IN THE

Supreme Court of the United States

JOHN H. MERRILL, in his official capacity as Secretary of State of Alabama, ET AL.,

Applicants,

v.

EVAN MILLIGAN, ET AL.,

Respondents.

APPENDIX TO RESPONDENTS' OPPOSITION TO EMERGENCY APPLICATION FOR STAY PENDING RESOLUTION OF DIRECT APPEAL TO THIS COURT

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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

EVAN MILLIGAN, et al.,	
Plaintiffs,	
V.	Case No. 2:21-cv-01530-AMM
JOHN H. MERRILL, et al.,	
Defendant.	

JOINT STIPULATED FACTS FOR PRELIMINARY INJUNCTION PROCEEDINGS¹

Pursuant to this Court's November 23 scheduling order, Doc. 40 at 10, the parties in the above captioned case submit the following joint statement of facts that are stipulated for purposes of preliminary injunction proceedings:

I. Plaintiffs

A. Evan Milligan

- 1. Plaintiff Evan Milligan is Black.
- 2. Plaintiff Evan Milligan resides in Montgomery County, Alabama.

For all cases and court opinions cited herein, no party has agreed to stipulate to the accuracy of any court's prior factual findings, and all parties reserve the right to present evidence disputing such findings.

- 3. Plaintiff Evan Milligan is a U.S. citizen and a lawfully registered voter in Congressional District ("CD") 7.
- 4. Under the Plaintiffs' Demonstrative Plan in ¶ 88 of the Complaint, Plaintiff Milligan would reside in a second, new majority-Black district.

B. Shalela Dowdy

- 5. Plaintiff Shalela Dowdy is Black.
- 6. Plaintiff Shalela Dowdy resides in Mobile County, Alabama.
- 7. Plaintiff Shalela Dowdy is a U.S. citizen and a lawfully registered voter in CD 1.
- 8. Under the Plaintiffs' Demonstrative Plan in ¶ 88 of the Complaint, Plaintiff Milligan would reside in a second, new majority-Black district.

C. Letetia Jackson

- 9. Plaintiff Letetia Jackson is Black.
- 10. Plaintiff Letetia Jackson resides in the City of Dothan, Alabama.
- 11. Plaintiff Letetia Jackson is a U.S. citizen and a lawfully registered voter in CD 2.

D. Khadidah Stone

- 12. Plaintiff Khadidah Stone is Black.
- 13. Plaintiff Khadidah Stone resides in Montgomery County, Alabama.

- 14. Plaintiff Khadidah Stone is a U.S. citizen and a lawfully registered voter in CD 2.
- 15. Under the Plaintiffs' Demonstrative Plan in ¶ 88 of the Complaint, Plaintiff Milligan would reside in a second, new majority-Black district.

E. Greater Birmingham Ministries ("GBM")

- by the mid-twentieth century Civil Rights movement and its transformative impact in Birmingham, Alabama, and across the United States. GBM describes itself as a multi-faith, multi-racial, non-profit membership organization that provides emergency services to people in need and engages people to build a strong, supportive, engaged community and a more just society for all people.
- 17. GBM describes itself as seeking to address urgent human rights and social justice needs in the greater Birmingham area. GBM describes itself as dedicated to advancing social justice through political participation across Alabama. GBM states that it actively opposes state laws, policies, and practices that it believes result in the exclusion of vulnerable groups or individuals from the democratic process.
- 18. GBM states that to accomplish its goals, it regularly communicates with its members and works to register, educate, and increase voter turnout and efficacy,

particularly among Black, Latinx, and low-income people and people with disabilities.

F. The Alabama State Conference of the N.A.A.C.P. ("Alabama NAACP")

- 19. Plaintiff Alabama NAACP is the state conference of the National Association for the Advancement of Colored People, Inc. The Alabama NAACP is the oldest and considers itself one of the most significant civil rights organizations in Alabama, and it states that it works to ensure the political, educational, social, and economic equality of Black Americans and all other Americans.
- 20. The Alabama NAACP states that two of its central goals are to eliminate racial discrimination in the democratic process, and to enforce federal laws and constitutional provisions securing voting rights. The Alabama NAACP claims that it advances its goals in part by participating in lawsuits, and that it regularly engages in efforts to register and educate voters and encourages Black people to engage in the political process by turning out to vote on Election Day.

II. Defendants

A. John H. Merrill

21. Defendant John H. Merrill is the Alabama Secretary of State and the chief elections official in the State of Alabama. Secretary Merrill is sued in his official capacity.

22. Secretary Merrill provides uniform guidance for election activities in the State and certifies the elections of members to the Alabama Legislature and Congress. Ala. Code §§ 17-1-3, 17-12-21. Secretary Merrill also has responsibility for certifying the names of primary and general election candidates for the State Legislature and Congress, as well as issuing Certificates of Election following tabulation of vote results. Ala. Code §§ 17-13-5(b), 17-9-3(b), Ala. Code § 17-12-21.

B. Sen. Jim McClendon and Rep. Chris Pringle

- 23. Defendants Senator Jim McClendon and Representative Chris Pringle are Co-Chairs of the Alabama Permanent Legislative Committee on Reapportionment ("the Committee"). Ala. Code § 29-2-51. They are sued in their official capacity as co-chairs of the Committee.
- 24. In that capacity, Sen. McClendon and Rep. Pringle led the Committee that was responsible for the preparation and development of redistricting plans for the State following the decennial census and presided over the meetings of the Committee. The Committee was tasked with making a "continuous study of the reapportionment problems in Alabama seeking solutions thereto" and reporting its investigations, findings, and recommendations to the Legislature as necessary for the "preparation and formulation" of redistricting plans for the Senate, House, and congressional districts in the State of Alabama. Ala. Code §§ 29-2-51, 29-2-52.

III. Demographics of Alabama

A. Citizenship and Age by Race/Ethnicity

- 25. Alabama's population shifts between every census.
- 26. Between the 2010 and 2020 census, Alabama's population increased from 4,779,736 to 5,024,279, a 5.1 percent increase.

IV. Alabama's Congressional Districts

- 27. From 1965 through 2013, Alabama was a covered jurisdiction under Section 5 of the Voting Rights Act, and Alabama's congressional plans therefore had to be precleared by the U.S. Department of Justice or a three-judge federal court in Washington, D.C.
- 28. Since 1973, Alabama has had seven congressional seats. For each of the six congressional plans Alabama has had since the 1970 census, including the plan enacted in 2021, the plan has included all of Mobile, Baldwin, Washington, and Monroe Counties in CD 1. Likewise, in each plan, CD 2 has included all of Conecuh, Butler, Crenshaw, Covington, Pike, Bullock, Barbour, Coffee, Dale, Geneva, Henry, and Houston Counties; and CD 3 has included all of Calhoun, Cleburne, Talladega, Clay, Randolph, Tallapoosa, Chambers, Macon, Lee, and Russell Counties.

A. The History of the Majority-Black Congressional District 7

29. In 1992, Black voters and others challenged the failure of the State Legislature to redistrict congressional seats after the release of the 1990 census under

the Fourteenth Amendment to the U.S. Constitution and the lack of a majority-Black congressional district under Section 2 of the Voting Rights Act.

- 30. On March 9, 1992, upon the stipulation of the parties, the three-judge court ordered the creation of CD 7 as a majority-Black congressional district to resolve the litigation. *See Wesch v. Hunt*, 785 F. Supp. 1491, 1498 (S.D. Ala.), *aff'd sub nom. Camp v. Wesch*, 504 U.S. 902 (1992).
- 31. Concerning the parties to the case, the court noted as follows: "The Intervenor–Plaintiffs, Michael Figures and others, are African–American citizens of the United States and the State of Alabama. They have been allowed to intervene in this litigation both on their own behalf and on behalf of all African–American citizens of the State of Alabama." *Id.* at 1494.
- 32. Under the 1992 Plan established by the *Wesch* court, Black people were 67.69% of the total residents of CD 7 and 63.58% of CD 7's voting age population ("VAP"). 785 F. Supp. at 1496.
- 33. The *Wesch* court did not conduct a Section 2 analysis. *Id.* at 1498-99. Rather, the court cited the parties' stipulation that it was possible to draw a majority-Black VAP district, *id.*, and, thereafter, adopted a legislative proposal for CD 7. *Id.* at 1495.

- 34. Prior to the *Wesch* court establishing the 1992 Plan, however, the State Legislature did enact Act No. 92-65 (1992), a congressional redistricting plan with one majority-Black district.
- 35. The *Wesch* court adopted its own plan and created a majority-Black CD 7 due to a concern that Act No. 92-65 would not obtain the required preclearance under Section 5 of the Voting Rights Act in time for the then-upcoming election deadlines. 785 F. Supp. at 1500.
- 36. One of the plans submitted to the court had two majority-black districts. The court found: "The Hilliard Plan includes two majority African—American districts, with an African—American population of 59.33% and 61.98% respectively. Although this plan was submitted by the intervenors, they took the position that the Hilliard Plan probably provided obstacles of sufficient nature to cast doubt on their opportunity to elect candidates of their choice in these districts." *Id.* at 1496.
- 37. Only two of the plans submitted by the parties achieved population equality, the "Pierce Plan" and the "Reed Plan," each of which had a district that was more than 65% black population. *Id.* at 1495-96. According to the *Wesch* court, the Pierce Plan was a "modification of a plan called the 'Larry Dixon Plan' which was considered by the Reapportionment Committee. The Pierce Plan modified the Larry Dixon Plan to some extent, but the basic format is similar." *Id.* at 1495.

- 38. The court found that the Pierce Plan that was ultimately adopted was superior to the Reed Plan because "District 1 under the Reed Plan includes Mobile County to the south and Tuscaloosa County to the north. District 2 under the Pierce Plan is largely composed of counties in the southeast corner of the state, while the Reed Plan's District 2 stretches from Mobile County, in the extreme southwest corner of the State, to Lee County, in east central Alabama. The Pierce Plan is superior to the Reed Plan in terms of compactness." *Id.* at 1496.
- 39. The Court also found that the Reed Plan split more counties and precincts than the Pierce Plan and that the Pierce Plan did a better job of preserving the core of districts and communities of interest. *Id.* at 1496-97.
- 40. On March 27, 1992, the U.S. Attorney General objected to Act No. 92-65 under Section 5 of the Voting Rights Act. The Attorney General found that Act No. 92-65 was the product of intentional racial discrimination because it drew only one majority-Black district and "fragmented" the rest of the Black population in the state to dilute the Black vote. In the objection letter, the U.S. Attorney General noted a "concern" of the Black community that "an underlying principle of the Congressional redistricting was a predisposition on the part of the state political leadership to limit black voting potential to a single district."
- 41. During this time, the Department of Justice was applying a "max-black" policy.

- 42. Because the state did not obtain preclearance for Act No. 92-65 nor enact another plan, the *Wesch* court's 1992 Plan remained in effect for the remainder of the 1990s.
- 43. In each redistricting cycle from at least the 1990 census through the 2020 census, some Black legislators and voters have lobbied for plans that include two Black-majority districts.
- 44. After the establishment of CD 7 as a majority-Black district in the 1992 Plan, Earl Hillard became the first Black Alabamian to be elected to Congress in the Twentieth Century.
- 45. After the 2000 redistricting cycle, the State Legislature enacted the 2002 Plan wherein Black people constituted 62.389% of the total population and 58.327% of the voting age population under the 2000 census.
- 46. The 2002 Plan received preclearance under Section 5 of the Voting Rights Act.
- 47. In the general congressional elections of 2002, 2004, 2006, and 2008, Artur Davis, a Black Democrat, was elected in CD 7 after winning a majority of Black voters.
- 48. In each of the general congressional elections of 2002, 2004, 2006, and 2008, Representative Davis won election with no less than 74.9% of the vote.

- 49. In the November 2010 general congressional election, Terri Sewell, a Black Democrat, was elected in CD 7 after winning a majority of Black voters.
- 50. In the November 2010 general congressional election, Representative Sewell won election in CD 7 with 72% of the vote, beating her white opponent by 45 points.
- 51. In 2010, CD 7 under the 2002 Plan had a Black voting-age population ("BVAP") of 60.11%.
- 52. After the release of the 2010 census, the State Legislature enacted the 2011 Plan. The 2011 Plan increased the BVAP of CD 7 to 60.91% any-part Black and 60.55% single-race Black, according to 2010 Census data.
- 53. In September 2011, the Alabama Attorney General's office sent a letter and related materials to the U.S. Department of Justice, which submitted the 2011 Plan for preclearance review under Section 5 of the Voting Rights Act (hereinafter, the "submission letter").
- 54. The submission letter stated that the 2011 Plan "preserves the voting strength of the African-American community" and that the "percentage of total black and black voting age population in the new [2011] plan increased from the benchmark [2002 Plan] figures. That increase plainly cannot be regarded as retrogressive."

- 55. The submission letter likened the CD 7 in the 2011 Plan to the CD 7 in the "1992 Wesch court plan and the [2002] plan" because "the new [2011] plan has one African-American majority district, District 7, which is located in the west central part of the state."
- 56. The submission letter did not include a racial polarization analysis or otherwise attempt to demonstrate that maintaining the effectiveness of CD 7 required increasing the total Black or BVAP population in that district.
- 57. The 2021 Plan enacted in HB 1 contains one majority-Black district with a BVAP of 55.3% any-part Black and 54.22% single-race Black under the 2020 census and assigns 30.86% of all single-race Black Alabamians to CD 7.
- 58. CD 7 remains the only majority-BVAP congressional district in Alabama.
- 59. In the 2021 Plan, the State Legislature sought to maintain the cores of each congressional district as they were drawn in the 2011 Plan.
- 60. The Black Belt is named for the region's fertile black soil. The region has a substantial Black population because of the many enslaved people brought there to work in the antebellum period. All the counties in the Black Belt are majority- or near majority-BVAP.
- 61. The Black Belt includes the core counties of Barbour, Bullock, Butler, Choctaw, Crenshaw, Dallas, Greene, Hale, Lowndes, Macon, Marengo,

Montgomery, Perry, Pickens, Pike, Russell, Sumter, and Wilcox. Clarke, Conecuh, Escambia, Monroe, and Washington counties are sometimes included within the definition of the Black Belt.

62. In recent litigation, Secretary Merrill stated that CD 7 "appears to be racially gerrymandered, with a finger sticking up from the black belt for the sole purpose of grabbing the black population of Jefferson County. Defendant does not believe that the law would permit Alabama to draw that district today if the finger into Jefferson County was for the predominate purpose of drawing African American voters into the district." Secretary of State Merrill's Pretrial Brief, *Chestnut v. Merrill*, No. 2:18-CV-00907 (N.D. Ala. Oct. 28, 2019), ECF No. 101 at 11.

B. Congressional Districts 1, 2, and 3

63. In 2010, CDs 1, 2, and 3 under the 2001 Plan contained a combined AP Black population of 629,911, which was 92.3% of the ideal total population for a single congressional district, calculated by dividing the total population by the number of congressional districts. In 2010, CDs 1, 2, and 3 under the 2001 Plan contained a combined SR Black population of 615,896, which was 90.1% of the ideal total population for a single congressional district. This count includes Black voters in Mobile and Black voters in Anniston.

- 64. According to 2010 Census data, CDs 1, 2, and 3 under the 2011 Plan contained a combined any-part Black population of 575,923, which is 84.3% of the total population of an ideal congressional district. Those districts contained a combined single-race Black population of 561,978, which is 82.3% of the total population of an ideal congressional district. This count includes Black voters in Mobile and Black voters in Anniston.
- 65. The 2001 Plan split Montgomery County among two districts: CDs 2 and 3. The 2011 Plan split Montgomery County between three congressional districts: CDs 2, 3, and 7. Under the 2021 Plan, Montgomery County is split between two districts: CDs 2 and 7.

C. State Board of Education ("SBOE") Plan

- 66. The Alabama SBOE is a nine-member body that sets education policy for Alabama's K-12 schools. The Governor serves as the president of the SBOE, and the remaining eight members are elected to the Board from single-member districts.
- 67. In 2021, Alabama adopted an eight-district SBOE Plan (the "2021 SBOE Plan") with two majority-Black districts, Districts 4 and 5.
- 68. According to 2020 Census data, District 4 is 51% BVAP, and District 5 is 51% BVAP.

69. In each election since 2011, a Black Democrat won a majority of Black voters and the election in Districts 4 and 5 of the SBOE. District 5 of the SBOE Plan connects the City of Mobile to the Black Belt Counties.

V. The Process Leading to the Enactment of H.B. 1

A. Joint Legislative Committee's Stated Redistricting Criteria

- 70. On May 5, 2021, the Permanent Legislative Committee on Reapportionment (the "Committee")—the Committee responsible for preparing and developing redistricting plans for the State following each decennial census—enacted guidelines for the 2021 redistricting cycle.
- 71. The guidelines state that they are based on the requirements of the U.S. Constitution, Alabama Constitution, and policies that "are embedded in the political values, traditions, customs, and usages of the State of Alabama."
- 72. The criteria for redistricting set by the Committee begin with requirements under the U.S. Constitution and federal law, including compliance with the one-person, one-vote requirement. The Committee instructed that Congressional districting maps "shall have minimal population deviation" and comply with Section 2 of the Voting Rights Act, meaning that districts have "neither the purpose nor the effect of diluting minority voting strength."
- 73. The Committee stated that districts cannot be drawn "in a manner that subordinates race-neutral districting criteria to considerations of race, color, or

membership in a language minority group, except that race, color, or membership in a language-minority group may predominate over race-neutral districting criteria to comply with Section 2 of the Voting Rights Act, provided there is a strong basis in evidence in support of such a race-based choice."

- 74. Each district must also be "contiguous and reasonably compact," under the criteria.
- 75. The criteria next require compliance with the Alabama Constitution, including that:
 - a. Districts are "drawn to reflect the democratic will of all the people concerning how their governments should be restructured";
 - b. Districts are drawn based on total population except that votingage population may be considered to comply with Section 2 of the Voting Rights Act and other laws;
 - c. The number of Senate districts is set at 35 and House districts at 105;
 - d. All districts must be single-member districts; and
 - e. All districts must be contiguous with each other.
- 76. The criteria require compliance with redistricting policies that are "embedded in the political values, traditions, customs, and usages of the State of

Alabama... to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama," including:

- a. Avoiding contests between incumbents where possible;
- b. Permitting contiguity by water but not point-to-point or long-lasso contiguity;
- c. Respect for "communities of interest, neighborhoods, and political subdivisions to the extent practicable," with a community of interest "defined as an area with recognized similarities of interests, including but not limited to ethnic, racial, economic, tribal, social, geographic, or historical identities."
- d. Minimization of the number of counties in each district; and
- e. Preservation of the cores of existing districts.
- 77. The Committee's Redistricting Guidelines stated that "In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling State interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria."

B. The 2021 Legislative Process for Redistricting

- 78. On August 12, 2021, the U.S. Census Bureau released the results of the 2020 Census.
 - 79. Alabama's population grew by 5.1% between 2010 and 2020.
- 80. Using population estimates from the Census Bureau, the Committee, under the leadership of Sen. McClendon and Rep. Pringle, began to develop redistricting plans for congressional districts in May of 2021. *See* Ala. Code § 29-2-50(2). Once census data was released in August, that work continued.
- 81. The Committee consists of members of both the State House and Senate, with the Speaker of the House appointing one House member from each of the seven congressional districts and four additional House members and the Lieutenant Governor appointing one Senator from each of the seven congressional districts and four additional Senators. *See* Ala. Code § 29-2-51(c).
- 82. The 2021 Reapportionment Committee includes 21 members—15 white Republican members and six Black Democratic members.
- 83. All Committee meetings must be open to the public. The Committee Guidelines provide that "All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments

redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established."

