

August 11, 2021

The House Legislative and Congressional Reapportionment Committee
and Senate Reapportionment and Redistricting Committee
Coverdell Legislative Office Building
18 Capitol Square, Suite 402
Atlanta, Georgia 30334

Re: Written Testimony for the August 11, 2021 Town Hall in Augusta, Georgia

Dear Chair Rich, Chair Kennedy, and Committee Members:

The Southern Poverty Law Center (“SPLC”) is a non-profit, non-partisan organization dedicated to upholding the fundamental right of all citizens to vote and to ensuring that their vote is not diluted by unfair or unlawful redistricting plans.

Today’s hearing in Augusta is the final town hall scheduled by the House Legislative and Congressional Reapportionment Committee and Senate Reapportionment and Redistricting Committee (collectively, the “Joint Redistricting Committee” or “Committee”). We write once again to implore the Joint Redistricting Committee to provide public input opportunities in which: 1) more Georgians can participate; and 2) Georgians can provide more meaningful input. We have repeatedly proposed specific steps the Committee could take to provide a more inclusive and productive public input process, but all proposals have been ignored. *See, e.g.*, June 15, 2021 SPLC written testimony (requests for information to be provided in languages other than English; accessibility for those with hearing loss, wheelchairs, and compromised immunity; questions answered by the Committee; and an opportunity for public comment on the Committee’s guidelines, 2020 Census data, and draft maps); July 30, 2021 SPLC written testimony (same).

We have not been alone in voicing these concerns. According to Georgia Public Broadcasting’s analysis of these town halls:

Nearly 60% of the speakers called for fairness in drawing maps and 44% asked for more public input into the process. About 40% called for increased transparency, including public release of proposed maps and all of the information used to draw them.

See Stephen Fowler, Sherry Liang, and David Armstrong, “Here’s What Georgians Had To Say About 2021 Redistricting At Town Halls Across The State,” Georgia Public Broadcasting, Aug. 10, 2021, <https://www.gpb.org/news/2021/08/10/heres-what-georgians-had-say-about-2021-redistricting-at-town-halls-across-the>. The other themes most frequently communicated in oral testimony, according to Georgia Public Broadcasting, were race/ethnicity, shared values, process changes, changing demographics, and accessibility. *See id.*

Despite this barrage of public comment informing the Joint Redistricting Committee how it could improve the public input process, the Committee has thus far not modified the process by adopting any of these proposals. Which begs the question: if the Joint Redistricting Committee will not listen to the public's input on how to improve the public input process, will it listen to the public's input on how to improve the redistricting plans? *See* July 30, 2021 SPLC written testimony, Exhibit C (June 29, 2021 SPLC oral testimony) (expressing concern that the public input process was “simply a pro forma exercise [for the Joint Redistricting Committee] to ‘check the box’ of saying [it] listened to the public”).

The Committee's latest actions have continued its pattern of ignoring public input. First, the Committee declined to change the venue of today's town hall, despite community members' concerns that the venue is difficult to access by people using public transportation and by people with an ambulatory disability. *See* July 29, 2021 SPLC oral testimony, attached hereto as Exhibit A (“Community members have raised concerns that the pathway from the parking lot into the venue presents difficulty to those with an ambulatory disability. Moreover, the venue is not on a bus line and there are otherwise limited public transportation options to attend the hearing. As I understand it, community members have made this Committee aware of such issues, including through the submission of a petition, which recommends the hearing be moved . . .”).

Second, the Committee rescheduled the Augusta town hall from August 30 to August 11, resulting in the Committee's town hall schedule concluding the day before the expected release of the legacy-format Census data.¹ We have repeatedly requested that the Committee hold town halls after the 2020 Census data is released, and the rescheduling of this town hall appears motivated specifically by the Committee's desire to prevent the public from having the opportunity to testify with any Census data in hand. *See, e.g.*, July 30, 2021 SPLC written testimony, Exhibit C (June 29, 2021 SPLC oral testimony) (“there must be an opportunity for public input after the Census data is released”). As we explained in our June 29, 2021 oral testimony, “without Census data, [we] cannot propose district maps that we know will ultimately comply with federal and state laws.” *See id.* The Committee's refusal to hold a town hall after any Census data is released has the effect—and apparent intent—of limiting the scope of possible public input.

