

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD AGEE, JR., an individual, *et al.*,

Plaintiffs,

v.

JOCELYN BENSON, in her official capacity as the Secretary of State of Michigan, *et al.*,

Defendants.

Case No. 1:22-cv-00272

Three-Judge Panel Appointed Pursuant to 28 U.S.C. § 2284(a)

PLAINTIFFS' OBJECTIONS TO DEFENDANTS' REMEDIAL STATE HOUSE PLAN

INTRODUCTION

Defendants' adopted remedial map is an improvement over the racially gerrymandered House map this Court struck down in its December 2023 ruling. But it is still not acceptable. To begin, the remedial map is gerrymandered to ensure that no incumbents must face each other. Because of the immense advantage that incumbents enjoy, that virtually ensures that the results of the 2022 election—conducted using the invalidated House map—will essentially be locked in for the foreseeable future, perpetuating the constitutional harm Plaintiffs have already suffered. As numerous courts have held, “attempts to ensure an incumbent will prevail in his or her new district—have the potential to embed, rather than remedy, the effects of an unconstitutional racial gerrymander in a proposed remedial districting plan.” *Covington v. North Carolina*, 283 F. Supp. 3d 410, 431–33 (M.D.N.C.), *aff'd in part, rev'd in part*, 585 U.S. 969 (2018) (collecting cases).

This incumbent gerrymander was no accident. Despite several Commissioners making odd and unprompted professions on the record that they did *not* consider incumbency, a Monte Carlo analysis performed by Dr. Trende shows there was only a 1% chance of the Commission drawing a map that paired no incumbents.¹ And another Monte Carlo analysis shows that the adopted map is still a racial gerrymander, an outlier compared to the maps drawn primarily by other Commissioners.

How could this happen if the Commission was not considering race this time around? One reason is the adopted map retains three districts (i.e., House Districts 16, 17, and 18) that exemplify the racially-motivated “spoke” concept that *was* core to the Commission’s first round of drafting. The Court will recall from the trial that the Commission accomplished its racial gerrymander in the Hickory map by drawing long, bacon-shaped districts that began in Detroit and stretched out into the suburbs. Yet when given the chance to adopt race-neutral districts reflecting traditional redistricting criteria—like a map proposed by Commissioner Szetela—Defendants doubled down on their previous strategy in the adopted map, which almost entirely preserves the Hickory strategy of spoked western districts. The Court should decline to adopt a map which retains districts that are indistinguishable from districts drawn primarily with race in mind.

¹ A Monte Carlo analysis is a type of computational algorithm that uses repeated random sampling to obtain the likelihood of a range of results of occurring. This was one of the simulation tools Dr. Trende discussed at trial showing that the Hickory map was a racial gerrymander, since it was an outlier among the range of samples.

Another reason is two districts (House Districts 10 and 12) were configured primarily based on race to “balance” Black Voting Age Population (“BVAP”) for purported “VRA compliance.” Defendants again chose to diminish the Black voting strength of Eastpointe (and a portion of northeast Detroit) by pairing it with the predominately white lakeshore community of St. Clair Shores, and by pairing the predominately Black City of Harper Woods (and a portion of northeast Detroit) with the predominately white, ultra-wealthy Grosse Pointes. That strategy continues to perpetuate racial discrimination, dilute Black voting power, and defy communities of interest.

A third reason is that the Commission effectively outsourced its drafting function to Mr. Gilmer-Hill, the Electoral Chair of the Metro Detroit Democratic Socialists of America. A shocking 93.7% of the adopted map is identical to the Tiger Lilly map Mr. Gilmer-Hill submitted; the only real difference is a major amendment to Districts 10 and 12, also prompted by Mr. Gilmer-Hill. Because Mr. Gilmer-Hill operated behind closed doors, we don’t know if he used race. But his map performs like he did.

By repeating and ensconcing its mistakes from the racially gerrymandered Hickory map, the Commission violates the Voting Rights Act. The adopted map includes eight majority-Black House districts (numbered 4, 5, 7, 8, 9, 11, 16, and 18) and three additional House districts (numbered 10, 12, and 17) that closely track the Hickory map’s racial targets. The adopted map’s scheme remains well below the ten majority-Black House districts contained in the 2011 House map. And it is also less

than the ten reasonably configured majority-Black House districts capable of being drawn today. For all these reasons, this Court should reject the adopted map.

A FEW TROUBLING FACTS

On February 28, 2024, Defendants adopted a final remedial plan for the Michigan House of Representatives dubbed “Motown Sound FC E1” (“Remedial State House Plan”). ECF No. 167, PageID.5382-84. But who influenced the final resting place of the boundary lines of Defendants’ Remedial State House Plan? And why? Surely, part of the answer can be found in Defendants’ public transcripts spanning January 11, 2024, through February 28, 2024. Yet those transcripts are obscured by the considerable number of constantly changing draft remedial plans and Defendants’ later promotion of a total of ten draft remedial plans for public review and comment. ECF No. 165, PageID.5367.² Those transcripts show that Commissioners Eid and Kellom dominated the limited shaping of what ultimately became Defendants’ Remedial State House Plan. See, e.g., 1/18/24 MICRC Tr. at 57, 63, 64, 65, 67, 68, 69, and 72; 1/23/24 MICRC Tr. at 81-82; 1/24/24 MICRC Tr. at 13, 72-73; 1/25/24 MICRC Tr. at 31-35 and 44-46; 2/1/24 MICRC Tr. at 32-41, 56-62, 76-80, 84, 91; see also 1/31/24 MICRC Video Recording at minute mark 4:12:00–4:39:30, <https://www.youtube.com/watch?v=C7ER7Bbi7DE>.

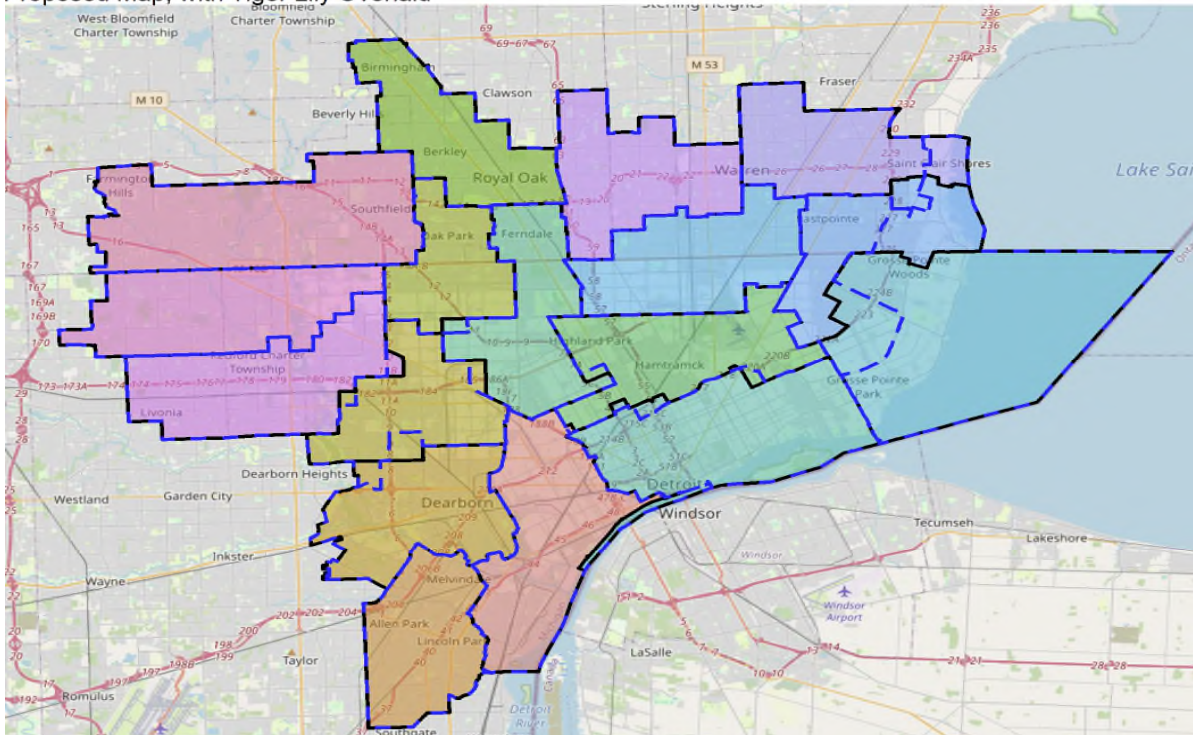
² The transcripts from most of Defendants’ remedial mapping sessions may be accessed at <https://www.michigan.gov/micrc/meeting-notices-and-materials>. Notably, and despite longstanding written and verbal requests from Plaintiffs’ counsel to counsel for the Defendant Commission and Defendant Secretary of State, see 1/26/24 Bursch Correspondence, attached as **Exhibit E**, several of the transcripts of the Defendants’ mapping sessions have still not been published (as of March 8, 2024 at 3:43 pm).

To appreciate the full answer to the Remedial State House Plan's origin, the Court must trace the lineage of "Motown Sound FC E1" back to the beginning. As explained by Dr. Trende, "Motown Sound FC E1" evolved from "Motown Sound," which itself evolved from "Riverwalk FC" and "Spirit of Detroit," which find *their* origin in "Tiger Lily," collectively referred to here as the "Family of Maps." See Trende Report on Remedial House Plans at 3-8, attached as **Exhibit A**; see also 1/24/24 MICRC Tr. at 13, 72-73; 2/1/24 MICRC Tr. at 32-41, 56-62, 76-80, 84, 91.

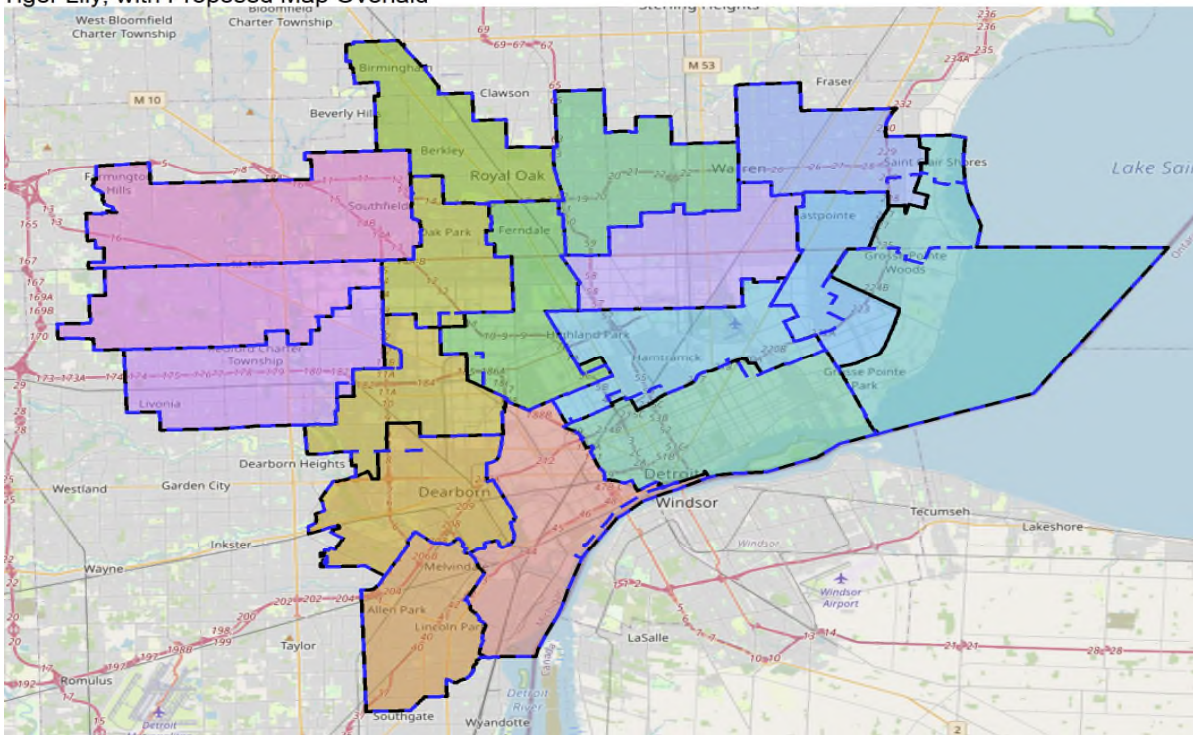
This Family of Maps is unique from all the other draft remedial maps drawn by Commissioners in public hearings and submitted for public comment in that the Family of Maps dramatically over-favors incumbents by not placing a single incumbent in the same house district, and by not creating any open seats. Trende Report on Remedial House Plans, **Exhibit A** at 10-24.³ This Family of Maps is also unique in that the maps all closely resemble each other. *Id.* at 3-8. The overlay map of Tiger Lily (the beginning) and Motown Sound FC E1 (the end) vividly depicts this reality:

³ Tellingly, Defendants' Hickory plan impacted incumbents to a remarkably greater extent than Defendants' Remedial State House Plan. *E.g.*, Sergio Martínez-Beltrán, *Redistricting may oust half of incumbents in Michigan, analysis finds*, The Bridge-Michigan, (Nov. 23, 2021), <https://www.bridgemi.com/michigan-government/redistricting-may-oust-half-incumbents-michigan-analysis-finds>

Proposed Map, with Tiger Lily Overlaid



Tiger Lily, with Proposed Map Overlaid



Alarming, “Tiger Lily” was neither drafted by Defendants nor drafted in an open meeting. *Contra Mich. Const. Art. IV § 6 (5), (10), (11)*. It was drafted behind

closed doors and *submitted* to Defendants on January 24, 2024, by Christopher Gilmer-Hill, a Harvard educated software developer. Mr. Gilmer-Hill is a Michigan Democratic party precinct delegate who serves as the “Electoral Chair” of the “Metro Detroit Democratic Socialists of America.” Gilmer-Hill Social Media Account Package, attached as **Exhibit D**. Mr. Gilmer-Hill is far from a non-partisan, and his Democratic Socialist peers have bragged about his Tiger Lily map being amongst the final remedial maps up for proposed adoption, albeit under a different moniker. *Id.*

They were spot-on. The Remedial State House Plan and Tiger Lily share *93.7% of the same population*. Trende Report on Remedial House Plans, **Exhibit A** at 7-8. The populations in House Districts 2, 5, 6, 11, 14, 17, and 18 are identical in both maps. *Id.* The only material population changes come from the dilutive racial gerrymander of grouping Eastpointe/Detroit with St. Clair Shores, and then Harper Woods/Detroit with the Grosse Pointes, all to achieve the racial targets this Court struck down. *Id.* at 5-8. As discussed below, these amendments to House Districts 10 and 12, proposed by Commissioner Eid, also originated with Mr. Gilmer-Hill.

Plaintiffs have no way to know who really drafted Tiger Lily, or to identify all the considerations that went into crafting that map—such as race or incumbency protection. But empirical evidence shows that Tiger Lily and its progeny are masterful incumbency protection plans, score poorly on the gerrymander index—far worse than the other maps drawn by Commissioners in open meetings—and fail to afford the level of Black electoral opportunity readily available in a wide array of reasonably configured districts not drawn to protect incumbents. *Id.* at 10-35.

STANDARD OF REVIEW

After finding unconstitutional race-based discrimination, courts have the independent duty to ensure that the government’s remedial plan “so far as possible eliminate[s] the discriminatory effects of the past as well as bar[s] like discrimination in the future.” *Louisiana v. United States*, 380 U.S. 145, 154 (1965). This means that “courts must ensure that a proposed remedial districting plan completely corrects—rather than perpetuates—the defects that rendered the original districts unconstitutional or unlawful.” *Covington v. North Carolina*, 283 F. Supp. 3d 410, 431 (M.D.N.C.), *aff’d in part, rev’d in part*, 585 U.S. 969 (2018) (“*Covington I*”) (citing *Abrams v. Johnson*, 521 U.S. 74, 86 (1997)). Numerous courts have acknowledged that they must (1) review a state’s proposed remedial districting plan to ensure it completely remedies the identified constitutional violation, *and* (2) ensure that the remedial plan “is not otherwise legally unacceptable.” *Id.* at 424–25 (collecting cases).

Relief in redistricting cases is “fashioned in the light of well-known principles of equity.” *Reynolds v. Sims*, 377 U.S. 533, 585 (1964) (cleaned up). Courts must undertake an “equitable weighing process” to remedy the legal violations they have identified, *NAACP v. Hampton County Election Comm’n*, 470 U.S. 166, 183, n. 36 (1985), taking account of “what is necessary, what is fair, and what is workable,” *New York v. Cathedral Academy*, 434 U.S. 125, 129 (1977) (cleaned up). A district court’s equitable powers are “broad, for breadth and flexibility are inherent in equitable remedies.” *Brown v. Plata*, 563 U.S. 493, 538 (2011) (cleaned up).

In exercising this broad equitable power, “[e]vidence drawn from the liability phase and the Court’s prior findings form the backdrop for the Court’s determination of whether the Remedial Plan so far as possible eliminated the discriminatory effects of the original plan.” *Singleton v. Allen*, No. 2:21-CV-1291-AMM, 2023 WL 5691156, at *43–44 (N.D. Ala. Sept. 5, 2023), appeal dismissed sub nom., *Milligan v. Co-Chairs of Alabama Permanent Legislative Comm. on Reapportionment*, No. 23-12922-D, 2023 WL 6568350 (11th Cir. Oct. 3, 2023) (cleaned up).

OBJECTIONS

I. Defendants’ Remedial State House Plan Violates the Michigan Constitution and Prejudices Black Voters by Favoring Incumbents Elected Under the Unconstitutional and Racially Gerrymandered Hickory Plan.

Throughout the remedial drafting phase, several Defendants—without prompting and quite awkwardly—professed on the record that the Commission did *not* favor or disfavor incumbents when crafting potential remedial districts. See 1/17/24 MICRC Tr. at 14⁴; 1/24/24 MICRC Tr. at 21⁵; 2/1/24 MICRC Tr. at 77-78⁶, 86⁷.

⁴ Commissioner Lett: “I will not consider an advantage to any political party or person. I do not look up the political party that is in those districts, nor will I consider or favor or disfavoring any person or candidate since I don’t know who they are representing there. Certainly I can look them up, but I won’t do that.”

⁵ Commissioner Lett: “The Districts as far as I know do not favor or disfavor an incumbent or potential candidate. I certainly, in my drawing of maps previously and now in submitting this one, have not looked to see who the representative was.”

⁶ Chair Orton: And we did not favor or disfavor any incumbent elected official or candidate and I don’t know if you said that already but I did not hear it. Commissioner Eid: I did not say that but that is correct.

⁷ Chair Orton: “And districts do not favor, or disfavor incumbent elected officials or candidates because we did not look at that.”

Some of these representations were undoubtedly fair assertions; after all, most of the Commission’s draft remedial maps pitted incumbents against each other in one or more of the draft remedial districts. *Trende Report on Remedial House Plans, Exhibit A* at 10-24.⁸

But incumbent neutrality was decidedly *not* the case when it came to the Family of Maps. These maps are expertly drawn incumbency protection plans. In fact, the Remedial State House Plan and its lineage (which includes Motown Sound FC E1, Motown Sound, Riverwalk FC, Spirit of Detroit, and Tiger Lily), astoundingly managed not to double-up incumbents in even a single district. Representative Regina Weiss, the House District 6 incumbent, declared it “miraculous that no incumbents were drawn together” and volunteered that “[i]t’s not something they [i.e., the Commission] even look at or consider, and a lot of us do live pretty closely together. It was just by happenstance and chance that it didn’t happen.” Ben Solis, *Detroit-Area Dems In Redrawn Districts Are Ready To Roll Despite Changes*, Gongwer, (Mar. 1, 2024), <https://www.gongwer.com/news/?a=630430101>, attached as **Exhibit C**. Representative Veronica Paiz, the House District 11 incumbent, admitted that she didn’t want to run against one of her colleagues and had even contemplated moving if she had been drawn into a district with another incumbent. *Id.*

The Monte Carlo analysis shows that it was indeed “miraculous” that the Commission would adopt a map pairing no incumbents elected based on the racially-

⁸ Accord Ben Solis, *Redistricting Commission Begins Redrawing Detroit-Area House Map*, Gongwer, (Jan. 16, 2024), <https://www.gongwer.com/news/?a=630100101>, attached as **Exhibit B**.

motivated Hickory map. Dr. Trende ran a race- and incumbency-blind computer simulation model which drew 100,000 different remedial house district configurations in the Detroit area. Of those 100,000 unique configurations, nearly 99,000 placed incumbents in more or more of the same districts. In other words, there was only a 1% chance that the Commission would draw a map with no paired incumbents in the new districts. As Dr. Trende explains, these findings are statistically significant and show a high probability that Defendants' Remedial State House Plan was, in fact, gerrymandered to favor incumbents. See Trende Report on Remedial House Plans at 24, attached as **Exhibit A**.

This matters for two reasons. First, the Michigan Constitution expressly provides that “[d]istricts shall *not* favor or disfavor an incumbent elected official or a candidate.” Mich. Const. Art. IV § 6(13)(e) (emphasis). Second, the Remedial State House Plan perpetuates the discriminatory effect of the now-stricken Hickory map.

Numerous courts have recognized that remedial maps drawn to protect incumbents elected under racially gerrymandered maps, or incumbents elected under maps drawn in violation of the Voting Rights Act, are not fully remedial because they perpetuate the discriminatory effect of the stricken plan by favoring that plan's incumbents. “[A]ttempts to ensure an incumbent will prevail in his or her new district—have the potential to embed, rather than remedy, the effects of an unconstitutional racial gerrymander in a proposed remedial districting plan.” *Covington I*, 283 F. Supp. 3d at 431–33 (collecting cases). “[A]lthough efforts to protect incumbents may be legitimate in some circumstances, in this remedial posture and

given the historical record currently before the Court, the City Council’s desire to protect incumbents who had been elected to racially gerrymandered districts must give way to its duty to completely remedy the constitutional violation.” *Jacksonville Branch of NAACP v. City of Jacksonville*, No. 3:22-CV-493-MMH-LLL, 2022 WL 17751416, at *16–17 (M.D. Fla. Dec. 19, 2022), appeal dismissed, No. 22-14260-HH, 2023 WL 4161697 (11th Cir. June 6, 2023) (cleaned up).

As demonstrated by Dr. Trende’s race- and incumbency-blind computer simulations, Defendants’ predominate interest in avoiding incumbency pairings perpetuates the racial taint of the Hickory Plan and removed 99% of the possible race-blind district configurations Defendants could have adopted to remediate their racial gerrymander—including every single one of the draft plans that was *not* part of the Family of Maps. The Remedial State House Plan contravenes the Court’s previous ruling by doubling down on the harm the Hickory map caused.

We may never know whether Commissioners were working behind the scenes with Mr. Gilmer-Hill to draft an incumbent-protection plan, whether Mr. Gilmer-Hill was himself working with other political operatives and used as the unofficial spokesperson and proponent of the Tiger Lily Map, or whether this was all just a happy coincidence. It doesn’t matter. The fact that the Commission ensconced its racial gerrymander by protecting every last one of the incumbents, standing alone, is fatal to the Remedial State House Plan.

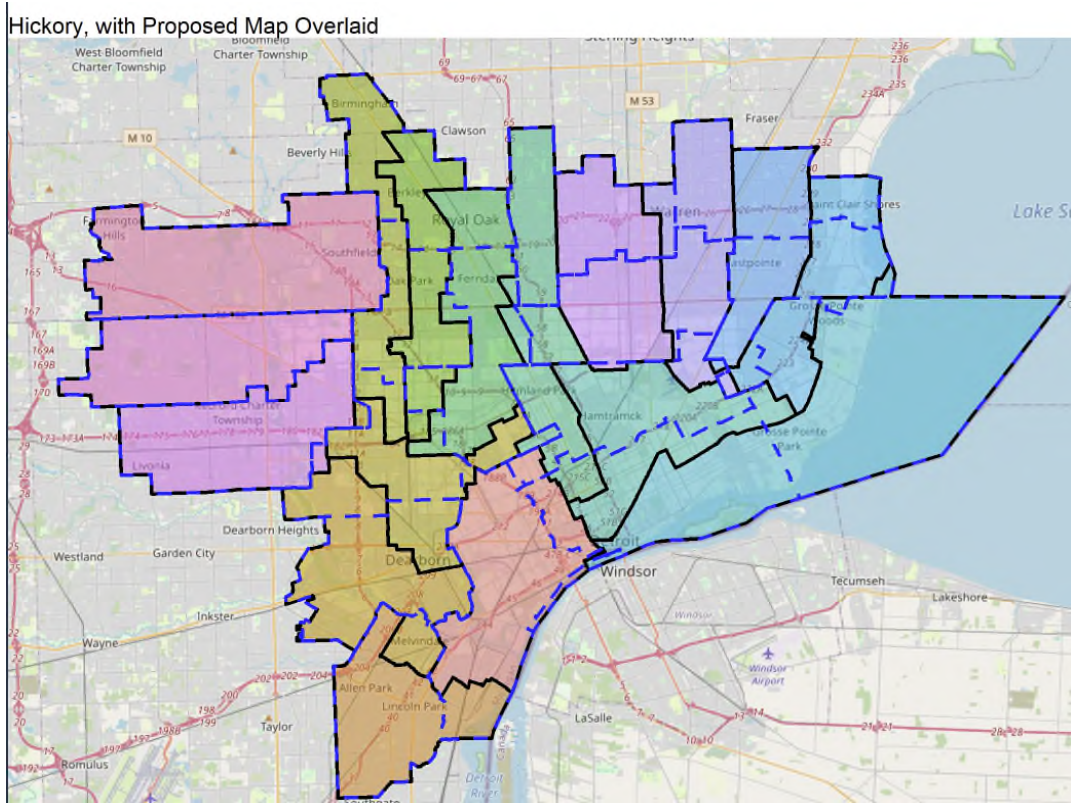
II. Defendants’ Remedial State House Plan Remains the Product of Race-Based Line Drawing.

A. Remedial State House Districts 16, 17, and 18 Preserve the Commission’s Racially Motivated “Spoke” Concept.

The Hickory Plan’s House Districts 16, 17, and 18 were elongated “spoke” districts running east to west from predominately Black areas of Detroit and Southfield to predominately white areas of Livonia and Farmington Hills. Hickory Plan. PX96 at 3. While there are presently no Plaintiffs residing in these three districts, the record before the Court showed—and the Court acknowledged—that these bacconmandered districts were drawn primarily based on race and are, without any serious question, unconstitutional racial gerrymanders.⁹

Yet despite having the option to adopt the Szetela 4 Plan—which replaced the Hickory Plan’s western spoke districts with race-neutral districts reflecting traditional redistricting criteria—Defendants opted to adopt instead the Remedial State House Plan, a map which almost entirely preserves the Hickory map’s three racially gerrymandered western spoke districts.

⁹ *E.g.*, Opinion and Order, ECF No. 131, PageID.4724 (acknowledging that then House Districts 14, 15, and 17 were drawn as westerly spokes to lower the BVAPs of those districts), PageID.4733 (quoting Commissioner Eid’s concern that the BVAP of then House District 17 was drawn too low to provide Black opportunity), PageID.4770 (finding “as to the Commission’s mapping process for Detroit-area districts generally, that the Commission adopted ‘an announced racial target’ to which it ‘subordinated other districting criteria’), and 4785 (“the Commission drew the entire Detroit-area with race as its predominant consideration”). Accord 9/30/21 MICRC Tr. (PX63) at 82-85, 138-143 (numerous discussions regarding the need to create the western spoke districts for the collaborative house map to comply with the racial targets).



As Dr. Trende explains, Defendants’ decision to both retain these spoke districts and adopt Commissioner Eid’s amendment to House Districts 10 and 12 explains why Defendants’ Remedial State House Plan still scores as an outlier racial gerrymander in a Monte Carlo analysis. Trende Report on Remedial House Plans at 24-35, attached as **Exhibit A**; see also *GRACE, Inc. v. City of Miami*, No. 1:22-CV-24066-KMM, 2023 WL 4853635, at *8 (S.D. Fla. July 30, 2023) (holding that “even if the Remedial Plan was enacted in a facially race-neutral manner, circumstantial evidence may yet demonstrate that the plan unconstitutionally sorted voters based on race”). Whereas as all the other proposed Commission maps fell within a reasonable range of a Monte Carlo analysis—particularly the map proposed by

Commission Szetela—the Remedial State House Plan fares as poorly on a racially gerrymandering scale as did the Hickory map. *Id.*

Since Plaintiffs are entitled to a complete remedy, and this Court is operating within its equitable jurisdiction, Plaintiffs request that the Court reject any plan which preserves racially gerrymandered districts from the Hickory Plan. Such plans do not remedy the racial discrimination Plaintiffs have already suffered. And adopting such maps will likely subject the racially gerrymandered western spoke districts to future challenges from Black voters residing therein. *Abrams*, 521 U.S. at 86 (holding a remedial districting plan cannot be sustained if it “would validate the very maneuvers that were a major cause of the unconstitutional districting”).

