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TRANSCRIPT OF PROCEEDINGS

**MEETING OF THE U.S. COMMISSION ON CIVIL RIGHTS
ON
RACIAL AND ETHNIC TENSIONS IN AMERICAN COMMUNITIES
POVERTY, INEQUALITY AND DISCRIMINATION
MISSISSIPPI DELTA HEARING**

Mississippi Room
Ramada Inn
2700 U.S. Highway 82 East
Greenville, Mississippi 38704

MARCH 8, 1997
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VOLUME III

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APPEARANCES:

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Mary Frances Berry, Chairperson
U. S. Commission on Civil Rights

Cruz Reynoso, Vice Chairman
U.S. Commission on Civil Rights

Carl A. Anderson, Commissioner

Yvonne Lee, Commissioner

Stephanie Y. Moore, Counsel

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4 Voting Rights Act of 1965 on Political
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1 VICE CHAIRPERSON REYNOSO: May I have your
2 attention, please. The Commission on Civil Rights would
3 like to begin its third and final day of its Mississippi
4 hearings on racial and ethnic tension in American
5 communities.

6 Would everyone please take a seat. We are ready
7 to proceed with the hearings. Chair Berry will join us
8 in a minute. My name's Cruz Reynoso, and I have the
9 privilege of beginning the hearings this morning.

10 May I please have any court reporters, clerks,
11 interpreters, and signers who were not sworn in yesterday
12 come forward. Perhaps all of you were. Very well.

13 And now would the signer please come forward and
14 inquire as to whether anybody needs the services of a
15 signer.

16 (Sign interpreter signing; no
17 response.)

18 VICE CHAIRPERSON REYNOSO: Thank you very much.

19 Today, the topic of our hearing is voting rights
20 in the Mississippi delta. We will have two panels on the
21 topic.

22 The first panel will look at, quote, the impact
23 of the 1982 amendments to the Voting Rights Act of 1965
24 on the political representation in the delta. Our
25 general counsel, Stephanie Y. Moore will call the

1 witnesses in our first panel.

2 MS. MOORE: Thank you, Vice Chair.

3 Would The Honorable Robert Clark, Benjamin
4 Griffith, Esquire, Unita Blackwell, and Luther Alexander
5 please come forward and remain standing.

6 VICE CHAIRPERSON REYNOSO: Please raise your
7 right hand and be sworn.

8 (Witnesses sworn.)

9 VICE CHAIRPERSON REYNOSO: Please be seated.

10 Our general counsel, Ms. Moore, will begin the
11 questioning of the witnesses.

12 Ms. Moore.

13 MS. MOORE: Thank you, Vice Chair.

14 Beginning with Mr. Clark, if you would please
15 state your name and current positions for the record.

16 MR. CLARK: I am Robert G. Clark from Holmes
17 County, Mississippi. I'm a member of the Mississippi
18 House of Representatives, and I serve in the position as
19 Speaker Pro Tempore.

20 MS. MOORE: Thank you, Mr. Clark.

21 Ms. Blackwell.

22 MS. BLACKWELL: I'm Unita Blackwell. I am a
23 member of the Board of Aldermen of Mayersville,
24 Mississippi. I am the past mayor and I'm running for
25 mayor.

1 MR. GRIFFITH: I'm Ben Griffith, I'm the Board
2 attorney for the Bolivar County, Mississippi, Board of
3 Supervisors. I'm also in private practice.

4 MS. MOORE: Thank you, Mr. Griffith.

5 MR. ALEXANDER: I'm Luther Alexander. I'm a
6 Washington County Board of Supervisors, and I'm
7 President.

8 MS. MOORE: Okay, I will now give each of you an
9 opportunity if you would like to make a brief opening
10 statement.

11 Mr. Clark.

12 MR. CLARK: Here in Mississippi I was reading
13 with great interest the last time you were here in 1965,
14 but in Mississippi today the greatest thing that I see
15 for minorities is in the area of economics.

16 It is true that in the area of education in the
17 delta we're looking at that very strongly to see how the
18 State of Mississippi can make an impact, but we do have
19 second and third generation of people in Mississippi,
20 minorities in particular, that have not been able to be
21 employed because of the lack of jobs.

22 Some years ago when I was in graduate school, I
23 had a professor that would always tell us that there is a
24 race between man and automation, and automation is going
25 to win that race. But I don't know if my professor's

1 still living or not, but I have lived to see the time
2 where automation has won the race.

3 True, minorities worked in the cotton field many
4 years ago for very low wages, or slave wages you might
5 say, but at least they was employed. But in Mississippi,
6 for minorities, we have not successfully made the
7 transformation from the farming days to the mechanical
8 days that we have.

9 And as I worry about the current status of
10 welfare, it was in 1968 in Mr. Charlie Evers campaign for
11 Congress when Mr. Evers was talking about doing away with
12 welfare, and people said, well, we're not going to vote
13 for Mr. Evers because he is going to do away with
14 welfare. Well, it was at that time in his campaign that
15 we coined out the term work-fare.

16 And as I think about the situation today that we
17 have, we do need to do something about the current
18 welfare system, who have taken all of the, you know,
19 manhood from black men or minority men.

20 But what we go to be concerned about in
21 Mississippi, is there going to be jobs available for
22 people, and if people, if we do have jobs available, due
23 to the fact that we have second and third generation of
24 people who have never worked and we have adult people who
25 simply do not know how to work, and it's going to have to

1 be a lot more than saying that the jobs out there and go
2 and get the job.

3 But these people are going to have to be
4 prepared for those jobs, and we're very aware of that,
5 many of us in the Mississippi legislature. We're very
6 aware of that, and, hopefully, as we go and implement the
7 welfare reform plan, that we will be cognizant of that
8 and we will make the necessary adjustments.

9 But that is, you know, that is the greatest
10 thing that I see, the greatest deterrent to progress in
11 the State of Mississippi, is the lack of economic
12 development.

13 And I've been reading the past several days
14 about education, but when I first went to the Mississippi
15 legislature in 1968 I was labeled as a communist when I
16 would talk about compulsive school attendance and other
17 childhood education.

18 But I am proud today to see that education is
19 the number one priority in the Mississippi legislature.
20 And we are going to -- I know by being a former school
21 teacher, that you got to know your subject matter in
22 order to be able to teach. But the NTE does not have
23 anything to do with the teachers' ability to teach.

24 And that is one of the deterrents that we have
25 to getting qualified people to teach in the delta, is th

1 NTE. But I want to be very careful that we don't do
2 anything in the legislature to lead the public to believe
3 that we are lowering the standards of the education.

4 But if the person has been taught at one of our
5 universities that we appropriate money to, and if they
6 have gone through four years, we've got to find a way to
7 recruit more teachers into the area of education and
8 particularly minorities.

9 And if we do not do that within the next ten
10 years in the delta area of Mississippi, we're going to be
11 going to the streets and waving warm bodies off of the
12 streets just to have somebody in the classroom.

13 CHAIRPERSON BERRY: Okay, we're going to have a
14 lot of questions about that and other subjects after
15 everybody does their opening statements. We've got a ton
16 of questions to ask about these things.

17 And good morning to the panel, and we thank you
18 very much for being here.

19 Proceed, counsel.

20 MS. MOORE: Ms. Blackwell, if you would like to

21 --

22 CHAIRPERSON BERRY: And I just got to say -- I
23 don't know if anybody said anything, but Ms. Blackwell is
24 one of the nation's geniuses, and she's a Mississippi
25 genius and a legend in her own time, anything else I can

1 think of she wrote.

2 Speak on, honorable lady.

3 MS. BLACKWELL: Thank you.

4 To this Commission, I was here and I look at you
5 and I know you, some of you -- I know Mary Frances Berry
6 -- wasn't here 32 years ago. I testified before this
7 United States Civil Rights Commission, and as I run it,
8 we're still talking about the voting rights.

9 At that particular time I came to talk about
10 that I could not register to vote, and I am here today
11 with that same concern about registering to vote. We are
12 in a state, the only state still, that has not passed
13 what they call the Motor Bill.

14 I am kind of emotional some, coming down the
15 road this morning. I was thinking, I was driving down
16 the road in a car with gas, and in 1964 we didn't have no
17 cars. And if we did get one of these SNCC cars, Student
18 Non-Violent Coordinating Committee, we didn't have no
19 gas.

20 So I was coming down the road, so I will give
21 you some interesting good things that's happened. I have
22 gas this morning, and I have a car that I can drive. And
23 I came down the road because this is not my time of
24 morning. I'm much more better later in the day.

25 Because I want to give you this impact, that I

1 had to stay up at night. My job was to stay woke. My
2 husband worked in the day time, and so he worked for the
3 United States Corps of Engineers three months out of the
4 year. And so he was the person that got up at four
5 o'clock in the morning.

6 Well, the Klans came, you know. They would come
7 at a certain time. And so I was the person that stay up
8 at night, and then I would go to bed around 3:30, four
9 o'clock because the Klans do not come that time of
10 morning. We would never hear of the Klans coming that
11 time of morning. We know what time they comes.

12 We're here today because I have had these
13 impacts on my life of voting, and I want to say to this
14 Commission, I thank you. I thank you because that
15 without the United States Civil Rights Commission I don't
16 think we'd of got our story outside.

17 I have to give thanks to Hodding Carter. He
18 wrote the book, *The Closed Society*. We was a closed
19 society in the State of Mississippi. Today we are very
20 open 'cause everybody know about us in terms of over the
21 years, 30 years.

22 We're honored to have the Speaker Pro Tempore
23 here, and that come right out of the Voting Rights Act of
24 1965. I testified before this Commission.

25 That was my first plane ride. I came across in

1 Southern. They don't even have that plane no more, that
2 airline no more. I came from a meeting that we had in
3 Atlanta, the Student Non-violent Coordinating Committee.

4 They flew me in. I stayed at the Admiral Benbow
5 Inn, and I had never been inside of a hotel in my life.
6 Thank you very much for introducing me to a hotel. And I
7 got in there, and the gold knobs was shining and so
8 forth. I says, no wonder these white folks don't want us
9 to vote, you know.

10 You know, it's -- you know, my mother and I, we
11 had washed and cleaned and cleaned up white people's
12 houses, but I hadn't been into a hotel room, you know,
13 before. And I was in there, and it was my room. Well,
14 I'll have you to know I did not get no sleep when I got
15 in there. I stayed up looking, you know, from one side
16 to the other one.

17 That's the reason I said I would come to you
18 all, this Commission, 'cause you have produced a great
19 work across this country and across this land. Some
20 people may not like you, because the governor didn't like
21 you then. The governor don't like you now.

22 We could not have a meeting in the state. The
23 United States Civil Rights Commission had to have its
24 meeting in the Veterans Hospital in Jackson, Mississippi,
25 and we had the hearing room.

1 Today we are in the Ramada Inn in Greenville,
2 Mississippi, and that is semi-progress. The governor
3 still ain't showing up, but, anyway, just want you to
4 know that I been around for these last 32 years. A lot
5 of things has happened.

6 I want to say that now that we fit and died on
7 behalf of one of the most fantastic human beings, and two
8 or three of 'em, I'd like to say, because this was her
9 home, Fannie Lou Hamer. Fannie Lou Hamer, the impact of
10 her life was great, and Medgar Evers and all of those
11 that passed on, but this was home because Ruleville,
12 Mississippi, is the Mississippi delta.

13 And Robert Clark, you know, if I look and see
14 him sitting here and he knows what we've been through, he
15 was our first high elected official.

16 Now that you know that this state has over --
17 how many now? Just a quick count.

18 MR. CLARK: Over 300.

19 MS. BLACKWELL: It's 400, they told me.

20 MR. CLARK: Four hundred?

21 MS. BLACKWELL: Three or four hundred elected
22 officials. Highest number --

23 CHAIRPERSON BERRY: In the whole --

24 MS. BLACKWELL: -- in the whole United States.

25 CHAIRPERSON BERRY: Yes.

1 MS. BLACKWELL: Now, from 32 years ago, could
2 not go anywhere. They wouldn't let you in and so on, and
3 the governor wouldn't have nothing to do with you. I
4 don't know what we're going to go -- because it's a good
5 omen from now, because the governor didn't show up this
6 time.

7 But what we would have to know is that in the
8 Mississippi delta, there is more black elected officials
9 in this concentrated area than anyplace in the State of
10 Mississippi.

11 MR. ALEXANDER: Or in the United States.

12 MS. BLACKWELL: Thank you.

13 Now, what we hope that we will take a look at
14 now is the voter bill, that Motor Voter Bill. I don't
15 know why that we keep running into this same impact all
16 the time, but I guess that's the way it is.

17 You can go to the welfare department. You can
18 go to all these other places to get your driving license
19 and so on and get all those things, but you can't go to
20 become a citizen and it mean anything. It goes just as
21 far as the federal. It don't, you know, do the state.

22 We still fighting the war of states' rights in
23 this state. I hope that, for people who are here and for
24 the Commission -- I don't know, you may have looked at
25 that book. They called it *Dixie Rising*. It's an

1 interesting book by Applebaum, I think that's his name.
2 It's a book.

3 I just came back from Harvard, and we was
4 reacting to it because it was talking about, you know,
5 the parallels of what's happening in the South. And it
6 takes a look at from his standpoint of view, and some
7 things I agree with.

8 We don't have women impact into areas of
9 leadership as it should be. We are the workers, but we
10 still is trying to come into our own. And I'm not just
11 talking about black women; I'm talking about all women in
12 the Mississippi delta.

13 So you take a look at it and see, you know, what
14 kind of leadership that we have come into. I am
15 concerned about that.

16 Another thing that we need to look at, now that
17 we have, we say, the right to vote, is the young people
18 getting registered. Are the young people getting ready
19 to vote, or are they getting to this climate that's in
20 America that says, you know, it's not going to solve
21 anything or why should we go out and vote, and that kind
22 of thing.

23 And I think that we have to take a look at --
24 that this Commission could do that -- is what is the
25 situation in our country that makes us not appreciate

1 this great right to vote.

2 Another thing that's here that we are talking
3 about is that you have to be rich, rich, rich to become
4 elected official. That is not always the best elected
5 official.

6 We have to look at in terms of what is the
7 trust, why do we now have a climate, they say, in this
8 country we don't have any trust around the elected
9 officials. And so our young people needs the impact,
10 needs to be taught from the time they can read and write
11 and arithmetic the importance of this vote, that this
12 vote is not to be waited until you are 18.

13 And this education should not wait till we're 18
14 because this is our country, and that we need to
15 emphasize that this is a country that we're trying to
16 have freedom in. And I am one of these people who is fit
17 to try to have freedom in this country, and I feel that
18 that's one of the worst educational pieces that is not
19 being done in our country, is around the voting and what
20 it means and how important it is. It is not something to
21 be sold or bought. It is a right.

22 And I hope that people will know that people has
23 given their lives and folks has died for this right, and
24 our country, whether you were white, black, green, or
25 polka dot, the emphasis should be on the right to vote.

1 It shouldn't be a climate set up where that the
2 legislature sits and discusses and goes over and over and
3 over again and says that just because that you can go
4 into welfare department or whatever it is -- I've been in
5 this state when a man could walk in and say, "I'm coming
6 to vote for my wife and myself," you know. They wouldn't
7 even have to come.

8 But when it became that another group of people
9 became involved, and that's what the fear is in this
10 country I suppose, I don't know, that we are a country of
11 mixed people. We come from all nationalities, all kinds.
12 Some people is worried about the immigrations and all
13 these other things.

14 But I say the right, if we stand as a country,
15 the right to vote is necessary for all who say they're
16 citizens. Thank you.

17 CHAIRPERSON BERRY: Thank you very much.

18 MR. CLARK: Go ahead.

19 CHAIRPERSON BERRY: Mr. Griffith.

20 MR. GRIFFITH: Stephanie, thank you.

21 Good morning to the Commission. I appreciate
22 the chance to meet with you today. Seated to my left is
23 a gentleman and seated to my right is a lady and a
24 gentleman that are the giants in the civil rights
25 movement in Mississippi.

1 It's had its birth in the delta, and I am a
2 child of the delta. Now I come to you with an
3 orientation that is different from the other speakers. I
4 come to you as, I guess, a rare species of a white
5 Democrat in the Mississippi delta. We don't want it to
6 be a dying breed.

7 I do have copies of a statement I'd like to make
8 available to the Commission. I'm not going to read it,
9 but I'll summarize it within that five-minute time
10 limitation. The original's on top.

11 CHAIRPERSON BERRY: Thank you, Mr. Griffith.

12 MR. GRIFFITH: I've worked in county government
13 for -- it's hard to keep up with it. Luther, you know
14 better than I do -- about 16, 17, 18 years, actively as
15 an attorney representing a county governing body in
16 Bolivar County, which has the most, numerically most,
17 number of African-American elected officials than any
18 other county in the state.

19 Sorry, Luther, even Washington County. And
20 that's something we're proud of.

21 We have at this point a five-member board. Our
22 president is an African-American, Richard Coleman, who's
23 served several terms now, in his third. We have a newly
24 elected member of the board, an African-American, Mr.
25 James McBride, who is ably serving, not just the people

1 who elected him from his particular district, but the
2 entire county.

3 The biggest concern that I want to impress upon
4 the Commission today is the spin-off effect of voting
5 rights litigation that I've been actively involved in
6 since the 1982 amendments.

7 Before I reach that, and if you'll notice, I
8 give you a little bit of personal background, and it's
9 very personal when it talks about how my Momma and Daddy
10 raised me. I was raised in the Presbyterian church, what
11 we call the liberal branch of the Presbyterian church.

12 I was not raised in a household that condoned or
13 talked racism. I was raised in an environment that
14 nurtured the idea of diversity and respect for fellow
15 people, regardless of who they were and the color of
16 their skin.

17 And I've come to the point now, having litigated
18 in cases that involved voting rights enforcement,
19 representing local government entities primarily. And I
20 will actually be involved in testifying on behalf of the
21 South Carolina Senate in an effort to try to justify a
22 remedial Senate reapportionment plan in the next few
23 months.

24 My heart is in what I'm talking about, but it's
25 very difficult for me to avoid stepping on toes with what

1 I'm going to have to say today. And I've said a lot of
2 it in the statement. I'll reiterate it today.

3 First of all, in the Voting Rights Act, the
4 assurance of equal electoral opportunity was absolutely
5 fundamental to that legislation. It took blood and sweat
6 and tears to put it into real practice.

7 It took litigation, expensive sacrifices --
8 numerically, economically, and in human terms -- for
9 many, many years. When Mayor Blackwell was first before
10 this Commission 32 years ago, I was barely smelling the
11 gas fumes and the perfume. I was a teenager at that
12 time. I was aware that the Commission was in
13 Mississippi. I had no awareness of what was going on.

14 And that, I think, is the plight of many younger
15 white people today. They are not able, a lot of times,
16 to put themselves in the shoes of the, what I would call,
17 the warriors of the civil rights movement but were able
18 to read about it and were able to work with them.

19 I've known Supervisor Alexander since he first
20 went into office and have tremendous respect for him.
21 Our two counties work together. We compete a lot of
22 times in the economic arena, but we work together like
23 brothers.