- 84. Between September 1 and 16, before the Committee released draft maps or proposals, the Legislative Reapportionment Office held 28 public hearings across the state.
- 85. Every hearing, except one that was held at 6:00 pm at the Statehouse in Montgomery, was held between the hours of 9:00 am to 5:00 pm.
- 86. On October 19, 2021, Plaintiffs the Alabama NAACP and Greater Birmingham Ministries and others sent a letter to the Alabama Permanent Committee on Reapportionment.
- 87. The letter sought to remind the Committee of obligations under Section 2 of the Voting Rights Act and highlighted what the Plaintiffs believed to be the Committee's obligation to conduct a racial-polarization analysis to ensure that the redistricting complied with the Voting Rights Act and that the race was used only in a narrowly tailored manner to comply with a compelling state interest.
- 88. Governor Kay Ivey called the Special Legislative Session on redistricting in Alabama to begin on October 28, 2021.
- 89. On October 26, 2021, the Committee held its second public meeting of this redistricting cycle. The first public meeting was held in May 2021, when the Committee adopted redistricting guidelines.

- 90. A member of the Committee, Rep. Chris England, a Black legislator, published the proposed maps on Twitter on October 25, 2021.
- 91. The Committee released the maps to the public on the day of the Committee meeting.
- 92. Many Committee members did not see the full proposed maps beyond their own districts and those surrounding their own district until the day before their meeting.
- 93. Beyond the Committee, the Committee Co-Chairs and their staff met with each incumbent legislator or their staff either in person or online unless the legislator declined to meet.
- 94. Individual legislators only viewed and provided feedback on draft maps of their districts and adjoining districts, not maps of the entire state.
- 95. Mr. Dorman Walker has been the Committee's lawyer for the 2011 and 2021 redistricting cycles.
- 96. Sen. McClendon explained that Mr. Walker told him that racial-polarization analysis was only done by Dr. M.V. "Trey" Hood III for state legislative districts where "it looked like there might possibly be a racial issue."
 - 97. No racial-polarization analysis was conducted for CD 7.
- 98. No racial-polarization analysis for any districts was provided to Committee members before or during the meeting.

- 99. Committee members only received demographic and population data for each district.
- 100. Neither Mr. Walker nor Dr. Hood, who conducted racial-polarization analysis for the state legislative districts, attended the Committee meeting.
- 101. Rep. Laura Hall, a Black legislator, moved to postpone any vote on the proposed maps until the Committee members and the public had more time to review the maps and accompanying racial-polarization analysis.
- 102. All the Black Democratic committee members voted in favor of Rep. Hall's motion, which failed because nearly all white Republican committee members voted against it.
 - 103. Each of the maps passed out of Committee.
- 104. All the Black Democratic members of the Committee voted against each of the maps.
- 105. The Special Legislative Session for redistricting began two days later, on October 28, 2021.
- 106. On October 29, 2021, the Alabama House State Government Committee met to discuss the Reapportionment Committee's proposed districting plan for Alabama's U.S. House delegation.
- 107. The Committee gave the congressional map a favorable report. All the Black Democratic members of the Committee voted against the maps.

- 108. On. November 1, the full House considered the congressional map.
- 109. The House passed the congressional map by a vote of 65-38.
- 110. On November 2, 2021, the Senate General Fund and Appropriations Committee considered the State House and congressional maps.
- 111. The Committee gave both maps a favorable report. All the Black members of the Committee, each of whom is a Democrat, voted against the maps.
- 112. The next day, November 3, 2021, the full Senate considered the congressional map.
- 113. Sen. Kirk Hatcher, a Black legislator, offered the demonstrative map prepared by Plaintiffs Greater Birmingham Ministries and the Alabama NAACP as a substitute map. He stated that this map sought to ensure "that all Black Alabamians have an opportunity to elect their preferred congressional representatives."
- 114. Sen. Hatcher's substitute map failed an up-or-down vote. All Black Senators voted in favor of it.
 - 115. The Senate tabled several other substitute maps.
 - 116. The Senate passed the congressional map by a vote of 22-7.
 - 117. All Black senators, each of whom is a Democrat, voted against the map.

VI. Other Stipulated Facts

- elections were racially polarized at the time and locations at issue in their respective cases. *See, e.g., Ala. State Conf. of NAACP v. Alabama*, No. 2:16-CV-731-WKW, 2020 WL 583803, at *17 (M.D. Ala. Feb. 5, 2020) (accepting the undisputed statistical evidence proving the existence of racially polarized voting statewide); *Jones v. Jefferson Cty. Bd. of Educ.*, No. 2:19-cv-01821-MHH, 2019 WL 7500528, at *2 (N.D. Ala. Dec. 16, 2019) (finding that voting is racially polarized in Jefferson County elections); *United States v. McGregor*, 824 F. Supp. 2d 1339, 1345-46 & n.3 (M.D. Ala. 2011) (finding that voting is racially polarized across Alabama).
- 119. In 2008, Bobby Bright, a white Democrat, was elected to the U.S. House from CD 2.
- 120. From 1973 until 2008, white Democrats were elected to the U.S. House from CD 5.
- 121. In the November 2008 election, Democrats won three of Alabama's seven Congressional districts. White Democrats won in Districts 2 and 5. In the same election, John McCain, a white Republican candidate for President, won a majority of the votes statewide and won the most votes in six of the seven Congressional districts, including Districts 2 and 5. Barack Obama, a Black Democrat, received a majority of votes only in District 7.

- 122. In 2013 and 2014, Burton LeFlore, a Black Democrat, ran for election to the U.S. House from CD 1, but both times LeFlore was defeated by Bradley Byrne, a white Republican, by wide margins.
- 123. In 2017, Doug Jones, a white Democrat, was elected to the U.S. Senate in Alabama.
- 124. In 2018, Black candidates for Lieutenant Governor, State Auditor, and the Public Service Commission lost statewide general elections to white candidates.
- 125. In the Twentieth century, Black Alabamians have never elected a Black person to Congress outside of the majority-Black CD 7, and only since 1992.
- 126. In congressional races in the current majority-white CDs 1, 2, and 3, Black candidates have never won election to Congress.
- 127. For example, in 2020 in District 1, white Republican candidate Rep. Bradley Byrne defeated Black Democratic candidate James Averhart by approximately 29 percentage points in a district that was approximately 25.7% BVAP. The same was true in 2018, with Rep. Byrne defeating Black and Black-preferred candidate Robert Kennedy Jr. by over 26 percentage points.
- 128. In 2020 in District 2, which is 30.6% BVAP, white Republican candidate Rep. Barry Moore defeated Black Democratic candidate Phyllis Harvey-Hall by over 30 percentage points. In 2018 in District two, white Republican

candidate Rep. Martha Roby defeated Democratic candidate Tabitha Isner by 23 percentage points.

- 129. In 2020 in District 3, which is 25.8% BVAP, white Republican candidate Rep. Mike Rogers defeated Black Democratic candidate Adia Winfrey by 35 percentage points. Similarly, in 2018, Rep. Rogers defeated Democratic candidate Mallory Hagan by over 27 percentage points.
- 130. Prior to 1960, the Legislature failed to reapportion for 50 years. As a result, Alabama's entire legislative apportionment scheme was struck down for violating the principle of one person, one vote. *Reynolds v. Sims*, 377 U.S. 533, 568 (1964). On remand, a three-judge court found that, in devising remedial maps to correct the malapportionment, the "Legislature intentionally aggregated predominantly Negro counties with predominantly white counties for the sole purpose of preventing the election of Negroes to [State] House membership." *Sims v. Baggett*, 247 F. Supp. 96, 108-109 (M.D. Ala. 1965).
- 131. Following *Reynolds* and the 1970 Census, the Legislature again failed to redistrict and a three-judge federal court was forced to draw new district lines. *Sims v. Amos*, 336 F. Supp. 924, 940 (M.D. Ala. 1972). The court rejected the Alabama Secretary of State's proposed map because of its racially "discriminatory effect" on Black voters. *Id.* at 936.

- 132. In the 1980s, the United States Attorney General denied preclearance under the Voting Rights Act to maps drawn by the Legislature to redistrict State House and Senate maps because of their discriminatory effect on Black voters in Jefferson County and the Black Belt. U.S. Dep't of Justice Ltr. to Ala. Attorney General Graddick, May 6, 1982, https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/AL-1520.pdf. Shortly thereafter, a three-judge court rejected Alabama's proposed interim remedial state maps in part because Alabama's maps "had the effect of reducing the number of 'safe' black districts" in and near Jefferson County. *Burton v. Hobbie*, 543 F. Supp. 235, 238 (M.D. Ala. 1982).
- 133. After the 1990 census, the State entered a consent decree to resolve a Voting Rights Act lawsuit filed on behalf of Black voters. *See Brooks v. Hobbie*, 631 So.2d 883, 884 (Ala. 1993).
- 134. Most recently, after the 2010 census, Black voters and legislators successfully challenged 12 state legislative districts as unconstitutional racial gerrymanders. *See Ala. Legis. Black Caucus v. Alabama*, 231 F. Supp. 3d 1026, 1348-49 (M.D. Ala. 2017).
- 135. Today, Alabama has a majority-vote requirement in all primary elections.

- After the passage of the Reconstruction Acts and Amendments, Alabama was forced to allow Black men access to the franchise, and the 1867 Alabama Constitution granted every male person over the age of 21—who satisfied the citizenship and residency requirements—the right to vote. This meant that for the first time in Alabama's history, Black people voted and held public office.
- 137. In response, white leaders reformed the Democratic party with the intent of "redeeming" the State and re-establishing white supremacy. This was accomplished by using violence to deter Black people from political participation and, once the Redeemers returned to political office, to pass racially discriminatory laws to cement their control.
- 138. In 1874, Democratic candidates were elected to public office in large numbers. On election day, in Eufaula, Alabama, members of a white paramilitary group known as the White League, killed several unarmed Black Republican voters and turned away thousands of voters from the polls.
- 139. The following year, in 1875, the Alabama legislature adopted a new state constitution and passed a series of local laws and ordinances designed to strip Black Americans of the civil rights they enjoyed briefly during Reconstruction.

- 140. At the 1901 Constitutional Convention, 155 white male delegates gathered in Montgomery with the express intention "to establish white supremacy in the State."
- 141. The Convention ratified changes to the constitution that required literacy tests as a prerequisite to register to vote and mandated payment of an annual \$1.50 poll tax, which was intended to and had the effect of disenfranchising Black voters. *United States v. Alabama*, 252 F. Supp. 95, 99 (M.D. Ala. 1966).
- 142. After the United States Supreme Court invalidated white-only primaries in 1944, Alabama passed the "Boswell Amendment" to its Constitution in 1946, adding an "understanding requirement" meant to give registrars broad discretion to deny African Americans the ability to register to vote.
- 143. After a federal court invalidated the Boswell Amendment in 1949, Alabama replaced its understanding requirement with a literacy test, again with the purpose of preventing African Americans from registering to vote.
- 144. After the Supreme Court outlawed the white primary in 1944, many Alabama counties shifted to at-large elections, the intent of which was to prevent African Americans from electing their candidates of choice.
- 145. In 1951, Alabama enacted a law prohibiting single-shot voting in municipal elections, the intent of which was to prevent African Americans from electing their candidates of choice.

- 146. In 1957, Alabama transformed the boundaries of the city of Tuskegee into a twenty-eight-sided figure designed to fence out African Americans from the city limits and ensure that only white residents could elect city officials. *Gomillion* v. *Lightfoot*, 364 U.S. 339 (1960).
- 147. In 1964 and 1965, Dallas County Sheriff Jim Clark, Alabama state troopers, and vigilantes violently assaulted peaceful Black protesters attempting to gain access to the franchise.
- 148. On March 7, 1965, in what became known as Bloody Sunday, state troopers viciously attacked and brutally beat unarmed peaceful civil rights activists crossing the Edmund Pettus Bridge in Selma, where less than 5 percent of Black voters were registered to vote. Bloody Sunday helped pave the way for the passage of the Voting Rights Act in 1965 and Alabama was declared a "covered" state under Section 4(b) of the Act.
- 149. Between 1965 and 2013, at least 100 voting changes proposed by Alabama state, county or city officials were either blocked or altered pursuant to Section 5 of the Voting Rights Act. No objection was raised after 2008. The objections include at least 16 objections between 1969 and 2008 in cases where a proposed state or local redistricting plan had the purpose or would have the effect of diminishing the ability of Black voters to elect their candidates of choice. The last sustained objection to an Alabama state law occurred in 1994.

- 150. In 1986, a court found that the state laws requiring numbered posts for nearly every at-large voting system in Alabama had been intentionally enacted to dilute Black voting strength, and that numbered posts had the effect of diluting Black voting strength in at-large elections. *Dillard v. Crenshaw Cty.*, 640 F. Supp. 1347, 1357 (1986). The court also found that from the late 1800s to the 1980s, Alabama had purposefully manipulated the method of electing local governments as needed to prevent Black citizens from electing their preferred candidates. *Id*.
- 151. Ultimately, a defendant class of 17 county commissions, 28 county school boards, and 144 municipalities were found to be employing at-large election systems designed and motivated by racial discrimination. These cases resulted in settlement agreements with about 180 Alabama jurisdictions that were required to adopt new election systems including single-member districts, limited voting, and cumulative voting systems, in an attempt to purge the state's election systems of intentional discrimination.
- 152. Between 1965 and 2021, subdivisions in Alabama continued to use atlarge elections with numbered posts.
- 153. Federal courts recently ruled against or altered local at-large voting systems with numbered post created by the State Legislature to address their alleged racially discriminatory purpose or effect. *See, e.g., Jones*, 2019 WL 7500528, at *4;

Ala. State Conf. of the NAACP v. City of Pleasant Grove, No. 2:18-cv-02056, 2019 WL 5172371, at *1 (N.D. Ala. Oct. 11, 2019).

- Voting Rights Act and the Constitution in federal court. See, e.g., People First of Alabama v. Merrill, 491 F. Supp. 3d 1076, 1106-1107 (N.D. Ala. 2020); Harris v. Siegelman, 695 F. Supp. 517, 530 (M.D. Ala. 1988). For example, the Supreme Court struck down Alabama's discriminatory misdemeanant disfranchisement law, Hunter v. Underwood, 471 U.S. 222 (1985), and a state law permitting certain discriminatory annexations, Pleasant Grove v. United States, 479 U.S. 462, 466-67 (1987).
- 155. In 2020, the United States District Court for the Middle District of Alabama held as follows in a case where plaintiffs argued that Section 2 of the Voting Rights Act requires Alabama to elect state appellate judges by districts:

Alabama today is a vastly different place than it was even a half-century ago. Overt discriminatory election devices have long been eliminated. Voter registration and turnout rates among African-Americans and whites have reached parity. . . . In 2017, Doug Jones became the first Democrat to win a U.S. Senate seat in Alabama in a quarter century, in an election in which African-American votes were decisive. Plaintiffs simply have not shown that, in present-day Alabama, there are any barriers keeping African Americans from participating in the political process as voters. The level of black participation in the electoral process is not depressed.

- 156. Alabama State Conf. of Nat'l Ass'n for Advancement of Colored People v. Alabama, No. 2:16-CV-731-WKW, 2020 WL 583803, at *41 (M.D. Ala. Feb. 5, 2020) (citations omitted).
- 157. Since the *Shelby County v. Holder* decision in 2013, federal courts have ordered more than one political subdivision in Alabama to be re-subjected to preclearance review under Section 3(c) of the Voting Rights Act. *See Jones*, 2019 WL 7500528, at *4-5; *Allen v. City of Evergreen*, No. 13-0107, 2014 WL 12607819, at *2 (S.D. Ala. Jan. 13, 2014).
 - 158. Individuals with lower household incomes are less likely to vote.
- 159. Alabama's policy of denying Black people equal access to education persisted after the Supreme Court's decision in *Brown v. Board of Education*. In 1956, after a federal court ordered the segregated University of Alabama to admit a Black woman named Autherine Lucy, white people gathered on campus, burned a cross, and marched through town chanting, "Hey, hey, ho, ho, Autherine has got to go!"
- 160. In 2018, in a case challenging the attempt by the City of Gardendale, which is 85% white, to form a school district separate from Jefferson County's more racially diverse district, the Eleventh Circuit affirmed a finding that "race was a motivating factor" in the city's effort. *Stout v. Jefferson Cnty. Bd. of Ed.*, 882 F.3d 988, 1007-1009 (11th Cir. 2018).

- 161. Alabama's constitution still contains language that mandates separate schools for Black and white students after a majority of voters rejected repeal attempts in 2004 and 2012, although the provision has not been enforceable for decades.
- 162. Alabama was the first state ever to be subjected to a statewide injunction prohibiting the state from failing to disestablish its racially dual school system. *Lee v. Macon Cty. Bd. of Ed.*, 267 F. Supp. 458 (M.D. Ala.), *aff'd* 389 U.S. 215 (1967). The order resulted from the court's finding that the State Board of Education, through Governor George Wallace, had previously wielded its powers to maintain segregation across the state. *Id.*
- 163. A trial court found that for decades, state officials ignored their duties under the statewide desegregation order. *See Lee v. Lee Cnty. Bd. of Educ.*, 963 F. Supp. 1122, 1128-30 (M.D. Ala. 1997). A court also found that the state did not satisfy its obligations to remedy the vestiges of segregation under this order until as late as 2007. *Lee v. Lee County Bd. of Educ.*, 476 F. Supp. 2d 1356 (M.D. Ala. 2007).
- 164. In 1991, a trial court in *Knight v. Alabama*, 787 F. Supp. 1030 (N.D. Ala. 1991), found that Alabama had failed to eliminate the lingering and continued effects of segregation and discrimination in the University of Alabama and Auburn University, and at the state's public Historically Black Colleges and Universities (HBCUs).

- 165. In 1995, the trial court issued a remedial decree analogous to the statewide injunction issued in *Lee v. Macon*, and the court oversaw implementation of that order for over a decade. *Knight v. State of Ala.*, 900 F. Supp. 272 (N.D. Ala. 1995). Alabama did not satisfy its obligations under that order until 2006. *Knight v. Alabama*, 469 F. Supp. 2d 1016 (N.D. Ala. 2006).
- 166. Alabama has never had more than one African-American congressional representative, and no African American has been elected to the U.S. House of Representatives outside of CD 7.
- 167. There are currently no African-American statewide officials in Alabama.
- 168. Only two African Americans have been elected to statewide office in Alabama, and both ran as incumbents after first being appointed. No Black person has won statewide office in Alabama since 1996.
- 169. The overwhelming majority of African-American representatives in the Alabama Legislature come from majority-minority districts.
- 170. None of the current statewide elected officials are Black. Only two Black people have ever been elected to statewide office. In both instances, the office was associate justice of the Alabama Supreme Court. In 1982 and 1988, the late Justice Oscar W. Adams, Jr. was elected to two consecutive terms; and, in 1994, Justice Ralph D. Cook won an unopposed statewide election. In 2000, both Justice

Cook and the then-recently appointed Justice John England, both Black Democrats, lost elections to white Republican candidates.