B. By Isolating the Black Communities of Eastpointe and Harper Woods within Predominately White Districts, Remedial State House Districts 10 and 12 Dilute Black Voting Strength.

When crafting House Districts 10, 11, and 12 of the Hickory Plan to meet their racial targets, Defendants employed a racially dilutive strategy of keeping St. Clair Shores separate from the Grosse Pointes (despite identifying them as communities of interest) and keeping Eastpointe largely separated from Harper Woods and Detroit (despite identifying them as communities of interest, too). To accomplish that racial goal, the Commission lumped Eastpointe with Roseville—despite those areas *not* being communities of interest—and portions of Detroit and Harper Woods with St. Clair Shores (same). *See, e.g.*, Hickory Plan, PX96 at 3; 9/30/21 MICRC Tr. (PX140) at 644-45 (discussing the reasons for lowering the BVAP of House District 10); Opinion and Order, ECF No. 131, PageID.4719-21, 4735-36, 4807-13 (acknowledging

that the racial gerrymander of the Hickory Plan districts 10, 11, and 12 cut against communities of interest); PageID.4798-99 (recognizing the necessary isolation of Eastpointe to racially gerrymander Senate District 11 of the Linden Plan).

Defiantly, Defendants' Remedial House Districts 10 and 12 use the same isolationist strategy to accomplish the same racially dilutive goal as the Hickory Plan: districts with BVAPs around 45%, almost the same racial target that Mr. Adelson, Dr. Handley, and General Counsel Pastula gave to Defendants during the initial map-drawing process this Court struck down. Specifically, Remedial House District 10 has a BVAP of 43.8%, with House District 12 at 45.9%. ECF No. 131, PageID.4808, 4812; Remedial State House Plan VRA Data, attached as **Exhibit F**.

The only difference this time around was tactical. Remedial House Districts 10 and 12 now pair Eastpointe/Detroit with St. Clair Shores and Harper Woods/Detroit with the Grosse Pointes. Viewed in context of Defendants' previous racial machinations, the racially dilutive gerrymander in the Defendants' Remedial State House Plan is transparent. The configurations of Remedial House Districts 10 and 12 therefore do not remediate the racial gerrymander; they perpetuate it. E.g., 2/22/24 MICRC Tr. at 32-33 (Black citizens expressing frustration with the pairings).

To appreciate how these districts came to be, the Court must look to the YouTube video recording of Defendants January 31, 2024 meeting because the Michigan Secretary of State has not yet published the written transcript of this drafting session that took place more than a month ago.¹⁰

¹⁰ 1/31/24 MICRC Video Rec. <https://www.youtube.com/watch?v=C7ER7Bbi7DE>

Midway through the meeting, in light of purported “VRA compliance” concerns with the Spirit of Detroit map,¹¹ Defendant Eid directed the amendment of House Districts 10 and 12, including the pairing of Eastpointe, Harper Woods, and portions of northeast Detroit with the wealthy, predominately white lakeshore communities of St. Clair Shores and the Grosse Pointes.¹² The amendments were substantial revisions moving over 64,000 residents amongst districts based entirely on racial considerations that conflicted with communities of interest.

As seen in the video, Defendant Eid’s amendment was actually a proposal from none other than Mr. Gilmer-Hill, who suggested altering his previously submitted map.¹³ The next day, Defendants Kellom and Eid formally made these changes to the Spirit of Detroit map and renamed this iteration Motown Sound. 2/1/24 MICRC Tr. at 32-41, 56-62, 76-80, 84, 91. This was Black-vote dilution, plain and simple.

III. Defendants’ Remedial State House Plan Minimizes Black Opportunity, Possibly in Violation of the Voting Rights Act.

Defendants’ Remedial State House Plan contains eight majority-Black House Districts (*i.e.*, 4, 5, 7, 8, 9, 11, 16, and 18) and three additional House Districts (*i.e.*, 10, 12, and 17) that closely track the racial target Defendants used when drafting the stricken Hickory Plan. **Exhibit F.**

¹¹ E.g., 1/29/24 MICRC Tr. at 23-46; 1/30/24 MICRC Tr. at 5, 9-18, 20-26, 30-40; 2/22/24 MICRC Tr. at 28-29, 38-40, 64-67.

¹² See Commissioner Eid Amendment, 1/31/24 MICRC Video Rec. at minute mark 4:12:00 – 4:39:30 <https://www.youtube.com/watch?v=C7ER7Bbi7DE>

¹³ See Chris Gilmer-Hill Public Comment, 1/31/24 MICRC Video Recording at minute mark 20:09-22:00, <https://www.youtube.com/watch?v=C7ER7Bbi7DE>.

This is less than the ten majority-Black House Districts contained in the 2011 State House Plan. ECF No. 114, PageID.3836, at ¶ 63. And this is less than the ten reasonably configured majority-Black House Districts capable of being drawn today.

Dr. Trende's race-blind computer simulations of remedial house districts show that it is possible to draw up to ten reasonably configured majority-Black remedial house districts. Trende Report on Remedial House Plans at 9-10, 24-35, attached as **Exhibit A**. This is consistent with Dr. Trende's finding from his January 18, 2023 Expert Report where he "was able to draw 10 such districts, though it is possible that an 11th could be drawn with more aggressive county splitting." January 18, 2023 Trende Expert Report (PX20) at 22-26. The Commission acknowledged this, too. But Defendants instead rejected the proposed remedial house plan submitted by Commissioner Szetela that contained ten majority-Black house districts and another district with a BVAP of 43.5%. Szetela 4 VRA Data, attached as **Exhibit G**.¹⁴

Defendants have not shared publicly any material analysis to support their collective decision to deprive Black voters in the Detroit area of the additional majority-Black districts capable of being reasonably configured within the region. Defendants have not shared any meaningful analysis demonstrating that Remedial State House Districts 10, 12, and 17 are likely to perform for Black voters. Nor have Defendants shared any analysis showing that Black voters in Remedial State House Districts 10, 12, and 17 do not vote cohesively, or that White voters in those districts

¹⁴ In addition, the Michigan Democratic Party Black Caucus was also able to draw a proposed map with 10 majority-Black districts <https://mdpblackcaucus.com/updates>.

will not vote as a bloc to defeat the Black candidate of choice. Defendants haven't even show this configuration is necessary VRA compliance.

In the end, it is hard to fathom how three supposed crossover districts would better maintain Black voting rights as they existed under the 2011 House map versus three majority-Black districts with no crossover or white-bloc voting analyses. *Baldus v. Members of Wisconsin Gov't Accountability Bd.*, 849 F. Supp. 2d 840, 857 (E.D. Wis. 2012) (the government cannot “deprive a minority group of one majority-minority district and substitute for that two influence districts” because Section 2 of the Voting Rights Act provides minority groups “assurance that a bird in the hand really is better than two in the bush even though everyone realizes that a good hunter might actually snare both of the latter”). This is yet another reason to reject the Commission's Remedial State House Map.

CONCLUSION

This Court gave Defendants a more-than-fair opportunity to right the wrongs perpetuated in the map-drawing process that resulted in the Hickory Plan. Defendants squandered that opportunity by outsourcing their map-drawing function to a mysterious, outside political operative, endorsing an incumbent-protection plan that locks in the racial gerrymander this Court struck down, breaking communities of interest to yet again pair poor, Black Detroit voters with rich, white, suburban voters, and adopting a Remedial State House Plan that is just as racially gerrymandered as the Hickory Plan and still reduces the number of Black-majority districts by 20% compared to the 2011 House map. One glance is all it takes to see

why the Motown configuration was picked from the bunch. Most of the proposed maps placed at least one pair of incumbents in the same district. Bergamot 1 pairs together Reps. Paiz and Edwards, and Reps Price and Weiss. Bergamot 2 retains the latter pairing. Willow pairs together Reps. Edwards and Xiong as well as Reps. Scott and McFall. Yet Defendants chose the one Family of Maps that locked into and perpetuated the racial discrimination.

For all these reasons, Plaintiffs respectfully request that the Court reject Defendants' Remedial State House Plan. Detroit Black voters and the People of Michigan deserve better than an incumbency protection plan comprised of half measures. They deserve a state house plan that *completely* remediates the unconstitutional and racially gerrymandered plan Defendants have thrust upon Detroit Black voters—one that has ten Black-majority districts.

Respectfully submitted,

/s/John J. Bursch
John J. Bursch (P57679)
BURSCH LAW PLLC
Attorney for Plaintiffs
9339 Cherry Valley Ave SE, #78
Caledonia, Michigan 49316
(616) 450-4235
jbursch@burschlaw.com

Michael J. Pattwell (P72419)
Jennifer K. Green (P69019)
James J. Fleming (P84490)
Amia A. Banks (P84182)
CLARK HILL PLC
Attorneys for Plaintiffs
215 S. Washington Sq., Ste. 200
Lansing, MI 48933
(517) 318-3100

mpattwell@clarkhill.com
jgreen@clarkhill.com
jfleming@clarkhill.com
abanks@clarkhill.com

Dated: March 8, 2024

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2024, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record.

Respectfully submitted,

/s/ John J. Bursch

John J. Bursch (P57679)
BURSCH LAW PLLC
Attorney for Plaintiffs
9339 Cherry Valley Ave SE, #78
Caledonia, Michigan 49316
(616) 450-4235
jbursch@burschlaw.com

Michael J. Pattwell (P72419)
Jennifer K. Green (P69019)
James J. Fleming (P84490)
Amia A. Banks (P84182)
CLARK HILL PLC
Attorneys for Plaintiffs
215 South Washington Square
Suite 200
Lansing, MI 48933
(517) 318-3100
mpattwell@clarkhill.com
jgreen@clarkhill.com
jfleming@clarkhill.com
abanks@clarkhill.com

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD AGEE, JR., an individual, *et al.*,

Plaintiffs,

v.

JOCELYN BENSON, *et al.*,

Defendants.

Case No. 1:22-cv-00272

Three-Judge Panel Appointed Pursuant to 28 U.S.C. § 2284(a)

**INDEX OF EXHIBITS – PLAINTIFFS’ OBJECTION TO DEFENDANTS’
REMEDIAL STATE HOUSE PLAN**

Exhibit

Description

- A Trende Report on Remedial House Plan
- B Gongwer Article, Dated January 16, 2024
- C Gongwer Article, Dated March 1, 2024
- D Gilmer-Hill Social Media Account Package
- E Bursch Correspondence, Dated January 26, 2024
- F Remedial State House Plan VRA Data
- G Szetela 4 VRA Data

EXHIBIT A

IN THE
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD AGEE, JR., et al.,

Plaintiffs,

v.

**JOCELYN BENSON, in her official
capacity as the Secretary of State of
Michigan, et al.,**

Defendants.

No. 1:22-cv-272

ANALYSIS OF PROPOSED MICHIGAN HOUSE MAPS

Sean P. Trende, Ph.D.

March 8, 2024

Contents

1	Qualifications	1
2	Evaluation of Proposed Map	1
2.1	Overview of the map submission process	1
2.1.1	Category 1: Minor Repairs	2
2.1.2	Category 2: The Bergamots	2
2.1.3	Category 3: Szetela 4	3
2.1.4	Category 4: Willow and Water Lily	3
2.1.5	Category 5: Motown Sound, Spirit of Detroit, and Riverwalk . . .	3
2.1.6	The Proposed Map	4
2.1.7	The Relationship Between Tiger Lily and the Proposed Map . . .	5
2.1.8	Summary	8
2.2	The Proposed Map does not place any incumbents in the same district, which is unlikely to have happened by chance.	10
2.2.1	Almost every map placed at least two incumbents in the same district.	10
2.2.2	Simulations	24
2.3	The Proposed Map still contains indicia of the racial gerrymander that characterized the Hickory Plan.	24
3	Exhibit 1	37
4	Exhibit 2	43

1 Qualifications

My qualifications are set forth fully in my Expert Report of Sean P. Trende, dated January 18, 2023 (“Trende Trial Report”) in this matter and have not changed significantly since then. I have attached an updated version of my *c.v.* as Exhibit 1. The only substantive changes to my qualifications are that I have testified or been deposed in additional cases, and that I was formally awarded my Ph.D in December.

2 Evaluation of Proposed Map

2.1 Overview of the map submission process

I was asked to review and compare the ten Draft Proposed Maps that the Commission initially published (the “Ten Maps”), as well as the final version of the Motown Sound map that the Commission approved (“Proposed Map”). I was also asked to compare the Proposed Map to the Tiger Lily Map, which was not officially proposed as one of the Ten Maps but nevertheless appears closely related.

Throughout this analysis, I will use the following shorthand to group the districts from the Hickory Map:

- I will refer to Hickory Districts 16, 17 and 18 collectively as the “Western Spokes.”
- I will refer to Hickory Districts 5, 6, 7 and 8 collectively as the “Oakland Spokes.”
- I will refer to Hickory Districts 10, 11, 12, 13, and 14 collectively as the “Macomb Spokes.”
- I will refer to Hickory Districts 1, 2, 3, 4 and 9 collectively as the “South/Central Detroit Districts.”

Following this Court’s December 21, 2023 Opinion and Order striking down Michigan House Districts 1, 7, 8, 10, 11, 12, and 14 as unconstitutional racial gerrymanders

(collectively, the “Gerrymandered Districts”), the Commission reconvened for the purpose of drawing remedial maps. The Commission initially set forth ten Draft Proposed Maps for comment and consideration. These were named “Bergamot,” “Bergamot 2” (or “Lakeshore”), “Tulip,” “Water Lily,” “Spirit of Detroit,” “Daisy 2,” “The Riverwalk,” “Motown Sound,” “Willow,” and “Szetela Version 4.”

I have produced images for all the maps in the following subsection. However, they may conceptually be divided into five categories, which are useful for subsequent discussions.

2.1.1 Category 1: Minor Repairs

The Tulip and Daisy 2 maps made the fewest changes to the Hickory Plan. In addition to the Gerrymandered Districts, Tulip alters the boundaries of districts 4, 9 and 13. Those three districts, however, retain much of their present form. The Western Spokes are unaltered, as are Hickory 5 and 6 in the Oakland Spokes. While the remaining districts are somewhat recognizable, they are substantially altered and are made more compact, eliminating much of the “spoke” concept.

The Daisy 2 map on the other hand, introduced by Commissioner Anthony Eid, reflected near-defiance of this Court’s order. It changed only the Gerrymandered Districts. The problem is that by refusing to alter District 4, and particularly by refusing to alter districts 9 and 13, the map created a bottleneck between Districts 9, 4, and the Detroit River. This meant that the map effectively recreated the unconstitutional District 10 (renumbered 11) and District 1. District 14 retained most of its prior form. Districts 11 (renumbered 10) and 12 and districts 7 and 8 were substantially altered, giving an East-West orientation rather than a north-south orientation.

2.1.2 Category 2: The Bergamots

As one might expect, Bergamot 1 and Bergamot 2 are closely related. They reconfigure all of the South/Central Detroit Districts, as well as the Oakland Spokes and

Macomb Spokes (although District 14 does retain its basic configuration from Hickory). The Western Spokes are mostly maintained, save for two precincts flipped from District 16 to District 4. The only substantive difference between the two maps is the treatment of southeastern Macomb County and eastern Wayne County. Bergamot 1 keeps St. Clair Shores split between District 11 and 62, while placing Harper Woods with Detroit and Eastpointe. Bergamot 2 splits St. Clair Shores three ways between 10, 13 and 62 and places Harper Woods with the Grosse Pointes.

2.1.3 Category 3: Szetela 4

Commissioner Szetela’s map is the most far reaching of the maps. It uproots and substantially redraws the Western Spokes, the Oakland Spokes, the Macomb Spokes, and the South/Central Detroit Districts. Perhaps more controversially, it also goes beyond these districts, altering districts 15, 19, 25, 26, 58 (and making minor changes to others). It was, however, the only remedial map that also created 10 majority Black districts, which would seemingly settle Plaintiffs’ VRA claims as well.

2.1.4 Category 4: Willow and Water Lily

These maps both uproot the Macomb Spokes and the Oakland Spokes, and redraw the South/Central Detroit districts. They leave the Western Spokes intact. Both maps redraw districts 1, 2, 3, 4, 9, 10, 12 and 13 in the same manner. The differences are in the treatment of the Oakland Spokes. Water Lily does not cross 8-mile into Oakland County while Willow does 4 times, retaining more of the “Spoke” concept.

2.1.5 Category 5: Motown Sound, Spirit of Detroit, and Riverwalk

These maps are likewise variations on a single theme, undoing the Macomb Spokes and Oakland Spokes and redrawing the South/Central Detroit districts. Taking Spirit of Detroit as the baseline, the Riverwalk FC differs only in its treatment of western Wayne County. It substantially reconfigures Districts 16 and 17 in the Western Spokes,

and makes changes to districts 3, 4 and 8. Motown Sound,¹ on the other hand, has a moderately different configuration of eastern Wayne County and southeastern Macomb. All three configurations introduce a three-way split of St. Clair Shores.

Although the Tiger Lily Map was not officially one of the 10 maps included by the Commission, I was asked by counsel to evaluate it. It is very close to the Motown Sound map, and clearly belongs in this family.

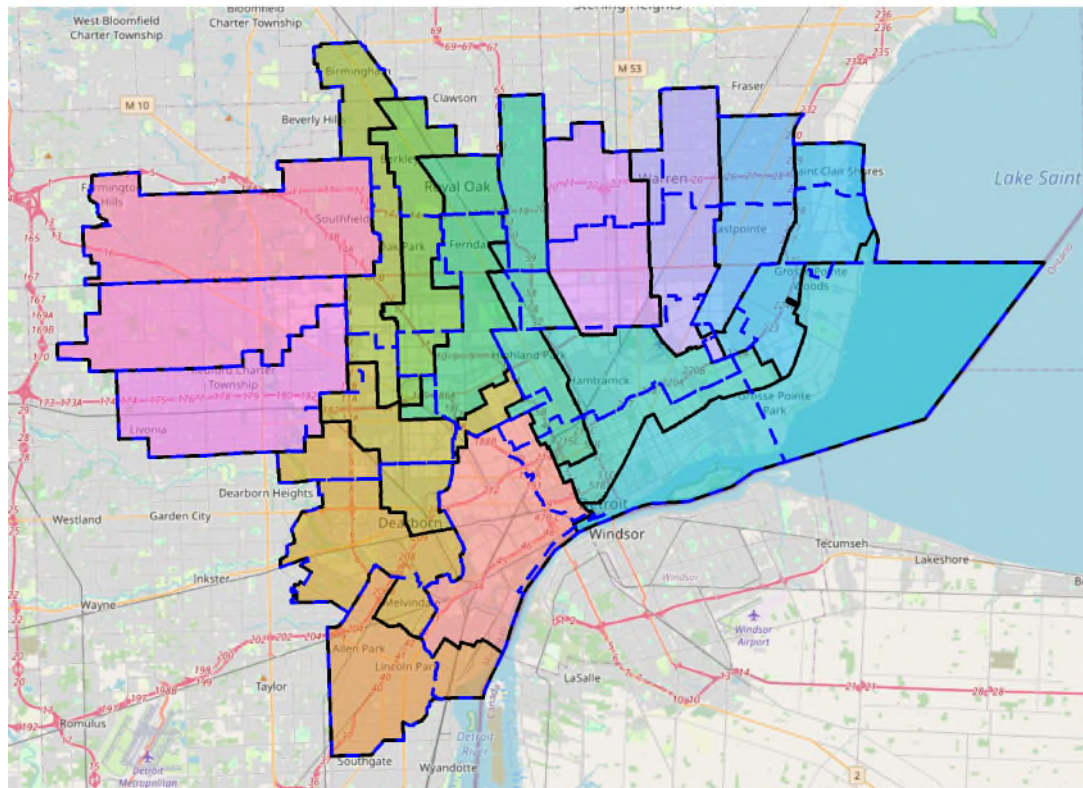
2.1.6 The Proposed Map

The actual Proposed Map is a variation on Motown Sound. It makes some relatively minor changes to the boundaries of districts 3, 4, 15 and 16, as well as to the boundaries of districts 10 and 12 (including the introduction of a strange “double traversal” of the Macomb/Wayne County border in District 12).

The following figure compares the Hickory and Proposed Map. The Hickory Map is illustrated in the background with black lines and shaded fill. The Proposed Map is illustrated with blue dashed lines and no fill.

¹The shapefile provided on the Commission’s website does not appear to match the map they provide. I have opted to follow the shapefile for my descriptions below.

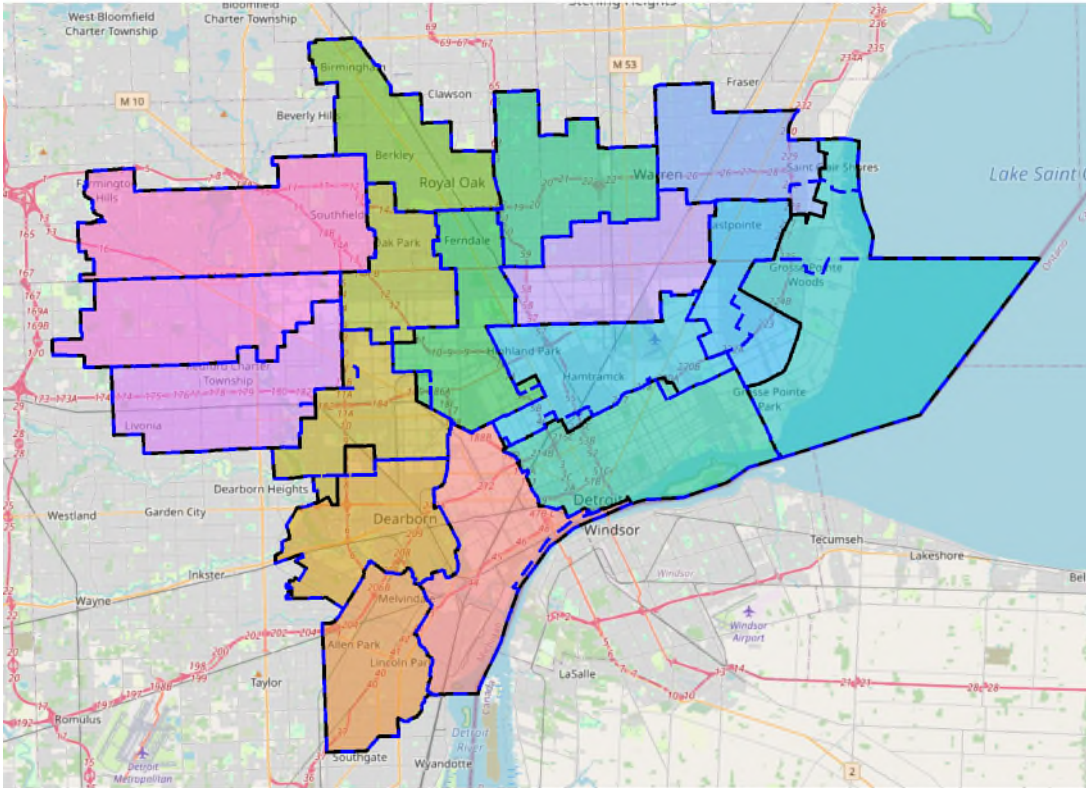
Figure 1: Hickory Map, with Proposed Map overlaid in dashed blue lines



2.1.7 The Relationship Between Tiger Lily and the Proposed Map

I was also asked to evaluate the relationship between the Tiger Lily map and the Proposed Map described above. As you can see from the following figure, they are closely related.

Figure 2: Tiger Lily Map, with Proposed Map overlaid in dashed blue lines



In this figure, the dashed blue lines depict the Proposed Map boundaries, while the black lines and shaded interiors depict the Tiger Lily district boundaries. Because the Proposed Map boundaries are drawn on top of the Tiger Lily boundaries, it is often difficult to see the black line. This is because the boundaries of the districts are so closely related.

We can see this more precisely by comparing the populations of the districts. To accomplish this, some districts have to be renumbered; I renumbered Tiger Lily District

7 as 8, District 8 as 14, District 14 as 11, and District 11 as 7. Doing so matches the numbering found in the Proposed Map.

After doing this we see that 93.7% of the population of the Tiger Lily map is placed in the same district as the Proposed Map. Moreover, the bulk of the changed populations reside in two districts. specifically:

- Proposed District 1 contains all but 319 of the individuals residing in Tiger Lily 1.
- Proposed District 2 contains 100% of the individuals residing in Tiger Lily 2.
- Proposed District 3 contains all but 6,148 of the individuals residing in Tiger Lily 3.
- Proposed District 4 contains all but 9,260 of the individuals residing in Tiger Lily 4.
- Proposed District 5 contains 100% of the individuals residing in Tiger Lily 5.
- Proposed District 6 contains 100% of the individuals residing in Tiger Lily 6.
- Proposed District 7 contains all but 2,300 of the individuals residing in Tiger Lily 7.
- Proposed District 8 contains all but 3,374 of the individuals residing in Tiger Lily 8.
- Proposed District 9 contains all but 2,604 of the individuals residing in Tiger Lily 9.
- Proposed District 10 contains all but 34,123 of the individuals residing in Tiger Lily 10.
- Proposed District 11 contains 100% of the individuals residing in Tiger Lily 11.
- Proposed District 12 contains all but 30,812 of the individuals residing in Tiger Lily 12.

- Proposed District 13 contains all but 6,187 of the individuals residing in Tiger Lily 13.
- Proposed District 14 contains 100% of the individuals residing in Tiger Lily 14.
- Proposed District 16 contains all but 2,473 of the individuals residing in Tiger Lily 16.
- Proposed District 17 contains 100% of the individuals residing in Tiger Lily 17.
- Proposed District 18 contains 100% of the individuals residing in Tiger Lily 18.

For perspective, Michigan House districts contain approximately 90,000 residents. So every 900 residents moved constitutes 1% of the district population.

2.1.8 Summary

The following table summarizes the features of the various maps, with respect to Districts 1-19, 26, 56-58, and 61.² I was also asked to evaluate the Tiger Lily map here as well. The first four rows show the compactness, by examining the average Reock and Polsby-Popper scores, as well as the least compact district under each map using both measures. The next five rows show the number of districts meeting various BVAP thresholds under each map. The next three rows show the number of split counties, places, and precincts, while the final rows show the various partisan fairness metrics, using both the Trump-Biden election and the 2012-2020 elections as baselines.

²Most maps do not change all of these districts, but the Szetela 4 map does reach out into several suburban districts.

Figure 3: Summary of submitted maps

Test	Hickory	Proposed	Szetela 4	Riverwalk FC	Spirit of Detroit	Motown Sound	Tiger Lily	Willow	Water Lily	Tulip	Daisy	Bergammon 2	Bergammon 1
Avg. Reock	0.3446	0.3821	0.4007	0.4001	0.3949	0.3822	0.3935	0.4080	0.4214	0.3872	0.3659	0.3991	0.4015
Min. Reock	0.1720	0.2137	0.1948	0.2102	0.2137	0.2137	0.2137	0.2137	0.2137	0.1720	0.1336	0.1821	0.1819
Avg. Polsby-Popper	0.3234	0.3742	0.3699	0.3746	0.3653	0.3669	0.3752	0.3798	0.4081	0.3380	0.3322	0.3865	0.3934
Min. Polsby-Popper	0.1383	0.1383	0.1559	0.1383	0.1383	0.1383	0.1383	0.1383	0.1383	0.1383	0.1383	0.1383	0.1383
BVAP > 60%	0	5	6	6	6	5	6	5	5	3	2	5	5
BVAP > 55%	4	7	8	7	8	7	8	7	7	8	6	7	7
BVAP > 50%	6	8	10	9	9	9	9	8	8	9	8	8	8
BVAP > 47.5%	6	8	10	9	9	9	9	9	8	9	8	8	8
BVAP > 45%	8	9	10	10	9	9	9	9	8	9	8	8	8
Split Counties	10	6	7	7	7	7	7	7	3	6	7	4	4
Split Places	35	33	32	33	33	33	34	33	32	32	35	33	33
Split 2020 VTDs	42	42	42	42	42	42	41	42	42	42	42	42	42
Eff. Gap	-0.051	-0.051	-0.051	-0.051	-0.051	-0.051	-0.043	-0.051	-0.051	-0.051	-0.051	-0.051	-0.051
Mean-Median	-0.015	-0.015	-0.015	-0.015	-0.015	-0.015	-0.012	-0.015	-0.015	-0.015	-0.015	-0.015	-0.015
Lopsided Margins	-0.051	-0.053	-0.054	-0.054	-0.054	-0.053	-0.049	-0.054	-0.055	-0.054	-0.052	-0.054	-0.054
D Wins	49.1%	49.1%	49.1%	49.1%	49.1%	49.1%	50.0%	49.1%	49.1%	49.1%	49.1%	49.1%	49.1%
Eff. Gap (2012-20)	-0.036	-0.036	-0.036	-0.036	-0.036	-0.036	-0.045	-0.048	-0.048	-0.048	-0.036	-0.036	-0.048
Mean-Median (2012-20)	-0.021	-0.021	-0.021	-0.021	-0.021	-0.021	-0.022	-0.022	-0.022	-0.022	-0.021	-0.021	-0.022
Lopsided Margins (2012-20)	-0.050	-0.052	-0.052	-0.053	-0.053	-0.052	-0.057	-0.057	-0.057	-0.056	-0.051	-0.053	-0.057
D Wins (2012-20)	52.7%	52.7%	52.7%	52.7%	52.7%	52.7%	51.8%	51.8%	51.8%	51.8%	52.7%	52.7%	51.8%

At the outset we can make two important observations. First, credit where it is due: all of these maps represent improvements over the Hickory Map. Second, we must make a less complimentary observation: These maps should forever put to rest the Commission’s claim at trial that drawing bizarrely shaped districts was needed to draw maps with sufficient partisan fairness. Using the 2020 presidential election, all of the maps have practically the same partisan fairness metrics as Hickory. Using the 2012-2020 election, most of the maps have the same partisan fairness metrics as Hickory, and all are substantially similar to Hickory.

