

2011

**SENATE
REDISTRICTING**

MINUTES

MEMBERS' LIST
SENATE REDISTRICTING COMMITTEE
2011-2012

<u>SENATOR</u>	<u>ASSISTANTS</u>	<u>ROOM</u>	<u>PHONE</u>
Bob Rucho/Chair	Helen Long, Paul Rucho, Brent Woodcox	300-A LOB	3-5655
Andrew Brock/Vice Chair	Janet Black	623-LOB	5-0690
Harry Brown/Vice Chair	Susanne Gunter	300B-LOB	5-3034
Tom Apodaca	Carolyn Gooden, Nicole McGuinness, Andrew Tripp	2010 LB	3-5745
Peter Brunstetter	Genie Clark, Sarah Hardin	2022-LB	3-7850
Debbie A. Clary (resigned 7/19/2011)	Misty Greene, Lynn Tennant	314-LOB	5-3038
Charlie S. Dannelly (resigned 3-2011)	Dee Hodge	1127-LB	3-5955
James Forrester (resigned 7-19-2011)	Mona Fitzgerald	1028-LB	5-3050
Malcolm Graham (appointed April 2011)			
Kathy Harrington (appointed 7-10-2011)			
Ralph E. Hise, Jr.	Shelly Carver	1026-LB	3-3460
Neal Hunt	Kathy Davis, Cody Hand (Room 331)	308-LOB	3-5850
Edward Jones	Irma Avent-Hurst	518-LOB	5-3032
Floyd McKissick, Jr.	Rosita Littlejohn	520-LOB	3-4599
Martin Nesbitt, Jr.	Evelyn Costello, Jan Lee	1129-LB	5-3001
William Peter Rabon <i>Resigned</i>	Melissa Dombolis	2108-LB	3-5963
Brent Jackson (appointed 7-19-2011)			
Michael Walters	Vickie Spears	1118-LB	3-5651

<u>SENATOR</u>	<u>ASSISTANTS</u>	<u>ROOM</u>	<u>PHONE</u>
Staff:			
Erika Churchill, Lead		545	3-2578
Brad Krehely			3-2578
Kara McCraw			3-2578
Shawn Parker			3-2578
Kelly Quick			3-2578
Susan Sitze			3-2578
Denise Huntley Adams			3-2578

North Carolina General Assembly
Through Senate Committee on
Redistricting

Date: 08/10/2011
Time: 11:30
Page: 001 of 001
Leg. Day: H-096/S-096

2011-2012 Biennium

Bill	Introducer	Short Title	Latest Action	In Date	Out Date
H0937	Lewis	LEWIS DOLLAR DOCKHAM 3.	*SR Ch. SL 2011-404	07-25-11	07-27-11
453	Bob Rucho	RUCHO-LEWIS CONGRESS 3.	*SR Ch. SL 2011-403	03-30-11	07-23-11
S0454	Bob Rucho	NC HOUSE DISTRICTS.	S Ref To Com On Redistricting	03-30-11	
S0455	Bob Rucho	RUCHO SENATE 2.	*SR Ch. SL 2011-402	03-30-11	07-23-11
S0788	Josh Stein	CONGRESSIONAL FAIR AND LEGAL.	S Ref To Com On Redistricting	07-26-11	
S0789	Floyd B. McKissi	POSSIBLE SENATE DISTRICTS.	S Ref To Com On Redistricting	07-26-11	
S0790	Martin L. Nesbit	SENATE FAIR AND LEGAL.	S Ref To Com On Redistricting	07-26-11	

'\$' indicates the bill is an appropriation bill.

A bold line indicates the bill is an appropriation bill.

'*' indicates that the text of the original bill was changed by some action.

'=' indicates that the original bill is identical to another bill.

**MINUTES
SENATE COMMITTEE ON REDISTRICTING**

March 30, 2011

The Senate Committee on Redistricting met on Wednesday, March 30, 2011, at 3:29 p.m. in Room 643 of the Legislative Office Building. Thirteen Senate members were present, including Senator Bob Rucho, who presided.

The House Chamber Session did not adjourn in time for the House Redistricting Committee Members to attend the scheduled Joint Meeting. The meeting scheduled for 3:00 p.m. was delayed until 3:29, when the chairman decided to go ahead without the House members.

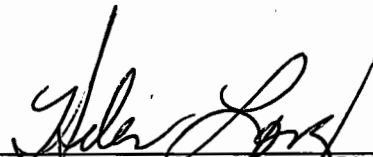
A transcript of the meeting is attached.

The meeting was adjourned at 5:04 p.m.

Respectfully submitted,



Senator Bob Rucho, Chair



Helen Long, Committee Clerk



Senator Andrew Brock, Vice Chair



Senator Harry Brown, Vice Chair

Principal Clerk
Reading Clerk

SENATE
NOTICE OF COMMITTEE MEETING
AND
BILL SPONSOR NOTICE

Joint Senate and House Committee on **Redistricting** will meet at the following time:

DAY	DATE	TIME	ROOM
Wednesday	March 30, 2011	3:00 p.m.	643

The following will be considered:

Informational presentation by staff.

Senator Bob Rucho, Chair

Joint Redistricting Committee Meeting

Wednesday, March 30, 2011, 3:00 PM

643

AGENDA

**Welcome and Opening Remarks
of the Chairs**

**Senator Bob Rucho
Representative David Lewis**

Introduction of the Members of the Committee

Introduction of Pages

Presentations:

Staff

- I. Discussion of Public Input Opportunities
 - a. Public Hearing Process
 - b. Public Input on-line
 - c. Public Input via written document
- II. General Assembly website on redistricting
- III. Redistricting Guide overview
- IV. ISD Policies on member access, public access, etc.
- V. Committee Discussion

Other Business

Adjournment

NORTH CAROLINA GENERAL ASSEMBLY
LEGISLATIVE AND CONGRESSIONAL
REDISTRICTING

Before: Senator Bob Rucho, Chairman

TRANSCRIPT
OF
JOINT HOUSE AND SENATE
REDISTRICTING COMMITTEE MEETING

At Raleigh, North Carolina
March 30, 2011 - 3:29 p.m.

Reported by:
Cathleen M. Clack

A P P E A R A N C E S

HOUSE COMMITTEE MEMBERS:

[Not in attendance]

SENATE COMMITTEE MEMBERS:

Senator Andrew Brock

Senator Harry Brown

Senator Peter Brunstetter

Senator Charlie Dannelly

Senator James Forrester

Senator Ralph Hise

Senator Ed Jones

Senator Floyd McKissick, Jr.

Senator Martin Nesbitt, Jr.

Senator Bill Rabon

Senator Michael Walters

1 I, Cathleen M. Clack, being a court reporter and a
2 Notary Public, was appointed commissioner by consent to
3 report the North Carolina General Assembly Joint
4 Redistricting Committee Meeting on the 30th day of March,
5 2011, beginning at 3:29 p.m., at the North Carolina
6 Legislative Office Building located at 300 North
7 Salisbury Street, Raleigh, North Carolina.

8
9 SENATOR RUCHO: They said they'll be
10 here in 30 minutes, and that started about -- I would
11 think they'll be here about ten of 4:00. At least that's
12 what I was told.

13 In the meantime, what we can do is we
14 can begin by introducing the committee, introducing some
15 of the staff, talking about the makeup of the committee,
16 and then what we'll wait for, to give our staff an
17 opportunity -- and I will verify again with the House,
18 that, you know, ten minutes of 4:00 is an accurate time.

19 We can probably go through this whole
20 meeting as far as staff presentation in about 40 minutes
21 or less. And what it's designed to do is get the process
22 started, get you educated in the redistricting process,
23 and then moving forward.

24 Unfortunately, it's out of my control.
25 Speaker called, and he does that, and he's in charge of

1 his House. So in the meantime, let us first introduce
2 members of the committee, if we may.

3 Senator Dannelly, would you begin by
4 introducing yourself and the district you represent.

5 SENATOR DANNELLY: Thank you, Mr. Chair.
6 Charlie Dannelly, Senate District 38,
7 Charlotte, Mecklenburg.

8 SENATOR BRUNSTETTER: Peter Brunstetter,
9 Forsyth County, District 31.

10 SENATOR FORRESTER: Jim Forrester,
11 Gaston, Lincoln, and Iredell Counties.

12 SENATOR HISE: Ralph Hise, District 47.

13 SENATOR RABON: I'm Bill Rabon, and I
14 represent District 8, Brunswick, Columbus, and Pender.

15 SENATOR RUCHO: Senator Brown?

16 SENATOR BROWN: Harry Brown, District 6,
17 Onslow and Jones County.

18 SENATOR BROCK: Andrew Brock, District
19 34, Davie and Rowan.

20 SENATOR JONES: Ed Jones, District 4,
21 representing Halifax, Northampton, Bertie, Hertford,
22 Gates, Perquimans, and Chowan.

23 SENATOR MCKISSICK: Floyd McKissick,
24 Senate District 20, Durham County.

25 SENATOR NESBITT: Martin Nesbitt,

1 District 49, Buncombe County.

2 SENATOR WALTERS: Michael Walters,
3 District 13, Hoke and Robeson County.

4 SENATOR RUCHO: I see Senator Hunt isn't
5 here at the moment, and he represents Wake County.

6 And then my name is Bob Rucho, and I
7 represent 39th District in Mecklenburg County.

8 I'd like to first introduce some of our
9 stuff people. Ms. Erika Churchill is our lead person of
10 redistricting.. Brad Krehely -- Krehely -- excuse me,
11 Brad, I'm sorry. Kara McCraw, Shawn Parker, Kelly Quick,
12 Susan Sitze --

13 MS. SITZE: Sitze.

14 SENATOR RUCHO: -- and Denise Huntley
15 Adams. We have our House clerk for the meeting is Pattie
16 Fleming, and the Senate, Helen Long.

17 Okay. First things first. The
18 committee has a big task ahead of it. Because of the
19 Constitution, both U.S. and North Carolina Constitution,
20 we have a responsibility, the General Assembly, to
21 reapportion every long session after the census is done.
22 We have received all the data; the database is in place;
23 the committee is to start its work.

24 In selection of the committee, we make
25 choices as to who would best represent the entire state

1 of North Carolina. In doing so, we selected leadership,
2 we selected geographic distribution to make sure all
3 parts of the state are represented from the east to the
4 west. We selected urban and rural counties and
5 districts. We also looked at areas that were significant
6 as part of the process when we deal with drawing
7 districts, and that is in the Voting Rights Act,
8 Section 5 districts and Section 2 districts.

9 What this is designed to do is give a
10 broad-based representation of the General Assembly as far
11 as the Senate is concerned to the entire state of North
12 Carolina and all of the interested groups.

13 We have -- out of the fifteen on the
14 Senate side, all of them will be rectified or covering
15 Section 2 counties under the Voting Rights Act, and then
16 we have six of the fifteen cover Section 5.

17 As you read the Legislator's Guide,
18 which I commit to you, our staff has worked very hard in
19 trying to make a complicated issue very simple. And
20 we'll have some explanation of that.

21 And some of the criteria that we will be
22 using in drawing these districts, because the law
23 requires it of us, is to take into account the Voting
24 Rights Act, especially Section 5 and, of course,
25 Section 2.

1 We do have, again, a great
2 responsibility. Our goal is to get this complete
3 sometime around the first of June, hand it to Justice,
4 and let them get preclearance. Under the Voting Rights
5 Act, everyone recognizes the fact that we do need to get
6 preclearance because we have 40 counties that are under
7 that Act specifically, but we have to take the state of
8 North Carolina, all hundred counties, accordingly.

9 So that the members that we have present
10 in this committee will reflect the entire population
11 across the state, and the leadership and the people and
12 myself was very particular in making sure that all of
13 these different sections were -- were represented, and
14 that's why it was very critical that we maintain the
15 membership that we have on this committee.

16 Now, as you can see on the board, we
17 have some maps. That map in particular is designed to
18 demonstrate the members of the committee and how we try
19 to use geographic distribution, both urban and rural, to
20 make sure that the entire state was covered in trying to
21 be sure that this committee represented everyone.

22 I believe at this point, before we begin
23 with our work, and hopefully we'll hear something very
24 soon, Senator Nesbitt had a comment that he would like to
25 add for the record.

1 SENATOR NESBITT: Thank you, Mr. Chair.
2 Comment to read into the record and put
3 into the record.

4 Redistricting is one of most important
5 issues we'll tackle this year. Our state's long history
6 of litigation with redistricting means we'll need the
7 highest level of bipartisan cooperation to ensure we
8 approve a map of districts that are truly fair and legal.

9 In the spirit of cooperation, I recently
10 approached Redistricting Committee Chair Senator Rucho
11 with a straightforward request before the drop-add
12 deadline: add Senators Blue and Clodfelter to the
13 Redistricting Committee.

14 Senators Clodfelter and Blue are the
15 Senate's most seasoned members with regard to
16 redistricting, both having experienced the legislative
17 process and litigation. We felt as though the
18 Redistricting Committee could benefit from their long
19 experience, and the people of North Carolina would be
20 better served if their input was included.

21 Such membership request is not unusual;
22 it is typical. In past sessions, committee membership
23 has changed frequently before being finalized. This
24 year, on several other committees, Democrats requested
25 similar changes that were honored. Furthermore, on the

1 Redistricting Committee specifically, the majority party
2 has historically allowed minority party to determine
3 their own membership and make changes before the process
4 begins.

5 That's what I was disappointed when just
6 before the drop-add changes were announced, Senator Rucho
7 informed me that he would not accommodate our request.

8 In the spirit of compromise, I again
9 approached Senator Rucho with a modified request: to
10 allow myself and Senator Dannelly to step down from the
11 committee and be replaced by Senators Clodfelter and
12 Blue. Yet again, Senator Rucho said no.

13 I felt it was necessary at this point to
14 approach our president pro tem, Senator Berger, and
15 request that he intervene. But Senator Berger later
16 informed me that he was unable to accomplish that.

17 Finally, just last week, I approached
18 Senator Rucho again with that request, and he agreed that
19 he allow myself and Senator Dannelly to step down in
20 exchange for Senator Blue and Clodfelter. Again,
21 Senator Rucho would not allow the change.

22 So we're left with a Redistricting
23 Committee that doesn't include the two senators in this
24 body with the most experience with redistricting. I can
25 only conclude that Senators Clodfelter and Blue were

1 excluded because of their special knowledge and
2 experience. I know of no other reason for excluding
3 them.

4 Senator Rucho reminds this chamber again
5 and again about his desire to draw fair and legal
6 districts through a fair and open redistricting process,
7 but when you deny people with the most expertise and the
8 most knowledge the opportunity to assist with
9 redistricting, the only conclusion I can draw is that
10 there is no intent to have a fair and open redistricting
11 process.

12 I feel it necessary to describe this
13 course of events to you today because I believe it
14 necessary to document for the record the beginning of the
15 redistricting process, especially since our experience to
16 date has been far from the fair and open process that was
17 promised to the public. I ask that my remarks be added
18 to the record.

19 SENATOR RUCHO: Senator Nesbitt, we
20 appreciate your thoughts about this. My feeling, I think
21 I outlined it pretty clearly why this committee was put
22 together appropriately.

23 In response to your issues, I mean,
24 there's some very critical parts of this that are
25 necessary. One being, when you're looking at a

1 District 2 district like Mecklenburg County where you'll
2 have a lot of urban districts requiring minority
3 participation, it would only be appropriate to consider
4 someone like Senator Dannelly to be there. When I did
5 ask him if he was interested in moving that part of that
6 position, that answer he said was "no" and he'd get back
7 with me if he chose to do so.

8 Secondly, the other areas of concern
9 dealing with Section 5, that's why these particular
10 individuals were chosen, so that they would be able to
11 represent those districts -- they would be able to
12 represent those districts, and specifically under the
13 Voting Rights Acts which is a very critical part of this
14 issue.

15 And the last point I'll make is, if you
16 look at this history of the redistricting, over the years
17 we've seen numerous times, and a lot of these cases that
18 were addressed in this issue, came down to another legal
19 battle, another battle where most of the cases that are
20 decided for redistricting came from North Carolina. My
21 intent is to draw fair and legal districts hopefully with
22 no -- with immediate preclearance and, more importantly,
23 with no lawsuits.

24 Now, in the past, this body or this
25 particular district -- excuse me, this committee has

1 been led by attorneys. For the first time in a long
2 time, we're going to try to have normal people lead this
3 because redistricting shouldn't be that difficult to
4 understand. And part of that also comes with the fact --
5 part of that also comes from the fact that, you know, the
6 two you wanted to select are attorneys, and the last
7 thing I want to do is replace some non-attorneys in this
8 process. Y'all had a good chance at it for many years.
9 We've ended up in court many times. My goal is to make
10 sure that we stay out of court, put normal people in
11 process and show that this can be done fair and legally
12 without any gerrymandering, as what was done the last
13 time when an attorney led this committee, not only
14 drawing his own district but, more importantly, when they
15 did come forward with it in 2001, it was overturned by
16 the Court.

17 We're going to show you how to do it
18 fair and legal. We want you to be part of it, Senator
19 Nesbitt. You're welcome to be there Senator Blue and
20 Senator Clodfelter, are more -- are able to be part of
21 this in any manner. It's open. It's going to be clear.
22 There's going to be every opportunity to input both you
23 and legislature on this committee, the General Assembly
24 in general, and the public input.

25 We're going to be out across the state,

1 not only nine or ten locations; we're going to be having
2 two or three satellite locations from there. This
3 opportunity will be more open and transparent than any
4 time before, and I just say to you, you see why, and I
5 think I made it very clear why you decided to -- or I
6 decided to make sure that the committee was set up
7 appropriately.

8 SENATOR NESBITT: Thank you. And just
9 one thing I forgot to mention. Senator Walter also has
10 agreed that he would step aside if they could be put on
11 to replace him. Our caucus feels very strongly that that
12 expertise is needed in the process because it has been a
13 difficult process in North Carolina, and we need that
14 experience. But I hear what you're saying.

15 SENATOR RUCHO: Thank you, Senator
16 Nesbitt. We appreciate your thoughts about this.

17 For a moment, we're going to just hold
18 in recess until we get a chance to see about the House.
19 We'll have someone follow up with them immediately so
20 that we can go ahead and then provide the start of this
21 Redistricting Committee. Thank you for your indulgence.

22 [RECESS - 3:43 P.M. TO 4:03 P.M.]

23 SENATOR RUCHO: Ladies and gentlemen, we
24 are going to proceed on with our meeting because the
25 House said fifteen and then later another comment came

1 back from the Principal Clerk's office of the House and
2 said that they're not sure. So what we'll -- what we'll
3 do is we will begin the process.

4 The first point that I'd like to bring
5 up is the pages for the Redistricting Committee, if the
6 pages are still here, and that is Katherine Leek
7 (phonetic), Senator Brunstetter. I've got Cameron
8 Jernigan (phonetic), Senator Jones. Christine Sauer
9 (phonetic), Senator Kinnaird. Helen Brubecker
10 (phonetic) -- I hope I'm pronouncing that correctly --
11 Senator Kinnaird.

12 We'll ask Erika Churchill to come
13 forward, and she'll start off with our discussion of the
14 public input opportunities.

15 ERIKA CHURCHILL: Good afternoon. As
16 Senator Rucho mentioned, the General Assembly is going to
17 engage in a series of public hearings to accept public
18 comment for the record for the purpose of redistricting.

19 In your handouts today, you should have
20 something that looks a little bit like a spreadsheet
21 table. It has the proposal for the dates. We are still
22 in the process of locking down locations for these dates.

23 In "Site" column, you will see bolded
24 location and then you'll see a couple of bulleted
25 locations underneath it. The bolded location will be the

1 main site; the bulleted location is going to be satellite
2 sites connected with that site via videoconferencing.
3 Anyone who attends any one of the sites, whether it is
4 the main site or the satellite site, will be able to
5 speak and submit comments for the public record.

6 Once these are nailed down and confirmed
7 as sites, we will go through a process of producing legal
8 notices for each one of the newspapers in general
9 circulation in that area, and also we will go through a
10 process of trying to notify anyone who has requested to
11 be notified of committee meetings, and the process of
12 trying to locate anyone else who might be interested. I
13 believe everyone involved, Mr. Chair, would be receptive
14 if you have individuals who would want to be notified of
15 any public hearings, of any committee meetings.

16 If someone who wants to submit a comment
17 that cannot attend one of the public hearings or chooses
18 not to attend the public hearing, there are two other
19 ways they can submit public comment.

20 The first is the General Assembly will
21 have on its website a public comment form. Please note
22 that anything that is submitted in a written form will be
23 part of the public record and will be released to the
24 Department of Justice in preclearance or released on any
25 public records request.

1 Those comments that are submitted online
2 will be delivered weekly to each member of the committee
3 for their review, if they so choose. Additionally,
4 anyone from the public can submit written comment by
5 mailing that in to either the Research Division of the
6 General Assembly, and we'll be glad to provide that
7 mailing address if anyone would like it.

8 And also in your handouts was a sheet
9 entitled, "Public Hearing Guidelines." I'm not sure we
10 covered this when we were talking about the public
11 hearings. The chairs have decided to establish
12 guidelines for the conduct of the public hearing. The
13 speakers will need to sign up in advance. They can do
14 that online. The sign-up will begin five days in advance
15 and will close down 24 hours in advance of the hearing.

16 In addition to that, anyone can show up
17 at the site and sign up in person one hour in advance.
18 Speakers will be limited to five minutes. If a speaker
19 is not present when called upon, the speaker will be
20 skipped at that time. The presiding chair, at their
21 discretion, may change the guidelines. Additionally,
22 again, anyone can submit a written comment through the
23 web or by mailing to our office.

24 SENATOR RUCHO: Thank you,
25 Ms. Churchill, for that information.

1 The next person that I'll go ahead and
2 introduce will be dealing with the General Assembly
3 website redistricting. And I'd like to tell everybody
4 that Dan Frey has done a yeoman's job in putting together
5 a database that we can be able to utilize in our process
6 of drawing Congressional, House, and Senate districts.
7 He did an excellent job in a very timely manner, and will
8 give us all the information that any of us would choose
9 to have as we draw those maps in following the legal
10 guidelines that have been established for us during the
11 Court actions.

12 And in addition to that, as we proceed
13 forward and members start utilizing the database, please
14 let us know if there are certain things that you might
15 feel could be added to it or some things that
16 would -- might make this a little easier for you in the
17 process of drawing up the maps, fair and legal maps that
18 we're going to be doing.

19 Dan?

20 SENATOR JONES: Mr. Chairman?

21 SENATOR RUCHO: Yes, sir.

22 SENATOR JONES: Public hearing.

23 SENATOR RUCHO: Excuse me.

24 Senator Jones.

25 SENATOR JONES: Thank you. On these

1 meetings, who are -- are we required to be a -- are a
2 certain number of these going to be -- comments in these
3 meetings going to be minutes of some type or what?

4 SENATOR RUCHO: All of the meetings will
5 have a court reporter there and they will all be
6 videotaped so that we'll have a complete opportunity to
7 view them if we choose to, but at least the data that is
8 coming from it as the folks that come visit us tell us
9 what their ideas are in regard to what they believe
10 redistricting maps should be and what should be included
11 in that. We would hope -- and each of you in the
12 committee, both House and Senate, will assign -- and
13 we'll get them assigned to some of those meetings. I
14 know Chairman Lewis and myself will try to attend every
15 one of them if we can, but we would hope that members in
16 those areas would be able to be there to help with the
17 different satellites and also the locations that we're
18 going to be having them.

19 Does that answer your question?

20 SENATOR JONES: (Indicates.)

21 SENATOR RUCHO: Thank you, sir.

22 Mr. Frey.

23 MR. FREY: Okay. I go through with
24 this, try to give you an overview of what all we've got
25 out there on our website related to redistricting. I'll

1 try to pull everything together on one page.

2 You can -- there is a direct URL
3 redistricting.nclag.net that goes with our -- you can get
4 it off the front page off the top part there.

5 So first we've got an overview of the
6 process. So that's if you knew the process or refresh
7 that -- look over, you click on these, and it will take
8 you down to the appropriate associated section.

9 And then we've got a section that has
10 information on our current district plans. All of this
11 information has -- or is based on the 2000 database. But
12 one of things will be coming out here, as soon as we have
13 new plans or proposed plans will be, you know, plans that
14 have -- that are all based on 2010 information.

15 But this will sort of give you an idea
16 of the layout that we're looking at or the information
17 that we're planning to put out there for any of the
18 proposed plans.

19 We'll have, you know, introductory text
20 that will go here into the information on the bill.
21 There's an overview map. There's a standard set of
22 reports that last time sort of evolved, which we refer to
23 as a staff pack, which is just a, you know, big -- yeah.
24 There's a standard set of reports that were introduced in
25 committee sort of for whatever plans, would be kind of an

1 apples to apples thing. And so that standard set of
2 reports will be the same thing that goes out on our
3 website.

4 And most of those -- basically these
5 were as state went by district. This is pretty much what
6 the staff pack is. And, you know, there's basic
7 deviations from ideal populations. These sort of reports
8 that will show one line per district and, you know, how
9 they are as far as race, put it that way.

10 And we're just about to the point now, I
11 think we've got report layouts finalized. Because we've
12 gone from 80-some fields to 138, I believe, with the new
13 database. We might have to split some things out.

14 And these ones, since they're our
15 main -- you know, our in-place district plans, we sort of
16 fleshed these out with a lot of other things that
17 wouldn't necessarily be in whatever the -- you know,
18 those kind of database. But definitely the, you know,
19 maps, staff pack stuff. You know, there were district
20 geography reports that will show which counties are
21 split, what municipalities are split. And they -- you
22 know, there's a basic district map out here.

23 And then in the last section, there's --
24 there are files which are like if you were to bring it
25 into a mapping software, there's that. And the block

1 assignment file which is like the ultimate plan
2 definition, which would be like the line for every census
3 block in the state and then what district it was.

4 Okay. And one thing we put out there
5 recently is this interactive map. And we'll be looking
6 at what are proposed plans in this environment as well.
7 Because when you put it out there just as a little PDF
8 map, it's pretty hard to really get detailed where all
9 the district boundaries are. So this is kind of a
10 generic viewer that you can -- you can get in and, you
11 know, zoom and really get down to, you know, see a lot of
12 detail. Sort of like Google Maps or Bing Maps.

13 It's got a -- like over here so you can
14 switch out the with House districts. You can search for
15 an address. You can -- it's got a utility you can -- you
16 can search for a particular district, so that's an
17 example.

18 SENATOR RUCHO: Could you come closer to
19 that. The reporter here is not able to hear your
20 comments.

21 MR. FREY: And, so, yeah, it will
22 highlight districts or municipalities or counties. You
23 can zoom to that. So it's, I think, a useful utility.

24 All right. And then with our -- when we
25 got our 2010 data in, we created some reports that show

1 sort of for each district how -- how they balanced out
2 with the new numbers. And many of you may have seen this
3 already, but -- so it's, you know, District 1, for
4 example, it's increased by, you know, 22 percent. Since
5 the population of the state as a whole has increased,
6 it's still a little bit shy of the ideal district
7 population, but it's close. It's within 5 percent. So
8 look at different districts there.

9 We also have a map out there that shows
10 how -- and you really see the growth in the urban areas.
11 So the counties that are red are too many people, so they
12 need to be trimmed down, and they need to trim -- and the
13 ones in blue are -- don't have enough people, so those
14 need to be expanded.

15 We have another type of report here that
16 I'll show you quickly. This one shows the seats per
17 county. So any of you, just look at Alamance County, you
18 can you can see that it's grown over the decades. And so
19 in 1990 it was almost two districts, and it's a little
20 bit, you know, relative of the population of the state,
21 even though it's grown, it has a little bit less
22 representation now than it used to.

23 Okay. And the last reference,
24 next-to-last, anyway, related links out there: Census
25 Bureau, Department of Justice, and whatnot.

1 SENATOR RUCHO: We've got to hear that a
2 little bit better, please. She can't hear it.

3 MR. FREY: Yeah. Just -- there's a
4 related links page, so it shows, you know, links to some
5 of the related sites. State Board License and whatnot.

6 And then there's an archives section
7 which a lot of the old plans from the last decade are out
8 there. Sort of had been removed at one point, but it's
9 back by popular demand.

10 Okay. And then finally there's this
11 link here for reference information for district drawing.
12 And we've built our redistricting database this time
13 around, there's quite a bit of information in it. And so
14 this is the page where all of that is posted for download
15 if anybody wants that. And it's broken out into just
16 straight numeric data, like you might do with a
17 spreadsheet or database program. And then down below
18 there is geographic data which you pull into a mapping
19 program.

20 So probably a lot of people aren't going
21 to use the information, you know, the data posted on the
22 site, but there are some people who might want to access
23 it. So, like, let me just show you the numeric data for
24 the county level, for example, is -- you know, it's like
25 this. Just like raw data. And just goes through the --

1 you know, the 138 fields of all different stuff that's in
2 there.

3 But what may be generally of interest,
4 the first item under the numeric data here in this table
5 is a field layout definition. And that lists out all the
6 different fields, basically what else is in our database.

7 And what I'm going to do now is talk
8 just a little bit more about the contents of our
9 redistricting database. Got this PowerPoint slide that I
10 created.

11 And so, like I was saying, it's -- just
12 to give you an idea of what all is in there. It's -- as
13 far as the numeric site goes, there's the census counts,
14 which we just got, and that includes -- it's sort of
15 broken in -- I mean, when you get it, it has 288 fields,
16 but that's -- it has so many because it has like every
17 different possible combination of race. And so that's
18 broken into total and voting age population. And then
19 it's also broken into race and ethnicity. This is
20 basically Hispanic/non-Hispanic.

21 There's also voter registration data.
22 This is taken from the Board of Elections statewide voter
23 registration database. And we get an individual voter
24 level, and then we process that down into a form that
25 will match the geography.

1 And election returns. This time around
2 there are election returns in there. They're all
3 statewide general election results from 2004, 2008, and
4 2010.

5 And then as far as the geographic data
6 goes, the Census Bureau gives us the geography, and they
7 have a whole bunch of different layers in there. They
8 have this -- it's called TIGER/Line file. And it will
9 have, like, census blocks and counties and roads and
10 rivers and all that. So that's one of our main -- our
11 main bases that we match all the numbers to.

12 There's also NC OneMap, which some of
13 you are familiar with, is also a good source for
14 supplemental, with schools and hospitals and that sort of
15 thing that the Census Bureau doesn't track any longer.

16 So, then, finally I just want to show
17 you I have a few slides that I created a while back that
18 explain kind of the hierarchy, the geographic hierarchy.
19 So, you know, of course you've got the state as one of
20 those, which is broken into a hundred counties, which is
21 broken into 2,692 voting tabulation districts. And in
22 the voting tabulation districts are -- they basically are
23 the precincts that existed as of January 1, 2008. You
24 know, that they stopped changing while the precincts
25 continue to change. But that's where we get all our

1 election results based on those units. And voter
2 registration.

3 At this time for the census blocks, at
4 the lowest level for our database you've got 288,987
5 census blocks, so has increased about 25 percent from
6 last time. And so there's no point in the state that
7 can't be assigned to all these levels.

8 And then, of course, House, Senate,
9 Congressional districts are -- though they're built with
10 all of these different units, they're ultimately defined
11 at the census block level.

12 So if the state -- and, you know, we
13 have county level broken down, think of those VTDs,
14 voting tabulation districts, which in turn is broken down
15 into census blocks. And the census blocks in a place
16 like downtown Raleigh, there would be like a city block,
17 that sort of thing. In a rural area example, it might be
18 roads on one side, maybe a river. Here, this in purple
19 is a municipal boundary. And so they can be made up of a
20 variety of different features. And so -- and the Census
21 Bureau, they'll actually get people by individual points,
22 but they don't share those points with us for
23 confidentiality reasons. So we just get the sum of the
24 block.

25 And then an example for the districts

1 here, these are House districts, you know. And 24 is
2 coming up with the whole county or not -- or, you know,
3 right up that county line in black, 7 is composed of
4 whole VTDs, which are outlined in red except for VTD 34,
5 which is broken up down to the block level. Okay. So I
6 think that's probably what I've got there.

7 Does anybody have any questions?

8 SENATOR RUCHO: Are there any questions
9 from members of the committee?

10 Senator Hise.

11 SENATOR HISE: I just have one question
12 on your geographic hierarchy. You show the state and
13 then counties, but there's no listing for municipalities.
14 Are municipal borders available in the system?

15 MR. FREY: Yes, they are available.
16 They're not sort of part of that central hierarchy
17 because there are a lot of places that, you know, are in
18 unincorporated areas. But the way the Census Bureau
19 tabulates it, municipalities are composed of census
20 blocks.

21 SENATOR RUCHO: Any other questions from
22 the committee?

23 Mr. Frey, is that the end of your
24 presentation?

25 MR. NESBITT: Yes, Chair.

1 SENATOR RUCHO: Yes, sir, Senator
2 Nesbitt.

3 SENATOR NESBITT: I don't know if this
4 is appropriate or not. Had you all decided yet the races
5 you're going to put in for us to look at? We'll usually
6 have a governor's race, we'll have the last three or four
7 Senate races. We have maybe one of Council of State.

8 MR. FREY: Yes. Yeah, those are all in
9 there, in the database. And if you look at that -- at
10 that place there with the -- where you see reference
11 information for district drawing, and that field layout
12 definition, that will list out everything that's in
13 there, including the contests.

14 SENATOR RUCHO: To respond to your
15 question, we have the capability of having it all
16 included in there and you can choose the ones you feel
17 would be valuable. And that's part of the request that I
18 made earlier to you; that if you see some things that you
19 find you want included, we'll get them included.

20 Okay, Mr. Frey, thank you.

21 We're going to have our research staff
22 coming up here to present the legislative guide. They
23 worked off of the 2003 Legislator's Guide, and it will be
24 explained as we proceed forward. But I will have to tell
25 you, Ms. Churchill and Walker Reagan and a number of

1 staff members have worked very hard to bring back all of
2 the cases that were brought forth to make it very clear
3 and succinct as the -- as you proceed forward in drawing
4 the maps and as people around the state of North Carolina
5 will have the opportunity to provide input on what
6 constitutes a fair and legal map. And I applaud you,
7 Ms. Churchill, for doing a good job in making it very
8 simple so that everyone can understand it. Thank you.

9 MS. CHURCHILL: Thank you, Senator
10 Rucho.

11 As Senator Rucho mentioned earlier this
12 afternoon, this is a very complex area of law, and I feel
13 the need to state the disclaimer that is written in the
14 Legislator's Guide that it is not meant to be a
15 comprehensive or exhaustive listing of the cases or an
16 explanation of the cases or the interpretations thereof.

17 But we have taken and tried to reduce it
18 down to something that is at least a general overview.
19 And it is for your reading, and it will also be available
20 online. And if you would like any of the cases
21 supporting it to review in total, we will be glad to
22 provide those for you. We're going to try to give a very
23 general overview of what is in the Legislator's Guide,
24 and we've actually divided that up amongst ourselves.

25 So Brad is going to come first and talk

1 about the Equal Protection Clause, Kara will come after
2 him and talk a little bit about the Voting Rights Act,
3 and then I will talk a little bit about the Stephenson
4 opinions and the Whole County Provision, and then Shawn
5 is going to talk a little bit about gerrymandering, both
6 racial and political. And then we're going to spend a
7 little bit of time talking about legislative
8 confidentiality.

9 So I'm going to turn it over to Brad, to
10 get started.

11 MR. KREHELY: Thanks, Erika. I'm Brad
12 Krehely, staff attorney with the Research Division. And
13 I'm going to talk about the "one-person, one-vote" rule.

14 The idea behind the "one-person,
15 one-vote" rule is that citizens have the right to
16 representation in the legislative branch that is
17 approximately equal. "One person, one-vote" rule must be
18 followed for congressional districts, but also for
19 legislative districts, House, and Senate. And I'll
20 explain that there are some differences between those
21 districts, between congressional, legislative districts,
22 and I'll talk about that in a moment.

23 But first, to comply with the
24 "one-person, one-vote" rule, an ideal population is
25 established for each district. And to do this, we divide

1 the total population by the number of districts.

2 According to the 2010 Census data, North
3 Carolina has a population of 9,535,483 people. North
4 Carolina has 13 congressional districts, 56 senators, and
5 120 State House of Representatives. So if you divide the
6 total population by the 13 congressional seats, then the
7 ideal population will be 733,499 people. If you divide
8 the total population by 50, put the 50 states senate
9 seats, then the ideal population is 190,710 people. And
10 if you divide the total population by 120 for the 120
11 state House seats, then the ideal population is 79,462
12 people. So those are the ideal populations.

13 Can you deviate from that, you might
14 wonder. Well, the answer for congressional districts is
15 different than the answer for legislative districts.

16 For congressional districts, there is no
17 safe range of deviation. In fact, the U.S. Supreme Court
18 struck down a New Jersey Congressional plan that had an
19 overall range of less than 1 percent. So these have to
20 be identical or nearly identical.

21 For legislative districts, the North
22 Carolina Constitution requires that no state House or
23 state Senate district can have a population that's
24 5 percent greater or 5 percent less than the ideal
25 number. And that was in the Stephenson case, which I

1 think my colleagues are going to talk about a little bit
2 more.

3 Just to conclude is to introduce the
4 concept of the single-member district versus multi-member
5 districts. For United States Congressional districts,
6 they must be single-member districts. In North Carolina,
7 for North Carolina House and Senate districts, absent
8 some compelling government interest, all legislative
9 districts must be single-member districts. Prior to the
10 Stephenson case, multi-member districts were more common.

11 And that concludes my remarks about "one
12 person, one vote," and I'll turn it over to Kara McCraw.

13 MS. McCRAW: Thank you, Brad. I'm Kara
14 McCraw. I'm staff attorney with the Research Division.
15 I'm going to talk a little bit about the Voting Rights
16 Act and its role in redistricting.

17 The Voting Rights Act was first enacted
18 in 1965 as a means of enforcement of the 15th Amendment
19 of the Constitution which requires that the right of
20 citizens in the United States to vote cannot be denied or
21 abridged by the federal government or the states on
22 account of race, color, or previous condition of
23 servitude.

24 Congress has reauthorized this law four
25 times since 1965, most recently in 2006, where they

1 renewed the Voting Rights Act until 2032.

2 There are two sections of the Voting
3 Rights Act that are particularly relevant for
4 redistricting, and those are Section 2 and Section 5. So
5 we'll start with Section 2.

6 What does Section 2 cover? Section 2
7 covers all the jurisdictions in the United States, so the
8 entire state of North Carolina is covered. What does it
9 require? Section 2 provides that a state cannot impose
10 or apply a voting qualification, prerequisite, standard,
11 practice, or procedure which would result in the denial
12 or abridgement of the right of any U.S. citizen to vote
13 on account of race, color, or membership in a minority
14 language group.

15 So how is a Section 2 violation
16 established? The United States Supreme Court has
17 established three preconditions to establish a Section 2
18 claim. And these were first established in a case in
19 1986 called "Gingles v. Thornburg," which arose out of
20 North Carolina multi-member districts. And those three
21 preconditions are as follow:

22 First, a minority group must be
23 sufficiently large and geographically compact to
24 constitute a majority in a single-member district.

25 And recently in 2009, the U.S. Supreme

1 Court clarified that "majority" means that the group must
2 be 50 percent or more of the voting age population.

3 Second, that minority group must be
4 politically cohesive.

5 And finally, the minority groups
6 preferred candidate must usually be defeated by the white
7 majority voting as a bloc.

8 If those three preconditions are met,
9 then the Court will determine under the totality of the
10 circumstances if the political processes leading to the
11 nomination or election are not equally open to members of
12 the protected minority group. In other words, do the
13 members of the minority group have less opportunity than
14 other members of the electorate to participate in the
15 political process and elect representatives of their
16 choice.

17 Section 2 does go on to state that one
18 circumstance that may be considered, and that is the
19 extent to which members of our protected class have been
20 elected and additional factors have been recognized by
21 the courts.

22 Section 2 also states that it does not
23 establish a right to have members of a protected class
24 elected in numbers equal to their proportion in the
25 population.

1 Section 5 is the other section of the
2 Voting Rights Act that is of particular relevance.
3 Section 5 covers covered jurisdictions. Covered
4 jurisdictions are areas that on November 1, 1964, 1968,
5 or 1972 had in place a tester device as a precondition
6 for registering or voting, and also had less than
7 50 percent of voting age population registered on those
8 dates to vote, or had less than 50 percent of the voting
9 age population vote in the presidential election those
10 years.

11 As a result of those tests, North
12 Carolina has 40 counties that are covered jurisdictions.
13 And in your Legislator's Guide, you'll find those on
14 page 6. They're all listed out.

15 So what does Section 5 require? It
16 requires that covered jurisdictions have to show that the
17 voting qualifications, prerequisite standards, and
18 practices that are changed do not have the purpose or
19 effect of denying or abridging the right to vote on
20 account of race, color, or membership in a minority
21 language group.

22 So there's two tests there. First,
23 there's the purpose prong. They have to show that
24 purpose means any discriminatory purpose by that change,
25 and second is the effect prong. The covered jurisdiction

1 has to show that the change did not lead to retrogression
2 in minority voting strength. For redistricting plans,
3 that is established by the benchmark of the previous
4 legally enforceable redistricting plan that was in
5 effect.

6 How does this occur? The covered
7 jurisdiction has to have the law reviewed by either the
8 U.S. Department of Justice or the U.S. District Court for
9 the District of Columbia by seeking a declaratory
10 judgment, and that process is called preclearance. Those
11 laws affecting voting in covered jurisdictions are not
12 enforceable until preclearance is received.

13 I'm now going to turn it over to Shawn
14 to -- I'm sorry -- to Erika to talk a little bit about
15 Stephenson.

16 MS. CHURCHILL: What we've talked about
17 before is federal law as applies to congressional and
18 legislative redistricting. Stephenson is a North
19 Carolina State Supreme Court case interpreting some North
20 Carolina constitutional provisions that apply only to
21 North Carolina House and to North Carolina Senate.

22 In the constitutional provisions
23 governing redistricting for the House and the Senate, the
24 Constitution sets out that counties are to be kept whole.
25 The case involved the interpretation of that and whether.

1 or not it could be harmonized with the federal law.

2 The Stephenson court and Stephenson I in
3 2002 determined that it could, and gave the General
4 Assembly the ability to redraw plans that were struck
5 down from 2001. Those plans were reviewed by the Court
6 in 2003, resulting in the Stephenson II opinion.

7 The Stephenson II opinion reiterated and
8 reaffirmed the holdings in the Stephenson I provision.
9 Those holdings are -- I hate to use the word criteria,
10 but it's probably the best word to use. They are how to
11 go about harmonizing the Whole County Provision in the
12 North Carolina Constitution with the federal law. They
13 are as follows:

14 First of all, comply with the federal
15 law. To ensure full compliance with federal law,
16 legislative districts required by the Voting Rights Act
17 shall be formed prior to the creation of non-voting
18 rights districts. To the maximum extent practical, such
19 Voting Rights Act districts shall also comply with legal
20 requirements of the Whole County Provision.

21 Additionally, in forming new legislative
22 districts, any deviation from the ideal population for a
23 legislative district shall be at or within plus or minus
24 5 percent for purposes of compliance with the federal
25 "one-person, one-vote" requirements.

1 Third, in counties having a census
2 population sufficient to support the formation of one
3 non-Voting Rights Act district, the Whole County
4 Provision requires that the physical boundaries of any
5 such non-Voting Rights Act legislative district now cross
6 or traverse the exterior geographic line of any county.
7 In other words, that county must be kept whole.

8 Fourth, when any two or more non-Voting
9 Rights Act legislative districts can be created within a
10 single county, the single-member non-VRA districts shall
11 be formed within that county. Those districts shall be
12 compact and shall not traverse the exterior geographic
13 boundary of any such county.

14 If you will turn in your Legislator's
15 Guide -- I'll get the page number, it is page 9 -- there
16 is a chart that tries to help explain this process. It
17 has to the side the House Plan on the left, Senate Plan
18 on the right, ideal population for each, and the plus or
19 minus 5 percent. Go through, chose your county's
20 population, see if it falls within plus or minus
21 5 percent for one member, two members, three members,
22 four members, and so forth.

23 We can provide this information for the
24 2010 district population, and I apologize we forgot to
25 print that for today, but we will get that to you.

1 So back to the criteria. We're on
2 Number 5. In the counties having non-VRA populations
3 which cannot support at least one or not having more than
4 one legislative district wholly within those county
5 lines, the Whole County Provisions are met if by
6 combining or grouping the minimum number of whole
7 contiguous counties necessary to comply with the at or
8 plus or minus 5 percent "one-person, one-vote" standard.

9 There's probably multiple phrases you've
10 used or heard to describe this. They're often
11 clustering, grouping, or pods. Those pod lines are not
12 to be traversed in -- those pods lines are not be crossed
13 or traversed in creating the single-member districts.

14 Sixth, only the smallest number of
15 counties necessary to comply with the at or plus or --
16 the at or within plus or minus 5 percent "one-person,
17 one-vote" standard shall be combined.

18 Seventh, communities of interest should
19 be considered in the formation of compact and contiguous
20 electoral districts.

21 Eight, multi-member districts shall not
22 be used in the formation of legislative districts unless
23 it is established that such districts are necessary to
24 advance a compelling governmental interest.

25 And lastly, legislative redistricting

1 plans shall depart from the strict compliance with the
2 legal requirements set forth in this opinion; only to the
3 extent necessary to comply with federal law.

4 It's not an easy process, but those are
5 the steps used to comply with the Stephenson opinions in
6 North Carolina House and North Carolina Senate districts

7 Now I'm going to turn you over to Shawn.

8 MR. PARKER: Good afternoon. My name is
9 Shawn Parker. I am a staff attorney and a normal person
10 in the Research Division of the General Assembly, and I
11 was asked to speak to you about gerrymandering.

12 Basically the term came into our lexicon
13 about 1812, when a political cartoon was drawn in
14 reference to a Massachusetts State Senate plan that was
15 signed into law by Governor Elbridge Gerry that had a
16 resemblance of a salamander, and it certainly benefitted
17 his allies and his party, and their -- a political satire
18 at the time put that in print, and we've had it since
19 then.

20 What is gerrymandering and why is it
21 important to you? Well, gerrymandering is really setting
22 electoral districts without using uniform geographic
23 standards. And it's important to you because an abuse of
24 this process could be deemed unconstitutional, and a
25 court will then invalidate the plan you have drawn.

1 I was asked to speak specifically about
2 two types of gerrymanders, one being racial
3 gerrymandering and the other being a political or
4 partisan gerrymandering. They have different standards
5 and they are applied slightly differently. I'll start
6 with the racial gerrymander.

7 Basically, racial gerrymandering is the
8 deliberate and arbitrary distortion of district
9 boundaries for racial purposes. Courts have had to
10 balance on competing constitutional guarantees that one
11 no state shall purposely discriminate against any
12 individual on the basis of race; and two, members of
13 minority groups shall be free from discrimination in
14 electoral process. Well, plans have been invalidated on
15 the grounds of racial gerrymandering. Court has also
16 held that all race-conscious redistricting is not per se
17 unconstitutional.

18 The 14th Amendment provides that state
19 legislation that distinguishes among citizens because of
20 their race shall be narrowly tailored to further a
21 compelling governmental interest. So a plaintiff
22 challenging a plan on racial gerrymandering grounds must
23 first have standing; and second, they must prove the plan
24 was racial gerrymander; and then third, once those are
25 set, the Court would then determine if the plan's

1 unconstitutional by balancing a strict scrutiny analysis.

2 I'll go very quickly through standing.

3 No doubt it's pretty well settled law. For a person to
4 get into the courtroom doors, they need to have standing,
5 and the circumstance, they must have suffered an injury
6 in fact that is of legally protected interest. There
7 must be concrete and particularized injury that's actual
8 or imminent. There must be a causal relationship between
9 that injury and the conduct that's being complained of.
10 And finally, it must be likely that the injury will be
11 redressed by a favorable court decision.

12 How it applies in redistricting, a
13 person bringing suit must live in the district that was
14 racially gerrymandered or at least present evidence that
15 he or she personally has been injured by the racial
16 classification.

17 And looking to proof, what a person may
18 prove -- well, first, in case of racial gerrymandering,
19 that they either can prove that there was an attempt to
20 discriminate, or that even without the attempt, there was
21 an effect of discrimination based on the claim that was
22 drawn.

23 What the person would then argue is that
24 other legitimate districting principles were subordinate
25 to use sub-race. And what are some other legitimate

1 redistricting principles? That would be compactness,
2 continuity, respect for local and political subdivisions
3 within a district. Communities of interest, keeping
4 those together. And incumbent protections, all those are
5 deemed legitimate principles. So what the person would
6 do is prove that race was moved above those in the plan.

7 And how they evidence that is first by
8 taking a look at the district shape and providing the
9 demographics within the district. Second, they would use
10 testimony and correspondence that directly would state
11 your legislative motives in the drawing, and then they
12 would look at the nature and the use of the drawing that
13 was available to the members.

14 If the person has standing, if they've
15 proven there was racial gerrymandering, then the courts
16 still would view whether or not this was unconstitutional
17 by using that strict scrutiny standard which is a
18 compelling government interest. The state must show that
19 it had a compelling government interest in that the law
20 was narrowly tailored to achieve that interest.

21 Very quickly, what has been viewed as a
22 compelling state interest, in plans that have not been
23 validated or survived the state challenge, the courts
24 have found that remedied past discrimination was a
25 compelling interest. Complying with Section 2 or

1 Section 5 of the Voting Rights Acts, those have been
2 deemed as compelling state interest.

3 To be narrowly tailored, that means that
4 once the state has met that interest, they should go no
5 further, what their actions may be, so if they have a
6 compelling state interest, they should go no further than
7 that to be meet their interest.

8 For the topic of political
9 gerrymandering, again, that would be the electoral
10 drawing of district lines in a manner that intentionally
11 discriminates against a political party. It's not as
12 easy to determine. One problem is that race is an
13 unusual quality, that people's political affiliation can
14 change over time, so that is something that the court has
15 to grapple with. And second, the courts do recognize
16 that politics is an inherent part while drawing
17 redistricting plans.

18 Politics can include protecting or
19 enhancing the position of a political party, interest
20 groups, incumbents, potential candidates, and these
21 things have been recognized as aims of redistricting. So
22 the question of the Court would be, how much is too much?

23 The North Carolina Supreme Court noted
24 in Stephenson I that the General Assembly may consider
25 partisan advantage and incumbency protection in the

1 application of its discretionary redistricting decisions,
2 but it must do so in conformity with the state
3 constitution.

4 There are also sometimes questions of
5 justiciability with these type of claims. In 1986, the
6 U.S. Supreme Court stated in Bandemer that the courts
7 will consider partisan gerrymandering challenges to
8 redistricting plans, but they didn't identify, for a lack
9 of a better word, a set criteria which to guide those
10 plans.

11 So what we have is that political
12 gerrymandering is not subject to the same strict scrutiny
13 standard. To make an equal protection claim under
14 political partisan gerrymandering, you would have to
15 prove both potential discrimination against the
16 identifiable political group and actual discriminatory
17 effect on that group. It's the extent of the showing
18 that's subject to numerous and divisive opinions.

19 In search of a workable standard in
20 determining it, the Supreme Court distinguished two
21 separate hurdles of challenges the plaintiff would have
22 to overcome. And first would be a reliable measure of
23 how much partisan dominance a plan achieves, and it would
24 not necessarily be looking at one single election. And,
25 two, a standard for how much dominance is too much.

1 There's a lot that did go out there that it would maybe
2 provide the next case that went before the Supreme Court
3 was either set some of these standards or at least four
4 the current seated justices may go back to say that this
5 wouldn't be a justiciable issue; that the Court could not
6 make that kind of determination.

7 This concludes my presentation.

8 Mr. Krehely has one.

9 MR. KREHELY: Thank you, Shawn. And
10 this is the last piece of our presentation and has to do
11 with legislative confidentiality of redistricting.

12 Members of the committee, you're
13 probably all aware of statutes dealing with legislative
14 confidentiality more generally. Generally speaking,
15 those statutes prevent legislators drafting requests
16 or --

17 SENATOR RUCHO: Excuse me, Mr. Krehely,
18 would you please identify yourself for the reporter.

19 MR. KREHELY: Sure, sure.

20 SENATOR RUCHO: Thank you, sir.

21 MR. KREHELY: I'm Brad Krehely, staff
22 attorney with the Research Division.

23 With respect to the legislative
24 confidentiality statutes, generally speaking, those
25 statutes prohibit legislative drafting requests and

1 information requests from being disclosed to any
2 nonlegislative employee without the legislator's consent.
3 After a legislator makes a bill draft public by
4 introducing it, the documents and all the information
5 that was used to develop the draft remain confidential.
6 Redistricting communications are different, and it's
7 important to note that.

8 General Statute 120-133 states:

9 "Notwithstanding any other provision of law, all drafting
10 and information requests to legislative employees and
11 documents prepared by legislative employees for
12 legislators concerning redistricting the North Carolina
13 General Assembly or Congressional Districts are no longer
14 confidential and become public when the act establishing
15 the relevant district plan becomes public."

16 So what that means is, once the General
17 Assembly enacts a House, Senate, or Congressional plan,
18 all drafting and information requests that the
19 legislative employee has becomes a public record.

20 Also, present and former legislative
21 employees may be required to provide information that the
22 legislative employee may have acquired in committee, on
23 the floor of either chamber, in any office of a
24 legislator, or anywhere else on the legislative
25 building -- or in the legislative building or on the

1 legislative grounds. This is information that's
2 generally confidential under 120-132. So the bottom line
3 here is that confidentially in the redistricting context
4 is -- is much different from otherwise.

5 A couple of final thoughts on
6 confidentiality. The statutes only address
7 communications between legislators and the staff. They
8 do not address communications for the legislator to
9 legislator. They do not address communications between
10 legislators and the public.

11 In 2002, the Attorney General's office
12 gave a couple advisory opinions on this subject. And the
13 first question had to do with redistricting plans created
14 by legislators themselves and whether or not they were
15 public records. The Attorney General's office issued an
16 opinion; they basically said that the statutes were
17 ambiguous, and it wasn't clear whether they were public
18 records or not.

19 The second was -- the second question
20 was communications between legislators and members of the
21 public. Well, according to the Attorney General's
22 office, those items are public records regardless of when
23 those communications occurred.

24 And then, finally, what about
25 communications between legislator to legislator, are

1 those public records? There again, the Attorney
2 General's office opined that the statutes are ambiguous
3 or not clear.

4 The final piece of the puzzle that I
5 want to just introduce is the concept of legislative
6 immunity. Legislative immunity can be asserted by
7 legislators so they cannot be required to testify as to
8 communications that are part of the deliberative process.
9 In federal court, legislative immunity extends to
10 individual legislators and their staffs.

11 Mr. Chairman, this concludes our staff's
12 remarks on redistricting guideline.

13 SENATOR RUCHO: Thank you, Mr. Krehely.

14 Any questions to this point? I know
15 we've got a lot of information before us, and we'll have
16 at least another opportunity to address that once you all
17 go home and read this tonight.

18 Ms. Churchill?

19 MS. CHURCHILL: One last piece for today.
20 is the ISD policies on redistricting. Information System
21 Divisions is part of the central staff of the General
22 Assembly, and they are here to support us in this effort.
23 They have set out some policies which is three stapled
24 pages together, that you should have. And to the back,
25 it may be four sheets.

1 Very briefly. For members and members'
2 staff, access to the redistricting technology, the
3 hardware and the software. The Information Systems
4 Division will be installing the redistricting
5 application, which is the software along with any
6 associated hardware, on the computers that have been
7 designated for that by the president pro tem and speaker.
8 ISD can provide technical assistance to anyone. ISD will
9 not be providing legal assistance. If would desire legal
10 assistance in this process, the research division is the
11 appropriate place to seek that. Any one of us that you
12 have seen today can try to assist you.

13 Additionally, there will be one members
14 room that is available for use by the members and the
15 members' staff. They ask that you sign up in advance.
16 It will be a four-hour block of time. They can help you
17 again with any of the technical applications of the
18 software.

19 Likewise, for the public, there will be
20 one public access terminal. Those, again, will need to
21 sign up in advance. It will be limited to three-hour
22 blocks of time. ISD asks that if you are going to import
23 a plan, that it be in the block key format. And that if
24 you want to save a plan for future use, that you bring a
25 flash or thumb drive to do that.

1 Confidentiality of the plans from the
2 ones created by the members, as Brad has just discussed,
3 those are confidential. It will be up to the member as
4 the custodian of their public record to maintain that.

5 For the public, those plans will be part
6 of the public record and will be submitted to the
7 U.S. Department of Justice. As part of your packet, you
8 actually have the sample of the public user
9 acknowledgment that ISD will be asking each member of the
10 public that comes in to use to sign.

11 Additionally, we have already talked
12 about the public comment on the web. That will be
13 maintained by ISD, and they will provide a report on a
14 regular basis to the chairs and all members of the
15 committee of input that is submitted on the web by the
16 public.

17 Additionally, they will be posting plans
18 to the web as the committee works through the legislative
19 process. The chairs have said that it will be the plans
20 adopted by the committee that will be posted to the web
21 in full form and format that Dan demonstrated earlier
22 today. And I believe that's it.

23 SENATOR RUCHO: Ms. Churchill, thank you
24 very much, you and the folks of the Research Committee,
25 the very first being you've done a great job for us.

1 As you can see, it's complicated but it
2 goes together piece by piece, and then we can come out
3 with something that we know we will be very proud of.

4 Just a couple of housekeeping points.
5 We are -- the committee is putting together a list of
6 contacts that each of you may offer, or members of the
7 Senate could offer, to the clerks, either the House or
8 Senate clerk, that these individuals or stakeholders or
9 interested parties from across the state would be
10 notified of these public hearings that you have in front
11 of you.

12 Those public hearings are -- you know,
13 we're trying to tie down the locations. I know there was
14 one request by Representative Angela Bryant that was
15 accepted, and we will try to accommodate any of the other
16 special requests that the committee members would like to
17 see, and even members of the Senate. So please let us
18 know as soon as possible to see how we can accommodate
19 your needs.

20 Just as a follow-up on ISD. If there
21 are any questions on the database or on how to work with
22 it, you can either contact the committee chairs and we'll
23 assist you, or specific questions to ISD, Mr. Frey and
24 then the ISD office.

25 We have a task before us. It's a

1 challenge, but the people of North Carolina are expecting
2 us to draw fair and legal districts, ones that they can
3 be proud of, as we should be proud of. We have an
4 opportunity to show them we can achieve that goal in a
5 timely manner, and I look forward to working with each
6 and every one of you to accomplish that goal.

7 With that being said, I will open up to
8 questions of the committee.

9 Senator McKissick.

10 SENATOR MCKISSICK: Yeah, two questions.
11 Early on, when we're going through the sign-up process
12 for the public hearings, there's some language there, and
13 I don't have a sheet before me right at this moment, but
14 it looked as if there was a -- perhaps a limitation of
15 about 24 people that could potentially sign up, that
16 would sign up in advance. And if I misread that or if
17 somebody could clarify.

18 SENATOR RUCHO: Ms. Churchill will
19 respond to your question.

20 SENATOR MCKISSICK: Thank you.

21 MS. CHURCHILL: For the public hearing
22 process, the chairs have limited the maximum time for
23 each speaker to five minutes. The public hearings will
24 be roughly three hours long each. By doing the math, I
25 believe that will put us at 36 speakers if everybody took

1 all their time. The chairs opted for doing online
2 sign-up in advance and for having some slots reserved for
3 anyone who wanted to show up in person to sign up or do
4 not have access to online sign-up. So that is why the
5 online sign-up is limited to 24 slots maximum for each
6 site.

7 SENATOR RUCHO: Did that answer that
8 question?

9 SENATOR McKISSICK: Thank you for that
10 clarification. Just one other quick question. Maybe you
11 can clarify this as well, Erika.

12 When you were going through the
13 confidentiality provisions when members might be drawing
14 districts, and I guess one person said it might be --
15 it's more ambiguous than the law was in terms of what's
16 public record document, and you seem to make it a little
17 clearer.

18 But what I understood was that if a
19 member was working on a particular set of districts or
20 districts -- a district or a set of districts, that that
21 was confidential until it was released to the public.
22 But could you provide some clarity so that I'm aware of
23 where that line begins and ends.

24 MS. CHURCHILL: Mr. Chair.

25 SENATOR RUCHO: Oh, excuse me. Yes,

1 ma'am. Please answer.

2 MS. CHURCHILL: I will try. I don't
3 promise that it is black and white clear one demarcation.

4 But in general, the legislative
5 confidentiality statutes say that we legislative
6 employees cannot share any drafting or information
7 request that you give to us unless you allow us to do
8 that. Once a bill draft is introduced or heard in
9 committee, it becomes a public record at that point. Any
10 of the information that is behind that, by statute, is
11 still not a public record.

12 For the purpose of redistricting of the
13 House, Senate, and Congress, the confidentiality statutes
14 specifically change that. They say that the drafting and
15 information request to the legislative employees and the
16 resulting documents become a public record upon enactment
17 of those plans.

18 Nothing changes during the process. So
19 if you are working on a plan that becomes a bill that is
20 introduced, that bill is introduced still as a public
21 record, but after -- but the background documents are not
22 a public record. Once that plan is enacted, if it was
23 the Senate plan, then the background documents if it was
24 through a legislative employee would become a public
25 record. At any juncture, the records that are in your

1 hands as a legislator, you are the custodian of those
2 records.

3 SENATOR McKISSICK: Follow up?

4 SENATOR RUCHO: Yes, sir.

5 SENATOR McKISSICK: So if I was working
6 on several district plans and have, say, a little disk
7 drive or whatever that was being used to download them,
8 those particular plans, unless they were put into a bill
9 and introduced, would not be public records. Or am I
10 confused or -- or am I misstating what you indicated?

11 SENATOR RUCHO: Ms. Churchill.

12 MS. CHURCHILL: I'm going to try.

13 If you're working on those plans by
14 yourself without any legislative employee -- and a
15 legislative employee is someone paid with state funds
16 that works for the legislature -- then I believe there
17 may be a chance that it would be -- have to be turned
18 over. I believe there may be a chance they would not
19 have to be turned over. Because that is what -- when
20 Brad legislative immunity, that is a common law principle
21 that is undecided and unclear.

22 If you were working with a legislative
23 employee in the development of those plans and it's a
24 drafting or information request, yes, I do believe the
25 parts that are in the hands of the legislative employee

1 will become a public record upon enactment of the
2 corresponding plan.

3 SENATOR McKISSICK: Thank you for
4 stirring up the cloud.

5 SENATOR RUCHO: Any more questions?

6 Members of the committee, any additional
7 questions?

8 What -- and, again, I apologize for
9 the -- not starting at 3 o'clock. Unfortunately, the
10 House had to take on an important issue. But we received
11 all the information, we're going to allow them to have
12 that same opportunity, and then we will discuss with the
13 Chairman Lewis as to our next effort.

14 As you can see, we do have a public
15 hearing coming up in Raleigh on the 13th, I believe. I
16 urge each of you to come there so you can have a little
17 experience, and you have the opportunity to go out and
18 represent this committee so that we'll have a chance to
19 be well prepared to handle those committees.

20 Now, committee clerks, what do they want
21 to do with these notebooks? Do we allow them to keep it
22 or --

23 MS. LONG: No. We'll pick those books
24 up.

25 SENATOR RUCHO: We'll preserve those for

1 you, and then they'll be available to you as you need
2 them.

3 Any additional questions, committee
4 members?

5 I thank you for your attention, and this
6 meeting is adjourned.

7 [WHEREUPON, THE JOINT REDISTRICTING MEETING
8 IS ADJOURNED AT 5:04 P.M.]

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1 STATE OF NORTH CAROLINA

2 COUNTY OF WAKE

3
4 C E R T I F I C A T E

5
6 I, Cathleen M. Clack, notary public/court reporter,
7 do hereby certify that this meeting was taken and
8 transcribed under my supervision; that any and all
9 witnesses were sworn or affirmed prior to their
10 testimony; and that the foregoing pages, inclusive,
11 constitute a true and accurate transcription of the
12 meeting.

13 I do further certify that the persons were present
14 as stated in the caption.

15 I do further certify that I am not of counsel for or
16 in the employment of either of the parties, nor am I
17 interested in the results.

18
19 This is the 13th day of April, 2011.

20
21
22 _____
23 Notary Public #20021920067
24
25

North Carolina General Assembly
Through Senate Committee on
Redistricting

Date: 04/04/2011
Time: 15:01
Page: 001 of 001
Leg. Day: H-039/S-039

2011-2012 Biennium

Bill	Introducer	Short Title	Latest Action	In Date	Out Date
S0453	Bob Rucho	CONGRESSIONAL DISTRICTS.	S Ref To Com On Redistricting	03-30-11	
454	Bob Rucho	NC HOUSE DISTRICTS.	S Ref To Com On Redistricting	03-30-11	
455	Bob Rucho	NC SENATE DISTRICTS.	S Ref To Com On Redistricting	03-30-11	

'\$' indicates the bill is an appropriation bill.

A bold line indicates the bill is an appropriation bill.

'*' indicates that the text of the original bill was changed by some action.

'=' indicates that the original bill is identical to another bill.

Redistricting is one of the most important issues we'll tackle this year. Our state's long history of litigation with redistricting means that we'll need the highest level of bipartisan cooperation to ensure we approve a new map of districts that are truly "fair and legal."

In this spirit of cooperation, I recently approached Redistricting Committee Chair Bob Rucho with a straightforward request before the drop-add deadline: add Senators Blue and Clodfelter to the Redistricting Committee membership.

Senators Clodfelter and Blue are the Senate's most seasoned members with regard to redistricting, both having experienced the legislative process and litigation. We felt as though the Redistricting Committee could benefit from their long experience and the people of North Carolina would be better served if their input was included.

Such a membership request is not unusual – it is typical. In past sessions, committee membership has changed frequently before being finalized. This year, on several other committees, Democrats requested similar changes that were honored. Furthermore, on the Redistricting Committee specifically, the majority party has historically allowed the minority party to determine their own membership and make changes before the process begins.

That's why I was disappointed when, just before the drop-add changes were announced, Sen. Rucho informed me that he would not accommodate our request.

In the spirit of compromise I again approached Sen. Rucho with a modified request: allow myself and Senator Dannelly to step down from the committee and be replaced by Senators Clodfelter and Blue. Yet again, Sen. Rucho said "no."

I felt it was necessary at this point to approach our President Pro Tempore, Senator Phil Berger, and request that he intervene. But Senator Berger later informed me that he was unable to intervene.

Sen. Martin Nesbitt
3-30-2011

Finally, just last week, I approached Sen. Rucho to again request that he agree to let myself and Sen. Dannelly step down from the Redistricting Committee in exchange for Sen. Blue and Clodfelter. Again, Sen. Rucho would not allow the change.

So we're left with a redistricting committee that doesn't include the two Senators in this body with the most experience with redistricting. I can only conclude that Senators Clodfelter and Blue were excluded because of their special knowledge and experience – I know of no other reason for excluding them.

Sen. Rucho reminds this chamber again and again about his desire to draw "fair and legal" districts through a "fair and open" redistricting process. But when you deny people with the most expertise and the most knowledge the opportunity to assist with redistricting, the only conclusion I can draw is that there is no intent to have a fair or open redistricting process.

I feel it necessary to describe this course of events for you today because I believe it necessary to document for the record the beginning of the redistricting process, especially since our experience to date has been far from the "fair and open" process that was promised to the public. I ask that my remarks be added to the journal.

*Submitted by Sen. Martin Nesbitt to Clerk, Helen Long,
3/30/2011 – Redistricting Committee Meeting.*

2011 Redistrictin lic Hearing Sites
Wednesday, March 30, 2011
Page 1 of 2

<u>Site</u>	<u>Date</u>	<u>Day of Week</u>	<u>Time</u>	<u>Place</u>	<u>Capacity</u>	<u>Confirmed</u>
Wake	April 13	Wednesday	3:00 pm	History Museum		y
				Nash Comm. College		y
				Piedmont Comm. College		y
Durham	April 20	Wednesday	7:00 pm	NC School of Science & Math		y
• Vance				Vance-Granville Comm. College		y
• Lee				Central Carolina Comm. College		y
Robeson	April 21	Thursday	7:00pm	UNC Pembroke		
• Cumberland				Fayetteville Tech. Comm. College		y
• Person				Piedmont Comm. College		y
Guilford	April 28	Thursday	7:00pm	Guilford Tech. Comm. College		y
• Forsyth				Forsyth Tech. Comm. College		y
• Rockingham				Rockingham Comm. College		y
Harnett	April 29	Friday	7:00pm	Site to be determined		
• Anson				South Piedmont Comm. College		y
• Randolph				Randolph Comm. College		y
Mecklenburg	April 30	Saturday	9:30am	Central Piedmont Comm. College		y
• Cabarrus				Site to be determined		
• Cleveland				Cleveland Comm. College		y
• Catawba				Catawba Valley Comm. College		y
Buncombe	April 30	Saturday	4:00pm	UNC Asheville		Y
• Watauga				Appalachian		y
• Jackson				Western Carolina		y

2011 Redistricting Public Hearing Sites
 Wednesday, March 30, 2011
 Page 2 of 2

New Hanover	May 5	Thursday	7:00pm	Cape Fear Comm. College		y
• Pender				Site to be determined		
• Brunswick				Brunswick Comm. College		y
Onslow	May 6	Friday	7:00pm	Coastal Carolina Comm. College		y
• Craven				Craven Comm. College		y
• Wayne				Wayne Comm. College		y
Pitt	May 7	Saturday	9:30am	Pitt Comm. College		y
• Wilson				Wilson Tech. Comm. College		y
• Beaufort				Beaufort Comm. College		y
• Edgecombe				Edgecombe Comm. College		y
Chowan	May 7	Saturday	4:00pm	Site to be determined		
• Pasquotank				College of the Albemarle		y
• Halifax				Halifax Comm. College		y
• Dare				Site to be determined		
Raleigh	May 9	Monday	4:00pm	643		

PUBLIC HEARING GUIDELINES

Redistricting Committees of the 2011 General Assembly

1. Speakers need to sign up on the "Speaker Sheet" in order to speak.
2. Speakers will have up to 5 minutes for presentation to the Committee.
3. Registration for speaking will begin:
 - a. **At the hearing site:** 1 hour prior to the convening of the hearing, and will close prior to the beginning of the hearing.
 - b. **On-line:** 5 days in advance of the hearing, up to 24 speakers, and will close 24 hours in advance of the hearing.
4. Speakers will be called according to the order of registration.
5. If a speaker is not present when called, the speaker will be skipped at that time. Time permitting at the end of all registered speakers, those skipped will be allowed to speak.
6. The presiding chair, at the chair's discretion, may change these guidelines.

For those unable to attend a public hearing, written comments may be submitted for inclusion in the record. To submit public comment, please:

- Visit the General Assembly web page at <http://www.ncleg.net/Redistricting> or
- Mail written comments to Redistricting, Attention Erika Churchill, 300 N. Salisbury St., Suite 545, Raleigh, NC 27603-5925



NORTH CAROLINA GENERAL ASSEMBLY

2011 Redistricting

ISD Policies 2011 Redistricting Operations

Member and Member Staff Support

1. ISD will install the redistricting application on the computers designated by the President Pro Tempore and the Speaker of the House.
2. ISD will provide technical training on the redistricting application.
3. ISD will provide technical support to members and member staff who have the redistricting application installed on their computers.
4. ISD staff does not provide plan design and legal advice to members and member staff; that assistance is provided by the Research Division.
5. ISD will provide one or more small redistricting workrooms that can be reserved by members and member staff.
 - a. An ISD staff member will be available to provide technical assistance in operating software and hardware.
 - b. Appointments must be scheduled in advance.
 - c. Rooms may be reserved for periods of up to four hours.
 - d. An individual may reserve only one time slot at a time. That appointment must be used or cancelled before another is scheduled.
 - e. ISD will maintain a reserve waiting list of members who want to reserve a time slot. If an appointment is cancelled, or a member fails to keep an appointment, ISD will notify the first member on that list of the availability.
6. Members and member staff will be responsible for generating their own maps, reports, and datasets. ISD will generate these materials only when users, due to limitations of software or hardware, cannot generate them.
7. Requests on behalf of members must come from members or legislative staff directly. They will otherwise be considered public access requests.

Support of Central Legislative Staff

1. ISD will provide hardware, software, training, and technical support to assigned central staff.
2. Central staff will be responsible for generating their own maps, reports, and datasets.
3. A plotter will be available where central staff can direct large format maps.
4. A color copier will be made available where central staff can copy maps.
5. The materials production role of ISD will be limited to specialized items that cannot be generated within the divisions due to software limitations.

Public Access

1. ISD will provide a public access room where the general public can build their own district plans.
2. Public access hours will be between 8:00 a.m. and 5:00 p.m. Monday through Friday.
3. An ISD staff member will be available to provide technical assistance in operating software and hardware only.
4. Appointments must be scheduled in advance.
5. Workstations may be reserved for periods of up to three hours.
6. An individual may reserve only one time slot at a time. That appointment must be used or cancelled before another is scheduled.
7. All plans created on the public access workstations will be considered public information. Any plans created on the workstations will be archived on legislative data network storage devices.
8. A color printer will be available in the public access room for users to produce hard copies of their plans and associated reports. Custom and large-format maps of publicly created plans will be treated like any other external map request to ISD, and copying costs apply.
9. A directory on the local machine will be provided for storage of district plans, reports, etc. Users are encouraged to bring a flash drive, so that upon completion of the session, the public user can save any plans created. Following a session, the local output directory will be purged in preparation for the next session. If a public user wishes to continue work on a plan created in an earlier session, it is the responsibility of the public user to bring any previously saved work to the session, as ISD will not be responsible for managing public user files.

Confidentiality of Plans

1. To get information on a non-public plan, individuals must contact either the plan author or a system user to which the author has granted access, to determine if that information may be released in accordance with Article 17 of Chapter 120 or other applicable law.
2. Plan authors may request materials from ISD that cannot be generated by the plan author due to hardware or software limitations. Such requests must be made in writing by the plan author (e-mail is acceptable).
3. Access to ISD printer areas and the legislative print shop is restricted to central legislative staff to ensure plan confidentiality.

Plan Imports

1. Plan files from external sources can be imported, provided they are submitted in a delimited text format, each line consisting of a block key followed by a district number. Block keys must be in the format *state-county-tract-block* (e.g. 370156501002100).
2. All media received from external sources will be subject to a virus scan. Detection of a virus will warrant rejection of the submitted item.



NORTH CAROLINA GENERAL ASSEMBLY

2011 Redistricting Public User Acknowledgement Form

NORTH CAROLINA GENERAL ASSEMBLY MAPPING AND REDISTRICTING INFORMATION SYSTEM PUBLIC USER ACKNOWLEDGEMENT

I understand that the North Carolina General Assembly's Mapping and Redistricting Information System constitutes a public depository of redistricting plans and data associated with them. I understand that any information I enter into this system, including alternative redistricting plans, reports, data inquiries, and maps are public records pursuant to Chapter 132 of the North Carolina General statutes. As such, they are not confidential records and may be inspected by anyone upon proper request to the North Carolina General Assembly, custodian of these records.

I acknowledge that I have been offered a copy of Chapter 132 of the North Carolina General Statutes concerning the public records laws of the State.

I also acknowledge that I understand it is my responsibility to make and keep a copy of any plans created by me if I desire to have that information for my further use.

Signature

Date

Printed Name:

Address:

Telephone Number:

Received by:



NORTH CAROLINA GENERAL ASSEMBLY

2011 Redistricting

Web Policies for 2011 Redistricting

Public Comment Input

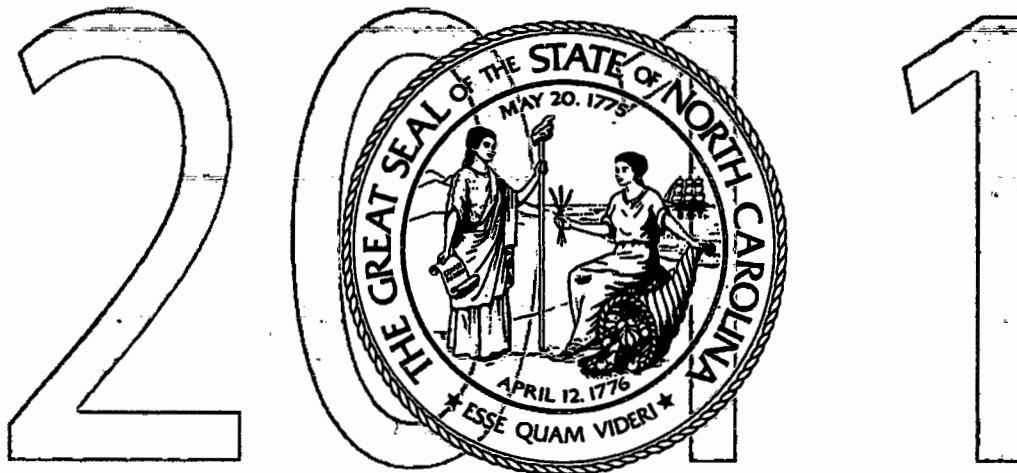
1. ISD will provide a comment form on the General Assembly's web site for the purpose of soliciting public input on the topic of redistricting.
2. At least weekly, ISD will provide a report to the chairs and members of the Redistricting Committee of each chamber, containing the comments submitted.

Posting of Plans on the Web Site

1. Posting of proposed district plans on the General Assembly's web site will be at the discretion of leadership and the redistricting committee chairs.
2. Proposed plans and the related statistical material heard in committee or on the floor will be posted within 24 hours once received by ISD. Subsequent materials will be posted as time permits. The posting of the material will be done as described in Item 1.
3. The General Assembly's web site will be the primary means of distribution for maps and statistics on statewide plans considered by a standing committee of the General Assembly.
4. Requests for additional information on these plans should be directed in writing to ISD (e-mail is acceptable).
5. Cost of reproduction fees will apply to materials generated for external clients.

LEGISLATOR'S GUIDE TO NORTH CAROLINA LEGISLATIVE AND CONGRESSIONAL REDISTRICTING

**2011 GENERAL ASSEMBLY
2011 REGULAR SESSION**



**RESEARCH DIVISION
N.C. GENERAL ASSEMBLY
MARCH 2011**

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PREFACE

Following each federal decennial census, the General Assembly of North Carolina engages in redistricting of congressional districts and legislative districts, as required by the U.S. and N.C. Constitutions. This Guide provides a brief introduction of legal principles related to redistricting law, as well as statistical information derived from the 2010 Census and information regarding the technology used in redistricting. This document is meant to be an overview of the process and the law surrounding that process and is not meant to be a comprehensive or exhaustive discussion of case law and interpretations thereof.

CONSTITUTIONAL PROVISIONS AUTHORIZING REDISTRICTING

United States Constitution

Article I, Section 2

Clause 3: Representatives . . . shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons . . . [and] three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the U.S., and within every subsequent Term of ten Years, in such Manner as they shall by Law direct.

Amendment XIV

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed.

North Carolina Constitution

Article II: Legislative

Sec. 2. Number of Senators.

The Senate shall be composed of 50 Senators, biennially chosen by ballot.

Sec. 3. Senate districts; apportionment of Senators.

The Senators shall be elected from districts. The General Assembly, at the first regular session convening after the return of every decennial census of population taken by order of Congress, shall revise the senate districts and the apportionment of Senators among those districts, subject to the following requirements:

- (1) Each Senator shall represent, as nearly as may be, an equal number of inhabitants, the number of inhabitants that each Senator represents being determined for this purpose by dividing the population of the district that he represents by the number of Senators apportioned to that district;
- (2) Each senate district shall at all times consist of contiguous territory;
- (3) No county shall be divided in the formation of a senate district;
- (4) 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.