- 171. Kenneth Paschal is a Black Republican who currently represents District 73 in the Alabama House of Representatives. District 73 includes Shelby County. There are currently no Black Republicans in the state Senate or in any statewide elective positions.
- 172. In 2014, following the Supreme Court's decision in *Shelby County v. Holder*, Alabama's photo identification law went into effect.
- 173. The United States Bureau of the Census releases data to the states after each census for use in redistricting. This data includes population and demographic information for each census block.
- 174. Following the 2020 Census, the Census Bureau was statutorily required to release this redistricting data no later than April 1, 2021. 13 U.S.C. § 141. However, in February 2021, the Census Bureau issued a press release stating that it would not release the redistricting data until September 30, 2021. On March 10, 2021, the State of Alabama sued the Census Bureau to require it to comply with the statutory deadline. *See Alabama v. United States Dep't of Com.*, No. 3:21-CV-211-RAH-ECM-KCN, (M.D. Ala.) (three-judge court). On March 15, 2021, the Census Bureau issued a further press release stating it could provide

redistricting data in a legacy format by mid-to-late August 2021. The Census Bureau provided initial redistricting data to Alabama on August 12, 2021.

- 175. On May 5, 2021, the Reapportionment Committee of the Alabama Legislature passed the Redistricting Guidelines to be used by the Committee during the redistricting process. Those Guidelines passed on a 16-1 vote, with both Republicans and Democrats as well as Black and White legislators supporting the Guidelines.
- 176. The Reapportionment Committee held 28 public hearings at locations around the state between September 1 and September 16. The public could attend these hearings in person or via videoconference.
- 177. On October 25, 2021, Alabama Governor Kay Ivey officially called for the Legislature to convene in a special session to address redistricting.
- 178. On October 26, 2021, the Reapportionment Committee met and considered a draft congressional plan.
- 179. On October 28, 2021, the special session began and the Congressional Plan (then H.B. 1) was assigned to the House Committee on State Government. On October 29, the Congressional Plan (in addition to three other redistricting plans) was voted out of committee. All Black Representatives on the Committee voted against the map.

- 180. On November 1, the House of Representatives considered the Congressional Plan. The same day, the House passed the Congressional Plan 65-38; in addition to every Democratic Representative, several Republicans voted against the plan. One Black Representative, Rep. Keith Paschal who is the sole Black Republican legislator, voted in favor of the Congressional Plan.
- 181. On November 2, the Senate General Fund and Appropriations

 Committee considered the Congressional Plan. The Plan was voted out of

 Committee that same day. All Black Senators on the Committee voted against the map.
- 182. On November 3, the full Senate approved the Congressional Plan 22-7 and forwarded the Plan to Alabama Governor Kay Ivey. All six Black Senators present and Billy Beasley, the sole White Democratic Senator, voted against the map. On November 4, Governor Ivey signed the Congressional Plan into law.
- 183. Alabama's primary elections—including elections for U.S. Congress—are scheduled for May 24, 2022. Candidates seeking their party's nomination must file a declaration of candidacy with the state party chairman by January 28, 2022. *See* Ala. Code § 17-13-5(a).
- 184. On Tuesday, July 23, a special election was held to fill a vacancy in District 73 of the Alabama House of Representatives. The winner was Kenneth Paschal, the Republican candidate, who received 2,743 votes. Representative

Paschal is African American. His white Democratic opponent received 920 votes. District 73 is located in Shelby County, Alabama. Based on 2010 census data, the voting-age population of District 73 was 84.12% white and 9.75% black. Representative Paschal defeated a white Republican candidate in the primary election by 64 votes. Representative Paschal received 1,476 votes, while his white opponent received 1,412 votes.

DATED this 7th day of Dec. 2021.

Respectfully submitted,

/s/ Deuel Ross

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CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system which provides electronic notice of filing to all counsel of record.

This the 7th day of December 2021.

<u>/s/ Deuel Ross</u> COUNSEL FOR PLAINTIFFS

2021 Dec-27 PM 01:41 U.S. DISTRICT COURT N.D. OF ALABAMA

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF ALABAMA

EVAN MILLIGAN, et al.,)

CIVIL CASE NO.

Plaintiffs,) 2:21-CV-01530-AMM

VS.) VIDEO DEPOSITION OF:

JOHN MERRILL, et al.,) RANDY HINAMAN

Defendants.)

STIPULATIONS

IT IS STIPULATED AND AGREED, by and between the parties through their respective counsel, that the deposition of:

RANDY HINAMAN,

may be taken before LeAnn Maroney, Notary Public,
State at Large, at the law offices of Balch &
Bingham, 105 Tallapoosa Street, Montgomery,
Alabama, 36104, on December 9, 2021, commencing at
9:13 a.m.