Turning to the summaries, we see that all of the maps feature more compact districts than the Hickory Plan. They also feature fewer county splits and place splits. The Szetela map stands out for creating ten majority BVAP districts, while the original iterations of Riverwalk, Spirit of Detroit, and Motown sound featured nine (as did Tulip). The Proposed Map contains one fewer majority BVAP district. Overall, this

demonstrates that it is, in fact, possible to create compact districts that respect county and city boundaries and satisfy plaintiff's VRA challenge by drawing ten majority BVAP districts.

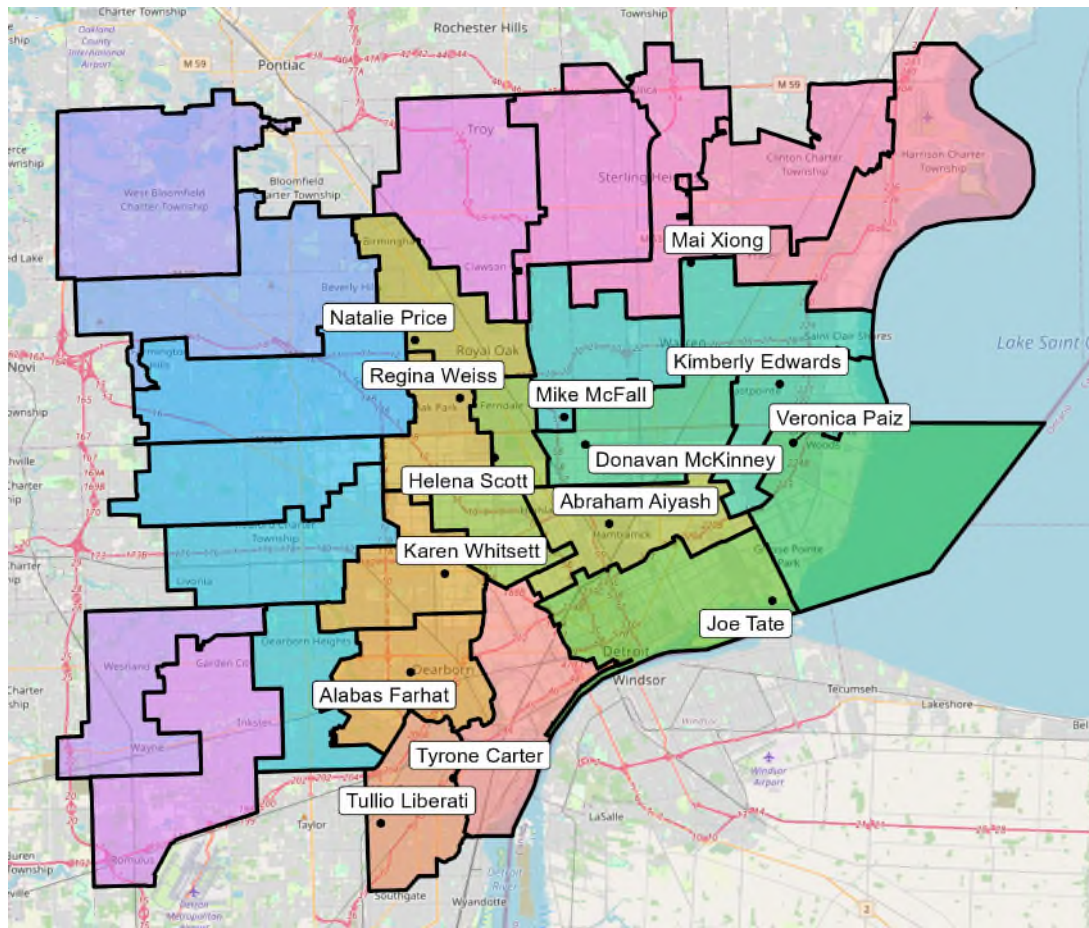
With that background, I turn to two particular pieces of analysis.

2.2 The Proposed Map does not place any incumbents in the same district, which is unlikely to have happened by chance.

2.2.1 Almost every map placed at least two incumbents in the same district.

Almost all of the Ten Maps placed at least two incumbents in the same district. The following map shows the location of current Michigan House incumbents in the Oakland Spokes and Macomb Spokes, as well as in South/Central Detroit.

Figure 4: Location of Incumbents, Proposed Map



Note that here every incumbent is placed in their own district. This is highly unlikely to have happened by chance. As noted in the Trende Trial Report, I participated in drawing the district boundaries in Virginia. We were criticized there for pairing too many incumbents together. We wrote in response that “[m]uch of this is simply a function of the fact that the existing lines split municipalities and counties regularly, and we have eliminated those splits. . . . Any redistricting map featuring this degree of geographic consolidation will almost certainly pair incumbents together; if those incumbents live in a narrowly defined geographic area the chances of being paired together are increased.” Bernard Grofman, Ph.D. and Sean Trende, “Memorandum to the Chief Justice and Justices of the Supreme Court of Virginia,” at 3 (Dec. 27, 2021) (available at <https://www.supremecourt.gov/>):

[//www.vacourts.gov/courts/scv/districting/2021_virginia_redistricting_memo.pdf](http://www.vacourts.gov/courts/scv/districting/2021_virginia_redistricting_memo.pdf)).

It is therefore the norm for maps that undo gerrymanders (such as the Hickory Plan) to pair incumbents together. It's frankly shocking that no incumbents were paired together as the map drawers unwound bacon-like districts. While the Court's eye may naturally be drawn to Representative Tyrone Carter and House Speaker Joe Tate, who live on the boundary of their districts, this would be a mistake. These members reside near city boundaries, which provide natural cleavages for districts.

What is more surprising is that the cluster of incumbents representing districts 5, 6, 7 and 8 (Price, Weiss, Scott and McFall), and 11, 12, and 13 (Paiz, Edwards, and Xiong) were all given their own districts. This isn't to say that the mapmakers should have tried to pair them together. Rather, it is to suggest that it is highly unlikely that maps that were drawn without any awareness of their residences would have kept them separate.

There are two ways we might test this. First, we can look at the other maps that were drawn. They are depicted below:

Figure 5: Location of Incumbents, Tiger Lily Map

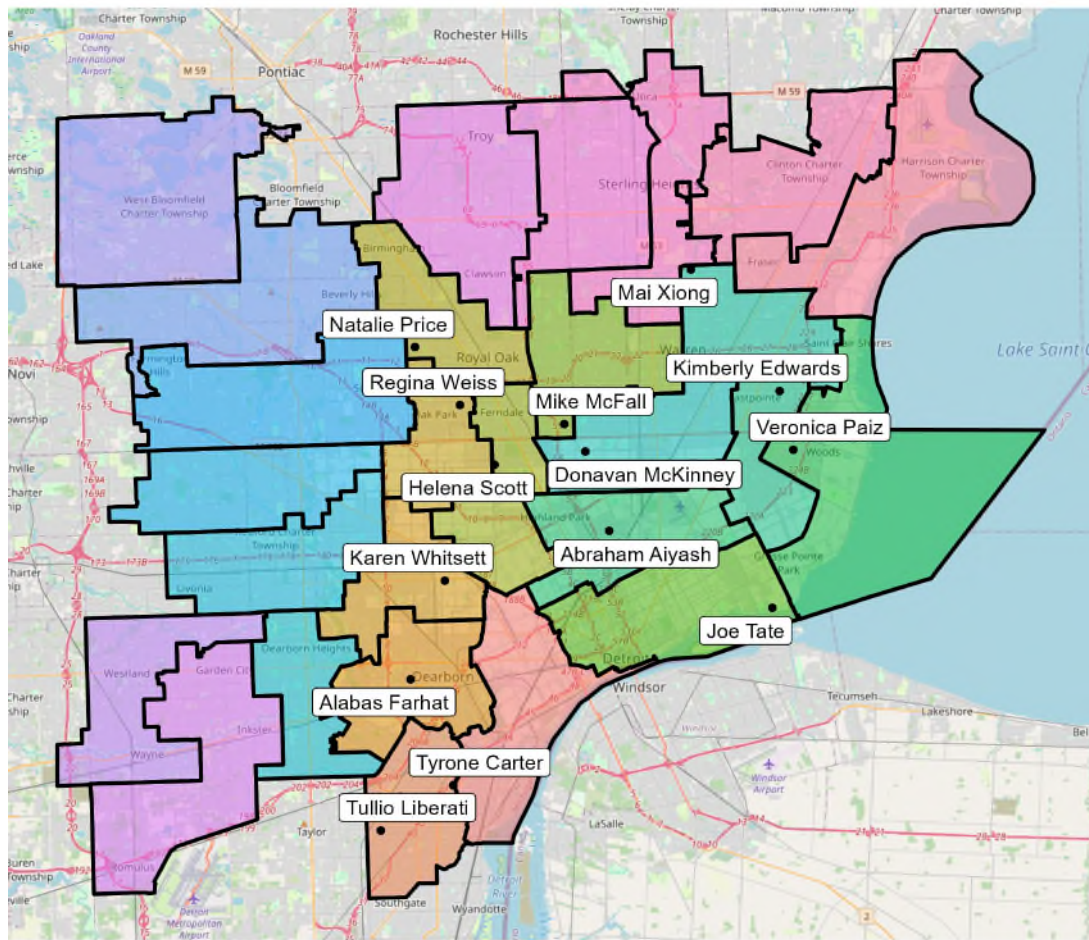


Figure 6: Location of Incumbents, Motown Sound Map

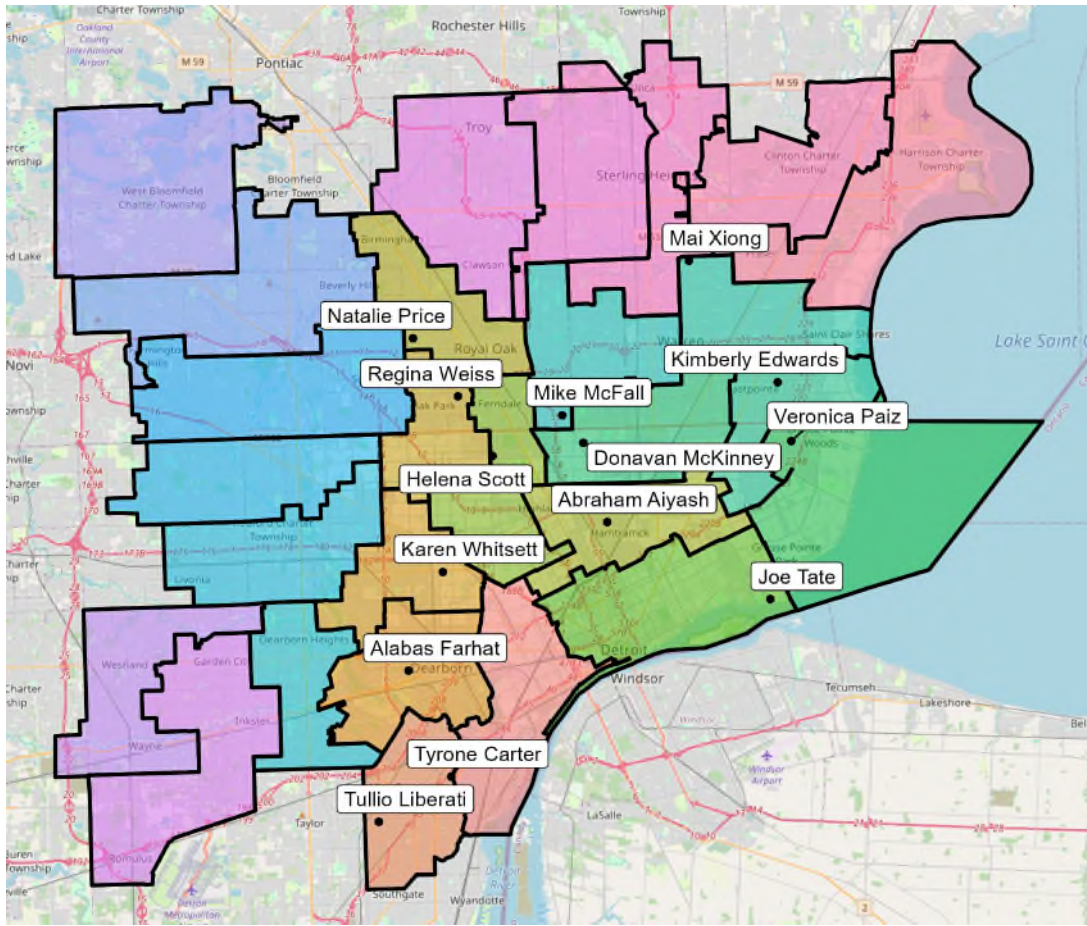


Figure 7: Location of Incumbents, Spirit of Detroit Map

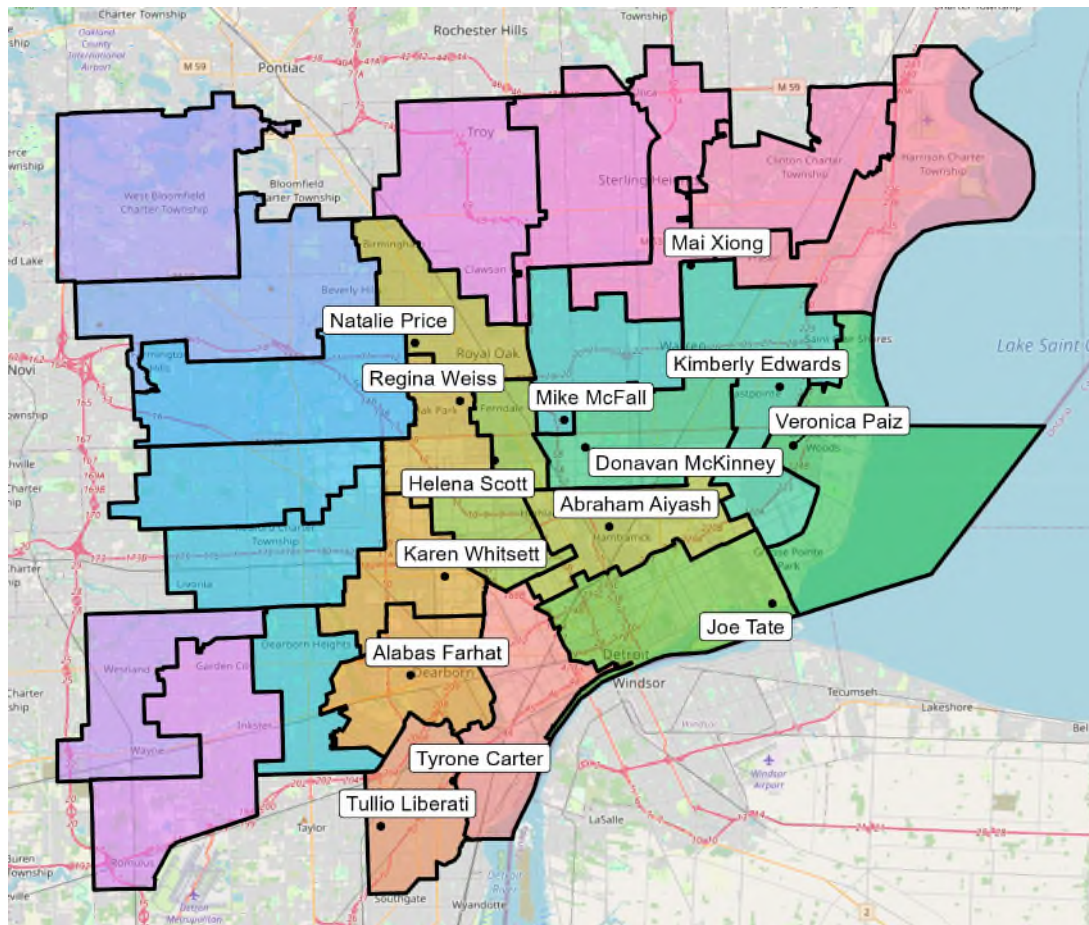


Figure 8: Location of Incumbents, Riverwalk Map

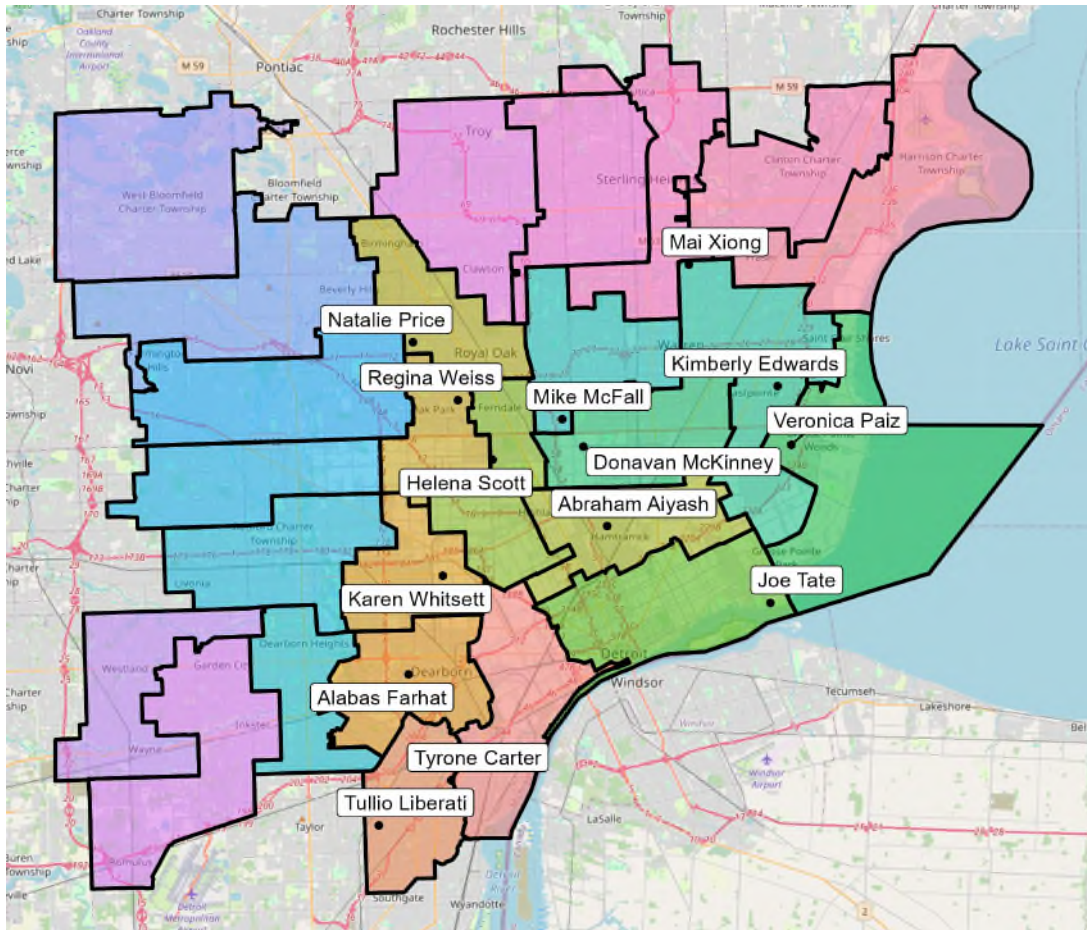


Figure 9: Location of Incumbents, Szetela 4

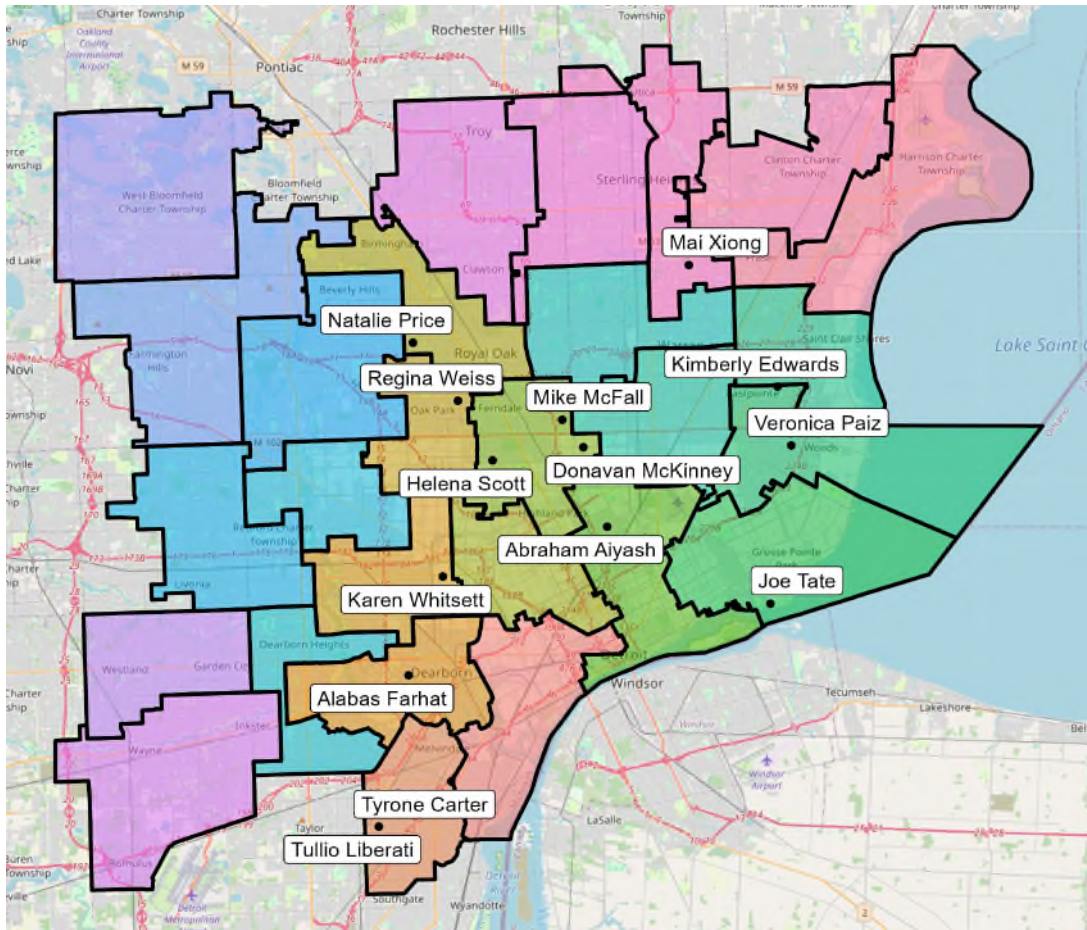


Figure 10: Location of Incumbents, Willow Map

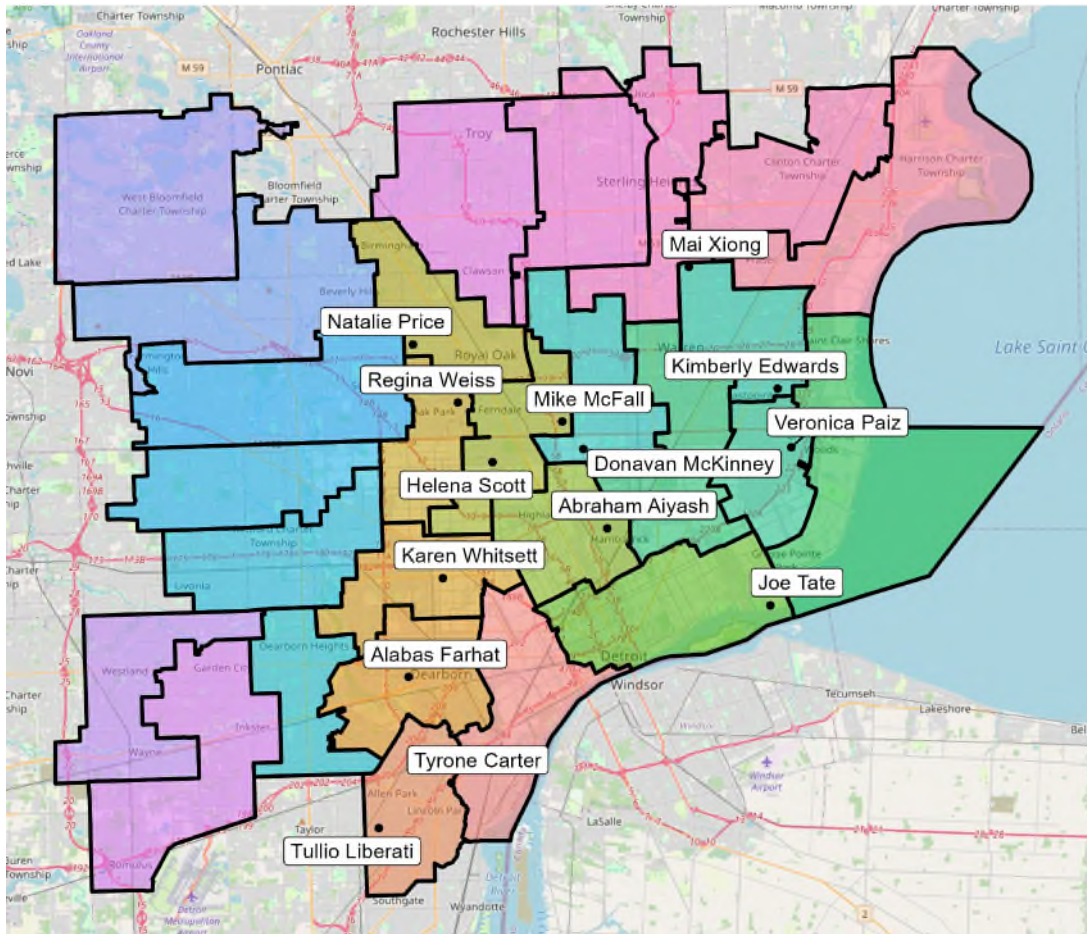


Figure 11: Location of Incumbents, Water Lily Map

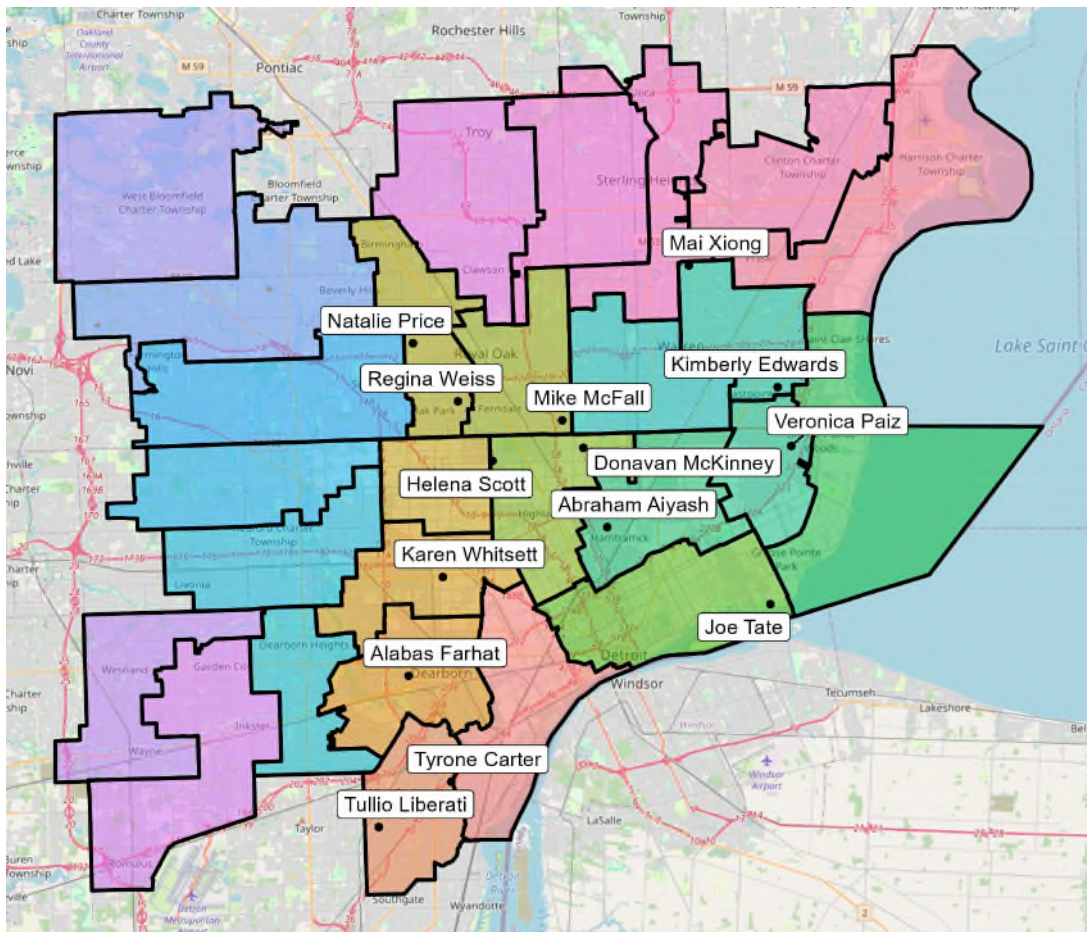


Figure 12: Location of Incumbents, Tulip Map

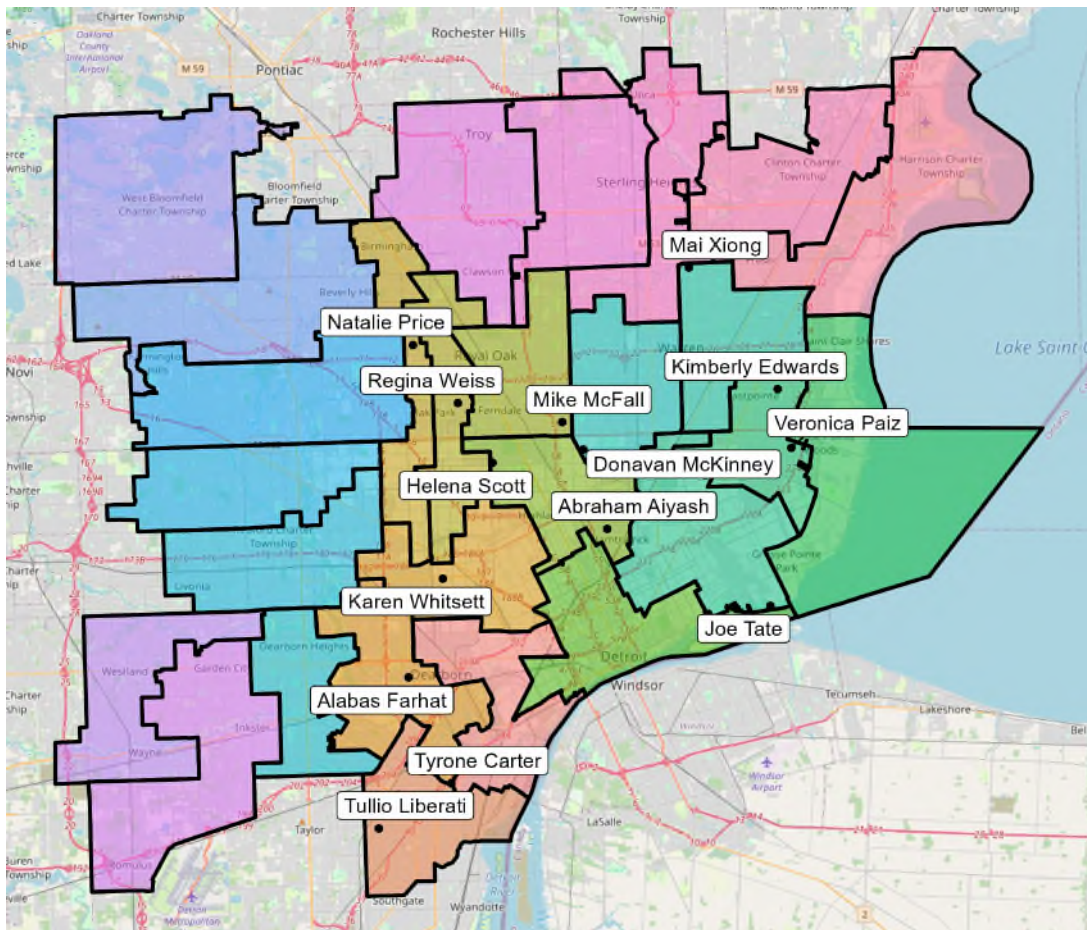


Figure 13: Location of Incumbents, Daisy Map

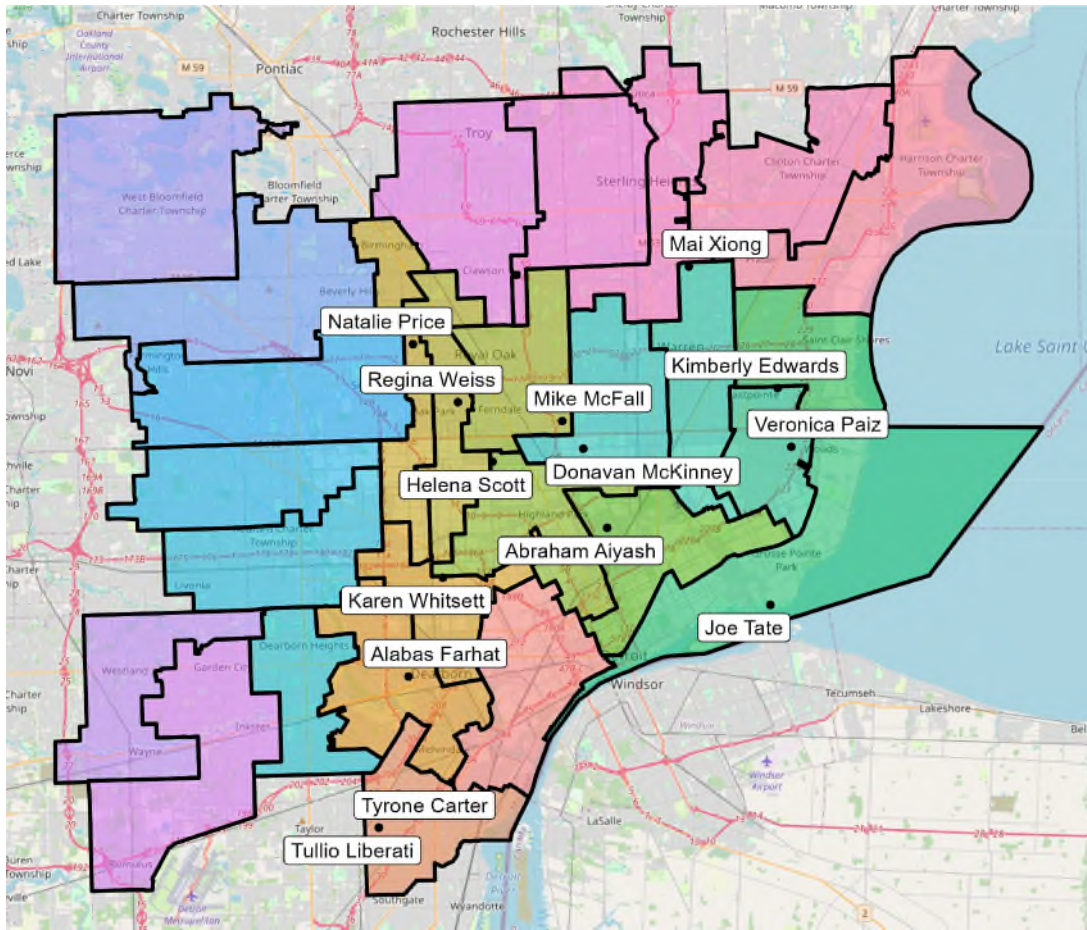


Figure 14: Location of Incumbents, Bergamot 1 Map

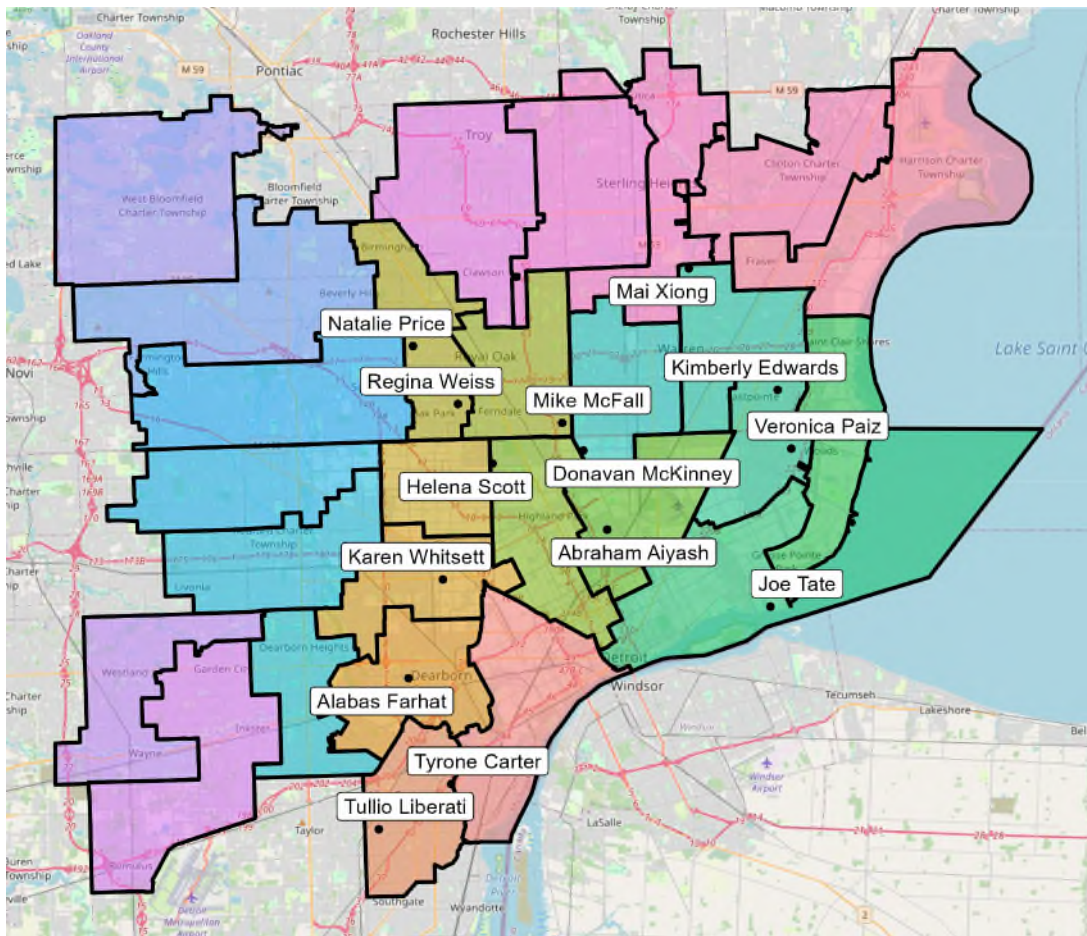
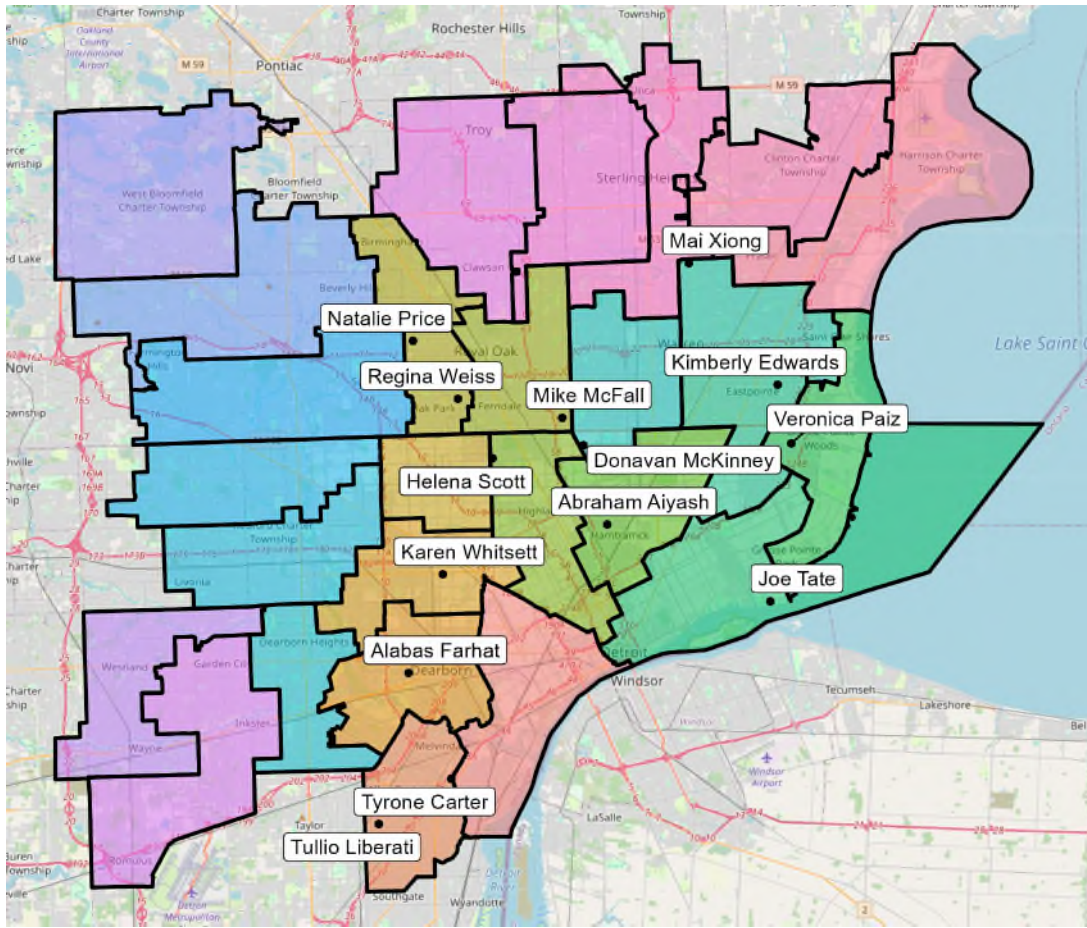


Figure 15: Location of Incumbents, Bergamot 2 Map



One glance was all it took me to see why the Motown configuration was picked from the bunch. As you can see, most of these maps place at least one pair of incumbents in the same district. Bergamot 1 pairs together Reps. Paiz and Edwards, and Reps Price and Weiss. Bergamot 2 retains the latter pairing. Willow pairs together Reps. Edwards and Xiong as well as Reps. Scott and McFall. Tulip places Reps. Scott and Aiyash in the same district, along with Reps. Edwards and Paiz. Szetela’s map pairs together seven incumbents in three districts, while Willow Lawn pairs six incumbents in three districts. Even Daisy, which basically retains the heart of the Hickory map, pairs together Reps. Paiz and Edwards. The only maps that don’t pair incumbents are the Riverwalk family of districts, including Tiger Lily.

2.2.2 Simulations

To further test this theory, I ran a new set of computer simulations. I generated 100,000 draws using the technique outlined in my initial report. I operated under the following constraints:

- districts must be contiguous;
- district populations may not vary by more than $\pm 2.5\%$ from the ideal population.
- districts must be reasonably compact;
- districts must keep intact any locale that the maps above consistently kept intact;
- districts may not split precincts that were not split in any map; and
- districts must minimize splits of the remaining locations.

The simulation set consisted of all precincts contained within Hickory Districts 1-14 and 16-18.

I then located the precinct in which each of the incumbents above lived, and looked to see how many maps had at least one district that paired together at least one pair of incumbents. The answer confirmed the intuition above: of the 100,000 draws from the pool of maps recorded, only 1,090 – just over 1% – failed to pair any incumbents.

The traditional threshold in political science for rejecting the possibility that an outcome occurred by chance is 5%. We would therefore reject the possibility here that this all occurred by chance. It's highly unlikely that these maps were drawn without an intent to protect at least some incumbents.

2.3 The Proposed Map still contains indicia of the racial gerrymander that characterized the Hickory Plan.

Finally, I was asked to examine whether the Proposed Map had sufficiently eliminated the racial gerrymander from the Hickory Plan. This was a tricky question to

answer, as the maps seem to disagree on the extent to which districts had to be altered to comply with the Court's order. The maps range from Commissioner Szetela's far-reaching map, to Commissioner Eid's effective recreation of Hickory with the Daisy map. While the Commission can, subject to state limitations, exceed this Court's mandate, it can't fall short of it. What that entails is ultimately a fight for the lawyers, rather than the experts.

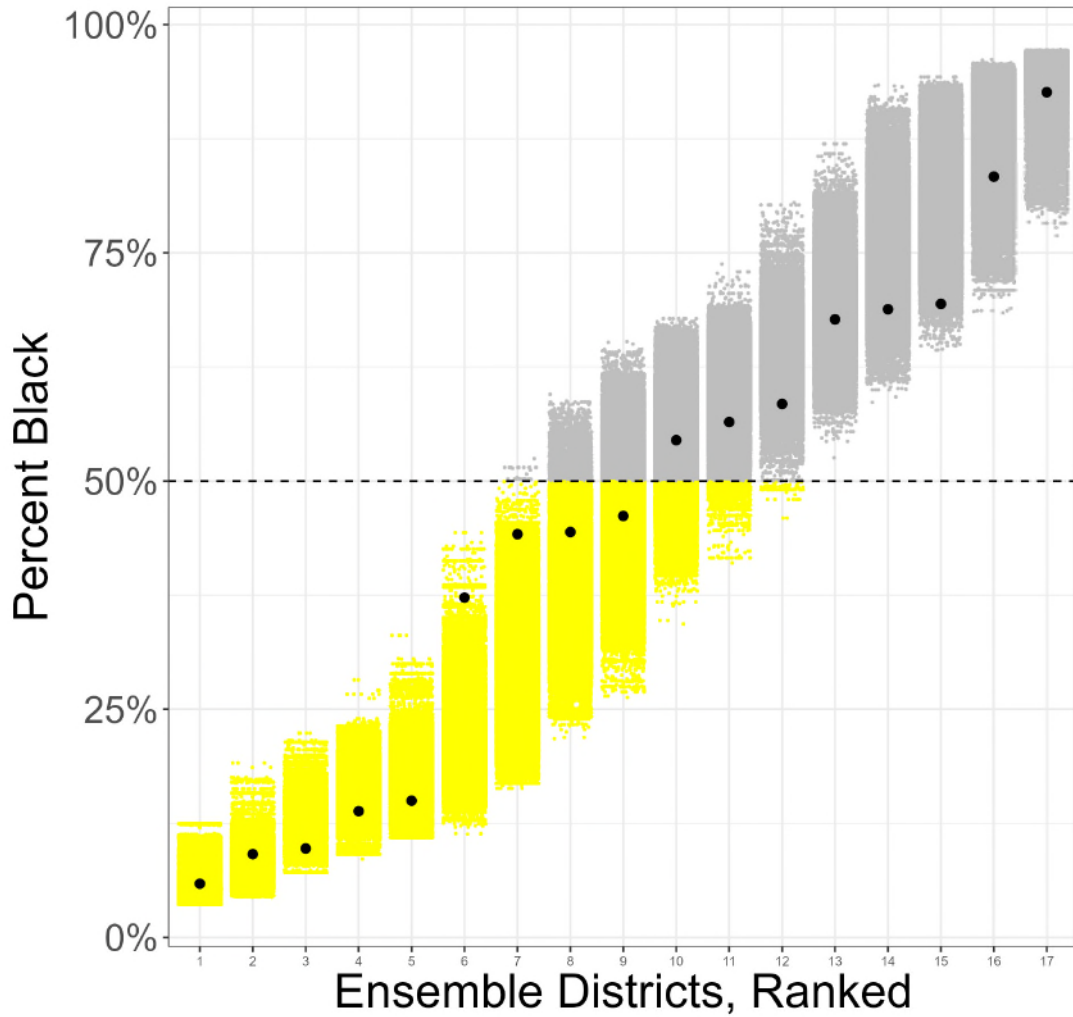
For purposes of these simulations, however, because most maps made substantial changes to districts 1-14, I ran simulations on these districts. And because many of the maps made changes to districts 16 and 17, and because an argument can be made that those districts, along with 18, are part of the overall "spoke" scheme that defined the racial gerrymander in Hickory, I also included the precincts from those three districts in my simulations.

To evaluate the Szetela map, I ran a separate set of 100,000 simulations based upon all precincts contained within the districts that her map alters.

The results show that *most* of the maps did, in fact, purge the taint of the Hickory districts. I include the racial dotplots for all maps in an Appendix. Here, however, I just show the dotplots for the Proposed Map, which does not purge the gerrymander.

The dotplots are explained more thoroughly in my expert report, but the gist is as follows: Each dot represents a district. The far right column represents the distribution of the districts with the highest BVAPs in each map, while the second right-most column reflects the second highest BVAP districts in each map, and so forth. The black dots reflect the districts in the Proposed Map. As you can see, once again the Commission artificially depressed the BVAPs in the most heavily Black districts, and raised them in a handful of others (though not past the crucial 50% mark).

Figure 16: Racial Dotplots, Proposed Map



Of more direct interest are the gerrymandering indices. Again, I use these in the same way I did in the Trende Trial Report and as I presented them at trial. This metric reflects, in effect, the root mean squared error (RMSE) of the proposed districts, relative to the average ensemble district in each rank. In plainer English: It tells us how far the districts in the map being evaluated fall from what the ensemble districts suggest that we should expect.

To create these charts (histograms), we proceed as follows. First, the average BVAP for the most heavily Black district in each Ensemble map is calculated, then the

average for the second most heavily Black district in each Ensemble map is calculated, and so forth. This tells us the average racial distribution we would expect in race-blind districts.

Of course, drawing districts is more complicated than this. There are multiple ways districts could be drawn, even when operating under constraints for compactness and so forth. Mapmakers may be drawn toward one configuration, or may opt to move a different set of cities together, or may make functionally random choices. In other words, some variation from the mean is natural, and expected.

To help account for this, the computer goes through each map and calculates how far from the average each district is. That is, if the district with the highest BVAP in the collection of ensemble maps is, on average, 90%, and the computer draws a map where the highest BVAP is 95%, the deviation of 5% is recorded. This calculation is repeated for each district in the map. After all deviations are calculated for a map, the deviations are squared, added together, divided by the number of districts in the map, and then the square root is taken. In plain terms, this gives us, for any given map, the average deviation found in the map from what we would *expect* with a race-blind draw.

This procedure is then repeated for every map in the ensemble. This then gives us a range of what type of deviations might be expected to occur naturally as a part of a truly race-blind map-drawing process. The gerrymandering index is then calculated for the proposed map.

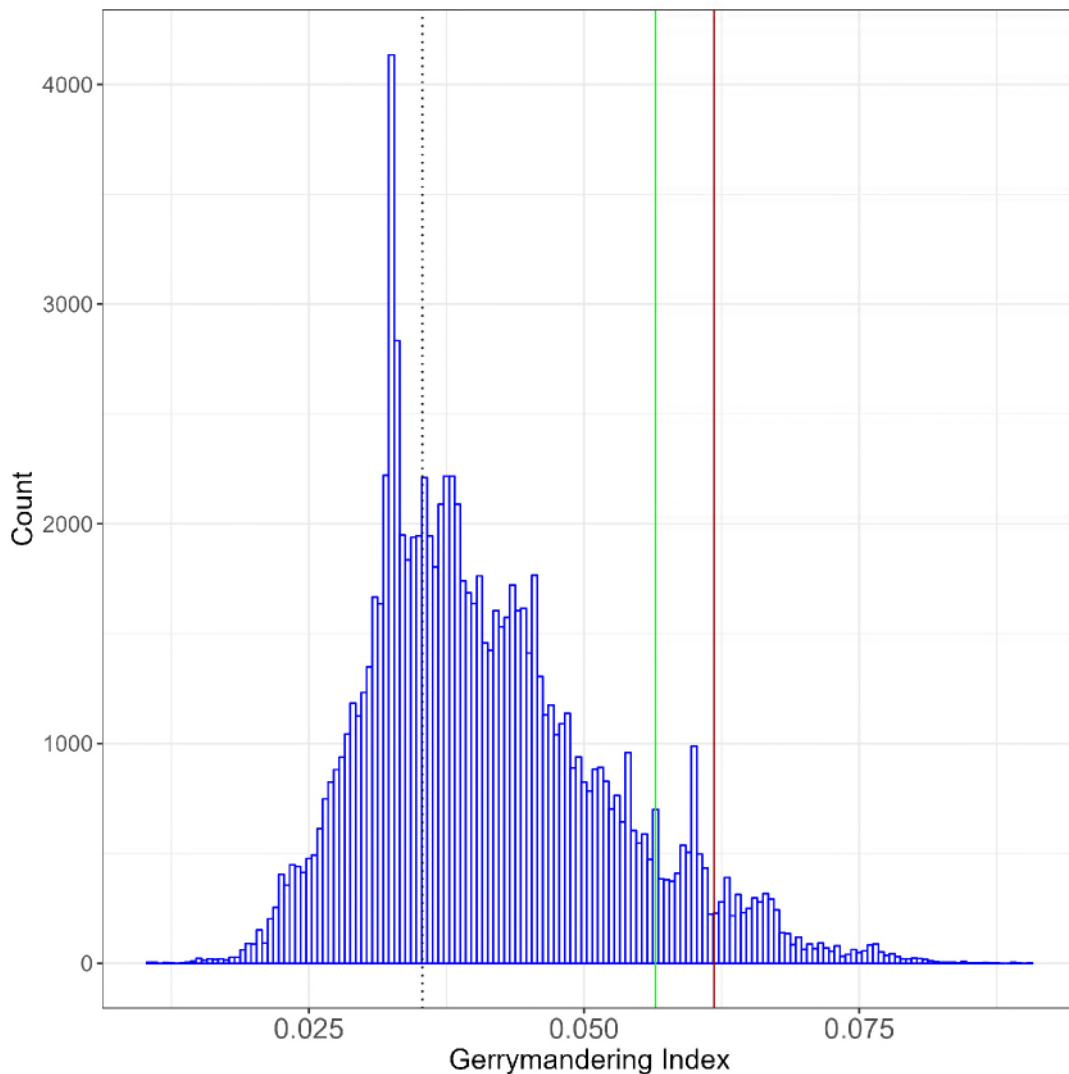
If a proposed map has a gerrymandering index that is greater than 95% of the ensemble districts, we conclude that race likely predominated in the drawing of the map, since it would be unlikely to draw a map as extreme as the proposed map in a race-neutral process. Of course, by allowing some variation in how maps can be drawn, a map-maker could bring *some* racial information in, so long as she compensated by adhering more strictly to the other criteria for other districts. Thus, it becomes a true test of whether race predominates in the drawing of the plan.

Most of the ten maps that were proposed did not have gerrymandering indices

that large. Consider, for example, the Willow and Water Lily maps. Here, both map sets fall well within the range of what we find with race-neutral maps.

