

STATE OF MARYLAND
DEPARTMENT OF PLANNING

REDISTRICTING COMMITTEE MEETING
PUBLIC HEARING
CONGRESSIONAL REDISTRICTING PLAN
AND
LEGISLATIVE REDISTRICTING PLAN

Prince George's County - Prince George's
Community College
July 25, 2011 7:00 P.M.

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1 So we're standing tonight to let you know
2 that we know that this is not the end, but the
3 beginning, and, along with members of the Central
4 Committee, our civic and faith and business
5 communities, we look forward to working with you as we
6 move forward through this process and come up with a
7 plan that meets your goal in terms of numbers and our
8 goal in keeping Prince George's County -- they say the
9 second strongest, but I will say the strongest
10 delegation in the State of Maryland. So thank you very
11 much for your time.

12 MADAME CHAIRPERSON: Thank you. How about
13 Mr. Trevor Otts.

14 MR. OTTS: Otts.

15 MADAME CHAIRPERSON: Otts. Okay.

16 MR. OTTS: We will be submitting a combined
17 plan.

18 MADAME CHAIRPERSON: Okay.

19 MR. OTTS: Again, my name is Trevor Otts and
20 I represent the Fannie Lou Hamer Political Action
21 Committee.

1 MADAME CHAIRPERSON: Okay.

2 MR. OTTS: All right. The Fannie Lou Hamer
3 Political Action Committee submits to the 2011
4 Redistricting Advisory Committee the following
5 testimony regarding legal requirements impacting on
6 African American communities in Maryland. Please note
7 that the Fannie Lou Hamer Political Action Committee is
8 a grass roots organization created solely for the
9 purpose of impacting upon in a positive manner the
10 issue of redistricting in Maryland.

11 The Fannie Lou Hamer Political Action
12 Committee has developed a progressive African American
13 empowering redistricting plan for African American
14 communities in Maryland. This black political
15 empowerment redistricting plan will be transmitted to
16 the Advisory Committee in GIS maps and demographic data
17 creating African American districts that are a mirror
18 reflection of the African American communities
19 statewide.

20 To accomplish this task, the Fannie Lou Hamer
21 Political Action Committee has partnered with the

1 Southern Coalition for Social Justice and the NAACP's
2 legal defense and education fund. From their
3 (indiscernible), we submit the following legal
4 arguments to the Governor's Redistricting Advisory
5 Committee.

6 Issue one, Jingles Test in Mobile versus
7 (Indiscernible). Issue two, the Judge Bell decision
8 regarding due regard to political subdivisions and/or
9 jurisdictions. Issue three, equal protection caused by
10 the Fourteenth Amendment of the United States
11 Constitution. With regards to the Jingles test, we
12 believe the Jingles court decision raised up the
13 following question that must be asked regarding racial
14 gerrymandering or staffing impacting.

15 Question one. What is the extent or history
16 of discrimination in state and political subdivisions
17 that dilute black voting strengths? Question two. To
18 what extent is voting in elections at the congressional
19 or state level regularly polarized? Question three.
20 Is there a candidate slating process where members of
21 the minority group have been denied access?

1 Question four. To what extent have members
2 of the minority group been elected to congressional or
3 state office? Question five. What policy underlines
4 the state or political subdivision you (indiscernible)
5 practice or procedures which are tenuous, vague, or
6 obtuse? Question six. Can a minority group
7 demonstrate that it is sufficiently large and
8 geographically compact to constitute a majority in a
9 single member district?

10 The questions we believe must be addressed by
11 the Governor's Redistricting Advisory Committee to
12 evaluate racial gerrymandering in Maryland. The
13 presentation of just a map, the presentation with just
14 a map, without documentation to support the Jingles
15 Test analysis is incomplete. The concentration of
16 African Americans in five jurisdictions in Maryland
17 suggests 16 legislative districts and 3 congressional
18 districts that should be majority African American
19 voting districts.

20 We believe the Governor and the Attorney
21 General must present a detailed explanation and

1 congressional and state districts do not reflect the 30
2 percent African American communities in Maryland.

3 With regard to the Judge Bell decision, we
4 believe that this opinion is the operating legal
5 standard for the creation of legislative districts in
6 Maryland. If due regard to political subdivisions
7 and/or jurisdictions is unilateral by the Governor's
8 Redistricting Advisory Committee, the 16 African
9 American legislative districts would have to be created
10 in the following jurisdictions: Baltimore City,
11 Baltimore County, Montgomery County, Prince George's
12 County, and Charles County.

13 These five jurisdictions have compact and
14 contiguous African American communities that will lead
15 to the creation of 16 legislative districts. Further,
16 in Anne Arundel County, Howard County, and Eastern
17 Shore, three additional African American single member
18 House of Delegate districts will be created. The Judge
19 Bell decision, if properly implemented, will lead to
20 legislative districts which will reflect communities of
21 interest.

1 With regard to the equal protection clause,
2 now is the time to seriously consider the creation of
3 141 single delegate districts nested in senate delegate
4 legislative districts. The Fannie Lou Hamer Political
5 Action Committee believes that every legislative
6 district should be spread into an A, B, C House of
7 Delegates pool. We believe that the State of
8 Maryland's legal requirement for resident delegates for
9 legislative districts containing two or more counties
10 is wrong.

11 The goal of ensuring representation for small
12 towns makes a mockery of the at large delegate district
13 process. The concept of one person, one vote is a
14 fraud if residents of Southern Maryland who live in
15 District 27B or 29C have only one delegate vote and all
16 the residents who live in Montgomery have three
17 delegate votes.

18 MADAME CHAIRPERSON: How much longer?

19 MR. OTTS: I'll wrap it up.

20 MADAME CHAIRPERSON: Okay.

21 MR. OTTS: This scenario is also subject to

1 the Jingles Test with regards to disparities to
2 communities and the delivery of state funding and/or
3 programs. Therefore, the Fannie Lou Hamer Political
4 Action Committee requires a detailed explanation and
5 not just a map which presents a single member versus
6 multi member legislative districts. The Fannie Lou
7 Hamer PAC is prepared to go to federal court to
8 overturn any plan that violates the Fourteenth
9 Amendment, equal protection clause under the U.S.
10 Constitution, which violates one person, one vote.

11 MADAME CHAIRPERSON: Okay. Are you leaving
12 that with us?

13 MR. OTTS: Yes. It's already been submitted
14 to you.

15 MADAME CHAIRPERSON: Okay. Thank you. Pat
16 Fletcher?

17 MS. FLETCHER: I'm also with the Fannie Lou
18 Hamer Political Action Committee. And my testimony
19 will be testimony for legislative redistricting in the
20 State of Maryland, Prince George's County.

21 The Fannie Lou Hamer Political Action