

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
No. 1:15-cv-00399**

SANDRA LITTLE COVINGTON, et al.,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, et al.,

Defendants.

**PLAINTIFFS'  
MOTION FOR PRELIMINARY  
INJUNCTION**

Pursuant to Rule 65(a) of the Federal Rules of Civil Procedure, Plaintiffs respectfully move for an order preliminarily enjoining enforcement of Session Law 2011-402 and Session Law 2011-404, the enacted state Senate and state House redistricting plans, respectively. Plaintiffs ask that filing for the 2016 elections, now scheduled to begin December 1, 2015, be enjoined until 30 days after a ruling on this motion, to allow Defendants time to develop and implement remedial North Carolina state House and state Senate plans that addresses the constitutional deficiencies in the challenged districts.

A preliminary injunction should be issued because: (1) Plaintiffs are likely to prevail on the merits in this action; (2) Plaintiffs will suffer irreparable harm during the pendency of this action if this relief is not granted; (3) the balance of equities cuts strongly in Plaintiffs' favor; and (4) an injunction is in the public interest. In support of this Motion, Plaintiffs submit (i) a Memorandum in Support of Motion for Preliminary Injunction; and (ii) Exhibits A – V; (iii) an Exhibit List describing the exhibits submitted in support of the Motion; and (iv) a Proposed Order. Plaintiffs request a hearing on their



motion for preliminary injunction.

Respectfully submitted, this the 7th day of October, 2015.

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this date I served a copy of the foregoing Plaintiffs' Motion for Preliminary Injunction, with service to be made by electronic filing with the Clerk of the Court using the CM/ECF System, which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have appeared and consent to electronic service in this action.

This the 7th day of October, 2015.

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**Exhibit List – Plaintiffs’ Motion for Preliminary Injunction**

- Exhibit A:** Hofeller Deposition Transcript, Volume I
- Exhibit B:** Rucho Deposition Transcript
- Exhibit C:** Lewis Deposition Transcript
- Exhibit D:** Hofeller Affidavit 1/19/12
- Exhibit E:** Hofeller Proportionality Chart
- Exhibit F:** Dickson Trial Transcript, Volume I
- Exhibit G:** Dickson Trial Transcript, Volume II
- Exhibit H:** June 17, 2011, Public Statement of Rucho and Lewis
- Exhibit I:** Stat Pack for Rucho Senate VRA Districts
- Exhibit J:** Stat Pack for Enacted Senate Plan
- Exhibit K:** Stat Pack for Lewis House VRA Districts
- Exhibit L:** Stat Pack for Enacted House Plan
- Exhibit M:** June 22, 2011, Public Statement of Rucho and Lewis
- Exhibit N:** July 12, 2011, Public Statement of Rucho and Lewis
- Exhibit O:** Churchill Election Results - Compilation
- Exhibit P:** Churchill Deposition Exhibits 82 and 83
- Exhibit Q:** AFRAM Letter – June 23, 2011
- Exhibit R:** Hofeller Deposition Transcript, Volume II
- Exhibit S:** Affidavit of Joanna King
- Exhibit T:** Stat Pack for Benchmark Senate Plan
- Exhibit U:** Stat Pack for Benchmark House Plan
- Exhibit V:** Report of Defendants’ expert Dr. Brunell



# **EXHIBIT A**







1 A P P E A R A N C E S

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1 STIPULATIONS

2

3 It is hereby stipulated and agreed between the  
4 parties to this action, through their respective  
5 counsel of record:

6 1. That the deposition of the Thomas Hofeller,  
7 Ph.D., may be taken on June 28, 2012, at 9:30 a.m. in  
8 Raleigh, NC, before Denise Myers, CSR 8340, RPR.

9 2. That the deposition shall be taken and used  
10 as permitted by the applicable North Carolina Rules  
11 of Civil Procedure.

12 3. That any objections of any party hereto as to  
13 notice of the taking of said deposition or as to the  
14 time or place thereof, or as to the competency of the  
15 person before whom the same shall be taken, are  
16 deemed to have been met.

17 4. That objections to questions and motions to  
18 strike answers need not be made during the taking of  
19 this deposition, but may be made for the first time  
20 during the progress of the trial of this case, or at  
21 any pretrial hearing held before any judge of  
22 competent jurisdiction for the purpose of ruling  
23 thereon, or any other hearing at which said  
24 deposition shall be used, except that objections to  
25 the form of the question must be made at the time



1           such question is asked or objection as to the form of  
2           the question is waived.

3           5. That the witness reserves the right to read and  
4           sign the transcript prior to it being sealed.

5           6. That the sealed original of the transcript shall  
6           be mailed First Class Postage Paid or hand-delivered  
7           to the party taking the deposition for preservation  
8           and delivery to the Court if and when necessary.



1                   THOMAS HOFELLER, Ph.D.,  
2   having been first affirmed by the Certified Shorthand  
3   Reporter and Notary Public to tell the truth, the whole  
4   truth and nothing but the truth, testified as follows:

5                   EXAMINATION

6   BY MS. EARLS:

7   Q.   Good morning, Dr. Hofeller.  As we introduced  
8       ourselves before the deposition, my name is Anita  
9       Earls.  I represent the NAACP, several other  
10      organizations and a large number of citizens in  
11      North Carolina who have filed suit challenging the  
12      legislative and Congressional redistricting maps.

13                Would you state your name for the record,  
14      please.

15   A.   Thomas Brooks Hofeller.

16   Q.   And, Dr. Hofeller, you've been deposed before, I  
17      take it.

18   A.   Yes.

19   Q.   Can you give me a rough estimate of how many times  
20      you've had your deposition taken.

21   A.   Probably 10 or 12 times.

22   Q.   And how many times have you testified in court?

23   A.   About the same.  I would say, 10 or 12 times.  It's  
24      all on my resume.

25   Q.   I ask mainly to clarify that you know it's



1 important to speak your answers, not nod your head,  
2 I take it.

3 A. Yes.

4 Q. And will you please let me know if you don't  
5 understand my question?

6 A. I will.

7 Q. And also I would ask that you allow me to finish my  
8 question before you start your answer so that the  
9 court reporter can get down what both of us are  
10 saying.

11 A. I will.

12 Q. And finally, I'm going to ask you if there's a  
13 document that you're aware of that would assist you  
14 in answering a question I have, would you please  
15 let me know what it is?

16 A. I will.

17 Q. We have with us today in electronic form all of the  
18 documents that have been produced in this case in  
19 response to the subpoena that was issued as well as  
20 discovery requests, so I may either have it in  
21 paper form or electronically, but we will be sure  
22 to try to find any documents that would be useful  
23 in getting answers to the questions we have.

24 I want to start --

25 (Brief interruption.)



1 BY MS. EARLS:

2 Q. I finally should be clear that if you need to take  
3 a break, please let me know.

4 A. Thank you.

5 Q. As you alluded to earlier, your resume has already  
6 been produced as an exhibit to an affidavit that  
7 was filed in this matter, so I won't belabor it but  
8 I would like to briefly go through your background.

9 As I understand it, your academic  
10 background is that you graduated with a Bachelor of  
11 Arts degree in 1970 from Claremont McKenna College;  
12 is that right?

13 A. Yes. It was actually then Claremont Men's College,  
14 but it's since then changed its name.

15 Q. In 1980 you received a Ph.D. in Government from  
16 Claremont Graduate University?

17 A. I did.

18 Q. Am I right that you've never been a tenured member  
19 of a university faculty?

20 A. Yes.

21 Q. And is it also true that you've never been the sole  
22 author of an article published in a referred  
23 journal?

24 A. Yes.

25 Q. And you don't have a law degree?



1 A. No.

2 Q. I want to talk a little bit about your employment.

3 From your resume it appears that currently  
4 you have three employments, that you are partner  
5 with Geographic Strategies, LLC, and you've had  
6 that since May 2011 to present; is that correct?

7 A. Yes.

8 Q. And can you tell us briefly what Geographic  
9 Strategies is?

10 A. It's an LLC, as is stated, and it assists clients  
11 in redistricting work and helps them with  
12 redistricting plans and legal work.

13 Q. And are there other partners in Geographic  
14 Strategies?

15 A. Yes.

16 Q. How many partners do you have?

17 A. Two others besides myself.

18 Q. Then you are also redistricting consultant to the  
19 State Government Leadership Foundation and you've  
20 had that role since April of 2011 to the present;  
21 is that correct?

22 A. Geographic Strategies has been retained by that  
23 organization, and that contract expired at the end  
24 of March of this year.

25 Q. And what is the State Government Leadership



1 Foundation?

2 A. It's associated with the Republican State -- RSLC,  
3 the Republican State Leadership Group.

4 Q. And then you're also redistricting consultant to  
5 the Republican National Committee and you've had  
6 that role from May 1999 to the present; is that  
7 correct?

8 A. Yes, although first I was a direct consultant to  
9 the Republican National Committee. Now it's a  
10 contract with Geographic Strategies.

11 Q. So both of your redistricting consultant positions  
12 are through contracts that those organizations have  
13 with Geographic Strategies?

14 A. Yes.

15 Q. How long has Geographic Strategies, LLC, been in  
16 existence?

17 A. Since, I believe, May of 2011.

18 Q. So your prior consulting work with State Government  
19 Leadership Foundation and the Republican National  
20 Committee, was that in an individual capacity?

21 A. Our contract with the State Leadership Group was  
22 always, I believe, through the LLC. That's my  
23 recollection.

24 Q. Did the LLC exist in a different name?

25 A. No.



1 Q. So I'm just trying to understand. If you've been  
2 the redistricting consultant to the Republican  
3 National Committee since May of 1999 and Geographic  
4 Strategies has existed since May of 2011, it's kind  
5 of a long period in there.

6 A. I think the association with the RSLC is newer than  
7 that with the RNC.

8 Q. My question is: Prior to the formation of  
9 Geographic Strategies in May 2011, was your  
10 redistricting consultant work with the Republican  
11 National Committee done in your individual  
12 capacity, that is, they contracted with you, or was  
13 there some other entity that you were involved  
14 with?

15 A. I'm sorry, you said the Republican National  
16 Committee?

17 Q. Yes.

18 A. Yes, I was contracted with directly. I'm sorry, I  
19 misunderstood your question.

20 Q. And again, as I said, your resume is an exhibit,  
21 but I did want to ask you specifically about your  
22 prior employment as staff director at the U.S.  
23 House Subcommittee on the Census. And it indicates  
24 you had that role from February 1998 to July 1999.

25 A. I did.



1 Q. And when you were the staff director, did you work  
2 with Dr. Brunell?  
3 A. I did.  
4 Q. And did you work with Joel Raupe?  
5 A. No.  
6 Q. What about Mr. Morgan, John Morgan?  
7 A. In my role in that committee?  
8 Q. Yes.  
9 A. No.  
10 Q. But did you know him at that time?  
11 A. Oh, yes.  
12 Q. And were you working with him in other capacities?  
13 A. I don't really understand what you mean by "work  
14 with." He was a person who did redistricting work  
15 and I have known him for a number of years. We've  
16 never worked together specifically on a project.  
17 Q. And did you also work with Dale Oldham when you  
18 were staff director at the U.S. House Subcommittee  
19 on the Census?  
20 A. No.  
21 Q. But did you know him at that time?  
22 A. Yes.  
23 Q. And had you worked with him on other projects?  
24 A. Yes.  
25 Q. What other projects did you work with Dale Oldham



1 on?

2 A. Dale was redistricting counsel for the Republican  
3 National Committee in the last redistricting cycle  
4 and I worked with him in that cycle.

5 Q. I do want to talk a little bit about your  
6 experience with redistricting.

7 As I understand it from your resume, your  
8 earliest experience was -- began in 1970 when you  
9 developed the first computerized geographic mapping  
10 and data retrieval system used by the California  
11 State Assembly; is that right?

12 A. Well, that's what's on my resume. I actually did a  
13 little bit of work for -- not for pay but with  
14 building a very rudimentary database for  
15 redistricting in California in the mid '60s as  
16 California was trying to cope with the one-person,  
17 one-vote rule and had to do a mid decade  
18 redistricting.

19 Q. While it was not for pay, in what capacity were you  
20 working on developing the database for  
21 redistricting in the mid '60s?

22 A. Essentially matching census geography with  
23 political geography.

24 Q. Were you doing that -- who did you do that work  
25 for? You may have just said.



1 A. Well, I worked with my brother-in-law, actually,  
2 and he was working with State Senator -- or maybe  
3 Assemblyman at that point -- Jim Mills was  
4 Democratic Chairman, I believe, of the  
5 Redistricting Committee, so it's been a long time  
6 ago. I don't remember what all the connections  
7 were.

8 Q. Sure. Did you have any -- can you just briefly  
9 describe what your role was in the 1970 round of  
10 redistricting or the round of redistricting that  
11 followed the 1970 Census?

12 A. Again, as you stated, we developed a set of  
13 software to assist redistricting, which by today's  
14 terms is pretty rudimentary, but it was really kind  
15 of advanced for that time, and people were able to  
16 digitize boundaries of prospective districts and  
17 get statistics out of the computer as to what the  
18 districts were.

19 Q. Was it used anywhere other than California?

20 A. No.

21 Q. Then were you involved in redistricting following  
22 the 1980 Census?

23 A. Yes.

24 Q. What did you do in that round of redistricting?

25 A. Can I go back to my previous answer?



1 Q. Please.

2 A. Okay. We also drew maps, too.

3 Q. Okay.

4 A. Again, I was involved with the development of a  
5 more advanced redistricting system, and again, the  
6 combination of demographic data and election  
7 history data, registration data to load into the  
8 system -- again, another GIS system -- and assisted  
9 in drawing maps in court cases, et cetera.

10 Q. So following the 1980 Census and that round, in  
11 that round of redistricting you were involved as an  
12 expert witness in litigation; is that correct?

13 A. Well, actually, I was an expert -- I'm sorry. An  
14 expert witness, yes.

15 Q. And the Summary of Participation in Lawsuits that's  
16 in your resume, is that a complete list or sort of  
17 the highlights of the cases you've been involved  
18 in?

19 A. There may have been some more cases this year and  
20 last year, but up until then it was complete.

21 Q. It's a complete list. Thank you.

22 And then following the 1990 Census,  
23 generally what was your involvement in  
24 redistricting?

25 A. I was retained by the Republican National Committee



1 in a role similar to the role that I performed as a  
2 consultant in this redistricting cycle, which was  
3 to assist in -- I'm sorry, '90, you said '90?

4 Q. We're done with 1980.

5 A. Right. 1990 I was actually working for the  
6 National Republican Congressional Committee and,  
7 again, there assisting particularly members of  
8 Congress, getting them educated about  
9 redistricting, which only occurs every ten years,  
10 and developing software -- actually, not developing  
11 but guiding the development of software for  
12 redistricting, aiding them in drawing plans and any  
13 other redistricting needs that they had.

14 Q. Then I did look carefully through your list of  
15 lawsuits and I could not find -- it doesn't appear  
16 to me that you were an expert witness in any  
17 litigation in the 2000 round of redistricting. Is  
18 that right or have I missed something? And I'm  
19 happy to show you the resume.

20 A. I can't remember anything right now that may have  
21 happened, but I don't remember.

22 Q. So what was your role in the post 2000 round Census  
23 in redistricting?

24 A. In 2000?

25 Q. Yes.



1 A. Then I was back at the Republican National  
2 Committee, and we had an extensive program of  
3 representation, both technical, legal, demographic,  
4 and really all aspects of redistricting, held  
5 seminars, trained people, assisted GOP stakeholders  
6 in states when they needed help and assistance and  
7 really represented the national party in that  
8 process.

9 Q. Is there a reason why you weren't involved as an  
10 expert witness in litigation following the 2000  
11 Census?

12 A. No.

13 Q. Then I'd like to get more clarity on what  
14 litigation you've been involved in in this round of  
15 redistricting following the 2010 Census. And your  
16 resume does list two cases. It lists the Boone  
17 versus Nassau County Legislature, New York case,  
18 and then the case in Texas, Petteway versus Henry.

19 Are there other cases in litigation where  
20 you have participated as an expert other than the  
21 North Carolina --

22 A. You mean testified or by affidavit?

23 Q. Either way, just any case other than the  
24 North Carolina case which we'll get to in a minute.

25 A. There was a case in Nueces County in Texas.



1 Did you mention the Missouri case?

2 Q. No.

3 So let's start with the Texas case. What  
4 was your role in that case?

5 A. There were actually two Texas cases, one in  
6 Galveston and one in Nueces county.

7 Q. And the Petteway verse Henry, that's the Galveston  
8 case?

9 A. I assume so, yes.

10 Q. Because on your resume you explain that you  
11 prepared an alternative redistricting plan in that  
12 case.

13 What did you do in the Nueces County?

14 A. The same function.

15 Q. And who were you retained by in the Nueces County  
16 case?

17 A. Defendant intervenors. I don't actually recall who  
18 specifically. I'm sorry.

19 Q. Then you mentioned a Missouri case.

20 A. Yes. There were, again, defendant intervenors, and  
21 I testified as an expert witness and prepared some  
22 sample maps -- although I don't believe they were  
23 entered -- and testified on compactness.

24 Q. And were you involved in both the Missouri case  
25 dealing with the Congressional redistricting and



1 the Missouri case dealing with legislative  
2 redistricting?

3 A. The House, the House specifically.

4 Q. So you were involved --

5 A. The Senate went down a different legal path than  
6 the House and I put in an affidavit.

7 Q. In the House case?

8 A. Yes.

9 Q. But did you also -- wasn't there also -- were you  
10 also involved in a case dealing with Congressional?

11 A. I was involved in the Congressional case. That's  
12 where I testified in court.

13 Q. Any other litigation experience this round of  
14 redistricting?

15 A. I've just recently submitted an affidavit in an  
16 Arizona case, plaintiffs have filed against the  
17 legislative map --

18 Q. And who is --

19 A. -- and the Congressional map.

20 Q. And who's retained you in that case?

21 A. I'm sorry?

22 Q. Who's retained you in the Arizona case?

23 A. Again, plaintiff intervenors. Plaintiff  
24 intervenors.

25 And also I just recently put in an



1 affidavit on a Maryland case.

2 Q. In the Arizona case, do you recall the name of the  
3 case?

4 A. No, I don't. I'm sorry.

5 Q. In the Maryland case, who retained you in that  
6 case?

7 A. Plaintiffs, I believe.

8 Q. And what work have you done in the Maryland case?

9 A. I did analysis of the splits of counties and I did  
10 an analysis of compactness.

11 Q. Do you know if that case is in Federal or State  
12 Court?

13 A. It's in Federal Court. No, I'm sorry. It's in the  
14 State Court, I believe, actually.

15 Q. Do you recall the attorneys who retained you in  
16 that case?

17 A. Jason Torchinsky.

18 Do you need that spelling?

19 Q. If you know the spelling.

20 A. T-O-R-C-H-I-N-S-K-I, I think.

21 Q. Any other litigation post 2010 Census that you've  
22 been involved in?

23 A. Again, not that I can recall right now.

24 Q. Do you recall being involved in a case in  
25 Mississippi following the 2010 Census?



1 A. No, actually, I don't.

2 Q. Other than -- I'm sorry. Let me go back to  
3 Mississippi for just a minute.

4 Mississippi State Conference of the NAACP  
5 versus Haley Barbour, does that refresh your  
6 recollection?

7 A. If you have a document there, it probably would be  
8 best to --

9 Q. To show it to you.

10 (WHEREUPON, Exhibit 429 was marked for  
11 identification.)

12 BY MS. EARLS:

13 Q. You've been handed an exhibit marked 429, and this  
14 is a declaration. Am I correct that this is a  
15 declaration that you prepared and that was filed in  
16 a case in Mississippi?

17 A. Yes. I'm sorry.

18 Q. That's all right.

19 Does this refresh your recollection?

20 A. Yes.

21 Q. And do you recall who retained you in this case? I  
22 don't think it actually says that in the document  
23 that we have.

24 A. Well, it was the defendants. I don't really recall  
25 exactly who it was.



1 Q. I may have questions about that later so hold onto  
2 it.

3 A. Okay.

4 Q. Any other cases that you have been involved in in  
5 the post 2010 Census round of redistricting?

6 A. Again, not that I can recall.

7 Q. Other than being retained to testify in various  
8 litigation around the country, can you describe  
9 generally the other work that you've done around  
10 redistricting following the 2010 Census?

11 A. We've been particularly involved with various state  
12 efforts in looking at maps, devising maps and  
13 giving advice to stakeholders on the process,  
14 giving technical assistance on the process.

15 Q. When you say "we," are you referring to Geographic  
16 Strategies, LLC?

17 A. Well, yes, both in that role and before that role  
18 and in my capacity as the consultant to the  
19 Republican National Committee.

20 Q. And you described how you have been giving advice.  
21 Generally, who is it that you're working with in  
22 the various states in providing that advice and  
23 technical assistance?

24 A. I'm sorry, I don't think that question is -- who?  
25 In what respect?



1 Q. State legislators, Republican Party officials, who  
2 is it that you're working with?

3 A. We have worked with all of the people who are  
4 involved in the process and around the process,  
5 attorneys, legislators, commission members, state  
6 parties, in some cases other outside interested  
7 people.

8 Q. In the post 2010 round of redistricting, you've  
9 been the redistricting consultant to the Republican  
10 National Committee. Is it correct that you have  
11 not provided any advice to any Democratic state  
12 party?

13 A. No. Yes, it's correct that I haven't. I'm sorry.

14 Q. So let me turn to the work that you've done in  
15 North Carolina.

16 And it's clear that in North Carolina you  
17 were involved -- you were involved in drafting the  
18 plans that were ultimately enacted; is that  
19 correct?

20 A. Yes.

21 Q. And you also have been designated as an expert  
22 witness in this litigation?

23 A. Yes.

24 Q. In any of the other cases that you've been involved  
25 in -- and I'll start with just this round of



1           redistricting since the 2010 Census -- did you  
2           similarly have that kind of role? And  
3           specifically, I mean were you drawing plans for a  
4           legislature that were enacted and at the same time  
5           serving as an expert witness in litigation?

6       A.   In one case which you did not mention, which was  
7           the Mississippi case, Connor v Finch in 1977, '78,  
8           I actually served as an expert and a fact witness,  
9           although that was my first time testifying in  
10          court, my ability to render opinions on the case  
11          was challenged by the plaintiffs and the judges  
12          allowed that I was just as qualified as anybody  
13          else to give those opinions so I guess that would  
14          be counted as expert testimony.

15       Q.   In any case other than that case have you served in  
16           that dual role as a fact witness and expert  
17           witness?

18       A.   Not specifically, no.

19       Q.   Now, you were -- I'm correct that you were involved  
20           in North Carolina in the 1990 round of  
21           redistricting. Were you involved in redistricting  
22           in North Carolina prior to 1990?

23       A.   Yes.

24       Q.   What did you do in North Carolina prior to 1990?

25       A.   I was retained by the State and testified in



1 Gingles.

2 Q. And that was in the 1980 round of redistricting?

3 A. Yes.

4 Q. Prior to 1980, were you involved in North Carolina?

5 A. No.

6 Q. Other than the testimony that you gave in the  
7 Gingles case, did you have any other involvement in  
8 North Carolina in the 1980s?

9 A. I'm sorry. In the 19 --

10 Q. '80s.

11 A. '80s, not that I remember.

12 Q. What did you do in the 1990s round of redistricting  
13 in North Carolina?

14 A. I testified in Shaw and, of course, throughout that  
15 round also compiled databases and devised  
16 redistricting plans, advised the plaintiffs.

17 (Brief interruption.)

18 BY MS. EARLS:

19 Q. Many of us in the room know this, but just for the  
20 record, who retained you in the Shaw litigation?

21 A. The plaintiffs.

22 Q. And in that case there were plaintiffs and  
23 plaintiff intervenors?

24 A. Right. Robinson Everett, I believe, Judge Everett.

25 Q. Other than your involvement as an expert in the



1 Shaw versus Reno, then Shaw versus Hunt litigation  
2 in North Carolina, were you -- did you have any  
3 other involvement in redistricting in  
4 North Carolina in the 1990s?

5 A. Again, not that I can recall. Sometimes it merges.

6 Q. I'm trying to keep us straight by decade.

7 A. Right. There have been a lot of decades.

8 Q. I appreciate that.

9 For the post 2000 round of redistricting,  
10 did you have any involvement in statewide  
11 redistricting in North Carolina?

12 A. Yes.

13 Q. What was your involvement?

14 A. Again, in associating -- in assisting GOP  
15 stakeholders in their activities in the state and  
16 also in involvement in Strickland.

17 Q. Did you draw any redistricting maps for  
18 North Carolina in the post 2000 round of  
19 redistricting?

20 A. Do you mean specifically for the State of  
21 North Carolina or just for North Carolina in  
22 general?

23 Q. So you've explained that you were advising GOP  
24 stakeholders --

25 A. Yes.



1 Q. -- in the 2000 round of redistricting.

2 A. I did draw statewide maps in that capacity.

3 Q. And what work did you do in connection with the  
4 Stephenson litigation?

5 A. Again, I assisted in the preparation of maps for  
6 court purposes.

7 Q. Did you testify in that case?

8 A. Let's see. That was 2000. I don't recall,  
9 actually. I'm sorry.

10 Q. Do you recall in preparing the maps that you  
11 prepared in connection with the Stephenson  
12 litigation what the focus of your analysis was?

13 A. It was very similar to this round in looking at the  
14 relationship between counties and the Voting Rights  
15 Act.

16 Q. Were you looking at Congressional districts as well  
17 as state legislative districts?

18 A. Not really to any great extent that I remember.

19 Q. Then in this round of redistricting following the  
20 2010 Census you've been described by various people  
21 we've deposed as being the principal architect or  
22 the principal map drawer.

