

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,
BRUCE ODELL, ELIZABETH ERSOFF,
ALBERT CAISSIE, DANIEL WEIR,
JOYCE LACOUR, CANDY CARROLL
PEAVY, TANYA WHITNEY, MIKE
JOHNSON, GROVER JOSEPH REES,
ROLFE MCCOLLISTER,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity
as Secretary of State for Louisiana,

Defendant.

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**ROBINSON INTERVENORS' MOTION TO STRIKE IMPROPER
REBUTTAL EXPERT TESTIMONY OF DR. BEN OVERHOLT,
OR IN THE ALTERNATIVE TO PERMIT INTERVENORS
TO PRESENT RESPONSIVE EXPERT TESTIMONY**

Press Robinson, Edgar Cage, Dorothy Nairne, Edwin Rene Soule, Alice Washington, Cleo Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, the National Association for the Advancement of Colored People Louisiana State Conference, and the Power Coalition for Equity and Justice (collectively, the “*Robinson* Intervenors”) respectfully move to exclude expert testimony by Dr. Ben Overholt proffered by plaintiffs on the ground that it was not disclosed in timely fashion, constitutes improper rebuttal testimony, and is, in any event, irrelevant. As explained in the accompanying memorandum, Dr. Overholt’s testimony should be excluded because it was not timely disclosed by the Court-imposed deadline for the submission of expert reports and because it is improper rebuttal testimony. In the alternative, the *Robinson* Intervenors respectfully request leave to produce a report by an expert witness responsive to Dr. Overholt’s report by no later than Friday, April 5, 2024 and to present expert testimony by the responsive expert at the trial of this matter.

DATED: April 3, 2024

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CERTIFICATE OF SERVICE

I, John Adcock, counsel for the *Robinson* Intervenors, hereby certify that on April 3, 2024, a copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system, and that service will be provided through the CM/ECF system.

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PRELIMINARY STATEMENT

Dr. Overholt’s testimony should be excluded because it was not timely disclosed by the Court-imposed deadline for the submission of expert reports and because it is improper rebuttal testimony. Plaintiffs produced no report by Dr. Overholt by the Court’s March 22, 2024 deadline for the disclosure of experts. Instead, Plaintiffs produced his report only on April 1, 2024—a week before trial—on the parties’ agreed deadline for the disclosure of Plaintiffs’ rebuttal reports. But Dr. Overholt’s opinions are not proper rebuttal. His principal opinion is that Congressional District 6 (“CD 6”) in SB 8, although it has a Black voting age majority, will not “perform” for the Black voters in that district—that is, that Black voters in that district will not be able to elect representatives of their choice. That opinion, however, does not “contradict or rebut evidence on the same subject matter” offered by any opposing expert. Fed. R. Civ. P. 26(a)(2)(D)(ii). On the contrary, none of the expert witnesses offered by the *Robinson* Intervenors opined about the performance of CD 6 or any other Congressional district. (Defendants have not disclosed any expert witnesses.) Plaintiffs should not be permitted to

present Dr. Overholt’s belatedly disclosed opinions about that subject. In the alternative, the *Robinson* Intervenors should be permitted to produce a report on that subject by their own expert no later than this Friday, April 5, and to present rebuttal testimony from that expert at trial.

Dr. Overholt’s testimony should also be excluded as irrelevant. As discussed in the *Robinson* Intervenor’s Motion in Limine, filed April 2, 2024, Doc. 144, the Constitution in the context of this case requires only that the State establish that the Legislature had “good reasons to believe” that consideration of race is required to avoid violating the Voting Rights Act. *Ala. Legis. Black Caucus v. Alabama*, 575 U.S. 254, 278 (2015). Dr. Overholt’s post-hoc opinions about the likely performance of CD 6—an analysis that was not considered by the Legislature in adopting SB 8—does not shed light on whether the Legislature had such good reasons or on the Legislature’s purpose in adopting the enacted plan.

SUMMARY OF RELEVANT FACTS

The Court and the parties have established a firm schedule in this expedited proceeding for the exchange of expert designations and expert reports. In its Scheduling Order entered on February 21, 2024, the Court ruled that “[e]xpert designation and reports shall be exchanged among the parties” by March 22, 2024. Doc. 63, at 1. Thereafter, in light of the fact that the Court first permitted the *Robinson* Intervenors on March 15, 2024, to participate in the initial phase of the case in addition to any remedial phase, the parties agreed that the deadline for *Robinson* Intervenors’ affirmative expert reports and rebuttal reports would be Wednesday, March 27, and Plaintiffs’ “rebuttal reports” would be due Monday, April 1. Ex. 1.

Plaintiffs produced expert reports on March 22, 2024. Plaintiffs’ experts were (i) Michael C. Hefner, a demographer, who offered opinions about whether SB 8 complied with traditional redistricting criteria and who offered an illustrative Congressional plan that he opined was drawn in a “race-neutral” manner; (ii) Dr. D. Stephen Voss, purportedly an expert in

quantitative analysis with knowledge of Louisiana politics and history, who offered opinions based principally on computer-generated districting simulations, that Louisiana's African-American population is not sufficiently large and compact to form two majority-Black districts, and that SB 8 represents a racial gerrymander; and (iii) Dr. Jeffrey D. Sadow, a professor of political science, who offered opinions regarding the history of redistricting in Louisiana and opined that CD 6 of SB 8 violates the State's practice of protecting communities of interest. (Plaintiffs have since withdrawn their designation of Dr. Sadow.) Plaintiffs did not produce a report by Dr. Overholt.

Consistent with the parties' agreement, the *Robinson* Intervenors submitted expert reports on March 27, 2024. In particular, the *Robinson* Intervenors produced reports by the following experts:

- Anthony E. Fairfax, a demographer and mapping consultant with thirty years' experience working, drawing, and analyzing redistricting plans and testifying as an expert witness about redistricting. Mr. Fairfax provided opinions in response to the reports submitted by Plaintiffs' experts, and concluded, among other things, that none of Plaintiffs' experts established that race predominated in the creation of SB 8 and that it is possible to create a Congressional district plan in Louisiana including two districts with majority Black voting age populations consistent with traditional redistricting principles. Ex. 2.
- Dr. Cory McCartan, a statistician with a focus on the application of statistical methodology to problems in the social sciences, including redistricting. Dr. McCartan opined that Dr. Voss's simulation analysis is inappropriate to evaluate the

existence or likelihood of Black-majority districts drawn in either a “race-neutral” or “race-conscious” setting. Ex. 3.

- Dr. Michael S. Martin, a professor of history at the University of Louisiana at Lafayette, who offered opinions about the political goals animating the creation of the Congressional district plan adopted by SB 8. Ex. 4.

(The other Defendants did not submit any expert reports.)

None of the expert reports submitted by the *Robinson* Intervenors addressed the expected performance of District 6 or any other Congressional district. That is, none of them offered any opinions about whether Black voters in that district will generally be able to elect their candidates of choice.

That issue, however, is the focus of the report by Dr. Ben Overholt purportedly in response to the reports by Mr. Fairfax and Dr. McCartan. Plaintiffs produced Dr. Overholt’s report by email shortly after 10 pm CT on April 1, 2024. Ex. 5.

Dr. Overholt purports to cast his report as responsive to the opinions of Mr. Fairfax and Dr. Voss by asserting that the design of the SB 8 plan “can be explained as an effort to maximize racial performance because it has superior performance to the other legislatively-considered maps” those experts considered. *Id.* at 2. But the focus of his report is on an entirely separate issue: *not* a comparison of whether SB 8 performs for Black voters better or worse than the other maps the Legislature considered, but instead whether SB 8 and the other maps perform for Black voters *at all*. Dr. Overholt’s report summarizes these opinions as follows:

I found that SB8, and the group of proposed alternative maps for Louisiana, *all fail to provide a second functioning majority-minority district*, and in the process, they weaken the previously existing majority-minority district. Although each plan includes a second district which is nominally majority black by voting age population (VAP), when turnout and voter preferences are considered, *these districts will generally fail to elect the candidate supported by most black voters*.

Id. (emphasis added). In particular, Dr. Overholt purports to show that both SB 8 and other maps with two majority-Black districts that he considered “would have failed to elect the candidates supported by most black voters in probative elections with black candidates at least 60% of the time.” *Id.* See also *id.* at 16 (“All of the redistricting plans I reviewed would fail to deliver on their promise of a second majority-minority US Congressional district in Louisiana.”). None of these opinions responds in any way to any opinion offered by the *Robinson* Intervenors’ experts.

ARGUMENT

Federal Rule of Civil Procedure 26(a)(2) governs the disclosure of affirmative and rebuttal expert opinions. The Rule requires an expert witness to produce a report which contains, among other things, “a complete statement of all opinions the witness will express and the basis and reasons for them” and “the facts or data considered by the witness in forming them.” Fed. R. Civ. P. 26(a)(2)(B). The Rule “is intended to provide opposing parties reasonable opportunity to prepare for effective cross examination and perhaps arrange for expert testimony from other witnesses.” *Reese v. Herbert*, 527 F.3d 1253, 1265 (11th Cir. 2008) (quotation omitted).

After the parties’ initial disclosures of proposed expert testimony, opposing parties may disclose rebuttal expert witnesses who will offer evidence “intended solely to contradict or rebut evidence on the same subject matter identified by another party.” Fed. R. Civ. P. 26(a)(2)(D)(ii); *La. Health Care Self Ins. Fund v. United States*, 2014 WL 3720526, at *1 (M.D. La. July 25, 2014). “The function of rebuttal is to explain, repel, counteract or disprove evidence of the adverse party.” *Garris v. Midea USA, Inc.*, Civ. No 10-1569, 2014 WL 12719497, at *1 (E.D. La. Mar. 6, 2014); see also *Peals v. Terre Haute Police Dep’t*, 535 F.3d 621, 630 (7th Cir. 2008) (same); *Marmo v. Tyson Fresh Meats, Inc.*, 457 F.3d 748, 759 (8th Cir. 2006) (same).

Thus, “[a] rebuttal expert report is not the proper place for presenting new arguments, unless presenting those arguments is substantially justified and causes no prejudice.” *STS*

Software Sys., Ltd. v. Witness Sys., Inc., No. 04-CV-2111, 2008 WL 660325, at *2 (N.D. Ga. Mar. 6, 2008) (cleaned up); *see also Cates v. Sears, Roebuck & Co.*, 928 F.2d 679, 685 (5th Cir. 1991) (affirming lower court’s exclusion of expert testimony because a rebuttal “is not to be used as a continuance of the case-in-chief.”); *Cage v. City of Chi.*, No. 09–C–3078, 2012 WL 5557410, at *2 (N.D. Ill. Nov. 14, 2012) (finding that a party cannot “offer testimony under the guise of ‘rebuttal’ only to provide additional support for his case in chief”); *Sil-Flo, Inc. v. SFHC, Inc.*, 917 F.2d 1507, 1515 (10th Cir. 1990) (where trial court properly excluded plaintiffs’ expert’s rebuttal testimony where the “proffered rebuttal testimony was really an attempt by Sil-Flo, Inc. to introduce or interpret exhibits more properly part of its case in chief”); *Larson v. Wis. Cent. Ltd.*, No. 10–C–446, 2012 WL 368379, at *4 (E.D. Wis. Feb.3, 2012) (finding rebuttal expert report “cannot be used to advance new arguments or new evidence to support plaintiff’s expert’s initial opinions”). As one court explained:

A party presents its arguments as to the issues for which it has the burden of proof in its initial expert report. And in its rebuttal expert report, it presents expert opinions refuting the arguments made by the opposing party in its initial expert report. The rebuttal expert report is no place for presenting new arguments, unless presenting those arguments is substantially justified and causes no prejudice.

Baldwin Graphics Sys., Inc. v. Siebert, Inc., No. 03-CV-7713, 2005 WL 1300763, at *2 (N.D. Ill. Feb. 22, 2005).

Under Rule 37(c)(1), if a party fails to comply with its obligations to timely disclose a witness, “the party is not allowed to use that . . . witness to supply evidence on a motion, at a hearing, or at a trial, unless the failure was substantially justified or is harmless.” Fed. R. Civ. P. 37(c)(1). “Rule 37(c)(1) is a self-executing sanction, and the motive or reason for the failure is irrelevant.” *Norden v. Samper*, 544 F. Supp. 2d 43, 49 (D.D.C. 2008). “The burden of establishing that a failure to disclose was substantially justified or harmless rests on the nondisclosing party.” *Mitchell v. Ford Motor Co.*, 318 Fed. App’x. 821, 824 (11th Cir. 2009).

“The overwhelming weight of authority is that preclusion is required and mandatory absent some unusual or extenuating circumstances—that is, a substantial justification.” *Blake v. Securitas Sec. Servs., Inc.*, 292 F.R.D. 15, 19 (D.D.C. 2013) (quoting *Elion v. Jackson*, No. 05–992, 2006 WL 2583694, at *1 (D.D.C. Sep. 8, 2006)) (cleaned up).

Under these standards, Dr. Overholt should not be permitted to testify about whether CD 6 in SB 8 or majority-Black districts in the other maps he analyzed allow the Black voters in those districts to elect the representatives of their choice. That testimony is not proper rebuttal and is untimely under the Court’s schedule as an initial expert report. As noted, none of the Plaintiffs’ experts addressed the performance of CD 6 or any other district under SB 8 or any other map, and it was not addressed in the reports of any of the *Robinson* Intervenors’ experts. Dr. Overholt’s opinions about that subject thus does not “contradict or rebut evidence on the same subject matter” identified by any other party. Fed. R. Civ. P. 26(a)(2)(D)(ii).

Plaintiffs cannot establish that their failure to disclose Dr. Overholt’s opinions together with their other opening expert reports was substantially justified. Plaintiffs commenced this action more than two months ago. They could and should have disclosed Dr. Overholt’s opinions in a report provided to the *Robinson* Intervenors on the date the Court established for the disclosure of their affirmative experts. As discussed above, nothing in the expert reports submitted by any other party included any analysis or opinions addressing whether the majority-Black districts in SB 8 or any alternative Congressional district map allowed the Black voters in those districts to elect the representatives of their choice. There can be no substantial justification (or any justification) for Plaintiffs’ strategic choice to hold back on their disclosure of Dr. Overholt’s opinions in violation of the Court-imposed deadline, and attempt by doing so to deprive the *Robinson* Intervenors (or Defendants) of an opportunity to respond.

Plaintiffs also cannot establish that permitting Dr. Overholt to testify would cause no prejudice. To the contrary, in this highly expedited proceeding, it would be gravely prejudicial to the *Robinson* Intervenors to have to analyze an expert report addressing entirely new issues that no other expert has previously addressed, produced only a week before trial, and to be deprived of the opportunity to proffer testimony by an opposing expert. Plaintiffs should not be permitted to sandbag the *Robinson* Intervenors in this fashion.

Dr. Overholt's opinions also should be excluded as irrelevant. Rule 702 requires expert testimony to be relevant. Fed. R. Civ. P. 702(a); *see also Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579, 591 (1993); ("Expert testimony which does not relate to any issue in the case is not relevant and, ergo, non-helpful." (citation omitted)).

As discussed in the *Robinson* Intervenors' Motion in Limine, Doc. 144, the Constitution does not require the State to show that using race as a factor in drawing a district was "actually necessary" to avoid a violation of the Voting Rights Act. *Bethune-Hill v. Va. State Bd. of Elections*, 580 U.S. 178, 194 (2017) (quotation omitted); *Ala. Legis. Black Caucus*, 575 U.S. at 278. Instead, the State must show only that it has a "strong basis in evidence" for finding that the threshold conditions for liability under the Act are satisfied and that it had "'good reasons' to draft a district in which race predominated over traditional redistricting criteria." *Ala. Legis. Black Caucus v. Alabama*, 231 F. Supp. 3d 1026, 1064 (M.D. Ala. 2017) (three-judge court) (quoting *Ala. Legis. Black Caucus*, 575 U.S. at 278). As the Supreme Court has emphasized, to tie the Legislature precisely to the details of a potential Voting Rights Act claim would "afford state legislatures too little breathing room, leaving them 'trapped between the competing hazards of liability' under the Voting Rights Act and the Equal Protection Clause." *Bethune-Hill*, 580 U.S. at 196 (quoting *Bush v. Vera*, 517 U.S. 952, 977 (1996)).

Here, Dr. Overholt’s analysis does not show that the State lacked “good reasons” or a “strong basis in evidence” to conclude that the enactment of a Congressional district plan was necessary to avoid violating the Voting Rights Act and that SB 8 appropriately remedied that violation. Plaintiffs have cited no evidence in the legislative record, and there is none, that the Legislature considered Dr. Overholt’s performance analysis, or any analysis comparing the performance of SB 8 to the performance of any alternative maps. Nor does it show that the Legislature had any evidence before it showing that SB 8 would not perform for Black voters in the enacted CD 6. Dr. Overholt’s opinions thus are entirely irrelevant to the issues presented by this case.

In the alternative, if the Court allows plaintiffs to present Dr. Overholt’s testimony, it should grant the *Robinson* Intervenors (and Defendants, if they wish to do so) leave to submit an expert report by no later than April 5, 2024 responding to Dr. Overholt’s testimony, and to present testimony at trial from the responsive expert. The *Robinson* Intervenors have engaged an expert on this issue and the expert is prepared to submit a responsive report by the end of this week. The Court should not permit Plaintiffs to present expert testimony while depriving the *Robinson* Intervenors of the opportunity to rebut that testimony.

CONCLUSION

For the foregoing reasons, the Court should (i) exclude any testimony by Dr. Overholt about whether CD 6 in SB 8, or majority-Black districts in any other congressional district map, perform for Black voters, or the extent to which Black voters in those districts can elect their representatives of choice; or (ii) grant the *Robinson* Intervenors leave to offer expert testimony about those issues, provided that they produce a rebuttal expert report no later than April 5, 2024.

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CERTIFICATE OF SERVICE

I, John Adcock, counsel for the *Robinson* Intervenors, hereby certify that on April 3, 2024, a copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system, and that service will be provided through the CM/ECF system.

By: /s/ John Adcock
John Adcock
Adcock Law LLC
3110 Canal Street
New Orleans, LA 70119
Tel: (504) 233-3125
jnadcock@gmail.com

Counsel for Robinson Intervenors

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,
BRUCE ODELL, ELIZABETH ERSOFF,
ALBERT CAISSIE, DANIEL WEIR,
JOYCE LACOUR, CANDY CARROLL
PEAVY, TANYA WHITNEY, MIKE
JOHNSON, GROVER JOSEPH REES,
ROLFE MCCOLLISTER,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity
as Secretary of State for Louisiana,

Defendant.

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

**DECLARATION OF JOHN ADCOCK IN SUPPORT OF ROBINSON INTERVENORS'
MOTION TO STRIKE IMPROPER REBUTTAL EXPERT TESTIMONY OF DR. BEN
OVERHOLT, OR IN THE ALTERNATIVE TO PERMIT INTERVENORS TO
PRESENT RESPONSIVE EXPERT TESTIMONY**

I, John Adcock, hereby declare as follows:

1. I am over 18 years of age and am competent to make this declaration.
2. I am an attorney in good standing with the Louisiana Bar and able to practice before the Western District of Louisiana.
3. I have personal knowledge of the statements made in this affidavit and each is true and correct.
4. I am an attorney with John Adcock Law LLC.
5. I am counsel for Amici Press Robinson, Edgar Cage, Dorothy Nairne, Edwin René Soulé, Alice Washington and Clee Earnest Lowe, Davante Lewis, Martha Davis, Ambrose Sims, Louisiana State Conference of the NAACP (“Louisiana NAACP”), Power Coalition for Equity and Justice (“Power Coalition”), in the above-captioned action and submit this declaration to provide the Court true and correct copies of certain documents submitted in support of the *Robinson* Intervenors’ Motion to Strike Improper Rebuttal Expert Testimony of Dr. Ben Overholt, or in the Alternative, to Permit Intervenors to Present Responsive Expert Testimony.

Exhibit 1 is a true and correct copy of a March 22, 2024 Email exchange among counsel for *Robinson* Intervenors and Plaintiffs.

Exhibit 2 is a true and correct copy of the March 27, 2024 Response Report of Anthony E. Fairfax to the Expert Reports of Michael Hefner, Dr. Jeffrey Sadow and Dr. Stephen Voss, submitted on behalf of *Robinson* Intervenors.

Exhibit 3 is a true and correct copy of the March 28, 2024 Rebuttal Expert Report of Cory McCartan, PhD, submitted on behalf of *Robinson* Intervenors.

Exhibit 4 is a true and correct copy of the March 27, 2024 Report on the Politics of the First 2024 Extraordinary Session of the Louisiana State Legislature by Dr. Michael S. Martin, submitted on behalf of *Robinson* Intervenors.

Exhibit 5 is a true and correct copy of the April 1, 2024 Expert Report of Ben Overholt on Behalf of Plaintiffs in Response to Reports of Anthony Fairfax and Cory McCartan.

Dated: April 3, 2024

Respectfully submitted,

By: /s/John Adcock

John Adcock

Adcock Law LLC

L.A. Bar No. 30372

3110 Canal Street

New Orleans, LA 70119

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jnadcock@gmail.com

Counsel for Robinson Intervenors

Exhibit 1

From: [Greim, Edward D.](#)
To: [Stuart Naifeh](#)
Subject: RE: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs
Date: Friday, March 22, 2024 4:15:03 PM
Attachments: [image001.png](#)

[Caution: EXTERNAL EMAIL]

Stuart, Friday is essentially out as a working day. The best we can do is Weds-Monday.

From: Stuart Naifeh <snaifeh@naacpldf.org>
Sent: Friday, March 22, 2024 3:04 PM
To: Greim, Edward D. <EDGreim@gravesgarrett.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Tyler, Jackson <jtyler@gravesgarrett.com>; Brennan Bowen <bbowen@HoltzmanVogel.com>; Phil Gordon <pgordon@HoltzmanVogel.com>; Jason Torchinsky <jtorchinsky@HoltzmanVogel.com>; Paul@paulhurdlawoffice.Com; Mueller, Matthew <mmueller@gravesgarrett.com>; Jones, Carey <JonesCar@ag.louisiana.gov>; Aguinaga, Ben <AguinagaJ@ag.louisiana.gov>; Brungard, Morgan <BrungardM@ag.louisiana.gov>; Graves, Katie <kgraves@gravesgarrett.com>; Badell, Rebekah <RBadell@gravesgarrett.com>; Kathryn Sadasivan <ksadasivan@naacpldf.org>; Sara Rohani <Srohani@naacpldf.org>; Victoria Wenger <vwenger@naacpldf.org>; Jonathan Hurwitz <jhurwitz@paulweiss.com>; John Adcock <jnadcock@gmail.com>; Amitav Chakraborty <achakraborty@paulweiss.com>; Adam Savitt <asavitt@paulweiss.com>; arielle McTootle <amctootle@paulweiss.com>; Sarah Brannon <sbrannon@aclu.org>; Megan Keenan <MKeenan@aclu.org>; Nora Ahmed <Nahmed@laaclu.org>; Alora Thomas-Lundborg <tthomaslundborg@law.harvard.edu>; D Hessel <dhessel@law.harvard.edu>
Cc: John Walsh <john@scwillp.com>; Phil Strach <phil.strach@nelsonmullins.com>; Tom Farr <tom.farr@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>
Subject: RE: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

Eddie, we can agree to Monday if you can give us until Thursday for our reports. Does that work?

From: Greim, Edward D. <EDGreim@gravesgarrett.com>
Sent: Friday, March 22, 2024 3:57 PM
To: Stuart Naifeh <snaifeh@naacpldf.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Tyler, Jackson <jtyler@gravesgarrett.com>; Brennan Bowen <bbowen@HoltzmanVogel.com>; Phil Gordon <pgordon@HoltzmanVogel.com>; Jason Torchinsky <jtorchinsky@HoltzmanVogel.com>; Paul@paulhurdlawoffice.Com; Mueller, Matthew <mmueller@gravesgarrett.com>; Jones, Carey <JonesCar@ag.louisiana.gov>; Aguinaga, Ben <AguinagaJ@ag.louisiana.gov>; Brungard, Morgan <BrungardM@ag.louisiana.gov>; Graves, Katie <kgraves@gravesgarrett.com>; Badell, Rebekah <RBadell@gravesgarrett.com>; Kathryn Sadasivan <ksadasivan@naacpldf.org>; Sara Rohani <Srohani@naacpldf.org>; Victoria Wenger <vwenger@naacpldf.org>; Jonathan Hurwitz <jhurwitz@paulweiss.com>; John Adcock <jnadcock@gmail.com>; Amitav Chakraborty <achakraborty@paulweiss.com>; Adam Savitt <asavitt@paulweiss.com>; arielle McTootle <amctootle@paulweiss.com>; Sarah Brannon <sbrannon@aclu.org>; Megan Keenan

<MKeenan@aclu.org>; Nora Ahmed <Nahmed@laaclu.org>; Alora Thomas-Lundborg <tthomaslundborg@law.harvard.edu>; D Hessel <dhessel@law.harvard.edu>
Cc: John Walsh <john@scwllp.com>; Phil Strach <phil.strach@nelsonmullins.com>; Tom Farr <tom.farr@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>
Subject: RE: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

[Caution: EXTERNAL EMAIL]

Stuart, we did not negotiate the trial schedule with anyone. The court set the trial schedule itself. Putting all of that aside, 48 hours is an insufficient time to get rebuttal reports to you. We can't agree to extend the Robinson deadlines without something more for our own rebuttal reports. I guess we can live with Monday, but that's the absolute best we can do. The court told all of us that it strongly disfavored Daubert motions, and to the extent a rebuttal report raises a problem, you will have an entire week to prepare the cross. Can we agree on Monday?

From: Stuart Naifeh <snaifeh@naacpldf.org>
Sent: Friday, March 22, 2024 2:51 PM
To: Greim, Edward D. <EDGreim@gravesgarrett.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Tyler, Jackson <jtyler@gravesgarrett.com>; Brennan Bowen <bbowen@HoltzmanVogel.com>; Phil Gordon <pgordon@HoltzmanVogel.com>; Jason Torchinsky <jtorchinsky@HoltzmanVogel.com>; Paul <Paul@paulhurdlawoffice.Com>; Mueller, Matthew <mmueller@gravesgarrett.com>; Jones, Carey <JonesCar@ag.louisiana.gov>; Aguinaga, Ben <AguinagaJ@ag.louisiana.gov>; Brungard, Morgan <BrungardM@ag.louisiana.gov>; Graves, Katie <kgraves@gravesgarrett.com>; Badell, Rebekah <RBadell@gravesgarrett.com>; Kathryn Sadasivan <ksadasivan@naacpldf.org>; Sara Rohani <Srohani@naacpldf.org>; Victoria Wenger <vwenger@naacpldf.org>; Jonathan Hurwitz <jhurwitz@paulweiss.com>; John Adcock <jnadcock@gmail.com>; Amitav Chakraborty <achakraborty@paulweiss.com>; Adam Savitt <asavitt@paulweiss.com>; arielle McTootle <amctootle@paulweiss.com>; Sarah Brannon <sbrannon@aclu.org>; Megan Keenan <MKeenan@aclu.org>; Nora Ahmed <Nahmed@laaclu.org>; Alora Thomas-Lundborg <tthomaslundborg@law.harvard.edu>; D Hessel <dhessel@law.harvard.edu>
Cc: John Walsh <john@scwllp.com>; Phil Strach <phil.strach@nelsonmullins.com>; Tom Farr <tom.farr@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>
Subject: RE: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

Eddie, I understand it's not a lot of time. That's almost entirely a function of the trial schedule, which we had no role in negotiating but are trying to work with. That schedule was negotiated between the plaintiffs and the Secretary, who is not putting on a defense of the map. And there is little overlap between expert opinion on what an appropriate remedy should be assuming the court has already ruled against SB8 and expert reports that address the racial predominance and strict scrutiny questions in the first instance. So we really can't agree to get you our reports by Tuesday. We all can always use more time, but the timeline is just too tight to go into next week.

On allowing the reports into evidence, I think we could agree that cross of experts could cover anything in the report and not just what comes out on direct to avoid the scenario you

raise.

From: Greim, Edward D. <EDGreim@gravesgarrett.com>

Sent: Friday, March 22, 2024 3:01 PM

To: Stuart Naifeh <snaifeh@naacpldf.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Tyler, Jackson <jtyler@gravesgarrett.com>; Brennan Bowen <bbowen@HoltzmanVogel.com>; Phil Gordon <pgordon@HoltzmanVogel.com>; Jason Torchinsky <jtorchinsky@HoltzmanVogel.com>; Paul@paulhurdlawoffice.Com; Mueller, Matthew <mmueller@gravesgarrett.com>; Jones, Carey <JonesCar@ag.louisiana.gov>; Aguinaga, Ben <AguinagaJ@ag.louisiana.gov>; Brungard, Morgan <BrungardM@ag.louisiana.gov>; Graves, Katie <kgraves@gravesgarrett.com>; Badell, Rebekah <RBadell@gravesgarrett.com>; Kathryn Sadasivan <ksadasivan@naacpldf.org>; Sara Rohani <Srohani@naacpldf.org>; Victoria Wenger <vwenger@naacpldf.org>; Jonathan Hurwitz <jhurwitz@paulweiss.com>; John Adcock <jnadcock@gmail.com>; Amitav Chakraborty <achakraborty@paulweiss.com>; Adam Savitt <asavitt@paulweiss.com>; arielle McTootle <amctootle@paulweiss.com>; Sarah Brannon <sbrannon@aclu.org>; Megan Keenan <MKeenan@aclu.org>; Nora Ahmed <Nahmed@laaclu.org>; Alora Thomas-Lundborg <tthomaslundborg@law.harvard.edu>; D Hessel <dhessel@law.harvard.edu>

Cc: John Walsh <john@scwillp.com>; Phil Strach <phil.strach@nelsonmullins.com>; Tom Farr <tom.farr@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>

Subject: RE: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

[Caution: EXTERNAL EMAIL]

Stuart, our problem is that 48 hours just isn't enough time to do anything substantial. We get the need for more time, but your clients have been analyzing this map since the end of January and you were already working on reports before being admitted on part 1 of the case. Wednesday for you turns out to be too late unless we can go past Friday. Alternatively, we can make Friday work if you can get us reports by Tuesday.

We'll think about agreement on expert reports themselves as evidence, but my initial reaction is that in this case that could be problematic given that there may be very limited time for cross. A short direct is all it would take to get in a lengthy report—there's no mechanism for scrutinizing it other than cross. Will think about that.

On our end for transcripts, Jackson Tyler will be the contact. Will look for your stip redlines.

From: Stuart Naifeh <snaifeh@naacpldf.org>

Sent: Friday, March 22, 2024 1:50 PM

To: Greim, Edward D. <EDGreim@gravesgarrett.com>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Tyler, Jackson <jtyler@gravesgarrett.com>; Brennan Bowen <bbowen@HoltzmanVogel.com>; Phil Gordon <pgordon@HoltzmanVogel.com>; Jason Torchinsky <jtorchinsky@HoltzmanVogel.com>; Paul@paulhurdlawoffice.Com; Mueller, Matthew <mmueller@gravesgarrett.com>; Jones, Carey <JonesCar@ag.louisiana.gov>; Aguinaga, Ben <AguinagaJ@ag.louisiana.gov>; Brungard, Morgan <BrungardM@ag.louisiana.gov>; Graves, Katie <kgraves@gravesgarrett.com>; Badell, Rebekah <RBadell@gravesgarrett.com>; Kathryn Sadasivan

<ksadasivan@naacpldf.org>; Sara Rohani <Srohani@naacpldf.org>; Victoria Wenger <vwenger@naacpldf.org>; Jonathan Hurwitz <jhurwitz@paulweiss.com>; John Adcock <jnadcock@gmail.com>; Amitav Chakraborty <achakraborty@paulweiss.com>; Adam Savitt <asavitt@paulweiss.com>; arielle McTootle <amctootle@paulweiss.com>; Sarah Brannon <sbrannon@aclu.org>; Megan Keenan <MKeenan@aclu.org>; Nora Ahmed <Nahmed@laaclu.org>; Alora Thomas-Lundborg <tthomaslundborg@law.harvard.edu>; D Hessel <dhessel@law.harvard.edu>

Cc: John Walsh <john@scwillp.com>; Phil Strach <phil.strach@nelsonmullins.com>; Tom Farr <tom.farr@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>

Subject: RE: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

Eddie,

We would prefer to keep the rebuttal report deadline on Friday, March 29, given the other deadlines in play. The primary issues are twofold:

First, although we have not discussed it, in the past we have agreed with the state that expert reports can come into evidence without hearsay objections if the expert testifies, to facilitate the court's understanding of the expert's testimony. That would mean including the reports in the bench-books, which would be very difficult to do if they are not served before 4/2.

Second, the court set 4/2 as the motion in limine deadline, and there could very well be material in the rebuttal reports that we would want to make part of a motion in limine.

I appreciate the desire not to have the reports due on Good Friday, but we can promise to make a good faith effort to get you our reports by COB Wednesday so you'd have two full days with them and be able to get us your rebuttals in time to enjoy Friday evening with family.

The rest of your schedule works for us, and I hope to be able to get back to you today on the stipulations.

Also, I believe you said you were planning to convene a smaller group to discuss the hearing transcripts. For the Robinson intervenors, please include myself, Victoria Wenger from LDF, and Adam Savitt from Paul Weiss.

Stuart C. Naifeh (he/him/él)
Manager of the Redistricting Project



40 Rector Street, 5th Floor, New York, NY 10006
o: [212.217.1669](tel:212.217.1669) | c: [917.574.5846](tel:917.574.5846) | snaifeh@naacpldf.org
naacpldf.org

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email in error, please notify the sender immediately and delete it from your system.

From: Greim, Edward D. <EDGreim@gravesgarrett.com>

Sent: Friday, March 22, 2024 1:53 PM

To: Stuart Naifeh <snaifeh@naacpldf.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Tyler, Jackson <jtyler@gravesgarrett.com>; Brennan Bowen <bbowen@HoltzmanVogel.com>; Phil Gordon <pgordon@HoltzmanVogel.com>; Jason Torchinsky <jtorchinsky@HoltzmanVogel.com>; Paul@paulhurdlawoffice.Com; Mueller, Matthew <mmueller@gravesgarrett.com>; Jones, Carey <JonesCar@ag.louisiana.gov>; Aguinaga, Ben <AguinagaJ@ag.louisiana.gov>; Brungard, Morgan <BrungardM@ag.louisiana.gov>; Graves, Katie <kgraves@gravesgarrett.com>; Badell, Rebekah <RBadell@gravesgarrett.com>; Kathryn Sadasivan <ksadasivan@naacpldf.org>; Sara Rohani <Srohani@naacpldf.org>; Victoria Wenger <vwenger@naacpldf.org>; Jonathan Hurwitz <jhurwitz@paulweiss.com>; John Adcock <jnadcock@gmail.com>; Amitav Chakraborty <achakraborty@paulweiss.com>; Adam Savitt <asavitt@paulweiss.com>; arielle McTootle <amctootle@paulweiss.com>; Sarah Brannon <sbrannon@aclu.org>; Megan Keenan <MKeenan@aclu.org>; Nora Ahmed <Nahmed@laaclu.org>; Alora Thomas-Lundborg <tthomaslundborg@law.harvard.edu>; D Hessel <dhessel@law.harvard.edu>

Cc: John Walsh <john@scwllp.com>; Phil Strach <phil.strach@nelsonmullins.com>; Tom Farr <tom.farr@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>

Subject: RE: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

[Caution: EXTERNAL EMAIL]

Everyone, based on our call today (which allows us to get the bench books out by noon on April 3), can we agree on the following revised timelines?

1. Uniform discovery response deadline will be Weds., March 27.
2. Robinsons will disclose expert reports, including any rebuttal to our reports, on Weds., March 27. The state defendants will disclose any rebuttal reports that same day.
3. We will have until Tues., April 2, for our own rebuttal reports.
4. Exchange exhibit/witness lists on Friday, March 29, at noon.

Please let us have your thoughts on the stipulations. In particular, we would like to formalize agreement on the transcripts and on the plaintiff-related stipulations.

Edward D. Greim

Office: (816) 256-3181 | **Direct:** (816) 256-4144



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Kansas City, MO 64105

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From: Greim, Edward D.

Sent: Thursday, March 21, 2024 9:55 PM

To: 'Stuart Naifeh' <snaifeh@naacpldf.org>; 'Alyssa Riggins' <alyssa.riggins@nelsonmullins.com>; Tyler, Jackson <tyler@gravesgarrett.com>; 'Brennan Bowen' <bbowen@HoltzmanVogel.com>; 'Phil Gordon' <pgordon@HoltzmanVogel.com>; 'Jason Torchinsky' <jtorchinsky@HoltzmanVogel.com>; 'Paul@paulhurdlawoffice.Com' <Paul@paulhurdlawoffice.Com>; Mueller, Matthew <mmueller@gravesgarrett.com>; 'Jones, Carey' <JonesCar@ag.louisiana.gov>; 'Aguinaga, Ben' <AguinagaJ@ag.louisiana.gov>; 'Brungard, Morgan' <BrungardM@ag.louisiana.gov>; Graves, Katie <kgraves@gravesgarrett.com>; Badell, Rebekah <RBadell@gravesgarrett.com>; 'Kathryn Sadasivan' <ksadasivan@naacpldf.org>; 'Sara Rohani' <Srohani@naacpldf.org>; 'Victoria Wenger' <vwenger@naacpldf.org>; 'Jonathan Hurwitz' <jhurwitz@paulweiss.com>; 'John Adcock' <jnadcock@gmail.com>; 'Amitav Chakraborty' <achakraborty@paulweiss.com>; 'Adam Savitt' <asavitt@paulweiss.com>; 'arielle McTootle' <amctootle@paulweiss.com>; 'Sarah Brannon' <sbrannon@aclu.org>; 'Megan Keenan' <MKeenan@aclu.org>; 'Nora Ahmed' <Nahmed@laaclu.org>; 'Alora Thomas-Lundborg' <tthomaslundborg@law.harvard.edu>; 'D Hessel' <dhessel@law.harvard.edu>

Cc: 'John Walsh' <john@scwllp.com>; 'Phil Strach' <phil.strach@nelsonmullins.com>; 'Tom Farr' <tom.farr@nelsonmullins.com>; 'Cassie Holt' <cassie.holt@nelsonmullins.com>

Subject: RE: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

Counsel, this email is to keep us moving forward on our discussion of earlier today. Feel free to reply to all with thoughts/responses.

- I. Pretrial disclosure deadlines
 - a. We propose a uniform discovery response deadline of Weds., March 27. All seem to agree, with a few exceptions:
 - i. The Robinsons would like a few more days, potentially, depending on the size of their document productions. We're ok with this if necessary.
 - ii. We'll be producing our plaintiff information tomorrow morning before our conference, even though you will also get on Weds. as part of rog responses.
 - b. We propose exchange of witness/exhibit lists on Friday, March 29, say by noon.
 - c. The Robinsons will disclose expert reports on Weds., March 27, which will include any rebuttal to our reports to be disclosed tomorrow. We will disclose rebuttal reports, if any, on Friday, March 29.

- d. We will all ask the court tomorrow about possibly moving back bench books by 2 days to Weds., April 3. If we get that, we could move some of the disclosures back a bit (although we are not likely to press our folks to work strenuously on Good Friday or Easter weekend).
- II. Stips and joint exhibits
 - a. We'll compare notes on our two sets of transcripts from legislative hearings, and come to some agreement on a joint set of transcripts.
 - b. We invite redlines/additions to the stips and joint exhibit list.
 - c. It is especially pressing for our team that we reach agreement on plaintiffs, as a failure there has the strongest chance of curtailing our trial time. The relevant info is going out tomorrow AM.
- III. Witnesses/order of trial
 - a. We propose that we'd first play relevant transcript sections (not all of them, but 20 minutes, perhaps, agreed by the parties). Then, we have at most 1-2 expert witnesses who would go before Hefner, who cannot go until Tuesday morning. He would address Shaw part 1, but also the defendants' anticipated effort to claim the map was reasonably required by the VRA.
 - b. We're ok with one (or maybe 2) of the Robinsons' experts testifying remotely. Perhaps that could happen in the window that may open up on Monday afternoon.
 - c. We may have a rebuttal witness to address the Robinsons' anticipated effort to claim the map was reasonably required by the VRA.
 - d. We may also have a fact witness to rebut any claims that the map was drawn for predominantly political, not racial, reasons. We understand that the Robinsons may bring 2-4 witnesses in this area. We respectfully suggest that those may be appropriate for Mon. afternoon.
 - e. Very, very tentatively, and reserving all rights given that we are in advance of our disclosure deadlines, the SOS and State may not call their own witnesses.
- IV. Opening/closing statements
 - a. No party had strong thoughts. Plaintiffs suggested that time might be at a premium on Tuesday, so brief opening statements may make more sense than closing arguments. If the time available were equal and we had to choose just one, the parties might prefer closing arguments to opening statements.

Eddie

From: Greim, Edward D.

Sent: Wednesday, March 20, 2024 11:30 PM

To: Stuart Naifeh <snaifeh@naacpldf.org>; Alyssa Riggins <alyssa.riggins@nelsonmullins.com>; Tyler, Jackson <jtyler@gravesgarrett.com>; Brennan Bowen <bbowen@HoltzmanVogel.com>; Phil Gordon <pgordon@HoltzmanVogel.com>; Jason Torchinsky <jtorchinsky@HoltzmanVogel.com>; Paul <Paul@paulhurdlawoffice.Com>; Mueller, Matthew <mmueller@gravesgarrett.com>; Jones, Carey <JonesCar@ag.louisiana.gov>; Aguinaga, Ben <AguinagaJ@ag.louisiana.gov>; Brungard, Morgan <BrungardM@ag.louisiana.gov>; Graves, Katie <kgraves@gravesgarrett.com>; Badell, Rebekah <RBadell@gravesgarrett.com>; Kathryn Sadasivan <ksadasivan@naacpldf.org>; Sara Rohani <Srohani@naacpldf.org>; Victoria Wenger <vwenger@naacpldf.org>; Jonathan Hurwitz

<jhurwitz@paulweiss.com>; John Adcock <jnadcock@gmail.com>; Amitav Chakraborty <achakraborty@paulweiss.com>; Adam Savitt <asavitt@paulweiss.com>; arielle McTootle <amctootle@paulweiss.com>; Sarah Brannon <sbrannon@aclu.org>; Megan Keenan <MKeenan@aclu.org>; Nora Ahmed <Nahmed@laaclu.org>; Alora Thomas-Lundborg <tthomaslundborg@law.harvard.edu>; D Hessel <dhessel@law.harvard.edu>
Cc: John Walsh <john@scwillp.com>; Phil Strach <phil.strach@nelsonmullins.com>; Tom Farr <tom.farr@nelsonmullins.com>; Cassie Holt <cassie.holt@nelsonmullins.com>
Subject: RE: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

Counsel:

It probably makes sense for us to confer on the order of trial, stipulations, logistics, etc., in advance of Friday's status conference. We have one witness, for example, who isn't available until Tuesday morning—something we raised a few weeks ago with the state defendants before the Robinson parties were admitted. Can each party have someone available at 2PM CT/ 3PM ET tomorrow? In addition to anything else others want to raise, the topics would be:

1. Stipulations
2. Joint exhibits
3. Witnesses/order of trial
4. Opening or closing statements

Eddie Greim

From: Stuart Naifeh <snaifeh@naacpldf.org>
Sent: Tuesday, March 19, 2024 6:28 PM
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Subject: Re: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

Plaintiffs' Counsel,

Yesterday, we received the email below from the Secretary's counsel attaching responses

to document requests you propounded. We never received a copy of the original requests. Under FRCP 5, you are required to serve all discovery documents on all parties, and the *Robinson* intervenors have been parties to this litigation since February 26, when the court first granted our motion to intervene in part. In addition, on March 7, we contacted you and asked to be provided with copies of all discovery requests and responses that had been served to date, and you responded that you would serve those documents on us when they were provided to other parties, leaving the misleading impression that no discovery had yet been conducted. Please immediately provide us with a copy of the discovery requests that were directed to the Secretary as well as any other discovery that has been exchanged, including any initial disclosures pursuant to FRCP 26(a).

Kind regards,

Stuart C. Naifeh (he/him/él)
Manager, Redistricting Project



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Subject: Callais v. Landry; Defendant's Objections and Responses to Plaintiffs' RFPDs

[Caution: EXTERNAL EMAIL]

Dear Counsel,

Please find attached Defendant Landry's Objections and Responses to Plaintiffs' Requests for Production of Documents.

Best,
Alyssa



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Exhibit 2

Response Report of Anthony E. Fairfax's
to the Expert Reports of Michael Hefner, Dr. Jeffrey Sadow and Dr. Stephen Voss
March 27, 2024

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I. Introduction

1. I was asked to respond to the expert reports which were prepared by the Callais plaintiffs' experts Michael Hefner, Stephen Voss, and Jeffrey Sadow and submitted on March 22, 2024, regarding their opinions on the enacted Louisiana Congressional Plan, SB8.

II. Qualifications

2. I received a Bachelor of Science degree in Electrical Engineering from Virginia Tech in 1982 and a Master of Geospatial Information Science and Technology degree from North Carolina State University in 2016.
3. Currently, I am a demographic and mapping consultant and the CEO/Principal Consultant of CensusChannel LLC. As a consultant working on redistricting issues over the last thirty years, I have developed nearly one thousand redistricting plans during the last four decennial redistricting cycles. I have drawn redistricting plans for jurisdictions of all sizes, from statewide plans to plans for small municipalities. In the course of my career, I have also had the opportunity to draw and analyze many plans for jurisdictions within multiple states throughout the country. In addition, during that timeframe, I have provided consulting services for numerous non-profit and public-sector groups centering on redistricting plan development, analysis, and training.
4. In 2023, I was hired by the plaintiffs in *Addoh-Kondi v. Jefferson County Commission*, No. 2:23-cv-00503 (N.D. Ala.). My involvement in that effort included an expert report and trial testimony.
5. In 2022, I was hired by the plaintiffs in the *Robinson v. Ardoin*, No. 22-cv-00211(M.D. La.). My involvement in that effort included an expert report, deposition, and trial testimony.

6. In 2021, I was hired by plaintiffs to develop an illustrative redistricting plan in *Arkansas State Conference NAACP v. Arkansas Board of Apportionment*, No. 4:21-cv-01239 (E.D. Ark.). My involvement in that effort included plan development, an expert report, a rebuttal report, and trial testimony.
7. Prior to this round of redistricting, I was hired by plaintiffs to develop illustrative redistricting plans, associated expert reports, depositions, and provide trial testimony in *Holloway v. City of Virginia Beach*, No. 2:18-cv-00069 (E.D. Va.).
8. In addition to the above-noted litigation in Arkansas, Louisiana, and Virginia, I have testified and provided depositions as a redistricting expert in Alabama, North Carolina and Texas. I provided testimony with a focus on demographic and mapping analysis in federal and state court cases. These included: *Covington v. North Carolina* (North Carolina), *NC NAACP v. State of North Carolina* (North Carolina), *Wright v. North Carolina* (North Carolina), *Alabama State Legislative Caucus v. Alabama* (Alabama), *Perez v. Perry* (Texas), and *Perez v. Abbott* (Texas). Finally, I have been qualified as an expert in all of the cases that I have testified in.
9. In 1999, I was hired by the city of Everett, Washington, to perform the duties of Districting Master. I was tasked with assisting the city's Redistricting Commission with developing its first districting plan. The city moved from a seven-member at-large voting system to a system with five single-member districts and two members elected at-large. As Districting Master, I shepherded the commission through the entire plan development process as they successfully developed the city's districting system.

10. My redistricting, geographic information system (“GIS”) experience, and detailed work as an expert are contained within my attached resume (See Appendix A). I am being compensated at a rate of \$180 per hour for my work on this case.

III. Software, Data, and Technical Process Utilized

11. The software utilized to analyze the Illustrative Plans, plans considered and/or adopted by the legislature and the plan proposed by the plaintiffs was Maptitude for Redistricting (“Maptitude”) by Caliper Corporation. Maptitude for Redistricting is one of the leading redistricting software applications utilized by consultants, major nonprofit groups, and governmental entities.¹ The software includes Census 2020 data (“PL94-171”) for the state of Louisiana that was utilized during the map-drawing process.

12. ESRI’s ArcGIS’s ArcMap application was used to generate statewide and district maps for the HB1, SB8, Hefner Illustrative Plan 1, Illustrative 2023 Plan 2, A3 (HB12)², and Marcelle-Price plans included in this report. ESRI, the creator of the “shapefile,” is one of the leading GIS corporations in the world.