Figure 17: Gerrymandering Index, Willow and Water Lily Maps

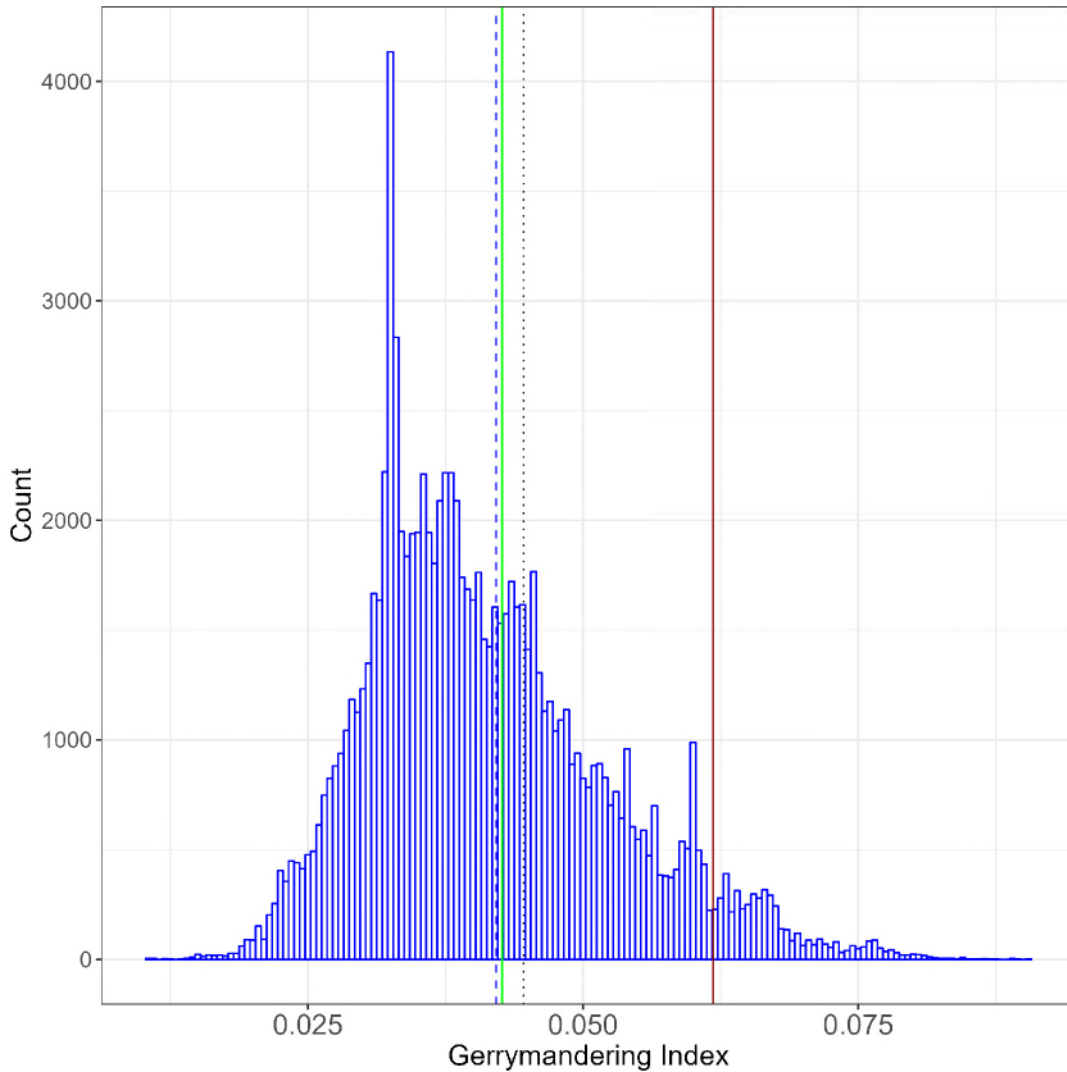
(a) Each column reflects a count for ensemble maps with a given Gerrymandering Index. The red solid line reflects the 95th percentile mark for ensemble gerrymandering indices. A map that scored to the right of the line would not be a map where race predominated, while a map that scored to the left of the line would be. The dotted line reflects the Gerrymandering Index for the Water Lily map, while the solid green line reflects the Gerrymandering Index for the Willow map



The same is true of the Spirit of Detroit and Riverwalk districts:

Figure 18: Gerrymandering Index, Spirit of Detroit, Riverwalk and Tiger Lily Maps

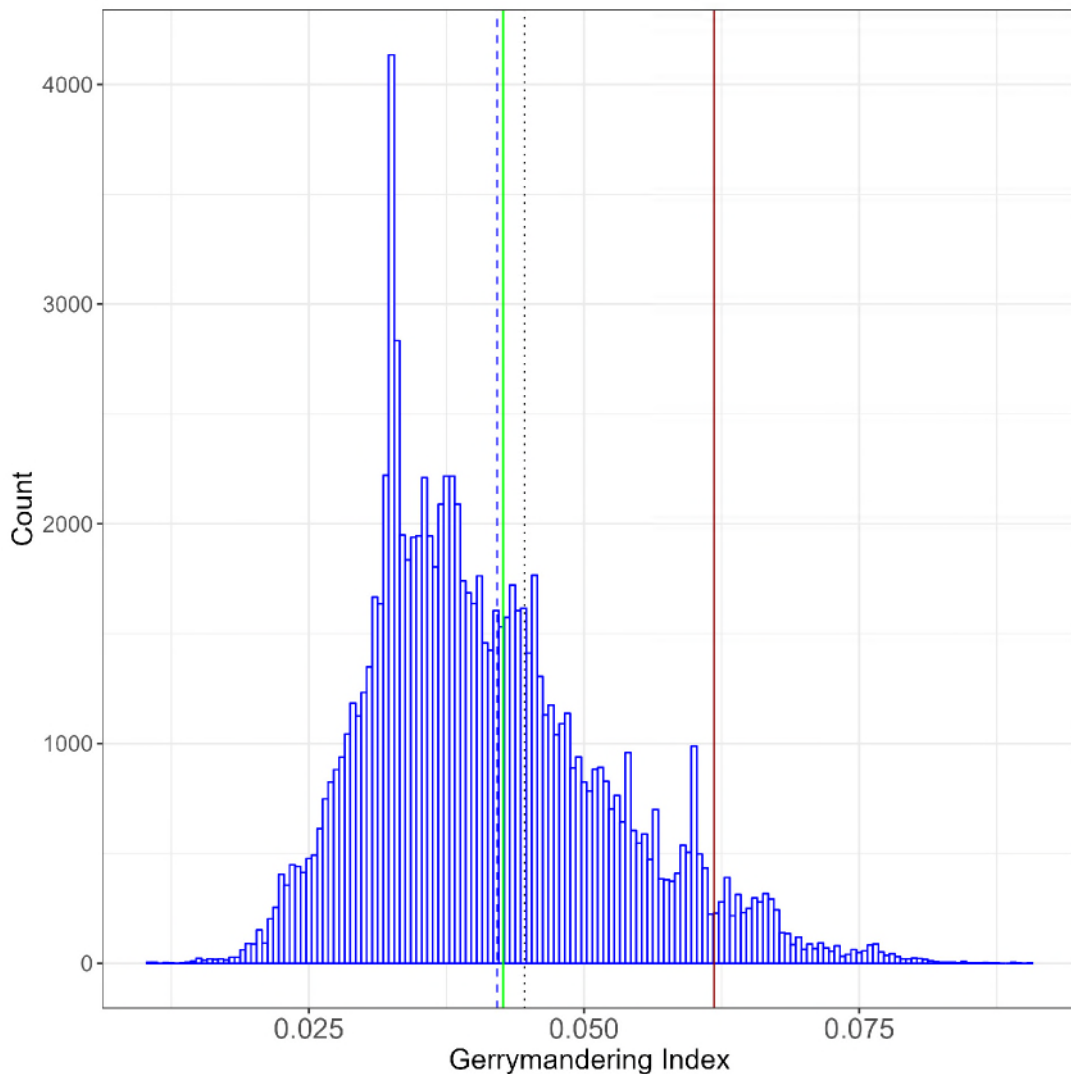
(a) Each column reflects a count for ensemble maps with a given Gerrymandering Index. The red solid line reflects the 95th percentile mark for ensemble gerrymandering indices. A map that scored to the right of the line would not be a map where race predominated, while a map that scored to the left of the line would be. The dotted line reflects the Gerrymandering Index for the Riverwalk FC map, the blue dashed line reflects the Gerrymandering Index for the Tiger Lily map, while the solid green line reflects the Gerrymandering Index for the Spirit of Detroit map



Likewise, the Bergamot maps have low gerrymandering indices, indicating that they had successfully purged the taint of the Hickory maps.

Figure 19: Gerrymandering Index, Bergamot 1 and 2 Maps

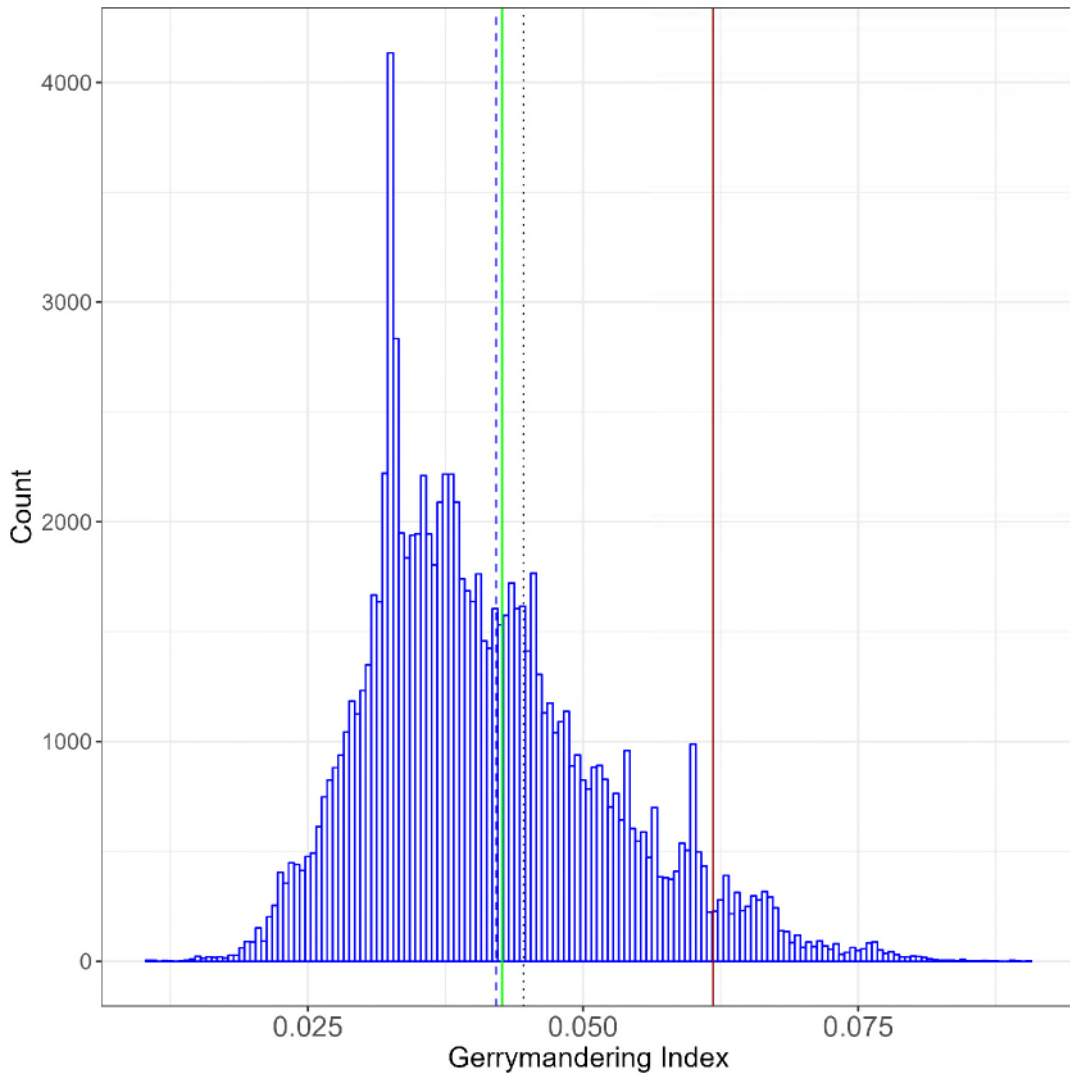
(a) Each column reflects a count for ensemble maps with a given Gerrymandering Index. The red solid line reflects the 95th percentile mark for ensemble gerrymandering indices. A map that scored to the right of the line would not be a map where race predominated, while a map that scored to the left of the line would be. The dotted line reflects the Gerrymandering Index for the Bergamot 2 map, while the solid green line reflects the Gerrymandering Index for the Bergamot 1 map



Obviously, the Daisy Map produces a very large gerrymandering index. The Tulip map, which maintains much of the gerrymander from the Hickory map, produces a large gerrymandering index, though not as large as Commissioner Eid’s Daisy map did.

Figure 20: Gerrymandering Index, Daisy and Tulip Maps

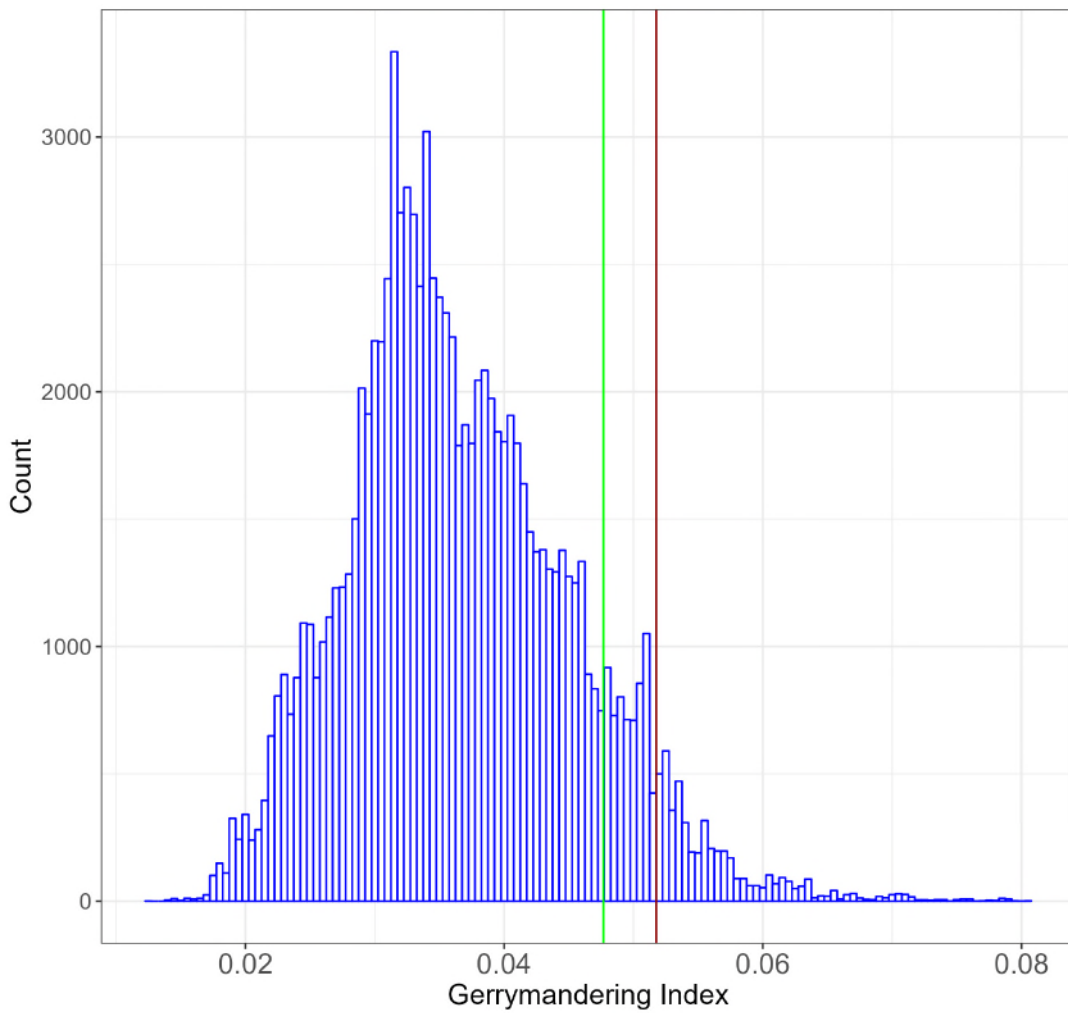
(a) Each column reflects a count for ensemble maps with a given Gerrymandering Index. The red solid line reflects the 95th percentile mark for ensemble gerrymandering indices. A map that scored to the right of the line would not be a map where race predominated, while a map that scored to the left of the line would be. The dotted line reflects the Gerrymandering Index for the Tulip map, while the solid green line reflects the Gerrymandering Index for the Daisy map



The Szetela Map likewise produces a relatively small gerrymandering index, suggesting that it is possible to produce 10 Black majority districts without allowing race to predominate.

Figure 21: Gerrymandering Index, Szetela Map

(a) Each column reflects a count for ensemble maps with a given Gerrymandering Index. The red solid line reflects the 95th percentile mark for ensemble gerrymandering indices. A map that scored to the right of the line would not be a map where race predominated, while a map that scored to the left of the line would be. The solid green line reflects the Gerrymandering Index for the Szetela map



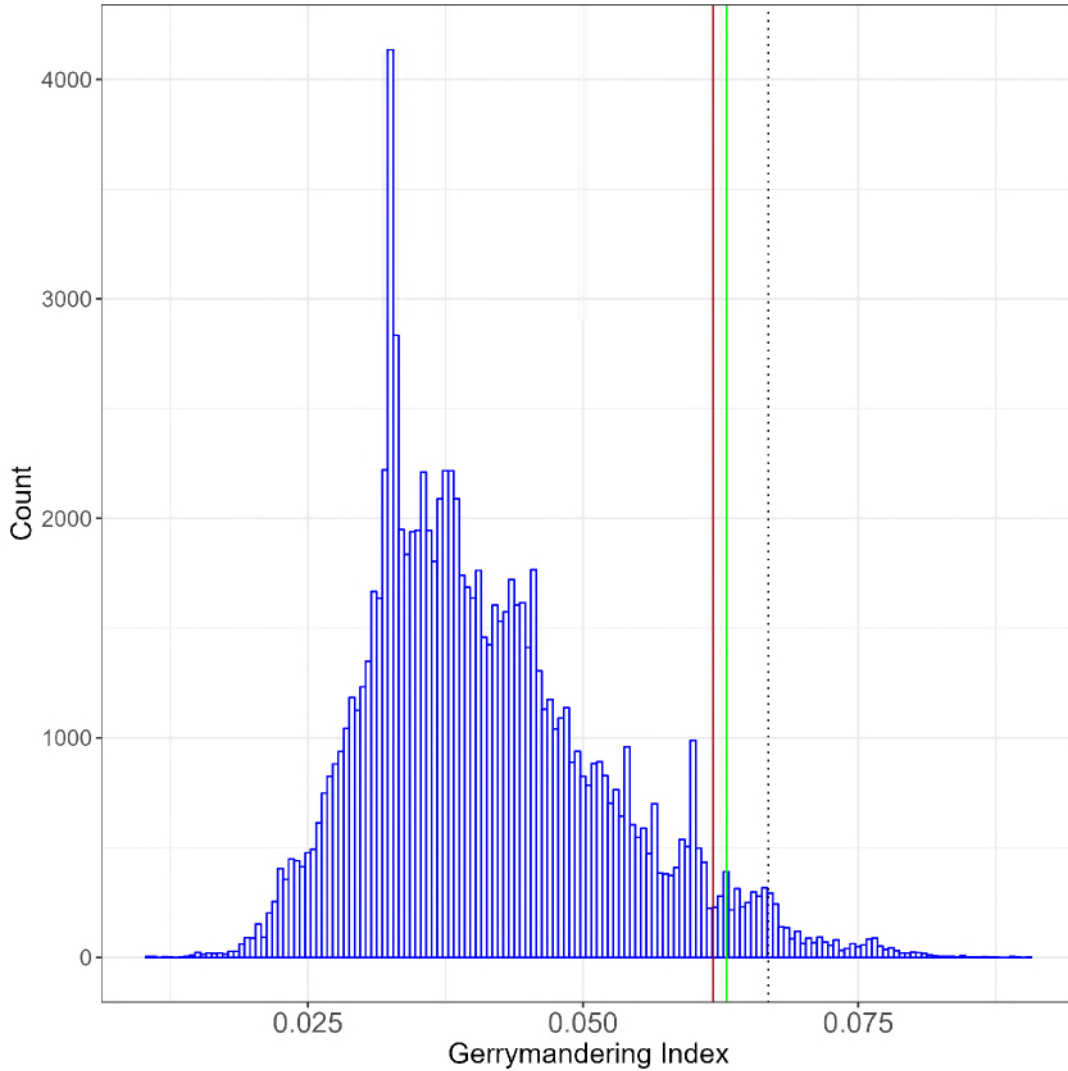
The Motown Sound map, on the other hand, still retains large gerrymandering

indices; the Proposed Map is even more extreme. Thus, the Proposed Map likely retains too much of the taint of the Hickory Map.³

³At first glance it may seem surprising that Motown Sound generates larger gerrymandering indicies than the Riverwalk or Spirit of Detroit Maps, since they are so closely related. The problem is that the particular changes made in the eastern Wayne/Macomb districts alter the BVAPs of those districts substantially and create large deviations from expectations. It is doubtful that the computer would have generated a three-way split of St. Clair shores, or the double-traversal of 8-Mile Rd. created in the Proposed Map

Figure 22: Gerrymandering Index, Motown Sound and Proposed Maps

(a) Each column reflects a count for ensemble maps with a given Gerrymandering Index. The red solid line reflects the 95th percentile mark for ensemble gerrymandering indices. A map that scored to the right of the line would not be a map where race predominated, while a map that scored to the left of the line would be. The dotted line reflects the Gerrymandering Index for the Proposed Map, while the solid green line reflects the Gerrymandering Index for the Motown Sound map



III. Conclusion

The Proposed Map reflects a step in the right direction. However, the fact that it separates incumbents such that all of them are in a different district is very unlikely

to have occurred by chance, especially given that other submitted maps did not do so. Also, it still bears some of the hallmarks of a racial gerrymander that characterized the Hickory Map.

I declare under penalty of perjury under the laws of the State of Ohio that the foregoing is true and correct to the best of my knowledge and belief. Executed on 8 March, 2024 in Seattle, Washington.

Sean Trende

Sean P. Trende

3 Exhibit 1

SEAN P. TRENDE

1146 Elderberry Loop
Delaware, OH 43015
strende@realclearpolitics.com

EDUCATION

Ph.D., The Ohio State University, Political Science, 2023. Dissertation titled *Application of Spatial Analysis to Contemporary Problems in Political Science*, September 2023.

M.A.S. (Master of Applied Statistics), The Ohio State University, 2019.

J.D., Duke University School of Law, *cum laude*, 2001; Duke Law Journal, Research Editor.

M.A., Duke University, *cum laude*, Political Science, 2001. Thesis titled *The Making of an Ideological Court: Application of Non-parametric Scaling Techniques to Explain Supreme Court Voting Patterns from 1900-1941*, June 2001.

B.A., Yale University, with distinction, History and Political Science, 1995.

PROFESSIONAL EXPERIENCE

Law Clerk, Hon. Deanell R. Tacha, U.S. Court of Appeals for the Tenth Circuit, 2001-02.

Associate, Kirkland & Ellis, LLP, Washington, DC, 2002-05.

Associate, Hunton & Williams, LLP, Richmond, Virginia, 2005-09.

Associate, David, Kamp & Frank, P.C., Newport News, Virginia, 2009-10.

Senior Elections Analyst, RealClearPolitics, 2010-present.

Columnist, Center for Politics Crystal Ball, 2014-17.

Visiting Scholar, American Enterprise Institute, 2018-present.

BOOKS AND BOOK CHAPTERS

Larry J. Sabato, ed., *The Red Ripple*, Ch. 15 (2023).

Larry J. Sabato, ed., *A Return to Normalcy?: The 2020 Election that (Almost) Broke America* Ch. 13 (2021).

Larry J. Sabato, ed., *The Blue Wave*, Ch. 14 (2019).

Larry J. Sabato, ed., *Trumped: The 2016 Election that Broke all the Rules* (2017).

Larry J. Sabato, ed., *The Surge: 2014's Big GOP Win and What It Means for the Next Presidential Election*, Ch. 12 (2015).

Larry J. Sabato, ed., *Barack Obama and the New America*, Ch. 12 (2013).

Barone, Kraushaar, McCutcheon & Trende, *The Almanac of American Politics* 2014 (2013).

The Lost Majority: Why the Future of Government is up for Grabs – And Who Will Take It (2012).

PREVIOUS EXPERT TESTIMONY AND/OR DEPOSITIONS

Dickson v. Rucho, No. 11-CVS-16896 (N.C. Super. Ct., Wake County) (racial gerrymandering).

Covington v. North Carolina, No. 1:15-CV-00399 (M.D.N.C.) (racial gerrymandering).

NAACP v. McCrory, No. 1:13CV658 (M.D.N.C.) (early voting).

NAACP v. Husted, No. 2:14-cv-404 (S.D. Ohio) (early voting).

Ohio Democratic Party v. Husted, Case 15-cv-01802 (S.D. Ohio) (early voting).

Lee v. Virginia Bd. of Elections, No. 3:15-cv-357 (E.D. Va.) (early voting).

Feldman v. Arizona, No. CV-16-1065-PHX-DLR (D. Ariz.) (absentee voting).

A. Philip Randolph Institute v. Smith, No. 1:18-cv-00357-TSB (S.D. Ohio) (political gerrymandering).

Whitford v. Nichol, No. 15-cv-421-bbc (W.D. Wisc.) (political gerrymandering).

Common Cause v. Rucho, No. 1:16-CV-1026-WO-JEP (M.D.N.C.) (political gerrymandering).

Mecinas v. Hobbs, No. CV-19-05547-PHX-DJH (D. Ariz.) (ballot order effect).

Fair Fight Action v. Raffensperger, No. 1:18-cv-05391-SCJ (N.D. Ga.) (statistical analysis).

Pascua Yaqui Tribe v. Rodriguez, No. 4:20-CV-00432-TUC-JAS (D. Ariz.) (early voting).

Ohio Organizing Collaborative, et al v. Ohio Redistricting Commission, et al, No. 2021-1210 (Ohio) (political gerrymandering).

NCLCV v. Hall, No. 21-CVS-15426 (N.C. Sup. Ct.) (political gerrymandering).

Szeliga v. Lamone, Case No. C-02-CV-21-001816 (Md. Cir. Ct.) (political gerrymandering).

Montana Democratic Party v. Jacobsen, DV-56-2021-451 (Mont. Dist. Ct.) (early voting; ballot collection).

Carter v. Chapman, No. 464 M.D. 2021 (Pa.) (map drawing; amicus).

NAACP v. McMaster, No. 3:21-cv-03302 (D.S.C.) (racial gerrymandering).

Graham v. Adams, No. 22-CI-00047 (Ky. Cir. Ct.) (political gerrymandering).

Harkenrider v. Hochul, No. E2022-0116CV (N.Y. Sup. Ct.) (political gerrymandering).

LULAC v. Abbott, Case No. 3:21-cv-00259 (W.D. Tex.) (racial/political gerrymandering/VRA).

Moore et al., v. Lee, et al., (Tenn. 20th Dist.) (state constitutional compliance).

Agee et al. v. Benson, et al., (W.D. Mich.) (racial gerrymandering/VRA).

Faatz, et al. v. Ashcroft, et al., (Cir. Ct. Mo.) (state constitutional compliance).

Coca, et al. v. City of Dodge City, et al., Case No. 6:22-cv-01274-EFM-RES (D. Kan.) (VRA).

Milligan v. Allen, Case No. 2:21-cv-01530-AMM (N.D. Ala.) (VRA).

Nairne v. Ardoin, NO. 22-178-SDD-SDJ (M.D. La.) (VRA).

Robinson v. Ardoin, NO. 22-211-SDD-SDJ (M.D. La.) (VRA).

Republican Party v. Oliver, No. D-506-CV-2022-00041 (N.M. Cir. Ct. (Lea County)) (political gerrymandering).

COURT APPOINTMENTS

Appointed as Voting Rights Act expert by Arizona Independent Redistricting Commission (2020)

Appointed Special Master by the Supreme Court of Virginia to redraw maps for the Virginia House of Delegates, the Senate of Virginia, and for Virginia's delegation to the United States Congress for the 2022 election cycle.

Appointed redistricting expert by the Supreme Court of Belize in *Smith v. Perrera*, No. 55 of 2019 (one-person-one-vote).

INTERNATIONAL PRESENTATIONS AND EXPERIENCE

Panel Discussion, European External Action Service, Brussels, Belgium, Likely Outcomes of 2012 American Elections.

Selected by U.S. Embassies in Sweden, Spain, and Italy to discuss 2016 and 2018 elections to think tanks and universities in area (declined Italy due to teaching responsibilities).

Selected by EEAS to discuss 2018 elections in private session with European Ambassadors.

TEACHING

American Democracy and Mass Media, Ohio Wesleyan University, Spring 2018.

Introduction to American Politics, The Ohio State University, Autumns 2018, 2019, 2020, Spring 2018.

Political Participation and Voting Behavior, Springs 2020, 2021, 2022, 2023.

Survey Methodology, Fall 2022, Spring 2024.

PUBLICATIONS

James G. Gimpel, Andrew Reeves, & Sean Trende, "Reconsidering Bellwether Locations in U.S. Presidential Elections," *Pres. Stud. Q.* (2022) (forthcoming, available online at <http://doi.org/10.1111/psq.12793>).