23 Is that a fair description of your role in  
24 North Carolina?

25 A. I have no problem with that description.



1 Q. Do you recall when you were first retained to be  
2 involved in redistricting in North Carolina  
3 following the 2010 Census?

4 A. Again, what do you mean specifically by "retained"?

5 Q. Well, maybe I should back up and say in what  
6 capacity have you been involved in the 2010 round  
7 of redistricting in North Carolina?

8 A. That's a very long answer. The first involvement  
9 was in assisting the chairman of the Redistricting  
10 Committees and assisting the state staff in  
11 bringing together a database for use on the state  
12 system and also for public distribution.

13 That was the first phase because we were  
14 all waiting for the Census data, and you have to  
15 merge the Census data and the election history and  
16 registration data together in one database so that  
17 it can be properly used in GIS systems which are  
18 used to draw maps. So there was that.

19 There was also discussion about criteria  
20 and how that would be -- how the plan would be  
21 architected, I guess if you were going to use the  
22 description architecture, and then acted in  
23 actually drawing districts in plans and acted as  
24 kind of a manager, gatekeeper of the technical  
25 aspects of the redistricting processes. The



1           chairmen were trying to bring the plans to  
2           completion and work them through the legislative  
3           process.

4    Q.   And then just to finish the different stages of  
5           your involvement, at some point, then, you were  
6           also retained to provide expert testimony in this  
7           litigation?

8    A.   Yes.

9    Q.   So let me go back to the first capacity and that is  
10          assisting the chair. Was --

11   A.   Chairs.

12   Q.   Chairs. Who specifically are you referring to?

13   A.   Senator Rucho and David --

14   Q.   Lewis?

15   A.   Lewis, yes, David Lewis. I had known David Lewis  
16          prior to that, too.

17   Q.   And who retained you to provide that assistance to  
18          Senator Rucho and Representative Lewis?

19   A.   Well, they did through counsel.

20   Q.   And that's through Mr. Farr?

21   A.   Yes.

22   Q.   And then -- well, let me -- I do want to ask you  
23          one thing about that.

24                   (WHEREUPON, Exhibit 430 was marked for  
25          identification.)



1 BY MS. EARLS:

2 Q. I'm handing you a document that's been marked as  
3 Exhibit 430. This was among the documents that  
4 were produced to us. Do you recognize this?

5 A. I do.

6 Q. And can you tell us what it is?

7 A. I think it speaks for itself. It's a letter to  
8 legislative leaders introducing our relationship  
9 with the SGLF and also saying that those resources  
10 were available to them if they so wished.

11 Q. And so when you say "we" --

12 A. Well, that -- I'm sorry. I'm interrupting your  
13 question.

14 Q. -- you're referring to the State Government  
15 Leadership Foundation?

16 A. Excuse me for a minute.

17 (Discussion held off the record.)

18 MR. FARR: Adam, I apologize for my bad  
19 manners. This is Adam Hofeller. This is Adam  
20 Stein who is counsel with Anita for the NAACP  
21 plaintiffs.

22 THE WITNESS: Good morning.

23 MR. STEIN: Good morning. We met 20 some  
24 odd years ago and I was the questioner.

25 THE WITNESS: Okay.



1 MR. STEIN: And I just got to spend an  
2 hour and 45 minutes on I40. Excuse me for being  
3 late.

4 MS. EARLS: I apologize. I get so caught  
5 up.

6 BY MS. EARLS:

7 Q. So I was asking you about this Exhibit 430 and  
8 wanting to know if this -- if this document comes  
9 from the State Government Leadership Foundation.

10 A. My recollection is your question was what I meant  
11 by "we."

12 Q. Okay.

13 A. Is that true?

14 Q. Yes, we can start with that one.

15 A. Well, Dale Oldham and myself and a person named  
16 Mike Wild were the three people who were involved  
17 in that work.

18 Q. And when you say "in that work," what do you mean?

19 A. In advising both the SGLC -- SGLF and anybody who  
20 wished to ask for assistance in their redistricting  
21 efforts on their process.

22 Q. So this mentions the RSLC. And what does that  
23 stand for?

24 A. Republican State Leadership Council.

25 Q. Do you know who this letter went to?



1 A. Specifically, no.

2 Q. In general how it was distributed.

3 A. I think it went to the people whom it was  
4 addressed, legislative leaders. Whether or not  
5 they had a more extensive mailing list, I don't  
6 know.

7 Q. Do you know if it went to the legislative leaders  
8 in North Carolina that you worked with, that is,  
9 the Chairs Senator Rucho and Representative Lewis?

10 A. As a fact?

11 Q. Well, first, yes.

12 A. No, I don't know as a fact.

13 Q. Is it possible that they are among the group of  
14 legislative leaders that this went out to?

15 A. Yes.

16 MR. FARR: Dr. Hofeller, try to let her  
17 finish her questions.

18 THE WITNESS: Yes.

19 BY MS. EARLS:

20 Q. I was going through the various capacities that you  
21 were retained to work in North Carolina, and am I  
22 correct that in each of these capacities, that is,  
23 assisting the chair and the state staff and  
24 compiling the database prior to the Census data  
25 being released, working on the criteria and sort of



1 the architecture of the plans, drawing the  
2 districts in the plans, managing the process and  
3 then being retained as an expert witness, in each  
4 capacity were you retained by Senator Rucho and  
5 Representative Lewis through their counsel Tom  
6 Farr?

7 A. Yes.

8 Q. Do you remember when you were first contacted to do  
9 this entire body of work?

10 A. Actually, discussions about North Carolina  
11 redistricting started in earnest shortly after the  
12 2010 election and have worked from there.

13 Q. When you say discussions, do you mean your  
14 discussions with Senator Rucho and Representative  
15 Lewis?

16 A. I did speak with them during that period. I don't  
17 know specifically the dates.

18 Q. So we're talking roughly November, December 2010?

19 A. November, December, January and then more  
20 extensively thereafter.

21 (WHEREUPON, Exhibit 431 was marked for  
22 identification.)

23 BY MS. EARLS:

24 Q. You're being handed an exhibit that's marked 431.

25 This is an e-mail that was sent to me and Mr. Speas



1 from Tom Farr and it includes an e-mail from you to  
2 Mr. Farr with the -- am I correct this is your best  
3 reconstruction based on expense reports of the time  
4 that you spent in North Carolina in 2011?

5 A. Yes.

6 Q. And to the best of your recollection now, this is a  
7 fairly complete listing of the dates that you were  
8 in North Carolina?

9 A. Yes.

10 Q. Did you -- when you came to North Carolina, was all  
11 of your work done in Raleigh?

12 A. Yes.

13 Q. Did you -- on any of these occasions on this  
14 Exhibit 431 did you travel to any other part of the  
15 state?

16 A. No.

17 Q. And where in Raleigh did you do your work?

18 A. I worked at least on these dates both at the  
19 legislative office building and at the Republican  
20 Party headquarters in Raleigh.

21 Q. Did you attend any of the public hearings that were  
22 held on redistricting in 2011 in North Carolina?

23 A. No.

24 Q. Did you review the transcripts of those hearings at  
25 any point?



1 A. No.

2 Q. Did you attend any of the Redistricting Committee  
3 hearings?

4 A. No. I may have briefly looked in on one, but I  
5 wouldn't have considered it attending because I  
6 didn't hear what was going on.

7 Q. Did you review any of the transcripts of the  
8 Redistricting Committee hearings or any notes of  
9 those hearings?

10 A. No.

11 Q. You previously testified that for all four of these  
12 phases you've been retained by Representative Lewis  
13 and Chairman Senator Rucho. Who's paid you for  
14 this work?

15 A. I received a check from Ogletree which to the best  
16 of my knowledge came from the state government.

17 Q. Have you been paid by the RNC for any of this work  
18 that you've done in North Carolina?

19 A. No.

20 (WHEREUPON, Exhibit 432 was marked for  
21 identification.)

22 BY MS. EARLS:

23 Q. You've been handed an exhibit marked 432, and this  
24 is several pages of invoices on your letterhead.

25 Am I correct that these are the invoices



1 for work that you've done in North Carolina?

2 A. They are.

3 Q. I note that the first invoice -- attached here in  
4 date -- well, that's not correct. There's a  
5 January 27th invoice. It's dated January 27th  
6 but -- the last page. If you could look at the  
7 last page of Exhibit 432. The date of the invoice  
8 is January 27, 2011, but then the description is  
9 for services from December 1, 2011, to January 31,  
10 2012.

11 Am I correct that this is in fact an  
12 invoice that should have been dated January 27,  
13 2012?

14 A. Yes.

15 Q. So if that's right, then these are attached in date  
16 order. And the first invoice we have is August 9,  
17 2011.

18 A. Yes.

19 Q. And it states that this is an invoice for work  
20 beginning April 1st, 2011.

21 My question is: Is there an invoice for  
22 work that was done any time between November 2010  
23 and April 1st, 2011?

24 A. No.

25 Q. And if we look back at Exhibit 431, your first trip



1 to North Carolina would have been in -- what's the  
2 date there of the first trip to North Carolina?

3 A. The date?

4 Q. Yes.

5 A. On the exhibit is February 1st through  
6 February 2nd.

7 Q. Were you compensated for the time that you spent in  
8 North Carolina February 1st to February 2nd?

9 A. No.

10 Q. So you were not compensated by Ogletree Deakins for  
11 any work done prior to April 1st, 2011?

12 MR. FARR: Objection to form.

13 BY MS. EARLS:

14 Q. You can answer.

15 A. The work that I did that was on the first invoice  
16 was essentially a flat fee for those services that  
17 were rendered on the dates mentioned by the  
18 invoice.

19 I'm sorry, ask your question again so I can  
20 give you a yes-or-no answer.

21 Q. Were you compensated by anyone for the work that  
22 you did in North Carolina prior to April 1st, 2011?

23 A. No.

24 Q. Each of these invoices in Exhibit 432 have a  
25 statement that sets out the rates that you charge



1 for litigation preparation and court testimony.

2 Am I understanding you right that the first  
3 invoice, the August 9th invoice, was a flat fee so  
4 you weren't charging these hourly rates?

5 A. Correct.

6 Q. Then the next invoice, August 31st, are you  
7 charging hourly rates at that point?

8 A. Yes.

9 Q. And then the successive invoices are all based on  
10 your hourly rates?

11 A. Yes.

12 Q. So you described how the first step was assisting  
13 the chair and the state staff in constructing a  
14 database and that you did that while you were  
15 waiting for the Census data.

16 So am I correct that all of that was done  
17 prior to mid March 2011?

18 A. Yes.

19 Q. No one compensated you for that work?

20 A. No.

21 Q. What data were you -- what data were you gathering?

22 A. I wasn't gathering the data. The state was  
23 gathering the data.

24 Q. What data were they gathering?

25 A. They were gathering the results of past elections



1 and past voter registration.

2 Q. And why did you -- why was it important for them to  
3 gather that data?

4 A. It's important because this data -- it's felt this  
5 data is required in order to draw lines and make  
6 the decisions that need to be made, a standard  
7 practice.

8 Q. How did you -- or who made the decision about which  
9 past election results the state staff should gather  
10 for the database?

11 A. That was the responsibility of the chairman of the  
12 committees.

13 Q. So Senator Rucho and Representative Lewis?

14 A. Yes.

15 Q. And did you have any role in advising them as to  
16 which elections data they should gather?

17 A. Yes.

18 Q. And what advice did you give them?

19 A. My general advice was to gather everything that  
20 could be gathered. There were -- there was not an  
21 ongoing process of gathering data specifically for  
22 redistricting through the previous decade in  
23 North Carolina, and the legislative staff was  
24 behind on that process, and they were also -- the  
25 data needed to be formatted such that it could be



1 put into a redistricting system and merged with the  
2 expected PL 94 Census data, and since the chairmen  
3 were unfamiliar with that process, we advised  
4 them -- I advised them in that process.

5 Q. Did anyone other than state staff assist in that  
6 process?

7 A. I'm sorry. Which process?

8 Q. Of gathering -- we're talking now pre-Census data  
9 being released, gathering the election results and  
10 voter registration data that you were advising the  
11 chairman should be gathered and made part of the  
12 state database. And I'm just saying were any other  
13 outside consultants, data crunchers, experts, was  
14 anyone else involved?

15 A. Okay. I'm clear now. Thank you.

16 We recommended that they hire a person by  
17 the name of Ben Friedman who was familiar with this  
18 process who worked under the direction of state  
19 staff to help them with certain aspects of that  
20 database build.

21 Q. And what is Ben Friedman's background or  
22 experience?

23 A. His experience then was that he worked for a period  
24 of time in the RNC's data IT shop called Strategic  
25 Analysis and did similar work there and so was very



1 familiar with that process specifically.

2 Q. And do you know how long Ben Friedman worked with  
3 the state staff to compile the database?

4 A. I don't know what the exact dates were, but it was  
5 a very brief period of time. It was a single  
6 process, single project process, and I'd have to  
7 say measured in weeks.

8 Q. Was there anybody else that was involved in this  
9 process other than state legislative staff?

10 A. Certainly not that came to my attention that I can  
11 recall.

12 MR. FARR: Can we take a break when it's  
13 convenient?

14 MS. EARLS: Sure, if I can just finish up  
15 general data questions.

16 (WHEREUPON, Exhibit 433 was marked for  
17 identification.)

18 BY MS. EARLS:

19 Q. I believe you have in front of you what's been  
20 marked as Exhibit 433, and this is a file that was  
21 produced to us with the file name that you see at  
22 the bottom, "Data Report 1-25-11."

23 Do you recall seeing this document?

24 A. I believe I did, yes.

25 Q. And do you know who Dan Frey is?



1 A. I do.

2 Q. Did you -- was he the principal person on the state  
3 staff that you were working with to gather the data  
4 as you described it?

5 A. I would not say necessarily gather the data but to  
6 merge the databases and work with the various data  
7 sets.

8 Q. And does this memo deal with the subject of that  
9 work?

10 A. Yes.

11 Q. So you received this memo?

12 A. I believe so, yes.

13 Q. And do you know what he's referring to when he says  
14 "in case it might help with discussions in DC, for  
15 those of you that are there"?

16 A. I think he's referring to myself and Mr. Oldham and  
17 Mr. Wild. I don't think he was quite clear on what  
18 our association was at that point, but very  
19 helpful, I might add, and competent.

20 Q. Mr. Frey was?

21 A. Yes.

22 Q. That was actually going to be one of my questions  
23 was whether to your knowledge -- this memo is kind  
24 of a status report on the database building task  
25 and he's reporting on the progress with various



1 aspects of that task, and I just wanted to ask you  
2 whether his -- whether, to your knowledge, these  
3 tasks were done ultimately.

4 A. Yes.

5 I would like to clarify this was not a  
6 report to me.

7 Q. Do you know who it was a report to?

8 A. The chairman of the two committees.

9 Q. But to your knowledge the work was done?

10 A. Yes.

11 Q. And it was done adequately?

12 A. Yes.

13 (WHEREUPON, Exhibit 434 was marked for  
14 identification.)

15 BY MS. EARLS:

16 Q. Exhibit 434 is a two-page document with the title  
17 Remaining Redistricting Preparation Tasks --  
18 February 2nd, 2011.

19 Have you seen this document before?

20 A. Yes.

21 Q. And can you tell me what it is.

22 A. I think it's pretty much described by its header.  
23 It was the tasks remaining to prepare for  
24 redistricting on February 2nd.

25 Q. Did you review this as part of your role in



1 assisting the chairs in setting up the databases  
2 they needed?

3 A. Yes.

4 Q. And does this accurately reflect the work that  
5 ultimately was done?

6 A. Yes.

7 Q. And to your knowledge, was it done properly?

8 A. It appears so to me and on time, I might add.

9 Q. Very good.

10 MS. EARLS: This is a good place to take a  
11 break.

12 (Brief Recess: 10:32 to 10:45 a.m.)

13 BY MS. EARLS:

14 Q. I have a few more questions about this data  
15 project. And I want to understand you were merging  
16 election returns from the North Carolina -- well,  
17 not you personally, but the point of the project  
18 was to merge election returns from the  
19 North Carolina Board of Elections and voter  
20 registration data with the -- eventually with the  
21 PL 94-171 Census data; is that correct?

22 A. Yes.

23 Q. And that would allow you when you're drawing --  
24 would allow anyone using that database -- and just  
25 so I'm clear, in the work that you were doing in



1 North Carolina, were you using Maptitude?

2 A. Yes.

3 Q. And the state legislative system used Maptitude?

4 A. Yes, although a different version thereof.

5 Q. And the Maptitude that you were using, was that  
6 on -- was that a personal copy or was that on a  
7 computer in some other place?

8 A. It was a stand-alone copy, yes. My computer,  
9 essentially.

10 Q. What version of Maptitude were you using? You said  
11 it was different from the legislature's.

12 A. The legislative version had been modified to run on  
13 the state's system and interface with outside  
14 software to do maps and reports and things such as  
15 that, but the part of the system that actually did  
16 the line drawing was -- the core of it was  
17 Maptitude.

18 Q. So the project to merge the election returns and  
19 voter registration data with the Census data would  
20 allow someone using Maptitude, when they're drawing  
21 maps, to determine the voter registration data for  
22 the districts that they were drawing; is that  
23 correct?

24 A. Yes.

25 Q. And it would allow someone to look at election



1 returns in the district that they were drawing?

2 A. Well, not only for the districts they were drawing,  
3 but if you selected a certain area that you wanted  
4 to move, you could tell what the characteristics of  
5 that work was too.

6 Q. And by characteristics, when we're referring to  
7 election returns, you mean specifically what the  
8 vote totals were -- whether a primary or general  
9 election what the vote totals were for the various  
10 candidates?

11 A. And also the demographics, yes.

12 Q. When you say demographics, what are you referring  
13 to?

14 A. The Census data.

15 Q. And what data -- what demographic data does the PL  
16 94-171 file give?

17 A. It's a breakdown of the racial and ethnic data by  
18 all units of Census geography, essentially.

19 Q. And it gives you voting age population as well; is  
20 that correct?

21 A. Yes.

22 Q. In this project of being able to merge the data, am  
23 I correct that the Census data, as you said, goes  
24 to all levels of geography so you have -- down to  
25 the Census block you can tell the race and voting



1 age and total population data for every Census  
2 block in the state?

3 A. There is a record in the PL 94 data for every piece  
4 of geography up and down the whole hierarchy and  
5 that would be incorporated in part in the  
6 redistricting system.

7 Q. And the smallest level of geography is the Census  
8 block level?

9 A. It is.

10 Q. The election data, when you receive it from the  
11 Board of Elections, does not go down to the Census  
12 block level, does it?

13 A. No.

14 Q. The Board of Elections keeps their election returns  
15 by precinct; is that correct?

16 A. They keep it by precinct and I think also by VTD.

17 Q. And what's the difference between precinct and VTD?

18 A. Well, the VTD is a unit which is established in  
19 partnership -- in a partnership between the state  
20 government and the Census Bureau for the state's  
21 convenience to report out demographic data.

22 It's a level of hierarchy which requires  
23 the states' participation across the nation to  
24 identify those -- the boundaries of those pieces of  
25 geography to the Bureau so they can incorporate



1           them into their TIGER system.

2    Q.    Does the Maptitude program that you were working  
3           with in North Carolina, did that have information  
4           about the VTDs in North Carolina as opposed to the  
5           precincts?

6    A.    In many cases they were synonymous, but, yes, it  
7           was VTD level.

8    Q.    Do you have any sense of to what degree -- how  
9           often or to what extent, rough percentage, across  
10          the state of North Carolina where the precincts are  
11          different from VTDs?

12   A.    No, not specifically, but I know they are in some  
13          cases.

14   Q.    Isn't it -- and to your knowledge in North Carolina  
15          when a VTD is not the same as a precinct, isn't it  
16          usually the case that that's because a VTD has been  
17          divided into two or more smaller precincts?

18   A.    That's my understanding, yes.

19   Q.    So when you have Census data down to the block  
20          level but you have election returns at the VTD  
21          level, if you draw a redistricting plan that's  
22          based on VTDs so that you have whole VTDs in every  
23          district, then you would be able to tell using the  
24          election data what the voters' performance was in  
25          the district; is that correct?



1 A. Yes.

2 Q. When you divide a VTD in drawing a redistricting  
3 map -- because the Census blocks are smaller than  
4 VTDs, right?

5 A. Yes.

6 Q. So it's possible to -- in drawing a district using  
7 Maptitude it's possible to divide a VTD and use the  
8 Census blocks that make up that VTD?

9 A. Yes.

10 Q. When you divide a VTD, how did you determine what  
11 the election results are for that divided VTD?

12 A. Maptitude proportionalizes the election and  
13 registration data within the blocks of the VTD.

14 Q. And what does that mean "proportionalizes"? Can  
15 you describe that?

16 A. It was the same for the state system as well, for  
17 the system that we were using. You disaggregate --  
18 is usually the common term of art that's given to  
19 the process -- the election history and  
20 registration data down to the Census block using  
21 some demographic figure. Usually it's the adult  
22 voting age population.

23 Q. Just so I understand clearly, by proportionalize,  
24 does that mean if I have a VTD that is a thousand  
25 people -- and you said voting age population -- so



1 let's say a thousand people 18 or over and you're  
2 dividing that VTD and you take 400 of those  
3 thousand and they're in one district and 600 are in  
4 the other district, your election returns don't  
5 tell you anything about the 400 different than the  
6 600, you just have election returns for the entire  
7 1,000 population in that VTD?

8 A. No. The system will proportionalize the returns,  
9 the data, for that VTD in proportion to the adult  
10 population on each side of the line.

11 Q. So for both sides -- so for the 400 and the 600,  
12 you'll get 40 percent of the -- well, explain how  
13 the proportionalize works. I do want to understand  
14 it.

15 A. It's a little complex, but I guess in the simplest  
16 terms, each element of the registration and  
17 election data is multiplied by the percentage that  
18 that block's population represents of the entire  
19 district population, and then in the process of  
20 that, the sums are rounded up or down depending on  
21 how you view the disaggregation by -- in one of the  
22 units to correct for the rounding errors.

23 Q. So in a sense, it assumes that you are -- that the  
24 entire -- that the entire VTD is uniform, by  
25 proportionalizing, it's assuming that it's sort



1 of -- the Democrats and Republicans registered in  
2 that VTD are uniformly spread throughout the VTD?

3 A. Yes.

4 Q. So using my 1,000 voting age population earlier, if  
5 it's 75 percent Republican in that VTD by  
6 registration, the 400 would be shown as 75 percent  
7 Republican even if in fact all of those Republicans  
8 lived in the 600 side of the VTD that's split?

9 A. That's a good example, yes.

10 Q. I want to turn now to the second stage. You said  
11 that there was a criteria discussion.

12 Did that happen prior to the Census data  
13 being released or after the Census data was  
14 released?

15 A. Both.

16 Q. And who were those discussions with?

17 A. We had discussions with the chairman.

18 (WHEREUPON, Exhibit 435 was marked for  
19 identification.)

20 BY MS. EARLS:

21 Q. I marked as 435 a copy of your affidavit that was  
22 filed earlier in this action. Do you want to take  
23 a minute just to make sure -- this is dated  
24 January 19, 2012 -- just to make sure that's  
25 correct and this is your affidavit.



1 Am I correct that Exhibit 435 is a copy of  
2 your affidavit with appendices and exhibits  
3 attached?

4 A. It is.

5 Q. And the first exhibit is your resume we were  
6 referencing earlier.

7 A. Yes.

8 Q. If you would look at paragraphs 12 to 14 of your  
9 affidavit, which begins on page 4, this section is  
10 headed Primary Criteria Used to Draw Plans.

11 And is this a summary of the criteria that  
12 you followed in drawing the redistricting plans in  
13 North Carolina?

14 A. I need to look at it, please.

15 Q. Please do.

16 So my question is: Is this an accurate and  
17 complete statement of the criteria that you used in  
18 drawing redistricting plans in North Carolina?

19 A. It certainly has the important elements.

20 Q. Did you write the entire affidavit yourself or did  
21 someone else draft any parts of it that you then  
22 reviewed?

23 A. I drafted the affidavit primarily myself. It was  
24 reviewed by counsel.

25 Q. And in particular, paragraphs 12 to 14, did counsel



1 write the first draft of those or did you write  
2 those?

3 A. Now I don't rightly remember, to tell you the  
4 truth.

5 Q. In here -- in paragraphs 12 through 14 you say  
6 that -- I'm looking now at the first sentence of  
7 paragraph 12 -- "I was directed by leadership of  
8 the General Assembly."

9 Are you referring there to Senator Rucho  
10 and Representative Lewis?

11 A. Yes.

12 Q. Is there anyone else you would -- who was involved  
13 in directing you as described in that paragraph?

14 A. Not directly, no.

15 Q. Each time you say "I was instructed, I was also  
16 instructed," the people doing the instructing were  
17 Senator Rucho and Representative Lewis?

18 A. Yes.

19 Q. Did anyone else participate in the -- you know, in  
20 providing those instructions to you?

21 A. The instructions came from the chairman of the  
22 committees.

23 Q. Were these in writing or orally?

24 A. No.

25 Q. It was oral instructions?



1 A. Yes.

2 Q. And did this occur at a particular meeting or over  
3 the course of several meetings?

4 A. The latter.

5 Q. Other than the verbal instructions as you've  
6 described them in paragraphs 12 through 14, were  
7 there any other sources of information that you  
8 received about what criteria you should follow in  
9 constructing North Carolina's redistricting plans?

10 A. I was familiar with the Stephenson cases and with  
11 the Strickland case and, of course, I've had a lot  
12 of experience with the Voting Rights Act, and the  
13 primary architecture of the plan, as you might say,  
14 was to harmonize the requirements of the Stephenson  
15 cases with the Voting Rights Act and taking into  
16 account the Strickland case.