13. Several datasets were acquired and utilized:

- a. The 2020 census data for the total population was obtained from Caliper Corporation’s datasets for the state of Louisiana.³ The Caliper data also included 2020 census parish, municipality, (census place), and MSA boundaries.
- b. The geographic boundaries for each congressional district plan were obtained from the Louisiana state legislature’s redistricting website.⁴

¹ See <https://www.caliper.com/mtrnews/clients.htm> for Maptitude for Redistricting’s client list.

² The A3 Plan was proposed as NAACPLDF Coalition CD Plan A3. See https://redist.legis.la.gov/default_PlanSubmissions This plan was similar to a plan introduced as HB12. See <https://redist.legis.la.gov/HouseSenateBlockEquiv>

³ Caliper Corporation provides 2020 Census Data (PL94-171 data) in a format readable for their software, Maptitude for Redistricting. The population data are identical to the data provided by the Census Bureau.

⁴ <https://redist.legis.la.gov/default>.

- c. U.S. Census Bureau’s 2021 5-Year American Community Survey (ACS) socioeconomic data were downloaded from the census.gov website. 2021 5-Year ACS Citizen Voting Age Population (CVAP) data were downloaded from the redistrictingdatahub.org website and disaggregated down to the block level using Maptitude for Redistricting software.

14. I also obtained the Robinson Intervenors’ individual addresses from the Intervenors’ counsel, which I geocoded⁵ using Maptitude for Redistricting.

15. I also received data from the counsel for the Callais plaintiffs including Mr. Hefner’s Illustrative Plan 1, 1994 congressional district plan shapefile, SB8 Plan shapefile, census block data shapefile, and the 2024 precincts shapefile.

IV. Introduction

16. The central purpose of this report is to respond to the expert reports of Michael Hefner, Stephen Voss, and Jeffrey Sadow that analyzed the plan enacted by the Louisiana Legislature, SB8. Although a significant focus of my report is responding to Mr. Hefner’s report, I have also put forth comments and opinions on the reports of Stephen Voss and Jeffrey Sadow as well.

V. Summary of Opinions

17. Below is a summary of my conclusions and opinions:

- a. Mr. Hefner’s analysis in his report is incomplete and, in my opinion, misleading.
 - i. Specifically, his parish split analysis includes a number for HB1’s splits that is lower than the actual number that I and another Callais expert determined. Also, his municipality analysis uses split municipality “parts,” rather than the conventional total number of split municipalities.
 - ii. Mr. Hefner’s compactness analysis is limited because it uses only one compactness measure which provides an incomplete picture of a district or plan’s compactness.
 - iii. Mr. Hefner’s socioeconomic analysis of education provides an incomplete picture by using the attribute field that shows “only” the number of persons with a high school

⁵ Geocoding converts a list of addresses to geographic coordinates in digital format.

degree and does not count those with some college or college degrees, who also have high school degrees. And Mr. Hefner's analysis of Gross Domestic Product of Agricultural Products uses parishes as the geographic level of analysis, which are too large to allow for analysis of industry at the sub-parish level, which could otherwise justify parish splits, specifically with large cities.

- iv. Mr. Hefner's analysis of the plans includes the criterion of preserving "district cores." However, district cores are not included in the redistricting criteria for congressional districts established by the state legislature in Joint Rule 21. Also, the Supreme Court in *Milligan v. Allen* found that the retention of district cores is entitled to essentially no weight under the Voting Rights Act Section 2 inquiry because to do so would "immunize from challenge a new racially discriminatory redistricting plan simply by claiming that it resembled an old racially discriminatory plan."⁶
- b. Dr. Voss's analysis is similarly limited and of little relevance.⁷
 - i. Dr. Voss' analyzes splits of Metropolitan Statistical Areas (MSAs) which are usually large, populated areas that range in Louisiana from 133,157 persons in the Hammond MSA to 1,271,845 in the New Orleans-Metairie MSA. MSAs can be used as a proxy for communities of interest, but it can be difficult to avoid splitting these areas due to their large size. Indeed, Dr. Voss does not acknowledge that two of Louisiana's MSAs can contain populations that are greater than the total ideal population size for Louisiana's congressional districts.
 - ii. Dr. Voss's compactness analysis includes a rarely used and highly subjective measure known as "Know It When You See It," or KIWYSI. This is not a standard compactness measure. In this instance he should have used a more standard compactness measure. He also does not perform a district-by-district analysis when comparing the SB8 plan to prior redistricting plans enacted by the state of Louisiana.
 - iii. Dr. Voss purports to include an analysis of SB8 for contiguity when the SB8 Plan is clearly contiguous. The issues he alleges pertain to compactness and not contiguity. In addition, these alleged issues are contained within previously enacted plans.
 - c. Dr. Sadow's analysis is also of little relevance.
 - i. Dr. Sadow's analysis on education does not include any data on education attainment for the population residing within CD 6 of the SB8 Plan. Instead, he focuses mostly on student enrollment of various racial groups and their location. As a result, he presents an incomplete picture of the educational ties and relationships that may be present in CD 6.

⁶ See *Milligan v. Allen*.

⁷ I do not address Dr. Voss's simulations discussion, which I understand is the subject of a separate expert report by another of Intervenor's experts.

- ii. Dr. Sadow includes maps and analyses on Agriculture Center and Public Health Regions. However, similar to MSAs, these regions are tremendously large and are of little utility in developing congressional districts in Louisiana. A smaller geographic level is required to analyze congressional district configurations.

18. Taken together, Mr. Hefner's, Dr. Voss's, and Dr. Sadow's analyses of the SB8 Plan do not establish that race was the predominant factor in the creation of SB8. Mr. Hefner did not consider additional factors that could have contributed to the configuration of the plan. Dr. Voss's analysis of split parishes, MSAs, and compactness does not show that race was the predominant factor in creating SB8. Dr. Sadow's education and regional agriculture and public health analysis do not show that race was a predominant factor in the creation of SB8. Finally, when considering the circumstances in which SB8 was enacted as well as other plans considered by the legislature that also created two majority-Black districts, I do not believe that the conclusion that race predominated in the creation of SB8 is supported by the analysis performed by these experts.

VI. Methodology

19. Data were acquired for the HB1, SB8, Hefner Illustrative Plan 1, the Marcelle-Price plan, and the 1994 plans. Once I recreated the plans, I performed an analysis and compared the plans. I analyzed the result of the plan comparison and drew my opinions and conclusions on the reports from Mr. Hefner, Dr. Voss, and Dr. Sadow's and whether the SB8 Plan follows traditional redistricting criteria and whether any departures from traditional redistricting criteria can be attributed only to racial predominance.

20. Specifically, I analyzed the criteria that the expert reports address including: 1) minimizing political subdivision splits of parishes and municipalities,⁸ 2) adhering to district cores, and 3) crafting reasonably compact districts. I also reviewed the thematic maps that were presented in each of the expert's reports along with their respective data tables.

21. Finally, after analyzing the plans, I generated a final report from Maptitude maps and data tables and summarized the plans' performance on a set of traditional redistricting criteria and provided relevant conclusions. These reports and conclusions are discussed below.

VII. Communities of Interest

22. Mr. Hefner and Dr. Voss analyzed parish and municipality splits as evidence of the traditional redistricting criteria of preserving Communities of Interest (COIs). Although parish and municipality splits are more commonly viewed as evidence of the traditional redistricting criteria of preservation of political subdivisions, I will include them in the COI criteria to match Mr. Hefner and Dr. Voss's reports.

Split Parishes

23. Mr. Hefner states that "The number of split parishes [in HB1] was less than SB8, with thirteen (13) parishes split into thirty (30) parts."⁹ Thus, Mr. Hefner's analysis states that the HB1 Plan splits 13 parishes. However, after downloading and importing the HB1 221ES shapefile from the Louisiana legislature's redistricting website¹⁰ and generating the Maptitude political

⁸ In regard to municipalities, I was unable to determine which geographic dataset Mr. Hefner is using to analyze municipality splits. It appears that he is using the U.S. Census Bureau Census Place boundaries. Census Places include cities, towns, villages, and Census Designated Places (CDPs). CDPs that are created by the U.S. Census Bureau, however, are usually created from locally defined geographic areas. CDPs are generated for statistical purposes and follow census geography. They usually represent a well-known area locally but are not incorporated and do not have a governmental body, and thus are not considered municipalities. That said, since the numbers associated with municipalities in Mr. Hefner's report appear to match the total for census places. Thus, I used census places in my analysis as municipalities.

⁹ Hefner's March 22, 2024, Expert Report, Page 10

¹⁰ https://redist.legis.la.gov/2023_07/2023CONGRESSACT5

subdivision split report, 15 parish¹¹ splits are indicated (See Appendix C). Also, since Mr. Hefner does not provide population or demographic data in his report or geographic data for the HB1 Plan, I could not verify whether his importation and recreation of those plan were accurate. Further supporting my conclusion that Mr. Hefner's number of parish splits is incorrect, the number of splits for the HB1 Plan (2022 Enacted) included in Table 4 of Dr. Stephen Voss expert report is the same as the results of my analysis, 15.¹²

24. In addition, Mr. Hefner's report does not include any maps that depict the HB1 plan with the parish boundaries. Thus, I could not visually count the parish splits in the Hefner Illustrative 1 plan. That said, once I imported and reproduced the HB1 and SB8 plans, I verified the total population for each plan within my system. I was also able to recreate Mr. Hefner's Illustrative Plan 1. Using the shapefile provided by counsel of the plaintiffs, Mr. Hefner's Illustrative Plan 1 had ten parish splits instead of nine, due to a zero populated area (meaning that there was no population—or zero affected persons—contained within that parish split). I assumed that this was an erroneously allocated census block in Mr. Hefner's data file.

25. Comparing the parish splits of the HB1 and SB8 plans district by district yields similar results. Four districts (CD 1, 3, 4, and 5) in the HB1 Plan have fewer splits than SB 8, while two districts (CD 2 and 6) have fewer parish splits in the SB8 plan (See Table 1). Also, the largest number of parish splits for a congressional district in the HB1 Plan is 11, while for the SB8 plan splits 6, a much smaller amount. Thus, all of the SB8 districts split fewer parishes than the largest CD parish split in the HB1 Plan. In other words, although SB 8 splits one more parish overall than HB1, those splits are spread more evenly across the districts in the SB8 Plan.

¹¹ Using 2020 Census Data geography via Caliper Corp.

¹² Voss's March 22, 2024, Expert Report, Page 15

Table 1 - Parish Splits for the HB1 & SB8 Plans

	HB1	SB8
Total Parish Splits	15	16
CD 1 Parish Splits	5	6
CD 2 Parish Splits	9	6
CD 3 Parish Splits	2	3
CD 4 Parish Splits	1	5
CD 5 Parish Splits	2	6
CD6 Parish Splits	11	6
Largest CD Parish Split	11	6

Source: U.S. Census Bureau Census County level using Mapitude Reports

26. Dr. Voss includes Table 4 in his report, which presents the number of split parishes contained within several enacted and proposed plans. Dr. Voss shows the number of parishes split, the number of parishes split including more than one time, and the percentage of the state’s population contained within the split parishes. He also includes two additional ratios that are not commonly used by mapdrawers in analyzing split parishes, what he calls “County-District Splitting” and “District-County Splitting.” Dr. Voss provides no explanation of his calculation or software application that he used to determine these ratios.

27. Reviewing the number of split parishes is a useful and standard metric to determine the division of large communities or political subdivisions. However, Dr. Voss and Mr. Hefner’s reports also purport to analyze the population and percentage affected by parish splits. This analysis should be viewed with some context. When a parish is split, both Dr. Voss and Mr. Hefner include the total parish population in the affected total split population amount.¹³ Even a split that adds only a small amount of a parish’s population to a neighboring district—perhaps for population

¹³ Dr. Voss includes a “Population % Affected” column while Mr. Hefner “Total Split/Population” row.

balance purposes— leads to the entire parish population being counted as an affected total population in both Dr. Voss and Mr. Hefner’s reports. This analysis is misleading, particularly when a parish split occurs in the more populous parishes. For example, using this analysis, a plan that splits a small number of large parishes may appear to affect more people than a plan that splits a large number of small parishes. In my opinion, the more traditional method of analyzing splits is to look at the number of geographic units that are split (in this case, parishes), rather than what Dr. Voss and Mr. Hefner call the affected population. This traditional analysis better comports with how the traditional redistricting principle of keeping political subdivisions whole is implemented by policy makers and understood by demographers. It is also how parish and municipal splits are treated in Joint Rule 21, which does not require minimizing the population “affected” by parish and municipal splits, but rather minimizing the number of parish and municipalities that are split between districts.

Split Municipalities

28. Mr. Hefner states “The primary focus on creating the second majority minority district cast aside considerations of maintaining intact as many municipalities as possible.”¹⁴ Before discussing this statement, I will first address another error and omission in Mr. Hefner’s report.

29. Mr. Hefner, in his report’s Table 3, deviates from how he treated parishes in Table 2. Instead of including the number of split municipalities in his table, he lists a row that includes the number of whole municipalities. Table 2 in Mr. Hefner’s report includes both the number of split parish “parts” and the number of split parishes. However, Table 3 in his report replaces what should be the total number of municipality splits with the number of whole municipalities. Mr. Hefner

¹⁴ Hefner’s March 22, 2024, Expert Report, Page 15

selectively excludes this metric in his Table 3 analyzing each plans political subdivision splits of municipalities.

30. Thus, the only number showing split municipalities (located in the grayed Total Split/Pop row) counts each split made by the intersecting districts or the number of split municipality “parts.” For example, if there is only one municipality split in the entire state, Hefner’s Table 3 would reflect two split municipality parts. The ultimate effect is that the number of splits reflected in Mr. Hefner’s table is higher than the actual number of split municipalities. In most cases (i.e., where municipalities are split across two districts) the number doubles, but where municipalities are split among three or more districts, the number will be higher than double.

31. Evidence that the “Total Split/Pop” row includes split municipality parts is shown when the number of whole municipalities are added to the split municipalities for each of the plans. The sum of the two is greater than the total number of municipalities in the state, which is 488. This is additional validation that the number of split municipalities Mr. Hefner reports is overstated and, in some cases, misleading.¹⁵

32. In addition to the issues described in Table 3 of his report, Mr. Hefner incorrectly states that “The SB8 enacted plan split eighty-three (83) municipalities with 447 remaining whole. The number of persons represented by the splits was 1,555,612. The prior enacted HB1 plan split sixty-four (64) municipalities while keeping 459 intact. This was nineteen (19) fewer splits than SB8 and twelve (12) more whole municipalities.”¹⁶

¹⁵ The number of whole municipalities in Hefner’s report is also in question. For example, the Maptitude report lists 462 municipalities that are not split instead of 459 in the Hefner report.

¹⁶ Hefner’s March 22, 2024, Expert Report, Page 15

33. In fact, the SB8 Plan splits only 42 municipalities (census places) and HB1 splits 32 municipalities (See Appendix C). Thus, the difference is 10 splits. The actual splits are approximately half the amount stated in his report for HB1 and almost half of what he states for SB8.¹⁷ This same flawed methodology was also used with analysis of his illustrative plan, which was 27 and not 54.

34. Comparing the HB1 and SB8 plans on municipality splits district by district yields a similar number of splits (See Table 2). Three districts (CD 3, 4, and 5) in the HB1 Plan have fewer splits than SB8, while two districts (CD 2 and 6) have fewer splits in the SB8 plan. One District (CD 1) has the same number of splits. Once again, even though the total number of split municipalities is greater in SB8, the splits are distributed more evenly across the districts.

Table 2 - Municipality Splits for the HB1 & SB8 Plans

	HB1	SB8
Total Municipality Splits	32	42
CD 1 Municipality Splits	14	14
CD 2 Municipality Splits	19	13
CD 3 Municipality Splits	5	15
CD 4 Municipality Splits	4	15
CD 5 Municipality Splits	3	12
CD6 Municipality Splits	19	15
Largest CD Municipality Split	19	15

Source: U.S. Census Bureau Census Places using Maptitude Reports

¹⁷ Mr. Hefner’s report states 83 municipality splits. My reports showed 84 municipality splits (See Appendix C).

Education, Economy, and Health

35. Mr. Hefner provides multiple thematic maps depicting the number of persons with a high school degree. However, there are several issues with the maps, with one map being a duplication of another.¹⁸ Mr. Hefner also states that he provides a map with “percentage of persons 25 years of age or older who have a high school diploma.”¹⁹ However, the map shows the “number” of persons and not the percentage of persons. This can be seen viewing the legend that presents numbers versus percentages.²⁰ Mapping the number of persons versus the percentage many times provides two different visual results.

36. Second, the education field that Mr. Hefner is mapping shows those persons who “only” have a high school degree. Although he states the map shows “percentage of persons 25 years of age or older who have a high school diploma,” it does not include those with some college or college degrees who also have high school degrees. A common convention used for displaying education is to show those persons with “at least” a high school degree or those having no high school degree. Instead, he shows that sliver of population with “only” a high school degree. This provides an incomplete and selective picture of educational attainment that may exist in the SB8 plan.

37. Finally, mapping education is only one of the socioeconomic aspects that could be used to define commonalities and communities of interests and thus shape a particular district. Later in my report I show how multiple overlapping common socioeconomic attributes could have been used to define the configuration of CD 6 of the SB8 Plan (See Section XIV) and should have

¹⁸ In Mr. Hefner’s report, Map 7 is a duplicate of Map 9

¹⁹ Hefner March 22, 2024, Expert Report, Page 16

²⁰ I also recreated Mr. Hefner’s map and was able to duplicate his map and results using numbers versus percentages.

been considered and excluded by any expert analyzing whether race was the predominant motivation behind the SB8 plan.

38. Mr. Hefner also includes a map (Map 10) on Gross Domestic Product of Agriculture Products for Louisiana by parish.²¹ He states, “The map shows that the central part of CD 6 is far more dependent upon agricultural activities than either Shreveport on one end or Baton Rouge on the other.”²² However, Mr. Hefner should have used a smaller geographic area such as a census tract or smaller. By using only parishes, he most likely is missing the segments of a parish that match Baton Rouge and Shreveport population centers that he referenced. Because he used parishes as the geographic level of analysis, there is no way to tell whether parts inside CD 6 match the areas inside those cities and surrounding metropolitan areas. Also, it is common to include urban areas with rural areas in congressional districts due to their large population size.
39. Dr. Sadow also includes a section on education. He states, “If there is a commonality, much less community of interest, shared on education within District Six, it can be expected that significant portions of the enrollment of each of the four schools would come from the parishes where the other schools are located.”²³ He goes into detail on educational institutions and student body makeup.
40. However, he does not include any data on the lack of education attainment or the high percentage of education attainment for the population residing within CD 6 of the SB8 Plan. Either lack or abundance of educational attainment would be a much more appropriate means of identifying similarity of educational interests than the enrollment of students.

²¹ Hefner March 22, 2024, Expert Report, Page 18

²² IBID

²³ Sadow March 22, 2024, Expert Report, Page 19

41. Dr. Sadow includes maps and analyses on Agriculture Center and Public Health Regions. His comments appear to be an attempt to show that CD 6 of SB8 does not align correctly with these regions. However, similar to Dr. Voss's analysis of MSAs, these regions are tremendously large and are not particularly useful for developing congressional districts in Louisiana.

Metropolitan Statistical Areas

42. Dr. Voss discusses communities of interest in the context of metropolitan statistical areas (MSAs). Table 5 of his report²⁴ reflects the splitting of MSAs by various proposed and enacted congressional plans. One of the first notable aspects is that his table includes at least two plans that include two majority-Black districts but contain a lower number of MSA splits than the SB 8 plan. Thus, Dr. Voss's own data proves that a plan with two majority Black districts can be developed without splitting more MSAs than the previously enacted plan, HB1. His conclusion that only race can explain the additional splits is therefore unsupported by his analysis.

43. Second, MSAs are usually large, populated areas. For, instance in Louisiana the nine MSAs range from 133,157 persons in Hammond MSA to 1,271,845 in New Orleans-Metairie MSA.²⁵ Two of Louisiana's MSAs are greater than the total ideal population size for Louisiana's congressional districts, and would have to be split in any congressional redistricting plan.²⁶ Consequently, it is not possible to develop a congressional redistricting plan that does not split MSAs.

44. In addition, although an MSA could be considered in the context of communities of interest, there may also be good reasons to split them, because an area the size of a MSA can contain

²⁴ Voss March 22, 2024, Expert Report, Page 17.

²⁵ Using 2020 Census Data.

²⁶ The ideal population size for Louisiana's congressional districts is 776,293 (rounded).

multiple communities with very different interests. These diverging interests in an MSA can result, for example, because of residential housing segregation in different parts of the MSA, different industries and employers that anchor different parts of the MSA, or differing exposure to environmental hazards in different parts of the MSA. In such circumstances, communities within the MSA may be better served by splitting them from the rest of the MSA and joining them with neighboring areas that may share one or more substantial interests.

45. Finally, there is a difference between including two or more “similar” communities within a district as COIs versus minimizing the splits of MSAs with no recognition of the reasons for those splits. In the end, Dr. Voss’s analysis of “Carving Up Communities of Interest,” with its focus on MSAs, is not particularly germane in the context of racial gerrymandering of congressional districts.

46. Also, included in Table 5 are two columns that include what Dr. Voss calls “effectiveness splits.” Dr. Voss does not provide an explanation or definition of these numbers included in the effective splits column. In my 30 years of experience, I have never seen an expert report that includes an analysis of “effectiveness splits” to analyze COIs or political subdivision splits in redistricting.²⁷ I am not aware of a way for a mapdrawer to take this into consideration while drawing a redistricting plan. I attempted to recreate the results of the ratios included in Dr. Voss’s table for effective splits and could not do so. This analysis is in my opinion irrelevant to assessing whether the SB 8 plan, or any other plan, complies with traditional districting principles.

²⁷ Certainly, there could exist research articles deploying the analysis of Dr. Voss’s “effective” ratio. However, in my experience, it is not a common practice to use in the split analysis of communities of interest or political subdivisions.

VIII. Preservation of District Cores

47. Mr. Hefner states on page 21 of his report, that “Traditional redistricting criteria call for minimizing the changes in the core districts that were previously in effect.” Considering district cores is not mentioned as a criterion relevant to congressional plans in the state’s Joint Rule 21, Louisiana’s redistricting guidelines for congressional redistricting plans.²⁸ It is therefore unclear why this factor is given weight by Mr. Hefner.²⁹ In addition, district cores were found not relevant to assessing an alternative redistricting plan in the recent *Allen v. Milligan* case. In fact, the Supreme Court found that the retention of district cores is entitled to essentially no weight when analyzing compliance with Section 2 of the Voting Rights Act, as Mr. Hefner claims to be doing, because to do so would “immunize from challenge a new racially discriminatory redistricting plan simply by claiming that it resembled an old racially discriminatory plan.”³⁰

48. In essence, when a plan is found to dilute minority voting, it may be difficult to maintain the existing district boundary configuration. In many cases, the creation of an additional majority Black district provides compelling rationale for deviating from the previous plan. Thus, analyzing and comparing district cores would not provide germane metric here.

IX. Compactness

49. Determining whether a new plan is reasonably or acceptably compact is usually determined by comparing the plan’s measures to prior enacted plans. Each jurisdiction, for the most part, possesses its own differences that impact compactness in local geography such as jurisdictional boundaries shapes, precincts or VTD shapes, and noncontiguous areas. Thus, there is usually no

²⁸ Adhering to “traditional district boundaries,” which may be understood as requiring preservation of district cores, is a consideration for drawing state legislative districts in Joint Rule 21, but it is excluded from the considerations applicable to congressional districts. *See* JRULE 21.

²⁹ https://redist.legis.la.gov/default_RedistCriteria

³⁰ *See Milligan v. Allen*.

standard universally accepted numerical compactness value. Consequently, prior enacted plans and their districts compactness measurements are frequently used to determine minimum acceptable values. Mr. Hefner's analysis does not determine whether the SB8 Plan reaches minimum acceptable compactness measures when viewed in light of what is acceptable and typical in Louisiana. Thus, Mr. Hefner's report does not provide analysis to show that the SB8 districts are not reasonably or acceptably compact.

50. Mr. Hefner states "To assist with compact analysis of a plan, there are several mathematical models that can be used. One of the most popular is the Polsby-Popper model. This model is most used to evaluate the compactness of a district but accounts for the degree to which a district has been gerrymandered."³¹ Mr. Hefner analyzes SB8's mean and district-by-district compactness using Polsby-Popper scores. In limiting his analysis to the Polsby-Popper metric, Mr. Hefner provides only one part of the geographic compactness picture. When comparing the compactness of two or more plans, more than one measure should be used, in particular, ones that measure different geographic aspects of the districts.

51. Polsby-Popper is considered a "perimeter"³² type compactness measure and is used to measure and detect differences in district perimeters. The measure is calculated by taking the area of the district and dividing into it the area of a circle with the same perimeter. Polsby-Popper penalizes jagged and squiggly line boundaries. For instance, the more jagged or squiggly the boundaries, the longer the perimeter and larger the calculated circle. The larger the calculated area of the circle, the lower the compactness value.

³¹ Hefner March 22, 2024, Expert Report, Page 19

³² Grofman, Bernard and Cervas, Jonathan, Recent Approaches to the Definition and Measurement of Compactness (September 7, 2021). <https://ssrn.com/abstract=3919249>

52. As a result, Polsby-Popper presents only part of the compactness analysis picture. In order to obtain a more complete picture, an “area”³³ or dispersion type compactness measure should also be compared. The leading and arguably most popular area type compactness measure is the Reock measurement. Reock takes the area of the district and divides into it the area of the smallest “circumscribe” circle that fits around the district. The circumscribe circle is the smallest circle that wholly contains the district. Reock penalizes elongated districts or finger type extensions that extend from the district. For instance, long extensions connected to a district increase the size of the circumscribed circle and thus the area of the circle. Once again, the larger the calculated area of the circumscribe circle the lower the compactness value.

53. Table 3 shows that SB8 is more compact than the HB1 in one district (CD 2) using Polsby-Popper, however, the plan is more compact for three districts (CD 1, 2, and 4) using Reock. Thus, using the Reock compactness measure, which was not included in Mr. Hefner’s analysis, shows that the HB1 and SB8 plans are similarly compact on a district-by-district basis using the Reock measure. Mr. Hefner’s exclusion of Reock and his focus only on Polsby-Popper is selective and misleading.

³³ IBID

Table 3 - Reock and Polsby Popper Measures for the HB1 & SB8

	HB1		SB8	
	R	PP	R	PP
CD 1	0.50	0.16	0.52	0.16
CD 2	0.18	0.06	0.23	0.11
CD 3	0.37	0.29	0.28	0.19
CD 4	0.33	0.16	0.37	0.08
CD 5	0.37	0.12	0.32	0.08
CD6	0.45	0.07	0.12	0.05
Mean	0.37	0.14	0.31	0.11
Min	0.18	0.06	0.12	0.05

Source: HB1 and SB8 Plans using Mapitude Compactness Reports

Note: R – Reock, PP – Polsby-Popper

54. Dr. Voss analyzes compactness using three measures Reock, Polsby-Popper, and KIWYSI.

KIWYSI stands for you Know It When You See It (KIWYSI).³⁴ The KIWYSI measure is included in the online Daves Redistricting application.³⁵ KIWYSI uses a statistical predictive model based upon surveys taken by judges, public officials, and others that have graded thousands of legislative and congressional districts. However, in my opinion, KIWYSI is not widely used by demographers and mapping experts as a compactness measure in comparison to redistricting plans. And because it is based not on a mathematical calculation, but on the subjective assessment of individuals, it is less reliable than the more traditional mathematical measures.

55. Dr. Voss’s compactness analysis also does not include a district-by-districts analysis. He also fails to compare the minimum compactness metric for each of the enacted plans. When

³⁴ <https://gking.harvard.edu/compact>

³⁵ Dr. Voss’s compactness metrics appear to come from Dave’s Redistricting application and are different than the industry standard for redistricting software, Mapitude for Redistricting. Which is the application that I use.

reviewing the plans that have been enacted by the state legislature previously, SB8's least compact districts are similarly compact to HB1 or the prior districts in place in 2020 (his 2020 Obsolete plan).

56. Finally, Dr. Voss includes in Table 7 of his report³⁶ several proposed plans that include two majority Black districts and are more compact than SB8. Thus, his table shows that the state legislature could have adopted a plan with two majority Black districts and that was more compact than SB8. Consequently, Dr. Voss's data demonstrates that—contrary to his conclusions—the lower compactness scores of the SB8 plan were *not* driven by the desire to create two majority Black districts and must have been driven by some other goal.

57. Dr. Sadow analyzes the 1994 congressional districts in his report. Dr. Sadow states, “On that account, it [the 1994 district] closely resembles the Fourth Congressional District of the 1994 remedial map, which led to judicial invalidation of that map as that district was formulated impermissibly using race.”³⁷ It is important to note that the 1994 Plan had a seven congressional district configuration while the 2020 Plan is configured with six districts. This can bias the comparison of compactness values. Specifically, in many cases, the higher number of districts in a plan yields smaller districts that can be configured in more compact districts overall. This provides an “apples to oranges” comparison when it comes to analyzing compactness for the 1994 and SB8 plans.

³⁶ Voss March 22, 2024, Expert Report, Page 18.

³⁷ Sadow March 22, 2024, Expert Report, Page 4.

X. Contiguity

58. Contiguity is one of the primary traditional redistricting criteria. Contiguity pertains to all areas of the districts connected to each other. The SB8 Plan is contiguous for all districts. However, Dr. Voss discusses contiguity using several maps in his reports. SB8 is contiguous and the map areas of the plan depicted in Dr. Voss's report, on page 13 and 14, present areas that are clearly contiguous. By focusing on areas where the district narrows, Dr. Voss is essentially discussing the compactness of the districts and not contiguity. Contiguity is either a yes or no measurement. Either the district is contiguous, or it is not. SB8 is contiguous. Dr. Voss's discussion of compactness under the heading of contiguity is misleading.

59. In addition, Dr. Voss points to configurations that have been contained within previously enacted plans. Figure 10 is a depiction of two contiguous parishes, West Feliciana and Concordia, connected to each other. The narrowness of the connection between them is the result of the parish boundaries and the fact that they and neighboring Pointe Coupee Parish are all kept whole. In addition, a review of previously enacted maps shows the same configuration of these three parishes. This can be seen viewing CD 1 of the recent HB1 Plan and CD 1 and CD 5 of the prior 2011 Plan. This demonstrates that thinly connected district areas are not without precedent. Thus, Dr. Voss's maps on page 13 and 14 of his report do not provide any examples of non-contiguity and offer no other basis for concluding that SB 8 violates traditional redistricting principles or represents a departure from past Louisiana redistricting practice.

XI. Hefner's Illustrative Plan 1

60. Mr. Hefner creates an illustrative plan to demonstrate an alternative congressional district configuration for the state. However, the plan fails to include two districts where Black voters are able to elect candidates of choice. He simply improves some of the criteria metrics over the

HB1 plan. It is important to note that at no time does Mr. Hefner state in his report that he attempted to develop a plan that contains two majority Black districts.

61. Instead of creating a second majority Black congressional district, Mr. Hefner's illustrative plan cracks the BVAP outside of CD 2 almost equally into three districts, CD 3, 4, and 5. Instead of creating a second majority Black district, each of these districts have between 32.3% and 34.2% BVAP.³⁸

XII. Distribution of Black Population

62. Mr. Hefner states, "The geographical dispersion of the State's African American population poses a problem. Once outside the New Orleans to Baton Rouge corridor, the number of concentrated African American voters are far fewer and become separated by significant distances."³⁹ Mr. Hefner's opinion in this regard ignores relevant data showing that the Black voting age population is widely distributed throughout Louisiana.

63. To attempt to establish the foundation of his allegations of race predominating, Mr. Hefner first shows a map meant to demonstrate that the Black voting age population exists in only few locations within the state of Louisiana (See Figure 1),

³⁸ Hefner February 5, 2024, Expert Report, Page 10

³⁹ Hefner March 22, 2024, Expert Report, Page 25

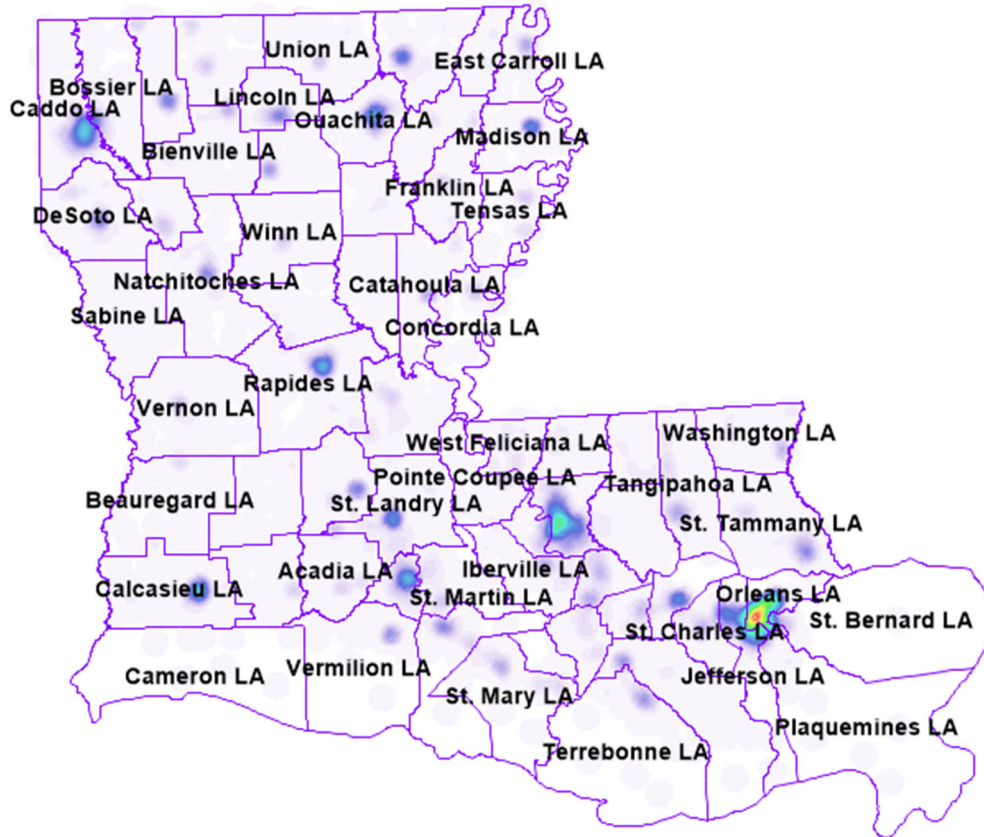


Figure 1 - Map 14 Heat Map of African American Voting Age Population (2020 Census)

64. The heat map on page 25 of his report, Map 14, as well as the dot density map, Map 16, once again reflects only a part of the picture of the disbursement of the Black population contained within the state. The image, which shows the density of the Black voting age population (BVAP), does not provide a complete picture. The map image appears to provide an illustration that the BVAP only exists in a few areas of the state.

65. However, Figure 2 provides another perspective of how the BVAP is dispersed within the state of Louisiana. Figure 2 shows the percentage of the BVAP for each parish in Louisiana. As Figure 2 shows, the BVAP is not restricted to only areas highlighted in Mr. Hefner's heat map.

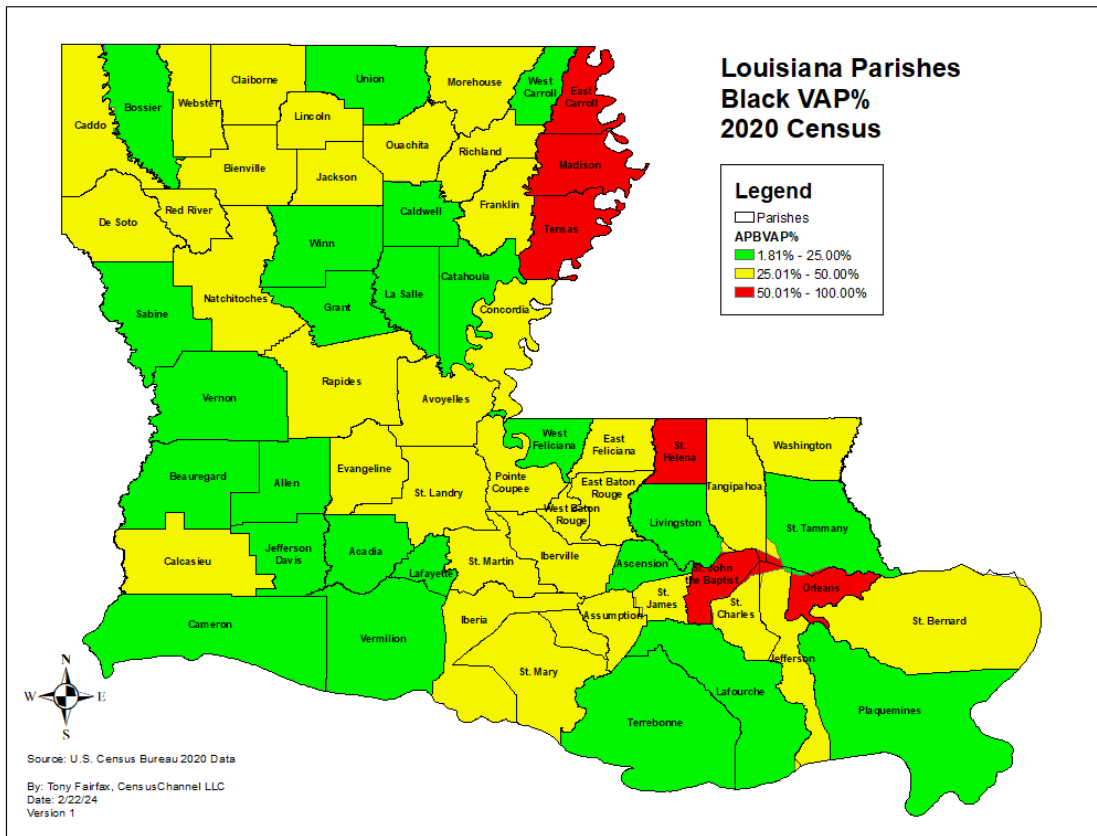


Figure 2 - Louisiana Black Voting Age Population % of Parishes

66. There is a significant amount of Black population scattered throughout the state. A majority of parishes, thirty-four (34), have a BVAP between 25% and 50% (shown in yellow). In addition, there is significant BVAP from the Delta region and moving southward. The significant BVAP throughout the state provides alternative options for the legislature to choose from other than the option selected in SB8. The implications of BVAP existing throughout the state further supports the notion that the legislature had other options for a second majority Black district and decided not to adopt those choices for reasons other than race.

XIII. Developing a Second Majority Black District

67. Mr. Hefner states, “The effect of drawing a plan specifically to create a second majority-minority district is evident.”⁴⁰ The effect that Mr. Hefner is referring to is an increased number of split parishes (and most likely municipalities) when a second majority Black district is created. The implication is that traditional redistricting criteria must be sacrificed in order to create a second majority Black district in the state of Louisiana.

68. This is certainly not the case. The previous analysis shows that the SB8 Plan performs similar to the HB1 Plan when comparing political subdivision splits and compactness, particularly when analyzed on a district-by-district basis. Furthermore, an alternative plan that contains a second majority Black district and was submitted to the district court in *Robinson v. Ardoin*⁴¹ as an illustrative plan performs better than the HB1 Plan using multiple redistricting criteria (See Figure 3, “Robinson 2023 Illustrative Plan 2”).

⁴⁰ Hefner’s March 22, 2024, Expert Report. Page 13

⁴¹ See *Robinson v Ardoin*.

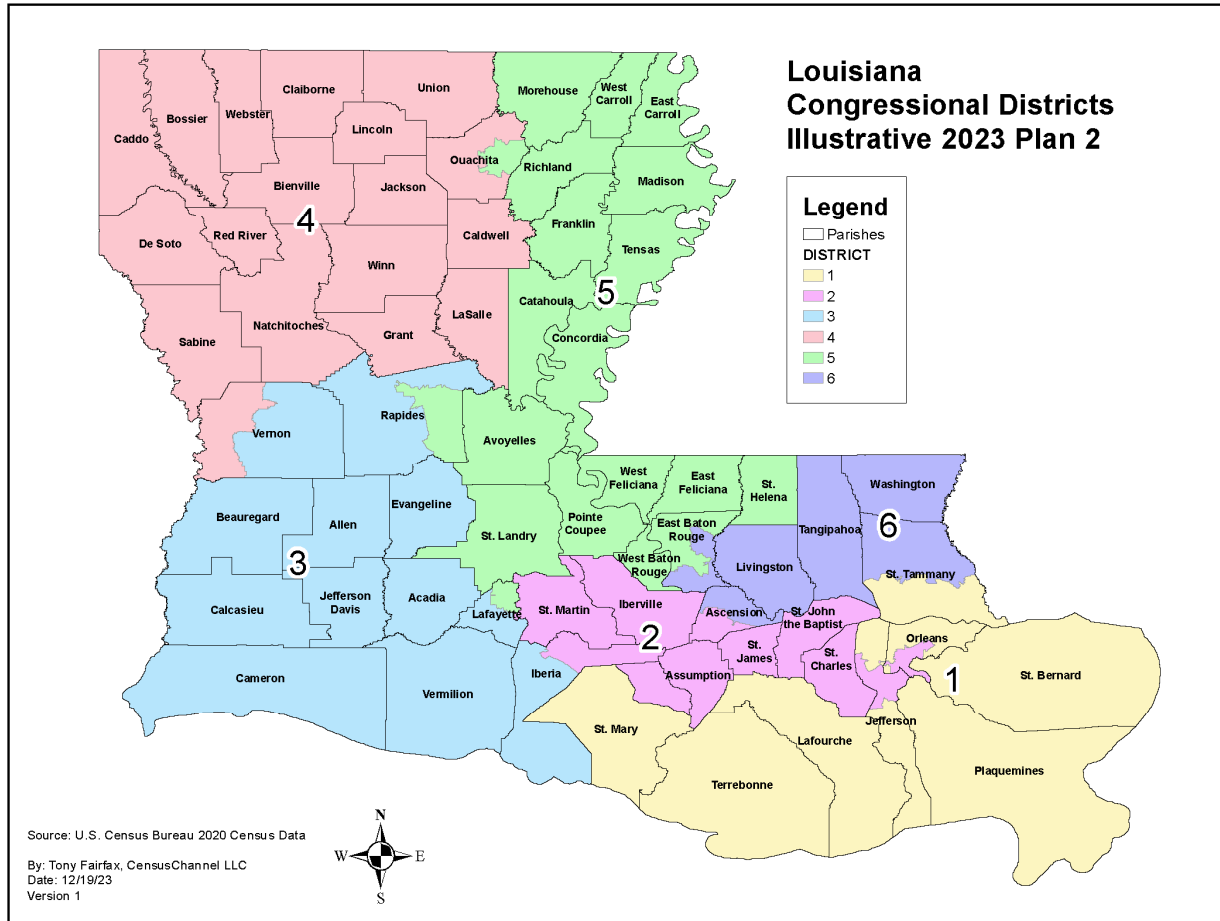


Figure 3 - Louisiana Congressional Districts of Robinson Illustrative 2023 Plan 2

69. The alternative plan, Robinson 2023 Illustrative Plan 2, splits only 10 parishes versus 15 of the HB1 Plan. Robinson 2023 Illustrative Plan 2 also splits only 26 municipalities (census places) versus 32 of the HB1 Plan.

70. The Robinson 2023 Illustrative Plan 2 is more compact than the HB1 Plan using the Reock and Polsby-Popper measures. The Illustrative 2023 Plan 2 mean values are 0.40 for Reock and 0.20 for Polsby-Popper, versus 0.37 and 0.14, for the HB1 Plan. When comparing the two plans using a district-by-district method, the Illustrative 2023 Plan 2 is more compact. Robinson 2023

Illustrative Plan 2 is more compact⁴² for two districts (CD 2 and 4) while the HB1 Plan is more compact in the one district (CD5). The two plans are equally compact in three districts (CD 1, 3, and 6). Finally, the Robinson 2023 Illustrative Plan 2’s majority Black districts are more compact than the districts in the HB1 Plan that have the lowest compactness measures.

71. Furthermore, an additional plan configuration, the A3 Plan, also exists by shifting CD 4 toward the Delta region and eliminating the necessity to wrap around CD 6 (See Figure 4). A similar plan to HB12 was submitted to the legislature. Once again, the A3 Plan is similarly compact as HB1.

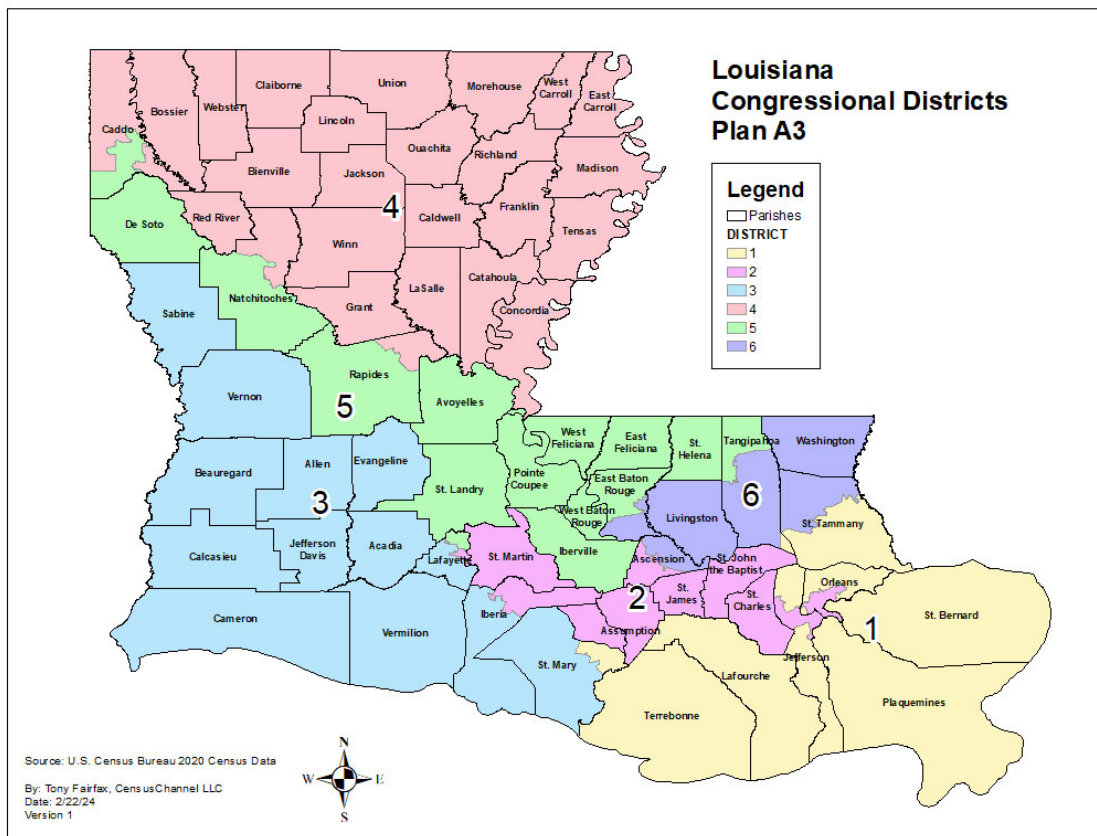


Figure 4 - Louisiana Congressional Districts of the A3 Plan

⁴² A district is considered more compact when both Reock and Polsby-Popper are more compact. The plans are equally compact when each plan is more compact in one of the measures.

72. The A3 Plan provides an example of how population could be added to CD 4 using the SB8 Plan as a baseline to eliminate the wrap-around configuration and create a more compact district. The configuration of the A3 Plan would have provided a more compact district and plan configuration while creating a second majority Black district in the Red River Region of the state. Plan would have paired incumbents Mike Johnson and Julia Letlow in CD4, however. Once again, the state legislature's choice of a different, less compact configuration than these alternatives seem to be for political considerations and not race predominating.

73. Another plan that was submitted in 2024 as a proposed option was the Marcelle-Price plan⁴³ (See Appendices B and C). Marcelle-Price was similar to Robinson 2023 Illustrative Plan 2 and also performed better than HB1 in regard to compactness (mean compactness using Reock and Polsby-Popper and for four out of six districts using Polsby-Popper), parish splits (11), and municipality splits (26).

XIV. Race as a Primary Consideration

74. Mr. Hefner and Dr. Voss provide several maps that focus on several regions that are part of CD 6. They overlay precincts that are thematically colored by "Any Part" Black%. Since both Mr. Hefner and Dr. Voss are articulating the same issues, I will address the statements and comments of Mr. Hefner.

⁴³ Since the Marcelle-Price plan's block equivalency file contained new 2024 census blocks, I downloaded the 2024 census blocks from the Louisiana Redistricting website recreate the plan. I then used the 2020 census parish and census place geographies to determine the splits.

