

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

MATHIS KEARSE WRIGHT, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO.: 1:14-cv-42 (WLS)
	)	
SUMTER COUNTY BOARD OF	)	
ELECTIONS AND REGISTRATION,	)	
	)	
Defendant.	)	
_____	)	

**PLAINTIFF’S SUPPLEMENTAL BRIEF ON REMEDIAL PROPOSALS**

Plaintiff Mathis Kearse Wright, Jr., respectfully submits this supplemental brief in response to this Court’s order that he do so. (ECF 254 at 2.) Specifically, this Court ordered Wright to address two issues raised by Sumter County: “(1) that in a district with a black voting-age population of less than 69%, black voters may not have an equal opportunity to elect their preferred candidate given low black voter turnout, and (2) that both proposals limit black voters in Sumter County to only three out of seven seats on the school board, even though the county is majority black.” (*Id.*)

**I. Remedial districts need not be at least 69-percent black.**

Sumter County argues that no remedy is possible—and that the challenged plan therefore does not violate the Voting Rights Act—because “districts of 69% or even 77% BVAP are likely necessary to afford the black community an equal opportunity to elect its preferred candidates.” (ECF 200 at 1; *see also id.* at 20-27.) Where do these two numbers come from? The County derives these numbers by fundamentally misrepresenting the analysis of the plaintiff’s expert,

Dr. Fred McBride. In his supplemental report, Dr. McBride applied the conceptual framework set out in Bernard Grofman, Lisa Handley, and David Lublin, *Drawing Effective Minority Districts: A Conceptual framework and Some Empirical Evidence*, 79 N.C. L. Rev. 1383 (2001), to assess whether the plaintiff's illustrative plan contains at least three districts that would be "effective" for minority voters in future elections. (ECF 154-8 at 23-24.) Dr. McBride used turnout data, minority cohesion estimates, and white crossover voting estimates from each district election with a black candidate that had been held under the challenged plan. That was a total of four elections, all held in 2014: two elections held in majority-black districts (62.7% BVAP and 70.6% BVAP, respectively), and two elections held in majority-white districts (62.2% WVAP and 57.8% WVAP, respectively).

Using the Grofman formula, Dr. McBride found that the black voting-age population needed in a district for a black candidate to win at least 50% of the vote in those four elections under House Bill 836 ranged from 44.1% in majority-black District 5 to 77.8% in majority-white District 2. (ECF 154-8 at 23.) Dr. McBride also observed that voting behavior was different in the majority-black districts than in the majority-white districts—an observation that is consistent with the well-established finding in political science that majority-minority districts tend to improve minority turnout. *See* Matt A. Barreto, Gary M. Segura and Nathan D. Woods, *The Mobilizing Effect of Majority-Minority Districts on Latino Turnout*, 98 Am. Pol. Sci. Rev. 65 (2004). Specifically, he found that majority-white districts saw lower white crossover, higher white turnout, and lower black turnout than did the majority-black districts. (ECF 154-8 at 24.) Because any remedial district would be majority-black, Dr. McBride reasoned that the results of the Grofman formula derived from elections held in the two majority-black districts provided the

best estimate of the numbers required to draw an effective majority-black district in Sumter County.

Sumter County, however, insists upon using only the results of the Grofman formula derived from elections held in the majority-white districts. Voting behavior from the 2014 election in majority-white District 2 (WVAP 62.2%) and District 3 (WVAP 57.8%) suggested that a remedial district would need to have a black voting-age population of 77.8 percent and 69.5 percent, respectively. Hence the basis of the County's numbers. In arguing that districts must be 69 or 77 percent black in order to remedy the violation, the County is effectively arguing that future voting behavior in majority-black districts in Sumter County will more likely resemble past voting behavior in majority-white districts than past voting behavior in majority-black districts in Sumter County.

But there is no support in the record for that claim. Indeed, District 1 in the challenged plan has a black voting-age population of 62.7 percent, and it elected a black candidate in 2014 who was the choice of black voters. (ECF 154-8 at 4, 15-16.) The record thus indicates that a 77- or 69-percent black district is *not* needed in order for African-American voters to have a meaningful opportunity to elect candidates of their choice. The County points to no evidence to the contrary.

The County's only rationale for suggesting that 69 or 77 percent might be needed is the fact that District 3 in Wright's Remedial Proposal 1, which has a black voting-age population of 60 percent, includes portions of the Rec Center precinct and Rees Park precinct, both of which (the County claims) have particularly low turnout, and because District 3 also includes portions of the Airport precinct, where white Republicans outnumbered black Democrats in the May 2016

election. (ECF 200 at 24.) But a closer look at the evidence shows the weakness of the County's argument.

First, while it is true that District 3 in Wright's Remedial Proposal 1 contains a portion of the Rec Center precinct (C3-27), it is not true that the Rec Center precinct has particularly low turnout overall, and black turnout is actually *higher* than elsewhere in the county. In the May 2016 election, overall turnout in the Rec Center precinct was 218 voters, or 9.76 percent of all voters registered in that precinct. (ECF 153-37 at 3.) That was the lowest overall turnout, as a percentage of registered voters, of any county precinct in that election. But black voters made up 69.8 percent of the voters who turned out, which is a *much* larger share of the turnout than in the county as a whole. (ECF 153-20.) In the May 2014 election, turnout in the Rec Center precinct was 634 voters, or 25.99 percent of all voters registered in that precinct. (ECF 153-35 at 3.) That was *not* the lowest turnout in the county.<sup>1</sup> In both elections, moreover, the black-preferred candidates for the at-large seats on the Board of Education trounced the white-preferred candidates in the Rec Center precinct. In the May 2014 election, for example, Michael Coley won 378 votes compared to 141 votes for Sylvia Roland, and Kelvin Pless won 410 votes compared to 210 votes for Michael Busman. (ECF 153-35 at 48-49.) In the May 2016 election, Michael Coley won 493 votes to 194 for Sylvia Roland. (ECF 153-37 at 37.) To the extent that portions of the Rec Center precinct are included in District 3, then, the most important data—votes—undermine the County's argument. The actual election results show that the Rec Center precinct votes more like a majority-black district than a majority-white district.

---

<sup>1</sup> Turnout data by race by precinct is not available in the record for the May 2014 election because the Secretary of State has not made it available on his website. (See ECF 154-8 at 10.)

Second, it is also true that District 3 in Wright's Remedial Proposal 1 contains a portion of the Rees Park precinct (C1-27), but, again, overall turnout as a percentage of registered voters is not particularly low. (ECF 153-35 at 3; ECF 153-37 at 3.) Black voters made up 58.9 percent of the voters who turned out in the precinct in 2016. (ECF 153-20.) And the black-preferred candidates trounced the white-preferred candidates in the at-large school-board elections in 2014 and 2016. (ECF 153-35 at 48-49; ECF 153-37 at 37.) By the measure that matters most—votes—the inclusion of the Rees Park precinct in District 3 also undermines the County's argument.

Third, it is also true that District 3 contains a small portion of the Airport precinct (E-27) and that white Republicans outnumbered black Democrats there by a large margin in the May 2016 election. But by the measure that matters most—votes—black-preferred candidates for the Board of Education fared better than the County's partisan-turnout numbers suggest. In 2014, for example, Michael Coley received 179 votes compared to Sylvia Roland's 248, and Kelvin Pless received 188 votes compared to Michael Busman's 381. (ECF 153-35 at 48-49. In 2016, Michael Coley received 237 votes compared to Sylvia Roland's 452. (ECF 153-37 at 37.) In each of these elections, the black-preferred candidate fared better in the Airport precinct than the black-preferred candidates did in the two majority-white districts in the 2014 elections that provide the basis for the County's argument. (*Compare* ECF 153-35 at 48-49 *and* ECF 153-37 at 37 *with* ECF 153-35 at 51-52.) And African-Americans were a higher percentage of the turnout (31.4 percent) in the Airport precinct than they were in either of those majority-white districts (17 percent in District 2 and 29 percent in District 3). (*Compare* ECF 153-20 *with* ECF 153-9.) As a result, the fact that District 3 in Wright's Remedial Proposal 1 contains a small portion of the Airport precinct is no basis for concluding that a remedial district must be 69 percent black.

In sum, the County's argument establishes only that District 3 in Wright's Remedial Proposal 1 contains portions of three precincts. Two of those three precincts feature high black turnout relative to white turnout and overwhelmingly favored the black-preferred candidates in the 2014 and 2016 at-large school-board elections. The third precinct favored the white-preferred candidates, but not nearly by so much as the 2014 election that the County is using to argue that a remedial district must contain at least 69 percent black voting-age population. The County has thus failed to show that any part of District 3 in Wright's Remedial Proposal 1 remotely resembles the election from which the County derived that number.

If there were any remaining concern about whether District 3 in Wright's Remedial Proposal 1 would give African-American voters a meaningful opportunity to elect candidates of their choice, Dr. McBride's latest analysis should put it to rest. By overlaying the district boundaries in Remedial Proposal 1 on top of the geocoded voter history files that he used for the analysis in his supplemental report (ECF 154-8 at 10), Dr. McBride was able to determine the racial composition of the 2014 voters who turned out to vote in the area that would become District 3. In the May 20 school-board election, he found that African-American voters made up 57.3 percent of the voters who turned out in proposed District 3. And in the July 22 runoff, he found that African-American voters made up 57.5 percent of the voters who turned out in proposed District 3. Both figures are higher than the black share of the turnout in one of the two majority-black districts that elected a black candidate in the 2014 election (47.8 percent in District 1), and they are right in line with the black share of the turnout in the other (58.1 percent in District 5). (ECF 153-9.) While no analysis can predict future elections with any certainty, these numbers show, based on actual turnout in the 2014 school-board elections, that African-

American voters would have a meaningful opportunity to elect candidates of their choice in proposed District 3.