17 Q. So do I understand you to say that you were -- in  
18 addition to receiving the instructions from the  
19 Chairman Rucho and Lewis, you were also applying  
20 your own understanding of various cases about  
21 redistricting and your years of experience in  
22 drawing redistricting plans?

23 A. That was the instruction I received from the  
24 chairman. I don't believe at any point we were not  
25 in agreement about what those requirements were.



1 Q. Did you receive any advice from anyone else about  
2 what the legal criteria are that you should follow?

3 MR. FARR: To the extent that calls for  
4 any testimony about what you were told by counsel,  
5 I instruct you not to answer the question on the  
6 grounds that it's protected by attorney-client  
7 privilege and work product.

8 BY MS. EARLS:

9 Q. But I'm not asking you what they told you. I'm  
10 just asking you did you receive that advice.

11 A. I had discussions.

12 Q. Who did you have -- and just to be clear, you had  
13 discussions in which you received legal advice  
14 about what criteria you should follow in drawing  
15 North Carolina's redistricting maps?

16 MR. FARR: Objection.

17 Because that explains what the discussions  
18 were about, I instruct you not to answer the  
19 question.

20 MS. EARLS: Just to be clear, my question is  
21 not -- I don't want to know what that advice was. I  
22 just want to establish that you had discussions in  
23 which you received legal advice.

24 MR. FARR: I'll instruct you not to answer  
25 that question.



1 Yes, you can say you received legal advice.

2 THE WITNESS: I received legal advice.

3 BY MS. EARLS:

4 Q. Okay. In the discussions at which you received  
5 that advice, who was present?

6 A. Tom Farr was present at some. Mr. Oldham was  
7 present at others. I think that's primarily what I  
8 can remember.

9 Q. Anyone else in the room when you were discussing  
10 these matters with Mr. Farr and Mr. Oldham?

11 A. Well, there were numerous discussions. I don't  
12 recall in those types of discussions that we may  
13 have had some of those discussions in the presence  
14 of one or the other of the chairman of the  
15 committees.

16 Q. So Chairman Rucho or Lewis may also have been  
17 present?

18 A. Yes.

19 Q. Is there any --

20 A. But I don't really recall which ones or where.

21 Q. Is there anyone else who might have been present?

22 A. Not that I can recall.

23 Q. I want to show you a document that was among the  
24 material that you provided but it has also been  
25 previously marked in this deposition as Exhibit 46.



1 This is, I believe, from Erika Churchill's  
2 deposition.

3 First I want to ask you, Exhibit 46 is the  
4 Legislator's Guide to North Carolina Legislative  
5 and Congressional Redistricting. Did you see that  
6 at any point while you were working on the  
7 redistricting plans in North Carolina?

8 A. I did.

9 Q. Did you review it?

10 A. I was asked to review it with regard to technical  
11 statements that were made in it.

12 Q. So you actually saw a draft before it was made  
13 final?

14 A. Yes.

15 Q. And you reviewed the technical statements?

16 A. I did.

17 Q. And then did you also receive a copy of the final  
18 version?

19 A. Yes.

20 Q. And did you review the portions of that guide that  
21 talk about the legal standards governing  
22 redistricting?

23 A. I did.

24 Q. Did you consider those to be guidance in how you  
25 should draw --



1 A. There were certainly -- I read them and had them in  
2 mind, yes, but my primary instructions were those  
3 that were given to me by the chairman.

4 Q. Well, did the chairman give you instructions that  
5 were different from your view than what was in the  
6 Legislator's Guide?

7 A. I don't know. I would have to read it in full to  
8 know that. It was written by a different set of  
9 people, legislative staff, I believe.

10 Q. You'll see there's a tab there and it's marking, I  
11 believe, page 4 of the guide where the discussion  
12 begins about the Voting Rights Act of 1965.

13 A. Yes.

14 Q. There's a paragraph there on Section 2 of the  
15 Voting Rights Act, and I want to draw your  
16 attention to that paragraph. And you can take a  
17 minute to read it.

18 A. Is that the first paragraph of the section?

19 Q. Yes, the first paragraph.

20 A. (Witness complying.)

21 Q. And I'm not quoting it verbatim, and I will if you  
22 need me to, but am I correct that that paragraph  
23 asserts that under Section 2 of the Voting Rights  
24 Act there's no legal right to strict  
25 proportionality for minority voters?



1 MR. FARR: Objection.

2 MS. EARLS: Well, then, I'm sorry, I don't  
3 have an extra copy.

4 BY MS. EARLS:

5 Q. Okay. The sentence here that says, "while  
6 Section 2 does not establish a right to have  
7 members of a protected class elected in numbers  
8 equal to their proportion of the population."

9 Did you see this portion of the manual when  
10 you were drawing the redistricting plans?

11 A. I read the manual. I was aware of that section of  
12 the act. I didn't have it by my side as I was  
13 drawing the map, if that's what you mean.

14 Q. And did you disagree with that statement?

15 A. It doesn't matter whether I disagree or don't  
16 disagree. It's the law.

17 Q. Well, okay.

18 A. I subscribe to the law.

19 Q. But is that --

20 A. I think that statement speaks for itself, and I  
21 don't have -- there's no reason for me to disagree  
22 with it, but even if I did it would be irrelevant.

23 Q. Let me ask you about the next page, page 5, where  
24 the manual goes through the establishment of a  
25 Section 2 violation. And I realize that you



1 testified in the Gingles case so this is probably  
2 old news to you, but --

3 A. It's been revised since then.

4 Q. Right. But I want to focus in particular on the  
5 part of the Section 2 requirements that recite the  
6 totality of the circumstances evidence and  
7 that's -- yes, the second half of the page, page 5  
8 there.

9 And my question is: In drawing  
10 North Carolina's redistricting plans, did you have  
11 available to you or were you aware of any data or  
12 information relating to the totality of the  
13 circumstances evidence? And as you know, it  
14 continues onto page 6.

15 A. I believe you presented a statement to that regard  
16 to the committee about racial block voting and I  
17 saw a report that Mr. Brunell made with regard to  
18 that.

19 Q. So other than my statement and Dr. Brunell's report  
20 on racial block voting, was there any other  
21 information that you had available to you regarding  
22 the totality of the circumstances evidence?

23 A. No.

24 Do you want this back now?

25 Q. Well, yes. I have some specific questions about



1 racially polarized voting.

2 Do you understand or believe there to be a  
3 difference between statistically significant  
4 racially polarized voting and legally significant  
5 racially polarized voting?

6 A. Well, first of all, I'm not here to testify about  
7 law, but I think that distinction has been made in  
8 cases.

9 Q. Well, I believe that you do in your affidavit at  
10 some point talk about racially polarized voting,  
11 and I just want to ask you -- you said you believe  
12 the distinction has been made. What is the  
13 distinction?

14 A. I would have to refer back to a specific comment.  
15 I'm sorry.

16 Q. Well, my question is just, generally, what's the  
17 difference between statistically significant  
18 racially polarized voting and legally significant  
19 racially polarized voting?

20 A. I think as a general rule, you could have polarized  
21 voting in any election if any group has a pattern  
22 of voting more strongly for a candidate than  
23 another group. That's polarization of the vote.  
24 It could be Republican versus Democrat. There's  
25 all sorts of polarizations.



1                   And the polarization may become an issue in  
2                   a court case, and if the court case -- the support  
3                   of the analysis is upheld by the court, then  
4                   there's legally sufficient.

5     Q.   One of the totality of the circumstances factors is  
6           the extent to which voting in elections of the  
7           state of political subdivisions are racially  
8           polarized but also the extent to which members of  
9           the minority group in the state or political  
10          subdivision bear the effects of discrimination and,  
11          in particular, the extent to which members of the  
12          minority group have been elected to public office  
13          in the jurisdiction.

14                   My question to you is what impact on your  
15                   analysis of whether or not a particular plan might  
16                   violate Section 2 of the Voting Rights Act, what  
17                   impact does it have that a candidate of choice of  
18                   black voters can be elected in a district that's  
19                   less than 50 percent black after the Strickland  
20                   decision?

21                   MR. FARR:  Objection to the form of the  
22                   question.

23                   THE WITNESS:  Let's have you repeat that  
24                   again.  I'm sorry.

25     BY MS. EARLS:



1 Q. What impact on the Section 2 analysis -- and by  
2 that I mean when you're drawing a district and  
3 you're trying to determine whether or not a  
4 majority black district is required by Section 2 of  
5 the Voting Rights Act, what impact on your analysis  
6 does it have if a candidate of choice of black  
7 voters has been elected in a district that's less  
8 than 50 percent black in voting age population?

9 MR. FARR: Objection to the form of the  
10 question.

11 THE WITNESS: I wasn't making an analysis  
12 as I was drawing the districts so I can't really  
13 answer that question as you posed it.

14 BY MS. EARLS:

15 Q. Well, are you saying that even though one of your  
16 instructions was -- and now I'm referring back to  
17 your affidavit. And it does say regarding  
18 legislative districts under paragraph 12 that you  
19 were directed to follow the criteria established by  
20 the United States Supreme Court and the  
21 North Carolina Supreme Court in Strickland v.  
22 Bartlett and then in paragraph 13 regarding  
23 Congressional districts you were instructed to  
24 comply with the United States Supreme Court's  
25 holding in Strickland v. Bartlett.



1                   So it's my understanding that you were  
2                   instructed to comply with those decisions. So in  
3                   the course of drawing redistricting plans that  
4                   comply with those decisions, what impact did it  
5                   have on your assessment that a candidate of choice  
6                   of black voters was elected in a district less than  
7                   50 percent black voting age population?

8                   MR. FARR: Objection to the form of the  
9                   question.

10                  THE WITNESS: Do you want me to answer?

11                  MR. FARR: Yes.

12                  THE WITNESS: The way that that  
13                  conformance was taken care of in the drafting of  
14                  the plan was the instruction that I was to draw  
15                  majority-minority districts, so where that was  
16                  possible I drew them.

17 BY MS. EARLS:

18 Q.       So then it was your understanding that Section 2 of  
19       the Voting Rights Act as interpreted or explained  
20       in those Supreme Court decisions required you to  
21       draw a majority black district wherever it was  
22       possible?

23                  MR. FARR: Objection.

24                  THE WITNESS: I was not making a judgment  
25       on what was required by Section 2 of the Voting



1 Rights Act with regard to the percentage that the  
2 district would be.

3 I was executing the instructions given to  
4 me by the chairman of the committee that a minority  
5 district needed to be 50 percent plus one in  
6 accordance with Strickland to place the legislature  
7 in a safe harbor with regard to the Voting Rights  
8 Act.

9 Q. But I believe you also said that you drew those  
10 wherever it was possible.

11 A. Well, not wherever it was possible. When I drew a  
12 district, it would be 50 percent plus one.

13 Q. So are you saying that it was actually possible to  
14 draw additional 50 plus one percent black districts  
15 in North Carolina in any of the three plans that  
16 you did not draw?

17 A. Yes.

18 Q. Which plan -- in which plan is that true?

19 A. The House plan and the Senate plan and actually --  
20 well, no.

21 Q. In your view, does Section 2 require the  
22 maximization of the black districts in a  
23 redistricting plan?

24 MR. FARR: Objection to form.

25 THE WITNESS: I'm sorry. Are you asking



1           that as a general statement or in the context of  
2           this plan?

3                   MS. EARLS: As a general statement.

4                   MR. FARR: Objection to form.

5                   THE WITNESS: The section of the Voting  
6           Rights Act which you read to me about  
7           proportionality would clearly state that in  
8           some -- it would come to be that in some states it  
9           would be possible to draw more districts than the  
10          proportion of the population, in some case it would  
11          be less, in some case it would be equal, so it  
12          would not be my understanding that the act required  
13          maximization.

14 BY MS. EARLS:

15 Q. And in your view does Section 5 of the Voting  
16          Rights Act require that?

17 A. Section 5 is about a totally different set of  
18          circumstances. Section 5 is in my judgment to  
19          preserve Section 5 districts or districts which  
20          enter into Section 5 counties in one way or  
21          another.

22 Q. Another question about racially polarized voting.

23                   In your view, can a white candidate be the  
24          candidate of choice of black voters?

25 A. Yes.



1 Q. And are white-versus-white, that is, elections  
2 involving two white candidates, are those useful in  
3 analyzing racially polarized voting?

4 MR. FARR: Objection to the form.

5 You may answer it.

6 THE WITNESS: I'm sorry. What type of  
7 racially -- racially polarized voting, you said?

8 BY MS. EARLS:

9 Q. Yes.

10 A. Probably less helpful.

11 Q. And do you know what I mean by exogenous and  
12 endogenous elections?

13 A. Yes.

14 Q. So are endogenous elections more useful than  
15 exogenous ones?

16 A. With regard to legislative redistricting?

17 Q. Yes, and with regard to analyzing racially  
18 polarized voting.

19 A. Well, they're certainly more helpful in regard to  
20 analyzing existing districts in the context of the  
21 district that was there when the election took  
22 place.

23 Q. And what about analyzing districts that you're  
24 drawing as new districts?

25 A. I think when you start shifting districts, so to



1 speak, on the state's landscape so that you have a  
2 proportion of one district -- one old district in  
3 the new district and a portion of another district  
4 in the new district and such as that that it  
5 becomes much less a factor because precincts or  
6 VTDs, whatever unit you're measuring this in, can  
7 behave radically differently as they are moved from  
8 one district to another, so it wouldn't be possible  
9 to do that on the fly, so to speak.

10 Q. So am I understanding you to say that it's your  
11 view that because when a precinct is in a different  
12 district, voters behave differently that you can't  
13 use past elections to say anything about what  
14 racially polarized voting patterns might be in  
15 future elections in different districts,  
16 differently drawn districts?

17 A. For those of us who draw districts in general, the  
18 general rule is that statewide elections are more  
19 helpful in predicting future voting behavior than  
20 are local and district elections because of what I  
21 mentioned before.

22 Q. So, in other words, you don't agree that endogenous  
23 elections for state legislative office are more  
24 useful than exogenous ones?

25 A. In what way?



1 Q. For analyzing racially polarized voting.

2 A. To what end?

3 Q. To determine whether or not it's necessary to draw  
4 a majority black district.

5 A. Okay. As I now understand your question, okay, I  
6 think it's valid and necessary to make a  
7 polarization analysis of both the existing  
8 districts, what I would say the baseline  
9 districts -- do you understand?

10 Q. Uh-huh.

11 A. Okay -- and other local elections that may be in  
12 areas such as county elections, city elections, a  
13 number of those elections, in determining whether  
14 or not polarized voting is present in a specific  
15 geographic area, and that geographic area would be  
16 the area that was covered by the election.

17 So, yes, I agree with you on that question.

18 Q. I also have a couple questions about compactness.

19 What do you understand about the  
20 requirement -- or let me ask it this way: Is  
21 compactness a consideration in any of the criteria  
22 that you used in drawing North Carolina's  
23 redistricting plans?

24 A. To some degree, yes.

25 Q. In what way did it play a role?



1 A. For the most part, where it could be done, my  
2 practice would be to make lines smoother when it  
3 could happen, and that's one degree of compactness.  
4 It was not the major criteria because the major  
5 criteria were the Voting Rights Act and Strickland  
6 and Stephenson and manifested in the county  
7 grouping rule.

8 Q. And how did you evaluate compactness when you were  
9 drawing the North Carolina plans?

10 A. Well, by sight, S-I-G-H-T.

11 Q. The Maptitude program that you were using had built  
12 into it some mathematical measures of compactness;  
13 is that right?

14 A. Yes. Seven, I believe.

15 Q. Did you use those at all in assessing the relative  
16 compactness of districts?

17 A. No.

18 Q. Did you run any compactness measures at all on any  
19 of the plans that you were drawing?

20 A. Before or after enactment?

21 Q. No, before enactment.

22 A. No.

23 Q. Why not?

24 A. Because I was very busy just trying to get the  
25 plans done and get them into a form where they



1           could be approved by the chairman and turned into  
2           legislation and passed.

3    Q.    So by that I take it that you would have done them  
4           if you had more time?

5    A.    That's a hypothetical. I don't really -- I don't  
6           really know.

7    Q.    Did you conclude it was not a priority to look at  
8           the mathematical measures of compactness?

9    A.    Well, remember, compactness is a very vague  
10           concept. It's almost a concept in search of a  
11           definition and it's also a concept which is  
12           different from state to state within the tradition  
13           of the state, and being as it was not a major  
14           component of the criteria of the redistricting  
15           process, I probably wouldn't have done that unless  
16           I was instructed to do it. I knew that the state  
17           legislative staff had the ability to run those  
18           tests and they could be run by them.

19   Q.    When you say it was not a major component of the  
20           criteria in North Carolina, are you basing that on  
21           the instructions you received from the leadership?

22   A.    Specifically that it was not a major factor?

23   Q.    Yes.

24   A.    No.

25   Q.    What do you base it on?



1 A. I based it on my judgment as to what they were  
2 concerned with and considered in their discussions  
3 with me.

4 Q. So did your prior role in redistricting in  
5 North Carolina, including analyzing prior  
6 Congressional districts for compactness, play any  
7 role in your consideration of compactness as a  
8 criteria in this round of redistricting?

9 A. Not specifically.

10 Q. Other than the verbal instructions that you had  
11 from Senator Rucho and Representative Lewis and the  
12 Legislator's Guide, were there any other -- and  
13 your own experience and knowledge of the law from  
14 your years of engaging in redistricting, are there  
15 any other sources that you had for what legal  
16 standards should be followed in drawing the  
17 redistricting maps in North Carolina?

18 A. Well, as particularly the draft maps were released,  
19 the chairman released statements concerning the  
20 draft maps which I read and would be checking in my  
21 own mind what -- how those -- how the plans were  
22 conforming to those statements.

23 Q. Just so we're clear, I'm going to show you what's  
24 been marked -- previously marked as Deposition  
25 Exhibit 55 and ask you if those are the statements



1           you're referring to.

2    A.    Are those the ones with the purple tabs?

3    Q.    Well, the entire exhibit is behind tab 55.

4    A.    I'm sorry.

5    Q.    If you want to take a minute and look through them.

6    A.    (Witness complying.)

7    Q.    Are those the statements you were just referring  
8           to?

9    A.    Yes.

10   Q.   Did you review those statements prior to them being  
11          issued publicly?

12   A.    No.

13   Q.    Thank you.

14                   Was there any other source of criteria or  
15                   guidance on what standards you should follow in  
16                   drawing the redistricting plans that you haven't  
17                   already discussed?

18   A.    Not that I can recall.

19   Q.    So I think we're ready to turn to the third stage  
20           of your involvement which you described as drawing  
21           districts and plans and managing -- being a  
22           gatekeeper of the process.

23                   Going back to your Exhibit 431 which has  
24                   the date you were in North Carolina, did that stage  
25                   of the process start when you came on April 13th?



1 A. Yeah, let's repeat that again. I'm sorry.

2 Q. That's all right. I'm trying to establish a  
3 timeline for when you started drawing districts and  
4 plans and just -- first let me ask you: Did you  
5 work on North Carolina redistricting at times other  
6 than when you were physically in Raleigh?

7 A. Yes.

8 Q. Where else did you work on the plans?

9 A. Sometimes I worked on them in the RNC office that  
10 they provided me as a consultant.

11 Sometimes -- most of the time I worked on them at  
12 home. I have a portable computer. Sometimes I  
13 worked on the train. Sometimes I worked on the  
14 plane. You know, the beauty of having a portable  
15 computer is you can work anywhere.

16 Q. Just in terms of proportion, then, is it fair to  
17 say that greater than 50 percent or greater than  
18 75 percent, what proportion of the time that you  
19 actually put in working on drawing districts for  
20 North Carolina's redistricting maps was spent doing  
21 that outside of North Carolina?

22 A. You know, I couldn't give you an accurate percent  
23 because I didn't keep tabs on it at all times, but  
24 I would say a majority of the work was done here in  
25 Raleigh.



1 Q. Then can you give me some idea of when you started  
2 actually drawing the plans.

3 A. Okay. Would it answer your question to say that  
4 when the Census data became available and the  
5 databases became available from the state  
6 legislative staff, I began looking at the maps?

7 Q. And do you recall roughly when that was?

8 A. I believe it was in the last two weeks of March of  
9 2011. We were all eagerly awaiting the release of  
10 the data.

11 Q. Did you draw them in any particular order? Did you  
12 start with the Congressional or start with the  
13 House or Senate? How did that process work for  
14 you?

15 A. My recollection is is that the House was the first  
16 body that I looked at with regard to the data and  
17 the information. The House plan is the most  
18 complex of the plans. And then the Senate plan and  
19 then finally the Congressional maps.

20 Q. When you came to North Carolina on April 13th --  
21 this was after the Census data was available and  
22 after the database had been built -- did you  
23 already have a draft of any of those plans?

24 A. By a draft do you mean a complete map that I would  
25 treat as a map that I deliver to the chairman or do



1           you mean a partial map? Or what form do you want  
2           to --

3    Q.    Why don't I ask you what did you have when you came  
4           to Raleigh on April 13th?

5    A.    I don't rightly remember exactly what I had, but  
6           the way that the process unfolded was -- and was  
7           instructed in my understanding of Stephenson is the  
8           first mission, so to speak, was to see what  
9           minority districts could be drawn in the state, and  
10          that was the first task.

11                   And at the same time, investigations were  
12           going on as to what sort of county groupings could  
13           be done.

14                   And then, again, as instructed by  
15           Stephenson, there's a process of harmonizing the  
16           two requirements of the Voting Rights districts and  
17           the county groupings, and this begins a rather long  
18           and involved and intricate and iterative process  
19           between those two branches until at least one full  
20           map is present that at least has the minority  
21           districts in it and has the groupings established,  
22           the most difficult part of the plan being that  
23           harmonization.

24                   After that, it's really filling in the  
25           remaining districts within each county grouping.



1 (WHEREUPON, Exhibit 436 was marked for  
2 identification.)

3 BY MS. EARLS:

4 Q. I have marked as Exhibit 436 another document that  
5 was provided to us and it wasn't dated, but can you  
6 tell me what this is?

7 A. Provided to us?

8 Q. To the plaintiffs in discovery. This was on a disc  
9 that was labeled "Hofeller."

10 A. Okay. By me?

11 Q. Counsel provided it.

12 A. Okay, yes. It was a chart which contained the  
13 percentage that the -- what we would call the 18  
14 plus AP black population on one side of the chart  
15 and the 18 plus black only population was of the  
16 state's population, the number of seats in each  
17 House and what the exact proportionality would be  
18 for each chamber of the General Assembly. And  
19 since you can't build 10.6 districts, as an  
20 example, in this chart, whether you rounded it up  
21 or whether you rounded it down.

22 Q. Did you prepare this chart?

23 A. Yes.

24 Q. And did you do that fairly early on in the process  
25 of drawing maps?



1 A. As soon as the Census data came out.

2 Q. And did you --

3 A. There's another factor that's, of course, relevant  
4 here and that's the citizen voting age population.

5 Q. Did you have citizen voting age population data?

6 A. There was another data set which was available  
7 which was the, I believe, 2010 release of the 2009  
8 American Community Survey.

9 Are we through with this?

10 Q. Well, you can leave it right there.

11 I want to just pursue a little bit further  
12 this citizen voting age population.

13 Did you have that 2009 -- at what level of  
14 geography did the 2009 American Community Survey  
15 data on citizenship go down to?

16 A. I think for purposes of this discussion, it comes  
17 at the state level, the county level, the tract  
18 level and the block group level. There are also  
19 some records in there for Census county places of  
20 certain size.

21 Q. And am I correct that these are estimated numbers,  
22 the American Community Survey? It doesn't survey  
23 every single person?

24 A. They're estimated from a roughly I think about  
25 one-in-eight sample over a period of five years.



1           The ACS was touted to replace the long-form  
2           Decennial Census Questionnaire.

3    Q.   And the 2009 release, was that the five-year --  
4           they also do -- am I correct they also do one-year  
5           and three-year samples as well?

6    A.   Yes.

7    Q.   And does citizen voting age population data you're  
8           referring to from the 2009 ACS, that was a  
9           five-year sample?

10   A.   Yes.

11   Q.   Did you have that data on your computer in  
12          Maptitude when you were drawing districts?

13   A.   No, nor does anybody else.

14   Q.   And why is that?

15   A.   You really want me to explain that in full?

16   Q.   Well, can you give a general summary so people  
17          understand.

18                   MR. FARR:  Only one or two people that  
19                   know the answer are the two of you.

20                   THE WITNESS:  When the Justice Department  
21                   asks the Census Bureau to produce this extraction  
22                   from the American Community Survey, they didn't ask  
23                   for enough information to allow it to be taken down  
24                   to lower levels proportionally.

25                   I would advise them differently, but that's



1 not my business.

2 Therefore, it was not possible to put it  
3 into a Maptitude system. In Maptitude, you  
4 actually have to one way or the other break  
5 everything down to the block level or Maptitude  
6 can't take it. You have to have all levels of  
7 geography.

8 BY MS. EARLS:

9 Q. Did you make any assessment of the reliability of  
10 the citizen voting age population data at any level  
11 of geography for redistricting purposes?

12 A. Reliability?

13 Q. Right. In other words --

14 A. Well, the records that come in the American  
15 Community Survey give a confidence level, an  
16 interval, essentially, for each cell that they  
17 produce data, each geographic level.

18 Q. In fact, they give you a number and then they give  
19 you a range it can be within?

20 A. Yes, and some of them are interesting.

21 Q. And by interesting, you mean they're so large that  
22 they are illogical, the range is so large?

23 A. Sometimes the bottom range, for instance, would  
24 create a negative number.

25 The reliability increases as the level of



1 geography contains more and more population because  
2 the sample size is bigger.

3 The same sort of factor actually was  
4 present in the long-count Census data in previous  
5 Censuses from long form but no one ever looked at  
6 it.

