

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

JANE KIDD, ANDREA SUAREZ,)	
DR. MURRAY BLUM,)	
and ANN BLUM,)	
)	
Plaintiffs,)	Civil Action
)	
v.)	No. 1:06-CV-0997
)	
CATHY COX, in her official)	
capacities as Secretary of State of)	
Georgia and Chair of the State)	
Election Board)	
)	
Defendant)	

DECLARATION OF SENATOR ROBERT BROWN

Pursuant to 28 U.S.C. § 1746, I, Robert Brown, hereby declare as follows:

1.

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

2.

I am a Democratic member of the Georgia State Senate, and in that capacity I serve as the Minority Leader in the Senate, and serve on the Senate's Reapportionment and Redistricting Committee.

3.

Currently, the Senate Reapportionment and Redistricting Committee is completely dominated by the Republican majority -- 9 of its 13 members are Republicans.

4.

On January 9, 2006, the very first day of the 2006 legislative session, Republican Senator Ralph Hudgens introduced a bill, designated as SB 386, in the Reapportionment and Redistricting committee that sought to alter dramatically the 2004 reapportionment plan established by this Court in the above-referenced case.

5.

SB 386 reapportioned Senate Districts 46, 47 and 49 in several ways, including (1) splitting Athens-Clarke County (which is geographically the smallest county in Georgia, and which had previously been entirely within District 46), and placing portions of Athens-Clarke County in two districts, 46 and 47, (2) moving a precinct in Madison County from the 46th to the 47th

District, (3) moving all of Oglethorpe County from the 46th to the 47th, and (4) moving the portions of Walton County that had been in District 47 into District 46.

6.

During the meeting of the Senate Reapportionment and Redistricting Committee in which he introduced SB 386, Senator Hudgens stated that SB 386's purpose was to unify Madison County within a single district. This asserted justification contradicts the effect of the bill in dividing Athens-Clarke County. When asked by members of the committee to explain this inconsistency -- why Madison County should be unified, but Clarke County should be split -- Senator Hudgens stated that he felt that it was better to split "large" counties rather than "small" counties, and Madison County was "smaller" than Athens-Clarke County.

7.

Senator Hudgens also indicated that Senator Brian Kemp, who currently represents District 46, and Senator Casey Cagle, who represents District 49, had seen the plan and agreed with its changes.

8.

Despite a request from a Democratic Senator for a vote to postpone consideration of SB 386 for only a few days so that the bill could be

properly reviewed, the Republican chairman of the committee, Senator Chip Rogers, refused to postpone a vote on the bill.

9.

SB386 passed the Senate Reapportionment and Redistricting Committee by a straight party line vote, with each and every Democrat voting against the bill, and each and every Republican voting for it. The entire Senate Reapportionment meeting in which SB 386 was proposed, described, and approved was completed in less than 25 minutes.

10.

After approval by the Senate Reapportionment and Redistricting Committee, SB 386 went to the Senate floor where it passed by a pure party line vote, with every single Republican voting for the bill, and every Democrat voting against it.


11.

The bill was presented in the Senate and passed in a completely partisan manner, from beginning to end, without any input or support from a single Democrat.

12.

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

Executed on this 25 day of April, 2008.



Senator Robert Brown