**II. It is possible to give African-American voters a better chance of winning a fourth seat without sacrificing their chances of winning three.**

Sumter County also argues that a remedial plan with three majority-minority districts would be “a step backward for Sumter County’s black community” because it would “lock[] the black community into a permanent *minority* on the school board.” (ECF 200 at 27.) This argument, of course, presupposes that African Americans in Sumter County already have a meaningful opportunity to elect candidates of their choice to three or more seats on the school board under the challenged plan. But, as this Court has already found, the challenged plan does not give African-American voters a meaningful opportunity to elect candidates of their choice to the at-large seats. (ECF 198 at 33.) Black voters currently only have a meaningful opportunity to elect two members from the two majority-black districts in the unlawful plan. The County’s argument also presupposes that the Court’s interim remedy will be permanent. That is clearly not so. The Georgia General Assembly can replace it at any time, and it is almost a foregone conclusion that the General Assembly will be forced to replace it within three years once data from the next Census become available. So “permanent,” in this instance, means one or two election cycles.

Even so, if the defect in Remedial Proposal 1 is that African-American voters would not likely have a shot at winning a majority of the seats on the school board in the next two election cycles, that defect is easily curable. Attached to Dr. McBride’s latest declaration are two new remedial proposals, each of which would achieve three objectives: (1) African-American voters would have at least as much opportunity to win three seats as they would have under Remedial

Proposal 1; (2) African-American voters would have a greater opportunity to win a fourth seat than they would have under Remedial Proposal 1; and (3) African-American voters would have a greater opportunity to elect candidates of choice overall than they currently have under the unlawful plan.

The first of these two plans, Remedial Proposal 3, includes six single-member districts and one at-large district. The black voting-age population of the three majority-black districts in Remedial Proposal 3 is 62.5 percent, 63.1 percent, and 68.9 percent, respectively. The first two of these districts are thus slightly more robust than the two lowest majority-black districts in Remedial Proposal 1. And the black voting-age population in the at-large district (48.1 percent, according to the 2010 Census) is higher than in any of the majority-white districts in Remedial Proposal 1. To the extent that African Americans have any shot in the at-large district—and the County argues that they do—this would be a slight improvement over Remedial Proposal 1.

The second of these two new plans, Remedial Proposal 4, includes seven single-member districts, four of which have a black voting-age majority. Three of the four majority-black districts are identical to those in Remedial Proposal 1, with a black voting-age population of 61.6 percent, 60.0 percent, and 73.7 percent, respectively. The fourth majority-black district has a black-voting age population of 50.2 percent, and, as Dr. McBride's analysis makes clear, it would be a swing district at best. Geocoded turnout data from the 2014 election indicates that black voters were approximately 39.7 percent of the turnout in the area that would make up the fourth majority-black district. Given rates of cohesion and crossover in the 2014 elections, that might not have been enough for African Americans to elect their candidate of choice. But a future win in that district is certainly more achievable than in the at-large district, where African-American voters are routinely outnumbered by almost two to one.

Both of these plans address the County's objection and show that it is possible to give black voters a slightly greater chance at winning a fourth seat on the school board without sacrificing a robust and meaningful opportunity to elect candidates of choice to three seats. From Wright's perspective, and under Section 2, it is this meaningful opportunity that matters most. Remedial Proposals 1, 3 and 4 are virtually indistinguishable from this perspective, with Remedial Proposal 3 perhaps a very slight improvement over the others. All three of them would completely remedy the violation because, according to Dr. McBride, it may not be possible to draw four districts in which black voters would immediately have a meaningful opportunity to elect candidates of choice. And all of them would give African-American voters in Sumter County a greater opportunity to elect candidates to the school board than they currently have under the unlawful plan.

### **Conclusion**

The County's objections to Wright's remedial proposals simply do not withstand scrutiny. The record evidence shows conclusively that African-American voters would have a meaningful opportunity to elect three candidates of choice under Remedial Proposal 1, and proposals 3 and 4 are at least as good. A special master is not likely to draw districts that both address the County's objections and remedy its violation of Section 2 any better than these plans do. The Court should therefore adopt Remedial Proposal 1, 3 or 4 as an interim remedy for use until the Georgia General Assembly adopts a lawful plan to replace it.

Date: July 17, 2019

Respectfully submitted by:

/s/ Bryan L. Sells  
BRYAN L. SELLS  
Georgia Bar #635562  
The Law Office of Bryan L. Sells, LLC.  
P.O. Box 5493  
Atlanta, GA 31107-0493  
(404) 480-4212 (voice/fax)  
bryan@bryansellsllaw.com

M. LAUGHLIN McDONALD  
American Civil Liberties Union  
Foundation, Inc.  
2700 International Tower  
229 Peachtree Street, N.E.  
Atlanta, Georgia 30303  
Tel: (404) 500-1235  
Fax: (404) 565-2886  
lmcdonald@aclu.org

AKLIMA KHONDOKER  
Georgia Bar No.: 410345  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION OF GEORGIA  
P.O. Box 77208 77208  
Atlanta, Georgia 33057  
(770) 303-8111  
akhondoker@acluga.org

ATTORNEYS FOR PLAINTIFF  
MATHIS KEARSE WRIGHT, JR.

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing PLAINTIFF'S SUPPLEMENTAL BRIEF ON REMEDIAL PROPOSALS with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

E. Mark Braden  
mbraden@bakerlaw.com

Katherine L. McKnight  
kmcknight@bakerlaw.com

Richard B. Raile  
rraile@bakerlaw.com

Kimberly A Reid  
kimberly.reid@lawsonreidlaw.com

Trevor Stanley  
tstanley@bakerlaw.com

Dated this 17th day of July, 2019.

/s/ Bryan L. Sells  
BRYAN L. SELLS  
Georgia Bar #635562  
The Law Office of Bryan L. Sells, LLC  
P.O. Box 5493  
Atlanta, GA 31107-0493  
(404) 480-4212 (voice/fax)  
[bryan@bryansellsllaw.com](mailto:bryan@bryansellsllaw.com)

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

MATHIS KEARSE WRIGHT, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO.: 1:14-cv-42 (WLS)
	)	
SUMTER COUNTY BOARD OF	)	
ELECTIONS AND REGISTRATION,	)	
	)	
Defendant.	)	
_____	)	

**DECLARATION OF FREDERICK G. McBRIDE**

1. My name is Frederick G. McBride. I am over the age of 18 and competent to testify. I offer this declaration in support of the Plaintiff’s remedial proposals in this case.
2. I am an expert witness for the Plaintiff in this case. I submitted several reports over the course of this matter, and I testified at trial in December 2017.
3. I have a Ph.D. in Political Science from Clark Atlanta University. The focus of my work for the past 15 years has been quantitative and qualitative research in redistricting and voting rights. I have drawn and evaluated redistricting plans, performed racially polarized voting studies, performed demographic analysis, and presented at redistricting hearings for over 100 jurisdictions in 22 states, and the District of Columbia. Most of my work has involved local redistricting matters.
4. Additional information regarding my education and work experience is contained in my Curriculum Vitae, which was Plaintiff’s Exhibit 1 at trial. My compensation for work on this case is \$125 per hour.

5. Following this Court's recent order for supplemental briefing on the plaintiff's remedial proposals, the plaintiff's attorneys asked me to address Sumter County's argument that, due to low black turnout, remedial districts may need to contain a black voting-age majority in excess of 69 or 77 percent in order for African-American voters to elect candidates of their choice to the school board. To assess this claim empirically, I overlaid the districts in Remedial Proposal 1 on top of the geocoded voter history files that I used for the statistical analysis in my supplemental report. (ECF 154-8 at 10.) By doing so, I was able to determine the racial composition of the voters who turned out in the May and July 2014 elections in the areas encompassed by the majority-black districts contained in Remedial Proposal 1.

6. The results of my analysis are contained in the following table.

<b>TABLE 1</b>		<b>Black Share of Turnout (%)</b>	
<b>Remedial Proposal 1</b>	<b>BVAP (%)</b>	<b>May 2014</b>	<b>July 2014</b>
<b>District 1</b>	61.6	51.5	50.4
<b>District 3</b>	60.0	57.3	57.5
<b>District 5</b>	73.7	59.9	59.6

7. All of these turnout figures are high enough to ensure that African-American voters would have had a meaningful opportunity to elect candidates of choice to the school board in the 2014 elections if those elections had been held in the districts contained in Remedial Proposal 1. In the actual 2014 election, for instance, black voters were able to elect a black candidate of choice in District 1, where black voters comprised 47.8 percent of the turnout. I therefore conclude, based on this analysis of actual turnout, that remedial districts need not have a black voting-age population in excess of 69 or 77 percent. Each of the majority-black districts in Remedial Proposal 1 has enough black population that black voters are likely to constitute a majority of the turnout in school-board elections, and, given levels of cohesion and

crossover that I previously found, black voters will likely have a meaningful opportunity to elect candidates of choice to the school board in future elections.