24 Now, my biggest concern at the present time is
25 that through the Voting Rights Act enforcement we have,

1 in fact, brought in large numbers of minority citizens
2 into the electoral process. We've had tremendous gains
3 in numerical participation by elected officials. It's
4 been good.

5 Those efforts are, I'm afraid, being distorted
6 and are in jeopardy in some circles, in particularly --
7 and I've touched on the Second Congressional District
8 which representative Clark had a tremendous involvement
9 with in his earlier efforts to try to get elected as a
10 congressman.

11 I am very concerned that in light of the recent
12 Supreme Court developments relating to race-predominant
13 redistricting, that all of the gains, all of the gains
14 which are meritorious and worthy and should be held onto
15 and no one wants to see undone, are going to be
16 questioned because of a few -- and I emphasize, a very
17 few -- instances of either local or statewide racially-
18 gerrymandered districts. This is not good.

19 And I think it comes back to a concern that the
20 Voting Rights Act through utilization of race-predominant
21 districting has turned into a resegregation tool. It's
22 unfortunate. It's not what I think our country's about.

23 We're a multi-racial democracy. We need to stay
24 that way. We do not need to get into what Justice
25 Clarence Thomas has called political homelands. We do

1 not need to start developing and pushing for creation of
2 racial enclaves on the county, municipal, or state level.

3 But I'm afraid, at least in a few cases, the
4 ones that the Supreme Court, beginning with Shaw versus
5 Reno, then followed by Miller versus Johnson in Georgia,
6 and then followed by the trilogy last year, the Shaw
7 versus Hunt case in North Carolina, the Vera versus Bush
8 case in Texas, and then the case in California, Dewitt
9 versus Wilson, then I'll speak a little bit about, in a
10 different context.

11 Those cases have generated few racial
12 gerrymander challenges, not in the delta, but in counties
13 that are peripheral to the delta. And my concern is that
14 we've created in some cases unjustifiable
15 majority/minority districts. In this context I mean
16 unjustifiable in the sense of shape and race being the
17 predominant motive for creating those. I do not believe
18 that the vast number of congressional seats of those
19 members of the Congressional Black Caucus are at
20 jeopardy.

21 But I do believe also that there are cases that
22 are coming down as recently as two weeks ago, and I've
23 got these cited for you, involving New York's Twelfth
24 Congressional District -- that's the Diaz versus Silver
25 case. This was decided just February 26th -- and the

1 Virginia's Third Congressional District in Moon versus
2 Meadows, just February 7, a month ago, both being
3 declared unconstitutional because race was found to be in
4 the mouths and the words of the legislators -- they've
5 already said it -- the predominant factor in creating
6 district boundary lines, and that there was no showing of
7 a compelling governmental interest to justify the drawing
8 of those lines.

9 There could not be enough proof mustered to show
10 that they were narrowly tailored to serve that compelling
11 governmental interest. That's a tragedy because we've
12 got a tremendous -- I'd say a 95, 96 percent -- block of
13 development of minority participation we've got to hold
14 onto that is going to be jeopardized by a group -- a
15 small group, I think -- of local government and state
16 racially gerrymandered districts.

17 Hopefully, that will not be the case in
18 Mississippi, but I've got grave concerns about the Second
19 Congressional District that I've discussed in detail in
20 the paper. And I want you to look at that in a serious
21 sense, that we don't need to throw the baby out with the
22 bath water.

23 We don't need the litigation over racially
24 gerrymandered districts to start undercutting the massive
25 and worthy gains that fighting and litigation and years

1 of toil have led us to. And these are good results that
2 I'm afraid that, at least in some quarters, are being
3 jeopardized.

4 When I talk about the Second Congressional
5 District, Representative Clark fought valiantly to, after
6 several adjustments in the boundaries, to try to bring in
7 what I call the old delta shape of that district. Was
8 nonetheless unable to become elected. He did have an
9 incumbent that was a very vigorous, strong Republican and
10 an incumbent that he was fighting against for that
11 office.

12 That district was then altered slightly in order
13 to create a little bit more of a significant majority of
14 African-American citizens, as a result of which Mike Espy
15 was elected. And in his first election -- the numbers
16 are there -- there was not a significant white crossover
17 vote, but in the second election there was. And the
18 reason was, he was an effective elected official for all
19 the people, and it showed. It showed in what he did.

20 This was one of the big pluses for this region
21 when he was appointed as Secretary of the Department of
22 Agriculture.

23 Now, we are at this present time dealing with
24 rumors and talk and suggestions that the Second
25 Congressional District may be vulnerable to exactly the

1 same type of challenge that's been mounted in these other
2 congressional district cases.

3 I'm not here to make predictions, but I am here
4 to tell you that in a few districts in this country --
5 and these are local as well as state -- there may be some
6 vulnerability to those districts because of excessive
7 race predominance in the legislative process pushed by
8 the Justice Department in a documented series of cases
9 starting with Miller versus Johnson over what they have
10 labeled a black-maximization agenda.

11 That is such a distortion of terms. It has
12 almost a flame-thrower rhetoric to it. But when you get
13 down to the actual discussion and the documented
14 statements between voting section attorneys and attorneys
15 for the state government in the Georgia transcript of the
16 case, you can see what they're talking about.

17 I do not know if Mississippi's situation with
18 the Second Congressional District will parallel that, but
19 I do know that there's some vulnerability there. And,
20 frankly, it concerns me because when I look at Unita's --

21 And the first time I remember you is when you
22 got up there on the podium at the Democratic National
23 Convention.

24 And that was -- it was a tremendous time for
25 Mississippi to see our own African-American citizens

1 speaking and representing and talking for progress and
2 racial process in our state.

3 I've got in my paper a summary of Bolivar county
4 elected officials who are African-Americans, by name and
5 by position, just so you can see some of the people that
6 are related to this. These are people we work with every
7 day. They are effective. They are diligent in their
8 efforts to represent everybody that comprises their
9 constituency.

10 And I think that we've got democracy that needs
11 to come front and center in that process. If it's going
12 to be a multi-racial democracy, we've got to work at it
13 every day.

14 We've got to have racial sensitivity. We've got
15 to have a way of bluntly assessing where we are with
16 minority electoral representation.

17 I don't want us to get into the Voting Rights
18 Act being treated as some type of guarantee or some type
19 of guarantee of electoral success. It's not. But it is
20 an absolute guarantee and insurance for minority
21 electoral participation and equal access. And if it ever
22 stops being that, it's destroyed.

23 I would close by saying that I've cited
24 liberally from Tony Brown's book. It's very upsetting to
25 a lot of people. It's called *Black Lies, White Lies*.

1 It's very controversial. No white or African-American
2 person can read that and not get infuriated. He manages
3 to insult everybody I think.

4 But I've done it deliberately in order for us to
5 look at this whole idea of white extremism on the one
6 hand -- the skin-head movement, the problems that lead to
7 polarization in that context -- the black victimization
8 rhetoric on the other hand that leads to people saying,
9 well, I know slavery was wrong, but wait, you know, it's
10 been a 3- to 400 hundred year history. Thirty years ago
11 it was still a bad situation in the civil rights
12 movement. We still had people that were abused and
13 killed.

14 And now where are we? Are we still having that
15 past history of discrimination and slavery having a
16 present, material concrete effect on minority electoral
17 participation. That to me is the big issue.

18 So if we can talk a little bit about
19 mobilization and participation by minorities and try to
20 deal with it in a constructive way, I'm all for it. But
21 when the Voting Rights Act in some cases -- and they're
22 limited, I believe -- has been turned into a tool, a
23 blunt instrument, if I can use that word, to either
24 guarantee a particular minority a safe seat, then I think
25 we're in trouble. And I think constitutionally we're in

1 trouble.

2 Regardless of where you stand on the Supreme
3 Court's interpretation of the 14th Amendment, they are --
4 unless Marbury versus Madison has been changed any time
5 recently, they are the final interpreter of what the
6 constitution means.

7 Thank you.

8 CHAIRPERSON BERRY: Mr. Alexander.

9 MR. ALEXANDER: Thank you, ma'am. First, I'll
10 say good morning to you.

11 I would just like to thank the Commission for
12 giving me an opportunity to participate here in
13 Washington County to the Civil Rights Commission.

14 We've come a long ways here. You know, I look
15 back when I first entered the workplace here in
16 Washington County, I was first appointed as a Negro
17 assistant county agent.

18 I moved from there to another county, Bolivar
19 County, and worked as an assistant Negro county agent.
20 From there to Tipper County up in north Mississippi. We
21 had to go around looking for work as Negro county agent,
22 then back to Washington County as associate county agent.

23 I was the first black county agent in Washington
24 County. I served there, then I retired after 32 years of
25 service with the Coop Extension Service and decided I wa

1 going to fish and have a good time.

2 But I went to a meeting one night, and we
3 couldn't elect a black county supervisor in Washington
4 County. I told the group at that meeting that I could be
5 elected because I'd worked across the board with blacks
6 and whites in this county.

7 And I had places like Stonewall out there where
8 I worked quite a bit and researched with agriculture
9 where I knew people. One fellow said, "Lou, don't get
10 too big-headed. The possibility's tough."

11 We ran for supervisor in 1987 and won by 68
12 percent. The first black supervisor in Washington County
13 since Reconstruction. You know, we've done a lot of
14 firsts because we went out and worked, and you'll see in
15 my statement where we were the first black power
16 commissioner.

17 Here in Washington County we have elected three
18 minority supervisors now, and we have a majority/minority
19 board here in Washington County, which means that we can
20 do things that we couldn't do in the past.

21 Have about 22 elected officials in the county
22 that's minority, and you will look at our numbers. Voter
23 registration hasn't been a problem, but we have had
24 problems in getting people to vote.

25 So apathy is something we need to discuss this

1 morning: why people don't vote. Why they don't go out
2 to vote.

3 Of course, I think some of the other speakers
4 before me have kind of said why. There's a number of
5 reasons why. That's my number one concern.

6 I'm a student of history. I remember what
7 happened after the Civil War when we had blacks in
8 positions as I am now.

9 But in 1900 we didn't have anybody, and we went
10 back to a time where we call separate but equal, and it
11 took us 75 years to vote again, from 1895 to 1965 we just
12 didn't vote in the United States, period. Then you had
13 the Voters Act Bill, and this is what changed things for
14 us here.

15 Here in Washington County we have 30,000 voters.
16 We have 65,000 people. That's low, could be higher. And
17 some of the top officials are minorities. Our Second
18 Clerk is a minority who runs the voter, where you
19 register to vote at. And, of course, we have three
20 people that's on our election commission to see that
21 people vote.

22 My next concern, though, in the delta is
23 education. Back in 1969 when we integrated the schools
24 here in Washington County, we came up with three
25 academies with people who moved their children from

1 public school to academies.

2 And consequently our dollars went down in public
3 education. Greenville with a population of nearly 50,000
4 people haven't built a public school here in 30 years.
5 And we've tried to pass bond issues to build schools, and
6 we haven't been able to do this.

7 Education is a problem. We heard the
8 representative talk about the welfare reform. In the
9 Mississippi delta we have three generation of welfare
10 people, people who left the cotton field and went to --
11 because of the cotton picker and the cotton chopper --
12 and went on welfare. The mother was on welfare; the
13 daughter was on welfare. Now the granddaughter's on
14 welfare.

15 They're uneducated; they're untrained. And you
16 talk about reforming welfare, what are you going to do
17 with the people? That's a question for you. Where are
18 you going to put uneducated, untrained clientele?

19 Some of us here in Mississippi was fortunate to
20 have a Valus (phonetic) State or Jackson State or Alcorn
21 State that educated us, and we want those schools to
22 remain because that's our roots. And that also tells us
23 that they look to you getting a husband or wife and an
24 education. Those things are important to us.

25 I would just like to say to you this morning

1 that we need to look in the area of education and the
2 area of voter apathy, are the two things that I'm really
3 concerned about. Because I see with us not voting, we're
4 going to lose elected officials. And I see us not being
5 educated. We're going to go back to some of the times
6 that I remember when I was a young child.

7 Thank you.

8 CHAIRPERSON BERRY: Go ahead, counsel, question
9 the witness.

10 MS. MOORE: I would now pose a series of
11 questions to each of you in turn, designed to get certain
12 facts on the record.

13 Beginning first with Mr. Clark, who I would like
14 the record to reflect as well, you were the first black
15 elected to the state legislature since Reconstruction.
16 And I think that's important to put on the record.

17 MR. CLARK: Yes, I was elected November, 1967.
18 And, incidentally, when Mayor Blackwell was talking about
19 not being able to vote, and the first time I voted I
20 voted for myself in 1967.

21 CHAIRPERSON BERRY: And that must have been a
22 great feeling.

23 MR. CLARK: Successful vote.

24 MS. MOORE: Now, Mr. Clark, I understand that
25 the racial composition of your district is approximately

1 60 percent black; is that right? Fifty-nine?

2 MR. CLARK: Yes, it is, yes.

3 MS. MOORE: What is the current level of black
4 representation in the Mississippi legislature?

5 MR. CLARK: We have 35 black members in the
6 House out of 122. We have ten black senators out of 52.

7 MS. MOORE: Okay.

8 MR. CLARK: However, I would like to add there
9 are several other districts where blacks could be elected
10 if you're going by a black majority district. And there
11 is one black member that is elected from a 51 percent
12 black district, so race, as you know, did not play,
13 didn't have any part in that district's election.

14 MS. MOORE: Now, in those districts that other
15 blacks could be elected from and have not from, is that
16 what you're saying, that there are others that they have
17 not been elected from?

18 MR. CLARK: Well, the real reason, the real
19 reason, it is strictly political. You know, from my
20 colleague's county here, Bolivar County -- having worked
21 all over the State of Mississippi in politics, I know
22 most of the areas very well.

23 There used to be a time in his area where blacks
24 could not be elected because if you were from Shaw,
25 Shelby wasn't going to vote for you. If you was from

1 Shelby, they was not going to vote for you.

2 And that is the situation in those other
3 districts. It is political differences among black folk
4 in those districts.

5 MS. MOORE: Political differences amongst the
6 black population?

7 MR. CLARK: Among the black population. For
8 example, in his area you had a black district up there
9 where a black could have been elected 25 years ago, but
10 every time a black would run the others wouldn't support
11 him. So they finally found a young lady that was fresh
12 out of law school and hadn't made nobody angry, and she
13 ran and she won. She beat the incumbent.

14 MS. MOORE: Okay, well, based on the increased
15 black political representation at the state legislative
16 level, have you witnessed any change in the deliberations
17 within the legislature with respect to minority concerns?

18 MR. CLARK: Yes, I have seen a change in the
19 attitude of the legislature of being more considerate and
20 realizing that black Mississippians is a part of
21 Mississippi, and the wishes of black members must be
22 respected just as the wishes of the other members.

23 But one of the things I -- and I tell my other
24 black members this, and I'm concerned about them, being
25 the senior black elected official, one of the members of

1 the House of Representatives, that we have not
2 successfully united to use our force the way we should.
3 We're too hung up on individual personalities, rather
4 than forgetting that and uniting for the cause.

5 And one of the things that Unita mentioned was
6 about the Motor Voter Bill.

7 MS. MOORE: Right.

8 MR. CLARK: Well, the reason that bill have not
9 passed is we have a Republican, a good friend of mine and
10 a good individual, he's chairman of the election
11 committee. And he is a close ally of the governor, and
12 it passes the Senate, and he just simply won't bring it
13 out.

14 He put out a memo several days ago stating his
15 reasons for not bringing it out. He said it is tied up
16 in court. And historically when something have been in
17 court, historically we have not taken it up.

18 But it didn't have the impact that the Motor
19 Voter Registration Bill will have. And he is saying if
20 we pass the bill, then Mississippi is going to be liable
21 for paying the fees of the lawyers that file the suit.
22 And that's his reason, but it shouldn't never have had to
23 go to court.

24 MS. MOORE: Well, Mr. Clark, we do have a panel
25 after yours that will address the Motor Voter legislation

1 in detail, but let me follow up on that with a question
2 for you, if you're aware.

3 The challenge that's before the Supreme Court,
4 that was argued before the Supreme Court, is purely a
5 legal one, that is whether the dual registration system
6 in Mississippi violates the national, well, Motor Voter
7 Voter Registration Act.

8 Are there any practical reasons why the State of
9 Mississippi prefers the dual registration system? That
10 is, is it more efficient? Is it a cost issue? Are you
11 aware of why the state is persisting with that measure?

12 MR. CLARK: In my opinion, if the Mississippi
13 House could get a chance to vote on it, 95 percent of the
14 House would vote in favor of it. But in my opinion, it
15 is purely political. It is hung up on being passed by
16 Congress, and Congress don't tell us what to do.

17 And, you know, as I said, my good friend who
18 happens to be a Republican and a close ally of the
19 governor, and it's purely political.

20 Now, after bill has been in the committee 20
21 days under the rules in our House, it can be voted out by
22 a majority vote. But that's something that members do
23 not like to do, many members who would vote for the bill,
24 but they would not vote to pull it out of the committee.

25 And we ran, you know, a survey in the House and

1 found out we -- well, we simply did not have the votes to
2 pull the bill out of the committee. But if it were to
3 hit the floor, we wouldn't have no trouble with it
4 passing.

5 MS. MOORE: You spoke in your opening remarks
6 and rather extensively in your interview with Commission
7 staff about the inability of notwithstanding the increase
8 of black political power, there needed to be a
9 translation of that power into economic opportunity.

10 Are there any bills or proposals that you can
11 point to that have been defeated in the legislature that
12 were designed to secure economic opportunity for,
13 specifically, for the black population, or would it inure
14 to their benefit?

15 MR. CLARK: No, I cannot think of anything
16 specifically that have been defeated in the Mississippi
17 legislature that was directly to black employment and
18 economic development.

19 And this is something that I have been saying
20 for a number of years, and, you know, it just seems to
21 have not caught a hold to anything, you know. Economic
22 development for minorities, it's got to be done.

23 And we have the black political power. We have
24 the greatest number of black elected officials, but we
25 have not transformed that into economic development.

1 MS. MOORE: And to what do you attribute that?
2 Is there resistance from white legislators? Is there not
3 enough support from the community? I mean, Mr. Alexander
4 referred to apathy in the community. Do you know of any
5 factors that would contribute to that?

6 MR. CLARK: Well, there is apathy. It is there.
7 And what we're going to do about it? I don't have the
8 answer.

9 But it is going to have to, as far as I'm
10 concerned, come from your local leadership. Industries,
11 when they come into your community, one of the first
12 things they're going to look at is your system of
13 education.

14 And we know in the Mississippi delta and in
15 Holmes County -- I live just up out of the delta, but
16 part of Holmes County is in the delta. We do not have
17 the social activities that would invite individuals to
18 our area.

19 We do not have the system of education -- let's
20 face facts -- that somebody would want to bring their
21 child from California someplace and put them into our
22 system of education.

23 And the leadership, individuals in leadership in
24 those communities, such as Mr. Alexander on the board,
25 they're going to have to make a strong impression on

1 those individuals that's coming in, that's going to
2 invest five and six million dollars into your area.