Sec. 4. Number of Representatives.

The House of Representatives shall be composed of 120 Representatives, biennially chosen by ballot.

Sec. 5. Representative districts; apportionment of Representatives.

The Representatives shall be elected from districts. The General Assembly, at the first regular session convening after the return of every decennial census of population taken by order of Congress, shall revise the representative districts and the apportionment of Representatives among those districts, subject to the following requirements:

- (1) Each Representative shall represent, as nearly as may be, an equal number of inhabitants, the number of inhabitants that each Representative represents

being determined for this purpose by dividing the population of the district that he represents by the number of Representatives apportioned to that district;

- (2) Each representative district shall at all times consist of contiguous territory;
- (3) No county shall be divided in the formation of a representative district;
- (4) When established, the representative districts and the apportionment of Representatives shall remain unaltered until the return of another decennial census of population taken by order of Congress.

LEGAL REQUIREMENTS FOR REDISTRICTING

In North Carolina, a redistricting plan consists of legislation specifying the counties, census tracts, voting tabulation districts, or census blocks that comprise each district. A bill creating an official redistricting plan follows the same course through the General Assembly as any other legislation. House, Senate, and Congressional plans must be approved by the full General Assembly. However, a redistricting plan is not subject to gubernatorial veto if it is in a bill that contains no other matter. The maps and statistics generated during the redistricting process are not part of the legislation that enacts the plans, but can be used as tools to evaluate the plans.

I. POPULATION EQUALITY – ONE PERSON, ONE VOTE.

The U.S. Supreme Court has held that both congressional and legislative districts must have population equality among districts, often referred to as the principle of "one person, one vote." In the case of Wesberry v. Sanders, the U.S. Supreme Court held that the Article II requirements of the U.S. Constitution require equal population standards as near as practicable for congressional districts.

In Reynolds v. Sims, the U.S. Supreme Court held that the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution requires population equality in legislative districts. Article II, Sections 3 and 5 of the N.C. Constitution also requires that both houses of the North Carolina legislature must be redistricted according to population.

CALCULATION OF IDEAL POPULATION

To comply with the "one person, one vote" standard, an ideal population is established for each district by dividing the population by the number of districts.

Based on 2010 Census data, North Carolina is the 10th largest state in the nation, with a total population of 9,535,483. North Carolina has 13 congressional seats, 50 State Senators, and 120 State House Representatives. The average number of persons each Senator, Representative, and Congressional member represents is as follows:

	2001	2011
State Senator	160,986	190,710
State Representative	67,078	79,462
Congressional member	619,178	733,499

DEVIATION FROM THE IDEAL POPULATION

Some deviation from precisely equal districts is permitted, and it is important to understand the distinction between the allowable deviations for legislative districts and for congressional districts.

Congressional Districts: There is no safe overall range of deviation for congressional districts. In Karcher v. Daggett, the U.S. Supreme Court struck down a New Jersey congressional redistricting plan with an overall range of less than one percent. The tight

standard for congressional districts stems from strict judicial construction of the U.S. Constitution's congressional reapportionment clause.

In 2001, the General Assembly took the approach of a congressional redistricting plan with no population deviation amongst the 13 districts.

Legislative Districts: A series of rulings by the U.S. Supreme Court has established that an overall range of population deviation from the ideal population of less than ten percent will not be a prima facie violation of the Equal Protection Clause. This has been called into question by the case of Larios v. Cox. That case overturned a Georgia legislative redistricting plan which had an overall range of population deviation of less than ten percent, but systematically over and under populated districts for partisan reasons. The U.S. Supreme Court summarily affirmed the lower court ruling overturning the plan, but did not issue an opinion.

The N.C. Constitution has been interpreted to require a stricter standard, however. In 2002, the N.C. Supreme Court, in Stephenson v. Bartlett, required that no State House or State Senate district may have a census population that is 5 percent greater or 5 percent smaller than the ideal population for a House or Senate district.

Stephenson also held that the Equal Protection Clause of the N.C. Constitution (Article I, Sec. 19) requires, absent a compelling governmental interest, that all legislative districts be single-member districts.

II. THE VOTING RIGHTS ACT OF 1965.

The Voting Rights Act of 1965 (VRA) was enacted to ensure minorities that their right to vote, as guaranteed by the Fifteenth Amendment, would not be abridged by State and local governments through the use of literacy tests, poll taxes, and other discriminatory electoral devices. Two primary sections of the VRA – Section 2 and Section 5 – are applicable to redistricting and are discussed below.

SECTION 2 OF THE VRA OF 1965 (42 U.S.C. § 1973)

Section 2 of the VRA provides that "[n]o voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color[.]" While Section 2 does not establish a right to have members of a protected class elected in numbers equal to their proportion of the population, a violation does occur when, based on the totality of the circumstances, the election process is not equally open to participation by the members of a protected class, in that the members of the protected class have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. Section 2 of the VRA gives the U.S. Attorney General or private plaintiffs the right to sue if a state is diluting minority voting strength. Section 2 applies to all 50 states, as well as all counties and other political subdivisions within them.

In response to a 1980 U.S. Supreme Court decision requiring proof of intentional discrimination to establish a Section 2 violation, Congress amended the VRA in 1982 to clarify that if a redistricting plan, or other voting practice or qualification, has a discriminatory *effect* on minorities, regardless of intent, it violates Section 2.

ESTABLISHMENT OF A SECTION 2 VIOLATION

In the 1986 case of Thornburg v. Gingles, the U.S. Supreme Court established three threshold conditions that must be present to proceed on a Section 2 claim. The Gingles case arose from the N.C. General Assembly's 1982 House and Senate redistricting plans which created multi-member districts that included all or part of the counties of Northampton, Hertford, Gates, Bertie, Chowan, Washington, Martin, Halifax, Edgecombe, Mecklenburg, Cabarrus, Forsyth, Durham, Wake, Wilson, and Nash. The Gingles Court held that the following threshold conditions must be present:

1. The existence of a politically cohesive minority group
2. that is sufficiently large and geographically compact to constitute a majority in a single-member district
3. and whose preferred candidate is usually defeated by the white majority voting as a bloc.

In 2009, the U.S. Supreme Court clarified the first of these threshold conditions in another case originating in North Carolina, Bartlett v. Strickland. In a plurality opinion, Strickland held that the voting age minority population of the potential election district must be fifty percent or more of the voting age population to establish a Section 2 claim under the Gingles test. The U.S. Supreme Court also held that Section 2 of the VRA does not mandate crossover districts. An effective minority crossover district is one in which the minority population makes up less than a majority of the voting age population, but is at least potentially large enough to elect the candidate of its choice with help from voters who are members of the majority, and who cross over to support the minority's preferred candidate.

Once all three threshold conditions are met, Gingles requires that the "totality of the circumstances" be reviewed to determine if a Section 2 violation has occurred. Gingles incorporated the objective factors noted in the legislative history of Section 2 for consideration:

- "1. the extent of any history of official discrimination in the state or political subdivision that touched the right of the members of the minority group to register, to vote, or otherwise to participate in the democratic process;
2. the extent to which voting in the elections of the state or political subdivision is racially polarized;
3. the extent to which the state or political subdivision has used unusually large election districts, majority vote requirements, anti-single shot provisions, or other voting practices or procedures that may enhance the opportunity for discrimination against the minority group;
4. if there is a candidate slating process, whether the members of the minority group have been denied access to that process;
5. the extent to which members of the minority group in the state or political subdivision bear the effects of discrimination in such areas as education, employment and health, which hinder their ability to participate effectively in the political process;

6. whether political campaigns have been characterized by overt or subtle racial appeals;

7. the extent to which members of the minority group have been elected to public office in the jurisdiction.

Additional factors that in some cases have had probative value as part of plaintiffs' evidence to establish a violation are:

whether there is a significant lack of responsiveness on the part of elected officials to the particularized needs of the members of the minority group.

whether the policy underlying the state or political subdivision's use of such voting qualification, prerequisite to voting, or standard, practice or procedure is tenuous."

Gingles, 478 U.S. 30, 36-37. The Court in Gingles determined that the threshold conditions were met and that, under the totality of the circumstances, the multi-member districts violated Section 2, requiring that majority-black single-member districts be created.

SECTION 5 OF THE VRA OF 1965 (42 U.S.C. 1973c)

Section 5 of the VRA singles out certain States, counties, and other political subdivisions and provides that every change affecting voting in those jurisdictions must receive federal "preclearance" before it can be put into effect. In 2006, Congress renewed the provisions of Section 5 of the VRA through 2032.

In North Carolina, the following 40 counties are subject to Section 5 of the VRA.

40 NORTH CAROLINA COUNTIES SUBJECT TO SECTION 5 OF THE VRA				
Anson	Craven	Guilford	Martin	Robeson
Beaufort	Cumberland	Halifax	Nash	Rockingham
Bertie	Edgecombe	Harnett	Northampton	Scotland
Bladen	Franklin	Hertford	Onslow	Union
Camden	Gaston	Hoke	Pasquotank	Vance
Caswell	Gates	Jackson	Perquimans	Washington
Chowan	Granville	Lee	Person	Wayne
Cleveland	Greene	Lenoir	Pitt	Wilson

A new law that affects elections in one of those counties, such as a redistricting bill, must be submitted for preclearance. Approval may be obtained in either of two ways: (i) administrative preclearance of the plans by the U.S. Department of Justice or (ii) a declaratory judgment by the federal 3-judge District Court in the District of Columbia.

Complying with Section 5 involves showing that:

1. There was no purpose or intent to discriminate.
2. The effect of the change is not to put minority voters in a worse position than prior law, that is, that the change does not result in "retrogression" for minority voters.

As part of the 2006 renewal of Section 5, Congress enacted changes to the language of Section 5 in response to decisions interpreting that section by the U.S. Supreme Court. Congress made clear that broad intent to discriminate was grounds for denial of preclearance under Section 5 in response to the U.S. Supreme Court decision in Reno v. Bossier Parish School Board II. Reno had held that discriminatory purpose only encompassed intent to cause retrogression and not to discriminate generally.

In response to the U.S. Supreme Court opinion in Georgia v. Ashcroft, Congress clarified that Section 5 was intended to preserve minority voters' ability to elect candidates of their choice, not merely to influence elections.

"RETROGRESSION" AND PROVING ITS ABSENCE

The U.S. Supreme Court made clear in 1976 that a change affecting voting could not be precleared under Section 5 if it led to "a retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise." Beer v. United States, 425 U.S. 130, 141. The U.S. Justice Department has stated that in redistricting, the plan against which the change is measured to determine retrogression (the "benchmark plan") is the "last legally enforceable redistricting plan in force" in the jurisdiction.

III. STEPHENSON V. BARTLETT AND LEGISLATIVE REDISTRICTING.

The 2002 Stephenson v. Bartlett decision by the N.C. Supreme Court established new requirements for legislative redistricting in North Carolina.

In Stephenson, the N.C. Supreme Court held that the Whole County Provision (Article II, Sections 2 and 4) should be harmonized not only with the VRA and the federal decisions of "one person, one vote," but also with other requirements of the N.C. Constitution. The Court also held that the Equal Protection Clause of the N.C. Constitution required, absent a compelling governmental interest otherwise, that all legislative districts be single-member districts. The Court in Stephenson did not specify what compelling governmental interest would justify drawing multi-member districts.

Stephenson then set forth a set of directions for drawing a House or Senate redistricting plan, which the Court reaffirmed in its second Stephenson opinion in 2003 as follows:

"[1.] ... [T]o ensure full compliance with federal law, legislative districts required by the VRA shall be formed prior to creation of non-VRA districts.... In the formation of VRA districts within the revised redistricting plans on remand, we likewise direct the trial court to ensure that VRA districts are formed consistent with federal law and in a manner having no retrogressive effect upon minority voters. *To the maximum extent practicable, such VRA districts shall also comply with the legal requirements of the WCP, as herein established*

[2.] In forming new legislative districts, any deviation from the ideal population for a legislative district shall be at or within plus or minus five percent for purposes of compliance with federal "one-person, one-vote" requirements.

[3.] In counties having a 2000 census population sufficient to support the formation of one non-VRA legislative district ..., the WCP requires that the

physical boundaries of any such non-VRA legislative district not cross or traverse the exterior geographic line of any such county.

[4.] When two or more non-VRA legislative districts may be created within a single county, ... single-member non-VRA districts shall be formed within said county. *Such non-VRA districts shall be compact and shall not traverse the exterior geo-graphic boundary of any such county.*

[5.] In counties having a non-VRA population pool which cannot support at least one legislative district ... or, alternatively, counties having a non-VRA population pool which, if divided into districts, would not comply with the ... "one-person, one-vote" standard, the requirements of the WCP are met by combining or grouping the *minimum number of whole, contiguous counties necessary to comply with the at or within plus or minus five percent "one-person, one-vote" standard. Within any such contiguous multi-county grouping, compact districts shall be formed, consistent with the at or within plus or minus five percent standard, whose boundary lines do not cross or traverse the "exterior" line of the multi-county grouping;* provided, however, that the resulting interior county lines created by any such groupings may be crossed or traversed in the creation of districts within said multi-county grouping but only to the extent necessary to comply with the at or within plus or minus five percent "one-person, one-vote" standard.

[6.] The intent underlying the WCP must be en-forced to the maximum extent possible; thus, *only the smallest number of counties necessary to comply with the at or within plus or minus five percent "one-person, one-vote" standard shall be combined[.]*

[7.] ... *[C]ommunities of interest should be considered in the formation of compact and contiguous electoral districts.*

[8.] ... *[M]ulti-member districts shall not be used in the formation of legislative districts unless it is established that such districts are necessary to advance a compelling governmental interest.*

[9.] Finally, we direct that any new redistricting plans, including any proposed on remand in this case, *shall depart from strict compliance with the legal requirements set forth herein only to the extent necessary to comply with federal law."*

Stephenson II, 357 N.C. 301, 305-07 (citing Stephenson I, 355 N.C. at 383-84 (emphasis in original)).

In Stephenson II, the NC Supreme Court affirmed the mixed findings of fact and conclusions of law by the trial court in the review of plans enacted by the General Assembly in 2002 following Stephenson I. The Court concluded "that the evidence support[ed] the trial court's findings of fact, which establish[ed] numerous instances where the 2002 revised redistricting plans [were] constitutionally deficient." Stephenson II, 357 N.C.301, 314. "These findings includ[ed] excessive division of counties; deficiencies in county groupings; and substantial failures in compactness, contiguity, and communities of interest." Stephenson II, 357 N.C. 301, 309.

In Pender v. Bartlett, the N.C. Supreme Court again affirmed its holding that non-VRA legislative districts must comply with the Whole County Provision. Pender considered an effective minority crossover district drawn as part to the 2003 House redistricting plan. The district violated the N.C. Constitution's Whole County Provision to comply with Section 2 of the

VRA. Pender held that the proper statistic for deciding whether a minority group could meet the first Gingles precondition was "voting age population as refined by citizenship." Pender, 361 N.C. 491, 501 (2007). The N.C. Supreme Court held that Section 2 did not require the drawing of effective minority crossover districts and required the challenged districts to be redrawn to comply with the Whole County Provision. Pender v. Bartlett was affirmed by the U.S. Supreme Court in Bartlett v. Strickland, discussed previously in Part II: THE VOTING RIGHTS ACT OF 1965.

The charts below of the currently available 2010 census data are useful in determining the application of the Stephenson II requirements based on population.

House Plan				Senate Plan				
Members	5% Variance Under	Ideal Population	5% Variance Over	Members	5% Variance Under	Ideal Population	5% Variance Over	Members
1	75,489	79,462	83,435	1	181,174	190,710	200,245	1
2	150,978	158,925	166,871	2	362,348	381,419	400,490	2
3	226,468	238,387	250,306	3	543,523	572,129	600,735	3
4	301,957	317,849	333,742	4	724,697	762,839	800,981	4
5	377,446	397,312	417,177	5	905,871	953,548	1,001,226	5
6	452,935	476,774	500,613	6	1,087,045	1,144,258	1,201,471	6
7	528,425	556,237	584,048	7	1,268,219	1,334,968	1,401,716	7
8	603,914	635,699	667,484	8	1,449,393	1,525,677	1,601,961	8
9	679,403	715,161	750,919	9	1,630,568	1,716,387	1,802,206	9
10	754,892	794,624	834,355	10	1,811,742	1,907,097	2,002,451	10
11	830,382	874,086	917,790	11	1,992,916	2,097,806	2,202,697	11
12	905,871	953,548	1,001,226	12	2,174,090	2,288,516	2,402,942	12

IV. RESTRICTIONS ON REDISTRICTING: RACIAL AND POLITICAL GERRYMANDERING

RACIAL GERRYMANDERING (THE SHAW DOCTRINE).

In Shaw v. Reno, the U.S. Supreme Court recognized a new doctrine that "racial gerrymandering" to create majority-minority districts was actionable, stating, "A redistricting plan that is so bizarre on its face that it is unexplainable on grounds other than race demands the same strict scrutiny under the Equal Protection Clause given to other state laws that classify citizens by race." Shaw, 509 U.S. 630, 644. The U.S. Supreme Court also stated in the same case that it had not held that "race-conscious state decision making is impermissible in all circumstances, however." Shaw, 509 U.S. 630, 642. Shaw held that a plan drawn using race as the predominant consideration will be held to have violated the Equal Protection Clause, unless the state can show that the plan was narrowly tailored to accomplish a compelling state interest.

In Shaw v. Hunt, the U.S. Supreme Court concluded that the Equal Protection Clause is violated when race is the predominant consideration in drawing district lines and the legislature subordinates "traditional districting principles" to race in order to create minority districts without a compelling state interest.

In determining whether race was the predominant consideration, the U.S. Supreme Court, in Miller v. Johnson, stated:

"The courts, in assessing the sufficiency of a challenge to a districting plan, must be sensitive to the complex interplay of forces that enter a legislature's redistricting calculus. Redistricting legislatures will, for example, almost always be aware of racial demographics; but it does not follow that race predominates in the redistricting process. The distinction between being aware of racial considerations and being motivated by them may be difficult to make. This evidentiary difficulty, together with the sensitive nature of redistricting and the presumption of good faith that must be accorded legislative enactments, requires courts to exercise extraordinary caution in adjudicating claims that a state has drawn district lines on the basis of race. The plaintiff's burden is to show, either through circumstantial evidence of a district's shape and demographics or more direct evidence going to legislative purpose, that race was the predominant factor motivating the legislature's decision to place a significant number of voters within or without a particular district. To make this showing, a plaintiff must prove that the legislature subordinated traditional race-neutral districting principles, including but not limited to compactness, contiguity, respect for political subdivisions or communities defined by actual shared interests, to racial considerations. Where these or other race-neutral considerations are the basis for redistricting legislation, and are not subordinated to race, a state can defeat a claim that a district has been gerrymandered on racial lines."

Miller, 515 U.S. 900, 915-916 (internal citations omitted).

In Easley v. Cromartie, the U.S. Supreme Court considered the evidence needed to establish a racial gerrymander when race and political affiliation are highly correlated.

"In a case such as this one where majority-minority districts (or the approximate equivalent) are at issue and where racial identification correlates highly with political affiliation, the party attacking the legislatively drawn boundaries must show at the least that the legislature could have achieved its legitimate political objectives in alternative ways that are comparably consistent with traditional districting principles. That party must also show that those districting alternatives would have brought about significantly greater racial balance."

Easley, 532 U.S. 234, 258.

POLITICS AND REDISTRICTING

Politics has traditionally played a role in redistricting. Politics includes protecting or enhancing the position of a political party, an interest group, an incumbent, or a potential candidate. All those things have been recognized as valid aims of redistricting. The U.S. Supreme Court has said that partisan gerrymanders are allowable unless they "consistently degrade a voter's or a group of voters' influence on the political process as a whole." Davis v. Bandemer, 478 U.S. 109, 132 (1986). The N.C. Supreme Court noted the role of politics in Stephenson I, stating that the "General Assembly may consider partisan advantage and incumbency protection in the application of its discretionary redistricting decisions, but it must do so in conformity with the State Constitution." Stephenson I, 355 N.C. 354, 371. No party is constitutionally entitled

to representation proportional to the number of its supporters in the population. The protection of incumbents has been recognized as a valid aim of redistricting.

POLITICAL GERRYMANDERING

However, in 1986, the U.S. Supreme Court stated in Bandemer that courts will consider partisan gerrymandering challenges to redistricting plans. Partisan gerrymandering, unlike racial gerrymandering, is not subject to strict scrutiny. Instead, the Bandemer decision requires proof of both *intentional discrimination* and an *actual discriminatory effect*.

Despite holding that partisan gerrymandering claims are justiciable, the U.S. Supreme Court has yet to overturn a redistricting plan solely for discriminating against political parties. In the past decade, the U.S. Supreme Court has considered two additional political gerrymandering cases, but has yet to articulate a standard for adjudicating these claims. In the 2004 case of Vieth v. Jubelirer, the Court dismissed the political gerrymandering claim raised in that case and found no existing manageable standards for measuring whether a political gerrymander burdens the representational rights of a party's voters. In the 2006 case of League of United Latin American Citizens v. Perry, the Court again considered a political gerrymander claim, holding that a state legislature's mid-decade redrawing of a plan drawn by a federal court did not violate the Equal Protection Clause as a partisan gerrymander, even if the legislature's primary purpose was partisan advancement.

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LEGISLATIVE CONFIDENTIALITY

Most legislators are aware of the legislative confidentiality statutes. These statutes protect legislators' drafting requests and information requests from being disclosed to any non-legislative employee without the consent of the requesting legislator. After a legislator makes a bill draft public by introducing it, the documents and information used to develop that draft remain confidential.

Requests relating to redistricting are treated differently. Under G.S. 120-133, all drafting and information requests to legislative employees about redistricting and all documents prepared by a legislative employee about redistricting are confidential only until the redistricting plan is enacted. Once the General Assembly enacts a House, Senate, or congressional redistricting plan, all written drafting and information requests in the possession of legislative employees regarding that plan become a public record. Additionally, all oral communications are no longer confidential after the plan is enacted. Present and former legislative employees may be required to provide information that the legislative employee may have acquired in committee, on the floor of either chamber, in any office of a legislator, or at any other location of the State legislative buildings and grounds. For other, non-redistricting matters, the equivalent information is generally protected from disclosure by G.S. 120-132.

The statutes on confidentiality concern communications between legislators and legislative employees and what constitutes a public record. Those statutes do not concern communications among legislators or between legislators and the public. For legislative plans personally created by legislators, the Attorney General's Office issued an opinion in 2002 contending that G.S. 120-130, G.S. 120-131, and G.S. 120-133 were ambiguous regarding whether redistricting plans prepared by legislators are public records. Similarly, a 2002 Attorney General's Opinion found that written and electronic communications between a legislator and members of the public about redistricting are generally public records, regardless of when those communications occur. The Attorney General's Opinion found the statutes ambiguous as to whether communications solely among legislators would be public records. Legislative immunity is a personal immunity which can be asserted by legislators so that they cannot be required to testify regarding communications with other legislators which are part of the "deliberative process." In federal court, legislative immunity extends to individual legislators and their staff for activities comprising the deliberative process.

REDISTRICTING TECHNOLOGY

The General Assembly and its administrative branch, the Legislative Services Office (LSO), maintain a functioning redistricting system throughout the decade. Though the technology in use has changed over the years, the redistricting system generally consists of four main components: 1) redistricting software, 2) geographic and numeric base data, 3) hardware for computing and printing, and 4) district plans. The system provides the legislators and legislative employees of the General Assembly, as well as the public, with information about the 2010 Census, voter registration, and voting patterns by integrating four types of data:

1. Geographic data. These are based on the Census Bureau's TIGER (Topographically Integrated Geographic Encoding and Referencing system) files. TIGER divides all the land in the U.S. into several nesting hierarchies of geography. The primary hierarchy of interest for redistricting is: county, voting tabulation district, and census block. TIGER also describes a wide variety of other geographic features including cities, townships, roads, rail lines, rivers, and lakes.
2. Census population data. The first dataset released following each decennial census is the P.L. 94-171 data (or just "P.L. data"), named after the Act of Congress that mandated it. It contains population counts for every unit of census geography, down to the lowest level in the hierarchy. Counts are divided into two groups: total population and voting age population. Each of these groups is subsequently broken down by race and ethnicity. ("Ethnicity" in census terminology means whether or not a person self-identifies as Hispanic/Latino.)
3. Voter registration data. This data has its origin in the statewide voter registration system, or SEIMS, which is administered by the State Board of Elections. The voter registration data currently in the system is based on a snapshot of SEIMS which contains voters eligible to vote in the 2010 general election. The data include party affiliation, race, ethnicity, gender, and age information.
4. Election returns data. Contest results also come from the State Board of Elections.¹

The redistricting system allows users to display any section of North Carolina on a computer screen. For example, a user can view all of Wake County on the screen or zoom in to view the census block in which the State Legislative Building sits (see following map). The system allows the user to view various levels of census geography (census tracts, block groups, and blocks) and political geography (counties, townships, cities, and voting tabulation districts).

¹ Several qualifiers should be stated about the system's numeric data:

- Legislation enacted in 2001 required counties to report absentee votes by precinct by 2006. Before 2006, county boards of elections were not required to report all votes at the precinct level. Each county has a county-wide "absentee/provisional" category. Even after 2006, some votes are still reported county-wide under a 'secrecy of the ballot' exception. Since inclusion of these figures would tend to homogenize the precinct-level results, they were excluded from the database.
- Since the smallest common geographic denominator in the redistricting system is the census block, all numeric data must be resolved to that level. Elections and registration data are available only down to the voting tabulation district (VTD) level. In order to get them down to the block level, they must be disaggregated based on a value common to both the VTD and block levels. The best available item is voting age population (VAP) from the Census. A ratio is constructed based on block VAP/VTD VAP.
- In 2002, the boards of elections added several new categories to the voter registration forms. Race categories of Asian and multi-race were added. An ethnicity choice of Hispanic or non-Hispanic was also added. Note that since only new registrants are presented with these choices, percentages in these particular categories are presumably well below the actual values.

The ability to view and work with these different levels is particularly important in drawing district lines within counties. The software also calculates selected summary information such as total population, minority population, and deviation from the ideal district size for each district. The system is able to calculate these statistics immediately as the boundaries of each district are created or altered.

Mc Dowell	Block 1007	Block 1006	Block 1016 North	
			Block 1023 Lane	
	Block 1026	Block 1025	Block 1024	Block 1043
	Block 1039	Block 1040	Jones	
			Block 1041	Block 1042
	Block 1056	Block 1055	Block 1054	Block 1053

CENSUS REDISTRICTING DATA PROGRAM

For the 1990 Census, the General Assembly mandated that any county over 50,000 in population must participate in the Census Redistricting Data Program and offered smaller counties the opportunity to do so. In the end, 48 counties participated, altering their precinct boundaries where necessary so that they followed 1990 Census block boundaries and reporting all those precinct lines to the General Assembly. In addition, the General Assembly added as best it could the precinct boundaries of 21 other counties to its redistricting database, in some cases splitting Census blocks and doing informal housing counts to provide population data. The Census-based redistricting software used by the General Assembly in 1991 provided precinct data for 69 counties. For the other 31 counties, the database showed townships. Townships are often, but not always, the basis for precincts.

For the 2000 Census, the General Assembly required that all 100 counties participate in the Census Redistricting Data Program. As a result, the 2000 TIGER files included precincts for all 100 counties. Using that information as a starting point, and with the assistance of legislated precinct change guidelines, the LSO subsequently tracked all precinct changes in the State based on 2000 census block groupings. The precincts depicted in the 2001 and 2003 redistricting databases were current statewide, with few exceptions.

To more easily compare voting behavior across multiple election cycles, it was in the General Assembly's interest to minimize changes in precinct geography. The county boards of

elections therefore faced fairly restrictive precinct changes rules through most of the past decade. This sometimes caused difficulties for local elections administrators. In 2008, the General Assembly created a new stable unit of elections geography called the Voting Tabulation District, or VTD. The VTDs are simply the voter precincts as they existed on January 1st, 2008. Starting in 2008, county boards of elections were required to report all votes cast by VTD within 60 days after an election. As long as they can demonstrate their ability to report results by VTD, they are now free to modify their precincts as needed, within guidelines set forth by the State Board of Elections. As of January 1st, 2008, the LSO was no longer charged with reviewing or tracking new precinct changes in the state.

VTD COVERAGE FOR 2011

When a person sits down at a computer terminal to draw a redistricting plan using the General Assembly's redistricting software, that person will have access to the boundaries, population breakdowns, voter registration breakdowns, and returns in certain key elections for VTDs in every county in the State. This is the result of a decade of work by the LSO, the State Board of Elections, and the 100 county boards of elections.

Though the accuracy of Census geography in general has greatly improved over the span of the last decade, it is important to note that, like the Census itself, the geography in the General Assembly's redistricting system is not perfect. The VTD boundaries are comprised of over 137,000 individual census boundary segments. Many of those segments represent invisible features such as township lines and current and superseded municipal boundaries. Definitive boundary location source materials are often scarce, and the Census Bureau compiles its geography from multiple, sometimes contradictory, sources.

The State participated in the Census Bureau's 2010 Voting District Project so the State's VTDs could be incorporated with the 2010 census geography. The ultimate goal was to have VTDs consisting entirely of combinations of 2010 census tabulation blocks. That way, population data for the VTDs can be based strictly on the 2010 Census. The Voting District Project required the LSO, the State Board of Elections, and the county boards of elections to carefully review, update, and correct all census depictions of VTD geography in the State. The LSO was charged with reviewing all county-based VTD submissions by the State Board of Elections to ensure that they matched the official VTD geography on record, as maintained since the Voting District Project of ten years prior. Where discrepancies were found, LSO staff worked directly with State Board of Elections staff to remedy those issues. Where agreement could not be reached, the LSO documented the issues in its official opinion letter to the director of the State Board of Elections. In many cases, discrepancies were due to minor boundary moves from invisible to physical features to facilitate accurate elections administration. In other cases, adjustments were made to avoid re-assigning voters. In this later case, the resulting VTDs better match past elections and registration data, as they reflect how voters have actually been assigned for some time.

2010 CENSUS AND REDISTRICTING

The 2010 federal decennial Census provides the population data to be used in the redistricting of legislative and congressional districts in North Carolina. Congress requires the U.S. Census Bureau to deliver the data to all states no later than April 1, 2011, to help each state meet its constitutional or statutory redistricting deadline. The Census Bureau has developed a 4-tiered schedule for delivery of the census data to the states. North Carolina falls in the second tier (second highest priority) primarily because of North Carolina's partial coverage under Section 5 of the Voting Rights Act (VRA).

ARRIVAL OF OFFICIAL CENSUS DATA

Census data for North Carolina down to the block level arrived on March 2, 2011. It was estimated that an additional period of several weeks might be needed to load and merge the population data with other relevant redistricting data in the computer system. The computer operations are discussed in more detail in the Redistricting Technology section.

According to the Census Bureau's unadjusted data, North Carolina's residential population has grown since 2000 by 18.5% to 9,535,483. Each of the 13 congressional districts now has an ideal population of 733,499 people. Each single member Senate district will now have an ideal population of 190,710, and each single member House district will have an ideal population of 79,462.

PERSONS COUNTED IN THE CENSUS

The Census counts everyone at his or her "usual place of residence" as of April 1, 2010 ("Census Day"). The following is a list, taken from the Census Bureau's 2010 data documentation, of certain types of special populations and where they are counted:

People Away From Their Usual Residence on Census Day - Counted at the residence where they live and sleep most of the time.

Visitors on Census Day

- **Visitors on Census Day who will return to their usual residence** - Counted at the residence where they live and sleep most of the time.
- **Citizens of foreign countries who are visiting the U.S. on Census Day** - Not counted in the census.

People Who Live In More than One Place

- **People living away most of the time while working** - Counted at the residence where they live and sleep most of the time. If there is no residence where they live and sleep most of the time, they are counted where they live and sleep more than anywhere else. If time is equally divided, or if usual residence cannot be determined, they are counted at the residence where they are staying on Census Day.
- **People who live at two or more residences** - Counted at the residence where they live and sleep most of the time. If there is no residence where they live and sleep most of the time, they are counted where they live and sleep more than anywhere else. If time is equally divided, or if usual residence cannot be determined, they are counted at the residence where they are staying on Census Day.

- **Children in shared custody or other arrangements who live at more than one residence** - Counted at the residence where they live and sleep most of the time. If time is equally divided, they are counted at the residence where they are staying on Census Day.

People without a Usual Residence

- **People who cannot determine a usual residence** - Counted where they are staying on Census Day.
- **People at soup kitchens and regularly scheduled mobile food vans** - Counted at the residence where they live and sleep most of the time. If they do not have a place they live and sleep most of the time, they are counted at the soup kitchen or mobile food van location where they are on Census Day.
- **People at targeted non-sheltered outdoor locations** - Counted at the outdoor location where people experiencing homelessness stay without paying.

Students

- **Boarding school students living away from their parental home while attending boarding school below the college level, including Bureau of Indian Affairs boarding schools** - Counted at their parental home rather than at the boarding school.
- **College students living at their parental home while attending college** - Counted at their parental home.
- **College students living away from their parental home while attending college in the U.S.** - Counted at the on-campus or off-campus residence where they live and sleep most of the time.
- **College students living away from their parental home while attending college in the U.S. but staying at their parental home while on break or vacation** - Counted at the on-campus or off-campus residence where they live and sleep most of the time.
- **U.S. college students living outside the U.S. while attending college outside the U.S.** - Not counted in the census.
- **Foreign students living in the U.S. while attending college in the U.S.** - Counted at the on-campus or off-campus residence where they live and sleep most of the time.

Movers on Census Day

- **People who move into a residence on Census Day who have not been listed on a questionnaire for any residence** - Counted at the residence they move into on Census Day.
- **People who move out of a residence on Census Day and have not moved into a new residence on Census Day and who have not been listed on a questionnaire for any residence** - Counted at the residence from which they moved.
- **People who move out of a residence or move into a residence on Census Day who have already been listed on a questionnaire for any residence** - If they have already been listed on one questionnaire, do not list them on any other questionnaire.

People Who Are Born or Die on Census Day

- **Babies born on or before 11:59:59 p.m. on Census Day** - Counted at the residence where they will live and sleep most of the time, even if they are still in the hospital on April 1, 2010 (Census Day).
- **Babies born after 11:59:59 p.m. on Census Day** - Not counted in the census.
- **People who die before Census Day** - Not counted in the census.
- **People who die on Census Day** - Counted in the census if they are alive at any time on April 1, 2010.

Nonrelatives of the Householder

- **Roomers or boarders** - Counted at the residence where they live and sleep most of the time.
- **Housemates or roommates** - Counted at the residence where they live and sleep most of the time.
- **Unmarried partners** - Counted at the residence where they live and sleep most of the time.
- **Foster children or foster adults** - Counted at the residence where they live and sleep most of the time.
- **Live-in employees** - Counted at the residence where they live and sleep most of the time.

U.S. Military Personnel

- **U.S. military personnel living in military barracks in the U.S.** - Counted at the military barracks.
- **U.S. military personnel living in the U.S. but not in barracks** - Counted at the residence where they live and sleep most of the time.
- **U.S. military personnel on U.S. military vessels with a U.S. homeport** - Counted at the onshore U.S. residence where they live and sleep most of the time. If they have no onshore U.S. residence, they are counted at their vessel's homeport.
- **People in military disciplinary barracks and jails in the U.S.** - Counted at the facility.
- **People in military treatment facilities with assigned active duty patients in the U.S.** - Counted at the facility if they are assigned there.
- **U.S. military personnel living on or off a military installation outside the U.S., including dependents living with them** - Counted as part of the U.S. overseas population. They should not be included on any U.S. census questionnaire.
- **U.S. military personnel on U.S. military vessels with a homeport outside the U.S.** - Counted as part of the U.S. overseas population. They should not be included on any U.S. census questionnaire.

Merchant Marine Personnel on U.S. Flag Maritime/Merchant Vessels

- **Crews of U.S. flag maritime/merchant vessels docked in a U.S. port or sailing from one U.S. port to another U.S. port on Census Day** - Counted at the onshore U.S. residence where they live and sleep most of the time. If they have no onshore U.S. residence, they are counted at their vessel. If the vessel is docked in a U.S. port, crewmembers with no onshore U.S. residence are counted at the port. If the vessel is sailing from one U.S. port to another U.S. port, crewmembers with no onshore U.S. residence are counted at the port of departure.
- **Crews of U.S. flag maritime/merchant vessels engaged in U.S. inland waterway transportation on Census Day** - Counted at the onshore residence where they live and sleep most of the time.
- **Crews of U.S. flag maritime/merchant vessels docked in a foreign port, sailing from one foreign port to another foreign port, sailing from a U.S. port to a foreign port, or sailing from a foreign port to a U.S. port on Census Day** - Not counted in the census.

Foreign Citizens in the U.S.

- **Citizens of foreign countries living in the U.S.** - Counted at the U.S. residence where they live and sleep most of the time.
- **Citizens of foreign countries living in the U.S. who are members of the diplomatic community** - Counted at the embassy, consulate, United Nations' facility, or other residences where diplomats live.

- **Citizens of foreign countries visiting the U.S.** - Not counted in the census.

U.S. Citizens and Their Dependents Living Outside the U.S.

- **U.S. citizens living outside the U.S. who are employed as civilians by the U.S. government, including dependents living with them** - Counted as part of the U.S. overseas population. They should not be included on any U.S. census questionnaire.
- **U.S. citizens living outside the U.S. who are not employed by the U.S. government, including dependents living with them** - Not counted in the census.
- **U.S. military personnel living on or off a military installation outside the U.S., including dependents living with them** - Counted as part of the U.S. overseas population. They should not be included on any U.S. census questionnaire.
- **U.S. military personnel on U.S. military vessels with a homeport outside the U.S.** - Counted as part of the U.S. overseas population. They should not be included on any U.S. census questionnaire.

People in Correctional Facilities for Adults

- **People in correctional residential facilities on Census Day** - Counted at the facility.
- **People in federal detention centers on Census Day** - Counted at the facility.
- **People in federal and state prisons on Census Day** - Counted at the facility.
- **People in local jails and other municipal confinement facilities on Census Day** - Counted at the facility.

People in Group Homes and Residential Treatment Centers for Adults

- **People in group homes intended for adults (non-correctional)** - Counted at the facility.
- **People in residential treatment centers for adults (non-correctional)** - Counted at the residence where they live and sleep most of the time. If they do not have a residence where they live and sleep most of the time, they are counted at the facility.

People in Health Care Facilities

- **Patients in general or Veterans Affairs hospitals (except psychiatric units) on Census Day, including newborn babies still in the hospital on Census Day** - Counted at the residence where they live and sleep most of the time. Newborn babies should be counted at the residence where they will live and sleep most of the time.
- **People in hospitals on Census Day who have no usual home elsewhere** - Counted at the facility.
- **People staying in in-patient hospice facilities on Census Day** - Counted at the residence where they live and sleep most of the time. If they do not have a residence where they live and sleep most of the time, they are counted at the facility.
- **People in mental (psychiatric) hospitals and psychiatric units for long-term non-acute care in other hospitals on Census Day** - Counted at the facility.
- **People in nursing facilities/skilled nursing facilities on Census Day** - Counted at the facility.

People in Juvenile Facilities

- **People in correctional facilities intended for juveniles on Census Day** - Counted at the facility.
- **People in group homes for juveniles (non-correctional) on Census Day** - Counted at the facility.
- **People in residential treatment centers for juveniles (non-correctional) on Census Day** - Counted at the facility.

People in Residential School-Related Facilities

- ***People in college/university student housing*** - Counted at the college/university student housing.
- ***Boarding school students living away from their parental home while attending boarding school below the college level, including Bureau of Indian Affairs boarding schools*** - Counted at their parental home rather than at the boarding school.
- ***People in residential schools for people with disabilities on Census Day*** - Counted at the school.

People in Shelters

- ***People in emergency and transitional shelters (with sleeping facilities) on Census Day for people experiencing homelessness*** - Counted at the shelter.
- ***People in living quarters for victims of natural disasters*** - Counted at the residence where they live and sleep most of the time. If they do not have a residence where they live and sleep most of the time, they are counted at the facility.
- ***People in domestic violence shelters on Census Day*** - Counted at the shelter.

People in Transitory Locations - Counted at the residence where they live and sleep most of the time. If there is no residence where they live and sleep most of the time, they are counted where they live and sleep more than anywhere else. If time is equally divided, or if usual residence cannot be determined, they are counted at the place where they are staying on Census Day.

People in Religious-Related Residential Facilities - Counted at the residence where they live and sleep most of the time. If they do not have a residence where they live and sleep most of the time, they are counted at the facility.

People in Workers' Residential Facilities - Counted at the residence where they live and sleep most of the time. If they do not have a residence where they live and sleep most of the time, they are counted at the facility.

RACE AND ETHNICITY IN THE 2010 CENSUS

In the 1990 Census and previous Censuses, individuals were asked to check one box to describe their "race." There were several boxes available, but the individual was asked to check only one. In response to objections, the Census Bureau decided that starting with the 2000 Census, people would be permitted to check more than one box, describing themselves as being of more than one race. The result is a grid with 63 possible combinations of race.

A little-understood concept in the 2000 Census data was the distinction between race and ethnicity. The distinction continues in the 2010 Census. Race involves the physical characteristics of a person and that person's forebears. Ethnicity involves their language heritage. The ethnicity question on the Census has two choices: Hispanic or non-Hispanic. Each person, then, would have both a racial and an ethnic tag: for example, white and Hispanic; black and Hispanic; Asian and non-Hispanic. In the 2010 Census, with its multi-racial categories, a person could, for example, be black/Asian and non-Hispanic.

Historical Perspectives
on Redistricting
in North Carolina

1776-2011

	House	Senate	Congressional
1776	North Carolina adopts its first Constitution, which creates the General Assembly, consisting of two houses:		
	House of Commons: Each county elects 2 Representatives. Each of 7 named towns elects 1 Representative.	Senate: Each county elects 1 Senator.	
	In 1776, there are 39 counties, but General Assembly has power to add new counties. By 1835, there are 65 counties. The size of House and Senate membership grows with each new county.		
1789			North Carolina ratifies U.S. Constitution. Sends 5 members to U.S. House. Each of the five is elected from a congressional district. (Over the years, other states adopt the at-large method to elect U.S. House members, but N.C. never does. Only once, in 1882, does N.C. elect a House member statewide, and then only for a special reason for 1 term.)
1792			After first U.S. Census, first reapportionment of Congress occurs. N.C. receives 10 Congressional seats.
1802			N.C. receives 12 Congressional seats.
1813			N.C. receives 13 Congressional seats, and keeps that number until 1843.
1835	State Constitutional Convention results in several major amendments:		

	House	Senate	Congressional
	Number of Representatives fixed at 120. Representation still by county, not by district. Each county given between 1 and 4 representatives, depending on population. Representatives from the towns eliminated. General Assembly is required to reapportion Reps. among the counties based on Census data beginning in 1843.	Number of Senators fixed at 50. All are to be elected from districts based on the amount of tax revenue sent to the State, not on population. No division of counties permitted in drawing districts.	
1843	First reapportionment by population. With exceptions, it takes place every 10 years.		N.C. reduced to 9 Congressional seats.
1852			N.C. reduced to 8 Congressional seats.
1861-1865			No representation in U.S. Congress during Civil War.
1868	State Constitutional Convention results in new Constitution that lasts a century:		Post-war N.C. receives 7 Congressional seats.
	"House of Commons" becomes House of Representatives. Same county apportionment process used.	Senate districts based, not on tax revenue, but on population. Counties may not be split unless a county is entitled to more than one Senator.	
1872			N.C. receives 8 Congressional seats.
1882			N.C. receives 9 Congressional seats. Because a plan with 9 districts was not drawn before the 1882 elections, the 9th Congressman was elected statewide for one term until the 9-district plan could be drawn.
1901			N.C. receives 10 Congressional seats. Keeps same number for 30 years.
1931			N.C. receives 11 Congressional seats.

	House	Senate	Congressional
1941	Last redistricting of either house for 20 years, since redistricting neglected in 1951.		N.C. receives 12 Congress members. Keeps same number for 20 years.
1951	N.C. does not redistrict House, Senate, or congressional districts after 1950 Census.		
1961	General Assembly reapportions House members.	General Assembly tries unsuccessfully to redistrict Senate.	N.C. reduced to 11 Congress members.
1962	<u>Baker v. Carr</u> : U.S. Supreme Court issues decision in Tennessee case, enunciating doctrine of one person, one vote and applying it to state legislatures as well as to U.S. House of Representatives.		
1963		General Assembly redistricts Senate for first time since 1941. Also proposes constitutional amendment increasing Senators from 50 to 70.	
1964		Voters reject proposed 70-Senator amendment	
1965	President Lyndon Johnson signs Voting Rights Act. Section 5, requiring preclearance of all changes in law affecting voting, is applied to 40 N.C. counties. <u>Drum v. Seawell</u>: U.S. District Court invalidates N.C. House, Senate, and Congressional plans under Baker one person, one vote doctrine.		
1966	U.S. Supreme Court affirms <u>Drum</u> . General Assembly revises all three plans:		
	House overall population deviation reduced from 204% to 29.6%.	Senate overall deviation reduced from 240.5% to 27.3%.	Congressional overall deviation reduced from 51.5% to 17.28%.
	Court in <u>Drum</u> approves House and Senate plans but suggests that, when viewed together, they are still constitutionally suspect.		Court in <u>Drum</u> rejects redrawn congressional plan, but allows its use in 1966 elections only.

	House	Senate	Congressional
1967			General Assembly reduces deviation to 4.16%. Court approves. Congress mandates that all U.S. House members be elected from single-member districts.
1968	Constitutional amendments adopted. House and Senate members to be elected from districts, with each member representing, "as nearly as may be, an equal number of inhabitants." Dividing counties prohibited in both houses. Constitutional provisions are not submitted to U.S. Dept. of Justice for Voting Rights Act preclearance. 1st black legislator in 20th century elected: Henry Frye (D-Guilford) elected to House.		
1971	Last year in which North Carolina successfully implements redistricting plans for House, Senate, and Congress with no split counties.		
1981	House plan enacted. No counties divided and no minority single-member districts. Department of Justice objects to 1st plan. Gen. Assembly enacts 2nd plan. Still no counties split, no minority single-member districts.	Senate plan enacted. No counties divided and no minority single-member districts. Justice objects to 1st plan.	Congressional plan enacted. Tradition broken when 1 county (Moore) is divided. No minority districts. Justice objects to 1st plan.
	In response to <u>Gingles</u> lawsuit, State submits 1968 constitutional amendment against splitting counties to U.S. Dept. of Justice under Voting Rights Act. Justice denies preclearance, rendering the constitutional provision unenforceable.		

	House	Senate	Congressional
1982	Justice objects to 2nd plan. General Assembly enacts 3rd plan, splitting 24 counties and creating 4 black single-member districts. Justice objects to 3rd plan. General Assembly enacts 4th plan, creating a black 2-member district encompassing Ft. Bragg. Justice preclears 4th plan.	General Assembly enacts 2nd plan, splitting 8 counties and creating 2 black single-member districts. Justice objects to 2nd plan. General Assembly enacts 3rd plan, splitting 7 counties, increasing black % in 2 northeastern districts. Justice preclears 3rd plan.	General Assembly enacts 2nd plan. Adds Durham County to 2nd district, making it 40.1% black. Divides 4 counties. Justice Department preclears.
	President Reagan signs amendments to Voting Rights Act, extending life of Section 5 to 2007 and clarifying that proof of discriminatory intent is not required to establish a valid Section 2 claim.		
1983	<u>Cavanagh v. Brock</u>: U.S. District Court rules that North Carolina constitutional provisions against dividing counties have no force in any counties since they were not precleared.		<u>Karcher v. Daggett</u>: U.S. Supreme Court, showing how seriously it takes absolute population equality of congressional districts, rejects a New Jersey plan with overall range of less than 1% because another plan had lower percent and State showed no "legitimate State objective" for exceeding zero deviation.
1984	<u>Gingles v. Edmisten</u>: U.S. District Court rejects both North Carolina legislative plans, saying that more majority-black single-member districts should be drawn in both urban and rural areas.		

	House	Senate	Congressional
	General Assembly enacts 5th plan, creating 10 black single-member districts, in addition to the 2-member district in Cumberland County. After forcing creation of a single-member black district in Nash-Edgecombe-Wilson counties, Justice and <u>Gingles</u> court approve plan.	General Assembly enacts 4th plan, creating 3 black single-member districts. Justice and <u>Gingles</u> court approve plan.	
	<u>Pugh v. Hunt</u>: U.S. District Court dismisses suit challenging North Carolina's multi-member districts. Court says they are not per se unconstitutional.		
1986	U.S. Supreme Court affirms <i>Gingles</i>, except to reverse creation of single-member black House district in Durham County. Court states 3-prong test for proving Section 2 Voting Rights Act challenge to multi-member district: 1. Minority group must be sufficiently large and geographically compact to constitute a majority in a single-member district. 2. Minority group must be politically cohesive. 3. Minority's preferred candidates must usually be defeated by white-majority bloc voting.		
1991	General Assembly enacts plan with 10 black single-member districts, 1 black 2-member district, and 1 Lumbee Indian single-member district.	General Assembly enacts plan with 4 black single-member districts and one district with a black + Lumbee majority.	N.C. receives 12 Congressional seats. General Assembly enacts plan with 1 black single-member district in northeast, including part of Durham.
	Justice objects to all three plans in a single letter, saying that they all fail to provide opportunity for representation to minorities in southern and southeastern North Carolina.		

	House	Senate	Congressional
1992	General Assembly enacts 2nd plan, creating 16 black single-member districts, in addition to the 2-member black district and the Lumbee district. Justice preclears.	General Assembly enacts 2nd plan, creating 6 black districts, in addition to the black + Lumbee district. Justice preclears.	General Assembly enacts 2nd plan, creating 2 majority-black districts. Justice preclears. 2 black candidates elected from 1st and 12th districts – first in 20th century. <u>Franklin v. Massachusetts</u>: U.S. Supreme Court upholds decision of Census Bureau to count overseas federal employees and allocate them to states for reapportionment.
	U.S. District Courts dismiss 3 lawsuits challenging N.C. plans: <u>Daughtry v. State Board</u> , <u>Pope v. Blue</u> , and <u>Shaw v. Barr</u> . <u>Pope</u> and <u>Shaw</u> allege the plans disregard communities of interest. Courts say that is not a constitutional objection.		
1993			<u>Shaw v. Reno</u> : U.S. Supreme Court, in landmark decision, reverses lower court's dismissal, says plaintiffs have Equal Protection claim where a district plan is "so irrational on its face that it can be understood only as an effort to segregate voters into separate districts on the basis of race, and that the separation lacks sufficient justification." Remands case to District court for trial on N.C.'s 1st and 12th congressional districts.
1994			3-judge panel in U.S. District Court dismisses <u>Shaw</u> on remand. Says plan is a racial gerrymander, but that it is narrowly tailored to serve a compelling State interest, i.e., compliance with the Voting Rights Act.

	House	Senate	Congressional
1995			<u>Miller v. Johnson</u> : In invalidating Georgia congressional plan, U.S. Supreme Court refines the Shaw doctrine. Says districts need not look "bizarre" to be unconstitutional racial gerrymanders. Key is that race was predominant factor.
1996			<u>Shaw v. Hunt</u>: U.S. Supreme Court reverses lower court, rules that N.C.'s 12th congressional district is an unconstitutional racial gerrymander not narrowly tailored to serve a compelling State interest. U.S. District Court allows 1996 elections under invalidated plan, but gives General Assembly spring deadline to redraw. <u>Bush v. Vera</u>: U.S. Supreme Court invalidates Texas congressional plan. Justice O'Connor, in concurrence, says race may be used, but should not be subordinated to "traditional districting criteria."
	<u>Daly v. High</u> , using a <u>Shaw</u> theory to challenge House, Senate and congressional plans, is filed. Procedural missteps prevent suit from getting full hearing.		

	House	Senate	Congressional
1997			General Assembly draws plan to correct 1992 plan invalidated in <u>Shaw</u>. Tightens up shapes of 1st and 12th districts, leaving 1st with slight black majority and 12th with slightly less than black majority. Houses controlled by different parties ratify plan. Justice preclears. Attorney for <u>Shaw</u> plaintiffs accepts dismissal, but files <u>Cromartie v. Hunt</u>, a new lawsuit challenging 1st and 12th districts in 1997 plan.
1998			3-judge panel in U.S. District Court holds 12th district in 1997 plan unconstitutional on summary judgment. U.S. Supreme Court denies stay. State appeals, but General Assembly draws 2nd remedial plan for use in 1998 elections, reducing black % in 12th to 35%. Both black incumbents re-elected under 1998 plan.
1999			U.S. Supreme Court reverses summary judgment invalidation of 12th District. Remands <u>Cromartie</u> for trial. <u>Dept. of Commerce v. U.S. House</u>: U.S. Supreme Court rules that only the head count may be used to apportion Congress members among states. Does not rule on whether an adjusted count may be used to redistrict within states.

	House	Senate	Congressional
2000			3-judge panel holds trial in <u>Cromartie</u>, rules 12th invalid, 1st valid. State appeals and obtains stay. Elections held under 1997 plan. All incumbents re-elected. Census apportions to N.C. 13 Congress members.
2001			Utah files <u>State of Utah v. Evans</u>, challenging Census's apportionment of a Congress member to N.C. rather than Utah. Utah alleges policy of counting overseas federal employees but not overseas Mormon missionaries constitutes a burden on free exercise of religion. In April, a 3-judge federal court in Utah dismisses Utah's lawsuit, but Utah appeals to U.S. Supreme Court. Utah files a second lawsuit, challenging the Census Bureau's method of imputing the characteristics of counted population to neighboring uncounted population. U.S. Supreme Court rules, in 5-4, decision, that 12th District of 1997 has not been proved to be an unconstitutional racial gerrymander. Justice Breyer, writing for majority in <u>Cromartie</u>, says that where race correlates highly with political affiliation, plaintiff in a <u>Shaw</u> claim has heavy burden in showing that race rather than politics was the predominate factor.

	House	Senate	Congressional
	U.S. Secretary of Commerce Donald Evans decides in March that Census Bureau will release down-to-the-block 2000 Census data according to head count only. No adjusted data will be released for redistricting purposes. North Carolina data released March 21. DistrictBuilder, the General Assembly's redistricting computer system, released for use April 23. General Assembly enacts House and Senate plans in November, Congressional plan in December. Lawsuits filed challenging all three.		
2002	2001 House and Senate plans precleared. State Supreme Court decides <u>Stephenson v. Bartlett</u>. Court says counties must be kept whole in House and Senate plans to extent possible without conflicting with Voting Rights Act and Equal Protection Clauses of U.S. and State Constitutions. Court says Equal Protection Clause of State Constitution requires single-members districts, absent compelling governmental interest otherwise. Superior Court Judge Knox Jenkins finds General Assembly's plans, drawn in May 2002 to comply with <u>Stephenson</u>, unconstitutional. Jenkins draws his own Interim Plans for use in the 2002 elections only. State appeals Jenkins' decision, and Supreme Court says it will hear appeal after 2002 elections. 2002 elections held, resulting in partisan split in General Assembly.		2001 Congressional plan precleared.

	House	Senate	Congressional
2003	At Supreme Court's request, Jenkins issues detailed findings of fact and conclusions of law on which he based rejection of General Assembly's 2002 plans. Jenkins declares that pieces of a district touching at one point does not satisfy State Constitution's requirement of contiguity. Supreme Court, in <u>Stephenson II</u>, affirms Jenkins's rejection of 2002 General Assembly plans. Court's opinion says Jenkins found "numerous instances" of constitutional violation, and quotes extensively from Jenkins' findings and conclusions. In response to motion by <u>Stephenson</u> plaintiffs, Judge Jenkins declines to set a deadline for General Assembly to draw districts, but asserts continuing jurisdiction in the case until districts that pass constitutional muster are drawn. General Assembly enacts House and Senate plans in November of 2003.		Lawsuit against congressional plan dismissed.
2004	2003 House and Senate plans precleared. <u>Pender v. Bartlett</u> is filed, challenging the division of Pender County in House District 18 and House District 16.		
2006	Three-judge panel in <u>Pender</u> enters final summary judgment finding that creation of House District 18 as crossover district was required by the Voting Rights Act, permitting the county to be divided for redistricting. Individual plaintiffs in <u>Pender</u> appeal judgment to North Carolina Supreme Court.		

	House	Senate	Congressional
2007	North Carolina Supreme Court overturns three-judge panel in <u>Pender</u>, finding that the minority group in House District 18 was less than fifty percent (50%) and not large enough to constitute a majority in the district for a Section 2 claim. Supreme Court orders that House District 18 be redrawn, but stays the order until after the 2008 elections. Defendants appeal decision to the United States Supreme Court. <u>Dean v. Leake</u> filed in federal court challenging the 2003 House and Senate legislative districts.		
2008	Plaintiff's motion for preliminary injunction in <u>Dean v. Leake</u> is denied by the three-judge panel of the Eastern District of North Carolina.		
2009	United States Supreme Court affirms the North Carolina Supreme Court order to redistrict House District 18 in <u>Bartlett v. Strickland</u>. In a plurality opinion, the Court holds that Section 2 does not mandate crossover districts, and that the voting age minority population of the potential election district must be fifty percent or more of the voting age population to establish a Section 2 claim. General Assembly amends the 2003 Redistricting Plan and redraws House District 16 and House District 18 in compliance with the <u>Pender v. Bartlett</u> and <u>Bartlett v. Strickland</u> decisions. Amended 2003 House plan precleared.		
2011	NC data released by Census Bureau on March 2, 2011.		

USEFUL WEBSITES

North Carolina General Assembly's Redistricting Pages (go to Redistricting on main page)

<http://www.ncleg.net/>

National Conference of State Legislatures (go to "Legislature and Elections," then "Redistricting"):

<http://www.ncsl.org>

U.S. Census Bureau and its Redistricting page:

<http://www.census.gov/>

<http://www.census.gov/rdo/>

State Data Center:

<http://www.census.state.nc.us/>

U.S. Department of Justice, Civil Rights Division, Voting Section (information about VRA):

<http://www.usdoj.gov/crt/voting/index.htm>

State Board of Elections website (voter registration and election data):

<http://www.app.sboe.state.nc.us/>

Center for Geographic Information and Analysis (CGIA):

<http://www.cgia.state.nc.us/>

PAGES ATTENDING

COMMITTEE: Redistricting ROOM: 643
 DATE: 3 - 30 TIME: 3 PM

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!

Page Name	Hometown	Sponsoring Senator
¹ Katherine Leak	W-S	Brunstetter
² Cameron Terrigan	Ahoskie	Jones
Christine Sauer	Chapel Hill	Kinnaird
⁴ Helen Hubacher	Chapel Hill	Kinnaird
⁵		
⁶		
⁷		
⁸		
⁹		
¹⁰		

Do not add names below the grid.

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.

VISITOR REGISTRATION SHEET

Senate Redistricting - 2011

March 30, 2011

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK, Helen Long

NAME	FIRM OR AGENCY AND ADDRESS
Katherine Ross	PPAB
Dario M. Gorman	NC Realtor
Cady Thomas	NC Realtors
JOHN SHAW	SELF
Mark Ott	Smith Anderson
J. R. Auld	WRU
PM Spear	Poyner Spruill
Jerry Meek	Poyner Spruill
Kathleen Balogh	League of Women Voters NC President
Bob Hall	Democracy NC
Jessica Holmes	SCS

VISITOR REGISTRATION SHEET

Senate Redistricting - 2011

March 30, 2011

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK, Helen Long

NAME	FIRM OR AGENCY AND ADDRESS
Henry M Lancaster	LCA
David F. Weinstein	Retired Senator
Joe Stewart	NC Chamber
John Kurt	NC Free Enterprise Foundation
Jonathan Kappler	NC Free Enterprise Foundation
Beau Mills	Leg. David Price
Dan Kohl	Rep. BRAD MILLER
Brent Lawrence	NCCUE
Damon Oircostry	NCCUE
Adam Olls	Bailey & Dixon
BILL GILKESON	Bailey & Dixon

VISITOR REGISTRATION SHEET

Senate Redistricting – 2011

March 30, 2011

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK, Helen Long

NAME

FIRM OR AGENCY AND ADDRESS

BOB ORR

NCICL

JBR

NCC LGR

Daniel Amburn

NCLM

Jonathan Holt

Sen. Gunn

Aditya S. Ch

A. Choudhary

Carl Olson

DSF

VISITOR REGISTRATION SHEET

Senate Redistricting – 2011

March 30, 2011

Date

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CLERK, Helen Long

[illegible]

MINUTES

JOINT SENATE AND HOUSE COMMITTEES ON REDISTRICTING

April 13, 2011

The Joint Senate and House Committees on Redistricting's first Public Hearing was held on Wednesday, April 13, 2011, at 3:00 p.m. in the Wake County North Carolina History Museum auditorium. Senator Bob Rucho presided.

Satellite locations met simultaneously via video-conferencing at Nash County Community College in Rocky Mount, North Carolina (Nash County), and Piedmont Community College in Roxboro, North Carolina (Person County).

Senate Chairman Bob Rucho presided from the Wake County History Museum site. House Chairman Representative David Lewis chaired the Nash County site. And Representative Jerry Dockham chaired the Person County site.

A transcript of the meeting is attached along with the Visitor Registration Sheet and Speaker Sign-Up Sheet.

The meeting was adjourned at 4:17 p.m.

Respectfully submitted,


Senator Bob Rucho, Chair


Helen Long, Committee Clerk


Senator Andrew Brock, Vice Chair


Senator Harry Brown, Vice Chair

Principal Clerk _____

Reading Clerk _____

SENATE
NOTICE OF JOINT COMMITTEE MEETING

The Senate and House Committees on **Redistricting** will meet at the following time:

<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Wednesday	April 13, 2011	3:00 p.m.	

The following will be the first scheduled Redistricting Public Hearings for the following counties. A link for directions is listed under each location.

Locations:

Wake County

History Museum, First Floor Auditorium

5 East Edenton Street

Raleigh, NC 27601-1011

<http://ncmuseumofhistory.org/pav/GenInfoPAV.html>

Nash County

Nash Community College

Room 7106, Science and Technology Building

522 North Old Carriage Road

Rocky Mount, NC 27804-9708

http://www.nashcc.edu/index.php?option=com_content&task=view&id=169&Itemid=391

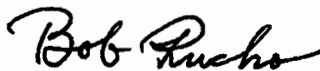
Person County

Piedmont Community College, Room L101

1715 College Drive

Roxboro, NC

<http://www.piedmontcc.edu/AboutPCC/maps-directions.asp>



Senator Bob Rucho, Chair

NORTH CAROLINA GENERAL ASSEMBLY
PUBLIC HEARING ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Wednesday, April 13, 2011
Reported by Robbie W. Worley

Sessions simulcast from the following locations:

North Carolina Museum of History (Wake County)
Nash Community College (Nash County)
Piedmont Community College (Person County)

Worley Reporting
P.O. Box 91447
Raleigh, NC 27675
919-870-8070

1 (Reporter's note: Proceedings in this
2 matter began at 3:00 p.m.)

3 SEN. ROBERT RUCHO: I'd like to welcome
4 you on behalf of the House and Senate Redistricting
5 Committee. I'm Senator Bob Rucho, chairman of the
6 Senate Redistricting Committee. And today's
7 hearing is a joint effort on behalf of the Senate
8 Redistricting Committee and the House Redistricting
9 Committee, which is chaired by Senior Chair
10 Representative David Lewis.

11 Along with our site in Raleigh, we are
12 videoconferencing with sites in Nash County at Nash
13 Community College and Person County at Person
14 Community College. I'd like to take a moment to
15 ask the Senators and Representatives at those sites
16 to introduce themselves, and then at that point,
17 we'll also recognize any other public official that
18 may be in attendance today.

19 Chairman Lewis, can you hear me there?

20 REP. DAVID LEWIS: Mr. Chairman, good
21 afternoon. This is David Lewis, proud to be at
22 Nash Community College this afternoon. We do have
23 some elected officials that I would like to
24 introduce. But we're very fortunate that guests
25 continue to arrive, and I don't have the list in

1 hand at this moment. I will, in just a moment,
2 introduce the elected officials that are here. But
3 we have a very good crowd and are excited to be
4 here and to take part in this important process.

5 I guess for technical purposes, I should
6 ask if you can hear me okay, Senator.

7 SEN. RUCHO: We hear you very well,
8 Chairman Lewis. Will you introduce your elected
9 officials there, please, and any other Senators and
10 Representatives that may be present?

11 REP. LEWIS: Mr. Chairman, we have with
12 us today Commissioner Mary Wills, who is a Nash
13 County Commissioner. We also have Commissioner
14 Reuben Blackwell, who's a Rocky Mount City
15 Councilman. I should have said Councilman
16 Blackwell. We have Robbie Davis, also a Nash
17 County Commissioner. Lois Watkins, a Rocky Mount
18 City Councilperson. And I also would like to
19 extend regards from members who are doing their
20 duty in Raleigh who asked me to express their
21 regrets for not being here. Those include
22 Representative Glen Bradley; Representative Angela
23 Bryant; Representative Jeff Collins; and Senator
24 Buck Newton.

25 That concludes my introduction, Senator.

1 SEN. RUCHO: Thank you, Representative
2 Lewis. I have Representative Dockham in Person
3 County. Can you hear me, Representative Dockham?

4 REP. JERRY DOCKHAM: Yes, sir, I can.
5 Can you hear me?

6 SEN. RUCHO: Yes, sir, very clear. Would
7 you be kind enough, not only introducing yourself,
8 but any Senators and Representatives there, and any
9 elected officials, please?

10 REP. DOCKHAM: All right. Thank you,
11 Senator. I am here at Piedmont Community College
12 in Person County. It's a beautiful campus, and we
13 don't have any elected officials here.

14 My name is Jerry Dockham. I am a state
15 representative from Davidson County. And it's an
16 honor to be here. We have our sergeant-at-arms,
17 our staff, and we don't have anyone signed up to
18 speak yet, but we're optimistic that we will have
19 down the road. So we're happy to be participating
20 today.

21 SEN. RUCHO: Thank you very much,
22 Representative Dockham. I appreciate your making
23 the effort, both you and Representative Lewis, in
24 getting to those two locations. It's very critical
25 as we try to make sure we have an open and

1 transparent process.

2 I'd like to make a little statement
3 before we get to the public hearing. First of all,
4 I'd like to thank everyone who's taken the time to
5 be involved in this public hearing at each of our
6 sites. This is our first public hearing in the
7 2011 redistricting, but in the coming week, we will
8 host public hearings in sites in counties across
9 the state, and I will just name them so that
10 hopefully, people that might be listening to this
11 on the streaming will be able to join us at these
12 public events.

13 We'll be having one in Durham, Vance,
14 Lee, Robeson, Cumberland, Person, Guilford,
15 Forsyth, Rockingham, Harnett, Anson, Randolph,
16 Mecklenburg, Cabarrus, Cleveland, Catawba,
17 Buncombe, Watauga, Jackson, New Hanover, Pender,
18 Brunswick, Onslow, Craven, Wayne, Pitt, Wilson,
19 Beaufort, Edgecombe, Halifax, Pasquotank, Chowan,
20 and Dare Counties, which makes up 36 sites that
21 we're going to be visiting over the next roughly
22 three and a half, four weeks.

23 This is the largest effort that's ever
24 been made in history on redistricting in North
25 Carolina to hear from the public about this

1 important assignment that we have. The purpose of
2 these hearings is one; that is, to hear from you
3 your thoughts about redistricting and what you
4 believe should be included in how we sit down and
5 draw these maps and these districts.

6 Whether you have signed up online in
7 advance or came today to put your name on the list,
8 we will have an opportunity to speak for five
9 minutes on whatever ideas you have about
10 redistricting. We want to hear how redistricting
11 will affect you in your community. You may choose
12 to address legal issues related to redistricting,
13 such as the Voting Rights Act or requirements of
14 drawing districts under federal or state law. You
15 may choose to share how redistricting has affected
16 your community in the past and how you hope it will
17 affect your community moving forward. You may
18 choose to share what you regard as communities of
19 interest in your area, whether it is historical,
20 cultural, ethnic, geographical, or economic ties
21 that make the people in your area of the state
22 think of themselves as a community.

23 You may choose to share what's important,
24 geographically and political subdivisions that
25 exist in your community, and how they should be

1 taken into account in drawing the lines. However
2 you choose to spend your five minutes, we are here
3 today to hear from you. We are not here to answer
4 questions but to listen and learn from your
5 comments and ideas.

6 Every ten years following the Census,
7 legislators are asked by the Constitution of
8 redrawing lines that create districts of Congress,
9 the State Senate and the State House. It is
10 critical that this process be open and transparent,
11 and that it leads to fair and legal districts so
12 that we can receive pre-clearance from the United
13 States Justice Department, and therefore, we will
14 be able to have our election process in 2012 kept
15 on schedule, which is very important for both the
16 General Assembly and, more importantly, for the
17 people, that they know when and how that election
18 process will go over.

19 Now, as to the rules, I'll introduce each
20 speaker. I will try to move between sites so that
21 everyone has an opportunity to speak and not just
22 listen for extended periods of time. I will direct
23 you to the staff person at your site who will hold
24 up two cards. One is yellow and -- there's our
25 staff person. One is yellow, that you have one

1 minute remaining in your five minutes of comment,
2 and one will be red, to let you know that the time
3 has expired.

4 We would also love, from any comments you
5 have in addition to what you've presented today
6 during this -- this public hearing, you can either
7 give those additional comments to the staff that
8 are here today, Erika -- staff people, and Walter
9 on the right, and/or any of the legislators that
10 are present at the additional sites that we're
11 talking about.

12 And then, if you have some additional
13 thoughts that -- you can't attend the meeting
14 tonight, you have the opportunity to place those
15 thoughts, maps, or whatever you believe onto our
16 website, which will be checked all during this
17 redistricting process. Now, that is
18 ncleg.net/redistricting, and that will allow you to
19 be able to put that comment and thoughts, or
20 whatever you choose, on the website, and we can
21 gather that information along with what we get in
22 the public hearings.

23 At this point, I'd like to introduce our
24 first speaker, Mr. Bob Joyce, from the University
25 of North Carolina School of Government, to start

1 off today. Mr. Joyce?

2 BOB JOYCE: Thank you very much. I am
3 Bob Joyce, a lawyer and a member of the faculty at
4 the School of Government at the University of North
5 Carolina at Chapel Hill. I will speak very briefly
6 in a broad outline about legal considerations in
7 redistricting as a way to set the stage for
8 comments to follow from citizens and points of view
9 on redistricting. Let's look at five legal
10 considerations.

11 The first is the requirement that
12 districts must contain about the same number of
13 people each. This requirement commonly goes by the
14 name, "One Person, One Vote," and it is a
15 requirement that the United States Supreme Court
16 has, for the past fifty years, comes directly from
17 the United States Constitution. The Supreme Court
18 has said that uneven districts violate the Equal
19 Protection Clause of the Fourteenth Amendment
20 because people living in more populous districts
21 have votes that count less than people living in
22 smaller districts. So now, the rule of thumb is
23 that for the State House and Senate districts, the
24 spread from the least populous district to the
25 largest when the new districts are drawn cannot

1 exceed 10 percent. And, the United States Supreme
2 Court has said, for seats in Congress, the
3 requirement is even stricter.

4 The one person, one vote requirement will
5 be challenging to meet, but the legal concept
6 behind it is really straightforward. The second of
7 the five legal considerations is, by contrast,
8 complicated and subtle. It is the proper
9 consideration of race in the drawing of districts.
10 The general legal principle is that race should not
11 be the dominant factor in the drawing of districts.
12 The U.S. Supreme Court said exactly that in a case
13 arising from North Carolina.

14 But there are two circumstances in which
15 the law requires that race be taken into account,
16 and both of those arise under the federal Voting
17 Rights Act of 1965. Under Section 2, the general
18 anti-discrimination provision, there have in the
19 past in North Carolina been successful lawsuits
20 brought challenging the ways in which certain
21 elections were conducted, including challenges to
22 past ways of drawing legislative districts. The
23 remedies that the courts imposed after those
24 successful lawsuits directed the consideration of
25 race in the drawing of districts, mandating the

1 creation of districts that have a majority African-
2 American population, again including a number of
3 legislative districts, to enhance the opportunities
4 for African-American voters to participate in the
5 electoral process and to elect candidates of their
6 choice. As a result, the General Assembly is
7 obligated to continue to consider race in the
8 drawing of districts where those remedies for prior
9 discrimination have been put into place.

10 And, under Section 5, at least with
11 respect to the 40 counties of North Carolina
12 covered by its provisions, the law requires that
13 electoral changes such as the redrawing of lines to
14 meet the one person, one vote requirement, must not
15 be made in such a way as to make it harder for
16 African-American voters to participate in the
17 electoral process and to elect candidates of their
18 choice. Changes that make it harder are termed
19 "retrogressive," and the U.S. Department of Justice
20 will not pre-clear such changes, unless perhaps
21 demographic shifts have made retrogression
22 unavoidable.

23 The third of the five legal requirements
24 that the General Assembly must keep in mind with
25 respect to the State House and Senate districts is

1 found in the whole counties provision of the State
2 Constitution. The Constitution prohibits dividing
3 counties in the drawing of legislative districts..
4 In interpreting that provision, our State Supreme
5 Court has recognized that the primacy of federal
6 law means that considerations under the Voting
7 Rights Act, as I have just mentioned, must be met
8 first, and they may, in the proper circumstance,
9 require the dividing of counties. Beyond that
10 consideration, however, the State Supreme Court has
11 given a roadmap of instructions to the legislature
12 on how to combine counties into groupings, and then
13 to create divisions within the groupings, to meet
14 as fully as possible the one person, one vote
15 requirements and the whole-counties provision at
16 the same time.

17 The fourth of the five legal requirements
18 was defined by our State Supreme Court recently.
19 In the drawing of maps for the State House and
20 Senate, the General Assembly may not use a mix of
21 single-member and multi-member districts. Multi-
22 member districts were once common. The practical
23 consequence now is that all districts must be
24 single-member.

25 The fifth of the five legal requirements

1 is also found in the State Constitution. All State
2 House and Senate districts must be composed of
3 contiguous territory.

4 Senator, thank you very much.

5 SEN. RUCHO: Mr. Joyce, thank you for
6 your comments.

7 In an effort to be fair, I'd like to
8 contact Chairman Lewis in Rocky Mount and see if
9 Lois Watkins would be able to speak now.

10 REP. LEWIS: Mr. Chairman?.

11 SEN. RUCHO: Yes, sir.

12 REP. LEWIS: Ms. -- Councilwoman Watkins
13 is joining us right now. She is just arriving in
14 the room, and ma'am, I would advise you to please
15 come and stand right here. The camera is to my
16 right, and we welcome you and welcome your
17 comments, and feel free to begin when you're ready.

18 LOIS WATKINS: Okay.

19 (Begins speaking -- spoken over by Sen.
20 Rucho at remote location.)

21 SEN. RUCHO: Ms. Watkins, would you
22 introduce yourself, please?

23 LOIS WATKINS: (continuing) -- these
24 public hearings across the state. And I'm going to
25 read some notes I have taken over.

1 I'm Lois Watkins, a resident of North
2 Carolina and an elected council member for the City
3 of Rocky Mount, and my entire ward is included in
4 District 7. As a resident of Nash County for more
5 than 20 years, I have been involved in advocacy to
6 give representation in a number of districts in
7 this eastern region, most particularly the state
8 districts 7 and 25.

9 We the citizens of our ward know that
10 based on the Census information, we have had
11 population shifts, and they do have to add
12 additional populations to districts 7 and 25.
13 While we do understand that redistricting can
14 sometimes help us catch up with the times, address
15 population shifts, provide fair access to growth,
16 we also recognize that redistricting --

17 REP. LEWIS: I'm sorry, Ms. Watkins. I
18 was just looking at the back.

19 LOIS WATKINS: We also recognize that
20 redistricting can degrade or erode the public's
21 influence on the political process as a whole. It
22 can erode the quality and resource allocation in
23 underserved communities into large minority
24 districts where we are less likely to receive the
25 resources and attention to our issues because our

1 numbers are fewer.

2 I am here today to inform you that we
3 want to protect our minority-majority districts and
4 the opportunity for African-Americans to elect and
5 keep representation of our choice. We also want to
6 warn against packing of more blacks into our
7 majority-minority districts than are necessary to
8 meet Voting Rights requirements. Packing of
9 African-American voters in a majority-minority
10 district can undermine the influence of the black
11 vote in the other districts in the count, and
12 reduce our impact on receiving resource allocations
13 to issues historically not addressed prior to the
14 creation of the majority-minority districts because
15 of pure numbers.

16 We also want to oppose the packing or
17 splitting off of our communities of interest in
18 order to provide others who meet the target numbers
19 for other districts and then you add the entire
20 county of Nash to these districts. I thank you
21 very much for the work that you're doing in our
22 General Assembly. Thank you for moving this
23 process across the state. And I hope that you will
24 consider the impact on voters across the state as
25 you proceed with this redistricting effort.

1 REP. LEWIS: Councilwoman Watkins, we
2 very much thank you for your remarks and your
3 participation. Please feel free to stay and join
4 us. Please feel free -- I know that you have some
5 written remarks. We'd be glad to share those with
6 our staff. I will make sure they are a part of the
7 record.

8 Just for clarification's sake, Senator,
9 were you able to hear Councilwoman Watkins pretty
10 clearly?

11 SEN. RUCHO: Very clearly, Representative
12 Lewis.

13 REP. LEWIS: Well, with that, from the
14 Nash County site, we will yield back to the Raleigh
15 site.

16 SEN. RUCHO: Thank you, sir. Our next
17 speaker, speaker that is recognized, would you
18 please identify yourself as to an organization or
19 however you may be representing. The next speaker
20 is Damon Circosta.

21 DAMON CIRCOSTA: Hello. Can you hear me
22 okay? Damon Circosta with the North Carolina
23 Center for Voter Education, and also the newly-
24 launched North Carolinians for Redistricting .
25 Reform.

1 Thank you for the opportunity to comment
2 on the redistricting process. As you know, the
3 United States Supreme Court has had a field day
4 here with North Carolina in decades past. We're
5 hoping that won't be the case this time. But in
6 many ways, the redistricting process has become the
7 ultimate in what fuels citizens about our
8 government today. Because the power to draw lines
9 is vested in the very people who will then run in
10 those districts, there's always going to be a
11 temptation to draw the lines that benefit the line-
12 drawers.

13 Over time, legislative and congressional
14 districts have become more competitive, more oddly
15 shaped, and have resulted in seats that are
16 reliably safe for one party or another. The
17 result: few people even bother running for office;
18 those who do have to tack further to the extremes
19 of political ideology; and the overwhelming
20 majority of our ordinary citizens think our elected
21 officials are stacking the deck.

22 Someone has to draw district lines, and
23 the incentive to shape them favorably for a
24 particular political party or incumbent is almost
25 irresistible. But the late State Senator Hamilton

1 Horton was on to something when he used to say that
2 we need to get away from a system where legislators
3 choose their voters, and instead allow voters to
4 choose their legislators.

5 Ultimately, the responsibility for
6 redistricting should rest with an independent body,
7 not the state legislature. The Republican
8 leadership in the House and Senate have rightly
9 called for such reforms in the past, yet the other
10 day when speaking to a legislator about this
11 possibility, of reforming the process this session,
12 I was assured that the maps drawn this time around
13 would be different. I was told that we would see
14 results this time, and we wouldn't even need
15 independence thereafter.