8. The plaintiff’s attorneys also asked me to address Sumter County’s objection that Remedial Proposal 1 would not give African-American voters much chance of electing candidates to a majority of the seats on the school board. To assess this claim empirically, I reviewed the majority-white districts contained in Remedial Proposal 1 using the same method, described above, that I used to examine the majority-black districts.

9. The results of that analysis are contained in the following table.

<b>TABLE 2</b>		<b>Black Share of Turnout (%)</b>	
<b>Remedial Proposal 1</b>	<b>BVAP (%)</b>	<b>May 2014</b>	<b>July 2014</b>
<b>District 2</b>	35.6	13.8	12.3
<b>District 4</b>	37.6	32.7	34.3
<b>District 6</b>	37.1	34.5	28.7
<b>District 7</b>	36.8	34.1	39.2

10. None of these turnout figures are high enough to give African-American voters a meaningful opportunity to elect candidates of choice to the school board. The black share of the turnout in Districts 4, 6 and 7 is roughly on par with the black share of the turnout in the county as a whole, and that has not been enough to elect a black candidate to an at-large seat. (The extremely low black turnout in District 2 may be explained by the presence of a large prison in that district.) They would need a level of crossover voting for a black candidate of choice that is higher than I found in any of the polarized elections that I analyzed in Sumter County. I therefore conclude that, while Remedial Proposal 1 does give African-American voters a meaningful opportunity to win three seats, it does not provide much opportunity to win four.

11. At the direction of the plaintiff’s attorneys, I further considered whether I could draw four districts out of seven in which black voters would have a meaningful opportunity to elect candidates of choice. So far, I have been unable to do so. Although there is enough black population in Sumter County to constitute a majority in four single-member districts, I have yet to draw a plan that contains four districts with enough black population and turnout that I can be confident that black voters could elect four candidates of choice.

12. However, I was able to devise two new remedial proposals that would arguably give African-American voters a better opportunity to elect a fourth member of the school board without sacrificing their ability to elect three members. Each of these plans achieves three objectives: (1) African-American voters would have at least as much opportunity to win three seats as they would have under Remedial Proposal 1; (2) African-American voters would have a greater opportunity to win a fourth seat than they would have under Remedial Proposal 1; and (3) African-American voters would have a greater opportunity to elect candidates of choice overall than they currently have under House Bill 836.

13. The first of these two plans, Remedial Proposal 3, includes six single-member districts and one at-large seat. Detailed maps and demographic information on this plan are attached to this declaration as Appendix A. This plan started with Remedial Proposal 1 and then enlarged the districts to redistribute the population equally among six districts instead of seven. I then analyzed 2014 turnout under this plan using the same method described above.

14. The results of this analysis are contained in the following table.

<b>TABLE 3</b>	<b>BVAP (%)</b>	<b>Black Share of Turnout (%)</b>	
		<b>May 2014</b>	<b>July 2014</b>
<b>Remedial Proposal 3</b>			
<b>District 1</b>	62.5	53.9	52.2
<b>District 3</b>	63.1	66.5	65.9
<b>District 5</b>	68.1	56.6	56.7

<b>At-Large</b>	48.1	39.1	38.1
-----------------	------	------	------

15. This analysis shows that African-American voters would have been a comfortable majority of the turnout in each of the three majority-black districts in Remedial Proposal 3. And, with one exception, the African-American share of the turnout in the at-large district was slightly higher than it would have been in any of the majority-white districts in Remedial Proposal 1. We know that this turnout was not high enough to elect a candidate of choice in the 2014 elections, but it is reasonable to conclude that African-American voters would have a slightly better chance of winning a fourth seat in future elections under this plan than under Remedial Proposal 1. I cannot say, given the extreme levels of polarization evident in past school board elections, that African-American voters would have a meaningful opportunity to elect candidates of choice in the at-large district. Nor can I say that success is likely at all. But I can say that African-American voters would have a slightly better chance of electing a fourth candidate of choice under Remedial Proposal 3 than under Remedial Proposal 1.

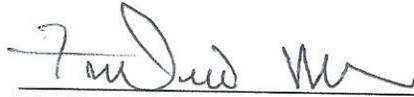
16. The second of these two new plans, Remedial Proposal 4, includes seven single-member districts, four of which have a black voting-age majority. Detailed maps and demographic information on this plan are attached to this declaration as Appendix B. This plan also started with Remedial Proposal 1, and three of the majority-black districts are identical. The plan then extends District 2 along major highways to encompass part of the area outside of Plains, Georgia, and reconfigures the remaining districts to equalize the population. The result is a fourth majority-black district with a black voting-age population of 50.2 percent. I then analyzed 2014 turnout under this plan using the same method described above.

17. The results of this analysis are contained in the following table.

<b>TABLE 4</b> <b>Remedial Proposal 4</b>	<b>BVAP (%)</b>	<b>Black Share of Turnout (%)</b>	
		<b>May 2014</b>	<b>July 2014</b>
<b>District 1</b>	61.6	51.5	50.4
<b>District 2</b>	50.2	39.7	38.8
<b>District 3</b>	60.0	57.3	57.5
<b>District 5</b>	73.7	59.9	59.6

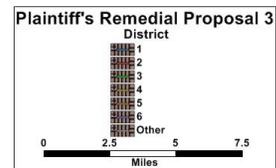
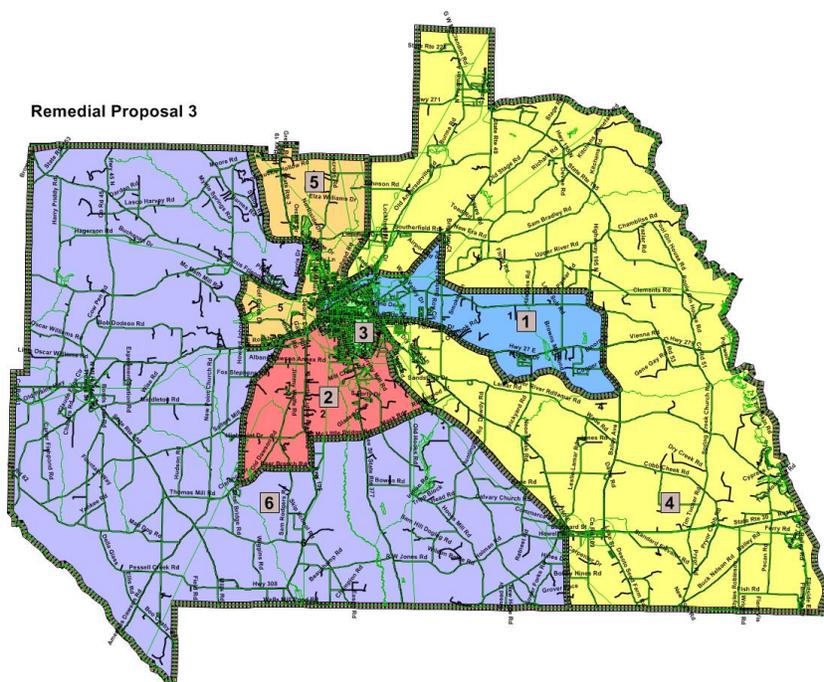
18. This analysis shows that, just as in Remedial Proposal 1, African-American voters would have been a majority of the turnout in Districts 1, 3 and 5. Given levels of cohesion and crossover in school-board elections, this turnout would have been enough to give African-American voters a meaningful opportunity to elect candidates of their choice. In the fourth majority-black district, District 2, African-American voters would have been 39.7 percent of the turnout in the 2014 election, which is a slightly higher share of the turnout than in the at-large district. Again, I cannot say, given the extreme levels of polarization evident in past school board elections, that African-American voters would have a meaningful opportunity to elect candidates of choice in District 2. Nor can I say that success is likely at all. Turnout appears to be somewhat more depressed among rural African-American voters than among African-American voters in Americus. But I can say that African-American voters would have a slightly better chance of electing a fourth candidate of choice under Remedial Proposal 4 than under either Remedial Proposal 1 or Remedial Proposal 3. And it is also possible that the mobilizing effect of majority-minority districts could enhance black turnout in District 2 over time. *See* Matt A. Barreto, Gary M. Segura and Nathan D. Woods, *The Mobilizing Effect of Majority-Minority Districts on Latino Turnout*, 98 Am. Pol. Sci. Rev. 65 (2004).