7 Q. Did you use the citizen voting age population from  
8 the 2009 American Community Survey in drawing  
9 redistricting plans in North Carolina?

10 A. The answer to that question would be no.

11 Q. Okay. So going back to the proportionality chart,  
12 as you began this stage of drawing maps for  
13 North Carolina -- and I really want to focus first  
14 on the initial stages, so the first couple of  
15 visits in April, and I want to ask you who else was  
16 working with you in drawing maps.

17 A. At that time?

18 Q. Yes, like in April and May.

19 A. It was pretty much me.

20 Q. Okay.

21 A. Joel Raupe, who you are familiar with, was working  
22 in Raleigh during that period, too, but in that  
23 stage it was really myself.

24 Q. And then at a later point was there anyone else  
25 assisting you in preparing maps?



1 A. What do you mean by "assisting"?  
2 Q. Working with you to -- actually sitting down at a  
3 computer and looking at options for drawing  
4 districts.  
5 A. By that do I understand that you mean by taking  
6 hold of the mouse and actually moving it around and  
7 working on Maptitude?  
8 Q. Was anyone else working on Maptitude, yes.  
9 A. I'm sorry. I'm trying to answer your question.  
10 Q. Yes.  
11 A. Well, throughout the process, Joel -- Joel worked  
12 on maps. John Morgan worked on maps.  
13 Q. Anyone else?  
14 A. Not that I recall right at the moment.  
15 Q. Did you provide this proportionality chart to the  
16 team that you described was working on maps?  
17 A. I don't know that I provided the chart to them. I  
18 think we were all familiar in our discussions with  
19 this -- the conclusions of this chart.  
20 Q. So you may not have provided them this exact  
21 document, but they knew the general numbers that  
22 are reflected here?  
23 A. That would also be known by the chairman, too.  
24 Q. So fairly early on in the process you communicated  
25 this information to the chairman about the



1 proportionality for the Senate and the House?

2 A. Yes. I would have been a bad consultant if I  
3 hadn't done so.

4 Q. So let's start with the House maps because you  
5 started drawing with those.

6 A. What time do you think we can leave?

7 MR. FARR: We can take a short break.

8 THE WITNESS: If I could just have a short  
9 break. I'm sorry.

10 MS. EARLS: No. This is fine.

11 (Brief Recess: 11:51 to 12:01 p.m.)

12 BY MS. EARLS:

13 Q. Before the break, you were describing the iterative  
14 process of drawing the Voting Rights Act districts  
15 and then looking at the clusters and going back and  
16 forth about how to harmonize those.

17 Can you -- as you started looking at the  
18 House maps, is it right that the first thing you  
19 did was figure out where there were concentrations  
20 of black population in the state and decide where  
21 there should be majority-minority African American  
22 districts?

23 A. Yes.

24 Q. And how did you decide what was a Voting Rights Act  
25 district?



1 A. Well, that's an interesting term. Voting Rights  
2 district means many, many things to many, many  
3 different people.

4 I was operating under the Strickland ruling  
5 that a minority district is 50 percent plus one  
6 voting age population or in some cases it could be  
7 AP voting.

8 Q. I agree that term can mean many things to many  
9 people. I was using it because the Stephenson  
10 decision uses that and says the Voting Rights Act  
11 districts should be drawn first.

12 So in complying with and implementing the  
13 instructions you received to follow Stephenson,  
14 what did you understand Voting Rights Act districts  
15 to mean?

16 A. Well, then we're harmonizing Stephenson with  
17 Strickland --

18 Q. Right.

19 A. -- with the Voting Rights Act.

20 Q. Yes.

21 A. I was instructed that we were going to build  
22 districts at 50.1 or higher.

23 Q. I understand that, but how did you decide -- what  
24 did you understand to be Voting Rights Act  
25 districts under the cases you've just mentioned,



1 under Stephenson?

2 A. I don't understand how that differs from my answer  
3 that I gave you. A district that's more than  
4 50 percent, a majority-minority district.

5 Q. Did you consider districts that elected candidates  
6 of choice of black voters in Section 5 covered  
7 counties to be Voting Rights Act districts?

8 MR. FARR: Objection to form.

9 THE WITNESS: In the plan I was drafting?

10 BY MS. EARLS:

11 Q. No. In looking at the existing plan and where you  
12 needed to preserve Voting Rights Act districts  
13 under Section 5 of the Voting Rights Act.

14 A. You're talking about the baseline map?

15 Q. Right or benchmark.

16 A. Benchmark. I'm sorry. Certainly I looked at those  
17 districts.

18 Q. So it will probably be easier if I look at a map.

19 (WHEREUPON, Exhibit 437 was marked for  
20 identification.)

21 BY MS. EARLS:

22 Q. What I marked as Exhibit 437 is a printout, and  
23 it's obviously a lot of numbers, a large Excel file  
24 on the disc that we were provided that was entitled  
25 Hofeller docs and the file name appears at the top,



1 Tom First Cut 20110322.

2 Do you know when this document is?

3 A. It appears to be a printout of pretty much all the  
4 data from a plan.

5 Q. And is it true that pages 3 and 4 continue on from  
6 1 and 2 and 5 and 6 continue on from 3 and 4?

7 A. So works their way from left to right on a  
8 spreadsheet, yeah.

9 Q. Did you use a naming convention in saving your  
10 files that would suggest the date of this file is  
11 March 22, 2011?

12 A. The name does not necessarily correlate with the  
13 date that the map from which the data was produced  
14 was that date.

15 It was more correlated to when the plan was  
16 first started on the computer. You start a new  
17 plan and you give it a name. You can't -- at least  
18 I don't know, maybe you know, how to change that  
19 name.

20 Q. So the date would be when you started but not  
21 necessarily when you finished, finished meaning you  
22 had a complete, fully drawn plan?

23 A. No, that I didn't change it any more. Plans  
24 evolve.

25 Q. So the date is the date you started, but the data



1           may be from a more evolved or changed version than  
2           from what existed on March 22nd?

3    A.    Yes, that's a true -- that's true.

4    Q.    This is from an Excel file, and we can show you the  
5           file. We could not find -- and it appears while  
6           it's not sorted that way that this is in fact 120  
7           districts, so this would be a House map, and the  
8           title suggests also that this was a State House  
9           plan; is that true?

10   A.    Yes, although I would note that one of the  
11          districts is out of deviation range that I can spot  
12          right out of the gate.

13   Q.    We couldn't find a map that corresponded to this,  
14          and my question is whether you recall or if you can  
15          help us figure out what map corresponds to this  
16          data set.

17   A.    You know, I gave you every map that I had on the  
18          two computers that had maps, and I really can't say  
19          any more.

20   Q.    So --

21   A.    This has been well over a year and a quarter and I  
22          just don't remember. I'm sorry.

23   Q.    So this Excel -- just to be clear, this Excel file  
24          wasn't something that we created using a block  
25          assignment file for a map that you provided. This



1           Excel file was a separate file on the Hofeller docs  
2           CD and you're saying that we have every block  
3           assignment file for every map that you had, so if  
4           we can't match this to any map, then you don't have  
5           any maps that it might --

6    A.    That's right. I don't even -- I just don't know.  
7           I'm sorry.

8    Q.    Okay. But it does at least suggest that on  
9           March 22nd you had started drawing maps?

10   A.    That's what it would suggest.

11   Q.    I want to show you what's previously been marked as  
12           Exhibit 195 and ask you if you can identify -- I  
13           just want to know if you can identify what that  
14           exhibit is.

15                   MR. FARR: Anita, do you know which  
16           deposition that was in?

17                   MS. EARLS: Lewis.

18                   THE WITNESS: Well, it's a House map of  
19           North Carolina labeled April 6.

20   BY MS. EARLS:

21   Q.    And "Tom," so does that refer to you?

22   A.    I would -- I would assume yes.

23   Q.    So is that one of the --

24   A.    That's a map that came off my computer.

25   Q.    Yes.



1 A. Yes.

2 Q. And is April 6th the date at which you at least had  
3 that version of the map?

4 A. April 6th was the date that you -- all I can say  
5 that would indicate the date that that particular  
6 plan was first entered onto the computer. I can't  
7 tell you for certain that that plan didn't evolve  
8 further after that date. We already went over  
9 that.

10 Q. But so you're saying that the plan that's  
11 represented by the data that's attached to this  
12 exhibit, to Exhibit 195 --

13 A. Yes.

14 Q. -- and the map of districts that is represented on  
15 that map labeled Tom House April 6 may in fact have  
16 not been completed until after April 6th?

17 A. Yes.

18 Q. Then I want to show you Exhibit 196.

19 MR. FARR: Is this from Lewis, too?

20 MS. EARLS: Yes.

21 BY MS. EARLS:

22 Q. These are statistics and a map labeled NC House  
23 April 22. Do you recognize that?

24 A. Yes. Could I just make a note. I think there are  
25 some blue stars there and that's maybe something



1 that you all added to my exhibit.

2 Q. Well, I will say that the map and the statistics we  
3 produced from the block assignment file.

4 A. Right.

5 Q. So we both chose what data to show on the  
6 attachment as well as the handwritten notes, but it  
7 was produced from the block assignment file, map  
8 file.

9 A. Right. The chart is not my data.

10 Q. Well, let me --

11 A. It's data produced from the plan that I gave you.  
12 I'm not contesting the data. I'm just making it  
13 clear that I did not produce this chart or mark it.

14 Q. Correct. Thank you.

15 A. Same with the last map incidentally, Exhibit 195.

16 Q. Right. But since it was a map on the disc of maps  
17 that you provided to us, it was a map that you drew  
18 during the redistricting process?

19 A. That's correct.

20 Q. And with the same caveats about this data sheet and  
21 handwritten notes on it, is Exhibit 197, NC House  
22 May 25, also a version of a map that you drew  
23 during the redistricting process?

24 A. Yes, with the same proviso that the chart is yours.

25 Q. Well, I want to ask you about those three exhibits.



1 I believe I'm correct that not only do we have  
2 block assignment files for them but we had PDFs of  
3 the map itself on the data that you -- on the file  
4 that you provided.

5 Did you show those maps in PDF form to  
6 anyone else while you were working on these plans?

7 A. Not necessarily. When the plan opens up in  
8 Maptitude, I felt it would be helpful for you all  
9 as part of the discovery to make a picture of the  
10 map. You may want to take that block assignment  
11 file and present it in a different light, so I  
12 wasn't necessarily trying to show anything, but I  
13 felt that the PDF was more for your benefit than it  
14 was for anybody else's, but it doesn't mean that I  
15 necessarily displayed that map or that PDF to  
16 anybody else. It's what was on the computer at the  
17 time.

18 Do you understand what I said?

19 Q. I do. Thank you.

20 Looking at Exhibits 195, 196 and 197 -- and  
21 you can take as much time as you like, but our  
22 review suggested that in Exhibit 195, the map  
23 labeled April 6, there were 20 districts with a  
24 total black voting age population of 50 percent or  
25 greater; that in the next version, whenever it was



1 finished -- the date on the paper map says NC  
2 House, April 22 -- that had 21 districts with a  
3 total black voting age population with greater than  
4 50 percent; and the May 25th map, Exhibit 197, had  
5 22 districts with the total black voting age  
6 population of 50 percent or greater.

7 Does that roughly reflect the progression  
8 as you were looking at House options in terms of  
9 numbers of majority black districts?

10 A. It would be an example of the iterative process  
11 that was going on with the Voting Rights districts  
12 and the county groupings and the harmonization  
13 thereof, and as a redistricting person works more  
14 and more with the state, you want to learn more and  
15 more about the state and may find things that one  
16 didn't find before.

17 So it's part of that process, ongoing  
18 process of trying to figure out what we may then  
19 show to the chairman and say here's what we've come  
20 up with.

21 Q. And based on the numbers in the proportionality  
22 chart, which I think is in front of you as  
23 Exhibit 436. If you could look at Exhibit 436 for  
24 a moment.

25 A. Oh, proportionality chart.



1 Q. Right. I just want to ask you, it shows there that  
2 your House proportionality truncated, that is, a  
3 little bit less than exact was 25 and rounded up  
4 was 26.

5 So as you were looking at options and  
6 possibilities and learning more about what might be  
7 possible in the House map, you were trying to get  
8 to that number of 26?

9 A. I didn't really have a goal. I was just seeing  
10 what was possible to do.

11 The point at which we would settle on the  
12 districts was a decision that would be made by the  
13 two chairs.

14 Q. Well, I thought that your affidavit indicated that  
15 you were instructed to achieve rough  
16 proportionality. You say in paragraph 12, "I was  
17 instructed to explore the possibility of creating a  
18 sufficient number of majority African American  
19 districts so that African American voters could  
20 have a roughly proportional opportunity to elect a  
21 preferred candidate of choice."

22 So weren't you trying to explore the  
23 possibility of getting up to 25 or 26 districts in  
24 the House that would be 50 percent or one greater  
25 in black voting age population?



1 A. Roughly, yes.

2 (WHEREUPON, Exhibit 438 was marked for  
3 identification.)

4 BY MS. EARLS:

5 Q. Exhibit 438 is a partial map and statistics that  
6 was among the documents provided to us.

7 Do you recognize this map?

8 A. Yes.

9 Q. What is it?

10 A. It's somewhat hard for me to look at it fully  
11 because it's not big enough in some areas, but it's  
12 another map showing minority districts -- possible  
13 minority districts in the House.

14 Q. If it would make it easier, we can pull it up in  
15 Maptitude and you can look at it on the computer  
16 screen, but I don't know if that will be necessary.

17 A. It depends on what question you ask me.

18 Q. I just wanted you to know that possibility existed.

19 A. Thank you.

20 Q. Can you explain what the labels are, the numbering  
21 system and the labels on this map?

22 A. The number that's -- the top number is a district  
23 number. The bottom number is a deviation,  
24 numerical deviation for ideal district size.

25 Q. And this is -- again, would this have been a map



1           that you were looking at earlier on in the process?

2    A.    I think, but I'm not sure.  It was maybe a little  
3           later in the process than the maps you've already  
4           shown me just by the configuration of the districts  
5           that are there.

6    Q.    And what does the shaded part of the map show?

7    A.    The minority districts.  You get that by using  
8           locking on the Maptitude program.

9    Q.    So in preparing this partial map, you were  
10           attempting to determine where it was possible to  
11           draw majority-minority districts in the state?

12   A.    Yes.  There were some other districts on it, but  
13           they were -- they were just there.

14   Q.    Right.

15                               (WHEREUPON, Exhibit 439 was marked for  
16           identification.)

17   BY MS. EARLS:

18   Q.    I've marked as Exhibit 439 another map that was  
19           among the maps provided to us, and I understand the  
20           same caveat that the data report wasn't something  
21           you produced.

22                               Do you recognize this exhibit?

23   A.    Yes.

24   Q.    And can you explain the title, NC Without Odd  
25           Minority Districts?



1 A. I mean, basically, this was yet another part of the  
2 iterative process that was going on and it was kind  
3 of a side line to say, well, could they look better  
4 and still fit in this harmonization scheme, and the  
5 conclusion was, no. So it's a failed offshoot.

6 By odd -- I'm sorry, you ask your question.

7 Q. Please. I think you're about to answer it.

8 A. You ask the question.

9 Q. What do you mean by odd?

10 A. Less -- more compact.

11 Q. And why was it not possible?

12 A. Because it wouldn't meet the requirements that were  
13 given to me by the chairman which were to create  
14 majority-minority districts in accordance with  
15 Strickland.

16 Q. And by that you mean it didn't create as many  
17 majority-minority districts as other maps?

18 A. Well, and they wouldn't fit within the context of  
19 the Stephenson county grouping criteria.

20 Q. In what way --

21 A. I don't know that it was ever actually fully -- if  
22 I can use the term -- grouped. I think this was  
23 just like a one off little process of saying, okay,  
24 is there something else possible.

25 Q. But the data does come from the block assignment



1 file and it shows that -- am I right that these 120  
2 districts are all within plus or minus five percent  
3 deviation?

4 A. Yes.

5 Q. So this was a complete district map?

6 A. If that's your definition of a complete district  
7 map, that it has 120 districts within the deviation  
8 range. I don't know that it was a complete map in  
9 that it harmonized Stephenson with the Voting  
10 Rights Act.

11 Q. And can you tell me why it did not harmonize?

12 A. I really can't. There isn't enough information on  
13 this map. I would really have to have a map that  
14 would have an overlay of the county groupings and  
15 look at them to recognize where they were,  
16 et cetera.

17 Q. Did you have the capacity in Maptitude to overlay  
18 county groupings?

19 A. It wasn't -- it would have been very labor  
20 intensive to do it. There was no function that you  
21 pressed in Maptitude that said give us the  
22 North Carolina -- the outlines of the  
23 North Carolina county groups. That was not a  
24 Maptitude function.

25 And I also was very cognizant of the fact



1           that the state's computer had that capacity. How  
2           they did it, I don't know.

3    Q.    But you just said that this -- this option was a  
4           failed map and that was a conclusion that you came  
5           to during the redistricting process. And I  
6           understand --

7    A.    Maybe "failed" is the wrong term. It was an  
8           experiment. I decided it was not -- it was just  
9           not going in any direction that we were instructed  
10          to go in so I abandoned it.

11   Q.    And I understood you to say that you abandoned it  
12          because it didn't comply with the instructions you  
13          were given to follow Strickland and the Stephenson  
14          Whole County Provision.

15   A.    And the Voting Rights Act.

16   Q.    And the Voting Rights Act?

17   A.    Yes.

18   Q.    And I'm trying to understand how you came to that  
19          conclusion. If Maptitude -- because you said you  
20          can't tell me now looking at it; you need to know  
21          the county grouping overlay.

22                    When you were working on this map during  
23          the redistricting process, you weren't working on  
24          the state's computer, right?

25   A.    No.



1 Q. So you didn't have the capacity in Maptitude to  
2 overlay the county groupings.

3 A. Not as a direct function of Maptitude.

4 Q. So how did you assess the county groupings in that  
5 map?

6 A. Well, I had access to mapping charts that had  
7 groupings on them.

8 Q. And where did those mapping charts come from?

9 A. Mr. Oldham.

10 Q. And so you took the mapping charts and compared  
11 them to this map?

12 A. I would say this: I'm working intensely on this  
13 state and particularly on the House plan because  
14 it's the most difficult plan, and I have in my mind  
15 where things are, which is what you have to do.  
16 You have to be an effective line drawer if you're  
17 not paying attention.

18 I looked at this and said this isn't going  
19 to go anywhere because this isn't where our  
20 grouping plan is headed, but I was thinking you  
21 wanted me to get more specific about it and I was  
22 just saying there isn't enough detail on here for  
23 me to get more specific. It's very difficult to  
24 trace on a map of this size where the groups are.  
25 We'd be here for a long time.



1 Q. Right.

2 A. And I don't think it's really that productive, but  
3 that's up to you because you're asking the  
4 questions.

5 Q. I do have the county grouping maps which I'd be  
6 happy to show you. They've been previously marked  
7 as exhibits because I would like to understand why  
8 this map without odd minority districts did not  
9 work from your point of view.

10 I'm going to show you both Exhibit 401 and  
11 402 and let you tell me if these are the county  
12 grouping maps -- I'm sorry to move your stuff  
13 here -- that Mr. Oldham provided to you that you  
14 were just referring to.

15 A. These are the county grouping maps that Mr. Oldham  
16 had and provided to you. I didn't see every one of  
17 these grouping maps because he may have decided  
18 independently that the grouping that was on a  
19 specific map was just not going to work. Again,  
20 that's part of the iterative process of harmonizing  
21 Stephenson and Strickland and the Voting Rights  
22 Act.

23 So in my mind, I know you say this is a  
24 grouping map, but for me to be able to opine with  
25 any accuracy on this map, we would have to have a



1 map such as the maps that the state staff produced  
2 which had the outlines of the districts usually  
3 colored and an added blue overlay that showed the  
4 groupings.

5 Q. Did you have those state-produced maps before any  
6 redistricting maps were made public?

7 A. No.

8 Q. So were there some other county grouping maps that  
9 you were working from other than --

10 A. No. What there was is what you see except once in  
11 a while I might look at one of Mr. Oldham's charts  
12 and attempt to put it in a more organized fashion,  
13 but I soon gave that up.

14 Q. And in order to make this assessment, am I right  
15 that you had to have all of the districts -- you  
16 had to have 120 districts drawn?

17 A. Not necessarily, no. You could have -- you could  
18 have the county groups, you could have the minority  
19 districts, and it wasn't necessary to have filled  
20 in the rest of the districts.

21 Q. In this map all of the rest of the districts are  
22 filled in.

23 A. Yes, but not necessarily in the context of what  
24 would be a final map product delivered to the  
25 chairman or presented publicly.



1                   In constructing these districts, sometimes  
2           I would put in a full 120 districts with the  
3           knowledge that the non-minority district lines  
4           would be subject to a lot of give and play by  
5           members of the House in the chairman's interplay  
6           with them; in other words, they would see something  
7           and say, "I don't want that."

8    Q.   Do you recall when you first showed a map to the  
9           chairman, a House map?

10   A.   A full House map?

11   Q.   Well, let's start with any map.

12   A.   I think that in late April, early May we came down  
13           to Raleigh and we showed them a minority district  
14           map, a map with minority districts on it. It  
15           was -- I don't recall whether it was fully  
16           districted out for 120 districts, but we told them  
17           at the time don't worry about the other districts.

18                   One of the problems you have when you give  
19           a map to a legislator is they have trouble  
20           discriminating between a hypothetical map and a  
21           real map.

22   Q.   So you made the choice to only show him the  
23           majority-minority districts initially?

24   A.   I honestly don't remember whether that map had  
25           other districts on it or not. I just don't



1 remember at this point.

2 I certainly wouldn't have had any problem  
3 with that, but the main goal at that point was to  
4 complete that harmonization phase as directed in  
5 Stephenson of first doing the examination of the  
6 minority districts and then going through the  
7 iterative process of harmonizing them with the  
8 Stephenson Whole County groupings, and at that  
9 point the map became -- it would have been easier  
10 to start drawing the rest of the districts. Other  
11 than that, you would just be drawing them and you  
12 would be redrawing them and you would be redrawing  
13 them because they have to be drawn within those  
14 groupings.

15 I can tell you right off this was not the  
16 final set of groups --

17 Q. Right.

18 A. -- that I can see.

19 Q. And actually, I'm interested in knowing which map  
20 was the first full map that you drew and showed to  
21 the leadership, but let me show you a few more maps  
22 before we get to that. I'll take those two  
23 exhibits back.

24 A. Could I get another drink?

25 Q. Please. Help yourself.



1 (WHEREUPON, Exhibit 440 was marked for  
2 identification.)

3 BY MS. EARLS:

4 Q. I'm handing you an exhibit that we marked as  
5 Exhibit 440, and that consists of three pages of  
6 statistics and two maps, one full map and one a  
7 partial map. Again, the statistics are -- we  
8 printed these out after loading the block  
9 assignment file that was on your disc into our  
10 system and we also printed out the full map after  
11 loading the block assignment file, but the partial  
12 map was a PDF that was on the disc, and the title  
13 is NC House Less Convolutated.

14 Can you describe for me what this map is.

15 A. I think I'd be going through the same explanation  
16 as I went through with your previous exhibit. It  
17 was another segment of the analysis of the  
18 harmonization of the Stephenson county grouping  
19 criteria with the Voting Rights Act and Strickland.

20 Q. And the same labeling conventions apply, so the top  
21 number is the district number and the bottom is the  
22 population deviation?

23 A. Yes.

24 Q. And the shaded areas are majority-minority  
25 districts?



1 A. I don't know that they're majority-minority  
2 districts. Let's just say they're minority  
3 districts at this point. They're the districts  
4 that I wanted to highlight in this particular map.

5 Q. And as with the previous map, this is a map that  
6 has 120 districts, at least. I'm asking you about  
7 Exhibit 440.

8 A. I know. I was just looking back.

9 Q. Okay. Take your time.

10 A. What exactly is your question?

11 Q. Is this a map that has 120 districts?

12 A. So it appears.

13 Q. And what did you mean by "less convoluted" on the  
14 top of this map?

15 A. It was the same explanation as odd. And again, it  
16 was another kind of sidebar look at possibilities.  
17 You're always looking at possibilities.

18 Now, one of the things that I wish to  
19 remark about this and some of the preceding maps is  
20 you'll notice that in these maps, Wilson county is  
21 a one-county, one-district county group, and that  
22 was certainly not going to provide the incumbent in  
23 that county with a minority -- a Strickland-based  
24 or any based majority-minority district. And one  
25 of our goals, too, would be to minimize to the



1       greatest possible extent leaving minority  
2       incumbents in non-minority districts or paired --  
3       or paired together with other members.

4               I can just tell you this was not -- again,  
5       the clustering system was not the final clustering  
6       system.

7    Q.   But you can determine something about the  
8       clustering system by just looking at the map  
9       because you could tell me that Wilson was a  
10       single-county cluster?

11   A.   Well, that's a pretty easy thing to identify.  
12       Again, it would be a lot more helpful if these maps  
13       were in the format that the state puts them in when  
14       they add the county groupings on top. It's a  
15       separate line file.

16   Q.   But just to be clear, during the redistricting  
17       process when you were working on these maps, you  
18       weren't using that state system?

19   A.   No.

20   Q.   The title of both this map and the last --  
21       certainly this one less convoluted suggests that it  
22       was less convoluted than something. Can you tell  
23       me what it was being compared to?

24   A.   I think the current, best version of the map that  
25       was in existence at the time.



1 Q. And do you know which map that would have been?

2 A. No.

3 Q. I want to look -- can I just finish up with the  
4 House?

5 MR. FARR: How long?

6 MS. EARLS: I just want a few more maps.

7 MR. FARR: Okay. Is that okay with you?

8 THE WITNESS: I'm fine.

9 BY MS. EARLS:

10 Q. Exhibit 400 was introduced in the deposition  
11 yesterday, and it's entitled NC House HOMP - 2  
12 20110525. Do you recognize that map?

