make it's, the Cape Fear River running through it is a natural boundary that prevents the two different sides of this district from being a single community of interest.

Holden Beach and Curry Beach are only about 10 miles distant as the crow flies but the drive between them requires a 52 mile drive that at this time of day takes an hour and 11 minutes. I just checked on Google and we urge that whatever district ends up in the Southern part of New Hanover County, not span to the other side of the Cape Fear River. Thank you very much.

Bill Raven ([00:26:57](#)):

Thank you. Barbara Garrow.

Barbara Garrow ([00:27:21](#)):

Thank you for giving me time speak today. I'm Barbara Garrow and I live in New Hanover County. And I want to speak today at the need to look at the Wilmington region and its lifeline, the Cape Fear River. The counties of New Hanover, Pender and Brunswick have about a half a million residents.

The economic thread of this region is the lower Cape Fear River. It supplies fresh water, agricultural lands and commodities that feed the growing population, its beach and inland communities and is the lifeline of the diversity and culture on which this region thrives. I am suggesting a congressional redistricting that focuses on the needs of this river ...

PART 1 OF 4 ENDS [00:28:04]

Speaker 5 ([00:28:00](#)):

... national redistricting that focuses on the needs of this river basin. Clean water, resource management, and economic development are tied to this water body and coastline. Unsustainable development will ruin the quality of life, our estuaries, and fisheries, farmland, and food it produces to feed us and other resources need to support our urban and suburban populations. Focusing our congressional district on these resources in the lower Cape Fear River is paramount to the future of this region and its sustainable development. Thank you.

Speaker 6 ([00:28:39](#)):

Thank you. Monica DeAngeles. Monica DeAngeles. Marsha Morgan.

(silence). Welcome.

Marsha Morgan ([00:29:10](#)):

Thank you all for being here. I appreciate the opportunity to speak. I'm Marsha Morgan. I live in Carolina Beach. And I don't want to repeat the arguments that have already been made in the interest of time, but I do want to readdress one in particular, and that is that I ask that you consider the guidelines that are used to make up the different districts in the case of House District 19, and I was the candidate that ran against representative Miller, I think that we both would agree is a very rugged district to work in.

That river, I guess, on a map, looks like a black line, but it is really a very huge navigable river and it's very difficult to get from one side to the other. I would argue it from the standpoint of the representative of this district, that it's very hard to handle both sides of the river. You can't have a meeting and encourage all of your voters to come unless you meet in Wilmington or in Leland. To get from one side or the other, you pass through two different districts. Again, I encourage you to look very carefully at what the guidelines are for creating a compact, cohesive district. Thank you for your time.

Speaker 6 ([00:30:31](#)):

Thank you. Herb Harton.

(silence).

Herb Harton ([00:30:56](#)):

Thank you. My name is Herb Harton and I represent the North Carolina Democratic Party Labor Caucus and the Southeastern North Carolina Central Labor Council. Both of these organizations serve thousands of hardworking North Carolina families. The citizens of North Carolina want an electoral process where they can fairly choose representatives from their area to represent them. They don't want their votes nullified by sectioning them off into areas with the sole intent of disenfranchising voters, as was done during the last decades when Republicans shamed themselves and stained the North Carolina election process. It's time to end the possibility of partisan gerrymandering once and for all, so that no one, Republican or Democrat, can subvert our democracy.

Although, I'm making comment in a vacuum because you've not provided any maps for review, it is clear that historically, you have unnecessarily divided New Hanover and Brunswick County in order to maximize the number of solidly Republican districts. The map you created next should not split New Hanover County nor Brunswick County. Rather, each county should have two House Districts wholly contained their in, and one Senate district per county. The census data supports this approach, and that way, the districts would be compact as required, and communities of interest, as well as counties and municipalities can all remain intact. I implore you not to blend the districts with the sole purpose of diluting votes in order to win legislative seats. Please allow the citizens of New Hanover County to determine their representatives and the people of Brunswick County to do the same. In a democracy, legislators should not be able to choose their voters.

Speaker 7 ([00:32:57](#)):

Yes.

Speaker 6 ([00:32:59](#)):

Thank you. Jake Smith.

(silence).

Jake Smith ([00:33:20](#)):

Hello and good evening. My name is Jake Smith and I was born and raised in Wilmington. I recently moved back here after living in Raleigh for a couple years for college. As many of you may know, North Carolina has been extremely notorious for racial and partisan gerrymanders over the years for many decades. And I believe that New Hanover County's current statehouse district lines do not represent New Hanover County as a whole. Never in the past decade, in my opinion, has New Hanover County had fair lines. My first qualm is with the current lines of House District 19. This district combines our county's beach communities with places such as Southport and Oak island and Brunswick County, also beach communities with heavy retiree populations.

This sounds like the two places would go together, until you realize that there are miles of the Cape Fear River that separate the two counties. Just because the precincts are next to one another on a map does not mean that the move geographically makes sense. I'm also asking you to redraw House District 18 and 20. The way these districts are drawn completely eliminates any competitiveness that may have existed before, sorry, before 2019. In a county as competitive as New Hanover County on the federal, state, and local level, a two to one Republican advantage in the seats that last for the entire decade is not representative. Thank you for your time. And I appreciate you to being here.

Speaker 6 ([00:34:44](#)):

Thank you. Marlene Barney.

( silence).

Marlene Barney ([00:35:07](#)):

Hello. I'm Marlene Barney. My husband and I live in New Hanover County, north of the bridge that goes over to Carolina Beach. We're presently in State House District 19, Senate District 9, and Congressional District 7. Our community includes a wide range of housing options, from trailer parks to very large homes, as well as a very diverse population that includes working class people, teachers, and other professionals, small business owners, veterans, and retirees, and consists of just about every race, ethnicity, religion, and political party. I'm celebrating my birthday here with you this evening because democracy is so important to me. You see, I was raised by an immigrant mother who, as a child, fled with her family under frightening circumstances to escape the beginnings of communism and fascism in Russia. They eventually made it to the United States, their adopted country. My mother became a citizen and voted in every election. Free and fair elections are the foundation of a free society and a vote of a democracy.

This includes fairly drawn districts. Fairly drawn districts should be bordered by contiguous geographical and man-made landmarks and represent the demographics of the population and the common interests of the communities within them. Communities who have a common interest, such as the recent closing of our local park, should be kept together. Presently, House District 19 winds around into part of Brunswick County, a different community with different demographics, different interests, and issues, and a different local government. This is not fair representation. Political candidates should win elections based on their qualifications, character, values, and ideas, not on some built in handicap provided to them like a game of golf. To this day, Russia is ruled by an authoritarian dictator who stays in power by giving himself unfair advantages. On behalf of my mother and all Americans whose families have escaped authoritarian governments, please don't Russia North Carolina. Thank you.

Speaker 6 ([00:37:30](#)):

Thank you. Lawrence Jansen.

(silence).

Lawrence Janson ([00:37:47](#)):

Thank you. My name is Lawrence Jansen and I live and vote in Holly Ridge in Onslow County. I want to emphasize two priorities when determining voters districts. One, to keep municipalities together. And secondly, to include communities of interest in the same district. I live just off Topsail Island, midway between Jacksonville and Wilmington, just north of the Pender County line. Current district team splits the towns of Holly Ridge and Surf City. Topsail Island, a wholly discreet community is similarly divided. Organizing communities of interest together will more effectively represent the citizens sharing these common interests. This fear of my regular life activities extends from Jacksonville, to Wilmington, and over to Topsail Island. This describes a coastal community. Our services economy, interests, and challenges of growth differ from those of the inland agricultural communities currently included in our district. Recognizing the common interest of each community will encourage effective representation of each community. Thank you very much.

Speaker 6 ([00:39:08](#)):

Thank you. Katherine Hedgepath.

(silence).

Katherine Hedgepath (00:39:36):

Good evening. I'm Katherine Hedgepath and I live in New Hanover County. Many people tonight will talk about the need for transparency and keeping everyone informed about the general assemblies redistricting work, but I wish to speak on behalf of North Carolina's 2.3 million unaffiliated registered voters, about one third of the total number who voted in the 2020 election. I recognize the elections are partisan by nature, but we are part of your electorate too. Remember your first election, the passion that pushed you to run for office, the need to introduce yourself to the voters? Voters needed to know who you were and why you were asking for their support. That exchange between candidate and voter, that vibrancy is essential to our democracy. It does not happen in districts so secure that only the incumbent is on the ballot.

Candidates without viable opposition have no incentive to participate in candidate forums or even to post information about their positions in voter guides, like the League of Women Voters' VOTE411 online guide. Gerrymandering may ensure their victory, but our democracy and we, the voters lose. You now have the ability to give North Carolina many more competitive districts. Races where all the candidates have to persuade voters to support them. That's all the candidates. Races where information is exchanged and informed decisions can be made. Races that recall the passion you brought to your own early runs for office. Like other unaffiliated voters, I do not vote a party line ticket. I vote for the person, regardless of the party affiliation beside their name. I cannot do that without information and options. We deserve and need voting districts that encourage many ideas and multiple candidates. Please use districting process to strengthen, not weaken our democracy and partisan gerrymandering. Thank you.

Speaker 6 (00:41:58):

Thank you. Marla Barthen.

(silence).

Marla Barthen (00:42:34):

Hi. Thank you for allowing me the opportunity to speak to you tonight. I am Marla Barthen. I'm talking to you as a person from Wilmington, but I also represent the League of Women Voters. I am their co-president this year. So as part of the League of Women Voters, we actually cover three counties, so we understand the geography of how far and how hard it is to cover this much geography. So we cover Pender, Brunswick and New Hanover Counties. So please, I have a few things to say that I hope maybe you'll jot down. There are some things that we have concerns about in our transparency of what's happening with our redistricting right now. This, for instance, we are concerned, with COVID, that we didn't have an option for us to be able to see this virtually and for folks to be able to participate.

We are. And secondly, in the transparency piece of this, understanding the criteria that you're putting into these maps, we want to know that information. And we also want the opportunity, after you've done these maps and you've drawn them, I want you to be able to give them to us, so that we can take a look at that, and so that we can have some time to digest that and evaluate those maps. Give us some time and then bring us back for more hearings because we will have things to say about it, so we appreciate that from you. And as we do that, the next time, we hope that you have a forum that allows us to do that virtually, as well as in person because we know that this is all going to be happening during COVID again, so that's our big concern is transparency. Thank you very much. I appreciate it.

Speaker 6 (00:44:21):

Thank you. Alex Urban. Alex Urban. I don't see him. [inaudible 00:44:43]. Deandre Cornish. Deandre. Thank you.

(silence).

Deandre Cornish ([00:45:08](#)):

Hi. I'm Deandre Cornish. I address 314 Linen Drive, Unit 12011. I'm the precinct chair for the Precinct W15 here in Wilmington. And we'd like to keep our precinct in one district. It would be nice. And I would also like for you guys to consider creating a board that would draw the districts a nonpartisan board that withdraw the districts on for our U.S. Congressional Districts, our State Legislative Districts for house and county. I'm sorry, Senate. I'm a little nervous. And it would be really great if you guys could also have a board created locally for something that you guys are not here for today, so that we can create local voting wars in districts for the city, county, and school board. Thank you.

Speaker 6 ([00:46:04](#)):

Thank you, Sir. Deborah Maxwell.

(silence).

Deborah Dicks Maxwell ([00:46:10](#)):

Can I find it? Shoot.

Speaker 6 ([00:46:10](#)):

You'll find it.

Deborah Dicks Maxwell ([00:46:42](#)):

I'm at the age I can't remember everything. Thank you for allowing us to have this here. My name is Deborah Dicks Maxwell, a native Wilmingtonian, president of the New Hanover County NAACP, and one of the many members of the complete count committee of this city and county that worked towards the census numbers that brought us to this point today. So while we did that, we don't want to repeat of the loss of our vote which was through a bullet in November 10th, 1898 because you're doing it by gerrymandering with a ballot. We really need to have our municipalities and our communities together. They do not need to be separated. I retired from Brunswick County, so I understand the difference between the two counties quite well, as I'm a lifelong resident of New Hanover. We need to have our own separate places and spaces and we enjoy and support each other.

I can't find it again. Okay. The timing of this also needs to be considered, as I thank you for having this meeting at five o'clock, but if I was still working and I'm not retired, it would be a hardship to find childcare and sponsor online to do this. I always advocate because I'm here for the hopeless and those who can't make it here, so I'm speaking for them. We want to be considered as a united municipality wherever it may be, wherever you decide to do that. Do not split counties. Do not split municipalities. The process needs to be independent. North Carolina needs to be known for something good in the news sometimes, instead of for something that they did through trickery for others. Elections matter each and every time. And we wish you to consider to separate and keep us as we should be, within our own communities, within our own neighborhoods, with those we know. And I thought we were supposed to have our masks on unless we were speaking in here. Thank you very much.

Speaker 6 ([00:48:55](#)):

Thank you. [inaudible 00:48:55]. Thank you.

( silence).

Speaker 8 ([00:49:11](#)):

Good afternoon. Thank you for having me. I would reiterate what she said. I work. I just left work early to be here. I'm not with my small children to be here. I appreciate this opportunity. However, my understanding was with redistricting 10 years ago, there were 40 public hearings and now there's 13, so that's an ominous sign right from the get go. Gerrymandering is bad. It distorts democracy. And a couple things, I've really watched over the last 10 years aghast, not at the policy outcomes of the extreme gerrymandering in North Carolina, but the ability to rectify and remedy it. I've watched for the racial gerrymandering, the partisan gerrymandering in Congressional Districts and Legislative Districts. And ultimately, the judicial remedy was too late. It took eight years to attempt to fix the mess that was created in 2011 and it left the people without a voice. In 2018, there were more democratic votes than Republican votes for U.S. Congress, yet the delegation was 10 to 13 Republican.

For the North Carolina house, Republicans got 49% of the vote, but got 55% of the seats. Democrats got 51% of the vote and 45% of the seats. For the North Carolina Senate, it was more egregious. Republicans got 49.6% of the vote, but held 58% of the seats, and Democrats with 50.4% of the vote had 42% of the seats. That's not fair. Okay. Over the last 12 years... Well, over the last 20 years, I'm a teacher of American History, in the last 12 years, I've partnered with the League of Women Voters to register over 2000 of my students. I tell them that their voice matters, that democracy matters, that their vote counts, and gerrymandering makes a liar out of me. Their votes should count equally. I implore you to do the right thing. Gerrymandering distorts and subverts democracy. This should not be a partisan thing. If the Democrats were doing it, I'd say the same thing just as loudly. Please support democracy. Please show leadership. Either your principled or you're not.

Speaker 6 ([00:51:31](#)):

Thank you. Rodney Moore. Rodney Moore.

(silence).

Speaker 9 ([00:51:31](#)):

Rodney Moore?

Speaker 6 ([00:51:31](#)):

Mm-hmm (affirmative).

Speaker 9 ([00:51:39](#)):

Rodney Moore?

Speaker 6 ([00:51:50](#)):

He from New Wilmington.

Speaker 9 ([00:51:50](#)):

Yeah.



Rodney Moore ([00:51:54](#)):

Afternoon, chairman Raymond and the rest of the panel. My name is Rodney Moore. I am not a citizen of New Hanover County, but I grew up here in New Hanover County, and I very well may be returning to New Hanover County very shortly. I came today because I knew I was going to be here, and I wanted to just give you guys a few observations that I have. A lot of strong convicted things were said. One of the things that I've pointed out was the fact of this hearing. The fact that this hearing is in the middle of the day, out of the purview of public transportation. And for some, it's very hard to get here. And the process is not fair. We know it's not fair. I've sat with you guys for eight years in the general assembly.

I've been through many hearings about gerrymandering and redistricting and we know that the process is not fair. And so I ask you guys, because in 2011, we went through this process, we went through years of court battles back and forth, we were drawing maps, getting maps rejected or challenged, and so this time in 2021, let's try to make it right. Let's try to do right by the citizens, not only of New Hanover County, but the citizens of North Carolina. And you've heard all of these wonderful comments. I would hope that you would take them to heart and that you would govern yourselves accordingly. So thank you guys for giving me an opportunity to speak. I was in Raleigh and I came to Wilmington just for you, Mr. Raymond, my friend.

Speaker 6 ([00:53:42](#)):

Thank you. Jim Nesbit.

(silence).

Jim Nesbit ([00:54:06](#)):

Good evening, and thank you for coming, and thanks to all the people that came, and the eloquence that we've had in our audience. I'm not going to repeat a lot of things that were said, but I just have one question. Do you have a fifth grader on the commission? I was a kindergarten teacher and my students knew what was fair and what was honest. And if you have a fifth grader that checks over your redistricting, they can tell you if it's fair and honest. I recommend that you have one check over your plan when you're finished and see if the fifth grader approves. Thank you very much.

Speaker 6 ([00:54:52](#)):

Thank you. Manuel Mejia Diaz.

(silence).

Manuel Mejia Diaz ([00:55:12](#)):

All right. Good evening. My name is Manuel Mejia Diaz and I'm the Southeastern regional organizer with Democracy North Carolina. I care about the wellbeing and progress of this community, so I see it as important for me to advocate for a better redistricting process throughout the Southeast. Nothing I say is new, but are things that are constantly being ignored by the general assembly. I don't mind repeating them. I'm asking for transparency in the redistricting process, and I'm specifically asking for communities of interest to be kept together, New Hanover County and surrounding areas of multiple historical communities of interest. Now, let's be honest. I fear that these maps have already been drawn behind closed doors and without any public input. Based on the lack of our districting hearings, this looks like you're trying to get it out of-

PART 2 OF 4 ENDS [00:56:04]



Speaker 10 ([00:56:00](#)):

Based on the lack of redistricting hearings, this looks like you're trying to get it out of the way so you can continue working on those maps. After maps are finalized, we need to be able to provide feedback, we're not just numbers on a piece of paper, we are real people who will face real consequences to your decisions. So I respectfully urge that you make wise ones in this context, that means ensuring that no one's voting power is diluted, that communities are not cracked or packed. I would hope that state leaders would've learned from the past 10 years, bad mouths will likely lead to litigation that will take money and resources away from other pressing matters across our state. This is why I wish redistricting would be done by a nonpartisan redistricting committee. These maps are not about you sustaining power, you don't get to choose your voters. Thank you.

Bill Raven ([00:56:56](#)):

Thank you. Isaiah Johnson, Isaiah Johnson, Rebecca Bond.

Rebecca Bond ([00:57:22](#)):

Hello. My name is Becky Bond, I'm a resident of New Hanover County, Federal 0.07 Precinct. Free and fair elections are at the heart of our democracy, fairness starts with fair representation so it is particularly important to ensure that districts are drawn to fairly represent the population rather than in the manner that benefits incumbents and or political parties. In this time of extreme political polarization, it is critical that citizens believe that their elected representatives are fair, transparent, and accountable as they conduct the redistricting process. To that end, I would like to also advocate for a period of public comment, including multiple hearings across the state after draft maps have been drawn and that these draft maps include demographic and other relevant data to ensure transparency. Thank you very much.

Bill Raven ([00:58:16](#)):

Thank you, Michael Rush.

Michael Rush ([00:58:34](#)):

Good evening. My name is Mike Rush, I'm a resident of Leland, North Carolina, as well as the third vice chair of the Brunswick County Democratic Party. I have been asked to speak this evening by Eric Tareshima, our county chair, who couldn't be here. Leland is located in Brunswick County and the district's 7th congressional district and is currently represented by former Jesse Helm staffer and Trump acolyte, Congressman David rouser, district seven encompasses all our portions of the following counties; Bladen, Brunswick, Columbus, Harnett, Johnston, New Hanover, Pender, and Sampson counties.

I can't speak for any other county to the best of my knowledge with the exception of one town hall at Brunswick County Community College, when he was first elected, Mr. Rouser is a ghost and for that matter, Mr. Raven, you're a ghost as far as town halls are concerned as well. I suspect the reason he doesn't have any town halls in our portion of his district anymore is because quite frankly, he doesn't have to. Why should he, his district was designed with surgical precision to suppress his opponents. In closing I have one more thing to say, what are Republicans afraid of? Let the people vote.

Bill Raven ([01:00:00](#)):

Thank you, David Smudski. Welcome.

David Smudski ([01:00:22](#)):

Hi folks, thanks for coming down to see us. So my name's Dave Smudski, I moved to Leland here a little while ago and moved here from Durham. So my education may not be 10 years, but I had 10 years up in Durham, but the point is I had 30 year years before that to see real gerrymandering. Okay, in my county, our county was divided up into four districts, four congressional districts who knows how many state assembly and Senate districts. I remember when district 12 was gerrymandering down, Interstate 40. Gerrymandering has a long history but as I was looking over the maps for the current maps, what I saw was that the congressional districts pretty much aligned with the state Senate districts, which when you get down to 120 assembly districts, they were aligned along the county borders as well.

I believe like a lot of people have said, that the municipalities and the other organizations need to be kept together, so that would be group the counties, under the counties you group the Senate districts, you put the house districts as you can, so that those voting districts are the ones that get recognized. We don't have to have party recognition in order to assign the districts. Let's use the municipalities like everyone else here said and other districts that we currently have to come up with fair districts that will represent our people. But I just wanted to say the maps are looking the best that they had in 40 years. So let's start from there and see what we can do to improve but thank you for coming.

Bill Raven ([01:02:31](#)):

Thank you, Tyler Fulton.

Tyler Fulton ([01:02:46](#)):

Okay. This is serious, but Tyler Fulton isn't a guy that slips downstairs-

Speaker 11 ([01:02:53](#)):

Drop the landing.

Tyler Fulton ([01:02:54](#)):

Let me say, representatives I'd ask that you seriously consider the history of gerrymandering in North Carolina. You've asked people to speak about maps they haven't seen, consider this task heavily as this can change history to be more inclusive or continue down a vile path that represents power instead of citizens. We're never far from the fall of our democracy and as this year has shown, democracy is at risk. Please remember all of these things as you make maps, what will you do to preserve the rights of each citizen? Thank You.

Bill Raven ([01:03:32](#)):

Thank you, Lana Garcia. And I can't read your last name because I can't [inaudible 01:03:44] Ortega. Welcome.

Maria Garcia Ortega ([01:04:09](#)):

Hello. My name is Maria Garcia Ortega and I am a senior at UNCW and I believe that now more than ever, our communities in this state need to stay united. As a civic fellow with You Can Vote, I've been able to engage with voters, registering citizens with those who speak English as their second language is a bit more difficult than we can imagine. People deserve a voice and being a student in this county has allowed me the importance... In seeing the importance of having the access to the right to vote. And

representing Hispanic heritage month, this is a time now more than ever. I represent a group of people who I love and value and have allowed me to have the roots I have today. This is why I believe it's important for us to have this access to vote, but also as a UNCW Student to keep UNCW united as a community and stay together as one. Thank you.

Bill Raven ([01:05:00](#)):

Thank you. Angelica Ulmer, Ladies and gentlemen. If anyone wants to speak, who has not signed up, please do so at this time we want everyone to have their time. So just check with one of the Sergeant at Arms staff down. Please just come down if you want to speak and sign up. Thank you. [Inaudible 01:05:38], just start. Yeah.

Angelica Ulmer ([01:05:44](#)):

Hello. Yes. My name is Angie Ulmer and I'm actually a candidate for city council of Wilmington, North Carolina. And just wanted to say, thank you everybody for being here. I am not going to repeat the concerns they have already heard them, we need to stop gerrymandering, we need to keep our municipalities together. So I really just would like to think that you are taking everything that has been said here today as somebody said, I hope you're jotting down these notes and really listening to the people. And I really just want to say thank you to everybody here today, including our panel, but to the public as well. It was brought up before there was not a forum for those that are at home to be able to see what's going on here.

And so it's our eyes and our ears that is what it's going to carry on over to our neighbors, to our best friends, to our parents, to our children and we can't stop the fight to end gerrymandering, obviously regardless of where we live, we really have to stay united in this and everybody, friends; tell your friends, family; tell your family, get out and vote. Like I said, I am running for city council Wilmington, North Carolina, but I'm not even going to tell you to vote for me. I need you to get out there and vote in general and that's all to the students, I saw a healthy number of students here, which is amazing... I'm okay, which is amazing, so yes, please, even our youth get out there and keep telling people to vote. Remind people that it's coming around early voting I believe is October 17th and the day 14th and the day of the election is November 2nd. Again, my name is Angie U, so vote for who? Angie U November two. Thank you very much.

Bill Raven ([01:07:54](#)):

Thank you, Kaylee Hoyle. Thank you. Thank you.

Kaylee Hoyle ([01:08:24](#)):

Hi, my name is Kaylee Hoyle and I'm a senior at UNCW. I'm a social work major and a civic fellow at You Can Vote. As a future social worker I place a lot of importance on keeping communities united, specifically those that are marginalized, this cannot be done with gerrymandering. Many of the populations that I work with already face a lot of difficulties and I think that it would be unjust to split up their communities, making voting increasingly more difficult for them. I think a key way to ensure a fair voting process for these communities is to allow the public to speak on maps before they are voting on. I would also like to address as a UNCW student, voting is an incredibly confusing process to begin with. As many students do not have means of transportation and find it confusing to constantly update their addresses. This is why it is vital to keep our community campus on UNCW W24 together as one district, so that this process doesn't become more difficult than it already is. Thank you for your time.

Bill Raven ([01:09:26](#)):

Thank You. Lucy [Kimija 01:09:43]. Oh, thank you.

Speaker 6 ([01:09:43](#)):

I think she's here Bill.

Bill Raven ([01:10:03](#)):

[inaudible 01:10:03] Lucy kimija?

Speaker 6 ([01:10:11](#)):

[inaudible 01:10:11].

Bill Raven ([01:10:12](#)):

[inaudible 01:10:12] Bill Moore.

Bill Moore ([01:10:17](#)):

My name's Bill Moore, I live in Brunswick County, I'm the chair of the Republican party in Brunswick county. We're not really afraid, we're here. I'd like to address a couple of things, I'd like you to consider. First of all, something that really no one's discussed smaller counties. I am concerned because I used to live in the Northeast and you put a small county with a small population together with a major center or a major county, those people lose their right to vote. They have no effect in what's going on and I think you need to consider that when you start drawing lines that are important. Secondly, I also agree with what many people have said, where possible keep counties and districts together where you possibly can.

I have a different slightly take on the district 19 point from 2.1, having lived in Leland I also remember when Leland was part of district 20 and the Northern part of Leland actually I had no say because they were over power by the Wilmington side of that. So that's an issue I would also want you to consider... And I also live for a while in Kure Beach and I would tell you that Kure Beach, Carolina Beach has a lot more in common with the beaches in Brunswick, that distance doesn't cover. They have common interests, so they will come together, I think they need to stay together if you can't make an entire county. But thank you for listening. Thank you.

Bill Raven ([01:11:33](#)):

Thank you, Claire Stone.

Claire Stone ([01:11:43](#)):

Hi, I'm Claire Stone and I'm a voter from Rockingham county. This is one of the last times I have to speak to you personally, so I came on down. I'm asking you to add at least two counties to the overall schedule of hearings, Wake and Guilford. They've been the focus of redistricting litigation, they have two of the largest counties by population and many people that I know have disabilities and use Para transit going outside their counties is difficult and expensive. Also asking this many have already done that is to add hearings after the proposed maps are drawn and stipulate that you will be using racial data to analyze those maps, to determine VRA compliance. I live in congressional district 10 and it's an example of an egregious racial gerrymander. It slashes across the state from Eden to Charlotte and carves out black

voters in Forsyth, packing them into district 6, diluting the votes, this type of exclusion on the basis of race decreases minority influence in Congress.

I brought some maps with me to give to you because you can't post maps on the narrative portal. North Carolina has about 7 million registered voters, 36% Democrat, 33% unaffiliated and 30% Republican. But currently in North Carolina house maps have 69 Republican districts and 51 democratic, Senate 28-22, congressional eighth to five. In 2020, the two parties differed by fewer than 75,000 votes out of five and a half million, representatives in safe districts cater to their voters only and as a result, we end up with legislation that tells us what we are allowed to think and teach about race from a group that's almost a hundred percent white. We are told that we don't need to listen to and follow recommendations of medical professionals. North Carolina will not expand Medicaid, which would improve health for near half a million people and help keep rural hospitals open. Most important all policies are not... All politics are not local, all politics are electoral. North Carolina state and federal representatives must support accurate vote counts, preferably with paper ballots, following up and accept the results of all elections. Thanks.

Bill Raven ([01:13:52](#)):

Thank you, Keith Graham.

Keith Graham ([01:14:04](#)):

Thank you. Thank you for allowing me to speak. My name is Keith Graham, I'm a retired air force veteran of 22 years and a local pastor in Bladen County. What happens to Bladen County concerns me at a personal level because it is my home of me and my family. I like to emphasize things that I'm sure everyone here has heard multiple times in last 10 years, I'm asking for transparency in the redistricting process, I'm specifically asking for communities of interest to be kept together. Bladen County as a whole is a community of interest due to our cultural uniqueness, it's considered the mother county, third largest county in the state, and the 13 original counties were taken from it. And as Senator Rabon as our elected official, you should well know it should not be split when drawing federal congressional maps. I also emphasize that state legislative maps should be compact and kept communities of interest in mind as well.

I also urge legislators to place and keep Bladen County in a federal district with our Southern sister counties. Right now we are placed in a good district with our neighbor in Columbus County but in the past redistricting cycles, we were split in half with the congressional district nine that went straight through the heart of Elizabethtown. That caused a lot of confusion for our population and family members that were voting in two different races. Apart from these asks, I want to highlight how disappointed people across the Southeastern states are to the current redistrict and process. We don't have enough public hearing, these hearings are not being advertised enough and our fear online public comments may be ignored. Most concern of all is that the public cannot make comments after maps are finalized.

The people of North Carolina should be able to respond to the final maps, as we have a controversial history with districts in the process for over 10 years ago, I hope state leaders would've learned from the past 10 years, bad maps will likely lead to litigation that will take money and resources away from other pressing important matters across our states matters like broadband internet, affordable housing, repairing some of our houses that have been damaged from past hurricanes, that people are still living in tumultuous situations, environmental justice such as hog farms and things like that.

This is why I wish redistricting was done by nonpartisan redistricting committee. North Carolinians are paying attention to what you're doing and we will continue to demand better for our leaders. As the area director of the North Carolina legal conservation of voters, I have registered over two thousand youth and students through our high school systems. Who it was like pulling teeth because they didn't feel that their vote counted, voters should choose their candidates and not the other way around. We want one person to represent one vote. Thank you for your time.

Bill Raven ([01:17:28](#)):

Thank you. Eileen Stevens

Eileen Stevens ([01:17:37](#)):

Evening. My name is Eileen Stevens. I adopted Wilmington as my home six years ago with my son who is now nine and his father. And I want to start by thanking the panel for this opportunity to participate in our democratic process. I also want to mention that I had the honor of serving as a White House Fellow in 2003 and 2004. The only significance of that is that it's a completely nonpartisan program and so I'm speaking today from that same nonpartisan spirit. I want to start off by saying we absolutely need public hearing opportunities after the maps are initially drawn. This is a highly complex contentious issue and we need to walk the talk of democracy, both for ourselves and as an example to others, both domestically and across the globe. Where appropriate public comments should be taken into considerations and the lines adjusted and redrawn.

We need a transparent iterative process to make sure that we get this right, the stakes are too high. No major corporation markets its products or services based off the first prototype that the engineers throw out and I think our state deserves the same care. More specifically to our immediate region, I would request that the county of New Hanover be kept whole incorporating the entirety of the downtown area for not only our congressional district, but also the state Senate and the state assembly districts. In the past I've noted that boundaries have been drawn across the Cape Fear River. Yes, plenty of employees cross the bridges or commute south from Pender and even Onslow county to who work in Plain, but the community of Wilmington and more broadly New Hanover county is its own cultural and economic entity. Thank you again for this opportunity to comment.

Bill Raven ([01:19:19](#)):

Thank you. Dorian [inaudible 01:19:26]. Dorian [inaudible 01:19:33].

Speaker 12 ([01:19:33](#)):

looks like she left.

Speaker 6 ([01:19:33](#)):

She left.

Bill Raven ([01:19:38](#)):

Okay. Sharp Jones. Bobby Rudder. Okay, that's not Bobby Rudder.

Speaker 13 ([01:19:58](#)):

That's him.

Speaker 6 ([01:19:58](#)):

[inaudible 01:19:58] Bobby, Bobby. He was leaving.

Bobby Rudder ([01:20:11](#)):

Thanks everybody for coming today, I really appreciate the opportunity to speak. It seems like I made some notes just based on what I've heard, I don't really have any research for it. I do remember all the way back to some old times of gerrymandering from both sides of the party, but it seems like there's a lot of political party representation here today and I just want to approach this from a nonpartisan perspective and just talk a little bit about... Because I can remember back when Roy Cooper had his Senate district, it was fingered into three different counties that was back in the old days, but it's definitely on both sides of the aisle.

I think the courts have ruled on all this and given some pretty clear guidelines that are going to be followed. The general assembly has banned the use of political and racial data in this process, which is commendable. I don't know what the definition of a community of interest is. Its first time I've heard about it really, a community of interest I would think is in the eye of a beholder. People think of it in terms of natural resources and all sorts of other things but I'd like to have a real clear understanding of what that is if that's going to be used in this process. Otherwise, like I said, the rules have been laid out. So thank you guys for coming out today and following those rules.

Bill Raven ([01:21:29](#)):

Thank you.

Speaker 6 ([01:21:29](#)):

Will you call Mr. Jones again?

Bill Raven ([01:21:35](#)):

Okay.

Speaker 6 ([01:21:38](#)):

[inaudible 01:21:38].

Bill Raven ([01:21:38](#)):

Okay. Mr. Jones. There we go. I thought you coming down welcome.

Claire Stone ([01:21:44](#)):

Thank you, sir. My name is Sailor Jones. I was born and raised in Warren county, which is far away where my dad still lives on our family farm. He is disabled, unable to ride in a car for long distances and was unable to make any of the 13 hearings provided only in person. He also has difficulty accessing reliable internet to comment online that could be explain out where Warren county is, a Northeastern corridor of the state that like so many places in the east struggle with a decade of promises, unkept. Our people live in food deserts, we lack broadband, good healthcare and Warren, Halifax, and Northampton likely to be grouped together under the Stevenson criteria on the house side, also lack any representation on the joint redistricting committee. I understand there is flexibility on the Senate side groupings, some maps I've seen pair Warren and Halifax counties with very similar populations and income levels with counties



far to the Southeast in Carteret, Pamlico, Washington, Chowan, and Hyde, potentially double bunking incumbents and pairing counties nearly 150 miles apart.

Other maps could pair our border counties sneaking across the Northeast, but in doing so potentially pack growing black and brown on voting age populations in ways that benefit political parties and not the people they serve. In addition to not having maps to see before the hearings, my biggest concern is your criteria for drawing them. The committee's race neutral redistricting rules almost ensure that black, brown and indigenous voters aren't able to elect their candidates of choice. Yes, race cannot be a predominant factor in drawing districts, but it must be a factor. The same court decision that defined the whole county criteria mandates the creation of voting rights act districts first. And that can't happen without considering race. Thank you for your time though, in your work to make sure all of Eastern North Carolina isn't left behind for another decade.

Bill Raven ([01:23:49](#)):

Thank you, John Mayer.

Speaker 13 ([01:23:57](#)):

Maybe Meyer.

PART 3 OF 4 ENDS [01:24:04]

John Meyer ([01:24:05](#)):

Good evening. My name is John Meyer. I've been a voter in Wilmington and New Hanover County since the 1970s. I will start by saying that redistricting should not be controlled by any partisan majority of any party, but that's what we're stuck with. I'm just going to agree with what a number of other folks have said. I'm well aware that we're up against a tilted playing field here with our rights as voters at the majority of a partisan power structure. This is the same power structure that has become internationally notorious for enacting or trying to enact egregious forms of voter suppression. It's only thanks to vetoes by a governor elected by all North Carolinians, not subject to your gerrymandered districts, that North Carolina isn't ranked right up there with Florida and Texas in the anti-democracy rogues gallery. My plea, which may be naive, is that you will address this process on a statesman-like basis rather than on a partisan basis and let candidates for office of any party compete on the basis of their ideas and their policies, and not on unfairly drawn districts. Thank you.

Bill Raven ([01:25:25](#)):

Thank you. Dorian Cromartie.

Dorian Cromartie ([01:25:43](#)):

Hi, my name's Dorian Cromartie. Thank you for giving me the opportunity to speak. Thank you for having this. I am 29 years old, army veteran, full-time student at UNCW. On the way in, I asked 15 students what was going on here today. None of them knew. They're students as well. They're voters as well, and they were left out. I don't know how that happened, but voting is supposed to include everyone. This is important to everyone. I do encourage you all to be transparent and honest with making this decision. It's a decision that will affect generations. So just be honest, transparent, inclusive, and diverse. Don't just check the box on this because people have to have faith in institutions. People have faith in UNCW, so they come here as students. People have to have faith that their vote is going to count and mean



something. If you don't do this right, it could mess up voting for generations. Then the question will be, again, why aren't people voting? There's no point in voting if my vote doesn't count. Thank you for your time.

Bill Raven ([01:27:08](#)):

Thank you. Christo Salazar.

Christo Salazar ([01:27:14](#)):

Hello. Good evening. My name is Christo Salazar. I am a community organizer with El Pueblo working closely with Latin American communities in North Carolina. I've called North Carolina my home my entire life. I've taken part in our democratic process by registering to vote, filling out the census, and voting our elections. I, like many North Carolinians want to continue to be a meaningful contributor to this democracy by participating in our state's redistrict redistricting process. All of the hearings were scheduled for weekdays, and only in 13 locations across the state with no option for remote access despite the ongoing surge in COVID-19 cases that the state is currently experiencing. This process should be easy for working folks to safely participate in. Our democratic process should be easy and safe for all to participate. When I say all, I'm also thinking about our folks who do not speak English as our first language or at all. These hearings need to have interpretation in commonly spoken languages in North Carolina, including Spanish, Mandarin, Vietnamese, and Urdu for non-English speaking community members.

We know our communities best and must be part of the process with you. The latest census data reports that the Latin American community grew about 40% since the last census. If we are to have accurate maps, we must include them in this process, and one way to that is by providing interpretation at all hearings and materials in their languages. I'd like to end by uplifting the demands written by Democracy NC in order to improve the transparency and accessibility of the process to the public. I also ask the following of our legislators: improve the state's redistricting website, start including North Carolinians who speak different languages in the redistricting process, draw maps in public view, release drafts of maps for public inspection, hold public hearings after draft maps are released, guarantee that public comment is taken into consideration when drawing these maps, and disclose all parties and systems involved with the map drawing process. Thank you for your time.

Bill Raven ([01:29:45](#)):

Thank you. Hollis Briggs.

Hollis Briggs ([01:30:11](#)):

Good evening, panel. I remember as a young man, my father was the first African American run for sheriff in New Hanover County, which was then Constable. My father also was the first black man to run for city counseling force a runoff. He was also the Vice Chair of Precinct 29. I now hold that position of the Vice Chair of Precinct 29. I remember back in the day when elections were hinged on the results of Precinct 29, 15, and 3. So now, through the redistricting, you guys have taken 29 and 3 out of Senate District 9 and put it in Senate District 8.

To me, honestly, and for my father, that's an insult. I think that when the redistricting happens again, when you guys start redistricting again, would you please give us our precincts back, so that our votes can count? Because I haven't seen the Senator that represents District 8. I've never seen him in my

life before. I don't even think I know who it is. Give us our power back. Give us our representation back, so we can be citizens of votes that count once again. Thank you.

Bill Raven ([01:32:07](#)):

Annie [Ty 01:32:09].

Annie Ty ([01:32:37](#)):

Hello and good evening. My name is Annie Ty. I am a junior at UNCW, and I am part of You Can Vote. Tonight I just want to say thank you for being here and taking your time to be out here. I'm very grateful to be able to stand here and basically just hearing from what everybody is saying, I just hope that from the best interest of all people, that whatever you choose to do, it's going to be for the interests of all of our people here are talking tonight. I know that whatever you're choosing to do, whether it's redistricting the maps or any decision you decide to make, hopefully it is for the best interest of all of our people here. I do have faith in all of you, and I do have faith in all of our concerns. That's all I have to say tonight. Thank you for having me tonight.

Bill Raven ([01:33:29](#)):

Thank you. Kayley Hoyle, Kayley Hoyle. Mr. Ronald Sparks. Okay. We have two... Mr. Sparks. I had you down maybe twice. One is Mr. Sparks and one is Ronald Sparks. Are you one and the same?

Ronald Sparks ([01:34:02](#)):

Well now other Sparks is on the Earth. I'm the Ron.

Bill Raven ([01:34:02](#)):

I know. No no.

Ronald Sparks ([01:34:08](#)):

I'm the Ronald Sparks from here.

Bill Raven ([01:34:10](#)):

That doesn't mean you get to speak twice. Thank you.

Ronald Sparks ([01:34:14](#)):

I don't want to defend any other Sparks. I'm the one that's born and raised in Wilmington, North Carolina, [inaudible 01:34:21], former city council member for... Anyhow, I've been on one board too many in this region. Back in 2011, I came to that redistrict. I think you were there, if I remember, at that hearing. I made a bunch of noise there, and everybody ignored everything I said, and y'all drew those maps that were drawn then. I'm not going to repeat everything that was said. So much good things have been said, but the issue, somebody raised the question earlier about what's this communities of interest. The interest of a hog farmer versus a shellfish fisherman versus a factory worker. Those communities who have similar work interests is, in my view, is what communities of interests are.

Keeping a city together, keeping a county together is really critical. I remember when I was in city council, there was the issue, and our representative from our district was not responsive to the city's issue. We came to Mr. Rayburn, pulled him to, had a meeting. He said, "We can help you with

that." You were not over the Wilmington area. And it's bad. We have to crawl outside your district to get help because your district representative is in the seat that's so unimpeachable that he doesn't feel threatened when the city says, "Hey, man, we really need some help on this." I don't care about you. We had one Senator called [inaudible 01:35:47] or called his name who left us wandering the halls of the state capital because he was offended by something. I'm not going to talk to the citizens. He had to get another non-Wilmington Senator. Grabbed him by the scruff of his neck and said, "You better meet with your people." If the districts are drawn and the citizens are kept together, we won't have that kind of drama.

We have folks who listen to the citizens. When they have an issue, you can call on them. I know you all as elected official get called at home still. I've been out of office lord knows how long now. My phone still rings. People say, "Well, Sparks used to be on city council. Maybe he," and people need to know that somebody they can call on that represents their interest. At this congressional district thing, it's just embarrassing. When you look at it on the map, it doesn't make any sense geographically. When you have an issue, you don't get anybody listening to you. You need to have districts that, when the citizens vote, they know that they can use that vote as currency to go meet their representative.

The vote is currency. When I vote for you, and I have an issue, I can call up the office here. I'm one of his constituents, and I get a call back. But if I don't care about my constituents because they vote don't count because my district is gerrymandered to such a manner, I don't have to worry about this little group of people over here. That's not fair. That's all.

Anyhow, my wife is in the hospital. I came here because of this. I signed up. My name was way up on the top of that list because it was 5:00 in the morning. I saw that post, and I signed up for it. But then my wife was in the hospital, and that's why I got t-shirt on. Sorry about that. And bands. I got to go back into the hospital when I leave here. Y'all keep her in prayers, major surgery. But anyhow, all that said, talking about redistricting, let's be fair. Let's keep the cities together. Let's keep the counties together if we can. Just remember, citizens should pick their leaders instead of leaders picking their citizens. Thank you very much.

Bill Raven ([01:37:56](#)):

Thank you. Frank Williams.

Speaker 14 ([01:38:12](#)):

[inaudible 01:38:12]

Frank Williams ([01:38:12](#)):

Thank you to the panel. I'm Frank Williams. I'm Brunswick County Commissioner. I did not intend to speak when I came tonight, but after hearing some of the comments, I feel obliged to do so. I don't have long prepared remarks. They're written on this post-it note in very bad handwriting, so hopefully I won't take too long. But I grew up in Brunswick County, so I do want to talk about one thing related to that first. We've had districts that crossed the river going back to when I was about this tall and my waist could fit in a sleeve on this shirt. That is not a new thing. It goes back a long way. At one point, my father on his little farm in the community of Northwest, had a representative who now sits at this table, who is an attorney in downtown Wilmington. She did not let that geographic boundary stop her from coming across the river any more than representative Miller has let it stop him from crossing the river.

I actually think that having that boundary forced Charlie Miller last year to get out and meet people and work maybe even harder on the other side of the river where he was not known, the same

way representative Deb Butler did when she was my state representative. I do want to say that's not a new thing.

Secondly, as an elected official, I know that this is a far more complex process than any of us who are not involved in it can possibly understand. I do want to give you kudos for being here and being willing to come to a setting, all five of you, where you know that people are going to throw darts at you and call you names no matter what. I commend you for your service. The final thing, reference to a comment that was heard earlier about Onslow, Pender, and New Hanover County. With all due respect to that speaker, they left out the fastest growing county in this part of the state, Brunswick County, which I think has as much in common with New Hanover as anyone does. Thank you.

Bill Raven ([01:39:57](#)):

Thank you, sir. Nick Craig.

Nick Craig ([01:40:09](#)):

Good evening. Thanks for coming and spending time here. I think this is the last of 13 events that are taking place across the state of North Carolina. We've heard a lot today about gerrymandering, and I'm surprised that in all of the people speaking about gerrymandering, not a single person pulled up the definition of gerrymandering. The definition of gerrymandering, according to Webster's Dictionary, is to manipulate the boundaries of an electoral constituency so as to favor one party or class. A lot of the comments that have been made by various speakers in this room tonight are advocating for gerrymandering. They want their districts redrawn so they find them to be more quote, unquote, fair. There's no such thing as fair. The districts are drawn based on population and other factors that the general assembly deals with.

In terms of NC District 19, which has been brought up numerous times throughout this hearing tonight, those beach communities all have a lot in common. I don't live on the beach, but I can tell you, I can guarantee you that Oak Island, Caswell Beach, Holden Beach and those areas have a lot more in common with areas in and around Carolina Beach and Curry Beach than they do parts of downtown Wilmington. So I think that that district and its representative, Representative Charlie Miller, has the beaches on his mind, and that's a very important thing.

I'll end with this. I know that the maps will be drawn in a public forum. I've got confidence that the general assembly will do a good job with that, prior to unlike before when my representative said that she was downstairs redrawing maps during a Senate hearing. Thank you.

Bill Raven ([01:41:41](#)):

Thank you. Will [Kinet 01:41:48]. Ladies and gentlemen, we're getting close to the end of the list, so if you want to speak and have not, please sign up.

Will Kinet ([01:42:04](#)):

Thank you. I join the other speakers who thank you all for being here, all five of you, very much. Also, this is America. This is fantastic that we can come and have differing opinions and view those opinions in front of our elected officials, and we thank you for that. I thank my friends who have maybe differing opinions than I do. I think of just recent speakers, Mr. Cromartie, Mr. Briggs, good friends who differ than I do. But there's some points that have not been brought up tonight that I think are important about this redistricting process.

It follows the most recent court mandated process that you have been given by the court. You are aligning with what the court has asked you do. The process is widely acclaimed as the most fair and transparent ever in North Carolina. Not by Republicans only, not by unaffiliateds, but by Democrats, republicans and unaffiliated elected officials. There are many criteria that are very important, but the general assembly plans to keep most communities together. All in all, most communities will be kept together, and that's important. The general assembly has committed that data, and this is important, data identifying the race of individuals or voters shall not be used in the construction of districts. That is, what I would say, is very fair. You're not looking at the fact that I have gray hair or that I'm short and putting me in a district as a result of that. That is a fair process. You are also not looking at partisan voting records as you are doing this.

Again, none of these points have been raised. You're following the court ordered mandates. It was widely acclaimed as the most transparent in the history of North Carolina. You are doing it in such a way to take partisan politics out, which is what I hear from all of us. So again, I thank my fellow community members for any opinion they have, and we thank you. We thank you for the work you're going to be doing on this.

Bill Raven ([01:44:24](#)):

Thank you. Mike [Hanot 01:44:31].

Mike Hanot ([01:44:43](#)):

I just wanted to applaud the openness and the transparency. The general assembly is committed to drawing maps during opening redistricting committee meetings and to listen to the public input through these hearings. The general assembly should be commended on banning the use of race and political data. Banning the use of race and political data helps control against gerrymandering. We think it's a strong step to improving the process by not necessarily dividing the communities in congressional districts. This helps keep our basic political units together for representation and prevents districts from taking some of the extremely odd shapes that they've taken in the past. We're all one community. We all live in Southeastern North Carolina.

The communities of interest do not dominate the process. There is no common understanding of what a community of interest is. A community of interest is in the eye of the beholder. It's appropriate that claims of communities of interest are not only considered after other redistricting criteria have been satisfied. We note here in public that North Carolina's whole county provision, the uneven distribution of partisan voters across the state, will result in districts and electoral outcomes some people do not like. That is inevitable. An open and fair constitutional process does not guarantee political outcomes everyone will like, but it does guarantee that everyone can be heard and work to influence the process, and we appreciate that. Thank you.

Bill Raven ([01:46:25](#)):

Thank you. Philip White.

Philip White ([01:46:37](#)):

Hello representatives. My name is Philip White. I will not take your time to repeat many of the wonderful things that have been said here tonight. I would just like to tell a short story, which would be, I am a candidate for Wilmington City Council. I mention that specifically for the reason that I was having a conversation with a fellow Wilmingtonian the other day. I live in House District 19, Representative

Miller's district. The Wilmingtonian said, "Well, as a candidate for Wilmington City Council, you must see him all the time." I sadly had to say, "No. The only time I have had the pleasure of seeing Representative Miller was on Election Day when he was coming around asking for votes."

If I were to be elected to the Wilmington City Council and were to discuss issues pertinent to Wilmingtonians and were to want to have coffee with Mr. Miller close to his home, the amount of time that it would take me is not too far off for the amount of time it would take me to meet him in his office in Raleigh. That is hardly a compact district. The physical barrier of the Cape Fear River completely decimates any sort of compact requirement to that. Secondly, I would just end with a phrase. In Latin, there is a phrase, *res publica*, which is of the people. It's the form of government we claim to have in America, which is a Republic. The people in a Republic should elect their representatives, never the other way around. Thank you.

Bill Raven ([01:48:18](#)):

Thank you. That concludes our list for this evening. Have I overlooked anyone who signed up? Is anyone who has not spoken care to speak? Seeing none, I want to thank everyone for coming. We appreciate your input. I want to thank our serjeant-at-arms staff, Linda Matthew, Sherry [Hendrick 01:48:45], and Jonas [Cherry00:24:47], for helping us out. And Sergeant Kane and Sergeant Cook. I would like to thank the members of the House of Representatives that joined us tonight for being here.

Speaker 14 ([01:49:00](#)):

This is bipartisan.

Bill Raven ([01:49:03](#)):

I'm going to ask you. Would any of the representatives here care to speak? Okay. Our representative Carney.

Becky Carney ([01:49:10](#)):

Thank you. I am representative Becky Carney from Charlotte, and I want y'all to know this is a bipartisan commission that the committee of the legislature that's been going around the state. But I'm taking a point of personal privilege. I have two incredibly outstanding grandchildren here tonight that are 13 and 15. They are residents of Wilmington, and I am proud for them coming out tonight to learn about democracy.

Bill Raven ([01:49:45](#)):

Representative Butler. Representative Butler. Do you care to? Representative Miller. Representative Miller. Okay. Thank you. Ladies and gentlemen, thank you all. The meeting is adjourned.

PART 4 OF 4 ENDS [01:50:02]

Speaker 1 ([00:00:01](#)):

So, mic number one, if we could have Jo Nicholas. Mic number two, Kurt Earhart, Kathy Greggs, Barbara Faison, Eric Smith, John Taylor. Are we lining up?

Jo Nicholas ([00:00:01](#)):

I'm here.

Carol Samperton ([00:00:01](#)):

Looks like.

Kathy Greggs ([00:00:01](#)):

We are.

Jo Nicholas ([00:00:01](#)):

Yep.

Speaker 1 ([00:00:01](#)):

Good.

John Soker ([00:00:01](#)):

Okay, so are we ready to go?

Speaker 1 ([00:00:01](#)):

Veronica Jones, Carol Samperton.

John Soker ([00:01:16](#)):

Done one pocket. Okay. All right. Okay. [crosstalk 00:01:16]. So, you're going to do the talking, Paul? [crosstalk 00:01:27]. Please be patient. Okay, so we need to [inaudible 00:01:28] and get this done [inaudible 00:01:30].

Speaker 1 ([00:01:33](#)):

If you just announce to the public, we have a two minute time limit.

John Soker ([00:01:34](#)):

I will do that.

Speaker 1 ([00:01:34](#)):

That way everybody know the rules.

John Soker ([00:01:50](#)):

All right.

I'd like to bring this joint committee on redistricting and elections meeting to order. Thank you for being here tonight. I'd like to thank our sergeant-at-arms, Joe Crook, from the house or senate



sergeant-at-arms, Jim Hamilton. We also have general assembly police here, Sergeant Robert Barkaifer and Officer Russell Sawyer and Hailey Ruganrandy. What we're here to do tonight... Sorry, is to take public comment on the redistricting process and whatever you may have on your mind. I would first like to introduce the other members of the general assembly that are present with us. My name is John Soker. I'm a house representative district 45 from Cumberland County. We have three senators with us tonight, and if you'd raise your hand so everybody can identify you when I call your name. We have Senator Jim Perry from Lenoir County. We have Senator Kirk deViere from the Cumberland County delegation.

All right, not a sporting event. We have Senator Ben Clark represents both Hoke and Cumberland County. Ben's down there. We have the other three representatives from Cumberland County, representative Diane Wheatley, representative Billy Richardson and representative Marvin Lucas. Also joining us tonight for this meeting is representative Cooper Sikes from Wilson County, representative Garland Pierce from Scotland County and representative Jamie Bowles from Moore County, over there. I would just like to tell everyone that a couple questions have come up at earlier meetings as to where can you find your comments? And if you have friends or relatives who are not able to make a comment tonight, and they've not been able to go online to make the comment, that there is a legislative website and it's at [ncleg.gov/redistricting](http://ncleg.gov/redistricting). The proceedings tonight are being video recorded so that the committee will have ample access to see that as well as the public.

What we're doing tonight is we have two mics set up. Each member of the public will receive two minutes. Our time keepers over here, so if you would just show them what you'll be showing. There's a one minute warning and then you'll get a stop. And we ask everyone to be respectful of everyone's time here tonight, and when you see the stop to stop talking. So the sergeant-at-arms, to keep things moving, will call out names to help for microphone one and microphone two, so that when one person has ended, then we can do the other one. Prior to the committee meeting starting tonight, we had 46 people sign up online. There's been about another 10 or 12. We'll go through the list. If someone comes in late, they just have the desire to have their two minutes, for the record they just need to make sure that they sign up out by the table out front.

So if somebody slides in here and says, "I wanted to talk, but I couldn't." And they're sitting next to you, just tell them to go back out there in case they missed it. And everyone will have an opportunity to talk no matter what time they get here, because your comments are important. What we're doing this time in redistricting is very important to every citizen in the state of North Carolina. Your elected representatives and senators take it very seriously, and we want to hear what your comments are before we begin the actual drawing of maps and things like that. And to date, no maps have been drawn. The map drawing equipment and general assembly is being set up next week.

So if anybody talks about a map, there's been a lot things in the general public, none of which has come from the general assembly. But as soon as the population numbers came out, there have been a lot of maps that I've personally seen online, but they are not official. They're not from any member of the general assembly and certainly not from the committee. So I think I've gotten through all the administrative things. So, you are Jo Nicholas?

Jo Nicholas ([00:01:50](#)):

Yes, correct.

John Soker ([00:05:55](#)):

Is that right? Yes, ma'am. You have two minutes.



Jo Nicholas ([00:05:57](#)):

Thank you.

Good evening. As stated I'm Jo Nicholas, president of the League of Women Voters of North Carolina. I'm here on behalf of our 2000 members asking this committee to have a transparent, fair and inclusive process, as you draw the new redistricting maps for North Carolina. You've heard that the previous cycle of redistricting had denied people accountable representation, essential resources, and divided their neighborhoods at the expense of political gain. You have heard the ongoing theme that North Carolinians are asking you to do better. LWNVC urges you to implement the following processes to ensure the public can fully engage in our redistricting process.

First, complete transparency and public participation. Release the draft maps for public inspection, hold public hearings after the draft maps are released, perform all map drawing in the public view, ensure the public can observe the map drawing process on an online format, disclose all parties involved with the map drawing process. The public deserves to know who is participating in the redistricting and why they're there. Guarantee that public comments are taken in consideration when drawing the maps. As we enter this next phase of redistricting, North Carolinians deserve nothing less than a participatory, inclusive and transparent process. Now is the time for you to rise to the level demanded by your constituents. The League challenges you to draw the maps that reflect the vibrancy and diversity of North Carolina and in such a matter, that ensures a trustworthy process. Thank you.

John Soker ([00:07:26](#)):

And thank you for your comments, ma'am. You can just put them right there. Thank you. Over on this mic, we have Mr. Kurt Earhart. Your two minutes begin, sir.

Kurt Earhart ([00:07:39](#)):

Thank you. I live up in Raleigh and would've gone to the Durham hearing, but I was out of town. I want to speak in favor of districts that really represent logical communities of interest. I sat down with an online mapping tool and made up what I thought would be a good district for me, which would kind of look like this. The whole of Raleigh and the whole of Durham happens to add up to about three quarters of a million people, which is what a congressional district is going to be now that we have 14 representatives next time around.

And these are the people that commute back and forth, that shop back and forth, that socialize. These are the people that represent... I feel if I had a representative for this district, my voice would be heard, my vote would matter, and that would be pretty good. Now, following the 2010 census, there was the 2011 redistricting, and what we got was something that looks like this. The green sort of misshapen thing was my congressional district. I was over here. It was clearly designed to... It took the top half of Raleigh and then wrapped around and went all over the place out past I95, and my vote really didn't matter, I felt. George Holding won the seat. George Holding didn't need to listen to me or my neighbors one little bit in order to hold a seat. He won it several times when the district was redrawn after judicial challenge, he didn't even run because he knew he couldn't win. So, what I'm asking is that this time around that we really respect the idea of communities of interest, so that our voices and our votes matter. Thank you.

John Soker ([00:09:40](#)):

Thank you for your comments, sir. Next on microphone one, we have Kathy Gregg, and is Barbara Faison in the audience? She would be on deck. If not, then Derek Smith. Is Derek Smith here,

microphone one? Sean Taylor, on deck, microphone one? Veronica Jones? [inaudible 00:10:06] something. Then the next on microphone one would be Amanda Smith Williams. I believe you are here. And the next on microphone two would be Elizabeth Manley and... Sorry. Your time hasn't started yet, Ms. Greggs, so-

Kathy Greggs ([00:10:21](#)):

Oh, I know. Thank you.

John Soker ([00:10:22](#)):

Okay, but as they're moving to the mic, your two minutes will start. Please.

Kathy Greggs ([00:10:27](#)):

Oh, thank you.

John Soker ([00:10:28](#)):

Yes, ma'am.

Kathy Greggs ([00:10:28](#)):

My name is Kathy Greggs. I'm with All on the Line in North Carolina in Fayetteville Pack. I'm also a veteran here in Fayetteville, and I'm a homeowner. So, once again, I did go address this at the general assembly that we don't have the disenfranchised nor the de-marginalized people here. Maybe that was a reason for no accessibility, because we like to do things in secret, but I do want to make sure that we understand and we note that I believe that Fort Bragg's seats should stay one seat versus two seat.

I also believe that the people should be involved in the drafting of the maps, and we should have say so on how that look including the disenfranchised and de-marginalized people of Cumberland County. Now, let's just quit with the dog and pony show because we're probably getting maps drawn as we're standing here. So we can say that, but we don't really know because everything's done in secrecy. How about we do some real work and get the people's budget going? But at the end of the day, we need to have everybody in here because I don't see them and they didn't have accessibility. Thank you.

John Soker ([00:11:25](#)):

Thank you for your comments, ma'am. On microphone two, Ms. Carol Samperton.

Carol Samperton ([00:11:32](#)):

Good evening. My name is Carol Samperton and I'm a member of the Cumberland County GOP. The portion of Southern Cumberland County that borders along Bladen County is all very similar in terms of farming and increasing numbers of rural suburban housing developments. The two largest incorporated towns in Cumberland Count, Hope Mills and Steadman, are both in Southern Cumberland County. They have similar infrastructure needs, similar economic development concerns and similar issues with the rural suburban housing developments creeping into their surrounding areas.

The city of Fayetteville has attempted to encroach into Southern Cumberland County in the past by annexation and other coercive actions. Common sense indicates that it would be beneficial to have one North Carolina house representative and one North Carolina senator who would represent these residents concerns in Southern Cumberland County. Particularly if these residents in the urbanized parts

of the county are not being represented by the city of Fayetteville. The gen X pollution from KaMoore's company site located in Southern Cumberland County has affected many of the communities in the Southern part of Cumberland County, thus having one NC house representative and one NC senator to represent the residents in this area on this matter, as well as other water issues that have for a long time, been a divisive issue, is very important to these communities.

It is particularly important since the city of Fayetteville controls municipal water that extends or can be expanded into these communities. These residents need someone who will represent them, who will not be divided between their interest and the city of Fayetteville. Therefore, it is strongly recommended that the redrawing of the NC house and senate districts for the whole southern part of Cumberland County, which includes the towns of Hope Mills and Steadman, be in the same district for this area to have dedicated representation, which would be responsive to these residents' common needs. Thank you.

John Soker ([00:13:40](#)):

Thank you.

Amanda Williams ([00:13:46](#)):

Good evening. My name is Amanda Williams and I'm here because I want you to know that fair voting maps are important to me. Frankly, I don't trust you with the process regardless of your party. I prefer an independent commission of citizens and elected officials, but you're all we have. Democrats and Republicans have used gerrymandering to ensure your party has the upper hand. When you make the process about your party, democracy loses, the people lose. If you believe in democracy, draw fair maps. If you believe in the North Carolina constitution, do the right thing and draw fair maps.

You're not supposed to draw maps that get you elected. You're supposed to draw maps that reflect the community who elects you. We expect you to do the right thing by our communities. We know this task is complex. We know your job is not easy, and some of decisions you make will not be liked by all. As an educated and engaged voter, I expect you to leave your party alliance at the door when you sit to the table to work for all voters. Do not divide Cumberland County into two districts. It confuses the voters. We want public hearings after you draw the maps too. You took an oath to uphold the state constitution. Honor that oath. Do the right thing and draw fair maps. Thank you.

John Soker ([00:15:27](#)):

And thank you for your comments, ma'am. Lining up on deck as it were for microphone one would be Sean Taylor, and then General Anderson. We'll go to Ms. Manley.

Elizabeth Manley ([00:15:47](#)):

Elizabeth Manley.

John Soker ([00:15:48](#)):

Thank you.

Elizabeth Manley ([00:15:50](#)):

I'm with the Moore County Democratic Women, and I got some great help from All on the Line. I live in the town of Aberdeen in Moore County. Neighboring towns are Southern Pines, Pine Hurs, Pine Bluff. Our largest municipality by far is Fayetteville. Within that geographic region of the Sandhills, Moore

County is economically diverse with areas of wealth and areas of poverty. First Health Healthcare System, Fort Bragg and Cape Fear Healthcare System, our major employers and our fed workers by our educational institution, Sandhills Community College, Fayetteville Tech Community College included.

There's a strong connection and constant flow between Cumberland and Moore counties. Many of Fort Bragg's military families seek housing in Moore County. And I'm sure I was not alone in driving that route along 211 to bring my father, a World War II veteran, to his veteran administration hospital appointments in Fayetteville. I speak in support of keeping Moore County whole in the new congressional district maps and combining more in neighboring Cumberland County in the same compact contiguous congressional district. The current map splits Moore County, with only 37.43% of Moore County population in congressional district nine, we cannot hold our elected officials accountable, and we can't expect a competitive race for that seat. We also need one hub that is in our district Fayetteville, not the current district that stretches all the way to Charlotte. Thank you for the opportunity to speak and for your hard work.

John Soker ([00:17:37](#)):

Thank you, ma'am. Next on deck at microphone number two will be Mr. Michael Chandler, and then Nathan Church. Mr. Taylor, you have the microphone. Identify yourself if you're representing someone, and you have the mic for two minutes.

Sean Taylor ([00:17:56](#)):

My name is Sean Taylor. I live in Cumberland County, just outside the city of Fayetteville in a little small town called Vander. Steadman and Hope Mills are very similar in many ways, and because of that, they should be in the same district. Both the towns are in the southernmost region of Cumberland County. They both have suburban housing and coming into their rural areas. These are the two largest incorporated towns in the county, and both are affected by gen X. Gen X is also affecting the areas outside Hope Mills and Steadman, and continues to move further out, some major concern and needs proper attention. I believe these two towns need to be represented by one house representative and one house senator that will allow us the dedicated representation that our specific areas need so much. Thank you for your time.

John Soker ([00:18:40](#)):

Thank you, sir. On deck at microphone one, if you'd be so kind as to line up, is Rebecca Brock, Carmella McKeller and Sharon Johnson. So, General Anderson. You have two minutes, sir.

General Rodney Anderson ([00:18:55](#)):

Good evening. Thank you for your presence in Fayetteville and for allowing me the opportunity to speak. My name is Rodney Anderson, Major General, US Army retired. I'm a resident of Fayetteville, North Carolina. I am a soldier for life. Committee members, we are alike in our oaths to support and defend the constitution of the United States. It is from the oath of office and the US constitution that I rise to speak. We, the people. We, the people establishes who we serve and our priority. Our oath, mine military, and yours legislative is to the people. My petition is for the people of the Sandhills region.

We are a distinct geographic location and population center with the honor of hosting the largest active duty military population in the United States. We have a considerable population of veterans, reservists and military family members. Our location is frequently referred to as the center of the military universe. When military action is needed, our region provides the response. My specific

request is that the people and service members of our region have regional Sandhills representation in Congress, and that state maps avoid splitting municipalities or precincts. In your work, please consider and maintain the continuity of the people of the region, county and precincts. The people of North Carolina Sandhills region are well served when those of light, region and perspective have a voice in Congress and in Raleigh. Thank you for putting people first in your decision making. Thank you for your service and God speeding your significant work. Thank you.

John Soker ([00:20:50](#)):

Thank you for your comments. On this microphone number one, Rebecca Brock. You have your time.

Rebecca Brock ([00:20:59](#)):

Thank you. Thank you for having us here. I'm Rebecca Brock and I live in Harnett County. I'm the chair of the Harnett County Democratic Party. Harnett has 80,000 voters and 137,000 residents. I'm sorry I don't see Howard Penny here today because it was the closest public hearing to Harnett County. Anyhow, there's equal voters between Democrats, Republicans and unaffiliateds. We have 20% reporting black. We have 60% reporting white and we have 20% other. 13% are elderly. 25% are children. 67% go out to your counties, Wake, Cumberland and Moore, to work. So we are a commuter county. One in five are not insured in our county, and one in three are vaccinated.

Currently we have a mask optional mandate. I'm asking our elected officials that deal with population growth, climate change, technology overreach, crisis of capitalism and constraints on resources. These are very complicated matters, and I want our maps drawn to reflect and give precedent to underserved minority voices in our community in a transparent manner. Without the minority voice, the majority hears its own echo and follows it without reflection and debate. Our horizon of time to change the outcomes of our actions is no longer just beyond our reach. We can see the results of our action and how it's going to play out. So I suggest, I hope, I urge you to draw the maps to give the underserved minority voice a way to impact the future so that all voices are heard, no matter what the shape the district is.

John Soker ([00:23:04](#)):

Thank you for your comments, ma'am. Microphone two, Mr. Nathan Church. You have two minutes, sir.

Nathan Church ([00:23:10](#)):

Thank you for the opportunity to share my comments. As a relative newcomer to the Fayetteville Metro area, I have grown to appreciate the unique features of my new home. I have concluded that as a community established in the 18th century, ours is like many farm to market communities that have developed across the country. Ours with the historic market house at its center. Fayetteville still serves as a center of economic, cultural, and educational activities for an area encompassing all of Cumberland County. As the state's six largest city, and one that is majority minority city serving as a home to a large military installation, it has its own unique needs.

In a representative democracy like ours, those needs are to be addressed by elected representatives familiar with the communities they serve to be effective in allocating necessary resources. So what I ask of you in this process is to deliver on your responsibility to all of us who live in the community, specifically to develop district maps that accurately represent our community. We, the people, the citizens who live in homes in this housing market, who drive, walk or take public transportation to work and to healthcare and pharmacy services and to shopping centers and grocery

stores, whose kids attend the schools in the county school system and take part in regional recreational program, whose high school graduates need well funded local public and private colleges, job training centers and universities, to thrive in our knowledge based future economy.

These are just some of this community's common interests that we're counting on you to deliver to us. You, whom we have elected to represent us in the legislator. So please design maps that look like our communities and do not look like tortured attempts to achieve electoral outcomes rather than a democratic process of one person, one vote as our father's forefather's intended. Thank you.

John Soker ([00:25:23](#)):

Thank you for your comments, sir. And if you'll hold up just a minute. On microphone two here, is there an Alton Flats? Brian O'Grady or Kathy Greggs?

Carol Samperton ([00:25:34](#)):

She spoke already.

John Soker ([00:25:37](#)):

I'm sorry?

Carol Samperton ([00:25:37](#)):

Kathy spoke already.

John Soker ([00:25:39](#)):

Oh, well she's on the list twice, so. You're right. Okay. Manuel Maia Diaz, if you'd line up at that one, and we'll keep the flow going. Miss McKeller, you're recognized for two minutes.

Carmella McKeller Smith ([00:25:57](#)):

Thank you. Good evening. My name is Carmella McKeller Smith, and I'm a resident of Cumberland County. Thank you for providing-

PART 1 OF 4 ENDS [00:26:04]

Ms. McKeller ([00:26:00](#)):

... Smith. And I'm a resident of Cumberland County. Thank you for providing your constituents the opportunity of a public forum to address this important issue. I stand in support of a Sandhills' congressional district, the genesis of which would be Cumberland, Hoke and Moore counties.

In spite of political boundaries, Cumberland, Hoke and Moore counties are community of citizens that share a commonality beyond the current political borders. We share two healthcare systems, Cape Fear and FirstHealth Moore Regional. We travel between the counties for a plethora of medical services and treatments. We are a community.

We suffer the atrocities of gen X polluting our air and water, hurricanes that ravage our homes and businesses, and COVID together, because these things don't recognize the political boundaries. We are a community. Our educators work seamlessly throughout the counties, children that attend public school and play sports in our counties play in the same athletic conference.

Many of our college students attend Sandhills Community College, FTCC and Fayetteville State. We are a community. When it comes to our economy, we know that there are interdependencies in our workforces. Be it Amazon, Butterball, Burlington, Eaton, Ingersoll, Cold Craft, Unilever or Fort Bragg, the adverse events affecting any of these entities would adversely impact all three counties.

But even on a more basic scale, our dollars travel between our counties. We are a community. We live, work, learn, play, heal, and worship together. We ask that you allow us the mechanism of choosing representation that does the same. Don't deny us the actualization of our own representation. Give us what you have the power and the authority to do. Create a Sandhills congressional district. Thank you for your time.

John Soker (00:27:57):

Thank you, Ms. McKellar. Mr. Diaz, you're up next.

Mr. Manuel Diaz (00:28:03):

Good evening. Thank you for allowing me to speak. My name is Manuel [Majia 00:28:07] Diaz, and I'm the southeastern regional organizer with Democracy North Carolina. But most importantly, I'm a citizen of Cumberland County. I like to emphasize things that I'm sure everyone here has heard multiple times in 10 years, but have been ignored by the general assembly.

I'm asking for transparency in the redistricting process, and I'm specifically asking for communities of interest to be kept together. No one wants to see their communities split up. I'm asking that Cumberland County remains whole when drawing federal congressional districts.

This was a huge issue in the 2018 midterm election and the 2019 special election for the 9th congressional district. It made no sense for Southern Cumberland County to be in a district that stretched all the way to Charlotte. I'm glad that's fixed now, and it should remain that way.

I also ask for Cumberland County to be placed in a federal district along with our Southeastern sister counties. The southeast is a unique area of the state and we should be our own district. One minute? Okay.

Our state legislative district should also be compact. We don't hear much about districts at the state level, even though we have multiple examples of non-compact districts. I recommend everyone in the audience to look at NC House District 46 to see non-compactness in the Southeast.

I want to highlight how disappointed people here in Cumberland County are to the current redistricting process. We don't have enough public hearings, these hearings are not being advertised enough, and I fear online public comments may be ignored. Most concerning of all is that the public cannot make comments after the maps are finalized.

The people of North Carolina should be able to respond to the final maps as we have a controversial history with districts. I hope state leaders would've learned from the past 10 years, bad maps will lead to litigation that will take money and resources away from other pressing matters across our state. This is why I wish redistricting would be done by a nonpartisan redistricting committee. Voters should elect their leaders, not the other way around. Thank you.

John Soker (00:30:16):

Thank you for your comments. Ms. Johnson, before you start, on microphone one is Dennis Stold present? Anthony Kitt, or Jerry Seas, if you would line up here. Then Bobby Wum, Gary Maher, or Devon Newton. All right, so waiting for them. Sir, I didn't catch your name. Your name was what sir?



Charles McKellar ([00:31:04](#)):

Charles McKellar.

John Soker ([00:31:05](#)):

Okay. I had you at the end, but since you're standing up, we'll listen to you now, sir.

Charles McKellar ([00:31:13](#)):

Good evening. Thank you for coming to Fayetteville to allow me to speak. My name is Charles McKellar, Lieutenant Colonel US Air Force retired and resident of Fayetteville, North Carolina. I'd like for you committed members to raise your hand if you have served in the military. I thank you for your service.

Committed members, we have taken an oath to support and defend the constitution of the United States. It is from this background that I come before you to make the case for a congressional district that encompasses the Sandhills.

This geographical district would comprise Cumberland County, Moore county, Hoke county, Scotland County and Robeson County. Fort Bragg can serve as the anchor for this district as it serves as our nation, as the 911 military, when our nation needs protection. Therefore the Sandhills should be the 14th congressional district and serve as the other metropolitan districts in our state like Wake County, Guilford County, and Mecklenburg County as examples.

The people of the Sandhills region will be well served in these and those like [inaudible 00:32:37] have perspectives that speak with one voice in Congress and the state legislature. Again, thank you and give the voters in the Sandhills an opportunity to have their congressional person. Thank you.

John Soker ([00:32:53](#)):

Thank you, Mr. McKellar. And if you identify yourself, then your two minutes begins.

Speaker 2 ([00:32:59](#)):

Good evening. My name is Sharon Johnson, I'm the chair of Cumberland County Democratic Party, and we are asking that this committee extends some congressional equity to the Sandhills region of North Carolina. The Sandhills region is the only area of North Carolina that does not have its own congressional district.

We ask that you consider grouping Cumberland, Hoke, Moore, Richmond, Robeson, and Scotland counties. The Sandhills, as you well know, is the resident of Fort Bragg, its boundaries extend to portions of four of the six counties that are referenced. Active and retired military members and their families reside within these counties.

We ask because it's reasonable and logical to group these counties as we share similarities and commonalities, particularly in the areas of demographics, income, infrastructure, and housing needs, economic and environmental concerns relative to our waterways, be it Cape Fear River, Lumbee River, Little River or PD River.

We have shared healthcare systems, Cape Fear Valley, Womack, Fayetteville Veterans Hospital, the Sandhills' Mental Health System, as well as Southeastern Medical Hospital. Educational institutions that serve the Sandhills, we have a state university, UNC Pembroke, Methodist University, St. Andrews and our incredibly invaluable community colleges within these counties.



In respect to the house and Senate redistricting, we ask in the likelihood of a Moore, Cumberland grouping. One, that you keep Cumberland county smaller, municipalities intact. Two, that you do not split the precincts that are contiguous to Fort Bragg, specifically Manchester, Spring Lake Three and West Area precincts. And finally, we ask that you keep our older historic communities surrounding our Fayetteville State University intact and not split them specifically Cross Creek 13, 15, 16, and 519. Thank you so much.

John Soker ([00:35:02](#)):

We thank you for your comments. Mike [Fontoo 00:35:03], Please identify yourself. And you have two minutes.

Gary Moore ([00:35:05](#)):

Yes. Good evening. Thank you for the opportunity of speaking with you this evening. My name is Gary Moore and I am a resident of Fayetteville and Cumberland counties. For over the past 40 years, it's been my great pleasure to serve in this democracy as a registered republican, a registered independent, and a registered democratic voter. I am currently the precinct chair of Cross Creek 26 in Cumberland County.

I have come here this evening to advocate for the redistricting of the US eighth Congressional North Carolina District be redistricted in such a way that the sixth largest city of Fayetteville, the fifth largest county in Cumberland, and the largest military installation in the Western hemisphere, Fort Bragg become the hub of the Sandhills congressional community. Supporting Hoke, Moore and surrounding counties.

I believe this region has earned and does deserve its own representation in Congress. It is my prayer and my challenge to this committee that they will work to redistrict North Carolina in such a way that the voters of North Carolina get to choose their representatives and not the other way around. The citizens of North Carolina deserve nothing less. Thank you very much for your time this evening, have a blessed evening.

John Soker ([00:36:39](#)):

Thank you for your comments, sir. Before you get your time ma'am. Is Susan J. Thompson, James Wilmack and Frank McNeil, if you could queue up at microphone number two here. And ma'am you have two minutes. Identify yourself, and if you represent someone, and time is yours.

Devon Newton ([00:36:58](#)):

Okay. Hi, my name is Devon Newton. I'm here as just a concerned citizen. I'm a military spouse, and have lived on Fort Bragg since 2009. Thank you for your time. I want to welcome you to Fayetteville, as you know, and he was mentioning Fayetteville's the six largest city in North Carolina with a population estimated at 213,000.

The nearest comparative cities are to the North, Raleigh at 52 miles, Wilmington, 90 miles to the Southeast and to the West, Charlotte at 112 miles away. Yet our current congressional map includes us here in Cumberland County and Eastern North Carolina, and goes all the way over to Charlotte in the Western half of the state, 112 miles away and a community with which we have little in common, other than being an urban city.

Cumberland County lies in what is known as the Sandhills region. A region made of contiguous counties, consisting of Cumberland, Hoke, Harnett, Lee, Montgomery, Moore, Richmond, Robeson, and Scotland counties. It's the largest population center in this region and is long overdue for being the

anchor of its own congressional district. Our district should not extend 112 miles to the West, and it should be compact and rooted within the major geo cultural region of our state.

There are four majority minority counties in the Sandhills regions, Cumberland, Robeson, Hoke and Scotland, and we believe that these should be kept together in one congressional district. Most of the current majority minority counties in North Carolina are along the Black Belt, which is a geopolitical region in the American South, which has historical roots in slavery and plantation industries of cotton and tobacco.

The shared presence of Fort Bragg should mean that Cumberland and Hoke county should be kept in one congressional district. There are significant active duty in veteran military populations in Cumberland, Robeson, Hoke, Scotland and Moore, meaning that these counties should lie within a single district. Thank you so much for your time.

John Soker ([00:39:02](#)):

Thank you for your comments. Ms. Thompson.

Susan Thompson ([00:39:06](#)):

Yes.

John Soker ([00:39:07](#)):

You identify yourself, you have two minutes.

Susan Thompson ([00:39:08](#)):

I am Susan Thompson. I am a Sampson County resident. We know that this happens every 10 years, that maps are changed. They're a little different every time. The last time they were changed was in 2018. This is when former representative Larry M. Bell Sr. was with NC House District 21, retired of course, and this was through a court order.

I'm satisfied with the change that was made, for it gave us a minority District 21, and it gave District 22, one that has potential minority influence. I would not like to see any more changes that would upset both districts 21 and 22. I would appreciate any consideration that you give. And if I was asked, it would be unfair to the constituents to keep changing the maps. If it was changed back in 2018, there is no need to change this early. I thank you.

John Soker ([00:40:13](#)):

Thank you for your comments. Mr. Womack, identify yourself, if you represent anyone, and you have two minutes, sir.

Mr. Jim Womack ([00:40:23](#)):

Thank you. My name is Jim Womack. I'm from Lee County, I'm the chairman of the Lee County Republican Party. I'm an executive with the Conservative Coalition of North Carolina and a 20-year army veteran with combat service in Desert Storm.

Three points I'd like to make tonight. One, the most significant thing I think that the redistricting committee has to do with congressional redistricting is where to insert the 14th district. And that has a domino effect on all the other districts.

So my suggestion, and I hope that you'll follow a planned and orderly method in doing that, would be to insert that where the greatest population growth has actually occurred in the state, that makes the most sense. Has the least amount of disruption on the other districts. And that growth, by my analysis and the Census Bureau data is in the Wake County area. It's somewhere in the Wake, Franklin, Vance and Johnston County area, which might include Harnett as well. So I would highly suggest you look at that.

Second point, keep the geographically smaller counties whole. None of us small counties want to be split into two. What it does is it causes us to have least amount of impact within our congressional districts. I've got one portion of my county, which represents less than 1% of our congressional district, and it really doesn't give us any voice. So please keep the smaller counties like Green County and Forsyth County, other counties that are small geographically and with population smallest as well.

The third point is one person one vote. Because of the unusual nature of this year where undocumented people or persons are counted in the census and have representation, which I think is appropriate, they have a tendency when they're grouped and packed into large municipal areas to dilute the vote of the other districts. That means that you don't have one person, one vote in North Carolina.

I would ask that you do at least make a check at the end of the process so that you can make it as balanced as you can so that the voting power in each district is similar among the citizens. Thank you very much for your time. I know it's a diligent process, and Godspeed in your work.

John Soker ([00:42:25](#)):

Thank you for your comments, sir. Mr. McNeil.

Frank McNeil ([00:42:30](#)):

Yes.

John Soker ([00:42:30](#)):

Could you approach the mic, identify yourself. And if you're representing an organization, you have two minutes, sir.

Frank McNeil ([00:42:35](#)):

I'm Frank McNeil. I live in Aberdeen, a lifelong resident of Moore County, and a former mayor of Aberdeen. I want to speak first on the New senate district that's combining Moore and Cumberland counties.

One district should include the portion of Cumberland County that is located in the current District 21, along with all of Moore county. The other district would encompass the rest of Cumberland County, which is essentially the current District 19. This would be two very nice compact districts.

In order to balance the population, the two districts' four precincts Long Hill, Cross Creek 22, and both Cross Creek 23s would need to move from 21 to 19. This layout will have the least amount of disruption to the voters of Cumberland County by keeping them in the same districts they currently are in. Moore County will be in the same district with the part of Cumberland County that is closest to Moore county. Essentially you'll be substituting Moore County for Hoke County and District 21.

Turn into Congress. The Sandhills deserves its own congressional district centered on the Sandhills. This can easily be accomplished by taking the horizontal line dividing Districts 8 and 9 now, make it vertical so that you got an Eastern and Western district.

The Eastern district is anchored by and surrounds Fort Bragg. It could include Cumberland, Harnett, Moore, Hoke, Scotland and Robeson counties. These counties have a lot in common with each other, much more so than they do with Union and Cabarrus counties.

The main economic driver for this district is Fort Bragg. It doesn't make sense for Robeson County to be in the same congressional district with Mecklenburg County. We now have 14 congressional districts, please center one of them on the Sandhills. Thank you for this opportunity.

John Soker ([00:44:37](#)):

Thank you for your comments, sir. I did take a break here because it looks like some people aren't here. So microphone one is Liz [Baroll 00:44:46] here? Michael Jackson? Okay. Joseph Brewbaker, Robert [Taber 00:44:59], Marlando [Prijin 00:45:06]. We got another one there. Sarah Taber, are you here? She is here? Okay, got you.

And then at microphone number two, if we could have Roberta Waddle, Floyd Wicker and Ted Moon. So thank you for your indulgence here. Sir, you were here first, so identify yourself if you're representing anyone and you have two minutes.

Michael Jackson ([00:45:39](#)):

Hi, I'm Michael Jackson. Not related to the other guy. I like everybody to get their jokes out of way first. Although I moved to Fayetteville a couple years ago, I've been coming here for over 40 years since I've had family in the area. I'm a former naval officer.

I want to advocate for a Sandhills congressional district. We know that Fort Bragg is the major economic driver and employer as well as Cape Fear Valley Medical System for Cumberland County, and the counties contiguous to Cumberland county. So you may have heard from several other people that advocate for one district to include the counties that touch Cumberland county in general.

Secondly, we know that from the 2020 census, North Carolina has additional congressional district, so that means the state of North Carolina has grown considerably. This go around there have only been 10 public hearings like this one in the state's 100 counties, where our comparison in 2011, lawmakers proposed 62 public hearings in 36 counties before and after the maps were drafted.

So what I want to ask of you all is to do like you did in 2011, which is, allow for public input after the maps are drawn too, and I think for the next time around seeing how our state is continuing to grow is more important that we have more public hearings than fewer public hearings. That's in the best interest of the people. Thank you.

John Soker ([00:47:27](#)):

Thank you for your comments, sir. This microphone, please identify yourself and you have two minutes.

Roberta Waddle ([00:47:35](#)):

Good evening. My name is Roberta Waddle, I live in rural Cumberland County and I represent only myself tonight. I believe that the voting districts should be as compact as possible with as little splitting of counties, cities and precincts as absolutely necessary.

Regarding congressional redistricting, I advocate not splitting counties unless necessary. If they must be split, then please split them into no more than two districts. When I was party chair from 2006 to 2009, Cumberland County was divided into three districts. Being in three districts was confusing for officials, candidates and particularly voters. Many voters did not know about the divisions and didn't

know who their representatives were. This was discouraging to people who wanted to vote, but had trouble figuring out who would be on their ballot.

Regarding congressional redistricting, I believe there should be a district built in our area that is rooted in the Sandhills area of North Carolina. A possible combination would be Scotland, Hoke, Robeson and Cumberland counties in the district.

Regarding Senate and House redistricting, it's important that the community of interest around Fayetteville State University not be divided. Precincts Cross Creek 13, 16, and 519 in Cumberland County around this historically black university should not be split up. It is also important that the military community around Fort Bragg be kept together. Thank you.

John Soker ([00:49:20](#)):

Thank you for your comments. Sir, if you could approach the mic and identify yourself, if you represent anyone, and you have two minutes.

Robert Taber ([00:49:26](#)):

Good evening Representative [Zuka 00:49:27] and distinguished senators and representatives. I'm Robert Taber, I'm a homeowner and educator here in Fayetteville, teaching history and civic engagement at Fayetteville State. So I know that tonight I'm just speaking as a concerned teacher about the students with whom I work.

Fayetteville State is our state's leader in adult education. My students include many veterans, military spouses, or active duty service members and rural adults continuing their education after years away from the classroom. They are part of a community of interest, one that has been divided into multiple districts several times through the years.

Most notably from 2016 through 2019 students on campus and immediately off campus were in different congressional districts that both stretched to Mecklenburg County or its borders. Cumberland County should be in one congressional district, one comprised of adjoining Eastern and Southern Sandhills counties.

When drawing state house districts, respect the population and diversity of Fayetteville and Cumberland County. Do not divide precincts, municipalities or communities to pack people of a particular party or race together in an artificial fashion. House districts should be compact, avoid bordering more than two of the county's four sides and avoid splitting municipalities. Thank you.

John Soker ([00:50:45](#)):

Thank you for your comments, sir. On this side, if you identify yourself, if you represent anyone, you have two minutes, sir.

Floyd Wicker ([00:50:52](#)):

Good evening. I am Reverend Dr. Floyd Wicker, and I am a lifelong, a native North Carolinian and a resident of Fayetteville, North Carolina. First, I'd like to thank you for honoring your commitment to represent us, and for being a voice for the people's needs.

In this sacred season, you have an incredible opportunity to demonstrate to the people of Cumberland County that you have the dignity and the political will to create maps that are proportional. Maps that will not pack African American and minority voters into a few districts.

We all know what happens when this type of packing occurs. African Americans and minorities are deprived of representation in other districts, and regretfully our voices, our gifts, and our unique contributions to this state and nation are sadly diminished. I am deeply concerned about our current political environment. Instead of our leaders in-

PART 2 OF 4 ENDS [00:52:04]

Floyd Wicker ([00:52:00](#)):

... Political environment. Instead of our leaders in Raleigh, working together to stem the tide of racial hatred and discrimination, instead of our leaders working hard to create more jobs that pay a livable wage and expand Medicare to the over 600,000 people who are uninsured in this state, the only value that is important, or that seems important to our lawmakers in Raleigh and beyond is winning an election by any means necessary. Let us not repeat the mistakes of our past. Let the people, those of us who are here tonight and beyond, help you, lawmakers, move North Carolina forward. The only way we can do that is through the ballot. Keep our districts compact. Do not split our precincts, and above all, thank you for what you do.

John Soker ([00:52:57](#)):

Thank you for your comment sir. Sir, can you identify yourself.

Orlando Preegon ([00:53:02](#)):

I'm Orlando Preegon. I represent actually from Columbus County, North Carolina. I actually am a nonprofit professional, also a campaign manager that's been working in the area for a minute. To our esteemed leaders because of the time, I want to make sure that [inaudible 00:53:14] all the comments that you hear, something that are common ground points, that you can leave away from here to fight for a united win for the people of North Carolina. So the first one is that, as a campaign manager, no citizen or no resident should have to, or no candidate should ever have to afford the cost of communicating their lines in the changing of the districts. So the first thing I ask is that a state board of elections pay for it. That every citizens receive in a mail, a communication in education of where the lines are drawn. That should be given to every citizen in here without a doubt.

Secondly, the thing there I want to talk to you about is that, many of the times we're talking about redistricting, but the federal government has already had a position on that, that we are missing. Currently right now, many of you that are in nonprofit or local areas that are fighting for grants, the economic development agency of the federal government has put out a bigger Build Back Better grant. But in that grant, particularly they have already set economic development regions particularly in this area, you might want to see the one which Fayetteville is in. Currently Fayetteville State University is one of the universities that considered a economic development agency university center. We need to follow by those rules so that we can get the best federal government dollars for our region, so that we can see that we are in alignment with federal government, and how they perceive the state of North Carolina.

It is very important that we play very smart and intelligent in this process, and not divisive, and the way that we do that is to make sure that we are as advanced and innovative on the strategies, more so than combative. But those two things have legal remnants, and I think that every elected leader when you leave here, if you don't hear anything else that's said tonight, you can go back and study those things to make sure that you have an effective argument in the general assembly. Thank you.

John Soker ([00:54:52](#)):

Thank you for your comment, sir. Mr. Moon, please identify yourself for the record. You have two minutes.

Ted Moon ([00:55:00](#)):

Ted Moon. I'm an unaffiliated voter representing myself. Retired army geospatial information technician. I do understand redistricting, did it twice while I was on city council. And because of the clusters, the county's clusters under Stevenson, Cumberland still retains four house districts, 42 through 45. Very few VTTS need to be adjusted for population growth, and no VTTS should be split. Cumberland, Moore are now paired for two senate districts. Keep majority parts of Fayetteville and Hope Mills together as much as possible. We're a combined community of interest. We provide water and sewer to most of Hope Mills, and we have inter local agreements with Hope Mills. Keep that District 19. Fort Bragg, and rural parts, and small municipalities of Cumberland County should be paired in 21 with Moore County. For congressional districts, I recommend Cumberland County be the center for a new Sandhills Congressional District.

Cumberland is the fifth largest county, Fayetteville is the sixth largest city. At the very least, you compare Cumberland, Hoke, Robinson, Richardson, Moore, Scotland, and that could be the new Sandhills Congressional District. Give us an opportunity to vote for a candidate of our choice in the Sandhills. Because the process is public, the very transparent way you did it last time, I hope you do it again. With the court cases over the decades, you have a very clear roadmap of how not to get in the litigation again. I hope you listen to what the courts over the last decade have already ruled on and told you to do. I just thank you for the opportunity to speak tonight. Thank you.

John Soker ([00:56:54](#)):

Thank you for your comments, sir. All right, [inaudible 00:56:57] approach the mic, identify yourself, you're representing one. You have two minutes.

Sarah Tabber ([00:57:00](#)):

Hey, I'm Sarah Tabber. I'm going to keep this quick. I grew up in a military family. I work in agriculture, and I'm a home and business owner here in Fayetteville. Again, I'm going to keep it quick. I want one district for my community here in Cumberland, through a Fort Bragg in there, the whole thing, keep Cumberland County whole. As a military town, decisions made in D.C. have a huge impact on our community. We have a lot of veterans, we have a lot of military families, and we have a lot of issues with providing homes for foreign allies who have become refugees and they need somewhere to go. And decisions made about that affect us tremendously here, so I want to make sure that we get to be represented. Don't water us down by splitting us up, and for heaven's sakes, stop putting us with Charlotte, it's easy.

John Soker ([00:57:43](#)):

Thank you for your comments ma'am. Going down the list of people who have signed up previously tonight, and then we'll go to the people who have signed up to speak tonight, is Larry Wright here? I don't see him. O'Linda Watkins, microphone one. Let me just see who else we got. Allen McShirley, Allen McShirley you'd be second over here. And Irene Grimes, you'll be third. And then microphone over here would be Charles Allen, you're here. And Mr. McShirley already spoke, so I'm sorry. All right, Ms. Watkins.



O'Linda Watkins-McSurely ([00:58:30](#)):

Yes, [inaudible 00:58:31].

John Soker ([00:58:31](#)):

If you'd identify yourself, any organization you may represent, you have two minutes.

O'Linda Watkins-McSurely ([00:58:35](#)):

Thank you. Good evening. My name is O'Linda Watkins-McSurely. I am president of Moore County NAACP. I have lived in Moore County all my life. While in Moore County, Moore County was not divided in 2011, 2016, congressional maps. Moore County was one of only nine counties to be split into two districts, district eight and nine in 2019. Keep Moore County whole in congressional map. Splitting Moore County between U.S. House Congressional District eight and nine has divided important communities of interest. By splitting Moore County, you have neutralized the votes and the voices of the county's fastest growing minority Latinas population in the Northern part of the county, and also divide Moore County's fastest growing population center, the town of Whispering Pines. Keep the Sandhills whole. Keeping Moore County whole should not come at the expense of other Sandhills Counties, including communities of color.

We understand that one, Sandhills is often the final region to be drawn in the state lawmaker policy [inaudible 00:59:47], two, to keep Moore County whole, in 2011, in 2016, lawmakers split Hoke, Robinson in 2011, Bladen 2016, and Cumberland 2011, 2016. This map keeping leads to vigorous cycles that has pit our region communities of interest against each other, for resources and representation in the area from economic funds to disaster support. We ask you to keep Moore County home, but not at expense of Black representation in our county and neighboring counties in the Sandhills. Draw fair maps and the Sandhills will benefit. We ask you to draw competitive state districts in Moore County that not only will allow state representation, that listen to us and that we deserve, but would also begin the necessary work to end our county's at large election system. Thank you.

John Soker ([01:00:46](#)):

Thank you for your comments ma'am. On microphone two, Mr. Allen. You can approach the mic. Identify yourself, and if you represent anyone, and you have two minutes.

Charles Allen ([01:00:53](#)):

Good evening. My name's Charles Allen. I'm nearly a lifetime resident of Cumberland County. I'm still alive, so it's not lifetime yet. I wanted to come and speak tonight to the case of the house redistricting. Right now we have four districts that are running with a total of about 330,000 voters. Average is 82,500 per district. Right now I'm a member of the 45th district, which is the largest district with about 87,000 registered voters. The other districts are a little smaller to, or averaging 82,501. District 43 is a smaller population with 77,619 voters.

With regards to the redistricting of those areas, I think it would be a great idea if we moved 500 voters from the precincts of 45. It also is adjacent to 43. We'll move those 500 voters into the 43rd district, and that would give us parity with the four districts at that point. The reason for this is that the area of Stedman, and Eastover, and Vander, pretty much have a commonality of services, and share the same high school area, Cape Fear High School. They're not anything like, I don't think the Hope Mills area, which is probably the fastest growing area of Cumberland County, and I think if they were to be clumped into that area it would be a disservice. Thank you very much.



John Soker ([01:02:51](#)):

Thank you for your comment, sir. On microphone one, sir, please identify yourself, if you represent anyone, you have two minutes.

Allen McShirley ([01:03:00](#)):

My name is Allen McShirley. I've been a civil rights lawyer for 33 years in North Carolina, working mainly for Reverend Barber, and now for Dr. Spearman, who's over in front of the governor's mansion tonight, he would be here. I write a column for The Wilmington Journal called, Angry old white man, but not tired yet. And what I'm going to do, I was going to read you some of the latest column I wrote, which was about the Hope Heller files and how you should read them before you talk about any redistricting in North Carolina, but I hope I can just give you a copy of that column and put it in the record, and that will save us the rest of my two minutes.

I wanted to join with my good friends who are speaking strongly for this congressional district that would include the Sandhills, what we call the Cape Fear Valley, but really coming up from Wilmington. Remember this whole thing started with a massacre in Wilmington on November 10th, 1898. And I'm reminded of my good friend, Dr. Gerald Horning, he taught UNC for many years said, to be a historical, is to be racist. A historical means a racist, and I wanted to quote also from Julian Bond, a close friend of mine who just died, and John Lewis, another close friend, and CT Vivian who died on the same day. We have got to look at the history of racism in North Carolina before we even utter a word about redistricting. Thank you.

John Soker ([01:05:00](#)):

Thank you for your comment, sir. Ma'am if you could approach the mic, identify yourself, if you represent anyone, and you have two minutes.

Irene Grimes ([01:05:11](#)):

My name is Irene Grimes. I'm a member of the Cumberland County Board of Elections. I'm also an immigrant, a small business woman, and a veteran, and I am now a proud North Carolinian. I'm here to urge you to make decisions that are well thought out, deliberate, fair, and transparent. We are one of the states that the country looks to during election time all the time, so what happens in North Carolina matters. What happens on the ground level, and redistricting is the ground level, matters. What you do, and what you decide by drawing these maps matters.

With all the mistrust and misinformation out there, you can make decisions that will start restoring the faith in our electoral system. You have heard from many speakers tonight that don't trust the electoral system and our districts make a difference. Mistrust and misinformation is something that my colleagues on local boards battle all day, every day. I've been a member of the board of elections here in Cumberland County since 2019, and [inaudible 01:06:30] has gone on all day, every day. I believe in the system in this country. I'm an American by choice. I'm a North Carolinian by choice. I believe in the ideas of this country, the ideals of this country and you need to do the right thing, because what happens here matters. Thank you.

John Soker ([01:06:53](#)):

Thank you for your comment. We're at the end of the list for those who have signed up previous to tonight. We're going to start that, but it's about 7:00. So just in case somebody walked in who had previously signed up, I don't want to pass by them, so I'm going to go through this list very quickly. If you

hear your name, if you could just stand up so I can see that you're here, and then move to one on microphones, that'd be great. Barbara Faison, Derek Smith, Veronica Jones, there's one. Michael Chandler, Alton Flats, Brian O'Grady, Dennis Stole, Anthony Kit, Jerry Ces, I don't want to butcher that, it's called, all the one together, J-E-R-R-Y-C-E-S. Nobody's first name? [inaudible 01:08:04] first name on here? Bobby Woumb, W-O-U-M-B, [inaudible 01:08:12], Joseph Brewbaker, Larry Wright. So I saw one taker, correct? Ma'am, you still up? Well, if you could approach the microphone, identify yourself, and you have two minutes, then we'll move into the list of people who signed up tonight. [crosstalk 01:08:38]

Nestor Gomez ([01:08:47](#)):

My name is Nestor Gomez. I am director of New Life Community. [foreign language 01:08:54]

Speaker 3 ([01:08:55](#)):

I'm going to be his interpreter for what he can't say.

John Soker ([01:08:59](#)):

I'm sorry, here. I was going through this list, I don't think I called Mr. Gomez, did I?

Speaker 3 ([01:09:05](#)):

[foreign language 01:09:05].

Nestor Gomez ([01:09:05](#)):

No.

John Soker ([01:09:07](#)):

I thought a young lady stood up when I called one of these names.

Group ([01:09:10](#)):

[crosstalk 01:09:10].

John Soker ([01:09:12](#)):

Is that...?

Speaker 3 ([01:09:16](#)):

There was some confusion, [crosstalk 01:09:17] I apologize.

John Soker ([01:09:16](#)):

I'm sorry.

Nestor Gomez ([01:09:16](#)):

Supposed to be, you speak?

John Soker ([01:09:21](#)):

I understand. So what's her name, and you're going to interpret for us, is that correct?

Speaker 3 ([01:09:26](#)):

I think there was a mistake. He got confused. He thought he heard his name. That's all it was.

John Soker ([01:09:32](#)):

So just so I don't miss anybody here, and this isn't counted against your time. This is my time, it's penalty on me. So had you signed up, sir?

Speaker 3 ([01:09:44](#)):

He did.

John Soker ([01:09:45](#)):

All right, well find it. So, all right. We'll start all over. If you could identify yourself, who you represent, and you have two minutes.

Nestor Gomez ([01:09:54](#)):

My name is Nestor Gomez. I am director and pastor of New Life Community. [foreign language 01:10:02]

Speaker 3 ([01:10:02](#)):

I am here.

Nestor Gomez ([01:10:04](#)):

[foreign language 01:10:04].

Speaker 3 ([01:10:06](#)):

As specifically since you already know.

Nestor Gomez ([01:10:09](#)):

[crosstalk 01:10:09].

Speaker 3 ([01:10:10](#)):

That the last census.

Nestor Gomez ([01:10:13](#)):

[foreign language 01:10:13].

Speaker 3 ([01:10:16](#)):

That the Latinx population in North Carolina grew by 40%.

Nestor Gomez ([01:10:21](#)):

[foreign language 01:10:21]

Speaker 3 ([01:10:22](#)):

And the same proportion.

Nestor Gomez ([01:10:24](#)):

[foreign language 01:10:24].

Speaker 3 ([01:10:25](#)):

These are all census data numbers.

Nestor Gomez ([01:10:28](#)):

[foreign language 01:10:28]

Speaker 3 ([01:10:31](#)):

We are a significant building block in North Carolina.

Nestor Gomez ([01:10:35](#)):

[foreign language 01:10:35].

Speaker 3 ([01:10:40](#)):

The truth is, our children are growing and they're becoming adults.

Nestor Gomez ([01:10:44](#)):

[foreign language 01:10:44]

Speaker 3 ([01:10:47](#)):

We are involved in their education.

Nestor Gomez ([01:10:49](#)):

[foreign language 01:10:49]

Speaker 3 ([01:10:50](#)):

As well as their preparation.

Nestor Gomez ([01:10:53](#)):

[foreign language 01:10:53]

Speaker 3 ([01:10:54](#)):

I'm a chemist by profession.

Nestor Gomez ([01:10:56](#)):

[foreign language 01:10:56].

Speaker 3 ([01:10:59](#)):

And my father was a worker.

Nestor Gomez ([01:11:01](#)):

[foreign language 01:11:01]

Speaker 3 ([01:11:03](#)):

In construction.

Nestor Gomez ([01:11:05](#)):

[foreign language 01:11:05].

Speaker 3 ([01:11:04](#)):

That's why we're asking to be included in the redistricting process here in North Carolina.

Nestor Gomez ([01:11:15](#)):

[foreign language 01:11:15]

Speaker 3 ([01:11:20](#)):

That all communities in North Carolina be included in the redistricting process.

Nestor Gomez ([01:11:24](#)):

[foreign language 01:11:24]

Speaker 3 ([01:11:25](#)):

And when I say all.

Nestor Gomez ([01:11:27](#)):

[foreign language 01:11:27].

Speaker 3 ([01:11:27](#)):

I mean all.

Nestor Gomez ([01:11:29](#)):

[foreign language 01:11:29].

Speaker 3 ([01:11:29](#)):

I can speak English.

Nestor Gomez ([01:11:31](#)):

[foreign language 01:11:31].

Speaker 3 ([01:11:31](#)):

I can read English.

Nestor Gomez ([01:11:33](#)):

[foreign language 01:11:33].

Speaker 3 ([01:11:35](#)):

But I'm demonstrating here through a translator.

Nestor Gomez ([01:11:38](#)):

[foreign language 01:11:38]

Speaker 3 ([01:11:42](#)):

That we need more interpreters in these hearings.

Nestor Gomez ([01:11:45](#)):

[foreign language 01:11:45]

Speaker 3 ([01:11:47](#)):

That's why I pay my taxes.

Nestor Gomez ([01:11:49](#)):

[foreign language 01:11:49].

Speaker 3 ([01:11:59](#)):

We're simply asking that the maps be public. They'll be drawn public, and everything is public.

Nestor Gomez ([01:12:04](#)):

[foreign language 01:12:04].

Speaker 3 ([01:12:08](#)):

That's how you can get an audience to control the progress better.

Nestor Gomez ([01:12:12](#)):

[foreign language 01:12:12].

Speaker 3 ([01:12:13](#)):

Thank you so much for hearing him.

John Soker ([01:12:14](#)):

And thank you for your comments, sir. Ma'am did I call your name?

Speaker 4 ([01:12:26](#)):

[inaudible 01:12:26] You didn't call her name, but she had also signed up.

John Soker ([01:12:31](#)):

Well, what I'm going to do now is, I'm going to go through the list of people who signed up in the order in which they signed up, if that's okay. So first on microphone one would be Briana Brough, B-R-O-U-G-H. Next after who would be Monica D'Angeles, and then [inaudible 01:12:47] Hurst, and on microphone number two if we could have Carmen Rodriguez, Charles Carter, and Paul L. Taylor. All right, we're getting set up here, thank you. If you'd identify yourself, if you represent anyone, and you have two minutes.

Briana Brough ([01:13:08](#)):

Great, thanks. My name is Briana Brough. I'm a lifelong North Carolinian, and the North Carolina digital organizer with All On The Line. My job is to organize and facilitate public engagement in this process. I have observed every one of these hearings, and I want to share some things I've noticed throughout this process. First, I'm concerned that these hearings are not accessible to all North Carolinians. We have been in the midst of the COVID 19 pandemic for more than a year, and yet none of these hearings have been live streamed to ensure that North Carolinians can participate virtually. Hearings have been at times in locations that make in-person participation challenging at best, with some locations difficult to find, or complicated by last minute venue changes. Even with these barriers and without having seen proposed maps, it's clear that North Carolinians want their voice to be heard in this process.

In the midst of this deadly pandemic, more than 400 people have attended in-person hearings that's before today. The North Carolinians who have been able to participate are providing you with valuable information about how they live in their communities, their counties, and their regions. Taking this input and actually using it will make the maps better for everyone. We've heard from people like Kendrick Cunningham in West Charlotte, who noted that his neighborhood is currently split into three different state house districts, and simply asked for his community to be kept whole. And hearings from Winston-Salem, to Elizabeth City, to Greenville, and here today, we've heard from speakers who asked you not to pack Black and Brown voters to dilute their vote as has been done in the past. Yesterday in Wilmington, we heard from students who asked for their communities of interest, including their college campuses to be kept whole. In both the Mecklenburg and Robeson hearings, dozens of speakers said that congressional districts that extend from Charlotte to the Sandhills make no sense, and almost every speaker in Pembroke asked for a congressional district rooted in this region, as well as what we've heard here tonight.

While everyone understands that this is a political process, by and large the comments that you've heard in these hearings are not partisan. People are asking for transparency, accountability, and for their communities to be respected and not divided for partisan advantage. By far the single most popular, most frequent comment we've heard is a request for more hearings after the maps are drawn. That is the only way that you'll be able to say that this process was run with transparency and accountability. People are showing up and they deserve to be heard.

John Soker ([01:15:35](#)):

Thank you for your comments. Apologize for making you shift from there to here, I didn't realize I was doing that, but you're next, please identify yourself if you represent anyone, and you have two minutes.

Carmen Rodriguez ([01:15:46](#)):

[foreign language 01:15:46] Carmen Rodriguez.

Speaker 4 ([01:15:49](#)):

My name is Carmen Rodriguez.

Carmen Rodriguez ([01:15:52](#)):

[foreign language 01:15:52].

Speaker 4 ([01:15:54](#)):

I'm a resident of Wake County.

Carmen Rodriguez ([01:15:58](#)):

[foreign language 01:15:58]

Speaker 4 ([01:16:01](#)):

And tonight we are here together with other participants.

Carmen Rodriguez ([01:16:05](#)):

[foreign language 01:16:05].

Speaker 4 ([01:16:08](#)):

To make sure our petitions are heard.

Carmen Rodriguez ([01:16:11](#)):

[foreign language 01:16:11].

Speaker 4 ([01:16:16](#)):

The census says it all. The Hispanics, the Latinx population has grown more than 40%.

Carmen Rodriguez ([01:16:23](#)):

[foreign language 01:16:23].

Speaker 4 ([01:16:26](#)):

All the communities must be included.

Carmen Rodriguez ([01:16:29](#)):

[foreign language 01:16:29].

Speaker 4 ([01:16:37](#)):

These meetings and these auditors should be thought of for every single citizen state of North Carolina.

Carmen Rodriguez ([01:16:43](#)):

[foreign language 01:16:43].

Speaker 4 ([01:16:43](#)):

And for all the citizens who their first language is not English.



Carmen Rodriguez ([01:16:53](#)):

[foreign language 01:16:53].

Speaker 4 ([01:16:58](#)):

If the object is to have precise maps, then every single person should be included.

Carmen Rodriguez ([01:17:04](#)):

[foreign language 01:17:04].

Speaker 4 ([01:17:04](#)):

And one of the ways is to have interpretation.

Carmen Rodriguez ([01:17:12](#)):

[foreign language 01:17:12].

Speaker 4 ([01:17:14](#)):

In the languages is mostly spoken in the state.

Carmen Rodriguez ([01:17:18](#)):

[foreign language 01:17:18].

Speaker 4 ([01:17:21](#)):

Spanish, Mandarin, Vietnamese, and Chinese.

Carmen Rodriguez ([01:17:26](#)):

[foreign language 01:17:26].

Speaker 4 ([01:17:28](#)):

We also ask.

Carmen Rodriguez ([01:17:29](#)):

[foreign language 01:17:29]

Speaker 4 ([01:17:29](#)):

To better the website of the redistricting website.

Carmen Rodriguez ([01:17:37](#)):

[foreign language 01:17:37]

Speaker 4 ([01:17:42](#)):

And to include the other people who speak different languages.

Carmen Rodriguez ([01:17:47](#)):

[foreign language 01:17:47].

Speaker 4 ([01:17:49](#)):

And to draw maps in the site of other people.

Carmen Rodriguez ([01:17:54](#)):

[foreign language 01:17:54]

Speaker 4 ([01:17:53](#)):

To also be participants before, and during the process, not after.

PART 3 OF 4 ENDS [01:18:04]

Speaker 5 ([01:18:00](#)):

Also be participants before and during the process, not after. Thank you.

John Soker ([01:18:10](#)):

Thank you for your comments. Microphone one, if you approach the mic, identify yourself, if you represent anyone-

Monica D'Angelo ([01:18:12](#)):

My name is Monica D'Angelo, so I represent myself and I was wondering... There is an organization called the Economic Group, which it's an organization that goes around the world and they study various governments, mostly democracies, to see if they actually are democracies, or if they have turned to some other form of government. And they had turned their eyes on North Carolina. And guess what? They discovered that North Carolina is no longer a democracy. And this is unacceptable people, unacceptable.

If a representative needs to gerrymander districts so that he can get elected, maybe that person does not need to be in the office. It's as simple as that. We need our democracy back. And as so many around here were saying. "You need to let the black people vote, you need to let the women vote. Let the Latinos vote." Just divide by city, and leave the small counties whole like they were saying. And just give us back our democracy, Is all I want to tell you.

Thank you.

John Soker ([01:19:42](#)):

And thank you for your comments. Sir?

Charles Carter Jr ([01:19:48](#)):

Good evening, everyone. Excuse me, real quickly. Good evening everybody. [crosstalk 01:19:56] I am Charles Carter, Jr. And I would just like to begin by saying, if you hear my stomach growling, don't fear. I just got off work. So... I am a senior English major at the illustrious Fred Bell State University, and I am here on behalf of the North Carolina Common Cause Fellows.

As a concerned student and resident of [inaudible 01:20:20] road, also known as Cross Creek 13, I have had the opportunity to connect more with who I am. My father attended FSU and my brother was

born and raised here in Fayetteville. With that being said, I am proud to call Fayetteville home. Redistricting must be done in a fair and effective manner, or else that I, everything that I as a student, as a son, as a future educator have gained through this community will be impacted.

Though I will not be a student in another year, this upcoming congressional election will indeed have a major impact on everything that has impacted me as a resident of this community. And it will have a major impact on this nation. When voters cast a ballot, they expect their votes to be heard. They expect their votes to matter in choosing representatives, and choosing those who are reflective and accountable to the communities that they represent.

Personally, I'd love to see initiatives that crack down on packing, cracking, and overrunning voter districts for one's gain. If we want to see better and stronger governments, if we want to see stronger communities and better education, then we need fair elections and voter district lines.

Thank you, have a blessed night.

John Soker ([01:21:44](#)):

Thank you for your comments. Sir, if you identify yourself, if you represent anyone, and you have two minutes.

Telygo Hurst ([01:21:50](#)):

Good evening, my name is Telygo Hurst. Greetings to the citizens and state reps. The framework for the redistricting acts, ever since 2010, was laid for a single purpose, and that is to disenfranchise certain racial populations, denominations in the state, in the city and in the county of North Carolina. North Carolina has Jim Crow framework still within the constitution presently. The purpose of us being in this room today, is for citizens to have a voice, so that our grandkids and our kids can have a voice.

We're going to be long gone, some of us 10 years from now, when they attempt to redraw these maps. The framework was laid for this particular act with the case of Shelby vs Holder, which attacked the voting rights act, and every citizen within the confines of this country they call the United States, have seen that citizens no longer have that redress that was available for generations after generations with the United States Supreme Court recently striking down Section Five of the Voting Rights Act. So the only redress that we presently have in the state North Carolina is through the North Carolina Court of Appeals, in our own appeals court.

So, we come to you as voting citizens, as concerned citizens for our kids and our grandkids and ask let everything be transparent. Let everything be open, not just for our sake, but for all sakes, whether it be civilian or military citizens within the confines of this state.

Thank you for your time and your duty.

John Soker ([01:23:52](#)):

Thank you for your comments, sir. Next on microphone one would be Paul L. Taylor. It's either Nakira or Nakia Smith, and John... Looks like Smith. And on this microphone would be Linda Devour, John Blackwell, and Gereth Cohen. All right, ma'am on microphone one, if you'd identify yourself, if you represent any groups. And you have two minutes,

Nakia Smith ([01:24:40](#)):

Sweet. My name is Nakia Smith, and I'm a resident of Cumberland County known as The Sandhills. And I'm asking for the record, that the counties that make up the Sandhills, Robeson, Hope, Cumberland, and

Moore counties remain together as a congressional district. This cluster will be considered a community of interest, as we share similar social economic backgrounds, environmental injustices, racial and ethnic backgrounds, as well as ties to the military. Keep Cumberland County whole. As a Sand Hills congressional cluster, we need representation that is fair and accessible as representation that has our, the citizens, best interest in mind.

We do not need to be split up to favor one party or the other. As voters, we deserve and demand fair representation and fair maps, working for a civic engagement organization, we encourage people who are eligible to vote, to exercise their rights provided by the US Constitution. In our great democracy where our representatives are supposed to work as public servants for the people, fair maps ensure that all voters have the ability to be represented by a representative chosen by his constituents, not a representative who has used gerrymandering, cracking or packing to get into the office.

As a concerned citizen, I'm requesting that more transparency be provided in these final steps in this redistricting process. 13 public meetings during a pandemic with no virtual options, being held in the middle of the afternoon when people are working, and not even a sign language or any other language interpreter is not transparency.

I've observed past meetings with legislators sitting before us with folded hands, not even taking notes. This does not give my colleagues and I the confidence that transparency will prevail. While a separate and independent nonpartisan council to draw the maps would be preferred, we are asking that once the maps are drawn, before they become law, that more meetings be held for public input with interpreters for your non-English speaking constituents, virtual options, and held at times that common people may attend.

Finally, while the law states that maps may not be drawn on the basis of race, to deny that we've been granted another seat in the U.S House because of our growing population of people of color would be an insult and a disservice as public servants to not consider them. We are asking that you consider all of the people in this great democracy, including people of the global majority in your communities of interest as you draw the maps.

Thank you.

John Soker ([01:26:56](#)):

Thank you for your comment. This microphone. If you identify yourself, if you represent anyone, you have two minutes.

Linda Devour ([01:27:04](#)):

I'm Linda Devour, and I also serve on the Cumberland County Board of Elections. I care about free and fair elections. I care about fair representation, and that's why I'm here tonight. I've lived in Cumberland County for almost 40 years, and during those 40 years, I've been represented in five different congressional districts. I've never moved, but my districts have moved. Cumberland County has kind of been a dumping ground for whatever congressional district serves a higher purpose or a better purpose.

And our greater purpose is to have our own congressional district. Several people have mentioned here tonight that we're the fifth largest, excuse me, the fifth largest county and the sixth largest city, in the largest Metro by far, that does not anchor a congressional district. We're getting a new district this year, the 14th district, and there is no reason why Cumberland County should not be the anchor for a district that's contiguous. I want to tell you something folks, I've been in the first district, the second district, the fourth district, the seventh district and the eighth district. I've been

represented by somebody from Wilmington, from Concord, from Raleigh, and from the Northeastern part of the state, when my district ran all the way up to the Virginia line.

I've had enough of it, frankly. I don't think it's right. And I don't think it's fair. But I'll tell you something, the districts we have right now are the first time that Cumberland County, in my memory, has ever been in one district. We're making progress, but we are not there yet. Every district with the new census numbers, should have approximately 765,000 residents in it. And there's ample opportunity for the new 14th district to be anchored right here in Cumberland County. And I urge you to do everything you can to make that happen.

John Soker ([01:28:57](#)):

Thank you for your comments. Sir, if you'd approach the mic, identify yourself, if you're represent anyone, you have two minutes.

Gereth Cohen ([01:29:05](#)):

Yes. Good evening. I'm Gareth Cohen out of Johnston County, and you heard already that North Carolina will be gaining an additional congressional seat. So, that means that the state is growing. Johnston County has been identified as the fastest growing, population wise, in the state. However, in the past, Johnston County has been divided into two congressional districts. At present time, we have three Senators representing Johnston County. We have three House of Representatives representing Johnston County.

The citizens are confused when they go to the poll to vote. Even though they go through voter education, they are confused when they get there. The information is not filtered down. And let me give you some more history. I have practiced... Well, let me say it this way. I am a retired healthcare provider. I practiced 50 years. I've been in North Carolina more than 50 years. Johnston County has never elected anybody at the county level to represent the people. The people need to be represented.

I beseech you, when you consider drawing those maps, that you consider the citizens. They need a seat at the table. And consider also the fact that Johnson County has a prison system, a place where they house prisoners. They are counted in the census, but they are not allowed to vote in many cases. Do the right thing. Consider all the citizens of North Carolina. Thank you so much.

John Soker ([01:31:19](#)):

Thank you for your comment, sir. Sir, could you approach mic, identify yourself, if you represent anyone and you have two minutes.

John Blackwell ([01:31:25](#)):

Yes, sir. John Blackwell representing myself. My name is John Blackwell, I live in district 43. The redistrict in my district, in my opinion, will change the area for the worst. Now, ladies and gentlemen, we need to keep my area the same. We have a great community and our needs are finally getting met. Our representative now has done a great job, and we need to support them.

But one thing I'd like to say today, besides my area, is I just came to this today to speak, but it seems to be lots of problems here with all of us in together. A lot of hatred. Particularly don't care for it. We all ought to come together as a community and try to solve these problems. If we could all go home tonight and think about that, maybe things would change.

Thank you.

John Soker ([01:32:25](#)):

Thank you for your comments, sir. Is Paul L. Taylor present, who had signed up? John... It looks like Smith. It's handwriting. Okay. And moving to the ones I haven't called yet, Val Applewhite and Shirley Cohen. Approach the closest mics to you. That's good. Just identify yourself, if you're representing anyone, you have two minutes.

Val Applewhite ([01:32:59](#)):

Absolutely. Good evening, everyone. My name is Val Applewhite, and I'm a resident of Fayetteville. I'm a former Fayetteville city council member. And I'd like to thank you all for allowing us to this opportunity to speak, but I want to start with excerpt from an article in the Atlantic. "We drew congressional maps for partisan advantage. That was the point. Politics is a legal consideration while race sometimes is not." Written by Ralph Highs and David Lewis. I propose that we draw the maps to give a partisan advantage to 10 Republicans and three Democrats, because I do not believe it's possible to draw a map with 11 Republicans and two Democrats. One of this... This was said in 2016. Now this is a very old dance. We've been here before. I've stood at so many of these forums. And I've talked about redistricting, I've talked about voter ID, and it's really old. This is what happens. You hold these forums, we speak, we come very prepared, you pretend to listen. At least none of you have fallen asleep tonight. Then you go back to Raleigh and you draw maps. Then we go to court. Democracy North Carolina, Common Cause, NAACP, SCSJ. Then we go to court and we tangle it out there. I know this firsthand, because I was a plaintiff in Covington versus the State of North Carolina, and our district, our community was very much impacted by that.

We need to do better than that. I have a Master's Degree in political science, and one of the things I read was the Federalist Paper, number 10, and the founders of this country warned against factions. That that was the greatest threat to democracy. And that is what we are experiencing, not just in North Carolina, but in this country today. This is not a... And I got to stop. I was ready to hold church.

Thank you very much.

John Soker ([01:35:05](#)):

Well, thank you for your comment. Identify yourself at this mic and if you're representing anyone, you have two minutes.

Shirley Cohen ([01:35:13](#)):

I'm Shirley Cohen and I'm from Johnston County. And I'm here because we did not have a place to meet in Johnston County, so we came here. And what I have to say is very simple, that you do what's right for all people. And remember the communities of interest. I live in a community where we are senior citizens, and we don't need to be split. We need to be together and we need to be considered.

Please be transparent in everything that you do. We have been to several meetings and have been inquiring about the maps and what have you. You never hear anything or you never get any information. So please, let's allow the public to hear what's going on. Allow us to see it, before it's drawn. And then after it's drawn, before it goes and becomes law, because we need to. We are the citizens, and we need to be able to have some input. We don't need to be left out. So I say to you, do what's right for all citizens.

John Soker ([01:36:27](#)):

Thank you for your comments, ma'am. We've come to the end of the list of people who have signed up previous to tonight, and then the list of people who have signed up during tonight. So, in the off chance that we've missed someone or someone missed the door, if there's anyone wishing to still make public comment tonight, certainly we're here. And we would love to hear you. Is there any such person who wants to be heard, who hasn't had the opportunity to be heard yet? Yes, sir. If you'd approach the mic, identify yourself, if you represent anyone. And the other thing I would ask you to do is, after you speak, if you would come and sign this sign up sheet, so we have your name for the record.

David Mann ([01:37:11](#)):

David Mann, I'm the Precinct Chair of Cross Creek Eight precinct. I'd like to sort of piggyback on Val Applewhite's comments. How I became involved with this, I'm sort of a novice at politics, Billy and I were classmates at Terry Sanford. That's about as political as I've been for several years. But how I got involved with this was some years back, I went to a precinct meeting, and there were probably four or five very politically active people, some elected officials. And we were talking. Billy was running, I believe against Wesley [inaudible 01:37:55] for State Senate. And we were all talking about, well, we voted for so and so, and I said, "I didn't get to vote for Billy." And Margaret Dixon went on the website that night, and found out that they had... I was then the secretary treasurer, Lockett Alley was president of the precinct. And The North Carolina General Assembly had drawn a line straight down my street. And I received a call from Eddie [inaudible 01:38:34] not very long after that. He said, "Would you like to be a plaintiff in the federal lawsuit?" And I said, "You bet I do." And that's what it's going to take. That's what it took then, and that's probably what it's going to take now.

John Soker ([01:38:50](#)):

Sir, if you could just sign up here, please.

David Mann ([01:38:51](#)):

Yes.

John Soker ([01:38:52](#)):

Thank you for your comments as well. And while you're doing that, is there anyone else who hasn't had an opportunity to speak, but desires one? Seeing none, let me just close out that you have your elected representatives for the most part in front of you. There are others who could not come tonight because of conflicts. Your state senators, your state representatives do care about your comments, which is why we're having this forum.

For those who have not been able to attend tonight due to work conflicts or whatever, I'd remind you that we do have a legislative website and it's [NCLEG.gov/redistricting](http://NCLEG.gov/redistricting), that remains open and will remain open for public comments, and just because you've spoken here, if you want to add more comments or something else, by all means, please do that. Those are passed out to legislators on a routine basis. I know for myself, I read them all and I believe the rest of members of the committee and the rest of members of the legislature do. What you say is important. We are listening. Being no further business, we stand adjourned.

PART 4 OF 4 ENDS [01:40:12]

Mr Chair ([00:00:03](#)):

Committee will come to order. Thank you members and welcome. The purpose of this meeting today is to take public comments on the congressional maps that are thus far available on the House and Senate committee redistricting websites under members submitted maps on each respective chamber's site. We have two sites that we will also be taking comment today. We have had 36 individuals who have signed up to speak, I will call them in the order in which they have signed up to speak. Each speaker will be allowed two minutes to speak. I will begin by announcing our sergeant at arms that are here with us today in Raleigh, and then I will go to the other two sites and allow them to introduce the sergeant at arms that are there at those sites.

With the House of Representatives here, we have Terry McCarl. Over here, thanks for coming in. Ray cook, coming here. Warren Hawkins, in the back. John Enloe, around the sun. Rod Fuller in the back and Chris Moore, join us. We will then go to UNC Wilmington if we could check in with you, hear from you and let you introduce the sergeant at arms that are there.

Carson Smith ([00:01:29](#)):

Thank you, Mr. Chair. This is representative Carson Smith. Can you hear me? Okay?

Mr Chair ([00:01:33](#)):

I can hear you. Well.

Carson Smith ([00:01:34](#)):

Great. Thank you. Today from the house, sergeant of arms, we've got Jonas Cherry and Stafford Young. And from the Senate, Linda Matthews and Sheree Hendrick and we've also got the General Assembly police officers here Sergeant Kane and Officer Jones.

Mr Chair ([00:01:54](#)):

Thank you very much. And next, at Caldwell Community College, if you would please check in with us and introduce your Sergeant at Arms.

Senator Daniel ([00:02:02](#)):

Yeah, this is Senator Daniel, our sergeant at arms are Dwight Green, David Layton, Teresa Ferguson and we have two GA police officers, Sergeant Buck Hoffer and Officer Presiski.

Mr Chair ([00:02:19](#)):

Thank you very much, Senator Daniels. So again, we will go through the list we have in the order in which individuals signed up. They also signed up for a site, so as we come to someone who has signed up to be at an additional site, we will recognize them there. So the first sign up is Tyler, I believe it is Beale, that is supposed to be in legislative auditorium.

Speaker 4 ([00:02:42](#)):

Mr. Chair, could I ask a question before we get started?

Mr Chair ([00:02:47](#)):

If you'll suspend for just a minute, but we're not anticipating questions. But go ahead.



Speaker 4 ([00:02:51](#)):

I was just trying to get some clarity on whether signups are limited to either 25 or 30 per location, or if everyone here today who has come to speak will be heard. What is the chair's expectation on that?

Mr Chair ([00:03:04](#)):

The signup will be limited to the 36 individuals who have signed up online in order to speak. It is now closed and those that have signed up will be recognized to speak. Thank you. Tyler? Two minutes.

Jonathan Tyler Beale ([00:03:27](#)):

Timer somewhere, that'll do, perfect. Hello, my name is Jonathan Tyler Beale. As a lifelong resident of the triad, I witnessed and was impacted by the racial and partisan gerrymandering that took place at the campus of NCAANT, done with surgical precision, the nation's largest HBCU had its campus split in 1/2, which made these maps worth the 99.9% of all other available maps. While the currently proposed ones don't appear to be as egregious, there are still serious shortcomings when it comes to districts being congruent, which Webster does define as having similar shapes or interests. Having attended the public hearing and foresight, and spoken with other citizens across the triad since, here are some areas of improvement we'd like to remind you of during our previous discussions.

We asked the Piedmont Triad retain our congressional voice and that the three major cities Winston, Salem, High Point in Greensboro, remain as a congruent and compact as possible. The map CBK3, CMT9 and CST9, intentionally separates all three of those major cities, as should be sent back to the drawing board to specifically work on the compactness incongruency of those districts. As current proposes will dilute minority and urban citizens while breaking up practical business, medical, transportation and educational networks. Rural voters also deserve to maintain the integrity of their interests, as gerrymandering ultimately creates the hyper partisan political atmosphere that we currently find ourselves in.

At this point, I honestly think that the proposed CBK format does the best job of safeguarding better integrity. Here's a highlight of some of the issues we have found so far. CBK3 submitted by Senator Daniels forgot the definition of congruent and compact, gerrymandered in district seven, district nine, district 10 and district 11. CMT9 submitted by Senator Hise is definitely the worst map drawer here. It is not congruent in districts two, seven or 11 and then CST2 submitted by Senator Daniels is also not congruent or compact, with gerrymandering and district seven, nine, 10 and 11. Please make sure you guys are trying to keep these congruent interest as compact as possible, so that all of our citizens get the right to vote. Thank you.

Mr Chair ([00:05:40](#)):

Thank you. Next up, we have Kurt Earhart, which is signed up to be here at the legislative auditorium. Kurt, you're recognized for a time not to exceed two minutes.

Kurt Earhart ([00:05:53](#)):

Yes, good afternoon. My name is Kurt Earhart, I live in North Raleigh, have for 15 years. And I'm here to just speak for maintaining meaningful communities of interest, as we draw these maps. I see my community of interest as including Raleigh, Holly Springs, Durham, Chapel Hill, similar demographics closely linked people commute back and forth, shot back and forth, socialize back and forth. Similar political mixes, similar demographics, it just makes a lot of sense. Now, we have to split Wake County, I recognize that. We have to keep it down to about 3/4 of a million people, but I feel this can be done

while preserving the triangle community of interest. A map that I saw that I like, I didn't draw this, but what it does is it keeps of the vast bulk of Wake County all together. And the remaining bits of Wake County are then combined with Durham and the southern reaches of Granville County. Makes a lot of sense to me.

I think that the two legislators, the two Congress people that came out of there, would fairly represent my interest in voting access, gun control, reproductive rights, environmental action, improved health insurance, equal treatment. I saw one map, CBK3, which I didn't like looks up because it took Holly Springs, carved it away and combined it with rural counties like Lee, Chatham, Alamance, Randolph and beyond. So, I'm just here to ask that the the triangle community of interests be preserved. Thank you.

Mr Chair ([00:07:49](#)):

Thank you for your comments. Next we have Ginny Cateura Lynch, which is also at the signed up for the auditorium. Jenny Cateura Lynch, I'm assuming is not present, last chance. Okay. Susan Blea McClanahan, has signed up for here at the legislative auditorium. Ma'am, you're recognized for time not to exceed two minutes.

Susan .B. McClanahan ([00:08:37](#)):

I am Susan .B. McClanahan, from Orange County. North Carolina is a 50-50 state and fair maps should reflect that. The Princeton gerrymandering project has graded congressional maps CBK3, CMT9, CST2, Senate map SST4 and House map HBK11. Every one of these received an F grade, because they all provide Republicans with a significant advantage. If any of these maps are used, we will not have free elections in North Carolina. Because you have already predetermined the outcome. In Congress, we will have nine to 12 Republicans out of 14. Gross gerrymandering occurs when a candidate wins 55% or more of the vote. Over the last decade, David Price one our fourth Congressional District by between 67 and 74%. In the new maps, orange, Durham and part of Wake would make a new congressional district.

By joining us with Wake, you are diluting urban voices because the most populated areas are the easiest to gerrymander. Wake should only be divided into two districts. In SST4 you have gerrymandered Senator Valerie Foushee comprising her district of Orange, Purse and Caswell, rather than the current Orange, Chatham partnership. In 2017, when you tried to gerrymander North Carolina judicial districts, local judges wrote to object, saying that splitting Orange and Chatham would disrupt a fully functioning system and cause confusion and unnecessary complications. Residents of orange and Chatham counties are more connected by work, commerce and recreation than those with other counties. Please keep orange and Chatham together. Thank you.

Mr Chair ([00:10:30](#)):

Thank you for your comments. Next up, we have Kathy Gregggs with the Fayetteville Pact. And here in the auditorium, you're recognized ma'am, for a time not to exceed two minutes.

Kathy Gregggs ([00:10:42](#)):

Thank you. Thank you for allowing us to be here again. We do appreciate us being able to come again and have address the issue of redistricting. But obviously, based on the maps, no one listened to us the first time. So, the fact that you're making a mockery of the people is just so embarrassing for you all to come here and tell us that the maps that you've drawn, you had no idea you was going to draw. And Senate Clark, I'm very disappointed in you being an Army veteran, that made the map only so you can

run for Congress. Let's make sure we not see here and BS with the people. Let's really get some work done. Because this is straight up BS. You allow the people to come here and speak. And you chose not to do what the people wanted.

Once again, we're going back into the courtroom, because you have to wait and sit up here and take taxpayer money because you don't want to address the real issues. Like the fact we still have lieutenant governor that don't want to address LGBTQ. I said we vote all y'all out you go home. And that's it. Thank you.

Mr Chair ([00:11:41](#)):

Thank you for your comments. Caitlin Metzger, with no affiliation also as [inaudible 00:11:49] legislative auditorium. Thank you, ma'am. You're recognized for a time period not to exceed two minutes.

Caitlin Metzger ([00:12:03](#)):

Thank you. Good afternoon, my name is Caitlin Metzger, I live in Durham. I'm a lifelong North Carolinian and have lived in several places across the state. But here today to talk about myself as a voter in Durham County. Two main things. One, I do not believe that you have listened to the input from voters so far. I did my best to follow along the process online, I did my best to watch what was happening at the previous hearings in September, I did my best to read through the 1000s of comments that went through the online portal. When I look at the draft maps that I see on your website, which is too hard to use. It is clear to me that you did not listen to the people and you have not taken in the input of the people that you requested to hear from.

First of all, the triad needs to be in one district. Stop cracking and packing people of color into different districts. Second of all, the Sand Hills region asked specifically to be in one district. I know there's multiple draft maps, so I don't know exactly which one you're considering, but from what I could see from the draft maps, you did not listen to that feedback as well. The other thing that I want to bring up is a little bit more about the process here today. It is 3 pm on a Monday, and I know personally that I have friends and family who texted me thinking that they signed up for today, but got the link to do the virtual later. So I just want to say it was not easy to sign up. It was not easy to get here. It was only announced a few days ago. It is inaccessible. And that is your choice. You're doing that on purpose.

The last thing I want to speak about is we have a new congressional district. That should be exciting for North Carolinians. More representation in DC means more people fighting for us and what we want, which is better public schools, Medicaid expansion, clean air, clean water, better funding for our HBCUs and community colleges. These are the things that we want to see from Congress. Instead, we're going to be litigating and paying for your mistakes once again.

Mr Chair ([00:14:12](#)):

Thank you for your comments. Next up I have Diane Young Pyva, in the auditorium. Thank you ma'am, you're recognized for a time period not to exceed two minutes.

Diana Young Pyva ([00:14:29](#)):

Good afternoon. My name is Diana Young Pyva, I'm a citizen of Wake County. I've lived in North Carolina for almost my entire life. I wasn't born here, but lived here most of my life. Thank you for the opportunity to be here in person and also providing opportunities for people to participate remotely and virtually. I agree with the previous speaker, sorry, the previous speaker that it's a little hard to

follow the process, but thank you for making the opportunity available regardless. I too have been following the redistricting process with great interest and attended one of the previous public hearings at Durham Tech. And the stakes are high. For many of you, it's a matter of winning and losing. But for the citizens of North Carolina, it's a matter of our lives and things that matter to us. So I hope we can avoid a repeat of the last decade of hyper partisanship and court case after court case. We're a fairly evenly split State.

And running out of time, we got to get to my most important points. Okay. So I've looked at the maps that are online, the congressional maps. In particular, there's only one draft each for the NC Senate and NC House. But for the congressional maps, I felt like the CBK4 and CBK5 maps that were submitted by Senator Clark are the most fair. When you look at competitiveness, proportionality, compactness, splitting and minority. And this is my main point, I really would like to know how you are going to be processing the comments that you all have received to date. I don't see at what point you will be reviewing those before the votes are taken. I know that the public access comment input policy requires that a summary be provided to you all, but I hope that everyone will get ample time to review the comments that have been submitted before you vote. Thank you very much.

Mr Chair ([00:16:42](#)):

Thank you for your comments. I will remind future speakers the purpose of this meeting is to take public comments on the congressional maps that are this far available. Next up, signed up, we have Cathy Wheeler who has also signed up for the legislative auditorium. You're recognized for a time period not.

Cathy Wheeler ([00:17:20](#)):

Good afternoon. My name is Cathy Wheeler and I live in Guilford County. My comments here relate to proposed congressional maps. In maps drawn by Republican members Greensboro, Winston, Salem and High Point are split across multiple districts. Currently, these three urban areas are in one district since we are together, a community under one name, the triad and share services and have common needs. In proposed maps, these three areas are separated and put into different districts, where their needs are not similar to the needs of the rest of the district. For example, Greensboro in one map is included with areas to the west, where there are no common interest. So some constituents in such a district will lose out. Maps also put these three urban areas in with substantially large rural areas.

The result would likely be democratic votes formerly together in one district being diluted by the larger number of Republicans. Mecklenburg and Wake Counties were also divided in different ways with the same negative impact. District maps should not give partisan advantage but of North Carolina's 14 congressional seats according to analysis, these maps make at least nine and up to 12 seats out of a total of 14, say for Republicans. This is not fair since North Carolina is a 1/2 and 1/2 state with the two parties. The maps proposed by Republican members dilute Democratic votes and deprive communities of effective representation.

They do not get high marks from several analysis, including the Princeton Gerrymandering Project. I ask that you draw new maps and adhere to all criteria, stay nonpartisan and also consider the maps drawn by Democratic members, which do not have the issues above. Thank you for your time.

Mr Chair ([00:19:15](#)):

Thank you for your comments. Next up, we have Francis Sokolowski. You have the floor for a time period not to exceed two minutes.

Francis Sokolowski (00:19:33):

Hi, thank you for having me. My name is Francis Sokolowski. I live in Fuquay-Varina, where I consider myself a member of the greater Research Triangle community. I'm here to call for the acceptance of fair legal maps and to express my concern that the process so far has been difficult to engage with. I'm lucky to have enough advantages in my life that I can be here today. It was not easy to afford to make this comment. I'm sure many who share my concerns were simply unable to muster the necessary resources to be here, to give such comment on such short notice. The material provided to prepare for this hearing was given too late, was hard to find, and lacks considerable detail and context about how and why the maps were drawn the way they were.

My family moved to North Carolina some years ago before the pandemic, to be closer to our extended family, and to access high quality education and health care, to name a few. Those things are ultimately what brought me here today. And redistricting directly affects funding for education, we all want the best opportunities for our children. Redistricting directly affects funding for health care, we all want access to quality hospitals and specialists, and redistricting directly affects the abilities of communities to get the representation they deserve. We all want our communities to be heard. So I ask, please approve fair and legal maps. In approving these maps, please analyze racial data as made clear in Cooper V Harris to draw these equitable and constitutional maps. And please provide the details and context around your decision making. Further I ask, How can you accept this process that lacks so much transparency? And why is it okay to force North Carolinians into districts that do not represent their community? Thank you.

Mr Chair (00:21:13):

Thank you for your comments. Next up, we have Deborah Maxwell with the New Hanover County NAACP, which should be at the UNC Wilmington site. So, UNC Wilmington, if Deborah Maxwell is there, please feel free to recognize them for a time not to exceed two minutes.

Representative Smith (00:21:34):

Mr. Chairman, this is Representative Smith, in Wilmington, I know its really hard to see where the speaker's set up, but she in not present here.

Mr Chair (00:21:44):

Thank you, we will move on. Next, we have Andy Jackson, with the John Locke Foundation who has signed up to speak here in the auditorium.

Andy Jackson (00:22:10):

Thank you for this opportunity to speak to you today. The criteria that the Joint Redistrict Committee approved are good for assuring that districts you eventually will approve, will reflect the character of the areas that you're going to be represented, particularly the congressional districts. While in my estimation, I haven't seen any of the current list of congressional districts that will pass muster. In the end, I'm confident that this committee will do that, using the criteria you laid out, in particularly the ban on using racial data, which is especially important for making sure that racial considerations do not predominate in designating districts. On a process note, while hearings like this are an important part of the redistricting process, organizations are trying to use that process to train people on how to testify at public hearings.

Nothing illegal, nothing wrong with that. Those groups are seeking to salt hearing records to bring a public record for lawsuits against any districts the General Assembly passes. One group in particular is seeking to use redistricting hearings as a tool for future litigation. The organization all on the line is a wholly owned project of National Redistricting Action Fund, a 501 C4 that functions as the advocacy and lobbying arm of Eric Holder's National Democratic Resist Redistricting Committee. This is not conjecture. One of the leaders of the North Carolina Project have on the line have publicly stated that they want to have testimony in public records, that they can and I quote, "Be impactful during any future litigation." Of course, we all have the right to form organizations to help instruct members of the General Assembly, however, let's not pretend that the comments presented at these hearings are representative of the general public. Thank you.

Mr Chair ([00:24:06](#)):

Thank you for your comments. Next up we have Eileen Stevens, who has signed up at UNC Wilmington. If Stevens is there, please recognize them for a time not to exceed two minutes.

Elan Stevens ([00:24:31](#)):

[inaudible 00:24:31] Thank you very much for the time. My name is Eileen Stevens, I am a resident of Wilmington, Carolina. Thank you very much for making this hearing available, for individuals, however, I must not that it's 3:00 pm and I'm late, and I'm glad that I kept my spot because I had to move meetings around to get here today. So having more meeting at more accessible times would be great. My other comments on the actual redistricting maps that I have seen, are that I have seen at least one Congressional map that splits off land fall and other high wealth ares of the City. Away from, pretty much the rest of the City.

And I believe that New Hanover Count and especially the City of Wilmington needs to be kept whole, we are one community. The other thing I'm speaking to members of the military, earlier, and they expressed strong dismay, at the fact that Onslow County was being divided. They feel the military community has a right to be heard as a unity and the military community puts their lives on the line on behalf of the rest of the United States, and they deserve to have their voice held, preserved. Thank you very much.

Mr Chair ([00:25:58](#)):

Thank you very much for your comments. Next up we have Brian Mathis, with the organization Mathis for Wake County, here at the Legislative Building. Thank you, sir, you're recognized for time not to exceed two minutes.

Brian Mathis ([00:26:12](#)):

Great. Thank you. Good morning, or good afternoon. My name is Brian Mathis. I'm a civic engagement educator, here in Wake County, as well as candidate for Wake County Board of Commissioners. Now as I was driving into work today, WU&C had a new story and replayed the now infamous quotes from then Representative Hall, about... excuse me, Representative Lewis about redrawing the maps to give a partisan advantage to Republicans. As we know in 2019, North Carolina's Superior Court ruled that this to be unconstitutional because the districts drawn did not permit voters to freely choose their representatives, but rather representatives are choosing voters based on sophisticated partisanship sorting. I would be hopeful that our leaders in the State Legislature would prioritize fairness in our congressional districts as well State, House and Senate in 2021. But so far that has yet to be seen.



The Princeton Gerrymandering Project, which I've had the pleasure of working with a few interns on that project, have scored multiple members submitted maps on partisan fairness, competitiveness and geographic features. Only three maps have received an overall grade of an A, those are congressional maps CBK4 and five from Senator Clark and CST6 from Senator Chaudhuri. Out of the other six maps that were submitted and scored by the Princeton Gerrymandering Project, they received an F or a C. As an educator, these grades are not good, as a citizen, these grades are disappointing and frustrating. It's clear that Republican members of our state legislature have not taken seriously the rulings of our courts, and more importantly, the demands of everyday North Carolinians, to enjoy our state constitutional right for free and fair elections. And the ability to choose our representatives.

I implore this committee and our state legislature to do right by the people in North Carolina and adopt maps that are fair, and a government that is built by the people in power, to hold on that power is not a democracy. Thank you.

Mr Chair ([00:28:10](#)):

Thank you for your comments. Next, we have Aylett Colston, sign up here in the auditorium. A-Y-L-E-T Colston. Second time, final chance did not show. Phyllis Demko with the League of Women Voters of North Carolina also signed up here in the auditorium

Phyllis Demko ([00:28:38](#)):

Hi, I'm Phyllis Demko, represent the League of Women Voters of North Carolina. Thank you very much for letting me speak today. The League believes that the congressional maps drawn by majority members will significantly disadvantage minority voters. The map labeled CBK3 would be the least troublesome, but even it jeopardizes the ability of black voters in Eastern North Carolina to elect a candidate of their choice. This committee has persisted in saying that race will not be considered as a criterion in redistricting. Perhaps as the media have suggested, you chose not to include race as a criterion because you think it will protect you from litigation over racial gerrymandering. Being colorblind does not equate to being racially just. In fact, it can mean just the opposite.

But, we believe that you really have considered race. The Federal Court in the Covington case, which ruled against you stated, "Redistricting legislatures will almost always be aware of racial demographics, even without an analysis of racial data." Of course, you are aware. You are aware of where your voters of color reside and you are aware of how they vote. And that makes it easy without statistics for you to pack and crack us. We think you are being disingenuous by saying you do not consider race, to serve your goal or stand in power, you do not need to analyze racially polarized voting, you just need to make it appear that you haven't. We urge you to consider the substance, not the appearance of what you're doing.

North Carolinians are tired of lawsuits and your ploys to stay decisions in order to delay long enough to get your preferred candidates elected from unconstitutional districts. This kind of bad faith is a frightening challenge to our democracy. We are asking you, be a part of positive change. And once more, earn the respect of those in this State who adhere a truly representative form of government. Thank you.

Mr Chair ([00:31:00](#)):

Thank you for your comments. Next, Jennifer Bremer, who was signed up here in the auditorium. Jennifer Bremer, ma'am you're recognized for time not to exceed two minutes.

Jennifer Bremer (00:31:12):

Thank you very much. Good afternoon. My name is Jennifer Bremer, and I'm an Orange County voter. I'd like to speak to you about a topic near and dear to my heart, the importance of keeping our communities whole, as you draw our districts. I'd like to focus in particular on our cities and towns. North Carolina remains one of our most rural states, but our towns and cities are growing rapidly, they're vital to our prosperity and quality of life. By keeping them whole, you can provide our citizens with better representation. In preparation for these remarks I took a detailed look at how our cities and towns are divided across five of the congressional maps, two drawn by Senator Daniel and one each by Senators Clark and Hise and Representative Hall. These maps differ quite markedly in which towns they divide and how they do it.

Some towns and cities cross county lines, but they could still be kept whole without doing violence to the principle of keeping counties together. Wherever possible, such as in Chapel Hill and Eben in my home county, keeping each town in one congressional district would help voters make their voices heard, it would also be easy to achieve. Senator Daniel's map in particular, divides only 11 towns by my count, while other maps chop up as many as 33. Charlotte is the only town too large for a single district, but it does not need to be fractured across three or even four congressional districts as most of these maps do. There is even less rationale for splitting Greensboro, High point and Winston Salem, but most of these maps chop them up nonetheless. Even small towns that don't cross county lines are cut up, such as Hope Mills, Louisville and Wilmington. There's really no good reason to divide cities and towns. As you finalize the map, please keep our towns and cities whole, so that our voters, business people, families and all of our urban residents have a single Congress person, who represents them in Washington. Thank you.

Mr Chair (00:33:05):

Thank you for your comments. Next up we have Louis Carson, signed up to speak here in the auditorium. I believe I was told but the sergeant at arm staffing may be outside. So, recognized for a time period not to exceed two minutes.

Louis Carson (00:33:24):

Hello, my name is Louis Carson. I'm proud to say that I've been a North Carolina resident for over 50 years, I've lived in the same community with the same values for over 10 years. The state's redistricting processes have placed me in three different congressional districts in those 10 years. In my view, the 2021 process that the legislature has used to determine districts is flawed. The criteria for map-making were quickly adopted with inadequate discussion and time for public comment. The criteria of not using racial data is disingenuous because there are criteria data items and knowledge to substitute for that racial data, which may have discriminatory effects. Maps CST2, CBA2, CBK3 and CMT9 appear to result in reduced or no minority representation.

Furthermore, the public hearings on redistricting, which will impact all voters for the next decade, are limited to four, for the entire state of North Carolina. The number of speakers is limited to 25 or 30 people per site. Furthermore, the maps were only published a few days before these hearings, giving the public very little time to study them. Although the public was offered the opportunity to draw maps, the website videos of proceedings on the terminals at the legislature are obscured. The screens are too far away to read, the people's voices are unclear, the process is indistinct. The current criteria address important considerations, but the process that the legislature is adopted to implement them in drawing maps, deprives the people of North Carolina of an equal opportunity to have a meaningful say in the electoral system. Thank you.



Mr Chair ([00:35:19](#)):

Thank you for your comments. Next up, we have Nina Day, with the North Carolina Association of Educators, signed up here in the auditorium.

Nina Day ([00:35:29](#)):

Actually, I'm speaking on my behalf. And one thing I would ask is, is there a place when you sign up for just a citizen to say a citizen, because that almost kept me from speaking with you today, but I'm speaking as myself. I am Nina Morley Day, I am a proud retired public education teacher here in North Carolina, 38 and a 1/2 years. And I urge you to do the right thing here. Our young people are watching. They see what we do. Set a good example. I live in Hillsborough, North Carolina, and I have voted every year that I could vote, since I registered in Fayetteville, I would like to ask you to set these Congressional district maps, such as CST6, CBK5, CBK4, these are the main points. Keep the metropolitan areas together. We all know what parts of North Carolina work and live and travel and do business together, keep those together. Keep the triad together. Growing up in Fayetteville, I would like to also support the Sandhills Consortium, the group that would like to have one congressional district for the Sandhills.

And the main thing, I would just ask you to fully consider what's at stake here. We really want to make sure every person in North Carolina has a right to vote and is able to vote. And so with these districts, the other thing I would ask for is basically, this is now in favor of the State, Senate and House. I agree with my speaker that spoke earlier, please keep Orange and Durham County together. There are many things that are going on that are very excellent in that community together. So keep us together. And we have much more in common in Hillsborough with counties, or Durham County and Chapel Hill, than we do with the counties to the north of us, so please keep that in mind.

Finally, I would just like to say, please set a new day for North Carolina. Don't your redistricting legacy be one that continues gerrymandering. You set a map that doesn't require a court fight. Use that money for something that makes North Carolina a better place. Thank you for the time.

Mr Chair ([00:37:32](#)):

Thank you for your comments. Next up, I have signed up Michael Rush with the Brunswick County Democrat Party, signed up to speak at UNC Wilmington. If they're there, please recognize them for a time not to exceed two minutes.

Mike Rush ([00:37:51](#)):

Good afternoon. My name is Mike Rush. I am the third vice chair of the Brunswick County Democratic Party. And I'm speaking today on behalf of Eric Terashima, our county chair who had a scheduling conflict and could not attend. The following are our comments regarding the Congressional district maps, State Senate maps and State House maps. Congressional district maps. In terms of meeting the critical factors of proportionality, competitiveness, compactness, splitting among minority representation, the best proposal is clearly CBK5. North Carolina is essentially evenly split between Republican and Democratic voters. So maps should not be engineered to purposely deviate from this reality. CS2 is a classic case of gerrymandering. As far as our are is concerned, the proposed District Two reaches down and takes a chunk out of Wilmington from District Three. And it's just another in a long line of shameful attempts by the Republican Party here in North Carolina to dilute the minority vote.

Mr Chair ([00:39:05](#)):

I'm not sure if we've lost audio contact or something's happened, but we can no longer hear the side at Wilmington.

Mike Rush ([00:39:16](#)):

Can you hear me now?

Mr Chair ([00:39:17](#)):

I can hear you now.

Mike Rush ([00:39:19](#)):

Okay. In the case of SS2T4, the proposed district seven, a core section of urban Wilmington, it has been blatantly inserted into the mix with rural Brunswick and Columbus counties. So one has to ask the obvious question, why does the Republican Party continue in its attempts to dilute the minority vote? The answer is simple, the proposed would likely result in a 29-21 split between Republicans and Democrats, again under representing the actual strength of Democratic voters in North Carolina. Finally, in reference to the State House maps HBK11, fails the test of competitiveness and proportionality. It would likely result in a 69-51 split favoring Republicans. District 21 ignores a hard geographical barrier, the Cape Fear River by including the Carolina Beach area on the north side of the river, with some of the coastal areas in Brunswick County, on the south side of the river. The only thing Carolina Beach in New Hanover County and the coastal areas and Brunswick County have in common is that they are being used to give the Republicans a competitive edge.

Mr Chair ([00:40:34](#)):

Thank you. And next up we have James Ablord, who represent the NHC. I think that's New Hanover County Democrat Party, and they are also signed up to speak at the UNC Wilmington site. If they are there, you may recognize them for a time period not to exceed two minutes.

James Ablord ([00:41:01](#)):

My name is James Ablord, I live in the western part of Wilmington. And in the County of New Hanover, I've been here for nine years moved from Alexandria, Virginia. And we are in close relationship with other parts of our city, except for a diminished contacts with the people in our precinct WO3, which is in the middle part of the City. In order to continue the idea of drawing fair maps that allow people in communities to be represented by leaders who know their communities and who will fight for needed resources, to solve community's issues and promote jobs and sustainability, we think and I think that the WO3 Precinct should be restored to District Nine. And it's not shown that way on any of the maps that I've seen so far. So accordingly, along with Mr. Russian, Miss Stevens, who's spoken before me, we think 10 years of experimentation with the way things have been drawn is enough. And we ask you to uncrack precinct WO3.

Mr Chair ([00:42:45](#)):

Thank you for your comment. Next up we have Paul Taylor, with the National Black Leadership Caucus, North Carolina, eighth Congressional district, signed up to speak here in the legislative auditorium. Second call for Paul Taylor. We'll let the sergeant at arms see, he maybe outside. Mr. Taylor.

Paul Taylor ([00:43:23](#)):

Yes sir.

Mr Chair ([00:43:23](#)):

You're recognized for a time period not to exceed two minutes.

Paul Taylor ([00:43:26](#)):

Yes sir. My name is Paul Taylor, and I'm speaking on the redistricting. And my thought is it seemed as though that the legislature, or the committee, have not really heard what the people have to say. I believe all of y'all, and women, are honest men and women. And with that being said, that let's do the right thing. This rep, let our community have the vote. And redistrict this thing, so that everyone have a fair shake at was going on and how we vote. Now you guys and ladies, determined to vote for us. You're taking a right, away from the people. We deserve to vote our hearts, our mind and our conscience, and not be decided by the people I'm in front of. It's just not right. Thank you. And that's all I got.

Mr Chair ([00:44:31](#)):

Thank you for your comments. I will ask that the committee room will remain in order. So coming in next up, we have Aaron Hope, who has signed up to speak here in the auditorium. I'll ask the sergeant at arms to check and see if Aaron hope is outside as well. He's out there? No, no one's out there. Okay, final call Aaron Hope no show. A Victoria Shea, who has signed up to speak at the auditorium here. Thank you. You're recognized for a time period not to exceed two minutes.

Victoria Shea ([00:45:25](#)):

I'm Victoria Shea from Chatham County. I'm speaking as an individual, but I'm also an active member of the Chatham units of the League of Women Voters and the NAACP. I'm appalled at how blatantly the redistricting committees have ignored or attempted to suppress input from the public. The number of hearings before drawing the maps was too limited, the county groupings were insidious in their partisan and racial intent, and the skimpiness of information about these hearings was disgraceful. The maps and notice of today's hearings have been available for only five days. The maps themselves were not labeled in a way that makes them understandable to the general public, such as CBK3 or SST-4 stat pack, and the number of speaking slots was heavily heavily restricted.

Today's hearing was apparently even further restricted. Monday is for comments only on the Congressional map, Tuesday is for the State and House, State Senate. Well, I didn't organize a carpool and drive all this way and find a parking place in downtown Raleigh not to tell you how unfair the publish house maps are for Chatham County. These maps proposed to attach three precincts in Randolph County onto the Chatham House District. Doing so would put the number of voters in Chatham's district at nearly 5% over the ideal size, and Chatham County is growing quickly, so we will soon surpass that legal threshold. Chatham Park in Pittsburgh has begun to build what will soon be thousands of homes on their 7000 acres, and at least 1/2 a dozen additional developments have been submitted to the Chatham Planning Board.

There is no statistical or legal reason to add all three Chatham Randolph precincts to Chatham's district. I urge you not to include Randolph County's Providence precinct, which of the three is geographically the farthest from Chatham. Doing so would dilute the voices of Chatham voters for no legitimate reason. Do not include Randolph County's Providence precinct in the district with Chatham, thank you.

Mr Chair ([00:47:23](#)):

Thank you for your comments. Next up we have Linda Archer. Sign up to speak here in the auditorium. Thank you ma'am, you're recognize for a time not to exceed two minutes.

Linda Archer ([00:47:40](#)):

Thank you for allowing me to speak. My name is Linda archer. I live in Guilford County. My neighborhood is just north of I40 and it abuts Forsyth County. I would like to make three points about my neighborhood. Number one, the people of my neighborhood overwhelmingly work in either Greensboro or Winston Salem. We shop in Greensboro or Kernersville. Our doctors are in Greensboro or Winston Salem. Our kids go to school in Greensboro, we are not a rural area. Number three, my neighborhood is growing and changing. We have added numerous industries and warehouses just in the six years that I have lived there. Subdivisions are added at a regular pace. We had the concerns and problems of an urban or suburban area. As far as the maps that have been released, CBK3, CMT9 and CS2, all have similar problems.

They include my neighborhood with a small portion of Guilford County, and maybe a small 1/4 or through Forsyth. And then take off into parts unknown somewhere out in the rural areas of the state that do not have anything in the way of common issues and concerns. I feel it is obvious that Guilford and Forsyth counties are being split in such a way as to reduce our urban voice. That does not serve the people. We are called the Piedmont Triad for a reason and should be treated as such. The outcome of passing any of these three maps will be that we will have to endure lawsuit after lawsuit again, and the taxpayers will once again pay for these lawsuits with money better spent on health care or our schools. I urge you to consider map CBK4.

Mr Chair ([00:49:48](#)):

Thank you for your comments. Next up we have Joel Gallagher with the Indivisible Guilford County, who has asked to speak at the auditorium. Thank you, sir. You're recognized for a time period not to exceed two minutes.

Joe Gallagher ([00:50:07](#)):

Thank you. Good afternoon. My name is Joel Gallagher and I'm commenting specifically on the US Congressional draft maps. I'm with Indivisible Guilford County, my wife, two boys, and I have lived in Greensboro for four years. I'm a physician, and while I'm based in Cone Health System, I interact with the various hospital systems spread across the Piedmont Triad, including Wake Forest, Brenner Children's, and Highpoint Medical Center. And when I first moved here, Piedmont Triad was split into two US Congressional districts. Aside from getting adjusted to a new city, getting to know who represented us and the US House was a challenge. I was clearly not alone as I could look up who represented me using different online tools and we get two different answers, despite putting in the same address. Our US representatives did not listen or advocate for the needs of the urban residents. Now, Greensboro as well as the other communities of the triad, are finally contained in one Congressional district and we're represented in Congress by someone who reflects our needs.

There's so much overlap in the area with residents living in one part of the triad and commuting to a job in another part. We also share an airport, arts and culture, multiple institutions of higher learning and even sports teams. Having this region represented by one US House member ties the triad together and just makes sense. Unfortunately, despite many requests from voters to keep the triad in one district, most of the map drafts divide the region into two to three districts, encompassing far

removed rural communities that do not share the same sets of needs as the anchor cities of the triad. These sets of maps get poor grades from the Princeton Gerrymandering Project. They also geographically make no sense with snaking projections dividing counties that are the essence of gerrymandering, which North Carolina residents clearly want ended.

Instead, please consider the maps from State Senator Ben Clark or State Senator Chaudhuri, which keep the Piedmont Triad whole. It's also curious about the proposed 14th US House District that's in an area of the State with a rather low population. North Carolina gained another US House seat, based on population growth in the cities, notably Wake County. And it makes little sense to put this US House District in an area that actually lost population according to the US Census data. Thank you for your time.

Mr Chair ([00:52:09](#)):

Thank you for your comments. Next up we have Evelyn Maybin Hall, which represents I only have the initials here, UCSD. And is that the Caldwell Community College site. The Union County Senior Democrats is what I've been given by stat. So, Caldwell if you're there, please feel free to recognize them for time not to exceed two minutes.

Senator Heiss ([00:52:45](#)):

Senator Hise, that individual has not appeared at the Caldwell County site.

Mr Chair ([00:52:45](#)):

They're not there?

Senator Heiss ([00:52:52](#)):

They're not there.

Mr Chair ([00:52:55](#)):

Okay, thank you. Next up then, I have Bob Jones, who is signed up here at the auditorium. So coming in, not with an organization. Do we have a Bob Jones? No one outside, no one showing third call? We'll have that as a no show. Angelina Echeverria, thanks for coming in, not with an organization, signed up to speak here at the auditorium. Thank you, ma'am, you're recognized for time not to exceed two minutes.

Angeline Echeverria ([00:53:41](#)):

My name is Angelina Echeverria. I have lived in Brentwood, Raleigh, and been active in the Latino community for more than nine years. Many of my neighbors are immigrants are like myself, the children of immigrants. At previous hearings, I and many others requested widespread community education and publicizing of the redistricting process, among the Spanish language and other ethnic media. Interpretation, support for testifying in languages other than English and more advanced notice for public hearings. Instead, the information has been provided only in English, with maps that are not easy to find, nor are they user friendly and less than one week's notice has been given. I am particularly concerned about maps CMT9, CBK3 and CST2. Each of these maps divides Wake County into three separate districts that do not reflect communities of interests, and that would result in the County not having any majority-minority representation.

According to the 2020 census, Wake has more than 1.1 million residents and more than 10% of the state population. It is a diverse county that is 11.3% Hispanic and 8.6% Asian, and the growth of both

of these communities have been propelling population growth across the State. by not taking into account the race and ethnic data for communities that have historically lacked representation, this process has missed an opportunity to advance racial equity and has disregarded the requests that we made at the hearings previous to this one. In addition to not providing adequate representation for communities of color, these maps would result in disproportionate representation, does not reflect the political will of our State.

I request that the maps be modified to ensure that Wake County, and specifically Hispanic and Asian communities are adequately represented. At the same time, I do not want this representation to come at the expense of the hard fought representation that has been won by African American communities. These maps need to be reconsidered to ensure that African American voting power is not diluted, and that other communities of color are also able to elect candidates of their choice. Thank you.

Mr Chair ([00:55:49](#)):

Thank you for your comments. Next up, we have Andrew Silva, representing the Carolina Jews for justice. Assigned up to speak here in the auditorium. You're recognized for time not to exceed two minutes.

Angeline Echeverria ([00:56:10](#)):

Thank you. I support all the organizations that are opposed to gerrymandering. But really I speak only for myself, because my views are a little different. I live in North Durham. I think that Durham and Orange County are overwhelmingly Democratic. So I don't think there's any way that my area can become anything but democratic in any of the maps. The problem is that there is too lopsided a margin in this area. So it really should be split, to even out the proportion along the surrounding counties like Preston, Granville, Wake and Chatham. I don't think that the proposed maps have tried to do this. When districts are safe for one party or another, elections are decided in the primaries, not the general election. That is a prescription for electing the most extreme candidates of both parties, leading to hyper partisanship and gridlock. Better to have competitive districts so that elections will be decided in the general election, not the primaries. Then the representatives must be responsive to all their constituents, not just their party base. And we can have better and more responsible government. Thank you.

Mr Chair ([00:57:30](#)):

Thank you for your comments. Next up we have Michael Kelly, representing the Buncombe County Veteran's Treatment Court, is at the site in Caldwell Community College, if Michael Kelly is there, please recognize them for a time not to exceed two minutes.

Senator Daniel ([00:57:51](#)):

Michael Kelly, Senator Hise, it doesn't appear that Michael Kelly has appeared for the meeting.

Mr Chair ([00:58:02](#)):

Thank you, Senator Daniels. We will then move on to Kristen Havelick with the New North Carolina Project, representing the New North Carolina Project, who has signed up to speak here in the auditorium. Kristen Havelick you recognized for a time period not to exceed two minutes.

Kristen Havelicke ([00:58:25](#)):

Thank you. My name is Kristen Havelick, I was born and raised in Raleigh. My husband and I live in NC two. I'm an organizer and I'm a part of the New North Carolina Project which invests in communities of color, to expand the electorate and create voters for life. Normally, I'm not the one speaking for the New North Carolina Project as it is a program directed by two amazing black women. But today I speak as an ally to our communities of color, that have been largely affected by gerrymandering over the last decade. The maps that have been drawn over the last few weeks largely show little to no consideration of the needs that constituents voiced in September, before maps started to be drawn. This process is not a game, you cannot pick your own constituents instead of what should be the other way around, through a democratic right to vote. Maps like CBK3, CMT9 and CST2 will oppress neighborhoods of color in Wake, Guilford and Mecklenburg counties, by dividing and cornering them into districts that are majority rural and represented by Republicans who have no regard for their lives whatsoever.

I ask that you consider using the map CBK4 as it takes into account the urban sprawl from Wake County into Johnson County as well as Harnett County, which adds in the new congressional district NC 14. I also urge you to keep Guilford County whole in the new maps and to more evenly divide Wake and Mecklenburg counties in two, rather than three or four districts. CBK4 also won't to press people of color as harshly as other maps that have been proposed and will still keep Republicans in the majority. We aren't asking for much, we are asking for the bare minimum of a more democratic process which starts with fair maps. Thank you.

Mr Chair ([01:00:09](#)):

Thank you for your comments. Next up, we have Manuel Meijer Diaz, who has signed up to speak at UNC Wilmington. UNC Wilming, if Manuel is there, please recognize them for a time not to exceed two minutes.

Manuel Meijer Diaz ([01:00:28](#)):

Good afternoon, my name is Manuel Meijer Diaz and I drove two hours from Cumberland County as a concerned citizen, to thank the North Carolina General Assembly for ignoring the statements made by the people of my county, despite clear demands from constituents five of the nine mass re-posts by the NCGA, this week divide Cumberland County those be an SST4, CMT9, CST2, CBA2 an HBK11. While all the draft maps contain in set modifications for of Charlotte, the Triad and the Triangle, only one map provides an inset for Cumberland County. The residents the residents of Cumberland County cannot see exactly where the divisions in their community take place. Yet the NCGA expects them to evaluate the maps and make their comments in just two days. Multiple tools and platforms exist to present these maps in an interactive format, which would allow people to make more informed and precise comments about the maps.

Clearly, the NCGA has no interest in keeping us constituents fully informed. Even though the NCGA didn't read any of the public comments, I have. Miss Pamela wrote that more Cumberland, Scotland hope and Robeson should serve as the Sandhills District and not be split. However, several of the proposed maps split these counties. SST4, is an especially bad example. Miss Sharon lives in Fayetteville and has lived in NC since 1972. She demanded that her city be kept whole and urge the NCGA to appoint a nonpartisan commission to oversee the redistricting process. Based on the maps that were released this week, the NCGA has no interest in drawing their maps, let alone appointing a commission to do it for them. This entire process shows why Miss Sharon wants to see the establishment of a nonpartisan commission. This has not been transparent and this has not been accessible to voters. I'm blessed to be here and speak to Representative John Socha, I see you here on the list. Please don't allow them to split Cumberland County.



Mr Chair ([01:02:50](#)):

Thank you for your comments. Next up, we have Sonia Benetton Patrick, representing the National Black Leadership Caucus, also signed up to speak at UNC Wilmington. If they're at UNC Wilmington, please recognize them for a time not to exceed two minutes.

Sonia Benetton Patrick ([01:03:11](#)):

Good evening, my name is Sonia Benetton Patrick, I reside in New Hanover County. I can trace my family's history here back to the late 1800s. I'm also a daughter of a disabled veteran. And my father will be appalled if he was here to see what's going on in North Carolina today. My mother is 91 years old, she votes in one of the precincts that you have cut out of and divided and put where she would have no voice along with other African Americans, here in New Hanover County. This is also the home of the 1898 massacre. The only successful government takeover. After the massacre, the General Assembly in 1898 passed laws of voter suppression to keep African Americans from voting. And 2021, it looks like the General Assembly is trying to do the same thing today, just like they did 10 years ago with a match where you ruled unconstitutional.

We asked you North Carolina, is this type of leadership and the type of things that you consider fair? This is an issue of morality. Do what is right, we demand fair maps. We're not asking for a lot, just be fair. Is that difficult? Thank you for listening.

Mr Chair ([01:04:29](#)):

Thank you for your comments. Next up we have Deborah Beroth, also signed up at UNC Wilmington. Apparently they showed up here, so Deborah, you are recognized for a time period not to exceed two minutes.

Deborah Beroth ([01:04:48](#)):

Thank you. My name is Debby Beroth, I'm a native North Carolinian, I've lived in Raleigh for 45 years. I tried to look at the maps being drawn online. You said you wanted it transparent, I don't understand how it can be transparent when you couldn't see what you were doing, you couldn't hear what you were doing and I got bumped off five times. That's not transparent. North Carolina is a 50-50 state. And if the maps are fair, then this is the way they should be drawn. Where the likely outcome will be 1/2 Republican, 1/2 Democrat. That's all we're asking for. The only ones that I could see that were close to this were the ones drawn by Senator Ben Clark, they weren't perfect, but they were closer.

Democracy requires every vote to count. The opposite should be competitive. Community should be represented by the person that best serves them. We encourage our young people to vote, we tell them how important it is and that every vote should count. The only way to encourage folks to get out and vote is if there is a chance that the person that they are voting for, could possibly win. North Carolina has been in the news for terrible, unfavorable things. It hurts my soul as a native North Carolinian to see this. I would be incredibly proud of this state, and you politicians, if you could be in the news for having maps that represent the people. You've been given a job to serve the people. Wouldn't it be great to see politicians put aside their own personal interests and put the people first? I believe this is possible. You guys could do a wonderful thing. You could do what's right. That's all we're asking for. We just want what's right and what's fair. Thank you.

Mr Chair ([01:07:02](#)):



Thank you for your comments. Next up, we have William Tarpley, with the Chairman Kenny, concerned citizen. Signed up at UNC Wilmington. If they are present at UNC Wilmington, please recognize them for a time period not to exceed two minutes.

Senator Daniel ([01:07:19](#)):

Mr. Chairman, it appears Mr. Tarpley is not in the auditorium in Wilmington.

Mr Chair ([01:07:26](#)):

Is a no-show, then we have Lynette Ramsey, with the ACT Republican Women, signed up to speak at the Caldwell Community College. If they are present at the Caldwell site, please recognize them for a time period not to exceed two minutes.

Representative Smith ([01:07:47](#)):

Miss Ramsey, you're recognized for a period of two minutes.

Lynette Ramsey ([01:07:50](#)):

Thank you. The first thing that I just want to say is that the only way that there's not going to be any court battle is if you give the Democrats all the seats. And so we're going to go to court no matter what. But I also want to say that I found it quite easy to find the sign up and find out the location and all that. But I want to talk about the inconsistency, I do agree that there's some craziness and confusion in these maps. For example, I want to talk about my district, the current Fifth District. You excluded most of the Watauga County in these maps. Especially in CST2. Except for 3700 people on the far edge, that house is where Congresswoman currently lives. And then you went and you skipped all the way over missed Forsyth and you picked up Guilford County. I do agree with the speakers from Guilford County.

We don't have anything in common. In fact, there is not even a road that gets from the Congresswoman's precinct, across the district. To leave her house and get into the new district, you would have to go through one of two other districts. The other thing that I just want to address is that the one consistent thing that I see and someone else noted earlier, was a district in western North Carolina, around the North Carolina speaker's home. I want you guys to draw districts that have the best interests of the constituents, and not just the best interest of politicians in Raleigh. What happens in my current district, when Congresswoman Fox decides not to run in several years? Then what do we do? We have 3700 people on the far side of Watauga County. So we're just asking you to draw better districts, concise districts, for the better representation of the people. Thank you.

Representative Smith ([01:09:44](#)):

Thank you for your comments. Last individual we have signed up contacted us beforehand because they were added to the wrong list. So we will recognize them here and remove them from the list for the virtual meeting and that is Keith Graham, who is apparently on site in Wilmington, where he thought he was signing up for. And so if Keith Graham is there, I would ask that you recognize him for a time period not to exceed two minutes.

Keith Graham ([01:10:15](#)):

Thank you, sir. Thank you for allowing me to speak. My name is Keith Graham, I'm a retired 22 year Air Force veteran and a local preacher here on the southeast region. I like to emphasize things that I'm sure everyone here has heard multiple times in the past 10 years, I'm asking for transparency in the

redistricting process, but specifically asking for county classes and communities interest to be kept together. The Hanover County as a whole is a community of interest due to our cultural uniqueness. It does not need to be split when drawing maps. I also emphasize that maps should be compact and drawn with competitiveness, and keep communities of interests in mind as well. I also urge legislators to keep New Hanover County intact. One of the proposed map shows where New Hanover County has chunks taken out, possibly packing the political strength of these residents, preventing them from selecting a candidate of choice.

This caused a lot of confusion for our population in the past, and our family members that were voting in two different races. Also, so proposed maps are drawn if adopted, will possibly put the state in the position where if they could possibly have no majority representation. This is definitely racial gerrymandering, exercised with extreme prejudice. Apart from these asks, I want to highlight how disappointing people across the south east are, to the current redistricting process. We don't have enough public hearings. These hearings are not being advertised enough. And I feel online public comments may be ignored. I feel this meeting was extremely important, and I was compelled to take off work early to drive over an hour to attend today's meeting, that was held during work hours. We ask that you host meetings after hours as you did in past years. Most concerning of all is that the public don't have enough time to make comments after [inaudible 01:12:21]. The North Carolina should be able to respond to the [inaudible 01:12:41].

Carson Smith ([01:10:15](#)):

I can't hear anything.

Mr Chair ([01:12:48](#)):

I understand it [crosstalk 01:12:48] of low bandwidth.

Keith Graham ([01:12:49](#)):

In attention to what you're doing and we will continue to demand better from my leaders. Thank you for allowing me to speak.

Mr Chair ([01:12:56](#)):

Thank you for your comments. I will now go back through the list of no shows that are coming here to determine if individuals have shown up at their respective areas to say. Ginny Cora Lynch, here in the legislative auditorium. Aylett Colston, here in the auditorium. Aaron Hope, signed up here in the auditorium. Evelyn Maybin Hall, at Caldwell Community College. Assuming they're not still there, Senator Daniel?

Senator Daniel ([01:13:46](#)):

Not here, Senator Hise.

Mr Chair ([01:13:48](#)):

Deborah Maxwell, at the New Hanover site. Bob Jones-

Representative Smith ([01:13:59](#)):

She is not in Wilmington.

This transcript was exported on Nov 13, 2021 - view latest version [here](#).

Mr Chair ([01:14:03](#)):

Here at the auditorium. Michael Kelly, at Caldwell.

Senator Daniel ([01:14:12](#)):

Michael Kelly is not here. Senator Hise.

Mr Chair ([01:14:14](#)):

Thank you Senator Daniels. And William Tarpley, UNC Wilmington. Okay, that would conclude the list of individuals who have signed up to speak. We have exhausted the list, therefore exhausting the agenda the of committee, therefore this committee stands adjourned.

Speaker 1 ([00:00:03](#)):

Joint Committee on redistricting Monday, October 25th, 2021, 5:30 PM, Room 643, LOE.

Moderator ([00:00:15](#)):

Committee will come to order. Thank you everyone for being here, particularly virtually with us for the second meeting. The purpose of this meeting today is to hear the virtual comments from individuals who had signed up online to be able to give their comments on the redistricting process regarding the congressional maps that had been placed on both the House and/or the Senate sites for consideration by the public. Joining us in the room today are the Sergeant at Arms for the house, Nina [Lane 00:00:58] is back here. Thomas Terry?

Thomas Terry ([00:01:02](#)):

Right here.

Moderator ([00:01:02](#)):

Behind me. Thank you. For the senate, Mike Harris and Hal Roach. Where's Hal? Okay, thank you. Coming in to give you a little bit, I will go down the list of names as they have been in the order in which they signed up. If someone happens to not be there to respond, I will go back through the list at the end to make sure that we have not missed someone and others. When I call your name to speak, this is a virtual hearing. Please raise your hand so that our technical staff here can find you and make sure that you are front and center for everyone being all participants will be muted when they're not recognized by the speaker. All speakers will be recognized for a time period, not to exceed two minutes. So moving right along, the first individual that we have that signed up [inaudible 00:02:02] is Todd Stiefel, representing Heretical Reason Productions. If you could raise your hand.

Todd Stiefel ([00:02:16](#)):

Hello.

Moderator ([00:02:17](#)):

You are live and you're recognized for time not to exceed two minutes.

Todd Stiefel ([00:02:22](#)):

Thank you very much. First of all, thank you very much for your time and effort going into creating these maps. I'm excited about the redistricting process and hope that it remains fair and equal for everyone. I have to admit that I am very frustrated with both political parties over the last several decades, because it seems both of them take the opportunity of the redistricting process to give power to themselves rather than to the people. Unfortunately with these maps, that seems to be a trend that's continuing. I believe strongly that the maps should represent a purple North Carolina, fairly for people of both political parties in all races and persuasions.

These current maps as I see them look like they are typical cracking and stacking with certain political parties taking advantage to gain more power than they should have based on the state as a whole. My particular districts are, I'm up in North Raleigh, and as usual I've been placed into North Raleigh and two other districts, but for one of the maps, I, for some reason, am lumped in with the border of Virginia, which really harms me in the way I will be personally represented because I do not get the opportunity to have a local person representing me and my interests. So I would please ask that

these maps be made fair for everyone, including myself and including members of both parties. Thank you very much.

Moderator ([00:03:50](#)):

Thank you for your comments. Members, I will say that while you're speaking, we do have someone keeping time here for us. You will see come up here on the screen when you have one minute left, 30 seconds left or a red placard, meaning your timing has expired. Next up, we have Ann Morris who's signed up without [inaudible 00:04:12]. If you could please raise your hand. They have you up and you're recognized for a time period not to exceed two minutes.

Ann Morris ([00:04:22](#)):

Thank you very much. I appreciate you listening to me today. My name is Ann Morris. I've lived in Greensboro for three decades. I'm a retired journalist, a mother of adult children, and I now stay busy volunteering in my community. I'm speaking today as a concerned citizen, not allied with any group and I'm commenting on the proposed Congressional maps. In September, I testified at the public hearing in Forsyth County and asked like most people who spoke that day, that Greensboro High Point in Winston-Salem be kept in one district because of our common interest as the Piedmont triad.

My testimony in others was clearly disregarded as none of the maps drawn by the GOP leadership keep the triad together. As a Greensboro resident, I am especially concerned that Guilford County may be split into three districts, which is unnecessary, confusing, and creates ineffective representation, including parts of Greensboro in a district that stretches to Watauga County in one map CST-2 or Harnett County map CBK3 makes no sense. We have much more in common with residents of High Point in our own county than we do with residents of the lovely small towns in Allegheny or Ashe Counties. It appears that these maps have been drawn to delude the voices of urban dwellers by cutting up cities and creating largely rural districts.

As an illustration of why this matters, I recently attended a Food Justice Summit sponsored by Saint James Presbyterian Church in East Greensboro, a church that my church Westminster Presbyterian in West Greensboro partners with. We heard statistics about food insecurity in the triad post COVID. We heard from black farmers and faith leaders. We also heard from our congressional representative who listened to our concerns and shared information about federal programs. We felt heard. We know who represents us. We know who's accountable. Please keep Guilford County together, ideally with Winston-Salem, so the voices of our unique region can be heard. Thank you very much for hearing my comments.

Moderator ([00:06:29](#)):

Thank you for your comments. Next up we have Martha Schaffer. We do not see one. If you could please raise your hand. Martha Schaffer, not on. Brent Heath representing Governmental Services. Can you please raise your hand? We do not see. Karen Heiser.

Thomas Terry ([00:07:13](#)):

She's on. Oops. She jumped [inaudible 00:07:13]. Here we go. She's on.

Moderator ([00:07:14](#)):

You're recognized for a time period not to exceed two minutes.

Karen Heiser ([00:07:18](#)):

Thank you. My name's Karen Heiser and I live in the Wake County section of Morrisville in Congressional District 2. First, I wanted to thank the committees for holding additional hearings, including having this remote option. However, it is disappointing to me that there are not more hearings on the draft maps. You're taking comments from only 110 people out of an estimated 8.3 million voters. My remaining comments apply to the draft congressional maps.

Wake County should not be split into more than two congressional districts. All proposed maps drawn by Republicans, CBK-3, CMT-9 and CST-2 split the county unnecessarily into three district. And there are no redistricting criteria that require this extra split, and these maps ignore the committee's own criteria to protect our communities. Families in Cary, Apex, Morrisville and Holly Springs form a community which needs to be respected and protected.

On map CDK-3 and CST-2, the sections of Wake that are fractured and combined with proposed District 6 and 7 should instead be left intact as a single district. Map CMT-9 is simply ludicrous. District 3 is especially egregious. No one in Wake County self identifies with residents in Onslow County, 115 miles away as the crow flies. CMT-9 splits Morrisville off from Cary, which makes no sense and splits Apex down the middle. This map should be discarded altogether as it depicts the worst fracturing of our Cary, Apex Morrisville and Holly Springs community. All three Republican maps are the antithesis of protection for our Wake County communities. I look forward to seeing maps enacted that create competitive districts centered around communities, and that will yield proportional representation in Congress for all North Carolina voters. Thank you.

Moderator ([00:09:14](#)):

Thank you. And to remind members, if we go through and someone is a no-show, we will cycle back through those names to see if they have arrived. Edwin White representing the Fair Elections Roundtable. If you could please raise your hand.

Thomas Terry ([00:09:37](#)):

No.

Moderator ([00:09:38](#)):

Okay. Helen Wood

Edwin White ([00:09:43](#)):

Sir, I'm here.

Thomas Terry ([00:09:45](#)):

Edwin White is here.

Moderator ([00:09:46](#)):

Edwin White is here. Okay. You're recognized for a time period not to exceed two minutes.

Edwin White ([00:09:52](#)):

I'm sorry that my name was ... I forgot what name I signed up by. That's why my label on the video doesn't show. My name was Edwin Chanley White. I'm a resident of Greensboro, North Carolina. I'm active in the Fair Elections Roundtable and The Piedmont Triad, League of Women Voters. My testimony

this evening is mine alone. I'm limiting my remarks to two of the proposed maps due to the time restraints. I believe that the Congressional District Map labeled CMT-9, draft Congressional Map by Senator Hise is racially unfair. It has also been given F rating by the Princeton Gerrymandering Project because there's unduly partisan in favor of Republicans.

I urge the legislators to rethink their work, to avoid new lawsuits and a waste of taxpayer dollars. I do support the CST draft congressional map by Senator Chaudhuri, that's CST-6, I think with an overall grade of A, because it shows no partisan advantage. It also ranks its average for competitiveness and geographic features. It also appears to keep The Piedmont Triad cities, Greensboro, Winston-Salem, and High Point together in one congressional district. I hope you move that direction rather than the direction of the first plan. Thank you for this opportunity to provide my testimony.