3 They're going to make sure that they have the
4 support of the community, that we don't invest our money
5 here, and in two years we don't have support and we've
6 got to pull up and go.

7 So it's just really a difficult situation. For
8 example, in Holmes County, if someone comes there, we
9 have an integrated school system in Durant which is about
10 maybe 51 percent black. Now, if they don't locate in
11 Durant they'll locate over in Kosciusko or Attala County
12 and drive into Holmes County.

13 But your leadership is not going to come in and
14 locate in Lexington where you have an all black system
15 and then you have the academy. And not either system is
16 efficient for your child to move on to the next level.

17 MS. MOORE: On the education issue, Mr. Clark,
18 you indicated in your interview with Commission staff
19 that there was a current controversy surrounding the
20 governor's appointment of four, I think it was, four
21 whites to the college board. What's the current status
22 of that?

23 MR. CLARK: The governor retraced that. I mean,
24 luckily, the Senate committee did not go along with it.
25 Senator John Walls who's an attorney from this area, and

1 he was appointed by Ray Mabus and he was not approved of
2 That's some years ago.

3 You had Senator Johnny Walls and others on the
4 committee, and they simply didn't go along with the four
5 whites. And there were individuals that criticized the
6 Lieutenant Governor. They wanted him to force it out of
7 the committee, but he just let the committee process work
8 its way. And they didn't approve of 'em, and the
9 governor later came back and changed it and appointed
10 minorities and females.

11 MS. MOORE: I just have one last question, and
12 that is, what are the current obstacles, if you see any,
13 to black voter registration, voting and running for
14 office?

15 MR. CLARK: There may be isolated cases, but I
16 don't know of any. But I can give you an example. When
17 I ran for Congress in '82 and '84, if we had gotten three
18 more votes in each box throughout the district, we would
19 have been the winner.

20 But when we analyzed our votes we analyzed
21 certain areas that had the same minority percentages, and
22 where we had poll watches we won in those areas. And in
23 similar areas where we did not have the poll watches, we
24 lost.

25 But we analyzed the voting pattern, not only the

1 percentage of minority votes, but the voting pattern.
2 And we were able to turn that over to the Mike Espy
3 campaign. And, you know, he had poll watchers there at
4 those areas, and he was successful in winning.

5 But so far, as knowing of any deterrents, I
6 don't know of any. But politics is politics, and once
7 you run for office you better be on your Ps and Qs.

8 MS. MOORE: Thank you very much, Mr. Clark.

9 Ms. Blackwell, that sort of leads me to a
10 question that you discussed with Commission staff at the
11 local level in terms of poll watchers and the like.

12 And you indicated that African-American
13 candidates were not as well financed as white candidates
14 and were, therefore, unable to secure those types of
15 resources.

16 What are the impediments to black financial --
17 well, to blacks financing their campaigns?

18 MS. BLACKWELL: Financing for the Mississippi
19 delta and the State of Mississippi for blacks, it's
20 always been a problem. We just didn't have any money.

21 And that's one of the things that I think now
22 that's being discussed all over, the financing of
23 campaigns. Because it seems that you just won't have
24 enough money to, you know, to keep somebody's up and
25 what's happening.

1 That's one of the reasons I go back to making
2 sure that people understand this right to vote is very
3 important for you to get the best person to do what it is
4 that you want done for your community, that that emphasis
5 -- because I think that we all know that we never --
6 blacks -- didn't never have any money to finance
7 anything.

8 And those of us who're elected know that we
9 didn't get elected by the money because we didn't have
10 enough to do that.

11 And I think that this country needs to get to
12 the place that it's not by the money, that it's about who
13 and what it is that this person stand for and what it is
14 that they need so that they can offer the voters.

15 And we just done gone too far in terms of that.
16 Of course, we never got into that mix because we didn't
17 have the money to get over there and argue back and forth
18 about, you know, about that.

19 But I'm just saying it's a thing as a whole that
20 they're finding out now, that it's not a good thing to be
21 in a situation to who got the most money and that it's
22 always the right way to get a person elected.

23 As far as the campaigns, another kind of thing
24 is that our people -- first, you're talking about people
25 who was on welfare and all these other kinds of things.

1 And people come along and say, "We're going to give you
2 \$75 to do this for us," or \$100 today.

3 I go back to the emphasis again that there's the
4 need, and it's hard when folks come along and spend
5 money. For instance, I was running for Congress, and it
6 was all tied around who had the most money, you know. It
7 wasn't who was the best person.

8 The emphasis -- we got that climate that we done
9 set up in Mississippi delta, in Mississippi. We done set
10 it up in this country that it's not the person, and
11 that's what we got to focus back to. What is it that you
12 say that you will do for the people.

13 You is a servant of the people, and that's what
14 this is all about. This is not me getting into office or
15 anybody else getting into office to feather our nests or
16 do whatever in life. It was there to do a service. And
17 then you hope that it's enough money for you to get to
18 the place that you have to get to to do that service.

19 But now that's what you have to take the office
20 and know that. And so I'm not naive to know that
21 politically this country's run by big money. I know
22 that's happening. But I'm saying we need to take this
23 trend and go to looking at it.

24 Now, this state has come from a Democrat state
25 running the state to a Republican. The Republicans ought

1 to appreciate us.

2 I was not a Democrat; I was neither a
3 Republican. I was a person that was disfranchised. I
4 became franchised with the fights and all the things that
5 we've been through by blood, sweat, and tears.

6 And then now we've done changed parties, you
7 know. We challenged the Democratic party from this state
8 in 1964. Alright, now we have become a Republican party,
9 they say is the power in this state. I disagree with
10 that.

11 But anyway, that's the kind of thing that we
12 made, whatever it is. I think we're talking about these
13 was people with no financing. We didn't have no money.
14 We done made these folks, you know, looking at one
15 another. And I think we need to take a look at that.

16 It is the people mostly that rises up for the
17 cause and for the decencies and so forth that makes our
18 country turn into something. And I see us as blacks in
19 the Mississippi delta with no money, being shot at,
20 jailed and everything that created a two-party system,
21 hopefully, in the State of Mississippi. It was not here.
22 It was not here.

23 And so I tell the Republicans when I see 'em
24 that they need to be nice to me because we created y'all,
25 you know.

1 MS. MOORE: Ms. Blackwell, based on the research
2 that the staff conducted prior to this hearing, Issaquena
3 -- am I pronouncing that right?

4 MS. BLACKWELL: Mm-mmm, Issaquena.

5 MS. MOORE: Issaquena.

6 MS. BLACKWELL: And then I spells it for people,
7 you know, so I don't think people should know. But it's
8 I-s-s-a-q-u-e-n-a. And it means great waters. That's
9 what the Indians says it means. Now, somebody else may
10 say it's something else. This is Indian country. Of
11 course, the whole country's Indian country.

12 MS. MOORE: That's another issue.

13 Issaquena County, based on our statistics, is 56
14 percent black, and within that county 62.8 percent of
15 black families are below the poverty level. Now --

16 MS. BLACKWELL: In Issaquena County?

17 MS. MOORE: Yes.

18 MS. BLACKWELL: Yes. Now, we come from a long
19 line of a situation. Briefly as I can be, we had more
20 slaves per slave owner in Issaquena County than anyplace
21 in the United States, okay.

22 We used to be a port. We was between a
23 prosperous situation due to the slave trade. You know,
24 the slave trade made this Mississippi delta prosperous
25 place. And the people had the slaves, and they had the

1 cotton being picked, and they make the money and the
2 whole thing. You've got that picture? Alright.

3 Then we left from there and got to the place
4 where the railroad comes in. The river is impacted and
5 so forth and what have you.

6 Now, we got a bunch of people that left the
7 great migration. One of the greatest ones in the world
8 is the migration of black people from the South going to
9 other parts of the country.

10 From the Mississippi delta we went to Chicago
11 mostly, and some went to California and different places.
12 But then we went to cities.

13 And some of us were still here. I've never
14 been. My folks never got there. We had some kinfolks
15 that went up there and said that they were doing well.
16 Come to find out they wasn't doing as well as we was.
17 But, anyway, I never got away, so now you can't pull me
18 away.

19 But what happened is that we are left in a
20 situation where that the only economic development was
21 for white people, mostly was the cotton fields, the
22 farming and so on. And that's what people did.

23 Then you had no education being processed. I
24 was born in Coahoma County, and I went to school in
25 Arkansas, Tennessee. And what happened was my mother

1 would send us every year -- I'm giving you this
2 background so that you can see that, as the speakers
3 before me, we're left in the delta with a lot of
4 uneducated people, and not only uneducated, but, you
5 know, the process just went on and on.

6 But my mother at that time said that we were
7 going over to see Aunt Big Heady (phonetic). Aunt Big
8 Heady -- well, that's a whole health problem there
9 because she had a tumor and it used to grow and so forth,
10 and we called her Aunt Big Heady because we didn't know
11 what was going on with her.

12 But we go to Aunty's house to stay to go to
13 school. Now, we had to pick cotton August and September.
14 October 1st I was in school in West Helena, Arkansas. So
15 this is the way that we stayed there until school was
16 out.

17 And when school was out in June we was back to
18 chop cotton. I know you know what chopping is, but,
19 anyway, chopping the cotton, you know, and hoeing and so
20 forth.

21 So I'm saying that we had to live in that
22 circle. I was raised up going in the circle from Lula,
23 Mississippi to West Helena, Arkansas; Helena, Arkansas,
24 to Memphis, Tennessee.

25 My father had to leave Mississippi because he

1 stood up and told the white man that he was head of his
2 house. Well, you couldn't say that to white people, look
3 up straight in their eye at that time.

4 So he had to leave at night on a train, and we
5 knew where he was and so forth, and that was my circle.
6 My father worked in the ice house. My mother was
7 determined that we were going to learn how to read and
8 write, my sister and I, and she called it reading and
9 writing and 'rithmetic.

10 And so at that time -- and I'm just giving you
11 that time. Now, here we jumps to another era of
12 education. Is it happening? You know, it's not
13 happening. You got all between a person my age and all
14 on up that did not get the decent education in the
15 Mississippi delta that is needed because they was on
16 plantations.

17 Then people left and whatever. So you're left
18 in Issaquena County. You need some statistics on how
19 many people has degrees, how many people that says when I
20 became the mayor I became history for this state. In
21 1976 I became the first black woman mayor of the State of
22 Mississippi.

23 My thing was in our little town was to make sure
24 that all the children -- so the changing has happened,
25 and the children will finish school. We're getting

1 people to finish school.

2 MS. MOORE: Now, do you see today, though, that
3 the poverty levels in addition to the lack of educational
4 attainment correlate with voting at all? I mean, is
5 there a correlation with that?

6 MS. BLACKWELL: Yeah, see, the correlation when
7 you study the poverty, economics, the education, all of
8 that hooks in together. See, when they tell us we're
9 supposed to work on once piece, we worked on the voters,
10 then this won't happen.

11 You've got to have of it going together. If you
12 don't have it all going together, you know, that's how we
13 fall down on this side. And then we end up -- I fit for
14 people to get on welfare 'cause at that time they
15 wouldn't even put people. In 1964 blacks were not on
16 welfare. Whites was on welfare. You understand?

17 So I had to fight for the folks to get on
18 welfare. Now I'm trying to argue with making sure they
19 get some jobs if you're going to take them off. You know
20 what I'm saying?

21 Because now you set up a whole different system.
22 You set up another system where the people, the same
23 people that had 'em on the plantation, told them they
24 couldn't vote. It became the people who was in charge of
25 the welfare.

1 Then they went there and then they had to act
2 real nice and act real sweet, you know, to not saying no,
3 sir, no, ma'am, I don't fool with them folks down there,
4 and all that kind of stuff to make sure they stay on
5 welfare.

6 So this is the thing that we are in and the
7 country is in it, you know, playing games. We're in the
8 game playing. By the time we say that we're talking
9 about affirmative action in the state, no, no, I've been
10 discriminated against. Put it in my hand and all these
11 kind of things, you understand?

12 So now here we're coming into the welfare
13 system, and you tell folks, go out and get you a job.
14 Can you go out and find a job in Issaquena County? No.
15 There is nothing there.

16 You know, we're just coming into right now a
17 prison system.

18 MS. MOORE: Right.

19 MS. BLACKWELL: You understand what I'm saying?

20 MS. MOORE: Mm-hmm.

21 MS. BLACKWELL: Now, is we beginning to be the
22 new jobs, the prison system? Who they putting in them?
23 You know, so I'm saying that that's the same people that
24 was uneducated and was on welfare, and they raised up
25 these children. And they went and stole something and s

1 forth, and then we go back and around again. You see
2 what I'm saying?

3 That's what I am concerned about. I'm really
4 concerned about this. And it's not that I'm against
5 anything that does us some economic development 'cause we
6 needs it. We needs it bad, but we always is caught in
7 the middle of explaining our poverty and with no
8 education and no backup and nothing.

9 And, attorney, it's ridiculous. So now I'm
10 sitting in a place that we didn't have no money to do
11 anything. But then they come in and says, how many of
12 your folks are on dope, you know. And I said, well, I
13 don't know for sure, but I can tell you these people did
14 not raise up children to get on dope.

15 We are Christian folks and we believed in what
16 we believed in, but it's the fight and the hustle and the
17 TVs and all this other things that these young people
18 see. And they want to be laid to the side and, you know,
19 laying in one of them cars and different things that they
20 see. You know what I'm talking about?

21 MS. MOORE: Right.

22 MS. BLACKWELL: So now -- and they said, well,
23 what's happening in the gangs? Is the gangs being
24 manifested? Where they coming from? They coming up out
25 of this poverty situation. They coming up out of this

1 need and greed that we say is the great America and that
2 we're all supposed to be, you know, aspiring to.

3 So Issaquena County is in poverty. Help.

4 MS. MOORE: Thank you. Thank you, Mayor
5 Blackwell. I'm sure that the commissioners will have --

6 CHAIRPERSON BERRY: We've got lots of questions.

7 MS. MOORE: -- quite a few questions to ask you.

8 Let me move on to Mr. Griffith now. Now, Mr.
9 Griffith, again, based on our statistics, the racial
10 composition of Bolivar County is approximately 63 percent
11 black?

12 MR. GRIFFITH: It's Bolivar County.

13 MS. MOORE: Oh, I'm sorry, Bolivar.

14 MR. GRIFFITH: Right, it's 57 percent black.

15 VICE CHAIRPERSON REYNOSO: I thought it was
16 Bolivar.

17 MR. GRIFFITH: Those South Americans have got to
18 learn how to pronounce it. All of my friends at the
19 Justice Department always start off with Bolivar County.

20 MS. MOORE: Bolivar?

21 MR. GRIFFITH: Right, Bolivar County.

22 MS. MOORE: Bolivar County.

23 VICE CHAIRPERSON REYNOSO: You've got Spanish
24 names. You've got Indian names.

25 MR. GRIFFITH: Right. The BVAP is 57 percent.

1 The BPOP is about 62.5, so you're just about right.

2 MS. MOORE: Okay, now, within Bolivar County
3 53.4 percent of black families are below the poverty
4 line. Now, you've indicated in your opening remarks that
5 there has been --

6 CHAIRPERSON BERRY: What percentage of white
7 families?

8 MS. MOORE: And only 9.6 percent of white
9 families are below the poverty line.

10 Now, you've indicated in your opening remarks
11 that there has been tremendous due to increased voter
12 registration, et cetera, of black elected officials.

13 MR. GRIFFITH: Yes.

14 MS. MOORE: Now, I guess I'm trying to assess or
15 get from you what is the --

16 MR. GRIFFITH: Causal relationship?

17 MS. MOORE: Right.

18 MR. GRIFFITH: Let me address that. I agree
19 with Unita by the way. I think education is absolutely
20 the key, without which we'll make no progress in the
21 Mississippi delta. In electoral participation --
22 minority access and mobilization -- I think the two are
23 directly related, and I think those also are directly
24 related to poverty.

25 I think until we develop an educational system

1 which -- at least since 1982, '84, in this state, at
2 least since that time we had on the state level very good
3 attention paid to educational reform, to working from
4 kindergarten up to try to develop, not just training
5 programs, but nutrition programs for little babies that
6 come out of homes that are absolutely destitute.

7 The Mississippi delta has long been pointed to
8 as, perhaps, the Appalachia of the South, and it is. But
9 we've got to tackle poverty, and we can't do it through
10 any other way than an adequate, substantial, long-term
11 education process that goes from the bottom up.

12 And it's got to reach the parents of children.
13 It's got to reach parents in the prenatal phase when a
14 child is in development. And it's going to take money.

15 And I don't see any shortcut to doing -- other
16 than what I know the legislature's working on right now.
17 I know Representative Clark has for 30 years -- and I
18 first met him when I was a page down there his first year
19 of being a representative. He's been working in this
20 area diligently for years and years and years.

21 It's not a futility. It's not something that we
22 can't do anything about, but it is a damn slow process.
23 I'm frustrated with it when I see poverty that reaches
24 levels that push over the halfway mark.

25 But I know that there's not going to be any way

1 to avoid the hard, cold fact that until we develop an
2 education system that will guarantee a competent
3 education all the way through the twelfth grade for all
4 of our children, black and white, we're not going to get
5 anywhere.

6 We will not mobilize and will not have
7 participation and will not have that equal access and
8 opportunity that the Voting Rights Act guarantees until
9 we deal with the poverty question through education.

10 I think they are inextricably related. Those
11 are three things that I think you can't deal with singly
12 or in isolation.

13 MS. MOORE: Okay, now, and I share the
14 frustration, probably not as much as Mr. Clark for 30
15 years of battling this. But the poverty situation has
16 existed for quite some time prior to the election of the
17 black officials in large numbers.

18 MR. GRIFFITH: Correct.

19 MS. MOORE: Now, has it been addressed? Has
20 there been any attempt to address poverty in the
21 legislature --

22 MR. GRIFFITH: Yes.

23 MS. MOORE: -- prior to this --

24 MR. GRIFFITH: Yes.

25 MS. MOORE: -- in Bolivar County in particular?

1 MR. GRIFFITH: Right, and I think on the county
2 and the state level, those efforts have taken on a real
3 meaning, particularly in the last 15 to 20 years.

4 MS. MOORE: What specifically can you point to?

5 MR. GRIFFITH: Well, let me give you the numbers
6 that I think exists. Now, I'm going to deal with Bolivar
7 County and I think --

8 MS. MOORE: Right.

9 MR. GRIFFITH: -- a number of the delta
10 counties.

11 In the census categories starting with the 1970
12 census, for, for example, those who would complete high
13 school, college education, and those who would go onto
14 professional degrees, you had abysmal numbers for
15 minorities, primarily African-Americans who just did not
16 have any attainment in those fields.

17 Those numbers are tremendous now by comparison.
18 They're not equal to white, but they are tremendous in
19 the percentage of increase.

20 In terms of households that had even basic
21 plumbing -- we're talking about running water. If you go
22 back to the 1970 census, it was abysmal. The differences
23 in terms of a comparison of blacks and whites in
24 virtually any delta county were just stark. They were
25 shocking.