Case 2:21-cv-01530-AMM Document 89-1 Filed 12/27/21 Page 29 of 141 Randy Hinaman

December 09, 2021

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Page 110
                                                                                                          Page 112
 1 made no changes to it, it was submitted to be drawn
                                                           1 have preferred sort of a whole county map with
 2 up into a bill and prepared to be presented at the
                                                           2 two -- I would call them influence districts.
 3 -- be sent out to the members of the reapportionment
                                                                            THE REPORTER: What districts?
                                                           3
 4 committee the following Monday and then voted on in
                                                           4 A.
                                                                           Influence districts
                                                                           Would that be the same as -- I've heard
 5 committee on Tuesday.
                                                           6 "opportunity district." Would "influence district"
 6 0.
                Were there any changes made to the map
 7 by the reapportionment committee?
                                                           7 and "opportunity district" be about the same?
 8 A.
                                                                           Yes, sir.
9 Q.
                Were there any changes made to the map
                                                           9
                                                             Q.
                                                                           And what's your understanding of what an
10 after it was submitted to the legislature?
                                                           10 influence district or opportunity district is?
11 A.
                                                                           It would be a district that would be
12 Q.
                So the version of the map that you
                                                           12 less than a majority of BVAP, but still have a
13 completed the week before the special session is
                                                          13 substantial population of minorities that could
14 identical to the version of the map that was
                                                           14 potentially impact the election of a candidate of
15 ultimately enacted that we've marked as Exhibit 5,
                                                          15 their choice.
16 Plaintiff's Exhibit 5, correct?
                                                          16 0.
                                                                           And when we say "minorities" here
17 A.
                Correct.
                                                          17 specifically, are we referring to the black voting
                Did you save any drafts of the 2021
18 Q.
                                                           18 age population?
                                                          19 A.
                                                                           Primarily here in Alabama, you would be
19 congressional map?
20 A.
                No, sir. The way Maptitude works is it
                                                             referring to the black voting age population.
                                                           20
21 just -- every time you make a change, it saves -- it
                                                                           So if in this case the court were to
22 saves the map at that point. So previous iterations
                                                           22 find that the maps do not comply with the Voting
23 don't -- don't really exist.
                                                           23 Rights Act or the 14th Amendment and they needed to
                                                           24 be modified, do you expect that you would be the one
24 Q.
                Did you print out any copies of any
25 drafts?
                                                           25 that would be asked to make those modifications?
                                               Page 111
                                                                                                         Page 113
 1 A.
                No.
                                                                           I don't have a crystal ball. I can't
 2 Q.
                 Do you have any notes that you took or
                                                           2 predict the future.
 3 used while drafting the 2021 congressional map?
                                                           3 0.
                                                                           Is that something that's covered in your
                No. I mean, I'm sure I had a scrap of
                                                           4 contract?
                                                           5 A.
 5 paper somewhere that said Congressman Moore would
                                                                           It is not.
 6 rather split Escambia and Congressman Carl would
                                                           6 0.
                                                                           If you were asked to modify the map to
 7 rather split Monroe. But they were -- all these
                                                           7 make changes to comply with the Voting Rights Act or
 8 things were so -- there were not very many of them.
                                                           8 the 14th Amendment, in that situation, do you have
9 There weren't too may. I didn't need notes to
                                                           9 any estimate about how long it would take you to do
                                                           10 that?
10 remember that.
11 0.
                Do you have any of those notes saved?
                                                          11 A.
                                                                           No. I mean, asked by whom?
12 A.
                                                           12 0.
                                                                           The Alabama state legislature, the
                 If you needed to modify the maps now, do
                                                          13 courts, Mr. Walker, any of us.
14 you have any estimate of about how long that would
                                                                           No. I mean, I -- conceptually, I guess
                                                          14 A.
                                                           15 that would depend on what the court deemed changes
15 take you to do?
16 A.
                                                          16 were.
                Modify in what way?
17 Q.
                For instance, are you familiar with what
                                                          17 Q.
                                                                           Is that something that you think you
                                                           18 could complete within a month?
18 this lawsuit is about?
                Well, it's three different lawsuits, if
                                                          19 A.
                                                                           I would hope so. I don't know.
19 A.
20 I understand it correctly.
                                                                           Is it something you think you could
                                                           20 O.
21 Q.
                What is your understanding of the three
                                                          21 complete within a week?
22 different lawsuits?
                                                                           You're asking me a hypothetical about
                 I think two of the -- well, two of the
                                                           23 something that hasn't happened, and I don't have a
24 lawsuits I think would have preferred two majority
                                                           24 clue what the changes would be.
25 black districts. And the Singleton lawsuit would
                                                           25 0.
                                                                           When you met with Congressman Sewell,
```

Table 4b. Reported Voting and Registration, by Sex, Race and Hispanic Origin, for States: November 2020 (In thousands)

1 1 1 1 1 1 1 1 1 1														
March Marc						Borcont	Registered	Borcont			Borcont	Voted	Borcont	1
1 1 1 1 1 1 1 1 1 1			Total	Total citizen	Total		Margin of		Margin of			Margin of		Margin of
March	STATE	Sex, Race, and Hispanic-Origin								Total voted				
Proceedings	US													0.4
## Wilson Company 1974 1968 1975 197														0.5
Manuscripton														0.3
March Marc														0.4
Margine of my rane Color														1.0
Week and any enterheader 1905 1906 1907 1908 1907 1907 1908 190														1.7
Bris donor or in promotion of 1477 13,777 12,731 14,75 15 16 16 16 17 14 14 17 17 17 17 17 17 17 17 17 17 17 17 17														0.4
MARCHANN 160 170														1.0
Color														1.6
Course 1,000 1,0	ALABAMA													3.3 4.8
Wilson Configuration 1,000														4.8
Marie Series 19														3.8
March Marc														3.9
Marganest of mark and 78 33 38 5 1 1 1 1 1 1 1 1 1														6.2
When a part Commence 1,000 1,0								B R						B
Account of the process of the proces								70.9						3.8
ALASSA TEGOL ALASSA Male ALE ALE ALE ALE ALE ALE ALE AL						61.0		61.0				6.2	54.9	6.2
March Marc								В						В
Ferritor 298	ALASKA													3.4 4.8
Whee scheme 36 36 36 36 37 37 37 37														4.8
Mass and core 17 18 31 9 8 8 8 18 19 9 9 9 9 9 9 9 9		White alone	345	343	265	76.7	3.7	77.3	3.7	243	70.3	4.0	70.9	4.0
Assertation 38 27 38 8 8 12 8 8 8 12 8 8 8 12 13 8 8 8 12 14 15 15 15 15 15 15 15	<u> </u>							77.5						
Method so for combination 22 27 23 8 8 8 17 8 8 1								В						B B
White states or is combinations 175 277 278 286 277 315 289 692 33 692														B B
Sets driver or in constitution 18													_	
MAGONA Total 5,588 5,975 3,878 68.8 2.5 76.4 2.5 3,609 64.7 2.6 73.9 73.9 73.0 73.		Black alone or in combination	18	17	12	В	В	В	В	8	В	В	В	В
March 2,788 2,465 1,786 65.5 3.8 7.24 3.7 1,905 60.6 3.5 7.5	40/704/4													
Female 2,809 2,609 2,009 72.3 3.4 80.3 3.2 1,500 69.9 3.5 75.5	ARIZONA													2.6 3.9
When shore Huganic shore - 1,466 - 1,367 - 1,3														3.4
Bisks alone 279 259 250 73.0 10.0 79.2 9.8 179 113 9.0 113 9.0 11 Assistant Property Pro														2.8
Marie Series 1,000														3.1
Highwar (of any receiv 1,000														11.3
White solore or in combination														15.1 5.8
Astan afone or in combination 228 177 130 578 133 735 134 127 562 134 775 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1														2.8
ARRANAS Total 228 2,195 1,381 596 3.4 62.0 3.4 1,186 51.9 3.4 54.0 Mole Holl 1,102 1,152 1,158 770 60.0 4.8 63.3 4.7 640 54.1 4.7 55.2 White one 1,867 1,868 1,199 1,100 3.7 63.3 4.7 640 54.1 4.7 55.2 White non-injunit alone 1,746 1,733 1,111 63.7 3.8 64.1 3.8 1988 36.7 3.9 57.0 White one on 1,746 1,733 1,111 63.7 3.8 64.1 3.8 1988 36.7 3.9 57.0 White one in combination 1,746 1,733 1,111 63.7 3.8 64.1 3.8 1988 36.7 3.9 57.0 White alone or in combination 1,946 1,841 1,132 1,134														9.8
Male 1,102 1,007 641 582 4.9 606 4.9 546 4.9 516 4.7 562 4.7 560 4.8 516 4.7 562 4.8 516 516														13.8
Fernals	AKKANSAS													3.5 5.0
White slore 1,867 1,868 1,198 1,198 1,10 3.7 63.0 3.7 1,014 5.43 3.8 56.1														4.8
Black alone 336 335 336 335 346 553 8.5 57.1 8.6 146 8.43 8.8 44.7			1,867				3.7	63.0				3.8		3.8
Miles alone 2e 18 14 8 8 8 11 8 8 8 11 8 8														3.9
Hispanic (of any race) 134 83 30 22.6 12.4 36.4 18.1 29 21.4 12.1 34.6 1								5/.1						8.6 B
White alone or in combination 1,900 1,144 1,153 607 3.7 62.6 3.7 1,023 5.38 3.7 55.5								36.4						17.9
Asian alone or in combination 25 19 16 8 8 8 8 8 12 8 8 8 8 8 8 8 8 8 8 8 8 8		White alone or in combination												3.8
CALIFORNIA Total 30,342 25,946 18,001 593 12 69.4 12 16,893 55.7 12 65.1						55.4		57.2					44.1	8.5
Male 14,786 12,580 8,469 578 1.7 66.0 1.7 6.00 1.7 6.00 1.7 6.00 1.7 6.00 1.7 6.00 1.7 6.00 1.7 6.00 1.0	CALIEODNIA					50 3		69.4					65.1	B 1.2
White alone 21,941 18,971 13,508 61,6 1.4 71.2 1.4 12,628 57,6 1.4 66,6	C LII OIIII													1.8
White non-Hispanic alone 12,090 11,685 9,133 75.5 1.6 78.2 1.6 8,711 72.1 1.7 74.6			15,556	13,366	9,452	60.8	1.6	70.7	1.6	8,882	57.1	1.6	66.5	1.7
Black alone 1,947 1,834 1,249 64.1 4.3 68.1 4.3 1,175 60.3 4.4 64.0														1.4
Mispanic (of any race) 3,958 2,491 491 2,8 629 3,1 2,370 46,7 2,8 59.9														1.7 4.4
Hispanic (of any race) 11,165 8,305 5,014 44.9 2.0 60.8 2.3 4,539 40.7 2.0 54.6														3.2
Black alone or in combination 2,139 2,021 1,371 641 4.1 6.78 4.1 1,295 605 4.2 64.1		Hispanic (of any race)	11,165	8,305	5,014	44.9	2.0	60.4	2.3	4,539	40.7	2.0	54.6	2.4
Asian alone or in combination 5,405 4,250 2,665 49.3 2.8 62.7 3.0 2,528 46.8 2.8 59.5														1.4
COLORADO														4.2 3.1
Male 2,254 2,076 1,452 64.4 4.2 70.0 4.2 1,355 66.1 4.3 65.3	COLORADO													3.0
White none			2,254	2,076	1,452	64.4	4.2	70.0	4.2	1,355	60.1	4.3	65.3	4.3
White non-Hispanic alone 3,267 3,220 2,396 73.3 3.2 74.4 3.2 2,316 70.9 3.3 71.9														4.1
Black alone 186 181 102 545 144 550 145 96 516 145 53.1 1														3.1
Asian alone 152 115 57 377 16.0 49.9 19.0 50 32.7 15.5 43.2 1														
White alone or in combination 4,123 3,858 2,801 679 3.0 72.6 3.0 2,658 64.5 3.1 68.9		Asian alone	152	115	57	37.7	16.0	49.9	19.0	50	32.7	15.5	43.2	18.8
Black alone or in combination 203 198 118 58.3 13.7 59.7 13.8 113 55.6 13.8 57.0 1														8.7
Asian alone or in combination 171 135 72 4.2 15.4 53.8 17.5 65 37.7 15.1 48.1 1 CONNECTICUT Total 2,777 2,524 1,850 66.6 3.2 73.3 3.2 1,681 60.5 3.3 66.6 Male 1,333 1,204 843 65.2 4.7 70.0 4.7 767 57.5 4.9 63.7 Female 1,444 1,320 1,008 69.8 4.3 76.3 4.2 91.5 63.4 4.6 69.3 White alone 2,197 2,043 1,543 70.2 3.5 75.5 3.4 1,392 63.4 4.6 69.3 White non-Hispanic alone 1,841 1,788 1,381 75.0 3.6 77.3 3.6 1,270 69.0 3.9 71.0 Black alone 323 282 192 59.5 9.4 66.3 9.5 184 56.8 9.4 65.2 Hispanic (of any race) 461 347 235 51.0 8.7 67.8 9.4 196 42.4 8.6 56.4 1 White alone or in combination 2,211 2,058 1,548 70.0 3.5 75.2 3.4 1,395 63.1 3.7 67.8 Black alone or in combination 2,211 2,058 1,548 70.0 3.5 75.2 3.4 1,395 63.1 3.7 67.8 Black alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Black alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Black alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Asian alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Asian alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Asian alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.8 9.4 64.5 Asian alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Asian alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Asian alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Asian alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.8 3.3 3.7 67.8 Melte 361 339 247 68.3 3.0 75.1 3.0 489 63.8 3.2 67.7 Male 361 339 247 68.3 3.5 75.5 3.5 348 64.4 3.8 69.5 White non-Hispanic alone 495 490 378 76.3 3.5 77.1 3.5 335 67.8 3.9 68.4														3.1 13.9
CONNECTICUT Total 2,777 2,524 1,850 66.6 3.2 73.3 3.2 1,681 60.5 3.3 66.6 Male 1,333 1,204 843 63.2 4.7 70.0 4.7 767 57.5 4.9 63.7 Female 1,444 1,320 1,008 69.8 4.3 76.3 4.2 915 63.4 4.6 69.3 White non-Hispanic lone 2,197 2,043 1,543 70.2 3.5 75.5 3.4 1,392 63.4 3.7 68.1 White non-Hispanic lone 1,841 1,788 1,381 75.0 3.6 1,73 3.6 1,270 69.0 3.9 71.0 Black alone 323 282 192 59.5 9.4 68.3 9.5 184 56.8 9.4 65.2 Hispanic (of any race) 461 347 235 51.0 8.7 67.8 9.4 196 42.4 8.6 56.														17.6
Female 1,444 1,320 1,008 69.8 4.3 76.3 4.2 915 63.4 4.6 69.3 White alone 2,197 2,043 1,543 70.2 3.5 75.5 3.4 1,392 63.4 3.7 68.1 White non-Hispanic alone 1,841 1,788 1,881 75.0 3.6 7.73 3.6 1,270 69.0 3.9 71.0 Black alone 323 282 192 59.5 9.4 68.3 9.5 184 56.8 9.4 65.2 Hispanic (of any race) 461 347 235 51.0 8.7 67.8 9.4 196 42.4 8.6 56.4 1 White alone or in combination 2,211 2,058 1,548 70.0 3.5 75.2 3.4 1,395 63.1 3.7 67.8 Black alone or in combination 2,211 2,058 1,548 70.0 3.5 75.2 3.4 1,395 63.1	CONNECTICUT	Total	2,777	2,524	1,850	66.6	3.2	73.3	3.2	1,681	60.5	3.3	66.6	3.4
White alone	-													5.0
White non-Hispanic alone 1,841 1,788 1,381 75.0 3.6 77.3 3.6 1,270 69.0 3.9 71.0														4.6
Black alone 323 282 192 595 9.4 68.3 9.5 184 56.8 9.4 66.2 Asian alone 216 158 96 44.4 12.0 60.5 13.7 90 41.6 11.9 56.6 1 Hispanic (of any race) 461 347 235 51.0 8.7 67.8 9.4 196 42.4 8.6 56.4 1 White alone or in combination 2,211 2,058 1,548 70.0 3.5 75.2 3.4 1,395 63.1 3.7 67.8 Black alone or in combination 326 285 195 599 9.3 66.6 9.4 184 56.3 9.4 64.5 Asian alone or in combination 216 158 96 44.4 12.0 60.5 13.7 90 41.6 11.9 56.6 1 DELAWARE Total 766 722 542 70.8 3.0 75.1 3.0 489 63.8 3.2 67.7 Male 361 339 247 68.3 4.5 72.8 4.4 223 61.6 4.7 65.7 Female 404 383 296 73.1 4.0 77.2 3.9 266 65.8 43 69.5 White alone 540 519 392 72.6 3.5 75.5 3.5 348 64.4 3.8 67.0 White non-Hispanic alone 495 490 378 76.3 3.5 77.1 3.5 335 67.8 3.9 68.4														3.7
Hispanic (of any race) 461 347 235 5.1.0 8.7 67.8 9.4 196 42.4 8.6 56.4 1 White alone or in combination 2,211 2,058 1,548 70.0 3.5 75.2 3.4 1,395 63.1 3.7 67.8 Black alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Asian alone or in combination 216 158 96 44.4 12.0 60.5 13.7 99 41.6 11.9 56.6 1 DELAWARE Total 766 722 542 70.8 3.0 75.1 3.0 489 63.8 3.2 67.7 Male 361 339 247 66.3 4.5 72.8 4.4 223 61.6 4.7 65.7 Female 404 383 296 73.1 4.0 77.2 3.9 266 65.8 4.3 69.5 White alone 540 519 392 72.6 3.5 75.5 3.5 348 64.4 3.8 67.0 White non-Hispanic alone 495 490 378 76.3 3.5 77.1 3.5 335 67.8 3.9 68.4			323	282		59.5	9.4	68.3	9.5	184	56.8	9.4		9.7
White alone or in combination 2,211 2,058 1,548 70.0 3.5 75.2 3.4 1,395 63.1 3.7 67.8 Black alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5 Asian alone or in combination 216 158 96 44.4 12.0 60.5 13.7 90 41.6 11.9 56.6 1 DELAWARE Total 766 72.2 542 70.8 3.0 75.1 3.0 489 63.8 3.2 67.7 Mele 361 339 247 68.3 4.5 72.8 4.4 223 61.6 47.7 65.7 Female 404 383 296 73.1 4.0 77.2 3.9 266 65.8 4.3 69.5 White alone 540 519 392 72.6 3.5 75.5 3.5 348 64.4 3.8														13.9
Black alone or in combination 326 285 195 59.9 9.3 68.6 9.4 184 56.3 9.4 64.5														10.0