75. Mr. Hefner states, “When examined more closely at the parish-level, it can be readily seen where CD 6 was carefully drafted to include as many majority-African American precincts as possible, while minimizing or excluding where possible, those with other racial groups.”⁴⁴

76. Mr. Hefner states, “the use of race as a primary, if not sole consideration in the drawing of a second majority minority district resulted in far fewer compact districts.”⁴⁵ Reviewing the compactness results of SB8, Robinson illustrative plan, and the A3 Plan shows that the creation of a second majority Black district can be achieved with similar or greater compactness than the HB1 Plan.

77. However, because Mr. Hefner’s analysis centers on race, he selectively provides some analysis on persons with high school degrees and maps depicting Louisiana’s Gross Domestic Product for Agricultural Products at the parish level. Mr. Hefner’s high school degree analysis provides only numbers of those who “only” have received high school degrees. Since the maps show the number of persons and not percentages, it is difficult to determine whether the persons with “only” high school degrees make up a large or small portion of the census tract displayed. Thus, this narrow analysis is not enough to conclude that race was predominant in the development of the plan.

78. The Gross Domestic Product for Agricultural Products map at the parish level does not provide the granular level of detail that is needed to analyze whether the area contained within the districts have some general commonality. Once again, this narrow analysis is not enough to conclude that race was predominant in the development of the plan.

⁴⁴ Hefner’s March 22, 2024, Expert Report. Page 27

⁴⁵ Hefner’s March 22, 2024, Expert Report. Page 37

79. Mr. Hefner, Dr. Voss, and Dr. Sadow do not analyze many other factors that could contribute to the configuration of the CD 6 in the SB8 plan. Some of these factors that could shape the configuration of CD6 include other socioeconomic aspects that are common throughout the district, following municipality boundaries, or the inclusion of certain relevant landmark assets.

80. The following is an example of how traditional redistricting criteria and other legitimate related decisions could explain the configuration of East Baton Rouge parish region of CD 6 of the SB8 Plan other than race. First, areas in common or communities of interest could generally explain the configuration of CD 6 in East Baton Rouge parish (See Figure 5).

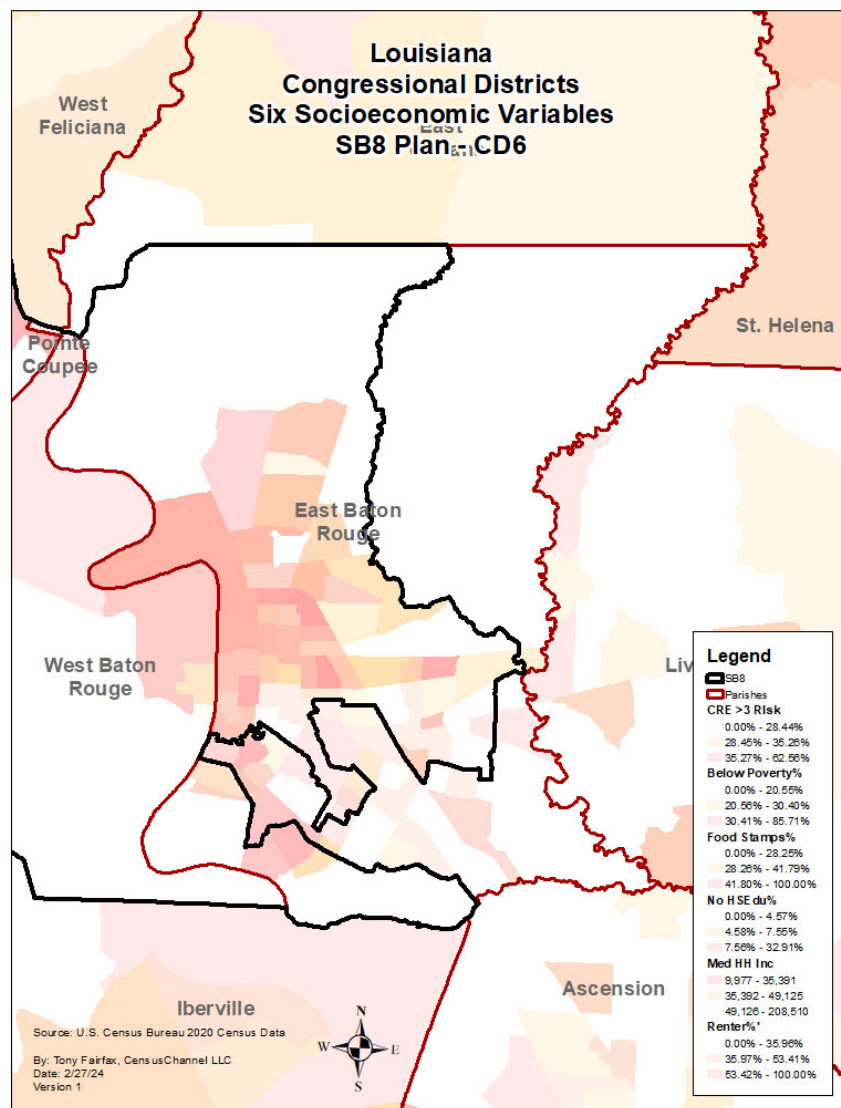


Figure 5 - CD 6 of SB8 Plan of East Baton Rouge Parish w/Six Socioeconomic Variables

81. Figure 5 provides a map that overlays the six socioeconomic variables in the East Baton Rouge Parish regions.⁴⁶ The map shown in Figure 5, clearly shows the variables tend to define a significant portion of the configuration of CD 6 within East Baton Rouge Parish. Except for a person with “only” high school degrees, each of the expert’s reports fail to consider these additional factors.

82. Second, the apparent carved out portion of CD 6 in northeast East Baton Rouge parish largely follows municipal boundaries (See Figure 6). When the census places are layered under the district boundaries for CD 6, the northeast portion of East Baton Rouge parish follows the boundaries of the city of Central.

⁴⁶ For the purpose of this report the six “socioeconomic” indicators or variables will include No High School Education, Median Household Income, Food Stamps %, Poverty %, and Renter % plus the >3 CRE Risk Factors. The colors reflect the top or bottom quintiles for each socioeconomic variable. Each of the following figures presents all six socioeconomic variables (at the census tract level) overlaid on top of each other. Each variable was made transparent to reveal the impact of all layers. The colors used to display the socioeconomic variables are the same in order to not bias or favor one variable over another. The boundaries of the parishes have been removed to allow for focusing on the thematic map areas only.

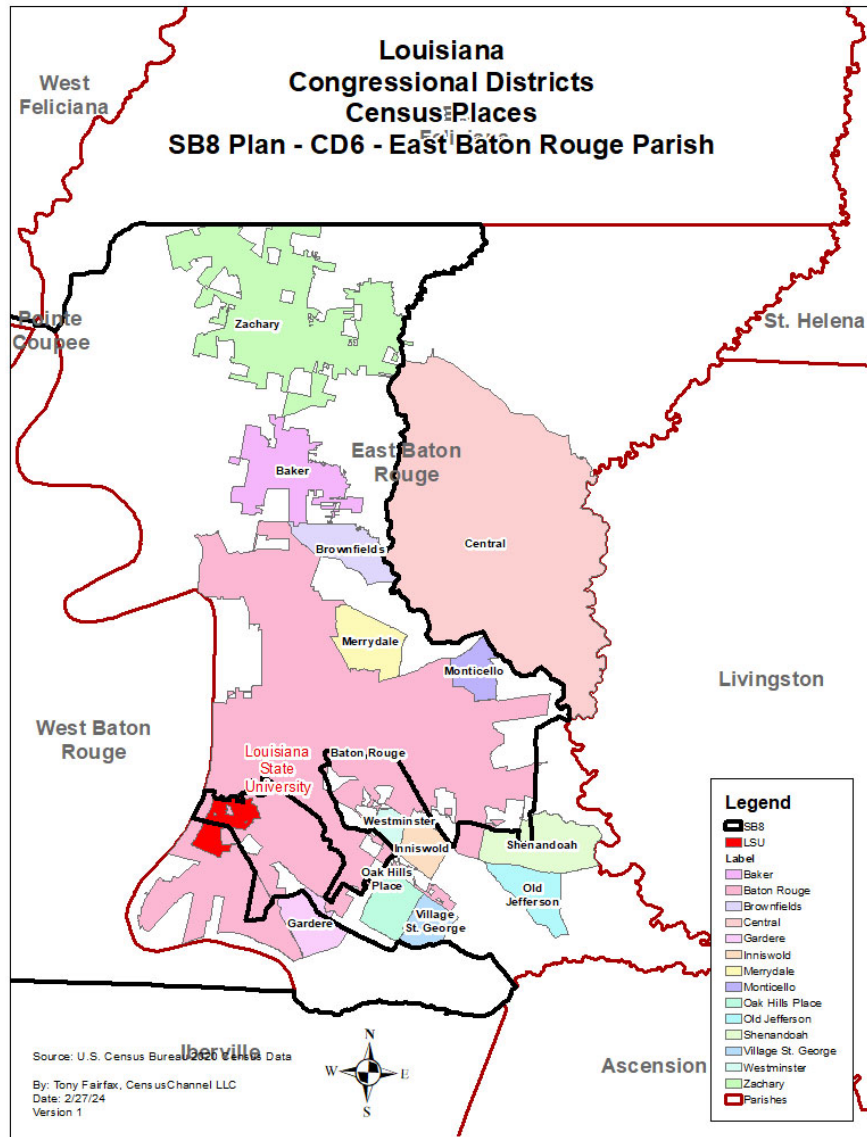


Figure 6 - CD 6 of SB8 Plan of East Baton Rouge Parish w/Census Places

83. Also, the northeast portion of CD 6 could be explained by the CDPs of Brownfields and Monticello and the city of Zachary. On the southern end it appears that adjacent district, CD 5, includes multiple census places. This includes placing the suburban communities of Inniswold, Oak Hills Place, Old Jefferson, Shanandoah, and Westminister together inside the district.

84. Third, the carved-out area in the south that extends to the border of West Baton Rouge, could be explained by an attempt to place the bulk of Louisiana State University (LSU) within CD 5. It is

common in redistricting plan development for the legislative body or the community to desire to place certain landmark areas or “assets” into a particular district. Figure 6 depicts the CD 5 boundaries extending into the city of Baton Rouge to pick up parts of LSU designated by the red area.

XV. Conclusions

85. First, it is not unreasonable that a majority Black district would have a significant amount of majority Black precincts or VTDs contained within the district. This alone is not a validation of race predominating in a redistricting plan. In fact, this is to be expected. Second, one of the deciding factors of whether race predominates is determining whether the district or plan performs poorly when comparing traditional redistricting criteria metrics.

86. Thus, the state legislature’s enacted HB1 plan establishes a level of baseline metrics of traditional redistricting criteria. Comparing the metrics of split parishes, split municipalities, and compactness, SB8 overall performs similarly to the enacted HB1 Plan. This is a central reason why it is unnecessary and irrelevant to compare the district at issue in the 1994 plan to CD 6 in SB8 – because it does not establish whether or not the district is acceptably compact when analyzing SB8’s compliance with the traditional districting principle of compactness.

Consequently, the creation of a second majority Black District did not diminish or significantly impact the formation of a plan with reasonable traditional redistricting criteria metrics. Finally, when considering other factors such as socioeconomic commonalities, the following of municipality boundaries and the inclusion or exclusion of major landmark areas, the SB8 Plan certainly could have been created without race predominating.

87. Mr. Hefner, Dr. Voss, and Dr. Sadow consider either one socioeconomic aspect or large geographic regions to determine that the configuration of CD 6 in SB8 does not align with the

aspects that they analyzed. However, when considering multiple legitimate aspects collectively, there are several explanations for the bulk of the configuration of CD 6 in East Baton Rouge Parish and elsewhere in the state that are not due to race. Mr. Hefner's, Dr. Voss, and Dr. Sadow reports fail to consider these possible explanations for the configuration of CD 6 in the SB8 Plan. Dr. Voss's analysis certainly establishes that there are multiple plan options that two majority-BVAP districts can be created in the state of Louisiana. However, none of the expert reports support the conclusion that race predominated in the development of SB8.

XVI. Appendices

88. The following appendices are included with this report:

- Appendix A - Resume of Anthony E. Fairfax
- Appendix B - Maps of the HB1, SB8, Illustrative 2023 Plan 2, Plan A3s, and Marcelle-Price Plans
- Appendix C - Traditional Redistricting Criteria Reports
- Appendix D - Other Maps

89. The findings and conclusions in this report are based upon information that has been made available to me or known by me to date. I reserve the right to modify, update, or supplement the report and analyses as additional information is made available to me.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information, and belief.

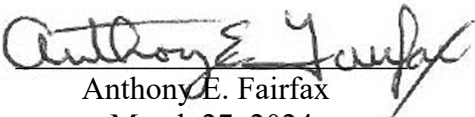

Anthony E. Fairfax
March 27, 2024

Exhibit 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

PHILLIP CALLAIS, *et al.*,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity
as Secretary of State for Louisiana,

Defendant.

Case No. 3:24-cv-00122-DCJ-CES-RRS

**REBUTTAL EXPERT REPORT
Cory McCartan, Ph.D.
March 28, 2024**

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REBUTTAL EXPERT REPORT

I. INTRODUCTION AND SCOPE OF WORK

1. My name is Cory McCartan, Ph.D., and I am a Faculty Fellow at the Center for Data Science at New York University. I specialize in the development and application of statistical methodology in the social sciences.

2. I have been retained by counsel representing the *Robinson* Intervenor-Defendants to examine a report produced by Dr. D. Stephen Voss, Plaintiffs' expert, and the simulation evidence contained therein.

II. QUALIFICATIONS

3. I have a B.A. in mathematics from Grinnell College (2019) and an M.A. (2021) and Ph.D. (2023) from Harvard University in statistics. My research focuses on developing and applying statistical methodology to problems in the social sciences. Specifically, I have extensively studied redistricting in the United States, publishing eight peer-reviewed journal articles and working papers related to redistricting in the last three years.

4. As part of my redistricting research agenda, I have developed a simulation algorithm (the "SMC algorithm") that can generate many randomly sampled redistricting plans.¹ Used properly, the algorithm can be applied to measure and evaluate existing redistricting plans along a variety of dimensions, while accounting for local variation in geography and voting patterns.

5. I have also developed and continue to maintain a variety of open-source software packages for using census data and studying redistricting plans. These tools can be installed for free on any personal computer and operating system. The packages include *redist*,² which

¹Cory McCartan and Kosuke Imai, "Sequential Monte Carlo for Sampling Balanced and Compact Redistricting Plans," *Annals of Applied Statistics* Forthcoming (2023).

²Christopher T. Kenny et al., *Redist: Computational Algorithms for Redistricting Simulation*, 2020.

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implements several cutting-edge redistricting simulation algorithms, including the SMC algorithm I developed, and an accompanying package `redistmetrics`,³ which lets users calculate dozens of compactness, partisan, and demographic measures for redistricting plans. Together, these software packages have been downloaded tens of thousands of times, and are widely used in academic research and by redistricting practitioners. In 2022, the `redist` package also won the *Best Statistical Software Award* from the Society for Political Methodology.

6. Dr. Voss's report is based on his use of the SMC algorithm as implemented in my `redist` software.

7. At Harvard, I also helped to start the Algorithm-Assisted Redistricting Methodology (ALARM) Project, which applies computational tools to study and evaluate redistricting plans and processes in the U.S. and around the globe. One effort that I led as part of the ALARM Project involved collecting every congressional district drawn in the 2021-22 redistricting cycle and using the SMC algorithm to quantify the net effect of partisan gerrymandering nationwide.⁴

8. I have previously submitted an expert report and testified on the proper use of redistricting simulations in a case involving Louisiana state legislative districts, *Nairne v. Ardoin*, No. 3:22-cv-00178 (M.D. La. 2024).

9. A copy of my curriculum vitae is attached as Exhibit A, and it includes a complete listing of my publications, as well as all cases in which I have testified as an expert at trial or by deposition. I am being compensated at a rate of \$350.00 per hour. My compensation does not depend in any way on the outcome of the case or on the opinions or testimony that I provide.

³Christopher T. Kenny et al., *Redistmetrics: Redistricting Metrics*, 2021.

⁴Christopher T. Kenny et al., "Widespread Partisan Gerrymandering Mostly Cancels Nationally, but Reduces Electoral Competition," *Proceedings of the National Academy of Sciences* 120, no. 25 (2023).

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III. SUMMARY OF OPINIONS

10. Dr. Voss performed seven sets of simulation analyses: four “race-neutral” simulations, and three “race-conscious” simulations. My analysis and study of the simulated plans and the code used to generate them allowed me to evaluate each of the core conclusions Dr. Voss makes in his report that depend on his simulation analyses.

11. On the basis of his simulation analyses, Dr. Voss concludes that “outside of New Orleans, Louisiana’s African-American population is too small and dispersed to dominate a compactly drawn congressional district.” Voss rep. at 2. I find that this conclusion confuses the *existence* of certain types of districts with the properties of a *typical* district. It also confuses the compactness of a *congressional district* with the compactness of a *population of voters*. As a result, none of the simulation studies Dr. Voss performed were appropriate to evaluating this question.

12. Even accepting the motivation behind the simulation analyses, they each exhibit a number of issues, which are summarized in Table 1 and in the following paragraphs. Taken together, I find that these issues disqualify each set of simulations from being appropriate to evaluate the existence or likelihood of Black-majority districts drawn in either a “race-neutral” or “race-conscious” setting.

13. The “race-neutral” simulations lead Dr. Voss to conclude that “a race-neutral approach to mapmaking generally will not produce two districts dominated by African- American voters.” Voss rep. at 2. I find that this conclusion rests heavily on Dr. Voss’s interpretation of Louisiana congressional redistricting requirements, which evidently differ from the interpretation adopted by the Louisiana Legislature in drawing congressional maps in the past. In addition to

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ignoring several criteria in Joint Rule 21,⁵ Dr. Voss’s simulated plans are much more compact and split fewer parishes than plans adopted by the Legislature in the past, including those with only one majority-Black district. As a result, the simulation study provides little, if any, evidence about the likely racial composition of “race-neutral” districts that apply traditional redistricting criteria and official guidelines in the manner the Louisiana Legislature typically applies them.

Table 1: Summary of issues with the seven simulation analyses in Dr. Voss’s report.

Simulation analysis	Uses J.R. 21 Criteria?	Applies criteria like Legislature?	Stated constraints applied correctly?	Simulations representative and reliable?	Usable for studying Black-majority districts?
“Race-neutral”					
Baseline	No	No	No	?	No
Light Parish Protection	No	No	No	No	No
Heavy Parish Protection	No	No		No	No
Multi-Split Avoidance	No	No		No	No
“Race-conscious”					
Parish BVAP Clusters	No	No		?	No
Statewide BVAP Clusters via District 2	No	No	No	?	No
	No	No	No	No	No

14. In the case of four of the seven simulation analyses, marked in Table 1, I find that the actual instructions provided to the simulation algorithm don’t match their description in Dr. Voss’s report. For example, contrary to Dr. Voss’s description, the “Baseline” analysis actually includes instructions to minimize split parishes. As a result, some of the simulation analyses are extremely similar to one another, and many plan configurations—specifically, configurations that split more than six parishes—aren’t explored at all.

15. Dr. Voss next tries three versions of “race-conscious” simulation, but I find that these simulations are “race-conscious” in name only. While they indirectly use racial information, in each of the three simulation analyses, the simulation design almost entirely prevents race from being used to aid in the creation of two black-majority districts. As a result, the fact that these analyses

⁵The resolution adopted by the Legislature which governed the drawing of congressional districts following the 2020 census. Available at <https://www.legis.la.gov/Legis/Law.aspx?d=1238755>.

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failed to generate maps with two black-majority districts is indicative more of the limitations of Dr. Voss's design and its inappropriateness to conditions Louisiana, and not that two black-majority districts cannot be drawn or cannot be expected to result from a "lightly race-conscious approach". Voss rep. at 12.

16. Partly on the basis of his "race-conscious" simulations, Dr. Voss concludes that race-conscious maps which create two black-majority districts "perform poorly when judged using standard compactness measures." Voss rep. at 2. I find that Dr. Voss overstates the difference in compactness between the SB8 plan and its predecessors by ignoring the natural variation in compactness across his own simulated plans.

17. Finally, I found that Dr. Voss used an outdated, unstable version of the `redist` simulation software. In addition to introducing unknown biases into his simulated plans, this choice also prevented him from running certain important quality control checks on the plans. A closer look at the plans themselves reveals that four of his seven sets of plans suffer from low sample diversity, a problem which means that those simulation analyses are likely not statistically reliable or representative.

IV. METHODOLOGY AND DATA

18. Counsel for the *Robinson* Intervenor-Defendants provided me with a copy of the computer files used by Dr. Voss for his analysis and expert report. This included the shapefiles for blocks, precincts, and various congressional districting plans, along with demographic data at the block level. It also included the computer code used to prepare and run the `redist` software to generate the simulated plans. Finally, it included the simulated plans themselves from each of the seven analyses.

19. I also obtained shapefiles and block assignment files (BAFs) describing the 2011 and 2022 congressional plans enacted by the Louisiana Legislature from the Legislature's redistricting web portal, since these files were relied on by Dr. Voss in his report but not included in the files provided to me.

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20. Redistricting simulation algorithms are complicated tools that must be applied carefully to produce meaningful results. Used properly, simulation algorithms can produce a representative sample of redistricting plans from a much larger population of plans—just like how an opinion poll involves a representative sample of people from a certain population, such as U.S. adults that are registered to vote.

21. Users of simulation algorithms can impose certain requirements and preferences on the types of plans that the algorithm generates, i.e., the population of plans that it samples from. These requirements or preferences are generically referred to as *simulation constraints*.

22. Simulation analyses can be used to answer questions about the features of typical plans that satisfy these constraints. For example, how many parishes are typically split by Louisiana congressional plans that are drawn compactly and without directly using any partisan information? Other sorts of questions are not well-addressed by simulation analyses. Fundamentally, the value of a simulation analysis is limited by how well the simulated plans correspond to real-world preferences and conditions—in other words, how well the chosen constraints correspond to desired redistricting laws and criteria.

23. On the basis of the code that was provided, and the details available in Dr. Voss’s report, I was able to understand the specific steps Dr. Voss took in performing his analyses, determine the specific constraints Dr. Voss imposed on his simulated plans, and thus evaluate to what extent his analyses can support the conclusions he draws.

V. THE SIMULATION ANALYSES WERE NOT DESIGNED PROPERLY TO STUDY THE COMPACTNESS OF LOUISIANA’S BLACK POPULATION

24. All of Dr. Voss’s simulations suffer from a fatal flaw: by design, they cannot answer the question he hopes to resolve.

25. In his own words, Dr. Voss aims to determine whether “Louisiana’s Black population [is] insufficiently large and compact to allow creation of *a* second majority-black district without engaging in egregious racial gerrymandering” (emphasis added). Voss rep. at 3.

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26. While Dr. Voss’s question involves the compactness of the Black *population*, his simulation analysis measures only the compactness of various districting *plans*. These two concepts do not necessarily go hand-in-hand.

27. Dr. Voss only reports compactness scores that have been averaged over all the districts in each plan, rather than focusing on the compactness of potential Black majority or plurality districts. Thus, a non-compact non-Black-majority district could skew the overall average and affect his conclusions.

28. Finally, whether *a* compact black-majority district or districts can be drawn is a distinct question from how many of these districts *typically* arise in the large population of redistricting plans that meet certain other criteria. Dr. Voss’s simulations were designed only to study the Black voter share of average districts from “race-neutral” plans, according to his definition of “race-neutral.”

29. Even accepting this definition, there is a wide range of weight that may be given to racial information between “race-neutral” and “egregious racial gerrymandering”. Whether two majority-Black districts arise typically under a certain definition of “race-neutral” therefore has little bearing on whether it is possible to draw two such districts under other definitions of “race-neutral”, or by giving a varying amount of consideration to racial information.

VI. THE SIMULATION ANALYSES DO NOT FORM A USEFUL BENCHMARK

30. Dr. Voss’s use of simulations is predicated on the notion that they provide a valuable benchmark which “illustrates the full range of what might have been possible” and “portrays what would be most likely when operating under those parameters” (referring to parameters governing how redistricting is or should be done in the state). Voss rep. at 3. In other words, the simulations are only useful for answering Dr. Voss’s question to the extent that they, using non-racial criteria, reflect the kind of maps the Legislature would draw or has drawn.

31. Dr. Voss is aware of the importance of ensuring that simulated plans reflect real-world plans along these other criteria, writing that it is a “clear weakness” when they don’t “take

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into account all of the many unique features of a time and a place that mapmakers would want to incorporate.” Voss rep. at 4.

32. Unfortunately, the plans he produces meaningfully differ from real-world plans drawn by the Legislature, including on key dimensions like compactness that he purports to analyze. Consequently, the simulations cannot provide a benchmark against which to evaluate the possibility of drawing Black-majority districts when applying the criteria used by the Legislature in the way the Legislature has historically applied them. Phrased another way, we can’t know whether to attribute the lack of Black-majority districts in Dr. Voss’s simulations to a dispersed Black population (his conclusion) or to the many other differences in the types of districts he generates from what the Legislature has typically generated in the past.

A. The Simulations Use Different Redistricting Criteria Than Those Explicitly Adopted by the State

33. The Louisiana Legislature adopted a number of criteria for drawing congressional districts in Joint Rule 21, including avoiding parish and municipality splits, respecting the boundaries of the state’s natural geography, and not “undermin[ing] the maintenance of communities of interest within the same district”. Joint Rule 21.

34. While Dr. Voss instructs his simulations to avoid splitting parishes, he does not include any instructions regarding municipalities or natural boundaries. Municipal boundaries are readily available from the U.S. Census and other sources, and could be included in a simulation analysis in much the same way that parish boundaries are.

35. Dr. Voss also does not provide specific instructions regarding communities of interest to the simulation algorithm, despite defining communities of interest based on metropolitan areas later in his report. There is no additional protection afforded to these communities of interest beyond any that is incidentally provided by the avoidance of parish splits.

36. Compactness is not a criterion explicitly mentioned in Joint Rule 21, yet Dr. Voss includes a compactness constraint in all seven of his simulations. While this may be justified as a separate, traditional redistricting criterion, since the Legislature did not set specific compactness

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standards, it would be particularly important to ensure that simulated plans matched the Legislature’s preference in terms of the amount of compactness or non-compactness that is acceptable in a congressional redistricting plan (however it is measured).

37. In cases where the Legislature has not explicitly provided a specific standard, such as in this case, the plans the legislature has accepted in the past are often used to guide choices in how strong to make the compactness constraint. Dr. Voss did not do that, however, and instead simply generated the simulations using the `redist` software’s default compactness setting, which, as explained below, is quite strong.

38. In sum, the set of criteria used in *all* of Dr. Voss’s “race-neutral” and “race-conscious” simulations is *different* from the set of criteria specified in Joint Rule 21 as applied by the Legislature. Some of these criteria, such as municipal splits and following natural geographic boundaries, might be expected to affect district compactness, a key object of Dr. Voss’s study. Others, such as the preservation of communities of interest, might be expected to affect the share of Black voters in each district, which is the other target of Dr. Voss’s report. Thus the different criteria used in the simulations and by the Legislature itself could have a substantial effect on the simulations and any conclusions drawn from them.

39. Because Dr. Voss did not completely or accurately apply the Legislature’s redistricting criteria in his simulations, the conclusions he draws from them—which are predicted on the simulated plans being similar to those the Legislature would draw with or without consideration of race—are unsupported.

B. The Simulations Place Undue Weight on Compactness and Parish Splits Compared to the Legislature’s Plans

40. Dr. Voss describes applying “light compactness pressure” to all seven sets of simulations. Voss rep. at 7. However, this pressure was not “light” at all: it led to the creation of plans almost all of which were more compact than any of the plans adopted by the Legislature in the past two redistricting cycles.

41. The SMC algorithm used by Dr. Voss accepts a compactness parameter, whose

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default value is 1.0. This value represents a fairly strong preference for compact districts. Dr. Voss did not change this default value and used it for all seven sets of simulations.

42. Figure 1 shows the distribution of plan compactness for Dr. Voss’s simulations, as well as the values for the 2024 enacted plan (SB 8), the 2022 enacted plan, and the 2011 enacted plan. As in Dr. Voss’s report, plan compactness is measured as the average Polsby-Popper compactness of the plan’s constituent districts.⁶ All of the legislature’s maps are less compact than the simulated plans.

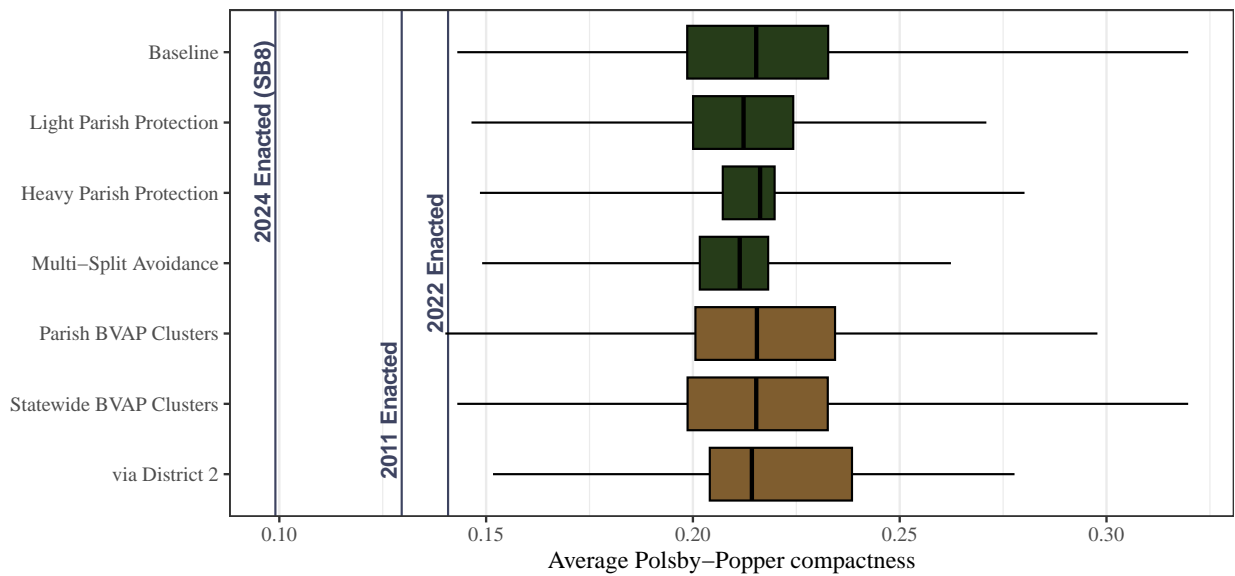


Figure 1: The range of plan compactness scores for each of Dr. Voss’s seven simulation analyses, indicated by the boxes and horizontal lines. The scores for the plans actually enacted by the Legislature are indicated by the labeled vertical lines.

43. The simulations also differ from the Legislature in terms of the number of parishes which are split by districts. Dr. Voss describes his Baseline simulation as only considering population equality, contiguity, and “light compactness pressure.” This is not the case, however. He fails to mention that in fact he also provided instructions to the algorithm in the “Baseline” simulation to avoid splitting any more than 6 parishes. Six parish splits is about the minimum number that can be expected from a generic congressional district in Louisiana,⁷ so this constraint reflects a very strong

⁶Though as noted above, this choice of plan-wide compactness measure can be skewed by non-compactness in any district, including those without a substantial Black population.

⁷In general, any six-district map can be drawn so as to split no more than five parishes—this fact is relied on by the

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preference for avoiding parish splits.

44. This hard parish-split constraint is shared among all seven of his simulation analyses, though Dr. Voss does include additional discouragements to parish splitting in the three other “race-neutral” simulations.

45. In contrast, plans adopted by the Legislature generally split far more parishes than Dr. Voss’s simulated plans, as Figure 2 clearly shows. Specifically, the baseline simulation typically splits 5 parishes, and never splits more than six, while the “parish protection” simulations typically split only two parishes, and rarely split more than three. In contrast, the legislature’s 2011 and 2022 enacted plans both split 15 parishes. Figures 1 and 2 also make clear that the additional “parish protection” simulations are in fact highly similar to one another in both compactness and parish splits.

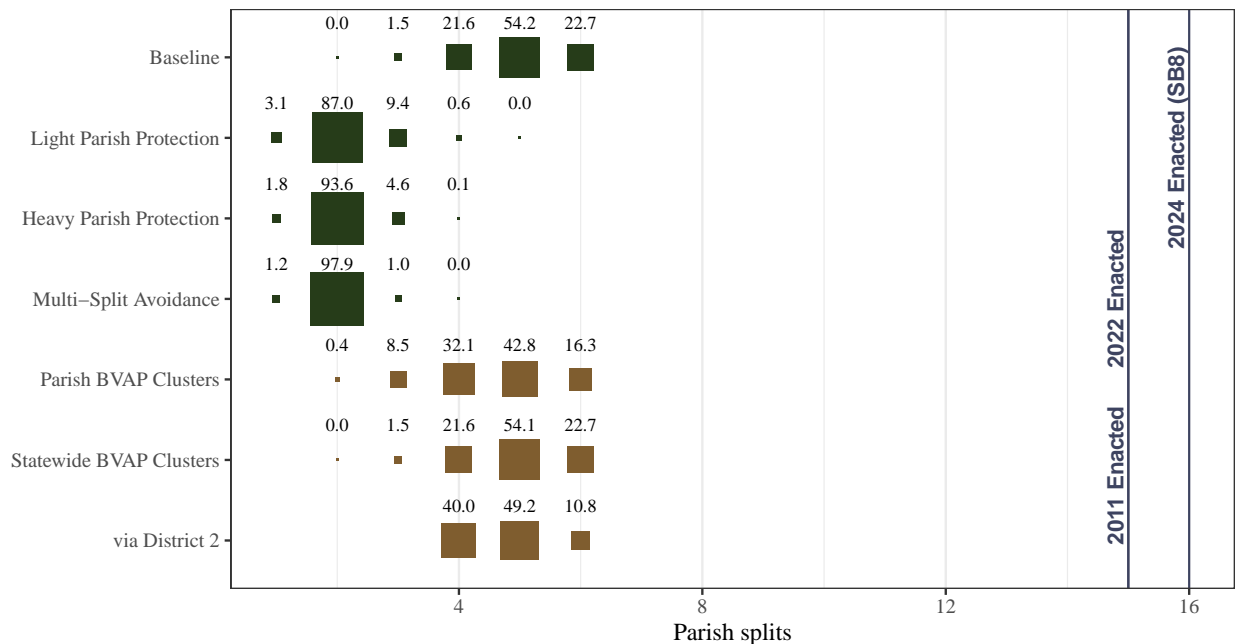


Figure 2: The share of simulated plans with each number of total parish splits is indicated by the sizes of the squares and the percentages noted on top of each. The number of parish splits for the plans actually enacted by the Legislature are indicated by the labeled vertical lines.

algorithm in implementing the hard parish-split constraint that Dr. Voss used. Because some of Louisiana’s parishes are themselves not geographically contiguous, this upper bound ends up being six splits for Louisiana. When parish populations work out correctly, fewer splits can be made too—this is the case for the bulk of Dr. Voss’s simulations. The key point is that the algorithm guarantees that plans with more than six splits are not considered, no matter how well those other plans might satisfy other redistricting criteria.

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46. In fact, rather than the simulations showing “different mixes of parameters,” it is apparent that there are really just two versions of parish protections: strong and stronger. Voss rep. at 7.

47. For some kinds of analyses, differences between simulations and enacted plans on compactness or parish splits might not be a problem. Here, though, Dr. Voss is trying to create a set of simulations that are representative of the types of maps that might be drawn by a race-neutral map-drawer, and is explicitly interested in the compactness of those districts. If his simulations use a different balance of redistricting criteria than the Legislature does, then they’re no longer representative in the way he claims, and they therefore do not support the conclusions he draws.

VII. THE “RACE-CONSCIOUS” SIMULATIONS FAIL TO CONSCIOUSLY USE RACIAL INFORMATION

48. In addition to running “race-neutral” simulations, Dr. Voss attempted to run three sets of simulations “that would seem to make black-majority districts more likely to emerge.” Voss rep. at 9. Unfortunately, the ways in which Dr. Voss attempted to create “race-conscious” districts were not suited to the task.

49. First, Dr. Voss defined divided precincts in each parish into two groups: those with a Black majority of the voting-age population (“BVAP-majority”) and those without. He instructed the simulation algorithm to avoid assigning different parts of the BVAP-majority group to different districts. Specifically, his instructions to the algorithm assigned a fixed penalty to a plan if any part of a BVAP-majority grouping in a parish was assigned to a different district than the rest of the grouping. Additional splits of the BVAP-majority grouping in that parish did not increase the penalty and therefore were not further discouraged. In other words, once the algorithm broke off any part of the BVAP-majority precinct grouping for any reason, it made no further effort to keep the remainder of the BVAP-majority grouping together.

50. Because this penalty operates on the parish level, it only rewards plans that keep the Black population within a parish together, and does nothing to try to keep the Black population

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in neighboring parishes together. Since congressional districts in Louisiana necessarily contain multiple parishes, a constraint that is only designed at the parish level is unlikely to have a large impact on the demographics of the districts themselves.

51. In any event, applying this “race-conscious” constraint does indeed have a relatively small effect in practice, even by its own standards. The “race-neutral” Baseline simulated plans split between 2 and 6 of the parish-BVAP groupings that Dr. Voss defined, and the Heavy Parish Protection plans split between 1 and 4. In contrast, this Parish BVAP Cluster constraint leads to between 1 and 3 splits—very much in line with the “race-neutral” simulations.

52. Notably, all three plans adopted by the Legislature split more parish-BVAP groupings than any of the simulated plans, despite having districts with an overall higher BVAP share. Thus minimizing the splits of parish-BVAP clusters is evidently not necessary for producing Black-majority districts.

53. Second, Dr. Voss repeats the same analysis but defines groups without regard to parish boundaries. In other words, every precinct in Louisiana gets assigned to one of two groups: the BVAP-majority group, or the remainder. Any plan which assigns *any part* of this statewide BVAP grouping to different districts is penalized. Similar to the previous analysis, once any more than two splits of this grouping are made, *any* additional splits of this statewide grouping are not discouraged by the simulation algorithm.

54. The upshot of this setup is that the statewide BVAP clustering has *no* effect on the simulated districts, contrary to Dr. Voss’s claims. Every single simulated district, and all three Legislature plans, necessarily split the statewide BVAP cluster multiple times, not least because the total population of all the majority-BVAP precincts is too large to be placed into a single congressional district. Once that happens more than once, the algorithm is unable to distinguish further between plans—based on the instructions Dr. Voss provided, a plan with zero Black-majority districts and a plan with two Black-majority districts are equally encouraged or discouraged.

55. Finally, Dr. Voss claims that he ran a third set of “race-conscious” simulations that held the New Orleans district in the SB8 map (CD 2) fixed, allegedly ensuring that at least one

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Black-majority district would be created. In fact, Dr. Voss did not fix CD 2, and only encouraged that the algorithm try to avoid splitting CD 2 when drawing other districts. Just like with the statewide BVAP clustering, once this constraint was violated more than once, the constraint was effectively turned off for the remainder of the simulation, and CD 2 could be sliced into pieces with no further attention to its boundaries. As a result of this flawed approach to holding CD 2 fixed, none of Dr. Voss’s simulated plans that purportedly kept CD 2 together have even a single Black-majority district.

56. Much like the problem with the statewide BVAP clustering, by merely discouraging that CD 2 be split, Dr. Voss failed to provide an adequate incentive to the algorithm to actually maintain CD 2 as a district in the simulated plans.⁸ In fact, all of the simulated plans across all seven analyses, and the 2011 and 2022 enacted maps, split CD 2. The only difference between this final “race-conscious” set of simulations and the others is in the degree to which CD 2 is split between two or more than two districts.

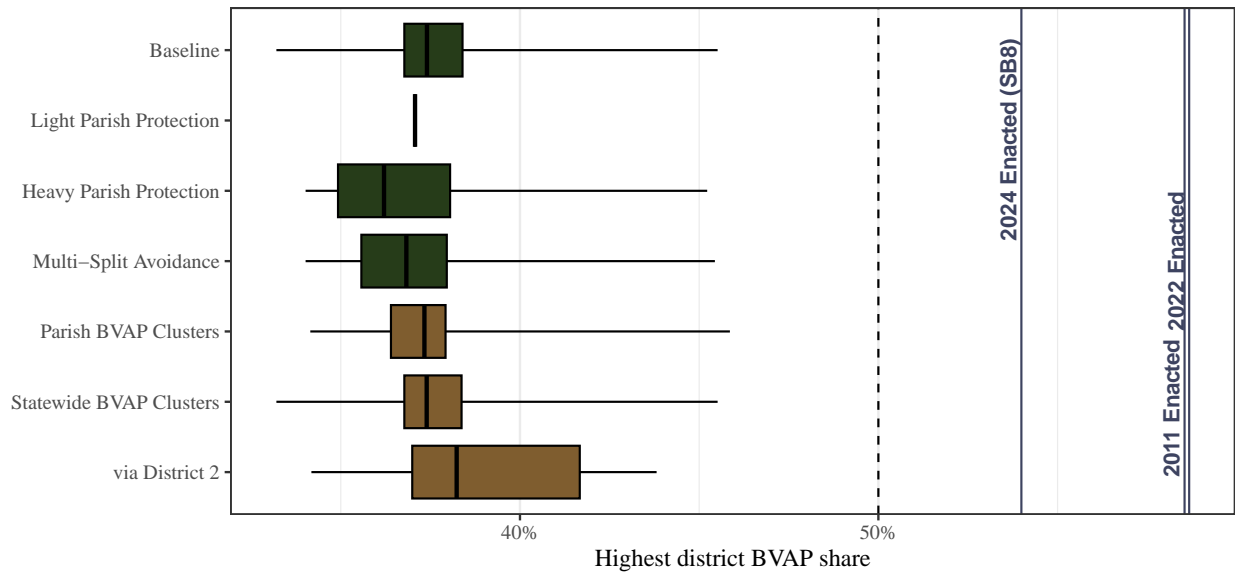


Figure 3: The range of BVAP share in the most-Black district for each of Dr. Voss’s seven simulation analyses, indicated by the boxes and horizontal lines. The highest BVAP shares for the plans actually enacted by the Legislature are indicated by the labeled vertical lines.

⁸No other racial information about any other part of the state was provided, directly or indirectly, to the algorithm, raising the question of whether these simulations were “race-conscious” at all.

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57. It is possible that a correctly conceived and executed version of these three approaches might be successful in generating additional Black-majority districts in *another* state. But evidently these approaches were not sufficient here. This is painfully evident in Figure 3, which shows the range of BVAP shares in the most-Black district across all seven simulation analyses. The so-called “race-conscious” simulations have no higher BVAP share, on average, and in the case of the analysis based on District 2, actually have a smaller range of BVAP shares. The fact that Dr. Voss’s “race conscious” simulations had no effect on the racial composition of the districts should have been a flag that his simulation design was flawed and need to be revisited.

58. The failure of the “race-conscious” simulations to change district demographics reflects *only* the lack of any organized use of racial information in the simulations. In other words, Dr. Voss has shown *not* that two Black-majority districts would be unusual under a “lightly race-conscious” approach to map-drawing, but *only* that such districts are unusual under *his particular version* of “lightly race-conscious” simulations—simulations which can barely, if at all, be called “race-conscious”, which were designed with clear mistakes, and which in practice are hardly any different from his “race-neutral” simulations.

59. And even if he had successfully designed a “race-conscious” simulation, it bears repeating that this would have at best answered the question of whether two Black-majority districts is *typical* under any “race-conscious” simulation. This question is separate from the question of whether two Black-majority districts *can* be drawn in a “race-conscious” or “race-neutral” manner.

VIII. THE SIMULATIONS DEMONSTRATE THAT VARIATION IN COMPACTNESS BETWEEN PLANS IS EXPECTED

60. Dr. Voss correctly recognizes that there’s no specific threshold that separates compact from non-compact districts, using Polsby–Popper or other numerical scores. Voss rep. at 3 and 6. Whether, for example, compactness scores of 0.20 and 0.23 are meaningfully different depends not just on the state’s geography but also on details like how finely surveyed the digital map is.

61. One way to help calibrate these comparisons is to use simulations. If simulated

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districts exhibit a wide range of Polsby–Popper scores, then differences in scores that are much smaller than this range may be less meaningful.

62. As Figure 1 illustrates, the Polsby–Popper scores among simulated plans range from 0.14 to 0.32 across all the simulations. Differences in scores as large as 0.10 would be well within the range of random variation under any set of these simulations—simulations that all prioritize compactness, as documented above.

63. Since Dr. Voss did not produce a set of simulations that put less weight on compactness, we don’t know what the range of compactness scores would be for simulations that aligned more closely with the compactness of plans drawn by the Legislature.

64. But to the extent that those simulations would exhibit a similar *range* of compactness scores as those conducted by Dr. Voss here, the observed differences in compactness between the plans Voss considers in his Tables 1 and 7 are well within the range that “naturally” occurs in a “race-neutral” process.

65. For example, Dr. Voss characterizes the 2024 Enacted SB8 map as performing “poorly” compared to the 2011 and 2022 plans on compactness, partly on the on the basis of a difference of 0.03 in Polsby-Popper scores. But this difference is much smaller than the range of 0.18 in compactness scores for Dr. Voss’s simulated plans. In other words, the natural variation in compactness for “race-neutral” congressional maps is six times larger than the differences in compactness between the 2011, 2022, and 2024 enacted plans.

IX. PROBLEMS WITH THE QUALITY AND RELIABILITY OF SAMPLED PLANS

66. Beyond the problems in the conceptualization, design, and implementation of the simulation analyses which are described elsewhere in this report, there are also a number of fundamental issues with the quality of the sampled redistricting plans themselves.

67. Randomly sampling redistricting plans is a fundamentally hard problem. Even in very small cities or states with a few districts, the total number of possible redistricting plans can number in the trillions. In a state like Louisiana with over 3,500 precincts, the number of possible

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plans is far, far larger than even the number of atoms in our universe. Picking a handful of these at random in a representative way is not easy.

68. Simulation algorithms, when used properly, can generate representative samples of redistricting plans from the enormous set of all possibilities. But like any complicated tool or machine, these algorithms must be used carefully. Users must run diagnostic checks in order to ensure the algorithms are working as intended, and that the results they produce can be trusted. When used improperly, the results of simulation analyses can be biased as well as extremely noisy—reflecting random chance more than any real-world patterns.

69. In reviewing Dr. Voss’s code I discovered that he used an out-of-date, unstable version of the `redist` simulation software, one that was intended for use only by developers of the software like myself. While accessible to the public, this version of software was a work-in-progress and was not officially released, promoted, or supported. Since this version, the software has been updated to be more accurate and to make it easy to run the critical diagnostic checks. Using this early software version may have affected Dr. Voss’s results in unpredictable ways.

70. Probably partly because of the software version, Dr. Voss did not run the standard diagnostic checks to ensure that the samples he generated were statistically reliable. (Some of the recommended checks require calculations that were not included in the version of the software Dr. Voss used.)

71. Dr. Voss also failed to perform multiple identical independent runs of the SMC algorithm within each single simulation analysis. This technique, which allows an analyst to confirm that the results of their simulation are not overly driven by random noise, is the primary recommendation made in the paper that developed the algorithm. Lacking the output of multiple independent runs, Dr. Voss was unable to get a full picture of the quality and reliability of his samples.

72. But had he even investigated the statistical quality and reliability of his simulated plans on the basis of the information that was available, Dr. Voss would have found problems. Specifically, four of his seven analyses suffer from a the problem of low sample diversity, as marked

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in Table 1.

73. Low sample diversity indicates that the generated redistricting plans are too similar to each other to be considered representative of all possible redistricting plans. Sample diversity can be numerically measured in a few ways, but one simple way is to examine the number of unique versions of each plan and district. While Dr. Voss's simulation analyses contain 10,000 plans each, some of these plans, and especially some of the constituent districts, are duplicates of each other.

74. Some duplication is to be expected and is even explicitly part of the algorithm's design. However, an extreme amount of duplication is indicative of inadequate sample diversity. Practically, this means that the results are likely driven by noise and may contain biases that are not small enough to ignore.

75. Of the 10,000 congressional districts labeled "District 1" by the SMC algorithm (no relation to the actual CD 1), there are just 98 unique versions in Dr. Voss's District-2-based sample, 88 in the Light Parish Protection sample, 54 in the Heavy Parish Protection sample, and just 28 in the Multi-Split Avoidance sample. In my experience, in a representative sample of 10,000 plans, one would expect far more unique versions of each district.