1 If you compare those statistics now with access
2 to transportation, access to housing, with the basic
3 essentials, with basic running water, access to what we
4 would call the givens in a civilized society, those
5 numbers have dramatically increased. And it's not by
6 accident.

7 There's no one specific problem, I would say one
8 specific program, so much as interlocal, local and state
9 and federal, cooperation in the area of child care, Head
10 Start, the prenatal nursing programs, all of the health
11 care complex that has dealt with this.

12 All of these together. And it absolutely
13 involves a willing county government to work with a
14 willing state government to, in turn, communicate and
15 work with the federal government in all of the areas of
16 care, health care, nutrition, basic training, the Head
17 Start program, and all the permutations of it over the
18 years.

19 So, yes, those are things that have been on the
20 local and state level.

21 MS. MOORE: And you have statistics for Bolivar
22 County?

23 MR. GRIFFITH: I could furnish them if you'd
24 like me to. Those are just basic 1990 census data.

25 And there are obviously disparities between

1 whites and African-Americans when it comes to these
2 matters of houses with plumbing, houses that have other
3 basic essentials, access to transportation, college
4 education, number of people who graduate from high
5 school.

6 But the increase, the dramatic increase among
7 blacks in those categories has been astounding,
8 particularly in the last 15, 20 years.

9 The answer is a bittersweet one. It's a great
10 trend to see the increase and the gap narrowing, but
11 there's still a gap.

12 MS. MOORE: Well, I mean, there's certainly, at
13 least in terms of, again, the statistics that I just
14 cited.

15 MR. GRIFFITH: Right.

16 MS. MOORE: 53.4 percent of black families in
17 poverty and 9.6 white families in poverty. That's --
18 that is very startling for the 1990s.

19 MS. BLACKWELL: That is dramatic.

20 MS. MOORE: It is indeed.

21 MR. GRIFFITH: Yes, no doubt about it. And when
22 Unita talks about things that go to times when I would
23 have been a teenager or younger, I have no doubt that
24 those are conditions that if you've lived through them
25 and you've survived and you've been able to raise

1 children out of those conditions, you should not only be
2 commended, it's a miracle that you're here today.

3 There are a lot of situations where blacks that
4 are now 10, 15, 20 years older than me that have gone
5 through these conditions and have kept their head up high
6 and they're now leaders. There are people who are taking
7 part in every community activity. They're not just on an
8 elected basis, but they're involved now.

9 These are your warriors, not just the great ones
10 that are involved at the forefront of the civil rights
11 movement, but those that get into the grit and the work
12 of keeping community life going and keeping some
13 semblance of humanity and civilization going. But it's
14 not easy. A ten percent versus fifty percent disparity
15 is obviously nothing to crow about.

16 MS. MOORE: Okay, well, let me -- again, I mean,
17 the Commission is antsy to get to you guys, and the time
18 is passing.

19 MR. GRIFFITH: Right.

20 MS. MOORE: So let me just ask you a couple of
21 other questions that we won't be able to get from other
22 sources.

23 I guess, in your opening statement you talked
24 about the Tony Brown book and its controversial aspects
25 and the divisiveness, the extremists on both sides. And

1 you referred to slavery and the effects -- I mean,
2 slavery being some 400 years ago, what have you.

3 But slavery was followed by a system of
4 segregation which was then followed by the continuing
5 system of discrimination. And I wanted to know to what
6 extent do those more recent incidents of racial tensions,
7 I guess, reflect themselves in voting, specifically
8 again, in Bolivar County.

9 MR. GRIFFITH: I believe the extent to which
10 there's a direct relationship between past official
11 discrimination against African-American citizens, the
12 extent of that relationship as it compares to black
13 electoral participation is getting more and more tenuous
14 more and more attenuated.

15 There are in certain types of elections that you
16 will see extreme racial polarization. There are
17 instances, I believe, where you can look at any given
18 precinct in a predominantly African-American district,
19 whether it's on the supervisory, on the county level, on
20 the multi-county level, you can still see certain
21 instances for a given election depending on the issues
22 involved where you can find a lack of extreme
23 polarization and, in fact, evidence of significant white
24 and black crossover voting.

25 I think, though, for us to say, forget history,

1 don't pay attention to history, don't let history become
2 anything that we carry with us, I think that's wrong as
3 well. The minute we forget history, as they say, we are
4 condemned to repeat it.

5 And I think the minute we put our -- what we
6 will all acknowledge, any sensible white person in
7 Mississippi would acknowledge as a deplorable history of
8 race discrimination that goes back for many, many, many
9 years. Any time a person says forget that, don't pay
10 attention to it, they're wrong.

11 But to carry that history too much as a badge or
12 as an emotional handicap is also wrong when it becomes an
13 excuse. And when it takes the form of victimization
14 rhetoric, which Tony Brown castigates as hard as he does
15 the skin-heads, then I think it's wrong for us to use
16 that as an excuse for depressed or inadequate or
17 unsuccessful black electoral participation.

18 No doubt about it, there are many instances of
19 polarization of racial block voting. There are many
20 instances also of a diminished relationship between that
21 past history of discrimination and electoral
22 participation, and you'll see that in a lot of the
23 numerical figures.

24 I've got some of these just cited in terms of
25 who the officials are and where they come from in the

1 various Bolivar County and multi-county offices in my
2 area.

3 MS. MOORE: In the submission that you --

4 MR. GRIFFITH: Yeah, yeah.

5 MS. MOORE: Okay.

6 MR. GRIFFITH: Without going into too much
7 detail here.

8 MS. MOORE: Thank you, Mr. Griffith. I'm sorry
9 we are running a little bit behind time.

10 MR. GRIFFITH: I understand.

11 MS. MOORE: Let me move on to you, Mr.
12 Alexander.

13 The racial composition of Washington County is
14 58 percent black, is that right?

15 MR. ALEXANDER: Sixty-two percent black.

16 MS. MOORE: Sixty-two? Okay, we were basing
17 that on 1990 statistics.

18 Now, currently, how are supervisors elected in
19 Washington County? Is it an at large --

20 MR. ALEXANDER: We have --

21 MS. MOORE: I'm sorry.

22 MR. ALEXANDER: No, we don't have an at-large
23 system. By district systems. We --

24 MS. MOORE: Okay -- I'm sorry.

25 MR. ALEXANDER: We have three majority black

1 districts, and all three have three black supervisors. I
2 think Hollandale is probably the lowest -- I mean, the
3 Fifth District which takes Hollandale. It's about 62
4 percent, 62.5. The Third District has a 73 percent black
5 district, and, of course, the district that I serve is 68
6 percent black.

7 MS. MOORE: Okay. And prior to the single
8 member district, there was a at-large system of voting.

9 MR. ALEXANDER: It was at-large system.

10 MS. MOORE: Were there any blacks ever elected
11 under that system?

12 MR. ALEXANDER: Not at-large.

13 MS. MOORE: Now, when was the last
14 reapportionment of the supervisory districts?

15 MR. ALEXANDER: I think it was around 198 -- we
16 had a lawsuit, and it was around 1988 or '89 or somewhere
17 in that area.

18 MS. MOORE: Okay, and that reapportionment was
19 a direct result of the lawsuit?

20 MR. ALEXANDER: Of the lawsuit. That's where
21 you had your three blacks elected.

22 MS. MOORE: Based on your experience, has the
23 increase in black political power affected race relations
24 in the Mississippi delta?

25 MR. ALEXANDER: It has somewhat. But I think

1 race relation is better here in Washington County than
2 some areas. We haven't gotten to the promised land, yet,
3 but it's better.

4 I would just like to bring out one point.
5 You've been discussing economic development and education
6 of people. One area that the delta counties got together
7 and passed, and, of course, the State of Mississippi want
8 to take it now, want to take the money, is the
9 empowerment zone that was created by our President.

10 We do have the empowerment zone. People empower
11 themselves here in the delta, and it crosses counties.
12 Starts at Bolivar, go through Washington on over to
13 Sunflower, Leflore and down to Holmes County.

14 This particular legislation that's been passed,
15 we raised the money. Each county paid \$10,000 into the
16 money to do the research and all, and we received one of
17 the three empowerment zones in the United States.
18 There's one in Texas. There's one up in Kentucky. And
19 the other one here in Mississippi.

20 I think this was a ten year program. I think
21 it's going to help us to help ourselves, to educate, and
22 for economic development. This is something that was
23 done by delta counties, and everybody tried. But we was
24 very fortunate to have the mid-delta empowerment zone
25 taking in these counties I just talked about.

1 MS. MOORE: Mm-hmm.

2 MR. ALEXANDER: But what's happening, our state
3 -- we have asked for a little more of the money to run, I
4 guess, than we're willing to give. We got 40 million
5 dollars over ten years, 40 million dollars a year to run
6 the empowerment zone.

7 And the state is asking a million of that
8 through human services, a certain percentage, which I
9 don't think should happen at all. I think all the money
10 should go to these delta counties who set up the
11 empowerment zone, who raised the money, who paid the
12 people to do the research and get the zone in. And now
13 the state wants to take over.

14 MS. MOORE: Let me ask you this, Mr. Alexander,
15 and this will be my last question.

16 Based on our interviews that we conducted prior
17 to the hearing, there was some mention of the City of
18 Greenville attempting to take away the tourist bureau
19 which has been overseen by the Washington County Board of
20 Supervisors. Are you familiar with that?

21 MR. ALEXANDER: That was a battle I had with the
22 Mississippi legislature.

23 MS. MOORE: Right, and that it was in the
24 aftermath --

25 MR. ALEXANDER: We had one legislator that

1 accused me of being a racist because what -- I've been a
2 outspoken individual all my life. But we won this
3 because we had legislators along with the mayor of
4 Greenville, who I think spoke to you earlier, wanted to
5 take it because they went on the word population. But
6 right now we was going on what was good for this county,
7 not for Greenville.

8 I live in Greenville, but I'm a Washington
9 County person. We won that battle. The Republican here
10 tried to get things changes through the legislature, but
11 he failed.

12 We were able to get out caucus down there that's
13 Democrat to pass it. And, of course, we do have our --
14 we did win.

15 MS. MOORE: Now, there was some reaction to that
16 because that was the first effort to take tourism away
17 from the Washington County Board at a time when the Board
18 of Supervisors for the first time became majority
19 African-American.

20 MR. ALEXANDER: That's correct. That was the
21 reason. Take the power away from us. And, of course,
22 that failed, and we are very fortunate it did. We had
23 people in the legislature who was on our side.

24 MS. MOORE: Thank you, Mr. Alexander.

25 Madame Chair.

1 CHAIRPERSON BERRY: Thank you.

2 We're just starting the questions. The
3 Commissioners are going to ask you questions, so you're
4 not making a final statement. But if you want to make a
5 statement, you can.

6 MR. CLARK: Okay, I thought this was the end.

7 CHAIRPERSON BERRY: No, we got another --

8 MR. CLARK: I want the Commission to know that
9 since you have been in the State of Mississippi, that
10 several days ago the Mississippi House passed the Equity
11 Funding Bill that the Senate had passed, and I'm pretty
12 sure that we're going the differences out and it's going
13 to go to the governor's desk.

14 And the Equity Funding Bill is going to have a
15 great impact on what you are all about. The poor school
16 districts in the delta and et cetera, they just do not
17 have the finances to have an adequate school system.

18 And for 16 years -- we started this in 1980, and
19 we finally got it to clear both houses day before
20 yesterday, the Equity Funding Bill for education.

21 CHAIRPERSON BERRY: Well, good, because we were
22 going to ask you about that.

23 Vice Chair, do you have any questions for the
24 panel?

25 VICE CHAIRPERSON REYNOSO: Yes, I have a

1 question for the speaker pro tempore.

2 How does the dual registration system work in
3 this state?

4 MR. CLARK: Sir?

5 VICE CHAIRPERSON REYNOSO: How does the dual --
6 did you mention there's a dual registration system in the
7 state?

8 MR. CLARK: Yes, sir, we have not passed the
9 Motor Voter Registration Law.

10 VICE CHAIRPERSON REYNOSO: Right.

11 MR. CLARK: It passed the Senate, but it did not
12 come out of the committee in the House.

13 VICE CHAIRPERSON REYNOSO: Right. But do you
14 physically have to register twice, once for the federal
15 registration and then once for the state registration?

16 MR. CLARK: No, sir, if you just register --

17 VICE CHAIRPERSON REYNOSO: Yeah.

18 MR. CLARK: -- the conventional way going down
19 to the circuit clerk and register.

20 VICE CHAIRPERSON REYNOSO: Right.

21 MR. CLARK: Then you can vote in all elections;
22 however, you have to vote, you know, at the city clerk's
23 office if you're going to vote in the city election.

24 VICE CHAIRPERSON REYNOSO: Oh, I see, I see.

25 MR. CLARK: Yes, but if you vote, you know,

1 under the Voter Motor Registration Law, then you can vote
2 on the federal elections.

3 VICE CHAIRPERSON REYNOSO: Of course. And what
4 is the stated purpose by the leaders of the legislature
5 for continuing the dual registration system? What is the
6 justification for that? Do they say, it makes for better
7 citizens?

8 MR. CLARK: The justifications as given by the
9 chairman of the committee for not taking the bill up,
10 that this issue is in court and we should not act on it
11 because we don't know what the court's going to do.

12 VICE CHAIRPERSON REYNOSO: Okay.

13 MR. CLARK: And that if we do go ahead and pass
14 this bill, then we're going to have to pay the court cost
15 and pay the attorneys that brought it. Now, that's on
16 his memo that he put out.

17 VICE CHAIRPERSON REYNOSO: Okay. I just have
18 one other question. Maybe I should direct it at Mr.
19 Alexander, but I'd be interested in any reaction any of
20 the panelists have to this question.

21 We have seen historically in this country that
22 very often political power gets translated to economic
23 power. The sense I get is that that's not happening very
24 much in the delta. 1) Is my sense wrong? Or, 2) If my
25 sense is correct, and if so, why?

1 MR. CLARK: I think I addressed it in my
2 statement. Through political power we were able to get
3 the empowerment zone.

4 VICE CHAIRPERSON REYNOSO: So it can work
5 sometimes.

6 MR. CLARK: It have worked in that instance from
7 the President of the United States down to county
8 government. This is the way we really got the
9 empowerment zone, even though the President's been
10 interested in it throughout his career.

11 I remember the delta project when the President
12 was governor over in Arkansas. The governor of
13 Louisiana, the governor of Mississippi, and the governor
14 of -- that's when we had Governor Mabus -- and the
15 governor of Louisiana met at Rosedale, Mississippi and
16 formed the delta project.

17 That was an economic project, and I think the
18 delta project, through that we become the empowerment
19 zone. And the empowerment zone has been, it's a
20 political baby that we were able to work through our
21 counties and get funds to get people to do the research
22 and get it passed.

23 MR. GRIFFITH: Let me add this very briefly. In
24 Bolivar County we had the first county administrator in
25 the State of Mississippi in 1974, Mr. Jimmy Hyden, who's

1 now director of the state Chamber of Commerce, the state
2 Department of Economic and Community Development, was
3 instrumental along with a very aggressive board of
4 supervisors in parlaying public and private funds through
5 partnerships which Washington County has done equally
6 well in creating out of about, maybe, six to seven
7 million dollars of investment 20 million dollars of
8 economic opportunity. That's jobs and that's educational
9 opportunity.

10 And you translate that also to a county that has
11 a university in it like we do, you have tremendous
12 potential for empowerment. And the frustration is that
13 it doesn't happen quicker.

14 VICE CHAIRPERSON REYNOSO: Yeah.

15 MR. GRIFFITH: But those are the tools that
16 we've got to work with.

17 CHAIRPERSON BERRY: You wanted to address that?
18 Go ahead.

19 MS. BLACKWELL: Well, the political power -- you
20 know, we're so far behind in terms of economic
21 development.

22 MR. GRIFFITH: Right.

23 MS. BLACKWELL: But the political power, it
24 wouldn't be much happening as it is for the people that
25 need it unless you had had people in different positions

1 to get those things. Like local needs for the poor was,
2 you know, water, sewage, the basic kinds of needs and
3 things that was in my community.

4 And housing. You know, when you talk about
5 housing and the upkeep of housing and what's happening
6 with housing, it became a course of groups and
7 organizations such as the National Council of Negro Women
8 and all these other groups that put housing in Bolivar
9 County, that started to look at it, the housing process.

10 And so we have to have that process of rights to
11 vote, the rights to do these things so that people can
12 feel that, you know, we can head towards some -- or we'll
13 vote you out.

14 VICE CHAIRPERSON REYNOSO: Yeah.

15 MS. BLACKWELL: See, that's the kind of thing
16 that you got to have, is that climate. The same people
17 who owned the political process was the ones who had the
18 economic development hooked on us. So, now, we vote you
19 out if you don't do it, and your money is not going to
20 help you any, you know. That's the kind of climate that
21 we need to set up.

22 Just because that you has been the entrenched
23 power for hundreds of years in terms of keeping everybody
24 down, then if you get the vote that breaks open and
25 starts the process to breaking down.

1 It's not coming fast enough, you know, quite
2 naturally. But, now, we didn't have no water. We didn't
3 have no sewage. We didn't have nothing, you know.

4 But we got into a voting pattern which we could
5 go down to the state house. I used to sit there, and
6 they'd look at me real funny because they didn't know
7 what this woman was sitting there wanting.

8 But it was a foreign thing for a woman to show
9 up, you know, and sit there and demand \$350,000 for
10 something -- you understand what I'm talking about? --
11 for a little, bitty county, and nothing going on.

12 So, I mean, we are in a new era age of making
13 people understand. If you got this vote -- and I'm
14 coming back to that vote again. If you got this vote,
15 that's what's going to carry that whole impact of
16 enlargement here.

17 MR. CLARK: I would like to speak to the
18 empowerment zone, and I would like for the Commission to
19 note this. First of all, in certain areas you've got to
20 take in a census tract.

21 Let me give you a situation in Holmes County.
22 Over on the eastern side of the county that's in the
23 hills. That's I-55. That's where our county industrial
24 park is, and that is the portion of the county that we
25 got in the empowerment zone.

1 But the poorest people in the county in this
2 delta area and the town of Cruger, Thornton, and Chilton,
3 Mississippi, where over 50 percent of the people are
4 employed, now if they are hired over at a plant that
5 comes into the empowerment zone, they are not going to
6 get any credit.

7 And the people in Washington needs to know that
8 if they are poor people from a poverty stricken area, if
9 they are hired they should get credit just like the
10 people that's living in that empowerment zone. And some
11 changes need to be made in that respect.

12 MS. BLACKWELL: We didn't even get in it. We
13 one of the poorest counties in the United States, and
14 we're not in. We're not in the empowerment zone.
15 Sharkey County's not in the empowerment zone.

16 But you see the statistics of unemployment and
17 all these other things of those two counties are not even
18 in there. Then they said, well, they didn't get it in.
19 They're sending us a document like this for you to get it
20 in in 15 minutes. We didn't have -- we couldn't pay this
21 fellow to come down there and do that. You see what I'm
22 saying?