Asian alone or in combination 216 158 96 44.4 12.0 60.5 13.7 90 41.6 11.9 56.6 1														3.7 9.7
DELAWARE Total 766 722 542 70.8 3.0 75.1 3.0 489 63.8 3.2 67.7 Male 361 339 247 68.3 4.5 72.8 4.4 223 61.6 4.7 65.7 Female 404 383 296 73.1 4.0 77.2 3.9 266 65.8 4.3 69.5 White alone 540 519 392 72.6 3.5 75.5 3.5 348 64.4 3.8 67.0 White non-Hispanic alone 495 490 378 76.3 3.5 77.1 3.5 335 67.8 3.9 68.4														13.9
Female 404 383 296 73.1 4.0 77.2 3.9 266 65.8 4.3 69.5 White alone 540 519 392 72.6 3.5 75.5 3.5 348 64.4 3.8 67.0 White non-Hispanic alone 495 490 378 76.3 3.5 77.1 3.5 335 67.8 3.9 68.4	DELAWARE	Total	766	722	542	70.8	3.0	75.1	3.0	489	63.8	3.2	67.7	3.2
White alone 540 519 392 72.6 3.5 75.5 3.5 348 64.4 3.8 67.0 White non-Hispanic alone 495 490 378 76.3 3.5 77.1 3.5 335 67.8 3.9 68.4														4.7
White non-Hispanic alone 495 490 378 76.3 3.5 77.1 3.5 335 67.8 3.9 68.4														4.3
														3.8
, Discussional 1/21 1041 1141 00:01 0:01 05:01 0:01 1001 01:/1 0:01 04:/1		Black alone	172	164	114	66.6	6.3	69.8	6.3	106	61.7	6.5	64.7	6.6

STATE	Sex, Race, and Hispanic-Origin	Total population	Total citizen population	Total registered	Percent registered (Total)	Margin of error 1	Percent registered (Citizen)	Margin of error 1	Total voted	Percent voted (Total)	Margin of error ¹	Percent voted (Citizen)	Margin of error ¹
	Asian alone	31	21	18	В	В	В	В	18	В	В	В	В
	Hispanic (of any race)	57	37	22	B	B	B		20	B	B	B	В
	White alone or in combination Black alone or in combination	554 181	531 171	404 121	73.0 67.2	3.5 6.1	76.1 70.9	3.4 6.1	359 112	64.8 62.0	3.7 6.3	67.6 65.3	3.7 6.4
	Asian alone or in combination	36	26	23	В	В	В	В	23	В	В	В	В
DISTRICT OF COLUMBIA	Total Male	576 264	534 245	464 209	80.5 79.0	2.7 4.1	86.9 85.1	2.4 3.7	448 200	77.8 75.7	2.8 4.3	84.0 81.5	2.6 4.0
	Female	312	288	255	81.7	3.6	88.4	3.1	248	79.5	3.7	86.0	3.3
	White alone	278	253	229	82.5	3.7	90.5	3.0	223	80.3	3.9	88.1	3.3
	White non-Hispanic alone Black alone	243 251	232 243	213 202	87.5 80.4	3.4 3.9	91.5 83.2	3.0 3.7	206 193	84.9 76.7	3.7 4.1	88.8 79.3	3.4 4.0
	Asian alone	36	27	25	В	В.	В	B.7	25	В	В.	73.3	В.
	Hispanic (of any race)	50	32	26	В	В	В		26	В	В	В	В
	White alone or in combination Black alone or in combination	285 256	259 248	234 207	82.3 80.6	3.7 3.8	90.4 83.3	3.0 3.7	228 197	80.2 76.9	3.8 4.1	88.0 79.5	3.3 4.0
	Asian alone or in combination	40	30	27	В	В	В	В	27	В	В	В	В
FLORIDA	Total	17,244	15,645	10,495 4,965	60.9 60.1	1.5	67.1	1.5	9,720 4,563	56.4	1.5	62.1	1.6
	Male Female	8,263 8,982	7,523 8,121	5,530	61.6	2.2	66.0 68.1	2.2	5,157	55.2 57.4	2.2	60.7 63.5	2.3
	White alone	13,675	12,515	8,468	61.9	1.7	67.7	1.7	7,887	57.7	1.7	63.0	1.7
	White non-Hispanic alone Black alone	9,553 2,652	9,374 2,344	6,676 1,533	69.9 57.8	1.9 3.7	71.2 65.4	1.9 3.8	6,260 1,375	65.5 51.8	2.0 3.8	66.8 58.7	2.0 3.9
	Asian alone	585	462	260	44.5	8.2	56.4	9.2	257	43.9	8.2	55.6	9.2
	Hispanic (of any race)	4,439	3,394	1,992	44.9	3.2	58.7	3.6	1,789	40.3	3.1	52.7	3.6
	White alone or in combination Black alone or in combination	13,843 2,819	12,675 2,504	8,569 1,624	61.9 57.6	1.7 3.6	67.6 64.9	1.7 3.7	7,982 1,460	57.7 51.8	1.7 3.6	63.0 58.3	1.7 3.8
	Asian alone or in combination	591	467	266	45.0	8.2	56.9	9.1	263	44.4	8.2	56.2	9.2
GEORGIA	Total	8,032	7,400	5,233	65.2	2.2	70.7	2.2	4,888	60.9	2.2	66.1	2.3
	Male Female	3,765 4,267	3,461 3,938	2,354 2,880	62.5 67.5	3.3 3.0	68.0 73.1	3.3 2.9	2,180 2,707	57.9 63.5	3.3 3.0	63.0 68.7	3.4 3.0
	White alone	4,785	4,521	3,297	68.9	2.8	72.9	2.7	3,079	64.3	2.9	68.1	2.9
	White non-Hispanic alone Black alone	4,239	4,194	3,152	74.3	2.8	75.1	2.8	2,947	69.5 62.6	2.9	70.3	2.9
	Black alone Asian alone	2,569 389	2,513 217	1,721 124	67.0 31.8	3.7 9.6	68.5 56.9	3.6 13.6	1,608 116	62.6 29.8	3.8 9.4	64.0 53.3	3.8 13.7
	Hispanic (of any race)	739	403	192	25.9	6.9	47.6	10.7	178	24.1	6.8	44.2	10.7
	White alone or in combination Black alone or in combination	4,857 2,702	4,593 2,597	3,351 1,776	69.0 65.7	2.7 3.6	73.0 68.4	2.7 3.6	3,127 1,657	64.4 61.3	2.8 3.7	68.1 63.8	2.8 3.7
	Asian alone or in combination	398	2,337	133	33.3	9.6	58.7	13.3	1,037	31.4	9.4	55.2	13.4
HAWAII	Total	1,056	980	673	63.8	3.3	68.7	3.3	630	59.7	3.3	64.3	3.4
	Male Female	509 546	481 499	333 340	65.4 62.3	4.6 4.6	69.3 68.2	4.6 4.6	313 317	61.5 57.9	4.7 4.6	65.2 63.5	4.8 4.7
	White alone	261	246	184	70.5	6.2	74.8	6.1	175	67.0	6.4	71.1	6.4
	White non-Hispanic alone	228	218	165	72.4	6.5	75.6	6.4	159	69.5	6.7	72.7	6.6
	Black alone Asian alone	18 489	18 436	15 291	59.5	B 4.8	66.7	B 4.9	11 268	54.8	B 4.9	61.4	5.0
	Hispanic (of any race)	71	66	35	33.3 B	4.0 B	В	4.3	30	54.0 B	4.3 B	B	3.0 B
	White alone or in combination	374	359	260	69.6	5.2	72.5	5.2	248	66.4	5.4	69.2	5.4
	Black alone or in combination Asian alone or in combination	25 613	25 561	15 377	B 61.4	4.3	67.2	8 4.3	11 351	57.3	B 4.3	62.7	8 4.4
IDAHO	Total	1,370	1,299	900	65.7	3.1	69.3	3.1	843	61.6	3.2	64.9	3.2
	Male	679	643	434	63.9	4.5	67.5	4.5 4.3	410	60.4	4.5 4.5	63.8	4.6 4.5
	Female White alone	691 1,279	656 1,227	466 857	67.5 67.0	4.3 3.2	71.1 69.8	3.2	433 806	62.7 63.0	3.3	66.0 65.6	3.3
	White non-Hispanic alone	1,130	1,119	800	70.8	3.3	71.5	3.3	755	66.8	3.4	67.5	3.4
	Black alone Asian alone	10 22	7 12	7	B B	B B	B B	B B	4	B B	B B	B B	B B
	Hispanic (of any race)	166	119	63	38.1	9.5	53.2	11.6	55	33.1	9.3	46.3	11.6
	White alone or in combination	1,303	1,252	873	67.0	3.2	69.8	3.1	822	63.0	3.2	65.6	3.2
	Black alone or in combination Asian alone or in combination	16 22	13 12	7	B B	B B	B B	B B	5	B B	B B	B B	B B
ILLINOIS	Total	9,658	8,860	6,590	68.2	2.0	74.4	1.9	6,058	62.7	2.0	68.4	2.0
	Male Female	4,671 4,987	4,281 4,579	3,098 3,492	66.3 70.0	2.8	72.4 76.3	2.8 2.6	2,876 3,182	61.6 63.8	2.9	67.2 69.5	3.0 2.8
	White alone	7,551	7,015	5,303	70.0	2.7	75.6	2.5	3,182 4,849	64.2	2.8	69.5	2.8
	White non-Hispanic alone	6,218	6,075	4,826	77.6	2.2	79.4	2.1	4,429	71.2	2.4	72.9	2.4
	Black alone Asian alone	1,335 643	1,270 452	861 331	64.5 51.5	5.2 8.0	67.8 73.3	5.2 8.4	811 313	60.7 48.7	5.3 8.0	63.8 69.3	5.3 8.8
	Hispanic (of any race)	1,421	1,016	532	37.4	5.5	73.3 52.4	6.8	475	33.4	5.4	46.8	6.8
	White alone or in combination	7,600	7,064	5,331	70.1	2.2	75.5	2.1	4,873	64.1	2.3	69.0	2.3
	Black alone or in combination Asian alone or in combination	1,382 652	1,317 461	895 340	64.8 52.2	5.1 7.9	67.9 73.8	5.1 8.3	839 322	60.7 49.4	5.2 7.9	63.7 69.9	5.2 8.7
INDIANA	Total	5,096	4,921	3,412	67.0	2.7	69.3	2.7	3,002	58.9	2.8	61.0	2.8
	Male Female	2,463 2,633	2,375 2,546	1,632 1,781	66.2 67.6	3.9 3.7	68.7 69.9	3.9 3.7	1,408 1,594	57.2 60.5	4.1 3.9	59.3 62.6	4.1 3.9
	White alone	4,318	4,219	2,967	68.7	2.9	70.3	2.9	2,601	60.2	3.9	61.7	3.9
	White non-Hispanic alone	4,122	4,107	2,904	70.5	2.9	70.7	2.9	2,546	61.8	3.1	62.0	3.1
	Black alone Asian alone	473 178	467 114	306 76	64.7 42.5	8.6 14.9	65.5 66.1	8.6 17.8	281 68	59.5 38.5	8.8 14.7	60.2 59.9	8.8 18.4
	Asian alone Hispanic (of any race)	225	114	76	42.5 32.1	13.3	53.5	17.8	60	38.5 26.4	14.7	44.0	18.4
	White alone or in combination	4,420	4,315	3,010	68.1	2.9	69.8	2.9	2,632	59.5	3.0	61.0	3.0
	Black alone or in combination Asian alone or in combination	532 189	520 125	333 76	62.7 40.0	8.2 14.4	64.2 60.3	8.2 17.6	299 68	56.3 36.3	8.4 14.1	57.6 54.7	8.5 17.9
IOWA	Total	2,361	2,293	1,742	73.8	3.1	76.0	3.0	1,618	68.5	3.2	70.5	3.2
	Male	1,167	1,133	853	73.2	4.4	75.3	4.3	785	67.3	4.6	69.2	4.6
	Female White alone	1,194 2,160	1,160 2,125	888 1,630	74.4 75.4	4.3 3.1	76.6 76.7	4.2 3.1	833 1,521	69.7 70.4	4.5 3.3	71.8 71.5	4.5 3.3
	White non-Hispanic alone	2,068	2,050	1,603	77.5	3.1	78.2	3.1	1,496	72.3	3.3	73.0	3.3
	Black alone	95	87	55	58.6	16.4	63.5	16.6	40	42.6	16.4	46.2	17.2
	Asian alone Hispanic (of any race)	77 108	52 90	36 42	B 39.1	B 16.6	B 46.8	B 18.6	36 40	B 37.0	B 16.5	B 44.2	B 18.5
	White alone or in combination	2,176	2,141	1,645	75.6	3.1	76.9	3.1	1,536	70.6	3.3	71.8	3.3
	Black alone or in combination	110	103	71	64.4	14.7	69.0	14.7	56	50.7	15.4	54.2	15.9
KANSAS	Asian alone or in combination Total	80 2,157	55 1,975	39 1,398	64.8	B 3.5	70.8	B 3.5	39 1,297	60.1	B 3.6	65.7	B 3.7
	Male	1,057	969	667	63.1	5.1	68.9	5.1	621	58.7	5.2	64.0	5.3
	Female White alone	1,101	1,006	731	66.4	4.9	72.7	4.8	676	61.4	5.1	67.2	5.1
		1,867	1,749	1,263	67.7	3.7	72.2	3.7	1,181	63.3	3.8	67.5	3.9

		l .			Percent	Marain of	Percent	Mannin of		Percent	Marris of	Percent	Manain of
STATE	Sex, Race, and Hispanic-Origin	Total population	Total citizen population	Total registered	registered (Total)	Margin of error ¹	registered (Citizen)	Margin of error ¹	Total voted	voted (Total)	Margin of error ¹	voted (Citizen)	Margin of error ¹
	Black alone Asian alone	106 86	97 54	69 13	65.4 B	15.2 B	71.4 B	15.1	59 11	55.8 B	15.9 B	61.0	16.3
	Hispanic (of any race)	317	210	108	34.1	9.6	51.5	12.4	96	30.1	9.3	45.5	12.4
	White alone or in combination Black alone or in combination	1,916 121	1,798 112	1,298 82	67.7 67.9	3.7 14.0	72.2 73.3	3.6 13.7	1,216 72	63.5 59.6	3.8 14.7	67.6 64.3	3.8 14.9
	Asian alone or in combination	87	55	14	В	В	В	В	12	В	В	В	В
KENTUCKY	Total Male	3,384 1,616	3,227 1,524	2,450 1,159	72.4 71.7	3.2 4.6	75.9 76.0	3.1 4.5	2,210 1,057	65.3 65.4	3.4 4.9	68.5 69.4	3.4 4.9
	Female	1,768	1,703	1,291	73.0	4.4	75.8	4.3	1,153	65.2	4.7	67.7	4.7
	White alone White non-Hispanic alone	2,994 2,845	2,888 2,831	2,194 2,165	73.3 76.1	3.3 3.3	76.0 76.5	3.3 3.3	1,997 1,971	66.7 69.3	3.6 3.6	69.1 69.6	3.5 3.6
	Black alone Asian alone	259 46	224 31	167 24	64.5 B	11.7	74.6 B	11.5 B	140 24	54.0 B	12.2 B	62.5 B	12.7 B
	Hispanic (of any race)	163	60	30	В	B B	В	В	26	В	В	В	В
	White alone or in combination Black alone or in combination	3,063 306	2,957 271	2,243 198	73.2 64.7	3.3 10.8	75.8 73.0	3.2 10.6	2,035 161	66.4 52.5	3.5 11.2	68.8 59.3	3.5 11.8
	Asian alone or in combination	49	35	24	04.7 B	10.8 B	73.0 B	10.0 B	24	32.3 B	B	35.3 B	11.0 B
LOUISIANA	Total Male	3,438 1,618	3,299 1,557	2,286 1,073	66.5 66.3	3.2 4.6	69.3 68.9	3.2 4.6	2,041 959	59.4 59.3	3.3 4.8	61.9 61.6	3.3 4.9
	Female	1,820	1,742	1,214	66.7	4.4	69.7	4.3	1,082	59.5	4.5	62.1	4.6
	White alone White non-Hispanic alone	2,212 2,048	2,120 2,022	1,486 1,426	67.2 69.6	3.9 4.0	70.1 70.5	3.9 4.0	1,362 1,309	61.6 63.9	4.1 4.2	64.2 64.7	4.1 4.2
	Black alone	1,068	1,048	720	67.5	5.4	68.7	5.4	607	56.9	5.7	57.9	5.7
	Asian alone Hispanic (of any race)	84 210	57 131	23 84	B 40.0	B 13.9	64.3	B 17.3	23 72	B 34.3	B 13.5	55.1	B 17.9
	White alone or in combination	2,261	2,169	1,524	67.4	3.9	70.3	3.9	1,396	61.8	4.0	64.4	4.1
	Black alone or in combination Asian alone or in combination	1,092 90	1,072 63	737 29	67.5 B	5.3 B	68.8 B	5.3 B	624 26	57.2 B	5.6 B	58.2 B	5.7 B
MAINE	Total Male	1,087 523	1,075 515	832 383	76.5 73.2	3.2 4.8	77.4 74.3	3.2 4.8	766 351	70.5 67.2	3.4 5.1	71.3 68.2	3.4 5.1
	Female	564	560	449	79.5	4.2	80.2	4.2	415	73.5	4.6	74.1	4.6
	White alone White non-Hispanic alone	1,036 1,027	1,031 1,022	803 798	77.5 77.7	3.2 3.2	77.9 78.1	3.2 3.2	739 734	71.3 71.5	3.5 3.5	71.7 71.8	3.5 3.5
	Black alone	13	8	4	В	В	В	В	4	В	В	В	В
	Asian alone Hispanic (of any race)	10 11	7 11	6 7	B B	B B	B B	B B	6 7	B B	B B	B B	B B
	White alone or in combination	1,058	1,053	818	77.3	3.2	77.7	3.2	752	71.1	3.5	71.4	3.5
	Black alone or in combination Asian alone or in combination	15 18	10 15	6 12	B B	B B	B B		6 12	B B		B B	B B
MARYLAND	Total	4,606	4,303	3,383	73.4	2.7	78.6	2.6	3,166	68.7	2.9	73.6	2.8
	Male Female	2,199 2,407	2,052 2,251	1,517 1,865	69.0 77.5	4.1 3.6	73.9 82.9	4.0 3.3	1,430 1,737	65.0 72.2	4.2 3.8	69.7 77.2	4.2 3.7
	White alone	2,757 2,487	2,650 2,469	2,069 1,934	75.0 77.8	3.4	78.1 78.3	3.4	1,917 1,786	69.5 71.8	3.7 3.8	72.3	3.6 3.8
	White non-Hispanic alone Black alone	1,421	1,289	1,934	71.9	3.5 4.8	78.3 79.3	3.5 4.5	971	68.3	4.9	72.3 75.3	4.8
	Asian alone Hispanic (of any race)	302 323	239 195	166 150	55.0 46.2	11.8 12.1	69.7 76.7	12.2 13.2	153 145	50.6 44.9	11.8 12.1	64.1 74.4	12.8 13.6
	White alone or in combination	2,840	2,732	2,151	75.7	3.4	78.7	3.3	1,999	70.4	3.6	73.2	3.5
	Black alone or in combination Asian alone or in combination	1,482 337	1,350 273	1,083 201	73.1 59.7	4.6 11.0	80.2 73.5	4.3 11.0	1,032 187	69.6 55.6	4.8 11.1	76.4 68.6	4.6 11.5
MASSACHUSETTS	Total	5,514	4,897	3,546	64.3	2.6	72.4	2.6	3,249	58.9	2.7	66.3	2.7
	Male Female	2,642 2,872	2,311 2,586	1,656 1,891	62.7 65.8	3.8 3.6	71.6 73.1	3.8 3.5	1,505 1,744	57.0 60.7	3.9 3.7	65.1 67.4	4.0 3.7
	White alone	4,429	4,140	3,174	71.7	2.8	76.7	2.7	2,936	66.3	2.9	70.9	2.9
	White non-Hispanic alone Black alone	3,953 489	3,799 390	2,949 165	74.6 33.6	2.8 8.3	77.6 42.2	2.8 9.7	2,749 142	69.6 29.0	3.0 8.0	72.4 36.4	3.0 9.5
	Asian alone	415	244	139	33.5	9.3	57.1	12.7	109	26.3	8.7	44.9	12.8
	Hispanic (of any race) White alone or in combination	636 4,597	449 4,251	271 3,233	42.6 70.3	8.3 2.7	60.4 76.1	9.8 2.7	227 2,988	35.8 65.0	8.1 2.9	50.7 70.3	10.0 2.9
	Black alone or in combination Asian alone or in combination	640 433	484 262	211 157	32.9 36.3	7.2 9.3	43.5 60.1	8.8 12.1	181 128	28.3 29.4	6.9 8.8	37.4 48.7	8.5 12.4
MICHIGAN	Total	7,790	7,467	5,513	70.8	2.1	73.8	2.1	4,994	64.1	2.2	66.9	2.2
	Male Female	3,795 3,995	3,616 3,851	2,648 2,865	69.8 71.7	3.1 2.9	73.2 74.4	3.0 2.9	2,378 2,616	62.7 65.5	3.2 3.1	65.8 67.9	3.2 3.1
	White alone	6,269	6,118	4,568	72.9	2.3	74.7	2.3	4,144	66.1	2.5	67.7	2.5
	White non-Hispanic alone Black alone	5,922 1,021	5,865 984	4,408 713	74.4 69.8	2.3 5.6	75.2 72.4	2.3 5.6	3,997 628	67.5 61.5	2.5 6.0	68.2 63.8	2.5 6.0
	Asian alone	281	145	72	25.7	10.5	49.6	16.8	65	23.3	10.2	45.1	16.7
	Hispanic (of any race) White alone or in combination	406 6,374	302 6,223	178 4,649	43.9 72.9	10.6 2.3	58.9 74.7	12.2 2.3	165 4,225	40.7 66.3	10.5 2.4	54.7 67.9	12.3 2.4
	Black alone or in combination Asian alone or in combination	1,091 309	1,054 173	773 90	70.9 29.3	5.4 10.5	73.3 52.1	5.3 15.3	684 84	62.7 27.1	5.7 10.2	64.9 48.3	5.8 15.3
MINNESOTA	Asian alone or in combination Total	4,339	4,142	3,436	79.2	2.5	82.9	2.4	3,225	74.3	2.7	77.9	2.7
	Male Female	2,149 2,190	2,051 2,091	1,690 1,746	78.6 79.7	3.6 3.5	82.4 83.5	3.5 3.3	1,575 1,649	73.3 75.3	3.9 3.8	76.8 78.9	3.8 3.7
	White alone	3,744	3,678	3,086	82.4	2.6	83.9	2.5	2,918	77.9	2.8	79.3	2.8
	White non-Hispanic alone Black alone	3,573 260	3,555 197	2,990 139	83.7 53.5	2.5 12.2	84.1 70.5	2.5 12.8	2,840 130	79.5 50.2	2.8 12.2	79.9 66.1	2.8 13.3
	Asian alone	179	115	91	51.2	15.2	79.4	15.3	74	41.3	15.0	64.0	18.2
	Hispanic (of any race) White alone or in combination	209 3,816	156 3,750	116 3,146	55.8 82.5	14.8 2.5	74.7 83.9	15.0 2.5	98 2,979	46.8 78.1	14.9 2.8	62.7 79.4	16.7 2.7
	Black alone or in combination	299	236	170	56.9	11.3	72.0	11.5	161	54.0	11.4	68.3	11.9
MISSISSIPPI	Asian alone or in combination Total	191 2,212	127 2,177	104 1,749	54.3 79.1	14.6 2.8	81.4 80.4	14.0 2.7	86 1,531	45.1 69.2	14.6 3.2	67.5 70.3	16.8 3.2
	Male	1,029	1,015	792	76.9	4.2	78.0	4.2	680	66.1	4.8	67.0	4.8
	Female White alone	1,182 1,350	1,162 1,337	957 1,054	81.0 78.1	3.7 3.6	82.4 78.8	3.6 3.6	850 921	71.9 68.3	4.2 4.1	73.2 68.9	4.2 4.1
	White non-Hispanic alone	1,300	1,295	1,026	78.9	3.6	79.2	3.6	904	69.5	4.1	69.8	4.1
	Black alone Asian alone	792 37	787 20	654 9	82.5 B	4.2 B	83.1 B	4.1 B	573 8	72.3 B	4.9 B	72.8 B	4.9 B
	Hispanic (of any race)	67	53	34	В	В	В	В	23	В	В	В	В
	White alone or in combination Black alone or in combination	1,375 805	1,363 799	1,079 666	78.5 82.8	3.6 4.1	79.2 83.4	3.5 4.1	942 582	68.5 72.4	4.0 4.9	69.1 72.9	4.0 4.8
MICCOLIN	Asian alone or in combination	41	24	13	В	В	В	В	11	В	В	В	В
	Total	4,637	4,475	3,388	73.1	2.7	75.7	2.7	2,990	64.5	2.9	66.8	2.9
MISSOURI	Male	2,205	2,136	1,556	70.5	4.0	72.9	4.0 3.5	1,361	61.7	4.3	63.7	4.3 4.0

STATE	Sex, Race, and Hispanic-Origin	Total population	Total citizen population	Total registered	Percent registered (Total)	Margin of error ¹	Percent registered (Citizen)	Margin of error ¹	Total voted	Percent voted (Total)	Margin of error ¹	Percent voted (Citizen)	Margin of error ¹
	White non-Hispanic alone	3,687	3,664	2,816	76.4	2.9	76.8	2.9	2,488	67.5	3.2	67.9	3.2
	Black alone Asian alone	518 138	507 64	373 38	72.1	7.8 B	73.6	7.8 B	351 38	67.8 B	8.2 B	69.2	8.1 B
	Hispanic (of any race)	232	178	127	54.8	14.2	71.3	14.7	95	40.9	14.0	53.3	16.3
	White alone or in combination	3,941	3,873	2,963	75.2	2.9	76.5	2.8	2,588	65.7	3.1	66.8	3.1
	Black alone or in combination Asian alone or in combination	552 146	533 72	381 46	69.0 B	7.8 B	71.4	7.8 B	351 46	63.6 B	8.1 B	65.8 B	8.2 B
MONTANA	Total	836	827	641	76.6	2.6	77.5	2.6	607	72.6	2.8	73.5	2.8
	Male	415	411	322	77.8	3.7	78.4	3.6	299	72.0	4.0	72.5	3.9
	Female White alone	422 772	415 765	318 597	75.5 77.3	3.8 2.7	76.7 78.0	3.7 2.7	309 572	73.2 74.0	3.9 2.8	74.4 74.7	3.8
	White non-Hispanic alone	757	765	584	77.2	2.7	77.8	2.7	560	74.0	2.8	74.7	
	Black alone	4	4	2	В		В	В	2	В	В	В	
	Asian alone	10		4	В	В	В	В	4	В	В	В	В
	Hispanic (of any race) White alone or in combination	20 791	19 784	15 609	77.0	B 2.7	77.7	B 2.7	14 582	73.6	2.8	74.3	B 2.8
	Black alone or in combination	6	6	4	77.0 B	2.7 B	77.7	2.7 B	302	73.0 B	2.0 B	74.3 B	2.0 B
	Asian alone or in combination	13		5	В	В	В	В	5	В	В	В	В
NEBRASKA	Total Male	1,435 708	1,369 674	971 464	67.7 65.6	3.4 4.9	70.9 68.9	3.4 4.9	892 421	62.2 59.6	3.5 5.0	65.2 62.5	3.5
	Female	708	695	507	69.7	4.9	73.0	4.9	471	64.7	4.8	67.8	3.1
	White alone	1,301	1,255	903	69.4	3.5	71.9	3.5	826	63.5	3.6	65.8	3.7
	White non-Hispanic alone	1,205	1,202	877	72.7	3.5	72.9	3.5	801	66.5	3.7	66.6	
	Black alone Asian alone	80 26	71 17	45	B B	B B	B B	B B	44 9	B B	B B	B B	B B
	Asian alone Hispanic (of any race)	26 98		28	B B	В	B B	B B	27	B B	<u>В</u>	В	В
	White alone or in combination	1,307	1,261	907	69.4	3.5	71.9	3.5	830	63.5	3.6	65.8	
	Black alone or in combination	82		47	В	В	В	В	46	В	В	В	
NEVADA	Asian alone or in combination Total	26 2,402	17 2,198	9 1,455	60.6	B 3.2	66.2	B 3.3	9 1,351	56.3	B 3.3	61.5	B 3.4
	Male	1,192	1,088	698	58.6	4.6	64.1	4.7	649	54.5	4.7	59.7	4.8
	Female	1,210	1,110	757	62.6	4.5	68.2	4.5	702	58.0	4.6	63.2	4.7
	White alone	1,691	1,561	1,072	63.4	3.8	68.6	3.8	1,013	59.9	3.9	64.9	3.9
	White non-Hispanic alone Black alone	1,211 233	1,187 232	868 155	71.7 66.5	4.2 9.6	73.1 66.8	4.2 9.6	827 136	68.3 58.2	4.3 10.0	69.7 58.5	4.3
	Asian alone	230	195	136	59.0	10.4	69.7	10.5	134	58.4	10.4	68.9	
	Hispanic (of any race)	654	515	268	41.0	6.5	52.0	7.5	239	36.6	6.4	46.4	7.5
	White alone or in combination	1,815 259	1,652 258	1,113 167	61.4 64.6	3.7 9.2	67.4 64.9	3.7 9.2	1,050 146	57.9 56.3	3.8 9.6	63.6 56.6	3.8 9.6
	Black alone or in combination Asian alone or in combination	259	238	146	57.8	10.0	67.2	10.2	146	57.2	10.0	66.5	10.3
NEW HAMPSHIRE	Total	1,101	1,077	843	76.6	2.9	78.3	2.8	797	72.4	3.0	74.0	3.0
	Male	542	531	401	74.1	4.3	75.5	4.2	375	69.2	4.5	70.5	4.5
	Female White alone	559 1,030	546 1,015	442 813	78.9 78.9	3.9 2.9	80.9 80.0	3.8 2.8	423 771	75.5 74.8	4.1 3.1	77.4 75.9	4.1
	White non-Hispanic alone	1,000	993	799	79.8	2.9	80.5	2.8	758	75.8	3.1	76.4	
	Black alone	20	20	4	В	В	В	В	4	В	В	В	
	Asian alone	27	17	9	В	В	В	В	8	В	В	В	
	Hispanic (of any race) White alone or in combination	38 1,045	31 1,030	19 823	78.8	B 2.9	79.9	B 2.8	14 782	B 74.8	3.0	75.9	B 3.0
	Black alone or in combination	32		14	7 О.О	В	73.3	В.	14	В	B	73.3	B.0
	Asian alone or in combination	27	17	9	В	В	В	В	8	В	В	В	
NEW JERSEY	Total Male	6,801 3,281	5,921 2,814	5,008 2,366	73.6 72.1	3.2	84.6 84.1	1.9 2.8	4,638 2,193	68.2 66.8	2.3	78.3 77.9	