Moderator ([00:11:33](#)):

Thank you for your comments. Next up, Helen Wood. You are up. You are recognized for a time period not to exceed two minutes.

Helen Wood ([00:11:45](#)):

Thank you. My name is Helen Wood. I'm a voter from Charlotte and I live in the Ballantyne neighborhood. Thank you for the chance to speak with you today. The proposed redistricting maps available to me are CBK-3, CMT-9 and CST-2. None of them seems consistent with the criteria of the North Carolina legislature. And none is acceptable to me. It seems that the legislature put out the criteria, but didn't follow them in the case of Charlotte or certainly of Ballantyne where I live. The criteria require equal numbers in each district. And I'm no expert on that, but I assume this criterion has been met.

But the criteria also required counties, towns, and cities are to be left whole wherever possible. Yet all three maps split Charlotte into at least three proposed new districts, where two districts would certainly suffice. Both these maps score F on the Partisan Fairness Index as it says by the Princeton Gerrymandering Project. As to my community in Ballantyne, we're a rapidly growing suburb of Charlotte and we anticipate significant growth in the next decade with the Ballantyne re-imagined the corporate park right in the middle.

Instead of grouping Ballantyne with the rest of the urban rapidly growing Southern Charlotte, these maps group us with a large rural Western NC-13 district or another map, large rural NC District 8. This will dilute our voices now and the voices of many newcomers that we anticipate this decade. Our voice will be outshone or overshadow by those of the rural counties on one side of us or the other. I urge you to come up with fairer maps that meet your own criteria as legislators. Thank you for your consideration.

Moderator ([00:13:55](#)):

Thank you for your comments. Thais Carrero with the NALEO Educational Fund.

Thais Carrero ([00:14:07](#)):

I'm here. Thank you so much.

Moderator ([00:14:09](#)):

You're recognized for a time period not to exceed two minutes.

Thais Carrero ([00:14:14](#)):

Good afternoon, committee members, partner organizations, and members of our communities across North Carolina. My name Thais Carrero and I am the Mid-Atlantic director of civic engagement for NALEO Educational Fund based in Raleigh. NALEO Educational Fund is the nations leading nonprofit, nonpartisan organization that facilitates full Latino participation in the American political process from citizenship to public service. After two plus years working with partners across the state to ensure a fair and accurate census count, we appeared in front of this committee on September 22nd to make the case for an accessible, inclusive and transparent redistricting process.

Our goal is to ensure a redistricting process that produces maps that provide Latinos and underrepresented groups with a fair opportunity to elect leaders who are responsive and accountable to their communities. While we defer to our partners and at NC Counts, Latino Justice, and [inaudible 00:15:14] for specific comments on the proposed maps. We wish to state the need for an accessible, inclusive, and transparent process.

We applauded the committee's decision to make the map drawing process accessible to the public online, as well as the opportunity to come to you today for feedback after the maps were released. Still, the current process carries some challenges that should be addressed. Number one, community members have not had enough time to properly analyze the maps and provide meaningful feedback today, to this body. Non-interactive maps, prevent community members from understanding exactly how the post maps affect their communities. Scheduling more hearings, providing more time for people to analyze the maps and provide feedback as well as providing a tool to make the maps more digestible and interactive is critical to ensure that maps produced by the legislature, reflect the growth of our community and the need to ensure that we achieve fair representation through the new district lines.

As the process of finalizing the maps moves forward, it's critical that the final maps provide Latinos and other underrepresented communities, a fair opportunity to elect responsive and accountable representatives. And to achieve this goal, the maps must comply with the US Constitution, the Federal Voting Rights Act, and must respect communities of interest. Our community members must be able to provide input to the legislature about their communities of interest to help inform our state's redistricting process. We look forward to working with you to make this accessible and inclusive [crosstalk 00:16:50].

Moderator ([00:16:50](#)):

Thank you for your comments. Next up, we have Kevyn Creech representing the Wake County Democratic Party. If you could please raise your hand.

Thomas Terry ([00:17:06](#)):

The mic is on.

Moderator ([00:17:09](#)):

The mic is on. Kevyn Creech, you're recognized for a time period not to exceed two minutes.

Kevyn Creech ([00:17:14](#)):

Thank you. Good afternoon. Thank you for allowing me the opportunity to share my views on the proposed redistricting. My name is Kevyn Creech, and I am chair of the Wake County Democratic Party, and a native North Carolinian born in Eastern North Carolina. I have lived in Wake County for 28 years



and in Apex for nearly 25. Over these 25 years, I have lived in three homes that are approximately 1.5 miles equidistant from one another. Over the last 10 or so years, Apex has suffered through ongoing gerrymandering and redistricting such that we've had individual precincts with multiple county and legislative districts. Apex has had multiple congressional districts.

Personally, I have lived in four different congressional districts over the last decade though I've only moved once, just up the street from my last home. I started in the 4th was redrawn into the 13th, redrawn again into the 4th, and redrawn yet again into the 2nd. The result of cost district changes and gerrymandering here in Apex is that my neighbor's family and I have lacked consistent representation for over a decade. The confusion rock, my never-ending lawsuits and moving lines means that my neighbors, family and I have had our civic agency damaged for years. Leaders, you have been provided prescriptives over the past few years with how to fairly and consistently redistrict. As a native North Carolinian, I'm embarrassed that our state is often on national news as a top example for gerrymandering.

North Carolina doesn't have to be the topic of late night talk show jokes. You can fix this. We all know that North Carolina is a 50/50 state and while much of Wake leans blue, North Carolina as a poll is purple. I ask that you follow the prescriptives laid out by Stephenson v. Bartlett to Common Cause v. Lewis and the Princeton Gerrymandering Project. I ask that you avoid splitting counties and regions. I ask that you resist bifurcating representation in Hanover, Mecklenburg, the Triad and Triangle. I want my voice and vote to mean something. And I also want the voices and votes of my fellow Carolinians to mean something. Thank you so much.

Moderator ([00:19:29](#)):

Thank you for your comments. Next up, Marla Barthen representing the League of Women Voters of the Lower Cape Fear.

Thomas Terry ([00:19:37](#)):

I don't see Marla.

Moderator ([00:19:42](#)):

If you're there, please raise your hand. Okay. John [Lingle 00:19:53]. You're recognized for a time period not to exceed two minutes.

John Lingle ([00:20:01](#)):

Hello. I'm John Lingle, a private citizen. I moved to Davidson, North Carolina 21 years ago, run by the timber climate and a balance of conservative and liberal voices. I'm increasingly distressed witnessing the loss of participatory democracy in our state. The GOP appears not to have learned from experience the last 10 years, the cost of state millions and legal fights, most of which Republicans lost. The process and GOP draft maps are undemocratic.

One, the GOP-led redistricting committee hasn't produced any report or account of public statements. Two, GOP draft maps don't follow repeated public requests for fair, non-gerrymandered maps. Three, the GOP claims it didn't look at incumbency or political party. Yet, somehow they took a 50/50 state and do maps in which the GOP locked in 75% or more of the US Congressional seats. Four, the extreme gerrymandering maps created by the Republicans may well result in a super majority for them once again. We are all familiar with some of the harmful legislation that were produced last time.

Five, the counties where for most population growth are punished in the GOP maps by being carved up, diluted, and denied fair representation. Rather than putting our new Congressional District in a population growth area, it is handed to Tim Moore in a shrinking county for his future election. In conclusion, the GOP directive maps are unfair and illegal. I implore you not to adopt them. Instead, adopt maps like CBK-4 or SCH-2 that are more compact, do not inappropriately split precincts or municipalities, double fund constituents.

Moderator ([00:22:12](#)):

Thank you for your comments. Yuri Yamamoto representing the NCAAT.

Yuri Yamamoto ([00:22:22](#)):

Thank you for the opportunity to speak.

Moderator ([00:22:24](#)):

You're recognized. Thank you.

Yuri Yamamoto ([00:22:26](#)):

My name is Yuri Yamamoto. I live in Raleigh in the 2nd Congressional District. I'm an Asian American immigrant. I say that the currently redistricting process is not fair to our community. Asian American and Pacific Islanders are the fastest growing racial group in North Carolina. I believe that our community has specific needs. Many of us are mixed-status immigrants and need official translation and interpretation services to participate in a redistricting process. Many of us are also unfamiliar with the redistricting process. We need more time to understand the information and articulate our responses. Personally, speaking, trying to quickly understand how various proposed maps may impact my life and community has been overwhelming. I came to this country in 1984 and lived mostly in Raleigh. My husband and I have six US-born children and two grandchildren. In 2010, we became US citizens and began voting.

All along, we have contributed to our community in many ways to our work, children's schools, buying things, paying taxes, volunteering, and donating money to help others. But I can't say that we've always felt welcome or included by the American society. I want fair representation for all groups of people, especially in the black indigenous people of color. I want to be able to elect representatives who are willing to listen to our stories and advocate for our needs, not just for the majority or the powerful. For that reason, I ask for more time on translation and interpretation services in the redistricting process. This is how we make America great. Thank you.

Moderator ([00:24:14](#)):

Thank you. Next up, We have Harry Taylor representing the League of Women Voters.

Harry Taylor ([00:24:22](#)):

I'm Harry Taylor.

Moderator ([00:24:23](#)):

You're recognized for a time period not to exceed two minutes.

Harry Taylor ([00:24:26](#)):

I'm Harry Taylor in Charlotte. Today's hearing is offered to comment on maps that have been posted to the website. Deciphering the various iterations those maps is complicated. What you are doing is not. Half of the seven million person [inaudible 00:24:42] doesn't vote the way you do. So to retain power, which you're obviously intent to reconnect, to sequester and walk away those votes for the next 10 years, rendering them powerless and meaningless.

Ostensibly, we live in a democracy, but no way can rigging elections, redistricting gerrymandering, be part of the democracy. It's an almost sacred promise, an idea or vision. As Americans, it's our dream where we, the people have a role in the systems that govern our lives and future. It's fragile and requires gentle handling. It requires respect for people and their ideas, for your colleagues in the legislature, for the balance of power and the vision itself. It must be treated itself as such. It's not some foolish abstraction to ignore.

We know fair proportional maps can be drawn. Duke University professors demonstrated that more than five years ago, and there's several maps on your website that envisioned a 77 balance, not the 10-4 or 11-3 in [inaudible 00:25:46] that slipped back in May. My community of interest is North Carolina, 10.5 million people strong from [inaudible 00:25:57]. Despite proclamations from the legislature, we, the people are not morons, not on a Monday or any other day of the week. This is our state. It is not yours. What we want is a fair and fully functional democracy. If you honor that, we'll support you every single day of the week. If it's not, it's time to move out and get out of the way for those who will. Thanks for letting me speak.

Moderator ([00:26:25](#)):

Thank you for your comments. Next up, we have Debra Demske. Please raise your hand. Nothing?

Thomas Terry ([00:26:39](#)):

I think we have some [inaudible 00:26:42].

Debra Demske ([00:26:42](#)):

Hi.

Moderator ([00:26:42](#)):

Hi. Thank you. You're recognized for a time period not to exceed two minutes.

Debra Demske ([00:26:47](#)):

Thank you. I'm Debra Demske. I'm a software support analyst and I live in South Ardmore, the neighborhood in Winston-Salem, North Carolina. My House rep is Evelyn Terry in District 71. My Senate rep is Paul Lowe in District 32. And my United States rep is Kathy Manning in District 6. I'm speaking only for myself just so you know. I feel like that this process has been too rushed. There's been inadequate time for citizen notification about the new proposed maps, how to find them, how to evaluate them.

There's also been inadequate citizen notification about the hearings that we're participating in now, only just heard about this Saturday. It really doesn't give even those of us who usually put things on our calendar time to know what we need to do. This has definitely been a rush job. When I look at the maps, which for the very little bit I've been able to, the most important characteristic to me is the competitiveness of the proposed districts, especially on a local level. I want to vote for candidates who I think have good ideas and good reasons for their opinions on various issues.

The maps I've had time to study so far, aren't even as competitive as the current maps. I'm wondering what happened in the last 10 years to make us less competitive when we should be more so? I'm really disappointed with these maps. I respectfully request that the members return to their drawing board and fix them to meet at least our current standards of competitiveness at a minimum. There are many groups watching our maps. North Carolina's court appointed to withdraw after the last maps were created because of racial inequity.

Moderator ([00:29:02](#)):

Thank you for your comments. [inaudible 00:29:05]. Next up we, we have Sue Grace Krosky. If you could raise your hand. You're recognized for a time period not to exceed two minutes.

Sue Grace Krosky ([00:29:26](#)):

... be voting in 2022, in the 11th Congressional District, but it currently is represented by eighth generation, if his biography is to be believed. Madison Cawthorn who right this minute had got 95,000 tweets concerning his participation in the events of January 6th of this year. My concern being a Northerner coming South is that I currently vote in Wisconsin, and Mr. Cawthorn seems to feel that he knows a lot more about what happened up here than I do, who voted here.

I can assure him and anyone else in North Carolina concerned about what happened in Wisconsin. We didn't have any fraud. My vote counted and Joe Biden won Wisconsin. Right now, I see the voting maps that are proposed for North Carolina to not exactly fit in with the Voting Rights Act of the 1965 or the proposed, but currently show the John Lewis Voting Rights Act.

I would hope that you all on the committee understand what is at stake here could ultimately end up being reviewed by a lot more people than just your constituents, who uniformly so far for my hearing are not particularly happy with how you're voting for this rushed and/or partisan and/or racially inequitable situation. Unless you want to continue following in what Mr. Cawthorn says is Wisconsin's future, you need to understand that there's going to be other people looking at what's going on and that the people are not going to tolerate having their power taken from them, and that gerrymandering as a political tool of powers days are over. Thank you very much.

Moderator ([00:31:18](#)):

Thank you for your comments. Next up we have Nicole Peterson. If you could raise your hand. You're recognized for a time period not to exceed two minutes.

Nicole Peterson ([00:31:30](#)):

Good afternoon. My name's Nicole Peterson and I've lived in Charlotte, North Carolina for 11 years in the Congressional District 12 represented now by Alma Adams. I'm here because in some maps, my city will be split in four ways like CMT-9, diluting its votes by combining it with other surrounding counties. Most proposed maps also have [crosstalk 00:31:53] votes by creating districts that fail to represent the 50/50 split of the state between Republican and Democrat. As a couple of people have mentioned, we're a purple state and we need to really show that in our representation. Some could lead to districts where 11 districts represented by a Republicans and only three represented by Democrats, in some of the worst cases.

Only a few have a likely 50/50 split of seven representatives for each, including CBK-4 and 5 and CST-8. I'm tired of seeing a lack of representation of my votes and values in the North Carolina congressional representatives. My representation is a constitutional right as it is for the other people in

my state. Also, some maps are going to lead to losing black representatives like Alma Adams, my congressional representative, who has fought tirelessly so her constituents can get food and the agricultural supports they need among other things. Our communities need people who know them and are part of their communities and can represent of their interests.

Finally, I am appalled that we have had just a few days to understand these maps and their impacts. This process is deeply flawed and undemocratic. We deserve better than rushed, ill-informed maps, and even more rushed deliberations. Will real representation means maps that represent us politically and racially, or when to face lots of lawsuits and lots of issues in the coming years. Thank you for giving me and these other really smart people time to comment on the maps. Thank you.

Moderator ([00:33:26](#)):

Thank you for your comments. Next up we have Donna Russo. You're recognized for a time period not to exceed two minutes.

Donna Russo ([00:33:37](#)):

Okay. Thank you very much for this opportunity to testify. I too only had maybe 48 hours before having the opportunity to review all this very complicated material. I've been a resident of North Carolina for 17 years. I have been actively engaged in my political rights. I feel that, from what I can tell there is definitely a lot of gerrymandering going on and it is unacceptable. We need more time so that more people can become involved. This caught me off guard and I tell you, my heart is broken. I love my new state that I've lived for 17 and a half years. And I think that we can do better.

I wish that I had more articulation to be able to express my concern over the maps, but I just simply haven't had the opportunity to review them well enough to talk about them. But what from what I see, I can tell that communities are being broken apart and other communities are being put with communities that have nothing to do with them, and that's really not acceptable. Thank you for the opportunity. I look forward to a change and I look forward to more time for all of us to be able to review this very important time in our history.

Moderator ([00:35:25](#)):

Thank you very much for your comments. Next up, we would have Keith Graham, although he was moved to the earlier meeting that was coming in. So we'll have Bridget Tarrant. Got it. If you could raise your hand. Bridget Tarrant? No show. Carl Crozier. You're recognized for a time here not to exceed two minutes.

Carl Crozier ([00:35:58](#)):

All right. Thank you. My name is Carl Crozier and I've been a resident of Beaufort County since 1995. My wife and I have raised three children that attended public schools all the way from kindergarten through 12th grade. We learned firsthand about our strong community identity. We volunteered through schools, county sporting events. I'm a member of the Salvation Army Advisory Board that serves six counties. We have a diverse community, but it has a lot of common interest. We want to see our children have educational opportunities and have job opportunities. We want to make it through hurricane season safely. We'd like to see transportation and WiFi infrastructure as priorities and balance all this with the clean environment because we enjoy the communities we live in. I hope that redistricting provides us with effective representation by people that understand and appreciate our

unique characteristics. But I am disappointed to see maps proposed that seem to treat redistricting like a numbers game and do not respect rational geographic communities.

The most blatant examples for the Beaufort County area are US Congressional maps, CBK-3 and CST-2. Beaufort County on the coast is linked by a narrow corridor of counties that reach West Raleigh along the Virginia state line. Also, State Senate map SST-4, we have three districts that share many common coastal interests, one, two, and three. District 2 dissects these in a zigzag fashion with. We split many of the common interests in a bizarre fashion. I would like to thank you for your service, but please remember this is not a game. And we need to address our unique problems with the power that effective representation provides. Thank you.

Moderator ([00:38:00](#)):

Thank you for your comments. Next up, we have [Tijuan Gozi 00:38:05] representing Common Cause. See it? Is it muted on his end or ...

Thomas Terry ([00:38:27](#)):

He was there, and he is gone.

Moderator ([00:38:30](#)):

Try again. Tijuan Gozi representing Common Cause.

Thomas Terry ([00:38:33](#)):

He disappeared.

Moderator ([00:38:34](#)):

He has disappeared from our screen. So we'll move on. Aaron Hope. Is he ready?

Thomas Terry ([00:38:51](#)):

Aaron Hope is here live.

Moderator ([00:38:53](#)):

You're recognized for a time period not to exceed two minutes. Is he muted?

Thomas Terry ([00:39:05](#)):

He's mute on his end.

Moderator ([00:39:07](#)):

Aaron, we believe you are muted on your end.

Female ([00:39:22](#)):

He's not muted.

Moderator ([00:39:24](#)):

On Aaron.

Female ([00:39:26](#)):

He's not muted.

Moderator ([00:39:27](#)):

We just can't hear him.

Female ([00:39:28](#)):

Right. I don't know that he has a microphone is working properly.

Moderator ([00:39:33](#)):

Aaron, we'll try one more and see if you can make any contacts. We don't seem to be able to hear you at all. And it does not seem to be muted. If you could, check your mic and we will come back.

Aaron Hope ([00:39:54](#)):

Hello?

Moderator ([00:39:54](#)):

Oh, there you are.

Aaron Hope ([00:39:56](#)):

Sorry, I had to adjust the settings. I apologize. My name is Aaron Hope and I live in Wake County and I also work in Durham County. I just want to speak to the maps and the process in general. I remember hearing reports that this was going to be an open and transparent process. At the same time, getting a hold of the maps, I think over the weekend with the opportunity to speak today, I really only signed up because I wasn't sure anyone was going to be able to make it in time to actually speak on the maps.

But I have just kind of been able to glance at them for the most part and, just get an idea of what's going on here. When I look at SST-4 and the way that Wake and Durham County are basically chopped up like puzzle pieces and other maps where Wake county and Durham County are kind of grouped in with other sections of the state that don't really have the same vibe and feel and interests, things that they would need representation for, but I think about my particular area and I see the urban centers and some suburban areas being grouped in with rural areas.

I really feel like there's the potential for folks to really not have their representation aligned. And that, in my opinion, and in my experience is just a disaster. This is just very disturbing. It's apropos because we're coming up on Halloween. These maps are scary. To me, it really deserves another look potentially if there was one ask that I could give, I don't know how much time I have. It would be for independent map making system to be put in place for fairness, equality, and for there to be racial equity as well. I can't look at these and say that there's racial animus in these maps, but I bet you that if we had adequate time to study them, we would really find that regardless of the way they came together, the appearance of the maps themselves do lend themselves for substantial partisan gerrymandering.

Moderator ([00:42:15](#)):

Thank you for your comments. You exceeded your time. Lee Mortimer. You're recognized for a time not to exceed two minutes.



Lee Mortimer ([00:42:27](#)):

Lee Mortimer, resident of Durham. I've been a resident of North Carolina most of my life. Two years ago, I read an article one Slate Magazine about a Pennsylvania Supreme Court ruling that made partisan fairness and partisan balance part of their state's redistricting criteria. Like North Carolina, Pennsylvania is an evenly divided state, but its congressional delegation had 13 Republicans and only five Democrats. The court threw out the old districts and drew new ones.

In the next two elections, 2018 and 2020, Pennsylvania voters elected an evenly divided congressional delegation, nine Republicans and nine Democrats. I asked myself, could North Carolina use the Pennsylvania example for our redistricting? I wrote an article that ran last week in the Greensboro News and Record, The Winston-Salem Journal and The Independent Tribune in Concord. Interested viewers can find the article by googling my name, Lee Mortimer articles and redistricting. But especially, find and read The Slate article by googling Pennsylvania restores democracy and Slate.

This started when I learned consultants had been advising our state Democrats that they can expect to win only five, maybe six of our 14 congressional seats, even if they get more votes than Republicans. They say it's because Democrats are clustered in urban and metropolitan areas, while Republicans are more spread out. Senators Clark and Chaudhuri may have found a path to seven seats. Districts they've drawn are compact, divide relatively few counties and look logical on the map.

The underlying partisan data in both their plans shows Republicans would get six safe districts, and one that leans their way. Democrats would get four or five safe districts, one or two that lean Democrat and one district in both plans that's a dead heat. If the stars align, Democrats could gain their fair share of seats. But with just a small deviation, they could win 50% or more of the vote and get less than 40% of the seats. It could be a path to fair redistricting, but it's not as certain as Pennsylvania's path where partisan balance and partisan fairness were integral to drawing their state's congressional districts. Thank you for making this time available.

Moderator ([00:44:41](#)):

Thank you for your comments. Next up, Judith Kramer. Ready? You're recognized for time period not exceed two minutes.

Judith Kramer ([00:44:52](#)):

Thank you very much. My name is Judith Kramer. I've been a resident of North Carolina for over 50 years and I've lived in Chatham County for the last three years. I'm here to comment on North Carolina House District Map HBK-11. I'm pleased to see that Chatham County was kept full in that map. However, District 56 created by combining Chatham County with three Randolph County precincts, Liberty, Staley and Providence will be close to 5% higher than the target population size, while the rest of the districts in the county grouping would all be 3% to 5% smaller than the ideal district size. The large size of District 56 would be a problem because Chatham is among the fastest growing counties in North Carolina. If this map goes forward, shortly after its creation, District 56 will be too large. Between then and the next sentences in 10 years, Chatham County residents will have less ability to influence the outcome of elections for their vote.

[Brandon 00:45:52] County's Providence Precinct should not be included in District 56. It does not even share a border to Chatham. Combining Liberty and Staley precincts with Chatham would result in a population in the target range, but with room to grow. It is not necessary to also add confidence precinct to District 56, unless there is a motive of partisan gerrymandering to dilute the growing democratic majority in Chatham County. Between 2016 and 2020 votes in Chatham County were 55%



Democratic and 44% Republican. While votes in Providence precinct in the same period were 16% Democratic and 82% Republican. I request that you remove Providence precinct from House District 56 and included in House District 60 or 61, both of which are adjacent to Providence considerably below their target population size and more consistent with the real nature of those two districts. Thank you very much.

Moderator ([00:46:56](#)):

Thank you for your comments. I will take a moment to remind the speaker's purposes hearing is to hear public comments on the congressional maps that have been placed. Next up we have Christopher Lakin. You're recognized for time period not to exceed two minutes.

Christopher Lakin ([00:47:21](#)):

Thank you. I'm from Charlotte. I've lived there most of my life. I'm a retired pediatrician. It would be hard for me to say anything probably that hasn't already been said, but I think with the current setup, and as was said, both parties have been guilty of gerrymandering. We have a situation as do many other states where the politicians choose their voters instead voters choosing their leaders. Obviously, that's not how a democracy works. I think the ultimate answer of course, is the end of gerrymandering. For example, having an independent commission, which is outside the scope of this discussion. But I think that will take time.

I hope we find a day where public commentary on redistricting would maybe hardly even be necessary if we knew from experience and from restructuring of how districts are drawn, that we could assume fairly safely that they would be fair, but we don't have that today. For now, I feel that both parties need to demonstrate that they do truly care about fair voting and [inaudible 00:48:40] partisan districts even before [inaudible 00:48:44], and without nonpartisan redistricting. Almost none of the other components of fair voting were met. I appreciate this time to speak. I echo the sentiments that we needed more time to look at the maps. Thank you.

Moderator ([00:48:57](#)):

Thank you for your comments. Next up we have Chris Mansfield.

Chris Mansfield ([00:49:06](#)):

Yeah.

Moderator ([00:49:07](#)):

Recognize for time period not to exceed two minutes.

Chris Mansfield ([00:49:09](#)):

Okay. Thank you much, sir. I'm Chris Mansfield. I'm an unaffiliated voter in Pitt county, and I've had a chance to look at the Southern Congressional Maps that were posted, not much time to do it, but I think they looked better than what we had before. Less splitting more compact. The real issue is whether any will result in competitive races, proportional representation, and bipartisan dialogue. The three most likely to do that, I think are CBK-4, CBK-5, and CST-6. The State Senate Map SST-4 has a lot of splitting, stacking the deck, I think for Republicans, preserving incumbency and producing little competition.

The House Maps APK-11, I guess, it looks like it's going to produce mostly safe seats. I'm concerned about Pitt County. It looks like most of the Democrats have been tapped into House 8, and

the analytics I looked at indicate that a Democrat has a 99% chance of winning in eight, grows in seven about 30 to 40%. You split it this time east to west rather than north to south. I asked you not to disrespect the citizens of North Carolina by rigging the elections from the start, making this vote on candidates who have no chance of winning or are certain to be elected. When there's no real choice, there's no real voice. Gerrymandering results, as we all know in extreme partisanship, no discussion, no compromise, no collaborative problem solving. We want democracy to be a competition of ideals.

Moderator ([00:51:19](#)):

Thank you for your comments.

Chris Mansfield ([00:51:20](#)):

Thank you.

Moderator ([00:51:21](#)):

Thanks for coming in. Next up, Alison Allen Mongo representing the Young Democrats of North Carolina. Let's call Alison Allen Mongo. Please raise your hand. Okay. Moving on. Kate Fellman representing you can vote. Kate Fellman, if you please raise your hand. You're up. You're recognized for time period not to exceed two minutes.

Kate Fellman ([00:52:00](#)):

Hello, I'm Kate Fellman. I've lived in Durham since 2005 and I'm the executive director of You Can Vote. I'm here today to voice my concerns for representation of young voters and students in North Carolina. I'm a mother of two students who will be voters in 2022. And I'm blessed to have worked with hundreds of student volunteers and interns across North Carolina that are passionate about equal representation and voting rights. In the last 10 years though, students have had their polling places changed, their district split from those are their classmates, and the rules for voting have changed in between each election. The 18 to 25 demographic is a critical population of our state. They are our future leaders and they deserve to be included in decision making and to be kept whole as a community while living on campus. When an NC citizen gains the right to vote, we should do everything we can to encourage and support them in casting their ballot to become involved citizens.

The students I speak to are not yet savvy about how to look up and contact their representative or furthermore, how to attend hearings and provide public comment as it's pretty obvious today by our speakers. But they do know that they deserve representation that listens and addresses their concerns. They also know that the current system of drawing maps and electing representatives from those maps is harming their future prospects. They deserve to understand this process and they deserve representation that asks for and hears their voices. Making drastic changes to maps, double bunking legislators, and allowing for incumbent data to take priority over communities of interest means that students will continue to be marginalized in this process, when they should be a priority community of interest for the future of all of North Carolina. Thank you.

Moderator ([00:53:52](#)):

Thank you for your comments. Next up, we have Louis Gadol. You're recognized for a time period not to exceed two minutes.

Louis Gadol ([00:54:06](#)):

Good evening, everyone. Thank you for the opportunity to speak up for fairness and good ethics on this important occasion. I am Dr. Louis Gadol. I live in Durham and I have my wife, children, and grandchildren here as well. I am a retired mental health treatment provider and administrator. I speak on behalf of my family, the Unitarian Universalist Congregation of Hillsborough and the North Carolina Chapter of the Sierra Club. No matter what process is used to draw these redistricting maps, the outcome is what matters.

The only acceptable plan is an even, balanced seven-seven Democrat Republican split. That would reflect accurately party membership in our state. And two seven-seven plans earned A from the Princeton Gerrymandering Project and all of the other plans earned Fs. I've examined their rating criteria, consider them valid and thorough. Similar criteria should be used to create an even and fair split in the plan for this state general assembly positions. Both of the current ones earned Fs. I wish all of you well in this endeavor to do what's right for the people of North Carolina.

Moderator ([00:55:49](#)):

Thank you for your comments. Members next on the list, I have Lewis Carson, but we do not see him on and believe that he spoke at the previous meeting. If I'm wrong, please raise your hand. I will now go back through the no-shows and call those out. And if you would raise your her hand in case we had missed someone. Martha Schaffer. We believe you're waving. Thank you're recognized for a time period not to exceed two minutes.

Martha Schaffer ([00:56:31](#)):

Thank you so much. I'm a ninth generation North Carolinian and have lived in Guilford County for about 30 years. I'm a retired healthcare executive and a parent, and a caretaker of my elderly mother. In September, I attended and spoke at the public hearing in Forsyth County and expressed a lot of reasons that Guilford County should be kept whole in the congressional map. Further, I believe that the three cities that anchor the Piedmont Triad, Greensboro, High Point, and Winston-Salem should be kept together as they are now. Many residents of the Triad expressed similar views. However, the congressional maps drawn by the Republican leadership ignored our local input. All three of their congressional maps split Guilford county into two, even three districts, which is unnecessary, is confusing for residents, and results in districts that maximize the influence of rural residents at the expense of urban ones.

We've been through this before when you split Guilford County between two congressional districts, and we know it doesn't result in good representation for us. The maps under consideration have parts of Guilford County grouped with Ashe County and the mountains and Harnett County in the east, which is an area I grew up driving through a lot, but it has little to nothing in common with Guilford County. On the other hand, we have way more in common with High Point, which is in our own county. When I first looked at these maps, I honestly wondered if they were real because the districts are not compact and they don't show respect for communities of interest criteria that you are supposed to be using. In conclusion, please keep all of Guilford County in one district, preferably along with Winston-Salem, so our voices will be best represented. Thank you.

Moderator ([00:58:39](#)):

Brent Heath. Please raise your hand. That's good. You're recognized for time period not to exceed two minutes.

Brent Heath ([00:58:58](#)):

I'd like to express my appreciation to the committee for the most transparent district drawings that I think I've ever seen in my lifetime. I'm very pleased, as I look at the maps, I see that you have made a strong effort in following the North Carolina Constitution and trying to follow the plan that has been established by our constitution in having fair districts. I'm not an advocate of trying to have equal representation of the parties because we're not a divided state, 50/50. In North Carolina, we have practically 30% Republican, 30% Democrats, 30% unaffiliated.

And that being said, unaffiliated need a voice as well without telling them which party they would have to vote for by doing a 50/50 you divide. But I just want to thank the joint committee for a job well done. I think the proposed maps are as fair as I've seen in recent years. You don't have maps that are stretching across bunches of counties that have the counties divided just to pick out a district for one party over the other. Just wanted to say job well done. And thank you for your efforts in this redistrict this year. Thank you.

Moderator ([01:00:30](#)):

Thank you for your comments. Marla Bartholomew representing the Legal Women Voters in Lower Cape Fear. If you could raise your hand. Still not here as a no-show. Bridget Tarrant. No-show. T1 Gozi representing Common Cause. Still do not see. And last, Alison Allen Mongo representing The Young Democrats of North Carolina. Nope. Well, thank you all so much for your comments that concludes the list of individuals who signed up to make public comment and therefore exhaust the agenda of this committee meeting. I thank you all for being here and thank you for your comments. And this meeting will stand adjourned.

Chair ([00:00:00](#)):

Committee will come to order. Members, the chair wishes to thank the members of the public who are here today, and those who have signed up to speak to us. Chair also wants to thank our sergeant at arms for the wonderful work that they do. We've got sergeant at arms, both here in person today, and at our sites across the state. So, I remind the members of the rules for public comment. Each member of the public who has signed up and on the list will have up to two minutes to speak. And so with that being said, we'll get right into the list.

The first person we have signed up is [Claire Stone 00:00:41], Claire Stone. Ms. Stone, if you will approach the dais and speak for a period of up to two minutes. Hold on one second, ma'am.

Speaker 1 ([00:01:02](#)):

Mr. Chair?

Chair ([00:01:02](#)):

We will. Let's make sure the microphone is on.

Claire Stone ([00:01:09](#)):

There we go. Thank you very much.

Chair ([00:01:10](#)):

Okay. Go ahead.

Claire Stone ([00:01:11](#)):

Okay. Cool. Thanks for having the hearings after some of the draft maps have been completed. And, please make sure all of the input on the portals is made public. North Carolina gained a congressional seat because the state's population grew, of course, 9.5%. Brennan Center points out the people of color amounted to about 90% of that growth. And half of all that growth was from Mecklenburg and Wake Counties. In spite of this, the proposed maps that have been posted by the chairs did not create any majority, new majority black or Latino districts. In fact, CMT-9 draws both back black incumbents out of districts where black voters cannot elect their candidates of choice. This would end up with North Carolina sending the entire delegation to Congress with no black representation. None of the congressional maps that have been posted by the chairs adequately preserve what voters of color have fought for decades to achieve.

You've made the claim that the federal court in Covington case found that there was no racially polarized voting in North Carolina. That's not true. The court clearly said that there is racially polarized voting in North Carolina. As a matter of fact, in the last five years, it's getting worse. So, North Carolina has to track the racial data. In the proposed Senate map, SST-4, two of the three black senators in Northeast North Carolina would lose their seats, a radical reduction in black representation. In Southeast North Carolina, the same Senate map draws a black incumbent into a district where black voters cannot reelect him. In the Triad, two state senators have been paired or double bunked and voters of color have been packed together in High Point and Greensboro. In Mecklenburg, two out of three black preferred candidates are paired, and the county has been pulverized. This exposes intentional partisan and racial gerrymandering despite your claim that you did not use this data. These proposed maps explicitly try to weaken voters' power based on race. Thanks.

Chair ([00:03:02](#)):

Thank you ma'am. And, for those folks with us today, we respectfully ask for no applause. We want to be able to listen to folks here today and so please hold your applause. Emily Keel from the Martin County NAACP. Emily Keel.

Emily Keel ([00:03:18](#)):

Okay. I'm Emily Keel, and I-

Chair ([00:03:21](#)):

And, I think she's at ECU. Miss Keel, you're recognized for up to two minutes.

Emily Keel ([00:03:28](#)):

Thank [inaudible 00:03:31] NAACP, as you said. I'm referring also to map CMT-9. It dramatically changes US District one, where I reside, by extending new population in low income counties with higher minority voters will likely be dominated by the coastal white population of higher income. Those of us living inland and farming communities have very little in common with coastal towns, which are focused on tourism, Marine pursuits, and even traffic, which is not an issue in many of our precincts. This inclusion of coastal counties suggests a direct attempt to dilute the vote in a, what has been a minority opportunity district. You're not in compliance with the VRA without looking at racial data. Once again, it appears you're looking at the racial demographic that is obvious to all of us in an attempt to dilute US one. We are more fairly represented in CBK-4. Regarding the VRA, your process of mapping has flagrantly disregarded the lawsuits of the past decade brought on by this very packing of minority voters into districts to dilute their vote. You're on target to repeat this and being really disingenuous about it.

Map drawing must be, by law, include analysis of racial voting data in order to determine what creation of districts is appropriate for VRA compliance. We see what you are doing. It is a replay of the past decade, doing what you freely spent North Carolina taxpayer money on unnecessary lawsuits that you knew you would lose in order to have that period of time and an unstoppable majority to enact laws that could not be overturned except by the governor's veto. If your party does not have policies that people will vote for, your first thoughts seem to be, to dilute the voting power of opponents, not to allow fair voting in which the citizens pick the person who represents them, and who will fight for their values and needs. Thank you for the post mapping hearings. Appreciate that, but it was rather quick, short notice, and minimal time to review and consider the maps. Small limits in the number of speakers. It certainly was not done in the spirit of transparency and discussion. Thank you.

Chair ([00:05:34](#)):

Thank you.

Speaker 1 ([00:05:34](#)):

Thank you.

Chair ([00:05:36](#)):

Susan McClanahan. Susan McClanahan. You're recognized for up to two minutes.

Susan McClanahan ([00:05:55](#)):

I am Susan B McClanahan from Orange County. Just as you are targeting Butterfield and Adams in the congressional drafts, you are using the Senate and House drafts to gerrymander two of our democratic leaders in the General Assembly. They are Senator Valerie Foushee of Orange-Durham, District 23 and Representative Robert Reeves of Chatham-Durham, District 54. Both of these capable, hardworking legislators are minority leaders in the NCGA. They also happen to be black. Valerie Foushee is the Senate Democratic Caucus Chair who has been reelected three times by Orange- Chatham voters. Robert Reeves is the House Democratic leader who has been reelected three times by Chatham- Durham voters. And SST-4, Senator Foushee's new district, would have her serving Orange-Person-Caswell rather than Orange-Chatham with the hope that those new rural voters will not elect her. Orange and Chatham have been in a long term working relationship. And as our district 15B judges said in more eloquent words in 2017, "If it ain't broke, don't fix it."

You are clearly diluting the voices of urban voters. Keep Orange and Chatham together. HBK-11 changes Reeves' House District 54 by replacing Southwest Durham with strong GOP precincts in Randolph County that have nothing in common with the fast growing suburban precincts around Pittsboro. Once again, you are changing a district that has reelected Reeves multiple times with the hope that he will not be elected. This is unadulterated gerrymandering at its worst. Please respect the voters. Please keep Chatham whole while pairing it with Southwest Durham, and respect the voters who have put Foushee and Reeves into office. Thank you.

Chair ([00:07:52](#)):

Thank you. Our next speaker is Cheryl Tung from the League of Women Voters, Wake County, North Carolina. Ms. Tung, if you will approach the microphone, you're recognized for up to two minutes.

Cheryl Tung ([00:08:15](#)):

Afternoon. My name is Cheryl Tung. I serve as president of the League of Women Voters of Wake County. Our nonpartisan organization has advocated for fair redistricting for decades. We'd asked for a process that is authentically transparent, and one that produces competitive maps that allow voters to choose their candidates. The process that we've witnessed this round has achieved neither. What has been provided is similar to the game of Clue. From trying to figure out which computer monitor is producing what map; to who is sitting at the terminals, and what is being said; to determining in which rooms the maps may have originally been drawn. Much of this process remains a mystery. We don't even know if the maps that will be used have actually 33% unaffiliated, 36% Democrat and 30% Republican. Which group is rising the fastest? Unaffiliated voters. We are a purple straight state. And that is a fact.

These maps are not reflective of the voters in our state. They do not allow for competitive elections. The results have been predetermined. In addition, you've also allowed for incumbency protection. But you've applied it in a discriminatory manner. While the league does not support incumbency protection, we are especially concerned when we see it applied in a racially unfair manner. Lastly, we are a participatory democracy. We want to know what others are saying. However, you have not made public the public comments in the portal available. In addition, we want to know what you all have to say. There's been no justifications for any of the maps that have been produced, and if the maps we've seen so far contain the actual maps that will be used. This is not democracy at work. We ask for better maps and a better process for the citizens of North Carolina. Thank you.

Chair ([00:10:07](#)):

Mary Jo Espinoza from NC Counts. She's at Central Piedmont.



Mary Jo Espinoza ([00:10:25](#)):

Good afternoon. My name is Mary Jo Espinoza. I've lived in Charlotte for most of my life. I'm here today on behalf of NC Counts, an unpartisan organization that has worked on census outreach and efforts across the state. I had coffee this morning. So, I'm a little twitchy. We are here because we believe that all North Carolina residents should have an opportunity to engage directly with the map drawing processes. As mentioned previously, this will be the last of several hearings, and the opportunity for residents to talk about the maps. All of our residents will be impacted by new maps for many years to come. And we must make sure that their voices are taken into consideration during the process. In addition, our district maps must be drawn to provide equal representation and should accurately and appropriately reflect the political makeup of our home state.

Drawing fair maps will allow our communities to be represented by leaders who know their communities and will advocate for resources we need to support our residents and communities. Our maps must be drawn to ensure that we meet our communities' needs; not to meet politicians need for power. Redistricting will impact many aspects of our communities, including our education, healthcare, voting rights, political representation, and the rights of those that are currently incarcerated. We must advocate for a fair and good map drawing process to ensure that we have good and fair results. Thank you.

Chair ([00:11:42](#)):

Thank you. La'Meshia Whittington with Advanced Carolina. La'Meshia Whittington with Advance Carolina. John [Lingle 00:12:06] at Central Piedmont Community College. John Lingle. John...

John Lingle ([00:12:15](#)):

Yeah. I'm here.

Chair ([00:12:17](#)):

Okay.

John Lingle ([00:12:18](#)):

Hello, I'm John Lingle. I moved to Davidson, North Carolina 21 years ago drawn by good public schools and a balance of conservative and liberal voices. I was a raised Republican. I despair, however, watching today's GOP systematically undercut participatory democracy in North Carolina. This redistricting process is a frightening example. First, there are the compressed timelines, inconvenient meeting times, and locations. Plus the limiting of public testimony to fewer than 200 for only two minutes in a state of 10.5 million people. Second, the most common request in past hearings to protect communities of interest and avoid extreme partisan gerrymandering had been blatantly ignored. These are chilling examples of autocratic practices generally seen in other countries. Not surprising, the flawed process has produced terrific maps rated F by multiple independent rating groups. The GOP draft maps would drastically over represent Republicans in a 50/50 state. Maps dilute the voices of urban areas and Democrats across the state, including my own town of Davidson, would be unable to have a democratic representative for a decade.

Conclusion: I request: 1. That you allow us more time to study the maps so we can comment intelligently. 2. Meaningfully respond to the feedback you are and have received. 3. Adopt maps like CBK4 or SCH2 that are more compact, do not inappropriately split counties, precincts, or municipalities,



or double bunk incumbents. Your flawed maps will cost us millions in tax dollars in litigation once again that you will probably lose again. Thank you.

Chair ([00:14:30](#)):

Thank you. Michael [Shotter 00:14:33] from Craven Get Out the Vote Coalition. He's at East Carolina.

Michael Schachter ([00:14:38](#)):

Schachter

Chair ([00:14:40](#)):

Michael [Shatter 00:14:42]. You're recognized for up to two minutes.

Michael Schachter ([00:14:46](#)):

I'm Michael Schachter from Craven Get Out the Vote Coalition. Thank you for holding this public hearing. We need more of them in other locations. I plan to make a general comment and then a comment on a specific map. We all know our state, as shown by the last election, is almost evenly split between the two major parties. If the final maps extremely favor one party over the other, then it is clear that there has been a political gerrymander and with it, a racial gerrymander of the voting districts. This will mean that the essence of one person, one vote, has been violated, and voters have no way of choosing candidates that they want to represent. This would be wrong, and a violation of the principles of democracy.

On a brighter side, I will comment on a map drawn for House District HBK-11. I am glad to see that District six in this map contains most of Craven County, and is not attached to any other county.

This means my community, Tuscarora-Rhems community and nearby Rocky Run Road community, is within the same district and not split into two as was done in the last redistricting. I ask that you keep the map that way. 30 seconds. Okay. It would be great if the entire Craven County would be in one district and include all of Havelock and Harlem, but I know the population number would be too large for the district. A possibility is to keep some of those areas in District six and move Fairfield Harbor, which is isolated area near Pamlico County into District three. Thank you again for this public hearing. Thank you.

Chair ([00:16:57](#)):

[Steven Kendrick 00:16:57]. Mr. Kendrick, you're recognized for up to two minutes.

Steven Kendrick ([00:17:10](#)):

Good afternoon. My name is Steven Kendrick. I live in Apex and in Wake County, and I am a private citizen taking time off work to share my concerns with you here today. I'm concerned about the potential for an undemocratic gerrymander and the disempowerment of citizens to impact their representative government. In 2019, our courts ruled that the North Carolina constitution provides for free elections. To me, a free election is where the will of the people can be heard and reflected in election results. An unfree election is when political design all but assures many voices will be severely under represented. In 2020, there was a near 50/50 split in statewide votes going to Democratic and Republican candidates. But as yesterday's News and Observer front page showed, most of the newly proposed maps would result in 70 to 80% of North Carolina's US House seats going to Republicans.

The Republican drawn maps do not allow for free elections, and they signal unconstitutional, hyperpartisan gerrymandering. Under map CST-2, I would drive through a virtual cork screw of alternating district lines to get to my in-law's house, also in Apex. Under CBK-3, my subdivision is surrounded by different congressional districts on three sides. I could understand if these twisted lines dividing my town made a fair congressional map possible, one that reflected the state's even split. But that is not the case with many of these proposed maps. Please use your district drawing powers to give everyone in this state a fair shot at having their vote matter. Vote for free elections and support maps CBK-4 or CBK-5. Thank you for your time.

Chair ([00:19:04](#)):

[Vicki Atkinson 00:19:04]. Ms. Atkinson, you're recognized for up to two minutes.

Vicki Atkinson ([00:19:15](#)):

My name is Vicki Atkinson. I live in Chatham County. My remarks address map HBK-11. I support keeping Chatham County whole, and I'm glad to see that in this map the county is kept whole. Chatham is one of the fastest growing counties in the nation, and certainly in North Carolina. It is almost large enough already to be a district in itself with the addition of two smaller precincts, Liberty and Staley from Randolph County. Chatham is within the ideal district size. There is no reason to add Providence precinct to Chatham for population. Providence does not share a border with Chatham. If Providence is added, the district will come close to being 5% over the ideal size already. The district will very quickly be too large. This will disproportionately dilute the strength of voters of color in Chatham County.

New housing developments are popping up along 15-501 in Northern Chatham and in Pittsboro. The Chatham Park Development alone is adding tremendous population growth to the county every year. Chatham is rapidly urbanizing. It has nothing in common with Providence, which is rural and remote from Chatham. The only reason that I can see as to why Providence is included in this map is partisan manipulation. That is not fair. Chatham leans Democratic. It is not fair to pull in a precinct just to tilt the scales for partisan advantage. It's not contiguous with Chatham. We don't need it for population size. Combine Providence with one of the Randolph County districts, both of which are on the low side of ideal. Thank you for the opportunity to address you.

Chair ([00:21:10](#)):

Thank you. [John Lowe 00:21:11]. Mr. Lowe, you're recognized for up to two minutes.

John Lowe ([00:21:17](#)):

Howdy. My name is John Lowe. I'm a resident of Chatham County, and I will make many of the same comments that the previous speaker made because my remarks address map HBK-11 and House District 56. I strongly support keeping Chatham County entirely in one house district. We're fast growing, as you've heard, and we're projected to rise another 20% in population over the next 10 years. Adding a few precincts from Randolph County to put our district closer to the legislature's ideal size seems appropriate. However, this map does so in ways that are unfair to both counties.

First, Randolph's Providence precinct doesn't even touch Chatham County. This would add a far distant neighbors to Chatham and would deprive Providence folks, 7,000 of them, from their historic and geographical ties. Second, the three added Randolph precincts collectively put fast growing Chatham and House District 56 at nearly 5% over the ideal size already. With projected growth will be above the ideal size for the next 10 years.

This is certainly not ideal and dilutes the strength of Chatham County voters. In fact, there are only two proposed house districts in the entire state that are closer to the 5% limit than House District 56. Third, Randolph County House District 60 and 61, which are adjacent to Providence precinct, are under the ideal size by 4 1/2 and 2.6% respectively. What? Providence precinct is not worthy of being in one of the Randolph County districts. Finally, it's not a notice by Chathamites that this map cynically disadvantages Chatham County incumbent and House Minority Leader, Robert Reeves. Enough with the blatant partisanship already. Thank you.

Chair ([00:23:39](#)):

Miko McCarthy, Central Piedmont Community College, WZA consultant. Miko McCarthy at Central Piedmont Community College. [Carol Gottman 00:24:16]. Fearrington Dems. Ma'am, you're recognized for up to two minutes.

Carol Getman ([00:24:19](#)):

Okay. I am [Carol Getman 00:24:22], and I live in one of the many retirement communities in Chatham County. I have seen 87 years, and in many of my adult years, I have joined with other citizens, citizens from both parties to ask for a bipartisan commission to develop voting districts. We are sick and tired of partisan pan haggling, and that's all you are offering. You don't play fair, and we're tired of it. How can you justify in a state in which we are politically divided to offer congressional districts which you anticipate to result in an 11 to four split? It's not just the youth who are losing faith in the system. The old are also. I don't know how much of my diminishing time and energy I have left, but I want to use it to save democracy. And, that starts right here. Thank you.

Chair ([00:25:39](#)):

Thank you, ma'am. [Sherry Pickett 00:25:45] from Take Back Our Schools, GCS. Sherry Pickett. [Christy Clark 00:26:02] from the Mecklenburg County Democratic Party at Central Piedmont Community College.

Christy Clark ([00:26:11](#)):

Good afternoon. My name is Christy Clark. I live in Huntersville, and I am the Huntersville Regional Vice Chair of the Mecklenburg County Democratic Party, and a former state legislator. North Carolina's congressional and general assembly delegations have not been representative of our people for the past 10 years. In 2010, North Carolina was represented in Congress by seven Democrats and six Republicans. By 2012, new Republican maps produced four Democrats and nine Republicans in Congress. Today, the Republican led General Assembly has again used surgical precision to gerrymander a congressional map for 11 Republicans and three Democrats in a 50/50 state. Precincts, municipalities, and counties should not be split to benefit one party or the other, or even one candidate or the other. Rural communities that are seemingly already forgotten should not be grouped with suburban and urban areas. Not even for the Speaker of the House who has plans for higher office. By my count, some voters in Precinct 134 in Huntersville will have been in a different state house district for the past three election cycles and will be again in 2022. This is unfair to those voters.

Renumbering state legislative districts is deceiving to voters by design. Renumbering causes confusion and discourages voting. This should be fixed in the final draft of the bill. Transparency and fairness were falsely implied at the onset of redistricting. Voters are not fooled. Maps were printed and taken to back rooms for review. Oddly shaped districts, dissected counties, severed towns and split precincts show voters the same old gerrymandering practices are being used. 65% of North Carolinians

say ending gerrymandering is a priority for them. As our beautiful state continues to grow, the General Assembly must draw maps that reflect the diversity and strength of our state. Thank you.

Chair ([00:28:01](#)):

Thank you. [Madeline Parra 00:28:08] at Central Piedmont Community College.

Madeline Parra ([00:28:17](#)):

Good afternoon. My name is Madeline Parra. I'm born and raised in North Carolina, graduated from Davidson College, and now live in Cornelius, where I'm chair of my precinct. My dad is an immigrant from Bogota, Columbia. Him and my mom moved to North Carolina back in the early 80s with the dream of starting a career and starting a family. And even as outsiders, they were welcomed with open arms regardless of political party. I am here today to urge this committee to make the redistricting process more inclusive and fair, which is core to the North Carolina values I know that we all stand for. This means all North Carolinians need a reasonable opportunity to participate. To do that, we need a series of bilingual hearings to be inclusive of our Hispanic community, which grew by over 28% in North Carolina since the last census, well outpacing the national average. Without this, I don't see how this can be inclusive or fair.

We are potentially excluding the voices of over a million North Carolinians, and whether or not they feel fairly represented. For example, I don't see a bilingual translator here today. Nor have I been able to find any information pushed out by the General Assembly about this important process translated into Spanish. It is not too late to hold more meetings in both English and Spanish. If my parents' church can do that, the General Assembly can too. In conclusion, I am here today to ask the committee to make this process more inclusive so as not to exclude our valued Hispanic community from the fair representation that they deserve. Thank you.

Chair ([00:30:33](#)):

[Angeline Echeverria 00:30:33]. You're recognized for up to two minutes.

Angeline Echeverria ([00:30:37](#)):

My name is Angelina Echeverria. I comment today on behalf of NC Counts Coalition, a nonpartisan organization that builds a healthy, just, and equitable North Carolina through cross sector partnerships that advance systemic solutions for communities. Our organization supported a complete and accurate 2020 census count. And we continue to promote civic participation with partners across the state. Normally executive direct-

PART 1 OF 4 ENDS [00:31:04]

Angeline Echeverria ([00:31:00](#)):

With partners across the state.

Normally, Executive Director, Stacy Carlos, or Director of Civic Engagement, Kyle Brazil, would give official comments on behalf of our organization, but they could not be here due to the extremely short notice for these hearings.

We have spoken with dozens of coalition partners who have found this process confusing and designed to discourage, rather than to encourage meaningful participation. The maps that are being debated are buried on the website with no information provided in languages other than English, and no

online tools to help users navigate them to see their current and proposed districts. No relevant context is provided to describe how these maps relate to the stated criteria.

We previously submitted comments expressing our concern about the exclusion of racial data, and this concern has proven to be well-founded in our initial review of the maps. We have heard from partners who are concerned that black communities voting power will be diluted, and their local black incumbents will be disadvantaged. From partners in urban and suburban counties, with large communities of color, who are concerned about how their counties will be divided to prevent communities from electing candidates of their choice. From partners in the Northeast, who are concerned about how their counties are being clustered to disadvantage black voters, and from partners in counties, such as Nash and Edgecombe, that have requested that those counties be clustered together and are not seeing their will reflected.

We respectfully request that you review the maps with the racial equity lens and modify them to protect the rights of black voters and other voters of color.

Thank you.

Chair ([00:32:38](#)):

Barbara Prophet, Mecklenburg County, Matthews Precinct 218 at Central Piedmont Community College. Miss, Prophet. You're recognized for two minutes.

Barbara Prophet ([00:32:49](#)):

Thank you. Good afternoon. My name is ... Oh, let me take my mask off. Sorry. My name is Barbara Prophet, and I live in Matthews, and I'm a long time Precinct Chair. I have two requests for changes to the US Congressional Districts map.

I'm currently in CD-12. My first request is for equitable representation for Matthews. The new maps show us either in CD-8 or CD-9. Maps CST-2 and CBK-3 chop a strip, including Matthews, out of Mecklenburg County, and adds us into Congressional District 8.

Map CMT-9 puts Matthews and a large portion of Mecklenburg into Congressional District 9. Both districts will almost certainly be Republican.

Matthews, which is more and more Democratic, will never have a chance for a Democratic representative for any of its six precincts. Although, Matthews currently has more registered Republicans, Democrats have more unaffiliated, significantly more left leaning, unaffiliated voted in the 2020 primary. 1,664 than right leaning Republicans 487.

Lumping us into CD-8 or CD-9 will mean that we will have hundreds of wasted votes in primaries. A Democratic candidate will not have a chance to get elected.

My second request, the new 14th Congressional District has been added to Cleveland County. It should be added to an area which is underrepresented by non-white voters, even in Mecklenburg, We have a significant number of non-white voters, and we have more than 10 times the number of registered voters. It's important to note that the number of Cleveland voters is decreasing.

In conclusion, there is a more equitable location to put the new 14th district, one where the population is increasing and has an underrepresented population. Thanks for the opportunity to speak.

Chair ([00:35:07](#)):

Ray Dawson, you are recognized for up to two minutes.

Rea Dawson ([00:35:14](#)):

Good afternoon. I'm Rea Dawson, I'm here representing myself and neighbors on call. I live in Durham County, and my comments today are regarding this hearing process.

First, I can't overemphasize how difficult this process was for a regular citizen like me, giving us such short notice to comprehend such a complex set of maps seems designed to discourage participation, not encourage it.

Second, it seems illogical for a state that is divided nearly 50-50 by political party to have maps drawn that so heavily favor the Republican party. Y'all must have had a bug in your software.

Map CMT-9, for example, divides voters such that outcome is skewed five to two, in favor of GOP voters. It also defines only one minority majority district, representing 11% of the total for a state in which minority voters represent 36% of the population. Once again, illogical.

While I realize that maps cannot and should not be drawn based upon race alone, creating maps that deliberately dilute the votes of any class of voter is inappropriate. These maps, as currently drawn, are clear examples of minority, not majority rule. They can't win fairly, so you have to cheat. Contrary to a fair and Democratic small D process.

Chair ([00:36:51](#)):

Stephanie Powell. Stephanie Powell, you are recognized for up to two minutes.

Stephanie Powell ([00:37:04](#)):

Good afternoon. My name is Stephanie Powell, I live in Chatham County. I will address North Carolina map HBK-11, which creates house district 56.

District 56's map comprises all of Chatham County, which is a good thing, plus three precincts in Randolph County; Providence, Liberty and Staley. The inclusion of largely Republican Providence is unnecessary and is intended to dilute the Democratic votes of Chatham County voters. The evidence is as follows. Providence is not contiguous to Chatham County, and is geographically distant. The addition of this remote, rural area to the increasingly urban and suburban population of Chatham County blatantly defeats the goal of a community of interests among voters in a district.

In fact, Providence is contiguous with and has common interests with House District 60 and 61 in Randolph county, both of which are also largely agricultural. As such, Providence should be removed from 56 and added to District 60 or 61.

In addition, due to the inclusion of Providence, House District 56 is dangerously close to 5% over the ideal size. Chatham County's population is expected to increase dramatically as projected by the state. Given the many current and future to development projects already in the pipeline, District 56 will very quickly and soon exceed the 5%.

Conversely, House District 60 is under the ideal size by 4.5%, and House District 61 is under by 2.6%. Both of these districts could use Providence. It does not make sense for district 56 to include Providence considering its remote location, lack of community of interest with Chatham County, and unnecessary additional population. The inclusion can only be explained as a partisan attempt to add Republican votes to district 56 and dilute the democratic vote.

I request that you remove the Providence precinct from House District 56 and included in House District 60 or 61 instead.

Thank you.

Chair ([00:39:03](#)):

Thank you. Laurel Volker. You are recognized for up to two minutes.

Laurel Volker ([00:39:15](#)):

Thank you. My name is Laurel Volker. I live in Wake County, and while today's hearing is intensively an opportunity to provide comments on your proposed House and Senate maps, we have not seen ... You have not given us enough notice and information to meaningfully analyze those maps.

The maps have been available for less than five days, and were still being drawn this morning. The maps we see now may not even be the maps you're actually considering. Using a tight timeline as an excuse to limit our participation is one of the oldest tricks in the book, and you are creating a false sense of urgency surrounding this process.

There is no compelling reason to hold the 2022 primary in March. The associated December filing deadline places unnecessary limits on public participation. Prior to 2020, North Carolina had a May primary with a February filing deadline.

If you actually value transparency, it is well within your power to give us more time to participate in this process. And while you may say this process has been transparent, we know that it has been a sham. It was impossible to understand what was actually happening in the room when the maps were being drawn. We are unable to see the comments made on the portal by our fellow citizens, and we have not been provided with any justification or explanation for why by the maps you presented are good for North Carolina.

North Carolinians are more aware than ever of the harms caused by unfair maps. We have access to tools and data. We know it's possible for you to draw maps that give us a real chance to choose our representatives. We are tired of voting maps that place the desires of politicians above democracy. You can do better and I urge you to do so.

Thank you.

Chair ([00:41:06](#)):

Sharon Johnson, with CCDP. Sharon Johnson, you are recognized for up to two minutes.

Sharon Johnson ([00:41:17](#)):

Thank you so much. I'm Sharon Johnson. I reside in Cumberland County, and I serve as a Chair of Cumberland County Democratic Party.

At the public hearing that was held at FTCC in Fayetteville, I stood and asked the committee members to extend some equity to the Sandhills area of North Carolina and give us a Congressional District. I reminded you that we were the only geographical area in North Carolina without a Congressional District. I reminded ... And it's not right.

At the Fayetteville hearing, we heard from Republicans and Democrats calling for this Congressional District. I shared with the members there the similarities and the commonalities of the counties of Cumberland, Roberson, Hope, Moore, Scotland and Richmond County that make up the Sandhills, and their important nexus to Fort Bragg, North Carolina.

Yet, from the eight published Congressional maps that I found and reviewed, only four of those maps, CBK-4, CBK-5, CST-6, CST-8 reflects the will of the voters in Sandhills.



I come to date again, respectfully, to ask for some equity for the Sandhills region. I ask further that you implement one of those four maps, preferably CBK-4. It's simply the righteous and equitable thing to do.

In regards to Senate redistricting, it would appear that the authors of the three published maps, SST-4, SVK-5, SVK-6, heard our voices in the Sandhills. All of the ... Excuse me, of Moore and Cumberland County grouping.

All three of the published maps appear to have kept the precincts that were contiguous to Fort Bragg, which were Manchester Spring Lake, West Area One and Two, all three of these maps appear to have kept our historical areas together. We are asking that you implement SVK-6.

Finally, I ask again, humbly, that you consider to give equity to the Sandhills regions of North Carolina.

Thank you.

Chair ([00:43:36](#)):

Charles McKeller. You're recognized for up to two minutes.

Charles McKeller ([00:43:59](#)):

Good afternoon. Thank you for allowing me to speak. My name is Charles McKeller, Lieutenant Colonel US Air Force, retired. And a resident of federal North Carolina.

Committed members, we are like in our oath to support and defend the constitution of the United States. I come before you this afternoon to make a case in support of Sandhills Congressional District. We are a distinct, geographical area, location and population center, with the honor of hosting the largest active duty military population in the United States, and with a considerable veteran and military family members residing in Cumberland County.

We are also the only metropolitan area that does not have a Congressional District linked to it. With the addition of the 14 Congressional Districts to be added, there is no better time than now to honor the citizens in the Sandhills. This is an addition and does not take away from any District that now exists.

My specific request is to the people of the Sandhills, that we have representation in Congress and that the maps avoid splitting precincts and minimize splitting municipalities. Please maintain the continuity of the people of the region, county and precincts. The people of the Sandhills are better served when those of like regions and perspectives have a voice in Congress and in North Carolina legislature.

The three maps, I think best serves the Sandhills are CBK-4, CBK-5 and CST-6. The other Congressional maps only present the same that currently exist in different formats.

When the community-

I thank you for this time.

Chair ([00:46:08](#)):

Thank you, sir. Richard Valtarro, East Carolina, Richard Valtarro.

Richard Valtarro ([00:46:24](#)):



Thank you for this public hearing. I'm Richard Valtarro, private citizen living in Winterville, North Carolina.

With modern technology, the way redistricting has been done for years in North Carolina is changing us. Now, the elected officials choose the voters. The voters do no longer elect the elected officials. The final decision of gerrymandering is done by elected politicians, Republican and Democrats. Sometimes, only one of them.

The present system of redistricting in North Carolina is a violation of the equal protection clause of the 14th amendment. We need a nonpartisan decision making. Most likely, I have only two choices, two polarized choices. One, an African American minority district, or two, conservative evangelical Christian white district.

Is anyone surprised that our democracy is in polarization danger and we are encouraged to choose only a strong partisans and no real moderates or real independence?

Thank you.

Chair ([00:47:43](#)):

Lisa Walker, Union County Democratic Party. She's at Central Piedmont. You are recognized for two minutes.

Lisa Walker ([00:47:54](#)):

My name is Lisa Walker, and I am the Chair of the Union County Democrat Party, and I'm here to provide comments on maps CMT-9, CBK-3, CST-2 and SST-4. These maps are unconstitutional and violate the 14th amendments guarantee of equal protection.

These maps motivated by partisan intent do not provide fair representation of our state. North Carolina is a 50-50 state, with 36% registered Democrats, 35% unaffiliated and 30% Republicans. And the co-chairs of this committee have drawn maps that are clearly gerrymandered providing 11-3, or 10-4 split.

One doesn't have to look far examples. Mecklenberg and Wake County split up into three to four districts, so democratic voters have little influence. Suburban Wake, one of the fastest growing areas in the state lumped together with far away rural counties. And in my little Union County, the house map has the city of Monroe cracked down the middle, diluting Monroe's voting power and splitting the black and Latino vote in the area of Union county with the densest population of people of color.

You have options, CBK-4 and CBK-5 provide a fair representation of our state and does not silence the voices of your constituents. We are tired of unfair maps. We are tired of North Carolina being the poster child for gerrymandering. We are tired of litigation that results in us having to redraw maps, come to meetings like this every four years.

We are tired and we are angry about the immense amount of time, energy, and expense this is costing the tax payers of North Carolina. This is wrong. There's a lot of at stake at this hearing today. Democracy is at stake.

Please put people over politics and vote for CBK-4 and CBK-5 are maps that provide a fair representation of our state.

Thank you.

Chair ([00:49:58](#)):

Ricky Lung. North Carolina, Asian-Americans Together. You're recognized for up to two minutes.

Ricky Lung ([00:50:11](#)):

Hi, good afternoon. I'm submitting comments on my personal capacity today. My name is Ricky Lung and I've been a resident of North Carolina for more than 25 years. Grew up in Greensboro, I currently live in the triangle. Asian-Americans are the fastest growing racial demographic in the state, along with a large population growth in the Latino community. This marks a significant increase in immigrant, migrant and refugee populations over the last decade.

With the state of things around the world, from Afghanistan to Sudan, to Hong Kong, we're likely only going to see an increasingly diverse community with increasingly diverse needs among North Carolina's residents.

This is why it's critically important to have ample time, opportunities and accessibility, including in languages other than English for our communities to comment on redistricting maps drawn by the committee. The current process is inadequate, as many have already pointed out yesterday and today. With only days notice for these public hearings, even those who are fluent in English and knowledgeable about the process, struggle to get here and voice our concerns, making it nearly impossible to gather input and uplift voices from the integral parts of our communities who have limited English proficiency.

In addition, not taking into account racial data in the redistricting process ignores the history and current reality of discrimination that indigenous people and communities of color, black communities in particular, face.

With limited time for analysis, I can already see that there may be potential concern for a dilution of the black votes in the Northeastern part of the state on one of the proposed maps. Without further intentional analysis for racial equity, there may very well be other areas of concern.

While I consider North Carolina home and love its people as family, I'm confused by leadership that does not appear to give enough value to the opinions of its people that it represents, and I hope that it's merely an oversight, and this sets a tone and motto for how people across the world will see our democratic values carried out. So I hope you'll take this responsibility seriously.

Thanks.

Chair ([00:52:06](#)):

Sarah Sakkatas, Catawba County Democratic Party. She's at Central Piedmont Community college. You are recognized for up to two minutes.

Sarah Sakkatas ([00:52:19](#)):

Thank you. It was difficult to be here today, too difficult. I heard about the hearings a mere day after they'd been announced, but still I barely snagged a spot before they were filled. Since the virtual slots were already gone, I had to leave work four hours early and drive an hour to be here in Charlotte.

I am privileged enough to be in a position to do so. How many are not? While the original series of public hearings on redistricting felt just as insincere as these, they were at least announced somewhat in advanced. There were quite a few of them and they were fairly spread out across the state. We had mere days notice to review your proposed maps before today. And yet, when I started reviewing them, I realized that perhaps not that much more time was necessary. I found that I was able to come to a conclusion pretty quickly.

The GOP controlled legislature's pledge to not use racial or partisan data in drawing these maps was a complete farce. It is absurd to think that any representative does not know his or her district well enough to know who lives where without having to reference the data.

Redrawing district maps is an incredibly complicated process, but what's wrong here is incredibly simple. Gerrymandering is wrong. Politicians should not be able to select their own constituents, period, but as we all know, and as the Republican party continues to prove, those in power will never seed their power willingly. So until we, as citizens of this great state decide to stand up to our representatives and demand change, we will be stuck with the status quo.

We cannot wait another six years to have the court strike down these unfair maps. We cannot wait until of 2030 to see if those in power then are more willing to play nice. We must demand that our legislators represent their public's overwhelming desire to end gerrymandering once and for all, by moving the redistricting process under the control of an independent, nonpartisan commission.

Chair ([00:54:32](#)):

Bonnie McCarthy, with Neighbors on Call. You're recognized for up to two minutes.

Bonnie McCarthy ([00:54:46](#)):

My name is Bonnie McCarthy. I live in Chatham County and my comments refer to North Carolina house map HBK-11.

Chatham county is currently one of the fastest growing areas in the state. By adding the proposed three precincts from Randolph county, this would raise the district's population to 91,189, which is over 4,000 individuals above the ideal size. Excluding the Providence precinct would result in a population of 83,475, well within the ideal size parameters.

The addition of Providence precinct would then run up against the upper limit of the plus or minus 5% population change guidelines set by the state. The anticipated growth of just one mega development alone, Chatham Park, will quickly put us over those guidelines and calls into question the wisdom of adding in any unnecessary precincts.

Providence precinct border is not continuous with Chatham border, and it's geographically the most distant. These numbers alone, the addition of Providence precinct is simply not necessary. Chatham county enjoys an 85% turn out in the last election and voted 55% Democrat, 43% Republican.

However, the addition of Providence precinct, 16% Democrat and 82% Republican is proposed simply to dilute the current political distribution, making it far harder for any Democrat to win. Providence is rural, while Chatham is a rapidly growing and urbanizing area.

I want to be in a voting district that shares my interest and retains the character of Chatham County. I ask that you do not include Providence precinct Chatham County in the re drawn district 56 map.

Chair ([00:56:51](#)):

Brenda Fairfax, at east Carolina. Brenda Fairfax, she's signed up at east Carolina.

Brenda Fairfax ([00:57:10](#)):

Good afternoon. I'm Brenda Fairfax. I'm disappointed that Pitt County has been split into two districts. I'm more disappointed that Pitt County is now a part of the Outer Banks. Please tell me, what do we have in common with the Outer Banks?

We know that Pitt County is no longer a part of district 1, which was GK Butterfield, and he spanned from Durham to Elizabeth City. I find it interesting now that GK Butterfield is even cut out of it's own district.

We'd like to be able to select our representatives and not have our representatives select us. Have you even thought about having an independent redistricting committee, which will look at all the facts? I think is so unfair with a 50-50 split North Carolina, that we are seeing Republicans just do their thing with no fear.

Our democracy is in chains and it should not be, so I'd like to speak on HBK-11 for Pitt County. I see where you have also put people in seven and eight, mostly Republicans. Please tell us how was those lines drawn.

Thank you.

Chair ([00:58:54](#)):

Marjorie Stwartch, at Central Piedmont Community College.

Marjorie ([00:59:04](#)):

Hello, I'm Marjorie Stwartch. I live in precinct 85 in Charlotte. North Carolina redistricting criteria prohibits consideration of voters race or election results, but aggregate data by precinct should be considered to ensure accurate representation of voters statewide.

I see that redistricting rules allow consideration of elected member's residents. Are you more concerned with protecting incumbents than fairly reflecting the demographics and partisan preferences of North Carolina residents? The SST-4 state Senate District map received a grade of F from the Princeton gerrymandering project for partisan fairness.

The HBK-11 state house district map also received a grade of F for partisan fairness. Analysis of the GOP drawn maps yield heavy Republican majorities for our congressional and state legislative delegations. Based on North Carolina voter history in the 2020 presidential election, fair maps would have an equal amount of districts leaning democratic and Republican.

Also, there should be more minority majority districts based on our minority population over 31% than the maps proposed now. In 2020, white people were overrepresented in our state legislature with 78% of elected members. The impact of the proposed maps results in unfair representation for North Carolina voters and must be redrawn. The impact is what we all have to live with for 10 years, regardless of the intent or the criteria used.

Also, the primary date should be moved forward to at least May, so candidates and voters are able to understand the new districts and their constituencies.

Please reflect the will of the voters. Thank you.

Chair ([01:01:09](#)):

Harry Taylor, with the League of Women Voters. He's at central Piedmont Community College. You're recognized for up to two minutes.

Harry Taylor ([01:01:34](#)):

I'm Harry Taylor, speaking for myself and the League of Women Voters of Charlotte, Mecklenberg. Today's hearing is offered to comment on maps that have been posted to the website.

Deciphering the various iterations of this maps is complicated, but what you are doing is not. Half the 7 million person [inaudible 01:01:53] in North Carolina doesn't vote the way you do, so to retain power, it's your obvious intent to rig the maps to sequester and lock those votes, mine included-

PART 2 OF 4 ENDS [01:02:04]

Harry Taylor ([01:02:00](#)):

To sequester and lock those votes, mine included, away for the next 10 years. Making them powerless and meaningless. I've lived and voted Mecklenburg County precinct 32, for 34 years in 2020 for the very first time the legislative and congressional candidates, I vote for one best I can tell is the court order redraw resulted in the only fair and legal maps in a decade. Yet, here we go again, posted legislative maps are drawn with squirrly lines and double-bunked incumbents, conspicuously designed to run competent lawmakers out of the legislature. Ostensibly, we live of in a democracy. That's a place where we share and respect the ideas of others. It's a promise. It's a vision. It's a dream where we, the people play a role in the system that governors lives and our futures it's fragile and requires respect for people and their ideas for your colleagues and the legislature.

For the balance of power vision itself, rigging elections is not democracy. We know fair and proportional maps can be drawn. Duke University professor demonstrated how five years ago, example looking at Senate map SCH two, we see a far more fair than SST four. The former is indicative of what believers and democracy would draw. My community of interest is North Carolina, 10 and a half million people strong. This is our state. It's not you. It doesn't belong to your political party and we want a fair and functioning democracy for the next decade. Do not close us out again. Thank you.

Chair ([01:03:45](#)):

Jane Whitley with the Mecklenburg County democratic party, she's at central Piedmont community college. You're recognized for up to two minutes.

Jane Whitley ([01:03:59](#)):

Thank you. My name is Jane Whitley. I am chair of the Mecklenburg County democratic party, and I'm a resident of Charlotte in Mecklenburg County in the Plaza Midwood neighborhood, where I have lived since 1994, just four miles from downtown Charlotte. But I grew up in rural Rowan County in Ellis Crossroads when my brother still resides and he is the chief of the volunteer fire department there. So when I saw the proposed Congressional maps, I was shocked to see that under one configuration Mecklenburg County would be cut up into four pieces with each piece associated with a group of rural counties and surrounding Mecklenburg County, including Rowan. The piece of Mecklenburg County where I've lived for over 25 years would no longer be associated with other areas in the metropolitan area. Where we encounter issues such as traffic and through our taxes, pay for things commonly associated with urban areas, water, sewer, or fire protection.

Rowan County's a great place, but where I grew up, we have volunteer fire departments. Traffic's never an issue, and we don't have that much in common with the area where I live now. So what is going on here? How can this be considered zone of commonality? It appears to be simply a plan to chop up Mecklenburg County so that our votes don't count and our interests are not protected. Furthermore, I see that there is a plan to double [inaudible 01:05:21] Senator Mujtaba Mohammed and my Senator, Senator Joyce Waddell, Senator Waddell lives in a precinct that's just on the border of the new district. So the only conclusion that I can draw is that this is an attempt to eliminate representation of minorities and women in the state Senate. There's also a map that includes changing Senator Natasha

Marcus's district into Iredell County. So it's clear that there's no attempt to draw districts with communities of common interests.

There's no attempt to draw maps with any common sense. This is an attempt to reduce the number of minorities and women in the general assembly. For political purposes, we need better maps that include rather than exclude where our voices count. We can do better. We deserve better. Let's do better. Thank you.

Chair ([01:06:12](#)):

Jo Kloneger at Central Piedmont community college, you're recognized for two minutes.

Speaker 2 ([01:06:23](#)):

Thank you. And thank you for the opportunity to speak to you this afternoon. And thanks to the members I see wearing masks for you're protecting our children and helping to conquer COVID. My name is Jo Kloneger, and I've lived in one of these three towns, Davidson, Cornelius, and Huntersville over the past 25 years. And I'm currently an unaffiliated voter. For over 20 years. I have served children and parents in the Charlotte Mecklenburg schools as a teacher and a school superintendent. Today, I have two asks for you. Number one, I ask you not to gerrymander the maps as presented as it will dilute my vote rather than keeping me in the suburban community in Mecklenburg County, where I live and I call home and where I share issues with my neighbors. Now you are moving me and my vote to a rural district where my vote and my voice will be unnoticed and disregard.

Number two, I ask that you redraw the maps to consolidate communities with similar interests and not dilute the vote of my neighbors in precincts 127 and 206. The proposed maps are in affront to the free elections clause, section 10, and the state constitution. In summary, I plead with you not to gerrymander and for you to follow the state constitution regarding free and fair elections. I thank you for your service. And we all look forward to your using all of our valuable input, demonstrating to us that this hearing was informative, and will inform your changes to the maps because you are our representatives. Thank you.

Chair ([01:08:11](#)):

Marquez Thompson with Democracy NC at East Carolina University, Marquez Thompson, you're recognized for two minutes.

Marquez Thompson ([01:08:32](#)):

Thank you for having me and my apologies as you can see my son here normally he's with his babysitter, who we call grandma, but she was suddenly unavailable and his mom is at work like most people are at 3:00 PM in the evening. I work, as you said at democracy NC so technically I'm at work too, but this is my job. My job is to do this kind of work and you guys are making my job harder these days. My job is to teach people about how this democracy works and that their voice does matter. So it's hard for people to believe that you really care about their voice. When you have hearings in the middle of the day, when you drop maps on Thursday and Friday and have hearings about them on Monday and Tuesday, the next week, when you don't consider race data and the maps that you draw, I can go on and on about the process.

But, let's talk about the maps. There's a house map that I've seen that makes changes to district nine. It actually changes the number to district seven, as far as I can tell. So, that's going to make my job harder and for people to understand what's happening with their maps, post district nine was a very

competitive district. That means that who ever holds that seat has to work for both sides and really work hard for the local people. It means both parties put time and energy into that district and that those votes are important. It gives us power locally. So when you make that a safe seat, you really are taking power away from the local people. There's a Senate map that has County clusters, that run districts from Warren County, all the way to Colorado County. Just imagine a legislator trying and that district trying to fairly represent those people from all...

I mean, just think about the miles you would have to travel. It's really going to be hard. So what do people want in North Carolina is representation. I've talked to a lot of people and I can tell you that a regular democratic voter would rather have a Republican who understands his or her economic values than a Democrat from someplace else who doesn't. A Republican would rather have a Democrat who truly shares their values in a Republican from someplace else that doesn't really represent that. People won representation. When we say of, to, and by people we're talking about other people of us, people that know your values and live them. I believe in this democracy, it's my job to help other people believe in it. It's your job to draw off their maps that the people will justify their beliefs in this democracy. Please do your job. Draw off their maps. Thank you.

Chair ([01:10:51](#)):

Angela Lunking at Central Piedmont community collage, Senate district 37, house district 104, congressional district nine, Angela Lunking.

Angela Lunking ([01:11:13](#)):

Sick. Oh, my name is Angela Lunking and I am a resident of Charlotte. I live in the community of South Charlotte and I echo a lot of my fellow speakers today is when I last spoke, I asked for more time. I second others to say it's well within your power to give us more time for say, February filing or May primary. But given that you've put these maps up, I too had to take time off rearrange my schedule to be able to be here today. I confess that I had trouble even downloading the map. So I can't really speak to them directly. And I'm glad others have, but I would like to speak on this time on behalf of my community, which is South Charlotte. I live in the Stonecroft neighborhood, which is bordered by... It's the triangle sort of trapezoid below Fairview border on one side by Carmel, the other side by Providence, and at the bottom, it's got Pineville Matthews running below it.

And as I know, currently, Mecklenburg County exceeds the number for a district. So there are parts that will not be able to fit in 12 formally my precinct 69 and my community was lumped with congressional district nine. We had very little in common as well. So I echo others that at a minimum, we are a growing urban area with issues of rising density, loss of green spaces, housing issues, and infrastructural things. And we probably have very little with the good folks way far off in say, Robeson, Anson and I hear from the Sandhill area, they kind of wish to have their community represented as well. So I would ask that I continue to be included in communities, some of similar interests with either suburban urban areas, such as even redistricting in say Cabarrus, Union, Stanley configuration, more contiguous, more compact, and more representative of our common issues. Thank you very much.

Chair ([01:13:13](#)):

Joseph McCarthy, GOP. Joseph. Mr. McCarthy. You're recognized for up to two minutes.

Dr. Joseph McCarthy ([01:13:33](#)):



Thank you. I'm Dr. Joseph McCarthy. I live in Governor's Club in the Northern section of Chatham County. I'm a member of the Chatham County, GOP. And my last presidential, the primary vote was for in the Republican primary in Florida, before my wife and I moved to North Carolina. I'm not giving you any statistics or numbers. I am making appeal. I think that gerrymandering is inherently dishonest and anti-democratic. And I would wish that the legislature withdraw legitimate maps, which follow the popular vote in the state. I'm not optimistic you will do it. I'm very sure you won't. You may be forced to by others, but you won't do it on your own. I would ask that sometimes in the future, you institute either a bipartisan or nonpartisan committee to form these districts or else find a nonpartisan or bipartisan with computer algorithm to do the same. I must remind everybody here that democratic majorities can be just as pernicious as Republican majorities. And I think it is in the best interest of this state and the population in the state to do the right thing and do not gerrymander. Thank you.

Chair ([01:15:15](#)):

Sylvia Bjorkmand at East Carolina. You're recognized for two minutes.

Sylvia Bjorkmand ([01:15:30](#)):

Thank you. My name is Sylvia Bjorkmand. I'm in Greenville, North Carolina, and I'm a voter in district nine in Pitt County. And I'm concerned that the proposed redistricting maps will change the makeup of our district from one that has been balanced and bipartisan to one that is very partisan. The maps continue to reflect a history of gerrymandering in North Carolina to achieve certain political outcomes for specific parties, rather than fair representation for all people, while results of recent census will mean that Pitt County will have two, rather than three districts. I support and encourage finding small changes to the existing maps that will continue to maintain the bipartisan nature of our districts rather than the significant changes proposed here. In support of these comments, I wanted to share a couple of thoughts from a news article from the W-R-A-L that was posted yesterday that I think are relevant here.

Politically, North Carolina is a swing state with neither majority party, Republican or Democrat having a large advantage yet the new congressional district maps proposed here will give the Republican party a 13 to three advantage in US house seats by splitting democratic counties into different districts to reduce their political power. The proposed maps will have an overwhelming number of districts in North Carolina that are going to be Republican regardless of how authors play out. This continued gerrymandering for political advantage of a specific party. In this case, the Republican party is happening across North Carolina. It's not fair to voters. It will likely lead to continued court challenges, wasted money, and time away from other issues that could truly help the people of our state and our community. Thank you.

Chair ([01:17:33](#)):

Gil Pagan or I'm sorry, Gil Pegon. And you're recognized for up to two minutes.

Gil Pegon ([01:17:50](#)):

My name is Gil Pegon. I am the director of Hispanos del Sur. That's Hispanics of the South, a conservative grassroots outreach organization working in North Carolina and the Southern states to engage and activate the Hispanic community into the political process for their voices to be heard, [foreign language 01:18:19] for those who know Abia, Espanol, we mobilize Hispanics to push policy initiatives that affect them and their families. The Hispanic population is the fastest-growing minority group in North Carolina and the country from 2010 to 2020, those were census years. We grew 28%



faster in North Carolina than other states across the country. The nationwide growth for Hispanics was 19.6. We grew 28% in North Carolina. 56% of North Carolinians are Hispanics. They were born in the US there are one million banns in North Carolina right now. How is this relevant? When looking at new lines, using community of interest criteria, please look at Cumberland County districts, 42 and 44 Pitt County districts, eight, nine.

The community of interest criteria for you to review in those districts should have a high participation rate of opportunity, scholarships, charter schools, and homeschooling. Then overlay that to employers in manufacturing, food processing, and agricultural businesses. Hispanos del Sul has heard of an organization called All on the Line. A program of Eric Holder's national redistricting committee, who is seeking to use public hearings as a way to assist in future litigation of district maps and training people on what to say in these hearings to move their agenda and not really care about equitable and redistricting lines. Those organizations do not represent us. Hispanos del Sul or Hispanics. We speak for ourselves. Please consider the community of interest criteria when finalizing the new lines. Gracias amigos y amigas.

Chair ([01:20:04](#)):

Thank you, sir. Minerva Freeman at East Carolina, Minerva Freeman. You're recognized for two minutes.

Minerva Freeman ([01:20:27](#)):

Good afternoon. First. I would like to thank you all for coming to hear what the residents have to say. I have sat and I've listened at comments, and I really feel that I don't have anything additional to say. I hope that you would take the information that the people have said, take it back. And again, draw fair maps. I've heard gerrymandering, of course, I've heard pretty much rigging the system. As it is right now we are picking our voters instead of the voters picking our legislator. That is wrong. I represent many organizations in the community and we are all concerned about voting and getting the people to be more informed. I represent the NAACP, the Pitt Greenwood section of the national council for Negro women, Pitt County, Delta Sigma Theta sorority. Democracy North Carolina, Marcus were here a little early. And all we are saying is that we want everybody to have representative government.

That's what we want. I encourage you to take that back, draw fair maps so that everybody will have an opportunity to do what is right. If I could say one other thing, if you would think of this, like a sports game or whatever players work hard, they work hard to play the game. They get out there, they play, they win some, they lose some, they shake hands. Then they go back and they work harder, not rigging the system so that they can win. So I would just encourage you to do that. Thank you.

Chair ([01:22:37](#)):

Ron Osborne, you're recognized for up to two minutes.

Ron Osborne ([01:22:54](#)):

I live on a small farm in Southern Alamance County. I'm a lifelong North Carolinian at one time or another. I've been registered Republican and well as a registered Democrat, I expect my elected representatives to reflect the desires of my neighbors out here, where I live in the country. I generally don't expect to have the same representatives as people in the cities, city dwellers have different interests, other needs, and priorities than where I live. I don't care for those folks to be controlling my voice anymore than I and my neighbors should control the city voices. But urban folks do deserve to be represented as they desire just as country folks do. Most of the proposed congressional Senate and

house maps intentionally failed to respect this. CBK three CMT nine and CST two, which tear up the big cities and parcels their pieces out. And in amongst rural parts, some halfway across the state are outright offensive.

CBA two and CBK five are almost insulting. CST six, CST eight, and CBK four seem to strive for fairness and are tolerable. SST four seems troublesome to me and with HBK 11 districts, 54, 55, 56 here in my backyard have got problems that appear easy to mend. Why group Northeast Randolph with all of Chatham when you could leave it with the rest of Randolph, why stick West Burlington and Elon townspeople with rural elements and likewise lump rurals, Northeast elements with towns along the [inaudible 01:24:25] corridor. We all know why that's done. It's just like when I'm in a car that's across the center line. I think to myself, that driver wants my side of the road, as well as his. Please remember the golden rule. I realize doing the right thing rather than what's personally beneficial is hard. Maybe harder than y'all are up for trying. But if you don't try better than you've shown us so far, some of y'all ought to be ashamed of yourself. Thank you.

Chair ([01:24:51](#)):

David Amess. Folks, folks we respectfully ask not, not to clap or not to react to the comments, David Amess from the Sierra Club.

David Amess ([01:25:03](#)):

Yes, sir. I'm a resident of Greenville been here for some 40 years and active in the Sierra Club. Sierra Club supports the process of redistricting does not support gerrymandering. We feel it's bad for the political process. Results in decisions made in primaries, candidates with more extreme views. And the process becomes hyper polarized and districts are no longer competitive. Example of that is right here in Greenville district nine. This district is boundaries is used in the previous election, resulted in a very strong competitive outcome. Outcome that was different by 2%, between win and lose, just 2% of the vote. It was a hard-fought election. The new proposed map would show that this district would now go completely republican is predicted. How is this done? Well, what has happened is as many black folks as could be identified and democratic votings were placed in the surrounding districts. So that district nine now the decision is going to be made in the primary. We think this is a bad way to do things and would recommend that it not be used as the way of redistricting the County. Thank you.

Chair ([01:26:35](#)):

Jonathan Riley, with Durham, progressive Democrats, Jonathan Riley. He signed up for this auditorium. Christopher Cecorach at central Piedmont Community College, Christopher [inaudible 01:27:05] .

Speaker 3 ([01:27:04](#)):

Christopher [inaudible 01:27:06].

Chair ([01:27:05](#)):

You're recognized.

Speaker 3 ([01:27:07](#)):

Central Piedmont Community College. I am independently representing North Mecklenburg County. My family, well, my wife and I came to this area over 35 years ago when I was brought here by the Duke Power company to help with the relicensing of the McGuire nuclear station, my wife and I built our

home, raised our family in North Mecklenburg. We are intimately involved with this community and to see these redistricting maps, diluting the needs and interests of this area makes no sense at all. Our state representative is Natasha Marcus. She has done a very good job representing this area. The new redistricting map for the S one would dilute that whole situation with a rural population North of us. And this is clearly a gerrymandering effort. The US congressional map also lumping North Mecklenburg, basically a suburban community with the rural populations of Rutherford County. Come on now, Lincoln County. This makes no sense at all. And further, the covert dissemination of these maps buried in folders with obscure deviation abbreviations in the short timeframe in which to comment is outrageous. Clearly, you are not interested in public comment. Thank you.

Chair ([01:28:58](#)):

Jeanie Welch, Democrats of North Mecklenburg. She's a Central Piedmont Community College. You're recognized for up to two minutes.

Jeanie Welch ([01:29:12](#)):

Thank you for this opportunity to speak. I would like to echo the concerns of the other residents of North Mecklenburg County. I live in Cornelius in precinct 240. We are concerned about the attempt to divert Davidson to Iredell County. The three Northern towns of Davidson, Cornelius, and Huntersville are contiguous. Our concerns are common. We are in the same County and in the same County commission district. And so we urge you to respect County lines and keep Davidson with the other towns in North Mecklenburg. I also want to echo a previous speaker about gerrymandering. We have been the national poster child for gerrymandering, and we deserve better than this. Our state is better than this. So I urge you to reconsider SST four and keep Davidson within Mecklenburg County and the contiguous towns. Thank you so much for this opportunity.

Chair ([01:30:33](#)):

Darius Hanton the community warehouse venue he has signed up at central Piedmont community college, Darius Hanton. Darius Hanton. Charles McLawhorn chairman of the Pitt County democratic party at East Carolina. Charles McLawhorn. You're recognized for up to two minutes.

Charles McLawhorn ([01:31:20](#)):

Thank you, Mr. Chairman. The proposed map of house districts in Pitt County is deliberately intended to give advantage to the Republican candidate by the alignment of voters partisan redistricting which is what this is means that the election and continual reelection of one candidate is assured by his or her affiliation with the party. The interest in needs of citizens in the other party can be ignored with impunity. This wasn't fair when the Democrats did it, and it's not fair for the Republicans to do it. Two wrongs don't make a right.

At the root of our political culture in America is the way districts are drawn in Pitt County by packing racial minorities in one district and diluting them in another district, you are deliberately disenfranchising them by using an essential North-south alignment of districts. You are moving Republicans into what has always been district nine in order to Dilute the votes of Democrats in Pitt County at the root of this unfair political outcome is redistricting. The branches are dysfunctional legislative process and meaningless public dialogue. Just like what we're having here today. Lift up your eyes in North Carolina and see the rampant harnessing bickering about-

PART 3 OF 4 ENDS [01:33:04]

Charles McLawhorn ([01:33:00](#)):

Carolina and see the rampant partisan bickering about every issue under the sun. Open your ears to the ugly words spoken about every aspect of public policy by otherwise civilized neighbors, by school teachers and business men and business women and even by pastors in our churches, using words, ugly words that are the product of divisive rhetoric and political conduct in Raleigh. And in Washington, I ask you to rise above politics and listen to the better angels of your nature and reject this nasty plan to carve up pit county for the partisan advantage of one party. If you will resist the urges to do this, we will be the first ones to thank you for it.

Chair ([01:33:50](#)):

Jim Womack, conservative coalition of North Carolina signed up here in the auditorium, Jim Womack. Barbara Dantonio, Wayne County Democratic Women. She signed up at East Carolina University, Barbara Dantonio. You're recognized for up to two minutes.

Barbara Dantonio ([01:34:29](#)):

Okay. I have been told that I don't speak loud enough. So I'll try to do my best. I'm Barbara Dantonio and I am here representing the Wayne County Democratic Women. I'm going to try and make it very easy because a lot of people have got good points that I also had. One is the fact that there were several groups that monitor our redistricting and one said we got an F. That F on fairness means we flunked. So I thought that I would make it real simple for you. Many years ago, 60, in fact, my brother decided he was going to share this bag of Twizzlers. It was his favorite candy, but what he did was he went and we had five members that he was going to share it with. So he gave everybody an equal amount. And then he decided, "Oh no, Barbara doesn't like Twizzlers. I'm giving her one." And then he went through and all the family members got one piece and he got the rest of the bag. He was four years old.

This legislature that's doing these redistricting maps are not four years old. We expect you to be fair. And it's not fair when you get the big bag of candy and we, the opposing party, who's not in office at this time or has a majority is getting these crumbs. So I looked at the Wayne county map and it's showed that one of our legislators, one of our reps, he got a 3-4% advantage, give or take. The other one got a 17. Now why is there such a disparity? So I'm asking you to put the candy back in the bag and take it out and bring it out fairly to all of us. Thank you.

Chair ([01:36:32](#)):

Rebecca Powers at East Carolina University.

Speaker 4 ([01:36:44](#)):

Not present Mr. Chairman.

Chair ([01:36:46](#)):

All right, thank you. Gwendolyn Robinson Green at East Carolina. Do we have Gwendolyn Robinson Green there?

Speaker 4 ([01:37:02](#)):

Not present Mr. Chairman.

Chair ([01:37:08](#)):

Janice Robinson at Central Piedmont Community College.

Janice Robinson ([01:37:19](#)):

Good afternoon. My name is Janice Robinson and I'm chair of precinct 148, which is Valentine in South Charlotte. I am also Secretary of the Mecklenburg county Democratic Party and a member of the African American caucus of the Mecklenburg County Democratic Party. My first question is why in the world are we having this meeting out here at the CPCC campus by the airport? Again? How do you expect working class families who live in Charlotte and may use the public transportation to be here to have their voices heard? Do you not want to hear their voices?

I've only heard of these public hearings, literally two days before they're being held. Once again, their held and an inconvenient time and location during the day with little to no prior notice. I, too, had to take off work to be here. This year's process seems deliberately designed to give the appearance of transparency, but with little to no publicity on dates, on proposed maps and public hearings. It's clear that the committees want to proceed as usual and avoid representing the people. I absolutely demand more time to process these maps and understand how my community precincts and districts are affected. And I, again, advocate for an independent nonpartisan citizens' committee to perform this process.

Chair ([01:39:16](#)):

Sarah Jane Schaffer at Central Piedmont Community College.

Sarah Jane Schaffer ([01:39:22](#)):

My name is Sarah Jane Schaffer. I live in Davidson, North Mecklenburg County. I'm not a native North Carolinian. I've only been here about four years. My first comment is regarding the senatorial map, SST4. That is a major concern. Davidson representation is redrawn to Iredell County. You've crossed the county line and the precinct. That is wrong. My Davidson community is not rural as is most of Iredell County. In fact, when I first moved to North Carolina, I live of in Iredell County for a couple of years and specifically moved to Davidson because I wanted a suburban, urban and diverse community. Becklin Berg and Iredell Counties have different needs, and it makes no sense to connect it to Iredell County unless the purpose is to eliminate the current political voice in Davidson. Frankly, that's all I can conclude from that move.

My second comment is regarding your process. I'm shocked and appalled at the lack of interest in public comment. You're very transparent. You do not want public comment. A commitment to public involvement would be evidenced by hearing dates available on weekends and time for final review of approved maps. It took forever to figure out these maps. Multiple maps are confusing and it makes it very hard for anyone to be involved. Finally, the congressional map that makes sense is CBK4. The other maps split up Charlotte and put it with rural communities and it does not allow for adequate representation of the urban community. Is your purpose to dilute and destroy the voice of the community? And that's what would happen. My comments are consistent with others testifying, and I strongly urge you to link districts with similar issues in community. And on a final note, politicians are interested in demographics and who's their demographic. I am an educated woman that lives in the suburbs, and I am not doing anything with Republicans because of this gerrymandering. You need to fix it. Thank you.

Chair ([01:41:54](#)):

Maurice Holland from the Moore County Democratic Party, you're recognized for up to two minutes.

Maurice Holland ([01:42:02](#)):

Good afternoon. My name is Maurice Holland. I'm a native of Moore County. I'm the chair of the Moore County Democratic Party. I rise to speak in favor of congressional map CBK4 because of the establishment of a Sandhills rooted congressional district. I'm speaking against state Senate map SST4 in that it has extreme districts, especially districts 21 and 22. I am speaking against NC house, a map HBK11 in that Moore county for the first time since World War II will be divided into three districts. Moore County has historically had at least one district that represented the majority of Moore County. HB11 will split us between district 57, 59, and district 60. District 59 will only contain... Moore County will make up 49% of that district. Richmond County will make up 50.81%. District 60 will run us into Randolph County and district 57 will run us into Lee County, and it will be confusing for Moore County residents as to which district they live in. Thank you for your time.

Chair ([01:43:43](#)):

Sandra Deegan, you're recognized for up to two minutes.

Dr. Deegan ([01:44:00](#)):

My name is Dr. Sandra Jean Carolina Deegan. I'm a native born North Carolinian. I currently reside in Chatham County. As a Chatamite, I'm going to speak briefly to proposed house district 56 for the state house on proposed map HBK11. We Chatamites are of one mind about this issue. So my remarks would echo those of several previous speakers and I'll be brief about that. HD56 would join Chatham with three Randolph County precincts as part of a new four county grouping. Addition of the third of these Randolph precincts, namely Providence precinct, is going to adverse the effect Chatham County residents in several ways. It'll create a population imbalance in the districts of the county grouping. It ignores the accelerated current and projected population growth of Chatham county. It would result in the dilution of representational power for Chatham as ever growing numbers of Chatamites would be represented by only one member of the North Carolina state house.

As proposed, it is a clear example of partisan gerrymandering. So the answer is very simple, keep Randolph precincts liberty and staley in this new proposed district and remove Providence. With regards to the proposed North Carolina redistricting maps, they clearly reflect partisan gerrymandering, which violates the fundamental principle of one person. One vote of equal power. This is fundamental to our democracy. The redistricting process has been rushed and has been far from transparent. We can do better than this in North Carolina. I would also add extremely briefly that I affirm other speakers who have asked for translators and materials in other foreign languages, which reflect our changing demographics, so that we can include all of our residents in that process, regardless of the language they speak. Thank you all very much.

Chair ([01:45:59](#)):

Mate Sands indivisible NC9 at Central Piedmont Community College, Mate Sands. (silence) Janice Parker, Janice Parker, you're recognized for up to two minutes.

Janice Parker ([01:46:42](#)):

Good afternoon. My name is Janice Parker. I live in Chatham County in district 56, and I have many of the same concerns that have been addressed by other residents of Chatham County. We're concerned

about the proposed redistricting map HBK11, which would join three precincts in Randolph County to Chatham County to form a new district. The proposed district is not good practice. The addition of three precincts from Randolph County, Stacy, Liberty, and Providence, at a time when Chatham County is experiencing explosive growth would create a district that is over the desired population size for an electoral district.

The addition is not necessary. Providence precinct, which is the farthest away from Chatham County, could be joined to less densely populated areas in the county grouping. In addition, the proposed change would dilute the democratic vote in the new district. Chatham is more urban, democratic and diverse than the precincts proposed for addition. The new configuration creates a presumption of political gerrymandering. Racial gerrymandering, which have cost North Carolina untold thousands of dollars in litigation, depressed voter engagement as people feel that their votes are useless. This undermines foundational values of our country. So I request that you keep Chatham County whole, but do not join Providence precinct to district 56. It's not contiguous to Chatham County and as an agricultural area, it has different priorities. Thank you for the opportunity to comment.

Chair ([01:48:49](#)):

CN Jasmine, with Black Voters Matter at East Carolina University, CN Jasmine.

Speaker 4 ([01:49:06](#)):

Not present, Mr. Chairman.

Chair ([01:49:12](#)):

Mari Curry, at East Carolina.

Speaker 4 ([01:49:19](#)):

Not present, Mr. Chairman.

Chair ([01:49:25](#)):

Mary Jane Conti at Central Piedmont Community College.

Mary Jane Conti ([01:49:36](#)):

My name is Mary Jane Conti. I'm speaking today as both a citizen and a democratic precinct chair in Charlotte Mecklenburg County. Thank you for scheduling public hearings so that North Carolinians can provide their comments regarding the drawing of congressional and state maps. However, given that there are over 2 million registered voters in North Carolina, two days of hearings that only allow around 200 people to speak is not so efficient. And as others have stated, 3:00 PM hearings are not convenient for most working people. For the past two years, I have resided in state Senate district 40 in house district 99. Both of these districts include the town of Mint Hill, which is where members of my 55 plus community shop bank and support the various businesses in town. The proposed HBK11 and SST4 would move my voting precinct 201 out of both of those districts, and we would no longer be included with Mint Hill.

Since we consider Mint Hill our community of interest, I implore you to keep precinct 201 with the other Mint Hill area precincts. Prior to moving to my current neighborhood, I lived in Northern Mecklenburg County near Huntersville where we frequently went to Cornelius and Davidson to patronize the various businesses and restaurants. On map SCH2, you have grouped four Cornelius and



Davidson precincts with Iredell county instead of Mecklenburg County. Please leave precincts 206, 208, 240 and 242 in the same house on Senate districts as the rest of Northern Mecklenburg County. As these are cohesive and similar precincts and should not be grouped with the more rural Iredell county.

Regarding the proposed Congress congressional district maps, three of these maps split Mecklenburg County into three or four districts resulting in multiple precincts being divided. In the case of CBK3, it divides six precincts, including my precinct 201. Dividing up precincts is a very bad idea and creates unnecessary challenges for both citizens and a representatives. Please consider maps such as CBK4 and CBK5 that only split Mecklenburg County into two congressional districts and only divide one precinct. Thank you.

Chair ([01:51:44](#)):

Barbara Gladhorn at East Carolina, Barbara Gladhorn.

Dr. Deegan ([01:51:55](#)):

One moment, Mr. Chairman.

Barbara Gladhorn ([01:52:10](#)):

Good afternoon. Thank you for giving me this opportunity to speak with you. My name is Barbara Gladhorn, and I'm a resident of Pitt County. I'm pleased to have this opportunity to address you concerning an issue about which I care deeply, and I think all those people who have spoken prior to me today have shown their concern. I have this concern for myself, but also for my country as a whole. We are entitled people in that we are guaranteed the right to vote by the Constitution of the United States and that of the state of North Carolina. One person, one vote, but we are also entitled not only to cast a ballot, but to have that vote count. That is why this redistricting process is so vital to each and every one of us.

It is with that background that I'm asking that these maps, now in the process of being redrawn, be fair to all and not be designed to benefit a single party or to secure an incumbent reelection. The current maps presented to us clearly packs democratic and black voters into Representative Smith's district eight here in Pitt County, and is an attempt to dismantle district nine, currently held by Representative Farkas. In statement, after statement and earlier hearings, citizens of Pitt County ask that municipalities not be split. Winterville specifically asked that it not be split, yet the map does just this. And it makes me think that even though you've asked for feedback, input before you drew the maps, you really are not listening. Listening.

Chair ([01:54:18](#)):

James Davis. Is James Davis in the auditorium? I believe he's outside. Mr. Sars or Norms, can you see if James Davis is in the hallway?

(silence)

Mr. Davis, you're recognized whenever you're ready, for a period of up to two minutes.

James Davis ([01:55:03](#)):

Give me one minute.

Chair ([01:55:04](#)):



Yes, sir. Your time won't start until you start talking. Thank

James Davis ([01:55:08](#)):

Thank you.

(silence) Okay, good afternoon, all. My name is James Davis. My friends call me Jim. I'm a retired sheriff of Hoke County North Carolina. I'm here today to represent the ninth congressional district of the North Carolina Democratic Party. I served at the chair of that party. I'm here today to express my concerns regarding the entire North Carolina redistricting process.

While I want to advocate for total transparency and fairness in the redistricting process, I would like to advocate for transparency and fairness. I would also like to best specifically discuss Hoke County and the North Carolina Sandhills regions. Over the past 10 years, we in Hoke County have enjoyed and retained a county cluster relationship with Cumberland County, senatorial representative, and Scotland County in our legislative representative. Many of our colleagues today have talked about the Sandhills region. I'm here to advocate for a Sandhills district being created for a congressional district, as in the map that was created for CBK4. Thank you for hearing us today, and like many of the speakers before me please, hear our plea regarding fair and equitable maps. Thank you very much.

Chair ([01:57:35](#)):

Thank you, sir. Okay, members that is all of the members of the public who have signed up to speak. The chair's going to go back through those folks who signed up, but who were not present when I called their names out. So starting back from the beginning of the list, Lanisha Wittington, is Lanisha Wittington here in the auditorium? Miko McCarthy at Central Piedmont Community College, Miko McCarthy. Sherry Pickett, is Sherry Pickett here in the auditorium? Jonathan Riley, is Jonathan Riley here in the auditorium? Darius Hinton at Central Piedmont Community College, Darius Hinton. Jim Womack here in the auditorium. Is Jim Womack in the auditorium? Rebecca Powers, East Carolina University, Rebecca Powers. Gwendolyn Robinson Green at East Carolina, Gwendolyn Robinson Green. Mate Sands, Central Piedmont Community College, Mate Sands. CN Jasmine, East Carolina, CN Jasmine. Mari Curry, East Carolina, Mari Curry. Members, we have exhausted the committee's list, and they're being no further business before the committee, the committee is now adjourned.

PART 4 OF 4 ENDS [02:00:29]

Chairman ([00:03](#)):

Joint committee on redistricting, Tuesday, October 26th, 2021, 5:30 PM, room 643. Committee will come to order. Chair, as always, wants to thank our sergeant-at-arms for the great work that they do. We're going to go ahead and get into our list. Each member who signed up will have up to two minutes to speak to the committee. The first member of the public to sign up is [Chiek Tia 00:00:45].

Speaker 2 ([00:48](#)):

Raise your hand, [inaudible 00:00:49].

Chairman ([00:49](#)):

If you will raise your hand if you hear your name called, so that the tech folks can find you and bring you up in the screen. Do we have Chiek Tia? All right, you're recognized for up to two minutes.

Tia Chiek ([01:04](#)):

Can everyone hear me?

Chairman ([01:12](#)):

We can hear you.

Tia Chiek ([01:16](#)):

Okay, how y'all doing? I'm sorry I didn't raise my hand, I was busy doing something. My name is Tia Chiek, and I live in Stanford in Lee County, North Carolina. The reason why I speak on this today is because gerrymandering has been a big problem in our society right now when it comes to voting and issues and stuff, and it's so important for us to know that it is really best to make our maps for people that has a right to vote, because the gerrymandering affects everybody, no matter what race, color, or party affiliation or whatever. If we make better maps for all of us, then it would work out for the best and it would help solve our issues.

It's really best for us to draw the maps in the right way instead of the wrong way, because democracy is an American way of voting, right? It's really best for us to understand that everybody has a right to vote, and the founding fathers created democracy so we can vote and our voice is heard when it comes to our issues. Our issues just ain't going to go away with just not voting, we have to vote in an ethical way. If you can redraw the map the right way [inaudible 00:03:01], and democracy would have a better place in our country. Thank you very much.

Chairman ([03:07](#)):

Thank you, ma'am. [Roberta Waddell 00:03:09], please raise your hand so we can bring you up on the screen.

Roberta Waddell ([03:22](#)):

Good evening. My name is Roberta Waddell, I live in rural Cumberland County, I am a former Cumberland County democratic party chair, but I am speaking for myself. Regarding congressional redistricting, counties should not be split unless absolutely necessary. When I was county party chair from 2006 to 2009, Cumberland County was divided into three districts. Being in three districts is confusing for officials, candidates, and particularly voters. Voters did not know about the divisions,

didn't know who their representatives were. This was discouraging to people who wanted to vote, but had trouble figuring out who would be on their ballot.

Regarding the congressional maps that have been drafted, I prefer map CSK-5 or CST-6. The districts are compact, Cumberland County is whole, there is a Sand Hill center, the districts appear balanced, and several are competitive. Regarding the North Carolina house and senate, it looks like to me it's back to cracking and packing voters. Neither the house or the senate map represents my idea of a fair map. Particularly regarding North Carolina senate 21 as drawn in SST-4, it encompasses Cumberland and Moore County, it's a ridiculous district.

Its commonality may be that it is rural, but it will be impossible for a senator to properly represent it. The district is over 75 miles from one end to the other, and the connection between the two is mostly on two-lane roads. Neither Beaverdam in Cumberland County nor the [High Falls 00:05:20] community in Moore County will ever see their senator. Senate district 22 packs the minority community, that's the other district in Cumberland County, these districts should be redrawn. Thank you.

Chairman ([05:37](#)):

[Retrina Campbell 00:05:37], please raise your hand. She's with Common Calls NC

Retrina Campbell ([05:49](#)):

Hello?

Chairman ([05:50](#)):

You're recognized for two minutes.

Retrina Campbell ([05:53](#)):

All right. Hello, my name's Retrina Campbell, I am with Common Calls NC and I'm also a resident of Charlotte, and I have been here for 18 years since attending Johnson C. Smith University. We have asked the committee to keep communities of interest together, asked for transparency in the map drawing process, and having additional public hearings throughout the state after the maps are drawn. Unfortunately, this process still continues to not be the most transparent, and confusing. The legislator has the option of two county groupings for the senate map, option two would have kept Hertford, Bertie, and Martin Counties together, creating a district with substantial black population.

Instead, the committee went with option one, which separates these counties and the black population. The current proposed senate map can result in the loss of two of the three black senators for the northeastern part of the state. Congressional map CMT-9, CBK-3, CST-2 and CBA-2 could cause there not to be any black representation or any other minority representation, in a state that has 40% minority population that continues to grow, and has grown according to the recent census. The map drawing process is live streamed, but you can't always hear or see who's drawing the maps.

During these two late public hearings, only allowed 210 North Carolinians to participate and comment, for a state that has a population of over 10 million. The congressional and senate map came out last Tuesday, and the house map came out last Friday, and then the public hearings are yesterday and today, just followed quickly after, not giving North Carolinians the opportunity to view or analyze senate maps that would be for their community, and how it could affect their community. With that, maps still continue to come out even during this public hearing.

The state senate map SST-4, for one, was finished on October 14th, but was not put on the website for the public until a week later. This process has caused confusion and is leading to misrepresentation for the citizens of North Carolina, and has compromised them the power to vote for representation who will fight for our issues throughout the state. Thank you.

Chairman ([08:01](#)):

[Tessa Pindley 00:08:01], do we have Tessa Pindley?

Tessa Pindley ([08:10](#)):

I'm here.

Chairman ([08:11](#)):

You're recognized for two minutes.

Tessa Pindley ([08:14](#)):

My name is Tessa Pindley, I live in Greensboro, and I'm in my eighth year as an educator with Guilford County. As someone who is committed to both defending and transforming North Carolina's public schools, I am acutely aware of the impact that gerrymandered districts have on my profession. Approximately 60% of the funding for our state's public schools comes from the general assembly, and when decisions about this funding are made by individuals who, counter to the will of the majority of North Carolinians, actively seek to undermine, under-resource, and ultimately privatize this public good, we all lose.

Furthermore, the boldness with which certain legislators have repeatedly and shamelessly manipulated our maps in order to grab and maintain power at the expense of my students and our communities is a national embarrassment. Rather than focusing on fully funding our public schools so that we can meet our constitutional obligation to the future of our state, leadership in the general assembly seems hell-bent on denying democracy, opting to literally choose voters rather than allowing the people of our state to have an actual voice in a free and fair election.

I say all of this not because I anticipate that it will really make any of you, that are guilty of these transgressions, reconsider your impact on our democracy, but rather to make it clear that we see you. We see you only offering two virtual sessions for public comment in a state of 11 million people. We recognize the violence of your intention. We live with the impact of your malicious disregard for our collective dignity, and we suffer because of your casual cruelty. Let the record show we refuse to do so silently.

Chairman ([10:13](#)):

Brenda Fairfax.

Brenda Fairfax ([10:19](#)):

Greetings, I'm Brenda Fairfax and I live here in Pitt County. There's no doubt that our democracy is in chains. We'd like to be able to select our representative instead of our representative selecting us. A prime example: [GK Butterfields 00:10:42] area spanned from Durham to Elizabeth City, now he and his house has been moved out of his district, Pitt County has been split into two districts. This isn't fair. One of the districts spans out to the Outer Banks. We don't have anything in common with the Outer Banks.

The way these maps are drawn, you have totally eliminated someone that looks like me and other minorities from voting.

This is not fair. The republicans have drawn these maps to make sure that minorities are not being heard. One more thing, we know about people who plan to vote, who plan to run for office, and they buy these one or little two-bedroom homes to establish residency in these states, just to say that we've lived there for a year before the election; this is not fair. We need to draw maps since North Carolina is a 50/50 state, and make sure that all residents are represented, including me, an African-American lady, as well as other minorities.

Chairman ([12:01](#)):

[Elizabeth Traxler 00:12:01], Elizabeth Traxler. Chair is informed that Ms. Traxler is not on the Zoom meeting. [Kathleen Barnes 00:12:15], from the Transylvania NAACP.

Elizabeth Traxler ([12:20](#)):

I'm here.

Chairman ([12:30](#)):

Ms. Barnes, you're recognized for two minutes.

Elizabeth Traxler ([12:36](#)):

Thank you. Thanks to the committee for opening a very limited virtual hearing on this important subject. My name is Kathleen Barnes, I live in Brevard, and I represent the Transylvania NAACP. I am still puzzled on the purpose of this so-called "public comment", since we are still without any real idea of what we're commenting on. As far as I can tell, there are at least five proposed maps for congressional districts, and living in the western part of the state in what was the old 11th district and may or may not be the new 14th district, I'm puzzled.

There is a weird little worm going into Watauga in version CS-2, CMT-9, and CBK-3; why? This is far from congruent or compact. Of course, I don't have access to all the political and racial demographics, but those who do have access estimate that 11 of the 14 congressional seats will go to republicans. That seems a little odd, well, really odd considering that the political divide in North Carolina is almost even. The courts have strongly weighed in on past gerrymandering efforts, and it appears we are about to embark on the entire legal exercise once more; why?

As we get closer and closer to filing deadlines, limiting the time for public comment and legal action, it's becoming clear that those in power will maintain their grip on that power despite the best interests of their constituents. We know both parties in North Carolina have historically engaged in political and racial gerrymandering. We now live in a state of hyper-partisanship, we have wasted taxpayer money defending indefensible gerrymandering. Why not just do it right for once and for all? Thank you.

Chairman ([14:25](#)):

[Claudia Koonz 00:14:25], you're recognized for two minutes. Claudia Koonz.

Speaker 2 ([14:41](#)):

She's here and unmuted.

Chairman ([14:56](#)):

Ms. Koonz, can you hear us? [inaudible 00:15:03] Chair is informed that Ms. Koonz is on the phone with the help desk, and so Ms. Koonz, we'll come back to you. [Jake Gellergode 00:15:17].

Jake Gellergode ([15:26](#)):

Hi, good evening.

Chairman ([15:27](#)):

You're recognized for two minutes.

Jake Gellergode ([15:30](#)):

Thank you. Hi everybody, I'm speaking as a Winston-Salemite, and I'm speaking against any map that would split our city apart, specifically I'm speaking against the proposed map that would put half of Winston-Salem together with half of Rocky Mount out east. These are two fine cities, but putting half of two cities together doesn't make sense for a population balance reason, nor does putting two cities together from different sides of the state make sense in terms of creating communities of interest, especially when the other half of Winston-Salem would be put in a district in the mountains which includes the western border of the state with Tennessee.

It's unreasonable to claim Winston as a part of the Tennessee border and as a part of the eastern section of the state. I do wish, given that this proposal to split Winston-Salem is being considered in at least one of the maps, that there had been a hearing within driving distance of my city. The closest one I could find was over 80 miles away, which is why I'm having to speak virtually tonight, and I feel lucky that my schedule worked out for one of these virtual hearings.

Generally speaking, I do want to say whatever criteria was used, these maps at the congressional and state level appear that they will have the effect of unfairly diminishing the power of voters of color. I don't think that's okay according to the Voting Rights Act, and I don't think that's okay morally either. That's really what I wanted to come here and say this evening, and have on the record. Thank you.

Chairman ([17:06](#)):

[Yoshi Newman 00:17:06], chair is informed that we don't have Yoshi Newman. [Charles York 00:17:21].

Charles York ([17:20](#)):

Good evening. Hi, my name's Charles York, I am from High Point in Guilford County, thank you for holding this hearing and taking public comments. I wanted to share my concerns about three of the member submitted maps that will divide the piedmont triad into three different districts, specifically CBK-2, CMT-9 and CST-2. These three maps all draw a district in northwestern North Carolina that snakes down into Guilford County to pick up population and clearly crack democratic voters. In all of these maps, Virginia Fox's little sliver of Watauga County just for one voting precinct has been added to a district spanning from Ashe all the way into Guilford.

This clear political plot to protect Fox and remove Representative Manning's triad district is at the expense of people like me in the triad and our proper representation in the US House. I understand that incumbent protection is of legitimate interest, but it should not trump preserving communities of interest such as the triad. No one in my community should be represented by someone that lives in

Watauga County. It's a lovely place, but we have different cultural, social, and economic interests than the beautiful mountain communities that Representative Fox already represents.

I just want to see someone that represents me that lives in the triad, I don't care if it's a democrat or a republican, just someone that lives at the same elevation as me, uses the same airport, that understands furniture market. There's no reason to chop up the triad, please try and keep my community, the triad, together. Thank you.

Chairman ([19:15](#)):

[Elerio Estevez 00:19:15], with the Chatham Caucus.

Elerio Estevez ([19:23](#)):

Hello? [crosstalk 00:19:24]

Chairman ([19:23](#)):

You're recognized for two minutes.

Elerio Estevez ([19:26](#)):

Good evening. My name is Elerio Estevez, I'm a resident of Chatham County, a proud immigrant, and a proud American. I've come to you to express my strong disappointment with the redistricting plan represented before us. I was born in a developing country where democracy had been co-opted by corrupt officials, who manipulated the elections to keep themselves in power, and cynically presented itself to the world as true defenders of democracy. I'm afraid I'm seeing something quite similar now.

When I came to this beautiful country, I felt excited because the United States was the cradle of modern democracy, was a beacon on the hill and a role model for the entire globe. However, today our country and our state don't look like that way anymore, since a group of leaders from a particular party wants to perpetuate themselves in power without any shame, without any sense of morality. This process would reduce and ultimately may lead to silencing opposing views, to the silencing of minorities like my Latino community, like the community of my African-American sisters and brothers, among others.

It truly upsets me to see the amoral actions of many in the general assembly. I know that most likely the worst feelings and the statements expressed yesterday and today opposing this maneuver will not sway the hearts and minds of those in charge of this mockery. It's painful and tragic to see how someone preferred to lead our country and state to darkness than to relinquish power. Our country deserves better, our state deserves better, we deserve better. Goodnight.

Chairman ([21:16](#)):

[Paige Anderholm 00:21:16], from the Campus Vote Project, Paige Anderholm, you're recognized for two minutes.

Paige Anderholm ([21:28](#)):

Thank you. My name is Paige Anderholm, I am a graduate of Appalachian State University, and I have called Watauga County home for eight years. I am also a redistricting fellow with Campus Vote Project. I am grateful for this opportunity to speak directly to the committee, as I have emailed my state representatives, and my questions and concerns have gone unaddressed. There are three points I want



to make tonight. The first point is rather fundamental: the maps proposed on NCGA website provide little insight on how these districts will cut communities at street level, but this is not the first time this process has been constructed to be inaccessible to the general public.

Working to exclude public input at any and all parts of redistricting is inherently anti-democratic, and the continued exclusions have been noted by constituents across the state. My second point is, in a state that has had a near 50/50 party split in presidential elections over the last 20 years, one would expect a near even divide in districts that are safe or likely for both parties. However, that assumes the redistricting process is truly representative of the populous. I support Senator Clark's map, CBK-4 and CBK-5, that divide the districts evenly in an effort to make fairness a reality.

Thirdly, I'm concerned about the splitting of various communities of interest. As a resident of Watauga County, I'm concerned about the three maps submitted by the senate redistricting committee, CMT-9, CBK-3, and CST-2, that would split Watauga County. Similarly, Representative Hall's map, CBK-11, splits the community of Boone, and that is unacceptable. As a redistricting fellow with Campus Vote Project, I am here to ask that you bring together college campuses in an effort to ensure that the almost 250,000 students enrolled in the UNC system have full representation as they deserve, and as they directly contribute to a thriving North Carolina.

I thank you for listening to me this evening, and I hope at the end of this process that you as the representatives of North Carolinians will be able to honestly say these maps were drawn with communities in mind, and not your political careers. Thank you.

Chairman ([23:32](#)):

[Anne Tourak 00:23:32].

Anne Tourak ([23:34](#)):

Yes.

Chairman ([23:36](#)):

You're recognized for up to two minutes.

Anne Tourak ([23:39](#)):

Thank you. My name is Anne Tourak, I'm a registered voter and I live in Southern Pines in Moore County. I'm trying to follow this legislative map drawing, I'm sure the process is complicated and hard, but it's so important that it's done fairly and right. I've looked at the map HBK-11 of the NC house districts, and this won't work in Moore County, as Moore County is divided up three ways. I've read the criteria published by the joint commission, and it says that counties should not be divided if at all possible, so I want to see more counties whole.

I've seen several proposed US congressional maps, the one that I've seen that seemed best for Moore County, CST-6, CBK-5 or CBK-4, while it's a fact that the counties near Moore County are included in the district. When personally when we shop or go to the theater, we might drive to Fayetteville, which is in Cumberland County. I've been to Sand Hills Community College, they have a branch in Hope County. Now these counties are a short drive from Moore County, so I'd like to see the district compact. Some of the proposed maps in our district run all the way to Mecklenburg County, that's similar to what it is now, and it's very awkward, it doesn't represent us truly.

If the district is compact, hopefully we will know our legislators, and they will be responsive to our needs and requests. Thanks for the opportunity to speak virtually today. I live in a retirement



community, and with people getting COVID still, where driving a long way and meeting in person, sitting close to other people is still worrisome to me, so thank you for the opportunity. I do hope the legislative maps will be drawn fairly. I really do not want to see expensive lawsuits as we've had in the past, I want to be proud of the redistricting in North Carolina. Thank you.

Chairman ([26:07](#)):

Thank you, ma'am. Amy Spears, AOTL. Chair is informed that Amy Spears is not on the call. [George McGinn 00:26:22], you're recognized for up to two minutes.

George McGinn ([26:28](#)):

Thank you. My name is George McGinn, my wife and I have been residents of Durham City since 1996. Thank you for this opportunity to comment on the redistricting maps. My comments are about US House of Representatives map CBK-4. I didn't realize there were so many maps out there. We have always registered to vote as unaffiliated, looking to vote at all levels for the candidate we think will represent us best. I like the clustering of counties into compact areas which should have many common needs. They should also allow our US House members to focus on the needs of that area, and be accountable to the people who reside in that area.

Many of our services are supplied at the town, county, or city level, safety, libraries, I could go on, so I feel an extension of that is to have each county having a clear voice in congress. This translates, in my mind, into having as few counties as possible represented by multiple congressional members. Some splitting is inevitable, but it should be kept to a minimum. For CBK-4, this leads me to just one suggestion, and it relates to district 13. This district includes two counties, but it also splits or has parts of four counties. It is the only district within that map that fragments so many counties.

Perhaps there's some way to make this district more compact at the county level, by some minor adjustments. I would agree with the comments that Roberta Waddell made, about compact and county representation, and a heart to having good maps. Thank you for your time.

Chairman ([28:31](#)):

[Beth Bronson 00:28:31], Ms. Bronson, you're recognized for up to two minutes.

Beth Bronson ([28:40](#)):

Thank you for your time this evening. My name is Beth Bronson, I'm a lifelong North Carolinian, and more recently a global observer who, like many of the commenters before, have been awaiting this process of redrawing the maps. They've previously been determined unconstitutional, and I would like to point out in general that trying to find information on the state and local level is never easy to find, regardless of how transparent the intention is. Given the census delays, I would recommend that these maps stop being considered, because the full information is not out. With more population data coming out in December, the actual data coming out projected for December 2021, I think that they're using evaluation estimates and not actual, so are not going to be representative of these redrawn maps.

The cracking of large counties in an effort to maintain power will simultaneously [inaudible 00:29:46] becoming very apparent. Just locating all of these different maps and trying to understand based on where I'm from versus where some of these commenters are from, it has been an extremely long process that should involve the public, and it obviously has not, despite best intended efforts. The house map that I was able to find was most recently released on October 22nd, the HBK-11. CBK-3 is the

other map that was released on October 18th, both of those maps seem to be the prevailing maps for both state and committee.

Holding both of the hearings before the data of redistricting was even available in September, for the sake of transparency, I would not consider it genuine effort. I would agree that self-selection does contribute to awkward district lines, however this is not a reason for the committee to avoid making a concerted effort to balance that out. I think a larger conversation needs to be had with that, and while I do not have well-prepared comments of some of these previous speakers, I think it is important to realize that regular citizens are watching and regular citizens do have a voice, and deserve to have a voice.

Chairman ([31:10](#)):

Thank you, ma'am.

Beth Bronson ([31:10](#)):

Mm-hmm (affirmative). So the bipartisan committee can be-

Chairman ([31:16](#)):

[Sohenny Sengupta 00:31:16]. Chair is informed that Sohenny Sengupta is not on the call. [Valerie Restreppo 00:31:26]. Chair is informed that Valerie Restreppo is not on the call. [Adams Didi 00:31:37]. Chair is informed that Adams Didi is not on the call. [Catherine Anne Walsh 00:31:54], Ms. Walsh, you're recognized for a period of up to two minutes.

Catherine Anne Walsh ([32:01](#)):

Thank you. I am a resident of Asheville in Buncombe County here in North Carolina. I'm asking the district maps be drawn to ensure the voters can choose their leaders fairly. Politicians should not be able to cherry-pick their voters to get the election outcomes they desire. North Carolina legislators have pledged to not use race or partisan data to draw the maps, yet several of the publicly released congressional maps, for example, split Charlotte, where the largest concentration African-American North Carolinians live into three or four house districts.

This dilutes the pull of citizens who have a community of interest from being in one district, into three or four districts. The US Constitution guarantees equal protection under the law. If you weaken voters' power based on race, you may again, as was done a decade ago, be violating the US Constitution's guarantee. The districts need to comprise a plurality of voters with similar sets of interest and concerns, so that they can elect their preferred candidates and be represented fairly. I am asking that you please consider that in drawing these maps. Thank you.

Chairman ([33:36](#)):

Chair has the name Forza Horizon listed on here, and chair is informed by the IT folks they believe that's not a real person who has signed up, but is anyone named Forza Horizon on the call? Chair is informed that they are not here. [Victoria Kobell 00:33:57], Ms. Kobell, you're recognized for up to two minutes.

Victoria Kobell ([34:06](#)):

Good evening. Thank you for the opportunity to address the redistricting committees this evening. My name is Victoria Kobell, I am a mother of two young children, a graduate student at UNCG, and a Guilford County resident. I am speaking to you tonight about the impact the proposed maps have on my

home in Greensboro. I have reviewed all of the proposed maps by the house and senate redistricting committees, and I must ask, where exactly is Greensboro on these maps? Our city and our county, according to these renderings, is unrecognizable.

Greensboro is the third-largest city in the state, as you all know. It's a purple county, and some of these proposed maps as it stands have been quite obviously and deliberately cut into sections to subvert the will of the people that live here, and create unfair partisan advantage that disenfranchises the voters in this area. Specifically, maps CMT-9, CS-2, CBK-3, SST-4, HBK-11 are so grossly gerrymandered that it has incensed me, a very busy mother of two children under four, to take time away from my graduate studies and my household demands to address you this evening.

What these maps are trying to do is circumvent my voting power, and those that may also vote against the GOP. It's blatant, it's deliberate, it's undemocratic, and it's unethical, and I am not the only one who finds these proposed maps by the NCGOP preposterous. The Princeton Gerrymandering Project has given those maps a grade F, and states that it provides a significant partisan and republican advantage. My question to you all this evening is, why should NC residents have to settle for anything less than a grade A rating for partisan fairness?

Several maps have been drawn by other members who have been given A ratings, so why would those maps not be chosen? And why would we willingly accept a grade A map when grade A maps are readily available? What you're trying to sell us today is that our current map, that was mandated by the North Carolina court with an eight-five republican advantage, is so unfair that current districts need to be cut up yet again to provide a 10-to-four or 11-to-three advantage to republicans, to somehow make it more fair?

You all know that this is wrong. You were told directly by the North Carolina courts just two years ago, and yet here we are again in 2021.

Chairman ([36:37](#)):

Thank you, ma'am. Thank you.

Victoria Kobell ([36:39](#)):

I implore you to turn away from [inaudible 00:36:40] of cheating, and to give us the grade A map that we all deserve.

Chairman ([36:44](#)):

Thank you for your comments. Pam Jones. Chair is informed that Pam Jones is not with us on the call. [Bridget Tarrent 00:36:56], Ms. Tarrent, you are recognized for a period of up to two minutes.

Bridget Tarrent ([37:03](#)):

Hi, my name is Bridget Tarrent, and I'm in New Hanover County. Thank you for holding these virtual hearings so I'm able to attend. I know we're supposed to be talking about legislative maps tonight, just talking about the senate map that has been drawn which has split up Wilmington and New Hanover County, and I realize it's based on population, but it would be nice if you took district six and included Wilmington Airport with the main part of Wilmington, and then district seven would be divided north of the Wilmington Bypass. This seems to make sense when you look at the maps, then for the house map HBK-11, where New Hanover County is split into three districts.

It's very confusing for people who live in New Hanover County. One of the suggestions that seems to make more sense is that if you took district 21, 22, and changed them so that one of the

districts, possibly district 21, would keep the coastal towns all together, and then district 22 would include the remainder of Wilmington that's not included in district 15, so hopefully you got all that. Then since I was unable to come to the virtual hearing last night when you were talking about congressional maps, because I work and I worked late and was unable to get on the call, I was asking for the congressional maps that you include the seven counties that our regional medical center provides services to.

The way you have the different maps split up does not really make any sense. The ones that are closest to [inaudible 00:38:44] including the seven counties that New Hanover Regional Medical Center/[inaudible 00:38:50] covers are CBK-4 and CBK-5. These counties are New Hanover County, Pender, Brunswick, Columbus, Onslow, Duplin, and Bladen, and I realize Onslow County to many people the whole county, but CBK-4 and CBK-5 include a large portion of Onslow County, and it just makes sense to keep all those counties together, since they're served by-

Chairman ([39:18](#)):

Thank you, ma'am.

Bridget Tarrent ([39:19](#)):

[crosstalk 00:39:19] Medical Center. Okay, thank you.

Chairman ([39:22](#)):

[Christopher Laiken 00:39:22]. Chair is informed that Christopher Laiken is not on the call. [Stephanie Hare 00:39:31], NC Democrats.

Stephanie Hare ([39:36](#)):

Hello, I'm here.

Chairman ([39:37](#)):

You're recognized for two minutes.

Stephanie Hare ([39:40](#)):

My name is Stephanie Hare, and I was born in North Carolina and live currently in Chatham County. I'm asking you to please keep Chatham County whole, as proposed, but do not combine Randolph County's province precinct with us. Apparently, this proposed new combination is unbalanced in relation to the rest of the state. Chatham is growing very quickly, and this proposal to include Randolph County's province precinct makes that new district too large. This proposal dilutes the impact of the Chatham County voter, and smacks of partisan gerrymandering.

This story is repeating itself here, this body is not operating [crosstalk 00:40:30], but rather is focused on their own partisan power. It is shameful and it's going to result in more lawsuits, more taxpayer money blown down the drain because of your legislative irresponsibility. It is shameful that you do not represent your state fairly. Thank you for your time.

Chairman ([40:58](#)):

[Harold Eustache 00:40:58] with the Forsyth County Republican Party.

Harold Eustache ([41:03](#)):

Thank you. My name's Harold Eustache, I live in Forsyth County in Winston-Salem, I am the president of the trial lawyers in Winston-Salem and vice-chair of the Forsyth County Republican Party. I think one of the things that we recognize here in Forsyth County is the task that you guys have as a committee to draw these maps, it's a gargantuan task, it's a tough task, so thank you for doing that. What we've seen come out of the case law is that the courts have essentially asked our legislature to do three things: not take race into account, not take political parties into account, and to try to keep communities of interest and counties whole.

I think when we look at a lot of the maps that have been proposed, that's been attempted. I've heard a lot about, "Well, North Carolina is a 50/50 state," that's not the way to really look at this. The way to look at this is, North Carolina has 100 counties, and 80-ish of them are red counties, and so what's happened in North Carolina and a lot of what's happened in the United States is that people are living next to people that they agree with in a political sense. This challenge that the North Carolina state legislature has is to draw these maps when we have 80 counties that are potentially red, and so on and so forth.

That's part of what's driving this. When we look at the maps themselves, I think that Representative [Dustin Hall 00:42:39] and the whole committee has tried to do as good a job as possible under the circumstances. What we've had in North Carolina prior to 2010 was 100 years of democrat rule in the North Carolina legislature, 100. Now, how did that happen? That happened because the democratic party gerrymandered the maps for a century, and in 2010, republicans won on those very maps that democrats wrote.

Of course, in the last 11 years it's been litigation after litigation because fairness is only true when it seems the democratic party is in power, but that's not the standard. The standard is that the party in power is able to draw these maps, and the state legislature via the North Carolina constitution is given the authority to draw these maps. I think given the provisions by the case law, they've done a fine job, so thank you to the committee for that.

Chairman ([43:38](#)):

Thank you, sir. All right members, we're going to get back to Claudia Koonz, who was having some technical difficulties earlier. Do we have Ms. Koonz now? If so, you're recognized for two minutes.

Claudia Koonz ([43:47](#)):

Okay, can you hear me?

Chairman ([43:48](#)):

We can hear you.

Claudia Koonz ([43:51](#)):

My name is Claudia Koonz, and I've lived in Orange County for 30 years. I'm very happy to say we like our county, all of the county is in one district, and so I appreciate living here, no worms. But as a resident of the state, I appreciate the one person, one vote principle. North Carolina stands out as one of the two or three most gerrymandered states in the union, and when the news media wants an example, they take an election where the democrats won by a hair but only ended up with [15 00:44:27] out of 13 seats. This is so egregious, we're the poster state for gerrymandering.

As a resident of the triangle, I'd like to comment on the congressional maps, I couldn't be here yesterday. I object to maps CS-2 in southern Wake, and thanks to our growing population, our state received a 14th congressional district. Locating that new district in counties where population is shrinking smacks of corruption. The new 14th district should include Wake County intact, move Jones and Onslow with their coastal interests to districts one and four respectively, the expanded Johnston would then be intact with district three. I support this change because it groups together voters within our rapidly urbanizing triangle, with concerns that differentiate us from other rural areas.

I conclude again with, as a resident of North Carolina, in 2010 mathematicians didn't have the formula to be able to evaluate gerrymandering and redistricting, so I object now to the rush to redistricting without an analysis by not only the Princeton Institute, but the second of the nation's most respected nonpartisan team of mathematicians, it's the quantifying gerrymandering team at Duke University. How much cheaper would it be to pay them a small fee, and maybe they would do nothing? To get us fair maps, save ourselves the court expenses, we need their expertise.

I'd like us to get a grade A. North Carolina already ranks so low on the [inaudible 00:46:11] charts nationwide, I think it's time to fight back against our reputation for gerrymandering, have an A-plus right now, always consult the experts. Thank you for your time.

Chairman ([46:26](#)):

Thank you. Okay members, that's the entire list. The chair is going to run back through the no-shows just to see if anybody has shown up, and there are several of them. Yoshi Newman, do we have Yoshi Newman? The chair is told we do not. Amy Spears, do we have Amy Spears? We don't have Amy Spears. Sohenny Sengupta, we do not have Sohenny Sengupta. Valerie Restreppo, we don't have Valerie Restreppo. Adams Didi, we don't have Adams Didi. Forza Horizon, which again we feel like is probably not a real person, but do we have them anyway? We don't. Pam Jones, Pam Jones is not present. Christopher Laiken, Christopher Laiken is not present.

Members, that being the end of our list and there being no further business before the committee, the committee is now adjourned.

## **2016 Contingent Congressional Plan Committee Adopted Criteria**

### Equal Population

The Committee will use the 2010 federal decennial census data as the sole basis of population for the establishment of districts in the 2016 Contingent Congressional Plan. The number of persons in each congressional district shall be as nearly as equal as practicable, as determined under the most recent federal decennial census.

### Contiguity

Congressional districts shall be comprised of contiguous territory. Contiguity by water is sufficient.

### Political data

The only data other than population data to be used to construct congressional districts shall be election results in statewide contests since January 1, 2008, not including the last two presidential contests. Data identifying the race of individuals or voters shall not be used in the construction or consideration of districts in the 2016 Contingent Congressional Plan. Voting districts (“VTDs”) should be split only when necessary to comply with the zero deviation population requirements set forth above in order to ensure the integrity of political data.

### Partisan Advantage

The partisan makeup of the congressional delegation under the enacted plan is 10 Republicans and 3 Democrats. The Committee shall make reasonable efforts to construct districts in the 2016 Contingent Congressional Plan to maintain the current partisan makeup of North Carolina’s congressional delegation.

### Twelfth District

The current General Assembly inherited the configuration of the Twelfth District from past General Assemblies. This configuration was retained because the district had already been heavily litigated over the past two decades and ultimately approved by the courts. The Harris court has criticized the shape of the Twelfth

District citing its “serpentine” nature. In light of this, the Committee shall construct districts in the 2016 Contingent Congressional Plan that eliminate the current configuration of the Twelfth District.

### Compactness

In light of the Harris court’s criticism of the compactness of the First and Twelfth Districts, the Committee shall make reasonable efforts to construct districts in the 2016 Contingent Congressional Plan that improve the compactness of the current districts and keep more counties and VTDs whole as compared to the current enacted plan. Division of counties shall only be made for reasons of equalizing population, consideration of incumbency and political impact. Reasonable efforts shall be made not to divide a county into more than two districts.

### Incumbency

Candidates for Congress are not required by law to reside in a district they seek to represent. However, reasonable efforts shall be made to ensure that incumbent members of Congress are not paired with another incumbent in one of the new districts constructed in the 2016 Contingent Congressional Plan.



NORTH CAROLINA GENERAL ASSEMBLY  
JOINT COMMITTEE ON REDISTRICTING

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TRANSCRIPT OF THE PROCEEDINGS

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In Raleigh, North Carolina  
Tuesday, February 16, 2016  
Reported by Carol M. Smith

Worley Reporting  
P.O. Box 99169  
Raleigh, NC 27624  
919-870-8070

<p style="text-align: right;">2</p> <p>1 SEN. RUCHO: Let's come to order for a 2 few moments. Would everybody please take their 3 seats? We're going to have about a 10- or 15- 4 minute break to get some papers printed up and 5 ready to go as a part of our agenda, but what we 6 will do first is identify the Sergeant-at-Arms that 7 are here today. We've got -- for the House side, 8 we've got Reggie Sills, Marvin Lee, David Layden 9 and Terry McCraw, and then we've got our Senate 10 Sergeant-at-Arms Jim Hamilton, Ed Kesler and Hal 11 Roach. These folks help us make this meeting 12 organized and run efficiently, and we wouldn't be 13 able to do a good job without them. 14 I appreciate everybody yesterday coming 15 out and helping us accomplish our public hearing. 16 We had a lot of good thoughts and advice, and I 17 hope that you've taken some time to read the public 18 comments that came over the Internet so that we can 19 be able to talk about the subject matter on an 20 intelligent level. 21 Representative Lewis and I want to again 22 remark about the fact that the staff has done a 23 remarkable job for us in putting together 24 yesterday's public hearing and this meeting, and 25 the IT folks were miracle workers in trying to</p>	<p style="text-align: right;">4</p> <p>1 SEN. MCKISSICK: Here. 2 CLERK: Senator Smith? 3 SEN. SMITH: Here. 4 CLERK: Senator Smith-Ingram? 5 SEN. SMITH-INGRAM: Present. 6 CLERK: Senator Wells? 7 SEN. WELLS: Here. 8 CLERK: Senator Blue? 9 SEN. BLUE: Here. 10 CLERK: Senator Ford? 11 (No response.) 12 CLERK: Senator Ford? 13 (No response.) 14 CLERK: Senator Wade? 15 (No response.) 16 CLERK: Senator Barefoot? 17 SEN. BAREFOOT: Here. 18 CLERK: Senator Randleman? 19 SEN. RANDLEMAN: Here. 20 CLERK: Senator Jackson? 21 SEN. JACKSON: Here. 22 CLERK: Representative Lewis? 23 REP. LEWIS: Here. 24 CLERK: Representative Jones? 25 REP. JONES: Here.</p>
<p style="text-align: right;">3</p> <p>1 coordinate six sites plus Raleigh to do a good job 2 and allow us to be able to reach out across the 3 state with this public hearing that is -- that was 4 yesterday, and it was successful, and we're 5 thrilled that they could do such a good job for us. 6 All right, the first point -- and I'm 7 going to have Mr. Verbiest, our clerk, do a roll 8 call, and would you just, as your name is 9 mentioned, please recognize it, or if we hear 10 quiet, we know you're not here. 11 CLERK: Senator Sanderson? 12 SEN. SANDERSON: Present. 13 CLERK: Senator Brown? 14 SEN. BROWN: Here. 15 CLERK: Senator Apodaca? 16 (No response.) 17 CLERK: Senator Clark? 18 SEN. CLARK: Present. 19 CLERK: Senator Harrington? 20 SEN. HARRINGTON: Here. 21 CLERK: Senator Hise? 22 SEN. HISE: Here. 23 CLERK: Senator Lee? 24 SEN. LEE: Here. 25 CLERK: Senator McKissick?</p>	<p style="text-align: right;">5</p> <p>1 CLERK: Representative Hager? 2 REP. HAGER: Here. 3 CLERK: Representative Stevens? 4 REP. STEVENS: Here. 5 CLERK: Representative Hurley? 6 REP. HURLEY: (No response.) 7 CLERK: Representative Stam? 8 REP. STAM: Here. 9 CLERK: Representative Jordan? 10 REP. JORDAN: Here. 11 CLERK: Representative Johnson? 12 REP. JOHNSON: Here. 13 CLERK: Representative Brawley? 14 REP. BRAWLEY: Present. 15 CLERK: Representative Hardister? 16 REP. HARDISTER: Here. 17 CLERK: Representative Davis? 18 REP. DAVIS: Here. 19 CLERK: Representative McGrady? 20 REP. MCGRADY: Here. 21 CLERK: Representative Michaux? 22 REP. MICHAUX: Here. 23 CLERK: Representative Cotham? 24 REP. COTHAM: Here. 25 CLERK: Representative Hanes?</p>

<p style="text-align: right;">6</p> <p>1 REP. HANES: Here.</p> <p>2 CLERK: Representative Moore?</p> <p>3 REP. MOORE: Here.</p> <p>4 CLERK: Representative Farmer-</p> <p>5 Butterfield?</p> <p>6 REP. FARMER-BUTTERFIELD: Here.</p> <p>7 CLERK: Representative Dixon?</p> <p>8 (No response.)</p> <p>9 CLERK: Representative Hurley?</p> <p>10 REP. HURLEY: Right here.</p> <p>11 CLERK: Thank you.</p> <p>12 SEN. RUCHO: And I think my name was</p> <p>13 omitted, so I might just mention the fact that I'm</p> <p>14 here today --</p> <p>15 CLERK: Yes. Sorry.</p> <p>16 SEN. RUCHO: -- despite a long day</p> <p>17 yesterday. All right.</p> <p>18 We've got some work to do today. We've</p> <p>19 got just about 15 minutes, and may I ask you to</p> <p>20 just stay at ease for about 15 minutes, and then we</p> <p>21 will begin the meeting and have a full agenda</p> <p>22 before us.</p> <p>23 Representative Lewis, do you have any</p> <p>24 other thoughts or comments you'd like to share?</p> <p>25 REP. LEWIS: No.</p>	<p style="text-align: right;">8</p> <p>1 so under the circumstances, we are taking a</p> <p>2 precaution, and we anticipate some reaction from</p> <p>3 the Supreme Court on the motion for stay which will</p> <p>4 allow the election to continue forward, and then</p> <p>5 allow the court case to continue on its normal</p> <p>6 course, which would be, in my judgment, a better</p> <p>7 way to go, since the election has already been</p> <p>8 started, and we don't want to disenfranchise the</p> <p>9 voters in any manner.</p> <p>10 That being said, we are going to begin</p> <p>11 our agenda. Representative Lewis, would you have</p> <p>12 any comments at this time?</p> <p>13 REP. LEWIS: No, sir.</p> <p>14 SEN. RUCHO: No? Okay. Then we're going</p> <p>15 to go on to the second, which is discussion of the</p> <p>16 criteria of the 2016 Contingent Congressional Maps,</p> <p>17 and what these are, are criteria as to how these</p> <p>18 maps should be drawn to try to meet the</p> <p>19 requirements imposed by the Court and also remain</p> <p>20 within the legal limits of the law. Representative</p> <p>21 Lewis?</p> <p>22 REP. LEWIS: Mr. Chairman, ladies and</p> <p>23 gentlemen of the Joint Select Committee on</p> <p>24 Congressional Redistricting and members of the</p> <p>25 public, I too would like to offer a brief</p>
<p style="text-align: right;">7</p> <p>1 SEN. RUCHO: Okay. Then just at ease for</p> <p>2 about 10 to 15 minutes. Thank you.</p> <p>3 (DISCUSSION OFF RECORD)</p> <p>4 SEN. RUCHO: Spend a few minutes taking a</p> <p>5 look at that, and see from its beginning on through</p> <p>6 the latest maps what has transpired. I think it</p> <p>7 would be very educational. Thank you.</p> <p>8 (RECESS, 10:14 - 10:23 A.M.)</p> <p>9 SEN. RUCHO: All right, let's call this</p> <p>10 Joint Select Committee on Redistricting back into</p> <p>11 order. You have a copy of the agenda before you,</p> <p>12 and there's just one correction on the agenda. On</p> <p>13 the right quadrant, under Senate, it had Harry</p> <p>14 Warren. It should be Senator Harry Brown, so fix</p> <p>15 that. Okay.</p> <p>16 Well, yesterday we had a chance to have a</p> <p>17 public hearing, and I think each of you knows that</p> <p>18 the General Assembly, based on the Harris case,</p> <p>19 there was an opinion given by the three-judge</p> <p>20 panel, and we are responding to that. We still</p> <p>21 believe that the maps that are presently enacted</p> <p>22 are fair, legal, and constitutional, as has been</p> <p>23 validated by five different bodies, including the</p> <p>24 Justice Department, including a three-judge panel,</p> <p>25 including the Supreme Court on three occasions, and</p>	<p style="text-align: right;">9</p> <p>1 historical perspective on what brings us here</p> <p>2 today.</p> <p>3 In 2011, after the release of the Census,</p> <p>4 this General Assembly set out to create fair and</p> <p>5 legal Congressional districts. In doing so, the</p> <p>6 2011 process included an unprecedented number of</p> <p>7 public hearings, 36 scheduled before the release of</p> <p>8 the maps, 7 after the release of our original</p> <p>9 proposed districts, 10 dedicated to receiving</p> <p>10 public comment on the release of the entire plan,</p> <p>11 and an additional 10 after the release of our</p> <p>12 respective proposals for the legislative districts.</p> <p>13 Additionally, we provided easy public</p> <p>14 access for public comment via the North Carolina</p> <p>15 General Assembly Web site, and invited additional</p> <p>16 written comments through both e-mail and the US</p> <p>17 Postal Service. Senator Rucho and I thank the</p> <p>18 thousands of citizens who exercised their right to</p> <p>19 offer comments at that set of public hearings or</p> <p>20 submit written comments. All of those comments</p> <p>21 were reviewed by the chairs and preserved as a</p> <p>22 permanent record of citizen input on this important</p> <p>23 task.</p> <p>24 We also took back then the unprecedented</p> <p>25 step of providing the leadership of the minority</p>

<p style="text-align: right;">10</p> <p>1 parties in the House and the Senate and the 2 Legislative Black Caucus specialized computer 3 hardware and software in their respective offices, 4 along with staff support which was available to all 5 members. The 2011 General Assembly did ultimately 6 adopt redistricting plans, as I recall, largely 7 along party lines, as unfortunately, so many items 8 here are decided.</p> <p>9 For purposes of my discussion today, I 10 will refer to the 2011 plans as the enacted plans. 11 The enacted congressional redistricting plan of 12 2011 was first precleared by the United States 13 Department of Justice, as was required by Section 5 14 of the Voting Rights Act. The enacted 15 Congressional redistricting plan was then 16 challenged in state courts through what is known as 17 the Dixon versus Rucho case. The plan was affirmed 18 by a three-judge panel and by the North Carolina 19 Supreme Court.</p> <p>20 The enacted Congressional redistricting 21 plan has been used to elect members of the US House 22 of Representatives in 2012 and 2014, and has also 23 seen citizens file for election in each of the 13 24 districts this year. Further, voting has begun, 25 and we are informed by the State Board of Elections</p>	<p style="text-align: right;">12</p> <p>1 70 speakers participating. There were also more 2 than 80 comments submitted online.</p> <p>3 The chairs thank all the citizens who 4 participated yesterday. The chair reminds the 5 members that the written comments have been placed 6 on the General Assembly's Web site, and a link e- 7 mailed to each of your e-mail accounts.</p> <p>8 Mr. Chairman, at your direction, I would 9 like to submit to the committee a series of 10 proposals to establish criteria for the drawing of 11 the 2016 contingent Congressional map.</p> <p>12 SEN. RUCHO: Yes, sir, Chairman Lewis. 13 You can begin and go through the rotation as -- as 14 you planned.</p> <p>15 REP. LEWIS: Mr. Chairman, I'd like staff 16 to distribute the 2016 Congressional -- pardon 17 me -- the 2016 contingent Congressional plan 18 proposed criteria, beginning with "Equal 19 Population," to the members.</p> <p>20 SEN. RUCHO: Sergeant-at-Arms will be 21 passing this out, and we're going to take our time, 22 read it thoroughly, and then -- so Representative 23 Lewis will explain it, and then we'll debate each 24 of them as we move forward. (Pause.) 25 Has everyone received a copy of the first</p>
<p style="text-align: right;">11</p> <p>1 that more than 16,000 citizens have already 2 requested to vote by mail.</p> <p>3 Unfortunately, the enacted plan was 4 challenged again in what is known as the Harris 5 versus McCrory case. In that decision, in which we 6 respectfully disagree with the three-judge panel, 7 it was found that the 1st Congressional District 8 and the 12th Congressional District are racial 9 gerrymanders, and they ordered new maps be drawn by 10 February 19th, and that the election for US House 11 not be held under the current maps.</p> <p>12 While, as Chairman Rucho said, we are 13 confident that a stay of this decision, which 14 interrupts an election already in progress, will be 15 granted, and that the enacted map will ultimately 16 be upheld on appeal, we are required to begin the 17 process of drawing a 2016 contingent Congressional 18 map. I reiterate that while the 2011 plan was 19 dictated by the Cromartie and Strickland decisions 20 of the US Supreme Court, we will move forward to 21 establish a plan based on the Harris opinion.</p> <p>22 The process -- this process began with 23 the appointment of this joint select committee, and 24 continued yesterday with the public hearings held 25 in six locations across the state, with more than</p>	<p style="text-align: right;">13</p> <p>1 one? They're not in any order as far as priorities 2 or anything. They're just going to be set forward.</p> <p>3 VARIOUS COMMITTEE MEMBERS: No, no.</p> <p>4 SEN. RUCHO: Okay. Hang on. This first 5 one is called "Equal Population." (Pause.)</p> <p>6 All right, does everyone have a copy 7 that -- now, let's be clear. Ladies and gentlemen 8 in the audience, the members of the committee will 9 be participating within this meeting. I know we 10 have a number of members that have come here with 11 interest, and we're delighted to have them, and 12 recognize that every member that is here can submit 13 a reimbursement form, but the people that are on 14 the committee will be the ones participating in 15 today's business activity of this committee 16 meeting.</p> <p>17 All right, Representative Lewis, first 18 one.</p> <p>19 REP. LEWIS: Mr. Chairman, as I explain 20 this one, I would request that the Sergeant-at-Arms 21 go ahead and distribute the second one, which is 22 entitled "Contiguity."</p> <p>23 Mr. Chairman, the first criteria that I 24 would urge the committee to adopt is that each 25 district should be of equal population. This is</p>

<p style="text-align: right;">14</p> <p>1 pretty self-explanatory. This is in line with one 2 person, one vote. It simply says, as members can 3 read, that the number of persons in each 4 Congressional district shall be as near equal as 5 practicable, as determined under the most recent 6 Census, which of course would be the 2010 Census. 7 Mr. Chairman, I move adoption of this criteria. 8 REP. STEVENS: Are you waiting for a 9 second? 10 SEN. RUCHO: I've got a motion from 11 Representative Lewis to move forward with this 12 adoption of this first equal -- equal population. 13 Representative Stevens, thank you. We've got a 14 second. Discussion, ladies and gentlemen? 15 (No response.) 16 SEN. RUCHO: All right, I see none. All 17 in favor of the adoption of the equal population -- 18 yes. I'll go back. We're going to go ahead and 19 we're going to do roll-call vote on this. And so 20 I'm saying we're going to have a roll call from the 21 clerk on the equal population. Please identify -- 22 or just say "Aye" or "Nay," please. Mr. Verbiest? 23 CLERK: Senator Rucho? 24 SEN. RUCHO: Aye. 25 CLERK: Chairman Lewis?</p>	<p style="text-align: right;">16</p> <p>1 CLERK: Representative Jordan? 2 REP. JORDAN: Aye. 3 CLERK: Representative McGrady? 4 REP. MCGRADY: Aye. 5 CLERK: Representative Michaux? 6 REP. MICHAUX: No. 7 CLERK: Representative Moore? 8 REP. MOORE: Aye. 9 CLERK: Representative Stam? 10 REP. STAM: Aye. 11 CLERK: Representative Stevens? 12 REP. STEVENS: Aye. 13 CLERK: Representative Dixon? 14 (No response.) 15 SEN. RUCHO: You do have Senator Apodaca 16 is here now? 17 CLERK: Yes, I do. 18 SEN. RUCHO: Okay. 19 CLERK: Senator Apodaca? 20 SEN. APODACA: Aye. 21 CLERK: Senator Barefoot? 22 SEN. BAREFOOT: Aye. 23 CLERK: Senator Blue? 24 SEN. BLUE: Aye. 25 CLERK: Senator Brown?</p>
<p style="text-align: right;">15</p> <p>1 REP. LEWIS: Aye. 2 CLERK: Representative Jones? 3 REP. JONES: Aye. 4 CLERK: Representative Brawley? 5 REP. BRAWLEY: Aye. 6 CLERK: Representative Cotham? 7 REP. COTHAM: Aye. 8 CLERK: Representative Davis? 9 REP. DAVIS: Aye. 10 CLERK: Representative Farmer- 11 Butterfield? 12 REP. FARMER-BUTTERFIELD: Aye. 13 CLERK: Representative Hager? 14 REP. HAGER: Aye. 15 SEN. RUCHO: Please speak up, please. 16 CLERK: Representative Hanes? 17 REP. HANES: Aye. 18 CLERK: Representative Hardister? 19 REP. HARDISTER: Aye. 20 CLERK: Representative Hurley? 21 REP. HURLEY: Aye. 22 CLERK: Representative Jackson? 23 REP. JACKSON: Aye. 24 CLERK: Representative Johnson? 25 REP. JOHNSON: Aye.</p>	<p style="text-align: right;">17</p> <p>1 SEN. BROWN: Aye. 2 CLERK: Senator Clark? 3 SEN. CLARK: Aye. 4 CLERK: Senator Ford? 5 (No response.) 6 CLERK: Senator Harrington? 7 SEN. HARRINGTON: Aye. 8 CLERK: Senator Hise? 9 SEN. HISE: Aye. 10 CLERK: Senator Jackson? 11 SEN. JACKSON: Aye. 12 CLERK: Senator Lee? 13 SEN. LEE: Aye. 14 CLERK: Senator McKissick? 15 SEN. MCKISSICK: Aye. 16 CLERK: Senator Randleman? 17 SEN. RANDLEMAN: Aye. 18 CLERK: Senator Sanderson? 19 SEN. SANDERSON: Aye. 20 CLERK: Senator Smith? 21 SEN. SMITH: Aye. 22 CLERK: Senator Smith-Ingram? 23 SEN. SMITH-INGRAM: Aye. 24 CLERK: Senator Wade? 25 (No response.)</p>

<p style="text-align: right;">18</p> <p>1 CLERK: Senator Wells?</p> <p>2 SEN. WELLS: Aye.</p> <p>3 CLERK: Only one nay.</p> <p>4 SEN. RUCHO: Okay. Ladies and gentlemen,</p> <p>5 we had the roll vote, and there was just one</p> <p>6 negative, so the first criteria establishing equal</p> <p>7 population has passed. All right. Representative</p> <p>8 Lewis?</p> <p>9 REP. LEWIS: Thank you, Mr. Chairman.</p> <p>10 Mr. Chairman, the next criteria I propose the</p> <p>11 committee adopt -- adopt is "Contiguity." This</p> <p>12 simply says that --</p> <p>13 REP. STEVENS: Mr. Chairman, we don't</p> <p>14 have copies of it yet.</p> <p>15 SEN. RUCHO: I'm sorry? Please repeat</p> <p>16 that again. You don't have the second?</p> <p>17 REP. STEVENS: I do not have a copy, and</p> <p>18 perhaps I'm sitting a little out of the way.</p> <p>19 SEN. RUCHO: Okay. Sergeant-at-Arms,</p> <p>20 would someone please get the contiguity criteria?</p> <p>21 REP. LEWIS: Mr. Chairman, if it pleases</p> <p>22 the Chair, I would respectfully request that -- the</p> <p>23 next criteria I intend to offer is "Political</p> <p>24 Data." If that could be distributed to the</p> <p>25 committee, perhaps to save a little time?</p>	<p style="text-align: right;">20</p> <p>1 REP. LEWIS: Senator Blue, thank you for</p> <p>2 that question. Let me be clear that it does not,</p> <p>3 and I would be opposed to any form of single-point</p> <p>4 contiguity has been ruled as not a legal form of</p> <p>5 mapmaking in the past.</p> <p>6 SEN. RUCHO: Follow-up?</p> <p>7 SEN. BLUE: Does it contemplate any</p> <p>8 minimal distance on the water that is used to</p> <p>9 determine that geographically, areas are</p> <p>10 contiguous?</p> <p>11 REP. LEWIS: Senator Blue, I don't</p> <p>12 believe it contemplates the Atlantic Ocean, but, I</p> <p>13 mean, as you know, sir, we have beautiful sounds in</p> <p>14 our state that that is a community, and so the</p> <p>15 water -- I can't give you an exact -- an exact</p> <p>16 definition of how much water is too much water.</p> <p>17 SEN. BLUE: Last point.</p> <p>18 SEN. RUCHO: Follow-up?</p> <p>19 SEN. BLUE: Does it contemplate the point</p> <p>20 in the Cape Fear River in one of your counties</p> <p>21 that's currently used as a basis for connecting</p> <p>22 geographically parts of the 4th Congressional</p> <p>23 District?</p> <p>24 REP. LEWIS: Senator Blue, I appreciate</p> <p>25 that inquiry. I would -- I would point out that</p>
<p style="text-align: right;">19</p> <p>1 SEN. RUCHO: Okay, that's fine.</p> <p>2 Sergeant-at-Arms, would you please distribute the</p> <p>3 third criteria, which is "Political Data"?</p> <p>4 Representative Lewis, would you want staff to read</p> <p>5 this, the specifics as they're presented, or do you</p> <p>6 prefer to do it yourself?</p> <p>7 REP. LEWIS: Mr. Chairman, are you trying</p> <p>8 to imply I can't say "contiguity"?</p> <p>9 (Laughter.)</p> <p>10 SEN. RUCHO: That is a mouthful. I agree</p> <p>11 with you. All right. We have before us -- would</p> <p>12 you please read this first -- or the second,</p> <p>13 "Contiguity"?</p> <p>14 MS. CHURCHILL: "Contiguity:</p> <p>15 Congressional districts shall be comprised of</p> <p>16 contiguous territory. Contiguity by water is</p> <p>17 sufficient."</p> <p>18 SEN. RUCHO: Representative Lewis?</p> <p>19 REP. LEWIS: Members, this is a standard</p> <p>20 redistricting practice, and I would move the</p> <p>21 adoption of the criteria by the committee.</p> <p>22 SEN. RUCHO: All right. Senator Blue?</p> <p>23 SEN. BLUE: Question of Representative</p> <p>24 Lewis: Does this contemplate single-point</p> <p>25 contiguity in water?</p>	<p style="text-align: right;">21</p> <p>1 there is an island there, so there is actually land</p> <p>2 in the middle of the Cape Fear, that exact point</p> <p>3 that you're referring to, but I would have to say</p> <p>4 that I do not believe that that is the intent of</p> <p>5 this.</p> <p>6 SEN. RUCHO: Senator Smith, did you have</p> <p>7 a question?</p> <p>8 SEN. SMITH: No.</p> <p>9 SEN. RUCHO: Oh, okay. Any additional</p> <p>10 questions or comments on the contiguity criteria?</p> <p>11 (No response.)</p> <p>12 SEN. RUCHO: Seeing none, all right, Mr.</p> <p>13 Verbiest, would you do roll call again?</p> <p>14 CLERK: Representative Lewis?</p> <p>15 REP. LEWIS: Aye.</p> <p>16 CLERK: Representative Jones?</p> <p>17 REP. JONES: Aye.</p> <p>18 CLERK: Representative Brawley?</p> <p>19 REP. BRAWLEY: Aye.</p> <p>20 CLERK: Representative Cotham?</p> <p>21 REP. COTHAM: Aye.</p> <p>22 CLERK: Representative Davis?</p> <p>23 REP. DAVIS: Aye.</p> <p>24 CLERK: Representative Farmer-</p> <p>25 Butterfield?</p>

<p style="text-align: right;">22</p> <p>1 REP. FARMER-BUTTERFIELD: Aye. 2 CLERK: Representative Hager? 3 REP. HAGER: Aye. 4 CLERK: Representative Hanes? 5 REP. HANES: Aye. 6 CLERK: Representative Hardister? 7 REP. HARDISTER: Aye. 8 CLERK: Representative Hurley? 9 REP. HURLEY: Aye. 10 CLERK: Representative Jackson? 11 REP. JACKSON: Aye. 12 CLERK: Representative Johnson? 13 REP. JOHNSON: Aye. 14 CLERK: Representative Jordan? 15 REP. JORDAN: Aye. 16 CLERK: Representative McGrady? 17 REP. MCGRADY: Aye. 18 CLERK: Representative Michaux? 19 REP. MICHAUX: Aye. 20 CLERK: Representative Moore? 21 REP. MOORE: Aye. 22 CLERK: Representative Stam? 23 REP. STAM: Aye. 24 CLERK: Representative Stevens? 25 REP. STEVENS: Aye.</p>	<p style="text-align: right;">24</p> <p>1 CLERK: Senator Sanderson? 2 SEN. SANDERSON: Aye. 3 CLERK: Senator Smith? 4 SEN. SMITH: Aye. 5 CLERK: Senator Smith-Ingram? 6 SEN. SMITH-INGRAM: Aye. 7 CLERK: Senator Waddell? 8 (No response.) 9 CLERK: Senator Wade? 10 (No response.) 11 CLERK: Senator Wells? 12 SEN. WELLS: Aye. 13 SEN. RUCHO: Any against? 14 CLERK: Unanimous. 15 SEN. RUCHO: All right, members of the 16 committee, the criterion on contiguity passed 17 unanimously and was adopted unanimously. All 18 right. 19 REP. LEWIS: Mr. Chairman, I'd like to -- 20 SEN. RUCHO: Mr. Lewis, you've got 21 "Political Data" before you, and you would like the 22 next criteria sent out to the members? 23 REP. LEWIS: Mr. Chairman, if we could, 24 let's do "Political Data," and then we'll move on 25 to the next one. Let's not distribute --</p>
<p style="text-align: right;">23</p> <p>1 CLERK: Senator Rucho? 2 SEN. RUCHO: Aye. 3 CLERK: Senator Apodaca? 4 SEN. APODACA: Aye. 5 CLERK: Senator Barefoot? 6 SEN. BAREFOOT: Aye. 7 CLERK: Senator Blue? 8 SEN. BLUE: Aye. 9 CLERK: Senator Brown? 10 SEN. BROWN: Aye. 11 CLERK: Senator Clark? 12 SEN. CLARK: Aye. 13 CLERK: Senator Harrington? 14 SEN. HARRINGTON: Aye. 15 CLERK: Senator Hise? 16 SEN. HISE: Aye. 17 CLERK: Senator Jackson? 18 SEN. JACKSON: Aye. 19 CLERK: Senator Lee? 20 SEN. LEE: Aye. 21 CLERK: Senator McKissick? 22 SEN. MCKISSICK: Aye. 23 CLERK: Senator Sandleman? Senator 24 Randleman? I'm sorry. 25 SEN. RANDLEMAN: Aye.</p>	<p style="text-align: right;">25</p> <p>1 SEN. RUCHO: All right. So you want to 2 just take care of that. Would -- Ms. Churchill, 3 would you read the one on political data, please? 4 MS. CHURCHILL: "Political Data: The 5 only data other than population data to be used to 6 construct Congressional districts shall be election 7 results in statewide contests since 2008, not 8 including the last two Presidential contests. Data 9 identifying the race of individuals or voters shall 10 not be used in the construction or consideration of 11 districts in the 2016 contingent Congressional 12 plan. Voting districts, referred to as VTDs, 13 should be split only when necessary to comply with 14 the zero deviation population requirements set 15 forth above in order to ensure the integrity of 16 political data." 17 SEN. RUCHO: All right. Representative 18 Lewis, that is before the committee. 19 REP. LEWIS: Mr. Chairman, I -- 20 SEN. RUCHO: Let him explain it, please. 21 REP. LEWIS: I believe it explains 22 itself. I'll be happy to yield to -- 23 SEN. RUCHO: All right. Question, 24 Senator Blue? 25 SEN. BLUE: Yeah. This might be one for</p>

<p style="text-align: right;">26</p> <p>1 the staff, Mr. Chairman.</p> <p>2 SEN. RUCHO: All right. Staff?</p> <p>3 SEN. BLUE: The second -- the second full</p> <p>4 paragraph, can you restrict -- and I think I know</p> <p>5 where you're trying to go to, but can you restrict</p> <p>6 the use of race in drawing the two districts in</p> <p>7 question and be in conformity with the Voting</p> <p>8 Rights Act as the Court enunciated in its decision</p> <p>9 several weeks ago?</p> <p>10 SEN. RUCHO: Representative Lewis, do you</p> <p>11 want to respond to that?</p> <p>12 REP. LEWIS: Mr. Chairman, thank you.</p> <p>13 Senator Blue, I appreciate that inquiry. It is my</p> <p>14 understanding and reading of the opinion that race</p> <p>15 is not to be a factor in drawing the districts.</p> <p>16 Adoption of this criteria would mean that the ISD</p> <p>17 staff of the General Assembly would be instructed</p> <p>18 to establish computers, and I believe the software</p> <p>19 is called Maptitude, and the staff would be</p> <p>20 instructed not to include race as a field that</p> <p>21 could be used to draw districts.</p> <p>22 I'll go one step further and say</p> <p>23 respectfully that race was not considered when the</p> <p>24 General Assembly passed the 12th District of the</p> <p>25 enacted plan, but the Court still questioned its</p>	<p style="text-align: right;">28</p> <p>1 what you're trying to do here, but I think it's an</p> <p>2 insult to their intelligence to take this approach,</p> <p>3 and I think that they will show you the ultimate</p> <p>4 power of the federal judiciary that's existed since</p> <p>5 1802 in Marbury versus Madison if you do this.</p> <p>6 REP. LEWIS: Respectfully, sir, it would</p> <p>7 never be my intent to offend or to question the</p> <p>8 dignity of the office of a federal judge. If</p> <p>9 anything I said hitherunto has done that, I</p> <p>10 apologize; however, it is my understanding that</p> <p>11 when we drew the enacted plan, we applied the</p> <p>12 Cromartie and Strickland decisions as best we knew</p> <p>13 how to do in drawing the 1st. We did not use race</p> <p>14 when we drew the 12th.</p> <p>15 The Court has found those both to be</p> <p>16 racial gerrymanders. It would be my -- they also</p> <p>17 found, based on my reading of the opinion -- I'm</p> <p>18 certainly not spitting in their face; I'm trying to</p> <p>19 read what they said -- that there's not racially</p> <p>20 polarized voting. If that is indeed the case, then</p> <p>21 race should not be a factor.</p> <p>22 SEN. RUCHO: Smith-Ingram?</p> <p>23 Representative Smith-Ingram? I'm sorry. Before I</p> <p>24 do that, I -- Senator McKissick got me first.</p> <p>25 Please, Senator McKissick.</p>
<p style="text-align: right;">27</p> <p>1 use. This would contemplate that that data would</p> <p>2 not be available to mapmakers who make maps to</p> <p>3 comply with the Harris order.</p> <p>4 SEN. RUCHO: Follow-up?</p> <p>5 SEN. BLUE: You're saying that</p> <p>6 notwithstanding all of the jurisprudence in this</p> <p>7 area, at least that I've seen over the last 25, 30</p> <p>8 years, that you're going to draw minority districts</p> <p>9 without taking into account whether minorities are</p> <p>10 in the minority district?</p> <p>11 REP. LEWIS: Senator Blue, I believe the</p> <p>12 Harris opinion found that there was not racially</p> <p>13 polarized voting in the state, and therefore, the</p> <p>14 race of the voters should not be considered. My</p> <p>15 proposal would be that we use political data only,</p> <p>16 and do not use race to draw Congressional</p> <p>17 districts.</p> <p>18 SEN. BLUE: One last --</p> <p>19 SEN. RUCHO: Follow-up?</p> <p>20 SEN. BLUE: I long for the day, just like</p> <p>21 you do, Representative Lewis, when we can do that,</p> <p>22 and I hope it's sooner rather than later, but I</p> <p>23 don't think it's wise to spit in the eyes of three</p> <p>24 federal judges who control the fate of where we're</p> <p>25 going to go with redistricting, and I understand</p>	<p style="text-align: right;">29</p> <p>1 SEN. MCKISSICK: Sure. The thing that</p> <p>2 I'm deeply concerned about is that the Voting</p> <p>3 Rights Act and the courts have historically</p> <p>4 indicated that it's appropriate to use race in</p> <p>5 drawing Congressional districts, and I don't</p> <p>6 understand why we would abandon it as a criteria.</p> <p>7 From what I understand from reading the</p> <p>8 most recent decision, Harris versus McCrory, what</p> <p>9 they were concerned about was the fact that it was</p> <p>10 a predominant consideration, so there was an</p> <p>11 overconcentration of African-American voters</p> <p>12 because majority-minority districts were created,</p> <p>13 and I think that was what I understood to be the</p> <p>14 finding, the creation of these majority-minority</p> <p>15 districts, when historically the 1st and 12th</p> <p>16 districts could elect a candidate choice without</p> <p>17 being a majority-minority district. I think it</p> <p>18 would be a misreading of the case to say that race</p> <p>19 could not be used as a consideration.</p> <p>20 REP. LEWIS: Senator McKissick, as</p> <p>21 always, I appreciate your counsel. I would</p> <p>22 reiterate that in drawing of the 12th, race was not</p> <p>23 con- -- race was not a considered factor. In the</p> <p>24 drawing of the 1st, we attempted to comply with the</p> <p>25 Cromartie and Strickland cases, which we believed</p>



<p style="text-align: right;">30</p> <p>1 called for, and still believe called for the -- if</p> <p>2 a district is drawn under the Voting Rights Act to</p> <p>3 be a majority-minority district, that it contain a</p> <p>4 majority of minorities. The Court has found that</p> <p>5 racially polarized voting does not exist to the</p> <p>6 extent to do that.</p> <p>7 During the trial, which I know Senator</p> <p>8 Blue attended -- I don't remember who-all else was</p> <p>9 there -- there was various testimony offered from</p> <p>10 the stand of how much minority population is</p> <p>11 enough. The judges were well aware that that</p> <p>12 conversation had gone on from the stand. They</p> <p>13 offered no guidance into how much minority</p> <p>14 population should be used; therefore, I simply say</p> <p>15 we draw the maps without using minority -- without</p> <p>16 using any race considerations. That way, they</p> <p>17 cannot -- the federal court will be clear that in</p> <p>18 the construction of districts that we did not use</p> <p>19 racial consideration if it's not even a factor that</p> <p>20 can be selected on the computer.</p> <p>21 SEN. MCKISSICK: Follow-up, Mr. Chair?</p> <p>22 SEN. RUCHO: Follow-up.</p> <p>23 SEN. MCKISSICK: So how would you propose</p> <p>24 that you comply with the requirements, say, of the</p> <p>25 Voting Rights Act, which basically indicates that</p>	<p style="text-align: right;">32</p> <p>1 the trigger point to draw a VRA -- VRA district.</p> <p>2 Therefore, if that is not the case, then we believe</p> <p>3 the enacted maps should stand as they are. If</p> <p>4 we're going to redraw the maps with the Harris</p> <p>5 order, which says there's not racially polarized</p> <p>6 voting, then we believe that race should not be a</p> <p>7 consideration in drawing the maps.</p> <p>8 SEN. MCKISSICK: Follow-up, Mr. Chairman.</p> <p>9 SEN. RUCHO: Follow-up.</p> <p>10 SEN. MCKISSICK: Why would we not here</p> <p>11 want to consider the election results of the 2008</p> <p>12 and 2000 -- I guess '12 presidential elections? Is</p> <p>13 there a specific reason why we want to exclude</p> <p>14 those specific election results and include other</p> <p>15 potential election results within that same general</p> <p>16 time frame?</p> <p>17 REP. LEWIS: Yes, sir.</p> <p>18 SEN. MCKISSICK: Because, I mean, the</p> <p>19 thing that's obvious to anybody is we had an</p> <p>20 African-American running for President in those two</p> <p>21 election cycles.</p> <p>22 REP. LEWIS: Yes, sir, and I don't recall</p> <p>23 which pages it's on, but in the Harris opinion, one</p> <p>24 of the judges wrote that using the 2008</p> <p>25 Obama/McCain data was really a code for trying to</p>
<p style="text-align: right;">31</p> <p>1 you should create districts that allow minorities</p> <p>2 to elect a candidate of choice if race is not an</p> <p>3 appropriate consideration? I don't know how you</p> <p>4 accomplish that objective without having it,</p> <p>5 certainly not as the predominant consideration. I</p> <p>6 would agree that cannot be done, and should not be</p> <p>7 done, but I'm trying to understand how you do that</p> <p>8 otherwise if you completely eliminate race as a</p> <p>9 criteria that you look at in drafting the maps, and</p> <p>10 then secondly -- and this shifts gears a little</p> <p>11 bit -- why would we not want to consider the --</p> <p>12 SEN. RUCHO: Which question? Is this</p> <p>13 your --</p> <p>14 SEN. MCKISSICK: Okay, yeah.</p> <p>15 SEN. RUCHO: -- first question?</p> <p>16 SEN. MCKISSICK: Yeah, first question.</p> <p>17 SEN. RUCHO: Okay.</p> <p>18 SEN. MCKISSICK: Go ahead, Representative</p> <p>19 Lewis. Thank you, sir.</p> <p>20 REP. LEWIS: Senator, I believe that my</p> <p>21 earlier answer that -- and I have a great deal of</p> <p>22 respect for you. I understand that you are an</p> <p>23 attorney, and I am not an attorney. It's my</p> <p>24 reading of the case that the Court has found that</p> <p>25 there was not racially polarized voting, which is</p>	<p style="text-align: right;">33</p> <p>1 use black versus white, so we simply say we</p> <p>2 exclude -- we take that off the table. We can use</p> <p>3 all the other ones.</p> <p>4 SEN. MCKISSICK: And I would suggest that</p> <p>5 we should --</p> <p>6 SEN. RUCHO: Follow-up?</p> <p>7 SEN. MCKISSICK: Yes. Thank you, Mr.</p> <p>8 Chair. I would suggest that there's nothing</p> <p>9 improper in considering those particular races</p> <p>10 within a greater context of all races that we might</p> <p>11 have used as benchmarks for consideration for the</p> <p>12 performance of districts or how they might vote,</p> <p>13 but I think to eliminate those specifically would</p> <p>14 be an inappropriate criteria.</p> <p>15 I would have to go back to the decisions.</p> <p>16 I think things can be used as code in combination</p> <p>17 with other actions that are taken, like drawing</p> <p>18 minority -- majority-minority districts, but yet</p> <p>19 saying race is not a factor, and it was done for</p> <p>20 political reasons. I think within the greater</p> <p>21 context, perhaps the Court might have viewed it</p> <p>22 that way, but if you identify this discretely as</p> <p>23 being one parameter among many, I don't think that</p> <p>24 that would be inappropriate to consider.</p> <p>25 I find it fine -- you know, I don't think</p>

<p style="text-align: right;">34</p> <p>1 we need to go in there and split these precincts. 2 I think splitting the precincts would probably be a 3 code word for understanding that you could 4 segregate voters out based upon race as well, so I 5 mean, I have no problems not -- not going in there 6 and splitting out these precincts, and I think 7 keeping the voter tabulation districts as whole as 8 possible is a good component, but I would be 9 opposed to the elimination of consideration of the 10 2008 and 2012 presidential data as well as other -- 11 any other racial data that would be provided in the 12 normal data packages that for many, many years have 13 always been used by this General Assembly in 14 drawing these Congressional districts. Thank you, 15 sir. 16 REP. LEWIS: Mr. Chairman, respectfully, 17 I -- 18 SEN. RUCHO: Yes, sir? 19 REP. LEWIS: -- believe that was a 20 statement, to which I'll just respond I 21 respectfully disagree with the gentleman from 22 Durham. 23 SEN. RUCHO: All right. Thank you. 24 Senator Smith-Ingram? 25 SEN. SMITH-INGRAM: Thank you, Mr. Chair.</p>	<p style="text-align: right;">36</p> <p>1 SEN. SMITH-INGRAM: So I can assume from 2 what you are saying that the only reason we had 3 split counties and split precincts in the previous 4 plan is because we were trying to meet the mandate 5 of the zero deviation? 6 REP. LEWIS: No, ma'am, that's not at all 7 what I said. What this says is that -- what this 8 says is in drawing the map, this contingent plan 9 that we are -- that we are talking about is that 10 the VTDs should be split only when necessary to 11 comply with the zero deviation requirements. I was 12 not at all speaking about the enacted map, in which 13 I'm certain that some precincts and voting 14 districts were split for political purposes. 15 SEN. SMITH-INGRAM: Last follow-up, Mr. 16 Chair. 17 SEN. RUCHO: Last follow-up. 18 SEN. SMITH-INGRAM: Just a statement. I 19 understand that our voters across the state are 20 very sophisticated; however, there was a lot of 21 confusion created with the split counties and the 22 split precincts, and so I just -- as we're moving 23 forward, we need to be careful that they are not 24 disenfranchised by that confusion. Thank you, 25 Representative Lewis.</p>
<p style="text-align: right;">35</p> <p>1 In regards to the proposed criteria as it relates 2 to the voting districts and the split, one of the 3 concerns that resonated across the state, as shown 4 in the hearings, and as we talked to constituents, 5 particularly in the finger counties in 6 Congressional District 1, there is some concern 7 about precincts being split, and a lot of voter 8 confusion because of split counties and split 9 precincts. Do you think the language in the last 10 sentence goes far enough to help us alleviate that 11 problem, and not have that issue as we move toward 12 drawing new maps? 13 REP. LEWIS: Senator, I thank you for 14 that question. I would say that, as I've 15 maintained all along, I believe that voters are 16 sophisticated enough that split political districts 17 do not cause confusion, but to the extent that we 18 can not split them, we shouldn't, so I do think 19 this sentence goes far enough in saying the only 20 reason you would want to split a VTD, or a voting 21 district, is to help with the zero population 22 requirement that this committee has already 23 adopted. 24 SEN. SMITH-INGRAM: Follow-up. 25 SEN. RUCHO: Follow-up.</p>	<p style="text-align: right;">37</p> <p>1 SEN. RUCHO: Thank you. I've got 2 Representative Stam. 3 REP. STAM: Yes. I like this criteria. 4 It's very principled, and it's principles that I've 5 heard, for example, the Senate Minority Leader 6 state publicly many times. Let's not -- let's not 7 consider race anymore. We're past that. 8 SEN. RUCHO: Okay. Representative 9 Michaux? 10 REP. MICHAUX: Mr. Chairman, I'm having a 11 problem not identifying race, and if I recall, Mr. 12 Lewis -- and I'm reading from the opinion. It says 13 here that "This does not mean that race can never 14 play a role in redistricting. Legislatures are 15 almost always cognizant of race when drawing 16 district lines, and simply being aware of race 17 poses no Constitutional violation." 18 What they're saying to you is that you 19 still can use race in the matter, but you cannot 20 make it the predominant factor. That's the way I 21 read it, and I think that this -- 22 SEN. RUCHO: Representative Lewis? 23 REP. LEWIS: Representative Michaux, 24 thank you for that. My response to that would be 25 that not being aware of race means that you</p>