16 And our new leadership may very well give
17 us maps without partisan favor or incumbent
18 advantage, but even if there is some improvement,
19 the perception remains the same. No matter how
20 much care is taken to create maps that are both
21 fair and legal, as long as legislators draw their
22 own lines, confidence in our government is
23 undermined.

24 Critics say it's impossible to remove
25 politics from redistricting, and that if some other

1 entity draws the lines, they would simply do the
2 bidding for whoever appointed it. I don't buy this
3 argument. If we set up a system where the line-
4 drawers are insulated, and they draw maps based on
5 an established set of criteria, then base political
6 considerations can be diminished.

7 No system is perfect, but what we have
8 now may be the worst system possible. There are
9 bills in the legislature, hopefully in both
10 chambers soon, that would improve this process.
11 While the proposals differ, every single one of
12 them is markedly better than the status quo. The
13 Center for Voter Education along with the broad
14 cross-section of North Carolina nonprofits recently
15 launched North Carolinians for Redistricting
16 Reform. Our coalition believes that the time for
17 reform is now, and even if an improved process
18 cannot be in place this year, we should enact
19 reform that will bring North Carolina in line with
20 other states who see the value of removing politics
21 from this process.

22 Your task, Senator, is not an easy one,
23 but if you lead on reform as you move through the
24 process, you will be following through on a promise
25 to change the way things are done in Raleigh, and

1 you will be truly restoring confidence in
2 government. Thank you for your time.

3 SEN. RUCHO: Thank you, Mr. Circosta.
4 Again, to check with Representative Dockham in
5 Person County. Representative Dockham, do you have
6 anybody that might be listed on your speaking list?

7 REP. DOCKHAM: No, sir, not at this time.
8 We haven't had anyone sign up yet.

9 SEN. RUCHO: All right. If you should,
10 please just break in, and we'll make sure that they
11 get into the rotation.

12 Representative Lewis, your next speaker
13 in Person County? Or check that, in Nash County,
14 excuse me.

15 REP. LEWIS: Thank you, Senator. We have
16 Rocky Mount City Councilman Reuben Blackwell, who's
17 going to address us, and I would invite Councilman
18 Blackwell to the front, and welcome his remarks.

19 REUBEN BLACKWELL: Thank you, Mr.
20 Chairman. And my hometown is Roxboro; that's in
21 Person County. Since you can't find anybody, I'll
22 represent you from Rocky Mount.

23 I am a citizen of Rocky Mount. I live in
24 Edgecombe County, but half of my city council
25 district is in Nash County. Around the issue that

1 we have to deal with here are not just countywide
2 or relegated to the city, but statewide issues. We
3 are much more concerned about equity in resource
4 distribution than we are the shape of the district.
5 We are very concerned that we have inequitable --
6 inequity built into the systems that led to
7 problems in housing, education, in transportation
8 and economic development.

9 In Edgecombe and Nash Counties and
10 Halifax Counties, we share historical problems,
11 really being behind times. We've made great
12 strides in the last ten years, catching up in
13 education, catching up in economic development,
14 catching up in housing development. The lines that
15 have been drawn and the representatives that have
16 been elected have worked together across party
17 lines to make sure that we are bringing the ability
18 for all of our citizens to participate in strong
19 growth that can be sustained and that can be taken
20 into the next generation.

21 We are asking, in the Nash County area,
22 the Edgecombe County area, that we're able to keep
23 as close as possible the percentages that were
24 drawn ten years ago. We're asking that even though
25 we recognize that you have to add more people to

some of the areas and take away from others, that you try to keep the spirit of communities that are being represented intact. We're asking that you keep the majority-minority districts in place without packing them or diluting the efforts of voters in non-majority-minority districts so that we can have the ability for all citizens to represent people who understand their interests, needs and concerns.

This is about not just people's faith and trust in government; this is about resource distribution that will help North Carolina be competitive with the rest of the world. We're just beginning to move forward. We do not need to move backwards in time. We are concerned that some of the discussion that we've heard is not compatible or conducive with strong economic development, job creation, palatable for our school systems. We're asking that you keep the districts as close as you can to the way they are so that we'll be able to continue the representation that we already have in place, as well as to keep the ability of our citizens to move forward and work together to create opportunities for growth.

Racism has not ended. Discrimination

1 still exists. It is still very difficult in large
2 elections for people of color to receive
3 endorsements across the board. We still have
4 heated arguments and discussion that is centered
5 around race. We cannot excuse race as a
6 consideration. Even though it cannot be the
7 primary consideration, it is a strong contributing
8 factor, and we ask that you allow every citizen in
9 this state to be able to have a vote that counts.
10 Whether people go to vote is up to them, but we're
11 asking that you create districts and give every
12 citizen in the state the ability to elect
13 representatives of their choice.

14 REP. LEWIS: Thank you very much,
15 Councilman Blackwell. I appreciate those remarks,
16 and I appreciate your time.

17 Senator, with that, we'll yield back to
18 the -- to you in Raleigh, sir.

19 SEN. RUCHO: Thank you, Chairman Lewis.
20 The -- just for you to be aware, Senator Malcolm
21 Graham from Mecklenburg County just arrived, and I
22 ended up leaving the session, and he was covering
23 his job taking care of Senate business, and that's
24 why he came late, so we have Senator Malcolm
25 Graham, who we're very proud to have on this

1 redistricting committee.

2 Now, the next person that we're going to
3 have is Gladys Simon. Gladys Simon, is that
4 correct?

5 Please let me introduce some legislative
6 colleagues. Senator Neal Hunt from Wake County;
7 Senator Bill Rabon; Senator Harry Brown from
8 Onslow; Senator Debbie Clary from Cleveland. Thank
9 you all for being here. Each of them had just
10 finished the session, and they ran over here to
11 another assignment, which we tend to do day in and
12 day out, trying to do the people's business.

13 I'd ask again for Gladys Simon. She did
14 request online for the opportunity to speak. The
15 next person, Jessica Holmes. Welcome, Ms. Holmes.

16 JESSICA HOLMES: Thank you, sir. Mr.
17 Chairman and members of the committee. My name is
18 Jessica Holmes, and I'm speaking to you on behalf
19 of a coalition of nonprofit, nonpartisan
20 organizations across North Carolina, the Alliance
21 for Fair Redistricting and Minority Voting Rights.
22 I appear today in response to the chairman's
23 request for information, and not to advocate for
24 one particular plan or another.

25 As you know, North Carolina has been the

1 center of redistricting litigation since the 1980s.
2 We hope this can be avoided this time around and
3 argue the public is best served by a redistricting
4 process that is transparent, responsive to public
5 input, and fair to all North Carolina voters. We
6 applaud your hard work in holding these hearings,
7 but we also note that the committee has not yet
8 adopted its redistricting criteria, nor made public
9 the draft plans you have under consideration.
10 Thus, at this stage, it is very difficult for the
11 public to provide meaningful comment.

12 We anticipate you will make your
13 redistricting plans public, including posting the
14 plan on the General Assembly website prior to the
15 end of the public hearing schedule so that voters
16 can review and comment on what you have proposed to
17 enact.

18 Historically, North Carolina's use of
19 literacy tests and other restrictive voter
20 registration practices, election systems with
21 multi-member districts, majority vote priming and
22 direct appeals to racial animus during campaigns
23 have all operated to exclude African-American
24 voters from participating in the political process.
25 More recently, voter intimidation tactics aimed at

1 Hispanic citizens and targeting African-American
2 communities have occurred.

3 We believe that social science research
4 will demonstrate that racially polarized voting
5 still occurs at legally significant levels in many
6 areas of the state, and in these circumstances, the
7 federal government has rightly paid attention to
8 the need to avoid diluting the legitimate voting
9 strength of racial minority voters in the state.

10 The law requires that a redistricting
11 plan must provide persons of color and all ethnic
12 groups protected by the Voting Rights Act an equal
13 opportunity to participate in the political process
14 and elect representatives of their choice.

15 Redistricting plans should not have the
16 purpose or effect of making minorities worse off
17 than they already are under existing plans. Vote
18 dilution can occur through use of gerrymandering
19 techniques such as packing, stacking and cracking.
20 It is vitally important not to pack African-
21 Americans into too few districts. Complying with
22 the federal Voting Rights Act is a key
23 redistricting criteria. At the same time,
24 recognizing and protecting important communities of
25 interest in North Carolina is also an important

1 redistricting goal.

2 It would be helpful to the public if you
3 would identify what communities of interest are
4 incorporated in the districts that you draw for
5 Congress and the General Assembly. In addition,
6 you should demonstrate how the plans you propose
7 are responsive to the comments and concerns
8 expressed by the public at these hearings.

9 We thank you for soliciting our public
10 input and look forward to the opportunity to make
11 our alliance members and the general public aware
12 of the work that you plan to complete over the next
13 few weeks. Thank you.

14 SEN. RUCHO: Thank you very much.
15 Appreciate your comments. A few more folks we'd
16 like to recognize -- I'm waiting for one of our
17 committee members to come up. But we have Senator
18 Blue and Senator Stein, both from Wake County. We
19 appreciate you coming. And I believe I saw Senator
20 Buck Newton, and he's from Nash. Senator, we do
21 have a connection to Nash today. So -- and also
22 Senator Walters from Robeson County. Thank you
23 again for being here.

24 And then, we have Senator Martin Nesbitt,
25 the Senate minority leader and a member of the

1 committee from Buncombe County. Thank you for
2 being here, Senator.

3 Going back to Nash County, Representative
4 Lewis, do you have another speaker there?

5 REP. LEWIS: Yes, Senator, we do. It's
6 my pleasure to invite Rocky Mount City
7 Councilperson Andre Knight to address the
8 committee. Mr. Knight, please feel free to come
9 forward. We welcome your input and look forward to
10 your remarks.

11 ANDRE KNIGHT: Thank you for allowing us
12 to be here. I'm Andre Knight, president of the
13 local branch of the NAACP. I wanted just to give
14 you a background of the history of elections here
15 in Edgecombe and Nash Counties and Rocky Mount.

16 In the beginning, in the early 1890s,
17 African-Americans in Rocky Mount began to assume a
18 more active role in the electoral process as both
19 the registrars and poll-takers. In 1897, as a
20 result of political and social objectives, the
21 legislative action of the Fusionists who gained
22 control of the state administration in 1894 and
23 expanted their majority in 1896. In order to
24 increase the minority participation, representation
25 in federal, state and local government, after the

1 Democrats regained control following Reconstruction,
2 the Fusionists passed a number of legislative
3 reforms, including new laws that enabled the
4 election of African-American candidates to
5 political office.

6 One method that was employed by the new
7 legislative majority was to abruptly amend the
8 municipal charters to open the election process. I
9 just want to say in the communities of District 7,
10 in Nash County, authority to pass a racial,
11 economic class, and geographical entity in the
12 merger of Rocky Mount City Schools. And the
13 schools in Halifax County continue to be faced with
14 the same issues, having three school systems in the
15 county that are divided along issues of race,
16 economic class, county and city lines. The
17 communities that we're talking about today in
18 District 7 continue to focus -- continue to form a
19 community of interest around these educational
20 issues, and the recent election of the first black
21 school board member from a predominantly black
22 school board district in Nash County, inner-city
23 part of Rocky Mount. That the communities in the
24 district still face racial polarization in Rocky
25 Mount with a negative attitude toward the majority

1 black City Council.

2 The challenge by the white community to
3 black candidates in Wards 4 and 2 in Rocky Mount
4 City Council races, and the challenge in Whitakers
5 to black residents electing the candidates of their
6 choice, or getting white support for black
7 candidates of mayor or town commission. While
8 there are many more factors that join the
9 communities in District 7 as a community of
10 interest, these are some of the key points that
11 people shape our identity as a community of
12 interest.

13 While we want to protect our majority-
14 minority district and the opportunity for blacks to
15 elect a representative of their choice who would
16 represent these interests we have described, we
17 also want to warn against packing more blacks in
18 our district than are necessary to minimize the
19 influence of black voters in other districts in the
20 county and the cracking of our community of
21 interest, or to provide voters to other districts.

22 So we would just ask currently that
23 district redrawing, and we continue -- we want that
24 process to continue with District 7 in both
25 Edgecombe, Nash and Halifax Counties. Thank you.

1 REP. LEWIS: Thank you, Councilman
2 Knight.

3 Senator, with that, we will transfer back
4 to the Raleigh site.

5 SEN. RUCHO: Thank you very much,
6 Representative Lewis. A few other members that
7 have joined us, Senator Kathy Harrington from
8 Gaston County; Senator Pete Brunstetter from
9 Forsyth; Senator Andrew Brock from Davie County;
10 Senator Jim Forrester on the committee. Thank you
11 all for being here. We appreciate it. We've had a
12 great turnout from our committee, and it will have
13 representatives across the state when we do reach
14 into each of your communities.

15 To continue on, my next person will be
16 David Whitlock. Mr. Whitlock, please identify
17 yourself, please.

18 DAVID WHITLOCK: I'm David Whitlock. I'm
19 sorry I'm not going to be as eloquent as the last
20 few speakers. But anyone who has honestly looked
21 at the North Carolina district maps and data can
22 see how they were gerrymandered to favor the
23 Democrats. In 2010, for example, the Republicans
24 won 54 percent of the total vote, but only got 46
25 percent of the U.S. Representative seats.

1 On the night of the 2010 election, I'm a
2 news junkie, so I was flipping between the
3 channels. There were pundits on there that
4 actually said their contacts at the DOJ had already
5 indicated to them that they were going to block any
6 efforts for redistricting -- sorry, any efforts for
7 redistricting in states that were covered by the
8 1965 Voting Rights Act. I was shocked.

9 Those new Republicans had not even set
10 foot in their offices, and the DOJ was already
11 plotting to use claims of civil rights
12 infringements. The same DOJ who recently accused
13 the Wake County School Board of practicing racial
14 segregation, is now going to use the same racial
15 segregation of voters to prop up the Democrat-
16 gerrymandered districts.

17 And if you think it's not going to happen
18 to you, I would advise you to go to the justice.gov
19 website, enter in a search for Kinston, and read
20 what Loretta King had to say to the Kinston voters
21 who overwhelmingly voted to do away with the R and
22 the D, the party affiliation, for local elections.
23 Somewhere in that letter, which I hope everybody
24 goes and reads, is, the community is made of 64.6
25 percent registered voters in Kinston being African-

1 American. Since three out of the four last
2 elections they chose not to vote in large numbers,
3 they were treated as the minority for that
4 district.

5 Kinston voters, according to Loretta
6 King, vote primarily based on race. Removing party
7 affiliation will somehow, and I quote, "deny blacks
8 their candidate of choice." You know, in my view,
9 everyone has the same right to vote or not. Not
10 even suggesting that -- they weren't even
11 suggesting that the polls were being blocked by
12 anyone with night sticks or shouting racial
13 epithets. White or black, everyone deserves an
14 equal right to vote or not to vote. White or
15 black, the best candidate should win, or at least
16 the candidate with the most legitimate votes.

17 And I was not aware that -- I haven't
18 read the law, but these communities had to be
19 majority-minority communities. That there are
20 three districts in North Carolina that comprise 43
21 percent of the African-American vote in North
22 Carolina. I think that's absurd. We want to be a
23 more integrated society, yet we're adhering to
24 these 1965 segregationist laws. This makes no
25 sense to me.

1 I hope that y'all are able to come up
2 with something equitable. I don't want y'all to do
3 the same gerrymandering that was done by Democrats.
4 I want things to be fair. Thank you.

5 SEN. RUCHO: Thank you very much, Mr.
6 Whitlock. More senators that have come in, and I
7 hopefully don't miss any of our House members. If
8 you would, please, identify yourself. But I have
9 Senator Brent Jackson from Sampson County; Senator
10 Floyd McKissick, who's a committee member, from
11 Durham; and Senator Ed Jones from Halifax County.
12 Thank you. And I introduced Senator Michael
13 Walters earlier. Thank you.

14 We appreciate everyone for attending. Am
15 I missing any House members that may be in here,
16 please? Okay. If so, please recognize -- let us
17 know, and we'll be delighted to recognize you.

18 Let's move back to Nash County, if we
19 may. Representative Lewis, do you have another
20 speaker there?

21 REP. LEWIS: Thank you, Senator. At this
22 time, we do not. Would just like to point out that
23 the House is still in session. I'm certain that my
24 House colleagues will be joining you there in
25 Raleigh as soon as they can. At this time, we have

1 no one else who has signed up to speak. Should
2 that change, we will certainly let you know and
3 afford them the chance to speak. I will transfer
4 it back to you now, sir.

5 SEN. RUCHO: Thank you, Chairman Lewis.
6 If we hear something different from Person or Nash,
7 just let me know, and we'll move it into the
8 rotation.

9 Our next speaker is Bernard Holiday.
10 Please identify yourself and any organization
11 you're representing.

12 BERNARD HOLIDAY: Good afternoon, members
13 of the panel. My name is Bernard A. Holiday,
14 resident of Granville County, and I represent the
15 Center for Living.

16 The North Carolina state General Assembly
17 now has the responsibility of redrawing district
18 lines for the congressional districts, as well as
19 for members of the House and Senate. North
20 Carolina as a state ranks number 10 in the nation
21 in population, with a growth rate of approximately
22 1.5 million in the last Census for a total
23 population of approximately 9.54 million citizens.

24 To break that down in terms of race and
25 ethnicity, Caucasian, 65.3 percent; African-

1 American, 21.2 percent; Hispanic, 8.2 percent;
2 Native American Indians, 1.1 percent; Asian, 2.2
3 percent. North Carolina is a growing, urban state.
4 I won't enumerate the ten top cities; you know that
5 all too well, starting with Charlotte and down to
6 Greenville. However, we've had a loss of
7 population, zero growth in counties like Martin,
8 Mitchell, Washington, Halifax, Hyde, Jones and
9 Lenoir.

10 In accordance with the 2010 Census, the
11 U.S. Constitution and federal courts have outlined
12 basic guidelines for the 50 states to use in
13 drafting congressional districts. The Voting
14 Rights Act of 1965 covers 40 counties in our fair
15 state of North Carolina.

16 The state of North Carolina has been
17 involved in many court cases related to protecting
18 the rights of ethnic minorities in voting.
19 Sections 2 and 5 of the Voting Right Act highlights
20 this case as it relates to the Shaw doctrine and
21 the Gingrich case, the Stephenson/Bartlett case
22 regarding representation.

23 The North Carolina legislature must use
24 technology tools in framing the districts in terms
25 of geographical data, Census population, voter

1 registration, election returns, of course. And the
2 goal must be as follows: North Carolina must
3 balance its population districts in terms of the
4 congressional districts. And of course, the ideal
5 congressional district is approximately 733,499
6 persons in each district.

7 The formula of one person, one vote must
8 be guaranteed in these 13 districts. The concept
9 of contiguity established in the new 13 districts.
10 The splitting of 13 district lines must be
11 carefully examined and not just deal with partisan
12 politics in terms of incumbency.

13 I'll refer you now to the U.S. Supreme
14 Court, which ruled in 1976 that a change affecting
15 voting could be not pre-cleared on Section 5 if it
16 led to retrogression in the position of racial
17 minorities with respect to their effective exercise
18 of the election -- electoral franchise, in the case
19 of Jordan v. Ashbrook [phonetic]. And the 40
20 counties were cited in that.

21 And I conclude by referring you to the
22 Gingles/Edmisten case, overturning the North
23 Carolina legislative plan in 1984. The court
24 affirms the Gingles decision in 1986, Shaw v. Hunt
25 in 1996, as well as the Supreme Court decision in

1 2001. And the Edmisten and Bartlett, the North
2 Carolina Supreme Court decides that the whole
3 county provision must be kept in drawing district
4 lines for the Senate and House. Thank you for your
5 time.

6 SEN. RUCHO: Thank you, Mr. Holiday. We
7 appreciate your comments. Two other colleagues
8 from the General Assembly, Deborah Ross and Grier
9 Martin, both from Wake County. Thank you again for
10 being here and participating, and we've already
11 mentioned that you all just got out of session, so
12 we, again, appreciate what you do over there and
13 then running over here to another assignment.
14 Thank you.

15 Since there are no other speakers at the
16 other two locations right now, I'm going to
17 recognize, I believe it's Bob Fuller. Is that
18 correct? Mr. Fuller. You're recognized; introduce
19 yourself, please, for the record.

20 BOB FULLER: Good afternoon, Bob Fuller,
21 private citizen, representing yours truly. I am a
22 migrant from Washington, D.C., so I am used to
23 discussing politics.

24 I want to give you a little history
25 lesson for those who have not been here as long as

1 I have. When our lieutenant governor did not have
2 the veto, the lieutenant governor had more power,
3 in my opinion, because he had just as many
4 appointments, and he had the vote, should there be
5 a tie in the Senate. Now, as long as we had
6 Democratic lieutenant governors, he had power out
7 of the wazoo. Then, we get a Republican lieutenant
8 governor, and what does the General Assembly do?
9 They snatched all of the power that they gave to
10 the all the lieutenant -- Democrat lieutenant
11 governors.

12 Some years ago, we had a surplus. Where
13 did it go? Who was minding the store when we had
14 the surplus? Now, the governor, after 100 years,
15 she wants a panel to decide redistricting, after
16 100 years. I believe in the Old Testament about an
17 eye for an eye and a tooth for a tooth. And
18 apparently, the General Assembly believes that,
19 too, because we still have the death penalty.

20 To the victor go the spoils, okay? I
21 will remind you what President Obama told Senator
22 McCain: "Who won the election?" Thank you.

23 SEN. RUCHO: Thank you. I appreciate
24 your comments. I'm going to move on to, and I
25 believe it's Zan Bunn. Ms. Bunn, thank you for

1 being here today.

2 ZAN BUNN: Good afternoon. Thank you
3 very much for the opportunity to speak out.

4 I live in Wake County, and I probably
5 represent many voters who could not be here at 3:00
6 on a weekday. Absent actual maps to review, I'll
7 make my comments very short. I'll ask that you
8 draw lines that are fair and legal. I, nor other
9 North Carolina voters, want to live in a
10 gerrymandered monster. North Carolina has been the
11 laughingstock because of its districts and the maps
12 that we have in our state. Maps, by definition,
13 should be easy to read and easy to understand.

14 The whole county provision is extremely
15 important, and again, I just repeat, fair and
16 legal. Thank you.

17 SEN. RUCHO: Thank you very much for your
18 comments. I appreciate you coming down here today.

19 Two other members that have attended,
20 Rodney Moore and Kelly Alexander, both
21 representatives in the House. Thank you for being
22 here. I appreciate it very much. If I do happen
23 to miss -- Representative Bryant. Nice to have you
24 here today. Thank you very much.

25 We're going to move on to the next

1 person, and that is Art Wilson. Mr. Wilson?

2 Welcome today.

3 ART WILSON: Thank you, gentlemen. Thank
4 you for allowing me here. My name is Art Wilson,
5 and I live in southern Wake County. And I'd like
6 to reiterate what Ms. Bunn just said as far as fair
7 and legal. I've been assured by my House
8 representative, Paul Stam, that it will be fair and
9 legal. I've been assured by David Lewis, who I've
10 come to know in this recent setting, that it would
11 be fair and legal, and I believe that.

12 The past configuration is absolutely
13 ridiculous. If you look at the map, and you
14 weren't considering the facts of some extreme
15 attempts of voter manipulation that took place in
16 the past, and were looking at the districts of the
17 map in North Carolina in the present, gerrymandered
18 way, you'd think it was laid out by a drunkard with
19 severe DT's.

20 Wake County has three House of Congress
21 reps. Each one has a piece. One of those
22 districts reaches from here to Greensboro. It's
23 absurd. So they're illegal, I expect, and I think
24 the Supreme Court will come to pass.

25 To the members of the African-American

1 community that I've listened to today, I would
2 offer you the experience that racial alone does not
3 guarantee you that you're going to have the
4 representation you may have been aligned. In my
5 own case, I'm Caucasian, I have been represented
6 for the ten years I've been back in North Carolina
7 who is a Caucasian. I could not have been possibly
8 more misrepresented for things I would like to have
9 seen take place with our federal government than by
10 this man. I would happily have traded him for any
11 one of the half-dozen African-Americans I've seen
12 and a couple of Asians, any one group like that.

13 So, until we can put aside this racial
14 card that we want to continue to play, there are
15 things more important to our state and our country,
16 and let's get away from that. Thank you for your
17 time.

18 SEN. RUCHO: Thank you for your comments,
19 Mr. Wilson. We're going to check and see if we
20 have any additional people signed up in the other
21 locations, but before we do that, I just want to
22 remind anybody -- everybody that if you would like
23 to visit one of the other public hearings, they're
24 publicized on the North Carolina General Assembly
25 website under redistricting. There's a schedule,

1 plus there's a plethora of information on
2 redistricting maps and other information, including
3 the Legislator's Guide, which is a book that we've
4 been given by the General Assembly staff that helps
5 explain redistricting to our legislators, and it
6 will probably be very informative to you as you can
7 pull it down online.

8 Representative Lewis in Nash County, do
9 you have anyone else there to speak?

10 REP. LEWIS: No, sir, not at this time,
11 and we'll go back to you, sir, in Raleigh.

12 SEN. RUCHO: Okay, thank you.
13 Representative Dockham in Person County? Do you
14 have any others?

15 REP. DOCKHAM: No, sir. Not at this
16 time.

17 SEN. RUCHO: Thank you, sir,
18 Representative Dockham.

19 REP. DOCKHAM: Thank you.

20 SEN. RUCHO: Thank you, sir. Are there
21 any other members that have signed up? I haven't
22 seen any other names or anyone else, would like to
23 have five minutes?

24 Mr. Gheen, you have five minutes.

25 WILLIAM GHEEN: I don't think my comments

1 will take five minutes. I have great hopes in this
2 committee and great hopes in the new government
3 that the voters ask to take up this very important
4 charge of redistricting. In my past experience as
5 a campaign consultant with over 44 campaigns, I
6 watched as certain officials used this process to
7 cater to special interests. Advanced computer
8 programs and mapping models were used to assure
9 that certain people remained in power regardless of
10 which way the wind might blow with the electorate.

11 That is why I feel that this year, it's
12 very, very important that we assure that special
13 interest groups do not have unfair advantage. As
14 you know, I represent one of the nation's largest
15 immigration and border enforcement organizations,
16 and I'm here to protest the fact that Matty Lazo-
17 Chadderton has been hired to help in the
18 redistricting process, considering the fact that
19 she is a member of the National Council of La Raza,
20 one of the largest amnesty-supporting organizations
21 in the country, and she is the prior employee of
22 Marc Basnight as Hispanic affairs outreach
23 coordinator.

24 For the public to have confidence in this
25 redistricting process, it's very important that

1 people that perhaps, you know, might have a problem
2 with Senator Brock or maybe Senator Brown's
3 positions on an issue are not tainting the process.
4 Even if it were not an immigration issue, even if
5 it were someone on my side, on the enforcement side
6 of it, it's improper for anyone that has taken very
7 solid stands, whether it be taxation, abortion, any
8 issue at all, to be involved in a redistricting
9 process.

10 So I'm here to ask Senator Rucho that you
11 consider removing Matty from the staff involved
12 with the redistricting so that the integrity of
13 this process may be maintained.

14 SEN. RUCHO: Mr. Gheen, would you just
15 repeat your name for the record, and any
16 organization you represent?

17 WILLIAM GHEEN: Sure. My name is William
18 Gheen, G-H-E-E-N. I am president of Americans for
19 Legal Immigration PAC, a multi-ethnic national
20 organization, and I also have served the Senate in
21 the past as an assistant member of the Sergeant-at-
22 Arms staff, a legislative assistant, as well as a
23 lobbyist and campaign consultant.

24 SEN. RUCHO: Thank you for your comments,
25 Mr. Gheen. Appreciate it.

1 WILLIAM GHEEN: Thank you.

2 SEN. RUCHO: We have one other person,
3 and this is Chris Tolesca? Am I pronouncing that
4 correctly?

5 CHRIS TOLESCA: You did.

6 SEN. RUCHO: Thank you. Welcome today.

7 CHRIS TOLESCA: I'm speaking just as a
8 voter. I've cast every vote in my adult life in
9 the same location since 1978 in the same
10 neighborhood for 40 years. The population growth,
11 it was split into two precincts. Senator Hunt
12 probably knows where that is. It's in the North
13 Ridge area.

14 And we're two precincts, and instead
15 of -- obviously, we have Senator Hunt is the
16 senator for both of the precincts there, but David
17 Price represents the people who live four houses up
18 the street from me; Brad Miller represents my
19 precinct. We've got also, I believe, different
20 state senators -- excuse me, State House members.

21 I'd just like to ask that when you are
22 doing your redistricting, that you try to look at
23 some of these precincts that you might be drawing
24 lines through and try to see, you know, if you're
25 going to be artificially dividing up neighborhoods.

1 I mean, I used to live in a house on the other side
2 of North Ridge which is now in the other precinct,
3 and that one neighborhood, people go to the same
4 schools, shop in the same stores, go to the same
5 restaurants, but we've got to vote for several
6 different people.

7 So when you're doing your redistricting,
8 you might want to keep that in mind. It helps
9 preserve a sense of neighborhood, and it also
10 allows us to, you know, instead of having to reach
11 out to all these different legislators and elected
12 officials, we can just, you know -- wouldn't dilute
13 our voting strength when we're looking to approach
14 somebody on a particular issue. Thank you.

15 SEN. RUCHO: Thank you, Mr. Tolesca.
16 Appreciate your comments.

17 Ladies and gentlemen, at this moment,
18 unless there's someone else who would like to spend
19 the five minutes allotment, I don't believe I see
20 anybody here, and then again in Nash County,
21 where Representative Lewis --

22 REP. LEWIS: Mr. Chairman?

23 SEN. RUCHO: Yes, sir.

24 REP. LEWIS: I do believe we have another
25 individual who would like to offer some remarks,

1 and as he comes forward, I would ask him to state
2 his name and record his name, as I do not have that
3 before me. But we certainly do welcome his
4 remarks.

5 FRED BELFIELD: Thank you for the
6 opportunity to make a few comments. I did not come
7 prepared to speak, but a couple of concerns. First
8 of all, my name is Fred Belfield, and I'm a Nash
9 County Commissioner representing the 2nd District
10 in Nash County.

11 I have two concerns. One, is that I'm
12 concerned if we don't -- especially as it relates
13 to the congressional districts, that we don't pack
14 minorities into where I have read or heard that
15 there may be an attempt to make three minority
16 congressional districts, and there would be two
17 other Democrat Congressmen that would be targeted
18 in order to do that. We would like to have the
19 opportunity to have influence in more than just two
20 congressional districts. We do believe in the 1965
21 Voting Rights, and we certainly hope that you will
22 consider it. But this packing, we certainly would
23 be opposed to that.

24 Another concern that I have is that the
25 variance of the districts, sometimes, when you

1 start dealing with minority districts on the
2 legislative and county commissioners -- of course,
3 the County Commissioners would be in charge of
4 that. But legislative districts for the General
5 Assembly that are variance. And if you try to make
6 them 100 percent as close as possible to 100
7 percent, all of the districts the same, then you're
8 going to have some minority districts that are
9 going to fall short of the population that they
10 should have in those districts. So, please, take
11 all that into consideration.

12 And the last thing I want to say is, it
13 would be good -- I know when the Democrats were in
14 charge of redistricting, they did not look at
15 having a private, nonpartisan group to draw
16 legislative districts, whether it was congressional
17 or the General Assembly. This is something that I,
18 that we should strongly consider. It may not
19 happen this time, but certainly, it ought to be
20 something that's put on your agenda in the General
21 Assembly to do that. Some states are using it, and
22 some states are not. I think you need to make a
23 study of it, if you don't already have sufficient
24 information to do just that. Then, if you do that,
25 I don't think that either party can have a whole

1 lot of criticism about the ways the districts are
2 drawn. They were drawn for special interests or
3 drawn to favor one party over the other. Thank
4 you.

5 REP. LEWIS: Thank you, Commissioner.
6 Would anyone else like to speak? We certainly
7 welcome your comments.

8 Mr. Chairman, at this time, it does not
9 appear there is anyone else that would like to
10 speak. We are excited and appreciate the chance to
11 participate, and I've certainly enjoyed and learned
12 and benefitted from the comments that have been
13 shared today from Nash County, as I'm sure you
14 have, and all those in Wake and Person. So I will
15 sign off and turn back to you, sir.

16 SEN. RUCHO: Thank you very much,
17 Representative Lewis. Great job over there, and we
18 appreciate the folks from Nash County coming out
19 and being part of this public hearing.

20 Representative Dockham in Person County,
21 are there any other folks over there who would like
22 to spend a few moments giving their thoughts?

23 REP. DOCKHAM: No, sir. We don't have
24 anyone who wishes to speak at this time.

25 SEN. RUCHO: Representative Dockham,

1 thank you for being there representing the General
2 Assembly and this redistricting committee.

3 Audience in Wake County, is there anyone
4 else that would like to participate in this public
5 hearing?

6 I want to say thank you for your showing
7 up and being part of the process. We would love to
8 see 100 people come to these meetings and be part
9 of the process, and hopefully this first step when
10 we start to get more people involved in this
11 process, a little sunlight is always good. So -- I
12 see Senator Robinson. Thank you very much for
13 being here today.

14 If there are no other people that would
15 like to participate in this public hearing, and
16 we've covered Nash and Person, I will say to you
17 that this public hearing is adjourned, and we thank
18 you very much for participating.

19 (THE PROCEEDINGS WERE ADJOURNED AT 4:17 P.M.)

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21

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Redistricting Public Hearing (4/13/2011)

Date	First Name	Last Name	Organization	Location	
3:00:00 PM	Damon	Circosta	NC Center for Voter Education	NC Museum of History, Raleigh	3:25 pm
	Gladys	Simon	stretch mark cream reviews	NC Museum of History, Raleigh	no show
	Jessica	Holmes	Southern Coalition for Social Justice	NC Museum of History, Raleigh	3:35 pm
Total	3				

4/12/2011 3:26:35 PM

Public Hearing Site

Raleigh

Public Hearing Date

4/12/11

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	David Whitlock	Wake Cty	N/A	
2	Bob Fuller	Wake Co	N/A	Black American
3	Zan Bunn	Wake County		
4	CARLOS E. SANCHEZ	MECKLENBURG COUNTY	N/A	HISPANIC
5	Lynice Williams	Wake County		African American
6	Linda Sesss	Wake County		African Am
7	Peter Ellis	Wake County	General Assembly staff	USA
8	Pat Wilson	WAKE COUNTY		
9	SALLYANN HOBSON	GRANVILLE COUNTY	N/A	AFRICAN AMERICAN

Public Hearing Site

Raleigh

Public Hearing Date

4/13/11

10	Gilda A. Scott	402 LANIER ST OXFORD, N.C. 27565	Granville County Democratic Party	
11	Janita Rogers	PO Box 31 Oxford, NC 27565	Granville County Democratic Party	
12	Ellarine P. Alston	707 Williamsboro St Oxford NC 27565	Granville County Democratic Party	
13	CYNTHIA NERTZ	425 OLDE OAKS LN FITSBORO, NC 27312	LEAGUE OF WOMEN VOTERS	
14	Donna Yowell	507 Occochee Dr Fuquay Varina	Wake Co.	
15	Janie [unclear]	2687 Carlie Adams Fuquay Varina	Wake Co	
16	Jessica Holmes	SCS5 115 Market St. Durham	SCS5	
17	MARIA ROSALFS	12101 LOCKHARTS LANE RALEIGH	WAKE	
18	Bruce McElm	220 Hillsborough St Raleigh	Dem Party	
19	Lee M	Same	Dem Party	
20	Jamie Hahn	Same	Brad Miller for Congress	
21	Caitlan Tart	Same	Dem Party	

Public Hearing Site

Raleigh

Public Hearing Date

4/13/11

22	Theresa Gibson	Lenoir, NC	Caldwell Chamber of Comm	can
23	Joan McLee	Lenoir, NC	Leadership Caldwell	white
24	Wanda Ellis	Lenoir NC	Leadership Caldwell	can
25	Amanda Triplett	Lenoir NC	Leadership Caldwell	
26	Lauren Whaley	Raleigh NC	NC Credit Union League	"
27	Alex Bonck	Raleigh NC	NC Credit Union League	"
28	Nick Dula	Lenoir, NC	Caldwell Leadership	Black
29	Forrest Tate	Lenoir, NC	Leadership Caldwell	white
30	Breanna McKay	Lenoir, NC	Leadership Caldwell	white
31	Christina Gates	"	"	white
32	Amy Bowman	"	"	white
33	EO 20	"	"	

Public Hearing Site

Raleigh

Public Hearing Date

4/13/11

34	Jeff Guntley	Lenoir, N.C.	Leadership Caldwell	W
35	Nathan Babcock	Raleigh	NCGOP	White
36	Russell Bygott	Orange County	NKGA	Other
37	Joan Sulhann	Raleigh Wake County		
38	Dan Frey	Raleigh	NCGA	
39	Damon Clifton	Raleigh	we were ed	
40	Brent Lawrence	Raleigh	NCCVE	
41	Mickey Fanny	Ral	NC Credit Union League	W
42	Chris Telesca	Raleigh	_____	
43	Deborah Ashley	Lenoir NC	Caldwell Chamber	caucasian
44	Octavia King	Raleigh, NC.	SELF	.
45	Dario Moccia	"	Self	wh

Public Hearing Site Raleigh

Public Hearing Date 4/13/11

46	Mark Fleming	1436 20th Ave. Pl., NE Hickory, NC 28601		
47	Loretta Bonith	News 14	News 14	
48	Krista Anderson	NC DP		
49	Kyle Haney	NC DP		
50	J Pinsky	WCC LGR		
51	Lindy Brower	1207 Silverhill Ct		
52	Bill Green	PO Box 30160	ALIPAC	
53				
54				
55				
56				
57				

Public Hearing Site NC Museum of History
Public Hearing Date 4-13-11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

	NAME	ORGANIZATION (optional)
1	David Whitlock 3:35pm X	
2	Bernard Holliday 3:50pm X	
3	Bob Fuller X	
4	Lan Bunn	

Public Hearing Site _____

Public Hearing Date _____

5	Art Wilson K	
6	Lois Watkins Spoke 2:21pm ^K	Rocky Mount City Council Wash.
7	Rueben Blackwell Spoke 3:29pm ^K	Rocky Mount City Council Nash
8	Andre Knight 3:40pm ^K	Rocky Mt City Council Nash
9	William GREEN K	Wm. Co.

Public Hearing Site _____

Public Hearing Date _____

10	CHRIS TELESKA K	
11		
12		
13		
14		

Redistricting Public Hearing (4/13/2011)

Date	First Name	Last Name	Organization	Location	
3:00:00 PM	Damon	Circosta	NC Center for Voter Education	NC Museum of History, Raleigh	3:25 pm
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	Jessica	Holmes	Southern Coalition for Social Justice	NC Museum of History, Raleigh	3:35 pm
Total		3			

4/12/2011 3:26:35 PM

Public Hearing Site Piedmont Comm. Coll.

Public Hearing Date 4/13/11

ATTENDANCE SHEET

Name		Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	FLOYD ADSIT	Youngsville, NC 27596 175 Glendale Dr		
2	H. James Owen	165 Manchester Dr Roxboro NC 27573		
3	Walter Barnett	451 Wimbeldon Roxboro, NC 27573		
4				
5				
6				
7				
8				
9				

Hearing Site

Nash Community

Public Hearing Date

4-13-11

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	Lois Watkins	700 Burton St Rocky Mt	RMT City Council	AA
2	MARY Wells	1924 W Winstead Ave Rocky Mount	Nash County Comm.	
3	Charles M. Johnson	1103 Rose Dale Ave Rocky Mt, NC 27804	N.C. C.W.	
4	Rebecca Blackwell	P.O. Box 2723 Rocky Mount NC 27802	RM City Council	Black
5	Charlette Mizer	3206 Elm Dr Rocky Mt NC 27804		White
6	Herbert Greerky	Box 7412 RM NC 27804	WNIG-TV	USX
7	Mark Edwards	P.O. Box 757 Nashville NC 27856	Nash Co GOP	White
8	Shirley Marshall	2003 Northwest Ave 27896	NCCA	Black
9	GEOFFREY COOPER	1000 HUNTER HILL ROAD	R.M. TELEGRAM	BLK

Hearing Site

Nash Community College

Public Hearing Date

4-13-11

10	Rossie A Davis	5998 Dortches Blvd. Rocky Mount, NC 27804	Nash County Commissioner	White
11	Allen Thomas	3575 E. 10th St. Apt 1324 Greenville, NC 27834	Progressive Democrats of America	Black - AA
12	Fred Bufield	3152 Greenfield Dr. Rocky Mount, NC 27804	Nash County Commissioner	Black
13	Andre Knight	157 Cherry St RMT	RMT City Council	Black
14	Keith Smith	522 N. old Carriage Rd. Rocky Mt, NC 27805	Nash Comm. College	Black
15				
16				
17				
18				
19				
20				
21				

Public Hearing Site Nash Community College
Public Hearing Date 4-13-11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

	NAME	ORGANIZATION (optional)
1	Lois Watkins	RMT City Council
2	Reuben Blackwell	RMT City Council
3	Azlee Knight	RMT City Council
4	Fred Bel field	Nash County Commissioner

Remarks before the Senate and House Redistricting Committees

Robert P. Joyce

School of Government, University of North Carolina at Chapel Hill

April 13, 2011

Good afternoon.

I am Bob Joyce, a lawyer and a member of the faculty of the School of Government at the University of North Carolina at Chapel Hill. I work with state and local government officials in several areas of law, including elections law, and it is in that capacity that I have been invited here today and I very much appreciate the invitation. I understand that the purpose of the invitation is for me to speak very briefly and in broad outline, about legal considerations in redistricting, as a way to help set the stage for comments to follow, from citizens with points of view on redistricting.

The General Assembly will be responsible for drawing new districts for electing members of Congress and members of the state House and Senate. (As a side matter, keep in mind that, in addition, more than 100 counties, cities, and school units that elect their governing boards from districts are now undertaking the redistricting task, and for them the legal issues are principally the same as those facing the General Assembly.)

In drawing the Congressional and legislative districts, the General Assembly faces many issues of partisan politics and good governance, but right now let's focus on five legal considerations. Of course, what I will say hits only the briefest highlights.

The first of the five is the requirement that districts must contain about the same number of people each. This requirement commonly goes by the name one-person-one-vote, and it is a requirement that the United States Supreme Court has, for the past fifty years, said comes directly from the US Constitution. There was a time when state legislatures did not try to make districts about the same size—in fact, until the 1960s each county in North Carolina was entitled under the state Constitution to one member of the state House, no matter how small the county was. But the Supreme Court said that uneven districts violate the Equal Protection Clause of the Fourteenth Amendment of the US Constitution, because people living in more populous districts have votes that count less than people living in smaller districts. So now the rule of thumb is that for state House and Senate districts, the spread from the least populous district to the largest, when the new districts are drawn, cannot exceed 10%. And, the US Supreme Court has said, for seats in Congress the requirement is much more strict—very little deviation is allowed. In the last redistricting round 10 years ago, all the congressional districts were drawn to be within one person of the same size.

The one-person-one-vote requirement will be challenging to meet, but the legal concept behind it is really straightforward. The second of the five legal considerations is, by contrast, complicated and subtle. It is the proper consideration of race in the drawing of districts. The general legal principle is that race should not be the dominant factor in the drawing of districts. The US Supreme Court said exactly that in a redistricting case arising in North Carolina. Yet

there are two circumstances in which the law requires that race be taken into account, and both of those arise under the federal Voting Rights Act of 1965. That Act has two central provisions. The first, Section 2, prohibits discrimination in the administration of elections everywhere in the country. The second, Section 5, requires the preclearance of electoral changes in some jurisdictions in the country, including 40 North Carolina counties.

Under Section 2—the general anti-discrimination provision—there have in the past in North Carolina been successful lawsuits brought, challenging the ways in which certain elections were conducted, including challenges to the past ways of drawing legislative districts. The remedies that the courts imposed after those successful lawsuits directed the consideration of race in the drawing of districts, mandating the creation of districts that had a majority African-American population, again including a number of legislative districts, to enhance the opportunities for African-American voters to participate in the electoral process and to elect candidates of their choice. As a result, the General Assembly is obligated to continue to consider race in the drawing of districts where those remedies for prior discrimination have been put into place.

And under Section 5—at least with respect to those 40 counties covered by its provisions—the law requires that electoral changes, such as redrawing lines to meet the one-person-one-vote requirement, must not be made in such a way as to make it harder for African-American voters to participate in the electoral process and to elect candidates of their choice. Changes that make it harder are termed “retrogressive” and the US Department of Justice will not preclear such changes, unless perhaps demographic shifts have made the retrogression unavoidable. Of course, the entire state-wide plans must be submitted for preclearance, because every part of a plan will depend to some extent on every other part.

The third of the five legal requirements that the General Assembly must keep in mind, with respect to the state House and Senate districts, is found in the Whole Counties provisions of the state Constitution. The Constitution prohibits dividing counties in drawing legislative districts. In interpreting that provision, our state Supreme Court has recognized that the primacy of federal law means that considerations under the Voting Rights Act, as I have just mentioned, must be met first, and they may, in the proper circumstance, require the dividing of counties. Beyond that consideration, however, the state Supreme Court has given a roadmap of instructions to the legislature on how to combine counties into groupings and then to create divisions within the groupings to meet as fully as possible the one-person-one-vote requirements and the Whole Counties provision at the same time.

The fourth of the five legal requirements was defined by our state Supreme Court recently: in the drawing of maps for the state House and Senate, the General Assembly may not use a mix of single-member and multi-member districts. Multi-member districts were once common. The practical consequence now is that all districts must be single-member.

The fifth of the five legal requirements is found in the state Constitution: all state House and Senate districts must be composed of contiguous territory.

In addition to these five legal requirements, there are other concerns. One, the US Supreme Court has been clear that incumbency protection is a legitimate concern in drawing districts. Two, there has long been a consensus that compactness in the drawing of districts is a desirable consideration, even if it may not be literally required. Third, it is highly desirable from the point of view of elections administrators that the General Assembly not split voting precincts in the drawing of districts. Not only is administration eased, but the likelihood of error is reduced. And last, there is no particular procedure mandated for the redistricting process. But the fact that we are all here today speaks well to the desire of this committee to conduct an open process.

Thank you very much.

①

Andre Knight

Breaking the Color Barrier

1897-1903

~~on May 10, 1897~~

Beginning in the early 1890's African Americans in Rocky MT began to Assume more Active roles in the electoral Process As voter registers and poll taker

In 1897 was A result of the political & social objectives and legislative actions of the Fusionists who gained control of the state Legislature in 1894 and expanded that majority in 1896. In order to increase minority participation & representation in state and local government

② After the Democrats regained control following

Reconstruction, the Fusionists passed a number of legislative reforms including new laws that facilitated and enabled the election of African-American Candidates for political

~~office~~ office. One method employed by new legislative majority was to unilaterally and arbitrarily amend

Municipal Charters to open ~~the~~ election

Process by creating or redrawing wards for minorities in towns w/ significant African-American populations.

SPEECH REDISTRICTING

Good afternoon,

Distinguished panel,

Thank you for hosting public redistricting meetings across NC. I am Lois Watkins, a resident of Nash County and an elected Council member for the City of Rocky Mount my entire ward is included in District 7.

I have been a resident of Nash county for more nearly 20 years and have been involved in the advocacy to get representations in a number of districts in this eastern region most particularly state District 7 and 25. We the citizens of my ward know that based on the census information we have had population shifts and that you will have to add additional population to both Districts 7 and 25.

While we do understand that redistricting can sometimes help us catch up with time, address population shifts, provide fair access to growth, we also recognize that redistricting can degrade a voter or a group of voters influence on the political process as a whole. It can erode equality in resource allocation, pack underserved communities into larger non-minority districts where we are less likely to receive the resources and attention to our issues because our numbers are fewer.

I am here today to inform you that we want to protect our majority minority district and the opportunity for African American to elect and keep representatives of our choice. We also want to warn against packing more blacks in our majority minority district than are necessary to meet voting rights requirements.

Packing of AA voters in a majority minority district can minimize the influence of black voters in the other district in the county and reduce our impact of receiving resources allocations to issues historically not addressed prior to the creation of the majority minority districts because of fewer numbers.

All the communities of District 7 have been involved in voting rights challenges in the past for city council, county commissioner or school board representation issues.

The network of large and small towns and unincorporated areas in District 7- Rocky Mount, Whitakers, Enfield, Roanoke Rapids, Scotland Neck, Hobgood, Weldon, Littleton, Battleboro, Tillery, Halifax, Hollister—face similar needs of community and economic and infrastructure development with the smaller towns and unincorporated areas needing technical assistance as well as support with water and sewer issues.

This district also includes 4 electri-cities and a rural electric cooperative – so utility issues and utility cost issues also form a community of interest among these communities in District 7.

pg 3

*The communities in District 7 in Nash County fought in the past for racial, economic class and geographic equity in the merger of the Nash County and Rocky Mount City Schools, and the schools in Halifax County continue to be faced with these same issues having three school systems in the county that are divided along issues of race, economic class and county and city lines. The communities in District 7 continue to form a community of interest around these education issues in the recent elections focusing on support for the new high school in Rocky Mount and the recent election of the first Black school board member in the predominantly Black school board district in the Nash County-Inner city part of Rocky Mount.

The communities in the district still face racially polarized voting in Rocky Mount with the negative attitudes toward the majority black city council, the challenge by the white community to the black candidates in Wards 4 & 2 in Rocky Mount City Council Races and the challenges in Whitakers to black residents electing the candidates of their choice or getting white support for black candidates for mayor or town commissioner.

While there are many more factors that join the communities of District 7, as a community of interest, these are some of the key points that help shape our identity as a community of interest.

While we want to protect our majority minority district and the opportunity for Blacks to elect a representative of their choice who will represent these interests we have described, we also want to warn against packing more blacks in our district than are necessary to minimize the influence of black voters in the other district in the county or the cracking of our communities of interest in order to provide voters to other districts. For your convenience, I have a written copy of my comments for your record.

PUBLIC HEARING GUIDELINES

Redistricting Committees of the 2011 General Assembly

We also want to oppose the cracking or splitting off of our communities of interest in order to provide voters to meet the target numbers for other districts and that you add the entire county of nash to these districts.

Thank you for moving this public hearing across the state. I hope that you consider the input of minority voters across the state as you proceed with redistricting efforts.

Remarks before the Senate and House Redistricting Committees

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there are two circumstances in which the law requires that race be taken into account, and both of those arise under the federal Voting Rights Act of 1965. That Act has two central provisions. The first, Section 2, prohibits discrimination in the administration of elections everywhere in the country. The second, Section 5, requires the preclearance of electoral changes in some jurisdictions in the country, including 40 North Carolina counties.

Under Section 2—the general anti-discrimination provision—there have in the past in North Carolina been successful lawsuits brought, challenging the ways in which certain elections were conducted, including challenges to the past ways of drawing legislative districts. The remedies that the courts imposed after those successful lawsuits directed the consideration of race in the drawing of districts, mandating the creation of districts that had a majority African-American population, again including a number of legislative districts, to enhance the opportunities for African-American voters to participate in the electoral process and to elect candidates of their choice. As a result, the General Assembly is obligated to continue to consider race in the drawing of districts where those remedies for prior discrimination have been put into place.

And under Section 5—at least with respect to those 40 counties covered by its provisions—the law requires that electoral changes, such as redrawing lines to meet the one-person-one-vote requirement, must not be made in such a way as to make it harder for African-American voters to participate in the electoral process and to elect candidates of their choice. Changes that make it harder are termed “retrogressive” and the US Department of Justice will not preclear such changes, unless perhaps demographic shifts have made the retrogression unavoidable. Of course, the entire state-wide plans must be submitted for preclearance, because every part of a plan will depend to some extent on every other part.

The third of the five legal requirements that the General Assembly must keep in mind, with respect to the state House and Senate districts, is found in the Whole Counties provisions of the state Constitution. The Constitution prohibits dividing counties in drawing legislative districts. In interpreting that provision, our state Supreme Court has recognized that the primacy of federal law means that considerations under the Voting Rights Act, as I have just mentioned, must be met first, and they may, in the proper circumstance, require the dividing of counties. Beyond that consideration, however, the state Supreme Court has given a roadmap of instructions to the legislature on how to combine counties into groupings and then to create divisions within the groupings to meet as fully as possible the one-person-one-vote requirements and the Whole Counties provision at the same time.

The fourth of the five legal requirements was defined by our state Supreme Court recently: in the drawing of maps for the state House and Senate, the General Assembly may not use a mix of single-member and multi-member districts. Multi-member districts were once common. The practical consequence now is that all districts must be single-member.

The fifth of the five legal requirements is found in the state Constitution: all state House and Senate districts must be composed of contiguous territory.

In addition to these five legal requirements, there are other concerns. One, the US Supreme Court has been clear that incumbency protection is a legitimate concern in drawing districts. Two, there has long been a consensus that compactness in the drawing of districts is a desirable consideration, even if it may not be literally required. Third, it is highly desirable from the point of view of elections administrators that the General Assembly not split voting precincts in the drawing of districts. Not only is administration eased, but the likelihood of error is reduced. And last, there is no particular procedure mandated for the redistricting process. But the fact that we are all here today speaks well to the desire of this committee to conduct an open process.

Thank you very much.

MINUTES
JOINT SENATE AND HOUSE COMMITTEES ON
REDISTRICTING
PUBLIC HEARINGS

April 20, 2011

The Joint Senate and House Committees on Redistricting Public Hearing were held on Wednesday, April 20, 2011, at 7:15 p.m.

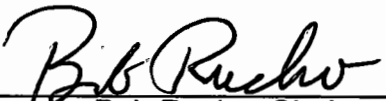
The meetings were held at the North Carolina School of Science and Math in Durham, North Carolina (Durham County), and satellite locations met simultaneously via video-conferencing at Vance-Granville Community College in Henderson, North Carolina (Vance County), and Central Carolina Community College in Sanford, North Carolina (Lee County.)

Senate Chairman Senator Bob Rucho presided over the meeting from the Durham County site. Senator Andrew Brock chaired the Vance County site and House Chairman Representative David Lewis chaired the Lee County site.

A transcript of the meeting is attached, along with the Visitor Registration sheet and Speaker Sign-Up sheet.

The meeting was adjourned at 9:27 p.m.

Respectfully submitted,



Senator Bob Rucho, Chair



Helen Long, Committee Clerk



Senator Andrew Brock, Vice Chair



Senator Harry Brown, Vice Chair

Principal Clerk _____
Reading Clerk _____

SENATE

NOTICE OF JOINT COMMITTEE MEETING

The Senate and House Committees on **Redistricting** will meet at the following time:

<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Wednesday	April 20, 2011	7:00 p.m.	

The following is a list of the next scheduled Redistricting Public Hearings for the following counties. A link for directions is listed under each location.

Registration for speaking will begin:

- 1) At the hearing site: 1 hour prior to the convening of the hearing, and will close prior to the beginning of the hearing.
- 2) On-line: 5 days in advance of the hearing and will close 24 hours in advance of the hearing. There are limited slots for on-line sign-up. Please visit the following link to sign-up to speak at any of the locations for the April 20 Public Hearing: <http://www.ncleg.net/applications/rts/Redistricting.aspx?id=3>.
- 3) Each speaker will be limited to five minutes.

Locations:

Durham County

N.C. School of Science and Mathematics
ETC Building, Lecture Hall
1219 Broad Street
Durham, NC. 27705
<http://www.ncssm.edu/directions.php>

Vance County

Vance-Granville Community College,
Building 8, Room 8229
200 Community College Road
Henderson, NC. 27536
<http://www.vgcc.edu/About-VGCC/main-campus.cfm>

Lee County

Central Carolina Community College,
810 Class Fitness Center (CFC)
1105 Kelly Drive
Sanford, NC. 27330-9840
<http://www.cccc.edu/locations/lee/locations/mainCampus.php>

Senator Bob Rucho, Chair

NORTH CAROLINA GENERAL ASSEMBLY
PUBLIC HEARING ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Durham, North Carolina
Wednesday, April 20, 2011
7:15 p.m. to 9:27 p.m.
Reported by Linda S. Garrett

Sessions simulcast from the following locations:

NC School of Science and Mathematics (Durham County)
Central Carolina Community College (Lee County)
Vance-Granville Community College (Vance County)

Worley Reporting
P.O. Box 91447
Raleigh, NC 27675
919-870-8070

1 P R O C E E D I N G S

2 SENATOR RUCHO: Ladies and gentlemen, my
3 name is Senator Bob Rucho, Chairman of the Senate
4 Judiciary Committee. We're just waiting for one
5 little bit to get our Chairman situated in Vance
6 County. He should be there momentarily. And once
7 he gets situated, then we will be videoconferencing
8 with the three sites. And we want to make sure
9 that someone is in charge in that location, and
10 that's all we're waiting for, so appreciate your
11 indulgence. Thank you.

12 MS. ADAMS: Just hang on. They're
13 walking in right this second. He said about five
14 minutes.

15 SENATOR BROCK: Senator Rucho.

16 SENATOR RUCHO: Yes, sir. Who am I
17 speaking with?

18 SENATOR BROCK: This is Senator Brock.
19 We're ready here at Pembroke.

20 SENATOR RUCHO: Senator Brock, delighted
21 you made it there. Thank you. I think now that
22 everybody's in place, first of all, I'd like to
23 welcome you to the public hearing on redistricting.
24 I'm Senator Bob Rucho, Chairman of the Senate
25 Redistricting Committee. Today's hearing is a

1 joint effort of the Senate Redistricting Committee
2 and the House Redistricting Committee who David --
3 Representative David Lewis as the Senior Chairman.
4 Along with our site today in Durham, we are also
5 videoconferencing in sites in Vance County and also
6 in -- get myself right -- Lee County. Thank you.

7 I'd like to take a moment at this moment
8 to point out members of the committee and also some
9 of the representatives that have attended with us
10 at today's meeting. First of all, on my left is
11 Senator Floyd McKissick from Durham County, Senator
12 Ralph Hise from Mitchell, Representative Rapp from
13 Madison. And then some of our members in the
14 committee, I've got Representative Paul Luebke from
15 Durham, and this is Representative Luebke's home
16 district, precinct district, so he votes here, and
17 Representative Larry Hall, thank you, from Durham,
18 and I have Representative John Jor--- John Jordan
19 from Mad--- excuse me -- Watauga. Excuse me.
20 Thank you. Appreciate you all coming today, and
21 ladies and gentlemen, thank you for being here.

22 If there are some other officials, I'd
23 like to recognize them and, hopefully, they'll let
24 themselves be known.

25 Before we go on further, Senator Brock,

1 are you there?

2 SENATOR BROCK: Yes, sir.

3 SENATOR RUCHO: Okay. Do you have any
4 other Senate -- elected officials and committee
5 members in attendance with you?

6 SENATOR BROCK: Yes. We have Dorothy
7 Williams on the Nash County Board of Education.

8 SENATOR RUCHO: Very good.

9 SENATOR BROCK: No other House or Senate
10 members.

11 SENATOR RUCHO: Very fine. That's
12 Senator Andrew Brock. He's Vice Chairman of the
13 Senate Redistricting Committee. And then also --

14 SENATOR BROCK: I also have a --

15 SENATOR RUCHO: Sorry?

16 SENATOR BROCK: I also have a County
17 Commissioner from up here in Vance County, Jerry
18 Harrison.

19 SENATOR RUCHO: Welcome to both. Thank
20 you. And then also I have Representative Mike
21 Stone, who's a member of the House Redistricting.
22 Representative Stone, are you there?

23 REPRESENTATIVE STONE: Yes.

24 SENATOR RUCHO: Very good. If you'd be
25 kind enough, do you have any members of the

1 Legislature there and/or elected officials you'd
2 like to introduce?

3 REPRESENTATIVE STONE: Senator Rucho, I
4 don't have any elected officials from the state. I
5 do have County Commissioner Linda Shook.

6 SENATOR RUCHO: Thank you. And we will
7 be rotating from each site as we start going
8 through our list of speakers. We have many folks
9 today that are going to help us present. I also
10 would like to recognize Tracy Vann, Chairman of the
11 Durham County Democrat Party. Thank you.
12 Appreciate you being here today. And the Chairman
13 of the Board of Education -- excuse me.

14 MS. BROWN: Minnie Ford-Brown.

15 SENATOR RUCHO: Repeat that again.

16 MS. BROWN: Minnie Ford-Brown.

17 SENATOR RUCHO: Thank you very much for
18 being here. Appreciate it very much. Okay. Thank
19 you for everyone attending.

20 First of all, I'd like to take this
21 moment to say thank you for being involved in this
22 public hearing at each of our sites. This is our
23 second meeting of the 2011 redistricting public
24 hearing sessions, and in the coming weeks we will
25 be hosting many other counties across the state.

1 Tomorrow we will be in Robeson, Cumberland and
2 Person, and -- let's check and make sure -- excuse
3 me -- and Hertford. Not Person, but Hertford. So
4 we have a busy schedule, and for the next three
5 weeks we're going to be going across the state to
6 many of the counties. And we're using
7 videoconferencing as a way to reach out to as many
8 people as we possibly can, get them engaged. And
9 I'm thrilled with the attendance. Senator
10 McKissick, you must have worked hard to get
11 everybody here today.

12 SENATOR MCKISSICK: I wanted to make sure
13 they were all aware they could come out and
14 participate.

15 SENATOR RUCHO: Thank you very much. We
16 appreciate that immensely. Again, this effort that
17 we're undertaking is probably the largest in
18 history of redistricting in North Carolina because
19 we are going to be in a total of 36 sites across
20 the state. Now, whether you signed up online in
21 advance or came today and put your name on our
22 list, you'll have an opportunity to speak for five
23 minutes on whatever ideas you may have involving
24 redistricting. We want to hear how redistricting
25 will affect you and your community. You may choose

1 to address any legal issues relating to
2 redistricting, such as the Voting Rights Act or any
3 other requirements for drawing districts under
4 federal and state law. You may choose to share how
5 redistricting has affected your community in the
6 past and how you hope it does in the future. You
7 may choose to share what you regard as communities
8 of interest in your area, whether they be
9 historical, cultural, ethnic, geographical or
10 economic ties that make the people in your area of
11 this state think that they have -- you know, that
12 they're collective in nature and have a community
13 of interest. You may choose to share what
14 important geographical or political subdivisions
15 that exist in your community and how they should be
16 taken into account as the districts are drawn once
17 we complete our public hearing sessions. However,
18 as you choose your five minutes, we, the members of
19 the committee, are here to hear from you, so your
20 comments will be presented. We are not here to
21 answer questions. We're not here drawing maps.
22 What we're here for is to basically to hear your
23 thoughts and beliefs about redistricting.

24 Every ten years the General Assembly, by
25 the Constitution, requires the Legislature to draw

1 districts and create districts in Congress, the
2 State Senate and the State House. It is critical
3 that this process be open and transparent, and that
4 it leads to fair and legal districts. We
5 ultimately have to get our districts in North
6 Carolina pre-cleared by the United States Justice
7 Department.

8 As to the rules, again, I will introduce
9 each speaker. I'll try to move from site to site
10 so that everyone has an opportunity to get their
11 say in and not feel that they're just sitting and
12 listening, so we're going to rotate around. I'd
13 like to direct you to a staff person at our site
14 who will be holding up two cards. And who will do
15 that job?

16 MR. WRIGHT: (Raises hand.)

17 SENATOR RUCHO: Thank you, Leslie.
18 Appreciate that. And one card is a yellow card
19 that will let you know that you have one minute
20 remaining to finish up your comments, and then the
21 red card would let you know your time has expired.
22 And we hope that everybody will stay on our five-
23 minute schedule so that we give everyone an
24 opportunity to speak. We'd also welcome any
25 written comments you have, in addition to what you

1 present today during your period of time speaking.
2 You can give it to one of our staff folks and/or
3 you can input it onto our website.

4 We have a great source of information on
5 the redistricting website of the North Carolina
6 General Assembly. That would be
7 ncleg.net/redistricting. There are maps. There
8 are a lot of information. And ultimately, you'll
9 see several of the maps, once the committee puts
10 them forward, that you'll have a chance to view and
11 make comments about. And we would love to hear
12 from each and every one of you as to your thoughts
13 and beliefs now and ultimately when the maps come
14 forward.

15 At this point, I'll first recognize our
16 first speaker. And for this point, we're going to
17 go to Vance County, and the first person we have on
18 our list that signed up early on was Jacqueline
19 Esslinger. Hello, Vance County?

20 UNKNOWN: Hello. She's coming up.

21 SENATOR RUCHO: Okay. Thank you.

22 MS. ESSLINGER: I don't know how many
23 questions I have. I have opinions. My concern is
24 that we're on a partisan redistricting -- pardon
25 me -- nonpartisan. You know, we elected our

1 officials to do it together, and so far what I see
2 for other things, it's not really working together.
3 You know, I would like to see District 1 out of
4 Vance County, because it's not fair that District 1
5 is spread across so many miles -- I never get a
6 chance to get to the meetings because I have to
7 drive three and a half hours to get to a monthly
8 meeting -- I would like to see it, maybe, as part
9 of District 2, the whole county. As far as the
10 Senate, I think the Senate district is good as it
11 stands with the four counties put together. For
12 District 32, I believe that's Jim Crawford's
13 district, you may have to move folks -- move
14 voters -- or does Granville, Vance have to gain
15 voters in District 32? You don't know? Anybody
16 know? Okay. Because I would like to see, then,
17 that Vance County be moved from Mr. Crawford's
18 district and Mr. Crawford get the northern part of
19 Vance County. I think if -- if Representative Wray
20 has too many people, I don't like that he's
21 splitting the county, but if we have to do that,
22 then we split what we have to split. Thank you.

23 SENATOR RUCHO: Thank you, Ms. Esslinger.
24 Appreciate you -- your comments and appreciate your
25 participating in our public hearing. And just as a

1 reminder, we are here to be able to listen to your
2 thoughts and not necessarily answer questions,
3 because we're here to hear what you think about the
4 redistricting process.

5 We will next go to -- I apologize if I
6 mispronounce someone's name, but I'm going to do my
7 best in making sure that they're -- and please be
8 kind enough to identify yourself when you come
9 forward, and if you have an organization that
10 you're representing, please identify that. Our
11 next person would be Darius Little.

12 MR. LITTLE: Good evening. You did
13 pronounce my name correct, Senator. Since I'm one
14 of the first speakers, I always like to make a few
15 not invasive, but general points that I think we
16 should keep in mind during this process.

17 First of all, thank you for allowing
18 those of us here in Durham to come and speak to
19 you. I would like to begin by first laying a
20 foundation that there are a few federally mandated
21 requirements, not options, but requirements that
22 are in place when undergoing this process, and one
23 of those is called a community of interest. And
24 Durham is a very unique area in that when I look at
25 the definition of a community of interest, we have

1 several, and it's because we basically have a lot
2 of communities that have service providers within
3 those communities. And it's defined as being a
4 contiguous population which shares a couple of
5 common interests, and I thought it was interesting
6 that they were social and economic.

7 And in Durham County, I'd ask if you
8 would really -- in looking at this, we really have
9 to go beyond politics. I know that's laissez-faire
10 speak, but we really, in this community, have a
11 Republican majority, a conservative majority, that
12 will actually be consistent with the ideology of
13 being a Republican. You avoid a lot of problems
14 financially down the road by really districting in
15 Durham consistent with the ideologies that are
16 provided for us by looking at what a community of
17 interest is. And I'll point out, for example,
18 District 20, which is Senator Floyd McKissick's
19 district, according to the Census numbers, we only
20 had a deviation of perhaps 7,500, somewhere in that
21 range, so that's an example where there shouldn't
22 be any packing. Now, you all wouldn't do a lot of
23 stacking in Senator McKissick's area, but that
24 would be an area that would be prominent for
25 packing. And I think we really need to be

1 cognizant of the fact that even with a Republican
2 majority, if we are consistent with the federally
3 mandated regulations, that we look at a community
4 of interest as having common needs within that
5 district. In Durham, if we really do that, things
6 will be okay, and I ask that we really be mindful
7 of that.

8 And the next point along with that --
9 thank you -- is the fact that the services,
10 according to federal law, should be included within
11 a single district. That's very important. We talk
12 about a community of interest. That means within
13 each district there should be an avenue for the
14 representation. I'll add the next point, that the
15 representative should be someone that really has a
16 direct relationship with its citizens. It goes on
17 and says that, effective and a fair representation.
18 In order to be effective, there must be a
19 relationship. In order to have representation,
20 there must be understanding, and that understanding
21 will only take place if we have someone in that
22 area that is of the same mind frame, or at least
23 that's my understanding of that. Something that's
24 very important, and I know we have a lot of
25 citizens in Durham, so I won't belabor any points,

1 but it's very important, when we talk about a
2 community of interest -- and I'll close with
3 that -- a community of interest, we don't go too
4 far with that. Our lines aren't too bad, but I
5 think if you really look at Durham, it's a unique
6 area. It's one of the most unique areas in our
7 state.

8 SENATOR RUCHO: Thank you, sir.

9 MR. LITTLE: A community of interest.
10 Very important.

11 SENATOR RUCHO: Appreciate you being here
12 and sharing your comments with us.

13 MR. LITTLE: Thank you, sir.

14 SENATOR RUCHO: Thank you, now. We're
15 going to move to Sanford County, or to Sanford --
16 excuse me -- and I have Charles Staley. Hello,
17 Sanford?

18 REPRESENTATIVE STONE: Senator Rucho?

19 SENATOR RUCHO: Yes.

20 REPRESENTATIVE STONE: Senator Rucho,
21 before we get started, I would like to make an
22 announcement. We do have Senator Bob Atwater here
23 with us in Lee County tonight, so I did want to
24 make that announcement to you. And at this time,
25 we'll have Charles Staley speak. Thank you.

1 SENATOR RUCHO: Thank you, sir.

2 MR. STALEY: Hey. I'm Charles Staley. I
3 am a retired probation officer. I worked for 30
4 years for the State of North Carolina. I made a
5 list of the counties that I've worked in and had
6 contact with people in. It goes like this: Hoke
7 County, Lee County, Moore County, Lawrence County,
8 Chatham County, Bertie County, Harnett County,
9 Randolph County and Alamance County. I have been
10 over -- all over the central part of North
11 Carolina. I know this area. I know the people.
12 I've been down those roads, and I had people on
13 probation down those roads.

14 I'm here to talk about Senate 18. Once
15 you go down Vista Road, going out to Durham County
16 from -- you know, from in Chatham County, or if
17 you're over there in Orange County and you get on
18 Old Chapel Hill Road -- I actually lived -- I
19 actually lived in Chapel Hill in Durham County. So
20 I have a copy of the map here, and if you will
21 notice, right here on -- let's take a look at that,
22 if you'll at Senate 18, see that little piece that
23 sticks up there on the edge? That was where I
24 lived. Now, that is -- the demographics of that is
25 the same as the demographics in Chapel Hill, pure

1 and simple. We were Chapel Hillians when we lived
2 there, even though we were in Durham County. And
3 you go all the way on up there. I had people on
4 probation way up at the top of that, so I know the
5 county. Now, the people there are more
6 metropolitan than they are here. Lee County and
7 Chatham County, I'm sorry to say this, but this is
8 more of a rural area than the people up there in
9 that part of the area here. So we're more rural
10 here. And over the last several elections, it has
11 shown in the outcome of the elections in the
12 Senate -- in the Senate district.

13 So if you'll look at the map again,
14 Senate 18 needs to lose some people, Senate number
15 23 needs to gain some people. And since the people
16 in that section there are the same demographics as
17 the people with Senate 23, it would just make
18 logical sense to move them from Senate 18 to Senate
19 23. Same demographics. Was there anything else
20 that I needed to say? Let me see. Let me see.
21 Let me see. Okay. Well, just see that the county
22 balances, Lee County and Orange County being Senate
23 18, move that part from Durham County. Since it
24 has to go somewhere, move it up there to Orange
25 County. I've been up and down those streets and

1 I've been on the streets here, and that's what
2 makes the most sense, and that's the way the
3 communities and demographics of the people, that's
4 the way the mind set is in the different areas.
5 That's all the time I'm taking.

6 SENATOR RUCHO: Thank you, Mr. Staley.
7 We're going to go back to Vance County, Senator
8 Brock. Senator Brock, I also had on my list two
9 people that are attending your meeting that chose
10 not to speak, one of whom is Dorothy Williams, who
11 is the Vance County Board of Education, and Dr.
12 Randy Parker, President of Vance-Granville
13 Community College, who we say thank you for
14 allowing us to -- to be utilizing your location.
15 That being said, Senator Brock, our next speaker
16 will be Jim McDougal.

17 MR. MCDOUGAL: Hi. I'm Jim McDougal.
18 Appreciate, Mr. Chairman, this opportunity. I
19 guess my overall concern is not specifically right
20 now, but it's primarily areas. I'm appalled at the
21 swaggering and partisanship that's going on in our
22 Legislature at this point, and it gives me an
23 optimistic/pessimistic outlook towards the outcome
24 of this initial redistricting, optimistic in that I
25 know that fairness is possible, but I feel very

1 pessimistic that it's going happen. We do not have
2 a partisanship -- a nonpartisanship spirit of
3 cooperation. I do feel that in order to avoid
4 prolonging this process, we need that, we need the
5 spirit of cooperation, we need to see the spirit of
6 cooperation, which is totally nonexistent at this
7 point due to, unfortunately, long, drawn out and
8 protracted legal issues to ensure the requirements
9 of the federal equal protection laws. So I wish
10 you guys would get together. And, Senator
11 McKissick, good to see you on the screen. I knew
12 your father way back in the race in 1962, sixty-
13 whatever. Anyway, we need to balance and we need
14 to ensure participation. I want to hear we welcome
15 your participation. I want to demand the
16 participation because you're working on behalf of
17 all the citizens of North Carolina and, you know,
18 we'll have repercussions throughout. That's my
19 major statement at this point, and I have another
20 meeting, so I have to get. Thanks for your time.

21 SENATOR RUCHO: Thank you for your
22 comments. We'll go to T.E. Austin. Please, your
23 name, and identify any organization that you may be
24 representing.

25 MR. AUSTIN: Yes, sir. Good evening. My

1 name is T.E. Austin. I'm not speaking for a group.
2 My education includes both bachelor and master
3 degrees in geography, with a concentration in
4 settlement and land use. I've worked as a city
5 planner for over 25 years, and have lived in Durham
6 for over 27. I come before you tonight to discuss
7 what I feel is unique about Durham and important
8 when considering forming districts for Durham. I
9 would like to discuss two of those districts.
10 Tonight I will speak to the sense of place and
11 identity of the people living in these districts.

12 House 30 is a compact district in western
13 Durham. The district's focus is Duke University
14 and Ninth Street shopping area. Both have grown
15 together. The district is a community of suburbs,
16 old and new, built along roadways that radiate from
17 Duke and the Ninth Street area. My neighborhood,
18 Trinity Park, was named after Trinity College, now
19 Duke University. I live in the newer part of
20 Trinity Park built after Teddy Roosevelt visited
21 the college. District residents live and work,
22 shop and recreate here. This district is home to
23 Durham's two largest hospitals, both operated by
24 Duke, and many of the area residents work there.
25 East and west campus of Duke University are at the

1 core of the district and is our largest employer.
2 We have public and private open space, including a
3 state park. Many of the residents came here
4 because of school or work, and chose to stay in
5 this demographically diverse district because of
6 shared interests. We like living in this distinct
7 slice of Durham.

8 The 4th Congressional District spreads
9 out from Research Triangle Park, its focus. It
10 encompasses research facilities, educational
11 institutes and a vibrant and diverse community.
12 Two whole counties, Durham and Orange, make up the
13 majority of the district. The district includes
14 the three legs of the Triangle, Raleigh, Durham and
15 Chapel Hill, and district residents identify
16 themselves as living in the Research Triangle area.
17 The Chatham County portion shares a Chapel Hill
18 mailing address and identifies more with it than
19 Siler City to the west. The local governments,
20 especially Durham and Chapel Hill, cooperate on
21 many issues affecting district residents, from
22 transportation and land use to the environment.
23 Many residents work at the research and medical
24 facilities in RTP, Duke and UNC. The 4th District
25 is the Research Triangle.

1 We all form relationships with where we
2 live. Where we live becomes part of us and shapes
3 how we view the world. Both of the districts have
4 a sense of identity that draw people to them, each
5 with their own identity, embraced by their
6 inhabitants. West Durham and the Research Triangle
7 evoke different images in the mind, but each
8 part -- each is part of the other. Any form of
9 representation must reflect their personalities and
10 nourish these communities of interest. Thank you.

11 SENATOR RUCHO: Thank you, sir, for your
12 comments. Appreciate that very much. I'd like to
13 go back to Lee County, Representative Stone. Do
14 you have any other speakers in Lee County I don't
15 have on my list?

16 REPRESENTATIVE STONE: Yes. Yes, Senator
17 Rucho, I do. I have a Linda Shook.

18 SENATOR RUCHO: Would you allow Ms. Shook
19 to speak now, please?

20 REPRESENTATIVE STONE: Yes, sir.

21 MS. SHOOK: Good evening. I am Linda
22 Shook, and I live in Sanford, North Carolina. I
23 also am a local elected official. And I'm sure
24 everybody has the North Carolina Senate district
25 maps in front of them. And for those that are

1 sitting behind the desk and listening to this, I'd
2 like to refer you to Senate District 18. There is
3 a part of it -- looks like just a little part of it
4 is Durham County, but it's all of Chatham County
5 and all of Lee County. And in the last election,
6 there were 38,809 votes cast for the person who
7 currently represents that district. Half of those
8 came from that little portion of Durham County. So
9 Lee County is a very rural county. We're a
10 working-class county, very much agricultural. And
11 as long as this particular Senate district is
12 carved up this way, Lee County is never going to be
13 able to have a voice in who we send to represent us
14 that is similar to the demographics.

15 And so I would recommend that that is a
16 district that does need to lose population or lose
17 percentages, so I would recommend taking Durham
18 County, very urban, metropolitan, out of Senate
19 District 18. It actually makes more sense to
20 probably put Lee County in with some of Harnett
21 County or Moore County if we cannot be all of Lee
22 County. Thank you for listening.

23 SENATOR RUCHO: Thank you, Ms. Shook. We
24 appreciate your comments. We're going to go to
25 Vance County again, and I have Brian Reynell. I

1 hope I'm pronouncing that correctly. Senator
2 Brock?

3 SENATOR BROCK: Just a moment.

4 MR. REYNELL: Thank you, Mr. Chairman.
5 My name is Brian Reynell. I'm the Chairman of the
6 Granville County GOP. I think it's probably
7 unlikely that during your study of this issue, your
8 eagle eyes won't fall upon the -- the difficulty of
9 the 13th Congressional District, how it was created
10 and how it looks on the map. I would encourage
11 you, please, and in this I certainly support my
12 neighboring Chairman in Vance County, Jacques
13 Esslinger, who spoke earlier about the importance
14 of county boundaries. The 13th District is -- is
15 intruded upon, if you will, by the 1st, which comes
16 into Oxford, goes out again, there's a piece of the
17 13th going north again as you go up towards the
18 Virginia border. The 13th District goes from that
19 edge, that -- that conjunction with the 1st, and
20 goes 125 miles west, and then goes down around the
21 Greensboro area, which was a highly gerrymandered
22 district in its drawing ten years ago.

