

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SARA LARIOS, et al.,)	
)	
Plaintiffs,)	
)	
JANE KIDD, ANDREA SUAREZ,)	
DR. MURRAY BLUM,)	
and ANN BLUM,)	
)	
Plaintiff-Intervenors)	Civil Action
)	
versus)	No. 1:03-CV-693-CAP
)	
CATHY COX, in her official)	
capacities as Secretary of State of)	
Georgia and Chair of the State)	
Election Board)	
)	
Defendant)	

DECLARATION OF REPRESENTATIVE
BARBARA REECE

Pursuant to 28 U.S.C. § 1746, I, Barbara Massey Reece, hereby
declare as follows:

1.

My name is Barbara Massey Reece. I am over 18 years of age and
have personal knowledge of the facts stated below. I give this declaration in
support of the plaintiff-intervenors' motion for a preliminary injunction in
the above-styled case, and for any other reason authorized by law.

2.

I am a member of the Georgia State House of Representatives, and in that capacity I serve on the House Legislative and Congressional Reapportionment Committee ("the House Reapportionment Committee").

3

The House Reapportionment Committee is completely dominated by a Republican majority as seven of the eleven members are Republicans. I am one of the four Democrats on the House Reapportionment Committee.

4.

On January 25, 2006, SB 386, the Republican sponsored plan to reapportion State Senate Districts 46, 47 and 49, came before the House Reapportionment Committee.

5.

Because the sponsor of the bill in the Senate had stated that the purpose of the bill was to unify Madison County into a single district, I introduced in the House Reapportionment Committee an alternative redistricting plan that achieved the same result without splitting Clarke County. The plan I introduced was called the "Fair Madison plan."

6.

Under the Fair Madison plan, as I introduced it in the House Reapportionment Committee, Madison County would be entirely within Senate District 47. At the same time, Athens-Clarke County would remain undivided, entirely within District 46.

7.

In addition to ensuring that both counties would not be split, the Fair Madison plan also created senate districts that were more equal in population than SB 386. According to population data provided by the Legislative Reapportionment Office (which is the official, non-partisan State of Georgia agency contracted through the University of Georgia that creates and analyzes reapportionment plans based on population and demographics for the benefit of legislators and other creators of reapportionment plans), under the Fair Madison plan, the largest district had 1,715 more people than the smallest district. As a percentage of the ideal senate district, this deviation amounted to 1.17%. By contrast, under SB 386, the largest district would have 2,381 more people than the smallest, giving that plan a total relative deviation of 1.63%.

8.

Additionally, the Fair Madison plan was simpler, and was a more sensible way to make Madison County whole because the Fair Madison plan

only swapped four precincts: the one Madison County precinct in District 46 moved to District 47, and the three precincts in Elbert County that had been in District 47 moved to District 46. This was far more simple, and disturbed far fewer voters than SB 386, which moved a total of 29 ½ precincts. Specifically, SB 386 (1) split Clarke county between the 46th and 47th district by moving six-and-one-half (6 ½) precincts in the eastern half of Clarke County from District 46 to District 47; (2) moved all 10 of Oglethorpe County's precincts from the 46th district to the 47th district; (3) took all twelve of the precincts in Walton County that had been in District 47 and placed them in District 46, and (4) moved the one Madison County Precinct from the 46th district to the 47th district.

9.

I advocated the Fair Madison plan in the House Reapportionment Committee as an alternative because of my great concern for the negative impact of changing voters' legislative districts every two years. I believe very strongly that if voters are forced to change districts too frequently, such change (1) results in voter confusion, makes it more difficult for voters to keep track of who their representatives are, and to develop relationships with their representatives; (2) makes it difficult for people to band together to choose their representatives because in a district that is constantly changing,

it is difficult to build lasting relationships between groups of voters in different parts of the district; and (3) makes it more difficult for representatives to do their job because if a legislator suspects that his or her district will be redrawn with some frequency, then he or she is faced with a conflict between currying favor among his or her future constituents, and representing the interests of his or her current constituents.

10.

Based on this concern, I informed members of the committee that the Fair Madison plan would accomplish the stated goals of SB 386 while leaving 97% of the voters in the area in the same senate district.

11.

The Fair Madison plan was also preferable because it did not split any additional precincts. By contrast, SB 386 split a precinct in Clarke County.

12.

In addition to being more equal in population, simpler, disturbing far fewer voters, and not splitting an extra precinct, the Legislative Reapportionment Office's sophisticated political performance data showed that the Fair Madison plan would likely maintain the competitive nature of

Senate District 46. In other words, based on past voting patterns, District 46 would tend to be relatively equal as between Democrats and Republicans.

13.

When I introduced the Fair Madison plan in the House Reapportionment Committee, the Republican majority on the Committee rejected the plan within two minutes by a hand vote that fell precisely along party lines.

14.

I have concluded that the Republican majority of the House Reapportionment Committee rejected the Fair Madison plan because the true purpose of SB 386 is not to unify Madison County, or to create districts as nearly equal as practicable, or even to disturb and redistrict the fewest voters, but rather the purpose of SB 386 was, and is, to enhance the chances of Republican victory in Senate District 46.

15.

It was clear to me that the Fair Madison plan was rejected by the House Reapportionment Committee on a straight party line vote because it preserved the competitive nature of Senate District 46, and the Republican majority sought to eliminate that competitiveness as best they could.

16.

After rejecting the Fair Madison plan, the Republican majority on the House Reapportionment Committee passed SB 386 by a straight party line vote, with every Republican voting for SB 386, and every Democrat voting against it.

17.

SB 386 was presented on the floor of the Georgia House and was passed, essentially, by a party line vote. There was not a single Republican who voted against the bill and only four of the 79 Democrats voted for it.

18.

From the time SB 386 arrived in the House, the bill was presented in the House Reapportionment Committee and then passed by the Georgia House of Representatives in a completely partisan manner, from beginning to end, without any input or meaningful support from a Democrat.

19.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 24th day of April, 2006.

Barbara Massey Reece

Representative Barbara Reece