23 CHAIRPERSON BERRY: Is that your all?

24 VICE CHAIRPERSON REYNOSO: Yes.

25 CHAIRPERSON BERRY: Commissioner Lee.

1 COMMISSIONER LEE: A couple of questions. One
2 general question first.

3 The next census is only three years away. Has
4 there been a historical undercount of African-Americans,
5 and, also, do you expect any changes of the elected
6 districts after the next reapportionment and
7 redistricting?

8 MR. GRIFFITH: Could I address that briefly?
9 And the others I know have a lot to say about that.

10 There has been. And I attended the recent
11 meeting of the National Association of Counties in D.C.,
12 and I just got back Tuesday. And we dealt with that in
13 an inter-local -- it's a intergovernmental steering
14 committee that's addressing the 2000 census preparations.

15 The massive undercount that resulted in the New
16 York versus U.S. case is a fact. It's a fact on the
17 local government level. It's a fact in the Mississippi
18 delta.

19 And they pointed out things to us, such as a
20 fear of people even opening their doors to a person of
21 another race, saying, "I'm here with the Census and I
22 want to count your household."

23 They said there are instances where they're even
24 going to go through, perhaps, in areas of Chicago that
25 are guarded right now by Nation of Islam guards to have

1 them accompany U. S. Census enumerators to go in the
2 communities almost as an entree, as a way to get in.

3 Maybe we could look at something like that in
4 the South and in the Deep South, not through that type of
5 mechanism, but some way, say, through employing
6 minorities to work as Census enumerators or to be heavily
7 involved visibly in the process.

8 But what we ended up with in Mississippi, I
9 think, was a very significant undercount. There's one
10 piece of litigation --

11 (Clapping.)

12 MR. GRIFFITH: Excuse me?

13 CHAIRPERSON BERRY: They're just -- they agree
14 with you.

15 MR. GRIFFITH: Okay, I thought somebody had
16 walked in who's really famous.

17 In one particular case, and Mr. Turnage and I
18 had litigated this. It involves a Attala County,
19 Mississippi. One issue that was decided that is not no
20 longer an issue was whether there was an undercount in
21 that particular hill county. It's between the far east
22 and this part of the delta.

23 In that county we extrapolated national
24 undercount data using Census officials' information,
25 expert information that was provided and presented in the

1 form of testimony as to the undercount that would be on
2 the local level. And it was accepted. And it translated
3 to, you know, what were the percentages of blacks and
4 whites in that county, and it was significant.

5 And I think it's even more significant when you
6 get to an area where you've got a large minority
7 population. How to overcome it is being addressed. It's
8 being dealt with by not just the Census Bureau, but by
9 governmental officials that work hand-in-glove with the
10 federal officials.

11 And that's what a lot of these county officials,
12 including those from Washington, Bolivar, and a lot of
13 other counties in the state have been doing for 10, 15,
14 20 years. That's parlaying local government power on the
15 national level by working with our national departments,
16 agencies, boards, and so forth to bring this information
17 back home in the area of the undercount, to deal with it,
18 to try to give suggestions on how best to get enumerators
19 into these households, into these particular
20 subdivisions, into these housing projects and get a more
21 accurate count.

22 And I think they're not predicting that we're
23 going to have a huge difference, but they say we're going
24 to have a significant improvement in the accuracy of the
25 Census this next time. I'll wait. I mean, I think the

1 jury's still out on that.

2 MR. ALEXANDER: I'd like to also speak to that.
3 In our meetings we tried to have the people who come in
4 from Dallas, Texas, to know that we needed to use local
5 people to get the census. We got people in here from
6 Jackson who had never been in Washington County who
7 didn't do a very good job.

8 We probably have ten-more-thousand people here
9 in Washington. Our population went down because of a
10 poor census count. This is something need to be worked
11 on from the federal level.

12 I was in on the meetings and, of course, from
13 being a supervisor, consequently, I was interested in
14 myself first, keeping my figures up.

15 We did a very poor job of counting in
16 Greenville. You missed a lot of households. You also
17 missed a lot of people who live here that wasn't counted
18 at all, that wasn't living at this particular household.

19 So the count was very poor, and it was due to a
20 very poor organized Census coming out of Dallas. They
21 need to be reorganized and be sure that grassroots people
22 is involved in taking the census. It didn't happen.

23 We had people to come in here from Jackson,
24 didn't even know where certain streets was, so they were
25 missed. And the census figures in Washington County is

1 lot lower than what I think they should have been.

2 MR. GRIFFITH: Could I add this? In Bolivar
3 County we undertook a post-census enumeration survey that
4 added 1,000 people to our population, primarily in
5 minority areas where entire housing projects and
6 apartments were just overlooked.

7 COMMISSIONER LEE: Madame Chair, can I ask one
8 more question.

9 CHAIRPERSON BERRY: Yes, please, go ahead.

10 COMMISSIONER LEE: Ms. Blackwell, I want to take
11 you home with me to California so you can address the
12 youth in our community who are really not participating
13 in the process.

14 You talk about a voting apathy. I'd like to
15 hear more from you about the different barriers that you
16 think, and, also, there are some people around the
17 country right now under the guise of increased political
18 participation advocating for term limits. What are your
19 comments on that?

20 MS. BLACKWELL: Well, it's just, to me, another
21 one of these blockers. You know, we keep running into
22 this, and I hope -- and I'm talking about the country as
23 a whole because all of us live in this great American --
24 that we're just like children. We need to grow up and
25 stop throwing stuff, you know, out just because of

1 different things.

2 That is -- it's just a farce because most of the
3 people that's saying it has been in there 30 years
4 already. And it's time to go home.

5 The ones that -- you're taking away a right to
6 vote and to get who you want. That's one piece.

7 The other one is they do this because of who is
8 the chairman of the committees and all of that stuff.
9 They created all that stuff, you know. So now it's who's
10 staying there the longest, you know, if it's the Democrat
11 or the black or white or Hispanics or Asian-Americans or
12 whatever, they coming.

13 I mean, you know, like now it's getting to be a
14 very serious situation. It's people of color, women, and
15 all them that's showing up in Congress. So now it's time
16 for term limits. You understand what I'm saying. Long
17 as it was the white male club, it wasn't anybody saying
18 anything about term limits. I'm being what I feel. I'm
19 just talking about how I feel about that.

20 Another impact is on the census. I wanted to
21 come back to that, is, you know, the count again. We was
22 always miscounted. I mean, you can't never say that we,
23 you know, we wasn't never there.

24 So, you know, it's a climate that has always
25 happened. They count white people, and that was it, you know

1 Used to didn't even count women if they was white.

2 They didn't count white women. They just
3 counted white males who said that they was the one who --
4 this country's very seriously got a problem with people
5 who are not white and male.

6 And so I want to say that. I'm not against
7 white males as a human being. I'm just talking about
8 what has been happening and what's going on.

9 And the power, you see, the shift of power is
10 what's creating another rumor of what is we going to do
11 now about term limits, you know. If I wants to vote for
12 a person for a hundred years, that's my business, you
13 know. That's my right, you see.

14 And I don't understand how that anybody of
15 country or anything can sit up and say, we're going to
16 remove the term limits. Okay, if you want to vote that
17 way, that's your business. But I'm just saying that I
18 don't agree, and I don't think our Constitution says
19 that. If it do, I haven't read it.

20 And I had to read the law. The people's thinks
21 I'm a lawyer but I'm not. Because if you've been through
22 as much as we have in 30 years, we just had to keep up
23 with the law. I'd rather see a lawyer coming -- and
24 that's the truth -- than a doctor 'cause I couldn't go to
25 the doctor unless I get the lawyer to get me in. You

1 understand?

2 So it's a very serious case, you know. And if
3 the law says this, you understand, the impact of our
4 Constitution says that you have a right to elect your
5 officials.

6 Now, if you're going to amend the Constitution,
7 you know, when the amendment comes -- we had all these
8 fights to amend, to amend when we was trying to amend and
9 saying, look, people, you left us out.

10 But now when it comes down to term limits,
11 everybody's ready to vote. Let's cut 'em off, you know,
12 because all them done got their money, and they're going
13 home. You know what I'm saying. And so it's ridiculous
14 I really feel that.

15 But I come back to the census. We had two
16 projects that we built. They left them completely out.
17 And we joined with Washington County and some other
18 counties in the Mississippi delta, that if there's any
19 way to sue the Census, we'll sue them. You understand?
20 We done sued just about anybody anyway, so, you know, I
21 don't turn down anybody.

22 The thing is we had to sue in this country --
23 and let's just get back to this. This country we had to
24 sue for everything we got here. Now, the causes are
25 better. We didn't have no houses. We had to sue to get

1 houses.

2 We had to sue, you know, to get some running
3 water. We had to sue to sue, sue, sue. And so that's
4 what I'm trying to say. Let's get real. Don't us get
5 here and think that it's not still a problem. We still
6 got problems. And we got problems.

7 And they moved into a sophisticated -- that we
8 need to educate our young people and all these other
9 people. And now, what it is, we're in a sophisticated,
10 still civil right fight.

11 CHAIRPERSON BERRY: Is that the only question
12 you had?

13 MR. CLARK: About term limits, let me say --

14 CHAIRPERSON BERRY: Just a minute, please.

15 Let's have some order, please. I'll recognize you, okay.

16 Now, who asked first to speak? I don't know who
17 did.

18 Do you think he did, Ms. Blackwell?

19 MR. CLARK: Yes, I think I did.

20 CHAIRPERSON BERRY: Speaker pro tempore.

21 Then I'll recognize you, Mr. Alexander.

22 The recorder can't keep track if everybody talks
23 at the same time.

24 Go ahead.

25 MR. CLARK: I want to speak to term limitations.

1 I'm strictly opposed to it, and I don't think it's going
2 to pass the legislature soon.

3 However, we did have a proposal that was tried
4 through initiative and referendum. You had people from
5 Minnesota, California, and everywhere being hired by
6 national organizations standing out at shopping centers,
7 telling people lies: Just put your name here. And those
8 people was getting paid, some \$15 and \$20 for signature.

9 And one of my colleagues up in one of the
10 northeastern counties asked one of the individuals, "Why
11 are you lying to those people and telling them that?"
12 And she said, "Miss, as long as I get \$20 per signature I
13 will tell them anything."

14 But the legislature did take some steps to try
15 to correct that in the selection of signatures.

16 CHAIRPERSON BERRY: Okay, Supervisor Alexander.

17 MR. ALEXANDER: Time limits, we in Mississippi
18 know that we had two senators who served 90 years.

19 MS. BLACKWELL: That's alright.

20 MR. ALEXANDER: Ninety years between the two of
21 them. We didn't have it at that time, and we had one
22 legislator out to Greenville during the elections who had
23 served 28 years, believed in term limits. He was
24 defeated by his people down in his county, and our term
25 limits got him.

1 But term limits wasn't created till we got
2 minorities and women in office. You know, most of your
3 senators served long as they lived. Got one -- some of
4 'em is 90 years old, still serving.

5 So that is the reason for term limits, is to
6 destroy the -- to stop minorities and women from being
7 elected.

8 CHAIRPERSON BERRY: I understand.

9 In the interest of time, we can't have any more
10 comment on that.

11 I have a couple of questions, then we're going
12 to have to close out this panel. We're running way over,
13 although we appreciate the responses, and we need them
14 for the record.

15 The first, I have two kinds of questions: one
16 set for Supervisor Alexander and Ms. Blackwell and
17 Speaker Pro Tem, and another line of questioning for you,
18 Mr. Griffith.

19 Mr. Griffith, when I was listening to your
20 description and your responses concerning the Voting
21 Rights Act and redistricting, I thought there was
22 somewhat of a disconnect between reality and what you
23 were saying.

24 You talked about the history of discrimination
25 and how we should all acknowledge that history, but we

1 shouldn't drag it into the past. I've been in
2 Mississippi several times recently and was here last
3 Summer, going around to the places where the church
4 burnings took place, where I found racial polarization.

5 My state advisory committee was there in these
6 places. And I've been all over the South looking all
7 last Summer. I spent the Summer, when I could have been
8 on vacation, dragging around everywhere, looking for a
9 stand to try to find out what was going on.

10 And, in fact, there is deep racial polarization
11 in this state and in the delta. In fact, we've had
12 testimony right here in this hearing room concerning
13 school segregation, police brutality, all sorts of
14 issues, job discrimination, people complaining about
15 mortgage loans they can't get, red-lining. Banks that
16 won't give them any finance even when they have the same
17 credit record as somebody else who came in. People
18 who've lost their property and their farms.

19 And we've had it right here in this room, and
20 they were talking about things that are happening now,
21 right this minute.

22 We have had reports of hate crime activity in
23 the state. Skin-heads and posse comitatas (phonetic) and
24 all these groups.

25 And so when you start talking about -- I know

1 that the present Supreme Court is not interested in the
2 social context, that is the majority, five-four. The
3 five are not interested in the social context in which
4 these political problems take place.

5 But, you know, courts don't sit forever. People
6 don't live forever. And so I don't think it's a proper
7 answer to simply say, well, you know, the Supreme Court
8 said it, and it's final. The Supreme Court once said we
9 were three/fifths persons, Dred Scott. They didn't sit
10 forever.

11 So now what is your answer about the current
12 social context as it relates to the problems people may
13 be having, both politically and otherwise, and the need
14 to be able to elect a representative of their choice?
15 Not the history of it. The current social context.

16 MR. GRIFFITH: Dr. Berry, the question comes
17 down to what's the present effect of past discrimination
18 on black electoral participation.

19 CHAIRPERSON BERRY: I am talking about the
20 present effect of present discrimination --

21 MR. GRIFFITH: Okay.

22 CHAIRPERSON BERRY: --- which may either be
23 perpetuated or exists now. What is your answer to that
24 question?

25 MR. GRIFFITH: You need to kind of dissect and

1 look at each thing that you've talked about. You
2 mentioned church burnings, which, if there was an anti-
3 black conspiracy to burn churches in this state or
4 anywhere in this nation, I would be the first one to say,
5 prosecute whoever those idiots are to the fullest extent
6 of the law, Dr. Berry.

7 And I would say that if you find that there were
8 an anti-black conspiracy to burn churches by white
9 people, then I think people should be horse-whipped and
10 sentenced to jail. The problem --

11 CHAIRPERSON BERRY: Mr. Griffith, with all due
12 respect, that is not the question. The question is not
13 whether you agree that people who burn churches should be
14 punished. We would all agree with that --

15 MR. GRIFFITH: No, you said --

16 CHAIRPERSON BERRY: -- whatever kind of church
17 it is. And that if there were racist conspiracy it
18 should be punished. We all agree with that.

19 What I'm asking you is when we talk about
20 whether there is a social context in which racial
21 polarization still exists, which may effect voting
22 polarization or electoral polarization, what is your
23 answer as to the existence of such polarization and
24 whether it should be taken into account? That's my only
25 question.

1 MR. GRIFFITH: It absolutely should be taken
2 into account in any litigative case where you're dealing
3 with the question of minority electoral participation
4 where it's proven. That's fundamental.

5 CHAIRPERSON BERRY: Thank you.

6 MR. GRIFFITH: But that wasn't your question.

7 CHAIRPERSON BERRY: That was my question, with
8 all due respect.

9 MR. GRIFFITH: The present existence of it and
10 its effect --

11 CHAIRPERSON BERRY: Mr. Griffith, you do not
12 tell me what my question was. I'm intelligent enough to
13 know what my question was.

14 Now, I may have stated it in such a way that you
15 and I disagree about what I meant, but please do not tell
16 me what my question was. That's been happening too long.
17 I don't need you to tell me what my question was.

18 MR. GRIFFITH: Dr. Berry, I understand what
19 you're talking about. I understand you fully.

20 CHAIRPERSON BERRY: Now, the other question that
21 I have is taking a different route, for the black elected
22 officials here. I heard your answer to the vice-chair's
23 question as to why economic development might not be
24 taking place.

25 And if I heard you right, you talked about how

1 politically you had been able to get an empowerment zone
2 although it doesn't apply to some census tracts that need
3 it. I heard your answer about getting plumbing and
4 infrastructure.

5 But the testimony we've heard here and what I've
6 heard on the streets and on the back roads of the delta
7 as I've traveled around is about people not having jobs,
8 people being poor, all of which you know. Bad education.
9 Shortages of teachers.

10 We're heard all of this. Now, if that's the
11 case and we've elected all these officials, can you
12 understand why some people might believe that voting
13 doesn't help to solve their problem? I mean, can you
14 understand that?

15 And that if you promise them too much, like the
16 empowerment zone. Gambling was going to be the pie in
17 the sky. Everybody's going to get a job. We heard that.
18 Some people haven't.

19 Now empowerment zone is the pie in the sky, if I
20 understand it correctly. Everybody's going to get
21 something out of that. What is that going to do if
22 everybody doesn't get something and if we come back here
23 and the same unemployment rates and the same, you know,
24 drug problem and crime and the bad education and the
25 schools and so on? What will that say to people about

1 how voting translates?

2 That's one part of my question. The second part
3 of it is, we've heard about the Equity Funding Bill being
4 passed in the legislature, and that's good news. I take
5 your word for it.

6 But what about ideas being passed by the
7 politicians to do things like putting some more funding
8 into these non-profits that give loans to blacks so that
9 they can start businesses or have asset development that
10 we've heard a lot about a lot here? Just little bits of
11 money so people can get a little loan and start up some
12 kind of business and some help to get them to do it. How
13 about the legislature doing that?

14 Or how about the legislature mandating something
15 so that the gaming commission has to look at who gets
16 hired in these casinos? We heard a lot of testimony
17 about that. That's not in the bill. The man who runs it
18 says, "We're not required to do that. We don't have to
19 answer that question." Who's required to do it? Nobody,
20 as far as he knew.

21 Why can't the legislature with the members who
22 represent the black constituents who are looking for
23 help, why can't they put something in the bill or fight
24 to get something in the bill -- whether they win or lose
25 -- so that these commissions will have to look at that?

1 Why can't they fight to get some money that will go to
2 black folks so that they can set up their own little
3 charter schools and educate our own children?

4 Why can't they fight to try to do something
5 about mortgage? These people that can't get loans from
6 the bank and they can't get loans, mortgage loans.
7 They're saying, we can't get 'em.

8 What are the politicians doing who represent us
9 -- or them? They don't represent me. I'm from
10 Tennessee. But what are the politicians doing so that
11 people could look at them and say, yeah, they're fighting
12 to get us that.

13 And it seems to me that there's a disconnect, s
14 I think it's sort of a pox-on-both-your-houses sort of
15 thing I'm doing here. I don't appreciate your --

16 MR. GRIFFITH: I'm a pox anyway.

17 CHAIRPERSON BERRY: I don't appreciate your
18 sense of current reality as it relates to what you're
19 telling me. There's a disconnect here, and you can
20 comment more if you want to afterwards.

21 And I'm asking the black elected officials to
22 respond in terms of how much more one can do politically
23 to try to show people that you're trying to help on the
24 side of economic development.

25 VICE CHAIRPERSON REYNOSO: These are the easy

1 questions she asks. Wait till she gets to the hard
2 questions.