13 A. Yes. I first saw it actually yesterday.

14 Q. So this is not a map that you --

15 A. I don't know whether it is or not. It doesn't look  
16 that it has a name like I would have put on the  
17 map.

18 Q. So you don't know what the name means, the H-O-M-P?

19 A. Actually, I don't.

20 Q. Because we were assured yesterday we could ask you  
21 about these maps.

22 A. Okay. Well, you've asked me about the map, and I  
23 said I'm not sure that this specific map -- I just  
24 don't recall it.

25 Q. I want to show you what previously was marked as



1 Exhibit 406 and ask you if you recognize that map.

2 A. Yes. That's a county cluster map.

3 Q. And did you have that map or had you seen that map  
4 while you were working on the redistricting in  
5 2011?

6 A. My hunch is that, again, very early in the process  
7 I stopped trying to keep up with each different  
8 county grouping map that was being produced and  
9 make a prettier map of it because I didn't have  
10 time.

11 Q. Exhibit 411 is a map titled NC House 16 District  
12 Pod. Can you tell us what that map shows?

13 A. I would assume that somewhere in here there is a 16  
14 district pod. I don't know if I could pick it out  
15 right away. It would take me some time to figure  
16 that out.

17 Q. All right.

18 MS. EARLS: All right, we can stop. Thank  
19 you.

20 (Lunch Recess: 12:48 to 1:38 p.m.)

21 BY MS. EARLS:

22 Q. Before the break, I was asking you about the first  
23 map that you showed to the leadership, the first  
24 House redistricting map that you showed to the  
25 leadership, and I want to ask you if you remember



1 roughly when that would have been you first showed  
2 them a map.

3 A. It would have been sometime close by the date that  
4 the first map showing the VRA districts was  
5 released, but I'm not sure that all our districts  
6 were even finalized at that time. In other words,  
7 there was a period between when the VRA map was  
8 released and the full map was released, so I don't  
9 know exactly what that date was.

10 Q. Well, I believe that it was roughly June 17th when  
11 the VRA districts for the House and Senate were  
12 released to the public.

13 So are you saying that it was sometime in  
14 June that you showed them the -- first showed them  
15 a House map?

16 A. A House map?

17 Q. Yes.

18 A. I think it would probably have been more in May  
19 sometime.

20 Q. And were you -- was this an in-person meeting?

21 A. Yes.

22 Q. So it would have been one of the times that you  
23 were in North Carolina?

24 A. Oh, yes.

25 Q. So your Exhibit 431 suggests that you were here



1 from May 22nd to May 27th, Exhibit 431 in front of  
2 you there. You can flip them back over.

3 A. That could have been, although I don't know for  
4 sure when it would have been.

5 Q. And at least one of the earlier maps was dated  
6 May 25, one of the earlier exhibits of past  
7 districts. Can I just look through and find the  
8 May 25th map?

9 A. Do you want me to look? You look.

10 Q. Actually, I think I know where it is.

11 What was previously marked in the  
12 deposition of Representative Lewis as Exhibit 197  
13 has a title of May 25th. Is it possible that that  
14 was the first map that you showed the leadership?

15 A. It's possible, but I can't definitely say.

16 Q. How did you show them the map? Was there a hard  
17 copy map like that or did they just come in and  
18 look at a computer screen?

19 A. Well, sometimes one, sometimes the other. The  
20 problem with one of these maps, as you see here, is  
21 that they are pretty small and so you can't see  
22 where the districts are, so I think it would be  
23 more likely we would have printed a larger map and  
24 then again they might have wanted to look at  
25 specific spots on the map.



1 Q. Do you recall who was present at that meeting where  
2 you first showed them a House map?

3 A. No.

4 Q. And did you receive further instructions from the  
5 leadership after showing them that map?

6 A. Further instructions between the time I first  
7 showed them the map and between the time the full  
8 map was shown to the public?

9 Q. No. I'm saying at the meeting where you showed  
10 them the map.

11 A. I don't rightly recall.

12 Q. Then between the time that you showed them the map  
13 and roughly June 17th when it was shown to the  
14 public, did anyone else see any versions of a House  
15 map?

16 A. I believe so, yes.

17 Q. Who else saw the map?

18 A. Well, certainly Joel would have seen them and Dale  
19 would have seen them and the respective chairmen  
20 would have seen them. They were not terribly  
21 interested in the other side -- the other chamber's  
22 maps. And some limited members would see them.

23 Q. And who were the members who saw the maps?

24 A. Well, Representative Dollar was quite interested in  
25 the maps as they were progressing. Obviously much



1 more in Wake county.

2 Q. Then can you tell me what happened with regard to  
3 the House maps after the House and Senate maps were  
4 released to the public in terms of your involvement  
5 in drawing and looking at alternatives?

6 A. You mean specifically?

7 Q. What did you do --

8 A. Well, I mean, there were changes made to the maps  
9 clear up until the day before the next version was  
10 released. As would be the case in any legislative  
11 redistricting, the map is not a static. It goes  
12 through revisions, so there were a lot of things  
13 that were done, but some of them were minor, some  
14 of them were not minor, but I'd have to have the  
15 two maps in front of me to tell you what some of  
16 the differences were and it's likely I wouldn't  
17 even remember them all.

18 Q. I would like to ask you if you met with any other  
19 members after the maps were released publicly.

20 A. Yes.

21 Q. And who do you recall meeting with?

22 A. I met with a large number of members who were asked  
23 by the chairman or told by the chairman -- since I  
24 don't know what he told them exactly -- to come  
25 down and look at the maps particularly for their



1 county grouping, and his admonition to them was to  
2 come as a group, a grouping group, so to speak, and  
3 look at the maps and I could answer any questions  
4 they had and they would make comments about the  
5 maps.

6 Q. At the time at which the Voting Rights Act  
7 districts were made public for the House map, from  
8 that time until the maps were enacted, were there  
9 any changes made in terms of the county groupings  
10 or had you decided on the final county groupings by  
11 the time the Voting Rights Act districts were  
12 released?

13 A. I believe it's possible there were. Again, I'd  
14 have to see the two maps and the grouping maps, but  
15 I would not preclude that that happened.

16 Q. You don't remember?

17 A. I don't remember really. I remember through the  
18 maps. That's the way I keep it in my mind.

19 Q. Well, let me show you -- I will show you the map  
20 that was enacted. I actually don't think that I  
21 have here a map, although we could possibly pull --

22 A. Could we go back and have you re-ask the previous  
23 question.

24 Q. I wanted to figure out if you had decided on the  
25 county groupings by the time the Voting Rights Act



1 districts were first released to the public.

2 A. Between the time the Voting Rights Act was released  
3 and the full map was released to the public?

4 Q. No. At the time the -- June 17th roughly when the  
5 Voting Rights Act maps were released to the public  
6 had you already decided on the county groupings?

7 A. No. Some of them changed.

8 Q. Okay. Thank you.

9 And I will show you the final map. I do  
10 have that here so that you have that to refer to.  
11 I want to understand what motivated or caused the  
12 change in the county groupings after the first VRA  
13 House districts were released to the public.

14 A. Could I see the first VRA map also?

15 MS. EARLS: Can you get it off the  
16 website?

17 We can show it to you on the computer.

18 MR. KETCHIE: VRA Corrected.

19 MR. FARR: That would be fine.

20 BY MS. EARLS:

21 Q. I'm showing you on our laptop the VRA Corrected  
22 districts that are available on the General  
23 Assembly website, and you have in front you  
24 Lewis-Dollar-Dockham 4 which is also available on  
25 the General Assembly website.



1 MS. EARLS: Thank you, Allison.

2 I can also show you a paper copy if that's  
3 easier.

4 THE WITNESS: It's certainly safer.

5 BY MS. EARLS:

6 Q. I'm showing you Exhibit 189 from Representative  
7 Lewis's deposition, and it's a multi-page exhibit,  
8 but the first page I believe are the VRA districts  
9 that were released.

10 A. Well, the group in which Beaufort was included  
11 would have been shifted because on the VRA  
12 Corrected, District 9, I believe -- although I  
13 don't know. I really can't read that number. My  
14 eyes aren't good enough.

15 The minority district in Pitt County had --  
16 was withdrawn from Beaufort and also the  
17 Wilson/Pitt group had been established. It wasn't  
18 in the original Lewis House VRA.

19 You can observe that the District 21,  
20 instead of going down into Pender county was now  
21 made up -- instead of being made up of portions of  
22 Wayne, Sampson and Pender was now made up of  
23 portions of Wayne, Sampson and Duplin. That was a  
24 regrouping of those county groups.

25 The district --



1 MR. FARR: Can I help you?

2 THE WITNESS: This district right here --

3 MR. FARR: Is it the pink district?

4 THE WITNESS: It's the pink district.

5 MR. FARR: I think it says District 20 on  
6 VRA Corrected.

7 THE WITNESS: District 20 was dissolved,  
8 essentially, which also caused a major regrouping  
9 of that area.

10 That's all I can spot with the comparison  
11 of those maps.

12 BY MS. EARLS:

13 Q. And so starting with the first change you  
14 identified, the Beaufort shift, that involved a  
15 change in the Pitt county minority district, is  
16 that what -- was it a change in the majority-  
17 minority district that caused a change in the  
18 county grouping?

19 A. Yes.

20 Q. In the Wilson/Pitt change, what was the motivating  
21 factor there?

22 A. It was motivated primarily by incumbencies of  
23 minority members and not leaving the incumbent --  
24 taking the incumbent in Wilson county in a  
25 different direction and also being able to reunite



1 the Martin/Edgecombe, two-county group, form  
2 another two-county group out of Wilson and Pitt  
3 which was more compliant with Stephenson.

4 The -- well, go ahead, I should let you  
5 ask your questions.

6 Q. Well, I want to know all of the -- what factors  
7 motivated the change so if there's more you need to  
8 tell me about, go ahead.

9 A. When the 20th District in Lewis House VRA Corrected  
10 was objected to, the chairman made a decision that  
11 that district would not be created in the map.

12 Because that district was no longer  
13 created, the Stephenson Whole County criteria  
14 mandated that a county grouping consisting of  
15 Brunswick and New Hanover county would have to be  
16 put back together again, and in order to do that  
17 and in order to handle the large multi county group  
18 to resolve the populations of the districts in  
19 Mecklenburg had to be moved and in order to make  
20 that work, the combination of Onslow and Duplin had  
21 to be replaced with Onslow and Pender and thus a  
22 changed 21st District.

23 Q. On the 20th District, do you know what the basis of  
24 the objections were that led to the chairman  
25 deciding that you would not draw that as a majority



1 black district?

2 A. Not specifically, but they I think were as a result  
3 of public hearings or statements made.

4 Q. And do you know anything more about why Chairman  
5 Rucho decided not to draw a majority black district  
6 in that part of the state?

7 MR. FARR: I think you meant Chairman  
8 Lewis.

9 MS. EARLS: I'm sorry, Chairman Lewis.  
10 Thank you.

11 THE WITNESS: I would advise that probably  
12 you should ask Chairman Lewis that question.

13 BY MS. EARLS:

14 Q. Well --

15 A. I can't speak for what was totally in his mind.

16 Q. What did he tell you?

17 A. "Change it."

18 Q. He didn't give you any other reasons?

19 A. No. He didn't need to give me any more reasons.

20 Q. Right, but he might have.

21 A. He was in charge of the plan.

22 Q. I understand that.

23 And then District 21, are you saying  
24 District 21 was changed because it was impacted by  
25 the changes in District 20?



1 A. It was -- as it was necessary to recreate the  
2 two-county pod of Brunswick and New Hanover, it was  
3 necessary to re-shift some of the other clusters,  
4 groupings, whatever.

5 This is often the case when you're trying  
6 to harmonize the county grouping and Stephenson.  
7 Again, with voting rights, you just can't say,  
8 well, we'll just do away with this boundary line  
9 and all will be well.

10 You have to regroup the county groups to  
11 conform to the maximum extent with the requirements  
12 of Stephenson, and that's what was happening there.

13 Q. In the county -- in the VRA district map that was  
14 first released, that is, Exhibit -- what's the  
15 Exhibit Number?

16 A. 189.

17 Q. -- 189, you testified earlier that there were some  
18 majority black districts that could have been drawn  
19 in the state that were not.

20 Looking at that exhibit, can you tell me  
21 where in the state it could have been possible to  
22 draw another majority black district that didn't  
23 show up in that map?

24 A. I don't believe so.

25 Q. And is that because you don't have -- are you



1 saying you just can't tell or is that --

2 A. I didn't find one.

3 Q. Okay. Thank you.

4 So then Lewis-Dollar-Dockham 4 that was  
5 finally enacted, am I right that it has just one  
6 less majority black district than the June 17th  
7 Voting Rights Act districts map?

8 A. No. I can think of another one.

9 Q. What's the other one?

10 A. You could have made one of the districts in Forsyth  
11 county a 50 percent district.

12 Q. A House district?

13 A. Yes.

14 Q. Do you know what draft of any of these maps shows  
15 that district?

16 A. There isn't one.

17 Q. So how do you know that it was possible to draw the  
18 district?

19 A. Believe me, when you've gone through drafting plans  
20 of a county such as Forsyth and looked at the  
21 demographics displayed on the screen and you have  
22 two districts side by side which are in the 40s,  
23 you know if you took the heaviest concentration of  
24 one and added it to the other you could draw a  
25 district over 50 percent. It would not take long



1 to do that.

2 Q. So you didn't actually draw the district, but based  
3 on what you were seeing about the concentrations  
4 you believe it's possible?

5 A. You know, I don't know whether or not I did, but if  
6 I did, I wouldn't have kept -- there wouldn't have  
7 been a map to keep because it would have been drawn  
8 and then you would have looked at it and said, yep  
9 and you would push the undo button in Maptitude,  
10 there's a little thing you can push and it will  
11 take you back however many steps you want to go  
12 back and since it probably would have only been a  
13 two-step process to make those shifts.

14 Q. Why did you decide not to draw that district?

15 A. That was a decision that was made by the chairman.

16 Q. But did you actually show him that district?

17 A. I told him that it could be done.

18 Q. I understand that in the documents you produced  
19 there was a map titled Forsyth Experimental, and we  
20 have it on the computer. I'm sorry, I don't have a  
21 hard copy, but if you looked at that, could you  
22 possibly -- can you show it to him?

23 MR. KETCHIE: Yes.

24 THE WITNESS: Do you want me to come over  
25 there and look at it over his shoulder?



1 MS. EARLS: That's fine with me.

2 MR. FARR: How about we do it over here.

3 THE WITNESS: Are we finished with this?

4 I'll just move it.

5 Okay, I've looked at it. Could you repeat  
6 the question?

7 BY MS. EARLS:

8 Q. Does that map which was one of the maps that was on  
9 the disc of documents and maps that we received  
10 from you, does that map illustrate the House  
11 district in Forsyth county that you believed  
12 demonstrates possible drawing of majority black  
13 districts in that county?

14 A. If I could rephrase your question to say I knew.

15 Q. Okay.

16 A. No.

17 Q. Okay. All right. Thank you.

18 Other than the -- so I'd like you to take  
19 a look again at the enacted map. Other than the  
20 possible majority black district in Forsyth county  
21 that you say Chairman Lewis directed you not to  
22 draw and the majority black District 20 that  
23 originally in the first VRA districts was  
24 illustrated as a majority black district and was  
25 not in the enacted plan, is there any other place



1           where it was possible to draw a majority black  
2           district but was not drawn?

3    A.    By that you mean an additional district?

4    Q.    Right, an additional district.

5    A.    Okay.  No.

6    Q.    Thank you.  I think we're done with those.

7    A.    Am I going to need this more?

8    Q.    Not right now.  I'll take it out of your way.

9                   Let's talk now about the Senate maps.  Can  
10           you tell me who was involved in drawing the Senate  
11           maps.

12   A.    I was involved, Joel Raupe was involved to a  
13           certain extent and John Morgan was involved.

14   Q.    I'm showing you what's been marked as Exhibit 213.  
15           It's a map titled NC Senate April 22.

16                   Do you recognize that map?

17                   MR. FARR:  Which deposition was that in?

18                   MS. EARLS:  Rucho.

19                   THE WITNESS:  Yes.

20   BY MS. EARLS:

21   Q.    Do you recall when you first drew a map that showed  
22           all of the Senate districts?

23   A.    No.

24   Q.    But is it -- does the April 22nd indicate that that  
25           map was at least started on that date?



1 A. It would be close to that timeframe. As I said  
2 before, these maps would change but the titles  
3 wouldn't change.

4 Q. Well, Exhibit 214 is a map that is titled NC Senate  
5 May 13.

6 A. Yes.

7 Q. Do you recognize that map?

8 A. I think so, yes, but I'd have to see a little bit  
9 more detail on it, but I think, yes, it is a map I  
10 had on my computer.

11 Q. And you started at least the April 22nd map before  
12 starting the May 13th map; is that correct?

13 A. I'm not actually sure that that was my map. It  
14 quite possibly could have been a map sent to me.

15 Q. From who?

16 A. Well, if it was sent to me, it would have been sent  
17 to me by Joel.

18 Q. But does that mean that he drew it?

19 A. Possibly. Again, I'd have to see more specificity  
20 to tell you that. Either Joel or John Morgan.

21 Q. This is Exhibit 215. This is a map that's entitled  
22 NC Senate May 23, 3NE No SE.

23 Do you recognize that map?

24 A. Yes.

25 Q. Did you draw that map?



1 A. Yes.

2 Q. And what does the title mean?

3 A. It means it's a Senate map where one of the  
4 districts that was drawn that went from Wilmington  
5 up to the center of the state was not present on  
6 that map.

7 Q. And when you say -- that district that you just  
8 described, was that a majority black district?

9 A. Yes.

10 Q. And then this Exhibit 216, does that have the  
11 district that you just described? It's entitled  
12 NC Senate 3 NE with SE black.

13 A. Yes.

14 Q. Do I understand that in the process of drawing the  
15 Senate maps there was an effort to find three  
16 majority black Senate districts in northeastern  
17 North Carolina?

18 A. Yes.

19 Q. And what was motivating that effort?

20 A. That there was sufficient minority population in  
21 that area to justify the drawing of three  
22 districts.

23 Q. And is it correct that in drawing the Senate  
24 districts you went through the same  
25 process -- well, just describe for me the process



1 generally that you went threw in drawing the Senate  
2 districts.

3 A. It was the same process as I went through drawing  
4 the House districts. Do you want it described  
5 again?

6 Q. Well, I assume it was -- was it easier for the  
7 Senate districts?

8 A. Oh, yes.

9 Q. Do you know when you --

10 A. I'd say easier mechanically, okay.

11 Q. Is there some way in which it wasn't easier?

12 A. All plans that are drawn come into public view,  
13 members see them, there are always issues.

14 Q. Do you remember when you first showed the  
15 leadership the Senate redistricting plan?

16 A. You mean a Senate redistricting plan?

17 Q. Yes.

18 A. I'm sure that it would have been at the same time  
19 that we would have shown a House plan.

20 Q. So it was in that same time period, end of May,  
21 that you had a Senate plan to show the leadership?

22 A. A Senate plan, yes.

23 Q. And did that Senate plan that you showed them only  
24 have the majority black districts illustrated on  
25 it?



1 A. I'm not sure, but it's very possible it could have  
2 been filled out with a full complement of  
3 districts, but, again, with the knowledge that they  
4 were almost placeholders and would be subject to  
5 change.

6 Q. And do you know if the pod or clusters changed any  
7 after the Senate VRA districts were made public  
8 between that time and the final map being drawn and  
9 enacted?

10 A. I don't rightly remember at this time. I'd have to  
11 look at that map and look at the other map to see.

12 Again, one would have had the same issue  
13 with the decision not to proceed forward with  
14 what's labeled District 51 because -- it doesn't  
15 have an exhibit number on it.

16 MR. FARR: It's this, Tom.

17 THE WITNESS: I'm sorry. On Exhibit 216.  
18 When the decision was made not to move forward with  
19 that map, the county groupings would have had to  
20 have been changed because it would have been  
21 necessary to group differently because there would  
22 have been no justification for the group that was  
23 there because there was no minority district at  
24 issue.

25 BY MS. EARLS:



1 Q. I see. I'm sorry, can I look at Exhibit 216 for a  
2 minute.

3 And what's the 18 and above all -- any part  
4 black percentage for District 51?

5 A. 47.40.

6 Q. So in your view, would that have satisfied the  
7 Strickland criteria?

8 A. We would have found a solution that would have been  
9 up above 50 percent plus one if we had proceeded  
10 forward with this district, so it would be more  
11 appropriate to look at the map that was released to  
12 the public with that district on it.

13 Q. With -- I'm sorry, with which district?

14 A. With District 51 on it.

15 (Discussion held off the record.)

16 MR. FARR: Anita, if you can't find it, I  
17 could stipulate to something.

18 MS. EARLS: Well, he says he wants to look  
19 at it. Oh, I think I have it. Yes, I do have it.

20 BY MS. EARLS:

21 Q. I'm showing you what was marked in the deposition  
22 of Senator Rucho as Exhibit 199, and those are the  
23 Senate VRA districts that were released.

24 A. Okay. I just want to qualify, restate my answer  
25 last time that Senator Rucho had already said to



1           remove this district from the map before this  
2           public plan was released.

3    Q.   And did he tell you why he decided to remove that  
4           district from the map?

5    A.   Not specifically. He didn't like it. He didn't  
6           like the idea of it. It could have been drawn at  
7           just barely over 50 percent.

8    Q.   And when you say he didn't like it, what didn't he  
9           like about it?

10   A.   He didn't like the shape of it. He didn't like the  
11          politics of it.

12   Q.   Were there any other districts in the Senate map  
13          that could have been drawn at 50 percent or greater  
14          black -- any part black voting age population that  
15          were not drawn?

16   A.   There could have been a Forsyth/Guilford district  
17          drawn over 50 percent.

18   Q.   Are you aware of a map that illustrates that  
19          possible district?

20   A.   I believe I gave you one.

21   Q.   Okay. Because we can't identify what you might be  
22          referring to, these -- this is a printout of one of  
23          the file folders, so this is Hofeller map 3 and it  
24          appears to be some Senate maps. Do you mind taking  
25          a look and see if you can find the map you're



1 referring to in that.

2 A. First one.

3 Q. Okay. Let's mark that as an exhibit.

4 MR. FARR: Just pull it out.

5 THE WITNESS: I know. I understand that.

6 Do you want me to look through the others?

7 BY MS. EARLS:

8 Q. If you found the one you're referring to, that's  
9 good enough for me.

10 A. That's not necessarily the one I was referring to,  
11 but it is a map.

12 Do you want the rest back?

13 Q. Yes.

14 (WHEREUPON, Exhibit 441 was marked for  
15 identification.)

16 BY MS. EARLS:

17 Q. We've marked the map as Exhibit 441, and can you  
18 explain to me what that shows.

19 A. It shows a district primarily based in Forsyth  
20 county which goes down into the southwest corner of  
21 Guilford county which is, I believe, a  
22 majority-minority district.

23 Q. When you say majority-minority, are you saying --  
24 are you combining African American population with  
25 any other minority population?



1 A. No.

2 Q. So it would be 50 percent or better in any part  
3 black voting age population?

4 A. Yes.

5 Q. Anywhere else in the Senate map where you're aware  
6 it was possible to draw a 50 percent or above any  
7 part black district that was not drawn?

8 A. No.

9 Q. I'm just taking back the ones we previously marked.

10 MR. FARR: That's fine.

11 BY MS. EARLS:

12 Q. I want to talk now about the process for drawing  
13 the Congressional maps.

14 Do you recall roughly when you began  
15 looking at what district configurations might be  
16 possible for the Congressional districts?

17 A. I believe it would have been shortly after the  
18 release of the Census data.

19 Q. And we have been trying to identify what the first  
20 full Congressional map might have been, so I'm  
21 going to show you -- if the reporter can mark that.

22 (WHEREUPON, Exhibit 442 was marked for  
23 identification.)

24 BY MS. EARLS:

25 Q. You have in front of you Exhibit 442. This was a



1 map that was titled HOF-CON-2.

2 Do you recognize this map?

3 A. Yes.

4 Q. And is this a Congressional district map that you  
5 drew?

6 A. I think -- although I don't know right off, I think  
7 this is actually -- it was the existing map. I  
8 think I just copied the map that was in existence  
9 and renamed it and never really did anything with  
10 it.

11 Q. I see. Thank you.

12 (WHEREUPON, Exhibit 443 was marked for  
13 identification.)

14 BY MS. EARLS:

15 Q. You have now in front of you what's been marked as  
16 Exhibit 443, and this is a map titled NC Congress  
17 9-4 Adjusted.

18 Do you recognize this map?

19 A. Yes.

20 Q. Is this a map that you drew?

21 A. It's a map that I adjusted. It was, I believe,  
22 given to me by Adam Kincaid from the NRCC. He was  
23 assisting the delegation and asked me to look at  
24 it. And I said, "Well, I could do a few things to  
25 it that would make it a little better and send it



1 back."

2 Q. And what things, if you recall now, did you do that  
3 made it a little better?

4 A. I don't recall specifically, but I think there was  
5 some city or CCD splits or maybe there was a county  
6 line situation. There were just what almost would  
7 be considered in the realm of technical  
8 corrections.

9 Q. Who was involved in looking at options for drawing  
10 Congressional maps in North Carolina?

11 A. Do you mean in drawing them or --

12 Q. Well --

13 A. -- looking at them and making comments?

14 Q. Let's start with drawing them.

15 A. The only people who had Maptitude systems available  
16 to them were myself and Joel Raupe and Mr. Oldham  
17 had a system.