<p style="text-align: right;">38</p> <p>1        couldn't have been motivated by race. 2        REP. MICHAUX: May I follow up? 3        SEN. RUCHO: Follow-up, Representative 4        Michaux? 5        REP. MICHAUX: What did you say just now? 6        REP. LEWIS: Sir, I believe you read from 7        the opinion, which I don't have before me, that -- 8        in which the judges said being aware of race does 9        not necessarily mean that race was a predominant 10       factor, but it doesn't require it. And if that's 11       not what you read, understand that you have the 12       opinion in front of you, and I don't. 13       REP. MICHAUX: What they're saying is it 14       cannot be a predominant factor, Mr. Lewis, but you 15       can use race. 16       SEN. RUCHO: Representative Michaux, I 17       think what Senator -- Representative Lewis is 18       saying is you can use race, but it doesn't require 19       you to use race. 20       REP. MICHAUX: It says you can use race, 21       but it must not be the predominant factor. 22       REP. LEWIS: Mr. Chairman, I would say 23       "can use" does not say "must use." Therefore, I 24       would move the adoption of this criteria. 25       SEN. RUCHO: Representative Hager,</p>	<p style="text-align: right;">40</p> <p>1       choice. 2       We know that this three-judge panel has 3       the power of its own to draw districts, and we can 4       play these games with them. I thought that as a 5       body from the standpoint of letting the 6       Legislature, the reason that we ordered -- or at 7       least required that the Court, if reversing these 8       districts, sent it back to the Legislature to have 9       an opportunity or a shot at fixing it is because it 10       was felt that the Legislature could fix it, but I 11       can assure you that if you go about doing this, 12       then those three gentlemen are going to draw 13       districts for you. 14       Maybe that's what you want, and if that's 15       what you want, I will vote with you on this 16       amendment, but I think that you -- that it's 17       transparent the game that you're trying to play. 18       Some of us do strongly believe that we should move 19       away from using race in making any decision in 20       American life, but we also believe that you comply 21       with the law until we get to that point, and I 22       think that you're aware of the fact, just as I am, 23       that if you take this blind approach, you're in 24       direct violation of Section 2 of the Voting Rights 25       Act. And so I'm just -- I just say that to you.</p>
<p style="text-align: right;">39</p> <p>1       please? 2       REP. HAGER: Thank you, Mr. Chairman. 3       Representative Lewis, I want to commend you on 4       the -- when you said only when necessary when you 5       split districts and precincts. I come from a 6       district and precinct prior to these maps. My 7       precinct was split, and we worked it out, like I 8       said, and I appreciate what you said about the 9       sophistication of the voters. It was there, but 10       this criteria does help that situation, and prior 11       to these maps, we see -- we saw that with the 12       previous maps in Rutherford County, so thank you 13       very much. 14       SEN. RUCHO: I'm sorry. I've got Senator 15       Blue. Excuse me. 16       SEN. BLUE: Just a comment, since the 17       motion to adopt it has been made. Mr. Chairman, I 18       agree totally with Representative Stam. As I told 19       Representative Lewis, there are places in this 20       state where considering race in redrawing districts 21       is inappropriate under the Voting Rights Act, under 22       the 14th Amendment. There are places in this state 23       where the Voting Rights Act requires that race be 24       considered to some degree to ensure that, based on 25       history, that minorities can elect people of their</p>	<p style="text-align: right;">41</p> <p>1       I'm going to vote against this proposal. 2       You'll probably withdraw it, given the debate, but 3       I'm going to vote against it because I think that 4       it's showing disrespect for the law as it exists 5       and disrespect for this three-judge federal 6       district court. 7       REP. LEWIS: Well, Senator -- 8       SEN. RUCHO: Representative Lewis? 9       REP. LEWIS: Thank you, Mr. Chairman. 10       I'm going to reiterate my earlier comments to you, 11       sir, that in no way has anything that I have said 12       had the intent, and I hope not the effect, of 13       causing any offense to any member of the federal 14       judiciary. I would reiterate the only way to make 15       sure that race is not the predominant factor is to 16       make sure it's not a factor when the maps are being 17       considered. 18       This Court -- I'll go one step further. 19       With the utmost respect to the Court, this Court 20       was shown that race was not a factor that was 21       considered in drawing of the 12th, but they still 22       found that it was a factor. This is -- this way we 23       make sure that in fact, it is not. 24       SEN. RUCHO: Members of the committee? 25       Senator McKissick?</p>

<p style="text-align: right;">42</p> <p>1 SEN. MCKISSICK: Representative Lewis, 2 are you aware of any racially polarized voting 3 studies which have been conducted since the 2010 4 Census occurred? 5 REP. LEWIS: Senator McKissick, 6 respectfully, I would direct you to the 7 redistricting tab of the General Assembly Web site. 8 I believe there are some studies that are listed 9 there. Certainly there are numerous studies that 10 are referenced in the various lawsuits. I know the 11 General Assembly did commission a study on racially 12 polarized voting. I do not believe the Harris 13 court admitted or considered it. 14 SEN. MCKISSICK: Follow-up, Mr. Chair. 15 SEN. RUCHO: Follow-up. 16 SEN. MCKISSICK: Is it not possible to go 17 back and find that data, which is reasonably 18 current, since it was done since 2010, to examine 19 the racially polarized voting patterns throughout 20 the state, because different parts of the state are 21 different? Our urban areas have different 22 characteristics, and there's more coalition 23 politics. Other parts of our state, racially 24 polarized voting patterns are present, and continue 25 to exist.</p>	<p style="text-align: right;">44</p> <p>1 REP. MCGRADY: Second. 2 SEN. RUCHO: Second, Representative 3 McGrady. Any additional discussion? 4 (No response.) 5 SEN. RUCHO: All right. Seeing none, we 6 can -- Mr. Clerk, would you begin the roll call? 7 CLERK: Lewis? 8 REP. LEWIS: Aye. 9 CLERK: Jones? 10 REP. JONES: Aye. 11 CLERK: Brawley? 12 REP. BRAWLEY: Aye. 13 CLERK: Cotham? 14 REP. COTHAM: No. 15 CLERK: Davis? 16 REP. DAVIS: Aye. 17 CLERK: Farmer-Butterfield? 18 REP. FARMER-BUTTERFIELD: No. 19 CLERK: Hager? 20 REP. HAGER: Aye. 21 CLERK: Hanes? 22 REP. HANES: No. 23 CLERK: Hardister? 24 REP. HARDISTER: Aye. 25 CLERK: Hurley?</p>
<p style="text-align: right;">43</p> <p>1 I would suggest that we go back and look 2 at those studies, analyze them, and use those 3 studies as part of the database that would be used 4 to move forward in drawing these districts. Any 5 reason why we cannot do that? 6 REP. LEWIS: Respectfully, sir, I may -- 7 I may agree with you, but the Court does not. 8 SEN. MCKISSICK: And I'd have to 9 respectfully disagree on that. 10 REP. LEWIS: Noted. 11 SEN. RUCHO: Senator Clark? 12 SEN. CLARK: Thank you, Mr. Chairman. 13 With regard to the language on the voting districts 14 in here, would it not be more appropriate to 15 separate that and have it stand alone as its own 16 criteria? I don't understand the rationale for 17 including it in the criteria about political data. 18 REP. LEWIS: Senator, I appreciate that 19 question. Frankly, we could have had an additional 20 criteria. I prefer just to let it stay as it is. 21 SEN. RUCHO: Excuse me. Representative 22 Lewis, do you make the motion to adopt the 23 political data criteria? 24 REP. LEWIS: I do, Mr. Chairman. 25 SEN. RUCHO: All right.</p>	<p style="text-align: right;">45</p> <p>1 REP. HURLEY: Aye. 2 CLERK: Jackson? 3 REP. JACKSON: No. 4 CLERK: Johnson? 5 REP. JOHNSON: Aye. 6 CLERK: Jordan? 7 REP. JORDAN: Aye. 8 CLERK: McGrady? 9 REP. MCGRADY: Aye. 10 CLERK: Michaux? 11 REP. MICHAUX: No. 12 CLERK: Moore? 13 REP. MOORE: No. 14 CLERK: Stam? 15 REP. STAM: Aye. 16 CLERK: Stevens? 17 REP. STEVENS: Aye. 18 CLERK: Rucho? 19 SEN. RUCHO: Aye. 20 CLERK: Apodaca? 21 SEN. APODACA: Aye. 22 CLERK: Barefoot? 23 SEN. BAREFOOT: Aye. 24 CLERK: Blue? 25 SEN. BLUE: No.</p>

<p style="text-align: right;">46</p> <p>1 CLERK: Brown?</p> <p>2 SEN. BROWN: Aye.</p> <p>3 CLERK: Clark?</p> <p>4 SEN. CLARK: No.</p> <p>5 CLERK: Harrington?</p> <p>6 SEN. HARRINGTON: Aye.</p> <p>7 CLERK: Hise?</p> <p>8 SEN. HISE: Aye.</p> <p>9 CLERK: Jackson?</p> <p>10 SEN. JACKSON: Aye.</p> <p>11 CLERK: Lee?</p> <p>12 SEN. LEE: Aye.</p> <p>13 CLERK: McKissick?</p> <p>14 SEN. MCKISSICK: No.</p> <p>15 CLERK: Randleman?</p> <p>16 SEN. RANDLEMAN: Aye.</p> <p>17 CLERK: Sanderson?</p> <p>18 SEN. SANDERSON: Aye.</p> <p>19 CLERK: Smith?</p> <p>20 SEN. SMITH: No.</p> <p>21 CLERK: Smith-Ingram?</p> <p>22 SEN. SMITH-INGRAM: Nay.</p> <p>23 CLERK: Wells?</p> <p>24 SEN. WELLS: Aye.</p> <p>25 SEN. RUCHO: What have we got?</p>	<p style="text-align: right;">48</p> <p>1 drawing of the maps, I would propose that to the</p> <p>2 extent possible, the map drawers create a map which</p> <p>3 is perhaps likely to elect 10 Republicans and 3</p> <p>4 Democrats. I acknowledge freely that this would be</p> <p>5 a political gerrymander, which is not against the</p> <p>6 law.</p> <p>7 SEN. RUCHO: All right. Members of the</p> <p>8 committee, any questions? Senator Blue?</p> <p>9 SEN. BLUE: Just one, Mr. Chairman, and</p> <p>10 this is a point of order since you've got my friend</p> <p>11 the rules committee chairman up there. What are</p> <p>12 the rules under which this committee is operating,</p> <p>13 House or Senate? If it's the Senate -- and if it's</p> <p>14 neither, where do they come from, but if it's the</p> <p>15 Senate, aren't ayes and nays prohibited in</p> <p>16 committee votes?</p> <p>17 SEN. APODACA: The chairs agreed we'd</p> <p>18 operate under the House rules, and I can tell you I</p> <p>19 wasn't here for that, but they did.</p> <p>20 (Laughter.)</p> <p>21 SEN. RUCHO: All right. Senator Blue?</p> <p>22 SEN. BLUE: One follow-up.</p> <p>23 SEN. RUCHO: Let me have your attention.</p> <p>24 SEN. BLUE: Since I'm not familiar with</p> <p>25 the House rules anymore, there is a permitted</p>
<p style="text-align: right;">47</p> <p>1 CLERK: Nine nays. Nine nays. (Pause.)</p> <p>2 There's 11. 11 out of 34.</p> <p>3 SEN. RUCHO: 11 out of 34 nays. Okay.</p> <p>4 The result of that is 23 ayes, 11 nos, and two were</p> <p>5 not present. Okay. Representative Lewis?</p> <p>6 REP. LEWIS: Mr. Chairman, I would ask --</p> <p>7 with your permission, I've asked the Sergeants-at-</p> <p>8 Arms to distribute the criteria labeled "Partisan</p> <p>9 Advantage." If you could direct the staff to read</p> <p>10 that, I'd be happy to speak on it.</p> <p>11 SEN. RUCHO: Ms. Churchill, would you</p> <p>12 read the one on partisan advantage?</p> <p>13 MS. CHURCHILL: "Partisan Advantage: The</p> <p>14 partisan makeup of the Congressional delegation</p> <p>15 under the enacted plan is 10 Republicans and 3</p> <p>16 Democrats. The committee shall make reasonable</p> <p>17 efforts to construct districts in the 2016</p> <p>18 contingent Congressional plan to maintain the</p> <p>19 current partisan makeup of North Carolina's</p> <p>20 Congressional delegation."</p> <p>21 SEN. RUCHO: Representative Lewis,</p> <p>22 explain.</p> <p>23 REP. LEWIS: Mr. Chairman, the</p> <p>24 explanation of this is reasonably simple. As we</p> <p>25 are allowed to consider political data in the</p>	<p style="text-align: right;">49</p> <p>1 abstention in the ayes and nos under the House</p> <p>2 rules; is there not?</p> <p>3 SEN. APODACA: Mr. Chairman?</p> <p>4 SEN. RUCHO: Representative Stam, if you</p> <p>5 can respond to that question?</p> <p>6 REP. STAM: I could. There is no such</p> <p>7 rule under House rules now or when Senator Blue was</p> <p>8 the Speaker of the House.</p> <p>9 SEN. RUCHO: Senator Blue, did you get</p> <p>10 your answer?</p> <p>11 SEN. BLUE: I got an answer.</p> <p>12 (Laughter.)</p> <p>13 SEN. RUCHO: Good. Thank you. Okay.</p> <p>14 Members of the committee, let's pay close attention</p> <p>15 to this. Senator McKissick?</p> <p>16 SEN. MCKISSICK: In looking at this</p> <p>17 particular criteria, I mean, certainly partisan</p> <p>18 advantage is a legitimate consideration, but I</p> <p>19 don't know why, based upon the number of Democratic</p> <p>20 registered voters, Republican registered voters and</p> <p>21 unaffiliated voters in this state we would want to</p> <p>22 ever sit and ingrain as a criteria for</p> <p>23 redistricting that we would only allow one party 3</p> <p>24 seats in Congress, and the other one, 10 in</p> <p>25 Congress, when not very long ago, before 2010, we</p>

<p style="text-align: right;">50</p> <p>1 had 7 Democrats and 5 Republicans, so I'm trying to</p> <p>2 understand why you feel this would be fair,</p> <p>3 reasonable, and balanced in terms of voter</p> <p>4 registrations in this state as it is currently</p> <p>5 divided.</p> <p>6 REP. LEWIS: Thank you for your question,</p> <p>7 Senator. I propose that we draw the maps to give a</p> <p>8 partisan advantage to 10 Republicans and 3</p> <p>9 Democrats because I do not believe it's possible to</p> <p>10 draw a map with 11 Republicans and 2 Democrats.</p> <p>11 (Laughter.)</p> <p>12 SEN. MCKISSICK: Follow-up, if I could.</p> <p>13 SEN. RUCHO: Follow-up.</p> <p>14 SEN. MCKISSICK: Were you aware of the</p> <p>15 fact that in the 2012 election cycle, if you total</p> <p>16 the total number of votes received by Democrats</p> <p>17 running for Congress versus the total number of</p> <p>18 votes cast for Republicans running for Congress,</p> <p>19 that Democratic candidates had a higher number of</p> <p>20 total votes, but ended up with fewer seats? Were</p> <p>21 you aware of that factor in drawing up this</p> <p>22 criteria?</p> <p>23 REP. LEWIS: I am aware, Senator -- first</p> <p>24 of all, thank you for your question. I am aware</p> <p>25 that there are numerous examples, especially</p>	<p style="text-align: right;">52</p> <p>1 Come up with something different. It</p> <p>2 could be 5 Democratic seats, and there's no reason</p> <p>3 why that couldn't be accomplished. It could be 6</p> <p>4 Democratic seats and still give the Republicans an</p> <p>5 edge, but to say you're going to marginalize with</p> <p>6 only 3 seats as a criteria, let the voters decide.</p> <p>7 REP. LEWIS: Well, sir, I definitely -- I</p> <p>8 thank you for that comment. Certainly we look</p> <p>9 forward to receiving -- what I'm asking this</p> <p>10 committee to adopt is the maps that this -- that</p> <p>11 the chairs will present to this committee absent a</p> <p>12 stay arriving from the Court. Certainly the</p> <p>13 members of this committee that don't feel this</p> <p>14 balance is appropriate can certainly offer their</p> <p>15 own maps for consideration.</p> <p>16 SEN. RUCHO: Representative Lewis, in the</p> <p>17 case Senator McKissick brought forth, if you see</p> <p>18 some districts that tend to have a larger voter</p> <p>19 turnout than others, that could easily explain what</p> <p>20 Senator McKissick described. Am I not correct?</p> <p>21 REP. LEWIS: Yes, sir. I think that's a</p> <p>22 constant variable in this. If you have an area</p> <p>23 that has a lot of contested races, those areas tend</p> <p>24 to produce more folks to the polls. If you have --</p> <p>25 you know, we don't want to get into the Electoral</p>
<p style="text-align: right;">51</p> <p>1 through the 2000s, when the majority of seats went</p> <p>2 to a party that had the fewer votes. We elect our</p> <p>3 representatives based on a system of drawing</p> <p>4 districts and the people in those districts being</p> <p>5 able to vote. We do not elect at large. I know</p> <p>6 you're very much aware of that, and we will -- this</p> <p>7 will maintain that system.</p> <p>8 SEN. MCKISSICK: Last follow-up, Mr.</p> <p>9 Chairman.</p> <p>10 SEN. RUCHO: Follow-up. Last follow-up.</p> <p>11 SEN. MCKISSICK: I would simply say this:</p> <p>12 If we were looking at a fair and reasonable</p> <p>13 division as a criteria moving forward, it wouldn't</p> <p>14 necessarily have to be an even division. It</p> <p>15 could -- obviously, since majority -- Republicans</p> <p>16 are a majority now, give Republicans a slight edge,</p> <p>17 but to come up with such an imbalance in a split I</p> <p>18 think is highly inappropriate. It's unfair. It</p> <p>19 does not recognize the way votes have been cast in</p> <p>20 this state as recently as 2012. It doesn't</p> <p>21 recognize the division of registered voters in this</p> <p>22 state between Democrats, Republicans, and</p> <p>23 Independents, and it's really a matter of political</p> <p>24 gerrymandering in the worst sense in which we can</p> <p>25 do so.</p>	<p style="text-align: right;">53</p> <p>1 College, but I can remember this debate's been</p> <p>2 going on since 2000 because of the use -- you know,</p> <p>3 there are times -- do you maximize or, for lack of</p> <p>4 a more polite term, do you pump up or boost up</p> <p>5 votes in certain areas to try and create the larger</p> <p>6 cumulative total, or do you file, run, and win in</p> <p>7 the districts in which you live? Our system has</p> <p>8 historically been the latter.</p> <p>9 SEN. RUCHO: I have a follow-up there.</p> <p>10 Senator McKissick, go ahead.</p> <p>11 SEN. MCKISSICK: Yeah. Simply this: I</p> <p>12 think what voters want are more competitive</p> <p>13 districts, more competitive districts where they</p> <p>14 have a clear choice between a Democrat, a</p> <p>15 Republican, and perhaps an unaffiliated candidate</p> <p>16 that's running, but not ones that are gerrymandered</p> <p>17 to give one party or the other just a clear</p> <p>18 partisan advantage. More competitive districts, I</p> <p>19 support completely, but that means drawing the maps</p> <p>20 in a way where you're not from the outset</p> <p>21 establishing criteria that gives one party an</p> <p>22 unfair advantage.</p> <p>23 SEN. RUCHO: Representative Lewis?</p> <p>24 REP. LEWIS: Mr. Chairman, the only thing</p> <p>25 that I could add is that we want to make clear that</p>

<p style="text-align: right;">54</p> <p>1 we to the extent are going to use political data in</p> <p>2 drawing this map, it is to gain partisan advantage</p> <p>3 on the map. I want that criteria to be clearly</p> <p>4 stated and understood. I have the utmost respect</p> <p>5 for those that do not agree with this particular</p> <p>6 balance.</p> <p>7 I will say -- and the gentleman from</p> <p>8 Durham did not say this, but I will say that during</p> <p>9 the public comment yesterday, more than one speaker</p> <p>10 referred to, "Can't we just draw them where there's</p> <p>11 5 this way or 6 that way?" That is partisan</p> <p>12 gerrymandering if you're drawing 5 and 7 or 6</p> <p>13 and -- whatever it is. I'm making clear that our</p> <p>14 intent is to use -- is to use the political data we</p> <p>15 have to our partisan advantage.</p> <p>16 SEN. RUCHO: Representative Michaux?</p> <p>17 REP. MICHAUX: Yeah. Mr. Chairman, you</p> <p>18 know if we were where you are today and we came up</p> <p>19 with this idea, you-all would be jumping all over</p> <p>20 the place, trying to dissuade us from that. First</p> <p>21 you want to -- you really want to dissuade race</p> <p>22 from being put in here. Now you want to make sure</p> <p>23 that you keep your 10 to 3 advantage, the same</p> <p>24 situation that got you in trouble before, and now</p> <p>25 you're going to -- what you're telling us is, "We</p>	<p style="text-align: right;">56</p> <p>1 For example, near a military base, they have much</p> <p>2 fewer voters than the population -- in other words,</p> <p>3 it's a bogus statistic, so I don't use it anymore.</p> <p>4 SEN. RUCHO: Thank you. I've got</p> <p>5 Representative Hager.</p> <p>6 REP. HAGER: Thank you, Mr. Chairman.</p> <p>7 You know I haven't been here long, but I guess in</p> <p>8 the House, I've become one of the more senior</p> <p>9 members with my colleagues that came in in 2011,</p> <p>10 but, you know, I got to thinking -- and I have the</p> <p>11 utmost respect for Senator McKissick and</p> <p>12 Representative Michaux, but, you know, if I beat my</p> <p>13 dog every day for 4 or 5 years and then I quit</p> <p>14 doing it and I told David to quit beating his dog,</p> <p>15 you'd consider me a little bit hypocritical,</p> <p>16 wouldn't you, David?</p> <p>17 If you look at that map on the wall and</p> <p>18 look at the 1992 map and look at District 10 and</p> <p>19 District 1, District 10 is my district now. Look</p> <p>20 at where we've come with District 10 since then. I</p> <p>21 mean, it's just -- it's amazing to me that we can</p> <p>22 argue that we shouldn't -- that the folks that have</p> <p>23 been here for a long time can argue that we</p> <p>24 shouldn't gerrymander these on political reasons,</p> <p>25 and they're some of the same people that developed</p>
<p style="text-align: right;">55</p> <p>1 want you to do this, and you vote for it, and this</p> <p>2 is the way it's going to be," period, end of</p> <p>3 report.</p> <p>4 SEN. RUCHO: Okay. There was no</p> <p>5 question, I don't think, so -- unless you want to</p> <p>6 respond to his comment.</p> <p>7 REP. LEWIS: No.</p> <p>8 SEN. RUCHO: Okay. I've got</p> <p>9 Representative Stam first.</p> <p>10 REP. STAM: Yes. I'd like to share a</p> <p>11 statistic that I haven't used in about 10 years,</p> <p>12 but I'll tell you why. During the last</p> <p>13 redistricting by the other party in 2004, I did</p> <p>14 jump up and down because I saw what was coming. In</p> <p>15 the election of 2004 for the House -- write these</p> <p>16 statistics down -- 52 percent of the voters chose</p> <p>17 the Republican candidate, 44 percent, the</p> <p>18 Democratic candidate, and 4 percent, Libertarian.</p> <p>19 Well, that should be a landslide for Republicans,</p> <p>20 but it ended up that we were in the minority, 57 to</p> <p>21 63.</p> <p>22 The reason I stopped using those type of</p> <p>23 statistics is I realized that it can be totally</p> <p>24 skewed by whoever happens to not have a candidate</p> <p>25 opposing that person. That shows a huge advantage.</p>	<p style="text-align: right;">57</p> <p>1 that map of District 1 and District 10 in 1992.</p> <p>2 SEN. RUCHO: Thank you. Any additional</p> <p>3 questions? Senator Smith-Ingram?</p> <p>4 SEN. SMITH-INGRAM: Thank you, Mr. Chair.</p> <p>5 Can you be specific as to what constitutes partisan</p> <p>6 advantage? Do we have to tie it to a number?</p> <p>7 REP. LEWIS: No, ma'am, but I will --</p> <p>8 first of all, thank you for the question. To</p> <p>9 perhaps expound on it a bit, this would -- this</p> <p>10 would contemplate looking at the political data,</p> <p>11 which was an earlier criteria adopted by this</p> <p>12 committee, and as you draw the lines, if you're</p> <p>13 trying to give a partisan advantage, you would want</p> <p>14 to draw the lines so that more of the whole VTDs</p> <p>15 voted for the Republican on the ballot than they</p> <p>16 did the Democrat, if that answers your question.</p> <p>17 SEN. SMITH-INGRAM: I think that --</p> <p>18 SEN. RUCHO: Follow-up?</p> <p>19 SEN. SMITH-INGRAM: Thank you. Follow-</p> <p>20 up. It answers about 50 percent of my question.</p> <p>21 If I could ask you another one, maybe a different</p> <p>22 way? You threw out some numbers. Would there not</p> <p>23 be partisan advantage with 8/5?</p> <p>24 REP. LEWIS: Thank you for that question,</p> <p>25 Senator. I would point out that indeed, you could</p>

<p style="text-align: right;">58</p> <p>1 use political numbers to draw a partisan -- to draw</p> <p>2 districts in which 8 Republicans would win or 5</p> <p>3 Democrats. I'm saying to the extent that you can,</p> <p>4 make it 10/3.</p> <p>5 SEN. SMITH-INGRAM: Last follow-up.</p> <p>6 SEN. RUCHO: Last follow-up.</p> <p>7 SEN. SMITH-INGRAM: Just a statement. I</p> <p>8 am concerned that we are trying to mimic the</p> <p>9 outcome of the previous election that never existed</p> <p>10 for a very long time in North Carolina until this</p> <p>11 district was redrawn in 2011. The challenge here</p> <p>12 is we are balancing where we are with where we have</p> <p>13 been historically, but at the end of the day, we</p> <p>14 are elected to come together, to work together, to</p> <p>15 serve the constituents and citizens of North</p> <p>16 Carolina. This is one of the concerns resonated</p> <p>17 yesterday, and many of us have it here. We are</p> <p>18 drawing these lines so that we get to pick our</p> <p>19 voters as opposed to them choosing us. It is</p> <p>20 unfair. It should not be perpetuated in this</p> <p>21 process, and I will not be supporting it.</p> <p>22 SEN. RUCHO: Thank you. Representative</p> <p>23 Jones?</p> <p>24 REP. JONES: Thank you, Mr. Chair. I</p> <p>25 appreciate it. I want to say how much I have</p>	<p style="text-align: right;">60</p> <p>1 hearing them come from today. We never heard those</p> <p>2 comments for decades and decades and decades in</p> <p>3 North Carolina, whether it was the media, whether</p> <p>4 it was the majority party, whomever, and so I guess</p> <p>5 the process is what it is.</p> <p>6 I'm glad that we have had some court</p> <p>7 decisions that have led to what I think is a lot</p> <p>8 less gerrymandering than what we had in prior</p> <p>9 decades, where we -- now we do have single-member</p> <p>10 districts. Now we do have where we don't just</p> <p>11 split counties in any possible way, and we have the</p> <p>12 pod system and things like that, so I really take</p> <p>13 offense when I hear those that say that somehow the</p> <p>14 political gerrymandering of today is greater than</p> <p>15 somehow it was in prior years, when anybody that</p> <p>16 goes back and studies the history knows that that's</p> <p>17 simply not the case.</p> <p>18 That's my comment, and I will ask I guess</p> <p>19 a question for you, Representative Lewis. Is it</p> <p>20 possible that people might choose to vote for a</p> <p>21 candidate that is of a different political party</p> <p>22 than what their political affiliation is?</p> <p>23 REP. LEWIS: Well, thank you for that</p> <p>24 question, Representative Jones. Of course it is.</p> <p>25 I mean, we all offer ourselves, and the voters in</p>
<p style="text-align: right;">59</p> <p>1 enjoyed this discussion about -- about</p> <p>2 gerrymandering. You know, that's a word that seems</p> <p>3 to me, as someone who has lived in North Carolina</p> <p>4 for all my life and has really kind of studied the</p> <p>5 political process particularly over the last few</p> <p>6 decades, a word that was never really used until</p> <p>7 somehow the Republicans came to a majority in 2010.</p> <p>8 Just as we're taking this little trip</p> <p>9 down memory lane for just a moment, I -- I remember</p> <p>10 things like multi-member districts in North</p> <p>11 Carolina when we were drawing the legislature. I</p> <p>12 thought what an extreme opportunity that was to</p> <p>13 gerrymander.</p> <p>14 I saw it happen in my own area where, you</p> <p>15 know, we couldn't do single-member districts. We</p> <p>16 couldn't even do double-member districts.</p> <p>17 Sometimes it had to be three- or four-member</p> <p>18 districts in order for the political party in</p> <p>19 charge at the time, which was the Democratic Party,</p> <p>20 to gain a political advantage, so Representative</p> <p>21 Lewis, I appreciate your honesty as you come</p> <p>22 forward today, and we -- and we explain that</p> <p>23 political gerrymandering I guess is what it is, but</p> <p>24 I just find it very interesting to hear some of the</p> <p>25 comments coming from some of the avenues that we're</p>	<p style="text-align: right;">61</p> <p>1 our districts decide that we best represent what we</p> <p>2 believe the direction of the government should be</p> <p>3 and that's how they cast their votes, so certainly</p> <p>4 a person is free to vote ever how they choose to</p> <p>5 vote.</p> <p>6 REP. JONES: Well, that's what I think,</p> <p>7 and I think regardless how you draw these</p> <p>8 districts -- you know, I come from an area where I</p> <p>9 can remember a time where voting for the Democratic</p> <p>10 party was extremely -- extremely high, and that</p> <p>11 time has changed, and those votes have changed. A</p> <p>12 lot of people that I can tell don't necessarily</p> <p>13 vote for the same party that they're registered,</p> <p>14 and so I -- you know, I think we ought to respect</p> <p>15 the voters as individuals, and whether they're</p> <p>16 registered Democrat, Republican, Libertarian,</p> <p>17 unaffiliated, whatever, recognize that they do have</p> <p>18 an opportunity to vote for any candidate that is on</p> <p>19 the ballot before them. I appreciate your answer,</p> <p>20 and I appreciate your honesty and integrity and</p> <p>21 going forward with the process.</p> <p>22 SEN. RUCHO: Thank you, Representative</p> <p>23 Jones. Senator Clark?</p> <p>24 SEN. CLARK: Thank you, Mr. Chairman.</p> <p>25 I'm having difficulty understanding why I should</p>



62	<p>1 agree to vote for maps to bake in partisan</p> <p>2 advantage that was achieved through the use of</p> <p>3 unconstitutional maps. Could you explain that to</p> <p>4 me?</p> <p>5 REP. LEWIS: Well, to be clear, sir,</p> <p>6 we -- we are proposing that the maps that are drawn</p> <p>7 now under this criteria which we have passed a</p> <p>8 plank of, and continue to move forward, one of the</p> <p>9 goals in drawing the map will be to preserve the</p> <p>10 10/3. With all due respect, I've listened to this,</p> <p>11 and we can of course continue to discuss this as</p> <p>12 long as the committee wants to. It's always sort</p> <p>13 of amazed me that if the map elects one side, the</p> <p>14 other side considers -- considers it a gerrymander,</p> <p>15 and something bad. If it elects their side, they</p> <p>16 consider it a work of art, and good government, so</p> <p>17 this is saying that one of the goals will be to</p> <p>18 elect -- to speak directly to your point, the goal</p> <p>19 is to elect 10 Republicans and 3 Democrats.</p> <p>20 SEN. RUCHO: Thank you. Representative</p> <p>21 Lewis, there was a comment earlier about the</p> <p>22 districts, the 13 districts that exist, 10</p> <p>23 presently Republican, and 3 Democrat, and under the</p> <p>24 circumstances, could you explain a little bit about</p> <p>25 the make-up of the Republican districts and who</p>	64	<p>1 competitive. I pointed out before that in the race</p> <p>2 for attorney general that Attorney General Cooper</p> <p>3 won nearly all of these. We can go back through</p> <p>4 this 2011 debate if we'd like to, but I would again</p> <p>5 maintain that you've got to put forward a good</p> <p>6 candidate that appeals to the majority of folks,</p> <p>7 and that the majority of folks in these districts</p> <p>8 in the enacted plan are not registered Republicans.</p> <p>9 In fact, to the best of my knowledge, in all but</p> <p>10 perhaps one, we are the minority in all of the</p> <p>11 districts.</p> <p>12 SEN. RUCHO: Thank you. Okay,</p> <p>13 Representative Jackson?</p> <p>14 REP. JACKSON: Thank you, Mr. Chairman.</p> <p>15 Senator Clark took one of my points that I was</p> <p>16 going to make, but part of my uneasiness with this</p> <p>17 is that it refers to the current Congressional</p> <p>18 plan. I think you could make reference just saying</p> <p>19 that you want to do it to a partisan advantage and</p> <p>20 maximize Republican members, and I could agree with</p> <p>21 that, I guess, but you have that opportunity.</p> <p>22 I would point out that your maps</p> <p>23 originally had a 9/4 split, and that any reference</p> <p>24 to 10/3 is not what your maps were; your maps were</p> <p>25 a 9/4 split. What you've done is taken out the</p>
63	<p>1 they're composed of, and what is necessary for that</p> <p>2 Republican to win an election?</p> <p>3 REP. LEWIS: Thank you for the question,</p> <p>4 Mr. Chairman. First of all, it would be necessary</p> <p>5 to go back and review the stat packs and whatnot</p> <p>6 from the 2011 districts, which are online if</p> <p>7 anybody would like to do that, but to the best of</p> <p>8 my knowledge, Republicans hold no majority as far</p> <p>9 as voter registration in any of those districts.</p> <p>10 It's also -- well, and it is firmly my</p> <p>11 belief that it's the responsibility of each of the</p> <p>12 political parties to nominate quality candidates</p> <p>13 who can appeal to the entire political spectrum.</p> <p>14 It was pointed out yesterday during the public</p> <p>15 hearing that the unaffiliated ranks in our state</p> <p>16 continue to grow. If you don't get them -- if you</p> <p>17 don't get a large percentage of the unaffiliated</p> <p>18 vote in most of our districts, you're not going to</p> <p>19 win, and so I would say that you are required to</p> <p>20 have a good-quality candidate that appeals to the</p> <p>21 political expectations of the majority of the folks</p> <p>22 in that district.</p> <p>23 I can go back, and we can go through some</p> <p>24 of the points. I do still -- I actually maintain</p> <p>25 that the districts that we have now are largely</p>	65	<p>1 2012 election, but that's not my question.</p> <p>2 My question is, are we going to rank</p> <p>3 these criteria in any order, because you've used</p> <p>4 words in this criteria like "reasonable efforts."</p> <p>5 Well, if -- are the -- how will the mapmakers know</p> <p>6 what a reasonable effort is? In trying to come up</p> <p>7 with 10 Republican districts, will they be able to</p> <p>8 make a reasonable effort that means they can now</p> <p>9 consider race? Will they be able to make a</p> <p>10 reasonable effort that means that now they can</p> <p>11 consider the 2008, 2012 elections? Will they be</p> <p>12 able to split precincts as part of making a</p> <p>13 reasonable effort to make a 10/3 split?</p> <p>14 REP. LEWIS: Representative Jackson,</p> <p>15 thank you for that series of questions. The answer</p> <p>16 to your question, the first part was -- I'm sorry.</p> <p>17 Mr. Chairman, I'm sorry.</p> <p>18 SEN. RUCHO: Go ahead, please.</p> <p>19 REP. JACKSON: Will there be any type of</p> <p>20 ranking of these criteria anywhere?</p> <p>21 REP. LEWIS: No. No is the answer.</p> <p>22 That's why these criteria are being presented</p> <p>23 individually and discussed and debated</p> <p>24 individually. Map -- drawing maps is largely a</p> <p>25 balancing act. We are trying to specify certain</p>

66	<p>1 things that you cannot use. You asked about race.</p> <p>2 You cannot use that, and I apologize; I don't</p> <p>3 remember what else you asked about, Representative</p> <p>4 Jackson.</p> <p>5 REP. JACKSON: Follow-up, Mr. Chairman?</p> <p>6 SEN. RUCHO: Follow-up.</p> <p>7 REP. JACKSON: Okay. So it would be your</p> <p>8 contention, then, that making reasonable efforts</p> <p>9 would not include violating any of the other</p> <p>10 criteria that we have passed?</p> <p>11 REP. LEWIS: Absolutely. Mr. Chairman?</p> <p>12 SEN. RUCHO: Yes?</p> <p>13 REP. LEWIS: If there aren't further</p> <p>14 questions, I move adoption of the 2016 contingent</p> <p>15 Congressional plan proposed criteria labeled</p> <p>16 "Partisan Advantage."</p> <p>17 SEN. RUCHO: All right.</p> <p>18 REP. JONES: Second.</p> <p>19 SEN. RUCHO: Representative Jones has</p> <p>20 seconded. All right, members of the committee,</p> <p>21 there has been considerable discussion, and if</p> <p>22 there's any additional thoughts, this is your</p> <p>23 opportunity.</p> <p>24 (No response.)</p> <p>25 SEN. RUCHO: Seeing none, Mr. Clerk,</p>	68	<p>1 CLERK: Jordan?</p> <p>2 REP. JORDAN: Aye.</p> <p>3 CLERK: McGrady?</p> <p>4 REP. MCGRADY: Aye.</p> <p>5 CLERK: Michaux?</p> <p>6 REP. MICHAUX: No.</p> <p>7 CLERK: Moore?</p> <p>8 REP. MOORE: No.</p> <p>9 CLERK: Stam?</p> <p>10 REP. STAM: Aye.</p> <p>11 CLERK: Stevens?</p> <p>12 REP. STEVENS: Aye.</p> <p>13 CLERK: Rucho?</p> <p>14 SEN. RUCHO: Aye.</p> <p>15 CLERK: Apodaca?</p> <p>16 SEN. APODACA: Aye.</p> <p>17 CLERK: Barefoot?</p> <p>18 SEN. BAREFOOT: Aye.</p> <p>19 CLERK: Blue?</p> <p>20 SEN. BLUE: No.</p> <p>21 CLERK: Brown?</p> <p>22 SEN. BROWN: Aye.</p> <p>23 CLERK: Clark?</p> <p>24 SEN. CLARK: No.</p> <p>25 CLERK: Harrington?</p>
67	<p>1 please go through the roll.</p> <p>2 CLERK: Lewis?</p> <p>3 REP. LEWIS: Aye.</p> <p>4 CLERK: Jones?</p> <p>5 REP. JONES: Aye.</p> <p>6 CLERK: Brawley?</p> <p>7 REP. BRAWLEY: Aye.</p> <p>8 CLERK: Cotham?</p> <p>9 REP. COTHAM: No.</p> <p>10 CLERK: Davis?</p> <p>11 REP. DAVIS: Aye.</p> <p>12 CLERK: Farmer-Butterfield?</p> <p>13 REP. FARMER-BUTTERFIELD: No.</p> <p>14 CLERK: Hager?</p> <p>15 REP. HAGER: Aye.</p> <p>16 CLERK: Hanes?</p> <p>17 REP. HANES: No.</p> <p>18 CLERK: Hardister?</p> <p>19 REP. HARDISTER: Aye.</p> <p>20 CLERK: Hurley?</p> <p>21 REP. HURLEY: Aye.</p> <p>22 CLERK: Jackson?</p> <p>23 REP. JACKSON: No.</p> <p>24 CLERK: Johnson?</p> <p>25 REP. JOHNSON: Aye.</p>	69	<p>1 SEN. HARRINGTON: Aye.</p> <p>2 CLERK: Hise?</p> <p>3 SEN. HISE: Aye.</p> <p>4 CLERK: Jackson?</p> <p>5 SEN. JACKSON: Aye.</p> <p>6 CLERK: Lee?</p> <p>7 SEN. LEE: Aye.</p> <p>8 CLERK: McKissick?</p> <p>9 SEN. MCKISSICK: No.</p> <p>10 CLERK: Randleman?</p> <p>11 SEN. RANDLEMAN: Aye.</p> <p>12 CLERK: Sanderson?</p> <p>13 SEN. SANDERSON: Aye.</p> <p>14 CLERK: Smith?</p> <p>15 SEN. SMITH: No.</p> <p>16 CLERK: Smith-Ingram?</p> <p>17 SEN. SMITH-INGRAM: No.</p> <p>18 CLERK: Wells?</p> <p>19 SEN. WELLS: Aye.</p> <p>20 CLERK: 23-11.</p> <p>21 SEN. RUCHO: All right, members of the</p> <p>22 committee, roll call on the "Partisan Advantage"</p> <p>23 criteria was ayes, 23, nos, 11.</p> <p>24 We'll be going on to the next one, and</p> <p>25 that is -- okay, got it. This is the 12th</p>

<p style="text-align: right;">70</p> <p>1 District. Would you, Ms. Churchill, read out --</p> <p>2 read this criteria, please?</p> <p>3 MS. CHURCHILL: "12th District: The</p> <p>4 current General Assembly inherited the</p> <p>5 configuration of the 12th District from past</p> <p>6 General Assemblies. This configuration was</p> <p>7 retained because of the -- because the district had</p> <p>8 already been heavily litigated over the past two</p> <p>9 decades, and ultimately approved by the courts.</p> <p>10 The Harris court has criticized the shape of the</p> <p>11 12th District, citing its serpentine nature. In</p> <p>12 light of this, the committee shall construct</p> <p>13 districts in the 2015 contingent Congressional plan</p> <p>14 that eliminate the current configuration of the</p> <p>15 12th District."</p> <p>16 SEN. RUCHO: And, Representative Lewis,</p> <p>17 would you explain the criteria under the "12th</p> <p>18 District" heading?</p> <p>19 REP. LEWIS: Thank you, Mr. Chairman.</p> <p>20 This largely goes -- I'll try to use my friend from</p> <p>21 Wake, Representative Jackson's, words. As these</p> <p>22 criteria stand on their own and have to be</p> <p>23 considered together, what this is saying is that</p> <p>24 the mapmakers will make an effort to draw the 12th</p> <p>25 Congressional District in a shape that the judges</p>	<p style="text-align: right;">72</p> <p>1 good idea.</p> <p>2 SEN. RUCHO: Members of the -- oh, I'm</p> <p>3 sorry. Go ahead, Chairman Lewis.</p> <p>4 REP. LEWIS: Mr. Chairman, I just -- I</p> <p>5 just wanted to thank Senator Blue for his words.</p> <p>6 I'm glad that after two decades of drawing maps,</p> <p>7 we've found something we can agree on.</p> <p>8 SEN. RUCHO: All right, members of the</p> <p>9 committee. Senator McKissick?</p> <p>10 SEN. MCKISSICK: While I appreciate the</p> <p>11 fact that the 12th District has an unusual shaped</p> <p>12 appearance, I'm also aware of the fact that it's</p> <p>13 gone up before the Supreme Court previously, and</p> <p>14 when I think of the fact that one of the things we</p> <p>15 have to consider is communities of interest, and</p> <p>16 communities of interest is certainly something</p> <p>17 that's a very valid consideration in drawing</p> <p>18 Congressional districts, and I've heard it stated</p> <p>19 on numerous occasions that communities of interest</p> <p>20 test here is met and satisfied with the shape being</p> <p>21 what it is today.</p> <p>22 Now, while it may appear a bit</p> <p>23 serpentine, a little bit unusual, I think it's</p> <p>24 possible to reconfigure the district, perhaps to</p> <p>25 make it somewhat more compact, but it links</p>
<p style="text-align: right;">71</p> <p>1 would not consider serpentine.</p> <p>2 SEN. RUCHO: Does that conclude your</p> <p>3 explanation?</p> <p>4 REP. LEWIS: Yes, sir.</p> <p>5 SEN. RUCHO: Okay. Members of the</p> <p>6 committee.</p> <p>7 SEN. BLUE: Mr. Chairman?</p> <p>8 SEN. RUCHO: Senator Blue?</p> <p>9 SEN. BLUE: I want to commend</p> <p>10 Representative Lewis. I agree that the 12th</p> <p>11 District ought to be contiguous, it ought to be</p> <p>12 compact, as all of the other districts in the</p> <p>13 state, and I think a good starting point for</p> <p>14 drawing constitutional maps would be to start with</p> <p>15 the 12th District and make it compact, and let it</p> <p>16 impact the other districts.</p> <p>17 I think differently about the 1st,</p> <p>18 because I think that the law requires it. I have</p> <p>19 no particular love for the shape of any of these</p> <p>20 strange districts, but if you're serious about</p> <p>21 creating a district that's compact, that's</p> <p>22 contiguous, and that covers as few counties as</p> <p>23 possible by not unreasonably splitting county</p> <p>24 lines, by not splitting county lines except where</p> <p>25 necessary to comply with population, I think it's a</p>	<p style="text-align: right;">73</p> <p>1 together significant cores of the urban parts of</p> <p>2 our state along the main street of the state, which</p> <p>3 is now Interstate 85. Interstate 85 is the main</p> <p>4 corridor.</p> <p>5 Those urban areas are linked from</p> <p>6 Charlotte going through Greensboro and back up into</p> <p>7 the Piedmont area of our state, so I would not want</p> <p>8 to abandon it. I'd want to perhaps reconfigure it,</p> <p>9 but keeping in mind the communities of interest</p> <p>10 that it ties together, major urban cores with</p> <p>11 populations that have similar interests and</p> <p>12 concerns, along with major banking centers.</p> <p>13 One of the -- I've heard before that that</p> <p>14 particular district had more banking headquarters</p> <p>15 than any Congressional district in our country, and</p> <p>16 I rely upon that based upon the sources of that</p> <p>17 data, so I would not abandon it; I would simply try</p> <p>18 to reconfigure it, perhaps make it more compact,</p> <p>19 but to respect the communities of interest that it</p> <p>20 does unify.</p> <p>21 SEN. RUCHO: Thank you. Any additional</p> <p>22 questions? Well, let me first say, Representative</p> <p>23 Lewis, do you want to make a comment to that?</p> <p>24 REP. LEWIS: (Shakes head.)</p> <p>25 SEN. RUCHO: Representative Hanes?</p>

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<p>1 REP. HANES: Thank you, Mr. Chairman. I</p> <p>2 think both the senators have -- have excellent</p> <p>3 points. I agree especially with Senator Blue and</p> <p>4 his statements with regard to what we need to be</p> <p>5 looking at as a whole as we consider what these</p> <p>6 districts look like. Certainly when it comes to</p> <p>7 Democrats -- and I know we're trying to avoid the</p> <p>8 word "race" here, but when it comes to folks who</p> <p>9 look like me, we want our voices heard everywhere,</p> <p>10 and so in that regard, part of the way we do that</p> <p>11 is to put our communities together within our</p> <p>12 counties. I think while we certainly don't have to</p> <p>13 abandon what the 12th is right now, certainly we</p> <p>14 need to be looking at very strongly doing what</p> <p>15 Senator Blue suggests, and so I will be supporting</p> <p>16 it. Thank you.</p> <p>17 SEN. RUCHO: Thank you. Members of the</p> <p>18 committee, any additional questions or comments?</p> <p>19 (No response.)</p> <p>20 SEN. RUCHO: Representative Lewis, do you</p> <p>21 have a motion?</p> <p>22 REP. LEWIS: Mr. Chairman, I move that</p> <p>23 the 2016 contingent Congressional plan proposed</p> <p>24 criteria labeled "12th District" be adopted.</p> <p>25 SEN. APODACA: Second.</p>	<p>1 CLERK: Hurley?</p> <p>2 REP. HURLEY: Aye.</p> <p>3 CLERK: Jackson?</p> <p>4 REP. JACKSON: Yes.</p> <p>5 CLERK: Johnson?</p> <p>6 REP. JOHNSON: Aye.</p> <p>7 CLERK: Jordan?</p> <p>8 REP. JORDAN: Aye.</p> <p>9 CLERK: McGrady?</p> <p>10 REP. MCGRADY: Aye.</p> <p>11 CLERK: Michaux?</p> <p>12 REP. MICHAUX: Aye.</p> <p>13 CLERK: Moore?</p> <p>14 REP. MOORE: Aye.</p> <p>15 CLERK: Stam?</p> <p>16 REP. STAM: Aye.</p> <p>17 CLERK: Stevens?</p> <p>18 REP. STEVENS: Aye.</p> <p>19 CLERK: Rucho?</p> <p>20 SEN. RUCHO: Aye.</p> <p>21 CLERK: Apodaca?</p> <p>22 SEN. APODACA: Aye.</p> <p>23 CLERK: Barefoot?</p> <p>24 SEN. BAREFOOT: Aye.</p> <p>25 CLERK: Blue?</p>
75	77
<p>1 SEN. RUCHO: Second by Senator Apodaca.</p> <p>2 Members of the committee, you have this motion</p> <p>3 before you. Any questions or comments prior to a</p> <p>4 roll call vote?</p> <p>5 (No response.)</p> <p>6 SEN. RUCHO: Seeing none, Mr. Clerk,</p> <p>7 would you go through the roll call, please?</p> <p>8 CLERK: Lewis?</p> <p>9 REP. LEWIS: Aye.</p> <p>10 CLERK: Jones?</p> <p>11 REP. JONES: Aye.</p> <p>12 CLERK: Brawley?</p> <p>13 REP. BRAWLEY: Aye.</p> <p>14 CLERK: Cotham?</p> <p>15 REP. COTHAM: Yes.</p> <p>16 CLERK: Davis?</p> <p>17 REP. DAVIS: Aye.</p> <p>18 CLERK: Farmer-Butterfield?</p> <p>19 REP. FARMER-BUTTERFIELD: Yes.</p> <p>20 CLERK: Hager?</p> <p>21 REP. HAGER: Aye.</p> <p>22 CLERK: Hanes?</p> <p>23 REP. HANES: Yes.</p> <p>24 CLERK: Hardister?</p> <p>25 REP. HARDISTER: Aye.</p>	<p>1 SEN. BLUE: Aye.</p> <p>2 CLERK: Brown?</p> <p>3 SEN. BROWN: Aye.</p> <p>4 CLERK: Clark?</p> <p>5 SEN. CLARK: Aye.</p> <p>6 CLERK: Harrington?</p> <p>7 SEN. HARRINGTON: Aye.</p> <p>8 CLERK: Hise?</p> <p>9 SEN. HISE: Aye.</p> <p>10 CLERK: Jackson?</p> <p>11 SEN. JACKSON: Aye.</p> <p>12 CLERK: Lee?</p> <p>13 SEN. LEE: Aye.</p> <p>14 CLERK: McKissick?</p> <p>15 SEN. MCKISSICK: No.</p> <p>16 CLERK: Randleman?</p> <p>17 SEN. RANDLEMAN: Aye.</p> <p>18 CLERK: Sanderson?</p> <p>19 SEN. SANDERSON: Aye.</p> <p>20 CLERK: Smith?</p> <p>21 SEN. SMITH: Aye.</p> <p>22 CLERK: Smith-Ingram?</p> <p>23 SEN. SMITH-INGRAM: Aye.</p> <p>24 CLERK: Wells?</p> <p>25 SEN. WELLS: Aye.</p>

<p style="text-align: right;">78</p> <p>1 CLERK: One no.</p> <p>2 SEN. RUCHO: So 33 aye and 1 no, correct?</p> <p>3 CLERK: Yes.</p> <p>4 SEN. RUCHO: Members of the committee,</p> <p>5 the roll call vote on that, the criteria for the</p> <p>6 12th District adoption, is 33 aye and 1 no. All</p> <p>7 right.</p> <p>8 Before we go on to the next criteria,</p> <p>9 I'll make a statement to the committee that under</p> <p>10 the House rules, there is a way of amending or</p> <p>11 submitting an amendment forward. If you'll contact</p> <p>12 Ms. Churchill on this, she will assist you in doing</p> <p>13 so if you desire.</p> <p>14 All right, that being said,</p> <p>15 Representative Lewis, before us is --</p> <p>16 REP. LEWIS: "Compactness."</p> <p>17 SEN. RUCHO: -- "Compactness." All</p> <p>18 right. Please, Ms. Churchill, would you read that?</p> <p>19 MS. CHURCHILL: "Compactness: In light</p> <p>20 of the Harris court's criticism of the compactness</p> <p>21 of the 1st and 12th Districts, the committee shall</p> <p>22 make reasonable efforts to construct districts in</p> <p>23 the 2016 contingent Congressional plan that improve</p> <p>24 the compactness of the current districts and keep</p> <p>25 more counties and VTDs whole as compared to the</p>	<p style="text-align: right;">80</p> <p>1 Mecklenburg. There's only 1 in Wake, I believe.</p> <p>2 There's only 1 in Wake, and so 2 counties. There</p> <p>3 may be 2 in Guilford. Is there any other county</p> <p>4 with more than 1 incumbent?</p> <p>5 REP. LEWIS: Senator Blue, thank you for</p> <p>6 that question, and candidly, I don't believe so,</p> <p>7 but I don't know that, either.</p> <p>8 SEN. RUCHO: Follow-up?</p> <p>9 SEN. BLUE: So if the only place that you</p> <p>10 would worry about splitting the county to protect</p> <p>11 the incumbency would be Mecklenburg County based on</p> <p>12 the current layout -- I know that there are some of</p> <p>13 us counties that are split 3 and 4 different ways,</p> <p>14 but I know in Wake County, there's only 1 resident</p> <p>15 Congressperson, although we have 4 districts here,</p> <p>16 and I think that the same is true of every other</p> <p>17 county except Mecklenburg, with the exception of</p> <p>18 Guilford. There may be 2 from Guilford. I'm not</p> <p>19 sure, but nevertheless, why should we split</p> <p>20 counties if you don't have to, to protect the</p> <p>21 incumbents? Why shouldn't we leave counties whole</p> <p>22 all over the state except where you have to split</p> <p>23 them because of population?</p> <p>24 SEN. RUCHO: Representative Lewis?</p> <p>25 REP. LEWIS: Thank you for that question,</p>
<p style="text-align: right;">79</p> <p>1 current enacted plan. Division of counties shall</p> <p>2 only be made for reasons of equalizing population,</p> <p>3 consideration of incumbency, and political impact.</p> <p>4 Reasonable effort shall be made not to divide a</p> <p>5 county into more than two districts."</p> <p>6 SEN. RUCHO: Representative Lewis, would</p> <p>7 you please explain the "Compactness" criteria?</p> <p>8 REP. LEWIS: Thank you, Mr. Chairman. To</p> <p>9 be clear, the -- trying to explain compactness is</p> <p>10 very difficult, as I don't know that there is a</p> <p>11 hard-and-fast definition that I can offer to the</p> <p>12 committee. The way that I will interpret it is</p> <p>13 again trying to keep as many counties whole as</p> <p>14 possible, to split as few precincts as possible,</p> <p>15 and again, only to -- and to only do that to</p> <p>16 equalize population.</p> <p>17 I would -- I would point out, again going</p> <p>18 back to my friend, Representative Jackson's</p> <p>19 question, these criteria kind of layer on each</p> <p>20 other, and so I would -- I would urge the committee</p> <p>21 to adopt the guideline on compactness.</p> <p>22 SEN. RUCHO: Senator Blue?</p> <p>23 SEN. BLUE: Thank you. Representative</p> <p>24 Lewis, other than in 3 counties, are there multiple</p> <p>25 incumbents? I know that there's more than 1 in</p>	<p style="text-align: right;">81</p> <p>1 Senator Blue. My response would simply be that</p> <p>2 considering where incumbents live, and for lack of</p> <p>3 a better way to say it, the protection of</p> <p>4 incumbents has always been an accepted political</p> <p>5 practice in drawing maps. This does not require us</p> <p>6 to do that. This simply says that that could be</p> <p>7 one of the reasons that a county would be split.</p> <p>8 The most important part of this is trying</p> <p>9 to establish that we won't split counties more than</p> <p>10 2 times, and we've already passed a criteria that</p> <p>11 this reiterates, that the biggest reason a county</p> <p>12 should be split is only to equalize the population</p> <p>13 between the districts.</p> <p>14 SEN. BLUE: Follow-up.</p> <p>15 SEN. RUCHO: Follow-up.</p> <p>16 SEN. BLUE: And I agree with that, but</p> <p>17 I'm saying under the current scenario -- and in</p> <p>18 fact, I think Mecklenburg is the only county that</p> <p>19 has two Congresspeople, so you could split</p> <p>20 Mecklenburg anyhow because you've got to split it</p> <p>21 because it's got over 750,000, or whatever the</p> <p>22 number is, people. You've got to split Wake;</p> <p>23 you've got to split Mecklenburg. The others could</p> <p>24 be made whole except for population purposes, so</p> <p>25 why would you adopt criteria saying that you're not</p>

<p style="text-align: right;">82</p> <p>1 going to split counties except to protect</p> <p>2 incumbents when you don't have any incumbents to</p> <p>3 protect, and you ultimately say that you will split</p> <p>4 them for political impact, which means that you can</p> <p>5 indiscriminately split counties however you want to</p> <p>6 anyhow if you determine what the political impact</p> <p>7 is? Why would you say that, and why would you put</p> <p>8 that provision in there?</p> <p>9 SEN. RUCHO: Representative --</p> <p>10 SEN. BLUE: And that being said, would</p> <p>11 you be willing to --</p> <p>12 SEN. RUCHO: One question. Let him</p> <p>13 answer this one first, please.</p> <p>14 SEN. BLUE: It's part of the same</p> <p>15 question. That being said, would you be willing to</p> <p>16 strike after the comma and the word "population" on</p> <p>17 the third from the bottom line the phrases</p> <p>18 "consideration of incumbency" and "political</p> <p>19 impact" so that there's a clear signal that you're</p> <p>20 not going to split counties since you don't have to</p> <p>21 split them to protect incumbents, so that you're</p> <p>22 not going to split counties except where you have</p> <p>23 to, to get to the one person, one vote requirement?</p> <p>24 SEN. RUCHO: Representative Lewis, why</p> <p>25 don't you answer his first question first? He</p>	<p style="text-align: right;">84</p> <p>1 SEN. BLUE: If there is no incumbency,</p> <p>2 then incumbents won't be considered in splitting</p> <p>3 districts, and that can't be the reason for</p> <p>4 splitting it. I'm simply saying that when you say</p> <p>5 "political impact," you take away everything else</p> <p>6 you put in that phrase, and if we believe in</p> <p>7 keeping counties whole to the extent possible,</p> <p>8 especially small counties, if we believe in that,</p> <p>9 then all we've got to do is say we're only going to</p> <p>10 split counties to equalize population, and I'm</p> <p>11 wondering why it's so critical that you say</p> <p>12 "political impact," since that phrase is loaded</p> <p>13 with all kinds of subjective determinations, with</p> <p>14 the ability to totally disregard this earlier</p> <p>15 portion saying that you're not going to split</p> <p>16 counties, or you're only going to split counties to</p> <p>17 put them into two districts, because you don't say</p> <p>18 you won't split them; you say you'll make</p> <p>19 reasonable efforts not to. I'm saying why don't we</p> <p>20 have an absolute prohibition on splitting counties</p> <p>21 except when it's necessary to comply with one</p> <p>22 person, one vote?</p> <p>23 REP. LEWIS: Thank you for that question,</p> <p>24 Senator Blue. My response to that would be that we</p> <p>25 will look forward to reviewing maps that you may</p>
<p style="text-align: right;">83</p> <p>1 asked too many questions.</p> <p>2 REP. LEWIS: Senator Blue, thank you for</p> <p>3 that series of inquiries. I do apologize because I</p> <p>4 don't remember exactly what you asked.</p> <p>5 SEN. BLUE: Do you need me to reask it?</p> <p>6 REP. LEWIS: Let me just say that it is</p> <p>7 my intent to split as few counties as we possibly</p> <p>8 can, and to not allow the counties to be divided</p> <p>9 more than two times. Our overarching goal of this,</p> <p>10 as Representative Jackson and I have had some</p> <p>11 continued conversation, all of these criteria kind</p> <p>12 of overlap on each other.</p> <p>13 I would agree with you that equalizing</p> <p>14 population is a mandatory reason that a county may</p> <p>15 have to be split. I would also say that it would</p> <p>16 be dishonest of me to say that political impact</p> <p>17 can't be considered in how you draw districts.</p> <p>18 I don't see any harm in leaving the words</p> <p>19 "consideration of incumbency" because there's no</p> <p>20 requirement that the districts be drawn to include</p> <p>21 the current seated members. It just allows for</p> <p>22 the -- the consideration that they are -- that they</p> <p>23 are in fact there.</p> <p>24 SEN. BLUE: One last follow-up.</p> <p>25 SEN. RUCHO: Last follow-up.</p>	<p style="text-align: right;">85</p> <p>1 submit that follow that criteria. I feel very</p> <p>2 comfortable that we've made clear through this</p> <p>3 process of what our -- what our intents are, and I</p> <p>4 would prefer that this criteria remain as it's</p> <p>5 written.</p> <p>6 SEN. RUCHO: Thank you. Representative</p> <p>7 Jones?</p> <p>8 REP. JONES: Thank you, Mr. Chairman. I</p> <p>9 just wanted to clarify the record that there are</p> <p>10 two Congressmen that live in Guilford County, Mark</p> <p>11 Walker of the 6th District, and Alma Adams of the</p> <p>12 12th District.</p> <p>13 SEN. RUCHO: Okay. I've got -- I've got</p> <p>14 Senator Smith.</p> <p>15 SEN. SMITH: Thank you, Mr. Chairman. I</p> <p>16 certainly appreciate the idea of compactness. I</p> <p>17 very much want to see precincts and counties left</p> <p>18 whole. I would respectfully tell you that in 2011,</p> <p>19 there was a district drawn where an incumbent was</p> <p>20 drawn out. It was the district that I lived in,</p> <p>21 and so the 7th Congressional District drew -- was</p> <p>22 changed to the 8th Congressional District, and the</p> <p>23 Congressman McIntyre, who was the incumbent, was</p> <p>24 drawn out essentially of his own district, and my</p> <p>25 concern is what Senator Blue has said. The idea of</p>

<p style="text-align: right;">86</p> <p>1 compactness is great, but when we leave in this 2 other phrase about incumbency, we have taken away 3 the other reason, the only reason that really 4 should be the case, and that is population. 5 REP. LEWIS: Senator, I appreciate that. 6 Again, I would state that equalizing population is 7 definitely the required reason that a county may 8 have to be split. This simply allows for 9 consideration of incumbency and consideration of 10 political impact. I don't -- I don't see that that 11 would interfere with us being able to use 12 compactness in drawing the maps. 13 SEN. SMITH: Follow-up, Mr. Chair? 14 SEN. RUCHO: Follow-up. 15 SEN. SMITH: I just would point out that 16 population was not the case in 2011, and my concern 17 is that if we agree to this and keep this as 18 incumbency and political impact, that that will end 19 up trumping population, and splitting counties and 20 precincts. 21 SEN. RUCHO: Thank you. Representative 22 Lewis, do you want to comment? 23 REP. LEWIS: No. 24 SEN. RUCHO: You're all set? Just a 25 quick -- is it -- a question for the Chair,</p>	<p style="text-align: right;">88</p> <p>1 Representative Lewis: The way this is drafted now, 2 what I'm seeing is a statement of an aspirational 3 goal, but not a strict requirement. Is that 4 correct, or is that a misreading? It's one thing 5 to aspire to accomplish these things, which I 6 support. It's another thing if you make it a 7 litmus test, so can you clarify that? 8 REP. LEWIS: Thank you for that question, 9 Senator McKissick. Let me say that this is an 10 aspirational goal. 11 SEN. MCKISSICK: In which case, I embrace 12 it. 13 SEN. RUCHO: Okay. From the Chair, 14 Senator McKissick [sic], a question that 15 Representative Jackson asked earlier, and when you 16 talk about the criteria, is it accurate to say that 17 all of them are weighted at the same level, and 18 it's a matter of harmonizing to try to get to a map 19 that meets those criteria? 20 (No response.) 21 SEN. RUCHO: David? 22 REP. LEWIS: I'm sorry, Mr. Chairman. 23 SEN. RUCHO: Oh, I'm sorry. From the 24 Chair, a question for you. 25 REP. LEWIS: Yes, sir?</p>
<p style="text-align: right;">87</p> <p>1 Representative Lewis: Is it a requirement for a 2 Congressional candidate to live in the district 3 they're running in? 4 REP. LEWIS: No. A candidate for 5 Congress is not required to reside in the district 6 in which they run. 7 SEN. RUCHO: Okay, thank you. I've got 8 Representative Hager. 9 REP. HAGER: Thank you, Mr. Chairman, and 10 thank you, Representative Lewis, for -- for this 11 particularly, because as I said earlier, Rutherford 12 County, prior to the Rucho-Lewis maps that we're 13 under today, split Rutherford County between the 14 10th and the 11th. Now, I find it -- and I have a 15 question for you. I find it very ironic that that 16 split for the 11th included -- came down Main 17 Street in Rutherfordton to include Walter Dalton's 18 house, so the question I have for you is we won't 19 split districts depending on who we think may run 20 for that Congressional district; would that be 21 correct? 22 REP. LEWIS: Yes, sir, that's correct. 23 SEN. RUCHO: Okay. All right. I've got 24 Senator McKissick. 25 SEN. MCKISSICK: Let me ask you this,</p>	<p style="text-align: right;">89</p> <p>1 SEN. RUCHO: Based on what Representative 2 Jackson asked earlier, all of these criteria listed 3 that's being submitted and voted upon, is it fair 4 to say that the criteria established are not ranked 5 as far as priorities, but are a matter of 6 harmonizing until you can get a map that meets 7 those criteria? 8 REP. LEWIS: That's correct, sir. We are 9 seeking aspirational harmony. 10 (Laughter.) 11 SEN. RUCHO: Okay. Do you have a motion? 12 REP. LEWIS: Mr. Chairman, I would move 13 that the 2016 contingent Congressional plan 14 proposed criteria labeled "Compactness" be adopted 15 by the committee. 16 SEN. RUCHO: All right. I've got -- 17 Representative Davis has seconded that motion. 18 Members of the committee, any questions, comments 19 prior to a roll call vote? Representative Farmer- 20 Butterfield? 21 REP. FARMER-BUTTERFIELD: Thank you. I 22 want to ask about the hearings yesterday and how 23 much impact they had on the criteria, if any, based 24 on what you're presenting today. 25 SEN. RUCHO: Representative Lewis?</p>

<p style="text-align: right;">90</p> <p>1 REP. LEWIS: Thank you for that -- thank</p> <p>2 you for that inquiry, Representative. I will tell</p> <p>3 you that many things that stand out in my mind are</p> <p>4 do away with the 12th, keep counties whole, all of</p> <p>5 which we've addressed in this, so I would say that</p> <p>6 they had a great deal of impact on the criteria</p> <p>7 that you have before you.</p> <p>8 SEN. RUCHO: All set? Okay. Yes,</p> <p>9 Representative Stevens?</p> <p>10 REP. STEVENS: Thank you, Mr. Chair, and</p> <p>11 I just wanted to commend Representative Lewis and</p> <p>12 perhaps answer some of the things that some of the</p> <p>13 people are talking about, and I'd like to read -- I</p> <p>14 guess it's about one and a half paragraphs of one</p> <p>15 of the most recent redistricting cases in March of</p> <p>16 2015.</p> <p>17 It says, "Now consider the nature of</p> <p>18 those offsetting 'traditional race-neutral</p> <p>19 districting principles.' We have listed several,</p> <p>20 including 'compactness, contiguity, respect for</p> <p>21 political subdivisions or communities defined by</p> <p>22 actual shared interests,' incumbency protection,</p> <p>23 and political affiliation," those things that we've</p> <p>24 done.</p> <p>25 The next paragraph says, "But we have not</p>	<p style="text-align: right;">92</p> <p>1 CLERK: Brawley?</p> <p>2 REP. BRAWLEY: Aye.</p> <p>3 CLERK: Cotham?</p> <p>4 REP. COTHAM: No.</p> <p>5 CLERK: Davis?</p> <p>6 REP. DAVIS: Aye.</p> <p>7 CLERK: Farmer-Butterfield?</p> <p>8 REP. FARMER-BUTTERFIELD: No.</p> <p>9 CLERK: Hager?</p> <p>10 REP. HAGER: Aye.</p> <p>11 CLERK: Hanes?</p> <p>12 REP. HANES: Yes.</p> <p>13 CLERK: Hardister?</p> <p>14 REP. HARDISTER: Aye.</p> <p>15 CLERK: Hurley?</p> <p>16 REP. HURLEY: Aye.</p> <p>17 CLERK: Jackson?</p> <p>18 REP. JACKSON: No.</p> <p>19 CLERK: Johnson?</p> <p>20 REP. JOHNSON: Aye.</p> <p>21 CLERK: Jordan?</p> <p>22 REP. JORDAN: Aye.</p> <p>23 CLERK: McGrady?</p> <p>24 REP. MCGRADY: Aye.</p> <p>25 CLERK: Michaux?</p>
<p style="text-align: right;">91</p> <p>1 listed equal population objectives. And there is a</p> <p>2 reason for that omission. The reason that equal</p> <p>3 population objectives do not appear on this list of</p> <p>4 'traditional' criteria is that equal population</p> <p>5 objectives play a major -- different role in a</p> <p>6 State's redistricting process. That role is not a</p> <p>7 minor one. Indeed, in light of the Constitution's</p> <p>8 demands, that role may often prove 'predominant' in</p> <p>9 the ordinary sense of that word," because the equal</p> <p>10 population, it goes on to talk about in the voting</p> <p>11 rights districts we really have to take a different</p> <p>12 focus on that, so I commend you for all of the</p> <p>13 criteria you've set forward. It seems to comply</p> <p>14 with the most recent case law.</p> <p>15 SEN. RUCHO: Representative Lewis?</p> <p>16 REP. LEWIS: Yes, sir, Mr. Chairman?</p> <p>17 SEN. RUCHO: All set? We've got a motion</p> <p>18 before us that we approve of the criteria that was</p> <p>19 listed and debated on the compactness. We've had a</p> <p>20 second from Representative Davis. Mr. Clerk, would</p> <p>21 you call the roll?</p> <p>22 CLERK: Lewis?</p> <p>23 REP. LEWIS: Aye.</p> <p>24 CLERK: Jones?</p> <p>25 REP. JONES: Aye.</p>	<p style="text-align: right;">93</p> <p>1 REP. MICHAUX: No.</p> <p>2 CLERK: Moore?</p> <p>3 REP. MOORE: Yes.</p> <p>4 CLERK: Stam?</p> <p>5 REP. STAM: Yes.</p> <p>6 CLERK: Stevens?</p> <p>7 REP. STEVENS: Yes.</p> <p>8 CLERK: Rucho?</p> <p>9 SEN. RUCHO: Aye.</p> <p>10 CLERK: Apodaca?</p> <p>11 SEN. APODACA: Aye.</p> <p>12 CLERK: Barefoot?</p> <p>13 SEN. BAREFOOT: Aye.</p> <p>14 CLERK: Blue?</p> <p>15 SEN. BLUE: No.</p> <p>16 CLERK: Brown?</p> <p>17 SEN. BROWN: Aye.</p> <p>18 CLERK: Clark?</p> <p>19 SEN. CLARK: No.</p> <p>20 CLERK: Harrington?</p> <p>21 SEN. HARRINGTON: Aye.</p> <p>22 CLERK: Hise?</p> <p>23 SEN. HISE: Aye.</p> <p>24 CLERK: Jackson?</p> <p>25 SEN. JACKSON: Aye.</p>



<p style="text-align: right;">94</p> <p>1 CLERK: Lee?</p> <p>2 SEN. LEE: Aye.</p> <p>3 CLERK: McKissick?</p> <p>4 SEN. MCKISSICK: Aye.</p> <p>5 CLERK: Randleman?</p> <p>6 SEN. RANDLEMAN: Aye.</p> <p>7 CLERK: Sanderson?</p> <p>8 SEN. SANDERSON: Aye.</p> <p>9 CLERK: Smith?</p> <p>10 SEN. SMITH: No.</p> <p>11 CLERK: Smith-Ingram?</p> <p>12 SEN. SMITH-INGRAM: Aye.</p> <p>13 CLERK: Wells?</p> <p>14 SEN. WELLS: Aye.</p> <p>15 SEN. RUCHO: Members of the committee,</p> <p>16 the roll was taken. We have the ayes, 27, the</p> <p>17 noes, 7. That was adopted. Okay, everyone, pay</p> <p>18 close attention here. We have before us another</p> <p>19 criteria entitled "Incumbency." Ms. Churchill?</p> <p>20 MS. CHURCHILL: "Incumbency: Candidates</p> <p>21 for Congress are not required by law to reside in a</p> <p>22 district they seek to represent; however,</p> <p>23 reasonable efforts shall be made to ensure that</p> <p>24 incumbent members of Congress are not paired with</p> <p>25 another incumbent in one of the new districts</p>	<p style="text-align: right;">96</p> <p>1 REP. JONES: Aye.</p> <p>2 CLERK: Brawley?</p> <p>3 REP. BRAWLEY: Aye.</p> <p>4 CLERK: Cotham?</p> <p>5 (No response.)</p> <p>6 CLERK: Davis?</p> <p>7 (No response.)</p> <p>8 CLERK: Farmer-Butterfield?</p> <p>9 REP. FARMER-BUTTERFIELD: Yes.</p> <p>10 CLERK: Hager?</p> <p>11 REP. HAGER: Aye.</p> <p>12 CLERK: Hanes?</p> <p>13 REP. HANES: Aye.</p> <p>14 CLERK: Hardister?</p> <p>15 REP. HARDISTER: Aye.</p> <p>16 CLERK: Hurley?</p> <p>17 REP. HURLEY: Aye.</p> <p>18 CLERK: Jackson?</p> <p>19 REP. JACKSON: Aye.</p> <p>20 CLERK: Johnson?</p> <p>21 REP. JOHNSON: Aye.</p> <p>22 CLERK: Jordan?</p> <p>23 REP. JORDAN: Aye.</p> <p>24 CLERK: McGrady?</p> <p>25 REP. MCGRADY: Aye.</p>
<p style="text-align: right;">95</p> <p>1 constructed in the 2016 contingent Congressional</p> <p>2 plan."</p> <p>3 REP. LEWIS: Mr. Chairman, I'd call this</p> <p>4 the Senator Smith criteria, and I'd move its</p> <p>5 adoption.</p> <p>6 SEN. RUCHO: All right. That was the</p> <p>7 explanation?</p> <p>8 REP. LEWIS: Well, this is also</p> <p>9 aspirational, and attempting to harmonize the other</p> <p>10 criteria.</p> <p>11 SEN. RUCHO: All right. Members of the</p> <p>12 committee, any questions or comments on the</p> <p>13 criteria before you dealing with incumbency?</p> <p>14 (No response.)</p> <p>15 SEN. RUCHO: Seeing none, Representative</p> <p>16 Lewis has a motion that we -- that we approve --</p> <p>17 adopt the incumbency criteria. Representative</p> <p>18 Brawley seconded. We have before us -- any</p> <p>19 additional thoughts or questions?</p> <p>20 (No response.)</p> <p>21 SEN. RUCHO: If not, we'll take a roll.</p> <p>22 Mr. Clerk?</p> <p>23 CLERK: Lewis?</p> <p>24 REP. LEWIS: Aye.</p> <p>25 CLERK: Jones?</p>	<p style="text-align: right;">97</p> <p>1 CLERK: Michaux?</p> <p>2 REP. MICHAUX: Aye.</p> <p>3 CLERK: Moore?</p> <p>4 REP. MOORE: Aye.</p> <p>5 CLERK: Stam?</p> <p>6 REP. STAM: Aye.</p> <p>7 CLERK: Stevens?</p> <p>8 REP. STEVENS: Aye.</p> <p>9 CLERK: Rucho?</p> <p>10 SEN. RUCHO: Aye.</p> <p>11 CLERK: Apodaca?</p> <p>12 SEN. APODACA: Aye.</p> <p>13 CLERK: Barefoot?</p> <p>14 SEN. BAREFOOT: Aye.</p> <p>15 CLERK: Blue?</p> <p>16 SEN. BLUE: Aye.</p> <p>17 CLERK: Brown?</p> <p>18 SEN. BROWN: Aye.</p> <p>19 CLERK: Clark?</p> <p>20 SEN. CLARK: No.</p> <p>21 CLERK: Harrington?</p> <p>22 SEN. HARRINGTON: Aye.</p> <p>23 CLERK: Hise?</p> <p>24 SEN. HISE: Aye.</p> <p>25 CLERK: Jackson?</p>

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<p>1 SEN. JACKSON: Aye. 2 CLERK: Lee? 3 SEN. LEE: Aye. 4 CLERK: McKissick? 5 SEN. MCKISSICK: Aye. 6 CLERK: Randleman? 7 SEN. RANDLEMAN: Aye. 8 CLERK: Sanderson? 9 SEN. SANDERSON: Aye. 10 CLERK: Smith? 11 SEN. SMITH: Aye. 12 CLERK: Smith-Ingram? 13 SEN. SMITH-INGRAM: Aye. 14 CLERK: Wells? 15 SEN. WELLS: Aye. 16 SEN. RUCHO: All right. 17 REP. MICHAUX: Mr. Chairman? 18 SEN. RUCHO: One second. Let me call the 19 vote, please. We had aye, 31, no, 1. That 20 criteria for incumbency has been adopted. All 21 right. Question, Senator -- Representative 22 McKissick -- I mean, excuse me -- sorry. Mr. 23 Michaux, did you have a question? 24 REP. MICHAUX: No. 25 SEN. RUCHO: Okay. I thought I heard</p>	<p>1 amendments, so a couple of minutes to break. 2 (RECESS, 12:04 - 12:22 P.M.) 3 SEN. RUCHO: All right, members of the 4 committee, I think you have on each of your desks a 5 copy of an amendment submitted by Representative 6 Paul Stam, "Amendment to Political Data Criteria 7 #3." Representative Stam? 8 REP. STAM: Yes. It's just sort of 9 technical. I kept reading that thing, and the way 10 it read, you could read it that you couldn't 11 consider data from the 2008 election, since it said 12 "since 2008," so this makes clear that yes, you can 13 consider 2008 and things forward. 14 SEN. RUCHO: All right. You've explained 15 it. Is that a motion you're making? 16 REP. STAM: I move the amendment. 17 SEN. RUCHO: Representative Lewis? 18 REP. LEWIS: Mr. Chairman, if I could, to 19 the maker of the amendment, Representative Stam, 20 would the gentleman consider striking "#3" to make 21 clear that these are in no particular order? In 22 other words, it would say, "Amendment to Political 23 Data Criteria." 24 REP. STAM: Oh, sure. Well, it would 25 be -- yes, yes, I do. Whether it's spelled</p>
99	101
<p>1 something from over there. 2 REP. LEWIS: Thank you, Mr. Chairman, 3 members. 4 SEN. RUCHO: Okay, let me see. All 5 right. We -- I mentioned earlier that -- 6 amendments being submitted. Are there any 7 amendments that are going to be submitted? All 8 right. Representative Blue? 9 SEN. BLUE: I have one that -- 10 SEN. RUCHO: Excuse me, Senator Blue. 11 I'm sorry. 12 SEN. BLUE: I have one. I had to change 13 it after the adoption of one of the other 14 amendments. I had given it to Erika earlier. 15 SEN. RUCHO: All right. It's being 16 worked on? 17 SEN. BLUE: Yeah. 18 SEN. RUCHO: Okay. I think Senator Hise 19 has an amendment. Okay. Senator Hise, do you have 20 an amendment? 21 SEN. HISE: I have a motion. 22 SEN. RUCHO: Motion. One second. They 23 need to have copies for distribution. (Pause.) 24 I'd like to have the committee stand at ease for a 25 few moments while we have some copies made of the</p>	<p>1 "criterion" or "criteria," I will. 2 SEN. RUCHO: All right. So therefore, 3 the amendment that you've having strikes out -- or 4 it just says "Amendment to Political Data," and 5 then you're striking out -- excuse me -- "Political 6 Data Criteria." You're striking out "#3"? 7 REP. STAM: We're striking out "#3." 8 SEN. RUCHO: Just "#3." Members of the 9 committee, is that clear? 10 REP. LEWIS: Mr. Chairman? 11 SEN. RUCHO: Who's calling me? Oh, 12 Representative Lewis? 13 REP. LEWIS: I would support the 14 gentleman's amendment. 15 SEN. RUCHO: All right. Representative 16 Stam has submitted an amendment before you, and 17 it's open for discussion. Members of the 18 committee? 19 (No response.) 20 SEN. RUCHO: Seeing none, would you have 21 a roll call, Mr. Clerk? 22 CLERK: Lewis? 23 REP. LEWIS: Aye. 24 CLERK: Lewis, aye. Jones? 25 REP. JONES: Aye.</p>

<p style="text-align: right;">102</p> <p>1 CLERK: Jones, aye. Brawley? 2 REP. BRAWLEY: Aye. 3 CLERK: Brawley, aye. Cotham? 4 REP. COTHAM: Aye. 5 CLERK: Cotham, aye. Davis? 6 REP. DAVIS: Aye. 7 CLERK: Davis, aye. Farmer-Butterfield? 8 REP. FARMER-BUTTERFIELD: Aye. 9 CLERK: Farmer-Butterfield, aye. Hager? 10 REP. HAGER: Aye. 11 CLERK: Hager, aye. Hanes? 12 REP. HANES: Aye. 13 CLERK: Hanes, aye. Hardister? 14 REP. HARDISTER: Aye. 15 CLERK: Hardister, aye. Hurley? 16 REP. HURLEY: Aye. 17 CLERK: Hurley, aye. Jackson? 18 REP. JACKSON: Aye. 19 CLERK: Jackson, aye. Johnson? 20 REP. JOHNSON: Aye. 21 CLERK: Johnson, aye. Jordan? 22 REP. JORDAN: Aye. 23 CLERK: Jordan, aye. McGrady? 24 REP. MCGRADY: Aye. 25 CLERK: McGrady, aye. Michaux?</p>	<p style="text-align: right;">104</p> <p>1 CLERK: Jackson, aye. Lee? 2 SEN. LEE: Aye. 3 CLERK: Lee, aye. McKissick? 4 SEN. MCKISSICK: No. 5 CLERK: McKissick, no. Randleman? 6 SEN. RANDLEMAN: Aye. 7 CLERK: Randleman, aye. Sanderson? 8 SEN. SANDERSON: Aye. 9 CLERK: Sanderson, aye. Smith? 10 SEN. SMITH: No. 11 CLERK: Smith, no. Smith-Ingram? 12 SEN. SMITH-INGRAM: Nay. 13 CLERK: Smith-Ingram, no. Wells? 14 SEN. WELLS: Aye. 15 CLERK: Aye. 4. 16 SEN. RUCHO: That makes 30 yeses. Did 17 everybody vote? 18 CLERK: Yes. 30 to 4. 19 SEN. RUCHO: All right, members of the 20 committee, on the roll-call vote on Representative 21 Stam's amendment dealing with -- and it's titled 22 "Amendment to Political Data Criteria." It is 23 adopted 30 to 4. 24 Okay, we'll now just -- we'll go on to 25 the next. (Pause.) All right, members, you have</p>
<p style="text-align: right;">103</p> <p>1 REP. MICHAUX: Aye. 2 CLERK: Michaux, aye. Moore? 3 REP. MOORE: Aye. 4 CLERK: Moore, aye. Stam? 5 REP. STAM: Aye. 6 CLERK: Stam, aye. Stevens? 7 REP. STEVENS: Aye. 8 CLERK: Stevens, aye. Rucho? 9 SEN. RUCHO: Aye. 10 CLERK: Rucho, aye. Apodaca? 11 SEN. APODACA: Aye. 12 CLERK: Apodaca, aye. Barefoot? 13 SEN. BAREFOOT: Aye. 14 CLERK: Barefoot, aye. Blue? 15 SEN. BLUE: No. 16 CLERK: Blue, no. Brown? 17 SEN. BROWN: Aye. 18 CLERK: Brown, aye. Clark? 19 SEN. CLARK: No. 20 CLERK: Clark, no. Harrington? 21 SEN. HARRINGTON: Aye. 22 CLERK: Harrington, aye. Hise? 23 SEN. HISE: Aye. 24 CLERK: Hise, aye. Jackson? 25 SEN. JACKSON: Aye.</p>	<p style="text-align: right;">105</p> <p>1 an amendment coming out toward you, and it is 2 "Amendment, Compactness Criteria." It's -- all 3 right. 4 REP. LEWIS: Mr. Chairman? 5 SEN. RUCHO: Yes, sir, Representative 6 Lewis? Excuse me, Representative Lewis. I've 7 got -- we need to have Senator Blue explain his 8 amendment. Go ahead. 9 REP. LEWIS: I was wondering if Senator 10 Blue would agree to a -- to a technical fix to 11 strike the number sign and the 6. 12 SEN. BLUE: I would. 13 SEN. RUCHO: Okay. Members of the 14 committee, on Senator Blue's amendment, the title 15 will be, "Amendment, Compactness Criteria." You 16 will scratch "#6." That will not be in there. 17 All right, Senator Blue, everyone has a 18 copy of the amendment. Would you like to explain 19 your amendment? 20 SEN. BLUE: I would. Thank you, Mr. 21 Chairman. Mr. Chairman and ladies and gentlemen of 22 the committee and Senators and House members 23 present, what I tried to do in this amendment is 24 simply recognize that the county is the most 25 important governmental unit following the state,</p>

<p style="text-align: right;">106</p> <p>1 because they're extensions of the state, and to set 2 forth clearly that we are -- we're only going to 3 divide counties when you're equalizing population, 4 although that's a federal requirement, too, and 5 when you're complying with federal law. 6 It's something you've got to do. You 7 might as well admit that we have to comply with 8 federal law. Federal law is supreme, and so this 9 says that we will split counties only when you're 10 trying to get down to zero deviation in population, 11 which we're going to try to do, I take it, and only 12 when you're complying with a federal law regarding 13 redistricting. All of the other reasons that have 14 been given would not be justification for splitting 15 counties, and I move the adoption of the amendment. 16 SEN. RUCHO: Representative Lewis? 17 REP. LEWIS: Thank you, Mr. Chairman, and 18 thank you, Senator Blue, for that explanation. Let 19 me be clear, ladies and gentlemen. We of course 20 are going to comply with federal law. We would not 21 be here were we not attempting to comply with the 22 federal decision issued by the courts. I would 23 submit that this amendment is not necessary, and 24 should not be adopted because we of course are 25 going -- as Senator Blue said, of course we're</p>	<p style="text-align: right;">108</p> <p>1 were looking at. I can't really look at all that I 2 want to. 3 SEN. RUCHO: Okay. You all set? Members 4 of the committee -- oh, excuse me. Senator Hise? 5 SEN. HISE: Thank you, Mr. Chairman, and 6 this may be for -- just trying to get clarity on 7 what this amendment would actually do. One of the 8 outcomes of the last maps is that all of the major 9 urban areas in the state were represented by two 10 Congressmen that was coming in, and something we 11 saw at least that was coming in. Would this 12 amendment prohibit that type of decision for those 13 districts so that -- as that would be a political 14 impact that was coming in that we could not make 15 sure that urban areas were represented by two 16 Congressmen? 17 SEN. RUCHO: Okay. Representative -- 18 excuse me. Senator Blue, would you please answer 19 that question? 20 SEN. BLUE: I'll be happy to answer that. 21 Certainly not. As I said, the only two counties 22 that absolutely would be guaranteed to be 23 represented by two Congresspeople would be 24 Mecklenburg and Wake, since each of them has a 25 population in excess of the 700-plus thousand</p>
<p style="text-align: right;">107</p> <p>1 going to comply with the federal law. 2 As we've already had a pretty lengthy 3 discussion, that consideration, the word 4 "consideration" of incumbency and political impact 5 may be considered. It's not required to be 6 considered, and I've already stated for the record 7 that equalizing population is the most important 8 reason that a county would be divided. I would 9 respectfully ask the members to vote against this 10 amendment. 11 SEN. RUCHO: I've got Representative 12 Stam. 13 REP. STAM: I would oppose the amendment, 14 and point out what may be obvious. Senator Blue as 15 the Minority Leader is going to be perfectly 16 entitled to submit his own plan, and nothing in 17 what we've written would prohibit him from striking 18 those two criteria from his maps. He doesn't need 19 this amendment to do what he wants to do. 20 SEN. RUCHO: Yes, Senator Blue? 21 SEN. BLUE: Just a comment. My cape 22 disappeared, and I'm not Superman anymore, so I 23 can't do a map in a day that takes into account all 24 of the stuff that we have as criteria. I was 25 thinking we were narrowing the things that we</p>	<p style="text-align: right;">109</p> <p>1 that's necessary to draw a Congressional district. 2 If you started drawing a district toward an urban 3 area, then you could split that urban area when you 4 got to it so that it's in two separate districts. 5 This would in no way prohibit having two 6 Congresspeople from whichever other urban areas 7 other than Wake and Mecklenburg, where you'd be 8 guaranteed at least two, where you could bring them 9 into one of the urban counties, but you couldn't 10 split it but one time, so you get -- you could get 11 two from Guilford, two from Cumberland, two from 12 Forsyth, two from any of the counties, including 13 the smallest, if you paired it with a much bigger 14 population. 15 SEN. RUCHO: Representative Lewis, 16 comment? 17 REP. LEWIS: No, sir. I would say I'm 18 sure that the answer Senator Blue gave is correct 19 to Senator Hise's question. I just again would not 20 support the amendment as it's drafted for the 21 reasons that I've already stated. 22 SEN. RUCHO: All right. Members of the 23 committee, you have an amendment before you from 24 Senator Blue, and the amendment is entitled 25 "Amendment, Compactness Criteria." Any additional</p>

<p style="text-align: right;">110</p> <p>1 questions, comments? 2 (No response.) 3 SEN. RUCHO: Seeing none, the roll call, 4 Mr. Clerk? 5 CLERK: Lewis? 6 REP. LEWIS: No. 7 CLERK: Lewis, no. Jones? 8 REP. JONES: No. 9 CLERK: Jones, no. Brawley? 10 REP. BRAWLEY: No. 11 CLERK: Brawley, no. Cotham? 12 REP. COTHAM: Yes. 13 CLERK: Cotham, yes. Davis? 14 REP. DAVIS: No. 15 CLERK: Davis, no. Farmer-Butterfield? 16 REP. FARMER-BUTTERFIELD: Yes. 17 CLERK: Farmer-Butterfield, yes. Hager? 18 REP. HAGER: No. 19 CLERK: Hager, no. Hanes? 20 REP. HANES: Yes. 21 CLERK: Hanes, yes. Hardister? 22 REP. HARDISTER: No. 23 CLERK: Hardister, no. Hurley? 24 REP. HURLEY: No. 25 CLERK: Hurley, no. Jackson?</p>	<p style="text-align: right;">112</p> <p>1 CLERK: Brown, no. Clark? 2 SEN. CLARK: Aye. 3 CLERK: Clark, aye. Harrington? 4 SEN. HARRINGTON: No. 5 CLERK: Harrington, no. Hise? 6 SEN. HISE: No. 7 CLERK: Hise, no. Jackson? 8 SEN. JACKSON: No. 9 CLERK: Jackson, no. Lee? 10 SEN. LEE: No. 11 CLERK: Lee, no. McKissick? 12 SEN. MCKISSICK: Aye. 13 CLERK: McKissick, aye. Randleman? 14 SEN. RANDLEMAN: No. 15 CLERK: Randleman, no. Sanderson? 16 SEN. SANDERSON: No. 17 CLERK: Sanderson, no. Smith? 18 SEN. SMITH: Aye. 19 CLERK: Smith, aye. Smith-Ingram? 20 SEN. SMITH-INGRAM: Aye. 21 CLERK: Smith-Ingram, aye. Wells? 22 SEN. WELLS: No. 23 CLERK: No. 24 SEN. RUCHO: All right, members of the 25 committee, the roll call vote was aye -- excuse</p>
<p style="text-align: right;">111</p> <p>1 REP. JACKSON: Yes. 2 CLERK: Jackson, yes. Johnson? 3 REP. JOHNSON: No. 4 CLERK: Johnson, no. Jordan? 5 REP. JORDAN: No. 6 CLERK: Jordan, no. McGrady? 7 REP. MCGRADY: No. 8 CLERK: McGrady, no. Michaux? 9 REP. MICHAUX: Aye. 10 CLERK: Michaux, aye. Moore? 11 REP. MOORE: Aye. 12 CLERK: Moore, aye. Stam? 13 REP. STAM: No. 14 CLERK: Stam, no. Stevens? 15 REP. STEVENS: No. 16 CLERK: Stevens, no. Rucho? 17 SEN. RUCHO: No. 18 CLERK: Rucho, no. Apodaca? 19 SEN. APODACA: No. 20 CLERK: Apodaca, no. Barefoot? 21 SEN. BAREFOOT: No. 22 CLERK: Barefoot, no. Blue? 23 SEN. BLUE: Aye. 24 CLERK: Blue, aye. Brown? 25 SEN. BROWN: No.</p>	<p style="text-align: right;">113</p> <p>1 me -- no, 23; aye, 11. 2 All right, we have another one before us, 3 and this one will be Senator Erica Smith-Ingram's 4 amendment on criteria. 5 REP. LEWIS: Mr. Chairman? 6 SEN. RUCHO: Yes, Representative Lewis? 7 REP. LEWIS: Would Senator Smith-Ingram 8 agree to a small technical amendment to strike the 9 number and "6"? 10 SEN. SMITH-INGRAM: Yes. 11 REP. LEWIS: Thank you, ma'am. 12 SEN. RUCHO: Members of the committee, 13 Senator Smith-Ingram has agreed to a technical 14 amendment that will strike the title, and the title 15 will read "Amendment to Compactness Criteria," and 16 that'll be all it'll say there. 17 Okay, I have Senator Smith-Ingram to 18 present her amendment. 19 SEN. SMITH-INGRAM: Thank you, Mr. Chair. 20 In light of our previous discussions and our effort 21 to promote harmony, you can have one-part harmony, 22 two-part, three-part. In this case, this will add 23 the four-part harmony, and I would ask staff if 24 there is needed discussion about the actual 25 language, it came from the federal case.</p>

<p style="text-align: right;">114</p> <p>1 REP. LEWIS: Mr. Chairman?</p> <p>2 SEN. RUCHO: Representative Lewis,</p> <p>3 comment?</p> <p>4 REP. LEWIS: Yes, sir. I appreciate the</p> <p>5 amendment and the sentiment expressed by the</p> <p>6 Senator. I would offer that it appears to me that</p> <p>7 the language that's attempting to be added is</p> <p>8 somewhat vague and nebulous, as I don't know that</p> <p>9 we have a defined -- or an actionable definition of</p> <p>10 what "community of interest" is, or "community of</p> <p>11 shared interest," so respectfully, I would ask the</p> <p>12 committee to defeat this amendment.</p> <p>13 SEN. RUCHO: Members of the committee,</p> <p>14 any questions or comments?</p> <p>15 (No response.)</p> <p>16 SEN. RUCHO: We have a motion before us</p> <p>17 dealing with "Amendment to Compact Criteria"</p> <p>18 submitted by Senator Erica Smith-Ingram. You have</p> <p>19 that before you. Seeing no comments or questions,</p> <p>20 Mr. Clerk, roll call, please?</p> <p>21 CLERK: Lewis?</p> <p>22 REP. LEWIS: No.</p> <p>23 CLERK: Lewis, no. Jones?</p> <p>24 REP. JONES: No.</p> <p>25 CLERK: Jones, no. Brawley?</p>	<p style="text-align: right;">116</p> <p>1 CLERK: Michaux, yes. Moore?</p> <p>2 REP. MOORE: Yea.</p> <p>3 CLERK: Moore, yea. Stam?</p> <p>4 REP. STAM: No.</p> <p>5 CLERK: Stam, no. Stevens?</p> <p>6 REP. STEVENS: Yes.</p> <p>7 CLERK: Stevens --</p> <p>8 REP. STEVENS: Sorry. No.</p> <p>9 CLERK: Stevens, no. Rucho?</p> <p>10 SEN. RUCHO: No.</p> <p>11 CLERK: Rucho, no. Apodaca?</p> <p>12 SEN. APODACA: No.</p> <p>13 CLERK: Apodaca, no. Barefoot?</p> <p>14 SEN. BAREFOOT: No.</p> <p>15 CLERK: Barefoot, no. Blue?</p> <p>16 SEN. BLUE: Yes.</p> <p>17 CLERK: Blue, yes. Brown?</p> <p>18 SEN. BROWN: No.</p> <p>19 CLERK: Brown, no. Clark?</p> <p>20 SEN. CLARK: Yes.</p> <p>21 CLERK: Clark, yes. Harrington?</p> <p>22 SEN. HARRINGTON: No.</p> <p>23 CLERK: Harrington, no. Hise?</p> <p>24 SEN. HISE: No.</p> <p>25 CLERK: Hise, no. Jackson?</p>
<p style="text-align: right;">115</p> <p>1 REP. BRAWLEY: No.</p> <p>2 CLERK: Brawley, no. Cotham?</p> <p>3 REP. COTHAM: Yes.</p> <p>4 CLERK: Cotham, yes. Davis?</p> <p>5 REP. DAVIS: No.</p> <p>6 CLERK: Davis, no. Farmer-Butterfield?</p> <p>7 REP. FARMER-BUTTERFIELD: Yes.</p> <p>8 CLERK: Farmer-Butterfield, yes. Hager?</p> <p>9 REP. HAGER: No.</p> <p>10 CLERK: Hager, no. Hanes?</p> <p>11 REP. HANES: Yes.</p> <p>12 CLERK: Hanes, yes. Hardister?</p> <p>13 REP. HARDISTER: No.</p> <p>14 CLERK: Hardister, no. Hurley?</p> <p>15 REP. HURLEY: No.</p> <p>16 CLERK: Hurley, no. Jackson?</p> <p>17 REP. JACKSON: Yes.</p> <p>18 CLERK: Jackson, yes. Johnson?</p> <p>19 REP. JOHNSON: No.</p> <p>20 CLERK: Johnson, no. Jordan?</p> <p>21 REP. JORDAN: No.</p> <p>22 CLERK: Jordan, no. McGrady?</p> <p>23 REP. MCGRADY: No.</p> <p>24 CLERK: McGrady, no. Michaux?</p> <p>25 REP. MICHAUX: Yes.</p>	<p style="text-align: right;">117</p> <p>1 SEN. JACKSON: No.</p> <p>2 CLERK: Jackson, no. Lee?</p> <p>3 SEN. LEE: No.</p> <p>4 CLERK: Lee, no. McKissick?</p> <p>5 SEN. MCKISSICK: Yes.</p> <p>6 CLERK: McKissick, yes. Randleman?</p> <p>7 SEN. RANDLEMAN: No.</p> <p>8 CLERK: Randleman, no. Sanderson?</p> <p>9 SEN. SANDERSON: No.</p> <p>10 CLERK: Sanderson, no. Smith?</p> <p>11 SEN. SMITH: Aye.</p> <p>12 CLERK: Smith, aye. Smith-Ingram?</p> <p>13 SEN. SMITH-INGRAM: Aye.</p> <p>14 CLERK: Smith-Ingram, aye. Wells?</p> <p>15 SEN. WELLS: No.</p> <p>16 CLERK: Wells, no. 23-11.</p> <p>17 SEN. RUCHO: 23 no; 11 yes?</p> <p>18 CLERK: Yes.</p> <p>19 SEN. RUCHO: Members of the committee, on</p> <p>20 "Amendment to Compactness Criteria" from Senator</p> <p>21 Erica Smith-Ingram, the ayes, 11; the noes, 23.</p> <p>22 That amendment was not adopted.</p> <p>23 All right, we have another one, and I</p> <p>24 believe it's already at your desk, and this one is</p> <p>25 "Communities of Interest," submitted by Senator</p>

<p style="text-align: right;">118</p> <p>1 Floyd McKissick. Senator McKissick, would you like 2 to explain your amendment? 3 SEN. MCKISSICK: Sure, and it's very 4 straightforward. It's not seeking to amend any 5 other criteria. This would just be a criteria that 6 is aspirational, as many of the others. It does 7 follow case law in terms of what is stated, and 8 what this says is that the committee will make 9 reasonable efforts to respect political 10 subdivisions, cities, towns, what have you, as well 11 as communities as defined by actual interest. What 12 I would like to do is recognize Kara as well as 13 Erica, perhaps, to provide further clarification in 14 terms of existing case law. 15 I think we are -- we would be remiss if 16 we did not include this as one of the benchmarks 17 that we would seek to use in drawing the plans as 18 we move forward. I can't imagine why we would want 19 to ignore communities of shared interest or not 20 respect political subdivisions other than counties. 21 This is talking about other political subdivisions 22 or towns that might be within these Congressional 23 districts, which should also be respected to the 24 extent it's possible and feasible to do so, not 25 just counties.</p>	<p style="text-align: right;">120</p> <p>1 on the vagueness of these terms, to reject this 2 additional criteria. 3 SEN. MCKISSICK: Follow-up, Mr. Chair? 4 SEN. RUCHO: Senator McKissick? 5 SEN. MCKISSICK: Let me ask you this, 6 Representative Lewis: I see you have some problems 7 with that terminology that was used by the US 8 Supreme Court, which I think is pretty clear in 9 terms of a directive, but what is the objection to 10 respecting political subdivisions, because I would 11 think that we would all want to do so for the 12 cities and towns and communities -- 13 SEN. RUCHO: Representative Lewis? 14 SEN. MCKISSICK: -- represent, and they 15 are used collectively by the Supreme Court, but I 16 mean, if you have problems with that, I think 17 you've got still to follow it, or you end up in 18 litigation. I don't think any of us want to end up 19 in litigation any more than we already are in this 20 state. I don't know why -- what's the objection to 21 respecting political subdivisions? 22 REP. LEWIS: Well, sir, to be clear, as I 23 pointed out when we adopted the compactness 24 criteria, it's not our intent to split -- we're 25 going to do the best we can to keep as many</p>
<p style="text-align: right;">119</p> <p>1 Kara, Erika, if you could comment, 2 please? 3 SEN. RUCHO: Please identify yourself and 4 respond to Senator McKissick's request if you can. 5 MS. MCCRAW: I'm Kara McCraw, staff 6 attorney with the Legislative Analysis Division. 7 Senator McKissick is referring to the last part of 8 this amendment. The term -- the language "respect 9 political subdivisions and communities defined by 10 actual shared interests" is language that was used 11 by the Supreme Court in the Miller v. Johnson case 12 from 1995 as part of the list of traditional race- 13 neutral districting principles. 14 SEN. RUCHO: All right. Representative 15 Lewis? 16 REP. LEWIS: Thank you, Mr. Chairman, and 17 thank you, Senator, for offering this additional 18 criteria. As best I can understand it, to the 19 extent it's required by federal law, of course 20 we're going to be mindful of that, but as you and I 21 had an aside conversation earlier, I don't believe 22 we have defined in this state at least what a 23 community of interest is. I don't understand, 24 actually, what "actual shared interests" means, so 25 therefore, I would have to ask the committee, based</p>	<p style="text-align: right;">121</p> <p>1 counties and as many VTDs whole. I'll give you a 2 direct example of why I think this is vague. 3 We've already heard from the gentleman 4 from Wake, Senator Blue, as he I think correctly 5 stated that a county is the most important 6 political subdivision. I actually -- I actually 7 agree with that. Your city, Durham, has annexed 8 into Wake County, so when I say it's vague and 9 nebulous, how do you know which -- which interest 10 you're going to follow? I think we've done a good 11 job in this committee of saying we're going to keep 12 as many counties and as many VTDs whole as we can. 13 SEN. RUCHO: Okay, I've got 14 Representative Stam. 15 REP. STAM: Yes, I was about to make the 16 same point. Cary has annexed into Chatham, so 17 under this, it would give mapmakers an excuse to 18 break the Wake/Chatham line so they could keep Cary 19 together. Angier, if you can believe it, has 20 annexed into Wake County. I don't know how David 21 Lewis let them do that. With this amendment, 22 mapmakers could despoil Wake County just to get a 23 few more Republicans into the Harnett County 24 district. 25 REP. LEWIS: Mr. Chairman?</p>

<p style="text-align: right;">122</p> <p>1 SEN. RUCHO: Representative Lewis?</p> <p>2 REP. LEWIS: For the record, while I do</p> <p>3 not support Senator McKissick's amendment, I think</p> <p>4 anywhere Angier can be shared is a positive thing.</p> <p>5 (Laughter.)</p> <p>6 SEN. RUCHO: Senator McKissick?</p> <p>7 SEN. MCKISSICK: I would simply say that</p> <p>8 we ought to try to respect these political</p> <p>9 subdivisions. I don't think with the current mood</p> <p>10 of this General Assembly, we have to worry about</p> <p>11 too many more annexations occurring for a while,</p> <p>12 so, you know, respecting political subdivisions is</p> <p>13 a valid criteria regardless of what those political</p> <p>14 subdivisions might look like, so obviously I</p> <p>15 support it, but I can certainly put my finger in</p> <p>16 the air and see the way these winds are blowing.</p> <p>17 SEN. RUCHO: Members of the committee,</p> <p>18 any additional questions? Senator?</p> <p>19 SEN. SMITH-INGRAM: Yes. Representative</p> <p>20 Lewis, I'm a little bit confused about your</p> <p>21 objection to the use of this language inasmuch as</p> <p>22 it relates to not having a definitive definition.</p> <p>23 Is it possible for staff to be able to comment on</p> <p>24 what is the definition used in North Carolina of</p> <p>25 "communities of interest" as we have applied it in</p>	<p style="text-align: right;">124</p> <p>1 the citizens of Wake County? I don't think we've</p> <p>2 ever defined it. I certainly think that to the</p> <p>3 extent that it's not restricted from being used as</p> <p>4 the maps are prepared that, you know, I think</p> <p>5 that's something that the map drawers may wish to</p> <p>6 try and use, but I don't know that it -- I don't</p> <p>7 understand -- I don't understand it enough, and I</p> <p>8 do want to take this opportunity to respectfully</p> <p>9 let my friend from Durham know that, as I reminded</p> <p>10 him, I'm not an attorney, and in no way have I</p> <p>11 tried to disrespect or disregard any ruling from</p> <p>12 the US Supreme Court, nor from this federal trial</p> <p>13 court, but I'm not prepared to stand before this</p> <p>14 committee today and say that I understand what this</p> <p>15 is trying to do; therefore, I continue to oppose</p> <p>16 this new criteria.</p> <p>17 SEN. RUCHO: Members of the committee?</p> <p>18 (No response.)</p> <p>19 SEN. RUCHO: From the Chair,</p> <p>20 Representative Lewis, I recognize, and I think the</p> <p>21 committee recognizes the full effort to keep</p> <p>22 counties whole. I think the counties are</p> <p>23 relatively stable in their -- in their borders, but</p> <p>24 yet a municipality and a town and the like, with</p> <p>25 annexation, deannexation and the like, is more</p>
<p style="text-align: right;">123</p> <p>1 the past?</p> <p>2 SEN. RUCHO: The chair will allow that.</p> <p>3 Which staff member would like to define</p> <p>4 "communities of interest"?</p> <p>5 MS. MCCRAW: I'm Kara McCraw, staff</p> <p>6 attorney with the Legislative Analysis Division.</p> <p>7 North Carolina has not adopted a definition of</p> <p>8 "communities of interest."</p> <p>9 SEN. RUCHO: Follow-up?</p> <p>10 SEN. SMITH-INGRAM: Follow-up. As I</p> <p>11 recall, Representative Stevens just read from -- I</p> <p>12 believe she was citing case law, but it just seems</p> <p>13 that all the other elements that you have already</p> <p>14 in the criteria are there, with the exception of</p> <p>15 communities of interest, and so I'm just concerned</p> <p>16 about why you have adopted the other three, and why</p> <p>17 you feel comfortable with that, but not with the</p> <p>18 communities of interest.</p> <p>19 SEN. RUCHO: Representative Lewis?</p> <p>20 REP. LEWIS: Well, again, thank you for</p> <p>21 that inquiry, Senator. I would just say again that</p> <p>22 as we've never defined what a community of interest</p> <p>23 is -- and the example I tried to use with Senator</p> <p>24 McKissick, how do you define -- is the City of</p> <p>25 Durham a more important community of interest than</p>	<p style="text-align: right;">125</p> <p>1 variable. Do you think that that may be one of the</p> <p>2 reasons for what could be adding confusion?</p> <p>3 REP. LEWIS: I think that's fair. I</p> <p>4 think that's a good indication of why I say this is</p> <p>5 vague, and not really defined. We got a request</p> <p>6 from a member for the central staff to explain how</p> <p>7 communities of interest are defined in the state,</p> <p>8 and they're not, so since there's not a definition,</p> <p>9 they shouldn't be in the criteria.</p> <p>10 SEN. RUCHO: Members of the committee,</p> <p>11 we've had discussion on this issue. We have an</p> <p>12 amendment before us, submitted by Senator Floyd</p> <p>13 McKissick dealing with communities of interest.</p> <p>14 Any additional questions, comments?</p> <p>15 (No response.)</p> <p>16 SEN. RUCHO: Seeing none, Mr. Clerk, a</p> <p>17 roll call, please?</p> <p>18 CLERK: Lewis?</p> <p>19 REP. LEWIS: No.</p> <p>20 CLERK: Lewis, no. Jones?</p> <p>21 REP. JONES: No.</p> <p>22 CLERK: Jones, no. Brawley?</p> <p>23 REP. BRAWLEY: No.</p> <p>24 CLERK: Brawley, no. Cotham?</p> <p>25 REP. COTHAM: Yes.</p>



<p style="text-align: right;">126</p> <p>1 CLERK: Cotham, yes. Davis? 2 REP. DAVIS: No. 3 CLERK: Davis, no. Farmer-Butterfield? 4 REP. FARMER-BUTTERFIELD: Yes. 5 CLERK: Farmer-Butterfield, yes. Hager? 6 REP. HAGER: No. 7 CLERK: Hager, no. Hanes? 8 REP. HANES: Yes. 9 CLERK: Hanes, yes. Hardister? 10 REP. HARDISTER: No. 11 CLERK: Hardister, no. Hurley? 12 REP. HURLEY: No. 13 CLERK: Hurley, no. Jackson? 14 REP. JACKSON: Yes. 15 CLERK: Jackson, yes. Johnson? 16 REP. JOHNSON: No. 17 CLERK: Johnson, no. Jordan? 18 REP. JORDAN: No. 19 CLERK: Jordan, no. McGrady? 20 REP. MCGRADY: No. 21 CLERK: McGrady, no. Michaux? 22 REP. MICHAUX: Aye. 23 CLERK: Michaux, aye. Moore? 24 REP. MOORE: Aye. 25 CLERK: Moore, aye. Stam?</p>	<p style="text-align: right;">128</p> <p>1 CLERK: McKissick, aye. Randleman? 2 SEN. RANDLEMAN: No. 3 CLERK: Randleman, no. Sanderson? 4 SEN. SANDERSON: No. 5 CLERK: Sanderson, no. Smith? 6 SEN. SMITH: Aye. 7 CLERK: Smith, aye. Smith-Ingram? 8 SEN. SMITH-INGRAM: Aye. 9 CLERK: Smith-Ingram, aye. Wells? 10 SEN. WELLS: No. 11 CLERK: Wells, no. 12 SEN. RUCHO: Members of the committee, 13 the result of the vote on Senator McKissick's 14 amendment dealing with communities of interest, 15 aye, 11; no, 22. The motion is not adopted. 16 Members of the committee, any additional 17 amendments? Any motions? 18 REP. LEWIS: Mr. Chairman -- 19 SEN. RUCHO: Senator Hise? Oh, excuse 20 me. 21 REP. LEWIS: Mr. Chairman? 22 SEN. RUCHO: Yes, sir? 23 REP. LEWIS: I just wanted to thank the 24 members for their indulgence this morning, and I'm 25 proud of the 2016 contingent Congressional plan</p>
<p style="text-align: right;">127</p> <p>1 REP. STAM: No. 2 CLERK: Stam, no. Stevens? Stevens? 3 (No response.) 4 CLERK: Rucho? 5 SEN. RUCHO: No. 6 CLERK: Rucho, no. Apodaca? 7 SEN. APODACA: No. 8 CLERK: Apodaca, no. Barefoot? 9 SEN. BAREFOOT: No. 10 CLERK: Barefoot, no. Blue? 11 SEN. BLUE: Aye. 12 CLERK: Blue, aye. Brown? 13 SEN. BROWN: No. 14 CLERK: Brown, no. Clark? 15 SEN. CLARK: Aye. 16 CLERK: Clark, aye. Harrington? 17 SEN. HARRINGTON: No. 18 CLERK: Harrington, no. Hise? 19 SEN. HISE: No. 20 CLERK: Hise, no. Jackson? 21 SEN. JACKSON: No. 22 CLERK: Jackson, no. Lee? 23 SEN. LEE: No. 24 CLERK: Lee, no. McKissick? 25 SEN. MCKISSICK: Aye.</p>	<p style="text-align: right;">129</p> <p>1 proposed criteria that we have adopted. I did want 2 to say for the record that it's my intent that 3 these be used in the drawing of the 2016 contingent 4 Congressional plan in response to the lawsuit only. 5 This is not an attempt to establish any other long- 6 running criteria. 7 SEN. RUCHO: Okay. Senator Hise, you 8 have a motion? 9 SEN. HISE: Mr. Chairman, I have a 10 motion, a written motion. 11 SEN. RUCHO: Okay. Has that been sent 12 out to each member? 13 SEN. HISE: Sergeant-at-Arms -- 14 SEN. RUCHO: Are the Sergeant-At Arms 15 distributing it? Let's take about a two- or three- 16 minute break so everybody can read this motion. 17 (Pause.) 18 Has everyone had an opportunity to review 19 Senator Hise's motion? Representative Jackson? 20 REP. JACKSON: Thank you, Mr. Chairman. 21 One question would be the way this is worded -- 22 SEN. RUCHO: Well, let me do this: if 23 it's dealing with what's in there, I'm going to 24 give Senator Hise a chance to explain it. I was 25 giving everybody a chance to review it.</p>

<p style="text-align: right;">130</p> <p>1 All right, everybody has it. Senator</p> <p>2 Hise, would you like to explain that motion, and</p> <p>3 then we'll open it up for discussion?</p> <p>4 SEN. HISE: Thank you, Mr. Chairman.</p> <p>5 Basically what this does is it consolidates the</p> <p>6 criteria we've already adopted and voted on into</p> <p>7 one piece, and then directs the co-chairs to go</p> <p>8 through the process of developing the maps on the</p> <p>9 basis of those criteria, and provides the sum of</p> <p>10 \$25,000 under the way we need to appropriate it,</p> <p>11 with approval of the speaker, and those type of</p> <p>12 things in the interim that are coming in, and then</p> <p>13 allows the minority party to have access to the</p> <p>14 same funds, and to draw maps under those criteria</p> <p>15 or any other criteria that they would establish.</p> <p>16 It also rescinds that provided that the Supreme</p> <p>17 Court issues a stay.</p> <p>18 SEN. RUCHO: Representative Lewis,</p> <p>19 comment?</p> <p>20 REP. LEWIS: Thank you, Mr. Chairman and</p> <p>21 members. Just to be clear where I hope we're going</p> <p>22 with this, as you know, we are still optimistic</p> <p>23 that we'll receive a stay from the Supreme Court.</p> <p>24 If we do not receive a stay, it would be the</p> <p>25 chairs' intent to bring a map before this committee</p>	<p style="text-align: right;">132</p> <p>1 REP. JACKSON: My question, I guess, was</p> <p>2 directed to you as chairman, or either Senator</p> <p>3 Hise. I was just wondering if we could change the</p> <p>4 first sentence of Paragraph 3. The way you've got</p> <p>5 it written is that the co-chairs, Lewis and Rucho,</p> <p>6 can pick their mapmakers, but our entire caucus</p> <p>7 would have to do it, the members of this committee,</p> <p>8 which means we'd have to stay together and vote and</p> <p>9 do things like that, and I would just ask that you</p> <p>10 consider substituting that, and as Minority Leader</p> <p>11 of the Senate, let Senator Blue make that choice</p> <p>12 for us, and our entire caucus not be involved and</p> <p>13 have to make that decision.</p> <p>14 SEN. RUCHO: Senator Hise, do you have a</p> <p>15 thought or a comment, or would you like to ponder</p> <p>16 that one a little bit?</p> <p>17 SEN. HISE: I don't see what's written as</p> <p>18 requiring that type of vote or operation from the</p> <p>19 minority caucus. This coming in would allow them</p> <p>20 to decide if they want to allow their leader to</p> <p>21 make that decision all on his own. I think that's</p> <p>22 within the way it's written here, so I don't</p> <p>23 necessarily see that issue in the way it's written,</p> <p>24 but however the minority -- the members of the</p> <p>25 minority part of this committee choose to select</p>
<p style="text-align: right;">131</p> <p>1 for recommendation for introduction to a special</p> <p>2 session that would be held later this week.</p> <p>3 The chairs would encourage in the</p> <p>4 issue -- in the -- for the goal of increased</p> <p>5 transparency that should other people have maps</p> <p>6 that they'd like this committee to consider, that</p> <p>7 they get them prepared and submitted as well, but</p> <p>8 to be clear, once the General Assembly convenes,</p> <p>9 there would also be an opportunity for maps to be</p> <p>10 presented to either the House or the Senate</p> <p>11 redistricting committees when they meet.</p> <p>12 However, the House rules, and I believe</p> <p>13 the Senate rules -- I won't speak for the Senate</p> <p>14 rules, but I know the House rules will require that</p> <p>15 any amendments that are offered to the plans that</p> <p>16 are submitted in fact be complete plans. In other</p> <p>17 words, you would have to have all 13 districts</p> <p>18 drawn to -- you would -- instead of trying to amend</p> <p>19 whatever plan that this committee will release, you</p> <p>20 would have to in essence prepare and release a plan</p> <p>21 to compete with this plan.</p> <p>22 SEN. RUCHO: All right. Members of the</p> <p>23 committee? Senator Blue? Oh, excuse me. Let me</p> <p>24 do this: Representative Jackson asked a question</p> <p>25 earlier. Go ahead, please.</p>	<p style="text-align: right;">133</p> <p>1 who the mapmaker is their concern.</p> <p>2 SEN. RUCHO: Okay. Senator Blue?</p> <p>3 SEN. BLUE: Two questions, basically,</p> <p>4 practical questions. I assume that the co-chairs</p> <p>5 have consulted with somebody who's available to be</p> <p>6 the consultant to draw a map. We haven't, but I</p> <p>7 can assure you that anybody that you consult with</p> <p>8 normally isn't going to do it, at least not for us,</p> <p>9 on a contingent fee basis, and we don't know when</p> <p>10 there may be an order one way or the other on this</p> <p>11 stay if the plaintiffs have until midafternoon to</p> <p>12 submit their papers. I don't know what the Chief</p> <p>13 Justice is going to do or when he's going to do it,</p> <p>14 but practically speaking, first, we haven't</p> <p>15 consulted with anybody, but secondly, if you</p> <p>16 consult with somebody, you've got to promise them</p> <p>17 you're going to pay them, and this says that you</p> <p>18 won't pay them even if they work two or three days</p> <p>19 if a stay is granted.</p> <p>20 SEN. RUCHO: All right. Representative</p> <p>21 Lewis?</p> <p>22 REP. LEWIS: Mr. Chairman and Senator</p> <p>23 Blue, if we need to have the attorney review this,</p> <p>24 we certainly can, and correct any offending</p> <p>25 language. I just wanted to state for the record</p>

<p style="text-align: right;">134</p> <p>1 that it is the intent, after having consulted with</p> <p>2 the Speaker and the President Pro Tem, that any</p> <p>3 mapmaker engaged would be paid.</p> <p>4 I think -- well, I don't think. What the</p> <p>5 language is trying to say is that should a stay be</p> <p>6 issued, the maps would never be released, not that</p> <p>7 the person would not be paid for their time. We're</p> <p>8 not trying to get somebody to draw maps on a</p> <p>9 contingency fee. We're having maps drawn</p> <p>10 contingent upon us not getting a stay.</p> <p>11 I would be glad, if you are concerned</p> <p>12 about the way the language is written, to take a</p> <p>13 moment and have that defined, but I did want to</p> <p>14 state for the record that the intent would be any</p> <p>15 map drawer that you would engage or the minority</p> <p>16 party would engage would be paid for their time.</p> <p>17 SEN. RUCHO: Senator Blue?</p> <p>18 SEN. BLUE: Andrew has some language</p> <p>19 that'll fix it.</p> <p>20 SEN. RUCHO: All right. Senator Hise?</p> <p>21 SEN. HISE: I think they may be -- I just</p> <p>22 wanted to say I think they may be working on some</p> <p>23 clarification, but the intent as drafted is that</p> <p>24 work done while it's authorized to be done would be</p> <p>25 paid for, but once the stay came out or a ruling</p>	<p style="text-align: right;">136</p> <p>1 MS. CHURCHILL: If there is a member of</p> <p>2 the General Assembly that would like a map drawn,</p> <p>3 we will do so at their direction; however, we will</p> <p>4 need instruction from that member how to assign all</p> <p>5 the geography of the state.</p> <p>6 SEN. RUCHO: Does that answer your</p> <p>7 question?</p> <p>8 SEN. BLUE: You need instructions as to</p> <p>9 how to sign -- assign what?</p> <p>10 SEN. RUCHO: No, how to assign.</p> <p>11 MS. CHURCHILL: How to assign the</p> <p>12 geography of the state.</p> <p>13 SEN. RUCHO: How you want the -- they can</p> <p>14 draw the map. Just give them the direction on how</p> <p>15 you want the -- the districts to be drawn.</p> <p>16 SEN. BLUE: Okay.</p> <p>17 SEN. RUCHO: Follow-up?</p> <p>18 SEN. BLUE: Yeah, one follow-up. I'm</p> <p>19 trying to keep up with the many iterations of the</p> <p>20 case -- cases involving redistricting, and I think</p> <p>21 that in that sense, even those instructions now are</p> <p>22 considered confidential; is that correct?</p> <p>23 MS. CHURCHILL: At this point in time,</p> <p>24 any member of the General Assembly that makes a</p> <p>25 drafting or information request to any legislative</p>
<p style="text-align: right;">135</p> <p>1 came out that we would stop work at that point, and</p> <p>2 wouldn't be paid for work done after that point</p> <p>3 that was coming in, but while the authorization</p> <p>4 exists, we would pay for those funds, thinking we'd</p> <p>5 get the check cut within 24 hours.</p> <p>6 SEN. RUCHO: We'll stand at ease a moment</p> <p>7 while we're studying some language, if we may.</p> <p>8 While that's being looked at, Senator Blue, did you</p> <p>9 have a second point that you were making?</p> <p>10 SEN. BLUE: I did, as a matter of fact.</p> <p>11 Do you have some experts hanging around who can do</p> <p>12 this mapmaking that we might could talk to? We</p> <p>13 haven't engaged anybody.</p> <p>14 SEN. RUCHO: I think we're probably going</p> <p>15 to use the one that you're presently using now.</p> <p>16 SEN. BLUE: Which one is that one?</p> <p>17 SEN. RUCHO: Whichever one that is.</p> <p>18 SEN. BLUE: Is there capability within</p> <p>19 the staff to do it, Mr. Chair?</p> <p>20 SEN. RUCHO: I'm sorry. Say that again?</p> <p>21 SEN. BLUE: Is there capability within</p> <p>22 the staff to do mapmaking?</p> <p>23 SEN. RUCHO: Ms. Churchill? Okay. Is</p> <p>24 there capability within the staff of being able to</p> <p>25 draw maps as requested by the minority party?</p>	<p style="text-align: right;">137</p> <p>1 employee, that drafting and information request is</p> <p>2 treated as confidential, subjective to legislative</p> <p>3 confidentiality by that legislative employee. Upon</p> <p>4 enactment of any Congressional plan, the plans</p> <p>5 themselves and the drafting and information</p> <p>6 requests related to that plan do become a public</p> <p>7 record.</p> <p>8 SEN. RUCHO: Okay. Still working, so</p> <p>9 just -- oh, excuse me. Senator McKissick? We're</p> <p>10 working on the language, so --</p> <p>11 SEN. MCKISSICK: Sure. I understand.</p> <p>12 This is a question to Erika to get further</p> <p>13 clarification. In terms of the stat packs of data</p> <p>14 that would be available, would we have the same</p> <p>15 type of data that was available in 2011 as a basis</p> <p>16 for drawing -- drawing plans? I mean, I know</p> <p>17 there was some discussion today about not</p> <p>18 considering race as a factor and, you know, things</p> <p>19 of that sort, but would we still have available</p> <p>20 data packs that are -- provide the statistics and</p> <p>21 data that we would have used in 2011 were we</p> <p>22 drawing those districts, and if so, is any of that</p> <p>23 data updated at this time as well?</p> <p>24 MS. CHURCHILL: Mr. Chair, as I</p> <p>25 understand it -- and Mr. Frye will need to correct</p>

<p style="text-align: right;">138</p> <p>1 me, because he maintains our databases, but there</p> <p>2 have been no changes to the 2011 database. It</p> <p>3 still has the 2010 Census data in it. It still has</p> <p>4 the voter registration data in it. It still has</p> <p>5 the election data in it. We still have the</p> <p>6 capability of running exactly the same reports off</p> <p>7 of that database.</p> <p>8 SEN. MCKISSICK: Last follow-up.</p> <p>9 SEN. RUCHO: Follow-up.</p> <p>10 SEN. MCKISSICK: Yeah. Erika, I mean --</p> <p>11 and I know this is not a fair question, perhaps,</p> <p>12 but to what extent can we get reasonably quick</p> <p>13 turnaround, considering the time frame that we're</p> <p>14 in? I think our challenge is obviously we relied</p> <p>15 upon consultants and experts before, Mr. David</p> <p>16 Harris and Mr. Bill Gilkeson, but they are both</p> <p>17 attorneys engaged in private practice, handling</p> <p>18 clients, and to think that we can displace them</p> <p>19 this quickly to get them reengaged on less than 24</p> <p>20 hours notice is not a -- perhaps a reasonable</p> <p>21 expectation.</p> <p>22 I'm trying to see if we want to get these</p> <p>23 maps drawn, I think Senator Blue is on the right</p> <p>24 track. We're going to need to rely upon in-house</p> <p>25 resources, perhaps supplemented by consultants, but</p>	<p style="text-align: right;">140</p> <p>1 SEN. RUCHO: I think what you're -- what</p> <p>2 you reflect is what our concern is, that we have a</p> <p>3 short -- short window, and we're all faced with</p> <p>4 that same tight timeline, so -- but I'm sure staff,</p> <p>5 as Ms. Churchill said, will do its best to help you</p> <p>6 achieve your goal. Representative -- or Chairman</p> <p>7 Lewis?</p> <p>8 REP. LEWIS: Thank you, Mr. Chairman.</p> <p>9 Senator McKissick, just to be clear, sir, the</p> <p>10 criteria that will be available to the mapmaker</p> <p>11 that Senator Rucho and I employ will only be the</p> <p>12 criteria that this -- that this committee has</p> <p>13 adopted. The stat packs, as you well recall,</p> <p>14 contain additional information. That information</p> <p>15 obviously will be available at the end of the map</p> <p>16 drawing process. Just to be clear, the map drawer</p> <p>17 that Senator Rucho and I will contract with will</p> <p>18 have only access to the criteria that this</p> <p>19 committee has adopted.</p> <p>20 SEN. MCKISSICK: Follow-up.</p> <p>21 SEN. RUCHO: Yes, sir. Follow-up.</p> <p>22 SEN. MCKISSICK: Some of the critical</p> <p>23 language in here under Bullet 3, if we go down</p> <p>24 about five lines, it talks about using the adopted</p> <p>25 criteria or any other criteria selected by the</p>
<p style="text-align: right;">139</p> <p>1 are we going to be able to get quick turnaround?</p> <p>2 MS. CHURCHILL: Mr. Chair, if I might, we</p> <p>3 will do our best. We do have a limited number of</p> <p>4 people who have the capa- -- the knowledge to</p> <p>5 actually use the mapping software, but amongst</p> <p>6 ourselves, once we know what the requests are, we</p> <p>7 will try to efficiently meet all of the needs.</p> <p>8 SEN. MCKISSICK: Thank you.</p> <p>9 SEN. RUCHO: All right. Senator</p> <p>10 McKissick, any specifics? I mean, you were talking</p> <p>11 about the stat packs and all that. Do you have any</p> <p>12 specific criteria that you want included in the</p> <p>13 stat pack?</p> <p>14 SEN. MCKISSICK: I mean, as long as we</p> <p>15 have the same type of stat pack that we had</p> <p>16 previously, the demographic data and the political</p> <p>17 data that's available, I think we'll probably be</p> <p>18 okay. I cannot think of any additional data that</p> <p>19 we would need. As long as that's readily</p> <p>20 accessible and we can get pretty quick</p> <p>21 turnaround -- I am deeply concerned that since we</p> <p>22 did not learn about the availability of the funds</p> <p>23 for consultants before today that trying to engage</p> <p>24 people who are deeply familiar with be challenging</p> <p>25 at this late point in time.</p>	<p style="text-align: right;">141</p> <p>1 minority caucus, so if we want to use other</p> <p>2 criteria that might be consistent with the ruling</p> <p>3 in Harris versus McCrory -- and we would contend</p> <p>4 that race can be used; it just cannot be the</p> <p>5 predominant factor. I just want to know that that</p> <p>6 data will be available if we need to use and rely</p> <p>7 upon it in drafting constitutionally correct</p> <p>8 districts, because that was not included in your</p> <p>9 criteria, but this language in this particular</p> <p>10 motion does give us as the minority caucus the</p> <p>11 right to use other criteria.</p> <p>12 SEN. RUCHO: Hold on. I'll try to get</p> <p>13 you an answer. (Pause.) Our understanding -- the</p> <p>14 Chairs' understanding is that, you know, in drawing</p> <p>15 maps, you can request any data you feel that needs</p> <p>16 to be there to help you achieve what you believe is</p> <p>17 a -- a map trying to resolve the issue dealing with</p> <p>18 the court decision.</p> <p>19 SEN. MCKISSICK: Thank you.</p> <p>20 SEN. RUCHO: Okay. Senator Blue?</p> <p>21 SEN. BLUE: Yes. So that I can follow</p> <p>22 that point up, it's my understanding, and correct</p> <p>23 me, that the -- that the database will have</p> <p>24 information about the 2012, 2014 elections in</p> <p>25 addition to the data that was available at the time</p>

<p style="text-align: right;">142</p> <p>1 the original maps were drawn. That is, they will</p> <p>2 be current in the information that they have. Is</p> <p>3 that right?</p> <p>4 SEN. RUCHO: Let's ask Mr. Frye if he'll</p> <p>5 be kind enough to explain what is in the database,</p> <p>6 and of course, it's based on the 2010 Census, but</p> <p>7 election results you're asking about.</p> <p>8 MR. FRYE: Yes. So -- so what I've got</p> <p>9 worked up for this round is there's -- you know, of</p> <p>10 course, you know, like we were talking about, all</p> <p>11 of the old data is totally in place if it makes</p> <p>12 sense to use that for whoever wants it, and for the</p> <p>13 2016 database, I've got total population, voting</p> <p>14 age population, because that's the only thing</p> <p>15 that's not -- just election data, right, and that</p> <p>16 is just election data. There's the 2008 general</p> <p>17 election, basically all the Council of State</p> <p>18 contests. There's the 2010 general election, US</p> <p>19 Senate, the 2012 general election, you know,</p> <p>20 basically governor and Council of State contests,</p> <p>21 and -- and then the 2014 US Senate.</p> <p>22 SEN. RUCHO: Does that help you?</p> <p>23 SEN. BLUE: You said 2014 US Senate.</p> <p>24 2014 Congressional data, elections data?</p> <p>25 SEN. RUCHO: Mr. Frye?</p>	<p style="text-align: right;">144</p> <p>1 SEN. BLUE: I'm just trying to make sure</p> <p>2 that whatever data is used by one is used and</p> <p>3 available by all.</p> <p>4 SEN. RUCHO: Well, my --</p> <p>5 SEN. BLUE: If we're basing it on the</p> <p>6 legislative computers and the legislative database.</p> <p>7 SEN. RUCHO: If I'm understanding it</p> <p>8 correctly, any data that you need to have is going</p> <p>9 to be available as long as you give some -- some</p> <p>10 request for it. Am I correct?</p> <p>11 MR. FRYE: Well, certainly --</p> <p>12 SEN. BLUE: Aspirational.</p> <p>13 MR. FRYE: Yeah. I'm concerned about</p> <p>14 timeline, you know, about preparing things, and</p> <p>15 certain things are prepared and ready to go, and</p> <p>16 yeah, those things can be --</p> <p>17 SEN. RUCHO: Ms. Churchill?</p> <p>18 MS. CHURCHILL: (Inaudible.)</p> <p>19 SEN. RUCHO: Talking about the data -- I</p> <p>20 think that was Mr. Frye's question. Okay, that's</p> <p>21 where we are. All right, still on -- did we get</p> <p>22 the language?</p> <p>23 REP. STAM: Yeah, on a big-picture issue</p> <p>24 here, while they're working out the language, I was</p> <p>25 minority leader during the Pender County</p>
<p style="text-align: right;">143</p> <p>1 MR. FRYE: Well, for the -- no, for the</p> <p>2 2014 database, it has just the US Senate.</p> <p>3 SEN. BLUE: I can't hear him.</p> <p>4 SEN. RUCHO: Could you repeat that again?</p> <p>5 We missed you with that.</p> <p>6 MR. FRYE: For the 2014 general election,</p> <p>7 I've just got US Senate. There are other --</p> <p>8 because there's sort -- there's a difference</p> <p>9 between like what data is -- has been generally</p> <p>10 processed and what data is sort of ready to go in</p> <p>11 our redistricting database. There's kind of a fair</p> <p>12 gap between those two things, so we do have some</p> <p>13 other information relating to other contests from</p> <p>14 2014, but --</p> <p>15 SEN. BLUE: So the database will not have</p> <p>16 the location of current incumbents or anything like</p> <p>17 that?</p> <p>18 SEN. RUCHO: Mr. Frye?</p> <p>19 MR. FRYE: What we have is locations of</p> <p>20 current incumbents that -- a lot of them were</p> <p>21 updated as of the 2011 cycle, so we may want to</p> <p>22 double-check. There are a few of them I was</p> <p>23 looking at that we may want to double-check on</p> <p>24 their addresses and see if they've moved.</p> <p>25 SEN. RUCHO: Senator Blue?</p>	<p style="text-align: right;">145</p> <p>1 redistricting. Speaker Hackney was the speaker.</p> <p>2 If I had been offered a deal like this, I would go</p> <p>3 give Representative Lewis and Senator Rucho a big</p> <p>4 bear hug and "Thank you."</p> <p>5 SEN. RUCHO: Don't hug us.</p> <p>6 SEN. BLUE: Certainly no kiss associated</p> <p>7 with it.</p> <p>8 (Laughter.)</p> <p>9 SEN. RUCHO: Representative -- or Senator</p> <p>10 Blue?</p> <p>11 SEN. BLUE: Yeah. I have a question of</p> <p>12 the Chair, but I guess you've got a motion pending,</p> <p>13 so I'll wait --</p> <p>14 SEN. RUCHO: We've got a motion.</p> <p>15 SEN. BLUE: -- until after the motion.</p> <p>16 SEN. RUCHO: Yeah, we've got a motion</p> <p>17 first. Senator Hise?</p> <p>18 SEN. HISE: Question, probably directed</p> <p>19 for staff. If -- and under this motion where it</p> <p>20 currently is, if the minority caucus is going to</p> <p>21 load additional information, including things like</p> <p>22 race and others, onto the stat pack for the</p> <p>23 operations, do we have a sufficient wall of</p> <p>24 separation, say separate computers, separate</p> <p>25 databases, separate operating, that the co-chairs</p>

<p style="text-align: right;">146</p> <p>1 do not have access to that information, or the</p> <p>2 other committees cannot have access to that</p> <p>3 information, because it's inconsistent with the</p> <p>4 criteria that's established, so can we make sure</p> <p>5 that once those are loaded, they are not available</p> <p>6 if they are not part of the criteria for the co-</p> <p>7 chairs' drawing?</p> <p>8 SEN. RUCHO: Mr. Frye?</p> <p>9 MR. FRYE: Yes. I believe for -- if the</p> <p>10 co-chairs are working on a plan, they can work on</p> <p>11 it and follow the criteria separately, and for any</p> <p>12 reports they produce, would just use that</p> <p>13 information.</p> <p>14 SEN. RUCHO: To follow up on what his</p> <p>15 question is, is there a clear wall that we have to</p> <p>16 actually request that information before it's</p> <p>17 eligible -- eligible for us to use? Am I correct?</p> <p>18 I mean, you're talking a firewall?</p> <p>19 SEN. HISE: Yeah, making sure that no</p> <p>20 one -- once it's loaded in, anyone could draw --</p> <p>21 could pull it up. I want to make sure that you</p> <p>22 don't have access to that information.</p> <p>23 MR. FRYE: Right. No, there is a</p> <p>24 firewall.</p> <p>25 SEN. RUCHO: Okay.</p>	<p style="text-align: right;">148</p> <p>1 SEN. MICHAUX: Okay.</p> <p>2 SEN. RUCHO: Okay. Are we close with the</p> <p>3 language?</p> <p>4 REP. LEWIS: Mr. Chairman?</p> <p>5 SEN. RUCHO: Yes, sir, Representative?</p> <p>6 REP. LEWIS: Could we deal with another</p> <p>7 matter while this is being perfected?</p> <p>8 SEN. RUCHO: Yes, sir. Let's just</p> <p>9 displace this amendment if we can, Senator Hise,</p> <p>10 while we're working on the language, and</p> <p>11 Representative Lewis has another issue he'd like to</p> <p>12 bring before -- before us.</p> <p>13 REP. LEWIS: Mr. Chairman, what I'd like</p> <p>14 to do is offer a motion that the committee directs</p> <p>15 the ISD to establish a computer and to populate the</p> <p>16 database of that computer with only the information</p> <p>17 that is consistent with the criteria adopted by the</p> <p>18 committee today, and to ensure that the firewalls</p> <p>19 that Mr. Frye spoke of are in place during the</p> <p>20 entire time that the map for this committee is</p> <p>21 drawn.</p> <p>22 SEN. RUCHO: We have a motion before us.</p> <p>23 Do we have a second on that, David?</p> <p>24 SEN. APODACA: Second.</p> <p>25 SEN. RUCHO: Second, Senator Apodaca.</p>
<p style="text-align: right;">147</p> <p>1 MR. FRYE: It is not a central server</p> <p>2 that would be --</p> <p>3 SEN. RUCHO: Are you okay, Senator Hise?</p> <p>4 Ms. Churchill, you okay?</p> <p>5 REP. LEWIS: Mr. Chairman?</p> <p>6 SEN. RUCHO: Where am I?</p> <p>7 REP. LEWIS: Mr. Chairman?</p> <p>8 SEN. RUCHO: Oh, excuse me.</p> <p>9 REP. LEWIS: I think perhaps we can --</p> <p>10 can summarize this by saying that all people will</p> <p>11 have access to all of the data. This committee has</p> <p>12 directed the chairs not to use some of it, so the</p> <p>13 computer on which this committee's map is drawn</p> <p>14 will only contain the criteria that was adopted by</p> <p>15 the committee, so to kind of get the gist of what</p> <p>16 Senator Blue was trying to ask, he can have access</p> <p>17 to more stuff than we can, not less.</p> <p>18 SEN. RUCHO: Okay. Representative --</p> <p>19 REP. MICHAUX: Yeah, I just wanted to be</p> <p>20 clear on this. It says that you-all must do your</p> <p>21 maps according to the criteria that this body has</p> <p>22 passed. It also says that our group can use any --</p> <p>23 this criteria or any other criteria we deem</p> <p>24 necessary. Is that correct?</p> <p>25 SEN. RUCHO: That's correct.</p>	<p style="text-align: right;">149</p> <p>1 Second. Representative Michaux?</p> <p>2 REP. MICHAUX: I was trying to get the</p> <p>3 gist of what he -- what his motion is.</p> <p>4 REP. LEWIS: May I speak on my motion?</p> <p>5 SEN. RUCHO: Yes, sir.</p> <p>6 REP. LEWIS: Members, the motion would</p> <p>7 direct ISD to establish a computer with the</p> <p>8 Maptitude software that has only the criteria as</p> <p>9 defined and authorized by this committee to use,</p> <p>10 and it is on that computer that the chairs would</p> <p>11 work, along with any consultant they would hire, to</p> <p>12 produce a map to return back to this committee for</p> <p>13 review.</p> <p>14 What it's doing in essence is limiting</p> <p>15 the chairs to only the criteria that this committee</p> <p>16 has adopted, while making sure that it does not</p> <p>17 limit the minority party to have access to whatever</p> <p>18 they deem important to be able to fully participate</p> <p>19 in this process.</p> <p>20 SEN. RUCHO: Follow-up?</p> <p>21 SEN. MICHAUX: Follow-up. What about the</p> <p>22 firewall separating the two on that?</p> <p>23 REP. LEWIS: Thank you for that -- that</p> <p>24 question, Representative Michaux. I was trying to</p> <p>25 use the same language that Mr. Frye. What I'm --</p>

<p style="text-align: right;">150</p> <p>1 to be absolutely clear, the only data the map 2 drawers on behalf of this committee can have is the 3 data that the criteria adopted by this committee 4 allows. There -- the firewall means that you won't 5 be able -- the map drawer won't have access to flip 6 a switch and say, "Well, I really do want to see 7 what the 2008 presidential race was." That will 8 not be loaded on the computer that he has access 9 to.</p> <p>10 SEN. RUCHO: Okay. Senator McKissick? 11 SEN. MCKISSICK: Representative Lewis, 12 just to get some clarification here, if we as the 13 minority caucus want to look at the 2008 race, or 14 we want to look at other variables other than those 15 that were approved today, in the past, we had our 16 own computer available that also had Maptitude, or 17 whatever the appropriate program was at that time, 18 which we could utilize for crafting maps that 19 were -- met our criteria, so I'm just wanting to 20 determine if we will have a separate computer 21 available to us that we can use that will give us 22 the additional data that we might seek to use in 23 preparing maps.</p> <p>24 REP. LEWIS: Senator -- 25 SEN. RUCHO: Representative Lewis?</p>	<p style="text-align: right;">152</p> <p>1 SEN. RUCHO: We'll get a copy of that. 2 All right. We have a motion before us from 3 Representative Lewis. It's been explained; it's 4 been debated. Any additional thoughts or questions 5 on that before we move to adopt his motion? 6 (No response.) 7 SEN. RUCHO: Seeing none, Mr. Clerk, if 8 you'd be kind enough to call roll? 9 CLERK: Lewis? 10 REP. LEWIS: Aye. 11 CLERK: Lewis, aye. Jones? 12 REP. JONES: Aye. 13 CLERK: Jones, aye. Brawley? 14 REP. BRAWLEY: Aye. 15 CLERK: Brawley, aye. Cotham? 16 REP. COTHAM: No. 17 CLERK: Cotham, no. Davis? 18 REP. DAVIS: Aye. 19 CLERK: Davis, aye. Farmer-Butterfield? 20 (No response.) 21 CLERK: Hager? 22 REP. HAGER: Aye. 23 CLERK: Hager, aye. Hanes? 24 REP. HANES: No. 25 CLERK: No? Hanes, no. Hardister?</p>
<p style="text-align: right;">151</p> <p>1 REP. LEWIS: Thank you, Mr. Chairman. 2 Senator McKissick and Mr. Chairman, if my motion is 3 adopted, I will offer the identical motion for the 4 minority party, except that they are able to 5 populate the data with whatever they want to 6 populate it with.</p> <p>7 SEN. MCKISSICK: With that being said, I 8 could support this, but I want to make sure that 9 the minority party does have their own computer 10 populated with their own data, separate and apart 11 from the fields or subcategories which have been 12 identified as appropriate criteria today.</p> <p>13 REP. LEWIS: Yes, sir, we're on the exact 14 same page on that point.</p> <p>15 SEN. MCKISSICK: Thank you.</p> <p>16 SEN. RUCHO: Okay. You -- any additional 17 questions on --</p> <p>18 REP. MICHAUX: Yeah. Can we get that in 19 writing? 20 (Laughter.) 21 REP. LEWIS: Mr. Chairman? 22 SEN. RUCHO: Yes, sir? 23 REP. LEWIS: We do have a court reporter, 24 so perhaps we could forward that to Representative 25 Michaux, and he could read it.</p>	<p style="text-align: right;">153</p> <p>1 REP. HARDISTER: Aye. 2 CLERK: Hardister, aye. Hurley? 3 REP. HURLEY: Aye. 4 CLERK: Hurley, aye. Jackson? 5 REP. JACKSON: No. 6 CLERK: Jackson, no. Johnson? 7 REP. JOHNSON: Aye. 8 CLERK: Johnson, aye. Jordan? 9 REP. JORDAN: Aye. 10 CLERK: Jordan, aye. McGrady? 11 REP. MCGRADY: Aye. 12 CLERK: McGrady, aye. Michaux? 13 REP. MICHAUX: No. 14 CLERK: Michaux, no. Moore? 15 REP. MOORE: Nay. 16 CLERK: Moore, nay. Stam? 17 REP. STAM: Aye. 18 CLERK: Stam, aye. Stevens? 19 (No response.) 20 CLERK: Rucho? 21 SEN. RUCHO: Aye. 22 CLERK: Rucho, aye. Apodaca? 23 SEN. APODACA: Aye. 24 CLERK: Apodaca, aye. Barefoot? 25 SEN. BAREFOOT: Aye.</p>

<p style="text-align: right;">154</p> <p>1 CLERK: Barefoot, aye. Blue?</p> <p>2 SEN. BLUE: No.</p> <p>3 CLERK: Blue, no. Brown?</p> <p>4 SEN. BROWN: Aye.</p> <p>5 CLERK: Brown, aye. Clark?</p> <p>6 SEN. CLARK: No.</p> <p>7 CLERK: Clark, no. Harrington?</p> <p>8 SEN. HARRINGTON: Aye.</p> <p>9 CLERK: Harrington, aye. Hise?</p> <p>10 SEN. HISE: Aye.</p> <p>11 CLERK: Hise, aye. Jackson?</p> <p>12 SEN. JACKSON: Aye.</p> <p>13 CLERK: Jackson, aye. Lee?</p> <p>14 SEN. LEE: Aye.</p> <p>15 CLERK: Lee, aye. McKissick?</p> <p>16 SEN. MCKISSICK: No.</p> <p>17 CLERK: McKissick, no. Randleman?</p> <p>18 SEN. RANDLEMAN: Aye.</p> <p>19 CLERK: Randleman, aye. Sanderson?</p> <p>20 SEN. SANDERSON: Aye.</p> <p>21 CLERK: Sanderson, aye. Smith?</p> <p>22 SEN. SMITH: No.</p> <p>23 CLERK: Smith, no. Smith-Ingram?</p> <p>24 SEN. SMITH-INGRAM: Nay.</p> <p>25 CLERK: Smith-Ingram, nay. Wells?</p>	<p style="text-align: right;">156</p> <p>1 Representative Lewis, seconded by Senator</p> <p>2 McKissick, was that -- for the minority party to</p> <p>3 have access to the computer and have all the</p> <p>4 information they deem necessary for them to</p> <p>5 participate in trying to see what was requested as</p> <p>6 a remedy for the three-judge panel's decision. Any</p> <p>7 questions or comments?</p> <p>8 REP. MICHAUX: Yeah. I want to know what</p> <p>9 the last part of that motion was that he made. It</p> <p>10 was sort of sub rosa.</p> <p>11 SEN. RUCHO: Is that a question to</p> <p>12 Representative Lewis?</p> <p>13 REP. MICHAUX: Representative Lewis.</p> <p>14 REP. LEWIS: Representative Michaux, what</p> <p>15 I said was that the minority members -- the members</p> <p>16 of the minority party on this committee may caucus</p> <p>17 and elect a member or members to direct the drawing</p> <p>18 of these maps on their behalf, and if they're</p> <p>19 unable to do so, that the responsibility would be</p> <p>20 vested in Senator Blue.</p> <p>21 SEN. RUCHO: Do you have a follow-up</p> <p>22 question?</p> <p>23 REP. MICHAUX: We -- what I -- you are</p> <p>24 vesting -- you're telling us what to do? Is that</p> <p>25 what I'm hearing?</p>
<p style="text-align: right;">155</p> <p>1 SEN. WELLS: Aye.</p> <p>2 CLERK: Wells, aye.</p> <p>3 SEN. RUCHO: All right, members of the</p> <p>4 committee, a motion by Representative Lewis</p> <p>5 requiring and asking that the computer that will be</p> <p>6 used by the majority party will only contain the</p> <p>7 criteria that's been established and voted upon</p> <p>8 today, and that vote was aye, 21, no, 11, so that</p> <p>9 passed.</p> <p>10 REP. LEWIS: Mr. Chairman?</p> <p>11 SEN. RUCHO: Representative Lewis?</p> <p>12 REP. LEWIS: For motion.</p> <p>13 SEN. RUCHO: Motion.</p> <p>14 REP. LEWIS: Mr. Chairman, I move that</p> <p>15 the minority party be given access to a computer</p> <p>16 and whatever information they deem necessary to</p> <p>17 populate that computer in order to fully</p> <p>18 participate in this pro- -- in this process.</p> <p>19 Further, I move that the minority party members of</p> <p>20 this committee may caucus and designate that</p> <p>21 responsibility to one or more members, and if they</p> <p>22 are not able to do that, that the responsibility</p> <p>23 would fall to Senator Blue.</p> <p>24 SEN. MCKISSICK: I'll second that.</p> <p>25 SEN. RUCHO: All right. The motion by</p>	<p style="text-align: right;">157</p> <p>1 REP. LEWIS: To repeat for the third</p> <p>2 time, Representative Michaux, the minority party</p> <p>3 members of this committee would caucus and</p> <p>4 designate members or members to act on their</p> <p>5 behalf, and if they are unable to do so, that that</p> <p>6 responsibility would fall to Senator Blue.</p> <p>7 REP. MICHAUX: Mr. Chairman?</p> <p>8 SEN. RUCHO: Yes, sir?</p> <p>9 REP. MICHAUX: Why don't you --</p> <p>10 SEN. RUCHO: Follow-up?</p> <p>11 REP. MICHAUX: Yes. Why don't you let us</p> <p>12 make that decision as to who it should fall -- fall</p> <p>13 to?</p> <p>14 REP. LEWIS: Mr. Chairman?</p> <p>15 SEN. RUCHO: Yes, sir?</p> <p>16 REP. LEWIS: Could we have maybe staff</p> <p>17 clarify what it means that the minority party can</p> <p>18 caucus and designate members or members, if that's</p> <p>19 not allowing them to make a decision? Could</p> <p>20 somebody explain exactly what language I'm not</p> <p>21 communicating?</p> <p>22 SEN. RUCHO: Okay. Senator Apodaca, you</p> <p>23 had a comment?</p> <p>24 SEN. APODACA: Mr. Chairman, inquiry of</p> <p>25 the Chair.</p>



<p style="text-align: right;">158</p> <p>1 SEN. RUCHO: Yes, sir?</p> <p>2 SEN. APODACA: I'm somewhat confused. I</p> <p>3 thought Representative Jackson asked this question</p> <p>4 about how they could nominate somebody. I thought</p> <p>5 this is what we were trying to fix.</p> <p>6 SEN. RUCHO: All right. Then you're the</p> <p>7 one that's going to explain to -- to Senator --</p> <p>8 Representative Michaux. Okay? All right. A</p> <p>9 motion is before us. It's been seconded. Any</p> <p>10 additional questions or comments on Representative</p> <p>11 Lewis' motion?</p> <p>12 (No response.)</p> <p>13 SEN. RUCHO: Seeing none --</p> <p>14 CLERK: Lewis?</p> <p>15 SEN. RUCHO: -- Mr. Clerk, roll call,</p> <p>16 please?</p> <p>17 CLERK: Lewis?</p> <p>18 REP. LEWIS: Aye.</p> <p>19 CLERK: Lewis, aye. Jones?</p> <p>20 REP. JONES: Aye.</p> <p>21 CLERK: Jones, aye. Brawley?</p> <p>22 REP. BRAWLEY: Aye.</p> <p>23 CLERK: Brawley, aye. Cotham?</p> <p>24 REP. COTHAM: Aye.</p> <p>25 CLERK: Cotham, aye. Davis?</p>	<p style="text-align: right;">160</p> <p>1 CLERK: Moore, aye. Stam?</p> <p>2 REP. STAM: Aye.</p> <p>3 CLERK: Stam, aye. Stevens?</p> <p>4 (No response.)</p> <p>5 CLERK: Rucho?</p> <p>6 SEN. RUCHO: Aye.</p> <p>7 CLERK: Rucho, aye. Apodaca?</p> <p>8 SEN. APODACA: Aye.</p> <p>9 CLERK: Apodaca, aye. Barefoot?</p> <p>10 SEN. BAREFOOT: Aye.</p> <p>11 CLERK: Barefoot, aye. Blue?</p> <p>12 SEN. BLUE: Aye.</p> <p>13 CLERK: Blue, aye. Brown?</p> <p>14 SEN. BROWN: Aye.</p> <p>15 CLERK: Brown, aye. Clark?</p> <p>16 SEN. CLARK: Aye.</p> <p>17 CLERK: Clark, aye. Harrington?</p> <p>18 SEN. HARRINGTON: Aye.</p> <p>19 CLERK: Harrington, aye. Hise?</p> <p>20 SEN. HISE: Aye.</p> <p>21 CLERK: Hise, aye. Jackson?</p> <p>22 SEN. JACKSON: Aye.</p> <p>23 CLERK: Jackson, aye. Lee?</p> <p>24 SEN. LEE: Aye.</p> <p>25 CLERK: Lee, aye. McKissick?</p>
<p style="text-align: right;">159</p> <p>1 REP. DAVIS: Aye.</p> <p>2 CLERK: Davis, aye. Farmer-Butterfield?</p> <p>3 REP. FARMER-BUTTERFIELD: Aye.</p> <p>4 CLERK: Aye? Farmer-Butterfield, aye.</p> <p>5 Hager?</p> <p>6 SEN. RUCHO: Please speak loudly, folks.</p> <p>7 REP. HAGER: Aye.</p> <p>8 CLERK: Hager, aye. Hanes?</p> <p>9 REP. HANES: Aye</p> <p>10 CLERK: Hanes, aye. Hardister?</p> <p>11 REP. HARDISTER: Aye.</p> <p>12 CLERK: Hardister, aye. Hurley?</p> <p>13 REP. HURLEY: Aye.</p> <p>14 CLERK: Hurley, aye. Jackson?</p> <p>15 REP. JACKSON: Aye.</p> <p>16 CLERK: Jackson, aye. Johnson?</p> <p>17 REP. JOHNSON: Aye.</p> <p>18 CLERK: Johnson, aye. Jordan?</p> <p>19 REP. JORDAN: Aye.</p> <p>20 CLERK: Jordan, aye. McGrady?</p> <p>21 REP. MCGRADY: Aye.</p> <p>22 CLERK: McGrady, aye. Michaux?</p> <p>23 REP. MICHAUX: No.</p> <p>24 CLERK: Michaux, no. Moore?</p> <p>25 REP. MOORE: Aye.</p>	<p style="text-align: right;">161</p> <p>1 SEN. MCKISSICK: Aye.</p> <p>2 CLERK: McKissick, aye. Randleman?</p> <p>3 SEN. RANDLEMAN: Aye.</p> <p>4 CLERK: Randleman, aye. Sanderson?</p> <p>5 SEN. SANDERSON: Aye.</p> <p>6 CLERK: Sanderson, aye. Smith?</p> <p>7 SEN. SMITH: Aye.</p> <p>8 CLERK: Smith, aye. Smith-Ingram?</p> <p>9 SEN. SMITH-INGRAM: Aye.</p> <p>10 CLERK: Smith-Ingram, aye. Wells?</p> <p>11 SEN. WELLS: Aye.</p> <p>12 CLERK: Wells, aye.</p> <p>13 SEN. RUCHO: Members of the committee,</p> <p>14 after a roll-call vote, 32 aye and 1 no, so</p> <p>15 therefore, that has been settled. Senator Hise, do</p> <p>16 we have language?</p> <p>17 SEN. HISE: I think we have two</p> <p>18 amendments.</p> <p>19 SEN. RUCHO: Two amendments?</p> <p>20 SEN. HISE: Yeah.</p> <p>21 SEN. RUCHO: All right. Are you going to</p> <p>22 present it, or staff?</p> <p>23 SEN. HISE: I can present them. I think</p> <p>24 staff's going to read them. The first one is to</p> <p>25 clarify the payments made for work performed.</p>

<p style="text-align: right;">162</p> <p>1 SEN. RUCHO: Let's pay attention, here. 2 I know we're moving forward. Go ahead, please. 3 SEN. HISE: The first is to add some 4 clarification for the -- to allow payments for work 5 performed prior to the stay. 6 SEN. RUCHO: All right. First -- the 7 first amendment, Ms. Churchill, would you explain 8 what that amendment says and what it does? 9 MS. CHURCHILL: Yes, Mr. Chair. The 10 amendment would be to the end, to the last sentence 11 of Paragraph 2 and Paragraph 3 of Senator Hise's 12 motion. It would remove the period at the end of 13 that sentence, inset a semicolon, and all of the 14 following at the end of each sentence: "Provided, 15 however, this authorization shall permit 16 compensation to be paid for any work performed 17 prior to the issuance of such stay." 18 SEN. RUCHO: Members of the committee, 19 you have that before you. Is there any questions 20 on that first amendment that has been put forward 21 by Senator Hise on trying to provide some clarity 22 in what was brought up by Senator Blue? 23 Representative Jackson? 24 REP. JACKSON: Thank you, Mr. Chairman. 25 Would that -- that would amendment allow payment</p>	<p style="text-align: right;">164</p> <p>1 CLERK: Hager, yes. Hanes? 2 REP. HANES: Yes. 3 CLERK: Hanes, yes. Hardister? 4 REP. HARDISTER: Aye. 5 CLERK: Hardister, aye. Hurley? 6 REP. HURLEY: Aye. 7 CLERK: Hurley, aye. Jackson? 8 REP. JACKSON: Yes. 9 CLERK: Jackson, yes. Johnson? 10 REP. JOHNSON: Aye. 11 CLERK: Johnson, aye. Jordan? 12 REP. JORDAN: Aye. 13 CLERK: Jordan, aye. McGrady? 14 REP. MCGRADY: Aye. 15 CLERK: McGrady, aye. Michaux? 16 REP. MICHAUX: Aye. 17 CLERK: Michaux, aye. Moore? 18 REP. MOORE: Aye. 19 CLERK: Moore, aye. Stam? 20 REP. STAM: Aye. 21 CLERK: Stam, aye. Stevens? 22 (No response.) 23 CLERK: Rucho? 24 SEN. RUCHO: Aye. 25 CLERK: Rucho, aye. Apodaca?</p>
<p style="text-align: right;">163</p> <p>1 for services provided prior to the approval of 2 this? 3 SEN. RUCHO: No, sir, I don't believe so. 4 REP. JACKSON: Thank you. 5 SEN. RUCHO: Yeah. Questions? Any 6 additional? 7 (No response.) 8 SEN. RUCHO: All right, we have an 9 amendment before us that was read by staff, and we 10 will ask the Clerk to have a roll-call vote on 11 that, please. 12 CLERK: Lewis? 13 REP. LEWIS: Aye. 14 CLERK: Lewis, aye. Jones? 15 REP. JONES: Aye. 16 CLERK: Jones, aye. Brawley? 17 REP. BRAWLEY: Aye. 18 CLERK: Brawley, aye. Cotham? 19 REP. COTHAM: Aye. 20 CLERK: Cotham, aye. Davis? 21 REP. DAVIS: Yes. 22 CLERK: Davis, yes. Farmer-Butterfield? 23 REP. FARMER-BUTTERFIELD: Yes. 24 CLERK: Farmer-Butterfield, yes. Hager? 25 REP. HAGER: Yes.</p>	<p style="text-align: right;">165</p> <p>1 SEN. APODACA: Aye. 2 CLERK: Apodaca, aye. Barefoot? 3 SEN. BAREFOOT: Aye. 4 CLERK: Barefoot, aye. Blue? 5 SEN. BLUE: Aye. 6 CLERK: Blue, aye. Brown? 7 SEN. BROWN: Aye. 8 CLERK: Brown, aye. Clark? 9 SEN. CLARK: Aye. 10 CLERK: Clark, aye. Harrington? 11 SEN. HARRINGTON: Aye. 12 CLERK: Harrington, aye. Hise? 13 SEN. HISE: Aye. 14 CLERK: Hise, aye. Jackson? 15 SEN. JACKSON: Aye. 16 CLERK: Jackson, aye. Lee? 17 SEN. LEE: Aye. 18 CLERK: Lee, aye. McKissick? 19 SEN. MCKISSICK: Aye. 20 CLERK: McKissick, aye. Randleman? 21 SEN. RANDLEMAN: Aye. 22 CLERK: Randleman, aye. Sanderson? 23 SEN. SANDERSON: Aye. 24 CLERK: Sanderson, aye. Smith? 25 SEN. SMITH: Aye.</p>

166	<p>1 CLERK: Smith, aye. Smith-Ingram?</p> <p>2 SEN. SMITH-INGRAM: Aye.</p> <p>3 CLERK: Smith-Ingram, aye. Wells?</p> <p>4 SEN. WELLS: Aye.</p> <p>5 CLERK: Wells, aye.</p> <p>6 SEN. RUCHO: Members of the committee,</p> <p>7 we -- okay. Members of the committee, Amendment 1,</p> <p>8 which was read by staff, was agreed upon</p> <p>9 unanimously, 33 to zero.</p> <p>10 Senator Hise, Amendment Number 2?</p> <p>11 SEN. HISE: Thank you, Mr. Chairman.</p> <p>12 This was with some further consultation with</p> <p>13 Senator Blue, and clarifies for a legislative</p> <p>14 confidentiality amendment when that applies, and</p> <p>15 applies to once it's submitted to this committee,</p> <p>16 and she has specific language they can read.</p> <p>17 SEN. RUCHO: Ms. Churchill, can you read</p> <p>18 the clarifying language there, please?</p> <p>19 MS. CHURCHILL: Yes, sir. In Paragraph</p> <p>20 2, this new sentence would be inserted at the --</p> <p>21 following the first sentence. "The co-chairs shall</p> <p>22 control legislative confidentiality of any drafting</p> <p>23 requests or maps produced from this authority</p> <p>24 unless and until presented to the committee in the</p> <p>25 co-chairs' discretion."</p>	168	<p>1 CLERK: Farmer-Butterfield, yes. Hager?</p> <p>2 REP. HAGER: Yes.</p> <p>3 CLERK: Hager, yes. Hanes?</p> <p>4 REP. HANES: Yes.</p> <p>5 CLERK: Hanes, yes. Hardister?</p> <p>6 REP. HARDISTER: Aye.</p> <p>7 CLERK: Hardister, aye. Hurley?</p> <p>8 REP. HURLEY: Aye.</p> <p>9 CLERK: Hurley, aye. Jackson?</p> <p>10 REP. JACKSON: Yes.</p> <p>11 CLERK: Jackson, yes. Johnson?</p> <p>12 REP. JOHNSON: Aye.</p> <p>13 CLERK: Johnson, aye. Jordan?</p> <p>14 REP. JORDAN: Aye.</p> <p>15 CLERK: Jordan, aye. McGrady?</p> <p>16 REP. MCGRADY: Aye.</p> <p>17 CLERK: McGrady, aye. Michaux?</p> <p>18 REP. MICHAUX: Yes.</p> <p>19 CLERK: Michaux, yes. Moore?</p> <p>20 REP. MOORE: Aye.</p> <p>21 CLERK: Moore, aye. Stam?</p> <p>22 REP. STAM: Aye.</p> <p>23 CLERK: Stam, aye. Rucho?</p> <p>24 SEN. RUCHO: Aye.</p> <p>25 CLERK: Rucho, aye. Apodaca?</p>
167	<p>1 For Paragraph 3, this sentence would be</p> <p>2 inserted after -- following the first sentence:</p> <p>3 "The minority caucus' designee, Senator Blue, shall</p> <p>4 control legislative confidentiality of any drafting</p> <p>5 requests or maps produced from this authority</p> <p>6 unless and until presented to the committee in</p> <p>7 Senator Blue's discretion."</p> <p>8 SEN. RUCHO: Members of the committee,</p> <p>9 you have that before you. Any questions or</p> <p>10 comments?</p> <p>11 (No response.)</p> <p>12 SEN. RUCHO: Seeing -- seeing none, Mr.</p> <p>13 Clerk, would you do the roll call?</p> <p>14 CLERK: Lewis?</p> <p>15 REP. LEWIS: Aye.</p> <p>16 CLERK: Lewis, aye. Jones?</p> <p>17 REP. JONES: Aye.</p> <p>18 CLERK: Jones, aye. Brawley?</p> <p>19 REP. BRAWLEY: Aye.</p> <p>20 CLERK: Brawley, aye. Cotham?</p> <p>21 REP. COTHAM: Aye.</p> <p>22 CLERK: Cotham, aye. Davis?</p> <p>23 REP. DAVIS: Yes.</p> <p>24 CLERK: Davis, yes. Farmer-Butterfield?</p> <p>25 REP. FARMER-BUTTERFIELD: Yes.</p>	169	<p>1 SEN. APODACA: Aye.</p> <p>2 CLERK: Apodaca, aye. Barefoot?</p> <p>3 SEN. BAREFOOT: Aye.</p> <p>4 CLERK: Barefoot, aye. Blue?</p> <p>5 SEN. BLUE: Aye.</p> <p>6 CLERK: Blue, aye. Brown?</p> <p>7 SEN. BROWN: Aye.</p> <p>8 CLERK: Brown, aye. Clark?</p> <p>9 SEN. CLARK: Aye.</p> <p>10 CLERK: Clark, aye. Harrington?</p> <p>11 SEN. HARRINGTON: Aye.</p> <p>12 CLERK: Harrington, aye. Hise?</p> <p>13 SEN. HISE: Aye.</p> <p>14 CLERK: Hise, aye. Jackson?</p> <p>15 SEN. JACKSON: Aye.</p> <p>16 CLERK: Jackson, aye. Lee?</p> <p>17 SEN. LEE: Aye.</p> <p>18 CLERK: Lee, aye. McKissick?</p> <p>19 SEN. MCKISSICK: Aye.</p> <p>20 CLERK: McKissick, aye. Randleman?</p> <p>21 SEN. RANDLEMAN: Aye.</p> <p>22 CLERK: Randleman, aye. Sanderson?</p> <p>23 SEN. SANDERSON: Aye.</p> <p>24 CLERK: Sanderson, aye. Smith?</p> <p>25 SEN. SMITH: Aye.</p>

<p style="text-align: right;">170</p> <p>1 CLERK: Smith, aye. Smith-Ingram? 2 SEN. SMITH-INGRAM: Aye. 3 CLERK: Smith-Ingram, aye. Wells? 4 SEN. WELLS: Aye. 5 CLERK: Wells, aye. 6 SEN. RUCHO: Members of the committee, 7 the roll-call vote was 33 aye, zero nay. 8 Now, what you have before you is a motion 9 set forth by Senator Hise which has been amended, 10 and now it's before you for any further discussion 11 or questions, and if there are none, then we will 12 take a vote to adopt Senator Hise's motion. 13 Thoughts, questions? 14 (No response.) 15 SEN. RUCHO: Seeing none, Mr. Clerk, a 16 vote, please? 17 CLERK: Lewis? 18 REP. LEWIS: Aye. 19 CLERK: Lewis, aye. Jones? 20 REP. JONES: Aye. 21 CLERK: Jones, aye. Brawley? 22 REP. BRAWLEY: Aye. 23 CLERK: Brawley, aye. Cotham? 24 REP. COTHAM: No. 25 CLERK: Cotham, no. Davis?</p>	<p style="text-align: right;">172</p> <p>1 CLERK: Stam, aye. Rucho? 2 SEN. RUCHO: Aye. 3 CLERK: Rucho, aye. Apodaca? 4 SEN. APODACA: Aye. 5 CLERK: Apodaca, aye. Barefoot? 6 SEN. BAREFOOT: Aye. 7 CLERK: Barefoot, aye. Blue? 8 SEN. BLUE: No. 9 CLERK: Blue, no. Brown? 10 SEN. BROWN: Aye. 11 CLERK: Brown, aye. Clark? 12 SEN. CLARK: No 13 CLERK: Clark, no. Harrington? 14 SEN. HARRINGTON: Aye. 15 CLERK: Harrington, aye. Hise? 16 SEN. HISE: Aye. 17 CLERK: Hise, aye. Jackson? 18 SEN. JACKSON: Aye. 19 CLERK: Jackson, aye. Lee? 20 SEN. LEE: Aye. 21 CLERK: Lee, aye. McKissick? 22 SEN. MCKISSICK: No. 23 CLERK: McKissick, no. Randleman? 24 SEN. RANDLEMAN: Aye. 25 CLERK: Randleman, aye. Sanderson?</p>
<p style="text-align: right;">171</p> <p>1 REP. DAVIS: Yes. 2 CLERK: Davis, yes. Farmer-Butterfield? 3 REP. FARMER-BUTTERFIELD: No. 4 CLERK: Farmer-Butterfield, no. Hager? 5 REP. HAGER: Aye. 6 CLERK: Hager, aye. Hanes? 7 REP. HANES: No. 8 CLERK: Hanes, no. Hardister? 9 REP. HARDISTER: Aye. 10 CLERK: Hardister, aye. Hurley? 11 REP. HURLEY: Aye. 12 CLERK: Hurley, aye. Jackson? 13 REP. JACKSON: No. 14 CLERK: Jackson, no. Johnson? 15 REP. JOHNSON: Aye. 16 CLERK: Johnson, aye. Jordan? 17 REP. JORDAN: Aye. 18 CLERK: Jordan, aye. McGrady? 19 REP. MCGRADY: Aye. 20 CLERK: McGrady, aye. Michaux? 21 REP. MICHAUX: No. 22 CLERK: Michaux, no. Moore? 23 REP. MOORE: Nay. 24 CLERK: Moore, nay. Stam? 25 REP. STAM: Aye.</p>	<p style="text-align: right;">173</p> <p>1 SEN. SANDERSON: Aye. 2 CLERK: Sanderson, aye. Smith? 3 SEN. SMITH: No. 4 CLERK: Smith, no. Smith-Ingram? 5 SEN. SMITH-INGRAM: No. 6 CLERK: Smith-Ingram, no. Wells? 7 SEN. WELLS: Aye. 8 CLERK: Wells, aye. 9 SEN. RUCHO: Okay, members of the 10 committee, when that motion was up for adoption as 11 amended, we have 22 aye and 11 no. I believe that 12 we have concluded our business for today. 13 SEN. BLUE: Just a request, Mr. Chair. 14 SEN. RUCHO: Senator Blue? 15 SEN. BLUE: As I prepare to do this, 16 could you have the Clerk make available to me his 17 roll-call votes on these items, since it's all 18 official now? 19 SEN. RUCHO: That can be done. 20 SEN. BLUE: Thank you. 21 SEN. RUCHO: Okay. Senator Blue requests 22 that he gets a copy of the roll-call votes. Thank 23 you. 24 Before we finish up, let me just make it 25 clear. Now that we have criteria established, and</p>

<p style="text-align: right;">174</p> <p>1 understanding that there is access to computers and 2 the necessary resources to accomplish that, I'm 3 sure that the map drawers will do their job, come 4 forward with a map. We will possibly have a 5 meeting tomorrow. The chairs will allow you 6 notice. We're going to need to give the map 7 writers -- or drawers a chance to do their work. 8 We are also waiting for a decision by the Supreme 9 Court on the motion for stay to allow that election 10 to take place in an orderly manner, without any 11 voter dysfunction, so we will let you know at what 12 time tomorrow, or whether we will be meeting 13 tomorrow. 14 REP. STAM: Mr. Chair? 15 SEN. RUCHO: Sir? 16 REP. STAM: What is the earliest we would 17 be -- I mean, can we block out the morning for real 18 work, other work? 19 SEN. RUCHO: I think to give sufficient 20 time for map drawers to work, I think we would be 21 looking at -- the earliest would be 1:00. Okay? 22 Members of the committee, any questions on what was 23 discussed? 24 (No response.) 25 SEN. RUCHO: You all know what we've got,</p>	<p style="text-align: right;">176</p> <p>STATE OF NORTH CAROLINA COUNTY OF WAKE CERTIFICATE I, Carol M. Smith, a duly commissioned Notary Public in and for the State of North Carolina, do hereby certify that on February 16, 2016, this proceeding was held before me, this proceeding being reported by me verbatim and then reduced to typewritten form under my direct supervision; that the foregoing is a true and correct transcript of said proceedings to the best of my ability and understanding; that I am not related to any of the parties to this action; that I am not interested in the outcome of this case; that I am not of counsel nor in the employ of any of the parties to this action. IN WITNESS WHEREOF, I have hereto set my hand, this the 29th day of February, 2016.  _____ Notary Public  Carol M. Smith Notary Number 19943320153</p>
<p style="text-align: right;">175</p> <p>1 so stay tuned, and thank you for your quick 2 response. Meeting adjourned. 3 (WHEREUPON, THE MEETING WAS CONCLUDED AT 1:43 P.M.) 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	

NORTH CAROLINA GENERAL ASSEMBLY

HOUSE REDISTRICTING COMMITTEE AND  
SENATE REDISTRICTING COMMITTEE

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TRANSCRIPT OF THE PROCEEDINGS

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In Raleigh, North Carolina  
Wednesday, July 26, 2017  
Reported by Carol M. Smith

Worley Reporting  
P. O. Box 99169  
Raleigh, NC 27624  
919-870-8070

1                   SEN. HISE: The committee will come to  
2                   order. Thank you, members of the Committee,  
3                   members of the public. I welcome you to our first  
4                   meeting of the year, joint meeting of the  
5                   Redistricting Committee. We're going to begin in  
6                   just a minute. We'll be hearing from  
7                   Representative Lewis first, and then potentially  
8                   from staff.

9                   I will announce before we begin the House  
10                  Sergeant-at-Arms, identify those. Reggie Sills up  
11                  here at the front, Marvin Lee at the front as well,  
12                  David Leighton in the back, Mark Cone. From the  
13                  Senate side, Terry Barnhardt behind us, Tom  
14                  Burroughs, Steve McKaig and Becky McCreary --  
15                  Myrick, sorry. Thank you all for being with us  
16                  today, and the service you provide.

17                  Without further ado, we're going to let  
18                  Representative Lewis do a brief presentation to the  
19                  Committee. I will also ask when we open for  
20                  questions and others, to let members know, we do  
21                  have a court reporter here today who will be doing  
22                  a verbatim transcript of the concept, so we are  
23                  asking that any time you're recognized by the Chair  
24                  to speak, that you would identify your name so that  
25                  we make sure we have that as part of the court

1 record. I think that will be -- get everything we  
2 need.

3 Thank you. I will address -- a member  
4 has brought it to my attention there are  
5 individuals that have signs that are in here. That  
6 is allowed; however, you may not use those signs to  
7 obstruct the view of others, which would include  
8 holding them up at others, and I will maintain  
9 decorum within this meeting, and ask all members to  
10 do so, and I will make sure that this meeting --  
11 this Committee can conduct its business as Chair,  
12 so without any further ado on that, Representative  
13 Lewis?

14 REP. LEWIS: Thank you, Mr. Chairman, and  
15 good afternoon. My name is David Lewis. I am the  
16 Chair of the House Select Committee on  
17 Redistricting. It's my pleasure to welcome you to  
18 this joint meeting of the House and Senate  
19 Redistricting Committees. I sincerely thank you  
20 for being here today.

21 As you are aware, the General Assembly  
22 will be redrawing legislative districts this year  
23 to comply with a Court order. As we await further  
24 guidance from the Court on how to proceed and how  
25 this process should be conducted, we wanted to



1           convene today's meeting for organizational and  
2           informational purposes.

3                     If the Court allows us ample time to do  
4           so, we intend to include as much public input as  
5           possible, and as much input from the Committees,  
6           and ultimately, the full General Assembly will  
7           deliberate together regarding these new districts.

8                     Tomorrow, the three-judge panel with  
9           jurisdiction over our case will meet to consider  
10          the timeline for the redistricting process. Our  
11          attorneys will advocate on behalf of the General  
12          Assembly for a timeline that would allow for a  
13          redistricting session to occur in early November.

14                    Between now and then, Senator Hise and I  
15          envision a process that would include these  
16          Committees meeting to discuss and adopt criteria  
17          for drawing new maps, and ultimately to make  
18          recommendations to the General Assembly regarding  
19          new districts in the House and Senate redistricting  
20          plans.

21                    We would anticipate that public hearings  
22          would be conducted throughout this process.  
23          Committee members can expect at least three sets of  
24          these public hearings to occur in August,  
25          September, and October, with the exact date and

1           location to be determined by these Committees.

2           For informational purposes, you have  
3           three sets of documents in front of you. The first  
4           is the county groupings for both House and Senate  
5           plans that were filed on behalf of the defense in  
6           the Covington case. This case is available on the  
7           NCGA redistricting website.

8           These may or may not turn out to be the  
9           final county groupings. There will be a time for  
10          your comments as well as comments from the public  
11          on county grouping plans that will be required to  
12          be used in the redistricting process in order to  
13          comply with the Stephenson decision.

14          The second set of documents are  
15          redistricting plans that were prepared by Common  
16          Cause. In full disclosure, that organization is  
17          currently involved as Plaintiffs in litigation that  
18          has been filed against the General Assembly. To  
19          our knowledge, these are the only redistricting  
20          plans that have been released and submitted to the  
21          public in this process thus far.

22          These maps are provided for informational  
23          purposes only today. One thing that you will  
24          notice is the county groupings used to prepare the  
25          Common Cause maps are the same as those that were

1           filed in the legal case.

2                     For those of you who may be new to  
3           looking at these maps, the dark blue lines  
4           illustrate the county groupings. Again, you do  
5           have one for both the House and the Senate.

6                     The population numbers that we will be  
7           required to use are from the 2010 Census. These  
8           are the numbers that will be used to construct new  
9           district highlights during this process. For your  
10          information, an ideal Senate district is made up of  
11          190,710 people, and an ideal House district is made  
12          up of 79,462 people.

13                    I want to let you know that two e-mails  
14          have been set up for receiving public comments.  
15          They are 2017houseredistricting@ncleg.net, and  
16          2017senateredistricting@ncleg.net. Additionally, a  
17          web page has been set up for public comment. A  
18          link to that page can be found on the website at  
19          ncleg.net. It will go live today when this joint  
20          committee adjourns. A folder will be made so that  
21          each member of the General Assembly will be enabled  
22          to review the public comment that is collected via  
23          our website.

24                    Mr. Chairman, with your permission, I'd  
25          like to ask you to recognize Erika Churchill of the

1           central staff to explain to members the resources  
2           that are available to them through the General  
3           Assembly to help during the redistricting process.

4                   MS. CHURCHILL (STAFF): Thank you, Mr.  
5           Chair. For members of the General Assembly, there  
6           are multiple avenues of resources available to you.  
7           There is a terminal that you can use to draw maps  
8           if you choose to do so. You will just simply need  
9           to schedule an appointment in a block -- blocks of  
10          up to two hours. You would -- if you decide you  
11          want to do that, please contact Peter Capriglione  
12          to set up a time, and the location of that  
13          particular terminal is in Room 213 of the  
14          Legislative Office Building.

15                   You can also ask for any drafting or  
16          information request of the central staff, and we  
17          will assist you with that. Contact myself or Karen  
18          Cochrane-Brown, and we'll get that assigned and  
19          work with you.

20                   Please remember that for members of the  
21          General Assembly, upon enactment of a House,  
22          Senate, or North Carolina Congressional map, all  
23          drafting information requests to any legislative  
24          employee, including the partisan and nonpartisan  
25          staff, do automatically become public record. Each

1 member of the General Assembly is the custodian of  
2 their own public records, so if you choose to draw  
3 a map using the member terminal, you will be  
4 responsible for maintaining a copy of that.

5 For the central staff and for the rest of  
6 the legislative employees, we will also maintain  
7 copies of everything that is done, and if a public  
8 records request is issued, we will respond  
9 accordingly.

10 SEN. HISE: Representative Lewis?

11 REP. LEWIS: Thank you, Mr. Chair. Mr.  
12 Chairman, again, I'd like to thank everyone for  
13 their time in being here today and your willingness  
14 to serve on these committees. We will be back in  
15 touch with you soon to offer additional information  
16 and to let you know the schedule for additional  
17 meetings. With that, Mr. Chairman, if there are  
18 inquiries, I'd be happy to try and take them.

19 SEN. HISE: I will now open -- members of  
20 the Committee who would like to -- please, if you  
21 are asking a question, please identify yourself for  
22 our court reporter. Representative Jackson?

23 REP. JACKSON: Thank you, Mr. Chairman.  
24 Darren Jackson, Representative. Representative  
25 Chairman Lewis, you mentioned the Common Cause

1 maps, and in looking at the expert map that was  
2 submitted in federal court, it's a -- it's colored  
3 differently than it was when submitted to federal  
4 court, and so my question is basically this. Has  
5 there been a determination made whether every  
6 district in the state needs to be redrawn, or just  
7 those in clusters with affected districts?

8 REP. LEWIS: Thank you for that question,  
9 Representative Jackson. We are effectively waiting  
10 for guidance from the Court on that matter. It  
11 would be really premature for me to be able to  
12 answer that at this point.

13 SEN. HISE: Other questions from members  
14 of the Committee? Senator Clark?

15 SEN. CLARK: Thank you, Mr. Chairman.  
16 Mr. Chairman --

17 SEN. HISE: Please identify yourself for  
18 the court reporter.

19 SEN. CLARK: Senator Clark, Senate  
20 District 21. Mr. Chairman, would you have the  
21 staff provide the Committee members with a 2016  
22 election stat pack for the Common Cause  
23 redistricting plan that we have before us here?

24 REP. LEWIS: Mr. Chairman?

25 SEN. HISE: Erika Churchill.

1 MS. CHURCHILL: Senator Clark, we can  
2 prepare that and have that distributed to the  
3 Committee members.

4 SEN. CLARK: Thank you. When can we  
5 expect to have that?

6 MS. CHURCHILL: We will shoot for this  
7 afternoon, but it may be tomorrow.

8 SEN. CLARK: Thank you.

9 SEN. HISE: Follow-up?

10 SEN. CLARK: Yes. Mr. Chairman, it was  
11 indicated that the members will be -- I mean, it  
12 wasn't indicated that we will be able to, so my  
13 question is, will the members be able to submit  
14 recommended criteria for use in developing the maps  
15 that we will be considering within this Committee?

16 REP. LEWIS: Mr. Chairman, I'd like to  
17 respond to that. The answer is yes, sir, that is  
18 our intent, is for this Committee to -- to discuss  
19 and debate and adopt criteria. We also hope to  
20 take public input on what that criteria should be,  
21 and it will be that criteria that will be used to  
22 produce the maps.

23 SEN. HISE: I've got a Representative  
24 pointing to someone over here. Next  
25 Representative?

1 SEN. CLARK: Follow-up?

2 SEN. HISE: Oh, Senator Clark. I'm  
3 sorry.

4 SEN. CLARK: Yes. At what point will we  
5 be allowed to submit criteria that we recommend for  
6 consideration by this Committee, and in what form?

7 REP. LEWIS: Thank you for that question,  
8 Senator Clark. The answer is, you can certainly  
9 submit it as early as right now. I would encourage  
10 you to either use one of the two e-mail addresses  
11 that I provided earlier just to keep up with it, or  
12 you're certainly welcome to e-mail either Chairman  
13 Hise or me, and we'll make sure that it is  
14 distributed to the members, and then when the  
15 criteria is actually discussed at the Committee, we  
16 will debate it then.

17 SEN. CLARK: Thank you, Mr. Chairman.

18 SEN. HISE: Representative Michaux?

19 REP. MICHAUX: Representative Michaux. A  
20 couple of questions, Representative Lewis, if you  
21 don't mind. You indicated that these maps we have  
22 here are the only ones that have been released for  
23 public consumption. Are there any other maps that  
24 have not yet been released? For instance, anything  
25 that has been drawn by Dr. Hofeller or anybody else



1           that you know of that have not yet been released?

2                     REP. LEWIS: None that I know of, sir.

3                     REP. MICHAUX: Another question, Mr.

4           Chairman.

5                     SEN. HISE: Follow-up?

6                     REP. MICHAUX: Yes, sir. Mr. Chairman,  
7           we have known for some time now that the House and  
8           Senate districts that were drawn were  
9           unconstitutional, and here we are in August now  
10          sitting this Committee. Can you tell us why the  
11          special session called by the Governor to handle  
12          the matter was not -- was overruled and was not put  
13          into session so we could start this process prior  
14          to this time?

15                    REP. LEWIS: Representative Michaux, as  
16          best I can recall -- I may need to consult the  
17          House Journal on that, but as best I can recall,  
18          the call from the Governor was issued while the  
19          General Assembly was already in session; therefore,  
20          there was no need for an extraordinary -- there was  
21          no extraordinary circumstance requiring us to be  
22          called back.