23 And I would encourage you in your
24 deliberations, as you look forward into the next
25 ten years, to consider that American cities tend to

1 grown northward. We're witnessing that as Raleigh
2 grows to the north. We're seeing it in the
3 southern end of Granville County, around Creedmoor
4 and in the Wilson precinct. And we would encourage
5 you, where possible, to maintain the county
6 boundaries. Thank you very much, and I yield the
7 rest of my time, Mr. Chairman. Thank you.

8 SENATOR RUCHO: Thank you for your
9 comments. I appreciate it. As we return back to
10 Durham, I was remiss in not mentioning the fact
11 that Senator Ralph Hise, who has joined us this
12 year as a first-year Senator, is a graduate of the
13 School of Math and Science, so a happy graduate and
14 successful.

15 And by the way, so that you'll be aware
16 of it, and if you don't have the opportunity to
17 attend some of our future meetings, we are
18 streaming this online, so there are times you can
19 be home and want to catch some interesting
20 listening while you're just sitting around, you
21 can -- (audience laughter) -- that really wasn't
22 meant to be a joke, actually (audience laughter).
23 But you are welcome to listen. As we go next to
24 our next speaker here, we are going to ask Thomas
25 Miller.

1 MR. MILLER: Thank you, Senator Rucho and
2 members of the committee. My name is Tom Miller.
3 I am a citizen of Durham County. I have lived here
4 for 55 years, and for 30 years I've lived in the
5 part of Durham that's called West Durham, which now
6 falls within the 30th District of the North
7 Carolina House of Representatives, which is the
8 subject of my remarks.

9 Like my neighbor, T.E. Austin, I wanted
10 to draw to the committee's attention that the
11 current boundaries of the 30th District in North
12 Carolina describes -- these boundaries describe a
13 cohesive community of neighborhoods, business
14 districts and employment centers long on this list,
15 Durham, the residential neighborhoods that surround
16 and are centered by the business district known as
17 Ninth Street, and incorporated within the district
18 are the east and west campuses of Duke University.

19 West Durham was founded at the turn of
20 the 20th Century when the advent of the streetcar
21 made development of the area economically
22 attractive. The Dukes and their partners developed
23 a very large textile complex known as Erwin Mills.
24 Along with the mill complex, the firm created a
25 large residential community for millworkers. The

1 Ninth Street business district was developed
2 simultaneously to serve that West Durham community.
3 While entirely outside the boundaries of the City
4 of Durham at the time, the community was called
5 West Durham by Durham County citizens, and was
6 identified as such on state maps and by the United
7 States Post Office.

8 The area's industrial identity waned with
9 the slow collapse of textile manufacturing, but the
10 mill employee was soon replaced by Duke University
11 and its ever growing medical complex. The
12 neighborhoods in West Durham continue to serve as
13 the residential base for the university and for
14 medical employees in the community. The Ninth
15 Street business district never experienced the
16 decline suffered by most southern downtowns.
17 Instead, it made a successful transition from its
18 millworker orientation in the early 20th Century to
19 its current orientation towards a middle class and
20 student patron base. Although West Durham was
21 eventually annexed into the City of Durham, the
22 factors described above served to strengthen the
23 area's cohesiveness and separate West Durham
24 identity.

25 The boundaries of the 30th District are

1 closely conterminous with the social and economic
2 boundaries of the historic West Durham community.
3 The City of Durham uses essentially the same
4 boundaries to describe service districts for police
5 and fire protection. The district boundaries take
6 a primary -- take in the sec- -- excuse me -- the
7 primary and secondary public and private schools
8 which serve the population of West Durham. The
9 district is located entirely within Durham County,
10 and contains all of thirteen state voting
11 precincts. The people who live and work within
12 West Durham share an identity of interest in social
13 matters, such as neighborhood interests, schools,
14 recreation and cultural affairs, but also an
15 economic interest, such as employment and the
16 places where they do their own business and
17 shopping.

18 Because the 30th District, as it is
19 currently defined, shares the historic boundaries
20 of West Durham, the district represents a logical
21 political division of the population of Durham
22 County. I urge you, therefore, to leave the
23 boundaries of the 30th District undisturbed. Thank
24 you for your time, and I appreciate the opportunity
25 to appear before you and comment. Thank you.

1 SENATOR RUCHO: Thank you for your
2 comments. We appreciate them very much. I'd like
3 to return to Representative Stone in Lee County.
4 Representative Stone, do you have any other
5 speakers scheduled or anybody in the audience in
6 Lee County?

7 REPRESENTATIVE STONE: Yes.

8 SENATOR RUCHO: Yes, sir. Go ahead.

9 REPRESENTATIVE STONE: Yes, Mr. Chair. I
10 do. I have a Richard Litigan.

11 SENATOR RUCHO: Mr. Litigan, welcome.

12 MR. LITIGAN: Thank you, Senator Rucho.
13 I'd like to say that we're in the hope of changing
14 this redistricting process. In 2000, when Senator
15 Basnight and Speaker Black, who is now a convicted
16 felon, gerrymandered the state redistricting lines,
17 Congressional, Senate and House districts, now is a
18 great time for us to have hope in making a change.

19 Our Senate District 18 represents Lee,
20 Chatham and parts of -- a little, bitty part of
21 Durham County. It is not a community of interest.
22 A community of interest would be Lee and Chatham
23 Counties. Our district needs to lose population,
24 and we would like for Lee and Chatham to become one
25 Senate district. Lee County hasn't been districted

1 with Harnett and Moore County Senate. Those are
2 also rural counties and are communities of
3 interest.

4 The 2nd Congressional District is not as
5 bad as our Congressional District 13, but it is
6 definitely a gerrymandered district. I look
7 forward to the new leadership in the House and
8 Senate providing fair and legal redistricting
9 process to all the citizens of North Carolina
10 represented by true communities of interest, and
11 I'm an interested party. Thank you.

12 SENATOR RUCHO: Thank you for your
13 comments. We're going to come back to Durham, and
14 our next speaker will be Bob Hall. We need your
15 name and your organization, please, Mr. Hall.

16 MR. HALL: You know I'm with an
17 organization. Yes. My name is Bob Hall, and I'm
18 speaking today on behalf of Democracy North
19 Carolina. We're a member of the coalition of
20 nonpartisan organizations called The Alliance for
21 Fair Redistricting and Minority Voting Rights.
22 There is a perception that racism no longer exists,
23 and that race should not even be considered in the
24 redistricting process. I'm here to say that that
25 perception is wrong and that race should be used by

1 all and by -- justice should be used in the
2 redistricting process.

3 Historically, North Carolina has used
4 literacy tests and other restrictive methods to
5 restrict or exclude persons of color from
6 participating in the political process. I have
7 personally been involved in this decade in
8 investigating cases of discrimination and, sadly,
9 they still exist. The voter photo ID bill, House
10 Bill 351, which is on deck in the General Assembly
11 now, is a current example of a practice that if put
12 in place, would have a discriminatory impact.
13 African-Americans make up 22 percent of active
14 registered voters in our state, 22 percent, but
15 they are 32 percent of the active registered voters
16 who do not have a North Carolina state ID card, a
17 government-issued photo ID from North Carolina. 22
18 percent versus 32 percent. That means that if
19 you're an African-American active voter, you're 48
20 percent more likely not to have an ID in North
21 Carolina. Let me -- that's a -- that's an example
22 of the practice of discrimination.

23 There is still a legacy that has affected
24 us and white folks like myself in our ability to
25 vote across race lines. And this happens not

1 everywhere, but it does happen. Just looking at
2 the data that is available to us, let me just take
3 in Bladen County, for example, two precincts, both
4 of them 71 percent registered Democrats, 71 percent
5 registered Democrat. One has 4 percent black,
6 that's 4 percent black. In that precinct, they
7 voted for Obama, the Democrat, the African-American
8 candidate. 9 percent voted for Obama, with 4
9 percent black. Same number of registered
10 Democrats. In another district in Bladen County,
11 it was 41 percent black. Obama got 47 percent of
12 the vote. There's a correlation there based on
13 race. Same kind of thing in Pamlico. You can see
14 this in state after state. So I do believe that we
15 do have to look at race as a factor.

16 I am saying that minority voters -- I
17 would urge you not to draw redistricting lines that
18 make minority voters worse off than they are now,
19 and I would urge you to also consider looking at
20 the data to encourage coalition districts where
21 they can be made possible. Thank you very much.

22 SENATOR RUCHO: Thank you, Mr. Hall.
23 Appreciate your comments. We're going to go to
24 Vance County with Senator Brock. And Senator
25 Brock, I have listed Charles Faulshauer [phon.]. I

1 hope I pronounced that correctly. Senator Brock?

2 MR. FAULSHAUER: Good evening, gentlemen.

3 I agree completely with Brian Reynell as far as his
4 description of our voting area. I'm totally
5 against any kind of racism whatsoever. As far as
6 I'm concerned, every voter should be a legitimate
7 voter, and I -- and I uphold the idea of an
8 identification with a photo. I think that there's
9 too much playing around with numbers, and I think
10 that it's led to a lot of mistakes, and I
11 definitely feel that everybody who wants to vote or
12 is qualified to vote should get an identification
13 and use it at the poll. That's about all I can say
14 right now. This entire process is fairly new to
15 me, and I'm learning about it.

16 SENATOR RUCHO: Thank you for your
17 comments. We're going to go back to Representative
18 Stone in Lee County. Representative Stone, do you
19 have anyone else that would like to speak?

20 REPRESENTATIVE STONE: Mr. Chair, we have
21 all -- no more speakers.

22 SENATOR RUCHO: All right. If you
23 should, just -- you know, just let me know about
24 it. You can interrupt me at some point during the
25 break, and we'll be delighted to come back to you

1 accordingly.

2 We'll go to -- I think we're coming back
3 here to Durham, and before I do so, I, again, was
4 remiss in not recognizing -- I did recognize
5 Representative Jordan as a member of the General
6 Assembly, but also another alumni of the Math and
7 Science School, so you all ought to be proud that
8 you've got two folks here.

9 We're going to go next to Don Moffitt.
10 Okay. Don Moffitt is not here. Let's go to Toye
11 Shelton. Am I pronouncing that correct?

12 MS. SHELTON: Toye.

13 SENATOR RUCHO: Toye. Excuse me. Thank
14 you.

15 MS. SHELTON: Good evening, gentlemen.
16 My name is Toye Shelton. I am a member of the
17 AFRAM organization, which is the Alliance for Fair
18 Redistricting and Minority Voting Rights, as well
19 as a student of North Carolina Central University.

20 Do you remember when you were a child
21 coloring in a coloring book? Your teacher urged
22 you to stay inside the lines. We did not know how
23 important the lines or the boundaries or the colors
24 would be then, but we now know redistricting draws
25 the lines and boundaries that determine major

1 political outcomes in history, and it has told us
2 what colors, or to be more frank, people of color
3 are permitted to be inside the pictures in the
4 political process.

5 Let me discuss what we, the general
6 public, now know. We now know that the public has
7 entrusted you to facilitate a process that is, one,
8 transparent, two, includes meaningful participation
9 and, three, legally maximizes the voting strength
10 of minorities and all North Carolina residents.

11 In terms of specifics, by transparent
12 meaning that the data, time lines, criteria, goals,
13 draft -- draft maps and responsible committee to
14 the matters of public record be easily accessible
15 to the public on the General Assembly redistricting
16 page.

17 By meaningful participation, we mean that
18 the process should provide for participation by the
19 general public through extensive public hearings.
20 We appreciate your current efforts in this regard.
21 It is very helpful to have the public hearings
22 spread throughout so that we may receive
23 feedback -- so that you may receive feedback,
24 rather, by various North Carolinians. Also,
25 redistricting plans must provide African-Americans

1 and other racial and ethnic groups protected by the
2 Voting Rights Act an equal opportunity to
3 participate in the political process. I state this
4 again, an equal opportunity to participate in the
5 political process and elect representatives of
6 their choice. Otherwise, you will be in jeopardy
7 of telling us that our colors do not fit in the
8 picture and the law no longer upholds such action..

9 In this regard, coalition districts were
10 justified by voting patterns and power disen---
11 disenfranchised people of color. What we of color
12 now know is that it is no secret that the process
13 is influenced by partisanship and incumbency
14 desires. While you have the right to afford some
15 protections to incumbents, please consider that you
16 were elected to serve the interests of the people,
17 not the interests of yourselves or other elected
18 officials.

19 Now that I have discussed what we, the
20 general public, now know, I am compelled to discuss
21 what we do not. While I truly appreciate the
22 opportunity to share my thoughts on the process, it
23 is very difficult to comment without set criteria.
24 We now know the law and are familiar with the 2011
25 redistricting guide. However, that does not

1 suffice in the place of you including posting the
2 block assignment files on the General Assembly
3 website prior to the end of the public hearings
4 scheduled so that voters can easily and readily
5 review and comment on what you're proposing to
6 enact.

7 We applaud your hard work in holding
8 these hearings, but we also know that the committee
9 has not yet adopted its redistricting criteria, nor
10 have you made the public draft plans under --
11 published under consideration. Thus, at this stage
12 it is difficult for the public to provide
13 meaningful comment, because we simply do not know
14 what the criteria is or the plans being drafted.
15 We need to be afforded the opportunity to know the
16 criteria in order to comment on what it entails.
17 If you truly value the opinion of the constituents
18 in regards to this issue, you will no doubt make
19 your redistricting plans public well before the
20 last hearing on May 9th.

21 Please remember, as you begin to work
22 towards the finalization of this plan, that
23 African-Americans and all people of color fit
24 inside the lines and should not ever be
25 marginalized and pushed out of the picture. After

1 all, I think that we can all agree that it is the
2 colors that we use that make the pictures more
3 vivid and beautiful. So being that I am a college
4 student, I have one question more for you. Mr.
5 Chairman and members of the committee, how are your
6 coloring skills? Thank you for listening. We
7 appreciate your time and presence today.

8 SENATOR RUCHO: Thank you for your
9 comments. Members of the audience, just so that
10 you can be aware, you have access on the Internet
11 as far as information like -- and there are also --
12 there's also an opportunity to sit at a computer
13 screen where the block census data and the like is
14 there, and you can communicate through the General
15 Assembly and the ISD department to find access to
16 those. So that is available to members of the
17 public.

18 Our next spot is in Vance County again.
19 Senator Brock, I have Wadie Ryan.

20 MS. RYAN: Mr. Chairman and members of
21 your committee, good evening. My name is Wadie
22 Ryan, and I am from the great, growing, expanding
23 county of Warren. I speak to you today as a
24 citizen, as a retired educator and as a person of
25 interest in what's going on with our redistricting.

1 As you know, North Carolina has been the
2 center of redistricting litigations since the
3 1980's. We hope that this time, this can be
4 avoided. In our view, the public is best served by
5 a redistrict--- redistricting process that is
6 transparent, responsive to the public input, and
7 fair to all, and I say it like the preacher, all
8 North Carolina voters.

9 Redistricting plans should not be for the
10 purpose of making minorities -- I lost my place --
11 ineffective or worse off than they already are, and
12 this has been traditionally done by gerrymandering
13 techniques, such as stacking, packing or cracking.
14 It is vitally important not to pack African-
15 American votes in too few districts. Compliance
16 with the Federal Voting Act is a key redistricting
17 criteria, and I heard earlier that the criteria for
18 redistricting has not yet been established except
19 through the census data. At this time, recognize
20 and protect the important communities of interest
21 in North Carolina. It is also important that
22 redistricting goals be clear and defined. It would
23 be helpful to the public if you identify what
24 communities of interest you believe are
25 incorporated in the redistricting that you draw for

1 the Congress and the General Assembly. In
2 addition, you should demonstrate how the plans you
3 propose are responsive to the comments and the
4 concerns that we have expressed here tonight.

5 Thank you for this opportunity, and I'd
6 also like to thank you for the information that we
7 received as we came in, with the website that tells
8 us how we can follow this information, and for the
9 information about the online streaming. Again, my
10 name is Wadie Ryan, and I thank you for this
11 opportunity.

12 SENATOR RUCHO: Thank you very much for
13 your comments. We're coming back to Durham, and
14 Nona Skumanich [phon.]. Is Nona here? All right.
15 Tracy Burns-Vann.

16 MS. BURNS-VANN: Good evening, Mr. Chair,
17 members of the committee. My name is Tracey Burns-
18 Vann. I am the Chair of the Durham County
19 Democratic Party. I've been -- I am a graduate of
20 North Carolina Central University. I came here in
21 1984. I was a northerner. I've been here long
22 enough, so I guess I'm actually a southerner now.
23 No one will claim me, but that's what I am.

24 I wanted to share a few points with you
25 this evening regarding redistricting. Since 1998,

1 all of Durham County has been included in the 4th
2 Congressional District and has enjoyed a county-
3 wide approach to congressional districting instead
4 of being split between two districts. Durham
5 residents consider themselves part of the Triangle
6 area, Raleigh, Durham and Chapel Hill, and benefit
7 from living in a congressional district that
8 includes all three communities. If Durham is
9 split, it will affect the minority representation
10 of all who historically vote Democratic.

11 Durham County is different from other
12 counties. I know you've heard that a lot this
13 evening, but we are. We're different from a lot of
14 counties in North Carolina. Diversity plays a
15 major role in how we operate. Now is not the time
16 to destroy -- to destroy all that by splitting us
17 into two congressional districts. Redistricting
18 will increase our current North Carolina districts
19 by increasing them by 10 to 12,000 citizens per
20 district and increase the North Carolina Senate to
21 180,000 citizens per district. The increase in
22 population that we have from our 2010 census has
23 surrounded our communities of interest, including
24 our minority communities and our university
25 communities. It is in the best interest of Durham

1 to keep our districts intact.

2 Now, what I do find somewhat disturbing
3 is that North Carolina is considering modeling our
4 redistricting plan after the Iowa model. Surely,
5 with all the universities in our state, we have
6 enough scholars to pull from to assist with the
7 plan. We are not followers. We are usually the
8 trailblazers. So let's not move backwards. Let's
9 continue to be the leaders in our country. We
10 should use the redistricting plan that is currently
11 in place. It is effective, and let's keep North
12 Carolina intact with our districts. Thank you.

13 SENATOR RUCHO: Thank you for your
14 comments. I'm going to go back to Senator Brock.
15 Senator Brock in Vance County, have you any other
16 speakers that are scheduled?

17 SENATOR BROCK: Yes. Terry Garrison, who
18 is a Vance County Commissioner.

19 SENATOR RUCHO: Thank you, Senator Brock.
20 Will you have Mr. Garrison speak, please?

21 MR. GARRISON: Mr. Chairman and members
22 of the committee, Senator Brock, thank you for your
23 service and time and the willingness to offer
24 yourselves to the citizens of this state. I can
25 certainly empathize with you and relate to the job

1 that you do, and undertaking the task that you have
2 before you at this present time.

3 I'm a six-term County Commissioner and
4 Past President of the North Carolina Association of
5 County Commissioners, and have had an opportunity
6 to work with commissioners across this state and
7 legislators across the state for a number of years.
8 And I can tell you that in my experiences in
9 working with the Association at the board level for
10 some 20 years, that we have found a way to serve
11 the citizens of this great state by being inclusive
12 in every respect, with respect particularly as it
13 relates to parties, as it relates to race, as it
14 relates to geographic -- geography, as it relates
15 to demographics. And having done so, we think that
16 has bode us well in terms of finding ways to
17 represent the citizens of our state, as well as
18 making requests to our General Assembly and to
19 those in Congress and to the President for at least
20 our constituents of the state.

21 With respect to Vance County being
22 served, the current districting that is in place
23 seems to have served Vance County well with our
24 member of Congress -- members of Congress, with our
25 state representatives, with our state senator and

1 with our county officials. I urge you to be
2 cognizant of that as you consider that for Vance
3 County, as well as for this good state. Yes, the
4 Voting Rights Act has put in race for a purpose,
5 and I think it's important for you as elected
6 officials to be cognizant of that as you move
7 forward.

8 There are a lot of opinions about how
9 things should -- how you should do your job, and at
10 the end of the day, this is a decision that you
11 will have to make. But all votes will rise
12 together with the tide, and the more often that we
13 can be mindful of the fact that every decision that
14 we make that impact all our citizens, the more
15 positive we can do that, the greater our chances
16 are for advances and improvement for our state.
17 And I just urge you to be very cognizant of what --
18 of the district assigned that is in place now for
19 Vance County as it stands, and we would like to see
20 that continue.

21 And with respect to race, unfortunately,
22 Vance County was formed on the basis of race, not
23 for a good reason, but for a bad reason, but
24 despite that, today we have a county that is
25 represented by elected officials, and we have a

1 citizenry that works together for the good of all
2 the citizens, and I thank you for your time.

3 SENATOR RUCHO: Thank you for your
4 comments. We're coming back to Durham, and trying
5 to reach Don Moffitt. Mr. Moffitt?

6 MR. MOFFITT: Thank you, senators and
7 representatives. I just have a couple of things
8 very briefly. First, I wanted to say that I live
9 only two blocks west of here, that -- that this
10 part of Durham is a true community of interest,
11 between Duke, between the neighborhoods, between --
12 the people work together. We have a community of
13 interest here that should be in a single district.

14 The second thing I want to say is that I
15 also believe, separate from that, that this is an
16 opportunity to seriously look at the redistricting
17 process, creating a redistricting process which
18 removes it from the political sphere, and I urge
19 both parties to seriously consider that in the
20 opportunities that are at hand today. Thank you.

21 SENATOR RUCHO: Thank you for your
22 comments. Senator Brock in Vance County, do you
23 have another speaker there?

24 SENATOR BROCK: No, sir. No speaker.

25 SENATOR RUCHO: As I mentioned to

1 Representative Stone in Lee County, if you find
2 someone in the audience or somebody comes in, just
3 interrupt me at some point so we can be sure to
4 include them in tonight's public hearing, okay?

5 Let's go next to, coming back to Durham,
6 Lydia Lindsey. Welcome.

7 MS. LINDSEY: Good evening, Mr. Chairman
8 and members of the committee. My name is Lydia
9 Lindsey, and I am a member of the Alliance for Fair
10 Districting and Minority Voting Rights. I am a
11 northerner by default and not by choice.

12 Voting rights is an issue that is dear to
13 my family's heart. It is dear -- it is dear to my
14 family's heart and it is dear to my heart. I am a
15 beneficiary of years of the voting rights struggle
16 in the state of North Carolina. I am the first
17 generation within my family to register to vote in
18 the great state of North Carolina without a
19 struggle. My grandmother was the second black
20 person to vote in the county of Anson County and
21 the first black person to serve on a jury. She was
22 the colored librarian of the county. She could
23 read and write. She could not drive. She walked.
24 She walked to work and also to the Piggly-Wiggly
25 grocery store. She never had a driver's license.

1 She never had a passport. Her husband, who was a
2 vet of World War I, owned property, paid taxes. He
3 was never able to vote in the state of North
4 Carolina, nor was my mother and father. My father
5 was also a vet of World War II. They had to move
6 to New Jersey for better opportunities, so this
7 makes me a northerner, but I have lived in -- but I
8 have lived in Durham, North Carolina since 1974.
9 My mother always worked with the League of Women
10 Voters until she died.

11 I am the beneficiary of the struggles for
12 fair and open voting in the state of North
13 Carolina. Therefore, I call on you tonight as
14 members of the North Carolina General Assembly, who
15 are entrusted with the responsibility for drawing
16 new districts for the congressional and
17 legislative -- and legislation, will that comply
18 with the United States Constitution and are
19 applicable with federal and state laws, to not only
20 do what you are legally obligated to do, but to
21 also make every effort to ensure that the process
22 is fair, transparent and responsive to the public.
23 I want to -- I want you to ensure that the process
24 is conducted in a nonpartisan manner.

25 Redistricting is inherently a politically

1 charged process. Redistricting the 13
2 congressional districts, the 50 Senate districts,
3 and the 120 districts is a tremendous task. Now is
4 the time to reach across the aisles and maximize
5 upon the knowledge and experience and expertise of
6 those who have worked with the process, rather than
7 to exclude them. They have made North Carolina a
8 more perfect union. North Carolina has been the
9 center of -- of redistricting litigation for a long
10 time. I ask this committee to end the cycle of
11 litigation and -- and pursue -- and I want you to
12 pursue an outcome that is legal, nonpartisan, fair,
13 responsive to the public and sensitive to race. If
14 you suspect voter fraud as another issue, then
15 please do a quantitative study of all 100 counties
16 to show the evidence of the frequency of this
17 intentionally occurring.

18 Members of the North Carolina General
19 Assembly, thank you for hearing me out. Have a
20 good evening.

21 SENATOR RUCHO: Thank you very much for
22 your comments. For the members of the Durham
23 audience, I believe you've heard elsewhere on the
24 other sites, Denise Adams, who is our staff person
25 in the back of the room, we do have 25 copies of

1 the redistricting handbook we give to the
2 legislators at the beginning of our process and,
3 also, information for the web page that I described
4 to you earlier. Yes. In the back. So, yes, that
5 will be available to you, and as I said, that
6 information is online, also. So we thank you, Ms.
7 Adams, for bringing that.

8 We're going to stay in Durham for the
9 moment and -- unless I hear different from
10 Representative Stone or Senator Brock. Going to be
11 speaking to Harris Johnson.

12 MR. JOHNSON: Good afternoon. Thank you
13 for having this hearing. This is, I think, my
14 third or fourth hearing on redistricting. I've
15 voted in three congressional districts. I haven't
16 moved, but this (audience laughter) -- it gets to
17 be a little bit of a nuisance. Every time
18 political -- politics change hands, they change
19 districts. But to thank you for this opportunity
20 to allow me to reflect on the redistricting
21 mandated by the 2010 census.

22 As a long-time resident of this district,
23 I feel that we need to take a look. And my
24 references are based on experience, demographics,
25 census data and the unique position of Durham

1 County in the 4th Congressional District. This
2 district, in terms of healthcare, education, from
3 daycare to the university level, employment, public
4 service, entertainment, the quality of life and
5 cultural diversity of the population within each
6 house, senate and congressional district in Durham
7 County says a lot for our districts as they are now
8 drawn.

9 The citizens of Durham and Durham County
10 have been well served by the representatives
11 elected within the boundaries of the respective
12 districts as presently configured. If change --
13 changes are mandated by the census, they should be
14 very minor and not be political and not designed to
15 change the districts or the representatives
16 therein. The citizens of Durham have been well
17 served by our current elected representatives in
18 those districts, as mentioned above. The several
19 communities within each of the districts, as
20 presently designed, reflect a healthy
21 representation along racial, cultural and
22 socioeconomic lines. Therefore, I strongly
23 recommend that the current districts, as presently
24 drawn, be maintained with only minor adjustments,
25 if necessary. To change any or all of the above

1 districts would be a disservice to the citizens of
2 Durham and North Carolina.

3 To those ends, I recommend that if the
4 districts are not broken, don't attempt to fix them
5 for political reasons. And I can add to those
6 comments that the voter ID bill and some of the
7 other legislation, as promoted and perpetuated by
8 members of a politic that I don't belong to, tend
9 to reflect on turning the clock back, rather than
10 moving forward in the best interest and welfare of
11 our children, our senior citizens, our students.
12 But where else than in Durham County would you find
13 where a 19-year-old undergraduate student who was a
14 precinct chair would be elected to the North
15 Carolina State Democratic Party Executive Committee
16 on a straight up-and-down vote. She took part in
17 the electoral process because she believed in
18 democracy, and I think we need to play the race
19 card one last time in the current General Assembly,
20 the human race. Thank you.

21 SENATOR RUCHO: Thank you for your
22 comments. Our next person speaking will be Kate
23 Fellman.

24 MS. FELLMAN: Good evening. My name is
25 Kate Fellman, and I am the Coordinator of the

1 Durham Peoples Alliance, but I'm here today as an
2 active member of Durham Precinct 37, which is
3 located in the northern part of District 30, House
4 District 30, and I'm here tonight to ask that the
5 District 30 boundaries remain the same. We are a
6 distinct community of interest, centered around
7 Duke University. And my testimony tonight is based
8 on my experience from living here in this great
9 community for six years, and I'm a very happy
10 transplant, just like many of my neighbors.

11 I would like to start by sharing my
12 concern with you that we have not been provided any
13 proposed redistricting lines to comment on tonight,
14 so I would like to just request that before any
15 changes are made, that you come back to this
16 community with a plan and let us voice our opinion
17 at that time as well.

18 I recently looked at a map of District
19 30, and I was surprised to see that my office,
20 friends, shopping, dining and all other activities
21 that I partake in are almost entirely located in my
22 district. My neighbors, friends and other active
23 precinct members in the northern part of this
24 district would likely tell you the same thing. And
25 that's what I love about Durham. I live in a

1 friendly, but quiet, neighborhood with good-sized
2 backyards that back up to the Eno River State Park,
3 which we take full use out of and treasure in our
4 community, but in five minutes I can drive down to
5 Ninth Street with the kids and go to Locopops for
6 ice cream or a burger at Elmo's on Ninth Street,
7 and we can also swing by the Play House, a toy
8 store, on our way to a birthday party. And Duke
9 Hospital, where many of my friends work, is right
10 down the road for all of our family medical needs.
11 And believe me, I'm there often with a disabled
12 daughter. Luckily, we can stop by our favorite
13 sushi restaurant for lunch after our appointments.

14 Yes, the northern part of the district
15 may look a little bit more suburban than other
16 parts of it, but believe me, we are all connected.
17 We all live, shop, work and play in Durham. We
18 might have a little bit more space between our
19 houses up in the north, but if you look inside, you
20 see the Durham pride and love of the community that
21 pulls us together.

22 And, finally, I'd like to point out that
23 these neighbors I speak of are of different
24 political views. We may disagree on our politics,
25 but we do agree that Durham is a great place to

1 raise a family and that we are all a connected
2 community. So, please, when you draw the district
3 lines, please make sure not to create them around
4 party lines, but around like-minded communities. I
5 thank you for your time.

6 SENATOR RUCHO: Thank you for your
7 comments. Our next speaker will be Robert Healy.

8 MR. HEALY: Good evening. I'm Robert
9 Healy. I live about six blocks south of here. And
10 I've looked at the maps, and I'm generally pretty
11 satisfied with the existing congressional and
12 senatorial districts, especially that Durham County
13 is all in one district because it really is a kind
14 of unified whole.

15 My comments will be directed, though, to
16 the House District 30. I live just inside the
17 eastern boundary of it and right next to Duke
18 University's east campus. And I looked at the
19 maps, and I asked myself where do I spend my time,
20 where do I seek alliances on various political
21 issues, especially the environmental issues that
22 I'm -- that I have been involved with for a long
23 time. Now, this is Durham, so please don't confuse
24 community of interest with anything approaching
25 agreement. I think we're not talking about

1 agreement, and I think a test for districting
2 shouldn't be agreement; it should be engagement and
3 where are the people and institutions with which I
4 engage..

5 And I really did give this some thought
6 this afternoon, and I was actually rather surprised
7 at the result. Despite living quite close to the
8 edge of the district, my political and economic and
9 social world coincides remarkably well with the
10 boundaries of House District 30, and this has been
11 trying for me. I live right next to Duke East, I
12 work on West, I shop on Ninth Street and Broad
13 Street and along 15/501. When I work on street
14 cleanups on New Hope Creek or Ellerbe Creek, there
15 are parts of the creeks that are within District
16 30. And I was honestly surprised to learn that as
17 I move around Durham and the Triangle, I spend
18 about 98 percent of my time within the bounds of
19 District 30, so I'm less mobile than I would have
20 thought.

21 So I urge you to maintain the essential
22 elements of House District 30, which has been my
23 home, even though moving a couple times, for the
24 past 26 years. Thank you.

25 SENATOR RUCHO: Thank you for your

1 comments. Our next speaker, Anita Keith Foust.

2 MS. FOUST: My name is Anita Keith Foust.
3 I'm from Durham and Senator McKissick's district.
4 I am the founder of Citizens for Economic and
5 Environmental Justice, I'm a member of the Durham
6 Committee on the Affairs of Black People, a 75-
7 year-old organization, and a member of The Alliance
8 for Fair Redistricting and Minority Voting Rights.

9 The citizens of North Carolina need a
10 fair and equitable process for the redistricting
11 process. Based upon the actions of the legislative
12 majority support of House Bill 351, which many of
13 you have named the Voter Suppression Act, we have
14 little faith that the right thing will be done in
15 redistricting. Most of the people on the
16 redistricting committee are inexperienced.
17 Representative H.M. Michaux has the most experience
18 on redistricting, and he was not allowed to work on
19 the redistricting committee.

20 The passing of House Bill 351 is a form
21 of vote dilution. The following information
22 reveals how. The new legislative leadership wants
23 to institute a requirement that everyone produce a
24 photo ID before voting. For those of us who drive
25 and live or work in urban parts of the state, this

1 seems like no big deal, but there are many people
2 who don't have picture ID's, can't afford one and
3 can't easily get to a government office to get one.
4 This includes elderly residents who live in rest
5 homes, college students, anyone who doesn't drive.
6 By and large, it would be low income citizens,
7 people with disabilities and people of color who
8 will be disenfranchised. There is no law that
9 citizens must have a photo identification. There
10 are 460,000 voters who don't have government-issued
11 voter photo identification, plus, enforcing a photo
12 ID card would waste millions of tax dollars, and
13 the kicker is voter fraud is not a problem. The
14 Director of the State Board of Elections says there
15 were less than two dozen cases of voter fraud out
16 of 4.3 million ballots cast in North Carolina in
17 2008. You're more likely to get hit by lightning.
18 And there were -- there are only two other states
19 trying to suppress the votes of minorities with a
20 voter photo ID bill. They are Georgia and Indiana.

21 The voter photo ID bill amounts to a poll
22 tax. In U.S. practice, a poll tax is used as the
23 factorial implicit precondition of the exercise of
24 the ability to vote. After the ability to vote was
25 extended to all races by the enactment of the 15th

1 Amendment, many southern states enacted poll tax
2 laws. These laws, along with unfairly implemented
3 numerous intents and extra legal intimidation
4 achieved the desired effect of disenfranchising
5 African-American and Native American voters, as
6 well as poor whites. Initially, the United States
7 Supreme Court, in the case of Breedlove versus
8 Suttles, found the poll tax to be constitutional.
9 The 24th Amendment ratified in 1964 abolished the
10 use of a poll tax or any other tax as a
11 precondition of voting in federal elections. In
12 the 1966 case of Harper versus Virginia Board of
13 Elections, the Supreme Court overruled this
14 decision of Breedlove versus Suttles and extended
15 the prohibition of poll taxes to state elections.
16 It is clear that the imposition of a poll tax in
17 the state elections violated equal protection
18 fundamentals of the 14th Amendment to the United
19 States Constitution.

20 Let's have fairness in redistricting.
21 And additionally, remove House Bill 351 from the
22 North Carolina legislative docket. Thank you.

23 SENATOR RUCHO: Thank you for your
24 comments. Our next speaker, Carol Anderson.

25 MS. ANDERSON: Good evening. My name is

1 Carol Anderson, and I'd like to echo Mr. Austin,
2 who was one of the first speakers, his remarks, but
3 in a more personal way.

4 I have lived in Durham for 35 years, and
5 above all else, the thing that is of value to me is
6 the shared sense of community that we have, a
7 community that is shared across racial and ethnic
8 lines. We live together, work together and play
9 together. We are a diverse group of individuals,
10 as you can see, and it is important for us to elect
11 people who understand that -- who understand that
12 as they represent us at the state and national
13 levels. In this we are both unique and not so
14 unique, as this is the desire of most communities
15 across the state to have knowledgeable
16 representation of all sides of local issues.

17 Keeping neighborhoods intact in a voting
18 district and keeping our areas of common interest
19 together, as you set about the task of
20 redistricting, is of paramount importance to us in
21 Durham. Thank you.

22 SENATOR RUCHO: Thank you for your
23 comments. Our next speaker, Donald Hughes.

24 MR. HUGHES: Thank you, Mr. Chair,
25 members of the committee, for this opportunity. My

1 name is Donald Hughes. I'm a Durham native and
2 President of the Durham County Young Democrats, a
3 graduate student at North Carolina Central
4 University. The last time this process took place,
5 I was actually a 13-year-old rising freshman at
6 Hillside High School here in Durham.

7 But tonight we're here to address an
8 extremely serious community matter. As a result of
9 the 2010 Census, our state is required to draw new
10 boundaries for congressional districts, state house
11 districts and state senate districts. While there
12 are federal laws that must be followed, we know
13 that from experience, this process often becomes a
14 more political battle rather than an opportunity to
15 ensure that districts are drawn in such ways that
16 they reflect the rich diversity they characterize
17 as our state.

18 Political pundits, activists and most
19 people who have at least picked up a paper once in
20 their life have predicted the outcome of this
21 redistricting process. With the results of last
22 year's mid-term elections and Republicans gaining
23 control of the United States House of
24 Representatives and, more relevantly, the North
25 Carolina General Assembly, they say that this

1 year's redistricting efforts will merely be an
2 opportunity for Republicans to draw congressional
3 districts and state senate and house districts that
4 reduce the number of Democrats in Congress and the
5 number of Democrats in our North Carolina General
6 Assembly. Is this what our redistricting process
7 has come to?

8 If this, in fact, happens, we will have
9 struck a serious blow to the Democratic small deed
10 principles upon which our nation was founded. I
11 challenge the members of the North Carolina General
12 Assembly to prove the pundits wrong. Show the rest
13 of the nation that here in North Carolina, we do
14 what's right and not what's just politically
15 expedient.

16 I'm proud to call Durham and North
17 Carolina my home. Our commitment to education
18 continues to inspire young people like myself to
19 dream big and work to solve -- towards solving some
20 of our community's most pressing challenges. Our
21 devotion to ensuring that every member of our
22 community has the right to affordable and
23 accessible healthcare is more than just a matter of
24 economics. It's a testament to the character that
25 defines who we are as a community.

1 Cracking, packing and stacking, these may
2 seem like simple rhyme-time words, where in this
3 particular process, they hold significant meaning.
4 We're all familiar with the terms which identify
5 vote dilution efforts that seek to divide
6 geographically compact minority communities, over
7 concentrate minority groups in a small number of
8 districts, and set up districts where on the
9 surface level they appear to be majority/minority
10 districts, but in effect, they're strategically
11 created districts of low-performing minority
12 precincts and high-performing white precincts. And
13 I'll admit, these strategies are laudable for their
14 tactical genius, but they don't pass the "are we
15 doing the right thing" test and the "is this best
16 for the people of North Carolina" test.

17 So let's not squander years of hard-
18 fought civil rights victories because of
19 uncompromising political ideologies. We have
20 districts that are represented by individuals who
21 understand our commitment to public education, to
22 protecting our environment, and to protecting civil
23 and human rights. Because of my current
24 congressional representation and North Carolina
25 General Assembly representation, I've been afforded

1 educational and job opportunities that have allowed
2 me to become a productive member of this community.
3 Let's use this redistricting process as an
4 opportunity to affirm our commitment. And this is
5 not a Democratic commitment or a Republican
6 commitment, but a North Carolina commitment to
7 fairness, to justice and to equality for all North
8 Carolinians and not just a privileged few.

9 So thank you all for this opportunity,
10 and I hope that you take our concerns to heart.

11 SENATOR RUCHO: Thank you for your
12 comments. Next speaker, Ronald Garcia, I believe.
13 Am I correct? Mr. Garcia? Okay. Next speaker,
14 Theodore Hicks:

15 MR. HICKS: Thank you, gentlemen. My
16 name, again, is Theodore Hicks. I am the Chairman
17 of the Durham County Republican Party. I'll be
18 brief, but the comments that I was going to make, I
19 would feel remiss if I didn't remind everyone in
20 attendance and everyone streaming online, there's
21 been several comments that have been made about
22 civil rights and things of that nature, alluding to
23 the fact that some of the bills that are being put
24 forth in the General Assembly are trying to take us
25 back several decades. I would be remiss if I

1 didn't remind everybody that it was actually the
2 Republican Party that passed the 13th, 14th and
3 15th Amendments. And it was actually on this day
4 in 1871 that the Republican Congress passed the --
5 what is commonly referred to as a Ku Klux Klan Act,
6 basically trying to alleviate the
7 disenfranchisement of the black community here in
8 the south.

9 So with that being said, obviously, I'm
10 in big favor of having the voter ID bill. Since
11 several people have commented on that, I'd, again,
12 be remiss if I didn't say that. I believe I'm also
13 correct in remembering that the bill -- one of the
14 components of that bill was setting aside some
15 state money to pay the small ten-dollar fee that
16 people would be charged to get an ID if they didn't
17 have one. So in other words, those that don't
18 currently have one, the current legislature has no
19 intent to disenfranchise those who don't currently
20 have one by specifically setting aside money so
21 that they can go get one. It's only ten dollars.
22 And if there is only a small amount of voter fraud,
23 is that acceptable, or should we try to eliminate
24 it altogether? That would certainly be a logical
25 conclusion that we could draw.

1 Now, current -- going back to the purpose
2 of the meeting tonight being redistricting, again,
3 several have echoed that we do not want to
4 disenfranchise minorities. I would certainly
5 concur with that and remind everybody in Durham,
6 the Republican Party is actually a minority, so we
7 don't want to disenfranchise the Republican Party.
8 (audience laughter.) That being said, we also do
9 believe --

10 UNKNOWN: (Inaudible.)

11 MR. HICKS: -- thank you -- we believe
12 that the district should be redrawn in Durham to
13 more favorably represent the diverse community that
14 we do, indeed, have. If you look at those that
15 represent Durham County, it's -- for the most part,
16 everybody is Democratic. There is very little to
17 no Republican representation, and we believe that
18 the redistricting process should bring a more
19 favorable balance to that. For example, perhaps in
20 the northern part of the county, perhaps looking at
21 redistricting District 30, as apparently so many
22 here are opposed to doing. Jason Chambers ran a
23 very strong race last year, and should certainly be
24 expected to have a good opportunity to do that
25 again should the districts not be gerrymandered to

1 favor one party only, as so many have discussed.

2 Finally, I would say that the Republican
3 Party overall is certainly -- and the Durham County
4 Republican Party would echo the sentiment that we
5 do want this process to be fair and legal. And,
6 again, using Jason Chambers as an example, I'm
7 quite confident Jason would like to run again, but
8 at the moment, he has no idea where he's going to
9 run because he doesn't know what district he's
10 going to be falling in. And there has been some
11 concerns, I think equally expressed on both sides
12 of the party tonight, that depending on this
13 process, it is not very clear that it is, indeed,
14 legal, if it is, indeed, fair, if it is, indeed,
15 nonpartisan, then it's going to be ending up in the
16 court system, and then we're going to be going into
17 the 2012 races based on the current or the old
18 districts simply because the legal disputes have
19 not been finished. So I would echo everybody's
20 sentiments tonight that the process should, indeed,
21 be fair and legal such that there should be very
22 little to no legal disputes so that we can put this
23 behind us and move on into the 2011 and 2012
24 elections.

25 So, again, I thank you for your time, I

1 thank you for having this session, and I do echo
2 everybody else's sentiment that I would certainly
3 hope to see the proposed maps -- proposed --
4 posted, and then have a public session so we can
5 again comment on those. Again, thank you for your
6 time.

7 SENATOR RUCHO: Thank you for your
8 comments. Our next speaker, Angelita Gariga
9 [phon.]?

10 MS..GARCIA: Angelita Garcia.

11 SENATOR RUCHO: Sorry. Difficulty.
12 Sorry.

13 MS. GARCIA: My name is Angelita Garcia.
14 Thank you very much for each and every -- each and
15 every one of you who are members of this committee.
16 I am honored to be here. Thank you very much for
17 giving me the opportunity.

18 I just wanted to voice my voice, being a
19 Hispanic in the local community, that I am very
20 privileged and happy and honored to be part of the
21 Latino community. I have lived in North Carolina
22 since 1971. I have lived in Durham since 1986.
23 I've known only too well how much the Hispanic
24 community has grown by leaps and bounds since 1986.
25 I just hope that this committee also takes into

1 recognition the minority Latino community.

2 Briefly about my background, I -- we are
3 four generations of U.S. citizens. I was born and
4 raised in Texas, and I'm very happy, I'm very proud
5 to be an American. Both of my daughters were born
6 and raised in North Carolina.

7 And I just hope that this committee will,
8 as I stated a while ago, will take into
9 consideration the Latino community has grown by
10 leaps and bounds in Durham County. Thank you very
11 much.

12 SENATOR RUCHO: Thank you for your
13 comments. Our next speaker, Michael Hale Gray.

14 MR. GRAY: Good evening. My name is
15 Michael Hale Gray. There are five Michael Grays in
16 Durham, one of whom does not pay his medical bills,
17 so I got the call (audience laughter), thus, my
18 middle name. That's part of my new personal ID;
19 I'll get to that in a second.

20 Like Ms. Vann, who I'd love to meet, and
21 Ms. Lindsey, I'm not a native North Carolinian, but
22 I fully empower them to use the term that I use
23 quite often. I'm a born again Southerner (audience
24 laughter).

25 Having been in Durham since 1989, I was

1 in the 2nd Congressional District. I also attend
2 St. Luke's Episcopal Church at the corner of
3 Hillandale and the interstate, which regrettably
4 was the site of one of the three crosses that was
5 burned back on May 25th, 2005, so unfortunately,
6 I've seen at least a slice of intolerance and
7 bigotry.

8 In 1990 -- actually, 1992, we were moved,
9 just like the other gentleman, without moving, to
10 the 12th District, the so-called I-85 district
11 which, as a lot of folks here know, due to several
12 court cases, kept on shrinking, condensing, moving
13 around. And for no other reason, the constituents,
14 of course, did not know who to call for things like
15 VA or passports, so you got thrown around to two or
16 three different places. So definitely, legal and
17 fair is vital, but so is perception.

18 In spite of everything online and in
19 spite of all the open meetings here, if the
20 committee meets behind closed doors and horse
21 trading or, you know, line drawing to help some
22 incumbent's curves, then the perception is going to
23 be of hidden motives, no matter what anybody says.
24 And I have emailed Senator Rucho, as I'm sure a lot
25 of people have, and also a few staff members,

1 because I'm fascinated by the political process and
2 wish it to be seen as open as possible by the
3 public.

4 Now, I understand there are a couple of
5 states that allow citizens to be on the
6 redistricting. I think that would be wonderful.
7 I'd be thrilled if I could be on it, but I also
8 realize that a lot of people who have their own
9 self-serving sharpened pencils ready to have their
10 own private little district and forget about the
11 other 119 or the other 49. So one of my requests
12 is that citizens be allowed to if not participate,
13 at least watch this once-in-a-decade event. And if
14 not, would it be possible to have both the various
15 Democratic and Republican county chairs to select
16 people who obviously are passionate about politics
17 to get a preview -- not a sneak preview, but a
18 preview of the line drawing that has been done by
19 the committee, and the redistricting committee
20 could allay any fears that anything was done below
21 the belt or under the radar screen.

22 Now, by giving a preview of this line
23 drawing to a bipartisan group of people, and then
24 being able to explain in pretty good detail, okay,
25 we had to split District 30 into here and here;

1 here's what we did, here's why we did it. It's,
2 granted, a small group of people, but obviously
3 very passionate about what they do, the perception,
4 at least, is going to be of a bipartisan agreement
5 of what happened, very much like a manager yells
6 his head off at the umpire -- he's not going to
7 win, but at least he's getting his -- his voice out
8 there and he gets a sense of, well, at least the
9 umpire heard me. This has been going on for a
10 hundred years with the Democrats listening to the
11 Republicans, or maybe not. Now, as I've heard from
12 a lot of folks, it's going the other way and,
13 granted, a lot of Democrats are very anxious about
14 what's going to be happening. But if you have
15 this -- this preview, then the perception, again,
16 is going to be much more transparency.

17 A side thought I was going to give is, a
18 little confession here, in 1996 I attempted to vote
19 four times. I only voted once. The other three
20 times I walked up, gave the name and address of a
21 neighbor or friend of mine who I knew was not going
22 to vote, and only the fact that I consider myself
23 pretty honest prevented me from actually voting
24 four different times. Just so that I let folks
25 know that even though the announced instances of

1 voter fraud are not there, I could have been three
2 of them myself back in 1996. Thank you.

3 SENATOR RUCHO: Thank you for your
4 comments. Our next speaker, Lavonia Allison.

5 MS. ALLISON: North Carolina, North
6 Carolina, North Carolina, first in freedom, first
7 in freedom, first in freedom, litigation,
8 litigation, litigation. You guys have an awesome
9 responsibility. We can be praised all over the
10 United States for the next district lines that
11 you're going to put together.

12 My name is Lavonia Allison, and I serve
13 as Chair of the Durham Committee on the Affairs of
14 Black People, President of the North Carolina
15 Leadership Conference, Inc., and a life member of
16 the NAACP. I voted in District 2 when Mickey
17 Michaux won the primary and then he was deceived in
18 the general election. Kenneth Spaulding ran,
19 carried the primary, lost in the general election.
20 I was very privileged to participate with Jamie
21 Hodgkins Lucas, the predecessor to -- was a great
22 senator, the first African-American female to sit
23 in the awesome body of the North Carolina State
24 Senate.

25 Minorities -- racial minorities in our

1 state have faced discrimination in voting, during
2 past redistricting cycles, partisanship, incumbency
3 motivation, lack of clear understanding of how race
4 should and should not be considered. And I want to
5 take just a little bit of time to look at the
6 overview, consideration of minorities and
7 persever--- mention consideration of race. Race
8 has been, is, and continues to be a factor not only
9 in North Carolina, but throughout our nation.
10 Participatory democracy is the goal that all of us
11 wish for, but this ideal hopefully may be
12 positively impacted by what the lines will, in
13 fact, be put together for the next ten years.

14 As I said, basically, for Section 2 and
15 the Voting Right Act of 1965 prohibits minority
16 voter dilution. Any voting practice that has a
17 discriminatory effect is unlawful. With that said,
18 we need to understand that there is a
19 misunderstanding and a misrepresentation that race
20 cannot be used. It can be used. The key is that
21 racism exists, but although Shaw versus Reno
22 prohibits certain use of race in redistricting, the
23 Voting Right Act requires that you create districts
24 that combine an opportunity for racial minorities
25 to elect a candidate of choice, a candidate of

1 choice. Also, consideration of race is permissible
2 in the redistricting process, if and when
3 necessary, to satisfy a compelling state interest,
4 such as complying with the Voting Right Act.
5 Additionally, you can voluntarily use race as a
6 factor even when the Voting Right Act does not
7 compel you to do so.

8 Hopefully, we are looking for talent, and
9 one of the things that we would hope that you will
10 make possible, that your lines and what you have
11 done, you will be able to, in fact, make it
12 possible for it to be transparent and timely so
13 that we will be able to ensure that fairness and
14 equity exists and there has not been dilution of
15 racial minority voting strength, especially when
16 you look at the representation of what our state
17 would be if it was fair. 22 percent, 26 members of
18 the House, the Senate 50, 22 percent. We know that
19 there's not fair representation. And, of course,
20 all of that is not necessarily as the remedy
21 relates to the lines, but we would hope that you
22 would make it possible for us to have an
23 opportunity in a timely way to look at what the
24 drafts will be, and once the drafts are made, that
25 we will have an opportunity, a meaningful

1 opportunity, to continue to have some input.
2 Public hearings, you know, are very, very good, but
3 until we see at least a draft of what's going to
4 happen, many of our comments may not, in fact, be
5 as meaningful as if we had had an opportunity to
6 look at what the draft is going to -- the draft
7 that you have already put together.

8 The other thing in terms of what we are
9 dealing with, I'd like to just mention that the
10 situation in terms of the Voting Right Act, Section
11 2, that can be, in fact, made impacting all of the
12 hundred counties, whereas in the Section 5, it is
13 only the 40 counties, and one of the things we are
14 concerned about, that there are problems in
15 counties that are not covered by Section 5. And we
16 surely hope that you will, in fact, look at that.

17 I think that's my time. Thank you very
18 much.

19 SENATOR RUCHO: Thank you, Ms. Allison.
20 Appreciate your comments. Next speaker, Justin
21 Valas.

22 MR. VALAS: Hi. I wanted to thank you
23 all for your being here. My name is Justin Valas,
24 and I am -- that's all right. No accent, nothing
25 fancy. I am actually here with the North Carolina

1 Dream Team, a group that works extensively with the
2 immigrant -- immigrant community throughout North
3 Carolina. And the coloring book picture of North
4 Carolina, it's changing, and the picture is made
5 more vibrant by the entry of all colors.

6 Just as a quick review of demographics,
7 in 1990, the census figures put the Latino
8 population of North Carolina at just shy of 80,000.
9 This year's count is slightly over 800,000. And so
10 I work very heavily within the Latino community,
11 and I'm a member of the Asian-American community,
12 and both communities are growing in North Carolina.
13 In the 2008 election, there were around -- a little
14 over 100,000 registered voters that were either
15 children of Asian or Latino immigrants or were
16 naturalized citizens that had been Latino or Asian
17 immigrants. And this is a deciding voting block.
18 This is a huge group of people. And I really
19 strongly encourage the committee to take into
20 account the needs of this growing population whose
21 needs have not been as apparent previously, but are
22 going to be a very large factor in North Carolina
23 going forward, so thank you.

24 SENATOR RUCHO: Thank you for your
25 comments. Next speaker, Charlotte Woods.

1 MS. WOODS: Thank you, and good evening.
2 My name is Charlotte Woods, and I was raised in
3 Durham. I go back many generations. I really
4 don't know how many, but at least five or six. And
5 interestingly enough, while I'm a member of the
6 Republican Party, to the best of my knowledge, I
7 believe every one of my ancestors were registered
8 Democrats. My father laid the brick -- or helped
9 lay the brick, I should say, on the old Trinity
10 College, as well as in the National Archives.
11 Durham is extremely precious to me.

12 As a little girl going into the waiting
13 rooms in the dentist's office or the doctors'
14 offices, I experienced a great deal of sadness and
15 I was downcast when I left because there was a
16 separate water fountain for white people and a
17 separate water fountain for colored people, as well
18 as were there separate rest rooms. It was never
19 spoken of, but it just made me sad and I knew that
20 it was not right.

21 My question initially to you gentlemen
22 was would the House or Senate committees be using
23 other data besides pure population and the various
24 minority laws to configure the districts, but
25 sitting here and listening to all these other

1 people, I just came up with some other realizations
2 that maybe are far more important. Indeed, I am in
3 the distinct minority. How many of you know that
4 not one single elected official, not one, all the
5 county commissioners, the city council, the mayor,
6 the sheriff, et cetera, not one has an "R" beside
7 their name. They can't get elected if they have an
8 "R" beside their name. Now, this is -- somebody
9 may be able to challenge me because this is
10 January's figures and this may be slightly off, but
11 in January we had approximately 104,000 registered
12 Democrats, around 29,000 unaffiliated,
13 approximately 26,000 Republican. That gives us
14 about 17 percent representation. And in hearing
15 these people that spoke tonight, I didn't realize,
16 Charlotte, old girl, you're a distinct minority.

17 Anita Keith Foust spoke of Michaux not
18 being around to serve on the redistrict committee.
19 Maybe that's a saving grace because, indeed, he
20 bragged to me personally about getting the lines
21 redrawn so that a current city judge could buy his
22 new \$750,000.00 house and still be elected. I'm a
23 distinct minority.

24 All I want, I think all of us would wish
25 for and pray for, is fairness. I would like to

1 have a voice. Thank you.

2 SENATOR RUCHO: Thank you for your
3 comments. Next speaker, Paul Carrington.

4 MR. CARRINGTON: Pass. Pass.

5 SENATOR RUCHO: Thank you. Next speaker,
6 Victoria Peterson.

7 MS. PETERSON: I'm Victoria Peterson. I
8 have been in both parties. I was a Democrat at one
9 time, then I became a Republican, and I left that
10 party and I went back to the Democrat Party.

11 And what I've seen in my 50 years of
12 living this life, that it's a journey, and it
13 doesn't really matter what political party that
14 you're in, what I see here in North Carolina. It's
15 about empowering all of our people, making sure
16 that each and every citizen in this state is
17 empowered so that they do not have to be ignorant
18 and that they do not have to live in poverty, that
19 they're able to get a good education and help their
20 families.

21 One of the things that I would like to
22 see in this state happen is not just making sure
23 that African-Americans are represented in the House
24 and the Senate, but also the Hispanic, the growing
25 Latino community and the Asian community. The only

1 way, Mr. Chair, that that is going to happen is
2 that I think white males in this state are going to
3 have to be willing to step back, as well as women,
4 because I don't think women are being represented,
5 either, in these various seats. But I think my
6 white brothers and sisters, at least the majority
7 of white men in this state, the majority of them in
8 the House and the Senate on the state level and the
9 federal level, I think they've got to start looking
10 and maybe stepping back and being a little bit more
11 sensitive and say, hey, you know what, fellows,
12 we've been running this state for years as white
13 men. Why don't we start allowing -- since the
14 state is racially diverse, why don't we start
15 allowing the women -- hey, girls, right -- allowing
16 some of the women to be in charge of the House and
17 the Senate? Why don't we start allowing some of
18 the -- some of the men, the African-American men
19 and the -- the Hispanic community?

20 And I want to just share this thought
21 with you. I have a criminal justice background.
22 For years, this state's prison population is
23 majority of people of color, men and women that are
24 in the prisons, but the House and the Senate has
25 always been majority white males. Now, tell me

1 why. If we can fill the prisons with people of
2 color, but we can't seem to give enough
3 representative to people of color -- of color in
4 the House and the Senate, then there's something
5 wrong with this picture, terribly, terribly wrong.

6 And we've got to start empowering all of
7 our people, not just some, not just a segment, but
8 all of us need to be empowered. And I do not
9 believe that this state has done a very good job in
10 empowering all of our people, because we've got too
11 many people that live in poverty in this state.
12 And we are in the 21st Century. We'd rather build
13 prisons and jails than really investing to making
14 sure that our children are getting a good
15 education. And the only way to really do that is
16 to put in new minds and people with a new vision.
17 And I think for years we've had sort of like the
18 good 'ole boy system, okay, and we need to change
19 that a little bit. Let's really start putting some
20 of the women in power in this state, okay?

21 And thank you. And thank you, Mr.
22 Chairman. Oh, I did want to ask one question. Can
23 we get a breakdown of the various races here in
24 this state, the different races, because it's not
25 here in the book. Can we get that for the various

1 districts?

2 SENATOR MCKISSICK: State Board of
3 Elections.

4 SENATOR RUCHO: That's where you get it?

5 SENATOR MCKISSICK: Yeah.

6 SENATOR RUCHO: The State Board of
7 Elections would be able to do that.

8 MS. PETERSON: Okay. For the
9 redistricting, though? If we're really seriously
10 going to be looking at redistricting, aren't you
11 also going to look at race, because it's not in
12 here.

13 SENATOR RUCHO: That's the -- basically,
14 what that is, is a guide to provide you with
15 information on redistricting, but the information
16 you should be able to get on the State Board
17 website. It gives you all the information that you
18 desire.

19 I think our next speaker is Larry Hester.

20 MR. HESTER: Good evening. My name is
21 Larry Hester, and I've lived in Durham most of my
22 life. I just moved away briefly and came back.
23 I'm a local businessperson, and I think a lot of
24 Durham.

25 I understood you to say that the maps, I

1 can get them online now, the draft of your maps?

2 SENATOR RUCHO: No. The existing maps of
3 the Congressional House and Senate districts, but
4 let's --

5 MR. HESTER: Okay. But not anything that
6 has been drafted or drawn.

7 SENATOR RUCHO: No, sir.

8 MR. HESTER: So I think that my comments
9 would have been more if those were available,
10 because then I would know what to relate my
11 comments to and whether they change my community or
12 my district, or what was at risk, you know, in my
13 community. So I do suggest that in these hearings,
14 that people have the ability to respond to things
15 that they see that may occur. They may be able to
16 do it, you know, more effectively and their
17 comments could be more specific.

18 But I do have just some general comments
19 I'd just like to make, and that is that the process
20 here does not dilute African-American voter
21 strength in our state. At a minimum, we do not
22 need to lose voter strength. And there have been
23 many barriers to voting. I know that's not a
24 redistricting issue as it relates to where you draw
25 the lines, but there's been many barriers to

1 voting. And I understand that in 2002, 3.3 percent
2 of the votes were not counted because of different
3 voting issues. Those are the kinds of things that
4 need to be corrected.

5 I hope, moving forward, this is a
6 transparent process. And neighborhood and
7 communities of interest, I'm very interested in how
8 the new districts affect the neighborhood and the
9 community that I work in and I live in. I would
10 not like anything to occur that would reduce the
11 number of African-American districts, you know, in
12 our community. And I hope since these things have
13 been challenged in the past, that we pay very close
14 attention to the Voting Rights Act so that what
15 occurs is there is not any unrest in terms of
16 having to take these things to court so that they
17 can be consistent over the 10 years. I understand
18 in 2002 there was a challenge, and the General
19 Assembly had to rewrite it and it was temporary,
20 and so I hope that those kind of things are closely
21 adhered to, and I hope this is a successful
22 process, and I hope that these maps come out so
23 that people will actually see what's at risk, you
24 know, before it's voted on in the General Assembly.
25 Thank you.

1 SENATOR RUCHO: Thank you for your
2 comments. At this point, that concludes the list
3 of folks that have signed up. If there are folks
4 in the room now, if you'll come up and identify
5 yourself, please.

6 MS. FORD-BROWN: Good evening, gentlemen.
7 My name is Minnie Ford-Brown. I didn't sign up.
8 The gentleman asked me when I came in did I want
9 to, and I said, well, I haven't seen anything, so
10 perhaps I don't need to, but as I sit here, I am
11 compelled to say something.

12 I am Chair of the Durham Public Schools
13 Board of Education, I'm the Vice Chair of the
14 Council of Urban Boards of Education, which is an
15 affiliate of the National School Boards
16 Association, I'm on the Board of Directors for the
17 North.Carolina School Boards Association, and I am
18 currently an instructor at North Carolina Central
19 University in the Department of English and Mass
20 Communications. I'm a Durham native, born and
21 bred. I love Durham. And I remember when there
22 were no people of color either sitting in Raleigh
23 or in D.C. Thanks be to God that that is no longer
24 the case.

25 Durham Public Schools represents the

1 eighth largest school district in the state of
2 North Carolina. We have 33,000 children. And
3 we're in a city -- we're blessed to be in a city
4 that is classified as an urban district. I've
5 heard -- you've heard people say -- call it a
6 metropolitan area. Well, what does that actually
7 mean, to be an urban district here in North
8 Carolina or in the United States of America? That
9 classification carries three distinctions. We have
10 children that are highly mobile, so it's high
11 mobility. That means our children move around a
12 lot. They don't stay in the same neighborhood all
13 the time. We have high poverty, and we have over
14 57 percent of our children right now on free and
15 reduced lunch. And we probably -- that's probably
16 not a true figure, because when students get in
17 middle school and high school, they don't tend to
18 say -- they don't have their parents fill out those
19 forms that actually tell what their income levels
20 are. We have over a 53 percent African-American
21 population. The third determiner is that there's
22 high minority. Over 53 percent African-American
23 population, over 23 percent Hispanic. The young
24 gentleman told us here that our population has
25 grown. The same is true for Durham Public Schools,

1 over 500 percent. Currently, we are fortunate to
2 have legislators that understand the diversity
3 needs of our children in Durham Public Schools, so
4 they advocate for our children and provide adequate
5 resources for that.

6 Well, before any lines are drawn, I ask
7 that you take a look at all neighborhoods. And
8 some that we've talked about tonight are tree lined
9 and idyllic, and others are lined with folk who are
10 looking for jobs, looking for opportunities,
11 looking for homes, even looking for food. Now,
12 these are the parents, these are the voters of some
13 of my children in this district. They need a
14 voice, and you have the power to draw lines that
15 will give them that voice. I want to put that into
16 your heart and in your minds this evening. Thank
17 you.

18 SENATOR RUCHO: Thank you very much. I
19 will check again with Senator Brock in Vance
20 County. Senator Brock, you've been very patient
21 there. Are there any other people that would like
22 to speak?

23 SENATOR BROCK: There's nobody else.
24 (audience laughter).

25 SENATOR RUCHO: Thank you for taking the

1 time, Senator Brock. Representative Stone in Lee
2 County, just following up with you. Is there any
3 other person there that would like to speak before
4 we prepare to close?

5 REPRESENTATIVE STONE: Mr. Chairman, we
6 have no one else here prepared to speak.

7 SENATOR RUCHO: Thank you, sir, and I
8 appreciate your time very much. Ladies and
9 gentlemen in the audience in Durham, would anyone
10 else like the opportunity to speak? Are we good
11 that way? Well, let me close by saying -- oh, I'm
12 sorry. Didn't see you. Would you please come
13 forward and identify yourself.

14 MS. WOMACK: Thank you. My name is Judy
15 Womack. I'm a new resident of Durham. I've been
16 here five years. I looked all over the country,
17 and I said where can I go that will be nice and
18 warm and I can look out over the lake, and I said
19 Durham, and so I settled here. I'm from the north.
20 I used to work for Fox News as a television news
21 reporter. I also -- my parents are originally from
22 Virginia, from Prince Edward County, Virginia,
23 where they closed the schools rather than
24 integrate. At one point when I was taking care of
25 my parents in Virginia, I worked with the

1 Republican Party. Don't hold that against me.

2 I just want to say this, we cannot appeal
3 to you as Republicans to do the right thing. We
4 cannot appeal to your sense of fair play, and we
5 shouldn't have to, but if you don't do the right
6 thing, we are going to look like a bunch of yahoos,
7 and businesses do not want to come to a state where
8 there are a bunch of yahoos. We don't want to lose
9 any money. We don't want to lose any
10 opportunity -- any opportunities. We want people
11 to come here and use our universities, our
12 colleges, buy up our land, and to live a life that
13 I'm now living because I desired to come here and
14 make this my home. Thank you.

15 SENATOR RUCHO: Thank you for your
16 comments. Well, we've had a very good evening.
17 We've had some great comments and we appreciate it
18 very much. And I want to thank each member of the
19 committee for your attendance. And with that, our
20 goal will be to draw fair and legal districts, to
21 get pre-clearance in a timely manner, and to get
22 our maps, as I say, pre-clearance, and then try and
23 maintain our 2012 election cycle so we have -- that
24 it isn't slowed down or delayed. With that being
25 said, --

1 MS. PETERSON: Is there any way -- is
2 there any way that you can have meetings,
3 videoconferencing meetings there at the Legislature
4 like you're doing here when you're drafting? Is
5 anybody opposed to doing that?

6 SENATOR RUCHO: All I can say is we can
7 take that into consideration and see if that's
8 possible.

9 MS. PETERSON: Okay.

10 SENATOR RUCHO: Okay?

11 MS. PETERSON: Thank you.

12 SENATOR RUCHO: Thank you. Again, thanks
13 to each and every one of you for being here. We
14 appreciate your input. And, again, thank you and
15 have a safe trip home.

16 (THEREUPON, THE PROCEEDINGS WERE ADJOURNED.)
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25

Helen Long (Sen. Rucho)

om: Erika Churchill (Research)
nt: Wednesday, April 20, 2011 10:24 AM
Cc: Rep. David Lewis; Sen. Bob Rucho
Subject: Brent Woodcox (Sen. Rucho)
FW: April 20, 2011 Public Hearing Speaker Sign-up Report (Sign-up Closed)

From: DBS@ncleg.net [mailto:DBS@ncleg.net]
Sent: Tuesday, April 19, 2011 7:30 PM
To: helenl@ncleg.net; RedistrictLA; Erika Churchill (Research); Kelly Stallings (ISD)
Subject: April 20, 2011 Public Hearing Speaker Sign-up Report (Sign-up Closed)

Redistricting Public Hearing (4/20/2011)

Date	First Name	Last Name	Organization	Location
7:00:00 PM	Jacqueline	Esslinger	Vance County Republican Party	Vance-Granville Community College, Henderson
	Darius	Little	Citizen	N.C. School of Science and Mathematics, Durham
	T.E.	Austin	Self	N.C. School of Science and Mathematics, Durham
	Thomas	Miller	Durham INC	N.C. School of Science and Mathematics, Durham
	Charles	Staley	Republican Party of Lee County	Central Carolina Community College, Sanford
	Bob	Hall	Democracy North Carolina	N.C. School of Science and Mathematics, Durham
	Don	Moffitt	Citizen	N.C. School of Science and Mathematics, Durham
	Toye	Shelton	North Carolina Central University	N.C. School of Science and Mathematics, Durham
	Nonna	Skumanich	Individual	N.C. School of Science and Mathematics, Durham
	Tracey	Burns-Vann	Durham County Democratic Party	N.C. School of Science and Mathematics, Durham
	Lydia	Lindsey	none	N.C. School of Science and Mathematics, Durham
	Harris	Johnson	Democratic Party Vice Chair Preceint 40	N.C. School of Science and Mathematics, Durham
	Kate	Fellman	People's Alliance	N.C. School of Science and Mathematics, Durham
	Robert	Healy	Durham Peoples Alliance	N.C. School of Science and Mathematics, Durham
	Anita	Keith-Foust	Citizens for Economic and Environmental Justice	N.C. School of Science and Mathematics, Durham

Total	15				

4/19/2011 7:30:06 PM

The report is accessible at the following address:

<http://ncgawebpi/ReportServer?%2FRequest%20to%20Speak%2FRedistrictingPublicHearing&rs%3AParameterLar>
US

My name is T.E. Austin and I am not speaking for a group. My education includes both Bachelor and Master degrees in Geography with a concentration in Settlement and Land Use. I worked as a City Planner for over 25 years and have lived in Durham for over 27 years. I come before you to discuss what I feel is unique about Durham and important when considering forming districts for Durham. I would like to discuss two of those districts. Tonight, I will speak to the sense of place or identity of the people living in these districts.

House District 30 is a compact district in western Durham. The district's focus is Duke University and the Ninth Street shopping area. Both of these entities have grown together. The District is a community of suburbs, old and new, built along roadways that radiate from Duke and the Ninth Street area. District residents live, work, shop and recreate here. My neighborhood, Trinity Park, was named after Trinity College, now Duke University. I live in the newer part of Trinity Park, built after Teddy Roosevelt visited the college. This District is home to Durham's two largest hospitals, both operated by Duke, and many of the area residents work there. East and West Campus of Duke University are at the core of the district and is our largest employer. We have public and private open space including a state park. Many of the residents came here because of school or work and chose to stay in this demographically diverse district because of shared interests. We like living in this distinct slice of Durham.

The Fourth Congressional District spreads out from the Research Triangle Park, its focus. It encompasses research facilities, educational institutions and a vibrant and diverse community. Two whole counties (Durham and Orange) make up the majority of the District. The District includes the three legs of the Triangle: Raleigh, Durham, and Chapel Hill and District residents identify themselves as living in the Research Triangle area. The Chatham County portion shares a Chapel Hill mailing address and identifies more with it than Siler City to the west. The local governments, especially Durham and Chapel Hill, cooperate on many issues effecting District residents from transportation and land use to the environment. Many residents work at the research and medical facilities in RTP, Duke and UNC. The Fourth District is the Research Triangle.

We all form relationships with where we live. Where we live becomes part of us and shapes how we view the world. Both of districts have a sense of identity that draw people to them; each with their own identity embraced by their inhabitants. West Durham and the Research Triangle evoke different images in the mind but each is part of the other. Any form of representation must reflect their personalities and nourish these communities of interest.

Statement of Tom Miller, ~~_____~~ *Om*

I urge you to leave the boundaries of the 30th district undisturbed.

The current boundaries of the 30th district of the North Carolina House of Representatives describe a cohesive community of neighborhoods, business districts, and employment centers long known as West Durham. The residential neighborhoods surround and are centered by the business district known as Ninth Street. Incorporated within the district are the east and west campuses of Duke University.

West Durham was founded at the turn of the 20th Century when the advent of street car transportation made development of the area economically attractive. The Dukes and their partners developed the large textile complex known as Erwin Mills. Along with the mill complex, the firm created a large residential community for mill workers. The Ninth Street business district was developed simultaneously to serve the community. Lying entirely outside the boundaries of the City of Durham, the community was called West Durham by Durham County citizens and it was identified as such on state maps and by the U.S. Post Office. Close on the heels of their textile enterprise, the Dukes located Trinity College in the area and in time enlarged the college into what is now Duke University. From the time of the First World War through the 1970s, West Durham steadily grew around its original core as middle class and upper middle class neighborhoods were developed.

The area's industrial identity waned with the slow collapse of textile manufacturing, but the mill employer was soon replaced by the university and its ever growing medical complex. The neighborhoods in West Durham continue to serve as the residential base for university and medical employees in the community. The Ninth Street business district never experienced the decline suffered by most southern downtowns. Instead, it made a successful transition from its mill worker orientation of the early 20th Century to its current orientation toward a middle class and student patron base. Although West Durham was eventually annexed into the City of Durham, the factors described above served to strengthen the area's cohesiveness and separate "West Durham" identity.

The boundaries of the 30th district are closely coterminous with the social and economic boundaries of the historic West Durham community. The City of Durham uses essentially the same boundaries to describe service districts for police and fire protection. The district boundaries also take in the primary and secondary public and private schools which serve the population of West Durham. The district is located entirely within Durham County and contains all of 13 stable voting precincts. The people who live and work within West Durham share an identity of interests in social matters such as neighborhood interests, school, recreation, and cultural affairs, and also in economic interests such as employment and shopping. Because the 30th district as it is currently defined shares the historical boundaries of West Durham, the district represents a logical political division of the population of Durham County.

I have lived in West Durham for more than 30 years and have been active in the political and social life of the community. I am currently president of Durham's Inter-Neighborhood Council, a neighborhood advocacy organization with a 25-year history of neighborhood service.

MEMORANDUM

**TO: The Honorable Floyd B. McKissick, Jr. Rep. Larry Hall
Rep. H. M. Michaux, Durham N. C. delegation to the N. C. General
Assembly**

**FROM: Harris C. Johnson, Sr., Chair, Precinct 40, 1st vice Chair Durham
County Democratic Party for Thirty years.
Member, N. C. State and Durham County Democratic Party
Executive Committees.
Executive Director, the American Voter Education Registration
Project, Inc.
Attendee, several redistricting Hearing (last two).**

**SUBJECT: The Public Hearing on Redistricting Wednesday, April 20, 2011
Durham County North Carolina**

**Thank you for the opportunity to reflect on the redistricting mandated by the
2010 Census. As a long time resident of Durham City/County I have lived in
three Congressional Districts and have not moved, the Districts have moved
either because of redistricting or a law suit.**

**Based on experience, demographic Census data, and the unique position of
Durham County and the Fourth Congressional District, in terms of health
care, education from day care through the University level, employment,
public service, entertainment, the quality of life, and cultural diversity in the
population within each House, Senate and Congressional District in Durham
County.**

**The citizens of Durham and Durham County have been well served
by the representatives elected within the boundaries of the respective
districts as presently configured. If changes are mandated by Census data
they should be very minor, and not designed to change the districts or the
representatives therein. The citizens of Durham have been well served by the
elected representatives in those districts as mentioned above. The several
communities within each of the districts as presently designed reflect a
healthy representation along racial, cultural, and socio/economic lines.**

Therefore, I strongly recommend that the current districts as presently drawn be maintained with only minor adjustments if necessary.

To change any or all of the above districts would be a disservice to the citizens of Durham and North Carolina. To those ends, I recommend that if the districts are not broken, don't attempt to "fix" them for political reasons.