18 Q. So they were the three people who were actually  
19 drawing Congressional maps with you for  
20 North Carolina?

21 A. Well, not complete maps. I can tell you this, that  
22 the process of drawing the House maps and the  
23 Senate maps was much more complicated than drawing  
24 a Congressional map. There was much more emphasis  
25 placed on that in the early stages of the line



1 drawing down here in Raleigh and my work with the  
2 Raleigh people. That's all.

3 Q. This map that is Exhibit 443 that you -- I'm sorry,  
4 I'm blanking on who you said you received that  
5 from. That was --

6 A. Adam.

7 MR. FARR: Adam Kincaid.

8 BY MS. EARLS:

9 Q. Is there anyone other than Adam Kincaid who sent  
10 you maps to examine for North Carolina  
11 Congressional districts?

12 A. Not that I can recall right now.

13 Q. And do you understand, again, with Exhibit 443, the  
14 9-4 in the title of that map? Does that refer to  
15 the partisan balance of the North Carolina  
16 Congressional delegation that it was anticipated  
17 would result from this map?

18 A. I don't specifically think that it actually  
19 represents a 9-4 partisan balance. If you look at  
20 the registrations of districts, it's certainly not  
21 a 9-4 registration balance, but I guess you would  
22 say that the 9 would be districts that Republicans  
23 would consider they either had a very good shot at  
24 keeping or had a shot at -- fair shot at taking  
25 control of.



1 Q. In this 9-4 Adjusted map, if you look at the first  
2 page, am I correct that both District 1 and  
3 District 12 are just over 50 percent in voting age  
4 any part black population?

5 A. Yes.

6 Q. Did that map, the 9-4 Adjusted map, did you show  
7 that to any of the leadership in North Carolina?

8 A. I don't believe so. I think there was another map  
9 very similar to this that I did show to them.

10 Q. Okay.

11 (WHEREUPON, Exhibit 444 was marked for  
12 identification.)

13 BY MS. EARLS:

14 Q. Exhibit 444 is a map entitled NC Congressional  
15 Delegation 9-4 May 11.

16 Do you recognize this map?

17 A. I do.

18 Q. And where did this map come from?

19 A. That came from Adam Kincaid.

20 Q. Is it another version of the map in Exhibit 443?

21 A. It depends on how close you want to say it was to  
22 the other one to say it's another version or a  
23 different version.

24 Q. Do you know why he sent you the second map, the  
25 May 11th map?



1 A. This map, along with the map I'm sure you're going  
2 to give me next, are two maps which the delegation  
3 had desired for the leadership to see down here.

4 Q. When you say the delegation, you mean the  
5 Republican delegation?

6 A. Yes. Well, the Republican part of the delegation,  
7 yes. And they asked me if I would carry these maps  
8 down and show them to the chairman.

9 Q. And the 9-4 designation was their assessment that  
10 it would create 9 districts in which Republicans  
11 had an opportunity and 4 districts for Democrats?

12 A. Yes, although that's their label.

13 Q. Did you show --

14 A. Remember, they are a campaign committee.

15 Q. Did you show that map to Senator Rucho?

16 A. Yes.

17 Q. And who else was --

18 A. And to Delegate Lewis.

19 MR. FARR: Representative Lewis.

20 THE WITNESS: I'm sorry, I'm in the wrong  
21 state.

22 BY MS. EARLS:

23 Q. I'd like to know if they -- if either Senator Rucho  
24 or Representative Lewis gave you any feedback about  
25 this -- about this map, the 9-4 May 11 map?



1 A. I think what I would say is their reaction was that  
2 we're happy to know what the delegation is looking  
3 at. We're capable of drawing our own map.

4 Q. Did you look at any data for either the map that's  
5 Exhibit 444 or 443 about the compactness of those  
6 districts?

7 A. No.

8 Q. Why not?

9 A. Well, these maps were just maps that I was asked to  
10 pass on to the chairman down here. And the answer  
11 is I was busy and I was -- they speak for  
12 themselves.

13 (WHEREUPON, Exhibit 445 was marked for  
14 identification.)

15 BY MS. EARLS:

16 Q. Exhibit 445 is a map titled NC 10-3 CD.

17 Do you recognize this map?

18 A. Yes.

19 Q. What is this map?

20 A. This is another map which was generated, I believe,  
21 through Mr. Kincaid that I looked at.

22 Q. And the 10 --

23 A. He would send me maps.

24 Q. So this is one he sent you?

25 A. Yes.



1 Q. Do you know if you showed this map to Senator Rucho  
2 and Representative Lewis?

3 A. I know I did not.

4 Q. You did not. Okay.

5 And I'm correct that this map also has two  
6 majority black districts that is 18 voting age  
7 population, any part black over 50 percent,  
8 District 1 and District 12?

9 A. That's certainly what the statistics show.

10 (WHEREUPON, Exhibit 446 was marked for  
11 identification.)

12 BY MS. EARLS:

13 Q. Exhibit 446 is a map titled NC Congress 10-3  
14 Delegation.

15 Do you recognize this map?

16 A. I do.

17 Q. And where did this one come from?

18 A. This was from Mr. Kincaid. It was the accompanying  
19 map to Exhibit 444 that was sent down by the  
20 delegation to be shown to the two chairmen.

21 Q. And when you say accompanying, you mean they were  
22 both sent at the same time?

23 A. Yes.

24 Q. And did you show that map, which is Exhibit 446,  
25 did you show that to Senator Rucho and



1 Representative Lewis?

2 A. I did.

3 Q. Did they give you any other response or different  
4 response from the first map?

5 A. It was the same response as the other map because  
6 they were shown to them at the same time.

7 Q. I have a map that we received that had no --  
8 apparently no corresponding block assignment file  
9 so we don't have statistics for it. We just have  
10 the map.

11 (WHEREUPON, Exhibit 447 was marked for  
12 identification.)

13 BY MS. EARLS:

14 Q. Exhibit 447 is a single page, just a map saying  
15 Proposed 10-3 Map. Do you recognize --

16 A. I'm not sure that I recognize this map. I don't  
17 really know.

18 Q. You were comparing it to Exhibit 446.

19 A. Well, that's the map that's closest in  
20 configuration to that map that you've given me so  
21 far.

22 Q. So it is fairly close to the -- there are some  
23 differences, but it's fairly close to the  
24 Exhibit 446? That's the one you were just looking  
25 at.



1 A. I know. Yes.

2 Q. But you don't remember seeing it, Exhibit 447?

3 A. I don't remember seeing it, but it's quite possible  
4 I did see it. I don't know. It's quite possible  
5 it could have come off my computer, but it would  
6 be, I think, just another variant of the map that I  
7 was looking at.

8 Q. Do you think it's likely that Mr. Kincaid also  
9 provided that to you as a map that the --

10 A. I think that's highly likely.

11 Q. Okay. Thank you.

12 When he provided these maps to you, did he  
13 send you the block assignment files?

14 A. Usually. I don't know who else he might have sent  
15 information to. He was not under my direction so  
16 it may have come down through a different method.  
17 I don't know.

18 (WHEREUPON, Exhibit 448 was marked for  
19 identification.)

20 BY MS. EARLS:

21 Q. Exhibit 448 is a map entitled NC Congress Whole  
22 Precinct 1st.

23 Do you recognize this map?

24 A. Yes.

25 Q. And what is this map?



1 A. It is as it's labeled.

2 Q. For the record, would you tell us what it says?

3 A. It's a whole precinct map of a possible 1st  
4 District.

5 Q. And the block assignment files that we received  
6 produced the statistics that you see as the first  
7 page of the exhibit, and although the map has the  
8 1st District shaded, the rest of the districts were  
9 also drawn in this map and zeroed out for zero  
10 deviation.

11 Did you draw this map?

12 A. I think so, yes.

13 Q. And so you were demonstrating that it was possible  
14 to draw the 1st Congressional District at  
15 52.72 percent any part black, 18 and over  
16 population using entirely whole precincts?

17 A. That's what it shows.

18 Q. Okay. Thank you.

19 (WHEREUPON, Exhibit 449 was marked for  
20 identification.)

21 BY MS. EARLS:

22 Q. Exhibit 449 is titled NC Congress Residue Analysis.

23 Do you recognize this map?

24 A. Yes.

25 Q. And can you explain to me what this shows?



1 A. I'm not sure I exactly remember at this time. It  
2 may have been -- well, I don't know. I don't  
3 remember so I'll leave it at that.

4 Q. So you don't know when it says "residue" what it's  
5 referring to?

6 A. No. I think I'd have to examine it more in length  
7 to do that.

8 Q. Did you take county lines into account in drawing  
9 Congressional districts?

10 A. Yes.

11 Q. And why?

12 A. Well, because that's a criteria of drawing the  
13 districts.

14 Q. Do you remember when you first -- when it would  
15 have been in the process that you first showed the  
16 leadership, Senator Rucho and Representative Lewis,  
17 a Congressional map that you had drawn instead of  
18 the ones that Adam Kincaid drew?

19 A. I think that actually there was some map drawing  
20 going on down in Raleigh while I was concentrating  
21 on the House map and at a certain point those came  
22 to me because part of my job was to be the -- own  
23 the computer that had the map on it.

24 It's like having a document and having a  
25 master document and other people can go off and



1 experiment and write paragraphs and take out  
2 paragraphs, but it all has to come back to the  
3 master document. I'm sure you've gone through that  
4 when you've written briefs.

5 And so there was, I believe, some looking  
6 at Congressional maps that I hadn't drawn.

7 Q. And who would have been doing that?

8 A. Joel would have had those.

9 Q. Well, he would have had them -- because I  
10 understand he had a separate computer with  
11 Maptitude on it.

12 A. He did.

13 Q. So he would have -- was his function to be a  
14 central repository of all the maps that were being  
15 looked at?

16 A. No.

17 Q. No. How would you describe what his function was?

18 A. Well, at such point as a map -- what his function  
19 was?

20 Q. Yes.

21 A. He did some experimentation with some maps. He  
22 held his own group of maps on his computer. He --  
23 from time to time members would come to him and  
24 look at things.

25 One of his jobs was when a map progressed



1 to kind of a point where we're saying, okay, we  
2 need to know what this map does politically, he  
3 would -- we would -- I would usually send him a  
4 copy of this map and he would extract from the  
5 database a set of data and make a spreadsheet which  
6 would then be looked at by other people to look at  
7 the politics of the map.

8 Q. And what would be on the spreadsheet?

9 A. Well, a little bit of everything, but more  
10 political races and there was a computation of a  
11 political factor. You would see that if you were  
12 watching national news or something like that, R  
13 plus 1, R plus 2, D plus 1, et cetera, to try and  
14 figure out how the map related to present  
15 districts.

16 Q. I want to show you what was previously marked as  
17 Exhibit 416 and ask if you recognize that map.

18 A. I do.

19 Q. And what is that map?

20 A. After a discussion with Dale Oldham I drew this.

21 Q. And what does it show? What is it a map of?

22 A. It's a map -- well, it's a hybrid map. It has some  
23 of the elements of another Congressional map with  
24 modifications to the 1st District, and as you can  
25 see from the deviations on the map, it's an



1 incomplete map.

2 Q. Why were you making modifications to the 1st  
3 Congressional District in this map?

4 A. To explore different ways it could be drawn.

5 Q. And --

6 A. You can see, though, for instance, it has  
7 non-contiguous sections. It's not a completed  
8 investigation.

9 Q. What were you trying to do with the 1st  
10 Congressional District in looking at this possible  
11 alternative?

12 A. To see another way in which it could possibly be  
13 drawn.

14 Q. So you can't say anything more specific about we  
15 were trying to make it -- make sure that it didn't  
16 go into Raleigh or Durham, we were trying to make  
17 it be all whole precincts, we were trying to make  
18 it embody certain county --

19 A. I don't know what the precinct structure is on this  
20 map. I have no idea. And also because of the fact  
21 it's not a complete and contiguous map, I really  
22 couldn't make a judgment. On the face of it, it  
23 speaks to a district that does not go into Raleigh  
24 or Durham.

25 Q. And then let me show you Exhibit 417, and that is



1 entitled NC Congress IV Dale May 18.

2 Is that a complete map?

3 A. No. In fact, I don't think it represents anything  
4 of any significance. It was one of those spinoff  
5 maps that I may have spun off to do some work in  
6 but never did it.

7 Q. Okay. This one is titled Dale -- "this one" being  
8 Exhibit 418 is titled Dale IV Recovery.

9 Do you recognize that map?

10 A. Yes.

11 Q. What is this map?

12 A. That's a map that explores the possibility of  
13 creating a Wake/Durham/Greensboro/Winston-Salem  
14 minority district and also a Mecklenburg to Robeson  
15 county district much like the district in the Shaw  
16 case.

17 Q. Were you able to draw any conclusions about  
18 possible options after drawing that map?

19 A. Well, first of all, it was possible to draw the  
20 north central district, and secondly, the 12th  
21 District, in order to become a majority-minority  
22 district, the African Americans would have to be  
23 put -- population would have to be combined with  
24 the Native American population. You can see it's  
25 non-Hispanic white percentage of the 12th District



1           which is -- the south central district is  
2           33.64 percent. Do you see that?

3    Q.    Yes.

4    A.    Okay. Which indicates there's a very strong  
5           minority component in that district which is not  
6           African American.

7    Q.    That district -- am I correct that this map shows  
8           14 Congressional districts?

9    A.    Again, it's not a complete map so you would -- one  
10           would draw probably the 1st District, the 14th  
11           District, the 12th District, and in the process of  
12           rectifying the populations and all the districts,  
13           one district number would dropout and you would  
14           rename the 14th District the 13th District or  
15           whatever it was.

16                Lots of times when I was experimenting with  
17           any plan you would just put something down in the  
18           middle of an existing map knowing if it was even a  
19           possibility you would have to work it up on another  
20           map.

21   Q.    And so was it significant to you that on the chart  
22           of the data that even though this map happens to  
23           have 14 districts in it, the deviation of District  
24           14 is only .02 percent?

25   A.    Yes.



1 Q. And District 14 is 52 percent voting age population  
2 any part black and similarly, it looks -- the  
3 district that you were just referring to -- thank  
4 you -- the district you were just referring to,  
5 this Robeson county to Charlotte district, while it  
6 is only 33.64 percent non-Hispanic white voting age  
7 population, it's also 36 percent too large, right,  
8 or .36 percent too large.

9 A. That means you could probably only improve it.

10 Q. Right. So why didn't you ultimately have a  
11 district in that part of the state?

12 A. Because the two chairmen decided they didn't want  
13 to do that.

14 Q. And did they tell you why they didn't want to do  
15 that?

16 A. They wanted to keep the 12th District in the same  
17 general configuration that it was.

18 Q. And Exhibit 419, is that just another version of  
19 what we were just looking at basically?

20 A. Yes. I think because it says Recovery 2,  
21 sometimes, as I'm sure your map drawers know, you  
22 have a problem with Maptitude and you have to go  
23 back to go with a block file and there it is.

24 Q. This Exhibit 420 is titled NC Congress Dale Full  
25 Orange II. Do you recognize that map?



1 A. Yes.

2 Q. And what does that show?

3 A. That's another -- what does it show? It shows a  
4 zero deviation possible plan for a north central  
5 African American district that includes all of  
6 Orange county.

7 Q. And am I correct that it actually only has 13  
8 districts even though the label for that district  
9 you just described is 14?

10 A. You know, I think probably when you imported it  
11 that it probably shifted the District 14 to 13.

12 Q. For the data?

13 A. Well, there were only 13 districts in the data. It  
14 assigned them as it got them.

15 Q. And then Exhibit 421 is another NC Congress IV Dale  
16 Full Orange May 24.

17 A. I think that's probably a fuller view of that same  
18 plan.

19 Q. Why did these plans have the "Dale" in the title of  
20 them?

21 A. Because they were created as a result of a  
22 conversation with Dale.

23 MR. PETERS: When you get to a good point  
24 if we could take a break.

25 MS. EARLS: Well, we can break now. Go



1 ahead, that's fine.

2 (Brief Recess: 2:55 to 3:09 p.m.)

3 BY MS. EARLS:

4 Q. I wanted to followup on one matter that we were  
5 discussing regarding the Exhibits 421 and 420, all  
6 of the maps that have the name Dale in them. I  
7 believe you testified that the name Dale is there  
8 because you drew those after communication from  
9 Dale Oldham, and my question to you is was that  
10 communication an instruction about a political  
11 matter or a legal matter?

12 MR. FARR: If that involves legal matters,  
13 Dr. Hofeller, I instruct you not to answer that  
14 question.

15 BY MS. EARLS:

16 Q. Well, I'm not asking you to tell me the content of  
17 what he said other than to tell me was he talking  
18 about political matters or legal matters in asking  
19 you to look -- in whatever he said that led you to  
20 drawing these maps.

21 A. In my mind it's a legal matter.

22 (WHEREUPON, Exhibit 450 was marked for  
23 identification.)

24 BY MS. EARLS:

25 Q. You've been handed an exhibit that's marked number



1 450. This is one of the maps that was on the disc  
2 of materials that you provided.

3 Do you recognize what this is? And I can  
4 also tell you that the file name was "1st Change."

5 A. I believe it's a 1st Congressional District map. I  
6 could probably place it in better context if I  
7 could see the whole map.

8 Q. This was -- we didn't have a block assignment file  
9 for this document. We just had this as a PDF.

10 A. From me?

11 Q. Yes.

12 A. That seems strange.

13 Q. I can show you the entire -- the enacted 1st  
14 Congressional District map if that would be useful.

15 A. You know, I would have to -- I would have to  
16 speculate on what this is.

17 Q. Can you tell me what the shading means? There's a  
18 Formula Field box kind of in the lower right-hand  
19 corner, but we don't get very much of it.

20 Do you recall what the shading was?

21 A. You know, I just don't -- again, it would be  
22 difficult for me to say precisely what it is  
23 without seeing the entire map.

24 Q. Well, again, I can show you the map that was  
25 enacted. This is all that we received.



1 MS. RIGGS: Yes, it was just a PDF.

2 THE WITNESS: It would appear to be -- the  
3 shading is a change that would have taken place in  
4 the 13th District, but -- and that's pretty much  
5 it. That shading may be the entire 13th District  
6 in this map, but I can't tell you without seeing  
7 the whole thing.

8 BY MS. EARLS:

9 Q. And do the numbers -- are those the number of  
10 people in the Census block?

11 A. No. It's the number of the people in the VTD.

12 Q. In the VTD. Thank you.

13 And then what does the color of the  
14 different VTDs indicate?

15 A. You know, I don't know for sure without seeing the  
16 Formula Field ID box. I mean, if we had the plan,  
17 it would show it. Well, not yours, I guess.

18 Q. Is there any way for you to go back and look at  
19 your records and determine what block assignment  
20 file this might have been dated from?

21 A. Did you write down the name that was associated  
22 with this map?

23 Q. First map. In fact --

24 MS. RIGGS: No, that wasn't in there.

25 MR. FARR: What's it called, "1st Change"?



1 MS. RIGGS: Yes. It was just on the  
2 Hofeller docs disc, not any of the maps with the  
3 block assignment files. Those are on there.

4 THE WITNESS: It may have been another  
5 map. It was just done using the layout function in  
6 Maptitude to show something.

7 The shading would be -- again, the way you  
8 put shading on a map is you select the area that  
9 you want to shade as if you were going to make a  
10 district shift and you don't make the district  
11 shift and you can actually change the color and  
12 shading level of that particular selection.

13 BY MS. EARLS:

14 Q. But the colors of the different VTDs -- you know,  
15 some are red on this map, some are green, some are  
16 yellow, some are orange, some are blue -- that's a  
17 layer that you add based on the data set in the  
18 Maptitude program; is that right?

19 A. That's a thematic based on some data in the system.

20 Q. And the possible themes depend on what you  
21 designate when you're looking at this map?

22 A. You can create a thematic in Maptitude by selecting  
23 the level of geography that you want to theme and  
24 then either selecting a percentage from the  
25 database or you can compute a percentage.



1 Q. And the data could be race data, it could be  
2 election data, it could be voter registration data?

3 A. That's correct.

4 Q. And you just sitting here today don't recall what  
5 this might show?

6 A. No, and I don't want to speculate.

7 (WHEREUPON, Exhibit 451 was marked for  
8 identification.)

9 BY MS. EARLS:

10 Q. Exhibit 451 is another map that was on the  
11 documents file. And am I correct that this also  
12 shows VTDs and the numbers there are the population  
13 of the VTDs?

14 A. That's correct.

15 Q. And this was just labeled Robeson 2.

16 I have a second document that we'll mark as  
17 452.

18 (WHEREUPON, Exhibit 452 was marked for  
19 identification.)

20 BY MS. EARLS:

21 Q. I believe -- am I correct that Exhibit 452 is a  
22 zoom in of the area shown in Exhibit 451?

23 A. Yep.

24 Q. And that it's showing the district boundary between  
25 Congressional Districts 7 and 8 in Robeson county?



1 A. It is.

2 Q. Do you know what this -- what the color coding on  
3 this map shows?

4 A. I'd have to answer that the same way I answered the  
5 question on the previous map.

6 Q. And am I right that this is showing -- Exhibit 451  
7 shows the VTDs and when we follow the red border  
8 kind of in the upper middle of the map it's cutting  
9 across a couple of VTDs, dividing a couple of VTDs  
10 or at least --

11 A. Three to be exact.

12 Q. Right. And then the Exhibit 452, does that show  
13 the Census block populations?

14 A. Actually, it was just two.

15 Q. Okay, just two.

16 A. It shows the block populations and it shows the  
17 exact traverse of the boundary.

18 Q. And do you know why you would have been looking at  
19 this particular area of Robeson county between  
20 Congressional District 7 and 8?

21 A. That would probably have been a proposed  
22 modification to the boundary between the two  
23 districts.

24 Q. Do you remember now who was proposing that  
25 modification?



1 A. You know, I don't remember for sure who proposed  
2 it, but I remember -- I remember looking at it, but  
3 I don't remember the details around it. It was not  
4 done.

5 (WHEREUPON, Exhibit 453 was marked for  
6 identification.)

7 BY MS. EARLS:

8 Q. You're looking at a document that's been marked as  
9 Exhibit 453 and the title is NC Data. It was  
10 provided to us on the CD with your documents. And  
11 the file name included State Released NC Data  
12 Discrepancies ABS.

13 Do you know what this is?

14 A. I think this is a document that was produced very  
15 early in the redistricting process by Legislative  
16 Services. It was a summation of election data  
17 comparing the data that was in the state's database  
18 against the actual state totals. There was data  
19 missing. I think that's something you would be  
20 better off to have asked Frey about.

21 Q. Unfortunately, we didn't get it until we got your  
22 documents.

23 A. I think you got my documents before you got Frey.  
24 Maybe not.

25 Anyway, I think there was some data missing



1 from those elections, and I don't recall  
2 specifically what it is, but I think it might have  
3 to do with absentee voting or some sort of class of  
4 voting. As you well know, none of these databases  
5 are perfect, the political databases, and we go  
6 with what the state produced.

7 Q. And can you tell from this whether this was --  
8 these were election returns or voter registration  
9 data?

10 A. Again, I'm speculating, but since this says the  
11 election of '08, the general election, presidential  
12 and governor, that's what I would infer.

13 Q. Thank you. I have just a couple more questions  
14 about maps.

15 Earlier we were talking about the  
16 possibility of drawing a majority black district in  
17 the Forsyth/Guilford county area, and I believe we  
18 showed you on the computer the map that was NC  
19 House Forsyth Experimental, and I want to mark -- I  
20 now have a hard copy.

21 (WHEREUPON, Exhibit 454 was marked for  
22 identification.)

23 BY MS. EARLS:

24 Q. Can you describe what Exhibit 454 is.

25 A. This is a map I've seen before, is it not?



1 Q. You mean it's another -- we've already introduced  
2 it as an exhibit?

3 A. Right.

4 Q. I believe this is the one you looked at on the  
5 computer earlier.

6 A. Right. Okay. It probably had more to do with the  
7 setting of the boundary lines of the non-minority  
8 districts in Forsyth county. I don't think it had  
9 anything to do with the configuration of the  
10 minority districts.

11 Q. Okay. In your affidavit, which is Exhibit  
12 Number 435 --

13 A. 435. Okay. I'm sorry.

14 Q. If you look at page 12, paragraph 29, and there you  
15 say, "The enacted 2011 House Plan has 23 majority  
16 TB" -- does that stand for total black -- "VAP  
17 districts."

18 A. Yes.

19 Q. "And a 24th district that is a majority African  
20 American citizen voting age district (District  
21 71)."

22 I want to ask you whether this document --  
23 which will be marked as Exhibit 455.

24 (WHEREUPON, Exhibit 455 was marked for  
25 identification.)



1 BY MS. EARLS:

2 Q. This was also among the documents provided to us  
3 from your -- on a disc with your name on it, and it  
4 says Winston-Salem CVAP ACS Place.

5 Is this the data that you were using to  
6 come to the conclusion in paragraph 29 that the  
7 District 71 is majority African American citizen  
8 voting age?

9 A. This is the raw data, yes.

10 Q. Did you do anything differently with the raw data  
11 to be able to come to that conclusion?

12 A. I believe there's a document in the disc that I  
13 sent you that has a further rendition of this data.

14 Q. So what did you have to do with this data?

15 A. You have to -- well, okay. This is the ACS data  
16 for the city of Winston-Salem which is the area in  
17 which that district was built, and if you apply the  
18 citizenship percentages to the voting age  
19 population that are on this to the data for the  
20 district in the same categories, you can make an  
21 estimate of what the CVAP for these groups would  
22 have been for citizens.