76. This amount of duplication is extreme in my experience and is symptomatic of sampling problems that should have been addressed by adjusting the strength of the various constraints and parameters in the algorithm. Thus, rather than Dr. Voss's conclusions being based on 10,000 unique redistricting plans, in many cases they are informed by far smaller sample sizes, which leads to noisier and less reliable results.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 28th day of March, 2024.



Cory McCartan, Ph.D.

EXHIBIT A
Curriculum Vitae

Cory McCartan

Curriculum Vitae

March 2024

CONTACT INFORMATION	Center for Data Science, New York University 60 5th Ave New York, NY 10011	(425) 770-9244 corymccartan@nyu.edu
ACADEMIC EMPLOYMENT	The Pennsylvania State University Assistant Professor of Statistics	Expected 2024
	New York University Center for Data Science Data Science Assistant Professor / Faculty Fellow	2023 – 2024
EDUCATION	Harvard University Ph.D., Statistics, 2023. Committee: Kosuke Imai (chair), Xiao-Li Meng, Gary King. Dissertation: <i>Computational and Bayesian Methods for Geographic Data in the Social Sciences</i> . A.M., Statistics, 2021.	2019 – 2023
	Grinnell College B.A., Mathematics, with honors.	2015 – 2019
PEER-REVIEWED PUBLICATIONS	“Evaluating Bias and Noise Induced by the U.S. Census Bureau’s Privacy Protection Methods,” with Christopher T. Kenny, Tyler Simko, Shiro Kuriwaki, and Kosuke Imai (2024). <i>Science Advances</i> , In press. “Measuring and Modeling Neighborhoods,” with Jacob R. Brown and Kosuke Imai (2024). <i>American Political Science Review</i> , Online ahead of print. “Census Officials Must Constructively Engage with Independent Evaluations,” with Christopher T. Kenny, Tyler Simko, and Kosuke Imai (2024). <i>Proceedings of the National Academy of Sciences</i> 121:11, e2321196121. Letter to the editor re: Jarmin et al. (2023). “Making Differential Privacy Work for Census Data Users,” with Tyler Simko and Kosuke Imai (2023). <i>Harvard Data Science Review</i> 5:4. “Sequential Monte Carlo for Sampling Balanced and Compact Redistricting Plans,” with Kosuke Imai (2023). <i>Annals of Applied Statistics</i> 17:4, 3300-3323. Covered by <i>The Washington Post</i> , <i>Quanta</i> magazine. “Widespread Partisan Gerrymandering Mostly Cancels Nationally, but Reduces Electoral Competition,” with Christopher T. Kenny, Tyler Simko, Shiro Kuriwaki, and Kosuke Imai	

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“Estimating Racial Disparities When Race is Not Observed,” with Jacob Goldin, Daniel E. Ho, and Kosuke Imai (2023).

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“Who’s the Most Electable Democrat? It Might be Warren or Buttigieg, Not Biden.” *The Washington Post* (October 23, 2019).

“I-405 Express Toll Lanes: Usage, Benefits, and Equity,” with Shirley Leung, C.J. Robinson, Kiana Roshan Zamir, Vaughn Iverson, and Mark Hallenbeck. Technical report for the Washington State Department of Transportation (2019).

SOFTWARE **redist**: Simulation Methods for Legislative Redistricting
redistmetrics: Redistricting Metrics
birdie: Bayesian Instrumental Regression for Disparity Estimation
easycensus: Quickly Find, Extract, and Marginalize U.S. Census Tables
PL94171: Tabulate P.L. 94-171 Redistricting Data Summary Files
adjustr: Stan Model Adjustments and Sensitivity Analyses using Importance Sampling
causaltbl: Tidy Causal Data Frames and Tools
conformalbayes: Jackknife(+) Predictive Intervals for Bayesian Models
alarmdata: Download, Merge, and Process Redistricting Data
blockpop: Estimate Census Block Populations for 2020
ggredist: Scales, Geometries, and Extensions of ggplot2 for Election Mapping
tinytiger: Lightweight Interface to TIGER/Line Shapefiles
wacolrs: Colorblind-Friendly Palettes from Washington State
nbhdmodel: Neighborhood Modeling and Analysis

PRESENTATIONS **ACM Conference in Equity and Access in Algorithms, Mechanisms, and Optimization**, Annual Meeting, Paper: 2023.
Department of Political Science, MIT, Political Methodology Speaker Series, Invited Talk: 2023.
Society for Political Methodology, Annual Meeting, Paper: 2023, 2022; Poster: 2022, 2021.
Institute for Quantitative Social Science, Harvard University, Applied Statistics Workshop, Paper: 2023, 2022, 2021, 2020.
Joint Statistical Meetings, Invited Paper Panel: 2022, 2021.
American Association for Public Opinion Research, Annual Meeting, Poster: 2022.

TEACHING **New York University**
 DS-UA 111: Data Science for Everyone Spring 2024
Harvard University
 STAT 117: Introduction to Biostatistics (Teaching Fellow) Spring 2021
 STAT 221: Monte Carlo Methods & Other Computational Tools for Statistical Learning (Teaching Fellow) Fall 2020
Grinnell College
 MAT 215: Linear Algebra (Peer Mentor) Fall 2017 and Spring 2019
 MAT 310: Statistical Modeling (Peer Mentor) Fall 2018
 Grinnell College Math Lab 2018 – 2019

HONORS AND AWARDS	<p><i>Best Statistical Software Award</i>, for developing statistical software that makes a significant research contribution; awarded to the <i>redist</i> software package by the Society for Political Methodology, 2022.</p> <p><i>Certificate of Distinction in Teaching</i>, awarded on the basis of student feedback by the Derek Bok Center for Teaching and Learning, 2021.</p>	
SERVICE	<p>Reviewer: <i>Proceedings of the National Academy of Sciences</i>, <i>Journal of the American Statistical Association</i>, <i>Annals of Applied Statistics</i>, <i>Quarterly Journal of Political Science</i>, <i>Harvard Data Science Review</i>, <i>Discrete Applied Mathematics</i>, <i>Election Law Journal</i>, <i>Sloan Foundation</i>.</p> <p>Harvard Statistics Graduate Council 2020 – 2023 Organized Ph.D. student retreat and research “lightning talks,” 2020 and 2021.</p> <p>First-year Ph.D. Student Mentor 2020 – 2023</p> <p>Harvard Graduate Students Union – UAW Local 5118 2019 – 2021 Elected member, Bargaining Committee, 2020–2021 and 2021–2024 contracts. Interim chair, Finance and Benefits Committee, 2020.</p>	
OTHER EXPERIENCE	<p>American Civil Liberties Union 2021 – 2024</p> <p>Expert Witness, <i>Grace, Inc. et al. v. City of Miami</i> (U.S. District Court for the Southern District of Florida, Case 1:22-cv-24066). Testified by deposition and at trial.</p> <p>Expert Witness, <i>Nairne et al. v. Ardoin</i> (U.S. District Court for the Middle District of Louisiana, Case 3:22-cv-00178). Testified by deposition and at trial.</p> <p>Consultant (with Prof. Kosuke Imai), <i>League of Women Voters of Ohio v. Ohio Redistricting Commission</i> (Ohio Supreme Court, Cases 2021–1193 and 2021–1449)</p> <p>Data for Progress 2022 Consultant, Midterm election modeling</p> <p>University of Washington eScience Institute Summer 2019 Data Science for Social Good Fellow</p> <p>Union of Grinnell Student Dining Workers 2016 – 2019 Founder, President (2016–17), and Advisor to the Executive Board (2018–19)</p> <p>University of Connecticut Summer 2018 REU Participant, Department of Mathematics</p> <p>Fred Hutchinson Cancer Research Center Summer 2017 Lead Intern, Department of Biostatistics</p> <p>Grinnell College Department of Mathematics 2017 Course Grader</p> <p>Cray, Inc. (now HPE) Summer 2015 Intern, Chapel language testing</p>	

Exhibit 4

Report on the Politics of the First 2024 Extraordinary Session of the Louisiana State Legislature

Submitted by Dr. Michael S. Martin

March 27, 2024

Assignment

I have been asked by counsel for the *Robinson* Intervenor-Defendants to provide a report on redistricting proposals and debates during the First Extraordinary Session of the Louisiana Legislature, January 15-19, 2024. I also have been asked to provide deposition and trial testimony if necessary.

Qualifications

I am a professor of history at the University of Louisiana at Lafayette. I currently serve as interim chair for the UL Lafayette Department of History, Geography, and Philosophy, and hold two endowed professorships, the Cheryl Courrégé Burguières/BORSF Endowed Professorship in History and the Senator Edgar “Sonny” Mouton/BORSF Endowed Professorship in Liberal Arts. I earned my B.A and M.A. in history from the University of Southwestern Louisiana and my Ph.D. in American history from the University of Arkansas, and I specialize in teaching, researching, and writing about Louisiana politics.

Since returning to UL Lafayette twenty years ago, I have taught close to 100 sections of Louisiana History, along with dozens of upper- and graduate-level classes on specific topics within Louisiana history. Among those courses are numerous ones on twentieth-century Louisiana and Louisiana politics. I have supervised seventeen master’s theses, six of which dealt with some aspect of the state’s politics.

My publications include several edited collections plus a middle-school level textbook on Louisiana history. My biography of Russell B. Long looked deeply into the career of the long-serving U.S. senator, his involvement in both Louisiana and national politics, and of course, his relationship with other members of his illustrious political family. I have published peer-reviewed journal articles on Senator Long, Governor Earl Long, and most recently, state Senator William Rainach, plus a book chapter on the politics of the decision to award an NFL franchise to New Orleans. Among my ongoing, current research projects is a study of Louisiana’s Congressional delegation between 1960-1972, a time when the state’s national influence rivaled, and perhaps outpaced, even the current delegation’s leadership.

Since 2010, I have held the position of managing editor for the Louisiana Historical Association. In that position I oversee the editing, formatting, and production of the quarterly journal *Louisiana History*. I am also a fellow of the Louisiana Historical Association. From 2011 until 2018, I was the director of UL Lafayette’s Center for Louisiana Studies, and I am currently an affiliated faculty member of the University’s Kathleen Blanco Center for Public Policy and Guilbeau Center for Public History.

I have attached my full Curriculum Vitae at the end of this report.

Methods

My methods are based on best practices within the historical profession. As a historian, I ground my analysis of the past in sources—firsthand primary sources and contextual secondary ones—using proper citations for verifiability. Reading sources critically, rooting out bias (both my own and my sources'), seeking corroboration, and bringing all this together to create logical narrative are among the skills that I have practiced and honed for decades and that I bring to bear on this project. For this report, when possible, I have reviewed primary sources related to the matter at hand, although time constraints and the contemporaneousness of the task have forced me to rely much more on media sources than I typically would. My conclusions were developed only after carefully reviewing and analyzing the source materials and writing the report's body.

Summary

The First Extraordinary Session of the Louisiana Legislature in 2024 created a congressional map for the state that included two majority-Black districts out of six. In adopting this plan, the state Republican leadership, including Governor Jeff Landry and the Republican supermajority in the state legislature acceded to a court mandate to redraw the districts and, in my opinion, used the court-mandated redistricting process as an opportunity to achieve a political goal of the Governor and his allies, and specifically, to vastly increase the electoral vulnerability of U.S. Representative Garret Graves.

Fees

My fees are \$300 per hour for research, writing, consultation with counsel, and expert witness testimony. The findings of this report are not dependent upon my fees.

Introduction

Every decade, each state's apportionment of seats in the U.S. House of Representatives is recalculated based on population levels recorded in the most recent U.S. Census. States showing substantial population increases might receive one or more additional seats in the House, while those showing similar decreases may lose seats. Based on the regular reapportionment of the 435 House seats, states routinely draw new congressional districts, usually in the second year following the date of the census. State legislatures typically oversee this redistricting, although the process varies from state to state.¹

Following the 2010 Census, which showed a marked diminution of population for Louisiana, the state lost a congressional district, dropping the total from seven to six districts. The 2012 redistricting of the districts created a set of political subdivisions that made the state's politics depleted of competition and

¹Alan Greenblatt, "Redistricting Battles," *CQ Researcher* (Thousand Oaks, California: CQ Press, 2022), <https://doi.org/10.4135/cqresrre20220304>.

elections anticlimactic at best. District Two consistently voted majority Democratic; the other five consistently returned majorities for Republicans.²

The 2020 census showed a slight increase in Louisiana's population, but it was not large enough to change the state's number of districts. Although the state legislature redrew the congressional map, the districts remained essentially the same, with the same expected outcomes: one district would always go Democratic, the other five would always go Republican. In March 2022, a coalition of voting rights organizations challenged the new districts in the *Robinson v. Ardoin* case, arguing that the districts did not adequately reflect the state's population diversity. In particular, they pointed to the fact that although Black citizens made up roughly one-third of the state's population, only one-sixth of the state's congressional districts made Black voters a majority. As a result, they called for a second majority-Black district. Although federal courts determined that the state needed to redress the situation by scrapping its earlier map and drawing a new one, Louisiana's attorney general, Jeff Landry, and its state legislature pushed back, claiming that the current map was constitutional. Then, on June 8, 2023, the U.S. Supreme Court ruled in *Allen v. Milligan* that Alabama's legislature-drawn congressional districts map violated the Voting Rights Act. Later that month, the Supreme Court declined to rule on the Louisiana redistricting case, returning it to the Fifth Circuit Court of Appeals.³ Ultimately, the Fifth Circuit Court of Appeals ruled that the State's map likely violated the Voting Rights Act and set a timeline for the legislature or district court to enact a new congressional map in time for the 2024 elections. The Fifth Circuit imposed a deadline of January 15, 2024, for the legislature to act, but Chief Judge Shelly Dick of the U.S. District Court for the Middle District of Louisiana extended the deadline until January 31, 2024, to complete the task.⁴

²J. Miles Coleman, "The Fields Above the Graves: Louisiana 2024 Redistricting," UVA Center for Politics, <https://centerforpolitics.org/crystalball/articles/the-fields-above-the-graves-louisiana-2024-redistricting/>.

³"Quick Facts: Louisiana," The United States Census Bureau, <https://www.census.gov/quickfacts/fact/table/LA/PST045223>; J. Miles Coleman, "The Fields Above the Graves: Louisiana 2024 Redistricting," UVA Center for Politics, <https://centerforpolitics.org/crystalball/articles/the-fields-above-the-graves-louisiana-2024-redistricting/>; Kevin McGill, Mark Sherman, and Sara Cline, "Supreme Court Unfreezes Louisiana Redistricting Case That Could Boost Black Voting Power Before 2024," *Associated Press International*, June 26, 2023, <https://apnews.com/article/supreme-court-redistricting-louisiana-race-voting-rights-168774be5a995c6c34225b666ad81851>; Piper Hutchinson, "What does the Supreme Court's Alabama redistricting decision mean for Louisiana?" Newstex Blogs, *Louisiana Illuminator*, June 8, 2023, <https://lailluminator.com/2023/06/08/what-does-the-supreme-courts-alabama-redistricting-decision-mean-for-louisiana/>; Sara Cline, "Judge Denies Extension for Louisiana Redistricting Deadline," *Associated Press International*, June 16, 2022, <https://apnews.com/article/voting-rights-john-bel-edwards-louisiana-government-and-politics-congress-14760c94d7d4acb7ec3f66d7e6407322>; Wesley Muller, "Supreme Court Ruling in Louisiana Redistricting Case Creates Uncertainty," Newstex Blogs, *Louisiana Illuminator*, Oct. 21, 2023, <https://lailluminator.com/2023/10/21/louisiana-redistricting/>; Wesley Muller, "5th Circuit Denies Louisiana's Appeal in Congressional Redistricting Case," Newstex Blogs, *Louisiana Illuminator*, Dec. 15, 2023, <https://lailluminator.com/2023/12/15/5th-circuit-denies-louisianas-appeal-in-congressional-redistricting-case/>.

⁴J. Miles Coleman, "The Fields Above the Graves: Louisiana 2024 Redistricting," UVA Center for Politics, <https://centerforpolitics.org/crystalball/articles/the-fields-above-the-graves-louisiana-2024-redistricting/>; Piper Hutchinson, "Graves to Lose U.S. House Seat Under Louisiana Redistricting Plan That Adds Minority Seat," *Louisiana Illuminator*, Jan. 19, 2024, <https://lailluminator.com/2024/01/19/graves-to-lose-u-s-house-seat-under-louisiana-redistricting-plan-that-adds-minority-seat/>; Meghan Friedmann and Tyler Bridges, "Louisiana Lawmakers Approve Congressional Map, Adding New Majority-Black district," *Times-Picayune*, Jan. 19, 2024, https://www.nola.com/news/politics/louisiana-lawmakers-just-approved-a-new-congressional-map/article_42818490-b702-11ee-94ec-0bf0693537a1.html.

The Special Session and Redistricting

On his first day in office, January 8, 2024, former Attorney General and now-Governor Jeff Landry, seeing the writing on the wall, reversed course and called for a special session of the state legislature to deal with congressional redistricting, alongside redrawing the state supreme court's election districts and replacing the state's "open" primary system with a "closed" party-primary system. "The courts have mandated that the state of Louisiana redraw our congressional districts," he said in a statement. "Redistricting is a state legislative function. That is why today, I followed the court order and made the call to convene the legislature of Louisiana into a special session on redistricting."⁵

At the opening of the special session on January 15, Landry remarked, "We are here today because the Federal Courts have ordered us to perform our job. Our job—which is not finished. A job that our own laws direct us to complete. AND a job that our individual oaths promised we would perform." He then asked the legislature to "join me in adopting the re-districting maps proposed. These maps will satisfy the Court . . . and ensure that the congressional districts of our State—are made right here in the Legislature and not by some heavy-handed member of the Federal Judiciary."⁶

Although more than one redistricting map would be brought for consideration in the legislative session, the ones that garnered most committee debate were presented by Democratic Senators Ed Price and Royce Duplessis (SB4) (and its corollary in the House, HB5, brought by Democratic House Member C. Denise Marcelle) and Republican Senator Glen Womack (SB8). In my opinion, the maps Landry referred to in his opening remarks were those in Womack's SB8. The Democrats' map was very similar to one proposed by plaintiffs in *Robinson v. Ardoin*, which Landry had staunchly opposed as Attorney General. Supporting such a map might appear as a sign of weakness for the newly elected governor. What's more, if the *Robinson* plaintiffs' map had been acceptable, why would a special session even be needed? The state could have simply accepted it. It seems to me that politics were at play, as Representative Candace Newell suggested during committee hearings: "There were two other maps that were presented that were stronger for those two majority-Black districts and didn't do as many splits, that's House Bill 5 and Senate Bill 4. However, the [Democratic] politics of those two individuals that submitted those two maps, I guess have led us to having to work with yours [Womack's]. And it is disheartening that we do have so much politics that are guiding our maps, instead of the policy and the people, helping us to guide our maps and our decisions." Key to those political considerations was protecting U.S. Representative Julia Letlow's Fifth District while reconfiguring U.S. Representative Garret Graves's Sixth in such a way as to nearly guarantee his loss in the next elections.⁷

⁵"Governor Jeff Landry Assumes Office," Jan. 8, 2024, Office of the Governor Newsroom, <https://gov.louisiana.gov/news/governor-jeff-landry-assumes-office>.

⁶"Session Information for the 2024 First Extraordinary Session, Convened at 4:00 pm on Monday, Jan. 15, 2024 - Final Adjournment on Friday, Jan. 19, 2024," Louisiana State Legislature, https://www.legis.la.gov/legis/SessionInfo/SessionInfo_241ES.aspx; "Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting," Jan. 16, 2024, Office of the Governor Newsroom, <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting>; SB8 (La. 2024 First Extraordinary Session), <https://www.legis.la.gov/legis/BillInfo.aspx?s=241ES&b=SB8&sbi=y>.

⁷Louisiana State House, Video On Demand, Committee on House and Governmental Affairs, day three of special session. Jan. 18, 2024. https://redist.legis.la.gov/default_video?v=house/2024/jan/0118_24_HG_P2 (Newell comments, 12:49-16:11). Media reports confirm that Womack's map reflected Landry's wishes. "The map backed by Louisiana Gov. Jeff Landry (R)

Admitting that “As Attorney General—I did everything I could to dispose of this litigation,” Landry now reminded the legislators that “The people expect us to operate government efficiently, and to act in compliance with the laws of our nation and the instruction of our Courts—even when we disagree with them.” Before shifting to other topics, Landry concluded, “We have exhausted ALL legal remedies, and we have labored with this issue for far - too - long. . . . But now, once and for all, let’s put this to bed. Let’s make the Adjustments necessary, heed the instructions of the Court, take the pen out of the hand of non-elected Judges and place it in your hand—the hand of the people. It’s that simple.”⁸

Upon presenting SB8 on the floor of the Louisiana Senate, Womack stated that his map achieves “several goals,” the first two being expressly political:

1. The map was drawn to “ensure that Congressman [sic] Letlow remains both unpaired with any other incumbents and in a congressional district that should continue to elect a Republican to Congress for the remainder of this decade.”
2. The redistricted map should also protect the “Louisiana Republican presence in the United States Congress [that] has contributed tremendously to the national discourse” by making certain Speaker of the House Mike Johnson and House Majority Leader Steve Scalise remained in districts that were Republican strongholds.
3. The map “responds appropriately” to “the district court order that we must have two majority voting age population districts.”

He summed up, “While this is a different map than the plaintiff’s litigation have proposed, this is the only map I reviewed that accomplishes the political goals.”⁹

Womack had expressed the same goals, sometimes word-for-word, in the Senate and Government Affairs Committee hearings. He did, however, expand there on his motivations in responses to questions posed by fellow senators. When Chairman Cleo Fields asked, for instance, “What was the predominant reason for you to create the sixth district, the way it looks now?” Womack responded, “it was strictly politics [that] drove this map because of Speaker Johnson, Majority Leader Scalise, and my Congresswoman, Julia Letlow. . . .” Fields then queried if “it is safe to say that . . . race is not the predominant factor?” “No, it is not the predominant factor,” Womack replied, “It has a secondary

cleared the state Senate Wednesday, 27-11, with all 11 no votes coming from Republicans,” noted James A. Down of The Hotline. James A. Downs, “Louisiana congressional map passes state Senate”, *The National Journal Hotline*, Jan. 18, 2024. Likewise, Clancy Dubos wrote that the legislature redrew the districts “At Gov. Jeff Landry’s behest. . . .”; Clancy Dubos, “Clancy DuBos: Redistricting cases could again upend Louisiana’s political landscape,” *Times-Picayune*, Feb. 21, 2024, online edition, https://www.nola.com/opinions/clancy_dubos/clancy-dubos-remap-cases-could-again-upend-state-politics/article_f6883d38-cedd-11ee-9f17-2b648f716a92.html. Victor Skinner, “Louisiana House committee approves redistricting bill, rejects another”, *The Center Square: Louisiana*, Jan. 17, 2024, https://www.thecentersquare.com/louisiana/article_46371c8c-b570-11ee-bb19-93d444e327b.html.

⁸ “Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting,” Jan. 16, 2024, Office of the Governor Newsroom, <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting>.

⁹ Louisiana State Senate, Video On Demand, Senate Chamber, day three of special session, Jan. 17, 2024.

https://senate.la.gov/s_video/VideoArchivePlayer?v=senate/2024/01/011724SCHAMB (Womack remarks: 5:16 - 10:54) (cleaned up).

consideration in that . . . because that was the district that we were trying to encompass, but it wasn't the primary."¹⁰

Womack's SB8 was referred to the Committee on Senate and Government Affairs, which made relatively minor amendments before sending it to a full Senate vote on January 17. From there, the redistricting legislation moved to the Committee on House and Governmental Affairs. On January 18, that committee reported it to the full House, where the membership voted 86-16 in favor on January 19. Sent back to the Senate, SB8 received 27 yeas and 11 nays in the final vote. Governor Landry signed the bill into law (Act 2) on January 22.¹¹

Much of the discussion about SB8—both in committees and on the floors of the chambers—focused on the proposed Sixth District's splitting of parishes and lack of compactness. As several legislators pointed out, however, if that reflected true concern, the map presented by Democrats Price, Duplessis, and Marcelle, which had fewer splits and was more compact, should have been approved easily. It strikes me that politics ruled the day, however, and the Republicans, with a legislative supermajority, determined the course of redistricting. Some Republican-proposed amendments actually increased the number of splits and spread of the districts. The one thing all Democrats and Republicans seemed to tacitly agree on was that Representative Garret Graves—despite his name scarcely even being mentioned—would be on the losing end.¹²

Ultimately, the legislature approved SB8 in a short five days, remarkable given the repeated assertions previous to this that such a momentous redistricting project would require months, at the least. The law as passed revised almost all the state's congressional districts. Representative Graves's Sixth District changed most dramatically, going from a majority-white and Republican stronghold comprising portions of Terrebonne, St. Mary, Assumption, Iberville, West Baton Rouge, East Baton Rouge, Livingston, Ascension, St. John, and St. Charles parishes to a majority-Black and Democratic one including portions of Caddo, DeSoto, Natchitoches, Rapides, St. Landry, Lafayette, Pointe Coupee, West Baton Rouge, and East Baton Rouge parishes.¹³

"Today is an exciting day!" Governor Landry proclaimed on January 19. "The outcome of this special session is a win for the people of Louisiana." The governor himself had not achieved all of his goals

¹⁰ Louisiana State Senate, Video On Demand, Committee on Senate and Governmental Affairs, day two of special session. Jan. 16, 2024, https://senate.la.gov/s_video/VideoArchivePlayer?v=senate/2024/01/011624SG2 (Fields and Womack, 34:25-38:38) (cleaned up).

¹¹ SB8 (La. 2024 First Extraordinary Session), <https://www.legis.la.gov/legis/BillInfo.aspx?s=241ES&b=SB8&sbi=y>

¹² Transcripts, *passim*.

¹³ Blake Paterson, "Louisiana Legislature sends congressional map with one Majority-Black district to governor's desk," *The Advocate*, Feb. 18, 2022, online edition, https://www.theadvocate.com/baton_rouge/news/politics/legislature/louisiana-legislature-sends-congressional-map-with-one-majority-black-district-to-governors-desk/article_dd507448-90e1-11ec-bc5d-1faf116428b4.html; "118th Congress, My Congressional District, Louisiana, District 6," *U.S. Census Bureau*, <https://www.census.gov/mycd/?st=22&cd=06>; Meghan Friedman and Tyler Bridges, "Louisiana lawmakers approve congressional map, adding new majority-Black district," *Times-Picayune*, Jan. 19, 2024, online edition, https://www.nola.com/news/politics/louisiana-lawmakers-just-approved-a-new-congressional-map/article_42818490-b702-11ec-94ec-0bf0693537a1.html; "Our District," U.S. Congressman Garret Graves: Representing the Sixth District of Louisiana, <https://garretgraves.house.gov/about/our-district.htm>.

with the session, but he had at least one “win”—the redistricting law. “We took the pen out of the hand of a non-elected judge and placed it in the hands of the people,” he added.¹⁴

Concession as Victory?

Landry’s first special session was a partial “win” for him. After all, he had stated that a goal of his for the session was passage of a redistricting law, and that had come to fruition in almost exactly the form it had been formulated. He had also called the session to overhaul state supreme court districts and to implement the closed party primary election system, however, but the legislature did not update the court districts and only partially implemented the full closed-primary system Landry wanted.¹⁵ The actual call for the session listed fourteen items, but only three laws came out of it.¹⁶

Even the passage of the redistricting law could, from my perspective, be viewed as something less than a win, especially when taking a longer view of the matter. At the beginning of the special session, Landry himself had said

As Attorney General—I did everything I could to dispose of this litigation. I defended the re-districting plan adopted by this body as the will of the people. I sought a stay at the 5th Circuit. We successfully stayed the case at the U.S. Supreme Court for more than a year, allowing our 2022 elections to proceed. Last October, we filed a writ of mandamus, which was granted by the 5th Circuit—giving the people of Louisiana yet another chance to take care of our own business. But when the 5th Circuit panel ruled against us in November, I filed for an *en banc* hearing, which was denied.¹⁷

In short, Landry admitted defeat, or at least surrender, in the battle to maintain Louisiana’s congressional district map as originally drawn by the 2022 legislature. The newly redrawn Sixth District, the state’s second majority-Black one, provides all the evidence needed to show that Landry’s victory was spurious at best—for himself and his party. Considered safely Democratic, the redistricted House seat now must be a consideration for national Republicans at risk of losing their majority in that Congressional chamber.¹⁸

Republicans ranging from the eleven State Senators who voted against SB8 to Speaker of the U.S. House Mike Johnson voiced strong opposition to SB8. “We’ve just seen, and are very concerned with, the proposed Congressional map presented in the Louisiana Legislature,” Johnson posted on X (formerly

¹⁴ "Gov. Jeff Landry’s First Special Session Concludes," Jan. 19, 2024, Office of the Governor Newsroom, <https://gov.louisiana.gov/news/gov-jeff-landrys-first-special-session-concludes>.

¹⁵ Piper Hutchinson, "Louisiana Special Session on Election Matters: Winners and Losers," *Louisiana Illuminator*, Jan. 20, 2024, online edition, <https://lailluminator.com/2024/01/20/louisianas-special-session-on-election-matters-winners-and-losers/>.

¹⁶ Governor’s Call, "Session Information for the 2024 First Extraordinary Session, Convened at 4:00 pm on Monday, Jan. 15, 2024 - Final Adjournment on Friday, Jan. 19, 2024," Louisiana State Legislature, <https://legis.la.gov/LegisDocs/241ES/call.pdf>.

¹⁷ "Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting," Jan. 16, 2024, Office of the Governor Newsroom, <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting>

¹⁸ J. Miles Coleman, "The Fields Above the Graves: Louisiana 2024 Redistricting," UVA Center for Politics, <https://centerforpolitics.org/crystalball/articles/the-fields-above-the-graves-louisiana-2024-redistricting/>

Twitter). “It remains my position that the existing map is constitutional and that the legal challenge to it should be tried on merits so the State has adequate opportunity to defend its merits. . . . Should the state not prevail at trial, there are multiple other map options that are legally compliant and do not require the unnecessary surrender of a Republican seat in Congress.”¹⁹

During the Committee on House and Governmental Affairs hearings on the bill, Chris Alexander, testifying on behalf of Louisiana Citizen Advocacy Group, stated explicitly what many Republicans who opposed the Womack map hinted at: “We’re one vote away in our country right now in the U.S. Congress from having the Biden-Schumer agenda essentially unleashed on the country,” he stated. “Some people may say, ‘It’s already been’ but there is some protection in the U.S. Congress right now because of that razor-thin majority. By voting for this Bill creating an additional minority district in Louisiana, it’s our view that you are giving that majority away and you’re putting the very delicate balance of power in the U.S. Congress in very grave jeopardy on matters of profound consequence to citizens of Louisiana and citizens across the country. Everything is at risk here.”²⁰

So how could Governor Landry frame the redistricting legislation as a win? The most obvious way, as the sources show, was to portray the outcome as the best-case scenario in the face of an overreaching and intransigent federal judiciary—a loss for the Republican Party was nevertheless a win for state control. As noted above, this is how Landry justified the completion of the special session as a “win for the people of Louisiana.”²¹

Such rhetoric is evident throughout American history. The emphasis on federalism and state authority can be traced back as far as the American Revolution, and its southern variant emerged with the Nullification Crisis of 1832-1833. Taken to its extreme, that southern style formed a basis for Confederate constitutionalism and racially conservative politics through the 1960s. By the 1970s, federalism was tied to the emerging New Right, which culminated with the so-called Reagan Revolution of the 1980s. In Louisiana, the state’s first Republican governors since Reconstruction—notably Dave Treen, Mike Foster, and Bobby Jindal—all espoused policies and politics of federalism as a way of countering the centralized national government of the United States.²²

¹⁹ @MikeJohnson, X (Twitter), Jan. 16, 2024, <https://x.com/MikeJohnson/status/1747297455341756521?s=20>; Greg Hilburn, “Speaker Mike Johnson urges Louisiana to ignore court order to create Black district,” *Shreveport Times*, Jan. 17, 2024, online edition, <https://www.shreveporttimes.com/story/news/2024/01/17/speaker-mike-johnson-says-louisiana-map-to-create-black-district-threatens-republican-house-majority/72253666007/>.

²⁰ Louisiana State House, Video On Demand, Committee on House and Governmental Affairs, day three of special session. Jan. 18, 2024, https://redist.legis.la.gov/default_video?v=house/2024/jan/0118_24_HG_P2 (Alexander quote 1:32:57-1:33:36).

²¹ Gov. Jeff Landry’s First Special Session Concludes,” Jan. 19, 2024, Office of the Governor Newsroom, <https://gov.louisiana.gov/news/gov-jeff-landrys-first-special-session-concludes>

²² See John Grove, “Calhoun and Conservative Reform,” *American Political Thought* 4 (2015): 203–27; Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism and the Transformation of American Politics* (New York, 1995); From George Wallace to Newt Gingrich: *Race in the Conservative Counterrevolution, 1963-1994* (Baton Rouge, 1999); Earl Black and Merle Black, *The Rise of Southern Republicans* (Cambridge, MA, 2003); Anthony J. Badger, *Why White Liberals Fail: Race and Southern Politics from FDR to Trump* (Cambridge, MA, 2022); Matthew Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton, 2006); Joseph Crespino, *In Search of Another Country: Mississippi and the Conservative Counterrevolution* (Princeton, 2005); Kevin Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton, 2007); Lisa McGirr, *Suburban Warriors: The Origins of the New American Right*

So when, at the opening of the special session, Landry proclaimed, “We do not need a federal judge to do for us what the people of Louisiana have elected YOU to do. You are the voice of the people. It is time to use that voice,” his call for state control of redistricting was in line with historical conservatism.²³ Other Republicans followed Landry’s lead in portraying the loss of a congressional district as a win for state authority. “With a heavy heart, but a clear understanding of the stakes,” Senator Jeremy Stine of Lake Charles said, “unfortunately, we must pass this map before us instead of giving the pen to a heavy-handed, Obama-appointed federal judge who seeks to enforce her will on the legislature into an untenable situation rather than acting as a co-equal branch of government as laid out in our constitution.”²⁴ Republican state Attorney General Liz Murrill reminded her supporters,

As lead counsel for the past year on this matter in the courts of appeal, I agree with the Governor that we have exhausted all reasonable and meaningful avenues for legal remedies available to us. Now, we have a federal judge holding her pen in one hand and a gun to our head in the other.

Letting her keep hold of the pen will undoubtedly result in more crushing policies that hurt our families and strengthen the Left’s toehold in Louisiana. The Governor marched through these redistricting fights with me and understands this. The State should always be entitled to have a trial on the merits before the Legislature is required to re-write a law. But Judge Dick, the Fifth Circuit, and the US Supreme Court did not agree.”²⁵

The support for Landry’s stance came from Washington, D.C., as well. “The Federal courts have mandated that Louisiana pass a new map this week or a liberal Federal Judge will draw one,” Representative Clay Higgins posted on X. “I continue to support and have confidence in the Governor and the state legislature. The map Senator Womack has proposed is ugly, but it’s what’s best for Louisiana under these circumstances.”²⁶ Representative Josh Carlson probably summed up this stance

(Princeton, 2001). See also Byron E. Shafer and Richard Johnston, eds., *The End of Southern Exceptionalism: Class, Race, and Partisan Change in the Postwar South* (Cambridge, MA, 2009), and, for a recent article on Louisiana that grapples with this topic, Keith Finley, “White Flight and the Alteration of the Southern Political Narrative: Louisiana’s Sixth District Elects a Congressman, 1966,” *Louisiana History* 61 (2020): 71–106.

²³ “Governor Jeff Landry Opens First Special Session on Court Ordered Redistricting,” Jan. 16, 2024, Office of the Governor Newsroom, <https://gov.louisiana.gov/news/governor-jeff-landry-opens-first-special-session-on-court-ordered-redistricting>

²⁴ Louisiana State Senate, Video On Demand, Senate Chamber, day three of special session. Jan. 17, 2024.

https://senate.la.gov/s_video/VideoArchivePlayer?v=senate/2024/01/011724SCHAMB (Stine remarks: 22:00 - 24:25); Piper Hutchinson, “Congressional map with Gov. Jeff Landry’s backing clears Louisiana Senate,” Jan. 17, 2024, *Louisiana Illuminator*, <https://lailuminator.com/2024/01/17/congressional-map-with-gov-jeff-landrys-backing-clears-louisiana-senate/>; James Finn, Meghan Friedmann, and Tyler Bridges, “Republicans taking cues from Jeff Landry in special session, with flashes of dissent,” *Times-Picayune*, Jan. 17, 2024, https://www.nola.com/news/politics/legislature/republicans-take-cues-from-jeff-landry-with-some-dissent/article_3decfa8a-b58c-11ee-9af6-9b3a5cb28cd7.html.

²⁵ @AGLizMurrill, X (Twitter) Jan. 16, 2024, <https://twitter.com/AGLizMurrill/status/1747376599446516056/photo/1>; Hilburn, Greg. “Speaker Mike Johnson urges Louisiana to ignore court order to create Black district” *Shreveport Times*, Jan. 17, 2024, <https://www.shreveporttimes.com/story/news/2024/01/17/speaker-mike-johnson-says-louisiana-map-to-create-black-district-threatens-republican-house-majority/72253666007/>.

²⁶ @RepClayHiggins, X (Twitter), Jan. 16, 2024, <https://x.com/RepClayHiggins/status/1747330090940133444?s=20>; Hilburn, Greg. “Speaker Mike Johnson urges Louisiana to ignore court order to create Black district” *Shreveport Times*, Jan. 17, 2024, <https://www.shreveporttimes.com/story/news/2024/01/17/speaker-mike-johnson-says-louisiana-map-to-create-black-district-threatens-republican-house-majority/72253666007/>.

best during House committee hearings: “I don’t see any other path forward. This is the best of two bad options. . . .”²⁷

Other Republicans downplayed the significance of the lost district. “Redistricting is a function of the Legislature, and we’ll do the work that needs to get done,” Speaker of the House Phillip DeVillier said. “That way, we can focus on the much larger issues voters sent us to Baton Rouge to tackle.”²⁸

However they portrayed it, Governor Landry and the Republican-led state legislature had overseen the creation of a redistricted map that would likely lose a U.S. House seat to their opposition. If their hands were forced in the drawing of a new majority Black voter, majority Democratic district, they did have options on whose district would be flipped. A variety of changes had been proposed, including the districts proposed by the *Robinson* plaintiffs in the case brought against the 2022 legislation. Even in the special session, amendments had been offered that would have altered the boundaries of the new districts; most of these had been voted down in the Governmental Affairs Committee or withdrawn. Almost all of the alternatives would have resulted in Julia Letlow’s Fifth District becoming majority-Black. So why, then, was it Graves’s district that ended up majority-Black? Why choose Graves over Letlow, or more broadly, any of the other Republican districts?²⁹

A look at the districts and their incumbents provides some insight. Steve Scalise, the House majority leader, represented District One. As majority leader, Scalise, holds the second highest rank in the House of Representatives, where he serves as a manager of the day-to-day operations of the chamber, often setting the agenda and determining how and when legislation is called for consideration. A strong House Majority Leader—Representative Hale Boggs is a perfect example from Louisiana’s history—is among the most powerful elected officials in Washington, D.C. and can be a guarantor of their party’s legislative success.³⁰ The likelihood of Scalise’s district being given over for the opposition to take over was so low as to be almost non-existent. The same could be said for District Four’s Mike Johnson, who ranked even higher than Scalise as Speaker of the House. Johnson, as speaker, is considered leader of the entire House. The Speaker presides over the chamber’s official work and the leader of his party in the House; he also is second-in-line to the presidency.³¹ Clay Higgins’s District Three was off-limits due to geography, and District Two was the already existing majority-Black district represented by Democrat Troy Carter. What was left but Letlow’s Fifth District and Graves’s Sixth? In the end most of

²⁷ Louisiana State House, Video On Demand, Committee on House and Governmental Affairs, day three of special session. Jan. 18, 2024, https://redist.legis.la.gov/default_video?v=house/2024/jan/0118_24_HG_P2 Carlson quote 1:48:40-1:48:50).

²⁸ “1ST SPECIAL SESSION OF 2024 CONVENES,” Press Release, Jan. 15, 2024, Louisiana State Senate, <https://senate.la.gov/CommunicationOffice/NewsReleases/2024/011520241stspecialssionFINAL.pdf>.

²⁹ Piper Hutchinson, “Congressional map with Gov. Jeff Landry’s backing clears Louisiana Senate,” Jan. 17, 2024, *Louisiana Illuminator*, <https://lailluminator.com/2024/01/17/congressional-map-with-gov-jeff-landrys-backing-clears-louisiana-senate/>; Piper Hutchinson, “Voters sue over creation of Louisiana’s second majority-Black congressional district”. Newstex Blogs, *Louisiana Illuminator*, Feb. 1, 2024, <https://lailluminator.com/2024/02/01/voters-sue-over-creation-of-louisianas-second-majority-black-congressional-district/>; J. Miles Coleman, “The Fields Above the Graves: Louisiana 2024 Redistricting,” UVA Center for Politics, <https://centerforpolitics.org/crystalball/articles/the-fields-above-the-graves-louisiana-2024-redistricting/>.

³⁰ Congressional Research Service, *The Role of the House Majority Leader: An Overview*, 2009, <https://crsreports.congress.gov/product/pdf/RL/RL30665/5>

³¹ United States House of Representatives, “Leadership,” <https://www.house.gov/leadership>

Graves's district ended up in Letlow's, while the rest was divided in the First, Second, Third, and Sixth.³²

Governor Landry and the legislative Republicans had important reasons for backing Letlow, in spite of the fact that she had less seniority than Graves. Senator Glen Womack, who authored SB8, resides in her district and referred to her as "my congresswoman." Beyond these considerations, Letlow "is the only woman in Louisiana's congressional delegation. She is a member of the appropriations committee in the U.S. House . . . and also a member of the agricultural committee in the U.S. House." Letlow's committee appointments (Appropriations and Agriculture) are particularly significant. The House Appropriations Committee oversees the dedication of funding for most of the federal government and is considered one of the most far-reaching and impactful committees in all of Congress.³³ The House Agricultural Committee sets policy for and oversees farm commodities, forestry, conservation, nutritional programs, and rural development projects. All of these Agriculture Committee jurisdictions directly impact Louisiana, a state still deeply invested in farming and forestry and in which 28.5 percent of the population lives in rural areas.³⁴ Finally, like Landry, Johnson, and Higgins—and unlike Graves—Letlow also won the endorsement of former President Donald Trump in her most recent campaign.³⁵

"various reasons known and unknown, spoken and unspoken"

In his statement at the beginning of the special session of the legislature, Governor Landry said, "For various reasons known and unknown, spoken and unspoken, CLOSURE of this re-districting problem has evaded us. It is time to stop averting the issue and confront it head on." The "known and unknown, spoken and unspoken" phrase is apt when considering redistricting, in my opinion, for there are factors at play that may not be immediately evident in the decision to draw Graves's district as the second majority-Black one in Louisiana. In short, I am persuaded that enough "unspoken" evidence exists to connect Graves's politics with the redistricting that likely assures his being ousted from office.

³² J. Miles Coleman, "The Fields Above the Graves: Louisiana 2024 Redistricting," UVA Center for Politics, <https://centerforpolitics.org/crystalball/articles/the-fields-above-the-graves-louisiana-2024-redistricting/>

³³ "A Concise History of the House of Representatives Committee on Appropriations" (Washington, D.C.: U.S. Government Printing Office, 2010), https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/migrated/uploads/House_Approps_Concise_History.pdf

³⁴ Faimon A. Roberts III and Jeff Adelson, "Want to Move to a Rural Area? For 85,000 La. Residents, it Happened Without Them Doing a Thing," *Times-Picayune*, January 10, 2023, online edition, https://www.nola.com/news/data/rural-louisiana-gains-85000-residents-due-to-census-tweak/article_49e65a2a-8d24-11ed-b82d-dbf162c9d716.html.

³⁵ Kelsey Brugger, "Garrett Graves Defiant as State Lawmakers Cut Up His District," E&E News by *Politico*, January 19, 2024, <https://www.eenews.net/articles/garret-graves-defiant-as-state-lawmakers-cut-up-his-district/>; Hilburn, Greg, "Letlow emphasizes reelection bid in new 5th District map," *Donaldsonville Chief, The (LA), Shreveport Times*, Jan. 22, 2024, <https://www.shreveporttimes.com/story/news/2024/01/22/julia-letlow-emphasizes-reelection-bid-in-new-louisiana-fifth-congressional-district-map/72309482007/>; "Membership," House Appropriations Committee, <https://appropriations.house.gov/membership-118th-congress/>; Louisiana State Senate, Video On Demand, Committee on Senate and Governmental Affairs, day two of special session. Jan. 16, 2024. https://senate.la.gov/s_video/VideoArchivePlayer?v=senate/2024/01/011624SG2 Cloud comments, 46:23-47:23); Kelsey Brugger, "Garrett Graves Defiant as State Lawmakers Cut Up His District," E&E News by *Politico*, Jan. 19, 2024, <https://www.eenews.net/articles/garret-graves-defiant-as-state-lawmakers-cut-up-his-district/>.

Graves's Republican and conservative bona fides are relatively strong. His career trajectory includes working for Republican Congressman Billy Tauzin and Senator David Vitter, followed up by a tenure as chair of the Louisiana Coastal Protection and Restoration Authority under Governor Bobby Jindal. In 2014, Graves won the Sixth District congressional seat. Since then, he has been recognized for his expertise on infrastructure and coastal matters. He serves on the Committee on Transportation and Infrastructure, for which he chairs the Aviation subcommittee, and the Committee on Natural Resources.³⁶

Why the ill-will toward Graves, then? Why, as early as November 6, 2023, could political columnist James A. Downs write, "Strategists believe Gov.-elect Jeff Landry (R) may push for a map that damages the reelection chances of Rep. Garret Graves (R-LA 06)"?³⁷

Graves had an independent streak that from my perspective likely chafed Republican leadership, both in Louisiana and in the U.S. House. His situation is historically similar to that of Earl Long. When his older brother, Senator Huey Long, broke with him in the early 1930s, the rift reflected less on Earl's doing anything that Huey considered wrong and more on his willingness to think for himself. Although Graves's independence had been evident earlier, it certainly received renewed attention in the aftermath of the January 6, 2021, insurrection, when Graves called for then-President Donald Trump's resignation. Although he seemingly fell back into line when he did not vote for Trump's impeachment, Graves's call for the president to remove himself from office would have caught the attention of the Trump factions within the Republican Party.³⁸

Oddly, given Womack's pronouncements on the importance of maintaining the "Louisiana Republican presence in the United States Congress [that] has contributed tremendously to the national discourse," Graves also faced allegations of being more connected to national Republicans than Louisiana ones.³⁹ Such accusations reflect another longstanding political tradition: in Louisiana, John Rarick used similar rhetoric to defeat incumbent Congressman Jimmie Morrison in 1966⁴⁰; Woody Jenkins used it to little effect against Russell Long in 1980.⁴¹ Such outward-facing connections and focus became evident when Graves announced that he would not run for governor. It is tempting to say that Graves backing out was a win for Landry in that he faced one less Republican candidate, but Graves made the decision based on other considerations, if we take him at his word. At the time, Graves had recently been brought into U.S.

³⁶ Ballard, Mark, "GOP plan to force out Rep. Garret Graves befuddles U.S. House Republicans," *The Advocate (Baton Rouge, LA)*, Jan. 21, 2024, https://www.nola.com/news/politics/new-garret-graves-district-befuddles-us-house-republicans/article_2d2543fc-b6f8-11ee-9b1c-eba690a9b7f7.html; "About Congressman Garret Graves," U.S. Congressman Garret Graves: Representing the Sixth District of Louisiana, <https://garretgraves.house.gov/about/>.

³⁷ James A. Downs, "Louisiana Gov.-elect Jeff Landry could punish rival Graves in redistricting case", *The National Journal Hotline*, Nov. 6, 2023.

³⁸ Greg Larose, "In governor's race, we'll see if 'Wags' can tail top dog Landry," *Louisiana Illuminator*, March 8, 2023, <https://lailuminator.com/2023/03/08/in-governors-race-well-see-if-wags-can-tail-top-dog-landry/>.

³⁹ Louisiana State Senate, Video On Demand, Senate Chamber, day three of special session. Jan. 17, 2024, https://senate.la.gov/s_video/VideoArchivePlayer?v=senate/2024/01/011724SCHAMB (Womack remarks: 5:16 - 10:54); Rachel Schilke, "Musical chairs: Five House Republicans who have seen their seats shift in last six months — and how it could cost GOP," *The Washington Examiner*, <https://www.washingtonexaminer.com/news/2823537/five-house-republicans-seat-shift-six-months-2024/> (CO), Jan. 30, 2024.