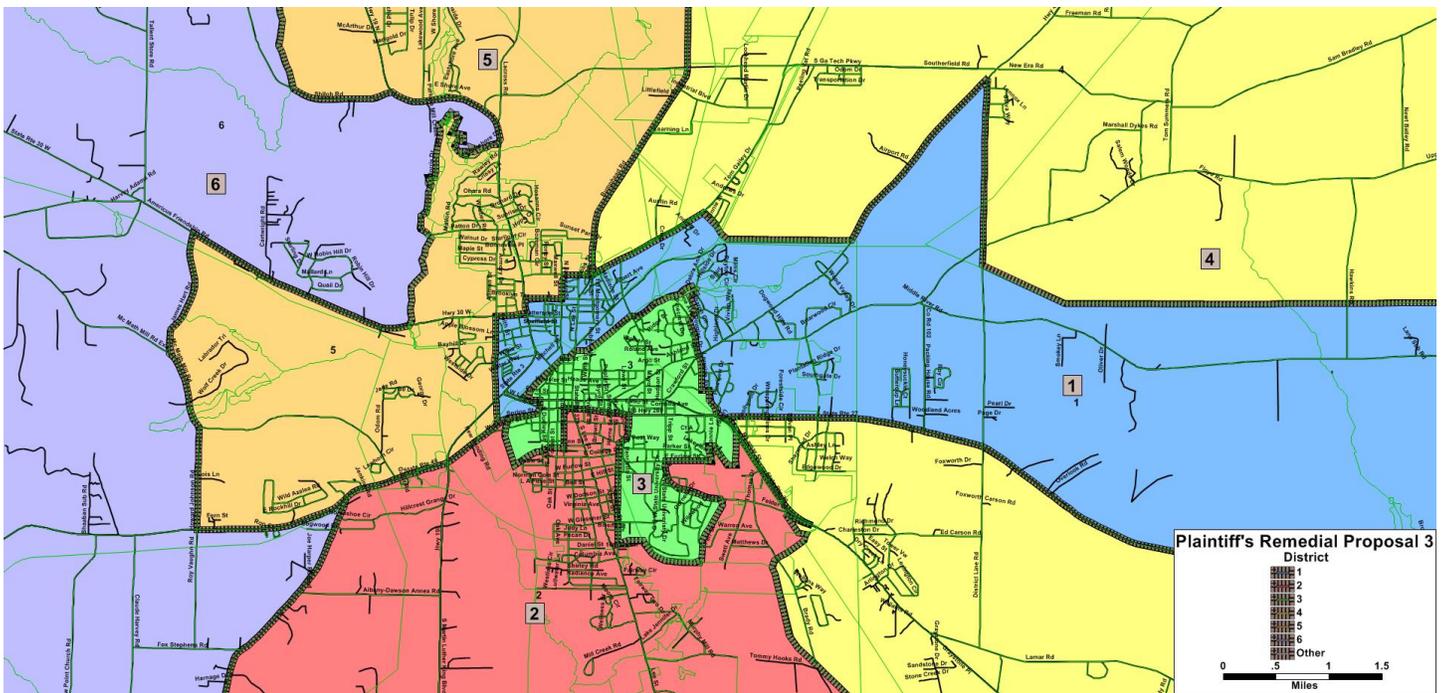
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on July 16, 2019, at Washington, DC.