23 And what you find in North Carolina, if you  
24 look at the ACS, is that the citizenship rate of  
25 the Hispanic population is pretty low, so if you



1 adjust the populations of all these groups to match  
2 this, then you come up with new estimated figure of  
3 what the CVAP is for the district if you use the  
4 same percentages that you gain out of this city  
5 level record.

6 Q. So it's that estimation that led you to conclude  
7 that it's a majority African American citizen  
8 voting age district?

9 A. Yes.

10 (WHEREUPON, Exhibit 456 was marked for  
11 identification.)

12 BY MS. EARLS:

13 Q. Exhibit 456 is another map that was provided on the  
14 disc of your maps. And do you recognize what this  
15 map shows?

16 A. It shows a detail line at the block level between  
17 two districts, Congressional districts, Buncombe  
18 county.

19 Q. Between Congressional Districts 10 and 11?

20 A. Yes.

21 Q. And because the color coding is by Census block --  
22 by color coding, I mean that some areas are yellow,  
23 some are orange, some are blue, some are green.  
24 Because it is at the block level, am I correct that  
25 it has to be some theme based on Census data?



1 A. That's true.

2 Q. Do you know or recall what the theme was showing on  
3 this map?

4 A. Again, I'm not sure. I'd have to look at the data  
5 for that area.

6 Q. Do you know why you were looking at this particular  
7 part of the boundary between Congressional  
8 Districts 10 and 11?

9 A. I think it was a proposed change in the boundary of  
10 the district and was just showing where that line  
11 was probably to show somebody who was interested in  
12 the district where that line was exactly.

13 I may also have been bringing it over from  
14 a map. As I explained to you before, oftentimes if  
15 we're asked to look at a change, we'll cast off  
16 from another map and make the change, and then if  
17 we decide that we're interested in incorporating  
18 that, I would have to print out a detailed block  
19 level map so that I could then go re-enter it back  
20 into the master controlling map.

21 It wouldn't have been much -- it wouldn't  
22 have been of any importance what the shading was in  
23 the precincts. It would just have been important  
24 where the line was specifically because sometimes I  
25 couldn't trust my memory to remember exactly what



1 was done particularly when you were zeroing out on  
2 the Congressional district lines.

3 Q. So is it possible that this zoom-in on this part of  
4 the boundary between Congressional Districts 10 and  
5 11 was done to figure out zeroing out the  
6 populations in those districts?

7 A. It's probable that the change that was made was  
8 zeroed out on the map that was essentially  
9 generated from the master map and this was my  
10 effective way of getting the change back onto the  
11 master map.

12 It's not -- there's probably a more high  
13 tech way to do it, but it probably takes longer, so  
14 this would have maybe taken me -- after I did this  
15 map probably taken me ten minutes to enter it into  
16 the master map. There's a lot of that going on at  
17 the last minute.

18 (WHEREUPON, Exhibit 457 was marked for  
19 identification.)

20 BY MS. EARLS:

21 Q. Exhibit 457 also shows a boundary and this time in  
22 Guilford county, and this appears to be a -- am I  
23 correct that this is zooming in and then in the  
24 lower right-hand side there's another map that's  
25 zoomed out a little bit? Is that how that works?



1 A. It's an inset of a different area of Guilford  
2 county.

3 This map was actually created to explore a  
4 request that it made by the incumbent -- potential  
5 incumbent in House District 60 that he wished to  
6 get incorporated in the final map. Very similar in  
7 nature to the previous Exhibit Number 456 that you  
8 showed me.

9 It was, again, a way of, one, showing him  
10 what could be done and, two, keeping a record so  
11 that if they decided to go forward with it, the  
12 chairman, that I could get it back into the master  
13 map.

14 Q. This person was not a legislator?

15 A. Yes.

16 Q. Oh, a current legislator?

17 A. Yes.

18 Q. Who was that?

19 A. My recollection is it was the incumbent whose  
20 residence is located in the new H 60.

21 Q. And do you know if the change was ultimately  
22 incorporated?

23 A. My recollection is that it wasn't.

24 Q. And by any chance do you know what the shading --  
25 different colors on this map indicate?



1 A. Yes. That's a thematic on African American  
2 demographics.

3 Q. And what do the different colors indicate about  
4 African American demographics?

5 A. The more red the color -- it's a rainbow spectrum  
6 shading, and the more red the color the higher the  
7 percentage.

8 Q. And looking at this map, Exhibit 457, can you  
9 describe -- I know the change wasn't made, but what  
10 change was requested?

11 A. No, I don't remember.

12 (WHEREUPON, Exhibit 458 was marked for  
13 identification.)

14 BY MS. EARLS:

15 Q. Exhibit 458 is an e-mail, am I correct, that you  
16 sent to Joel Raupe in April of 2011?

17 A. Uh-huh.

18 Q. And the map is a black and white copy of what was  
19 attached to the e-mail.

20 Is this -- we talked earlier there was an  
21 effort to draw three majority black voting age  
22 population State Senate districts. Was this one of  
23 the first attempts that you had made to try to draw  
24 that?

25 A. I was looking at my grammar.



1 Yes.

2 Q. And when you said they are reasonably compact, were  
3 you -- had you run any compactness measures?

4 A. No.

5 Q. And when you say reasonably compact, what were you  
6 comparing it to?

7 A. I don't think there was anything to which it could  
8 be compared at that point.

9 Are you through with this?

10 MR. FARR: That's fine.

11 MS. EARLS: Not entirely.

12 (WHEREUPON, Exhibit 459 was marked for  
13 identification.)

14 BY MS. EARLS:

15 Q. Exhibit 459 is another e-mail from you. This is  
16 later in the process, June 19th. And I don't have  
17 the attachment, but do you recall sending this  
18 e-mail?

19 A. Well, I don't have to recall. It was sent by me.

20 Q. When you say "I hope that the issues on the  
21 minority districts in the House Plan get resolved,"  
22 what were you referring to?

23 A. I don't remember.

24 (WHEREUPON, Exhibit 460 was marked for  
25 identification.)



1 BY MS. EARLS:

2 Q. Exhibit 460 is an e-mail from -- it's an e-mail  
3 string that starts -- I believe the first e-mail is  
4 June 30, 2011, at 5:39 p.m., but you are copied on  
5 this e-mail conveying -- I guess one of the  
6 attachments is a statement by Rucho and Lewis in  
7 support of the 2011 Congressional plan.

8 Do you remember receiving this e-mail?

9 A. I have to look at it a little more here.

10 Q. Sure.

11 A. In the middle of the night.

12 MR. FARR: Has this been marked  
13 previously?

14 MS. EARLS: It may have been.

15 MR. FARR: I'm just going to state, again,  
16 that this is something we think was improperly  
17 produced because it's our position this is a  
18 privileged communication to clients.

19 MS. EARLS: Okay.

20 (WHEREUPON, Exhibit 461 was marked for  
21 identification.)

22 BY MS. EARLS:

23 Q. Exhibit 461 is another e-mail from Tom Farr to you,  
24 and this is in response to an e-mail that you sent  
25 to him on May 27th about releasing, and it's quite



1 a chain so if you want a minute to look through it.

2 A. I remember this.

3 Q. Can you describe what this e-mail exchange was  
4 about.

5 A. Adam Kincaid, through some source, found out that  
6 there was a map, and he on behalf of his clients,  
7 which were the Republican members of the House of  
8 Representatives from North Carolina, wanted me to  
9 send him a copy of this map.

10 Q. And when you say map, you mean a Congressional --

11 A. A Congressional map.

12 And I declined to send it on the basis that  
13 it was privileged product and that it was not my  
14 job to release maps to other people without the  
15 permission of the chairman -- in this case, it  
16 would be both chairmen because it was a  
17 Congressional map. And there was some fuss about  
18 this and that's what this is all about.

19 Q. Was this --

20 A. I was even on the train.

21 Q. Was this before or after Adam Kincaid had sent to  
22 you some Congressional maps for you to show to the  
23 leadership?

24 A. I don't really remember. I mean, we know generally  
25 when they were.



1 Q. I want to ask you about the decision to publicly  
2 release the Voting Rights Act districts for the  
3 House and Senate maps before the release of the  
4 full maps.

5 Who made the decision to release the Voting  
6 Rights Act districts first?

7 A. The chairman.

8 Q. And did you provide him any political advice about  
9 whether they should be released first or not?

10 A. You know, I didn't presume to give political advice  
11 to either chairman on it unless asked and I wasn't  
12 asked. I think that would be a question better  
13 addressed to them.

14 (WHEREUPON, Exhibit 462 was marked for  
15 identification.)

16 BY MS. EARLS:

17 Q. Exhibit 462 is an e-mail from Joel Raupe to you and  
18 there's an earlier e-mail from you -- from him to  
19 you and then starts with --

20 A. Which we already looked at, I think.

21 MR. FARR: Let her finish her question,  
22 Tom.

23 BY MS. EARLS:

24 Q. Well, the first e-mail, Sunday, June 19, 2011, you  
25 wrote, second page, "Here is my latest version of



1 the Congressional map." Right, we did look at the  
2 first part, that's right. "I hope that the issues  
3 on the minority districts in the House Plan get  
4 resolved."

5 But what we didn't have on the first one  
6 was Mr. Raupe's responses to you. And then the  
7 June 20th -- so I apologize, it's a repeat because  
8 it's a string, but what --

9 A. No need.

10 Q. In this instance what I want to ask about now is  
11 your question to him, "How is the map being  
12 received in the African American community" and  
13 then his response.

14 And my question is: Did you believe or was  
15 there an attempt to release the Voting Rights Act  
16 districts first with the hope that they would be  
17 supported by the African American community in the  
18 county?

19 MR. FARR: Objection.

20 You can answer the question.

21 THE WITNESS: Okay. Ask it again, please.

22 BY MS. EARLS:

23 Q. Did you believe it was a good idea -- whether you  
24 gave advice or not, did you believe it was a good  
25 idea to release the Voting Rights Act districts



1 first with the hope that they would be supported by  
2 the African American community in North Carolina?

3 MR. FARR: Objection.

4 Go ahead.

5 THE WITNESS: No.

6 BY MS. EARLS:

7 Q. So why were you asking about how the map was being  
8 received in the African American community?

9 A. Well, I was curious about what the reaction may  
10 have been.

11 Q. And did you think that reaction might make a  
12 difference in terms of how you continued your work  
13 drawing redistricting maps?

14 A. Actually, to the extent that the chairman decided  
15 as a result of this to change anything, it would  
16 change some parts of the map, yes.

17 Q. I want to now move to the final part of your -- the  
18 initial four areas that you outlined of your work  
19 in North Carolina and that's when you had been  
20 retained to serve as an expert witness.

21 And in that connection let's turn back to  
22 your first affidavit that I believe is Exhibit 435.  
23 And I first want to make sure -- we've been told  
24 that you are designated as an expert in demography,  
25 redistricting and voting behavior.



1                   Is that your understanding in terms of what  
2                   you are serving as an expert in for the purposes of  
3                   this litigation?

4     A.     I think my expertise is a little more limited in  
5             this -- in the context of this particular case.

6     Q.     How would you describe your area of expertise in  
7             this case?

8     A.     I'm looking at the examination of the districts and  
9             was particularly interested in this affidavit of  
10            reacting to the affidavits that have been submitted  
11            by some of your experts.

12    Q.     In that case, let me ask you about a couple more  
13             maps.

14                   (WHEREUPON, Exhibit 463 was marked for  
15                   identification.)

16    BY MS. EARLS:

17    Q.     I think it's just not in the same order but it's  
18             the same thing. Exhibit 463 is a document  
19             contained on the General Assembly's redistricting  
20             website and it's a map and statistics for the  
21             Martin House Fair and Legal Plan.

22                   Did you see that plan back when it was  
23                   first made public during the redistricting process?

24    A.     As I believe it came in at the very tale end of the  
25             process.



1 Q. But did you see it when it did come in?

2 A. Yes, I believe when it was first released either on  
3 the floor or came out of the system kind of  
4 simultaneously.

5 Q. And did you do any analysis of this map at that  
6 time?

7 A. Before the enactment of the state's plan?

8 Q. Right.

9 A. The only analysis that I actually did was to look  
10 at the county grouping structure of the map.

11 Q. Okay. So did you look at any information about the  
12 number of majority black districts in this map?

13 A. Not prior to passage.

14 Q. Then am I correct that all of the work that you did  
15 analyzing this map after passage of the  
16 redistricting map for the House is reflected in  
17 either your first or second affidavits that have  
18 been submitted?

19 A. Yes.

20 (WHEREUPON, Exhibit 464 was marked for  
21 identification.)

22 BY MS. EARLS:

23 Q. Exhibit 464 is a copy of a map on the General  
24 Assembly's redistricting website that shows a map  
25 and statistics for the Senate Fair and Legal Plan,



1 and I want to ask you the same questions as with  
2 the House.

3 Did you see this map at the time it was  
4 made public during the redistricting process?

5 A. I did.

6 Q. And did you perform any analysis of the map at that  
7 time?

8 A. The only analysis that I performed was to look at  
9 the county grouping structure prior to passage.

10 Q. And then the work that you did in connection with  
11 this map post enactment is contained in your first  
12 and second affidavits filed in this case?

13 A. Yes.

14 MR. FARR: Do you want a break?

15 THE WITNESS: Is it convenient for me to  
16 take a break now?

17 MS. EARLS: That would be fine.

18 (Brief Recess: 3:55 to 4:10 p.m.)

19 MS. EARLS: In light of the hour of the  
20 day and the fact that we know we will not conclude,  
21 I'm correct that all counsel agree to suspend the  
22 deposition --

23 MR. PETERS: Recess.

24 MR. FARR: Recess.

25 MS. EARLS: -- to recess the deposition to



1 reconvene at a mutually convenient time to work out  
2 given our witness's schedule and counsel's  
3 schedule. Thank you.

4 [SIGNATURE RESERVED]

5 [DEPOSITION CONCLUDED AT 4:11 P.M.]

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1 A C K N O W L E D G E M E N T O F D E P O N E N T

2

3 I, Thomas Hofeller, Ph.D., declare under the  
4 penalties of perjury under the State of North  
5 Carolina that I have read the foregoing 177 pages,  
6 which contain a correct transcription of answers made  
7 by me to the questions therein recorded, with the  
8 exception(s) and/or addition(s) reflected on the  
9 correction sheet attached hereto, if any.

10 Signed this the day of , 2012.

11

12

13

THOMAS HOFELLER, Ph.D.

14

15

16 State of:

17 County of:

18 Subscribed and sworn to before me

19 this day of , 2012.

20

21

22

23

Notary Public

24 My commission expires:

25



1 E R R A T A S H E E T

2 Case Name: NAACP vs. State or North Carolina, et al. and

3 Margaret Dickson et al. vs. Robert Rucho, et al.

4 Witness Name: Thomas Hofeller, Ph.D.

5 Deposition Date: June 28, 2012

6

7 Page/Line Reads Should Read

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25 Signature

Date



1 STATE OF NORTH CAROLINA )  
2 COUNTY OF WAKE ) C E R T I F I C A T E

3  
4 I, DENISE L. MYERS, Court Reporter and  
5 Notary Public, the officer before whom the foregoing  
6 proceeding was conducted, do hereby certify that the  
7 witness(es) whose testimony appears in the foregoing  
8 proceeding were duly sworn by me; that the testimony  
9 of said witness(es) were taken by me to the best of  
10 my ability and thereafter transcribed under my  
11 supervision; and that the foregoing pages, inclusive,  
12 constitute a true and accurate transcription of the  
13 testimony of the witness(es).

14 I do further certify that I am neither  
15 counsel for, related to, nor employed by any of the  
16 parties to this action, and further, that I am not a  
17 relative or employee of any attorney or counsel  
18 employed by the parties thereof, nor financially or  
19 otherwise interested in the outcome of said action.  
20 This the 6th day of July 2012.

21  
22  
23  
24 Denise L. Myers  
My commission expires 9/14/2013  
25



# **EXHIBIT B**



STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
COUNTY OF WAKE 11 CVS 16896  
11 CVS 16940

MARGARET DICKSON, et al., )

)  
Plaintiffs, )

vs. )

ROBERT RUCHO, in his )  
official capacity only as )  
the Chairman of the North )  
Carolina Senate )  
Redistricting Committee, )  
et al., )

)  
Defendants. )

\_\_\_\_\_)  
NORTH CAROLINA STATE )  
CONFERENCE OF BRANCHES OF )  
THE NAACP, et al., )

)  
Plaintiffs, )

vs. )

STATE OF NORTH CAROLINA, )  
et al., )

)  
Defendants. )  
)

DEPOSITION OF  
SENATOR ROBERT RUCHO

\_\_\_\_\_  
9:03 A.M.

FRIDAY, MAY 4, 2012

\_\_\_\_\_  
POYNER SPRUILL  
301 FAYETTEVILLE STREET  
SUITE 1900  
RALEIGH, NC 27601

By: Denise Myers Byrd, CSR 8340, RPR



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STIPULATIONS

It is hereby stipulated and agreed between the parties to this action, through their respective counsel of record:

1. That the deposition of SENATOR ROBERT RUCHO may be taken on Friday, May 4, 2012, at 9:00 a.m. in Raleigh, NC, before Denise Myers, CSR 8340, RPR.

2. That the deposition shall be taken and used as permitted by the applicable North Carolina Rules of Civil Procedure.

3. That any objections of any party hereto as to notice of the taking of said deposition or as to the time or place thereof, or as to the competency of the person before whom the same shall be taken, are deemed to have been met.

4. That objections to questions and motions to strike answers need not be made during the taking of this deposition, but may be made for the first time during the progress of the trial of this case, or at any pretrial hearing held before any judge of competent jurisdiction for the purpose of ruling thereon, or any other hearing at which said deposition shall be used, except that objections to the form of the question must be made at the time



1 such question is asked or objection as to the form of  
2 the question is waived.

3 5. That the witness reserves the right to read and  
4 sign the transcript prior to it being sealed.

5 6. That the sealed original of the transcript shall  
6 be mailed First Class Postage Paid or hand-delivered  
7 to the party taking the deposition for preservation  
8 and delivery to the Court if and when necessary.  
9

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SENATOR ROBERT RUCHO,

having been first affirmed by the Certified Shorthand  
Reporter and Notary Public to tell the truth, the whole  
truth and nothing but the truth, testified as follows:

EXAMINATION

BY MR. SPEAS:

**Q.** Would you state your name for the record, please.

**A.** Robert Anthony Rucho.

**Q.** Thank you for coming today, Senator Rucho. You  
were here at yesterday's deposition?

**A.** Yes, sir.

**Q.** And you heard the beginning of the deposition of  
Representative Lewis?

**A.** Yes, sir.

**Q.** And I would tell you also that you're sworn today  
to tell the truth, and if you don't understand my  
questions you might not be able to tell the truth,  
so if you don't understand my questions, please ask  
me to clarify.

**A.** Understand.

**Q.** And you are in charge today, so we will go until  
you want a break or until Mr. Farr gets -- needs a  
break.

MR. FARR: Thank you.

BY MR. SPEAS:



1       **Q.** But you are essentially in charge. Mr. Peters is  
2       irrelevant.

3       **A.** I understand.

4       **Q.** It's my understanding, Senator, that you have  
5       chosen to waive your legislative privilege and to  
6       come here today and answer questions with regard to  
7       the process followed in adopting the redistricting  
8       plans and the reasons for those plans. Am I  
9       correct?

10               MR. FARR: Subject to the same conditions  
11       and terms we stated yesterday for Representative  
12       Lewis.

13               MR. SPEAS: Okay.

14               SENATOR RUCHO: Yes, sir.

15       BY MR. SPEAS:

16       **Q.** Tell me a little bit about your background.

17       **A.** Well, originally from Massachusetts, came to  
18       North Carolina in '77. Prior to that, college at  
19       Northeastern University in Boston, dental school at  
20       the Medical College of Virginia in Richmond with a  
21       year of residency at Memorial Hospital in  
22       Worcester, two years of specialty in prosthodontics  
23       at Boston University, started practice in '77,  
24       practiced 33 years, retired now, and I'm not sure  
25       it's retired as much as I'm having to work, and



1 then during that interim I got an MBA at UNCC.

2 **Q.** You came to Charlotte in '77?

3 **A.** Yes, sir.

4 **Q.** What brought you to Charlotte?

5 **A.** My specialty practice. I was invited to come here  
6 and offer the services that my specialty delivered.

7 **Q.** All right. And so you practiced medicine,  
8 dentistry, prosthodontics --

9 **A.** Yes, sir.

10 **Q.** -- for 33 years until 2010?

11 **A.** That's about right.

12 **Q.** You were active in Mecklenburg county politics  
13 after coming, I believe.

14 **A.** Yes, sir. I did have a term on the Matthews town  
15 board, a term on the Mecklenburg county commission  
16 and then four terms as a state senator representing  
17 one of the districts in Mecklenburg county. They  
18 change numbers.

19 **Q.** When were you on the Matthews town board?

20 **A.** I'm thinking somewhere in the '80s. I can't  
21 remember exactly what period.

22 **Q.** And when were you on the county commission?

23 **A.** Probably the middle to the latter part of the '80s.

24 **Q.** And one term or more than one term?

25 **A.** One term.



1       **Q.** And did any redistricting of the county commission  
2       occur while you were on the board?

3       **A.** Actually, the Mecklenburg county went to -- the  
4       year that I got elected on county commission, and I  
5       wasn't involved in the redistricting. I was just  
6       the first representative for the district  
7       representation in Mecklenburg county when they went  
8       from all at large to representing districts and at  
9       large.

10      **Q.** And what years did you run for the Senate?

11      **A.** I believe I got elected in '96 and I served until  
12      2004.

13      **Q.** Okay.

14      **A.** Eight years.

15      **Q.** All right. And then you were reelected in '06?

16      **A.** I was appointed to a term that Senator Pittman just  
17      stepped aside as he ran for lieutenant governor,  
18      reappointed to the Senate.

19      **Q.** And then you ran in '08?

20      **A.** Yes, sir.

21      **Q.** And then you ran in '10?

22      **A.** Yes, sir.

23      **Q.** During yesterday's deposition, you were taking  
24      notes; is that correct?

25      **A.** Yes, sir.



1       **Q.** And the court reporter really will require you to  
2       answer orally rather than nodding your head. It's  
3       one of her requirements.

4       **A.** Okay.

5       **Q.** Did you bring those notes with you today?

6       **A.** No, sir.

7       **Q.** Do you still have those notes?

8       **A.** Yes, sir.

9               MR. SPEAS: Mr. Farr, we would like to  
10       take a look at those notes, please.

11              MR. FARR: Well, what if he doesn't have  
12       them? I mean --

13              MR. SPEAS: Not necessarily for today but  
14       we'd like to take a look at them.

15              MR. FARR: Well, we'll take your request  
16       under advisement.

17              MR. SPEAS: Okay. We will file a formal  
18       request, then.

19       BY MR. SPEAS:

20       **Q.** Senator Rucho, you were appointed to chair the  
21       Senate Redistricting Committee in February of 2011?

22       **A.** Yes, sir.

23       **Q.** And tell me the knowledge you brought to the table  
24       that was relevant to the task of serving as chair  
25       of the Redistricting Committee. Tell me what you



1 knew about North Carolina, what you knew about  
2 Mecklenburg county, what you knew about the rest of  
3 the state, what you knew about elections, election  
4 results.

5 **A.** Well, I think part of the -- my background on that  
6 was that I did work with the Senate. I was not on  
7 the Redistricting Committee in 2001 in trying to  
8 draw maps and participate in the redistricting  
9 process. I did vote on a number of redistricting  
10 votes in 2001, I imagine three, and then I wasn't  
11 there at that point.

12 I have had a chance to visit many parts of  
13 the state, so geographically I have an  
14 understanding of that.

15 My background in dentistry and with an MBA  
16 I tend to be a very good organizer, especially on  
17 big tasks.

18 **Q.** Did you practice dentistry only in Mecklenburg or  
19 did you practice in a larger area?

20 **A.** Only in Mecklenburg.

21 **Q.** All right. And you were familiar with politics in  
22 Mecklenburg county?

23 **A.** Yes, sir.

24 **Q.** Been involved in it for 33 years or so?

25 **A.** Yes, sir.



1       **Q.** And you're familiar with the voting patterns in  
2       Mecklenburg county?

3       **A.** As much as one could be.

4       **Q.** And you're familiar with the racial voting patterns  
5       in Mecklenburg county?

6       **A.** I'm not an expert in any manner.

7       **Q.** Well, you're aware that African American candidates  
8       have carried Mecklenburg county on a regular basis  
9       over the years?

10               MR. FARR: Objection.

11               MR. PETERS: Objection.

12               SENATOR RUCHO: I am aware of that.

13       BY MR. SPEAS:

14       **Q.** And that's part of the knowledge you brought with  
15       you to your role as chair of the Redistricting  
16       Committee?

17       **A.** That plus a lot of other information that I've had  
18       over the years organizing large projects.

19       **Q.** Now, let me explore with you -- Representative  
20       Lewis testified yesterday. He was on the  
21       Redistricting Committee of the RNC. Were you on  
22       that same committee?

23       **A.** No, sir.

24       **Q.** Did you have any prior contact with the Republican  
25       National Committee with regard to redistricting



1 before you began your service as chair of the  
2 Redistricting Committee?

3 **A.** No, sir.

4 **Q.** Had you met Tom Hofeller before you became chair of  
5 the Redistricting Committee?

6 **A.** In 2001, when he was here working on redistricting.

7 **Q.** Okay. For whom was he working in 2001?

8 **A.** He was working with the minority party.

9 **Q.** And do you know whether he had a contract with the  
10 minority party or not?

11 **A.** I don't know that.

12 **Q.** What task did he perform for the minority party in  
13 2001?

14 **A.** He assisted them in map drawing.

15 **Q.** And in drawing House maps, Senate maps,  
16 Congressional maps?