⁴⁰ Keith Finley, "White Flight and the Alteration of the Southern Political Narrative: Louisiana's Sixth District Elects a Congressman, 1966," *Louisiana History* 61 (2020): 71–106.

⁴¹ See Michael S. Martin, *Russell B. Long: A Life in Politics* (Jackson: University Press of Mississippi, 2014).

Speaker of the House Kevin McCarthy's inner circle of policy advisors with focus on debt and budget.⁴² Richard Lipsey, a prominent Republican donor and business owner, confirmed as much when talking with a reporter about a meeting he had with Graves the day after the congressman announced he would not run for governor: "He was very frank. He didn't beat around the bush. He said he understood the politics of Washington better than the politics of Louisiana. He said he had a niche in Washington and that he could serve the state better from up there." Graves himself provided more credence when he stated that his national focus "was a major consideration in my decision not to run for governor."⁴³ His emailed announcement corroborated such statements: "After much prayerful consideration and hundreds of conversations, it is clear that the best service we can provide to Louisianians and the next governor is by building on our wins in the U.S. Congress."⁴⁴

Graves's decision not to run, and his stated motivations for not doing so, matched up with the sentiments of Louis Gurchich, chair of the Louisiana Republican Party, who circulated a newsletter asking Graves to not launch a gubernatorial bid. "I will frankly admit that I like Garret Graves--he is just plain likable and he is an effective voice for conservatives in Congress," Gurchich wrote. "What's more, I think he will go far in the House. Following in the footsteps of Steve Scalise and Mike Johnson, he almost certainly has a future in senior leadership. That why I believe he would be making a terrible mistake by leaving Congress for the governor's mansion." I do not see Gurchich's newsletter as pushing Graves in one direction or another. In fact, Gurchich was roundly criticized by other Republicans for its contents.⁴⁵

Even though Graves did not make this "terrible mistake," he did fall prey to Republican factionalism. Graves had supported, and worked on behalf of, California Republican Kevin McCarthy's controversial bid for the U.S. House Speakership in early January 2023. Impressed with Graves's efforts, and probably expressing gratitude for them, McCarthy then chose Graves to take the lead on working out a federal spending plan that could earn enough of their own party's support to pass. It seems to me that the decision to turn to a rank-and-file congressman for such an important matter could have been a slight to Scalise, the majority leader.⁴⁶

For the ten months of McCarthy's speakership, Graves worked closely with him. In October 2023, McCarthy lost his speakership, and Graves lost his influential status in the U.S. House. Majority Leader Steve Scalise's bid for the speakership, which Graves outwardly supported, failed, and reports indicate that "Many in the Scalise camp believe Graves sabotaged the majority leader's effort to become

⁴² Mark Ballard, "Garret Graves takes lead on high-stakes debt talks: 'It only strengthens Louisiana's influence'" *The Advocate*, April 25, 2023, https://www.nola.com/news/politics/garret-graves-takes-a-lead-in-debt-ceiling-negotiations/article_a2e562d2-e2c5-11ed-a026-eb5e83bd7de2.html.

⁴³ Mark Ballard, "Garret Graves takes lead on high-stakes debt talks: 'It only strengthens Louisiana's influence'" *The Advocate*, April 25, 2023, https://www.nola.com/news/politics/garret-graves-takes-a-lead-in-debt-ceiling-negotiations/article_a2e562d2-e2c5-11ed-a026-eb5e83bd7de2.html.

⁴⁴ Greg Larose, "In governor's race, we'll see if 'Wags' can tail top dog Landry," *Louisiana Illuminator*, March 8, 2023, <https://lailluminator.com/2023/03/08/in-governors-race-well-see-if-wags-can-tail-top-dog-landry/>.

⁴⁵ Louis Gurchich, "Unity is Our Only Path to Victory," Press & Party Updates, Jan. 16, 2023, LAGOP: Republican Party of Louisiana, <https://www.lagop.com/post/unity-is-our-only-path-to-victory>.

⁴⁶ J. Miles Coleman, "The Fields Above the Graves: Louisiana 2024 Redistricting," UVA Center for Politics, <https://centerforpolitics.org/crystalball/articles/the-fields-above-the-graves-louisiana-2024-redistricting/>.

speaker.”⁴⁷ Whether or not it was truly sabotage, Graves did argue “that the House GOP needed to change its protocols before simply allowing its leaders to move up a rung on the leadership ladder.” Scalise later accused Graves of lying about the majority leader’s health during the speakership contest. In response to questions about Graves’s role in his failed bid, Scalise said:

I know what was being said. . . . I mean, medical opinions that were being given out were completely false. I had a doctor from M.D. Anderson, the top myeloma cancer specialist in the world, who, along with my local doctor, was looking at all of my blood work and meeting with me on a regular basis, who said, “Everything you’re doing is fine, the cancer is almost gone and you’re going to live a long life.” He’s looking at my blood work. And then there’s some, you know, member, unnamed member of Congress, who’s naming somebody that might not even be a doctor saying he’s going to die in six months. That’s how bad it was.⁴⁸

In Louisiana, Graves’s decision not to seek the governorship, which might have been viewed as a gesture of goodwill to the state’s Republican leadership and Landry, actually undercut both the party and its candidate. Almost immediately after withdrawing his name as a potential candidate for the office, Graves endorsed Republican Stephen Waguespack, not Landry, for the governorship. Waguespack, president and CEO of the Louisiana Association of Business and Industry at the time, had worked with Graves during Governor Bobby Jindal’s administration. Their friendship was widely known. Indeed, reports indicate that Waguespack helped Graves decide not to run and Graves recruited Waguespack to do so in his stead. In a not-so-subtle jab at Landry, Graves said in his endorsement that Waguespack is “the person in this race who can put politics aside, do what’s right and give us the Louisiana that we deserve.”⁴⁹

In sum, and based on the available evidence, between January and October 2023, Representative Graves seemingly confirmed his focus on national, as opposed to state, politics by allying himself to House Speaker McCarthy. At the same time, he chose to endorse a gubernatorial candidate in opposition to his

⁴⁷ Mark Ballard, "Lying and Misleading the American People': Garret Graves says GOP Must Tune Out Extremists," *Times-Picayune*, Feb. 12, 2023, online edition, https://www.nola.com/news/politics/garret-graves-says-lies-kept-house-gop-majority-from-wins/article_8b707aca-c7b1-11ee-889b-2b4d82b01780.html.

⁴⁸ Mark Ballard, "Lying and Misleading the American People': Garret Graves says GOP Must Tune Out Extremists," *Times-Picayune*, Feb. 12, 2023, online edition, https://www.nola.com/news/politics/garret-graves-says-lies-kept-house-gop-majority-from-wins/article_8b707aca-c7b1-11ee-889b-2b4d82b01780.html; J. Miles Coleman, "The Fields Above the Graves: Louisiana 2024 Redistricting," UVA Center for Politics, <https://centerforpolitics.org/crystalball/articles/the-fields-above-the-graves-louisiana-2024-redistricting/>; Schilke, Rachel, "Musical Chairs: Five House Republicans Who Have Seen Their Seats Shift in Last Six Months — and How it Could Cost GOP," *The Washington Examiner*, <https://www.washingtonexaminer.com/news/2823537/five-house-republicans-seat-shift-six-months-2024/> Jan. 30, 2024; Gordon Russell, "I know what was being said': Steve Scalise Suggests Garret Graves Undercut Speaker Bid," *Time-Picayune*, Dec. 1, 2023, online edition, https://www.nola.com/news/politics/i-know-what-was-being-said-steve-scalise-suggests-garret-graves-undercut-speaker-bid/article_c8fb3590-905e-11ee-86ce-4319bdb3475d.html.

⁴⁹ J. Miles Coleman, "The Fields Above the Graves: Louisiana 2024 Redistricting," UVA Center for Politics, <https://centerforpolitics.org/crystalball/articles/the-fields-above-the-graves-louisiana-2024-redistricting/>; James A. Downs, "Louisiana map proposal guts Graves' seat," *The National Journal: Hotline*; Sam Karlin, "Stephen Waguespack, candidate for governor, is selling fiscal conservatism. Are voters buying?" *Times-Picayune*, Aug. 21, 2023, online edition, https://www.nola.com/news/politics/elections/stephen-waguespack-touts-economic-policy-in-governors-race/article_fa095ce0-3e04-11ee-8fcd-17d068c4dcb7.html; Tyler Bridges, "Garret Graves endorses Stephen Waguespack in Louisiana governor's race," *Times-Picayune*, June 7, 2023, online edition, https://www.nola.com/news/politics/garret-graves-endorses-stephen-waguespack-in-governors-race/article_fa443074-0559-11ee-af08-27e4fcb098fe.html.

state party leadership and the ultimate winner. And he is purported to have worked against a fellow Louisiana Republican's nomination as speaker of the house. These stances, I would contend, left Graves pretty well at odds with Louisiana's Republican leadership, whether at home in the state or in Congress. By January 2024, that leadership had an opportunity to address two intertwined problems—redistricting and the maverick-minded Graves—at the same time. Embracing the redistricting process that had been so vehemently opposed in prior years guaranteed Graves's vulnerability when the next elections rolled around.

Graves's status as a Republican *persona non grata* becomes clear in looking at the recordings of the debates over SB8 in the legislature. Based on recordings of both committee meetings and floor debates, the only mention of Graves during the special session came when Representative C. Denise Marcelle, in the House and Government Affairs Committee hearings, said "we keep talking about the political motivations. And I heard, and I respect Senator Womack, who talked about. . . . He checked with Scalise, and he checked with Letlow. I heard every person's name except Garret Graves." Marcelle did not receive an explanation for Graves's absence from discussion and did not pursue the matter further.⁵⁰

Perhaps Jim Brown put the matter best when he wrote, "Baton Rouge congressman Garret Graves crossed paths with both the new governor as well as New Orleans congressman Steve Scalise, the majority leader in Congress. So instead of organizing districts that were in the best interest of voters, legislators undercut Graves and put him in the newly created district that favors an African-American candidate."⁵¹ Bob Mann similarly stated, "He made himself the odd man out. . . . He made a bet on McCarthy. He was left without anyone to protect him. He was left without any real rationale as to why he was all that valuable to Louisiana."⁵²

Graves called the redistricting outcome "strategically stupid." He also put forward a hypothetical worst-case scenario for Republicans of all factions

Can you imagine a scenario where in November we go through the elections and [House minority leader] Hakeem Jefferies has a one-seat majority? . . . And it would be the Republican governor in Louisiana, the Republican House, and the Republican state Senate who voted to give a Republican seat away, which would lose the speaker of the House, the majority leader, the next transportation committee chair [the latter referring to himself].⁵³

Ultimately, such an outcome, or any other, remains simply a possibility—however likely it may be.

⁵⁰ Louisiana State House, Video On Demand, Committee on House and Governmental Affairs, day three of special session. Jan. 18, 2024. https://redist.legis.la.gov/default_video?v=house/2024/jan/0118_24_HG_P2 Marcelle quote 1:13:50-1:14:15) 1:14:15)

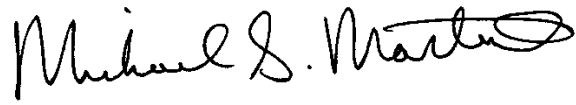
⁵¹ Jim Brown. "Louisiana Voters Disturbed by Legislative Antics" *The Franklin-Banner Tribune*, Jan. 31, 2024.;

⁵² Kelsey Brugger, "Garrett Graves Defiant as State Lawmakers Cut Up His District," E&E News by *Politico*, Jan. 19, 2024, <https://www.eenews.net/articles/garret-graves-defiant-as-state-lawmakers-cut-up-his-district/>.

⁵³ Anthony Adragna, "How Life is Going for This Former McCarthy Deputy: Not Great," *Politico*, Jan. 25, 2024, <https://www.politico.com/news/2024/01/25/mccarthy-deputy-louisiana-gop-00136428>; Ballard, Mark. "GOP Plan to Force out Rep. Garret Graves Befuddles U.S. House Republicans." *Advocate, The (Baton Rouge, LA)*, Jan. 21, 2024, https://www.nola.com/news/politics/new-garret-graves-district-befuddles-us-house-republicans/article_2d2543fc-b6f8-11ee-9b1c-eba690a9b7f7.html.

In conclusion, the events surrounding the passage of SB8 suggest that, in addition to the *stated* objections of protecting the districts of Republicans with important leadership positions and committee assignments in Washington, D.C. and complying with the court mandate to create a second majority-Black district, Louisiana's Republican leadership, including Governor Landry and the legislative supermajority, used the 2024 redistricting process as an opportunity to achieve the *unstated* goal of undermining the political future of U.S. Representative Garret Graves.

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

A handwritten signature in black ink that reads "Michael S. Martin". The signature is written in a cursive style with a large, stylized initial "M".

Michael S. Martin, PhD

March 27, 2024

MICHAEL S. MARTIN, PH.D.
FULL CURRICULUM VITAE

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TEACHING AND RESEARCH POSITIONS

- 2022-present: Senator Edgar “Sonny” Mouton/BORSF Endowed Professor in Liberal Arts, UL Lafayette
- 2014-present: Professor of History, University of Louisiana at Lafayette
- 2010-present: Cheryl Courrégé Burguières/BORSF Endowed Professor in History, UL Lafayette
- 2009-2014: Associate Professor of History with tenure, UL Lafayette
- 2007-2010: SLEMCO/BORSF Professor in Liberal Arts, UL Lafayette
- 2003-2009: Assistant Professor of History, UL Lafayette
- 2001-2003: Personal research associate for Prof. Anthony J. Badger (then of Cambridge University, now of Northumbria University). Albert Gore Sr. Biography Project, Albert Gore Research Center, Middle Tennessee State Univ. Work contributed to [Albert Gore, Sr.: A Political Life](#).
- 2000-2001: Research Associate, Depts. of Chemical Engineering and History, University of Arkansas
- 1998-2000: Master Lecturer, University of Arkansas, Dept. of History
- 1997-1998: Graduate Assistant, University of Arkansas, Dept. of History
- 1996-1997: Research Assistant, Univ. of Southwestern Louisiana, Public Relations & News Services
- 1996: Teaching Assistant, Univ. of Southwestern Louisiana, Dept. of History

ADMINISTRATIVE POSITIONS

- 2023- Interim Department Head, [Department of History, Geography, and Philosophy](#), University of Louisiana at Lafayette
- 2011-2018: Director, [Center for Louisiana Studies](#), UL Lafayette. This position included oversight of the [Research Division](#) (including the Archive of Cajun and Creole Folklore), the [Programming and Special Projects Division](#), and the [UL Press](#), and fostered Louisiana-focused interdisciplinary research and programming efforts at the university and among outside cultural and historical institutions.

EDUCATION

- 2003: Ph.D. in American History: University of Arkansas
- 1997: M.A. in History: University of Southwestern Louisiana
- 1994: B.A. in History: University of Southwestern Louisiana

CURRENT RESEARCH PROJECTS

“Who Were Louisiana’s Klansmen of the 1920s?”

“FreeTown, 1880-1920” for volume of collected essays on FreeTown neighborhood.
UL Lafayette Pictorial History (under contract with Arcadia Publishers)
“Anxiety, Authority, and Acceptance: Louisiana’s Congressional Delegation, 1960-1972”

PUBLICATIONS

Monographs

[*Russell Long: A Life in Politics*](#). University Press of Mississippi, 2014, 224.
[*Historic Lafayette*](#). San Antonio, Texas: Historical Publishing Network, 2007, 111.
[*Chemical Engineering at the University of Arkansas: A Centennial History, 1902-2002*](#). Fayetteville, Arkansas: Phoenix International, an imprint of the University of Arkansas Press, 2002, xiv, 214.

Edited Volumes

[*Firsthand Louisiana: Primary Sources in the History of the State*](#). Co-editor with Janet Allured and John R. Keeling. University of Louisiana at Lafayette Press, 2020, 526.
[*Rethinking New Acadia: Recent Essays on the Acadian Dispersal and Arrival in Louisiana*](#). University of Louisiana at Lafayette Press, 2019, 124.
[*Shackles of Memory: Creolization in the French Americas*](#). Co-editor with Jordan Kellman & Jean-Marc Masseaut. Lafayette: University of Louisiana at Lafayette Press, 2015, 286.
[*Louisiana Legacies: Readings in the History of the Pelican State*](#). Co-editor with Janet Allured. Malden, Mass.: Wiley-Blackwell, 2013, 341.
[*Louisiana Beyond Black and White: New Interpretations of Race and Race Relations*](#). Lafayette: University of Louisiana at Lafayette Press, 2011, 200.

Textbooks

Louisiana Through Time (eighth-grade Louisiana history textbook). Co-author. Layton, Utah: Gibbs Smith, 2017, 491.

Articles in Refereed Scholarly Journals

“The Three Rs of Louisiana Segregationism: Rainach, Race, and Reds,” co-authored with Yasuhiro Katagiri, *Louisiana History* 65 (2024): 5-66.
[“We Both Have Reason to Feel Good About the Book’: Russell Long, T. Harry Williams, and Huey Long,” *The Historian* 69 \(Winter 2007\): 706-727.](#)
[“High Time We Put Behind Us the Blind Prejudice of the Past’: Russell Long and Louisiana Politics, 1948-1952,” *Louisiana History* 46 \(Spring 2005\): 133-153.](#)
[“A Peaceful Demonstration of Our Feelings Toward the Death’: University Students in Lafayette, Louisiana, React to Martin Luther King, Jr.’s Assassination,” *Louisiana History* 41 \(Summer 2000\): 301-316.](#)
[“Insiders and Outsider: Earl K. Long and the Media, May-July, 1959,” *Louisiana History* 40 \(Spring 1999\): 197-209. Reprinted in *The Age of the Longs, 1928-1960*, Vol. VIII of the *Louisiana Purchase Bicentennial Series in Louisiana History*. Lafayette, La.: Center for Louisiana Studies, 2001: 454-463.](#)

“‘I Thought This Was Lafayette, the City Where We All Got Along’: Lafayette, Louisiana’s Reaction to the Assassination of Dr. Martin Luther King,” *Ozark Historical Review*, (Spring 1998).

Book Chapters and Essays

- “The Marquis de Lafayette and Lafayette, Louisiana: Identity and Irony.” In *Lafayette in Trans-national Context: Identity, Travel, and Nationalism in the Revolutionary Atlantic World*, ed. Jordan Kellman (University of Louisiana at Lafayette Press, 2015): 117-124.
- “Authenticity, Tourism, and Cajun Cuisine in Lafayette, Louisiana.” In *The Paradox of Authenticity in a Globalized World*, ed. Russell Cobb (New York: Palgrave-Macmillan, 2014), 13-22.
- “Huey Long” and “The Civil Rights Movement,” short essays in *Being Louisiana: 200 Years of Statehood, A Catalog of Louisiana Artifacts*, ed. Jennifer Ritter Guidry (Baton Rouge: Louisiana Bicentennial Commission, 2012), 106, 127.
- “The Anti-Gore Campaigns of 1970,” with Anthony J. Badger. In *New Deal/New South: An Anthony J. Badger Reader*. Fayetteville: University of Arkansas Press, 2007: 202-212.
- “New Orleans Becomes a Big-League City: The NFL-AFL Merger and the Creation of the New Orleans Saints” in *Horsehide, Pigskin, Oval Tracks, and Apple Pie: Essays on Sports and American Culture*, ed. Jim Vlasich (Jefferson, N.C.: McFarland, 2006): 119-131. **Reprinted** in *Arts and Entertainment in Louisiana*, Vol. XII of the *Louisiana Purchase Bicentennial Series in Louisiana History* (Lafayette, La.: Center for Louisiana Studies, 2006). **Reprinted** in *New Orleans Sports: Playing Hard in the Big Easy* (Fayetteville: University of Arkansas Press, 2019).
- “Francois Xavier Martin,” chapter in *Great American Judges, Vol. 2, L-Z*, ed. John Vile, (Santa Barbara, Ca.: ABC-CLIO, 2003): 502-510.

Reports

- Expert Witness Rebuttal Report, Louisiana redistricting lawsuits *Robinson, et al. v. Ardoin* (Civil Action No. 3:22-cv-00211-SDD-RLB) and *Galman et al. v. Ardoin* (Civil Action No. 3:22-cv-00214-SDD-RLB) U.S. District Court, Middle District of Louisiana, September 28, 2023, 76 pp.
- “[Freetown As It Was and As It Is](#),” with C. Ray Brassieur and Lionel Lyles. Written for Lafayette Freetown-Port Rico Coterie. December 2013. 56 pp.

Encyclopedia Articles

- “LONG, Russell Billiu.” *Scribner Encyclopedia of American Lives*. Vol. 7. *Notable Americans Who Died Between 2003 and 2005*. Farmington Hills, Mich.: Thomson Gale, 2007: 334-336.
- “Long, Russell.” *American National Biography Online*. (www.anb.org) American Council of Learned Societies and Oxford University Press. <http://www.anb.org/articles/07/07-00798.html>

Book Reviews

- Review of Keith Finley, *Delaying the Dream: Southern Senators and the Fight Against Civil Rights* (Baton Rouge: Louisiana State University Press, 2008) in *Arkansas Historical Quarterly* 48 (Winter 2009): 457-459.
- Review of Mary Ann Sternberg, *Winding Through Time: The Forgotten History and Present-Day Peril of Bayou Manchac* (Baton Rouge: Louisiana State University Press, 2007) *Journal of*

Southern History 74 (August 2008): 775-776.

[Review of Christopher B. Strain, *Pure Fire: Self-Defense as Activism in the Civil Rights Era*](#), (Athens, Ga.: The University of Georgia Press, 2005). *Louisiana History* 48 (Spring 2007): 245-247.

“Political Peculiarities and Processes in the Pelican State,” review of Wayne Parent, *Inside the Carnival: Unmasking Louisiana Politics* (Baton Rouge: LSU Press, 2004). H-Louisiana. 8 April 2005.

[Review of Philip Scranton, ed., *The Second Wave: Southern Industrialization from the 1940s to the 1970s*](#) (Athens: University of Georgia Press, 2001). *The South Carolina Historical Magazine* 105:1 (January 2004): 64-66.

Blogs

[“Sounds of a Culture.”](#) Co-author, with Center for Louisiana Studies staff, October 2015.

Record Production

Executive producer: [Walter Mouton and the Scott Playboys: Live at Festivals Acadiens et Creoles, 1992-2014](#). Center for Louisiana Studies, Festivals Acadiens et Creoles, Swallow Records, 2016.

Executive producer: *Acadie à Louisiane: Festivals Acadiens et Creoles*. UL Lafayette and Festivals Acadiens et Creoles, 2015.

Co-producer: [Brand New Old Songs: Recycling the Lomax Recordings](#). Center for Louisiana Studies, 2014.

Articles in Magazines

[“Zachary Richard: Humanist of the Year,”](#) *Louisiana Cultural Vistas* (Spring 2016).

[“Violence, Vetoes, and Votes: Victor Bussie and the Battle over the Right to Work in Louisiana,”](#) *Louisiana Cultural Vistas* (Fall 2015).

“Russell Long: A Life in Politics,” *Louisiana Cultural Vistas* (Fall 2014).

“Aftermath,” *La Louisiane, The Magazine of the University of Southwestern Louisiana*, (Spring 1998).

“Justice for All: USL and the Era of Integration,” with Claire Taylor, *La Louisiane, The Magazine of the University of Southwestern Louisiana*, (Spring 1997).

“First Class: Students Faced Century With Faith in Education,” *La Louisiane, The Magazine of the University of Southwestern Louisiana*, (Fall 1996).

“Goin’ Down to Washington,” *Verite*, (Winter 1995-96).

“The Treasures Within the Lafayette Museum,” *Verite*, (Spring 1994).

GRANTS AND SPONSORED PROJECTS WORK

2022: £44,899.43 (\$60,614.23) Co-Principle Investigator with [David Ballantyne, Keele University](#), and [Andrea Livesey, Liverpool John Moores University](#). “Reckoning with Racial Conflict: Comparative Perspectives.” [Arts and Humanities Research Council \(U.K.\) Networking Grant](#). 2022. *Not Awarded*.

2021: \$10,000. Sanders Research Scholar Award, [Center for Southeast Louisiana Studies, Southeastern Louisiana University](#). *Awarded*.

2021: Member of Humanities Advisory Team for “Exploring the Cajun Roots: Augmented Reality

- Tour of Acadia History,” [Dr. Beenish Chaudhry’s NEH Discovery Grant](#) for augmented reality tour of Vermillionville Living History Museum. *Awarded.*
- 2015: \$2,000. “The Path to a New Acadia.” Atchafalaya National Heritage Area Education Series fund. *Awarded.*
- 2012-2013: \$38,816. Co-Principle Investigator. “The Freetown History and Culture Project.” Lafayette Consolidated Government and the Freetown/Port Rico Coterie. *Awarded.*
- 2009-2011: \$373,000. Principle Investigator for UL Lafayette Subcontract for “Louisiana’s Place in Traditional American History.” Jefferson Davis Parish School System. U.S. Department of Education Teaching American History Grant. *Not awarded.*
- 2009-2013: \$173,125. Co-Principle Investigator for Subcontract for “Conflict and Resolution.” Lafayette Parish School System. U.S. Department of Education Teaching American History Grant. *Awarded.*
- 2008: \$954. Principle Investigator for Louisiana Endowment for the Humanities Outreach Grant *How the Civil Rights Movement Changed and Did Not Change Louisiana.* *Awarded.*
- 2008: \$600. UL Lafayette Student Government Association Lyceum Committee Grant for lecturer Adam Fairclough, University of Leiden. *Awarded.*
- 2007: \$100. UL Lafayette Student Government Association Lyceum Committee Grant for lecturer James Wilson, Center for Louisiana Studies. *Awarded.*
- 2006: \$600. UL Lafayette Student Government Association Lyceum Committee Grant for lecturer Mikhail Suprun, Pomor State University (Russia). *Awarded.*
- 2005: \$2500. Principle Investigator to coordinate UL Lafayette-New Orleans Notarial Archives internship cooperative endeavor. Funded by New Orleans Notarial Archives. *Awarded.*
- 2004: \$2,500. Principle Investigator for Louisiana Endowment for the Humanities Outreach Grant (Project Director): *Fifty Years Later: Commemorating the Desegregation of Southwestern Louisiana Institute.* Other funding awarded for same project: \$500 from the Deep South Regional Humanities Center; \$250 from the UL Lafayette Alumni Association; \$250 from the Christiana Smith African-American Chapter of the UL Lafayette Alumni Association; \$500 from the UL Lafayette College of Liberal Arts; \$598 from the UL Lafayette Student Government Association Lyceum Committee; \$250 from Alpha Phi Alpha. *All awarded.*
- 2001: \$1,500. Baum Grant, University of Arkansas, for development of history graduate student computer lab. *Awarded.*
- 2001: \$1,000. Diane Blair Dissertation Research Grant, University of Arkansas Department of History: \$1,000. *Awarded.*
- 2001: University of Arkansas Summer Dissertation Research Award. *Awarded.*

TEACHING AND GRADUATE DIRECTION

Teaching Interests: Louisiana History; Public History; History of the U. S. South

Teaching Competencies

Courses taught at UL Lafayette:

U. S. History to 1877
Louisiana History
Louisiana and the World

Louisiana History Through Music
From the Great Depression to the Reagan Revolution
Contemporary America
The Longs in Fact and Fiction
Colonial and Revolutionary America
The American Revolution
Rethinking the Modern South, 1900-2000
Twentieth-Century Louisiana
Corporate & Institutional Histories (Applied Public History)
Local History (Applied Public History)
Readings in Cajun Identity: Directed Independent Study (Undergraduate)
Readings in Italian Louisiana: Directed Independent Study (Undergraduate)
American Diplomacy between the Wars: Directed Independent Study (Undergraduate)
Historical Research and Writing Seminar capstone course (Undergraduate)
Public History Readings: Directed Independent Study (Graduate)
Louisiana Politics, 1898-1960: Directed Independent Study (Graduate)
Louisiana, 1699-2000: Directed Independent Study (Graduate)
Louisiana and Southern Politics, 1928-present: Directed Independent Study (Graduate)
Race and Relationship in the Jim Crow South: Co-Directed Independent Study (Graduate)
Urban History: Directed Independent Study (Graduate)
Historical Editing (Applied Public History, Graduate)
The Longs of Louisiana (Graduate)
The United States since 1945 (Graduate)
The American Colonial Experience (Graduate)
Reinterpreting Recent Southern History (Graduate)
Readings in American History Seminar (Graduate)
Recent Trends in Louisiana History (Graduate)

Courses taught at the University of Arkansas (1998-2001):

History of the American People to 1877
History of the American People since 1877
Western Civilizations I

Graduate Direction and Committee Work At UL Lafayette

Master's Theses – Completed:

Naquin, Thomas. "The Big Muddy and the Bayou State: Louisiana's Reaction to Vietnam, 1964-1973." (2005) Naquin is deceased. He worked as a historian at the World War II Museum.
[Gibbens, Patrick](#). "From Provincial Progressive to Political Obsolescence: Congressman Edwin Willis and His Journey through the Cold War, 1948-1968." (2005) Gibbens is currently an assistant professor of history with South Louisiana Community College.
Tweedel, Erin. "Local History and the Louisiana State Comprehensive Curriculum." (2008) Tweedel became a teacher with Lafayette Parish Public Schools.
O'Bannon, Mark. "Religious Non-Conformity in French Colonial Louisiana." (2008) O'Bannon is

deceased.

Murphy, Dan. "Making the Meta-City: Shreveport, Louisiana, as a Central Media City for the Ark-La-Tex Region." (2008) Murphy is currently a high school teacher in Alexandria, La.

[Griffin, Gareth](#). "Flames of Hate: The New Orleans Upstairs Lounge Fire, 24 June 1973." (2008) Griffin is director of Prospect Development at the Massachusetts Institute of Technology.

DeRouen, Charles M. "The Long Lieutenants: A Political Machine's Continuity, 1934-1939." (2009) [Flanagan, Patrick](#). "Terror on the Horizon: The Deslondes Slave Rebellion of 1811." (2011). Flanagan is a teacher with Metro Nashville Public Schools.

[Senette, Sarah](#). "None Longed to Go Back to the 'Mud-Holes of New Orleans': The Multiethnic Frontier and Egalitarian Cattle Culture of the Southwest Louisiana Prairie, 1680-1850." (2012) Senette received a fellowship for Tulane University's Ph.D. program in history.

[Flint, Brandon](#). "The Dissent of the Godly: Crime, Criminals, and Law in Puritan New England, 1620-1650." (2012) Flint received a fellowship to and earned his doctorate from the University of Missouri's Ph.D. program in history. He is currently on the faculty of Liaoning Normal-Missouri State College of International Business in Dalian, China.

Brittman, Edward. "Deliberation and Implementation of the Breaux Act" (2015) Brittman received a Presidential Fellowship for the [University of South Florida's Ph.D. program](#) in history.

[Donovan, Mary Magdalene](#). "Maneuvering Life: Women of Color on the Louisiana Frontier" (2016). Donovan was accepted into Tulane University's Ph.D. program in history with full funding.

[McKinney, Karen](#) "Louisiana Coastal Vernacular: Grand Isle, 1783-1931." (2018) McKinney is an adjunct instructor specializing in historic restoration in the UL Lafayette School of Architecture and Design.

[Stephens, David Chase](#). "Congressman Edwin Willis, 1957-1968: HUAC, Civil Rights, and the Ku Klux Klan" (2019). Stephens is a doctoral student at Auburn University with full funding.

[Blomquist, Rachel](#). "Jambalaya, Apple Pie, *Chante Quelque Chose Oh Yé Yaille*: A History of Cajun Culture through Music from the Early 1920s to the Late 1980s" (2019). Blomquist is a museum registrar at the Anderson Abruzzo International Balloon Museum Foundation, Albuquerque, NM.

Jones, Rex, Jr. "Two Quiet Revolutions and the Transformation of American Health Care" (2020). Jones teaches Social Studies at Southside High School, Lafayette Public School System and is pursuing a Ph.D. in history at Louisiana State University. Jones's thesis won the 2020 [Neitzel Family Endowed Graduate Student Award in Louisiana Studies](#).

Tate, Nicholas. "The Council for the Development of French in Louisiana and Cultural Commodification" (2021)

Masters Theses/Public History Projects Under Direction:

Suir, Taylor. Arnaudville Acadian Memorial Site (2024)

Fontenot, Logan. (2024)

Cameron Collier (2024)

Non-Thesis Track Advisees:

Guidry, Courtney (2007)

McVay, Brittney (2008)

Fontenot, Paula (2011)

Wooster, Simon (2011)
Frey, Philip (2012)
Semere, Lauryn (2016)
Bordelon, Claire (2022)
Gordon Eatley (2024)

M.A. Committee Membership (2003-2021):

Bennett, David
Bourque, Todd
Brodowski, Hilary
Brown, Yvonne
Case, Margaret
Churay, Mary
Cummings, Russ
David, Joey
Dossmann, Meagan
Estes, Guy
Foret, Mary
Foster, Jason
Foote, Ruth
Gause, Christell
Gautreaux, Jacob
Gutekunst, Patricia
Hampes, Matthew
Harvey, Michelle
Henderson, Seth
Holmes, Tiffany
Honeycutt, Scott
Hopkins, Joel
Hughes, Laura
Jenkins, Ellena
Jones, Thomas
Karnath, Mary
Kent, Joe
Landry, Tim
Lee, Tamla
Luquette, Marianna
Manuel, Daniel
Myers, Matthew
Patton, Kara
Reed, Kaiser
Richard, Greg
Richardson, Jordan
Roberson, Tranquilla

Savoie, Christine
Schexnayder, Samantha
Stokes, Anne-Marie
Vo, Thanh
Willis, Emma

PROFESSIONAL SERVICE ACTIVITIES

Professional Service for the Louisiana Historical Association

Managing Editor, *Louisiana History: The Quarterly Journal of the Louisiana Historical Association* (2010-present). This position includes oversight and editing of all aspects of the publication of each four-issue annual volume (Volumes 50-65 at present). Each volume contains 528 pp.

- Since the summer of 2020, this position has also included oversight of an MA-level editorial assistantship.

Member, Executive Committee (2010-)

Member (ex-officio), Publications Committee (2010-)

Member (ex-officio), Hugh Rankin Prize Committee (2011-)

Chair, Local Arrangements Committee (2015)

Member, Board of Directors (2004-2007, 2010-2011)

Member, Program Committee (2011)

Chair, Committee on Teaching (2008-2011); member (2005-2008)

Article Referee: *Louisiana History* (prior to 2010)

Professional Service for the Louisiana Endowment for the Humanities

2022: Entry Reviewer, *64 Parishes*

2015: Consulting scholar, Louisiana Governors Project

2011: Six-week RELIC Library Program: “Louisiana History: Perspectives on the Pelican State.” Lafayette Parish Public Library (April-May)

2010: Six-week RELIC Library Program: “Louisiana History: Perspectives on the Pelican State.” Vermilion Parish Public Library (September-October)

2010-2011: Principal Scholar for “Journey Stories,” an initiative of Museums on Main Street, a partnership of the Smithsonian Institution, the Louisiana Endowment for the Humanities, and the Acadian Museum of St. Martinville, La.

2008: Six-week RELIC Library Program: “Louisiana History: Perspectives on the Pelican State.” Iberia Parish Public Library (October-November)

2008: Outside Evaluator for Louisiana Endowment for the Humanities Public Humanities Grant. Banners Series, McNeese State University.

Professional Service for the Center for Louisiana Studies/UL Lafayette Press/Center for Cultural and Eco-Tourism *prior to becoming Director*

Manuscript Reviewer

Member, UL Press Editorial Board (2004-2011)

Fellow, CCET (2005-2011)

Professional Service for the Louisiana Folklore Society

Member, Board of Directors, 2017-2018

Manuscript Reviewer

University of Louisiana at Lafayette Press, Louisiana State University Press, University Press of Mississippi

PROFESSIONAL CONFERENCE ACTIVITIES

Professional Paper Presentations

- “Who Were Louisiana’s Klansmen of the Early 1920s? Findings from Gov. John Parker’s List of Ku Klux Klan Members,” Louisiana Historical Association. March 22, 2024.
- “‘You have followed even the slightest suggestion that the President L.B.J. has ordered’: Hale Boggs, James Morrison, Russell Long, and the Great Society.” 2021 [Southeast Louisiana Historical Association meeting](#). October 21, 2021. Hammond, La.
- “Anxiety, Authority, and Acceptance: Louisiana’s Congressional Delegation, 1960-1972.” 2021 Louisiana Historical Association. [Online](#).
- “Louisiana’s Richard ‘Dickie’ Landry and Avant-Garde New York.” 2016 Society for the Study of Southern Literature, Boston, Mass.
- “Forty Years of Publishing in Louisiana: The UL Press.” 2015 American Culture Association/Popular Culture Association meeting, New Orleans, La.
- “The Battle Over the ‘Right to Work’: Vetoes and Votes in Post-World War II Louisiana.” 2010 Southwestern Historical Association meeting, Houston, Tx.
- “The Battle Over the ‘Right to Work’: Vetoes and Votes in Post-World War II Louisiana.” 2010 Louisiana Historical Association
- January 9, 2010: “‘Right to Work’ Proposals in Post-World War II Louisiana.” 2010 Phi Alpha Theta Biennial National Convention, San Diego, Ca.
- March 20, 2009: “Searching for Authenticity: Cajun Food and a ‘Golden Age’ of Cajun Culture.” 2009 Louisiana Historical Association meeting
- March 23, 2007: “Russell Long’s Louisiana and National Contexts.” 2007 Louisiana Historical Association meeting
- March 24, 2006: “Russell Long and States’ Rights, 1948-1968.” 2006 Louisiana Historical Association meeting
- January 6, 2006: “Nascent Neo-Con or New Deal Liberal?: Senator Russell B. Long of Louisiana.” Phi Alpha Theta Biennial National meeting, Philadelphia, Pa.
- February 24, 2005: “‘Congress is Perhaps Better Off Without the Smell of This Sort of Proposed Legislation on its Hands’: Russell Long and the Second Reconstruction,” The Civil Rights Act of 1964 and the Voting Rights Act of 1965: A Conference, Northwestern State University, Natchitoches, Louisiana
- July 10, 2004: “‘A Fabulously Complex and Unworkable Monstrosity’: Russell Long and the Family Assistance Plan, 1969-1972,” Organization of American Historians Southern Regional Meeting
- March 13, 2004: “Russell Long, the Family Assistance Plan, and the Politics of Poverty, 1969-1972,” Louisiana Historical Association
- October 2003: “The Anti-Gore Candidates in the 1970 Tennessee Senate Campaign,” with Anthony J. Badger, Tennessee Conference of Historians
- March 2003: “New Orleans Becomes a Big-League City: The NFL-AFL Merger and the Crea-

tion of the New Orleans Saints,” Popular Culture Association and American Culture Association meeting

March 2003: “Russell Long and the Cold War,” Louisiana Historical Association
1997-2002 presentations included: Tennessee Conference of Historians (2002); Phi Alpha Theta—Arkansas Regional Conference (1999, 2001); The Citadel Conference on the South (2000); Gulf South History and Humanities Conference (1998); Mid-America Conference on History (2002, 1998); Louisiana Historical Association (1997, 1998, 2002); Arkansas Association of College History Teachers meeting (1997); Phi Alpha Theta—Southwestern Social Sciences meeting (1997)

Professional Conference/Panel Proposals and Participation

January 2022: Panelist, “Confronting the Ghosts of our Institution’s Past, Present, and Future: Building Name and Race at Two Deep South Campuses.” [American Historical Association](#).

March 2021: Organized Online Roundtable Panel, “Building Renaming on a University Campus: Motivations, Justifications, and Observations.” 2021 Louisiana Historical Association. [Online](#).

October 2017: Co-organized, “H2O/LA: An Examination of Louisiana’s Relationship with Water” day-long symposium

October 2016: Co-organized, “Cajun Dance Halls and Zydeco Clubs, Then and Now” day-long symposium.

March 2016: “The Significance of the National Historic Designation: Lafayette’s Freetown/Port Rico Neighborhood.” Louisiana Historical Association proposal (accepted), chair, and roundtable participant

October 2015: Organized “The Path to a New Acadia: A Symposium on the 250th Anniversary of the Acadians’ Arrival in Louisiana” day-long event. October 8, 2015.

September 2015: Organized “Gun Violence in Louisiana: A Symposium” day-long event.

March 2011: Organized and chaired “Teaching History: On Site and ‘On the Move.’” Louisiana Historical Association meeting.

March 2011: Organized “Politics and Religion in the Age of Jim Crow.” Louisiana Historical Association meeting

March 2010: Organized “The ‘Right to Work’ and Conservative Politics in Post-World War II Louisiana” proposal for Southwestern Historical Association meeting

March 2010: Organized “The Louisiana Voices Educators’ Guide: Online Resources for Louisiana’s K-12 and College Teachers” for Louisiana Historical Association

March 2010: Organized “Rise of the New Right in Cold War Louisiana” for the Louisiana Historical Association

March 2008: Organized “Teaching History in Louisiana Colleges and Universities: A Roundtable.” Louisiana Historical Association

February 2008: Participant. “Massive Resistance: The Reaction to the Civil Rights Movement in Louisiana.” 2008 Civil Rights Conference. Northwestern State University. Natchitoches, Louisiana.

March 2007: Organized “Russell Long After Twenty Years,” Louisiana Historical Association

March 2006: Organized “States’ Rights, Race, and Reds in Twentieth Century Louisiana,” Louisiana Historical Association

September 2004: Organized “Fifty Years Later: Commemorating the Desegregation of Southwestern Louisiana Institute.” September 10 & 11, 2004.
June 2003: Participant. “Protest, Politics, and the Law: Baton Rouge and the Civil Rights Movement,” Baton Rouge Bus Boycott 50th Anniversary.
March 2003: Organized “Louisiana and the Cold War,” Louisiana Historical Association. Panel prepared with Charles Pellegrin, Mississippi State University.
September 2002: Organized “History, Biography, and Twentieth-Century Politics,” Mid-America Conference on History. Panel prepared with Jeffrey Littlejohn, Norfolk State University.

Professional Comments

“Why We Sound the Way We Do.” Chair and comment. 2019 Louisiana Historical Association
“Beyond the JFK Assassination Debate: New Directions in Scholarship on New Orleans District Attorney Jim Garrison.” Chair and comment. 2018 Gulf South History and Humanities Conference
“Things and Their Networks in Early Louisiana.” 2018 Louisiana Historical Association
“Social Change, State Programs, and the Legacy of the Longs.” 2017 Louisiana Historical Association
“The Right and the Republican Party in 1950s and 1960s Louisiana.” 2011 Louisiana Historical Association
“Youth in the United States.” 2010 National Biennial Meeting of Phi Alpha Theta, History Honor Society
“Natural Disasters in History.” 2010 National Biennial Meeting of Phi Alpha Theta, History Honor Society
“A Moderate City in an Era of Massive Resistance?” Chair and comment. 2008 Meeting of the Urban History Association
“Revisiting the School Desegregation Crisis in Norfolk, Virginia.” Chair and comment. 2008 Meeting of the Southwestern Historical Association
“Twentieth-Century American Entertainment.” 2008 National Biennial Convention of Phi Alpha Theta, History Honor Society
“Media Responses.” 2008 National Biennial Convention of Phi Alpha Theta, History Honor Society.

Chaired Sessions at Professional Meetings

2019, 2018, 2011, 2009, 2007, 2006, 2005 Phi Alpha Theta Regional Meeting; 2017 Organization of American Historians; 2002 Mid-America Conference on History

Other Professional Service

2018: organized and moderated “An Evening of Cajun Culture and Music,” Jackson State Community College, Jackson, TN, April 16, 2018
2016-2017: member, Advisory Council, Louisiana in World War II exhibit, The National WWII Museum, New Orleans
2015: outside evaluator for tenure review, Department of History, Loyola University New

Orleans

- 2014: external review of University of Arkansas-Monticello Department of History program, Arkansas Department of Higher Education
- 2012: reviewer for online CultureGrams (<http://online.culturegrams.com>) Louisiana State Edition
- 2010: consultant for River Road African-American History Museum, Donaldsonville, La.
- 2010: outside evaluator of “Democracy and Diversity in Walker County, Texas.” Enhancement Research Grant, Sam Houston State University.
- 2009: Manuscript Reviewer: Peter Lang Publishing
- 2009: Article Referee: *Agricultural History*
- 2007- present: Member, H-Louisiana Advisory Board
- 2006: outside evaluator of “‘They Say That We Must Have Moderation’: The Struggle for Educational Equality in Norfolk, Virginia, and Why It Matters Today.” Enhancement Grant for Professional Development, Sam Houston State University.
- 2005: Corporation for Public Broadcasting. Proposal reader/reviewer for *New Orleans, An American Experience Special*.

UNIVERSITY SERVICE

For the University of Louisiana at Lafayette

- Consulting Scholar, UL 125th-Anniversary Committee, 2023
- Member, Campus Building Names Task Force, 2020-
- Member, Graduate Faculty (2004-2013); Level II (2014-)
- Affiliated Faculty, [Kathleen Babineaux Blanco Center for Public Policy](#), 2018-
[Panelist, Election Reflection 2020](#)
- Member, UL Global Campus Monument committee, 2018-2019
- Member, Kathleen Babineaux Blanco Center for Public Policy director hiring committee, 2018-2019
- Member, Campus Cupboard committee, 2018-2019
- Chair, Neitzel Family Endowed Prize in Louisiana Studies committee, 2018
- Presenter, Louisiana Studies Cajun Ignite Presentations, “The Center for Louisiana Studies as a Hub for Louisiana Scholars,” April 28, 2017
- Chair, J. J. Burdin, M.D, and Helen B. Burdin Professorship in Louisiana Studies Selection Committee, 2017
- Member, Louisiana Studies Community of Interest Committee, 2017
- Member, College of Liberal Arts Professorship Selection Committee, 2015, 2017, 2024
- Member, Eminent Chair in Liberal Arts QSN Committee, 2015
- Speaker, “Professional Development for Graduate Students,” Fall 2014, Spring & Fall 2015, 2016, 2017, 2018, 2019 Graduate School Orientation
- Speaker, “Professional Development for Graduate Students,” Lunch and Learn Workshop, Graduate School, Fall 2014
- Speaker, “The Peer Review Process from the Inside and Out,” Graduate Student Appreciation Week Professional Development Workshop (April 5, 2012)
- Master of Ceremonies, *Antonine Maillet and Her World: Retour en Acadie*, the Festival of the Arts Symposium (March 16, 2012)

Co-coordinator, *The Distant Brought Near: A Discussion Series Inspired by the Art of George Schmidt*, with Lee Gray, Hilliard University Art Museum (February-April 2012)
Member, Comeaux Chair in Traditional Music Advisory Committee (2012-2022)
Member, Campus Planning Committee (2012-2015)
Member, University Research Council (2011-2012)
Faculty Mentor, SOUL Camp/United Way of Acadiana (2011)
Member, Search Committee, UL Child Development Center Program Coordinator/Assistant Director (2011)
Member, James Williams Rivers Prize Committee (2007-2018)
Member, Faculty Alumni Committee (2004-2007, 2008-2011)

For the UL Lafayette Department of History, Geography, and Philosophy

Interim Department Head (2023-)
New History Faculty Mentor (2019-)
Member, Public History Committee (2020-)
[Contributing Faculty Member, Guilbeau Center for Public History \(2019-\)](#)
Member, Dual Enrollment Committee (2018-)
Member, Graduate Studies Committee (2004-2011, 2018-)
Chair, Guilbeau Charitable Trust UL Lafayette Collections Research Awards Committee, (2013-)
Chair, Midtenure Review Committee (2020, 2022)
Chair, African-American History Hiring Committee (2018-2019)
Representative, Majors and Minors Fair (Spring 2019)
Chair, Outreach Committee (2008-2011)
Chair, Latin American Hiring Committee (2007-2008)
Chair, Charles B. Allen Memorial Award for Contributions to Phi Alpha Theta Committee (2004-2011)
Member, African-American Hiring Committee (2010-2011)
Member, Finance Committee (2004-2006)
Member, Geography Hiring Committee (2005)
Member, British History Hiring Committee (2006-2007)
History Department Representative, Fall 2004, Spring 2023 Preview Day

Other

Member, Resources Committee, History Organization of Graduate Students, Univ. of Arkansas (2000-01)
Member, Membership Committee, History Organization of Graduate Students, Univ. of Arkansas (2000-01)
Student Member, Grievance Committee, Graduate School, University of Arkansas (2001)

ADVISING

2018-present: Undergraduate Advisor, Department of History, Geography, and Philosophy, UL Lafayette. 28 current advisees

- 2004-2015, 2018-present: Faculty Co-Advisor, Epsilon-Xi chapter, [Phi Alpha Theta](#), UL Lafayette
- 2006, 2007, 2008, 2010, 2011, 2012, 2013 **Best Chapter** for National Division V (15,001 to 23,000 students)
 - 2008-2011, maintained Epsilon Xi chapter's Moodle website
 - organized participation in community service projects: Habitat for Humanity (2006, 2007); Susan G. Komen Race for the Cure (2007); American Heart Association Heart Walk (2005, 2006, 2007, 2009)
 - General Editor, *Clio's Quill*, journal published annually by the Epsilon Xi Chapter of Phi Alpha Theta (2004-2009).
 - Editor, *Clio's Musings*, UL Lafayette Department of History and Epsilon Xi Chapter of Phi Alpha Theta newsletter (2004-2007).
 - 2006-2011, Director of Epsilon Xi Guest Lecture Series:
 1. February 2006: "Massive Resistance and the Problem of School Integration in Norfolk, Virginia," Jeffrey Littlejohn, Sam Houston State University.
 2. September 2006: "Lend-Lease and Russia," Mikhail Suprun, Pomor State University (Russia).
 3. February 2007: "Pierre Caliste Landry: The Louisiana Slave Who Became the First African-American Mayor," James Wilson, Center for Louisiana Studies.
 4. September 2007: "From Stormtroopers to Klansmen? A Transnational Episode in the History of German Right-Wing Political Culture," Richard Frankel, UL Lafayette
 5. February 2008: "The Heritage Fallacy: Race, Loyalty, and the First Grambling-Southern Football Game," Tom Aiello, UL Lafayette
 6. February 2011: "Before 'Civil Rights' Were in Vogue: Black Lawyers in the Jim Crow South," David Pye, UL Lafayette

COMMUNITY SERVICE

Co-Curricular Presentations

- September 23, 2023: "What's So Spanish About the Old Spanish Trail?" Old Spanish Trail Day, Rayne, LA
- September 17, 2023: "A Tale of Two Lafayettes: The Marquis de Lafayette and Vermilionville," Alexandre Mouton House/Lafayette Museum
- November 2, 2022: The Washington Mardi and Its Founders, Lunchtime Lecture Series, Louisiana State Museum-Capital Park, Baton Rouge
- March 17, 2022: Rose McConnell Long, Vignettes of Louisiana Women series, Third Thursday After Hours, Louisiana State Museum-Capital Park, Baton Rouge
- August 13, 2020: A Brief History of Lafayette's Oil Industry. [2020 Energy Leadership Program, LAGCOE](#).
- November 16, 2019: Introductory Remarks for speaker Adam Fairclough, [75th Anniversary of the 1944 Expulsion, Iberia African American Historical Society](#), New Iberia, La.
- Rethinking New Acadia* book discussions:
- December 4, 2019: St. Martin Parish Main Library
 - November 2, 2019: [Louisiana Book Festival](#), Baton Rouge
 - August 15, 2019: Acadian Memorial, St. Martinville, La.
 - August 11, 2019: Vermilionville Acadian Culture Day, Lafayette, La.