REAL CLEAR POLITICS COLUMNS

Full archives available at http://www.realclearpolitics.com/authors/sean_trende/

4 Exhibit 2

Figure 23: Racial Dotplots, Bergamot 1 Map

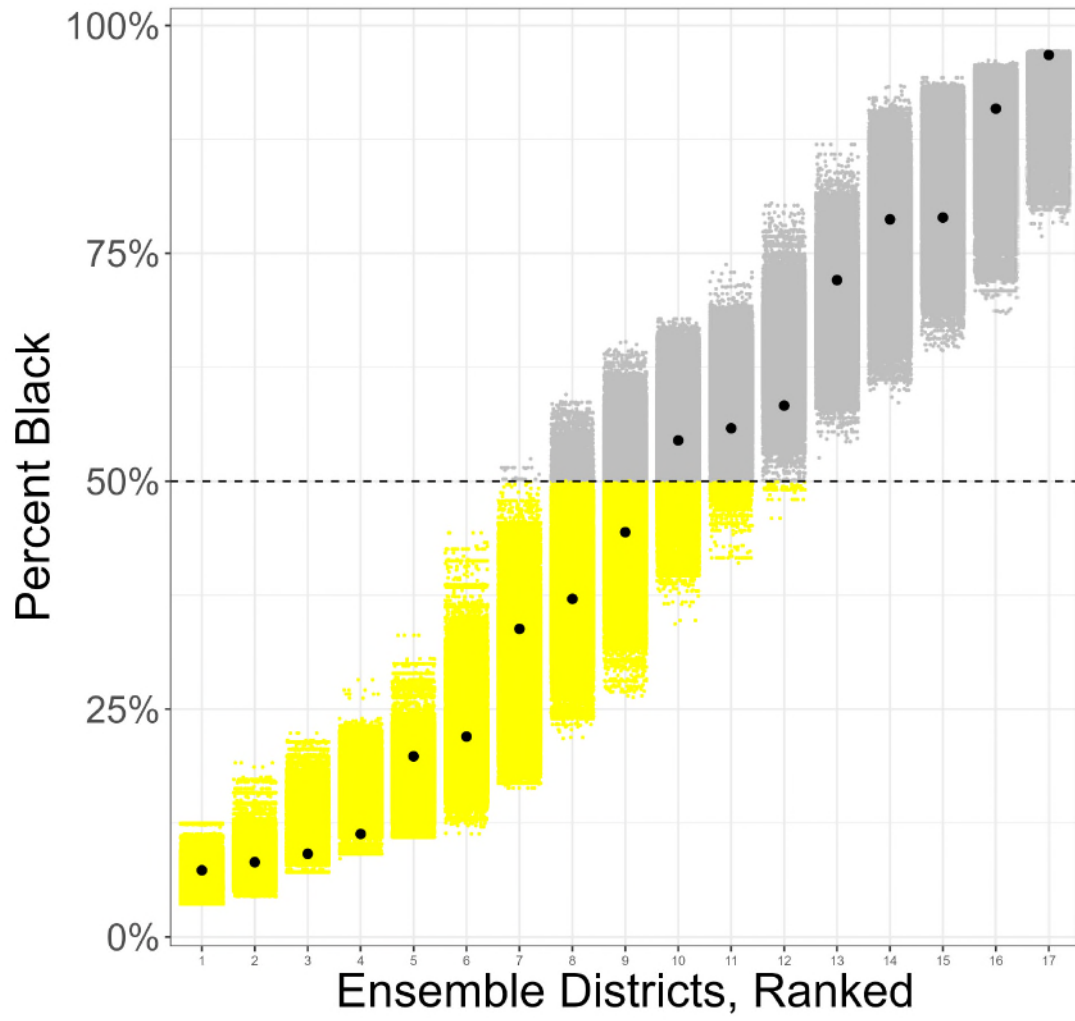


Figure 24: Racial Dotplots, Bergamot 2 Map

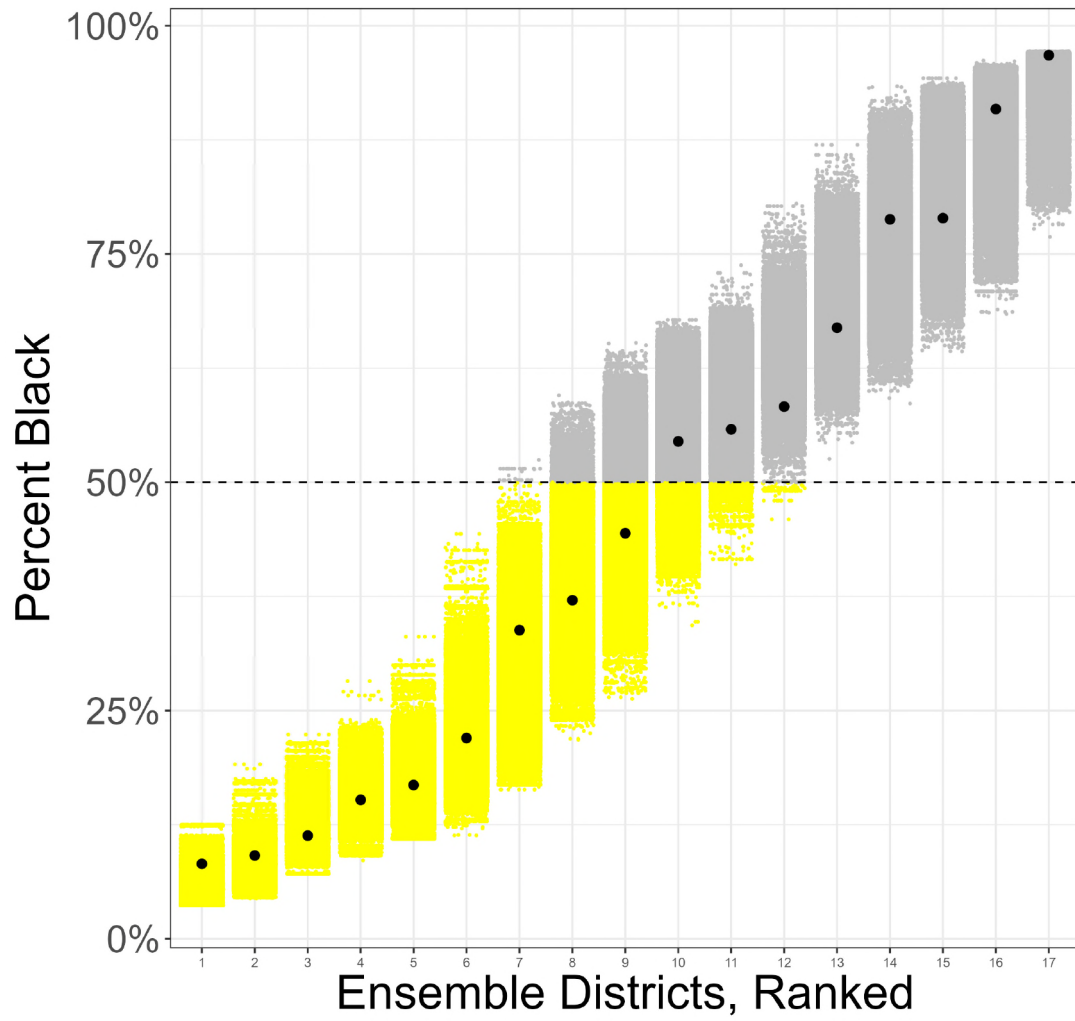


Figure 25: Racial Dotplots, Daisy Map

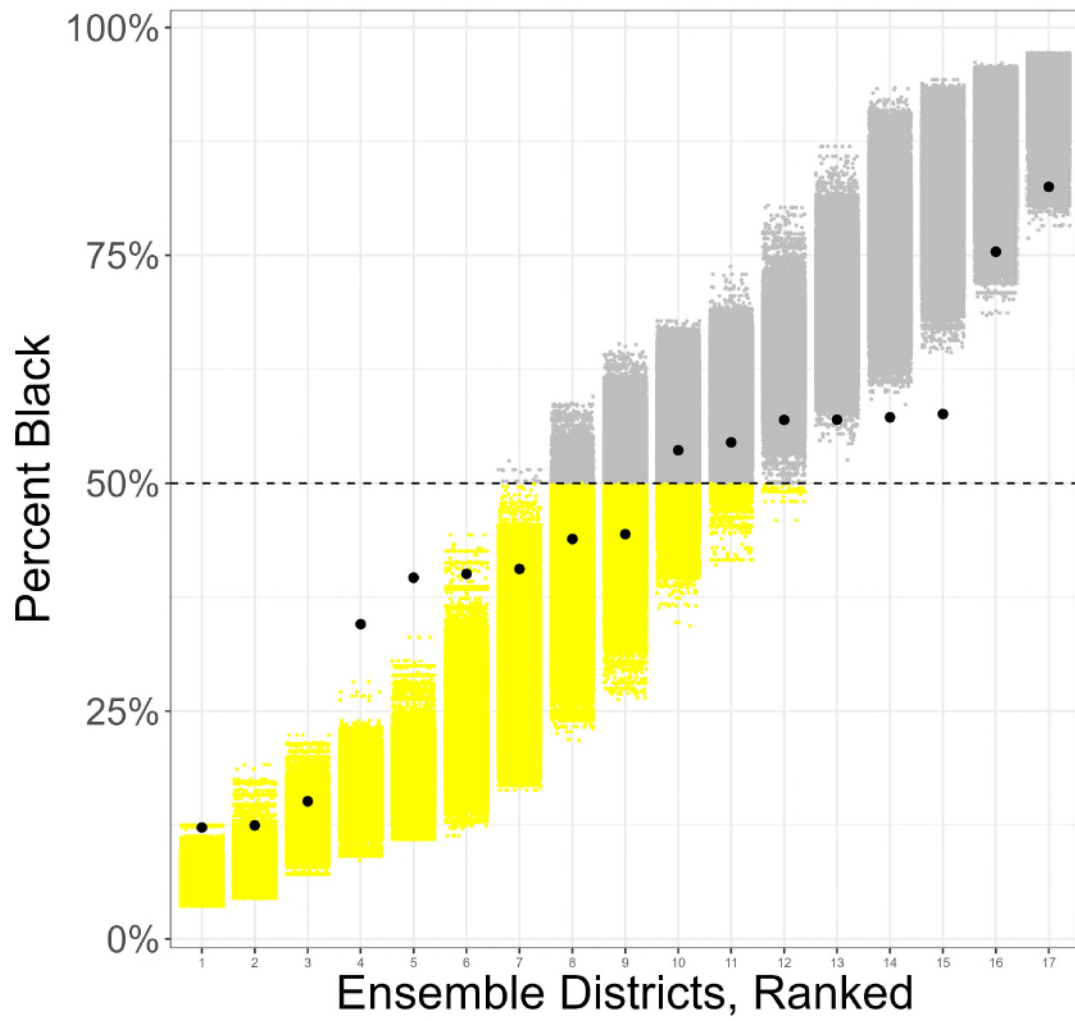


Figure 26: Racial Dotplots, Motown Sound Map

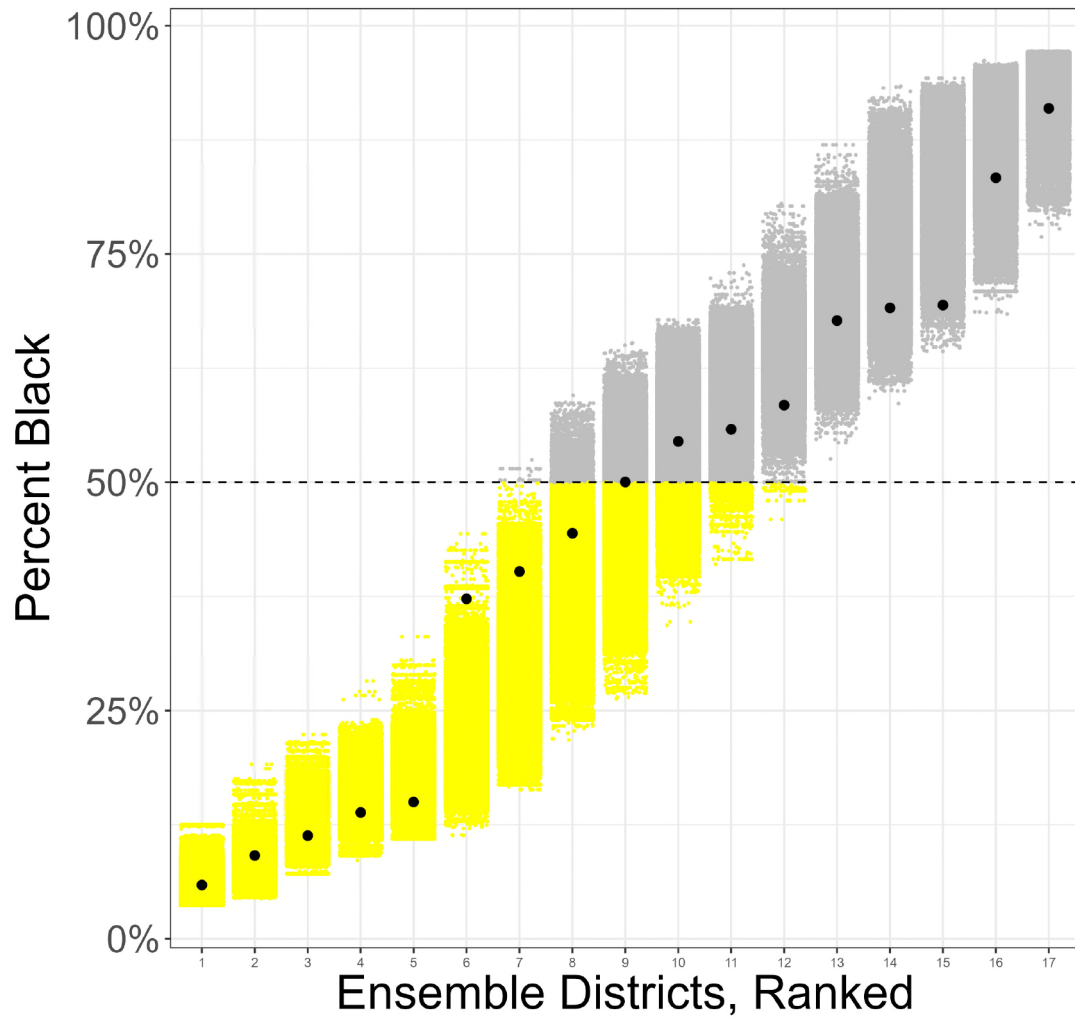


Figure 27: Racial Dotplots, Spirit of Detroit Map

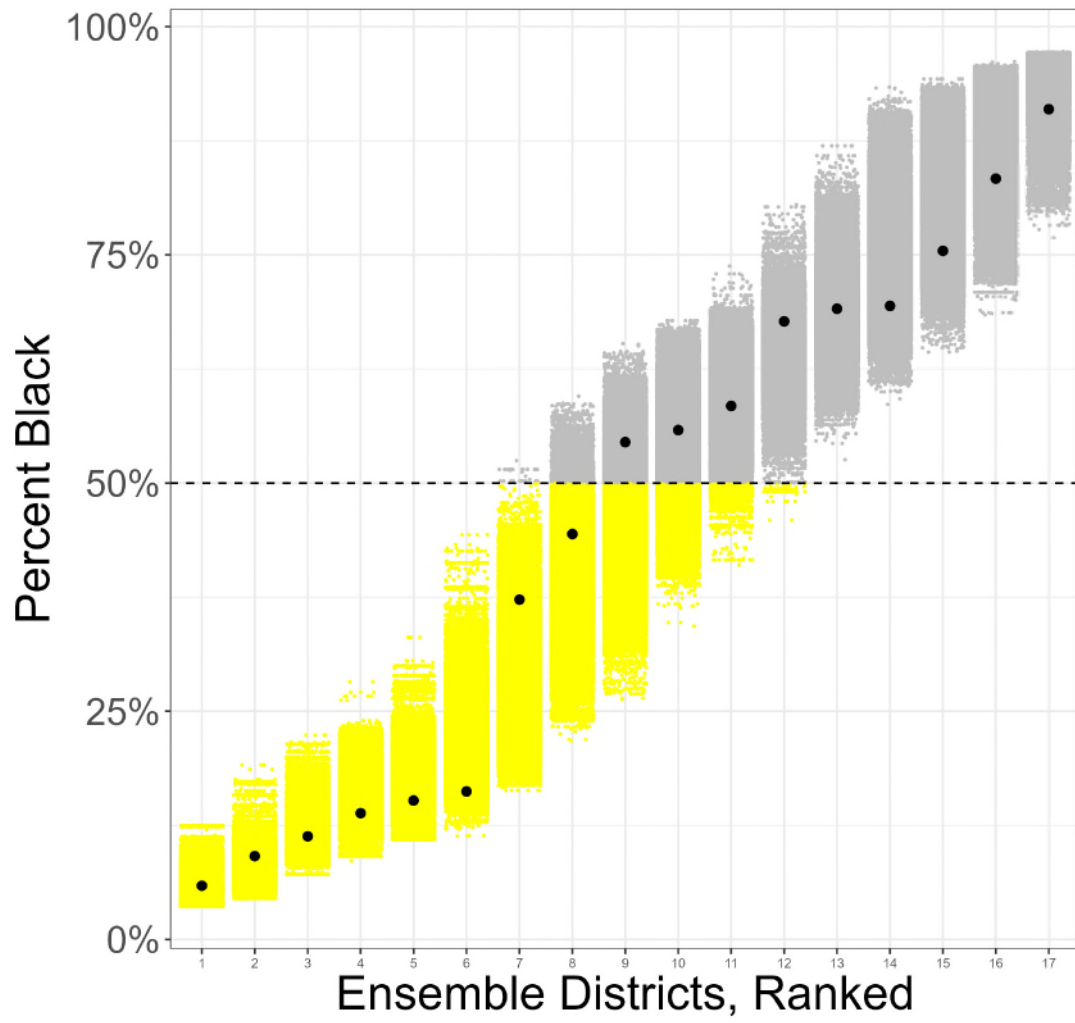


Figure 28: Racial Dotplots, Riverwalk FC Map

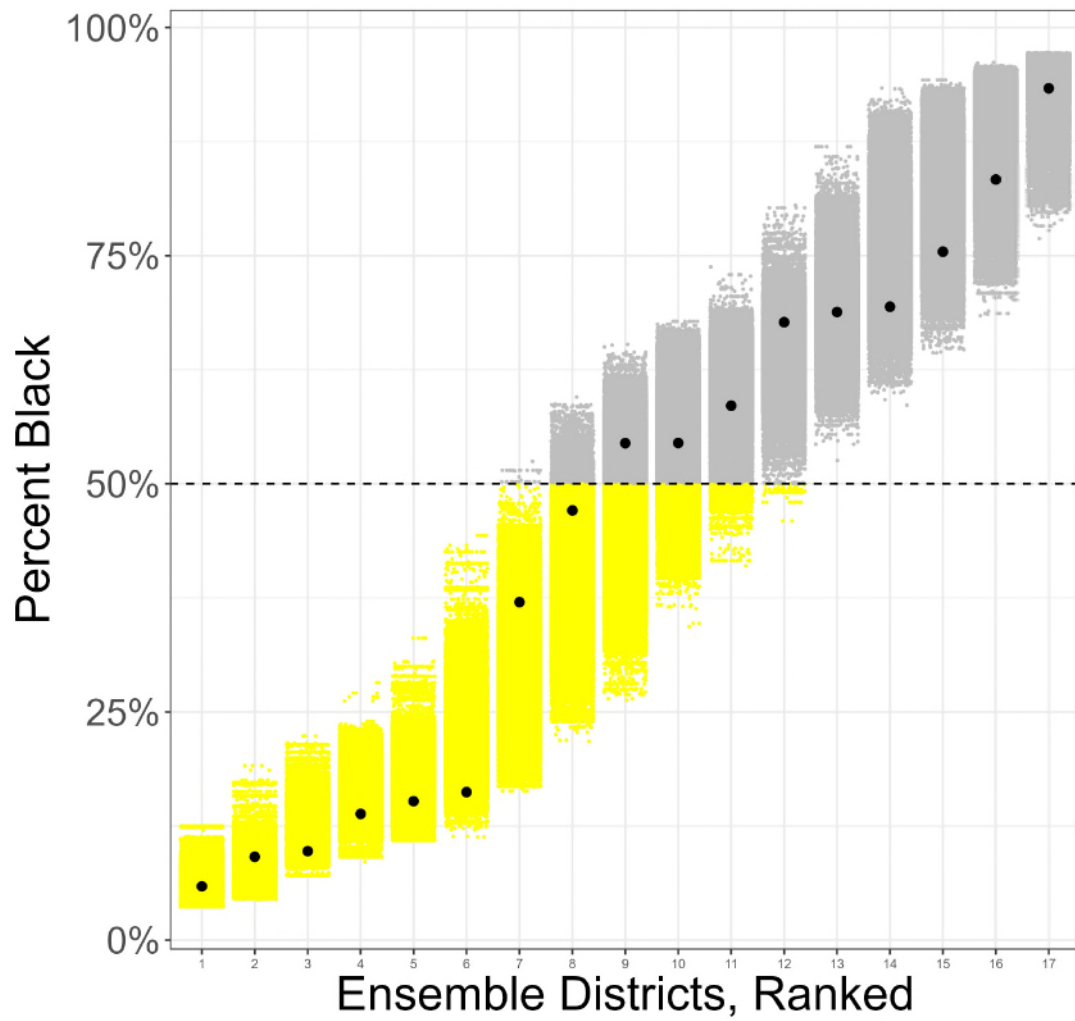


Figure 29: Racial Dotplots, Spirit of Detroit Map

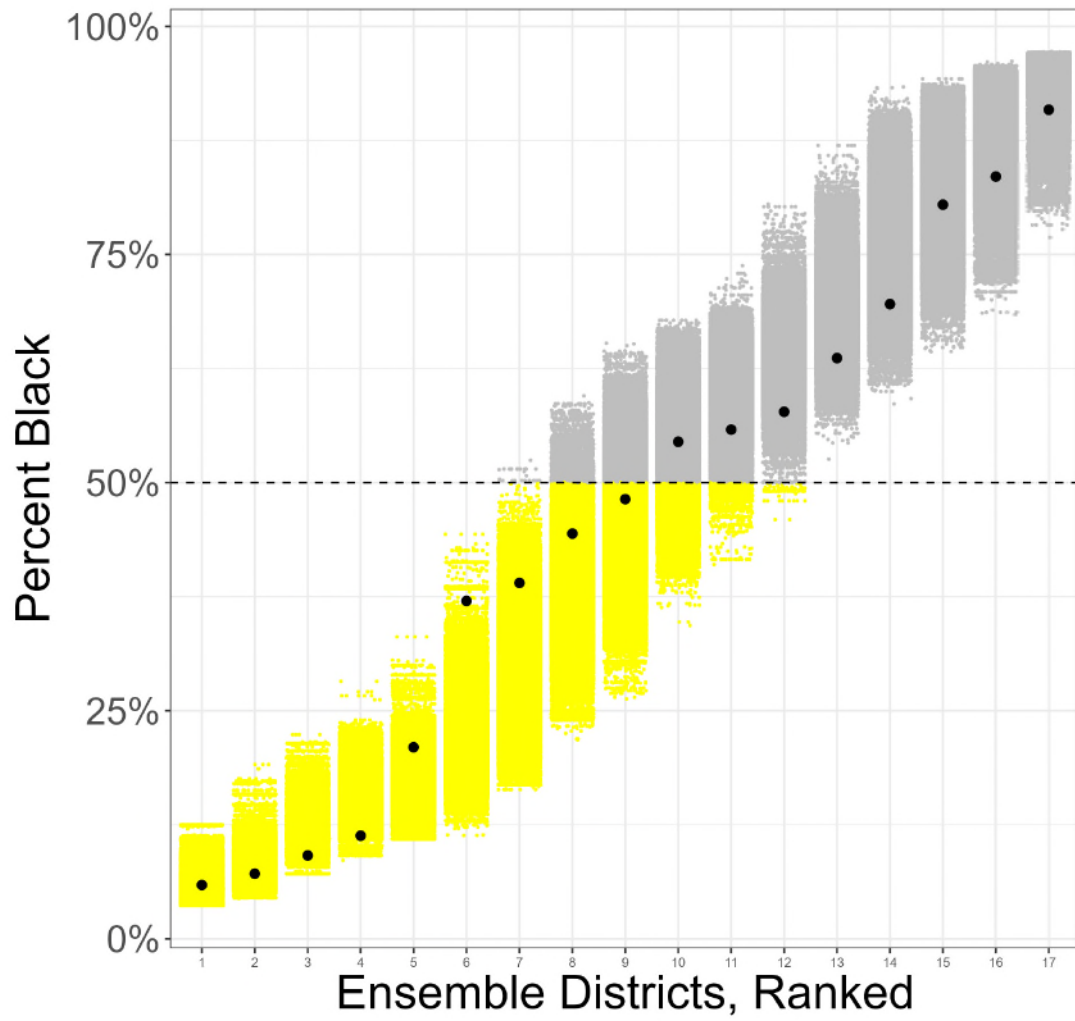


Figure 30: Racial Dotplots, Spirit of Detroit Map

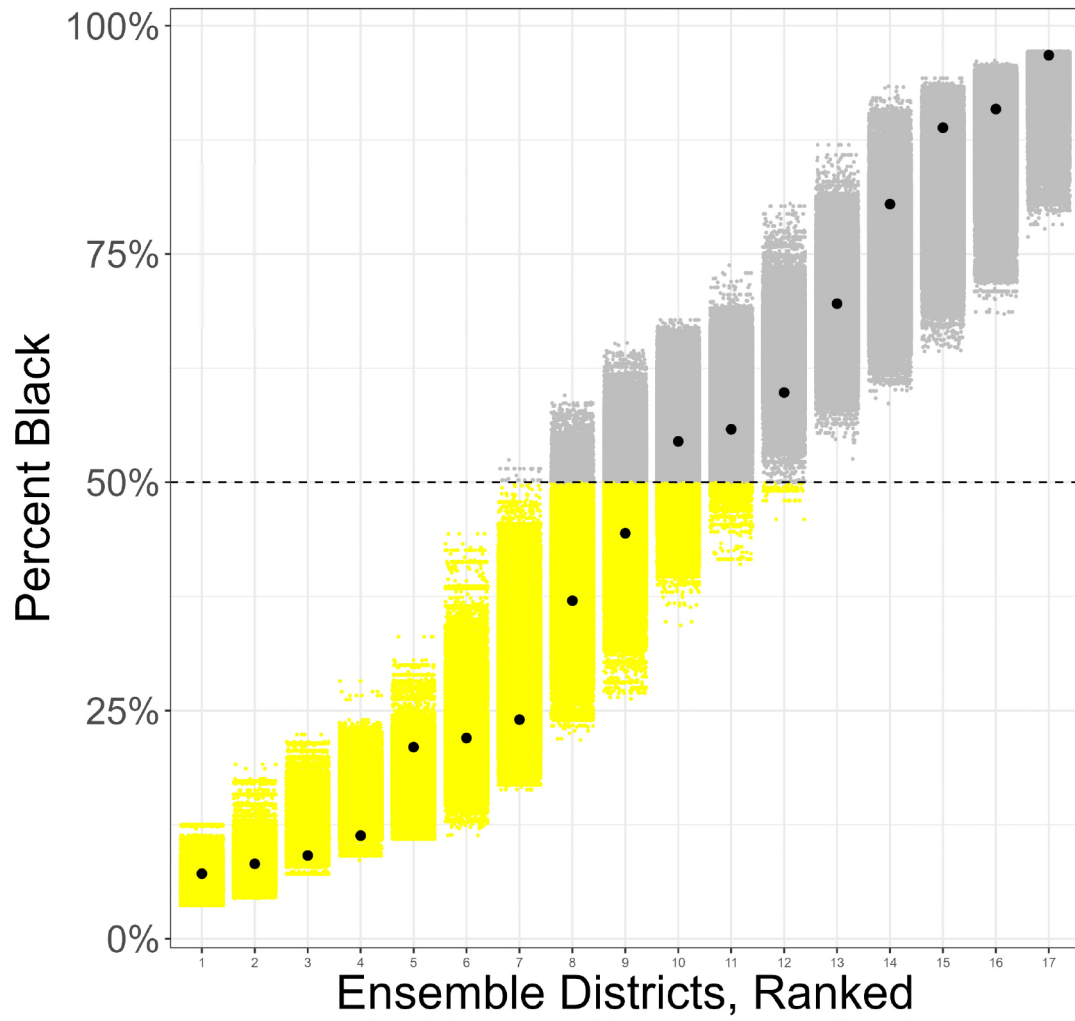


Figure 31: Racial Dotplots, Proposed Map

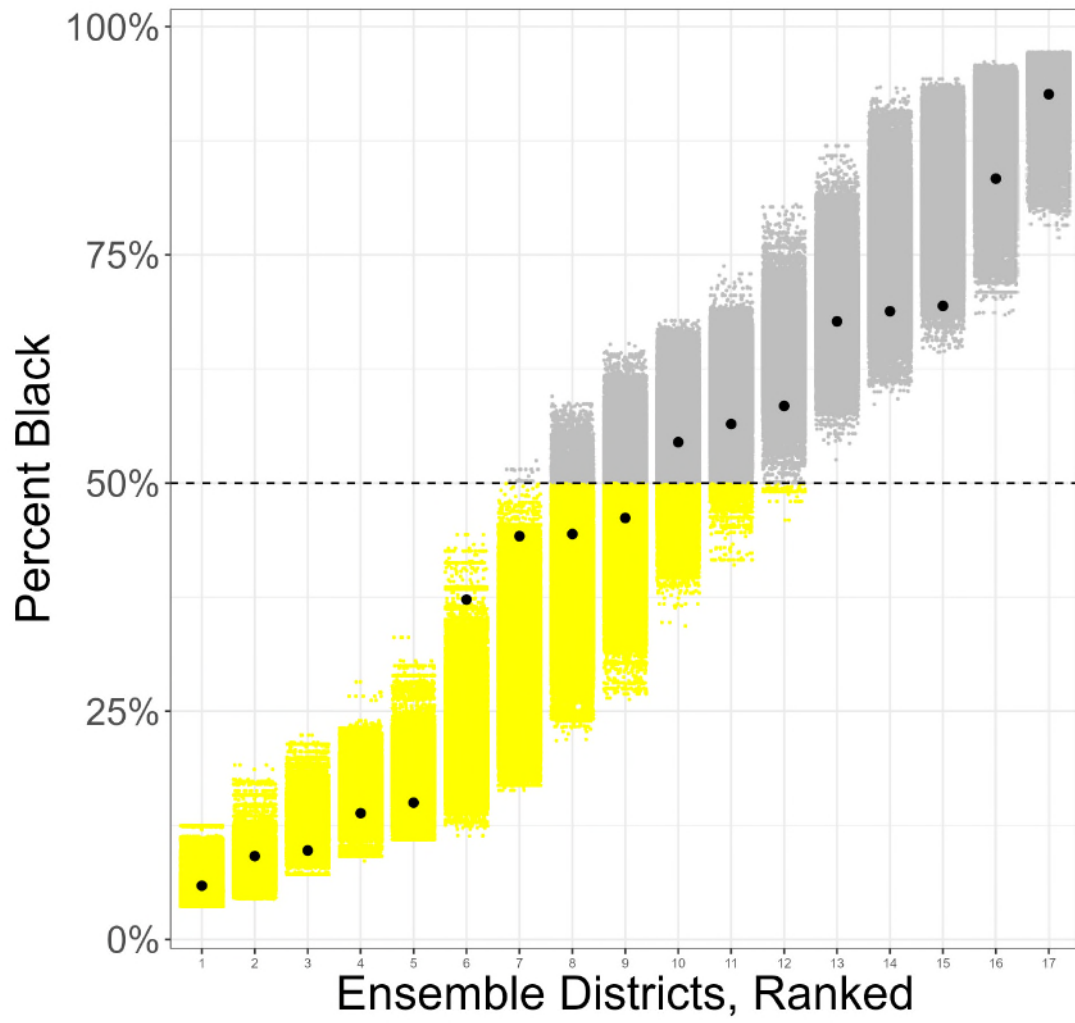


Figure 32: Racial Dotplots, Tulip Map

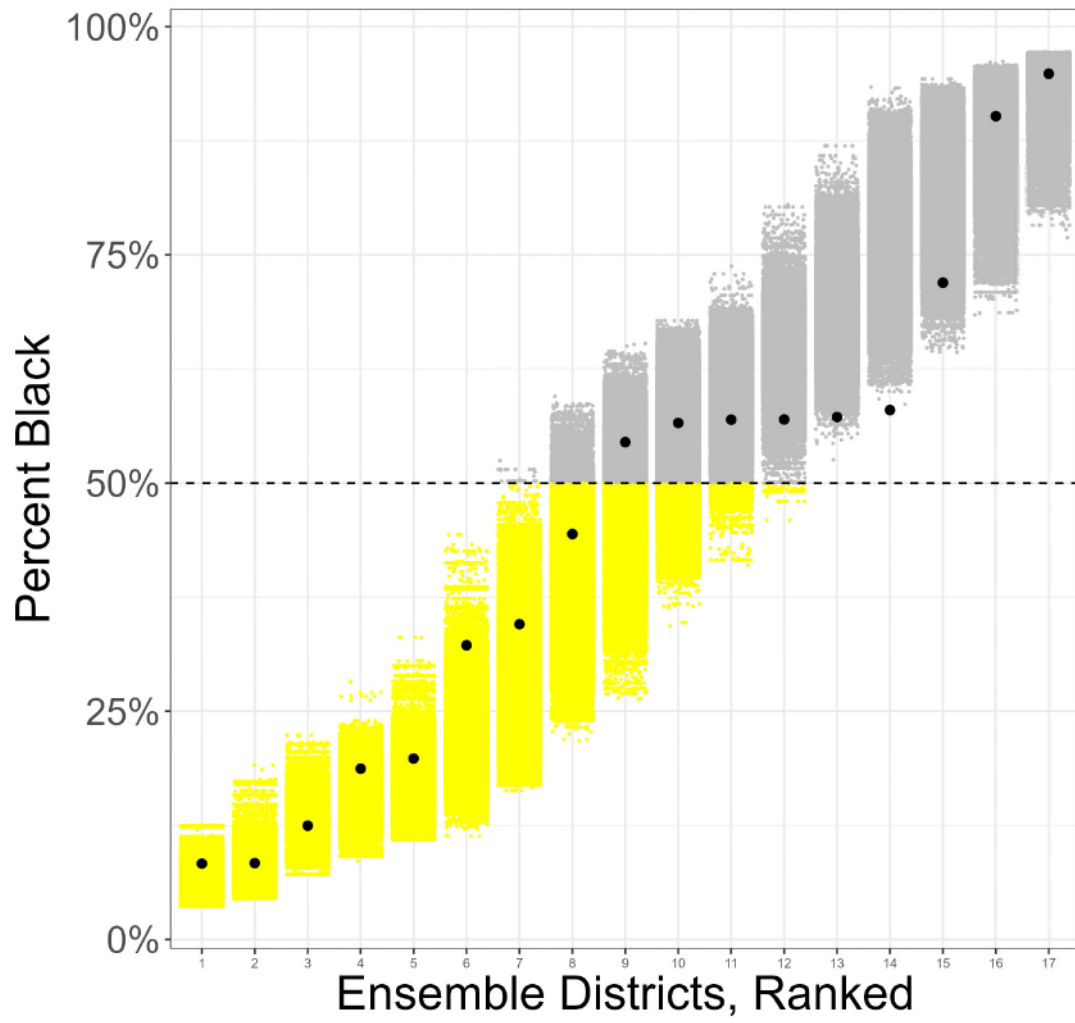


Figure 33: Racial Dotplots, Tiger Lily Map

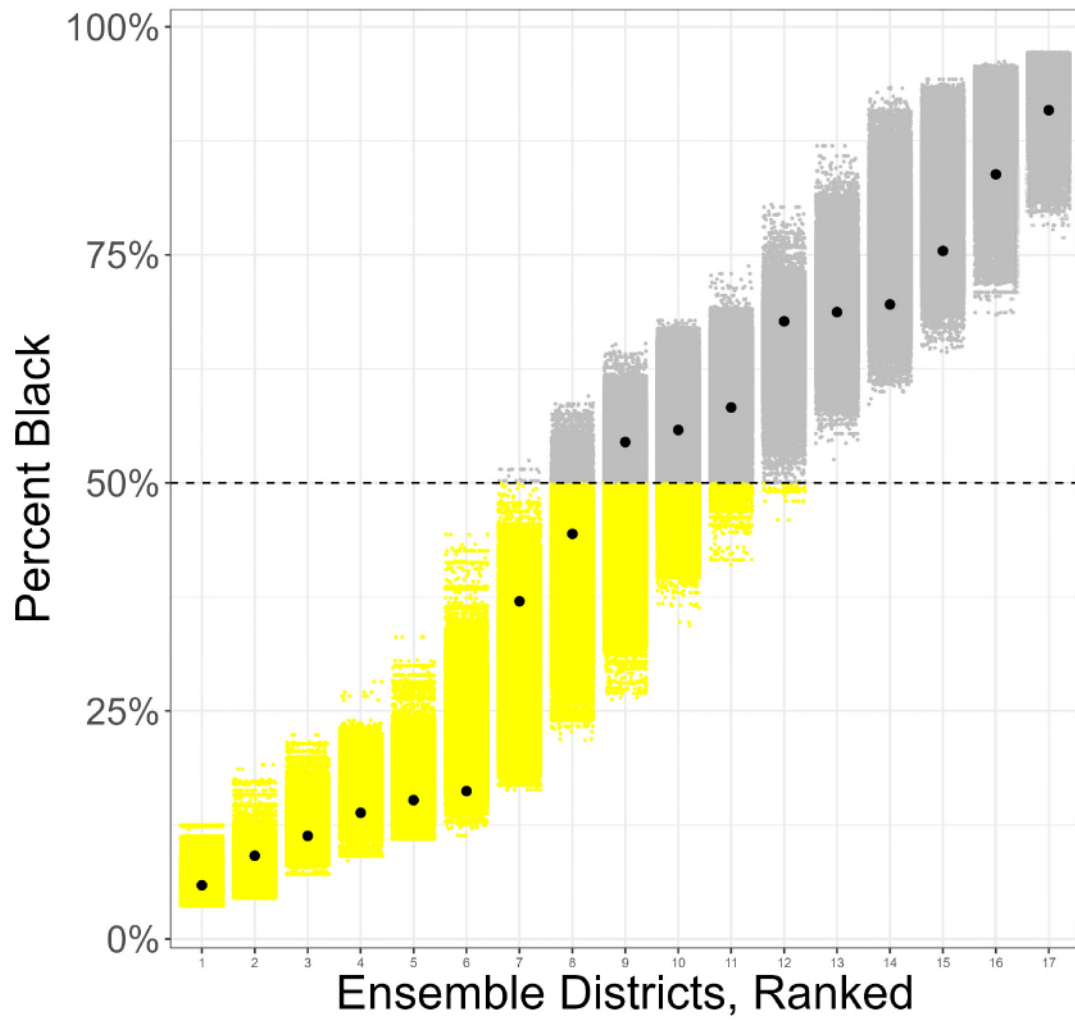


EXHIBIT B

Tuesday, January 16, 2024

[Listen to the Article](#)

Redistricting Commission Begins Redrawing Detroit-Area House Map

Nearly two years after it adopted maps for the House, Senate and U.S. House in 2021, the independent commission tasked with redrawing Michigan's political landscape was back at the drawing board Tuesday with a court mandate not to use race as a factor in remedy maps for new Detroit-area districts.

The commission regrouped and began mapping Tuesday to redraw House Districts 1, 7, 8, 10, 11, 12 and 14. The districts were nullified by a federal three-judge panel as violations of the U.S. Constitution's Equal Protection Clause because the commission drastically reduced the Black voting age population in Detroit and wrapped large pieces of the city in with its surrounding and more predominantly white suburbs – done so mostly based on race, the court ruled.

While only drafts, the changes underscore the turmoil facing many incumbents in the Detroit area.

One of the versions would draw [Rep. Kimberly Edwards](#) (D-Eastpointe) and [Rep. Veronica Paiz](#) (D-Harper Woods) into the same district. Another version would create a district combining St. Clair Shores and the Grosse Pointes, where no incumbent now lives. House [Speaker Joe Tate](#) (D-Detroit), who now represents the Grosse Pointes and a chunk of Detroit, could end up with a Detroit-only district.

[Rep. Mike McFall](#) (D-Hazel Park) might lose the Detroit portion of his seat and stay north of 8 Mile Road. [Rep. Helena Scott](#) (D-Detroit) could lose the Oakland County portion of her district and stay south of 8 Mile.

Although the commission continues to fight the federal court ruling with an appeal pending before the U.S. Supreme Court, the body was not

granted a stay of enforcement from the lower court,⁶ meaning they must start mapping to build a compliant remedy plan by February 2.

Some questioned how the commission, plagued with infighting and budget woes since the first maps were adopted in December 2021, would be able to navigate a redraw under a court order and on a truncated timeline. The last round of mapping in the Detroit area took several weeks, and some envisioned the same happening in Round 2 with three new commissioners on board following multiple resignations.

That bad blood persists (see separate story), but despite those complications, the commission on Tuesday made quick work of remapping and moved quicker in Detroit this time around. The body had nearly completed draft versions of base maps with different ideas on how to redraw the area, but the work was far from final. Various population metrics were still off across the plans and a few unassigned areas remained after a full day of mapping.

Finishing their first crack at new base maps for the House was also cut short due to several glitches with the mapping software late in the day. Metric data showed population changes in areas that went unchanged during the mapping process, leading the commission's mapping consultants, Election Data Services, to raise a white flag just before 5 p.m. to address the issues. The commission was slated to work until 6 p.m.

The last round of mapping saw the commission's staff provide shape files to members of the news media and the public savvy with mapping software. That allowed some watching the proceedings to produce maps of a given day's work.

ICRC Director Edward Woods III told Gongwer News Service that they planned to do the same this time. Tuesday's shape files, however, were not available directly after the meeting due to software errors, Woods said.

Members worked off different base maps to test different ideas, but their decisions Tuesday gave some indication on how the maps would change under each plan and which of the Detroit-area House members would be most affected.

Kent Stigall with Election Data Services suggested commissioners start at a corner or the southern portion of Detroit and move around the map in a circle to construct new districts. The 9th and the 13th House Districts were not ruled unconstitutional by the court, so they needed to stay

mostly intact. The same was true of other surrounding⁶ districts that were not included in the court's order.

Attorneys David and Nate Fink of Fink Bressack, the commission's general counsel, warned that the court was specific in its order for changes to noncompliant districts and to make few alterations in compliant areas. The commission was only allowed to make changes to other districts if they were reasonably necessary, and with a stated purpose as they continued mapping, Nate Fink said.

Stigall said that no matter how they carved up the map, changes to surrounding areas were likely inevitable even if commissioners could contain them to minor adjustments.

With those dueling considerations in mind, Commissioner Anthony Eid (I-Orchard Lake) began drawing in Royal Oak, building a new 14th District that stopped at the city line between Madison Heights and Hazel Park. That iteration carried west until it reached the western border of the current 13th District.

Commissioner Brittini Kellom (D-Detroit) drew from scratch a new 10th District comprising St. Clair Shores and moving south to encompass the entire shoreline in the Grosse Pointe area. The district resembled a skinny body double for the state of Indiana and stopped just below the eastern flank of the current 9th District.

From there, Commissioner Rhonda Lange (R-Reed City), with direction from Commissioner Rebecca Szetela, started in Eastpointe with aims to pull it into Detroit and gobble up a piece of Harper Woods. Those moves, creating a new 12th District, ate into the 13th District as Lange tried to keep Detroit's neighborhoods intact.

Commissioner Steven Lett (I-Interlochen), working off the same map, started in Ferndale and Hazel Park, grouping them together in a new 7th District. Lett's iteration stretched under the newly constructed 14th District and to the western portion of the 11th District on that draft.

Population must be their first guiding metric under the court order and the Michigan Constitution, with race no longer a factor. Many of the first few districts drawn on Tuesday had issues meeting necessary population thresholds.

Roseville was left unassigned during the first few lines, and newly selected Commissioner Marcus Muldoon (R-Lincoln Park) roped that

6
portion into the existing 13th District – another significant boundary change to court-compliant districts.

A new 11th District formed by Chair Cynthia Orton (R-Battle Creek) attempted to bring in Detroit's Cornerstone Village and East English Village, but those changes started to gobble up portions of the current 9th District. More of downtown Detroit and its Greektown, Bricktown and Midtown areas were brought into the 11th District to balance population.

Commissioner Rebecca Szetela (I-Canton), who had a big hand in drawing Detroit's districts during the last round, moved southward to add unassigned pieces of the Downriver area to the 1st District. They were combined with Lincoln Park in consideration of the Latino community of interest there. If that were to stand, the 2nd District, now represented by [Rep. Tullio Liberati](#) (D-Allen Park), would likely need to add turf to the south to gain population. That in turn would almost surely affect [Rep. Jaime Churches](#) (D-Wyandotte), who represents one of the most competitive districts in the state.

Eid and Szetela continued to butt heads over significant changes to other districts, and the latter also had a back and forth with Nate Fink over the court order's direction regarding compliant boundary alterations.

A new 8th District was drawn by Szetela on behalf of Commissioner Erin Wagner (R-Charlotte), who has sight issues, much like she did for Lange on her turn. She started from the riverfront up to Highland Park, but the district still had population issues.

Newly selected Commissioner Donna Callaghan (D-Farmington Hills) jumped right in and built a fledgling 4th District out of pieces of the existing 5th District and some unassigned areas west of Detroit.

From there, the commission mostly shifted pieces in and out of those newly drawn districts to address population misfires.

However, Commissioner Juanita Curry (D-Detroit), who was absent from the meeting until after a midday lunch break, disliked what was done thus far. Eid helped suggest a blank slate map for Curry to work off, overlaying their latest changes in red lines to create guidelines and to avoid radical changes.

Curry's 1st District and 8th District took some from the existing 3rd District, but not much, aligning mostly with the earlier work done Tuesday. Population metrics remained low in the 4th District and the 8th

District, so the commission started roping in other outlying Detroit neighborhoods to help beef them up.

The result was a massive 8th District that several commissioners questioned, like Kellom. She suggested breaking up the 8th District into smaller chunks.

Lange also decided to go a different route, making changes to the 5th and 6th districts to combine them just south of 8 Mile Road. Her iteration had some of the 5th District moving southward and the 6th District moving north, but from a base map that already made changes to the area when other lines were adjusted. These are the extremely skinny districts that start in Birmingham and Royal Oak, respectively, and slice south into Detroit.

Most of Detroit was filled in by the late afternoon, with only a few unassigned pieces. The population metrics still needed work and the 2nd District ended up being split between changes to the 1st District.

The meeting was ultimately adjourned an hour earlier than expected due to mapping software glitches. The maps started to show population changes in districts the commission had not touched, and Stigall requested some time Tuesday evening to figure out what went wrong before allowing the commission to make additional changes.

Mapping will resume remotely at 9 a.m. on Wednesday. Members of the public can view the commission's meeting on its YouTube channel.

— By Ben Solis

[Back to top](#)



EXHIBIT C

Friday, March 1, 2024

Listen to the Article

Detroit-Area Dems In Redrawn Districts Are Ready To Roll Despite Changes

Detroit-area House Democrats who would see significant changes in districts redrawn this week by the [Independent Citizens Redistricting Commission](#) said in interviews that the new lines were surprising and somewhat disappointing, but they were ready to roll in terms of outreach in communities they don't currently represent.