  
\_\_\_\_\_  
Dr. Frederick G. McBride

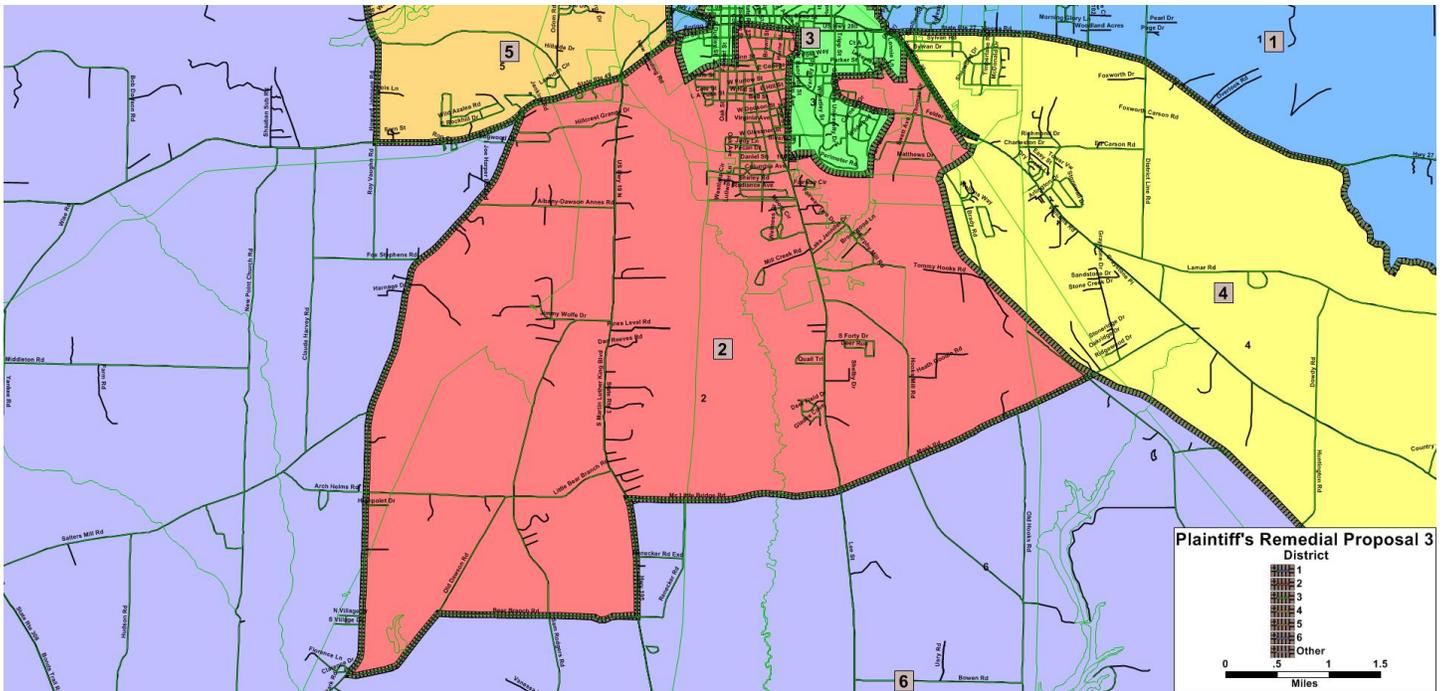
**Appendix A**

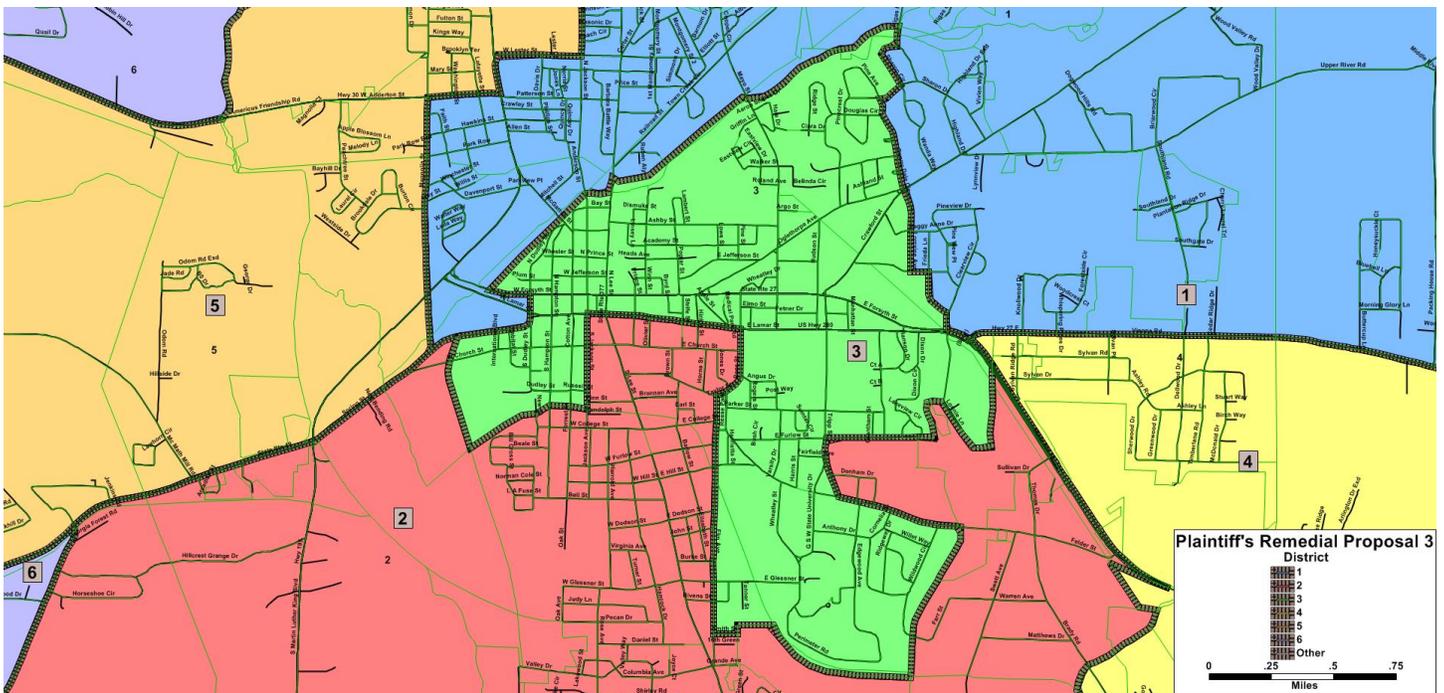
Remedial Proposal 3



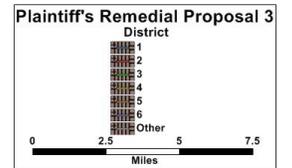
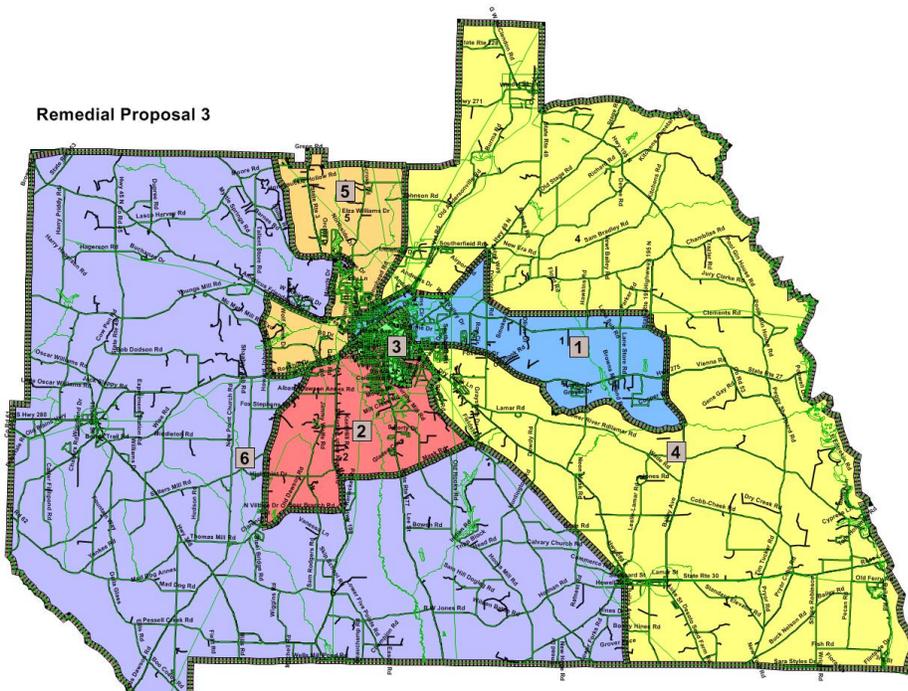


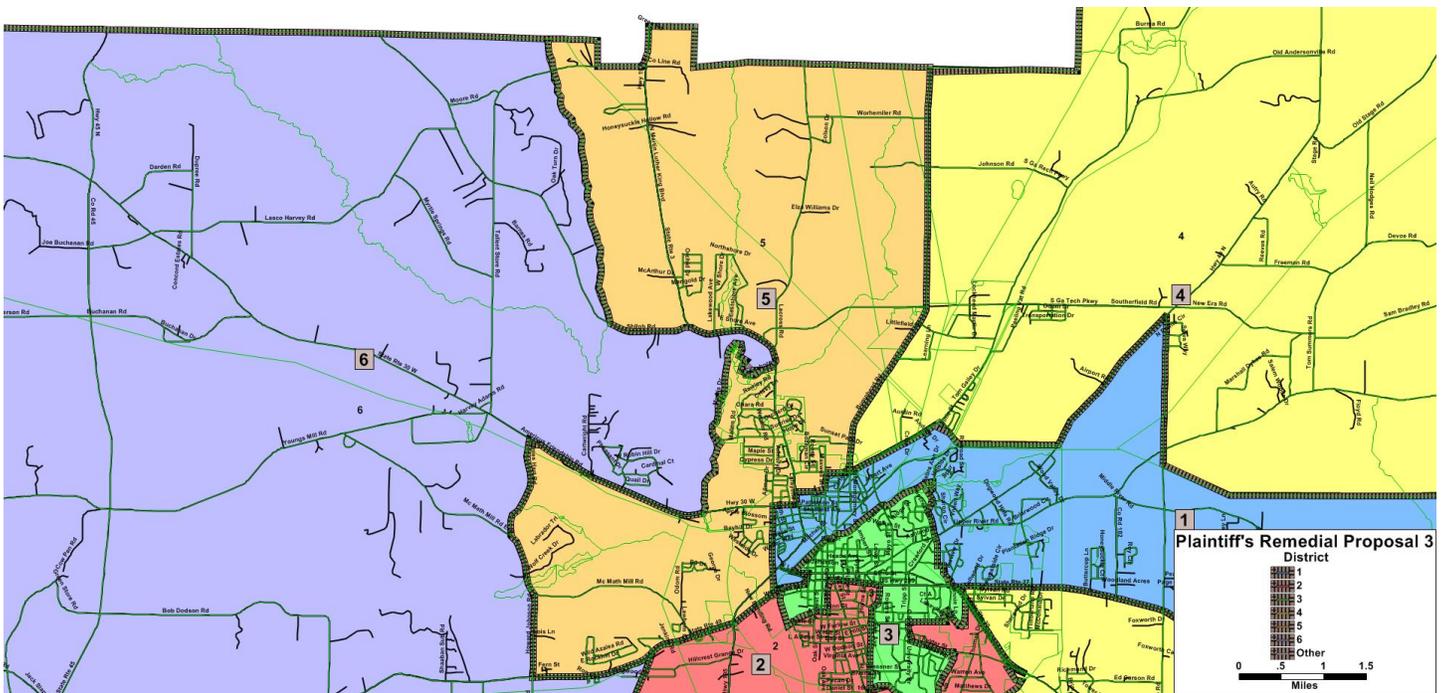


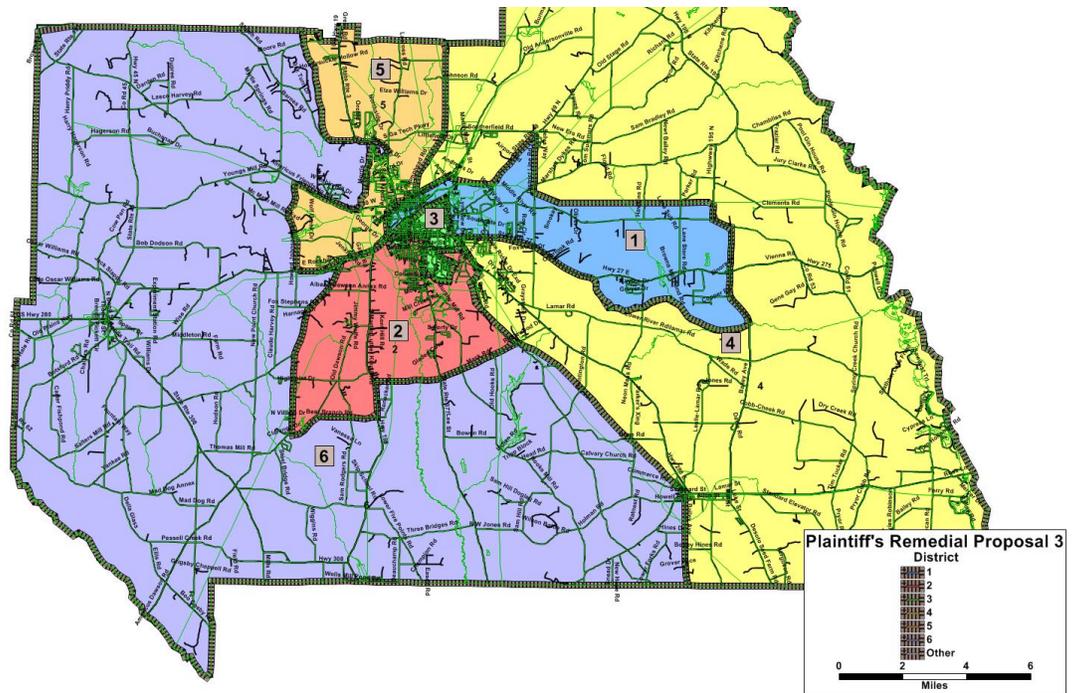




Remedial Proposal 3







User:

Plan Name: **Plaintiff Remedial Proposal 3**

Plan Type:

## Population Summary

Monday, July 15, 2019

1:44 AM

District	Population	Deviation	% Devn.	[18+_Black]	[18+_White]	[18+_Hispanic Origin]
1	5,310	-160	-2.93	2,453	1,298	126
2	5,349	-121	-2.21	979	2,889	237
3	5,493	23	0.42	2,617	1,277	178
4	5,418	-52	-0.95	1,623	2,217	222
5	5,572	102	1.86	2,686	1,139	79
6	5,677	207	3.78	1,432	2,617	256

Total Population: 32,819

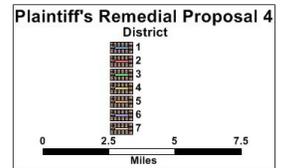
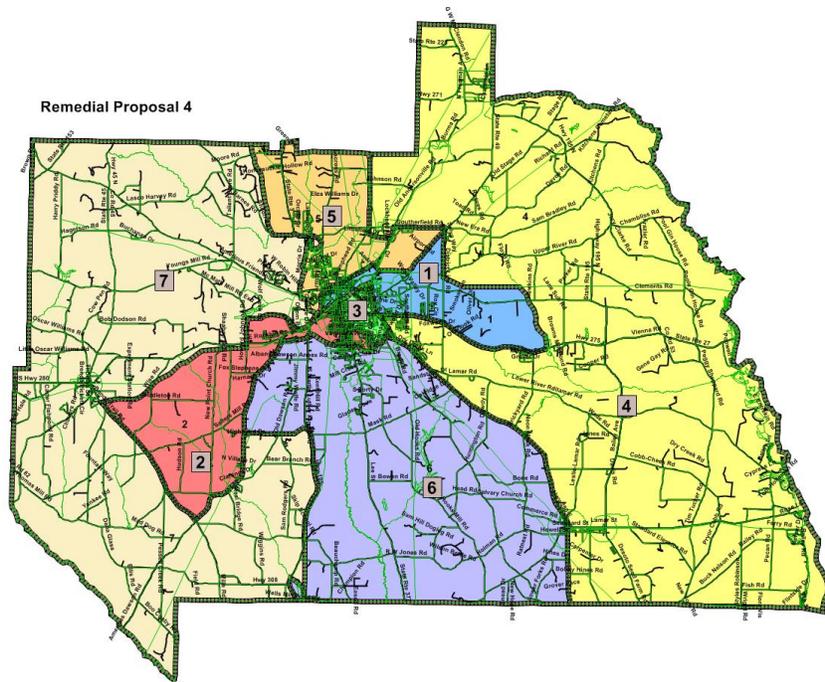
Ideal District Population: 5,470