	Female	3,520	3,107	2,300	75.0	3.0	85.0	2.6	2,193	69.5	3.4	77.9	
	White alone	4,900	4,462	3,826	78.1	2.4	85.7	2.1	3,543	72.3	2.6	79.4	
	White non-Hispanic alone	3,755	3,636	3,134	83.5	2.5	86.2	2.3	2,950	78.6	2.7	81.1	
	Black alone Asian alone	994 810	850 524	658 443	66.2 54.7	5.9 7.1	77.5 84.5	5.6 6.4	606 408	60.9 50.4	6.1 7.1	71.3 77.9	6.1
	Hispanic (of any race)	1,347	996	817	60.7	5.7	82.0	5.2	719	53.4	5.8	72.1	6.1
	White alone or in combination	4,971	4,520	3,884	78.1	2.4	85.9	2.1	3,602	72.5	2.6	79.7	2.5
	Black alone or in combination Asian alone or in combination	1,064 816	907 530	716 449	67.2 55.1	5.6 7.0	78.9 84.7	5.3 6.3	663 414	62.3 50.8	5.8 7.1	73.1 78.1	5.8
NEW MEXICO	Total	1,610	1,498	1,028	63.9	3.0	68.6	3.0	938	58.3	3.1	62.6	3.2
	Male	784	732	495	63.1	4.4	67.6	4.4	450	57.4	4.5	61.4	4.6
	Female	826	766	533	64.5	4.2	69.5	4.2	488	59.2	4.3	63.7	4.4
	White alone White non-Hispanic alone	1,340 745	1,249 741	881 578	65.7 77.5	3.3	70.5 78.0	3.3 3.9	812 542	60.6 72.7	3.4 4.1	65.0 73.1	
	Black alone	34		24	77.3 B	3.5 B	78.0 B	3.5 B	21	72.7 B	4.1 B		4.1 B
	Asian alone	28	15	12	В	В	В	В	12	В	В	В	В
	Hispanic (of any race) White alone or in combination	636 1,384	539 1,288	323 911	50.7 65.8	5.3 3.2	59.9 70.7	5.6 3.2	290 840	45.6 60.7	5.2 3.3	53.8 65.2	
	Black alone or in combination	1,384		34	05.8 B	3.2 B	70.7 B	3.2 B	29	60.7 B	3.3 B	05.2 B	
	Asian alone or in combination	38	25	22	В	В	В	В	22	В	В	В	В
NEW YORK	Total	15,105		9,370	62.0	1.6	70.5	1.7	8,609	57.0	1.7	64.7	1.7
	Male Female	7,164 7,941	6,216 7,082	4,309 5,061	60.1 63.7	2.4	69.3 71.5	2.4	3,936 4,673	54.9 58.8	2.5	63.3 66.0	
	White alone	10,551	9,556	6,933	65.7	1.9	72.5	1.9	6,443	61.1	2.0	67.4	
	White non-Hispanic alone	8,764	8,365	6,188	70.6	2.0	74.0	2.0	5,775	65.9	2.1	69.0	2.1
	Black alone	2,554	2,329 1,019	1,598	62.6	3.8 5.1	68.6	3.8	1,459	57.1 34.5	3.9	62.7	
	Asian alone Hispanic (of any race)	1,533 2,330	1,019 1,608	593 991	38.7 42.5	5.1 4.5	58.2 61.6	6.4 5.3	528 883	34.5 37.9	5.0 4.4	51.9 54.9	6.4
	White alone or in combination	10,786	9,748	7,086	65.7	1.9	72.7	1.9	6,543	60.7	2.0	67.1	. 2.0
· · · · · · · · · · · · · · · · · · ·	Black alone or in combination	2,722	2,464	1,694	62.2	3.7	68.7	3.7	1,523	55.9	3.8	61.8	
NORTH CAROLINA	Asian alone or in combination Total	1,630 8,113	1,096 7,391	665 5,161	40.8 63.6	5.0 2.2	60.7 69.8	6.1 2.2	568 4,780	34.9 58.9	4.9 2.3	51.9 64.7	
	Male	3,854	7,391 3,464	2,377	61.7	3.3	68.6	3.3	2,185	56.7	3.3	63.1	3.4
	Female	4,259	3,928	2,783	65.3	3.0	70.9	3.0	2,595	60.9	3.1	66.1	3.1
	White alone	5,775	5,194	3,638	63.0	2.6	70.0	2.6	3,379	58.5	2.7	65.0	
	White non-Hispanic alone Black alone	4,859 1,752	4,765 1,707	3,418 1,166	70.4 66.6	2.7 4.5	71.7 68.3	2.7 4.5	3,173 1,083	65.3 61.8	2.8 4.6	66.6 63.4	2.8
	Asian alone	317	221	1,166	53.1	4.5 11.5	76.4	4.5 11.7	1,083	49.3	11.5	70.9	12.5
	Hispanic (of any race)	989	492	267	27.0	6.1	54.3	9.8	240	24.2	5.9	48.8	9.8
· · · · · · · · · · · · · · · · · · ·	White alone or in combination	5,894	5,313	3,725	63.2	2.6	70.1	2.6	3,449	58.5	2.7	64.9	
	Black alone or in combination Asian alone or in combination	1,802 344	1,757 247	1,209 182	67.1 52.9	4.4 11.0	68.8 73.5	4.4 11.5	1,118 170	62.0 49.4	4.5 11.0	63.6 68.6	4.6
NORTH DAKOTA	Asian alone or in combination Total	571	556	429	75.2	2.9	77.3	2.9	373	49.4 65.3	3.2	67.1	3.2
	Male	289	283	217	75.1	4.1	76.7	4.1	188	64.9	4.6	66.3	4.6
	Female	282	273	212	75.3	4.2	77.8	4.1	185	65.7	4.6	67.9	4.6

STATE	Sex, Race, and Hispanic-Origin	Total population	Total citizen population	Total registered	Percent registered (Total)	Margin of error ¹	Percent registered (Citizen)	Margin of error ¹	Total voted	Percent voted (Total)	Margin of error ¹	Percent voted (Citizen)	Margin of error ¹
	White alone White non-Hispanic alone	503 489	495 487	393 388	78.2 79.3	3.0 3.0	79.3 79.7	3.0	352 348	70.0 71.1	3.3	71.0 71.5	3.3
	Black alone	13	8	2	В	В	В	В	2	В	В	В	В
	Asian alone Hispanic (of any race)	10 16	11	6	B B	B B	B B		5	B B	B B	B B	B B
	White alone or in combination	512	505	400	78.2	3.0	79.3	2.9	356	69.5	3.3	70.5	3.3
	Black alone or in combination Asian alone or in combination	15 12	10	4	B B	B B	B B		3	B B	B B	B B	B B
OHIO	Total	8,951	8,740	6,733	75.2	1.9	77.0	1.8	6,128	68.5	2.0	70.1	2.0
	Male Female	4,311 4,640	4,211 4,529	3,219 3,514	74.7 75.7	2.7 2.6	76.4 77.6	2.7	2,913 3,216	67.6 69.3	2.9 2.8	69.2 71.0	2.9
	White alone	7,416	7,300	5,724	77.2	2.0	78.4	2.0	5,223	70.4	2.2	71.5	2.2
	White non-Hispanic alone	7,095 1,069	7,064 1,042	5,535 758	78.0 70.9	2.0 5.4	78.4 72.8	2.0 5.4	5,077	71.6 63.4	2.2 5.8	71.9 65.1	2.2 5.8
	Black alone Asian alone	234	1,042	101	43.2	13.1	60.6	15.3	678 96	41.0	13.0	57.5	15.5
	Hispanic (of any race)	383	299	226	59.0	10.8	75.8	10.6	175	45.7	10.9	58.7	12.2
	White alone or in combination Black alone or in combination	7,592 1,181	7,476 1,153	5,844 831	77.0 70.4	2.0 5.2	78.2 72.1	2.0 5.2	5,324 738	70.1 62.5	2.2 5.5	71.2 64.0	2.1 5.5
	Asian alone or in combination	260	192	126	48.7	12.5	65.8	13.8	121	46.7	12.5	63.1	14.1
OKLAHOMA	Total Male	2,942 1,434	2,800 1,367	1,884 856	64.0 59.7	3.5 5.1	67.3 62.6	3.5 5.2	1,631 741	55.5 51.7	3.6 5.2	58.3 54.2	3.7 5.3
	Female	1,508	1,433	1,028	68.2	4.7	71.7	4.7	890	59.0	5.0	62.1	5.1
	White alone White non-Hispanic alone	2,289 1,977	2,175 1,962	1,537 1,442	67.1 73.0	3.9 4.0	70.6 73.5	3.9 3.9	1,347 1,276	58.9 64.6	4.1 4.3	62.0 65.0	4.1
	Black alone	231	218	1,442	53.3	12.4	56.4	12.7	1,270	46.8	12.4	49.5	12.8
-	Asian alone	26	19	4	B	B	B	B	4	B	B	B	B
	Hispanic (of any race) White alone or in combination	348 2,402	248 2,288	106 1,588	30.6 66.1	10.2 3.8	42.8 69.4	13.0	75 1,382	21.6 57.6	9.1 4.0	30.3 60.4	12.1 4.0
	Black alone or in combination	255	242	130	50.9	11.8	53.6	12.1	113	44.3	11.8	46.6	12.1
OREGON	Asian alone or in combination Total	43 3,369	36 3,242	9 2,590	76.9	B 2.9	79.9	B 2.8	2,402	71.3	B 3.1	74.1	3.0
	Male	1,645	1,572	1,245	75.7	4.2	79.2	4.0	1,144	69.5	4.5	72.8	4.4
	Female White alone	1,724 2,955	1,670 2,876	1,345 2,345	78.0 79.4	3.9 2.9	80.5 81.5	3.8 2.9	1,258 2,191	73.0 74.2	4.2 3.2	75.3 76.2	4.2 3.1
	White non-Hispanic alone	2,955 2,712	2,876	2,345	82.2	2.9	81.5 82.7	2.9	2,191	74.2 77.2	3.2	76.2	3.1
	Black alone	82	76 100	47	57.6	20.6	62.2	20.9	39	47.5	20.8	51.2	21.6
	Asian alone Hispanic (of any race)	143 281	109 201	70 122	49.4 43.6	16.3 12.2	64.8 60.8	17.8 14.2	66 105	46.2 37.3	16.2 11.9	60.6 51.9	18.2 14.5
	White alone or in combination	3,064	2,985	2,441	79.7	2.9	81.8	2.8	2,265	73.9	3.1	75.9	3.1
	Black alone or in combination Asian alone or in combination	93 179	87 145	58 101	62.5 56.6	18.9 14.4	66.8 69.8	19.0 14.8	50 84	53.5 47.3	19.5 14.5	57.2 58.3	20.0 15.9
PENNSYLVANIA	Total	9,902	9,621	7,337	74.1	1.8	76.3	1.8	6,756	68.2	1.9	70.2	1.9
	Male	4,787 5,115	4,638 4,983	3,489 3,848	72.9 75.2	2.6 2.5	75.2 77.2	2.6 2.4	3,192 3,564	66.7 69.7	2.8 2.6	68.8 71.5	2.8 2.6
	Female White alone	8,485	8,324	6,390	75.2	1.9	76.8	1.9	5,875	69.2	2.0	70.6	2.0
	White non-Hispanic alone	7,910	7,862	6,115	77.3	1.9	77.8	1.9	5,634	71.2	2.1	71.7	2.1
	Black alone Asian alone	1,042 231	981 171	751 88	72.0 38.0	5.5 13.0	76.5 51.4	5.3 15.5	694 84	66.6 36.3	5.8 12.8	70.8 49.1	5.7 15.5
	Hispanic (of any race)	618	497	305	49.3	8.7	61.4	9.4	270	43.6	8.6	54.3	9.6
	White alone or in combination Black alone or in combination	8,613 1,139	8,453 1,078	6,486 824	75.3 72.3	1.9 5.2	76.7 76.4	1.9 5.1	5,965 761	69.3 66.9	2.0 5.5	70.6 70.6	2.0 5.5
	Asian alone or in combination	246	186	103	41.8	12.8	55.4	14.8	99	40.3	12.7	53.2	14.8
RHODE ISLAND	Total Male	840 402	776 377	575 273	68.5 68.0	3.2 4.7	74.1 72.5	3.2 4.7	515 246	61.3 61.3	3.4 4.9	66.3 65.3	3.4 5.0
	Female	438	399	302	69.1	4.7	75.7	4.7	269	61.4	4.9	67.2	4.8
	White alone	742	698	519	69.9	3.4	74.3	3.3	462	62.2	3.6	66.1	3.6
	White non-Hispanic alone Black alone	659 61	642 53	484 39	73.4 B	3.5 B	75.4 B	3.4 B		65.1 B	3.8 B	66.8 B	3.8 B
	Asian alone	25	15	10	В	В	В		10	В	В	В	В
	Hispanic (of any race) White alone or in combination	88 750	60 706	38 525	70.0	B 3.4	74.4	B 3.3	36 466	62.2	B 3.6	66.0	B 3.6
	Black alone or in combination	68	60	45	В	В	В		41	В	В	В	В
SOUTH CAROLINA	Asian alone or in combination Total	25 4,010	15 3,878	10 2,713	67.7	B 3.0	70.0	3.0	10 2,459	61.3	B 3.1	63.4	B 3.1
SOSTII CAROLINA	Male	1,887	1,820	1,266	67.1	4.4	69.5	4.4		61.3	4.5	63.6	4.6
	Female White alone	2,123	2,058	1,447	68.2	4.1	70.3	4.1	1,302	61.3	4.3	63.3	4.3
	White alone White non-Hispanic alone	2,840 2,605	2,739 2,590	2,013 1,945	70.9 74.7	3.5 3.5	73.5 75.1	3.4 3.4	1,845 1,789	64.9 68.7	3.6 3.7	67.4 69.0	3.6 3.7
	Black alone	1,032	1,012	613	59.4	5.9	60.5	5.9	546	52.9	6.0	53.9	6.1
	Asian alone Hispanic (of any race)	50 257	40 163	37 77	B 30.1	B 12.1	47.5	B 16.6	34 62	B 24.3	B 11.3	B 38.3	B 16.1
	White alone or in combination	2,888	2,786	2,049	71.0	3.4	73.6	3.4	1,871	64.8	3.6	67.1	3.6
	Black alone or in combination Asian alone or in combination	1,047 70	1,026 59	618 53	59.1 B	5.9 B	60.2 B			52.7 B	6.0 B	53.7 B	6.0 B
SOUTH DAKOTA	Total	659	649	437	66.3	3.4	67.4	3.4	380	57.7	3.5	58.5	3.5
	Male	330	326	217	65.6	4.8	66.5	4.8	189	57.2	5.0	57.9	5.0
	Female White alone	329 587	323 585	221 401	67.0 68.3	4.8 3.5	68.2 68.5	4.8	191 351	58.1 59.7	5.0 3.7	59.2 59.9	5.0 3.7
	White non-Hispanic alone	577	577	397	68.8	3.5	68.8	3.5	348	60.3	3.7	60.3	3.7
	Black alone Asian alone	18 12	13 9	5	B B	B B	B B			B B	B B	B B	B B
	Hispanic (of any race)	13	10	6	В	В	В	В	5	В	В	В	В
	White alone or in combination	600 18	598 13	411	68.5 B	3.5 B	68.7 B	3.5 B	360	60.0 B	3.7 B	60.2 B	3.7 B
	Black alone or in combination Asian alone or in combination	18	15	8	В	В	В		8	В	В	В	В
TENNESSEE	Total	5,283	5,038	3,742	70.8	2.6	74.3	2.5	3,346	63.3	2.7	66.4	2.7
	Male Female	2,544 2,738	2,409 2,629	1,766 1,976	69.4 72.2	3.7 3.5	73.3 75.2	3.7	1,563 1,783	61.4 65.1	3.9 3.7	64.9 67.8	4.0
	White alone	4,212	4,014	2,992	71.0	2.9	74.5	2.8	2,677	63.6	3.0	66.7	3.0
	White non-Hispanic alone Black alone	3,918 866	3,890 853	2,924 658	74.6 76.0	2.8 5.7	75.2 77.1	2.8 5.6		66.8 68.3	3.1 6.2	67.3 69.4	3.1 6.2
	Asian alone	99	65	37	В	В	В	В	34	В	В	В	В
	Hispanic (of any race)	329	152	72	22.0	9.8	47.6	17.3	63	19.1	9.3	41.4	17.1
	White alone or in combination Black alone or in combination	4,298 895	4,101 882	3,032 671	70.5 75.0	2.8 5.7	73.9 76.1	2.8 5.6	2,708 602	63.0 67.2	3.0 6.1	66.0 68.2	3.0 6.1
	Asian alone or in combination	111	76	49	43.9	19.0	63.7	22.1	46	41.3	18.8	59.9	22.6
TEXAS	Total Male	21,485 10,513	18,581 9,082	13,343 6,338	62.1 60.3	1.4 2.0	71.8 69.8	1.4 2.0	11,874 5,580	55.3 53.1	1.4 2.0	63.9 61.4	1.5 2.1

March Marc		1				Percent		Percent			Percent		Percent	
Company Comp			Total	Total citizen	Total									Margin of
Wilson	STATE	Sex, Race, and Hispanic-Origin					error 1	(Citizen)	error 1	Total voted		error 1		error 1
With the members above 150 100														2.0
March Applied 1,755 1,75														1.6
March 1985 128 128 128 124 124 125 126 126 126 127 126 1														1.9
### Property of the property of 176 1.00														3.9 7.0
Wilst September 1,120 1,200 1,														2.9
Section Personal processor 200 200 100														1.6
Management in continuous 155 277 1460 44 55 642 1.6 648 6.0 5.5 5.6 5.														3.7
UTAM TOTAL 1. 100 1.00 1														6.6
Second Column	UTAH					63.3								2.8
Wilston Commission 1,000		Male	1,146	1,068	699	61.0	3.9	65.5	4.0	647	56.5	4.0	60.6	4.1
Windows 1,500 1,														3.9
Biblio 2006 18 12 18 18 18 18 18 18														2.9
March Marc					1,268	68.2		69.2		1,203		3.0	65.7	3.0
Miles and Controlled 1.5					9	В		В		9		В	В	В
Website Webs														10.6
Section Section of continuous Section														2.9
Marie Section Confidence 50 20 11 2 2 2 3 11 1 2 3 3 4 10 10 10 10 10 10 10														2.5 B
VERMANT Total 150 150 150 150 150 150 172 1								B						В
March 1506 2-02 179 71.2 4-05 72.2 4-05 5.05 5.05 5.05 5.05 72.2	VFRMONT							73.0						3.6
Penns														5.2
Wilst about 47														4.9
Black stool 1														3.6
Black above S														3.6
Ministration of recombination 489 48 8 8 8 8 4 8 8 8				5	1		В	В	В	1	В	В	В	В
Wide attion or constructions 48 48 346 743 3.4 747 3.4 137 69.6 3.6 9.9			11					В		3				В
Black allows or no combinations 18			6					В		4				В
Major Major or no combination 14 14 15 16 18 18 18 18 18 18 19 19					360									3.6
VIRGINIA Total 6.481 5.574 5.451 701 2.0 7.00 2.3 5.475 6.00 2.5 7.15					1			В				В	В	В
Marie Marie Sale 2,442 2,002 678 3.3 7.46 3.5 1,985 642 3.6 697	MIDCINIA							B				В	В 74 -	В
Female April Apr	VINUINIA													2.4 3.6
With a constraint of the process of														3.3
White con-Inspirate colors 3,979 3,904 3,105 79.4 2.7 80.0 2.6 3,018 75.9 2.8 77.3														2.8
Biblist alone 1277 1,129 764 61.8 5.5 677 5.6 772 5.8 3.5 6.99														2.8
Asian alone 512 409 271 528 93 663 96 253 494 93 618														5.7
Mispanic of any race 678 475 271 339 8.2 618 102 218 321 7.8 51.3 1														9.9
White solver or in combination 4,200 4,300 3,454 748 27 792 2.6 3,248 703 2.8 745														10.6
MAISHINGTON Total 5.99 5.38 4.32 287 5.38 8.9 66.4 33 260 5.03 8.9 6.23 MSSHINGTON Total 5.993 5.380 4.020 67.2 2.5 7.48 2.4 3.86 4.61 2.6 71.5			4,620	4,362	3,454	74.8	2.7	79.2	2.6	3,248	70.3	2.8	74.5	2.8
WASHINGTON Total 5,999 5,398 4,079 672 2.5 74.8 2.4 3,854 64.3 2.6 71.5		Black alone or in combination	1,304	1,196	805	61.7	5.4	67.3	5.4	748	57.4	5.5	62.5	5.6
Maile 2,947 2,638 1,921 652 3.6 728 3.6 1,806 6.3 3.7 683		Asian alone or in combination												9.6
Female Ministenier 473 4,419 3,452 1,709 692 3,5 767 3,33 2,047 672 3,3 74.6 White non-Hispanic alone White non-Hispanic alone 4122 3,858 3,177 771 27 797 2,6 3,070 74.5 2,8 77.0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	WASHINGTON													2.5
White non-Hispanic alone 4,735 4,413 3,452 72,9 2,7 78,2 2,6 3,309 69,9 2,8 75,0														3.7
White non-Hispanic alone														3.4
Black alone 257 210 136 531 123 647 110 130 508 123 615 110 110 130 508 123 615 110 13														2.7
Missanicon S57 334 218 383 8.4 6.39 10.7 210 37.7 8.4 62.8 1														2.8 13.2
Missanic of any race)														10.8
White alone or in combination														9.8
Black allone or in combination 331 285 170 512 10.9 59.5 11.5 164 49.4 10.9 57.4 11														2.7
MEST VIRGINIA														11.6
WEST VIRGINIA 1,397 1,379 928 66.6 3.4 673 3.4 773 55.3 3.6 56.1														10.4
Female	WEST VIRGINIA		1,397	1,379	928	66.4	3.4	67.3	3.4	773	55.3	3.6	56.1	3.6
Mylite non-Hispanic alone		Male	684	675			4.9			379				5.2
White non-Hispanic alone														5.1
Black slone														3.7
Mispanic (of any race) 23 15 10 8 8 8 8 8 8 8 8 8														3.7
Hispanic (of any race) Hispanic (of any race) White alone or in combination Asian alone or in combination Asian alone or in combination Misconsin Mi														В
White alone or in combination 1,346 1,336 900 66.9 3.5 67.4 3.5 754 56.0 3.7 56.5								В						В
Black alone or in combination 54 50 34 8 8 8 8 8 25 8 8 8 8 8 8 8 8 8						_		E7 A		_				B 3.7
Misconsin														3.7 B
WISCONSIN Total 4,538 4,421 3,391 747 2,7 767 2,6 3,253 71,7 2,8 73,6				20	2	B R	B R	B R		23		D R	D R	D R
Male 2,223 2,158 1,616 7.27 3.9 7.49 3.8 1,533 6.89 4.0 71.0	WISCONSIN		4.538	4,421	3.391	74.7	2.7	76.7		3.253		2.8	73.6	2.7
Female 2,315 2,263 1,775 767 3.6 78.5 3.6 1,720 74.3 3.7 76.0														4.0
White non-Hispanic alone 4,005 3,931 3,119 77.9 2.7 79.3 2.7 3,008 75.1 2.8 76.5									3.6					3.7
Black alone 263 263 126 47.7 12.1 47.7 12.1 114 43.5 12.0 43.5 12.0 43.5 12.0 43.5 12.0 43.5 13.0 14.0		White alone							2.7					2.8
Asian alone Asian Asian alone Asian alone Asian alone Asian Asian alone Asian alone Asian Asian alone Asian Asian alone Asian Asian alone		White non-Hispanic alone	3,776	3,772	3,020	80.0	2.7	80.1	2.7	2,914	77.2	2.8	77.2	2.8
Hispanic (of any race)														12.0
White alone or in combination 4,113 4,040 3,192 77.6 2.7 79.0 2.6 3,081 74.9 2.8 76.3 Black alone or in combination 318 318 152 47.8 11.0 47.8 11.0 141 44.3 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.0 443 11.1 62.0 20.3 59 42.4 17.1 62.0 20.3 59 42.4 17.1 62.0 20.3 59 42.4 17.1 62.0 20.0 20.0 20.0 20.0 20.0 20.0 20.0 20.0 20.0 20.0 20.0 20.0 20.0 20														В
Black alone or in combination 318 318 315 47.8 11.0 47.8 11.0 141 44.3 11.0														16.2
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Source: U.S. Census Bureau, Current Population Survey, November 2020

¹ This figure added to or subtracted from the estimate provides the 90-percent confidence interval.

NOTES:
A dash '' represents zero or rounds to zero.
The symbol B means that the base is less than 75,000 and therefore too small to show the derived measure.
Estimates may not sum to totals due to rounding.
For information on confidentiality protection, sampling error, nonsampling error, and definitions, see https://www.census.gov/programs-surveys/cps/technical-documentation/complete.2020.html

2022 Jan-18 PM 03:37 U.S. DISTRICT COURT N.D. OF ALABAMA

	N.D. OF ALA
1	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION
3	
4	BOBBY SINGLETON, et al., * Plaintiffs, * 2:21-cv-1291-AMM
5	* January 4, 2022 vs. * Birmingham, Alabama
6 7	* 9:00 a.m. JOHN MERRILL, in his official * capacity as Alabama Secretary * of State, et al., *
8	Defendants. * **********************************
9 10	EVAN MILLIGAN, et al., *
11	
12	capacity as Alabama Secretary *
13 14	Defendants. *
15	*
16	Plaintiffs, * 2:21-cv-1536-AMM
17	vs. *
18	JOHN MERRILL, in his official * capacity as Alabama Secretary * of State, et al., *
19	Defendants. * ***********************************
20	
21	TRANSCRIPT OF PRELIMINARY INJUNCTION HEARING
22 23	VIA ZOOM CONFERENCE VOLUME I BEFORE THE HONORABLE ANNA M. MANASCO,
24	THE HONORABLE TERRY F. MOORER,
25	
	CHRISTINA K. DECKER, RMR, CRR Federal Official Court Reporter 101 Holmes Avenue, NE

Huntsville, AL 35801 256-506-0085/ChristinaDecker.rmr.crr@aol.com

Proceedings recorded by OFFICIAL COURT REPORTER, Qualified pursuant to 28 U.S.C. 753(a) & Guide to Judiciary Policies and Procedures Vol. VI, Chapter III, D.2. Transcript produced by computerized stenotype.

$\textit{CHRISTINA} \;\; \textit{K. DECKER, RMR, CRR}$

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cracking the city of Montgomery, the enacted plan reduces the 2 BVAP proportion of the District 2 by 4.4 percent, and these 3 differences -- combination of standards of this degree are significant. 15:46:52 5 Thank you. If we could take down those figures and turn briefly, Dr. Imai, to your rebuttal report. That's Milligan 7 Plaintiffs' Exhibit 688-6. What analysis were you asked to do for this report? For this report, as asked by the counsel for the plaintiffs, to conduct the same one-MMD simulation so the 15:47:14 10 11 simulation was exactly one majority-minority district and add 12 additional constraint that two communities of interest are 13 encouraged to be kept together in that same district. So the 14 difference between one-MMD simulation I just showed you and this one will be just this additional constraint that two sets 15:47:37 15 16 of counties that were given to be kept together. 17 And what were those two sets of counties? 18 I understand from the counsel for the plaintiffs that the 19 one of the experts for the defendants expressed opinion that 15:48:02 20 the Baldwin and Mobile counties to be kept together as one community of interest. And I also understand from the counsel 21 22 that the set of counties that constitute the Black Belt, 23 there's opinions that they also may constitute a community of interest. So those two sets of counties. I basically told the 24 15:48:25 25 algorithm to keep them together in the same district whenever