Members of the commission on Wednesday voted to adopt a redrawn configuration of seven House districts that were thrown out by a federal three-judge panel because the ICRC drew those lines predominantly based on race, a violation of the U.S. Constitution's Equal Protection Clause.

The new map, titled Motown Sound FC E1, was submitted to the court before its March 1 deadline and will undergo review from a special master. A second special master was tapped to draw an alternative remedy map in the event the commission failed to meet its deadlines or if its new Detroit House map failed to meet muster with the court.

If the panel accepts the Motown Sound FC E1 map, it could mean some level of change, in some cases significant, to House districts 1 through 14. As far as the new map's potential impact on partisan control of the House, a new 13th District consisting of Roseville, central St. Clair Shores and eastern Warren has the potential to be competitive in a strong Republican year but leans Democratic. Otherwise, the changes have no effect on competitive seats, only redrawing solidly Democratic ones (See [Gongwer Michigan Report, February 28, 2024](#)).

Among those most affected by drastic changes to their districts are [Rep. Natalie Price](#) (D-Berkley), [Rep. Helena Scott](#) (D-Detroit), [Rep. Mike McFall](#) (D-Hazel Park), [Speaker Joe Tate](#) (D-Detroit), [Rep. Veronica Paiz](#)

(D-Harper Woods) and Mai Xiong (D-Warren), who⁷ is likely to win a seat in the House this April.

Price and Paiz spoke with Gongwer News Service on Friday to react to some of those changes.

Price would lose the Detroit portion of her seat, as well as the Oak Park portion, and see her territory shift north, adding most of Royal Oak and all of Huntington Woods. Paiz's district also changes radically. She loses the St. Clair Shores portion and picks up the Grosse Pointes and a little more of Detroit than it has now.

Both said they were somewhat disappointed to see their districts potentially change.

"I love my current district," Price said. "This is my first term, and I have made a lot of effort to show up and get to know folks everywhere in my district. I'm attached, so that's one factor."

Paiz shared the same sentiment about being attached to her current community landscape.

"I really love my district the way it is now. I feel I've got a great bunch," Paiz said. "I keep my hometown, so that's wonderful, right off the bat. I just returned this morning from my monthly meeting with our St. Clair Shores seniors, and there's always a great turnout there. I get to hear about a lot of what's on their mind and they're just a good solid group. I love my Detroiters, too. So, this takes away my St. Clair Shorts part. Hopefully, I'm reelected, but I'll really miss them."

Paiz added that one of her constituents brought up the potential changes as she met with them on Friday.

"They're disappointed too, which is both comforting, but in a way it's sad," Paiz said.

Those feelings aside, both Price and Paiz said they were ready to take on whatever district is handed to them, be it through the commission's or the court's remedy map.

"I don't get any say in the process, or how this ends up, or what the districts will be, and again, this was my first term," Price said. "When I started, I learned how to show up and connect with my current district. I will show up and learn how to connect with a district I end up in."

Paiz said her familiarity with the surrounding area will help in her new territory.

"I lived in my Detroit constituent area years and years ago, in a couple of different areas there, Morningside actually, my family lived there," Paiz said. "I feel like I know the area, so that's a great thing. ... I feel like I'm establishing relationships with them in Detroit and it's not intimidating to me."

She's also not intimidated by her added territory in the Grosse Pointes.

"Even though I haven't lived there, Grosse Pointe schools also have part of Harper Woods in the school system. I happen to live in the part of Harper Woods with the Grosse Pointe school district," Paiz added. "I think it's wonderful because we'll be keeping the school district together."

She said those relationships would need to be reestablished in the new areas, but she is ready for the task at hand.

Price has also contemplated how her potential district changes would affect her campaign strategy. She told Gongwer that she'd do the same things that got her elected in the first place, with the added benefit of having now served in the House for a full term.

"It is 'keep showing up and doing the work' and 'showing the truth,' which is that I care and will advocate for my constituents. That doesn't change," Price said. "I think that if I am doing my job well, it'll speak for itself and that will hopefully help voters feel the confidence that they need to put me back in office. That is the plan. The difference before is, again, this was my first term. I was running on my reputation as an engaged city council member. Now I'm running on the reputation as an engaged state representative. That's going to be the same no matter what my district is."

One potential wrinkle in the remedy mapping process was that the commission created several iterations of Detroit-area districts before landing on the Motown Sound FC E1 map. Some of the maps drew Paiz and [Rep. Kimberly Edwards](#) (D-Eastpointe) into the same district, while Price would have been drawn together with [Rep. Regina Weiss](#) (D-Oak Park).

If the court adopts the Motown Sound map, Price and Weiss would remain in separate districts, as would Edwards and Paiz.

All four said the lack of incumbent matchups in their areas was a relief, especially considering the Edwards-Paiz match would pit two women of color against each other (Edwards is Black and Paiz is Mexican).

Edwards told Gongwer that representation matters, and she's happy to see them both potentially keep their seats.

"None of us wants to run against each other," Edwards said. "I'm just glad we're not, because Latinos deserve to have representation just like African Americans deserve to have representation. I am kind of excited that we both still have opportunity to represent our district to the ability that we have already done. However, she and I both advocate for Michigan as a whole, not just our home district. We make sure our district is covered, but we also make sure to advocate for all things Michigan."

Edwards had a bit of an aha moment during the interview, and quipped that she should make that her campaign slogan.

Paiz also said she wanted to avoid a primary matchup with Edwards for the same reasons.

"Rep. Edwards and I have a really good, friendly relationship with each other, so we've been discussing these things, like maintaining the Latino representation because I'm the only one in the state House, and also maintaining the first Black woman representative in Macomb County," she said. "That was really concerning to us."

As they were both looking at the other maps, it had them thinking about moving away from areas where they've lived for nearly 25 years.

"I'm older, I'm 66, and so I was thinking, 'well, should I just retire, then? Or what should I do?'" Paiz said. "Now I don't have to think about that. But yeah, there were a lot of discussions about that."

Weiss said she had similar considerations in play about a potential primary battle with Price.

"It's been hard watching this process and not knowing what the maps are really going to be, and not having a lot of time to figure out what we're going to do, depending on what the maps are" Weiss said.

"Honestly, I think it's kind of miraculous that no incumbents were drawn together in the map that got voted out of the commission. It's not something they even look at or consider, and a lot of us do live pretty closely together. It was just by happenstance and chance that it didn't

happen. I am pleased that is the case, because it was not the case the last time around."

Weiss added she was hopeful that she would be able to run in the same district one day without so many breakneck changes between the two terms, thanks to redistricting.

In a statement on changes to his district, McFall told Gongwer he was "glad to see the process moving forward."

"I will keep monitoring it as the process continues," he said. "Elections are the heart of democracy. I want every person in this state to have their voice heard – at the ballot box and in the halls of these legislative chambers."

MSU, VOTERS NOT POLITICIANS WEIGH IN: Non-partisan groups have also had a vested interest in how the new map would shake out incumbency wise.

Michigan State University's Institute for Public Policy and Social Research has been watching the drama unfold and analyzing the commission's work since it was seated in 2021. It has also criticized the commission for inadequacies with its maps over the process and given them praise when they've gotten it right.

IPPSR Director Matt Grossmann said the institute's researchers and staff members were "pleased that the commission responded to the court order by listening to the citizens of Detroit and quickly moving forward with a new map."

"I'm happy to say that we think it addresses the court's concerns, improves on the previous map, and will improve representation in Detroit and Southeast Michigan," Grossmann said. "IPPSR pledges its continuing support for this process and hopes to continue as a resource for the commission."

Voters Not Politicians, the group that was instrumental in crafting and advocating the constitutional amendment that created the commission, also weighed in on the Motown Sound map.

Like IPPSR, VNP has shared concerns and praise for the commission's work in the past. That was no different with the Motown Sound map.

In a release to VNP email subscribers, Director Jamie Lyons-Eddy said that some believed the commission could not get it done, but her group

believed otherwise and kept the faith that the ICRC⁷ could put forth a working remedy map.

"This week, commissioners made small adjustments to Motown Sound, the map that was overwhelmingly supported during public comment, to make sure district boundaries respected Detroit neighborhoods as much as possible," Eddy wrote. "While the commission could have done better to improve partisan fairness, Voters Not Politicians agrees with the majority of commissioners that of the available options, the Motown Sound FC E1 map did the best job responding to public comment, addressing the issues identified by the court, and following constitutional criteria."

Court proceedings will continue through March in *Agee v. Benson*, the lawsuit that resulted in the redrawing of the Detroit House map. The plaintiffs have until March 8 to submit objections to the map, which they have already indicated they would do with proposed amendments. The commission must respond to those objections or amendments by March 15. A special reviewing master's report should be submitted by then, as well.

The panel has until March 29 to decide on which map to approve – the commission's or the special mapping master's work.

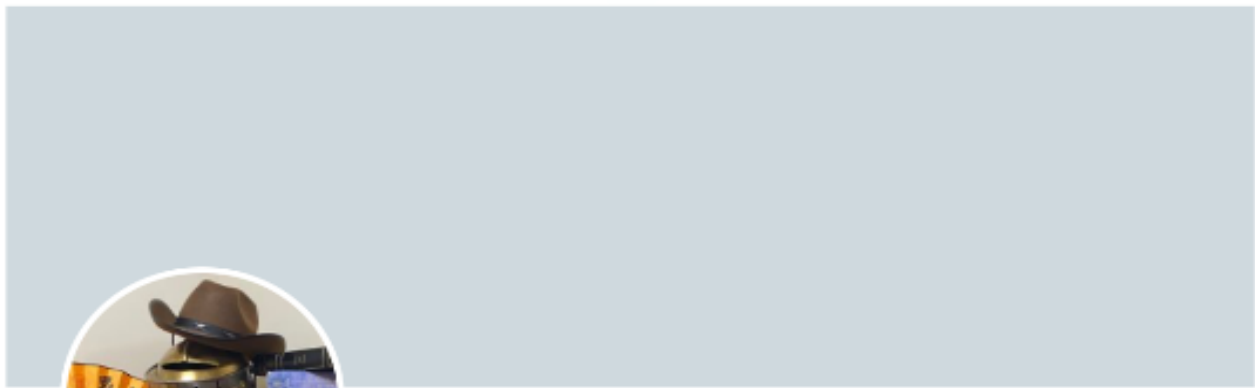
– By Ben Solis

[Back to top](#)



EXHIBIT D

← **Chris Gilmer-Hill**
1,850 posts



Follow

Chris Gilmer-Hill

@_cg_h

DCDS 2018, Harvard 2022; Detroit DSA Electoral Chair 🏳️‍🌈 he/him CGH#3494
@cgh@mastodon.lol

📍 Detroit, MI 📅 Joined January 2020



Chris Gilmer-Hill @_cg_h · Jan 10



Trust the plan

Another way, Liedel said, would be for the party to receive less than 5% of the statewide vote in the next election and be relegated to minor party status. Those parties select their candidates at conventions.