- September 27, 2019: “Rethinking New Acadia and the New Acadia Project,” co-presented with Dr. Mark Rees, Friends of the Humanities, Lafayette
- September 13, 2019: “History of Settlement on the Vermilion,” Rediscover the Vermilion, 6th Annual [River Symposium Bayou Vermilion Preservation Association](#), Lafayette, La.
- February 28, 2019: “Mardi Gras” Teach-In panelist, UL Lafayette
- February 25, 2019: curator for screening of *All on a Mardi Gras Day*, [Les Vues Film Series](#), Vermilionville Living History Museum and Folklife Park, Lafayette, La.
- October 15, 2018: “Political Corruption in Louisiana” Teach-In panelist, UL Lafayette
- September 26, 2018: “Hidden History” Teach-In moderator, UL Lafayette
- February 21, 2018: “Crime and Punishment in Louisiana” Teach-In moderator, UL Lafayette
- January 15, 2018: “Lafayette’s Response to Martin Luther King Jr.’s Assassination,” Lafayette Public Library
- October 13, 2017: “A Band of Builders,” moderator, Crafting the South Louisiana Sound: Tools of Cajun and Creole Music symposium, Vermilionville, Lafayette, La.
- July 20, 2017: “What’s New at the Center for Louisiana Studies,” Rotary Lafayette, Lafayette, La.
- July 19, 2017: “Recent Scholarship on the Acadians,” Acadian Memorial Foundation Board meeting, St. Martinville, La.
- September 27, 2016: curator for screening of *Fatal Flood*, Les Vues Film Series, Vermilionville Living History Museum and Folklife Park, Lafayette, La.
- April 20, 2016: “The Center for Louisiana Studies and its Missions.” Kiwanis Club, Lafayette, La.
- March 9, 2016: “Long in Lit: The Context of *Kingfish*.” East Baton Rouge Parish Library.
- February 16, 2016: “The J. Arthur Roy House.” Acadiana Preservation Summit, Vermilionville, Lafayette, La.
- January 14, 2016: “The Life of Huey Long, 1928-1935.” Lafayette Public Library/Alexandre Mouton House lecture series. Lafayette, La.
- October 13, 2015: “Does it Really Matter Who Killed the Kingfish?” SAGE Series. DeRidder, La.
- September 17, 2015: “The Louisiana Governors Project: A Historic Job Description, roundtable on Edwin Edwards,” Crowley, La.
- May 9, 2015: “The J. Arthur Roy House.” Preservation Alliance of Lafayette’s “Historic Preservation Celebration.” Lafayette, La.
- April 22, 2015: “Louisiana Politics during the Cold War and Civil Rights Eras.” Invited lecture before Political Science 2056, “Louisiana Government,” course, Louisiana State University. Baton Rouge, La.
- Russell Long: A Life in Politics* book discussions:
- April 22, 2015: Hill Memorial Library. Louisiana State University. Baton Rouge, La.
 - April 15, 2015: East Bank Regional Library. Metairie, La.
 - November 11, 2014: SAGE Series. DeRidder, La.
 - November 4, 2013: University of Louisiana-Monroe.
 - November 1, 2014: Louisiana Book Festival (recorded for C-SPAN2’s BookTV program).
 - October 23, 2014: Cavanaugh Lecture Series. LSU-Alexandria.
 - October 13, 2014: SAGE Series. McNeese State University, Lake Charles.
 - October 1, 2014: Then and Now Lecture Series. Southeastern Louisiana University, Hammond.

- September 25, 2014: *Louisiana Cultural Vistas* authors' party. Louisiana State Library, Baton Rouge.
- August 20, 2014: Jeanerette Historical Museum, Jeanerette, La.
- August 14, 2014: Foundation for Historical Louisiana's Heritage Lecture, Old Governor's Mansion, Baton Rouge, La.
- August 12, 2014: Octavia Books, New Orleans, La.
- June 12, 2014: Bayou State Book Talks. Lafayette Public Library, Lafayette, La.
- April 10, 2014: Louisiana State Museum, Old U.S. Mint, New Orleans
- February 28, 2015: "The Mouton Family and Early Lafayette Landownership." Louisiana State Historic Preservation Office's "Historic Preservation Ramble." Lafayette, La.
- October 22, 2014: "A Journey Through the History of Cajun Music." Jeanerette Historical Museum, Jeanerette, La.
- June 14, 2014: "Louisiana in the Aftermath of the Civil War." Imperial St. Landry Genealogical Society, Opelousas, La.
- April 15, 2014: "Freetown Then and Now." The Freetown-Port Rico Annual Neighborhood Meeting. Lafayette, La. (With Lionel Lyles and C. Ray Brassieur)
- March 12, 2014: "Violent Louisiana: Chaos after the Civil War, 1866-1900." Jeanerette Historical Museum, repeat invitation
- October 9, 2013: "The Louisiana Scandals of 1939." Jeanerette Historical Museum.
- August 21, 2013: "Violent Louisiana." Jeanerette Historical Museum.
- March 15, 2013: "Louisiana Legacies" Book Talk, Noontime Lecture Series, Ledoux Library, LSU-Eunice.
- March 13, 2013: "How the Saints Saved Football," Lafayette Rotary Club-South.
- November 14, 2012: "How the Saints Saved the NFL." Jeanerette Historical Museum.
- November 13, 2012: "Cigar-Box Fiddles and Washtub Basses: A Homemade Instrument Workshop." Panelist and discussion leader. In Your Own Backyard Series, Lafayette, La.
- November 12, 2012: "Does it Really Matter Who Killed the Kingfish?" Senior Adult Group Encounter. McNeese State University, Lake Charles, La.
- October 17, 2012: "Why the Longs Still Matter." Jeanerette Historical Museum.
- October 13, 2012: Participant, "The Politics of Culture and Statehood" roundtable, Festivals Acadiens et Creoles
- September 19, 2012: "Louisiana's Influence on Professional Football," Iberia Parish Library.
- September 6, 2012: "State of the Studies: Louisiana History," Dupre Library, UL Lafayette.
- June 21, 2012: "Louisiana in 1812." Lafayette Public Library, North Branch.
- June 19, 2012: "Louisiana in 1812." Lafayette Public Library, South Branch.
- June 7, 2012: "From Territory to State: The Process of Statehood." Louisiana Bicentennial Commission Teacher Workshop. State Library of Louisiana.
- March 15, 2012: "Does it Really Matter Who Killed the Kingfish?" Hilliard University Art Museum, UL Lafayette.
- February 28, 2012: "Race and Rights in Louisiana: A Discussion of the Past and Present." UL Lafayette. With Thomas Aiello and Shannon Frystak.
- January 20, 2012: "From Territory to State: The Process of Statehood." Louisiana Bicentennial Commission Teacher Workshop. Lafayette Parish Library.
- January 9, 2012: "From the Louisiana Purchase to the State of Louisiana." In Your Own Backyard Series, Lafayette, La. With Mark Fernandez.
- October 29, 2011: "New Interpretations of Twentieth-Century Race Relations." Louisiana

- Book Festival. Invited discussant.
- May 28, 2011: "St. Martin Parish Journeys." Inaugural lecture for "Journey Stories," a joint exhibition sponsored by the Acadian Memorial, the Smithsonian, and the Louisiana Endowment for the Humanities
- November 10, 2009: "The Florida Parishes in Early Louisiana History." Lafayette Parish Public Library. Invited lecture.
- September 24, 2009: "The Great Depression: Then and Now." Iberia Parish Public Library. Invited lecture as part of the "The Big Read."
- April 21, 2009: "Lincoln and Louisiana." Iberia Parish Public Library. Invited lecture as part of the "Lincoln Project."
- May 15, 2008: "The American Revolution: Sources, Strategy, Ideology, Outcome." Invited lecture before the Attakapas Chapter of the Sons of the American Revolution.
- August 23, 2007: "The Marquis de Lafayette and Louisiana: Connections and Legacy." Invited lecture as part of *Lafayette in History: A Lecture Series*. Dupre Library, UL Lafayette.
- April 5, 2006: "Russell Long and the Politics of Transcendence." Invited Lunchtime Lecture at the Louisiana State Museum, Baton Rouge.
- February 22, 2006: Invited comment on "The Legal History of the Civil Rights Struggle and the Voting Rights Act of 1965," a lecture by Dr. Stanley Halpin, Jr. Dupre Library, UL Lafayette.
- January 23, 2006: "Huey Long and the Great Depression," lecture and discussion, part of *The Great Depression: A Teaching American History Workshop*. Smithsonian Institute and Lafayette Parish Schools.
- October 9, 2005: "The Perils of Baptist Intellectualism," luncheon address, Baptist Collegiate Ministry, Lafayette, Louisiana.
- September 2005: "The Researchers Reality: Russell Long and Religious Revolutionaries," UL Lafayette Department of History's Brown Bag Lunch Research Discussions.
- April 14, 2005: "Why the Longs Still Matter," invited Keynote Address, Pi Chapter of Phi Alpha Theta initiation, Northwestern State University, Natchitoches, Louisiana.
- December 18, 2004: Invited Commencement Speaker for UL Lafayette College of Liberal Arts graduation ceremonies.
- September 3, 2004: "Commemorating UL Lafayette's Fiftieth Anniversary as a Desegregated Institution." Keynote Address, UL Lafayette Alumni Association 2004 Leadership Weekend.
- June 11, 2004: guest on "Louisiana Live" radio program; discussed Reagan presidency.
- May 1, 2004: "How to Connect Your Club History to Community History." Rotary District 6200, District Conference and Meeting.
- March 29, 2004: Invited introduction of Professor Anthony Badger, "*Brown v. Board of Education* and the Failure of Southern White Liberals." Norfolk State University, Norfolk, Virginia.
- March 29, 2004: "The Effects of *Brown v. Board* in Norfolk, Virginia." Roundtable with Anthony Badger, Jeffrey Littlejohn, and Dan Margolies. Virginia Wesleyan College, Norfolk, Virginia.
- October 2003: "History and Reality TV," keynote speech, Epsilon-Xi chapter of Phi Alpha Theta induction ceremony, UL Lafayette.
- November 2002: "Chemical Engineering and Alpha Chi Sigma at the University of Arkansas," with William A. Myers. Dinner talk at "Celebration of 50 Years of Service to the American

Chemical Society by Professor Emeritus of Chemical Engineering James Riley Couper.”
Fayetteville, Arkansas.

August 2002: “Chemical Engineering and Alpha Chi Sigma at the University of Arkansas,”
with William A. Myers, American Chemical Society, Division of Chemical Education.

Media Appearances

Interview on Earl Long’s 1959 Breakdown for [Invitation au voyage: Le magazine de l’évasion Culturelle](#) (ARTE: The European Culture Channel), aired September 2022.

KADN “The Verdict: The Huey Long Story,” Parts [one](#) and [two](#), Spring 2019.

Liberal Arts Spotlight, AOC Community Media and UL Lafayette College of Liberal Arts,
recorded September 29, 2017

“Bayou to Beltway,” KRVS, September 27, 2017; July 2, 2019

[C-SPAN, “Book TV,”](#) recorded November 1, 2014, at the Louisiana Book Festival.

[“The Reading Life with Susan Larson,”](#) WWNO (New Orleans), May 20, 2014.

Multiple appearances on local Lafayette television (KLFY, KATC, KADN) and public radio
(KRVS)

Interviewed for newspaper articles: *The Daily Advertiser* (Lafayette, La.); *The Times-Picayune*
(New Orleans); *The Advocate* (Baton Rouge, La.); *The Vermilion* (UL Lafayette)

Other Community Service

Volunteer Youth Soccer Coach, Cajun Fire Soccer Association, 2024

Day-leader for Local History session, Empowerment Through Education Program, National
Coalition Building Institute (with students from Northside, Lafayette, and Teurlings high
schools in Lafayette). December 6, 2023

Leadership Lafayette: moderator and discussant for panel on “Cultural Investment and Quality
of Life,” June 9, 2023.

Consulting Scholar, Lafayette Parish 200th Anniversary, 2023.

Day-leader for Local History session, Empowerment Through Education Program, National
Coalition Building Institute (with students from Northside and Teurlings high schools in
Lafayette). February 8, 2023.

Spring 2022: Volunteer Consultant, Cultural Receptacle Art Trash Can project, [Do It Greener
Foundation](#).

President, Vermilionville Living History Museum Foundation Board (2014-2016; 2018-2021);
Member (2007-2021); curatorial committee member (2018-2021); accreditation committee
member (2018-2021)

Guest speaker on Louisiana history, 3rd grade class, Prien Lake Elementary, Lake Charles, LA,
April 20, 2021. Online.

[Lafayette Azalea Trail](#) Historic Tour Guide, March 14, 2020

Leadership Lafayette: Historic Lafayette Downtown Tour, March 6, 2020

The 705: Historic Lafayette Downtown Tour, November 21, 2019

Member, [Arts + Business = Culture ICON Arts Awards Selection Committee](#) (2016-2018)

Member of [Historic Preservation Committee, Downtown Lafayette Unlimited](#) (2015-2017)

Guest speaker on “Huey Long” for seven 8th grade Louisiana History classes, L.J. Alleman
Middle School, March 15, 2019.

Guest speaker on “Cajun Music and Its History”: Loreauville High School, January 14, 2014
Guest Speaker before two eighth-grade classes on topic “The Civil War in Louisiana,” St. Pius Catholic Elementary School, 1 March 2011.
Facilitator, Career Shadowing--Paul Breaux Middle School (2010), New Iberia Senior High School (2010, 2011)
Member, Board of Advisors of UL Lafayette Baptist Collegiate Ministries (2004-2007)
October 30, 2004: Organizer, UL Lafayette Department of History and Geography participation in American Heart Association Heart Walk
March 20, 2004: Proctor, University of Louisiana at Lafayette Literary Rally

HONORS/AWARDS

2022: named Senator Edgar “Sonny” Mouton/BORSF Endowed Professor, Blanco Public Policy Center, UL Lafayette
2020-2021: Inaugural Recipient of J. Y. Sanders Research Scholar award ([Center for Southeast Louisiana Studies](#))
2020: accepted into the Louisiana Historical Association’s [Company of Fellows](#)
2010, 2013, 2016, 2019, 2022: named Cheryl Courgee Burguières/BORSF Professor in History, UL Lafayette
2007: named SLEMCO/BORSF Professor in Liberal Arts, UL Lafayette
2006: Initiate into Order of the Palmetto (for excellence in Louisiana Studies)
2004: Spirit of Eternity Award, Epsilon-Xi Chapter of Phi Alpha Theta
2001-2002 Diane Blair Fellowship, University of Arkansas Department of History—declined
2001-2002 President, Alpha chapter of Phi Alpha Theta (University of Arkansas)—declined
2001 Walter Lee Brown Scottish Rite Scholarship (presented to the University of Arkansas Outstanding Graduate Student in Southern United States History)
2000-2001 President, History Organization of Graduate Students, University of Arkansas
2000-2001 University of Arkansas Departments of Chemical Engineering and History Tuition Waiver, Academic Stipend, and Research Associateship
1998 University of Arkansas Department of History Travel Award
1997-2000 University of Arkansas Department of History Tuition Waiver, Academic Stipend, and Graduate Assistantship (offered for 2001-2002, declined)
1997-1998 Amos E. Simpson Award for Outstanding Graduate Research—University of Southwestern Louisiana History and Geography Department
1996-1997 President, Epsilon-Xi chapter of Phi Alpha Theta (University of Southwestern Louisiana)
1996-1997 PSG Charles B. Allen Memorial Award for Service to the University of Southwestern Louisiana History and Geography Department
1997 Ben Procter Phi Alpha Theta Award, Southwestern Social Sciences Association meeting
1997 Who’s Who Among Students in American Colleges and Universities
1996-1997 University of Southwestern Louisiana Office of Public Relations and News Service Graduate Assistantship
1996 Louisiana Society Colonial Dames XVII Century Cole Exchange Scholarship
1996 University of Southwestern Louisiana History and Geography Department Graduate Assistantship
1994-1995 W. Magruder Drake Award Senior Award for Excellence in History, University of

Southwestern Louisiana History and Geography Department
University of Southwestern Louisiana Spring Honors Convocation: 1992-94, 1996-97
1991-1994 University of Southwestern Louisiana Dean's List
Phi Alpha Theta: life member
Pi Gamma Mu: life member
Phi Kappa Phi: life member

PROFESSIONAL MEMBERSHIPS

American Historical Association
Louisiana Historical Association
Louisiana Historical Society
Organization of American Historians
Southern Historical Association

Exhibit 5

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA

PHILLIP CALLAIS, *et al.*
PLAINTIFFS

v.

C.A. No. 3:24-cv-00122
Judge David C. Joseph
Circuit Judge Carl E. Stewart
Judge Robert R. Summerhays

NANCY LANDRY, in her
official capacity as Secretary
of State for Louisiana
DEFENDANT

EXPERT REPORT OF
BEN OVERHOLT
ON BEHALF OF PLAINTIFFS IN RESPONSE TO REPORTS
OF ANTHONY FAIRFAX AND CORY McCARTAN

April 1, 2024

INTRODUCTION

The Intervenors' experts, Anthony Fairfax and Cory McCartan, each opine that differences between SB8 and several other 2-majority-minority district maps considered by the Legislature are significant. Those differences, Fairfax and McCartan argue, show that SB8's metrics regarding parish-splits, compactness, and other factors are the result of SB8 considering criteria other than race. I was retained by Plaintiffs as an expert to test this hypothesis by reviewing the five different redistricting plans for Louisiana's new congressional map that have been brought forward as providing a second viable majority-minority district by the intervenor defendants in this case, and to determine the effect each plan would have on black voters in the state. I was asked to specifically compare the voting trends in the new and hypothetical maps to the well-established majority-minority district from the 2022 map (HB1) to determine if any of the new or proposed maps provide two majority-minority districts.¹

As shown below, my opinion is that the assumptions of Mr. Fairfax and Dr. McCartan are incorrect. In fact, SB8 can be explained as an effort to maximize racial performance because it has superior performance to the other legislatively-considered maps cited by either Mr. Fairfax or Dr. McCartan, even though SB8 itself fails to perform and fails to provide a second functioning majority-minority district.

Specifically, I found that SB8, and the group of proposed alternative maps for Louisiana, all fail to provide a second functioning majority-minority district, and in the process, they weaken the previously existing majority-minority district. Although each plan includes a second district which is nominally majority black by voting age population (VAP), when turnout and voter preferences are considered, these districts will generally fail to elect the candidate supported by most black voters. I demonstrate this failure in three ways. First, they would have failed to elect the candidates supported by most black voters in probative elections with black candidates at least 60% of the time. Second, turnout among black voters is lower than others by enough that the small majority of black VAP (BVAP) in each plan is not enough to win consistently. Finally, support for candidates supported by most black voters in congressional year contests drops an average of 16.3% when comparing District 2 in the old (HB1) map to District 6 in the new (SB8) map.

MY BACKGROUND

I have a decade of full-time experience applying statistical concepts to civil rights issues since completing a Ph.D. in Applied Statistics from the University of Northern Colorado. I served as the only statistician in the Voting Section at the US Department of Justice for five and a half years; that works out to over 11,000 hours of full-time effort spent analyzing elections and

¹ I am being compensated at a rate of \$325 per hour for my time.

determining the best methodologies and data to apply to legal questions surrounding VRA enforcement. In this time, I analyzed thousands of electoral contests spread across hundreds of jurisdictions in support of hundreds of potential legal cases. I have presented my results and been the deciding factor in supporting litigation before DOJ section leadership and two Assistant Attorney Generals.

I have an additional two years of experience at the Equal Employment Opportunity Commission as a statistical team leader. There I designed research plans and studies to determine the racial effect of laws, regulations, and policies on workers in the United States. I designed statistical sampling plans to determine the effect of district level legal policies regarding reconciliation and mediation. In the field of voting rights analysis, I am one of the most experienced data scientists in the country.

DATA

In data science, analyzing data is often very mechanical, and straight forward. Finding data, cleaning data, merging data, and determining methodology to use, take up the vast majority of my time and effort in any project. It takes time to familiarize yourself with the data enough to know what you need to include, what is irrelevant, what is reliable, what is missing... the list goes on. In this case there are two critical data concerns. First, demographically speaking, I had to make determinations about individuals races based on different and completely unrelated data sources. Second, I had to determine the best data to use for election results.

Determining race should be straightforward, but Census data has made race reporting increasingly complex over the last few decades. Respondents to the Census have the choice of selecting anywhere from one to six racial groups and can separately identify as Hispanic. This creates race categories along the lines of “White; Black; Asian”. The difficulty is in trying to determine which racial group someone who selected “White; Black; Asian” belongs in for voting analyses. Are they black or not? Some groups try to include as many people as possible into the black category, to make majority-black districts easier to draw. The difficulty here is that if we deliberately overestimate the number of black voters, then we risk making a narrow majority black district that is only an illusion of the data and doesn’t elect candidates.

There are four reasonable ways of combining Census responses to get racial estimates. The first is “Black Alone” where only those who identified as black, but nothing else, are considered black. The second is “Black Alone Non-Hispanic”, which removes those from the first group who identified as Hispanic. The third is “Any Part Black” and includes everyone who identified black in any way. Finally, there is “DOJ Black” which excludes those who identify as both black and Hispanic from “Any Part Black”. Regardless of which method is employed, BVAP in Louisiana ranges from 29.9% to 31.2%.

Table 1: Percent BVAP by Count Method

	BVAP	% BVAP
Black Alone	1,073,754	30.1%
Black Alone N-H	1,066,511	29.9%
Any Part Black	1,115,758	31.2%
DOJ Black	1,100,687	30.8%

Fortunately, Louisiana records voting by race. The only options they allow are “White” “Black” and “Other”. So, using their race-based turnout data eliminates the complexity of determining the best group of categories to call “Black”. When available, turnout data is always better for RBV analyses. Rather than using VAP to estimate Turnout to estimate voter preferences, I can just use turnout to estimate voter preferences. Every estimate has error. Errors do not usually cancel,² they often compound. When making estimates based on estimates based on estimates, errors often increase dramatically, but in a way that is difficult to measure. The fewer sets of stacked estimates the better.

To tabulate historical election results by 2024 Precinct boundaries, it was necessary to dis-aggregate the returns for each election cycle down to census blocks, and re-aggregate the data to the new districts. Several different data sets were required to produce this analysis, including precinct-level election results, precinct shapefiles, voter registration lists, and Census TIGER/Line shapefiles. The sources of each of these data sets, and the processes used to merge them together are detailed below.

Election results were taken from the Louisiana Secretary of State’s Website.³ Voter registration lists were made available by the state of Louisiana which include individual level data about voters, such as race, party, precinct and voting history. Precinct shapefiles were sourced from the Louisiana Redistricting site.⁴ Census TIGER/Line files based on 2020 Census Block boundaries were obtained from the Census Bureau FTP site.⁵

Precinct-level election results for each cycle were matched to the corresponding shape in the precinct shapefile. Using the census block shapefiles and GIS software, the centroid (or center point) of each block was overlaid on top of precinct shapefile, and each block was assigned to the precinct polygon that contained its center point. Following a similar process, a census block was assigned to each voter on the voter registration according to the geographic

² Sampling methodology is largely based on getting errors to cancel. The entire reason researchers seek out a “random sample” of some kind, is the ability of the errors within that sample to cancel, rather than compound. The idea is that if you take a large enough sample randomly, considering the demographics of all precincts in a state, you will get small and large numbers of black voters in precincts, but overall, they will balance each other out and provide a reasonable estimate for the portion of black voters in the state, when the sample is large enough. However, if the sample is not drawn randomly, say by only considering rural properties, the errors will stack up on one side, likely undercounting black voters in this case. This type of undercount is referred to as “statistical bias;” it is specifically when the errors tend to lean the same direction.

³ <https://voterportal.sos.la.gov/static/>

⁴ <https://redist.legis.la.gov/default>

⁵ https://www2.census.gov/geo/tiger/TIGER2020PL/STATE/22_LOUISIANA/22/tl_2020_22_tabblock20.zip

point created from their registration address. The number of people participating in each election was then tabulated for each census block.

These voter turnout statistics allow us to determine what share of the overall election day vote for a precinct should be allocated to each census block contained within that precinct. This process is then repeated for each election cycle using the corresponding election results and precinct shapefiles until all results have been assigned to census blocks.

CONGRESSIONAL ELECTIONS IN LOUISIANA

There are three main difficulties unique to Louisiana that affect a simple explanation for how the current congressional map will perform for black voters in the future. First, there are very few contests that can be used to effectively represent congressional contests for new, unused districts. Second, the existing congressional system uses a jungle primary and then holds a runoff if no candidate gets 50% of the vote, making it a matter of opinion as to what a “win” for minority voters looks like at each stage. Finally, a Louisiana law will go into effect after the 2024 election which will change the electoral process for congressional seats in Louisiana to a more traditional Primary/General election format. After 2024, the ability to elect will be entirely based on delivering a majority of votes in November of even years.

Further compounding the issue of sparse elections to analyze, is the issue of the race of the candidate in each contest. Although a majority of black voters will often vote for a white candidate, it is far more probative to verify the ability of black voters to elect black candidates of choice. If a district only allows black voters to choose between white candidates, the district is not really allowing black voter choice. Contests with only white candidates are still useful, but they are not directly related to black voters’ ability to elect their candidates of choice.

Table 2: Contests Considered by Election Year

	General Elections	Runoff Elections
2022	Senate	-
2020	Senate	-
2018	Secretary of State	Secretary of State
2016	Senate	Senate
2023	Governor	-
	Lieutenant Governor	-
	Secretary of State	Secretary of State
	Attorney General	Attorney General
	Treasurer	Treasurer
	Governor	Governor
	Lieutenant Governor	-
2019	Secretary of State	Secretary of State
	Attorney General	-
	Treasurer	-

*Contests in **bold** include a black candidate

Because the map in question only affects US Congressional seats, which are overwhelmingly elected in November of even years, the most probative elections are those held in November of even years. Unfortunately, most statewide contests in Louisiana are held in odd years. The only even-year contests held for Louisiana based offices since 2016 are three Senate contests and one Secretary of State special election.⁶ In the odd years evaluated, 2019 and 2023, there are five statewide offices in each: Governor, Lieutenant Governor, Secretary of State, Attorney General and Treasurer. Of these 21 contests, eight lacked a black candidate. Table 2 shows the list of all elections considered and separates them by election type and the presence of a black candidate.

After 2024 the new primary/general election law will remove the jungle primary and runoff mechanism and replace it with party primaries. At this point, a district will need to be able to reliably deliver a majority of votes cast in November of even years to elect a member of congress. To analyze these potential contests, I will focus on the even year November contests.

METHODOLOGY

⁶ Although Presidential elections are technically held statewide, the office is not elected in the same primary, or by the same voters as are lower-level contests. Presidential elections can be useful for determining Polarization, but they are not useful in predicting voter preferences for other contests.

To accurately measure voting preferences among voters in any secret ballot election, it is necessary to address the ecological fallacy. The ecological fallacy is, in essence, the idea that you cannot really derive individual data from aggregate data. There is no way to determine how a single person voted based on the vote totals in their precinct. There are however a number of historically and legally proven methods for estimating group voting behaviors based on precinct totals. While we may never be able to determine, with any certainty, whether an individual voted for a specific candidate, we can derive excellent estimates for the percentage of white voters who voted for that same candidate. These methodologies collectively allow us to determine voting behavior for any candidate and any racial group with some limitations.

Practically speaking, there are three commonly used methods for determining voter preferences from election data: Homogeneous Precinct Analysis (HPA), Ecological Regression (ER), and Ecological Inference (EI). From a legal standpoint reliable statistical estimation of racial voting behavior began in the 1980's with the use of HPA and ER as applied in the lawsuits leading up to *Thornburg v. Gingles*. EI was later developed to address the key short comings of ER and HPA.⁷

HPA is the simplest of the three methods and easiest to describe. HPA considers only homogeneous precincts, those that are overwhelmingly (>80%) one race or the other and looks at the percentage of votes cast for each candidate. The percentage of support found in homogeneous precincts is then used to estimate support in all precincts. The key limitations to HPA are that it only considers those extreme precincts and assumes that all voters vote the same based on race regardless of where they live. HPA cannot be used if the minority group does not have a number of precincts in which it is the majority. If black voters from homogeneous precincts vote differently from voters in racially mixed precincts, HPA results would be unreliable, but HPA offers no measure of its accuracy.

ER uses Simple Linear Regression (perhaps the most prolific example of inferential statistics) as the basis to approximate voter behavior. Although ER still assumes that voters have the same voting behaviors based on their race regardless of which precinct they live in, ER considers all precincts. The one key assumption ER shares with HPA is it still assumes that voters vote the same way by race, regardless of where they live. A statistical measure, “R²”, and standard error provides a measure of its accuracy.⁸

⁷ For a thorough review of the methodologies and their impact see: Gary King. 1997. *A Solution to the Ecological Inference Problem: Reconstructing Individual Behavior from Aggregate Data*. Princeton: Princeton University Press.

⁸ R² measures the percentage of variability in system that is explained by a regression model. As such R² ranges from 0 to 1. In this case, R² would be a measure of the percentage of the variability in voting behavior that is explained by a voter's race. Standard error provides a measure of how far the values can reasonably vary. Consider the first result in Appendix A, for Chambers in the 2022 Senate contest. The ER results labelled “ER est” is 59.3, suggesting Chambers received 59.3% of the votes cast by black voters. The Standard errors of that estimate, labelled “ER se”, is 2.0. for a “95% confidence interval” (a range of values that will contain the actual percentage of black voter support 95% of the time) we multiply 2 by 1.96, then add it to and subtract it from 59.3. The confidence

Finally, EI makes individual estimates on the precincts. It makes assumptions about the distribution of the underlying variables rather than about actual voting behavior. It does not assume that all voters vote the same by race. It also considers data from all precincts. Most importantly, EI offers a standard error/ confidence interval (measures of the accuracy of the estimate) which are directly related to the estimates themselves. As a result, EI does not suffer from the same weaknesses that ER and HPA do, as it can differentiate between precincts that are homogenous or mixed.

All RBV analyses start with aggregated data at the precinct level. To estimate voting behavior by race, the necessary data includes the number of votes cast for each candidate in each precinct, and the number of people in each racial group of interest in each precinct. This data structure is what is meant by the term ‘data aggregated at the precinct level’. For this analysis, I was provided with data aggregated to approximate each of the districts of interest: District 2 from the HB1 2022 map (HB1-D2 hereafter), District 2 in the SB8 map (SB8-D2 hereafter), District 6 in the SB8 map (SB8-D6 hereafter), District 2 from the Robinson 2023 Illustrative Plan 2 (Robinson-2 hereafter), District 5 from the Robinson 2023 Illustrative Plan 2 (Robinson-5 hereafter), District 2 from the NAACPLDF Coalition CD Plan A3 v2 (A3-D2 hereafter), District 5 from the NAACPLDF Coalition CD Plan A3 v2 (A3-D5 hereafter), District 2 from the Marcelle-Price plan (Price-D2 hereafter) and District 5 from the Marcelle-Price plan (Price-D5 hereafter). Data from the Louisiana voter file and Secretary of State data were combined at the VTD level with election results. I then aggregated this VTD level data together into the districts using provided lists of which VTDs belonged in each district. My analyses then look at the proportion of voter preferences and racial demographics to estimate the percentage of voters of each race who voted for each candidate.

The nine districts being considered among the five redistricting plans that attempt to be majority-minority districts, range in BVAP as a percentage of total VAP from 51.0% to 58.5%. To give the benefit of the doubt, these numbers are based on “any part black” as discussed above and will tend to maximize the black population by counting those who identify as both white and black as just black. In this case, the overestimation will serve to show just how lacking these districts are when considering actual voting results and turnout by race. Collectively I will refer to the districts within every plan named district 2 as “districts-2” and those that purport to be a second majority-minority district (either named district 5 or 6 depending on the plan) as “districts-5/6”.

interval is then 55.3 to 63.2. We would say, we are 95% certain that between 55.3% and 63.2% of black voters voted for Chambers.

Table 3: BVAP as a percentage of VAP for districts of interest

	HB1	SB8	Robinson	A3	Price
D2	58.5	51	51.2	52.7	51.4
D5/6	-	53.9	51.7	51.5	52

Although RBV is usually conducted to ascertain the level of polarization in an electorate, it can do far more. By multiplying RBV estimates by the number of voters in each racial category, it is possible to re-aggregate race-based election results for districts that have never been used in an election, such as the SB8 districts. Such analyses offer the best way to measure the potential performance of hypothetical districts. These aggregations are the basis for most of my analyses. For the purposes of generating RBV estimates, I relied on the R programming language for all of my analytical needs.

When using RBV for determining the level of polarization in an electorate, the common practice is to use every election possible, as every election will show how polarized the electorate was at that time. Here, however, I will be using RBV to reaggregate past elections to determine how an election would have gone if various districts had existed at the time. Hence, it is important to carefully choose which elections to consider.

TURNOUT ANALYSIS

I used turnout to better understand the nature of the electorate in various recent elections. To better determine which elections are best suited to predicting future congressional contests, I compared turnout across different elections by race and both statewide and only in HB1-D2. Table 4 presents the statewide and HB1-D2 turnout rates for both all voters and black voters for all election years analyzed and for Gubernatorial contest years going back to 2007. These numbers are directly from the Louisiana Secretary of State website.⁹ The most probative contests are the four even-year November contests. These are the contests which happened concurrently with congressional elections.

The difference in turnout shows the dissimilarity between different election years and types. The roughly 20% decrease in turnout from presidential years to even non-presidential years represents people who show up to vote only in presidential years. These voters will overwhelmingly never vote in a runoff, or in an odd-year election. Similarly, the roughly 10% drop in turnout from even-year non-Presidential elections to odd-year state elections is the result of voters who overwhelmingly only vote in general elections in even years.¹⁰ These voters were generally not present in runoff elections.

⁹ See: <https://www.sos.la.gov/ElectionsAndVoting/Pages/PostElectionStatisticsStatewide.aspx>. Louisiana records turnout and registration by race. As a result, there is no need to estimate these numbers.

¹⁰ In even years, general elections are held in November with the runoff in December. In odd years, general elections are held in October with the runoff in November.

Table 4: Actual Turnout as a Percentage of Registration in Statewide Elections: 2016-2023

	Statewide				Original-D2			
	All Voters		Black Voters		All Voters		Black Voters	
	General	Runoff	General	Runoff	General	Runoff	General	Runoff
2022	46.7%	14.9%	37.9%	12.8%	41.2%	13.8%	38.4%	13.1%
2020	70.1%	17.0%	63.1%	17.8%	65.8%	22.2%	64.0%	23.3%
2018	50.8%	17.7%	46.9%	17.0%	48.6%	14.7%	47.9%	15.1%
2016	67.8%	29.4%	62.0%	25.7%	64.2%	28.9%	63.5%	27.8%
Avg.	58.9%	19.8%	52.5%	18.3%	54.9%	19.9%	53.4%	19.8%
2023	36.3%	23.1%	28.8%	17.8%	30.5%	17.4%	28.5%	15.4%
2019	45.9%	51.0%	40.4%	50.2%	41.2%	49.3%	40.4%	50.6%
2015	39.2%	40.2%	35.2%	38.9%	35.6%	39.9%	35.0%	37.8%
2011	37.4%	25.2%	31.4%	18.4%	23.3%	11.7%	22.3%	11.5%
2007	46.6%	30.2%	36.8%	19.7%	28.4%	19.2%	23.5%	14.6%
Avg.	41.1%	33.9%	34.5%	29.0%	31.8%	27.5%	29.9%	26.0%

Any elections which consistently have much lower turnout than even-year, congressional, general elections, cannot accurately predict those elections. In congressional general elections (when the overwhelming majority of current congressional seats are decided) statewide average turnout is 52.5% for black voters and 58.9% for all voters. In all odd-year, state, general elections, turnout averaged 34.5% for black voters and 41.1% for all voters. The difference in turnout between congressional and state elections averaged 18.8% for black voters and 17.8% for all voters. This difference in turnout is substantial. All results are similar when considering HB1-D2 turnout. State general elections will have limited predictive power for future congressional general elections, but I will consider them below primarily to increase the total number of elections being reviewed, and a larger pool of elections is advantageous. Also, their inclusion will dispel any counter argument that they would change the results of this analysis.

For runoff elections, comparisons were less reliable. In congressional runoff elections turnout averaged 18.3% for black voters and 19.8% for all voters. In state runoff elections turnout ranged from 29.0% for black voters and 33.9% for all voters. The difference in turnout between congressional general elections and congressional runoff elections averaged 34.2% for black voters and 39.1% for all voters. The difference in turnout between congressional general elections and state runoff elections averaged 23.5% for black voters and 24.9% for all voters. Runoff elections all averaged more than a reduction in turnout of 23.5% to 39.1%, much more than for state general elections. All results are similar when considering HB1-D2 turnout. Runoff elections will not be very predictive of future congressional general elections, but I will include their results below to show how limited their effect on this analysis would be.

Two things stand out from the turnout analysis and are specifically important for this case. First, the runoff elections are not based on a similar electorate to the congressional general elections, and as such are not useful in predicting future performance in congressional contests.

Second, state general elections have an unpredictable electorate, turnout swings wildly making these contests less than ideal for predictive analytic work. I still consider these elections below to demonstrate their effect, but they come with the caveat that their results are not as consistent or reliable when predicting future outcomes.

ELECTION REAGGREGATIONS

To determine the effect of the new redistricting plans, I conducted RBV analyses to include EI, ER and HPA on the statewide elections in Louisiana that are listed in Table 2, both in terms of their statewide result and their results within the boundaries of the districts listed in table 3.¹¹ In every case, EI, ER and HPA results generally agreed regarding overall levels of polarization and proportion of support for candidates by race. I cite only the EI estimates as they are generally considered the most accurate available. The results of these analyses were compared to determine the electoral effect the new map will have on elections going forward.

Table 5a: Total Percent of Votes Cast For Candidates with Support
From at Least 10% of Black Voters in Even Years

	<u>HB1</u>		<u>SB8</u>		<u>Robinson</u>		<u>A3</u>		<u>Price</u>	
	D2	D2	D6	D2	D5	D2	D5	D2	D5	
2022 US Senate	63.5	54.9	47.7	51.9	44.4	54.4	43.4	52.2	44.1	
2020 US Senate	60.6	53.5	46.2	51.3	41.7	53.3	42.8	51.6	41.8	
2018 Sec of State	69.1	61.9	54.2	59.4	51.2	61.6	51.2	59.7	51.4	
2016 US Senate	58.0	51.4	45.5	48.0	42.7	49.5	43.4	48.2	42.8	

*Contests in bold include a black candidate 12

In each congressional general election analyzed, as presented in Table 5a, HB1-D2 shows total support for candidates supported by most black voters ranging from 58.0% to 69.1%, and all of them would have won¹³. In SB8-D2, support for candidates supported by most black voters ranged from 51.4% to 60.9%, and though all of them would have won, support is much weaker (an average decrease of 7.4% compared to HB1-D2). The remaining districts-2 would have elected only three of the four candidates. In all districts-5/6, only 2018 shows a majority of voters (54.2%) voting for candidates supported by most black voters; no other contest saw a

¹¹ Tables showing the results of the RBV analyses are available in Appendices A, B and C.

¹² All four even year contests had more than one candidate receiving >10% of the black vote. The results presented all combine two candidates' votes. In 2020, both black supported candidates were black, in 2016 both were white, and in both 2022 and 2018, there was one black and one white candidate. In each case results for two candidates were added together to allow for a fair representation (or more than fair representation, because it assumes that each black voter's second choice is always the other black-supported candidate) of the level of control black voters assert over the district. In all four contests total support for the candidates supported by a plurality of black voters ranged from 27.0% to 35.0% in SB8-D2 and from 30.4% to 31.9% in SB8-D6.

¹³ Tables 5a and 5b show the percentage of votes cast for a potential combination of candidates who received support from at least 10% of Black voters broken down by district. To get these percentages, any candidate who received more than 10% of the Black vote, per RBV analysis, was included in the total percentages reported. This was done to give an accurate picture of when Black voters and their allies were able to deliver a majority of the votes in a single contest.

candidate supported by most black voters get over 47.7% of the vote (an average drop of 17.6% to 17.8% compared to HB1-D2). In congressional general election years, all proposed districts-5/6, including SB8-D6, would defeat candidates supported by most black voters most of the time.

Table 5b: Total Percent of Votes Cast For Candidates with Support From at Least 10% of Black Voters in odd Years

	<u>HB1</u>		<u>SB8</u>		<u>Robinson</u>		<u>A3</u>		<u>Price</u>	
	D2	D2	D6	D2	D5	D2	D5	D2	D5	
2023 Governor	58.4	51.2	41.3	47.7	37.6	50.6	37.2	48.1	37.5	
2023 Lt Gov	46.4	41.7	32.6	38.7	29.1	40.3	31.0	39.0	28.9	
2023 Sec of State	65.0	57.4	46.9	53.6	43.3	56.5	42.7	54.0	43.2	
2023 Attny Gen	50.1	43.9	36.1	40.7	33.1	43.4	32.2	41.1	32.9	
2023 Treasurer	65.6	58.5	48.6	54.7	45.3	57.8	44.4	55.2	45.2	
2019 Governor	80.2	72.9	62.8	68.8	58.4	71.0	59.0	69.0	58.8	
2019 Lt Gov	64.0	56.5	49.5	56.2	49.5	58.5	49.8	56.6	49.8	
2019 Sec of State	69.0	60.6	52.3	57.0	48.3	59.8	49.0	57.3	48.4	
2019 Attny Gen	70.0	61.6	51.4	57.6	47.6	60.3	48.0	57.9	47.7	
2019 Treasurer	69.8	61.4	53.7	58.2	50.0	60.5	50.9	58.5	50.3	

*Contests in bold include a black candidate

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In each state general election analyzed, as presented in Table 5b, HB1-D2 showed overall support for candidates supported by most black voters ranging from 46.4% to 80.2%, with only one candidate supported by most black voters being defeated. In SB8-D2 that support ranged from 41.7% to 72.9% (an average drop of 7.3% compared to HB1-D2) with two candidates supported by most black voters being defeated. In SB8-D6 support ranged from 36.1% to 64.0% (a drop of 16.3% compared to HB1-D2), with six candidates supported by most black voters being defeated. In the remaining districts-2, only two candidates supported by most black voters would have won. SB8-D2 is weaker than HB1-D2, but it would still generally allow candidates supported by most black voters to win. The other districts-5/6 had a drop of 19.4% to 19.6% for candidates with black support compared to HB1-D2, and all districts-2 had a drop of 8.0% to 10.5%. In state general elections, all proposed districts-5/6, including SB8-D6, would defeat candidates supported by most black voters most of the time.

Considering only runoff elections as presented in Table 5c, candidates supported by most black voters would have won every contest in districts-2 and SB8-D6. In the remaining districts-5/6 however, the win rates drop to four out of seven (57.1%). Though these all show a majority, there are major caveats here. First, the three contests with a black candidate all involve the same black candidate, “Gwen” Collins-Greenup for Secretary of State. The others include only white

¹⁴ The only contest with a second candidate receiving >10% of the black vote, was the 2023 Sec of State contest. The reported numbers combine the top two candidates in terms of their total votes. Without the second candidate, the candidates supported by a plurality of black voters got a total of 29.1% of the vote in SB8-D2 and 34.3% in SB8-D6.

candidates. The results here are very limited because they show that white Democrats and a single black repeat candidate can win in SB8-D6. Even when winning, these runoffs have very low turnout. In total, these elections are nothing like the general elections considered and have very little predictive power when analyzing a district’s ability to elect the candidate supported by most black voters in congressional contests.

Table 5c: Total Percent of Votes Cast For Candidates with Support From at Least 10% of Black Voters in Runoff Elections

	<u>HB1</u>		<u>SB8</u>		<u>Robinson</u>		<u>A3</u>		<u>Price</u>	
	D2	D2	D6	D2	D5	D2	D5	D2	D5	
2023 Sec of State	70.2	61.0	54.0	56.9	48.8	60.6	48.6	57.3	48.4	
2023 Attny Gen	70.4	61.2	54.3	57.0	48.8	60.4	48.7	57.4	48.4	
2023 Treasurer	70.3	61.3	54.9	57.5	49.8	61.0	42.3	57.9	49.4	
2019 Governor	84.3	77.7	68.7	73.4	65.7	75.7	66.1	74.1	66.0	
2019 Sec of State	76.8	69.0	60.7	65.7	57.4	67.8	57.8	66.1	57.7	
2018 Sec of State	79.0	69.6	61.5	66.3	56.5	68.7	59.9	66.7	57.2	
2016 Senate	76.7	67.7	60.1	62.9	56.1	65.3	57.2	63.3	56.4	

Table 6a combines the contests in Tables 5a and 5b to give a clear representation of how often the various districts-5/6 would have elected the candidate supported by most black voters. In SB8-D6, the candidate supported by most black voters would have only won one out of four contests (25%) in congressional years, and only four out of ten (40.0%) in state election years. When considering only those elections with black candidates, the winning margins improved slightly to one out of three (33.3%) in congressional years and three out of seven (42.9%) in state election years. The other districts were the same in congressional years, but all fared worse in odd years. In Robinson-D5, A3-D5 and SB4-D5, the results were all the same, the candidate(s) supported by most black voters would have only won one out of four contests (25.0%) in, even congressional years and two out of ten contests (20.0%) in odd state, years. None of these districts would have generally elected the candidate supported by most black voters. None of these districts represent a functioning majority-minority ability to elect district.