Harris C. Johnson

Attachments

North Carolina House Districts
Deviation from Ideal Population using 2010 Census Population Counts

District	Population		Change		2010 Ideal District Population	Deviation from Ideal	
	2000	2010	Total	Percent		Total	Percent
1	64,121	78,595	14,474	22.6%	79,462	-867	-1.1%
2	64,042	67,751	3,709	5.8%	79,462	-11,711	-14.7%
3	64,028	73,905	9,877	15.4%	79,462	-5,557	-7.0%
4	63,948	82,523	18,575	29.0%	79,462	3,061	3.9%
5	64,258	71,601	7,343	11.4%	79,462	-7,861	-9.9%
6	70,385	82,016	11,631	16.5%	79,462	2,554	3.2%
7	63,774	59,436	-4,338	-6.8%	79,462	-20,026	-25.2%
8	66,579	69,997	3,418	5.1%	79,462	-9,465	-11.9%
9	67,385	88,399	21,014	31.2%	79,462	8,937	11.2%
10	69,140	77,125	7,985	11.5%	79,462	-2,337	-2.9%
11	70,380	78,345	7,965	11.3%	79,462	-1,117	-1.4%
12	63,733	63,600	-133	-0.2%	79,462	-15,862	-20.0%
13	69,764	76,622	6,858	9.8%	79,462	-2,840	-3.6%
14	67,606	84,004	16,398	24.3%	79,462	4,542	5.7%
15	67,864	69,750	1,886	2.8%	79,462	-9,712	-12.2%
16	68,061	93,684	25,623	37.6%	79,462	14,222	17.9%
17	64,137	94,557	30,420	47.4%	79,462	15,095	19.0%
18	64,005	72,850	8,845	13.8%	79,462	-6,612	-8.3%
19	69,323	88,350	19,027	27.4%	79,462	8,888	11.2%
20	63,755	70,972	7,217	11.3%	79,462	-8,490	-10.7%
21	70,394	69,625	-769	-1.1%	79,462	-9,837	-12.4%
22	70,244	83,941	13,697	19.5%	79,462	4,479	5.6%
23	64,905	75,657	10,752	16.6%	79,462	-3,805	-4.8%
24	64,515	62,129	-2,386	-3.7%	79,462	-17,333	-21.8%
25	63,760	73,935	10,175	16.0%	79,462	-5,527	-7.0%
26	70,406	95,937	25,531	36.3%	79,462	16,475	20.7%
27	66,874	68,869	1,995	3.0%	79,462	-10,593	-13.3%
28	70,366	93,901	23,535	33.4%	79,462	14,439	18.2%
29	64,967	70,046	5,079	7.8%	79,462	-9,416	-11.9%
30	64,523	72,027	7,504	11.6%	79,462	-7,435	-9.4%
31	64,023	91,274	27,251	42.6%	79,462	11,812	14.9%
32	66,636	79,540	12,904	19.4%	79,462	78	0.1%
33	70,241	94,755	24,514	34.9%	79,462	15,293	19.2%
34	69,700	74,378	4,678	6.7%	79,462	-5,084	-6.4%
35	70,387	78,497	8,110	11.5%	79,462	-965	-1.2%
36	70,367	79,940	9,573	13.6%	79,462	478	0.6%
37	70,398	129,250	58,852	83.6%	79,462	49,788	62.7%
38	70,398	84,275	13,877	19.7%	79,462	4,813	6.1%
39	69,628	104,910	35,282	50.7%	79,462	25,448	32.0%

North Carolina House Districts
Deviation from Ideal Population using 2010 Census Population Counts

District	Population		Change		2010 Ideal District Population	Deviation from Ideal	
	2000	2010	Total	Percent		Total	Percent
40	69,841	125,208	55,367	79.3%	79,462	45,746	57.6%
41	66,886	129,780	62,894	94.0%	79,462	50,318	63.3%
42	63,745	68,445	4,700	7.4%	79,462	-11,017	-13.9%
43	63,986	50,825	-13,161	-20.6%	79,462	-28,637	-36.0%
44	66,909	68,344	1,435	2.1%	79,462	-11,118	-14.0%
45	70,357	83,066	12,709	18.1%	79,462	3,604	4.5%
46	63,889	77,493	13,604	21.3%	79,462	-1,969	-2.5%
47	65,255	73,340	8,085	12.4%	79,462	-6,122	-7.7%
48	63,839	66,444	2,605	4.1%	79,462	-13,018	-16.4%
49	64,516	77,779	13,263	20.6%	79,462	-1,683	-2.1%
50	64,508	73,491	8,983	13.9%	79,462	-5,971	-7.5%
51	70,140	92,118	21,978	31.3%	79,462	12,656	15.9%
52	70,238	83,301	13,063	18.6%	79,462	3,839	4.8%
53	69,925	80,426	10,501	15.0%	79,462	964	1.2%
54	67,257	83,728	16,471	24.5%	79,462	4,266	5.4%
55	65,424	73,704	8,280	12.7%	79,462	-5,758	-7.2%
56	63,823	68,752	4,929	7.7%	79,462	-10,710	-13.5%
57	70,423	75,915	5,492	7.8%	79,462	-3,547	-4.5%
58	70,419	83,145	12,726	18.1%	79,462	3,683	4.6%
59	69,971	81,897	11,926	17.0%	79,462	2,435	3.1%
60	69,418	70,339	921	1.3%	79,462	-9,123	-11.5%
61	70,408	87,087	16,679	23.7%	79,462	7,625	9.6%
62	70,409	90,023	19,614	27.9%	79,462	10,561	13.3%
63	65,174	70,427	5,253	8.1%	79,462	-9,035	-11.4%
64	65,626	80,704	15,078	23.0%	79,462	1,242	1.6%
65	66,769	66,595	-174	-0.3%	79,462	-12,867	-16.2%
66	70,430	70,881	451	0.6%	79,462	-8,581	-10.8%
67	69,458	75,179	5,721	8.2%	79,462	-4,283	-5.4%
68	70,389	140,076	69,687	99.0%	79,462	60,614	76.3%
69	70,161	77,122	6,961	9.9%	79,462	-2,340	-2.9%
70	65,840	72,392	6,552	10.0%	79,462	-7,070	-8.9%
71	63,731	68,206	4,475	7.0%	79,462	-11,256	-14.2%
72	63,731	67,546	3,815	6.0%	79,462	-11,916	-15.0%
73	63,813	82,874	19,061	29.9%	79,462	3,412	4.3%
74	63,762	67,946	4,184	6.6%	79,462	-11,516	-14.5%
75	63,902	82,603	18,701	29.3%	79,462	3,141	4.0%
76	66,034	71,116	5,082	7.7%	79,462	-8,346	-10.5%
77	64,306	67,312	3,006	4.7%	79,462	-12,150	-15.3%
78	64,614	69,360	4,746	7.3%	79,462	-10,102	-12.7%

North Carolina House Districts
Deviation from Ideal Population using 2010 Census Population Counts

District	Population		Change		2010 Ideal District Population	Deviation from Ideal	
	2000	2010	Total	Percent		Total	Percent
79	63,782	74,556	10,774	16.9%	79,462	-4,906	-6.2%
80	70,245	78,723	8,478	12.1%	79,462	-739	-0.9%
81	64,129	65,650	1,521	2.4%	79,462	-13,812	-17.4%
82	65,483	93,684	28,201	43.1%	79,462	14,222	17.9%
83	65,580	84,327	18,747	28.6%	79,462	4,865	6.1%
84	63,728	65,274	1,546	2.4%	79,462	-14,188	-17.9%
85	67,428	71,855	4,427	6.6%	79,462	-7,607	-9.6%
86	63,871	64,053	182	0.3%	79,462	-15,409	-19.4%
87	63,739	68,349	4,610	7.2%	79,462	-11,113	-14.0%
88	64,534	67,590	3,056	4.7%	79,462	-11,872	-14.9%
89	63,865	72,894	9,029	14.1%	79,462	-6,568	-8.3%
90	63,751	65,180	1,429	2.2%	79,462	-14,282	-18.0%
91	69,870	74,449	4,579	6.6%	79,462	-5,013	-6.3%
92	63,848	68,165	4,317	6.8%	79,462	-11,297	-14.2%
93	67,079	78,360	11,281	16.8%	79,462	-1,102	-1.4%
94	65,632	69,340	3,708	5.6%	79,462	-10,122	-12.7%
95	66,249	94,835	28,586	43.1%	79,462	15,373	19.3%
96	64,998	72,247	7,249	11.2%	79,462	-7,215	-9.1%
97	63,780	78,265	14,485	22.7%	79,462	-1,197	-1.5%
98	70,355	125,672	55,317	78.6%	79,462	46,210	58.2%
99	69,971	112,312	42,341	60.5%	79,462	32,850	41.3%
100	70,380	75,204	4,824	6.9%	79,462	-4,258	-5.4%
101	66,901	94,041	27,140	40.6%	79,462	14,579	18.3%
102	69,833	69,314	-519	-0.7%	79,462	-10,148	-12.8%
103	70,308	92,636	22,328	31.8%	79,462	13,174	16.6%
104	70,400	73,428	3,028	4.3%	79,462	-6,034	-7.6%
105	70,393	106,109	35,716	50.7%	79,462	26,647	33.5%
106	69,114	77,456	8,342	12.1%	79,462	-2,006	-2.5%
107	67,799	93,460	25,661	37.8%	79,462	13,998	17.6%
108	70,419	79,640	9,221	13.1%	79,462	178	0.2%
109	70,412	73,605	3,193	4.5%	79,462	-5,857	-7.4%
110	70,421	74,293	3,872	5.5%	79,462	-5,169	-6.5%
111	67,909	68,632	723	1.1%	79,462	-10,830	-13.6%
112	70,390	75,804	5,414	7.7%	79,462	-3,658	-4.6%
113	66,543	75,113	8,570	12.9%	79,462	-4,349	-5.5%
114	66,764	73,570	6,806	10.2%	79,462	-5,892	-7.4%
115	70,295	79,480	9,185	13.1%	79,462	18	0.0%
116	69,271	85,268	15,997	23.1%	79,462	5,806	7.3%
117	70,288	85,227	14,939	21.3%	79,462	5,765	7.3%

North Carolina House Districts
Deviation from Ideal Population using 2010 Census Population Counts

District	Population		Change		2010 Ideal District	Deviation from Ideal	
	2000	2010	Total	Percent	Population	Total	Percent
118	63,734	69,261	5,527	8.7%	79,462	-10,201	-12.8%
119	63,728	73,640	9,912	15.6%	79,462	-5,822	-7.3%
120	63,748	72,565	8,817	13.8%	79,462	-6,897	-8.7%
Total:	8,049,313	9,535,483			9,535,483		

Notable changes from 2000 Census to 2010 Census:

NC population changed from 8,049,313 to 9,535,483

Senate:

District 28: Increased the NHBLK percentage from 46.51% to 50.12 (Now four 50% or above districts)

District 14: Increased NHBLK percentage from 43.21% to 48.88% and the minority Voter Age Percentage is higher than the majority Voter Age Percentage

Districts 5, 20, 40, 21, 32, & 37 all have minority Voting Age combined minority percentages greater than the majority NHWHT VAP

District 13: Created a minority coalition district with a Voter Age Population of 65% combined minorities (BLK, HSP, IND)

Congressional:

Maintained the two minority controlled districts 1 & 12. Both districts maintained the minority's Voting Age Percentage over the NHWHT VAP.

District 1: NHBLK Voting Age Population percentage 46.61% vs NHWHT Voting Age Population 46.53%

District 12: NHBLK Voting Age Population percentage 42.52% vs NHWHT Voting Age Population 42.38%

House:

Identified major population increases in the Raleigh Durham area districts 31 & 33

Identified major population increases in Charlotte, Mecklenburg area districts 99, 101, 102, & 107

Targeted N.E. minority controlled districts 5, 8, 7, 27, & 24 for increases and/or deviation changes

Targeted Cumberland area district 43 for increases and/or deviation changes

Targeted Southern district 48 for increases and/or deviation changes

Targeted Guilford area districts 58 & 60 for increases and/or deviation changes

Explored the possibility that the S.E. district 12 may lose minority control

Targeted Southern district 21 for combined minority controlled district

Committee Sergeants at Arms

NAME OF COMMITTEE 2011 Redistricting Hearing
DATE: 4.20.2011 Room: NC School of Math

House Sgt-At Arms:

1. Name: Carlton Adams
2. Name: Bill Bass
3. Name: _____
4. Name: _____
5. Name: _____

Senate Sgt-At Arms:

1. Name: Leslie Wright
2. Name: _____
3. Name: _____
4. Name: _____
5. Name: _____

VISITOR REGISTRATION SHEET

REDISTRICTING

Name of Committee

DURHAM-NEWM

4-20-11

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

La Harve Johnson	Precinct #21
Tracy Lovett	Precinct #34 Durham ^{4th Dist. Sec.}
Lester Lenox Smith	1001 N. Roxboro St Durham, NC 27701
Aetenesia Stanberry	4613 Hope Valley Rd, Durham, NC 27707
Lydia Lindsey	2210 Alpine Rd Durham 27707
Don Moffitt	2114 Wilson St Durham 27705
David Smudski	4016 Graceview Way 27705

B

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	Charles Staley	3117 Hickory Hill Dr Sanford, NC	Republican Party	Indian Caucasian
2	RICHARD LITTIKEN	314 RHW Newwood Dr Sanford, NC		
3	Fisher MSMillian	706 Booker St Sanford, NC	Dem. Party	Af. Am.
4	Linda Shook	7992 Villanow Dr Sanford NC	Repub Party	~~Caucasian~~
5	Judy C. Hurley	2110 Brownstone Dr Sanford NC	Repub Party	Hispanic-
6	Mike Hurley	2110 Brownstone Dr Sanford, NC	Republican	Caus
7	Carmen I. Gonzalez	1100 Wiley St. Sanford NC 27330		Hisp. (Puerto Rican)
8	O'Linda W. Gillis	144 Leake St., Carthage	NAACP - Moore	Af. Am.
9	~~Ver~~ Vera Bassett	10 S. Selky Ln Pinchurst NC	NAACP - Scotland	Af. Am.

Public Hearing Site Sanford, CCCC

Public Hearing Date 4/20/11

Bg.

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
10	Alexander G. Brown III	1509 Pinehurst St Sanford, NC	Lee Co NAACP Pres.	Black
11				
12				
13				
14				
15				
16				
17				
18				
19				

Public Hearing Site Stanford Central Carolina Community College
Public Hearing Date 4/20/11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

✓	Linda Shook	
✓	RICHARD LITTIKEN	
2		
3		

Public Hearing Site

Vance - Granville

Public Hearing Date

4/20/11**ATTENDANCE SHEET**

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	Wadie Ryan			
2	Brian Reymell		Granville County GOP.	
3	Floyd Adsit			
4	Jim Melbourn	P.O. Box 1946 Oxford 27565	Granville County First Oxford PCT	
5	Charles & Cynthia Salzhaner	3120 Little Mt. Ck Rd Oxford 27565		
6	Elizabeth Blackwell	923 Azura Circle - Henderson		
7	Horace P. Bullock	129 So. Bullock St Henderson, NC 27526	NAACP	
8	Michael D. Waters	2450 Westover Dr. Henderson NC 27536		
9	JOSEPH T. GALLAGHER	3550 PITT RD OXFORD, NC 27565		

Public Hearing Site

Vance - Granville

Public Hearing Date

4/20/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
10	Dorothy M. Williams	272 Foster Rd. Henderson, NC 27537	Vance Co. Board of Ed.	Black
11	Bryanna Leonard	272 Foster Rd Henderson, NC 27537	Child	Black
12	Evelyn Mitchell	Henderson, NC 27536 1060 N. Parkston St		Black
13	Levy J. Garsner	P.O. Box 551 Henderson, NC		Black
14	Jacqueline Esslinger	145 Village Dr. Henderson, NC 27537	Vance GOP	White
15	Rick Brand	1849 Parker Lane Henderson		white
16				
17				
18				
19				

Public Hearing Site _____

Public Hearing Date _____

	Name	Address	Organization, if applicable.	Race or National Origin Optional – Requested for Voting Rights Act purposes only.
20	Annie C. Rose	Oxford, N.C. 27565		
21	Angela Bowden	Oxford, N.C. 27565		
22				
23				
24				
25				
26				
27				
28				
29				

Public Hearing Site Vance - Granville
Public Hearing Date 4/20/11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

	NAME	ORGANIZATION (optional)
✓	Jim McDonnell	Granville Demo/Envr Oxford
1 ✓	Brian KYNEL.	CHAIRMAN - GRANVILLE CO SOL.
2 ✓	Charles Saffner	Granville Co Republican Club
3 ✓	Wadie Ryan	

✓ Terry Garrison

Vance Co Commish

Public Hearing Site

Durham - NCSSM

Public Hearing Date

4/20/11

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	Jessica Holmes	115 Market Street Durham NC	Southern Coalition for Social Justice	
2	David Harris	609 Saddle Ridge Ave Durham, NC 27704	People Alliance Partner AGAINST Crime	Black
3	T.E. Austin	425 Dementia St Durham, NC 27701		White
4	TR Miller	1110 Virginia Ave Durham 27705		White
5	Anita Beth Foust	323 N. Trinity Ave Durham, NC 27710	CFES, DCABP, Alliance for Fair Redistricting & Minority Voting Rights	
6	Angeliza Garcia	103 24th St. Burrhead	Self-Help C.U.	Hispanic
7	Angelica Avelar	103 24th St. Lot #63 Burrhead		Hispanic
8	Daniel Ashley	312 Lipscomb Grove Ch Rd Hillsborough		American
9	Kenneth	10904 Kiger Rd Longwood NC		American

blic Hearing Site

Durham NCSSM

Public Hearing Date

4/20/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
10	Priscilla Godwin Hanson	715 E. Hammond St. Durham NC 27704	N/A	African Am.
11	Andrew Hanson	715 E. Hammond St. Durham NC 27704	N/A	African Am.
12	Alice B. Mitchell	Durham, NC 27713 820 MLK Jr PKWY #311	JW Social Justice	Afr. Am
13	James Chavis, Jr.	Durham, NC 27703 2813 Ashe St	JamesChavis@hotmail.com	
14	John Brunner	Durham NC 27713 36 Churchwell Ct		
15	John A Brunner	36 Churchwell Ct Durham NC 27713		
16	Vivian McCay	P.O. Box 1175 Durham, NC 27703	NEED / PACT	Black/African Am
17	Toyce Shelton	215 Edendale Rd 2nd fl Durham, NC	NEEL	African American
18	Kate Tellman	4 Misty Morning Ct Durham, NC 27712	PA/37	
19	Darius Little	8 Sunset Ct Durham, NC 27703	Community	African American

ic Hearing Site

Durham - NCSSM

Public Hearing Date

4/20/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
20	Joyce COLAIACE	Fearrington Village	League of Women Voters	
21	Laura Gutman	Watts St Durham	DC GOP	
22	Joe Schwartz	3026. N. Higgins St. Durham	Independent weekly	
23	Diane Standaert	410 Hugo St, Durham ²⁷¹⁰⁴	NAACP	
24	Deborah Williams	2317 Oakridge Blvd	DCABP	
25	Bob Smith	3511 Bivins Rd Durham ²⁷⁷¹²	DC GOP	
26	Jean C. Allen	2338 Bedford St. Durham, NC ²⁷⁷⁰⁷	n/a	
27	Cesar Castro	417 Edward St Durham, NC ²⁷⁷⁰¹	N/A	
28	Nellie Riley	1118 Huntsman Dr.	N/A	
29	Frank Riley	1118 Huntsman Dr.	N/A	

Public Hearing Site Durham - NESSM

Public Hearing Date 4/20/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
30	MONIQUE VELASQUEZ	414 W KNOX ST DURHAM	—	HISPANIC
31	Jason Chambers	7705 GUESS RD		White
32	Amber Harris	1712 Southpoint Crossing Drive	NA NCGIA	black
33	Carl Strauss	300 Blackwell St	—	American
34	Rep LARRY HALL	P.O. Box 25308 Durham, NC 27702	NC Legislature	As./Am.
35	TRAVIS SMITH	2340 Joyner Rd Hillsborough NC	self	White
36	JAMES CARROLL	108 BLUE GRANITE CT CHIMNEY HILL	SELF	WHITE
37	Olivia Smith	2340 JOYNER RD, Hillsborough NC 27772	self	White
38	COIT SUMBO	—		HISPANIC
39	Mark Hellman	1101 Wells St. 27707	self	White

Public Hearing Site

Durham NCSSM

Public Hearing Date

4/20/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
40	~~Francis Johnson, Jr.~~	~~2401-A-Nation Ave~~	~~Dem Party~~	~~African American~~
41	Zan Brun	Wake County		
42	Carole Stein	2535 Perkins Rd. Durham, NC 27705		
43	Robert Healy	839 Sedgefield St Durham, NC	Durham Chapter African	
44	Jennifer Miller	5706 Old Stony Way Durham 27705		
45	Bob Hair	Same	Democracy NC	
46	Janie McMillan	815 Yosemite Circle Durham NC 27713		African American
47	RONALD McMillan	815 Yosemite Cir Durham, NC 27713		()
48	KATHLEEN MURRAY	301 NEW PARKSIDE DR CHARLES HILL, NC 27715	DEM PARTY OF NC	Cauc
49	STEVE LANIER	20 PENNINGTON PL DURHAM, N.C. 27707	GOP	

Public Hearing Site

Durham NCSSM

Public Hearing Date

4/20/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
50	Bernie Canine	1616 Pinecrest Rd Durham 27705	LWV ODC	
51	Paul Canine	1616 Pinecrest Rd Durham NC 27705		
52	Jarvis A. Hall	5004 Century Drive Durham, NC 27705	ICRSK	Black
53	Chris Speed	1209 Oakd Grove Ln Durham NC 27713		
54	Carol Spence	P.O. Box 51216 Durham		
55	Samuel Leach	1214 Spaulding St DNC 27701		
56	Judith Womack	3609 Sugar Tree Pl Durham 27713		
57	Dei McMillan	4801 Dandridge Rd #101 Durham NC 27704		
58	Krista Anderson	Raleigh NC	NCDP	White
59	Tracey Burns Vann	S Stoneleigh Court Durham, NC 27703	DCDP	African American

Public Hearing Site Durham NCSSM
 Public Hearing Date 4/20/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
60	Maria Robayo	12 Drummond Ct. Durham NC 27713		
61	FELIX A. LEE	1410 ROWEMONT DR. DURHAM NC 27705	DEMOCRATIC PARTY	BLACK.
62	Minnie Forte-Brown	1612 Merrick St Durham 27701	DPS	Black
63	Glen Stewart	107 Stinkhurst Dr Durham NC 27713		
64	Andre J. Van	5 Stoneleigh Ct. Durham 27703	Durham Committee on the Affairs of Black People/DCDP	Black
65	TEJI KIMBALL	10910 S. LAWELL RD BOHANNAN, NC 27503	DGOP. DURHAM PLANNING COMMISSIONER	ASIAN/ OTHER
66	Matthew Hughes	POA. 1845 Washington Dr. Hillsborough, NC 27278	Orange County Democratic Party	
67	Josh Harwood	APT 104 c, Bernard St. Chapel Hill, NC, 27514		
68	Dick Ford	1835 Chedworth Ct Durham NC 27517	D GOP	

Public Hearing Site 4/20/11 - Durham DSM
Public Hearing Date 4/20/11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

1	✓ Carol Anderson	
2	✓ Donald Hughes	Durham County Young Democrats
3	~~T. E. Austin~~ ~~(SIGN ON LINE)~~	

Public Hearing Site 4/20/11 - DURHAM SSM
Public Hearing Date 4/20/11

NAME

ORGANIZATION (optional)

4 No	Ronald Garcia	El Centro Hispano
5 ✓	THEODORE HICKS	DURHAM COUNTY REPUBLICAN PARTY
6 ✓	Angelita Farica GARCIA	Self-Help Credit Union
7 ✓	MICHAEL HALE GRAY	SELF-INTERESTED CITIZEN
8 ✓	LAVONIA Allison	NCLC, Inc + DEABP

Public Hearing Site 4/20/11 - DURHAM SSM

Public Hearing Date 4/20/11

NAME

ORGANIZATION (optional)

9	✓ Justin Valas	NC DREAM TEAM
10	✓ CHARLOTTE Woods	DC GOP
11	~~ND~~ Paul Carrington	
12		
13		

Public Hearing Site Durham - NC SSM

Public Hearing Date 4/20/11

NAME

ORGANIZATION (optional)

14	✓ Victoria Peterson	TCRC
15	✓ Larry Hester	DCABP
16	2 MINNIE FORD - BROWN	Chairman Durham Board of Education
17	2 JODY WOMACK	Resident of Durham
18		

MINUTES
JOINT SENATE AND HOUSE COMMITTEES ON
REDISTRICTING
PUBLIC HEARINGS

April 21, 2011

The Joint Senate and House Committees on Redistricting Public Hearing were held on Thursday, April 21, 2011, at 7:12 p.m.

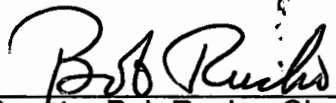
The meetings were held at the Fayetteville Technical Community College in Fayetteville, North Carolina (Cumberland County), and satellite locations met simultaneously via video-conferencing at University of North Carolina at Pembroke, North Carolina (Robeson County), and Roanoke-Chowan Community College in Ahoskie, North Carolina (Hertford County.)

Senate Chairman Senator Bob Rucho presided over the meeting from the Cumberland County site. Senator Andrew Brock chaired the Robeson County site and House Chairman Representative David Lewis chaired the Hertford County site.

A transcript of the meeting is attached, along with the Visitor Registration sheet and Speaker Sign-Up sheet.

The meeting was adjourned at 7:48 p.m.

Respectfully submitted,



Senator Bob Rucho, Chair



Helen Long, Committee Clerk



Senator Andrew Brock, Vice Chair



Senator Harry Brown, Vice Chair

Principal Clerk _____
Reading Clerk _____

SENATE
NOTICE OF JOINT COMMITTEE MEETING

The Senate and House Committees on **Redistricting** will meet at the following time:

<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Thursday	April 21, 2011	7:00 p.m.	See Below

The following is a list of the next scheduled Redistricting Public Hearings for the following counties. A link for directions is listed under each location.

Registration for speaking will begin:

- 1) At the hearing site: 1 hour prior to the convening of the hearing, and will close prior to the beginning of the hearing.
- 2) On-line: 5 days in advance of the hearing and will close 24 hours in advance of the hearing. There are limited slots for on-line sign-up. Please visit the following link to sign-up to speak at any of the locations for the April 21 Public Hearing: <http://www.ncleg.net/applications/rtts/Redistricting.aspx?id=4>
- 3) Each speaker will be limited to five minutes.

Locations:

Cumberland County

Fayetteville Technical Community College, 142 Health Technologies Center
2201 Hull Road
Fayetteville, NC 28303
<http://www.faytechcc.edu/pages/FTCCTextDirections.asp>

Robeson County

University of North Carolina at Pembroke, COMTECH - Carolina Commerce & Technology Center
49 Livermore Drive
Pembroke, NC 28372-1510
<http://www.uncp.edu/rc/about/directions.htm>

Hertford County

Roanoke-Chowan Community College
Jernigan Building Room 126
109 Community College Road
Ahoskie, NC 27910
<http://www.roanokechowan.edu/directions.htm>

Senator Bob Rucho, Chair

NORTH CAROLINA GENERAL ASSEMBLY
PUBLIC HEARING ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Fayetteville, North Carolina
Thursday, April 21, 2011
7:12 p.m. to 7:48 p.m.
Reported by Linda S. Garrett

Sessions simulcast from the following locations:

Fayetteville Technical Community College (Fayette County)
University of North Carolina at Pembroke (Robeson County)
Roanoke-Chowan Community College (Hertford County)

Worley Reporting
P.O. Box 91447
Raleigh, NC 27675
919-870-8070

1 P R O C E E D I N G S

2 SENATOR RUCHO: Welcome to the public
3 hearing on redistricting. I'm Senator Bob Rucho,
4 Chairman of the Senate Redistricting Committee.
5 Today's hearing is a joint effort of the Senate
6 Redistricting Committee and the House Redistricting
7 Committee in which Representative David Lewis is
8 the Senior Chairman.

9 Along with our site today in Fayetteville
10 at Fayetteville Technical Community College -- and
11 we say thank you to the administration here for
12 allowing us to -- to have this videoconference site
13 at this location -- we are at Robeson County at the
14 University of North Carolina-Pembroke, and we say
15 thank you to their administration, as well as the
16 Hertford County -- and -- excuse me -- the Roanoke-
17 Chowan Community College. And, again, thanks to
18 their administration.

19 I'd like to take a moment at this point
20 to ask the senators and representatives at the
21 other two sites to introduce themselves and to
22 recognize any public officials that may be in
23 attendance today at that site. I have -- at the
24 University of North Carolina-Pembroke, I have
25 Senator Andrew Brock, who is Vice Chairman of the

1 Committee, and Senator Michael Walters. Are you
2 folks there?

3 SENATOR BROCK: Yes, we are.

4 SENATOR RUCHO: All right.

5 SENATOR BROCK: We're all set. Along
6 with Representative Charles Graham.

7 SENATOR RUCHO: Thank you. Thank you,
8 Senator Brock. And do you have speakers in
9 attendance tonight?

10 SENATOR BROCK: Yes. One speaker.

11 SENATOR RUCHO: Okay. Let's -- let me
12 introduce the other site, and this is
13 Representative David Lewis. Are you there, David?

14 REPRESENTATIVE LEWIS: I am, Senator. I
15 hope that you're well, sir.

16 SENATOR RUCHO: Thank you.

17 REPRESENTATIVE LEWIS: Let me get to my
18 post where I'm supposed to be. I apologize.

19 SENATOR RUCHO: No problem.

20 REPRESENTATIVE LEWIS: Yes, we are here.
21 We are here in beautiful Hertford County.
22 Wonderful drive down. We do have some guests here
23 that I'm going to introduce. I do not have the
24 list right at hand. If you can give me just a
25 moment, I will go through and try to do a proper

1 introduction. (Pause.) Senator Rucho?

2 SENATOR RUCHO: Yes, sir.

3 REPRESENTATIVE LEWIS: This David Lewis
4 again from beautiful Hertford County. And we are
5 pleased to have Commissioner John Hora, who is a
6 Gates County Commissioner, joining us tonight. And
7 I want to still call him Senator Tommy Moore, but
8 he canceled, and on board as Major Pro Tem of
9 Winterville, is here with us tonight. And we also
10 have some other guests who are here to speak at
11 your direction, sir.

12 SENATOR RUCHO: Okay. Well, we are --
13 we'll continue on. And I'll, first of all,
14 introduce Representative Martin Lucas from
15 Cumberland County. Representative Lucas, thank you
16 for being here.

17 REPRESENTATIVE LUCAS: My pleasure, sir.

18 SENATOR RUCHO: And Senator Wesley
19 Meredith. Thank you, Senator. Delighted to have
20 you with us, too. I trust we have no other elected
21 officials that I've been notified about. But let
22 me just say thank you to everyone for attending
23 and, first of all, to say thank you for coming here
24 and taking your time to be involved in the public
25 hearing today at each of our sites. This is our

1 third group of public hearings for the 2011
2 redistricting public hearings. And in the coming
3 weeks, we will also be hosting sites across the
4 state in Guilford, Forsyth, Rockingham, Harnett,
5 Lenoir, Randolph, Mecklenburg, Cabarrus, Cleveland,
6 Catawba, Buncombe, Watauga, Jackson, New Hanover,
7 Bladen, Brunswick, Onslow, Craven, Wayne, Pitt,
8 Wilson, Beaufort, Edgecombe, Halifax, Pasquotank,
9 Chowan and Dare Counties, and that's a total of 36
10 sites across the state. This is the largest effort
11 that's ever been made in the history of
12 redistricting in North Carolina to hear public --
13 public comments about this important task of
14 redistricting.

15 And, again, just for everyone to know,
16 the purpose of the meeting is to hear what you have
17 to say about redistricting. Whether you've signed
18 up online or in advance or today and you put your
19 name on our list, you'll have an opportunity to
20 speak for five minutes on whatever ideas you may
21 have about redistricting. We want to hear how
22 redistricting will affect you and your community.

23 You may choose to address legal issues
24 relating to redistricting, such as the Voting
25 Rights Act, or requirements for drawing districts

1 under federal and state law. You may choose to
2 share how redistricting has affected your community
3 in the past and how you hope it will affect your
4 community moving forward. You may choose to share
5 what you regard as communities of interest in your
6 area, whether it is historical, cultural, ethnic,
7 geographical or with economic ties that make the
8 people of your area and of this state think of
9 themselves as a community. You may choose to share
10 what important geographical and political
11 subdivisions exist in your community and how they
12 should be taken into account in drawing the lines.
13 However you choose to spend your five minutes, we
14 are here today to hear from you. We are not here
15 to answer questions, but to listen and learn from
16 your comments and ideas.

17 Every ten years following the Census,
18 legislators are asked under the Constitution to
19 redraw the lines and create districts for Congress,
20 the State Senate and the State House. It is
21 critical that this process be open and transparent,
22 that it leads to fair and legal districts for pre-
23 clearance by the United States Justice Department.

24 As to the rules, I will introduce each
25 speaker. I will try to move from one site to

1 another so that no one just has to sit and listen
2 for a long period of time. And I would direct you
3 to the staff person at your site, and that will
4 be -- who will be handling the red and green for
5 the five minutes? Thank you very much.

6 And we would also welcome any written
7 comments you may have, in addition to what you
8 present today. You can either give it to one of
9 our staff or -- and/or while we -- even after this
10 meeting, you can go to our website,
11 ncleg.net/redistricting, and put your information
12 on there, which will become part of the record,
13 about any thoughts that you may either have not
14 addressed or may -- or may think about later.

15 Now, at this time, I'll ask to have our
16 first speaker, and we'll start here with Catherine
17 Martin.

18 MS. MARTIN: I'm not ready yet. I'll let
19 you go to the bottom of the list before I am ready.

20 SENATOR RUCHO: Okay.

21 MS. MARTIN: Number 2, she said she's
22 ready.

23 SENATOR RUCHO: And it's -- and if I
24 mispronounce it, I have it as Sharon.

25 MS. VALENTINE: Very good. Valentine

1 like February 14. Nobody can read my writing.

2 SENATOR RUCHO: Sharon Valentine. Would
3 you please stand and -- like the camera is above.

4 MS. VALENTINE: Certainly. I really had
5 not intended to come in and speak, but you all
6 convinced me.

7 SENATOR RUCHO: Good.

8 MS. VALENTINE: And I have three
9 comments. Number one, let's start early, ten years
10 early. We knew the census was coming up. And this
11 community has lost a great deal of federal revenue
12 because our deployed military personal were not
13 taken into account. Has tremendous impact, not
14 only on the local community with the funds in our
15 schools and so on, but also on the state as a
16 whole. We may have lost a congressman as a result
17 of. So please begin early this year. And I mean,
18 we now have nine years to rectify this.

19 Second of all, I'm wondering how valid
20 the Voting Rights Act of 1965 is. Now, I'm an old
21 woman, so it won't take, you know, another 10 years
22 of -- but this is a 40-year-old now piece of
23 legislation that has great impact on our community.
24 And I understand from you, Senator, that it's been
25 renewed for another 20 years. But I -- you know, I

1 think that should be addressed. This is a very,
2 very diverse community with Fort Bragg here. And
3 we have a strong Hispanic community that would --
4 should be taken into account as much as our
5 African-American community if we're going to base
6 it on ethnic. You know, I think after the tornado
7 down here, we see how this community pulls
8 together. And I'm wondering why this was renewed
9 for another 20 years. And I would suggest that be
10 taken into account.

11 And, finally, please, please, live up to
12 the Republican commitment to bring redistricting
13 into the more -- to the Commission that will be --
14 I know you can't do it this time. I know the
15 Commission has got to be put together now, but that
16 it be put to an unbiased Commission.

17 I live on the north side of Fayetteville
18 and in one congressional district and one -- but my
19 local district for voting stretches all the way to
20 my farm in Cumberland, Bladen County, you know, so
21 some of these districts are just not fair even to
22 our representatives to try to -- to stretch across
23 these vast areas. It used to be Cumberland County
24 was the district, and we knew each other and voted
25 together. So, again, I would encourage that --

1 that you look at looking at that Commission and the
2 recommendation that originally came out of the
3 Republican Party, that -- that that be honored.
4 Thank you for the opportunity.

5 SENATOR RUCHO: Thank you very much for
6 your comments. I'm going to go to Representative
7 Lewis. And do you have a speaker there in Hertford
8 County?

9 REPRESENTATIVE LEWIS: Thank you, Senator
10 Rucho. We do. We have Major Pro Tem Tommy Moore.
11 And Senator, I'm going to ask Mayor Pro Tem to come
12 up and to give his remarks, but we haven't tested
13 the sound at that site, so if it -- if you cannot
14 hear him well, please interrupt and we'll make the
15 adjustments accordingly. But with that, Mayor Pro
16 Tem Moore, welcome. We appreciate you being here,
17 and you have the floor, sir.

18 MAYOR PRO TEM MOORE: Thank you very
19 much. My name is Tommy Moore. I am Mayor Pro Tem
20 of the town of Winterville located in Pitt County.
21 I'm also the last Pitt County resident state
22 senator. I would like to thank you for the
23 opportunity to give my story on redistricting in
24 2002 and 2004. This process is already a different
25 story, and I thank you. I want to personally thank

1 the Chairman, Senator Rucho of Mecklenburg County,
2 for the opportunity for the public to have a voice
3 before district lines are drawn. I know like I,
4 myself, you were drawn a district with another
5 incumbent senator in 2004. In my opinion, it was
6 your idea to have these public debates across our
7 state, and I thank you for that.

8 Again, I am the -- from Pitt County. I'm
9 the last state senator from Pitt County. We're the
10 fastest growing county in the east. Until 2003 we
11 had two state senators. I've been told by both
12 senators before they died in 2003 -- one had served
13 24 years, Senator Warren, and Senator Martin served
14 18 years -- that the lines were drawn so they could
15 not return to the Senate. I was there at those
16 proceedings in Raleigh. A district was then drawn
17 stretching from south Pitt County to Roanoke
18 Rapids. That is an hour and a half drive. This is
19 too far. The counties included were Pitt,
20 Edgecombe, Martin and Halifax. Later through the
21 year, the district lines were drawn again. And
22 again, I filed and ran in a district that included
23 most of Pitt County and all of Wilson County. The
24 General Assembly had a special session to draw
25 district lines again. Before the new maps were

1 drawn and shown to the public, the public hearing
2 was held in Raleigh, and it was told the lines did
3 not -- the maps did not exist, when I had seen them
4 three months earlier. Again, three months earlier
5 I saw the maps. And before the public hearing was
6 held and the maps did not exist, so I was very
7 concerned. Five out of 18 speaker were from Pitt
8 County, and they were very upset about not being
9 shown these maps. I was placed in a district with
10 another Democrat who had been in the General
11 Assembly for 18 years. Pitt County, therefore,
12 would not have the opportunity to have a local
13 Senate representative. The new district created
14 had different needs. The districts included Wayne
15 with a military base, Pitt County with East
16 Carolina University and Greene County, an hour and
17 a half drive for our state senator from Mt. Olive
18 to drive it. With the price of gas and with these
19 factors of distance, it's turned into a line each
20 time he wants to think about coming to Pitt County.

21 Greenville, itself, which is a part of
22 Pitt County, is a town of 84,000 and is divided
23 into two senate districts. On the day of the vote,
24 the vote of 24 of 2004, I spoke on the Senate floor
25 about honesty and public trust. Those in

1 leadership gave the public a complete untrue
2 statement that district maps were not available for
3 the public hearing, so to tell the truth, chose
4 made them available -- not make them available to
5 citizens. They had not done what they swore an
6 oath.

7 Again, I would like to thank Senator
8 Rucho for being an honorable elected official and
9 letting the public comment in the process. Again,
10 I ask you not to divide Pitt County. Give us an
11 opportunity in Eastern North Carolina. We're the
12 hub of the east. Thank you.

13 SENATOR RUCHO: Thank you very much for
14 your comments. I'd like to move next to Robeson
15 County. Senator Brock, are you there?

16 SENATOR BROCK: McMillan.

17 SENATOR RUCHO: Yes. Senator Brock.

18 SENATOR BROCK: Yes. Douglas McMillan.

19 SENATOR RUCHO: Okay. Thank you. Need
20 to speak louder.

21 MR. McMILLAN: Mr. Chairman --

22 SENATOR RUCHO: Good.

23 MR. McMILLAN: -- can you hear me?

24 SENATOR RUCHO: Now, we can. Yes, sir.
25 Thank you.

1 MR. McMILLAN: Mr. Chairman and members
2 of the Redistricting Committee, my name is Douglas
3 McMillan, Jr. I'm a member representing the
4 Alliance of Fair Redistricting and Minority Voting
5 Rights, NAACP and Minority Congress in the Southern
6 District. Thank you for the opportunity to speak
7 here tonight.

8 As relates to the legislative districts,
9 District 48, which presently is represented by --
10 represented by Representative Garland Pierce, that
11 particular district needs to gain more minority
12 voters, District 48. District 47, which is
13 represented by Representative Graham, a retired
14 educator, and education being the focus of our
15 county, our state, and across the country, District
16 47 can remain as it is. We have no recommendation
17 to that district as it -- at this particular time.
18 As it relates to the congressional district, the
19 Alliance is recommending that four to five
20 precincts on the western part of the county be
21 moved to the 8th Congressional District. These
22 districts -- these precincts, particularly
23 Pembroke, Prospect and some of those larger
24 precincts, neighborhood precincts in that area
25 being moved to the 8th Congressional District. The

1 intent of such would be coalition district, a
2 coalition congressional district whereby there
3 would be a renewed voting interest and rejuvenation
4 across the whole 8th Congressional District.
5 Presently, there are several minority entities
6 within the congressional district. There's Native
7 American, black and Hispanic voters that make up
8 that district, but it -- through careful and
9 scrutiny analyzation, the Alliance has looked at
10 such a coalition district would enable a minority
11 of one of those groups to be elected to Congress.

12 The Alliance would ask you to look
13 favorably upon the recommendation that I have
14 brought forth to you tonight. Again, thank you for
15 this opportunity.

16 SENATOR RUCHO: Thank you very much. We
17 appreciate your comments. We'll go next to
18 Winifred Corpus. Am I pronouncing that correctly?

19 MS. CORPUS: Yes.

20 SENATOR RUCHO: All right. Would you
21 please -- the camera is above our head, so if
22 you'll present in front here.

23 MS. CORPUS: I just came in on the
24 meeting. I was just concerned about does voting
25 count, you know, wherever the redistricting happens

1 or if it happens, if it doesn't happen. My concern
2 is that I just want my vote to count, and I just
3 want it to count in the way that I mean for it to
4 count. And I know that may sound kind of
5 condescending, but -- I came to the meeting just to
6 listen and to see what's really going on, and --
7 and that's what I'm -- I'm here for.

8 SENATOR RUCHO: Thank you. We appreciate
9 your comments. Representative Lewis, is -- do you
10 have another speaker there for us?

11 REPRESENTATIVE LEWIS: Mr. Chairman,
12 we'll see. I think we have some that are preparing
13 their remarks, but I don't think we have any ready
14 to speak at this exact moment. Please give us
15 another chance.

16 SENATOR RUCHO: Yes, sir. We've got all
17 the time you need, so we'll come back to you in a
18 moment. Senator Brock, are you -- do you have a
19 speaker prepared for us?

20 SENATOR BROCK: We -- we do. Reginald
21 Oxendine.

22 MR. OXENDINE: Mr. Chairman,
23 Redistricting Committee, it's with great pleasure
24 that I appear before you this afternoon. I'm Dr.
25 Reginald Oxendine, and I am a professor at UNC-P,

1 (videoconference sound breaks up) -- in our great
2 state, Robeson County (videoconference sound breaks
3 up) We have a neat county here -- (videoconference
4 sound breaks up)-- move in our county, moved into
5 our state and consider keeping Mr. Charles Graham's
6 district of predominant Native Americans so that we
7 can have at least one Native American in the
8 Legislature. I think that our county is the only
9 one that has that opportunity. And I'll restate
10 that, that you continue to make that so. Thank
11 you.

12 SENATOR RUCHO: Thank you, Mr. Oxendine.
13 We appreciate your comments. Do you have any more
14 on our list?

15 UNIDENTIFIED SPEAKER: There's other
16 people that --

17 SENATOR RUCHO: Yes. Do we -- there is.
18 Do we have any more on our list?

19 MS. PARKER: Yes, sir.

20 SENATOR RUCHO: Oh, you would like to
21 speak?

22 MS. PARKER: Yes. I didn't --

23 SENATOR RUCHO: Okay. Come on forward.
24 And please introduce yourself, if you'll be kind
25 enough.

1 MS. PARKER: Thank you. I'm Liliana
2 Parker. I represent --

3 SENATOR RUCHO: No. You -- up front
4 here, please. And -- and repeat -- repeat your
5 name again so we can get it registered, please.

6 MS. PARKER: I'm Liliana Parker. I
7 represent the Latino-American constituency in
8 Cumberland County. I would like to thank
9 Representative Lucas and Senator Rucho to be in
10 this process. And I would like to -- to know that
11 this process is very fair and take into
12 consideration the Latino community. And I share
13 Sharon, the previous lady, also, comments. I think
14 that it's very important for us to have a fair and
15 transparent process. And thank you for taking
16 consideration the Latino community. It is very
17 important for us to have that, and I think it's a
18 very smart move.

19 SENATOR RUCHO: Thank you. Appreciate
20 your comments very much. Representative Lewis, are
21 you prepared?

22 REPRESENTATIVE LEWIS: At this time,
23 Senator, we do not have any remarks. I do believe
24 that we may have some forthcoming, so please give
25 us another shot.

1 SENATOR RUCHO: I will. We'll come back
2 to you. Senator Brock, have you anyone to speak,
3 please?

4 SENATOR BROCK: No other speakers.

5 SENATOR RUCHO: Could you repeat that
6 again, please?

7 SENATOR BROCK: No other ones.

8 SENATOR RUCHO: No other ones?

9 SENATOR BROCK: No other speakers.

10 SENATOR RUCHO: Okay. Very good. Well,
11 I think, Catherine, --

12 MS. MARTIN: Yes.

13 SENATOR RUCHO: -- it's your shot.

14 MS. MARTIN: I am Catherine Martin. I
15 represent, of course, all the citizens of
16 Cumberland County. I believe that if we listen to
17 all the citizens, the Latino, the African-American,
18 the whites, the -- any other nationality that's in
19 our county, we need to consider the fact that we've
20 got three districts in our county and we are
21 stretched. We've got the 2nd District dipping into
22 the north side, and we really need to just balance
23 that out in our -- in our county. It's just
24 three -- in order for us to work those three
25 districts, that is just un- -- just unbelievable.

1 So we are, of course, a city that is spread out.
2 We do know that. Cumberland County has spread this
3 way; it's not this way. So we do need to be
4 represented fairly. We do need to know that the
5 people are represented and that they're heard.
6 This is about the citizens now. This is not about
7 who's always running the country or their state.
8 We need to hear the citizens. These people that
9 have come and spoke, they need to be heard. This
10 is important now. This is where we make a change
11 now, and we show them that you all are representing
12 the people and you are listening to them. It
13 doesn't matter what I say and what each individual
14 says alone. It's combining us all together and
15 making this fair. It's -- we have a chance to make
16 something fair and stand up for right. Integrity
17 is right now and right here. Truth is right here
18 and right now. So if you can go to sleep at night
19 after you do this, then that is what I'm asking you
20 all to do. Do something that's right. Do
21 something that now you can be proud of. I'm not
22 saying no one's done it before, but do something
23 that represents all the people, all the people of
24 Cumberland County and not just one sector alone.
25 It needs to be fair. So I just wanted to be able

1 to say that, and that's what I'm expecting from you
2 all.

3 SENATOR RUCHO: Thank you for --

4 MS. MARTIN: Thank you.

5 SENATOR RUCHO: -- very much for your
6 comments. Representative Lewis, are you prepared
7 with your speaker?

8 REPRESENTATIVE LEWIS: Thank you, Mr.
9 Chairman. Thank you, Mr. Chairman. We are. It's
10 my pleasure to welcome Mr. Earl Roundtree from
11 Sunbury, North Carolina. You have the floor, sir.

12 MR. ROUNDTREE: Mr. Chairman -- both Mr.
13 Chairmans, I didn't come here with a prepared
14 statement, but I do want to say while I'm here that
15 I'm really excited about this process that we're
16 going through. I'm -- I have complete confidence,
17 and I hope the people of North Carolina have
18 complete confidence to know that our redistricting
19 this year is going to be done fair and honest, and
20 be sent to Washington and come back approved, that
21 we don't spend two or three years bickering over
22 this thing. We know what the rules are, and I've
23 got complete confidence that this is going to be
24 done.

25 I do have a plan, but I didn't bring it

1 with me tonight. I had been in touch with some
2 people in Raleigh, and I will be presenting my plan
3 to you for the extreme northeastern part of North
4 Carolina, and it's a win, win, win situation.
5 Appreciate the opportunity to speak here, and let
6 it be known that I will be back in touch with you
7 all later. Thank you very much.

8 REPRESENTATIVE LEWIS: Thank you, Mr.
9 Roundtree. We'll go back to you now, Senator
10 Rucho.

11 SENATOR RUCHO: Very good. Thank you,
12 Representative Lewis. I will say to you all the
13 individuals that signed up have spoken, but I open
14 the floor to anyone that chooses to spend a few
15 minutes, if they have something to say about the
16 redistricting process, please be comfortable to
17 come forward because we're -- we're -- that's what
18 we're here for, is to hear your comments and your
19 ideas about how redistricting should be done and
20 how it affects your community specifically. Are
21 there any other individuals who would like to share
22 their thoughts with us?

23 (No response.)

24 SENATOR RUCHO: Okay. Senator Brock, are
25 you there, and do you have anyone in your audience

1 that might want to speak any further on the
2 redistricting public hearing? Senator Brock?

3 MS. MARTIN: We lost him. We lost Brock.

4 SENATOR RUCHO: Senator Brock?

5 UNIDENTIFIED SPEAKER: If he didn't have
6 anybody else. He may have shut down if he didn't
7 have anybody else.

8 SENATOR RUCHO: Usually, they'll wait for
9 it to end. Are you still connected there? All
10 right. Let's try -- Representative Lewis, are
11 there any other individuals that would like to
12 share their thoughts with us?

13 REPRESENTATIVE LEWIS: Mr. Chairman, I do
14 not believe that we have any other speakers
15 tonight. I would just like to say how much I
16 appreciate all those who took part tonight at three
17 of our sites. I would like to echo your words to
18 remind folks that they can make their comments and
19 ideas via the North Carolina General Assembly
20 website, www.ncleg.net, and click on the
21 redistricting tab. They can also send in their
22 comments via regular mail, 16 West Jones Street,
23 Raleigh, North Carolina, 27603. We would love to
24 hear from you, and we appreciate and respect
25 everyone who has taken time to be here with us

1 tonight. But with that, I -- we will sign off.

2 Back to you, Senator Rucho.

3 SENATOR RUCHO: Thank you -- thank you,
4 Chairman Lewis. Let's try Senator Brock, or is it
5 Senator Walters? Are you able to communicate with
6 us?

7 SENATOR BROCK: Yes. We're back online.

8 SENATOR RUCHO: Okay.

9 SENATOR BROCK: We have no one -- we have
10 no one further.

11 SENATOR RUCHO: Okay. Very fine, Senator
12 Brock. Thank you very much. And we will extend an
13 invitation again to anyone in -- in the room in
14 Fayetteville.

15 MS. MARTIN: Are we allowed to ask
16 questions?

17 SENATOR RUCHO: No. And the only -- and
18 the only reason is we're really here for public
19 comment.

20 REPRESENTATIVE LUCAS: To listen to you.

21 MS. MARTIN: Okay. Well, can I make a
22 comment one more time?

23 SENATOR RUCHO: You may make a comment
24 one more time.

25 MS. MARTIN: I know I have to stand up,

1 right?

2 SENATOR RUCHO: Yes, ma'am.

3 MS. MARTIN: I just want to know or I
4 want to make a comment that -- that we are -- even
5 though he mentions the website and going there, I
6 need to know that you guys are going to make a very
7 strong presence of reporting back to the community,
8 and making it very important for us to be able to
9 pour in more information, or if we do have people
10 that weren't able to show up tonight, that they
11 have that opportunity to be heard, also.

12 As you go through this stage, I want to
13 know that you guys are going to communicate with us
14 on the finalization of things and starting to
15 narrow things down to decisions, because I think
16 that's going to really make us feel that you're
17 making us part of the process instead of just
18 being, you know, one and only, the people that are
19 in charge are elected. So thank you. Okay.
20 Thanks.

21 SENATOR RUCHO: Thank you. Just as a
22 note about the process, we are going through the
23 public hearings between now and May 9th. And then
24 after that, the committee will spend some time
25 collating the information we get at the public

1 hearing, plus the information we get online, which
2 we have a report coming to us on a -- usually,
3 weekly or biweekly of all of the people that
4 communicate with the General Assembly through the
5 website, and we are able to read that information,
6 whether it be emails or information that comes as
7 maps or other comments. And then after that, we
8 will spend time trying to collate that information
9 and follow what is a fair and legal way of drawing
10 the districts and during the -- one of the
11 committee meetings. And we are working in --
12 someone from Durham asked yesterday whether we
13 might be able to communicate in some form, and
14 we're looking at the possibility of streaming one
15 of our -- at least one of our committee meetings in
16 redistricting while we're in Raleigh. And if I
17 have my choice, along with Representative Lewis,
18 we'd like to see on the day that we may get the
19 maps out. But they will be posted on the website
20 for comments, and so there will be that opportunity
21 for individuals to comment on that basis once we
22 have something to comment about, but we are waiting
23 for the information to come forward before those --
24 those maps are drawn.

25 Our goal is to draw fair and legal

1 districts, to get them pre-cleared by the Justice
2 Department in a timely manner so that it won't
3 interfere with the 2012 election cycle. This would
4 be, you know, our preference. We've had delays in
5 the past that have proven to disenfranchise voters,
6 and we would love to have every opportunity to --
7 to hit a home run the first time and get this pre-
8 cleared in -- in the three maps, because this
9 committee will be working very hard to accomplish
10 that goal and get them pre-cleared and approved so
11 the election process can go forward.

12 If there are no other speakers for this
13 evening, I can't tell you how much we appreciate
14 everyone attending tonight. I will thank the
15 senators in Robeson County, Senator Walters and
16 Senator Brock. Thank you for spending your time
17 there and helping us make this available to the
18 community there. Representative Lewis, who is our
19 Chairman from the House side of the Redistricting
20 Committee, very much appreciate you being in
21 Hertford County. And for everyone here this
22 evening, thank you very much for attending, and pay
23 close attention and make sure you tell your friends
24 about some other meetings that are available
25 online. The schedule is there so that you'll know

1 when the next one is, and we would look forward to
2 hearing from you and all your friends and people of
3 the community in which our hearing will be. That
4 being said, thank you very much and the
5 redistricting public hearing is over. Thank you.
6 (THEREUPON, THE PROCEEDINGS WERE ADJOURNED.)

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Public Hearing Site Pembroke, NC
Public Hearing Date 4-21-11

ATTENDANCE SHEET

Name		Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	<i>Donald M. M. M. M.</i>	<i>P.O. Box 713 Lumberton, NC</i>	<i>Alliance For Redistricting 7th District Minority Council NAACP</i>	<i>Black</i>
2	<i>Eugene D. Ouel</i>	<i>P.O. Box 1287 Pembroke</i>		<i>Ind</i>
3				
4				
5				
6				
7				
8				
9				

Public Hearing Site Pembroke, NC
Public Hearing Date 4-21-11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

	<i>Georgios McMillan, Jr</i> Douglas McMillan, Jr	<i>The Alliance For Fair Redistricting</i> <i>7th District Minority Caucus</i> NAACP
1	Reginald Oxendine	
2		
3		

Public Hearing Site

Ahoskie

Public Hearing Date

4-21-11

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	Paul O. Williams	Ahoskie 139 West Madison Rd.		Black.
2	John Hona	840 NC 137 Eure NC		
3	Earl Rountree	Sunbury, NC 27979		white
4	Sang Hampton, Sr.	Winton, NC 109 W. Factory St 27986		Black
5				
6				
7				
8				
9				

Public Hearing Site AHOSKIE
Public Hearing Date 4-21-11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

	<i>Terry P. Moore</i>	<i>214 Main Street Winchester NC 28590</i>
1		
2		
3		

blic Hearing Site

Fayetteville, NC

Public Hearing Date

4-21-11

ATTENDANCE SHEET

Woolverton

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	<i>Anna Valentin</i>	<i>512 Windridge Wy</i>		<i>Caucasian</i>
2	<i>Catherine Martin</i>	<i>215 Devane St.</i>	<i>Cumb. Co. GOP</i>	<i>Caucasian</i>
3	<i>Paul Woolverton</i>	<i>458 Whitfield St.</i>		
4	<i>Liliana Parker</i>	<i>PO Box 58064.</i>	<i>CEED</i>	<i>White Latino</i>
5	<i>Winifred Corps</i>	<i>P.O. Box 33 Godwin</i>	<i>Godwin Community</i>	<i>BLK</i>
6	<i>Luis Corlezo</i>	<i>Fay 28311 605 BROADWAY TRAIL</i>	<i>Human Relations</i>	<i>Latino</i>
7	<i>Kara Hollingsworth</i>	<i>3105 Burton Drive Fay. NC 28306</i>		<i>African-American</i>
8	<i>Travis Manigan</i>	<i>1485 Mingary Ave Fay N.C. 28306</i>		<i>AA / Filipino</i>
9				

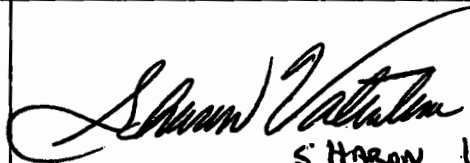
Public Hearing Site Fayetteville, NC
Public Hearing Date 4-21-11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

✓	Catherine Martin	Cumb. Co. GOP
1 ✓	 SHARON VALENTINE	CCCCU
2 ✓	Winifred Corpeus	Codwin Community
3 ✓	NAYOR Pro Tem TOMMY MOORE.	PITT County. Speaking @ Hertford County.

✓ Douglas McMillan Jr.

Liliana Parker

Alison

NAACP.

CEED - All Together (2 Org.)
Speaking at Robeson

✓ Reginald Oxendyne.

✓ Lillian PAR

✓ EARL Roundtree

Native American.

Latino American

Sub Serey NC

Helen Long (Sen. Rucho)

om: DBS@ncleg.net
nt: Wednesday, April 20, 2011 7:30 PM
: RedistrictLA; Helen Long (Sen. Rucho); Erika Churchill (Research); Kelly Stallings (ISD)
Subject: April 21, 2011 Public Hearing Speaker Sign-up Report (Sign-up Closed)

Redistricting Public Hearing (4/21/2011)

Date	First Name	Last Name	Organization	Location
7:00:00 PM	Tony	Moore	individual	Roanoke-Chowan Community College, Hertford
Total	1			

4/20/2011 7:30:07 PM

re report is accessible at the following address:

<http://ncgawebpi/ReportServer?%2FRequest%20to%20Speak%2FRedistrictingPublicHearing2&rs%3AParameterLa>
[US](#)

MINUTES
JOINT SENATE AND HOUSE COMMITTEES ON
REDISTRICTING
PUBLIC HEARINGS

April 28, 2011

The Joint Senate and House Committees on Redistricting Public Hearing were held on Thursday, April 28, 2011, at 7:00 p.m.

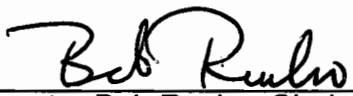
The meetings were held at the Guilford Technical Community College in Jamestown, North Carolina (Guilford County), and satellite locations met simultaneously via video-conferencing at Forsyth Technical Community College at Winston-Salem, North Carolina (Forsyth County), and Rockingham Community College in Wentworth, North Carolina (Rockingham County.)

Senate Chairman Senator Bob Rucho presided over the meeting from the Guilford County site. Senator Andrew Brock chaired the Forsyth County site and Representative Nelson Dollar chaired the Rockingham County site.

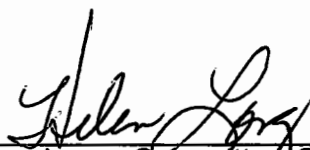
A transcript of the meeting is attached, along with the Visitor Registration sheet and Speaker Sign-Up sheet.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,



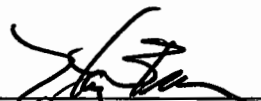
Senator Bob Rucho, Chair



Helen Long, Committee Clerk



Senator Andrew Brock, Vice Chair



Senator Harry Brown, Vice Chair

Principal Clerk
Reading Clerk

SENATE
NOTICE OF JOINT COMMITTEE MEETING

The Senate and House Committees on **Redistricting** will meet at the following time:

<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Thursday	April 28, 2011	7:00 p.m.	See Below

The following is a list of the next scheduled Redistricting Public Hearings for the following counties. A link for directions is listed under each location.

Registration for speaking will begin:

- 1) At the hearing site: 1 hour prior to the convening of the hearing, and will close prior to the beginning of the hearing.
- 2) On-line: 5 days in advance of the hearing and will close 24 hours in advance of the hearing. There are limited slots for on-line sign-up. Please visit the following link to sign-up to speak at any of the locations for the April 28 Public Hearing:
<http://www.ncleg.net/applications/rt/Redistricting.aspx?id=5>
- 3) Each speaker will be limited to five minutes.

Locations:

Guilford County

Guilford Technical Community College,
Jamestown Campus, Learning Resource Center (Library) Room 325
601 High Point Road
Jamestown, NC 27282
<http://www.gtcc.edu/campusInfo/index.html>

Forsyth County

Forsyth Technical Community College
Main Campus, Hauser Hall, Room 159
2100 Silas Creek Parkway
Winston Salem, NC 27103
<http://www.forsythtech.edu/services-students/campus-life/locations>

Rockingham County

Rockingham Community College
Advanced Technologies Building, Room ADT 113
Highway 65
Wentworth, NC 27375
<http://www.rockinghamcc.edu/pages/directions.php?n>

Senator Bob Rucho, Chair

NORTH CAROLINA GENERAL ASSEMBLY
PUBLIC HEARING ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Jamestown, North Carolina
Thursday, April 28, 2011
Reported by Robbie W. Worley

Sessions simulcast from the following locations:

Guilford Technical Community College (Guilford Co.)
Forsyth Technical Community College (Forsyth Co.)
Rockingham Community College (Rockingham Co.)

Worley Reporting
P.O. Box 91447
Raleigh, NC 27675
919-870-8070

1 (The proceedings were begun at 7:00 p.m.)

2 SEN. RUCHO: Welcome, everyone, to the
3 public hearing on redistricting. I'm Senator Bob
4 Rucho, chairman of the Senate Redistricting
5 Committee. And today's hearing is a joint effort
6 with the Senate Redistricting Committee and the
7 House Redistricting Committee, of which David Lewis
8 is our senior chairman. Along with our sites in
9 Jamestown, in Guilford County, we are also
10 videoconferencing with sites in Forsyth County at
11 Forsyth Technical Community College, and in
12 Rockingham County at Rockingham Community College.
13 I'd like to say thank you to each of these
14 locations for allowing us to use their facilities
15 in doing this videoconferencing.

16 Before we proceed on, I'd like to take a
17 moment to introduce some of the senators and
18 representatives that are either on the committee
19 and/or visiting with us. And I did see Senator Don
20 Vaughan.

21 SEN. VAUGHAN: Welcome, everyone, to
22 Guilford County, that's not from Guilford County.

23 SEN. RUCHO: Thank you, it's good to see
24 you. We appreciate you coming. And with that, I
25 also have Senator Brock in Forsyth County. Can you

1 hear me, Senator Brock?

2 SEN. BROCK: Yes, sir.

3 SEN. RUCHO: Okay. Senator Brock is the
4 vice chairman of the Senate Redistricting
5 Committee. Do you have anybody there, Senator
6 Brock, that you would like to introduce?

7 SEN. BROCK: Oh, absolutely. We have a
8 bunch of people from the State House, and we're
9 going to start with Representative Womble.

10 REP. WOMBLE: Yes, thank you. Larry
11 Womble, representing the 71st District, House of
12 Representatives.

13 REP. EARLE: Beverly Earle, State House,
14 District 101.

15 REP. PARMON: Earline Parmon, District
16 72, Winston-Salem/Forsyth.

17 REP. MCGEE: Bill McGee, District 75.

18 REP. STEVENS: Sarah Stevens, House
19 District 90, Surry and Alleghany County. I think
20 that's all.

21 SEN. RUCHO: Senator Brock, very good.
22 If you have some additional folks that come in, be
23 sure that they are given an opportunity to be
24 recognized, if you will.

25 Let's talk with Rockingham County, and I

1 believe that's Representative Dollar. Are you
2 there? Representative Dollar? (Pause.)

3 Is Representative Jones there?

4 Do we have communication with Rockingham?

5 UNIDENTIFIED: They may have their mic
6 muted and not know it.

7 UNIDENTIFIED: Both those sites are
8 muted, so we ask Rockingham and Forsyth, as you're
9 asked to speak, to unmute your mics, please.

10 SEN. RUCHO: Representative Dollar or
11 Representative Jones in Rockingham County, can you
12 hear me? That's what happens when we're high tech,
13 right? Can someone try to make a phone call there,
14 please?

15 Representative Adams, welcome.

16 REP. ADAMS: It's good to be here,
17 everyone.

18 SEN. RUCHO: We'll have to wait to get
19 them included in this so we'll be able to share
20 with -- all the knowledge that is going to be
21 imparted on us today. It's really a pleasure to
22 see this many folks. Thank you for being here
23 tonight. Apparently there's a problem with the
24 mic.

25 (Pause.)

1 We just do appreciate your indulgence for
2 the moment. While we're here, are there any other
3 public officials other than ones from the
4 legislature? City council members or county
5 commissioners or mayors? Okay.

6 Okay. Did we lose the connection all
7 together, or --

8 UNIDENTIFIED: She's going to take care
9 of it. Sorry about that.

10 SEN. RUCHO: That's all right. We're not
11 going away in under three hours, so.

12 (Pause.)

13 SEN. RUCHO: Representative Dollar or
14 Representative Young -- Jones, excuse me, in
15 Rockingham County, can you hear us?

16 REP. DOLLAR: We can hear you.

17 SEN. RUCHO: Who am I speaking with?

18 Okay, Representative Dollar, are you there?

19 REP. DOLLAR: Yes, sir. Good to see you.
20 We're here.

21 SEN. RUCHO: Thank you. We lost you for
22 a moment. Do you have any members of the committee
23 and/or elected officials that are joining you today
24 in Rockingham County?

25 REP. DOLLAR: We have Representative Bert

1 Jones, who represents Rockingham County.

2 SEN. RUCHO: Well, that's great, and if
3 some other folks happen to come in, I'd like you
4 just to break in at the appropriate time and just
5 let me know, and we'll make sure that everybody has
6 the opportunity to be recognized accordingly.

7 Well, thank you for that, and first of
8 all, I'd like to say thank you to everyone here who
9 is taking the time out to be involved in this
10 public hearing today at each of our sites. This is
11 our fourth group of public hearings in the 2011
12 redistricting effort. We are -- we will be
13 visiting some additional counties, including
14 Harnett, Lenoir, Randolph, Mecklenburg, Cabarrus,
15 Cleveland, Catawba, Buncombe, Watauga, Jackson, New
16 Hanover, Bladen, Brunswick, Onslow, Craven, Wayne,
17 Pitt, Wilson, Beaufort, Edgecombe, Halifax,
18 Pasquotank, Chowan and Dare. And what that means
19 is, we will be visiting 36 sites across the state
20 so that we can get as broad a reach out so that we
21 can have the public participate in this. And what
22 the purpose of these meetings are is to hear from
23 you. We want to hear what your thoughts and ideas
24 are about redistricting, so that when the maps are
25 drawn, the district lines are drawn, we'll have a

1 better opportunity to understand what your beliefs
2 and your thoughts are.

3 Now, whether you've signed up online in
4 advance, or came today and put your name on the
5 list, you will have -- Representative Faircloth is
6 with us. Thank you, Representative Faircloth.
7 You'll have an opportunity to speak for five
8 minutes on whatever ideas you have about
9 redistricting. We want to hear from you on how
10 redistricting affects you and your community. You
11 may choose to address legal issues related to
12 redistricting such as the Voting Rights Act or the
13 requirements for drawing districts under federal
14 and state law. You may choose to share how
15 redistricting has affected your community in the
16 past and how you hope it will affect your community
17 moving forward. You may choose to share what you
18 regard as communities of interest in your area,
19 whether it is historical, cultural, ethnic,
20 geographical or economic ties that make the people
21 in your area of the state think of themselves as a
22 community.

23 You may choose to share what important
24 geographical or political subdivisions exist in
25 your community, and how they should be taken into

1 account in drawing these lines. You choose to
2 spend the five minutes as you like, and we're here
3 today to hear from you. We will not answer any
4 questions, but we're listening and learning from
5 your comments.

6 Every ten years, following the Census,
7 the legislature is required and tasked by the
8 Constitution to redraw the lines and create
9 districts in Congress, State Senate, and the State
10 House districts. It is critical that the process
11 be open and transparent and that it leads to fair
12 and legal districts for preclearance by the U.S.
13 Justice Department.

14 Now, as to the rules, I'll introduce each
15 speaker. I'll try to move from site to site so
16 that everyone has an opportunity to speak and not
17 just listen for extended periods of time. I direct
18 you to a staff person at your site who'll be
19 holding up the two cards, and who is that person?
20 Right, thank you.

21 One of the cards is the green card, and
22 it will let you know that you have one minute
23 remaining in the five minutes allotted, and then
24 you'll have the red card to let you know that the
25 time has expired.

1 We welcome any written comments you may
2 have, in addition to your oral presentation during
3 today's public hearing. You can either give it to
4 one of our staff people, and we identify them,
5 and/or you can get onto the website, and we have
6 ncleg.net/redistricting. If you choose to have
7 additional thoughts, this is a great way to access.
8 It is also a great avenue if you go home and say,
9 "Gee, I forgot to say that." Well, here's another
10 chance to impart that, because we on the committee
11 will constantly get this information as we proceed
12 through the process.

13 All right, well, that being said, let's
14 start off with our first person, and I'm going to
15 first start off in Guilford County with Keith
16 Brown. Is Keith here?

17 MR. BROWN: Yes, sir.

18 SEN. RUCHO: Hello, Keith. Thank you
19 from being here.

20 MR. BROWN: Speak from here, or --

21 SEN. RUCHO: They can hear it from there,
22 I believe. Is that correct? Okay, thank you.

23 MR. BROWN: I am writing as a resident of
24 Guilford County who would like to see a change in
25 the makeup of our state senators who represent

1 Guilford County in the N.C. Senate. Right now, our
2 county is divided by four Senate seats: District
3 26, Senator Phil Berger; District 27, Senator Don
4 Vaughan; District 28, Senator Gladys Robinson; and
5 District 33, Senator Stan Bingham. The North
6 Carolina State Constitution states that no county
7 shall be divided in the formation of a Senate
8 district. In Guilford County, we have not one, but
9 two senators who break this state constitutional
10 amendment in Senator Berger from Rockingham County
11 and Senator Stan Bingham from Davidson County.

12 According to the new 2010 Census numbers,
13 the ideal population of each Senate district is
14 190,710. Berger's total population in 2000 was
15 168,953, and the 2010 numbers are 196,857, with a
16 change of 16.5 percent. In Senator Berger's
17 district for 2010, with the ideal population being
18 190,710, he is plus 6,147 people, which is 3.2
19 percent above the number to hit. This number is
20 significant because in regard to other senators
21 from Guilford County, Senator Don Vaughan's Census
22 numbers for an ideal population came in way under
23 the threshold of 182,024, with a negative 8,686 and
24 negative 4.6 percent.

25 The North Carolina General Assembly

1 website in regards to redistricting states that the
2 division of counties must be minimized, and in
3 those clusters of counties where we do see
4 crossover, as in Guilford County, it should group
5 them and divide the clusters into compact, single-
6 member districts, crossing county lines within the
7 cluster as little as possible. In regards to this
8 statement, the State Constitution has been ignored.

9 Let's take a closer look at the two
10 senators who do cross over into Guilford County
11 with the numbers taken from the North Carolina
12 General Assembly website in 2003. Senator Bingham
13 had 21,635 Guilford County residents, 12.81 percent
14 of his district. He had 5.14 percent of Guilford
15 County residents. Senator Berger had 77,025
16 Guilford County residents, which is 45.59 percent
17 of his district, and 18.29 percent of Guilford
18 County residents.

19 Why are these numbers so significant?
20 Because as we see what was written from the NCGA
21 website as stated above, crossing county lines
22 within the clusters as little as possible. If you
23 add both senators' Guilford County numbers, we see
24 they represented 23.43 percent of Guilford County.
25 That is not close to crossing county lines as

1 little as possible with 23 percent.

2 As a Guilford County resident, it would
3 be to the benefit of the redistricting committee to
4 take the State Constitution at its words and not
5 cross county lines. But as we have seen from the
6 past, also the Voting Rights Act, that is not
7 possible. What is possible is to take the Guilford
8 County residents in Senator Berger's district and
9 put them in either District 27 or District 28,
10 since he's over the ideal population.

11 Does Stan Bingham, Senator Bingham, need
12 to be in Guilford County at all with 5.14 percent
13 of population? I would say no.

14 We have seen in the past where the
15 gerrymandering of these districts has really taken
16 a turn for the worse because of non-competition and
17 party affiliation as part of the process. This is
18 seen where both Bingham and Berger take a huge
19 population of Republican voters out of Guilford
20 County and keep those districts safe for them.
21 This, in turn, gives the advantage to the
22 Democratic Party in Guilford County to keep a
23 stronghold on the other two Senate seats.

24 In the 2010 election, Senator Vaughan won
25 by a margin of 20 percentage points, and Senator

1 Robinson won a split, three-way race where
2 percentages broke down to 47, 38 and 13, but the 13
3 percent was Guilford County Commissioner Bruce
4 Davis, a Democrat running as an independent on the
5 ballot for reasons too complex to go into here.

6 In Guilford County, it would be
7 beneficial to have the Republicans vote in these
8 Senate elections. A 60-40 split is not a
9 competitive race, and as it stands, Republicans
10 don't have a chance. And when a Democrat can just
11 walk into the seat, it is bad for the voters and
12 the residents as well.

13 Hopefully, we will see a change for the
14 better, because in the past, it has not been fair
15 or constitutional. I will end with a quote from
16 Senator Berger, who is now the President Pro Tem of
17 the Senate, in the Triad Business Journal about
18 redistricting. "What you will see is a Republican
19 legislature follow the law." I hope he will follow
20 the law and not cross county lines for Senate seats
21 in Guilford County, and if he does cross into
22 Guilford County, it should not be as little as
23 possible, not at the 23.43 percent that is the
24 status quo. Thank you.

25 SEN. RUCHO: Thank you for your comments.

1 Just some folks I want to identify: Representative
2 Alma Adams, which I want to make sure we welcome
3 you. And then I have Senator Gladys Robinson.
4 Thank you. And then Representative Pricey
5 Harrison. Thank you very much for being here. And
6 again, Representative Faircloth.

7 Okay. Let's go on to the next spot, and
8 we're going to go to Forsyth. Senator Brock, I
9 have Matt Twifert, and if I mispronounced it, I
10 apologize. Senator Brock?

11 SEN. BROCK: He's on his way.

12 MR. TWIFERT: How are y'all doing this
13 evening? I appreciate you-all giving us the
14 opportunity for public input.

15 I'm really left at a blank of what to
16 say, because we haven't been given any maps or any
17 plans on how you plan on redistricting, so I'm not
18 really sure whether I would agree that it would be
19 fair, or if you-all are planning on trying to
20 gerrymander the districts. But I come forward
21 today to ask that you make sure that the districts
22 are fair, that they're balanced, that everyone's
23 given their opportunities, as our constitution says
24 that they should. I appreciate your time.

25 SEN. RUCHO: Thank you. Thank you for

1 your comments. Representative Dollar, I have
2 Vincent Lloyd. Would you -- each member please
3 identify themselves, and any organization you may
4 be representing. Representative Dollar?

5 REP. DOLLAR: Mr. Lloyd is at the podium
6 now.

7 SEN. RUCHO: Thank you, sir.

8 (Pause.)

9 SEN. RUCHO: Representative Dollar, we
10 aren't having the audio.

11 MR. LLOYD: I'm here on behalf of the
12 Rockingham County Republican Party. The North
13 Carolina redistricting committee has before it an
14 essential task of redrawing North Carolina House,
15 Senate and congressional districts. Over the past
16 four decades, redistricting has been nothing more
17 than a one-sided exercise in political self-
18 interest, reaching the pinnacle in 2001. Due to
19 the diligence, fortitude and insight of the late
20 Ashley Stephenson and others, a rationale was
21 restored to the process after no less than 11
22 lawsuits that in part reached the highest courts of
23 North Carolina and the nation.

24 The disregard for our founding principles
25 [inaudible] by the previous redistricting committee

1 during nine years of lawsuits cannot be allowed to
2 be repeated. Strict adherence to Article 2,
3 Sections 2 and 5 of the North Carolina Constitution
4 is paramount.

5 These four simple instructions have in
6 the past been ignored, twisted, used for political
7 gain. This came to a partial end with the historic
8 North Carolina Supreme Court decision of 2002. It
9 did not, however, address the abstract, meandering
10 geometry of self-serving congressional districts
11 that are still present today. These districts
12 should be carefully scrutinized to the letter and
13 intent of the law and adjudged accordingly.

14 Rockingham County is held hostage by such
15 a district. The 13th Congressional District has a
16 breadth that covers approximately 100 miles, and
17 parts of seven counties. Rockingham County has
18 little in common locationally, socially,
19 economically, with Wake County and the metropolis
20 in Raleigh, where the concentration of voting
21 powers lay. This district has but one purpose: to
22 serve the goals of this metropolitan area and the
23 creator of this self-serving district.

24 Within the gerrymandered 13th
25 Congressional District, Rockingham County is a non-

1 entity. How possibly can our interests be
2 represented with the silenced voice of our voters?
3 The Rockingham County Republican Party does not
4 propose or endorse in any way the practices of the
5 past redistricting committee, whose aims were
6 inconsistent with the Constitution of North
7 Carolina. We do, however, expect fair and
8 legitimate districts to be established in
9 accordance with the North Carolina Constitution and
10 federal guidelines. Thank you.

11 SEN. RUCHO: Thank you for your comments.
12 I'd like to introduce Representative Maggie Jeffus.
13 Thank you for being here, Representative. We
14 appreciate that.

15 Let's go next to Guilford, and we'll be
16 talking with Bill Davis. Mr. Davis, thank you for
17 being here.

18 MR. DAVIS: Thank you very much. My name
19 is Bill Davis. I am currently chair of the
20 Guilford County Democratic Party. The fairness of
21 voting is the underlying essence that drives a
22 democracy, and the people of Greensboro have
23 already experienced what happens when redistricting
24 infects the voting process and is approached the
25 wrong way. We've seen what happens when public

1 hearings are offered, but there's no proposal or
2 map on the table. We've seen what happens when in
3 turn, a map is passed without an opportunity to see
4 it, to digest it, and to respond to it by the
5 people who it affects. The result of this for a
6 democratic system is disaster. This is not a way
7 to handle important issues in a democracy.

8 Likewise, we've seen what happens when a
9 map is passed that divides communities and
10 undermines minority representation. Again, this is
11 not the way to handle important issues and uphold a
12 democratic system. Rather, in a democracy, the
13 people are given the chance to respond and to be
14 heard, not only ahead of time in the abstract, but
15 rather, when the essence of an issue is known.
16 When a definite proposal is on the table that
17 people can look at and respond to.

18 The people can't have true input into
19 their political system if the people who are
20 speaking, as they are here today, haven't actually
21 had the access to specific maps or proposals that
22 they can make a response to.

23 In a democracy, also, we seek to respect
24 the communities and all the groups that make up the
25 communities, including minority communities, so

1 that all the people who are participating in the
2 democracy have a fair voice in representation in
3 their government. This can't be done if the
4 communities are lumped together into a single,
5 minority ghetto district. Likewise, it can't be
6 done if their representation is split apart into so
7 many separate districts that they have no voice,
8 they can't raise their voice together as one, to
9 make a difference in the political system. That's
10 not how a democracy should work. Rather, democracy
11 should work in a way that supports the communities
12 of the people who are responsible for overseeing
13 their government.

14 Redistricting should not be a political
15 game that seeks to enforce a predetermined party
16 system goal by shifting votes from one Republican
17 to one Democrat, or the other way around, for that
18 matter. This should not be a party-driven,
19 politics as usual process.

20 The redistricting committees should seek
21 to craft specific proposals that keep power over
22 the government in the hands of the people, and that
23 respects all the communities that make up the
24 people in our state. Then, they should make those
25 proposals known publicly so they can be examined by

1 the people who they will affect, and those
2 people -- we should be given an opportunity then to
3 respond to those maps. A hearing beforehand isn't
4 enough; we need the opportunity to be heard after
5 those maps and proposals have been made public.
6 Only then can we claim that redistricting has
7 really upheld a democratic system in our state, and
8 only then can we claim that the result will be a
9 true democratic voting process for the people of
10 North Carolina. Thank you.

11 SEN. RUCHO: Thank you for your comments.
12 We'll go to Forsyth, and I believe I have Fleming
13 El-Amin? Senator Brock?

14 SEN. BROCK: He's on his way up.

15 SEN. RUCHO: Thank you, sir.

16 MR. EL-AMIN: Good evening. I want to
17 thank you for organizing this event for community
18 participation, but I want to suggest next time we
19 have some signs up so people know how to get into
20 the room.

21 My name is Fleming El-Amin, and I'm
22 speaking as a private citizen with five grandkids
23 who are all citizens of North Carolina. And I want
24 to start with a few quotes, and I'll also submit
25 this to you in writing for your deliberation later

1 on. The first concerns the 1965 Voting Rights Act,
2 one I think we read earlier today. My second will
3 be with the redistricting ideal and process
4 involved. So let's start with the Voting Rights
5 Act of 1965.

6 The Voting Rights Act of 1965 grew out of
7 public protests and private political negotiation.
8 It started in 1961 with demonstrations in Georgia
9 and Birmingham, and they hoped to attract media
10 attention to support their effort, and eventually
11 there was. And Lyndon Johnson saw the genius of
12 signing it into law. It was done after the
13 protests for a specific reader. As I read the
14 letter you sent to me, coming to this gathering, I
15 was concerned about some of the questions related
16 to the Voting Rights Act specifically in North
17 Carolina, so I did a little research.

18 The Voting Rights Act in North Carolina:
19 An Evaluation by Joel A. Thompson says the
20 following. "This study evaluates the impact of the
21 Voting Rights Act on the black electorate in North
22 Carolina. A quasi-experimental research design
23 compares progress made in the 40 counties covered
24 by the Act, referred to as experimental counties,
25 with an equivalent group not covered by the Act,

1 referred to as control counties. The results
2 indicate that blacks in experimental counties have
3 made significant gains in registering voters,
4 electing black officials, and improving their
5 social and economic conditions."

6 Now, I'm submitting that because I'm
7 concerned about some of the questions I've read in
8 the letter as reported to me, and I thank you for
9 it. There's some challenges that I think can
10 easily sway the intent of the Voting Rights bill in
11 1961, and I'll be more specific. In the
12 Constitution of North Carolina, Article 6(a), it
13 says specifically regarding redistricting -- and
14 I'll read it for you.