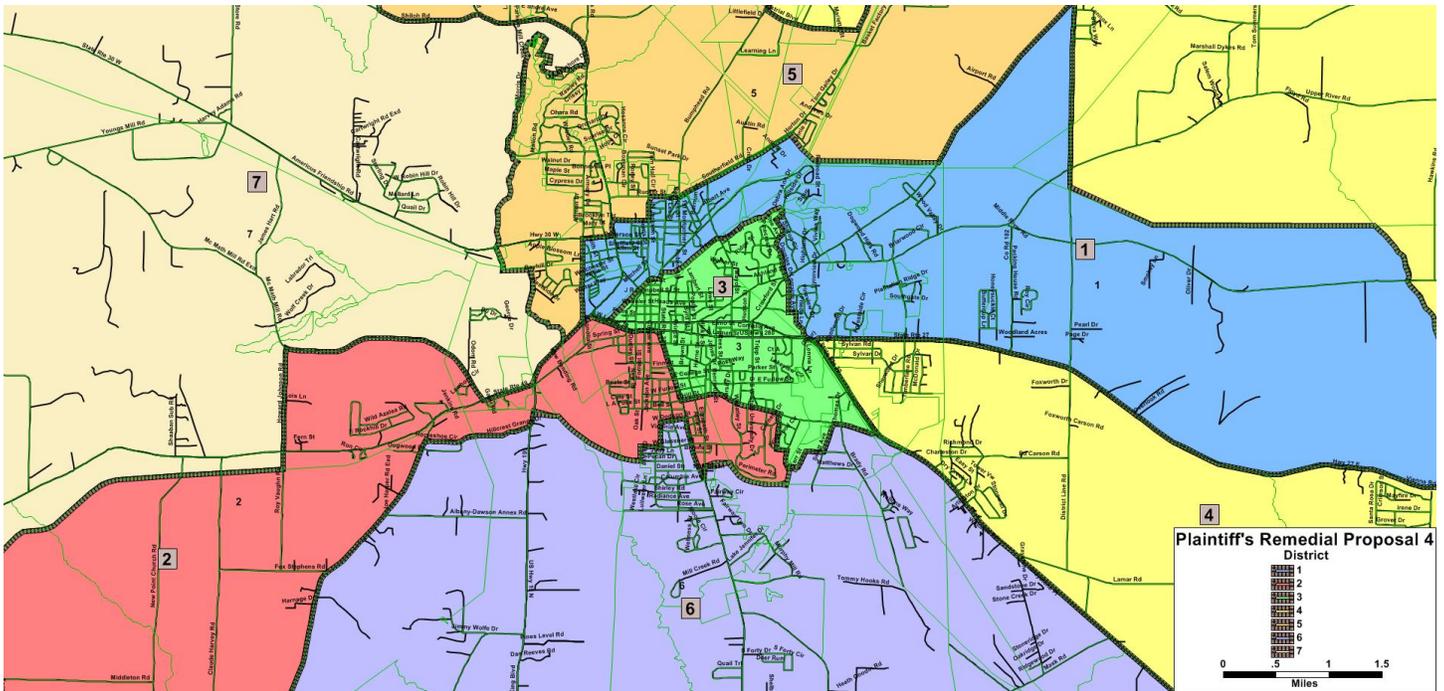
### Summary Statistics:

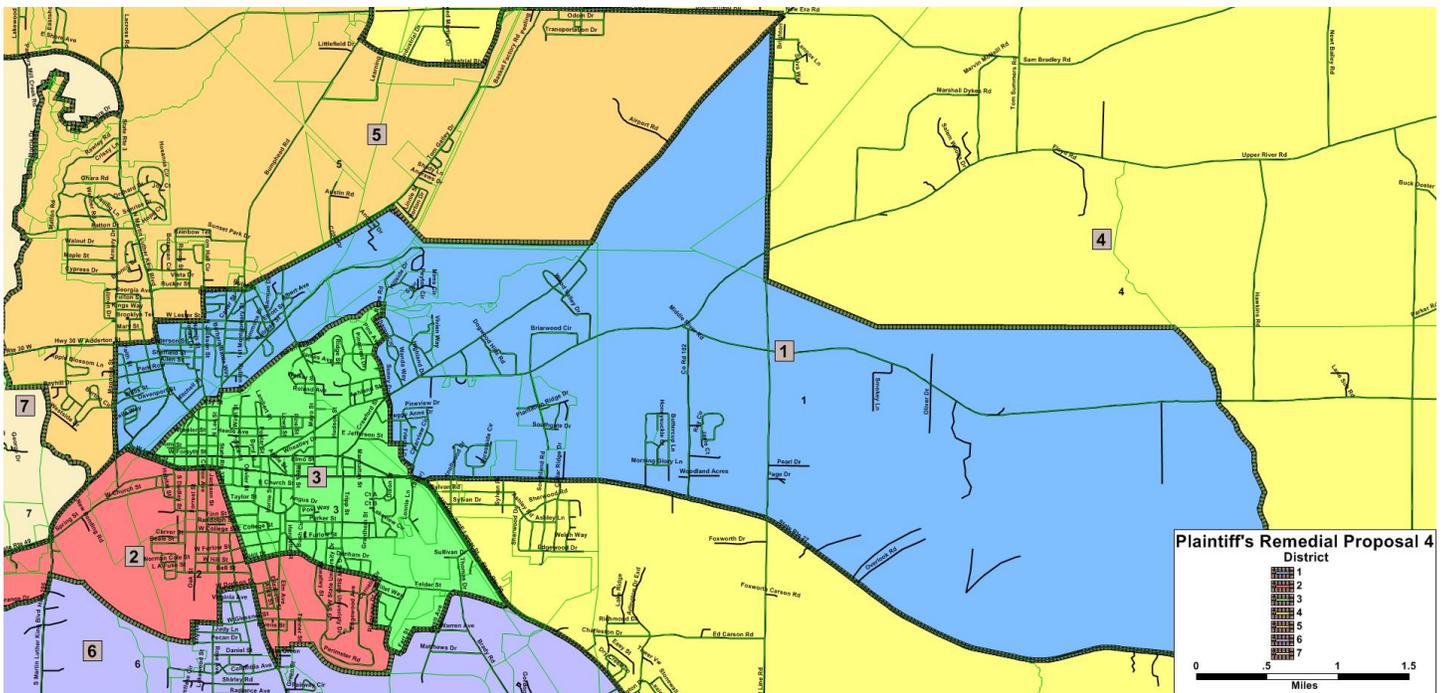
Population Range:	5,310 to 5,677
Ratio Range:	0
Absolute Range:	-160 to 207
Absolute Overall Range:	367
Relative Range:	-2.00% to 3.78%
Relative Overall Range:	6.71%
Absolute Mean Deviation:	110.83
Relative Mean Deviation:	0.02%
Standard Deviation:	207.00