23                    As you know as one of the most senior and  
24          distinguished members of this body, the  
25          redistricting process is an extremely disruptive

1           and time-consuming process. The order to redraw  
2           the maps that you refer to ordered us not to use  
3           the 2011 plans again. It is certainly our intent  
4           to fully comply with the court order ordering us to  
5           redraw in our next session. We are in our next  
6           session at this time.

7                       Further, when the final ruling from the  
8           Supreme Court came out -- and I hope you will bear  
9           with me. I don't remember the exact date, but it  
10          was in early June, and we were in the final weeks  
11          of the budget negotiations, and we felt, "we"  
12          meaning the leadership, felt that it would make  
13          more sense to go ahead and finish the public  
14          business of passing a budget and the other bills,  
15          and then be able to turn our attention to this very  
16          important matter.

17                      Again, it is contemplated that we can  
18          have these maps drawn by November. That would give  
19          the Court time to review the maps if it chose to,  
20          and then people would be able to file, as is the  
21          current law, starting in February of next year.

22                      REP. MICHAUX: Follow-up, Mr. Chair?

23                      SEN. HISE: Follow-up.

24                      REP. MICHAUX: Mr. Lewis, I agree with  
25          you that it was in June that the Court made the

1           final determination that the districts were  
2           unconstitutional as drawn, and that basically we as  
3           a body now are operating with an unconstitutional  
4           makeup. Did you ever consider that in terms of  
5           trying to move forward with redistricting to put us  
6           back in a constitutional manner?

7                     REP. LEWIS: Representative Michaux, you  
8           are a much more experienced legislator than I am,  
9           and you are an attorney, and more experienced in  
10          these matters than I am.

11                    To the best of my knowledge, the courts  
12          have held that the legislative bodies that are  
13          constituted -- that are constituted, that are made  
14          up, are empowered to exercise all the authorities  
15          granted to them, so I believe that the members  
16          sitting in this room are consti -- are able to  
17          proceed with the business of drawing the maps, and  
18          it is our intent to do so to comply with the order  
19          of the Court.

20                    SEN. HISE: Representative Farmer-  
21          Butterfield? Please introduce yourself.

22                    REP. FARMER-BUTTERFIELD: Thank you, Mr.  
23          Chair. Representative Farmer-Butterfield. A  
24          couple of questions; one is a little bit of  
25          history.

1                   In 2002, we redrew the lines for the  
2                   districts in about two weeks, and that was ordered  
3                   by the Courts, and it was probably more difficult  
4                   then because we had to go through the Justice  
5                   Department for clearance due to the Voting Rights  
6                   Act, and with the technology we have now, I'm  
7                   wondering why it would take so long to get this  
8                   done.

9                   REP. LEWIS: Thank you for that question,  
10                  Representative Farmer-Butterfield. I think it's  
11                  important to note that neither you nor I were  
12                  seated in 2002, so any direct evidence of what went  
13                  on there, we would have read in the press like  
14                  anyone else; however, I think it is important to  
15                  note that if you're going to get public input and  
16                  allow for the true deliberation of an issue like  
17                  this, that it just takes time to do it.

18                 The amount of time that we have proposed,  
19                 of course, is at the discretion of the Court. The  
20                 Court may very well change that, but it is -- it is  
21                 contemplated that we will need time to get input  
22                 from the public on what the criteria should be, and  
23                 then once that criteria is established, to get  
24                 input on how the maps themselves should be drawn,  
25                 and then get -- then get input on if the maps

1           should be enacted.

2                       REP. FARMER-BUTTERFIELD: Follow-up?

3                       SEN. HISE: Follow-up.

4                       REP. FARMER-BUTTERFIELD: I wasn't here.

5           Like you said, you and I came at the same time;  
6           however, I did follow it because I was here as a  
7           government relations person with another  
8           organization, so I was in that. However, my  
9           understanding -- and staff might be able to answer  
10          this -- is that there is a statute now on the books  
11          that relates to this. It's 120-3.4, that reflects  
12          that in statute, so I just wanted to indicate that.

13                      REP. LEWIS: So your question is to have  
14          staff recite Section 123.4, if I --

15                      REP. FARMER-BUTTERFIELD: 120-3.4.

16                      SEN. HISE: 120-3.4. We'll read what  
17          the statute is without the context.

18                      REP. LEWIS: Mr. Chair, while staff is  
19          preparing to read that, could I make a quick  
20          response?

21                      SEN. HISE: Sure.

22                      REP. LEWIS: Representative Farmer-  
23          Butterfield, you're very right to point out that  
24          statute. I will point out that it is my reading of  
25          that statute that it says that state courts must

1           give at least two weeks, so the two weeks is a  
2           minimum. It is not necessarily a guideline. It's  
3           not anything other than a state statute that  
4           applies to state courts. As you know, we're here  
5           today because of the federal court ruling.

6                     REP. FARMER-BUTTERFIELD: Follow-up?

7                     SEN. HISE: We're still waiting on the  
8           staff finding that statute.

9                     MS. CHURCHILL: Mr. Chairman, I'm ready.  
10          The correct citation is 120-2.4. It has two  
11          subsections. Subsection (a), "If the General  
12          Assembly enacts a plan apportioning or  
13          redistricting State legislative or congressional  
14          districts, in no event may a court impose its own  
15          substitute plan unless the court first gives the  
16          General Assembly a period of time to remedy any  
17          defects identified by the court in its findings of  
18          fact and conclusions of law. That period of time  
19          shall not be less than two weeks. In the event the  
20          General Assembly does not act to remedy any  
21          identified defects to its plan within that period  
22          of time, the court may impose an interim  
23          districting plan for use in the next general  
24          election only, but that interim districting plan  
25          may differ from the districting plan enacted by the

1           General Assembly only to the extent necessary to  
2           remedy any defects identified by the court."

3                       Subsection (b), "Notwithstanding any  
4           other provision of law or authority of the State  
5           Board of Elections under Chapter 163 of the General  
6           Statutes, the State Board of Elections shall have  
7           no authority to alter, amend, correct, impose, or  
8           substitute any plan apportioning or redistricting  
9           state legislative or congressional districts other  
10          than a plan imposed by a court under this section  
11          or a plan enacted by the General Assembly."

12                      SEN. HISE: Thank you. Follow-up?

13                      REP. FARMER-BUTTERFIELD: Yes. Since we  
14           are drawing remedial maps, and have a lot of  
15           information in place already, how long do you  
16           project this will take?

17                      REP. LEWIS: Thank you for that question,  
18           Representative Farmer-Butterfield. As I think I  
19           said in my earlier remarks, we would hope by mid-  
20           November.

21                      SEN. HISE: Representative? Please  
22           identify yourself.

23                      REP. GILL: Representative Rosa Gill. I  
24           think I heard you correct in your opening remarks  
25           to say that the website would have the calendar for

1           the hearings. Is that correct?

2                     REP. LEWIS: I don't believe I said that  
3           in my opening remarks, Representative, but we will  
4           certainly have the dates once this Committee  
5           establishes them.

6                     REP. GILL: Follow-up?

7                     SEN. HISE: Follow-up.

8                     REP. GILL: Will we have a map -- will  
9           the Committee have a map, proposed map, prior to  
10          any of the hearings?

11                    REP. LEWIS: Thank you for that question.  
12          The Chairs would contemplate that there may be maps  
13          coming in from various members at any time, and as  
14          the staff has already alluded, there are resources  
15          for members to use in producing their maps. It  
16          would be the Chairs' preference, Chairs, plural,  
17          preference, that this Committee, along with input  
18          from the public, develop criteria for drawing the  
19          maps and use that criteria in drawing the maps, so  
20          the answer, in long form, I suppose, would be we  
21          would take Committee and public input on what the  
22          criteria should be, draw the maps, and then take  
23          Committee and public input on the maps themselves.

24                    REP. GILL: Thank you.

25                    SEN. HISE: Any other questions or



1           comments? Senator Van Duyn, please identify  
2           yourself.

3                         SEN. VAN DUYN: Senator Terry Van Duyn,  
4           District 49. Thank you, Mr. Chair, and thank you,  
5           Representative Lewis. Excuse me. You mentioned in  
6           your opening remarks that the clustering that we  
7           see in that one in Map 3 may change. What are the  
8           circumstances that you think might -- excuse me --  
9           dictate a change?

10                        REP. LEWIS: Thank you very much,  
11           Senator, for that question. Let me try to explain  
12           a little bit further. When the defendants in the  
13           Covington case, which was -- when the defendants in  
14           the Covington case, the General Assembly,  
15           responded, the consultant that we used produced  
16           this grouping map that you see before you as his  
17           best attempt to comply.

18                        What I was trying to make clear is this  
19           may very well be how the counties are grouped, but  
20           I have not personally reviewed it, and the  
21           Committee has not personally reviewed it to see if  
22           there is a different way to group the counties.

23                        SEN. VAN DUYN: Follow-up?

24                        SEN. HISE: Follow-up.

25                        SEN. VAN DUYN: In my understanding, that

1           was Tom Hofeller. Will be he involved in this  
2           process again?

3                       REP. LEWIS: Yes.

4                       SEN HISE: Further questions or comments?  
5           Senator Smith-Ingram?

6                       SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
7           I just want to reiterate that the --

8                       SEN. HISE: Please identify yourself  
9           before you start.

10                      SEN. SMITH-INGRAM: Yes. Senator Erica  
11           Smith-Ingram, Senate District 3, eight counties in  
12           eastern North Carolina. Representative Lewis, can  
13           we make sure that when we have our hearings that we  
14           make them geographically diverse and reachable? In  
15           the last hearings that we held regarding  
16           congressional redistricting, there were very  
17           limited opportunities in eastern North Carolina to  
18           attend those hearings.

19                      REP. LEWIS: Thank you for that question,  
20           Senator. Let me say that I think that's very  
21           important. I think that's very important that we  
22           do indeed seek as much public input as we can. I  
23           think geographic diversity is very important, and I  
24           think frankly, we did a good job of that in 2011.  
25           The two-week time span in 2016 made it a little bit

1           harder to do, but I will welcome your input and  
2           advice on where you would suggest that we receive  
3           public input. We usually work with the community  
4           colleges, but I would welcome your advice on that.

5                   SEN. HISE: Representative Brockman?  
6           Please identify yourself.

7                   REP. BROCKMAN: Representative Cecil  
8           Brockman, from Guilford County. Representative  
9           Lewis, the last time we drew the congressional  
10          districts, you said that it was the intent that,  
11          you know, this body would draw parts and districts  
12          that were in favor of the Republican majority.  
13          Will that be the intent this time as we start to  
14          redraw these maps, to have these maps be majority  
15          Republican again?

16                   REP. LEWIS: Well, thank you for that  
17          question, Representative. The response to that  
18          would be first of all to point out that the  
19          criteria that was adopted by the Committee did  
20          include the 10-3 that you refer to. It will be the  
21          prerogative of this Committee to determine what the  
22          criteria are in the drawing of the maps.

23                   SEN. HISE: Senator Van Duyn?

24                   SEN. VAN DUYN: Thank you. Terry Van  
25          Duyn, District 49. Will Mr. Hofeller be available

1           to Democrats and maybe even the Black Caucus to  
2           consult?

3                       REP. LEWIS: Dr. Hofeller is working as a  
4           consultant to the Chairs with the approval of the  
5           Speaker and the President Pro Tem of the Senate, so  
6           the short answer to your question is no. The long  
7           answer is, if the -- the Speaker and the President  
8           Pro Tem have indicated that the Minority Leader of  
9           the Senate and the Minority Leader of the House in  
10          working together can certainly request and have  
11          resources made available to them to hire map  
12          drawers if they see fit to do so.

13                     SEN. VAN DUYN: Follow-up?

14                     SEN. HISE: Follow-up.

15                     SEN. VAN DUYN: And are there any other  
16          consultants that you expect to be using during this  
17          process?

18                     REP. LEWIS: Thank you for that question.  
19          Ma'am, there are none that I intend to use.

20                     SEN. VAN DUYN: Thank you.

21                     SEN. HISE: Senator Clark?

22                     SEN. CLARK: Thank you, Mr. Chair.

23          Senator Clark, Senate District 21. Mr. Chair, is  
24          it the expectation that the Committee Chairs will  
25          use any type of analytical tools to assess the

1 extent of the partisan symmetry that will exist in  
2 the maps that we plan to enact as part of this  
3 process?

4 REP. LEWIS: Thank you for that question,  
5 Senator Clark. The intent of the Chairs is to  
6 adopt criteria in conjunction with the Committee,  
7 so if that's one of the criteria that the Committee  
8 agrees to use, then it will be used. If it's not,  
9 then it won't.

10 SEN. CLARK: Thank you, Mr. Chairman.

11 SEN. HISE: Representative Pierce?

12 REP. PIERCE: Representative Garland  
13 Pierce, House District 48. Representative Lewis,  
14 let me ask you a question. There are some folks  
15 here who could probably answer, but were there  
16 certain districts drawn years ago that were  
17 considered minority districts that a minority --  
18 civil rights districts, or districts that were  
19 drawn that a minority person should have the  
20 ability to win in? I might not be stating that  
21 right, but were there districts drawn for minority  
22 districts? Am I asking the question right? I  
23 don't know.

24 REP. LEWIS: Thank you for the question,  
25 Representative Pierce. I think you asked it, so I

1           hope I can give you an efficient answer.

2                       During the 2011 process, I think the  
3           Committee at the time, the Chairs, outlined the  
4           criteria that was used, and that was one of the  
5           criteria that was used at the time, but I would  
6           reiterate that it is going to be this Committee  
7           that determines the criteria with which the maps  
8           will be drawn going forward.

9                       REP. PIERCE: Thank you, Representative  
10          Lewis.

11                      SEN. HISE: Any other questions? Senator  
12          Smith-Ingram?

13                      SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
14          Representative Lewis, as relates to the public  
15          hearings, will we have maps available, all versions  
16          of maps available to the public, or will we just be  
17          taking their remarks?

18                      REP. LEWIS: Thank you for that question,  
19          Senator. It would be my desire that we would  
20          receive input from the public on what the criteria  
21          would be. We as a Committee, or perhaps individual  
22          members of the Committee, would produce maps that  
23          the public could view and then have the chance to  
24          comment on those maps, on actual maps.

25                      SEN. SMITH-INGRAM: Follow-up?

1                   SEN. HISE: Follow-up.

2                   SEN. SMITH-INGRAM: Will Mr. Hofeller or  
3 other analysts be available at these public  
4 hearings in case there are questions from the  
5 public regarding the maps?

6                   REP. LEWIS: Well, as you know, Senator,  
7 a public hearing is an opportunity for us to  
8 listen, so I would imagine that Dr. Hofeller may  
9 very well listen to the input that comes up, but  
10 I've never known a public hearing that involved a  
11 question-and-answer.

12                  SEN. SMITH-INGRAM: Last follow-up, Mr.  
13 Chair?

14                  SEN. HISE: Final follow-up.

15                  SEN. SMITH-INGRAM: I understand that we  
16 will be receiving public input and listening to  
17 what the public has to share, but in also  
18 empowering the public, will we be able to put the  
19 maps on the website prior to the hearing so that  
20 they can look at the maps, review the maps  
21 themselves? That would formulate a lot more  
22 discussion, I would think.

23                  REP. LEWIS: Thank you for that question,  
24 and the answer is yes, we will get the maps out so  
25 that folks can -- can indeed see them.

1                   SEN. HISE: Just to follow up on that as  
2                   well, it's important to know we will also have  
3                   public terminals available for members of the  
4                   public that wish to draw or construct a map.  
5                   Representative Pierce again?

6                   REP. PIERCE: Representative Lewis, let  
7                   me ask you a question. I know I probably can get  
8                   that information. Representative Pierce. If you  
9                   could ask staff if they don't mind, could they give  
10                  us the breakdown of Democrats, Republicans in most  
11                  of the proposed new districts? Is that something  
12                  possibly that they could do, or do I need to do  
13                  that on my own? I mean on the proposed going  
14                  forward. Excuse me.

15                  SEN. HISE: Any other questions?  
16                  Representative Michaux?

17                  REP. MICHAUX: Mr. Chairman --

18                  REP. LEWIS: Mr. Chairman, just because  
19                  the court reporter is recording, I just wanted to  
20                  be clear that Representative Pierce withdrew what  
21                  he asked.

22                  REP. MICHAUX: Mr. Chairman,  
23                  Representative Michaux again. Representative  
24                  Lewis, we are now awaiting orders from the Court as  
25                  to how this redistricting matter is to be carried



1 out; is that correct?

2 REP. LEWIS: Yes, sir.

3 REP. MICHAUX: Thank you.

4 SEN. HISE: Representative Farmer-  
5 Butterfield?

6 REP. FARMER-BUTTERFIELD: Thank you, Mr.  
7 Chair. In -- I think it was what, 2011, we had the  
8 public hearings available through closed-circuit  
9 tv, maybe, at the community colleges, and that  
10 seemed to have been effective. Will that be  
11 utilized again?

12 REP. LEWIS: Thank you for that question.  
13 That is indeed our intent.

14 SEN. CLARK: Mr. Chairman?

15 SEN. HISE: Senator Clark?

16 SEN. CLARK: Thank you, Mr. Chairman.  
17 Senator Clark, District 21. You have indicated  
18 that terminals will be available for the public to  
19 construct maps and review maps. At those  
20 terminals, will analytical tools always be -- also  
21 be available for the public to analyze the  
22 performance of those district maps using, I guess,  
23 sample election data?

24 REP. LEWIS: Senator Clark, thank you for  
25 that question. Please understand I'm trying to

1           answer it as completely as I can. It -- yes, there  
2           will be political data that is there. I don't know  
3           what exact kind of analytical data you're referring  
4           to, so I don't know that I can answer what you're  
5           asking.

6                       SEN. HISE: I'll just add that we'll  
7           produce what we call a stat pack consistent with  
8           the criteria established by the Committee.

9                       SEN. CLARK: Follow-up?

10                      SEN. HISE: Follow-up.

11                     SEN. CLARK: Will they be able to do  
12           things such as perform efficiency gap calculations  
13           or mean-median difference calculations or member  
14           gaps for individual stats to be able to determine  
15           the extent of partisan -- partisan -- shall I say  
16           gerrymandering within the maps, or likelihood of?

17                     REP. LEWIS: I don't know, sir. I know  
18           that the data that is produced allows individual  
19           members to analyze it in the way that they see fit.  
20           You can certainly request various analysis that you  
21           referred to. I'm sure that Senate staff can  
22           provide that as well. Whether or not the computer  
23           will automatically be able to do it, I'm just not  
24           intimately familiar with the computer software.

25                     SEN. CLARK: Follow-up, Mr. Chair? Can

1           we count it as a request on our part that  
2           efficiency gap calculations be performed for all  
3           maps that we generate in this General Assembly body  
4           that might be considered for enactment?

5                     REP. LEWIS: Let me do this if I could,  
6           Senator Clark. I personally have no issue with  
7           that. I think that would be best saved for our  
8           next meeting, when we discuss criteria.

9                     SEN. CLARK: Thank you, Mr. Chairman.

10                    SEN. HISE: Any other questions or  
11           comments?

12                    (No response.)

13                    SEN. HISE: Hearing none, thank you,  
14           Representative Lewis, for coming in. Thank you,  
15           members of the Committee.

16           (WHEREUPON, THE MEETING WAS CONCLUDED AT 2:13 P.M.)

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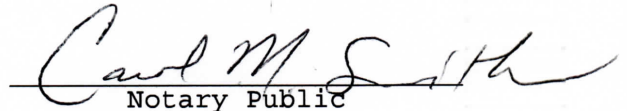
STATE OF NORTH CAROLINA

COUNTY OF WAKE

CERTIFICATE

I, Carol M. Smith, a duly commissioned Notary Public in and for the State of North Carolina, do hereby certify that on July 26, 2017, this proceeding was held before me, this proceeding being reported by me verbatim and then reduced to typewritten form under my direct supervision; that the foregoing is a true and correct transcript of said proceedings to the best of my ability and understanding; that I am not related to any of the parties to this action; that I am not interested in the outcome of this case; that I am not of counsel nor in the employ of any of the parties to this action.

IN WITNESS WHEREOF, I have hereto set my hand, this the 4th day of August, 2017.

  
Notary Public

Carol M. Smith  
Notary Number  
19943320153

NORTH CAROLINA GENERAL ASSEMBLY  
JOINT COMMITTEE ON REDISTRICTING

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TRANSCRIPT OF THE PROCEEDINGS

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In Raleigh, North Carolina  
Friday, August 4, 2017  
Reported by Robbie W. Worley

Worley Reporting  
P. O. Box 99169  
Raleigh, NC 27624  
919-870-8070

1                   REP. LEWIS: Good morning. The Joint  
2                   Select Committee on Redistricting will come to  
3                   order. The Chair is pleased to welcome the members  
4                   and guests that are here. The Chair appreciates  
5                   the assistance of our Sergeants-at-Arms in  
6                   preparing and maintaining this meeting. From the  
7                   House, Reggie Sills, Warren Hawkins, Rey Cooke,  
8                   Dean Marshbourne. From the Senate, Hal Roach,  
9                   Linda Matthews, John Enloe, and Terry Edmondson.  
10                  The Chair is also pleased to welcome our court  
11                  reporter today, Robbie Worley. The Chair thanks  
12                  the central staff for their effort in preparing for  
13                  today's meeting.

14                  The purpose of today's meeting will be to  
15                  discuss criteria to remedy the ruling of the  
16                  Covington court that was issued to us in an order  
17                  on July 31st of this year.

18                  Today's meeting will proceed as follows.  
19                  There's going to be a presentation regarding the  
20                  county groupings. We are then going to receive  
21                  input from other members of the committee on  
22                  criteria that should be considered. And at that  
23                  point, we're going to move to a time to receive  
24                  input from the public. The public will be asked to  
25                  make their remarks in a two-minute time frame. The

1 Chair would point out that there was an advance  
2 sign-up outside. The Chair has directed that that  
3 sign-up remain open for the -- at least another 30  
4 minutes in case some people have not yet arrived.

5 The Chair would point out that we have  
6 also opened up committee room 544 in this building.  
7 This meeting is only being livestreamed online. It  
8 is being broadcast in that room as well. If there  
9 are people in room 544, we welcome them, and we  
10 will, if they are signed up to speak, will be  
11 calling their name so that they do not miss their  
12 opportunity to speak.

13 At this time, the Chair is going to yield  
14 the chair to Chairman Dollar.

15 REP. DOLLAR: Thank you, Chairman Lewis.  
16 And we also remind you, maybe a little bit unlike  
17 our normal meetings, if you seek recognition for a  
18 question or a comment as a member, as a member, you  
19 need to identify yourself for the court reporter  
20 for the record that's being taken. So the  
21 gentleman from Harnett County is recognized for his  
22 presentation.

23 REP. LEWIS: Thank you, Mr. Chairman.  
24 I'm David Lewis, the senior chair of the House  
25 Redistricting Committee. I'd like to talk with the

1           members and our guests here today about the various  
2           criteria that will be considered. The primary  
3           purpose of my presentation is to talk about two of  
4           the criteria that we know that we will need to  
5           operate under.

6                       The first one we discussed last week is  
7           the one person, one vote requirement, and for your  
8           records, in the House, of 120 members, the ideal  
9           population based on the 2010 Census is 79,462  
10          people. For the Senate, under the 2010 population,  
11          the ideal population is 190,710 people. There is a  
12          plus or minus five percent variance that can be  
13          applied to these figures.

14                      My presentation is going to focus now on  
15          county groupings. All of you were distributed last  
16          week a map that is labeled "2010 Census Population  
17          by County." It looks like this. This shows the  
18          2010 Census population for North Carolina's 100  
19          counties.

20                      I'd like to talk about the Stephenson  
21          rule that will be applied in the drawing of these  
22          maps. First of all, groupings of counties, which  
23          we'll discuss in a moment, but groupings of  
24          counties must be filled with whole districts.  
25          Districts may not deviate in total population by



1           more than plus or minus five percent from the ideal  
2           population, and districts within groupings must  
3           have a -- must have the least possible number of  
4           crossings over adjacent county boundaries. Next  
5           slide, please.

6                       Groupings drawn under this rule are  
7           primarily generated using a mathematical, formulaic  
8           process. Next slide, please.

9                       Here is how the grouping process develops  
10          using the 2010 Census data for the county  
11          populations. Next slide.

12                      Members, the counties that you see here  
13          that are highlighted in purple are single-county  
14          groups. That means that districts can be drawn  
15          within these counties, and districts must be drawn  
16          within these counties without including expansion  
17          into other counties. The purple indicates one-  
18          county groups. Next slide, please.

19                      The red color that you see indicates two-  
20          county groups. That means if you -- in order to  
21          reach the ideal House population, you have to  
22          combine two counties in order to draw the  
23          districts. Next slide, please.

24                      The yellow or orange indicates three-  
25          county groupings. Next slide, please.

1                   The bright yellow indicates a four-county  
2                   grouping under the Stephenson criteria. The green  
3                   indicates a five-county grouping under the  
4                   Stephenson criteria. The dark green indicates a  
5                   six-county grouping, and finally, the blue color is  
6                   a seven-county grouping in the middle of our state.

7                   Mr. Chairman, I'd like to ask that the  
8                   House and Senate Sergeant-at-Arms distribute the  
9                   exhibits that are labeled "County Groupings for  
10                  2017 House Plan" and "County Groupings for 2017  
11                  Senate Plan" to the members of the committee at  
12                  this time.

13                  REP. DOLLAR: The Sergeant-at-Arms will  
14                  be directed to distribute the materials.

15                  (Pause.)

16                  REP. LEWIS: Members, the Chair would --  
17                  pardon me. I would point out that the  
18                  illustrations that we've shown are just for the  
19                  House to show you how the counties are grouped in  
20                  the House. The maps that are being distributed  
21                  also show the county groupings for the Senate; we  
22                  just did not place them in the PowerPoint  
23                  presentation.

24                  Mr. Chairman, I believe there are extras.  
25                  We have members that are here that may not be on

1           the committee; if the Sergeant-at-Arms could give  
2           those to them as well.

3                       (Pause.)

4                       Mr. Chairman, with your permission, I'll  
5           continue my remarks.

6                       REP. DOLLAR: The gentleman is  
7           recognized.

8                       REP. LEWIS: Thank you, Mr. Chairman.  
9           Mr. Chairman, I would point out that the county  
10          groupings that we have discussed is a mandatory  
11          requirement and is based on math. The maps that  
12          are presented to you are our best efforts to  
13          determine what the ideal county groupings should  
14          be. If there are alternative ways to exceed the  
15          county groupings that we have provided here, where  
16          more one-counties are created, or more two-  
17          counties, or more three-counties, et cetera, I  
18          would ask that members please submit those so that  
19          they can be reviewed before and included in the  
20          discussion of our meeting on next Thursday.

21                      I would point out that the county  
22          grouping rule is the strongest constitutional  
23          requirement anywhere in the country. This guides  
24          us in being able to draw fair districts, and again,  
25          if members are able to determine a better county

1           grouping that complies with the requirements, we  
2           look forward to reviewing them.

3                       Mr. Chairman, with your permission, I  
4           request that the Sergeant-at-Arms distribute what  
5           is labeled map 6. It reads, "Comparison of 2011  
6           enacted to optimum House county maps," and also map  
7           3, which reads, "Comparison of 2011 enacted to  
8           optimum Senate county groups."

9                       REP. DOLLAR: The Sergeant-at-Arms will  
10          distribute the materials requested.

11                      (Pause.)

12                     REP. LEWIS: And, Mr. Chairman, as  
13          before, the members that are present that are not  
14          on the committee, I would request that they receive  
15          these maps as well. And further, Mr. Chairman, if  
16          there are extra maps once the members have received  
17          theirs, if we could make plans to distribute those  
18          to the members of the public who are here at the  
19          conclusion of the meeting.

20                     REP. DOLLAR: So ordered.

21                     REP. LEWIS: Mr. Chairman, I believe most  
22          members have their maps now. May I continue my  
23          presentation?

24                     REP. DOLLAR: The gentleman may proceed.

25                     REP. LEWIS: Thank you, Mr. Chairman.

1                   Members, the map that you have before you  
2                   that is labeled map 6, "Comparison of 2011 Enacted  
3                   to Optimum House County Groups," and map 3, which  
4                   reads, "Comparison of 2011 Enacted to Optimum  
5                   Senate County Groupings," this comes from a public  
6                   court filing that was made on October 31st of 2016.  
7                   I would point out that the county groupings map  
8                   that you just received, which showed what we  
9                   believe to be the optimum county groupings, those  
10                  groupings also appear on this map.

11                  The areas that are in green are county  
12                  groups that are unaffected by the court ruling and  
13                  will not require a remedy. In plainer speak, that  
14                  means that the areas in green will not require a  
15                  redraw of the districts.

16                  The area in yellow, these are unaffected  
17                  county groupings, but districts within those  
18                  groupings will require remedies.

19                  The areas in white are areas in which  
20                  both the county grouping has changed and will  
21                  require the districts to be modified within them.

22                  Mr. Chairman, I think at this time, only  
23                  on my presentation, if there are questions on my  
24                  presentation, I'd be glad to take them at this  
25                  time.

1 REP. DOLLAR: Representative Michaux?

2 REP. MICHAUX: Yes. Would you explain  
3 the numerical identification on these maps?

4 REP. DOLLAR: And if you will hold for  
5 just a moment, Chairman Lewis. Representative  
6 Michaux, if you would identify yourself by name and  
7 county for the record.

8 REP. MICHAUX: Representative Michaux,  
9 Durham County.

10 REP. DOLLAR: Thank you, sir.

11 REP. MICHAUX: Give us the definition of  
12 the numerical numbers -- the numbers on these maps.

13 REP. LEWIS: Representative Michaux,  
14 thank you for that question. I should have pointed  
15 that out.

16 Members, if you'll refer, just to make it  
17 easier, if you'll refer to the map that reads  
18 "County Groupings for 2017 House Plan," what  
19 Representative Michaux has asked, the county  
20 groupings have a code in them. The code contains  
21 three numbers. The first number is simply an  
22 identifier of the county group. What's more  
23 important and helps us do our jobs, the second  
24 number, for instance, let me use an exact example  
25 here.

1                   If you'll look in the eastern part of our  
2                   state, the county grouping that includes Currituck,  
3                   Dare, Hyde and Pamlico, you'll see that the second  
4                   number in there is 04. That means there are four  
5                   counties in that grouping. The third number that  
6                   is in that, 01, means that those four counties  
7                   create one seat. So that means four counties, one  
8                   seat.

9                   To go to the middle of our state, if  
10                  you'll look at Wake County, which is one of the  
11                  counties in purple, that's a one-county group,  
12                  you'll notice that the second number there is 01.  
13                  That means it's a one-county group. The third  
14                  number is 11; that means that it creates 11 seats  
15                  within that one county. The same is true on the  
16                  Senate map.

17                  REP. DOLLAR: Further members wishing to  
18                  ask questions of Chairman Lewis at this time?  
19                  Seeing none.

20                  REP. LEWIS: With that, Mr. Chairman, I  
21                  will conclude my remarks, and I know that you will  
22                  recognize members of the committee that wish to  
23                  offer criteria to be considered.

24                  REP. DOLLAR: Members, are there any  
25                  members wishing recognition for the purpose of

1 providing criteria to be considered in the -- in  
2 the drawing of the map? I don't see anyone wishing  
3 to be recognized at this time. Senator Smith-  
4 Ingram?

5 SEN. SMITH-INGRAM: Yes, Mr. Chair.  
6 Senator Smith-Ingram, Senate District 3, eight  
7 counties, eastern North Carolina. I wish to submit  
8 criteria to be considered.

9 REP. DOLLAR: So, does the lady have --  
10 you're submitting this written comment. Did you  
11 have copies, or did you want to add further  
12 explanation to this, or just -- what does the lady  
13 desire?

14 SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
15 I'd like for copies to be distributed.

16 REP. DOLLAR: Does the Sergeant-at-Arms  
17 have copies for distribution? (Pause.)

18 We'll have them made and distributed.  
19 Did you -- Madam Senator, did you wish any -- any  
20 comment at this time in addition to your --

21 SEN. SMITH-INGRAM: Not at this time.  
22 Thank you.

23 REP. DOLLAR: Thank you. Other members?  
24 Senator Clark.

25 SEN. CLARK: Thank you, Mr. Chair. I've



1           already submitted some recommendations in writing,  
2           but I do have one additional recommendation I would  
3           like to speak to, and I will submit it in writing  
4           later if that's appropriate.

5                     REP. DOLLAR: And I didn't catch -- I  
6           apologize for not hearing. If you would identify  
7           yourself for the record.

8                     SEN. CLARK: Sorry. Senator Clark,  
9           Senate District 21.

10                    REP. DOLLAR: The gentleman will proceed  
11           with his comments.

12                    SEN. CLARK: Okay. Currently -- and this  
13           is essentially a process requirement or a  
14           recommendation. Currently, on the North Carolina  
15           General Assembly website, we have the ability to go  
16           and find out who represents me, what I -- excuse  
17           me. What I ask that the committee do is make  
18           available to the citizens of North Carolina a  
19           capability, once we provide a map for them to  
20           review, a capability for them to go onto the  
21           website and see who would represent me under the  
22           new maps that are being proposed for enactment.

23                    REP. DOLLAR: Noted. Thank you very much  
24           for the recommendation. Other -- other members  
25           seeking recognition at this time? Representative

1           Mi chaux.

2                       REP. MI CHAUX:   Representati ve Mi chaux  
3           from Durham again.   This goes back to  
4           Representative Lewis's presentation, if you don't  
5           mind.   Could you clear up just one or two other  
6           matters on the maps involving the county groupings?  
7           Actually, just one matter.

8                       REP. LEWIS:   I'll be glad to yield, Mr.  
9           Chairman.

10                      REP. MI CHAUX:   Representative Lewis, let  
11           me be clear, and so the committee will be clear, it  
12           needs to identify these code numbers in here.   And  
13           I'm particularly interested in the -- the second  
14           two, the second number and the third number.   For  
15           instance, in Wake County, that's a one-county  
16           grouping.   You've got 11.   That county is -- there  
17           are 11 representatives in that one county, coming  
18           out of that one county.   You have not made any  
19           designations as to how those 11 are to be elected,  
20           have you, yet?

21                      REP. LEWIS:   Thank you for that question,  
22           Representative.   No, we have made no designations  
23           for how those 11 seats would be designed, and will  
24           not do so until after this committee adopts  
25           criteria next week.

1 REP. DOLLAR: And for the record, that's  
2 Representative Lewis responding. Representative  
3 Michaux, you have a follow-up?

4 REP. MICHAUX: Yes. The other question  
5 is, for instance, in a two-county grouping, we're  
6 looking at that each representative representing  
7 79,400 and some-odd people. For example, in a two-  
8 county grouping, what are the mathematics in that?  
9 For instance, you've got Durham and Chatham  
10 together. What are the mathematics in that two-  
11 county grouping, to get to that 79,000 that the  
12 four representatives will represent?

13 May I follow up? You understand, it's  
14 easier to do it for a one-county group, but for a  
15 two-county group, how many are coming out of one  
16 county, how many are coming out of another county?

17 REP. LEWIS: Thank you for that question,  
18 Representative Michaux. And again, this is David  
19 Lewis from Harnett County. The question you asked  
20 is regarding the 2017 House Plan map that was  
21 passed out, I believe, right? There are 33,000 --  
22 pardon me. There are 3000-and -- there are 331,092  
23 people that comprise the total population of those  
24 three counties that are linked there, Durham,  
25 Orange and Chatham. If you divide that number by

1           the number that you've already said, the 79,492,  
2           that will yield four seats. But beyond that, I'm  
3           not sure I understand your question.

4                     REP. MICHAUX: May I follow up?

5                     REP. DOLLAR: Follow-up.

6                     REP. MICHAUX: Well, now, you've got me  
7           confused. Now, you said the three-county grouping.  
8           I'm looking at a two-county grouping with Durham  
9           and Chatham, right? And not Orange?

10                    REP. LEWIS: Representative Michaux,  
11           thank you for correcting me, sir. I'm looking at  
12           the same map you are. I simply glanced down and  
13           didn't notice the -- for the record, the county  
14           groupings are illustrated with a thick black line,  
15           and there is indeed a thick black line between  
16           Orange and Durham; I just simply didn't see it.  
17           Yes, this is a two-county grouping, as you pointed  
18           out, sir.

19                    REP. MICHAUX: Follow-up. Representative  
20           Michaux again, follow-up.

21                    REP. DOLLAR: Follow-up.

22                    REP. MICHAUX: What I'm asking, for  
23           instance, taking that Durham-Chatham group, you've  
24           got four representatives. Each representative is  
25           supposed to represent 79,430-some-odd people. How

1           did you mathematically come up with Durham -- in  
2           other words, the total population between Durham  
3           County and Chatham County, does that exceed more  
4           than four times 79,000, or less than four times  
5           79,000?

6                         REP. LEWIS: Thank you for the question.  
7           Again, this is David Lewis. The population of  
8           Durham in 2010 was 267,587. The population of  
9           Chatham in 2010 was 63,505. That totals up to  
10          331,092. So if we divide that by the ideal  
11          population of 79,462, it equals 4.16, which would  
12          be within the plus or minus five percent range.

13                        REP. DOLLAR: The gentleman continues to  
14          be recognized for his questions.

15                        REP. MICHAUX: Thank you, sir.  
16          Representative Michaux from Durham. The figure you  
17          just gave me, 331,092, is the total population for  
18          both counties. Is that correct?

19                        REP. LEWIS: That is correct, sir.

20                        REP. MICHAUX: And if you've got four  
21          representatives representing that 331, doesn't that  
22          population come out to be somewhere around a little  
23          over 80-some thousand people there, which may be  
24          outside your five percent deviation?

25                        REP. LEWIS: No, sir, because again, it's

1           331,092. The ideal -- if there were -- if this was  
2           a congressional draw, and we were under absolute  
3           zero deviation rules, we would have to have every  
4           district the same size. But the Stephenson  
5           criteria has provided that there is a plus or minus  
6           five percent, and again, I can -- I'll be happy to  
7           go through the math on my phone here, like I was  
8           trying to do. But I -- what I have represented  
9           this map to be is what I believe to be the optimum  
10          county groupings for the House and the Senate.  
11          What I've asked the members to do is, if they find  
12          a more optimum map, to bring that map forward so  
13          that it can be reviewed.

14                 REP. DOLLAR: And as further explanation,  
15          Representative Mi chaux, and this is Chairman  
16          Dollar, staff has handed me, and you might want to  
17          write these numbers down. The ideal population for  
18          four members for House seats would be 317,884. The  
19          range, however, which is what Chairman Lewis is  
20          discussing, the range for four members would be  
21          anywhere from 301,956 to 333,740. That would be  
22          the range for a four-member grouping. Durham and  
23          Chatham together, as it has been mentioned, that's  
24          331,092. So that fits in that range.

25                 REP. LEWIS: Mr. Chair man?

1                   REP. DOLLAR: The gentleman is  
2                   recognized.

3                   REP. LEWIS: This is David Lewis. I'd  
4                   like to point out to the members that the last time  
5                   we met, we passed out a chart that's labeled "2010  
6                   District Population Ranges and County Populations."  
7                   We can certainly re-pass that out to the members,  
8                   but it shows the plus or minus five percent that  
9                   the chairman just referenced.

10                  REP. DOLLAR: Senator Clark.

11                  SEN. CLARK: Thank you, Mr. Chairman.  
12                  Senator Clark, Senate District 21. You indicated  
13                  on map 3 and map 6 that the clusters shown in green  
14                  did not require -- there is no requirement to  
15                  change them, nor is there a requirement to change  
16                  the districts within them. Is it the position of  
17                  the leadership of this committee and the leadership  
18                  of the General Assembly that the districts within  
19                  those particular clusters shall not be changed as a  
20                  part of this process?

21                  REP. LEWIS: This is David Lewis, and the  
22                  answer is yes.

23                  SEN. CLARK: Thank you, Mr. Chairman.

24                  REP. DOLLAR: Further questions from  
25                  members of the joint committee, or further offers

1 of criteria from members of the committee at this  
2 time? Senator Speciale -- I mean, Representative  
3 Speciale.

4 REP. SPECIALE: Yeah, don't demote me.  
5 Could we get a copy -- I know you gave a copy last  
6 week of those numbers, but could we get that? Not  
7 every one of us have them with us today.

8 REP. LEWIS: Yes, sir, we can get that --  
9 staff can get that for you. Representative  
10 Michaux.

11 REP. MICHAUX: Yeah, I'm still trying to  
12 get my mind clear. Representative Michaux, from  
13 Durham, Representative Lewis.

14 REP. DOLLAR: The gentleman may ask his  
15 question.

16 REP. MICHAUX. In response to Senator  
17 Clark's question, am I to understand that these  
18 counties on this House county group, the green  
19 counties will not be affected by what you-all are  
20 proposing to make changes with? Is that what I'm  
21 hearing?

22 REP. LEWIS: Thank you for the question.  
23 Again, this is David Lewis. Let me try to explain  
24 it a different way. We believe in the maps that  
25 were passed out that illustrate the optimum county



1 groupings, the ones labeled "County Groupings for  
2 2017 House Plan" and then "County Groupings for  
3 2017 Senate Plan, we believe that these are the  
4 ideal county groupings. We believe that if the  
5 ideal county groupings match the county groupings  
6 that were used in 2011, that no change would be  
7 required within those counties.

8 REP. DOLLAR: Further questions at this  
9 time, or offers of criteria from the members?

10 Thank you. Seeing none, the Sergeant at  
11 Arms will pass out the sheet entitled "IDS Policies  
12 2017 Restricting Operations." This sheet here.  
13 Committee will be at ease for just a moment while  
14 the Sergeant at Arms pass these out.

15 REP. DOLLAR: Chairman Lewis is  
16 recognized.

17 REP. LEWIS: Thank you. Mr. Chairman,  
18 this is not pertaining to the criteria but we felt  
19 it important to discuss it with the committee.  
20 This is the policies developed by the central staff  
21 and our information services division that we  
22 propose would govern access and empower members of  
23 the General Assembly and also the public that wish  
24 to directly participate in the drawing of districts  
25 that have access to the computers and the staff.

1           In short explanation, I would offer that this is  
2           the same policy that we used in 2016, and I believe  
3           the same policy that we used in 2011. If there are  
4           detailed questions on this, Mr. Chairman, I  
5           respectfully ask that they be directed to staff.

6                     REP. DOLLAR: Any questions on these  
7           procedures? And please know, as you look over  
8           these, you can always call staff later and contact  
9           them with any additional clarification that you  
10          might need.

11                    Okay. Seeing no questions on that --

12                    REP. LEWIS: Mr. Chairman.

13                    REP. DOLLAR: The chairman is recognized.

14                    REP. LEWIS: Thank you. This is David  
15          Lewis again. Members, for full disclosure, the  
16          Chairs are providing this as the direction that we  
17          have issued to staff. If there are concerns with  
18          it, please bring those to the Chairs. But we  
19          didn't want to share this so that you would all  
20          have access and that members of the public would  
21          have access and would be more enabled to utilize  
22          resources if they wish to directly participate in  
23          the drawing of districts.

24                    REP. DOLLAR: Senator Smith-Ingram.

25                    SEN. SMITH-INGRAM: Thank you, Mr. Chair.

1           As relates to public access, when you provide the  
2           room for the general public that's here in Raleigh,  
3           are we going to be accommodating maybe some of  
4           those same opportunities when you go further east,  
5           for those in the public who cannot drive to  
6           Raleigh?

7                     REP. DOLLAR: The gentleman is  
8           recognized.

9                     REP. LEWIS: Thank you, Mr. Chairman.  
10          Senator, I appreciate the question. I also want to  
11          say that I appreciate your steadfast advocacy for  
12          the East. We have not in the past been able to  
13          provide actual physical resources offsite and will  
14          not be able to provide it this time as well. I  
15          would point out that there are several free  
16          websites, if you will, that allow people to access  
17          and draw maps, and we will certainly -- we did last  
18          time and would again receive and review those. So  
19          we will not be able to provide the actual physical  
20          resources offsite but we will certainly review maps  
21          that the public may draw using software that they  
22          can access online.

23                     REP. DOLLAR: Senator Clark.

24                     SEN. CLARK: Thank you, Mr. Chair.

25          Senator. Senator Clark, Senate District 21.

1                   My question regards potential staff  
2                   report for the minority party with regard to  
3                   providing full-time, if you will, legislative  
4                   analysis division individual, to support us in  
5                   possibly the creation of our maps and  
6                   interpretation thereof and the creation of data.  
7                   And the reason I ask this is, due to no fault of  
8                   their own, they are under significant time  
9                   restraints. Often our attempts to avail ourselves  
10                  of those services are not successful. So I was  
11                  wondering if there was a possibility that we could  
12                  get a dedicated resource for that particular  
13                  purpose.

14                   REP. DOLLAR: The gentleman is  
15                   recognized.

16                   REP. LEWIS: Thank you, Mr. Chairman, and  
17                   thank you for that question, Senator. The Chairs  
18                   have actually discussed that. As you know, our  
19                   central staff works very hard. They work very hard  
20                   to serve all of the members. We want very much to  
21                   facilitate as much involvement and participation in  
22                   the -- trying to reach an acceptable remedy for  
23                   this Court order.

24                   If the minority leaders in the House and  
25                   the Senate were to request that, I'm sure we could

1           make that occur. We would ask the Legislative  
2           Services officer to deal with that.

3                     I also would point out that the Speaker  
4           and the President Pro Tem have also made an offer  
5           to the respective caucus leaders in the House and  
6           the Senate. If they wish to hire outside map-  
7           drawing aid, that has been offered as well.

8                     REP. DOLLAR: Further questions. Seeing  
9           none, thank you.

10                    Before we go to taking public comments  
11           and input on the criteria, are there any members  
12           wishing to make any further comments with regard or  
13           offer any criteria for the drawing at this time?

14                    Well, with that, seeing no hands, we will  
15           begin the public comment portion of our committee  
16           meeting today. As -- just to remind everyone, we  
17           will keep decorum. If you have signs, please do  
18           not display them in any way in which they would  
19           block the view of someone behind you. There will  
20           be a two-minute time limit. Sergeant-at-Arms will  
21           keep that.

22                    We will call out the first five  
23           individuals that there are, and we'll call them out  
24           five a time. If you would line up with the mic  
25           there in the back, and again, be sure to identify

1           yourself for the record, as a public record is  
2           being kept of this.

3                       I would also remind members, this is not  
4           an interactive period of time. Questions will not  
5           be taken of members of the public. This is our  
6           opportunity to listen to what they have to say in  
7           their presentations. Representative Floyd?

8                       REP. FLOYD: How many public speakers do  
9           we have signed up so far?

10                      REP. DOLLAR: To the Chair's view, it  
11           appears we have about -- roughly -- between 40 and  
12           45 speakers.

13                      REP. FLOYD: Thank you.

14                      REP. DOLLAR: We would also ask, to be  
15           certain that any of the groups -- if you are  
16           representing a group in particular, please identify  
17           that when you begin your comments. So at this  
18           time, we will call up to the mic in the back, the  
19           first five --

20                      Hold on just a moment. Representative  
21           Torbett.

22                      REP. TORBETT: Just to rehash a little  
23           bit, there was a document for Senator Smith-Ingram  
24           presented. Was it going to be copied and  
25           distributed?

1                   SEN. DOLLAR: Yes, sir.

2                   SEN. TORBIN: I'm just making sure that's  
3 going to happen.

4                   SEN. DOLLAR: That will happen.

5                   REP. TORBETT: A reminder. Thank you.

6                   REP. DOLLAR: Yes, sir.

7                   When the -- just to be clear with the  
8 Sergeant-at-Arms, if that item has been copied now,  
9 if you are ready, go ahead and distribute that. We  
10 will distribute that before we recognize our first  
11 group of folks.

12                  Let me go ahead and call up the first  
13 group, and then we'll get this started once this  
14 sheet has been distributed to the members.

15                  Ira Botvinick, Phyllis Demko, Steve Hall,  
16 Mike Jennings, Dr. Heather Simmon, if y'all will  
17 line up there. And I apologize if have  
18 mispronounced anyone's name. And if you'll hold  
19 for just one moment until the Sergeant-at-Arms has  
20 finished distributing their materials.

21                  Also, to remind you in the back, you will  
22 need to make sure that the green light is on. Turn  
23 it on when you get ready.

24                  Okay. Seeing the materials distributed,  
25 the gentleman, if you would identify yourself and

1           your comments not to exceed two minutes. The  
2           gentleman is recognized.

3                       IRA BOTVINICK: Thank you. I am a voter,  
4           always have voted. My name is Ira Botvinick. I  
5           reside in Wake County.

6                       I am angry about legislative districts  
7           that gerrymand [sic]. I am pissed that my tax  
8           dollars are being wasted to defect concocted  
9           legislative districts. I want my vote to matter.  
10          I did not come here to criticize Republicans. The  
11          truth is, the majority parties have gerrymanded.  
12          Gerrymandering is wrong, and it must stop now.

13                      Redistricting should foster to the great  
14          extent possible, competition, so as to provide  
15          better government for all North Carolinians. The  
16          antitrust laws of Chapter 75 of the General  
17          Statutes prohibit entering into noncompetitive  
18          agreements, and this should be the guiding  
19          principle of your deliberations.

20                      In this state, we care so much about  
21          fairness and competition, that General Statutes,  
22          Chapter 75, always award triple damages and  
23          attorney fees for business that engage in anti-  
24          competitive practices. And this state law subjects  
25          violators to imprisonment of up to two years. The



1           business of government should be no different.

2                       If what I'm saying is too difficult for  
3           you to legislate in that it is human nature to be  
4           self-protective, I request that you vote for House  
5           Bill 200 and Senate Bill 209, that establish a  
6           nonpartisan process for drawing legislative  
7           districts.

8                       In conclusion, when Benjamin Franklin  
9           left the Constitutional Convention that established  
10          our Federal Constitution, he was asked, "Dr.  
11          Franklin, what type of government do we have?"  
12          Benjamin Franklin replied, "A republic, if you can  
13          keep it." Thank you.

14                      REP. DOLLAR: If members of the audience  
15          would refrain from public demonstrations, the next  
16          individual is recognized for time not to exceed two  
17          minutes. If you would identify yourself.

18                      PHYLLIS DEMKO: Good morning. My name is  
19          Phyllis Demko, and I'm from Cary. I realize this  
20          is not about congressional districts, but to make  
21          my point, I'm offering a quote. This is from the  
22          minutes of the Redistricting Committee for  
23          Congressional Districts, February 16, 2016. One of  
24          the members of the committee said as follows: "I  
25          want to make clear that we are going to use

1 political data in drawing this map. It is to gain  
2 partisan advantage. I want that criteria to be  
3 clearly stated and understood."

4 He acknowledged that this would be a  
5 political gerrymander and, indeed, the adopted  
6 criteria expressly instructed the mapmakers to draw  
7 a new district map that would maintain partisan  
8 advantage.

9 The data actually was only related to  
10 election results. Other than population, that was  
11 the only criterion used. This is blatant partisan  
12 gerrymandering. This is putting politics over the  
13 welfare of citizens of the state.

14 We have seen the results of partisan  
15 gerrymandering in North Carolina as well as  
16 throughout the country. So whether policy  
17 gerrymandering is legal per se, and that's an open  
18 question before the Supreme Court at this point, we  
19 as citizens of this democracy know for sure that it  
20 is wrong. I ask you, therefore, to adopt criteria  
21 that do not include addresses of candidates or  
22 incumbents and that residents' voting histories not  
23 be considered. Thank you.

24 REP. DOLLAR: The next person will  
25 proceed. Identify yourself and you're recognized

1           for time not to exceed two minutes.

2                         STEVE HALL: Good morning. My name is  
3           Steve Hall. Thank you all for your service. You  
4           obviously have a very complex task before you with  
5           many competing voices and allegiances to consider.  
6           As someone who led numerous institutions that had  
7           such a challenge, I always advise myself in my  
8           quiet moments, and other fellow leaders, "What are  
9           your core principles? What is the guiding light  
10          that motivates you to do the work you do?"

11                        And when I thought about this opportunity  
12          to address you this morning, what occurred to me as  
13          something if I was sitting in your shoes, might  
14          sound something like this. To do my best to ensure  
15          that each and every North Carolina citizen has a  
16          voice that can be expressed with equal weight and  
17          potential impact. I suggest that isn't really a  
18          mathematical idea. It's a bit more complex than  
19          that. And I would encourage you to embody those  
20          additional elements as you deliberate how to draw  
21          up your maps. Thank you.

22                        REP. DOLLAR: Thank you. The next  
23          individual is recognized to identify yourself and  
24          you are recognized for a time not to exceed two  
25          minutes.

1                   MIKE JENNINGS: Thank you, Mr. Chairman,  
2                   members of the committees. My name is Mike  
3                   Jennings. I have lived in Wake County -- in North  
4                   Carolina for about years. I want to thank you for  
5                   the opportunity this morning, and I am speaking  
6                   just for myself. Others are going to talk in more  
7                   detail about criteria that are fair, transparent,  
8                   and actively involve public.

9                   I could talk in more detail about that  
10                  but I want to go -- and I agree with those  
11                  criteria. But I want to go further, why those  
12                  criteria are important to me. Before Congress  
13                  adopted the Constitution, the Voting Rights Act,  
14                  there was the Golden Rule. We were given the  
15                  Golden Rule. Excuse me. I believe the criteria  
16                  that you will hear about this morning will create  
17                  an open process and promote fairness in elections.  
18                  I think that would be consistent with the Golden  
19                  Rule.

20                  I know in the past others have drawn  
21                  districts to favor them. I agreed and that was  
22                  wrong. It's time to turn the corner. Let's do the  
23                  right thing. Let's do it, let's treat others as  
24                  you would have them treat you. I encourage you to  
25                  allow to be touched by the better angels of your

1 nature, to turn the other cheek to those who have  
2 used the redistricting process to their own  
3 advantage and rise above partisanship as you draw  
4 new maps. It's the right thing to do. My  
5 children, my grandchildren are depending upon you  
6 to keep this a democracy that works for everybody.  
7 Remember, the Golden Rule says, "Do unto others as  
8 you would have them do unto you."

9 Thank you very much.

10 REP. DOLLAR: Thank you. The next five  
11 individuals past Ms. Simon at the moment, is  
12 Richard Greene, if you would line up -- Trina  
13 Harrison, Pam Schwingl. Jen Jones and Paula  
14 Jennings. So if y'all would like up.

15 And, Ms. Simon, you are recognized for  
16 time not to exceed two minutes.

17 HEATHER SIMON: My name is Heather Simon.  
18 I'm from Cary, North Carolina, and I'm here  
19 representing myself today. I took time off work  
20 today to come comment because nonpartisan  
21 redistricting is fundamentally about preserving our  
22 democracy. The redistricting process is only  
23 happening today because the legislature failed to  
24 create legal and constitutional districts in the  
25 first place. The fact that you have again hired

1           the same consultants to draw the -- that drew the  
2           current illegal maps is troubling. The legislative  
3           redistricting process much be carried out in a  
4           nonpartisan manner, ideally by an independent  
5           commission and with the opportunity for the  
6           public -- the public to comment on the final  
7           district maps. To guarantee that the process  
8           remains fair and unbiased, the legislature should  
9           exclude political information like voter  
10          registration data and past election results when  
11          drawing maps.

12                   Both Democrats and Republicans won  
13          statewide races in the last election, indicating  
14          that voters in North Carolina are fairly evenly  
15          split. In contrast, whenever elections were based  
16          on districts, the scale leaned very heavily towards  
17          Republicans as demonstrated by [unintelligible]  
18          majorities in both the State House and State  
19          Senate. Any process that is designed to favor some  
20          voices or opinions over others is fundamentally  
21          undemocratic and goes against the spirit of the  
22          North Carolina and U.S. constitutions.

23                   As legislators, you took an oath to  
24          uphold both. Section 2 of Article 1 of the state  
25          constitution states, "All political power is vested

1           in and derived from the people. All government of  
2           right originates from the people, is founded upon  
3           their will only, and is instituted solely for the  
4           good of the whole." The current districts do not  
5           represent a government originating from the will of  
6           the people.

7                     If you believe in democracy, you have an  
8           obligation to design truly fair and representative  
9           districts when drawing new maps. Attempts at  
10          gerrymandering for the purpose of gaining political  
11          advantage are short-sighted and undermine the core  
12          democratic principles. The issues faced by the  
13          state will change and the demographics will change  
14          but once lost democracy is very hard to regain.

15                    REP. DOLLAR: The next individual  
16          recognized is Mr. Greene?

17                    RICHARD GREENE: Yes.

18                    REP. DOLLAR: For a time not to exceed  
19          two minutes.

20                    RICHARD GREENE: Richard Greene, Wake  
21          County. Thank you, Mr. Chair; thank you, members  
22          of the committee. I'm a small businessman. I've  
23          closed my business to be here today. What I've  
24          learned in being a small businessman is, innovation  
25          and progress is dependent on competition and

1 listening to what is going on around you. The  
2 business world is full of large, very powerful  
3 companies that have failed -- Kodak, Xerox -- who  
4 failed to follow that lesson. The same is true in  
5 government.

6 So I urge you adopt a districting process  
7 that is nonpartisan in nature, that is based on  
8 geography and doesn't deal with any demographic  
9 information of any measure. I believe this is  
10 critical to our legislative process, it is critical  
11 to the progress of our communities, and it is  
12 critical to our democracy. Thank you for the time  
13 today.

14 REP. DOLLAR: Thank you. Next individual  
15 is recognized for a time not to exceed two minutes.

16 TRINA HARRISON: Thank you. Members of  
17 the Committee, members of the General Assembly. My  
18 name is Trina Harrison. I'm from Alamance County.

19 Racially-based districting is partisan  
20 districting. For too long, regardless of which  
21 party has held power in Raleigh, the politicians  
22 have chosen their voters. It's time for we, the  
23 voters, to get back to being able to choose our  
24 representatives. That's all. Thank you.

25 REP. DOLLAR: Next lady is recognized for



1           time not to exceed two minutes.

2                   PAM SCHWINGL: Hi. My name is Pam  
3           Schwingl. I'm from Cedar Grove, Orange County,  
4           North Carolina. Thirty years ago, I moved to North  
5           Carolina based on its reputation for fairness,  
6           balance or progress and its support of agriculture  
7           and education. I have lived both in southern  
8           Orange County, northern Orange County and in Person  
9           County, and I've seen that wherever I vote, my vote  
10          really doesn't matter.

11                   I could stay home on election day.  
12          Incumbents would be voted in and change would be  
13          difficult. Democrats would win in Orange and  
14          Republicans would win in Person. This has only  
15          worsened since the 2011 -- since the last Census  
16          and new maps were drawn. The result is that only a  
17          few people vote, it's very suppressive of the vote,  
18          and because of these gerrymandered districts that  
19          we now know why this happens, and it's called an  
20          efficiency gap, and it's something that I think  
21          should be included in the criteria for choosing  
22          these districts.

23                   Because it really is a situation where  
24          the individual vote is undermined. The one person,  
25          one vote is undermined. So let's make districts

1           that are competitive. It has been done before, it  
2           has been done in other states, and let's get  
3           candidates that can appeal to a broad range of  
4           people that can really start solving our problems.  
5           So I would recommend that we basically use criteria  
6           that does not set partisan targets, does not  
7           protect incumbents, does not exclude threats to  
8           incumbents, and use criteria that excludes data on  
9           party registration, on race and ethnicity except  
10          where required by the Federal Voting Rights Act.

11                       And then when the maps are drawn, report  
12          to us the quantitative efficiency gap to see how  
13          far or how close we are to the one person/one gap  
14          rule. And please, let us know at each step what  
15          you're doing, why you're doing it, and provide to  
16          us a log of all your actions. Thanks.

17                      REP. DOLLAR: Thank you. Ms. Jones,  
18          recognize for a time not to exceed two minutes.

19                      JEN JONES: Thank you, sir. My name is  
20          Jen Jones. I live in the great county of Orange,  
21          but I grew up on a tobacco farm in the great county  
22          of Warren. And as my mother says, "Our family has  
23          been here since Jesus wept." I also, in the  
24          interest of full disclosure, work for Democracy  
25          North Carolina, which I hear has been fighting

1           since Jesus wept for both parties not to  
2           gerrymander. So I am very unpopular with everyone  
3           in front of me.

4                       Despite that, I am here for the former  
5           purpose: to speak as a North Carolina about  
6           criteria that matter to me and my mama. I want  
7           fair maps, and I want them to be devoid of racial  
8           and partisan gerrymandering. I'd kind of like for  
9           them by the principles of equal protection under  
10          the constitution. And since we are a Southern  
11          state -- I would argue the most fabulous one -- I  
12          would like the principles of the Voting Rights Act  
13          to be a part of that, too.

14                      But most important to me, as a  
15          communications person, is having public input and  
16          transparent and informed public input. But just as  
17          leadership is confident in Thomas Hofeller to  
18          redraw our maps, the same man who did so in 2011, I  
19          am confident that those maps have already been  
20          drawn, that the criteria for those maps is already  
21          set. And I would really appreciate as a member of  
22          the public, to see those maps and be able to  
23          provide informed public comment at the hearings you  
24          so graciously are providing later this month, based  
25          on those maps.

1                   So I would ask, please, as a North  
2                   Carolina constituent and voter, show us the maps,  
3                   and I promise you, as a North Carolinian, we will  
4                   tell you exactly how we feel about them. Thank you  
5                   so much.

6                   REP. DOLLAR: The next is -- Ms. Jennings  
7                   if you will just hold for a moment. The next five  
8                   individuals, if you would line up. Lloyd  
9                   Chambliss, William Smith, Janis Ramquist, Dianna  
10                  Wyne, and Janet Hoy.

11                  Ms. Jennings, you are recognized for a  
12                  time not to exceed two minutes.

13                  PAULA JENNINGS: Thank you. Thank you  
14                  for allowing me to speak. My name is Paula  
15                  Jennings. I'm here as a North Carolina citizen, a  
16                  Wake County citizen, and most of all, a patriot.  
17                  I'm speaking for myself, and I want to use a phrase  
18                  we've often heard: liberty and justice for all.  
19                  Liberty and justice for all. This phrase is  
20                  recited as part of the Pledge of Allegiance with  
21                  little thought for its deeper meaning.

22                  I come here today also as a granddaughter  
23                  of a World War I veteran, the daughter of a beloved  
24                  World War II veteran. These men suffered greatly  
25                  over their years because of their service. I come

1           here today as a mother and a grandmother. I come  
2           here today for the memory of what all of our  
3           ancestors stood for and what they went to war for,  
4           and for the legacy I wish to leave my children and  
5           grandchildren.

6                       Part of the liberty and justice for which  
7           I speak is dependent on transparency, where one  
8           vote counts more -- does not count more than  
9           another, and when the result of an election is not  
10          a foregone conclusion. Transparency in the process  
11          of drawing impartial districts is the most  
12          important criteria for which I advocate today.  
13          Transparency.

14                     Complete transparency such as can be  
15          found in live streaming of all hearings and  
16          meetings. I advocate on behalf of future  
17          generations and for the large table of democracy  
18          which I hope they can all come to. Thank you.

19                     REP. DOLLAR: Thank you. Mr. Chambliss,  
20          you are recognized for a time not to exceed two  
21          minutes.

22                     LLOYD CHAMBLISS: I am Lloyd Chambliss  
23          from Orange County. A recent study has found that  
24          the North Carolina redistricting process ranks  
25          among the worst in the world. Our democracy in

1 North Carolina is right there with the worst  
2 democracies in the world. Our legislature does not  
3 represent us; it represents the maps they drew.

4 The recent court finding was that our  
5 districts were not legal, in other words, did not  
6 represent the people of the state because of racial  
7 gerrymandering. Hopefully an up and coming Supreme  
8 Court decision will find that partisan  
9 gerrymandering is unconstitutional. That is yet to  
10 be seen.

11 But here we are. We have an opportunity.  
12 We're looking forward to the Census in 2020, where  
13 new maps will have to be drawn. Democrats could be  
14 in charge then, so it's an opportunity when we  
15 don't know who is going to win, to do something  
16 about it, to draw some fair maps, to make the  
17 process nonpartisan, to not allow looking at past  
18 election results or registration, to get it out of  
19 the hands of the legislature except for final  
20 approval.

21 So let's take this opportunity to right  
22 the process. Let's redraw the maps. Why do you  
23 start -- why do you start with the same maps and  
24 say, we don't have to redraw most of the districts.  
25 Let's start over. It's easy to draw maps. Just

1 start ignoring all the political requirements that  
2 you've put into it to -- so gerrymandering. So  
3 let's make this a nonpartisan process, start over,  
4 and do it right. Thanks.

5 REP. DOLLAR: Mr. Smith, you are  
6 recognized for time not to exceed two minutes.

7 WILLIAM SMITH: William Smith, Raleigh,  
8 North Carolina. As a veteran and someone who has  
9 also sworn an oath to defend this great nation of  
10 ours, and a patriot, I am extremely concerned by  
11 the state of our democracy today. Our  
12 representatives should be able to be held  
13 accountable for their actions by the people from  
14 which they derive their power.

15 Therefore, I propose the following  
16 criteria for the redistricting process in North  
17 Carolina: A prohibition on using partisan data.  
18 Maps submitted should be able to pass the  
19 efficiency gap test or the best available test for  
20 gerrymandering that is currently available. Voting  
21 precincts should not be divided.

22 I would very much prefer that an  
23 independent, nonpartisan commission be appointed to  
24 draw our district maps but should a commission not  
25 be appointed, then the governor should be granted

1 veto power over any redistricting bill produced by  
2 the General Assembly.

3 All of us are aware of the oath: first,  
4 do no harm. Bringing back Dr. Thomas Hofeller, who  
5 failed so miserably in protecting democracy when  
6 drawing the 2011 maps, only shows that you desire  
7 to continue to undermine our democracy.  
8 Representative David Lewis, who was also involved  
9 in the failed 2011 maps and Dr. Hofeller should not  
10 be involved in this important process.

11 I wish I had more time to go into the  
12 damage gerrymandering does to both parties and to  
13 our great nation. I respectfully request that this  
14 body restore democracy to this great state. Thank  
15 you.

16 REP. DOLLAR: Ms. Ramquist, you are  
17 recognized for a period not to exceed two minutes.

18 JANIS RAMQUIST: My name is Janis  
19 Ramquist. I'm a resident of Raleigh. I have known  
20 some of you for decades, and this is a very  
21 personal statement. I know you as good people who  
22 want to serve your state, and it is very sad to me  
23 that so many people distrust you and believe the  
24 worst in you. I think that you could change the  
25 course of this by adopting better criteria,



1           measurable criteria. There are mathematical  
2           equations that can measure whether you are overly  
3           partisan in your district, whether they are  
4           compact, and whether they meet the Voting Rights  
5           Act compliance.

6                       I thank Representative Lewis and Senator  
7           Hise for increasing the transparency but it could  
8           be improved. Every scrap of information that is  
9           used to draw a map should be available to the  
10          public. You are doing the public's business.

11                      There is a rumor that red maps have been  
12          drawn already. I hope not. But if they have, I  
13          hope you will disclose them now.

14                     Redistricting is the foundation of our  
15          democracy, and I beseech you to please honor the  
16          integrity of the General Assembly. Thank you.

17                     REP. DOLLAR: Thank you. Ms. Wynn, you  
18          are recognized for a time not to exceed two  
19          minutes.

20                     DIANNA WYNN: My name is Dianna Wynn, and  
21          I'm a resident of Wake County. I am part of a  
22          large and growing segment of North Carolinians who  
23          are unaffiliated voters. However, I believe I  
24          speak for many unaffiliated voters, Republican  
25          voters, and Democratic voters, who are increasingly

1           dismayed by the role of partisan politics in  
2           drawing our voting maps.

3                       In fact, polling across the nation and  
4           specifically in North Carolina, reveals that a  
5           majority of voters favor a nonpartisan approach to  
6           redistricting. To that end, I respectfully request  
7           that this committee adopt the following criteria  
8           for fair voting maps. First, adopt politically  
9           neutral criteria. No addresses of candidates or  
10          incumbents should be used, and residents' voting  
11          histories and party affiliations should not be  
12          considered when defining our voting districts.

13                      Second, districts should be compact and  
14          contiguous. Voters within a district should not be  
15          unnecessarily dispersed, and no voting district  
16          should be geographically divided or split by  
17          another district. In other words, all portions of  
18          a district must connect.

19                      Third, avoid dividing counties and  
20          municipalities where possible. Fourth, avoid  
21          dividing communities of interest, where possible.  
22          Communities of interest typically have social,  
23          cultural, racial, ethnic or economic interest in  
24          common. Finally, and obviously, voting maps should  
25          comply with all relevant provisions of the Voting

1 Rights Act.

2 Voters are tired of politics as usual.  
3 We want our legislators to stop gerrymandering and  
4 end the practice of politicians handpicking their  
5 voters. We simply want fair and impartial maps.  
6 Thank you for your consideration and the  
7 opportunity to speak here today.

8 REP. DOLLAR: Thank you. Let me make a  
9 notation. If any of those who have spoken or who  
10 will be speaking here shortly, want to submit your  
11 comments or share -- you know, if you had something  
12 in writing and you want to share that, put that in  
13 the hands of the staff, you can hand those either  
14 to the Sergeant-at-Arms or to the committee staff  
15 up here. I just want to make sure that you knew  
16 that opportunity.

17 Also, let me identify the next five  
18 individuals that will be recognized in line. Lee  
19 Mortimor. And for the press, if you are looking at  
20 your sheet, number 17 who is signed up has  
21 withdrawn. So the person after Mortimor would be  
22 David Williams, Zack Klien, and Dallas Woodhouse.

23 So if those individuals would line up.  
24 And Ms. Hoy, if you would identify yourself, of  
25 course, and for time not to exceed two minutes.

1                   JANET HOY: Yes, thank you very much. My  
2                   name is Janet Hoy. I live in Orange County but I'm  
3                   here today as the co-president of the League of  
4                   Women Voters of North Carolina. The League, as you  
5                   probably know, is a 100-year-old, nonpartisan,  
6                   political organization that encourages active and  
7                   informed participation in government. Since 1966,  
8                   the League of Women Voters of the US, our national  
9                   organization, has advocated for impartial electoral  
10                  maps with both transparent redistricting processes  
11                  and even more importantly, significant  
12                  opportunities for public participation.

13                  Today's public comments are about  
14                  criteria. Our recommendations focus on three  
15                  primary objectives: transparency, public  
16                  engagement and fairness. The League recommends  
17                  this committee commit to the following: disclose  
18                  all criteria and assumptions used throughout the  
19                  process; exclude partisan targets; exclude data on  
20                  voters' party registration and past voting history;  
21                  exclude data on incumbents' or candidates'  
22                  addresses, exclude data on race and ethnicity  
23                  except where necessary to comply with federal law,  
24                  meaning the Voting Rights Act; analyze each set of  
25                  maps using generally accepted measures of

1 compactness and report the results by district and  
2 for the set of maps as a whole. Strictly apply the  
3 Stephenson process to define the VRA districts and,  
4 most importantly, make maps available for review  
5 and comment by the public in advance of hearings  
6 and again before the maps are finalized.

7 We urge this committee to ensure that  
8 these criteria are reflected in any maps that have  
9 been or will be drawn. Furthermore, we ask that  
10 the committee's maps and the criteria used to draw  
11 them, be promptly publicized, without delay, from  
12 the moment they are created, so that citizens of  
13 North Carolina will have full opportunity to  
14 consider and respond to them.

15 The League of Women Voters of North  
16 Carolina represents thousands of League members  
17 across the state as well as many more thousands of  
18 supporters, each of whom is one of your  
19 constituents. It is critically important to the  
20 League and to every North Carolinian that maps are  
21 fair, impartial, and that every North Carolinian's  
22 vote counts.

23 REP. DOLLAR: Mr. Mortimor, you are  
24 recognized for a time not to exceed two minutes.

25 LEE MORTIMOR: Thank you. I'm Lee

1 Mortimer from Durham County. I have been a  
2 resident of North Carolina for almost my entire  
3 life. I'm a member of North Carolina Common Cause  
4 but am speaking on behalf of myself today.

5 The way redistricting has been done for  
6 the past decade makes a complete mockery of  
7 elections and voting. It didn't start with  
8 Republicans in 2011 but abuse of redistricting has  
9 reached a new and unprecedented level in this most  
10 recent cycle. We need to bring legitimacy and  
11 fairness to elections in voting and to make our  
12 representatives accounting through competitive  
13 elections. The essential first step toward a  
14 meaningful redistricting form, is to create a  
15 nonpartisan process that excludes all partisan and  
16 political considerations and draws districts that  
17 are geographically compact and respect legitimate  
18 communities of interest.

19 Just today, in Venezuela, we are  
20 witnessing the turmoil and disruption that can  
21 result when a legislature comes to power through an  
22 election process that lacks legitimacy. If we do  
23 not bring legitimacy to our elections, I fear  
24 something similar could happen here. Thank you.

25 REP. DOLLAR: Next on our list is Mr.

1 Williams. If you will identify yourself. You are  
2 recognized for time not to exceed two minutes.

3 DAVID WILLIAMS: I will. My name is  
4 David Williams. I'm from Transylvania County. I  
5 represent Transylvania Indivisible, and I stand as  
6 the chair of Indivisible North Carolina's fair  
7 voting action group.

8 But I'm really neither of those things.  
9 I'm a husband, I'm a father, I'm a grandfather, I'm  
10 a son, I'm a brother, I'm a cousin, I'm a friend,  
11 I'm an educator. But in January, I chose to put  
12 those things aside and to become a resistor. I  
13 chose to fight for a country in which facts are  
14 true, whether we like them or not. Where science  
15 is accepted as the pathway to truths and where  
16 truth is valued.

17 I chose to fight for a state where the  
18 people's business is conducted publicly without  
19 attempts to avoid meaningful input, for a state  
20 that celebrates the value of human diversity and  
21 strips no one of its voice. For a state where  
22 every voice has a voice and every vote is a voice  
23 for a state government of the people, by  
24 representatives of the people, for the welfare of  
25 the people. I chose to fight for the future for my

1 son and my grandson.

2 I choose to resist those forces that seek  
3 to destroy those things that made this country  
4 great. A more perfect union, where justice for all  
5 under the rule of law is the law, excepting none.  
6 A more perfect union with opportunity for all to  
7 pursue lives well-lived, lives of meaning, a more  
8 perfect union giving all the right to embrace the  
9 blessings of liberty, a more perfect union  
10 bestowing on all the right to seek happiness and  
11 make that which is good even better. To oppose a  
12 hostile force that strips its people of the  
13 Constitution's guarantee of equality through a  
14 voice embodied in a vote, one voice, one vote.

15 By the deeds of the majority, democracy,  
16 civility, negotiation, compromise, transparency,  
17 respect for minority voice, views in accountability  
18 have been derided and eroded to the point they do  
19 not exist in public practice. Those who do not  
20 learn from history are doomed to repeat it. By the  
21 exercise of its power, this group, and the  
22 legislature, have been branded, perhaps unfairly,  
23 as racist and as self-seeking. Thank you.

24 REP. DOLLAR: Mr. Klien, you are  
25 recognized for a time not to exceed two minutes.



1                   ZACK KLIEN: Thank you, Mr. Chairman, and  
2                   members of the committee. I'm Zack Klien, residing  
3                   in North Carolina. I'm going to be brief in my  
4                   statement. In regards to redistricting, it is my  
5                   opinion that counties should be kept as whole as  
6                   possible. Race should not be a determining factor  
7                   used in redrawing the maps, and it's clear that the  
8                   courts cannot make up this matter, and it's best  
9                   not to use it. Thank you.

10                  REP. DOLLAR: Mr. Woodhouse, before we  
11                  recognize you, let me call the next five  
12                  individuals. Beth Gerall, Louise Kinnard, Amy  
13                  Porter, Bob Phillips and Donald Mial. If y'all  
14                  will line up.

15                  Mr. Woodhouse, you are recognized for a  
16                  time not to exceed two minutes.

17                  DALLAS WOODHOUSE: Thank you, Mr.  
18                  Chairman. I am Dallas Woodhouse. I am the  
19                  Executive Director of the North Carolina Republican  
20                  Party, proudly celebrating its 150th anniversary  
21                  this year. As a party, we certainly support, using  
22                  traditional criteria in the redistricting process,  
23                  both keeping counties as whole as possible, and we  
24                  think the Goldilocks standard of using race, we  
25                  have to use a little bit of race, but not too much

1 race ought to go away, and that no racial  
2 considerations ought to be made.

3 We also think the use or discussion of  
4 statewide election data is completely irrelevant,  
5 even though it is largely favorable to the North  
6 Carolina Republican Party, that has won an  
7 overwhelming amount of the statewide election races  
8 in the past six years.

9 We do not elect people on a system of  
10 Parliament, like they do in Europe. It is not the  
11 job of this committee to make a political party  
12 that lost 76 North Carolina counties in the  
13 presidential election competitive because they are  
14 uncompetitive in vast swaths, vast areas of the  
15 state. Again, 76 counties were won by the  
16 presidential candidate in North Carolina. And it  
17 is not the job of the committee to make that party  
18 competitive when it cannot do so itself in huge  
19 areas of the state. One, the minority party in  
20 this body has a geographic problem that it has to  
21 correct, and that is not the job of this committee  
22 to correct.

23 One final note with regards to the 53rd  
24 North Carolina House District as a proud alumnus of  
25 Campbell University, I believe that our university

1           has been well represented, and we would like to  
2           wholly keep Campbell University in the 53rd  
3           district. Thank you very much.

4                     REP. DOLLAR: The lady is recognized for  
5           a time not to exceed two minutes.

6                     BETH GERALD: Thank you for letting us  
7           speak today. We appreciate it. I'm Beth Gerald  
8           from Orange County. I'm going to make several  
9           points that other folks have made today but I think  
10          it's important for you, the committee members, to  
11          hear these over and over again. That the districts  
12          that appear after this process demonstrate that one  
13          person/one vote is the outcome. They should be  
14          equal in population size as much as possible. They  
15          should be compact and contiguous. They should make  
16          sense.

17                    In creating the districts, communities  
18          should not be divided, make efforts to respect the  
19          county lines, and if a county must be split, have  
20          an honest explanation as to why that was done. In  
21          creating the districts, addresses of lawmakers,  
22          current and past, party affiliation, voting history  
23          of the voters, or any other data other than that  
24          which is required by law, should not be used to  
25          help a party or a politician in any way.

1                   Before districts are approved, they must  
2                   be evaluated and demonstrate party competitiveness  
3                   and no racial bias. The maps should ensure that  
4                   voters choose their elected officials and not that  
5                   politicians choose their voters. Thank you for the  
6                   opportunity to speak.

7                   REP. DOLLAR: Ms. Kinnard, you will be  
8                   recognized for a time not to exceed two minutes.

9                   LOUISE KINNARD: Thank you very much for  
10                  letting me speak.

11                 I think the districts should -- oh, I'm  
12                 Louse Kinnard from Lillington, Harnett County. The  
13                 district -- I think the districts should be drawn  
14                 as geometrically as possible so we don't have that  
15                 snaking where they go like this and around -- like  
16                 using squares or rectangles. And I understand that  
17                 you can't do that with every district but as much  
18                 as possible, include -- have that geometrical  
19                 design.

20                 I realize that in the past the Democrats  
21                 have done the same things. I mean, maybe not as  
22                 bad or maybe not as well. But I understand that,  
23                 that every time there is a switch in parties, they  
24                 redistrict to their own political advantage.  
25                 Let -- we can do better than that.

1                   It should be politically and racially  
2                   nonpartisan, and before the maps are finalized, I  
3                   think the public would like to see them and -- so  
4                   they can have some input and maybe conduct town  
5                   hall meetings so more of the public can be there to  
6                   hear their representative. Because that's who they  
7                   go to first. That's all I have. Thank you very  
8                   much.

9                   REP. DOLLAR: Thank you. Ms. Porter, you  
10                  are recognized for time not to exceed two minutes.

11                  AMY PORTER: Thank you for opportunity to  
12                  speak my piece. My name is Amy Porter, and I am a  
13                  registered unaffiliated voter from Graham, North  
14                  Carolina. I am a lifelong citizen of North  
15                  Carolina. I'm also a veteran teacher in North  
16                  Carolina, the North Carolina School System. My  
17                  husband a decorated vet -- Vietnam veteran, owns  
18                  his own business, and we own a small farm in  
19                  Alamance County.

20                  I speak on behalf of all North Carolina  
21                  residents: Republican, Democrats and the  
22                  independent voters like me who have voted for both  
23                  parties. I want to see the end of political  
24                  gerrymandering. Districts cannot be drawn  
25                  intentionally, unduly favoring any political party.

1           We must change this in the form of legislation: a  
2           change to the State Constitutional form --  
3           Constitutional.

4                       We should form an independent commission  
5           to draw district lines. There should be no  
6           consideration for voters, a party affiliation, or  
7           voter history, in the creation of fair districts.  
8           I disagree with Dallas Woodhouse in that statement.  
9           Remember that you work for us.

10                      REP. DOLLAR: Mr. Phillips, you are  
11           recognized for a time not to exceed two minutes.

12                      BOB PHILLIPS: Thank you. Good morning.  
13           I'm Bob Phillips with Common Cause North Carolina.  
14           As most of you know, the organization I work for  
15           has been pushing for redistricting reform for many  
16           years. We are nonpartisan. We have worked with  
17           Republicans and Democrats alike on this issue, and  
18           we believe that gerrymandering is wrong, regardless  
19           of which party does it.

20                      At this moment, you have an opportunity,  
21           you have an opportunity to end gerrymandering now  
22           if you adopt fair criteria. What does that look  
23           like? The place to start is taking politics out of  
24           the process. Don't draw districts to favor a  
25           political party or an incumbent. That means, don't

1           look at past election results or where incumbents  
2           live when drawing the maps.

3                     The other important rule to follow is  
4           abide by the Voting Rights Act. Stop using race to  
5           gerrymander. Don't compact or divide minority  
6           communities to weaken their voting strength.  
7           Follow those rules and you'll get maps that are  
8           more compact, contiguous in keeping communities of  
9           interest together. You'll also get more districts  
10          that are competitive, so we the people can hold  
11          you, our elected officials, more accountable.

12                    Finally, the mapmaking process needs to  
13          be more open and transparent. No more hired  
14          partisan guns in back rooms committing  
15          gerrymandering. Ideally maps should be drawn by an  
16          independent entity, not the lawmakers.

17                    Now, everything is found in House Bill  
18          200, a bipartisan piece of legislation filed this  
19          year that has not been considered. The fact is, a  
20          majority of you, this committee, has either voted  
21          for or sponsored legislation that would provide the  
22          criteria I've just outlined. Let me say that  
23          again. Most of you in this room have supported  
24          nonpartisan redistricting, and you've done it since  
25          the shift of power in 2011. There are a lot of

1           you. I can look out and I know most of you. A lot  
2           of you, both sides of the aisle, who remember and  
3           know what it was like to be on the wrong side of  
4           gerrymandering. You didn't like it, and that's why  
5           you supported reform. I just ask you, support  
6           reform, support fair criteria. End gerrymandering  
7           now.

8                         REP. DOLLAR: Before we call the next  
9           individual, let me call the final six individuals.  
10          If you would line up, we have on our list: Greg  
11          Flynn, James Wood, Nan Fulcher, Siobhan Millen,  
12          Laura Holley, Gerrick Brenner.

13                        Mr. Mial, you are recognized for a time  
14           not to exceed two minutes.

15                       DONALD MIAL: Good morning, Mr. Chairman  
16           and ladies and gentlemen. My name is Donald Mial.  
17           I'm a citizen of Wake County. I have come before  
18           this honorable body today to voice my concern for  
19           fair elected districts. You see, I served this  
20           state and the country for a total of 67 years: 32  
21           years in North Carolina Army National Guard, and 35  
22           years as a State employee, deploying to Iraq with  
23           the 3rd BCT to win the hearts and minds of the  
24           citizens there. Because their government had  
25           failed them.



1 I believe in government to be responsible  
2 to its citizens. You have the power to win the  
3 hearts and minds of our citizens of North Carolina  
4 by voting and approving fair districts, whereby all  
5 people of North Carolina represent -- will be  
6 represented equally and fairly. Thank you.

7 REP. DOLLAR: Mr. Flynn, you are  
8 recognized for time not to exceed two minutes.

9 GREG FLYNN: Thank you. I am Greg Flynn,  
10 a Wake County voter for the past -- sorry. I'm  
11 still Greg Flynn -- a Wake County voter, and for  
12 the past six years. For the past six years, I have  
13 been under assault from redistricting, which has  
14 had to be fought off on the battlefields of federal  
15 court. Even my precinct has two congressional  
16 districts in it.

17 In addition to United States and state  
18 redistricting struck by the courts, my county  
19 commission and school board districts have been  
20 successfully challenged in federal court. It was  
21 absurd as a plaintiff to have to drive up to  
22 Richmond, Virginia, to defend voting rights here in  
23 Wake County, North Carolina. These districts were  
24 neither fair nor legal. Please don't repeat this  
25 debacle.

1                   Please create compact districts that  
2                   don't resemble crime scene blood splatters. Please  
3                   create districts that represent and engage all  
4                   voters, Republican, Democratic, unaffiliated, and  
5                   even Libertarians. There is more to life than the  
6                   epic and chaotic struggle between the two main  
7                   parties.

8                   The growing ranks of unaffiliated voters,  
9                   which will soon eclipse one of the parties signals  
10                  dissatisfaction with the current political scheme  
11                  and the desire to end the chaos. Please let us see  
12                  the maps you likely have created already, so we can  
13                  get down to business and not waste another six  
14                  years. Finally I ask that the Senate Chair recuse  
15                  himself until the State Board of Elections  
16                  concludes the investigation of his campaign  
17                  finances. Thank you.

18                  REP. DOLLAR: Mr. Wood, you are  
19                  recognized for time not to exceed two minutes.

20                  JAMES WOOD: Thank you. James Wood from  
21                  Raleigh. So the objective here is to draw fair  
22                  legislative districts. I feel like I could get  
23                  down with a pencil and paper and draw pretty decent  
24                  districts in about five minutes. So what I'm  
25                  wondering is why an intervention of the United

1           States Supreme Court is necessary for this General  
2           Assembly to draw fair legislative districts.

3                     In any classroom or workplace, if you  
4           turn something in late, five days late, you know  
5           exactly what is going to happen to you. You get an  
6           F or you get fired. But more than five years late?  
7           Forget about it. You know, maybe I could  
8           understand that it was an honest mistake. If the  
9           General Assembly had acknowledged the problem and  
10          worked expediently to remedy it, the first time  
11          these districts were found unconstitutional in  
12          court.

13                    But I have watched you fight justice  
14          tooth and nail. Others have, no doubt, have  
15          watched you, too. What kind of impression do you  
16          think you are making to young people? I can give  
17          you a hint that it's not too good. We are done  
18          with your pettiness, and in the not-so-distant  
19          future, when we are up there, running the show,  
20          things are going to be different around here.  
21          Thank you.

22                    REP. DOLLAR: Ms. Fulcher, you are  
23          recognized for a time not to exceed two minutes.

24                    NAN FULCHER: Hi. My name is Nan  
25          Fulcher, and I'm from Hillsborough. In creating

1           the 2011 legislative districts for the State of  
2           North Carolina, Representative Lewis, in his role  
3           as House Redistricting Committee Chair, failed to  
4           uphold his oath of office to support the  
5           Constitution of the State of North Carolina and the  
6           Constitution of the United States. However, there  
7           is no remedy for this failure.

8                       In the absence of a formal remedy, I  
9           respectfully ask Representative Lewis to step down  
10          from the current redistricting committee. Your  
11          resignation would acknowledge the plight of all of  
12          the residents living in the 28 illegal districts  
13          who have not been able to participate in democracy  
14          since 2011. From our perspective, the perspective  
15          of "We the People," an individual right with no  
16          remedy is no right at all. Please show your  
17          compassion for the citizens of North Carolina by  
18          choosing to step down. You will show you value  
19          justice, you will give a sense of remedy to those  
20          that deserve it, and you will restore your faith in  
21          you as a legislator, and your commitment to uphold  
22          the Constitution. Thank you.

23                      REP. DOLLAR: Ms. Millen, before I  
24          recognize you, we had two additional people that we  
25          had called. Laura Holley and Gerrick Brenner. Are

1           those individuals here? Okay. So you are here. I  
2           will make sure to call you, then.

3                       Ms. Millen, you are recognized for time  
4           not to exceed two minutes.

5                       SIOBHAN MILLEN: Thank you, Mr. Chairman.  
6           My name is Siobhan Millen. Thank you for allowing  
7           me to comment this morning. I'm impressed by your  
8           statements last week at this committee meeting and  
9           your attorney, Mr. Strach's argument at the federal  
10          court, that this committee intends to seek  
11          plentiful public input into its redistricting  
12          efforts. Indeed, the three-judge panel's order  
13          last week lauded your commendable goal of obtaining  
14          and considering public input and engaging in robust  
15          debate and discussion.

16                      My suggestion would be that you add one  
17          more criteria to the standard ones that many have  
18          already suggested this morning. To be clear, these  
19          standard criteria are compactness, contiguity,  
20          respect for political subdivisions, disregard of  
21          the party registration voters, disregard of the  
22          addresses of the incumbent representative,  
23          avoidance of petty double-bunking of the minority  
24          party, compliance with one man, one vote principle,  
25          minimizing excessive efficiency gaps within

1 legislative district in compliance with the Voting  
2 Rights Act.

3 The addition criteria which I suggest is  
4 that you keep in mind that North Carolina currently  
5 has 2.6 million registered Democrats, 2 million  
6 registered Republicans, and 2 million unaffiliated  
7 voters. The districts you create should elect  
8 Senators and House members roughly in proportion to  
9 those numbers.

10 The current overwhelming Republican  
11 majority in both chambers suggest that something  
12 has gone seriously awry in North Carolina. As  
13 evidence of this atrophied democracy, in the 2016  
14 election, nearly half of the contests for the North  
15 Carolina House and Senate had only one major party  
16 candidate on the ballot. Our General Assembly  
17 should reflect our electorate, and for this to  
18 happen we need competitive districts. But as Judge  
19 Eagles and Judge Wynn noted last week in  
20 Greensboro, this committee seems not to take  
21 seriously its job of drawing more constitutional  
22 districts. In an ominous sign made public in this  
23 very room last week, Representative Lewis disclosed  
24 that the Joint Committee intends to use again the  
25 services of Dr. Tom Hofeller and crafting with his

1 custom surgical precision, new districts for the  
2 General Assembly. This is of concern because Tom  
3 Hofeller is a paid consultant for the Republican  
4 National Committee, who was described by the  
5 Atlantic Magazine in 2012, as a gimlet-eyed, semi-  
6 clandestine political operative. So with the  
7 federal court overseeing this process, this  
8 committee should make all meetings with Dr.  
9 Hofeller transparent to the public. Thank you.

10 REP. DOLLAR: Ms. Holley, you are  
11 recognized for time not to exceed two minutes.

12 LAURA HOLLEY: Thank you. My name is  
13 Laura. I'm from Apex, so Wake County.

14 REP. DOLLAR: Could you give us your last  
15 name as well, please?

16 LAURA HOLLEY: Holley.

17 REP. DOLLAR: Thank you.

18 LAURA HOLLEY: While I am affiliated with  
19 various organizations, including the Democrat  
20 Party, and currently as a precinct chair, here as a  
21 nonpartisan fan of well-functioning democracy,  
22 representing myself and all NC residents, D's, R's,  
23 and U's, to truly represent all of us and be  
24 responsive to all of the voter constituencies.

25 Based upon objective, comprehensive

1 published data from multiple sources, maps that  
2 were so extremely gerrymandered, tweaked by  
3 advanced software modeling capabilities, every  
4 fact-based indication underscores that my beloved  
5 adopted state of North Carolina functionally or  
6 empirically -- both -- murdered democracy in 2011.  
7 Let's work collaboratively to revive it, starting  
8 with implementing fair map being mandates that are  
9 strictly honored and practiced. Such as  
10 nonpartisan process for drawing new maps, written  
11 explicit protocols for transparency before, during  
12 and after the map-drawing process, to allow for  
13 public and media openness.

14 As a subnote to that, for input before  
15 maps are drawn, I would ask that all reference  
16 materials are handed out to the larger committee  
17 body, that these documents are also provided to the  
18 media and public at least 48 hours in advance of  
19 meetings, such as today's. I would further like to  
20 see mechanisms, if not already existing, put in  
21 place for public input before, during and after  
22 each map drawing both online and in person. Thank  
23 you.

24 REP. DOLLAR: Is Gerrick Brenner here and  
25 wishing to speak? (No response.) Okay. Having



1 not, that is the last individual on our list, and  
2 the public hearing portion of this committee  
3 meeting is officially closed.

4 Before we close our meeting otherwise,  
5 let me make a couple of notations. One, as you see  
6 on the screen, and for those who are listening in,  
7 the comment opportunities, opportunities for public  
8 input, there are opportunities to send in written  
9 comments as well as submissions online. There is  
10 an opportunity for that as well as the General  
11 Assembly's websites, so I would take note of that.

12 Again, if you had any written comments  
13 for those of you who make presentations today  
14 during the public comment period, if you wanted to  
15 hand those -- if you would like to hand those to  
16 the -- any of the Sergeant at Arms or the staff up  
17 here, please feel free to do that. The criteria  
18 for usage of the terminals will be posted on the  
19 Committee's website as well. That was the  
20 information that was passed out earlier today.

21 Questions from members of the Committee?  
22 Yes, sir. Representative Moore.

23 REP. MOORE: Thank you, Mr. Chair. A  
24 quick question. Will there be a schedule for  
25 remote hearings, public hearings, and I would like

1           to add that if that's the case -- first of all,  
2           could I get to that particular question first, and  
3           I will have a follow-up question or a statement.

4                     REP. DOLLAR: Chairman Lewis is  
5           recognized.

6                     REP. LEWIS: Thank you for the question,  
7           Representative Moore. This is David Lewis from  
8           Harnett County. The intent is to indeed publish a  
9           schedule. It largely depends on when we can get  
10          the maps drawn. As you have heard today, one of  
11          the things that the public expects is to be able to  
12          see the maps in order to comment on them. Our goal  
13          is -- our goal is to be able to conduct and receive  
14          input on August 22nd or August 23rd. We will have  
15          a firmer date after the criteria is adopted by this  
16          committee next week and the process of drawing the  
17          maps can begin.

18                    REP. MOORE: Follow-up. And let me just  
19          say, I didn't say in front of this, I'm Rodney  
20          Moore, House District 99, for the record.

21                    And secondly, when we have the schedule  
22          for these remote hearings or public hearings, I  
23          would request for the record that you would have a  
24          member of the majority and the minority party  
25          there. I know in the past when we've done them

1           before, you've had certain members in those  
2           particular areas to kind of preside over the  
3           meeting. I would ask that you would have at least  
4           one member of the minority party there as well to  
5           represent that interest, or represent that  
6           particular voice.

7                     REP. DOLLAR: The Chairman is recognized.

8                     REP. LEWIS: Representative Moore, I  
9           thank you for that suggestion. I would point out  
10          that that was indeed our practice in 2011, and the  
11          desire of the Speaker and the President Pro Tem for  
12          the members to attend is one of the reasons that we  
13          have been called back when we have. So as soon as  
14          we have an idea that we'll have a map to show and  
15          the public will have time to look at it, we will  
16          announce a series of remote sites across the state  
17          and here in Raleigh, of course. We will encourage  
18          members of both parties to either attend them here  
19          in Raleigh or go onsite -- on the remote sites.

20                    REP. MOORE: Thank you, sir.

21                    REP. MI CHAUX: Representative Mi chaux  
22          from Durham County. A couple of questions.

23                    When do you plan to have the criteria  
24          drawn so that we can sit down and start talking  
25          maps?

1                   REP. DOLLAR: Chairman Lewis, I will  
2 recognize you for that.

3                   REP. LEWIS: Thank you for the question,  
4 Representative Michaux. The intent is for this  
5 committee to meet next Thursday and adopt the  
6 criteria. We have received criteria today from  
7 members of the public. There are also members of  
8 this committee that have sent forward criteria. We  
9 anticipate continuing to receive that through next  
10 week, and then when we meet on Thursday, we will  
11 allow all the criteria to be disclosed and  
12 discussed and adopted. And once this committee --  
13 has adopted it, I will instruct the map drawer to  
14 begin using that criteria to draw the map.

15                  REP. DOLLAR: Representative Michaux.

16                  REP. MICHAUX: Follow-up. Representative  
17 Michaux again, from Durham. Chairman Lewis, I keep  
18 trying to emphasize it, but you have shown us some  
19 maps here today, several of them, showing county  
20 groupings. Can you assure this body right now that  
21 no redistricting maps have yet been drawn?

22                  REP. LEWIS: Thank you for the question.  
23 I can assure this body that none has been drawn at  
24 my direction, and that I have direct knowledge of.  
25 The only map I'm aware of was submitted by an

1 independent group and presented to this committee  
2 last week.

3 REP. DOLLAR: Follow-up.

4 REP. MICHAUX: Just to be clear, I'm  
5 talking about anything that any chairman or members  
6 of the Republican Party or anybody. No map has yet  
7 been drawn that should be handed out here? I'm --  
8 people are concerned about the fact -- they think  
9 you've already drawn the maps. I want to make  
10 sure, coming from you, that you have not yet drawn  
11 maps.

12 REP. LEWIS: Thank you for the question.  
13 I have not yet drawn maps nor have I directed that  
14 maps be drawn, nor am I aware of any other entity  
15 operating in conjunction with the leadership that  
16 has drawn maps.

17 REP. DOLLAR: Further questions? If not,  
18 the next -- Representative Jackson.

19 REP. JACKSON: Thank you, Mr. Chairman.  
20 My question was on criteria. Will we be adopting  
21 criteria as a joint committee or will the House  
22 members first have a chance to adopt criteria for  
23 the House and the senators allowed to adopt  
24 criteria for the Senate maps?

25 REP. DOLLAR: Let me allow Senator --

1 Chairman Hise to address that.

2 CHAIRMAN HISE: Thank you. It is our  
3 intent to have joint criteria. Obviously it will  
4 be the committee's choice and recommendation once  
5 it is approved for its criteria, but it is our  
6 intent to have the same criteria established for  
7 each map.

8 REP. DOLLAR: Further questions of  
9 Committee members at this time? If not, our next  
10 meeting will be next Thursday, August 10, at 10:00  
11 a.m., here in room 643. With that, the meeting is  
12 adjourned. Thank you.

13 (End of proceedings.)

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1 STATE OF NORTH CAROLINA

2 COUNTY OF WAKE

3 CERTIFICATION OF TRANSCRIPT

4 This is to certify that the foregoing transcript of  
5 proceedings held on August 4, 2017, is a true and accurate  
6 transcript of the proceedings as transcribed by me or under  
7 my supervision. I further certify that I am not related to  
8 any party or attorney, nor do I have any interest  
9 whatsoever in the outcome of this action.

10 This 7th day of August, 2017.

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*Robbie Worley*

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NORTH CAROLINA GENERAL ASSEMBLY  
JOINT SELECT COMMITTEE ON REDISTRICTING

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TRANSCRIPT OF THE PROCEEDINGS  
AUGUST 10, 2017 SESSION

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In Raleigh, North Carolina  
Thursday, August 10, 2017  
Reported by Robbie W. Worley

Worley Reporting  
P. O. Box 99169  
Raleigh, NC 27624  
919-870-8070

**Plaintiffs'  
Exhibit  
603**



1                   SEN. HISE: Recognize Representative  
2                   Lewis for an announcement.

3                   REP. LEWIS: Ladies and gentlemen, good  
4                   morning. It is my intent at this time to announce  
5                   that the Democrats have requested, and have been  
6                   granted, an opportunity to caucus in Room 423 of  
7                   this building. So any Democrats that are in the  
8                   room, the Democrats are going to caucus in Room  
9                   423. There will be a joint Republican caucus,  
10                  House and Senate, in Room 415 immediately upon the  
11                  recess. The recess will take place at the  
12                  conclusion of my announcement and will be in effect  
13                  until 10:35.

14                  So with that, Mr. Chairman, may I be  
15                  recognized for a motion?

16                  SEN. HISE: You are so recognized.

17                  REP. LEWIS: Mr. Chairman, for the  
18                  purpose of caucusing, I move that this Committee  
19                  stand in recess until 10:35 a.m.

20                  SEN. HISE: The motion is that the  
21                  Committee stand in recess until 10:35 a.m. Is  
22                  there any objection?

23                  REP. LEWIS: Mr. Chairman, if I could  
24                  speak briefly?

25                  SEN. HISE: Go ahead.

1                   REP. LEWIS: I believe I did a poor job  
2 of trying to announce that the Democrats are going  
3 to caucus in Room 423, and the Republicans are  
4 going to caucus in Room 415.

5                   SEN. SMITH-INGRAM: Point of  
6 clarification. During the recess, are we going to  
7 have the information on the criteria?

8                   REP. LEWIS: Thank you for that question,  
9 Senator. A copy of the criterion the Chair is  
10 intending to present was given to the Democratic  
11 Leader of the House, and it's my belief he does  
12 intend to share that at this caucus.

13                  SEN. HISE: Any objection? Hearing none,  
14 the Committee will stand in recess 'til 35.

15                   (Proceedings went off the record.)

16                  SEN. HISE: The committee will come to  
17 order. Thank you, members of the committee,  
18 members of the public. If you'd please come to  
19 order again. I will begin by announcing our  
20 Sergeant at Arms for today's meeting. If you could  
21 please identify yourself?

22                   In the House we have Reggie Sills,  
23 Malachi McCullough, Jim Morgan and Young Bae. In  
24 the Senate we have Terry Barnhardt, Jim Hamilton,  
25 Frances Patterson, Hal Roach. And I will announce

1           for everyone, as well, our court reporter that is  
2           with us today, Robbie Worley. Thank you for being  
3           here today, and for your work on this Committee  
4           meeting.

5                       Having gone through the requested  
6           caucuses this morning, and others, I will go ahead  
7           and open up. I think he's going to need just a  
8           second. Recognize Representative Lewis.

9                       REP. LEWIS: Thank you, Mr. Chairman.  
10          Good morning, ladies and gentlemen. I'm David  
11          Lewis, the Senior Redistricting Chairman for the  
12          House. At last week's meeting, I distributed to  
13          the Committee and to the public what I believe were  
14          the ideal county groupings. The maps were titled  
15          "County Groupings for 2017 Senate Plan" and "County  
16          Groupings for 2017 House Plans." As I mentioned  
17          then, it is our intent to use these county  
18          groupings. If there is anyone who knows of a  
19          different county grouping formula that is more  
20          optimal, I'm asking them to submit that map to the  
21          Committee as soon as possible. As of now, no map  
22          with more optimal groupings has been submitted.

23                      The purpose of today's meeting is for the  
24          Committee to adopt criteria by which the maps will  
25          be drawn. After review of the public comment, the

1           online public input database, the committee meeting  
2           last week, and the proposed criterion submitted in  
3           writing by Senators Smith-Ingram, Blue and Clark,  
4           Chairman Hise, Chairman Dollar and I submit the  
5           following criteria for adoption.

6                       Mr. Chairman, with your permission, I  
7           would like for the criteria labeled "Equal  
8           Population" to be distributed to the Committee and  
9           displayed for the public on the overhead screens.

10                      (Pause.)

11                     Mr. Chairman, I believe members have  
12           copies, and it's displayed on the screen. May I  
13           proceed?

14                     SEN. HISE: You may.

15                     REP. LEWIS: Thank you, Mr. Chairman.  
16           Mr. Chairman, the first criterion that I propose  
17           that the Committee adopt is titled "Equal  
18           Population." The Committee shall use the 2010  
19           Federal Decennial Census Data as the sole basis of  
20           population for drawing legislative districts in the  
21           2017 House and Senate plans. The number of persons  
22           in each legislative district shall comply with a  
23           plus or minus five percent population deviation  
24           standard established by Stephenson versus Bartlett.  
25           That is the criterion. And to speak on it, this

1 criterion is very similar to what was submitted to  
2 the Committees by Senator Smith-Ingram and Senator  
3 Clark.

4 The Chair has proposed that we use the  
5 census data from the 2010 Census in drawing the  
6 legislative district this time because that is the  
7 standard that is required by law. We will also  
8 comply with a plus or minus five percent population  
9 deviation standard established by Stephenson I.  
10 Mr. Chairman, this is my proposal for this  
11 criterion. I'd be happy to answer any questions at  
12 your direction.

13 SEN. HISE: Representatives, just for  
14 notation for members of the Committee, I thought it  
15 was important to realize that even those these may  
16 be numbered or referred to as the first criterion,  
17 this is a nominal designation and does not  
18 necessarily list ordinal or order of importance of  
19 the criteria listing. Any questions or comments  
20 regarding the first proposed criterion?

21 Representative Dollar, yes?

22 REP. DOLLAR: Mr. Chairman, for a motion  
23 to adopt the criterion by the Committee.

24 UNIDENTIFIED MEMBER: Mr. Chair,  
25 division?

1                   SEN. HISE: It is the intent of the Chair  
2                   to call for a roll-call vote for all votes.

3                   UNIDENTIFIED MEMBER: Thank you.

4                   SEN. HISE: Thank you. So,  
5                   Representative Dollar, and to make that a joint, I  
6                   will say the Chairmen of the Committee have moved  
7                   for adoption of the first criterion. We will begin  
8                   with the House of Representatives, if there is no  
9                   objection at this point, and allow the Clerk to  
10                  call the roll. If you're in favor of the adoption,  
11                  please signify by saying aye. If you're opposed to  
12                  the adoption, please signify by saying no. Are we  
13                  not ready?

14                 CLERK: Yeah. Representative Bell?  
15                 Representative Jackson?

16                 REP. JACKSON: Nay. I'm sorry, aye.  
17                 Aye. Warming up.

18                 CLERK: Okay. Jackson, aye.  
19                 Representative Stevens?

20                 REP. STEVENS: Aye.

21                 CLERK: Stevens, aye. Representative  
22                 Szoka?

23                 REP. SZOKA: Aye.

24                 CLERK: Representative Szoka, aye.  
25                 Representative Brawley?

1 REP. BRAWLEY: Brawley, aye.

2 CLERK: Representative Brawley, aye.

3 Representative Brockman?

4 REP. BROCKMAN: Aye.

5 CLERK: Representative Brockman, aye.

6 Representative Burr?

7 REP. BURR: Aye.

8 CLERK: Representative Burr, aye.

9 Representative Davis? Representative Davis?

10 Representative Dixon?

11 REP. DIXON: Aye.

12 CLERK: Representative Dixon, aye.

13 Representative Dobson?

14 REP. DOBSON: Aye.

15 CLERK: Representative Dobson, aye.

16 Representative Dulin?

17 REP. DULIN: Aye.

18 CLERK: Representative Dulin, aye.

19 Representative Farmer-Butterfield?

20 REP. FARMER-BUTTERFIELD: Aye.

21 CLERK: Representative

22 Farmer-Butterfield, aye. Representative Floyd?

23 Representative Floyd? Representative Garri son?

24 REP. GARRISON: Aye.

25 CLERK: Representative Garri son, aye.

1                   Representative Gill?

2                   REP. GILL:    Aye.

3                   CLERK:   Representative Gill, aye.

4                   Representative Grange?

5                   REP. GRANGE:   Aye.

6                   CLERK:   Representative Grange, aye.

7                   Representative Hall?   Representative Hall?

8                   Representative Hanes?

9                   REP. HANES:    Aye.

10                  CLERK:   Representative Hanes, aye.

11                  Representative Hardister?

12                  REP. HARDISTER:   Aye.

13                  CLERK:   Representative Hardister, aye.

14                  Representative Harrison?

15                  REP. HARRISON:   Aye.

16                  CLERK:   Representative Harrison, aye.

17                  Representative Hastings?

18                  REP. HASTINGS:   Aye.

19                  CLERK:   Representative Hastings, aye.

20                  Representative Howard?

21                  REP. HOWARD:   Aye.

22                  CLERK:   Representative Howard, aye.

23                  Representative Hunter?

24                  REP. HUNTER:   Aye.

25                  CLERK:   Representative Hunter, aye.



1           Representati ve Hurley?

2                     REP. HURLEY:   Aye.

3                     CLERK:   Representati ve Hurley, aye.

4           Representati ve Johnson?

5                     REP. JOHNSON:   Aye.

6                     CLERK:   Representati ve Johnson, aye.

7           Representati ve Jones?   Representati ve Jones?

8           Representati ve Jordan?

9                     REP. JORDAN:   Aye.

10                    CLERK:   Representati ve Jordan, aye.

11           Representati ve Mal one?

12                    REP. MALONE:   Aye.

13                    CLERK:   Representati ve Mal one, aye.

14           Representati ve Mi chaux?

15                    REP. MI CHAUX:   Aye.

16                    CLERK:   Representati ve Mi chaux, aye.

17           Representati ve Moore?

18                    REP. MOORE:   Aye.

19                    CLERK:   Representati ve Moore, aye.

20           Representati ve Pi erce?

21                    REP. PI ERCE:   Aye.

22                    CLERK:   Representati ve Pi erce, aye.

23           Representati ve Rei ves?

24                    REP. REI VES:   Aye.

25                    CLERK:   Representati ve Rei ves, aye.

1 Representative Willingham?

2 REP. WILLINGHAM: Aye.

3 CLERK: Representative Willingham, aye.

4 Representative Speciale?

5 REP. SPECIALE: Aye.

6 CLERK: Representative Speciale, aye.

7 Representative Rogers?

8 REP. ROGERS: Aye.

9 CLERK: Representative Rogers, aye.

10 Representative Saine?

11 REP. SAINÉ: Aye.

12 CLERK: Representative Saine, aye.

13 Representative Wray?

14 REP. WRAY: Aye.

15 CLERK: Representative Wray, aye.

16 Representative Yarborough?

17 REP. YARBOROUGH: Aye.

18 CLERK: Representative Yarborough, aye.

19 Representative Torbett?

20 REP. TORBETT: Aye.

21 CLERK: Representative Torbett, aye.

22 Representative Hall?

23 REP. HALL: Aye.

24 CLERK: Representative Hall, aye.

25 Representative Bell?

1 REP. BELL: Aye.

2 CLERK: Representative Bell, aye. Oh,  
3 Representative Lewis?

4 REP. LEWIS: Aye.

5 CLERK: Representative Lewis, aye.  
6 Representative Dollar?

7 REP. DOLLAR: Aye.

8 CLERK: Representative Dollar, aye. I  
9 think that's it.

10 SEN. HISE: Are there any members of the  
11 Committee that are members of the House that were  
12 not recorded in the process? Hearing none before  
13 we get into roll call of the Senate.

14 CLERK: Senator Bishop?

15 SEN. BISHOP: Aye.

16 CLERK: Senator Bishop, aye. Senator  
17 Blue? Senator Blue? Senator Clark?

18 SEN. CLARK: Aye.

19 CLERK: Senator Clark, aye. Senator  
20 Daniel? Senator Harrington?

21 SEN. HARRINGTON: Aye.

22 CLERK: Senator Harrington, aye. Senator  
23 Jackson?

24 SEN. JACKSON: Aye.

25 CLERK: Senator Jackson, aye. Senator

1 Lee? Senator Lee, aye. Senator Lowe?

2 SEN. LOWE: Aye.

3 CLERK: Senator Lowe, aye. Senator

4 Newton?

5 SEN. NEWTON: Aye.

6 CLERK: Senator Newton, aye. Senator

7 Rabon? Senator Smith-Ingram?

8 SEN. SMITH-INGRAM: Aye.

9 CLERK: Senator Smith-Ingram, aye.

10 Senator Van Duyn?

11 SEN. VAN DUYN: Aye.

12 CLERK: Senator Van Duyn, aye. Senator

13 Wade?

14 SEN. WADE: Aye.

15 CLERK: Senator Wade, aye. Senator Hise?

16 SEN. HISE: Aye.

17 CLERK: Senator Hise, aye. Senator

18 Brown?

19 SEN. BROWN: Aye.

20 CLERK: Senator Brown, aye.

21 SEN. HISE: Any members of the Senate who  
22 were not recorded in the roll-call vote? Hearing  
23 none. By a vote of 38 to 0 in the House, 12 to 0  
24 in the Senate, the first criterion is adopted by  
25 the Committee. Representative Lewis, you're

1           represented here -- recognized to present the  
2           second criterion.

3                       REP. LEWIS: Thank you, Mr. Chairman. If  
4           the Sergeant at Arms would distribute to the  
5           members of the Committee the criterion labeled  
6           "Contiguity." And I will display for the public on  
7           the screens this criterion. What I'll do is when  
8           they're doing the vote count, I'll pass out the  
9           next one. Okay?

10                      Mr. Chairman, I believe members have  
11           copies. If I may be recognized to proceed?

12                      SEN. HISE: You're recognized.

13                      REP. LEWIS: Thank you, Mr. Chairman.  
14           Mr. Chairman, this criterion simply reads  
15           "Contiguity." Legislative districts shall be  
16           comprised of contiguous territory and contiguity by  
17           water is sufficient. This is another criterion  
18           that is similar to what was submitted to the  
19           Committees by Senator Clark and Senator  
20           Smith-Ingram. Legislative districts are required  
21           to be composed of contiguous territory, and this  
22           criterion would simply adhere to the legal  
23           requirements. Be glad to answer any questions.

24                      SEN. HISE: Senator Clark?

25                      SEN. CLARK: Thank you, Mr. Chairman.

1           Senator Clark. It does somewhat look like the  
2           criterion that Senator Smith-Ingram and I  
3           recommended. However, I do not believe it is  
4           complete enough. And it is my preference that the  
5           Chair would accept an amendment to use the complete  
6           contiguity definition as submitted to us -- as  
7           submitted by us to the Committee previously.

8                       REP. LEWIS: Senator, with your  
9           indulgence and permission, we will ask staff to  
10          prepare an amendment that would accomplish those  
11          goals. I will ask the Chair to displace this until  
12          that can be done, and we'll move on to the -- to  
13          the next one. Would that be okay, sir?

14                      SEN. CLARK: Thank you, sir.

15                      SEN. HISE: Sergeant at Arms will begin  
16          to pass out the third criterion, if that's okay?  
17          Representative Lewis, you are recognized to present  
18          the Criterion Number 3.

19                      REP. LEWIS: Thank you, Mr. Chairman. I  
20          believe members are getting copies. I'll be happy  
21          to hold if I need to. This criterion is entitled  
22          "County Groupings and Traversals." It reads, the  
23          Committee shall draw legislative districts within  
24          county groupings as required by Stephenson versus  
25          Bartlett. Within county groupings, county lines

1           shall not be traversed except as authorized by  
2           Stephenson I, Stephenson II, Dickson I and Dickson  
3           II. And if I may speak on the criterion, Mr.  
4           Chairman?

5                       SEN. HISE: So recognized.

6                       REP. LEWIS: Thank you, Mr. Chairman.  
7           Mr. Chairman, this is another element of the  
8           criterion that was contained in Senator  
9           Smith-Ingram and Senator Clark's proposed  
10          criterion. Though the words may be different, I  
11          think the practical effect is the same. The rules  
12          for the county groupings and traversals were first  
13          established in -- were first established in  
14          Stephenson I and have been affirmed in later cases.

15                      Last week, we released the county  
16          grouping plans that, I believe, are optimal for  
17          complying with Stephenson. I explained how they  
18          were constructed. We have not received any  
19          alternative county grouping plans. As I spoke to  
20          in my opening comments, it is our intent to use the  
21          maps of county -- of optimal county groupings that  
22          were passed out last week. And with that, Mr.  
23          Chairman, I'll be happy to yield to any questions.

24                      SEN. HISE: Any questions or comments  
25          regarding the grouping, regarding this criterion?

1 SEN. SMITH-INGRAM: Mr. Chair?

2 SEN. HISE: Senator Smith-Ingram.

3 SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
4 I'd like clarification on what the requirements of  
5 Stephenson and Dickson are when they authorize  
6 traversing county lines, since that's not really  
7 clear from the criterion on its face.

8 REP. LEWIS: Thank you for that question,  
9 Senator. And, you know, it's probably evident to  
10 you and everyone in this room that I'm not an  
11 attorney, but I will do my best to explain it. It  
12 is my understanding that the traversal rule means  
13 that if you are drawing districts in a  
14 multiple-group county and you essentially draw a  
15 district into a county, that you can't draw back  
16 out of the county and go back in. Sort of, weave  
17 back and forth. That's not a legal term, but I'm  
18 trying my best to answer your question.

19 SEN. HISE: Follow-up?

20 SEN. SMITH-INGRAM: Thank you,  
21 Representative Lewis, because I'm not an attorney  
22 either. So thank you.

23 SEN. HISE: Any other questions or  
24 comments regarding this criterion? Okay. Hearing  
25 none. Representative Dollar?



1 REP. DOLLAR: Motion for adoption.

2 SEN. HISE: Again, the Chairman moves for  
3 the adoption of Criterion Number 3 for  
4 consideration by the Committee. Seeing no other  
5 questions or comments, I will begin with the Senate  
6 this time and ask for the Clerk to call the roll.

7 CLERK: Senator Bishop?

8 SEN. BISHOP: Aye.

9 CLERK: Senator Bishop, aye. Senator  
10 Blue? Senator Brown?

11 SEN. BROWN: Aye.

12 CLERK: Senator Brown, aye. Senator  
13 Clark?

14 SEN. CLARK: Aye.

15 CLERK: Senator Clark, aye. Senator  
16 Daniel? Senator Harrington?

17 SEN. HARRINGTON: Aye.

18 CLERK: Senator Harrington, aye. Senator  
19 Jackson?

20 SEN. JACKSON: Aye.

21 CLERK: Senator Jackson, aye. Senator  
22 Lee?

23 SEN. LEE: Aye.

24 CLERK: Senator Lee, aye. Senator Lowe?

25 SEN. LOWE: Aye.

1 CLERK: Senator Lowe, aye. Senator  
2 Newton?

3 SEN. NEWTON: Senator Newton, aye.  
4 Senator Rabon? Senator Smith-Ingram?

5 SEN. SMITH-INGRAM: Aye.

6 CLERK: Senator Smith-Ingram, aye.  
7 Senator Van Duyn?

8 SEN. VAN DUYN: Aye.

9 CLERK: Senator Van Duyn, aye. Senator  
10 Wade?

11 SEN. WADE: Aye.

12 CLERK: Senator Wade, aye. Senator Hise?

13 SEN. HISE: Aye.

14 CLERK: Senator Hise, aye.

15 SEN. HISE: Members, I do think it is  
16 different to what we have. The Sergeant at Arms  
17 are passing out the next criterion during this  
18 process. If the House Clerk will call the roll.

19 CLERK: Representative Jackson?

20 REP. JACKSON: Aye.

21 CLERK: Representative Jackson, aye.  
22 Representative Szoka?

23 REP. SZOKA: Aye.

24 CLERK: Representative Szoka, aye.  
25 Representative Bell?

1 REP. BELL: Aye.

2 CLERK: Representative Bell, aye.

3 Representative Stevens?

4 REP. STEVENS: Aye.

5 CLERK: Representative Stevens, aye.

6 Representative Brawley?

7 REP. BRAWLEY: Aye.

8 CLERK: Representative Brawley, aye.

9 Representative Brockman?

10 REP. BROCKMAN: Aye.

11 CLERK: Representative Brockman, aye.

12 Representative Burr?

13 REP. BURR: Aye.

14 CLERK: Representative Burr, aye.

15 Representative Davis? Representative Davis?

16 Representative Dixon?

17 REP. DIXON: Aye.

18 CLERK: Representative Dixon, aye.

19 Representative Dobson?

20 REP. DOBSON: Aye.

21 CLERK: Representative Dobson, aye.

22 Representative Dulin?

23 REP. DULIN: Aye.

24 CLERK: Representative Dulin, aye.

25 Representative Farmer-Butterfield?

1 REP. FARMER-BUTTERFIELD: Aye.

2 CLERK: Representative

3 Farmer-Butterfield, aye. Representative Floyd?

4 Representative Floyd? Representative Garrison?

5 REP. GARRISON: Aye.

6 CLERK: Representative Garrison, aye.

7 Representative Gill?

8 REP. GILL: Aye.

9 CLERK: Representative Gill, aye.

10 Representative Grange?

11 REP. GRANGE: Aye.

12 CLERK: Representative Grange, aye.

13 Representative Hall?

14 REP. HALL: Aye.

15 CLERK: Representative Hall, aye.

16 Representative Hanes?

17 REP. HANES: Aye.

18 CLERK: Representative Hanes, aye.

19 Representative Hardister?

20 REP. HARDISTER: Aye.

21 CLERK: Representative Hardister, aye.

22 Representative Harrison?

23 REP. HARRISON: Aye.

24 CLERK: I'm sorry. Could you repeat

25 that?

1 REP. HARRISON: Aye.

2 CLERK: Representative Harrison, aye.

3 Representative Hastings?

4 REP. HASTINGS: Aye.

5 CLERK: Representative Hastings, aye.

6 Representative Howard?

7 REP. HOWARD: Aye.

8 CLERK: Representative Howard, aye.

9 Representative Hunter?

10 REP. HUNTER: Aye.

11 CLERK: Representative Hunter, aye.

12 Representative Hurley?

13 REP. HURLEY: Aye.

14 CLERK: Representative Hurley, aye.

15 Representative Johnson?

16 REP. JOHNSON: Aye.

17 CLERK: Representative Johnson, aye.

18 Representative Jones? Representative Jones?

19 Representative Jordan?

20 REP. JORDAN: Aye.

21 CLERK: Representative Jordan, aye.

22 Representative Malone?

23 REP. MALONE: Aye.

24 CLERK: Representative Malone, aye.

25 Representative Michaux?

1 REP. MI CHAUX: Aye.

2 CLERK: Representati ve Mi chaux, aye.

3 Representati ve Moore?

4 REP. MOORE: Aye.

5 CLERK: Representati ve Moore, aye.

6 Representati ve Pi erce?

7 REP. PI ERCE: Aye.

8 CLERK: Representati ve Pi erce, aye.

9 Representati ve Rei ves?

10 REP. REI VES: Aye.

11 CLERK: Representati ve Rei ves, aye.

12 Representati ve Wi l l i n g h a m ?

13 REP. WI LLI NGHAM: Aye.

14 CLERK: Representati ve Wi l l i n g h a m , aye.

15 Representati ve Speci al e?

16 REP. SPECI ALE: Aye.

17 CLERK: Representati ve Speci al e, aye.

18 Representati ve Marsh -- Rogers?

19 REP. ROGERS: Aye.

20 CLERK: Representati ve Rogers, aye.

21 Representati ve Sai ne?

22 REP. SAI NE: Aye.

23 CLERK: Representati ve Sai ne, aye.

24 Representati ve Torbett?

25 REP. TORBETT: Aye.

1 CLERK: Representative Torbett, aye.

2 Representative Wray?

3 REP. WRAY: Aye.

4 CLERK: Representative Wray, aye.

5 Representative Yarborough?

6 REP. YARBOROUGH: Aye.

7 CLERK: Representative Yarborough, aye.

8 Representative Lewis?

9 REP. LEWIS: Aye.

10 CLERK: Representative Lewis, aye.

11 Representative Dollar?

12 REP. DOLLAR: Aye.

13 CLERK: Representative Dollar, aye.

14 SEN. HISE: How many? By a vote in the  
15 Senate of 12 to 0 and the House of 38 to 0, the  
16 third presented criterion is adopted by the  
17 Committee.

18 Members, you should have in front of you  
19 now the fourth presented criterion for the Senate,  
20 entitled "Compactness." Representative Lewis,  
21 you're recognized to explain.

22 REP. LEWIS: Thank you, Mr. Chairman.  
23 Mr. Chairman, this criterion reads, "Compactness."  
24 The Committee shall make reasonable efforts to draw  
25 legislative districts in 2017 House and Senate

1 plans to improve the compactness of the current  
2 districts. In doing so, the committees may use a  
3 guide. The minimum Reock dispersion or  
4 Polsby-Popper perimeter scores identified by  
5 Richard H. Pildes and Richard G. Niemi in the  
6 article entitled "Expressive Harms, 'Bizarre  
7 Districts,' and Voting Rights: Evaluating  
8 Election-District Appearances After Shaw v. Reno."  
9 And to speak to that, Mr. Chairman --

10 SEN. HISE: You are so recognized.

11 REP. LEWIS: -- this criterion is also  
12 very similar to that as submitted by Senator Clark  
13 and Senator Smith-Ingram. The key difference is  
14 that the Chairs are recommending to the Committees  
15 that the Committees may use as a guide a minimum  
16 Reock and Polsby-Popper score for drawing the  
17 legislative district that appears in a law review  
18 article referenced before in my remarks.

19 The reason we are recommending these  
20 methods as scores as a guide is because they have  
21 been cited as relevant to judging compactness of  
22 districts. I would also point out that these were  
23 some of the criteria that have been submitted via  
24 the online portal. They were some of the criteria  
25 that were referenced in the hearings last week.



1           And they also are part of the criteria that outside  
2           groups have submitted to this Committee to be  
3           considered. Be happy to answer any questions.

4                     SEN. HISE: Representative Jackson?

5                     REP. JACKSON: Thank you, Mr. Chairman.

6           Chairman Lewis, my understanding is that the  
7           Maptitude software will calculate about eight  
8           different types of compactness; is that correct?

9                     REP. LEWIS: I don't know.

10                    REP. JACKSON: Mr. Chairman, is there  
11           anybody on staff that can answer that question for  
12           me?

13                    SEN. HISE: Do you know how many it can  
14           calculate? It appears we're going to have to get  
15           that response for you.

16                    REP. LEWIS: Mr. Chairman, while we're  
17           getting that, may I speak to why I think the  
18           gentleman is --

19                    SEN. HISE: Sure.

20                    REP. LEWIS: -- asking me.

21                    SEN. HISE: You may respond to the  
22           question.

23                    REP. LEWIS: Representative, the reason  
24           that these two were picked is that these are the  
25           two that the Courts have -- have referred to.

1           Obviously, members of the Committee would be able  
2           to use any other criterion or any other compactness  
3           gauge that they saw fit in doing their own personal  
4           evaluations. But to the best of our knowledge,  
5           these are the two that the Courts have referred to.

6                     SEN. HISE: Representative Jackson, for a  
7           follow-up?

8                     REP. JACKSON: Thank you, Mr. Chairman.  
9           So just to follow up on that, so we would not be  
10          precluded from using the other scores available in  
11          Magnitude?

12                    REP. LEWIS: You would not; no, sir.

13                    SEN. HISE: Any other questions,  
14          comments? Senator Clark?

15                    SEN. CLARK: Mr. Chair, is it possible  
16          for you to give us the Reader's Digest version of  
17          what these -- what these actually do?

18                    REP. LEWIS: Thank you for the question,  
19          Senator. I will certainly -- I will certainly try.  
20          The perimeter compactness is commonly associated  
21          with the Polsby-Popper score. This is the area of  
22          the district compared to the area of a circle  
23          within the same perimeter of the district. Again,  
24          there's a scale established of 1.0 to 0.0. And  
25          districts that are drawn with borders that wander

1           in irregular ways will produce a lower compactness  
2           score when compared with a circle of the same  
3           perimeter.

4                       The other test, the Reock, is a measure  
5           of the ratio of the district area to area. In  
6           other words, the area inside of the district  
7           itself. Also, using a circumscribing circle. I  
8           realize that is perhaps not as clear as I would  
9           like to be. I would just reiterate that these are  
10          two compactness tests that the courts have used.  
11          They are two of the ones that you have mentioned in  
12          the past. They are two of the ones that several of  
13          the independent groups that have contacted our  
14          office have encouraged us to use. And, therefore,  
15          we would recommend -- or I recommend to the  
16          Committee that we attempt to use them in drawing  
17          our districts.

18                      SEN. HISE: Representative Michaux?

19                      REP. MICHAUX: Yeah, Mr. Lewis, I have a  
20          semantic problem with this. It says the Committee  
21          shall make reasonable efforts to draw. And then  
22          you say in doing so the Committee may use as a  
23          guide. And my information is that there are at  
24          least eight other guides out there that can be  
25          used. And I guess my question borders on the same

1           thing Representative Jackson asked. Why would you  
2           limit yourself if you're going to make it may, and  
3           if you've got at least six other reasonable  
4           guidelines that you can use? In spite of the fact  
5           that it may have -- that others may have mentioned  
6           it.

7                       REP. LEWIS: Thank you for the question,  
8           Representative. My response is simply these are  
9           the two best-known, if you will, measures of  
10          compactness. And to my understanding, these are  
11          the two that the courts have referred to. I think  
12          these are the two that are best understood. And  
13          again, this would not preclude you as a member or  
14          anyone else who chose to use other grades of  
15          compactness. We're just trying to signal, to be  
16          candid with you, that we want to try to draw more  
17          compact seats. And there has to be some measure of  
18          that. These may not be the ideal two, but these  
19          are the two that, I think, are best known. And  
20          again, these are the two that the courts have  
21          referenced.

22                      REP. MICHAUX: May I follow up, Mr.  
23          Chair?

24                      SEN. HISE: Follow-up.

25                      REP. MICHAUX: Well, in the final

1           analysis, will your maps, or whatever you draw,  
2           make reference to which one of these -- or which --  
3           any of those criteria were used be -- be  
4           specifically pointed out when you do it?

5                     REP. LEWIS: Yes, sir.

6                     SEN. HISE: Representative Dollar?

7                     REP. DOLLAR: For a motion --

8                     SEN. HISE: Hold on just a minute.

9           Representative Moore would like to speak.

10                    REP. DOLLAR: Well, then let me ask a  
11           question, because -- Chairman Lewis, isn't it the  
12           case that this is the most precise guidelines that  
13           the -- to your knowledge, that the General  
14           Assembly's ever adopted with respect to  
15           compactness?

16                    REP. LEWIS: Thank you for the question,  
17           and the answer is yes.

18                    REP. DOLLAR: Thank you.

19                    SEN. HISE: Representative Moore.

20                    REP. MOORE: Thank you, Mr. Chair.

21           Representative Lewis, a quick -- something that  
22           came to mind. Are these two methods that you're  
23           talking about -- were they used in the map-drawing  
24           process in 2011? Or was there another -- there was  
25           a -- there was another methodology used other than

1           these two that you're referencing now?

2                   REP. LEWIS: Thank you for the question,  
3           Representative. To the -- to the best of my  
4           knowledge, they were not used in 2011. To be  
5           completely transparent and to express my total  
6           understanding of this, I was not even aware that  
7           these tests were there in 2011. But I am now.

8                   SEN. HISE: Any other questions or  
9           comments? None. Representative Dollar is  
10          recognized for a motion.

11                  REP. DOLLAR: Mr. Chairman, I move the  
12          adoption of the criterion.

13                  SEN. HISE: Okay. I have to hold that  
14          again. Apparently, Representative  
15          Farmer-Butterfield now has a question.

16                  REP. FARMER-BUTTERFIELD: I had my hand  
17          up. I don't think you saw that beforehand.

18                  SEN. HISE: I can't see through people.

19                  REP. FARMER-BUTTERFIELD: I know that. I  
20          understand.

21                  I just wanted to make sure I'm clear.  
22          Staff were going to give us the other -- whether or  
23          not there were eight other different ways? And I  
24          had not heard that information from staff.

25                  SEN. HISE: At the point the question was

1           asked, the staff was unaware. And I said we'd have  
2           to get that question.

3                     REP. FARMER-BUTTERFIELD: All right.

4                     ERIKA CHURCHILL (STAFF): Representative  
5           Farmer-Butterfield. Available in Maptitude is the  
6           Reock test, the Schwartzberg test, the Perimeter  
7           test, the Polsby-Popper test, the Length-Width  
8           test, the Population Polygon test, the Minimum  
9           Convex Polygon test, the Population Circle test and  
10          the Ehrenburg test.

11                    REP. FARMER-BUTTERFIELD: Thank you.  
12          Follow-up?

13                    SEN. HISE: Follow-up.

14                    REP. FARMER-BUTTERFIELD: I think that I  
15          heard earlier that if this passes with just these  
16          two, it will not preclude using the other six, or  
17          the others? Is that the case or not?

18                    REP. LEWIS: Thank you for that question.  
19          The answer is yes, the other ones could be used.  
20          Again, we're trying to respond to requests from the  
21          public, from members who've said try to make the  
22          districts a little more compact. And so this is  
23          saying that these two may be used. But yes, you  
24          may use all of them if you want to.

25                    SEN. HISE: Okay. Someone else?

1           Somebody was pointing to someone? Senator Lowe?

2                   SEN. LOWE: Yes, I may have missed it.

3           But one of the things that I noticed or heard was,  
4           I know we're using two approaches. There's eight  
5           possible approaches. Why is it that we're just  
6           looking at these two? I want real clarity on that.

7                   SEN. HISE: Maybe I'm going to explain a  
8           little bit of this. Each one of these methods will  
9           yield a score. And a score of any particular  
10          district will be between, generally, zero and one.  
11          I don't think there's any, as I understand it,  
12          concave in the designs. Zero to one will be the  
13          ratio of some two numbers that are coming in. That  
14          will give you a measure of compactness. There are  
15          eight measures. There are infinite numbers of ways  
16          anyone can come up to determine what they mean when  
17          they say something is compact.

18                   There are only two that have been used in  
19          court rulings by the Supreme Court in regards to  
20          redistricting. These are these two. We both set  
21          those as the standard we will use to measure  
22          compactness of districts. But that calculation can  
23          be done for any number of the other standards that  
24          might be in the pack or the infinite number of  
25          standards that someone else could come up with and



1 make an argument. Senator Smith-Ingram?

2 SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
3 I believe, for clarification, I need to find out.  
4 Staff, Erika Churchill, just listed out -- was it  
5 about ten of those tools that are available on  
6 Maptitude?

7 SEN. HISE: Nine? She says the number is  
8 nine.

9 SEN. SMITH-INGRAM: Also included, is  
10 there an explanation in Maptitude that will give us  
11 the reliability of each of those tools and the  
12 performance as well as the range?

13 SEN. HISE: Reliability is probably not a  
14 factor that would apply to these in a manner. But  
15 it will give you an explanation of the calculation.

16 SEN. SMITH-INGRAM: Just for clarity,  
17 because there are nine different measurements. It  
18 would be nice to have the data on the reliability  
19 of each tool so you can look at each tool and their  
20 performance to be able to determine which is the  
21 better tool in terms of a higher percentage of  
22 reliability.

23 SEN. HISE: I think I'll take the  
24 comment. But again, I would say that reliability  
25 is not necessarily a factor that is -- this is

1           talking about how compact is the district? And the  
2           test will determine how compact the district is.  
3           So, Representative Jackson?

4                     REP. JACKSON: Thank you, Mr. Chairman.  
5           It appears that we are looking at dispersion and  
6           perimeter, but we are leaving out population  
7           measures in these tests. And I was wondering, from  
8           staff, if any of the seven other tests include  
9           population measures in their scoring?

10                    SEN. HISE: I'll let you answer the  
11           question.

12                    MS. CHURCHILL (STAFF): Representative  
13           Jackson, we are reading from the Maptitude  
14           documentation. And it does appear that there's at  
15           least two tests, the Population Polygon test and  
16           the Population Circle test, that take into  
17           consideration district population to the  
18           approximate population of the area that is being  
19           used. We're happy to print this for the Committee  
20           if you all would like.

21                    REP. JACKSON Follow-up, Mr. Chairman?

22                    SEN. HISE: Follow-up.

23                    REP. JACKSON Then I guess the question  
24           for Chairman Lewis would be, wouldn't we want to  
25           consider population as well? And why that test

1           would not be one of the ones that we use a score  
2           for?

3                         REP. LEWIS: Well, thank you for that  
4           question, Representative. To be candid, I'm not  
5           familiar with the particular test that you have  
6           asked about. I realize that you're asking about a  
7           specific test that the computer program is capable  
8           of running. I would just point out that, in my  
9           mind, the population issue is the one-person-one-  
10          vote plus or minus five percent that we adopted as  
11          a criterion earlier today. And as I've said  
12          before, you would certainly have every access to  
13          run the reports or get whatever scores that you  
14          want to -- want to review.

15                        But again, I would just point out to the  
16          members, the reason that these two are specified in  
17          here is these are the ones the Courts have written  
18          about in recent redistricting court rulings.

19                        SEN. HISE: Follow-up?

20                        REP. HARDISTER: Follow-up, Mr. Chairman.  
21          So is it -- is it -- is it your understanding that  
22          the Court has not written about some of these other  
23          test scores that Maptitude can also provide?

24                        REP. LEWIS: Well, thank you for the  
25          question. And to be clear, Representative, I don't

1 know that they have or they have not. I'm simply  
2 stating in the cases that I reviewed, these were  
3 the two that were used.

4 SEN. HISE: Any other questions or  
5 comments? Hearing none, upon Representative  
6 Dollar's motion and the motion of the Chairs, we  
7 move to add the fourth criterion, Compactness, to  
8 those. Any other questions or comments? Hearing  
9 none, we'll have the Clerk call the roll of the  
10 House.

11 CLERK: Representative Jackson?

12 REP. JACKSON: No.

13 CLERK: Representative Szoka?

14 REP. SZOKA: Aye.

15 CLERK: Representative Stevens?

16 REP. STEVENS: Aye.

17 CLERK: Representative Bell?

18 REP. BELL: Aye.

19 CLERK: Representative Brawley?

20 REP. BRAWLEY: Aye.

21 CLERK: Representative Brockman?

22 REP. BROCKMAN: No.

23 CLERK: Representative Brockman, no.  
24 Representative Burr?

25 REP. BURR: Aye.

1 CLERK: Representative Burr, aye.  
2 Representative Davis? Representative Davis?  
3 Representative Dixon?  
4 REP. DIXON: Aye.  
5 CLERK: Representative Dixon, aye.  
6 Representative Dobson?  
7 REP. DOBSON: Aye.  
8 CLERK: Representative Dobson, aye.  
9 Representative Dulin?  
10 REP. DULIN: Aye.  
11 CLERK: Representative Dulin, aye.  
12 Representative Farmer-Butterfield?  
13 REP. FARMER-BUTTERFIELD: No.  
14 CLERK: Representative  
15 Farmer-Butterfield, no. Representative Floyd?  
16 Representative Floyd? Representative Garrison?  
17 REP. GARRISON: No.  
18 CLERK: Representative Garrison, no.  
19 Representative Gill?  
20 REP. GILL: No.  
21 CLERK: Representative Gill, no.  
22 Representative Grange?  
23 REP. GRANGE: Aye.  
24 CLERK: Representative Grange, aye.  
25 Representative Hall?

1 REP. HALL: Aye.

2 CLERK: Representative Hall, aye.

3 Representative Hanes?

4 REP. HANES: No.

5 CLERK: Representative Hanes, no.

6 Representative Hardister?

7 REP. HARDISTER: Aye.

8 CLERK: Representative Hardister, aye.

9 Representative Harrison?

10 REP. HARRISON: No.

11 CLERK: Representative Harrison, no.

12 Representative Hastings?

13 REP. HASTINGS: Aye.

14 CLERK: Representative Hastings, aye.

15 Representative Howard?

16 REP. HOWARD: Aye.

17 CLERK: Representative Howard, aye.

18 Representative Hunter?

19 REP. HUNTER: No.

20 CLERK: Representative Hunter, no.

21 Representative Johnson?

22 REP. JOHNSON: Aye.

23 CLERK: Representative Johnson, aye.

24 Representative Hurley?

25 REP. HURLEY: Aye.

1 CLERK: Representative Hurley, aye.

2 Representative Jones? Representative Jones?

3 Representative Jordan?

4 REP. JORDAN: Aye.

5 CLERK: Representative Jordan, aye.

6 Representative Malone?

7 REP. MALONE: Aye.

8 CLERK: Representative Malone, aye.

9 Representative Michaux?

10 REP. MICHAUX: No.

11 CLERK: Representative Michaux, no.

12 Representative Moore?

13 REP. MOORE: No.

14 CLERK: Representative Moore, no.

15 Representative Pierce?

16 REP. PIERCE: No.

17 CLERK: Representative Pierce, no.

18 Representative Reives?

19 REP. REIVES: No.

20 CLERK: Representative Reives, no.

21 Representative Willingham?

22 REP. WILLINGHAM: No.

23 CLERK: Representative Willingham, no.

24 Representative Speciale?

25 REP. SPECIALE: Aye.

1                               CLERK: Representative Speciale, aye.  
2                               Representative Rogers?  
3                               REP. ROGERS: Aye.  
4                               CLERK: Representative Rogers, aye.  
5                               Representative Saine?  
6                               REP. SAINNE: Aye.  
7                               CLERK: Representative Saine, aye.  
8                               Representative Torbett?  
9                               REP. TORBETT: Aye.  
10                              CLERK: Representative Torbett, aye.  
11                              Representative Wray?  
12                              REP. WRAY: No.  
13                              CLERK: Representative Wray, no.  
14                              Representative Yarborough?  
15                              REP. YARBOROUGH: Aye.  
16                              CLERK: Representative Yarborough, aye.  
17                              Representative Lewis?  
18                              REP. LEWIS: Aye.  
19                              CLERK: Representative Lewis, aye.  
20                              Representative Dollar?  
21                              REP. DOLLAR: Aye.  
22                              CLERK: Representative Dollar, aye.  
23                              SEN. HISE: Senate Clerk will call the  
24                              roll.  
25                              CLERK: Senator Bishop?



1 SEN. BISHOP: Aye.

2 CLERK: Senator Bishop, aye. Senator

3 Brown?

4 SEN. BROWN: Aye.

5 CLERK: Senator Brown, aye. Senator

6 Clark?

7 SEN. CLARK: Aye.

8 CLERK: Senator Clark, aye. Senator

9 Daniel? Senator Harrington?

10 SEN. HARRINGTON: Aye.

11 CLERK: Senator Harrington, aye. Senator

12 Jackson?

13 SEN. JACKSON: Aye.

14 CLERK: Senator Jackson, aye. Senator

15 Lee?

16 SEN. LEE: Aye.

17 CLERK: Senator Lee, aye. Senator Lowe?

18 SEN. LOWE: No.

19 CLERK: Senator Lowe, no. Senator

20 Newton?

21 SEN. NEWTON: Aye.

22 CLERK: Senator Newton, aye. Senator

23 Rabon? Senator Smith-Ingram?

24 SEN. SMITH-INGRAM: No.

25 CLERK: Senator Smith-Ingram, no.

1 Senator Van Duyn?

2 SEN. VAN DUYN: No.

3 CLERK: Senator Van Duyn, no. Senator  
4 Wade?

5 SEN. WADE: Aye.

6 CLERK: Senator Wade, aye. Senator Hi se?

7 SEN. HI SE: Aye.

8 CLERK: Senator Hi se, aye.

9 SEN. HI SE: Thank you, members of the  
10 Commi ttee. By a vote of 24 to 14 in the House and  
11 9 to 3 in the Senate, the criterion is adopted --  
12 fourth criterion presented, Compactness, is adopted  
13 by the Commi ttee.

14 I believe, members, now it is the intent  
15 to return to the second introduced criterion,  
16 Contiguity. And the members should have -- Senator  
17 Clark has passed out an amendment or, probably more  
18 accurately, a rewrite of the criterion. Senator  
19 Clark will be recognized to explain his amendments.

20 SEN. CLARK: Thank you, Mr. Chair. What  
21 you have before you is essentially an expansion of  
22 the initial criterion disseminated by the Commi ttee  
23 chairs. But the problem with the explanation  
24 submitted by the Commi ttee chairs is that it does  
25 not -- it's not expansive enough. For instance,

1           Let me give you an example. You can be in a  
2           particular district, and although it may be  
3           connected by a land-mass, that land-mass is not  
4           navigable by car, boat -- by car or any other form  
5           transportation for the purpose of conducting  
6           commerce. So instead of saying something is  
7           contiguous, just because there's a little strip,  
8           what this particular definition would say is that  
9           it's not considered contiguous unless you can  
10          actually conduct commerce from one part of the  
11          district to another part of the district without  
12          first having to go outside of your district in  
13          through another district.

14                       REP. LEWIS: Mr. Chairman?

15                       SEN. HISE: Representative Lewis?

16                       REP. LEWIS: Thank you, Mr. Chairman.

17          First of all, I want thank Senator Clark. He has  
18          been extremely helpful in providing information for  
19          us to review. I did review the language that he  
20          proposed for quite a long time. I'm not in support  
21          of the amendment for the following reasons.

22                       One, I'm not familiar with the commercial  
23          patterns and the layout of highways and roads all  
24          across the state. And I assume that most members  
25          on this Committee would say the same. Also, there

1           are elements of contiguity that can change, while  
2           geographic features themselves do not. That's why  
3           I feel it's wise to stick to contiguity as a legal  
4           requirement for adopting in this criterion. I also  
5           don't know in the amount of time that the Committee  
6           has to draw the districts, that we could develop a  
7           legal definition to match what the gentleman is  
8           attempting to do. And with that, I would ask  
9           members to vote down the amendment.

10                       SEN. HISE: Representative Stevens?

11                       REP. STEVENS: Thank you, Mr. Chair.  
12           Representative Lewis, in looking at some of these  
13           maps, particularly with our rocky, rocky coast, has  
14           anybody submitted an alternative map that would  
15           allow us to accomplish what he's hoping to  
16           accomplish? I mean, wouldn't we break up our  
17           optimum groups to try to do that?

18                       REP. LEWIS: Thank you for the question.  
19           The first answer is no. To my knowledge, nobody  
20           has submitted any additional county grouping that  
21           is more optimal than the one that we passed out. I  
22           think what the gentleman's trying to do actually  
23           deals with districts within the groupings. And I  
24           just don't know that it is possible to do that,  
25           either. There are precincts that overlap and

1 things like that. I just don't know how to develop  
2 a legal -- I don't know how to define what the  
3 gentleman is trying to do. And therefore, I don't  
4 think we can adopt it as a criterion.

5 SEN. HISE: Senator Clark?

6 SEN. CLARK: Thank you, Mr. Chairman.  
7 You're right. I'm speaking to the areas within the  
8 clusters; not between clusters. Now, you're  
9 correct that I don't know how to solve the problem  
10 for every single district. But that's why we have  
11 a committee. Members here, they do know how to do  
12 that collectively. And there is a phrase up here.  
13 I say that we want to do this to the extent  
14 practicable. There may be circumstances in which  
15 it is not practicable. But there are many in which  
16 there are practicable solutions. I can certainly  
17 tell you how to do it within my district as it  
18 currently exists today.

19 And with regard to legal definition,  
20 that's why we have staff here to support us. There  
21 are a lot of things I cannot come up with the legal  
22 definition for. But with the systems of our able  
23 staff, we are more than able to accomplish that.

24 REP. LEWIS: Mr. Chairman?

25 SEN. HISE: Representative Lewis.

1                   REP. LEWIS: Thank you, Mr. Chairman.  
2                   Just to speak to Senator Clark's last point. To be  
3                   clear, it's the intent of adopting the criterion  
4                   that this Committee is adopting today to produce a  
5                   draft map. And the draft map will be produced and  
6                   distributed. Members of the Committee will be able  
7                   to offer the kind of insight that Senator Clark has  
8                   proposed. We also intend to hold public hearings  
9                   across the state to receive feedback. And members  
10                  of the public may be able to offer input and advice  
11                  that gets closer to what the Senator is trying to  
12                  accomplish here. I want to point out that I've  
13                  spent a lot of time trying to figure out how to  
14                  incorporate this language. And I simply don't know  
15                  how to do it. And so, again, I would ask members  
16                  to vote against the amendment.

17                 SEN. HISE: Senator Smith-Ingram?

18                 SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
19                 I guess I have a question, Representative Lewis,  
20                 but first, a statement. In looking at the  
21                 geographical compactness in the example based on  
22                 the submitted one, it is a challenge when you're  
23                 connecting counties by a body of water. For  
24                 example, Pasquotank and Hyde are connected, but  
25                 there's no means to traverse between them. You

1           would have to drive an hour around the district,  
2           going through another district, to get to your  
3           district. When you connect with a river, such as  
4           my district, you end up with counties from one  
5           point -- from the western point to the eastern  
6           point. That's a two hour and 41 minute drive out  
7           to the coast. And that makes it very problematic  
8           when you're covering that type of territory.

9                       So my question is, in light of those  
10           examples, would you consider this to be  
11           commensurate with geographical compactness? The  
12           language of the amendment certainly promotes that  
13           for me, and I'm wondering, do you see that?

14                      REP. LEWIS: Thank you for the question,  
15           and the short answer is, I don't see that. I do  
16           understand the lady's point about the -- the size  
17           of some of the districts that have to be drawn, but  
18           I would point out, that oftentimes, that's directly  
19           related to the physical size of the counties  
20           themselves.

21                      We, this General Assembly -- this is  
22           getting off redistricting a bit, but this General  
23           Assembly will continue to have to address the fact  
24           that our rural areas, especially in the  
25           northeastern part of the state, are large in land

1 mass and smaller in population than our urban  
2 centers are. And there's just no way to get around  
3 that.

4 SEN. SMITH-INGRAM: Okay. For  
5 clarification follow-up --

6 SEN. HISE: Follow-up.

7 SEN. SMITH-INGRAM: So do you consider  
8 contiguity and geographic compactness commensurate  
9 with one another?

10 REP. LEWIS: Well, thank you for the  
11 question. I understand contiguity which, by the  
12 way, Representative Torbett gave me a breakdown on  
13 how to say the word. I really do -- I really do  
14 appreciate that. Apparently, I'm not doing a very  
15 good job. But I understand that to mean that the  
16 borders join, if you will. Compactness means that  
17 you want to draw districts that are compact. I  
18 don't know that those -- everything that we do, all  
19 of the criteria that we're going to discuss today,  
20 has got to be harmonized and used together. I  
21 don't know that these are the exact same thing, so  
22 I don't know that I would agree with that premise.

23 SEN. HISE: Thank you. And, Senator  
24 Smith-Ingram, we would like -- several of us would  
25 like to see the drive across our district reduced



1 to two and a half hours, so thanks for the comment.  
2 Representative Brawley?

3 REP. BRAWLEY: Thank you, Mr. Chairman.  
4 Bill Brawley, Mecklenburg County. When I read  
5 Senator Clark's amendment, and he talked about  
6 accessible for commerce, the first thought that  
7 came to mind was roads. And I'm sitting next to  
8 Chairman Torbett of Transportation who, along with  
9 myself, were two of the co-sponsors for strategic  
10 transportation investments law. And we were  
11 thinking of the number of cases where you would  
12 drive out of a House district on a road and then  
13 back into the same district, just because of the  
14 way our road network is set up and the incredible  
15 need for more roads for commerce that we have.

16 I had concerns of it for that reason. I  
17 would think that this might be a reasonable  
18 discussion we have when we've finished our \$70  
19 billion backlog of construction. But right now,  
20 the shortage of roads would make this much more  
21 difficult than it appears on the surface. And  
22 would agree that I would tend to have concerns  
23 about this. I believe the compactness and  
24 contiguity are being addressed and the roads --  
25 we're not going to be able to solve that today.

1           Thank you, Mr. Chair man.

2                   SEN. HISE: Thank you. Senator Clark and  
3           Senator Brown.

4                   SEN. CLARK: Again, I would like to  
5           emphasize my definition, as written, says to the  
6           extent practicable. If it's not practicable, of  
7           course we're not going to do it. However, there  
8           are many circumstances in which it is practicable.

9                   SEN. HISE: Senator Brown.

10                  SEN. BROWN: Thank you, Mr. Chair man. I  
11           think the county groupings piece is the concern --  
12           or has created concern, I think, that Senator  
13           Clark's bringing up. But that's a court ruling  
14           that I don't think there's any flexibility on, on  
15           how the groupings can be drawn. Is that correct,  
16           Representative Lewis?

17                  REP. LEWIS: Well, certainly, sir. Thank  
18           you for the question. The county groupings are --  
19           are required by the court, yes.

20                  SEN. HISE: Senator Clark again.

21                  SEN. CLARK: I need to clarify again. My  
22           statement has nothing to do with county groupings.  
23           We're talking about internal to the groupings, the  
24           actual districts themselves within a grouping.

25                  SEN. HISE: Any other questions or

1           comments? Hearing none, we will take into  
2           consideration of amending the proposed criteria  
3           plan as presented by Senator Clark. We will begin  
4           with the Senate this time. The Senate Clerk will  
5           call the roll.

6                       CLERK: Senator Bishop?

7                       SEN. BISHOP: No.

8                       CLERK: No. Senator Blue? Senator  
9           Brown?

10                      SEN. BROWN: No.

11                      CLERK: Senator Brown, no. Senator  
12           Clark?

13                      SEN. CLARK: Aye.

14                      CLERK: Senator Clark, aye. Senator  
15           Daniel? Senator Harrington?

16                      SEN. HARRINGTON: No.

17                      CLERK: Senator Harrington, no. Senator  
18           Jackson?

19                      SEN. JACKSON: No.

20                      CLERK: Senator Jackson, no. Senator  
21           Lee?

22                      SEN. LEE: No.

23                      CLERK: Senator Lee, no. Senator Lowe?

24                      SEN. LOWE: Aye.

25                      CLERK: Senator Lowe, aye. Senator

1               Newton?

2                               SEN. NEWTON:   No.

3                               CLERK:   Senator Newton, no.   Senator  
4               Rabon?   Senator Smith-Ingram?

5                               SEN. SMITH-INGRAM:   Aye.

6                               CLERK:   Senator Smith-Ingram, aye.

7               Senator Van Duyn?

8                               SEN. VAN DUYN:   Aye.

9                               CLERK:   Senator Van Duyn, aye.   Senator  
10             Wade?

11                              SEN. WADE:   No.

12                              CLERK:   Senator Wade, no.   Senator Hise?

13                              SEN. HISE:   No.

14                              CLERK:   Senator Hise, no.

15                              SEN. HISE:   The Clerk of the House will  
16             please call the roll.

17                              CLERK:   Representative Jackson?

18                              REP. JACKSON:   Yes.

19                              CLERK:   Representative Jackson, aye.

20             Representative Szoka?

21                              REP. SZOKA:   No.

22                              CLERK:   Representative Szoka, no.

23             Representative Stevens?

24                              REP. STEVENS:   No.

25                              CLERK:   Representative Stevens, no.

1 Representative Bell?

2 REP. BELL: No.

3 CLERK: Representative Bell, no.

4 Representative Brawley?

5 REP. BRAWLEY: Brawley, no.

6 CLERK: Representative Brawley, no.

7 Representative Brockman?

8 REP. BROCKMAN: Aye.

9 CLERK: Representative Brockman, aye.

10 Representative Burr?

11 REP. BURR: No.

12 CLERK: Representative Burr, no.

13 Representative Davis? Representative Davis?

14 Representative Dixon?

15 REP. DIXON: No.

16 CLERK: Representative Dixon, no.

17 Representative Dobson?

18 REP. DOBSON: No.

19 CLERK: Representative Dobson, no.

20 Representative Dulin?

21 REP. DULIN: No.

22 CLERK: Representative Dulin, no.

23 Representative Farmer-Butterfield?

24 REP. FARMER-BUTTERFIELD: Aye.

25 CLERK: Representative

1 Farmer-Butterfield, aye. Representative Floyd?

2 Representative Floyd? Representative Garrison?

3 REP. GARRISON: Aye.

4 CLERK: Representative Garrison, aye.

5 Representative Gill?

6 REP. GILL: Aye.

7 CLERK: Representative Gill, aye.

8 Representative Grange?

9 REP. GRANGE: No.

10 CLERK: Representative Grange, no.

11 Representative Hall?

12 REP. HALL: No.

13 CLERK: Representative Hall, no.

14 Representative Hanes?

15 REP. HANES: Yes.

16 CLERK: Representative Hanes, aye.

17 Representative Hardister?

18 REP. HARDISTER: No.

19 CLERK: Representative Hardister, no.

20 Representative Harrison?

21 REP. HARRISON: Aye.

22 CLERK: Representative Harrison, aye.

23 Representative Hastings?

24 REP. HASTINGS: No.

25 CLERK: Representative Hastings, no.

1 Representative Howard?

2 REP. HOWARD: No.

3 CLERK: Representative Howard, no.

4 Representative Hunter?

5 REP. HUNTER: Aye.

6 CLERK: Representative Hunter, aye.

7 Representative Johnson?

8 REP. JOHNSON: No.

9 CLERK: Representative Johnson, no.

10 Representative Hurlley?

11 REP. HURLEY: No.

12 CLERK: Representative Hurlley, no.

13 Representative Jones? Representative Jones?

14 Representative Jordan?

15 REP. JORDAN: No.

16 CLERK: Representative Jordan, no.

17 Representative Malone?

18 REP. MALONE: No.

19 CLERK: Representative Malone, no.

20 Representative Michaux?

21 REP. MICHAUX: Aye.

22 CLERK: Representative Michaux, aye.

23 Representative Moore?

24 REP. MOORE: Aye.

25 CLERK: Representative Moore, aye.

1           Representati ve Pi erce?

2                       REP. PI ERCE:   Aye.

3                       CLERK:   Representati ve Pi erce, aye.

4           Representati ve Rei ves?

5                       REP. REI VES:   Aye.

6                       CLERK:   Representati ve Rei ves, aye.

7           Representati ve Wi l l i n g h a m?

8                       REP. WI LLI NGHAM:   Aye.

9                       CLERK:   Representati ve Wi l l i n g h a m, aye.

10          Representati ve Speci al e?

11                      REP. SPECI ALE:   No.

12                      CLERK:   Representati ve Speci al e, no.

13          Representati ve Rogers?

14                      REP. ROGERS:   No.

15                      CLERK:   Representati ve Rogers, no.

16          Representati ve Sai ne?

17                      REP. SAI NE:   No.

18                      CLERK:   Representati ve Sai ne, no.

19          Representati ve Wray?

20                      REP. WRAY:   Aye.

21                      CLERK:   Representati ve Wray, aye.

22          Representati ve Yarborough?

23                      REP. YARBOROUGH:   No.

24                      CLERK:   Representati ve Yarborough, no.

25          Representati ve Torbett?



1 REP. TORBETT: No.

2 CLERK: Representative Torbett, no.

3 Representative Lewis?

4 REP. LEWIS: No.

5 CLERK: Representative Lewis, no.

6 Representative Dollar?

7 REP. DOLLAR: No.

8 CLERK: Representative Dollar, no.

9 SEN. HISE: By a vote of 4 in favor, 8  
10 against in the Senate, and I believe I saw that  
11 it's 14 in favor, 24 against -- 28 against? 14 in  
12 favor, 24 against in the House. The motion to  
13 amend the second submitted criterion fails.  
14 Criterion Number 2, Contingency, is now back before  
15 the Committee.

16 REP. DOLLAR: Mr. Chairman?

17 SEN. HISE: Representative Dollar.

18 REP. DOLLAR: I would move the adoption  
19 of Criterion Number 2.

20 SEN. HISE: Motion by the Chairs for the  
21 adoption of Criterion Number 2. Is there any other  
22 questions or comments regarding the criteria?  
23 Seeing none, we will move into a vote on this  
24 process, and we will ask the Clerk of the House to  
25 call the roll.

1 CLERK: Representative Jackson?

2 REP. JACKSON: No.

3 CLERK: Representative Jackson, no.  
4 Representative Szoka?

5 REP. SZOKA: Aye.

6 CLERK: Representative Szoka, aye.  
7 Representative Stevens?

8 REP. STEVENS: Aye.

9 CLERK: Representative Stevens, aye.  
10 Representative Bell?

11 REP. BELL: Aye.

12 CLERK: Representative Bell, aye.  
13 Representative Brawley?

14 REP. BRAWLEY: Brawley, aye.

15 CLERK: Representative Brawley, aye.  
16 Representative Brockman?

17 REP. BROCKMAN: No.

18 CLERK: Representative Brockman, no.  
19 Representative Burr?

20 REP. BURR: Aye.

21 CLERK: Representative Burr, aye.

22 Representative Davis? Representative Davis?

23 Representative Dixon? Representative Dixon?

24 REP. DIXON: Aye.

25 CLERK: Representative Dixon, aye.

1                   Representative Dobson?

2                   REP. DOBSON:   Aye.

3                   CLERK:   Representative Dobson, aye.

4                   Representative Dulin?

5                   REP. DULIN:   Aye.

6                   CLERK:   Representative Dulin, aye.

7                   Representative Farmer-Butterfield?

8                   REP. FARMER-BUTTERFIELD:   No.

9                   CLERK:   Representative

10                  Farmer-Butterfield, no.   Representative Floyd?

11                  Representative Floyd?   Representative Garrison?

12                  REP. GARRISON:   No.

13                  CLERK:   Representative Garrison, no.

14                  Representative Gill?

15                  REP. GILL:   No.

16                  CLERK:   Representative Gill, no.

17                  Representative Grange?

18                  REP. GRANGE:   Aye.

19                  CLERK:   Representative Grange, aye.

20                  Representative Hall?

21                  REP. HALL:   Aye.

22                  CLERK:   Representative Hall, aye.

23                  Representative Hanes?

24                  REP. HANES:   No.

25                  CLERK:   Representative Hanes, no.

1           Representative Hardister?

2                     REP. HARDISTER:   Aye.

3                     CLERK:   Representative Hardister, aye.

4           Representative Harrison?

5                     REP. HARRISON:   No.

6                     CLERK:   Representative Harrison, no.

7           Representative Hastings?

8                     REP. HASTINGS:   Aye.

9                     CLERK:   Representative Hastings, aye.

10          Representative Howard?

11                    REP. HOWARD:   Aye.

12                    CLERK:   Representative Howard, aye.

13          Representative Hunter?

14                    REP. HUNTER:   No.

15                    CLERK:   Representative Hunter, no.

16          Representative Johnson?

17                    REP. JOHNSON:   Aye.

18                    CLERK:   Representative Johnson, aye.

19          Representative Hurley?

20                    REP. HURLEY:   Aye.

21                    CLERK:   Representative Hurley, aye.

22          Representative Jones?   Representative Jones?

23          Representative Jordan?

24                    REP. JORDAN:   Aye.

25                    CLERK:   Representative Jordan, aye.

1           Representati ve Mal one?

2                   REP. MALONE:   Aye.

3                   CLERK:   Representati ve Mal one, aye.

4           Representati ve Mi chaux?

5                   REP. MI CHAUX:   No.

6                   CLERK:   Representati ve Mi chaux, no.

7           Representati ve Moore?

8                   REP. MOORE:   No.

9                   CLERK:   Representati ve Moore, no.

10          Representati ve Pi erce?

11                  REP. PI ERCE:   No.

12                  CLERK:   Representati ve Pi erce, no.

13          Representati ve Pi erce?   Representati ve Rei ves,  
14          excuse me.

15                  REP. REI VES:   No.

16                  CLERK:   Representati ve Rei ves, no.

17          Representati ve Wi l l i n g h a m ?

18                  REP. WI LLI NGHAM:   No.

19                  CLERK:   Representati ve Wi l l i n g h a m , no.

20          Representati ve Speci al e?

21                  REP. SPECI ALE:   Aye.

22                  CLERK:   Representati ve Speci al e, aye.

23          Representati ve Rogers?

24                  REP. ROGERS:   Aye.

25                  CLERK:   Representati ve Rogers, aye.

1           Representative Saine?

2                     REP. SAINÉ:   Aye.

3                     CLERK:   Representative Saine, aye.

4           Representative Wray?

5                     REP. WRAY:   No.

6                     CLERK:   Representative Wray, no.

7           Representative Yarborough?

8                     REP. YARBOROUGH:   Yes.

9                     CLERK:   Representative Yarborough --  
10           Yarborough, aye. Representative Torbett?

11                    REP. TORBETT:   Aye.

12                    CLERK:   Representative Torbett, aye.

13           Representative Lewis?

14                    REP. LEWIS:   Aye.

15                    CLERK:   Representative Lewis, aye.

16           Representative Dollar?

17                    REP. DOLLAR:   Aye.

18                    CLERK:   Representative Dollar, aye.

19                    SEN. HISE:   Okay. Clerk of the Senate  
20           will call out the roll.

21                    CLERK:   Senator Bishop?

22                    SEN. BISHOP:   Aye.

23                    CLERK:   Senator Bishop, aye. Senator  
24           Blue? Senator Brown?

25                    SEN. BROWN:   Aye.

1 CLERK: Senator Brown, aye. Senator  
2 Clark?  
3 SEN. CLARK: No.  
4 CLERK: Senator Clark, no. Senator  
5 Daniel? Senator Harrington?  
6 SEN. HARRINGTON: Aye.  
7 CLERK: Senator Harrington, aye. Senator  
8 Jackson?  
9 SEN. JACKSON: Aye.  
10 CLERK: Senator Jackson, aye. Senator  
11 Lee?  
12 SEN. LEE: Aye.  
13 CLERK: Senator Lee, aye. Senator Lowe?  
14 SEN. LOWE: No.  
15 CLERK: Senator Lowe, no. Senator  
16 Newton?  
17 SEN. NEWTON: Aye.  
18 CLERK: Senator Newton, aye. Senator  
19 Rabon? Senator Smith-Ingram?  
20 SEN. SMITH-INGRAM: No.  
21 CLERK: Senator Smith-Ingram, no.  
22 Senator Van Duyn?  
23 SEN. VAN DUYN: No.  
24 CLERK: Senator Van Duyn, no. Senator  
25 Wade?

1 SEN. WADE: Aye.

2 CLERK: Senator Wade, aye. Senator Hi se?

3 SEN. HI SE: Aye.

4 CLERK: Senator Hi se, aye.

5 SEN. HI SE: By a vote of 24-14 in the  
6 House and a vote of 8 to 4 in the Senate, the  
7 second submitted criteria, Contiguity, is passed  
8 and is adopted by the committee. The committee  
9 will stand at ease for just a few minutes.

10 (Proceedings went off the record.)

11 SEN. HI SE: Thank you, members of the  
12 committee. The next item we will consider is  
13 labeled as Number 6 in the process. As soon as I  
14 get to it.

15 REP. LEWIS: Mr. Chairman, may I speak  
16 briefly on 5 for just a moment?

17 SEN. HI SE: Go ahead.

18 REP. LEWIS: Members, the reason that I  
19 asked the Chair to skip what is labeled Number 5 --  
20 by the way, these numbers are so that I would not  
21 forget to get through one of them. The reason that  
22 I ask that Number 5 be split -- be not discussed at  
23 the moment and displaced, staff is trying to get a  
24 firm definition of precinct versus voting  
25 tabulation district. The Court, in its opinion,



1           wrote about precincts, which is why this criteria  
2           says the word "precinct," but we're trying to get  
3           a -- just get a staff understanding on if it's  
4           precinct or voting tabulation district, which is --  
5           I know some of you are wondering why we moved past  
6           that. We're just trying to get a technical  
7           clarification, which is why I asked the chair to  
8           take up Number -- what is labeled Number 6,  
9           municipal boundaries, next. So with that, Mr.  
10          Chair, if I can speak on that.

11                 SEN. HISE: Do all members have a copy of  
12          Number 6, municipal boundaries? Okay.

13          Representative Lewis, you're recognized to explain.

14                 REP. LEWIS: Thank you, Mr. Chairman.  
15          Mr. Chairman, this says that the committees may  
16          consider municipal boundaries when drawing  
17          legislative districts in the 2017 House and Senate  
18          plan. This -- and if I may speak on it, this is  
19          another criteria that comes in response to public  
20          inquiry.

21                 At last week's committee hearing, Dianna  
22          Wynn of Wake County asked the committee to consider  
23          not dividing municipalities where possible. The  
24          chairs are proposing that consideration be made  
25          when drawing these new district lines. Would like

1           to state for the record that, as this is based on  
2           the 2010 census, that the municipality boundaries  
3           that would be looked at would be the 2010  
4           boundaries as well. And with that, Mr. Chairman,  
5           I'd like to move the -- the adoption of this  
6           criteria.

7                         SEN. HISE: Okay. Any questions or  
8           comments? Representative Jackson?

9                         REP. JACKSON: Thank you, Mr. Chairman.  
10          Chairman Lewis, since we are bound by law to  
11          consider communities of interest, I'm wondering why  
12          the may instead of the shall is used in this  
13          criteria. That's my first question.

14                        REP. LEWIS: Thank you for the question,  
15          Representative Jackson. The may is empowering  
16          language that says that the map drawer may and  
17          rightfully should consider municipality boundaries  
18          when they can. As you know, not all municipalities  
19          are laid out in neat design, so sometimes it may  
20          not be possible to do that. As to communities of  
21          interest, and I know you are an attorney; I am not,  
22          but, to be clear, we couldn't find a concise  
23          definition of what a community of interest is,  
24          which is why it's not one of the criteria that we  
25          have proposed as of yet.

1                   SEN. HISE: Follow-up?

2                   REP. JACKSON: Chairman Lewis, well, one  
3                   thing, under the law, the words "may" or "should"  
4                   actually have different meanings and you used "may"  
5                   and "should." And so I guess the first question  
6                   would be, would you consider changing "may" to  
7                   "should"?

8                   REP. LEWIS: Thank you for the question.  
9                   The -- and as always, you're -- you're right. The  
10                  reason -- and we talked a lot about how to present  
11                  these criteria to where they made the most sense to  
12                  everyone, and the word "should" is used in what I  
13                  would consider to be criteria that absolutely  
14                  positively must be followed, like the  
15                  one-person-one-vote rule.

16                  There are other criteria, in fact, in the  
17                  letter that Senator Blue wrote to us, he called  
18                  them actually secondary criteria. There are other  
19                  criteria that may be considered. One of those is  
20                  the municipal boundaries. So I would say that I  
21                  would prefer the word "may" to stay in this, and  
22                  that when the maps are drawn, that we may very well  
23                  consider municipal boundaries.

24                  REP. JACKSON: Follow-up --

25                  SEN. HISE: Follow-up?

1                   REP. JACKSON: If -- if I could. I'll  
2                   just stay on the communities of interest. I don't  
3                   think it's addressed in any of the other proposed  
4                   criteria. And so I do have a question about that.  
5                   I understand from -- from your previous  
6                   announcement at committee and from reading the  
7                   newspaper that we're going to be using the same map  
8                   drawer as last time, Mr. Hofeller. And I would  
9                   ask, you know, who will be helping Mr. Hofeller  
10                  draw the maps to make sure that communities of  
11                  interest are protected?

12                 REP. LEWIS: Thank you for the question.  
13                 Dr. Hofeller was hired at the direction of myself  
14                 and Senator Hise. For the House, I will be working  
15                 with him to help produce the map that will be  
16                 presented to the committee and to the public. At  
17                 that time, all the members of the committee  
18                 certainly have access to amend the map. The  
19                 members of the public who wish to comment on the  
20                 map -- if you or any other member or a citizen who  
21                 takes time to engage in this process thinks that  
22                 certain communities should be recombined in certain  
23                 ways, we will certainly be open to reviewing that  
24                 at that time.

25                 REP. JACKSON: Okay.

1                   SEN. HISE: Any other questions,  
2                   comments? Representative Michaux?

3                   REP. MICHAUX: Yeah, Mr. Chair --  
4                   Chairman Lewis, going back to the matter of  
5                   communities of interest, are there not communities  
6                   of -- you say there's no legal definition that you  
7                   have found, but are there not communities of  
8                   interest identified in each community in this  
9                   state? For instance, there's a community --  
10                  communities of interest, rural, urban, educational,  
11                  whatever. There are various communities of  
12                  interest throughout the state. Well, why should  
13                  they not be identified in here and used?

14                 REP. LEWIS: Thank you for the question,  
15                 Representative. I don't disagree with you at all.  
16                 I would simply point out that because a community  
17                 of interest can be defined in any number of ways,  
18                 exactly as you just did, and some of those  
19                 communities of interest actually overlap, some  
20                 contradict each other, perhaps, I don't know that  
21                 there is a definitive way to define that. But I  
22                 would point out to the committee that the criteria  
23                 that I'm asking to adopt is that the committee may  
24                 consider municipal boundaries when drawing the  
25                 lines.

1                   SEN. HISE: Follow-up?

2                   REP. MICHAUX: But -- but have you not  
3                   had -- even in your last drawing, did you not  
4                   consider communities of interest and have they not  
5                   been considered in previous redistricting matters  
6                   that were drawn up in the past?

7                   REP. LEWIS: Thank you for the question,  
8                   Representative. I know that the concept of  
9                   communities of interest were discussed. I don't  
10                  know to what degree that they were considered in  
11                  the map drawing.

12                  SEN. HISE: Representative Reives?

13                  REP. REIVES: Thank you, Chair. And,  
14                  Chairman Lewis, again with the committees of  
15                  interest, I understand that there are -- that you  
16                  haven't found concise, clear definitions, but as  
17                  Representative Michaux was just stating, I think  
18                  they've been referred to, even by the Supreme  
19                  Court, as early as Bush v. Vera, when George Bush  
20                  was governor, when they had a redistricting case  
21                  based on race and unconstitutionality where they  
22                  discussed that and gave several examples of things  
23                  that were considered communities of interest. If  
24                  we use that as part of the criteria, I mean,  
25                  wouldn't we be able to refer to that and then kind

1 of know it when we see it when we're discussing it?

2 REP. LEWIS: Thank you for the question,  
3 Representative. Respectfully, I don't think  
4 communities of interest is in contradiction to this  
5 proposed criteria of municipal boundaries. If  
6 we -- if the committee wishes to try to come up  
7 with a definition and offer additional criteria, we  
8 can certainly consider that at that time, but I  
9 don't think any desire to define or include the  
10 words "communities of interest" is in opposition to  
11 the criteria that I've proposed, and I would  
12 appreciate the committee's support on.

13 SEN. HISE: Follow-up?

14 REP. REIVES: Thank you. So in light of  
15 that, and I -- I would agree with you that not --  
16 not -- they're not necessarily in opposition to  
17 each other, would you be opposed to an amendment  
18 that includes the term "communities of interest,"  
19 just in case we have a situation where the  
20 municipal lines don't necessarily recognize a  
21 community of interest?

22 REP. LEWIS: Representative, thank you  
23 for the question. In short, I proposed the  
24 criteria before us -- before you that I believe the  
25 committee may consider when drawing the lines. I

1 do not believe that there is a concise definition  
2 that everyone can agree to that defines what a  
3 community of interest in -- is.

4 In the examples that Representative  
5 Michaux gave earlier in his comments, he  
6 referred -- you may have an educational community,  
7 if you will. And I'm not trying to focus on  
8 Durham, but you may be talking about Duke  
9 University or North Carolina Central. That's an  
10 educational community of interest. It may be  
11 directly next to a very blue-collar type area.  
12 Those two aren't necessarily communities of  
13 interest when you're drawing the lines.

14 So, again, I think we're getting a little  
15 bit far from what I had hoped would be a pretty  
16 simple criteria. At this time, I would not support  
17 an amendment to this criteria for communities of  
18 interest because municipalities are defined and  
19 understood. Communities of interest aren't even  
20 agreed to in this room.

21 SEN. HISE: I have Representative Jordan  
22 and Representative Michaux.

23 REP. JORDAN: Thank you, Mr. Chairman.  
24 There was an earlier colloquy between  
25 Representative Jackson and Representative Lewis



1           discussing "may" and "should." Just to clarify,  
2           shouldn't that have been "may" and "shall"?

3           REP. LEWIS: It may should have.

4           REP. JORDAN: Thanks.

5           SEN. HISE: Representative Michaux.

6           REP. MICHAUX: Yeah. Mr. Lewis, to -- to  
7           the -- you have here the committees may consider  
8           municipal boundaries. You're giving them an option  
9           as to whether or not they want to consider  
10          municipal boundaries. Why not give them the option  
11          of whether or not they would want to consider  
12          communities of interest? We know what communities  
13          of interest are. We can identify communities of  
14          interest. Why can't you go ahead on -- if you  
15          going to give them a choice, what other choice do  
16          they have other than municipal boundaries, when you  
17          say they may consider municipal boundaries?

18          REP. LEWIS: Well, thank you for that  
19          question, Representative. Let me try to be a  
20          little clearer. One of the criteria and one of the  
21          recurring themes of public input that we've got is  
22          to try not to split municipalities. As you know,  
23          there are numerous examples throughout the state  
24          where municipalities have actually annexed into  
25          other counties. They start in one county and

1           continue into another county. That is not  
2           compatible with the Stephenson requirement for how  
3           counties are grouped.

4                       So the reason it says "may" is that I,  
5           personally, believe that is important, and I think  
6           that everyone on this committee will have the  
7           chance -- if we do not consider municipal  
8           boundaries in such a way that is acceptable to the  
9           committee, they'll have a chance to weigh in and  
10          amend and attempt to change the way that is done.  
11          But, again, this is just simply trying to respond  
12          to input that we got. Will we always consider  
13          municipal boundaries? Probably not, because we  
14          won't be able to. But this is -- this is an  
15          aspirational goal.

16                      SEN. HISE: And I think it's also  
17          important to point out that municipal boundaries,  
18          when municipalities expand or others are not bound  
19          to limit themselves to complete Census tracts. And  
20          a Census tract is the smallest layer of data we  
21          have in order which to divide districts on.

22                      REP. MICHAUX: I understand --

23                      SEN. HISE: Follow-up.

24                      REP. MICHAUX: And I understand that, Mr.  
25          Chairman, but what I'm getting at is that there are

1 communities of interest that sometimes overshadow  
2 municipal boundaries and could be used and should  
3 be used in terms of criteria for redistricting. I  
4 mean, there's no doubt in my mind that you got  
5 within an -- within a municipal area, you've got an  
6 urban community and you've got a suburban community  
7 and you've got maybe an agrarian community all  
8 combined in one. Why -- and -- and, if it's large  
9 enough, you could have representation from all  
10 three. I mean, I'm trying to get communities of  
11 interest in there because they seem to be the  
12 salient factor in all of redistricting.

13 SEN. HISE: I'll just follow up. I think  
14 that was more of a comment, but I will say that, is  
15 there a specific community of interest that you are  
16 submitting?

17 REP. MICHAUX: I hadn't thought about it  
18 right now. All I know is that there's a  
19 difference -- there's a suburban community -- a  
20 suburban community and an agrarian community. And  
21 they are both communities of interest. One  
22 involves agrarian and the other involves  
23 suburban-type things. All these communities of  
24 interest where people have like -- with  
25 similarities are alike. Particularly in those

1 communities of interest.

2 SEN. HISE: Representative Lewis?

3 REP. LEWIS: Thank you, Mr. Chairman.

4 Mr. Chairman and specifically Representative  
5 Michaux and other members, the -- it is my  
6 understanding that the communities of interest, as  
7 defined by the courts, are largely covered in what  
8 we call the Stephenson county groupings. Many of  
9 what we are talking about, what is a community of  
10 interest and what is not, is an objective and not a  
11 subjective tone or goal. It's not a definable  
12 thing. Counties, municipality, precinct lines are  
13 things that are all community-of-interest-type  
14 things that we're going to seek to preserve.

15 But what may be a community of interest  
16 for me, when I draw the map that I present, you may  
17 correct and say you did not recognize that this  
18 community and this community should be joined. And  
19 I'm -- I'm communicating to you that I'll work with  
20 you at -- at that point.

21 At this point, I don't know how we can --  
22 a municipality is a defined thing. All I'm saying  
23 is that the committee may consider the defined,  
24 understood, legally-recognized thing, as opposed to  
25 the abstract, objective community of interest. And

1 I would urge the committee to adopt this criteria.

2 SEN. HISE: Senator Clark?

3 SEN. CLARK: Thank you, Mr. Chairman.

4 Would you allow staff to prepare an amendment to  
5 this particular item, stating to the effect that  
6 members of this General Assembly can submit  
7 definitive community of interests, if you will, so  
8 that the amendment might read something to the  
9 effect that the committees may consider municipal  
10 boundaries and committees -- communities of  
11 interest, as defined by a member of this body when  
12 drawing legislative districts?

13 REP. LEWIS: Well, thank you for the  
14 question, Senator Clark. And to be clear,  
15 certainly, I have no control over what amendments  
16 are sent forth.

17 SEN. CLARK: I would like to send forth  
18 an amendment to that effect.

19 REP. LEWIS: Acknowledged. With that,  
20 Mr. Chairman, perhaps we could displace this and  
21 come back to it once it can be prepared to what  
22 Senator Clark has asked for.

23 SEN. HISE: We will displace this to  
24 consider another Senator Clark amendment.

25 REP. LEWIS: And, Mr. Chairman, we can --

1           Mr. Chairman, perhaps now we can return to 5. I  
2           think we've got -- got that cleared up.

3                     SEN. HISE: Okay. All members have  
4           Criteria Number 5, fewer split precincts?  
5           Representative Lewis, you're -- you're recognized  
6           to explain and debate.

7                     REP. LEWIS: Thank you, Mr. Chairman.  
8           This -- this criteria says that the committee shall  
9           make reasonable efforts to draw legislative  
10          districts in the 2017 House and Senate plans to  
11          split fewer precincts than the current legislative  
12          redistricting plans. To elaborate, the Chair  
13          should receive input from the public, including  
14          input from William Smith of Raleigh at last week's  
15          committee meeting, urging the committees to split  
16          fewer precincts in new legislative redistricting  
17          plans. We are proposing this criteria in response  
18          to that public input.

19                    SEN. HISE: Representative Torbett?

20                    REP. TORBETT: Thank you, Mr. Chairman.  
21           I think this is a very good, common-sense amendment  
22           and would move for adoption of the proposed  
23           criteria.

24                    SEN. HISE: Okay. Representative  
25           Jackson.

1                   REP. JACKSON: Mr. Chairman, I submitted  
2                   some alternative language the staff has and I  
3                   believe is ready to be passed out at your  
4                   direction.

5                   SEN. HISE: Okay. I'm assuming, then,  
6                   Senator Jackson has moved to amend the criteria.  
7                   That's what's coming in. I think we'll have staff  
8                   go ahead and pass that out. Okay. I will take  
9                   this brief moment for a little personal privilege  
10                  and we'll recognize the Speaker of the House.

11                 SPEAKER MOORE: Yes. Good afternoon. I  
12                 just wanted you all to join me in welcoming a  
13                 special guest. Thank you. Thank you. I just  
14                 wanted you all to join me in welcoming a special  
15                 guest we have today. This is Cliff Rosenberger.  
16                 He's the Speaker of the House in Ohio. And he's  
17                 here visiting in North Carolina today on some  
18                 economic development initiatives. And so I would  
19                 hope you all would join me in welcoming the Speaker  
20                 of Ohio with us here today.

21                 MR. ROSENBERGER (VISITOR): Hi. Thank  
22                 you. Thank you very much. I appreciate it.

23                 SPEAKER MOORE: I told him this was the  
24                 only -- we weren't in session, this is the only  
25                 official meeting today. So we're doing some things

1           economic development related, but I wanted you all  
2           to know that he was here. And so he knows we're  
3           all here hard at work. I think they're going back  
4           into session here --

5                     MR. ROSENBERGER (VISITOR): September.  
6           We go in, in September. So -- and about to do the  
7           very same thing you're all doing, so keep up the  
8           hard work.  
9           So thank you all very much.

10                    SPEAKER MOORE: Thanks.

11                    SEN. HISE: Representative Jackson,  
12           you've sent forward your amendment; you're  
13           recognized to explain it.

14                    REP. JACKSON: Thank you, Mr. Chairman.  
15           So my alternate language just adds a sentence to  
16           Chairman Lewis's --

17                    REP. JORDAN: Mr. Chairman. Mr.  
18           Chairman. Over here, Jordan. Can I see a copy  
19           before we begin discussion?

20                    SEN. HISE: You can. We're actually  
21           apparently waiting on a row to receive them. They  
22           can have mine. Does everybody got one? Everyone  
23           seen the amendment? Okay. Representative Jackson,  
24           go ahead.