15 "With respect to acts of the General
16 Assembly, the [inaudible] modify or repeal any
17 provision related to the appropriation or
18 redistricting of state legislative or congressional
19 districts, the Attorney General of North Carolina
20 shall seek approval of the plan as required." And
21 I'm sure this process is part of that for the sake
22 of the public, right? But I just want to make sure
23 that that is across the board.

24 And as I read the first paragraph, the
25 numbers I just got when I came in, it says the

1 redistricting plan is not subject to veto, nor is
2 it in a bill that contains other matters. So I
3 want to make sure [inaudible] as well.

4 It says specifically, I repeat, "A
5 redistricting map is not subject to gubernatorial
6 veto, [inaudible] and contains no other matter."
7 So my question specific to the redistricting
8 committee would be, will this be submitted with no
9 other plan or matter attached to it, [inaudible]
10 General Assembly.

11 And finally, let me just say this,
12 because our time is very short. Casey versus
13 Ferguson was passed in 1896. It was changed in
14 1954 by Brown versus the Kansas Board of Education.
15 [inaudible] to move us forward. I'd hate to see us
16 look at the 1965 Voting Rights Act of 1965, and
17 [inaudible]. By encouraging it and all citizens be
18 taken within the Voting Rights Act, that so many
19 people fought and died for, and hopefully my
20 grandchildren will benefit from. Thank you very
21 much.

22 SEN. RUCHO: Thank you for your comments.
23 Going to Rockingham County, Representative Dollar.
24 Matt Mercer?

25 REP. DOLLAR: Mr. Mercer's coming up.

1 SEN. RUCHO: Thank you, Representative.

2 MR. MERCER: Thank you, Senator Rucho,
3 Representative Dollar and everyone here. I come to
4 this process with a little bit different view.
5 It's not just criticisms of the past, but where I'd
6 like to see Rockingham County in the future. I
7 grew up here, but I went away to college. I'm back
8 now, looking for a job like many others.

9 I would like to see Rockingham County
10 moved into a different district. My preference
11 would be either the 5th or the 6th Congressional
12 District. By doing that, the interests of
13 Rockingham County would be more in line with where
14 it should be: the Triad area, not Raleigh. My
15 preference is the 6th Congressional District with
16 Representative Coble. And in return, I believe
17 that his district is also spread too large, so
18 Moore County, which is currently in his district,
19 should be moved to either the 8th or the 2nd, with
20 Representative Ellmers. I think that's good for a
21 possible challenger in the 8th, where I actually
22 did work last year with Harold Johnson, who would
23 have been a great congressman, but I'm almost over
24 my bitterness now. Looking at Moore County, it
25 would be a great addition to either the 8th or the

1 2nd.

2 The most important factor with
3 redistricting in congressional and the others
4 should be to balance the map after decades of
5 gerrymandering that benefits politicians and hurts
6 us, the people.

7 Now, where I grew up, in Madison, we are
8 in the 91st House District with Representative'
9 Holloway, who I generally like. But also in the
10 county, the population in Reidsville and in Eden is
11 covered by Representative Bert Jones. And I think
12 that hurts western Rockingham County, specifically
13 Madison, because we do not give a voice.
14 Representative Holloway lives in Stokes County; he
15 doesn't really come over here much. And
16 unfortunately, Representative Jones cannot cover us
17 here. I believe that Rockingham County should be,
18 as much as possible, concentrated in one district
19 with a little bit. However, I would like to see
20 the Stokesdale precincts that are currently in the
21 62nd District move to the 91st, to get a little bit
22 of balance between Rockingham and Stokes, which are
23 very similar -- excuse me, Rockingham and Guilford,
24 and Stokes is in the similar condition to Stokes
25 County.

1 I want to end with this. I want to thank
2 the legislators and their staff for their time
3 spent and all they're going to take in this effort.
4 It's not easy. And thank you, have a good evening.

5 SEN. RUCHO: Thank you for your comments.
6 We'll again return to Guilford, and James Burroughs
7 for your comments. Is James Burroughs here?

8 MR. BURROUGHS: Yes. Mr. Chairman and
9 members of the committee, my name is James
10 Burroughs, III, and I am the executive director of
11 Democracy At Home, a non-profit organization that
12 registers people to vote, educates them on the
13 issues, and encourages them to vote responsibly.
14 This evening I'm proud to speak on behalf of the
15 Alliance for Fair Redistricting and Minority Voting
16 Rights.

17 I live in the 12th Congressional
18 District, a district where almost half the
19 population is black. As a young African-American
20 male, I know that racism still exists. Although
21 Shaw v. Reno prohibits certain uses of race in
22 redistricting, the Voting Rights Act requires that
23 you create districts that provide an opportunity
24 for minorities to elect a candidate of their
25 choice. Also, consideration of race is permissible

1 in the redistricting process if and when necessary
2 to satisfy a compelling state interest such as
3 complying with the Voting Rights Act.

4 Additionally, you can voluntarily use race as a
5 factor even when the Voting Rights Act does not
6 compel you to do so.

7 Do not listen to the hype. Consideration
8 of race in and of itself is not impermissible race
9 discrimination. Considering race is no more
10 illegal than your awareness of age, economic
11 status, the political implications of shifting
12 lines, and other demographic factors when redrawing
13 district lines. The Supreme Court has never held
14 any plan to be invalid simply because redistricting
15 is performed with consciousness of race, or because
16 a majority-minority district was intentionally
17 created.

18 The committee should preserve current
19 majority-minority districts and work to create
20 districts that fairly reflect minority voting
21 strength. The minority coalition districts,
22 crossover districts and influence districts should
23 be enacted to empower previously disenfranchised
24 people of color. Furthermore, while only 40 of the
25 100 counties in North Carolina are covered by

1 Section 5 of the Voting Rights Act and therefore
2 are subject to pre-clearance, no plan should be
3 retrogressive and have the effect of making
4 minorities worse off than the current plans.

5 The committee should avoid use of
6 gerrymandering techniques to create an advantage
7 for a particular party, or to manipulate geographic
8 boundaries to create partisan or incumbent-
9 protected districts. Packing, cracking, stacking
10 or otherwise disenfranchising minorities should be
11 clearly avoided.

12 While race cannot be the dominant factor
13 in the process, you can and should consider the
14 impact that shifting lines will have on minorities
15 and our ability to elect the candidate of our
16 choice. Thank you.

17 SEN. RUCHO: Thank you for your comments.
18 Again, we'll go to Forsyth, and, Representative
19 Dollar, I'm looking for Olivia Swinton.

20 MS. SWINTON: Mr. Chair, members of the
21 subcommittee, my name is Olivia Swinton, and I have
22 lived in Winston-Salem for the last 14 years after
23 living in the Washington, D.C., area with all the
24 big guys. And I'm glad to be back home in Winston-
25 Salem. I grew up here. And this is a wonderful

1 community to live in. We're called the City of the
2 Arts because there's a festival that will run, film
3 festival, and then later on this summer, we're
4 going to host the Black Theater Festival, and I
5 hope that y'all will come out.

6 But I'm here because I have concerns
7 about my congressional district, District 12. And
8 I am very pleased with my current congressional
9 representation, and I'm concerned with the
10 possibility of my community being completely placed
11 in the 5th. And Winston-Salem, I think, should
12 remain in the 12th District under the current
13 leadership of Mel Watt.

14 Congressional districts must be equal in
15 population, unless the change is justified by a
16 legitimate state objective. In other words, there
17 must be zero deviation for the congressional
18 districts in order to comply with the United States
19 Supreme Court one person, one vote standard. The
20 current congressional ideal population is 733,409,
21 and according to the 12th District, has to lose
22 19,605 people in order to conform to the deviation
23 requirement.

24 While I understand that the composition
25 of the 12th District must change, I ask you to keep

1 Winston-Salem in the 12th District. Thank you for
2 your time and for your consideration.

3 SEN. RUCHO: Thank you, ma'am.

4 Appreciate your comments. I'd like to go to
5 Representative Dollar. I do not have another
6 person listed in Rockingham, but I wanted to be
7 sure that if you have another person, will you
8 please introduce them and allow them to speak?

9 REP. DOLLAR: I do. Thomas Harrington.
10 Mr. Harrington, if you would like to come to the
11 podium.

12 MR. HARRINGTON: I will if I can get up.

13 I'm Thomas Harrington, and I'm speaking,
14 I hope, for the people of Rockingham County, but
15 I'm speaking for the 1,000 members of Will of the
16 People, an organization that's about two years old
17 and has brought about some real changes and some
18 real progress, we think, in Rockingham County.
19 I've heard a lot of people say this is the first --
20 just now, the first time they've ever known
21 anything about what was going on in the county
22 government. We've done it.

23 I couldn't help but think about that poor
24 fellow speaking a while ago, the Democratic guy.
25 I'm not partisan, but he's a Democrat, the

1 Democratic chairman over in Guilford, telling about
2 all this lovely stuff that the committee should do
3 for folks. I think he forgot that his people are
4 the ones that got us in this mess in the first
5 place, and if anybody he represents was consulted
6 by, or presented any information by any member of
7 the Congressional Redistricting Committee when we
8 were set up the way we are now, anybody in this
9 room, stand up. Well, that chairman is too young,
10 I don't know if he knew what he was doing.

11 [inaudible]

12 Let me tell you two or three things that
13 I've done, that don't have anything to do with
14 anything except, I hope -- and I'm not bragging,
15 but I hope it would tell you that I'm probably --
16 I'm likely to know a little bit about what I'm
17 talking about. I've been on the staff of the North
18 Carolina Attorney General. I've been attorney for
19 the city of Eden. I've been attorney for
20 Rockingham County. I've been attorney for the town
21 of Wentworth. I've been on the Board of
22 Transportation, and a few other things. And I've
23 learned a lot, but I'm told I have forgotten a
24 substantial part of it, but I was pretty good at
25 one time.

1 But the thing I'm the most proud of is
2 being chairman of Will of the People, and I will
3 tell these people on the committee here that this
4 room is full of Will of the People people with an
5 interest in what's going on. They're here to take
6 part in it and be part of it. And we know -- we
7 know a few things. We know we're gerrymandered.
8 We know we're very badly gerrymandered. We know
9 who gerrymandered us, and we don't like being
10 gerrymandered, and we don't like him.

11 And we're sitting up here, Wake County
12 has got almost 1,000,000 people. They've got more
13 people than in the entire rest of the district.
14 We're just a gnat on their backside, and the
15 congressman from there, he doesn't need us. He
16 comes up here every now and then and walks around
17 with two or three of the mayors, but that's all he
18 does.

19 We are dominated by Wake. I remember
20 going to a congressional district meeting several
21 years ago, some few years ago. There were a
22 sprinkling of people from here, and two or three
23 people from Granville, two or three people from
24 here, and a mass of Wake County people. They
25 didn't care if we were there; they didn't care to

1 hear what we had to say. They weren't interested
2 in us, and that was just it. I never went back.
3 That's how much weight we carry.

4 And there's no honor -- they still have
5 gerrymandering, gerrymandering a district, there's
6 no honor to be picked for that district. That just
7 means that they think, "Well, here's something I
8 can swing if I really want to, and I do what I
9 please." That's what we are to our present
10 congressman. That may be what we would be in any
11 district if we're sitting there with one county
12 dominating the whole -- the whole works. So we've
13 got to get out of that, but we want a district
14 where the counties have common interests, have
15 common backgrounds, they feel and respect the
16 feelings of each other, and not just -- which is
17 half the folks in Wake County, they're Yankees, got
18 coming in out of.

19 We need districts that are similar to
20 each other, and not gerrymandering. And it's been
21 a long time since we have had it, and if y'all do
22 it, you might not -- you might not make it last if
23 you get it straight, but at least let's do it one
24 time straight so the people feel they are being
25 represented, and to give them a fair shake, and

1 they're not being dominated by anybody, and I thank
2 you.

3 SEN. RUCHO: Thank you for your comments.
4 We're going to go to Guilford and Bruce Wiley. And
5 my -- I'll ask again that Bruce Wiley in
6 Guilford --

7 UNIDENTIFIED: He's not here.

8 SEN. RUCHO: Okay, thank you. Let's go
9 to Darren Thomas from Guilford.

10 MR. THOMAS: I'm here. Thank you.

11 Mr. Chairman, and the rest of the
12 committee members and distinguished guests, my name
13 is Darren Thomas, and I live in the southeast part
14 of Guilford County. I'm a community volunteer and
15 also the past candidate for the North Carolina
16 House in District 58. And I felt compelled to come
17 and share my experience as a candidate and discuss
18 a little bit some of my observations based on that
19 experience.

20 I will simply start by saying that I
21 agree with the whole idea of fair voting districts.
22 And obviously, I was the candidate, and I didn't
23 get elected, and so, I lost. And I didn't lose by
24 a little; I lost by a lot. And you could argue
25 that perhaps that was because I wasn't a great

1 candidate, or perhaps I wasn't properly funded or
2 whatnot, or perhaps the opponent was just
3 fantastic.

4 But the point is, we have districts in
5 Guilford County. There are six North Carolina
6 House districts. They're really not competitive.
7 Really, none of them are competitive. Two are
8 marginally competitive, but right now, we have four
9 Democratic seats and two seats that are occupied by
10 Republicans. Those Republicans can't be beat, and
11 those four Democrats can't be beat. I didn't spend
12 a lot of money, but I would venture a guess that
13 had I spent hundreds of thousands of dollars, I
14 would not have won, and the reason I would not have
15 won is based on how the districts are drawn.
16 They're drawn for safe districts. That is the
17 fundamental problem that we have.

18 So, as I share my experience with the
19 group, I -- I would simply like to offer that as
20 we -- particularly on the state. I've not looked
21 at the Senate or any of the other boundaries. But
22 I would like to suggest that we look at Guilford
23 County and say, listen, how do we balance these
24 districts to make them all fair? And that's really
25 the challenge.

1 And I'm also cursed by having some
2 expertise in geographic information systems and
3 mapping, which is really the technology that's
4 going to be used to draw these maps. And I will
5 tell you as a professional familiar with that
6 technology, it's not hard to do. It's a very
7 simple, straightforward process.

8 So my pledge or my -- well, my appeal to
9 the chair and the committee is, when we draw these
10 districts, let's draw them fairly, and let's make
11 them fair and balanced, so we can really, at the
12 end of the day, have competitive races. That's
13 really what it's all about. When the races are
14 competitive, everybody wins. It doesn't matter if
15 you're a Democrat or Republican. So that's what I
16 wanted to share tonight. Thank you.

17 SEN. RUCHO: Thank you very much for your
18 comments. We're going to go to Senator Brock; I
19 have Albert Porter.

20 SEN. BROCK: Representative Dale Folwell
21 just came in as well.

22 SEN. RUCHO: Thank you.

23 MR. PORTER: Mr. Chairman and members of
24 the committee, my name is Albert Porter, and I'm a
25 member of the Alliance for Fair Redistricting and

1 Minority Voting Rights. The redistricting process
2 should be fair and responsive to public input. The
3 committee should avoid the use of gerrymandering
4 techniques to create an advantage for a particular
5 party or to manipulate geographic boundaries to
6 create policy or for incumbent-protected districts.
7 Also, districts should be -- should fairly reflect
8 minority voting strength without packing, cracking,
9 stacking or otherwise disenfranchising minorities.

10 The process should be open and
11 transparent. The data, timelines, material, draft
12 maps, et cetera, should be matters of public record
13 easily accessible on the Internet -- on the
14 Internet. Guidelines for public submission or
15 proposal of districting maps should be clearly
16 stated on the website. The public should be
17 allowed to watch the map-drawing process via video
18 screen that's already implemented during the public
19 hearings hosted at the General Assembly.

20 The committee has not yet publicized its
21 redistricting criteria, nor given public access to
22 draft plans in consideration. Thus, at this stage,
23 it is difficult to provide meaningful comment.
24 Redistricting plans should be made public well
25 before the last hearing on May the 9th, 2011. The

1 public should be afforded an opportunity to provide
2 feedback on the proposed maps prior to the
3 submission to the United States Department of
4 Justice for pre-clearance.

5 The committee is legally obligated to
6 consideration of the redistricting process. While
7 race cannot be a predominant factor in the process,
8 the Voting Rights Act requires the creation of
9 districts that provide opportunities for minorities
10 to select their candidates of choice.

11 The committee should preserve current
12 majority-minority districts and create districts
13 that fairly reflect minority voting strength.
14 Minority coalitions that cross over districts and
15 [inaudible] districts should be [inaudible]
16 previously disenfranchised people of color.

17 Redistricting planning should follow the
18 United States Constitution, Section 2 and 5 of the
19 Voting Rights Act, the North Carolina Constitution,
20 applicable federal and state case law and
21 traditional redistricting principles. For all of
22 the 40 of the 100 counties in North Carolina
23 covered by Section 5 of the Voting Rights Act and
24 therefore subject to pre-clearance, no plan should
25 be retrogressive and have an effect of making

1 minorities worse off than the current plans.

2 We thank you for soliciting your input
3 and look forward to a fair process that includes
4 civic participation and is considerate of the need
5 to protect minority voters' rights. Thank you.

6 SEN. RUCHO: Thank you, sir. Going to
7 Rockingham County, and I believe Vernon Robinson;
8 Representative Dollar.

9 REP. DOLLAR: Vernon is on his way.

10 SEN. RUCHO: Thank you, sir.

11 MR. ROBINSON: Mr. Chairman,
12 Representative Dollar, Senator Stevens, I'm Vernon
13 Robinson, and I'm really excited that there are so
14 many Democrats who have discovered gerrymandering.
15 The young man who is the chairman of the Guilford
16 County delegation may have been in elementary
17 school during the 1990 redistricting, when then-
18 Senator Brad Miller designed a district to elect
19 himself to the Congress. And he designed it very
20 carefully. I know that there were several black
21 Democrats speaking to the concerns about minority
22 representation. He designed it to make sure there
23 were enough black Democrats in the district to
24 defeat a Republican, even in a landslide year, but
25 not enough to nominate a black Democrat in the

1 district, a truly sensitive outlook to a minority
2 candidate.

3 I didn't see anybody concerned about
4 gerrymandering in 1980, 1970, 1960, 1950, '40, '30,
5 '20 or 1910, which is as long as those gentlemen
6 speaking eloquently about fairness in the
7 redistricting process controlled the General
8 Assembly, both houses. So I hope that their
9 newfound enthusiasm for fair redistricting survives
10 the next election.

11 Mr. Chairman, I wanted to note that I ran
12 as a nominee in the 13th District, and I think that
13 when you allow the process to be distorted as it
14 was in the last election, you crush civic virtue.
15 You make it so that there's nothing that anybody
16 can do to change the election outcome, because in
17 fact, the politicians chose the voters, instead of
18 the other way around.

19 I know that you feel, and it's awful
20 tempting now when you hold the pen, to use that pen
21 and the computer to choose the -- the voters and
22 not let the voters choose the politicians. But I
23 urge you not to do that. And I see many veterans
24 here -- you know, my family lineage goes all the
25 way back to the War of 1812, and all of those

1 gentlemen and ladies did not fight to have this
2 republic distorted in this fashion. That's not
3 what they fought for, Mr. Chairman, so I hope you
4 don't do that.

5 I would hope also that if you could do it
6 in this committee, or if you could do it in the
7 Judiciary Committee, that you send a dissent about
8 the Voting Rights Act. The Voting Rights Act
9 should never have been allowed to include the
10 inclusion of Spanish ballots and Spanish or any
11 other kind of foreign language instructions in this
12 electoral process. The official language of North
13 Carolina is English. The voting instructions
14 should be in English, Mr. Chairman, and if we have
15 to, we should test that in the Supreme Court,
16 because if you can't speak English, you could never
17 become a citizen.

18 In closing, Mr. Chairman, this is a very
19 serious topic. It's about whether we have a
20 republic or whether we have some kind of oligopoly
21 where politicians choose the voters instead of the
22 other way around. But all of these folks are going
23 to be tired, and they need a little bit of levity.
24 And I know that -- oh, there was one gentleman --
25 how much time do I have, Senator? There was one

1 gentleman who noted that racism still exists, and
2 I'm sure racism does, but America is a
3 fundamentally good place. And if it wasn't a good
4 place, it wouldn't have elected an untried,
5 untested individual to be the current occupant of
6 the Oval Office, and in fact, [inaudible] that even
7 Kenyans are [inaudible].

8 And we have the new Democrat by Dr.
9 Truth, Harry of the Cat in the Hat, starring the
10 apologizer in chief. And after the hearing is
11 over, after we do the serious business of making
12 sure that we keep our republic, we could have the
13 gift of levity and poke fun at the apologizer in
14 chief. Thank you, Mr. Chairman.

15 SEN. RUCHO: Thank you for your comments.
16 Our next speaker in Guilford County will be John
17 Hardister -- Hardister.

18 MR. HARDISTER: Thank you, Mr. Chairman.
19 What I have to say is fairly simple. What I have
20 to say is very similar to what Darren Thomas stated
21 a few minutes ago. There are six House districts
22 in Guilford County, and currently, four are held by
23 a Democrat, and two are held by a Republican, but
24 not a single one of them is competitive. They're
25 all -- the four that are held by Democrats, not a

1 single one of them can be won by a Republican. And
2 the same thing for the two that are held by a
3 Republican; a Democrat cannot win in those two
4 districts. And I think that's a product of
5 gerrymandering. And I hate to say it, but I think
6 that's the reason why the districts are like that.

7 And I would like to appeal to the General
8 Assembly to resist the temptation to gerrymander,
9 and to create districts that are fair and legal.
10 And I know that various members of the General
11 Assembly have been talking about creating districts
12 that are fair and legal, and I think they need to
13 carry that out and cast away any temptation to
14 gerrymander the districts. Because the gentleman
15 stated a few minutes ago that when -- when elected
16 officials gerrymander, they're essentially
17 selecting who they want to represent, when it
18 should be the other way around. It should be us
19 choosing who we want to represent us.

20 And I would like to point out that I ran
21 for State House last year, in 2010, and my opponent
22 sitting over here, Pricey Harrison, we have a good,
23 cordial relationship, and I didn't win the
24 election. I think I put up a good fight; I got 44
25 percent of the vote. But in my opinion, the reason

1 why I didn't win the election is not so much
2 because my opponent isn't intelligent and cordial,
3 which she is, and she's a hard worker. I think a
4 lot of it has to do with the makeup of the district
5 that I ran for.

6 I ran for District 57, and I called the
7 Guilford County Board of Elections today to get the
8 breakdown of voter registration in that district.
9 It is 51 percent Democratic, 23 percent
10 independent, 1.8 percent Libertarian, and 25
11 percent Republican. So that means that as a
12 Republican on the ballot, I was outnumbered by a
13 margin of two to one. Again, the district is only
14 25 percent Republican, but I got 44 percent of the
15 vote. So I would submit to anybody that if the
16 numbers had been competitive, I would have won that
17 race.

18 So I want the General Assembly to -- to
19 look at Guilford County and look at the six House
20 districts, and know that none of them are
21 competitive. Let's try to make districts that are
22 fair and legal. Let's work within the confines of
23 the North Carolina Constitution and the federal
24 guidelines, and do it -- do it right, make the
25 districts fair, and legal, and competitive. Thank

1 you.

2 SEN. RUCHO: Thank you for your comments.
3 Senator Brock in Forsyth, I don't have anyone else,
4 anyone listed. Do you have someone in Forsyth to
5 speak next? Senator Brock?

6 SEN. BROCK: No one else..

7 SEN. RUCHO: Okay. If you should have
8 someone else, just let me know at the appropriate
9 time.

10 Going to Rockingham County, and
11 Representative Dollar. I have a Michael Smipick.
12 I hope I'm pronouncing that correctly.

13 REP. DOLLAR: That's correct. He is on
14 the way.

15 SEN. RUCHO: Thank you, sir.

16 REP. DOLLAR: And I might add, if we have
17 anyone else who would like to sign up and speak, if
18 you would sign up with Susan.

19 MR. SMIPICK: Thank you, Mr. Chairman. I
20 come to you without any prepared notes or prepared
21 speech. There are two points I would like to make.
22 I'll make one introductory one. I am an American
23 not by birth, but by choice, and I believe
24 wholeheartedly in the democratic system. I don't
25 think we have it in North Carolina with the

1 gerrymandering. Just look at the last election,
2 Rockingham County split into two districts,
3 District 5 and District 13. I'm in District 13;
4 I've forgotten the number of precincts, I think it
5 was 11. Only one of those was represented by the
6 eventual winner.

7 Rockingham County is not represented
8 properly in Washington, D.C. The people who
9 elected that gentleman obviously have a different
10 set of values than we do in Rockingham County.
11 That sort of system must be changed.

12 But the other, larger, more important
13 issue that I would like the committee to address is
14 to take steps to redistrict North Carolina properly
15 so that we can get away from having to get
16 permission from the Department of Justice to decide
17 what our districts should be. I believe in states'
18 rights, and if we do things properly, we can get
19 out from under the thumb of the Department of
20 Justice. Thank you very much.

21 SEN. RUCHO: Thank you very much for your
22 comments. Just as a moment to take a break, and
23 just to repeat, the goal of our committee and the
24 General Assembly is to draw fair and legal
25 districts that will receive pre-clearance approval

1 by the U.S. Justice Department and allow our
2 election, the 2012 election, the schedule to remain
3 in place so there won't be any disruption or
4 disenfranchisement of the vote.

5 Some additional points that you might
6 want to know is that -- and I'll repeat. The
7 ncleg.net/redistricting is a great source of
8 information. We've spent a lot of time putting
9 redistricting information on this. And it also
10 includes the Legislator's Redistricting Guide,
11 which all the legislators got as a way of better
12 understanding how the process works and the laws
13 that we have to abide by. And in the process, we
14 will have -- you know, after the public hearings
15 are complete and we've collected all the
16 information, we will come forward with a map which
17 will have -- which will be placed on the website,
18 and you -- each person will have that opportunity.

19 We are working on trying to stream the
20 committee. We've never done it before, but we are
21 trying to work on seeing if we can get streaming of
22 at least one of the committees, and the day that
23 the map is set forward before the committee. And
24 each person will have an opportunity to view it on
25 the website and make your comments via the website.

1 So that information will be put to the committee so
2 that it can take into consideration during the
3 process of drawing their districting maps.

4 That being said, we'll go on to the next
5 person in Guilford County, who I have -- is it
6 Bernie Wittenborn?

7 MR. WITTENBORN: That's correct. Thank
8 you. Thank you.

9 First, I'd like to congratulate and thank
10 you, Senator Rucho, for the Republican leadership,
11 soliciting all your constituents in particular
12 during this redistricting process.

13 Second, I request that you make it clear
14 that you will not follow the Democrat mindset that
15 gave us these seemingly gerrymandered districts
16 we've had to live with for way too long.

17 As you are fully aware, the Democrats
18 drew the lines to short-change Republicans and
19 ensure Democrat dominance in our state and federal
20 legislatures. For example, Representative Watt's
21 and Brad Miller's districts are just two examples
22 of this terrible situation.

23 You will hear many Democrats now call for
24 a, quote, "fair," unquote, outcome. This, of
25 course, to them, means retaining districts that

1 keep Republicans at a disadvantage.

2 Lastly, I request that you use a fair and
3 equitable process and draw the lines to give
4 Republicans their just representation that we
5 deserve and have been short-changed for these many
6 years by Democrat skullduggery. By drawing the
7 districts in such a manner, you will ensure that
8 the desire of most North Carolinians to return our
9 state and federal governments to constitutional-
10 based governance will be implemented. Do you
11 intend to implement such a process? Thank you.

12 SEN. RUCHO: Thank you for your comments.
13 I will continue with some other Guilford speakers.
14 Just will check with Senator Brock: any additional
15 speakers there at the moment? Could you repeat
16 that please, sir?

17 SEN. BROCK: Yeah, we do have one who has
18 signed in.

19 MR. LINVILLE: Good evening. My name is
20 Richard Linville. I reside in Kernersville. This
21 is the first time I've ever been to one of these
22 things, and I did not come tonight being prepared
23 to speak.

24 All I want to say is, I want the
25 districts to be fair also, because it does not take

1 a rocket scientist to see what's taken place in the
2 last 40, 50 years in the districts. So all I
3 wanted to do was, you know, voice my opinion that I
4 want it fair, too.

5 And this country's in bad shape, in my
6 opinion, so I just -- I would just ask you to
7 please do it fairly. That's all we're asking.
8 Thank you.

9 SEN. RUCHO: Senator Brock, could you
10 please repeat the gentleman's name for the record?

11 MR. LINVILLE: Richard Linville.

12 SEN. BROCK: Richard Linville, county
13 commissioner.

14 MR. LINVILLE: No, I'm not a county
15 commissioner.

16 SEN. RUCHO: Could we try that one more
17 time? I'm sorry; I missed that. Richard Linville?

18 SEN. BROCK: Yes, sir.

19 SEN. RUCHO: Representative Dollar,
20 additional speaker?

21 UNIDENTIFIED: During the recess, my
22 comment was answered. Thank you very much.

23 REP. DOLLAR: Do we have anybody -- has
24 anybody else signed? We don't have anybody else at
25 the moment.

1 SEN. RUCHO: Okay, sir. Then, I'm going
2 to continue in Guilford for a bit and just break in
3 at some point, if you will, if you have additional
4 speakers. I want everyone to have an opportunity
5 for their -- for their comments.

6 Okay. Let's see -- Ben Gruman? Am I
7 pronouncing that correctly?

8 MR. GRUMAN: That's correct.

9 SEN. RUCHO: Thank you, sir. Good to
10 have you here.

11 MR. GRUMAN: My name is Ben Gruman, and
12 I'm representing the UNC College Democrats tonight.
13 First off, I would like to say that I had a great
14 difficulty forming an opinion on the redistricting
15 due to the fact that there have not been any
16 proposed redistricting plans available prior to
17 this meeting.

18 I've also come here tonight to express my
19 concerns about the future of our local communities.
20 I feel that the proposed redistricting would cause
21 districts to become packed. Packing is a form of
22 voter dilution prohibited under the Voting Rights
23 Act, where a minority group is over concentrated in
24 a small number of districts.

25 Throughout this process, I would like the

1 committee to consider the negative effects that the
2 diluting of the minority votes will have on the
3 fair representation of the people. Thank you.

4 SEN. RUCHO: Thank you for your comments.
5 I have Joe Alston. Thank you, sir.

6 MR. ALSTON: Good evening, Mr. Chair,
7 elected representatives and fellow citizens. My
8 name is Joseph M. Alston, and I reside in High
9 Point, North Carolina, and I am the second vice-
10 chair of the Guilford County Democratic Party.

11 I'm aware that this process is required
12 based on the results of the 2010 Census. My
13 experience in redistricting processes is limited to
14 the two years to redraw the school districts in
15 Guilford County. It was a very difficult and time-
16 consuming process. Because of that experience, I
17 have a personal respect for those responsible for
18 working through this process, producing a map that
19 is as close to fair for all as possible.

20 You will be, and have been, presented
21 with numbers. I won't do that. And we are aware
22 of the North Carolina statutes and how they can
23 easily be ignored. I am a process and procedures
24 person. I rushed from work to get here by 6, to
25 sign up to speak, and while sitting here, others

1 have been allowed to speak that didn't do that.
2 But I know we want to get as many comments from the
3 public as possible.

4 Again, being aware that the redistricting
5 process is mandatory, it is my hope -- no, it is my
6 expectation, that those assigned to this project
7 are fair in their deliberations.

8 Now, the reality is, fair districts in
9 relation to minority districts is something that
10 we've only experienced for the past 40 years. And
11 that's the 40 years of this country's history.
12 We've come a long way, but we have a long way to
13 go. In saying this, I'm aware that the problem
14 I've just stated honestly does not exist in the
15 minority -- I mean, the majority population's
16 world, but I digress.

17 Meaning that -- and when I said project
18 are fair in their deliberations, meaning that there
19 is not a targeted concentration on Democratic and
20 minority voters in certain districts, divided
21 minority districts in multiple districts, and/or
22 districts with a high concentration of non-voting
23 minority populations.

24 Also, having played an active role in a
25 re-mapping process, I know the importance of the

1 input, especially since it is the citizens of North
2 Carolina that are directly affected by the results
3 of the finished product. It disturbs me that we
4 are having a public hearing on information that has
5 not been produced, on a process that in my opinion
6 has not really started, because there is nothing to
7 look at, and will not have follow-up public
8 hearings once the maps are produced.

9 Having voiced my primary concern with
10 where we are, I pose this question to those of you
11 who represent us and are -- and are assigned to
12 this project. How can I actively be engaged?
13 Thank you for your time.

14 SEN. RUCHO: Thank you for your comments.
15 Daniel McElvey, Jr. Sir?

16 MR. MCELVEY: Thank you, Mr. Chairman,
17 for allowing me to speak. And again, my name is
18 Daniel McElvey, Jr., and I'm very excited to have
19 this opportunity to speak at such an important
20 hearing. I am glad to be able to sit and learn
21 more about the community's feelings about
22 redistricting. When I heard of this hearing, I was
23 excited to learn more. But as a studious student
24 that I am, I wanted to learn and review information
25 on the 2000 North Carolina redistricting process,

1 and the plan that we're out to look at. And to my
2 surprise, I didn't see any.

3 And being that I am a studious student at
4 North Carolina A&T, I'm so used to being prepared
5 for such a speech or to be able to count on
6 something, and I was not able to do that tonight.
7 But I do work with a lot of HBC, historically black
8 universities, in getting them involved with voter
9 activity, and basically just becoming more informed
10 citizens.

11 And I do have one concern tonight, which
12 was spoken about -- or spoken on earlier, which is
13 packing. That's a form of vote dilution, and it's
14 prohibited by the Voting Rights Act. And I just
15 wish that the committee would bring out actual maps
16 that -- to represent our citizens, and also to what
17 they want, and also fairly. And that's all I have
18 today. Thank you again.

19 SEN. RUCHO: Thank you for your comments.
20 Next person, Brenda Formo. Ms. Formo?

21 MS. FORMO: Thank you, Senator Rucho, and
22 distinguished members of the North Carolina
23 legislature. What I have to comment on tonight is
24 a little different from everybody else. But I did
25 read an article recently, April 14th, from the

1 Americans for Legal Immigration, and they announced
2 that Ms. Matty Lazo-Chadderton was hired by Senator
3 Rucho to help the redistricting committee. I
4 understand that it is for outreach purposes for
5 Hispanics, which was not in the article per se.

6 And also in that article, which was
7 picked up by other groups and other publications,
8 they said that Ms. Chadderton is a member of La
9 Raza. I asked her tonight if she is, and she
10 denies that. The article also said that she's a
11 member of El Pueblo, and the implication is that
12 that organization is similar to La Raza.

13 And I'm hoping that you, Senator Rucho,
14 will discuss this or will make a public
15 announcement or some sort of comment so the
16 perception is not out there with these supposed
17 inaccuracies that were contained in that article.

18 SEN. RUCHO: Thank you for your comments.
19 Next person, Al Bolden, am I correct?

20 MR. BOLDEN: Yes, that's correct.

21 SEN. RUCHO: Thank you, Mr. Bolden.

22 MR. BOLDEN: Thank you, Senator Rucho. I
23 appreciate the opportunity to speak tonight. I
24 won't be reading a prepared statement. I'll try to
25 keep my comments brief, concise and to the point.

1 I am a resident of Guilford County. I
2 live in McLeansville, North Carolina, and am the
3 current chairman of the Guilford County Republican
4 Party. I'm very concerned with redistricting, and
5 echoing points I've heard several of the speakers
6 from all the counties say, which is that we want to
7 make sure that we are complying with the Voting
8 Rights Act, that we are complying with what the
9 U.S. Constitution says, as well as what the North
10 Carolina Constitution says.

11 That being said, we do want to make sure
12 that we truly do have a representative democracy,
13 meaning that we want to have fair districts where
14 the individuals are in competitive districts. We
15 want as many competitive districts as possible,
16 because that makes our representatives answerable
17 to the people. Which, that's the way our
18 government was originally set up; that's the way it
19 should be.

20 And unfortunately, through many years of
21 gerrymandering, currently in Guilford County, we
22 have six North Carolina House districts, four North
23 Carolina Senate districts, and we have three U.S.
24 House districts. Out of those districts, there's
25 not one competitive district. Both the Republicans

1 and Democrats hold safe seats. The only possible
2 challenge they might have would be in a primary.
3 Beyond that, they are not answerable to we the
4 people anymore. And we ask that as you're drawing
5 these districts, that you make as many of these
6 districts competitive.

7 And I'm not just saying competitive for
8 the Democrats; I'm saying for the Republicans as
9 well. We want fair, competitive districts, where
10 our representatives truly answer to the people.

11 SEN. RUCHO: Thank you for your comments.

12 Senator Brock, do you have another
13 speaker, by any chance?

14 SEN. BROCK: Not yet, no.

15 SEN. RUCHO: Okay. Representative
16 Dollar, before I continue in Guilford --

17 REP. DOLLAR: Do we have anyone else who
18 has signed up or who wishes to speak? We have no
19 one else.

20 SEN. RUCHO: Thank you, Representative
21 Dollar. I'm going to continue in Guilford. Ogessa
22 Kimber? No comments? Thank you, ma'am. Jay
23 Wagner? Mr. Wagner.

24 MR. WAGNER: I'll just keep this short
25 and sweet. I am coming to you tonight not as a

1 Republican or Democrat, but as a citizen of the
2 city of High Point. As of the most current Census,
3 the city of High Point is now a city of over
4 100,000 people. I believe we're the eighth-largest
5 city in the state of North Carolina. We're also
6 the host of an economic event, every twice a year,
7 the High Point Furniture Market, that has been
8 shown to have had the largest economic effect on
9 the state of North Carolina every year.

10 And yet, despite all these statistics,
11 the city of High Point has not been able to elect a
12 member of the North Carolina Senate since Richard
13 Chalk in the 1980s. I am here to ask the committee
14 to seriously consider the creation of a district --
15 of a state Senate district that will allow the
16 citizens of the city of High Point to elect a state
17 senator. I think it has reached the point that as
18 of the last redistricting, a portion of High Point
19 was carved out and attached to Davidson County, to
20 Senator Bingham's district. I don't know what's so
21 special about that part of the city of High Point
22 that it needs to be represented by someone from
23 Denton.

24 It appears to be -- to me, at least, and
25 to many in High Point, that the city of High Point

1 has been historically gerrymandered in order to
2 benefit and to elect candidates from Greensboro.
3 And so again, I would reiterate that it's simply a
4 matter of fairness. People keep throwing around
5 the word "fair" here. It's simply a matter of
6 fairness that the citizens of High Point not be
7 disenfranchised, in effect, to have a district that
8 will allow them to elect a North Carolina senator.

9 SEN. RUCHO: Thank you for your comments.
10 Our next speaker, Aaron Clinard?

11 MR. CLINARD: That's pretty close.

12 SEN. RUCHO: I'm sorry. I apologize.

13 MR. CLINARD: Thank you, Mr. Chairman.
14 That's okay. I'm going to get over here where I
15 can see you legislators in the eye. I'm an
16 attorney from High Point. I'm here representing
17 the High Point Chamber of Commerce. I apologize
18 for our president, Tom Dayvault, who could not be
19 here. His mother was called into the hospital
20 today, and he offers his apologies.

21 We've both had a chance to meet with most
22 of you folks here in the room; in fact, all of you
23 folks here in the room, and many of you in the
24 viewing audience when we presented the Triad
25 Legislative Agenda this past week in the Triad

1 caucus, and we appreciated your time and attention
2 on that. And we would ask you to have that same
3 attention to this issue tonight.

4 And I would like to read to you a
5 position statement that has been unanimously
6 adopted by the High Point Chamber of Commerce. If
7 you'll allow me to do that.

8 "The city limits of High Point, North
9 Carolina, currently have eight North Carolina House
10 districts and four state Senate districts. Within
11 the city limits, there are also three U.S.
12 congressional districts. The North Carolina
13 General Assembly will establish new districts for
14 all three of these during the 2011 session. The
15 High Point Chamber of Commerce respectfully
16 requests that the current districts be consolidated
17 into as few voting districts as possible. As our
18 state's ninth-largest municipality, it is vitally
19 important that our citizens speak in a united
20 voice." That's the official position statement.

21 And if I could offer a few personal
22 comments, I think that the word "fairness" has been
23 used by almost every speaker that I've heard
24 tonight, and I think we would all admit that
25 fairness is in the eye of the beholder. What may

1 be fair to one person may not be fair to another.
2 But I think that if we all consider what we learned
3 growing up from our parents, fairness is very
4 simple.

5 In this audience, in this situation that
6 we have, it doesn't mean gerrymandering. It
7 doesn't mean political parties. It doesn't mean
8 people in the seat. What it means is one thing,
9 common sense. That's what is necessary in this
10 process: pure common sense. Fairness will come
11 out of that.

12 I personally know John Faircloth and Don
13 Vaughan; who was here a few minutes ago, one
14 Republican and one Democrat. And I know both of
15 them to be fair, commonsensical people. And I
16 trust that with their example, others that I do not
17 know as personally will follow that example. And I
18 thank you very much.

19 SEN. RUCHO: Thank you for your comments.
20 Ladies and gentlemen, I come to the end of all of
21 our names, and now, may I offer anybody else in the
22 room that might want a moment to speak, this is an
23 opportunity.

24 Senator Brock, if you have any other
25 individuals that might be interested in speaking?

1 SEN. BROCK: No, sir.

2 SEN. RUCHO: Well, we thank you very much
3 for attending with the group. Thank you.
4 Representative Dollar, do you have anyone else
5 willing to speak?

6 REP. DOLLAR: We have no one.

7 SEN. RUCHO: I appreciate you and
8 Representative Jones for being here, and on behalf
9 of the legislative --

10 BRUCE DAVIS: Mr. Chairman, excuse me.

11 SEN. RUCHO: Yes, sir.

12 MR. DAVIS: I do rise to speak on --

13 SEN. RUCHO: Will you identify yourself?

14 MR. DAVIS: Bruce Davis, Guilford County
15 Commissioner.

16 SEN. RUCHO: Okay.

17 MR. DAVIS: And I live in the city of
18 High Point, and it's been made clear that the folks
19 in High Point feel disenfranchised. As many of you
20 who have spoken feel the same way, whether you're
21 Republican or Democrat, it cuts to the heart of
22 just not feeling that you're being represented when
23 you are part of a city of 100,000 citizens and not
24 able to elect a senator to the seat to represent
25 the citizens, the concerns of the citizens of High

1 Point.

2 John Faircloth, I know John, as it was
3 also said. Senator Don Vaughan, who was here,
4 again, both fair people. But I speak of others who
5 sit in the seat because of how they protect those
6 seats, be it Democrat or Republican, we have more
7 problems than -- than has been spoken of, as far as
8 trying to keep it Republican or keep it Democrat.
9 We've had problems within our parties, to where we
10 protect those seats, and it disenfranchises those
11 who are in High Point, which is what I really speak
12 to, but there is a lot of unfairness even within
13 those parties, and I'm sure I'm not the only one.

14 I ran for the state Senate seat. In
15 fact, I wasn't prepared to speak tonight, because I
16 didn't even know this was going on, because my
17 senator chose not to inform the citizens that she
18 represents. Or maybe it's because I ran against
19 the senator and lost. Maybe that's why I wasn't
20 informed.

21 But I really wanted to be prepared. I
22 have been checking and looking to see when the next
23 time, or when you would have this -- this meeting,
24 and I'm glad that I had an opportunity to get here.
25 I just feel like I wasn't prepared, but I do want

1 to just echo what has been said, that we need that
2 opportunity in High Point. And I trust that when
3 you look at fairness, that you will certainly think
4 about the citizens of High Point not having that
5 representation, which is very important to all of
6 us. Thank you.

7 SEN. RUCHO: Thank you for your comments.
8 If there are no other speakers, we will call this
9 public hearing adjourned. Thank you very much for
10 attending.

11 (The proceedings were concluded at 8:30 p.m.)
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ALLIANCE FOR FAIR REDISTRICTING AND MINORITY VOTING RIGHTS



PUBLIC HEARING TALKING POINTS

SOUTHERN COALITION
for SOCIAL JUSTICE

Mr. Chairman and members of the Committee:

My name is Albeart Porter and I am a member of the Alliance for Fair Redistricting and Minority Voting Rights.

FAIR:

The redistricting process should be fair and responsive to public input. The committee should avoid the use of gerrymandering techniques to create an advantage for a particular party or to manipulate geographic boundaries to create partisan and or incumbent-protected districts. Also, districts should fairly reflect minority voting strength without packing, cracking, stacking or otherwise disenfranchising minorities.

TRANSPARENT:

The process should be open and transparent. The data, timelines, criteria, goals, draft maps, etc. should be matters of public record, easily accessible on the internet. Guidelines for public submission of proposed redistricting maps should be clearly stated on the website. The public should be allowed to watch the actual map drawing process via video stream, as already implemented during public hearings and other meetings hosted at the General Assembly.

MEANINGFUL PARTICIPATION:

The committee has not publicized its redistricting criteria nor given public access to draft plans under consideration. Thus, at this stage it is difficult to provide meaningful comment. Redistricting plans should be made public well before the last hearing on May 9, 2011. The public should be afforded an opportunity to provide feedback on proposed maps prior to submission to the United States Department of Justice for preclearance.

PROTECT MINORITY VOTING RIGHTS:

The committee is obligated to consider race in the redistricting process. While race should not be a predominant factor in the process, the Voting Rights Act requires the creation of districts that provide an opportunity for minorities to elect their candidate of choice. The committee should preserve current majority-minority districts and work to create districts that fairly reflect minority voting strength. Minority-coalition districts, crossover districts and influence districts should be enacted to empower previously disenfranchised people of color.

LEGALITY:

Redistricting plans should comply with the United States Constitution, Sections 2 and 5 of the Voting Rights Act, the North Carolina Constitution, applicable federal and state case law and traditional redistricting principles. While only 40 of the 100 counties in North Carolina are covered by Section 5 of the Voting Rights

Act and therefore subject to preclearance, no plan should be retrogressive and have an effect of making minorities worse off than the current plans.

We thank you for soliciting our input and look forward to a fair and transparent process that includes meaningful civic participation and is considerate of the need to protect minority voting rights.



ALLIANCE FOR FAIR REDISTRICTING AND WINSTON-SALEM VOTING RIGHTS COALITION

Mr. Chairman and members of the Committee:

My name is Olivia Swinton and I am a member of the Alliance for Fair Redistricting and the Winston-Salem Voting Rights Coalition.

I have resided in Winston-Salem for the last 14 years after living in the Washington, DC area for many years and I am in the 12th congressional district. Winston-Salem is a wonderful community to live; it's called the city of the Arts. We just completed a successful River Run film festival and later in the summer we will host the National Black Theater festival.

I am concerned about my congressional district in this year of redistricting.

I am pleased with the current congressional representation and am concerned about the possibility of my community being completely placed in the 5th district. Winston-Salem would like to remain in the 12th congressional district under the current leadership of Melvin Watt. We are pleased with our representation.

Congressional districts must be equal in population unless the change is justified by a "legitimate state objective" in other words there must be zero deviation for the congressional districts in order to comply with U.S. Supreme Court's one-person one vote standard. The current congressional ideal population is 733,409. Accordingly, the 12th has to lose 19,605 people in order to conform to the deviation requirement. While the composition of the 12th district must change, I ask that you keep Winston-Salem in the 12th district.

Thank you for your time and consideration

Public Hearing Site

Richingham CC

Public Hearing Date

4/28/11

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	JEAN Adkins	557 NC 700 Eden	WOP	CAUCASIAN
2	Sylvia Smith	409 JIMM ST Eden	WOP	Caucasian
3	VINCENT D. LOY VELMA H. LOY	REIDSVILLE, 27320 215 LAKE HUNT DR.		Caucasian
4	NORMA KELLY RAY KELLY	242 STRUTTON LN. EDEN		CAUC CAUC
5	James Stanley Grace Stanley	503 Stokes Rd Reidsville	WOP	CAUC
6	Carlton Carter	8578 NC 87 REIDSVILLE NC		
7	Eugene Ferguson	3444 Vance Street Reidsville NC		
8	Howard + Barbara Joy	181 Link Rd Reidsville 27320	WOTP	
9	Roger Earles	Reidsville		Caucasian

Public Hearing Site Rockingham CC

Public Hearing Date 4/28/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
10	RAY CARROLL	9208 NP-87 Reidsville.	WOP	
11	Margaret Perdue	PO Box 363 Wentworth		
12	Steve Herr	100 Duggins Rd		
13	LATIA PAYNE	1921 VAND ST. Reidsville, NC	Reidsville Review Newspaper.	
14	E & M McBride	4791 PRICE RD.	Eden	
15	Allen M. McBride	247 Farrell St.	Eden	
16	Ryan Todd	247 Farrell St	Eden	
17	Thomas Hough	650 Washington St Eden	Wentworth Graph	
18	Buck Kelley	531 Salem Ch. Rd. Reidsville		
19	Hazel Schoofield	1310 Winterberry Dr 27320		

Public Hearing Site

Rockingham CC

Public Hearing Date

4/28/11Attendance

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
20	Sharon Webster	209 Timberwood Trail	Retired	American
21	Sam Fretwell	303A Oleanbei Dr		ENGLISH AMERICAN
22	Michael Cochran	120 Walker	Retired	
23	Norona McKenney		Retired	
24	Johanne Hayes	1106 Arbor Ln	Reidsville NC	
25	CRAIG TRAVIS	1285 HARRISON CROSSROAD	Reidsville	AMERICAN
26	Conrad Scott		Edex	
27	Buster Scott		Eden	
28	Dorey Stone		Reidsville	
29	Marvin Stone		Y	

Public Hearing Site

Rockingham CC

Public Hearing Date

4/28/11

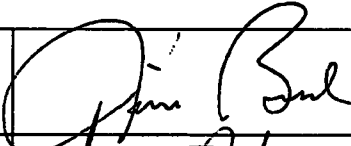
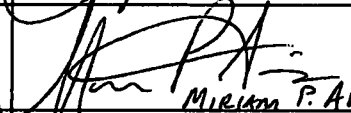
	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
40	Bill Littlell Peggy Littlell	663 Harrison Chase Rd. Kilderville	Retiree	
41	Bobby J. Cooke	48 Glass Rd. Rockville		
42	Nancy Woody	1102 FIRST ST EDEN, NC 27288		
43	Harry People Betty People	553 Ashley Loop Eden NC 27288		
44	Jean Harrington	650 Washington St. Eden, NC 27288		
45	James A. Black	120 Della Dr Eden N.C. 27288	New Concept R.W.	
46				
47				
48				
49				

Public Hearing Site

Rockingham CC

Public Hearing Date

4/28/11Attendance

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
60		833 WEAVER, FARM 27286	WILL OF THE PEOPLE	
61	 MIRIAM P. AIKENS	2602 REID SCHOOL ROAD REIDSVILLE, NC 27320	VICE CHAIR, ROCKINGHAM COUNTY EXECUTIVE COMM	
62	Matt Mercer	190 Ellisboro Rd. Madison, NC 27025		
63	Norris J. Aikens	2602 REID SCHOOL ROAD REIDSVILLE, N.C. 27320	~~2602~~ MASS STREET PRECINCT CHAIRMAN	
64				
65				
66				
67				
68				

Public Hearing Site Rockingham CC
Public Hearing Date 4/28/11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

	Thomas Harington Harington	Will of the People
1	Vernon Robinson	NAPE.
2	Michael Smith, Jr.	
3	Dot Bush	Will of the People

PASS 67

Public Hearing Site Forsyth Community College Winston-Salem
 Public Hearing Date 4-28-11

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	JAMES KNOX	RURAL HALL, NC 125 BUCKHIDE CT		
2	Clay Shabazz	1001 S. Marshall St. Suite 219-Box 20 Winston-Salem, NC 27101	HARRY VCO's	
3	Oliver Swinton	3728 Carver School Rd Winston-Salem NC 27105	W-S Voting Rights Alliance for Fair Redistricting	
4	Albert Parker	1228 DUBLIN DR. City, 27101	W-S Voting Rights Coalition	
5	MATT Twiford	1716 W 1st St W-S NC 27104		
6	BEVERLY LUNG	7004 DISCOVERY LN WALKERTOWN NC 27051	CITIZEN CONSTITUTIONALIST	
7	Brynn Nelson	4825 Commercial Pl. A27 W-S - 27104		
8	Schnitzler	W-S Journal	Reporter	
9	JERRY HERRON	2060 Saponi Village CT W-S NC 27127		

Public Hearing Site

Forsyth Community College -

Winston Salem

Public Hearing Date

4-28-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
10	Sophia Kenney	375 Clusade Drive W.S. NC 27101	AAC	
11	William A. Penn	2428 Wickham Rd Kernersville NC 27284	NCCRA / ^{President} Election Crisis	
12	Barbara G. Godley	131 Barden Path Winston - Salem, N.C. 27104	N/A	African American
13	S. Wayne Patterson	8 West Third Street, Suite 220 Winston-Salem, NC 27101	NAACP	
14	Fleming C. Anni	5400 Novack St. Winston-Salem, N.C. 27105	Citizen	African American
15	Jennifer Dale	PO Box 17172 Winston-Salem, NC 27116	Democracy WS: the Voting Rights Coalition	
16	LARRY WESTON	1545 Woods Dr #305 W-S NC 27106	CITIZEN	African American
17	Teresa Joyce	2133 E. 12th St. W.S. N.C. 27101	Citizen	African American
18	Elon Andershock	7682 Sedgewick Ridge Rd. - Lewisville 27023		
19	William Andershock	7682 Sedgewick Ridge Rd Lewisville, 27023		

Public Hearing Site

Forsyth Community College

Public Hearing Date

4-28-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
20	Jane Warrick Karnig	NC WINSTON SALEM 1294	Visitor of REP LARRY WOMBIE	KENTIAN
21	Anne B Wilson	445 Marshall View Ct., WS 27101	concerned citizen	
22	Linda Sutton	1331 Oak Grove Rd WS 27103	Democracy X C	A/A
23	Aurora Faurst	1880 Faculty Dr. WS 27106	Citizen	N/A
24	Nancy Benson Fred Benson	9105 Great Meadows Dr Clemmons NC 27012	Citizen	
25	Celeste Stanley	2941 St Clair WS 27106	Citizen	Caucasian
26	Cornelia Sheep	300 Carolina Circle WS 27104	Citizen	Caucasian
27	Loraine Warrick	1620 Guillemark Rd WS NC	Citizen	B
28	Marion Williams	2050 Highfield Park Dr WS, NC 27127	Citizen	B
29	Tara Orris	810 W. 4th St #208 WS NC 27101	FCTP	other

Public Hearing Site Forsyth Community College
 Public Hearing Date 4-28-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
30	Susan Campbell	1208 Brookstown Ave	PCDP	
31	Cindy Bruke	3208 Winding Creek Way W.S.		
32	Larry Johnson	587 Nickel Creek CT		
33	Bobby Wilson	2324 Slater Rd W/S NC 219	D.V.M. Park	/
34	Drew L. Ham	1419 E. 3rd St	Voting Rights	
35	James L. Lefter	270 Spring St	Voting Rights	
36	La Lemphe	420 12 mile Savannah Dr		
37	Robert L. Lemphe	426 Savannah Dr		
38	Bruce L. Lemphe	101 High Street W.S. 27107		
39	Daisy Chambers	2531 Wallingford Road	Voter Rights	

Public Hearing Site

Forsyth Community College

Public Hearing Date

4-28-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
50	David Moore	700 Piney Grove Kennesawville		
51	Chris Moore	700 Pine Grove Rd Kennesaw, GA		
52	Heraldine Rain	1739 Keyman Dr. Walkeston, NC 27081		
53	Brenda Tenney	517 Jessup Ave WS 27101		
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Public Hearing Site Forsyth Community College - Winston Salem
Public Hearing Date 4-28-11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

	NAME	ORGANIZATION (optional)
		
1	~~JAMES L. RICK~~	
2	Olivia Swinton	W-S Voting Rights Coalition Alliance for Fair Redistricting
3	Albert Porter	W-S Voting Rights Coalition

Public Hearing Site Forsyth Community College - Winston-Salem
Public Hearing Date 4-28-11

NAME

ORGANIZATION (optional)

4	MATT Twiford	
5	~~Rev. [unclear]~~	NONE
6	Heming El-Ameri	citizen
7	~~[unclear]~~	
8	Robert [unclear]	Kernersville

Helen Long (Sen. Rucho)

om: DBS@ncleg.net
nt: Wednesday, April 27, 2011 8:00 PM
: RedistrictLA; Helen Long (Sen. Rucho); Paul Rucho (Sen. Rucho); Erika Churchill (Research); Kelly Stallings (ISD); Denise Huntley Adams (Research); Kelly Quick (Research); Peter Capriglione (ISD, Applications Manager)
Subject: April 28, 2011 Redistricting Public Hearing Speaker Sign-up

Redistricting Public Hearing (4/28/2011)

Date	First Name	Last Name	Organization	Location
7:00:00 PM	Keith	Brown	Guilford County resident who wants to see a different senate map	Guilford Technical Community College, Jamestown
	Matt	Twiford	701 precinct	Forsyth Technical Community College, Winston-Salem
	Vincent	Loy	Rockingham County Republican Party	Rockingham Community College, Wentworth
	Fleming	El-Amin	Community Activist	Forsyth Technical Community College, Winston-Salem
	Bill	Davis	Guilford County Democratic Party Chair	Guilford Technical Community College, Jamestown
	James	Burroughs III	Alliance for Fair Redistricting and Minority Voting Rights/Democracy at Home	Guilford Technical Community College, Jamestown
	Bruce	Wiley	N/A	Guilford Technical Community College, Jamestown
	Matt	Mercer	N/A	Rockingham Community College, Wentworth
	Darin	Thomas	Thomas for NC House	Guilford Technical Community College, Jamestown
	Jon	Hardister	Jon Hardister for NC House	Guilford Technical Community College, Jamestown
Total	10			

ie report is accessible at the following address:

[tp://ncgawebpi/ReportServer?%2FRequest%20to%20Speak%2FRedistrictingPublicHearing&rs%3AParameterLar](http://ncgawebpi/ReportServer?%2FRequest%20to%20Speak%2FRedistrictingPublicHearing&rs%3AParameterLar)
US

MINUTES
JOINT SENATE AND HOUSE COMMITTEES ON
REDISTRICTING
PUBLIC HEARINGS

April 29, 2011

The Joint Senate and House Committees on Redistricting Public Hearing were held on Friday, April 29, 2011, at 7:02 p.m.

The meetings were held at the Campbell University in Buies Creek, North Carolina (Harnett County), and satellite locations met simultaneously via video-conferencing at Lenoir Community College at Kinston, North Carolina (Lenoir County), and Randolph Community College in Asheboro, North Carolina (Randolph County.)

House Chairman Representative David Lewis presided over the meeting from the Harnett County site. Representative Stephen Laroque chaired the Lenoir County site and Representative Pat Hurley chaired the Randolph County site.

A transcript of the meeting is attached, along with the Visitor Registration sheet and Speaker Sign-Up sheet.

The meeting was adjourned at 7:31 p.m.

Respectfully submitted,



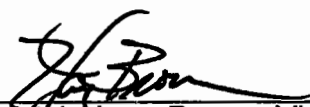
Senator Bob Rucho, Chair



Helen Long, Committee Clerk



Senator Andrew Brock, Vice Chair



Senator Harry Brown, Vice Chair

Principal Clerk _____
Reading Clerk _____

**SENATE
NOTICE OF JOINT COMMITTEE MEETING**

The Senate and House Committees on **Redistricting** will meet at the following time:

<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Friday	April 29, 2011	7:00 p.m.	See Below

The following is a list of the next scheduled Redistricting Public Hearings for the following counties. A link for directions is listed under each location.

Registration for speaking will begin:

1) At the hearing site: 1 hour prior to the convening of the hearing, and will close prior to the beginning of the hearing.

2) On-line: 5 days in advance of the hearing and will close 24 hours in advance of the hearing. There are limited slots for on-line sign-up. Please visit the following link to sign-up to speak at any of the locations for the April 29 Public Hearing:
<http://www.ncleg.net/applications/rt/Redistricting.aspx?id=6>

3) Each speaker will be limited to five minutes.

Locations:

Harnett County

Campbell University
Maddox Hall, Harris Lecture Hall
217 Main Street
Buies Creek, NC 27506
<http://www.campbell.edu/about/location/>

Lenoir County

Lenoir Community College
Learning Resource Center, Room 227
231 Highway 58 South
Kinston, NC 28502-0188
http://www.lenoircc.edu/About_LCC/campuslocate.htm

Randolph County

Randolph Community College
Computer Technology Center (CTC), Room 110
629 Industrial Park Ave.
Asheboro, NC 27205
http://www.randolph.edu/welcome/asheboro_campus.php

Senator Bob Rucho, Chair

NORTH CAROLINA GENERAL ASSEMBLY

PUBLIC HEARING ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Buies Creek, North Carolina
Friday, April 29, 2011
7:02 p.m. until 7:31 p.m.
Reported by Linda S. Garrett

Sessions simulcast from the following locations:

Campbell University (Harnett County)
Randolph Community College (Randolph County)
Lenoir Community College (Lenoir County)

Worley Reporting
P.O. Box 91447
Raleigh, NC 27675
919-870-8070

P R O C E E D I N G S

1
2 REPRESENTATIVE LEWIS: Ladies and
3 gentlemen, good evening. Welcome to this public
4 hearing on redistricting. I'm Representative David
5 Lewis, Chair of the House Redistricting Committee.
6 Today's hearing is a joint effort for the House
7 Redistricting Committee and the Senate
8 Redistricting Committee, of which Senator Bob Rucho
9 is the Chair.

10 Along with our site here in Harnett
11 County, we are also videoconferencing the sites in
12 Lenoir County at Lenoir Community College and
13 Randolph County at Randolph Community College. I'd
14 like to take a moment and pause now to introduce
15 with me tonight at the Harnett County site is my
16 friend Representative Marvin Lucas. Representative
17 Lucas represents Cumberland County. We are
18 thrilled that you can be here with us tonight, sir.

19 REPRESENTATIVE LUCAS: Glad to be here,
20 sir.

21 REPRESENTATIVE LEWIS: And I would also
22 like to pause and go to our satellite site in
23 Lenoir County and recognize our Chair,
24 Representative LaRoque. Representative LaRoque,
25 I'm going to ask that you introduce yourself and

1 any elected officials or guests that may be with
2 you there tonight.

3 REPRESENTATIVE LAROQUE: Thank you, Mr.
4 Chairman. I am Representative Steve LaRoque here
5 in Lenoir County. We are kind of by ourselves here
6 tonight. It's just staff and myself and my
7 legislative assistant. Perhaps someone will walk
8 in, but at this point, it's just -- it's just us
9 kind of watching out. So we're glad to be here,
10 but anyway, no one showed up, unfortunately.

11 REPRESENTATIVE LEWIS: Thank you,
12 Representative LaRoque. We appreciate your
13 efforts, and we will check with you throughout the
14 evening to afford anyone who does attend the
15 opportunity to speak. I also would like to
16 recognize Representative Pat Hurley.
17 Representative Hurley is presiding in Randolph
18 County. So, Representative, I will introduce you
19 and ask you to recognize the guests and introduce
20 yourself at this time.

21 REPRESENTATIVE HURLEY: Thank you, Mr.
22 Chair. I'm Representative Pat Hurley, and we have
23 here tonight Senator Jerry Tillman from Randolph
24 County. We also have Representative Bill McGee
25 from here in Randolph County. Glad to be here.

1 We have -- we have one speaker, and we
2 have several other people who are here from
3 Randolph Community College helping us, and we have
4 a Sergeant-at-Arms, of course, from the House, Ken
5 Herbie.

6 REPRESENTATIVE LEWIS: Thank you,
7 Representative Hurley. I would also like to begin
8 by expressing my appreciation to the House
9 Sergeant-at-Arms staff that are here with us
10 tonight who traveled in to be here, Mr. Bill McGray
11 and Mr. Wayne Davis, who are both here with us. We
12 are also very pleased tonight to have the Chief of
13 the General Assembly Police here with us tonight,
14 Mr. Jeff Weaver, and our Staff Attorney for the
15 Redistricting Committee, Susan Sykes, is here as
16 well, and we appreciate you, Susan.

17 First, I would like to thank everyone
18 who's taken time to come and be involved in this
19 public hearing today at each of our sites. This is
20 our fifth group of public hearings in the 2011
21 redistricting cycle. In the coming weeks, we will
22 also post hearings at sites in counties across the
23 state, including Mecklenburg, Cabarrus, Cleveland,
24 Catawba, Buncombe, Watauga, Jackson, New Hanover,
25 Bladen, Brunswick, Onslow, Craven, Wayne, Pitt,

1 Wilson, Beaufort, Edgecombe, Halifax, Pasquotank,
2 Chowan and Dare, making a total of 36 sites in
3 which we have held public -- we haven't held, but
4 will hold public hearings. This is the largest
5 effort ever made in the history of redistricting in
6 North Carolina to hear from the public about this
7 important task.

8 The purpose of each of these hearings is
9 to hear from you. Whether you signed up online in
10 advance or came today and put your name on a list,
11 you will have the opportunity to speak for five
12 minutes on whatever ideas you may have about
13 redistricting. We want to hear how redistricting
14 will affect you and your community. You may choose
15 to address legal issues relating to redistricting,
16 such as the Voting Rights Act or requirements for
17 drawing districts under federal or state law. You
18 may choose to share how redistricting has affected
19 your community in the past and how you hope it will
20 affect your community moving forward. You may
21 choose to share what you regard as communities of
22 interest in your area, whether it be historical,
23 cultural, ethnic, geographical or economic ties
24 that make the people of your area of the state
25 think of themselves as a community. You may choose

1 to share what important geographical or political
2 subdivisions exist in your community and how they
3 should be taken into account in drawing lines.

4 However you choose to spend your five minutes, we
5 are here today to hear from you. We are not here
6 to answer questions, but instead, to listen and
7 learn from your comments and ideas.

8 Every ten years following the census,
9 legislators are tasked under the Constitution with
10 redrawing the lines that create districts for
11 Congress, the State Senate and the State House. It
12 is critical that this process be open and
13 transparent, and that it leads to fair and legal
14 districts for pre-clearance by the United States
15 Justice Department.

16 As to the rules, I will introduce each
17 speaker, and I will try to move between the sites
18 so that everyone has the opportunity to speak and
19 not just listen for any extended periods of time.
20 I will direct you to a staff person who will be
21 showing you the amount of time that remains as you
22 speak. They will hold up two cards. One will let
23 you know that you have one minute remaining to
24 finish up your remarks, and one that is red that
25 will let you know that your time has expired.

1 We would also welcome any written
2 comments you may have in addition to what you
3 present during your time today. You may either
4 give those to staff while you are here or go to our
5 website, www.ncleg.net -- I think they call that a
6 forward slash -- /redistricting. If you have any
7 additional thoughts, you may also submit those
8 thoughts in writing to the redistricting staff,
9 North Carolina General Assembly, 16 West Jones
10 Street, Raleigh, North Carolina, 27603.

11 With that, we're going to start at our
12 Harnett County site. Our first speaker will be Ms.
13 Goldie Pryor. Ms. Pryor, welcome. We are thrilled
14 that you are here. I invite you down to the podium
15 so that everyone can hear your remarks and, also,
16 so that the camera can broadcast your remarks to
17 our satellite sites. Please. Ms. Pryor, you have
18 the floor.

19 MS. PRYOR: Thank you. To Representative
20 Lewis and others who have this awesome task of
21 establishing and redrawing legislative districts
22 for all of us, thank you for allowing me this
23 opportunity to speak. I speak on behalf of just
24 being a Harnett County citizen. I don't represent
25 a group. I ask that you pray before you begin this

1 process, during and after you perform this awesome
2 task. Please look at the needs of our community
3 and its makeup and its communities of people more
4 so than you look at political rhetoric that has
5 gone on in the past, and be guided by this process.

6 I want you to look at the economy of
7 Harnett and the surrounding counties and our
8 neighbors, how we can best serve each other so that
9 our economy can improve, that some of the burdens
10 can be taken off of some of the citizens. We know
11 that Harnett County -- we need more businesses
12 within the county so that it can take some of the
13 tax burdens off the citizens. A lot of the
14 services -- we go to other counties to shop and to
15 get a lot of the needs that we -- that we really
16 need, for medical purposes, for buying things. So
17 much of our money is going out of the county that
18 needs to be staying in the county more and to
19 helping with our taxes.

20 So I pray that you allow this plan to be
21 driven by the concern of all people that you
22 represent, whether you're a Democrat or a
23 Republican. I want to ask that you be people-
24 driven, not political-driven, as a servant of
25 Harnett County. I do ask that you please think

1 about the citizens. There are some makeups in our
2 community that everyone wants to feel like they
3 have a voice in our government, and remember that.
4 I'm not being political. I'm just being people-
5 driven, and I ask that you be that way.

6 REPRESENTATIVE LEWIS: Thank you for your
7 comments, Ms. Pryor. At this time, we're going to
8 go to Randolph County and Representative Hurley.
9 Representative, I understand that you have someone
10 who would like to speak. Would you please
11 introduce them, and the -- the floor is yours,
12 ma'am.

13 REPRESENTATIVE HURLEY: Thank you, Mr.
14 Chair. Our person here tonight who wants to speak
15 is from the Liberty area. And -- okay. We've got
16 two that want to speak. Excuse me. One. Jim
17 Meredith from Liberty, North Carolina, and he's
18 here to speak to us.

19 MR. MEREDITH: Well, thank you,
20 Representative Hurley and Senator Tillman and other
21 members of the Legislature here in Randolph and
22 elsewhere. Can you all hear me okay? Great. I
23 thank you for this opportunity. I wish there were
24 more people here. And I think that one of the
25 things that you all will want to do as you continue

1 with these hearings is figure out how to do the
2 right kind of publicity so that our citizens will
3 take advantage of this great opportunity to have
4 some input. I'm not -- I will say that I'm not
5 very politically knowledgeable. I mean, I vote and
6 I participate, help campaign for my favorite
7 candidates from time to time. But for me, I just
8 found out about this hearing last night by word of
9 mouth and without thinking a whole lot about it to
10 get here. A friend of mine read it in the Courier
11 and told me about it last night. I just felt like
12 I needed to show up. We're in a democracy and
13 people who have liberty to be able to live free,
14 select their legislators and their representatives,
15 need to think about it and participate, so that's
16 why I'm here.

17 I guess I want to speak in favor of --
18 I'm going to -- I really do appreciate remarks of
19 the person who spoke just before me, and I think
20 she was right, that we want to be people-driven and
21 not politically-driven as much as possible. In
22 high school I learned about gerrymandering and I
23 learned what that term meant, and I'm afraid we do
24 see that in the districts as they're drawn today.
25 So my -- I would just simply urge the people who

1 are in charge with redrawing the lines to do so in
2 such a way that it makes sense, that it's common
3 sense that the -- the districts are geographically
4 meaningful, they do represent communities of people
5 that have a shared interest, that we don't do
6 something that biases a district in favor of a
7 particular candidate just to help him keep office,
8 or her, but instead, that we look at people who
9 live there, their economic interests, the things
10 that bind them together as constituencies, and then
11 you create districts that really do represent and
12 reflect a group within them. And don't -- just
13 don't gerrymander. That's my best advice, I think.

14 So that's all I have to say, and I thank
15 you for the opportunity to speak. It's wonderful
16 to be able to participate in a democracy relative
17 to the subject.

18 REPRESENTATIVE HURLEY: Thank you, Mr.
19 Meredith.

20 REPRESENTATIVE LEWIS: Thank you for your
21 remarks, Mr. Meredith. We will check in now with
22 Representative LaRoque in Lenoir County.
23 Representative LaRoque, do you have anyone who
24 wishes to speak at this time?

25 REPRESENTATIVE LaROQUE: Nothing has

1 changed since the opening remarks. We're still
2 here just by ourselves.

3 REPRESENTATIVE LEWIS: Thank you for your
4 willingness to do that, Representative LaRoque. At
5 this time, from the Harnett County site we're going
6 to -- the Chair is going to introduce Lieutenant
7 Colonel Mike Shaffer to offer some remarks. So
8 Colonel, the floor is yours for time not to exceed
9 five minutes, sir.

10 MR. SHAFFER: Thank you. My name is Mike
11 Shaffer. I live in Buies Creek, North Carolina,
12 here. I appreciate the opportunity to come here
13 and speak this evening. Thank you for all the
14 service you guys do. Thank you for all the other
15 locations.

16 My main concern is with -- I caught an
17 article about the census. The census comes out
18 every ten years. And I remember, you know, ten
19 years ago we weren't at war. We've been at war for
20 ten years solid now, and now it seems like it's not
21 going to stop. And then we have the BRAC stuff
22 going on up in Washington, D.C., Base Realignment
23 Commission. Everybody was moving the commands
24 around and shutting down bases and stuff, and it
25 costs so much to close bases and move personnel,

1 that this is the last stop for a lot of these
2 commands here coming to Cumberland County. You've
3 got 20 stars coming. The soldiers will be
4 deployed, but the families are going to be here.
5 The families are outside the gate. Famous last
6 statement of the BRAC panel, what happens outside
7 the gate was not their concern. Well, the American
8 people and the American families are outside the
9 gates.

10 My concern is that we're concerned about
11 the education of the families, but there's a
12 shortage of money, it seems like, all over the
13 country. All the educators are being laid off are
14 not doing things a certain way, and we're worried
15 about Washington spending too much money, but
16 there's enough money going in and everybody's
17 trying to take care of their states and their
18 counties and their -- where they live.

19 But the census caught a flaw. There's a
20 strategic flaw for the state of North Carolina, and
21 we kind of missed the boat on it. And when the
22 BRAC thing started, we thought maybe everything
23 would -- these wars might be over. Everybody was
24 going to go home and Disneyland was going to open
25 up and everything was going to be rosy again. But

1 reality, that's not going to happen. We're
2 basically going to be around the world forever with
3 troops all around the world, and there's a reason
4 for it, but the families are going to be living
5 where? Well, Camp Lejeune and Fort Bragg.

6 The enlisted soldier, when he enlists in
7 the military, according to the census, the state
8 home of record gets the money from the federal
9 dollars that goes to that state, but yet his family
10 is living Harnett County or Cumberland County, and
11 his kids are being -- wives are here being
12 educated, living here, trying to run a family by
13 themselves while they're off fighting in some
14 foreign land. And the money is not coming here.
15 I think the state of North Carolina, over the last
16 maybe 30, 40 years, has missed an opportunity to go
17 after that money more strategically because the
18 families are here now. The troops are not going to
19 be moving around the world. Maybe the Navy and the
20 Air Force will, but the Army troops, they're coming
21 here, and this place is going to grow.

22 My main concern is that the census -- in
23 the Washington Post after -- and I don't know if it
24 was a political appointee who ran the census, but
25 that point was brought up. And he goes, well,

1 we'll fix it next time. Well, next time is ten
2 years from now. It's too late. We've got to
3 somehow go after that money now. BRAC stuff is
4 coming now. It's coming here now. We're going to
5 be one of the most vibrant economic centers in the
6 country as the way things are moving right now. So
7 that's my main concern. That's -- I appreciate the
8 opportunity to bring that point out.

9 REPRESENTATIVE LEWIS: Thank you. We'll
10 stay in Harnett. Our next speaker is Mr. William
11 P. Elmore, the former Mayor of Dunn. Mr. Elmore,
12 you have the floor.

13 MR. ELMORE: Thank you, Mr. Chairman.
14 And for those at the other sites, thank you for
15 giving us an opportunity to come. I really didn't
16 come to plan to speak, got here and saw you didn't
17 have a lot and didn't have a lot of the other
18 speakers. I think we're all here saying the same
19 thing in a little different way.

20 We've seen some gerrymandered lines drawn
21 in our little city of Dunn, Harnett County. And,
22 of course, I know you all have been tasked with
23 doing the state and house seats and the
24 congressional and, you know, we want you to do a
25 good job. And I agree with the first speaker,

1 let's make it a people thing, but let's straighten
2 out some of these lines that have been
3 gerrymandered in the past and -- and give a reason
4 why you're doing it.

5 You've got a hard task with the census,
6 and I think what our previous speaker just said,
7 it's going to cost North Carolina dearly the way
8 this last census was taken and people and the
9 validity, and there ought to be a correction
10 method on that somehow.

11 But I know you're going to do a good job.
12 You're going to it with the people's interest. And
13 let's keep our people in mind. Let's try not to do
14 the gerrymandering, but where we've seen mistakes
15 made in the past years, I ask you to take a good
16 look at them and let's straighten them out and give
17 a reason for why you are doing it. Thank you.

18 REPRESENTATIVE LEWIS: Thank you, Mr.
19 Elmore. Pardon me. We're going to go to our
20 Randolph County site now. Representative Hurley,
21 do you have another speaker?

22 REPRESENTATIVE HURLEY: No, sir, Mr.
23 Chair. That was the only one.

24 REPRESENTATIVE LEWIS: Thank you -- thank
25 you, Representative. I have the advantage of

1 having the Lenoir County site on my screen over
2 here, so we will stay here in Harnett. And the
3 next signed up speaker is Erica Galyean. Ms.
4 Galyean, you have the floor.

5 MS. GALYEAN: Thank you for giving me the
6 opportunity to speak. One thing I would applaud
7 our legislators on with this redistricting is you
8 have opened it to the public and tried to make it a
9 very transparent process, and I thank you for that.

10 When you're redoing the line -- about a
11 year or so ago I was in Sampson County and I
12 remember talking with several people, and they
13 really weren't sure what district they lived in
14 because Sampson County encompassed three or four
15 different districts. And I hope that you all work
16 on the lines, that it will be so that people that
17 live in the district, they actually knew who their
18 representative was, but they couldn't tell you what
19 the number was. And I hope that that's something
20 that will be taken into consideration because it
21 does cause a lot of confusion for people to not
22 know what area they're in. And, again, having this
23 transparency for everybody to know what's going on,
24 it really shows that the legislators are trying to
25 do it without gerrymandering, as it has been done

1 in the past. Thank you.

2 REPRESENTATIVE LEWIS: Thank you, Ms.
3 Galyean. The Chair notices that there are other
4 people in the audience who have not signed up to
5 speak. If anyone would like to offer any remarks,
6 we will open the floor up and recognize you to do
7 that at this time.

8 (No response.)

9 REPRESENTATIVE LEWIS: Seeing none at
10 this time, let us check in again with Randolph
11 County. Representative Hurley, do you have anyone
12 else who would like to speak at this time?

13 REPRESENTATIVE HURLEY: No, Mr. Chair.
14 No one else.

15 REPRESENTATIVE LEWIS: And we will check
16 in one last time at Lenoir County. Representative
17 LaRoque?

18 REPRESENTATIVE LAROQUE: Mr. Chairman,
19 we're just like we have been. Just us.

20 REPRESENTATIVE LEWIS: Thank you,
21 Representative LaRoque and Representative Hurley.
22 I would like to thank each and every one of you who
23 took part tonight. Our staff here at Harnett is
24 going to pass out -- and the Chair would ask that
25 the staff at each site, if it has not yet been

1 done, so -- this is the 2011 redistricting guide.
2 This has a tremendous amount of information
3 regarding both statutory and case law that will be
4 used by the legislators in the actual map drawing
5 process. The Chair would encourage each of you who
6 have an interest in this to please feel free to
7 take one.

8 The Chair would also like to point out
9 that the website that I alluded to earlier, the
10 www.ncleg.net/redistricting, will take you to a
11 host of online information, literally all of the
12 numbers, all of the things that are going to be
13 reviewed by the committee that will ultimately draw
14 the maps are online. This is an effort to allow
15 maximum dissemination of information.