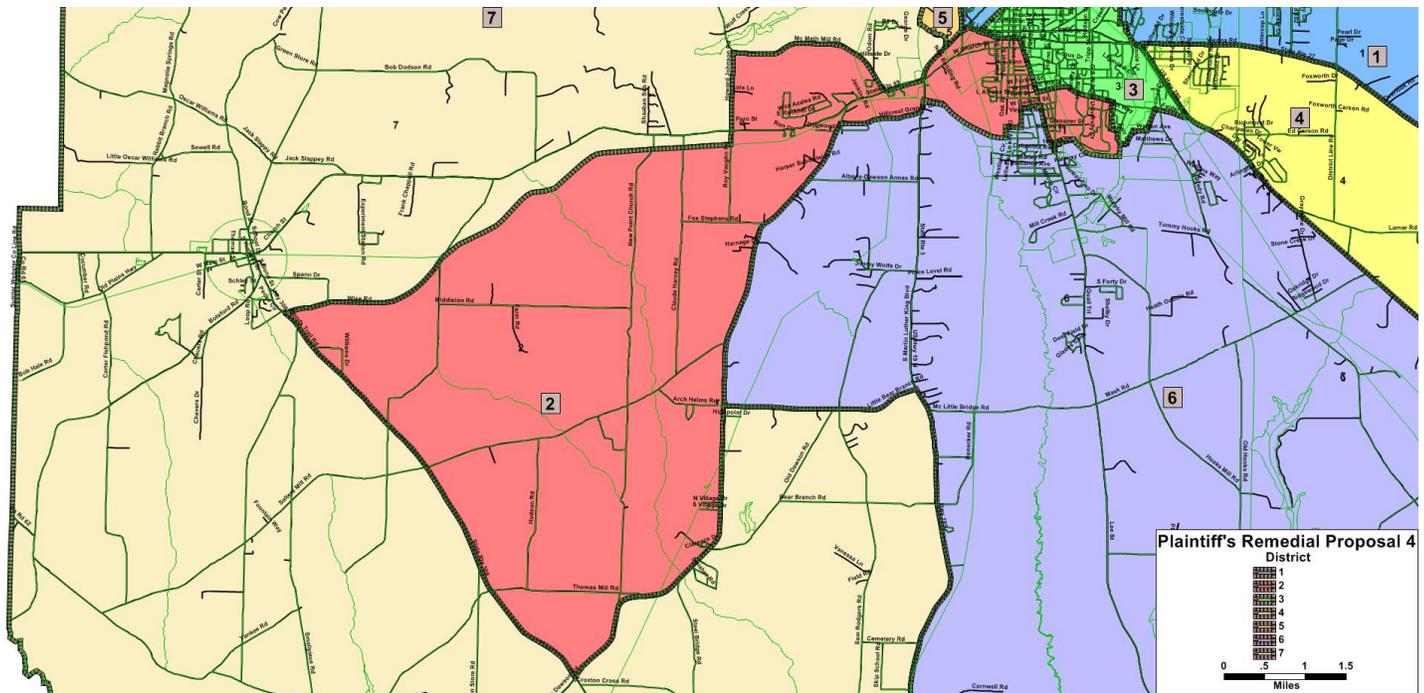
District	Population	Deviation	% Deviation	18+_Pop	% 18+_Pop	White	% White	18+_White	% 18+_White	Black	% Black	18+_Black	% 18+_Black	Hispanic.Orig	% Hispanic.O	18+_Hispanic	% 18+_Hispanic	Origin
1	5310	-160	-0.02925	3927	0.739548	1623	0.30565	1298	0.330532	3415	0.643126	2453	0.62465	203	0.03823	126	0.032086	
2	5349	-121	-0.022121	4144	0.774724	3428	0.640867	2889	0.697153	1511	0.282483	979	0.236245	355	0.066368	237	0.057191	
3	5493	23	0.004205	4148	0.755143	1421	0.258693	1277	0.307859	3738	0.680502	2617	0.630906	252	0.045877	178	0.042912	
4	5418	-52	-0.009506	4077	0.752492	2704	0.499077	2217	0.543782	2333	0.430602	1623	0.398087	346	0.063861	222	0.054452	
5	5572	102	0.018647	3896	0.69921	1431	0.25682	1139	0.292351	4011	0.719849	2686	0.689425	132	0.02369	79	0.020277	
6	5677	207	0.037843	4326	0.762022	3245	0.571605	2617	0.604947	1993	0.351066	1432	0.331022	429	0.075568	256	0.059177	

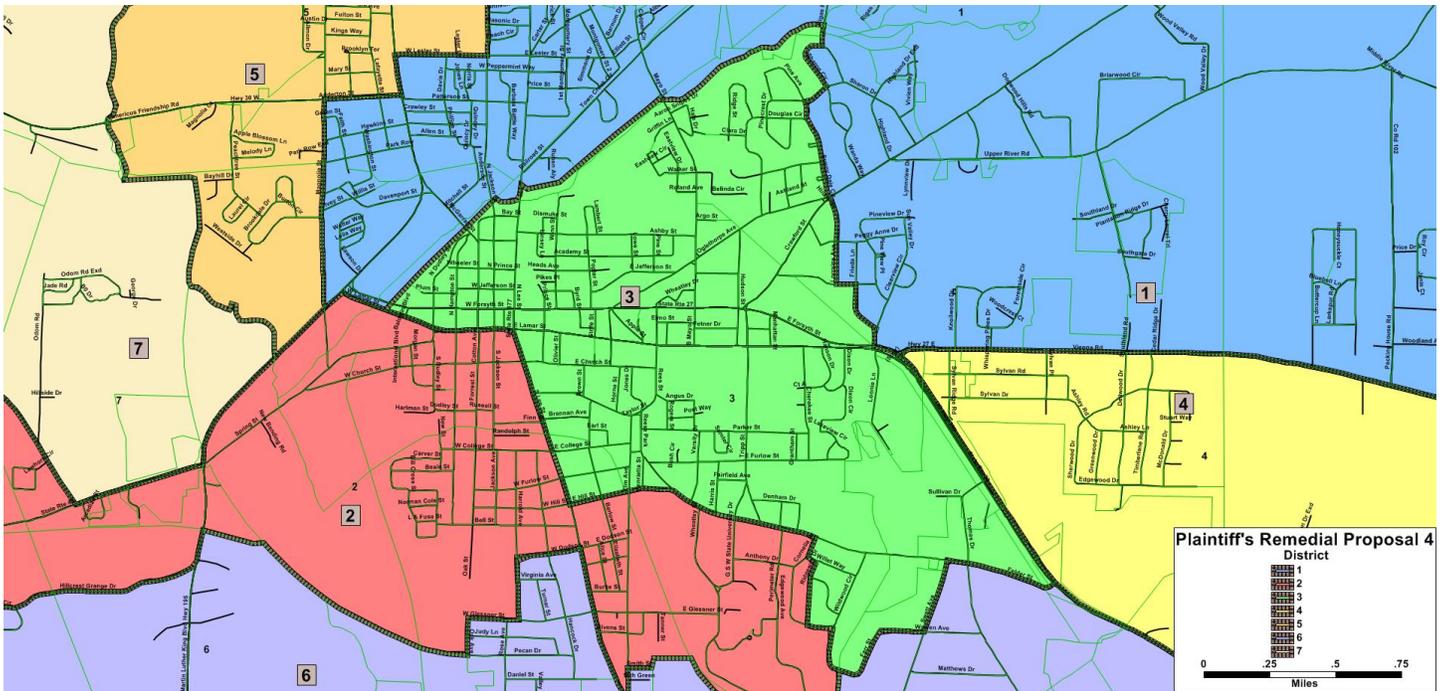
**Appendix B**



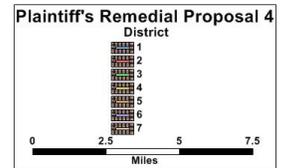
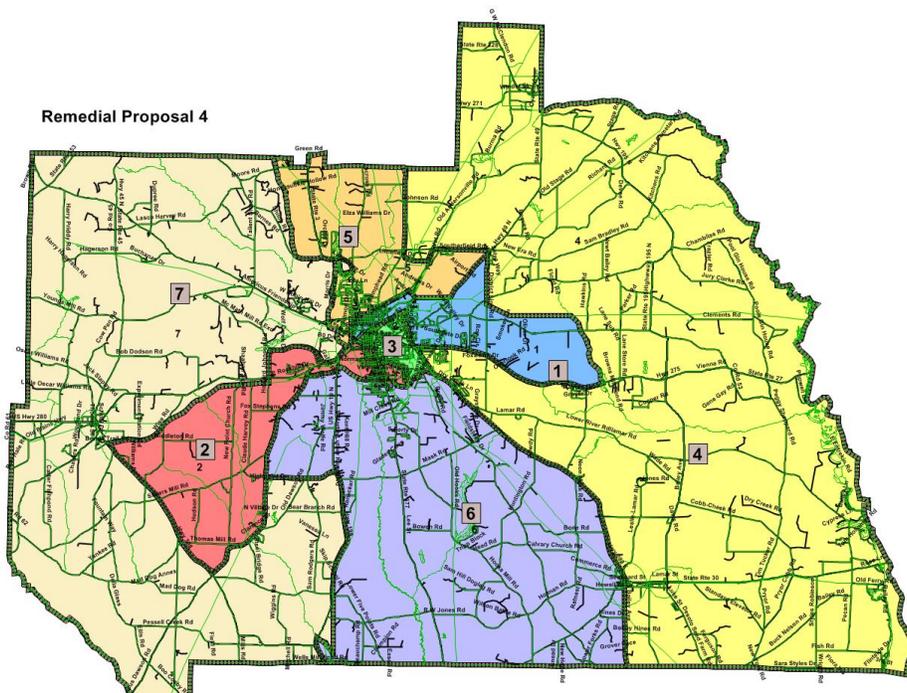