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possible. 1 2 Do you have any -- did you do any additional research, or 3 do you have any independent opinion on whether those counties form a community of interest or any other areas form a 15:48:41 5 community of interest? No. I do not take any positions on this or no opinion on 7 this. Let's briefly turn to Figure 1-88-6 at 5 to review your 8 results when taking into account those two identified communities of interest. 15:48:59 10 11 Okay. So here I focus on the last graph that I showed you just moments ago for one-MMD simulation. So it's the same 12 1.3 figure. 14 Looking at how the decision to split the Montgomery and to pack black voters into District 7 affects the District 2, the 15:49:15 15 BVAP proportion of District 2. And you see similar results 16 17 again, enacted plan District 2 BVAP is about 30 percent. 18 Now, by taking into account for the communities of interest these two specific communities of interest that I were 19 15:49:36 20 given, the average BVAP proportion for the District 2 is

interest these two specific communities of interest that I were given, the average BVAP proportion for the District 2 is higher, so it's now 36 percent or so compared to 34 before. So actually increased under the simulated plan, increased the average proportion of the BVAP for District 2, and you also see many more plans that achieves the higher percentage of BVAP for under the simulated plan.

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As a result, the difference between the simulated plan and 1 2 the enacted plan is now much larger so previously was 3 4.4 percent, I think. Now it's exceeding 6 percentage point. And so that this shows that -- again, this is advantage of 15:50:25 5 simulation analysis is to be able to assess what factor how -you know, adding a factor in this case community of interest 7 how that's going to change the conclusion of redistricting evaluation. And in here, what we see is that adding these two 8 particular definitions of community of interest increases the difference between enacted and simulated plan that is under the 15:50:47 10 11 simulated plan with people in District 2 could have achieved much higher BVAP proportion than the enacted plan. 12 13 Thank you very much, Dr. Imai, for your testimony today. 14 One final question: If you could just please summarize the opinions you formed based on your three sets of simulations and 15:51:10 15 16 your research for the Court? 17 Yes. So my analysis shows that the race played a 18 predominant role in determining the district boundaries under 19 enacted plan beyond the purpose of creating one 15:51:32 20 majority-minority district. The enacted plan does so by packing a disproportionate number of black voters from the 21 22 Montgomery County into the District 7. 23 The consequence of doing that, that particular decision the way that's being -- the county is split and including the 24 15:51:54 25 District 7 is to reduce the Black Voting Age Population of

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District 2. And this conclusion does not change, even if we 2 account for the community -- particular community of interest 3 that I was given. Thank you, Dr. Imai. 15:52:18 5 MS. EBENSTEIN: Your Honor, could I have one moment to 6 confer with co-counsel? 7 JUDGE MARCUS: You sure can. MS. EBENSTEIN: Thank you. Your Honor, we have no 8 further questions for Dr. Imai today. Thank you. 15:53:01 10 JUDGE MARCUS: Thanks very much. 11 Who is going to proceed with the cross-examination of Mr. Imai for the Secretary of State? 12 13 MR. SMITH: Your Honor, Brenton Smith representing the Secretary of State. I will be conducting Dr. Imai's cross. 14 JUDGE MARCUS: All right. And I take it, Mr. Walker 15:53:17 15 will he have some after you? 16 17 MR. SMITH: I'm not sure. We're in separate rooms. 18 He may, but I will be going first at least. 19 JUDGE MARCUS: That's okay. We will proceed in any 15:53:30 20 order you and he would like. So we will begin with Mr. Smith 21 cross-examination. 22 MR. SMITH: Thank you, Your Honor. 23 CROSS-EXAMINATION BY MR. SMITH: 24 Q Good afternoon, Dr. Imai. 15:53:37 25 Christina K. Decker, RMR, CRR Federal Official Court Reporter

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1 sense. 2 Thank you, Dr. Imai. 3 Turning to j(iii), this criteria deals with respecting communities of interest, neighborhoods, and political 16:15:25 5 subdivisions; isn't that right? That's right. 6 7 And other than the two individual communities identified in your rebuttal report, do your simulations provide any constraint for respecting communities of interest? 16:15:38 10 No. 11 Why not? 12 I am not aware of it. I am not -- I wasn't given any 1.3 other definition of community of interest, and I don't study 14 community of interest, so I have no knowledge of deciding what community of interest should be provided -- should be provided 16:15:55 15 16 to the algorithm. 17 You would agree, would you not, Dr. Imai, that this is a 18 rule that the reapportioning committee follows in conducting 19 redistricting? 16:16:10 20 I assume so. That's a guideline. Could observing a community of interest be sort of a 21 22 confounding variable on your simulations? Could it explain 23 something that you have attributed to another factor? 24 Can you clarify what you mean by confounding? So you say that -- well, your conclusion depends on race. 16:16:34 25 Christina K. Decker, RMR, CRR Federal Official Court Reporter

So you conclude that certain splits, certain compositions of districts were made on the basis of race? 3 Uh-huh. But your algorithm hasn't made any -- or your methodology 16:16:46 5 hasn't made any allowance for communities of interest. Is it possible that respecting communities of interest could explain something that your simulations are attributing to race? Right. So the -- my conclusion is that, you know, my 8 finding is that race played a predominant role beyond the set of factors that I considered in the algorithms. So that 16:17:09 10 11 includes creation of one MMD, as well as two specifics 12 definitions of community of interest I were given. 1.3 So beyond those factors, race played a role. 14 So but you would agree, would you not, Dr. Imai, that you did not consider all the factors that the reapportionment 16:17:32 15 16 committee itself is supposed to consider according to its 17 rules? 18 I'm not aware of those factors, and those factors if they exist weren't part of my algorithms, that's correct. 19 16:17:45 20 So it may be the case that the Legislature knows that 21 certain areas share common interests and are a community of 22 interests, but your method did not consider that, right? 23 Well, that -- I didn't consider it because that information wasn't provided to me. But I could consider it if 24 16:18:01 25 you give me a specific definition of, you know, other

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- communities of interest definitions, then I could consider it and then see if that changes the conclusion.
 - Q As it stands today, the analysis that you performed did not do that, right?
- 16:18:19 5 A Yeah. So the analysis I included in the rebuttal report only uses those two specific definitions of communities of interest that I was given, yes, that's correct.
- 8 Q Right. Dr. Imai, turning to j(v), Legislature shall try
 9 to minimize the number of counties in each district. Did you
 16:18:38 10 observe this criteria?
 - 11 A Yes.

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- 12 Q How so?
- 13 A So in the algorithm as I explained, this was categorized
 14 as soft constraint. I basically instructed the algorithm to
 16:18:53 15 prefer a redistricting plan all else equal that has a fewer
 16 number of counties split by the districts.
 - 17 Q But did you say county splits, Dr. Imai?
 - 18 A Yes.
- 19 Q Is there a difference between minimizing the number of county splits and minimizing the number of counties in each 21 district?
 - 22 A Well, that a single county can be split multiple times.
 - 23 Q I think I'm asking a more basic question than that.
- I understand that you minimize the number of county splits.

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Uh-huh. 1 2 But what this criteria says is that it's trying to 3 minimize the total number of counties in each district. Do you understand those to be different things? 16:19:42 5 Okay. How different is that? I guess? Can you explain? 6 Sorry. 7 Well, okay. So let's say that District 2 has ten counties in it in the enacted plan? Uh-huh. Α And two county splits? 16:20:04 10 11 Uh-huh. 12 Is that different than if your district in your simulated 1.3 plans on average have 15 counties in them, but only one county 14 split? So that -- so, again, I'm not aware. So I don't want to 16:20:15 15 16 interpret this statement because, you know, it can be 17 interpreted different ways because what do you mean by in each 18 district, right? So like which district? Or is it some of the districts -- like some of the numbers across districts? Does 19 16:20:44 20 it -- should we double count -- no double count? But that difference in the definition, maybe that's what you're trying 21 22 to get at, doesn't really materially affect my conclusion because the District 7 has three splits, both enacted and 23 simulated plan focusing on District 7 because that's the main 24 16:21:11 25 finding. And the only difference if both splits the Jefferson

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County as well as Tuscaloosa County in the very similar way as 2 I stated. And the only really difference is whether you split 3 Montgomery County or not. So this definition, which could be perhaps interpreted different ways by different people. Again, 16:21:34 5 I am not a lawyer, so I am not going to take any particular stance on this. But it is not going to affect the conclusion 7 of my analysis. Let me reframe like this, Dr. Imai. Let's assume that the Legislature prefers a district with seven counties to a district that has eight counties. Does your simulation make 16:21:53 10 11 any adjustment for that? 12 If that was given as a criteria, then I can adjust my 1.3 simulation analysis and rerun it. 14 But you haven't included that in the simulation as it's been run; isn't that right? 16:22:13 15 Well, that wasn't given as a criteria to me, so, yeah, I 16 17 didn't do that. 18 Well, Dr. Imai, what I read j(iv) here to say is that the 19 Legislature shall try to minimize the number of counties in 16:22:29 20 each district. Do you understand that to mean something other than the total number of counties? 21 22 Total number of counties. Can you provide the definition? 23 I want to be careful because I don't know exactly definition of what you're trying to get at. Sorry. I may be confused. 24 16:22:50 25 O Well, Dr. Imai, I think --

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The number of counties in each district, that number is 1 2 defined for each district; is that right? So then the question 3 is what are you going to do with that, right? Because you can't have minimize seven different things. 16:23:08 5 Okay. So just to clarify, Dr. Imai, you haven't made any accommodation that would ensure your districts have as few 6 7 counties in them as possible; is that right? I don't understand the question because like, okay, maybe 8 the way -- maybe I can explain what I did and then that -because that's what it is. So if that interpretation is 16:23:31 10 11 different from your interpretation, then that, you know, that's what it is, because I don't quite understand the different 12 1.3 interpretation you are trying to get at. Sorry. 14 I think let's just move on. It's -- let's move past this. 16:23:48 15 If you can clarify, so I used -- these are total number of 16 counties that are being split by districts as a way to, you 17 know, measure this number of counties in each district. So 18 that may or may not be the same as the definition that you're 19 trying to provide, but I couldn't really understand the 16:24:08 20 difference there. But what I did, though, because it's a total number of counties that were split by the districts. And then, 21 22 you know, another point I would like to make is that that 23 decision doesn't really affect the conclusion -- main conclusion of the analysis. 24 16:24:28 25 Q So your testimony, Dr. Imai, is that not considering some

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of these redistricting guidelines does not affect your 2 analysis? 3 Well, different constraints will not affect the analysis possibly. You don't know until you do it, right? So there is, 16:24:50 5 you know, you provide a set of inputs, and then the algorithm will give you based on those inputs. And if you are asking like what would happen if I changed the inputs, like I don't know because I haven't done that. All I can tell you is that given the inputs that I provided in my report, this is the results that I got. 16:25:12 10 11 Dr. Imai, let's move on to j(v). 12 Α Okay. 13 And this criteria says, the Legislature shall try to preserve the cores of existing districts, right? 14 Right. 16:25:25 15 Α And did you observe this criteria in your simulations? 16 17 Yes. As I mentioned, I did incorporate this particular 18 guideline. 19 So you did not consider this; is that right? That's correct. 16:25:38 20 Α Why not? 21 22 Yeah. So as I explained, for the purpose of the analysis,

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okay, so this is like my -- the goal -- I'm trying to analyze

whether or not race played a role in creating the districts

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under the enacted plan.

16:25:58 25

In order to do that, I need to isolate other factors. So I need to isolate, you know, I want to just look at how the race played a role. So I need to isolate other factors.

If I impose this constraint, all the factors that went into the previous plan is going to be carried over, and it's going to affect my analysis. As a result, I will not be able to isolate the role the race played in, you know, in drawing the district boundaries under the enacted plan.

Q Dr. Imai?

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A That's why -- I haven't analyzed the previous plans, so I have no knowledge of what factors went in there.

Q So, Dr. Imai, is it right that if your methodology considered what the previous plans looked like, the cores of existing districts, that you would not be able to tell what was caused as a result of those existing districts and as a result of race?

A I would have a difficult time isolating the role of the race if I put this constraint.

As I said, many factors may have gone into the previous plan, which I haven't analyzed. And so that will -- you know, I will inherit all of that into my analysis, which basically, you know, basically reduces -- get rid of the whole advantage of simulation analysis is the power to isolate these different factors, so that's why I didn't do this.

Q Dr. Imai, would it be possible to set a limiting

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constraint so that your simulations preserves 80 percent of the 2 cores of previous districts? 3 Yeah. I could -- I could do that. I could incorporate that constraint, add that to my simulation algorithm, yes. 16:27:58 5 But that's not something that you have done? 6 No. 7 Here? If someone provides -- if someone wants to 8 incorporate the specific definition of core, then, yes, the 16:28:12 10 algorithm can handle that. 11 And so instead, though, your algorithm starts from a blank 12 slate; is that fair? 1.3 Yes. That's -- blank slate meaning like, yeah, from 14 scratch. 16:28:26 15 Right. Right. 16 Yeah. But if I may add one thing. Is that okay? Or is 17 that... 18 Sure. 19 So even though I started from the blank slate in my 16:28:44 20 one-MMD analysis, in my testimony, I mentioned that it was 21 remarkable to see that one MMD, you know, overlaps in a great

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deal with District 7 on the enacted plan, which I assume that

also means that overlaps significantly with the District 7 on

the previous plan. So even though I didn't tell the algorithm

where to create the MMD, when I told the algorithm to get one

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MMD, it went there, and in the key difference was the 2 Montgomery. 3 So, Dr. Imai, doesn't ignoring some of these factors, cores of districts, communities of interest, et cetera, doesn't that guarantee that your simulated plans may not capture a true 16:29:28 5 representative sample? So the captures -- I have a mathematical theorem that says 7 it captures -- you present a plan under the set of criteria that I specified. If you change the set of criteria, then, you know, the population of the plans are changed so no longer my 16:29:47 10 11 sample is guaranteed to be representative of that new population, if that makes sense. 12 13 So the representativeness is all relative to what factors are used for the simulation. 14 16:30:05 15 Thank you, Dr. Imai. I am going to take these guidelines 16 down. 17 And then, Dr. Imai, I am going to direct your attention to 18 page 9 of your report. 19 Okay. Α 16:30:20 20 Milligan Exhibit 1, M-1. You say in paragraph 26 that you show, quote, the way in 21 22 which the enacted plan deviates from the simulated plan implies 23 that race was a predominant factor in drawing the district 24 boundaries of the enacted plan. Did I read that correctly? 16:30:48 25 Α Yes.

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What do you mean by implies, Dr. Imai? 1 2 Presents empirical evidence for that. 3 Okay. And, Dr. Imai, this conclusion would apply not only to the enacted plan, right, but any comparison plan that was 16:31:11 5 compared to your simulations? I don't want to say that because it depends on the purpose 6 7 of the analysis if that -- I guess I'm not understanding exactly what you're trying to ask. Sorry. So let's say an enacted plan that's different than the plan that actually is enacted, and you still did the 16:31:35 10 11 comparison. You did the comparison exactly the same. Wouldn't 12 your conclusions apply to that plan, as well? 13 I -- I feel uncomfortable speculating that because like on this, I have a plan in front of me. It's really hard for me to 14 know whether, you know, I don't want to sort of draw conclusion 16:31:54 15 16 about something like a hypothetical. I feel uncomfortable 17 doing that. 18 Let me back up. I think I have asked a poor question. 19 Yeah. Α 16:32:07 20 So what you conclude or what you present here is that if a plan deviates from your simulated plans, that implies race was 21 22 a predominant factor; is that right? In this particular setting. In this particular, you know, 23