25                    REP. JACKSON: So by my reading of the



1 way Number 5 as -- as proposed, you know, if we  
2 just split one fewer precinct, we've accomplished  
3 that goal, and clearly we want to do more than  
4 that. We want to severely limit the number of  
5 split precincts. And so my amendment would propose  
6 that we only split precincts to achieve population  
7 balance in compliance with the equal protection  
8 criteria, so that's the plus or minus five percent,  
9 and that we explicitly state we shall not split  
10 precincts to achieve partisan advantage.

11 SEN. HISE: Representative Lewis?

12 REP. LEWIS: Thank you, Mr. Chairman.  
13 Members, I've reviewed Senator -- Senator Jackson,  
14 I apologize, the Chairman's getting to me. I've  
15 reviewed Representative Jackson's amendment, and I  
16 do not disagree with it in spirit. However, I  
17 would ask you not to support the amendment because,  
18 once the maps are drawn, the committee will have  
19 the ability to review them and to offer whatever  
20 explanation they may so choose as to why a precinct  
21 was split or not split. I think this is a noble  
22 criteria, but it's a largely unworkable one, in  
23 terms of trying to define why was this -- this  
24 precinct split where it was. So, with that, I  
25 would -- I don't think it's a workable criteria to

1 use, and I would ask members to vote down this  
2 amendment.

3 SEN. HISE: Senator Van Duyn?

4 SEN. VAN DUYN: Thank you, Mr. Chair.  
5 I'd just like to respond to that, because you  
6 started your presentation by saying that this was  
7 in response to public comment. And clearly what we  
8 heard from nearly everyone who made public  
9 comment -- I think there was one exception. What  
10 people were asking for was districts that represent  
11 the voters, not districts that represent political  
12 parties. And I think what Representative Jackson's  
13 amendment does is get to the heart of what they  
14 were requesting.

15 And so, with all due respect, I think it  
16 is the most important part of what they were asking  
17 for, is that we not split precincts for political  
18 advantage. And I think it's important that we  
19 acknowledge -- if we're going to do public comment,  
20 I think we have to acknowledge it. That doesn't  
21 mean we need to go along with it necessarily, but  
22 we need to address what they ask for and either say  
23 why we will or will not follow what they said.

24 And clearly they want us to move away  
25 from political -- using redistricting for political

1           advantage. And one of the most disruptive ways of  
2           redistricting for political advantage is slicing  
3           and dicing individual precincts. I worked as a  
4           precinct judge before I was an elected official and  
5           when you have multiple ballots within a precinct,  
6           it is extraordinarily challenging. And -- and just  
7           not fair to our voters.

8                     REP. LEWIS: Mr. Chairman.

9                     SEN. HISE: Representative Lewis?

10                    REP. LEWIS: I -- I want to thank the  
11           lady for her comments. I would say that I think  
12           the public comment is important and, as elected  
13           representatives, we must take it into account and  
14           must do our best to honor what is shared with us.  
15           Let me take another stab at this. Every line that  
16           is drawn on the map that is not mandated by the  
17           Stephenson criteria or whatnot is -- in one way or  
18           the other, will have political ramifications. So  
19           if we adopt the Jackson amendment, what will happen  
20           is, with respect, some of you in here will say,  
21           "Look, you split this precinct to gain a partisan  
22           advantage." And I'll say, no, "I split it to  
23           comply with the equal population requirement." And  
24           you'll say, "No, you split it to" -- because  
25           wherever we split it, it will have political

1                   consequences one way or the other. So it's not a  
2                   realistic goal to adopt a criteria that you cannot  
3                   achieve.

4                   SEN. HISE: Representative Jackson?

5                   REP. JACKSON: Thank you, Mr. Chairman.  
6                   Just for the record, I'll note I'm covering Speaker  
7                   Blue as well, so that's why I'm doing twice as much  
8                   today. Chairman Lewis, I wonder, other than  
9                   population balance, what other reasons would you  
10                  have to split a precinct?

11                 REP. LEWIS: Thank you for that question,  
12                 Representative Jackson. We just went through or --  
13                 and are going to go back through a long  
14                 conversation about municipal -- municipal  
15                 boundaries. Cities don't annex along precinct  
16                 lines, so that is a reason that you may split a  
17                 precinct. It may be more important to keep the  
18                 city as whole as you can than to worry about, per  
19                 se, how the precincts fall. If I had a precinct  
20                 map in here, almost literally of any county in this  
21                 state, I could show you how municipalities don't  
22                 follow precinct lines.

23                 SEN. HISE: Any other questions or  
24                 comments? Senator Clark?

25                 SEN. CLARK: Thank you, Mr. Chair. I

1           just have a comment. I don't see a problem with us  
2           explicitly stating that we should not split  
3           precincts other than for population balance. Case  
4           in point, I belong to a two-county cluster, and on  
5           the Cumberland County side of my district, I have  
6           about -- people from about 41 precincts vote in  
7           District 21. Of those 41, 33 are split, and for  
8           the life of me, I can't understand why 33 out of 41  
9           precincts should be split.

10                   SEN. HISE: Any other questions or  
11           comments? Okay. None. I believe Representative  
12           Torbett had made the motion when we began --  
13           Jackson, sorry, for the amendment. So  
14           Representative Jackson has moved to amend the  
15           submitted criteria.

16                   UNIDENTIFIED MEMBER: Second, Mr. Chair.

17                   SEN. HISE: Motion doesn't require a  
18           second, but as we will see no more discussion or  
19           debate, we will move into a vote. And I believe we  
20           will begin with the House as the order.

21                   CLERK: Representative Jackson?

22                   REP. JACKSON: Yes.

23                   CLERK: Representative Jackson, yes.  
24           Representative Szoka?

25                   REP. SZOKA: No.

1 CLERK: Representative Szoka, no.

2 Representative Stevens?

3 REP. STEVENS: No.

4 CLERK: Representative Stevens, no.

5 Representative Bell?

6 REP. BELL: No.

7 CLERK: Representative Bell, no.

8 Representative Brawley?

9 REP. BRAWLEY: No.

10 CLERK: Representative Brawley, no.

11 Representative Brockman?

12 REP. BROCKMAN: Yes.

13 CLERK: Representative Brockman, aye.

14 Representative Burr?

15 REP. BURR: No.

16 CLERK: Representative Burr, no.

17 Representative Davis? Representative Davis?

18 Representative Dixon?

19 REP. DIXON: No.

20 CLERK: Representative Dixon, no.

21 Representative Dobson?

22 REP. DOBSON: No.

23 CLERK: Representative Dobson, no.

24 Representative Dulin.

25 REP. DULIN: No.

1 CLERK: Representative Dulin, no.

2 Representative Farmer-Butterfield?

3 REP. FARMER-BUTTERFIELD: Yes.

4 CLERK: Representative

5 Farmer-Butterfield, aye. Representative Floyd?

6 Representative Floyd? Representative Garrison?

7 REP. GARRISON: Yes. Aye.

8 CLERK: Representative Garrison, aye.

9 Representative Gill?

10 REP. GILL: Aye.

11 CLERK: Representative Gill, aye.

12 Representative Grange?

13 REP. GRANGE: No.

14 CLERK: Representative Grange, no.

15 Representative Hall?

16 REP. HALL: No.

17 CLERK: Representative Hall, no.

18 Representative Hanes?

19 REP. HANES: Yes.

20 CLERK: Representative Hanes, aye.

21 Representative Hardister?

22 REP. HARDISTER: No.

23 CLERK: Representative Hardister, no.

24 Representative Harrison? Representative Harrison?

25 Representative Hastings?

1 REP. HASTINGS: No.

2 CLERK: Representative Hastings, no.  
3 Representative Howard?

4 REP. HOWARD: No.

5 CLERK: Representative Howard, no.  
6 Representative Hunter?

7 REP. HUNTER: Aye.

8 CLERK: Representative Hunter, aye.  
9 Representative Johnson?

10 REP. JOHNSON: No.

11 CLERK: Representative Johnson, no.  
12 Representative Jones? Representative Jones?  
13 Representative Jordan?

14 REP. JORDAN: No.

15 CLERK: Representative Jordan, no.  
16 Representative Malone?

17 REP. MALONE: No.

18 CLERK: Representative Malone, no.  
19 Representative Michaux?

20 REP. MICHAUX: Aye.

21 CLERK: Representative Michaux, aye.  
22 Representative Moore?

23 REP. MOORE: Yes.

24 CLERK: Representative Moore, aye.  
25 Representative Pierce?



1 REP. PIERCE: Yes.

2 CLERK: Representative Pierce, aye.

3 Representative Reives?

4 REP. REIVES: Aye.

5 CLERK: Representative Reives, aye.

6 Representative Willingham?

7 REP. WILLINGHAM: Aye.

8 CLERK: Representative Willingham, aye.

9 Representative Speciale?

10 REP. SPECIALE: No.

11 CLERK: Representative Speciale, no.

12 Representative Rogers?

13 REP. ROGERS: No.

14 CLERK: Representative Rogers, no.

15 Representative Saine?

16 REP. SAINÉ: No.

17 CLERK: Representative Saine, no.

18 Representative Wray?

19 REP. WRAY: Aye.

20 CLERK: Representative Wray, aye.

21 Representative Yarborough?

22 REP. YARBOROUGH: No.

23 CLERK: Representative Yarborough, could  
24 you repeat that?

25 REP. YARBOROUGH: No.

1 CLERK: Representative Yarborough, no.  
2 Representative Harri son? Representative Lewi s?  
3 REP. LEWIS: No.  
4 CLERK: No. Representative Doll ar?  
5 REP. DOLLAR: No.  
6 CLERK: Representative Doll ar, no.  
7 REP. HURLEY: Mr. Chair, I was skipped.  
8 CLERK: Oh, I'm sorry. Representative  
9 Hurley?  
10 REP. HURLEY: No.  
11 CLERK: No. Representative Torbett?  
12 REP. TORBETT: No.  
13 CLERK: Representative Torbett, no.  
14 SEN. HISE: The Clerk will call the roll  
15 for the Senate?  
16 CLERK: Senator Bi shop?  
17 SEN. BISHOP: No.  
18 CLERK: Senator Bi shop, no. Senator  
19 Blue? Senator Brown?  
20 SEN. BROWN: No.  
21 CLERK: Senator Brown, no. Senator  
22 Clark?  
23 SEN. CLARK: Aye.  
24 CLERK: Senator Cl ark, aye. Senator  
25 Dani el ? Senator Harri ngton?

1 SEN. HARRINGTON: No.

2 CLERK: Senator Harrington, no. Senator  
3 Jackson?

4 SEN. JACKSON: No.

5 CLERK: Senator Jackson, no. Senator  
6 Lee?

7 SEN. LEE: No.

8 CLERK: Senator Lee, no. Senator Lowe?

9 SEN. LOWE: Aye.

10 CLERK: Senator Lowe, aye. Senator  
11 Newton?

12 SEN. NEWTON: No.

13 CLERK: Senator Newton, no. Senator  
14 Rabon? Senator Smith-Ingram?

15 SEN. SMITH-INGRAM: Aye.

16 CLERK: Senator Smith-Ingram, aye.

17 Senator Van Duyn?

18 SEN. VAN DUYN: Aye.

19 CLERK: Senator Van Duyn, aye. Senator

20 Wade?

21 SEN. WADE: No.

22 CLERK: Senator Wade, no. Senator Hi se?

23 SEN. HI SE: No.

24 CLERK: Senator Hi se, no.

25 REP. HARRISON: Mr. Chair?

1 SEN. HISE: Who's speaking?

2 REP. HARRISON: It's Representative  
3 Harrison on the back row.

4 SEN. HISE: Ah, affirmative. Thank you  
5 very much.

6 REP. HARRISON: May I be recorded as an  
7 aye, please, on the amendment?

8 SEN. HISE: By a vote of 13 in favor, 24  
9 against in the House. Four in favor, eight against  
10 in the Senate, the amendment fails. The criteria  
11 estimated is back before the committee. Any other  
12 questions or comments? Senator Van Duyn?

13 SEN. VAN DUYN: I also have an amendment  
14 to Number 5.

15 SEN. HISE: Okay.

16 SEN. VAN DUYN: And I believe it's been  
17 prepared. Representative Lewis, I -- I think your  
18 point about --

19 UNIDENTIFIED MEMBER: Mr. Chair, can we  
20 hold until we get a copy of the amendment. Because  
21 I don't see it up on the screen or --

22 SEN. HISE: Chairs will pass out -- the  
23 Sergeant in Arms will pass out the amendments.

24 Senator Van Duyn, it's -- the opinion of  
25 the Chair is that this is the same amendment that

1           was just submitted, but it's some wording changes,  
2           but I will give you an opportunity to explain how  
3           this is different from what we just decided.

4                       SEN. VAN DUYN: Thank you very much, Mr.  
5           Chair. Representative Lewis, I take your point  
6           that two people might disagree about whether or not  
7           a particular line is drawn for political advantage,  
8           but I -- I do think we can agree about whether a  
9           line needs to be moved in terms to meet the  
10          requirements of population distribution. And all  
11          I'm saying is that we agree that we will only split  
12          a precinct if it is necessary for -- to achieve the  
13          population requirements that we've already agreed  
14          to.

15                     SEN. LEE: Point of order, Mr. Chairman.  
16          If I may --

17                     SEN. HISE: Senator Lee?

18                     SEN. LEE: It sounds like we're going in  
19          and debating the substance of what we just debated.  
20          I -- I thought the comment was, how is this  
21          different than -- than what we just voted on, as  
22          opposed to reliving the substance of what we just  
23          debated.

24                     SEN. HISE: That is what I gave her the  
25          opportunity to explain, and Representative Lewis

1           wouldn't speak. So we kind of have a joint -- two  
2           committees going here, so I'm going to make sure to  
3           let him.

4                               (Pause.)

5                       SEN. HISE: Okay. Thank you, Senator Van  
6           Duyn. The opinion of the chair is the amendment is  
7           functionally equivalent to the previous amendment  
8           submitted and would be out of order as already  
9           considered by the committee.

10                      SEN. SMITH-INGRAM: Mr. Chair?

11                      SEN. HISE: Senator Smith-Ingram?

12                      SEN. SMITH-INGRAM: I'd like to state my  
13           objection to the ruling of the Chairs. This  
14           amendment is clearly differential in that it does  
15           not expressly recite the achievement of partisan  
16           advantage.

17                      SEN. HISE: Thank you, Senator Van Duyn.  
18           I'd -- probably would need to question under the  
19           rules if that's an appeal to the decision of the  
20           Chair.

21                      SEN. SMITH-INGRAM: Yes.

22                      SEN. HISE: Okay. The clerk will call  
23           the roll for the Senate.

24                      UNIDENTIFIED MEMBER: Mr. Chairman. Mr.  
25           Chairman, would you please explain how one needs to

1           vote to uphold the ruling of the chair so we do not  
2           inadvertently vote the wrong way?

3                     REP. MICHAUX: Mr. Chairman, they've been  
4           voting the wrong way already, so why not let them  
5           keep on doing it?

6                     SEN. HISE: Thank you, members of the  
7           committee. As it was a member of the Senate to  
8           make the motion to overrule the Chair, it would be  
9           a vote of the Senate to overrule the Chair. It was  
10          specific to the Senate. Members of the Senate  
11          would vote aye to overrule the Chair, no to not  
12          overrule the Chair. Clerk will call the roll.

13                    CLERK: Senator Bishop?

14                    SEN. BISHOP: No.

15                    CLERK: Senator Bishop, no. Senator  
16          Blue? Senator Brown?

17                    SEN. BROWN: No.

18                    CLERK: Senator Brown, no. Senator  
19          Clark?

20                    SEN. CLARK: Aye.

21                    CLERK: Senator Clark, aye. Senator  
22          Daniel? Senator Harrington?

23                    SEN. HARRINGTON: No.

24                    CLERK: Senator Harrington, no. Senator  
25          Jackson?

1 SEN. JACKSON: No.

2 CLERK: Senator Jackson, no. Senator

3 Lee?

4 SEN. LEE: No.

5 CLERK: Senator Lee, no. Senator Lowe?

6 SEN. LOWE: Aye.

7 CLERK: Senator Lowe, aye. Senator

8 Newton?

9 SEN. NEWTON: No.

10 CLERK: Senator Newton, no. Senator

11 Rabon? Senator Smith-Ingram?

12 SEN. SMITH-INGRAM: Aye.

13 CLERK: Senator Smith-Ingram, aye.

14 Senator Van Duyn?

15 SEN. VAN DUYN: Aye.

16 CLERK: Senator Van Duyn, aye. Senator

17 Wade?

18 SEN. WADE: No.

19 CLERK: Senator Wade, no. Senator Hise?

20 SEN. HISE: No.

21 CLERK: Senator Hise, no.

22 SEN. HISE: By a vote of 4 to 8, the

23 motion to overrule the Chair -- by a vote of 4 to

24 8, the motion to overrule the Chair fails. The

25 motion will be back before us to adopt criteria,



1 fewer split precincts. Representative Lewis, any  
2 other comments?

3 REP. LEWIS: No, sir. I move the  
4 adoption of the amendment -- the adoption of the  
5 criteria as presented.

6 SEN. HISE: Representative Torbett and  
7 the Chairs will move for the adoption of the  
8 amendment. We will enter into a roll call vote  
9 seeing no other questions or comments. We will --

10 UNIDENTIFIED MEMBER: Mr. Chairman, I  
11 don't think it's the amendment, I think it's the  
12 adoption.

13 SEN. HISE: You are correct. It is the  
14 adoption of the criteria, fewer precincts split.  
15 And I think this one was 5. It doesn't have a  
16 number on the screen. So we will begin with a call  
17 of the roll of the House. Thank you.

18 CLERK: Representative Jackson?

19 REP. JACKSON: No.

20 CLERK: Representative Jackson, no.  
21 Representative Szoka?

22 REP. SZOKA: Aye.

23 CLERK: Representative Szoka, aye.  
24 Representative Stevens?

25 REP. STEVENS: Aye.

1                   CLERK: Representative Stevens, aye.  
2           Representative Bell?  
3                   REP. BELL: Aye.  
4                   CLERK: Representative Bell, aye.  
5           Representative Brawley?  
6                   REP. BRAWLEY: Aye.  
7                   CLERK: Representative Brawley, aye.  
8           Representative Brockman?  
9                   REP. BROCKMAN: No.  
10                  CLERK: Representative Brockman, no.  
11           Representative Burr?  
12                  REP. BURR: Aye.  
13                  CLERK: Representative Burr, aye.  
14           Representative Davis? Representative Davis?  
15           Representative Dixon?  
16                  REP. DIXON: Aye.  
17                  CLERK: Representative Dixon, aye.  
18           Representative Dobson?  
19                  REP. DOBSON: Aye.  
20                  CLERK: Representative Dobson, aye.  
21           Representative Dulin?  
22                  REP. DULIN: Aye.  
23                  CLERK: Representative Dulin, aye.  
24           Representative Farmer-Butterfield?  
25                  REP. FARMER-BUTTERFIELD: No.

1 CLERK: Representative  
2 Farmer-Butterfield, no. Representative Floyd?  
3 Representative Floyd? Representative Garrison?  
4 REP. GARRISON: No.  
5 CLERK: Representative Garrison, no.  
6 Representative Gill?  
7 REP. GILL: No.  
8 CLERK: Representative Gill, no.  
9 Representative Grange?  
10 REP. GRANGE: Aye.  
11 CLERK: Representative Grange, aye.  
12 Representative Hall?  
13 REP. HALL: Aye.  
14 CLERK: Representative Hall, aye.  
15 Representative Hanes?  
16 REP. HANES: No.  
17 CLERK: Representative Hanes, no.  
18 Representative Hardister?  
19 REP. HARDISTER: Aye.  
20 CLERK: Representative Hardister, aye.  
21 Representative Harrison?  
22 REP. HARRISON: No.  
23 CLERK: Representative Harrison, no.  
24 Representative Hastings?  
25 REP. HASTINGS: Aye.

1 CLERK: Representative Hastings, aye.

2 Representative Howard?

3 REP. HOWARD: Aye.

4 CLERK: Representative Howard, aye.

5 Representative Hunter?

6 REP. HUNTER: No.

7 CLERK: Representative Hunter, no.

8 Representative Hurley?

9 REP. HURLEY: Aye.

10 CLERK: Representative Hurley, aye.

11 Representative Johnson?

12 REP. JOHNSON: Aye.

13 CLERK: Representative Johnson, aye.

14 Representative Jones? Representative Jones?

15 Representative Jordan?

16 REP. JORDAN: Aye.

17 CLERK: Representative Jordan, aye.

18 Representative Malone?

19 REP. MALONE: Aye.

20 CLERK: Representative Malone, aye.

21 Representative Michaux?

22 REP. MICHAUX: No.

23 CLERK: Representative Michaux, no.

24 Representative Moore? Representative Moore?

25 REP. MOORE: Nay.

1                   CLERK: Representative Moore, no.  
2           Representative Pierce?  
3                   REP. PIERCE: No.  
4                   CLERK: Representative Pierce, no.  
5           Representative Reives?  
6                   REP. REIVES: No.  
7                   CLERK: Representative Reives, no.  
8           Representative Willingham?  
9                   REP. WILLINGHAM: No.  
10                  CLERK: Representative Willingham, no.  
11           Representative Speciale?  
12                  REP. SPECIALE: Aye.  
13                  CLERK: Representative Speciale, aye.  
14           Representative Rogers?  
15                  REP. ROGERS: Aye.  
16                  CLERK: Representative Rogers, aye.  
17           Representative Saine?  
18                  REP. SAINÉ: Aye.  
19                  CLERK: Representative Saine, aye.  
20           Representative Wray?  
21                  REP. WRAY: No.  
22                  CLERK: Representative Wray, no.  
23           Representative Yarborough?  
24                  REP. YARBOROUGH: Aye.  
25                  CLERK: Representative Yarborough, aye.

1 Representative Torbett?

2 REP. TORBETT: Aye.

3 CLERK: Representative Torbett, aye.

4 Representative Lewis?

5 REP. LEWIS: Aye.

6 CLERK: Aye. Representative Dollar?

7 REP. DOLLAR: Aye.

8 CLERK: Aye. Representative Dollar, aye.

9 SEN. HISE: Clerk will call the roll for  
10 the Senate.

11 CLERK: Senator Bishop?

12 SEN. BISHOP: Aye.

13 CLERK: Senator Bishop, aye. Senator  
14 Blue? Senator Brown?

15 SEN. BROWN: Aye.

16 CLERK: Senator Brown, aye. Senator  
17 Clark?

18 SEN. CLARK: No.

19 CLERK: Senator Clark, no. Senator

20 Daniel? Senator Harrington?

21 SEN. HARRINGTON: Aye.

22 CLERK: Senator Harrington, aye. Senator  
23 Jackson?

24 SEN. JACKSON: Aye.

25 CLERK: Senator Jackson, aye. Senator

1 Lee?

2 SEN. LEE: Aye.

3 CLERK: Senator Lee, aye. Senator Lowe?

4 SEN. LOWE: No.

5 CLERK: Senator Lowe, no. Senator

6 Newton?

7 SEN. NEWTON: Aye.

8 CLERK: Senator Newton, aye. Senator

9 Rabon? Senator Smith-Ingram?

10 SEN. SMITH-INGRAM: No.

11 CLERK: Senator Smith-Ingram, no.

12 Senator Van Duyn?

13 SEN. VAN DUYN: No.

14 CLERK: Senator Van Duyn, no. Senator

15 Wade?

16 SEN. WADE: Aye.

17 CLERK: Senator Wade, aye. Senator Hise?

18 SEN. HISE: Aye.

19 CLERK: Senator Hise, aye.

20 SEN. HISE: By a vote in the House of 24

21 to 14 and a vote in the Senate of 8 to 4, Criteria

22 5, as submitted, is adopted, fewer split precincts

23 by the committee.

24 Members, we will now go to -- back to

25 proposed criteria number 6, municipal boundaries.

1 I will have an amendment. Before we get into it, I  
2 want to quickly state that if you have a proposed  
3 amendment for any of the criteria -- they have been  
4 submitted to everyone this morning -- I would ask  
5 that you get with staff now and have that drafted  
6 in this process so that, as we go forward in the  
7 future, we don't have to displace a criteria and  
8 can go ahead move through the time-cumbersome  
9 process. So, that being said, it was submitted by,  
10 I can't read that signature. So who submitted?  
11 Senator Clark, you're recognized to explain your  
12 amendment.

13 SEN. CLARK: Thank you, Mr. Chair.  
14 Committee members, what this does is exactly what  
15 Representative Lewis indicated that he'd be willing  
16 to do. It just puts it in writing. He indicated  
17 that if we came to him with concerns about  
18 communities of interest, that the committee may  
19 consider those. And that's what this particular  
20 amendment says, it says that if a member of this  
21 body comes forward with a community of interest  
22 that they can specifically categorize, that the  
23 committee may consider them.

24 SEN. HISE: Representative Lewis?

25 REP. LEWIS: Thank you, Mr. Chairman, and



1           thank you, Senator Clark, for sending forward the  
2           amendment. I don't believe that I can have a  
3           hard-and-fast definition of what a community of  
4           interest is. I think your -- the way you've  
5           drafted the amendment is artful and points out that  
6           what I may consider a community of interest, you  
7           may not, which means it is appropriate, once the  
8           map is drawn, to discuss amendments to the map in  
9           which you can discuss specific communities of  
10          interest. I don't believe it belongs in this  
11          criteria and would ask members to vote it down.

12                   SEN. HISE: Other questions or comments?  
13          Seeing none, we will move into a vote on the --  
14          Senator Clark has moved to amend the criteria, as  
15          identified. We will begin with a call of the roll  
16          of the Senate.

17                   CLERK: Senator Bishop?

18                   SEN. BISHOP: No.

19                   CLERK: Senator Bishop, no. Senator  
20          Blue? Senator Brown?

21                   SEN. BROWN: No.

22                   CLERK: Senator Brown, no. Senator  
23          Clark?

24                   SEN. CLARK: Aye.

25                   CLERK: Senator Clark, aye. Senator

1                   Daniel ? Senator Harrington?  
2                   SEN. HARRINGTON: No.  
3                   CLERK: Senator Harrington, no. Senator  
4                   Jackson?  
5                   SEN. JACKSON: No.  
6                   CLERK: Senator Jackson, no. Senator  
7                   Lee?  
8                   SEN. LEE: No.  
9                   CLERK: Senator Lee, no. Senator Lowe?  
10                  SEN. LOWE: Aye.  
11                  CLERK: Senator Lowe, aye. Senator  
12                  Newton?  
13                  SEN. NEWTON: No.  
14                  CLERK: Senator Newton, no. Senator  
15                  Rabon? Senator Smith-Ingram?  
16                  SEN. SMITH-INGRAM: Aye.  
17                  CLERK: Senator Smith-Ingram, aye.  
18                  Senator Van Duyn?  
19                  SEN. VAN DUYN: Aye.  
20                  CLERK: Senator Van Duyn, aye. Senator  
21                  Wade?  
22                  SEN. WADE: No.  
23                  CLERK: Senator Wade, no. Senator Hise?  
24                  SEN. HISE: No.  
25                  CLERK: Senator Hise, no.

1 SEN. HISE: Call the roll of the House.

2 CLERK: Representative Jackson?

3 REP. JACKSON: Yes.

4 CLERK: Jackson, aye. Representative

5 Szoka?

6 REP. SZOKA: No.

7 CLERK: Szoka, no. Representative

8 Stevens?

9 REP. STEVENS: No.

10 CLERK: Stevens, no. Representative

11 Bell? Representative Bell? Representative

12 Brawley?

13 REP. BRAWLEY: No.

14 CLERK: Brawley, no. Representative

15 Brockman?

16 REP. BROCKMAN: Yes.

17 CLERK: Brockman, aye. Representative

18 Burr?

19 REP. BURR: No.

20 CLERK: Burr, no. Representative Davis?

21 Davis? Representative Dixon?

22 REP. DIXON: No.

23 CLERK: Dixon, no. Representative

24 Dobson?

25 REP. DOBSON: No.

1 CLERK: Dobson, no. Representative  
2 Dulin?  
3 REP. DULIN: No.  
4 CLERK: Dulin, no. Representative  
5 Farmer-Butterfield?  
6 REP. FARMER-BUTTERFIELD: Aye.  
7 CLERK: Farmer-Butterfield, aye.  
8 Representative Floyd? Representative Floyd?  
9 Representative Garrison?  
10 REP. GARRISON: Aye.  
11 CLERK: Garrison, aye. Representative  
12 Gill?  
13 REP. GILL: Aye.  
14 CLERK: Gill, aye. Representative  
15 Grange?  
16 REP. GRANGE: No.  
17 CLERK: Grange, no. Representative Hall?  
18 REP. HALL: No.  
19 CLERK: Hall, no. Representative Hanes?  
20 REP. HANES: Yes.  
21 CLERK: Hanes, aye. Representative  
22 Hardister?  
23 REP. HARDISTER: No.  
24 CLERK: Hardister, no. Representative  
25 Harrison?

1 REP. HARRISON: Aye.  
2 CLERK: Harrison, aye. Representative  
3 Hastings?  
4 REP. HASTINGS: No.  
5 CLERK: Hastings, no. Representative  
6 Howard?  
7 REP. HOWARD: No.  
8 CLERK: Howard, no. Representative  
9 Hunter?  
10 REP. HUNTER: Aye.  
11 CLERK: Hunter, aye. Representative  
12 Johnson?  
13 REP. JOHNSON: No.  
14 CLERK: Johnson, no. Representative  
15 Jones? Representative Jordan?  
16 REP. JORDAN: No.  
17 CLERK: Jordan, no. Representative  
18 Malone?  
19 REP. MALONE: No.  
20 CLERK: Malone, no. Representative  
21 Michaux?  
22 REP. MICHAUX: Aye.  
23 CLERK: Michaux, aye. Representative  
24 Moore?  
25 REP. MOORE: Yes.

1 CLERK: Moore, aye. Representative  
2 Pierce?  
3 REP. PIERCE: Aye.  
4 CLERK: Pierce, aye. Representative  
5 Reives?  
6 REP. REIVES: Aye.  
7 CLERK: Reives, aye. Representative  
8 Willingham?  
9 REP. WILLINGHAM: Aye.  
10 CLERK: Willingham, aye. Representative  
11 Speciale?  
12 REP. SPECIALE: No.  
13 CLERK: Speciale, no. Representative  
14 Rogers?  
15 REP. ROGERS: No.  
16 CLERK: Rogers, no. Representative  
17 Saine?  
18 REP. SAINÉ: No.  
19 CLERK: Saine, no. Representative Wray?  
20 REP. WRAY: Aye.  
21 CLERK: Wray, aye. Representative  
22 Yarborough?  
23 REP. YARBOROUGH: No.  
24 CLERK: Yarborough, no. Representative  
25 Torbett?

1 REP. TORBETT: No.

2 CLERK: Torbett, no. Representative

3 Hurley?

4 REP. HURLEY: No.

5 CLERK: Hurley, no. Representative Bell?

6 REP. BELL: No.

7 CLERK: Bell, no. Representative Lewis?

8 REP. LEWIS: No.

9 CLERK: Lewis, no. Representative

10 Dollar?

11 REP. DOLLAR: No.

12 CLERK: Dollar, no.

13 SEN. HISE: By a vote of 4 to 8 in the  
14 Senate and by a vote of 14 to 24 in the House, the  
15 motion fails. The Criteria Number 6, municipal  
16 boundaries, is back before the committee.

17 Representative Dollar?

18 REP. DOLLAR: Motion to approve the  
19 criteria.

20 SEN. HISE: The chairmen have moved for  
21 the approval of the criteria. Any other comments  
22 or discussions? Seeing none. Clerk will begin  
23 with the call of the roll of the House.

24 CLERK: Representative Jackson?

25 REP. JACKSON: No.

1 CLERK: Representative Jackson, no.  
2 Representative Szoka?  
3 REP. SZOKA: Aye.  
4 CLERK: Representative Szoka, aye.  
5 Representative Stevens?  
6 REP. STEVENS: Aye.  
7 CLERK: Representative Stevens, aye.  
8 Representative Bell?  
9 REP. BELL: Aye.  
10 CLERK: Representative Bell, aye.  
11 Representative Brawley?  
12 REP. BRAWLEY: Brawley, aye.  
13 CLERK: Representative Brawley, aye.  
14 Representative Brockman?  
15 REP. BROCKMAN: No.  
16 CLERK: Representative Brockman, no.  
17 Representative Burr?  
18 REP. BURR: Aye.  
19 CLERK: Representative Burr, aye.  
20 Representative Davis? Representative Davis?  
21 Representative Dixon?  
22 REP. DIXON: Aye.  
23 CLERK: Representative Dixon, aye.  
24 Representative Dobson?  
25 REP. DOBSON: Aye.



1 CLERK: Representative Dobson, aye.  
2 Representative Dulin?  
3 REP. DULIN: Aye.  
4 CLERK: Representative Dulin, aye.  
5 Representative Farmer-Butterfield?  
6 REP. FARMER-BUTTERFIELD: No.  
7 CLERK: Representative  
8 Farmer-Butterfield, no. Representative Floyd?  
9 Representative Floyd? Representative Garrison?  
10 REP. GARRISON: No.  
11 CLERK: Representative Garrison, no.  
12 Representative Gill?  
13 REP. GILL: No.  
14 CLERK: Representative Gill, no.  
15 Representative Grange?  
16 REP. GRANGE: Aye.  
17 CLERK: Representative Grange, aye.  
18 Representative Hall?  
19 REP. HALL: Aye.  
20 CLERK: Representative Hall, aye.  
21 Representative Hanes?  
22 REP. HANES: No.  
23 CLERK: Representative Hanes, no.  
24 Representative Hardister?  
25 REP. HARDISTER: Aye.

1 CLERK: Representative Hardister, aye.

2 Representative Harrison?

3 REP. HARRISON: No.

4 CLERK: Representative Harrison, no.

5 Representative Hastings?

6 REP. HASTINGS: Aye.

7 CLERK: Representative Hastings, aye.

8 Representative Howard?

9 REP. HOWARD: Aye.

10 CLERK: Representative Howard, aye.

11 Representative Hunter?

12 REP. HUNTER: No.

13 CLERK: Representative Hunter, no.

14 Representative Hurley?

15 REP. HURLEY: Aye.

16 CLERK: Representative Hurley, aye.

17 Representative Johnson?

18 REP. JOHNSON: Aye.

19 CLERK: Representative Johnson, aye.

20 Representative Jones? Representative Jones?

21 Representative Jordan?

22 REP. JORDAN: Aye.

23 CLERK: Representative Jordan, aye.

24 Representative Malone?

25 REP. MALONE: Aye.

1 CLERK: Representative Malone, aye.  
2 Representative Michaux?  
3 REP. MICHAUX: No.  
4 CLERK: Representative Michaux, no.  
5 Representative Moore?  
6 REP. MOORE: No.  
7 CLERK: Representative Moore, no.  
8 Representative Pierce?  
9 REP. PIERCE: No.  
10 CLERK: Representative Pierce, no.  
11 Representative Reives?  
12 REP. REIVES: No.  
13 CLERK: Representative Reives, no.  
14 Representative Willingham?  
15 REP. WILLINGHAM: No.  
16 CLERK: Representative Willingham, no.  
17 Representative Speciale?  
18 REP. SPECIALE: Aye.  
19 CLERK: Representative Speciale, aye.  
20 Representative Rogers?  
21 REP. ROGERS: Aye.  
22 CLERK: Representative Rogers, aye.  
23 Representative Saine?  
24 REP. SAINÉ: Aye.  
25 CLERK: Representative Saine, aye.

1           Representative Wray?

2                     REP. WRAY:   No.

3                     CLERK:   Representative Wray, no.

4           Representative Yarborough?

5                     REP. YARBOROUGH:   Aye.

6                     CLERK:   Representative Yarborough, aye.

7           Representative Torbett?

8                     REP. TORBETT:   Aye.

9                     CLERK:   Representative Torbett, aye.

10          Representative Lewis?

11                    REP. LEWIS:   Aye.

12                    CLERK:   Representative Lewis, aye.

13          Representative Dollar?

14                    REP. DOLLAR:   Aye.

15                    CLERK:   Representative Dollar, aye.

16                    SEN. HISE:   Clerk, call the roll of the

17          Senate.

18                    CLERK:   Senator Bishop?

19                    SEN. BISHOP:   Aye.

20                    CLERK:   Senator Bishop, aye.   Senator

21          Blue?   Senator Brown?

22                    SEN. BROWN:   Aye.

23                    CLERK:   Senator Brown, aye.   Senator

24          Clark?

25                    SEN. CLARK:   No.

1 CLERK: Senator Clark, no. Senator  
2 Daniel? Senator Harrington?  
3 SEN. HARRINGTON: Aye.  
4 CLERK: Senator Harrington, aye. Senator  
5 Jackson?  
6 SEN. JACKSON: Aye.  
7 CLERK: Senator Jackson, aye. Senator  
8 Lee?  
9 SEN. LEE: Aye.  
10 CLERK: Senator Lee, aye. Senator Lowe?  
11 SEN. LOWE: No.  
12 CLERK: Senator Lowe, no. Senator  
13 Newton?  
14 SEN. NEWTON: Aye.  
15 CLERK: Senator Newton, aye. Senator  
16 Rabon? Senator Smith-Ingram?  
17 SEN. SMITH-INGRAM: No.  
18 CLERK: Senator Smith-Ingram, no.  
19 Senator Van Duyn?  
20 SEN. VAN DUYN: No.  
21 CLERK: Senator Van Duyn, no. Senator  
22 Wade?  
23 SEN. WADE: Aye.  
24 CLERK: Senator Wade, aye. Senator Hise?  
25 SEN. HISE: Aye.

1 CLERK: Senator Hi se, aye.

2 SEN. HI SE: By a vote of 24-14 in the  
3 House and a vote of 8 to 4 in the Senate, the  
4 proposed cri teri a on muni cipal boundaries is  
5 considered adopted by the Commi ttee. Members  
6 should now have Cri teri on Number 7, incumbency  
7 protection. Representative Lewi s.

8 REP. LEWIS: Thank you, Mr. Chair man.  
9 This cri teri a reads, reasonable efforts and  
10 political considerations may be used to avoid  
11 pairing incumbent members of the House or Senate  
12 with another incumbent in legi slative di stricts  
13 drawn in 2017 House and Senate plans. The  
14 Commi ttee may make reasonable efforts to ensure  
15 voters have a reasonable opportunity to elect  
16 non-paired incumbents of ei ther party to a di strict  
17 in the 2017 House and Senate plans.

18 To speak on it briefly, since last week's  
19 Commi ttee meeting, Senator Blue has written the  
20 Chairs on the subject of cri teri a. In his letter,  
21 he writes, "incumbency protection is not legally  
22 required in redi stricting, but it may be considered  
23 as a secondary cri teri on after first ensurance" --  
24 after first "ensuring", pardon me -- "compliance  
25 with federal and state law."

1                   The Chairs do not agree with all of  
2                   Senator Blue's letter, but we do agree with this  
3                   statement. I'll further add that the courts have  
4                   ruled that incumbency is a traditional  
5                   redistricting criteria, and I will urge members to  
6                   adopt this criteria. Happy to answer any  
7                   questions.

8                   SEN. HISE: Representative Jackson.

9                   REP. JACKSON: Thank you, Mr. Chairman.  
10                  I -- I don't have a question. I just have a  
11                  statement, if that's okay. I -- you -- you know,  
12                  this is -- the thing about redistricting that  
13                  really bothers me is that the court has now ruled  
14                  that the maps from 2011 were unconstitutional. At  
15                  the -- at the time, the partisan divide between --  
16                  in the House was 68-52, and by the use of  
17                  unconstitutional maps, the majority is now 74 to  
18                  46. So it seems just ridiculous to me that you  
19                  would get to now say we get to protect the members  
20                  that we were able to elect by using  
21                  unconstitutional maps.

22                  What's more is that, you know, you --  
23                  you've addressed other criteria such as  
24                  municipalities and splitting precincts, but then  
25                  we're going to say that in order to protect the

1           incumbents, we can violate these other things that  
2           we've done or -- other criteria that we've adopted.  
3           And I just don't think incumbency protection has  
4           any role in this, especially in this term. I think  
5           it's unfair that we're -- that a majority obtained  
6           by unconstitutional districts is now going to try  
7           to be protected by using criteria like  
8           redistricting, and so I would ask you to vote  
9           against this.

10                       SEN. HISE: Mr. Chairman.

11                       REP. LEWIS: Thank you. I would like to  
12           point out to the members that the Republican  
13           majority was earned in 2010 when the voters elected  
14           us in districts drawn by the Democrats. And that  
15           is where the balance of legislative seats shifted  
16           in those seats.

17                       I would point out again that recognizing  
18           the residences of incumbents is an -- is a  
19           traditional principle. What does this mean? This  
20           means that there may be two senators who live in  
21           Durham less than a mile apart from each other. We  
22           can certainly disregard their residences, if  
23           that's what this Committee wishes to do. But I  
24           think we are selling ourselves short if we don't  
25           acknowledge, at least, that the residences of



1 people who have been elected in districts is a  
2 relevant criteria to consider. I would urge  
3 members to vote for this criteria.

4 SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
5 Representative Lewis, could you provide  
6 clarification on the second sentence in this rule.  
7 More specifically, what -- what is "a reasonable  
8 opportunity to elect non-paired incumbents for  
9 either party." What does that entail?

10 REP. LEWIS: Thank you very much for the  
11 question, Senator. I can interpret it the way that  
12 I interpret it, if that's okay. There will be --  
13 and, in fact, I think the press has written about,  
14 there will be pairings of incumbents that will not  
15 be able to be avoided in the drawing of this map  
16 because of other criteria. This is simply saying  
17 that the map makers may take reasonable efforts to  
18 not pair incumbents unduly.

19 SEN. SMITH-INGRAM: Follow-up.

20 SEN. HISE: Follow-up?

21 SEN. SMITH-INGRAM: Can you give me an  
22 example of what that looks like with the non-paired  
23 incumbents?

24 REP. LEWIS: Yes, ma'am. When I release  
25 the map.

1 SEN. HISE: Senator Van Duyn.

2 SEN. VAN DUYN: I'd just like to make a  
3 comment. And that is, whatever districts we draw,  
4 they should represent the voters and not elected  
5 officials. I just fundamentally believe that  
6 incumbency should not be a criteria.  
7 Traditionally, it may have been done that way, but  
8 I think we're hearing clearly from the people of  
9 North Carolina that they want that to change.

10 SEN. HISE: Any other questions or  
11 comments? Senator Brown.

12 SEN. BROWN: Thank you, Mr. Chairman.  
13 Representative Lewis, it's -- the -- the other  
14 criteria that mostly has already been adopted will  
15 address this issue pretty much anyway. Because the  
16 grouping of the counties -- that criteria alone  
17 will group existing members against each other, and  
18 there's no way around that. I think what you're  
19 talking about -- I think you used an example in  
20 Durham County, you know, where maybe there's a way  
21 that you might -- can work though that situation.  
22 But again, I think the criteria is going to group  
23 certain members against certain members, and that  
24 will be pretty much the way it is. I think the way  
25 that it's worded -- that it's when practicable.

1                   And so --

2                               SEN. HISE:   Thanks.   Representative  
3                   Jackson.

4                               REP. JACKSON:   I had a question for  
5                   Chairman Lewis.

6                               SEN. HISE:   Thank you.

7                               REP. JACKSON:   Chairman Lewis, so I --  
8                   the way I -- the way I see it, you have -- you have  
9                   traditional redistricting criteria like federal  
10                  constitutional law that is the first criteria you  
11                  use, and then state constitutional law. And then  
12                  you have things like this, and I -- I wonder, when  
13                  you have something like incumbency protection and  
14                  then you also have protecting municipal lines, how  
15                  will the map drawer decide which one of those to  
16                  give priority to?

17                              REP. LEWIS:   Thank you for the question,  
18                  Representative Jackson. The answer is that we are  
19                  here today to adopt criteria that I can use in  
20                  working with the map drawer to bring a map back to  
21                  this Committee and back to the public for their  
22                  input; that we don't need to get into a may or  
23                  shall discussion again, but you simply do the best  
24                  that you can with the information that -- that you  
25                  have.

1 SEN. HISE: Representative Dollar.

2 REP. DOLLAR: For a motion, but Mr.

3 Chair, I would also observe it sounds like some  
4 people are volunteering to be not -- not -- not to  
5 be considered in that. Now, maybe that should be  
6 noted. Mr. Chairman, I would make a motion to  
7 adopt the incumbency protection criteria.

8 REP. LEWIS: Mr. Chairman, before we  
9 vote, may I make one point for the record?

10 SEN. HISE: Go ahead.

11 REP. LEWIS: I also want to add to my  
12 initial remarks on this criteria. Another member  
13 in here declared that -- said that our districts  
14 were declared illegal and that's what had produced  
15 the majority. I would point out that the court has  
16 ruled that 28 of the 170 districts are illegal, not  
17 all of them.

18 SEN. HISE: Any other questions or  
19 comments? Hearing none, Representative Dollar and  
20 the Chairman move for the adoption of the proposed  
21 criteria listed as Number 7, incumbency protection.  
22 We'll begin with a call of the roll of the Senate.

23 CLERK: Senator Bishop.

24 SEN. BISHOP: Aye.

25 CLERK: Senator Bishop, aye. Senator

1           Blue.   Senator Brown.  
2                       SEN. BROWN:   Aye.  
3                       CLERK:   Senator Brown, aye.   Senator  
4           Clark.  
5                       SEN. CLARK:   No.  
6                       CLERK:   Senator Clark, no.   Senator  
7           Daniel.   Senator Harrington.  
8                       SEN. HARRINGTON:   Aye.  
9                       CLERK:   Senator Harrington, aye.   Senator  
10          Jackson.  
11                      SEN. JACKSON:   Aye.  
12                      CLERK:   Senator Jackson, aye.   Senator  
13          Lee.  
14                      SEN. LEE:   Lee:   Aye.  
15                      CLERK:   Senator Lee, aye.   Senator Lowe.  
16                      SEN. LOWE:   No.  
17                      CLERK:   Senator Lowe, no.   Senator  
18          Newton.  
19                      SEN. NEWTON:   Aye.  
20                      CLERK:   Senator Newton, aye.   Senator  
21          Raven.   Senator Smith-Ingram.  
22                      SEN. SMITH-INGRAM:   No.  
23                      CLERK:   Senator Smith-Ingram, no.  
24          Senator Van Duyn.  
25                      SEN. VAN DUYN:   No.

1 CLERK: Senator Van Duyn, no. Senator  
2 Wade.  
3 SEN. WADE: Aye.  
4 CLERK: Senator Wade, aye. Senator Hi se.  
5 SEN. HI SE: Aye.  
6 CLERK: Senator Hi se, aye.  
7 SEN. HI SE: Call the roll of the House.  
8 CLERK: Representative Jackson.  
9 SEN. JACKSON: No.  
10 CLERK: Representative Jackson, no.  
11 Representative Szoka.  
12 REP. SZOKA: Aye.  
13 CLERK: Representative Zoka, aye.  
14 Representative Stevens.  
15 REP. STEVENS: Aye.  
16 CLERK: Representative Stevens, aye.  
17 Representative Bell.  
18 REP. BELL: Aye.  
19 CLERK: Representative Bell, aye.  
20 Representative Brawley.  
21 REP. BRAWLEY: Aye.  
22 CLERK: Representative Brawley, aye.  
23 Representative Brockman.  
24 REP. BROCKMAN: No.  
25 CLERK: Representative Brockman, no.

1 Representative Burr.

2 REP. BURR: Aye.

3 CLERK: Representative Burr, aye.

4 Representative Davis. Representative Davis.

5 Representative Dixon.

6 REP. DIXON: Aye.

7 CLERK: Representative Dixon, aye.

8 Representative Dobson.

9 REP. DOBSON: Aye.

10 CLERK: Representative Dobson, aye.

11 Representative Dulin.

12 REP. DULIN: Aye.

13 CLERK: Representative Dulin, aye.

14 Representative Farmer-Butterfield. Representative

15 Farmer-Butterfield.

16 REP. FARMER-BUTTERFIELD: No.

17 CLERK: Representative

18 Farmer-Butterfield, no. Representative Floyd.

19 Representative Floyd. Representative Garrison.

20 REP. GARRISON: No.

21 CLERK: Representative Garrison, no.

22 Representative Gill.

23 REP. GILL: No.

24 CLERK: Representative Gill, no.

25 Representative Grange.

1 REP. GRANGE: Aye.  
2 CLERK: Representative Grange, aye.  
3 Representative Hall.  
4 REP. HALL: Aye.  
5 CLERK: Representative Hall, aye.  
6 Representative Hanes.  
7 REP. HANES: No.  
8 CLERK: Representative Hanes, no.  
9 Representative Hardister.  
10 REP. HARDISTER: Aye.  
11 CLERK: Representative Hardister, aye.  
12 Representative Harrison.  
13 REP. HARRISON: No.  
14 CLERK: Representative Harrison, no.  
15 Representative Hastings.  
16 REP. HASTINGS: Aye.  
17 CLERK: Representative Hastings, aye.  
18 Representative Howard.  
19 REP. HOWARD: Aye.  
20 CLERK: Representative Howard, aye.  
21 Representative Hunter.  
22 REP. HUNTER: No.  
23 CLERK: Representative Hunter, no.  
24 Representative Johnson.  
25 REP. JOHNSON: Aye.



1                   CLERK: Representative Johnson, aye.  
2           Representative Jones. Representative Jones.  
3           Representative Jordan. Representative Jordan.  
4                   REP. JORDAN: Aye.  
5                   CLERK: Representative Jordan, aye.  
6           Representative Malone.  
7                   REP. MALONE: Aye.  
8                   CLERK: Representative Malone, aye.  
9           Representative Michaux.  
10                  REP. MICHAUX: No.  
11                  CLERK: Representative Michaux, no.  
12           Representative Moore.  
13                  REP. MOORE: No.  
14                  CLERK: Representative Moore, no.  
15           Representative Pierce.  
16                  REP. PIERCE: No.  
17                  CLERK: Representative Pierce, no.  
18           Representative Reives.  
19                  REP. REIVES: No.  
20                  CLERK: Representative Reives, no.  
21           Representative Willingham.  
22                  REP. WILLINGHAM: No.  
23                  CLERK: Representative Willingham, no.  
24           Representative Speciale.  
25                  REP. SPECIALE: Aye.

1 CLERK: Representative Speciale, aye.

2 Representative Rogers.

3 REP. ROGERS: Aye.

4 CLERK: Representative Rogers, aye.

5 Representative Saine.

6 REP. SAINES: Aye.

7 CLERK: Representative Saine, aye.

8 Representative Wray.

9 REP. WRAY: No.

10 CLERK: Representative Wray, no.

11 Representative Yarborough.

12 REP. YARBOROUGH: Aye.

13 CLERK: Representative Yarborough, aye.

14 Representative Torbett.

15 REP. TORBETT: Aye.

16 CLERK: Representative Torbett, aye.

17 Representative Hurley.

18 REP. HURLEY: Aye.

19 CLERK: Representative Hurley, aye.

20 Representative Lewis.

21 REP. LEWIS: Aye.

22 CLERK: Representative Lewis, aye.

23 Representative Dollar.

24 REP. DOLLAR: Aye.

25 CLERK: Representative Dollar, aye.

1                   SEN. HISE: 8 having voted in favor in  
2                   the Senate, 4 against. 24 in favor in the House  
3                   and 14 against. Criteria listed as Number 7,  
4                   incumbency protection, is adopted by the Committee.  
5                   Next in front of me, ladies and gentlemen, we have  
6                   criteria listed as Number 8, election data.

7                   REP. LEWIS: Mr. Chairman.

8                   SEN. HISE: Representative Lewis.

9                   REP. LEWIS: Thank you. Mr. Chairman,  
10                  this criteria reads, election data. Political  
11                  consideration and election results data may be used  
12                  in drawing up legislative districts in 2017 House  
13                  and Senate plans. I believe this is pretty  
14                  self-explanatory, and I would urge members to adopt  
15                  the criteria.

16                  SEN. CLARK: Thank you, Mr. Chair. In  
17                  our previous Committee meeting, I asked that for  
18                  each map that was brought forward for consideration  
19                  that an efficiency gap analysis be conducted. Are  
20                  we going to be able to do that?

21                  SEN. HISE: Representative Lewis?

22                  REP. LEWIS: Thank you for that question,  
23                  Senator Clark. Let me make a few points on the  
24                  efficiency gap, if I can. First of all, the  
25                  article that talks about the efficiency gap, which

1 is entitled, I believe, "Partisan Gerrymandering  
2 and Efficiency Gap" by Stephanopoulos and McGhee,  
3 proposes the use of an efficiency gap concept that  
4 is yet to be peer-reviewed by any other legal or  
5 academic scholars. Further, I think it's important  
6 to point out that the efficiency gap itself is  
7 designed to measure election results, and it is  
8 based on past election results. It's very hard,  
9 and -- and I did read your letter closely -- I  
10 would think it would be disingenuous to try to  
11 create proxy election results in order to try to  
12 measure an efficiency gap.

13 Further, I think it's important to  
14 understand that if you buy into, if you will, the  
15 efficiency gap criteria, we would actually be  
16 moving away from our current system of government  
17 to a -- a European-style parliamentary system. I  
18 further believe that the use of this criteria would  
19 require the legislature to severely gerrymander in  
20 order to dictate a predetermined outcome and that  
21 drawing would require the legislature to reject  
22 Constitutionally-required redistricting criteria,  
23 such as the county-grouping formula.

24 I say all that to say that I do not  
25 believe that the efficiency gap; one, can be

1           applied prospectively as it has been written about;  
2           two, I reject the argument that an efficiency gap  
3           test is a necessary or needed thing. I do not  
4           believe that anyone's vote is wasted, which is the  
5           premise that the efficiency gap operates on.

6                       So with that said, you could certainly  
7           request, once the maps were drawn, any type of  
8           report that you wanted to do, but it would not --  
9           it is not contemplated by me that an efficiency gap  
10          would be run on the map that is initially presented  
11          to this Committee.

12                      SEN. HISE: Senator Clark?

13                      SEN. CLARK: Thank you, Mr. Chair. First  
14          of all, efficiency gaps can be calculated  
15          prospectively. There are a lot of articles out  
16          there regarding the efficiency gap. And secondly,  
17          the capability to do so does exist. And then also,  
18          with regard to the notion of the wasted votes,  
19          that's not -- it's not implying that an  
20          individual's vote is wasted. What is being  
21          indicated is that the distribution of those votes  
22          through gerrymandering devalues the votes of the  
23          citizens, and that is something we should not be  
24          doing. So if we're not going to use methods such  
25          as the efficiency gap, what method are we going to

1           use to ensure partisan symmetry? And then what  
2           would we do with this political -- political data  
3           that you plan on collecting?

4                     REP. LEWIS: Thank you for the question.  
5           The criteria says that election results may be used  
6           in drawing. We are not going to ensure the outcome  
7           of anything one way or the other.

8                     SEN. CLARK: Mr. Chair?

9                     SEN. HISE: A follow-up, I'm assuming?

10                    SEN. CLARK: I'm still not clear on that  
11           response. You're going to collect the political  
12           data. What specifically would the Committee do  
13           with it?

14                    REP. LEWIS: The -- thank you for the  
15           question. The answer is, the Committee could look  
16           at the political data as evidence to how, perhaps,  
17           votes have been cast in the past. It is important  
18           though, Senator -- you and I have severe  
19           disagreements on very few things, but the  
20           efficiency gap is one of them. I would encourage  
21           anyone who is listening to this who is interested  
22           in it to review it and to review the 2016 election  
23           for the General Assembly for the House, and you  
24           will find out that, based on the article that is  
25           written, there is no efficiency gap under the plans

1           that have been struck down. So I have a real  
2           concern and I'm not sure -- again, a test which  
3           purely analyzes past election results to determine  
4           if there are wasted votes or if there is an  
5           efficiency issue, can be done prospectively.

6                         SEN. HISE: Senator Clark.

7                         SEN. CLARK: I guess I disagree with you  
8           on the results of using the efficiency gap analysis  
9           as any member should desire. I can provide you  
10          with my calculations that I have done myself using  
11          Microsoft Excel and -- and their -- they tell a  
12          different story, and, as a matter of fact, I had  
13          the process vetted by the UNC School of Government,  
14          and I'd be more than happy to distribute that and  
15          discuss it with anyone that's willing to review  
16          that with me.

17                        And also, back to the wasted votes  
18          analysis, like I said, that's not an indication  
19          that an individual has wasted their vote by  
20          exercising their constitutional right. That speaks  
21          of the fact that the votes are being distributed in  
22          a way that benefit the majority party and if you --  
23          I'm sure you read, when you read Stephanopoulos'  
24          material, that you saw that, for the most part, any  
25          particular plan that had an efficiency gap

1           exceeding 8 percent, they fell about 1.5 percent  
2           outside of the mean and that was a rarity. As a  
3           matter of fact, I think only about 12 percent of  
4           the legislative plans over the last 50 years had  
5           efficiency gaps that high.

6                         SEN. HISE: Senator Smith-Ingram.

7                         SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
8           Chair Lewis, would you be able to provide a  
9           representative list of three to four items entailed  
10          with political considerations and election results  
11          data?

12                        REP. LEWIS: Mr. Chairman, I apologize,  
13          and Senator, I didn't understand your question.

14                        SEN. SMITH-INGRAM: Okay. So I'm asking  
15          for examples. What would be some examples of the  
16          political considerations that are going to  
17          utilized, as well as, can you give me a list of  
18          three to four items or considerations that will  
19          fall under using elections results data?

20                        REP. LEWIS: May I give you ten?

21                        SEN. SMITH-INGRAM: Sure.

22                        REP. LEWIS: Thank you. The 2010 US  
23          Senate race, the 2012 race for President, the 2012  
24          race for Governor, the 2012 race for Lieutenant  
25          Governor, the 2016 race for US Senate, 2016 race



1           for President, 2016 race for US Senate, 2016 race  
2           for Governor, 2016 race for Lieutenant Governor and  
3           2016 race for Attorney General.

4                   SEN. SMITH-INGRAM: Thank you. Follow  
5           up. Thank you, Mr. Chair. That answers my  
6           questions as it relates to the election results  
7           data. Can you provide a representative list of  
8           what is considered under political considerations?  
9           Can you define that or give me the parameters of  
10          what those items could include?

11                   REP. LEWIS: Well, ma'am, political  
12          considerations simply are historical  
13          representations of past voting performance.

14                   SEN. HISE: Follow-up?

15                   SEN. SMITH-INGRAM: Does the leadership  
16          have a goal of maintaining the current partisan  
17          advantage in the House and the Senate? Is that  
18          considered political consideration?

19                   REP. LEWIS: Representative [sic], thank  
20          you for the question. The -- the leadership has no  
21          such goal.

22                   SEN. SMITH-INGRAM: Last follow-up.

23                   SEN. HISE: Final follow-up.

24                   SEN. SMITH-INGRAM: So for clarification  
25          on what you just said, Chair Lewis, partisan

1            advantage is not going to fall under the category  
2            of political considerations.

3                        REP. LEWIS: Well, ma'am, I'm -- again,  
4            I'm trying to think about how to answer your  
5            question differently than I did before. Again, the  
6            entire process of where lines are drawn, every  
7            result from where a line is drawn will be an  
8            inherently political thing. I am saying that  
9            redistricting in itself is an inherently political  
10          process. It is right and relevant to review past  
11          performance in drawing districts, so I -- I'm sorry  
12          if I'm not answering your question. I'm trying to  
13          understand it as best I can.

14                      SEN. HISE: Senator Clark.

15                      SEN. CLARK: Thank you, Mr. Chair. You  
16          indicated part of the political data that would be  
17          evaluated would be the past elections, for the most  
18          part; you identify quite a few. Now, you said  
19          previously that they could provide no indication of  
20          what might happen in the future. Otherwise, they  
21          couldn't be used prospectively as we would do with  
22          the efficiency gap calculations. So if you're not  
23          going to use those results prospectively, and  
24          you -- for what reason, you just want to take a  
25          look at them and see what happened in the past, I

1 don't see how that can add value to anything if you  
2 don't anticipate that they can inform you about  
3 what might happen in the future.

4 REP. LEWIS: Senator, thank you for the  
5 question. Again, I think the efficiency gap is --  
6 seeks to somehow create some kind of  
7 proportional -- proportionate representation thing,  
8 and unless we're going to get to the point where we  
9 have Prime Minister Moore and Lord Berger, I don't  
10 see what -- that's relevant at this point.

11 SEN. HISE: Follow up.

12 SEN. CLARK: First of all, efficiency  
13 gaps deals with single-member districts, which is  
14 what do have in the United States of America. So  
15 back to my other point, if we can't use --

16 REP. LEWIS: Excuse me, sir. I believe  
17 the efficiency gap is a cumulative thing. That's  
18 what the article says, which is how you apply it to  
19 a state plan, which is how you and I both just  
20 agreed that most state plans in the US fall  
21 underneath it, including the 2016 plan in which the  
22 House of Representatives of this state was elected.

23 SEN. CLARK: Okay. So clearly we're not  
24 going to agree on the efficiency gap, so back to  
25 the other point.

1 SEN. HISE: Follow-up.

2 SEN. CLARK: Sorry, Mr. Chair. Follow  
3 up. Okay. You indicated that you were going to  
4 look at election data, so that -- still these other  
5 questions that I have. If you're not going to look  
6 at the election data for the purpose of determining  
7 prospectively what might happen and just want to  
8 see what happened in the past, what good does  
9 looking to see what happened in the past do us, if  
10 we're not going to use it for what might happen in  
11 the future?

12 REP. LEWIS: I believe that the  
13 consideration of political data in terms of  
14 election results is an established districting  
15 criteria, and it's one that I propose that this  
16 committee use in drawing the map.

17 SEN. HISE: Representative Dollar.

18 REP. DOLLAR: Mr. Chairman, I move the  
19 adoption of the election data criteria.

20 SEN. HISE: Any other questions or  
21 comments? Seeing none, Clerk will begin with the  
22 call of the roll of the House.

23 CLERK: Representative Jackson.

24 REP. JACKSON: No.

25 CLERK: Representative Jackson, no.

1           Representative Szoka.

2                     REP. SZOKA:   Aye.

3                     CLERK:   Representative Szoka, aye.

4           Representative Stevens.

5                     REP. STEVENS:   Aye.

6                     CLERK:   Representative Stevens, aye.

7           Representative Bell.

8                     REP. BELL:   Aye.

9                     CLERK:   Representative Bell, aye.

10          Representative Brawley.

11                    REP. BRAWLEY:   Aye.

12                    CLERK:   Representative Brawley, aye.

13          Representative Brockman.

14                    REP. BROCKMAN:   No.

15                    CLERK:   Representative Brockman, no.

16          Representative Burr.

17                    REP. BURR:   Aye.

18                    CLERK:   Representative Burr, aye.

19          Representative Davis.   Representative Davis.

20          Representative Dixon.

21                    REP. DIXON:   Aye.

22                    CLERK:   Representative Dixon, aye.

23          Representative Dobson.

24                    REP. DOBSON:   Aye.

25                    CLERK:   Representative Dobson, aye.

1 Representative Dulin.

2 REP. DULIN: Aye.

3 CLERK: Representative Dulin, aye.

4 Representative Farmer-Butterfield.

5 REP. FARMER-BUTTERFIELD: No.

6 CLERK: Representative

7 Farmer-Butterfield, no. Representative Floyd.

8 Representative Floyd. Representative Garrison.

9 REP. GARRISON: No.

10 CLERK: Representative Garrison, no.

11 Representative Gill.

12 REP. GILL: No.

13 CLERK: Representative Gill, no.

14 Representative Grange.

15 REP. GRANGE: Aye.

16 CLERK: Representative Grange, aye.

17 Representative Hall.

18 REP. HALL: Aye.

19 CLERK: Representative Hall, aye.

20 Representative Hanes.

21 REP. HANES: No.

22 CLERK: Representative Hanes, could you  
23 please repeat that?

24 REP. HANES: No.

25 CLERK: Representative Hanes, no.

1           Representative Hardister.

2                     REP. HARDISTER:   Yes.

3                     CLERK:   Representative Hardister, aye.

4           Representative Harrison.

5                     REP. HARRISON:   No.

6                     CLERK:   Representative Harrison, no.

7           Representative Hastings.

8                     REP. HASTINGS:   Aye.

9                     CLERK:   Representative Hastings, aye.

10          Representative Howard.

11                    REP. HOWARD:   Aye.

12                    CLERK:   Representative Howard, aye.

13          Representative Hunter.

14                    REP. HUNTER:   No.

15                    CLERK:   Representative Hunter, no.

16          Representative Hurlley.

17                    REP. HURLEY:   Aye.

18                    CLERK:   Representative Hurlley, aye.

19          Representative Johnson.

20                    REP. JOHNSON:   Aye.

21                    CLERK:   Representative Johnson, aye.

22          Representative Jones.   Representative Jones.

23          Representative Jordan.

24                    REP. JORDAN:   Aye.

25                    CLERK:   Representative Jordan, aye.

1           Representati ve Mal one.

2                       REP. MALONE:   Aye.

3                       CLERK:   Representati ve Mal one, aye.

4           Representati ve Mi chaux.

5                       REP. MI CHAUX:   No.

6                       CLERK:   Representati ve Mi chaux, no.

7           Representati ve Moore.   Representati ve Moore.

8           Representati ve Pi erce.

9                       REP. PIERCE:   No.

10                      CLERK:   Representati ve Pi erce, no.

11           Representati ve Rei ves.

12                      REP. REIVES:   No.

13                      CLERK:   Representati ve Rei ves, no.

14           Representati ve Rei ves, no.   Representati ve

15           Wi lli ngham.

16                      REP. WILLINGHAM:   No.

17                      CLERK:   Representati ve Wi lli ngham, no.

18           Representati ve Speci al e.

19                      REP. SPECIALE:   Aye.

20                      CLERK:   Representati ve Speci al e, aye.

21           Representati ve Rogers.

22                      REP. ROGERS:   Aye.

23                      CLERK:   Representati ve Rogers, aye.

24           Representati ve Sai ne.

25                      REP. SAINÉ:   Aye.



1                   CLERK: Representative Saine, aye.  
2           Representative Wray.  
3                   REP. WRAY: No.  
4                   CLERK: Representative Saine, no. Wray,  
5           no. Representative Yarborough.  
6                   REP. YARBOROUGH: Aye.  
7                   CLERK: Representative Yarborough, aye.  
8           Representative Torbett.  
9                   REP. TORBETT: Aye.  
10                  CLERK: Representative Torbett, aye.  
11           Representative Lewis.  
12                  REP. LEWIS: Aye.  
13                  CLERK: Representative Lewis, aye.  
14           Representative Dollar.  
15                  REP. DOLLAR: Aye.  
16                  CLERK: Representative Dollar, aye.  
17                  SEN. HISE: Committee clerk, call the  
18           roll of the Senate members.  
19                  CLERK: Senator Bishop.  
20                  SEN. BISHOP: Aye.  
21                  CLERK: Senator Bishop, aye. Senator  
22           Blue. Senator Brown.  
23                  SEN. BROWN: Aye.  
24                  CLERK: Senator Brown, aye. Senator  
25           Clark.

1 SEN. CLARK: No.  
2 CLERK: Senator Clark, no. Senator  
3 Daniel. Senator Harrington.  
4 SEN. HARRINGTON: Aye.  
5 CLERK: Senator Harrington, aye. Senator  
6 Jackson.  
7 SEN. JACKSON: Aye.  
8 CLERK: Senator Jackson, aye. Senator  
9 Lee.  
10 SEN. LEE: Aye.  
11 CLERK: Senator Lee, aye. Senator Lowe.  
12 SEN. LOWE: No.  
13 CLERK: Senator Lowe, no. Senator  
14 Newton.  
15 SEN. NEWTON: Aye.  
16 CLERK: Senator Newton, aye. Senator  
17 Rabon. Senator Smith-Ingram.  
18 SEN. SMITH-INGRAM: No.  
19 CLERK: Senator Smith-Ingram, no.  
20 Senator Van Duyn.  
21 SEN. VAN DUYN: No.  
22 CLERK: Senator Van Duyn, no. Senator  
23 Wade.  
24 SEN. WADE: Aye.  
25 CLERK: Senator Wade, aye. Senator Hise.

1 SEN. HI SE: Aye.

2 CLERK: Senator Hi se, aye.

3 SEN. HI SE: By a vote of 24 to 13 in the  
4 House and 8 to 4 in the Senate, Criteria Number 8,  
5 election data is adopted by the criteria [sic].  
6 Members, you will have in front of you now Criteria  
7 Number 9. This is Number 9, no consideration of  
8 racial data.

9 REP. LEWIS: Mr. Chairman?

10 SEN. HI SE: Representative Lewi s.

11 REP. LEWIS: I propose the following  
12 criteria that is No Consideration of Racial Data.  
13 Data identifying the race of individuals or voters  
14 shall not be used in drawing of legislative  
15 districts in 2017 House and Senate plans. In 2011,  
16 40 counties in this state were under the  
17 preclearance standard, under Section 5 of the  
18 Voting Rights Act. In the intervening time, that  
19 preclearance from the Justice Department has been  
20 lifted by the U.S. Supreme Court. It will not be  
21 incumbent upon this General Assembly to seek  
22 preclearance for these plans.

23 In drawing the current legislative  
24 districts, the General Assembly conducted an  
25 unprecedented effort to reach out to interested

1 parties, receive public input, receive expert  
2 testimony and hear from members of this body about  
3 evidence relevant for drawing districts under the  
4 Voting Rights Act. Despite the voluminous record  
5 that was established by the General Assembly during  
6 the 2011 redistricting process, the three-judge  
7 panel in the Covington case said that this did not  
8 constitute substantial evidence that would justify  
9 using race to draw districts in compliance with the  
10 requirements of the VRA.

11 Therefore, we do not believe it is  
12 appropriate, given the Court's order, in this case  
13 for these committees to consider race when drawing  
14 districts. Be happy to answer any questions.

15 SEN. HISE: Representative Michaux.

16 REP. MICHAUX: Yeah. Mr. Chairman, you  
17 indicated that the Section 4 of the Voting Rights  
18 Act was stricken down. It was in effect when  
19 this -- when this redistricting was done initially.  
20 It is not now. But the redistricting that you did  
21 when it was in effect, the decision of the Court  
22 came out that it was racial gerrymandering, after  
23 the provision was stricken down. Is that correct?  
24 After the provision in the -- in the Voting Rights  
25 Act had been stricken, the decision that the -- you

1           did racial gerrymandering in 2011. Is that  
2           correct?

3                     REP. LEWIS: If I understood your  
4           question, then chronologically, I believe Section 5  
5           of the Voting Rights Act was stricken down --

6                     REP. MICHAUX: No, no, no. It was  
7           Section 4, but go ahead. 4 was stricken, which  
8           made 5 ineffective. Now, go ahead.

9                     REP. LEWIS: And the decision that this  
10          Committee is here to react to was issued after that  
11          time, yes.

12                    REP. MICHAUX: Further question.

13                    SEN. HISE: Follow-up.

14                    REP. MICHAUX: So the decision of the  
15          three-panel court in the Covington case indicated  
16          that it was racial gerrymandering involved that  
17          caused them to declare the districts  
18          unconstitutional. Is that correct?

19                    REP. LEWIS: It's my understanding the  
20          wording they used was "improper use of race." I  
21          don't believe they used the words racial  
22          gerrymandering.

23                    REP. MICHAUX: Well, they -- did they use  
24          the words "racial demographic"?

25                    REP. LEWIS: I don't recall, sir. I

1 don't have it before me.

2 REP. MICHAUX: Well, I have it before me  
3 right here, and what I --

4 REP. LEWIS: Then you should have just  
5 stated that. It would have saved a little time.

6 REP. MICHAUX: Do you understand that by  
7 not using race, you're defeating your own purpose?  
8 Because if the districts were declared  
9 unconstitutional because of race, if you don't use  
10 race to correct it, how are you going to show the  
11 Court that they still are not unconstitutional?

12 REP. LEWIS: We believe that the court  
13 order illustrates that we did not have sufficient  
14 evidence to consider race in the drawing of  
15 districts. I'm not aware of any additional  
16 information that has been submitted by any member  
17 of this Committee or anyone else since this  
18 decision has come out. Therefore, it is my  
19 recommendation that race not be a consideration in  
20 drawing of these districts.

21 REP. MICHAUX: Another question.

22 SEN. HISE: Follow-up.

23 REP. MICHAUX: Would you agree that the  
24 decision that came down in the Covington case  
25 indicated that race was the predominant factor as

1           their reason for calling the districts  
2           unconstitutional because of racial -- racial  
3           demographics? If you want to put it that way.

4                     REP. LEWIS: Sir, I've explained to you  
5           my understanding of what the court order is. And I  
6           am here today advocating that no race be considered  
7           in drawing the districts. That is my understanding  
8           of the court order. There's no other way I can  
9           answer your question.

10                    REP. MICHAUX: Another question.

11                    REP. LEWIS: Probably the same answer.

12                    REP. MICHAUX: How are you going to prove  
13           to the Court that you did not violate their order  
14           in terms of racial gerrymandering?

15                    REP. LEWIS: It's my understanding that  
16           the order speaks for itself in that the evidence  
17           did not justify the use of race in drawing  
18           districts. Therefore, I'm recommending to this  
19           Committee that race not be a criteria in drawing  
20           the 2017 House and Senate plans.

21                    REP. MICHAUX: Mr. Chairman, I just have  
22           a statement I want to make.

23                    SEN. HISE: Comment.

24                    REP. MICHAUX: Racial demographic --  
25           demographic data can also be useful, because it can

1           signify whether race was a predominant factor  
2           motivating the Legislature's decision. That comes  
3           directly from the Covington case.

4                     You have been charged. What the Court  
5           told you was that racial disparity, racial  
6           demographics played a major role in the  
7           redistricting that you did. You were ordered. You  
8           are now ordered to correct that. In order to show  
9           that you have corrected that, you cannot escape the  
10          fact that race has to be in there somewhere.  
11          There's no way you can do it, Mr. Lewis. I don't  
12          care how you cut it.

13                    REP. LEWIS: Race --

14                    REP. MICHAUX: You've got -- you've got  
15          to tell the Court, we came in and we went back and  
16          used racial demographics from one place or another  
17          place to correct the mistakes that we made in the  
18          past.

19                    REP. LEWIS: Sir, what I will tell the  
20          Court is that the Committee adopted a criteria I  
21          hope that excluded the consideration of race in  
22          drawing the maps.

23                    REP. MICHAUX: But may I follow -- I  
24          just -- I'm -- I'm -- the -- you excluded race.  
25          You are still saying you excluded race. You are



1 still using race as a factor, even by saying you  
2 excluded race. So you've got to consider it  
3 somewhere down the line in order to make the fact  
4 that you excluded it relevant.

5 To you, it may be a play on words. But  
6 there's a distinction there that you ought to  
7 understand. That -- in other words, the Court says  
8 if we go back to the way it was, where race was not  
9 a predominant factor, then race still has to play.  
10 Because there are people out there who are the --  
11 are of a racial composure that have to be  
12 considered in doing this. If not, you're still  
13 short-changing race. You're still short-changing a  
14 group of people by not considering them. And  
15 that's where your big problem is. If you don't  
16 consider us -- if you don't consider me, whether  
17 you say it or not, you are still considering race.

18 REP. LEWIS: Mr. Chairman, I think the  
19 gentleman is making a series of statements I  
20 certainly don't intend to respond to, a series of  
21 statements that I don't agree with.

22 SEN. HISE: Representative  
23 Farmer-Butterfield.

24 REP. FARMER-BUTTERFIELD: Thank you, Mr.  
25 Chair. I wanted to ask staff to tell us how this

1           criteria relates to the obligation to comply with  
2           Section 2 of the Voting Rights Act?

3                     SEN. HISE: Questions are directed to the  
4           Chairman of the Committee. Representative Lewis,  
5           would you like to respond, or would you like to  
6           have staff -- staff tends not to respond to intent,  
7           further-going. But I will let them see what  
8           statements they may want to make.

9                     REP. FARMER-BUTTERFIELD: I think I need  
10          a legal opinion, that's all. Thank you.

11                    MS. CHURCHILL (STAFF): Representative  
12          Farmer-Butterfield, I think we would need some time  
13          to reflect upon that. But generally, I think what  
14          you are trying to ask about is Section 2 of the  
15          Voting Rights Act of 1965. And, generally, that  
16          burden is placed on the voter or the person  
17          bringing the suit. It would not be placed on the  
18          legislature enacting the plan.

19                    SEN. HISE: Representative Jackson.

20                    REP. JACKSON: Thank you, Mr. Chairman.  
21          I'll just -- I'm going to just read from the  
22          conclusion of the Court. Because that's not the  
23          way the Court wrote it in the Covington opinion.  
24          Court said that Section 2 of the Voting Rights Act  
25          continues to play an important role in

1           redistricting. And legislatures must undertake a  
2           specific -- specific -- a district-specific  
3           analysis to identify and cure potential Section 2  
4           violations. So the Court, at least, has put that  
5           requirement on us.

6                       Further, the Court said, our decision  
7           today should in no way be read to imply that  
8           majority-black districts are no longer needed in  
9           the state of North Carolina. And I just -- I  
10          don't -- don't see this criteria as matching up  
11          with what the Court concluded in the Covington  
12          case. And so I would encourage members to vote  
13          against this criteria.

14                      SEN. HISE: Yeah. Senator Smith-Ingram.

15                      SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
16          Chair Lewis, if this particular criterion passes,  
17          then what metric is going to be used to ensure that  
18          the new districts to not abridge or deny voters of  
19          color?

20                      REP. LEWIS: Ma'am, what I can tell you  
21          is, I believe, in 2011, this General Assembly  
22          sought out and received input from every source  
23          that was willing to work with us in expert  
24          testimony and did its best, at that time, to comply  
25          with the instructions and advice that we received.

1                   That being said, the Covington court,  
2                   it's my understanding, has said that we did not  
3                   have a sufficient amount of data in order to draw  
4                   the districts as they were drawn. No one, to my  
5                   knowledge, has submitted additional data for this  
6                   Committee to review. Therefore, this criteria  
7                   would propose that race would not be a  
8                   consideration in the drawing of the maps.

9                   SEN. SMITH-INGRAM: Follow-up.

10                  SEN. HISE: Follow-up.

11                  SEN. SMITH-INGRAM: Is there a metric  
12                  that can be used to ensure that voters of color are  
13                  not disenfranchised or that their rights are not  
14                  abridged?

15                  REP. LEWIS: Ma'am, thank you for the  
16                  question. Again, I would refocus this conversation  
17                  on the criteria that the Chairs will take back and  
18                  execute the undertaking of the first map. If there  
19                  is additional data that you or other members of the  
20                  Committee would like to see reviewed, if there are  
21                  additional maps, if there are other things that you  
22                  would like us to consider, once it's done, then we  
23                  will certainly be glad to do that. Again, we will  
24                  not be using race in the drawing of the additional.

25                  SEN. HISE: Representative Dollar.

1 REP. DOLLAR: Mr. Chairman, I move the  
2 adoption of the criteria.

3 SEN. HISE: Representative Dollar has  
4 moved the adoption of the proposed Criteria Number  
5 9, No Consideration of Racial Data. Any other  
6 comments or questions?

7 REP. LEWIS: Mr. Chairman, there is one  
8 additional comment, please?

9 SEN. HISE: You are so recognized.

10 REP. LEWIS: Just wanted to respond to my  
11 friend from Wake, Representative Jackson. We do  
12 not believe, in light of the Covington opinion,  
13 that there is substantial evidence in the record to  
14 justify the use of race in drawing districts.  
15 Given the Court's order in this case, we believe  
16 the only way to comply with the legal requirements  
17 regarding the drawing of districts is not to  
18 consider race in that process.

19 SEN. HISE: Okay. Now back to Senator  
20 Lowe.

21 SEN. LOWE: Yes, I do have a statement.

22 SEN. HISE: Recognized for a comment.

23 SEN. LOWE: Thank you, sir. And that is,  
24 we live in the South. When in the South has race  
25 not been a factor? Because what I'm hearing

1 doesn't really add up.

2 REP. LEWIS: Mr. Chairman, I'd point out  
3 that the gentleman said that was a statement. And  
4 I certainly took him at his word that that was a  
5 statement.

6 SEN. HISE: Any other comments or  
7 questions? Seeing none, we will begin, then, for  
8 consideration of this, the roll call of the Senate  
9 members.

10 CLERK: Senator Bishop?

11 SEN. BISHOP: Aye.

12 CLERK: Senator Bishop, aye. Senator  
13 Blue? Senator Brown?

14 SEN. BROWN: Aye.

15 CLERK: Senator Brown, aye. Senator  
16 Clark?

17 SEN. CLARK: No.

18 CLERK: Senator Clark, no. Senator  
19 Daniel? Senator Harrington?

20 SEN. HARRINGTON: Aye.

21 CLERK: Senator Harrington, aye. Senator  
22 Jackson?

23 SEN. JACKSON: Aye.

24 CLERK: Senator Jackson, aye. Senator  
25 Lee?

1 SEN. LEE: Aye.  
2 CLERK: Senator Lee, aye. Senator Lowe.  
3 SEN. LOWE: No.  
4 CLERK: Senator Lowe, no. Senator  
5 Newton?  
6 SEN. NEWTON: Aye.  
7 CLERK: Senator Newton, aye. Senator  
8 Rabon? Senator Smith-Ingram?  
9 SEN. SMITH-INGRAM: No.  
10 CLERK: Senator Smith-Ingram, no.  
11 Senator Van Duyn?  
12 SEN. VAN DUYN: No.  
13 CLERK: Senator Van Duyn, no. Senator  
14 Wade?  
15 SEN. WADE: Aye.  
16 CLERK: Senator Wade, aye. Senator Hise?  
17 SEN. HISE: Aye.  
18 CLERK: Senator Hise, aye.  
19 SEN. HISE: Committee Clerk, call the  
20 members of the House.  
21 CLERK: Representative Jackson?  
22 REP. JACKSON: No.  
23 CLERK: Representative Jackson, no.  
24 Representative Szoka?  
25 REP. SZOKA: Aye.

1                   CLERK: Representative Szoka, aye.  
2           Representative Stevens?  
3                   REP. STEVENS: Aye.  
4                   CLERK: Representative Stevens, aye.  
5           Representative Bell?  
6                   REP. BELL: Aye.  
7                   CLERK: Representative Bell, aye.  
8           Representative Brawley?  
9                   REP. BRAWLEY: Aye.  
10                  CLERK: Representative Brawley, aye.  
11           Representative Brockman?  
12                  REP. BROCKMAN: No.  
13                  CLERK: Representative Brockman, no.  
14           Representative Burr?  
15                  REP. BURR: Aye.  
16                  CLERK: Representative Burr, aye.  
17           Representative Davis? Representative Davis?  
18           Representative Dixon?  
19                  REP. DIXON: Aye.  
20                  CLERK: Representative Dixon, aye.  
21           Representative Dobson?  
22                  REP. DOBSON: Aye.  
23                  CLERK: Representative Dobson, aye.  
24           Representative Dulin?  
25                  REP. DULIN: Aye.



1 CLERK: Representative Dulin, aye.  
2 Representative Farmer-Butterfield?  
3 REP. FARMER-BUTTERFIELD: No.  
4 CLERK: Representative  
5 Farmer-Butterfield, no. Representative Floyd?  
6 Representative Floyd? Representative Garrison?  
7 REP. GARRISON: No.  
8 CLERK: Representative Garrison, no.  
9 Representative Gill?  
10 REP. GILL: No.  
11 CLERK: Representative Gill, no.  
12 Representative Grange?  
13 REP. GRANGE: Aye.  
14 CLERK: Representative Grange, aye.  
15 Representative Hall?  
16 REP. HALL: Aye.  
17 CLERK: Representative Hall, aye.  
18 Representative Hanes?  
19 REP. HANES: No.  
20 CLERK: Representative Hanes, no.  
21 Representative Hardister?  
22 REP. HARDISTER: Aye.  
23 CLERK: Representative Hardister, aye.  
24 Representative Harrison?  
25 REP. HARRISON: No.

1                   CLERK: Representative Harrison, no.  
2           Representative Hastings?  
3                   REP. HASTINGS: Aye.  
4                   CLERK: Representative Hastings, aye.  
5           Representative Howard?  
6                   REP. HOWARD: Aye.  
7                   CLERK: Representative Howard, aye.  
8           Representative Hunter?  
9                   REP. HUNTER: No.  
10                  CLERK: Representative Hunter, no.  
11           Representative Hurlley?  
12                  REP. HURLEY: Aye.  
13                  CLERK: Representative Hurlley, aye.  
14           Representative Johnson?  
15                  REP. JOHNSON: Aye.  
16                  CLERK: Representative Johnson, aye.  
17           Representative Jones? Representative Jones?  
18           Representative Jordan?  
19                  REP. JORDAN: Aye.  
20                  CLERK: Representative Jordan, aye.  
21           Representative Malone?  
22                  REP. MALONE: Aye.  
23                  CLERK: Representative Malone, aye.  
24           Representative Mi chaux?  
25                  REP. MI CHAUX: No.

1                   CLERK:   Representati ve Mi chaux, no.  
2           Representati ve Moore?   Representati ve Moore?  
3           Representati ve Pi erce?  
4                   REP. PIERCE:   No.  
5                   CLERK:   Representati ve Pi erce, no.  
6           Representati ve Rei ves?  
7                   REP. REIVES:   No.  
8                   CLERK:   Representati ve Rei ves, no.  
9           Representati ve Wi l l i n g h a m ?  
10                  REP. W I L L I N G H A M :   No.  
11                  CLERK:   Representati ve Rei ves, no.  
12           Representati ve Speci al e ?  
13                  REP. SPECI ALE:   Aye.  
14                  CLERK:   Representati ve Speci al e, aye.  
15           Representati ve Rogers?  
16                  REP. ROGERS:   Aye.  
17                  CLERK:   Representati ve Rogers, aye.  
18           Representati ve Sai ne ?  
19                  REP. SAI NE:   Aye.  
20                  CLERK:   Representati ve Sai ne, aye.  
21           Representati ve Wray?  
22                  REP. WRAY:   No.  
23                  CLERK:   Representati ve Wray, no.  
24           Representati ve Yarborough?  
25                  REP. YARBOROUGH:   Aye.

1 CLERK: Representative Yarborough, aye.  
2 Representative Torbett?

3 REP. TORBETT: Aye.

4 CLERK: Representative Torbett, aye.  
5 Representative Lewis?

6 REP. LEWIS: Aye.

7 CLERK: Representative Lewis, aye.  
8 Representative Dollar?

9 REP. DOLLAR: Aye.

10 CLERK: Representative Dollar, aye.

11 SEN. HISE: By a vote of 8 in favor, 4  
12 against and 24 in -- in the Senate and 24 in favor  
13 and 13 against in the House, Criteria Number 9, No  
14 Consideration of Racial Data is adopted by the  
15 Committee.

16 Members, this exhausts the  
17 recommendations of criteria put forward by the  
18 Chairmen in this process. We'll now open up if  
19 members of the Committee have a specific criteria  
20 they would like to introduce. Senator Clark?

21 SEN. CLARK: Thank you, Mr. Chairman.  
22 I'd like to send forth an amendment for  
23 consideration.

24 SEN. HISE: Suspend while the members  
25 of -- while it's passed out.

1 (Proceedings went off the record.)

2 SEN. HISE: Do all members of the  
3 Committee have a copy? If we do, I recognize  
4 Senator Clark.

5 SEN. CLARK: Thank you, Mr. Chairman.  
6 Representative Lewis, when we were doing the  
7 redistricting for the congressional seats in  
8 2016 --

9 SEN. HISE: Yeah, let me --

10 UNIDENTIFIED MEMBER: Mr. Chairman, I  
11 don't -- I don't think I have that. I have --

12 SEN. HISE: I believe I have Committee  
13 members who did not receive --

14 UNIDENTIFIED MEMBER: What does it say?  
15 Is --

16 SEN. CLARK: Title is Partisan Advantage.

17 SEN. HISE: A -- Senator Clark called  
18 number 10, Partisan Advantage.

19 SEN. CLARK: Okay. When we were doing  
20 the 2016 congressional redistricting process, it  
21 was stated by Mr. Lewis here that one of the  
22 express purposes was to maintain the partisan  
23 advantage. I guess you could say this is a  
24 renouncement criteria, if you will. And it states  
25 that maintaining or establishing a partisan

1           advantage for any party shall not, emphasize not,  
2           be a criterion for the construction or approval of  
3           House and Senate district plans.

4                     SEN. HISE: We'll start with  
5           Representative Lewis, then I'll get back.

6                     REP. LEWIS: Thank you, Mr. Chairman.  
7           Mr. Chairman, I would say that the nine criteria  
8           that have been extensively debated by the Committee  
9           are the committee -- are the criteria that the  
10          Chairs recommend. And I would not advocate for  
11          passage of this tenth one.

12                    SEN. HISE: Representative Speciale.

13                    REP. SPECIALE: Isn't this what we  
14          essentially already discussed and already decided  
15          not to approve? I mean --

16                    SEN. HISE: It is [inaudible] that this  
17          is a substantial difference, but it is a similar  
18          topic. So any other questions or comments?  
19          Senator Van Duyn?

20                    SEN. VAN DUYN: I'd just like to be on  
21          record in saying I think this is the most important  
22          criteria, given what we heard in public comment.

23                    SEN. HISE: Any other questions or  
24          comments? Hearing none, Senator Clark has moved  
25          for the adoption of the criteria listed as Number

1           10, Partisan Advantage. The -- I believe we were  
2           at the House. Clerk of the House Committee will  
3           call the roll.

4                     CLERK: Representative Jackson?

5                     REP. JACKSON: Yes.

6                     CLERK: Representative Jackson, yes.  
7           Representative Szoka?

8                     REP. SZOKA: No.

9                     CLERK: Representative Szoka, no.  
10          Representative Stevens?

11                    REP. STEVENS: No.

12                    CLERK: Representative Stevens, no.  
13          Representative Bell?

14                    REP. BELL: No.

15                    CLERK: Representative Bell, no.  
16          Representative Brawley?

17                    REP. BRAWLEY: No.

18                    CLERK: Representative Brawley, no.  
19          Representative Brockman?

20                    REP. BROCKMAN: Yes.

21                    CLERK: Representative Brockman, yes.  
22          Representative Burr?

23                    REP. BURR: No.

24                    CLERK: Representative Burr, no.  
25          Representative Davis? Representative Davis?

1                   Representative Davis? Representative Dixon?

2                   REP. DIXON: No.

3                   CLERK: Representative Dixon, no.

4                   Representative Dobson?

5                   REP. DOBSON: Representative Dobson, no.

6                   Representative Dulin?

7                   REP. DULIN: No.

8                   CLERK: Representative Dulin, no.

9                   Representative Farmer-Butterfield? Representative

10                  Farmer-Butterfield, yes. Representative Floyd?

11                  Representative Floyd? Representative Garrison?

12                  REP. GARRISON: Yes.

13                  CLERK: Representative Garrison, yes.

14                  Representative Gill?

15                  REP. GILL: Yes.

16                  CLERK: Representative Gill, yes.

17                  Representative Grange?

18                  REP. GRANGE: No.

19                  CLERK: Representative Grange, no.

20                  Representative Hall?

21                  REP. HALL: No.

22                  CLERK: Representative Hall, no.

23                  Representative Hanes?

24                  REP. HANES: Yes.

25                  CLERK: Representative Hanes, yes.



1           Representative Hardister?

2                       REP. HARDISTER:   No.

3                       CLERK:   Representative Hardister, no.

4           Representative Harrison?

5                       REP. HARRISON:   Yes.

6                       CLERK:   Representative Harrison, yes.

7           Representative Hastings?

8                       REP. HASTINGS:   No.

9                       CLERK:   Representative Hastings, no.

10          Representative Howard?

11                      REP. HOWARD:   No.

12                      CLERK:   Representative Howard, no.

13          Representative Hunter?

14                      REP. HUNTER:   Yes.

15                      CLERK:   Representative Hunter, yes.

16          Representative Hurlley?   Representative Hurlley, no.

17          Representative Johnson?

18                      REP. JOHNSON:   No.

19                      CLERK:   Representative Johnson, no.

20          Representative Jones?   Representative Jones?

21          Representative Jordan?

22                      REP. JORDAN:   No.

23                      CLERK:   Representative Jordan, no.

24          Representative Malone?

25                      REP. MALONE:   No.

1 CLERK: Representative Malone, no.  
2 Representative Michaux?  
3 REP. MICHAUX: Yes.  
4 CLERK: Representative Michaux, yes.  
5 Representative Moore? Representative Moore?  
6 Representative Pierce?  
7 REP. PIERCE: Yes.  
8 CLERK: Representative Pierce, yes.  
9 Representative Reives?  
10 REP. REIVES: Yes.  
11 CLERK: Representative Reives, yes.  
12 Representative Willingham? Representative  
13 Willingham? Representative Willingham?  
14 Representative Speciale?  
15 REP. SPECIALE: No.  
16 CLERK: Representative Speciale, no.  
17 Representative Rogers?  
18 REP. ROGERS: No.  
19 CLERK: Representative Rogers, no.  
20 Representative Saine?  
21 REP. SAINÉ: No.  
22 CLERK: Representative Saine, no.  
23 Representative Wray?  
24 REP. WRAY: Aye.  
25 CLERK: Representative Wray, yes.

1 Representative Yarborough?

2 REP. YARBOROUGH: No.

3 CLERK: Representative Yarborough, no.

4 Representative Torbett?

5 REP. TORBETT: No.

6 CLERK: Representative Torbett, no.

7 Representative Lewis?

8 REP. LEWIS: No.

9 CLERK: Representative Lewis, no.

10 Representative Dollar?

11 REP. DOLLAR: No.

12 CLERK: Representative Dollar, no.

13 SEN. HISE: Committee Clerk for the  
14 Senate will call the roll of the Senate members.

15 CLERK: Senator Bishop?

16 SEN. BISHOP: No.

17 CLERK: Senator Bishop, no. Senator  
18 Blue? Senator Brown?

19 SEN. BROWN: No.

20 CLERK: Senator Brown, no. Senator  
21 Clark?

22 SEN. CLARK: Aye.

23 CLERK: Senator Clark, aye. Senator

24 Daniel? Senator Harrington?

25 SEN. HARRINGTON: No.

1 CLERK: Senator Harrington, no. Senator  
2 Jackson?

3 SEN. JACKSON: No.

4 CLERK: Senator Jackson, no. Senator  
5 Lee?

6 SEN. LEE: No.

7 CLERK: Senator Lee, no. Senator Lowe?

8 SEN. LOWE: Yes.

9 CLERK: Senator Lowe, yes. Senator  
10 Newton?

11 SEN. NEWTON: No.

12 CLERK: Senator Newton, no. Senator  
13 Rabon? Senator Smith-Ingram?

14 SEN. SMITH-INGRAM: Aye.

15 CLERK: Senator Smith-Ingram, aye.  
16 Senator Van Duyn?

17 SEN. VAN DUYN: Aye.

18 CLERK: Senator Van Duyn, aye. Senator  
19 Wade?

20 SEN. WADE: No.

21 CLERK: Senator Wade, no. Senator Hise?

22 SEN. HISE: No.

23 CLERK: Senator Hise, no.

24 SEN. HISE: By a vote of 13 in favor, 24  
25 opposed in the House, and a vote of 4 in favor, 8

1           opposed in the Senate, the proposed criteria fails.  
2           Any other criteria? Senator Smith-Ingram?

3                     SEN. SMITH-INGRAM: Yes, Mr. Chairman. I  
4           wish to send forward an additional criterion.

5                     SEN. HISE: Okay. This is criteria  
6           titled, Total Black Voting Age Population.

7                     SEN. SMITH-INGRAM: Yes, it is, thank  
8           you, Mr. Chair.

9                     SEN. HISE: Sergeant-at-Arms will  
10          disperse. And make sure we get that second row  
11          back there, Representative Jordan.

12                    (Proceedings went off the record.)

13                    SEN. HISE: Members, before moving into  
14          that, I will say we've actually had some comments  
15          from those listening online that it is, at times,  
16          hard to hear members. So we'll ask you to please  
17          speak directly into your microphones. I also have  
18          been somewhat remiss in reminding members to please  
19          identify yourself and your district when speaking.  
20          That would have helped the court reporter if I'd  
21          have said that a lot earlier in this process. But  
22          I can correct it now. And hopefully we'll be able  
23          to deal with those issues.

24                    If everyone has a copy now of the  
25          proposed criteria which, for record-keeping

1 purposes right now, I'll identify as 10-A, Total  
2 Black Voting Age Population. Senator Smith-Ingram  
3 will be recognized to explain.

4 SEN. SMITH-INGRAM: Thank you, Mr. Chair.  
5 The proposed criteria sets forth the explanation  
6 and the reason why we're here today. In the  
7 Covington case, the U.S. Supreme Court deemed that  
8 the 28 districts that were found unconstitutional  
9 were packed with African-Americans. So in order to  
10 obviate that and reduce the cost, because we're now  
11 at \$5.4 million that the North Carolina General  
12 Assembly has spent in redistricting, that to add  
13 this portion to the criteria would prevent us  
14 having to come back here again for the same reason  
15 at an additional cost to our taxpayers.

16 So in order to promote fiduciary  
17 responsibility and commitment, the 28 districts  
18 that were deemed unconstitutional shall not have a  
19 total black voting age population higher than that  
20 which existed in those enacted legislative  
21 districts, in effect, in 2010, except for when it  
22 is naturally occurring, which may be the case in  
23 some of our demographic areas across the state.

24 SEN. HISE: Senator Smith-Ingram, just  
25 let me ask a question for clarification before we

1           begin. When you read your amendment, you said the  
2           Covington case shall not have a total black  
3           population. As I have the amendment in front of me  
4           and signed, it says shall have.

5                     SEN. SMITH-INGRAM: It should be shall  
6           not. I'm sorry. So it goes with none. It starts  
7           out with none, and then there's shall.

8                     SEN. HISE: Okay. I was just confused,  
9           because it was written -- read different than what  
10          I have. So it should be that none of the nine  
11          districts shall have a voting age population higher  
12          than that which existed in those enacted districts  
13          that were, in effect, in 2010.

14                    SEN. SMITH-INGRAM: Yes. For  
15          clarification, Mr. Chair, it's none of the nine  
16          Senate and 19 House districts deemed as  
17          unconstitutional. So it's the 28 districts that  
18          were deemed unconstitutional. Okay.  
19          Representative Lewis?

20                    REP. LEWIS: Thank you, Mr. Chairman. I  
21          want to speak briefly to the comment that was made.  
22          I understand that through the use of Twitter, the  
23          NC Senate Democrats have been tweeting out a  
24          graphic entitled NC General Assembly Redistricting  
25          Litigation Costs. I want to point out that that's

1           in error. It's inaccurate. And certainly the  
2           tweet should stop and the figure that was quoted is  
3           wrong.

4                       I also would point out, regarding  
5           Amendment 10A, that we have established that we  
6           will not use race in the drawing of these lines.  
7           This amendment, 10A, would, in effect, establish a  
8           mechanical criteria for the drawing of districts  
9           that uses race. It's in conflict with criteria  
10          that says we will not use race. I would urge  
11          members to vote it down.

12                   SEN. HISE: Senator Clark.

13                   SEN. CLARK: Thank you, Mr. Chair.  
14          Senator Clark, Senate District 21. The court order  
15          which essentially brought us back here said that we  
16          should justify any black voter age population in  
17          excess of 50 percent. How are we going to know  
18          whether or not we met that requirement by not  
19          exceeding 50 percent?

20                   SEN. HISE: Representative Dollar.

21                   REP. DOLLAR: Thank you, Mr. Chair.  
22          Members of the Committee, based on the comments  
23          Senator Smith-Ingram mentioned, I would just read  
24          to you verbatim, Page 3, Footnote 1 of the  
25          Covington decision as written by the Court, states



1 as follows, "In reaching this conclusion, we make  
2 no finding that the General Assembly acted in bad  
3 faith or with the discriminatory intent in drawing  
4 the challenged districts which were precleared by  
5 the Justice Department pursuant to Section 5 of the  
6 VRA, nor do we consider the challenged districts  
7 involved any impermissible packing of minority  
8 voters. As plaintiffs acknowledged, they bring no  
9 such claim."

10 SEN. HISE: Any other questions or  
11 comments? Senator Clark?

12 SEN. CLARK: I don't think I -- excuse  
13 me. Senator Clark, Senate District 21. I don't  
14 think I've had my question answered. In the  
15 three-judge panel, they indicated that we should  
16 have no districts with a black-voting-age --  
17 black-voting-age population in excess of 50  
18 percent. How do we make sure we achieve that  
19 objective?

20 SEN. HISE: I assumed the question was  
21 rhetorical. But I think the response given is that  
22 was not what they said. Representative Michaux.

23 REP. MICHAUX: He should've little bit  
24 further into that footnote -- in the footnote.

25 SEN. HISE: Recognized for a comment.

1 REP. MICHAUX: Yes, I'm sorry.  
2 Representative Michaux. The footnote of the  
3 comment Representative Dollar made, it said -- it  
4 certainly said that. But it also says, nor do we  
5 consider whether the challenged districts --  
6 whether the challenged districts involved any  
7 impermissible packing. They didn't rule out any  
8 impermissible packing. It just says they didn't  
9 consider it in this decision. And that was not  
10 a -- that was a footnote in the decision. And --

11 SEN. HISE: Representative Dollar.

12 REP. DOLLAR: That's not what the  
13 footnote reads here. And I would also point out to  
14 the gentleman that what is -- is noted here, in the  
15 record, is as plaintiffs acknowledge, they bring no  
16 such claim. No such claim was brought in the case  
17 to start with.

18 SEN. HISE: Senator Brown.

19 SEN. BROWN: Thank you, Mr. Chairman.  
20 Harry Brown, District 6. Senator Smith-Ingram's  
21 provision, or criteria, mentions that it's the nine  
22 Senate districts and 19 House districts. But those  
23 districts, in the new maps, no longer exist. So I  
24 don't know how they are relevant in this particular  
25 case. Because the new maps, those districts are no

1           longer relevant any longer.

2                       SEN. HISE: Any other questions,  
3           comments?

4                       SEN. SMITH-INGRAM: Mr. Chair,  
5           clarification.

6                       SEN. HISE: Yeah.

7                       SEN. SMITH-INGRAM: I am not aware that  
8           there are any maps. Are there maps that Senator  
9           Brown that we don't? Because how can you draw maps  
10          without the criteria being voted on?

11                      SEN. BROWN: I'll follow. I should have  
12          been more specific. With the new county groupings,  
13          that is impossible.

14                      SEN. HISE: And I'm assuming we can get a  
15          copy of the 2010 map, as well the 2011 maps, if the  
16          Senator needs those. Senator Smith-Ingram has  
17          moved for the adoption of the criteria that I am  
18          labeling as 10A for here, Total Black Voting Age  
19          Population. Seeing no other comments or questions,  
20          we will begin with a roll call of the Senate.

21                      CLERK: Senator Bishop?

22                      SEN. BISHOP: No.

23                      CLERK: Senator Bishop, no. Senator  
24          Blue? Senator Brown?

25                      SEN. BROWN: No.

1 CLERK: Senator Brown, no. Senator  
2 Clark?  
3 SEN. CLARK: Aye.  
4 CLERK: Senator Clark, aye. Senator  
5 Daniel? Senator Harrington?  
6 SEN. HARRINGTON: No.  
7 CLERK: Senator Harrington, no. Senator  
8 Jackson?  
9 SEN. JACKSON: No.  
10 CLERK: Senator Jackson, no. Senator  
11 Lee? Senator Lee, no. Senator Lowe?  
12 SEN. LOWE: Yes.  
13 CLERK: Senator Lowe, yes. Senator  
14 Newton? Senator Newton, no. Senator Rabon?  
15 Senator Smith-Ingram?  
16 SEN. SMITH-INGRAM: Yes.  
17 CLERK: Senator Smith-Ingram, yes.  
18 Senator Van Duyn?  
19 SEN. VAN DUYN: Yes.  
20 CLERK: Senator Van Duyn, yes. Senator  
21 Wade?  
22 SEN. WADE: No.  
23 CLERK: Senator Wade, no. Senator Hise?  
24 SEN. HISE: No.  
25 CLERK: Senator Hise, no.

1                   SEN. HISE:   Committee Clerk will call the  
2                   members of the House.

3                   CLERK:   Representative Jackson?

4                   REP. JACKSON:   Yes.

5                   CLERK:   Representative Jackson, yes.  
6                   Representative Szoka?

7                   REP. SZOKA:   No.

8                   CLERK:   Representative Szoka, no.  
9                   Representative Stevens?

10                  REP. STEVENS:   No.

11                  CLERK:   Representative Stevens, no.  
12                  Representative Bell?

13                  REP. BELL:   No.

14                  CLERK:   Representative Bell, no.  
15                  Representative Brawley?

16                  REP. BRAWLEY:   No.

17                  CLERK:   Representative Brawley, no.  
18                  Representative Brockman?

19                  REP. BROCKMAN:   Yes.

20                  CLERK:   Representative Brockman, yes.  
21                  Representative Burr?

22                  REP. BURR:   No.

23                  CLERK:   Representative Burr, no.

24                  Representative Davis? Representative Dixon?

25                  REP. DIXON:   No.

1                               CLERK:   Representative Dixon, no.  
2                               Representative Dobson?  
3                               REP. DIXON:   No.  
4                               CLERK:   Representative Dobson, no.  
5                               Representative Dulin?  
6                               REP. DOBSON:   No.  
7                               CLERK:   Representative Dulin, no.  
8                               Representative Farmer-Butterfield? Representative  
9                               Farmer-Butterfield, yes. Representative Floyd?  
10                              Representative Garrison?  
11                              REP. DULIN:   Yes.  
12                              CLERK:   Representative Garrison, yes.  
13                              Representative Gill?  
14                              REP. GILL:   Yes.  
15                              CLERK:   Representative Gill, yes.  
16                              Representative Grange?  
17                              REP. GRANGE:   No.  
18                              CLERK:   Representative Grange, no.  
19                              Representative Hall?  
20                              REP. HALL:   No.  
21                              CLERK:   Representative Hall, no.  
22                              Representative Hanes?  
23                              REP. HANES:   Yes.  
24                              CLERK:   Representative Hanes, yes.  
25                              Representative Hardister?

1 REP. HARDISTER: No.

2 CLERK: Representative Hardister, no.

3 Representative Harrison?

4 REP. HARRISON: Yes.

5 CLERK: Representative Harrison, yes.

6 Representative Hastings?

7 REP. HASTINGS: No.

8 CLERK: Representative Hastings, no.

9 Representative Howard?

10 REP. HOWARD: No.

11 CLERK: Representative Howard, no.

12 Representative Hunter?

13 REP. HUNTER: Yes.

14 CLERK: Representative Hunter, yes.

15 Representative Hurlley?

16 REP. HURLEY: No.

17 CLERK: Representative Hurlley, no.

18 Representative Johnson?

19 REP. JOHNSON: No.

20 CLERK: Representative Johnson, no.

21 Representative Jones? Representative Jordan?

22 Representative Jordan, no. Representative Malone?

23 REP. MALONE: No.

24 CLERK: Representative Malone, no.

25 Representative Michaux?

1 REP. MICHAUX: Aye.

2 CLERK: Representative Michaux, aye.

3 Representative Moore? Representative Pierce?

4 REP. PIERCE: Aye.

5 CLERK: Representative Pierce, aye.

6 Representative Reives?

7 REP. REIVES: Aye.

8 CLERK: Representative Reives, aye.

9 Representative Willingham?

10 REP. WILLINGHAM: Aye.

11 CLERK: Representative Willingham, aye.

12 Representative Speciale?

13 REP. SPECIALE: No.

14 CLERK: Representative Speciale, no.

15 Representative Rogers?

16 REP. ROGERS: No.

17 CLERK: Representative Rogers, no.

18 Representative Saine?

19 REP. SAINÉ: No.

20 CLERK: Representative Saine, no.

21 Representative Wray?

22 REP. WRAY: Aye.

23 CLERK: Representative Wray, aye.

24 Representative Yarborough?

25 REP. YARBOROUGH: No.



1 CLERK: Representative Yarborough, no.  
2 Representative Torbett?

3 REP. TORBETT: No.

4 CLERK: Representative Torbett, no.  
5 Representative Lewis?

6 REP. LEWIS: No.

7 CLERK: Representative Lewis, no.  
8 Representative Dollar?

9 REP. DOLLAR: No.

10 CLERK: Representative Dollar, no.

11 SEN. HISE: By a vote of 4 in favor, 8  
12 opposed in the Senate, and a vote of 13 in favor,  
13 24 opposed in the House, the proposed criteria  
14 fails. Members, I have no other proposed criteria  
15 in front of --

16 SEN. SMITH-INGRAM: Mr. Chair?

17 SEN. HISE: Yes?

18 SEN. SMITH-INGRAM: Just to clarify the  
19 record, thank you, I would like to make a  
20 statement. I was in error. I was off by \$600,000.  
21 It is not 5.4 million that has been spent. Since  
22 2011, it's actually 4.8 million. But to our  
23 hard-working North Carolinians who send us here for  
24 good governance, that's still a heck of a lot of  
25 money.

1                   SEN. HISE: Any other business to come  
2 before the Committee? Representative Jackson.

3                   REP. JACKSON: I handed out some criteria  
4 as well, Mr. Chairman. That has been -- it has  
5 been handed out to all the members.

6                   SEN. HISE: Okay.

7                   (Proceedings went off the record.)

8                   REP. JACKSON: It did, Mr. Chairman. And  
9 I understand that some of these may have been  
10 considered in part of the other ones. And I'd be  
11 happy to take the time to divide these up into six  
12 individual things and then have the Chair rule and  
13 appeal. But it just seems like, to me, it might be  
14 more time efficient if we just voted on these six  
15 together. And so I'd move adoption without further  
16 comment.

17                  SEN. HISE: Okay. We have adoption  
18 request without comment. I will give the  
19 opportunity. Seeing none, we will begin the  
20 process of adopting the six criteria listed here.  
21 We will begin with a those in favor vote. Those  
22 opposed to adoption vote no. We will begin with a  
23 roll call of the House. Committee Clerk, call the  
24 roll.

25                  CLERK: Representative Jackson?

1 REP. JACKSON: Yes.

2 CLERK: Representative Jackson, yes.

3 Representative Szoka?

4 REP. SZOKA: No.

5 CLERK: Representative Szoka, no.

6 Representative Stevens?

7 REP. STEVENS: No.

8 CLERK: Representative Stevens, no.

9 Representative Bell?

10 REP. HALL: No.

11 CLERK: Representative Bell, no.

12 Representative Brawley?

13 REP. BRAWLEY: No.

14 CLERK: Representative Brawley, no.

15 Representative Brockman?

16 REP. BROCKMAN: Yes.

17 CLERK: Representative Brockman, yes.

18 Representative Burr?

19 REP. BURR: No.

20 CLERK: Representative Davis?

21 Representative Dixon?

22 REP. DIXON: No.

23 CLERK: Representative Dixon, no.

24 Representative Dobson?

25 REP. DOBSON: No.

1 CLERK: Representative Dobson, no.  
2 Representative Dulin?  
3 REP. DULIN: No.  
4 CLERK: Representative Dulin, no.  
5 Representative Farmer-Butterfield?  
6 REP. FARMER-BUTTERFIELD: Aye.  
7 CLERK: Representative  
8 Farmer-Butterfield, yes. Representative Floyd?  
9 Representative Garrison?  
10 REP. GARRISON: Yes.  
11 CLERK: Representative Garrison, yes.  
12 Representative Gill? Representative Gill, yes.  
13 Representative Grange?  
14 REP. GRANGE: No.  
15 CLERK: Representative Grange, no.  
16 Representative Hall?  
17 REP. HALL: No.  
18 CLERK: Representative Hall, no.  
19 Representative Hanes?  
20 REP. HANES: Yes.  
21 CLERK: Representative Hanes, yes.  
22 Representative Hardister?  
23 REP. HARDISTER: No.  
24 CLERK: Representative Hardister, no.  
25 Representative Harrison?

1 REP. HARRISON: Aye.

2 CLERK: Representative Harrison, yes.

3 Representative Hastings?

4 REP. HASTINGS: No.

5 CLERK: Representative Hastings, no.

6 Representative Howard? Representative Howard, no.

7 Representative Hunter? Representative Hunter, yes.

8 Representative Hurley? Representative Hurley, no.

9 Representative Johnson? Representative Johnson,  
10 no. Representative Jones? Representative Jordan?

11 Representative Jordan, no. Representative Malone?

12 REP. MALONE: No.

13 CLERK: Representative Malone, no.

14 Representative Michaux.

15 REP. MICHAUX: Yes.

16 CLERK: Representative Michaux, yes.

17 Representative Moore? Representative Pierce?

18 REP. PIERCE: Yes.

19 CLERK: Representative Pierce, yes.

20 Representative Reives?

21 REP. REIVES: Yes.

22 CLERK: Representative Reives, yes.

23 Representative Willingham?

24 REP. WILLINGHAM: Yes.

25 CLERK: Representative Willingham, yes.

1           Representative Speciale?

2                     REP. SPECIALE: No.

3                     CLERK: Representative Speciale, no.

4           Representative Rogers?

5                     REP. ROGERS: No.

6                     CLERK: Representative Rogers, no.

7           Representative Saine?

8                     REP. SAINÉ: No.

9                     CLERK: Representative Saine, no.

10          Representative Wray?

11                    REP. WRAY: Aye.

12                    CLERK: Representative Wray, yes.

13          Representative Yarborough?

14                    REP. YARBOROUGH: No.

15                    CLERK: Representative Yarborough, no.

16          Representative Torbett?

17                    REP. TORBETT: No.

18                    CLERK: Representative Torbett, no.

19          Representative Lewis?

20                    REP. LEWIS: No.

21                    CLERK: Representative Lewis, no.

22          Representative Dollar?

23                    REP. DOLLAR: No.

24                    CLERK: Representative Dollar, no.

25                    SEN. HISE: Committee Clerk, call the

1 roll of the Senate members.

2 CLERK: Senator Bi shop?

3 SEN. BI SHOP: No.

4 CLERK: Senator Bi shop, no. Senator  
5 Blue? Senator Brown?

6 SEN. BROWN: No.

7 CLERK: Senator Brown, no. Senator  
8 Clark?

9 SEN. CLARK: Aye.

10 CLERK: Senator Cl ark, aye. Senator  
11 Dani el ? Senator Harri ngton?

12 SEN. HARRINGTON: No.

13 CLERK: Senator Harrington, no. Senator  
14 Jack son?

15 SEN. JACKSON: No.

16 CLERK: Senator Jackson, no. Senator  
17 Lee? Senator Lee, no. Senator Lowe?

18 SEN. LEE: Yes.

19 CLERK: Senator Lowe, yes. Senator  
20 New ton? Senator New ton, no. Senator Rabon?

21 Senator Smi th-In gram?

22 SEN. SMI TH-IN GRAM: Aye.

23 CLERK: Senator Smi th-In gram, aye.  
24 Senator Van Duyn?

25 SEN. VAN DUYN: Aye.

1 CLERK: Senator Van Duyn, aye. Senator  
2 Wade?

3 SEN. WADE: No.

4 CLERK: Senator Wade, no. Senator Hi se?

5 SEN. HI SE: No.

6 CLERK: Senator Hi se, no.

7 SEN. HI SE: By a vote of 13 in favor, 24  
8 opposed in the House, 4 in favor, 8 opposed in the  
9 Senate, the six proposed criteria are rejected by  
10 the Committee. Senator Clark?

11 SEN. CLARK: Thank you. Senator Clark,  
12 Senate District 21. I just wanted to make one  
13 comment before we depart here. I did submit to the  
14 Committee a list of about 14 criteria. I'm not  
15 asking that we go over those one by one. Most of  
16 them have been covered during the course of this  
17 debate. I just wanted to let it know -- be known  
18 for the record that they have been submitted.

19 SEN. HI SE: Those are clearly part of the  
20 record so -- any other matters to come before the  
21 Committee? I will announce, then, for members  
22 that -- first, just to recap, the Committee adopted  
23 nine criteria for redistricting. Those will be  
24 compiled, and we will put that list available on  
25 the website. And that will be given to the drawer



1 of the map to make sure those designs for the  
2 Committee follow these criteria.

3 (Proceedings went off the record.)

4 SEN. HISE: Members of the press, just to  
5 let you know, if you're doing interviews, they will  
6 be up here, where we will have the Court Reporter  
7 available for that process. Thanks for coming in.  
8 Representative Torbett.

9 REP. TORBETT: Is there any information  
10 or intelligence you can give us on further activity  
11 of this Committee at this time?

12 SEN. HISE: We were talking about that we  
13 will obviously in session on the 18th. We  
14 anticipate the meetings to be on the 21st, 22nd,  
15 23rd time frame that's coming in. So members have  
16 that, but I would also say keep watch on the  
17 website, as well as your e-mails. There may be  
18 things released from the Committee in that interim.  
19 Seeing no other items come before the Committee,  
20 having exhausted our business, this Committee will  
21 stand adjourned.

22 (End of proceedings.)

23

24

25

STATE OF NORTH CAROLINA

COUNTY OF GRANVILLE

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing transcript of proceedings held on August 10, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 26th day of August, 2017.

*Robin W. Worley*

NORTH CAROLINA HOUSE OF REPRESENTATIVES SESSION

NORTH CAROLINA GENERAL ASSEMBLY

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TRANSCRIPT OF THE PROCEEDINGS

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In Raleigh, North Carolina  
Monday, August 28, 2017, 1:30 p.m.

PREPARED BY: Regina Toppins

RUFFIN CONSULTING, INC.

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1                   SPEAKER MOORE: The House will come to  
2 order. Members will take their seats. Visitors will  
3 retire from the chamber. Sergeant-At-Arms will close  
4 the doors. Ask members and guests to please silence  
5 all electronic devices.

6                   This afternoon's prayer will be offered by  
7 Representative Jones. We'd ask our members and our  
8 guests in the gallery to please stand and remain  
9 standing for the pledge of allegiance.

10                  Representative Jones.

11                  REPRESENTATIVE JONES: Let us pray. Our  
12 Father and our God, let us come before your throne  
13 today with praise and thanksgiving. You are a great  
14 God and a good God, full of love, mercy and grace.  
15 You're a God of truth. And in all our ways let us  
16 acknowledge you as God. Let us bring honor and glory  
17 to you today and everyday. We pray for our nation.  
18 We're calling in your word that blessed is the nation  
19 whose God is the lord. We lift up all of our people  
20 and all those in authority that they will seek and  
21 receive divine wisdom from above.

22                  The psalm reminds us that it is better to  
23 put our trust in the Lord than to put our confidence  
24 in man. Let us put our trust in you, oh, Lord, our  
25 strength, and our redeemer.

1           Father, we lift up all that try to protect  
2           us, including our military and our law enforcement.  
3           We pray for their safety. We also lift up those that  
4           are dealing with weather-related disasters, such as  
5           the hurricane in the Texas area. We pray for their  
6           safety as well. We thank you for all your many  
7           blessings to us. You're a wonderful and a gracious  
8           God. As each may pray in their own way, I pray in the  
9           name of your son, my savior Jesus Christ, amen.

10           ASSEMBLY MEMBERS: Amen.

11           I pledge allegiance to the flag of the  
12           United States of America and to the republic for which  
13           it stands, one nation under God, indivisible with  
14           liberty and justice for all.

15           SPEAKER MOORE: The gentleman from Harnett,  
16           Representative Lewis, is recognized for a motion.

17           REPRESENTATIVE LEWIS: Mr. Speaker, the  
18           Journal for August 25th has been examined and found to  
19           be correct. I moved that it be approved as written.

20           SPEAKER MOORE: Representative Lewis moves  
21           the Journal for August 25th be approved as written.  
22           Those in favor will say Aye; those opposed say No.  
23           The Ayes have it. The Journal is approved as written.

24           Calendar. House vote 927. The Clerk will  
25           read.

1           The House will come to order. Members,  
2           Members, please give your attention to the Chair just  
3           a moment. We, I believe during these proceedings we  
4           have a court reporter, who is also trying to  
5           transcribe, so we'd ask that the conversations please  
6           be kept down so that the court reporter can do that as  
7           well as just general respect to our fellow members.

8           The Clerk will read.

9           HOUSE CLERK: Representatives Lewis and  
10          Dollar, House Bill 927, a Bill to be entitled Enact to  
11          realign the districts for elections of members of the  
12          North Carolina General Assembly. General Assembly of  
13          North Carolina enacts.

14          SPEAKER MOORE: Further discussion, further  
15          debate.

16          Does the gentleman from Harnett wish to  
17          explain the Bill?

18          REPRESENTATIVE LEWIS: Thank you, Mr.  
19          Speaker.

20          SPEAKER MOORE: And, by the way, the Chair  
21          will suspend Rule 12D. The gentleman has the floor.

22          REPRESENTATIVE LEWIS: Thank you,  
23          Mr. Speaker.

24          Mr. Speaker and Members, we are here today  
25          in order to comply with the Covington's Court order.

1 The court's specific finding was that despite a robust  
2 and extensive record produced by this General Assembly  
3 in 2011, there was not enough evidence of legally  
4 significant racially polarized voting to draw 19  
5 majority/minority districts in the North Carolina  
6 House plan. It is important to note that the court  
7 did not find discriminatory intent on our part.  
8 Specifically the court that, "nor does it signify that  
9 the legislature acted in bad faith or with  
10 discriminatory intent in its redistricting."

11 The process that we're using today is in  
12 response and at the order of the court. The court  
13 gave us a timeline that requires us to enact a plan by  
14 September 1st. We produced the first such redraw 14  
15 business days, 19 total days after the court order.  
16 As I had announced before, it was our intent to have  
17 more public input and to produce the maps by early  
18 November; however, in no way should these remarks be  
19 construed as being critical of the court.

20 Our intention today is simply to comply with  
21 the order of the court. The timeline that the court  
22 allowed provided time for us to meet and to receive  
23 public input as we adopted the criteria, it provided  
24 for us to have one statewide public hearing last  
25 Tuesday and we have had a robust committee process

1       thus far.

2               As a note on the public hearing, I think  
3       it's important to point out that one of the most  
4       prevalent feedbacks that we received, in fact, I  
5       personally got 2,050 e-mails asking that the  
6       legislature produce a map to look at before the public  
7       hearings were held. We did that. I had hoped that  
8       activists and other speakers who engage with different  
9       aspects regarding the legislative process might would  
10      have offered a little more input on the specific map,  
11      but that's not what they chose to do.

12              I will attest that I did attend the public  
13      hearing in Raleigh, I did also listen to the audio  
14      recordings provided by the House Sergeant-At-Arms of  
15      the remote sites.

16              I'm very proud of the map that this  
17      committee has produced. We produced a redistricting  
18      plan that complies with the criteria that the  
19      committee adopted as well, and most importantly, as  
20      was stated in the federal law. Other proposals that  
21      I've seen fail to live up to this map and I hope to be  
22      able to tell you why.

23              First, this map complies with the equal  
24      population requirement as established in Stevenson  
25      versus Bartlett. No district exceeds the plus or



1 minus five percent population deviation.

2 Second, our map produces contiguous  
3 districts. We did our best to avoid using water  
4 contiguity where it was not required by the county  
5 groupings formula.

6 Third, our map does comply with the county  
7 groupings formula as established by Stevenson versus  
8 Bartlett decision, and unlike other maps I've seen,  
9 this map complies with the county traversals as  
10 authorized in the Stevenson decision. This map splits  
11 39 counties, the fewest in over two decades of maps.

12 Fourth, this map is more compact, using the  
13 parameters or Polsby-Popper score and the dispersion  
14 score the Reock score. This map is more compact than  
15 maps enacted by the General Assembly over the past two  
16 decades, and it complies with the committee's criteria  
17 to use compactness as established by the test I've  
18 already mentioned.

19 Fifth, this map splits fewer precincts than  
20 maps produced over the past two decades. It splits 49  
21 precincts total, but 30 of those are retained from  
22 unaffected county groupings. And by that I did  
23 clarify to the committee that when you do the county  
24 optimization plan, some of the existing districts did  
25 not need to be changed in order to comply with the

1 order of the court and, therefore, they are not  
2 changed on this map.

3 Sixth, this map splits less municipalities  
4 and respects more municipal boundaries than prior  
5 plans enacted over the past two decades. This map  
6 also complies with the rest of the committee's  
7 criteria of encompassing protection, the use of  
8 election data and no consideration of race. We  
9 avoided maliciously double bunking incumbents.  
10 Indeed, there are only six incumbents that are double  
11 debunked in this plan. Four of them are required by  
12 the county grouping formula.

13 Members, this plan accomplishes what the  
14 court has asked us to do. This plan reflects  
15 thoughtful consideration, it reflects public input and  
16 it reflects my genuine desire to comply with the order  
17 of the court.

18 I will have an amendment coming shortly, but  
19 I would ask you to support the plan as amended.

20 Thank you, Mr. Speaker.

21 SPEAKER MOORE: Further discussion, further  
22 debate?

23 For what purpose does the gentleman from  
24 Wake, Representative Martin, rise?

25 REPRESENTATIVE MARTIN: To see if the bill

1 sponsor would yield to a few questions.

2 SPEAKER MOORE: Does the gentleman from  
3 Harnett yield to the gentleman from Wake?

4 REPRESENTATIVE MARTIN: I yield, Mr.  
5 Speaker.

6 SPEAKER MOORE: He yields.

7 REPRESENTATIVE MARTIN: Thank you,  
8 Mr. Speaker, and thank you to the bill sponsor also.

9 Representative Lewis, in looking at the map,  
10 I'm looking at Wayne County off in the eastern part of  
11 the state and specifically at District 10, and as you  
12 know, of course, our state constitution does have a  
13 whole county provision, which as we know when  
14 redistricting law and principles is not absolute, it's  
15 subject to other factors, but it is in our  
16 constitution. And so, in looking at Wayne County, I  
17 see that it's spread over, as I count them, three  
18 separate counties. I'm sorry, the District 10 is  
19 spread into Wayne County, Johnston County, and Greene  
20 County, but as I look at it, it seems pretty clear  
21 that you could have drawn that district into just two  
22 counties. What was the reason for that?

23 REPRESENTATIVE LEWIS: Thank you for the  
24 question, Representative Martin. First, if I could  
25 point out that Wayne County is in a 7-county grouping

1       that stretches from Bladen in the south to Greene in  
2       the north. It goes as far west as Lee and, again, as  
3       far east as Greene.

4               What we are required to do, as you know, is  
5       the optimum number for a county for a state House  
6       seat, and I'm looking at my notes to make sure I don't  
7       misspeak on this very important number, the optimum  
8       number for a state House seat is 79,462. As I said,  
9       we are allowed to have a plus or minus 5%. So what we  
10      did in producing this map is to, first of all, create  
11      the optimal county grouping, which is done by taking  
12      the 2010 population and divided it by this number.  
13      Once we got a whole number that we could use, we then  
14      set about dividing up the areas within the county  
15      group.

16             To your specific question, we actually did  
17      look at a drawing that would have done what you  
18      suggest. However, in keeping with the entire nine  
19      criteria that were adopted, we feel like this draw is  
20      the preferred way to go. I realize that this is the  
21      only map that is before us now. I would point out for  
22      the record that there have been other maps submitted  
23      during this process that also would have crossed into  
24      a third county, to use your analogy or to use your  
25      specific example, but to be perhaps a bit more clear,

1 we believe that we have drawn this in compliance with  
2 the Stevenson rules and been able to harmonize those  
3 with the nine criteria that the committee adopted.

4 REPRESENTATIVE MARTIN: Mr. Speaker?

5 SPEAKER MOORE: For what purpose does the  
6 gentleman rise?

7 REPRESENTATIVE MARTIN: To see if the bill  
8 sponsor will yield to a follow-up question.

9 SPEAKER MOORE: Does the gentleman yield to  
10 an additional question?

11 REPRESENTATIVE LEWIS: I yield.

12 SPEAKER MOORE: He yields.

13 REPRESENTATIVE MARTIN: Thank you, Mr.  
14 Speaker, and thank you to the bill sponsor also.

15 I'd like to ask a question specifically with  
16 the part of your response where you said that in  
17 looking at it with this option that emerged with  
18 splitting the district over three counties versus a  
19 district that was just in two counties, that the  
20 option that we had before was in your words I think  
21 the preferred option. Would you be willing to  
22 elaborate a little bit more about what factors you  
23 considered in how you weighed them when determining  
24 that this was the preferred approach?

25 REPRESENTATIVE LEWIS: Thank you for the

1 question. There were nine criteria, I believe,  
2 Representative Martin, the best I can recall. This  
3 avoid us -- this helped us avoid having to pair  
4 incumbents in this draw.

5 REPRESENTATIVE MARTIN: Mr. Speaker?

6 SPEAKER MOORE: For what purpose does the  
7 gentleman rise?

8 REPRESENTATIVE MARTIN: Thank you, Mr.  
9 Speaker, to see if the bill sponsor would yield to  
10 another follow-up question.

11 SPEAKER MOORE: Does the gentleman yield to  
12 additional questions?

13 REPRESENTATIVE LEWIS: I do.

14 SPEAKER MOORE: He yields.

15 REPRESENTATIVE MARTIN: Thank you,  
16 Representative Lewis.

17 So, the way what I hear in that answer I  
18 think is that in applying various factors that the  
19 committee adopted, that you chose incumbent protection  
20 as you were deciding that this was the preferred  
21 option over perhaps compactness because District 10 as  
22 it shows up here being spread across three counties is  
23 perhaps not as compact as a district might be in just  
24 two counties, not to mention its interaction with the  
25 whole county provision of the Constitution.

1           REPRESENTATIVE LEWIS: Well, thank you for  
2           that question, Representative Martin.

3           I should further elaborate that again when  
4           you look at all of the criteria, including the most  
5           important, you know, compliance with the state  
6           constitution, I do believe that the other draw would  
7           have created, based on what we saw, additional county  
8           traversals as well. So, while this is does go into  
9           three counties, it doesn't weave in and weave out and  
10          so on. So, I do believe that this draw best conforms  
11          to the criteria that was adopted by the committee.

12          REPRESENTATIVE MARTIN: Thank you, sir. Mr.  
13          Speaker?

14          SPEAKER MOORE: Gentleman may state his  
15          purpose.

16          REPRESENTATIVE MARTIN: To see if the bill  
17          sponsor would yield to another question.

18          SPEAKER MOORE: Will the gentleman yield to  
19          an additional question?

20          REPRESENTATIVE LEWIS: Yes, Mr. Speaker.

21          SPEAKER MOORE: He yields.

22          REPRESENTATIVE MARTIN: Thank you, sir.

23          I'd like to shift to a little bit different  
24          part of the state over to Forsyth County, some  
25          districts there, and actually back over to Sampson and

1 Columbus. And there's districts in those counties  
2 that to my eye at least don't appear to be  
3 particularly compact. Would you mind telling me what  
4 the reason in a map that you say compactness was a top  
5 priority, why are these districts perhaps not as  
6 compact as other districts throughout the state?

7 REPRESENTATIVE LEWIS: Well, thank you for  
8 that question, Representative Martin. If I said that  
9 compactness was the top priority, then I misspoke. I  
10 said that was one of the criteria that was adopted by  
11 the committee, or at least that's what I intended to  
12 say.

13 The district in Forsyth County, House  
14 District 75, falls -- falls with the range of  
15 acceptable compactness as measured by the  
16 Polsby-Popper score. Again, not to try to repeat  
17 myself with you or the members of the House, when you  
18 apply all of the criteria that the committee was  
19 tasked with using, this is the draw that I feel best  
20 -- best meets all nine.

21 REPRESENTATIVE MARTIN: Mr. Speaker?

22 SPEAKER MOORE: The gentleman may state his  
23 purpose.

24 REPRESENTATIVE MARTIN: Thank you, to see if  
25 the bill sponsor would yield to another question.



1           SPEAKER MOORE: Would the gentleman from  
2 Harnett yield to an additional question?

3           REPRESENTATIVE LEWIS: I do.

4           SPEAKER MOORE: He yields.

5           REPRESENTATIVE LEWIS: Thank you, and I'm  
6 very grateful to the bill sponsor for his patience  
7 with my questions.

8           So, my question is with regard to House  
9 District 75 in Forsyth County, which is squinting my  
10 aged eyes to look at it. Looks like it takes up the  
11 southeast corner of Forsyth County, runs along the  
12 southern border of Forsyth County and then takes up a  
13 chunk of southwest Forsyth County that that district  
14 is -- meets your criteria for compactness; is that  
15 correct?

16           REPRESENTATIVE LEWIS: Well, thank you for  
17 the question, Representative Martin.

18           One of the things that I would point out and  
19 I will have to look at the exact report, but you know  
20 Forsyth County, of course, is the home of the great  
21 city of Winston-Salem, and I believe that we're able  
22 to maintain and respect the municipal boundaries of  
23 Winston-Salem by using this draw. So, again I would  
24 reiterate that, yes, it is probably possible to draw a  
25 more compact district, but compactness was not the

1       only criteria or the only goal that we had in the  
2       production of these maps.

3               REPRESENTATIVE MARTIN:   Mr. Speaker?

4               SPEAKER MOORE:   The gentleman may state his  
5       purpose.

6               REPRESENTATIVE MOORE:   Thank you, Mr.  
7       Speaker, to see if the bill sponsor would kindly yield  
8       to another question.

9               SPEAKER MOORE:   Does the gentleman yield to  
10      an additional question?

11              REPRESENTATIVE LEWIS:   I do.

12              SPEAKER MOORE:   He yields.

13              REPRESENTATIVE MARTIN:   Thank you,  
14      Representative Lewis.   I appreciate your answer to  
15      that, and I wondered if you wouldn't mind also talking  
16      me through the other counties I mentioned, the  
17      districts in Sampson and Columbus counties look a  
18      little bit, again, to my untrained eye not  
19      particularly compact, and I wondered if you wouldn't  
20      mind discussing what the reasons for their lack of  
21      compactness would be.

22              REPRESENTATIVE LEWIS:   Well, thank you for  
23      the question, Representative Martin.

24              The districts in the county grouping that  
25      you asked about which stretch from Bladen in the south

1     Greene in the North, I think you'll find that Bladen  
2     is a whole county, then we have enough of Sampson  
3     County to meet the population requirement. I did see  
4     a draw that may have perhaps been judged a bit more  
5     compact, but that would have created a situation where  
6     incumbents were paired.

7             Again, incumbency protection was not a  
8     primary goal, but it was one of the nine goals or one  
9     of the nine criteria that the committee adopted.

10            As far as the Columbus County draw, the  
11     Columbus County draw was a part of a grouping that  
12     stretches from Pender County in the east to Robeson  
13     County in the west, and what you will find when trying  
14     to draw this is when you start in Pender County and  
15     then you take enough population to meet the one  
16     person, one vote, it simply creates the district that  
17     you have there. Again, I would point out that the  
18     overall score of this map in compactness is within the  
19     guidelines that we have stated.

20            REPRESENTATIVE MARTIN: Mr. Speaker?

21            SPEAKER MOORE: The gentleman may state his  
22     purpose.

23            REPRESENTATIVE MARTIN: To see if the bill  
24     sponsor would yield to a further question.

25            SPEAKER MOORE: Does the gentleman yield to

1 an additional question?

2 REPRESENTATIVE LEWIS: Yes, sir, I yield.

3 SPEAKER MOORE: He yields.

4 REPRESENTATIVE MARTIN: And thank you again  
5 for your patience, Representative Lewis.

6 So, you talked about in the context of these  
7 districts that at least in my eyes don't look as  
8 compact as a lot of the other ones, that a factor that  
9 you weighed here incumbent protection. Is it safe to  
10 say that in evaluating these maps for the best  
11 approach, that you weighed incumbent protection more  
12 heavily than compactness here?

13 REPRESENTATIVE LEWIS: Thank you for that  
14 question.

15 Again I would say that it was one of the  
16 criteria that was used in evaluating the maps. There  
17 are examples in this map where compactness was -- we  
18 could have been more compact had we not had incumbency  
19 protection as a goal. The most compact draw that I  
20 saw actually put five members in Wake County in the  
21 same seat, but that would not have been in keeping  
22 with the spirit and the other nine -- the other eight  
23 criteria that -- that were selected by the committee.

24 REPRESENTATIVE MARTIN: Mr. Speaker?

25 SPEAKER MOORE: The gentleman may state his

1 purpose.

2 REPRESENTATIVE MARTIN: To see if the bill  
3 sponsor will let me take him to one final part of the  
4 state.

5 SPEAKER MOORE: Does the bill sponsor yield  
6 to an additional question?

7 REPRESENTATIVE LEWIS: I yield.

8 SPEAKER MOORE: He yields.

9 REPRESENTATIVE MARTIN: Thank you, Mr.  
10 Speaker.

11 Thank you once again, Chairman Lewis. If we  
12 can take a look at the cluster that has Rowan, Davie  
13 Cabarrus and a few other counties in it, it looks to  
14 me that there are two districts in that cluster that  
15 are solely within one county, not the same county, but  
16 they're each within a single county. I think it's 76  
17 and 82, but as I've looked at it, it seems that it's  
18 possible in that cluster to draw three house districts  
19 that would each be located within an individual  
20 county. What was the reasoning behind drawing the  
21 district this way?

22 REPRESENTATIVE LEWIS: Well, thank you for  
23 that question, Representative Martin.

24 Ironically, if you did the draw that you  
25 asked about, which would put two seats in Cabarrus

1 County, you would have an additional county traversal  
2 into Rowan County, which, respectfully, is something  
3 that you just questioned over in Wayne County.

4 REPRESENTATIVE MARTIN: Thank you, sir.

5 SPEAKER MOORE: For what purpose does the  
6 lady from Orange, Representative Insko, rise?

7 REPRESENTATIVE INSKO: To ask Representative  
8 Lewis a question.

9 SPEAKER MOORE: Does the gentleman yield to  
10 the lady from Orange?

11 REPRESENTATIVE LEWIS: Yes, sir.

12 SPEAKER MOORE: He yields.

13 REPRESENTATIVE INSKO: Representative Lewis,  
14 when we did -- when you all did the 2011 maps for the  
15 U. S. Congressional races, the balance shifted from 7  
16 democrats and 6 republicans to 10 republicans and 3  
17 democrats. Those maps were found to be  
18 unconstitutional and needed to be redrawn, which you  
19 all did. And I remember that you stood up on the  
20 floor of the House and said that you were going to  
21 redraw the maps, not paying any attention to race and  
22 that you intended to draw the maps that would result  
23 in 10 republicans and 3 democrats, and that if you  
24 could, you would draw 11, but you couldn't do that.

25 So, just looking at the split that we have

1 now between House democrats here, 74 and 46 democrats,  
2 how by the average year, what would the new maps  
3 produce in that ratio?

4 REPRESENTATIVE LEWIS: Well, Representative,  
5 first of all, thank you for the question. And if I  
6 may, as you sort of prefaced your question, I'd like  
7 to preface my answer.

8 Perhaps in 2016 I did use a little bit more  
9 hyperbole on the floor than I wish I had. I can tell  
10 you that I had no partisan target in mind when these  
11 maps were drawn.

12 To answer your question, I would point out  
13 that we have provided on your desk a stack pack of ten  
14 different races that ten different electoral contests,  
15 which were a part of the criteria adopted by the  
16 committee. You will find that there are relative  
17 districts that tend to perform one way or the other,  
18 but there are a whole lot that tend to vote both ways  
19 in terms of one year they may have selected the  
20 democratic nominee for governor, the next went they  
21 selected the republican.

22 The short answer to your question, which  
23 perhaps I should have done first, is as I had no  
24 direct outcome target in mind. I honestly don't know,  
25 nor have I seen any numbers that indicate what the

1 partisan results of this map would be.

2 REPRESENTATIVE INSKO: May I ask a  
3 follow-up?

4 SPEAKER MOORE: Representative Insko is  
5 recognized. Does the gentleman yield to an additional  
6 question?

7 REPRESENTATIVE LEWIS: Yes, sir.

8 SPEAKER MOORE: He yields.

9 REPRESENTATIVE INSKO: So, I haven't  
10 actually counted this map up either. I think the  
11 original one I saw had potential for 76 republicans  
12 seats and 44 democratic seats, but would it be fair to  
13 say that if you could draw -- if you could draw more  
14 districts that would be more favorable to republicans,  
15 that you would do that, or based on your comments in  
16 2016 I guess congressional districts, so if you could  
17 do 11 you would. If you could do 77 for republicans,  
18 would that be your goal?

19 REPRESENTATIVE LEWIS: Well, thank you for  
20 your question, Representative.

21 The direct answer is my only goal in this is  
22 to comply with the order of the Covington Court. I  
23 would point out, though, because I think it goes to  
24 what you're saying is that there are a lot of factors  
25 that influence the outcome of elections. As you know,



1     you and I both served here for some time and there are  
2     a lot of things that influence elections: The amount  
3     of money that an incumbent can raise, let's just say,  
4     the things like that, the name ID, the level of  
5     constituency services that an incumbent provides. All  
6     those things influence the outcome of elections that  
7     are not a part of the map making process.

8             REPRESENTATIVE INSKO: Thank you.

9             SPEAKER MOORE: For what purpose does the  
10    gentleman from Cabarrus, Representative Pittman, rise?

11            REPRESENTATIVE PITTMAN: To send forth an  
12    amendment.

13            SPEAKER MOORE: The gentleman is recognized  
14    to send forth an amendment. The Clerk will read.

15            HOUSE CLERK: Representative Pittman moves  
16    to amend the bill on page 23, lines 21 through 27, by  
17    deleting those lines and substituting the following.

18            SPEAKER MOORE: The gentleman is recognized  
19    to debate the amendment.

20            REPRESENTATIVE PITTMAN: Thank you, Mr.  
21    Speaker.

22            Ladies and gentlemen, making adjustments in  
23    the districts in Rowan and Cabarrus counties does not  
24    require moving one incumbent's precinct into another  
25    incumbent's district and vice versa as the proposed

1 map would do. My amendment would undo this  
2 unnecessary maneuver so that each incumbent can remain  
3 in approximately the district each currently serves.

4 You know, there are a lot of folks in my  
5 district currently who have seen these maps and  
6 they're pretty upset about it, and they've been doing  
7 some research and they've given me some items that you  
8 might be interested to hear.

9 With the proposed map it is estimated that  
10 only about 10 percent of Cabarrus County motors --  
11 excuse me, voters, can't talk today, would have the  
12 option of keeping their representative if they so  
13 choose. Approximately 120,000 voters would be  
14 disenfranchised to the extent that the legislature  
15 will have decided to remove their representative from  
16 them as opposed to the voters being able to make that  
17 decision themselves. Voters should be allowed to  
18 choose their representatives rather than the  
19 legislature or the courts choosing for them.

20 Cabarrus County is the 9th largest county in  
21 the state. Under the committee's map the eight larger  
22 ones all have complete districts within their  
23 counties. These include Mecklenburg, Wake, Guilford,  
24 Forsyth, Cumberland, Buncombe, New Hanover and Gaston.  
25 The next eight smaller counties all have two complete

1 districts within them. This includes Onslow, Johnson,  
2 Iredell, Alamance, Catawba, Randolph, Rowan and  
3 Robeson. Why is Cabarrus the only county in that size  
4 range being required to reach outside its borders to  
5 complete two districts? Cabarrus deserves the same  
6 treatment as every other large county.

7 If you make two incumbents switch districts,  
8 the constituents of each will lose the continuity of  
9 familiarity and service they have received from each  
10 of those representatives. That would serve no purpose  
11 except perhaps to dictate to the voters that they must  
12 choose someone else when that may not be their desire.  
13 These districts and others have been formed to favor  
14 members who have been in office longer, and to  
15 disfavor members who have not been here a long time.  
16 This is the sort of thing that I believe is causing  
17 many citizens in our state and across the nation to  
18 demand term limits. They are tired of long-term  
19 politicians protecting their own status as opposed to  
20 newer members the people might favor who don't intend  
21 to make a career of it.

22 Protecting long-term incumbents I believe is  
23 a problem. I understand it was a criteria that the  
24 committee chose to use in putting these maps together.  
25 However, you know, we serve two-year terms here and I

1 believe each term should be seen as standing alone.  
2 Doesn't matter if you've been here three or four  
3 years, doesn't matter if you've been here nine, ten  
4 years, 20 years, however long it may be, each election  
5 is a new thing and I believe the rights of all  
6 candidates should be respected. I mean I've had  
7 people run against me in the three elections that I've  
8 won and my attitude has always been they have just as  
9 much right to run as anybody, including myself. After  
10 all, these seats belong to the people, not to us.

11 I'm also being told that 90% of the voters  
12 in Cabarrus County under this proposed map would not  
13 be allowed to vote for their incumbent in Cabarrus  
14 County. Voters, again, should make that choice, not  
15 the legislature or the courts.

16 If someone wants to move into another  
17 district to run, I think they ought to get a house in  
18 that district and move themselves there, not move your  
19 whole precinct or that of an undesired opponent  
20 whether with or without Representative Johnson's  
21 consent this has been done, I couldn't say about that,  
22 but I know I was not consulted, I don't think  
23 Representative Ford was consulted about this  
24 configuration, and I'm pretty sure most of the voters  
25 in Cabarrus and Rowan County were not asked their

1 opinion.

2 Simply putting my precinct back into my  
3 current district and Representative Johnson's precinct  
4 back into her district is what my amendment would  
5 accomplish, and I tried to do as little moving around  
6 to accomplish that as I could.

7 What it entails is moving precincts 0404,  
8 0405, 0406 and 0407 back into the 83rd District, and  
9 precincts 1209, 1212 and 0108 back into the 82nd  
10 District. That is within the 5%.

11 So, I appreciate your support for my  
12 amendment. Thank you.

13 SPEAKER MOORE: For what purpose does the  
14 gentleman from Harnett, Representative Lewis, rise?

15 REPRESENTATIVE LEWIS: To debate the  
16 amendment.

17 SPEAKER MOORE. The gentleman has the floor  
18 to debate the amendment.

19 REPRESENTATIVE LEWIS: Thank you.

20 Mr. Speaker and Members, if I could direct  
21 your attention to the 2017 House Redistricting Plan A,  
22 I'd like to talk a little bit about this amendment,  
23 but first I want to point out that this is an  
24 amendment that changes the county grouping that  
25 stretches from Richmond in the south to Davie in the

1 north. This county grouping is a part of the county  
2 optimal -- the optimal grouping scheme that both  
3 parties to the lawsuit agree exists. This is the  
4 optimal county grouping for this state. When you do  
5 that, there was literally one more incumbent, one more  
6 seated member of the General Assembly in this county  
7 group than the population of that county group would  
8 allow for.

9 I spent a lot of time trying to figure out  
10 what to do with that issue. The only ways that I knew  
11 to solve it, and I don't make light of this because I  
12 know everybody works hard and sacrifices a great deal  
13 to be up here, the options that I considered were you  
14 could have gone to the north end of the county group  
15 and grouped the incumbents that were there, you could  
16 have gone to the south and grouped them there.  
17 Frankly, you could have drawn them out of a hat, but  
18 the only criteria that I could think of to use that  
19 met with the criteria of the committee was to look at  
20 the length of incumbency. The -- to be clear, under  
21 no configuration, including the one that the gentleman  
22 from Cabarrus has just sent forward, under no  
23 configurations is there a way to avoid pairing  
24 incumbents in this group.

25 What his amendment proposes to do is to pair

1 a different two. I would ask you respectfully to vote  
2 this down. It's unfortunate and regretful that we  
3 have to make a choice like this, but I have made it  
4 using the data that I had, which included the criteria  
5 of the incumbency and that, of course, includes the  
6 number of terms that are served.

7 So, I would ask you to vote no on this  
8 amendment.

9 SPEAKER MOORE: For what purpose does the  
10 gentleman from Cabarrus, Representative Pittman, rise?

11 REPRESENTATIVE PITTMAN: Speak on the  
12 amendment a second time.

13 SPEAKER MOORE: The gentleman is recognized  
14 to speak on the amendment a second time.

15 REPRESENTATIVE PITTMAN: Thank you, Mr.  
16 Speaker.

17 Ladies and gentlemen, just very briefly I  
18 would like to point out that I understand that either  
19 way somebody among the three of us that two are going  
20 to be paired. I would point out to you that  
21 geographically Representative Ford and Representative  
22 Johnson are much closer together than I am to either  
23 one of them. Thank you.

24 SPEAKER MOORE: Further discussion, further  
25 debate? If not, the question for the House is the

1 adoption of Amendment A1 sent forth by Representative  
2 Pittman. Those in favor will vote Aye, those opposed  
3 will vote No. The Clerk will open the vote.

4 Representative Rogers, Representative Corbin  
5 in chamber. Representative Alexander, Representative  
6 Collins.

7 Clerk will lock the machine and record the  
8 vote. 7 having voted in the affirmative; 102 in the  
9 negative. The amendment fails.

10 The gentleman from Harnett, Representative  
11 Lewis, is recognized to send forth the amendment. The  
12 Clerk will read.

13 THE CLERK: Representative Lewis moves to  
14 amend the bill on page 3, line 39 through page 4, line  
15 2 by deleting those lines and submitting the  
16 following.

17 SPEAKER MOORE: The gentleman has the floor  
18 to debate the amendment.

19 REPRESENTATIVE LEWIS: Thank you, Mr.  
20 Speaker.

21 Mr. Speaker, first of all, I'd like to  
22 correct the record. When the committee met on Friday,  
23 there was an alternative proposal that had been  
24 submitted for consideration, and I erroneously stated  
25 the House plan that I submitted was more compact in



1 Wake County and I misspoke.

2 Representative Jackson from Wake County was  
3 kind enough to share with me on Friday that I had  
4 misspoke and provided the data to reemphasize that.  
5 Therefore, I worked on Saturday to try to improve the  
6 compactness scores. I also reached out for advice to  
7 some members of the House of the Wake County  
8 delegation for their input.

9 Therefore, despite what you may or may not  
10 think of the map, I would ask you to support this  
11 amendment. I think this map does a better job of  
12 keeping municipalities whole. I think this map is  
13 certainly more compact. The Reock score is increased  
14 by .019. The Polsby-Popper score is increased by 0.5.

15 Again, there is one fewer split town in this  
16 map, and I would urge members to please support this  
17 amendment.

18 SPEAKER MOORE: Further discussion, further  
19 debate? If not, the question for the House is the  
20 adoption of Amendment A2 sent forward by  
21 Representative Lewis. Those in favor will vote Aye,  
22 those opposed will vote No. The Clerk will open the  
23 vote.

24 The Clerk will lock the machine and record  
25 the vote.

1                   64 having voted in the affirmative, and 46  
2                   in the negative the Amendment is adopted.

3                   For what purpose does the gentleman from  
4                   Lee, Representative Reives, rise?

5                   He stepped off.

6                   For what purpose does the lady from  
7                   Franklin, Representative Richardson, rise?

8                   REPRESENTATIVE RICHARDSON: Thank you, Mr.  
9                   Speaker.

10                  I would like to ask the bill sponsor about  
11                  three questions, please.

12                  SPEAKER MOORE: Does the gentleman from  
13                  Harnett yield to three questions?

14                  REPRESENTATIVE LEWIS: I yield to all of  
15                  them, Mr. Speaker.

16                  SPEAKER MOORE: He yields, and after he  
17                  answers each question in the interest of time,  
18                  Representative Richardson, the lady is permitted to go  
19                  onto the next question.

20                  REPRESENTATIVE RICHARDSON: Okay, thank you,  
21                  Mr. Speaker.

22                  My first question is I went to the public  
23                  hearing in Halifax and there were quite a few people  
24                  who were as was across the state. Was the information  
25                  or the questions asked by those public hearings

1 included or impacted any of the changes in the maps  
2 that you presented?

3 REPRESENTATIVE LEWIS: Thank you for that  
4 question, Representative. The input that I can recall  
5 that we got was to make the districts compact. They  
6 were largely along the criteria that the committee has  
7 adopted. Unfortunately, I don't recall any specific  
8 criteria from the Halifax location that was  
9 incorporated in this drawing.

10 REPRESENTATIVE RICHARDSON: Thank you. I  
11 won't address that, but I just wondered.

12 My second question is that the plaintiffs  
13 had attorneys working for them. In deciding the maps  
14 that we are about to vote on, were any of the  
15 plaintiffs or the attorneys for the plaintiffs  
16 contacted and consulted about the results that will  
17 reflect in the maps that you've given us today?

18 REPRESENTATIVE LEWIS: Thank you for that  
19 question.

20 Certainly in my opinion would have been  
21 inappropriate for me to have contacted the plaintiffs  
22 attorneys to talk about this. I do appreciate the  
23 fact that the plaintiffs submitted maps for us to  
24 review. I, frankly, spent a lot of time reviewing it  
25 and I don't recall that there are any direct changes

1 to this map as a result of the map that the plaintiffs  
2 submitted.

3 REPRESENTATIVE RICHARDSON: Thank you.

4 My last question, it relates to the letter  
5 that attorney Anita Earle sent. Did that letter  
6 impact any changes once you received it from her?

7 REPRESENTATIVE LEWIS: Well, thank you for  
8 that question.

9 Certainly I do recall receiving the letter.  
10 I read the letter thoroughly. There are points of the  
11 letter that I would respectfully disagree with in  
12 terms of the way that the signers of the letter  
13 interpret various aspects of the law. Again, I think  
14 one of the biggest fallacies in the letter is the  
15 number of county traversals that following their  
16 theory of the law would create.

17 So, the short answer, and I apologize for  
18 continuing to do that, it's not my intent, I'm trying  
19 to recall, I do not recall that the letter left any  
20 direct changes in the map.

21 REPRESENTATIVE RICHARDSON: Thank you for  
22 your answers. Thank you, Mr. Speaker.

23 SPEAKER MOORE: For what purpose does the  
24 gentleman from Lee, Representative Reives, rise?

25 REPRESENTATIVE REIVES: To ask the bill

1 sponsor a couple of questions.

2 SPEAKER MOORE: Does the gentleman from  
3 Harnett yield to inquiry?

4 REPRESENTATIVE LEWIS: I yield to all  
5 questions.

6 SPEAKER MOORE: He yields.

7 REPRESENTATIVE REIVES: Thank you, Chairman  
8 Lewis, and I'll try to make a couple of presumptions  
9 to go ahead and try not to ask you a whole bunch of  
10 questions.

11 I believe the reason we left the racial  
12 statistics out of the stack pack was to secure the  
13 racial gerrymander per the court's order. With that  
14 being said, we still had Dr. Hoffler doing the maps  
15 this time around. Was there a particular reason that  
16 we were picking Dr. Hoffler again?

17 REPRESENTATIVE LEWIS: Thank you for the  
18 question, Representative Reives. And to be clear, the  
19 map that you have before you is just like any other  
20 piece of legislation that comes up. The idea behind  
21 the map and the process that produces the map is a --  
22 is the legislative -- is the legislative process. I  
23 feel and continue to feel that Dr. Hoffler was the  
24 best person to help us quickly comply with the order  
25 of the court. So, yes, I think he was the best one to

1 hire to help reproduce this map to present to you  
2 today.

3 REPRESENTATIVE REIVES: And follow-up?

4 SPEAKER MOORE: Gentleman yields to  
5 additional questions? He yields.

6 REPRESENTATIVE REIVES: Thank you.

7 And based on that, that because of the fact  
8 that he would have been the quickest, would have been  
9 because of the substantial amount of work and work  
10 product that he would have had from 2011; would that  
11 be fair to say?

12 REPRESENTATIVE LEWIS: Well, thank you for  
13 the question.

14 No, I don't think the 2011 plan would have  
15 had anything to do with it. I think it was more the  
16 we agreed that maptitude was the sort of the industry  
17 standard that's used nationwide, and he was just very  
18 fluent in being able to help legislators translate  
19 their desires to the maptitude program.

20 REPRESENTATIVE REIVES: Follow-up.

21 SPEAKER MOORE: Does the gentleman yield to  
22 additional questions?

23 REPRESENTATIVE LEWIS: Yes, sir.

24 SPEAKER MOORE: He yields.

25 REPRESENTATIVE REIVES: Based on that, is it

1 your belief, then, that he would not have used  
2 information that he had had available to him back in  
3 2011 and his knowledge of the districts to kind of  
4 help push this process along?

5 REPRESENTATIVE LEWIS: Thank you for the  
6 question.

7 The only information that Dr. Hoffler had  
8 access to and used in preparing this map was that it  
9 was adopted by the criteria because that was the only  
10 -- was the criteria adopted by the committee because  
11 that was the only information that was loaded up on  
12 his computer.

13 REPRESENTATIVE REIVES: Follow-up.

14 SPEAKER MOORE: Does the gentleman yield to  
15 additional questions?

16 REPRESENTATIVE LEWIS: I yield.

17 SPEAKER MOORE: He yields.

18 REPRESENTATIVE REIVES: Thank you.

19 So, did we put anything in place to make  
20 sure that he wasn't using any other information, for  
21 instance, his knowledge of the racial data,  
22 statistics, district lines, things of that sort, that  
23 information that has previously been used this time  
24 around so as not to violate the court's order?

25 REPRESENTATIVE LEWIS: Thank you for the

1 question.

2 Part of his contract and certainly his  
3 instructions from me were to only use the criteria  
4 that was adopted by the committee.

5 REPRESENTATIVE REIVES: All right, thank  
6 you, Mr. Chairman. Thank you, Mr. Speaker.

7 SPEAKER MOORE: For what purpose does the  
8 gentleman from Durham, Representative Michaux, rise?

9 REPRESENTATIVE MICHAUX: To see if the  
10 gentleman would respond to a question or two.

11 SPEAKER MOORE: Does the gentleman from  
12 Harnett yield to the gentleman from Durham?

13 REPRESENTATIVE LEWIS: I do.

14 SPEAKER MOORE: He yields.

15 REPRESENTATIVE MICHAUX: Mr. Chairman, did  
16 you contact any of the members of the body before  
17 these maps were presented to the committee to get any  
18 individual input from them?

19 REPRESENTATIVE LEWIS: Representative  
20 Michaux, thank you for the question.

21 I have talked to members of the body  
22 throughout this process. Prior to the release of the  
23 first map I certainly had talked to probably  
24 Representative Dollar, who is the Chair of the  
25 committee with me, but I don't recall that I spoke to



1 any other member prior to the release of the first  
2 map. I've continued to talk with members along the  
3 way, which is why we put the map out was to get  
4 feedback from the members and the public and we have  
5 made certain changes in the map based on input from  
6 members.

7 REPRESENTATIVE MICHAUX: Follow-up.

8 SPEAKER MOORE: Does the gentleman yield to  
9 additional questions?

10 REPRESENTATIVE LEWIS: I yield.

11 SPEAKER MOORE: He yields.

12 REPRESENTATIVE MICHAUX: Let me try to make  
13 it simple. Did you seek out any information at all  
14 from the members of this body as to what they would  
15 like to see in any map that was drawn on a personal  
16 basis?

17 REPRESENTATIVE LEWIS: Thank you for that  
18 question, Representative Michaux.

19 I produced a map and have received input  
20 since then. I did not specifically seek out  
21 information from members prior to that.

22 REPRESENTATIVE MICHAUX: Follow-up.

23 REPRESENTATIVE LEWIS: I yield to all  
24 questions.

25 SPEAKER MOORE: He yields.

1           REPRESENTATIVE MICHAUX: In considering --  
2           who -- who worked with you on consideration of the map  
3           that you submitted to the Redistricting Committee for  
4           their approval?

5           REPRESENTATIVE LEWIS: So, obviously  
6           Dr. Hoffler, who is a consultant that was hired drew  
7           the map at my direction, and Representative Dollar  
8           also added input to the maps after he had been named  
9           Co-chair of the committee.

10          REPRESENTATIVE MICHAUX: Another.

11          REPRESENTATIVE LEWIS: I yield to all  
12          questions.

13          SPEAKER MOORE: The gentleman yields.

14          REPRESENTATIVE MICHAUX: So, you and  
15          Representative Dollar and Dr. Hoffler were the only  
16          ones who put a map together that was presented to the  
17          Redistricting Committee for their approval?

18          REPRESENTATIVE LEWIS: So, to be clear,  
19          primarily I directed how the map was produced, but,  
20          yes, the three people that you said were the ones that  
21          largely had seen it prior to its public publication.

22          REPRESENTATIVE MICHAUX: Follow-up?

23          REPRESENTATIVE LEWIS: I yield.

24          SPEAKER MOORE: The gentleman yields.

25          REPRESENTATIVE MICHAUX: This won't take but

1 a couple more.

2 The court in turning -- in finding that the  
3 map you drew in 2011 was unconstitutional indicated  
4 that the maps were unconstitutional because they were  
5 racially gerrymandered. By racial gerrymandering,  
6 that race was brought into the map in order to make  
7 the maps that you drew; is that not correct?

8 REPRESENTATIVE LEWIS: Thank you for the  
9 question, Representative Michaux.

10 Certainly the court's ruling was that the  
11 maps were unconstitutional as racial gerrymander.  
12 It's my understanding that the reason the court made  
13 that determination is that they said that we had not  
14 established enough in the record to trigger the use of  
15 race in drawing districts.

16 REPRESENTATIVE MICHAUX: Follow-up?

17 SPEAKER MOORE: Will the gentleman yield to  
18 additional questions?

19 REPRESENTATIVE LEWIS: I do.

20 SPEAKER MOORE: He yields.

21 REPRESENTATIVE MICHAUX: You keep saying  
22 that the court says that you had not figured enough in  
23 there in order to trigger race, but did they not  
24 indicate to you that race was a predominant factor in  
25 the way that those lines were drawn in 2011?

1           REPRESENTATIVE LEWIS: Representative  
2 Michaux, I'm not sure I completely understand what  
3 you're asking. I have acknowledged that the court  
4 ruled that 19 of the state House districts were racial  
5 gerrymanders without the necessary supporting the  
6 information from the court. I mean that the court  
7 says the legislature did not have enough information  
8 to use race in the drawing of the maps. No additional  
9 information has been presented to me or to the  
10 Redistricting Committee to refute the court,  
11 therefore, we did not use race in drawing this map.

12           REPRESENTATIVE MICHAUX: One follow-up  
13 question.

14           SPEAKER MOORE: Does the gentleman yield to  
15 additional questions?

16           REPRESENTATIVE LEWIS: I do.

17           SPEAKER MOORE: He yields.

18           REPRESENTATIVE MICHAUX: How do you, then,  
19 correct, how do you correct a racially predominantly  
20 drawn district without including race in order to  
21 correct that predominance?

22           REPRESENTATIVE LEWIS: Thank you for the  
23 question.

24           It's my understanding that the ruling of the  
25 court was that we did not have enough evidence to

1       justify the use of race in drawing districts,  
2       therefore, if race is not used at all in the drawing  
3       of the districts, certainly a court would not be able  
4       to find because race had not been a factor at all, it  
5       certainly could not have been a factor that was  
6       incorrectly considered.

7               REPRESENTATIVE MICHAUX: Thank you.

8               SPEAKER MOORE: For what purpose does the  
9       gentleman from Wake, Representative Jackson, rise?

10              REPRESENTATIVE JACKSON: For a series of  
11       questions to the sponsor chair.

12              SPEAKER MOORE: Does the gentleman from  
13       Harnett yield to questions?

14              REPRESENTATIVE LEWIS: I yield.

15              SPEAKER MOORE: He yields, and  
16       Representative Jackson, you're welcome just to  
17       continue asking after each one.

18              REPRESENTATIVE JACKSON: Thank you, Mr.  
19       Speaker. I think it's only four questions, Chairman  
20       Lewis.

21              On Friday we talked about to back the  
22       scores, and you did make a change to Wake County, and  
23       so, I'll just ask was the map the committee considered  
24       on Friday what I'll call the Covington, the Covington  
25       map, is it still slightly better compacted scores than

1 the offer 927 as amended at this point?

2 REPRESENTATIVE LEWIS: Thank you for the  
3 question, Representative Jackson. The -- my  
4 understanding is that the Covington map is slightly  
5 better statewide on overall compactness and the -- in  
6 Wake County the now amended plan is better under the  
7 Reock score than the Covington map was and almost as  
8 good as the Covington map under the Polsby-Popper  
9 score.

10 REPRESENTATIVE JACKSON: Thank you.

11 Chairman Lewis, I noticed a series of split  
12 counties: Craven, Onslow, Pitt, Granville, Robeson,  
13 Johnston, Sampson, Nash, Harnett, Columbus and Stanly,  
14 and so, in my examination of those I didn't see a  
15 single place where the split worked to the advantage  
16 of the democratic party and to the detriment of the  
17 republican party, and I was just wondering if I was  
18 wrong or if you could point me to one those?

19 REPRESENTATIVE LEWIS: Well, thank you for  
20 that question, Representative Jackson. The -- I'm not  
21 aware of the outcome of how these splits effect  
22 various partisan performance of a district. Were I to  
23 gander, I would say that -- I would say that probably  
24 the placement of the line for population purposes in  
25 District 8 probably benefits democrats more than it

1 does republicans. That's one of the things I tried  
2 the say when we were adopting the criteria. Every  
3 choice, everywhere a line is made, there are political  
4 ramifications for where that line falls, and one of  
5 the reasons that I objected so much to the committee  
6 to trying to specify that a precinct or a county could  
7 only be split for population purposes, frankly, is I  
8 knew that where ever the line went, there would be  
9 political consequences for it and folks would blame me  
10 for violating the criteria.

11 REPRESENTATIVE JACKSON: And the last  
12 question I have for you is Representative Lewis or  
13 Chairman Lewis, is in Wake and Mecklenburg County  
14 there are five house districts that did not touch in  
15 any way districts that had been declared  
16 unconstitutional, and since you didn't consider race  
17 in redrawing these districts, can you tell us why it  
18 was necessary for you to change the boundaries of  
19 House District 105 in Mecklenburg County and House  
20 Districts 36, 37, 40 and 41 in Wake County?

21 REPRESENTATIVE LEWIS: The court ordered us  
22 to correct racial gerrymanders, that is, districts  
23 that use race too much. Freezing districts which do  
24 not touch the illegal district would require the core  
25 of the racial gerrymander as a starting point and then

1 we would be accused of racial gerrymandering all over  
2 again. Instead, we started with a blank slate. As  
3 you yourself have pointed out, the blank slate has let  
4 us do some good things. It's let us split fewer  
5 precincts, it's let us keep more municipalities whole.

6 The state constitution does assume that  
7 redistricting will be done after the census and not  
8 touched later on, but it does not speak to the  
9 situation we're in now, which is court ordered  
10 redistricting. In 2011 what I refer to as the VRA  
11 districts were created first. For example, in Wake  
12 County all of the remaining districts were drawn  
13 around the VRA seats. Therefore, all the remaining  
14 districts were, in fact, impacted by the Covington  
15 ruling.

16 In its ruling the Covington court criticizes  
17 split precincts. To correct that we needed to try to  
18 split less precincts in all of the districts that were  
19 in a group, and that's what we've done here in this  
20 drawing.

21 REPRESENTATIVE JACKSON: Thank you, Mr.  
22 Chairman.

23 SPEAKER MOORE: Further discussion, further  
24 debate? Does the gentleman wish to debate the bill?

25 REPRESENTATIVE JACKSON: I do.



1                   SPEAKER MOORE: The gentleman from Wake,  
2                   Representative Jackson, is recognized to debate the  
3                   bill.

4                   REPRESENTATIVE JACKSON: Thank you, Mr.  
5                   Speaker.

6                   Ladies and gentlemen, I apologize in  
7                   advance. My comments are probably about 10 minutes  
8                   long. So, I tried to summarize them as best I could.

9                   I want you to know that I do rise to oppose  
10                  this redistricting plan today and I wanted to start  
11                  with the issue of race, which I believe is at the  
12                  heart of this plan and very much, unfortunately, part  
13                  of the national public debate in recent months.

14                 A lot of hate was on display a few weeks ago  
15                 in Charlottesville, and I think the comments we heard  
16                 at the public hearing last week were in large part a  
17                 response to what happened in Charlottesville. So,  
18                 from the beginning I want to state publicly and  
19                 clearly and for the record that I do not think your  
20                 plan is racial gerrymandered because my colleagues in  
21                 this body are racist. No one in this body deserves to  
22                 be called some of the names we heard that night or in  
23                 some of the public comments that I have personally  
24                 received. But today is the anniversary of Dr. Martin  
25                 Luther King, Jr.'s I Have a Dream speech, and we have,

1 in fact, come a long way, but I do not believe we are  
2 at the point in this country, in the south or even in  
3 this state where you can no longer consider race in  
4 these type of decisions.

5 I do believe your plan is still a racial  
6 gerrymander, just as the plan from 2011 was found to  
7 be. I believe your plan racially gerrymanders so that  
8 you can lessen the opportunities of African-American  
9 voters to have their voices heard in more districts  
10 because that could in turn create more democratic  
11 districts. That is at the core of your supermajority.

12 The plan that we are passing today is every  
13 bit as constitutionally flawed as the one in 2011.  
14 House democrats have pointed out some of the flaws on  
15 the floor and in committee. The Covington plaintiffs  
16 have done so through written correspondence to the  
17 chairs and submission to alternative map. You have  
18 not made the necessary changes, but I'm going to point  
19 them out one final time.

20 First, there was the process you've known  
21 since June 5th that your maps were unconstitutional  
22 and needed to be redrawn and we did nothing. Governor  
23 Cooper attempted to call us into special session on  
24 June 7th; again we did nothing. Finally, you acted  
25 laying out a long, drawn out timetable for public

1 input and hearings. It sounded great except that it  
2 was now August. And remember last time you tried to  
3 schedule filing in December and that's a long process  
4 and prevents us from recruiting candidates. That's  
5 not a problem for your side with so many incumbents  
6 and maps to consult, but the court figured this out  
7 and rightly called you out on it.

8 So that foot-dragging process led to an  
9 evening of one public hearing conducted in probably  
10 one of the most bizarre fashions I've ever seen. As  
11 best I can tell, what input we did receive through the  
12 hearing or the online process was not used in any  
13 meaningful way. I have no doubt that the maps we see  
14 today have existed in some basic form for sometime,  
15 after all, the clusters were drawn last year around  
16 this time, yet they were released on a Saturday, but  
17 just as pictures with no data. It took another couple  
18 of days to get the data we all know existed.

19 The second flaw in the plan before us today  
20 is the alleged non-use of racial data. Nine Supreme  
21 Court justices, who rarely agree on anything, struck  
22 down your maps as a racial gerrymander. Some argued  
23 that the court did not find such a racial gerrymander,  
24 only that you considered race without the proper  
25 factual findings or that the law has somehow changed

1 since 2011. In my opinion that just isn't accurate.

2 The Federal courts have referred to the 2011  
3 plan as a racial gerrymander at least seven different  
4 times in two separate court orders requiring you to  
5 re-draw these 19 unconstitutional House districts.  
6 Three federal judges issued an order instructing you  
7 on how to fix your map, including specific language  
8 directing the use of racial data. You are refusing to  
9 do so. You're pretending that the Voting Rights Act  
10 no longer exists.

11 You can look at page 151 of the court's  
12 opinion. There the court talks about the history of  
13 the prior Voting Rights Act districts in North  
14 Carolina and racially pulverized voting. The court  
15 says, "We would not dispute that some of the  
16 information is relevant and should be considered  
17 during a legislative redistricting."

18 Should be considered, that's what the court  
19 says. We didn't consider it. In the court's  
20 conclusion, "Section II of the Voting Rights Acts  
21 continues to play an important role in redistricting,  
22 and legislatures must undertake a district specific  
23 analysis to identify and cure potential Section II  
24 violations."

25 Again, note the magic words, legislatures

1 must. Again, we have not done that.

2 The maps before us today have stack packs  
3 with no racial data in them. You claim that means a  
4 racial gerrymander is impossible, yet the lines were  
5 drawn by the same expert who drew the maps in 2011.  
6 They used racial data so extensively as to be found  
7 unconstitutional. Dr. Hoffler spent months taking a  
8 scaffold to the North Carolina map and finding pockets  
9 of African-American voters to create 50% plus  
10 districts all across the state. He spent many more  
11 years helping the state answer pleadings, discovery  
12 requests, giving depositions and expert testimony.  
13 How do you instruct him now not to use what he knows  
14 all so well? It would be like telling Dale Jr. not to  
15 look at his speedometer. It's pointless. He still  
16 knows how fast he's going when he's in that car.

17 And you see it in the maps. You see racial  
18 gerrymanders that have not been cured. They live on,  
19 refusing to die like a character in The Walking Dead.  
20 If not, why do the districts look so similar to the  
21 ones last time?

22 What's more, you even refused to even check  
23 on the back end to make sure you have identified and  
24 cured potential Section II violations. The court has  
25 told you to do so, but you have refused. I'd ask that

1     you not cry foul if and when the court calls you to  
2     task on it. Everyone has warned you.

3             The third flaw I see is the unfortunate  
4     error of violating the whole county provision of the  
5     North Carolina Constitution. Your map splits more  
6     counties than the map I presented at committee. There  
7     are no unnecessary county traversals. Why not fix  
8     them now?

9             The fourth flaw also relates to the North  
10    Carolina Constitution. Unlike Georgia and other  
11    states, we cannot redistrict mid-decade without a  
12    court ordering us to do so. You abide by this  
13    constitutional rule by not redrawing areas like  
14    Alamance or New Hanover or Burke County, yet you  
15    violate the rule in Wake and Mecklenburg County.

16            It is possible and constitutionally required  
17    to leave districts unchanged that do not touch  
18    unconstitutional districts when the cluster is  
19    unchanged, yet you refuse to do so for reasons of  
20    politics.

21            There's no legal universe with your  
22    political reasons can trump the North Carolina  
23    Constitution. It's as clear as day. Article II,  
24    Section 5 says, "When established, the House districts  
25    in the apportionment of their representatives shall

1 remain unaltered until the return of another census of  
2 population taken by order of congress."

3 That same language is cited in both the  
4 Stevenson 1 and Stevenson 2 is one of the four  
5 constitutional limitations upon the redistricting  
6 authority of the General Assembly. Why would a party  
7 of strict constructionists ignore this prohibition?

8 Finally, I will point out the flaw that is  
9 obvious to anyone paying attention and that is  
10 partisan gerrymandering. Our current map is one of  
11 the most gerrymandered in the history of America.  
12 That is not an exaggeration. We are at the political  
13 center of the political scientists world, and you've  
14 doubled down what you did in 2011. And I know, I know  
15 you're going to say that democrats did it first, and  
16 there's two comments I'd like to say about that.  
17 First, at some point someone has to have the integrity  
18 and political courage to stop doing it. Obviously it  
19 won't be us today.

20 The second I looked up the last democratic  
21 plan of 2003, looking at the closest statewide race of  
22 2000, which was the democratic candidate won by three  
23 points, the 2003 democratic gerrymander gave us, gave  
24 our party, the democratic party, 66 seats and yours  
25 54. Obviously it was drawn at that time to help the

1 democrats, yet compared to what we have before us  
2 today, Attorney General Stein won in North Carolina.  
3 He wins over 42 seats in your plan. 35% of the North  
4 Carolina House.

5 In committee I presented a plan that  
6 resulted in Attorney General Stein winning 56 seats,  
7 and some of my republican friends were horrified,  
8 aghast. It was beyond the pale what I was proposing.  
9 I had a radical partisan gerrymander in favor of  
10 democrats, and imagine that, it was a plan that only  
11 gave you a simple majority. Your party's executive  
12 director said that the Covington's plaintiffs' plan  
13 was the racial gerrymander in this case and that what  
14 I was doing on Friday was an embarrassment.

15 Let me sum up those republic talking points  
16 for you. The plan before us today puts the democrats  
17 in the super minority, but it's completely fair and  
18 balanced. My amendment that would have put democrats  
19 in the close minority is the wildly partisan racial  
20 gerrymander. It takes a lot of gall to parrot those  
21 talking points. I encourage you to try it out in  
22 public sometime.

23 I know that partisan gerrymandering has not  
24 been struck down by the courts yet. Plans like the  
25 one before us today are putting us on that path.



1     There are bad democratic gerrymanders in states like  
2     Maryland, and bad republican ones in states like  
3     Wisconsin, but we remain the top dog in  
4     gerrymandering. Nobody does it like North Carolina.  
5     We're number one. The fact that you would do it again  
6     after your first maps were struck down by the courts  
7     is very interesting, to say the least. You could have  
8     drawn a more reasonable map that guaranteed you to  
9     stay in control of this body through 2020. You could  
10    have shown a little humility, a little moderation, a  
11    little caution knowing that the court this time has to  
12    approve this plan, but you didn't. You're going all  
13    in, and we'll see how this all works out in a few  
14    weeks.

15                 On behalf of the House of Democrats I say  
16    that we will be voting against this plan. Thank you.

17                 SPEAKER MOORE: For what purpose does the  
18    gentleman from Wake, Representative John, rise?

19                 REPRESENTATIVE JOHNS: Briefly debate the  
20    bill.

21                 SPEAKER MOORE: The gentleman is recognized  
22    to debate the bill.

23                 REPRESENTATIVE JOHNS: Since I announced my  
24    intention to seek election to this body nearly a year  
25    ago, I have consistently and repeatedly spoken of my

1 firm belief that the task of drawing electoral  
2 districts for the North Carolina House and the North  
3 Carolina Senate should be assigned to a wholly  
4 independent, impartial, and most importantly, a  
5 nonpartisan commission.

6 In the public comments recently heard by the  
7 Redistricting Committee, speaker after speaker after  
8 speaker expressed the identical sentiment.

9 As we've heard so often, politicians should  
10 not be put in the position of selecting their voters  
11 as opposed to citizens selecting their  
12 representatives. Our frail human nature being what it  
13 is, when those directly affected and indeed those who  
14 will specifically benefit by the process are those who  
15 themselves are making the critical decisions as to  
16 where the borders of legislative districts are set, it  
17 is inevitable that self-district -- self-interest and  
18 partisan concerns will creep in and in most instances  
19 will ultimately prevail.

20 My personal wish, and I believe the wish of  
21 the vast majority of North Carolinians, would have  
22 been that the General Assembly would have considered  
23 and early on passed a law establishing an independent  
24 redistricting commission. Bipartisan proposals to do  
25 so currently languish in the House Rules Committee,

1 and sadly, no such legislation was passed. What we  
2 have instead are the proposed maps before us, the many  
3 flaws of which have been pointed out in the questions  
4 and statements we have heard.

5 My primary and heartfelt goal, Mr. Speaker,  
6 will be to continue to see a significant change in  
7 this process, and one which will give our citizens the  
8 full confidence they deserve in their legislative  
9 districts.

10 Thank you, Mr. Speaker.

11 SPEAKER MOORE: For what purpose does the  
12 gentleman from Harnett, Representative Lewis, rise?

13 REPRESENTATIVE LEWIS: May I send forth an  
14 amendment?

15 SPEAKER MOORE: Representative wishes to  
16 send forth an amendment. Clerk will now read.

17 HOUSE CLERK: Representative Louis wishes to  
18 amend the bill by changing the short title from 2017  
19 House Redistricting Plan A1 to 2017 House  
20 Redistricting Plan A2.

21 SPEAKER MOORE: The gentleman is recognized  
22 to debate the amendment.

23 REPRESENTATIVE LEWIS: Thank you, Mr.  
24 Speaker.

25 Mr. Speaker and Members, this is a purely

1 technical amendment recommend to me by essential  
2 staff. It simply makes it easier to identify the map  
3 that appeared on the calendar today from the map that  
4 now appears as amended with the Wake County amendment.  
5 Therefore, I would respectfully ask you to vote green  
6 and adopt this amendment. It just renames the map.

7 SPEAKER MOORE: Further discussion, further  
8 debate? If not, the question before the House is the  
9 adoption of Amendment A3 sent forward by  
10 Representative Lewis. Those in favor will vote Aye,  
11 those opposed will vote No. The Clerk will open the  
12 vote.

13 The Clerk will lock the machine and record  
14 the vote. 111 having voted in the affirmative, none  
15 in the negative. The bill is adopted. We're now back  
16 on the bill for the discussion, further debate.

17 For what purpose does the gentleman from  
18 Mecklenburg, Representative Alexander, rise?

19 For what purpose does the gentleman from  
20 Harnett, Representative Lewis, rise?

21 REPRESENTATIVE LEWIS: Mr. Speaker, may I  
22 please ask the gentleman from Wake, Representative  
23 Jackson, a series of questions?

24 SPEAKER MOORE: Does the gentleman from Wake  
25 yield to the gentleman from Harnett?

1 REPRESENTATIVE JACKSON: Yes, Mr. Speaker.

2 SPEAKER MOORE: He yields and the gentleman  
3 will be permitted to simply propound additional  
4 questions.

5 REPRESENTATIVE LEWIS: Thank you,  
6 Mr. Speaker, and thank you Representative Jackson.

7 Representative Jackson, just to be clear,  
8 you pointed out what you identify as deficiencies in  
9 this process. Have you done or caused to be done a  
10 district by district on the houses that gives any  
11 specific information that race should have been used?

12 REPRESENTATIVE JACKSON: I have not done a  
13 specific district by district analysis, Representative  
14 Lewis. As I mentioned on Friday, I have seen some  
15 racial data statistics for the different plans, but I  
16 have not taken it down to the -- if you read, as you  
17 read the Covington opinion, it's a 160 something pages  
18 and it goes in each district and it talks about what  
19 was the breakdown of African-Americans in the 2003  
20 plan and did they elect the candidate of their choice.  
21 I did not take it down through that level, no, sir.  
22 I've just seen the preliminary statistics.

23 REPRESENTATIVE LEWIS: Thank you.

24 Did you -- did you ask for the racial data  
25 on the plan that is before us now from staff or an

1 outside source?

2 REPRESENTATIVE JACKSON: I have certainly  
3 seen data on the plan as existed last week. The plan  
4 that's before us now has been amended a few times, and  
5 so, I've not asked for that data. I have also seen  
6 some preliminary racial data on the Covington  
7 plaintiffs' map, and I can't remember if it was at my  
8 request or if I was just copied on that e-mail,  
9 Representative Lewis.

10 REPRESENTATIVE LEWIS: May I ask one last  
11 question, Mr. Speaker?

12 SPEAKER MOORE: Yes, sir.

13 REPRESENTATIVE LEWIS: Thank you, Mr.  
14 Speaker, and thank you Representative Jackson.

15 Have you published this racial data or do  
16 you intend to? Is it a part of the record somewhere?

17 REPRESENTATIVE JACKSON: I believe it  
18 exists, Representative Lewis, in this computers. I  
19 have not published it. I believe that some members of  
20 my caucus have seen it as it applied to your previous  
21 plan as introduced to committee last week. I don't  
22 believe everyone on our side has seen the data as it  
23 exists for the Covington map. And, then, this weekend  
24 after you were kind enough on Saturday to share the  
25 Wake County amendment that you intended to run, I did

1 get a breakdown of some of the changes to some of  
2 those districts in Wake County and I've only shared  
3 that with a few members.

4 REPRESENTATIVE LEWIS: Thank you,  
5 Mr. Speaker, and thank you, Representative Jackson.

6 SPEAKER MOORE: Further discussion, further  
7 debate? If not, the question for the House is the  
8 passage of House Bill 927 on the second reading.  
9 Those in favor will vote Aye; those opposed will vote  
10 No. The Clerk will open the vote.

11 The Clerk will lock the machine and record  
12 the vote. 65 having voted in the affirmative; 47 in  
13 the negative. House Bill 927 passes at second reading  
14 and without objection be read a third time.