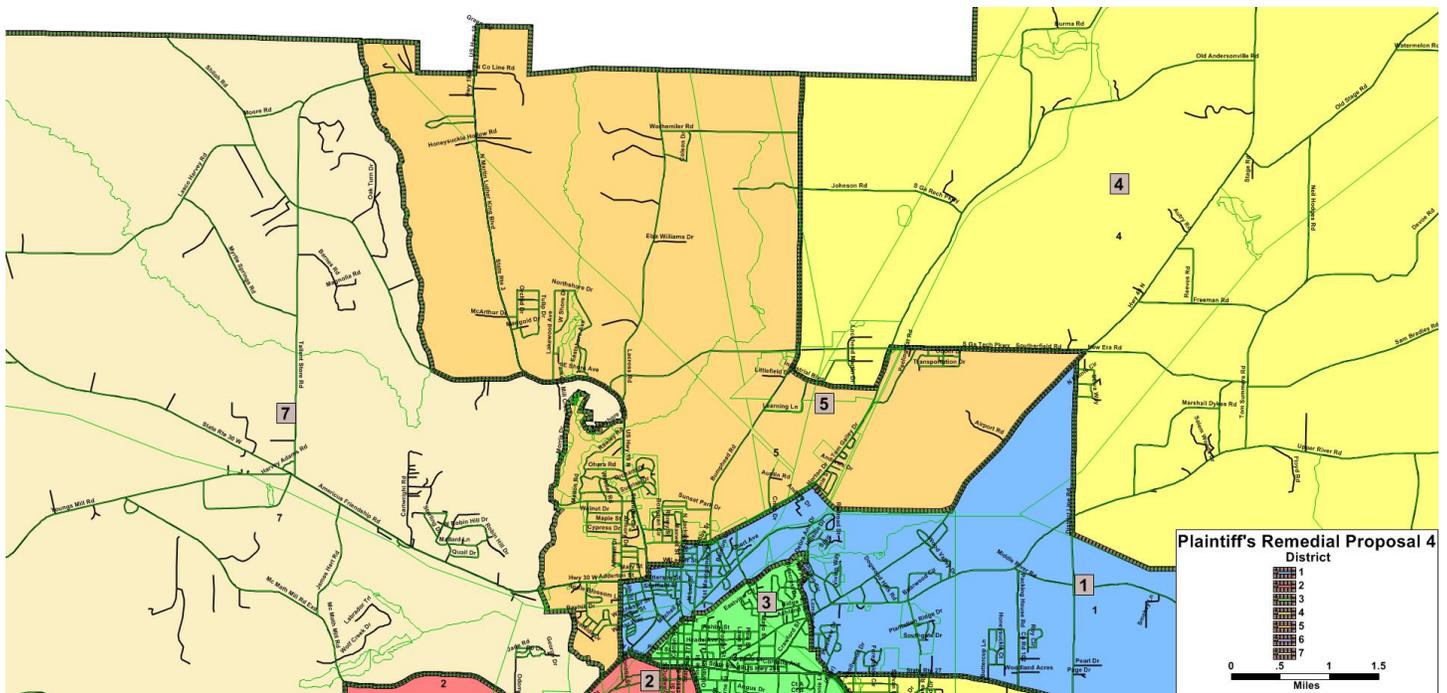


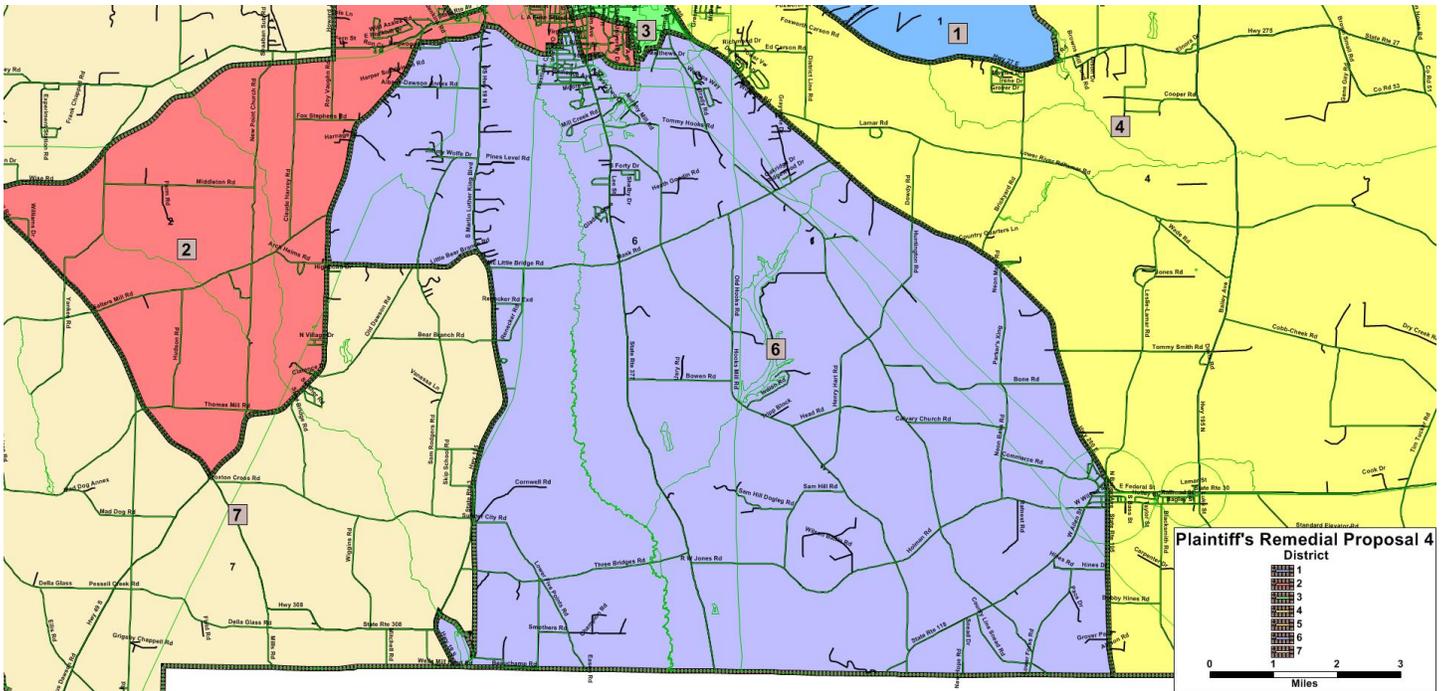


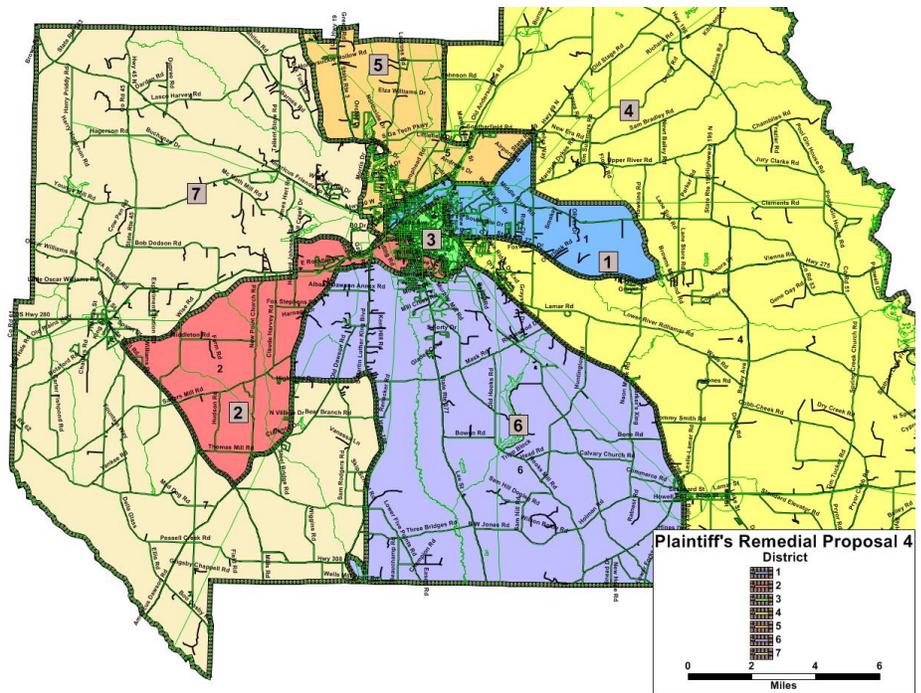


Remedial Proposal 4









User:

Plan Name: **Plaintiff Remedial Proposal 4**

Plan Type:

## Population Summary

Monday, July 15, 2019

12:14 AM

District	Population	Deviation	% Devn.	[18+_Black]	[18+_White]	[18+_Hispanic Origin]
1	4,727	39	0.83	2,152	1,184	99
2	4,582	-106	-2.26	1,829	1,589	136
3	4,669	-19	-0.41	1,971	1,079	208
4	4,713	25	0.53	1,369	2,094	164
5	4,670	-18	-0.38	2,292	750	64
6	4,649	-39	-0.83	862	2,465	265
7	4,809	121	2.58	1,315	2,276	162

Total Population: 32,819

Ideal District Population: 4,688

### Summary Statistics:

Population Range:	4,582 to 4,809
Ratio Range:	0
Absolute Range:	-106 to 121
Absolute Overall Range:	227
Relative Range:	-2.00% to 2.58%
Relative Overall Range:	4.84%
Absolute Mean Deviation:	52.43
Relative Mean Deviation:	0.01%
Standard Deviation:	121.00

District	Population	Deviation	% Deviation	18+_Pop	% 18+_Pop	White	% White	18+_White	% 18+_White	Black	% Black	18+_Black	% 18+_Black	Hispanic Orig	% Hispanic O	18+_Hispanic	% 18+_Hispanic	Origin
1	4727	39	0.008319	3494	0.739158	1475	0.312037	1184	0.338867	3007	0.636133	2152	0.615913	158	0.033425	99	0.028334	
2	4582	-106	-0.022611	3645	0.795504	1839	0.401353	1589	0.43594	2437	0.531864	1829	0.501783	198	0.043213	136	0.037311	
3	4669	-19	-0.004053	3285	0.703577	1256	0.269008	1079	0.328463	3073	0.658171	1971	0.6	315	0.067466	208	0.063318	
4	4713	25	0.005333	3645	0.773393	2562	0.543603	2094	0.574486	1869	0.396563	1369	0.375583	258	0.054742	164	0.044993	
5	4670	-18	-0.00384	3110	0.665953	951	0.20364	750	0.241158	3611	0.773233	2292	0.736977	100	0.021413	64	0.020579	
6	4649	-39	-0.008319	3582	0.770488	2980	0.640998	2465	0.688163	1262	0.271456	862	0.240648	400	0.08604	265	0.073981	
7	4809	121	0.025811	3757	0.781244	2789	0.579954	2276	0.605803	1742	0.362237	1315	0.350013	288	0.059888	162	0.04312	