Table 6a: Win Percentage by Race in Districts 5 and 6

	<u>All Contests</u>											
	<u>SB8-D6</u>			<u>Robinson-D5</u>			<u>A3-D5</u>			<u>Price-D5</u>		
	Win	Loss	W%	Win	Loss	W%	Win	Loss	W%	Win	Loss	W%
Even Years	1	3	25.0%	1	3	25.0%	1	3	25.0%	1	3	25.0%
Odd Years	4	6	40.0%	2	8	20.0%	2	8	20.0%	2	8	20.0%
Total	5	9	35.7%	3	11	21.4%	3	11	21.4%	3	11	21.4%
	<u>Contests with a Black Candidate</u>											
Even Years	1	2	33.3%	1	2	33.3%	1	2	33.3%	1	2	33.3%
Odd Years	3	4	42.9%	1	6	14.3%	1	6	14.3%	1	6	14.3%
Total	4	6	40.0%	2	8	20.0%	2	8	20.0%	2	8	20.0%

Table 6b combines the contests in Tables 5a and 5b to give a clear representation of the effect the failed effort to create a second majority-minority district would have on the existing majority-minority district. In every district plan, district 2 would still generally elect the candidate supported by most black voters, however the margins get much closer and the percentage of total wins drops from 92.9% in HB1 to 85.7% in SB8, to 78.6% in A3 and to 71.4% in Robinson and SB4. Robinson-D2 and SB4-D2 are on the line/ Depending on how one views the term “generally”, they may not be generally electing the candidate supported by most black voters.

Table 6b: Win Percentage by Race in Districts 2

	<u>All Contests</u>														
	<u>HB1-D2</u>			<u>SB8-D2</u>			<u>Robinson-D2</u>			<u>A3-D2</u>			<u>Price-D2</u>		
	Win	Loss	W%	Win	Loss	W%	Win	Loss	W%	Win	Loss	W%	Win	Loss	W%
Even Years	4	0	100.0%	4	0	100.0%	3	1	75.0%	3	1	75.0%	3	1	75.0%
Odd Years	9	1	90.0%	8	2	80.0%	7	3	70.0%	8	2	80.0%	7	3	70.0%
Total	13	1	92.9%	12	2	85.7%	10	4	71.4%	11	3	78.6%	10	4	71.4%
	<u>Contests with a Black Candidate</u>														
Even Years	3	0	100.0%	3	0	100.0%	3	0	100.0%	3	0	100.0%	3	0	100.0%
Odd Years	6	1	85.7%	6	1	85.7%	5	2	71.4%	6	1	85.7%	5	2	71.4%
Total	9	1	90.0%	9	1	90.0%	8	2	80.0%	9	1	90.0%	8	2	80.0%

Although the success rates of candidates with support from a majority of black voters varies, a clear trend appears among the plans with two purported majority minority districts. SB8 is superior to the others in almost every category. Considering every odd and congressional year contest, SB8-D2 would have elected 85.7 percent of candidates supported by most black voters, compared to 71.4% to 78.6% for the other plans. Considering every odd and congressional year contest, SB8-D6 would have elected 35.7% percent of candidates supported by most black voters, compared to 21.4% for the other plans. If SB8 would not generally elect candidates supported by most black voters, then none of the other districts would either.

There may seem to be a disconnect between the fact that these districts are majority black by BVAP, and politically cohesive, yet would not have generally elected the candidates supported by most black voters. In fact, the opposite is true in districts-5/6: there, the candidate with support from most black voters would have generally been defeated. The truth is the issue boils down to turnout. It is common when designing a district to target a specific BVAP% and proclaim it as a “majority-minority” district, but this approach is folly. The reason we don’t focus on black total population in a district is that many people are not old enough to vote, so we focus on VAP. Here, the mistake of using “any part black”, compounds the issue of exaggerating the number of black voters available in a district. If a majority of voters who actually vote are not black, the district will not be truly in the control of the black community. It has been my experience that a district with BVAP between 55% and 60% will reliably elect the candidate supported by most black voters. However, it is necessary when creating a VRA district to properly analyze its performance and not just aim for a simple majority by VAP.

As SB8-D6 performs better than any other of the districts-5/6, I will demonstrate the extent of its failure to elect candidates supported by black voters. For each election analyzed in Table 5a and 5b above, I estimated the BVAP% necessary to win each contest by multiplying EI results by turnout as a percent of VAP by race to determine the BVAP% that would have led to a victory for the candidate supported by most black voters in SB8-D6. Table 7 summarizes the results. In SB8-D6, the candidate supported by most black voters would have won only five out of fourteen contests (35.7%). In a hypothetical district with 58.7% BVAP, the actual percentage from HB1-D2, the candidate supported by most black voters would have won nine of the fourteen contests (64.3%). In another hypothetical district with 60% BVAP, the candidate supported by most black voters would have won ten of the fourteen contests (71.4%). Finally, 55.8% BVAP would have allowed the district to elect half of the candidates supported by most black voters.

Table 7: BVAP% and Wins/ Losses SB8-D6

Year Contest	Margin	53.8%	58.7%	60.0%	55.8%
2023 Lt. Governor	> 80	Loss	Loss	Loss	Loss
2023 Att. General	0.778	Loss	Loss	Loss	Loss
2023 Governor	0.67	Loss	Loss	Loss	Loss
2016 Senate*	0.61	Loss	Loss	Loss	Loss
2020 Senate*	0.593	Loss	Loss	Win	Loss
2023 Sec of State*	0.58	Loss	Win	Win	Loss
2022 Senate*	0.572	Loss	Win	Win	Loss
2023 Treasurer	0.558	Loss	Win	Win	Win
2019 Lt. Governor	0.545	Loss	Win	Win	Win
2019 Att. General	0.521	Win	Win	Win	Win
2019 Sec of State*	0.5069	Win	Win	Win	Win
2018 Sec of State*	0.483	Win	Win	Win	Win
2019 Governor	0.352	Win	Win	Win	Win
2019 Treasurer	0.281	Win	Win	Win	Win

*Contests included the sum of two candidates

Contests in **bold include a black candidate

To perform as a black-majority district, which by definition generally elects candidates supported by most black voters, a district including the general voting patterns of SB8-D6 would need to be at least 58.7% black by BVAP. To even elect candidates supported by most black voters half of the time, the district would need to be 55.8% BVAP. With an actual BVAP of 53.8%, SB8-D6 simply cannot perform. The district is not majority black by turnout, which is what matters. The district will not generally (or even half the time) elect candidates supported by most black voters. The remaining districts-5/6 all fare worse and would need even larger BVAP percentages to reliably elect candidates supported by most black voters. However, it is also clear that one possible difference between SB8-D6 and the remaining districts-5/6 is that from the

perspective of race, SB8-D6's unique geography allows it to perform better than anything else proposed by Mr. Fairfax or Dr. McCartan as alternative legislatively-considered "majority-minority" districts.

CONCLUSIONS

All of the redistricting plans I reviewed would fail to deliver on their promise of a second majority-minority US Congressional district in Louisiana. In addition, they weaken the existing majority minority district (HB1-D2). When compared to HB1-D2, districts-2 provide 7.3% to 10.4% lower support for candidates receiving a majority of black votes. When compared to HB1-D2, districts-5/6 provide 15.8% to 19.1% lower overall support for candidates receiving a majority of black votes. The result of these shifts in support would be a reduction in the number of candidates elected in both districts-2 and districts-5/6 compared to HB1-D2. The small BVAP majority in each of the districts-5/6 fails to create a performing district in any of the plans, and in three of them (Robinson, A3 and Price) substantially undermines the existing HB1-D2.

SB8-D6 is by far the best-performing district for blacks among any of the plans cited by Mr. Fairfax or Dr. McCartan, which could provide an explanation for its unique geography. Still, it is not a functioning majority-minority ability to elect district. This failure is demonstrated in three ways. First, in reagggregated elections, SB8-D6 will generally defeat the candidate supported by most black voters (64.3% of elections analyzed). Second, the turnout differential between black and other voters and the lack of crossover voting in SB8-D6 is sufficient to cover the slim population advantage based on BVAP, that SB8-D6 was designed with. Third, voter preferences in SB8-D6 differ from HB1-D2 regarding candidates supported by most black voters in congressional year contests by an average of 16.3%.

CERTIFICATION

The opinions expressed above are sworn, under penalty of perjury, to be true and based on the facts and criteria available to the expert witness as of the time of this report. This expert reserves the right to supplement this report as new information becomes available or as requested by the Plaintiffs.

Signed this 1st day of April 2024.

A handwritten signature in black ink, appearing to read 'B. Overholt', written in a cursive style.

Benjamin A. Overholt, Ph.D.

Expert Witness for the Plaintiffs

APPENDIXA

Even Year Contests, HBI-D2

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
			<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2022 Senate														
Chambers	D	B	54.3	53.6	54.9	59.3	2.0	52.1	19.7	18.8	20.8	24.5	2.0	21.9
Mixon	D	W	28.0	27.7	28.4	30.5	1.7	27.7	19.2	18.5	19.9	22.9	1.7	21.8
Kennedy	R	W	3.1	2.8	3.4	0.0	2.9	5.9	52.6	52.3	53.1	43.5	2.8	48.6
Others	*	W	15.5	15.2	15.8	15.3	1.1	14.3	7.5	7.2	7.9	8.4	1.1	7.7
2020 Senate														
Perkins	D	B	47.2	46.6	47.9	52.2	2.3	46.4	26.4	25.5	27.5	32.3	2.3	28.8
Edwards	D	B	32.8	32.5	33.1	33.8	0.9	30.4	6.3	6.0	6.7	7.1	0.9	8.7
Cassidy	R	W	4.0	3.6	4.3	0.0	2.7	6.4	53.7	53.2	54.2	46.5	2.7	50.8
Others	*		17.5	17.3	17.7	19.6	0.7	16.8	11.4	11.0	11.8	13.3	0.7	11.7
2018 Sec of State														
Collins	D	B	55.5	55.2	56.0	56.5	1.3	52.4	15.0	14.3	15.8	15.3	1.4	18.5
Free	D	W	33.9	33.5	34.5	39.2	1.9	33.2	22.6	21.7	23.6	27.4	1.9	23.7
Ardoin	R	W	2.2	2.1	2.4	0.7	1.2	3.2	16.3	16.0	16.5	15.0	1.2	14.2
Others	*		8.2	7.8	8.5	2.9	1.6	11.2	46.6	46.1	47.3	41.6	1.5	43.6
2016 Senate														
Campbell	D	W	45.5	45.0	45.9	47.7	1.5	42.6	11.5	10.9	12.3	12.8	1.5	14.6
Fayard	D	W	31.7	31.2	32.3	35.1	1.4	29.8	18.8	17.9	19.9	21.9	1.4	18.5
Kennedy	R	W	1.8	1.6	2.0	0.0	1.6	4.2	28.8	28.5	29.1	27.6	1.5	29.4
Others	*		21.3	20.8	21.7	19.6	1.3	23.4	40.3	39.5	41.0	37.1	1.2	37.5

*Most were REP, <6%DEM

APPENDIX A

Even Year Contests, SB8-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA
2022 Senate														
	Chambers	D B	52.1	51.3	52.8	57.5	2.0	48.7	15.7	14.8	16.7	20.7	2.1	16.8
	Mixon	D W	29.7	29.0	30.3	32.7	1.7	28.4	14.1	13.5	14.7	18.0	1.6	15.4
	Kennedy	R W	3.7	3.3	4.1	0.0	3.1	6.4	61.0	60.6	61.5	53.0	3.0	60.4
	Others	* W	17.5	17.2	17.8	17.6	1.0	16.5	6.6	6.3	7.1	7.4	1.0	7.3
2020 Senate														
	Perkins	D B	47.3	46.4	48.2	52.9	2.4	45.6	19.3	18.4	20.2	24.5	2.4	19.7
	Edwards	D B	34.0	33.6	34.3	35.2	0.8	31.3	5.5	5.1	5.9	6.4	0.9	8.0
	Cassidy	R W	4.4	3.9	4.8	0.0	2.9	6.2	61.9	61.6	62.3	55.9	2.9	62.0
	Others	* W	18.0	17.7	18.2	20.1	0.7	16.8	9.9	9.5	10.2	12.2	0.8	10.3
2018 Sec of State														
	Collins	D B	55.0	54.6	55.6	56.1	1.3	50.9	12.4	11.8	13.3	13.0	1.5	15.8
	Free	D W	35.5	34.9	36.1	40.6	1.9	33.7	17.4	16.4	18.2	21.5	2.0	18.0
	Ardoin	R W	1.4	1.3	1.6	0.0	1.4	3.0	20.4	20.1	20.6	20.0	1.4	20.2
	Others	* W	8.8	8.4	9.3	3.1	1.7	12.3	49.5	49.0	50.0	44.4	1.6	46.0
2016 Senate														
	Campbell	D W	43.3	42.7	43.8	45.5	1.4	39.6	10.2	9.5	10.7	11.5	1.5	13.0
	Fayard	D W	34.7	34.1	35.3	37.1	1.4	31.6	13.9	13.2	14.6	16.0	1.5	14.5
	Kennedy	R W	1.6	1.4	1.8	0.0	1.7	3.9	33.0	32.8	33.3	33.5	1.6	33.3
	Others	* W	22.5	22.0	23.0	20.0	1.3	24.8	41.5	41.0	42.1	38.1	1.2	39.3

*Most were REP, <6% DEM

APPENDIXA

Even Year Contests, SB8-D6

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>						
			<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA	
2022 Senate															
Chambers	D	B	58.9	58.4	59.3	55.9	1.4	54.6	5.6	5.1	6.2	1.3	1.4	8.9	
Mixon	D	W	24.9	24.5	25.3	23.7	1.1	23.9	8.4	8.0	8.8	7.2	1.1	10.6	
Kennedy	R	W	5.0	4.7	5.5	4.7	1.5	9.2	79.8	79.4	80.2	86.6	1.5	76.1	
Others	*	W	14.2	13.9	14.4	15.7	0.8	12.3	3.5	3.3	3.7	4.8	0.8	4.5	
2020 Senate															
Perkins	D	B	54.6	54.3	55.1	52.1	1.4	51.2	5.7	5.4	6.2	2.6	1.5	9.9	
Edwards	D	B	27.6	27.4	27.9	26.4	0.9	24.5	2.8	2.5	3.0	2.9	1.0	5.2	
Cassidy	R	W	4.0	3.6	4.3	3.3	1.3	8.6	81.6	81.3	82.0	87.9	1.3	77.9	
Others	*		17.5	17.3	17.7	18.2	0.6	15.8	6.0	5.9	6.2	6.6	0.6	7.0	
2018 Sec ofState															
Collins	D	B	56.9	56.3	57.4	55.7	1.1	53.4	5.0	4.6	5.4	4.0	1.2	9.4	
Free	D	W	33.4	33.0	33.8	32.3	1.0	31.5	10.4	10.0	10.9	8.8	1.1	12.1	
Ardoin	R	W	2.3	2.1	2.5	4.6	1.0	4.4	32.6	32.4	32.9	36.1	1.1	30.0	
Others	*		7.6	7.3	8.0	7.4	1.2	10.7	51.6	51.3	51.9	51.1	1.2	48.6	
2016 Senate															
Campbell	D	W	50.7	50.2	51.2	51.7	1.7	49.5	6.8	6.3	7.3	4.1	1.7	11.1	
Fayard	D	W	22.9	22.6	23.2	19.8	1.0	21.6	6.0	5.6	6.4	2.8	1.0	7.7	
Kennedy	R	W	3.0	2.7	3.2	3.1	1.2	5.5	31.7	31.5	32.0	30.6	1.3	28.3	
Others	*		20.3	20.3	20.4	25.4	1.7	23.4	58.4	57.8	59.2	62.4	1.8	52.9	

*Most were REP, <6% DEM

APPENDIX A

Even Year Contests, Robinson-D2

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>						
			Elest	ci low	ci High	ERest	ERse	HPA	Elest	ci low	ci High	ERest	ERse	HPA	
2022 Senate															
Chambers	D	B	53.4	52.6	54.2	57.4	1.9	48.8	12.1	11.5	12.7	16.0	2.0	13.8	
Mixon	D	W	30.0	29.5	30.8	32.7	1.6	28.1	11.1	10.5	11.7	13.7	1.6	12.2	
Kennedy	R	W	3.8	3.4	4.2	0.0	3.0	6.6	66.6	66.2	67.0	62.9	2.9	67.6	
Others	*	W	18.0	17.7	18.4	17.5	1.0	16.5	5.7	5.4	6.1	6.2	1.0	6.5	
2020 Senate															
Perkins	D	B	48.2	47.6	49.0	52.8	2.2	45.4	14.8	14.0	15.6	18.2	2.3	15.7	
Edwards	D	B	34.1	33.9	34.5	34.9	0.8	31.2	4.6	4.0	4.9	4.9	1.0	6.9	
Cassidy	R	W	4.2	3.8	4.6	0.0	2.8	6.3	67.0	66.7	67.4	65.1	2.7	68.2	
Others	*		18.5	18.3	18.8	20.1	0.7	17.0	8.7	8.4	9.1	10.6	0.7	9.2	
2018 Sec of State															
Collins	D	B	55.1	54.7	55.5	56.1	1.3	50.7	10.4	9.8	11.1	10.5	1.5	13.5	
Free	D	W	36.3	35.7	36.8	40.3	1.8	33.8	13.6	13.0	14.5	16.7	1.9	14.7	
Ardoin	R	W	1.3	1.1	1.4	0.0	1.4	3.1	23.4	23.1	23.6	25.3	1.4	24.2	
Others	*		8.6	8.2	9.0	3.3	1.6	12.4	51.6	51.2	52.1	46.1	1.4	47.6	
2016 Senate															
Campbell	D	W	42.8	42.4	43.2	45.7	1.4	39.4	8.1	7.7	8.7	9.1	1.6	11.1	
Fayard	D	W	34.0	33.5	34.6	36.8	1.4	31.4	11.0	10.4	11.6	12.6	1.5	12.5	
Kennedy	R	W	1.5	1.3	1.8	0.0	1.6	4.0	32.1	31.8	32.3	32.5	1.5	31.4	
Others	*		22.3	21.6	22.9	18.9	1.9	25.2	49.2	48.4	49.9	44.7	1.8	45.0	

*Most were REP, <6% DEM

APPENDIX A

Even Year Contests, Robinson-D5

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>						
			Elest	ci low	ci High	ERest	ERse	HPA	Elest	ci low	ci High	ERest	ERse	HPA	
2022 Senate															
Chambers	D	B	58.7	58.3	59.2	54.7	1.1	55.9	3.4	3.1	3.7	0.0	1.3	7.0	
Mixon	D	W	27.0	26.4	27.4	27.0	1.0	24.4	6.1	5.6	6.4	6.2	1.1	7.8	
Kennedy	R	W	6.1	5.6	6.6	4.3	1.6	8.6	83.3	82.9	83.6	90.6	1.4	81.1	
Others	*	W	12.6	12.4	12.9	13.7	0.7	11.1	3.1	2.9	3.3	3.9	0.7	4.2	
2020 Senate															
Perkins	D	B	47.0	46.6	47.4	42.6	0.9	44.4	3.8	3.5	4.1	0.5	1.1	7.3	
Edwards	D	B	31.8	31.7	32.1	33.2	0.7	28.8	2.2	2.1	2.5	2.7	0.9	4.7	
Cassidy	R	W	5.8	5.4	6.3	3.4	1.8	9.0	84.4	84.1	84.9	88.9	1.5	80.9	
Others	*		19.5	19.3	19.8	19.7	0.5	17.8	5.8	5.5	6.1	5.9	0.6	7.0	
2018 Sec of State															
Collins	D	B	55.9	55.5	56.3	53.4	1.1	52.9	4.7	4.3	5.1	2.9	1.3	8.4	
Free	D	W	34.3	33.8	34.7	33.9	0.9	32.4	7.9	7.4	8.3	6.4	1.1	10.4	
Ardoin	R	W	3.0	2.8	3.3	3.7	1.1	4.5	35.5	35.3	35.7	38.8	1.1	33.7	
Others	*		7.3	7.0	7.7	8.7	1.2	10.2	51.1	50.7	51.6	51.6	1.3	47.6	
2016 Senate															
Campbell	D	W	45.0	44.5	45.5	41.7	1.3	45.4	6.5	6.0	6.9	2.6	1.5	9.8	
Fayard	D	W	25.5	25.2	25.9	22.9	0.9	24.1	5.4	5.0	5.7	3.2	1.0	7.0	
Kennedy	R	W	3.8	3.5	4.1	6.6	1.5	5.9	35.0	34.5	35.4	37.6	1.5	33.1	
Others	*		23.8	23.1	24.4	28.6	1.7	24.6	53.9	53.2	54.6	56.5	1.7	50.1	

*Most were REP, <6% DEM

APPENDIX A

Even Year Contests, A3-D2

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>						
			<u>El</u> <u>est</u>	<u>ci</u> <u>low</u>	<u>ci</u> <u>High</u>	<u>ER</u> <u>est</u>	<u>ER</u> <u>se</u>	<u>HPA</u>	<u>El</u> <u>est</u>	<u>ci</u> <u>low</u>	<u>ci</u> <u>High</u>	<u>ER</u> <u>est</u>	<u>ER</u> <u>se</u>	<u>HPA</u>	
2022 Senate															
Chambers	D	B	52.7	51.8	53.8	58.1	2.0	48.9	14.8	14.0	15.6	19.4	2.1	15.6	
Mixon	D	W	29.1	28.5	29.6	31.8	1.7	27.9	13.2	12.7	13.7	16.3	1.7	14.0	
Kennedy	R	W	3.7	3.3	4.0	0.0	3.1	6.4	62.6	62.1	63.1	56.9	3.0	63.7	
Others	*	W	18.0	17.5	18.3	17.5	1.0	16.8	6.1	5.8	6.4	6.4	1.0	6.7	
2020 Senate															
Perkins	D	B	47.6	46.7	48.3	53.0	2.3	45.5	18.0	17.2	18.8	22.5	2.3	18.7	
Edwards	D	B	33.9	33.6	34.1	34.7	0.8	31.0	4.9	4.6	5.3	5.5	0.9	7.2	
Cassidy	R	W	3.7	3.4	4.1	0.0	2.9	6.5	63.8	63.4	64.2	59.2	2.8	64.4	
Others	*		18.4	18.0	18.7	20.2	0.7	17.1	9.6	9.3	10.0	11.7	0.8	9.8	
2018 Sec of State															
Collins	D	B	54.2	53.7	54.6	55.3	1.3	50.1	11.6	11.0	12.4	12.0	1.5	14.5	
Free	D	W	36.7	36.1	37.2	41.5	1.9	34.7	16.1	15.2	16.8	19.6	1.9	16.6	
Ardoin	R	W	1.3	1.2	1.5	0.0	1.4	3.0	21.7	21.4	21.9	22.2	1.4	22.1	
Others	*		8.5	8.1	8.9	3.3	1.6	12.1	50.1	49.7	50.7	45.2	1.5	46.8	
2016 Senate															
Campbell	D	W	43.0	42.5	43.5	46.1	1.4	39.4	8.7	8.1	9.1	10.5	1.5	11.5	
Fayard	D	W	32.5	31.9	33.1	35.9	1.6	30.0	12.6	11.9	13.3	15.2	1.6	13.3	
Kennedy	R	W	1.5	1.4	1.7	0.0	1.5	3.9	30.5	30.3	30.6	30.0	1.5	30.7	
Others	*		24.1	23.3	25.0	20.2	2.0	26.6	48.2	47.1	49.0	43.4	1.9	44.5	

*Most were REP, <6% DEM

APPENDIX A

Even Year Contests, A3-D5

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>						
			<u>El</u> <u>est</u>	<u>ci</u> <u>low</u>	<u>ci</u> <u>High</u>	<u>ER</u> <u>est</u>	<u>ER</u> <u>se</u>	<u>HPA</u>	<u>El</u> <u>est</u>	<u>ci</u> <u>low</u>	<u>ci</u> <u>High</u>	<u>ER</u> <u>est</u>	<u>ER</u> <u>se</u>	<u>HPA</u>	
2022 Senate															
Chambers	D	B	57.3	56.9	57.7	55.7	1.1	54.3	3.5	3.1	3.7	0.0	1.4	6.9	
Mixon	D	W	26.2	25.8	26.5	26.6	1.0	24.1	5.9	5.4	6.2	7.0	1.1	7.6	
Kennedy	R	W	5.3	4.9	5.7	1.5	1.6	9.5	85.2	84.9	85.5	87.9	1.2	81.1	
Others	*	W	13.7	13.4	14.0	15.6	0.8	12.1	3.5	3.2	3.7	4.7	0.9	4.4	
2020 Senate															
Perkins	D	B	53.7	53.3	53.9	53.7	1.2	51.2	3.4	3.1	3.8	2.1	1.5	7.5	
Edwards	D	B	27.7	27.5	28.0	27.0	0.9	24.3	2.4	2.2	2.7	2.7	1.0	4.8	
Cassidy	R	W	4.4	4.2	4.8	0.0	1.6	8.8	85.4	85.1	85.8	87.7	1.2	80.6	
Others	*		17.4	17.2	17.6	18.3	0.5	15.7	5.9	5.7	6.1	6.4	0.6	7.0	
2018 Sec of State															
Collins	D	B	57.7	57.4	58.0	58.3	1.1	54.3	4.5	4.1	5.0	4.5	1.4	8.4	
Free	D	W	32.3	31.8	32.7	31.1	0.8	30.6	7.7	7.2	8.1	6.4	1.0	9.7	
Ardoin	R	W	2.4	2.2	2.5	3.2	1.0	4.4	34.3	34.2	34.6	36.0	1.1	31.9	
Others	*		7.4	6.9	8.0	6.8	1.3	10.7	53.6	53.3	54.1	52.5	1.2	50.0	
2016 Senate															
Campbell	D	W	50.1	49.6	50.5	50.1	1.5	49.9	6.2	5.8	6.8	3.4	1.7	9.3	
Fayard	D	W	23.7	23.4	24.0	21.6	0.9	22.0	4.6	4.2	5.0	3.1	1.0	5.7	
Kennedy	R	W	3.3	3.0	3.6	4.6	1.4	5.7	33.8	33.4	34.2	33.7	1.4	31.2	
Others	*		20.1	19.6	20.9	23.4	1.7	22.3	57.7	57.0	58.3	59.4	1.7	53.8	

*Most were REP, <6% DEM

APPENDIX A

Even Year Contests, Price-D2

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
			<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>HPA</u>
2022 Senate														
Chambers	D	B	53.3	52.5	54.1	57.2	1.9	48.8	12.3	11.7	13.0	15.9	2.0	14.0
Mixon	D	W	29.9	29.2	30.4	32.6	1.6	28.0	11.1	10.5	11.6	13.7	1.6	12.2
Kennedy	R	W	3.9	3.4	4.2	0.0	3.0	6.6	66.4	65.9	66.7	63.0	2.9	67.2
Others	*	W	17.9	17.5	18.3	17.5	1.0	16.5	5.8	5.3	6.1	6.3	1.0	6.6
2020 Senate														
Perkins	D	B	48.2	47.6	49.1	52.6	2.2	45.4	15.0	14.1	16.1	18.2	2.3	16.0
Edwards	D	B	34.0	33.7	34.4	34.8	0.8	31.1	4.6	4.3	5.0	4.9	1.0	7.0
Cassidy	R	W	4.3	4.0	4.7	0.0	2.8	6.5	66.6	66.2	67.1	65.0	2.7	67.7
Others	*		18.4	18.1	18.6	20.0	0.7	17.0	8.8	8.4	9.2	10.6	0.7	9.3
2018 Sec of State														
Collins	D	B	55.1	54.6	55.7	55.8	1.3	50.7	10.4	9.7	11.1	10.5	1.5	13.8
Free	D	W	36.2	35.6	36.9	40.1	1.8	33.8	13.7	13.0	14.3	16.6	1.9	14.9
Ardoin	R	W	1.2	1.1	1.4	0.0	1.5	3.1	23.3	23.0	23.5	25.3	1.4	23.8
Others	*		8.6	8.2	9.0	3.6	1.6	12.3	51.6	51.1	52.1	46.3	1.4	47.4
2016 Senate														
Campbell	D	W	42.7	42.2	43.1	45.3	1.4	39.2	8.3	7.8	8.7	9.1	1.6	11.2
Fayard	D	W	33.8	33.2	34.3	36.4	1.5	31.3	11.2	10.6	11.8	12.7	1.5	12.7
Kennedy	R	W	1.6	1.4	1.7	0.0	1.6	4.0	32.0	31.8	32.2	32.7	1.5	31.5
Others	*		22.8	22.1	23.5	19.6	1.9	25.5	48.8	47.8	49.6	44.5	1.8	44.6

*Most were REP, <6% DEM

APPENDIX A

Even Year Contests, Price-D5

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>						
			<u>El</u> <u>est</u>	<u>ci</u> <u>low</u>	<u>ci</u> <u>High</u>	<u>ER</u> <u>est</u>	<u>ER</u> <u>se</u>	<u>HPA</u>	<u>El</u> <u>est</u>	<u>ci</u> <u>low</u>	<u>ci</u> <u>High</u>	<u>ER</u> <u>est</u>	<u>ER</u> <u>se</u>	<u>HPA</u>	
2022 Senate															
Chambers	D	B	58.0	57.7	58.4	54.8	1.1	55.8	3.2	2.8	3.6	0.0	1.3	6.9	
Mixon	D	W	27.2	26.7	27.7	27.2	1.0	24.5	5.9	5.4	6.4	6.2	1.1	7.8	
Kennedy	R	W	6.0	5.4	6.5	3.9	1.6	8.6	84.1	83.7	84.4	90.6	1.4	81.1	
Others	*	W	12.5	12.3	12.8	13.8	0.7	11.2	3.3	3.1	3.6	4.0	0.7	4.2	
2020 Senate															
Perkins	D	B	46.9	46.6	47.2	42.8	0.9	44.3	3.6	3.4	4.0	0.5	1.1	7.1	
Edwards	D	B	31.8	31.7	32.0	33.3	0.7	28.8	2.2	2.0	2.4	2.7	0.9	4.7	
Cassidy	R	W	5.8	5.4	6.3	3.0	1.8	9.2	84.7	84.3	85.1	88.8	1.5	81.1	
Others	*		19.5	19.2	19.7	19.7	0.5	17.8	5.9	5.6	6.2	6.0	0.6	7.1	
2018 Sec of State															
Collins	D	B	55.8	55.5	56.1	53.5	1.1	52.9	4.6	4.3	4.9	2.9	1.3	8.1	
Free	D	W	34.4	34.0	34.8	34.0	0.9	32.5	7.8	7.3	8.2	6.2	1.1	10.1	
Ardoin	R	W	3.0	2.8	3.2	3.4	1.1	4.5	35.6	35.3	35.8	38.7	1.1	33.9	
Others	*		7.3	7.0	7.9	8.7	1.2	10.2	51.4	51.0	51.8	51.8	1.3	47.9	
2016 Senate															
Campbell	D	W	44.7	44.3	45.2	41.6	1.3	45.2	6.5	6.0	7.0	2.6	1.5	9.7	
Fayard	D	W	25.6	25.3	25.9	23.0	0.9	24.1	5.3	5.0	5.7	3.2	1.0	7.0	
Kennedy	R	W	3.8	3.5	4.1	6.7	1.5	6.0	35.0	34.5	35.4	37.6	1.5	33.1	
Others	*		24.0	23.3	24.8	28.5	1.7	24.7	54.1	53.2	54.8	56.3	1.7	50.2	

*Most were REP, <6% DEM

APPENDIXB

Odd Year Contests, HB1-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2023	Governor													
	Wilson	D B	77.8	77.1	78.5	89.3	3.0	74.6	32.6	31.3	33.8	47.1	2.9	34.8
	Landry	R W	6.1	5.6	6.6	0.0	2.3	8.8	41.7	41.0	42.4	27.1	2.2	38.4
	Others		14.7	14.4	15.1	12.3	1.1	15.8	27.1	26.7	27.4	24.5	1.1	26.7
2023	Lieutenant Governor													
	Jones	D B	62.9	62.0	63.6	72.4	2.6	59.8	24.6	23.4	25.6	36.0	2.5	25.4
	Nungesser	R W	28.6	27.8	29.4	20.0	2.4	32.3	68.1	67.3	69.5	55.1	2.2	66.0
	Others		7.1	6.9	7.3	6.5	0.6	7.1	8.6	8.3	8.9	7.6	0.6	8.5
2023	Secretary of State													
	Collins	D B	44.9	44.2	45.7	47.8	2.6	43.8	21.9	20.7	23.0	28.8	2.4	22.9
	Morrell	D W	42.2	41.6	43.0	51.7	2.7	39.1	13.8	13.0	14.6	23.6	2.5	16.0
	Landry	R W	3.4	3.2	3.6	1.0	1.0	4.5	19.2	18.9	19.4	17.3	0.9	19.4
	Others		9.5	8.7	10.0	0.0	2.5	11.7	44.6	43.9	45.4	29.1	2.3	41.6
2023	Attorney General													
	Cheek	D W	64.2	63.4	64.8	75.5	2.8	62.4	31.3	30.4	32.2	44.6	2.7	32.2
	Murrill	R W	6.7	6.3	7.2	0.0	2.1	9.2	40.3	39.7	40.9	28.4	2.0	38.3
	Stefanski	R W	3.4	3.2	3.6	2.1	0.7	4.4	15.6	15.4	15.9	15.2	0.7	15.8
	Others		25.0	24.6	25.3	22.6	1.2	23.2	12.9	12.5	13.6	10.6	1.1	13.7
2023	Treasurer													
	Granger	D W	87.1	86.3	87.8	97.9	3.0	82.7	37.2	36.3	38.1	53.2	2.9	40.3
	Fleming	R W	6.1	5.6	6.5	0.0	2.0	8.2	36.3	35.8	36.9	24.5	1.8	34.0
	Others		6.6	6.1	7.0	2.8	1.2	8.3	26.4	25.9	27.1	21.1	1.2	25.7

APPENDIXB

Odd Year Contests, HB1-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2019 Governor														
Edwards	D	W	96.9	96.7	97.2	100.0	2.2	93.9	55.6	55.0	56.1	63.5	2.3	57.6
Risphone	R	W	0.6	0.6	0.7	0.0	1.6	2.0	26.8	26.7	27.0	21.6	1.6	25.8
Others			3.0	2.9	3.2	0.8	0.8	4.1	17.8	17.6	18.1	14.3	0.8	16.6
2019 Lieutenant Governor														
Jones	D	B	86.2	85.7	86.8	95.8	2.5	82.4	29.9	29.0	31.0	41.7	2.6	34.8
Nungesser	R	W	13.8	13.3	14.4	3.7	2.5	17.6	69.7	68.7	70.5	57.7	2.4	65.2
2019 Secretary of State														
Collins	D	B	91.7	91.2	92.1	100.0	2.6	87.7	34.9	34.2	35.7	46.4	2.6	39.0
Ardoin	R	W	3.8	3.6	4.3	0.0	1.6	6.4	39.4	39.1	39.8	33.5	1.5	37.6
Others			4.6	4.4	4.8	0.3	1.3	5.9	26.0	25.7	26.4	19.5	1.2	23.4
2019 Attorney General														
Jackson	D	B	91.7	91.4	92.2	100.0	2.8	88.2	37.4	36.6	38.2	49.8	2.8	41.4
Landry	R	W	8.3	7.8	8.7	0.0	2.8	11.8	63.0	62.3	63.7	49.6	2.7	58.6
2019 Treasurer														
Edwards	D	B	94.6	94.2	95.0	100.0	2.0	90.5	32.5	31.9	33.2	41.1	2.2	37.5
Schroder	R	W	5.4	5.1	5.8	0.0	2.1	9.5	68.0	67.4	68.5	58.3	2.0	62.5

APPENDIXB

Odd Year Contests, SB8-D2

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>						
			<u>E</u>	<u>ci</u>	<u>ci</u>	<u>High</u>	<u>ERest</u>	<u>ERse</u>	<u>HPA</u>	<u>E</u>	<u>ci</u>	<u>ci</u>	<u>High</u>	<u>ERest</u>	<u>ERse</u>
2023	Governor														
	Wilson	D	B	80.7	79.7	81.5	92.8	3.1	77.1	24.0	23.2	25.1	36.2	3.1	24.4
	Landry	R	W	2.8	2.5	3.2	0.0	2.5	6.7	50.1	49.8	50.4	36.6	2.3	48.2
	Others			13.8	13.3	14.2	11.8	1.2	15.1	28.5	28.1	29.0	25.8	1.1	27.4
2023	Lieutenant Governor														
	Jones	D	B	68.9	68.1	69.6	77.7	2.5	64.9	16.8	16.1	17.5	27.1	2.5	18.2
	Nungesser	R	W	23.1	22.4	23.8	15.4	2.3	27.5	74.6	73.9	75.3	62.6	2.1	71.3
	Others			6.2	6.0	6.5	5.4	0.7	6.5	10.5	10.2	10.7	8.9	0.6	10.4
2023	Secretary of State														
	Collins	D	B	40.0	39.0	40.8	43.6	2.3	37.1	19.0	18.3	20.0	26.1	2.2	16.9
	Morrell	D	W	50.1	49.4	50.7	60.2	2.0	48.9	8.2	7.7	8.7	15.1	2.0	11.5
	Landry	R	W	1.9	1.6	2.1	0.3	0.9	3.4	19.9	19.8	20.1	18.2	0.9	19.2
	Others			6.7	6.2	7.3	0.0	2.7	9.5	54.0	53.6	54.5	39.3	2.5	52.4
2023	Attorney General														
	Cheek	D	W	66.5	65.6	67.3	77.8	3.0	63.7	23.1	22.4	24.2	35.5	2.9	23.3
	Murrill	R	W	2.9	2.5	3.3	0.0	2.2	6.4	47.6	47.4	48.0	36.1	2.0	45.8
	Stefanski	R	W	2.2	2.0	2.4	1.2	0.7	3.4	16.8	16.7	17.0	16.2	0.7	16.1
	Others			27.1	26.6	27.5	24.2	1.2	25.4	13.5	13.1	14.0	10.8	1.1	14.8
2023	Treasurer														
	Granger	D	W	90.6	89.8	91.1	100.0	3.1	85.8	29.0	28.5	29.7	42.5	3.1	30.1
	Fleming	R	W	3.7	3.4	4.2	0.0	2.1	6.8	43.0	42.7	43.3	32.4	2.0	41.6
	Others			4.0	3.7	4.5	0.4	1.2	6.3	29.6	29.4	30.0	23.8	1.1	28.2

APPENDIXB

Odd Year Contests, SB8-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A
2019 Governor														
Edwards	D	W	96.4	96.1	96.8	100.0	2.4	93.1	49.1	48.6	49.6	56.4	2.6	48.9
Rispon	R	W	0.8	0.7	0.9	0.0	1.8	2.2	32.9	32.7	33.0	27.1	1.7	33.9
Others			3.3	3.0	3.5	1.1	0.8	4.7	18.8	18.6	19.1	15.6	0.8	17.3
2019 Lieutenant Governor														
Jones	D	B	87.9	87.3	88.4	97.4	2.6	83.2	23.5	22.9	24.3	33.2	2.8	26.8
Nungesser	R	W	12.3	11.7	12.8	1.7	2.7	16.8	77.0	76.3	77.7	65.9	2.5	73.2
2019 Secretary of State														
Collins	D	B	91.3	90.7	91.9	100.0	2.7	87.4	28.6	28.0	29.4	37.8	2.9	30.1
Ardoin	R	W	3.4	3.0	3.8	0.0	1.8	6.5	44.7	44.4	45.0	37.5	1.7	43.4
Others			4.3	4.0	4.5	0.7	1.4	6.2	28.7	28.4	29.0	23.8	1.3	26.5
2019 Attorney General														
Jackson	D	B	91.7	91.2	92.2	100.0	2.9	88.3	30.0	29.4	30.5	39.8	3.1	31.0
Landry	R	W	8.4	7.8	8.9	0.0	3.0	11.7	70.7	70.2	71.3	59.3	2.8	69.0
2019 Treasurer														
Edwards	D	B	93.9	93.5	94.3	100.0	2.2	90.0	27.3	26.8	28.0	34.2	2.5	30.1
Schroder	R	W	6.2	5.7	6.7	0.0	2.3	10.0	73.5	73.0	74.0	64.9	2.1	69.9

APPENDIXB

Odd Year Contests, SB8-D6

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u>	<u>ci</u>	<u>ci</u>	<u>ER</u>	<u>ER</u>	<u>HPA</u>	<u>E</u>	<u>ci</u>	<u>ci</u>	<u>ER</u>	<u>ER</u>	<u>HPA</u>
			<u>lest</u>	<u>low</u>	<u>High</u>	<u>Rest</u>	<u>se</u>		<u>lest</u>	<u>low</u>	<u>High</u>	<u>Rest</u>	<u>se</u>	
2023	Governor													
	Wilson	D B	75.2	74.4	75.8	72.9	1.5	68.2	9.4	8.9	9.9	6.3	1.5	14.7
	Landry	R W	7.4	6.9	7.8	9.9	1.9	13.2	68.5	68.0	68.9	78.3	1.9	64.3
	Others		18.2	17.9	18.5	16.5	1.1	17.7	18.8	18.5	19.1	14.7	1.0	18.4
2023	Lieutenant Governor													
	Jones	D B	61.5	60.9	61.9	63.2	1.9	56.2	5.5	5.0	5.9	6.0	1.9	10.4
	Nungesser	R W	27.1	26.4	28.0	24.2	2.1	32.8	73.8	73.2	74.7	70.9	2.0	69.5
	Others		9.3	9.0	9.7	11.8	1.1	10.1	19.6	19.3	20.0	22.3	1.1	17.5
2023	Secretary of State													
	Collins	D B	62.7	62.2	63.4	59.4	1.4	57.5	7.5	7.0	8.1	3.9	1.4	11.9
	Morrell	D W	22.9	22.5	23.2	23.1	1.2	19.4	3.0	2.7	3.4	4.2	1.2	4.8
	Landry	R W	4.4	4.2	4.6	4.5	0.9	6.3	22.2	21.9	22.5	22.6	0.9	19.9
	Others		10.6	10.1	11.3	12.3	1.7	15.9	64.0	63.5	64.4	68.5	1.6	60.7
2023	Attorney General													
	Cheek	D W	64.7	64.2	65.3	62.0	1.5	58.3	9.2	8.7	9.8	7.0	1.4	13.9
	Murrill	R W	9.1	8.5	9.6	8.7	1.6	13.6	56.2	55.6	56.6	58.2	1.6	53.0
	Stefanski	R W	4.5	4.3	4.7	4.1	0.9	5.8	19.4	19.2	19.6	19.6	0.9	17.7
	Others		22.2	21.7	22.4	24.4	1.0	21.3	12.2	11.9	12.7	14.6	1.0	12.8
2023	Treasurer													
	Granger	D W	84.9	84.3	85.4	84.2	1.9	78.0	14.6	14.2	15.1	10.7	1.8	19.0
	Fleming	R W	7.2	6.6	8.5	11.0	1.9	11.7	56.6	56.2	57.0	66.3	1.9	53.4
	Others		7.9	7.6	8.2	4.1	1.2	9.4	26.4	25.9	26.7	22.2	1.2	25.0

APPENDIXB

Odd Year Contests, SB8-D6

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2019 Governor														
Edwards	D	W	96.9	96.7	97.2	97.2	1.5	93.1	28.0	27.7	28.3	22.7	1.5	31.6
Rispon	R	W	0.6	0.5	0.7	0.0	1.2	2.7	36.1	35.7	36.8	36.5	1.2	32.5
Others			1.9	1.7	2.1	3.3	1.5	4.2	36.1	36.0	36.3	40.8	1.5	35.9
2019 Lieutenant Governor														
Jones	D	B	87.5	87.1	87.8	90.5	1.4	81.7	11.2	10.8	11.7	12.0	1.4	16.9
Nungesser	R	W	12.5	12.0	12.9	9.5	1.4	18.3	88.8	88.4	89.3	88.0	1.4	83.1
2019 Secretary of State														
Collins	D	B	91.7	91.4	92.2	92.1	1.4	86.8	12.5	12.0	12.9	10.2	1.4	17.7
Ardoin	R	W	3.3	3.1	3.6	0.4	1.3	6.7	60.3	60.0	60.6	57.5	1.3	56.0
Others			4.7	4.5	5.0	7.5	1.1	6.5	27.4	27.2	27.6	32.3	1.1	26.3
2019 Attorney General														
Jackson	D	B	89.2	88.7	89.6	89.2	1.4	83.8	13.1	12.6	13.5	11.2	1.5	18.4
Landry	R	W	10.7	10.2	11.3	10.8	1.4	16.2	86.9	86.4	87.3	88.8	1.5	81.6
2019 Treasurer														
Edwards	D	B	93.7	93.3	94.0	95.0	1.3	89.0	13.2	12.9	13.5	11.9	1.3	18.8
Schroder	R	W	6.3	6.0	6.6	5.0	1.3	11.0	86.8	86.4	87.1	88.1	1.3	81.2

APPENDIXB

Odd Year Contests, Robinson-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2023	Governor													
	Wilson	D B	80.6	79.9	81.4	92.5	3.0	76.8	18.9	18.3	19.7	28.8	3.0	19.1
	Landry	R W	2.9	2.5	3.3	0.0	2.8	7.0	59.0	58.8	59.3	47.2	2.5	59.6
	Others		14.4	13.7	14.9	13.8	1.4	15.0	23.9	23.5	24.5	22.5	1.3	21.3
2023	Lieutenant Governor													
	Jones	D B	68.8	68.0	69.3	77.1	2.4	64.5	12.6	12.0	13.3	21.4	2.4	14.1
	Nungesser	R W	22.7	22.1	23.4	16.0	2.3	27.6	77.4	76.7	78.2	66.0	2.0	73.5
	Others		6.3	5.9	6.5	5.3	0.8	6.8	12.3	12.0	12.5	11.0	0.8	12.5
2023	Secretary of State													
	Collins	D B	41.5	40.6	42.3	44.0	2.2	37.4	14.2	13.4	14.9	20.8	2.1	13.0
	Morrell	D W	49.8	49.3	50.4	59.2	2.0	48.2	6.3	5.9	6.8	12.0	2.0	9.1
	Landry	R W	1.7	1.5	1.9	0.0	1.0	3.4	22.7	22.5	22.9	20.2	0.9	22.2
	Others		6.7	6.3	7.1	0.0	2.6	9.8	56.8	56.4	57.3	45.5	2.4	55.6
2023	Attorney General													
	Cheek	D W	67.6	66.8	68.5	77.5	2.8	63.5	17.4	16.6	18.2	28.0	2.8	17.8
	Murrill	R W	2.7	2.5	3.0	0.0	2.2	6.6	53.1	52.8	53.3	43.3	2.0	52.1
	Stefanski	R W	2.3	2.1	2.5	1.0	0.7	3.5	17.6	17.5	17.8	16.3	0.6	16.9
	Others		27.2	26.7	27.6	25.0	1.2	25.3	12.4	12.1	12.8	10.9	1.2	13.1
2023	Treasurer													
	Granger	D W	90.8	90.1	91.3	100.0	2.9	85.6	23.4	22.8	23.9	34.5	3.0	23.9
	Fleming	R W	3.5	3.1	3.8	0.0	2.2	6.9	48.5	48.2	48.8	38.4	2.0	48.2
	Others		4.0	3.7	4.4	1.4	1.2	6.3	29.7	29.4	30.0	25.5	1.1	27.9

APPENDIXB

Odd Year Contests, Robinson-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2019 Governor														
Edwards	D	W	96.7	96.4	97.0	100.0	2.4	92.8	41.7	41.2	42.3	47.4	2.7	40.0
Rispose	R	W	0.8	0.7	0.9	0.0	1.6	2.3	33.7	33.6	33.9	30.8	1.6	34.4
Others			2.9	2.7	3.2	0.0	1.3	4.9	25.5	25.3	25.8	20.7	1.2	25.5
2019 Lieutenant Governor														
Jones	D	B	88.3	87.7	88.8	97.0	2.4	83.1	18.7	18.0	19.4	27.0	2.6	21.8
Nungesser	R	W	11.9	11.2	12.5	1.9	2.6	16.9	81.7	81.1	82.4	71.8	2.3	78.2
2019 Secretary of State														
Collins	D	B	91.4	90.7	91.9	100.0	2.5	87.2	23.0	22.4	23.7	30.8	2.8	24.0
Ardoin	R	W	3.1	2.7	3.5	0.0	1.8	6.6	49.2	48.9	49.6	43.7	1.7	48.7
Others			4.4	4.1	4.5	0.8	1.2	6.3	29.7	29.5	30.1	24.3	1.1	27.2
2019 Attorney General														
Jackson	D	B	91.5	90.9	92.1	100.0	2.7	88.0	24.0	23.2	24.6	32.0	3.0	24.5
Landry	R	W	8.6	8.0	9.2	0.0	2.9	12.0	76.6	75.9	77.1	66.9	2.6	75.5
2019 Treasurer														
Edwards	D	B	93.9	93.4	94.3	100.0	2.1	89.8	22.9	22.4	23.3	28.4	2.5	24.6
Schroder	R	W	6.2	5.8	6.7	0.0	2.3	10.2	78.0	77.5	78.3	70.4	2.0	75.4