15 HOUSE CLERK: North Carolina enacts.

16 SPEAKER MOORE: Further discussion, further  
17 debate? If not, the question before the House the  
18 passage of House Bill 927 on the third reading. Those  
19 in favor will vote Aye; those opposed will vote No.  
20 The Clerk will open the vote.

21 The Clerk will lock the machine and close  
22 the vote. 65 having voted in the affirmative; 47 in  
23 the negative. House Bill 927 passes its third  
24 reading. The Bill is ordered enrolled and sent to the  
25 Senate. Strike that, the Bill is ordered in gross and

1 sent to the Senate.

2 Moving on to other business, Members, the  
3 Chair appoints the following members as well as  
4 constituting a committee on judicial redistricting.  
5 The committee members are as follows: Representative  
6 Berg, Chair; Representative Stevens, Vice Chair;  
7 Representative Ted Davis, Vice Chair; Representative  
8 John Bluss, Vice Chair. Members Representative  
9 Blackwell, Brisson, Bumgardner, Floyd, Goodman, Hall,  
10 Hastings, Harrison, Jackson, Jordan, John, Lewis,  
11 McNeil, Bobby Richardson, Rogers, Torbit, Ray and  
12 Zachary, and that's pursuant to Rule 26A.

13 We'll stand at ease momentarily. And since  
14 we have multiple Halls that was Representative Destin  
15 Hall.

16 The Clerk directs that 927 should be sent by  
17 special message to the Senate.

18 (HOUSE IS AT EASE.)

19 House will come back to order.

20 Members, for your planning purposes this is  
21 the schedule for today and for the next couple of  
22 days. First of all, we are -- we finished today's  
23 business. The Chair will direct, Mr. Clerk, that the  
24 three veto overrides: House Bill 205, House Bill 511,  
25 House Bill 576 be removed from today's calendar and



1       calendared for Wednesday, put on Wednesday's calendar.

2               Tomorrow we will have -- tomorrow we will  
3       have session at 1, but there will be no votes. Excuse  
4       me, 1 or 2, we haven't determined. I think we're  
5       going to go with 2, 2 o'clock tomorrow, but no votes  
6       tomorrow. The plan tomorrow is going to be that the  
7       Redistricting Committee will take up the Senate  
8       redistricting map. The chairman will make an  
9       announcement momentarily on that, and once that -- the  
10      committee process will be tomorrow. And then on  
11      Wednesday it is the Chair's intent that we take care  
12      of second and third reading on Wednesday.

13              Is there any objection to -- is there  
14      anybody going to object to the reading of the Senate  
15      redistricting map on Wednesday? Okay, then, the plan  
16      will be that we'll do second and third reading on the  
17      Senate map and on Wednesday. For ratification  
18      purposes and so forth, I believe we still may be here  
19      Thursday, but at least right now it would appear that  
20      the voting business will be done Wednesday, but I'm  
21      not sure. I know there are several other bills  
22      floating around. There are some comp reports folks  
23      are working on. So, those may be taken up Wednesday  
24      and Thursday as well, but that's where we are for  
25      right now.

1           The gentleman from Harnett, Representative  
2       Lewis, is recognized for an announcement.

3           The gentleman from Wayne, Representative  
4       Bell, is recognized for an announcement.

5           REPRESENTATIVE BELL: Thank you, Mr.  
6       Speaker.

7           Republican members, we're going to caucus on  
8       Wednesday. Right now the time is to be determined,  
9       but look somewhere in the 12 o'clock timeframe. So,  
10      prepare accordingly. Thank you.

11          SPEAKER MOORE: The gentleman from Wake,  
12      Representative Dollar, is recognized for an  
13      announcement.

14          REPRESENTATIVE DOLLAR: Tomorrow the House  
15      Redistricting Committee will meet at 1:00, 1:00 in  
16      Room 643. We'll be there to take up the Senate's  
17      Redistricting Bill.

18          SPEAKER MOORE: And the Chair would intend  
19      we have session tomorrow too. Is there any -- the  
20      Chair would move the rules be suspended so that the  
21      House may meet at the same time the committee is  
22      meeting.

23          Is there an objection? Hearing none, so  
24      ordered.

25          For what purpose does the gentleman from

1 Wake, Representative Jackson, rise?

2 REPRESENTATIVE JACKSON: For an  
3 announcement.

4 SPEAKER MOORE: The gentleman is recognized  
5 for an announcement.

6 REPRESENTATIVE JACKSON: Thank you, Mr.  
7 Speaker.

8 Our House democrats will caucus Wednesday at  
9 1:00. Wednesday at 1:00 in our normal room. Thank  
10 you.

11 SPEAKER MOORE: So, just again to remind  
12 members, no votes in session tomorrow. It will be a  
13 no-vote session, but the Redistricting Committee will  
14 be meeting. There will be votes, however, on  
15 Wednesday and probably on Thursday.

16 Further notices and announcements?

17 For what purpose does the gentleman from  
18 Durham, Representative Michaux, rise?

19 REPRESENTATIVE MICHAUX: Inquiry of the  
20 Chair.

21 SPEAKER MOORE: Just a moment.

22 Members of the House will come to order.  
23 The gentleman is recognized for an inquiry.

24 REPRESENTATIVE MICHAUX: Barring any other  
25 order or anything coming from the court, what's on

1 schedule after Wednesday or Thursday?

2 SPEAKER MOORE: The Chair believes we'll be  
3 done Thursday. I don't foresee us being here on  
4 Friday. If the gentleman is asking what specific  
5 bills there are?

6 REPRESENTATIVE MICHAUX: No, I'm talking  
7 about after we leave here Wednesday or Thursday, when  
8 do we come back?

9 SPEAKER MOORE: Sometime in October we have  
10 a -- we'll have a reconvening date in October. That  
11 date has yet to be determined, but the Chair believes  
12 it will be during the second week of October.

13 REPRESENTATIVE MICHAUX: I thought the  
14 resolution -- pardon me, another question. I thought  
15 the resolution we passed called for a September date?

16 SPEAKER MOORE: That is in there. That will  
17 be amended in this adjournment resolution. The Chair  
18 doesn't believe there will be a need to be back that  
19 early. So, looks like you'll be safe until October.

20 REPRESENTATIVE MICHAUX: What's safe about  
21 that?

22 SPEAKER MOORE: Something to look forward  
23 to, Representative Michaux. It's just like Christmas,  
24 it just keeps repeating itself over and over again.

25 Further notices and announcements?

1           If not, gentleman from Harnett,  
2       Representative Lewis, recognized for a motion.

3           Just a moment.

4           REPRESENTATIVE LEWIS: Mr. Speaker.

5           SPEAKER MOORE: Just a moment,  
6       Representative Lewis. Oh, yes, the Chair apologizes.  
7       We actually have some pages with us today. If the  
8       pages would please come forward that are going to be  
9       serving with us this week. If you guys would come  
10      forward, I want to make sure I introduce these pages.  
11      I know a lot of members have left, but I would ask  
12      that you give your attention. A number of you  
13      probably have sponsored our pages who are here.

14           And to our pages, as the Clerk calls your  
15      name, please step forward and wave so that my  
16      colleagues and I will know who you are and where  
17      you're from. All right, the Clerk will introduce the  
18      pages.

19           HOUSE CLERK: Caroline Beason, Mecklenburg  
20      County, Sponsor Representative Dulin. Rhea Bagia,  
21      Mecklenburg County, Sponsor Representative Dulin. Zoe  
22      Byrd, Johnston County, Sponsor Representative  
23      Strickland. Tanner Harron, Guilford County, Sponsor  
24      Representative Faircloth. Emma Hiott, Stanly County,  
25      Sponsor Representative Burr. Carrie Holloway, Forsyth

1 County, Sponsor Representative Hanes. Victoria Hume,  
2 Orange County, Sponsor Representative Meyer. Timothy  
3 Parker, Wake County, Sponsor Representative Malone.  
4 Katherine Sanota, Mecklenburg County, Sponsor  
5 Representative Stone. Kirastacia Taylor, Orange  
6 County, Sponsor Representative Meyer. Maxwell  
7 Wagenseller, New Hanover County, Sponsor  
8 Representative Butler. Nate Worley, Buncombe County,  
9 Sponsor Representative Turner.

10 SPEAKER MOORE: Members, if you would please  
11 join me in welcoming our pages here this week.

12 (APPLAUSE.)

13 We're glad to have you with us this week.  
14 You may return to you post.

15 The gentleman from Harnett, Representative  
16 Lewis, is recognized for a motion.

17 REPRESENTATIVE LEWIS: Mr. Speaker, in honor  
18 and memory of Richard Thomas McDowell, the father of  
19 Representative White, I move the House adjourn to  
20 reconvene Tuesday, August 29th, at 1 o'clock p.m.  
21 subject to the standard stipulation set forth in Rule  
22 15.1, except, Mr. Speaker, may I change that and move  
23 that the House reconvene on Tuesday, August 29th, at 2  
24 o'clock p.m.

25 SPEAKER MOORE: The gentleman from Harnett

1 moves that the House be now adjourned, seconded by the  
2 lady from Johnston, Representative White, in honor and  
3 in memory of Richard Thomas McDowell, who is the  
4 father of Representative White, subject to the  
5 standard stipulations set forth in Rule 15.1 to  
6 reconvene Tuesday, August 29th at 2 p.m.

7 Those in favor say Aye.

8 HOUSE MEMBERS: Aye.

9 SPEAKER MOORE: Those opposed say no. The  
10 Ayes have it. We stand adjourned.

11 (HOUSE SESSION ADJOURNED AT 3:07 P.M.)  
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1 STATE OF NORTH CAROLINA

2 COUNTY OF DURHAM

3

4 REPORTER'S CERTIFICATE

5 I, Regina Toppins, Shorthand Reporter and Notary  
6 Public in and for the State of North Carolina, do hereby  
7 affirm that the foregoing pages contain a verbatim  
8 transcription of the above-captioned proceedings and  
9 have been transcribed to the best of my ability and  
10 understanding; I further affirm that I am not related  
11 to any of the parties to this action; that I am not  
12 interested in the outcome of this case; that I am not of  
13 counsel nor in the employ of any of the parties to this  
14 action.

15 IN WITNESS WHEREOF, I have hereto set my hand,  
16 this the 28th day of August, 2017.

17

18

19

A handwritten signature in cursive script that reads "Regina Toppins". The signature is written in black ink and is positioned above a horizontal line.

20

Regina Toppins, Notary Public  
Notary Number: 200626300019

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23

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NC Senate Session Hearing

NORTH CAROLINA SENATE SESSION

NORTH CAROLINA GENERAL ASSEMBLY

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TRANSCRIPT OF THE PROCEEDINGS

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In Raleigh, North Carolina  
Monday, August 28, 2017, 5:00 p.m.

PREPARED BY: Karen Roche  
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1           SEN. BERGER: The Senate will come to order.  
2 The sergeant at arms will close the doors. Members,  
3 take your seats. Members and guests will please silence  
4 all electronic devices. Leading the Senate in prayer is  
5 Senator Norm Sanderson of Pamlico County. All members  
6 and guests, please stand.

7           SEN. SANDERSON: Thank you, Mr. President. I'd  
8 like to read just several verses of Scripture from the  
9 Book of Isaiah. Chapter 55, says "Seek you Lord while  
10 he may be found. Call ye upon him while he is near.  
11 Let the wicked forsake his way, and the unrighteous man  
12 his thoughts; and let him return unto the Lord, and he  
13 will have mercy upon him, and to our God, for he will  
14 abundantly pardon. For my thoughts are not your  
15 thoughts. Neither are your ways my ways" sayeth the  
16 Lord. Please pray with me. Lord, not our ways, but  
17 your ways. Not our thoughts, but your thoughts.  
18 Through and by the power of our Lord Savior Jesus  
19 Christ, Amen.

20           THE SENATE: Amen.

21           SEN. BERGER: Senator Pate is recognized for a  
22 motion.

23           SEN. PATE: Thank you, Mr. President. The  
24 journal of Friday, August 25, 2017, has been examined  
25 and is found to be correct. I move that we dispense

1 with the reading of the journal and that it stand  
2 approved as written.

3 SEN. BERGER: Without objection, the journal for  
4 August 25, 2017 stands approved as written.

5 Members, leaves of absence are requested and  
6 without objection are granted for Senators Barringer,  
7 Jim Davis, Ford, Jeff Jackson and Van Dunyn.

8 Courtesies of the chamber are extended to Karen  
9 Roche of Garrett Reporting Services. She is up on the  
10 dais next to the sergeant at arms.

11 Members, unless there's other business come  
12 before the Senate, we'll go straight into our calendar.

13 Senator Rabon, for what purpose do you arise?

14 SEN. RABON: Motion to address.

15 SEN. BERGER: State your motion.

16 SEN. RABON: Thank you, Mr. President.

17 Mr. President, I move that the rules be suspended until  
18 the end, that staff may accompany Senator Hise on the  
19 floor today.

20 SEN. BERGER: Without objection, so ordered.

21 SEN. RABON: Mr. President, I move that upon  
22 passage of third reading of Senate Bill 691, 2017 Senate  
23 Floor Redistricting Plan Second Reading be sent to the  
24 House by special message.

25 SEN. BERGER: Without objection, so ordered.

1 Senate Bill 691, the clerk will read.

2 THE CLERK: Senate Bill 691 2017 Floor  
3 Redistricting Plan, second reading.

4 SEN. BERGER: Senator Hise, could you step up  
5 here for just a moment?

6 Members, so you know, my understanding is that  
7 Senator McKissick had advised Senator Hise that there  
8 were a couple of amendments that were going to be  
9 offered and they are not available yet. What we're  
10 going to do is Senator Hise has an amendment that we can  
11 go ahead and run now. Once he runs his amendment, we'll  
12 take a recess waiting for the other amendments and then  
13 we'll proceed after that.

14 Senator Hise, for what purpose do you arise?

15 SEN. HISE: Send forth an amendment.

16 SEN. BERGER: Send forth your amendment. The  
17 clerk will read.

18 THE CLERK: Senator Hise moves to amend the  
19 bill.

20 Senator Hise is recognized to explain the  
21 amendment.

22 SEN. HISE: Thank you, Mr. President, Members of  
23 the Senate. As we're going through, we realize that  
24 there's going to be judges and others looking at these  
25 maps and we're trying to compact that and make as easy.

1 We had one of the original districts that is now  
2 numbered differently. I believe it was Senator Lowe's  
3 district. And just to avoid any confusion, it will  
4 change District 29 to District 32 and 32 to 29, so that  
5 the district numbers for that district will be  
6 consistent with the previous map to this map.

7           SEN. BERGER: Further discussion or debate on  
8 Amendment 7?

9           Hearing none, the question before the Senate is  
10 the passage of Amendment 7, Senate Bill 691. All in  
11 favor of the amendment will vote aye; all opposed to the  
12 amendment will vote no. Five seconds will be allowed  
13 for the voting. The clerk will record the vote.

14           (ELECTRONIC VOTE.)

15           SEN. BERGER: Senator Lee?

16           44 having voted in the affirmative and none in  
17 the negative. Amendment 7 passes and the bill is back  
18 before you.

19           Members, as previously indicated, we will take a  
20 recess until 5:40 --

21           SEN. BISHOP: Mr. President.

22           SEN. BERGER: Senator Bishop, for what purpose  
23 do you arise?

24           SEN. BISHOP: Before the body recesses, is it  
25 possible to ask Senator McKissick a question?

1           SEN. BERGER: Senator McKissick, do you yield?

2           SEN. McKISSICK: Yes, I yield.

3           SEN. P. BERGER: He yields.

4           SEN. BISHOP: Thank you, Senator McKissick.

5 When we were last together, Senator, I had asked about  
6 what Senator Robinson referred to as a prospectus of  
7 information perhaps prepared by Dr. Creighton and  
8 understood in the course of some questions to you that  
9 you would provide that to the body. I sort of expected  
10 it to be here at the beginning of session today. Do you  
11 remember what I'm referring to? And do you intend to  
12 furnish that?

13           SEN. McKISSICK: I'm not aware of any prospectus  
14 of information. The only thing there's been is dialogue  
15 and conversation. It's not as if there's been a  
16 compilation of documents that have been created that  
17 would be the type of thing that one could easily put  
18 into the record and disseminate. It's just the  
19 substance of the conversations that occurred. So  
20 there's not really a document that embodies all of those  
21 conversations and all that dialogue that's taken place  
22 over the last perhaps week and a half or so.

23           SEN. BERGER: Senator Bishop, for what purpose  
24 do you arise?

25           SEN. BISHOP: Ask a question of Senator

1 McKissick.

2 SEN. BERGER: Senator McKissock, do you yield?

3 SEN. McKISSICK: Yes, I yield.

4 SEN. BISHOP: Did you intend to offer something  
5 as to the time we had that colloquy last week?

6 SEN. McKISSICK: I think I provided the same  
7 response last week. That's consistent with my  
8 recollections. You might have understood what I said  
9 differently. But there is not a set of documents or a  
10 memorandum or anything that summarizes the substance of  
11 those conversations. There were many, many  
12 conversations but not a set of documents that resulted  
13 from it and summarized their content.

14 SEN. BISHOP: Thank you, Mr. President.

15 SEN. McKISSICK: Mr. President.

16 SEN. BERGER: Senator McKissick, for what  
17 purpose do you arise?

18 SEN. McKISSICK: So see if I could ask Senator  
19 Bishop a question.

20 SEN. BERGER: Senator Bishop, do you yield?

21 SEN. BISHOP: I do.

22 SEN. BERGER: He yields.

23 SEN. McKISSICK: Senator Bishop, do you have any  
24 type of compilation of documents or information that's  
25 not currently in the record that was used as a basis for

1 the plan that's been submitted by the redistricting  
2 committee as a preferred plan?

3 SEN. BISHOP: I have been blissfully uninvolved,  
4 Senator McKissick. I do not have any such thing.

5 SEN. McKISSICK: Thank you.

6 SEN. BERGER: Members, with that, we will take a  
7 recess until 5:45. Senate stands in recess until 5:45.

8 (The proceeding recessed at 5:30 p.m.)

9 (The proceeding reconvened at 5:47 p.m.)

10 SEN. BERGER: Members, a short announcement. My  
11 understanding is we are still waiting for some materials  
12 to be brought over here. Rather than have those  
13 materials being disseminated while we're trying to  
14 listen to the speakers, we're going to extend the recess  
15 until 6 o'clock. Senate stands in recess until  
16 6 o'clock.

17 (The proceeding recessed at 5:48 p.m.)

18 (The proceeding reconvened at 6:16 p.m.)

19 SEN. BERGER: The Senate will come to order.  
20 Members will return to their seats. Members, we are on  
21 the third reading, Senate Bill 691. Is there further  
22 discussion or debate?

23 Senator Robinson, for what purpose do you arise?

24 SEN. ROBINSON: To send forth an amendment.

25 SEN. BERGER: Send forward your amendment. The

1 clerk will read.

2 THE CLERK: Senator Robinson moves to amend the  
3 bill.

4 SEN. BERGER: Senator Robinson is recognized to  
5 explain the amendment.

6 SEN. ROBINSON: Thank you, Mr. President.

7 On last week Senator Hise asked if I would  
8 consider doing some additional amendments to the  
9 proposed Senate District 28. And what you have in front  
10 of you is actually the proposed changes to that. And  
11 what it basically does it has a little less compactness;  
12 however, it still keeps two specific things. One in  
13 terms of it does not double-bunk incumbents. It keeps  
14 separate districts for those. And then it also -- and  
15 one of the things we talked about was the current VAP is  
16 52 percent and it decreases. It still decreases at less  
17 than 45 percent down to 43 percent. So there's a better  
18 distribution in terms of population. And still, there  
19 are commonalities amongst the communities that are in  
20 both Senate District 28 and 27. So I'll stop right  
21 there.

22 Most of the explanation I gave last week is  
23 specific to this one. But this, I think, does a better  
24 job in terms of the districts, especially 27, Senator's  
25 Wade district, and my 28.



1           SEN. BERGER: Further discussion or debate on  
2 Amendment 8.

3           Senator Hise, for what purpose do you arise?

4           SEN. HISE: Speak to the amendment.

5           SEN. BERGER: You have the floor.

6           SEN. HISE: Thank you, Mr. President, Members of  
7 the Committee. You know, I think that we least had an  
8 opportunity to see something come forward that may have  
9 addressed some of the concerns. But what we see here is  
10 something where we continue to ignore the committee's  
11 criteria. This is still clearly a district drawn on the  
12 basis of race. Although, I will tell you, by the  
13 eyeball test, boy, these districts look a whole lot  
14 similar on these two maps. But I guess the claim is  
15 the eyeball doesn't apply when someone else drew them.

16           But there's only one purpose of this district.  
17 This is solely targeted at Senator Wade's district.  
18 It's an attempt to shave about eight points, depending  
19 on the race you're looking at, off of her race and try  
20 to change the balance of power so that there's more  
21 Democrats. That's what they're attempting to achieve in  
22 this amendment. That's what we're seeing come out over  
23 and over again. It also ignores the splitting of  
24 municipalities. As I understand, still splits  
25 Jamestown, still splits Summerfield -- two

1 municipalities that exist in the county and are now,  
2 contrary to the committee guidelines, broken up in the  
3 different districts.

4           So while I was hopeful at the potential we could  
5 have gotten from this draw, it seems like it was more  
6 important to make a political statement. So I will  
7 simply ask you that vote against this amendment.

8           SEN. BERGER: Further discussion or debate on  
9 Amendment 8?

10           Senator Robinson, for what purpose do you arise?

11           SEN. ROBINSON: To speak on the amendment.

12           SEN. BERGER: You have the floor.

13           SEN. ROBINSON: Thank you, Mr. President.

14 Contrary to what Senator Hise says is that there were  
15 split the same three split municipalities before. But  
16 just to back up a little bit. And this map is drawn on  
17 the basis of the 2010 elections and when I came in. And  
18 that was 2003 data in terms of what's -- and if you look  
19 at a comparison in terms of what it was then and what it  
20 has since become, is more aligned with the 2003. And  
21 that district did not target an incumbent.

22           So I would take exception to the fact that it  
23 targets anybody in this one except that my district was  
24 targeted in 2011 when it was redrawn. But this one  
25 gives the opportunity to both incumbents for election.

1 We have to run for it, but it still gives the  
2 opportunity for everybody to compete for the seats.

3 SEN. BERGER: Further discussion or debate on  
4 Amendment 8?

5 Senator Brown, for what purpose do you arise?

6 SEN. BROWN: To ask Senator Robinson a question.

7 SEN. BERGER: Senator Robinson, do you yield?

8 SEN. ROBINSON: Yes.

9 SEN. BERGER: She yields.

10 SEN. BROWN: Senator Robinson, there are two  
11 full districts in Guilford County and, at this point, I  
12 would say that one of them is pretty much a Democratic  
13 county and the other one is a very competitive -- one is  
14 a Democratic district and the other one is a very  
15 competitive district. Looking at this map, I think it  
16 generates basically two Democratic Senate districts.  
17 Was the intent to gerrymander Guilford County to do  
18 that?

19 SEN. ROBINSON: Mr. President.

20 SEN. BERGER: You may answer.

21 SEN. ROBINSON: The intent here was, Senator  
22 Brown, to do what Senator Hise asked. If you look at  
23 Greensboro and based on the population, how they vote,  
24 and most of 28 is Greensboro, it's more of a Democratic  
25 voting area. But the Guilford County area around it

1 tends to be more Republican voting.

2           So if you look at it in terms of that, then you  
3 can understand 28 being more of Democratic percentages.  
4 But the intent simply is to give voters an opportunity  
5 to vote. If you want to go back to 2003, which I would  
6 prefer, it would -- you know, it would be a very clear  
7 map as far as I'm concerned.

8           But that was not the intent here. The intent  
9 with Mr. Creighton when we took information from Senator  
10 Hise was to do the best job we could in terms of  
11 creating a map that did not double-bunk incumbents.

12           SEN. BERGER: Further discussion or debate on  
13 Amendment 8?

14           Senator Brown, for what purpose do you arise?

15           SEN. BROWN: One more question, if I could.

16           SEN. BERGER: Senator Robinson, do you yield for  
17 a question?

18           SEN. ROBINSON: Yes.

19           SEN. BERGER: She yields.

20           SEN. BROWN: So I guess you're saying then after  
21 talking to your consultant that, trying to create two  
22 Democratic Senate districts was never the issue.

23           SEN. ROBINSON: That was not the intent here.  
24 The intent was to create, based on what the courts said,  
25 fair voting districts where citizens could make a

1 decision in terms of whatever candidates, whether it's  
2 incumbents or anybody else.

3 SEN. BROWN: It just happened to have turned out  
4 that way, I guess.

5 SEN. BERGER: Senator Brown, is there another  
6 question?

7 SEN. BROWN: That's okay.

8 SEN. BERGER: Further discussion or debate on  
9 Amendment 8?

10 SEN. McKISSICK: Mr. President.

11 SEN. BERGER: Senator McKissick, for what  
12 purpose do you arise?

13 SEN. McKISSICK: To speak on the amendment.

14 SEN. BERGER: You have the floor.

15 SEN. McKISSICK: First, I'd like to thank  
16 Senator Robinson for seeing this amendment forward. And  
17 what you really have here is a plan that allows for far  
18 more compact districts and far more competition within  
19 the districts.

20 I know last week there was some question about  
21 whether if, you know, Trump or Clinton would have won  
22 these districts. If you look at those particular  
23 criteria, you would have seen one of these districts  
24 being strongly carried by Clinton, one of them only  
25 marginally carried by Clinton, by a 1.3 percent margin,

1 and the other two carried by Trump. That allows for  
2 competition. It allows for choice among voters. And  
3 that's really what voters want. They want the  
4 opportunity to elect the politicians.

5           Now it could be argued and perhaps persuasively  
6 argued that, had it not been for racial gerrymandering,  
7 you would have seen a different outcome in the  
8 legislative races from this district than what we saw in  
9 terms of results. But I think these are good  
10 districts. So I want to commend Senator Robinson for  
11 her work on studying what could be done to come up with  
12 a configuration that would be improved. I think Senator  
13 Hise had suggested that she give it some thought and  
14 reflection over this past weekend. Certainly a great  
15 deal of depth and analysis went into it.

16           And one thing which I would like to do for the  
17 record in case it's not in the record already, I  
18 requested statistical packages be put together based  
19 upon 2016 data. For the record, I'd like to reflect the  
20 fact that they are there and been distributed to members  
21 and should be considered as part of the consideration  
22 before this body as we deliberate on this amendment.  
23 Thank you.

24           SEN. BERGER: Further discussion or debate on  
25 Amendment 8?

1 Senator Robinson, for what purpose do you arise?

2 SEN. ROBINSON: To ask Senator McKissick a  
3 question.

4 SEN. BERGER: Senator McKissick, do you yield?

5 SEN. McKISSICK: Yes, I do.

6 SEN. BERGER: He yields.

7 SEN. ROBINSON: Senator McKissick, as you look  
8 at the proposed map SRN-2 and you look at the cluster  
9 here, can you identify for me based on the configuration  
10 the political parties currently in that cluster?

11 SEN. McKISSICK: Within the clusters here within  
12 your district?

13 SEN. ROBINSON: No.

14 SEN. McKISSICK: Within the entire cluster.  
15 What we would have in this cluster is Senator Tillman  
16 who represents a portion of what is now the newly  
17 configured cluster. We would have Senator Gunn  
18 representing a portion of this particular cluster and  
19 we'd have Senator Wade representing a part of this  
20 particular cluster. In addition to yourself, it would  
21 be three Republicans and one Democrat.

22 As I said earlier, perhaps had it not been for  
23 the racial gerrymandering that took place previously  
24 back in 2011, perhaps you might have seen a different  
25 outcome considering the way they voted in the

1 presidential elections back in 2016.

2 SEN. BERGER: Further discussion or debate?

3 SEN. ROBINSON: Just a follow-up question.

4 SEN. BERGER: Senator Robinson, for what purpose  
5 do you arise?

6 SEN. ROBINSON: To ask Senator McKissick a  
7 follow-up.

8 SEN. BERGER: Senator McKissick, do you yield?

9 SEN. McKISSICK: Yes, I yield.

10 SEN. BERGER: He yields.

11 SEN. ROBINSON: Senator McKissick, in this  
12 particular cluster then, do all of those individuals you  
13 named in terms of representation have a part of Guilford  
14 County? They would represent a part of Guilford County?

15 SEN. McKISSICK: They would indeed. And  
16 incumbency has been, in fact, respected as this plan was  
17 developed -- one of the criteria of this committee. Of  
18 course, these criteria were not ranked, so there's no  
19 way to know what criteria had priority. But the way the  
20 original plan was presented, it was a majority/minority  
21 district even today after the courts have asked us to  
22 really reflect upon that and to go back and not have any  
23 racial gerrymanders.

24 SEN. ROBINSON: Follow-up question, Mr. Chair.

25 SEN. BERGER: Senator McKissick, do you yield?



1           SEN. McKISSICK: Yes, I do.

2           SEN. BERGER: He yields.

3           SEN. ROBINSON: So for clarification purposes,  
4 in this cluster of Guilford, Randolph, Alamance where  
5 four senators, incumbents are in this cluster, then  
6 there would be three Republicans and one Democrat. Am I  
7 correct, based on how it's drawn?

8           SEN. McKISSICK: That is exactly correct.

9           SEN. BERGER: Further discussion or debate on  
10 Amendment 8?

11           Hearing none, question before the Senate is the  
12 passage of Amendment 8, Senate Bill 691. All in favor  
13 of the amendment will vote aye; all opposed of the  
14 amendment all vote no. Five seconds will be allowed for  
15 the voting. The clerk will record the vote.

16           (ELECTRONIC VOTE.)

17           12 having voted in the affirmative and 33 in the  
18 negative, Amendment 8 fails and the bill, Senate Bill  
19 691 is back before you.

20           Further discussion or debate?

21           SEN. CLARK: Mr. President.

22           SEN. BERGER: Senator Clark, for what purpose do  
23 you arise?

24           SEN. CLARK: To send forth an amendment.

25           SEN. BERGER: Send forward your amendment. The

1 clerk will read.

2 THE CLERK: Senator Clark moves to amend the  
3 bill.

4 SEN. BERGER: Let the record reflect that  
5 Senator Barringer is now in the chamber.

6 Senator Clark is recognized to explain the  
7 amendment.

8 SEN. CLARK: Thank you, Mr. President.

9 Senators, what this particular amendment does is  
10 it will modify the Hoke - Cumberland cluster which  
11 consists of Senate Districts 21 and 19. The major  
12 thrust of this modification is to move Fort Bragg into  
13 Senate District 21 as opposed to it being in Senate  
14 District 19. And I'll get to that in a moment.

15 But before I address that issue, I want to  
16 address a few other questions that might come my way.  
17 First of all, I see nothing illegal in this particular  
18 plan. And, secondly, race was not a consideration at  
19 all and it does not split any municipalities. As a  
20 matter of fact, I used the 2017 plan submitted by the  
21 Senate as a baseline in which there was only one  
22 municipality split and that was the city of  
23 Fayetteville. All of the other municipalities in  
24 Cumberland County as in the 2017 plan before us will  
25 reside in Senate District 19.

1           So back to the Fort Bragg issue. So why do I  
2 want to move that into Senate District 21 as opposed to  
3 Senate District 19? Well, I told myself -- well,  
4 apparently it's appropriate to use the Bishop criteria  
5 that was put forth by Senator Bishop back there. So  
6 although we're not considering communities of interest,  
7 we can and should consider cluster areas with interests  
8 that they hold in common.

9           And if you look at the layout of Cumberland  
10 County and where Fort Bragg is, you'll see that on the  
11 southern border of Fort Bragg you have several VTDs.  
12 Now these communities have a lot of in-common interests  
13 with Fort Bragg there. They share interests such as  
14 sporting, sustaining housing, entertaining the troops  
15 there. So it seems far more appropriate to group  
16 these -- to group Fort Bragg with these particular VTDs  
17 as opposed to connecting it to Senate District 19 which  
18 runs as we're making it now and then it goes out into  
19 the rural horses of the county.

20           And also, in addition, I looked at the House  
21 plan that was proposed by our counterparts in the House  
22 and they did conform with this idea of clustering areas  
23 with common interests. So if you look at the House plan  
24 you'll see that those VTDs right along the southern  
25 border of Fort Bragg are, in fact, clustered with it

1 within two House districts in the proposed plan. So  
2 that's why I believe Fort Bragg should really be linked  
3 with Senate District 21 as opposed Senate District 19.

4 Now the issue with this is Fort Bragg has about  
5 25,000 folks in it. So when you move that over into  
6 Senate District 21, that is going to require some  
7 adjustment elsewhere within Senate District 21.

8 Now one of the criteria that I gave to  
9 Dr. Creighton is I understand that another unwritten  
10 rule is that if we have a cluster that has at least two  
11 Senate districts within it and that one of those Senate  
12 districts if it's possible to elect a Republican, then  
13 we want to make sure that is the case is in the future.  
14 So I told him, I said, "I want to make sure that Senate  
15 District 19 remains competitive to the extent that a  
16 Republican as sharp as Senator Meredith there could  
17 still get elected there." And he has, in fact, done  
18 that on my behalf. So we can take that one off the  
19 plate. Senator Meredith -- I'm sure he's proven time  
20 and time again that he can get elected in a Democratic  
21 leaning district and nothing will change there.

22 So you'll notice that the district here, Senate  
23 District 21, is more compact than the version in the  
24 2017 plan. And as I indicated, it also protects Senate  
25 District 19 in the fact that a Republican can still get

1 elected there.

2           Let me see. Are there any other things I want  
3 to mention. So that's pretty much it in a nutshell. So  
4 if no one has any questions, I recommend that you  
5 consider supporting this particular amendment. Thank  
6 you.

7           SEN. BERGER: Senator Bishop, for what purpose  
8 do you arise?

9           SEN. BISHOP: To ask a question of Senator  
10 Clark.

11          SEN. BERGER: Senator Clark, do you yield?

12          SEN. CLARK: I yield.

13          SEN. BERGER: He yields.

14          SEN. BISHOP: Senator Clark, I read with  
15 interest a media account that the amendment to District  
16 21 that we saw in committee, quote, "Was something the  
17 Republicans wanted to keep him," ie., you "out of Senate  
18 District 19 held by Wesley Meredith."

19           Now my first question is, the previous amendment  
20 to District 21, you offered that, didn't you, sir.

21          SEN. CLARK: I sure did.

22          SEN. BISHOP: And --

23          SEN. BERGER: Senator Bishop, follow-up?

24          SEN. BISHOP: Thank you, Mr. President. Yes, I  
25 would like to ask another question.

1           SEN. BERGER: Senator Clark, do you yield?

2           SEN. CLARK: I sure do.

3           SEN. BERGER: He yields.

4           SEN. BISHOP: The extension out into the east  
5 there, that is a modified version of what you offered  
6 previously; correct?

7           It has a slight modification. It just moves the  
8 lines a little bit. Nothing substantial.

9           SEN. BISHOP: Further question.

10          SEN. BERGER: Senator Clark, do you yield?

11          SEN. CLARK: I yield.

12          SEN. BERGER: He yields.

13          SEN. BISHOP: One other approach would be just  
14 to undue that extension to the location of your new  
15 house; correct?

16          SEN. CLARK: If you would like to do that, you  
17 can send forth an amendment to do that.

18          SEN. CLARK: Further question.

19          SEN. BERGER: Senator Clark, do you yield?

20          SEN. CLARK: I yield.

21          SEN. BERGER: He yields.

22          SEN. BISHOP: Do you intend to send forth an  
23 amendment to that effect?

24          SEN. CLARK: No. The amendment I intended to  
25 send forth is the one you're looking at now.

1           SEN. BISHOP: All right. Further question for  
2 Senator Clark.

3           SEN. BERGER: Senator Clark, do you yield?

4           SEN. CLARK: I yield.

5           SEN. BERGER: He yields.

6           SEN. BISHOP: You preempted a number of  
7 questions you thought might be asked and I appreciate  
8 your having done that to save time. I can't recall --  
9 and as I've heard you say it, did you consider political  
10 data in the precinct changing that you did in this  
11 newest offered version of 21?

12           SEN. CLARK: I guess you could say that to the  
13 extent that I directed the gentleman working with me to  
14 make sure that Senate District 19 could still elect a  
15 Republican. So I guess you could say that, yeah, I did  
16 consider political data.

17           SEN. BISHOP: Follow-up for Senator Clark.

18           SEN. BERGER: Senator Clark, do you yield?

19           SEN. CLARK: I yield.

20           SEN. BERGER: He yields.

21           SEN. BISHOP: So do I understand then that the  
22 direction to Dr. Creighton was to make it so that a  
23 Republican could still win --

24           SEN. CLARK: That's correct.

25           SEN. BISHOP: -- but knowing that the district

1 was going to be less favorable to a Republican than as  
2 previously configured.

3           SEN. CLARK: That is not direction I gave, and I  
4 don't know whether it is less or not since I haven't  
5 looked at that. My main focus was I believe Fort Bragg  
6 should in Senate District 21, not Senate District 19.

7           SEN. BISHOP: Understood. Thank you.

8           SEN. BERGER: Further discussion or debate on  
9 Amendment 9?

10           Senator Hise, for what purpose to you rise?

11           SEN. HISE: Speak to the amendment.

12           SEN. BERGER: You have the floor.

13           SEN. HISE: Thank you, Mr. President, Members of  
14 the Committee. I guess this debate on this amendment is  
15 going to whether or not Fort Bragg should be in Senator  
16 Meredith's district or Senator Clark's district.

17           To a point, it does not raise any -- as the  
18 speaker said, it doesn't raise any racial issues, it  
19 doesn't raise any other -- just where the base should be  
20 located. I don't think when you look at the numbers  
21 that you're going to see that that's why this area is  
22 being moved to the state. But I do find them really  
23 interesting.

24           I think if you look at 2016 as District 19 was  
25 previously drawn, Pat McCrory carried 52.63 -- now a 2



1 percentage point -- 2.5 percentage point movement. But  
2 it appears that that's not competitive under this model.  
3 So what we have to do is then draw it at where Pat  
4 McCrory would have 48.3. So minus 2 Republican is  
5 competitive, but plus 2.5 is not.

6       As a matter of fact, if you go to the Trump race  
7 and you'll find that Trump in the previously drawn  
8 district carried 51.71 percent of the district -- 1.7  
9 over. Now that's not competitive; however, we've  
10 decided that now Trump carrying 47.37 percent coming to  
11 a 2.7 percent advantage, now that's competitive.

12       So this whole concept that we've been hearing  
13 about competitive. It is clearly a statement of where  
14 will Democrats win? That's what the amendments are  
15 looking for. And so we're going to use the ruse of  
16 where we're going to move a military base, probably a  
17 fairly strong Republican as our stance as a party for  
18 supporting our military, and I think if you look at the  
19 stance the other party has made on the military and  
20 others and their respect for it, I think you'll be clear  
21 to see why that favors Republicans. But we're going to  
22 use that ruse in this concept and say "Let's take a  
23 district and shift it more Democrat" with no good  
24 reasons coming in. So I will say that I see nothing in  
25 this that the courts would raise. It is not an issue of

1 race.

2           As we said, Senator Clark did ask that we extend  
3 this district out to pick up the new home that he had  
4 built, an address that we were not given prior to the  
5 consideration. And so we've accommodated that. But  
6 apparently that move was not enough. Now Senator Clark  
7 seems to want us to pick the areas that he wants to come  
8 with him to make sure that no one around him is  
9 competitive. So, again, I think it's important that we  
10 merely reject this amendment.

11           SEN. BERGER: Further discussion or debate on  
12 Amendment 9?

13           Senator McKissick, for what purpose do you  
14 arise?

15           SEN. McKISSICK: Speak on the amendment.

16           SEN. BERGER: You have the floor.

17           SEN. McKISSICK: I want to thank Senator Clark  
18 for setting forth the amendment. It makes total sense  
19 that you would have all of Fort Bragg in Senator Clark's  
20 district. There's no reason for it not to be there.  
21 Before the way the district line had been drawn, the  
22 only thing he got was an empty part of a field out in  
23 Fort Bragg. It didn't make any sense whatsoever. But  
24 by reconfiguring the district and the way that it's  
25 being configured today, it's within Senator Clark's

1 district. Yes, it is a somewhat more competitive  
2 district.

3 But these districts have the potential to flip  
4 back and forth depending upon the candidates who are  
5 running. If Senator Meredith is running and he appeals  
6 to a broad range of constituents, I have no doubts that  
7 he can prevail in the district that he has been provided  
8 with this plan. I have no doubts whatsoever. I also  
9 believe that Senator Clark with his district being  
10 configured the way it is, it relates more to communities  
11 of interest. You want to put all of Fort Bragg there.

12 To be quite frank, many of the people living in  
13 Fort Bragg probably vote absentee in other parts of the  
14 country. They don't necessarily vote in Cumberland  
15 County. And the actual number that do, to be quite  
16 candid with you, I'm not sure what that number would  
17 look like. Having said that, I think this is a valid  
18 amendment; one that really sets forth an alternative and  
19 I ask for your support.

20 SEN. BERGER: Further discussion or debate on  
21 Amendment 9?

22 Senator Brown, for what purpose do you arise?

23 SEN. BROWN: To ask Senator Clark a question.

24 SEN. BERGER: Senator Clark, do you yield?

25 SEN. CLARK: Sure.

1           SEN. BERGER: He yields.

2           SEN. BROWN: Senator Clark, is Fort Bragg all  
3 in -- I think it's all in Cumberland County, isn't it?

4           SEN. CLARK: No. Some of it's in Spring Lake,  
5 actually, and some of the training areas actually extend  
6 into Hoke County.

7           SEN. BROWN: But the majority of it is in  
8 Cumberland County.

9           SEN. CLARK: The majority of it is in Cumberland  
10 County. That's correct, sir.

11          SEN. BROWN: Follow-up.

12          SEN. BERGER: Do you yield, Senator Clark?

13          SEN. CLARK: Yes, I yield.

14          SEN. BERGER: He yields.

15          SEN. BROWN: So you think it's wise to take Fort  
16 Bragg which is mostly in Cumberland County and put it in  
17 a district that's mostly Hoke County?

18          SEN. CLARK: Actually, that's not correct. 75  
19 percent of the voting population within Senate District  
20 21 is in Cumberland County.

21          SEN. BROWN: On the map, though --

22          SEN. BERGER: Senator Brown.

23          SEN. BROWN: I'm sorry. Follow-up.

24          SEN. BERGER: Senator Clark, do you yield?

25          SEN. CLARK: I yield.

1           SEN. BERGER: He yields.

2           SEN. BROWN: On the map, though, most of Fort  
3 Bragg is in Cumberland County; correct?

4           SEN. CLARK: Actually, that might not be correct  
5 either if you consider the training area. Because if  
6 you look across the northern portion of Hoke County -- I  
7 haven't actually measured that area -- but much of the  
8 training area of Fort Bragg extends all the way clear  
9 across the top portion of Hoke County. As a matter of  
10 fact, y'all decided to give me all the training area in  
11 Cumberland County in Senate District 21, so you may as  
12 well give me the population as well.

13           SEN. BROWN: Speak to the amendment.

14           SEN. BERGER: Senator Brown, you have the floor  
15 to speak to Amendment 9.

16           SEN. BROWN: I think most of us know that most  
17 of Fort Bragg is in Cumberland County and I think what  
18 this amendment does is it takes Fort Bragg and put it in  
19 a district that's mostly Hoke County. I'm not sure why  
20 anybody would want to do that, and so I think this would  
21 be a bad amendment to do that.

22           SEN. BERGER: Further discussion or debate on  
23 Amendment 9?

24           Hearing none, the question before the Senate is  
25 the passage of Amendment 9, Senate Bill 691. All in

1 favor of the amendment will vote aye; all opposed to the  
2 amendment will vote no. Five seconds will be allowed  
3 for the voting. The clerk will record the vote.

4 (ELECTRONIC VOTE.)

5 SEN. BERGER: 12 having voted in the affirmative  
6 and 34 in the negative, Amendment 9 fails and the bill  
7 is back before us. Further discussion or debate on  
8 Senate Bill 691?

9 Senator Hise, for what purpose do you arise?

10 SEN. HISE: Send forth an amendment.

11 SEN. BERGER: Send forward your amendment. The  
12 clerk will read.

13 THE CLERK: Senator Hise moves to amend the  
14 bill.

15 SEN. BERGER: Senator Hise is recognized to  
16 explain Amendment 10.

17 SEN. HISE: Thank you, Mr. President, and  
18 Members of Senate, again. For clarification purposes  
19 and wind changes and others, I have come forward and as  
20 we've exhausted the amendments, I want to send forth the  
21 one that will change the title to 2017 Senate Floor  
22 Redistricting Plan Fourth Edition so we're clear as to  
23 when the changes occurred in this process. I'd ask for  
24 your support. It makes no substantive changes to the  
25 bill.

1           SEN. BERGER: Further discussion or debate on  
2 Amendment 10? Hearing none, the question before the  
3 Senate is the passage Amendment 10 to Senate Bill 691.  
4 All in favor of the amendment vote aye; all opposed will  
5 vote no. Five seconds will be allowed for the voting.  
6 The clerk will record the vote.

7           (ELECTRONIC VOTE.)

8           SEN P. BERGER: 46 having voted in the  
9 affirmative and none in the negative, Amendment 10  
10 passes and Senate Bill 691 is back before us.

11           Is there further discussion or debate on Senate  
12 Bill 691?

13           Senator Pate, could you come up here, please?

14           SEN. BERGER: Senator Cook, for what purpose do  
15 you arise?

16           SEN. COOK: To debate the bill.

17           SEN. BERGER: You have the floor.

18           SEN. COOK: I rise today to defend Beaufort  
19 County. The proposed North Carolina Senate  
20 redistricting map was my own county in a politically  
21 untenable situation. The new map moves Beaufort from  
22 District 1 to District 3 which would include Martin,  
23 Bertie, Warren, Vance, and Northampton. These counties  
24 are not compatible with Beaufort. The plan places  
25 Beaufort into a six-county pod that is strongly liberal.

1 This conservative leading county will be drowned in a  
2 sea of liberalism. The plan will dilute the interest of  
3 Beaufort to the point of insignificance.

4 Beaufort has been a part of the eastern coastal  
5 district for about 150 years, and now it will be coupled  
6 with counties that are to the north and west of it.  
7 Counties with which it has little common interest.

8 Most of the folks of Beaufort are very happy  
9 with this proposed pod except for my wife who has been  
10 urging me to quit the Senate for years, and, of course,  
11 the chairman of the Beaufort County Democratic Party.

12 I understand that this proposed Senate map the  
13 Senate is attempting to conform to the pod policy  
14 advocated by the courts which require grouping counties  
15 into pods with little discretion or the exercise of  
16 judgement; however, Beaufort, with this proposed pod, is  
17 not a good thing and it will cause it to wander in a  
18 political death for years.

19 SEN. PATE: Is there further discussion or  
20 debate?

21 Senator Berger, for what reason do you arise?  
22 I'm sorry. Senator McInnis --

23 SEN. McKISSICK: That would be McKissick.

24 SEN. PATE: Senator McKissick, I finally  
25 recognized you. For what purpose do you arise, sir?



1           SEN. McKISSICK: I know Senator McInnis and I  
2 look so much alike. I guess we were brothers separated  
3 at birth. To speak on the plan.

4           The one thing that I'll essentially say is this.  
5 We've had a lot of debate. We've had a lot of  
6 discussion over the last several days, the last week,  
7 about what is right in terms of alternative plans for  
8 the North Carolina Senate and that's important and that  
9 is significant.

10          I think, unfortunately, one of the major  
11 criteria that were missed from the conversation when the  
12 redistricting committee set criteria was that fact they  
13 were sitting back and trying to correct an efficiency  
14 established by the court.

15          And the court basically said that race had been  
16 unconstitutionally used in a way that was used to draw  
17 these majority/minority districts. Somehow race was not  
18 considered at all. Now race should not have ever been  
19 a predominant factor that could have been used without a  
20 racially polarizing voting study. But race should be a  
21 factor that one could look at in terms of drafting and  
22 designing districts. That it could be one that is  
23 considered by this body. It was not one considered by  
24 this body, at least by the majority when plans were  
25 drafted.

1           When it comes to incumbency, it was not really  
2 established whether there was going to be a survey  
3 taken to find out who was running and who was not  
4 running to determine what that might do to the  
5 configurations of the districts.

6           We found out that several people weren't running  
7 and that certainly those districts within those clusters  
8 might have been designed differently. They might have  
9 been more compact. They might have been situated in a  
10 way that voters would have had a greater opportunity to  
11 pick a candidate of choice in a competitive race. The  
12 thing that shows up consistently when polls are done in  
13 this state is that people want competitive races. They  
14 want to be able to pick a candidate of choice.

15           They don't want maps gerrymandered in this state  
16 to give a single party, in this case, a particular  
17 Republican party, a leg up. They don't want to see it  
18 done for Democrats either. But the way to do it is to  
19 create competitive districts.

20           So I think we've missed an opportunity to really  
21 draw these maps in a way that allows more competitive  
22 districts to be drawn. Certainly there are going to be  
23 four open seats on this map as it's showing up today but  
24 based upon the topography of the districts that are  
25 open, three of them will certainly be Republican and

1 only one of them is likely to become a Democratic seat.

2           We can do better than this. We can make choices  
3 that people will embrace. We can come up with a way of  
4 working on both sides of the political aisle to create  
5 competitive districts so the voters have a choice. The  
6 voters can make decisions. And yes, the districts can  
7 be compact. Yes, we can avoid splitting precincts or  
8 voter tabulation districts. And, yes, we can make  
9 certain that when it comes to municipalities, we try to  
10 respect the boundaries when it's possible to do so,  
11 understanding the whole county provisions of the state  
12 constitution.

13           Unfortunately, this map which we've seen today  
14 is another opportunity to gerrymander. Only this time  
15 it's based upon incumbency. And those incumbents gain  
16 those positions as a result of maps that were drawn that  
17 were racially gerrymandered. So in my mind, many of  
18 those gains were illegal and improper gains. And the  
19 only way to correct them, the only way to go back and  
20 try to correct that wrong and that deficiency would be  
21 to consider race as part of the equation in redrawing  
22 the districts. And that we have failed to do. I think  
23 it's unfortunate that have we done so. I don't know  
24 what the courts will do when they have an opportunity to  
25 review things. Certainly the Democrats from Mecklenburg

1 County presented a viable alternative, a very viable  
2 alternative that allowed for competitive districts.

3 I know Senator Bishop said, "Well, Trump, might  
4 have lost. He'd only gotten 44 percent of the vote in  
5 some of those districts. Well, that depends upon the  
6 people in Charlotte and how they might vote in any given  
7 year. One could also argue that perhaps not all the  
8 members that were elected as a part of this body, as a  
9 party of the House, would have won those districts had  
10 it not been for the racial gerrymandered districts that  
11 were created down in Charlotte.

12 I know when Malcolm Graham came here, when  
13 Malcolm Graham was elected -- and so many of you that  
14 have been here for a while knew Malcolm -- he ran from a  
15 district that only had 28 percent African-American  
16 voting age population and he won against an established  
17 incumbent.

18 The only thing that any of us want to see are  
19 good, competitive districts, fair, reasonable and  
20 competitive. The courts have given us that opportunity.  
21 The courts have ruled that what was done before was  
22 illegal. It was wrong. It was unconstitutional racial  
23 gerrymander. The courts expect us to act responsibly.  
24 I'm afraid that we've negated our responsibility.

25 SEN. PATE: Is there further discussion or

1 debate?

2 Senator Berger, for what purpose do you arise?

3 SEN. BERGER: Thank you, Mr. President. To  
4 speak on the bill.

5 SEN. PATE: You have the floor.

6 SEN. BERGER: Thank you. Members of the Senate,  
7 I hear Democrats complain that they're not competitive  
8 in State Senate elections under the proposed maps  
9 because Republicans gerrymander the districts. Liberals  
10 in the media and academia have picked up on this theme  
11 and run with it. But in the publicly understood sense  
12 of the word, it is not truly a gerrymander.

13 Back in 2001, my first year serving in the  
14 Senate, I was one of only 15 Republicans elected to  
15 serve in this body. In a year North Carolina voted for  
16 George Bush for President by 13 points over the  
17 Democratic candidate Al Gore -- 56 percent to 43  
18 percent.

19 The Democrats promptly embarked on a  
20 redistricting scheme for the State Senate that was by  
21 any measure a severe gerrymander intended to preserve  
22 that 35-15 partisan advantage. That map known as NC  
23 Senate Plan 1C divided -- divided 51 counties. Smaller  
24 counties like Sampson and Iredell were chopped up  
25 between four Senate districts each. One western North

1 Carolina district stretched and wound across pieces of  
2 nine counties running from the Georgia border up through  
3 Asheville and into McDowell County.

4         This fracturing and severe gerrymandering of  
5 counties was a relatively recent occurrence. In fact,  
6 prior to 1982, no county had ever been divided to form a  
7 State Senate district in North Carolina.

8         The requirements that Senate districts be made  
9 up of whole counties dates back in different forms to  
10 our state's original 1776 constitution which allotted  
11 one senator to every whole county. It was not until  
12 1981 the U.S. Department of Justice decision that the  
13 North Carolina Constitution provision requiring counties  
14 be kept whole in drawing legislative districts violated  
15 the Voting Rights Act that our state began to see the  
16 sort of grossly gerrymandered districts like you see in  
17 the 2001 NC Senate Plan 1C.

18         These sorts of grotesque districts would  
19 probably still be the norm in North Carolina and,  
20 frankly, the Democratic party would probably still  
21 control the State Senate if not for a man from Beaufort  
22 County named Ashley Stephenson. Ashley passed away in  
23 2009. In 2001 Ashley Stephenson filed a lawsuit asking  
24 the state courts to enforce the whole county provisions  
25 of the state constitution. He argued that the state did

1 not have a binary choice between either the whole county  
2 provision of the North Carolina Constitution and the  
3 Voting Rights Act, that, in fact, the state constitution  
4 and federal law could be harmonized.

5           In the landmark 2002 Stephenson decision, the  
6 State Supreme Court agreed with him and laid out a  
7 specific method to keep counties whole while complying  
8 with federal law. The system for drawing legislative  
9 districts laid out in the Stephenson decision requiring  
10 districts to comply with the Voting Rights Act --  
11 required the districts to comply with the Voting Rights  
12 Act have roughly equal population, elect a single  
13 senator instead of multiple senators, and most  
14 importantly, create a process for grouping and keeping  
15 counties whole. They are the strongest  
16 anti-gerrymandering provisions for a legislature in the  
17 entire country. And the results of the decision are  
18 eminently evident.

19           The court ordered 2002 State Senate map  
20 following the Stephenson decision divided just 16  
21 counties as opposed to 51. The 2003 State Senate map,  
22 again, adopted by the Democrats to comply with the  
23 Stephenson decision, divided only 12 counties. The 2011  
24 State Senate map adopted by this body divided 19  
25 counties, and the proposed 2017 State Senate map before

1 you today divides just 12 counties. When map drawers  
2 divide between 10 and 20 counties, they simply cannot  
3 create the sort of redistricting mischief that they can  
4 when they divide 50-plus counties and they force  
5 decisions based on traditional redistricting principles  
6 over political considerations. For example, I ended up  
7 doubled-bunked and had a primary against former Senate  
8 Republican Leader Bob Shaw in the 2002 map.

9           I've heard people argue that this proposed  
10 Senate map is a political gerrymander. It is not. But  
11 the argument goes something like Republicans and  
12 Democrats should both get about the same number of seats  
13 in the State Senate because Pat McCrory and Roy Cooper  
14 tied at 49 percent of the vote in the governor's race.  
15 This ignores a couple of things. One, we are not a  
16 European country with proportional representation.  
17 That's not our system. If we were, the libertarian, Lon  
18 Cecil, who got 2 percent of the vote for governor, would  
19 be breaking all ties between McCrory and Cooper.

20           Number two, while the governor's race was a tie,  
21 in 2016 Republican candidates for the State Senate got  
22 almost 500,000 more votes than Democratic candidates.

23           But something else has been happening that folks  
24 arguing against this map haven't spoken about much. A  
25 North Carolina Democrat as a distinct political



1 personage and candidate type from a national Democrat  
2 has all but disappeared.

3           Think about this. Back in the 1990s and early  
4 2000s Democrats won on average between 50 and 55  
5 counties in competitive statewide races in North  
6 Carolina. In 1992 that number was right at 56. '96 it  
7 was 54. 2000 it was 56. Since 2010 Democrats have  
8 averaged between 30 and 35 wins in competitive statewide  
9 races. 30 to 35 county wins. In 2012 it was 36. In  
10 2014 it was 32. In 2016 it was 31.

11           Consider the number of counties Democrats won in  
12 governor's races since 1992. Jim Hunt in 1992 won 69  
13 counties. Jim Hunt in 1996 won 73 counties. Mike  
14 Easley in 2000 won 65. Mike Easley in 2004 won 70. Bev  
15 Perdue in 2008 won 60 counties. Walter Dalton in 2012  
16 won 23 Counties. Roy Cooper in 2016 won 28.

17           So just to compare, Jim Hunt lost just 27  
18 counties in 1996. Roy Cooper won just 28 counties in  
19 2016. And Roy Cooper had actually won 63 counties in  
20 his competitive 2000 attorney general's race. Roy  
21 Cooper won 28 counties in his competitive 2016  
22 governor's race. That is not gerrymander. It's  
23 happened all across the state.

24           Let's just take a few more obvious county  
25 examples. In the west, Madison County, historically

1 Democrats won Madison County in a slew of statewide  
2 races. In 2000 they won the governor, lieutenant  
3 governor, attorney general, superintendant of public  
4 instruction, labor and auditor races. In 2002 they won  
5 the U.S. Senate race. In 2004 they won superintendent,  
6 public instruction, labor, secretary of agriculture,  
7 auditor, lieutenant governor and governor. In 2008 they  
8 won treasurer, superintendent, labor, agriculture,  
9 auditor, insurance, governor and U.S. Senate. In 2016  
10 Democrats did not carry Madison in a single statewide  
11 race. President Trump won 60 percent. Senator Burr won  
12 57 percent. Statewide Republican candidates averaged at  
13 least 55 percent in Madison County.

14 Another example, Allegheny County. Democrats  
15 won Allegheny County in every competitive statewide race  
16 except the race for president in 2000. And Mike Easley  
17 won the county with nearly 58 percent in 2004. In 2016  
18 Hillary Clinton won 24 percent. Deborah Ross won 25 --  
19 26 percent when she ran. Roy Cooper won 31 percent and  
20 Josh Stein took 34 percent of the votes in Allegheny  
21 County.

22 Rutherford County, Republicans averaged about 70  
23 percent in Rutherford County in 2016. President Trump  
24 won 72 percent. Lieutenant Governor Forest, 71; Buck  
25 Newton, 70. Roy Cooper outperformed most of the other

1 Democrats on the ticket by winning just 32 percent of  
2 the vote in Rutherford County.

3           In the Piedmont - Person County, Democrats won  
4 Person County in the overwhelming majority of statewide  
5 races 2000, 2004 and 2008. Roy Cooper, Bev Perdue, Mike  
6 Easley, each one with 57 percent in 2000. In 2016  
7 Elaine Marshall was the only Democrat who carried the  
8 county. Clinton and Ross won just 40 percent. Cooper  
9 won 43 percent.

10           In my home county of Rockingham in the 1990s and  
11 2000s, Republicans rarely won in Rockingham County. It  
12 went for Jim Hunt twice, Beverly Perdue twice, Mike  
13 Easley twice, Roy Cooper in his 2002 race for attorney  
14 general. In 2016 Democrats averaged 38 percent in  
15 Rockingham County. In the two most prominent races,  
16 they won. Roy Cooper and Josh Stein won 39 percent each  
17 in Rockingham County.

18           In the east, Columbus County. In 2016 Columbus  
19 County went 60 percent for Trump, 59 percent of Senator  
20 Burg and Pat McCrory. It went 58 percent for Lieutenant  
21 Governor Forest, 55 percent for Superintendent Johnson,  
22 56 percent for Treasurer Folwell. In 2008, just eight  
23 years before, Bev Perdue won 65 percent in Columbus  
24 County. Walter Dawson, 63 percent. In 2004 Democrats  
25 averaged over 63 percent in competitive statewide races

1 in Columbus. In 2000 they averaged 68 percent. Many  
2 cleared 70 percent. In Roy Cooper's 2000 race for  
3 attorney general, he won 67 percent in Columbus County.  
4 In the 2006 race for governor, he won less than 40  
5 percent there.

6 Sampson County -- Democrats carried Sampson  
7 County in seven of the eight most competitive statewide  
8 races in 2000. They won the county in six of the eight  
9 most competitive in 2004. Since 2008 only one Democrat  
10 has won the county. Roy Cooper lost by 17 points -- 58  
11 to 41 in 2016.

12 Robeson County, Democrats averaged 73 percent of  
13 Robeson County in 2000, 68 percent in 2004, 67 percent  
14 in 2008. In 2016 they lost the three top-of-the-ticket  
15 statewide races in Robeson County.

16 Terrell County, in 2000 Democrats won every  
17 competitive statewide race in Terrell County and their  
18 candidates averaged 71 percent. Roy Cooper won 74  
19 percent; Mike Easley, 73 percent; Beverly Perdue, 74  
20 percent. In 2004 Democrats won every competitive  
21 statewide race except for president averaging 62  
22 percent. In the 2016 cycle, Democrats averaged 48  
23 percent and Governor Cooper performed 33 points worse --  
24 41 percent -- in 2016 than he did in 2001.

25 Democrats are only competing in 20 to 30

1 Counties in North Carolina. That might be a viable  
2 strategy for squeaking out a close win in the occasional  
3 statewide race, but you cannot build a legislative  
4 majority in a state with 100 counties when you only  
5 compete in a quarter of them.

6           Do we really think all of these county shifts,  
7 these seat changes in a decade's time are the result of  
8 gerrymandering? Of course not. Gerrymandering didn't  
9 do that. Democrats did that. It's why Republicans were  
10 able to take the majority in State Senate in 2010 with a  
11 map drawn by the Democrats.

12           Granted, this trend isn't exclusive to North  
13 Carolina. Nationally Democrats have lost over 900  
14 legislative seats since 2010, not to mention the U.S.  
15 House of Representatives, the U.S. Senate and the White  
16 House. A News & Observer headline two days after the  
17 2010 midterms that wiped Democrats out of the U.S.  
18 House, in that headline the head of the Democratic  
19 party -- National Democratic Party, quote, "Voices  
20 regrets but signals no change of course."

21           And the losses continued in 2012, 2014 and 2016.  
22 The nonpartisan Cook Political Report says maybe 17  
23 percent of the Democratic parties problems nationally  
24 are the result of new district lines. Something else  
25 clearly happened while Democrats were blaming

1 gerrymandering for putting and keeping them on the back  
2 row.

3           When I first ran for State Senate, many of the  
4 Democrats in this chamber and many of the Democrats  
5 running, shared the cultural values of North Carolina's  
6 moderate to conservative voters. They were  
7 pro-education, but many were also pro-business, pro-gun  
8 and pro-life.

9           But today, North Carolina Democrats, just like  
10 the National Democrats align with the powerful special  
11 interests like big national labor unions, far left  
12 environmentalists and the abortion lobby. It used to be  
13 that a North Carolina Democrat wouldn't be seen with a  
14 National Democratic presidential candidate like Michael  
15 Dukakis, Walter Mondale, John Kerry. Nowadays they rush  
16 to get endorsements from former President Obama and  
17 Hilary Clinton. It used to be North Carolina Democrats  
18 campaigned all over rural North Carolina. In 2016 that  
19 wasn't the case.

20           It's easy to understand why gerrymandering has  
21 been the bogeyman since they were swept out of power in  
22 2010. It's easier to blame the maps, blame a process,  
23 blame anything, really, than it is to take  
24 responsibility for losing touch with the politics of  
25 voters in 75 of North Carolina's 100 counties.

1           But here's the hard truth. The Democratic party  
2 could be competitive in legislative elections all over  
3 the state if it competed in all 100 counties instead of  
4 only 30. There are more registered Democratic voters  
5 than Republican voters in 27 of the proposed districts.  
6 But if you're going to be competitive in legislative  
7 elections across the state, you're going to have bring  
8 back the North Carolina Democrat as a distinct political  
9 type separate from the national Democrat.

10           And the North Carolina Constitution requires  
11 legislative districts to be constructed out of whole  
12 counties. So unless you think the county lines in our  
13 state have been gerrymandered, it's pretty clear this is  
14 not a political gerrymander. And if the North Carolina  
15 Democratic party struggles to elect Republican senators  
16 under this map, it isn't because of the way the lines  
17 were drawn, but the platform that parties' candidates  
18 are running on.

19           But we're not here today because of a political  
20 gerrymandering claim. We're here to adopt a new  
21 legislative redistricting plan because the U.S. Supreme  
22 Court struck down the 2011 State Senate map ruling that  
23 nine of the districts including the map were racial  
24 gerrymanders. I think it is very important that we  
25 acknowledge this. The District Court ruled and the

1 Supreme Court affirmed that the 2011 map was racial  
2 gerrymander.

3           In 2011 the legislature made a decision based on  
4 a U.S. Supreme Court decision in the Strickland case to  
5 draw the minority district required by the Voting Rights  
6 Act with African-American voting populations of at least  
7 50 percent. The Trial Court ruled that interpretation  
8 of the Strickland decision was, quote, "an error of  
9 law." And while the court acknowledged that, quote, "In  
10 reaching this conclusion, we make no finding that the  
11 General Assembly acted in bad faith or with  
12 discriminatory intent in drawing the challenge of the  
13 districts which were pre-cleared by the Justice  
14 Department pursuant to Section 5 of the Voting Rights  
15 Act," end of quote. The court's ruling must be  
16 respected and the error of law that resulted in racial  
17 gerrymanders must be corrected.

18           The U.S. Supreme Court has set several new  
19 precedents since the last body adopted legislative  
20 district maps. Most consequentially, the Supreme Court  
21 rendered Section 5 of the Voting Rights Act inoperative  
22 in Shelby County versus Holder. The Shelby County  
23 decision is important to understand how we are seeking  
24 to comply with the court's order.

25           To simplify, prior to Shelby County, North



1 Carolina's redistricting plans were subject to Section 5  
2 preclearance by the United States Justice Department.  
3 The burden fell on the state to prove the proposed maps  
4 did not unfairly limit the opportunity of minority  
5 groups to elect candidates of their race.

6           Today, post-Shelby County, North Carolina's  
7 redistricting plans are not subject to Justice  
8 Department preclearance and the burden of proving that a  
9 plan limits a minority group's opportunity to elect a  
10 candidate of their choice rests with a plaintiff in a  
11 court challenge.

12           Senator Blue spoke Friday in detail about the  
13 Gingles factors that would allow the legislature to  
14 consider race in drawing a district. One, that they  
15 geographically compact minority community exists for  
16 which a majority/minority district can be drawn, two,  
17 that the minority community votes cohesively, and three,  
18 that the white majority typically votes together in  
19 sufficient numbers to block the minority community from  
20 electing a candidate of their choice. I won't expand on  
21 Senator Blue's comments on the first two Gingles  
22 criteria but do want to elaborate on the third criteria.

23           In 2011 the legislature commissioned two expert  
24 studies on racially polarized voting in North Carolina  
25 to support the decision to draw districts with

1 African-American populations of 50 percent. To my  
2 knowledge, these were the most complete and exhaustive  
3 studies ever entered into the record during a  
4 redistricting process.

5           In the Covington decision striking down the 2011  
6 legislative maps, the court cited those legislative  
7 decisions as critical to determining the plan was a  
8 racial gerrymander. The court determined the expert  
9 reports did not -- did not sufficiently prove racially  
10 polarized voting to prove the third Gingles factor was  
11 present and justified drawing 50 percent minority  
12 districts. Quote, "Contrary to defendant's contentions,  
13 the Block and Brunell reports do not establish a strong  
14 basis in evidence for Gingles third factor in any  
15 potential district."

16           And in light of the 2014 Alabama Legislative  
17 Black Caucus versus Alabama Ruling, the court strongly  
18 objected to that legislature's decision to adopt -- I'm  
19 sorry -- strongly objected to the legislature's decision  
20 to adopt a 50 percent target to draw true minority/  
21 majority districts. Quote, "In light of Alabama, we are  
22 mindful that a legislature's policy of prioritizing  
23 mechanical racial targets above all other districting  
24 criteria (save one-person, one-vote) provides  
25 particularly strong evidence of racial predominance."

1           We have carefully considered the court's order  
2 in Covington. Given the court's rejection of the 2011  
3 expert reports, we do not believe we can develop a  
4 strong enough basis in evidence that the third Gingles  
5 factor is present to justify drawing districts on the  
6 basis of race. Nor, in spite of repeated requests by  
7 the redistricting committees have the public, plaintiffs  
8 in the Covington litigation, or members of this body  
9 presented evidence that the proposed map should be  
10 changed because the third Gingles factor is present and  
11 unaddressed.

12           So I strongly believe we have complied with the  
13 courts admonishment with that. Again, in quoting, "If  
14 during redistricting the general assembly had followed  
15 traditional districting criteria and in doing so, drawn  
16 districts that incidentally contained majority black  
17 populations, race would not have predominated in drawing  
18 those districts," end of quote.

19           With the information available to them, Senator  
20 Hise and the redistricting committee adopted nine  
21 criteria to use in drawing this proposed map. Some of  
22 the map drawing principles are inviable and must be  
23 followed like equal population contiguity and the North  
24 Carolina constitutional requirements on county grouping.  
25 And because we cannot prove the third Gingles factor,

1 not using racial election data, incumbency protection  
2 and municipal boundaries are secondary and occasionally  
3 internally contradictory considerations. They must be  
4 harmonized with each other while complying with the  
5 inviable criteria.

6           I believe that this redistricting plan put  
7 forward by Senator Hise's committee successfully  
8 harmonized the criteria adopted. This map is not a  
9 racial gerrymander and fully complies with both the  
10 court order and tradition redistricting principles.

11           I've also reviewed the data Senator McKissick  
12 requested and is placed on the members' dashboards. In  
13 the nine districts the court ruled where racial  
14 gerrymanders only the Guilford County District as the  
15 court predicted could incidentally occur when using  
16 traditional districting principles. In this case  
17 following Greensboro's municipal boundary continues to  
18 have a black voting age population over 50 percent and  
19 it has fallen from 56.5 percent to 50.5. The other  
20 eight previously unconstitutional districts now have  
21 black voting age populations ranging from 32.9 percent  
22 to 48.5 percent.

23           While the 2011 map had no districts with black  
24 voting age populations between 26.5 percent and 43  
25 percent, the new map has five new districts that fall in

1 that range including one new district with a black  
2 voting age population of over 40 percent and two new  
3 districts with a black voting age populations over 30  
4 percent.

5           This is important because the expert reports  
6 which you can see on your dashboards submitted by Alan  
7 Lichtman on behalf of the Democrats and plaintiffs in  
8 the Covington and Harris cases define all those  
9 districts as having the, quote, "Ability to elect a  
10 candidate who is the preferred choice of a cohesively  
11 voting minority community."

12           So while race was not used to draw this plan, I  
13 believe it fully remedies the racial gerrymander in the  
14 previous map while avoiding any new potential claims of  
15 both dilution under Section 2 of the Voting Rights Act.

16           In closing I'll say again, this map is not a  
17 racial gerrymander. This map is not a political  
18 gerrymander either. It complies with state and federal  
19 law. It remedies defects the court found in the  
20 previous map. It splits fewer counties. It divides far  
21 fewer precincts. I urge you to vote for the bill.

22           SEN. PATE: Is there further discussion or  
23 debate?

24           Hearing none, the question before the Senate is  
25 the passage of Senate Bill 691 on its third reading.

1 All in favor will vote aye; all opposed will vote no.  
2 Five seconds will be allowed for voting and the clerk  
3 will record the vote.

4 (ELECTRONIC VOTE.)

5 SEN. PATE: 31 having voted in the affirmative,  
6 15 having voted in the negative, Senate Bill 691 passes  
7 its third reading. The amendments will be engrossed and  
8 the bill will be sent to the House by special message.

9 Notices and announcements. Are there any  
10 notices or announcements? Is there any further business  
11 to come before the Senate?

12 SEN. BLUE: Mr. President.

13 SEN. PATE: Senator Blue, for what reason do you  
14 arise?

15 SEN. BLUE: Point of personal privilege.

16 SEN. PATE: You have the floor, Senator.

17 SEN. BLUE: Thank you, Mr. President. Ladies  
18 and gentlemen of the Senate, I just wanted rise to make  
19 a quick observation. A friend of mine and many of ours  
20 was funeralized today down in Fayetteville. I had the  
21 fortune of knowing the Reverend Dr. C.R. Edwards since  
22 my teen years when he passed through the church in  
23 Fayetteville when I grew up in an adjoining county. And  
24 I just want to mention that C.R. Edwards was a major  
25 force in Fayetteville and Cumberland County from the

1 early 50s until his death, although he had moved to  
2 Raleigh and became one of my constituents here about 17  
3 years ago in Knightdale. But Dr. Edwards served with me  
4 in the House of Representatives and he served here in  
5 the Senate while I served in the House. He served three  
6 terms here in the Senate and distinguished himself. If  
7 those who sit in seats 15 and 20 would look at the tags  
8 on your desk, you'll see his name on those. I think it  
9 was seats 15 and 20.

10 But, in addition to serving in these legislative  
11 chambers, he chaired his local school board in one of  
12 the most tumultuous times as that school board was going  
13 through its desegregation efforts. He served on the  
14 University Board of Governor's and distinguished himself  
15 well in a very, very well-lived life. He served as the  
16 president of the General Baptist State Convention.

17 So I would ask you, Mr. President, as we adjourn  
18 this evening that we adjourn in memory of the late  
19 Senator Dr. Reverend C.R. Edwards.

20 SEN. McKISSICK: Mr. President.

21 SEN. PATE: Senator McKissick, for what purpose  
22 do you arise?

23 SEN. McKISSICK: Point of personal privilege.

24 SEN. PATE: You have the floor.

25 SEN. McKISSICK: I find it quite ironic today

1 that it's August the 28th. I don't know if that date  
2 means much to many of you in this room but to many  
3 people from my generation, it was the date back in 1963,  
4 the famous march in Washington, the day that Dr. King  
5 gave his "I have a Dream" speech 54 years ago today. We  
6 talked about not judging people by the color of their  
7 skin, by the content of their character. We've come so  
8 very, very far as a state, and as a country in  
9 addressing those ills that affected us in that time  
10 frame. But I'm also reminded tonight when we're still  
11 here in a battle in North Carolina dealing with racial  
12 gerrymandering of how much further we have to go.

13 SEN. PATE: Further notices and announcements.

14 SEN. HORNER: Mr. President.

15 SEN. PATE: Senator Horner, for what purpose do  
16 you arise?

17 SEN. HORNER: One of personal privilege.

18 SEN. PATE: You have the floor.

19 SEN. HORNER: I'd like to end on a positive note  
20 after a tough day. Today is one of those important days  
21 in our state. It's the first day of school and everyone  
22 here has been responsible in some way to help this thing  
23 happen. And please tell a teacher "Thank you."

24 SEN. PATE: Senator Davis, for what purpose do  
25 you arise?



1           SEN. DAVIS: For a brief announcement.

2           SEN. PATE: You have the floor, Senator.

3           SEN. DAVIS: Thank you. Members, hopefully we  
4 also have another positive note to Senator Horner. And  
5 that is, even though we came short over the weekend, it  
6 was an awesome trip to Pennsylvania and we continue to  
7 support our Southeast, North State Greenville, North  
8 Carolina champions. And I want to share with everyone,  
9 we've been scrambling around today and we're going to  
10 work to get those little young men up here, hopefully  
11 Wednesday. And I just ask one thing of my dear friends  
12 in this chamber. Is when we get these little ones up  
13 here, just give them a high five and a hug. Thank you  
14 so much.

15           SEN. PATE: Further notices and announcements?  
16 Hearing none, is there further business to come before  
17 the Senate?

18           If not, Senator Berger is recognized for a  
19 motion.

20           SEN. BERGER: Thank you, Mr. President. I move  
21 that the Senate to now adjourn in memory of the late  
22 Senator Reverend Dr. Chauncy R. Edwards. Subject to the  
23 standard stipulations set forth in Senate Rule 24.1 and  
24 the receipt of messages from the House, we reconvene on  
25 Tuesday, August 29, 2017 at 2 p.m.

1           SEN. PATE: The motion is that the Senate do  
2 now adjourn, adjourning to the memory of Former Senator,  
3 the Reverend Dr. Chauncy R. Edwards, and subject to the  
4 stipulations stated by Senator Berger to reconvene  
5 Tuesday, August 29th -- what was the time again,  
6 Senator? -- 2 p.m., seconded by Senator Blue. All in  
7 favor say aye.

8           THE SENATE: Aye.

9           SEN. PATE: All opposed, no.

10          THE SENATE: (No response.)

11          SEN. PATE: The ayes have it and the Senate  
12 stands adjourned.

13          (There was a pause in the proceeding.)

14          THE CLERK: Message from the House. House Bill  
15 927 Committee substitute by Representatives Lewis and  
16 Ballard, an act to realign the districts for the  
17 election of the members of the North Carolina House of  
18 Representatives is referred to redistricting committee.

19          (The proceeding concluded at 7:25 p.m.)  
20  
21  
22  
23  
24  
25

1 CERTIFICATE OF NOTARY - COURT REPORTER

2 STATE OF NORTH CAROLINA

3 COUNTY OF WAKE

4

5 I, KAREN ROCHE, Notary Public in and for the above  
6 county and state, do hereby certify that the proceeding  
7 was taken before me at the time and place hereinbefore  
8 set forth; that the proceeding was duly recorded by me  
9 by means of stenotype, which is reduced to written form  
10 under my direction and supervision; and that this is, to  
11 the best of my knowledge and belief, a true and correct  
12 transcript.

13 I further certify that I am neither counsel to any  
14 party nor interested in any way in the outcome of this  
15 proceeding.

16 This is the 28th day of August, 2017.

17

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Karen Roche  
Notary Public, Wake County,  
North Carolina  
Notary No. 201519800020

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<b>A</b>				
<b>Ability</b> 54:9	<b>advocated</b> 33:14	13:13 14:9,13	<b>argument</b> 41:11	57:3
<b>able</b> 35:14 46:10	<b>affirmative</b> 5:16	14:16 15:22,25	<b>arms</b> 2:2 3:10	<b>bad</b> 30:21 49:11
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NC Senate Session Hearing

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NORTH CAROLINA GENERAL ASSEMBLY  
SENATE COMMITTEE ON REDISTRICTING

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TRANSCRIPT OF THE PROCEEDINGS

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In Raleigh, North Carolina  
Tuesday, August 29, 2017  
Reported by Robbie Worley

Worley Reporting  
P.O. Box 99169  
Raleigh, NC 27624  
919-870-8070

1                   SEN. HISE: Good morning. Welcome to the  
2                   Senate Committee on Redistricting. Today we will  
3                   be taking up House Bill 927, the 2017 House  
4                   Redistricting Plan A2. Our Sergeant at Arms for  
5                   today's meeting are Terry Edmondson, Larry Hancock,  
6                   Frances Patterson and Hal Roach. Thank you all for  
7                   being here today.

8                   I don't have any of the Senate pages, but  
9                   apparently we do have some House pages that are  
10                  coming today to observe the process. So, welcome,  
11                  and I hope you have a wonderful week here at the  
12                  General Assembly.

13                  With nothing else standing in front of  
14                  us, I'm going to recognize Representative Lewis,  
15                  who is going to do the presentation for House Bill  
16                  927. All members should have in front of them  
17                  copies of the House maps, as well as the  
18                  appropriate stat pack for those maps should be  
19                  attached. Representative Lewis.

20                  REP. LEWIS: Thank you, Mr. Chairman.  
21                  Good morning. My name is David Lewis. I'm the  
22                  senior chair for the House Redistricting Committee.  
23                  I appreciate the chance to be here this morning.  
24                  To begin my hour-and-a-half presentation, I asked  
25                  Senator Berger to help me prepare my remarks.

1                   Members -- excuse me. Senators, I do  
2                   have prepared remarks, but the essence is that the  
3                   Joint House and Senate Committees on Redistricting  
4                   adopted -- the map that the House has passed, I  
5                   feel, best embodies those criteria that were  
6                   adopted. I feel they comply with all federal and  
7                   state law, and I will be happy to answer any  
8                   questions, but I would appreciate your support.

9                   SEN. HISE: Any questions or comments  
10                  from a member of the Committee? Seeing none, does  
11                  anyone have a motion? Senator Bishop.

12                 SEN. BISHOP: Move for favorable report.

13                 SEN. HISE: Senator Bishop has moved for  
14                 favorable report on House Bill 927. Final intent.  
15                 Any other comments or questions?

16                 Hearing none, all those in favor, please  
17                 raise your hands.

18                 (Show of hands vote.)

19                 SEN. HISE: All those opposed.

20                 (Show of hands vote.)

21                 SEN. HISE: By a vote of 10 to 1, the  
22                 motion for a favorable report carries. Thank you,  
23                 Representative Lewis.

24                 REP. LEWIS: Mr. Chairman, I want to  
25                 express my sincere thanks to you, and also to the

1           members of the Committee for being here this  
2           mornin g.

3                       SEN. HISE: Thank you very much. Having  
4           exhausted the agenda, this meeting stands  
5           adj ourned.

6                       (Meeting adj ourned at 10:11 a.m.)

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8-29-17 Senate Redistricting Committee  
North Carolina General Assembly, Redistricting 2017

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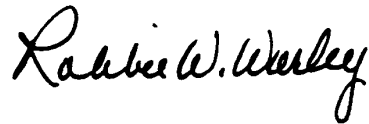
STATE OF NORTH CAROLINA

COUNTY OF GRANVILLE

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing transcript of proceedings held on August 29, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 5th day of September, 2017.

A handwritten signature in black ink, reading "Robbie W. Worley". The signature is written in a cursive style with a large, stylized 'R' and 'W'.

Worley Reporting

NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE COMMITTEE ON REDISTRICTING

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TRANSCRIPT OF THE PROCEEDINGS

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In Raleigh, North Carolina  
Tuesday, August 29, 2017  
Reported by Robbie Worley

Worley Reporting  
P. O. Box 99169  
Raleigh, NC 27624  
919-870-8070



1                   REP. DOLLAR: We are pleased to have with  
2                   us this afternoon, four pages: Anna Hyatt, who is  
3                   sponsored by Representative Justin Burr; Victoria  
4                   Hume, sponsored by Representative Meyer; Nate  
5                   Worley, sponsored by Representative Brian Turner;  
6                   Sarah Byrd, sponsored by Representative Larry  
7                   Strickland. Thank you for being with us today. We  
8                   also are being served today, as always very ably,  
9                   by our Sergeants at Arms, Reggie Sills, David  
10                  Leighton, Warren Hawkins, Johnny Bae, Thomas Terry,  
11                  and Joe Crook.

12                  We are here today to take up the Senate  
13                  Bill 691, the 2017 Senate Floor Redistricting Plan.  
14                  Senator Hise, you are welcomed to the committee.  
15                  Sir, you are recognized to present your bill.

16                  SEN. HISE: Thank you, Mr. Chairman.  
17                  Given the Senate Committee meeting this morning, I  
18                  will really say I'm trying to present to you maps  
19                  that comply with the Court's order, that were drawn  
20                  under the criteria established by the Committee,  
21                  both the House and the Senate Committee meeting on  
22                  redistricting, and that passed the Senate  
23                  yesterday. And I will be more than happy to answer  
24                  any questions that you may have.

25                  REP. DOLLAR: Any members of the

1           Commis si on wi shi ng to be recog ni zed? Any  
2           questi ons?

3                       Seei ng none, Chai rman Lewi s.

4                       REP. LEWIS: Mr. Chai rman, I wou ld l i ke  
5           to be recog ni zed for a moti on.

6                       REP. DOLLAR: The gen tle man i s recog ni zed  
7           for a moti on.

8                       REP. LEWIS: Thank you, Mr. Chai rman.  
9           Mr. Chai rman, I move that Senate Bi ll 691 be  
10          reported favora ble.

11                      REP. DOLLAR: Mem bers of the Com mi ttee  
12          have heard the moti on. Fur ther di scussi on, fur ther  
13          deba te?

14                      Seei ng none, al l those i n favor of the  
15          moti on, please si gni fy by sayi ng aye.

16                      (Voice vote.)

17                      REP. DOLLAR: Those opposed, no.

18                      (No responses.)

19                      REP. DOLLAR: The ayes have i t.

20                      REP. LEWIS: Mr. Chai r.

21                      [I naudi ble di scussi on.]

22                      REP. DOLLAR: Di vi si on bei ng requested.

23          We wi ll do a vote by a show of hands and total  
24          count. Al l those i n favor of the moti on, please  
25          si gni fy by rai si ng your hand.

1 (Show of hands vote.)

2 REP. DOLLAR: All those opposed, please  
3 raise your hand.

4 (Show of hands vote.)

5 REP. DOLLAR: 18 in the affirmative, 15  
6 in the negative, and the motion passes. The  
7 committee is adjourned. Thank you.

8 (End of proceedings.)

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8-29-17 House Redistricting Committee  
North Carolina General Assembly, Redistricting 2017

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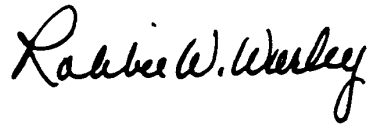
STATE OF NORTH CAROLINA

COUNTY OF GRANVILLE

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing transcript of proceedings held on August 29, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 5th day of September, 2017.

A handwritten signature in black ink, reading "Robin W. Worley". The signature is written in a cursive style with a large, stylized 'R' and 'W'.

Worley Reporting

SENATE  
NORTH CAROLINA GENERAL ASSEMBLY  
2017 SESSION

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IN RE: SECOND READING OF  
HOUSE BILL 927  
2017 HOUSE REDISTRICTING  
PLAN A2  
-----

TRANSCRIPT OF PROCEEDINGS  
PHIL BERGER, PRESIDENT PRO TEMPORE PRESIDING  
Wednesday, August 30, 2017  
9:30 a.m.

PREPARED BY: Audra M. Smith, RPR, FCRR  
RUFFIN CONSULTING, INC.  
DIRECT DIAL: 252-243-9000  
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APPEARANCES

PHIL BERGER, PRESIDENT PRO TEMPORE

BILL RABON, CHAIRMAN, RULES AND OPERATIONS OF THE SENATE

SARAH LANG, PRINCIPAL CLERK

TERRY RUMLEY, ADMINISTRATIVE CLERK

PHILIP KING, SERGEANT-AT-ARMS

P R O C E E D I N G S

\* \* \* \* \*

SENATOR RABON: The Senate will come to order. Without objection, the Senate will stand in recess to reconvene today at 10 a.m.

(A recess was taken from 9:33 to 10:17 a.m.)

SENATOR BERGER: The Senate will come to order. Sergeant of Arms will close the doors. Members will go to their seats.

Members and guests, please silence all electronic devices. Leading the Senate in prayer is Senator Deanna Ballard of Watauga County. All members and guests will please stand.

(Prayer lead by Senator Deanna Ballard.)

SENATOR BERGER: Senator Pate is recognized for a motion. The Senate will come to order. Senator Pate is recognized.

SENATOR PATE: Thank you. The Journal of August 29, 2017 has been examined and found to be correct. I move that we dispense with the reading of the Journal and that it stand approved as written.

SENATOR BERGER: Without objection, the

1 Journal of August 29, 2017 stands approved as  
2 written.

3 Members' leaves of absence are  
4 requested, and without objection, are granted  
5 for Senators Barringer, Britt, Jim Davis,  
6 Ford and Meredith.

7 And, members, courtesies of the chamber  
8 are extended to Audra Smith of CaseWorks,  
9 Incorporated who is our court reporter today.

10 We are now prepared to go into the  
11 calendar unless there's further business  
12 before we get to that point.

13 House Bill 927, second reading. The  
14 clerk will read.

15 MS. RUMLEY: House Bill 927 2017 House  
16 Redistricting Plan A2.

17 SENATOR BERGER: Senator Hise is  
18 recognized to explain the bill.

19 SENATOR HISE: Thank you, Mr. President.  
20 Members of the Senate. Everyone should have  
21 on their desk a copy of the map as well as  
22 the appropriate the staff pack for the House  
23 maps that were drawn.

24 Briefly just to go over, this meets the  
25 criteria established by both House and Senate



1           committees for the drawing of the maps under  
2           Equal Population Contiguity Compactness, both  
3           of our standards are met there. Has fewer  
4           split precincts. Does much better at  
5           protecting municipal boundaries.

6           There are six double bunk -- double  
7           bunking of six members. For double bunk as a  
8           result of county grouping formula and two  
9           other members of the majority party.

10           You should have also in that staff pack  
11           the election data that's there, and I think  
12           it is important to note these maps were drawn  
13           without the consideration of race and that  
14           individuals were not assigned to districts on  
15           the basis of their race.

16           I'd be more than happy to answer any  
17           questions anyone may have, but as they are,  
18           the House maps, I'll present them to you and  
19           see what you need to know.

20           SENATOR BERGER: Further discussion or  
21           debate on House Bill 927?

22           Senator Bryant, for what purpose do you  
23           rise?

24           SENATOR BRYANT: To speak on the bill,  
25           Mr. President.

1           SENATOR BERGER: Will yield the floor.

2           SENATOR BRYANT: Mr. President and  
3 members, I want to point out to you several  
4 concerns about the House district plan.  
5 There are several concerns still in terms of  
6 the racial gerrymandering. My understanding  
7 in that in Guilford County there are three of  
8 the districts that are almost on the same  
9 footprint as they were in the original plan  
10 that has been struck down by the courts. I  
11 don't have the black VAP data in front of me,  
12 but I can provide that to you if you're  
13 interested, but I think there are some  
14 high -- there are some still some packing in  
15 those districts in Guilford County, so I just  
16 want to bring that to your attention and  
17 surely recommend a more thorough look at  
18 that.

19           There are also some State constitutional  
20 concerns with this map. First of all, just  
21 on the issue of compactness and the eyeball  
22 test, I just bring your attention to -- I  
23 think it is House District -- look at 10 and  
24 21. Look at that Greene and Wade, Sampson  
25 counties, that House District 21 is

1 interesting and probably could vary from some  
2 scientific study of some sort or another. So  
3 that's just one example of some areas where  
4 compactness is really challenged and serve as  
5 a partisan gerrymandering or I believe or  
6 perhaps some other purpose.

7 Also in Cabarrus County, and in that  
8 same Wayne/Greene cluster, there are some  
9 violations of the whole county provision. If  
10 you look at District 10, it crosses three  
11 counties when obviously it does not have to  
12 in order to meet to population requirements,  
13 and I think in Cabarrus County, if you look  
14 under -- that's District 83, 67, 83, 82.  
15 There -- Cabarrus County is carved up into  
16 three districts when of course the population  
17 requirements could be met without going into  
18 three districts. I think that surely begs  
19 the question of the whole county -- fidelity  
20 to the whole county provision.

21 And finally in Wake and Mecklenburg  
22 County in this map, there are districts that  
23 were changed that were not even affected by  
24 the court decision and not even affected by  
25 district that was -- even an adjacent

1 district as related to the court decision.  
2 They were just changed for no purpose other  
3 than perhaps improving the opportunities for  
4 the republican incumbents in those districts  
5 or some other reason. And our Constitution  
6 forbids redistricting outside of the 10-year  
7 cycle unless the court orders that to be  
8 done, and in this instance those districts  
9 are not ordered to be redistricted under  
10 this -- under the court order.

11 So on those matters, I would ask that we  
12 vote against these maps, that we take a  
13 little bit longer, or at least look at these  
14 concerns between second and third reading.

15 Why we would position ourselves for  
16 these challenges, I can't understand, given  
17 what we've been facing in terms of the cost  
18 of litigation and length of the litigation.  
19 We've already been through multiple courts  
20 who have struck down these maps under some of  
21 these same complaints. We're even adding new  
22 challenges to the ones we already have been  
23 ruled -- that we've already lost on. So I  
24 urge us to go against these maps and give  
25 these legitimate concerns further

1 consideration. Thank you.

2 SENATOR BERGER: Further discussion or  
3 debate?

4 SENATOR McKISSICK: Mr. President.

5 SENATOR BERGER: Senator McKissick, for  
6 what purpose do you rise? You have the  
7 floor.

8 SENATOR McKISSICK: To speak on the  
9 proposed plan.

10 SENATOR BERGER: You have the floor.

11 SENATOR McKISSICK: I think Senate  
12 Bryant shared some excellent observations in  
13 terms of concerns that many of us have about  
14 the plans here before us today, and this  
15 concern about going out and redrawing  
16 districts that were not impacted by the  
17 unconstitutional racial gerrymandering is  
18 certainly something to be concerned and how  
19 that violates our Constitution.

20 Just here in Wake County, that occurred  
21 in Districts 36, 37, 40 and 41 and down in  
22 Mecklenburg County down in District 105. So  
23 we should be very mindful of the scope and  
24 the extent to which we needed to take action  
25 based upon the ruling of the court, and I

1 think that going back and redrawing these  
2 unimpacted districts that are not contiguous  
3 with their having contact with some of these  
4 racial gerrymandering districts is, indeed,  
5 violation of our State Constitution and I  
6 encourage those to vote against this plan.

7 SENATOR BERGER: Further discussion or  
8 debate?

9 Senator Bryant, for what purpose do you  
10 rise?

11 SENATOR BRYANT: To speak briefly a  
12 second time, Mr. President.

13 SENATOR BERGER: You have the floor.

14 SENATOR BRYANT: Members, I forgot one  
15 additional point I wanted to bring to your  
16 attention and for the record. Overnight, I  
17 read -- it was brought to my attention a  
18 study that's been done by Dr. Elizabeth  
19 Saboko (phonetic) who is a genetic scientist  
20 who specializes in population variation --  
21 population connectivity and variation. And  
22 in her study, she looked at the county  
23 groupings and analyzed the bias, the partisan  
24 bias in the decision making for splits within  
25 the county grouping, and one of these -- her

1 observations concerned me, and that was the  
2 effect in rural North Carolina, and she found  
3 that there was an observable bias against  
4 democrats in nearly half of the county  
5 groupings.

6 There's been a lot of talk about the  
7 democratic party not being competitive in  
8 parts of the state. But instead this shows  
9 that rural democrats, including  
10 African-American democrats, are being  
11 significantly harmed by the majority's  
12 proposed maps. It appears that rather than  
13 packing voters into the districts as was the  
14 complaint in the lawsuit, the plan now cracks  
15 voters by splitting them into districts based  
16 on race and party. So I just want to bring  
17 that to your attention.

18 And I look at my home district, Nash  
19 County for example on the House plan, the  
20 choices of going to the south in the Franklin  
21 County pairing, instead of to the north,  
22 creates that problem. And also there are  
23 other rural districts in the state where the  
24 choices of how to make the splits shows this  
25 pattern. So I wanted to bring this to your

1 attention and have this also stated for the  
2 record. Thank you.

3 SENATOR BERGER: Further discussion or  
4 debate? Is there further discussion or  
5 debate on second reading of House Bill 927?

6 Hearing none, the question for the  
7 Senate is the passage on second reading of  
8 House Bill 927. All in favor vote aye, all  
9 opposed will vote no. Five seconds will be  
10 allowed for the voting. The clerk will  
11 record the vote.

12 (Voting commenced.)

13 SENATOR BERGER: 30 having voted in the  
14 affirmative, and 15 in the negative. House  
15 Bill 927 has passed its second reading and  
16 will, without objection, be read a third  
17 time.

18 MS. RUMLEY: The General Assembly of  
19 North Carolina enacts.

20 SENATOR BERGER: Is there a discussion  
21 or debate on third reading on House Bill 927?

22 Hearing none, the question for the  
23 Senate is the third passage on third reading,  
24 and we are going to electronic vote third  
25 reading of this bill. Passage of third



1 reading of House Bill 927. All in favor vote  
2 aye, all opposed vote no. Five seconds will  
3 be allowed for the voting. Clerk will record  
4 the vote.

5 (Voting commenced.)

6 SENATOR BERGER: 30 having voted in the  
7 affirmative and 15 in the negative. House  
8 Bill 927 has passed its third reading and  
9 will be enrolled.

10 Members, this next order of business is  
11 the issue of recognition of the Little League  
12 team from Greenville and they are scheduled  
13 to be here at 11 o'clock. I would -- we'd  
14 entertain a motion that we stand at ease  
15 until 11 o'clock.

16 Senator Rabon, for what purpose do you  
17 rise?

18 SENATOR RABON: Thank you, Mr.  
19 President. I have a motion.

20 SENATOR BERGER: State your motion.

21 SENATOR RABON: Mr. President, I move  
22 the Senate stand at ease until 11 o'clock.

23 SENATOR BERGER: All in favor say aye.  
24 All opposed, no. The Senate will stand at  
25 ease until 11 o'clock.

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(The Senate was at ease at 10:31 a.m.)

1 STATE OF NORTH CAROLINA )

2 COUNTY OF FORSYTH )

3 REPORTER'S CERTIFICATE

4 I, Audra Smith, Registered Professional

5 Reporter in and for the above county and state, do hereby

6 certify that the transcription of the proceedings and

7 events was transcribed hereinbefore set forth; that the

8 transcription was performed under my direction and

9 supervision, and that this is, to the best of my knowledge

10 and belief, a true and accurate transcription to the best

11 of my ability.

12 I further certify that I am neither of

13 counsel to either party nor interested in the events of

14 this case.

15 IN WITNESS WHEREOF, I have hereto set my

16 hand this 6th day of September, 2017.

17 

18 \_\_\_\_\_

19 Audra Smith, RPR, FCRR

20 Notary Number: 201329000033

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NORTH CAROLINA HOUSE OF REPRESENTATIVES SESSION

NORTH CAROLINA GENERAL ASSEMBLY

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TRANSCRIPT OF THE PROCEEDINGS

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In Raleigh, North Carolina  
Wednesday, August 30, 2017, 2:00 p.m.

PREPARED BY: Regina Toppins

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1           SPEAKER MOORE: The House will come to  
2 order. Members and guests will take their seats.  
3 Visitors will retire from the chamber. The  
4 Sergeant-At-Arms will close the doors. We ask all  
5 members and all guests with us today to silence any  
6 electronic devices.

7           This afternoon's prayer will be offered by  
8 Representative Arp. We ask members, guests and  
9 visitors to please stand, those in the gallery as  
10 well, and remain standing for the pledge of  
11 allegiance.

12           Representative Arp.

13           REPRESENTATIVE ARP: Thank you. If you  
14 would like, you may join with me in prayer.

15           Our heavenly father, we pause before you  
16 this morning to open our session. Lord, we have many  
17 emotions on our hearts, great joy and the celebration  
18 of youth and victory and celebration, but, Lord, also  
19 we have great concerns in our hearts for our fellow  
20 citizens in Texas, and even North Carolinians who have  
21 gone on down, both with volunteers and professionals,  
22 to help out with relief efforts. Lord, our hearts  
23 turn to them and ask for their safety that you provide  
24 them, Lord, that you minimum loss of life and that we  
25 grow together as a country and community, Lord,

1 through that which me makes us a strong as a nation  
2 because you've loved us and given us the spirit of  
3 love to help our fellow man.

4 As we undertake the business of this state I  
5 pray that you give us wisdom, humbleness and a genuine  
6 desire to love and those who you love to serve those  
7 in this great state. Lord, we just lift our efforts  
8 to you, ask that you bless them and give us wisdom and  
9 guidance to make the right decision. As we honor you  
10 with all we do. In Jesus' name I pray. Amen.

11 AUDIENCE: I pledge allegiance to the flag  
12 of the United States of America and to the republic  
13 for which it stands, one nation under God,  
14 indivisible, with liberty and justice for all.

15 SPEAKER MOORE: The gentleman from Harnett,  
16 Representative Lewis, recognized for a motion.

17 REPRESENTATIVE LEWIS: Mr. Speaker, the  
18 Journal for August 29th has been examined and found to  
19 be correct. I move that it be approved as written.

20 SPEAKER MOORE: Representative Lewis moves  
21 that the Journal of August 29th be approved as  
22 written. Those in favor say Aye; those opposed say  
23 No. The Ayes have it. The Journal is approved as  
24 written.

25 The gentleman from Pitt, Representative

1 Murphy, is recognized to speak to a point of personal  
2 privilege as well as the representative statement if  
3 the gentleman desires.

4 REPRESENTATIVE MURPHY: Thank you, Mr.  
5 Speaker. We have a --

6 SPEAKER MOORE: Just a moment, the House  
7 will come to order. The gentleman has the floor.

8 REPRESENTATIVE MURPHY: Statement of  
9 personal privilege and recognize that I would like the  
10 Clerk to read.

11 SPEAKER MOORE: The Clerk will read in its  
12 entirety.

13 HOUSE CLERK: A Representative Statement,  
14 recognizing the North State Little League Team.

15 Whereas, the Little League Baseball World  
16 Series took place in Williamsport, Pennsylvania,  
17 between August 17th and 27th of, 2017; and

18 Whereas, the State of North Carolina was  
19 represented in the World Series by the North State  
20 Little League Team from Greenville, North Carolina;  
21 and

22 Whereas, North State defeated South  
23 Carolina, Florida, Tennessee, and Georgia to become  
24 the Southeastern region tournament champions; and

25 Whereas, North State went on to defeat the

1 regional tournament champions from the Midstate, Sioux  
2 Falls, South Dakota, by a score of 6-0; the West,  
3 Rancho Santa Margarita, California, by the score of  
4 16-0; and the Southwest, Lufkin, Texas, by a score of  
5 2-1; and

6           Whereas, North State's outstanding pitching  
7 earned the team's place in history by becoming the  
8 first team in the Little League Baseball World Series  
9 not to allow any hits in two consecutive games; and

10           Whereas, North State was defeated by Lufkin  
11 the United States championship game and by Mexico in  
12 the consolation game; and

13           Whereas, North State finished the World  
14 Series as second in the nation and fourth in the  
15 world;

16           Now, therefore, the members of the North  
17 State Little League Team and their coaches have  
18 brought great honor to the City of Greenville and the  
19 State of North Carolina for their outstanding  
20 performance and sportsmanship during the 2017 Little  
21 League Baseball World Series and deserve to be honored  
22 for their accomplishments.

23           In Witness Whereof, the undersigned  
24 certifies that the foregoing statement was read in the  
25 House and placed upon the Journal on the 30th day of

1 August, 2017. Submitted by Representative Gregory  
2 Murphy. House Principal Clerk, James White.

3 SPEAKER MOORE: Gentleman from Pitt has the  
4 floor to speak to a point of personal privilege.

5 REPRESENTATIVE MURPHY: Thank you, Mr.  
6 Speaker.

7 Ladies and gentlemen, I present to you 12  
8 young men and -- young men who have honored our state  
9 and they are now fourth in the world. With your  
10 pleasure I would like to call each one, and as I call  
11 their name, if they would stand.

12 Jacob Calder, JoeJoe Bryne, Will Casey, Drew  
13 Fields, Chase Anderson, Ashton Byers, Cameron  
14 Greenway, Luke Lambert, Bryce Jackson, Cash  
15 Daniels-Moye, Thomas Barrett, Matthew Matthijs.  
16 Mathias, thank you. Carson Hardee. Coaches: Jake  
17 Allen, Coach Mike Vaughn. Coach Team Manager, Brian  
18 Fields, and batting cleanup, Team Mom, Wagner Grubb.

19 Thank you all, thank you all for the --  
20 (Applause.)

21 Thank you all for the memories that you've  
22 given us. I have a little something extra to say to  
23 you guys:

24 Take me out to the ball game, take me to see  
25 our All Stars. They've been pounding the baseball to

1 bits, giving their opponents all kind of fits. Let me  
2 root, root, root for our young men, they've  
3 represented us so well. For it's one, two, teams they  
4 sent home as their victories start to swell.

5 Verse Two: Take me to see our All Stars,  
6 their journey began months ago. Hours of practice  
7 learning techniques, pitching the baseball like major  
8 league freaks. Let them hit, pitch and run, mow the  
9 other teams down like grass. For it's one, two series  
10 they won by kicking them in the pants.

11 Take Coach Fields, Allen and Vaughn, Wagner  
12 Grubb, the team mom, traveling all over God's green  
13 earth, draining all the money from their parents'  
14 purse, but we root, root, root for our young men. Go  
15 rescue me, rescue the day because it's one, two hot  
16 dogs chugged down as we jump back in the fray.

17 Last: More wins in Williamsport, not ours.  
18 That's just the breaks of the game, but champions in  
19 our mind you'll always be, memories everlasting for  
20 all there to see. We'll always root, root, root for  
21 our state team. You surely have stolen our hearts,  
22 for as victors here you'll always be seen when the  
23 next season starts.

24 Congratulations, gentlemen. Thank you for a  
25 job well done.

1 (APPLAUSE.)

2 SPEAKER MOORE: Folks, no doubt we can tell  
3 clearly the ability to sing is not required to serve  
4 in the House of Representatives.

5 For what purpose does the gentleman from  
6 Scotland, Representative Pierce, rise?

7 REPRESENTATIVE PIERCE: To ask the member a  
8 question.

9 SPEAKER MOORE: Does the gentleman from Pitt  
10 yield to the gentleman from Scotland? He yields.

11 REPRESENTATIVE PIERCE: Who were the other  
12 two persons on the up front at the -- I don't think  
13 you called their names; could you tell us who they  
14 are, please?

15 REPRESENTATIVE MURPHY: That is Ms. Candy  
16 Smith, and is one of the coach's dads, who I can't  
17 remember. It's Jeff Fires.

18 REPRESENTATIVE PIERCE: Thank you.

19 (APPLAUSE.)

20 SPEAKER MOORE: On behalf of my colleagues  
21 now we appreciate you all being with us today. I tell  
22 you a lot of folks here were paying close attention to  
23 the games and were watching, and really are very proud  
24 of the hard work you did here, you and the support of  
25 your families to be traveling around the State and the

1 country. And so, you've made North Carolina very  
2 proud, and I know that no doubt years from now when  
3 you are a little older and you look back, you are  
4 going to appreciate even more what you all  
5 accomplished, not only for yourselves, but also your  
6 -- for Greenville and your home state. And I would  
7 ask my colleagues -- actually, does Representative  
8 Richardson -- for what purpose does the lady from  
9 Franklin, Representative Richardson, rise?

10 REPRESENTATIVE RICHARDSON: Thank you,  
11 Mr. Speaker. I would just like to rise and  
12 congratulate my soror. My mayor and Candy Smith,  
13 she's a Delta, and we're so proud of her and her team  
14 and we say congratulations to all of you. All the  
15 Deltas around are very proud of you. Thank you.

16 (APPLAUSE.)

17 SPEAKER MOORE: But, again, I know and I  
18 know you all are on a tight schedule. Once again,  
19 thank you all, and I ask my colleagues to please join  
20 me again in congratulating these -- these folks.

21 (APPLAUSE.)

22 SPEAKER MOORE: Thanks again. Y'all are  
23 welcome to stay with us here in session, or we'll put  
24 you -- we'll put you to work here very quickly.  
25 Otherwise, thank you for being with us. All right,



1       thanks, y'all.

2               Senate Bill 691, the Clerk will read.

3               HOUSE CLERK:   Senate Bill 691, a bill to  
4       enact to realign the districts of election of the  
5       North Carolina Senate.   General Assembly of North  
6       Carolina annex.

7               SPEAKER MOORE:   The gentleman from Harnett,  
8       Representative Lewis, is recognized to address the  
9       bill.

10              REPRESENTATIVE LEWIS:   Mr. Speaker, may I  
11       make a request to the Chair?

12              SPEAKER MOORE:   The gentleman may state his  
13       request.

14              REPRESENTATIVE LEWIS:   Mr. Speaker, may I  
15       have staff on the floor to aid me?

16              SPEAKER MOORE:   The gentleman is permitted  
17       to have staff on the floor.

18              REPRESENTATIVE LEWIS:   Thank you, Mr.  
19       Speaker.

20              SPEAKER MOORE:   And any other members who  
21       wish to have staff on the floor, the permission is  
22       extended as well.

23              The gentlemen has the floor.

24              REPRESENTATIVE LEWIS:   Thank you, Mr.  
25       Speaker.

1           Mr. Speaker and Members, the Senate map  
2       complies with state and federal law, it adheres to  
3       traditional districting principles and it remedies  
4       defects the court found in the previous map. It  
5       splits fewer counties and divides far fewer precincts  
6       and fewer municipalities than previous plans for this  
7       body.

8           The only members double bunked are those  
9       forced by the county grouping formula, and that is  
10      exclusively to the detriment of the majority party in  
11      this map. It fully cures the defects found by the  
12      Covington Court, and, for the record, I will note that  
13      this statement also applies to the House map.

14          At multiple points during the House debate,  
15      in committee and on the floor, members of the  
16      Democratic Party revealed that they had requested and  
17      received a statistical package that included the race  
18      for the 2017 House Redistricting Plan and they  
19      accepted amendment to Wake County that was passed  
20      yesterday. In addition, an Associated Press reporter  
21      has apparently also seen these statistics provided by  
22      the minority party. This data has already been  
23      released for the proposed Senate plan via request from  
24      Senator Floyd McKissick of Durham.

25          So that there wasn't an asymmetry of

1 information, yesterday morning I asked for central  
2 staff to prepare the full statistical package for the  
3 House plan as it passed on the House floor yesterday  
4 and posted to the House Select Committee on  
5 Redistricting's website. It has been posted there  
6 since yesterday just before the Senate committee  
7 considered our plan.

8 To be clear, race was not used in drawing of  
9 the map, and I did not request or see this information  
10 for the House plan until yesterday after the House  
11 plan passed this chamber. Since yesterday I have  
12 reviewed this data for our plan and believe it fully  
13 remedies the racial issues the court identified in the  
14 previous map. It also avoids any theoretical vote  
15 delusion claims under Section II of the Voting Rights  
16 Act.

17 An additional expert -- pardon me. An  
18 additional report from the democratic plaintiff  
19 expert, Dr. Alan Lichman, has been entered into the  
20 Senate record, and I believe the report is relevant to  
21 our plans as well. Further, I believe our map  
22 complies with traditional redistricting principles  
23 outlined by the court.

24 Members, to get back to the map before us  
25 today, I believe the Senate map complies with the

1 committee's adopted criteria, state and federal law.  
2 For those reasons, I ask for your support in voting  
3 green to adopt this Senate map. Thank you, Mr.  
4 Speaker.

5 SPEAKER MOORE: For what purpose does the  
6 gentleman from Cumberland, Representative Richardson,  
7 rise?

8 REPRESENTATIVE RICHARDSON: To debate the  
9 bill.

10 SPEAKER MOORE: The gentleman is recognized  
11 to debate the bill.

12 REPRESENTATIVE LEWIS: Members of the  
13 General Assembly, I thought long and hard about  
14 speaking on this, and I felt moved by one of our  
15 colleague's comments in the last debate on the House  
16 plan, and that was Judge Joe John. To me he is like  
17 the E.F. Hutton of our body. When he talks, we ought  
18 to listen. And there's several -- what makes this  
19 place so magical and special is there are several of  
20 us like that. Representative McGrady is like that.  
21 And those wonderful, wise people when they get up and  
22 speak, they transcend party, they transcend the ages  
23 and they're a part of this body's politic that makes  
24 it special.

25 And we are at our best when we get away from

1 party, and we get away from the caucus and what the  
2 caucus wants us to do and we follow our hearts. And I  
3 know that each of you in 2008, if you ran in 2008 and  
4 you were elected, one of the things you ran on and one  
5 of the things I ran on is that if I got in this body  
6 and was reelected to this body again, that I would  
7 support and fight with all I could to make sure that  
8 we had impartial redistricting.

9 Now listen to what Representative Lewis just  
10 said. It comply -- we have had this expert that says  
11 it complies with this law, and we've had this expert  
12 say it complies with split districts, and we've had  
13 this looked at by numerous other people, and we've  
14 done this and we have done that to comply with the  
15 court order. Think about what your common sense is  
16 saying to what he just said there and what we put that  
17 man through in the last three weeks trying to draw  
18 these districts. What all's we had to do and all we  
19 should do is what Judge John said two days ago and  
20 that is follow our hearts, follow what people want us  
21 to do and say to the court here's how we're going to  
22 solve this problem. We are going to put six  
23 republicans of impeccable character on a commission  
24 and six democrats with impeccable character on the  
25 commission and we're going to let them draw the

1 districts.

2 Citizens ought to draw the districts that we  
3 are elected in and not us. When we were in power, we  
4 messed it up. You all ran and said you were going to  
5 fix it and now that you're in power, power is a very  
6 seductive thing, you all are messing it up. We ought  
7 to be ashamed of ourselves, and we ought to do the  
8 right thing, and the right thing here is I sat in  
9 these public hearings. Folks, people took the time  
10 from their jobs, from their homes, from their daily  
11 lives to come to those public hearings, what little  
12 bit of public hearings we gave them, and they made  
13 their voices clear, almost unanimous. Every person  
14 that came to those things almost to a -- almost to a  
15 person is almost unanimous demanded from us that we  
16 have a fair and impartial redistricting, and the only  
17 way to do it is to get us out of it and let the  
18 citizens draw the lines.

19 I would encourage each of us to vote against  
20 this, send it back to our caucuses and demand that we  
21 all go united to the court and say, court, we want a  
22 fair and impartial commission to do this. It is a  
23 fundamentally right thing to do, and each of us in our  
24 hearts know that that is the right things to do, and  
25 each one of us at one time or another has campaigned

1 and told our constituents that we would do that. And  
2 one of these days the citizens are going to have  
3 enough of these broken promises and they're going to  
4 send us home, and they should, because the right thing  
5 to do here is to let citizens draw the lines. Thank  
6 you.

7 SPEAKER MOORE: For what purpose does the  
8 gentleman from Cabarrus, Representative Pittman, rise?

9 REPRESENTATIVE PITTMAN: To speak on the  
10 bill.

11 SPEAKER MOORE: The Gentleman asks to debate  
12 the bill.

13 REPRESENTATIVE PITTMAN: Thank you, Mr.  
14 Speaker.

15 Ladies and gentlemen, I don't suspect I'm  
16 going to sway many people to do what I'm going to do  
17 today. I just want you to understand what I'm doing.  
18 I meant to say this Monday, I didn't hit my light in  
19 time because it doesn't matter whether it's the Senate  
20 of the House, I feel the same way about this whole  
21 process.

22 If the courts had simply said here's some  
23 guidelines that you need to follow next time you do  
24 redistricting, I don't think I'd have much of an  
25 argument against that. However, our state

1 constitution says that we do redistricting after the  
2 census every ten years. So, I'm voting no because I'm  
3 not willing to violate our state constitution by doing  
4 do it four years early. Thank you.

5 SPEAKER MOORE: For what purpose does the  
6 gentleman from Wake, Representative Hall, rise?

7 REPRESENTATIVE HALL: Speak to the bill.

8 SPEAKER MOORE: The gentleman is recognized  
9 to debate the bill.

10 REPRESENTATIVE HALL: Members, I got elected  
11 in this body in 2012 along with a lot of colleagues on  
12 that side, which is the first year these new maps were  
13 in place, and my first real observation of my caucus I  
14 hate to say, but it was we whined a lot, we  
15 complained. We complained that you weren't treating  
16 us fairly, and I still remember the responses from a  
17 lot of you, it was that, that we did too, it was that  
18 elections have consequences.

19 I vividly remember the we did it too  
20 argument because that was the first time I talked on  
21 this floor. I didn't realize as a freshman that the  
22 Speaker rarely comes down unless he feels strongly  
23 about something. So, then Speaker Tillis had come  
24 down and talked about the rules, how they were much  
25 fairer than we had done with you guys. And there was



1 a lot of weight to that argument, but I made the  
2 freshman mistake of standing up and saying that's an  
3 irrational argument, just because we did it, you  
4 shouldn't. I don't want to tell you the consequences  
5 I suffered, but, needless to say, I did not win my  
6 first debate on this floor.

7 Because of the raw nerves it touched, I  
8 realized that there was probably a lot of truth to  
9 that, we did not treat you very well. The other thing  
10 that was said a lot was elections have consequences,  
11 and that's what we're here about. I agree, you're  
12 right, they do. We're here about maps and elections,  
13 so that's what I'd like to talk about. But the first  
14 thing I think that has to be said is that I don't  
15 think any of us should conflate winning elections with  
16 winning the hearts and mind of the people.

17 There are 120 opinions in this room on what  
18 that means, so instead of just adding mine to that,  
19 what I'd like to do is just throw out some actual  
20 numbers.

21 The first one, I'm going to get some  
22 grumbling, I know no one wants to hear this, but the  
23 first number is a million people. More than a million  
24 people, more than a million Americans voted for the  
25 democratic candidate for President in this last

1 election, yet we don't control the presidency, we  
2 don't control congress and we don't control this body.  
3 Move on quickly to congress and I'll talk about the  
4 first election after you guys drew the maps. In that  
5 first election when I came to this body in 2012,  
6 50.93% of North Carolinians actually went to the poll,  
7 walked in and voted for the democratic person on their  
8 ballot for the US Congress in North Carolina. 49.6%  
9 voted for the republican. So, more people actually  
10 walked in the polls and voted for the democrat in that  
11 election, yet the result was you guys got a 10/3  
12 split, 77% of the seats to 23. And I know what every  
13 member of this body is thinking right now, the same  
14 thing I'm thinking, we did it too, and you're right,  
15 we did.

16 Last week Leader Jackson pointed out the  
17 results here in the House, the elections, after the  
18 last time we drew the maps versus the last when you  
19 guys drew the maps. So, under the 2003 democratic  
20 gerrymander, and that's what it was, it was a  
21 gerrymander as well, they gave us 66 seats in that  
22 next election and you had 54.

23 My point is that I think your version is far  
24 more one-sided because right now after that election  
25 you had 77 seats to 43. And I think it's important,

1 an important point that Leader Jackson made that we  
2 also understand that elections have consequences, but  
3 we didn't give ourselves the supermajority in the  
4 state, in a state that votes almost equally every  
5 single time for democrats and republicans. And my  
6 point is that I think every member of this body is  
7 politically astute enough to understand that North  
8 Carolina is an extremely purple state. Every election  
9 it's almost an equal number of democrats that vote for  
10 you guys and vote for us.

11 In this body, in the North Carolina House,  
12 in the 2016 election roughly 48% of North Carolinians  
13 walked into the poll and voted for a democrat running  
14 for this body, the North Carolina House. You did win  
15 that election as well, and 52% of the voters voted for  
16 republicans, but if you look around this chamber it's  
17 75 members on that side, which is obviously a  
18 supermajority.

19 I'm pointing out the disparities in the  
20 election from the President all the way down to this  
21 House because I honestly feel there's never been a  
22 time in America's history when the disparity between  
23 the will of the voters and the actual electoral  
24 outcome has been this great.

25 George Washington was revered for being the

1 first man that voluntarily gave up power, and I know  
2 that we can't be held to their standards. No one  
3 here, including myself is George Washington. I say  
4 that with a humility, again, of knowing that we did it  
5 as well, but the absolute empirical data of the votes  
6 cast in the state make clear that the people of North  
7 Carolina don't want us to have a supermajority.

8 Thank you, Mr. Speaker.

9 SPEAKER MOORE. For what purpose does the  
10 gentleman from Wake, Representative John, rise?

11 REPRESENTATIVE JOHN: Debate the bill.

12 SPEAKER MOORE: The gentleman has the floor  
13 to debate the bill.

14 REPRESENTATIVE JOHN: Thank you, Mr.  
15 Speaker.

16 First of all, I appreciate your not  
17 referring to me as the gentleman from E.F. Hutton, but  
18 more seriously, Mr. Speaker, I'm not going to repeat  
19 the full statement I made when this body was  
20 considering the proposed House plans, but everything I  
21 said on Monday is applicable again today as we  
22 consider these proposed Senate maps, characterized  
23 perhaps to an even greater degree by the flaws which  
24 mark the House maps.

25 In short, politicians who directly benefit

1 from the drafting of legislative districts should not  
2 be the drafters of those districts. We absolutely  
3 must have in North Carolina a truly independent,  
4 impartial and most importantly not partisan  
5 redistricting commission.

6 I'll be voting no as I did when we  
7 considered the House maps. I recommend the same to  
8 you. Thank you for your attention. Thank you,  
9 Mr. Speaker.

10 SPEAKER MOORE: For what purpose does the  
11 lady from New Hanover, Representative Butler, rise?

12 REPRESENTATIVE BUTLER: To briefly debate  
13 the bill.

14 SPEAKER MOORE: The lady is recognized to  
15 debate the bill.

16 REPRESENTATIVE BUTLER: I had no intention,  
17 actually, of speaking on this issue today, but as I  
18 saw the young men from Greenville here, and I did  
19 watch their ball game, they should have won that  
20 thing. They were up 5 to nothing, and all those curly  
21 headed fellows in the front there did so well.

22 You know, the public like those boys expect  
23 nothing less than a level playing field. The public  
24 made that perfectly clear throughout meetings all  
25 across this state. I thought about what if we had

1 told those children, boys, do the best you can, but  
2 you're going to start six runs down, and you're going  
3 to bat left-handed even if you're a righty and you're  
4 going to have to hop on one foot to first base.  
5 That's not fair.

6 So, in life, in sports and in politics the  
7 public expects a level playing field, and what we have  
8 in North Carolina is a national reputation for sports  
9 earth politics, and none of us should be very proud of  
10 that in this body.

11 So, fairness, a level playing field and good  
12 conscience should rue the day. I vote you to vote no  
13 on these maps. Thank you, Mr. Speaker.

14 SPEAKER MOORE: For what purpose does the  
15 gentleman from Wake, Representative Dollar, rise?

16 REPRESENTATIVE DOLLAR: To debate the bill.

17 SPEAKER MOORE: The gentlemen has the floor  
18 to debate the bill.

19 REPRESENTATIVE DOLLAR: Members of the  
20 House, there's been some arguments made here in the  
21 last few minutes that I just want to make a couple of  
22 points about. One, the gentleman says all of this is  
23 a purple state. Well, that's very deceptive and let  
24 me tell you why that's deceptive. In the last  
25 statewide election republicans won 13 of 17 statewide

1 races. 13 of 17. That seems a whole lot more leaning  
2 to the republican side, the conservative side of the  
3 actual issues, that are -- that come before our state  
4 and federal elected officials from here in North  
5 Carolina.

6 I would also remind one of the members, you  
7 know, talked about various formulas and who won this  
8 and who won that. I mean what do you want? Do you  
9 want proportional representation? Then you need to go  
10 change the U. S. Constitution if that's what you want.  
11 If you want a European system, go out there and get  
12 it. Don't try to boot strap it through all sorts of  
13 various and sundry mechanisms that, you know,  
14 professors and different things come up with around  
15 the -- around the country.

16 The fact is, is that you have a  
17 misdistribution of your voters of people willing to  
18 support you. That's your problem that you probably  
19 ought to go try to solve if you want to solve it.

20 I would also note just two other quick  
21 things. One, you know, when we talk about reform, I  
22 remember because I was around this town for a while  
23 now, and I remember cases going back to the early and  
24 mid '80's and coming forward and I seem to note that  
25 it was republicans who were helping with lawsuits or

1 initiating lawsuits to reform redistricting, and time  
2 and time again winning against in our state supreme  
3 court and winning in the United States Supreme Court.  
4 So, folks need look at themselves and look at your own  
5 history. Republicans have a history of reform here.  
6 We have the history of reform, hard fought. And  
7 that's the reason why we have some of the most  
8 stringent requirements of anywhere in the country like  
9 it's forgotten, it doesn't get reported on, but it's  
10 an actual fact. And we have complied in both the  
11 House and Senate map with those requirements, state as  
12 well as federal.

13 And it was also a fundamental question about  
14 what do the people want, what do the people want.  
15 Well, it occurs to me that we are debating the Senate  
16 maps, and I would point this out to everybody here and  
17 everybody listening, Senate republicans won a  
18 supermajority under the democrat maps, under the  
19 democrat maps. So, clearly, that was the will of the  
20 people. And I encourage you to vote for this bill.

21 SPEAKER MOORE: For what purpose does the  
22 lady from Durham, Representative Morey, rise?

23 REPRESENTATIVE MOREY: Thank you, to debate  
24 the bill.

25 SPEAKER MOORE: The lady has the floor to



1 debate the bill.

2 REPRESENTATIVE MOREY: Members, I echo the  
3 comments of my colleagues, and I just want to be  
4 reminded of the public hearings. And when we sat in  
5 Raleigh and watched the various people throughout the  
6 state speak, there was one young mother here in  
7 Raleigh who sat for two and a half hours. She had a  
8 one-year-old toddler, kept running in running out,  
9 disturbing and she finally got her opportunity to  
10 speak. And she said I'm a nobody to you. You won't  
11 hear my voice, but I care about fairness. I want a  
12 future for my child.

13 So, for all those people who spoke, I think  
14 this whole body did hear their voices, but they are  
15 asking for fair maps, and I echo my colleagues that we  
16 do need independent, nonpartisan redistricting;  
17 therefore, I'll be voting no. Thank you very much.

18 SPEAKER MOORE: For what purpose does the  
19 gentleman from Wake, Representative Jackson, rise?

20 REPRESENTATIVE JACKSON: I speak on the  
21 bill.

22 SPEAKER MOORE: The gentleman has the floor  
23 to debate the bill.

24 REPRESENTATIVE JACKSON: Thank you, Mr.  
25 Speaker.

1           I rise, ladies and gentlemen, to oppose the  
2       Senate redistricting plan. I know that they've had a  
3       good debate on their and their chamber, and I know  
4       it's normal for us to just accept what the Senate  
5       does, and so, I'm not going to really get into many of  
6       the details.

7           I will point out something. I know for a  
8       fact that a nonpartisan redistricting bill has passed  
9       this chamber in the past and, you know, some people  
10      are kind of questioning if it passed only because we  
11      knew the Senate would never take it up, but I will say  
12      to you this: I floated this idea to many of the bills  
13      sponsors over the last several years. There's nothing  
14      that prevents the House from doing our own type of  
15      nonpartisan redistricting. We don't have to get the  
16      senate to go along with it in the House plans. We can  
17      do what we want. So, if you, in fact, in the last  
18      four years have voted for nonpartisan redistricting,  
19      we can make that happen.

20           As to this plan, I want to say that the  
21      racial gerrymandering issues in the Senate map is  
22      basically the same ones as I mentioned in the House  
23      map. Senate republicans did not use racial data, and  
24      in my opinion again what we have before us today does  
25      not apply to Federal court's order. Also, this map

1 does also double down on the partisan gerrymander from  
2 2011. And I know I've read several people have  
3 complimented Senator Berger and the speech that he  
4 gave on the Senate floor about how my party's problem  
5 is not, in fact, gerrymandering, it's that we can't  
6 appeal to rule voters, and I understand talking points  
7 and I understand how people parrot that.

8           You know, I just simply don't agree with  
9 that, but if you accept that Senator Berger's argument  
10 is true, then you also have to accept the flip side of  
11 that argument, which is that democrats are doing  
12 really well in urban areas, but yet these maps don't  
13 reflect that truth. So, if you don't accept the  
14 notion that the maps are gerrymandered in the east and  
15 in the rural areas, you have to at least accept that  
16 they are, in fact, gerrymandered in the urban areas to  
17 prevent democrats from having more seats than they  
18 probably should.

19           In Wake County if you look at Senate  
20 District 18, and Senate District 15, Guilford County,  
21 if you look at Senate District 28 and Senate District  
22 27, Forsyth, you can look at Senate District 29, and  
23 Senate District 31, and then Mecklenburg County, you  
24 can look at Senate District 41, which starts in the  
25 northeast portion of the county and goes down the

1 western border of the county, all the way down into  
2 the southern part of the county. And then you can  
3 look at the districts in Cumberland County in all its  
4 gerrymandered glory. In fact, it was gerrymandered  
5 pretty badly before it was added on, but then when  
6 they went and got the section adding Senator Clark's  
7 second home in, it really became a work of art.

8 I've not done an in-depth analysis of the  
9 Senate maps or the alternative maps, but it's really  
10 hard for me to imagine that this is the best we can  
11 do. We can draw maps that are less partisan, more  
12 compact and maps that don't repeat the racial  
13 gerrymander of 2011. I think that's what the court  
14 expected us to do. I think we'll be back here in 2019  
15 doing this again after the court's vote it out. I'll  
16 be voting red today.

17 SPEAKER MOORE: For what purpose does the  
18 lady from Mecklenburg, Representative Cunningham,  
19 rise?

20 REPRESENTATIVE CUNNINGHAM: To speak on the  
21 bill.

22 SPEAKER MOORE: The lady has the floor to  
23 debate the bill.

24 REPRESENTATIVE CUNNINGHAM: Thank you, Mr.  
25 Speaker.

1           You know, as I sit here and I heard what my  
2       colleague said, Representative Hall, that we were  
3       whining. I'm not a whiner. I want to get that clear.

4           This redistricting is serious for the people  
5       of the State of North Carolina. It's two things that  
6       was said that really bothers me. One is that race was  
7       not taken into consideration. That was one of the  
8       criteria, and I understand that, but when I walk in a  
9       room, you know exactly who I am. I don't get to take  
10      off my skin and be anything else. So, I think it  
11      should always be taken into consideration. So that's  
12      the decision that they made.

13          The other thing is about this redistricting  
14      is it's all about power. It's about who gets to make  
15      the decisions for the whole State of North Carolina,  
16      for all the citizens of North Carolina. This is about  
17      power. Are you willing to share power with someone  
18      that is not equal to you? That's the question. Are  
19      you equal, are you ready to share power?

20          The redistricting that we're going under now  
21      that we have waited a decade almost for that was  
22      unconstitutional, that we were elected under, we've  
23      waited almost a decade for this to happen and it looks  
24      like we will have an additional wait. Are you ready  
25      to share power, that's what redistricting is about.

1           No, the maps are not exactly what I would  
2     like them to be, but do I have the power and are you  
3     willing to share the power? The people of North  
4     Carolina are looking for us to learn how to share  
5     power. Thank you.

6           SPEAKER MOORE: For what purpose does the  
7     gentleman from Nash, Representative Jordan, rise?

8           REPRESENTATIVE JORDAN: To debate the plans.

9           SPEAKER MOORE: The gentleman is recognized  
10    to debate the bill.

11          REPRESENTATIVE JORDAN: Thank you, Mr.  
12    Speaker.

13          There's a whole lot of stuff that I can  
14    stand up here and say, but I really just want to make  
15    two points. Aside from the fact that I'm a primary  
16    sponsor of the nonpartisan redistricting plan, so that  
17    makes me immune to a lot of the whining that's going  
18    on across the aisle.

19          The two points I'd like to make are  
20    follow-up on Representative Jackson's comments about  
21    how Senate District 21 in Cumberland County. Did you  
22    hear him very carefully? Did you hear him ask about  
23    that district? It looks like Puff The Magic Dragon to  
24    me. And that little puff there that came from Senator  
25    Clark, who apparently asked the Senate majority to add

1       that in for him I guess to gerrymander for him,  
2       although he's been one of the leading members talking  
3       about this deficiency gaps, how there are wasted  
4       voters for anybody who votes for a losing candidate,  
5       your vote is wasted, and anyone who votes for more  
6       than what the winning candidate needed is also wasted  
7       votes. I'm afraid the court is going to look at that,  
8       ridiculous formulas like that in the future. But the  
9       other point I'm going to make and I'm voting, I'm  
10      actually voting against this map and I wanted to  
11      explain why because I took some of my colleagues by  
12      surprise in committee yesterday, and that is for this  
13      reason: I thoroughly understand step one being the  
14      Senate county groupings, and I think that's very good.  
15      That is important for everyone to understand listening  
16      here today and listening online, that this process,  
17      even though it is not the non-partisan districting  
18      process that I would prefer, starts with actual  
19      objective steps and it included grouping the counties,  
20      all right.

21               Well, despite that, I'm going to vote  
22      against this because basically my area northwestern  
23      North Carolina is going to lose a Senate  
24      representative, and that's why I'll be voting against  
25      this map today. Thank you, Mr. Speaker.

1           SPEAKER MOORE: Further discussion, further  
2 debate. If not, the question for the House, passage  
3 of Senate Bill 691 on second reading. Those in favor  
4 will vote Aye, those opposed will vote No. The Clerk  
5 will open the vote.

6           The Clerk will lock the machine and record  
7 the vote. 68 having voted in the affirmative; 47 in  
8 the negative. Senate Bill 691 passes the second  
9 reading.

10          Any overrule to that objection?

11          Clerk will read that in.

12          HOUSE CLERK: Senate Rule 691 annex.

13          SPEAKER MOORE: Any further discussion,  
14 further debate? If not, question for the House pass  
15 Senate Bill 691 on the third reading. Those in favor  
16 will vote Aye; those opposed will vote No. Clerk will  
17 open the vote.

18          Clerk will lock the machine and record the  
19 vote. 68 having voted in the affirmative; 47 in the  
20 negative. Senate Bill 691 passes the third reading.  
21 The Bill is ordered enrolled.

22          Members, we are about to take a recess until  
23 3:30. It is right now it's -- actually, strike that,  
24 until 3:45. That will be a one-hour recess for a  
25 number of reasons. I believe the Majority Leader is



1 going to announce a caucus 30 minutes from now.

2 Sorry, Representative Bell, I didn't realize you had  
3 stepped away from your desk.

4 Gentlemen is recognized for an announcement.

5 REPRESENTATIVE BELL: Thank you, Mr.  
6 Speaker. Republicans, you just saw on your e-mail  
7 we're going to caucus 30 minutes after recess in Room  
8 1228. That's 30 minutes after recess in Room 1228.  
9 Please be prompt. Thank you.

10 SPEAKER MOORE: Mr. Clerk, Chair directs  
11 that House Bill 717 revised judicial districts be  
12 removed from the Committee on Elections and Ethics  
13 Law; directs that it be referred to the Committee on  
14 Judicial Redistricting.

15 For what purpose does the gentleman from  
16 Chowan, Representative Steinberg, rise?

17 REPRESENTATIVE STEINBERG: A point of  
18 personal privilege, Mr. Speaker.

19 SPEAKER MOORE: The gentleman is recognized  
20 to speak to a point of personal privilege.

21 REPRESENTATIVE STEINBERG: Thank you.

22 This tragedy unfolding in Texas from  
23 Hurricane Harvey reminds all of us of the immeasurable  
24 value of our service personnel who leave their homes  
25 and risk their lives to assist in rescuing citizens

1 from grave peril. As a North Carolina State  
2 Representative serving northeastern North Carolina, it  
3 is an honor to serve a district that includes a major  
4 coast guard installation located in Elizabeth City and  
5 officially designated All American Coast Guard City.  
6 Captain Joseph Deere, commanding officer of Air  
7 Station Elizabeth City and the magnificent men and  
8 women of the coast guard serving with C130 fixed wing  
9 aircraft and H60 helicopters and other personnel,  
10 courageously exemplify the best of the American spirit  
11 as they assist those in need in Texas and around the  
12 nation.

13 Today, I offer my continued thanks to the  
14 coast guard, their families and the civilians who  
15 support their mission for their exceptional commitment  
16 and work on behalf of the American people.

17 Thank you, Mr. Speaker.

18 SPEAKER MOORE: For what purpose does the  
19 gentleman from Guilford, Representative Quick, rise?

20 REPRESENTATIVE QUICK: A point of personal  
21 privilege.

22 SPEAKER MOORE: The gentleman is recognized  
23 to speak to a point of personal privilege.

24 REPRESENTATIVE QUICK: Prior to my arrival  
25 here in the North Carolina House, District 58 was

1 represented by a gentleman named Mr. Ralph C. Johnson.  
2 Mr. Johnson passed away earlier this year, and this  
3 morning I was privileged to be part of a ceremony that  
4 re- named a new connector road in Greensboro, North  
5 Carolina, the Ralph C. Johnson Way.

6 I'd ask my colleagues here today if you  
7 would join me in acknowledging the work and life of  
8 former Representative Ralph C. Johnson as we  
9 celebrated his life in Greensboro earlier this  
10 morning.

11 (APPLAUSE.)

12 SPEAKER MOORE: For what purpose does the  
13 gentleman from Wake, Representative Jackson, rise?

14 REPRESENTATIVE JACKSON: Inquiry of the  
15 Chair.

16 SPEAKER MOORE: The gentleman is recognized  
17 to inquire.

18 REPRESENTATIVE JACKSON: What time will we  
19 be coming back, Mr. Speaker?

20 SPEAKER MOORE: We're going to be back at 4  
21 -- excuse me, at 3:45.

22 REPRESENTATIVE JACKSON: Inquiry of the  
23 Chair.

24 SPEAKER MOORE: The gentleman is recognized.

25 REPRESENTATIVE JACKSON: Will we be done

1 today?

2 SPEAKER MOORE: Maybe. I hope so.

3 REPRESENTATIVE JACKSON: Okay, for an  
4 announcement.

5 SPEAKER MOORE: The gentleman is recognized  
6 for an announcement.

7 REPRESENTATIVE JACKSON: House democrats  
8 will caucus at 3 o'clock in 12 -- I mean 14, whatever  
9 our normal room is.

10 SPEAKER MOORE: Thanks.

11 Members, if there's no more notices and  
12 announcements right now, subject to the standard  
13 stipulations set forth in Rule 15.1, the Chair directs  
14 the House to stand in recess until 3:45.

15 (THE HOUSE STANDS IN RECESS AT 2:47 P.M.)  
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25

1 STATE OF NORTH CAROLINA

2 COUNTY OF DURHAM

3

4 REPORTER'S CERTIFICATE

5 I, Regina Toppins, Shorthand Reporter and Notary  
6 Public in and for the State of North Carolina, do hereby  
7 affirm that the foregoing pages contain a verbatim  
8 transcription of the above-captioned proceedings and  
9 have been transcribed to the best of my ability and  
10 understanding; I further affirm that I am not related to  
11 any of the parties to this action; that I am not  
12 interested in the outcome of this case; that I am not of  
13 counsel nor in the employ of any of the parties to this  
14 action.

15 IN WITNESS WHEREOF, I have hereto set my hand,  
16 this the 30th day of August, 2017.

17

18

19

A handwritten signature in cursive script that reads "Regina Toppins". The signature is written in black ink and is positioned above a horizontal line.

20

Regina Toppins, Notary Public  
Notary Number: 200626300019

21

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25

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NORTH CAROLINA GENERAL ASSEMBLY  
SENATE COMMITTEE ON REDISTRICTING

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TRANSCRIPT OF THE PROCEEDINGS  
AUGUST 24, 2017 SESSION

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In Raleigh, North Carolina  
Thursday, August 24, 2017  
Reported by Rebecca P. Scott

Worley Reporting  
P.O. Box 99169  
Raleigh, NC 27624  
919-870-8070

1                   SEN. HISE: The Committee will come to  
2                   order. Thank you, members of the Committee and  
3                   members of the public that are here today. Very  
4                   briefly, I'll begin by going through the Sergeant  
5                   at Arms for the Senate for this meeting of the  
6                   Senate Redistricting Committee. Terry Barnhardt,  
7                   Terry Edmondson, Frances Patterson, and Hal Roach.  
8                   Thank you.

9                   And we do have one page with us today,  
10                  Tanner Minton. Right here. Thank you very much  
11                  for coming here and being part of this today.

12                 Members, we will have one bill before us  
13                 today. That is Senate Bill 691, the 2017 Senate  
14                 Districts. I will be presenting that in just a  
15                 moment and will hand the gavel over to Senator  
16                 Brown to conduct the meeting while I present.

17                 But just a few rules. I am going to ask,  
18                 kind of particularly regarding the complex nature  
19                 of amendments and others to this particular bill,  
20                 if members are wishing to amend the particular  
21                 bill, if you would send forth your amendments so  
22                 that we can begin to get those in order and in  
23                 place before we begin this process or while we're  
24                 in the presentation.

25                 So that being said, I will turn the gavel



1 over for 691, and I do believe we have a PCS.

2 To let you-all know, while this is a  
3 pretty standard procedure, I do want everyone to  
4 note that we do have a court reporter here, so it  
5 will be important that anytime you are recognized,  
6 you would state your name for the record so that we  
7 may adequately transcribe this for the proceedings.

8 SEN. BROWN: Thank you, Senator Hise.  
9 So, Senator Hise, I'm going to turn it over to you  
10 to present the bill.

11 SEN. HISE: Thank you, Senator Brown.  
12 And I guess I would begin by offering a PCS for  
13 consideration.

14 SEN. BROWN: Okay. I need a motion for  
15 the PCS. Senator Tillman makes that motion. All  
16 in favor say aye.

17 (Voice vote.)

18 SEN. BROWN: Any opposed? The ayes have  
19 it. Senator Hise?

20 SEN. HISE: Thank you, members of the  
21 committee---

22 SEN. TILLMAN: Senator Brown, I'll take  
23 that motion back. Let one of the official members  
24 make that.

25 SEN. BROWN: Senator Tillman, are you

1           throwing us a curve? Since you're not on the  
2           Committee, I should have caught that. I think  
3           Senator Harrington made the same motion at the same  
4           time.

5                     SEN. TILLMAN: I heard her.

6                     SEN. BROWN: So Senator Harrington makes  
7           that motion. All in favor?

8                     (Voice vote.)

9                     SEN. BROWN: Any opposed? All right.  
10          The motion carries. Senator Hise?

11                    SEN. HISE: Thank you. I think all  
12          members should have in front of them an overall  
13          copy of the map as well as the stat-pack from the  
14          Committee available for the map of the  
15          redistricting. I'm going to take a few minutes and  
16          go over the criteria of the Committee and a bit on  
17          how the maps that are presented meet the criteria  
18          that the committees for both the House and the  
19          Senate established for drawing maps.

20                    To begin with, I will begin with equal  
21          population. The committees were required to use  
22          the 2010 federal decennial Census data as the sole  
23          basis of population for drawing legislative  
24          districts in these plans. The number of persons in  
25          each legislative district shall comply with the

1           plus or minus five percent population deviation  
2           standard established in Stephenson versus Bartlett.

3                     You'll see from the first page of the  
4           stat-pack the total population for all 50 Senate  
5           Districts under the 2010 Census. The most  
6           overpopulated district is by 4.94 percent, Senate  
7           District 8, which is composed of Bladen, Brunswick,  
8           and Pender Counties in whole and a part of New  
9           Hanover County. This district was not redrawn in  
10          this process and was not affected by the court  
11          order.

12                    The most underpopulated district --  
13          underpopulated district is Senate District 3. It  
14          is underpopulated at negative 4.55 percent. It is  
15          a district in the northeast which is composed of  
16          whole counties including Vance, Warren,  
17          Northampton, Bertie, Martin, and Beaufort Counties.  
18          That is a six-county pod that under the Stephenson  
19          decision would meet that criteria.

20                    Contiguity, the second standard.  
21          Legislative districts shall be comprised of  
22          contiguous territory. Contiguity by water would be  
23          sufficient. You will find that the legislative  
24          districts -- you will find that the legislative  
25          districts are meeting that legal criteria, and all

1           the districts are contiguous within the process.

2                       Next county groupings and traverses. The  
3       Committee shall draw legislative districts within  
4       county groupings as required by Stephenson v.  
5       Bartlett. Within county groupings shall not be --  
6       within county groupings shall not be traversed  
7       except as authorized by Stephenson I, Stephenson  
8       II, Dickson I, and Dickson II. The rules for  
9       county groupings were established in Stevenson I  
10      and have been affirmed in later cases. The map  
11      follows the county grouping formula listed several  
12      weeks ago.

13                   We have not received as a committee any  
14      more optimal or alternative group plans. The map  
15      does not traverse any county. More than once is  
16      prohibited by Stephenson I, and though it requires  
17      the formula announced -- does not require the  
18      maximizing of keeping counties whole, you will see  
19      that the map presented keeps 88 counties whole of  
20      the 100 counties in North Carolina.

21                   Just to briefly clarify on that, as the  
22      hierarchy determined in the Stephenson's decision,  
23      we must create all one-county groupings. There  
24      existed only one, and that would have been in  
25      Mecklenburg that was coming to the Senate. Then we

1           must create all possible two-county groupings, then  
2           all possible three-county groupings. You cannot  
3           sacrifice creating a three-county grouping for  
4           later sacrificing having more four-county  
5           groupings. So it is required for the smallest  
6           number of counties to be formed within a district.

7                         Standard number 4, compactness. The  
8           Committee shall make reasonable efforts to draw  
9           legislative districts in the 2017 House and Senate  
10          plans that improve the compactness of current  
11          districts. We established two guides for use for  
12          determining that. The Reock dispersion and  
13          Pol sby-Popper scores which dealt with the  
14          parameter. And so coming in, we set -- the  
15          committee adopted as a guide for compactness  
16          minimal score drawings for those.

17                        For the Reock score, it was -- we have no  
18          district lower than the .15 minimum threshold, and  
19          then the---

20                        SEN. BROWN: A lot of P's.

21                        SEN. HISE: ---Pol sby-Popper score, the  
22          minimum threshold adopted by the Committee of .05.  
23          None of the districts you will find adopting this  
24          were below those minimum standards. And this plan  
25          improves on the compactness of the 2011 Senate plan

1           and fares historically well against any Senate  
2           plans adopted by the legislature over the last few  
3           decades.

4                       Criteria number 5, fewer split precincts.  
5           The Committee shall make reasonable efforts to draw  
6           legislative district plans that split fewer  
7           precincts that the current legislative  
8           redistricting plans. Following public input urging  
9           this Committee to split fewer precincts in the  
10          drawing of these plans, the Committee chose to  
11          adopt this as criteria.

12                      The 2011 Senate plan split 257 precincts.  
13          The plan you have before you now splits only nine  
14          precincts. Two of those splits were retained in  
15          New Hanover County because those districts were not  
16          redrawn. Two splits are made to avoid the double-  
17          bunking of incumbents. The other splits were  
18          either made in a place that does not divide a  
19          population so that while the precinct may be split  
20          for compactness, there is no population in one side  
21          or other of that division, or to follow a new  
22          precinct line that has been established since 2011.

23                      Criteria number 6, municipal boundaries.  
24          The Committee may consider municipal boundaries  
25          when drawing legislative districts in these plans.

1 Multiple members of the public asked the committee  
2 to consider not dividing municipalities where  
3 possible, and the Committee adopted that criteria.  
4 This plan splits just 25 municipalities in North  
5 Carolina in populations -- in places where there is  
6 population or the city does not cross a county  
7 line.

8 By any measure, the plan splits far fewer  
9 counties than the one adopted in 2011. It fares  
10 historically well against all Senate plans adopted  
11 by the General Assembly over the last two decades,  
12 especially in light of the annexation done by  
13 municipalities over that time frame and does not  
14 always follow -- that does not always follow county  
15 boundaries.

16 Number 7, incumbency protection.  
17 Reasonable efforts and political considerations may  
18 be used to avoid pairing incumbent members of the  
19 House or Senate with another incumbent in the  
20 legislative districts in the 2017 House and Senate  
21 plans. The Committee may make reasonable efforts  
22 to ensure voters have a reasonable opportunity to  
23 select -- to elect nonpaired incumbents of each  
24 party to a district in the 2017 Senate plans. The  
25 Committee adopted criteria pledging to make

1 reasonable efforts not to double-bunk incumbents.

2 The map does double-bunk eight members.

3 Three pairs of Republicans and one cross-party

4 pair. Senator Randleman and Senator Ballard

5 were -- were double-bunked by necessity within

6 their county grouping. Senator Krawiec and

7 incoming Senator Barrett were potentially

8 double-bunked by the necessity with their county

9 groups.

10 Senator Alexander and Senator Barefoot

11 were double-bunked in Wake County, but Senator

12 Barefoot has already announced that he does not

13 intend to seek reelection. And Senator Smith-

14 Ingram and Senator Cook were doubled-bunked by

15 necessity as well within their county groups.

16 Criteria number 8, election data.

17 Political considerations and election data may be

18 used in the drawing of legislative districts in the

19 2017 House and Senate plans. For this purpose, we

20 selected ten races from 2010 to 2016. The 2010 US

21 Senate race, 2012 Presidential, Governor, and

22 Lieutenant Governor race, the 2014 Senate race, and

23 the 2016 President, US Senate, Governor, Lieutenant

24 Governor, and Attorney General races. So you

25 should have information on each of those in your



1           stat-pack.

2                       Criteria number 9, no consideration of  
3           racial data. Data identifying the race of  
4           individuals or voters shall not be used in the  
5           drawing of legislative districts in the 2017 House  
6           and Senate maps. In the drawing of these maps in  
7           the Senate, we did not consider race of individuals  
8           in the drawing of the maps or the assignment of  
9           voters to a particular district.

10                      In 2011, 40 counties in the state were  
11           under the preclearance standards under Section 5 of  
12           the Voting Rights Act. In the intervening time,  
13           that preclearance from the Justice Department has  
14           been lifted by a Supreme Court decision. It will  
15           not be incumbent upon this General Assembly to seek  
16           preclearance for these plans.

17                      In the drawing of the current legislative  
18           districts, the General Assembly conducted an  
19           unprecedented effort to reach out to interested  
20           parties, receive public input, receive expert  
21           testimony, and hear from members of the body about  
22           legally relevant evidence regarding the drawing of  
23           districts under the Voting Rights Act.

24                      Despite a voluminous record that was  
25           established by the General Assembly during the 2011

1           redistricting process, the three-judge panel in the  
2           Covington case said that this did not constitute  
3           substantial evidence that would justify using race  
4           to draw districts in compliance with the  
5           requirements of the Voting Rights Act. Therefore,  
6           we do not believe it is appropriate, given this  
7           Court's order in this case, for the Committee to  
8           consider race when drawing districts.

9                       We have asked on multiple occasions and  
10           will continue to ask this Committee for any legal  
11           significant evidence of racially polarized voting  
12           that this Committee should consider in this  
13           process. We have received none to date, but we  
14           remain open to receiving that information from any  
15           members who wish to submit such.

16                      Members have in front of us now -- that  
17           is the picture of the maps as they currently exist.  
18           Obviously, you have a larger version sitting in  
19           front of you. With that being said, I will open up  
20           for any discussions. I would reiterate that if we  
21           could please receive any amendments that you would  
22           have to expedite this process.

23                      SEN. BROWN: All right. Questions for  
24           Senator Hise? Senator Clark?

25                      SEN. CLARK: Thank you, Mr. Chairman.

1           Senator Hise, you brief the various compactness  
2           measures in terms of the limitations. Could you  
3           bring that back up for us?

4                     SEN. HISE: I can try. That's a  
5           technology request.

6                     SEN. CLARK: Those. Go back. Yeah. I  
7           don't recall having seen those before. Were they  
8           presented at a previous committee meeting? I must  
9           have missed that.

10                    SEN. HISE: These are the standards, and  
11           I think we have some of that literature, if we  
12           can -- if you need copies of it, that have  
13           established these as the minimum standards for  
14           using these criteria.

15                    SEN. CLARK: Were they approved by the  
16           Committee?

17                    SEN. HISE: They were presented to the  
18           Committee in that process as the use of those  
19           scores, and as in many other things, the score has  
20           a .05 value. These are the standards for using  
21           those criteria.

22                    SEN. CLARK: Could I receive a copy of  
23           those? I don't recall going over that or even  
24           having been provided a copy.

25                    SEN. BROWN: We'll get you a copy of

1           that, Senator Clark. Other questions? Senator  
2           Blue?

3                       SEN. BLUE: So a question, yes, Senator  
4           Hise. The criteria said you may use, so it is your  
5           statement that you used this compactness standard  
6           on all the districts?

7                       SEN. HISE: All of the districts meet the  
8           .05 and .15 levels of the two tests.

9                       SEN. BLUE: I'm sorry. I didn't  
10          understand that.

11                      SEN. HISE: All of the districts in the  
12          Senate are above the standards of .05 or .15  
13          established by the test.

14                      SEN. BROWN: Follow-up, Senator Blue?

15                      SEN. BLUE: Yeah. Did you at any point  
16          in drawing these districts, or the map drawer,  
17          determine what the Court was looking for when it  
18          said that certain districts were racially  
19          discriminatory and how you would cure that remedy?

20                      SEN. HISE: What we have received, and I  
21          would state it in this manner, is that we received  
22          from the Courts that race was overutilized in the  
23          drawing of districts, standards that we had  
24          previously presented, as well as having a target  
25          race. So we have in this case, given the changes

1           in the Voting Rights Act or others, we have not  
2           drawn this with any consideration of race. So,  
3           therefore, we did not overutilized race in the  
4           drawing of the maps.

5                     SEN. BROWN: Follow-up?

6                     SEN. BLUE: Follow-up. So it's your  
7           considered opinion that the Court did not want you  
8           to look at race in order to cure what it had  
9           determined to be a racially discriminatory scheme?

10                    SEN. HISE: In my determination, the  
11           Court said that we had overutilized race  
12           previously. In this version of the maps, we did  
13           not utilize race at all.

14                    SEN. BLUE: Follow-up?

15                    SEN. BROWN: Follow-up.

16                    SEN. BLUE: I just want to make sure.  
17           It's your interpretation of the Court's opinion  
18           that you don't need to use race in order to  
19           determine that you've remedied a violation that  
20           they said was based on race?

21                    SEN. HISE: I would again say that the  
22           Court had determined previously that we  
23           overutilized race. That was the finding of the  
24           Court, and their remedy in redrawing it to us is  
25           that at this point, we have not utilized race at

1           all.

2                       SEN. BROWN: Senator Blue?

3                       SEN. BLUE: Since my district in Wake  
4 County was one of those that the Court determined  
5 you used race to too great of a degree, did you  
6 look any way at all in simply reducing the racial  
7 percentage of the existing districts as a cure for  
8 the gerrymander rather than radically changing  
9 districts?

10                      SEN. HISE: We did not -- we did look at  
11 any statistics regarding race in the development of  
12 these maps.

13                      SEN. BROWN: Follow-up?

14                      SEN. BLUE: In formulating the plan to  
15 draw new districts to cure the gerrymanders, what  
16 made you determine to totally reconstitute several  
17 of the existing districts?

18                      SEN. HISE: We were given by the Courts,  
19 I believe, nine districts in the Senate in which we  
20 had overutilized race. We were also given  
21 directive by the Courts as a whole that -- against  
22 setting a particular target for race in that  
23 process, and so the remedy that the Committee  
24 adopted to deal with that was to not consider race  
25 at all. Therefore, it would not be claimed that we

1           somehow overutilized race when we did not use race  
2           at all.

3                       SEN. BROWN:   Senator Clark?

4                       SEN. CLARK:   Thank you, Mr. Chairman.

5           Senator Hise, in our criteria regarding  
6           compactness, we did state very clearly here that  
7           one of our objectives was to make sure that the  
8           compactness values were improved as we moved from  
9           the enacted plan as we moved to the proposal. Why  
10          is it that some of the compactness scores of some  
11          of the existing districts -- why did they not  
12          improve?

13                      SEN. HISE:   I believe you'll find that  
14           the compactness scores as a whole improved and that  
15           each individual district meets the standards of  
16           compactness.

17                      SEN. BROWN:   Follow-up?

18                      SEN. CLARK:   We were not provided those  
19           individual standards of compactness of all of the  
20           districts. Although as a whole, some of the values  
21           may have improved, but some of the districts  
22           themselves, the compactness values did not improve,  
23           and I want to understand why that was the case.

24                      May I make a comment?

25                      SEN. BROWN:   Senator Clark, go ahead.

1                   SEN. CLARK: The criteria, as put here  
2                   before us in the paper and was approved by the  
3                   Committee, says the plan should be there to improve  
4                   the compactness the current districts. We did not  
5                   improve the compactness all the current districts.

6                   SEN. HISE: We did improve the  
7                   compactness of the districts as a whole.

8                   SEN. CLARK: That may have been the case,  
9                   but that's not what our criteria says. It does not  
10                  says "the districts as a whole."

11                  SEN. HISE: No. The criteria does not  
12                  say each individual district shall have a lower  
13                  compactness score. You are correct. It does not  
14                  say that. It says we will improve compactness as a  
15                  whole in all the districts.

16                  SEN. BROWN: Senator Clark?

17                  SEN. CLARK: I have the criteria before  
18                  me, and what you just said is not correct. It does  
19                  not say improve the compactness as a whole. It  
20                  says "improve the compactness of the districts."  
21                  And if we go to Mecklenburg County, more  
22                  specifically, we see there are three districts,  
23                  which happen to be Democratic districts, that have  
24                  improved compactness scores. The two Republican  
25                  ones do not. And I was wondering what brought



1           about that disparity.

2                       SEN. HISE: As you will find, the  
3           compactness of the state is a fixed manner in the  
4           manner in which you divide it. Improving the  
5           compactness score will be improving the average of  
6           all the compactness across the district, and that's  
7           what will meet that standard.

8                       SEN. BROWN: Senator Clark?

9                       SEN. CLARK: Mr. Chairman, with all the  
10          compactness scores out there, there's only one  
11          suitable for comparing the compactness of one plan  
12          versus another, and that's the perimeter score.  
13          The Polsby-Popper and Reock scores are not designed  
14          to determine the relevant performance in regards to  
15          compactness of one plan versus another.

16                      SEN. BROWN: Senator Blue?

17                      SEN. BLUE: A question, again,  
18          Mr. Chairman. If I could go back to the incumbency  
19          protection provision of the criteria. Did you  
20          ascertain how many current members were seeking  
21          reelection?

22                      SEN. HISE: We did not other than  
23          information went out for individuals who were --  
24          where their address was located. We went with that  
25          file as we had it at the time. When individuals

1           announced or told us directly that they were not  
2           running, we considered that information.

3                   SEN. BROWN: And that was about a week or  
4           two ago, wasn't it, Senator Hise?

5                   SEN. HISE: Yes, it was.

6                   SEN. BLUE: So in Wake County  
7           double-bunked where you had an option -- because I  
8           think in the other three, it was because of the  
9           groupings -- why did you choose to double-bunk and  
10          leave an open district right next door to one of  
11          the members that you moved into a district that  
12          already had a member in it?

13                   SEN. HISE: We do not double-bunk in Wake  
14          County. Senator Barefoot announced to me and then  
15          publicly that he was not seeking reelection.

16                   SEN. BROWN: Senator Blue?

17                   SEN. BLUE: Did you inquire of any other  
18          Senators -- did you inquire of any of the African-  
19          American Senators whether they were seeking  
20          reelection?

21                   SEN. HISE: No one else provided us  
22          information that they were not intending to run,  
23          except Senator Tucker did, I mean, but in Wake, no  
24          one else provided us that information.

25                   SEN. BROWN: Senator Blue?

1                   SEN. BLUE: Then if, in fact, a major  
2                   portion of a Senator who you double-bunked in Wake  
3                   County -- a major portion of his district was right  
4                   next door without an incumbent in it, what were the  
5                   factors in the decision to not put him in the  
6                   district that was already part of his district but  
7                   to double-bunk in another district?

8                   SEN. HISE: I would say, once again, that  
9                   we did not double-bunk any members in Wake County.

10                  SEN. BLUE: Follow-up?

11                  SEN. BROWN: Follow-up.

12                  SEN. BLUE: But the reason I ask that is  
13                  that you made a big deal out of compactness and  
14                  those things, and yet, there are several examples  
15                  where you squiggled and reached down through areas  
16                  that could be much more compact to accommodate  
17                  specific members when there's no compelling reason  
18                  to do that if the sole reason is to keep from  
19                  double-bunking.

20                  Let me ask this question a different way,  
21                  if I could.

22                  SEN. BROWN: Okay.

23                  SEN. BLUE: Do you read incumbent  
24                  protection in the criteria to mean that you take  
25                  care of an incumbent in a district that he or she

1           can get reelected in or simply not to double-bunk  
2           him with another person in the same district?

3                     SEN. HISE: I think if you look at Wake  
4           County specifically, I'm sure that individuals may  
5           find other ways in which they -- they could have  
6           chosen to double-bunk anyone, but I would say that  
7           it is also noted that those two homes are close  
8           together by any standard. I believe on this map  
9           many people would find it hard to distinguish, as  
10          in the circles don't continue, but we were able to  
11          take what was Senator Barefoot's district as it was  
12          drawn and to draw Senator Alexander into that  
13          district to avoid double-bunking with Senator  
14          Chaudhuri.

15                    SEN. BLUE: Further follow-up?

16                    SEN. BROWN: Senator Blue, go ahead.

17                    SEN. BLUE: Then, knowing that Senator  
18          Barefoot was not running for reelection, did you  
19          consider making the district that he was serving in  
20          as well as the adjoining districts more compact by  
21          having him double-bunked with another Senator in  
22          Wake County?

23                    SEN. HISE: This -- this district as it  
24          is met the -- both of the compactness scores that  
25          we have established, and therefore, this is the

1 district we have chosen to avoid the double-  
2 bunking.

3 SEN. BROWN: All right. Any other  
4 questions for Senator Hise? Senator Van Duyn?

5 SEN. VAN DUYN: Thank you. Several of my  
6 constituents traveled significant distances to make  
7 public comment. Was it yesterday or the day  
8 before?

9 SEN. HISE: I believe it was Tuesday.

10 SEN. VAN DUYN: Are we going to get some  
11 analysis of that public comment so that we can see  
12 what it is that -- what their opinions were?

13 SEN. HISE: The court reporters--- Let  
14 me check and see the status on that.

15 (Pause in proceedings.)

16 SEN. HISE: The court reporters are  
17 developing the transcription of those. The  
18 comments submitted online are available to the  
19 members through a particular point, and I think we  
20 can update those each day. We've been taking  
21 online submissions since we began this process from  
22 individuals. As soon as the court reporters have  
23 finished the transcribing of those comments, those  
24 will be available as well as I believe there are  
25 audio and, in some respects here in Wake County,

1           potentially video of those comments, as they would  
2           go forward, that is available to members upon  
3           request.

4                     SEN. VAN DUYN: Follow-up?

5                     SEN. BROWN: Follow-up, uh-huh.

6                     SEN. VAN DUYN: Are we going to do any  
7           analysis on those comments?

8                     SEN. HISE: Members are free to do any  
9           analysis they wish on those.

10                    SEN. VAN DUYN: Okay. Well, now I  
11           haven't read them, but I listened for a couple of  
12           hours, and I also, of course, was here for the  
13           public comment that we did on the criteria, and one  
14           of the things I heard over and over and over and  
15           over and over again, in fact, all but one comment  
16           on our public comment on criteria, was the need for  
17           independent nonpolitical districts.

18                    Did you make any effort to draw more  
19           politically balanced districts?

20                    SEN. HISE: I'm trying -- that question  
21           is very different from the comments leading up to  
22           it. What we did -- the independent districting  
23           issue that has continually come up is inconsistent,  
24           one, with the court order that we have received as  
25           well as the duties and obligations of the General

1           Assembly. The court order was directed to the  
2           General Assembly to redraw districts. I don't  
3           think there's much doubt about that.

4                       I would also say that the US Constitution  
5           as well as the North Carolina Constitution assigns  
6           to the General Assembly to draw districts, and so  
7           much so that the North Carolina Constitution  
8           establishes that even for the veto of the  
9           Governor -- nothing regarding redistricting is  
10          subject to the veto of the Governor. It's solely  
11          within the purview of the legislature.

12                     I believe strongly that it is our role to  
13          draw these districts and our job and responsibility  
14          to draw these districts. I don't -- I have told  
15          many people I don't believe in unicorns, fairies,  
16          or the mythical nonpartisan commission. There are  
17          several studies that are out there that also  
18          show -- and we have one of those that the results I  
19          can show -- that show you have no changes in  
20          partisan makeups for districts drawn by nonpartisan  
21          redistricting committees versus those drawn by  
22          general assemblies.

23                     SEN. BROWN: Follow-up?

24                     SEN. VAN DUYN: One more. So -- but part  
25          of the criteria was that you were able to look at

1           political information?

2                     SEN. HISE: We selected ten election  
3           results, and you have all that information.

4                     SEN. VAN DUYN: That's correct. So did  
5           you use -- how did you use that data? Did you use  
6           it to balance districts or to unbalance districts?

7                     SEN. HISE: We have used it to report on  
8           all the districts and how they fall in the  
9           political makeup. We did make partisan  
10          considerations when drawing particular districts.  
11          We did not, however, as has also been suggested  
12          from members and others in the comments -- we did  
13          not try to go with some parliamentary version that  
14          we see in Europe and other places in which a  
15          certain percentage of the votes should equate to a  
16          certain percentage of the seats or assign them in  
17          that manner. The results of each election in a  
18          district should result in one representative for  
19          that district.

20                    SEN. BROWN: Okay. Other questions for  
21          Senator Hise? Senator Clark?

22                    SEN. CLARK: Thank you, Mr. Chairman. I  
23          think the recent comment just made by Mr. Hise  
24          there -- excuse me -- Senator Hise referred to the  
25          use of the efficiency gap because during our



1 previous committee hearing, I did mention that it  
2 would be preferable, I thought, for the Committee  
3 to adopt a standard, in other words, how high of an  
4 efficiency gap would be acceptable.

5 And the comment was made during that time  
6 that it was some kind measure for parliamentary  
7 systems and that it could not be used prospectively  
8 for determining the extent of partisan advantage or  
9 lack thereof within a single member district  
10 program.

11 So with that said, if you don't mind, I  
12 have a statement that I would like to read that  
13 sort of clarifies that or clears that up.

14 SEN. BROWN: That would be fine, Senator  
15 Clark. Also, I think the statement, if I remember  
16 right, was that that was the two criteria that was  
17 used by the Courts or mentioned in the court  
18 proceedings. But go ahead.

19 SEN. CLARK: So let's see. And this is  
20 about an e-mail that I sent to Dr. Stephanopoulos,  
21 who happens to be the individual who developed  
22 efficiency gap analysis process, and it says,  
23 "Dr. Stephanopoulos: I argued in a committee  
24 hearing today that the efficiency gap method could  
25 be used prospectively to determine the efficiency

1 gap of a plan being considered for adoption by  
2 using recent election results of statewide  
3 candidates. My counterpart across the aisle argued  
4 that it could not. Do you have a position on the  
5 prospective use of the efficiency gap?" Excuse me.

6 "I have created a tool using Microsoft  
7 Excel for that purpose. I am not asking you to  
8 make a political judgment in this matter, just the  
9 suitability of your method for voluntary adoption  
10 by a legislative body for the use of establishing  
11 district plans that exhibit partisan symmetry, in  
12 other words, does not exhibit partisan advantage,  
13 on a prospective basis."

14 And in response, Dr. Stephanopoulos, the  
15 author of the efficiency gap method, "The  
16 efficiency gap absolutely can be used prospectively  
17 to evaluate a district plan as can any other  
18 measure of partisan gerrymandering. Since seats  
19 and votes can be forecast, it follows that metrics  
20 that are based on seats and votes can be forecast  
21 as well. In fact, in our original complaint in the  
22 North Carolina congressional litigation which was  
23 filed before the November 2016 election, we did use  
24 the efficiency gap prospectively. See paragraph 66  
25 through 69 of the attached.

1                    "That being said, election predictions  
2                    are never perfect. That's why the best prospective  
3                    approach is to calculate efficiency gap using other  
4                    methods for a range of plausible election outcomes.  
5                    That gives you a sense of how the map could perform  
6                    over the spectrum of reasonable possibilities."

7                    And that's exactly what you-all did when  
8                    you decided to use political data and you decided  
9                    to use past election results of -- I think you  
10                  indicated about eight or nine different elections.  
11                  You just, for whatever reason, do not want to  
12                  acknowledge the efficacy of the efficiency gap.  
13                  And, also, Mr. Chairman, I would like to submit  
14                  this document for the record that was provided with  
15                  that e-mail.

16                  SEN. BROWN: That will be fine, Senator  
17                  Clark.

18                  SEN. HISE: To comment briefly, first, I  
19                  would state that the request to use efficiency gap  
20                  as a criteria was considered by the Committee and  
21                  rejected. I will say that. Secondly, I will say  
22                  that there seems to be a little bit -- and I know  
23                  this will get into the technical nature, but  
24                  whether or not something can be used prospective is  
25                  a different question than whether something can be

1           taken from separate districts concurring in a  
2           different election in districts that did not exist  
3           prior to an election can be combined in such a  
4           manner that would then be used prospectively.

5                     If the districts were consistent in the  
6           past elections and future elections, then there is  
7           the potential that it could be used prospectively.  
8           That is not the case in redistricting. These  
9           districts are significantly different, and there is  
10          no account for the variance between races that  
11          exists in the model provided.

12                    SEN. CLARK: Mr. Chairman?

13                    SEN. BROWN: Senator Clark.

14                    SEN. CLARK: It's hard for me to  
15          understand for what purpose are you going to use  
16          political data if you're not using it prospectively  
17          for your own uses?

18                    SEN. HISE: You have -- you have received  
19          in your stat-pack the summation of political data  
20          for which it has been used.

21                    SEN. CLARK: Mr. Chairman?

22                    SEN. BROWN: Senator Clark.

23                    SEN. CLARK: I have indeed received that  
24          stat-pack with the political data, but I'm  
25          wondering for what purpose did you-all use that

1 data.

2 SEN. HISE: For the purpose of  
3 consideration of this Committee.

4 SEN. BROWN: Senator Clark?

5 SEN. CLARK: And for the purposes of  
6 consideration for this Committee, does that mean  
7 prospectively?

8 SEN. HISE: We have provided the results  
9 of ten elections that will be used in the drawing  
10 of maps. We have made no attempts to combine those  
11 in such a manner that would forecast future  
12 elections or provided any data as to the variance  
13 that would exist in those forecasts.

14 SEN. BROWN: Other questions for Senator  
15 Hise? Senator Blue?

16 SEN. BLUE: So that I fully understood, I  
17 thought I heard Senator Van Duyn's question about  
18 the public hearings. Are you changing the original  
19 map that was sent out Sunday night in any manner at  
20 all based on the comments from the 200 plus people,  
21 or however many signed up, for the public hearing  
22 that commented on Tuesday?

23 SEN. HISE: There is no change to the PCS  
24 that was proposed between now and then. Members of  
25 this Committee are free to make proposed amendments

1           to the maps. I have had conversations on at least  
2           one of those amendments that may be considered  
3           going forward that would change the maps, but  
4           between the committee hearing and what is the  
5           proposed PCS, you'll find, as normal in  
6           legislation, at least for this session, we've made  
7           no changes.

8                       SEN. BROWN: Senator Blue, I will tell  
9           you in both our Washington and Beaufort Community  
10          College, there was a lot of concern about Beaufort  
11          County. I tried to figure out a new configuration  
12          based on those comments, but it would affect the  
13          groupings and the order of the groupings. So it  
14          just made it impossible to address the issues that  
15          were brought up that night.

16                      SEN. HISE: I think it's also fair to  
17          point out that almost none of the comments in  
18          public comment were in any manner directly related  
19          to the shape of a district, to the pairings of  
20          districts, or to the communities covered within a  
21          particular district, and no alternatives were  
22          submitted in any public comment.

23                      SEN. BROWN: Senator Blue?

24                      SEN. BLUE: Just one follow-up. On  
25          several occasions, Mr. Chairman, I suggested that

1           40 plus years of litigation has taught me that when  
2           parties of different opinions and different ideas  
3           sit down and work through things, you can usually  
4           fix a lot of problems that people identify, even  
5           the problem -- I heard the problems in Beaufort  
6           County and tend to know that there are ways to fix  
7           it, but you can't fix something if the parties who  
8           are interested don't talk it through and figure out  
9           how to fix it.

10                   SEN. HISE: I will comment specifically  
11           on the Beaufort County issue. I have met with  
12           several groups from Beaufort County, in addition,  
13           have received multiple options that they have  
14           presented for how the counties could be podded  
15           together. I do not believe a solution exists that  
16           does not break a smaller county podding that  
17           existed.

18                   I can assure you that if we found that,  
19           we are ready to move and make the adjustments  
20           necessary for doing so. But one had broken a  
21           three-county pod to make a four-county pod.  
22           Several of them had broken the six-county pod to  
23           create seven- and nine-county pods. We have  
24           considered each of those, but they fail to meet the  
25           criteria of establishing the smallest number of

1                   counties in a grouping that Stephenson requires.

2                   SEN. BROWN: Senator Blue?

3                   SEN. BLUE: If you wanted to, I can still  
4                   help you fix it.

5                   SEN. BROWN: Senator Blue, if you'd like  
6                   to set that up, we surely would take a look.  
7                   Senator Lowe?

8                   SEN. LOWE: Going back to the public  
9                   comments because I heard just as much as all of the  
10                  rest of you, and one of my things that I've been  
11                  interested in knowing is, there are criteria by  
12                  which you will actually consider the public  
13                  comments, number one, and to follow up to that,  
14                  because it seems like when you say anybody can  
15                  consider or look at anything, that's kind of a  
16                  serendipity way of looking at these issues, and I'm  
17                  think that what we heard in public comment are some  
18                  very, very serious issues about this whole process.

19                  So how do you look at the public comments  
20                  in a real way?

21                  SEN. HISE: I will also say that Common  
22                  Cause submitted and that Representative Lewis put  
23                  into the record of the Committee their two-page  
24                  talking points which summarized almost all the  
25                  speakers that were there that night, and in fact,



1           many read different parts of it or reread the same  
2           parts of it when giving their comments.

3                       But we are taking the committee  
4           evaluation as a whole, and we're looking at that  
5           process of public comment for anyone that was  
6           submitting information of county poddings, of  
7           communities of interest, what were determined by  
8           those of the particular districts and what they are  
9           and what they should be.

10                      I will tell you that I am saddened by the  
11           fact that we did not receive much of that  
12           information within the public comment section.  
13           There were a lot of comments about process or how  
14           long this map was had before this was there or how  
15           long those and types of things, but not necessarily  
16           things---

17                      We are under a timeline. The Court gave  
18           us till September 1st and some potential of maybe a  
19           two-week extension if we danced a certain way,  
20           coming in, but for all practical purposes, we have  
21           a deadline of Friday of next week.

22                      We have a legislative process that  
23           requires five voting days in that. We are under  
24           that gun. We received the order at the first of  
25           August. We had one month to comply with the order

1           that was received, and it has been a compressed  
2           time line, and we made clear to the Courts that we  
3           felt like we could extend a full time line into  
4           November 15th -- would be the deadline necessary.  
5           We gave the compressed time line, and it has  
6           compressed some considerations of public comment  
7           and others, but particularly in what we were  
8           looking for in those public comments, specifics  
9           about districts, or when we did the criteria,  
10          specifics about the criteria and others considered.

11                   Those were both used to develop how  
12          members chose to vote on that criteria and are  
13          available for all the committee members to review  
14          and will be part of the court record.

15                   SEN. BROWN: Senator Lowe?

16                   SEN. LOWE: Follow-up. There was also  
17          some concern about the shape of District 28 that  
18          came up on more than one occasion.

19                   SEN. HISE: That is the district designed  
20          for the city limits, predominantly following the  
21          city limits of the town of Greensboro, but it was a  
22          criteria of the Committee, I would say, to keep the  
23          municipality boundaries within the districts, and  
24          we feel that's what we've done with that district.

25                   SEN. BROWN: Any other follow-up?

1           Senator Clark?

2                       SEN. CLARK: Thank you, Mr. Chairman.  
3           You talked about VTDs earlier, and I must commend  
4           you-all for splitting very few this time around  
5           compared to the last time around. But a couple of  
6           those that were split -- at least one in particular  
7           happened to be in my district, Senate District 21,  
8           between I and Senator Meredith.

9                       Could you provide some explanation as to  
10          why Dr. Hofeller decided to split that particular  
11          VTD. I believe it was G11.

12                      SEN. HISE: I'm assuming that's the  
13          number in which I'll reference. The one that is in  
14          that district is a zero population split. There is  
15          no residential population on one side of that  
16          split. So it improved compactness, but no -- all  
17          voting individuals are within the same precinct  
18          that they would have been otherwise. But it  
19          does -- by dividing the district in such a way that  
20          there is no population living on the other side, it  
21          does improve the compactness scores of the  
22          districts.

23                      SEN. BROWN: Senator Clark?

24                      SEN. CLARK: Thank you. That's what I  
25          assumed was done, but I was somewhat surprised by

1           that because I know, generally speaking, people  
2           associate compactness with lack of gerrymandering,  
3           if you will, but in this particular case, that was  
4           a substantial landmass that was essentially added  
5           to my district for the sake of improving a  
6           compactness score.

7                       And I just think we need to understand  
8           that essentially you can manipulate VTDs for what I  
9           call an audit form, although they have no impact on  
10          the performance of the district whatsoever.

11                      SEN. HISE: Yes, compactness is generally  
12          in some manner a ratio of the perimeter to the area  
13          or of the area inside a district to a circle that  
14          encompass the entire district.

15                      SEN. CLARK: Comment?

16                      SEN. BROWN: Senator Clark.

17                      SEN. CLARK: That is incorrect for Reock  
18          and Polsby-Popper, which you-all chose to use, but  
19          if you used the perimeter, that would not be  
20          correct. As a matter of fact, as I indicated  
21          earlier, the perimeter method for measuring  
22          compactness is one that's used across plans to  
23          determine the compactness of one plan versus  
24          another.

25                      SEN. BROWN: Other questions for Senator

1           Hi se? I f not, I 'm looking for a motion.

2                   SEN. BISHOP: Mr. Chair man, I ---

3                   SEN. BROWN: Senator Bi shop?

4                   SEN. BISHOP: I do have one comment,  
5           al though not a question, for Senator Hi se, and  
6           maybe a comment and then a question for someone  
7           el se.

8                   Thank you, Mr. Chair man. I did say I  
9           don't have a question for Senator Hi se, but I have  
10          a comment and then perhaps a question for Blue.

11                   Senator Blue, I was struck by the comment  
12          about working together and how sometimes i f you  
13          don't do that, you don't get to the best solution,  
14          wi th whi ch I whol eheartedly agree. I also have had  
15          some experiences, and I suspect you have too over  
16          the course of time, that when you're in an  
17          envi ronment where somebody might be devoted to  
18          using every word as an excuse to commence -- pursue  
19          li tigation, sometimes that freezes up that process.

20                   And so I would ask whether Senator Blue  
21          would yi el d to a question?

22                   SEN. BROWN: Senator Bl ue?

23                   SEN. BLUE: I woul d i nvoke Rule 408, but  
24          I woul d yi el d.

25                   SEN. BISHOP: You' ll yi el d provi si onal ly,

1 is that it, Senator? So, Senator, what I heard you  
2 say at the end of the exchange with Senator Hise is  
3 that you have a fix for the podding situation  
4 involving Beaufort County, and I would urge you, if  
5 you do, to say what it is, what the solution is.

6 SEN. BLUE: I suggested, Senator Bishop,  
7 several weeks ago--- How long has it been since we  
8 were in regular session? ---anyhow, at the end of  
9 regular session---

10 SEN. BISHOP: Not long enough.

11 SEN. BLUE: Not long enough, you're right  
12 there. ---at the end of regular session that I  
13 thought that this is the kind of issue that would  
14 offer itself---

15 SEN. BROWN: Hold on, Senator Blue.

16 SEN. BLUE: ---that would offer itself---  
17 (Interruption by technical malfunction.)

18 SEN. BLUE: Is that it?

19 SEN. BROWN: There you go.

20 SEN. BLUE: ---that this was the kind of  
21 issue that would offer itself for resolution if, in  
22 fact, those who were directly impacted -- in this  
23 case in the Senate, the nine districts that the  
24 Court ruled were racial gerrymanders. If the  
25 people who represented those districts, which means

1           they represent the people who brought the lawsuit  
2           against the State from those districts, were to sit  
3           down with the leaders in the redistricting process  
4           in this body, that there could probably be a  
5           resolution of this issue without just throwing the  
6           balls up in the air and seeing what might happen.

7                     If you're working in that environment --  
8           if you're working in that environment, a careful  
9           reading of Stephenson allows you to do things. I  
10          mean you mechanically and methodically go one pod,  
11          two pods with two counties, three pods, and all of  
12          that. But there are other alternatives even  
13          through Stephenson, and if you look at the 2003  
14          redistricting plan, there were exceptions from the  
15          kind of grouping that you're talking about  
16          primarily because there was an agreement to do it  
17          under the gun of the lawsuit that was pending at  
18          the time.

19                    SEN. BISHOP: Follow-up?

20                    SEN. BROWN: Follow-up.

21                    SEN. BISHOP: Senator Blue, then, do I  
22          understand that what you're saying is that there  
23          would have to be some consensual process involving  
24          some use of race so that you wouldn't be using the  
25          strict podding, and therefore, you would resolve

1           that issue in Beaufort County?

2                   SEN. BLUE: That among other issues.

3                   SEN. BISHOP: And I don't know if there  
4           are other issues--- Follow-up?

5                   SEN. BROWN: Follow-up.

6                   SEN. BISHOP: If that would be so, then,  
7           assume that you had sort of a consensual workout.  
8           You came to an agreement among whatever parties are  
9           participating. How could you assure, then, that  
10          some other person wouldn't commence and pursue  
11          litigation saying that whatever consideration was  
12          given to race was not too much? Consequently, we'd  
13          have another unexhausting, unending string of  
14          litigation about how much consideration of race is  
15          permissible without being then accused of engaging  
16          in a racial gerrymander?

17                  SEN. BLUE: Because if the Plaintiffs  
18          agreed to the resolution that you had, then that  
19          case is resolved and it's over with, and quite  
20          frankly, Senator Bishop, by the time this thing  
21          goes through the process again, you're in another  
22          round of redistricting anyhow.

23                  SEN. BISHOP: That's not very comforting.

24                  SEN. BLUE: But the point is -- the point  
25          is, I think that you can just eyeball the map, and



1           Stephenson isn't so rigid that it would say you'd  
2           go from the coast to the middle of North Carolina  
3           the way that pod does. I can understand the  
4           frustration of the people in Beaufort County.

5                     SEN. BISHOP: If I could follow up one  
6           more time, Mr. Chairman?

7                     SEN. BROWN: Senator Bishop.

8                     SEN. BISHOP: So you made reference just  
9           then to the Plaintiffs, that maybe the Plaintiffs  
10          would agree. But the state has ten million people  
11          in it, and as soon as one group of Plaintiffs  
12          agrees -- I mean the example that we have here  
13          where there was a completed set of litigation in  
14          one court system, and then people who were even  
15          acquainted perhaps with the Plaintiffs in the first  
16          set of lawsuits but different brought other  
17          litigation.

18                    Can you imagine a situation in which you  
19          could be assured that whatever group was involved  
20          in a consensual arrangement like you've described  
21          could exhaust the possibility of yet another  
22          plaintiff and yet more litigation?

23                    SEN. BLUE: What you said basically makes  
24          the point. Even with the resolution of this by  
25          Court action, which is how the other would be

1           resolved, one of the ten million people in North  
2           Carolina could still start a new lawsuit. So you  
3           settle cases one at a time, and you might  
4           anticipate others coming, but until they're  
5           brought, you don't have them.

6                       Even -- even when you go back to court  
7           sometime in September to determine whether this is  
8           a satisfactory resolution of this, there is a  
9           possibility that somebody else could still bring  
10          another lawsuit. They could bring other lawsuits  
11          because of new violations in this redistricting  
12          plan, different from the ones that the Court said  
13          constituted the racial gerrymander.

14                      So you always have the possibility of  
15          litigation, and this doesn't preclude it any more  
16          than having a resolution among the parties would  
17          conclude it.

18                      SEN. BISHOP: Thank you, Mr. Chairman.

19                      SEN. BROWN: Senator Hise, do you want to  
20          respond to that?

21                      SEN. HISE: I just want to comment on it  
22          briefly, and I will tell you -- probably am  
23          saddened -- I had a lot of hope that someone had  
24          found a new podding for that area that was coming  
25          in, although that doesn't seem to be the case.