3 MR. CLARK: Dr. Berry, your ideas are very good
4 ideas, and I don't agree with them, but --

5 CHAIRPERSON BERRY: Okay.

6 MR. CLARK: -- you have given me some ideas, and
7 you have given us some food for thought. And when I say
8 us, I don't just simply mean myself, but I mean my
9 colleagues in the legislature that's looking for a better
10 way to help the have-nots.

11 However, one of you mentioned about the gaming
12 industry. One of the things that I did after three
13 years, I finally got a bill passed that would allow our
14 institutions of higher learning to teach gaming-related
15 activities. Which means that the individuals from
16 Mississippi had to get the lowest paying jobs, pushing
17 the mops and et cetera. And some had other jobs, but
18 most of the people in the top paying jobs was coming from
19 out of the State of Mississippi.

20 CHAIRPERSON BERRY: That's right.

21 MR. CLARK: And the gaming industry was
22 teaching. They had courses that they was offering. But
23 if it is legal in Mississippi, then Mississippi should be
24 training its own people for those jobs. And we were
25 successful in getting that particular bill passed.

1 Sanders, Esquire, respectively, three attorneys, come
2 forward and please remain standing after you find your
3 chairs, and we apologize to you for making you wait. I
4 thought it was going to be even longer, but could you
5 raise your right hands?

6 (Witnesses sworn.)

7 CHAIRPERSON BERRY: Thank you. You may be
8 seated. Could each of you identify yourselves for the
9 record and make a brief, no more than five minutes,
10 opening statement, and after that there will be detailed
11 questioning. And we would begin with Mr. Turnage. Go
12 right ahead, Mr. Turnage.

13 MR. TURNAGE: My name is Ellis Turnage. Before
14 I give my brief statement, I have some documents I'd like
15 to submit to you.

16 CHAIRPERSON BERRY: Are we going to mark those
17 as an exhibit?

18 MS. MOORE: Which exhibit are we on now, Clerk.

19 CHAIRPERSON BERRY: So the exhibit next in
20 order will be received into the record without objection.

21 MS. MOORE: You may proceed, Mr. Turnage.

22 MR. TURNAGE: Thank you. In 1982 Congress
23 amended the Voting Rights Act of 1965. President Reagan
24 quickly signed the law into effect.

25 The 1982 amendments began a new era of minority

1 involvement and participation and a rapidly increasing
2 number of African American elected officials, not only
3 here in the Delta, but throughout the State of
4 Mississippi, indeed the deep South and the nation as a
5 whole.

6 On December the 20th of 1982 I graduated from
7 the University of Mississippi, known as Old Miss Law
8 School in Oxford. I was licensed to practice that same
9 day under a practice commonly known as the diploma
10 privilege that existed at that time.

11 In January of 1983, a little over 14 years ago,
12 I moved from Rankin County, Mississippi, to Cleveland in
13 Bolivar County, and began to practice law and became
14 involved in numerous voting rights and civil rights
15 cases, a list of which is set forth in my curriculum
16 vitae on Exhibit Number 1 in the record.

17 These cases involved challenges to at large
18 voting, or city-wide voting, at large and multi-member
19 districts used to elect state court judges, and all white
20 majority voting age population for the electoral
21 districts at all levels of government throughout
22 Mississippi.

23 My legal work in these areas continues.
24 Recently Attorney Robert McDuff of Jackson and I won two
25 recent voting rights cases before the Fifth Circuit Court

1 of Appeals.

2 On July the 9th of '96 and on August 8th of '96
3 respectively, the Fifth Circuit rendered judgments
4 holding that the supervisory redistricting plans in
5 Calhoun and Atalaha County violated Section 2 of the
6 Voting Rights Act of 1965.

7 Of course, these rulings came after two bench
8 trials, two appeals to the Fifth Circuit by African
9 American voters in these cases.

10 More recently on December the 23rd of '96 a
11 copy of this opinion, which is listed as Exhibit 2, which
12 I gave to the record, the Fifth Circuit ruled that
13 African American voters in the State of Mississippi are
14 entitled to their day in court to prove that
15 Mississippi's use of the three Mississippi Supreme Court
16 districts, which all have majority white voting age
17 populations, for the election of the three public service
18 and highway commissioners in Mississippi could be
19 challenged under Section 2 of the Voting Rights Act,
20 despite a ruling known as Magnolia Bar that held that the
21 districts themselves, the Supreme Court districts
22 themselves did not violate Section 2 for the election of
23 Mississippi Supreme Court Judges, although we only have
24 one black Supreme Court Justice who has ever served out
25 of nine and the state is over 37 percent black.

1 To date no African American in this state has
2 ever been elected as public service or highway
3 commissioner, even though the African American population
4 in Mississippi is over 37 percent.

5 When I arrived in the Mississippi Delta 14
6 years ago, many of the socioeconomic problems existed
7 then, presently exist. Indeed, some problems observed 14
8 years ago are now worse.

9 The racially identifiableness of the public
10 schools, the mass exodus of white children to private
11 school, the degree of white block voting in black versus
12 white electoral contests, the lack of safe, decent and
13 moderately priced homes for young couples and elderly,
14 segregated housing patterns and even segregated
15 cemeteries have increased.

16 Indeed, the Mississippi Delta and State of
17 Mississippi and most of this nation will show tomorrow
18 that it remains more segregated on Sunday morning than
19 any other time.

20 Moreover, from my perspective there's little --
21 there's too little concurrent efforts and undertaking
22 between the racial communities to resolve the deplorable
23 socioeconomic conditions and abject poverty which we all
24 openly acknowledge here in the Delta, and through
25 Mississippi.

1 During my 14 years here in the Delta I have
2 observed very little commitment of the use of the full
3 faith and credit of any political subdivision, be it
4 municipal or county, to address the openly acknowledged
5 socioeconomic conditions and abject poverty in African
6 American communities throughout the Mississippi Delta and
7 throughout the state.

8 The use of taxpayer money while legal under
9 state law, to help eradicate these socioeconomic
10 conditions, is legal but nonetheless taboo by the members
11 of our boards of supervisors and our boards -- the
12 African American communities simply lacks the financial
13 resources necessary to provide safe and decent housing
14 and to eradicate the abject poverty which we all opening
15 acknowledge exists.

16 I have observed very little commitment from
17 area financial institutions to make capital available to
18 the African American community, to enable it to eradicate
19 the socioeconomic condition we all opening acknowledge
20 exists.

21 There are substantial socioeconomic disparities
22 between African American citizens and white citizens in
23 the Mississippi Delta and indeed throughout Mississippi,
24 in the areas of education, health and economic
25 attainment.

1 The present day effects of past official
2 historical discrimination in the critical areas of
3 socioeconomic attainment continues to affect African
4 Americans' opportunity to effectively participate in the
5 political processes and to elect candidates of their
6 choice, even to this day.

7 A person with less education is less likely to
8 vote than one with more education. A person with less
9 money is less likely to own an automobile and therefore
10 less likely to make the effort to go to the poll to vote
11 or to the courthouse or city hall to register as a voter.

12 Despite these barriers, the African American
13 population has obtained some degree of sophistication
14 regarding voting and the political process. And we've
15 been able to elect officials, as I've already noted.

16 Unfortunately, the socioeconomic standing of
17 our African Americans vis-a-vis white citizens, has
18 changed little. It is unlikely that that standing would
19 improve markedly in the foreseeable future without a
20 substantial financial commitment from the use of the full
21 faith and credit of our political subdivision and from
22 area financial institutions in making financial capital
23 available to the minority -- the African American
24 community to begin to work towards the alleviation of the
25 socioeconomic conditions which are deplorable, and which

1 we all openly acknowledge exist.

2 Thank you.

3 MS. MOORE: Thank you. Ms. Wright?

4 MS. WRIGHT: Thank you. Madam Chairwoman and
5 members of the Commission, I am Brenda Wright, Director
6 of the Voting Rights Project of the Lawyers Committee for
7 Civil Rights Under Law in Washington, D.C. On behalf of
8 the Lawyers Committee and Mississippi voters whom I
9 represent, I want to thank the Commission for this
10 opportunity to present our views about Mississippi's
11 implementation of the National Voter Registration Act of
12 1993.

13 Now, I refer to that usually as the NVRA. It's
14 also known popularly as the Motor Voter Law, but since it
15 encompasses more than just motor voter, it also includes
16 registration at public assistance agencies, and
17 disability agencies, we often refer to it as the NVRA.

18 The Lawyers Committee represents a group of
19 Mississippi voters, including Thomas J. Young, Richard L.
20 Gardner, Eleanor Fay Smith, and William Sparbur in a
21 lawsuit challenging Mississippi's failure to comply with
22 the Voting Rights Act of 1965, when it implemented the
23 NVRA.

24 Now, as the Commission knows, Congress enacted
25 the NVRA in an effort to make voter registration easier

1 and more convenient. The NVRA requires states to provide
2 voter registration at agencies serving the public, such
3 as driver's license and public assistance offices.

4 It also provides for mail-in registration, and
5 it limits the circumstances under which a registered
6 voter's name may be removed from the voter rolls.

7 We filed the Young versus Fordice lawsuit in
8 1995, because Mississippi has chosen to implement the
9 NVRA in a manner that creates burdens and obstacles to
10 voter participation, where none should exist.

11 Mississippi alone, among all the other states
12 that have implemented the NVRA allows NVRA registrants to
13 vote only in federal elections, and it requires them to
14 register again separately under different procedures to
15 be eligible for state and local elections.

16 This takes Mississippi back to the days of dual
17 registration requirements, the type of requirement that
18 was found to be racially discriminatory in a federal
19 court decision as recently as 1987.

20 Now, according to the Mississippi Secretary of
21 State's Office in the most recent November, 1996,
22 elections, thousands of voters across the state were
23 unable to vote in state and local elections because of
24 this confusing dual registration requirement and other
25 problems in Mississippi's NVRA implementation.

1 Furthermore, Mississippi was found to have one
2 of the lowest percentages of NVRA transactions relative
3 to its voting age population, of any state in the nation
4 during the first 18 months of the NVRA's operation, which
5 was January, 1995, through June, 1996.

6 And that's according to a report prepared by a
7 group called Human Serve in New York for the National
8 Motor Voter Coalition released in October, 1996, and that
9 is part of the documentation that I'm submitting to the
10 Commission.

11 Now, although the requirements of the NVRA
12 apply only to federal elections, Congress also expressly
13 provided in the NVRA that nothing in this act, and I'm
14 quoting, authorizes or requires conduct that is
15 prohibited by the Voting Rights Act of 1965.

16 Now, that provision is very important and
17 voting rights advocates fought very hard to have it
18 included in the NVRA. It means that states cannot engage
19 in conduct that would violation the Voting Rights Act
20 when they implement the provisions of the NVRA. So
21 states like Mississippi, which are covered by Section 5
22 of the Voting Rights Act, therefore must demonstrate that
23 any new procedures they adopt in response to the NVRA are
24 free of any racially discriminatory intent or effect.

25 Now, Mississippi actually started out with the

1 intention of implementing the NVRA on a unified basis for
2 all elections, federal, state and local. And it actually
3 received Section 5 pre-clearance for those unified
4 procedures from the United States Attorney General on
5 February 1st, 1995.

6 However, Mississippi subsequently decided
7 instead to require separate registration for state and
8 local elections, and has refused to submit for Section 5
9 pre-clearance the procedures implementing that dual
10 registration system for NVRA registrants.

11 As a result, more than 30 years after enactment
12 of the Voting Rights Act, Mississippi is conducting voter
13 registration under an un-pre-cleared and unlawful system
14 in defiance of Congress' mandate for Section 5 review of
15 all changes in voting practices. And that is the crux of
16 the appeal that is now pending before the United States
17 Supreme Court.

18 That case was argued January 6th of this year
19 and we're awaiting a decision.

20 It's very important, it's crucial to understand
21 the historical context of this dual registration
22 requirement. Until 1987 Mississippi maintained a dual
23 registration system for municipal and state elections,
24 and under that system citizens wishing to vote in
25 municipal elections were required first to register with

1 the circuit clerk of their county, and then to register
2 separately with the municipal clerk.

3 That dual registration requirement as a federal
4 district court found in 1987, and I'm quoting, was
5 enacted as part of the Mississippi plan to deny blacks
6 the right to vote, following the Constitutional
7 Convention of 1890, unquote.

8 The Court also found that the dual registration
9 requirement was continuing to disqualify black voters
10 disproportionately from voting in municipal elections and
11 held that it violated Section 2 of the Voting Rights Act.

12 So against all of this history showing the
13 racially discriminatory origins and effect of a dual
14 registration system, it is extremely disturbing to us
15 that Mississippi decided to implement the NVRA in a
16 manner that again creates a dual registration requirement
17 for NVRA registrants.

18 This confusing system serves no valid purpose.
19 NVRA registrants have exactly the same qualifications for
20 voting as all other Mississippi voters. They differ only
21 in the piece of paper that they fill out and the location
22 at which they fill out or obtain their form.

23 And according to newspaper accounts almost all
24 of the Circuit Clerks in Mississippi are opposed to this
25 confusing dual registration system and the Secretary of

1 State estimates that it costs \$500,000 per year to
2 maintain separate poll books, and print separate ballots
3 for NVRA registrants.

4 Now, before I close I would just like to
5 comment on something that I heard this morning,
6 Representative Clark reported on one of the reasons or
7 excuses that's being given for not implementing NVRA for
8 all elections and apparently one of those excuses is
9 somehow that since there's litigation pending, the state
10 shouldn't do anything, because it then might become
11 liable for attorneys fees.

12 And I just have to say that when I hear
13 reasoning like that, I almost -- I have to laugh because
14 if I didn't, I think I would cry.

15 Over the years I think we have heard this line
16 from state officials over and over again. And the line
17 goes like this. If you just would refrain from suing, we
18 will get around to granting you your rights in our own
19 good time.

20 Now, we have heard that line on many occasions.
21 That old dog won't hunt. I think he retired years ago.

22 And you know, I haven't taken physics since I
23 was in high school, but I understand the difference and I
24 remember the difference between cause and effect. If
25 Mississippi had not violated Section 5 of the Voting

1 Rights Act, we would not have filed our lawsuit. The
2 violation of law is the cause of our lawsuit, and not the
3 other way around.

4 And similarly, it was in 1995 before any
5 litigation was filed that the state decided to implement
6 the NVRA on a dual basis like this. That created the
7 need for the lawsuit.

8 So in closing we simply believe that the
9 state's implementation of a dual registration system in
10 response to the NVRA without obtaining Section 5 pre-
11 clearance is contrary to law, and it greatly deserves the
12 interest of the citizens of Mississippi.

13 I want to thank you again for this opportunity
14 to present our views to the Commission and I do have a
15 copy of my prepared statement along with some
16 documentation to submit.

17 CHAIRPERSON BERRY: The documents will be
18 admitted with the next exhibit number and order without
19 objection. Thank you very much. Go ahead, counsel.

20 MS. MOORE: Mr. Sanders.

21 MR. SANDERS: If it please the Commission, my
22 name is Bob Sanders. I'm an Assistant Attorney General
23 for the State of Mississippi.

24 I argued the NVRA case that Ms. Wright referred
25 to in the U.S. Supreme Court on behalf of the State of

1 Mississippi. I don't have a prepared statement. I will
2 say merely that it is Mississippi's position that
3 Mississippi's implementation of the NVRA satisfied the
4 requirements of the Voting Rights Act and resulted in an
5 implementation of the NVRA precisely as intended by the
6 Congress.

7 And it is our position, the District Court
8 upheld that position and of course we'll have to wait and
9 see what the Supreme Court does, but as I said, I don't
10 have an opening statement but I'll be happy to answer
11 questions to the extent I can.

12 CHAIRPERSON BERRY: We are going to have
13 questions, but first I am going to have to thank you and
14 apologize because I'm going to have to leave, and our
15 Vice Chair, Justice Reynoso, is going to take over the
16 questioning along with counsel and Commissioner Lee and -
17 - but I want to just say that I appreciate your coming
18 and that I did have an opportunity to hear your opening
19 statements and your explanation for the State of
20 Mississippi in this regard. Thank you very much.
21 Justice, take over, please.

22 VICE CHAIRPERSON REYNOSO: Yes. We will
23 proceed to ask questions through our general counsel and
24 then Commissioner Lee and I may have some questions.

25 MS. MOORE: Thank you, Vice Chair. I guess to

1 begin with you, Mr. Turnage. You indicated that you have
2 worked in the area of voting rights since your -- since
3 you graduated from Old Miss, voting rights and other
4 civil rights issues.

5 Have you been involved in any litigation or
6 actually any investigation of issues concerned with the
7 implementation of the National Voter Registration Act?

8 MR. TURNAGE: Yes. If I could have my two
9 Exhibits 4 and 5, I could make some direct comments to
10 your question. In addition to being an attorney advocate
11 for voting right cases, I serve as the attorney for the
12 Bolivar County Board of Election Commission.

13 This board, under state law, has the duties and
14 responsibilities of the actual on election day conduct of
15 elections in that county. We know that Mississippi has
16 82 counties and each county has a board of election
17 commissioners like five of them. They're elected from
18 the five supervisory districts, and they are the ones who
19 on election day actually hold and conduct the election.

20 I'm legal counsel to the Bolivar County Board
21 of Election Commission, and participate extensively on
22 election day in making sure that all of the election laws
23 are complied with the best that we can.

24 During the most recent election that we had was
25 November of 1996, which I believe would have been --

1 possibly '95 -- I wouldn't swear to that, but '96 we did
2 have to, because of Mississippi's refusal to implement
3 National Voter Registration Act, we had to maintain the
4 two separate pool booths.

5 In other words, all of the people who had
6 registered under Mississippi's normal voter registration
7 laws and then we had to maintain a separate registration
8 list of all of the voters who had registered under the
9 NVRA at the different places, driver's license bureaus,
10 Department of Human Services locations, and et cetra.

11 I brought with me Exhibit Number 4, which is
12 our list of Bolivar's County -- it's a computerized
13 printout showing everybody in Bolivar County who has
14 registered under the NVRA, and this printout is dated --
15 I just ran it this morning. It's 799 people who have
16 registered in my county alone under this motor voter law.

17 Exhibit 4 is a breakdown of the voting
18 precincts in Bolivar County, Mississippi. I think it's
19 31 but the list will exactly tell you how many. We have
20 on the list according to this, which was ran on February
21 12th of '97 a copulation of registered voters by
22 precinct. 27,028 in Bolivar County. That number is
23 exaggerated to a degree because we really haven't kept up
24 as good as we probably could have on removing people who
25 have moved out or whatever.

1 Our position is that if anyone comes to vote,
2 we don't want to implement any procedures or take any
3 steps that's going to actually deprive someone of their
4 right to vote, and we haven't been real aggressive in
5 purging registration my county, as a decision of the
6 board.

7 On election day in '96 we actually voted 13,000
8 -- a little over 13,000 in the presidential election, and
9 we voted about 4,000 and something in the '95
10 gubernatorial election.

11 I would estimate that's about 60 percent
12 turnout. As you could see, the people who registered
13 under motor voter is about six or seven percent of the
14 people who were actually turned out to vote.