16 And, finally, we do make available at the
17 General Assembly a computer and staff assistance.
18 If you, as a member of the public, would like to
19 participate in actually drawing maps yourself, you
20 can sign up via the General Assembly website or via
21 a phone call to the General Assembly for four-hour
22 time blocks in which you can access to the exact
23 same computers, and the exact same Maptitude, which
24 is the name of it, Maptitude software, that the
25 legislators will use in drawing the maps.

1 I am very appreciative to all of you who
2 took time to come out tonight. I say a very
3 special thank you to all of the host venues,
4 including, of course, Campbell University, in which
5 I am standing, Lenoir Community College and
6 Randolph Community College. I know that there was
7 a great amount of work put forth by the staffs of
8 all these institutions, and it is very much
9 appreciated.

10 With that, so that we can make sure we've
11 received as maximum input as time has allowed, the
12 Chair will ask one more time if there is anyone
13 else who would like to offer any remarks.

14 (No response.)

15 REPRESENTATIVE LEWIS: Seeing none in
16 Harnett, the Chair will ask one more time in
17 Randolph County.

18 REPRESENTATIVE HURLEY: No. Mr. Chair,
19 no one else.

20 REPRESENTATIVE LEWIS: And the Chair can
21 see that Representative LaRoque is still with all
22 of his friends. And --

23 REPRESENTATIVE LaROQUE: I am. Thank
24 you, Mr. Chairman.

25 REPRESENTATIVE LEWIS: With that, if

1 there are no further speakers, then this public
2 hearing on redistricting does stand adjourned.
3 (THEREUPON, THE PROCEEDINGS WERE ADJOURNED.)

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Committee Sergeants at Arms

NAME OF COMMITTEE Randolph Community College

DATE: 4/29/2011 Room: CTC 110

House Sgt-At Arms:

1. Name: Ken Kirby
2. Name: _____
3. Name: _____
4. Name: _____
5. Name: _____

*Jim Meredith
Liberty*

SEN. JERRY TILLMAN
Rep PAT HURLEY
Rep BILL MCGEE

Senate Sgt-At Arms:

1. Name: Kelly Kirk, Director of Distance Learning
2. Name: TRACY EMERSON, Distance Education Techni-
cal Specialist
3. Name: _____
4. Name: ROBERT GRAVES, Randolph Community College
Director of Safety +
Emergency Preparedness
5. Name: _____

Public Hearing Site

Randolph Community College

Public Hearing Date

April 29, 2011

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional – Requested for Voting Rights Act purposes only.
1	Jim Meredith	5326 Romseur-Jeliah Liberty, NC 27298	Voter	W
2	Mary Anderson	The Courier Tribune		
3				
4				
5				
6				
7				
8				
9				

Public Hearing Site Randolph Community College
Public Hearing Date April 29, 2011

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

	Jim Meredith	
1		
2		
3		

Public Hearing Site Harnett Co. / Campbell Univ
Public Hearing Date 4-29-11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

✓	1	LTC MIKE SHAEFER	FUNDING FOR SERVICE MEMBERS FAMILIES - (ARMED SERVICES COM.)
✓	2	Mr. P. Abe" Elmer	Former Mayor of Dunn
✓	3	~~Cole Poyner~~	~~HARVETT Resident~~
✓		Dina Meredith	Randolph County

Public Hearing Site Harnett Co. / Camp Univ-

Public Hearing Date 4-29-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
40	Erica Gallion	109 Timber Creek Dr Dunn NC 28334		W
41	Ben Bräuel	General Assembly		
42	Harris Blee	Po Box 4266		
43	Lee Settle	166 SUNDA CRACK 13W1 PINEHURST		
44	ROGER FARINA	306 PINE VALLEY LN SAUFORD NC 27332		
45				
46				
47				
48				
49				

Public Hearing Site Harnett Co / Camp 11 Univ.

Public Hearing Date 4-29-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
50	Goldie Pryor	P O Box 88	N/A	AA
51	MIKE SHAFER	^{N.C.} BUELS CREEK	N/A	N/A
52	Carolyn Elmore Brewington	1503 Fairview St. Dunn		
53	William P "Abe" ELmore	P.O. Box 668 Dunn	N/A	N/A
54	William F Barfield	1304 Guy Ave Dunn	N/A	N/A
55	Tom Woerner	Po Box 1564	Daily Record	N/A
56	Nolan Perry	25 Landis Lane Apt 302	Campbell College Republicans	N/A
57	Malia Zaytoun	447 Stewart Town Rd Lillington	Campbell College Republicans/Elmore's campaign	N/A
58	Ruth Carr	224 N Clinton Dunn	—	—
59	ROBIN A. WAFFEN	199 CHICORA CREEK DR.	—	—

Public Hearing Site Harnett Co. / Campbell Univ.
Public Hearing Date 4-29-11

SPEAKERS

NAME

ORGANIZATION (optional)

4	✓ Erica Gallion	
5		
6		
7		
8		

Helen Long (Sen. Rucho)

From: DBS@ncleg.net
Sent: Thursday, April 28, 2011 8:00 PM
To: RedistrictLA; Helen Long (Sen. Rucho); Paul Rucho (Sen. Rucho); Denise Huntley Adams (Research); Kelly Quick (Research); Erika Churchill (Research); Peter Capriglione (ISD, Applications Manager); Kelly Stallings (ISD)
Subject: April 29, 2011 Redistricting Public Hearing Speaker Sign-up

Redistricting Public Hearing (4/29/2011)

Date	First Name	Last Name	Organization	Location
7:00:00 PM	GOLDIE	PRYOR	HARNETT COUNTY RESIDENT	Campbell University, Buies Creek
Total	1			

4/28/2011 8:00:02 PM

The report is accessible at the following address:

<http://ncgawebpi/ReportServer?%2FRequest%20to%20Speak%2FRedistrictingPublicHearing2&rs%3AParameterL&US>

MINUTES
JOINT SENATE AND HOUSE COMMITTEES ON
REDISTRICTING
PUBLIC HEARINGS

April 30, 2011

The Joint Senate and House Committees on Redistricting Public Hearing were held on Saturday, April 30, 2011, at 9:30 a.m.

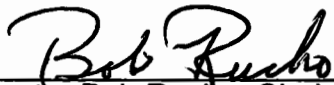
The meetings were held at Central Piedmont Community College in Charlotte, North Carolina (Mecklenburg County), and satellite locations met simultaneously via video-conferencing at Rowan-Cabarrus Community College at Kannapolis, North Carolina (Cabarrus County), Cleveland Community College in Shelby, North Carolina (Cleveland County), and Catawba Valley Community College at Hickory, North Carolina (Catawba County).

Senate Chairman Senator Bob Rucho presided over the meeting from the Mecklenburg County site. Senator Andrew Brock chaired the Cabarrus County site, Senator Debbie Clary chaired the Cleveland County site, and Senator Ralph Hise and Senator Jim Forrester chaired the Catawba County site.

A transcript of the meeting is attached, along with the Visitor Registration sheet and Speaker Sign-Up sheet.

The meeting was adjourned at 10:23 a.m.

Respectfully submitted,



Senator Bob Rucho, Chair



Helen Long, Committee Clerk



Senator Andrew Brock, Vice Chair



Senator Harry Brown, Vice Chair

Principal Clerk _____
Reading Clerk _____

SENATE
NOTICE OF JOINT COMMITTEE MEETING

The Senate and House Committees on **Redistricting** will meet at the following time:

<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>LOCATIONS</u>
Saturday	April 30, 2011	9:30 a.m.	See Below

The following is a list of the next scheduled Redistricting Public Hearings for the following counties. A link for directions is listed under each location.

Registration for speaking will begin:

- 1) At the hearing site: 1 hour prior to the convening of the hearing, and will close prior to the beginning of the hearing.
- 2) On-line: 5 days in advance of the hearing and will close 24 hours in advance of the hearing. There are limited slots for on-line sign-up. Please visit the following link to sign-up to speak at any of the locations for the April 30 Public Hearing: <http://www.ncleg.net/applications/rts/Redistricting.aspx?id=8>.
- 3) Each speaker will be limited to five minutes.

Locations:

Mecklenburg County

Central Piedmont Community College, CPCC Central Campus
Richard Hagemeyer Learning Resources Center, Room LR 035
1201 Elizabeth Avenue
Charlotte, NC 28235
<http://www.cpcc.edu/campuses/central/maps-locations-and-addresses>

Cabarrus County

Rowan-Cabarrus Community College
North Carolina Research Campus (NCRC), Room 120 (Room changed to 334)
399 Biotechnology Lane
Kannapolis, NC 28081
<http://www.rccc.edu/maps/>

Cleveland County

Cleveland Community College, Rotary Center for Global Studies
137 South Post Blvd.
Shelby, NC 28152
http://www.clevelandcommunitycollege.edu/future_students.php?cat=136

Catawba County

Catawba Valley Community College
Cuyler A. Dunbar (CAD) Building, Room 114
2550 US 70 Hwy. SE
Hickory, NC 28602-8302
http://www.cvcc.edu/About_Us/Directions_Campus_Map.cfm

Senator Bob Rucho, Chair

NORTH CAROLINA GENERAL ASSEMBLY
PUBLIC HEARING ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Charlotte, North Carolina
Saturday, April 30, 2011
Reported by Dee Anna Michaels

Sessions simulcast from the following locations:

Central Piedmont Community College (Mecklenburg County)
Rowan-Cabarrus Community College (Cabarrus County)
Cleveland Community College (Cleveland County)
Catawba Valley Community College (Catawba County)

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 BY SEN. RUCHO:

2 I want to welcome everybody to our community
3 meeting, public hearing this morning and I'm
4 Senator Bob Rucho, Chairman of the Senate
5 Redistricting Committee. And today's hearing
6 is a joint effort with the Senate
7 Redistricting Committee and the House
8 Redistricting Committee, which Representative
9 David Lewis is our senior chairman. Along
10 with our sites in Charlotte-Mecklenburg today
11 and Central Piedmont Community College, we are
12 also videoconferencing with sites in Cabarrus
13 County at Rowan-Cabarrus Community College,
14 and Cleveland County at Cleveland Community
15 College, and in Catawba County at Catawba
16 Valley Community College. And I want to say
17 thank you to each of the host site locations
18 for allowing us to use their facilities in an
19 effort to have some outreach and some ability
20 to hear from the public as to their thoughts
21 on redistricting. Before we move forward, I'm
22 going to touch base with each of the sites and
23 want to, first of all, talk with Senator Brock
24 in Cabarrus County. Senator Brock, are you
25 there and will you introduce any House and

Transcript of the Proceedings
Public Hearing on Redistricting

3

1 Senate members there or any elected officials
2 that might be present?

3 BY SEN. BROCK:

4 Good morning. It's just me right now
5 currently. We have no others. We have a very
6 special event today in Kannapolis where most
7 of our people -- our local elected officials
8 are. Sargent Donald Shue is coming home from
9 Vietnam after 41 years.

10 BY SEN. RUCHO:

11 Thank you, Senator Brock. I have Senator
12 Clary in Cleveland County. Senator Clary?

13 BY SEN. CLARY:

14 Good morning, Senator Rucho. I am the only
15 one at this location this morning.
16 Representative Moore ran a 5K this morning.
17 I'm very proud of him, but he will be here
18 shortly.

19 BY SEN. RUCHO:

20 Very good. Did you have any other elected
21 officials that might be present?

22 BY SEN. CLARY:

23 No, sir.

24 BY SEN. RUCHO:

25 All right. If we should have anyone enter

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 late, then I would hope that you'll -- during
2 the period where you're having the mic, to
3 make a point of introducing them if you'll be
4 kind enough. And then I have Senator
5 Forrester in Catawba County. Senator
6 Forrester, are you there?

7 BY SEN. FORRESTER:

8 Yes, I am. Thank you, Senator Rucho.

9 BY SEN. RUCHO:

10 Okay. And do you have any -- any other
11 legislators there and -- or a public official
12 that you might want to recognize?

13 BY SEN. FORRESTER:

14 No, sir. Well, I take that back. Senator
15 Hise just walked in the door. He's coming
16 down to the front right now.

17 BY SEN. RUCHO:

18 Great.

19 BY SEN. FORRESTER:

20 He and I will be the two representatives of
21 the Senate here today. We do not have any
22 other officials present at this time, Senator
23 Rucho.

24 BY MR. RUCHO:

25 Thank you very much. And I appreciate each of

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 you coming up on a pretty Saturday morning and
2 joining with us and the public in this very
3 important effort. While we're here now I want
4 to make a point of introducing some of our
5 legislators. And, again, we've got Senator
6 Malcolm Graham, member of the Committee from
7 Mecklenburg County; Representative Beverly
8 Earle from Mecklenburg County; Representative
9 Ruth Samuelson from Mecklenburg County, and
10 then Representative Bill Brawley. I don't
11 think I've missed anyone, but we'll keep an
12 eye open for anyone else that might be in
13 attendance. And so with that being said, we
14 also have a -- yes, thank you very much. And
15 I would like to recognize President Tony
16 Zeiss. Tony, thank you for allowing us to use
17 your facility here. It's beautiful and ---

18 BY MR. ZEISS:

19 It's a pleasure to have you here, Senator
20 Rucho.

21 BY SEN. RUCHO:

22 It's state of the art. We love it. Thank
23 you. And today we are also having another
24 series of meetings starting at 4 p.m. will
25 take place in Buncombe, Watauga, and Jackson

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 County. So, you know, this is an effort that
2 we're trying to expand and reach out as far as
3 we can across the state. Again, I'd like to
4 thank everyone for taking the time to come to
5 this public hearing at each of our sites.
6 This is our sixth group of public hearings for
7 the 2011 redistricting. In the coming weeks
8 we will also be visiting, again, Watauga,
9 Jackson, New Hanover, Bladen, Brunswick,
10 Onslow, Craven, Wayne, Pitt, Wilson, Beaufort,
11 Edgecombe, Halifax, Pasquotank, Chowan, Dare,
12 which will conclude 36 sites that we're
13 reaching across the state. This is the
14 largest effort that has ever been made in
15 redistricting in the history of North -- in
16 North Carolina, so that is reflecting the
17 importance of this task we, the committee
18 members and the General Assembly, have before
19 us. And I want you to understand that in all
20 of our sites that the purpose of this hearing
21 is to hear from you. Now whether you've
22 signed up online in advance or taken the time
23 to come down and put your name on the list,
24 you'll have an opportunity to speak for five
25 minutes on whatever ideas you may have about

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 redistricting. We want to hear how
2 redistricting will affect you and your
3 community. You may choose to address legal
4 issues related to redistricting such as the
5 Voting Rights Act or requirements of drawing
6 districts under the federal and state laws.
7 You may choose to share how redistricting has
8 affected your community in the past and how
9 you hope it will affect your community moving
10 forward. You may choose to share with -- what
11 you regard as communities of interest in your
12 area whether it be historical, cultural,
13 ethnic, geographical, or economic ties that
14 make the people in your area of the state
15 think of themselves as a community. You may
16 choose to share what important geographical or
17 political subdivisions exist in your community
18 and how they should be taken into account when
19 the lines are drawn. Again, however you
20 choose to spend your five minutes, we're here
21 today to hear from you. We're not here to
22 answer questions, but to listen and learn from
23 your comments and your ideas. Every 10 years
24 the -- following the census, the legislators
25 and the General Assembly are asked -- tasked

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 by the Constitution to redraw the lines to
2 create new districts in Congress, the State
3 Senate, and the State House. It's critical
4 that this process be open and transparent and
5 that it leads to fair and legal districts for
6 preclearance by the US Justice Department.
7 Now as to the rules today, I'll introduce each
8 speaker and I'll try to move from site to site
9 so everyone will have an opportunity to speak
10 and not just listen for extended periods of
11 time. I would direct you to a staff person at
12 the site who would be holding up cards, a
13 green one which means that you have one minute
14 remaining in your time allotted and the red
15 one is your time is expired. We'd welcome any
16 written comments that you may have in addition
17 to what you present today verbally. And this
18 is -- this can be, again, handed to our staff
19 person. And you can also give your input
20 directly online which -- you might -- I'll
21 mention it again later on, but it's
22 ncleg.net/redistricting for public comments
23 that can be made online on the website. And
24 that is if you just didn't have enough time or
25 you came up with some additional thoughts

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1 after hearing and learning some of the things
2 that are going on. So at this time I would
3 like to introduce our first speaker. And
4 we're going to start here in -- at -- in
5 Charlotte in the Central Piedmont Community
6 College. And I'm going to ask if June Kimmel
7 would come up. Please identify yourself and
8 any organization that you may be representing,
9 Ms. Kimmel. Thank you.

10 BY MS. KIMMEL:

11 Thank you, Senator Rucho. My name is June
12 Kimmel, and I live in Davidson, North Carolina,
13 and I'm an active member of the League of
14 Women Voters in Charlotte-Mecklenburg. We are
15 working in concert with the Alliance for Fair
16 Redistricting and Minority Voting Rights on
17 the issue of redistricting. The League of
18 Women Voters US is a nonpartisan national
19 organization formed in 1920. Unofficially
20 that means that if we live in a Republican
21 district, we're considered Democratic. And if
22 we live in a Democratic district, we're
23 considered Republican. It encourages active
24 and informed citizens to be part of the civic
25 life of their communities and avail themselves

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1 of the right to vote. We've taken positions
2 on the electoral college, redistricting, and
3 voting requirements. Voting patterns moved
4 us, after the 1990 and 2000 censuses, to look
5 at redistricting in North Carolina. And our
6 criteria include it being an open process
7 including accepting nonpartisan proposals for
8 serious consideration, respect for existing
9 relationships, and drawing new district lines
10 based not on incumbency but city, county, and
11 local identifications. And some of this has
12 been codified and made explicit in the law.
13 Respect for communities of interest, social,
14 ethnic, racial, economic considerations should
15 be included in the same way that political
16 considerations are -- compact, contiguous
17 territories, distinct geographic boundaries,
18 and the encouragement of dialogue. Altering
19 districts to reduce a minority presence is
20 clearly unacceptable, just as making an island
21 of minority votes is. The whole point of
22 voting is to elect legislators who represent
23 all their voters. Because of our history of
24 court challenges we must be particularly
25 sensitive and alert to changes that mindfully

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1 and inadvertently weaken the minority vote.
2 As we should expect, incumbents want to retain
3 their seats or possibly regain them.
4 Supporting the unknown is hard, but it's also
5 hard to make a case for continued
6 representation over a very long period.
7 Taylor Batten in the April 3, 2000, Charlotte
8 Observer estimated that 42 out of 50 North
9 Carolina Senate seats were decided by more
10 than 10 percentage points and 100 of our 120
11 House seats were equally safe. Safe seats,
12 whether Democrat or Republican, discourage
13 voters from taking an active role because they
14 rightly intuit that their vote does not really
15 matter, whether they're in the majority or the
16 minority. Our belief, our legislative bodies
17 would accomplish more if they were less safe
18 and therefore less polarized. If politics is
19 the art of compromise and a legislator has no
20 reason to learn to compromise, decisions do
21 not recognize the voice of all citizens. How
22 can the polls show that 70 percent of those
23 asked would be willing to have taxes raised to
24 support schools, but it has no purchase with
25 legislators who are carefully insulated from

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1 their constituency? Future leadership comes
2 from competition and an informed airing of
3 issues, that makes people want to vote and
4 helps make our legislators truly
5 representative and accountable. Thank you for
6 your attention.

7 BY SEN. RUCHO:

8 Thank you very much for your comments. I'd
9 like to move to Rowan County and Senator
10 Brock. Senator Brock, I have Paul Leonard.

11 BY SEN. BROCK:

12 Yes, sir. He's coming to the podium now.

13 BY SEN. RUCHO:

14 Thank you, sir.

15 BY MR. LEONARD:

16 Good morning, people here and at the other
17 sites. My name is Paul Leonard, private
18 citizen. I'm here with my wife. I'm a
19 Caucasian of ancestry. My wife is Puerto
20 Rican. I have lived and worked for 10 years
21 in South America in the jungles of Peru, three
22 of those years -- over three years with United
23 States Peace Corps. And we have -- and I have
24 been involved in community development in one
25 way or another. We've been -- we've traveled

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1 in six different countries in Africa too. So
2 I've lived altogether for 15 years in
3 developing countries, lived and worked there.
4 And we have been involved -- we have recently
5 lived in Maryland in a Hispanic community. We
6 were involved in meetings with La Raza, the
7 people of La Raza, especially the leaders. We
8 have lived in Illinois and are very familiar
9 with Luis Gutierrez. In Illinois we have seen
10 what he has not done and we are very concerned
11 as citizens, private citizens, having learned
12 that Luis Gutierrez has come to Charlotte and
13 we wonder for what reasons. When we were
14 recently attending some La Raza meetings last
15 year, and even the year before, we have
16 learned that even last year they were planning
17 -- last year, already -- protests and rallies,
18 a series of them from May all the way through
19 the summer into September. And we saw
20 personally -- I speak Spanish, my wife is
21 Puerto Rican -- their insidious intents and
22 purposes. We are Americans, one nation under
23 God, United States of America, whereby we
24 should all come together as one people and not
25 be pitting one people or one district against

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1 another district. That will never work for a
2 house divided cannot stand. We are very
3 concerned, therefore, as citizens having seen
4 the problems in Illinois and having seen what
5 has transpired over the last two years in
6 Maryland, very concerned that La Raza has been
7 brought into the redistricting process here in
8 North Carolina. We are appalled and we want
9 to send out a warning that La Raza, the
10 leaders, do not have good intentions. At one
11 particular meeting where I would have
12 difficulty as a Caucasian to bring this up, my
13 wife, who is Puerto Rican, asked a La Raza
14 leader personally at a meeting, to his face --
15 because we live in a Hispanic community we saw
16 what the people were doing. And so she asked
17 him, "Why do your people," she being Puerto
18 Rican included herself, "come here to
19 disrespect this country?" Because we saw it
20 personally, what they were doing. He would
21 not answer. They do not have intentions of
22 building up this country. Their intentions
23 are very selfish and they wish to use the
24 Hispanic people, unfortunately, as pawns and
25 as tools for their own purposes. They are --

1 they are to be watched very carefully and --
2 thank you, and I would -- and we are just here
3 to sound a warning that people with good
4 intentions should be brought into
5 redistricting and all important matters that
6 happen to include -- that are for the American
7 people. Because we should not be pitted one
8 against another. We should be brought
9 together in unity, one nation under God. And
10 those are my comments for today. I thank you
11 for the opportunity to share them. Thank you.
12 God bless.

13 BY SEN. RUCHO:

14 Thank you for your comments. We're going to
15 go next to Catawba Valley and Senator
16 Forrester, Senator Hise. And the speaker
17 there, and if I mispronounce it I apologize,
18 Billy Sudderth. That's going to Catawba.

19 BY SEN. FORRESTER:

20 Thank you, Senator Rucho. Senator Hise and I
21 are pleased to be here and we are trying to
22 represent you and the Committee and emphasize
23 that this needs to be a fair and legal process
24 of redistricting, and we want to involve the
25 public as much as possible. We appreciate Mr.

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1 Sudderth coming before us at this time to
2 speak.

3 BY MR. SUDDERTH:

4 My name is Bill Sudderth. I'm with the -- I'm
5 a member of the Citizens for Equity in
6 Government in Hickory. And you know that
7 historically we've never had a minority
8 representative from our area in the Senate nor
9 the House. It's never been in discussion,
10 taxed but never represented. I offer this
11 resolution to you, whereas we have never been
12 truly represented democratically in the North
13 Carolina General Assembly for the Catawba
14 County area, it is essential for this under-
15 represented minority to have an effective
16 voice in state government affairs as their
17 (inaudible) can affect our daily lives; and
18 whereas the possible redistricting of the
19 88th, 89th, and 96th District may (inaudible);
20 and whereas the (inaudible) denied that
21 possibility rest assured that representative
22 democracy is diminished in our community.
23 Therefore be it resolved that the minority
24 citizens of Catawba County, North Carolina, in
25 our area urge the North Carolina General

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1 Assembly to consider our resolution during the
2 upcoming redistricting (inaudible) establish a
3 majority, minority district. Thank you.

4 BY SEN. FORRESTER:

5 Thank you.

6 BY SEN. RUCHO:

7 Thank you for your comments. We're going to
8 move to Cleveland County, Senator Clary. And
9 I have Mary Degree.

10 BY SEN. CLARY:

11 Thank you, Senator Rucho. Mary Degree is
12 making her way forward.

13 BY SEN. RUCHO:

14 Thank you, Senator.

15 BY MS. DEGREE:

16 Good morning. I am Mary Degree, a citizen of
17 Cleveland County, Shelby, North Carolina. And
18 I am District 2 director of the NAACP. We
19 come to remind you that as a committee we are
20 legally obligated to consider race in the
21 redistricting process. We understand that
22 race cannot be a predominant factor in the
23 process, but the Voting Right Act requires the
24 creation of districts that provide opportunity
25 for minorities to elect their candidates of

1 choice. We want you to reserve the current
2 majority, minority voting districts and to add
3 any others where appropriate as indicated by
4 the census data. In creating these voting
5 districts we want you to avoid packing the
6 districts so that the minority population is
7 overconcentrated into any one election
8 district. Consider not only the minority
9 population when creating these voting
10 districts, but also the minority voting age
11 population. We want you to avoid
12 redistricting plans that dilute the minority
13 vote. This includes cracking where district
14 lines are drawn so that an area of
15 concentrated minority population that is large
16 enough for separate representation is divided
17 and spread among several districts -- are not
18 predominantly white. Also avoid stacking
19 where you draw district lines so that a large
20 minority population concentration is included
21 with a larger white population with the effect
22 of depriving minority voters of a voting
23 majority. Redistricting plans should comply
24 with the United States Constitution Section 2
25 and 5 of the Voting Rights Act, the North

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1 Carolina Constitution, applicable federal and
2 state case laws, and traditional redistricting
3 principles. While only 40 of the 100 counties
4 in North Carolina are covered by Section 5 of
5 the Voting Rights Act and therefore are
6 subject to preclearance, no plans should be
7 retrogressive and have an effect of making
8 minorities worse off than the current plan.
9 In closing, we want to encourage more dialogue
10 in the minority community. Again, I want to
11 thank you.

12 BY SEN. RUCHO:

13 Thank you very much for your comments. We're
14 next going to Central Piedmont and we would
15 like to have Beth Henry speak. Please
16 identify yourself and any group you may be
17 representing.

18 BY MS. HENRY:

19 My name is Beth Henry and I'm not really
20 representing a group, although I belong to
21 some groups. I live in Plaza Midwood, a very
22 diverse neighborhood close to uptown
23 Charlotte. I love living in a neighborhood
24 that includes people of many different
25 nationalities and backgrounds. Right now I'm

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1 in House District 102, Senate District 37, and
2 Congressional District 12. Born in Sampson
3 County I was raised a Democrat, but have
4 become disillusioned with Mecklenburg
5 Democrats for consistently favoring the
6 interests of Duke Energy and other Fortune 500
7 corporations over small businesses and
8 individuals. Because of my concerns about the
9 growing role of money in politics I joined
10 Democracy NC. I attended their recent forum
11 about redistricting and afterwards read more
12 about the process. Until last week I had
13 never heard of packing, but now I am concerned
14 that my neighborhood may be a target for that
15 gerrymandering technique. I suspect those
16 drawing the lines may be tempted to pack my
17 diverse neighborhood uptown into a majority-
18 minority district. I am not eager for my
19 district to be a sure winner for the
20 Democratic party. At the same time, I don't
21 want to be in a sure Republican district. I
22 vote based on candidates' stands on issues I
23 care about. For example, Representative
24 Samuelson is someone I admire and agree with
25 on a lot of issues. My ideal would be a

1 district that could elect a Republican or a
2 Democrat or even an Independent so that my
3 vote might actually mean something. Even
4 though I'm disillusioned with the Democrats, I
5 have basically been satisfied with the
6 representation of Representative Watt, Senator
7 Clodfelter, and Representative Carney. I have
8 contacted each of them several times about
9 various issues and they have been interested
10 and responsive even when they disagree with
11 me. Because they have done a good job and
12 have accumulated important experience and
13 seniority that benefit me and other
14 constituents, we should have a meaningful
15 opportunity to reelect them. Please do not
16 pack certain districts with those incumbents'
17 current constituents like me and then make the
18 incumbent Democrats essentially unelectable by
19 placing them in new districts likely to vote
20 Republican. It would be unfair to their
21 current constituents to use packing to
22 separate incumbents from their base of likely
23 success and put them in new Republican-leaning
24 districts. I'm also concerned that folks must
25 guess what might be done to affect our

1 districts. Perhaps I've guessed wrong and
2 packing will not be an issue. It's hard to
3 know what to say here when I don't know what
4 is planned. Please publish maps of what you
5 propose to do and then give citizens a truly
6 meaningful opportunity to be heard once we
7 have reviewed the maps. It's unfair to be
8 forced to talk about what we imagine you might
9 do. Finally, I ask you not to disenfranchise
10 minorities in the way you draw the districts.
11 To me disenfranchising any part of our
12 community hurts all of us and weakens our
13 democracy. Thank you.

14 BY SEN. RUCHO:

15 Thank you for your comments. We'll next go to
16 Rowan-Cabarrus County Senator Brock and
17 looking for Shelby Payne.

18 BY MS. PAYNE:

19 I would like to allow John Bare to speak at
20 this time instead of me, if that's okay.

21 BY SEN. RUCHO:

22 Could we have -- I need for the reporter the
23 clear name, please, Senator Brock.

24 BY SEN. BROCK:

25 John Bare. He signed up this morning.

1 BY MR. BARE:

2 Yes, I would like to address the 12th
3 District. This is an extreme gerrymandering
4 district, and I've lived in it for most of my
5 voting life here in North Carolina. And I've
6 got a real problem with living inside of a
7 district that drives to one extreme as opposed
8 to a community effort. This is 67 percent
9 Democratic. So we really -- the people who
10 have even a moderate voice at all in this
11 district have no representation whatsoever if
12 we oppose anything that's going to happen from
13 a Democratic side. I would rather that
14 districts are drawn up as communities in
15 localized areas instead of making what is
16 equivalent to a snake in the middle of the
17 state just so that you can get a voting bloc
18 for one -- the source of representation. This
19 country was founded on ideas, not on race, not
20 on creed, or anything else. We need to go
21 back to communities and have communities make
22 decisions within themselves and not be driven
23 to the extreme so that we have one extreme
24 fighting with another extreme all the time.
25 Let's get back to a melting pot instead of a

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1 tossed salad for our representation, please.

2 Please, do something about this strange

3 gerrymandering that we've been subject to for

4 years and years. There's no -- there's really

5 no sense in it. Thank you, very much.

6 BY SEN. RUCHO:

7 Thank you for your comments. Senator Brock,

8 is Shelby Payne not choosing to speak today or

9 is she going to be later?

10 BY MS. PAYNE:

11 That's correct.

12 BY SEN. BROCK:

13 Correct.

14 BY SEN. RUCHO:

15 You might want to -- you might want to help us

16 with that answer. Is she ---

17 BY SEN. BROCK:

18 She will not speak.

19 BY SEN. RUCHO:

20 She will not speak. Thank you very much.

21 Okay, let's go to Cleveland County, Senator

22 Clary. And looking for Dennis Davis.

23 BY SEN. CLARY:

24 Thank you, Senator Rucho. Former Senator

25 Dennis Davis is here with us today and I think

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1 Dennis fully understands the redistricting
2 process and appreciate him being willing to
3 speak today.

4 BY MR. DAVIS:

5 Thank you, Senator Rucho and Representative
6 Lewis and all the members of the Committee. I
7 know you have a difficult task. As Senator
8 Clary stated, I'm familiar with redistricting.
9 You can't please everybody in this effort, but
10 I think the key thing that I want to speak to
11 you today is about fairness. And for some of
12 those that have spoke this morning, I feel
13 your pain. I've lived in a district of
14 political purgatory for the last 10 years as
15 far as my House representation. And I don't
16 just speak on behalf of the Republican Party;
17 although, I'm a member of the local executive
18 committee and state executive committee. I
19 think I can speak for all the people in this
20 district. We have, for example, three
21 precincts that are adjoined to another county
22 which has 17 precincts. Now those three
23 precincts that are represented by my county,
24 one is a majority, minority district; one is a
25 Republican district; and one is a Democrat

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1 district and we're all disenfranchised. We
2 basically have no say-so in what's taking
3 place and we have no voice in the
4 representation because of the overwhelming
5 majority in the adjoining county. What I
6 would like to do, and in the idea of former
7 colleague, Representative John Weatherly, I'd
8 like for us to be fair about this. I know you
9 guys are behind the eight ball here and you're
10 trying to do the best you can. But I would
11 like to see us move towards, maybe, a
12 nonpartisan committee to draw these districts.
13 But for right now I know that you've got to do
14 this job. Under the Voting Rights Act with
15 the 40 counties or so, I know that we have to
16 look at the inevitability of putting some
17 precincts with other counties. But as much as
18 possible, I urge you to keep counties and
19 boundaries intact. Those people have certain
20 things that they see together and work
21 together and they're communities of interest.
22 Like I said, we have three distinct, different
23 precincts and they're all disenfranchised. If
24 we had those precincts within the same county,
25 I feel that we'd have more of a voice because

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1 we could join with other minority communities,
2 other Republican communities, other Democratic
3 communities to make our voice be heard. I've
4 changed my mind about single-member
5 representation. I think we may have had a
6 better idea when we had multi-member
7 districts, but I understand the ruling and the
8 court situation. I also understand that you
9 guys are under a lot of pressure with the
10 Voting Rights Act in the 40 or so counties
11 that you have to deal around. All I'm asking
12 to you is that you be fair and understand that
13 whatever you do here in drawing these
14 districts is going to affect people for the
15 next 10 years. I'll give an example of
16 myself. I chose to run for a House seat back
17 early when the redistricting was going on. I
18 filed as a candidate. Funny thing happened, I
19 was removed from that district into another
20 district. As soon as the election was over, I
21 was put back into that district. There's been
22 some blatant politics going on in the past
23 with this redistricting. And what I'm asking
24 you as a committee is to be as fair as
25 possible to as many people as you possibly

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1 can. So that whether it's a minority
2 community, a Democrat community, or a
3 Republican community, that we can all be
4 fairly represented in that great institution
5 of the General Assembly that we all know and
6 love. And I know you guys are going to do a
7 good job. Just remember I'm here to remind
8 you, let's be as fair as we can about these
9 lines and the people that we represent. We're
10 all North Carolinians. Thank you.

11 BY SEN. RUCHO:

12 Thank you for your comments. We're going to
13 return to Central Piedmont again. And our
14 next speaker will be Maxine Eaves.

15 BY MS. EAVES:

16 Chairman and members of the Committee also, my
17 name is Maxine Eaves, and I am with the League
18 of Women Voters and Democracy North Carolina
19 and the Alliance for Fair Redistricting. When
20 I started I did not know as much about
21 redistricting as I do know. I also ran for
22 city council a couple of years ago and the
23 same thing happened to me, not savvy about
24 redistricting, I was -- my base precincts are
25 always moved into another district, so

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1 therefore I'm trying to be knowledgeable now
2 about redistricting. And I have five
3 concerns: fairness, transparency, meaningful
4 participation, protect minority voting rights,
5 and legality. The redistricting process
6 should be fair and responsive to the public
7 input. Committees should avoid the use of
8 gerrymandering techniques creating an
9 advantage for a particular party or to
10 manipulate geographic boundary to create
11 partisan and or incumbent protective
12 districts. Also districts should fairly
13 reflect minority voting strengths without
14 packing, tracking, stacking, or otherwise
15 disenfranchising minorities. Transparency,
16 the process should be open and transparent.
17 The data, time lines, and criteria, maps
18 should be a matter of public record easily
19 accessible on the internet, guidelines for
20 public submission. The proposed redistricting
21 maps should be clearly stated on the website.
22 The public should be allowed to watch the
23 actual map-drawing process via video stream.
24 It's already implemented during public
25 hearings and other meetings hosted at the

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1 General Assembly. And the meaningful
2 participating, the Committee has not yet
3 publicized its redistricting criteria nor
4 given public access to planning under
5 consideration. At this stage it is difficult
6 to provide meaningful comment. Redistricting
7 plans should be made public well before the
8 last hearing on May 9, 2011. The public
9 should be afforded an opportunity to provide
10 feedback on proposed maps prior to the
11 submission to the United States Department of
12 Justice for preclearance. Protect minority
13 voting rights, the Committee is legally
14 obligated to consider race in the
15 redistricting process. While race cannot be a
16 prominent factor in the process, the Voting
17 Rights Act requires the creation of districts
18 that provide an opportunity for minorities to
19 elect their candidates of choice. The
20 Committee should observe -- the Committee
21 should preserve currently majority, minority
22 districts and work to create districts that
23 fairly reflect minority voting strata,
24 minority coalition districts, crossover
25 districts, and influence districts should be

1 enacted to empower previously disenfranchised
2 people of color. Legally, the redistricting
3 plan should comply with the United States
4 Constitution Section 2 and 5 of the Voting
5 Right Act and the North Carolina Constitution,
6 applicable federal and state case law, and
7 traditional redistricting principles. While
8 only 40 of the 100 of the counties in North
9 Carolina are covered by the Section 5 of the
10 Voting Right Act and therefore subject to
11 preclearance, no plan should be retrogressive
12 and have an effect of making minorities worse
13 off than the current plan. Thank you.

14 BY SEN. RUCHO:

15 Thank you very much for your comments. I'm
16 going to check Senator Brock. Do you have
17 anyone in Rowan County -- Rowan-Cabarrus
18 Community College that would like to speak now
19 or ---

20 BY SEN. BROCK:

21 No one else.

22 BY SEN. RUCHO:

23 Okay, sir. If someone else does appear, let
24 me know. I'm going to -- going to Catawba and
25 -- with Senator Forrester, Senator Hise. I've

1 got Larry Pope. While Mr. Pope is coming
2 forward, what we're doing is I'm rotating site
3 to site so that everyone has an opportunity to
4 get input. I first finished up the early
5 sign-ups and then now I'm going through the
6 list as we proceed forward so that everyone
7 has a chance to speak and everyone will be
8 given that opportunity.

9 BY SEN. FORRESTER:

10 Mr. Pope is ready, Senator Rucho.

11 BY SEN. RUCHO:

12 Thank you, sir.

13 BY MR. POPE:

14 Thank you. I am Larry G. Pope, a resident of
15 Catawba County and the City of Hickory. And
16 what I hope will happen during this
17 redistricting process is that we get out of
18 what is called a blend system here in the City
19 of Hickory where when we vote our vote will
20 count for a ward system and not an at-large
21 system as we currently have it. Because as we
22 currently vote, we do not have the opportunity
23 to choose who we want to represent us in a
24 ward. We have what is known as an at-large
25 system. Once the ward is -- members are

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1 chosen, it does not matter who we may vote
2 for. Because with the current system, the
3 blend and at-large system takes the power away
4 from the citizens to choose who represents us
5 at the polls. Because no matter who we vote
6 for, that can be changed with the modified at-
7 large system and the one person that we choose
8 cannot be chosen as it should be. So what we
9 need to do is modify and work -- a modified
10 at-large system takes away from the voting
11 power of individuals. So I would ask the
12 State to have it such that your vote counts
13 and is not taking away from the choice that we
14 might make at the polls. So let's go back to
15 a ward system that selects for us those
16 individuals and we should have it such that
17 your vote counts and the modified at-ward
18 system is not taken away from the voter. So
19 what I would ask is that we mandate and have
20 in place the blend system is done away with
21 and the voter has his or her power of voting
22 as it should be, as the Civil Rights -- one
23 vote will count for the voters of our city and
24 our community and that we keep that vote in
25 place as it should be, and take away from

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1 those voters who should vote for who they
2 choose. Thank you.

3 BY SEN. RUCHO:

4 Thank you for your comments. Senator Clary in
5 Cleveland County, do you have anyone else on
6 the list to speak?

7 BY SEN. CLARY:

8 Senator Rucho, at this time we do not have
9 anyone else signed up to speak.

10 BY SEN. RUCHO:

11 Okay. Just let me know and we'll check back
12 through as we rotate through. All right. Our
13 next person to speak in Central Piedmont will
14 be Martin Oakes.

15 BY MR. OAKES:

16 Thank you, legislators. My name is Martin
17 Oakes. I live in Lincoln County and thanks to
18 whoever did this. This is great. I hadn't
19 seen it all put in one spot before. A couple
20 of comments. I agree with the previous
21 speaker that having public comments right now
22 before we've seen map is kind of hard to do.
23 If you repeat this process after there are
24 maps, it would be great. You will, of course,
25 need auditoriums and not just small rooms.

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 I'd also like to speak to the multi-member and
2 split county stuff that somebody got to
3 earlier. Twelve years ago Lincoln County was
4 in split districts with multi-member
5 districts. We had to talk to seven
6 legislators to get our voice heard and, of
7 course, our vote counted for nothing. Lincoln
8 County isn't that big. It's only 78,000
9 people right now. So having a seven-way split
10 is kind of ridiculous. That's all been fixed
11 now. We now have a single state
12 representative and a single senator so we only
13 have two legislators to talk to. You're
14 looking at a situation similar to that in
15 Iredell where Iredell, in the Senate district,
16 is split three ways and I'm wondering -- I
17 know you can't answer this -- whether or not
18 that will turn into a State Senate seat of its
19 own therefore causing a whole bunch of
20 surrounding dominoes to be affected and that
21 has some concern over our State Senate seat.
22 Lastly, and something you have no jurisdiction
23 over and I discovered this a lot more here, we
24 lost the chance to get another congressional
25 seat because of the way the census under

1 congressional orders counted people. And it
2 was actually done unfairly if you read the
3 details. All of the Navy personnel serving
4 overseas are counted in their home ports. So,
5 for example, Norfolk, Virginia, probably got
6 50,000 people added to their population count.
7 All of the Army people, out of Fayetteville
8 particularly, were not counted -- not counted
9 in North Carolina, not counted in their
10 original home state, just not counted. And if
11 you have any influence at all over the
12 congressional delegation, please try and get
13 them to change that so that it's fair, that
14 all the military personnel are counted the
15 same, whatever way that is. Thank you.

16 BY SEN. RUCHO:

17 Thank you for your comments. I've checked
18 already with Catawba, Cleveland, and Cabarrus,
19 so we're going to repeat again in Charlotte.
20 Georgia Lewis?

21 BY MS. LEWIS:

22 The North Carolina General Assembly and North
23 Carolina Senate Legislators, I am Georgia
24 Jacquez Lewis, a resident and citizen of
25 Mecklenburg County for over 55 years. So I'll

1 repeat that, over 55 years I've lived here. I
2 am a Hispanic Latina and I urge the North
3 Carolina General Assembly and the North
4 Carolina Senate Legislators to include the
5 representation of our populace as equally as
6 possible in the minority district voting
7 process. Also we ask that equal
8 representation by party affiliation be an
9 important consideration as well. My urgent
10 request is that the Hispanic citizens have the
11 opportunity to vote for someone who will
12 actually hear and care about our interests in
13 the community. Generally these concerns are
14 of education, housing, job creation, and other
15 concerns that are held by most of the other
16 citizens in the state. I urge you to include
17 fairness, justice, and equality for minorities
18 in your redistricting considerations from the
19 2010 census. Thank you.

20 BY SEN. RUCHO:

21 Thank you very much for your comments. Before
22 we -- and I would hope that each person in
23 charge of the other sites would check with
24 their -- the folks in attendance to see if
25 there's going to be additional speakers. But

Transcript of the Proceedings
Public Hearing on Redistricting

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1 before we go on to that, I want to just
2 explain a couple of things. The goal of this
3 is to draw fair and legal districts that will
4 receive preclearance from the US Justice
5 Department and which will allow the 2012
6 election to take place as scheduled. We've
7 had experiences in the past where the
8 scheduled -- the general election and the
9 primary elections were thrown out of kilter
10 because of redistricting and it
11 disenfranchises the voters and adds a lot of
12 questions as to, am I supposed to vote, where
13 am I supposed to vote, and the like. So one
14 of the purposes and the goal is to make sure
15 that we maintain that schedule. Secondly, I
16 alluded to earlier that -- it's ncleg.net/redistricting. And online there is
17 a significant amount of information on
18 redistricting. If you haven't looked at it,
19 please take the time to do so. And in
20 addition to that, and as alluded to earlier,
21 the legislator's redistricting guide which
22 provides a lot of insight as to how
23 redistricting works, why it is, what federal
24 and state laws and the Voting Rights Act we
25

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 have to follow in conjunction with the case
2 law that is before us. Because our goal is to
3 draw fair and legal districts, so that's why
4 we follow the letter of the law. Now -- so
5 take advantage of that. That's enough of that
6 one. And then after the public hearings are
7 complete on May 9, the Committee will sit
8 back, put together a map as we would do any
9 piece of legislation for the three districts,
10 present it to the Committee for their
11 discussion. Now I will say to you we're
12 working on trying to have some streaming on
13 that, at least one committee meeting and as
14 many as we can so that it will be available
15 through streaming. And there is a direct
16 connection with our website that you can have
17 input directly or you can come down to the
18 meetings because they will be -- you'll be
19 notified of them. But each person will have a
20 chance to view the maps that are presented
21 before the Committee and as in any other bill
22 that we have, there will be amendments and
23 votes and things of that sort, and then the
24 map will come forward again to be viewed.
25 You'll have an opportunity to speak with your

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 legislators before it comes to the Senate and
2 the House floor for its final decision. But
3 please take advantage of the website and the
4 direct line of communications because your
5 comments are welcome. Now, that being said,
6 I'm going to go through each of the locations
7 one more time and I would hope that if anyone
8 has an interest in speaking, please let it be
9 known, and if so we will allow you to speak,
10 and then if not we'll be closing this meeting.
11 So I'll first go to Senator Brock in Cabarrus
12 County. Senator Brock, any other speakers?

13 BY SEN. BROCK:

14 We have no one else.

15 BY SEN. RUCHO:

16 Thank you very much for your time and for the
17 folks in Cabarrus County to join us. I'll go
18 to Senator Clary in Cleveland County. Senator
19 Clary?

20 BY SEN. CLARY:

21 Thank you, Senator Rucho. We do not have
22 anyone else that wishes to speak.

23 BY SEN. RUCHO:

24 Again, thank you for your -- you being present
25 and we appreciate it. Talking to Senator

Transcript of the Proceedings
Public Hearing on Redistricting

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1 Forrester and Senator Hise in Catawba County,
2 do you have any additional people that wish to
3 speak?

4 BY SEN. FORRESTER:

5 No, sir. We do not have anyone else that
6 wishes to speak.

7 BY SEN. RUCHO:

8 Okay. Well, again, I appreciate you all
9 coming out early on a Saturday morning to be
10 here. And then lastly, in Central Piedmont in
11 Mecklenburg County has there any -- any other
12 names been brought forward to speak? Okay.
13 Well, again, thank you very much for attending
14 and we will continue the process and I hope
15 you'll pay close attention as we proceed
16 forward. Thank you very much and this meeting
17 is adjourned.

18 (THE MEETING WAS ADJOURNED AT 10:23 A.M.)

19

20

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25

Leah Elizabeth Henry
April 30, 2011
Redistricting hearing

My name is Beth Henry, and I live in Plaza-Midwood, a very diverse neighborhood close to uptown Charlotte. I love living in a neighborhood that includes people of many different nationalities and backgrounds. I am in House District 102, Senate District 37, and Congressional District 12.

Born in Sampson County, I was raised a Democrat but have become disillusioned with Mecklenburg Democrats for consistently favoring the interests of Duke Energy and other Fortune 500 corporations over small businesses and individuals.

Because of my concerns about the growing role of money in politics, I joined Democracy NC. I attended their recent forum about redistricting and afterwards read more about the process.

Until last week, I had never heard of "packing," but now I am concerned that my neighborhood might be a target for that gerrymandering technique. I suspect those drawing the lines may be tempted to pack my diverse neighborhood near uptown into a "majority minority" district. I am not eager for my district to be a sure winner for the Democratic Party.

At the same time, I don't want to be in a sure Republican district. I vote based on candidates' stands on issues I care about. My ideal would be a district that could elect a Republican or Democrat or even an independent, so that my vote might actually mean something.

Even though I am disillusioned with the Democrats, I have been basically satisfied with the representation of Representative Watt, Senator Clodfelter, and Representative Carney. I have

contacted each of them several times about various issues, and they have been interested and responsive, even when they disagree with me. Because they have done a good job and have accumulated important experience and seniority that benefit me and their other constituents, we should have a meaningful opportunity to reelect them. Please do not pack certain districts with those incumbents' current constituents -- like me -- and then make the incumbent Democrats essentially unelectable by placing them in new districts likely to vote Republican. It would be unfair to their current constituents to use "packing" to separate the incumbents from their base of likely success and put them in new, Republican-leaning districts.

I am also concerned that folks must guess what might be done to affect our districts. Perhaps I've guessed wrong and "packing" will not be an issue. It's hard to know what to say here when I don't know what is planned. Please publish maps of what you propose to do and then give citizens a truly meaningful opportunity to be heard once we have reviewed the maps. It's unfair to be forced to talk about what we imagine you might do.

Finally, I ask you not to disenfranchise minorities in the way you draw the districts. To me, disenfranchising any part of our community hurts all of us and weakens our democracy.

Georgia Jacquez Lewis
Lewis Law Firm
719 Sandridge Rd.
Charlotte, NC 28210
704.523.1113 Fax 704.523.2627

April 30, 2011

Dear NC General Assembly and NC Senate Legislators,

I am Georgia Jacquez Lewis, a resident ^{and citizen} of Mecklenburg County for over 55 (fifty-five) years. I am a Hispanic/Latina, and I urge the NC General Assembly and the NC Senate legislators to include the representation of our populace as equally as possible in the minority district ^{represent} voting process. Also, we ask that equal representation by party affiliation be a consideration as well.

My urgent request is that the Hispanic citizens have the opportunity to vote for someone who will actually hear and care about our interests in the community. Generally, these concerns are of education, housing, job creation and others that are held by most citizens in the state. I urge you to include fairness, justice and equality for minorities in your redistricting considerations from the 2010 census.

Respectfully Submitted,


Georgia Jacquez Lewis

Bob Diamond
PHARMACIST

704-587-1091
Charlotte, NC 28273

DiamondRN@aol.com

April 30, 2011

Redistricting Committee Public Hearing
Charlotte, North Carolina
Senator Robert Rucho, Chair

My name is June Kimmel, I live in Davidson, NC, and am an active member of the League of Women Voters of Charlotte/Mecklenburg. We are working in concert with the Alliance for Fair Redistricting and Minority Voting Rights on the issue of redistricting.

The League of Women Voters -US is a non-partisan national organization formed in 1920. It encourages active and informed citizens to be a part of the civic life of their communities and to avail themselves of the right to vote.

Voting patterns moved us after the 1990 and 2000 censuses to look at redistricting in North Carolina. Our criteria include

- *it being an open process, including accepting nonpartisan proposals for serious consideration,

- *respect for existing relationships in drawing new district lines, based not on incumbency, but city, county and local identifications - (some of this has been codified, and made explicit by the courts),

- *respect for communities of interest - social, ethnic, or racial and economic considerations should be included the same way political jurisdictions are,

- *compact, contiguous territories, distinct geographic boundaries,

- *and the encouragement of dialogue.

Altering districts to reduce a minority presence is clearly unacceptable just as making an island of minority votes is. The whole point of voting is to elect legislators who represent all their voters. Because of our history of court challenges, we must be sensitive and alert to changes that mindfully or inadvertently weaken the minority voice.

As we should expect, incumbents want to retain their seats, or possibly regain them. Supporting the unknown is hard. But it is also hard to make a case for continued representation over a long period. Taylor Batten, in the April 3, 2011, Charlotte Observer, estimated that 42 out of 50 NC Senate seats were decided by more than 10 percentage points, and 100 of our 120 House seats were equally safe. "Safe" seats, whether democratic or republican, discourage voters from taking an active role, because they rightly intuit that their vote does not really matter- whether they are in the majority or minority. I believe our legislative bodies would

accomplish more if they were less "safe" and therefore, less polarized. If politics is the art of compromise, and a legislator has no reason to learn to compromise, decisions do not recognize the voice of all citizens. How can a poll show that 70 percent of those asked would be willing to have taxes raised to support schools, but it has no purchase with legislators who are carefully insulated from the constituency.

Future leadership comes from competition and an informed airing of issues. That makes people want to vote and helps to make our legislators truly representative and accountable.

Thank you for your attention.

June M. Kimmel
P.O. Box 595
Davidson, NC 28036
jmkimmel@bellsouth.net

A handwritten signature in cursive script that reads "June M. Kimmel". The signature is written in dark ink and is positioned to the right of the typed name and contact information.

Public Hearing Site Cleveland Community College

Public Hearing Date April 30, 2011

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	Renea Keggan	323 Woodside SHELBY		
2	Don Keggan	323 Woodside Dr SHELBY		
3	Emily Weaver	700 E. Gold St., Kings Mountain, NC		
4	Wayne King	P.O. Box 944 KM 28086		
5	Dennis Davis	P.O. Box 242 Lattimore, N.C. 28089		
6	Mary Degee	1110 Stanton Dr. Shelby, NC. 28150		
7	Rev. Devoe	619 E. Grover St Shelby, NC 28150		
8	Jeffrey Woodbury	Wake Forest, NC 27587		
9	Paul Blatz	1745 Barlow Rd Shelby, NC 28150		

Public Hearing Site Cleveland Community College
Public Hearing Date April 30, 2011

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

	Dennis Davis	
1	Mary Degree Mary Degree	
2	~~XXXXXXXXXX~~	
3		

Public Hearing Site

CPCC - Charlotte

Public Hearing Date

CPCC - 4/30/11

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	Madison Oakes	8057 Lucky Creek Ln Denver NC 28037		
2	June Kimmel	PO Box 545 Denver, NC 28036	LWV of C/M	C
3	Janie Dean	Charlotte, NC	Wash. Mayor	
4	Ann Flood	6366 Providence Charlotte, NC 28226	LWV of C/M	C
5	Hugh Lewis	4810 Addison Dr. Charlotte, NC 28211	Superior Court	
6	Kim TRAUT Jim TRAUT	11716 BUCKSTONE LN CHARLOTTE, NC 28277	CAUTION	W
7	Krista Anderson	Raleigh NC	NCDP	W
8	Decky Perreiter	1605 Hendon Pl Ave Charlotte, NC	News 14	
9	Beth Henry	3066 Stonybrook Rd	Charlotte NC	W

Public Hearing Site

CPCC

Public Hearing Date

4/30/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
20	Jim Mannin	600 S. Tryon	Ch. Obs	
21	~~Tony Z...~~			
22	BOB DIAMOND	11436 RED HICKORY		
23	Anaëles Dorego	1154 Cedarwood Lane CL 28212		
24	Mac Huntley	Charlotte, NC		
25				
26				
27				
28				
29				

Public Hearing Site CPCC - Charlotte

Public Hearing Date 4/30/11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

	Martin Oakes Lincoln County	
1	Georgia Jacques Lewis Mecklenburg County	
2	~~Melaine Lewis~~ ~~Mecklenburg Co.~~	signed up online
3		

blic Hearing Site

Rowan-Cabanne CC

Public Hearing Date

4/30/11

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	Paul Leonard	4271 Forestridge Ln Kannapolis, NC	Private Citizen	Caucasian
2	Evelyn Leonard	4271 Forestridge Ln. Kannapolis, N.C.	Private Citizen	Puerto Rican
3	Shelby Payne	8690 Cottonwood TR. Concord NC 28027	Private Citizen	C.
4	Ken Payne	8690 Cottonwood TR. Concord NC 28027	Private citizen	C.
5	DEBORAH BARNFORD	5898 BIRCHFIELD LN CONCORD NC 28027	Private Citizen	C.
6	Bill Barnford	5898 Birchfield Ln Concord NC 28027		C
7	JOHN BARE	1462 ELEMWOOD AVE SALISBURY, N.C.		C
8				
9				

Public Hearing Site Rover - Gibbons CC
Public Hearing Date 4/30/11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

✓	Paul Leonard	Private citizen
¹ ✓	Shelby Payne	Private Citizen
² ✓	JOHN BARE	PC
³		

Helen Long (Sen. Rucho)

From: Erika Churchill (Research)
Sent: Friday, April 29, 2011 3:17 PM
To: Helen Long (Sen. Rucho)
Cc: Bob Rucho; Sen. Bob Rucho
Subject: FW: April 30, 2011, 9:30 a.m. Redistricting Public Hearing Speaker Sign-up

Helen,

This is sign-up list for the hearing tomorrow morning, that was sent earlier today.

Erika

From: DBS@ncleg.net [mailto:DBS@ncleg.net]
Sent: Friday, April 29, 2011 10:00 AM
To: RedistrictLA; Helen Long (Sen. Rucho); Paul Rucho (Sen. Rucho); Denise Huntley Adams (Research); Kelly Quick (Research); Erika Churchill (Research); Peter Capriglione (ISD, Applications Manager); Kelly Stallings (ISD)
Subject: April 30, 2011, 9:30 a.m. Redistricting Public Hearing Speaker Sign-up

Redistricting Public Hearing (4/30/2011) 9:30am

Date	First Name	Last Name	Organization	Location
4/30/2011	Paul C.	Leonard	Missionary	Rowan-Cabarrus Community College, Kannapolis
	Shelby	Payne	republican	Rowan-Cabarrus Community College, Kannapolis
	Billy	Sudderth	Citizens for Equity in Government	Catawba Valley Community College, Hickory
	Mary	Degree	NAACP	Cleveland Community College, Shelby
	June	Kimmel	League of Women Voters	Central Piedmont Community College, Charlotte
	Dennis	Davis	Cleveland County GOP	Cleveland Community College, Shelby
	Beth	Henry	Board Member of NC WARN	Central Piedmont Community College, Charlotte
	Maxine	Eaves	LWV Charlotte, North Carolina, Democracy N. C.	Central Piedmont Community College, Charlotte
Total	8			

4/29/2011 10:00:03 AM

The report is accessible at the following address:

<http://ncgawebpi/ReportServer?%2FRequest%20to%20Speak%2FRedistrictingPublicHearing3&rs%3AParameterL:5>

MINUTES
JOINT SENATE AND HOUSE COMMITTEES ON
REDISTRICTING
PUBLIC HEARINGS

April 30, 2011

The Joint Senate and House Committees on Redistricting Public Hearing were held on Saturday, April 30, 2011, at 4:00 p.m.

The meetings were held at the University of North Carolina, Asheville, North Carolina (Buncombe County), and satellite locations met simultaneously via video-conferencing Appalachian State University at Boone, North Carolina (Watauga County), and Western Carolina University in Cullowhee, North Carolina (Jackson County.)

House Representative Tim Moffitt presided over the meeting from the Buncombe County site. Senator Ralph Hise chaired the Watauga County site and Senator Andrew Brock chaired the Jackson County site.

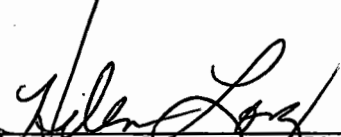
A transcript of the meeting is attached, along with the Visitor Registration sheet and Speaker Sign-Up sheet.

The meeting was adjourned at 5:17 p.m.

Respectfully submitted,



Senator Bob Rucho, Chair



Helen Long, Committee Clerk



Senator Andrew Brock, Vice Chair



Senator Harry Brown, Vice Chair

Principal Clerk _____
Reading Clerk _____

**SENATE
NOTICE OF JOINT COMMITTEE MEETING**

The Senate and House Committees on **Redistricting** will meet at the following time:

<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>LOCATIONS</u>
Saturday	April 30, 2011	4:00 p.m.	See Below

The following is a list of the next scheduled Redistricting Public Hearings for the following counties. A link for directions is listed under each location.

Registration for speaking will begin:

1) At the hearing site: 1 hour prior to the convening of the hearing, and will close prior to the beginning of the hearing.

2) On-line: 5 days in advance of the hearing and will close 24 hours in advance of the hearing. There are limited slots for on-line sign-up. Please visit the following link to sign-up to speak at any of the locations for the April 30 Public Hearing:
<http://www.ncleg.net/applications/rts/Redistricting.aspx?id=7>

3) Each speaker will be limited to five minutes.

Locations:

Buncombe County

University of North Carolina – Asheville
Robinson Hall, 129 Steelcase Teleconference Room
One University Heights
Asheville, NC 28804
<http://www.unca.edu/maps/driving-directions>

Watauga County

Appalachian State University
Anne Belk Hall
Interactive Video Services, Classroom 023
224 Joyce Lawrence Lane
Boone, NC 28608
<http://maps.appstate.edu/campus-map/index.php?marker=12>

Jackson County

Western Carolina University
Cordelia Camp Building, Room 133-B
69 East University Way
Cullowhee, NC 28273
<http://www.wcu.edu/198.asp>

Senator Bob Rucho, Chair

NORTH CAROLINA GENERAL ASSEMBLY
PUBLIC HEARING ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Asheville, North Carolina
Saturday, April 30, 2011
Reported by Mai-Beth Ketch

Sessions simulcast from the following locations:

University of North Carolina (Buncombe County)
Appalachian State University (Watauga County)
Western Carolina University (Jackson County)

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 BY REP. MOFFITT:

2 I'd like to welcome everyone to this public
3 hearing on redistricting. My name is Tim
4 Moffitt. I am a member of the House of
5 Representatives. I'll be chairing this three-
6 site event today. Sitting next to me is
7 Representative Susan Fisher. She and I both
8 had the pleasure of serving on the House
9 Redistricting Committee together. In order to
10 maintain a high degree of consistency within
11 all of our hearings, I do have prepared
12 remarks. First, however, today's hearing is a
13 joint effort of the Senate Redistricting
14 Committee, of which Senator Bob Rucho is the
15 chairman, and the House Redistricting
16 Committee, of which Representative David Lewis
17 is senior chairman. Along with our site here
18 in Asheville, we are also videoconferencing
19 with sites in Watauga County at Appalachian
20 State University chaired by Senator Ralph
21 Hise, and in Jackson County at Western
22 Carolina University chaired by Senator Andrew
23 Brock. At this time I'd like to take a moment
24 to make introductions in our Asheville site of
25 the folks attending our meeting today that are

Transcript of the Proceedings
Public Hearing on Redistricting

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1 public officials currently or former, and then
2 we'll move to Boone and Cullowhee for the same
3 introductions. Having already introduced
4 myself and Susan Fisher, I'd like to recognize
5 Senator R. L. Clark, Senator Jess Ledbetter,
6 there he is. Any other elected officials
7 current or former that I've missed? And prior
8 to moving to Appalachian State, I would like
9 to introduce the staff that is attending this
10 site for us today. House Sergeant-at-Arms,
11 Champ Claris, I believe most of you saw him on
12 your way in, in the room. We have House
13 Sergeant-at-Arms Bob Rossi, Senate Sergeant-
14 at-Arms Jim Blackburn, General Assembly Police
15 Officer Willie Morris, Staff Shawn Parker, and
16 Mai-Beth Ketch the court reporter. At this
17 time I'd like to go to our site in Boone to
18 Senator Ralph Hise and have him make the same
19 introductions.

20 BY SEN. HISE:

21 Thank you, Representative Moffitt. Here in
22 Watauga County we currently have two other
23 elected officials, Representative Shirley
24 Randleman and Representative Bill McGee who
25 are present here with us today.

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 BY REP. MOFFITT:

2 Thank you, Senator Hise. If we could go to
3 Western Carolina University in Cullowhee to
4 Senator Brock.

5 BY SEN. BROCK:

6 Video problems so we're moving to a new
7 classroom right now. But currently I'm the
8 only elected official here, and we have Wanda
9 Caldwell with the North Carolina Retired
10 Governmental Employees' Association, district
11 director, and she's also a member of the North
12 Carolina Retired Teachers Association.

13 BY REP. MOFFITT:

14 Thank you, Senator. While we were away in
15 Cullowhee and Boone, we do have Representative
16 Ray Rapp who has joined us as well. I'd like
17 to formally introduce him. I'd also like to
18 personally thank Chancellor Dr. Anne Ponder of
19 UNCA, Chancellor Dr. John Bardo, and
20 Chancellor-Elect Dr. David Belcher of Western
21 Carolina University as well as Chancellor Dr.
22 Kenneth Peacock of Appalachian State for
23 hosting these public hearings for us. I
24 really appreciate it. Now for those dreaded
25 formal prepared remarks. I'd like to thank

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 everyone who has taken the time to come and be
2 involved in this public hearing today at each
3 of our sites. This is our seventh group of
4 public hearings for 2011. These hearings are
5 on redistricting and in the coming weeks we
6 will also host hearings at sites in counties
7 across the state including New Hanover,
8 Bladen, Brunswick, Onslow, Craven, Wayne,
9 Pitt, Wilson, Beaufort, Edgecombe, Halifax,
10 Pasquotank, Chowan, Dare, making a total of 36
11 sites. This is the largest effort ever made
12 in the history of redistricting in North
13 Carolina to hear from the public about this so
14 that is reflecting the importance of this very
15 important task. The purpose of each of these
16 hearings is simply to hear from you. Whether
17 you signed up online or in advance -- in
18 advance or came today and put your name on the
19 list, you will have an opportunity to speak
20 for approximately five minutes on whatever
21 ideas that you may have about redistricting.
22 We want to hear how redistricting will affect
23 you and your representative communities. You
24 may choose to address legal issues related to
25 redistricting such as the Voting Rights Act or

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 requirements for drawing districts under the
2 federal and state law. You may choose to
3 share how redistricting has affected your
4 community in the past and how you hope it will
5 affect your community moving forward. You may
6 choose to share what you regard as communities
7 of interest in your area whether it is
8 historical, cultural, ethnic, geographical, or
9 the economic ties that make the people in your
10 area of the state think of themselves as a
11 community. You may choose to also share what
12 important geographical or political
13 subdivisions exist in your community and how
14 they should be taken into account in drawing
15 those lines. However you choose to spend your
16 minutes, we are here today to hear from you.
17 We are not here to answer questions, but to
18 listen and learn from you and make note of
19 your comments and your ideas. As most of you
20 know, every 10 years following the Census,
21 legislators are tasked under the Constitution
22 with redrawing the lines that create districts
23 for Congress, the State Senate, and the State
24 House. It's critical that this process be
25 open and transparent and that it leads to fair

**Transcript of the Proceedings
Public Hearing on Redistricting**

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1 and legal districts for preclearance by the
2 United States Justice Department. As to the
3 rules, I'll introduce each speaker, and I'll
4 try to move between sites so that everyone has
5 an opportunity to speak and not just listen
6 for extended periods of time. In addition, we
7 are seeking to gain the broadest range of
8 ideas from this hearing today, and it would be
9 beneficial to everyone to modify your remarks
10 if you feel that your topic has been
11 sufficiently spoken to. As your chair, I may
12 ask for such modification if I feel that it's
13 necessary to broaden our discussion and to
14 move things along. At each of our sites there
15 is a staff person who will be holding up two
16 cards. Do we have that staff person? Okay.
17 If those folks at Western Carolina and
18 Appalachian State could find your staff
19 person. The staff folks will be holding up a
20 green one which will tell you that you have
21 one minute left of your time. And when the
22 red card is flashing, your time has expired.
23 In the event that you have chosen not to speak
24 today, we would also welcome any written
25 comments you may have that are in addition if

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1 you did speak or in absence of your speaking.
2 You can send those to us at
3 ncleg.net/redistricting and that's -- I
4 believe it's up and going now; correct?

5 BY REP. FISHER:

6 It sure is. I don't want to interrupt anyone,
7 but I wanted to just add one little comment
8 here. I am Susan Fisher. I represent
9 District 114, which is a portion of Buncombe
10 County, and I'm happy to see so many people
11 engaged and ready to speak to this issue
12 today. One thing I do hope is that you will
13 have an additional opportunity to speak once
14 the first round of maps is drawn. I think it
15 will be important once we see this process
16 begin to take shape what your feelings,
17 opinions, thoughts are on the process going
18 forward. So thank you all so much for being
19 here.

20 BY REP. MOFFITT:

21 And to that point, once those maps are drawn,
22 that will be a public process as well. It
23 will be originating from Raleigh, but it will
24 be telecast like this at certain sites across
25 the state. But, again, our purpose here today

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1 is to listen. We'll take the information and
2 collect it during all of these hearings and
3 incorporate them into the construct of the
4 maps themselves. Our goal is to have fair and
5 legal maps drawn in a timely manner and turned
6 over, again, to the Justice Department for
7 preclearance in time for the 2012 election
8 cycle. Our rotation sequence today will be
9 Asheville first, then Boone with Senator Hise,
10 then we'll move over to Cullowhee with Senator
11 Brock. When it's your time to speak since
12 this is a matter of public record, we'd like
13 you to introduce yourself, tell us where
14 you're from, indicate if you're speaking for
15 yourself or if you're representing a
16 particular group. Any questions? Yes.

17 BY UNIDENTIFIED WOMAN:

18 Yes. Could you please tell us which district
19 you represent?

20 BY REP. MOFFITT:

21 I'm District 116 in Buncombe County.

22 BY UNIDENTIFIED WOMAN:

23 116.

24 BY REP. MOFFITT:

25 Yes.

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1 BY UNIDENTIFIED WOMAN:

2 On the map that I looked at it seemed like it
3 was 114.

4 BY REP. MOFFITT:

5 That would be Representative Fisher.

6 BY REP. FISHER:

7 I'm 114.

8 BY UNIDENTIFIED WOMAN:

9 Is your ---

10 BY REP. MOFFITT:

11 We hope to clear those maps up during this
12 process.

13 BY UNIDENTIFIED WOMAN:

14 Is your district North Buncombe?

15 BY REP. FISHER:

16 Mine is North Buncombe. Yes, ma'am.

17 BY UNIDENTIFIED WOMAN:

18 You're 114?

19 BY REP. FISHER:

20 Yes, ma'am.

21 BY REP. MOFFITT:

22 Okay. I'd like to move on. At this time I'd
23 like to ask our first speaker, Kathy
24 Rhodarmer, to go ahead and share with us her
25 comments.

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1 BY MS. RHODARMER:

2 Do I come up there?

3 BY REP. MOFFITT:

4 You can stay seated if you'd like.

5 BY MS. RHODARMER:

6 My name is Kathy Rhodarmer, and I live in
7 Candler, North Carolina. My -- one of my main
8 concerns is that district lines will adhere to
9 the North Carolina Constitution-stipulated
10 boundaries for the drawing of those lines.
11 Unlike the continually ignoring and
12 unconstitutional district lines drawn by
13 Democrats in the past, who have been in power
14 for over 100 years ignoring the clearly
15 stipulated drawing district lines in North
16 Carolina Constitution and nothing but partisan
17 gerrymandering. Let us not emulate Democrat --
18 Democrats in their gerrymandering and
19 corruption. And every move Republicans make
20 in Raleigh is being watched. The hiring of
21 Matty Lazo-Chadderton, a Democrat operative
22 with strong ties to racist organizations like
23 La Raza is absolutely and totally unacceptable
24 and must be remedied ASAP. Don't think you
25 all in Raleigh will get by with junk like

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1 this. We didn't elect Republicans to mirror
2 the nation-destroying actions of the corrupt
3 Democrats. I don't know what you all are
4 thinking. The situation is deplorable and
5 it -- in its hypocrisy and deceptive stance.
6 I can't articulate my disgust and dismay with
7 the situation of hiring this Democrat
8 operative by Republicans to consult in
9 redrawing district lines than the comments
10 made by William Gheen, president ALIPAC,
11 Americans for Legal Immigration, quote, "It is
12 against the public's interest to allow anyone
13 involved in special interests issue advocacy
14 to have the power to influence redistricting,
15 especially when that person supports radical
16 positions in favor of amnesty for illegal
17 aliens. The public will be dismayed that they
18 voted for historic change in North Carolina
19 but find the new boss is the same as the old
20 boss in parts of the Senate." A lot of
21 conservative lawmakers -- "New Senate district
22 lines may be drawn in a way which harms
23 conservative lawmakers who have supported
24 illegal immigration control bills while
25 favoring the election of lawmakers more

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1 supportive of the La Raza amnesty agenda.
2 Most Republican lawmakers do not want amnesty-
3 supporting Democrat precinct officers drawing
4 their districts and I hope they will share
5 that concern with Berger and Rucho. It breaks
6 my" -- William Gheen continues to state, "It
7 breaks my heart to have to share this news.
8 with the public. It appears today that agents
9 supportive of the invasion of America have
10 sway over Senate President Phil Berger,
11 redistricting, and immigration bills more than
12 the citizens of North Carolina. We must
13 rectify this situation." Now, can I speak on
14 district elections in Buncombe County?

15 BY REP. MOFFITT:

16 No, you may not.

17 BY MS. RHODARMER:

18 Okay. All right. Thank you.

19 BY REP. MOFFITT:

20 That would be out of order.

21 BY MS. RHODARMER:

22 Thank you.

23 BY REP. MOFFITT:

24 Ms. Rhodarmer, if you could, for the record,
25 introduce yourself formally, tell us where

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1 you're from, and also indicate whether you're
2 speaking for yourself or for a group.

3 BY UNIDENTIFIED WOMAN:

4 She didn't hear you.

5 BY REP. MOFFITT:

6 Ms. Rhodarmer, if you could ---

7 BY MS. RHODARMER:

8 I'm sorry. I thought you were talking to
9 somebody else.

10 BY REP. MOFFITT:

11 No. If you could, for the record, introduce
12 yourself ---

13 BY MS. RHODARMER:

14 Okay.

15 BY REP. MOFFITT:

16 --- and tell us where you're from, tell us if
17 you're speaking on behalf of yourself or for a
18 group.

19 BY MS. RHODARMER:

20 I'm Kathy Rhodarmer. I'm from Candler, North
21 Carolina and I'm speaking on behalf of myself.

22 BY REP. MOFFITT:

23 Thank you. Now, we'll go ahead and rotate to
24 our site at Appalachian State. Senator Brock,
25 I have on my list Augusta -- Augusto Pena.

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1 BY SEN. HISE:

2 He's the only speaker here in ---

3 BY REP. MOFFITT:

4 Senator Hise, my apologies.

5 BY SEN. HISE:

6 He is our only speaker that has signed up, and
7 he said that he would like to wait into the
8 process.

9 BY REP. MOFFITT:

10 All right. Then we'll move over to Senator
11 Brock at Western Carolina University. We have
12 Juanita Dixon on our list here.

13 BY MS. DIXON:

14 Thank you for allowing me to speak today. I
15 have four people here who are supporting my
16 comments. Some of my comments have already
17 been answered, but I'm here to respectfully
18 request that you leave the 11th Congressional
19 District as is because we're a rural area.
20 And I've heard rumors that one plan being
21 proposed is to make the 11th Congressional
22 District run along bordering counties from
23 Cherokee to Ashe County. I know it's 100
24 miles from Cherokee County just to Haywood
25 County. So for rural counties that need to

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1 have access to their congressman, this
2 proposal would really pose a burden on
3 mountain county families. I respectfully
4 request that we get a chance to respond in a
5 public hearing in our area to the final draft
6 of this proposal. We will have written
7 comments to present. Thank you for your time.

8 BY REP. MOFFITT:

9 Thank you, Ms. Dixon. If you could, as well,
10 reintroduce yourself, indicate where you're
11 from, and if you're speaking on behalf of
12 yourself or for a group. Ms. Dixon, can you
13 hear me? Is your mic on?

14 BY MS. DIXON:

15 We have to move from one room to another so --
16 can you hear me?

17 BY REP. MOFFITT:

18 I can hear you. Could you go through --
19 reintroduce yourself, please, for the record?

20 BY MS. DIXON:

21 My name is Juanita Dixon. I'm from Haywood
22 County and I'm speaking on behalf of myself.

23 BY REP. MOFFITT:

24 Thank you very much. Okay, we're back to
25 Asheville. I'd like to recognize former

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1 Senator R. L. Clark as our next speaker. If
2 you could introduce yourself and include
3 appropriate information, I'd appreciate it.

4 BY MR. CLARK:

5 Thank you, Honorable Representatives. My name
6 is R.L. Clark. I'm a legal resident, tax-
7 paying citizen, and registered voter of
8 Buncombe County, North Carolina, have been for
9 the past 40 plus years. I was born in the
10 adjacent county of Madison County. I was the
11 firstborn of eight to sharecropper parents in
12 the early years of the Great Depression in
13 Madison County. I had the privilege of
14 attending public school in Madison County,
15 graduating with honors from Spring Creek High
16 School in 1949. And in the fall quarter, it
17 was quarters then, I enrolled at Western
18 Carolina Teachers College where I had the
19 privilege of attending, work my way through
20 college, working three jobs. I graduated in
21 1953. I spent the first 10 years of my career
22 in the private sector and in 1963 I entered
23 employment as a public service in the North
24 Carolina Executive Branch. I worked in the
25 administrations of six North Carolina

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1 governors, Democrat and Republican. In 1983 I
2 decided to leave state service, and I opened my
3 first business in Madison County. It was a
4 country store. For 27 years I operated this
5 business until excessive and unnecessary
6 local, state, and federal taxes, rules and
7 regulations, became such a burden I could no
8 longer operate a profitable business. As a
9 small business owner/operator in 1994 I filed
10 as a candidate for North Carolina State Senate
11 to represent Buncombe, Madison, Yancey,
12 McDowell, and part of Burke. I was elected
13 from November 1994 and served two terms
14 representing those counties. The political
15 party -- I'm going to be a little partisan --
16 the political party who controlled North
17 Carolina politically for over 100 years until
18 the election of 2010 spent literally hundreds
19 of thousands of dollars to defeat me in the
20 1998 election and subsequent elections,
21 ultimately using gerrymandered political
22 districts to prevent a conservative Republican
23 from being elected in Buncombe County. This
24 was, I might hasten to add, with assistance of
25 some legislative members of the minority party

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1 to obtain a safe political seat for
2 themselves. It's not all one party. I'm here
3 this evening to urge in the strongest terms I
4 know how to express to not -- to represent not
5 only myself as a North Carolina citizen and
6 former legislator that's speaking on behalf of
7 an 808-member Asheville Tea Party group and
8 the Cherokee 9/12 group. We urge the
9 Committee to abandon listening to all the
10 special interest groups, especially those who
11 advocate or allow non-US citizens, that's
12 illegal aliens, plain English, and other
13 ineligible individuals to vote. We encourage
14 the Committee to follow the US 10th Amendment,
15 US Constitution giving total authority and
16 responsibility to the North Carolina General
17 Assembly. The North Carolina State
18 Constitution, Article 2 legislated is specific
19 in that no county shall be split in the
20 formation of a State or Senate House District.
21 I realize that the Voting Rights Acts
22 supercedes this in a few minority population
23 counties and there's been court decisions and
24 so on. Thank you for listening.

25 BY REP. MOFFITT:

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1 Thank you, Senator. I would at this -- like
2 to take a moment to recognize Senator Martin
3 Nesbitt. He has arrived to join us for this
4 today. He's protected behind the glass.

5 Okay, we'll go ahead back to Boone and,
6 Senator Hise, is Mr. Pena prepared to speak,
7 or do we need to go to Cullowhee?

8 BY SEN. HISE:

9 He is not at this time, but I do want to take
10 opportunity to introduce Senator Dan Soucek,
11 who has joined us here.

12 BY REP. MOFFITT:

13 Glad to have you, Senator Soucek.

14 BY SEN. SOUCEK:

15 Thank you.

16 BY REP. MOFFITT:

17 Let's go to Cullowhee. Our next speaker there
18 would be John Meinecke. If you could, sir,
19 introduce yourself, spell your name for us for
20 the record, and indicate if you're speaking
21 for yourself and where you're from. Senator
22 Brock?