1           Having whole county provisions is our state  
2           constitution. That was reestablished -- you can  
3           see the history of the chaos that happened before  
4           the Courts reestablished and reminded the General  
5           Assembly we have a provision of whole counties and  
6           how it's interpreted under Stephenson.

7                       I would fail to agree that a group of  
8           individuals, even individuals that were party to a  
9           lawsuit, could come together and establish  
10          constitutional matters for the State of North  
11          Carolina, coming in. Again, I would say I am  
12          disheartened that we have not found a county pod  
13          that would do better in that process without  
14          creating larger county pods.

15                     SEN. BROWN: Senator Clark?

16                     SEN. CLARK: Thank you, Mr. Chairman. I  
17          guess this discussion we're having now goes back to  
18          the notion of the BVAP. Under the [inaudible] my  
19          district has, I believe, a black voting age  
20          population of about 52 percent, and the Court  
21          ordered to us -- the reason we're here today -- it  
22          said that we'd have to justify any district with a  
23          BVAP in excess of 50 percent. Under the proposed  
24          map, is my BVAP now under 50 percent?

25                     SEN. BROWN: Senator Hi se?

1                   SEN. HISE: Senator Clark, I will  
2                   reiterate. I have not seen any racial data for  
3                   these districts and none was used in the  
4                   development or drawing or assignment of voters  
5                   within these districts. Perhaps you have made a  
6                   request to staff to receive that information and  
7                   are asking for that.

8                   If there is something you would like to  
9                   submit to the Committee, you are full within your  
10                  rights to do, and we would take the time to  
11                  consider that, coming in, but I obviously cannot --  
12                  can't answer a question about something that I do  
13                  not have and have not received.

14                 SEN. BROWN: Senator Clark?

15                 SEN. CLARK: Thank you, Mr. Chair. Then,  
16                 given that you have not looked at it and have not  
17                 received it, you don't know whether or not these  
18                 maps or proposals would actually comply with the  
19                 court order; is that what I'm understanding you to  
20                 say?

21                 SEN. HISE: I think that is -- no, I  
22                 would not say that -- I would not equate the two.  
23                 I think the Courts were actually quite clear that a  
24                 target was not allowed under any circumstances so  
25                 asking whether or not I have information about

1           whether something met a particular target, I could  
2           not comply to what the Court has ordered us to do.  
3           I have simply asked the question as if you have  
4           received that information about what the voting  
5           percentages are in the district and if you're  
6           asking to submit that to this Committee.

7                       SEN. BROWN:   Senator Clark?

8                       SEN. CLARK:   Actually, what I wanted to  
9           know is whether or not you have made a  
10          determination as to whether or not the maps you're  
11          proposing comply with the court order in that the  
12          BVAPs for any district be 50 percent or less, and  
13          apparently not.

14                      SEN. HISE:   The Courts clearly did not  
15          give us any targets and clearly laid out that we  
16          cannot use targets, and I do believe strongly that  
17          these maps comply with the order of the Court.

18                      SEN. BROWN:   Any other questions?  
19          Senator Blue?

20                      SEN. BLUE:    Yeah.   And I'm going to be  
21          honest with Senator Bishop.   I gave him a candid  
22          answer, but I think he suspects that there is a  
23          more specific answer.   And that answer, Senator  
24          Bishop, is that if you discussed with some of the  
25          members, there may be some reasons and the Court

1           anticipated -- I heard the argument, I read their  
2           opinions -- that there may be reasons that you  
3           could still determine that some districts needed a  
4           special push and you had to consider race.

5                       That's what the court order said. It did  
6           not say you can't use it. The Voting Rights Act  
7           and the Fourteenth Amendment are the ones that  
8           circumscribe how we use it. But I'm just saying,  
9           as talking points and in a full analysis, when  
10          parties who are fully informed about the issues sit  
11          down and talk about it, there are ways that you can  
12          fix most of the problems, and you wouldn't have  
13          been violating the North Carolina Constitution,  
14          Senator Hise.

15                      SEN. BROWN: Here's what I'm going to do,  
16          if it's okay. I'm going -- let's take about a  
17          five-minute recess. If anybody's got any  
18          amendments -- five or ten minutes -- we'll take  
19          however long it takes -- please get them up here.  
20          I'm going to give you about five minutes, maybe ten  
21          minutes to get them up here so we can look at them.  
22          So let's do that. Let's come back in order at  
23          about quarter after. That will give us ten  
24          minutes.

25                      (Recess, 3:03 - 3:46 p.m.)

1                   SEN. BROWN: Members of the Committee, I  
2                   hate to do this to you, but I'm going to have to.  
3                   We've got session at four o'clock, and we've got a  
4                   new member that's going to be sworn in at four  
5                   o'clock. So we're going to recess and go to  
6                   session, do that, and then try to get back here  
7                   right after session, if that works for everyone.

8                   SEN. RABON: The session may have been  
9                   moved to four-thirty. We better check.

10                  SEN. BROWN: Senator Rabon, can you check  
11                  on that real quick? Senator Rabon, I bet you can  
12                  move it back to four.

13                  (Recess, 3:48 - 4:35 p.m.)

14                  SEN. BROWN: We'll call the meeting back  
15                  to order. I have five amendments that have been  
16                  sent forth. I want to be sure. Are there any  
17                  other amendments that someone would like to send  
18                  forth? If not, I'll recognize Senator Clark for an  
19                  amendment.

20                  SEN. CLARK: Thank you, Mr. Chair. The  
21                  amendment that I've sent forth as to 691  
22                  essentially what it does is move the Vander  
23                  community into Senate District 21. Currently, it's  
24                  in Senate District 19, and I believe it does more  
25                  appropriately -- a more appropriate fit to be with

1 Senate District 21.

2 SEN. BROWN: Senator Hi se?

3 SEN. HISE: I had to modify it a little  
4 bit to make sure we did not split another precinct  
5 for the community and do believe that this takes in  
6 Senator Clark's home as is now on the map versus  
7 previous iterations. So given those two  
8 considerations of doing this for incumbency  
9 protection, I would ask that members would support  
10 the amendment.

11 SEN. BLUE: Okay. Any questions on the  
12 amendment? Senator Bishop?

13 SEN. BISHOP: Thank you, Mr. Chairman.  
14 This is a question for Senator Clark. Do you  
15 believe that the district as amended is legal under  
16 all legal theories?

17 SEN. CLARK: Actually, I believe a more  
18 appropriate view of what the district should look  
19 like is represented here. You see the orange bar  
20 which would be an addition to Senate District 21  
21 and a subtraction from District 19, and the hash  
22 marks there would be subtractions from District 21,  
23 and I believe it would provide a better compactness  
24 for Senate District 21 as well as provide more  
25 competitiveness between the two districts. That's



1                   all.

2                   SEN. BISHOP: Follow-up, Mr. Chairman?

3                   SEN. BROWN: Senator Bishop.

4                   SEN. BISHOP: I'm not sure if I followed  
5                   that. You were showing some detail, and really, I  
6                   was asking maybe a more general question, which is  
7                   you've proposed an amendment to that particular  
8                   district, and so -- and I'm glad to get whatever  
9                   detailed explanation you want to give, but maybe  
10                  before you gave a detailed explanation, if you'd  
11                  just say, do you believe that the district as  
12                  you're amending it is legal under all applicable  
13                  legal theories?

14                  SEN. BROWN: Senator Clark?

15                  SEN. CLARK: I believe the amendment I'm  
16                  providing is legal under all legal theories. It  
17                  just changes the distribution of the population by  
18                  approximately 300.

19                  SEN. BISHOP: So it's roughly 300 people?  
20                  Is that what it is?

21                  SEN. BROWN: Senator Hise, any comments  
22                  on the amendment?

23                  SEN. HISE: No. We're glad that it meets  
24                  Senator Clark's legal standards for the districts  
25                  as well, coming in, so we appreciate that and would

1 ask that you support the amendment.

2 SEN. BROWN: All right. Any more  
3 questions on the amendment? If not, I'm going to  
4 ask you to raise your hand so that we can get a  
5 count on the vote. So all those in favor of the  
6 amendment, please raise their hand.

7 (Show of hands vote.)

8 SEN. BROWN: All right. I have 13 in  
9 favor and none against, so the amendment passes.

10 Next, Senator Blue, I think you have one  
11 for Wake County -- an amendment?

12 SEN. BLUE: I do.

13 SEN. BROWN: Okay. You're recognized,  
14 Senator Blue. Let's get it passed out first,  
15 Senator Blue.

16 (Pause.)

17 SEN. BROWN: Okay. I think everybody's  
18 got a copy. Senator Blue, you're recognized.

19 SEN. BLUE: Thank you, Mr. Chairman.  
20 What this amendment does -- I was trying to find --  
21 yeah, AMT30 does, it switches precincts, and all of  
22 these, by the way, are whole precincts. That's one  
23 of the reasons -- or entire VTDs -- that's one of  
24 the reasons you get some of the jagged edges.  
25 There are no split precincts in it.

1                   But what it does, it simply switches  
2                   precincts between the proposed District 15 for  
3                   Senator Chaudhuri and 14, which is my current  
4                   district, and it basically restores most of my  
5                   current district to its current form. And since  
6                   Senator Chaudhuri's district is new -- his old  
7                   district would have gone south and west, but now  
8                   that's occupied by 16. It does not affect any of  
9                   the other three districts in Wake County. It is  
10                  just those two.

11                  And part of the reason is it's aimed at  
12                  fixing the gerrymander, I think, as it was defined  
13                  in Wake County, but it keeps the historic areas of  
14                  the African-American community together in the same  
15                  district. It unites the communities of interest.  
16                  It does not substantially change the performance,  
17                  as you have calculated it, in either of these  
18                  districts and has no effect on the remaining  
19                  districts.

20                  SEN. BROWN: All right. Questions for  
21                  Senator Blue? Senator Bishop?

22                  SEN. BISHOP: Thank you, Mr. Chairman.  
23                  Senator Blue, in the course of -- you know, all  
24                  this is new to me, but in the course of hearing the  
25                  majority's proposals, I've heard a lot about

1 Dr. Hofeller being the consultant. Who helped you  
2 draw this?

3 SEN. BLUE: Staff.

4 SEN. BISHOP: Staff and you?

5 SEN. BLUE: Staff and me. I happen to  
6 know the precincts and the nature of them, which is  
7 usually a pretty helpful exercise. What the  
8 version of Senate Bill 691 does, it uses the  
9 artificial separator of the Raleigh beltline, and  
10 consequently, it caused everything inside the  
11 beltline out of the district, and there's no real  
12 reason to do that.

13 It doesn't change any -- significantly  
14 the percentages or what have you. I think it --  
15 you're not considering it, but still the African-  
16 American percentage in this district, because it's  
17 exchanging with 15, is still below 40 percent, and  
18 the performance, I think, if you run it through the  
19 performance metrics that you've used to determine  
20 the party favorites, since it's between two heavily  
21 Democratic districts, it does not change that,  
22 either.

23 But what it does do, it unites the inside  
24 the beltline communities with the outside the  
25 beltline communities up to the Neuse River.

1                   SEN. HISE: A follow-up or two,  
2           Mr. Chairman?

3                   SEN. BROWN: Follow-up, Senator Bishop.

4                   SEN. BISHOP: So I take it from a couple  
5           of comments you made that you used race in drawing  
6           the map?

7                   SEN. BLUE: Not really. Not really. I  
8           just know the precincts. Some of them -- the  
9           inside of the beltline precincts in Wake County in  
10          southeast Raleigh are heavily black precincts, but  
11          as I've explained to you several times before, the  
12          rapid growth in Raleigh has probably integrated  
13          this town much more so than some of those big  
14          cities in the state that haven't grown as rapidly.  
15          So you're going to still get comparable race  
16          percentages even when you go outside the beltline.

17                   But what this map does, it reunites the  
18          Raleigh communities, incorporates Knightdale as  
19          your original map did in its entirety, but it has  
20          more Raleigh downtown in it rather than Raleigh  
21          north of the beltline.

22                   SEN. BISHOP: Follow-up?

23                   SEN. BROWN: Follow-up.

24                   SEN. BISHOP: If I could explore that  
25          just a little bit more.

1                   SEN. BLUE:    Sure.

2                   SEN. BISHOP:   So you made reference to  
3                   historically black areas, and -- but you said  
4                   you're not really using race.  It's hard for me --  
5                   and as you know, some of that is current discussion  
6                   we've had in here so far and what the criteria have  
7                   been.  Could you reconcile those for me?

8                   SEN. BLUE:    In what regard?

9                   SEN. BISHOP:   I got the last comment, but  
10                  the fact that you've made comments about in looking  
11                  at this, you were interested in historically black  
12                  areas, but you haven't -- when I said "Did you use  
13                  race," you said, "Not really," and I just wanted to  
14                  see if I can get clarity on that.

15                  SEN. BLUE:    I used it to the extent that  
16                  I know the characteristics of the precincts.  I can  
17                  pretty call them up, but I know the characteristics  
18                  of the ones in the proposed 16 as well because I've  
19                  worked extensively in these areas.  And inside the  
20                  beltline in southeast Raleigh historically is an  
21                  African-American area.  It's going through  
22                  tremendous justification now, not just  
23                  justification, but the housing patterns in it are  
24                  changing and it's becoming much more integrated.

25                  But historically these communities are

1           related to those that I've added it back to just  
2           outside the beltline. For example, probably one of  
3           the biggest churches in the county is outside the  
4           beltline but most of their parishioners come from  
5           inside the beltline. And so it's things like that.  
6           But, yeah, I'm very familiar with the racial makeup  
7           of this district. I'm familiar with the racial  
8           makeup of all of the districts in this map.

9                       And I think that when we go to the reason  
10           that we're here is to correct the racial  
11           gerrymander, and when we draw that district like  
12           this, it basically brings the percentage down, but  
13           it still unites communities of interest and it  
14           abides by pretty much, as best I can tell, all the  
15           other criteria that we were using.

16                      Yeah, I mean I know what the racial  
17           component is, and I know that it does not exceed 40  
18           percent and it does not exceed 50 percent, and  
19           that's how I put it together.

20                      SEN. BISHOP: Follow-up?

21                      SEN. BROWN: Follow-up.

22                      SEN. BISHOP: So are you able to say that  
23           you don't consider this -- the districts in this  
24           map to be a racial gerrymander?

25                      SEN. BLUE: Oh, absolutely, this is not a

1           racial gerrymander, and I don't -- I don't see any  
2           Court that would rule this to be a racial  
3           gerrymander because the way they define  
4           gerrymanders is without any good reason. You can  
5           look at race and you're supposed to look at it when  
6           you're districting, but you can't allow it to  
7           become the predominant factor in the way -- in your  
8           decision-making process when assign people to  
9           districts. But you're supposed to look at it. I  
10          mean that's one of the requirements if you're going  
11          to redistrict and comply with the Voting Rights Act  
12          and the Fourteenth Amendment.

13                       And so being cognizant of the racial  
14          composition and desiring to preserve the  
15          communities of interest, those kinds of things --  
16          and what this district -- what this district  
17          does -- in 2003 when they settled on it -- and I  
18          was not in the legislature that year -- when they  
19          settled on it, it had a low African-American  
20          percentage. I say low. It was about 40 percent,  
21          and the map that was passed back in 2011, the  
22          percentage in that district was taken north of 50  
23          percent. And the Court basically decided that  
24          there was no reason, no justification using race to  
25          increase that district from 40 percent African-



1 American primarily to 50 percent, and that was an  
2 impermissible use of race, and so race became the  
3 predominating factor in drawing the district.

4 And so where I take it is back close to  
5 where its historical origins were when it was first  
6 created. I'm not using race as the predominant  
7 reason to design it this way. I'm just fixing the  
8 gerrymander. This fixes the gerrymander that was  
9 in Wake County. I mean, this is not necessarily  
10 the only way to fix it, but it fixes it.

11 SEN. BISHOP: Follow-up?

12 SEN. BROWN: Follow-up.

13 SEN. BISHOP: So you're confident that  
14 none of the districts in this map amendment are  
15 racial gerrymanders?

16 SEN. BLUE: 14 is not a racial  
17 gerrymander. The only way the others would become  
18 racial gerrymanders -- quite frankly, the only way  
19 they would become racial gerrymanders is if, in  
20 fact, you were using race to gain an intentional  
21 partisan advantage. That is a racial gerrymander,  
22 the same as if you're taking districts far north of  
23 where that have got to be to perform as the Voting  
24 Rights Act contemplated.

25 Senator Hise mentioned Section 5 of the

1           Voting Rights Act. Actually, it was Section 4 of  
2           the Voting Rights Act that was struck down so you  
3           don't have to have Section 5 clearance. But the  
4           Section 2 of the Voting Rights Act is still very  
5           alive, and so you still have, in looking at the  
6           history, a Gingles analysis that you've got to do  
7           since the major Supreme Court case in this area  
8           came from North Carolina. And so if you did a  
9           Gingles analysis, you couldn't justify taking this  
10          district north of 30 percent -- I mean north of 50  
11          percent, probably not north of the 40 percent if  
12          race was the primary reason that you were drawing  
13          it.

14                   So this is not a racial gerrymander. I  
15          don't see any direct racial gerrymanders in this  
16          cluster, that is, Wake County. But if it is  
17          determined that race was used, people were put in  
18          these districts in order to create a political  
19          gerrymander, then the racial gerrymander would  
20          apply, and it would be violative of the  
21          Constitution and of the Voting Rights Act.

22                   SEN. BISHOP: Follow-up?

23                   SEN. BROWN: Follow-up.

24                   SEN. BISHOP: And I want to make sure  
25          I've got the full feel for your sense about the

1           amendment. Are you confident, then, that all the  
2           districts in Wake County, as you propose to amend  
3           them, are legal under, you know, whatever  
4           applicable legal theories are?

5                       SEN. BLUE: I have not put the race test  
6           on all of these districts. I simply haven't had  
7           time. I know that this one would not be illegal.  
8           I don't know whether -- an argument would be made  
9           that 15 is a political gerrymander, so you'd have  
10          to determine whether you were assigning people to  
11          it based on race in order to effectuate the  
12          political gerrymander. I have not done that  
13          analysis on 15. It is not a racial gerrymander  
14          when I amend it the way I did because you don't  
15          have -- I think the percentage goes down south of  
16          30 percent.

17                      Indeed, the way that we've drawn these  
18          districts, as you've draw them here, District 15  
19          has a higher percentage of African-American voters  
20          than District 14, but if someone were to make the  
21          argument -- and I don't know that it will be me --  
22          that that's a political gerrymander, you would have  
23          to analyze it from that angle. What this would do,  
24          from a racial standpoint, is make it less of one  
25          because it's not packing an incredible number of

1 African-Americans in another district.

2 But, again, the analysis of whether there  
3 are political gerrymanders in Wake County is a  
4 separate analysis. I think -- I think that -- from  
5 what I gleaned initially from this, that there  
6 is -- 16 probably has the makings of a Democratic  
7 district in Wake County, and I guess if I were  
8 analyzing it, I would look at all five districts  
9 and figure out whether this is where your racial  
10 gerrymander occurred in Wake County as opposed to,  
11 say, the other urban counties.

12 But this does not extinguish the claim of  
13 racial gerrymanders based on political  
14 gerrymanders, but it does with respect to these  
15 districts.

16 SEN. BROWN: Follow-up?

17 SEN. BISHOP: Thank you. One more, I  
18 think. So that also applies to 15; that's not --  
19 as you've drawn it, not a racial gerrymander?

20 SEN. BLUE: No, 15 is not a racial  
21 gerrymander, and again, in trying to put this  
22 together, I said that 15, based on your criteria,  
23 is a very high-performing Democratic district,  
24 somewhere in -- even after reconfigured, it's still  
25 a high-performing Democratic district in the

1           northern part of the sixties, and 14 is as well.

2                       So I don't say that that extinguishes all  
3           claims of racial -- gerrymanders based on them  
4           being political gerrymanders. I'm pretty sure it  
5           does with the configuration of 14. I just don't  
6           know about 15 because I haven't done the deep drive  
7           in it, and it takes about five percent of the  
8           African-American votes out of 15 and returns them  
9           to 14, but it doesn't take 14 unreasonably high and  
10          it doesn't leave 15 unreasonably high.

11                      So in a traditional analysis, you can't  
12          say that it's a racial gerrymander based on where  
13          you put people because of race if that were the  
14          reason you were doing it, but you've still got to  
15          go through with this entire map, and an analysis of  
16          whether the way it's designed, you've used race in  
17          any way at all to gain political advantage. And if  
18          you've done that in various sections of the map,  
19          then a political gerrymander becomes a racial  
20          gerrymander, and it will be struck down.

21                      SEN. BISHOP: Mr. Chairman, I promised  
22          that was my last question, but I've got one more if  
23          you'll let me.

24                      SEN. BROWN: One more. One more.

25                      SEN. BISHOP: Because something you just

1           said sort of troubled me a little more so. What I  
2           heard you say -- and I think you said it a couple  
3           of times -- is that it doesn't -- your amendment  
4           doesn't extinguish the claim of a potential  
5           political gerrymander, and to make it a little more  
6           complex, that a political gerrymander might be a  
7           hidden racial gerrymander.

8                         And when we were talking actually before  
9           we recessed, you and I over here, we were talking  
10          about how the specter of ever present litigation  
11          hanging over your shoulder sort of make it hard if  
12          you had people try to settle a controversy or  
13          something and they had -- and you said well, we're  
14          going to reach this settlement, but I'm going to  
15          keep these claims over here. I might want to  
16          litigate.

17                        So when you say your -- your amendment  
18          would leave a potential political gerrymander claim  
19          in this -- if we adopted it, it would still be  
20          present, is that correct?

21                        SEN. BLUE: Not totally so. I'm going to  
22          move away from being a lawyer and just give you a  
23          straight answer. It is my opinion -- since that's  
24          what you're seeking -- it is my opinion that this  
25          eliminates the gerrymander in Wake County. There

1           are districts that remain excessively high because  
2           you've got two districts that do these very high  
3           Democratic performances. If race were the reason  
4           that people were placed in these districts so that  
5           you could affect political gerrymanders in other  
6           places, this would be a political gerrymander.

7                     But let me assure you this is not the  
8           angle from which a political gerrymander on the  
9           entire state map would be leveled. I'm convinced  
10          that, given the configuration -- and, again, I  
11          haven't fully analyzed it. I don't know the  
12          subnumbers look like -- the subsets, but if 15 --  
13          if 16 is a Democratic leaning or Democratic  
14          district, within Wake County, you don't have the  
15          use of race to create political gerrymanders.

16                    But, again, you've got, what, six or  
17          eight more counties where that might be the case,  
18          but it wouldn't be predicated on what's happening  
19          in Wake County.

20                    SEN. BROWN: Senator Hise?

21                    SEN. HISE: Thank you, Mr. Chairman. Let  
22          me see if I can kind of clear this up. As you  
23          might understand, math departments don't give out  
24          law degrees. So I struggle to -- I can get a  
25          binary better than I can come up with those

1           answers. This amendment deals with Districts 14  
2           and 15 exclusively, and as -- so let me try to  
3           simplify this as much as I can.

4                       In changing these two districts that  
5           exist here, you do not believe that a racial  
6           gerrymander exists in those two districts as you  
7           have changed them?

8                       SEN. BLUE: That's right.

9                       SEN. HISE: So I appreciate--- For  
10          comment?

11                      SEN. BROWN: Comment, Senator Hise.

12                      SEN. HISE: I would reiterate to the  
13          Committee that we have not had and do not have  
14          racial data on any of these districts and,  
15          therefore, have not sorted any individuals into  
16          districts on the basis of race that is coming in.  
17          I would reiterate that. I would take it under  
18          advisement from our colleague Senator Blue that it  
19          is his claim that Wake County is not a racial  
20          gerrymander, that it is -- Districts 14 and 15, as  
21          they're amended and changed, eliminate whatever  
22          concern there was and that these are not based on  
23          race but on historical communities. As he claims,  
24          it doesn't change the racial data.

25                      I think I would be kind of inclined at



1           this point to accept that, that the cases coming  
2           out. Other members may have discussion, but I  
3           think, as I clearly got an answer, there is not a  
4           gerrymander in Wake County as a result of the  
5           changes that exist here in these districts.

6                     SEN. BROWN: Any other questions for  
7           Senator Blue? Senator Hise, anything else to add?

8                     SEN. HISE: No. I think that -- I think  
9           that covers it. I think it would be the concept  
10          that these do not change the political  
11          considerations nor would they violate any of the  
12          rules of the Committee to make these changes.

13                    SEN. BROWN: All right. Hearing no more  
14          discussion, again, I'm going to ask that you raise  
15          your hands. All in favor of Senator Blue's  
16          amendment, please raise your hand.

17                    (Show of hands vote.)

18                    SEN. BROWN: I have 13 in favor and zero  
19          against. So the amendment passes.

20                    Senator Blue, the next one?

21                    SEN. BLUE: Thank you, Mr. Chairman. The  
22          next one is the -- it should be denominated -- it's  
23          the statewide map.

24                    SEN. BROWN: This is the Mecklenburg one.  
25          I'm sorry. Mecklenburg first.

1                   SEN. BLUE: Oh, Mecklenburg is the next  
2                   one. Okay.

3                   Thank you, Mr. Chairman. This is just a  
4                   rendering of Mecklenburg County using the criteria  
5                   that we've adopted and just looking to see how you  
6                   could comply with all of the criteria, have  
7                   compactness, contiguity, and all of those things,  
8                   and so this map ended up being a district that does  
9                   that. They've got much smoother precinct lines in  
10                  Mecklenburg County than they do in Wake County. I  
11                  guess we follow more streams and creeks for the  
12                  edges of precincts, but neither does this map break  
13                  any precinct lines.

14                  And it -- historically, Precincts 38 and  
15                  40, I believe, are the ones that have been earlier  
16                  dominated African-American precincts -- are the two  
17                  that got us in trouble. This fixes the problem  
18                  with District 38 and 40 on being racial  
19                  gerrymanders because it does not take either one of  
20                  them over 50. They are compact. They basically  
21                  stick strictly with the compliance in every other  
22                  regards of the Stephenson decision. It's got  
23                  partisan balance, as I understand it, in just  
24                  looking at the numbers that way, and it complies  
25                  with all the state and federal law that I'm aware

1 of in this area, and it has all of the traditional  
2 redistricting criteria observed.

3 That's what it does, and so it gives us a  
4 look at other maps that don't do some of the things  
5 that Senator Clark was addressing earlier in  
6 getting them out of -- out of shape because I think  
7 in the committee plan there's a district that goes  
8 from east to north to western Mecklenburg County  
9 that -- that seems to violate some of the  
10 redistricting rules.

11 SEN. BROWN: Questions for Senator Blue?  
12 Senator Bishop?

13 SEN. BISHOP: Mr. Chairman, I may be  
14 wearing out my welcome. I apologize, but I happen  
15 to be from Mecklenburg County. So I wanted to ask  
16 Senator Blue a couple questions about this one  
17 because I think I see five Democratic districts  
18 here.

19 Senator Blue, did you draw this map  
20 also -- you personally?

21 SEN. BLUE: I did not -- I did not use  
22 the cursor to pick out every place in it, and I  
23 have staff who worked with us once we got the basic  
24 makings of it. But like Dr. Hofeller, the Speaker  
25 and the President of the Senate gave us leeway to

1           get somebody who knew more about this than I did.  
2           And this one I didn't draw, as I did the Wake  
3           County maps, because I defer to you. I don't know  
4           Mecklenburg County as well as I do Wake County.

5                     SEN. BISHOP: Could you---

6                     SEN. BROWN: Senator Bishop, follow-up?

7                     SEN. BISHOP: Thank you, Mr. Chairman. I  
8           beg your pardon. Who was your hired hand, then?

9                     SEN. BLUE: Hired hand is not a  
10          complimentary term, I don't think.

11                    SEN. BISHOP: Forgive me. Consultant.

12                    SEN. BLUE: The consultant is a fellow  
13          named Dr. Kareem Crayton. He has a distinguished  
14          career. He was a professor at UNC Chapel Hill Law  
15          School. He's got a PhD in political science. He  
16          has spent time doing this stuff, and at the late  
17          moment that we were able to get somebody, he  
18          happened to be available, so we asked him to come  
19          help us with some ideas.

20                    SEN. BROWN: Follow-up, Senator Bishop?

21                    SEN. BISHOP: Thank you, Mr. Chairman.  
22          Did you and Dr. Crayton, did you say, consider  
23          political -- take political considerations into  
24          account in drawing this map?

25                    SEN. BLUE: No. No. And that's one of

1           the criteria that wasn't the most compelling  
2           criteria. What we did -- we did look at race to  
3           make sure that we weren't violating the Court's  
4           order, we were breaking up the racial gerrymander,  
5           because these districts too -- one of them, Senator  
6           Bishop, I think Number 40, had been a district in  
7           Mecklenburg County where an African-American beat  
8           one of the most powerful senators in the General  
9           Assembly, Senator Odom, back the middle of the last  
10          decade, I think, and Malcolm Graham.

11                   And it was less than 30 percent African-  
12          American, and it remained that through the end of  
13          the cycle. In 2011 when you redistricted it, you  
14          took it from about 29 to 30 percent to north of 50  
15          percent. That's why the Supreme Court said it was  
16          a racial gerrymander because it's already proven,  
17          using all the Gingles criteria, that it could elect  
18          the candidate of choice of the minority community  
19          without you taking it up to this extreme level.  
20          And so this does not take it back down to the 29 or  
21          30 percent, but it fixes the racial gerrymander  
22          consistent with what the Court said.

23                   The other district in there was 38. When  
24          you took that one in 2011 from probably a 45, 46  
25          percent majority African-American district to north

1 of 50, again, you couldn't justify it using the  
2 Gingles criteria, and the Court said that was a  
3 racial gerrymander. So when you took these two  
4 districts back down so that they wouldn't be  
5 gerrymanders, you then freed up all of the rest of  
6 it, and so it's just getting small compact  
7 districts in the rest of Mecklenburg County.

8 There may be some specific attributes of  
9 Mecklenburg County communities of interest and all  
10 of those that you're more familiar with, and  
11 perhaps the public hearings would have told us more  
12 about those kinds of things, but this is just our  
13 effort using the racial stuff that the Court said  
14 was not permissible and getting it down below those  
15 level and fixing the gerrymander, and then taking  
16 the rest of it and adjusting it.

17 SEN. BROWN: Follow-up?

18 SEN. BISHOP: Thank you, Mr. Chairman.

19 So taking Malcolm Graham's old district, for  
20 example, you said that it had been taken up over 50  
21 percent and that was an impermissible racial  
22 gerrymander. So you said you took it back down and  
23 not to the number that it had been before you, I  
24 think you said, but to some other number?

25 SEN. BLUE: I think it's probably

1            somewhere in the high thirties.

2            SEN. BISHOP: How did you -- how did you  
3            pick that numerical target?

4            SEN. BLUE: There's nothing magical about  
5            it. It's just that when you wanted to get a  
6            concise, compact district and you know that you  
7            can't leave it in the high forties or fifties and  
8            be in compliance with the Court's ruling, not only  
9            the three-judge panel but the Supreme Court's  
10          ruling, then you try to get it back down -- because  
11          they're going to look at race. They've got to look  
12          at race to determine that you're no longer in  
13          violation of the constitutional provision. They're  
14          going to look at it whether we decide to play an  
15          ostrich and say we're not -- we say we're not  
16          looking at it. We can't use it as a predominant  
17          factor.

18          So you look at it to get it back where  
19          you're satisfying the requirements of the Court and  
20          eliminating the racial gerrymander. And so when  
21          you do that, I think you could take it down to 38,  
22          to 39 percent, and it will be totally acceptable  
23          because it meets all of the other criteria for  
24          redistricting, that that you have adopted as well  
25          as the traditional criteria.

1                   SEN. BROWN: Follow-up?

2                   SEN. BISHOP: How do you know that you  
3 can target any particular number?

4                   SEN. BLUE: If, in fact -- and this is  
5 akin to the first question that you asked me. If,  
6 in fact, you get the Plaintiffs and the residents  
7 in that district and they're satisfied with it,  
8 you're not going to get a lawsuit. You can't speak  
9 for a hundred percent of the people a hundred  
10 percent of the time, but what creates conflicts, at  
11 least in the Courts, is when somebody brings a  
12 lawsuit.

13                   I'm convinced that based on the  
14 performance of this district prior to 2012 that  
15 somebody who brought a suit saying that you're in  
16 violation of Gingles principles on this district  
17 would be wasting their money and their time. And  
18 so if I bring it down there and have pretty good  
19 confidence that it could withstand any kind of  
20 assault or any kind of attack that anybody brought  
21 against it, that's what I'm going to rely on, and  
22 that's why I say that if we bring it -- you could  
23 take it lower if you wanted to, but then you don't  
24 make it as compact and you don't make it as  
25 compliant with the other principles that you've



1           adopted on compactness using either of the tests  
2           that we talked about that you determine compactness  
3           by.

4                       SEN. BROWN: Follow-up?

5                       SEN. BISHOP: Are you saying that it  
6           might be unconstitutional because it targets a  
7           specific number without having additional evidence  
8           of racially polarized voting, but you believe  
9           nobody would sue about it?

10                      SEN. BLUE: No. There's no doubt in my  
11           mind this district is not unconstitutional.

12                      SEN. BISHOP: So you think as long as you  
13           set it down at 38, or whatever the number is you  
14           pick, that you can set a numerical target for  
15           racial balance without having any more evidence of  
16           racially polarized voting than we had?

17                      SEN. BLUE: Frankly -- and this is my  
18           opinion. I don't write opinions for the Courts,  
19           but I share my opinions. Frankly, I think, Senator  
20           Bishop, that you could take the districts back to  
21           their pre-2011 levels based on the racial  
22           composition of them at that time, and all of them  
23           would have been racially compliant. I don't think  
24           you would have had any racial gerrymanders at all  
25           in this map if you had left these districts at the

1 same percentages that the Courts had approved  
2 earlier.

3 Now what you run the risk of -- what you  
4 run the risk of when you're not in this litigation  
5 stance -- what you run the risk of that a lot of  
6 people worry about is whether or not you're  
7 retrogressing with district; that is, where you can  
8 satisfy some of these Gingles principles, the law  
9 is you can't take it below certain levels that  
10 would perform as predicted when you do a Voting  
11 Rights Act analysis.

12 Since you've chosen not to do that  
13 analysis on this map, that was part of the reason  
14 that the Court kicked out the maps last year and --  
15 well, as it went up through the court system --  
16 because you had not done the analysis on these  
17 districts to see how they performed and see whether  
18 you could justify increasing the minority voting  
19 age population in these districts. Had you had the  
20 kinds of studies that would justify it, then you  
21 would have had to prescribe a remedy that took it  
22 up to a given level but didn't necessarily load  
23 additional African-Americans in that district.

24 That's what the law is. It fits a  
25 typical Fourteenth Amendment analysis compelling

1 state interest, and then if you find that that  
2 compelling state interest has been met, you then  
3 have to use the race in the analysis but only in a  
4 strictly limited way. You just can't use race to  
5 fix it all. You have to narrowly prescribe the  
6 remedy anytime you use race.

7 That's what the Fourteenth Amendment is  
8 about, and the narrowly prescribed remedy would be  
9 to put as few additional African-Americans in that  
10 district as you have to in order to still make it  
11 so that minorities can elect the candidate of their  
12 choice. It doesn't have to be a black candidate.  
13 It could be anybody, but you have to show those --  
14 the Gingles factors, polarized voting, compactness,  
15 sufficient group within the area that you're  
16 looking at to draw a district, and you'll have to  
17 show that minorities can elect the candidate of  
18 choice. And that's because of the history that led  
19 to the enactment of the Voting Rights Act.

20 SEN. BROWN: Follow-up?

21 SEN. BISHOP: But isn't it true that the  
22 reason the Court told us that we had engaged in --  
23 well, we -- I wasn't here, but that the General  
24 Assembly had engaged in an unconstitutional racial  
25 gerrymander is that one of the Gingles factors

1           wasn't met. You didn't have district by district  
2           evidence of racially polarized data of the quality  
3           and quantity sufficient to justify doing that.  
4           That's what it was, right? It wasn't that you  
5           can't put 50 percent plus one in a district; it was  
6           that you didn't have the predicate to do it.

7                     SEN. BLUE: That's correct.

8                     SEN. BISHOP: And do you have new  
9           evidence district by district that you haven't  
10          shared with us about racially polarized voting in  
11          the districts that you're proposing here?

12                    SEN. BLUE: No, but what I do have is the  
13          performance over a decade at those low percentages.  
14          That is direct evidence that the districts are  
15          working the way that Voting Rights Act  
16          contemplated. You have got this that you're  
17          dealing with here, Senator Bishop. If you were  
18          creating districts that are going to stay that way  
19          in perpetuity, then America wouldn't have an  
20          opportunity to grow, and we wouldn't have an  
21          opportunity to migrate to the point that race does  
22          not matter.

23                    And so -- so what the Court has done --  
24          and I think you'll find this in most of the  
25          opinions -- whether it's a conservative Court or a

1           liberal Court -- what the Court has done is  
2           basically say if you can still meet the Gingles  
3           criteria, you will draw districts that have certain  
4           percentages.

5                     If you will notice, once you leave North  
6           Carolina, not only in this last round of  
7           redistricting but historically, you've had  
8           districts that were represented with African-  
9           Americans that were much higher in their African-  
10          American black -- their black voting age population  
11          than the North Carolina districts because they  
12          could clearly demonstrate that race had been the  
13          motivating in voting in those states. North  
14          Carolina was substantially different, and so you  
15          didn't have these high percentages.

16                    You read the cases and you follow this  
17          too. In Alabama, it was 67 percent. There were  
18          very few instances, one or two, in all of North  
19          Carolina where the numbers had to go that far in  
20          order to create an opportunity for minorities to  
21          elect a candidate of choice.

22                    And so what the 31 percent says, if you  
23          can draw a district down there and you can show  
24          that minorities can elect the candidate of their  
25          choice with only a 29, 30 percent black voting age

1           population in that district -- or Hispanic or  
2           whatever the group is you're focusing on -- then if  
3           you use race as a predominant factor to go beyond  
4           that level, then you've violated the Voting Rights  
5           Act and probably violated the Fourteenth Amendment  
6           to the United States Constitution and several  
7           amendments to the North Carolina Constitution or  
8           several articles.

9                       SEN. BROWN: Follow-up?

10                      SEN. BISHOP: Let me ask another angle,  
11           then. Was that the main thing driving how these  
12           districts are formed, is setting the targets that  
13           you described, that they're lower but, nonetheless,  
14           looking at race and setting the numbers -- keeping  
15           the numbers where you think they should be?

16                      SEN. BLUE: I put the numbers at a level  
17           that I feel pretty confident, and most of the  
18           lawyers who would work in this area, whether  
19           they're plaintiffs' lawyers or defendants' lawyers,  
20           would feel confident that you could not sustain a  
21           race discrimination claim based on the racial  
22           percentages in these districts.

23                      SEN. BISHOP: What I'm trying to get at  
24           is, was that the predominant factor driving the  
25           design of these districts is setting the racial

1 balance at the numbers that you believe to be  
2 acceptable?

3 SEN. BLUE: The first consideration was  
4 to fix the racial gerrymander, and in order to fix  
5 the racial gerrymander, I knew that you had to take  
6 these districts far lower than they were with black  
7 population because these districts had already  
8 demonstrated that they could elect minorities  
9 without -- first, you don't want to use race. I  
10 mean, frankly, that's what we're all trying to get  
11 away from.

12 You don't want to use race, and so what  
13 you're trying to do is use it the least amount  
14 possible, and that's why I say it's got to be in  
15 narrowly tailored remedy, and in election laws, the  
16 narrowly tailored remedy is to use the smallest  
17 percentage based on race that you can use so that  
18 you keep coming down and you don't have to have  
19 racial discussions when you do redistricting.

20 So you can say that you're not  
21 considering race, but you haven't done the analysis  
22 that you've got to do, you haven't addressed the  
23 issue that the Court told us we've got to deal with  
24 in redrawing these districts because you can't say  
25 that you have fixed the racial gerrymander if you

1           can't say that you looked at what the racial makeup  
2           of these districts are.

3                       SEN. BROWN: Senator Bishop?

4                       SEN. BISHOP: So are the statistics here  
5           that reflect your analysis of what those racial  
6           targets are for the districts so that we can -- the  
7           Committee can have whatever information it needs in  
8           order to pass this amendment?

9                       SEN. BLUE: All of the backup is  
10          available. I don't know if it's been passed out.  
11          But there are no targets, Senator Bishop, in the  
12          sense that, yeah, you go to X percent and Y  
13          percent. My target was to draw districts and our  
14          consultant was instructed to draw districts that  
15          would be compliant with the Court's ruling, one  
16          that does not have a racial gerrymander and you  
17          can't argue that the percentages of the black vote  
18          in these districts are put there solely because --  
19          that's not the predominant reason that they're in  
20          these districts.

21                      It went back, for the most part, to  
22          districts the way they existed in 2009 and took  
23          away from them because all of these districts have  
24          increased in population. The reason that my  
25          district in Wake County was so big in 2011, it was



1           the second most overpopulated district in the state  
2           because of all the new growth that's happening in  
3           these two urban areas, Wake County and in  
4           Mecklenburg County.

5                       And so what this does, it sort of trims  
6           off the edges of those districts with all of the  
7           extra population. If you look at these districts  
8           now, you can rest assured that they have a much  
9           higher population now than they had in 2010, but to  
10          sort of peel off some of the extra growth that had  
11          occurred in them and get them back down to the  
12          levels that they looked like in 2010 just before  
13          the census.

14                   SEN. BISHOP: Mr. Chairman?

15                   SEN. BROWN: Follow-up.

16                   SEN. BISHOP: I want to just shift out of  
17          this discussion of race. If you would, forgive me.  
18          It looks like this map sort of shatters Mecklenburg  
19          County like a mirror. Take, for example, your  
20          proposed 37, you've got -- I think Matthews is in  
21          there.

22                               Actually, let me ask you this question:  
23          How many municipalities does this map split?

24                   SEN. BLUE: Of course, it splits  
25          Charlotte, and I don't -- again, I don't think it

1           should split any other. It did observe the  
2           criteria. You know it better than I do. But, as  
3           you see, Charlotte is split because it's right in  
4           the middle of the map, and so you get at least -- I  
5           think at least three, maybe four big districts  
6           might border on Charlotte -- in fact, I'm sure that  
7           at least three of them do. I think four of them  
8           border on Charlotte.

9                       SEN. BROWN: Follow-up?

10                      SEN. BISHOP: We've got -- down on the  
11                      eastern side, you've got Mint Hill and you've got  
12                      Matthews. It looks to me like 40 and 37 would  
13                      split Matthews. You've got 39 down here. I don't  
14                      know if 39 and 38 split Pineville or not, but it  
15                      looks like you do. You don't know whether you took  
16                      that into consideration -- any of that?

17                      SEN. BLUE: No, no. They're whole  
18                      precincts, and it's my understanding that they  
19                      comply with the other redistricting criteria and  
20                      don't split -- I don't think they split towns down  
21                      there any more than they're currently split,  
22                      probably less. I know that was the case in Wake  
23                      County where we -- we've got many more towns.  
24                      We've got 12 towns in this county, and so we were  
25                      basically trying to put them back together.

1                   I don't think they're split, but again,  
2                   you know the geography down there far better than I  
3                   do. If they're split, they ought not be, but  
4                   they're whole precincts and sometimes you'll split  
5                   a town because you take the whole precinct, and  
6                   some of it will be in town and some of it will not  
7                   be in town. So that's going on, especially in  
8                   these towns that don't have but 30- or 40,000  
9                   people population.

10                  SEN. BROWN: One more follow-up?

11                  SEN. BISHOP: It might be more than one.  
12                  Have you measured--- Senator Clark has talked a  
13                  lot about this efficiency gap. The professor  
14                  named---

15                  SEN. CLARK: Stephanopoulos.

16                  SEN. BISHOP: Yes. ---Nick  
17                  Stephanopoulos. I think he's George  
18                  Stephanopoulos's brother, but I'm not positive  
19                  about that. In 2008, I think he was with Obama for  
20                  America before he came up with this. But have you  
21                  measured his efficiency gap on this map?

22                  SEN. BLUE: All the stats related to it  
23                  should have been passed out. I gave the whole  
24                  stat-pack on it. I understand a little bit.  
25                  Believe it or not, I have a degree in mathematics,

1           and I understand some about this efficiency gap  
2           analysis, but I have not consumed myself with it  
3           the way our Chairman has and the way Senator Clark  
4           has.

5                       But we performed the same analysis -- the  
6           staff did -- whatever we've got here -- they should  
7           have performed the same analysis as they did the  
8           other -- the other maps that they looked at.

9                       SEN. BROWN: Follow-up?

10                      SEN. BISHOP: Well, I'm just looking at  
11           the collection of materials, and it does look like  
12           what we've done in the other maps that have been  
13           provided by the majority. It does not include an  
14           efficiency gap analysis. I just wondered  
15           whether -- whether Dr. -- what's his name? No, no,  
16           no, no. The gentleman who drew these for  
17           you -- Kareem -- whether he computed an efficiency  
18           gap?

19                      SEN. BLUE: I don't have an efficiency  
20           gap. That's not one they requested of me because  
21           the Committee didn't adopt it as a criteria. But  
22           if you were to do an efficiency gap on this thing,  
23           it would probably be as close to neutral as you  
24           would get.

25                      SEN. BROWN: Senator Hi se, do you want to

1 pick up and give Senator Bishop a break?

2 SEN. HISE: Well, I would just comment on  
3 that briefly in consideration, regardless of my  
4 issues with how you would calculate an efficiency  
5 gap, but when you can run -- I would simply state  
6 in very simple less mathematically complex terms  
7 that in Mecklenburg County, if you look at the  
8 races, roughly 30 to 42 percent of the vote goes  
9 for Republican candidates in Mecklenburg County.  
10 The end result of this would be no representatives  
11 in the Senate who were of the Republican Party.  
12 Some might call that an infinite efficiency gap,  
13 coming in -- coming in, but I'm sure that would --  
14 whether or not I like the calculations, I'm sure,  
15 if you looked at the county, that would score quite  
16 horribly.

17 SEN. BROWN: Senator Clark?

18 SEN. CLARK: I'm just wondering how you  
19 used political data to determine that a certain  
20 party would obtain a certain number of seats. I  
21 thought you-all didn't do that. That's what I was  
22 told earlier.

23 SEN. HISE: I used the calculations you  
24 had used previously.

25 SEN. BROWN: Senator Clark, do you want

1 to follow up on that?

2 SEN. CLARK: Yes. So I was correct that  
3 means you do use political data prospectively to  
4 determine the outcomes of elections based upon  
5 these districts that we have drawn?

6 SEN. HISE: I do not.

7 SEN. BROWN: Senator Bishop?

8 SEN. BISHOP: I think just two more, I  
9 promise, Mr. Chairman. You know, to that point, as  
10 I said, I don't have great confidence in the  
11 efficiency gap. I think it sort of tends to give  
12 some sort of certain sense to something that's very  
13 certain, but that doesn't mean you can't use common  
14 sense. And so Senator Blue has spoken to that a  
15 good bit.

16 Senator Blue, I was just looking at the  
17 back -- if you flip over to the next-to-the-last of  
18 the long pages, it's got the President 2016 stats,  
19 and if I look at all those districts, 37, 38, 39,  
20 40, and 41 in Mecklenburg County that have been  
21 drawn, the closest the Republican candidate for  
22 President would have gotten would have been 43  
23 percent of the vote. You've got -- all five  
24 districts would have beat the Republican candidate.

25 And so, Senator Blue, you didn't

1                   gerrymander this district?

2                   SEN. BLUE: No. But it is a map drawn  
3 strictly to the criteria that you adopted that  
4 ought to govern mapmaking. That's what this map  
5 does.

6                   SEN. BISHOP: It doesn't have any  
7 political consideration?

8                   SEN. BLUE: No. No. It has political  
9 implications, but what it did, if you can configure  
10 these two minority districts -- not majority  
11 minority -- substantial plurality minority  
12 districts in other forms but come down to those  
13 percentages, you will probably fix the racial  
14 gerrymander in Mecklenburg County, but if you don't  
15 do that, you will neither fix the racial  
16 gerrymander---

17                   And I'm not saying this is the only way  
18 to do it. What I said when I started out is, I  
19 wanted to look at alternative ways that you could  
20 draw maps based on your criteria that would fix the  
21 gerrymander, but you can approach it in a different  
22 way. I think that you still leave the gerrymander  
23 in the plans in Mecklenburg County in the map  
24 that's before us.

25                   There are other ways to fix it, but this

1 is one observing all of the criteria that you  
2 adopted. They are more compact. They satisfy all  
3 the other tests that you set. There was just a  
4 little dialogue between Senator Clark and Senator  
5 Hise on whatever the guy's name was that you do  
6 these studies by.

7 This surpasses all the stuff that we've  
8 done in every other county when you draw it  
9 specifically like this because they're more  
10 compact, you're protecting incumbents. You'll see  
11 in some instances, they're just hanging on in the  
12 corners, but each one of them has a separate  
13 incumbent in it, so you haven't double-bunked any  
14 of them, and you observe all the criteria that you  
15 set forth.

16 SEN. BISHOP: If I could ask one more  
17 question and then maybe one quick comment, and I'll  
18 get out of the way. Sorry. So, you know, this  
19 thing about what constitutes fairness in drawing  
20 these maps, if I look at 37 again, Senator Blue,  
21 I'm sure that at least part of Matthews down at the  
22 southeastern end of the county in that district and  
23 the urban core of Charlotte.

24 And you talk about -- whether you call it  
25 communities of interest or what makes sense, do you



1 think that the people in Matthews have some  
2 interests that they need attended to that are in  
3 the nature of ring city, ring town interests that  
4 they don't have in common with the people who live  
5 in the core of Charlotte, and what would be fair  
6 about cramming them together in one district?

7 SEN. BLUE: Senator Bishop, have you  
8 looked at the Republican map for Mecklenburg  
9 County?

10 SEN. BISHOP: I have, sir.

11 SEN. BLUE: You remember one of the  
12 things that those who attended these public  
13 hearings is from Charlotte -- the biggest issue  
14 that folks raised is why would I want to go all the  
15 way around the county. There's nothing in common  
16 with the way these districts connect us -- one of  
17 the districts that you've drawn, and I suggest that  
18 I don't know where the similarity is at the bottom  
19 at the extreme left-hand corner in this map in  
20 Mecklenburg County and right in middle of where  
21 this district ends, but it's certainly compact.  
22 It's as compact as you probably could make that  
23 district, and it's a district that now complies  
24 with the Voting Rights Act and Fourteenth  
25 Amendment. It is a district that the Court said

1           you've got to redraw and you've got to change your  
2           percentage.

3                       The same thing on 40. It is compact. It  
4           gets the percentages below where they have to be,  
5           and it meets all of the other criteria that you set  
6           forth, but it meets it in a better way than the map  
7           that's before us. When I say "before us," I mean  
8           the Committee's map.

9                       And just in closing, let me simply say  
10          this. Is there a district in Mecklenburg County  
11          under the current mapping system that Trump won?

12                      SEN. BISHOP: Mr. Chairman, my just  
13          closing comment. And Senator Blue is very  
14          skillful, but didn't answer the question whether  
15          Matthews would have interests -- they're concerned  
16          about being adequately represented with a district  
17          they elect -- with a representative they elect in  
18          common with somebody from Charlotte's core. I  
19          assure you that the Matthews people say that they  
20          wouldn't want it done that way, and it does -- for  
21          me it has sort of a galvanizing effect.

22                      You know, I know people who are -- who  
23          are not in control, you know, can get very upset  
24          about the way things are done, but the notion that  
25          there's not politics in this, the notion that

1           there's not targeted of racial information in this,  
2           whatever number you're trying to set, you haven't  
3           cured evidentiary shortfalls that the Court said  
4           existed. I cannot conceive of that being the map  
5           for Mecklenburg County, and I hope the Committee  
6           won't support it.

7                         SEN. BROWN: Senator Hise?

8                         SEN. HISE: Thank you, Mr. Chairman.  
9           Despite -- I guess this is where we start breaking  
10          apart in this agreement. Despite claims that this  
11          meets all the criteria of the Committee, I think  
12          that it is clear that this map used race as a  
13          manner in which to divide individuals into  
14          districts. In fact, here you've set targets at 39  
15          or 40 percent as to what those numbers should be  
16          and then placed individuals to meet those criteria  
17          that are coming in.

18                        Also, it clearly fails on the concept of  
19          incumbency protection. My summary of this map is  
20          it is drawn solely for the purpose of making sure  
21          that no Republican incumbents in Mecklenburg County  
22          could ever be elected. Quite frankly, it's  
23          designed to make sure that no Republicans would  
24          ever be elected to the Senate from Mecklenburg  
25          County.

1                   That's what's coming in despite those  
2                   percentages within those counties. I think there  
3                   is also a significant question about the  
4                   municipalities that are divided. I would tell you  
5                   that I feel this is inconsistent with the  
6                   Committee's criteria and ask that you reject this  
7                   amendment.

8                   SEN. BROWN: Senator Clark?

9                   SEN. CLARK: I would like to speak a  
10                  moment on the criteria regarding compactness.  
11                  Despite what was said earlier, our written criteria  
12                  indicates that we should meet reasonable efforts to  
13                  develop plans that improve the compactness of the  
14                  current districts. With regard to District 39, it  
15                  is worse with respect to the Reock and it's worse  
16                  with respect to the Polsby-Popper, which we  
17                  specifically identified as measures that we wanted  
18                  improvement in.

19                  In addition to that, we know that there  
20                  are nine measures of compactness provided by the  
21                  Maptitude software. It is also deficient in terms  
22                  of the perimeter compactness measure, deficient in  
23                  terms of polygon measure -- population polygon  
24                  measure, it is worse off in the population circle  
25                  method it's worse off in the Ehrenberg method, and

1           it is worse off in the minimum convex polygon  
2           method. So of the nine methods of measuring  
3           compactness, District 39, as proposed in the Senate  
4           plan, is worse in seven categories.

5                     And with regard to efficiency gap, we  
6           don't use the efficiency gap to measure performance  
7           of an individual district within the state plan.  
8           The efficiency gap is used to measure the  
9           performance of the plan in its entirety.

10                    SEN. BROWN: Senator Hise, any response?

11                    SEN. HISE: I think the efficiency gap is  
12           apparently used how you want to use it. They're  
13           coming in to make a point. But I would say that I  
14           do say that, again, I would the Committee to reject  
15           the amendment.

16                    SEN. BROWN: Any more questions on this  
17           amendment? If not, again, I'm going to ask by  
18           raising your hand, all those in favor of the  
19           amendment raise your hand, please.

20                    (Show of hands vote.)

21                    SEN. BROWN: Those opposed?

22                    (Show of hands vote.)

23                    SEN. BROWN: Nine to four. The amendment  
24           fails.

25                    All right. Next, I have Senator Van

1           Duyn.

2                       SEN. VAN DUYN: Thank you, Mr. Chair.  
3           This amendment deals with District 28 in Guilford  
4           County. Has it been distributed?

5                       SEN. BROWN: Has everybody got this  
6           amendment for Guilford County? Let's get that.  
7           Let's make sure everybody's got it.

8                       (Pause in proceedings.)

9                       SEN. BROWN: All right. It looks like  
10          we're good. Senator Van Duyn?

11                      SEN. VAN DUYN: Thank you, Mr. Chair.  
12          The objective of this amendment is to -- primarily  
13          to correct the defects that were previously caused  
14          by racial gerrymandering in District 28. It  
15          affects the surrounding districts as well, of  
16          course, but it also complies with state and federal  
17          laws. It respects the whole county -- excuse me --  
18          the whole county provision as well as the need for  
19          compactness.

20                      And with all due respect to Senator  
21          Bishop, I think we just fundamentally disagree  
22          about the need to review race in the process of  
23          correcting the previous maps. I mean, if you look  
24          at the 2011 District 28, one might suggest that if  
25          you start with that general outline, you don't have

1           to use race to create a racially gerrymandered  
2           district if you start out with an outline of a  
3           racially gerrymandered district. So for that  
4           reason, you have to consider race to make sure, in  
5           fact, that you have corrected the problems with the  
6           previous maps.

7                     And this scheme does, in fact, do that by  
8           returning us -- not quite but to -- to the  
9           percentage of African-Americans that we had in  
10          2003.

11                    SEN. BROWN: Questions for Senator Van  
12          Duyn? Senator Bishop?

13                    SEN. BISHOP: Thank you, Mr. Chair. What  
14          numerical target of African-Americans do you say is  
15          constitutional, Senator Van Duyn?

16                    SEN. VAN DUYN: I'm sorry. Could you  
17          please repeat your question?

18                    SEN. BISHOP: What numerical target for  
19          African-Americans do you say is constitutional?

20                    SEN. VAN DUYN: I am saying that closer  
21          to the 2003 numbers is constitutional because those  
22          were constitutional maps.

23                    SEN. BISHOP: What do you mean closer to;  
24          the same number or some number within what range?

25                    SEN. VAN DUYN: No. Closer to than the

1 maps that were deemed unconstitutional.

2 SEN. BROWN: Follow-up?

3 SEN. BISHOP: Thank you, Mr. Chair.  
4 Could you say what number that is?

5 SEN. VAN DUYN: Well, the number I  
6 believe in the 2017 maps was 50.52 and that was  
7 significantly higher than where it was in 2003.  
8 Ours is at 45.3.

9 SEN. BISHOP: So you targeted 45.3?

10 SEN. VAN DUYN: No. No. We just  
11 targeted less than 50.5.

12 SEN. BROWN: Senator Hise, do you want to  
13 respond?

14 SEN. HISE: Senator Van Duyn, you  
15 specifically said what the percentage was of the  
16 minority in the district we had drawn, the 2017  
17 maps. Could you repeat that?

18 SEN. VAN DUYN: I believe it was 50.52  
19 which makes it a majority minority district.

20 SEN. HISE: And your intent was to get it  
21 below 50.3?

22 SEN. VAN DUYN: No. 50.52. In other  
23 words, to get it -- to get it closer to where it  
24 was in 2003.

25 SEN. BROWN: Follow-up, Senator Hise?



1                   SEN. HISE: But no qualifications on  
2                   "closer," just as long as it went under 50.5, you  
3                   felt like it was a good number?

4                   SEN. BROWN: Is that what Senator  
5                   McKi ssick thinks?

6                   SEN. VAN DUYN: I did work with Senator  
7                   McKi ssick on these maps. So thank you for allowing  
8                   me to discuss this with him. I was in Asheville  
9                   and didn't have access to computers.

10                  But -- so, as we said before, our real  
11                  intent was not any particular number. Our real  
12                  intent was to honor the wishes of the Court in that  
13                  we demonstrate that these were no longer racially  
14                  gerrymandered districts and majority minority  
15                  districts. And so we needed to get them below 50  
16                  percent, but we didn't have a target so much as we  
17                  wanted to demonstrate that these were not racially  
18                  gerrymandered districts.

19                  SEN. BROWN: Senator Hise, follow-up on  
20                  that?

21                  SEN. HISE: So, as I would state this,  
22                  for your and McKi ssick's work on this, the concept  
23                  here was that we will assign voters based on race,  
24                  but we will not be using race excessively if we get  
25                  below the 50 percent threshold?

1                   SEN. VAN DUYN: Here's what I would say,  
2                   okay? So we have -- we have a district that is  
3                   shaped very similarly to what it was in the  
4                   unconstitutional maps, and that clearly we cannot  
5                   demonstrate, then, that we are in compliance with  
6                   the Courts if we do not at least verify that those  
7                   are no longer racially gerrymandered districts. So  
8                   we used the criteria that included reducing the  
9                   percentage of African-American voters in the  
10                  district.

11                 SEN. BROWN: Senator Blue?

12                 SEN. BLUE: I'd like to ask Senator Hise  
13                 a question, and he probably has anticipated what it  
14                 is. But specifically in the court order, they say  
15                 you've got to explain to them why you went over 50  
16                 percent in this district. What do you plan to tell  
17                 them?

18                 SEN. HISE: I would think as we go  
19                 through this entire process -- I would even say  
20                 that the Plaintiffs' attorneys clearly stated even  
21                 to the Courts that when districts are created by  
22                 other criteria that there may be naturally  
23                 occurring districts that exceed 50 percent, but  
24                 that the predominant criteria in drawing that map  
25                 was not racing and could not have been race. There

1           were no criteria in drawing the map or assigning  
2           voters in which we used race in order to place  
3           individuals.

4                       As a result of using the criteria we  
5           have, there may be -- and I still don't know what  
6           the numbers -- this is the first I've been told on  
7           this district -- there may be naturally occurring  
8           areas that have that -- a percentage of 50 percent,  
9           a percentage of 40 percent or 42 percent.  
10          Individuals group themselves into communities,  
11          particularly in urban areas that are compact in  
12          those, and naturally occurring districts may come  
13          out.

14                     And I think any numbers that you find,  
15          which I'm willing to look at, are a result of  
16          naturally occurring districts that we did not  
17          assign any voters on the basis of race or move any  
18          voters to districts on the basis of race.

19                     SEN. BROWN: Senator Blue?

20                     SEN. BLUE: So, as I understand it, with  
21          a straight face, you're going to ask the  
22          legislative lawyers to stand in front of these  
23          three federal judges and say the same guy who drew  
24          the district in 2011 knew all of these statistics,  
25          he knew what the map looked like, he redrew the

1 districts in 2017, and he does not remember what  
2 the map looked like, he does not remember why he  
3 put 50 percent or greater in that district, and it  
4 just coincidentally happens that it looks like the  
5 same district, it's got over 50 percent, which is  
6 what he sought out to achieve in 2011, but we  
7 didn't know that was going to happen. That just  
8 naturally occurred. Is that going to be the  
9 answer?

10 SEN. HISE: I think no different than you  
11 would say that when you drew the maps, you used  
12 Maptitude and somehow guessing it has some long-  
13 term memory because it was the same software used  
14 or may happen to have been the same chair  
15 individuals were sitting in. Dr. Hofeller was  
16 given the criteria of this Committee, which was  
17 significantly different from the criteria of the  
18 previous committee as a result the court rulings,  
19 and from the criteria, drew maps that did not  
20 include race. Race was not part of the database.  
21 It could not be calculated on the system that is  
22 done.

23 I wasn't drawing. It was Rucho there  
24 that was drawing then versus me there now, but I  
25 can tell you that there is no consideration of race

1           in the drawing of these maps, hidden or otherwise,  
2           nor is there is there sorting of individuals on the  
3           basis of race in the districts in the maps as they  
4           exist, quite counter to the amendments that you  
5           have been proposing.

6                         SEN. BROWN:   Senator Bishop?

7                         SEN. BISHOP:   Thank you, Mr. Chairman.   I  
8           have a couple of other questions for Senator Van  
9           Duyn.   Senator Van Duyn, I didn't get the -- or  
10          didn't retain the last name of the consultant that  
11          Senator Blue identified, but did the same  
12          gentleman -- his first name was Kareem -- did he  
13          draw your proposed amendment to Guilford?

14                        SEN. VAN DUYN:   Senator Bishop, with the  
15          Chair's permission, I worked with Senator McKissick  
16          on this.   I can't answer that honestly because I  
17          don't know who he consulted with.   Can I ask  
18          Senator McKissick that question?

19                        SEN. BLUE:   I'll allow that.   You may  
20          need to identify yourself for the---

21                        SEN. MCKISSICK:   Sure.   This is Senator  
22          Floyd McKissick, Senator District 20.   There is a  
23          gentleman who was used by the name of Mr. Kareem  
24          Crayton, C-r-a-y-t-o-n, who worked closely with  
25          this in looking at potential alternative plans for

1           the Guilford County as well as for Mecklenburg  
2           County, with the goal of trying to see what  
3           alternative configurations might be put forth for  
4           those particular clusters that would present an  
5           alternative for this Committee and for this body to  
6           consider as you move forward.

7                       SEN. BROWN: Senator Bishop?

8                       SEN. BISHOP: Senator Van Duyn, what does  
9           Dr. Crayton have against Senator Wade?

10                      SEN. VAN DUYN: I don't believe he has  
11           anything against Senator Wade.

12                      SEN. BISHOP: If you see on the map in  
13           your amendment, the little red dot there underneath  
14           the green District 28 and it's just in 27. I think  
15           that's Senator Wade's home, and that's in Senator  
16           Dr. Robinson's district, as I understand it. Is  
17           that correct?

18                      SEN. VAN DUYN: No one's been  
19           double-bunked in this.

20                      SEN. BISHOP: Do you know whether that  
21           district is favorable to Senator Wade's prospects  
22           for reelection or not?

23                      SEN. VAN DUYN: I'm sorry. I honestly do  
24           not know.

25                      SEN. BISHOP: And did not give that

1           any -- do you know whether Dr. Crayton gave any  
2           consideration to that in drawing the map?

3                   SEN. VAN DUYN: We believe it would be  
4           favorable to Senator Wade. I think, if you look at  
5           the statistics that are attached, you can see that  
6           that, in fact, is the case.

7                   SEN. BROWN: Senator Clark, I'm going to  
8           let you take off, and I'm going to let Senator  
9           Bishop think about that for just a second. I think  
10          he's got another question, but go ahead.

11                  SEN. CLARK: Thank you, Mr. Chairman. I  
12          think, Mr. Hise, when you were addressing Senator  
13          Blue regarding what you would tell the Courts, you  
14          would tell them that maybe we had exceeded the 50  
15          percent mark as the result of a naturally occurring  
16          district. I find that sort of puzzling because one  
17          of our members Senator Erica Smith-Ingram did  
18          submit criteria to this particular Committee which  
19          said that we would recognize naturally occurring  
20          districts. However, that was voted down. So are  
21          we saying that is now an acceptable criteria?

22                  SEN. HISE: That is the statement of your  
23          Plaintiffs -- I'm sorry -- of the Plaintiffs in the  
24          case.

25                  SEN. CLARK: Follow-up.

1                   SEN. BROWN: Follow-up.

2                   SEN. CLARK: Since you did mention the  
3                   idea of a naturally occurring district, I even  
4                   admitted at the time when one the members -- fellow  
5                   members set it forth, I really didn't what the heck  
6                   that meant anyway. So since you've considered that  
7                   as appropriate, what is a naturally occurring  
8                   district anyhow?

9                   SEN. HISE: I simply stated with what you  
10                  have with the reference. You can refer to their  
11                  counsel as to what they meant when they referenced  
12                  that, but districts come in at various percentages  
13                  based on the way individuals group together and the  
14                  way those are followed in without an intent or  
15                  without a specific purpose of the General Assembly  
16                  in drawing those maps.

17                  SEN. BROWN: Senator Bishop, are you  
18                  ready now?

19                  SEN. BISHOP: I think so. Thank you,  
20                  Mr. Chairman. Senator Van Duyn, do you know how  
21                  many municipalities you split in your proposed  
22                  amendment?

23                  SEN. VAN DUYN: I believe we have  
24                  minimized the splitting of municipalities with this  
25                  map.



1                   SEN. BISHOP: My understanding is that  
2                   the amendment splits eight municipalities, whereas  
3                   the leadership's plan only splits four. Do you  
4                   know that not to be correct?

5                   SEN. VAN DUYN: I'm sorry. I am not sure  
6                   of the exact number.

7                   SEN. BROWN: Follow-up, Senator Bishop?

8                   SEN. BISHOP: Kareem Crayton who helped  
9                   you, I've been given some information that he's a  
10                  widely cited expert on the intersection of law,  
11                  politics, and race, and that his work -- formal  
12                  training in law and political science whose primary  
13                  work explores the relationship between race and  
14                  politics and representative institutions. Is that  
15                  Dr. Crayton that helped you?

16                  SEN. VAN DUYN: Yes.

17                  SEN. BLUE: I'll say -- if I---

18                  SEN. BROWN: Senator Blue, go ahead.

19                  SEN. BLUE: I'll add something to that  
20                  since I know Dr. Crayton and I knew him well when  
21                  he was a professor at Chapel Hill. He is  
22                  nationally acclaimed, has written in this area, and  
23                  all of the traditional, I think maybe Yale and  
24                  Stanford or some different combination, and has  
25                  spent his career in studying race and its

1 intersection with politics and critical race  
2 theory.

3 And, consequently, he would have some  
4 opinions that would be respected as to what -- what  
5 a gerrymandered district would look like because  
6 he's written about them and studied them. And so  
7 that was one of the reasons that he was attractive  
8 to us because the Court said these are  
9 gerrymandered districts. So rather than just  
10 eyeball on a computer terminal in trying to put  
11 stuff together, we figured we ought to talk to  
12 somebody who understood what gerrymandered  
13 districts look like. So you get the benefit of his  
14 couple of decades in writing and researching and  
15 teaching in this field.

16 SEN. BROWN: I'm just curious how he  
17 would know that.

18 SEN. BLUE: By studying them, doing  
19 extensive research. As I said, he is a lawyer and  
20 a political scientist, and his whole career has  
21 been in that field. It's like a neurosurgeon  
22 knowing that there are certain things that you  
23 touch in the brain and it causes a certain  
24 reaction. Inasmuch as a political science theory  
25 can be agreed to or confirmed upon folks with

1           different opinions, but that's his area of  
2           expertise.

3                       SEN. BROWN: So that's his opinion, I  
4           guess. Senator Bishop?

5                       SEN. BISHOP: If I can just offer a  
6           comment, Mr. Chairman. You know, first of all,  
7           I'll say put in mind when you described  
8           Dr. Crayton. So he's a political science and  
9           lawyer. Nick Stephanopoulos -- he's not a  
10          statistician. He's a political -- poli sci  
11          undergrad. Then he went to Obama for America and  
12          then he went -- and he's a lawyer. We've got a lot  
13          of political scientists and lawyers in this thing  
14          trying to tell us how statistics and things can get  
15          worked out with great certainty, and they just  
16          don't make common sense to me.

17                      In this instance, you have Senator Van  
18          Duyne not even aware of how many municipalities are  
19          being split. It's a classic example of  
20          subordinating traditional districting principles to  
21          an absolute fixation on race, and I would hope the  
22          Committee doesn't accept this amendment.

23                      SEN. BROWN: Senator Hise?

24                      SEN. HISE: Thank you, Mr. Chairman.  
25          Just to summarize again, it is clear counter to the

1 criteria established by this Committee that members  
2 are assigned to districts on the basis of race,  
3 race was used for drawing maps, it increases the  
4 number of municipalities that have been divided,  
5 also counter to the criteria of the Committee, and  
6 I would ask that members reject the amendment.

7 SEN. BROWN: Any other questions?  
8 Senator Van Duyn?

9 SEN. VAN DUYN: I'd like to make a couple  
10 of clarifying remarks. One is that both the 2017  
11 maps that were presented by Senator Hise and this  
12 map do split municipalities, and I apologize for  
13 not having the comparison in terms of numbers, but  
14 this map was also drawn to accommodate incumbents,  
15 and I just wanted to point that out.

16 And then, finally, I just think it's  
17 important to say that one does not have to use race  
18 if you're drawing racially gerrymandered districts  
19 if you start out with district that was racially  
20 gerrymandered, and when we look at the 2017 maps  
21 that were presented by Senator Hise, we see a map  
22 that looks like it was based on the map that the  
23 Courts found to be racially gerrymandered. So with  
24 all due respect, the only way to make sure that it  
25 is not, in fact, the case is to consider race.

1 SEN. BROWN: Any other questions?

2 Senator Hise?

3 SEN. HISE: Just a real quick comment.

4 You know, I'm sorry that you look at a map that  
5 tends to outline the city limits of Greensboro and  
6 tend to think that that is now a racially motivated  
7 line that's coming in. Race was not considered.  
8 These maps are significantly different in size,  
9 shape, and population from what the previous maps  
10 that existed and the population, and any sort of  
11 eyeball comparison that "we think that kind of  
12 looks like the last one so you're in violation  
13 again" really misses the entire spirit of what is  
14 required for identifying racially polarized voting  
15 and making sure that it is occurring or not  
16 occurring and how you address that under the Voting  
17 Rights Act.

18 SEN. BROWN: Any other questions or  
19 comments on this amendment? If not, again, I'm  
20 going to ask you to raise your hands. All those in  
21 favor of the amendment, please raise your hand.

22 (Show of hands vote.)

23 SEN. BROWN: Those opposed?

24 (Show of hands vote.)

25 SEN. BROWN: I have nine against and four

1           for the amendment. So the amendment fails.

2                       Next, I have Senator Blue. I think this  
3           is a statewide map.

4                       SEN. BLUE: It is. Yes, it's got---

5                       SEN. BROWN: Senator Blue, I don't know  
6           if they've passed it out. Let me make sure.

7                       (Pause in proceedings.)

8                       SEN. BROWN: Okay. Senator Blue?

9                       SEN. BLUE: Thank you, Mr. Chair. This  
10          map is denominated Covington Senate 27P remedy map,  
11          and it pretty much affects the same counties that  
12          we've talked about, the four urban counties  
13          primarily, of Mecklenburg, Guilford, Wake, and  
14          Cumberland. It's somewhat different than the two  
15          maps -- the three maps that we talked about  
16          earlier, especially the two with Guilford and  
17          Mecklenburg.

18                      Yesterday the attorneys for the  
19          Plaintiffs in this case sent a letter to -- I think  
20          to the Committee Chairs saying that they had some  
21          ideas as to how to fix this since they represented  
22          the Plaintiffs, and they wanted to talk about some  
23          of their suggestions. I then authorized staff to  
24          draw legislation and let's see what the remedy map  
25          by the Plaintiffs would look like. This is it.

1                   So to relieve any of Senator Bishop's  
2                   angst, Dr. Crayton didn't help draw this map.

3                   SEN. BISHOP: He did not?

4                   SEN. BLUE: No. This is the map that the  
5                   Plaintiffs -- this is the remedy that the  
6                   Plaintiffs have offered and suggests that would  
7                   basically resolve this case. And all the  
8                   statistics relating to it are attached. We had  
9                   staff run it through the same statistical analysis  
10                  that the earlier maps were run through, and you'll  
11                  see those are in the back of the map.

12                  So it only affects the areas that were  
13                  ruled unconstitutional and the areas around the  
14                  nine districts where we had the controversy that's  
15                  brought us back here. And so I'll answer any  
16                  questions about it, but it -- just briefly, it  
17                  strictly complies with the whole county provision.  
18                  It just deals within clusters. It avoids pairing  
19                  incumbents. It's kept all the incumbents  
20                  separated. It cures the defects in all of the  
21                  racial gerrymanders in these -- primarily in these  
22                  four counties.

23                  It does not -- it is not designed to give  
24                  any particular party a particular advantage, and  
25                  you'll look at the statistics and you will see. I

1 mean, to be perfectly frank with you, folks, it's  
2 hard for you to preserve 35 seats as an advantage  
3 without doing strange stuff. But this map does not  
4 set out to give any particular advantage to  
5 Democrats or Republicans, and I think if you  
6 analyze it, it still shows substantial advantages  
7 for Republicans if you analyze on the map based on  
8 the presidential election data and the other  
9 elections that you've used. But it does -- it  
10 makes it a fairer contest. It doesn't guarantee  
11 anybody's specific election, but at least it gives  
12 people a shot -- citizens a shot to choose their  
13 representative.

14 Again, it complies with all state and  
15 federal law including the law that was raised in  
16 the letter, I think, to Chairman Hise about  
17 redistricting districts that were not affected by  
18 the Court's decision. They pointed out in that  
19 letter -- and I take it you got the letter -- they  
20 pointed out in the letter that there were some  
21 additional issues raised by these maps in violation  
22 of the state constitution. It's a pretty  
23 thoughtful letter, a two-page letter.

24 And so once I saw that and saw that maps  
25 that they had finalized on, I thought it was



1           appropriate to put the third map before you so that  
2           you can debate it, analyze it, and figure out  
3           whether -- if you wanted to incorporate it into  
4           your maps or at least certain aspects of it.  
5           Because, again, it adopts all the traditional  
6           criteria, and it uses most of the criteria that we  
7           adopted as a committee, and here it is before you.

8                       SEN. BROWN: Senator Blue, one real quick  
9           question before I let Senator Hise speak. You ran  
10          the amendment on Wake County. It looks to me like  
11          this is different than that amendment for Wake  
12          County. I'm just curious of that particular piece.

13                      SEN. BLUE: It is. It's different from  
14          the amendment in Wake County.

15                      SEN. BROWN: Senator Hise?

16                      SEN. HISE: Thank you, Mr. Chair. You  
17          know, I think that perhaps the ridiculous nature of  
18          this probably -- of this map speaks for itself, but  
19          that somehow the remedy is to try to draw Guilford,  
20          Wake, and Mecklenburg County in such a manner that  
21          no Republican would be represented in any of those  
22          areas that would be coming through. So some sort  
23          of rectification for the fact that urban areas tend  
24          to -- what, 15 counties vote Democrat in this state  
25          and 85 vote Republican -- is that we should take

1           those areas and make sure that they're all  
2           Democratic representatives that were coming in.

3                     It, for no good reason whatsoever, goes  
4           after Senator Barringer and Senator Chaudhuri to  
5           place them double-bunked together. It takes  
6           Senator Robinson and Senator Wade, once again, for  
7           no good reason. Also, Senator Bishop and Senator  
8           Jeff Jackson in Mecklenburg, that it just wants to  
9           throw those in and see what it could change out.

10                    I think that speaks much more to the  
11           motive of the Plaintiffs than anything that has to  
12           do with racial issues or others that have occurred  
13           in the state. For what they have done, I think  
14           this is not even a serious proposal that's coming  
15           in, and I would ask the Committee to reject it.

16                    SEN. BROWN: Senator Blue?

17                    SEN. BLUE: Thank you, Mr. Chairman. And  
18           I apologize to the Committee. I misspoke. I have  
19           looked at it. It does double-bunk in several  
20           districts. I was under the impression that it  
21           didn't. I present it to you because it is the  
22           proposal that the Plaintiffs have offered as their  
23           potential remedy that solves the issues that  
24           they've raised.

25                    So I present it to you in that light and

1           acknowledge that Senator Hise is right. There are  
2           some places -- at least two or three places where  
3           it double-bunks in addition to the double-bunking  
4           in the Republican map. I think that that's  
5           accurate.

6                       SEN. BROWN: Any other questions on this  
7           map? Senator Bishop?

8                       SEN. BISHOP: As one double-bunked, may I  
9           ask this question? There's a case I have in mind.  
10          It's called Cox versus Larios, and in that one  
11          party purposefully double-bunked a bunch of people  
12          of the other party. Now, in the maps that I  
13          understand are proposed by Senator Hise -- or the  
14          map -- the double-bunking there is all -- I think  
15          basically all hurts Republicans and it's all driven  
16          by the pods.

17                      And I'm just a freshman, but would you  
18          think maybe taking not only me but Senator Wade and  
19          Senator Barringer out by double-bunking would be  
20          for a partisan advantage?

21                      SEN. BROWN: Senator Blue?

22                      SEN. BLUE: I'll say this much. I think  
23          that when they drew the map, they're not as  
24          politically sensitive as those who serve, and so I  
25          look at the Wake portion of the map where they

1 double-bunked -- who is this? In 15, is that---

2 SEN. HISE: Chaudhuri.

3 SEN. BLUE: ---Chaudhuri and---

4 SEN. HISE: Barringer.

5 SEN. BLUE: ---Johnny Mac Alexander?

6 SEN. HISE: Chaudhuri and Barringer, I  
7 think.

8 SEN. BISHOP: It's Chaudhuri and  
9 Barringer, as I understand it.

10 SEN. BLUE: It's not Barringer unless  
11 Chaudhuri is in the blue portion. I can't see.  
12 Somebody's on the line. Something that could be  
13 easily fixed if you wanted to follow the concept.  
14 I can't tell who it is because it's small, but it  
15 looks like it's Chaudhuri and Barefoot that have  
16 been -- I mean Chaudhuri and Alexander and  
17 Barefoot.

18 SEN. BISHOP: Mr. Chairman?

19 SEN. BLUE: Okay. But, anyhow, it might  
20 have some similarity to the Common Cause map, but  
21 this is what they submitted. And as a double-  
22 bunkee, I don't know how you kick your bed mate  
23 out, but -- in Mecklenburg because you're double-  
24 bunked, you're right.

25 And I think lastly -- I can't tell

1           whether Senator Lee is double-bunked, but all of  
2           these districts are drawn so close to the line that  
3           if you are interested in pursuing this concept, you  
4           could easily fix it because it looks like the  
5           districts next to them are empty districts.

6                       SEN. BROWN:   Senator Bishop?

7                       SEN. BISHOP:   I would just observe that  
8           in double-bunking me with Jeff Jackson, they did it  
9           in Plaza, Midwood, and East Charlotte, not down in  
10          Ballantine and Matthews. I'm sure that's  
11          coincidental. But do you know who -- who was the  
12          "they" who prepared this?

13                      SEN. BLUE:   This is what the --  
14          Plaintiffs' counsel asked could we take a look at  
15          what they proposed, and so, consequently, I had  
16          staff reduce to the form that we understand, that  
17          is, maps and legislation, that would accomplish  
18          what they proposed as their remedy.

19                      SEN. BISHOP:   Do you have any knowledge  
20          who helped them, who their consultant was, who the  
21          map drawer was?

22                      SEN. BLUE:   I don't know specifically who  
23          did it.

24                      SEN. BROWN:   Senator Bishop?

25                      SEN. BLUE:   I had no role in choosing who

1           they used. I don't know. I can't say specifically  
2           who they hired or paid for.

3                     SEN. BROWN: Senator Bishop?

4                     SEN. BISHOP: Who's the counsel you're  
5           referring to?

6                     SEN. BLUE: Counsel for the Plaintiffs.

7                     SEN. BISHOP: Is that Anita Earls?

8                     SEN. BLUE: Yes. And so Anita then -- I  
9           had it sent it to staff. She sent it. There is  
10          communication with her.

11                    SEN. BROWN: Follow-up, Senator Bishop?

12                    SEN. BISHOP: If we were to adopt this  
13          amendment, it would undo -- I think you already  
14          said in response to the Chairman -- what you have  
15          already done by another amendment to Wake. It  
16          would also undo what we did for Senator Clark's  
17          district in Cumberland, right? Sir?

18                    SEN. BLUE: Yes, that's correct.

19                    SEN. BISHOP: I don't understand the  
20          purpose of this, then. Is it a litigation tactic  
21          to propose this?

22                    SEN. BLUE: No. I offer you what the  
23          Plaintiffs have suggested their thoughts are about  
24          this remedy for the gerrymanders.

25                    SEN. BISHOP: If I may, but you're

1           proposi ng---

2                   SEN. BROWN:   Senator Bi shop.

3                   SEN. BISHOP:   You're proposing it as an  
4           amendment for this Commi ttee to adopt, aren't you?

5                   SEN. BLUE:   For the Commi ttee to adopt,  
6           yes, but I know that before commi ttees adopt stuff,  
7           they look at it, and if you see something good in  
8           it that you like, the Commi ttee could do a  
9           commi ttee substitute and fix some of the obvious  
10          problems that you see in it.

11                  SEN. BROWN:   Senator Bi shop?

12                  SEN. BISHOP:   Do you and Senator Clark  
13          support the adoption of this amendment?

14                  SEN. BLUE:   Yeah.   But I probably would  
15          support a commi ttee substitute if you want to fix  
16          some of the problems that you're suggesting because  
17          I'm a realist and a practical guy, and I know what  
18          the chances are that you'll adopt the amendment.

19                  SEN. CLARK:   And I'd like to add  
20          something also to that.

21                  SEN. BROWN:   Senator Clark?

22                  SEN. CLARK:   During the public hearings,  
23          many of our citizens indicated that they wanted us  
24          to pass maps that took into consi deration their  
25          interests and their needs, not the needs of the

1 politicians. They want to be able to elect those  
2 who represent them.

3 If adopting this map -- which I can see  
4 the one that has partisan neutrality -- all this  
5 has a slight Republican edge to it. It's far less  
6 than what it is today, but if that means putting me  
7 out of office, I would gladly accept this map if it  
8 would provide for partisan stability or partisan  
9 balance throughout the state of North Carolina so  
10 that the individuals whom are elected to come here  
11 and to serve them are elected based on fair and  
12 nonpartisan maps.

13 SEN. BROWN: Senator Bishop?

14 SEN. BISHOP: My good friend, Senator  
15 Clark, and I hope to be a much better friends, but  
16 I will say that comes with poor grace given that  
17 your amendment was designed, in part, to fix an  
18 incumbency issue. And let me say this. Incumbency  
19 can be a problem, but what the Supreme Court of the  
20 United States recognized in Cox versus Larios is  
21 that you also can use double-bunking as a means of  
22 ripping down your partisan opponents.

23 The maps that are proposed by the  
24 majority don't do anything of the kind. This map  
25 has a pattern that is -- it cannot be imagined to



1           be a coincidence. It takes out two of the most  
2           senior members of the Republican majority and  
3           little old me. And I don't -- I mean to then  
4           profess that incumbency is all about protecting  
5           selfish officeholders is really a little bit too  
6           much. And I hope -- I trust that the Committee  
7           will not adopt this amendment.

8                         SEN. BROWN: Senator Hise?

9                         SEN. HISE: Thank you, Mr. Chairman. You  
10           know, perhaps the veils start to come off at this  
11           late hour, and we start to see that what the real  
12           motives behind all this is, an attempt to lessen  
13           the number of Republicans that represent in the  
14           Senate. That is the motive I think you see in  
15           these districts behind what they've proposed as a  
16           remedy. Senator Clark said even if it meant giving  
17           up his own seat, if he could just reduce the number  
18           and bring it to more balanced, he would do so.

19                        I think we're seeing what the purpose is  
20           of why this is a court case in general, why we are  
21           here and others, and really the motives behind it.  
22           I think this map is their attempt to exemplify that  
23           and to see what manner in which they can hope to  
24           get additional seats regardless of how it affects  
25           minorities, incumbents, or others within this

1 state.

2 So I, again, would ask the Committee that  
3 we would reject this map, not even really from a  
4 committee member but submitted on their behalf and  
5 counter to previous amendments and to most of the  
6 criteria this Committee adopted.

7 SEN. BROWN: Senator Clark?

8 SEN. CLARK: Thank you, Mr. Chairman.  
9 Senator Hise, you did represent my intent very  
10 well. As a matter of fact, I did submit criteria  
11 for recommendation that said that one of the  
12 objectives of the Committee should be to obtain  
13 partisan balance and partisan neutrality, whichever  
14 term you want to indicate. And, yes, that might  
15 end up meaning a reduction in the number of  
16 Republicans in the North Carolina Senate. But,  
17 like I said, I believe that we should have fair  
18 maps that provide for representation with respect  
19 to the way the people need it. Thank you.

20 SEN. BROWN: Senator Clark, they wouldn't  
21 be gerrymandered maps, would they?

22 SEN. CLARK: Oh, absolutely not. As a  
23 matter of fact, the efficiency gaps on those maps,  
24 you'll see that pretty much they still -- even  
25 these as well as the Common Cause map has about a 4

1           percent positive lean towards Republicans. As a  
2           matter of fact, if we're talking about what's  
3           gerrymandered, you can clearly see what's going on  
4           in Senate District 21, my particular district,  
5           which remains gerrymandered.

6                       I mean, like I said, it's going to set up  
7           a situation where essentially I don't have general  
8           election opponent, and I'll pretty much walk back  
9           into the office here because of the way it's  
10          gerrymandered. If it was a balanced cluster, the  
11          Cumberland/Hoke cluster, what we would have is we'd  
12          have a more competitive district where I would  
13          actually have to run hard in the general election  
14          as well as my opponent across the aisle, which I  
15          think would serve the people of Cumberland and Hoke  
16          Counties better to actually have more competitive  
17          races as opposed to cakewalks during the general  
18          election.

19                     SEN. BROWN: Senator Clark, I've got to  
20          respond to that. Would you say, then, this map  
21          that was just introduced as an amendment doesn't  
22          gerrymander in any way?

23                     SEN. CLARK: It certainly does not. As a  
24          matter of fact -- or at least -- let me clarify  
25          that. With regard to the Hoke/Cumberland cluster,

1 I can explain that, if you want, with a little bit  
2 time.

3 SEN. BROWN: But you say it doesn't -- in  
4 your mind, it doesn't gerrymander, is what you're  
5 saying?

6 SEN. CLARK: Oh, absolutely not. If you  
7 look at the Cumberland/Hoke cluster, which is  
8 Senate District 21 and 19, which is this block up  
9 at the top there. And what it does is, it's  
10 like -- the intent of the Committee was to not  
11 split cities so it does not split Spring Lake, it  
12 does split Wade, does not split Falcon, does not  
13 split Eastover, does not split Hope Mills. In  
14 Senate District 19, no municipalities split except  
15 Fayetteville, which is split anyway, it's so large  
16 you're going to have to split it. And what it does  
17 is it keeps Fort Bragg -- Fort Bragg and Spring  
18 Lake with Senate District 21 and pretty much the  
19 southern border, it runs down slightly north of --  
20 or should I say south of the Fort Bragg area.

21 Now, if this thing was -- like I said,  
22 it's not gerrymandered because it doesn't provide  
23 anyone any significant political advantage over  
24 where we're at right now. As a matter of fact,  
25 like I said, it would my task of becoming reelected

1 more difficult, and it might provide a little bit  
2 more of a challenge for Senator Meredith as well.  
3 But the people indicated time and time again during  
4 the public hearings that what they wanted is more  
5 fair and competitive elections.

6 This map is not something that would  
7 necessarily be in my best interest, as I say, if  
8 you're trying to win a general election. It is the  
9 furthest thing away from a gerrymander as you can  
10 get.

11 SEN. BROWN: I would disagree. When you  
12 look a few of these counties, I think it's pretty  
13 clear what this map is. Senator Hise, any other  
14 comments?

15 SEN. HISE: No.

16 SEN. BLUE: Just one clarifying -- if I  
17 could?

18 SEN. BROWN: Senator Blue?

19 SEN. BLUE: Because in listening to the  
20 discussion, I think that the point that needs to be  
21 made is that, again, we did some amendments, and I  
22 think appropriately so, but in looking at the  
23 statistics on this map -- and, again, I didn't draw  
24 it, but I'm just looking at it. I heard all the  
25 public comment. I've been following the Common

1 Cause's arguments over the last several years and  
2 as they've gotten more intense over the last year.

3 But when I look at this map and the Wake  
4 County districts, it's got two outright wins by  
5 Richard Burr and two that were at the 49 percent  
6 level, but two outright wins of over 50 percent,  
7 and I think it's got only one -- only one of the  
8 districts in Wake County voted Democratic in that  
9 election. There are also people who really want to  
10 move away from partisanship when it comes to making  
11 districts because that's how you get, I think, the  
12 debate going on so that the best ideas emerge, and  
13 we don't sort of resort to our tribal instincts  
14 within our respective caucuses and you get to  
15 discuss things in a much deeper and richer way in  
16 an election because you've got to debate and you've  
17 got to tell people what you stand for and that  
18 you'll be responsive to them, and there are some  
19 people very interested in that.

20 And winning 52, 53 percent in an election  
21 is not that bad. It basically recreates a riddle  
22 and you start addressing issues that need to be  
23 addressed. That's what these maps seem to do at  
24 least in Wake County, and again, I can't speak for  
25 the others because in Wake County in that Marshall

1 race, she was a resident of Wake County and lost  
2 four districts -- or lost three districts -- lost  
3 one -- two of them by one percentage point. That's  
4 a competitive district.

5 And I haven't had a chance to analyze it  
6 by the other seven or eight races that you used,  
7 but I would venture, if you put those races on this  
8 map, you will find those to be pretty competitive.  
9 You know, are there other configurations that -- if  
10 I were doing it myself individually that I'd have  
11 probably tried to come up with in Wake County, I  
12 probably would have. Would partisanship have gone  
13 into to a greater degree? Probably would have, but  
14 I think that we just can't cast a stone at  
15 everybody who has a different idea as to what  
16 competition is in these races.

17 And I bet you, if you go through that map  
18 and you look at these districts, you will find many  
19 more 48-52 districts, and they roll with the tide,  
20 depending on what the issues are and what people  
21 are thinking, and I happen to think that districts  
22 like that are more helpful too because it makes all  
23 of us gravitate toward the middle a whole lot more.

24 SEN. BROWN: Senator Clark?

25 SEN. CLARK: Thank you, Mr. Chairman.

1           And one more note regarding partisan advantage. I  
2           would like to remind the Committee that I was the  
3           one that submitted criteria that said partisan  
4           advantage would not be a criteria of this  
5           particular Committee, and that criteria was voted  
6           down.

7                       SEN. BROWN: Senator Hise?

8                       SEN. HISE: And just to follow up, I  
9           would say regardless of what was proposed and  
10          rejected, that is not the criteria of this  
11          committee that's coming in. And so, finally, I  
12          would ask that members would reject the amendment  
13          as proposed.

14                      SEN. BROWN: Senator McKissick, you're  
15          not on this Committee. I'm sorry.

16                      Any other comments or discussion on this  
17          amendment?

18                      SEN. BROWN: If not, again, I'm going to  
19          ask you to raise your hands. All those in favor of  
20          the amendment, raise your hand.

21                      (Show of hands vote.)

22                      SEN. BROWN: Those opposed?

23                      (Show of hands vote.)

24                      SEN. BROWN: The amendment fails nine to  
25          four.



1                   All right. That should bring the bill  
2                   before us. So any discussions on the bill?

3                   SEN. BISHOP: Mr. Chair?

4                   SEN. BROWN: Senator Bishop.

5                   SEN. BISHOP: If it's the appropriate  
6                   time, I make a motion for a favor report to the PCS  
7                   as amended rolled into a new PCS and changing the  
8                   short title to read 2017 Senate Redistricting  
9                   Committee Plan.

10                  SEN. BROWN: Any discussion? Any more  
11                  discussion? If not, again, I will ask you to raise  
12                  your hand. All those in favor of Senate Bill --  
13                  the PCS rolled into a PCS -- into a new PCS and  
14                  changing the short title to 2017 Senate  
15                  Redistricting Committee Plan. All those in favor,  
16                  raise your hand.

17                  (Show of hands vote.)

18                  SEN. BROWN: Those opposed?

19                  (Show of hands vote.)

20                  SEN. BROWN: It passes nine to four. I  
21                  think that's right. Nine to four, so the bill  
22                  passes. Anything else before the Committee? If  
23                  not, we're adjourned.

24                  (The proceedings were concluded at 6:25  
25                  p.m.)

8-24-17 Senate Redistricting Committee  
North Carolina General Assembly, Redistricting 2017

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STATE OF NORTH CAROLINA

COUNTY OF ROCKINGHAM

CERTIFICATION

This is to certify that the foregoing transcript of proceedings held on August 24, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

Certified this 30th day of August, 2017.

  
Notary Public

Rebecca P. Scott  
Notary Number  
19940530133

Worley Reporting

GENERAL ASSEMBLY OF NORTH CAROLINA

2017 LEGISLATIVE SESSION, SENATE FLOOR

SENATE BILL 691 SECOND READING

FRIDAY, AUGUST 25, 2017

Reported by:

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1 [Reporter's Note: Proceedings in this  
2 session began at 10:27 a.m.]

3 PRESIDENT PT BERGER: The Senate will  
4 come to order. Sergeant-at-Arms will close the  
5 doors. Members will go to their seats. Members  
6 and guests will please silence all electronic  
7 devices.

8 Leading the Senate in prayer is Senator  
9 Jerry Tillman of Randolph County. All members  
10 and guests will please stand.

11 SENATOR TILLMAN: Thank you,  
12 Mr. President.

13 Ladies and gentlemen of the Senate, let  
14 us enter into a moment of prayer, please. I like  
15 to begin prayers, especially in our caucus and in  
16 other places, with a good bible verse, and I  
17 picked this one out for my good friend Reverend  
18 Lowe back there. I'm hoping one day, when he  
19 preaches again in Randolph County, he will preach  
20 on maybe -- maybe he can use this verse as a  
21 sermon title.

22 It's a verse I like from the Old  
23 Testament: Unless the Lord buildeth the house,  
24 those who would build it laboreth in vain. Lord  
25 we pray that you will be our foundation through

1 the life we build and the homes we build; that we  
2 will build it on you and the spiritual lessons  
3 that you have taught us through the Good Book.  
4 Guide and direct our thinking today, Lord, that  
5 you will be here in our midst to help us to do  
6 the work of the people and to do it with your  
7 blessings and your foundation. Oh, God, we pray  
8 in Christ's name. Amen.

9 PRESIDENT PT BERGER: Senator Pate is  
10 recognized for a motion.

11 SENATOR PATE: Thank you,  
12 Mr. President.

13 The journal of August 24, 2017, has  
14 been examined and found to be correct. I move  
15 that we dispense with the reading of the journal  
16 and that it stand approved as written.

17 PRESIDENT PT BERGER: Without  
18 objection, the journal for August 24, 2017,  
19 stands approved as written.

20 Members' leaves of absence are  
21 requested and, without objection, are granted for  
22 Senators Cook, Jim Davis, Meredith, Tarte and  
23 Woodard.

24 Members, courtesies of the Chamber are  
25 extended to Denise Myers Byrd of Discovery Court

1 Reporters and Legal Videographers.

2 And also, Members, in the Chamber is  
3 former Senator Buck Newton. I saw him a little  
4 bit ago. Senator Newton, if you're still here --  
5 in the back of the Chamber. Thank you for being  
6 with us today.

7 And with that, Members, unless there's  
8 something else, we'll go straight to the  
9 calendar.

10 SENATOR RABIN: Mr. President.

11 PRESIDENT PT BERGER: Senator Rabin,  
12 for what purpose do you rise?

13 SENATOR RABIN: A motion, please.

14 PRESIDENT PT BERGER: State your  
15 motion.

16 SENATOR RABIN: Thank you,  
17 Mr. President.

18 Mr. President, we move to reconsider  
19 House Bill 140, Dental Plans Provider Contracts  
20 and Transparency, and House Bill 770, Various  
21 Clarifying Changes to Tuesday's floor calendar.  
22 That's August 29th.

23 PRESIDENT PT BERGER: Without  
24 objection --

25 SENATOR RABIN: Mr. President, also

1 move to suspend the rules and staff be allowed to  
2 sit with Senator Hise for today.

3 PRESIDENT PT BERGER: Without  
4 objection, so ordered.

5 Senate Bill 691. The clerk will read.

6 THE CLERK: Senate Bill 691, 2017  
7 Senate Redistricting Committee Plan.

8 PRESIDENT PT BERGER: And Senator Hise  
9 is recognized, but before he's recognized,  
10 Members, we also have a single volunteer page  
11 with us today. He was up here. Tanner Minton is  
12 a volunteer page today. He is Senator  
13 Randleman's grandson.

14 And Senator Hise is recognized to speak  
15 on to explain Senate Bill 691.

16 SENATOR HISE: Thank you,  
17 Mr. President.

18 Members of the Committee, there are a  
19 lot of individuals and staff and others and our  
20 committee members on the redistricting put a lot  
21 of hours in between in a definitely compressed  
22 timeline given to us by the Courts in order to  
23 get these maps to you today and be able to get  
24 them through the process before the deadline  
25 September 1st. I want to start by saying that I

1 am very grateful to all of them for the work they  
2 put into this.

3 The maps that you have in front of you  
4 that were amended in committee yesterday, we  
5 began by establishing criteria on which those  
6 maps would be drawn, and the maps that you have  
7 presented meet those criteria. Just to go  
8 through them briefly, what you have, and everyone  
9 should have, a printout copy of this, actually.  
10 I know there may be some challenges for how this  
11 works on the dashboard, but the full map that  
12 would be entitled 2017 Senate Redistricting  
13 Committee Plan.

14 First is equal population. You will  
15 see in your stat pack that each one of these 50  
16 districts fall within the plus or minus 5 percent  
17 of the ideal population that is established by  
18 the Courts.

19 The contiguity, you'll find that each  
20 of these maps have contiguous borders with  
21 districts around them.

22 County groupings and traversals, which  
23 is probably the most complex of this and may have  
24 caused consternation. The rules for county  
25 groupings and transversals were established in



1     Stephenson one and have been affirmed in many  
2     other cases. This is a requirement that we group  
3     counties into the smallest number of counties  
4     possible that would form a whole number of  
5     senators within that district. This map follows  
6     the county groupings formula that we've released  
7     several weeks ago. We have asked on multiple  
8     occasions for anyone who could submit a more  
9     optimal county grouping process, and I believe  
10    that none exist and we have received none in the  
11    committee.

12           Compactness. The committee adopted as  
13    a guide for compactness Reock and Polsby-Popper  
14    scores for drawing legislative districts that  
15    appear. The reason these two are selected, these  
16    methods and scores were adopted as a guide is  
17    because they're the only ones that have been  
18    cited by the Courts as being relevant to judging  
19    the compactness of districts. So when we look at  
20    previous court rulings, these are the two  
21    measures that determine compactness.

22           The scores themselves lead to a minimum  
23    for Reock of .15 and a minimum for Polsby-Popper  
24    of .05, and you will find that all of the  
25    districts that are there meet those scores as

1 well as the stated goal of this. This plan  
2 improves the compactness of the districts as a  
3 whole that is coming in, and the 2011 Senate  
4 Plan -- compared to the 2011 Senate Plan and also  
5 fares against any -- well against any maps that  
6 have been produced by the Senate over the last  
7 two decades.

8           The next one, fewer split precincts.  
9 In response to public comment and others, the  
10 committee adopted criteria to lower the number of  
11 split precincts, which is what you will find in  
12 this map. The 2011 Senate Plan split 257  
13 precincts. The plan that you have before you now  
14 only splits 9 precincts. Two of those were  
15 retained from the New Hanover County, the  
16 districts that were not redrawn. Two were made  
17 to avoid double-bunking of senators. The other  
18 splits were made in place that has zero  
19 population divide which would improve the  
20 compactness score or to follow a new precinct  
21 line that has been established since 2011.

22           Municipal boundaries. The next  
23 criteria the committee was asked to consider  
24 municipal boundaries when drawing legislative  
25 districts. Across this state, this plan splits

1 just 25 municipalities in places where there is a  
2 population or the city does not naturally cross a  
3 county line. Municipal boundaries are by no  
4 means compact or limited under annexation to even  
5 county borders which makes that a little more  
6 complex, but by any measure, this plan splits  
7 fewer municipalities than the one adopted in 2011  
8 and fares historically well against senate plans  
9 adopted by the General Assembly over the last two  
10 decades.

11 Next is incumbency protection criteria  
12 adopted by the committee. The map, in effect,  
13 does double-bunk eight members. Three pairs are  
14 Republicans and one cross-party pair. No pairs  
15 of the minority party were double-bunked in these  
16 maps.

17 Senator Randleman, Senator Ballard were  
18 double-bunked by the necessity of their county  
19 grouping. Senator Krawiec and newly elect  
20 Senator Barrett were double-bunked by necessity  
21 within their county grouping. Senator Alexander  
22 and Senator Barefoot were double-bunked in Wake  
23 County; however, it was made known to the  
24 committee that Senator Barefoot announced that he  
25 does not intend to run for reelection. And

1 Senator Smith-Ingram and Senator Cook were also  
2 double-bunked by necessity of the county  
3 groupings.

4 Election data. We did consider  
5 political considerations in election data  
6 results. In drawing these, you have the report  
7 of each of the ten races from 2010 senate, 2012  
8 presidential, governor, lieutenant governor, 2014  
9 senate, and 2016 senate, governor, lieutenant  
10 governor and attorney general. You will have the  
11 results of each of those races as part of your  
12 stat pack.

13 And importantly, the last consideration  
14 would be that there would be no consideration of  
15 racial data. Data identifying the race of  
16 individuals was not used in the drawing of these  
17 maps. It was not used to assign voters to a  
18 particular district on the basis of their race.

19 It complies with all of the committees'  
20 criteria and, most importantly, now complies with  
21 the court order. I would ask for y'all to  
22 support it and would be more than happy to answer  
23 any questions.

24 Sorry, Mr. President. I do have a  
25 technical amendment, if that would be possible.

1           PRESIDENT PT BERGER: Send forward your  
2 amendment. The clerk will read.

3           THE CLERK: Senator Hise moves to amend  
4 the bill.

5           PRESIDENT PT BERGER: Senator Hise is  
6 recognized to explain the amendment.

7           SENATOR HISE: Thank you,  
8 Mr. President.

9           Members of the Committee, apparently  
10 when transcribing this map for the new PCS, one  
11 of the line numbers was picked up in the copying  
12 and added in, so there's an extra 27 on Page 4.  
13 This would simply remove that.

14           PRESIDENT PT BERGER: Further  
15 discussion or debate on Amendment 1. Hearing  
16 none, the question before the Senate is the  
17 passage of Amendment 1 to Senate Bill 691. All  
18 in favor of the amendment will vote "aye," all  
19 opposed will vote "no." Five seconds will be  
20 allowed for the vote. The clerk will record the  
21 vote.

22           Senator Barrett "aye"; Senator Dunn  
23 "aye"; Senator Smith-Ingram "aye"; Senator  
24 Waddell "aye."

25           45 having voted in the affirmative and

1 none in the negative, Amendment 1 passes and the  
2 bill is back before you. Further discussion or  
3 debate on Senate Bill 691.

4 Senator Blue, for what purpose do you  
5 rise?

6 SENATOR BLUE: To send forth an  
7 amendment.

8 PRESIDENT PT BERGER: Send forward your  
9 amendment. And, Senator Blue, my understanding  
10 is you have two amendments on the deck already.  
11 If you can identify which one.

12 SENATOR BLUE: I will. Thank you very  
13 much, Mr. President. It is ATC-122, Version 1,  
14 looks like, the Wake County amendment.

15 PRESIDENT PT BERGER: The clerk will  
16 read.

17 THE CLERK: Senator Blue moves to amend  
18 the bill.

19 PRESIDENT PT BERGER: And Senator Blue  
20 is recognized to explain the amendment.

21 SENATOR BLUE: Thank you very much,  
22 Mr. President.

23 The committee yesterday, and I  
24 appreciated it, adopted an amendment that we had  
25 done involving just two districts in Wake County,

1 Senator Chaudhuri's district and the district  
2 that I represent.

3 And what the amendment failed to do was  
4 accurately reflect the precincts that we thought  
5 had been transferred. This corrects it. It only  
6 involves those two districts. It's been  
7 reviewed. I've talked to Senator Hise about it,  
8 and basically it's technical in nature, but pulls  
9 in the precincts that we thought were being  
10 pulled in in the Senate amendment yesterday  
11 afternoon. I move adoption of the amendment,  
12 Mr. President.

13 PRESIDENT PT BERGER: Further  
14 discussion or debate on Amendment 2.

15 Senator Bishop, for what purpose do you  
16 rise?

17 SENATOR BISHOP: To ask Senator Blue a  
18 question, if he'll yield.

19 PRESIDENT PT BERGER: Senator Blue, do  
20 you yield?

21 SENATOR BLUE: I yield.

22 PRESIDENT PT BERGER: He yields.

23 SENATOR BISHOP: Senator Blue, you and  
24 I had some interplay -- discussion yesterday in  
25 the committee meeting about your amendment that

1 was adopted then. I wanted to ask at this point  
2 do you remain convinced that the Wake County  
3 districts as further amended by your proposed  
4 amendment are not racial gerrymanders?

5 SENATOR BLUE: Not who gerrymandering?  
6 Racial gerrymandering?

7 SENATOR BISHOP: Yes, not racial  
8 gerrymandering.

9 SENATOR BLUE: They are not racially  
10 gerrymandering. And as I explained in the  
11 committee, I think that the way that Wake County  
12 is cures the gerrymander that the Court found in  
13 Wake County, and the only other avenue for it to  
14 be a racial gerrymander is if you used -- if you  
15 used race in order to get a political  
16 gerrymander. That's the way you would analyze  
17 it. And I think given the makeup of the  
18 districts in Wake County that you cure the racial  
19 gerrymander problem, and I don't think you have a  
20 political gerrymander in Wake County.

21 SENATOR BISHOP: May I follow up?

22 PRESIDENT PT BERGER: Senator Blue, do  
23 you yield for a follow-up?

24 SENATOR BLUE: I yield.

25 SENATOR BISHOP: Do you believe that



1 the districts in Wake County, as you would  
2 further amend them by this amendment, are legal  
3 under all applicable legal theories?

4 SENATOR BLUE: Again, I think that with  
5 the interchange of precincts, and they're all  
6 whole precincts, between the two districts that  
7 the committee had drawn that were Democratic  
8 districts more adequately cures the racial  
9 gerrymander.

10 Again, I have not done a total analysis  
11 of whether or not you've got a political  
12 gerrymander, but as I told you in the committee  
13 yesterday, I think the creation of District 16 as  
14 a competitive district, and it looks like a  
15 Democratic-leaning district, cures the foundation  
16 on which one would probably bring a political  
17 gerrymander claim, but the map still has high  
18 numbers of Democrats in a district and  
19 Republicans in a district, separate districts,  
20 and the way that the map is drawn has two strong  
21 Democrat, two strong Republican and it looks like  
22 a competitive leaning Democratic district.

23 And so from the chatter that I've heard  
24 about this area, you probably couldn't sustain  
25 that there's a political gerrymander specifically

1 in Wake County, but it does -- it does not  
2 address the broader issue of whether the map as a  
3 whole is a political gerrymander. You can't do  
4 that without analyzing all of the districts  
5 statewide.

6 SENATOR BISHOP: Thank you,  
7 Mr. President.

8 PRESIDENT PT BERGER: Further  
9 discussion or debate.

10 Senator Hise, for what purpose do you  
11 rise?

12 SENATOR HISE: Speak to the amendment.

13 PRESIDENT PT BERGER: You have the  
14 floor.

15 SENATOR HISE: Thank you, Mr.  
16 President.

17 Members of the Committee, we discussed  
18 this quite a bit in committee yesterday and as  
19 well as had several conversations with Senator  
20 Blue. It is my determination that these maps  
21 were not drawn with the consideration of race,  
22 but, however, Senator Blue's knowledge of certain  
23 communities and where they fit and his claim that  
24 this would not -- would alleviate or would not  
25 create a racial gerrymander in Wake County.

1           Coming in, I would ask that the Members  
2 of the Senate would support this clarifying  
3 amendment to what was proposed yesterday.

4           PRESIDENT PT BERGER: Further  
5 discussion or debate on Amendment 2. Hearing  
6 none, the question before the Senate is the  
7 passage of Amendment 2, Senate Bill 691. All in  
8 favor will vote "aye," all opposed will vote  
9 "no." Five seconds will be allowed for the  
10 voting. The clerk will record the vote.

11           45 having voted in the affirmative and  
12 none in the negative, Amendment 2 passes and the  
13 bill is back before you.

14           Further discussion or debate on Senate  
15 Bill 691. Further discussion or debate on Senate  
16 Bill 691.

17           Senator Robinson, for what purpose do  
18 you rise?

19           SENATOR ROBINSON: To send forth an  
20 amendment.

21           PRESIDENT PT BERGER: Send forward your  
22 amendment. The clerk will read.

23           THE CLERK: Senator Robinson moves to  
24 amend the bill.

25           PRESIDENT PT BERGER: Senator Robinson

1 is recognized to explain the amendment.

2 SENATOR ROBINSON. Thank you,  
3 Mr. President.

4 Ladies and gentlemen, you have before  
5 you on the dashboard an amendment for the way  
6 Guilford County, specifically Senate  
7 Districts 27, 28, and I believe 26 is in there  
8 somewhere, are drawn.

9 The approach to this was to develop  
10 districts that comply foremost with the state and  
11 federal law, particularly remedying the  
12 constitutional flaws that were found by the Court  
13 in the present districts we have. The Court  
14 specifically found that the violations included  
15 Senate District 28 which takes in part of  
16 Guilford County. And you can see that because  
17 every reference that you have heard about shape,  
18 different from what Senator Hise said yesterday  
19 in committee that there were no comments about  
20 shape, but in the comments in Guilford County, it  
21 was specifically about shape. And Senate  
22 District 28 is the one that was pointed out in  
23 terms of why the shape.

24 The proposal here remedies that  
25 violation and includes due consideration of the

1 factors adopted by the Redistricting Committee.  
2 This mapping proposal is more compact than the  
3 original map in 2011 that was invalidated by the  
4 Court as well as the proposal for the county that  
5 was just released by your Republican majority.

6 What seems to be the driving  
7 consideration, however, of your map in this  
8 county cluster is the maintenance of incumbents  
9 in their own districts. Your map also split more  
10 precincts, one of which was 3 which was a high  
11 voting precinct that's African American mostly.

12 The placement of incumbents in this  
13 county makes for a possible conflict of  
14 considerations like compactness. This amendment,  
15 however, maintains each incumbent in a single  
16 district, but it achieves a more normal shape.

17 Senate District 28, Guilford County,  
18 invalidated, in the Court's opinion, has a more  
19 compact shape under this amendment both in  
20 comparison to the 2011 map where we are currently  
21 serving and in the one you proposed. To  
22 accommodate the concern of keeping incumbents  
23 separated, however, sacrifices were made for  
24 compactness. Rather than wrap around almost the  
25 entirety of my district, Senate District 28,

1     which your map does, as this map has a more  
2     normal shape. This map addresses racial  
3     gerrymandering as required by the Courts.

4             While this committee -- your  
5     Redistricting Committee takes a surprising view  
6     that race should not be a consideration, we think  
7     it's noteworthy that this version of Senate 28  
8     drawn here has a black voting age population that  
9     is lower than both the original 2011  
10    unconstitutional plan and the Republican  
11    proposal.

12            According to the State's measures, the  
13    BVP is approximately 45 percent of this map as  
14    opposed to yours which was 50.52 percent. And in  
15    response to the overwhelming views expressed  
16    during public hearings, the districts were drawn  
17    with the goal of creating competitive districts.  
18    The voters have a chance to select their  
19    candidates and the outcome is not preordained.

20            There are many ways to have achieved a  
21    more compact plan in Guilford that is both fair  
22    to the voters and consistent with constitutional  
23    standards. Unfortunately, your map simply  
24    attempts to nuck and tuck your way to legality.  
25    That is not a good strategy to achieve court

1 compliance.

2 I recommend the amendment for your  
3 approval and your support.

4 PRESIDENT PT BERGER: Senator Bishop,  
5 for what purpose do you rise?

6 SENATOR BISHOP: To ask Senator  
7 Robinson a question, Mr. President.

8 PRESIDENT PT BERGER: Senator Robinson,  
9 do you yield?

10 SENATOR ROBINSON: I do.

11 PRESIDENT PT BERGER: She yields.

12 SENATOR BISHOP: Senator Robinson, I  
13 have little expertise in drawing maps. I was  
14 intrigued by your first point that the shape -- I  
15 believe you said the shape of 28 is more normal  
16 under your map. Could you explain what you mean?

17 Well, let me say -- let me preface the  
18 question with saying that if I look at 28 on the  
19 map proposed by the majority and I look at the 28  
20 on your map, they look similar to me. If I were  
21 to describe what that Rorschach block looks like,  
22 I'd say it looks sort of like a bird, but in  
23 either event, the same structure of it just seems  
24 similar. It's got -- yours has squiggly lines  
25 with outcroppings. It has the two sort of wing

1 structures.

2 Can you explain to the body what you  
3 mean when you say it has a more normal shape.

4 SENATOR ROBINSON: Sure.

5 Mr. President --

6 PRESIDENT PT BERGER: You may answer.

7 SENATOR ROBINSON: Senator Bishop, I  
8 don't know where you get your context from.  
9 However, if you compare this map with the one of  
10 the redistricting, you will see that the far left  
11 end curves farther up than the map that we  
12 propose.

13 Now, what I indicated in my  
14 presentation, too, is that -- and if you want to  
15 look at the VTDs, you'll see which ones have been  
16 dropped off, have been eliminated if you look at  
17 the data, and so that makes it more compact. And  
18 if we are looking at compactness according to  
19 criteria, then it requires both for Senate  
20 District 27 and 28 when you don't want to  
21 double-bunk incumbents, according to your  
22 criteria as well, that this map would still have  
23 somewhat of a partial circular shape.

24 PRESIDENT PT BERGER: Senator Bishop,  
25 for what purpose do you rise?



1                   SENATOR BISHOP: Ask a further  
2 question.

3                   PRESIDENT PT BERGER: Senator Robinson,  
4 do you yield?

5                   SENATOR ROBINSON: Yes.

6                   PRESIDENT PT BERGER: She yields.

7                   SENATOR BISHOP: So if I understand,  
8 the nature of the normal shape, though, is that  
9 it doesn't -- yours doesn't rise as much on the  
10 left; is that correct?

11                  SENATOR ROBINSON: Do you see that?

12                  SENATOR BISHOP: I see that it doesn't  
13 rise as much on the left. And you're saying that  
14 that means it's more normal.

15                  SENATOR ROBINSON: I'm saying it's more  
16 compact.

17                  SENATOR BISHOP: Further question,  
18 Mr. President.

19                  PRESIDENT PT BERGER: Senator Robinson,  
20 do you yield?

21                  SENATOR ROBINSON: Yes.

22                  PRESIDENT PT BERGER: She yields.

23                  SENATOR BISHOP: And does the map of  
24 Guilford County, as drawn in your amendment,  
25 split more municipalities?

1           SENATOR ROBINSON: The map splits --  
2           your map splits High Point -- splits High Point  
3           and -- yeah, we split one other, Jamestown, in  
4           addition to High Point. And then you've split  
5           the far right end. As a matter of fact, your map  
6           splits a precinct that our map does not. Your  
7           map splits a major voting precinct.

8           SENATOR BISHOP: Further follow up.

9           PRESIDENT PT BERGER: Senator Bishop  
10          asks if you yield for another question, Senator  
11          Robinson.

12          SENATOR ROBINSON: Yes, Mr. President.

13          PRESIDENT PT BERGER: She yields.

14          SENATOR BISHOP: Do you split  
15          Summerfield?

16          SENATOR ROBINSON: My map does not. I  
17          need to look at it, but I'm pretty sure it  
18          doesn't.

19          SENATOR BISHOP: How  
20          about Kernersville?

21          SENATOR ROBINSON: Summerfield -- wait  
22          a minute. Wait a minute. Let me look at a VTD.  
23          No, it doesn't.

24          SENATOR BISHOP: Further question,  
25          Mr. President.

1           PRESIDENT PT BERGER: Senator Robinson,  
2 do you yield?

3           SENATOR ROBINSON: Yes.

4           PRESIDENT PT BERGER: She yields.

5           SENATOR BISHOP: I think I just asked  
6 about Kernersville. Do you split Summerfield?

7           SENATOR ROBINSON: I said no.

8           SENATOR BISHOP: Further question.

9           PRESIDENT PT BERGER: Senator Robinson,  
10 do you yield?

11          SENATOR ROBINSON: Yes.

12          PRESIDENT PT BERGER: She yields.

13          SENATOR BISHOP: So you're telling this  
14 body that this map only splits one more  
15 municipality that the majority map; is that  
16 correct?

17          SENATOR ROBINSON: Based on the VTDs  
18 that are listed here, most are in Greensboro.  
19 And I do know my voting precincts in Guilford  
20 County. High Point and then Jamestown is split  
21 between 27 and 28.

22          PRESIDENT PT BERGER: Senator Bishop.

23          SENATOR BISHOP: A further question for  
24 Senator Robinson.

25          PRESIDENT PT BERGER: Senator Robinson,

1 do you yield?

2 SENATOR ROBINSON: Yes.

3 PRESIDENT PT BERGER: She yields.

4 SENATOR BISHOP: Were you involved in  
5 the preparation of this map, Senator Robinson?

6 SENATOR ROBINSON: Yes.

7 SENATOR BISHOP: Follow up,  
8 Mr. President.

9 PRESIDENT PT BERGER: Senator Robinson,  
10 do you yield?

11 SENATOR ROBINSON: Yes.

12 PRESIDENT PT BERGER: She yields.

13 SENATOR BISHOP: Did you work with  
14 Kareem Crayton also in the development of this  
15 map?

16 SENATOR ROBINSON: I worked with  
17 Senator McKissick. I believe he worked with  
18 Kareem Crayton.

19 PRESIDENT PT BERGER: Senator Bishop.

20 SENATOR BISHOP: I have a follow-up  
21 question, Mr. President.

22 PRESIDENT PT BERGER: Senator Robinson,  
23 do you yield?

24 SENATOR ROBINSON: Yes.

25 PRESIDENT PT BERGER: She yields.

1           SENATOR BISHOP: You said that the  
2 black voting population of the map as amended is  
3 45 percent.

4           SENATOR ROBINSON: Yes. A little less  
5 maybe.

6           SENATOR BISHOP: A little less?

7           PRESIDENT PT BERGER: Further question?

8           SENATOR BISHOP: Yes, Mr. President.

9           PRESIDENT PT BERGER: Senator Robinson,  
10 do you yield?

11          SENATOR ROBINSON: Yes, I do.

12          PRESIDENT PT BERGER: She yields.

13          SENATOR BISHOP: What evidence did you  
14 rely upon to target that particular level of  
15 black voting population?

16          SENATOR ROBINSON: Senator Bishop, I  
17 relied on my own experience. The Senate  
18 District 28, based on the current district and  
19 the way you did it, is packed with African  
20 Americans. And I know the precincts. So it  
21 doesn't take a whole lot of research for me to  
22 know. Plus, I can look at the data.

23                 Now, the Court said -- and I was  
24 sitting in the court -- when the issue was about  
25 racial gerrymandering, and that's exactly what

1     you did. So if you talk about racial  
2     gerrymandering, you are automatically talking  
3     about how many black folk did you pack. So  
4     you're a lawyer; you ought to know.

5             SENATOR BISHOP: Follow-up question,  
6     Mr. President.

7             PRESIDENT PT BERGER: Senator Robinson,  
8     do you yield?

9             SENATOR ROBINSON: Yes.

10            PRESIDENT PT BERGER: She yields.

11            SENATOR BISHOP: Other than your  
12     personal experience, did you have any other  
13     evidence concerning racially polarized voting  
14     that you used in deciding to target that district  
15     at 45 percent?

16            SENATOR ROBINSON: Senator Bishop, I  
17     have the racial compositions of every precinct,  
18     every district, et cetera, and you ought to have  
19     it too. So it's very easy to look to see what  
20     the percentage of voting age populations by race  
21     is in this state.

22            SENATOR BISHOP: Further question,  
23     Mr. President.

24            PRESIDENT PT BERGER: Senator Robinson,  
25     do you yield?

1                   SENATOR ROBINSON: Yes.

2                   PRESIDENT PT BERGER: She yields.

3                   SENATOR BISHOP: Yes, ma'am. I'm not  
4 suggesting that the data is unavailable to  
5 determine how many voters of what a particular  
6 race might be in a district if someone sought  
7 that information.

8                   The question I asked is do you have  
9 evidence about racially polarized voting beyond  
10 what was available to this body when it last  
11 redistricted which you used in making the  
12 decision to target at 45 percent.

13                  SENATOR ROBINSON: Let me say, I said  
14 to you earlier that I worked with Senator  
15 McKissick who worked with Dr. Crayton in  
16 developing the prospectus behind this, so that  
17 should have been sufficient.

18                  SENATOR BISHOP: No more questions.

19                  PRESIDENT PT BERGER: Further  
20 discussion or debate on Amendment 3.

21                  Senator Hise, for what purpose do you  
22 rise?

23                  SENATOR HISE: Speak to the amendment.

24                  PRESIDENT PT BERGER: You have the  
25 floor.

1           SENATOR HISE: Thank you, Mr. President  
2 and Members of the Senate. A few things that I  
3 felt like I wanted to address.

4           I think it's clear to any analysis or  
5 anyone that says the district drawn in 28 here in  
6 the new map is different and then the one in the  
7 2011 map, it is different than the one in this  
8 amendment that is coming forward.

9           The analysis being used to say that it  
10 racially gerrymanders is somebody looked at it  
11 and says, well, it kind of looks the same, and  
12 since it kind of looks the same, we say it must  
13 be a racial gerrymander, ignoring the fact that  
14 the Greensboro city limits also continued to look  
15 the same for all three maps and none of that area  
16 has been changed.

17           It's also being claimed that there is a  
18 split precinct. That is absolutely not accurate.  
19 There is a voter tabulation district that existed  
20 in 2011 that has been changed to reflect new  
21 precincts that now exist in Guilford County, and  
22 the borderline is now drawn along the new  
23 precinct line. As voter tabulation districts no  
24 longer exist in that process and new precincts  
25 are in place, we follow precinct boundaries.



1           Most importantly, it violates the  
2           criteria set by the committee that we would not  
3           sort voters on the basis of race. Not only does  
4           it violate that criteria, we heard in committee  
5           yesterday that it goes one step forward by  
6           selecting a very specific target on race based on  
7           one person's opinion and what they thought would  
8           be good and basically made the purpose of we're  
9           going to draw the race to that new target,  
10          something the Courts have clearly determined is  
11          not allowed in racial gerrymanders.

12           Had someone had done an actual study of  
13          racially polarized voting and the result of that  
14          had to come out to this number and presented that  
15          to the committee, we may be inclined to follow  
16          that number and draw the districts in that  
17          manner. That did not occur. This is based on a  
18          single individual's opinion that is there.

19           I will also say that the analysis of  
20          our staff of this from yesterday is that it  
21          splits seven municipalities that was coming up  
22          when you look at the municipal borders compared  
23          to the previous map that split four  
24          municipalities, so it would increase the number  
25          of split municipalities by three.

1           For those reasons that it fails to  
2 follow the criteria established by the committee,  
3 I would ask that you reject the amendment.

4           PRESIDENT PT BERGER: Further  
5 discussion or debate.

6           Senator Blue, for what purpose do you  
7 rise?

8           SENATOR BLUE: For a statement.

9           PRESIDENT PT BERGER: You have the  
10 floor.

11          SENATOR BLUE: Thank you,  
12 Mr. President.

13          I would just like to refocus our  
14 attention on two things relating to this  
15 particular district. In the Courts' decision,  
16 both at the -- after the United States Supreme  
17 Court ruled on these districts, the three-judge  
18 panel, consisting of two District Court judges  
19 and a Court of Appeals judge, said that this  
20 body, once redistricting was done, would inform  
21 the Court as to any district where the BVAP,  
22 meaning black voter age population, exceeded  
23 50 percent.

24          Now, in order to answer the Court's  
25 question, you've got to look and see whether any

1 of these nine districts exceed 50 percent BVAP.  
2 And that's common sense. The Court says tell me  
3 on any of the districts that you do why it went  
4 beyond 50 percent.

5 This district goes beyond 50 percent  
6 black population, black BVAP, as I understand it.  
7 And so the Court is going to require in the  
8 submission that you explain why that is. And if  
9 you tell the Court, well, lady and gentlemen of  
10 the Court, I don't know that it went beyond  
11 50 percent because I didn't look at race in  
12 determining how to cure what you told me had to  
13 cure. We're going to look sort of strange saying  
14 that. Now, maybe the Court will believe it,  
15 maybe there's some explanation, but the Court is  
16 also going to look at the fact that the fellow  
17 who drew this district drew the unconstitutional  
18 district in 2011.

19 And although, as we get older our  
20 memories aren't what they are when we were  
21 younger, and maybe his has changed tremendously  
22 over six years, but I'm sure that if I were  
23 redoing the job, I would go back and look at my  
24 notes and I'd go back and look at why I did  
25 things the way that I did them, especially since

1 the Court is going to want to know how.

2 If you look at the map of 2011 and you  
3 superimpose on it the map of 2017 that is before  
4 you now, this amendment, a third grader, or even  
5 a three-year-old, can tell you that they're very  
6 similar in outline. And so if the same person  
7 drew them, the Court is going to imply that it  
8 was the same intent in the way that you drew it,  
9 and so now you explain to me why it's like this,  
10 why isn't that a reasonable conclusion.

11 And I'm just being honest with you in  
12 the way that you would approach somebody who told  
13 you. The design of the map in 2011 in this  
14 district looks eerily close to the design of the  
15 map in 2017.

16 So what Senator Robinson was trying to  
17 do in changing the 1st, taking it below 50  
18 percent, so that unless something called it to  
19 the Court's attention in another way, it didn't  
20 have to be explained further.

21 What we've tried to do is give you some  
22 indication as to how you cure these gerrymanders.  
23 Not trying to gain partisan advantage, not trying  
24 to gain racial advantage, but at the end of the  
25 day, it is a Court, the third branch of

1 government, which interprets what we do and what  
2 laws do across the country that tells us what  
3 they want to see in order to determine that this  
4 problem that they've identified has been fixed.

5 All Senator Robinson has tried to do is  
6 fix it, and so the BVAP goes from 50 point  
7 whatever it is in the Senate plan down to 45, I  
8 think you said, in this plan. And that's simply  
9 saying that this is how we propose that you fix  
10 the gerrymander.

11 Oddly enough, oddly enough, in the  
12 Alabama case which gave rise to all of this  
13 litigation that went to the Supreme Court, in the  
14 Court's opinion, when it went back to the  
15 three-judge court in Alabama -- one member of  
16 whom, by the way, was one of the top three  
17 contenders to be appointed to the U.S. Supreme  
18 Court by President Trump. When it went back to  
19 the Alabama three-judge panel, Federal Court, the  
20 reason that they determined that there weren't  
21 gerrymanders or that some of them had been fixed  
22 is because the members representing some of those  
23 districts had agreed that this is a reasonable  
24 percentage for this plurality black district.

25 I keep saying again that the magic of

1     this place is that when we all work together, you  
2     can fix these problems, but you need to listen to  
3     the opinions of the folk who got 190,000 people  
4     in their districts, just like you've got 190,000  
5     in your districts. That's the whole beauty of  
6     this legislature, at least the concept behind it  
7     that you bring people together from different  
8     backgrounds and different places and they work  
9     through the things that vex the state.

10           And so that's how the 45 percent makes  
11     sense, Senator Bishop. Because in the Alabama  
12     case, some senators had districts that went in  
13     excess of 60 percent African American, but  
14     because they agreed with the redistricting folk,  
15     they were able to design those districts and have  
16     an impact in the districts around them.

17           And those who are really interested in  
18     the political angle so much, I really do believe  
19     that we ought not play politics so deeply in  
20     this, but those who really believe in a political  
21     angle -- in Alabama they still ended up with huge  
22     majorities of Republicans, but they worked  
23     through it, again, because the members decided  
24     that this is not a gerrymander based on my  
25     experience with this district, and that is what

1 Senator Robinson was trying to share with you.  
2 That's it in a nutshell.

3 And in Guilford County, a county with  
4 half a million people, in Guilford County with  
5 two complete senate districts and then part of  
6 two other counties pulled in, there are plenty of  
7 other ways that you can shape the remaining three  
8 districts to try to accomplish whatever your ends  
9 are other than having districts that are  
10 competitive. But at least you fix the  
11 gerrymander in Guilford County that the Court at  
12 the Supreme Court level has said exists, and you  
13 save millions and millions and millions of  
14 taxpayer dollars from defending the  
15 undefensible -- the indefensible. That's the  
16 only point that she's trying to make.

17 PRESIDENT PT BERGER: Senator Hise.

18 SENATOR HISE: See if Senator Blue will  
19 yield for a question.

20 PRESIDENT PT BERGER: Senator Blue, do  
21 you yield?

22 SENATOR BLUE: Yes, sir, I yield.

23 PRESIDENT PT BERGER: He yields.

24 SENATOR HISE: Thank you, Senator Blue.  
25 On multiple occasions now you or other members

1 have stated what the percentage of the black  
2 voting age population is in a particular  
3 district. And as you're aware, the committee as  
4 a whole has not seen that information and others,  
5 and I would ask simply what is your source for  
6 that information and are you planning to submit  
7 that at some point?

8 SENATOR BLUE: Thank you for that  
9 question, Senator Hise. I thought that it was  
10 part of the stat pack that had been submitted  
11 with these plans. It should have been. Because  
12 in order for them to analyze the districts the  
13 way they analyzed them, you had to know what the  
14 racial data was. And it's an attempt on the part  
15 of these members to address the particular racial  
16 gerrymander.

17 So, yes, race was looked at in these --  
18 the only way I could determine that there was --  
19 that the racial gerrymander in Wake County has  
20 been fixed is in looking at what the Court said  
21 was a racial gerrymander. In Wake County, the  
22 Court said that it was a racial gerrymander when  
23 the African American percentage in the district  
24 that I represent exceeded 41 percent because that  
25 had never been necessary. When the 2003



1     redistricting occurred, the BVAP was somewhere in  
2     the 40, 41 percent area. And I did not draw the  
3     senate district that I represent.

4             And so one of the ways that you do the  
5     Gingles analysis, which is the case that's  
6     controlling in a Section 2 case, which Wake  
7     County would have been, it was not a Section 5  
8     county, that is, anything in happening in Wake  
9     County didn't have to get pre-cleared under  
10    Section 4 of the Voting Rights Act which was  
11    declared unconstitutional by the U.S. Supreme  
12    Court. We are a Section 2 county, as every  
13    county in the United States is.

14            And so the standard by which racial  
15    gerrymanders are determined under Section 2 is a  
16    case called Gingles, a North Carolina case, that  
17    was decided in 1984 that basically made us divide  
18    North Carolina into single-member districts  
19    across the state, at least started the process.  
20    And Gingles says there are three factors that  
21    have to be satisfied before you can use race in  
22    the drawing of a legislative, congressional,  
23    municipality, any kind of district, water  
24    district or anything.

25            You have to show, number one, that

1       there's enough compactness to draw a district.

2               Number two, you have to show that  
3       there's polarization among the non-minority  
4       voters so that they won't vote for an African  
5       American or a member of the minority.

6               And number three, you have to show a  
7       cohesiveness within those groups so that the  
8       minority can elect their candidate of choice. It  
9       doesn't have to be a minority candidate, but it  
10      has to be a candidate who's a choice of the  
11      minorities who live in that district so they have  
12      some influence on who's being elected.

13              And so in 2003, the Court looked at it,  
14      the State Supreme Court, by the way, looked at it  
15      and said that these Gingles factors exist in  
16      these districts that you just looked at. So they  
17      decided to set Wake County at the 40, 41 percent  
18      level. It was not a majority district. Said in  
19      some of the counties they went over 50 percent  
20      because of voting history and voting records.  
21      That's how these percentages were set.

22              In looking at it, the 2011  
23      Redistricting Plan took Wake County from 41 to 50  
24      plus percent African American in that district.  
25      There was no justification for it. First, there

1 was no disparity voting study done, but secondly,  
2 there was no justification anyhow because the  
3 district had been electing a minority in it  
4 before you used race for ten years. And so the  
5 Court would have determined that that is a  
6 sufficient level. And if you exceed that, then  
7 you got to have some compelling reason for having  
8 done it because the remedy, once you find it,  
9 under Gingles is, yes, you can use race, you can  
10 use race to determine how this district ought to  
11 look, but it's got to be narrowly tailored, that  
12 is, you've got to use the least intrusive method  
13 considering race that is possible to solve this  
14 issue that you got because there is a compelling  
15 state interest involved.

16 And so in an analysis of using Gingles  
17 on these districts, which is what the Court did,  
18 they said that you haven't shown this overriding  
19 need, but the Court also said -- the trial court  
20 also said we're not saying that you can't look at  
21 some of these districts to determine whether you  
22 ought to do it.

23 Now, you can do it with studies or you  
24 can do it with the members who represent those  
25 districts. You didn't have to spend tens of

1 millions of dollars to do these disparity  
2 studies. It's all about consulting with the  
3 people who represent them who can tell you what  
4 they're about.

5 In the trial, I think the Court asked a  
6 congressman in at least the congressional -- no,  
7 in the state case, asked a congressman who  
8 represented one of the congressional districts  
9 what do you think at least in your area part of  
10 the reasonable minority participation ought to  
11 be. It was not in urban North Carolina. He said  
12 maybe, you know, what you can achieve with 46,  
13 47 percent. And they wanted to know because they  
14 wanted the feeling of somebody who represented  
15 the district.

16 Remember that the goal ultimately is to  
17 get away from the use of race and to make this  
18 place race neutral sometime down the road. And  
19 so the Court is not going to freeze in place  
20 using race to develop these issues. These  
21 districts are not paying attention to race to let  
22 them exist in perpetuity because that wouldn't be  
23 the goal of trying to create a race neutral,  
24 colorblind society.

25 And I think that that's what most of us

1 want to aspire to, and so that's why they are so  
2 sensitive with the way you determine that you've  
3 got to use race in developing these districts,  
4 and that's what the case is, would at least teach  
5 me, and if you read the cases especially through  
6 the South that have developed over the last five  
7 or six years, I think that that's a fair  
8 statement of it.

9 PRESIDENT PT BERGER: Senator Hise, for  
10 what purpose do you rise?

11 SENATOR HISE: Follow up.

12 PRESIDENT PT BERGER: Senator Blue, do  
13 you yield for a follow-up question?

14 SENATOR BLUE: Yes, sir. And I  
15 apologize. I didn't mean to go as long as I did.

16 PRESIDENT PT BERGER: He yields.

17 SENATOR HISE: And that's why I was  
18 going to try to bring you back to the original  
19 question.

20 So you have requested the racial data  
21 from our staff and are planning to submit that?

22 SENATOR BLUE: Yes, sir. They have --  
23 they have prepared it. I know that it was  
24 available yesterday. They have it and can make  
25 it available. They can submit it to the -- to

1     our clerk and she can put it on the dashboard so  
2     it's part of the discussion.

3                 PRESIDENT PT BERGER: Further  
4     discussion or debate on Amendment 3.

5                 Senator Bryant, for what purpose do you  
6     rise?

7                 SENATOR BRYANT: To ask Senator Hise a  
8     question.

9                 PRESIDENT PT BERGER: Senator Hise, do  
10    you yield for a question?

11                SENATOR HISE: I yield.

12                PRESIDENT PT BERGER: He yields.

13                SENATOR BRYANT: Senator Hise, you  
14    referenced having some data that correlated the  
15    precincts, updated precincts to VTDs, and I was  
16    wondering is that available on the website or to  
17    members. I've been requesting precinct data for  
18    the longest, and all I've been given is VTDs  
19    which I've had to try to correlate to precincts  
20    as best I can. So is there some data that is  
21    available to all of us in that regard?

22                SENATOR HISE: There is. We can get  
23    that put together, the staff can, provide you a  
24    precinct listing --

25                SENATOR BRYANT: That would help me --

1           SENATOR HISE: -- for a layer, and I  
2 think it's a layer for Maptitude as well.

3           PRESIDENT PT BERGER: Follow up.

4           SENATOR BRYANT: I just want to make a  
5 comment to say thank you, and that will help the  
6 community members who have had trouble making  
7 that county correlation. Thank you.

8           PRESIDENT PT BERGER: Further  
9 discussion or debate on Amendment 3.

10          SENATOR McKISSICK: Mr. President.

11          PRESIDENT PT BERGER: Senator  
12 McKissick, for what purpose do you rise?

13          SENATOR McKISSICK: Speak on the  
14 amendment.

15          PRESIDENT PT BERGER: You have the  
16 floor.

17          SENATOR McKISSICK: First I would like  
18 to thank Senator Robinson for sending forth this  
19 amendment. I think it represents a fair, legal  
20 and competitive plan for Guilford County, and  
21 that's what it's all about, something where  
22 voters are provided options when it comes to  
23 choices.

24                 And I think the committee, when it  
25 first established criteria, failed to include

1 race as a consideration. By failing to include  
2 race as a consideration, it made it impossible  
3 without doing detailed independent analysis,  
4 which we have certainly done, to determine the  
5 black voting age population in these various  
6 districts.

7 When you are looking at a case that was  
8 based upon an unconstitutional racial  
9 gerrymandering, it is impossible to come up with  
10 a cure without considering race or by doing it in  
11 a vacuum.

12 In this particular case you've got a  
13 district that was and still remains a  
14 majority-minority district. That is something  
15 that the Court will scrutinize very, very  
16 closely. That could have been avoided had race  
17 been one of the variables that was being  
18 considered.

19 The other thing that you failed to do  
20 was to write the various priorities in criteria  
21 that you established. You know, it's hard for me  
22 to know whether splitting municipalities is more  
23 important than incumbency. It's hard for me to  
24 know whether compactness is more important than  
25 the other variables. If you would establish and



1 write the criteria, it would have been far easier  
2 to evaluate plans.

3 Now the plan that is before you is a  
4 very compact plan. Could it have been done  
5 differently? Well, yes, it could have been done  
6 in a number of ways, but certainly incumbency  
7 protection being one of the things that was in  
8 the criteria dictated the way this map was drawn,  
9 and we respected that criteria in drawing this  
10 particular map.

11 Now, in terms of looking at whether  
12 these districts are competitive districts today,  
13 I would go and say looking at the political data  
14 that was part of the stat pack that they're  
15 clearly competitive districts. Of the four  
16 districts we're looking at, if you go back and  
17 look at the Walter Dalton race when he was  
18 running for governor, he would have won only one  
19 of those four. If you look at Kay Hagan and Tom  
20 Tillis, two of them would have gone for Tillis,  
21 two of them would have gone for Hagan.

22 Those are competitive districts.  
23 That's what people want in our state. They want  
24 a choice. They want an opportunity they know  
25 that when they go in and cast their vote there's

1 not already a predetermined outcome based upon  
2 the way the district lines have been drawn, that  
3 they've been gerrymandered perhaps in a partisan  
4 way.

5 In this case there's no admission of  
6 considering partisan advantage as part of the  
7 criteria, but when you go out and establish  
8 incumbency protection and those very incumbents  
9 are serving as a result of racially gerrymandered  
10 districts as found by the courts, then you have  
11 an inevitable outcome where you're protecting the  
12 illegal, improper games that occurred as a result  
13 of the unconstitutionally racially gerrymandered  
14 districts. That's a problem. Incumbency pretty  
15 much did that.

16 If it had not been for incumbency, this  
17 district could have been drawn differently and  
18 many others. And the thing that of I don't know  
19 when it counts and when it doesn't count in the  
20 rankings is that we can go down and look at  
21 Senator Smith-Ingram and Senator Horner, they are  
22 double-bunked. Well, I guess in that situation  
23 it was different. I don't know why we don't  
24 have over in Guilford County perhaps a  
25 double-bunking that could have created some

1 different districts there.

2 If the criteria were established in a  
3 way that made sense, are there perhaps a few  
4 district boundaries and municipalities that are  
5 split a little different, I'd be the first to  
6 admit a few of them are split a little different,  
7 but if we get more competitive districts that the  
8 voters want so that they can have a choice to  
9 choose their elected representatives rather than  
10 we choosing them, then it's the right direction  
11 for us to move in.

12 PRESIDENT PT BERGER: Senator Bishop,  
13 for what purpose do you rise?

14 SENATOR BISHOP: To speak to the  
15 amendment.

16 PRESIDENT PT BERGER: You have the  
17 floor.

18 SENATOR BISHOP: What I think we hear  
19 is that traditional redistricting criteria are  
20 being subordinated to a racial target. The  
21 target being 45 percent as opposed to 50 percent,  
22 I don't believe makes the difference.

23 Senator McKissick has said several  
24 times, well, we could have subordinated  
25 incumbency, but we didn't. Okay, that's one.

1 But another one is keeping municipal boundaries  
2 together. And you've decided to subordinate  
3 that, splitting more, giving leeway to the  
4 criteria that must predominate.

5 And with all due respect, the Court's  
6 opinion is crystal clear that there is a  
7 prerequisite for that. And you're right, Senator  
8 Blue, it's one of the Gingles criteria. You must  
9 have a strong basis in evidence that there is  
10 racially polarized voting on a district-by-  
11 district basis. And again, with all respect, I  
12 don't believe that is provided by the gut of a  
13 member who happens to be elected from that  
14 district. So this doesn't solve a problem. It  
15 does exactly what the three-judge panel and the  
16 United States Supreme Court said can't be done.

17 PRESIDENT PT BERGER: Further  
18 discussion or debate.

19 Senator Hise, for what purpose do you  
20 rise?

21 SENATOR HISE: Mr. President, if I  
22 could request if we could take a recess for about  
23 ten minutes to make sure that we can get the data  
24 into the system and up and that we can provide  
25 the precinct data that they have asked for before

1 we continue in the debate.

2 PRESIDENT PT BERGER: Without  
3 objection, the Senate will stand in recess ten  
4 minutes.

5 Will that be enough, Senator Hise?

6 SENATOR HISE: That will be enough.

7 PRESIDENT PT BERGER: Ten minutes.

8 (Recess.)

9 PRESIDENT PT BERGER: The Senate will  
10 come to order. Members will return to their  
11 seats.

12 Members, I am advised that the  
13 information that was to be loaded onto the  
14 computer is also going to be made available in  
15 print copy and that will take a little while  
16 longer. So without objection, the Senate will  
17 stand in recess until 12:00 noon. The Senate  
18 stands in recess.

19 (Recess.)

20 PRESIDENT PT BERGER: The Senate will  
21 come to order.

22 Members, I believe when we went into  
23 recess we were on Amendment 3 and no one at that  
24 time had the floor. So with that, is there  
25 further discussion or debate on Amendment 3?

1           Senator Robinson, for what purpose do  
2     you rise?

3           SENATOR ROBINSON: Thank you,  
4     Mr. President. To make a comment. I'd like  
5     to -- after some consultation with Senator Hise  
6     and Blue, I would like to withdraw the amendment.

7           PRESIDENT PT BERGER: The sponsor of  
8     the amendment requests withdrawal of the  
9     amendment, and the amendment is withdrawn.

10          So we are back on the bill, Senate  
11     Bill 691. Further discussion or debate.

12          Senator Hise, for what purpose do you  
13     rise?

14          SENATOR HISE: See if Senator McKissick  
15     will yield for a question.

16          PRESIDENT PT BERGER: Senator  
17     McKissick, do you yield?

18          SENATOR MCKISSICK: Yes.

19          PRESIDENT PT BERGER: He yields.

20          SENATOR HISE: Senator McKissick, I  
21     believe that you had -- in the interim there have  
22     been some data submitted regarding the districts  
23     at your request. I was wondering if you would  
24     explain what that data is.

25          SENATOR MCKISSICK: Sure. Data that's

1       been presented is certainly what I call a  
2       complete stat pack dealing with the Mecklenburg  
3       County amendment that was introduced yesterday in  
4       committee as well as the Guilford County  
5       amendment that was entered in committee  
6       yesterday. It's identical to the Guilford County  
7       amendment that was considered and entered into  
8       the record today and is withdrawn by Senator  
9       Robinson.

10               It should provide good comparative data  
11       and analysis, including black voting age  
12       population as well as the more traditional data  
13       that would be included in this type of stat pack,  
14       including performance with certain select races  
15       that were used as benchmarks, some of which I  
16       referred to earlier in my comments related to the  
17       discussion in Guilford County.

18               PRESIDENT PT BERGER: Further  
19       discussion or debate on Senate Bill 691.

20               Senator Bishop, for what purpose do you  
21       rise?

22               SENATOR BISHOP: To ask a question of  
23       Senator McKissick.

24               PRESIDENT PT BERGER: Senator  
25       McKissick, do you yield?

1           SENATOR McKISSICK: Sure.

2           PRESIDENT PT BERGER: He yields.

3           SENATOR BISHOP: Thank you, Senator  
4 McKissick, for yielding. The data that you  
5 furnished, is the source of this data central  
6 staff?

7           SENATOR McKISSICK: Central staff  
8 was -- we provided central staff with some of the  
9 data. It looks as if when central staff put it  
10 on their system everything correlates with what  
11 was initially projected.

12          SENATOR BISHOP: Further question to  
13 Senator McKissick.

14          PRESIDENT PT BERGER: Senator  
15 McKissick, do you yield?

16          SENATOR McKISSICK: Yes.

17          PRESIDENT PT BERGER: He yields.

18          SENATOR BISHOP: In my interchange with  
19 Senator Robinson, she made reference to a  
20 prospectus, I believe, that you developed  
21 together with Dr. Crayton. Is there such a  
22 prospectus? Does that documentation exist and  
23 have you submitted it as well?

24          SENATOR McKISSICK: I would not say  
25 there's been a prospectus. It was just



1 discussion and conversation which occurred.  
2 There wasn't a written prospectus in terms of a  
3 document, just ongoing dialogue and  
4 communication, looking at the shape and  
5 configuration of the districts, looking at the  
6 municipal boundaries, looking at incumbency  
7 issues, looking at compactness criteria, looking  
8 at what could be done to perhaps make the  
9 district somewhat more competitive in Guilford  
10 County, to take down the black voting age  
11 population below that 50 percent which the Court  
12 identified previously as being problematic.

13 SENATOR BISHOP: One further question  
14 for Senator McKissick.

15 PRESIDENT PT BERGER: Senator  
16 McKissick, do you yield?

17 SENATOR MCKISSICK: Yes.

18 PRESIDENT PT BERGER: He yields.

19 SENATOR BISHOP: Would you be willing  
20 to submit that data that was furnished to central  
21 staff so that anyone who is interested in it  
22 could the comparisons that you've indicated you  
23 made.

24 SENATOR MCKISSICK: I believe they  
25 already have it.

1                   SENATOR BISHOP: I beg your pardon.

2                   SENATOR McKISSICK: I believe central  
3 staff already has all that data.

4                   SENATOR BISHOP: One follow-up, then,  
5 Mr. President.

6                   PRESIDENT PT BERGER: Senator  
7 McKissick, do you yield?

8                   SENATOR McKISSICK: Sure.

9                   PRESIDENT PT BERGER: He yields.

10                  SENATOR BISHOP: Would you be willing  
11 for it to be shared with the membership.

12                  SENATOR McKISSICK: Yes, absolutely.  
13 That has been previously authorized, so it should  
14 be among the documents that either have been  
15 distributed to you or will be distributed to you  
16 shortly. And they were available at the time of  
17 the committee meeting yesterday.

18                  SENATOR BISHOP: Thank you, Senator.

19                  PRESIDENT PT BERGER: Further  
20 discussion or debate on Senate Bill 691.

21                  Senator Horner, for what purpose do you  
22 rise?

23                  SENATOR HORNER: Mr. President, I rise  
24 to speak to the bill.

25                  PRESIDENT PT BERGER: You have the

1 floor.

2 SENATOR HORNER: I will address the  
3 county groupings using solely a mathematical  
4 formula. I think that clearly ignores a  
5 community of interest that exists throughout our  
6 state, and I submit it does a disservice to the  
7 people we serve.

8 Let me share specifically how this  
9 formula-driven groupings affect two counties and  
10 their communities of interest. My home county of  
11 Wilson, it's grouped with Edgecombe and Halifax,  
12 and it's split from Nash County.

13 Senate maps from 1868, a century and a  
14 half, 150 years, with the exception of two years.  
15 In 2000, the interim Senate plans had put these  
16 two counties together. That to me appears to  
17 be -- I don't want to be self-serving, but a  
18 pretty darn good historical precedent, but the  
19 same thing occurs in Beaufort County, Senator  
20 Cook's county.

21 Since 1868, Beaufort County has been  
22 connected to Hyde, Tyrell, Dare, or Pamlico, all  
23 coastal counties as Beaufort County is, of the  
24 inner coast, if you accept that definition of  
25 coastal.

1           The farthest north Beaufort County has  
2           ever been was in '84 when it joined Martin. What  
3           Beaufort County has in common with Vance, Warren  
4           or North Hampton as a current optimal  
5           mathematical groupings do is beyond my  
6           comprehension. I don't see how anyone can  
7           logically say this makes any sense.

8           As Senator Blue pointed out yesterday  
9           in committee, the Season case allows for  
10          flexibility in using optimal groupings of  
11          counties, but because of the acrimony, I guess,  
12          and the fear of rebuke, we can't come together to  
13          do our jobs and do these things and overlook  
14          these discrepancies that the computer won't take  
15          care of. That might be why I don't buy my  
16          insurance or my stocks online. I like to look at  
17          a man that I can work with and work things out.

18          But if we let these computers drive  
19          these groupings, we're going to have these  
20          communities disjointed, and I simply think that  
21          it just does a disservice. And it's no one's  
22          fault that these groupings are the same, whether  
23          it's the current groupings, I think the exact  
24          same groupings that Common Cause and Southern  
25          Coalition came up with, but they're just computer

1 groupings. They're blind to the realities of  
2 local communities, and that's not -- that just  
3 doesn't fit with historical context and the  
4 public's interest.

5 And I believe the people lose. These  
6 groupings, they hurt Wilson County and it hurts  
7 Beaufort County as well and where they are  
8 paired. And for that reason, I can't support  
9 this bill. Thank you.

10 PRESIDENT PT BERGER: Further  
11 discussion or debate.

12 Senator Bryant, for what purpose do you  
13 rise?

14 SENATOR BRYANT: I rise to debate the  
15 bill.

16 PRESIDENT PT BERGER: You have the  
17 floor.

18 SENATOR BRYANT: I want to discuss the  
19 continuing mantra that we've been engaging in  
20 about the consideration of race in the  
21 redistricting process and the rightness or  
22 wrongness of it. And there are three points I  
23 think are important to make or that I would like  
24 you to hear about that.

25 I'm assuming that there is some belief

1 underlying the choice of the criteria that by  
2 choosing a criteria to not look at race, that  
3 principle itself would somehow eliminate any  
4 finding of discrimination or illegal  
5 consideration of race or impact of race in these  
6 maps. And I would, of course, challenge that  
7 belief, that underlying belief.

8 I don't think just the adoption of a  
9 posture of not looking at race or principle to  
10 not use race eliminates the negative impact or  
11 the potential impact for racism to infect the  
12 process when there's so many other proxies for  
13 race, as we have been discussing in here are  
14 political results, geography, personal knowledge  
15 of the area, drawing illegal districts in the  
16 same places they existed before.

17 Many of you have mentioned proxies  
18 for -- on considering race, even having a  
19 principle that we will not consider race which  
20 means we won't consider race data, I guess, by  
21 precincts or otherwise in the drawing of the  
22 districts and assign people according to that.  
23 So I don't believe that principle itself means  
24 you're not discriminating, that's number one, and  
25 would challenge you to think about that.

1           Number two is there's a social science  
2           dynamic called modern racism or symbolic racism,  
3           and it's using a non-race-related posture to  
4           continue your advantage from previously using  
5           race for a discriminatory result. So having been  
6           found to have used race in ways that are unlawful  
7           and because they are harmful to the black  
8           community in this instance pretty much, you are  
9           symbolically turning the tables on us to suggest  
10          that we are now being unlawful to use race to  
11          correct the problem that harmed us. As you can  
12          see, that's a double bind that we could never get  
13          out of in order to get relief from the racism we  
14          have found to have been experiencing.

15                 And then thirdly, there is a legal  
16          principle at stake. In a Texas appellate case  
17          involving a voting rights, in that instance there  
18          were Latino communities involved in that, the  
19          Court was clear that a Section 2 analysis is  
20          infected when the offending entity is using  
21          traditional redistricting principles that they  
22          have prioritized as a way to preclude a  
23          meaningful review of the dilutive effect, if any,  
24          of those same principles that they have enacted,  
25          which is the same circular logic that I was

1 complaining of in the social science dynamic in  
2 number two, in other words, using a non-race-  
3 related posture to preclude us from reviewing  
4 whether or not there is still a discriminatory  
5 effect to the criteria you have enacted.

6 And I believe those factors -- I would  
7 want you to take those factors into consideration  
8 as you continue to recite this mantra of we have  
9 enacted this criteria to not consider race and  
10 therefore any concerns you have about race are  
11 irrelevant, unlawfully inappropriate because we  
12 have this criteria. I hope at least hearing  
13 these three principles can help you back off of  
14 that mantra, if you will. Thank you.

15 PRESIDENT PT BERGER: Senator Horner,  
16 your light is still on.

17 Senator Jeff Jackson, for what purpose  
18 do you rise?

19 SENATOR JACKSON: To send forth an  
20 amendment.

21 PRESIDENT PT BERGER: Send forward your  
22 amendment. The clerk will read.

23 THE CLERK: Senator Jackson moves to  
24 amend the bill.

25 PRESIDENT PT BERGER: Senator Jackson



1 is recognized to explain the amendment.

2 SENATOR JACKSON: Thank you,  
3 Mr. President. This is the same amendment that  
4 Senator Blue offered in committee yesterday  
5 pertaining only to Mecklenburg. I think we can  
6 more fully satisfy the criteria that had been  
7 established. In particular, compactness. I  
8 think this amendment does that. It significantly  
9 increases the compactness particularly of  
10 Districts 41 and 39.

11 PRESIDENT PT BERGER: Further  
12 discussion or debate on Amendment 4.

13 Senator Bishop, for what purpose do you  
14 rise?

15 SENATOR BISHOP: To ask a question of  
16 Senator Jackson.

17 PRESIDENT PT BERGER: Senator Jackson,  
18 do you yield?

19 SENATOR JACKSON: I do.

20 PRESIDENT PT BERGER: He Yields.

21 SENATOR BISHOP: Senator Jackson, did  
22 you also work through Senator McKissick on this  
23 map?

24 SENATOR JACKSON: I did.

25 PRESIDENT PT BERGER: Senator Bishop,

1 do you have a further question?

2 SENATOR BISHOP: I do.

3 PRESIDENT PT BERGER: Senator Jackson,  
4 do you yield?

5 SENATOR JACKSON: I do.

6 PRESIDENT PT BERGER: He yields.

7 SENATOR BISHOP: Senator McKissick,  
8 that is, worked with Dr. Kareem Crayton to  
9 develop this, but you did not work directly with  
10 Dr. Crayton?

11 SENATOR JACKSON: That's correct.

12 SENATOR BISHOP: Follow up.

13 PRESIDENT PT BERGER: Senator Bishop,  
14 you have a follow-up?

15 SENATOR BISHOP: Yes, Mr. President.

16 PRESIDENT PT BERGER: Senator Jackson,  
17 do you yield?

18 SENATOR JACKSON: I will yield for all  
19 subsequent questions, Mr. President.

20 PRESIDENT PT BERGER: He yields to a  
21 series of questions.

22 SENATOR BISHOP: Thank you,  
23 Mr. President.

24 Senator Jackson, does this amended map  
25 split Matthews?

1           SENATOR JACKSON: I believe it splits  
2           some precincts in Matthews, yes. I believe it  
3           may also split some precincts in Mint Hill.

4           My understanding, in anticipation of  
5           any further question along this line, is that  
6           those are the only two municipalities that are  
7           split.

8           And if I said it splits the precincts,  
9           what I meant to say is it takes a precinct that  
10          traverses the boundary of Charlotte and Matthews  
11          and Charlotte and Mint Hill, so we would have had  
12          to have split a precinct in order not to have  
13          split that municipality is my understanding. I  
14          was not involved in the preparation of the map.

15          SENATOR BISHOP: Mr. President, to  
16          debate the amendment.

17          PRESIDENT PT BERGER: Senator Bishop,  
18          you have the floor.

19          SENATOR BISHOP: Thank you, sir.

20          If you first consider the leadership of  
21          the proposed map of Mecklenburg County and you  
22          compare it to this proposed amendment, the  
23          proposed amendment, I submit, draws five Democrat  
24          Senate districts non-competitive.

25          The leadership map has three Charlotte

1 districts that are in-town districts, if you  
2 will, in the heart of Charlotte, and it has a  
3 district that unites the outer beltway suburban  
4 communities mainly along the Catawba River and  
5 the Lakes Norman and Wylie on the western border  
6 of Mecklenburg County. It has one district,  
7 District 39, that includes the remaining rural  
8 part of northeastern Mecklenburg County, the  
9 eastern Mecklenburg suburbs and some of  
10 Charlotte, most importantly Matthews and  
11 Mint Hill. The map does not double-bunk any  
12 sitting Mecklenburg County senator. Every member  
13 is placed into a district they have a chance to  
14 win.

15 And the politics indicate that if  
16 Republicans campaign really hard, they might have  
17 an opportunity to win two districts in  
18 Mecklenburg, while the Democrats, with the right  
19 candidates and the right message and the right  
20 campaigns, have an opportunity to win all five.  
21 So those districts in the map -- unamended map  
22 give all Mecklenburg County residents, whether  
23 they're Democrats or Republicans, residents of  
24 the suburbs or of the heart of Charlotte a chance  
25 to have their voice heard.

1           But this proposed amendment, I said  
2       yesterday, it's shattered Charlotte like a  
3       mirror. I think that's apt. You could also say  
4       it slices up Charlotte -- or Mecklenburg County  
5       like a pizza. So, for instance, Senator Jackson,  
6       who's from 37, would represent the very uptown  
7       area and now a fractured -- a more fractured  
8       Matthews. Senator Waddell would represent the  
9       university area as well as Mint Hill. There are  
10      different interests there, and they deserve to be  
11      taken into consideration.

12           In the discussion in committee  
13      yesterday that Senator Jackson has essentially  
14      adopted, the admission was that race was used as  
15      the predominant factor in drawing those  
16      districts. So the idea of having Matthews and  
17      Mint Hill be represented in accordance with their  
18      interests is subordinated again to a racial  
19      target. That is not what we should do.

20           So I would urge that you defeat this  
21      amendment.

22           PRESIDENT PT BERGER: Senator Jackson,  
23      for what purpose do you rise?

24           SENATOR JACKSON: To speak to the  
25      amendment.

1                   PRESIDENT PT BERGER: You have the  
2 floor.

3                   SENATOR JACKSON: Just to correct the  
4 record on a few points of Senator Bishop's  
5 remarks by saying this draws five Democratic  
6 districts, that is inaccurate. It draws a  
7 district that is going to lean strongly  
8 Republican, that being 39, it's got two that are  
9 going to lean strongly Democrat, and it has two  
10 that are going to be highly competitive,  
11 including mine, by the way. It takes me from a  
12 75 percent district to about a 55 percent  
13 district.

14                   So this is a more competitive map,  
15 certainly more competitive than the one that is  
16 being proposed in which there would only be one  
17 competitive district of the five senate districts  
18 in Mecklenburg.

19                   Now, it's also -- will Senator Bishop  
20 yield for a question, Mr. President?

21                   PRESIDENT PT BERGER: Senator Bishop,  
22 do you yield?

23                   SENATOR BISHOP: I yield.

24                   PRESIDENT PT BERGER: He yields.

25                   SENATOR JACKSON: Senator Bishop, my

1 original remarks pertained exclusively to  
2 compactness. And you made some visual metaphors  
3 regarding how these districts look now, the  
4 shattered mirror. What metaphor would you use  
5 for how District 41 looks under the proposed map?  
6 Not this amendment, but the proposed map. How  
7 does that district strike you as far as adhering  
8 to the criteria of compactness?

9 SENATOR BISHOP: Thank you for the  
10 question, Senator Jackson. I'd say District 41  
11 looks like it combines communities of interest  
12 around the western boundary of the community just  
13 like I described it.

14 I think that -- you know,  
15 compactness -- I guess when you say they're more  
16 compact, if you look at 37 and it splinters all  
17 the way down from the core of the city -- or the  
18 core of the city of Charlotte all the way down to  
19 the eastern border of -- with Union County,  
20 that -- you know, I understand there's all these  
21 technical measures of compactness. I've also  
22 seen when courts are reviewing that say the  
23 eyeball can tell you as much as you need to know  
24 or it's very hard to make heads or tails of some  
25 of that statistical data, but common sense is

1       what ought to drive it.

2                   And is 41 the most compact district?  
3       No, at least according to my -- looking at it  
4       with my eye, but I think the other districts  
5       appear to me to be more compact in the  
6       senate -- in the leadership map than in these  
7       five here. And when you consider in conjunction  
8       with another traditional criteria, I think you  
9       see a perfect example of why it is so easy to  
10      exploit -- if someone seeks to demagogue an  
11      issue, exploit the redistricting process to cast  
12      aspersions that are unjustified.

13                   Because it's a balancing process, and  
14      it involves common sense and it involves some  
15      politics amid the other criterion, but that -- in  
16      addition to looking like five Democrat districts  
17      to me, it is -- the thing that pops out about the  
18      map that you're proposing by amendment is that  
19      you're seeking to subordinate, and that cannot be  
20      seen in any other way than seeking to subordinate  
21      the voice, to diminish the voice of the ring  
22      count in Mecklenburg County, and I don't think  
23      that's what we're called to do.

24                   SENATOR JACKSON: Follow up.

25                   PRESIDENT PT BERGER: Senator Bishop,



1 do you yield for a follow-up?

2 SENATOR BISHOP: I yield.

3 PRESIDENT PT BERGER: He yields.

4 SENATOR JACKSON: So you admit 41 fails  
5 the eyeball test when it comes to compactness.

6 SENATOR BISHOP: I wouldn't say that.  
7 I think it looks -- it looks less compact to me,  
8 but others look more compact.

9 SENATOR JACKSON: Follow up.

10 PRESIDENT PT BERGER: Senator Bishop,  
11 do you yield?

12 SENATOR BISHOP: I yield.

13 PRESIDENT PT BERGER: He yields.

14 SENATOR JACKSON: Senator Bishop, you  
15 alluded to some technical measures for  
16 compactness in addition to the eyeball test. So  
17 it's your understanding that there are several  
18 technical measures for compactness as well as  
19 just the eyeball test?

20 SENATOR BISHOP: I've heard them  
21 referred to in committee, a couple of them have  
22 been referred to and were adopted, and I  
23 understand the majority's map complies with them.  
24 I understand that there are others. I don't know  
25 anything in detail about the two that are part of

1 the committee criteria. I certainly don't know  
2 anything in detail about the other numerous  
3 statistical measures.

4 SENATOR JACKSON: Follow up.

5 PRESIDENT PT BERGER: Senator Bishop,  
6 do you yield?

7 SENATOR BISHOP: I yield.

8 SENATOR JACKSON: Related to those  
9 technical measures, would you be surprised to  
10 learn that of the two adopted technical measures  
11 for compactness, your district -- the proposed  
12 district for 39 is less compact than the  
13 current -- the enacted map? In both of those two  
14 different technicals, the Reock and the  
15 Polsby-Popper, your district -- your proposed  
16 district is less compact than it is currently.  
17 Are you aware of that?

18 SENATOR BISHOP: I'm not surprised nor  
19 unsurprised or aware of it, no, I'm not. I have  
20 not compared nor studied the statistical numbers  
21 to see what those numbers would be. If I did  
22 create -- compare them to see which one was  
23 higher or lower, it wouldn't mean anything to me  
24 if I did.

25 The only thing I can do is look at the

1 face of the map, as I said, the eyeball test, and  
2 as a group, they're superior to the ones that  
3 you're proposing.

4 SENATOR JACKSON: Follow up.

5 PRESIDENT PT BERGER: Senator Bishop,  
6 do you yield?

7 SENATOR BISHOP: I yield.

8 PRESIDENT PT BERGER: He yields.

9 SENATOR JACKSON: So it doesn't concern  
10 you, then, that -- by your language it sounds  
11 like 41 likely fails the eyeball test, and by the  
12 technical measures adopted by your party, your  
13 district fails the technical test. So we have  
14 two districts in our county that are failing the  
15 compactness test. That doesn't concern you?

16 SENATOR BISHOP: It concerns me less  
17 than the idea that you would make voiceless  
18 Matthews and Mint Hill.

19 SENATOR JACKSON: Follow up.

20 PRESIDENT PT BERGER: Do you yield,  
21 Senator Bishop?

22 SENATOR BISHOP: I yield.

23 PRESIDENT PT BERGER: He yields.

24 SENATOR JACKSON: How do we do that?

25 SENATOR BISHOP: I think I've explained

1       that fully.

2               SENATOR JACKSON: Follow up.

3               SENATOR BISHOP: I yield.

4               PRESIDENT PT BERGER: He yields.

5               SENATOR JACKSON: Do you agree that we  
6 could do a better job with compactness for  
7 Mecklenburg County than this proposed map?

8               SENATOR BISHOP: I haven't seen all  
9 possibilities, but based on what I've seen, no.

10              SENATOR JACKSON: Thank you.

11              PRESIDENT PT BERGER: Further  
12 discussion or debate on Amendment 4.

13              Senator Hise, for what purpose do you  
14 rise?

15              SENATOR HISE: Speak to the amendment.

16              PRESIDENT PT BERGER: You have the  
17 floor.

18              SENATOR HISE: Thank you,  
19 Mr. President.

20              Members of the Senate, to address a few  
21 areas on this amendment to consider, there are  
22 only two measures that we have found that have  
23 been utilized and recognized by the Courts to  
24 measure compactness. As I said before, those are  
25 the Reock and the Polsby-Popper measures.

1           This is -- as interpreted by the  
2           committee and research, these are pass/fails, do  
3           they meet compactness, do they not meet  
4           compactness. And what you will find is in a  
5           Reock score, any score over .15 or in the  
6           Polsby-Popper, any score over .05 would meet that  
7           requirement. All the districts being discussed  
8           here meet the requirements of being compact  
9           districts.

10           So now we may get into all kinds of  
11           consideration about what's more compact or what  
12           could be a higher score than this one or even,  
13           quite frankly, we can get into a discussion about  
14           what's the significance of the difference between  
15           the two, but what I actually think you'll find is  
16           that both meet the standard of compactness that  
17           are set out in literature and was set forth in  
18           the results by this committee.

19           When you look at this district as a  
20           whole, what you're going to see is there are two  
21           purposes. Number one: Is this used as pinwheel  
22           technique to continue to divide the city of  
23           Charlotte in such a way that looks like a pizza  
24           pie or a pinwheel, or whatever you call it, to  
25           make sure that the surrounding communities

1 outside of Charlotte -- you've heard some of them  
2 mentioned: Mint Hill and Matthews -- have no  
3 voice in the legislature, we're going to divide  
4 Charlotte in such a way that no one else gets a  
5 voice. This is also designed to make sure that  
6 Republicans have no voice in Mecklenburg County.  
7 I picked those races. Look at the last  
8 governor's race. Look at the race between two  
9 state senators, Josh Stein and Buck Newton, who  
10 was here earlier. All five carried by the  
11 Democrats. They want it all. They have become  
12 uncompetitive in the rest of the state is  
13 actually what it comes down to.

14 Democrats are really only competitive  
15 in about 15 percent of the state, a small number  
16 of the counties. And so what they have to do to  
17 try to even their numbers up, they need to take  
18 them all in Mecklenburg or they want to try to  
19 take all of the seats in Wake. Because, quite  
20 frankly, if you look at the progressions in the  
21 state, they're becoming less competitive than the  
22 entire rest of the state. So they want you to  
23 reward them with the urban areas so that they can  
24 take full representation in the urban areas to  
25 show the areas that -- quite frankly, their

1 message just isn't competitive in this state, and  
2 so they want to take the small areas where it is  
3 and create a partisan advantage for them. That's  
4 exactly what this map does in Mecklenburg County.

5 I would also note that this is drawn  
6 using race as a consideration, divides more  
7 municipalities than needed to be drawn. So I  
8 would ask that you reject the amendment.

9 PRESIDENT PT BERGER: Senator Waddell,  
10 for what purpose do you rise?

11 SENATOR WADDELL: To speak to this  
12 amendment.

13 PRESIDENT PT BERGER: You have the  
14 floor.

15 SENATOR WADDELL: You know, on Tuesday  
16 we asked the counties to come and to give their  
17 comments, and I sat there about seven hours in  
18 Mecklenburg County, and speaker after speaker  
19 came up and talked about the unfairness of what  
20 they saw in these maps, the maps that were  
21 presented by this committee.

22 So what are we going to do as a result  
23 of what we heard? I heard maybe two positive  
24 things and all the other 48 speakers had  
25 concerns. If we ask people to come together, and

1 I think it's important that we consider the  
2 things that they have presented to us.

3 Secondly, I've heard a lot here about  
4 the eyeball test. And here I'm looking at two  
5 maps and thinking about what you just said about  
6 the eyeball test and what it tells us. It tells  
7 us that this county's maps are more significant  
8 of the problems found unconstitutional by the  
9 Court and that you would think that this General  
10 Assembly would work hard to ensure that this part  
11 of the map would strictly comply with the Court's  
12 order. So I urge you to support this amendment.  
13 Thank you.

14 PRESIDENT PT BERGER: Further  
15 discussion or debate on the amendment.

16 Senator Clark, for what purpose do you  
17 rise?

18 SENATOR CLARK: Thank you,  
19 Mr. President. To ask Senator Bishop to yield  
20 for a question.

21 PRESIDENT PT BERGER: Senator Bishop,  
22 do you yield?

23 SENATOR BISHOP: I yield.

24 PRESIDENT PT BERGER: He yields.

25 SENATOR CLARK: Senator Bishop, I



1 believe in part you said that the current -- or  
2 that the District 41 was represented in the  
3 Senate Plan here should be preserved as a result  
4 of protecting communities of interest.

5 SENATOR BISHOP: That's correct.

6 SENATOR CLARK: Are you aware that --

7 PRESIDENT PT BERGER: Follow-up  
8 question.

9 SENATOR CLARK: Will you yield for a  
10 follow-up?

11 PRESIDENT PT BERGER: He yields.

12 SENATOR CLARK: Are you aware that  
13 Redistricting Committee rejected our  
14 recommendation that communities of interest be  
15 preserved as one of the criteria for the  
16 Redistricting Committee?

17 SENATOR BISHOP: Well, you know, I  
18 think the problem with the communities of  
19 interest, as I recall the discussion -- and  
20 perhaps my terminology was the wrong one to use  
21 because I specified the common interest I was  
22 talking about.

23 Communities of interest, unfortunately,  
24 can be a very vague term, and so if the committee  
25 were to adopt that as a criterion, it would be

1 opening Pandora's box in terms of what that could  
2 mean. It could mean -- in some member's view, it  
3 could end up contradicting the criterion of not  
4 considering race. And in fact, what's been done  
5 here, if you look at this as a whole, is that's  
6 what the committee questioning yesterday revealed  
7 is that race was the predominant consideration  
8 and subordinated traditional considerations.

9 The consideration, as I've articulated  
10 it with respect to 41 and those communities that  
11 are represented that have common interest, that's  
12 a narrowing of the communities of interest idea  
13 and it explains why it would be appropriate to  
14 consider it in my view in describing 41, albeit  
15 not as a vague, general term appropriate for the  
16 committee to have adopted.

17 SENATOR CLARK: Follow up.

18 PRESIDENT PT BERGER: Senator Bishop,  
19 do you yield for a follow-up?

20 SENATOR BISHOP: I yield.

21 PRESIDENT PT BERGER: He yields.

22 SENATOR CLARK: Senator Bishop, I'm  
23 having a little bit of difficulty here  
24 distinguishing between a community of interest  
25 and common interest. I figure a community of

1 interest have interests in common. So could you  
2 explain a little bit more about how those differ.

3 SENATOR BISHOP: Well, I'm not  
4 suggesting that there's a distinction between  
5 common interest and community of interest.

6 What I was saying was that the notion  
7 of a community of interest in itself is not very  
8 descriptive. It can mean a wide variety of  
9 things. When I was describing the interest in  
10 connection with 41, it is -- I was rather  
11 specific about the things that it does reflect,  
12 that it unites the outer beltway, suburban  
13 communities mainly along the Catawba River, Lakes  
14 Norman and Wylie on the western border of  
15 Mecklenburg County. There are similarities that  
16 have to do with the geography of that area in  
17 interest that I can specifically point to.

18 That's -- I see nothing wrong with that  
19 consideration. In fact, I don't even know, there  
20 may have been some reference to this in the  
21 criteria. I don't have them before me, but it  
22 would also account for the fact that I can't -- I  
23 don't believe anyone -- we had a long discussion  
24 about it in the committee meeting about what  
25 communities of interest mean and don't mean, and

1 I think people were disinclined to be pinned down  
2 about what they meant, but some still wanted to  
3 make it a criteria and that's what the committee  
4 rejected. That's a different ball game than what  
5 I'm talking about.

6 SENATOR CLARK: Follow up.

7 SENATOR BISHOP: I yield.

8 PRESIDENT PT BERGER: He yields.

9 SENATOR CLARK: Senator Bishop, did the  
10 committee adopt criteria saying that we would  
11 respect a common interest?

12 SENATOR BISHOP: Senator Clark, you may  
13 have them before you. I don't have the list of  
14 criteria in front of me.

15 SENATOR CLARK: We do not.

16 PRESIDENT PT BERGER: Senator Clark,  
17 for what purpose do you rise?

18 SENATOR CLARK: Ask Senator Hise to  
19 yield for a question.

20 PRESIDENT PT BERGER: Senator Hise, do  
21 you yield?

22 SENATOR HISE: I yield.

23 PRESIDENT PT BERGER: He yields.

24 SENATOR CLARK: Senator Hise, you've  
25 referred to a specific standard numerical values

1 for the criteria of compactness. The first time  
2 we heard of those values were in the committee  
3 meeting yesterday, so I take -- I do not agree  
4 with your assertion that those values were  
5 approved by the committee. As a matter of fact,  
6 even after yesterday's committee meeting I asked  
7 that those values be provided to me since I had  
8 not seen them before, and I'm still waiting to  
9 receive them. Hopefully we could obtain those  
10 values.

11 PRESIDENT PT BERGER: Senator Clark, is  
12 there a question there?

13 SENATOR CLARK: Okay. I'll state it in  
14 the form of a question. At what point did the  
15 criteria approve those values?

16 SENATOR HISE: The criteria of the  
17 particular test are innate in the performance of  
18 the test themselves. So coming in we have the  
19 research documentation on those, and that's been  
20 available to the committee and we can resubmit  
21 that to you if necessary.

22 SENATOR CLARK: At what point were  
23 those innate values provided to the committee?

24 SENATOR HISE: In the criteria it is  
25 specifically referred to as the Voting Rights

1 evaluating election district appearances after  
2 Shaw versus Reno '93. The reference to it is  
3 specifically listed at the bottom of Number 4 in  
4 the criteria of the committee.

5 PRESIDENT PT BERGER: Follow up.

6 SENATOR CLARK: Follow up.

7 Where do those values exist for the  
8 committee to make themselves -- for the committee  
9 members to find them?

10 SENATOR HISE: The literature reference  
11 to those values are specifically listed on the  
12 committee -- the new procedure adopted by the  
13 committee and presented to the --

14 SENATOR CLARK: Follow up.

15 PRESIDENT PT BERGER: Senator Hise, do  
16 you yield?

17 He yields.

18 SENATOR CLARK: So you're saying you  
19 expect us to go out externally to find the  
20 literature to determine what the values are  
21 instead of the committee being -- having the  
22 values provided to us and place them to our  
23 folders on the website?

24 SENATOR HISE: I would marginalize this  
25 to say it would be significant to say if you were

1 performing any other statistical test and you  
2 were using a .05 value for statistical  
3 significance or others, those are innate within  
4 the measures themselves.

5 PRESIDENT PT BERGER: Senator Clark,  
6 for what purpose do you rise?

7 SENATOR CLARK: Follow up.

8 PRESIDENT PT BERGER: Senator Hise, do  
9 you yield for a follow-up?

10 SENATOR HISE: I yield.

11 PRESIDENT PT BERGER: He yields.

12 SENATOR CLARK: Well, you talked about  
13 innateness of values, but I haven't seen any  
14 values, period.

15 SENATOR HISE: The reference to what  
16 are utilized for those values -- I can repeat  
17 again -- were in the references given to the  
18 committee, and that is the appropriate use of the  
19 test in a pass/fail manner of compactness or  
20 non-compactness.

21 PRESIDENT PT BERGER: Senator Clark,  
22 for what purpose do you rise?

23 SENATOR CLARK: No more questions, sir.

24 PRESIDENT PT BERGER: Further  
25 discussion or debate.

1           Senator Jackson, your light is still  
2     on.

3           Senator McKissick, yes or no?

4           SENATOR McKISSICK: Yes.

5           PRESIDENT PT BERGER: For what purpose  
6     do you rise?

7           SENATOR McKISSICK: Speak on the  
8     amendment.

9           PRESIDENT PT BERGER: You have the  
10    floor.

11          SENATOR McKISSICK: I want to thank  
12    Senator Jackson for bringing this amendment  
13    forward. It's a very good amendment in terms of  
14    the configuration for Beaufort counties.

15          Like all measures of compactness, all  
16    traditional measures, these districts which are  
17    crafted and shown on this particular plan would  
18    be considered far more compact, far more compact  
19    than 2011.

20          Furthermore, in terms of  
21    competitiveness, it gives voters options. These  
22    are not drawn to be Democratic districts.  
23    Senator Bishop, I'd have to take issue with you.  
24    And in fact, if you were to look back when  
25    McCrory was running for governor and Dalton was



1 his opponent, out of these five districts, Dalton  
2 was defeated in three of them.

3 Okay. So if we have a Democrat running  
4 for governor and is defeated in three, I would  
5 not consider these to be the types of districts  
6 that necessarily are going to end up being some  
7 type of performance district for Democrats.

8 So I think what you have to do is  
9 look --

10 SENATOR BISHOP: Mr. President.

11 PRESIDENT PT BERGER: Senator Bishop,  
12 for what purpose do you rise?

13 SENATOR BISHOP: To ask Senator  
14 McKissick a question.

15 PRESIDENT PT BERGER: Senator  
16 McKissick, will you yield?

17 SENATOR McKISSICK: I yield.

18 PRESIDENT PT BERGER: He yields.

19 SENATOR BISHOP: Do you know where Pat  
20 McCrory is from, Senator McKissick?

21 SENATOR McKISSICK: There are several  
22 answers that I could reply to that, but I'll be  
23 politically correct. He originated from  
24 Mecklenburg County.

25 SENATOR BISHOP: One follow up,

1 Mr. President.

2 PRESIDENT PT BERGER: Senator  
3 McKissick, do you yield for a follow-up?

4 SENATOR McKISSICK: Yes.

5 SENATOR BISHOP: Are you aware that the  
6 presidential candidate in the most recent time,  
7 Donald Trump, would have lost every one of these  
8 districts, In fact, come no higher than  
9 43 percent?

10 SENATOR McKISSICK: I think what it  
11 would show is that you have an enlightened  
12 populous in Mecklenburg County, and I respect  
13 their intelligence.

14 I mean, what I would like to see is  
15 districts which are competitive districts.  
16 That's what voters want to see, districts that  
17 are competitive districts, and that's what this  
18 particular map provides, districts are  
19 competitive districts.

20 We tried to respect voter tabulation  
21 districts in drawing these maps. We tried to  
22 minimize any breaks of municipal boundaries.  
23 There are only two little breaks of municipal  
24 boundaries reflected in the map.

25 And when it comes to race, the only

1     thing we did was to look at what you had in your  
2     proposed plan in terms of black voting age  
3     population. Now, we did not find on this  
4     particular map that you had any district drawn  
5     with black voting age populations that exceeded  
6     50 percent that were majority-minority districts  
7     which the Court ruled against. So if you look at  
8     that and I think you satisfy that criteria by  
9     making that examination, then you don't have to  
10    go back and start making any kind of changes with  
11    race in mind, so that was not done when you look  
12    at this map.

13           What you do see is a map that reflects  
14    compact districts, you see competitive districts,  
15    you see districts where people in the city of  
16    Charlotte will be able to elect candidates of  
17    choice. And that's what it's all about. That's  
18    what they want. These are not partisan drawn.

19           Now, what you presented to us were  
20    partisan drawn and they produce a majority of  
21    Republican districts, and you took advantage of  
22    partisan advantage, but you called it incumbency.

23           There wasn't a single person  
24    double-bunked here. Everybody has a district to  
25    run from. They just have to get out there and

1 compete. They have to get out there and prove  
2 they're the better candidate. If it happens to  
3 be a Republican is the better candidate, a  
4 Republican will win that district. If a Democrat  
5 is a more competitive candidate, perhaps that  
6 Democrat is going to win that district.

7 But we haven't drawn these in a way  
8 that are going to necessarily provide anybody a  
9 safe district. I think there's one there that's  
10 probably more Democratic than the others. I  
11 don't even know if that member is coming back.  
12 He is an incumbent. I don't think those  
13 questions were ever asked. Perhaps that should  
14 have been asked of all the people serving in this  
15 chamber if we were going to use incumbency as a  
16 criteria.