APPENDIXB

Odd Year Contests, Robinson-D5

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u>	<u>ci</u>	<u>ci</u>	<u>ER</u>	<u>ER</u>	<u>HPA</u>	<u>E</u>	<u>ci</u>	<u>ci</u>	<u>ER</u>	<u>ER</u>	<u>HPA</u>
			lest	low	High	Rest	se		lest	low	High	Rest	se	
2023	Governor													
	Wilson	D B	73.7	73.2	74.2	71.4	1.3	65.9	7.0	6.5	7.4	3.8	1.6	11.2
	Landry	R W	8.2	7.6	8.7	6.9	1.7	14.4	73.3	72.9	73.8	77.8	1.7	72.0
	Others		20.5	19.9	21.2	20.6	1.3	18.7	16.2	15.7	16.8	17.0	1.3	16.2
2023	Lieutenant Governor													
	Jones	D B	58.3	57.9	58.8	61.6	1.3	50.7	4.5	4.1	4.8	5.2	1.5	8.2
	Nungesser	R W	30.1	29.2	31.0	26.7	1.8	37.5	75.7	74.7	76.7	73.3	1.8	72.7
	Others		9.9	9.4	10.4	10.6	1.1	10.9	20.2	19.9	20.6	20.1	1.1	18.6
2023	Secretary of State													
	Collins	D B	64.0	63.5	64.5	61.4	1.2	57.7	5.6	5.2	6.1	2.2	1.4	9.2
	Morrell	D W	21.3	21.1	21.5	22.5	0.9	17.5	1.9	1.7	2.2	3.3	1.0	3.9
	Landry	R W	4.6	4.4	4.9	4.1	0.9	6.6	21.8	21.6	22.0	21.2	1.0	20.2
	Others		11.0	10.3	11.7	10.9	1.6	17.2	68.3	67.8	68.8	71.5	1.6	65.8
2023	Attorney General													
	Cheek	D W	65.0	64.4	65.4	63.8	1.2	57.5	6.1	5.8	6.6	5.2	1.4	10.7
	Murrill	R W	8.2	7.7	8.7	5.8	1.5	13.3	57.6	57.2	58.0	60.0	1.5	55.3
	Stefanski	R W	5.8	5.5	6.1	5.2	0.9	7.1	20.8	20.5	21.1	19.5	0.9	19.7
	Others		23.1	22.6	23.7	24.2	1.1	21.1	12.5	11.9	13.0	13.9	1.1	13.8
2023	Treasurer													
	Granger	D W	84.3	83.8	84.8	86.5	1.4	76.8	12.1	11.6	12.6	8.4	1.8	15.4
	Fleming	R W	6.8	6.5	7.4	6.3	1.6	11.6	57.9	57.5	58.3	63.7	1.5	57.4
	Others		8.2	7.9	8.8	6.2	1.2	10.6	29.0	28.7	29.4	26.5	1.3	26.6

APPENDIXB

Odd Year Contests, Robinson-D5

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2019 Governor														
Edwards	D	W	95.5	95.1	95.8	96.0	1.5	93.1	25.1	24.7	25.6	17.8	1.9	26.7
Rispon	R	W	0.8	0.7	0.9	0.0	1.3	2.2	32.1	32.0	32.1	26.1	1.4	26.9
Others			3.1	2.8	3.4	6.1	2.1	4.7	43.9	43.6	44.2	55.7	2.2	46.3
2019 Lieutenant Governor														
Jones	D	B	86.9	86.4	87.4	88.3	1.3	82.0	9.2	8.8	9.6	8.2	1.6	14.8
Nungesser	R	W	13.3	12.9	13.8	11.3	1.5	18.0	90.9	90.5	91.5	91.4	1.4	85.2
2019 Secretary of State														
Collins	D	B	89.8	89.4	90.2	89.0	1.3	86.3	10.6	10.2	11.0	6.8	1.7	15.0
Ardoin	R	W	4.1	3.7	4.5	1.9	1.3	6.7	58.3	57.9	58.7	55.6	1.4	53.1
Others			5.0	4.7	5.5	8.7	1.3	7.0	32.0	31.8	32.3	37.3	1.3	31.8
2019 Attorney General														
Jackson	D	B	88.7	88.2	89.0	88.2	1.3	84.9	10.5	10.1	10.9	7.6	1.7	15.3
Landry	R	W	11.4	10.9	11.9	11.4	1.5	15.1	89.6	89.1	90.0	92.0	1.5	84.7
2019 Treasurer														
Edwards	D	B	92.4	91.9	92.9	93.1	1.3	89.1	11.7	11.3	12.1	9.2	1.6	16.9
Schroder	R	W	7.7	7.3	8.2	6.5	1.5	10.9	88.5	88.1	88.9	90.5	1.4	83.1

APPENDIXB

Odd Year Contests, A3-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A
2023 Governor														
Wilson	D	B	80.5	79.6	81.3	92.5	3.1	77.0	22.9	22.1	23.7	35.4	3.1	22.6
Landry	R	W	2.9	2.6	3.3	0.0	2.9	7.0	55.8	55.6	56.1	42.4	2.6	56.0
Others			14.2	13.8	14.7	13.5	1.3	14.9	23.5	23.0	24.0	21.7	1.2	21.4
2023 Lieutenant Governor														
Jones	D	B	66.6	65.9	67.5	75.9	2.6	62.8	16.0	15.3	17.0	27.1	2.6	16.6
Nungesser	R	W	24.1	23.3	24.7	16.5	2.3	28.7	74.8	74.4	75.4	62.8	2.0	71.6
Others			7.1	6.8	7.5	6.1	0.9	7.4	11.4	11.1	11.7	9.6	0.8	11.7
2023 Secretary of State														
Collins	D	B	39.7	39.1	40.6	44.4	2.3	36.9	17.6	16.7	18.4	26.0	2.2	15.3
Morrell	D	W	50.6	50.1	51.0	58.7	2.0	48.7	7.6	6.9	8.1	13.5	2.0	10.4
Landry	R	W	1.9	1.7	2.1	0.0	1.0	3.5	21.9	21.7	22.1	19.3	0.9	21.6
Others			6.6	6.0	7.0	0.0	2.6	9.7	54.0	53.6	54.5	40.7	2.4	52.6
2023 Attorney General														
Cheek	D	W	66.9	66.0	67.7	77.4	2.9	63.7	21.7	21.1	22.7	34.0	2.9	20.9
Murrill	R	W	2.9	2.6	3.2	0.0	2.3	6.6	50.7	50.5	51.0	39.7	2.1	49.9
Stefanski	R	W	2.9	2.6	3.1	1.4	0.7	4.0	17.1	16.9	17.3	15.6	0.7	16.5
Others			26.5	26.0	26.8	24.8	1.1	24.6	11.5	10.9	11.9	10.2	1.1	12.7
2023 Treasurer														
Granger	D	W	91.2	90.6	91.7	100.0	3.1	86.0	27.0	26.4	27.8	41.0	3.1	27.4
Fleming	R	W	3.3	2.9	3.7	0.0	2.2	6.6	45.9	45.7	46.2	34.4	2.0	45.5
Others			4.2	3.9	4.5	1.3	1.2	6.3	28.5	28.2	28.9	24.1	1.1	27.1

APPENDIXB

Odd Year Contests, A3-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A
2019 Governor														
Edwards	D	W	97.0	96.1	97.6	100.0	2.6	93.0	44.2	43.7	44.9	51.5	2.7	43.0
Rispose	R	W	0.6	0.6	0.7	0.0	1.7	2.1	31.6	31.5	31.8	28.0	1.6	32.6
Others			3.0	2.8	3.3	0.0	1.3	4.9	24.8	24.4	25.1	19.5	1.2	24.4
2019 Lieutenant Governor														
Jones	D	B	88.6	88.0	89.2	97.6	2.5	83.6	21.8	21.3	22.5	31.6	2.7	24.8
Nungesser	R	W	11.5	10.9	12.0	1.5	2.6	16.4	78.6	77.9	79.2	67.5	2.4	75.2
2019 Secretary of State														
Collins	D	B	91.9	91.4	92.4	100.0	2.7	87.5	26.1	25.5	26.8	35.9	2.8	27.3
Ardoin	R	W	2.9	2.6	3.2	0.0	1.8	6.3	47.1	46.8	47.5	40.3	1.7	46.5
Others			4.3	4.0	4.6	0.7	1.3	6.1	28.4	28.1	28.7	23.0	1.2	26.2
2019 Attorney General														
Jackson	D	B	91.6	91.1	92.3	100.0	2.9	88.1	27.4	26.9	28.3	37.5	3.0	28.1
Landry	R	W	8.5	7.9	9.2	0.0	3.0	11.9	73.2	72.7	73.7	61.6	2.7	71.9
2019 Treasurer														
Edwards	D	B	94.4	94.0	94.8	100.0	2.1	90.1	24.9	24.3	25.4	31.8	2.4	27.1
Schroder	R	W	5.7	5.3	6.2	0.0	2.3	9.9	75.7	75.2	76.0	67.3	2.0	72.9

APPENDIXB

Odd Year Contests, A3-D5

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A
2023	Governor													
	Wilson	D B	75.4	74.9	76.1	74.4	1.3	68.1	6.2	5.9	6.7	5.3	1.6	11.8
	Landry	R W	7.5	7.0	8.1	5.7	1.7	13.2	74.1	73.8	74.5	77.5	1.6	70.8
	Others		18.5	18.1	18.8	17.7	1.0	17.8	17.4	17.1	17.7	15.4	1.0	16.9
2023	Lieutenant Governor													
	Jones	D B	64.0	63.5	64.3	66.1	1.7	58.2	4.4	4.0	4.7	4.9	1.9	8.8
	Nungesser	R W	24.6	23.7	25.5	21.6	2.0	31.2	76.4	75.5	77.1	72.5	1.9	72.3
	Others		8.8	8.6	9.2	10.1	1.0	9.6	20.2	20.0	20.5	20.8	1.0	18.4
2023	Secretary of State													
	Collins	D B	63.9	63.2	64.4	62.2	1.3	58.5	5.6	5.2	6.0	3.6	1.5	9.7
	Morrell	D W	21.9	21.6	22.2	21.7	1.0	18.6	2.1	1.9	2.3	2.9	1.0	4.0
	Landry	R W	4.1	3.9	4.4	3.6	0.9	6.1	22.8	22.5	23.0	22.4	0.9	21.2
	Others		10.5	10.0	11.1	10.3	1.6	15.9	68.0	67.5	68.5	68.8	1.6	64.3
2023	Attorney General													
	Cheek	D W	64.2	63.7	64.7	63.0	1.3	58.1	6.3	5.9	6.9	6.1	1.4	11.3
	Murrill	R W	8.6	8.0	9.1	7.0	1.5	13.5	58.7	58.3	59.1	58.6	1.5	56.0
	Stefanski	R W	3.9	3.6	4.1	3.5	0.8	5.3	19.0	18.9	19.1	18.7	0.9	17.6
	Others		24.1	23.6	24.6	24.3	1.1	22.2	14.3	13.9	14.7	14.9	1.2	14.6
2023	Treasurer													
	Granger	D W	85.0	84.6	85.6	85.4	1.6	77.9	11.4	10.9	11.9	9.2	1.8	16.0
	Fleming	R W	7.2	6.8	7.6	7.6	1.7	12.0	61.3	60.9	61.6	65.5	1.7	58.9
	Others		7.5	7.1	7.9	4.8	1.2	9.2	26.4	26.2	26.7	23.4	1.2	24.6

APPENDIXB

Odd Year Contests, A3-D5

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2019 Governor														
Edwards	D	W	95.5	95.1	95.8	99.6	1.4	92.9	25.1	24.7	25.6	22.8	1.8	28.7
Rispon	R	W	0.8	0.7	0.9	0.0	1.3	2.9	32.1	32.0	32.1	37.2	1.4	35.5
Others			3.1	2.8	3.4	1.9	1.5	4.3	43.9	43.6	44.2	39.3	1.5	35.7
2019 Lieutenant Governor														
Jones	D	B	86.7	86.3	87.1	91.0	1.2	81.2	9.2	8.8	9.6	10.6	1.7	14.9
Nungesser	R	W	13.5	13.1	13.9	8.3	1.6	18.8	91.0	90.6	91.3	88.8	1.3	85.1
2019 Secretary of State														
Collins	D	B	90.9	90.6	91.4	93.1	1.2	86.4	10.0	9.6	10.4	9.1	1.7	15.4
Ardoin	R	W	3.8	3.4	4.1	0.0	1.4	6.9	60.4	60.0	60.7	57.3	1.3	56.0
Others			4.9	4.7	5.2	6.7	1.0	6.7	30.4	30.2	30.7	32.9	1.1	28.6
2019 Attorney General														
Jackson	D	B	88.7	88.3	89.1	90.5	1.2	83.5	9.9	9.6	10.5	9.9	1.7	15.5
Landry	R	W	11.4	10.9	12.0	8.8	1.6	16.5	90.2	89.8	90.6	89.4	1.3	84.5
2019 Treasurer														
Edwards	D	B	92.9	92.5	93.2	95.8	1.2	88.6	11.7	11.3	12.1	11.6	1.7	17.3
Schroder	R	W	7.2	6.9	7.5	3.5	1.5	11.4	88.6	88.3	88.9	87.8	1.3	82.7

APPENDIXB

Odd Year Contests, Price-D2

	Party	Race	<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>						
			<u>E</u>	<u>ci</u>	<u>ci</u>	<u>High</u>	<u>ERest</u>	<u>ERse</u>	<u>HPA</u>	<u>E</u>	<u>ci</u>	<u>ci</u>	<u>High</u>	<u>ERest</u>	<u>ERse</u>
2023	Governor														
	Wilson	D	B	80.5	79.5	81.5	92.2	3.0	76.8	19.2	18.3	20.2	28.7	3.0	19.5
	Landry	R	W	2.9	2.5	3.2	0.0	2.8	7.1	58.7	58.4	59.0	47.2	2.5	59.0
	Others			14.3	13.7	14.8	13.8	1.4	15.0	24.0	23.5	24.5	22.6	1.3	21.4
2023	Lieutenant Governor														
	Jones	D	B	68.5	68.0	69.1	76.7	2.4	64.2	12.8	12.0	13.5	21.4	2.4	14.4
	Nungesser	R	W	22.9	22.1	23.6	16.3	2.3	27.9	77.3	76.7	78.2	66.1	2.0	73.2
	Others			6.2	6.0	6.5	5.3	0.8	6.8	12.3	11.9	12.5	11.0	0.8	12.4
2023	Secretary of State														
	Collins	D	B	41.6	40.6	42.3	43.9	2.2	37.4	14.4	13.5	15.4	20.8	2.1	13.3
	Morrell	D	W	49.7	49.2	50.2	59.1	2.0	48.1	6.5	6.0	7.0	11.9	2.0	9.3
	Landry	R	W	1.8	1.5	1.9	0.0	1.0	3.5	22.5	22.4	22.7	20.1	0.9	21.9
	Others			6.7	6.2	7.2	0.0	2.6	9.8	56.8	56.3	57.3	45.6	2.4	55.4
2023	Attorney General														
	Cheek	D	W	67.5	66.6	68.5	77.3	2.8	63.5	17.7	16.9	18.6	28.0	2.8	18.2
	Murrill	R	W	2.7	2.3	3.0	0.0	2.2	6.6	52.9	52.6	53.1	43.4	2.0	51.8
	Stefanski	R	W	2.3	2.1	2.5	1.1	0.7	3.6	17.4	17.2	17.6	16.2	0.6	16.7
	Others			27.0	26.5	27.6	24.8	1.2	25.2	12.5	12.0	12.9	10.9	1.2	13.4
2023	Treasurer														
	Granger	D	W	90.9	90.4	91.4	100.0	2.9	85.6	23.5	23.0	24.1	34.5	3.0	24.4
	Fleming	R	W	3.5	3.1	3.8	0.0	2.1	7.0	48.4	48.0	48.7	38.5	2.0	47.7
	Others			4.0	3.6	4.4	1.4	1.2	6.3	29.6	29.3	30.0	25.5	1.1	27.9

APPENDIXB

Odd Year Contests, Price-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2019 Governor														
Edwards	D	W	96.3	96.0	96.9	100.0	2.5	92.7	42.0	41.4	42.6	47.3	2.7	40.6
Rispon	R	W	0.8	0.7	1.0	0.0	1.7	2.3	33.8	33.7	33.9	31.1	1.6	34.5
Others			2.9	2.7	3.2	0.0	1.2	4.9	25.3	25.0	25.6	20.6	1.2	24.9
2019 Lieutenant Governor														
Jones	D	B	88.2	87.6	88.8	96.6	2.4	83.1	18.9	18.4	19.7	26.8	2.7	22.2
Nungesser	R	W	11.9	11.5	12.7	2.4	2.6	16.9	81.6	80.9	82.0	72.1	2.3	77.8
2019 Secretary of State														
Collins	D	B	91.3	90.5	91.8	100.0	2.6	87.1	23.2	22.8	23.8	30.6	2.8	24.5
Ardoin	R	W	3.3	2.9	3.6	0.0	1.8	6.6	49.1	48.8	49.4	43.9	1.7	48.3
Others			4.4	4.2	4.6	1.0	1.2	6.3	29.8	29.5	30.1	24.5	1.1	27.2
2019 Attorney General														
Jackson	D	B	91.3	90.8	91.9	100.0	2.8	87.9	24.2	23.6	24.8	31.7	3.0	24.9
Landry	R	W	8.8	8.4	9.4	0.0	2.9	12.1	76.4	75.7	76.9	67.2	2.6	75.1
2019 Treasurer														
Edwards	D	B	93.7	93.3	94.1	100.0	2.1	89.7	23.2	22.6	23.8	28.2	2.5	25.0
Schroder	R	W	6.4	5.9	6.8	0.0	2.3	10.3	77.7	77.0	78.1	70.7	2.0	75.0

APPENDIXB

Odd Year Contests, Price-D5

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u>	<u>ci</u>	<u>ci</u>	<u>ER</u>	<u>ER</u>	<u>HPA</u>	<u>E</u>	<u>ci</u>	<u>ci</u>	<u>ER</u>	<u>ER</u>	<u>HPA</u>
			<u>lest</u>	<u>low</u>	<u>High</u>	<u>Rest</u>	<u>se</u>		<u>lest</u>	<u>low</u>	<u>High</u>	<u>Rest</u>	<u>se</u>	
2023	Governor													
	Wilson	D B	73.8	73.3	74.2	71.8	1.3	66.0	6.5	6.0	6.8	3.9	1.6	11.4
	Landry	R W	8.2	7.7	8.6	6.4	1.7	14.4	74.2	73.8	74.6	77.6	1.7	71.7
	Others		20.4	19.8	20.9	20.8	1.2	18.7	16.0	15.7	16.7	17.2	1.3	16.4
2023	Lieutenant Governor													
	Jones	D B	57.5	56.6	58.2	61.8	1.3	50.6	4.5	4.2	5.0	5.2	1.5	8.3
	Nungesser	R W	30.0	29.1	31.0	26.6	1.8	37.5	76.0	75.2	76.8	73.4	1.8	72.8
	Others		9.8	9.4	10.3	10.5	1.1	10.9	20.2	19.8	20.6	20.0	1.1	18.4
2023	Secretary of State													
	Collins	D B	63.6	63.1	64.1	61.7	1.2	57.7	5.3	4.9	5.7	2.3	1.4	9.2
	Morrell	D W	21.7	21.5	21.9	22.6	0.9	17.5	1.9	1.8	2.2	3.3	1.0	4.2
	Landry	R W	4.5	4.2	4.9	4.1	0.9	6.6	21.8	21.6	22.0	21.4	1.0	20.3
	Others		10.9	10.2	11.5	10.6	1.6	17.2	68.7	68.2	69.2	71.3	1.6	65.6
2023	Attorney General													
	Cheek	D W	64.6	64.2	65.1	63.9	1.2	57.3	5.8	5.4	6.2	5.2	1.4	10.8
	Murrill	R W	8.0	7.6	8.5	5.6	1.5	13.3	58.0	57.6	58.4	60.1	1.5	55.3
	Stefanski	R W	5.7	5.4	6.1	5.1	0.9	7.1	20.7	20.4	20.9	19.4	0.9	19.5
	Others		23.4	22.9	23.9	24.4	1.1	21.3	12.6	12.3	13.1	13.9	1.1	13.8
2023	Treasurer													
	Granger	D W	84.4	83.8	85.0	86.9	1.4	76.9	11.6	11.2	12.1	8.5	1.8	15.6
	Fleming	R W	6.8	6.4	7.1	5.9	1.5	11.6	58.6	58.3	59.1	63.7	1.5	57.2
	Others		8.1	7.7	8.5	6.1	1.2	10.5	28.8	28.4	29.2	26.5	1.3	26.7

APPENDIXB

Odd Year Contests, Price-D5

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2019 Governor														
Edwards	D	W	95.5	95.2	96.0	96.3	1.5	93.2	25.2	24.8	25.6	18.0	1.9	26.7
Rispon	R	W	0.8	0.7	0.9	0.0	1.3	2.2	31.7	31.6	31.7	26.3	1.4	27.0
Others			3.1	2.8	3.5	5.6	2.1	4.7	44.2	43.8	44.6	55.2	2.2	46.4
2019 Lieutenant Governor														
Jones	D	B	87.0	86.5	87.4	88.6	1.2	82.0	8.8	8.4	9.3	8.2	1.6	14.5
Nungesser	R	W	13.1	12.8	13.5	11.0	1.5	18.0	91.3	90.8	91.7	91.4	1.4	85.5
2019 Secretary of State														
Collins	D	B	89.9	89.5	90.3	89.3	1.3	86.3	10.2	9.7	10.6	6.7	1.6	14.6
Ardoin	R	W	4.1	3.8	4.4	1.9	1.3	6.7	57.8	57.5	58.0	55.6	1.4	52.9
Others			5.1	4.8	5.4	8.3	1.3	7.0	33.0	32.7	33.3	37.4	1.3	32.5
2019 Attorney General														
Jackson	D	B	88.8	88.2	89.3	88.6	1.3	84.9	10.0	9.5	10.4	7.6	1.6	14.8
Landry	R	W	11.3	10.8	11.6	11.0	1.5	15.1	90.1	89.7	90.7	92.1	1.5	85.2
2019 Treasurer														
Edwards	D	B	92.5	92.1	92.9	93.3	1.3	89.1	11.4	11.1	11.8	9.1	1.6	16.6
Schroder	R	W	7.5	7.2	8.2	6.3	1.5	10.9	88.7	88.3	89.1	90.5	1.4	83.4

APPENDIXC

RunoffContests, HB1-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HPA</u>
2023	Secretary of State													
	Collins	D B	93.4	93.0	93.9	100.0	3.1	90.6	42.4	41.9	43.0	52.4	3.1	44.7
	Landry	R W	5.2	4.8	5.7	0.0	3.0	8.4	58.3	57.6	58.8	46.6	2.8	55.3
2023	Attorney General													
	Cheek	D W	92.7	92.1	93.2	99.9	3.2	89.9	43.8	43.2	44.5	53.8	3.1	46.0
	Murrill	R W	6.1	5.5	6.8	0.0	3.0	9.1	57.0	56.3	57.6	45.2	2.9	54.0
2023	Treasurer													
	Granger	D W	92.0	91.2	92.6	99.0	3.0	89.0	44.4	43.6	45.3	54.9	3.0	47.1
	Fleming	R W	6.8	6.2	7.4	0.0	2.9	10.0	56.3	55.7	57.0	44.1	2.7	52.8
2019	Governor													
	Edwards	D W	99.0	98.9	99.1	100.0	2.2	97.0	60.5	60.2	60.8	66.7	2.3	59.9
	Rispon	R W	0.7	0.6	0.7	0.0	2.1	3.0	41.6	41.3	41.8	32.7	2.1	40.1
2019	Secretary of State													
	Collins	D B	96.2	95.9	96.4	100.0	2.4	93.1	44.1	43.6	44.6	52.6	2.5	45.7
	Ardoin	R W	3.8	3.5	4.2	0.0	2.4	6.9	56.6	56.1	57.2	46.8	2.3	54.3
2018	Secretary of State													
	Collins	D B	96.2	95.9	96.5	100.0	2.8	94.0	50.4	49.6	51.1	51.3	3.0	51.4
	Ardoin	R W	3.8	3.5	4.1	0.0	2.8	6.0	50.4	49.9	50.9	48.2	2.8	48.6
2016	Senate													
	Campbell	D W	95.2	94.8	95.7	100.0	3.0	94.3	49.2	48.7	50.2	43.2	3.2	46.6
	Kennedy	R W	4.3	4.0	4.8	0.0	3.0	5.7	51.5	50.8	52.1	56.3	3.0	53.4

APPENDIXC

RunoffContests, SB8-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
Year	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA
2023 Secretary of State														
	Collins	D B	92.7	92.1	93.4	100.0	3.3	89.0	34.9	34.3	35.6	43.2	3.4	33.0
	Landry	R W	5.9	5.3	6.4	0.0	3.2	9.7	65.9	65.4	66.4	56.0	3.1	66.9
2023 Attorney General														
	Cheek	D W	92.3	91.5	93.0	100.0	3.3	88.7	35.7	35.2	36.4	44.4	3.4	33.7
	Murrill	R W	6.3	5.8	7.0	0.0	3.2	10.0	65.2	64.8	65.7	54.8	3.1	66.3
2023 Treasurer														
	Granger	D W	91.7	91.1	92.4	100.0	3.2	87.8	36.4	35.8	36.9	45.6	3.3	34.9
	Fleming	R W	6.8	6.3	7.6	0.0	3.1	10.9	64.6	64.1	65.0	53.6	3.0	65.0
2019 Governor														
	Edwards	D W	98.5	98.1	98.8	100.0	2.4	96.5	53.5	53.2	54.1	59.0	2.6	50.7
	Rispon	R W	1.4	1.3	1.6	0.0	2.3	3.5	48.4	48.1	48.6	40.1	2.2	49.3
2019 Secretary of State														
	Collins	D B	95.2	94.7	95.5	100.0	2.6	92.5	37.8	37.2	38.3	44.5	2.8	36.5
	Ardoin	R W	4.9	4.4	5.3	0.0	2.6	7.5	63.3	62.9	63.7	54.6	2.5	63.5
2018 Secretary of State														
	Collins	D B	94.7	94.3	95.1	100.0	3.0	93.3	41.9	41.3	42.5	40.8	3.4	39.4
	Ardoin	R W	5.2	4.8	5.7	0.0	3.0	6.7	59.4	58.8	59.9	57.8	3.0	60.6
2016 Senate														
	Campbell	D W	93.6	93.1	94.2	100.0	3.2	93.9	41.4	40.8	42.4	31.7	3.5	37.4
	Kennedy	R W	6.4	5.8	6.9	0.0	3.3	6.1	59.1	58.6	59.8	67.2	3.2	62.6

APPENDIXC

RunoffContests, SB8-D6

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
Year	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA
2023 Secretary of State														
	Collins	D B	92.8	92.3	93.3	95.7	1.8	90.6	17.1	16.6	17.7	10.2	1.9	19.2
	Landry	R W	5.6	5.0	6.1	2.5	1.7	8.7	81.8	81.3	82.2	88.7	1.7	78.8
2023 Attorney General														
	Cheek	D W	92.7	92.1	93.3	94.9	1.9	90.0	17.6	17.2	18.2	11.3	1.9	20.2
	Murrill	R W	5.6	5.2	6.0	3.3	1.7	9.2	81.3	80.8	81.7	87.6	1.8	77.8
2023 Treasurer														
	Granger	D W	92.6	92.2	93.2	93.9	1.9	89.7	18.9	18.4	19.4	12.2	1.9	21.4
	Fleming	R W	5.7	5.3	6.2	4.4	1.8	9.5	80.0	79.6	80.5	86.7	1.8	76.5
2019 Governor														
	Edwards	D W	98.1	97.9	98.3	100.0	1.6	96.0	33.7	33.5	34.0	27.0	1.6	34.5
	Rispon	R W	1.8	1.7	2.1	0.0	1.6	4.0	66.3	66.1	66.6	73.0	1.6	65.5
2019 Secretary of State														
	Collins	D B	95.5	95.1	95.8	98.0	1.5	91.7	19.3	19.0	19.7	15.3	1.5	22.2
	Ardoin	R W	4.5	4.1	4.9	2.0	1.5	8.3	80.7	80.5	81.1	84.7	1.5	77.8
2018 Secretary of State														
	Collins	D B	94.1	93.6	94.5	95.8	1.7	90.8	22.4	21.9	22.9	15.9	1.8	25.6
	Ardoin	R W	5.9	5.5	6.4	4.2	1.7	9.2	77.6	77.0	78.1	84.1	1.8	74.4
2016 Senate														
	Campbell	D W	88.2	87.6	88.9	92.5	2.3	89.9	25.3	24.4	26.2	13.0	2.4	26.8
	Kennedy	R W	11.8	11.0	12.4	7.5	2.3	10.1	74.7	73.6	75.4	87.0	2.4	73.2

APPENDIXC

RunoffContests, Robinson-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA
2023	Secretary of State													
	Collins	D B	92.8	92.1	93.5	100.0	3.2	89.0	28.6	28.0	29.1	34.7	3.3	25.4
	Landry	R W	5.9	5.3	6.5	0.0	3.2	9.7	72.3	71.9	72.7	64.4	2.9	74.6
2023	Attorney General													
	Cheek	D W	92.2	91.2	92.8	100.0	3.2	88.6	29.3	28.7	30.0	35.6	3.4	26.0
	Murrill	R W	6.6	6.1	7.4	0.0	3.2	10.1	71.5	71.0	72.1	63.5	3.0	74.0
2023	Treasurer													
	Granger	D W	92.2	91.6	92.8	100.0	3.1	87.8	30.2	29.7	30.7	37.5	3.2	27.7
	Fleming	R W	6.5	6.0	7.1	0.0	3.0	10.9	70.8	70.3	71.2	61.6	2.8	72.3
2019	Governor													
	Edwards	D W	95.2	92.7	97.4	100.0	2.5	96.4	46.0	45.6	46.3	49.5	2.7	41.9
	Rispon	R W	1.3	1.2	1.5	0.0	2.5	3.6	56.0	55.8	56.2	49.3	2.3	58.1
2019	Secretary of State													
	Collins	D B	95.2	94.8	95.6	100.0	2.5	92.3	31.4	31.0	31.9	36.3	2.8	29.9
	Ardoin	R W	4.7	4.3	5.1	0.0	2.6	7.7	69.5	69.1	69.9	62.5	2.4	70.1
2018	Secretary of State													
	Collins	D B	94.2	93.8	94.7	100.0	2.8	93.1	35.9	35.4	36.7	32.5	3.3	32.4
	Ardoin	R W	5.4	5.0	5.9	0.0	2.9	6.9	65.4	65.0	65.9	66.1	2.8	67.6
2016	Senate													
	Campbell	D W	92.1	91.5	92.7	100.0	3.2	93.7	35.1	34.3	35.8	27.9	3.5	31.2
	Kennedy	R W	8.0	7.3	8.6	0.0	3.3	6.3	65.6	64.8	66.2	71.0	3.1	68.8

APPENDIX C

Runoff Contests, Robinson-D5

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
	Party	Race	Elest	ci low	ci High	ER est	ERse	HPA	Elest	ci low	ci High	ER est	ERse	HPA
2023 Secretary of State														
Collins	D	B	90.4	89.3	91.2	96.5	1.5	88.9	15.5	15.0	16.1	6.9	2.0	16.2
Landry	R	W	8.6	7.9	9.4	2.1	1.9	10.2	84.1	83.6	84.7	91.1	1.8	83.7
2023 Attorney General														
Cheek	D	W	90.5	89.9	91.3	95.7	1.6	88.3	15.5	14.9	16.1	7.8	2.0	16.9
Murrill	R	W	8.5	7.6	9.1	2.9	1.9	10.8	84.2	83.6	84.7	89.6	1.9	83.1
2023 Treasurer														
Granger	D	W	90.8	90.1	91.4	95.4	1.5	87.8	16.9	16.3	17.6	9.2	2.0	18.3
Fleming	R	W	8.1	7.5	8.8	3.2	1.8	11.4	82.9	82.3	83.3	88.8	1.8	81.7
2019 Governor														
Edwards	D	W	97.1	96.8	97.5	100.0	1.5	96.4	31.8	31.5	32.2	23.0	1.9	30.4
Risponne	R	W	2.7	2.4	3.0	0.0	1.6	3.6	68.9	68.5	69.2	76.4	1.7	69.6
2019 Secretary of State														
Collins	D	B	94.5	94.0	94.9	96.2	1.4	91.8	17.3	16.9	17.7	11.7	1.8	19.4
Ardoin	R	W	5.5	5.1	5.9	3.1	1.5	8.2	83.0	82.6	83.4	87.7	1.6	80.6
2018 Secretary of State														
Collins	D	B	91.7	91.2	92.3	94.1	1.7	90.7	21.2	20.6	21.9	11.6	2.2	22.1
Ardoin	R	W	8.4	7.8	8.9	5.7	1.9	9.3	79.0	78.4	79.6	87.1	2.2	77.9
2016 Senate														
Campbell	D	W	83.6	82.5	84.5	85.1	2.6	89.5	25.1	24.0	26.4	9.9	2.9	23.5
Kennedy	R	W	16.5	15.4	17.3	14.2	2.7	10.4	75.3	74.2	76.4	90.1	2.8	76.5

APPENDIXC

RunoffContests, A3-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
Year	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>HPA</u>
2023	Secretary of State													
	Collins	D B	93.0	92.2	93.7	100.0	3.3	88.9	32.4	31.7	33.1	41.6	3.4	30.0
	Landry	R W	5.7	5.3	6.2	0.0	3.2	9.9	68.1	67.7	68.6	58.2	3.0	70.0
2023	Attorney General													
	Cheek	D W	92.3	91.7	93.0	100.0	3.4	88.5	33.1	32.6	34.0	42.6	3.5	30.6
	Murrill	R W	6.5	6.1	7.1	0.0	3.3	10.3	67.9	67.4	68.4	57.2	3.1	69.4
2023	Treasurer													
	Granger	D W	92.5	91.8	93.1	100.0	3.2	88.0	34.2	33.7	34.8	44.3	3.3	32.2
	Fleming	R W	6.2	5.7	6.9	0.0	3.1	10.8	67.1	66.5	67.5	55.6	2.9	67.8
2019	Governor													
	Edwards	D W	98.3	98.2	98.5	100.0	2.6	96.4	48.9	48.5	49.2	54.0	2.7	44.8
	Rispon	R W	1.3	1.1	1.4	0.0	2.5	3.6	52.8	52.7	53.0	45.1	2.4	55.2
2019	Secretary of State													
	Collins	D B	95.5	95.1	95.8	100.0	2.6	92.3	34.5	34.0	35.1	41.3	2.8	33.0
	Ardoin	R W	4.5	4.2	5.0	0.0	2.7	7.7	66.7	66.4	67.2	57.8	2.5	67.0
2018	Secretary of State													
	Collins	D B	94.7	94.3	95.2	100.0	3.0	94.1	40.3	39.7	40.9	37.3	3.4	36.7
	Ardoin	R W	4.9	4.4	5.3	0.0	3.1	5.9	61.0	60.6	61.5	61.2	3.0	63.3
2016	Senate													
	Campbell	D W	92.1	91.4	92.6	100.0	3.3	93.4	38.1	37.3	38.7	32.2	3.5	33.4
	Kennedy	R W	8.0	7.4	8.7	0.0	3.4	6.6	62.6	61.8	63.2	66.9	3.2	66.6

APPENDIXC

RunoffContests, A3-D5

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
Year	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>ER</u> est	<u>ER</u> se	<u>HP</u> A
2023	Secretary of State													
	Collins	D B	92.4	91.8	93.0	97.1	1.6	90.8	13.5	13.1	14.0	8.4	2.0	15.0
	Landry	R W	6.4	5.9	7.1	0.1	1.7	8.4	86.4	85.9	86.9	89.9	1.7	85.0
2023	Attorney General													
	Cheek	D W	92.5	92.0	93.0	96.9	1.6	90.2	13.4	13.0	14.0	9.4	2.0	15.6
	Murrill	R W	6.2	5.7	6.7	0.3	1.7	8.9	86.4	86.0	86.8	88.8	1.7	84.4
2023	Treasurer													
	Granger	D W	92.2	91.5	92.8	95.5	1.6	89.7	14.7	14.2	15.2	10.5	2.0	16.9
	Fleming	R W	6.5	6.1	7.0	1.7	1.7	9.5	85.2	84.8	85.6	87.8	1.7	83.1
2019	Governor													
	Edwards	D W	97.8	97.6	98.1	100.0	1.4	95.8	31.5	31.2	31.8	26.9	1.9	31.5
	Rispon	R W	2.2	1.9	2.5	0.0	1.6	4.2	69.2	69.0	69.5	72.6	1.6	68.5
2019	Secretary of State													
	Collins	D B	95.1	94.8	95.5	99.6	1.3	91.5	16.8	16.3	17.3	14.4	1.8	19.8
	Ardoin	R W	4.9	4.6	5.3	0.0	1.5	8.5	83.6	83.2	83.9	85.1	1.5	80.2
2018	Secretary of State													
	Collins	D B	93.5	93.1	94.0	97.6	1.6	90.6	18.4	17.7	19.3	13.4	2.1	19.2
	Ardoin	R W	6.5	6.0	7.0	2.3	1.8	9.4	82.0	81.3	82.5	86.5	1.8	80.8
2016	Senate													
	Campbell	D W	87.6	86.8	88.4	91.3	2.2	89.9	22.1	21.2	23.2	12.2	2.6	21.2
	Kennedy	R W	12.5	11.7	13.2	8.5	2.4	10.1	78.2	77.0	78.8	87.6	2.4	78.8

APPENDIXC

RunoffContests, Price-D2

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
Year	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>HPA</u>	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>HPA</u>
2023 Secretary of State														
	Collins	D B	93.0	92.4	93.5	100.0	3.2	88.9	28.9	28.2	29.5	34.8	3.3	25.9
	Landry	R W	5.8	5.2	6.4	0.0	3.1	9.8	72.2	71.7	72.6	64.3	2.9	74.1
2023 Attorney General														
	Cheek	D W	92.4	91.7	92.9	100.0	3.2	88.6	29.5	28.8	30.4	35.8	3.4	26.4
	Murrill	R W	6.5	5.8	7.1	0.0	3.2	10.1	71.4	70.8	71.9	63.3	3.0	73.5
2023 Treasurer														
	Granger	D W	92.2	91.5	92.8	100.0	3.1	87.7	30.6	30.0	31.2	37.7	3.2	28.2
	Fleming	R W	6.5	5.9	7.2	0.0	3.0	11.0	70.5	70.0	71.0	61.4	2.8	71.8
2019 Governor														
	Edwards	D W	98.2	97.5	98.6	100.0	2.5	96.3	46.0	45.5	46.4	49.4	2.7	42.5
	Rispon	R W	1.5	1.4	1.7	0.0	2.5	3.7	55.6	54.9	55.9	49.5	2.3	57.5
2019 Secretary of State														
	Collins	D B	95.2	94.7	95.5	100.0	2.5	92.2	31.8	31.1	32.3	36.2	2.8	30.5
	Ardoin	R W	4.9	4.4	5.3	0.0	2.6	7.8	69.1	68.6	69.5	62.7	2.4	69.5
2018 Secretary of State														
	Collins	D B	94.3	93.8	94.7	100.0	2.8	93.1	36.3	35.6	36.9	32.3	3.3	32.9
	Ardoin	R W	5.6	5.2	6.2	0.0	3.0	6.9	65.1	64.4	65.7	66.4	2.8	67.1
2016 Senate														
	Campbell	D W	91.7	91.1	92.4	100.0	3.2	93.7	35.8	35.1	36.5	27.6	3.5	32.0
	Kennedy	R W	8.4	7.6	9.1	0.0	3.3	6.3	64.9	64.1	65.5	71.4	3.2	68.0

APPENDIXC

RunoffContests, Price-D5

			<u>Preferences of Black Voters</u>						<u>Preferences of Other Voters</u>					
Year	Party	Race	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA	<u>E</u> lest	<u>ci</u> low	<u>ci</u> High	<u>E</u> Rest	<u>E</u> Rse	<u>H</u> PA
2023	Secretary of State													
	Collins	D B	90.4	89.7	90.9	96.9	1.5	88.9	14.7	14.3	15.4	6.9	1.9	15.5
	Landry	R W	8.6	8.0	9.4	1.7	1.9	10.2	84.9	84.4	85.6	91.1	1.8	84.4
2023	Attorney General													
	Cheek	D W	90.6	90.0	91.3	96.2	1.5	88.3	14.7	14.1	15.2	7.8	2.0	16.2
	Murrill	R W	8.5	8.0	9.1	2.4	1.9	10.8	84.9	84.3	85.7	89.6	1.9	83.8
2023	Treasurer													
	Granger	D W	91.0	90.5	91.7	95.9	1.5	87.8	16.0	15.6	16.5	9.2	1.9	17.6
	Fleming	R W	8.1	7.6	8.7	2.8	1.8	11.4	83.7	83.4	84.1	88.8	1.8	82.3
2019	Governor													
	Edwards	D W	97.1	96.8	97.4	100.0	1.5	96.4	31.9	31.5	32.3	23.1	1.9	30.3
	Rispon	R W	2.6	2.4	3.0	0.0	1.6	3.6	68.8	68.5	69.1	76.2	1.7	69.7
2019	Secretary of State													
	Collins	D B	94.5	94.2	94.9	96.5	1.4	91.8	17.0	16.6	17.5	11.6	1.7	19.0
	Ardoin	R W	5.4	4.9	5.8	2.8	1.5	8.2	83.2	82.8	83.5	87.7	1.6	81.0
2018	Secretary of State													
	Collins	D B	91.8	91.2	92.3	94.4	1.7	90.6	20.7	19.9	21.4	11.5	2.2	21.4
	Ardoin	R W	8.2	7.6	9.0	5.5	1.9	9.4	79.5	78.7	80.3	87.3	2.2	78.6
2016	Senate													
	Campbell	D W	83.5	82.6	84.5	84.7	2.6	89.2	25.1	24.0	26.1	9.9	2.9	23.4
	Kennedy	R W	16.5	15.9	17.4	14.5	2.7	10.7	75.1	74.1	76.3	90.1	2.8	76.6

APPENDIX D

Benjamin A Overholt
overholt2plt@yahoo.com
605 Saint Charles Street, Moberly, MO 65270
(703)365-2392

PROFESSIONAL PROFILE

Real world statistical consulting and data management experience with an extensive data analysis education. Skilled in presenting and defending analytical decisions to upper management, Regulatory Compliance, Statistical Modelling, Civil Rights Analysis, Bayesian Methods, Time Series, Experimental Design, Linear and Logistic Regression, Non-Parametric and Categorical data, Statistical Process Control.

EDUCATION

UNIVERSITY of NORTHERN COLORADO, Greeley, Colorado

Doctor of Philosophy in Applied statistics and Research Methods, GPA 3.72	May 2013
Master of Science in Applied Statistics and Research Methods, GPA 3.67	August 2007
Dean's List 2006-2007	
Beatrice Heimerl Education Research and Statistics Graduate Fellowship	
Bachelor of Arts in History, Mathematics Minor	December 2004
Dean's List 2003-2004	

EXPERIENCE

American Systems Corporation

February 2022-June 2023

- Consulted on combining disparate and ineffective reporting schemes into a single streamlined mechanism for both risk reporting and management purposes.
- Designed the data models and reporting structure for risk management across three CBP Directorates.
- Developed a model for estimating the number of undocumented arrivals across all US Boundaries.
- Earned Scrum Master Certification.
- Supported Customs and Border Patrol contracts totaling \$16 million dollars in a single year.

Census Bureau –

August 2020–January 2021

Deputy Director for Data

- Consulted daily with the Census Director, and weekly with White House staff on all issues pertaining to the timely and accurate delivery and processing of the 2020 Census.
- Discovered and investigated methodological flaws and legal violations in existing Census plans.
- Consulted on best practices to rework Census methods and timelines around shifting legal and methodological priorities brought about by the COVID-19 pandemic.
- Led the team in resolving issues on the use of Hot-Deck Imputation, Differential Privacy and meeting statutory deadlines.
- Coordinated between lawyers and analysts to properly and legally link administrative records from 18 other federal agencies to Census data in support of future Voting Rights analyses. Some datafiles exceeded two terabytes.

EEOC, Office of Enterprise Data and Analytics –

October 2018 – August 2020

Enterprise Analytics Team Leader

- Consulted with attorneys and legal investigators in translating their legal theories and goals into actionable statistical projects.

- Built a team to design tools and procedures to more effectively use EEOC datasets.
- Consulted on the design and implementation of a new EEOC data warehouse. The warehouse included differential privacy and remote software access to better secure data and protect privacy of the people and businesses in the datasets. Earned “Meritorious Achievement Award” in 2020 for this project.
- Designed and implemented a stratified random sample-based study of EEOC negotiating practices to better inform policy decisions going forward.
- Developed and employed modern statistical tools in the analysis of employment discrimination.
- Worked directly with industry technical personnel in determining the availability of employment data and how it will fit into future analyses.
- Applied various statistical methods to answer employment rights questions brought about through consultation with EEOC attorneys and investigators.
- Reviewed quotes and awarded contracts totaling over \$4 million dollars.

U.S. DOJ, CRT, Voting Section

March 2013 – October 2018

Statistician

- Consulted with DOJ attorneys, expert witnesses, and political appointees regarding the application of statistical issues in cases, reviewing both DOJ expert statements and opposing witness’ statements.
- Conducted Ecological Inference and voter polarization analyses on over a thousand contests in support of over 100 pending legal cases. Jurisdictions investigated ranged in size from entire States to small rural communities.
- Cleaned prepped and found datasets to support Legal theories. Worked independently from initial case consult until reviewing analytic results with section leadership.
- Applied various statistical methods to determine the level of misrepresentation of protected minority groups brought about by all manner of state and local laws. Case theories included Voter ID laws, Majority-Minority Districts, Decennial Redistricting, Multi-Lingual ballots, and Polling Place Locations.
- Upgraded DOJ systems to incorporate modern analytical capabilities. Developed programs which were more efficient and consistent in the application of complex analysis to multiple cases without requiring ongoing user input, allowing those with less statistical programming experience to assist in many analyses.
- Designed Logistic Regression methods to determine the effect of driving distance on minority access to electoral services.

United States Army

Mobilized, Staff Sergeant

September 2007 – August 2010

- Designed and maintained spreadsheets to track the training of nearly 12,000 soldiers annually.
- The data recorded included dozens of measures on individual soldiers as well as multiple measures on each unit.
- Reported to various level commanders in weekly Battalion and Brigade meetings on the status of the soldiers and units being trained.
- Maintained lines of communication between Battalion, Brigade and Division leaders.

Deployed (Iraq), Sergeant

February 2003 – May 2004

- Mentored, counseled, and supervised 4 subordinates for nearly a year in Iraq.
- Led convoys, drove trucks, and operated heavy machinery for over 15,000 miles through an active war zone.
- Entire platoon returned home without any serious combat casualties.

SKILLS/CERTIFICATIONS

R, SAS, SPSS

Certified SCRUM Master

CBP Background Investigation, completed May 2022

TS/SCI Clearance (Dept of Commerce), Expired January 2022.

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION**

PHILLIP CALLAIS, LLOYD PRICE,
BRUCE ODELL, ELIZABETH ERSOFF,
ALBERT CAISSIE, DANIEL WEIR,
JOYCE LACOUR, CANDY CARROLL
PEAVY, TANYA WHITNEY, MIKE
JOHNSON, GROVER JOSEPH REES,
ROLFE MCCOLLISTER,

Plaintiffs,

v.

NANCY LANDRY, in her official capacity
as Secretary of State for Louisiana,

Defendant.

Civil Action No. 3:24-cv-00122

Judge David C. Joseph

Circuit Judge Carl E. Stewart

Judge Robert R. Summerhays

[PROPOSED] ORDER

The Court having considered the *Robinson* Intervenors' Motion to Strike Improper Rebuttal Expert Testimony of Dr. Ben Overholt, or in the Alternative, to Permit Intervenors to Present Responsive Expert Testimony, it is hereby ORDERED that the motion is GRANTED and: the rebuttal expert testimony of Dr. Ben Overholt is hereby stricken OR the *Robinson* Intervenors are permitted to produce a report by an expert witness responsive to Dr. Overholt's report by no later than Friday, April 5, 2024 and to present expert testimony by the responsive expert at the trial of this matter.

IT IS SO ORDERED. This ____ day of _____ 2024.

Judge Carl E. Stewart
United States Circuit Judge

Judge Robert R. Summerhays
United States District Judge

Judge David C. Joseph
United States District Judge