15 The other point is my county is 63 percent
16 black. There's a breakdown of the listings of the
17 precincts here and just this printout four lists at the
18 top of it the voting precincts, all of them, and this
19 list here, in other words, tells you which of the 31
20 voting precincts each of these 799 voters are assigned,
21 and I'll tell you from just my own knowledge and
22 practical knowing of the racial composition of these
23 precincts, because we have at least half of them are
24 homogenous black, and about six or seven is homogenous
25 white, and the others are a little bit somewhere around

1 65 to 70 percent, and I can just tell you on my personal
2 knowledge and experience that most of these people on
3 this roll here are white.

4 The largest white voting precinct in Bolivar
5 County is West Cleveland, and there are very few voters
6 listed on here from West Cleveland. I mean, it's almost
7 -- it's 100 percent white, or at least 99 percent white,
8 I'll say.

9 So I know from looking at this roll and I can
10 tell you or represent to you that the people who are
11 using motor voter in my county are overwhelming black.

12 MS. MOORE: And are you aware of any effects of
13 the dual registration on those minority participants in
14 state and local elections?

15 MR. TURNAGE: Absolutely. I mean, it's a total
16 denial of their right to vote. That's the present day
17 effect. On election day in '95 for governor's race, they
18 were not permitted to vote, because they under
19 Mississippi law they are non-registered.

20 And under Mississippi law you have to be
21 registered to vote. And since they were registered under
22 the NVRA, they were totally disenfranchised.

23 MS. MOORE: Now, what does the dual system
24 presently require? Are there different voting -- I'm
25 sorry, different registration periods for state and local

1 elections as well as different cites?

2 MR. TURNAGE: Well, the --

3 MS. MOORE: To register, I'm sorry. I keep
4 saying --

5 MR. TURNAGE: And again I'm confining my
6 knowledge and experience to Bolivar County.

7 MS. MOORE: Exactly.

8 MR. TURNAGE: We have 15 municipalities,
9 incorporated towns and cities in Bolivar County.
10 Cleveland is the county seat and by far the largest.
11 Under Mississippi law presently voters can register at
12 City Hall and either these 15 municipalities or towns.
13 They can register at the Circuit Clerk's office in
14 Bolivar County.

15 They also could register by mail-in. Okay. If
16 certain organizations or groups or whatever want to get
17 people registered, they can deliver them to the door and
18 get them signed and mail them in. I mean, but of course,
19 you know, that takes money to do that.

20 As far as registering at the Department of
21 Human Services, public safety offices, that kind of
22 stuff, you alleviate the financial burden and expense.
23 To my knowledge the cut-off deadlines is 30 days before
24 the election. In other words, in order to vote in
25 Mississippi you have to be registered 30 days before the

1 They talk about all these jobs that they're
2 creating. I mean, I agree Tyson has come there. They've
3 got a lot of jobs, you know, pay five or six dollars an
4 hour. But when you look at Tyson's overall management
5 structure, I mean, my county is 63 percent black. I see
6 very few blacks up in top management in any of the higher
7 paying positions. I see them all down here in these five
8 and six dollar an hour jobs.

9 If that's my stated objective and intent is to
10 increase the economic attainment of black voters in this
11 country, then you ought to be able to produce statistical
12 evidence to document that, okay. And I'm not seeing it.

13 MS. MOORE: Mr. Turnage, I just have one final
14 question before I turn to Ms. Wright. And that is based
15 on your answers to previous questions, you do observe
16 disparate impact on minority voters through the
17 implementation of the NVRA in Mississippi. Are there any
18 other impediments to voting of black citizens that you
19 could inform us of, if there are any?

20 We heard earlier that there apathy was a common
21 concern of some elected officials. Are there other
22 impediments of that nature that you could talk about?

23 MR. TURNAGE: Let me speak to apathy first,
24 because I convinced the Fifth Circuit of this and I
25 showed them how that if it is apathy that is causing it,

1 white and black voters alike, why in the world is it only
2 blacks who keep getting defeated at the polls?

3 If white folks are not turning out to vote,
4 then they shouldn't always win, but they do in black
5 versus white election contests, unless the district is
6 majority black.

7 Okay. And then in some instances they still
8 lose. So my point is and the point I'm trying to make is
9 if apathy affects black and white voters alike, tell me
10 why it is that only black voters or black candidates
11 continue to lose elections.

12 And I say that for this reason. The Supreme
13 Court districts, right, and there was litigation about
14 this and it's a final judgment that was against the
15 plaintiffs in that case under Section 2.

16 Remember I told you that Mississippi is 37
17 percent black, right? We had nine Supreme Court judges
18 on our Supreme Court. Rubin Addison was the first black
19 to ever serve in that position, and Rubin I think served
20 from '85 to about '91 or '92, somewhere along in there.

21 And then Rubin was initially appointed. Okay.
22 And after his turn came up -- I think they serve an
23 eight-year term, and when his term came up, he won. I
24 mean, white groups, Lelyn Speed?, some other influential
25 Jackson businessmen, that is the central district, it's

1 election, and it's my understanding that the people who
2 register under the NVRA are -- have the same cutoff for
3 federal election that people who are registered at the
4 courthouse or municipalities or by mail-in registration
5 have, you know, for state and all elections. The NVRA
6 registered people have that for federal election.

7 MS. MOORE: Okay. Now, have you in your
8 experience as a voting rights litigator observed any
9 changes in the -- changes that have resulted from the
10 increased levels of black political representation?

11 MR. TURNAGE: You mean changes, actual --

12 MS. MOORE: Concrete changes for constituents.

13 MR. TURNAGE: Let's make sure I understand your
14 question. Let's say for instance with Washington County,
15 they now elected a majority on the Board of Supervisors
16 here in Washington County.

17 MS. MOORE: Right.

18 MR. TURNAGE: Or Humphries County, which now
19 has a majority black Board of Supervisors or LeFeul
20 County, which has a majority black Board of Supervisors,
21 or Greenwood, which has a majority black Board. Have I
22 seen any discernible changes that they've been able to
23 implement that have brought about quality of life
24 increase for black citizens within those areas?

25 MS. MOORE: Yes.

1 MR. TURNAGE: Very little.

2 MS. MOORE: And to what do you attribute that?

3 MR. TURNAGE: Well --

4 MS. MOORE: Based on --

5 MR. TURNAGE: Each one of them is different. I
6 mean, some of them are the people sitting on the boards.

7 MS. MOORE: Some common factors that you --

8 MR. TURNAGE: Let me give you an example. If I
9 were going to bring about a change or if I wanted to
10 bring about a change, or at least if I publicly said
11 that's what I wanted to do, I ought to be able to adduce
12 some evidence that that's what my intention was.

13 In other words, if I say I'm a Christian, you
14 would expect to see some objective evidence that I go to
15 church on Sunday, go to Bible class, and I treat people
16 like Jesus Christ lived his life, you know, every day.
17 And I would do things to help people.

18 And you'd expect to see some objective evidence
19 of that right?

20 MS. MOORE: Right.

21 MR. TURNAGE: Well, if I wanted to -- if it was
22 my state of intention to increase the qualify of life for
23 voters or citizens in my political subdivision, if that
24 was my goal or my aim, then you'd all be able to see
25 evidence in the qualify of life, improvements in housing,

1 education, the likes, okay? I see very little of that.

2 Now, what do you blame it to? I don't know. I
3 mean, we haven't gotten the majority in my county yet,
4 but it's coming. In Washington County the names that I
5 said they have -- but I see some common threads.

6 For instance, if you're going to bring about
7 change, you can't keep the same old players who have made
8 status quo -- I mean, that's a common thread that I see.

9 I listened to my fellow comrade from Cleveland,
10 Mr. Griffin, talk eloquently about the progressiveness
11 and how they had the first county administrator in
12 Mississippi and all of the jobs that they have brought to
13 Bolivar County and everything. I've lived in Bolivar
14 County for the last 14 years and I admit that Ben lives
15 on one side of the track and I live on the other side of
16 the track, but I have -- and I travel all over the
17 county. I haven't been able to see the same changes that
18 he sees.

19 Okay. I haven't -- most of the people I know
20 and I could tell you some people who live in the same
21 little shotgun houses when I came to Bolivar County,
22 still live in them. And I haven't seen any objective
23 evidence that Bolivar County has adopted a housing
24 authority under the Mississippi law, which is
25 permissible. They haven't done that.

1 about 44 percent black. It is the highest percent black.

2 I mean, it's clear and undisputed that you
3 could create a majority black VAP district by splitting
4 Hines and Madison County, along the same lines that they
5 split for Congressional district election purposes.

6 Okay. But nonetheless, the plaintiffs lost
7 that case that challenges those multi-member districts.
8 Three are elected from each district. Neither one of
9 them are majority black.

10 Fred Banks was elected or initially appointed
11 when Justice Anderson decided to step down and go into
12 private practice. When Fred's term ended, he was able to
13 get elected, the same group that he merged with Justice
14 Anderson during his re-election effort and they went on
15 TV. You know, a lot of white faces appealing to the
16 white voters in Mississippi, or in that district, the
17 central district, to go and vote for Justice Anderson.

18 Justice Anderson prevailed. Justice Banks
19 prevailed. It doesn't take a rocket scientist to figure
20 out that if a district is 44 percent black, you don't
21 have to have a lot of white crossover vote to win.

22 Let's say, for instance, if the blacks turn
23 out, that 44 percent, and then you get ten to 15 percent
24 of the white vote, well, you'll win, but that still
25 leaves 85 percent of the white voters voting for the

1 white candidate. If that's not racial black voting, I
2 don't know how else you can characterize it.

3 Now, those are the only two exceptions that
4 Supreme Court election where that blacks have been able
5 to get elected.

6 Now, they say that the reason we can't win in
7 federal court and can't get those districts changed,
8 because hypothetically if we created one majority -- the
9 central district, if we made it say 55 percent black VAP,
10 theoretically you would hope that blacks would be able to
11 elect three justices on the Mississippi Supreme Court,
12 which would be one-third, about a proportionate share.

13 MS. MOORE: Mm-hmm.

14 MR. TURNAGE: And it's easy to get white voters
15 and white businessmen on TV to raise money and keep one
16 black on the court, rather than have three or an Ellis
17 Turnage on the Mississippi Supreme Court. Okay.

18 So it's easy to see why they come out and
19 support Justice Anderson and Justice Banks, not that they
20 are token, because neither one of them is. They're
21 great, outstanding lawyers. They were great trial
22 lawyers who advocated for the NAACP, but which one would
23 you rather have? Three or one.

24 If you're white you want one. Okay. And the
25 white power structure has gone to a great length to

1 demonstrate that they can deliver enough white crossover
2 votes on election day to keep this one black justice on
3 the Mississippi Supreme Court. Okay.

4 Now, another area that I just related to, and I
5 say that that's the most one in my mind, because --

6 MS. MOORE: Racial polarization.

7 MR. TURNAGE: No, the use of all majority white
8 Supreme Court districts. In other words, black voters
9 have not been afforded an equal opportunity to elect
10 candidates of their choice and to participate fully in
11 the political processes for the election of Supreme Court
12 judges in Mississippi. Okay, as white voters have.

13 White voters who only constitute 63 percent
14 have 90 percent of to power on the court, 90 percent of
15 the votes. We constitute 37 percent of the votes in
16 Mississippi. We only have ten percent of the votes on
17 the court. Now, that is a great statistical disparity
18 that it don't take a rocket scientist to figure out,
19 okay.

20 MS. MOORE: Okay. Thank you, Mr. Turnage. Now
21 I'd like to turn to Ms. Wright, and I believe in your
22 opening statement you may have already addressed some of
23 the questions that I had for you specifically.

24 The case that's currently pending before the
25 Supreme Court is a purely -- it's purely a legal

1 argument, and yet it appears that at least Human Serve
2 has compiled some statistical data to indicate some
3 effect within Mississippi on the implementation of that -
4 - of the NVRA.

5 Has the Lawyers Committee, was that what the
6 Lawyers Committee relied on or have you independently
7 collected any data or statistics to indicate disparate
8 impact of the implementation of the NVRA on minority
9 voters?

10 MS. WRIGHT: Systematic statistics on disparate
11 impact, no, not as yet. And the reason for that is that
12 the lawsuit under Section 5 of the Voting Rights Act is
13 simply intended to establish that the state must seek
14 Section 5 pre-clearance.

15 MS. MOORE: Pre-clearance, right.

16 MS. WRIGHT: And in that pre-clearance process
17 the law requires that the burden is on the state then to
18 prove that its new procedures do not have a
19 discriminatory intent or effect and that is really one of
20 the most important features of Section 5 of the Voting
21 Rights Act, because as one of the Supreme Court decisions
22 holds, it was enacted to place the burdens of inertia and
23 litigation delay on the perpetrators of discrimination,
24 rather than the victims of it.

25 And you can see that in the lawsuit that we did

1 participate in back in 1987, challenging the dual
2 registration requirement for municipal and state
3 elections, there we did go out and compile on a very
4 systematic basis, on a state-wide basis the evidence
5 showing the racially discriminatory impact. It was an
6 incredibly onerous, time-consuming, expensive
7 undertaking, and the whole purpose of Section 5 is to
8 make sure that that burden is not on the victims of
9 discrimination over and over again.

10 So we had believed that we would have a quick
11 remedy, going into the District Court under Section 5.
12 Unfortunately it turns out we have to appeal to the
13 Supreme Court to get relief.

14 MS. MOORE: All right. Now, in addition or
15 besides the argument that -- the Section 5 argument that
16 has been presented, has the Lawyers Committee done any
17 research or investigations in Mississippi that unveil
18 other barriers to voting? Are you aware of any?

19 MS. WRIGHT: Well, certainly I think that all
20 the work that has gone on, you know, in the past and
21 including up until the very recent past shows that
22 racially polarized voting patterns continue to be an
23 impediment, and I think that it's clear that we've come a
24 long way, because as people pointed out this morning,
25 Mississippi now has more black elected officials than any

1 other state, but the reason for that is strict
2 application of the Voting Rights Act and the creation,
3 when necessary, of election districts where African
4 Americans are in the majority, when that is necessary to
5 permit them to elect candidates of their choice.

6 If you look outside of black majority districts
7 in Mississippi, you see almost no black representation,
8 very, very little.

9 Certainly at the state-wide level you don't see
10 any black elected officials at the state-wide level. And
11 so I think you have to acknowledge -- and these Fifth
12 Circuit decisions as recently as this summer that Mr.
13 Turnage referred to established again in Calhoun County
14 and Atala County, that racially polarized voting
15 continues to be a very serious impediment.

16 I think you also have to look at the effects of
17 the depressed socioeconomic circumstances of the African
18 American community. There's no question that has an
19 impact on political participation.

20 MS. MOORE: Thank you, Ms. Wright. You
21 actually have answered the questions that I had for you
22 in your response to that question, and I'm sure the
23 Commissioners have additional ones.

24 Now let me turn to Mr. Sanders. Now, Mr.
25 Sanders, the State of Illinois also initially had a dual

1 registration requirement that was similar to
2 Mississippi's, and they -- that state decided to
3 eliminate that system prior to any litigation being
4 brought by plaintiffs.

5 Now, are you aware of whether -- if you can
6 share this with us, I realize it might not be something
7 you can share -- did the State of Mississippi consider
8 dropping the dual registration system before the
9 litigation was brought?

10 MR. SANDERS: Well, let me quibble with you on
11 one thing. I don't consider it to be a dual registration
12 system.

13 MS. MOORE: You're right.

14 MR. SANDERS: A true dual system is a system
15 that requires a registrant to register in two different
16 places. That system did exist before the lawsuit that
17 Ms. Wright is talking about, the Operation Push case.
18 Here Mississippi operates a unified system where you can
19 register one time and be universally registered for every
20 federal, state and local election, and I know
21 Representative Clark this morning indicated to Justice
22 Reynoso that he thought you might have to reregister for
23 local elections. That's not correct.

24 If you register one time under Mississippi law,
25 you're universally registered. Now, so I don't consider

1 that we have a dual system at all.

2 Yes, early on in the -- in Mississippi's
3 preparation for implementation of the NVRA, there was
4 considerable thought given at the administrative level to
5 changing Mississippi law so that NVRA registrants could
6 be put on state voter rolls.

7 Draft legislation to be proposed to the
8 legislature was formed and officials with the Mississippi
9 Secretary of State's Office drew up plans that
10 contemplated the fact that the legislation might be
11 passed.

12 So yes, I mean, I don't want to say that the
13 state qua state took that position, but certainly many
14 officials within the state wanted that to happen and
15 their -- the initial activities of those officials were
16 in that direction, yes.

17 MS. MOORE: Well, but now, Mr. Sanders, Mr.
18 Turnage has indicated to us and indeed other attorneys
19 that we interviewed in preparation for this hearing but
20 were not able to be here, have also indicated to us in
21 their respective areas that the predictably in some
22 respects those who are taking advantage of NVRA at
23 facilities that service minorities are predominantly
24 minority voters.

25 Now, under Mississippi's system and I respect

1 your view on the dual registration, but under the system
2 of implementing NVRA those voters who are taking
3 advantage of the ease of registering at places where they
4 are serviced are not registered for state and local
5 elections; is that correct?

6 MR. SANDERS: Well, if you register only
7 pursuant to NVRA, you are registered only for federal
8 elections, that's correct.

9 MS. MOORE: Now, in your opening statement you
10 indicated that the State of Mississippi is complying with
11 the intent of Congress, yet as we understand it, or I
12 understand it, one of the intents of Congress was to make
13 voting easier for participants at any level of
14 government.

15 MR. SANDERS: No, if the Congress intended
16 that, that's not the way they wrote the NVRA. The NVRA
17 expressly applies only to federal elections.

18 MS. MOORE: Okay. Now, let me ask you a
19 question that I posed earlier to one of the earlier
20 panels. Now, what -- Ms. Wright has indicated that there
21 is some statistics at least that indicate that there is a
22 cost associated with maintaining two separate
23 registration rolls -- I'm trying to avoid the dual
24 registration reference.

25 Now, are there any practical reasons or

1 practical concerns of the state due to efficiency, cost
2 or any -- what's the justification for the current
3 system, factual justification?

4 MR. SANDERS: Keep in mind now, I'm just a
5 lawyer and I'm not in the legislature and I can't speak
6 for the legislature, but I can give you a sense, I think,
7 of some of the concerns that are in the legislature.

8 First, on the question of cost, I understand it
9 is correct that the Mississippi Secretary of State has
10 estimated roughly a half million dollar cost per election
11 year, not per year, but in the years that we have
12 elections, for keeping separate books and for putting
13 forth the efforts required to maintain the voting place
14 in the proper way.

15 In the present session of the Mississippi
16 legislature, two reasons have been voiced, two concerns
17 have been voiced. One is that if anything were to change
18 presently, the plaintiff certainly would move for
19 attorney's fees and might very well be entitled to them,
20 and I notice that Mrs. Wright did not renounce attorney's
21 fees this morning or in her statement.

22 But a greater concern I think is this. As you
23 all know, Mississippi is covered by Voting Rights Act.
24 The act of registering and the process of registering
25 votes certainly is a standard practice or procedure

1 within the meaning of Voting Rights Act.