23 BY MR. MEINECKE:

24 My name is John -- my name is John Meinecke.

25 That M-e-i-n-e-c-k-e. I'm from Canton, North

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1 Carolina. I'm speaking on behalf of the
2 Haywood County Republican Party. I'm here to
3 present a resolution of the Republican Party
4 of Haywood County that the North Carolina
5 General Assembly return Haywood County to a
6 single district for both North Carolina House
7 and Senate elections. Whereas the General
8 Assembly of North Carolina is in the process
9 of establishing new House and Senate districts
10 to be in place for the next decade; and
11 whereas Haywood County is currently split,
12 having two House districts, 118 and 119, and
13 two Senate districts, 47 and 50; and whereas
14 this split or separation creates additional
15 burden to the Board of Elections and the
16 taxpayers of Haywood County by requiring
17 varying ballot styles, further staffing and
18 training; and whereas this split divides
19 precincts, thus creating confusion for voters
20 at polling places; and whereas splitting
21 Haywood County unfairly dilutes the influence
22 in the election process of the most populated
23 county west of Buncombe County; and whereas
24 the majority party in the State General
25 Assembly obtained said majority through

1 pledging to uphold the Constitution of the
2 Great State of North Carolina; and whereas
3 Article 2, Section 3.3 of the North Carolina
4 Constitution states no county shall be divided
5 in the formation of a Senate District, whole-
6 county provision; and whereas Article 2,
7 Section 5.3 of the North Carolina Constitution
8 states, "No county shall be divided in
9 formation of a representative district"; and
10 whereas in 2002 the state supreme court in the
11 case of Stephenson versus Bartlett ruled that
12 the whole-county provision found in the state
13 constitution must be honored to the extent
14 that it can be; now therefore be it resolved
15 that the North Carolina General Assembly
16 return Haywood County to a single district for
17 both North Carolina House and Senate
18 elections. This resolution is endorsed and
19 supported by the following Republican
20 chairpersons from the 11th Congressional
21 District: Buncombe County, Henry D. Mitchell;
22 Cherokee County, Michael Crowell; Haywood
23 County, John Meinecke; Henderson County, Mike
24 Scruggs; Jackson County, Ralph Slaughter;
25 Madison County, Matthew Wechtel; Polk County,

1 Debbie Arceneaux; Swain County, David Sawyer;
2 Transylvania County, Jim Meyer. Thank you for
3 the opportunity to speak to you.

4 BY REP. MOFFITT:

5 Thank you, Mr. Meinecke. We're back to
6 Asheville now. Our next speaker will be
7 Kathleen Balogh.

8 BY MS. BALOGH:

9 Thank you. Chairmen and distinguished
10 members, thank you for holding this hearing or
11 this public opportunity to speak. My name is
12 Kathleen Balogh, and I am the president of the
13 League of Women Voters of North Carolina. The
14 League of Women Voters applauds the Senate and
15 House Redistricting Joint Committee on it's
16 scheduling of the 12 statewide public hearings
17 to receive public input regarding how
18 redistricting will impact them and their
19 communities. Redistricting is an issue that
20 goes to the heart of our democratic system of
21 government. Representative democracy depends
22 on voters freely choosing their elected
23 officials. When, instead, officials choose
24 their voters, our system does not work as
25 intended. The League of Women Voters of North

1 Carolina supports redistricting of the
2 congressional and state legislative districts
3 by apportionment primarily according to
4 population. We believe that districts should
5 be single-member, contiguous, and maintain
6 communities of interest as a whole. A
7 redistricting plan should provide for
8 competitive districts that fully reflect the
9 diversity of the state. In addition, we seek
10 to ensure that any plan the General Assembly
11 adopts comports with one person, one vote
12 requirements of the United States
13 Constitution, Sections 2 and 5 of the Voting
14 Right Act, and the North Carolina
15 Constitution. Additionally, in order to
16 provide any redistricting plan with democratic
17 legitimacy, the redistricting process must be
18 transparent and responsive to the public
19 testimony of those appearing before the
20 Committee and submitting comments to the
21 official record. To ensure compliance with
22 legal requirements we ask that any
23 redistricting plan proposed by any state
24 official or legislative body include an
25 explanation for why the districts have been

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1 drawn to take the shapes that they do. We
2 understand that the redrawn district maps will
3 be available online for citizen feedback and
4 we are concerned that the use of this method
5 alone for citizen input diminishes the
6 importance of citizen involvement in the
7 redistricting process. Of course, you've
8 mentioned now that perhaps there will be more
9 public hearings, which we strongly encourage.
10 Other states require that explanations of
11 proposed districts be provided and made
12 public. We think that this part of
13 redistricting holds the most promise for
14 ensuring transparency and accountability in
15 the redistricting process. Not doing so in
16 North Carolina would hamper the ability of
17 citizens to ask questions regarding the
18 proposed plans and would also prohibit
19 involvement by the many North Carolinians who
20 lack regular computer access. Thoughtful
21 consideration of citizen-drawn map proposals
22 can improve the redistricting process because
23 it increases public involvement, deepens
24 leaders' understanding of the communities they
25 represent, and can help strengthen proposed

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1 plans so that they may better withstand legal
2 challenges. The League requests that you
3 allow full citizen involvement in the
4 redistricting process from the beginning to
5 the end and hold public hearings on new
6 district maps prior to their legislative
7 approval. Numerous supreme court cases over
8 the years have made it clear that in
9 conducting redistricting the state should use
10 total population from the official census.
11 Using a subset of the state's total population
12 such as registered voters or voting age
13 population or some other measure would be
14 unfair and likely result in some groups being
15 under-represented. Each individual in our
16 state is entitled to representation. The
17 North Carolina Constitution requires state
18 legislative districts, districts for the North
19 Carolina House of Representatives, and Senate
20 to be apportioned on the basis of inhabitants,
21 not registered voters, not voting age
22 population, not citizen voting age population.
23 Underestimating the CVAP, which is the citizen
24 voting age population, of minority voters
25 could lead to a dilution of minority voters'

1 ability to elect candidates of choice by
2 packing eligible minority voters into fewer
3 districts. There have been a variety of
4 excellent reports documenting various ways in
5 which state and private actors have impeded
6 the ability of minority voters to exercise
7 their right to vote -- their right to vote.
8 One such report entitled Voting Rights in
9 North Carolina 1982 to 2006 outlines both how
10 state and private actors continue to impede
11 the ability of minority voters to exercise
12 their right to vote. The whole-county
13 provisions of the North Carolina Constitution
14 and the North Carolina Supreme Court decision
15 in Bartlett versus Stephenson dictates a step-
16 by-step process for appointing state
17 legislative districts. First, VRA districts
18 must be -- Voting Rights Act districts must be
19 drawn, then any county large enough to contain
20 a full state legislative seat must be
21 allocated the whole number of seats to which
22 it is entitled, and finally the remaining
23 territory must be clustered such that the
24 whole counties are grouped in the clusters
25 meeting equal population requirements of the

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1 federal and state constitution. We urge the
2 Committee to take our commentary into
3 consideration as it works to craft the
4 district lines that will impact the public
5 policy in our state for years to come. Thank
6 you for this opportunity and I have my
7 comments in writing.

8 BY REP. MOFFITT:

9 Thank you, Ms. Balogh.

10 BY MS. BALOGH:

11 Thank you.

12 BY REP. MOFFITT:

13 If you could, for the record, reintroduce
14 yourself with the spelling of your name.

15 BY MS. BALOGH:

16 It's Kathleen Balogh, B-a-l-o-g-h, and I'm the
17 president of the North Carolina League of
18 Women Voters.

19 BY REP. MOFFITT:

20 Thank you very much. Senator Hise, do you
21 have any additional folks signed up in Boone
22 to speak?

23 BY SEN. HISE:

24 We do not.

25 BY REP. MOFFITT:

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1 Is Mr. Pena prepared to speak, or should we
2 just skip a couple of rounds and come back to
3 him?

4 BY SEN. HISE:

5 He said he would prefer to skip a few rounds
6 and then come back.

7 BY REP. MOFFITT:

8 Okay. We'll do that. If you do have someone
9 show up, feel free to interrupt us at any
10 time.

11 BY SEN. HISE:

12 I will. Thank you.

13 BY REP. MOFFITT:

14 Certainly. We'll move to Senator Brock's area
15 with Western Carolina University. Next up to
16 speak is Mike Graham. Then we'll come back to
17 Asheville and we'll hear from Marla Drucker.
18 Mr. Graham, if you could, introduce yourself,
19 spell your name for the record, and let us
20 know if you're speaking on behalf of yourself
21 or for a group.

22 BY MR. GRAHAM:

23 My name is Mike Graham, G-r-a-h-a-m. I am a
24 resident of Haywood County in the Bethel
25 community. I am speaking on behalf of myself.

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1 The current alignment that we have now has
2 created split precincts which I have to vote
3 in. And I live a half a mile away from my
4 restaurant which is in Senate District 119 and
5 I live in District 118. I thought I had
6 researched the candidates well because Phil
7 Haire had come by my restaurant and introduced
8 himself to me. When I went to go vote, his
9 name wasn't on my ballot. It was really
10 confusing. I thought I had really researched
11 the candidates and how they stood. There are
12 four precincts currently split in Haywood
13 County. Number 2, Haywood County has the
14 largest population of any county west of
15 Buncombe, and splitting this county unfairly
16 dilutes the influence the county has in the
17 election process. The US Supreme Court has
18 said that partisan gerrymanders, which is what
19 goes on when you all do that, are allowable
20 unless -- unless, it says, they consistently
21 degrade a voter or a group of voters'
22 influence in the political process as a whole.
23 This is precisely what has happened to Haywood
24 County for the past decade. If we only had
25 one senator and one representative for our

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1 county, they would have to do the following,
2 they would have to spend more time campaigning
3 in the county and actually listen and deliver
4 results to the citizens of Haywood County.
5 Our numbers would be important to their
6 political futures. They would, two, work
7 harder to direct state funds and resources to
8 our county. Currently we have -- Highway 276
9 on Waynesville Mountain has been falling off
10 the side of the mountain for 10 years. I
11 believe that if we had one representative or
12 one senator we could definitely hold
13 accountable, that slide and road would have
14 been repaired properly. Also in 2004 it took
15 almost a year to replace the bridges in Bethel
16 and Cruso during the floods. This almost put
17 me and certain others out of business.
18 Solution for the House, the new data a for
19 House District is 79,462. If you put Haywood
20 County and Madison County, that count comes to
21 7,980, 338 over the ideal number of 4.42
22 percent, well within the guidelines of plus or
23 minus 5 percent. This new district would
24 fulfill the whole-county provision for Haywood
25 County and also Yancey County allowing the 576

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1 Yancey County citizens currently in District
2 118 to join the rest of Yancey County and
3 become a whole county in District 84. Thus
4 the 576 Yancey County citizens would get much
5 better representation. Solution for the
6 Senate, take Cherokee, Clay, Graham, Swain,
7 Macon, Jackson, Haywood, total of 194,102 plus
8 1.277 percent, well within the plus or minus 5
9 percent. You have to move Transylvania over
10 towards District 48. One other thing that's
11 in your legislator's guide for you all that --
12 this is where I'm getting some of this
13 information out of, I want to let you know
14 that. It says, "Multi-member districts shall
15 not be in the formation of legislative
16 districts unless it is established that such
17 districts are necessary to advance a
18 compelling governmental interest." Gentlemen,
19 Ladies, governmental, not political, please.
20 All right. In closing, there were promises
21 made. During the voting process we
22 (inaudible) questionnaires in Haywood County.
23 One of the questions specifically said, "Will
24 you vote for or against to uphold the whole-
25 county provision for Haywood County during the

1 redistricting process?" Both Mr. Hise and Mr.
2 Davis responded for the measure. In fact, Mr.
3 Hise campaigned numerous times on that said
4 issue. And if it were not for the voters from
5 Haywood County, Mr. Davis would have lost.
6 GOP must uphold the whole-county provision for
7 Haywood County. Please end the split. Make
8 us whole. I worked hard and spent a lot of
9 time and money to help get these two senators
10 elected. But mark my words, if Haywood County
11 ends up split with the split districts again,
12 I promise I will triple my efforts to have
13 them defeated in the next effort. And God
14 willing I will fight it in the courts to have
15 it overturned. You have the -- you will have
16 degraded Haywood County voters of their
17 influence on the political process by dividing
18 the county. Ten years ago the Democrats threw
19 us under the bus, Mr. Republicans, don't throw
20 us under a bus this year, okay. That's all
21 the time I have. Thank you very much. Once
22 again, my name is Michael Graham from Haywood
23 County and please consider my remarks. Thank
24 you.

25 BY REP. MOFFITT:

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1 Prior to moving to our next speaker I'd like
2 to recognize a member of Asheville City
3 Council who has come to join us today; that's
4 Brownie Newman. Thanks for joining us. We're
5 back to Asheville. Our next speaker is Marla
6 Drucker, and then we'll be back over to
7 Western Carolina where the next speaker will
8 be Roy Burnette. Ms. Drucker?

9 BY MS. DRUCKER:

10 I hope you all can hear me.

11 BY REP. MOFFITT:

12 If you could, just formally introduce yourself
13 and also spell your name.

14 BY MS. DRUCKER:

15 My name is Marla Drucker. I live in North
16 Asheville, ZIP code 28804, and I'm
17 representing myself. When I first heard about
18 this hearing I thought it was -- it would be a
19 very important opportunity since it's the only
20 hearing that's going to take place in all of
21 Western North Carolina, and I even put it on
22 my Facebook page. I don't know if anybody
23 read it. I only have 52 friends. But
24 hopefully people are paying attention. I am a
25 registered Democrat and I am confused -- I

1 was -- well, I just became unconfused, I think,
2 about which legislative district my home is
3 in. I thought it was in 114, but apparently
4 it's really in 116. There was a map on the --
5 on the internet from the legislature that I
6 think has it wrong, so you all should try to
7 fix that so people won't be confused in the
8 future. I voted for Jane Whilden in the last
9 election and I was certain that she would win
10 because she had done a good job. And I was
11 rather shocked and dismayed to find out that
12 she lost and you, Mr. Moffitt, won instead.
13 And I thought, well, let's see, what's wrong
14 with my district. Maybe I should be in a
15 different one. So apparently I would prefer
16 to be in a different district. There is a --
17 perhaps we could take some of District 116 and
18 have it join with District 114 and get better
19 representation for those of us who live in
20 North Asheville. That's what I would like to
21 propose. I know the Republicans won't like
22 it, but that's what I would like anyhow. And
23 regarding the congressional district, I hope
24 it stays as it is. I saw in the newspaper
25 that somebody had proposed to extract

1 Asheville from the district and put it in with
2 Rutherford County and other counties to the
3 east of Rutherford County. And I think that's
4 a really bad idea and I hope that doesn't get
5 accepted. Now I have not prepared any written
6 remarks, and what I put in the email was based
7 on an assumption that I was really in District
8 114, not 116, so that's wrong. And as long as
9 this is being recorded properly, these are my
10 opinions and remarks.

11 BY REP. MOFFITT:

12 I appreciate your kind words. Spell your last
13 name for us so we have that accurate for the
14 record.

15 BY MS. DRUCKER:

16 It is spelled D-r-u-c-k-e-r.

17 BY REP. MOFFITT:

18 Thank you very much. Okay, we're going back
19 to Senator Brock at Western Carolina
20 University. The next speaker there is Roy
21 Burnette, then we will come back to Asheville
22 and we'll hear from Barbara Coulson. Mr.
23 Burnette?

24 BY MR. BURNETTE:

25 My name is Roy Burnette. I grew up in Swain

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1 County. I now reside in Jackson County. I'm
2 a Vietnam veteran and Governor Holshouser
3 awarded me the Order of the Long Leaf Pine
4 several years ago and I proudly display that
5 in my office. I thank you all very much for
6 the opportunity to come out and present all
7 this today. It's a matter of great concern to
8 me on the whole issue of the redistricting
9 program. I've talked with my representative,
10 Phil Haire, this issue on several occasions to
11 register my concern and I'm glad we're able to
12 have this hearing today to where we'll be able
13 to have citizens' input into what is going on.
14 As the lady mentioned earlier, the whole issue
15 behind the redistricting process is based upon
16 the 10-year census. Therefore, you would
17 think the districts would be drawn based upon
18 the population of people within those
19 districts. However, whenever you look at some
20 of the districts not only in North Carolina,
21 but certainly some of those in Florida and
22 Texas -- and the other day I was listening to
23 National Public Radio and they were
24 interviewing a representative from Florida and
25 he said, My district looks a whole lot like

1 one of these barbell things that, you know --
2 and he said, To get from one side of my
3 district to the other, he said, I operate on
4 this interstate highway, I get into a boat and
5 go across Lake Okeechobee because there is no
6 road between these two sides of the district,
7 and then I, you know, get off the boat and
8 then have to work a whole different area
9 because you can't drive between the two
10 districts unless you drive all the way around
11 the lake, which, you know, is pretty much a
12 day's journey. So I don't think any
13 particular party can claim the patent on
14 gerrymandering. Because if you look at some
15 of those, it kind of looks like somebody took
16 the inkblot test and stuck those down on a map
17 and said, okay, you get this one, and you get
18 that one, and you get this one, and you look
19 at that one. So whether you're in North
20 Carolina and certainly some of the
21 congressional districts in North Carolina, you
22 know, are -- you know, range for hundreds of
23 miles in some cases maybe a half a mile or a
24 mile wide, you know. And you wonder who is
25 the -- who is the brilliant person that we

1 sent to Raleigh to concoct this? So then the --
2 by the same token I think that a few years
3 ago I was meeting in a restaurant in Sylva and
4 I was talking to our Senator Bob Carpenter and
5 was talking about some things of interest in
6 the area and -- at that time and he said,
7 "Well, Roy," he said, "I'm just -- don't know
8 if I'm going to be able to do what you want to
9 do because," he said, "I represent Cashiers,
10 but I don't represent Sylva." Now who decided
11 -- kind of like the folks in Haywood County,
12 who decided that Cashiers needed to be part of
13 Macon County and the other district, but the
14 rest of Jackson County couldn't seem to come
15 up to their standard or something. I never
16 could understand why. Because it seems like
17 you should try to draw your lines to where you
18 would protect the unique interests of those
19 individual counties. Now I thought that
20 somewhere at what used to be called a smoky
21 back room, but probably not as smoky anymore,
22 not in North Carolina -- but in some back room
23 somewhere you have individuals who are out
24 here, and I talked to a legislator one time
25 and he said, "Boy, you sure could help me with

1 some votes," in a certain precinct they called
2 out. So I'm sure that somewhere along the
3 line that's there's individuals who know how
4 each and every precinct in the State of North
5 Carolina voted. Because in some of the
6 political advertising that I saw in the last
7 election, that was almost cited specifically
8 in some of the advertisements at the statewide
9 level. So somebody somewhere says, well, this
10 precinct goes this way, and this precinct goes
11 that way. And if we can pull this many
12 precincts and concoct all of these inkblot
13 districts, then we might be able to select
14 more of one party than you do the other. I
15 don't think that's what our founding fathers
16 had in mind whenever they told us that we need
17 to develop precincts by which people would be
18 able to vote. So, again, I think we need to
19 protect the uniqueness of our counties and our
20 county integrity. And I certainly appreciate
21 the opportunity to come and have a little bit
22 of input in your program today. Thank you
23 very much. My name is Roy Burnette and the
24 name is B-u-r-n-e-t-t-e. Thank you.

25 BY REP. MOFFITT:

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1 Thank you, Mr. Burnette. Now we're back in
2 Asheville. Our next speaker is -- will be
3 Barbara Coulson and she'll be followed by Tom
4 Coulson. Barbara?

5 BY MS. COULSON:

6 Thank you. My name is spelled C-o-u-l-s-o-n.
7 I live in the Little Sandy Mush community of
8 Madison County. I want to thank you for
9 holding these hearings. My hope is that there
10 will be more as the process progresses in
11 order to involve as many North Carolina
12 citizens as possible. Legislative districts
13 are redrawn every 10 years to balance
14 population (inaudible) changes based on the
15 census. In North Carolina this process is
16 done with little or no public input or
17 accountability behind closed doors by
18 individuals from both major parties.
19 Essentially the democratic process is
20 subverted with politicians selecting voters
21 rather than voters electing politicians. We
22 citizens have watched for too many years as
23 districts have been sliced and diced with maps
24 that pitted legislations of the same --
25 legislators of the same party against each

1 other. In fact, every plan since 1980 has
2 wound up in court. At this time I would like
3 to see North Carolina achieve a fair and
4 nonpartisan redistricting map that serves
5 legislators and voters. By that I mean a map
6 that isn't drawn by lawmakers of any party,
7 but by a group of nonpartisan, knowledgeable
8 people who use basic criteria to achieve a map
9 that we can live with. A map that may not
10 give all of us everything we want, but one
11 that we can accept because we know that
12 partisan politics didn't play a part, that it
13 met all the requirements of the Voting Rights
14 Act, and that it was fair. Some of the
15 criteria that I believe are important for the
16 redistricting process are, No. 1, the state
17 should use total population from the official
18 US Census rather than using registered voters
19 or voting age population. And I won't expand
20 on that because Kathleen Balogh laid that out
21 pretty well. Number 2, districts should be
22 compact and contiguous. It makes no sense for
23 districts to be gerrymandered as the
24 Republican proposal mentioned in yesterday's
25 Asheville Citizen-Times to put Asheville in

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1 the 10th District and bring Avery, Mitchell,
2 and Burke Counties into the 11th. Districts
3 should respect natural boundaries and
4 communities of interest. Six states are
5 currently redistricting through independent
6 commissions. They're Alaska, Arizona,
7 California, Idaho, Montana, and Washington.
8 There is another state, Iowa, that has had the
9 same system in place since 1980. This plan
10 charges three members of a nonpartisan
11 legislative staff with creating a districting
12 plan that meets the criteria of population
13 equality, contiguity, unity of counties and
14 cities, and compactness. The use of political
15 affiliation, previous election results,
16 addresses of incumbents, or any other
17 demographic information is forbidden. They
18 hold three public hearings on the first
19 proposed plan and then send it to the
20 legislature for an up or down vote. They are
21 given two more tries for the staff to develop
22 a plan if the first plan is voted down. But
23 Iowa's history is that in 1980, 1990, and 2000
24 the process has never had to go beyond the
25 second plan. I would like to see North

1 Carolina follow that model. Fortunately,
2 there is a bill in North Carolina House, HB
3 824, that would do just that sponsored by two
4 Democrats and two Republicans so it is
5 bipartisan. This plan would ensure that the
6 redistricting process is conducted by a
7 nonpartisan legislative services office,
8 public hearings would be held by a citizens'
9 advisory commission, legislators would not be
10 able to amend the plan with only technical
11 changes being considered. If a legislator
12 rejects the plan, he must report why within
13 seven days. The same structure as Iowa's plan
14 was the basis for House Bill 824. The money
15 North Carolina spends on redistricting
16 infighting, legislative delays, and lawsuits
17 is outrageous, to say nothing of the special
18 sessions and, in some cases, primary election
19 delays. HB 824 would put redistricting on a
20 set schedule, take politics out of the
21 process, stop the gerrymandering that is so
22 destructive to the political process, save the
23 state money, and last, but certainly not
24 least, provide the transparency so that North
25 Carolina's people can be proud that we finally

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1 got it right.

2 BY REP. MOFFITT:

3 Thank you, Ms. Coulson. Our next speaker is
4 Tom Coulson. At the conclusion of his
5 remarks, we'll check back in with Senator Hise
6 and Senator Brock. Provided there are no
7 speakers there, our next speaker will be Tom
8 Bell in Asheville. Mr. Coulson?

9 BY MR. COULSON:

10 Thank you and thank you for this opportunity
11 to speak on the subject of redistricting. My
12 name is Thomas Coulson. I'm a resident of
13 Little Sandy Mush with Barbara. We've been
14 North Carolina citizens now for 35 years. I
15 think we all know that gerrymandering was the
16 creation of Elbridge Gerry, an 18th century
17 governor of Massachusetts. It got its name
18 when someone remarked that a district on a map
19 he created to ensure his reelection looked
20 like a salamander. They replied that it
21 wasn't a salamander, it was a Gerrymander. It
22 wasn't long before politicians realized the
23 utility of gerrymandering in gaining and
24 retaining power at the expense of equal
25 representation. That led to its wide usage.

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1 I guess we could say that it's time honored,
2 just like prostitution. In recent years in
3 North Carolina the late Republican Senator Ham
4 Horton would regularly submit legislation
5 creating an independent redistricting
6 commission. As a liberal Democrat and a
7 member of Common Cause I advocated for this
8 and joined a representative from the
9 conservative John Locke Society on talk radio
10 to support such legislation. This is, after
11 all, nonpartisan. Republicans supported this
12 idea when not in power. Now it's time to act.
13 Gaining power does create a real opportunity
14 to demonstrate integrity. Thank you.

15 BY REP. MOFFITT:

16 Thank you, Mr. Coulson. I'd like to check in
17 with Senator Hise. Senator Hise, any changes
18 in Boone?

19 BY SEN. HISE:

20 We have no changes.

21 BY REP. MOFFITT:

22 All right. Senator Brock?

23 BY SEN. BROCK:

24 No one else.

25 BY REP. MOFFITT:

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1 No one else. Okay. Our next speaker in
2 Asheville will be Tom Bell, who will be
3 followed by Veronika Gunter. Mr. Bell?

4 BY MR. BELL:

5 I don't care to speak.

6 BY REP. MOFFITT:

7 All right. That means Ms. Gunter is up next,
8 then she'll be followed by John Vanderstar.
9 Ms. Gunter? Veronika Gunter?

10 BY MS. GUNTER:

11 Do I get a microphone? I was in the second
12 room and I don't know.

13 BY REP. MOFFITT:

14 I think we're fine right there. Just step
15 closer to ---

16 BY MS. GUNTER:

17 My name is Veronika Gunter. I'm a resident of
18 Buncombe County. I speak on behalf of
19 Democracy Today although I only represent
20 myself with my words. With regards to the
21 redistricting of the legislative and
22 congressional districts, I second what I've
23 heard today from the League of Women Voters
24 representatives and both of the Coulsons.
25 Anything that increases our transparency and

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1 inclusiveness of democracy I support. And so
2 to save time, I second what they have to say.
3 This is exactly -- transparency,
4 inclusiveness, and democracy is exactly what
5 we need with regard to redistricting in
6 Buncombe County. And I am referring to
7 Representative Moffitt's current bill ---

8 BY REP. MOFFITT:

9 That's out of order at this hearing.

10 BY MS. GUNTER:

11 And this is my only opportunity in public to
12 address you on it so I would continue speaking
13 saying we need these kinds of hearings about
14 Buncombe County and about our redistricting of
15 our county. We need transparency,
16 inclusiveness, and democracy to involve the
17 people, rather than making top-down decisions
18 that are going to affect everyone who lives in
19 Buncombe County. Again, my name is Veronika
20 Gunter and I live in Buncombe County and thank
21 you for holding this hearing. And I hope we
22 get to have the same opportunity again
23 regarding redistricting in Buncombe County.

24 BY REP. MOFFITT:

25 Thank you. If you could, spell your name for

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1 the record.

2 BY MS. GUNTER:

3 Yeah, Veronika, V-e-r-o-n-i-k-a, last name
4 Gunter, G-u-n-t-e-r.

5 BY REP. MOFFITT:

6 Thank you very much. Okay, our next speaker
7 is John Vanderstar, and he'll be followed by
8 Robert Carr. Mr. Vanderstar?

9 BY MR. VANDERSTAR:

10 Pass.

11 BY REP. MOFFITT:

12 Senator -- he's passed. Robert Carr will be
13 followed by Don Yelton. Mr. Carr? Senator
14 Hise, we have three more speakers here. At
15 that point Mr. Pena will need to either speak
16 or pass.

17 BY SEN. HISE:

18 Mr. Pena has decided not to speak.

19 BY REP. MOFFITT:

20 Okay. Thank you. Mr. Carr, right there is
21 fine.

22 BY MR. CARR:

23 My name is Robert Carr, C-a-double r. For the
24 record I'm an officer of the Madison County
25 Democratic Party, but I'm not speaking on

1 behalf of the party. Like a lot of people
2 today, I've been reading the newspapers about
3 what's probably going to happen, how the
4 redistricting is shaping up. I'm kind of
5 reminded, I don't know -- I guess people here
6 are old enough to remember a movie called Fish
7 Called Wanda. In the last scene of that movie
8 there's some poor guy stuck in some cement and
9 there's another guy driving a steamroller
10 toward him and he's madly trying to talk that
11 other guy out of it without a whole lot of
12 success. I'm glad you're holding this hearing
13 so at least you're hearing what people have to
14 say. And I hope you have another hearing like
15 this when the maps are drawn. But I think the
16 real key thing that I'd like to urge you to
17 do, and I second the League of Women Voters
18 and some other people in that regard, is to
19 start looking at some sort of a citizens'
20 commission, and Iowa was mentioned as a model.
21 California has a brand new commission that
22 they're trying for the first time this year.
23 There are a number of other models out there.
24 But, quite frankly, I must say that allowing
25 the legislature to redistrict itself is a

1 little bit like asking the fox to design the
2 security measures for the henhouse. You know
3 what the outcome is going to be. So, again,
4 whatever happens this time is going to happen.
5 I appreciate at least your listening to us,
6 but I do urge you, and I second several other
7 comments in that regard, Republican Party
8 supported this concept when it was out of
9 power. I've done some research and I
10 discovered to my shock and horror that the
11 Democratic Party has engaged in this kind of
12 activity in the past as well. So I'm hoping
13 you all can come together after this process.
14 I know it's too late now. After this process
15 is over so that by 2020 -- and which one of
16 you thinks you're going to be in power in
17 2020? I don't think you're willing to make a
18 guess. So by 2020 we have a citizens'
19 commission that will do this and will create
20 districts that make sense, that keep
21 communities together, that don't pay any
22 attention to who might or might not win
23 elections on that account. Thank you very
24 much for listening to me. Again, my name is
25 Robert Carr, C-a-double r. I'm from Marshall

1 in Madison County.

2 BY REP. MOFFITT:

3 Thank you, Mr. Carr. Our next speaker is Don
4 Yelton. He'll be followed by Justin Wight.

5 BY MR. YELTON:

6 Thank you very much for this opportunity. My
7 name is Don Yelton, that's Y-e-l-t-o-n. And
8 I'm real thankful to have five minutes to
9 speak because the Buncombe County Board of
10 Commissioners which has been Democratically
11 controlled all my life has basically limited
12 us to three minutes at the county
13 commissioners. So thank you for the extra two
14 minutes. My comments are not written; but
15 spoken from the heart. Because bottom line is
16 I have heard David Gantt say, "We zone
17 Buncombe County because you elected us to make
18 the tough decisions." Gentlemen, Ladies, we
19 elected you to make the tough decisions. You
20 have a job to do, now do it. We are not a
21 democracy. We are a republican form of
22 government where we elect people to represent
23 us. I think you've heard today from both
24 Democrats and Republicans that we are watching
25 all of you, not just one party, but all of

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1 you. We don't want the Morgan Five repeated.
2 We don't want it done where Wilma Sherrill and
3 Martin Nesbitt were neighbors and their
4 districts have been drawn for years to where
5 they both had a safe district. That was right
6 here in Buncombe County. And I got so sick of
7 seeing that happen, that when I went to the
8 Democrat State Convention -- and they shut the
9 convention down because there was enough
10 people there wanted to take my tax dollars and
11 pay for abortion, I became a Republican. Now
12 I wasn't welcomed with open arms by the
13 Republicans, and I don't plan on being
14 welcomed with open arms by anybody because I
15 look at you and tell you the truth. We are a
16 republic form of government. We elect you to
17 make that decision. If you have hearings out
18 the wazoo, you're never going to please
19 everybody because everybody is going to be
20 selfish and want their own personal interests
21 done. We elected a Republican Senate and
22 House because we were sick and tired of what
23 was going on in North Carolina. If we see
24 politics played in this redistricting, we'll
25 be sick and tired of the Republican House and

1 the Senate. So my words to you is, Go back to
2 Raleigh, do your job. And, Tim, be as fair as
3 I know you can be. And, Susan, I think you
4 can be fair, too, if you'll just reach in your
5 heart and do it. Ray, I don't know about you.
6 You're from Madison County. That's my words
7 to you. It's said from the heart. Because
8 I've spent my life the last 10 years observing
9 this government world and it is a cluster.
10 Get down to the job and do what you're
11 supposed to do and don't let the people steer
12 you for their personal -- thank you very much
13 for this opportunity.

14 BY REP. MOFFITT:

15 Thank you, Mr. Yelton. If you could, spell
16 your name for the record.

17 BY MR. YELTON:

18 Y-e-l-t-o-n.

19 BY REP. MOFFITT:

20 Thank you. Our next speaker is Justin Wight,
21 and he'll be followed by Ray Gasperson. Mr.
22 Wight?

23 BY MR. WIGHT:

24 My name is Justin Wight. I'm a resident of
25 Asheville, North Carolina. My last name is W-

1 i-g-h-t for the record. First off, I'm very
2 glad to see that there's this many people in
3 attendance here today and I'm glad you guys
4 are holding open meetings on the matter. I've
5 lived in states and been involved in politics
6 in places where it's buried behind the
7 curtain, so I'm glad that you're doing this.
8 To second some of the thoughts that have been
9 mentioned here today, first and foremost in
10 relationship to the congressional districts,
11 the breaking of Buncombe County in my mind and
12 in the minds of, I think, most people that
13 we've heard from today is absolutely
14 unacceptable. Communities of interest must be
15 preserved. In traveling the district from
16 Murphy all the way to Barnardsville and all
17 the points throughout the district as I have
18 as a grassroots activist in politics, you get
19 a sense for the people which is wonderful.
20 When those communities are broken, so too is
21 their voice. It's very difficult on the part
22 of state representatives, state senators, and
23 congressmen already, as you know, to try to
24 take into account all the varying interests
25 and thoughts of all your constituents. It

1 becomes much harder when those communities,
2 families, churches, neighborhoods, are broken
3 up for political gain. That's why I encourage
4 to the nth degree that communities, counties
5 be preserved. I know that the 9th District is
6 -- excuse me, the 11th District is 30,000
7 short of the ideal number that's been
8 discussed. Currently Rutherford County is
9 broken apart in the 11th District. Perhaps it
10 would be an opportunity to make Rutherford
11 whole either by joining completely within the
12 11th District or if population is not really
13 in favor of that, letting Rutherford be whole
14 in another congressional district with the
15 11th picking up Mitchell. Either one of those
16 would be in favor of bringing whole
17 communities together. The district we've seen
18 in the Asheville Citizen Times, which I
19 realize is only a rough draft, shows Buncombe
20 County being cleaved in half, essentially,
21 with Asheville ripped out of it. I think
22 that's a terrible plan and I hope it's one
23 that our illustrious members of the state
24 legislature will not choose to go forward with
25 In relationship to some of the State House and

1 State Senate districts we've heard about
2 likewise, I thought great voice was given to
3 concerns of Haywood County and other
4 communities that have seen their
5 representation influence -- Yancey County with
6 only 600 Yancey Countians in one district,
7 obviously, candidly, despite the best efforts
8 of the representative, their focus on a
9 constituency that represents less than 5
10 percent of their constituents is not going to
11 be their primary focus, nor would we expect it
12 to be. Republicans were elected to power
13 within both houses of our state legislature
14 under the promise of change, of a new way of
15 doing things. In large part of that the
16 discussion was on redistricting and the way
17 that the Democratic Party has districted this
18 state for over a century as was spoken of by
19 Former Senator Clark. To engage in the same
20 behavior with the goal of producing more
21 advantageous results for the Republican Party
22 shows the worst form of cynicism. We want to
23 see campaign promises and campaign rhetoric be
24 more than tools for election. We want to see
25 those promises kept. I expect and indeed

1 hope, given our representation, that we will
2 see that. I think we do have a good
3 collection of representatives currently in our
4 state legislature. But obviously the
5 Democratic maps weren't drawn so roughly as to
6 prevent Republicans from taking over both
7 houses. So I think that bears -- you know,
8 bears taking into account. To the best of
9 your ability -- obviously Buncombe County will
10 require multiple representatives due to our
11 population and also for State Senate. But to
12 the best of your ability preserve counties,
13 preserve communities, preserve cities. I know
14 you have the ability to do so. I hope we will
15 see that come to fruition. Thank you.

16 BY REP. MOFFITT:

17 Thank you, Mr. Wight. Our next speaker will
18 be Ray Gasperson and our final speaker will be
19 Maxine Dalton. Mr. Gasperson?

20 BY MR. GASPERSON:

21 Yes. Hi, I'm Ray Gasperson. I'm the Chair of
22 the Polk County Board of Commissioners. I'm
23 pleased that Polk County is currently not
24 split by any State House or Senate district,
25 and I would strongly support that Polk County

1 remain such. And I say that as a Democrat and
2 as an elected official who is a Democrat. And
3 we're currently represented by Representative
4 Guice and State Senate Apodoca and I feel that
5 we're a better represented county as a whole
6 because we're not split. And there -- and
7 Guice and Apodoca are both Republican. So,
8 however, I'm extremely concerned about the
9 potential gerrymandering of the 11th
10 Congressional District that would remove
11 Asheville and other parts of Buncombe County
12 from the 11th District. The citizens of
13 Western North Carolina have always felt
14 somewhat ignored by the North Carolina State
15 House and Senate. And any gerrymandering of
16 Buncombe County would only further dilute
17 Western North Carolina's influence. I think
18 it's very easy to make a strong case that
19 Asheville, Buncombe County is the cultural and
20 economic hub for all of Western North
21 Carolina. And to do this strange
22 gerrymandering that I saw in the Asheville
23 Citizen Times yesterday would really be a
24 travesty. So I sincerely hope that our
25 representatives for both parties will

1 certainly be aware and not take such odd and
2 strange steps. Thank you.

3 BY REP. MOFFITT:

4 Thank you, Mr. Gasperson.

5 BY MR. GASPERSOON:

6 Gasperson, G-a-s-p-e-r-s-o-n.

7 BY REP. MOFFITT:

8 Thank you very much. Next would be Maxine
9 Dalton.

10 BY MS. DALTON:

11 Thank you. My name is Maxine Dalton, D-a-l-t-
12 o-n, and I live on Spring Creek in Madison
13 County. I fully support everything that's
14 been said, particularly by the Coulsons and
15 the League of Women Voters in terms of the
16 Iowa plan. It's too bad it's too late this
17 time and I hope we'll do that for 2020, then
18 I'll be 80 years old so who knows. I would
19 just like to make two points. The public
20 hearing that you intend to have after we have
21 a physical map to look at, I would urge you to
22 reconsider your plan to run that
23 electronically out of Raleigh and to gather
24 input by internet. In Madison County we are
25 very interested in what goes on politically,

1 but many, many of my neighbors do not have
2 computers. They are not going to go online to
3 figure out how to make a comment about maps.
4 And so I would urge you to come back out and
5 maybe even get out a little farther into
6 Western North Carolina than Buncombe County
7 and let people see these maps and touch these
8 maps and really have a chance to talk about it
9 and get their input to you. I think it's very
10 important. Secondly, just reminder that
11 Madison County, 51 percent of the folks in
12 Madison County work out. They work in
13 Buncombe County and they work in Haywood
14 County. And so when you're thinking about the
15 11th Congressional District, keep in mind that
16 we are -- we're very different from Haywood
17 and we're very different from Buncombe, but
18 we're also intrinsically locked up to those
19 two counties economically and it matters to us
20 what happens there. And, finally, I just urge
21 you as everyone has, regardless of affiliation
22 or point of view today, to come up with a
23 credible process and a credible product. I
24 think there is a malignant partisanship that
25 is afoot in this country right now at the

1 state and federal level and I think it's
2 created cynicism and mistrust and even
3 threatens the belief in a democratic process.
4 And I believe that if you will come up with a
5 credible product, not perfect but credible and
6 fair, that you can begin, maybe, to restore a
7 little bit of people's faith in the process.
8 So thank you for this opportunity. And it's
9 D-a-l-t-o-n. Thank you.

10 BY REP. MOFFITT:

11 Thank you, Ms. Dalton. I'd like to check back
12 in with Senator Hise. Has anything changed
13 there? Do you have any speakers signing up?

14 BY MR. HISE:

15 We have no speakers.

16 BY REP. MOFFITT:

17 All right. Senator Brock?

18 BY MR. BROCK:

19 No further speakers.

20 BY REP. MOFFITT:

21 All right. We have one more speaker here. We
22 will take her comments, then we'll draw this
23 public hearing to a close. Our next speaker
24 in Asheville will be Janet Betke.

25 BY MS. BETKE:

1 Yes.

2 BY REP. MOFFITT:

3 If you could, spell your name for the record.

4 BY MS. BETKE:

5 B-e-t-k-e is the last name. I came in today
6 because I saw this advertised in the Asheville
7 Citizen-Times yesterday and that possibly
8 Buncombe County might be moved from District
9 11 to District 10. And I would like to
10 express my opinion that I do not think this
11 would be a good idea to move Buncombe for
12 economic and geographic reasons. We are more
13 aligned with District 11, just like the woman
14 from Madison County just said. In fact, a lot
15 of people from the other counties come into
16 Buncombe and work, so why should we be
17 separated from them with our congressional
18 representation? Also, I'd like to complain
19 about this meeting. I only saw it in the
20 paper once. An aid said it was on the
21 internet for 30 days, but I also agree with
22 the woman from Buncombe -- from Madison that a
23 lot of people do not have the Internet, and I
24 think these should be advertised better. And
25 I think it's also a bad time, at 4:00 on

1 Saturday afternoon, for a meeting. And
2 actually, excuse me, I'm very surprised to see
3 this small turnout because I know Asheville
4 and I think if everyone was better informed we
5 would have a bigger turnout here. And this is
6 a terrible building to have this in. Three
7 sides of this building are blocked off, it
8 looked like you couldn't even get in. A lot
9 of people may have given up trying to get in,
10 but we didn't. We ran around three sides of
11 it. There's only enough room in here for 30
12 people, there's another 20 in the other room
13 who didn't get to hear the beginning of this
14 hearing and I just think that this needs to be
15 better planned and advertised and a better
16 room for representation. Thank you.

17 BY REP. MOFFITT:

18 Thank you, Ms. Betke. I don't believe we have
19 any more speakers that have signed up at this
20 point. I'd like to go to Senator Hise. Thank
21 you for chairing your portion of the meeting
22 today. Also thank, Senator Soucek,
23 Representative Randleman, and also
24 Representative McGee for attending. If you
25 could, if you have any closing comments that

1 you'd like to offer, feel free to enter those
2 into the record now.

3 BY SEN. HISE:

4 No closing comments. I just want to express
5 what you said earlier, very grateful to
6 Appalachian State University and the
7 Chancellor for the opportunity to use this
8 facility and be part of this. It has turned
9 out well and we are thankful that this has
10 been an opportunity for us in Western North
11 Carolina.

12 BY REP. MOFFITT:

13 Thank you, Senator. We'll move to Western
14 North Carolina to Senator Brock.

15 BY SEN. BROCK:

16 Thank you, Mr. Chairman. Just grateful to
17 have this presence and opportunity in Western
18 North Carolina and the far west. And to this
19 wonderful campus of Western Carolina
20 University, the pride of the mountains, is
21 glad to have this debate and forum here.

22 Thank you.

23 BY REP. MOFFITT:

24 Thank you, Senator. That will -- I'd like to
25 offer closing remarks to Representative

Transcript of the Proceedings
Public Hearing on Redistricting

66

1 Fisher.

2 BY REP. FISHER:

3 Thank you. Representatives Moffitt and Rapp
4 and to all of the folks who showed up today, I
5 have another little suggestion that sort of
6 occurred to me as Ms. Betke was speaking. I
7 think that it would probably be a good idea to
8 have another one of these, as I said earlier,
9 in a room that is bigger than we can, as you
10 said, touch the maps, see the maps, and get
11 input that way. Another thing that I would
12 really like to see is at a future hearing
13 attendance by the Chairs of the Redistricting
14 Committee, the joint Chairs, the Senate and
15 the House Chair. Western North Carolina is
16 not too far away for those folks to get to us.
17 And I believe it's very important that they
18 come the distance to see what Western North
19 Carolina folks have to say. And I'm so proud
20 of you all for having shown up here today and
21 added your comments to the process. Thank
22 you.

23 BY REP. RAPP:

24 Thank you, Representative Moffitt, let me just
25 thank you as well. This is a warm Saturday

1 afternoon and a lot of folks could be mowing
2 yards, doing lots of things other than
3 attending hearings. So for taking time, thank
4 you very much. We really appreciate that. I
5 will mention one thing that -- because it will
6 not impact this redistricting process, but
7 there are four cosponsors of the bill that the
8 Coulsons and several other -- Maxine Dalton
9 represented House Bill 824, the redistricting
10 bill. Those four representatives are the
11 Chair of the current Redistricting Committee,
12 David Lewis; Representative Bill Current, and
13 -- the two Republican representatives. And
14 the two Democratic representatives on that --
15 the bill for redistricting are Rick Glazier
16 from Cumberland County and yours truly. And
17 our hope had been that we could have gotten it
18 done this time. The Speaker and (inaudible)
19 felt as if there weren't time this year. But
20 that bill is in for consideration so that in
21 the next election we would basically be
22 following the Iowa model. We would take this
23 out of the political process. And I think it
24 has -- and I think the important thing is what
25 you heard, you heard bipartisan support for

1 this new way of doing business. So I hope we
2 can get it done and so for the next go round
3 we will have it done in a truly nonpartisan
4 fashion. Thank you.

5 BY REP. MOFFITT:

6 Thank you. I'd like to echo the sentiments of
7 my two colleagues up here. This has been a
8 great opportunity for me to sit and listen to
9 each one of you. We will take this matter
10 seriously, your comments will be on the
11 forefront of our mind as we go through this
12 process, and we will keep you involved
13 throughout that entire process from beginning
14 to end. With that being said, I'd like to,
15 once again, thank you for coming out on this
16 very warm, very beautiful Saturday afternoon.
17 If I had my preference it would be on a rainy
18 day in the early evening. But be that as it
19 may, we pulled it off this afternoon. Thanks
20 for attending and we are adjourned.

21 (THE MEETING WAS ADJOURNED AT 5:17 P.M.)

22

23

24

25

Mike Graham
Haywood County

1 The current alignment has created split precincts. This creates confusion to the voters. In 2006, I researched the candidates for House District 119, because that is where my restaurant is. I live a half mile away, I went to vote and my ballot had the candidates for district 118.

I was not sure who to vote for, and I thought I had done a good job of being in tune with the issues and where the candidates stood. This type of district drawing causes an unnecessary burden to voters in such precincts. There are four split precincts; Allen's Creek, Ivy Hill, Pigeon, and Waynesville South.

2. Haywood County has the largest population of any county west of Buncombe. Splitting the county unfairly dilutes the influence the county has in the election process. **This is big!**



([REDACTED] This is precisely what has happened to Haywood County for the past decade.

If we had only senator and one representative for our county, they would have to do the following:

1. Spend more time campaigning in the county, and actually listen to and deliver results to the citizens of Haywood County. Our numbers would be important to their political futures.

2. Work harder to direct state funds and resources to our county.

I bet the spot were 276 is slowly sliding off the mountain would have been fixed years ago. I believe it would not have taken ten months to replace the bridges in Bethel and Cruso that washed away during the floods in 2004. This almost put me, and I'm certain others, out of business.

3. They would have to be more accountable to the people of Haywood County. Legislators are like children; it is much easier to keep your eye on two, than four.

House Solution

According to the new data the ideal population for a House District is 79,462.

Haywood County's new count is 59,036

Madison County's new count is 20,764

Added together we get 79,800 only 338 over the ideal number or 0.42% well within the guide lines of plus or minus 5%.

This new district would full fill the Whole County provision for Haywood County and also Yancey County. Allowing the 576 Yancey County citizens currently in District 118 to join the rest of Yancey County and become a whole county in District 84.

Senate Solution

District 50

2010 Ideal District Population 190,710

Cherokee County 27,444

Clay County 10,587

Graham County 8,861

Swain County 13,981

Macon County 33,922

Jackson County 40,271

Haywood County 59,036

Total 194,102 over by 3392 or +1.77%

Transylvania County moves to District 48

[8.]



POLITICS AND REDISTRICTING

Politics has traditionally played a role in redistricting. Politics includes protecting or enhancing the position of a political party, an interest group, an incumbent, or a potential candidate. All those things have been recognized as valid aims of redistricting. The



(



Promises Made to Haywood County Voters

1. The majority party in the General Assembly attained their majority by pledging to uphold and defend the Constitutions of our great country and our great state, and to Legislate using Constitutional Principles.

I don't remember seeing where it said except for redistricting.

2. During the vetting process, we gave out questioners, one of the questions specifically said; Will you vote for or against to uphold the Whole County Provision for Haywood County during the redistricting process?

Both Mr. Hise and Mr. Davis responded for the measure. Mr. Hise addressed the issue a number of times during his campaign.

And if it were not for the votes from Haywood county Mr. Davis would have lost.

The GOP must uphold the Whole County Provision for Haywood County. Please end the split MAKE US WHOLE.

I worked hard and spent a lot of time and money to help get these two Senators elected.

But mark my word if Haywood County ends up with split districts again, I promise that I will triple my efforts to have them defeated in the next election.

And God willing, I will fight it in the courts to have it overturned.

You will have degraded Haywood County voters of their influence on the political process as a whole by dividing the county.

**I can go on and on with examples of how the citizens of Haywood County are not being represented and point out court cases that support my position. But my time is up
END THE SPLIT MAKE US WHOLE**

*Remarks by
John Meinecke*

**REDISTRICTING HEARING
STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD
APRIL 30, 2011**

**RESOLUTION OF THE REPUBLICAN PARTY OF HAYWOOD
COUNTY THAT THE NORTH CAROLINA GENERAL ASSEMBLY
RETURN HAYWOOD COUNTY TO A SINGLE DISTRICT FOR
BOTH NORTH CAROLINA HOUSE AND SENATE ELECTIONS.**

**WHEREAS: The General Assembly of North Carolina is in the
process of establishing new House and Senate Districts to be in
place for the next decade, and**

**WHEREAS: Haywood County currently is split, having two House
Districts, 118 & 119, and two Senate Districts, 47 & 50, and**

**WHEREAS: This split or separation creates an additional burden to
the Board of Elections and the tax payers of Haywood County by
requiring varying ballot styles, further staffing and training, and**

**WHEREAS: This split divides precincts thus creating confusion for
voters at polling places, and**

**WHEREAS: Splitting Haywood County unfairly dilutes the influence in
the election process of the most populated county west of Buncombe
County, and**

**WHEREAS: The majority party in the State General Assembly
attained said majority through pledging to uphold the Constitution of
the Great State of North Carolina, and**

**WHEREAS: Article II Sec. 3.3 of the North Carolina
Constitution states, "No county shall be divided in the formation of a
Senate District." (WHOLE COUNTY PROVISION), and**

**WHEREAS: Article II Sec. 5.3 of the North Carolina Constitution
states, "No county shall be divided in the formation of
a Representative District," and**

WHEREAS: In 2002, the State Supreme Court in the case of *Stephenson v. Bartlett* ruled that the Whole County Provision, found in the State Constitution, must be honored to the extent it can be.

NOW, THEREFORE BE IT RESOLVED THAT THE NORTH CAROLINA GENERAL ASSEMBLY RETURN HAYWOOD COUNTY TO A SINGLE DISTRICT FOR BOTH NORTH CAROLINA HOUSE AND SENATE ELECTIONS.

This resolution is endorsed and supported by the following Republican Chairpersons from the 11th Congressional District:

County	Chairperson
Buncombe	Henry D. Mitchell
Cherokee	Michael Crowell
Haywood	John Meinecke
Henderson	Mike Scruggs
Jackson	Ralph Slaughter
Madison	Matthew Wechtel
Polk	Debbie Arceneaux
Swain	David Sawyer
Transylvania	Jim Meyer

Legislative Redistricting Hearing April 30 2011 4:00 p m

My name is RL Clark, Legal resident, taxpaying citizen, & registered voter of Buncombe County for 40 plus years. I was born in the adjoining county of Madison to sharecropper parents in the early years of the great depression. The first born of 8. my parents never owned a piece of real estate.

I had the privilege of attending the public schools of Madison County N C and being graduated with honors in 1949 enrolling the fall quarter of that year at Western Carolina Teachers College in Cullowhee with subsequent graduation from then Western Carolina College in 1953 with a B S in Education.

I entered private sector employment for a period of 10 years before becoming an employee of the Executive Branch of the State of N C serving in the Administrations of 6 N C State Governors both Democrat and Republican.

I chose to leave state service in early 1983 and purchased my first small business in Madison County which I operated for a period of 27 years until excessive and unnecessary local, state, and federal taxes, rules and regulations became such a burden I could no longer operate a profitable small business.

As a small business owner-operator in 1994 I filed as candidate for the N C State Senate to represent the Counties of Buncombe, Madison, Yancey, McDowell, and Burke(part). I was elected and Served 1995-1998. The political party who controlled N C Politically for over one hundred years until the election of 2010 spent literally hundreds of thousands of dollars to defeat me in the 1998 election and subsequent elections ultimately using gerrymandered political districts to prevent a Conservative Republican from being elected. This was I might hasten to add, with assistance of some legislative members of the minority party to obtain a safe political seat for themselves.

I am here this evening to urge in the strongest terms I know how to express, to represent not only myself as a N C Citizen and former

legislator but speaking on behalf of a 808 member Asheville Tea Party Group and The Cherokee 9-12 group.

We urge the Committee to abandon listening to all the special interest groups most especially those who advocate for allowing non-U S

Citizens (illegal aliens) and other ineligible individuals to vote.

We encourage the committee to follow the U S 10th Amendment giving total authority and responsibility to the N C General Assembly for redistricting. The N C State Constitution Article Two (Legislative) is specific in that no county shall be split in the formation of a State Senate or State house district. I realize the voting rights act MAY void that portion in those few counties with more than 50% minority population.

I recall there may have been at least one or more recent court decisions involving Pender County that instructed the General assembly to follow the N C Constitution in drawing Legislative Redistricting boundaries. I strongly implore the redistricting committee to redraw districts for voting Citizens, not for legislators to be able to choose their voters as is the situation now existing!

Thank You for listening to my comments

R L Clark

N C State Senator

1995-1998

2 Quail Cove Rd.

Asheville, N C 28804

828-645-3548

rlpclark@charter.net

April 20, 2011

Senator Bob Rucho
NC Senate
300 N. Salisbury Street, Room 300-A
Raleigh, NC 27603-5925

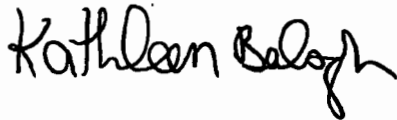
Dear Senator Rucho:

The League of Women Voters of North Carolina supports redistricting of the Congressional and state legislative districts by apportionment primarily according to population. We believe that districts should be single-member, compact, convenient, contiguous, reflect a community of interest, and be made available to the public prior to the Joint Redistricting Committee's final decision. Specific standards of fair representation, as required by the National Voting Rights Act, should be assured.

We applaud the Senate and House Redistricting Joint Committee on its scheduling of 12 state-wide public hearings to receive citizen input regarding how redistricting will impact them and their communities. However, the League is concerned that public hearings on the redrawn district maps by the Joint Committee will not be scheduled. While it is our understanding that the redrawn district maps will be available online for citizen feedback, we feel that the use of this method alone for citizen input diminishes the importance of citizen involvement in the redistricting process as not everybody has access to a computer. In addition, by not having public hearings on the redrawn district maps there will be no opportunity for explanation of how the committee arrived at its redistricting decisions and no opportunity to respond to citizens' questions thereby diminishing the citizen involvement process on this important topic.

We understand the constraints upon the committee members' time, the limited time allotted for approval of the redistricting plan by the US Justice Department, and the need to have the districts defined by the end of the year, if not sooner. However, the League requests that you allow full citizen involvement in the redistricting process from beginning to end by holding public hearings on the new district maps prior to their legislative approval.

Best regards,



Kathleen Balogh, President
League of Women Voters of North Carolina

46 Hollywood St. #309
Asheville NC 28801
828-275-8366



North Carolina Redistricting Testimony
Kathleen Balogh, President LWVNC

- Chairmen and distinguished members, thank you for holding this meeting.
- The League of Women Voters of North Carolina applauds the Senate and House Redistricting Joint Committee on its scheduling of 12 state-wide public hearings to receive citizen input regarding how redistricting will impact them and their communities.
- In North Carolina and across the country, the League has worked for many decades to promote transparent and accountable democratic processes and has fought to put an end to the hyper-partisan practices that too often negatively impact the way our government functions.
- Nowhere is this truer than in the redistricting process that takes place after each Census.
- Redistricting is an issue that goes to the heart of our democratic system of government. Representative democracy depends on voters freely choosing their elected officials. When, instead, officials choose their voters, our system does not work as intended.
- The League of Women Voters of North Carolina supports redistricting of the Congressional and state legislative districts by apportionment primarily according to population.
- We believe that districts should be single-member, contiguous and maintain communities of interest. As a whole, a redistricting plan should provide for competitive districts and fully reflect the diversity of the state.
- In addition, we seek to ensure that any plan the General Assembly adopts comports with the one person, one vote requirements of the United States Constitution, Sections 2 and 5 of the Voting Rights Act, and the North Carolina Constitution.
- Additionally, in order to provide any redistricting plan with democratic legitimacy, the redistricting process must be transparent and responsive to the public testimony of those appearing before the committee and submitting comments to the official record.
- We commend the Committee in the steps it has taken so far to be transparent. Specifically we applaud the General Assembly's decision to post redistricting information

on the General Assembly's website. This information will allow the public to ensure that any redistricting plan passed comports with the law.

- To ensure compliance with these legal requirements, we ask that any redistricting plan proposed by any state official or legislative body include an explanation for why the districts have been drawn to take the shapes that they do.
- While it is our understanding that the redrawn district maps will be available online for citizen feedback, we are concerned that the use of this method alone for citizen input diminishes the importance of citizen involvement in the redistricting process.
- Other states require that explanations of proposed districts be provided and made public. We think that this part of redistricting holds the most promise for ensuring transparency and accountability in the redistricting process.
- Not doing so in North Carolina would hamper the ability of citizens to ask questions regarding the proposed plans and would also prohibit involvement by the many North Carolinians who lack regular computer access.
- Furthermore, it would preclude citizen-offered alternative map plans from the consideration they deserve. Thoughtful consideration of citizen-drawn map proposals can improve the redistricting process because it increases public involvement, deepens leaders' understanding of the communities they represent, and can help strengthen proposed plans so that they may better withstand legal challenges.
- We understand the constraints upon the committee members' time, the limited time allotted for approval of the redistricting plan by the US Justice Department, and the need to have the districts defined by the end of the year, if not sooner.
- However, the League requests that you allow full citizen involvement in the redistricting process from beginning to end by holding public hearings on the new district maps prior to their legislative approval.
- In presenting maps and their corresponding explanations to the public, we remind the General Assembly that the North Carolina Supreme Court in *Stephenson v. Bartlett* outlines the steps that one must take when creating a redistricting plan for state legislative seats.
- Where the *Stephenson* framework allows the General Assembly to exercise discretion, we would ask that any plan create districts which can be justified by citing the testimony of those testifying before this committee about communities of interest and other geographical concerns.
- Finally, we would express the view that the numerous Supreme Court cases over the years have made it clear that in conducting redistricting, the State should use total

population from the official census. Using a subset of the State's total population, such as registered voters, or voting age population, or some other measure, would be unfair and likely result in some groups being underrepresented. Every individual in our State is entitled to representation.

- The North Carolina Constitution requires state legislative districts—districts for the North Carolina House of Representatives and Senate—to be apportioned on the basis of “inhabitants,” not registered voters; voting age population, or citizen voting age population (CVAP).¹
- People are not asked about their citizenship status on the Census. Thus, there is no actual count of the number of citizens or the citizenship rate in any particular precinct.
- Rather the Census estimates citizenship rate in the American Community Survey. In December 2010, the Census released estimates for citizenship rates at the block group level. It takes the Census five years to obtain enough data to be able to calculate estimates for citizenship rates at the block group level. The data now available was collected between 2005 and 2009.
- The demographics of North Carolina have changed greatly in the last five years. Thus, this data is too out of date to use for redistricting.
- Furthermore, block groups boundaries and voting district boundaries are not always the same and the citizenship rate in the block group may vary. Thus, calculating CVAP at the voting district/precinct level would be difficult and controversial.
- Thus, an exact count of CVAP is not possible.
- Underestimating CVAP of minority voters could lead to a dilution of minority voter's ability to elect candidates of choice by packing eligible minority voters into fewer districts.
- Most of the federal case law allowing the use of CVAP as a measure of minority voting strength has occurred in municipal redistricting where we might think that citizenship rates by race are more constant.²
- There have been a variety of excellent reports documenting various ways in which state and private actors have impeded the ability of minority voters to exercise their right to

¹ N.C. CONST. art. II, §§ 3, 5.

² Note that a North Carolina Supreme Court case, *Pender County v. Bartlett*, 361 N.C. 491 (2007), does construe Section 2 to require the use of CVAP to meet the *Gingles* threshold for state legislative districts.

vote. One such report prepared by RenewtheVRA.org, entitled "Voting Rights in North Carolina 1982-2006" outlines how both state and private actors continue to impede the ability of minority voters to exercise their right to vote. Numerous other organizations, such as the UNC Center for Civil Rights, Democracy South, and the Institute for Southern Studies' Voting Rights Project have also documented this ongoing challenge. We urge the Committee to make RenewtheVRA's report part of the official record.

- Voting in state legislative elections remains racially polarized. For instance, in the 2010 race for Senate District 24, a one percentage point increase in African-American population in a precinct lead to a .754% increase in the vote for the Democratic candidate. In district 25, voting was even more racially polarized. There a percentage increase in the African-American population increased the vote for the Democratic candidate by .893%.
- Furthermore, no Republican candidate has won a district in the last decade that has a VAP of less than 56% white.
- The Supreme Court's decision in *Bartlett* does not require state legislatures, in order to avoid liability under Section 2 of the Voting Rights Act, to draw minority opportunity districts that are less than 50% VAP. However, *Bartlett* permits state legislatures to draw minority opportunity districts that are less than 50% minority.
- In addition, the Whole County Provisions of the North Carolina Constitution and the North Carolina Supreme Court decision in *Bartlett v. Stephenson* dictates a step-by-step process for apportioning state legislative districts. First, VRA districts must be drawn. Then, any county large enough to contain a full state legislative seat must be allocated the whole number of seats to which it is entitled. Finally, the remaining territory must be clustered such that whole counties are grouped into clusters meeting the equal population requirements of the Federal and State constitution.
- We urge the Committee to take our commentary into consideration as it works to craft the district lines that will impact public policy in our state for years to come.
- Thank you for this opportunity.

COMMENTS FOR REDISTRICTING HEARING

April 30, 2011

Thank you for holding these hearings. My hope is that there will be more as the process progresses in order to involve as many North Carolina citizens as possible.

Legislative districts are redrawn every 10 years to balance population for demographic changes based on the census. In North Carolina this process is done with little or no public input or accountability, behind closed doors, by individuals from both major parties. Essentially, the democratic process is subverted, with politicians selecting voters rather than voters electing politicians.

We citizens have watched for too many years as districts have been sliced and diced with maps that pitted legislators of the same party against each other. In fact, every plan since 1980 has wound up in court. What an embarrassment for our State.

So this time I would like to see North Carolina achieve a fair, nonpartisan redistricting map that serves legislators and voters. By that I mean a map that isn't drawn by lawmakers of any party, but by a group of nonpartisan knowledgeable people who use basic criteria to achieve a map that we can live with; a map that may not get all of us everything we want, but one that we can accept because we know that partisan politics didn't play a part, that it met all the requirements of the Voting Rights Act, and that it was fair.

Some of the criteria that I believe are important to the redistricting process:

- 1. The State should use total population from the official U.S. Census rather than using registered voters or voting age population. This would ensure that all groups are represented. The North Carolina constitution requires that State legislative districts be apportioned on the basis of "inhabitants"- that means all of us and not just registered voters.**
- 2. Districts should be compact and contiguous. It makes no sense for districts to be gerrymandered as is the Republican proposal mentioned in yesterday's Asheville Citizen-Times, to put Asheville in the 10th district and bring Avery, Mitchell and Burke counties into the 11th.**
- 3. Districts should respect natural boundaries and communities of interest.**

Six states currently conduct redistricting through independent commissions. They are, Alaska, Arizona, California, Idaho, Montana, and Washington.

Kathy Rodamer

One of my main concerns is that district lines will adhere to the NC Constitution's stipulated boundaries for the drawing of district lines. Unlike the continual ignoring and unconstitutional lines district lines drawn by Democrats, who have been in power for over a hundred years. Ignoring the clearly stipulated drawing of district lines in the Constitution is corrupt and nothing but partisan gerrymandering.

DISTRICT ELECTIONS IN BUNCOMBE COUNTY.

I strongly urge the passage of HB471 for District Elections in Buncombe County.

Reasons for supporting District Elections

- **Buncombe County has outgrown any one person's ability to represent the entire county.**
District Election is representation closest to the people - which is what the Founders envisioned
- **Representative government is the most responsive to people's needs.**
- **While the cost of a campaign built around radio, TV, and newspapers won't be reduced, the emphasis can be shifted to community campaigning: i.e. church functions, civic functions, handshaking in the local shops and gathering places, door to door visits and neighborhood phone calls.**
- **The county is not well served when the commissioners live just a few neighborhoods. During each election cycle for the last 30 or more years the Buncombe County Commissioners have lived in the city of Asheville or a municipality and most districts have NEVER had a commissioner. In other words, the city runs the county.**
- **Different districts have different needs. One cannot understand these needs unless they spend time in a particular district.**
- **District elections would reduce voter apathy and enhance community spirit and feelings of belonging.**
- **New blood could AFFORD to come into the political realm.**
- **District elections decrease the response time in addressing the citizens' complaints and issues. (The solution is as close as your neighbor.)**
- **With at-large elections, the political parties have failed in providing new ideas to our current problems.**
- **Statistics from the NC Association of County Commissioners indicates that more than half of the county boards in the state use some form of district representation." So it's not a rare idea**

Former Buncombe County Chairman Nathan Ramsey has said during his tenure as Chairman that "there has not been a commissioner living west of the French Broad River in 20 years and no one north of city limits in 16 years."

Over 52% of Commissioner votes came from the city limits of Asheville. With that knowledge, I strongly question where their loyalties truly lie.

Representative Moffitt stated in a recent interview my own concern about fairness in county representation... (Quote) ... "I'm constantly looking for fair and balanced representation," Moffitt said, relaying his concern that the county commission has only five members while the Asheville City Council — serving less than half the number of people — has seven."

Concerning the hiring of Matty Lazo-Chadderton in redrawing of district lines I can't

Can't articulate my disgust and dismay with this situation in the Republican ranks of the legislature than the comments by William Gheen President of "ALIPAC", American's For Legal Immigration.

Ever move Republicans make in Raleigh is being watched ... the hiring of this Democrat operative with strong ties to racist organizations like La Raza is absolutely, and totally unacceptable! And must be remedied ASAP. Don't think you all will get by with doing mess like this.

(Quote)...

In a move that will send shock waves across North Carolina, Senator Bob Rucho (R-Mecklenburg) has hired Matty Lazo-Chadderton who is a member of the illegal alien amnesty supporting groups La Raza and El Pueblo to help redraw Senate districts which will be used to elect lawmakers for the next ten years.

Matty Lazo-Chadderton also served as one of Democratic leader Marc Basnight's top tier employees, before Republicans displaced the Democrats in the NC Senate for the first time in 130 years in 2011. She was Basnight's Director of Hispanic/Latino Affairs and is currently a Democratic Party precinct chair!

ALIPAC's President spoke out against Lazo-Chadderton's hiring for redistricting during a hearing on redistricting yesterday.

"It is against the public's interest to allow anyone involved in special interests and issue advocacy to have the power to influence redistricting, especially when that person supports radical positions in favor of Amnesty for illegal immigrants," said William Gheen, President of ALIPAC. "The public will be dismayed that they voted for historic change in NC, but find the new boss is the same as the old boss in parts of the Senate."

Several Republican lawmakers were shocked to learn that a top tier employee of Marc Basnight and supporter of El Pueblo and La Raza would be hired by the GOP Leadership in the Senate.

Illegal immigration foes, who had hoped 2011 would be the year that state legislation designed to protect American workers, students, taxpayers, and voters would finally be debated and voted on, will be disappointed that Senator Rucho's actions are backed by Senate President Phil Berger.

William Gheen then spoke with Senator Berger leaving the Senate Chamber and Berger indicated that he supported Senator Rucho's decision. (Totally Unacceptable!)

Senate President Phil Berger recently assigned immigration enforcement bill HB 33 to the Rules Committee, which is where the Democrats always sent bills to die without discussion or votes. The NC Senate Rules Committee is chaired by Senator Tom Apodaca who is a member of the National Hispanic Caucus of State Legislators (NHCSL) which opposes state level Immigration enforcement.

A lot of conservative lawmakers at the NC General Assembly have growing concerns about what is happening with the top leadership right now. The hiring of Staff members

who engage in highly unprofessional ego trip behavior and who have affiliations with illegal alien amnesty supporting organizations bodes ill for those hoping for improvements in governance under Republicans instead of Democrats.

New Senate district lines may be drawn in a way which harms conservative lawmakers who have supported illegal immigration control bills, while favoring the election of lawmakers more supportive of the La Raza amnesty agenda.

"Most Republican lawmakers do not want amnesty supporting Democratic precinct officers drawing their districts and I hope they will share that concern with Berger and Rucho," said William Gheen. "It breaks my heart to have to share this news with the public. But it appears today that agents supportive of the invasion of America have sway over Senate President Phil Berger, redistricting, and Immigration bills, more than the citizens of North Carolina. We must rectify this situation."

Kathy Rhodarmel
130 SAMS Br. Rd
Candler N.C. 28715
Rhod54@yahoo.com

Committee Sergeants at Arms

NAME OF COMMITTEE REDISTRICTING UNC-ASHEVILLE

DATE: 4/30/11

Room: _____

House Sgt-At Arms:

1. Name: CHAMP CLARIS

2. Name: BOB ROSSI

3. Name: _____

4. Name: _____

5. Name: _____

Senate Sgt-At Arms:

1. Name: JIM BLACKBURN

2. Name: _____

3. Name: _____

4. Name: _____

5. Name: _____

GENERAL ASSEMBLY POLICE

OFFICER WILLIE MORRIS

Public Hearing Site

Appalachian State Univ. y

Public Hearing Date

4-30-11

ATTENDANCE SHEET

Name		Address	Organization, if applicable.	Race or National Origin Optional – Requested for Voting Rights Act purposes only.
1	Augusto Peña	188 Church Meadows Ct Fleetwood NC 28626		Hispanic
2				
3				
4				
5				
6				
7				
8				
9				

Public Hearing Site Appalachian State University
Public Hearing Date 4-30-11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

1	Augusto Perez ~~Declined to speak when called on~~	
2		
3		

Public Hearing Site Cullowhee
 Public Hearing Date 4/30/11

ATTENDANCE SHEET

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1	Mary F. Smith	Waynesville		
2	Juanita Wilson	Canton		
3	Wanda Caldwell	Clyde		
4	Samuel P. H.	Waynesville	Haywood GOP	
5	Kenneth McTigue	Lake Junaluska	Haywood Dems	
6	Evelyn Johnson	" "	Haywood Dems	
7	Wanda Cullum	211 Forsyth Ln	Haywood Dems	
8	BRUCE GARDNER	W. Mills 222 Bob White Loop	TEA PARTY	
9	Diana Meinecke	75 Sterling Drive Canton	Haywood Co Rep	

Public Hearing Site

Cullowhee

Public Hearing Date

4/30/11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
10	Don Kelly	140 DAZZLING BROOK LN WAYNESVILLE, NC 28786	GOP	
11	John Meinecke	15 Sterling Drive Canton, NC 28716	GOP	
12	Mike Graham	142 Petrus Cove Rd Waynesville, NC 28716	GOP	
13	Jean Briggs	379 ~~Ward~~ Rd. ²⁸⁷⁸⁶ Waynesville	GOP	
14	Lisa Wonnach	890 B.S. Cone Rd ²⁸⁷⁸⁶ Way	GOP	
15	Karen Burnette	928 Rufus Robinson Rd Sylvan, NC	DNC	
16	Roy Burnette	928 Rufus Robinson Rd SYLVAN NC	Democrat	
17				
18				
19				

Public Hearing Site Cullowhee
Public Hearing Date 4/30/11

Attendance

NAME

ORGANIZATION (optional)

4	James E. Forest	
5	Jonnie Cure	Haywood County GOP.
6		
7		
8		

Public Hearing Site Cullowhee
Public Hearing Date 4/30/11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

	Juanita Quinton ✓ Juanita	
1	John Meinecke ✓ (signed up online)	
2	Mike Graham ✓ (signed up online)	
3	Roy Buzzette ✓	

Public Hearing Site

Ashville, NC

Public Hearing Date

4-30-11

ATTENDANCE SHEET

Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
1 Hope Herrick	49 Hidden Acres Rd. Ashville 28806		
2 Jeff Israel	32 Meadowbrook Dr Canton NC	NAFL-CID WNC-CLC	
3 Kathy R. Harmer	130 SAMS Br. Rd. Candler NC 28715		
4 RL CLARK	SQUANT COVE Rd. Ashville, NC	Former NC State Senator	White
5 Fremont V. Brown III	1431 Brevard Rd. Ashville, NC 28806	Ashville Tea Party	
6 Kathleen Balogh	40 ECKINS Branch Rd Waynesville NC 28787	LWV-NC	
7 Peggy Heilig	84 Green Drive Waynesville NC 28788	LWV/AB	Caucasian
8 Maxine Datta	749 D+G Road Hot Springs, NC 28743	—	Caucasian
9 JOHN WINGERTER	25 HARVEST TRAIL WAY LEICESTER NC 28742		

Public Hearing Site

Asheville

Public Hearing Date

4-30-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
10	Johanne Thomas William Thomas	5505 Wood Duck Way Hendersonville, NC		
11	Marla Drucker	26 Alleghen Rd Asheville 28804		
12	Ol & Linda Yab	295 Yabara Rd Waynesville, NC 28786		
13	Alfredusca	AVL 28715		
14	Alexandra Fisher	F6 B Sunrise Drive Asheville 28806		
15	Barbara Coulson	1001 Reemess Court Marshall 28753	LWV	
16	Tom Carson	1001 Reemess Court Marshall 28753		
17	Willie Reynolds	21 Lake Eden Cir Black Mt N.C.		
18	Arthur Meyell	266 Newmarket Ave Asheville, NC 28809		Caucasian
19	Krista Anderson	Raleigh NC	NCOP	White

blic Hearing Site

~~4-30-11~~ Asheville

Public Hearing Date

4-30-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
30	Don Yeltaw	221 Jupiter Rd	Citizens Spee	
31	Jon Welch		Mountain Xpress	
32	Eula Shaw	49 Twyford Lane		
33	Aixa Wilson	136 Appeldoorn Cir	—	—
34	Justin Wight	37 Hiwassee St.	—	—
35	Marc Hunt	55 Cambridge	—	—
36	Barb Pananick	1701 Thacker Trail	LWR	—
37	Jim Cavender	22 Normandie Rd	—	
38	Jane + Betke	9 Sunset View		
39				

Public Hearing Site Asheville

Public Hearing Date 11-30-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
20	Tom Bell	64 MTN BROOK ASHEVILLE NC 28805		
21	Lindsey Simerly	108 Hillside St Asheville NC 28801		
22	Veronika Gunter	44 North St Asheville NC 28801		
23	Marianne Cote	85 W. Walnut St. Apt. 205 Asheville, NC 28801		
24	JOHN VANDERSTADT	113 Goodmansprng Rd Waynesville NC 28786		
25	Robert Carr	2450 Redwon Rd. Marshall NC 28753	Madison County Dem. Party	
26	MARIE LEDBETTER	25 Braddock Asheville 28803		
27	JESSE LEDBETTER	"		
28	Jake Frankel		Mountain Xpress	
29	Karen Oelschlaeger	58 Maple crescent Asheville, NC 28806		

Public Hearing Site

Asheville

Public Hearing Date

4-30-11

	Name	Address	Organization, if applicable.	Race or National Origin Optional - Requested for Voting Rights Act purposes only.
40	Ray GASPERSOIN	6691 S. NC 9 HWY Columbus, N.C. 28722	Chairman Polk County Commissioner	
41	Beth Johnson	56 Beechwood Rd. Asheville NC 28805		
42	Jane Pinsky	19 W Hargett S Raleigh, NC	NC CLER	
43	Brownie Newman	285 Montford Ave Asheville NC 28801	Asheville City Council	
44				
45				
46				
47				
48				
49				

Public Hearing Site Asheville
Public Hearing Date 4-30-11

SPEAKER SHEET

PLEASE PRINT YOUR NAME BELOW IF YOU WISH TO COMMENT DURING THE PUBLIC HEARING.

NAME

ORGANIZATION (optional)

	Kathy Rhodanmer	
1	RL @ LABK	Former N.C. Senator
2	Kathleen Bodegh	LWU NC
3	Marla Drucker	

Public Hearing Site Asheville
Public Hearing Date 4-30-11

NAME

ORGANIZATION (optional)

4	Barbara Coulson	
5	Tom Coulson	
6	Tom Bell	
7	Veronica Gunter	
8	JOHN VANDERSTAR	

Public Hearing Site Asheville
Public Hearing Date 4/30/11

NAME

ORGANIZATION (optional)

9	Robert Carr	Madison County Dem Party
* 10	Don Yetton	
11	Justin Wight	
12	Ray Gasperson ~~MARC HUAT~~	
13	~~Martin Nesbitt~~	

Helen Long (Sen. Rucho)

From: DBS@ncleg.net
Sent: Friday, April 29, 2011 4:15 PM
Subject: RedistrictLA; Helen Long (Sen. Rucho); Paul Rucho (Sen. Rucho); Denise Huntley Adams (Research); Kelly Quick (Research); Erika Churchill (Research); Peter Capriglione (ISD, Applications Manager); Kelly Stallings (ISD); Shawn Parker (Research)
April 30, 2011, 4:00 p.m. Redistricting Public Hearing Speaker Sign-up

Redistricting Public Hearing (4/30/2011)

4:00pm

Date	First Name	Last Name	Organization	Location
4:00:00 PM	Robin	Ramsey	private citizen	University of North Carolina – Asheville, Asheville
	Marla	Drucker	[my home]	University of North Carolina – Asheville, Asheville
	Robert	Carr	Madison County Democratic Party	University of North Carolina – Asheville, Asheville
	Kathleen	Balogh	League of Women Voters North Carolina	University of North Carolina – Asheville, Asheville
	Michael	Graham	Bethel Rural Community Organization	Western Carolina University, Cullowhee
	Barbara	Coulson	League of Women Voters	University of North Carolina – Asheville, Asheville
	Maxine	Dalton	Retired	University of North Carolina – Asheville, Asheville
	Don	Yelton	Citizens Speak	University of North Carolina – Asheville, Asheville
	John	Meinecke	Haywood County Republican Party	Western Carolina University, Cullowhee
	Sandra	Abromitis	Retired Citizen	University of North Carolina – Asheville, Asheville
	Justin	Wight	TerraNova Strategies	University of North Carolina – Asheville, Asheville
Total	11			

4/29/2011 4:15:08 PM

The report is accessible at the following address:

<http://ncgawebpi/ReportServer?%2FRequest%20to%20Speak%2FRedistrictingPublicHearing4&rs%3AParameterLa>