The Joint Redistricting Committee's apparent disregard of public input is especially concerning because if public input is similarly disregarded when the redistricting plans are drafted and enacted, we fear that Georgia's history of diluting the voting strength of people of color will again be repeated. *See* June 15, 2021 SPLC written testimony. Georgia's history of discrimination against people of color in all facets of political participation—not just redistricting—is extensive and well-documented. *See, e.g., Brooks v. State Bd. Of Elections*, 848 F. Supp. 1548, 1560 (S.D. Ga. 1994) (“The history of the state[’s] segregation practice and laws at all levels has been rehashed so many times that the Court can all but take judicial notice thereof.”). If the opinions of people of color are ignored, or worse, people of color will be deprived of a fair opportunity to elect the candidates of their choice, who would be more responsive to their needs.

We hope the Joint Redistricting Committee will earnestly seek and implement public input—including from communities of color—and produce districting maps that provide fair representation for all.

¹ We expect that the legacy-format Census data will be released August 12, 2021, and the full, comprehensive Census data will be released in late September 2021.

Sincerely,

/s/ Jack Genberg

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EXHIBIT A

Oral Testimony Delivered to the House Legislative & Congressional Reapportionment Committee and Senate Reapportionment and Redistricting Committee on July 29, 2021 at Mercer School of Medicine in Macon, Georgia

Hello, my name is Pichaya Poy Winichakul and I am a Staff Attorney with the Southern Poverty Law Center. The SPLC is a non-profit, non-partisan organization dedicated to upholding the fundamental right of all citizens to vote.

We continue to advocate for *meaningful* opportunities for public engagement. This means the ability to attach documents—like proposed maps—to any written submission to the Committee, which the Google form does not currently allow us to do. This also means in-language materials. The online submission forms are only provided in English, which makes the form inaccessible to the over 100,000 Georgians with limited English proficiency. Moreover, there has not been an ASL interpreter at any of the hearings, nor is there closed captioning when the hearings are streamed. Finally, meaningful public engagement also means responses to the public’s reasonable questions—what are the Committee’s 2021 redistricting guidelines? Will you provide additional opportunity for public comment and engagement following the release of Census data? While we understand the Committee’s position that they want to hear from the public, the public has not learned anything new since the start of the hearing tour and without information from this Committee it is difficult for us to offer meaningful input on the redistricting process.

Providing opportunities for the public to give meaningful input is especially important here in the Greater Macon area, where people of color make up an increasingly large share of the population. As a result, many giving testimony today, especially people of color, have come forth with important information about their communities of interest for your consideration. The Committee should work to preserve those enumerated communities of interest, particularly communities of color, and respond to the public’s questions, generate or publish redistricting guidelines, and respond to requests for public testimony options after the Census data is released.

I also want to raise two issues as we near the end of these summer town halls.

First, I understand that the Google form continues to be the only way to submit written comments and that there is no deadline yet for submitting comments—but there will be one. Can the Committee commit to giving the public at least two weeks’ notice—via the website, email, press release—before you close down the Google form website for written comment?

Second, are concerns about the venue of the rescheduled Augusta town hall on August 30. Community members have raised concerns that the pathway from the parking lot into the venue presents difficulty to those with an ambulatory disability. Moreover, the venue is not

on a bus line and there are otherwise limited public transportation options to attend the hearing. As I understand it, community members have made this Committee aware of such issues, including through the submission of a petition, which recommends the hearing be moved to Augusta University's Maxwell Theatre and Auditorium, 2500 Walton Way or Augusta Technical College Information Technology Center Auditorium, 3200 Augusta Tech Drive. Could the public get a commitment from the Committee today that you will reconsider the August 30 hearing venue?

Thank you for your consideration. I would be happy to respond to any questions the Committee members may have.