17 None other criteria were ranked, so you  
18 could randomly pick and choose what you wanted to  
19 do when you got to a cluster. That's  
20 problematic.

21 I would encourage you to support this  
22 map, support fair, legal and competitive  
23 districts.

24 SENATOR BISHOP: Mr. President.

25 PRESIDENT PT BERGER: Senator Bishop,

1 for what purpose do you rise?

2 SENATOR BISHOP: Would Senator  
3 McKissick yield for a question?

4 PRESIDENT PT BERGER: Senator  
5 McKissick, do you yield?

6 SENATOR McKISSICK: Yes, I will.

7 PRESIDENT PT BERGER: He yields.

8 SENATOR BISHOP: So, Senator, are you  
9 saying that political considerations were the  
10 basis of the way this map looks?

11 SENATOR McKISSICK: I'm saying that  
12 what we wanted to do when we came and drew  
13 districts, we were trying to make certain that  
14 districts are drawn so that they would be  
15 competitive districts.

16 SENATOR BISHOP: Politically.

17 SENATOR McKISSICK: Competitive  
18 districts.

19 SENATOR BISHOP: Follow-up question.

20 PRESIDENT PT BERGER: Senator  
21 McKissick, do you yield for a question?

22 SENATOR McKISSICK: Yes.

23 PRESIDENT PT BERGER: He yields.

24 SENATOR BISHOP: Politically  
25 competitive.

1           SENATOR McKISSICK: Politically  
2 competitive and offer voters choices and options,  
3 but that's ultimately up to the candidates who  
4 run any particular year to know exactly who will  
5 run. I don't know if you're running for  
6 reelection. If Senator Rucho had run, he might  
7 have different characteristics and attributes to  
8 voters in terms of appeal than you might and  
9 whoever might run in that district in the future  
10 might have different attributes than you.

11           In Senator Clark's district, he's  
12 certainly been in a district over the years  
13 that's been somewhat a competitive district, more  
14 so than your own.

15           SENATOR BISHOP: Follow up,  
16 Mr. President.

17           PRESIDENT PT BERGER: Senator  
18 McKissick, do you yield for a follow-up question?

19           SENATOR McKISSICK: Yes.

20           PRESIDENT PT BERGER: He yields.

21           SENATOR BISHOP: I think you said a  
22 moment ago, you conceded that political  
23 considerations were taken into account, but I  
24 think you said that it was unnecessary to take  
25 racial considerations into account, you believed,

1 in these districts, but it appears to me, if I  
2 look at the data, the racial data that you have  
3 just submitted, that Districts 38 and 40 appear  
4 to have been targeted 45 percent. Is that not  
5 true?

6 SENATOR McKISSICK: They were not  
7 targets.

8 SENATOR BISHOP: Follow up.

9 PRESIDENT PT BERGER: Senator  
10 McKissick, do you yield for a follow-up?

11 SENATOR McKISSICK: Yes.

12 PRESIDENT PT BERGER: He yields.

13 SENATOR BISHOP: Is it coincidence,  
14 then, that 38 has a black voting age population,  
15 according to your data, of 45.18 percent and  
16 District 40 has a black voting age population,  
17 according to your data, of 45.48 percent?

18 SENATOR McKISSICK: The numbers which I  
19 see here which were a part of the original  
20 submission. And one thing you have to  
21 understand, Senator Bishop, when you draw those  
22 maps and you import them into a different  
23 database, the results might be slightly  
24 different.

25 Originally, what I'm seeing for Senate

1 District 38 was 46.17 percent. I think yours  
2 originally had 48.46 percent for that very same  
3 district according to the database that was used.

4 SENATOR BISHOP: No further questions.

5 PRESIDENT PT BERGER: Senator Brown,  
6 for what purpose do you rise?

7 SENATOR BROWN: To ask Senator  
8 McKissick a question.

9 PRESIDENT PT BERGER: Senator  
10 McKissick, do you yield?

11 SENATOR McKISSICK: Yes.

12 PRESIDENT PT BERGER: He yields.

13 SENATOR BROWN: Senator McKissick, I  
14 know you had some help in drawing these maps, and  
15 listening to the debate with Senator Bishop, are  
16 you trying to tell, I guess, the Senate that you  
17 and the individual that helped you draw these  
18 maps didn't draw these maps to favor the  
19 Democrats? Are you saying that?

20 SENATOR McKISSICK: The maps were drawn  
21 in a way to provide competitive districts,  
22 competitive districts meaning districts where a  
23 Democrat might win or a Republican might win.  
24 There are certain concentrations of voters in  
25 certain areas. So, I mean, and that's just by



1 the lay of the land. But having said that, they  
2 were not drawn to be districts that would perform  
3 one way or another except provide a more  
4 competitive opportunity to voters to select a  
5 candidate of preference.

6 When we saw districts that were drawn  
7 disproportionately to provide partisan advantage  
8 in the maps that were proposed, so since they  
9 were drawn to provide partisan advantage in terms  
10 of what we saw based upon the comparative data  
11 that we received, we wanted to go back and see  
12 what alternative configurations there were. And  
13 I might say we received that data very late. I  
14 think the map came out on Sunday afternoon or  
15 evening. We didn't get the data until sometime  
16 on Monday. I think public hearings were Tuesday,  
17 and, you know, we had to get somebody involved  
18 quickly to analyze the details, analyze the facts  
19 and come up with some potential viable  
20 considerations that would be available to this  
21 body for consideration.

22 SENATOR BROWN: Follow up,  
23 Mr. President.

24 PRESIDENT PT BERGER: Senator  
25 McKissick, do you yield?

1                   SENATOR McKISSICK: Sure.

2                   PRESIDENT PT BERGER: He yields.

3                   SENATOR BROWN: Senator McKissick, I  
4 think Senator Bishop said President Trump got --  
5 43 percent I think is the most he said that he  
6 got in any of these districts.

7                   So you're saying that you and the  
8 individual who helped you draw these maps felt  
9 like that 43 percent for Republican made these  
10 districts competitive, and if that's the case,  
11 then any district across the state where the  
12 loser of that particular district, if they could  
13 get 43 percent, then that's a competitive  
14 district and I guess that it's just up to a good  
15 candidate to make a difference in that particular  
16 district.

17                   Is that what you're saying?

18                   SENATOR McKISSICK: No, I've never made  
19 that statement. That would be a  
20 mischaracterization of any words which I spoken.  
21 I never suggested that at all.

22                   There's a benchmark of races here. You  
23 go back and you look at the Tillis race. You go  
24 back and look at the Dalton race. You go back  
25 and look at the Obama race. You can look at a

1 variety of races. I mean benchmark races. You  
2 go back and look at Elaine Marshall's race.  
3 Elaine Marshall's race would give you a good  
4 indication the way performance is sometimes. And  
5 then you kind of look at a composite and you kind  
6 of base it upon all of that data that might be  
7 available to you to say, you know, hey, how might  
8 these districts be drawn.

9 We certainly felt that the districts  
10 that we saw, particularly with the Tarte  
11 district, District 41, going all the way around  
12 the outer borders of Mecklenburg County, it  
13 appeared to be certainly an effort to maintain  
14 that district as a Republican district. It  
15 seemed as if the goal based upon the maps we saw  
16 were to give all Republican incumbents a chance  
17 of returning, notwithstanding the fact that many  
18 of them perhaps are in those seats today because  
19 of the racial gerrymandering that occurred. If  
20 it had not been for that racial gerrymandering  
21 when the maps were adopted back in 2011 then  
22 District 41 probably wouldn't look like it looked  
23 and Tarte might not have been there.

24 SENATOR BROWN: One more, if I could,  
25 Mr. President.

1 PRESIDENT PT BERGER: Senator  
2 McKissick, do you yield?

3 SENATOR McKISSICK: Sure.

4 PRESIDENT PT BERGER: He yields.

5 SENATOR BROWN: Senator McKissick, I  
6 think the way that the maps that are proposed are  
7 drawn, those districts create three what I would  
8 say are Democratic districts and two other  
9 districts that are very competitive. Your map  
10 draws five districts that are pretty much going  
11 to be Democratic districts.

12 So are you saying that a map that has  
13 five Democratic districts is a better map than  
14 three Democratic districts and two competitive  
15 districts?

16 SENATOR McKISSICK: What I'm saying is  
17 based that upon the parameters that this body  
18 adopted in terms of looking at compactness, in  
19 terms of looking at incumbency, in terms of  
20 looking at respecting municipal borders, in terms  
21 of trying to come up, not splitting the voter  
22 tabulation districts, that this is a better plan  
23 and a more viable plan and the type of plan that  
24 voters would prefer to see to elect candidates of  
25 choice.

1           PRESIDENT PT BERGER: Senator Brown,  
2           for what purpose --

3           SENATOR BROWN: I've got one more after  
4           that response.

5           PRESIDENT PT BERGER: Senator  
6           McKissick, can you do one more?

7           SENATOR McKISSICK: This will be the  
8           last one.

9           PRESIDENT PT BERGER: He yields.

10          SENATOR BROWN: Are those voters the  
11          Democratic voters?

12          SENATOR McKISSICK: No. No. They  
13          allow Republicans to vote in Mecklenburg County.

14          SENATOR BROWN: Just checking.

15          SENATOR McKISSICK: We want them to  
16          vote. They just need to be enlightened.

17          PRESIDENT PT BERGER: Further  
18          discussion or debate on Amendment 4.

19          Senator Clark, your light is on.

20          Okay. Further discussion or debate on  
21          Amendment 4. Hearing none, the question before  
22          the body -- before we get to that, the clerk  
23          reminds me Senator Curtis is allowed an excused  
24          absence for the remainder of the session.

25          With that, further discussion or

1 debate. Hearing none, the question before the  
2 Senate is the passage of Amendment 4 to Senate  
3 Bill 691. All in favor of the amendment will  
4 vote "aye"; all opposed will vote "no." The  
5 clerk will record the vote. Five seconds will be  
6 allowed for the vote.

7 14 having voted in the affirmative and  
8 30 in the negative, Amendment 4 fails and the  
9 bill is back before you.

10 Further discussion or debate on Senate  
11 Bill 691?

12 Senator Blue, for what purpose do you  
13 rise?

14 SENATOR BLUE: To send forth an  
15 amendment.

16 PRESIDENT PT BERGER: Send forward your  
17 amendment. The clerk will read.

18 THE CLERK: Senator Blue moves to amend  
19 the bill.

20 PRESIDENT PT BERGER: Senator Blue has  
21 the floor.

22 SENATOR BLUE: Thank you,  
23 Mr. President.

24 In case I get the question, the  
25 sergeant-at-arms staff will be handing out these

1 stat packs. I asked them to delay it because  
2 you've got a lot of them building up on your  
3 desk, and I wanted you to see the one relating to  
4 this, but I begin my comments.

5 This amendment is a statewide plan for  
6 North Carolina, and the reason that I submit it  
7 to you is that I've read a letter that was sent  
8 to Senator Hise and Representative Lewis by the  
9 lawyers for the plaintiffs in this case. And  
10 that letter had -- it must have been dated on  
11 Wednesday, I guess -- had looked at the plans  
12 that the statistics were made available for on  
13 Monday, that is, the proposed Senate Plan, and  
14 had listened to the public comments, and the  
15 lawyers had analyzed those things and, more than  
16 likely, talked with their clients.

17 And the letter suggested to Senator  
18 Hise and Senator Lewis that they still found  
19 flaws in the proposed Senate Plan and they made  
20 certain suggestions, at least broad observations  
21 about the Senate Plan and ways that it could be  
22 addressed. And so I then called staff and asked  
23 them to allow the lawyer to send -- oh, and in  
24 the letter she also said they had drawn some  
25 proposed districts. So I called staff and asked

1       them to receive this packet from the lawyers so  
2       that we could analyze it under the system that we  
3       have devised in the General Assembly that analyze  
4       these plans as well as to analyze it for the  
5       criteria in the stat packs, stat packs that you  
6       are being handed now.

7               And upon receipt of it, I looked at it,  
8       and I think that it made me realize that the  
9       reason we're here on this Friday afternoon is  
10      because the Supreme Court unanimously determined  
11      that the plan that we operating under had 28  
12      racially gerrymandered districts, and so it made  
13      sense to me that the people who had convinced the  
14      Court that the districts were racially  
15      gerrymandered could have some useful information  
16      on how you address the gerrymander since that's  
17      what we are here to do. We can talk about all of  
18      the other things, but we're here to address the  
19      gerrymanders because the Court told us to address  
20      it.

21              So these are the districts that they  
22      proposed that would address the racial  
23      gerrymander in the nine areas where senate  
24      districts were determined to be racially  
25      gerrymandered. It observed the same cluster



1 arrangement. It did not challenge any of the  
2 clusters or does not challenge any of the  
3 clusters. And it addresses these gerrymanders  
4 primarily in the four urban counties -- major  
5 urban counties, biggest urban counties in the  
6 state: Wake, Mecklenburg, Cumberland and  
7 Guilford.

8 This is what it does. And you'll  
9 notice that in many ways that it doesn't really  
10 overlap the districts that we've talked about,  
11 even some of those that we've offered. The ones  
12 that have been offered on Guilford, that was  
13 withdrawn, as well as Mecklenburg show that there  
14 are different alternatives for looking at these  
15 districts based on the criteria that the  
16 committee adopted as its criteria.

17 These maps also look at that criteria,  
18 but they also look at it from the prism of what  
19 they consider to be required to bring these  
20 districts into compliance.

21 So let me share two quick things  
22 because I know that this is where the questions  
23 will be.

24 If you've had a chance to review  
25 briefly the stat pack, you will find that these

1 districts aren't drawn for partisan advantage. I  
2 analyzed it. I think when you count the  
3 districts based on the performance in past  
4 elections, in these proposed districts, the  
5 Democratic presidential candidate won 18 and the  
6 U.S. Senate race, the Democratic senatorial  
7 candidate won 17, and then the governor's race,  
8 the gubernatorial candidate won 21.

9 So you can't argue that they have been  
10 designed for partisan purposes. You can't argue  
11 realistically that it's a partisan gerrymander.  
12 The only Democrat who won a majority of districts  
13 in this iteration was the secretary of state  
14 who's been running for that office for 20 plus  
15 years, and she managed to eke out a victory in 26  
16 of the 50 sitting candidates under this proposal.

17 And so I learned a long time ago -- I  
18 grew up on a farm, but I learned a valuable  
19 lesson, and that is that pigs get fat and hogs  
20 get slaughtered, and the amazing thing is that  
21 sometimes you reach too far. And these folk have  
22 offered a plan that solves the racial  
23 gerrymandered, which is why we're here, and at  
24 least it's a plan that should be considered as a  
25 way to get through this judicial crisis.

1           It does not stack the deck unfairly  
2           against the majority party in here, but it  
3           addresses this issue of a racial gerrymander. It  
4           only double-bunked sitting senators, I think, in  
5           two or three districts other than the ones that  
6           were required to be double-bunked because of the  
7           way the clusters were drawn. It even has in it  
8           districts that have high percentages of  
9           Democratic votes, some of them as high as 70 or  
10          80 percent vote in the district.

11          So partisan politics was the last thing  
12          that would enter into this map. I think it is  
13          something that ought to be reviewed. I mean, I  
14          know that redistricting is a very private thing  
15          for those who serve, but it seems to me that  
16          they're trying to achieve some kind of broader  
17          goal in it, and I think it's the kind of plan  
18          that would lead to legal districts, the kind of  
19          plans that show that race was not unnecessarily  
20          relied on. I think that you'll find throughout  
21          this map that it addressed the racial gerrymander  
22          in each district, and in all but one I believe it  
23          took the racial percentage down, which is what  
24          created the problem of the racial gerrymander in  
25          the first place.

1           And so if you haven't addressed the  
2           issue specifically set forth in the way that the  
3           plaintiffs have addressed it, I think in the way  
4           they deal with some of these districts, I think  
5           we're setting ourselves up. And maybe in order  
6           to grab 35 or 34 or whatever the advantage might  
7           be, partisan advantage in the map that you  
8           submitted, that you're setting yourself up to  
9           maybe having a federal judge or a federal panel  
10          or a special master draw these districts in the  
11          affected area with implications and ramifications  
12          far beyond what you've considered in trying to  
13          perhaps get a bigger piece of the cake that is  
14          justified under the circumstances.

15                I recommend this to you and hope that  
16                you'll consider it.

17                PRESIDENT PT BERGER: Senator Bishop,  
18                for what purpose do you rise?

19                SENATOR BISHOP: To ask a question of  
20                Senator Blue.

21                PRESIDENT PT BERGER: Senator Blue, do  
22                you yield?

23                SENATOR BLUE: Yes, sir.

24                SENATOR BISHOP: Is this map devised  
25                for the purpose of double-bunking incumbent

1 Republican senators in order to -- in  
2 circumstances that would be unfavorable to them  
3 in order to defeat them?

4 SENATOR BLUE: I don't see how it is.  
5 It's double-bunked -- I'm trying to see the  
6 places. There may be a double-bunk down in your  
7 territory, Senator Bishop. There's a double-bunk  
8 in your territory. I see a double-bunk -- there  
9 was one in Wake and one in Guilford. I think  
10 those are the three double-bunks.

11 SENATOR BISHOP: Further question.

12 PRESIDENT PT BERGER: Senator Blue, do  
13 you yield for a follow-up?

14 SENATOR BLUE: I yield.

15 SENATOR BISHOP: So if you look,  
16 Senator Blue, at 37, there in the heart of  
17 Mecklenburg, 37 is currently occupied by Senator  
18 Jeff Jackson over there, and the little red dot  
19 that's now in 37 happens to be me.

20 And so Senator Jackson and I are  
21 double-bunked, but we're not double-bunked down  
22 in southern Mecklenburg County or over towards  
23 Matthews. We're double-bunked in Plaza-Midwood,  
24 east Charlotte. Is that not devised to take out  
25 a Republican incumbent?

1           SENATOR BLUE: No, I wouldn't say that  
2           that's what it's devised to do. Because if you  
3           look at the plaintiffs' senate map, again, they  
4           have three of the same pairings of double-bunking  
5           that the committee map does, and that was not  
6           devised to take out incumbents. It was devised  
7           to meet the criteria that you had set forth, and  
8           that was unavoidable.

9           And again, in Wake, Mecklenburg and  
10          Guilford counties, there were racial  
11          gerrymanders, and the plaintiffs are suggesting  
12          that the way that you go about fixing it first is  
13          to devise or at least develop these basic  
14          districts. You can then move people out of --  
15          out of -- I think in most of them, I seem to  
16          remember that the members were close to the line.  
17          And so just as with the plaintiffs' map, and I  
18          think that -- the map that's before you, just  
19          like with that map people got creative and moved  
20          Senator Alexander into another district to  
21          prevent his being double-bunked, and you notice  
22          that in my revise in Wake County, I allowed for  
23          that. If you look at the basis of the map, then  
24          there are places that you can adjust it to  
25          address those specific problems.

1                   SENATOR BISHOP: Follow-up question.

2                   PRESIDENT PT BERGER: Senator Blue, do  
3 you yield?

4                   SENATOR BLUE: I yield.

5                   PRESIDENT PT BERGER: He yields.

6                   SENATOR BISHOP: Just to sort of extend  
7 the picture here beyond what I described about  
8 Senator Jackson and me, if you look in Guilford  
9 County, I think I described it as the bird  
10 district, it looks a little similar to me. It's  
11 Greensboro, as I understand it. Senator  
12 Robinson's District 28, there's a red dot there.  
13 That happens to be Senator Wade, as I understand.  
14 So Senator Wade is double-bunked with Senator  
15 Robinson not out in an area that Senator Wade is  
16 represented but in -- on territory that would be  
17 unfavorable to her.

18                   And if you look over at Wake County,  
19 the double-bunking up in 15, 15 being Senator  
20 Chaudhuri's district, is, as I understand it,  
21 Senator Barringer, it might be Senator Alexander,  
22 but in either event, in all three cases it's  
23 true, isn't it, that the Republican incumbent is  
24 at a disadvantage in that double-bunking.

25                   SENATOR BLUE: In this map I think

1 Senator Alexander is in the district with Senator  
2 Chaudhuri, but in the map that we amended,  
3 they're not in the same. So I'm saying that once  
4 you take the basic form that you want to fix the  
5 gerrymandering, you can deal with those issues  
6 because if you want incumbency to be one of the  
7 criteria, it is a criteria after you've dealt  
8 with the gerrymander.

9 Senator Bishop, I can't tell who's in  
10 this district in Guilford County. I see a blue  
11 dot and a red dot. I don't know whether -- I  
12 guess Senator Robinson is on the edge of her  
13 district. And we can deal with Guilford County  
14 in such a way that you can try to deal with the  
15 incumbency question, but you got to deal with the  
16 gerrymandering aspect of it first.

17 And you in Mecklenburg, I don't know  
18 where you live and where Senator Jackson lives,  
19 but since you're moving whole precincts, you can  
20 deal with those things and still observe the  
21 other criteria, the compactness -- you admit that  
22 the plan that's before us by the committee had  
23 deviated from the compactness standards because  
24 it goes all the way around the county.

25 So if you are then trying to



1 accommodate the question of incumbency, then that  
2 justifies you moving this incumbent out into  
3 another area that might be friendlier.

4 The map in and of itself is our first  
5 go at it without being concerned about incumbency  
6 and those things. Our first concern was to  
7 address the gerrymanders, and it's those four  
8 counties that you talked about that you find the  
9 double-bunking. It's been solved in Wake County,  
10 we're working on it in Guilford County, and  
11 that's the only way I know how to answer you.

12 SENATOR BISHOP: Further question,  
13 Mr. President.

14 PRESIDENT PT BERGER: Senator Blue, do  
15 you yield?

16 SENATOR BLUE: I yield.

17 PRESIDENT PT BERGER: He yields.

18 SENATOR BISHOP: So the committee  
19 accepted your amendment yesterday to Wake County  
20 and then today you came in with a further  
21 perfecting amendment to that to fix it. This, as  
22 I understand it, this statewide map hasn't been  
23 changed from the -- among other things the  
24 double-bunkings that I pointed out yesterday in  
25 committee as you're proposing it today, and if

1 the amendment were to be accepted, it would  
2 supersede the amendment that you've worked on  
3 twice for Wake County, correct?

4 SENATOR BLUE: That's correct. And if  
5 I had had time, if I had had time, I would have  
6 incorporated the Wake County amendment into this  
7 map.

8 SENATOR BISHOP: A further question.

9 PRESIDENT PT BERGER: Senator Blue, do  
10 you yield?

11 SENATOR BLUE: I yield.

12 PRESIDENT PT BERGER: He yields.

13 SENATOR BISHOP: Would it be fair to  
14 say that you don't really expect this amendment  
15 to be adopted. It's offered as a function of the  
16 litigation.

17 SENATOR BLUE: I do expect it to be  
18 adopted because it fixes the gerrymander, and if  
19 it's adopted, then I will then amend it to fix  
20 Wake County the way that we fixed it because  
21 there has to be more than one configuration that  
22 can address these issues.

23 This is one possibility, and I would  
24 reconcile it with what we've done in Wake County  
25 and attempt to reconcile it with fixing the

1 issues that you address of double-bunking in  
2 Mecklenburg County, in Guilford County, and I  
3 forget where the other one was. Maybe that's it.  
4 Those are the three outside of the ones that were  
5 mandated by the clustering.

6 PRESIDENT PT BERGER: Further  
7 discussion or debate on Amendment 5.

8 Senator Hise, for what purpose do you  
9 rise?

10 SENATOR HISE: Speak to the amendment.

11 PRESIDENT PT BERGER: You have the  
12 floor.

13 SENATOR HISE: Thank you, Mr. President  
14 and Members of the Senate.

15 I think you have before you an  
16 amendment litigation strategy for the court  
17 cases. I think that Senator Blue even inasmuch  
18 admitted yesterday that his choice would not have  
19 been to do the double-bunks and told us if we  
20 were working together to develop these that we  
21 could have come up with different solutions. And  
22 it's been clear that this is not a map developed  
23 by a member of the General Assembly but a map  
24 developed by a litigation group, a group that  
25 sued us.

1           But I think it offers a lot of insight  
2           into what this is all about. And I don't believe  
3           it's a racial gerrymander or other. It's about a  
4           group who represents the Democrats who have  
5           become uncompetitive in most of the State of  
6           North Carolina. I think they're down to winning  
7           20 or so counties in a presidential race on some  
8           other ballot initiatives we've had. I think they  
9           were down to about seven counties that their  
10          policies could carry, and they want to draw the  
11          map so they don't have to change those policies  
12          or what they're promoting, but we'll take the  
13          areas where they are and they should have total  
14          domination.

15                Look at Guilford on this map. Look at  
16          Wake County on this map. Look at Mecklenburg  
17          County on this map. Any district drawn  
18          completely in that county the Democrats carry.  
19          Look at the presidential race and others. They  
20          might find some 60/40 race where they didn't win  
21          them all but -- that occurred several years ago,  
22          but if you want to look at the presidential  
23          races, the governor's races, this is the clean  
24          sweep of the urban counties for the Democrats so  
25          that they can continue their far left message and

1 try to be competitive statewide. That's  
2 literally what this entire map is about.

3 There's an actual report that's in your  
4 stat pack that tells us what members are  
5 double-bunked together. So when Barringer and  
6 Chaudhuri are bunked together for, as we've  
7 shown, no good reason, when Senator Wade and  
8 Robinson are bunked together, no good reason, for  
9 Bishop and Jeff Jackson all in ways to benefit  
10 the Democrat incumbents, as well as you'll see  
11 the blank areas in which they're creating open  
12 Democrat seats in this state. It's what it's all  
13 about for this group.

14 Now, they found an argument about how  
15 race is used, and we've addressed that argument  
16 by not using race. They said we used it  
17 excessively; we've addressed it by not using it  
18 at all. But they're still upset because they  
19 didn't get everything they wanted in the urban  
20 areas which requires total domination in those  
21 results.

22 So they also ignored what  
23 municipalities. They clearly would divide  
24 municipalities as they saw fit in addition to  
25 those challenges.

1           It's the responsibility of the General  
2       Assembly to draw districts. Now, I don't deny  
3       that it's not the right of a member to pick  
4       someone else's map and bring it forward, but this  
5       obviously in no way, even in these areas,  
6       represents the values of the Senate or the  
7       General Assembly as a whole. Pick each one of  
8       those urban counties. When the members offered a  
9       solution, it was very different from what this  
10      solution was that you had here, particularly even  
11      for the same issues.

12           So I ask that you reject this  
13      amendment. The outside groups are not the ones  
14      drawing their districts in the State of  
15      North Carolina. The General Assembly is. That  
16      is our obligation under the state constitution.  
17      That is our obligation under the federal  
18      constitution, and we don't hand that to outside  
19      groups for that purpose.

20           And for that, among many other reasons,  
21      including the use of race, once again, I would  
22      ask that you reject this amendment.

23           PRESIDENT PT BERGER: Senator Bryant,  
24      for what purpose do you rise?

25           SENATOR BRYANT: To speak on the

1 amendment.

2 PRESIDENT PT BERGER: You have the  
3 floor.

4 SENATOR BRYANT: I was wanting to  
5 respond to one comment that Senator Hise  
6 mentioned about the purpose of this proposal and  
7 this proposed amendment being to have domination  
8 in urban areas for the Democratic Party or for  
9 far-left ideas.

10 And I wanted to emphasize that what I  
11 care about in this proposal and in the case  
12 against racial gerrymandering is racial  
13 discrimination against my racial group in order  
14 to maintain political power for far-right ideas.

15 And I'm from a rural area. I don't  
16 benefit under any of these plans, personally  
17 speaking, in terms of my political options.  
18 However, I have a great concern about racial  
19 discrimination and unconstitutional legislative  
20 and political actions being taken that harm my  
21 racial group and our communities across the  
22 state. And this is not just an urban issue.  
23 It's also a rural issue.

24 And for that reason I would want to ask  
25 us to strongly consider this amendment. I agree

1 with Senator Blue there are some changes that  
2 have been raised, some issues that have been  
3 raised can be addressed. And I took this same  
4 position when Democrats were in power. I  
5 similarly fought. I was a part of helping with  
6 the Gingles cases and the other discriminate --  
7 redistricting discrimination cases that have been  
8 brought in the state, because I also didn't like  
9 being discriminated against for the purposes of  
10 the domination of Democrats as well.

11 And so I just want to be clear on the  
12 record that my purpose is not that for -- as  
13 described by Senator Hise, and I sort of don't  
14 like a broad attribution to all our purposes in  
15 the manner that he did. And I know that the  
16 plaintiffs in this case who are from my area,  
17 their goal is not -- surely not power in urban  
18 areas and is not perpetuation of a left-wing  
19 agenda. It is fighting against the racial  
20 discrimination that we feel in our communities.

21 So I don't like him casting  
22 aspersions -- negative aspersions against the  
23 plaintiffs in the case who are 30 or 40 some  
24 citizens around the state, as well as the lawyers  
25 and professionals involved in helping to move



1 this litigation forward that has been affirmed  
2 unanimously by the Court of Appeals and the  
3 Supreme Court. So I guess they want a left-wing  
4 agenda in North Carolina as well. Thank you.

5 PRESIDENT PT BERGER: Further  
6 discussion or debate.

7 Senator Van Duyn, for what purpose do  
8 you rise?

9 SENATOR VAN DUYN: To speak on the  
10 amendment.

11 PRESIDENT PT BERGER: You have the  
12 floor.

13 SENATOR VAN DUYN: I would have to  
14 agree with Senator Hise that it is our  
15 responsibility to draw these maps, and I think we  
16 made a very responsible step when we decided to  
17 take public comment before we drew the maps. And  
18 what we heard almost unanimously from that public  
19 comment was that what the people of  
20 North Carolina want is exactly what these maps  
21 represent and that is fair, legal, competitive  
22 Senate districts.

23 These maps did double-bunk people  
24 because that was not a criteria. That was one of  
25 our criterias, never one that we heard through

1 public comment. I think we have done a  
2 tremendous disservice to the people of  
3 North Carolina by consistently and over and over  
4 and over again refusing to listen to the people  
5 of North Carolina who made their voices heard  
6 very clearly, very clearly that what they wanted  
7 was fair, competitive districts, and that's what  
8 the plaintiffs are asking for and that's why I  
9 urge you to support this amendment.

10 PRESIDENT PT BERGER: Further  
11 discussion or debate on Amendment 5. Hearing  
12 none, the question before the Senate is the  
13 passage of Amendment 5 to Senate Bill 691. All  
14 in favor of the amendment will vote "aye"; all  
15 opposed will vote "no." Five seconds will be  
16 allowed for the voting. The clerk will record  
17 the vote.

18 14 having voted in the affirmative and  
19 30 in the negative, Amendment 5 fails and the  
20 bill is back before us.

21 Further discussion or debate on Senate  
22 Bill 691.

23 Senator Hise, for what purpose do you  
24 rise?

25 SENATOR HISE: Send forth an amendment.

1           PRESIDENT PT BERGER: Send forward your  
2 amendment.

3           SENATOR HISE: Sorry. Maybe I need to  
4 physically send it forward. Senator Tillman's  
5 got the page duties today.

6           PRESIDENT PT BERGER: The clerk will  
7 read.

8           THE CLERK: Senator Hise moves to amend  
9 the bill.

10          PRESIDENT PT BERGER: Senator Hise has  
11 the floor to explain Amendment 6.

12          SENATOR HISE: Senators, what this  
13 amendment simply does is that as we're getting a  
14 lot of submissions in and others so that we  
15 can -- this will all go to the courts and so we  
16 can clarify when something was submitted and  
17 others. This was an amendment, because we  
18 accepted other amendments today, to change the  
19 title of the bill that will denote that this was  
20 the second reading. We will need a similar  
21 amendment if we amend it on Monday so it shows  
22 that the change occurred in the third reading of  
23 the bill, but this will show that those changes  
24 occurred. It merely changes the short title of  
25 the bill.

1           PRESIDENT PT BERGER: Further  
2 discussion or debate on Amendment 6. Hearing  
3 none, the question before the Senate is the  
4 passage of Amendment 6 to Senate Bill 691. All  
5 in favor of the amendment will vote "aye"; all  
6 opposed will vote "no." Five seconds will be  
7 allowed for the voting. The clerk will record  
8 the vote.

9           Tillman "aye"; Bryant "aye"; McKissick  
10 "aye"; Ford "aye."

11           44 having voted in the affirmative and  
12 none in the negative, Amendment 6 passes and the  
13 bill is back before you.

14           Further discussion or debate on Senate  
15 Bill 691.

16           Senator Blue, for what purpose do you  
17 rise?

18           SENATOR BLUE: To debate the bill.

19           PRESIDENT PT BERGER: You have the  
20 floor.

21           SENATOR BLUE: Thank you,  
22 Mr. President.

23           And I just want to make a very few  
24 observations because I think that we ought to  
25 seize upon teaching moments. We've been through

1 this process. The Court says that we have  
2 discriminatory districts, nine of them in the  
3 Senate, and they're discriminatory because of the  
4 racial makeup and what was done to create the  
5 racial makeup in those districts.

6 I'm hoping that having passed out these  
7 stat packs that show what the racial makeup is of  
8 the districts that you've now created will enable  
9 you to tell the Court how you've addressed the  
10 discrimination that they found in the original  
11 maps that you passed here.

12 I don't see how it can when you haven't  
13 considered race in solving the racial problems in  
14 the map. I mean, it just is anti-intuitive that  
15 you can fix a problem without addressing the  
16 problem. And that's what we've done here.

17 And it might be that you're sending a  
18 message to this three-judge panel that you don't  
19 take judicial orders very seriously, and that --  
20 that is not a message that I want to be a part of  
21 it, not because I'm a member of the legislature  
22 but because I highly respect this third and  
23 co-equal branch of government because it's what's  
24 made this country, the whole concept of judicial  
25 review what it is, and so I hope that that's not

1 the message that you're trying to send.

2 But more importantly, I hope that we  
3 don't do a disservice to the citizens of this  
4 state by telling them that we've remedied this  
5 problem when we really haven't. There are some  
6 places in this map where that issue has been  
7 resolved. And, you know, the amazing thing is it  
8 was resolved not by what we did but to some  
9 degree because the clusters dictated that it be  
10 done that way.

11 And that sort of machine like, as was  
12 said earlier, we got free will, we're sentient,  
13 we can do things and think about them and change  
14 them, and again, that's the magic about this  
15 place. And I say that not because it's going to  
16 change anybody's mind but simply because it needs  
17 to be said.

18 And I say that I hope that it's been a  
19 teaching moment and this provides a teaching  
20 opportunity because half of you will be here the  
21 next time redistricting comes around, if you  
22 don't have -- well, you won't have to come back  
23 and solve these because if you haven't solved it,  
24 the three-judge panel will solve it for you, but,  
25 you know, the next regularly scheduled

1     redistricting round is two elections away, four  
2     years, and if history is any lesson, half of you  
3     will be here, the other half won't because of  
4     retirement, some voluntary, some involuntary.  
5     There are various other reasons.

6             We've already started preparing for the  
7     2020 census all over the country, the way the  
8     Census Bureau is trying to get people to prepare  
9     VTDs in place of precincts and all of those  
10    things, the way the computers are beginning to be  
11    configured. I mean, it's a national discussion  
12    going on, and it's a discussion going on that  
13    pays no attention to party divide. There are  
14    just things that we need to do to make this  
15    redistricting work.

16            So it's right around the corner, and a  
17    good number of you will be here to do it in four  
18    years. And so I hope that the takeaway and the  
19    real lesson that we get from this teachable  
20    moment is it needs to be a cooperative process,  
21    it needs to be an inclusive process, and it needs  
22    not be focused solely on political advantage and  
23    using anything that might give us that political  
24    advantage.

25            In this case, unfortunately, the Courts

1 determined that race is what gave you the  
2 political advantage. Who knows what the issue  
3 will be next year, the year after next, but  
4 certainly in 2020. Who knows whether there will  
5 be some decision from the Supreme Court trying to  
6 add clarity into what goes into redistricting.  
7 Who knows whether it will be some decision, some  
8 modification on the Stephenson standards by the  
9 State Supreme Court. I don't know.

10 I said we're sentient. I'm not  
11 prescient and omniscient. I can't see into the  
12 future that far, but there will be things that  
13 we're not factoring in that will affect the 2021  
14 redistricting, and I'm just asking you to take  
15 what you've learned from those who are here to  
16 inform us as to how we ought to go about the 2021  
17 redistricting.

18 It can be far less painful, it can be  
19 much more cooperative, and it can satisfy the  
20 citizens of this state who are telling us in  
21 every way that they can that they're tired of all  
22 the partisan way in which we go about doing this,  
23 that they want to participate in the process and  
24 they just assume that the legislature not have  
25 anything else to do with it, whether it's an



1 independent commission or some other kind of way,  
2 that they would prefer something else. So I hope  
3 that we can register that.

4 Again, I don't believe that these maps  
5 directly address the specific issues in several  
6 places that the Court told us to address, and for  
7 that reason I think that this whole exercise has  
8 to be looked at, but what we learn from it as  
9 opposed to what it does to address that broader  
10 problem.

11 I invite you to share with certainly  
12 the members on the back row as you go in to  
13 preparing this process. You never can tell, the  
14 members on the back row might be the members on  
15 the front row regardless of what you say is  
16 happening across the state. This state is still  
17 a very fluid state, it's a rapidly changing  
18 state.

19 And the lesson that I again take away  
20 from most of the things that I do is one that I  
21 learned in the sandboxes, but it was underscored  
22 to me my first year in law school by my real  
23 property professor. He said, you know, the only  
24 way that you can guarantee that something will be  
25 fair, if it's to be split between people, you let

1 the one who draws out different people's  
2 portions -- he was talking about basically  
3 dividing up black acre or white acre, however you  
4 described the farm at the time -- is you let the  
5 one who's going to choose first not draw them,  
6 but you let the one who chooses last draw the  
7 maps, draw the division.

8 That's been wise advice over the years  
9 for me, and I suggest to you that sometimes you  
10 might want those that you think that you're  
11 punishing to participate in how you mete out that  
12 punishment because at the end of the day you  
13 might be the one receiving it.

14 We need to think about that with  
15 respect to these maps, and I hope that somewhere  
16 or other those lessons won't be lost on us.

17 PRESIDENT PT BERGER: Further  
18 discussion or debate.

19 Senator Hise, for what purpose do you  
20 rise?

21 SENATOR HISE: To speak a second time.

22 PRESIDENT PT BERGER: You have the  
23 floor.

24 SENATOR HISE: Thank you,  
25 Mr. President.

1           Members of the Senate, I want to start  
2 by rebuffing what I think is an argument that  
3 somehow we don't care about what the Courts have  
4 said or what they did. We're all here today at a  
5 time that's not necessarily of our choosing, on a  
6 timeline not of our choosing to address a court  
7 order on a set of maps that Eric Holder and the  
8 Obama Justice Department pre-cleared before we  
9 ever passed them. Now they've run across the  
10 country and complain about these things, but they  
11 cleared them. We met all those standards. Some  
12 of the rules changed, parts of the Voting Rights  
13 Act are gone, and we're back here today once  
14 again.

15           But I will tell you in the drawing of  
16 these maps we have placed a lot of respect into  
17 what the Court says, beginning with the most  
18 recent ruling that we overutilized race in  
19 creating districts. So we have a solution for  
20 that. We will not use race in the creation of  
21 districts. Now, somebody's going to try to make  
22 some claim that by not using race we still used  
23 it and by the some standard we still overused  
24 race.

25           But we followed also the State Court

1 ruling and Stephenson and how they're written. I  
2 don't know that anyone believes that it was my  
3 intent to move Senator Cook's district or to put  
4 Senator Randleman or Ballard in the same district  
5 or to move Senator Horner in a district. Those  
6 were required under the Court rulings and we've  
7 accepted those and that's part of this map.

8 We've done those to respect the rulings  
9 of the Courts and how they've interpreted our  
10 constitutions. We put that process together.  
11 We've taken areas like Wake County where, in  
12 general, Republicans receive 40 percent of the  
13 votes in those counties, and you'll see that the  
14 proportions now fall out to, all likely,  
15 40 percent of the seats in those counties. You'd  
16 see the same in Mecklenburg. We now have one  
17 competitive district with probably three  
18 Democratic districts and one Republican district,  
19 and how that compares -- that was what you would  
20 see in historic vote totals. We've taken those  
21 in the state. No, that's not enough for our  
22 opposition.

23 But we've taken in respect to what the  
24 Court says and what the law says and our  
25 responsibility to draw these maps given to us by

1 the people of this nation by our constitution to  
2 this body to draw these maps. We have answered  
3 the Court's questions with these maps, and we are  
4 prepared to move forward now with elections under  
5 these maps.

6 It's been a long process. I don't  
7 think anybody thinks the legal fight is over, but  
8 we have answered the legal questions that have  
9 been presented on those with these maps, and we  
10 continue to stand by that decision and we'll  
11 continue to fight anyone who tries to claim that  
12 it is not our authority under the constitution to  
13 draw the maps of the State of North Carolina.

14 I thank you all and I ask for your  
15 support for this and for the -- thanks for this  
16 long process that we continue to go through.

17 PRESIDENT PT BERGER: Further  
18 discussion or debate.

19 Senator Tillman has an excused absence  
20 for the remainder of the session.

21 Further discussion or debate on Senate  
22 Bill 691. Hearing none, the question before the  
23 Senate is the passage on the second reading of  
24 Senate Bill 691. All in favor will vote "aye";  
25 all opposed will vote "no." Five seconds will be

1 allowed for the voting. The clerk will record  
2 the vote.

3 27 having voted in the affirmative and  
4 16 in the negative, Senate Bill 691 has passed  
5 its second reading.

6 And, Senator Hise, for what purpose do  
7 you rise?

8 SENATOR HISE: To object to third  
9 reading

10 PRESIDENT PT BERGER: Third reading  
11 having been objected to, the bill will remain on  
12 the calendar.

13 Senator Hise, do you have a further  
14 motion?

15 SENATOR HISE: And to also ask that the  
16 amendments be engrossed before the presentation  
17 of the third reading.

18 PRESIDENT PT BERGER: Without  
19 objection, so ordered, the amendments will be  
20 engrossed between second and third reading.

21 Members, that's all we have on our  
22 calendar. And are there any notices or  
23 announcements? Is there further business to come  
24 before the Senate? If not, Senator Pate is  
25 recognized for a motion.

1                   SENATOR PATE: Thank you,  
2                   Mr. President.

3                   I move that the Senate do now adjourn  
4                   subject to Senate Rule 24.1 and the receipt of  
5                   House messages, to reconvene on Monday,  
6                   August 28, 2017, at 5:00 p.m.

7                   PRESIDENT PT BERGER: Motion is that  
8                   the Senate do now adjourn subject to the  
9                   stipulations stated by Senator Pate to reconvene  
10                  on Monday, August 28, 2017, at 5:00 p.m.

11                  Seconded by Senator Hise. All in favor say  
12                  "aye."

13                  "Aye."

14                  PRESIDENT PT BERGER: All opposed "no."

15                  The "ayes" have it and the Senate  
16                  stands adjourned.

17                  [Reporter's Note: Proceedings in this  
18                  session ended at 1:51 p.m.]

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25

/s/ Denise Myers Byrd /s/  
Denise Myers Byrd  
CSR 8240, RPR, CLR 102409-2



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NORTH CAROLINA GENERAL ASSEMBLY  
HOUSE COMMITTEE ON REDISTRICTING

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TRANSCRIPT OF THE PROCEEDINGS

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In Raleigh, North Carolina  
Friday, August 25, 2017  
Reported by Robbie W. Worley

Worley Reporting  
P.O. Box 99169  
Raleigh, NC 27624  
919-870-8070



1                   REP. SZOKA: Good morning. I'm  
2                   Representative John Szoka calling the meeting to  
3                   order. I'd just like to recognize our Sergeant at  
4                   Arms for today. We have Reggie Sills, Marvin Lee,  
5                   David Leighton, Thomas Terry and Joe Crook. And  
6                   that's going to pretty much be the extent of what I  
7                   have to say here. The Chairmen are still getting  
8                   some materials prepared, and they have asked me to  
9                   put the Committee into recess until 9:45. So we  
10                  stand in recess until 9:45. Thank you.

11                  (Recess, 9:31 - 9:45 a.m.)

12                  REP. DOLLAR: Committee will come back to  
13                  order. Members will take their seats. Any  
14                  extraneous conversations will be taken outside of  
15                  the Committee room at this time.

16                  The proposed Committee substitute for  
17                  House Bill 927 is properly before the Committee for  
18                  discussion without objection. So ordered. The --  
19                  at this time, I would also remind members that  
20                  since we did have a short delay in starting, that  
21                  we will -- all amendments -- all amendments will  
22                  need to be in to the Chairs at no later than 10:45.  
23                  So all amendments -- we had said 10:30, I believe,  
24                  in the communication last night. We will extend  
25                  that to 10:45 since we were slightly delayed.

1                   I do want to say prior to recognizing  
2           Chairman Lewis for the presentation of the proposed  
3           Committee substitute, just a couple of very quick  
4           comments from myself. And I believe Chairman Lewis  
5           may have some additional comments. I do want to  
6           say after -- particularly after some of the  
7           comments that I've read and -- and reports and  
8           editorials, and some of the things that have been  
9           said in public, that the two Chairs -- the two  
10          joint Chairs are very honorable people. Some of  
11          the things said about them, I felt, were personal  
12          and -- and factually incorrect in terms of their  
13          character, in terms of their approach to this  
14          process, which I believe has been honorable and  
15          above board. No court has found otherwise in all  
16          of this process. In fact, the courts have found  
17          just to the opposite of -- of that.

18                   I would also make just a quick personal  
19          note in terms of Dr. Hofeller. Dr. Hofeller is the  
20          same as any other central staff member or any  
21          consultant that either side might employ to assist  
22          them in the technical matters of drawing a map.  
23          And maps are part of the legislative process and,  
24          I believe, that when staff members or consultants  
25          are -- are maligned in terms of their intent and

4

1           the like with -- with clearly no evidence, that is  
2           improper. It's incorrect and -- and it's quite  
3           unfortunate and -- and I don't believe that that's  
4           where our best politics lie. We should debate the  
5           issues and not debate the personalities of  
6           particular individuals. Particularly when those  
7           folks do not know and are clearly not apprised of  
8           what their actual roles are in this very important  
9           constitutional process.

10                       With that said, at this time I will  
11           recognize Chairman Lewis to present the -- to the  
12           Committee the proposed Committee substitute. I  
13           will also announce that following Chairman Lewis'  
14           presentation and any discussion, we will take a  
15           recess. That recess will run until we're -- we  
16           have the amendments and then we'll -- we will --  
17           we'll come back and deal with -- with any  
18           amendments at that time. Representative Torbett,  
19           do you have a question?

20                       REP. TORBETT: Just as a courteous  
21           reminder that members should state their name and  
22           their district when they make any comments for  
23           today.

24                       REP. DOLLAR: Thank you, Representative  
25           Torbett. Your point is well taken. These

1           proceedings are the subject of Court record, or a  
2           record that could be potentially before the Court.  
3           We have a court reporter. And so if all members --  
4           thank you for the gentleman's reminder. If all  
5           members would please state your name when you are  
6           asking your question or making a comment. So with  
7           that, Chairman Lewis is recognized.

8                         REP. LEWIS: Thank you, Mr. Chairman.  
9           I'm David Lewis, the senior Chair of the House  
10          Select Committee on Redistricting. I represent  
11          Harnett County. I want to welcome all the members  
12          and guests that are here today. Before I begin  
13          with presenting the 2017 House Redistricting Plan  
14          A, I want to go over some facts with this  
15          Committee.

16                        After being ordered to do so by the  
17          Court, I, on behalf of the -- with authority  
18          designated by the speaker, produced a map within 14  
19          business days -- 19 total calendar days. We had  
20          sought and proposed to the Court a longer period of  
21          time which would allow for more public input and,  
22          hopefully, more participation in this process. The  
23          Court -- I say this with the utmost respect --  
24          chose, instead, to give us a deadline of September  
25          the 1st. In no way is that -- is this being

1 critical of the Court. This is stating for the  
2 record that the plan that I proposed publicly,  
3 which would have included a series of three  
4 statewide public hearing sessions, simply could not  
5 be met under the time frame that we were asked to  
6 act under by the Court.

7 I would like to also echo some of  
8 Chairman Dollar's comments. I will continue in  
9 every way I can to make this discourse as positive  
10 as it can be. I do think that there have been some  
11 erroneously-stated information regarding why we are  
12 here today. We are here today, based on my  
13 understanding of the Covington Court finding, that  
14 without substantial evidence -- without sufficient  
15 evidence, I should say, that race was a predominant  
16 factor in drawing 19 House seats. We were ordered  
17 to recreate the map in areas affected by those 19  
18 seats by September the 1st. At no time did the  
19 Court reference that anyone was packed into any  
20 district. At no time did the Court reference that  
21 there was any bad intent on the part of this  
22 legislature in the 2011 process.

23 Today I sincerely hope that this  
24 Committee, through free and open debate, will be  
25 able to set an example of how positive political

1 discourse and disagreement can and should be dealt  
2 with in this country and in our state. Mr.  
3 Chairman, with that, I'll move into a presentation  
4 on the proposed Committee substitute.

5 First of all, I'd like to talk about the  
6 criteria that was used in the production of this  
7 map. The Committee -- this Committee adopted the  
8 criteria of equal population. The equal population  
9 means that one person, one vote. People's votes  
10 should count equally as much as they can. And by  
11 that, I mean the Court did give us a window to work  
12 in of plus or minus five percent. So the ideal  
13 population for a House district, as was stated in  
14 the earlier Committee meeting, is 79,462 people.  
15 You are allowed to go plus or minus that percentage  
16 by no more than five percent. So equal population  
17 was the first criteria adopted by this Committee.  
18 It was the criteria that was used in preparing this  
19 map.

20 We've discussed further, in regards to  
21 equal population, that a -- a error -- a margin of  
22 plus or minus five percent is arranged and -- or is  
23 allowed for under the law. I would point out, in  
24 disclosure, that the largest House Districts, or  
25 those with the most people, are House Districts 10,

1           21, 22 and 51. Those are 300 -- or excuse me,  
2           3,972 people over the ideal county -- over the  
3           ideal district size.

4                       I would state again that, as explained to  
5           this Committee, there is a mandatory county  
6           grouping optimization formula that's required under  
7           the Stephenson decision. The smallest House  
8           District in the plan is actually House District  
9           109. It is 3,945 people below the ideal  
10          population, but I would point out that that was an  
11          unchanged House seat.

12                     I'll -- I'll pause for just a moment to  
13          say, as we discussed in this Committee in an  
14          earlier presentation, the -- there were -- there  
15          were areas of the state in which the county  
16          groupings did not have to be changed to comply with  
17          this Court order. We did not change those county  
18          groupings. If you all recall, there was a map  
19          distributed to you the first time we met jointly  
20          with the Senate that showed areas. I believe those  
21          areas were in green, to refresh your memory. Those  
22          areas were not changed or touched by this map.  
23          This is simply a visual illustration of some of the  
24          districts. Again, House District 109 is unchanged  
25          in this plan, but it is the plan so I wanted to

1           share it with you.

2                         Contiguity; Legislative Districts shall  
3           be comprised of continuous territory. This simply  
4           means, in my understanding, that you can't start a  
5           district here, run another district here and  
6           continue it somewhere else. They need to be  
7           contiguous. Contiguity by water is sufficient.  
8           This is an over -- this is a picture of the plan.  
9           There are areas primarily, and almost exclusively,  
10          in the eastern part of our state where great bodies  
11          of water are encompassed or surrounded by our  
12          counties. The barrier islands of our state, one of  
13          the greatest treasures that we have, create  
14          situations in which counties include these  
15          tremendous bodies of water.

16                        This Committee further adopted that we  
17          would comply, as we're required to, by the county  
18          grouping and traversal rule. It means that the  
19          county -- that the Committee would draw legislative  
20          districts within county -- within county groupings  
21          as required by Stephenson versus Bartlett and in  
22          other court cases. And within the county  
23          groupings, counties like -- county lines should not  
24          be traversed into except as authorized by the  
25          Courts in Stephenson and the subsequent cases.



1                   I put this back up only as a reminder.  
2                   This was presented in greater detail to the  
3                   Committee. You will notice that the purple color  
4                   is a county in which, if you take the ideal  
5                   population of 79,462 and divide it into the 2010  
6                   decennial -- the 2010 decennial census numbers, you  
7                   are able to draw a whole number of seats. In  
8                   certain examples, for instance in Lincoln County  
9                   which was not -- not a changed county, their  
10                  population is 80,000 people. That's within the  
11                  plus or minus five percent; Lincoln County gets one  
12                  seat. The counties that are one, that are kept  
13                  whole in this, are illustrated in purple.

14                  We were then required to go through and  
15                  group counties in the smallest possible number of  
16                  county groups. We were -- we had to optimize the  
17                  number of two-county groups, shown in red on this  
18                  map and also bordered by the darker black lines,  
19                  illustrate what the two-county groups are. In the  
20                  canary yellow color, shows the three-county groups.  
21                  That means when we were -- when we could combine no  
22                  more two-county groups, we then sought to combine  
23                  three-county groups. The canary -- the canary  
24                  yellow shows the three-county groups. The brighter  
25                  yellow shows the four-county groups. When we could

1 no longer combine three counties and make whole  
2 House seats, we had to combine four counties. The  
3 lime green color shows a five-county group. The  
4 darker green or Kelly green color shows a  
5 six-county group, and the blue color is a  
6 seven-county grouping.

7 I think we've spent pretty good time  
8 talking about this, but I did want to state it  
9 again for the record and so it could be more fully  
10 understood by the Committee. I would point out  
11 that I do believe the Committee's criteria on  
12 county groupings and traversals was, in fact, met.  
13 I would point out, for reference, that the number  
14 of split counties in the 2001 House plan was 60, in  
15 the 2009 plan it was 46, in the 2011 plan, known as  
16 Lewis-Dollar-Dockham, were 49 split counties. In  
17 the 2017 House Plan A that you have before you,  
18 there are 40.

19 Compactness; the Committees shall make  
20 reasonable effort to draw legislative districts in  
21 the 2017 House and Senate plan that improve the  
22 compactness of -- of the current districts. In  
23 doing so the Committee may use, as a guide, the  
24 Reock dispersion and the Polsby-Popper scores as  
25 identified by the people that invented that

1 particular score -- those particular scores. I  
2 would point out that the map that I present to you  
3 today complies with that criteria. The criteria  
4 minimum for Reock is 0.15. The minimum compactness  
5 found in this plan for Reock is 0.2. The maximum  
6 is 0.7. The mean is 0.41 and the standard  
7 deviation is 0.09. I say all that to say that we  
8 were able to comply with this Committee's criteria  
9 in regard to the Reock score.

10 In regard to the Polsby-Popper score, the  
11 minimum criteria is 0.05 -- excuse me, yes, the  
12 criteria minimum is 0.05, the minimum district on  
13 this plan is at 0.2. The maximum is at 0.71. The  
14 mean is 0.31 and the standard deviation is 0.11. I  
15 say all that to say again, that based on the  
16 compactness criteria defined in the Polsby-Popper  
17 test, this map is compact. I'll be happy to go  
18 into greater detail on compactness. I will simply  
19 say that based on the -- and I will submit this for  
20 the record -- based on a comparison of reports with  
21 prior enacted plans, this is a compact plan.

22 One of the Committee's goals was to have  
23 fewer split precincts. The total number of split  
24 precincts, or split VTD's in this plan, as drawn,  
25 is 19. It's important -- it's important to point

1 out that there are 49 total splits, but those  
2 additional splits, between 19 and 49, occur in  
3 areas of the plan that were not impacted by the  
4 regrouping -- the new county optimization formula.  
5 What that means is, what we drew splits only 19  
6 precincts. If you compare that with the 2011 plan,  
7 the Lewis-Dollar-Dockham 4 plan, there were 395  
8 split precincts. The 2009 House plan split 285.  
9 2001 House plan, as best we can tell, split 103. I  
10 would point out for the record, in total  
11 transparency, one of the -- there is one additional  
12 split VTD in Cumberland County. It -- it's a --  
13 it's on the base, the Army base, there are no  
14 people that live there, it makes the map look  
15 more -- more compact.

16 We wanted to respect municipal --  
17 municipal boundaries. The Committee adopted the  
18 criteria of municipal boundaries. We said that we  
19 may consider municipal boundaries when drawing  
20 legislative districts in 2017 House and Senate  
21 plan. Again, I think this plan meets that goal.  
22 The 2009 House plan split 123 municipalities. The  
23 2011 house plan, Lewis-Dollar-Dockham, split 144.  
24 This plan splits 78.

25 An additional criteria that was adopted

1           by this Committee is incumbency protection. It  
2           reads, "reasonable efforts and political  
3           considerations may be used to avoid pairing -- to  
4           avoid pairing incumbent members of the House or  
5           Senate with another incumbent in legislative  
6           districts drawn in the 2017 House and Senate plans.  
7           The Committee may make reasonable efforts to ensure  
8           voters have a reasonable opportunity to elect  
9           non-paired incumbents of either party to a district  
10          in the 2017 House and Senate plans." Again, this  
11          plan meets that criteria.

12                       The 2017 House Plan A pairs eight  
13          representatives. Six of those are paired together  
14          by the county grouping formula. There is one pair  
15          of Republican legislators that are grouped and  
16          there are two opposite party pairings. Again,  
17          these were caused by the county grouping formula.  
18          I will state, for the record, that we absolutely  
19          sought to avoid pairing incumbents in the -- in the  
20          preparing of this map. The only discretionary  
21          double-bunking in this plan is of two Republican  
22          representatives. This was necessary to create  
23          districts that are reasonably compact and to avoid  
24          opposite party double-bunking.

25                       Election data; political consideration.

1 Election results data may be used in the drawing of  
2 the legislative districts in the 2017 House and  
3 Senate plans. As I stated for the record, the last  
4 time this Committee met, the following 10 races  
5 were used as a guide in meeting this criteria of  
6 the map. They are 2010 US Senate, 2012 President,  
7 2012 Governor, 2012 Lieutenant Governor, 2014  
8 United States Senate, 2016 President, 2016 United  
9 States Senate, 2016 Governor, 2016 Lieutenant  
10 Governor, 2016 Attorney General.

11 A criteria that was adopted by this  
12 Committee involved no consideration of racial data.  
13 Again, as I said in my opening remarks, the  
14 consideration of race, the Court made clear that we  
15 had not created a substantial enough record to  
16 justify race as the factor or as a criteria in  
17 drawing the districts, and therefore, it was not  
18 used.

19 Mr. Chairman, if I may? A couple of the  
20 members had asked the difference between the  
21 original House map that was released and the  
22 amended House map that was released. I'd like to,  
23 with your permission, just get that on the record  
24 as well and --

25 REP. DOLLAR: The gentleman's recognized

1           for that purpose.

2                       REP. LEWIS: Thank you. Members, the  
3 changes that were made in the map that was released  
4 on Friday and the map that was subsequently  
5 released yesterday, were in the following county  
6 groupings. There were -- in the county grouping  
7 that includes Surry, Alleghany and Wilkes, there  
8 were changes that were made. These changes were  
9 made -- it's simply moving precincts. These were  
10 at the requests of members who currently serve in  
11 those areas. There were also changes made in the  
12 county grouping that runs from Richmond to Davie.  
13 This was at the request of one of the members who  
14 currently represents that area.

15                       There were changes made in the county  
16 grouping that stretches from Bladen up through  
17 Greene. This was at the request of members who  
18 serve in that area. We also, members, made several  
19 changes at the request of members whose -- who are  
20 currently serving whose districts were  
21 inadvertently mis-numbered in the new map.  
22 Requests were received from members in Mecklenburg  
23 County and in Forsyth County. We granted every  
24 request for a number change because those were  
25 inadvertent mistakes on my part when the map was

1 first released. We did grant every one of those  
2 requests.

3 REP. DOLLAR: Chairman Lewis, you may  
4 have said this and I just didn't hear it, but  
5 there -- there was one other set of changes in --  
6 in Johnston County --

7 REP. LEWIS: Yeah.

8 REP. DOLLAR: -- within Johnston County  
9 at -- at -- as I recall, at the -- the requests of  
10 those legislators.

11 REP. LEWIS: Yes, sir. Thank you, Mr.  
12 Chairman. I attempted to reference that when I  
13 said that there were some changes in the grouping  
14 that runs from Bladen to Greene, but yes. There  
15 were -- the requests were specifically in Johnston.  
16 Thank -- thank you for that clarification.

17 With that, Mr. Chairman, I've concluded  
18 the formal part of my presentation. I'll be glad  
19 to try and answer questions or whatever's the will  
20 of the Committee at this point.

21 REP. DOLLAR: Questions from members of  
22 the Committee? And again, be sure when you're  
23 recognized to state your name. Questions from  
24 members of the Committee? Representative Pierce?

25 REP. PIERCE: Thank you, Mr. Chairman.



1 State representative Garland Pierce.

2 Representative Lewis, do you have a map of the --  
3 the change that you made yet? The ones that you  
4 just talked about?

5 REP. LEWIS: Thank you for the question,  
6 Representative Pierce. The map that you have  
7 before you, this is the new map.

8 REP. DOLLAR: Gentleman's recognized.

9 REP. LEWIS: I think Representative  
10 Michaux has a question.

11 REP. DOLLAR: I apologize. I was --  
12 Chair was distracted for a moment. So,  
13 Representative Pierce, you got your question  
14 answered? All right. In that -- Representative  
15 Michaux is recognized.

16 REP. MICHAUX: Representative Michaux,  
17 Durham County. Yesterday, I think, you were  
18 presented a map and some changes to -- that were --  
19 that were given you by the Plaintiffs in this  
20 matter.

21 REP. LEWIS: Yeah.

22 REP. MICHAUX: Were those matters  
23 considered in -- were redrawing, redistricting plan  
24 A?

25 REP. LEWIS: Thank you for that question,

1           Representative Mi chaux. I believe you're referring  
2           to the Covington Plaintiff's map, and I want to  
3           state, first of all, that I appreciate the  
4           submission of that map. I believe it came in at  
5           2:05 on Tuesday and I can assure you that I did  
6           consider the map very thoroughly. We evaluated the  
7           ideas that they had. There were many areas of the  
8           state where the Covington map was similar to what  
9           was drawn by this Committee. There were areas of  
10          the state where we don't feel the Covington map met  
11          the criteria, but the short answer is yes. I  
12          reviewed it very -- very thoroughly and appreciate  
13          its submission.

14                        REP. DOLLAR: Gentleman's recognized.

15                        REP. MI CHAUX: I -- I guess --  
16          Representative Mi chaux again. I guess my question,  
17          did you incorporate any of the suggestions made by  
18          the Plaintiff's counsel in this -- in -- in  
19          these -- in the new maps that you drew?

20                        REP. LEWIS: No, sir. Not to my  
21          knowledge.

22                        REP. MI CHAUX: Follow-up.

23                        REP. DOLLAR: Gentleman's recognized.

24                        REP. MI CHAUX: You indicated that based  
25          on the criteria that this Committee passed on a

1           divided vote, that race was not used in making a  
2           determination. On the decision handed down by the  
3           three-panel court and by the United States Supreme  
4           Court, indicated that racial gerrymandering had  
5           occurred, which was unconstitutional. Can you tell  
6           me whether or not the matter of racial  
7           gerrymandering has been corrected by the maps that  
8           you -- the map that you have now drawn? And can  
9           you give me the statistics that show that that  
10          matter has been corrected?

11                       REP. LEWIS: Thank you for the question.  
12           It's my understanding that the Covington Court  
13           ruled that this Committee had not -- or the  
14           Committee in 2011 had not established a sufficient  
15           record to justify the use of race in drawing  
16           legislative districts, therefore race was not a  
17           criterion that was used. There was no racial data  
18           reviewed in the preparation of this map, and I can  
19           provide you only the statistics that we have  
20           already provided which were used in drawing this  
21           map.

22                       REP. MICHAUX: Further follow-up,  
23           Representative Michaux again.

24                       REP. DOLLAR: Gentleman's recognized.

25                       REP. MICHAUX: So you cannot give me any

1           statistic, any racial statistics, on the maps that  
2           you now have before this body for us to approve; is  
3           that correct?

4                       REP. LEWIS: As race was not a criteria,  
5           that is absolutely correct. I would point out, I  
6           think, to the gentleman's larger question, though,  
7           it's my understanding that the Court said that  
8           without sufficient evidence, the General Assembly  
9           had drawn maps where race was the predominant  
10          factor. I'm aware of no additional data, that has  
11          been submitted to this Committee or to me for  
12          review, that would indicate that anybody else has  
13          developed a more -- that anyone has submitted any  
14          additional evidence that race should be considered.  
15          Therefore, it was not considered in the drawing of  
16          this map. And I do believe that by not considering  
17          race, that does correct the deficiency found by the  
18          Court.

19                      REP. DOLLAR: Representative Jackson is  
20          recognized.

21                      REP. JACKSON: Thank you, Mr. Chairman.  
22          On Page 151 of the Covington opinion, it lays out  
23          the testimony that was received by the defendants  
24          about racially polarized voting and the history and  
25          locations of VRA districts by prior general

1 assemblies. And then it goes on to say this should  
2 be considered during legislative redistricting.  
3 And I would ask, was that considered?

4 REP. LEWIS: Mr. Chairman, would the  
5 gentleman mind if I looked at -- if I got the  
6 material he was referencing from staff?

7 REP. JACKSON: It's on Page 151, starting  
8 with the second and third paragraph.

9 REP. LEWIS: Representative Jackson,  
10 apparently my staff tried to use Westlaw so our  
11 pages aren't lining up, but I can tell you that  
12 race was not used in the drawing of this map which  
13 I think is the -- the answer that you were trying  
14 to ask. I apologize for not having the exact case  
15 in front of me.

16 REP. JACKSON: Mr. Chairman, follow-up?

17 REP. DOLLAR: Gentleman is recognized for  
18 a follow-up.

19 REP. JACKSON: Okay. And on page 164 of  
20 the Court's conclusion it reads "Section 2 of the  
21 Voting Rights Act continues to play an important  
22 role in redistricting. And legislators must  
23 undertake a district-specific analysis to identify  
24 and cure potential Section 2 violations." So I  
25 would ask, did the map drawers undertake a

1 district-specific analysis to identify and cure  
2 potential Section 2 violations?

3 REP. LEWIS: Thank you for the question,  
4 Representative Jackson. The Committee had no  
5 additional information than what's provided in  
6 2011, which the Covington Court said was  
7 inadequate.

8 REP. DOLLAR: Further questions from  
9 members of the Committee? Any further questions at  
10 this time? Seeing none, I would ask this of the  
11 Committee. Are there any members who are -- we had  
12 extended the time to 10:45 for submission of  
13 amendments to the Chairs. Are there any amendments  
14 that people intend to offer that have not been  
15 submitted to the Chair or that you anticipate  
16 submitting? I mean, if we could -- if we could  
17 have those now, we can -- we can go into a brief  
18 recess and just shorten the process. But I do not  
19 want to -- if someone's still contemplating  
20 something in the next 15 minutes, I don't want to  
21 preclude that necessarily unless we have all  
22 amendments.

23 So I'm -- I'm seeing no hands of -- so  
24 I'm assuming that all amendments that any Committee  
25 member is wishing to have considered by the

1           Committee have already been sent in to the chair.  
2           And seeing no -- seeing indication from any member  
3           otherwise, the Committee will stand in recess until  
4           11:00. We'll come back at 11:00. We will take up  
5           any amendments that we have at that time, that have  
6           been already submitted at this time. Committee is  
7           in recess until 11:00.

8                               (Recess, 10:20 - 11:00 a.m.)

9                               REP. DOLLAR: Come back to order.

10           Members, the first three amendments have been  
11           passed out. There's a fourth amendment, but since  
12           it's a little bit of a larger nature, we felt we  
13           could deal with these first three first before I --

14                              REP. JORDAN: Mr. Chairman.

15                              REP. DOLLAR: -- do that. Before I move  
16           forward -- Representative Jordan?

17                              REP. JORDAN: I -- I only have two, Mr.  
18           Chairman.

19                              FEMALE SPEAKER: I only have two.

20                              REP. DOLLAR: You will have two that  
21           are -- have maps attached, one does not -- does not  
22           have a map attached. It's actually the first one  
23           that we're going to take up in just a moment.  
24           AST-85V1 offered by Representative Jackson; it's a  
25           one-page technical -- essentially, a technical

1           amendment. Okay. Well, if you will hold for that,  
2           we'll -- we'll take these amendments up in just a  
3           moment. Chairman Lewis, I believe, had a couple of  
4           quick comments and then Representative Michaux  
5           wished to be recognized and I'll get back to him.

6                     REP. LEWIS: Thank you, Mr. Chairman.  
7           This is David Lewis from Harnett County again. The  
8           additional comment that I wanted to add is  
9           Representative Reives notified my office and this  
10          Committee that he was now a resident of Chatham  
11          County. And when I spoke earlier about the number  
12          of paired incumbents, I did not include  
13          Representative Reives in that number. However, the  
14          map that you have shows that because my office  
15          failed -- I failed to notify central staff of that.  
16          So the new maps that will be produced by Monday  
17          will clearly show that Representative Reives lives  
18          in Chatham County. That is my mistake and I  
19          apologize for it.

20                    REP. DOLLAR: And, Chairman Lewis, that  
21          lowers the number of paired representatives to six.  
22          Representative Michaux is recognized.

23                    REP. MICHAUX: Thank you, Mr. Chairman,  
24          and we -- we welcome Representative Reives to the  
25          Durham County delegation.



1 REP. DOLLAR: Any -- any further  
2 questions at this time?

3 REP. MICHAUX: Yeah. Yeah, I've got a  
4 couple questions to --

5 REP. DOLLAR: Gentleman is recognized.

6 REP. MICHAUX: This is Representative  
7 Michaux again. Representative Lewis, can you tell  
8 me the party breakdown of the maps that you have  
9 redrawn that you have submitted to this Committee?

10 REP. LEWIS: I don't understand the  
11 question, Representative.

12 REP. MICHAUX: How many Republicans and  
13 how many Democrats show up in -- in the map that  
14 you're giving us?

15 REP. LEWIS: Well, Representative, as far  
16 as what shows up in the map, there should be 120  
17 Republicans and Democrats.

18 REP. MICHAUX: May I follow up?  
19 Representative --

20 REP. DOLLAR: Follow-up.

21 REP. MICHAUX: You know what I mean,  
22 Representative Lewis. I'm trying to find out how  
23 many Democrats make up the 120 and how many  
24 Republicans make up the 120.

25 REP. LEWIS: Representative Michaux, I

1 don't -- I don't have that -- that information at  
2 hand.

3 REP. MICHAUX: May I follow up again?

4 REP. DOLLAR: Follow-up.

5 REP. MICHAUX: My -- I have information,  
6 and I have not been able to personally check it out  
7 and you can, you know, but I -- my understanding  
8 that under the maps that you have submitted with  
9 the changes you've made that Republican  
10 representation will increase by four and the  
11 Democratic representation will decrease by four.  
12 Is that correct?

13 REP. LEWIS: Well, Representative, thank  
14 you for the question. I don't have that  
15 information. I will tell you that the stat packs  
16 that were -- there were stat packs passed out that  
17 illustrate every -- the 10 races that we've already  
18 discussed. You could infer different things from  
19 that; I don't think they paint as clear a picture  
20 as what you are saying.

21 REP. DOLLAR: Gentleman's recognized.

22 REP. MICHAUX: Let me go to one other  
23 question, and this is on black voting age  
24 population. Do you have any information on any of  
25 the districts that you have created under the map

1           that is under consideration that show the black  
2           voting age population of any of the districts at  
3           all?

4                       REP. DOLLAR: Representative Mi chaux,  
5           thank you for the question. I do not have any of  
6           that information. Certainly you could request that  
7           of central staff.

8                       REP. MICHAUX: One follow-up?

9                       REP. DOLLAR: Gentleman is recognized.

10                      REP. MICHAUX: Was that information used  
11           in drawing these district -- black voting age  
12           population statistics used in drawing these  
13           districts that you submit for our approval?

14                      REP. LEWIS: No, sir. And if I could  
15           expand on that answer, it's my reading of the  
16           Covington case that a district-specific analysis is  
17           required in order to use race. We are not using  
18           race in the construction of this map. We do not  
19           have information that says it would be required to  
20           be used. If you have that information, I'm  
21           certainly willing to review it, but at this time we  
22           have not received any additional information that  
23           indicates that race should be used, which is our  
24           understanding of the Covington Court's Order.

25                      REP. DOLLAR: Gentleman wish to be

1           recognized for further questions? Seeing -- seeing  
2           none -- Representative Jackson.

3                         REP. JACKSON: Thank you, Mr. Chairman.  
4           I just -- I wanted to ask a couple questions about  
5           public input. I know that I have not received any  
6           transcripts from the other sites that were cut off  
7           on Tuesday night. I was here until about 9:45  
8           watching the people here shut up in Wake County,  
9           but I want to know if the transcripts are available  
10          and if anybody's reviewed the public comments from  
11          the areas where they didn't personally attend.

12                        REP. DOLLAR: Chairman Lewis is  
13          recognized.

14                        REP. LEWIS: Thank you for the question,  
15          Representative Jackson. The answer -- the specific  
16          answer to your question is, we've been told by  
17          central staff that the written transcripts will be  
18          available by Monday. I will tell you that I  
19          reached out to central staff and obtained the audio  
20          recordings and have reviewed them myself.  
21          Certainly, they are available to you in that same  
22          way.

23                        I would speak, if I may, because there  
24          was -- the public hearings were not as smooth as I  
25          had hoped they would go. I would point out that we

1           had intended to have more public input, we  
2           certainly attempted to have public input and we  
3           value it. The -- it's come to my attention, after  
4           the fact, that some of the satellite sites weren't  
5           quite as big as perhaps we would have chosen if we  
6           could go back and do it again. Certainly, if we  
7           were going to have more than one, we would probably  
8           choose a different site.

9                       I'm also aware that there were a few  
10          technical problems. I would say that the audio  
11          recordings that were made by both the House and  
12          Senate Sergeant at Arms -- well, let me be  
13          specific. The ones made by the House Sergeant at  
14          Arms don't seem to reflect that you were able to  
15          hear what the people are saying perfectly well. I  
16          did not listen to the Senate ones. They're  
17          supposedly the exact same.

18                     REP. DOLLAR: Gentleman's recognized for  
19          a follow-up.

20                     REP. JACKSON: And the online comments  
21          that were made, people who submitted comments  
22          online, who has been the person responsible for  
23          reviewing that? And have they all been reviewed?

24                     REP. LEWIS: Thank you for that question.  
25          It is my understanding, and we can confirm this

1           with central staff, that a link to all the members  
2           of the Committee was sent with online comments. I  
3           asked for and received a printed version of the  
4           online comments that had been received prior to, I  
5           believe, Friday of last week. I've since gone  
6           through and looked at them. I don't know that any  
7           specific person was tasked to do it, but I did do  
8           it.

9                       What you'll find when you look at them,  
10          there are -- and I'm only -- I'm only telling you  
11          this because I know that you will go and look at  
12          them. There's a couple of times in which the  
13          person tried to send as -- hit send and,  
14          apparently, it sent for -- four or five times. So  
15          when you look at it, you will notice that the same  
16          person just hit send more than one time. We've  
17          asked the staff when they have time, to go through  
18          and to kind of sort those out. But the only reason  
19          I point that out is that's one of the things that  
20          I -- that I saw when I reviewed the comments.

21                      REP. DOLLAR: Representative Bell?

22                      REP. JACKSON: Thank you, Mr. Chairman.  
23          John Bell, District 10. I have a question for  
24          Representative Lewis.

25                      REP. DOLLAR: Now, gentleman's

1           recogni zed.

2                       REP. JACKSON: Thank you. Mr. Lewi s,  
3           before you went to break, Representative Mi chaux  
4           asked a question about similar ities and if any of  
5           the Pl ainti ff' s maps were put into consideration  
6           and he mentioned there were some similar ities. I  
7           went back and looked and saw a number of  
8           similar ities. Can you expand upon that, please,  
9           for the Commi ttee?

10                      REP. LEWIS: Yes, thank you for that  
11           question. What I understood him to ask was did we  
12           make any changes as a direct result of the map?  
13           And the short answer to that was no, but what I  
14           went on further to say is, I did analyze the map  
15           very closely and there are many districts,  
16           especially in the rural part of the state, that  
17           look exactly like the map that we submit ted. So we  
18           did review the map district-by-di strict, and there  
19           is substantial similar ities in many parts of the  
20           map.

21                      REP. DOLLAR: Thank you. Any -- any  
22           further questions before we move to amendments?  
23           Representative Mi chaux i s recogni zed.

24                      REP. MI CHAUX: Representative Mi chaux  
25           agai n, fol lowi ng up on Representative Bell' s

1 question. There are also very distinct differences  
2 there to; are there not?

3 REP. LEWIS: Yes, sir.

4 REP. MICHAUX: Thank you.

5 REP. DOLLAR: Representative Torbett for  
6 a comment.

7 REP. TORBETT: Yeah, John Torbett, 1  
8 House District 108, Gaston County for a comment,  
9 Mr. Chairman.

10 REP. DOLLAR: The gentleman is  
11 recognized.

12 REP. TORBETT: Thank you. In regards to  
13 similar remarks Representative Jackson was saying,  
14 I was chairing the Charlotte meeting. And I just  
15 wanted to go on record to let you guys know that it  
16 was a heavily attended meeting. Perhaps the room  
17 could have been bigger, you never know until after  
18 the fact. We had well over, I guess, 115  
19 attendants. Most of the time the room was at  
20 occupancy. We had some waiting outside and even  
21 tried to manage an ante room to make adjustments  
22 for the people that were there.

23 We had members of this Committee and  
24 delegation members from Mecklenburg present, in --  
25 in good attendance from both sides of the political



1 spectrum. And they were both attentive and  
2 respectful to any and all speakers that came  
3 forward. And we began at 4:00 and we ended at the  
4 last speaker. So it -- it was a very dignified  
5 process. The people speaking were -- were very  
6 respectful and very dignified. So there were very  
7 positive things that came out of those. So brief  
8 we held public comments in it, and perhaps in  
9 future years we will have ample enough time to have  
10 more of those where we can engage more of the  
11 public at these events.

12 REP. DOLLAR: Mr. Chair, thank you.  
13 Chairman Lewis is recognized.

14 REP. LEWIS: Thank you. I wanted to  
15 follow up on Representative Torbett's remarks. I  
16 don't know that we did a good enough job  
17 communicating this, but the reason the sign-up  
18 began when it did and ended when it did is we were  
19 trying to make sure folks knew that if they were  
20 able to go ahead and be there at 4:00, that they  
21 could. If it was going to take them a little bit  
22 later to be there -- that they could get there,  
23 they were allowed to sign up until 6:30. I had  
24 even -- and I'm happy to produce it -- I even had  
25 some e-mail traffic with folks where I had said if

1           you let me know that you are delayed in traffic,  
2           we'll extend it further. But the idea was to begin  
3           it at 4:00 so that people that were able to be here  
4           at 4:00 could go ahead start. But we knew that it  
5           was going to go on into the night, go on into the  
6           evening, which is why we had sign-up open until  
7           6:30.

8                       To the best of my knowledge, and we were  
9           still online by then with all the sites, nobody  
10          else showed up after 6:30 and asked to sign up. I  
11          can tell you, for the Raleigh site, we would have  
12          let that to happen. But we tried to accommodate as  
13          best we could with the time that we had.

14                     REP. DOLLAR: Thank you, Chairman Lewis.  
15          Any -- seeing no other hands, we'll move to  
16          amendments. The first amendment that will be  
17          considered is Amendment AST-85V1, AST-85V1.  
18          Representative Jackson, you are recognized to  
19          present your amendment.

20                     REP. JACKSON: Thank you, Mr. Chairman.  
21          We -- earlier, we talked about people -- district  
22          numbers getting switched. This is one of the  
23          circumstances where this would restore  
24          Representative Collins back to the current district  
25          number he represents and Representative Richardson

1 back to the current district she represents. It  
2 would not change the district lines in any way.

3 REP. DOLLAR: Chairman Lewis.

4 REP. LEWIS: Mr. Chairman, to be clear,  
5 what I understood Representative Jackson to say is  
6 that this is simply renumbering a district to  
7 reflect the current incumbent. That's certainly  
8 something that I would've done had I been made  
9 aware of it. I would urge the Committee to vote  
10 aye in support of this amendment.

11 REP. DOLLAR: All right. Seeing no  
12 further hands, all those in favor of the amendment,  
13 please signify by saying aye.

14 (Voice vote.)

15 REP. DOLLAR: Opposed, no. The ayes have  
16 it and the amendment is agreed to.

17 The next amendment is offered by  
18 Representative Hunter. It is amendment ABK-41V1,  
19 ABK-41V1. And, Representative Hunter, you are  
20 recognized to offer your amendment.

21 REP. HUNTER: Thank you, Mr. Chairman.  
22 Howard Hunter, 5th District. This amendment moves  
23 to amend the bill on Page 1, Lines 9 through 10 by  
24 deleting those lines and substituting District 1,  
25 Camden County, Chowan County, Pasquotank County and

1           Perquimans County. And on Page 2, Line 8, by  
2           deleting the line and substituting the following;  
3           District 5 Bertie County, Gates County, Hertford  
4           County, Tyrrell County, Washington County. This  
5           does not affect any other part of the state. It  
6           only redraws the grouping in District 1 and  
7           District 5. It falls in the plus or minus five  
8           percent.

9                       Representative Steinburg also supports  
10           this amendment. Thank you, Mr. Chairman. I  
11           appreciate the Committee's support.

12                    REP. DOLLAR: Chairman Lewis is  
13           recognized.

14                    REP. LEWIS: Thank you, Mr. Chairman.  
15           And I want to begin by thanking Representative  
16           Hunter for his legislative courtesy. He did share  
17           this with me in advance.

18                    I'm going to ask the members of the  
19           Committee to oppose the amendment because it does  
20           not match the county optimization schedule and  
21           requirement that we're required to meet. What it  
22           does is it will do away with a three-county  
23           grouping that's in the current map which includes  
24           Hertford, Gates and Pasquotank. And it will  
25           replace that with a five-county group that includes

1           Gates, Hertford, Bertie, Washington and Tyrrell.  
2           Because this does not -- this would then take the  
3           map out of optimal compliance with the Stephenson  
4           criteria, I will ask the Committee to vote no on  
5           this amendment.

6                     REP. DOLLAR: Representative Stevens is  
7           recognized.

8                     REP. STEVENS: Thank you. I have a --  
9           Representative Stevens from District 90. I have a  
10          question for Representative Hunter, if I may?

11                    REP. DOLLAR: Chairman, yield?

12                    REP. LEWIS: I yield.

13                    REP. DOLLAR: Gentleman yields.

14                    REP. STEVENS: Representative Hunter,  
15          did -- is race a factor in any of these districts?

16                    REP. HUNTER: I didn't consider race a  
17          factor in any of these districts.

18                    REP. STEVENS: Was there any political  
19          consideration in the changing of this district?

20                    REP. HUNTER: No. My district does not  
21          want to split the Roanoke-Chowan area, which is  
22          Hertford, Bertie and Gates.

23                    REP. STEVENS: But you -- do you  
24          understand the criteria used about the optimum  
25          potting that we had to go with these particular

1           kind of constitutional potting?

2                     REP. HUNTER: I understand the criteria.  
3           I'm just doing what my citizens asked me to do.

4                     REP. DOLLAR: Any further questions?  
5           Hearing none, all in favor of the amendment, please  
6           signify by saying aye.

7                     (Voice vote.)

8                     REP. DOLLAR: Opposed, no.

9                     (Voice vote.)

10                    REP. DOLLAR: The ayes appear have it.

11                    REP. LEWIS: The noes do.

12                    REP. DOLLAR: The ayes -- excuse me. The  
13           noes appear to have it. And -- the noes do have it  
14           and the amendment is as agreed to.

15                    REP. BELL: Representative Bell. Can we  
16           do a roll call on that vote for clarity, please?

17                    REP. DOLLAR: Well, the vote -- the vote  
18           has been taken at this time. The next amendment is  
19           offered by Representative Speciale. It is  
20           ABK-41 -- no, excuse me. ABK-42V1, ABK-42V1.  
21           Representative Speciale, you are recognized to  
22           explain your amendment.

23                    REP. SPECIALE: Ladies and gentlemen,  
24           this -- this really is a simple -- a simple thing  
25           here. It changes a couple of precincts and puts

1           two people back reasonably in the districts that  
2           they started out in so that the people that they  
3           represent know who they are. It -- there's --  
4           there is a double-bunking. It was -- I don't know  
5           why it was switched around. I have not been able  
6           to -- to figure that out. But the bottom line --  
7           I'm doing this for one of the other representatives  
8           who is not on the Committee and not able to submit  
9           this.

10                       But it changes -- it does not change  
11           county groupings. All it does is put these -- two  
12           people back into the districts that they originally  
13           were in and takes away the confusion as to why in  
14           the world they were switched to begin with.

15                       REP. DOLLAR: Chairman Lewis, you're  
16           recognized.

17                       REP. LEWIS: Thank you, Mr. Chairman.  
18           Mr. Chairman, I also want to thank Representative  
19           Speciale for the proactive way he participated in  
20           the legislative process. He did share this  
21           amendment with me. I don't know if it was  
22           yesterday or the day before. So I wanted to speak  
23           about why I oppose the amendment, but I want to  
24           explain what created the need for this conversation  
25           at all.

1                   If you refer to your county groupings,  
2                   you'll see that there is a county grouping that  
3                   contains six counties; a stretch from Davie in the  
4                   north to Richmond in the south. Contained within  
5                   that county grouping currently is one more member  
6                   of this body than those counties' population would  
7                   afford to be allocated to that area. That means  
8                   that because of the county groupings, two of the  
9                   incumbents in this group are going to be paired.

10                  I spent a lot of time in trying to  
11                  establish some kind of measurable criteria for  
12                  deciding how that would be done. The options that  
13                  I had, literally, were to draw a pairing perhaps in  
14                  the extreme north of the district or the extreme  
15                  south of the district. That was an option.  
16                  Another option would've been to simply select at  
17                  random.

18                  The option that I chose to use, because  
19                  it fits the criteria that the Committee adopted,  
20                  which includes incumbency. So I looked at the --  
21                  the incumbency in terms of the number of years and  
22                  the seniority of the members that were involved.  
23                  The members that are paired in this county grouping  
24                  are those that have served the least number of  
25                  years here. It is no reflection on the quality of



1           their service or on them individually.

2                   I can tell you if there was any way that  
3           I could have figured out how not to pair folks --  
4           I've already said, that I did not intentionally  
5           pair any incumbent of any party in this map. This  
6           was forced by the county groups. I offer my  
7           rationale as to why the two that are paired are  
8           paired in this group. I would respectfully request  
9           that the Committee vote no on this amendment.

10                   REP. DOLLAR: Representative Spiale is  
11           recognized for a second time.

12                   REP. SPECIALE: So what I'm trying to --  
13           what I'm trying to do is put it back where it was  
14           so that the -- there is no sacrificial lamb.  
15           They -- they drew this -- the way they drew it  
16           to -- they made the decision of who they wanted to  
17           get rid of. I mean, I'm not implying anything bad  
18           about Representative Lewis; I have the fullest  
19           faith in him, but that's the reality of what he  
20           just said. They decided who was going to stay and  
21           who was going to go.

22                   And I say the fair thing to have done  
23           would have been not to have taken away those  
24           districts from the one person in the first place.  
25           So this will put the -- put it back where it was

1                   and -- and make it much more fair in the end.

2                   That's why I ask for your support on this.

3                   REP. LEWIS: Mr. Chairman?

4                   REP. DOLLAR: Chairman Lewis is  
5                   recognized.

6                   REP. LEWIS: Thank you. I just wanted to  
7                   speak a second time on the amendment. Just to be  
8                   clear, the amendment that Representative Speciale  
9                   has proposed still creates paired incumbents.  
10                  There is no away around not pairing incumbents in  
11                  this particular county group.

12                  REP. DOLLAR: Further questions or  
13                  comments from the Committee on the amendment?  
14                  Seeing none, all those who favor the amendment,  
15                  signify by saying aye.

16                  (Voice vote.)

17                  REP. DOLLAR: All those who are opposed  
18                  to the amendment, please signify by saying no.

19                  (Voice vote.)

20                  REP. DOLLAR: The noes appear to have it.  
21                  The noes have it and the amendment fails. At this  
22                  time, the Sergeant at Arms will pass out the final  
23                  amendment and Vice-Chairman Szoka is asked to come  
24                  to the podium.

25                  REP. SZOKA: All right. Just -- thank

1           you for your patience in passing out this latest  
2           amendment. Do all members of the Committee have a  
3           copy of Amendment H [inaudible] 27-ASA-101, Version  
4           3? If you're a member of the Committee and you  
5           don't have a copy of that, please signify by  
6           raising your hand. We are still -- we're still in  
7           session here? Okay. Okay. Representative  
8           Jackson, you are free to present your amendment,  
9           sir.

10                       REP. JACKSON: Okay. Mr. Chairman.  
11           Okay. Thank you, I'm going -- in an attempt to  
12           speed up things today, I'm just going to make some  
13           overall comments and then -- to explain why I'm  
14           introducing the amendment. Then I'll explain the  
15           amendment, if that's okay with the Chair.

16                       REP. DOLLAR: That's fine.

17                       REP. JACKSON: Okay. You know, the --  
18           the public and House Democrats haven't had a very  
19           long time to review this plan. And of course, even  
20           less for the PCS, but it really is much of the same  
21           as what we've seen before. The same mapmaker was  
22           hired, who racially gerrymandered the first map.  
23           He drew the maps so unconstitutional that all nine  
24           Supreme Court justices reached agreement, which is  
25           kind of odd these days.

1                   You know, we -- you sought public input,  
2                   but from the public input that I heard, it appears  
3                   that it's been ignored. The PCS wasn't even made  
4                   public, to my knowledge, until about 10:10 this  
5                   morning, when I saw it being handed out to members  
6                   of the public. The transcripts of the public  
7                   hearings have not been provided to anyone for us to  
8                   review prior to today day.

9                   It is clear from this drawing of this map  
10                  that you have manipulated the drawing of  
11                  African-American voters to diminish their influence  
12                  in the general assembly. And you have doubled down  
13                  on one of the most sweeping partisan gerrymanders  
14                  in history, attempting to relegate us to a  
15                  super-minority at a time when our electoral  
16                  restraint is roughly equal to yours in this state.

17                  However, you made a few new mistakes in  
18                  this map that you didn't make in prior ones.  
19                  You're violating our state constitutional  
20                  prohibition on mid-decade redistricting by  
21                  redrawing districts that do not need to be changed.  
22                  You're violating the Stephenson decision and our  
23                  state constitution by unnecessarily crossing county  
24                  lines in several places. That is the reason why I  
25                  am offering an alternative map, one that I believe

1 demonstrates the unconstitutional --  
2 unconstitutionability [sic] of the PCS and provides  
3 a fair framework for North Carolina voters to elect  
4 members of the general assembly next year.

5 I am introducing this amendment, but I  
6 did not draw this map. I'll try to answer any  
7 questions I can to the best of my knowledge. The  
8 Plaintiffs in the Covington case did. They are not  
9 politicians picking their voters, but fair-minded  
10 people looking to move North Carolina along this  
11 decades-long redistricting travesty.

12 So why do I think this amendment is  
13 better? First, I'll -- I'll call it a firewall,  
14 but this amendment adopts a few simple rules.  
15 Districts and unchanged clusters that do not touch  
16 unconstitutional districts do not have to be  
17 changed. It's a rule required by our state  
18 constitution which prohibits mid-decade  
19 redistricting. In fact, the constitution reads,  
20 "When established, the Senate districts and the  
21 apportionment of Senators shall remain unaltered  
22 until the return of another decennial census of  
23 population taken by order of Congress." And then  
24 it still has the same exact thing for members of  
25 the House.

1                   These provisions are cited in both of the  
2                   Stephenson decisions. In Stephenson Number 1, it  
3                   points out that the state constitution specifically  
4                   enumerates four limitations upon redistricting.  
5                   And number four is "Once established, the Senate  
6                   and Representative districts and apportionment of  
7                   senators and representatives shall remain unaltered  
8                   until the next decennial census of population taken  
9                   by order of Congress." That is cited in both  
10                  Stephenson 1 and Stephenson 2, the exact same  
11                  language.

12                  Furthermore, the Court gave us a list of  
13                  districts to change. And I would note that the  
14                  districts in Wake County that number 40, 41, 36 and  
15                  37 were not in that list of districts that had to  
16                  change nor was District 105 in Mecklenburg County.  
17                  The PCS that's been introduced today does not adopt  
18                  this approach of fixing the fewest number of  
19                  districts because it wants to actually fix. And by  
20                  fix, I mean it wants to improve the Republican  
21                  performance in the remaining districts in Wake and  
22                  Mecklenburg County.

23                  My -- this amendment shows that you can  
24                  fix the unconstitutional districts in Wake and  
25                  Mecklenburg County and do that without changing the

1 noncontiguous districts. You can also do it  
2 better. And so I'm going to read you a little bit  
3 of what this map does in Wake County in particular.  
4 It splits fewer municipalities and the  
5 municipalities that it does split, it splits in  
6 fewer ways. And that's even taking into  
7 consideration that House districts 40, 41, 36 and  
8 37 were frozen. So that I have -- I'm stuck with  
9 their splits that occurred in that map, but even  
10 considering that, I was able to split fewer  
11 municipalities.

12 One of the things from the 2001 plan  
13 that was mentioned earlier today was that that plan  
14 has actually been ruled -- was ruled  
15 unconstitutionally -- unconstitutional. It's not  
16 on the wall, I believe, but it was fixed by the  
17 2003 plan. But one of the things people in my area  
18 really wanted is they wanted to see eastern Wake  
19 County as a community of interest put together in a  
20 complete district, and that was done in 2003. It  
21 is a community of interest. The mayor -- a  
22 different mayor came in 2011 and submitted  
23 testimony to the Redistricting Committee that  
24 eastern Wake County still believed it needed to be  
25 put together. And so in the amendment you see, you

1           will see that the towns of Knightdale, Wendell and  
2           Zebulon are considered a community of interest and  
3           are, in fact, together.

4                       The Wake County portion of the map that  
5           I'm submitting is also superior on compactness  
6           scores to the map that the PCS puts before us. In  
7           Wake County, your compactness scores of the average  
8           for those 11 districts are .38 on the Reock score.  
9           The amendment that I'm putting forth has an average  
10          Reock score of .40. And that is taking, again, the  
11          four districts that had been drawn in the 2011 map  
12          which really pulled down the average because  
13          Districts 40 and 41 were .28. So really, I was  
14          redrawing seven districts and was able to do them  
15          in a much more compact way than the PCS does it.

16                      On the other score of Polsby-Popper, the  
17          PCS score is -- at average of these 11 districts of  
18          .30. Again, the map that I've introduced drawn by  
19          the Covington Plaintiffs had a score of .32.  
20          Again, a superior drawing on one of the criteria  
21          determined by this Committee.

22                      I do not -- we did not double-bunk any of  
23          the incumbents in Wake County or Mecklenburg  
24          County, I don't believe. I don't believe we did,  
25          but if we did, I could stand corrected, when --



1           when I finish speaking. Again, I didn't draw the  
2           map and so I'm just -- by my review of it.

3                       In my drawing of Wake County, I didn't  
4           split one single precinct. In the seven districts  
5           that I had to redraw, I didn't split not one single  
6           precinct or VTD, is my understanding. And I'll --  
7           I'll note that even this PCS that's being  
8           introduced, it's -- it splits precincts, especially  
9           in the southern part of the county. And, you know,  
10          there's been no explanation for why these precincts  
11          were split.

12                     I do believe that this body is under a --  
13          a court order to correct the racial gerrymander.  
14          And I do not believe that a total -- totally  
15          ignoring race is the way you fix a racial  
16          gerrymander. However, I would note that based on  
17          this prior percentage of African-Americans in the  
18          Wake County districts, this plan is superior to the  
19          enacted plan and reduces those numbers to below 50  
20          percent. And the Court specifically held that we  
21          had to give a reason if you went above 50 percent.  
22          So that these districts should not go above 50  
23          percent and would not -- we would not have to  
24          provide any reasoning for that.

25                     As to why the amendment is better on the

1 whole county provision, I'd ask you to look at the  
2 Greene, Wayne, Johnston, Harnett, Lee, Sampson,  
3 Bladen cluster. In the PCS, House District 10 goes  
4 across three counties; Wayne, Greene and Johnston.  
5 This amendment has House District 21 cutting across  
6 only two; Wayne and Greene. There is no reason for  
7 this extra county transfers and it violates the  
8 whole county provision as interpreted by  
9 Stephenson.

10 If you also look at Rowan, Cabarrus,  
11 Stanley and Montgomery County -- and Richmond  
12 cluster, the PCS has two districts located solely  
13 within one county: House District 82 and House  
14 District 76. The amendment proposed has three:  
15 House District 77, House District 83 and House  
16 District 82.

17 And then on the -- the issue of racial  
18 gerrymandering. The original plan was an  
19 unconstitutional racial gerrymander. It's our  
20 opinion that your solution of ignoring race  
21 completely ignores the Voting Rights Act and  
22 federal law. It ignores the court order in the  
23 Covington case. It ignores the reality that in the  
24 South, race does matter and should be a factor in  
25 drafting a redistricting plan that is fair to all.

1           I don't know exactly how you can fix a racial  
2           gerrymander when you claim not to use race.

3                       Your mapmaker claims extensive experience  
4           in North Carolina politics. He has drawn many,  
5           many maps over the years for North Carolina.  
6           Keeping racial data out of the computer does not  
7           preclude the use of race in drawing the maps.  
8           Certain election results, geography and the most  
9           rudimentary knowledge of North Carolina and its  
10          politics can lead to the illegal use of race in  
11          drawing map. The fact that he has lived here in  
12          North Carolina for at least the last three years  
13          gives him even more knowledge. I understand that  
14          in the partisan gerrymandering case that your GOP  
15          expert has admitted that you don't have to have  
16          racial data to pack black voters.

17                      Like I said earlier, I did not draw the  
18          amendment map. My understanding, though, is the  
19          Plaintiffs did not use -- artificially cut  
20          themselves off from racial data. They used racial  
21          data as well as other political and demographic  
22          information to draw a map that treated  
23          African-Americans fairly. The amended map does not  
24          create artificially high concentrations of minority  
25          voters to diminish those voters' overall electoral

1           influence.

2                       Finally, I believe that this amendment is  
3           better on the issue of partisan gerrymandering.  
4           The majority clearly thinks partisan gerrymandering  
5           is legal in this state. We -- we saw that in the  
6           congressional redistricting and we see it again  
7           today. I personally think the days are numbered on  
8           that -- that belief and the number might be getting  
9           pretty low. The US Supreme Court will decide the  
10          issue in the Wisconsin case being argued in, I  
11          believe, early October.

12                      What is not uncertain is how  
13          gerrymandering, however, is undermining our  
14          democracy. My friends in the majority said that  
15          Democrats did it and now it's Republicans' turn.  
16          And I think if you believe that two wrongs make a  
17          right, then that makes perfect sense to me. But  
18          you can't ignore these numbers. Every statistical  
19          analysis of the current maps and the PCS  
20          demonstrate that North Carolina is the most  
21          gerrymandered state in history. What you've done  
22          and what you want to continue to do is beyond  
23          extreme.

24                      Some say we are a purple state. Some say  
25          we are more of a reddish-purple state. The PCS

1           draws districts where a statewide winner, like  
2           Attorney General Stein, only wins 42 districts on  
3           this map. That's one third of this body.  
4           Republicans like to say that is not gerrymandering;  
5           that is just where Democrats live. Well, the  
6           amended map proves that this is not so. It draws a  
7           line where Attorney General Stein will win 56  
8           districts. And reflecting where North Carolina is  
9           politically, that seems about right to me.

10                   I believe the PCS is an extreme partisan  
11           gerrymander, but the amended map is not a  
12           democratic gerrymander. It simply sets the  
13           political table for the North Carolina House to  
14           reflect the political inclinations of the voters of  
15           the state. And I think that should be our goal. I  
16           would move for adoption of the amendment.

17                   REP. DOLLAR: Representative Lewis, you  
18           are recognized.

19                   REP. LEWIS: Thank you, Mr. Chairman. As  
20           I've stated earlier, I do want to thank  
21           Representative Jackson for the legislative courtesy  
22           of sharing with me that he was going to offer this  
23           map. I want to speak briefly about the map itself,  
24           but I think I want to speak a little bit about also  
25           some of the comments that Representative Jackson

1           made.

2                       The ways in which this map is similar to  
3           the Committee substitute that has been offered is,  
4           in fact, a result of the way the counties are  
5           combined. And I think Representative Jackson hit  
6           on a good point towards the end of his excellent  
7           remarks. About the way the pesky in the rural  
8           districts just won't vote for the extreme  
9           Democrats, so you've got to do everything you can  
10          to bust them up into ways that guarantee the  
11          election of Democrats.

12                    Mr. Chairman, I want to send forward a  
13          blog post by Thomas Mills that he posted yesterday,  
14          in which he references that Democrats have got to  
15          broaden their appeal in rural areas of North  
16          Carolina and Virginia and redefine themselves with  
17          an economic message that has broad appeal --  
18          appeal. Right now, most rural residents see them  
19          as a party consumed with pushing an agenda of  
20          social change while ignoring the huge hurdles  
21          facing working class families outside a major --  
22          outside of major urban areas. I couldn't have said  
23          it any better than this Democratic hack did. I'd  
24          like to send this forward as a part of the record.

25                    I also want to go further regarding this

1 map. There are some differences. Representative  
2 Michaux asked me earlier about the differences in  
3 this map and the proposed Committee substitute  
4 that's before us. One, the Covington Plaintiffs'  
5 proposed map was drawn in secret with no public  
6 input that I'm aware of.

7 Representative Jackson mentioned several  
8 times that this map was better because he knew the  
9 race -- the race stats of certain areas. If those  
10 stats exist, I'd like for Representative Jackson to  
11 send them forward. Because it sounds like that  
12 there was some kind of mechanical target or quota  
13 that was used without the supporting evidence to do  
14 so, which is in direct violation to what the  
15 Covington Court said that we could do.

16 Regarding the map itself, I refute that  
17 the map better complies with the Stephenson rules.  
18 There are examples and I will give you the pods.  
19 There are examples of multiple transversals into  
20 counties that are not present in our map. That is  
21 a violation of the Stephenson criteria. I also  
22 would point out the gentleman mentioned the  
23 Bladen-Sampson area and in -- in particular  
24 criticized District 21. I would point out that one  
25 of the adopted criteria that the Committee had was,

1           in fact, incumbency protection. This double-bunks  
2           unnecessarily two seated members of the House.

3                       Mr. Chairman, the map that Representative  
4           Jackson is seeking to amend, I will of course  
5           provide -- and have provided for the record -- does  
6           exceed -- the map that I have proposed, even as  
7           amended, does exceed in Reock score overall, the  
8           map that he has proposed. It is better in the  
9           Polsby-Popper score than the map that he has  
10          proposed.

11                      With all due respect, I understand his  
12          comments were tailored largely around Wake County.  
13          The rest of the state has an interest in this too.  
14          And the Democratically-gerrymandered map that  
15          Representative Jackson has sent forward fails in  
16          those -- in those regards.

17                      Further, I will ask the members to reject  
18          this map. The one point that Representative  
19          Jackson made that I think needs to be addressed,  
20          because we -- we spent a lot of time thinking about  
21          this. He references that districts that aren't  
22          touched by the districts that were declared  
23          unconstitutional should themselves be frozen.  
24          The -- I disagree with that, and I think it's a  
25          flawed legal theory because you definitely have to



1           consider race if you are trying to redraw lines  
2           that you're freezing around.

3                       In other words, Wake County had districts  
4           that were struck down. Therefore, we redrew  
5           districts within Wake County. That is what the  
6           Court required us to do. We did not redraw  
7           districts that were in unaffected areas. And I  
8           know Representative Jackson may not be aware of  
9           this, but I believe this map does change the Onslow  
10          County drawings that were not touched. So I don't  
11          think that was an -- a completely accurate  
12          statement, but I don't think he misspoke. I think  
13          he was misled to that -- to that point.

14                      There are some more points that I would  
15          like to make and may very well ask to speak a  
16          second time on this, but my initial reaction is  
17          certainly to ask members to vote this Democratic  
18          gerrymander down.

19                      REP. SZOKA: Thank you, Chairman Lewis.  
20          Representative Dollar, you are recognized.

21                      REP. DOLLAR: Thank you, Mr. Chair. A  
22          couple of points to -- to Chairman Lewis. Onslow  
23          Districts 15 and 14 violate what the gentleman said  
24          and that's very -- very clear and we won't  
25          necessarily accept that, but we didn't -- we didn't

1 change those lines. I have, in terms of traversals  
2 that are -- that we believe are not allowable,  
3 Districts 28, 90 and 67 appear to have multiple  
4 traversals that -- that are not in -- in line with  
5 those decisions of the -- of the United States  
6 Supreme Court as applied to North Carolina and --  
7 and other court decisions, state and federal.

8 I would like to ask a question here of  
9 the gentleman, my colleague from Wake. Who -- who  
10 drew these maps?

11 REP. SZOKA: Does the chairman yield?

12 REP. JACKSON: I yield. I believe the  
13 Covington Plaintiffs, which are many groups  
14 including the NAACP, which was present at Tuesday  
15 night's meeting, had these maps drawn. They,  
16 themselves, introduced into the record, I believe,  
17 two of the -- I think maybe the Wake County and the  
18 Mecklenburg County drawings of this map. And then  
19 after Ms. Earls' letter to the Committee's chairs  
20 on Tuesday or Wednesday -- I can't -- whatever day  
21 she sent that and made that offer, I contacted her  
22 and asked her to share the entire map, which she  
23 did and I forwarded it to staff.

24 REP. DOLLAR: Follow-up, please. Thank  
25 you. So Representative Jackson, and -- and I

1           apologize 'cause I have bad hearing and -- but --  
2           so could you tell us the -- much discussion has  
3           been made of the -- the technical map drawer that  
4           has assisted the -- the majority here in -- in  
5           drawing maps. So you do have the name of the  
6           individual who drew this underlying -- underlying  
7           map?

8                         REP. SZOKA: Representative Jackson?

9                         REP. JACKSON: I'm not trying to avoid  
10           your question, Representative Dollar, but I believe  
11           Susan Sitze and Erika Churchill drew this map from  
12           data provided by the Covington Plaintiffs. I know  
13           that they hired a former legislative staffer, Bill  
14           Gilkeson, who was assisting them with map drawing.  
15           But how many other people they may have employed or  
16           who had made -- had impact or input into that map,  
17           I couldn't possibly know.

18                        REP. DOLLAR: Okay. Thank you. I say we  
19           got at least one name. Thank you. I mean, my  
20           question -- my observation would be on that is  
21           that, you know, it -- people criticize maps and  
22           want things to be transparent. And yet it's --  
23           it's been very difficult the last two days  
24           determining who actually came up with -- with this  
25           particular -- that this amendment is based on.

1                   But, you know, I have an observation here  
2                   and it may be a question in just a moment, Mr.  
3                   Chairman, and that is, to me this is clearly a  
4                   political document. It double-bunks 18 individuals  
5                   and members in total; 12 more than what the -- than  
6                   what the PCS, in fact, actually does. Several of  
7                   these appear to be quite political and gratuitous.  
8                   For example, Representative Millis is paired with  
9                   Representative Brenden Jones. Would the gentleman  
10                  from Wake yield for a question?

11                 REP. JACKSON: Representative Dollar, I'd  
12                 be happy to yield to any questions you have as long  
13                 as you're not going to try to infer motivation on  
14                 things that you're not aware of.

15                 REP. SZOKA: Does the gentleman yield for  
16                 the question?

17                 REP. JACKSON: I do. As long as it's a  
18                 fair question.

19                 REP. DOLLAR: Well, the -- see if this is  
20                 a fair question. Do you -- my question is very  
21                 straightforward. Why did you pair those two  
22                 incumbents when the criteria did not call for that,  
23                 that this Committee adopted, and I certainly see no  
24                 particular reason to do that. Can you tell us why  
25                 that was done?

1 REP. SZOKA: Representative Jackson?

2 REP. JACKSON: I cannot answer your  
3 question about why the Plaintiffs chose to  
4 double-bunk these particular two incumbents. I can  
5 tell you that the criteria that this Committee  
6 adopted did not give a -- a listing of priority.  
7 And so to the extent -- and I don't know if it's  
8 true, Representative -- Chairman Lewis appears to  
9 have the compactness scores for all these  
10 districts. To the extent, and possibly, the way  
11 the Plaintiffs drew it is more compact than the way  
12 the PCS draws it. So maybe they put compactness  
13 ahead of incumbency. I don't know the answer to  
14 that.

15 I know that there are nine or ten  
16 adopted criteria, no particular order was given. I  
17 assumed they did the constitutional requirements  
18 first. That's the way I would've drawn it. But  
19 other -- other way how -- what they've chose to put  
20 the next is -- you know, I have no way of knowing.

21 I would also answer to your previous  
22 question about the number of incumbents that you're  
23 including. That is you should not consider people  
24 who have announced their retirements. And so, I  
25 believe, this map does it to the extent of the

1 double-cut [sic] -- double-bunk some members, it  
2 does so in areas where there's already been a  
3 member announced that they're stepping down.

4 REP. DOLLAR: Follow-up?

5 REP. SZOKA: Follow-up.

6 REP. DOLLAR: So clearly, you -- you --  
7 you're not precluding that politics may have been  
8 part of it. And to your point about the others,  
9 you -- this map bunks Representative Hardister and  
10 Representative Harrison. It bunks Representative  
11 Lambeth and Representative Terry. It bunks  
12 Representative Dulin and Representative Carney. I  
13 am not aware of any of those individuals. And --  
14 and, again, in terms of Representative Millis and  
15 Representative Brenden Jones, I'm not aware that  
16 any of those eight individuals are -- are currently  
17 planning on leaving the General Assembly.

18 REP. SZOKA: Representative Jackson?

19 REP. JACKSON: Again, I can't speak for a  
20 map that I didn't draw, but I am familiar with some  
21 of the double-bunkings that you just mentioned. I  
22 believe the double-bunking in Guilford County was  
23 necessitated because your -- your PCS drew  
24 Representative Harrison with a greater than 60  
25 percent, I believe, percentage of African-Americans

1           in her district, which was, in fact, one of the  
2           challenged districts that was ruled, I believe,  
3           unconstitutional. And so that was an attempt to  
4           fix that.

5                     The gentleman -- I believe the lady and  
6           gentleman you discussed in Mecklenburg County were  
7           potentially double-bunked because of the freezing  
8           of House District 105 since it did not touch an  
9           affected district. And so that probably  
10          necessitated one double-bunking in the lower end of  
11          Mecklenburg County. That would be just a guess.

12                    REP. DOLLAR: Follow-up?

13                    REP. SZOKA: Follow-up.

14                    REP. DOLLAR: You offered an amendment  
15          and -- and yet, you're -- you're kind of wanting to  
16          take ownership and not wanting to take ownership,  
17          which is strange to me in my legislative experience  
18          when it comes to -- to amendments. So again, I --  
19          I -- I -- I mean, maybe -- I'll just ask it one  
20          more time in terms of these double-bunks.

21                    I mean, these are -- are -- are -- are  
22          good members that I've mentioned. I think they're  
23          productive members and -- and, you know -- and some  
24          in both parties. And it just seems to me that  
25          there was no need for these double-bunkings. And

1           so -- so, Representative Jackson, do you -- you  
2           have no reason why you were putting all of your --  
3           these colleagues that didn't have to be  
4           double-bunked together?

5                     REP. SZOKA: Representative Jackson?

6                     REP. JACKSON: Chairman Dollar, it is my  
7           understanding from reading the Covington opinion  
8           and from the different oral arguments and hearings  
9           that have been held since that decision, that the  
10          Federal Court instructed the Plaintiffs to give  
11          input to the General Assembly about when they  
12          saw -- when this process was taking place.

13                    And so you provided a map on Saturday;  
14          data on Monday morning. The Plaintiffs responded  
15          with a map that they thought showed the defects  
16          that they saw in your -- in your -- in -- in your  
17          piece -- well, in the original proposal before the  
18          PCS. They sent that in letter format. I had  
19          drafted into an actual map so that everyone in the  
20          body could be aware of what it was -- what it was  
21          or what it did and that we could debate that. And  
22          that's simply what I did.

23                    It's -- this is not the -- the map I  
24          would've drawn. I would've drawn Wake County a  
25          little differently 'cause I'm familiar with that.



1           And I would have gotten other members, perhaps,  
2           from Guilford or Forsyth County to help draw that  
3           area as well, if I'd have been doing it. The  
4           Plaintiffs may have done that; I'm just not aware.

5                   REP. DOLLAR: Mr. Chairman, I -- I may  
6           come back for some other -- for some other  
7           questions. I would just -- and I know there's  
8           other members who have questions they want to ask  
9           and I don't want to dominate all the time. Except  
10          I would just make the observation -- I mean, it's  
11          just very clear to me, particularly on the issue of  
12          double-bunking here, that these were done for  
13          purely political and -- and -- and partisan  
14          reasons. And -- and I particularly regret when  
15          it's done to a number of members of both parties  
16          that are certainly good members.

17                   REP. SZOKA: Thank you, sir. Next on my  
18          list here is Representative Stevens.

19                   REP. STEVENS: Thank you, Mr. Chair. I  
20          have a couple of question for Representative  
21          Jackson, if you'll yield?

22                   REP. SZOKA: Will the gentleman yield?

23                   REP. JACKSON: Yes, I will yield.

24                   REP. STEVENS: Thank you. You indicated  
25          that a letter was sent and, based on that letter,

1           you had these maps drawn; is that correct?

2                     REP. JACKSON: Based on that letter -- I  
3           asked the assignor of that letter, Ms. Anita Earls,  
4           to provide me with the data that showed those  
5           things could be fixed in the way she said they  
6           could be. I then took that data, which I believe  
7           was furnished in a Dropbox format, and sent it to  
8           staff and asked them to draw the map.

9                     In the drawing of the map, they  
10          identified a few small errors such as, I think,  
11          unpopulated movements or something like that. And  
12          so there were a few technical corrections, so that  
13          this map is not identical to the data that was sent  
14          but is, I believe, in all relevant ways, the map  
15          that was sent.

16                    REP. STEVENS: Has that --

17                    REP. SZOKA: Follow-up?

18                    REP. STEVENS: Please. Has that letter  
19          been offered into the -- to the record here?

20                    REP. JACKSON: Yes, it -- it was. It was  
21          sent to everybody and was entered as part of the  
22          record, to my understanding. And I imagine it will  
23          be entered into the Federal Court record as well.

24                    REP. STEVENS: Follow-up?

25                    REP. SZOKA: Follow-up.

1                   REP. STEVENS: Do you know how that  
2                   differed from the criteria that this Committee used  
3                   at all, if it did?

4                   REP. JACKSON: Well, I -- I -- she -- and  
5                   if you have not seen her letter, I can certainly  
6                   get you a copy of it. I believe I do have it in my  
7                   large paper folder here. She -- she noted some of  
8                   the things that I went over today. One was  
9                   changing districts that didn't need to be changed.  
10                  One was some differences with the whole county  
11                  provision and the Greene, Wayne, Johnston, Harnett,  
12                  Lee, Sampson, Bladen cluster and the Rowan,  
13                  Cabarrus, Stanly, Montgomery, Richmond cluster.  
14                  And then she talks about the racial gerrymandering  
15                  issue as well.

16                 REP. STEVENS: Follow-up?

17                 REP. SZOKA: Follow-up.

18                 REP. STEVENS: So did she in -- did they,  
19                 in fact, include racial data as a consideration in  
20                 drawing the Covington map?

21                 REP. JACKSON: Representative Stevens,  
22                 I'm not sure if that is listed in the letter, but  
23                 to my knowledge, the -- the racial data was  
24                 considered in the drawing of their map; yes, ma'am.

25                 REP. STEVENS: And -- and have --

1 REP. SZOKA: Follow up?

2 REP. STEVENS: Follow-up. And have you  
3 also listed or considered that racial data and  
4 posted it to the website?

5 REP. SZOKA: Representative Jackson?

6 REP. JACKSON: I want to make sure you're  
7 clear; they sent what's called, I believe, a  
8 shapefile, which is something that we can use to  
9 recreate the map that they drew. The data that you  
10 have before you is the data that has been created  
11 by staff, and it is in the same format as all the  
12 other amendments that you have requested.

13 However, if you request of staff, they  
14 can do you racial data based upon any amendment, as  
15 well as the PCS, the original proposal and this one  
16 as well. But I think what they've handed out is  
17 what you've used on every other map you've drawn,  
18 so that they remain consistent. But it does exist  
19 in the computer and can be pulled for you.

20 REP. STEVENS: Follow-up?

21 REP. SZOKA: Follow-up.

22 REP. STEVENS: Who requested the racial  
23 data? Was that you or was that the Covington  
24 Plaintiffs?

25 REP. JACKSON: Well, again, I -- it -- I

1           believe the Covington Plaintiffs considered it,  
2           but, again, they did not send us data. As far as  
3           what I have requested, I requested racial data on  
4           your original map that was released Saturday. I  
5           requested and received that data. Other members, I  
6           am aware, have requested racial data on other maps.  
7           And maybe the same map more than once and have seen  
8           posted in different areas, have been e-mailed to  
9           members' accounts and things of that nature. The  
10          only thing I requested was the racial data, I  
11          believe, for the original map.

12                   REP. STEVENS: Follow-ups?

13                   REP. SZOKA: Follow-up.

14                   REP. STEVENS: Representative Jackson,  
15          are you aware on the Reock score that the mean  
16          score in Covington is 42 where it's only 41 in the  
17          House plan? And the standard deviation in  
18          Covington is 10 -- is .10, where the standard  
19          deviation of the House plan's only .09?

20                   REP. JACKSON: No, I am not familiar with  
21          the compactness scores of any area in the proposal  
22          I listed other than in Wake County. Originally, I  
23          had planned to run a Wake County amendment, a  
24          Mecklenburg County amendment and a statewide  
25          amendment. But it -- just like all of your

1           questions, I think it's very clear what the vote  
2           total is going to be today. And so in the interest  
3           of time, I did not choose to cross examine members  
4           about how things were drawn and I've chosen not to  
5           waste your time by introducing multiple amendments  
6           that are doomed to fail.

7                     REP. STEVENS: And if -- if I can follow  
8           up?

9                     REP. SZOKA: Follow-up.

10                    REP. STEVENS: Representative Jackson,  
11           did you know the House plan splits only 19  
12           precincts in the impacted areas? Did you -- did  
13           you realize that?

14                    REP. JACKSON: I believe I saw the  
15           Chairman's presentation and, I believe, there was a  
16           change from 40 some -- maybe 40 to 19 or something  
17           like that.

18                    REP. STEVENS: Follow-up?

19                    REP. DOLLAR: Follow-up.

20                    REP. STEVENS: Did you look closely at  
21           your Covington plan to indicate that there were  
22           either 43 or 44 precincts impacted?

23                    REP. JACKSON: So I -- I have not. I can  
24           tell you that the majority of those precincts that  
25           are split under the Covington plan are split as a

1           result of freezing in place those districts. That,  
2           we did not do as this PCS does, an attempt to split  
3           precincts for partisan advantage or to avoid an --  
4           a potential primary or general election opponent or  
5           anything like that. The precincts are what you  
6           originally split in 2011. And because we didn't  
7           touch those districts, we can't touch those splits.

8                     I will also say that that -- now,  
9           looking at that number can sometimes be confusing  
10          because a VTD may appear to be split, but in fact,  
11          it has been split by the Board of Election in two  
12          separate precincts. So you may look at a number  
13          and say oh, you've got to split VTD, but in fact,  
14          you just split it along precinct lines and did not,  
15          in fact, split precincts.

16                    REP. STEVENS: Well, did you -- did  
17          you --

18                    REP. DOLLAR: Would you like a follow-up?

19                    REP. STEVENS: Follow-up, please. I'm  
20          sorry. Follow-up. Did you look at a split  
21          precinct in Pitt County that wound up being split  
22          between three different districts by the Covington  
23          Plan?

24                    REP. JACKSON: Again, I have not. I -- I  
25          looked at Wake County and a little bit of

1 Mecklenburg County. Otherwise, I did not look.

2 REP. STEVENS: Follow-up?

3 REP. DOLLAR: Follow-up.

4 REP. STEVENS: And did you recognize that  
5 the Covington House plan also splits 15  
6 municipalities, which is more than the House plan  
7 split?

8 REP. DOLLAR: Representative Jackson  
9 recognized.

10 REP. JACKSON: Can you tell me how many  
11 precincts the PCS for the House plan split?  
12 Because I believe -- I'm sorry. I'm assuming a  
13 fact not into evidence, Your Honor.

14 REP. STEVENS: The -- the -- the -- the  
15 House plan splits 19 precincts in impacted areas.  
16 There are clearly some legitimate reasons for  
17 those. But the Covington plan splits 43 or 44.

18 REP. JACKSON: Well, I think you'd moved  
19 on to ask me about municipalities, Representative  
20 Stevens.

21 REP. STEVENS: The municipalities -- the  
22 Covington plan split 50 municipalities and that's  
23 five more than the House plan.

24 REP. JACKSON: Okay. That -- so the  
25 House -- if based upon your representation that the



1           House plan only split 45, then if you say Covington  
2           splits 50, I would have no reason to disagree.

3                       I would tell you that in the county I  
4           looked at, like Wake County, I -- I did a -- the  
5           Covington plan does a much better job of splitting  
6           the municipalities that does have to split in fewer  
7           places. For instance, Raleigh is split in eight --  
8           into eight districts instead of nine. And I think  
9           Apex is split, maybe, into three instead of five  
10          and things of that nature. But because of the  
11          freezing, we cannot minimize the total amount of --  
12          of -- of municipalities split.

13                      REP. STEVENS: Follow-up?

14                      And I'm particularly, I guess, looking at  
15          Wake, Guilford and Mecklenburg. I'm -- I don't  
16          think my microphone's coming on. Okay. It's still  
17          not -- okay. There it is.

18                      REP. SPECIALE: Mr. Chairman?

19                      REP. SZOKA: Representative Speciale?

20                      REP. SPECIALE: Just as a point of order,  
21          could you please let the Plaintiff and the  
22          Defendant know that we're not in a court of law?

23                      REP. SZOKA: This is an issue of great  
24          importance to not only this body, but all of the  
25          citizens of the state. And we'll hear all the

1           questions and responses until whenever we need to  
2           be here. Representative Stevens, you're  
3           recognized.

4                       REP. STEVENS: Thank you. Thank you.  
5           And -- and Representative Jackson, I promise not to  
6           be much longer, but I'm particularly looking at  
7           Guilford and Mecklenburg. And the way they're  
8           split, don't they look more like a pinwheel than a  
9           compact district?

10                      REP. SZOKA: Representative Jackson  
11           recognized.

12                      REP. JACKSON: Thank you, Mr. Chairman.  
13           Representative Stevens, I don't have the PCS map in  
14           front of me, so I can't do a comparison  
15           necessarily. But I would say that these maps do  
16           appear to be more start in the center and move  
17           outward. I believe, based upon -- in Guilford  
18           County, I believe, that's based upon, again, the  
19           need to get Representative Harrison's district to a  
20           different level for racial data. And -- and it --  
21           it looks like, to me, to create more compact  
22           districts. But, again, you -- you might be better  
23           addressing these to the -- questions to the people  
24           who drew the maps.

25                      REP. STEVENS: Mr. Chair?

1 REP. SZOKA: Yes, ma'am?

2 REP. STEVENS: I -- I just want to point  
3 out for the record that while I would like to  
4 address these to the people who made the map,  
5 they're not here.

6 REP. SZOKA: So noted.

7 REP. JACKSON: Mr. Chairman?

8 REP. SZOKA: Yes, sir?

9 REP. JACKSON: Are you sure they're not  
10 here?

11 REP. DOLLAR: Well, can -- if you  
12 would -- Representative Jackson, if you would call  
13 their names again, we will see if they are here.

14 REP. JACKSON: I don't know who drew the  
15 maps. Again, I know that Mr. Gilkeson had -- I  
16 think -- I don't think the Plaintiffs were invited  
17 to today's Committee, but if -- if you want to take  
18 a recess and invite them, maybe they'd be willing  
19 to come and answer your questions for you.

20 REP. SZOKA: Well, they may, but this is  
21 your amendment. I would've hoped that you would  
22 have brought the people necessary to support your  
23 amendment.

24 REP. STEVENS: Yeah --

25 REP. SZOKA: Representative Stevens?

1                   REP. STEVENS: Mr. Chair, I just want to  
2                   make the comment that, you know, he's -- he's  
3                   trying to somewhat disavow himself now of the very  
4                   map he's offered. Maybe it's not his dog, but he's  
5                   walking it. He should have some obligation to  
6                   know.

7                   REP. DOLLAR: Ma'am, are you finished?

8                   REP. SZOKA: Thank you very much. Next  
9                   on the list -- and I have you all on the list, be  
10                  assured -- is Representative Torbett.

11                 REP. TORBETT: Thank you, Mr. Chairman.  
12                 And at this time, if -- I would beg your  
13                 difference. The maps that were presented when it  
14                 comes down to your more heavily populated counties  
15                 are -- are just -- aren't that clear. So I've had  
16                 Mecklenburg pretty much magnetized or -- or  
17                 magnified. If you would, Sergeant at Arms, can I  
18                 ask, respectfully, if those would be distributed to  
19                 the members?

20                 REP. SZOKA: Yes, Sergeant at Arms,  
21                 directed to you, pass those maps.

22                 REP. TORBETT: And thank you. I do have  
23                 a series of questions, Mr. Chairman. I would like  
24                 to direct those questions to Representative Jackson  
25                 of Wake.

1                   REP. SZOKA: Does Representative Jackson  
2                   yield to the questions? Thank you, sir.  
3                   Representative -- well, Representative Torbett,  
4                   let's hold on a minute until we get the maps passed  
5                   out so that everybody's looking at the same thing.

6                   REP. TORBETT: Thank you, Mr. Chairman.

7                   (Pause.)

8                   REP. LEWIS: Mr. Chairman?

9                   REP. SZOKA: Yes, sir?

10                  REP. LEWIS: Mr. Chairman, Representative  
11                  Jackson referenced earlier a letter that was sent  
12                  to -- to me and signed by Anita Earls and Edward M.  
13                  Speas and some other attorneys, I believe. Ms.  
14                  Earls did send me an e-mail and asked this to be  
15                  included in the Committee record. With your  
16                  permission, I'd like to send it forward and I'd  
17                  like the Sergeant at Arms to distribute it as well.

18                  REP. SZOKA: Absolutely. I have it in my  
19                  possession as stated and signed by the lady, and it  
20                  will be entered into the Committee record and will  
21                  be distributed to members of the Committee.

22                  (Pause.)

23                  REP. DOLLAR: Do all the members of the  
24                  Committee have the map and a copy of the letter  
25                  that has just been passed out? All right. It

1           would appear, seeing nothing to the contrary, that  
2           all members of the Committee have a copy of this  
3           map that Representative Torbett has passed out.  
4           And also, a member -- a copy of the letter that  
5           Representative Lewis asked to be passed out.  
6           Therefore, Representative Torbett, you have the  
7           floor.

8                         REP. HARRISON: Excuse me, Mr. Chair, I  
9           don't have the map.

10                        REP. SZOKA: Okay. Is she a member of  
11           the Committee?

12                        REP. LEWIS: Mr. Chairman?

13                        REP. SZOKA: And the Committee?  
14           Representative Lewis?

15                        REP. LEWIS: Mr. Chairman, I think this  
16           might help Representative Harrison's request. The  
17           map was passed out as The Jackson Amendment. That  
18           is the map we're referring to. She's got it.

19                        REP. SZOKA: Okay. I see that you've  
20           received everything now so, Representative Torbett,  
21           the floor is yours.

22                        REP. TORBETT: Thank you, Mr. Chairman.  
23           Representative Jackson, do you feel the issue we're  
24           debating today is a -- one person, one vote in  
25           North Carolina is a -- a serious issue?

1 REP. JACKSON: Sir?

2 REP. TORBETT: I'm sorry, I'll repeat it.

3 Do you feel the issue that we're addressing today  
4 in North Carolina as under one person, one vote and  
5 how those votes are defined and -- and relegated --  
6 do you feel that's a pretty important issue?

7 REP. JACKSON: I do, Representative  
8 Torbett. I think my legislative record speaks for  
9 itself.

10 REP. TORBETT: Thank you, sir.  
11 Follow-up?

12 REP. SZOKA: Follow-up.

13 REP. TORBETT: Thank you, Mr. Chairman.  
14 In -- in your comments, you said you -- you  
15 would've drawn maps. And if you would have drawn  
16 maps, that this would have been different and that  
17 would have been different. As a member of the  
18 Committee, it's my understanding that myself and  
19 every member and you, as Minority Leader in the  
20 House of Representatives, had the opportunity to do  
21 just that and draw alternative maps. Is that a  
22 fair statement?

23 REP. JACKSON: I guess, theoretically.

24 REP. TORBETT: Thank you. So --

25 REP. SZOKA: Follow-up?

1                   REP. TORBETT: The -- the importance that  
2                   I -- I -- that I'm -- I'm concerned about this, is  
3                   that you chose not to draw maps under an -- an  
4                   issue that is extremely important to the people of  
5                   North Carolina. But I'm also understanding that  
6                   the map you presented today is not the map that you  
7                   drew. Is that correct?

8                   REP. JACKSON: Well, Representative  
9                   Torbett, I mean, could you -- that's several  
10                  questions in one, so --

11                 REP. TORBETT: I can break them up if  
12                 you'd like.

13                 REP. JACKSON: Well, let's just -- if I  
14                 don't answer your question, you can let me know. I  
15                 did not draw this map; I think I made that very  
16                 clear. I did attempt to draw some areas of the  
17                 map. It would take one person not familiar with  
18                 the computer system, with no -- you know, I have to  
19                 go through staff to do these things. It -- it  
20                 would take me quite a bit of time to draw the --  
21                 the entire state.

22                 REP. TORBETT: I understand, as it would  
23                 take any of us the same amount of time.

24                 REP. JACKSON: Yeah, so, you know, I --  
25                 to do it right, you know, I would want to bring in



1           members from that area. I would've wanted to take  
2           public comment. You know, the week we weren't  
3           doing anything where Mr. Hofeller was drawing the  
4           map, you know, I would've -- if I had done it, I  
5           would've taken public comment that week about what  
6           do you want to see in the map. Then I would have  
7           released the map and took public comment. Okay.  
8           What's wrong with the map?

9                        So I would've done things a little  
10           differently if I was drawing the map, but, again, I  
11           would have brought Representative Torbett in and,  
12           'Tell me about the communities of interest in your  
13           area, Representative Torbett.'

14                      You know, I -- I've talked about eastern  
15           Wake County being together. You know, I have a  
16           paper, Eastern Wake News; I would've asked -- you  
17           know, how to -- you got a [inaudible] fire station  
18           that your community rallies upon. I would've done  
19           things like that. So it would've taken me more  
20           than since this map was released on Saturday to get  
21           that done, yes, sir.

22                      REP. TORBETT: Follow-up, Mr. Chairman.

23                      REP. SZOKA: Follow-up.

24                      REP. TORBETT: And -- and as -- would you  
25           think that it was within your purview or within

1           your opportunity to do exactly that, because I --  
2           that -- I was feeling the same thing and could have  
3           done that any time. And you feel that you were --  
4           that you couldn't, as Minority Leader, do that?

5                     REP. JACKSON: Let's -- let's say it this  
6           way. I think it was a -- a task made more  
7           difficult by the majority, and I -- and I'll give  
8           you an example if you so -- so choose. Your  
9           mapmaker was retained, I believe, June 26th;  
10          they're joining 27th of this year. And he agreed  
11          that he would redraw the map for \$50,000, a flat  
12          fee, so that he would have some -- so both sides  
13          would have some semblance of what it was going to  
14          cost and be certain. That same \$50,000 was offered  
15          to the Democrat and the -- the leaders of the  
16          minority party in both the House and the Senate.  
17          However, it was offered in June, when you took  
18          advantage of it and got started. It was not  
19          offered to us until August 4th, that written  
20          letter. So, technically, did I have the ability?  
21          Yes, sir. Did I have the same ability that the  
22          majority party, I would dispute.

23                    REP. TORBETT: Okay. Follow-up, Mr.  
24          Chairman.

25                    REP. SZOKA: Follow-up.

1                   REP. TORBETT: Thank you. Also in -- in  
2                   your -- your opinion that you were stating about  
3                   the map, that -- the secret map, which they -- I  
4                   think it was stated earlier. You mentioned about  
5                   the criteria, and -- and the criteria that was  
6                   selected by this Committee. Based on the map that  
7                   I've asked to be passed out, because the -- the  
8                   larger map -- just, you can't see. Based on this  
9                   map addressing Charlotte, which is right next to  
10                  me, which is why I -- it's kind of -- I guess I'm  
11                  asking you these questions. Can -- can you show me  
12                  a town on that map that was not split, a  
13                  municipality that was not split to obtain a certain  
14                  voting outcome? Because I thought under our  
15                  criteria that we would try to -- our -- our -- our  
16                  absolute best to keep the municipalities in whole.  
17                  Are you aware of any towns that weren't split; are  
18                  you aware of any towns that were split?

19                 REP. JACKSON: Representative Torbett,  
20                 again, I will try to answer your questions and if I  
21                 don't do a good job, please, tell me what I miss.

22                 REP. TORBETT: Sure.

23                 REP. JACKSON: One thing is, you referred  
24                 to this as the secret map, and I take great offense  
25                 to that description. I'd shared this map with

1           this -- this Committee in whole and -- well,  
2           particularly with the chairman of this Committee,  
3           immediately upon receiving it. Okay. So it -- I  
4           don't know where the word secret comes, but I  
5           shared it.

6                       I didn't wait 'til the amendment deadline  
7           at 10:30, which got moved to 10:45. I actually  
8           shared this way earlier. In fact, I shared it  
9           before your side shared the PCS for today with us.  
10          So -- so I think calling it a secret map's a little  
11          unfair to me and how I do business. As far as  
12          municipalities, all I know about Mecklenburg County  
13          is what you've just handed me. It would appear to  
14          me that Huntersville is kept whole in this map. It  
15          would -- it would -- again, if I -- if -- when I'm  
16          talking, if I could be the only one [inaudible] --

17                       REP. DOLLAR: The gentleman has the  
18          floor.

19                       REP. JACKSON: It appears from your map  
20          that Huntersville applies all in the blue area,  
21          Davidson's all in yellow and that Cornelius appears  
22          to be across two different colors. Mount Holly  
23          appears to be all in green to the extent that it is  
24          all in Mecklenburg County; could be one of those  
25          municipalities that carries them to two counties

1           for all I know. Pineville, it looks like it's the  
2           majority in pink, but it's got the letter E on the  
3           gray area, which, again, in our map was a frozen  
4           district, so we didn't change that. So if it is  
5           split, it's split by that rule, the state  
6           constitution not changing anything. It looks like  
7           Matthews is clearly probably split. I have been to  
8           Matthews -- it's a pretty large city -- so I'll --  
9           I'll -- I believe that that is split. Looks like  
10          Mint Hill split. And, of course, Charlotte is  
11          split into most, if not all of these districts.  
12          But --

13                        REP. JACKSON: Thank you. Thank you  
14           for your answer and just for the -- for the record,  
15           Mount Holly is actually in Gaston County. So you  
16           approached on the map probably a little bit  
17           different there. Are -- are you aware that it  
18           splits almost every town possible just simply to  
19           retain or -- or to actually change or -- or give  
20           the voters more of an edge to not elect  
21           Republicans, but elect Democrats.

22                        REP. JACKSON: So if you say more  
23           municipalities were split, then I'll take you at  
24           your word. Again, I'm very careful when I speak on  
25           the floor and when I speak in Committee. I've

1           given motivations to people that I don't know  
2           about. So I'm not going to agree with your --  
3           your -- your description that they were motivated  
4           by partisanship because I don't know that. They  
5           will -- they'll have to answer that question for  
6           themselves. I can tell you that I understand the  
7           criteria they used were to freeze District 105,  
8           which was not contiguous to an impacted district  
9           and to cure the racial gerrymander that existed in  
10          several districts in Mecklenburg County. What they  
11          did after doing those two things and how they did  
12          it, you would have to ask them.

13                       REP. TORBETT: Thank you. Follow-up, Mr.  
14          Chairman?

15                       REP. DOLLAR: Follow up.

16                       REP. TORBETT: Thank you. And I -- just  
17          for the record, I personally believe that the  
18          voters -- a lot of this debate that we have is  
19          useless because voters are of high intellect to  
20          understand that they vote for the individual more  
21          than the party anyway and that a lot of this is  
22          just, I guess, what we have to go through about  
23          every ten years.

24                       Now, let me ask you something else. So  
25          also in your -- in your comments, you -- you

1 address -- and I think this question, I don't --  
2 it's been a while since your comments were made.  
3 You addressed Chairman Lewis as -- as to offer an  
4 explanation on why these precincts were split, and  
5 I think you asked that in a pretty definitive  
6 question. So I would ask you, sir, on the map that  
7 you've submitted, could you provide the explanation  
8 why 10 precincts were split in Mecklenburg? And I  
9 can wait for your answer.

10 REP. JACKSON: (No response.)

11 REP. TORBETT: Mr. Chairman, just -- I  
12 think that will conclude my questions based on  
13 that.

14 REP. DOLLAR: Thank you, Representative  
15 Torbett.

16 REP. JACKSON: It appears from the lifting  
17 of split -- of split VTDs that we've been given  
18 that 10, in fact, are split. The number one -- the  
19 first one is VTD 87. That is split because it  
20 includes House District 105, which is a frozen  
21 precinct, so it couldn't be -- frozen district, so  
22 it couldn't be fixed under our state constitution.  
23 VTD 88 includes House District 105, which is frozen  
24 under the state constitution and could not be  
25 fixed. VTD 91 includes District 105, which -- so

1           that's a frozen district and could not be fixed.  
2           VTD 121 includes House District 105 and it's frozen  
3           and therefore it could not be fixed. VTD 129  
4           includes House District 105, which is frozen and  
5           cannot be fixed.

6                       VTD 225 includes House District 105; it's  
7           frozen and could not be fixed. VTD 227 includes  
8           House District 105 and could not be fixed. By my  
9           calculation, there are three VTDs that are split  
10          that did not include House District 105. I could  
11          not tell you if those were done for population,  
12          deviation -- to make the deviations right, if it  
13          was done for compactness, if it was done for  
14          incumbency or if it was done for political reasons  
15          or racial -- you know, to equalize the racial  
16          numbers in those districts. I couldn't tell you  
17          because I didn't draw it. I will tell you that  
18          only three of them were split as a result of any  
19          other reason other than the frozen district of  
20          House District 105.

21                      REP. SZOKA: Thank you. Representative  
22           Gill, you're recognized.

23                      REP. GILL: Thank you. I was just going  
24           to ask for the roll call at -- at the -- at the  
25           time of it.



1 REP. DOLLAR: Okay. Thank you.

2 Representative Mi chaux, you're recognized.

3 REP. MI CHAUX: Mr. Chair man. I've got  
4 a -- more of a statement than a -- than a question.

5 REP. SZOKA: That's fine.

6 REP. MI CHAUX: These -- this map that you  
7 have before you in the amendment, introduced by  
8 Representative Jackson, who was asked to do it as  
9 constituents asked all of you to do. The half of  
10 you don't know what you're doing with them anyway,  
11 when the ask you to do it. He was asked to  
12 introduce these on behalf of the Plaintiffs in this  
13 matter, I don't know anybody in this body that is a  
14 member of the Plaintiffs, who -- in this body. The  
15 maps were drawn by the Plaintiff -- the map was  
16 drawn by the Plaintiffs, not using statewide money.  
17 They didn't -- they didn't get \$50,000 to draw that  
18 map. They drew it as part of the action that they  
19 took that has found that you racially gerrymandered  
20 these districts.

21 So you can sit up here and talk about all  
22 the numbers that you got in there that you want.  
23 These people went out and said you did them wrong  
24 and they're the ones paying for trying to correct  
25 what you did wrong. And if you talk about

1 Democratic gerrymander on this map, what about the  
2 Republican gerrymander on your map? I mean, give  
3 me a break, folks. We can sit up hear all day and  
4 are you going to pass this. You going to sit up  
5 here and try to make a record, and we're doing the  
6 same thing. Fortunately, our record seems to be a  
7 little bit better than yours because you're trying  
8 to make up something that just ain't there. And  
9 you've got more to go even there -- even further  
10 down the line, you going to be looking at political  
11 gerrymandering, not racial gerrymandering, which is  
12 coming up very soon in the United States Supreme  
13 Court.

14 So you can sit here all day. I'm not  
15 going to sit here all day. I'm going to leave,  
16 because I know what you're going to do. You're  
17 going to pass it and you're going to send it on to  
18 the Court. The Court's going to look at it and I  
19 don't know what they're going to say, but I can  
20 give you a pretty darn good idea that somebody else  
21 is going to be drawing some maps somewhere down the  
22 line. So, have fun, y'all.

23 REP. SZOKA: Representative Brawley,  
24 you're recognized.

25 REP. BRAWLEY: Thank you, Mr. Chairman.

1           As I've watched this debate -- first, I -- I would  
2           like to say something to Representative Jackson.  
3           And, to the gentleman, I was not intending to imply  
4           that you were misleading the Committee. I realize  
5           that you were presenting a plan you did not draw  
6           and believe that when you were making  
7           misstatements, they were honest errors because you  
8           were not familiar with the areas with which you  
9           were speaking. And if I gave any impression that I  
10          was questioning your honesty or that you were  
11          deliberately misleading this Committee, I would  
12          like to correct that. You are a man with whom I  
13          frequently disagree on issues, but who I find  
14          personably honorable.

15                 I would also like to draw the Committee's  
16          attention to a court case a few years ago involving  
17          the Ford Pinto in a rear-end collision, which led  
18          to an explosion. During jury selection it was one  
19          of the first times that psychological testing was  
20          used to determine the jurors. And the people  
21          defending the case realized that women were much  
22          more likely to find for the Plaintiff, but  
23          discovered that if they asked the woman a question,  
24          can you drive a truck, that gave her the same view  
25          towards automobile maintenance that a man would

1           have. And one of the key things in the case was  
2           the gas cap had been left off of the car and that  
3           was the reason the Ford Motor Company said it  
4           actually blew up, because gas was splashing out.

5                     I think that question is like this thing  
6           about freeze District 105 in Mecklenburg County.  
7           It looks innocuous, but it's actually the key to  
8           achieving the aims that -- I believe that the  
9           Democrats would like to achieve in this issue. By  
10          freezing 105, but having to move everything else,  
11          it allowed them to split Matthews and Mint Hill, a  
12          clear community of interest, into three pieces.  
13          Now, the reason -- well, one, I'm very familiar  
14          with it because I represent that area. I've lived  
15          in Matthews since 1982, and Matthews and Mint Hill  
16          or on Matthews-Mint Hill Road. We read the  
17          Matthews-Mint Hill weekly. We share a Park  
18          Commission slot on Mecklenburg County Board of Park  
19          Commissioners. Kids in Matthews go to middle  
20          school and elementary school in Mint Hill. Kids in  
21          Mint Hill go to high school in Matthews. We play  
22          in both sports leagues. They -- sometimes we  
23          wonder why the towns don't just merge. They do  
24          tend to vote very Republican; however, not always.  
25          Those towns have always elected whoever's in that

1 district, from Jim Black, Larry Digg, Sean LeMonde,  
2 Jim Gulley and me.

3 By chopping this into three pieces,  
4 northern Mint Hill is now part of Representative  
5 Autry's Democratic district and it will vote  
6 Democratic and will probably elect a Charlotte  
7 Democrat. The southern portion of Mint Hill and  
8 the northern portion of Matthews now runs into  
9 Charlotte and will probably elect a Democrat from  
10 Charlotte. And 104, having only the southern  
11 portion of Mathews, once -- is also subsumed in  
12 Democratic portions of the City of Charlotte. So  
13 these two southern towns, Matthews and Mint Hill,  
14 with a combined population of almost 60,000, will  
15 not be able to elect their own representative.

16 This also meant that redrawing 104  
17 created a double bunk situation where  
18 Representative Dulin is now in the seat  
19 Representative Carney represents. The shifts  
20 around by holding 105 steady allowed the map  
21 drawers to create in District 107 a district that  
22 pulls a lot of Republican votes out of Huntersville  
23 and Cornelius and subsumes them into Democratic  
24 votes in Charlotte. I've been through the data on  
25 this. This map will elect 11 Democrats and one

1           Republican. To me, this looks like a partisan  
2           gerrymander of some of the most blatant types, by  
3           breaking apart communities which have separate  
4           identities and putting them under the dominance of  
5           the City of Charlotte. I would have to vote  
6           against this. My people would go crazy if I sold  
7           them out. Thank you.

8                     REP. SZOKA: Thank you. Next on the list  
9           is Representative Jones.

10                    REP. JONES: Thank you, Mr. Chair. Just  
11           a brief comment and, during my comment, if I may  
12           pose a question to Chairman Lewis if he would  
13           respectfully yield.

14                    REP. SZOKA: Will -- will the gentleman  
15           yield?

16                    REP. JONES: I have listened closely to  
17           the a lot of the comments that have been made today  
18           and just over and over considered how -- how  
19           misleading some of the comments have been made,  
20           particularly regarding race and how I believe a  
21           casual observer who would be listening to this  
22           Committee meeting or -- just -- perhaps online  
23           or -- or whatever, could misconstrue something.  
24           But, Representative Lewis, you were here in the  
25           general assembly during some of the terms of the

1 past decade when the -- when the Democrats were in  
2 the majority and -- and drew the maps. And now  
3 you've been here during this decade when the  
4 Republicans have been in the majority and drawn the  
5 maps. As far as the racial makeup in the general  
6 assembly, after the Republicans drew the maps in  
7 2011, the racial minorities end up with more seats  
8 in the general assembly or less seats?

9 REP. LEWIS: Thank you for that question,  
10 Representative Jones. I'll do my very best to  
11 answer it. Obviously, I can't speak for decades  
12 prior to me serving. I will tell you that, in  
13 2011, we conducted extensive research and expert  
14 reports that indicated that racially polarized  
15 voting existed in the state. We interpreted that  
16 to mean that we needed to construct districts where  
17 minority populations would have an opportunity  
18 to elect the candidate of their choice. The  
19 Covington case -- the Covington Court reviewed the  
20 evidence -- the same evidence, the same expert  
21 reports that we had before us and determined that  
22 we did not have sufficient information to use race  
23 as a factor. Therefore, we did not use race when  
24 we drew these maps. I think the net result of what  
25 you asked, to my knowledge, there probably are more

1           African-Americans serving in both chambers today  
2           than there were in 2010. Excuse me, than there  
3           were in the prior -- yeah, than there were in -- in  
4           2010, but I -- I also haven't personally looked at  
5           that number.

6                       REP. JONES: Just a brief follow-up.

7                       REP. SZOKA: Follow up.

8                       REP. JONES: Representative Lewis, would  
9           you be surprised if I -- if I told you we currently  
10          have 25 racial minorities serving in the general  
11          assembly and that is a greater number, than we  
12          had -- than when the Democrats were drawing the  
13          maps during the past decade? Would that surprise  
14          you?

15                      REP. LEWIS: I would have no reason to  
16          question your -- what you said. No, sir.

17                      REP. JONES: Thank You.

18                      REP. SZOKA: Representative Brockman,  
19          you're recognized.

20                      REP. BROCKMAN: Okay. I -- I have a --  
21          two questions and a comment. And I want to just  
22          comment on the last question or the last thing that  
23          Representative Jones said. Yes, there may be more  
24          African-Americans, but we have less power. We have  
25          a super-minority, so, you know, we have less power;



1           we have less influence. So, you know, you're  
2           really diluting the African-American voice, which  
3           is really kind of the point of why we're here. But  
4           then -- so my two questions are --

5                     REP. SZOKA: Sir, who are your questions  
6           directed to?

7                     REP. BROCKMAN: The Chairs.

8                     REP. SZOKA: Specifically both or --

9                     REP. BROCKMAN: Either Chair -- either  
10          Chair will be fine.

11                    REP. SZOKA Okay.

12                    REP. BROCKMAN: Thank you. I just want  
13          to know if any of the Chairs agree with Leader  
14          Jackson's statement that North Carolina is a purple  
15          state? That's my first question.

16                    REP. LEWIS: Thank you for the question,  
17          representative. To be clear, I don't remember  
18          Representative Jackson using those words, but I  
19          will go with the presumption that he did. I would  
20          say that there are certain areas in North Carolina  
21          that tend to vote strongly Democratic. There are  
22          certain areas in North Carolina that tend to vote  
23          strongly Republican, and oftentimes those areas  
24          have direct correlation to where these communities  
25          lie within the state. But, as you know, we do not

1           have a proportional system of representation. The  
2           reason that it is -- yes, it is clear that a state  
3           that can elect a Democratic governor and a  
4           Republican lieutenant governor and a Republican  
5           senator and a Democratic AG, yes, it is clear that  
6           our state votes in different ways, but, as you  
7           know, those are at-large races. Nobody, to my  
8           knowledge -- except for one speaker at the public  
9           hearing in the Raleigh site, nobody, to my  
10          knowledge, has proposed completely changing our  
11          constitution to go into a proportional  
12          representation way.

13                       We talked about this earlier and I kind  
14          of made it -- and by earlier I mean one of the  
15          earlier Committee meetings, I kind of made a joke  
16          that we elect members from districts who then  
17          choose a speaker and choose a president pro tem.  
18          We don't elect a prime minister because we have an  
19          executive branch. If we were to move to the kind  
20          of system that acknowledges a purple state, which  
21          is kind of a code word for there ought to be some  
22          way to change to have proportional representation,  
23          I think that far exceeds what the Covington Court  
24          has asked us to do and far exceeds the time in  
25          which we have to -- to do it.

1                   REP. BROCKMAN: Okay. I was just simply  
2 asking if you think North Carolina is -- my  
3 follow-up question is, do you think North Carolina  
4 is a super red state, then, by you answering that  
5 question -- by the way you answered that question?  
6 In a way that produces -- in a way that that's  
7 super-majority for either party; would you say  
8 that? Is North Carolina -- do you think North  
9 Carolina -- North Carolinians would prefer a -- or  
10 the representation of North Carolina would be a  
11 supermajority for either party?

12                   UNKNOWN SPEAKER: Mr. Chairman?  
13 Representative Dollar?

14                   REP. LEWIS: I know that Representative  
15 Dollar wants to address this, but if I could and --  
16 13 out of 17 statewide races this time were won by  
17 the person that had an R behind their name. Do  
18 I -- I don't particularly like, to be candid with  
19 you, the deep red or deep blue or whatever else.  
20 In fact, up until 20 years ago when they talked  
21 about the folks that are registered like me, they'd  
22 use blue and they'd use red for folks that are  
23 registered like you. So -- but I'll concede that  
24 when commentators talk about our state now, they  
25 may say red state and blue state and all this, I --

1 I get that. I'm trying to tell you that I think  
2 it's more complicated than -- than -- than that. I  
3 don't know that I would acknowledge that a state  
4 that elects 13 out of 17 statewide offices is  
5 necessarily a purple state. But maybe  
6 Representative Dollar might want to add to that.

7 REP. SZOKA: Representative Dollar, would  
8 you like to answer that question?

9 REP. DOLLAR: The gentleman made my  
10 point.

11 REP. SZOKA: Representative Brockman?

12 REP. BROCKMAN: And I'll just end with  
13 this comment. You know, North Carolina -- I think  
14 most political folks who look at North Carolina  
15 would say North Carolina is a purple state, a state  
16 that goes back and forth. Our governor's race was  
17 very tight and most of our statewide races are  
18 tight. You know, they go back and forth. You  
19 know, the problem with your argument, with due  
20 respect, is a county like Guilford County that  
21 has -- is a Democratic county, Wake County is  
22 probably a Democratic county. My county, for  
23 example, Guilford County, we've got three Democrats  
24 and three Republicans. You know, I don't  
25 necessarily think your argument holds up in those

1           particular counties.

2                       I would urge this Committee to vote for  
3           Representative Jackson's amendment because this  
4           amendment would bring our state back to a more  
5           50-50 equal playing field. And will, you know,  
6           make our state -- make our General Assembly a -- a  
7           purple General Assembly, which is what our state  
8           is. Thank you.

9                       REP. LEWIS: Chairman.

10                      REP. SZOKA: Representative Lewis?

11                      REP. LEWIS: I don't want to jump in the  
12           queue. Was I next or --

13                      REP. SZOKA: I thought you were going to  
14           respond to --

15                      REP. LEWIS: Well, yeah, just to -- if I  
16           can, to speak on the point of the amendment. I  
17           actually agree with Representative Brockman said.  
18           Voting for this amendment that was submitted by the  
19           Covington Plaintiffs, which is clearly Democratic  
20           gerrymander, will find a way to take Democrats into  
21           areas that they can't currently win because their  
22           messaging problem will not allow them to win  
23           elections.

24                      REP. SZOKA: Next in the queue is  
25           Representative Michaux for a second time.

1 REP. MICHAUX: Yeah -- yeah, Mr.  
2 Chairman, I have just more of a statement than a  
3 question. Representative Jones is absolutely  
4 right. As time went on, we picked up more black  
5 representation in this body. When I came to this  
6 body, Representative Jones, decades ago, there were  
7 only three of us here. Now there are 25 of us  
8 here. Through no thanks but anybody but hard work  
9 on folks who lived in those communities that did it  
10 because they got an opportunity to elect folks of  
11 their choice.

12 Now, you weren't responsible for that. I  
13 can tell you this, that during slavery time there  
14 were more black folks on plantations than white  
15 folks, but who ruled the roost? That's what the  
16 situation is now, if you want to get right down to  
17 it. There are plenty of us here, but we don't have  
18 the power or authority because of racial  
19 gerrymandering. And that's where we are.

20 REP. SZOKA: I have two members left in  
21 the queue and Representative Jackson, I have a  
22 procedural question for you. Because when you  
23 offered the amendment I didn't hear a motion for  
24 it, so before it slips the Chair's mind, I would  
25 like to make sure that there is a motion for your

1           amendment. You may have, but I can't remember.

2                     REP. JACKSON: Thank you, Mr. Chairman.

3           I'm not sure if I did that as well. I would say  
4           that I would agree with some of the comments today  
5           about this amendment not being perfect, but I do  
6           believe it's superior to the PCS and, therefore, I  
7           would move for adoption.

8                     REP. SZOKA: Thank you, sir.

9           Representative Dollar, you're recognized.

10                    REP. DOLLAR: Thank you. And I -- I  
11           realize the time and so I'll -- I'll try to -- I'll  
12           try to make this a little briefer than before. And  
13           that is -- but I do -- would like to ask, just so I  
14           can understand. Representative Jackson, would you  
15           yield for a question?

16                    REP. JACKSON: I yield.

17                    REP. DOLLAR: Thank you. My question  
18           would be, you mentioned redistricting resources  
19           that you became aware of in -- in April, on the --  
20           on the Republican side. I guess my question is, at  
21           that point in time, did you put anything in writing  
22           to the speaker requesting any -- any resources at  
23           that time?

24                    REP. JACKSON: In April, no, sir.

25                    REP. DOLLAR: Thank you. Let me just

1           make some comments. I would -- I would just,  
2           again, comment, you know, in terms of resources and  
3           I -- I know Chairman Lewis has mentioned this, that  
4           resources equal on both sides were offered and the  
5           gentleman answered my question in terms of when he  
6           became aware. I would also make some broader  
7           points, though. One is that, along this line, you  
8           know, we've been talking about, well, you know,  
9           certain people get resources, certain people in  
10          General Assembly. But I would certainly think that  
11          folks should be reminded that when Republicans and  
12          others were challenging, successfully, the  
13          constitutionality of maps drawn by the general  
14          assembly in previous decades, I don't think the  
15          General Assembly offered them any new resources to  
16          carry forward what -- what were, in many cases,  
17          successful challenges in state and federal court  
18          that repaired a number of unconstitutional items  
19          that -- that were -- that we had in this state.  
20          And so, certainly, Republicans have been on -- on  
21          the -- in the -- about reforming and making our  
22          system better for a host of decades.

23                 The other thing that I would just mention  
24                 very quickly is -- and that is, when I look back at  
25                 Wake County -- and I will not trouble my colleague



1           with any more questions at this point, but it's  
2           just very clear to me that there's some political  
3           gerrymandering going on here with the map that --  
4           that these Plaintiffs, that -- that Representative  
5           Jackson is -- is offering.

6                       Clearly, you have far more seats there  
7           that are Democrat. I mean what's -- what's being  
8           done to Representative Malone's district is clearly  
9           political motivation to make sure that  
10          Representative Malone cannot be re-elected. I  
11          think the same thing is true when you -- when you  
12          look at Mecklenburg County. This is just an  
13          attempt to gerrymander for the Democrats' purposes  
14          when, as Chairman Lewis points out, they have a  
15          hard time in a number of the rural areas and small  
16          towns to try to use a political gerrymander to  
17          attempt to make up for that in a -- in urban areas.  
18          And I would ask you to defeat the amendment.

19                      REP. SZOKA: Further discussion for the  
20          debate? Representative Jackson?

21                      REP. JACKSON: I thought I was in the  
22          cue?

23                      REP. SZOKA: You're recognized now.

24                      REP. JACKSON: Thought it would be fair  
25          if I got to respond to some things people had said

1           about me and motivations and things, if that's  
2           okay?

3                       REP. SZOKA: You have the floor.

4                       REP. JACKSON: First of all, there's been  
5           a lot of referring to this as a partisan  
6           gerrymander, this plan. You know, again, I will  
7           point out that Attorney General Stein, who won  
8           statewide in the PCS, only won in 42 districts and  
9           this -- this PCS -- this amendment, he wins in only  
10          56 districts. If that's a Democratic partisan  
11          gerrymander and if the Republican one isn't a  
12          partisan gerrymander, I'd sure hate to see them. I  
13          think that those type of statewide numbers prove  
14          that, in fact, it is not a -- a gerrymander.

15                      There were some questions about April and  
16          when I became aware. I became aware that \$50,000  
17          had been given to Mr. Hofeller when I read about it  
18          in the News and Observer. That was not in April;  
19          that was earlier this month. I can't remember if  
20          it was a day or two days before the offer was  
21          formally made to me. I will note, Mr. Hofeller was  
22          paid to do the clustering map because a clustering  
23          map was done last year about this time and that no  
24          offer was made to me or to Senator Blue, to my  
25          knowledge, to allow us to have money in addition to

1 do a clustering map. Clustering map is a  
2 mathematical thing under the Stephenson decisions.  
3 It takes a mathematician to develop some algorithms  
4 to do that and so I think it's a little unfair to  
5 say we've had a equal opportunity because that  
6 certainly is not true.

7 The purpose of this map is to show that  
8 the Plaintiffs' objections to the map that's being  
9 introduced today, the PCS, can be cured. I would  
10 not expect you to take my version of Wake or  
11 Mecklenburg County. However, when an attorney who  
12 has been fighting these redistricting maps since  
13 2011 and, as Representative Dollar likes to say,  
14 has been extremely successful, in -- in fact, in  
15 getting the 9-0 result in front of the United  
16 States Supreme Court that the map was in fact  
17 racially gerrymandered, that she pointed out some  
18 constitutional deficiencies with your map -- your  
19 PCS. I would have expected you to go back in to  
20 Wake County and to Mecklenburg County and draw  
21 something that fit more to your liking in the  
22 partisan nature that would have protected  
23 Representative Malone. And it can be done, but you  
24 chose not to and so I guess we'll leave it up to  
25 the federal court whether they draw it themselves,

1           whether the adopt the Plaintiffs' map or whether  
2           they approve the PCS.

3                       I do want to also follow up on what  
4           Representative Michaux was saying. Racial  
5           gerrymandering isn't about electing a higher number  
6           of African Americans. It's about giving African  
7           Americans the ability to elect candidates of their  
8           choice in more areas. For instance, Representative  
9           Michael Wray represents a majority minority  
10          district. In his counties, they have chosen him to  
11          represent them in several elections over minority  
12          opponents. That's their candidate of choice. The  
13          fact that he does -- is not black, doesn't mean  
14          they didn't get to elect their candidate of choice.  
15          In fact, they did do that.

16                      Representative Harrison represents a very  
17          similar district and I, in fact, represent a  
18          district that, at the percentage of only 30 percent  
19          African American elected its candidate of choice in  
20          two elections before I was appointed to represent  
21          them, in fact, against me. She defeated me in her  
22          first election. And so that's what racial  
23          gerrymandering is about. It's not about creating a  
24          certain number of African Americans. It's about  
25          diluting their ability to elect their candidates of

1 choice by putting a high number of them into  
2 certain districts so that they don't have the  
3 opportunity to elect their candidate of choice in  
4 all the districts that surround them. That's what  
5 racial gerrymandering is all about.

6 I would just move for adoption of the  
7 amendment, mister -- Mr. Chairman.

8 REP. SZOKA: There's one more member that  
9 raised his hand. I recognize him, then we'll move  
10 to a vote on the amendment. Representative Jones?

11 REP. JONES: Thank you, Mr. Chair, and I  
12 appreciate your indulgence. I just wanted an  
13 opportunity to speak briefly, since -- since I was  
14 addressed personally by some of the members since I  
15 spoke.

16 You know, I was elected and I would just  
17 recall that the Republican majority was elected in  
18 2010 under maps that the Democrats had drawn at the  
19 time and the whole suggestion that somehow we're  
20 here as a majority today because of Republican  
21 maps, I think, is -- is -- is incorrect. I think  
22 Representative Lewis alluded to it. We don't need  
23 to get into the red, blue, purple state, but I  
24 think it does, by saying that in the last 10  
25 presidential elections, North Carolinians have

1           voted Republican nine times. In the last 16 US  
2           Senate elections, they've voted Republican 13  
3           times.

4                       So, you know, I seem to recall the time  
5           in the not too distant past when this body was 114  
6           Democrats and 6 Republicans. And I'm -- I'm pretty  
7           sure there was never a time in this state where 95  
8           percent of the people in the state were voting  
9           Democrat. Yeah, it was a -- more of a Democrat  
10          state in those days, but I say all that to say  
11          that, you know, some of the comments that came  
12          back, well, we have more racial minorities here  
13          than we've ever had, but we have less power.

14                      And I would simply say, if that is the  
15          case, it is not because of race, it's because of  
16          your party. You've chosen to affiliate with a  
17          party that has less power in this state, less  
18          influence in this state because people of this  
19          state have moved away from your party and are no  
20          longer voting for your party like maybe they once  
21          did. And I think that's -- that's fair to point  
22          out. Whether you want to agree with it or not, it  
23          is the case. So, Mr. Chair, that is -- that's all  
24          I've got to say.

25                      REP. SZOKA: Thank you. Having a motion

1 to adopt amendments --

2 MALE SPEAKER: Mr. Chair? Mr. Chairman?

3 REP. SZOKA: H327-AS-[inaudible] properly  
4 before us and Representative Gill having called for  
5 a roll call vote, the clerk will read the roll.

6 THE CLERK: Representative Bell?

7 REP. BELL: No.

8 THE CLERK: Representative Bell, no.  
9 Representative Jackson?

10 REP. JACKSON: Yes.

11 THE CLERK: Representative Jackson, yes.  
12 Representative Stevens?

13 REP. STEVENS: Yes.

14 THE CLERK: Representative Stevens, no.  
15 Representative Brawley?

16 REP. BRAWLEY: No.

17 THE CLERK: Representative Brawley, no.  
18 Representative Brockman?

19 REP. BROCKMAN: Yes.

20 THE CLERK: Representative Brockman, yes.  
21 Representative Burr?

22 REP. BURR: No.

23 THE CLERK: Representative Burr, no.  
24 Representative Davis?

25 REP. DAVIS: No.

1 THE CLERK: Representative Davis, no.  
2 Representative Dixon?  
3 REP. DIXON: No.  
4 THE CLERK: Representative Dixon, no.  
5 Representative Dobson?  
6 REP. DOBSON: No.  
7 THE CLERK: Representative Dobson, no.  
8 Representative Dulin?  
9 REP. DULIN: No.  
10 THE CLERK: Representative Dulin, no.  
11 Representative Farmer- Butterfield?  
12 REP. FARMER-BUTTERFIELD: Yes.  
13 THE CLERK: Representative  
14 Farmer-Butterfield, yes. Representative Floyd?  
15 REP. FLOYD: Yes.  
16 THE CLERK: Representative Floyd, yes.  
17 Representative Garri son?  
18 REP. GARRI SON: Yes.  
19 THE CLERK: Representative Garri son, yes.  
20 Representative Gi ll ?  
21 REP. GILL: Yes.  
22 THE CLERK: Representative Gi ll , yes.  
23 Representative Grange?  
24 REP. GRANGE: No.  
25 THE CLERK: Representative Grange, no.



1 Representative Hall?

2 REP. HALL: No.

3 THE CLERK: Representative Hall, no.

4 Representative Hanes?

5 REP. HANES: Yes.

6 THE CLERK: Representative Hanes, yes.

7 Representative Hardister?

8 REP. HARDISTER: No.

9 THE CLERK: Representative Hardister, no.

10 Representative Harrison?

11 REP. HARRISON: Yes.

12 THE CLERK: Representative Harrison, yes.

13 Representative Hastings?

14 REP. HASTINGS: No.

15 THE CLERK: Representative Hastings, no.

16 Representative Howard?

17 REP. HOWARD: No.

18 THE CLERK: Representative Howard, no.

19 Representative Hurley?

20 REP. HURLEY: No.

21 THE CLERK: Representative Hurley, no.

22 Representative Hunter?

23 REP. HUNTER: Yes.

24 THE CLERK: Representative Hunter, yes.

25 Representative Johnson?

1 REP. JOHNSON: No.

2 THE CLERK: Representative Johnson, no.  
3 Representative Jones?

4 REP. JONES: No.

5 THE CLERK: Representative Jones, no.  
6 Representative Jordan?

7 REP. JORDAN: No.

8 THE CLERK: Representative Jordan, no.  
9 Representative Malone?

10 REP. MALONE: No.

11 THE CLERK: Representative Malone, no.  
12 Representative Michaux?

13 REP. MICHAUX: Yes.

14 THE CLERK: Representative Michaux, yes.  
15 Representative Moore?

16 REP. MOORE: Yes.

17 THE CLERK: Representative Moore, yes.  
18 Representative Pierce?

19 REP. PIERCE: Yes.

20 THE CLERK: Representative Pierce, yes.  
21 Representative Reives?

22 REP. REIVES: Yes.

23 THE CLERK: Representative Reives, yes.  
24 Representative Willingham?

25 REP. WILLINGHAM: Yes.

1 THE CLERK: Representative Willingham,  
2 yes. Representative Speciale?

3 REP. SPECIALE: No.

4 THE CLERK: Representative Speciale, no.  
5 Representative Rogers.

6 REP. ROGERS: No.

7 THE CLERK: Representative Rogers, no.  
8 Representative Saine?

9 REP. SAINÉ: No.

10 THE CLERK: Representative Saine, no.  
11 Representative Wray?

12 REP. WRAY: Yes.

13 THE CLERK: Representative Wray, yes.  
14 Representative Torbett?

15 REP. TORBETT: No.

16 THE CLERK: Representative Torbett, no.  
17 Representative Yarborough?

18 REP. YARBOROUGH: No.

19 THE CLERK: Representative Yarborough,  
20 no. Were there any members that missed? I  
21 apologize. There's a -- I had to make a new sheet.  
22 Oh, the Chairs, I'm sorry. Representative Lewis?

23 REP. LEWIS: No.

24 THE CLERK: Representative Lewis, no.  
25 Representative Dollar?

1 REP. DOLLAR: No.

2 THE CLERK: Representative Dollar, no.  
3 Representative Szoka?

4 REP. SZOKA: No.

5 THE CLERK: Representative Szoka, no.

6 REP. SZOKA: By a vote of 15 ayes, 26  
7 no's, the amendment fails. We're back on -- we're  
8 back on the PCS. Representative Lewis, you're  
9 recognized.

10 REP. LEWIS: Mr. Chairman, I'd like to be  
11 recognized for a motion.

12 REP. SZOKA: You are recognized for a  
13 motion, sir.

14 REP. LEWIS: Mr. Chairman, I move that  
15 the proposed Committee substitute for House Bill  
16 927 be reported favorably as to the PCS as amended  
17 and that that PCS be rolled into a new PCS and that  
18 the short title of that PCS be amended to read 2017  
19 House Redistricting Plan A1.

20 REP. SZOKA: We have a motion before us.  
21 All those in favor should --

22 FEMALE SPEAKER: Mister --

23 REP. SZOKA: -- imply their support by  
24 say aye.

25 FEMALE SPEAKER: Mr. Chair?

1 REP. SZOKA: All those opposed, no.

2 MALE SPEAKER: Division.

3 MALE SPEAKER: Division.

4 REP. LEWIS: I think -- I think what  
5 happened is, they wanted to speak on the one  
6 question, but you should --

7 REP. SZOKA: Division having been called,  
8 clerk will call the roll.

9 MALE SPEAKER: We already started, right?

10 THE CLERK: Representative Jackson?

11 REP. JACKSON: No.

12 THE CLERK: Representative Jackson, no.

13 REP. HARRISON: Mr. Chair, are we going  
14 to be allowed to discuss the motion?

15 REP. SZOKA: Suspend for a moment. All  
16 right. All right. The chair apologizes. I did  
17 not see any hands raised. So since this isn't --  
18 we'll suspend this vote and allow those people to  
19 be recognized that wish to speak on the PCS. So --  
20 so who -- Representative Harrison recognized.  
21 Whoever else wants to talk, if you would raise your  
22 hand so I can look around and make sure that you're  
23 properly recognized?

24 REP. HARRISON: Thank you, sir.

25 REP. DOLLAR: Representative Harrison,

1           you have the floor.

2                       REP. HARRISON: Thank you, Mr. Chair.  
3           Pricey Harrison, District 57. Just a brief  
4           comment, I share many of the concerns that  
5           Representative Jackson articulated, but I did want  
6           to say, specifically with the district that I  
7           currently represent, which is House District 57, it  
8           was one of the constitutional -- one of the  
9           districts deemed to be unconstitutional based on  
10          racial gerrymandering. The current  
11          African-American composition is 47 percent and --  
12          and -- African American and 47 percent white. The  
13          proposed district is now -- now I see 60 percent  
14          African American, which doesn't seem to cure the  
15          constitutional issue of racial gerrymandering.

16                       There -- I do believe that there are ways  
17          to have -- to the extent that Democratic  
18          performance needed to be taken into account for the  
19          criteria that -- that the Midland Park  
20          neighborhood, which is split Precincts 15 and 48,  
21          that could've been included in the district and  
22          would've achieved a little bit more racial balance.  
23          That's why I was at Precinct 16 and -- and 35,  
24          which were adjacent -- I want to maintain the  
25          compactness. So I just wanted to make that point

1 for the record and I appreciate that. Thank you.

2 REP. SZOKA: Thank you. And, again, I  
3 apologize for my mistakes. Further discussion,  
4 further debate? Further discussion, further  
5 debate? I see now no one is indicating they wish  
6 to debate or discuss this further. Therefore, we  
7 have the motion properly before us and we have  
8 cancelled the last vote, so if anybody wants to say  
9 something about the vote because I'm about to call  
10 for the ayes and the no's. All right. Having said  
11 that, those in favor of the PSC submission made by  
12 Representative Lewis, please say aye.

13 (Voice vote.)

14 REP. SZOKA: Those opposed [inaudible] --

15 REP. MICHAUX: Mr. Chairman, I thought  
16 you were going to call the ayes and noes.

17 REP. SZOKA: Again, it was my mistake  
18 earlier that that was for the previous vote, which  
19 was cancelled, which I asked here again. If you --  
20 are you calling division, sir?

21 REP. MICHAUX: Yes, I am.

22 REP. SZOKA: All right. The clerk will  
23 call the roll.

24 THE CLERK: Representative Jackson?

25 REP. JACKSON: Aye.

1 THE CLERK: Representative Stevens?

2 REP. STEVENS: Yes.

3 THE CLERK: Representative Stevens,  
4 yes -- Representative Stevens, aye. Representative  
5 Bell?

6 REP. BELL: Aye.

7 THE CLERK: Representative Bell, aye.  
8 Representative Brawley?

9 REP. BRAWLEY: Aye.

10 THE CLERK: Representative Brawley, aye.  
11 Representative Brockman?

12 REP. BROCKMAN: No.

13 THE CLERK: Representative Brockman, no.  
14 Representative Burr?

15 REP. BURR: Aye.

16 THE CLERK: Representative Burr, aye.  
17 Representative Davis?

18 REP. DAVIS: Yes.

19 THE CLERK: Representative Davis, aye.  
20 Representative Dixon?

21 REP. DIXON: Aye.

22 THE CLERK: Representative Dixon, aye.  
23 Representative Dobson?

24 REP. DOBSON: Aye.

25 THE CLERK: Representative Dobson, aye.



1           Representative Dulin?

2                     REP. DULIN:   Aye.

3                     THE CLERK:   Representative Dulin, aye.

4           Representative Farmer-Butterfield?

5                     REP. FARMER-BUTTERFIELD:   No.

6                     THE CLERK:   Representative  
7           Farmer-Butterfield, no.   Representative Floyd?

8                     REP. FLOYD:   No.

9                     THE CLERK:   Representative Floyd, no.  
10          Representative Garrison?

11                    REP. GARRISON:   No.

12                    THE CLERK:   Representative Garrison, no.  
13          Representative Gill?

14                    REP. GILL:   No.

15                    THE CLERK:   Representative Gill, no.  
16          Representative Grange?

17                    REP. GRANGE:   Aye.

18                    THE CLERK:   Representative Grange, aye.  
19          Representative Hall?

20                    REP. HALL:   Aye.

21                    THE CLERK:   Representative Hall, aye.  
22          Representative Hanes?

23                    REP. HANES:   No.

24                    THE CLERK:   Representative Hanes, no.  
25          Representative Hardister?

1 REP. HARDISTER: Aye.

2 THE CLERK: Representative Hardister,  
3 aye. Representative Harrison?

4 REP. HARRISON: No.

5 THE CLERK: Representative Harrison, no.  
6 Representative Hastings?

7 REP. HASTINGS: Aye.

8 THE CLERK: Representative Hastings, aye.  
9 Representative Howard?

10 REP. HOWARD: Aye.

11 THE CLERK: Representative Howard, aye.  
12 Representative Hunter?

13 REP. HUNTER: No.

14 THE CLERK: Representative Hunter, no.  
15 Representative Hurley?

16 REP. HURLEY: Aye.

17 THE CLERK: Representative Hurley, aye.  
18 Representative Johnson?

19 REP. JOHNSON: Aye.

20 THE CLERK: Representative Johnson, aye.  
21 Representative Jones?

22 REP. JONES: Aye.

23 THE CLERK: Representative Jones, aye.  
24 Representative Jordan?

25 REP. JORDAN: Aye.

1 THE CLERK: Representative Jordan, aye.  
2 Representative Malone?

3 REP. MALONE: Aye.

4 THE CLERK: Representative Malone, aye.  
5 Representative Michaux?

6 REP. MICHAUX: No.

7 THE CLERK: Representative Michaux, no.  
8 Representative Moore?

9 REP. MOORE: No.

10 THE CLERK: Representative Moore, no.  
11 Representative Pierce?

12 REP. PIERCE: No.

13 THE CLERK: Representative Pierce, no.  
14 Representative Reives?

15 REP. REIVES: No.

16 THE CLERK: Representative Reives, no.  
17 Representative Willingham?

18 REP. WILLINGHAM: No.

19 THE CLERK: Representative Willingham,  
20 no. Representative Speciale?

21 REP. SPECIALE: No.

22 THE CLERK: Representative Speciale, no.  
23 Representative Rogers?

24 REP. ROGERS: Aye.

25 THE CLERK: Representative Rogers, aye.

1           Representative Saine?

2                     REP. SAINÉ: Aye.

3                     THE CLERK: Representative Saine, aye.

4           Representative Wray?

5                     REP. WRAY: No.

6                     THE CLERK: Representative Wray, no.

7           Representative Yarborough?

8                     REP. YARBOROUGH: Aye.

9                     THE CLERK: Representative Yarborough,  
10 aye. Representative Torbett?

11                    REP. TORBETT: Aye.

12                    THE CLERK: Representative Torbett, aye.

13           Representative Lewis?

14                    REP. LEWIS: Aye.

15                    THE CLERK: Representative Lewis, aye.

16           Representative Dollar?

17                    REP. DOLLAR: Aye.

18                    THE CLERK: Representative Dollar, aye.

19           Representative Szoka?

20                    REP. SZOKA: Aye.

21                    THE CLERK: Representative Szoka, aye.

22                    REP. SZOKA: Five out of -- 25 in the  
23 affirmative and 16 in negative. The motion passes.  
24 Thank you all for your attendance today. I know we  
25 were gone a little long. Representative Jackson?

1                   REP. JACKSON: If I could ask a question,  
2                   Mr. Chairman, about next week?

3                   REP. SZOKA: Going to be be directed  
4                   to -- I yield the chair to Representative Lewis.

5                   REP. LEWIS: The gentleman may state his  
6                   inquiry.

7                   REP. JACKSON: Yes, sir, Mr. Chairman. I  
8                   was just wondering if we will go through the same  
9                   process again when the senate map crosses over or  
10                  if that will just be done on the floor or we'll  
11                  have to bring it back through and do amendments and  
12                  stuff like that? I'm just planning for next week.  
13                  That's all.

14                  REP. LEWIS: Thank you for the question,  
15                  Representative Jackson. The House rules that a  
16                  bill received from the Senate is heard in the House  
17                  Committee, so yes, we will hear the Senate plan in  
18                  this Committee next week. The Senate -- I do not  
19                  know -- and I would state for the record that -- I  
20                  know the speaker made this same comment yesterday.  
21                  We have the court reporter here today -- that we  
22                  did have -- we did have consultation with you and  
23                  also with Representative Bell that in lieu of  
24                  having a session tomorrow that the House would do  
25                  both its second and third readings on Monday.

1                   I don't know what the Senate has agreed  
2                   to. I do not know if the plan will arrive today or  
3                   if it will arrive on Monday, but as soon as it  
4                   arrives, we'll refer it to Committee and we will  
5                   hear the bill. And depending on the day it  
6                   arrives, the House will either take up the -- the  
7                   Senate plan on Tuesday and Wednesday or Wednesday  
8                   and Thursday, depending on when it arrives. And  
9                   that answer, of course, assumes that we don't do  
10                  second and third on the same day. Are there  
11                  further inquiries for the Chair?

12                 REP. FLOYD: Question, Representative  
13                 Lewis.

14                 REP. LEWIS: What purpose -- the  
15                 gentleman, Representative Floyd may state his  
16                 inquiry?

17                 REP. FLOYD: Inquire. So that may be a  
18                 Tuesday and Wednesday session next week?

19                 REP. LEWIS: There will absolute -- there  
20                 will absolutely be session on Tuesday and Wednesday  
21                 of next week. I do not know if will take votes on  
22                 two separate days. But, again, the goal is to have  
23                 this ratified by the court deadline of September  
24                 1st, which is Friday. I think we'll -- if all goes  
25                 to plan and it really does, we will beat the

1 court's deadline by one day.

2 REP. FLOYD: Thank you.

3 REP. LEWIS: Before we adjourn, I -- I do  
4 want to thank each and every one of you for your  
5 time today. I want to thank -- and I'm going to  
6 say this on the floor. The one thing that I think  
7 all of us can agree on, despite the divided votes,  
8 is how fortunate we are to -- I apologize -- to be  
9 served by great staff. This is a -- this has been  
10 a long day; for all our central staff, it's been a  
11 long week, for our sergeant-at-arms staff as well.  
12 So I will certainly thank them all on the server,  
13 but I think it was entirely appropriate to thank  
14 them from this -- from this chair as well.

15 Is there any further business for the  
16 Committee or any other inquires to the chair? The  
17 chair sees no one seeking recognition. This  
18 Committee, having completed its business, stands  
19 adjourned.

20 (End of proceedings.)

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8-25-17 House Redistricting Committee  
North Carolina General Assembly, Redistricting 2017

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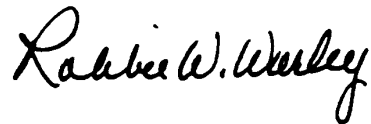
STATE OF NORTH CAROLINA

COUNTY OF WAKE

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing transcript of proceedings held on August 25, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 5th day of September, 2017.

A handwritten signature in black ink, reading "Robbie W. Worley". The signature is written in a cursive style with a large, stylized 'R' and 'W'.

Worley Reporting



## 2017 HOUSE AND SENATE PLANS CRITERIA

Equal Population. The Committees shall use the 2010 federal decennial census data as the sole basis of population for drawing legislative districts in the 2017 House and Senate plans. The number of persons in each legislative district shall comply with the +/- 5 percent population deviation standard established by *Stephenson v. Bartlett*, 355 N.C. 354, 562 S.E. 2d 377 (2002).

Contiguity. Legislative districts shall be comprised of contiguous territory. Contiguity by water is sufficient.

County Groupings and Traversals. The Committees shall draw legislative districts within county groupings as required by *Stephenson v. Bartlett*, 355 N.C. 354, 562 S.E. 2d 377 (2002) (*Stephenson I*), *Stephenson v. Bartlett*, 357 N.C. 301, 582 S.E.2d 247 (2003) (*Stephenson II*), *Dickson v. Rucho*, 367 N.C. 542, 766 S.E.2d 238 (2014) (*Dickson I*) and *Dickson v. Rucho*, 368 N.C. 481, 781 S.E.2d 460 (2015) (*Dickson II*). Within county groupings, county lines shall not be traversed except as authorized by *Stephenson I*, *Stephenson II*, *Dickson I*, and *Dickson II*.

Compactness. The Committees shall make reasonable efforts to draw legislative districts in the 2017 House and Senate plans that improve the compactness of the current districts. In doing so, the Committees may use as a guide the minimum Reock (“dispersion”) and Polsby-Popper (“perimeter”) scores identified by Richard H. Pildes and Richard G. Neimi in *Expressive Harms, "Bizarre Districts," and Voting Rights: Evaluating Election-District Appearances After Shaw v. Reno*, 92 Mich. L. Rev. 483 (1993).

Fewer Split Precincts. The Committees shall make reasonable efforts to draw legislative districts in the 2017 House and Senate plans that split fewer precincts than the current legislative redistricting plans.

Municipal Boundaries. The Committees may consider municipal boundaries when drawing legislative districts in the 2017 House and Senate plans.

Incumbency Protection. Reasonable efforts and political considerations may be used to avoid pairing incumbent members of the House or Senate with another incumbent in legislative districts drawn in the 2017 House and Senate plans. The Committees may make reasonable efforts to ensure voters have a reasonable opportunity to elect non-paired incumbents of either party to a district in the 2017 House and Senate plans.

Election Data. Political considerations and election results data may be used in the drawing of legislative districts in the 2017 House and Senate plans.

No Consideration of Racial Data. Data identifying the race of individuals or voters shall not be used in the drawing of legislative districts in the 2017 House and Senate plans.