Jordyn Hermani (🔊) @Jord · Jan 10

Michigan Republican Party wants to close primary elections. No t so fast, officials and experts say. (via @Simon_Schuster)
mlive.com/politics/2024/...





Neil Haddad



Feb 2 · 🌐

It looks like the map drawn by our member Chris Gilmer-Hill (the 'Spirit of Detroit' map) is one of the six selected for consideration, and one of the two featured in this article:



bridgedetroit.com

Analysis: Redistricting maps give GOP fighting chance, boost Detroit's clout - Bri...

👍❤️ 2 1 comment 1 share Seen by 24

👍 Like 💬 Comment ➡ Share



Annie O'Byrne
At least in the Spirit of Detroit map District 9, in theory, no... See more

Like Reply 2 👍

10:29

SOS  

◀ Safari



As you likely know, our state representatives district boundaries are being redrawn per federal appeals court order, and it is happening fast. I saw some sample maps and in varying degrees they still broke up our neighborhoods. One had the Farwell community separated from the rest of the City and linked to a large portion of Warren. I expressed my concerns about that approach in public comments last Wednesday, but I did not see a map that I thought was on target.

Since then, Chris Gilmer Hill, a west side resident, brilliantly created a map where his proposed City districts keep our neighborhoods as together as possible. Like all the maps must, in the given circumstances, this map also has shared districts with next door cities on our border. But they do not dominate us as other maps propose.

This map is now listed on the Michigan Redistricting Commission website here:

https://michigan.mydistricting.com/legdistricting/michigan/comment_links

You will see a list that has #320, 'Spirit of Detroit' map. You can download it to see it. It is easier to read if you go to the feature above the map that lets you increase the size.





9



Home

My Network

Jobs

Messaging

Notifications

Me




For Business

Learn New with Pre



Christopher Gilmer-Hill (He/Him) · 3rd

Detroit Electoral Organizer

-  Harvard University

Detroit, Michigan, United States · [Contact info](#)

216 connections

Message

[+ Follow](#)

[More](#)

Connect if you know each other

[+ Connect](#)

Activity

216 followers

Christopher hasn't posted yet

Recent posts Christopher shares will be displayed here.

[Show all activity →](#)

Experience



Software Development Engineer

Amazon · Full-time

Jul 2022 - Nov 2023 · 1 yr 5 mos

Detroit, Michigan, United States · Hybrid



Course Assistant

Harvard University · Part-time

Jan 2022 - May 2022 · 5 mos

Cambridge, Massachusetts, United States



SDE Intern

Amazon · Internship

Jun 2021 - Aug 2021 · 3 mos

Detroit, MI

Education



Harvard University

Master of Science - MS, Computational Science and Engineering

Sep 2021 - May 2022



Harvard University

Bachelor of Arts - BA, Neuroscience

2018 - 2022

Show all 3 educations →

Volunteering

Electoral Chair

Metro Detroit Democratic Socialists of America
Jan 2023 - Present · 1 yr 3 mos
Politics



Precinct Delegate

Michigan Democratic Party
Aug 2022 - Present · 1 yr 8 mos
Politics

Skills

Strategy

Endorsed by 1 people in the last 6 months

1 endorsement

Research

Endorsed by 1 people in the last 6 months

1 endorsement

Show all 9 skills →

Interests

Companies Schools



Harvard University

2,293,144 followers

+ Follow



Detroit Country Day School

2,824 followers

+ Follow

Ad ...
Michael John, unlock your full potential with
LinkedIn Premium



See who's viewed your profile in the last
90 days

Try now for \$0

People also viewed



Ruhi Nayak · 3rd

Student at Harvard Medical School

View profile



Owen Campbell · 3rd+

Message



Rahul Babu · 3rd
M.D. Candidate

View profile



王勉 · 3rd+
研究员

+ Follow



Maya Rajan · 3rd
Student at the University of Pennsylvania

View profile

Show all

People you may know

From Christopher's job title



Michelle Mistretta
Applications Analyst at Clark Hill Law

+ Connect



Sunaina Ramesh
Cybersecurity & Data Privacy Associate Attorney, J.D., Esq.

+ Connect



Doreen Takalo
Events developer

+ Connect



Matthew Clara
Website Administrator at State of Michigan

+ Connect



Daniel Ragatz
Information Services Developer at Hewlett-Packard Enterprise Services

+ Connect

Show all

You might like


Pages for you



Michigan Supreme Court
Administration of Justice
12,977 followers

4 connections work here


+ Follow



Aesthetic Management Partners

Medical Device

4,998 followers




1 connection works here


+ Follow

Show all


Promoted ⋮



Attorney Needed ASAP
Crucial need for a local attorney in your area. View new cases today. >



WSJ's Election Coverage
Stay Informed This Election Cycle With WSJ, Just 50¢/Wk. >



Energy Lawyers
Join our diverse community of practitioners >

EXHIBIT E

Pattwell, Michael J.

From: Meingast, Heather (AG) <MeingastH@michigan.gov>
Sent: Friday, January 26, 2024 3:04 PM
To: John Bursch; Grill, Erik (AG)
Cc: Pattwell, Michael J.; Nate Fink
Subject: RE: MIRC transcripts

[External Message]

Hi John,

We relayed your concerns to MDOS, and received the following information:

- What is posted is not a transcript per se, they are simply compilations of the text from the closed captioning of the meetings. The closed captioner is a vendor hired by the commission. The process is that the closed captioner sends MDOS staff the compiled text a couple of days after the meeting (on average two days after each meeting).
- MDOS receives the compiled text in a word format, which staff reviews to make sure that the text captures the complete public meeting, and then forwards the compiled text as a PDF to the MDOS communications team that manages the Commission's website.
- The MDOS communications teams then uploads the PDF. From the time the comms team gets the PDF and uploads it, it takes anywhere from 1-4 hours for the website to refresh to show that the transcript is live.
- Because the video of every meeting is available immediately for viewing on the Commission's YouTube page, MDOS staff may prioritize other tasks including compiling written public comment between each meeting, which must be distributed to the Commission and which impacts mapping. But there are also other documents that need to be prepared, reviewed, and uploaded with great priority including meetings minutes, meetings notices, and agendas for future meetings.

Hopefully this information is helpful. As you can see the process for each meeting generally takes more than 24 hours. I have been informed that "transcripts" for January 16-18 and 22-24 were provided to MDOS comms a little earlier today and will hopefully be uploaded soon (but remember there could be some delay for the website to refresh).

Let me know if you have any other questions.

Best,

Heather

Heather S. Meingast, Division Chief
Civil Rights & Elections Division
Michigan Department of Attorney General
meingasth@michigan.gov

(517) 335-7659 (office)

From: John Bursch <jbursch@burschlaw.com>
Sent: Friday, January 26, 2024 1:14 PM
To: Meingast, Heather (AG) <MeingastH@michigan.gov>; Grill, Erik (AG) <GrilleE@michigan.gov>
Cc: Michael Pattwell <mpattwell@clarkhill.com>
Subject: MIRC transcripts

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Hi Heather and Erik. As you can imagine, Plaintiffs would very much like to review the transcripts of the Commission meetings held this year, but there has been a significant lag time in the posting of these transcripts to the Commission's website. (The last posted transcript is from the meeting on January 11th. There are no transcripts posted for the meetings held January 16, 17, 18, 22, 23, 24, or 25.) We plan to file a motion with the Court asking for an order directing that transcripts be posted within 24 hours of a meeting. But when we called Nate Fink to meet and confer, he suggested that the Secretary of State might be responsible for the transcript uploads because she staffs the Commission. Is Nate correct about the SOS? And if yes, can you commit to posting the transcripts within 24 hours of a meeting?

Many thanks!

John

John J. Bursch
Bursch Law PLLC
9339 Cherry Valley Ave. SE, No. 78, Caledonia, MI 49316
[616.450.4235](tel:616.450.4235) | jbursch@burschlaw.com | www.burschlaw.com

EXHIBIT F

Motown Sound FC E1

District	Population (2020 Census)					VAP (2020 Census)					AP NH Black %		Percent of Population in County			General Elections		Estimated Turnout in Primaries						Primary Turnout	Estimated Current Voters			Est. Pct. of Electorate by Race and Party				Dem. Primary Pool
	Total	White	Black	Hispanic	Asian	Total	White	Black	Hispanic	Asian	Pop	VAP	Wayne	Oakland	Macomb	Dem Comp.	Biden 2020	Black 2018	White 2018	Other 2018	Black 2022	White 2022	Other 2022	Black > White	Black	White	Other	Black Dems	White Dems	Black Reps	White Reps	Black > White
4	92,435	4.3%	89.4%	2.5%	0.1%	67,194	4.7%	89.6%	2.1%	0.1%	91.9%	92.0%	100.0%	0.0%	0.0%	97.1%	95.6%	94.3%	4.1%	1.6%	93.6%	4.1%	2.4%	Yes	89.6%	5.3%	5.2%	87.0%	5.1%	2.6%	0.2%	Yes
5	90,105	13.0%	81.1%	1.5%	0.6%	69,643	13.9%	80.7%	1.3%	0.6%	83.5%	82.8%	66.6%	33.4%	0.0%	93.1%	91.3%	87.2%	11.2%	1.5%	84.6%	13.4%	2.0%	Yes	79.0%	16.5%	4.5%	75.1%	14.2%	4.0%	2.3%	Yes
9	91,712	20.7%	69.3%	2.7%	3.1%	77,775	23.3%	66.8%	2.6%	3.6%	71.7%	68.9%	100.0%	0.0%	0.0%	95.7%	94.9%	75.3%	21.7%	3.0%	74.1%	21.5%	4.4%	Yes	70.6%	23.6%	5.7%	67.6%	22.6%	3.0%	1.0%	Yes
8	91,113	24.0%	68.6%	2.2%	0.7%	72,043	27.0%	66.3%	2.0%	0.9%	71.1%	68.4%	76.1%	23.9%	0.0%	91.5%	90.9%	73.3%	24.6%	2.1%	68.7%	28.5%	2.8%	Yes	67.1%	28.5%	4.4%	63.8%	24.0%	3.4%	4.5%	Yes
11	92,381	22.3%	67.0%	2.3%	3.4%	67,929	25.5%	65.0%	1.9%	3.2%	69.9%	67.3%	56.4%	0.0%	43.6%	87.5%	83.7%	76.3%	18.7%	5.0%	74.5%	19.4%	6.1%	Yes	66.7%	27.1%	6.1%	63.4%	19.7%	3.3%	7.5%	Yes
7	91,202	25.3%	53.5%	1.5%	14.9%	65,916	23.9%	56.2%	1.3%	14.4%	55.4%	58.0%	100.0%	0.0%	0.0%	95.2%	93.5%	69.2%	24.2%	6.6%	66.9%	23.6%	9.5%	Yes	61.1%	22.8%	16.1%	58.1%	21.7%	2.9%	1.1%	Yes
16	91,767	35.4%	56.3%	2.9%	1.0%	71,299	38.5%	54.4%	2.5%	1.0%	58.5%	56.1%	100.0%	0.0%	0.0%	77.2%	75.8%	61.8%	36.0%	2.2%	61.0%	35.8%	3.2%	Yes	54.0%	39.7%	6.3%	51.3%	22.3%	2.7%	17.3%	Yes
12	89,618	43.7%	48.5%	2.3%	1.0%	68,914	48.9%	44.5%	2.0%	1.0%	50.5%	45.9%	30.5%	0.0%	69.5%	70.3%	68.8%	55.7%	40.1%	4.2%	53.1%	41.9%	5.0%	Yes	45.2%	50.3%	4.4%	43.0%	25.1%	2.3%	25.2%	Yes
17	90,737	45.6%	44.6%	3.1%	1.8%	71,354	48.9%	42.4%	2.6%	1.9%	46.8%	44.0%	100.0%	0.0%	0.0%	69.1%	69.2%	49.9%	47.4%	2.8%	49.0%	47.0%	4.0%	Yes	41.6%	51.1%	7.3%	39.5%	25.9%	2.1%	25.2%	Yes
10	93,243	47.4%	45.3%	2.3%	1.3%	70,397	51.3%	42.5%	1.9%	1.4%	47.1%	43.8%	100.0%	0.0%	0.0%	66.0%	69.2%	49.1%	48.9%	2.0%	48.5%	48.7%	2.9%	No	39.3%	55.6%	5.1%	37.3%	26.3%	2.0%	29.3%	Yes
26	91,723	50.5%	37.9%	4.2%	1.0%	70,678	54.1%	35.8%	3.6%	1.1%	40.8%	37.8%	100.0%	0.0%	0.0%	70.8%	65.8%	43.1%	53.6%	3.3%	42.2%	53.0%	4.7%	No	34.9%	57.3%	7.8%	33.1%	33.1%	1.7%	24.2%	No
1	90,509	17.9%	31.9%	46.0%	0.4%	63,938	19.9%	34.5%	41.7%	0.5%	33.9%	36.1%	100.0%	0.0%	0.0%	90.5%	86.8%	54.5%	25.9%	19.6%	49.8%	23.9%	26.3%	Yes	40.0%	19.1%	40.8%	38.0%	16.8%	2.0%	2.4%	Yes
25	90,562	64.1%	20.5%	4.5%	4.9%	73,216	66.7%	19.6%	3.8%	5.0%	22.7%	21.0%	100.0%	0.0%	0.0%	62.6%	59.8%	25.0%	70.2%	4.7%	24.4%	68.9%	6.8%	No	16.3%	73.1%	10.5%	15.5%	41.2%	0.8%	31.9%	No
24	91,480	61.2%	10.0%	3.7%	20.2%	69,996	63.5%	9.8%	3.3%	19.6%	11.3%	10.6%	100.0%	0.0%	0.0%	59.2%	62.0%	14.2%	75.4%	10.4%	13.4%	72.1%	14.5%	No	6.9%	71.0%	22.1%	6.5%	40.2%	0.3%	30.8%	No
3	92,503	79.2%	8.7%	4.9%	2.5%	64,206	79.1%	9.0%	4.7%	3.0%	9.4%	9.5%	100.0%	0.0%	0.0%	75.4%	76.9%	11.6%	84.2%	4.2%	11.3%	82.7%	6.0%	No	7.0%	80.2%	12.8%	6.7%	59.3%	0.4%	20.9%	No
2	93,168	66.5%	8.0%	18.7%	1.2%	71,913	70.3%	7.8%	15.9%	1.3%	9.5%	8.7%	100.0%	0.0%	0.0%	59.1%	55.0%	10.9%	80.8%	8.3%	10.4%	77.9%	11.7%	No	6.4%	72.9%	20.6%	6.1%	41.3%	0.3%	31.7%	No
15	92,301	80.9%	7.5%	5.2%	1.7%	69,652	82.2%	7.2%	4.7%	1.9%	8.6%	7.9%	100.0%	0.0%	0.0%	61.7%	62.4%	9.2%	87.1%	3.7%	9.0%	85.7%	5.3%	No	4.4%	86.6%	9.0%	4.2%	52.1%	0.2%	34.5%	No
27	90,457	84.3%	3.1%	6.4%	1.2%	73,737	86.3%	2.9%	5.3%	1.2%	4.0%	3.5%	100.0%	0.0%	0.0%	51.8%	47.9%	3.8%	92.4%	3.8%	3.7%	90.8%	5.4%	No	2.2%	89.7%	8.1%	2.1%	45.6%	0.1%	44.1%	No
22	91,654	85.0%	2.2%	3.2%	5.7%	75,487	86.6%	2.2%	2.7%	5.3%	2.8%	2.6%	100.0%	0.0%	0.0%	49.5%	51.8%	2.9%	93.1%	3.9%	2.8%	91.5%	5.6%	No	1.1%	91.2%	7.7%	1.0%	44.7%	0.1%	46.5%	No

District	Population (2020 Census)					VAP (2020 Census)					AP NH Black %		Percent of Population in County			General Elections		Estimated Turnout in Primaries						Primary Turnout	Estimated Current Voters			Est. Pct. of Electorate by Race and Party				Dem. Primary Pool
	Total	White	Black	Hispanic	Asian	Total	White	Black	Hispanic	Asian	Pop	VAP	Wayne	Oakland	Macomb	Dem Comp.	Biden 2020	Black 2018	White 2018	Other 2018	Black 2022	White 2022	Other 2022	Black > White	Black	White	Other	Black Dems	White Dems	Black Reps	White Reps	Black > White
3	92,503	79.2%	8.7%	4.9%	2.5%	64,206	79.1%	9.0%	4.7%	3.0%	9.4%	9.5%	100.0%	0.0%	0.0%	75.4%	76.9%	11.6%	84.2%	4.2%	11.3%	82.7%	6.0%	No	7.0%	80.2%	12.8%	6.7%	59.3%	0.4%	20.9%	No
2	93,168	66.5%	8.0%	18.7%	1.2%	71,913	70.3%	7.8%	15.9%	1.3%	9.5%	8.7%	100.0%	0.0%	0.0%	59.1%	55.0%	10.9%	80.8%	8.3%	10.4%	77.9%	11.7%	No	6.4%	72.9%	20.6%	6.1%	41.3%	0.3%	31.7%	No
58	90,454	78.2%	8.2%	2.7%	6.3%	73,423	79.9%	7.9%	2.4%	6.1%	9.3%	8.5%	0.0%	0.0%	100.0%	50.7%	47.1%	10.8%	78.7%	10.4%	9.3%	79.2%	11.5%	No	5.0%	85.0%	10.0%	4.7%	41.1%	0.2%	43.9%	No
21	93,876	57.1%	7.6%	3.5%	27.8%	71,599	60.0%	7.9%	3.1%	26.0%	8.4%	8.5%	0.0%	100.0%	0.0%	53.4%	57.1%	16.4%	70.0%	13.6%	14.1%	71.5%	14.4%	No	5.8%	73.8%	20.4%	5.5%	37.5%	0.3%	36.3%	No
15	92,301	80.9%	7.5%	5.2%	1.7%	69,652	82.2%	7.2%	4.7%	1.9%	8.6%	7.9%	100.0%	0.0%	0.0%	61.7%	62.4%	9.2%	87.1%	3.7%	9.0%	85.7%	5.3%	No	4.4%	86.6%	9.0%	4.2%	52.1%	0.2%	34.5%	No
54	92,949	73.7%	6.8%	5.2%	9.5%	73,853	75.3%	7.0%	4.3%	9.5%	7.9%	7.7%	0.0%	100.0%	0.0%	47.9%	51.0%	13.2%	80.0%	6.8%	11.3%	81.5%	7.2%	No	4.5%	82.2%	13.3%	4.2%	37.6%	0.2%	44.6%	No
60	92,742	81.7%	7.2%	3.2%	3.5%	72,453	83.3%	7.1%	2.7%	3.5%	8.2%	7.7%	0.0%	0.0%	100.0%	44.9%	41.3%	9.8%	82.1%	8.2%	8.4%	82.6%	9.0%	No	4.1%	88.8%	7.0%	3.9%	38.0%	0.2%	50.9%	No
6	91,847	83.9%	5.2%	3.3%	3.0%	75,083	85.4%	5.1%	2.9%	3.1%	6.1%	5.8%	0.0%	100.0%	0.0%	63.7%	67.1%	9.4%	87.1%	3.5%	8.0%	88.4%	3.7%	No	3.8%	89.0%	7.2%	3.6%	55.5%	0.2%	33.4%	No
57	89,693	74.6%	5.2%	2.6%	13.8%	71,864	76.2%	4.9%	2.3%	13.5%	5.9%	5.3%	0.0%	31.5%	68.5%	49.4%	46.3%	7.8%	79.5%	12.7%	6.6%	79.9%	13.5%	No	2.4%	79.5%	18.1%	2.3%	38.4%	0.1%	41.1%	No
55	91,805	73.7%	3.4%	4.7%	13.7%	71,848	76.0%	3.5%	4.0%	13.1%	4.2%	4.0%	0.0%	100.0%	0.0%	48.3%	51.3%	7.0%	84.7%	8.3%	5.9%	85.4%	8.7%	No	1.8%	83.9%	14.3%	1.7%	39.8%	0.1%	44.1%	No
56	90,410	67.7%	3.4%	3.4%	21.4%	71,737	70.9%	3.4%	2.9%	19.6%	4.1%	3.9%	0.0%	100.0%	0.0%	54.3%	58.2%	7.1%	82.1%	10.8%	6.0%	82.8%	11.2%	No	2.3%	78.1%	19.6%	2.2%	41.7%	0.1%	36.5%	No
27	90,457	84.3%	3.1%	6.4%	1.2%	73,737	86.3%	2.9%	5.3%	1.2%	4.0%	3.5%	100.0%	0.0%	0.0%	51.8%	47.9%	3.8%	92.4%	3.8%	3.7%	90.8%	5.4%	No	2.2%	89.7%	8.1%	2.1%	45.6%	0.1%	44.1%	No
52	91,098	84.9%	2.8%	5.8%	1.6%	72,818	86.8%	2.7%	4.8%	1.6%	3.7%	3.2%	0.0%	100.0%	0.0%	42.4%	42.0%	5.0%	91.0%	4.0%	4.2%	91.6%	4.2%	No	2.5%	89.4%	8.1%	2.3%	36.7%	0.1%	52.7%	No
59	89,336	87.0%	2.7%	2.9%	3.7%	70,271	88.4%	2.6%	2.5%	3.6%	3.2%	2.9%	0.0%	0.0%	100.0%	38.5%	35.9%	3.6%	88.5%	7.9%	3.1%	88.3%	8.6%	No	1.1%	92.4%	6.6%	1.0%	35.1%	0.1%	57.3%	No
22	91,654	85.0%	2.2%	3.2%	5.7%	75,487	86.6%	2.2%	2.7%	5.3%	2.8%	2.6%	100.0%	0.0%	0.0%	49.5%	51.8%	2.9%	93.1%	3.9%	2.8%	91.5%	5.6%	No	1.1%	91.2%	7.7%	1.0%	44.7%	0.1%	46.5%	No
51	91,507	89.0%	1.3%	3.4%	1.3%	72,488	90.4%	1.3%	2.7%	1.4%	1.9%	1.6%	0.0%	100.0%	0.0%	40.2%	40.4%	2.3%	94.5%	3.2%	2.0%	94.8%	3.3%	No	1.0%	93.9%	5.1%	0.9%	37.3%	0.0%	56.7%	No
66	93,014	88.2%	1.2%	4.4%	1.6%	71,767	89.9%	1.1%	3.6%	1.6%	1.9%	1.5%	0.0%	59.7%	40.3%	36.1%	34.5%	1.8%	93.3%	4.8%	1.6%	93.5%	5.0%	No	0.8%	93.7%	5.6%	0.7%	33.4%	0.0%	60.3%	No

EXHIBIT G

Szetela 4

District	Population (2020 Census)					VAP (2020 Census)					AP NH Black %		Percent of Population in County			General Elections		Estimated Turnout in Primaries						Primary Turnout	Estimated Current Voters			Est. Pct. of Electorate by Race and Party					Dem. Primary Pool
	Total	White	Black	Hispanic	Asian	Total	White	Black	Hispanic	Asian	Pop	VAP	Wayne	Oakland	Macomb	Dem Comp.	Biden 2020	Black 2018	White 2018	Other 2018	Black 2022	White 2022	Other 2022	Black > White	Black	White	Other	Black Dems	White	Dems	Black Reps	White Reps	Black > White
2	93,168	66.5%	8.0%	18.7%	1.2%	71,913	70.3%	7.8%	15.9%	1.3%	9.5%	8.7%	100.0%	0.0%	0.0%	59.1%	55.0%	10.9%	80.8%	8.3%	10.4%	77.9%	11.7%	No	6.4%	72.9%	20.6%	6.1%	41.3%	0.3%	31.7%	No	
21	93,876	57.1%	7.6%	3.5%	27.8%	71,599	60.0%	7.9%	3.1%	26.0%	8.4%	8.5%	0.0%	100.0%	0.0%	53.4%	57.1%	16.4%	70.0%	13.6%	14.1%	71.5%	14.4%	No	5.8%	73.8%	20.4%	5.5%	37.5%	0.3%	36.3%	No	
54	92,949	73.7%	6.8%	5.2%	9.5%	73,853	75.3%	7.0%	4.3%	9.5%	7.9%	7.7%	0.0%	100.0%	0.0%	47.9%	51.0%	13.2%	80.0%	6.8%	11.3%	81.5%	7.2%	No	4.5%	82.2%	13.3%	4.2%	37.6%	0.2%	44.6%	No	
60	92,742	81.7%	7.2%	3.2%	3.5%	72,453	83.3%	7.1%	2.7%	3.5%	8.2%	7.7%	0.0%	0.0%	100.0%	44.9%	41.3%	9.8%	82.1%	8.2%	8.4%	82.6%	9.0%	No	4.1%	88.8%	7.0%	3.9%	38.0%	0.2%	50.9%	No	
57	89,693	74.6%	5.2%	2.6%	13.8%	71,864	76.2%	4.9%	2.3%	13.5%	5.9%	5.3%	0.0%	31.5%	68.5%	49.4%	46.3%	7.8%	79.5%	12.7%	6.6%	79.9%	13.5%	No	2.4%	79.5%	18.1%	2.3%	38.4%	0.1%	41.1%	No	
3	92,639	86.5%	3.5%	2.9%	2.7%	65,715	85.8%	4.0%	2.9%	3.2%	4.0%	4.4%	100.0%	0.0%	0.0%	70.0%	72.9%	5.2%	91.3%	3.6%	5.0%	89.8%	5.1%	No	2.0%	87.6%	10.4%	1.9%	60.8%	0.1%	26.7%	No	
55	91,805	73.7%	3.4%	4.7%	13.7%	71,848	76.0%	3.5%	4.0%	13.1%	4.2%	4.0%	0.0%	100.0%	0.0%	48.3%	51.3%	7.0%	84.7%	8.3%	5.9%	85.4%	8.7%	No	1.8%	83.9%	14.3%	1.7%	39.8%	0.1%	44.1%	No	
56	90,632	67.8%	3.4%	3.4%	21.4%	71,909	71.0%	3.4%	2.9%	19.6%	4.1%	3.9%	0.0%	100.0%	0.0%	54.3%	58.1%	7.1%	82.1%	10.8%	6.0%	82.8%	11.2%	No	2.3%	78.2%	19.5%	2.2%	41.7%	0.1%	36.5%	No	
6	91,592	86.1%	2.9%	3.3%	3.0%	74,555	87.6%	2.9%	2.9%	3.1%	3.8%	3.5%	0.0%	100.0%	0.0%	62.7%	66.5%	5.4%	91.0%	3.6%	4.6%	91.7%	3.7%	No	2.1%	90.8%	7.0%	2.0%	56.3%	0.1%	34.5%	No	
27	90,457	84.3%	3.1%	6.4%	1.2%	73,737	86.3%	2.9%	5.3%	1.2%	4.0%	3.5%	100.0%	0.0%	0.0%	51.8%	47.9%	3.8%	92.4%	3.8%	3.7%	90.8%	5.4%	No	2.2%	89.7%	8.1%	2.1%	45.6%	0.1%	44.1%	No	
52	91,098	84.9%	2.8%	5.8%	1.6%	72,818	86.8%	2.7%	4.8%	1.6%	3.7%	3.2%	0.0%	100.0%	0.0%	42.4%	42.0%	5.0%	91.0%	4.0%	4.2%	91.6%	4.2%	No	2.5%	89.4%	8.1%	2.3%	36.7%	0.1%	52.7%	No	
59	89,336	87.0%	2.7%	2.9%	3.7%	70,271	88.4%	2.6%	2.5%	3.6%	3.2%	2.9%	0.0%	0.0%	100.0%	38.5%	35.9%	3.6%	88.5%	7.9%	3.1%	88.3%	8.6%	No	1.1%	92.4%	6.6%	1.0%	35.1%	0.1%	57.3%	No	
22	90,962	85.0%	2.2%	3.2%	5.7%	74,881	86.6%	2.2%	2.7%	5.4%	2.8%	2.6%	100.0%	0.0%	0.0%	49.4%	51.8%	2.9%	93.1%	4.0%	2.8%	91.5%	5.7%	No	1.1%	91.2%	7.7%	1.0%	44.6%	0.1%	46.6%	No	
51	91,507	89.0%	1.3%	3.4%	1.3%	72,488	90.4%	1.3%	2.7%	1.4%	1.9%	1.6%	0.0%	100.0%	0.0%	40.2%	40.4%	2.3%	94.5%	3.2%	2.0%	94.8%	3.3%	No	1.0%	93.9%	5.1%	0.9%	37.3%	0.0%	56.7%	No	
66	93,014	88.2%	1.2%	4.4%	1.6%	71,767	89.9%	1.1%	3.6%	1.6%	1.9%	1.5%	0.0%	59.7%	40.3%	36.1%	34.5%	1.8%	93.3%	4.8%	1.6%	93.5%	5.0%	No	0.8%	93.7%	5.6%	0.7%	33.4%	0.0%	60.3%	No	