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my analysis setting. I just feel uncomfortable speculating if

there is another plan that looks very different, how do I, you

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- 1 know.
- 2 Q Sure. Okay.
- 3 A It really depends on, I don't know. If that makes sense.
- 4 Because, you know, and also, yeah, so it depends like you have
- 16:32:47 5 | to carefully select what the inputs you want to use for
 - 6 | simulation in order to -- because simulation analysis is done
 - 7 | for a particular purpose. And so, you know, I just want to --
 - 8 yeah, refrain myself from making that conclusion on that, if
 - 9 that's okay, like a hypothetical question.
- 16:33:08 10 Q Sure. Let's move on, Dr. Imai. I am going to share my
 - 11 screen again. And this is M-1. This is a copy of your report.
 - 12 And I am going to go to page 10 and Figure 1?
 - 13 A Okay.
 - 14 Q And I would like to zoom out a little. I am going to ask
- 16:33:3615 you a few questions about this figure.
 - 16 A Sure.
 - 17 Q So any of the dots on this figure are an outlier, right?
 - 18 A Yeah. That's considered as an outlier under the standard
 - 19 statistical definition.
- 16:33:50 20 Q And, Doctor, further down in paragraph 28, you conclude
 - 21 that race was a predominant factor in the enacted plan as a
 - 22 result of its BVAP outlier status as illustrated in this
 - 23 | figure; isn't that right?
 - 24 A That's right.
- 16:34:07 25 | Q Dr. Imai, what's the highest BVAP in this district in this

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- l dataset that isn't an outlier?
- 2 \parallel A Oh, I didn't -- I don't have that exact number with me.
- 3 I'm sorry. But -- it's between somewhere 40 and 50.
 - Q Well, we can approximate from the graph, right? So
- 16:34:28 5 District 2's top whisker, what would you say that approximately
 - 6 to the BVAP of that point would be, maybe 43 percent?
 - 7 A Yeah, maybe something like that. Yeah.
 - 8 Q And none of the boxes that you talked about that have most
 - 9 of the data in them, none of those boxes break 40 percent BVAP,
- 16:34:49 10 | right?
 - 11 A For the District 2, you mean.
 - 12 Q For any of the districts.
 - 13 A Box, so, yes, District 7 is slightly on it -- maybe -- but
 - 14 yeah.
- 16:35:01 15 Q But even if 7 is on it, it's like right --
 - 16 A Yeah. That's correct, yeah.
 - 17 Q So -- and it looks like even the highest outlier for CD 7
 - 18 is -- I don't know, maybe 47 or 48 percent? Do you think
 - 19 | that's fair?
- 16:35:17 20 A That's right. Yeah, that's probably fair, yeah.
 - 21 Q So if CD 7 had a BVAP that was above 50 percent, would it
 - 22 be an outlier?
 - 23 A Again, I -- I'm -- I don't like to speculate hypothetical
 - 24 | because, you know, if you change one district, everything else
- 16:35:40 25 can change, but, yeah.

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20222Jan 18 PM 03:37 U.S. DISTRICT COURT N.D. OF ALABAMA

	N.D. OF ALA
1	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA
2	SOUTHERN DIVISION
3	
4	BOBBY SINGLETON, et al., * Plaintiffs, * 2:21-cv-1291-AMM
5	* January 5, 2022 vs. * Birmingham, Alabama
6	* 9:00 a.m.
7	JOHN MERRILL, in his official * capacity as Alabama Secretary * of State, et al., *
8	Defendants. * ***********************************
9	*
10	EVAN MILLIGAN, et al., * Plaintiffs, * 2:21-cv-1530-AMM *
11	vs. *
12	JOHN MERRILL, in his official * capacity as Alabama Secretary *
13	of State, et al., * Defendants. *
14	************
15	MARCUS CASTER, et al., * Plaintiffs, * 2:21-cv-1536-AMM
16	* * * *
17	* JOHN MERRILL, in his official *
18	capacity as Alabama Secretary * of State, et al., *
19	Defendants. * ***********************************
20	
21	
22	TRANSCRIPT OF PRELIMINARY INJUNCTION HEARING VIA ZOOM CONFERENCE VOLUME II
23	BEFORE THE HONORABLE ANNA M. MANASCO,
24	THE HONORABLE TERRY F. MOORER, THE HONORABLE STANLEY MARCUS
25	
	CHRISTINA K. DECKER, RMR, CRR
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	404

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And moving on to the core of existing guidelines. You are 1 2 clear in your report and your direct testimony that you did not 3 consider the cores of existing guidelines; is that right? No. 09:13:57 5 And if race predominated in the design of prior plans, would recognizing cores and preserving cores that racial 6 predominance -- sorry. Let me rephrase that. If race predominated in the design of prior plans? Uh-huh. And you were to adhere to preserving the cores of prior 09:14:14 10 11 plans, would that mask the effect of race in the current plan? 12 Yes, that's possible because I would note -- I would have 13 no way of separating the race as a factor, like isolating the 14 impact of race from what went into the prior plan. Okay. And Mr. Smith asked you yesterday about whether 09:14:35 15 16 preserving cores could be operationalized by preserving 17 80 percent of the previous district. Are you aware of any 18 guideline that requires preserving 80 percent or any other 19 threshold of previous districts? 09:14:55 20 Α No. Okay. Mr. Smith asked you a series of questions about 21 22 your race-blind simulation. If we could just have on the 23 screen Plaintiffs' Exhibit M-1, 88-1 at 10 which is Figure 1 in the boxplot that we discussed yesterday. Which districts in 24 09:15:22 25 this boxplot do you consider outliers?

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- The clearest outlier is 7. 1 2 And are there any other outliers here? 3 The 2 is also outlier according to the, you know, standard definition in statistics. 09:15:37 5 Okay. And this is in your race-blind simulation, correct? That's correct. 6 7 Okay. Does this finding in your race-blind simulation reflect any judgment about whether or not it's proper to draw a particular district, a particular way after the map is adjusted to have one MMD? 09:15:54 10 11 No. So this is completely race-blind. So the conclusion on the holds with respect to -- the comparison was race-blind 12 1.3 simulation simulated plans. 14 Okay. And your race-blind analysis does not incorporate the state's guideline, which gives priority to compliance with 09:16:11 15 16 the Voting Rights Act; is that right? 17 Right. It doesn't. And that was purpose was, you know, 18 of this race-blind simulation was just to establish as a first 19 step whether race played a predominant factor. 09:16:25 20 And a few questions about your one-MMD simulation before I move back to the race-blind simulation. 21 22 Your one-MMD analysis tried to account for the fact that 23 the state draws one MMD to comply with the VRA; is that right? That's correct. 24
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And your simulation found that even in drawing one MMD

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09:16:39 25

- that looked like the state's MMD, District 7 included a BVAP
 population beyond what was necessary to create a majority-black
 district; is that right?
 - A That's right.
- O9:16:53 5 Q But I believe you said yesterday your analysis did not consider whether the VRA might require two majority-minority districts; is that right?
 - 8 A No. No.
- 9 Q And you didn't perform any analysis of maps that include 09:17:0710 two majority-minority districts, right?
 - 11 A No.
 - 12 Q So your analysis wouldn't tell us anything about whether 13 or not containing two MMDs is an outlier or not compared to
 - 14 simulations constrained under two MMDs?
- 09:17:22 15 A No.

16

17

- Q Moving back to the race-blind analysis, and we can take that boxplot off the screen.
- If you have your report in front of you in case you would
 like to reference it. Mr. Smith asked you questions about your
 race-blind analysis with regard to Jefferson County. And he
 referenced paragraph 32 of your report. That's M-1, 88-1 at
 - 22 | 12. And this paragraph is still in your analysis about your 23 | race-blind simulations; is that right?
 - 24 A That's right.
- 09:17:54 25 Q Mr. Smith noted that at least eight of the 10,000

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race-blind simulated plans included more voters from Jefferson 1 2 County in District 7 than the enacted plan; is that right? 3 Yeah. I think so. I'm not 100 percent sure. I don't recall exact number he cited. 09:18:13 5 Okay. I will refer you to paragraph 32 of your report, where he did accurately cite the number that you gave. 7 Statistically does the inclusion of the Black Voting Age Population from Jefferson in eight of the 10,000 race-blind simulated plans affect whether the enacted plan was an outlier? 09:18:34 10 Yes. 11 How does it affect whether the race-blind simulated plan 12 was an outlier? 1.3 So according to the standard, you know, statistical 14 criteria, the .08 percent, the fact that only the .08 percent of simulated plans packs as many residents of Jefferson County. 09:18:52 15 16 To this extent, that phenomena is a statistical outlier, that 17 creates a statistical outlier. 18 Okay. So it impacts it in showing that it is, in fact, 19 a statistical outlier. 09:19:05 20 Α Yes, it is -- yeah. Sorry about that. Okay. Moving on to your conclusions about Montgomery 21 22 County in your race-blind simulation. And this is reflected in 23 the following paragraph, 33 of your report. What is the likelihood that Montgomery County would split at all in a 24 race-blind simulation? 09:19:25 25

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- A Over 97 percent.
- Q Over 90 percent that it would stay whole or?
- 3 A Stay whole. Sorry. Less than 3 percent would be the 4 property that's being split.
- O9:19:40 5 Q And statistically, does Mr. Smith's observation that 300 of the 10,000 race-blind simulations split Montgomery County

 7 change your observation that the treatment of Montgomery County
 - 8 was an outlier in the race-blind analysis?
 - 9 A No.

case at all?

12

1

- O9:19:58 10 Q Does this outcome in the race-blind analysis already

 11 reported in your report change your overall opinion in this
 - 13 A No. According to the standards of statistical criteria, 14 this difference is statistically sound.
- O9:20:1615 Q And just to be clear, in the 97,000 simulated plans in which Montgomery County remained whole -- sorry -- 9,700 simulated plans in which Montgomery County remained whole, in 9,400 of those plans, the whole county was assigned to District 2 or 6; is that right?
- 09:20:36 20 A That's correct.
 - Q Is it accurate to say that in your race-blind simulation and without consideration of race obviously, Montgomery County is highly unlikely to be included in District 7?
 - 24 A Yes.
- 09:20:50 25 Q Okay. Just a few more questions. If you could turn to --

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2022 1 1 20 98 PM 03:37 U.S. DISTRICT COURT N.D. OF ALABAMA

	N.D. OF ALA
1	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION
3	
4 5 6 7 8	BOBBY SINGLETON, et al., Plaintiffs, January 10, 2022 vs. Birmingham, Alabama 9:00 a.m. JOHN MERRILL, in his official * capacity as Alabama Secretary * of State, et al., Defendants.
9	**************************************
10	*
	*
13	capacity as Alabama Secretary *
14	**************************************
15 16	Plaintiffs, * 2:21-cv-1536-AMM
17	vs. *
18	JOHN MERRILL, in his official * capacity as Alabama Secretary *
19	of State, et al., * Defendants. * **********************************
20	
21	
22	TRANSCRIPT OF PRELIMINARY INJUNCTION HEARING VIA ZOOM CONFERENCE VOLUME V
2324	BEFORE THE HONORABLE ANNA M. MANASCO, THE HONORABLE TERRY F. MOORER, THE HONORABLE STANLEY MARCUS
25	
	CHRISTINA K. DECKER, RMR, CRR Federal Official Court Reporter

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The exit polls give us additional empirical evidence that 1 2 racially-polarized voting did take place in 2008 and 2012 3 presidential elections, which reconfirm what we found by using EI technology. 14:29:59 5 Okay. In looking at the 2008 election in particular, did you see anything with respect to how white Democrats voted? 7 In 2008, like I said, I not only looked at the general election between Obama and McCain, but also the Democratic primary in 2008 between Hillary Clinton and Barack Obama. Both of them are high profile national figures. It's 14:30:34 10 11 very enlightening to see how voters voted, especially in the 12 Democratic primary in 2008, because both candidates -- Clinton 1.3 and Obama -- are Democrats. So I was able to see whether race 14 played a role. Indeed I saw that Hillary Clinton received 72 percent of white vote. 14:31:02 15 16 And how much support did then Senator Obama receive in the 17 primary? Sorry, Dr. Liu. 18 How much support did the -- how much support did President 19 Barack Obama receive in the 2008 Democratic primary from black 14:31:33 20 voters? That was 84 percent. 21 22 Okay. And then in the 2008 general election, how much 23 support did President -- sorry -- Senator McCain receive from white Democrats specifically? 24 14:31:48 25 Yes. He received the majority white support -- I believe

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it was 50, 51 or -- or 52 percent. Yeah. I can --
      2
              And that's -- that's white Democratic support; is that
      3
         right?
              Yes. Yes.
              Okay. And how much black support did President Obama
14:32:04 5
         receive in the 2008 election?
      7
              It's almost universal. More than 95 percent.
              Okay. In looking at page 13 of your report, Dr. Liu, did
      8
         you also analyze -- I think you already mentioned this -- the
         election between Senator Sessions and State Senator Figures?
14:32:26 10
     11
              Yes. I did. I also look at the exit poll for that
     12
         particular U.S. Senate election. And it showed that Senator
     1.3
         Sessions received overwhelming white support. But more
     14
         importantly, even 58 percent white Democratic supported Senator
         Sessions. So that shows that race obviously outweighed party
14:32:56 15
         for these white Democrats.
     16
     17
              Thank you, Dr. Liu. And what are your sources for these
     18
         exit polls?
     19
              I am a scholar of presidential elections. As I said, I
14:33:17 20
         have published a book on Obama. My forthcoming book is about
         President Trump. So I have accumulated very large database
     21
     22
         myself. My students use my own database. And for exit polls,
         every time national medias that publish their exit poll
     23
         results, especially CNN, I recorded them in my database.
     24
14:33:44 25
             But for this particular report, I also used a double
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2022 164 58 PM 03:37 U.S. DISTRICT COURT N.D. OF ALABAMA

	N.D. OF ALA
1	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA
2	SOUTHERN DIVISION
3	
4	BOBBY SINGLETON, et al., * Plaintiffs, * 2:21-cv-1291-AMM
5	* January 12, 2022
6	vs. * Birmingham, Alabama * 8:30 a.m.
7	JOHN MERRILL, in his official * capacity as Alabama Secretary * of State, et al., *
8	Defendants. * ***********************************
10	EVAN MILLIGAN, et al., * Plaintiffs, * 2:21-cv-1530-AMM *
11	vs. *
12 13	JOHN MERRILL, in his official * capacity as Alabama Secretary *
14	of State, et al., * Defendants. * ***********************************
15	MARCUS CASTER, et al., * Plaintiffs, * 2:21-cv-1536-AMM
16	* * * *
17	* JOHN MERRILL, in his official *
18	<pre>capacity as Alabama Secretary * of State, et al.,</pre>
19	Defendants. * ******************
20	
21	TRANSCRIPT OF PRELIMINARY INJUNCTION HEARING
22	VIA ZOOM CONFERENCE
23	VOLUME VII BEFORE THE HONORABLE ANNA M. MANASCO,
24	THE HONORABLE TERRY F. MOORER, THE HONORABLE STANLEY MARCUS
25	
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With that, Judge Manasco, any questions or comments?

JUDGE MANASCO: Thank you. First, I will echo what

you said about the commendation of the lawyers. I think, you

know, what all of you were able to accomplish would have been

remarkable under any circumstance in this amount of time. But

I am mindful that there were holidays, and there was pandemic

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17:03:18 25

17:02:59 20

17:02:35 15

17:02:13 10

circumstances.

The other thing is I still do have one question. And I will direct it to Mr. Davis, if he's still with us.

duress, and so I think it was all the more remarkable under the

But, Mr. Davis, you are free to punt it to any other person on your team, if you think appropriate. And it's really just sort of an evidentiary question about the logistics. We have heard a lot today about timing. And I recall you saying at one of our earlier proceedings early on in the life of the case that if any relief were ordered, the Legislature would want the opportunity to take the first cut at another map. And so my question is: Is there anything in the record or any argument you want to make about how long that might take if — and I underscore the if — any relief were ordered?

MR. DAVIS: Your Honor, there is nothing in the record to my knowledge that would address that question. I can share that you would -- we got the census data -- the day we got the census data is in the record, and the draft congressional plan was completed soon before the reapportionment committee met.

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That's not quite apples to apples because the map drawer was 2 also working on other maps. 3 All I can tell you -- I think it would take at least a couple of weeks to confer to meet with legislators. 17:03:36 5 Legislature will be in session, so we won't have to go through the Governor to call. But you have to draft the plan, then it 6 7 will take several days to get to the Legislature. Mr. Walker, do you have more information that you can 8 share? I will give you this seat. MR. WALKER: No. Just saying there will be -- it will 17:03:49 10 11 be more difficult because --12 MR. DAVIS: Oh. I think -- it may -- I take it Mr. Walker's point is however long it took last time had he 13 14 been doing just the congressional plan, might take longer since inevitably an order would require drastic changes. It would 17:04:07 15 16 not be a least change. So there would be more the Legislature 17 has to weigh because it would blow up the map. It would be 18 completely different from the way things were before. 19 So I couldn't give you anything more than a guess. I 17:04:26 20 don't see how it could possibly be done within less than a couple of weeks. But it could be much longer. It could be a 21 22 little quicker. That's the best I could do, Judge. 23 JUDGE MANASCO: Understood. Thank you. 24 JUDGE MARCUS: Any other comments or questions about that from anyone, or, Judge Moorer, any questions? 17:04:45 25

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