2 If we change the Mississippi statute to allow
3 NVRA registrant to be put on state voter rolls, that is a
4 change in state practice. That change would have to be
5 of course submitted to the Justice Department for pre-
6 clearance and it would be promptly pre-cleared, I'm sure.

7 That would -- at that point that would become
8 the benchmark or a benchmark regarding registration.
9 Mississippi would then have a practice of putting NVRA
10 registrants on state rolls. If succeeding Congresses,
11 let's say six years from now, if the Congress decided
12 well, we think that there is still not enough people
13 registered, we're going to change the requirements of the
14 NVRA, so that NVRA registrants may register on the same
15 day of the election, let's say NVRA were changed to
16 provide for same day registration, if the individuals in
17 the Mississippi legislature were then to say well, my
18 goodness, I think maybe that's gone too far, we want to
19 decouple from the NVRA, we want to provide that NVRA
20 registrants may no longer be put on state rolls, because
21 we just don't like the direction that the Congress has
22 gone, that would be another, a subsequent proposed
23 changed in practice and in order to decouple, we'd have
24 to pass legislation and submit that decoupling
25 legislation to the attorney general for pre-clearance and

1 I doubt very seriously that we would ever get pre-
2 clearance, and I doubt seriously that we would be
3 successful in a declaratory judgment action with the
4 District Court in decoupling.

5 The effect of being unable to decouple would
6 simply be in the view of many people would be to seed
7 authority or control of Mississippi registration law to
8 the Congress, and that is a step that many people in the
9 legislature are very hesitant to take. And that is a
10 fundamental concern because we think obviously voting is
11 a core right and any political unit's authority to
12 control the registration of voters is also a core
13 function of state government, and Mississippi is under
14 the Voting Rights Act.

15 We have already lost a substantial part of
16 Mississippi's sovereignty over controlling the process of
17 voting, because the federal government has in effect veto
18 over Mississippi acts regarding voting.

19 If we were to reconcile the NVRA with state law
20 and put NVRA registrants on state rolls, the federal
21 government would not only have the power of veto, the
22 federal government would have the power of legislating
23 changes that would necessarily affect Mississippi
24 registration laws.

25 MS. MOORE: Let me see if I understand these

1 two justifications. The first justification with all due
2 respect wasn't a justification at the time that the
3 system was adopted?

4 MR. SANDERS: You're correct.

5 MS. MOORE: So the fact that that attorney's
6 fees may come from the present lawsuit was not a reason
7 for adopting the present system.

8 MR. SANDERS: Yeah, let me clear that up.
9 You're correct. I'm talking about the present reluctance
10 -- initially, in the session last year I think another
11 stated concern was a concern voiced by some other states,
12 including California, that the requirements of the NVRA
13 amounted to an unfunded mandate from the federal
14 government to a state government and the initial
15 reluctance was on the basis of that.

16 Of course, California filed suit challenging
17 the NVRA on that basis and lost and the Ninth Circuit
18 confirmed that. So -- and that's no longer -- it may be
19 a concern but it's not a reason for inaction at this
20 point.

21 MS. MOORE: And I guess along those same lines
22 based again on the fiscal -- well, the numbers that Ms.
23 Wright has referred to, even if it's an unfunded mandate
24 at the initial stages, at least it seems that in
25 Mississippi that at some point it becomes less expensive

1 to maintain the separate rolls with the -- well, 500,000
2 cost for maintaining separate rolls, wouldn't it? I
3 mean, is it --

4 MR. SANDERS: I mean, I don't know if that
5 \$500,000 figure -- it's an estimate. Obviously I don't
6 know what the basis of it is. And I really -- it's very
7 difficult to try to assess the relative financial impacts
8 of different positions, because I don't think anyone
9 really has a true handle on what it costs to keep
10 separate registration data.

11 MS. MOORE: Okay. I just have one final
12 question, I guess, and the second justification -- I'm
13 not sure I completely understood. Now, the second
14 justification is that at some point in the future there
15 may be a change in federal legislation that requires
16 decoupling in the State of Mississippi that would then
17 not be able to get pre-clearance under Section 5?

18 MR. SANDERS: All right. It's not that the
19 federal government might require decoupling or anything.
20 It's just that the control over state registration laws
21 would be in the hands of the Congress. And Congress may
22 never change --

23 MS. MOORE: So it's a state's rights type of
24 concern?

25 MR. SANDERS: Well, I mean, it's a question of

1 sovereignty, yes, to a certain extent, yes. There's no
2 question -- and the Congress may never change the present
3 requirements of the NVRA, but it's simply it's the
4 Congress' choice to change or not to change, and it's not
5 the Mississippi legislature's choice to change or not to
6 change.

7 Now, there was some testimony earlier or some
8 comments earlier that Circuit Clerks across the state are
9 not -- not happy with the fact of separate registration,
10 and I think by and large that's true. Most Circuit
11 Clerks would rather keep one set of books than two.

12 But at the same time if the Mississippi
13 legislature gives the Congress the authority to control
14 Mississippi registration laws, and in the future the
15 Congress does something that puts a different burden on
16 the Circuit Clerks, the Circuit Clerks wouldn't be able
17 to go to Mississippi legislature for relief. They would
18 have to go out and lobby Congress for relief, and I'm not
19 sure that the Circuit Clerks have a complete
20 understanding of this situation.

21 They see that they have different sets of data
22 that they have to keep and I'm not sure that they're
23 looking past that.

24 MS. MOORE: Okay. Thank you, Mr. Sanders. If
25 I have any further questions, I'll come back to you.

1 VICE CHAIRPERSON REYNOSO: Any questions?

2 COMMISSIONER LEE: Mr. Sanders, I still don't
3 understand your justification because to me I'm from one
4 of the 49 states, California, as a matter of fact, who
5 did not agree with Mississippi, with the way you handled
6 the NVRA implementation, because normally people would
7 not want to comply because of cost reasons.

8 You went the other way around. You would
9 rather pay more money not to comply. It makes perfectly
10 no sense to me and what bothers me more is not only the
11 cost, is the complicated way -- not only for your clerks
12 to maintain two sets of books, as for the voters, and I'm
13 assuming you want your state citizens to participate.

14 MR. SANDERS: Certainly.

15 COMMISSIONER LEE: But if I were a voter, I'd
16 go in and have to have two sets of ballots or I walked in
17 and I was told I couldn't vote for the state election. I
18 just don't understand. I truly don't understand.

19 MR. SANDERS: Well, the first issue that you
20 mentioned, money, is not as large a concern as the
21 question of being able to control our registration laws.

22 In California you have -- you have enacted
23 legislation that puts NVRA registrants on state rolls.
24 And if the Congress in subsequent years decides to do
25 something that California doesn't like, California may

1 simply say we will no longer follow that practice and you
2 do not have to submit that for pre-clearance.

3 California has the absolute power to decouple
4 from the NVRA at any time it wants to without anybody
5 objecting. We don't have that luxury. And there's a
6 fundamental difference there between Mississippi and
7 California.

8 Also keep in mind that --

9 COMMISSIONER LEE: And what is the difference
10 between Mississippi and the rest of the 49 states, who
11 have agreed and complied with --

12 MR. SANDERS: I think that the main difference
13 at this point is that the other states changed their laws
14 so that NVRA registrants could vote in the state
15 elections, almost immediately, frankly, without thinking
16 about it.

17 And I think if most states that are covered by
18 the Voting Rights Act had considered what we're talking
19 about right now, I think that most of those states that
20 are covered by the Voting Rights Act might have been -- I
21 don't know what they would have done, but I think the
22 results might be a little different.

23 VICE CHAIRPERSON REYNOSO: I just have a
24 general question for the panel. We've heard about some
25 of the impediments to voting in Mississippi. My general

1 question is what in your view could be done at this point
2 to encourage greater voter participation, particularly
3 from Ms. Wright's point of view to win their lawsuit, but
4 aside from that, what could be done to encourage greater
5 participation? Any thoughts?

6 MS. WRIGHT: Well, I'll be happy to jump in. I
7 think that voter participation is tied up with a lot of
8 other things that need to be addressed in Mississippi,
9 and people this morning have referred to and in previous
10 panels have referred to education being one of them.

11 Steps that need to be taken to ameliorate the
12 still very significant differences between white and
13 black citizens in terms of their access to jobs, to
14 economic security, to a good education. Those things are
15 all tied up with political participation.

16 I think that, you know, some researchers would
17 also say that people need a reason to vote, people need
18 to be motivated to vote, and the political parties that
19 used to play a greater role in reaching out and bringing
20 people to the polls, giving them reasons to vote, are not
21 playing as big a role in a lot of ways at the grassroots
22 level.

23 There's so much attention on spending money and
24 buying TV ads and so much less attention on grassroots
25 and knocking on doors, even by the major political

1 parties, calling up voters and finding out, you know, are
2 you going to go to the polls.

3 I can't say that I know of specific research
4 directed specifically to the Delta on that issue, but I
5 know some nationwide studies have looked at that as a
6 possible cause of declining voter participation.

7 So I think that -- I mean, it's clear that you
8 have to give people -- you have to have conditions for
9 full voter participation. You have to have the
10 opportunity, which is basic. You've got to be
11 registered, and then you've got to have a strong reason,
12 a good reason to go to the polls, and that's involved
13 with education and a whole lot of other issues.

14 VICE CHAIRPERSON REYNOSO: Mr. Sanders?

15 MR. SANDERS: Frankly, Your Honor, it's hard
16 for me to think of things -- I mean in every election
17 obviously at elections people are urged to go -- the
18 media are flooded with requests to vote. In between
19 elections all public officials that I know of are
20 constantly going around and talking to high schools, even
21 the junior highs, imploring kids to get interested in the
22 process.

23 It's simply at some point, it's a question of
24 individual behavior, whether people want to vote or not,
25 and I mean, there aren't barriers to registering. You

1 don't even have to -- I've heard people talk about all
2 you have to do is go to the Circuit Clerk's office and
3 register.

4 You don't even have to do that. You can call
5 and they will mail you a form and you can mail it back in
6 and be universally registered.

7 There are no incumbents to voting. It's simply
8 a question of whether people want to go -- it's like
9 Brenda says, the people have a reason to vote, they go
10 vote. If they don't think it's important enough to them,
11 they don't --

12 MS. WRIGHT: If they have the opportunity
13 first.

14 MR. SANDERS: And I certainly think they have
15 the opportunity. We have an extremely liberal
16 registration system in this state. You don't even have
17 to go anywhere. You don't have to leave your house to
18 get registered.

19 VICE CHAIRPERSON REYNOSO: Mr. Turnage, any
20 thoughts?

21 MR. TURNAGE: Are you referring to voters in
22 general or not just --

23 VICE CHAIRPERSON REYNOSO: No, voters in
24 general. The voter participation appears to be somewhat
25 lower in Mississippi than in the country in general and

1 we've heard about some of the -- some of the specific
2 impediments. I just wonder whether you had some thoughts
3 in terms of what affirmatively could be done to have a
4 great participation.

5 MR. TURNAGE: Well, the first -- as a social
6 scientist I would say that Brenda has gotten a good bit
7 of it right. I'm in full concurrence with her view.
8 There is a definite recognizable correlation between
9 one's education, income and participation in voters or
10 election day.

11 It don't take a rocket scientist to figure that
12 out. I mean, if I'm in Bolivar County and I've got a
13 bunch of land I own everything, I want to make sure that
14 my friends going to get in there and going to keep the
15 taxes on my property low as possible. I don't want no
16 money being raised to build no low-income apartments
17 around town that I've got to pay for, you know, with my
18 tax dollars. You see what I'm saying?

19 That's a motivation for voters. So it comes
20 down to education and motivation, as she said.

21 I've seen, for instance, if you wanted to
22 increase the black political participation, I think one
23 good way to do it would be to create a majority black
24 public service and highway commission district. And you
25 get a very, particularly well-reasoned candidate out

1 there and 20 or 30 some counties, build your campaign
2 organizations from the grassroots up, which what she said
3 is very true.

4 In the Democratic Party days when it was just a
5 one-party state, white party officials pumped plenty of
6 money -- they called it the GOTV, get out the vote money.
7 I mean, that was when it was just all Democrats.

8 And they didn't care, you know, if any cheating
9 was going to be going on, they were going to be doing it.

10 But it has changed now. It's a two-party
11 system and the Republicans, they could care less.
12 They're not appealing to low-income voters. They don't
13 want them to come out. They want them to stay at home.

14 And the people who were generating the money in
15 the Democratic Party now, they switched over to the
16 Republican Party and say look, it's cheaper to be a
17 Republican in Mississippi, because we don't have to pay
18 those black -- our money to come out and get them out to
19 vote. All we got to do is go on TV and we know these
20 educated voters down in Madison, Rankin, Desha, Harris,
21 Jackson County, they watch TV. They're affluent, and we
22 just, you know, put these little racial messages, these
23 coded messages in there and they'll pick up on it, you
24 know, because they're educated. They're sophisticated,
25 they know to turn out to vote on election day. Okay.

1 Those kind of things.

2 Now, if you want to increase black political
3 participation, to me if you had a black public service
4 commissioner at the top of the ticket, that's a
5 motivation for black voters to go out and to vote or a
6 woman at the top of the ticket would give women a reason
7 to go out, you know, to vote.

8 Those are the kind of things that bring them
9 out on election day.

10 I'll tell you what has happened in Mississippi.
11 And anybody here that knows anything about politics will
12 agree with me.

13 In county elections, in state elections, the
14 people who are going to lead the ticket in almost every
15 county is going to be the sheriff and the Board of
16 Supervisors. Those are going to be the top vote getters,
17 and you get a hotly contested Board of Supervisors race
18 in a supervisor district or if you get a hotly contested
19 sheriff's race, county-wide, you're going to have more
20 people coming to vote than you do for President. I mean,
21 when you have that.

22 And a little research will bear that out. And
23 when you get these hotly contested races going on, you
24 draw out people -- I mean, minorities who haven't voted
25 in years and some of them who have never bothered to

1 register, but they're too ashamed on election day to say
2 I'm not registered, and they'll come on down anyway and
3 go in and find out their name is not on the pool book and
4 then they'll vote an affidavit ballot, because they're
5 too ashamed to say I never bothered to get registered to
6 vote.

7 There ought to be a procedure in Mississippi
8 that would permit those people, if you show up to vote on
9 election day, and if you're not registered, you ought to
10 be able to get registered that day for the next election.
11 You follow me? That would go a long ways in opening up
12 the process.

13 Another thing that I think that would go a long
14 ways to opening up the process is that the state
15 legislature should pass a law that says that law in
16 voting -- I don't care for whatever office, is
17 prohibited. You've got to go to a single-member
18 district.

19 What we have is in Mississippi I think we have
20 -- is 192 I think municipalities? Maybe 292, one of the
21 two. 296, okay. I was in the ball park. 296 he said.
22 And when you get down to a lot of these small towns, it's
23 less than 1,000. I mean, that's where you have a lot of
24 present day discrimination, because they're still voting
25 at large and if they're not majority black, then the

1 blacks don't participate, and I think to create single
2 member districts with black voting 'age population
3 majority would go a long way in turning out people to
4 vote in municipal elections and increase the number of
5 elected officials at the municipal level.

6 That would be another thing. I think that
7 another way that you could do it is again, most people
8 don't see this as -- I mean, to me Democratic Party,
9 Republican Party, there's some cases that hold that they
10 do act as state officials on election day -- and the
11 Democratic Party in Mississippi and I know that a lot of
12 people don't view this as being traditional state action
13 within that context, but it is.

14 And I don't see anything wrong with the state
15 spending money to -- on efforts that are designed to
16 increase participation on election day. After all, on
17 election day the people who are sitting at the poll and
18 at the table when you walk in and vote, they're being
19 paid with taxpayer money.

20 It's all state actions. I mean, even though
21 it's not traditionally viewed as such. Okay. I don't
22 see anything wrong with money being used by the
23 Democratic Party officials, in every -- we give every
24 county so much money and say look, you all get your
25 people out to vote with this money.

1 I think that would be fair. The other -- well
2 basically I think that those are my thoughts about how
3 you increase the vote.

4 VICE CHAIRPERSON REYNOSO: Very good. Well,
5 thank you very much. Did you have any more questions?

6 MS. MOORE: No, actually --

7 VICE CHAIRPERSON REYNOSO: If not, then thank
8 you very much, very much appreciate your participation in
9 this panel. Clearly we focused on voting participation,
10 because it's been such an important part of the evolution
11 of true democracy in Mississippi, and we've dealt with
12 the related -- clearly related issues, particularly of
13 education and economic development, so we very much
14 appreciate your being here. You're excused. I think we
15 have a procedure that's called a checking out procedure,
16 a sign-out procedure, so the staff I think will have you
17 sign something of that sort, so I very much appreciate --
18 yes, I have it before me, it's called a sign-out
19 procedure, quote unquote. So thank you very much.

20 And I want to particularly express my
21 appreciation for those in the audience who have been here
22 for several days. I understand that we have today with
23 us -- we're graced with the presence of Senator Walls and
24 others, so I very much appreciate the attendance.

25 I do want to remind you that the record stays

1 open for 30 days generally, and so if you have any extra
2 exhibits for the witnesses or if anybody here in the
3 audience wishes to submit a paper, a statement of
4 testimony, anything of that sort for the record, we very
5 much would appreciate that.

6 We have very much appreciated the help that all
7 the local folk have given us. I think that for us it's
8 been a time of learning and sharing to come to
9 Mississippi again after 32 years, and I hope that it
10 won't be another 32 years before we come again, and I
11 trust that we will see changes when we come back, as
12 we've seen changes since 32 years ago.

13 And I must say that despite all the problems
14 that we've been talking about, so many of the changes
15 have been going the right way.

16 I should perhaps share with you my own thought,
17 being a Californian. My own feeling, my wife is from
18 Tennessee, has been that folk in the South generally, and
19 Mississippi in particular, are folk that have what's
20 often called the big front porch philosophy. They're a
21 very welcoming people. And my hope is that as all races
22 are included within that big white porch, that the South
23 will in fact be the leader in this country in showing
24 that we can live together as one people respecting the
25 differences that we have by race, ethnicity, language, et

1 cetera.

2 Geography too, for that matter. We've heard a
3 lot about that during these hearings, but that we can
4 still be one people and it's been my thought that the
5 South, because of the struggles it's gone through, may
6 indeed in the future be the leader of this country in
7 showing us that that can be a reality.

8 So again, I very much appreciate the help that
9 the panelists have given us. I very much appreciate the
10 attendance of the folk in the audience, and with that
11 these hearings are adjourned. Thank you very much.

12 (Proceedings concluded at 11:30 a.m.)

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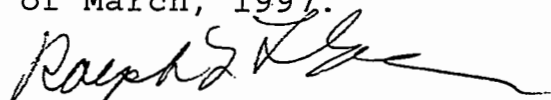
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STATE OF GEORGIA)

COUNTY OF GWINNETT)

I hereby certify that the foregoing transcript is a true, correct, and complete record of the said proceedings; that I am not a relative, attorney, or counsel of any of the parties; am not a relative of attorney or counsel for any of the parties; nor am I financially interested in the action.

This, the 11th day of March, 1997.



Ralph L. Ledford