17 **A.** I can only speak for the Senate.

18 **Q.** He helped in drawing Senate maps?

19 **A.** Yes, sir.

20 **Q.** And were those maps introduced in the legislature  
21 in 2001? Do you remember?

22 **A.** No, I don't recall that.

23 **Q.** The legislative record would reflect that?

24 **A.** If they did it like we did it it will.

25 **Q.** And you are not aware whether Mr. Hofeller assisted



1 with the drawing of the House map?

2 **A.** I am not aware of that.

3 **Q.** And you're not aware whether he assisted with a  
4 Congressional map?

5 **A.** I am not aware of that.

6 **Q.** And did you meet personally with Mr. Hofeller in  
7 2001?

8 **A.** Just met him then and saw him in action. Like I  
9 say, I was not on the Redistricting Committee so I  
10 really had no authority other than trying to learn  
11 the system.

12 **Q.** What other opportunities did you have to learn  
13 about redistricting after 2001 and after you became  
14 chair?

15 **A.** I'm not sure if I was named chair at the time or  
16 not, but we did visit a couple of training programs  
17 on redistricting, and one of them was in Maryland  
18 with the entire staff of -- let's say the  
19 redistricting staff that we had in the General  
20 Assembly, and if there was anything -- I can't  
21 remember anything else.

22 **Q.** Let's talk about the Maryland program. Who  
23 sponsored that program? Do you recall?

24 **A.** It was one -- it was one of the -- and I don't  
25 remember exactly, like the National Association of



1       Legislators or something like that. I'm not sure  
2       of the organization to be candid with you.

3       **Q.** There's been some testimony in one of the earlier  
4       depositions about a meeting somewhere in the  
5       Washington DC area with some staff, including  
6       Ms. Churchill attended some training session with  
7       some legislators. Does that --

8       **A.** I was one of those legislators.

9       **Q.** All right. Did you get materials at that -- were  
10      you provided materials at that meeting, training  
11      session?

12      **A.** It was just like a regular continuing education  
13      course so there was some material.

14      **Q.** Do you still have that material with you? Not  
15      today.

16      **A.** I don't -- let me just say I doubt it.

17      **Q.** You're a very organized person?

18      **A.** Try to be.

19      **Q.** You keep a calendar?

20      **A.** As well as I can handle my iPhone.

21      **Q.** And how do you keep your calendar?

22      **A.** I don't understand your question.

23      **Q.** Do you have a paper calendar? Do you have an  
24      electronic calendar?

25      **A.** I have an electronic calendar and I also have a



1 calendar at the office, my Senate office, so try to  
2 coordinate it.

3 **Q.** And do you have your calendars from 2011?

4 **A.** My best understanding and recollection is the  
5 electronic calendar, it erases itself after a  
6 period of time so I likely don't.

7 **Q.** What about paper calendars?

8 **A.** Unless they have one at the office.

9 **Q.** And I believe that you have received a request for  
10 production of documents. Did you look to see  
11 whether or not you had calendars as a part of your  
12 response to that document?

13 **A.** My staff complied with your request.

14 **Q.** Do you know whether they looked to see if you had  
15 calendars, paper calendars?

16 **A.** Don't know.

17 **Q.** And who is your staff?

18 **A.** I have my legislative assistant, Helen Long, and a  
19 research assistant, Paul Rucho.

20 **Q.** And is Paul Rucho related?

21 **A.** That is a brother.

22 **Q.** Okay. Does he live in Charlotte too?

23 **A.** No, sir. He lives here.

24 **Q.** Is he a dentist?

25 **A.** No, sir.



1       **Q.** Is he retired?

2       **A.** He wishes he was.

3       **Q.** All right. What was his occupation? What is his  
4       occupation?

5       **A.** He has a master's degree, was in hospital  
6       administration for a period of time and also in  
7       retirement plans, but it's kind of a very strenuous  
8       responsibility, and he takes care of a lot of my  
9       research projects and things of that sort.

10      **Q.** Is he paid by the State?

11      **A.** Yes, sir.

12      **Q.** Does he keep a calendar?

13      **A.** I don't know.

14      **Q.** Did he work with you on redistricting?

15      **A.** I believe the chief clerk to the Redistricting  
16      Committee was Helen Long, if I'm not mistaken, on  
17      the Senate Redistricting Committee, and that is my  
18      legislative assistant, but that's how it's normally  
19      done. A chairman's legislative assistant is  
20      basically the clerk to the committee that one  
21      chairs.

22      **Q.** Now, did you ask to be appointed chair of the  
23      redistricting -- Senate Redistricting Committee or  
24      were you asked to serve?

25      **A.** No one asks for this job. Mr. Speas, Senator



1       Berger said "We've got a job to be done and we'd  
2       like you to do it," and I accepted the  
3       responsibility to do it.

4       **Q.** And there were other members of the Senate  
5       Redistricting Committee?

6       **A.** Yes, sir.

7       **Q.** Did you participate with Senator Berger in  
8       selecting those additional members of the Senate  
9       Redistricting Committee?

10      **A.** Yes, sir.

11      **Q.** And what criteria did you apply in selecting them?

12      **A.** In naming people for the committee, we chose  
13      leadership, we chose geography, we chose minorities  
14      involved both in an urban and in a rural  
15      environment. We tried to get a broad base across  
16      the state geographical representation, and I think  
17      that's -- and this was all designed to have a  
18      transparent and open process in redistricting,  
19      something novel for the state.

20      **Q.** And you thought those criteria were important in  
21      selecting -- the member's geography is important,  
22      minority representation is important, rural  
23      representation is important, urban representation  
24      is important, correct?

25      **A.** Yes, sir, they're all important.



1       **Q.** And transparency is important?

2       **A.** As always, sir.

3       **Q.** Now, there's a Senate Republican Caucus?

4       **A.** Yes, sir.

5       **Q.** And who's the chair of the Senate Republican  
6       Caucus?

7       **A.** I think it's Senator Brown and/or Senator Berger.

8       **Q.** And how often did these Senate Republican Caucus  
9       meet during the 2011 session?

10      **A.** We had at least weekly meetings during that period  
11      of time.

12      **Q.** And as with the House, did the Senate Republican  
13      Caucus hear from committee chairs about relevant  
14      topics at these meetings?

15      **A.** Yes, sir.

16      **Q.** And did the chair of the Senate caucus call on you  
17      as chair of the Senate Redistricting Committee to  
18      give periodic reports about redistricting?

19      **A.** It was periodic reporting to show that we were  
20      moving forward in preparing the database and all of  
21      the necessary pre-activities before we had our  
22      meeting, and then we also on the Senate floor made  
23      a number of announcements so the entire Senate  
24      would be aware of what's going on.

25      **Q.** And did the Senate caucus keep minutes?



1       **A.** No, sir.

2       **Q.** Are there audio recordings of the Senate caucus  
3       meeting?

4       **A.** Not to my knowledge.

5       **Q.** And who would attend the Senate caucus meetings  
6       other than Senate -- Republican senators?

7       **A.** Some of our key staff and then also periodically we  
8       would have individuals with specific information to  
9       share on the topic.

10      **Q.** Did Mr. Hofeller ever attend a Republican Senate  
11      Caucus meeting?

12      **A.** No, sir.

13      **Q.** Did Mr. Farr ever attend a Republican Senate Caucus  
14      meeting?

15      **A.** Not to my recollection, no, sir.

16      **Q.** Did Mr. Peters?

17      **A.** Not to my recollection.

18      **Q.** Did anybody from your staff, your redistricting  
19      staff, attend Senate caucus meetings to talk about  
20      redistricting? Your brother, Paul Rucho?

21      **A.** No.

22      **Q.** Helen Long?

23      **A.** No.

24      **Q.** Erika Churchill?

25      **A.** I was trying to think of Ms. Churchill and I don't



1 remember her ever coming to present any information  
2 to the caucus.

3 **Q.** Gerry Cohen?

4 **A.** No, sir.

5 **Q.** Walker Reagan?

6 **A.** I have never seen Mr. Reagan at one of our  
7 caucuses.

8 **Q.** At any point do you recall a map -- a proposed  
9 Senate redistricting map being presented to the  
10 Senate Republican Caucus?

11 **A.** During a caucus meeting?

12 **Q.** Yes.

13 **A.** Not that I recollect.

14 **Q.** Did Brent Woodcox come to these Senate caucus  
15 meetings, Senate Republican Caucus meetings?

16 **A.** No, sir.

17 **Q.** At any point in the Senate Republican Caucus  
18 meetings did you report to the Senate Republican  
19 Caucus that Mr. Hofeller had been hired?

20 **A.** I don't recall ever making that statement.

21 **Q.** Okay. Let's talk a little bit about your role as  
22 Senate redistricting chair. Would I be correct in  
23 saying that as Senate redistricting chair you were  
24 responsible for the Senate for the development of  
25 the Senate redistricting plan?



1       **A.** Yes, sir.

2       **Q.** And would it be correct that as Senate  
3       redistricting chair you along with Representative  
4       Lewis were responsible for the development of the  
5       Congressional plan?

6       **A.** We did it together, yes, sir.

7       **Q.** And with regard to the Congressional plan, were you  
8       principally in charge or was Representative Lewis  
9       principally in charge or was this truly a joint  
10      undertaking?

11      **A.** It was a joint undertaking.

12      **Q.** Now, would it also be true that the Senate  
13      Redistricting Committee met only periodically after  
14      it was appointed in February of 2011?

15               MR. FARR: Objection.

16               MR. PETERS: Objection.

17      BY MR. SPEAS:

18      **Q.** Do you understand the word "periodically"?

19      **A.** No, sir. Try explaining that.

20      **Q.** Do you recall how many times the Senate  
21      Redistricting Committee met between February and  
22      July of 2011?

23      **A.** We had our first introductory meeting where we set  
24      out what the policy was, a lot of information  
25      regarding redistricting, the Legislator's Guide



1 which was to bring everybody hopefully, if they  
2 read it, up to date not only on the committee but  
3 also members of the Senate. It was a very valuable  
4 document. And then we went into public hearings  
5 and the public hearings took a lot of our time.

6 Each of our members were invited to  
7 participate. Many of them were assigned to  
8 locations other than wake or Charlotte or  
9 elsewhere, and that was part of what I considered  
10 part of their responsibilities of committee  
11 meetings in gathering the information from the  
12 public, from stakeholders.

13 We had a large outreach, as I wish it were  
14 larger because we never did get participation from  
15 the minority party and/or the black caucus even  
16 reaching out and asking them for their feedback,  
17 but I will say that, in essence, we had public  
18 hearings every time of that committee.

19 **Q.** I understand, but the committee did not meet to do  
20 business other than the business of public hearings  
21 at any time between February and July; is that  
22 correct?

23 **A.** I considered those public hearings the business of  
24 the committee. We were gathering information and  
25 understanding what our -- you know, what legal



1 criteria are in trying to draw fair and legal  
2 districts.

3 **Q.** But here's my point: You were running the  
4 redistricting process on the Senate side from  
5 February until July; is that correct?

6 **A.** I was responsible to make sure it got done.

7 **Q.** Now, yesterday Representative Lewis testified that  
8 the House maps were drawn by Mr. Hofeller. Would  
9 it be correct that the Senate maps were also drawn  
10 by Mr. Hofeller?

11 **A.** Mr. Hofeller was the chief architect in the sense  
12 that there were other people engaged in the process  
13 of drawing maps on the Maptitude software package.

14 **Q.** Let's talk about that. Who were those other  
15 people?

16 **A.** John Morgan, who is a map drawer. Dale Oldham  
17 assisted Mr. Hofeller and there was another person  
18 by the name of Joel Raupe.

19 **Q.** Joel?

20 **A.** Raupe, R-A-U-P-E.

21 **Q.** Now, did the Senate Redistricting Committee have a  
22 contract with John Morgan?

23 **A.** It wasn't the Senate Redistricting Committee. It  
24 was the Legislative Services.

25 **Q.** Okay. And have you seen that contract?



1       **A.** Not that I can recollect.

2       **Q.** And by whom is John Morgan employed? Is he an  
3       employee of some company? Is he an independent  
4       contractor? Is he an employee of Mr. Farr's?

5       **A.** Mr. Speas, I am trying to remember exactly whether  
6       he was paid directly from the LSO or through  
7       Mr. Farr's office and I don't remember which way  
8       that went, to be honest.

9       **Q.** And what did Mr. Morgan do?

10      **A.** He ended up assisting us in drawing maps by the  
11      criteria that we set, same criteria that we gave to  
12      Mr. Hofeller.

13      **Q.** Did he work for Mr. Hofeller or did he work  
14      independently from Mr. Hofeller?

15      **A.** He did not work for Mr. Hofeller. It was an effort  
16      by many -- all the people involved in trying to get  
17      the maps drawn fair and legal.

18      **Q.** And who recommended the employment of Mr. Morgan?

19      **A.** I will say to you I'm trying to remember. I think  
20      Mr. Hofeller may have recommended him. I can't  
21      remember if Mr. Farr did, but we were, you know,  
22      looking for a quality oriented individual that  
23      could help us with those maps and that's the best I  
24      can say on that answer to the question.

25      **Q.** But there are documents -- if he was employed by



1 the legislature, there will be documents at the  
2 legislature reflecting that employment?

3 **A.** I assume so.

4 **Q.** And those documents will reflect how much money he  
5 was paid?

6 **A.** Yes, sir.

7 **Q.** And those documents will reflect the work he was  
8 contracted to do, presumably? If the state hires  
9 somebody to do something --

10 **A.** Of course. Of course. I'm trying to remember if  
11 that's how it was arranged or not. I don't  
12 remember exactly how that occurred.

13 **Q.** So it's possible that Mr. Morgan was hired by  
14 Mr. Farr's law firm?

15 **A.** I'm trying to remember how that worked. It was  
16 very hectic at that time and I was trying to  
17 remember how that worked out. I just don't  
18 remember exactly if it was that -- if it was done  
19 through Mr. Farr's firm or how Mr. Morgan was paid  
20 at the point. I would need to think about that  
21 further to be honest with you.

22 MR. FARR: I'd like to be helpful. Can we  
23 take a very short break for me to talk to Senator  
24 Rucho?

25 MR. SPEAS: Yes.



1 MR. FARR: We'll just step outside for one  
2 moment.

3 MR. SPEAS: Before you do, let me just say  
4 for the record I believe there are such contracts  
5 that they would have been encompassed within the  
6 motion -- the request for documents that we filed.

7 And I believe, Alec, I would turn to you,  
8 since you are the counsel, and if there are such  
9 documents we'd like to see them.

10 MR. FARR: If there are such documents,  
11 they should have been produced and they will be  
12 produced.

13 MR. SPEAS: Okay. Thank you.

14 (Brief Recess: 9:33 to 9:36 a.m.)

15 MR. FARR: Senator Rucho, have you had a  
16 chance to reconsider the questions Mr. Speas asked  
17 you about who paid Mr. Morgan for his services?

18 SENATOR RUCHO: Yes, sir.

19 MR. FARR: Can you explain that to  
20 Mr. Speas, please.

21 SENATOR RUCHO: Mr. Speas, there was an  
22 organization called Fair and Legal Redistricting,  
23 and my recollection now is that Mr. Morgan, at  
24 least to the best of my knowledge, was paid for by  
25 that, not at state expense.



1 BY MR. SPEAS:

2 Q. Okay. And is Fair and Legal Redistricting an  
3 organization with which Mr. Hofeller is affiliated?

4 A. No, sir.

5 Q. And do you know where Fair and Legal Redistricting  
6 is located?

7 A. North Carolina.

8 Q. And do you know whether it's a for profit or  
9 not-for-profit organization?

10 A. 501C. I assume it's nonprofit.

11 Q. Do you know whom is the principal in that  
12 organization?

13 MR. FARR: Objection.

14 Do you know what he means by principal?

15 SENATOR RUCHO: Principal would be the  
16 president. Is that what you're saying?

17 BY MR. SPEAS:

18 Q. The head man.

19 A. I know Don Mumford is the secretary-treasurer of  
20 it, and I am trying to remember -- it's been a long  
21 time -- as to who headed it up.

22 Q. So did John Morgan -- now that you've conferred  
23 with your counsel and had your memory refresh --  
24 work for Fair and Legal Redistricting?

25 A. Yes, sir.



1       **Q.** Did Fair and Legal Redistricting have any contracts  
2           with the state?

3       **A.** No, sir.

4       **Q.** Now, is Mr. Morgan in Raleigh?

5       **A.** I believe Mr. Morgan -- I think he's out of DC, if  
6           I'm not mistaken. I could be wrong. Could be  
7           Virginia.

8       **Q.** He's not a North Carolinian?

9       **A.** No, sir.

10      **Q.** Neither is Mr. Hofeller?

11      **A.** I assume not.

12      **Q.** Now, Dale Oldham, he provided some map drawing  
13           services, correct?

14      **A.** He is also an attorney and is capable of drawing  
15           maps, yes, sir. He was engaged in certain maps,  
16           not overall. Mr. Hofeller was our chief architect.

17      **Q.** And who engaged him?

18               MR. PETERS: Which "him" do you mean?

19               MR. SPEAS: Oldham.

20               SENATOR RUCHO: You know, I don't know the  
21           answer to that question.

22      BY MR. SPEAS:

23      **Q.** So you don't know whether he was paid for, his  
24           services, by state funds or not?

25               MR. FARR: He was not.



1 MR. SPEAS: Mr. Farr has testified he was  
2 not.

3 SENATOR RUCHO: I'll say I believe he  
4 wasn't. I don't know who paid his services.

5 BY MR. SPEAS:

6 Q. Do you know who paid for his services?

7 A. I think I just said I don't know who paid for his  
8 services.

9 Q. I'm sorry. And you met Mr. Oldham at some point?

10 A. I met Mr. Oldham in 2001. He was here with  
11 Mr. Hofeller.

12 Q. And you testified a moment ago that he was engaged  
13 in some parts but not all parts of the  
14 redistricting, and what I want to know is which  
15 parts he was engaged in.

16 A. What I mean by some parts, he would be working on  
17 specific parts of the map drawing.

18 Q. And do you recall which parts that was?

19 A. We had 50 districts. I'm not sure I can tell you  
20 exactly what specific parts he was engaged in.

21 Q. Did he do work on the House plan, to your  
22 knowledge?

23 A. I don't know.

24 Q. What about the Congressional plan?

25 A. I believe he was active in that too.



1       **Q.** So he provided services to the Redistricting  
2       Committee or to Mr. Hofeller?

3       **A.** He worked with Mr. Hofeller.

4       **Q.** Did you ever provide specific directions to Oldham  
5       as to how to draw maps?

6       **A.** Well, he knew how to draw maps without my help, I'm  
7       sure, but as far as the criteria, it's the same  
8       criteria that we gave to Mr. Hofeller and that was  
9       following the Voting Rights Act, the Stephenson  
10      case, the Strickland case and the criteria that we  
11      outlined in our public statement.

12      **Q.** Now, Mr. Oldham was not serving as counsel to the  
13      Redistricting Committee, was he?

14      **A.** Not to the Redistricting Committee, no, sir.

15      **Q.** Let me back up just a minute. John Morgan, you met  
16      John Morgan at some point during the redistricting  
17      process?

18      **A.** I met him when he was drawing some districts, yes,  
19      sir.

20      **Q.** Where was he drawing the districts?

21      **A.** He drew the districts on Hillsborough Street.

22      **Q.** At the Brownstone?

23      **A.** No, sir.

24      **Q.** Where on Hillsborough Street?

25      **A.** At the Republican party headquarters on



1 Hillsborough Street.

2 **Q.** And you met Dale Oldham during this process,  
3 physically personally met him?

4 **A.** I knew him ten years ago, but I --

5 **Q.** Did you work with Mr. Oldham directly? Did you  
6 have meetings with Mr. Oldham?

7 **A.** We worked with him as we were trying to draw fair  
8 and legal district maps.

9 **Q.** Where did you meet with Oldham?

10 **A.** At the Hillsborough location.

11 **Q.** The Republican headquarters?

12 **A.** Yes, sir.

13 **Q.** And let me talk a little bit about Joel Raupe.

14 **A.** Raupe.

15 **Q.** Well, let me back up. Pardon me.

16 Dale Oldham is not from North Carolina  
17 either, is he?

18 **A.** I think from South Carolina.

19 **Q.** He's not licensed as a lawyer in North Carolina?

20 **A.** I don't know the answer to that question.

21 **Q.** All right. Joel -- I'm sorry.

22 **A.** Raupe.

23 **Q.** -- Raupe, who is he?

24 **A.** During the last redistricting process, Joel worked  
25 with then minority leader Patrick Ballantine and is



1 a very bright fellow, understood computers very  
2 well and trained himself into the software workings  
3 of map drawing.

4 **Q.** So Joel Raupe's profession is what?

5 **A.** I don't know. I think he may have been unemployed  
6 at the time when we talked with him, but he --

7 **Q.** What's his area of expertise, then?

8 **A.** I don't know what he has for a -- you know, what he  
9 calls his profession.

10 **Q.** And is Mr. Raupe a North Carolinian?

11 **A.** Yes, sir.

12 **Q.** Where does he live?

13 **A.** I think in the eastern part of the state, but I'm  
14 not sure of the exact location.

15 **Q.** And who paid Mr. Raupe to work with --

16 **A.** That was the Fair and Legal Redistricting.

17 **Q.** And did you have meetings with Mr. Raupe during the  
18 redistricting process?

19 **A.** Yes, sir.

20 **Q.** And where did those meetings take place?

21 **A.** At the Hillsborough Street location.

22 **Q.** The Republican party headquarters?

23 **A.** That's correct.

24 **Q.** Now, other than Mr. Morgan and Mr. Oldham and  
25 Mr. Raupe, do you recall anyone else who worked



1 with Mr. Hofeller in drawing maps?

2 **A.** I think that's it to the extent of map drawing,  
3 yes, sir.

4 **Q.** You met with Mr. Morgan and Mr. Oldham and  
5 Mr. Raupe on one or more occasions during this  
6 process, correct?

7 **A.** In the fabrication of the fair and legal maps, yes,  
8 sir.

9 **Q.** Did you ever have e-mail communications with the  
10 three of them, with any one of the three of them?

11 **A.** Not with Mr. Morgan. I don't recollect whether  
12 there was any with Mr. Raupe and/or -- I just don't  
13 remember.

14 **Q.** Of the three of these individuals, Mr. Morgan,  
15 Mr. Oldham and Mr. Raupe, who worked most with  
16 Mr. Hofeller?

17 **A.** Mr. Morgan was -- was in for a short period of time  
18 to help us when there was a lot of work to get  
19 accomplished.

20 Mr. Raupe worked -- in essence, did a lot  
21 of the groundwork for I would use the analogy your  
22 paralegal getting ready for the work being done by  
23 the attorney.

24 **Q.** We may ask you later -- in fact, I believe from my  
25 memory that some of the maps that Dr. Hofeller has



1 produced bear the name Joel Raupe. Do you remember  
2 that?

3 **A.** I don't know that.

4 **Q.** And do you remember whether some of the maps may be  
5 labeled John Morgan maps?

6 **A.** I don't know the answer to that question.

7 **Q.** Now, let me go back a little bit. Is it correct  
8 that the Senate maps were drawn by Mr. Hofeller  
9 with the assistance to one degree or another of  
10 Mr. Morgan, Mr. Oldham and Mr. Raupe?

11 **A.** I would say that, yes, Mr. Hofeller has the overall  
12 approval on it in regards to achieving what we  
13 wanted to achieve by meeting the criteria that had  
14 been established.

15 **Q.** And would it be correct that the Congressional maps  
16 were drawn by Mr. Hofeller with the assistance of  
17 Mr. Morgan, Mr. Oldham, Mr. Raupe to one degree or  
18 another?

19 **A.** I know for sure that Mr. Oldham and Mr. Raupe  
20 participated to some extent. I can't remember if  
21 Mr. Morgan was strictly on the Senate maps or not  
22 because he was just in for a short period of time  
23 to help us meet a timeline.

24 **Q.** Now, Senator, yesterday Representative Lewis told  
25 us -- and these are my words, not his -- that the



1 legislature had a machine that would convert these  
2 maps into the words of an active General Assembly  
3 and that machine let you down. Is that accurate?

4 MR. PETERS: Objection.

5 SENATOR RUCHO: I would say to you that my  
6 understanding, and I'm far from being a computer  
7 literate individual --

8 BY MR. SPEAS:

9 Q. Well, you're dealing with --

10 A. But apparently there was a computer code missing,  
11 and when we had the maps which were accurate and  
12 the stat packs that were accurate converted over to  
13 a bill draft, the code omitted some Census blocks  
14 on all the maps that were submitted to the  
15 legislature, and under those circumstances the bill  
16 draft did not depict what was actually there.

17 And I think, as I mentioned at some point,  
18 it's like going and buying a piece of property and  
19 we saw what we bought, it's everything there, but  
20 the legal description wasn't accurate and then at  
21 some point you go back and correct it. I'm sure  
22 you know --

23 Q. Okay. So let me rephrase this, then, and I'll try  
24 to be a little bit more sophisticated in my  
25 terminology. These maps that were drawn by



1 Mr. Hofeller were converted by the legislature's  
2 software into words that formed a bill that the  
3 legislature voted on?

4 **A.** My understanding of the process was that the maps  
5 that Dr. Hofeller had were submitted to ISD. They  
6 were put into the system at which every map would  
7 have done under those circumstances, and when we  
8 voted on them on the floor or during committee and  
9 on the floor, we basically had our maps which were  
10 House, Senate -- well, in our case Senate and  
11 Congress and then ultimately the House and --

12 MR. FARR: Wait.

13 SENATOR RUCHO: And the error occurred in  
14 trying to draft the legal bill and that was because  
15 of a computer glitch.

16 The ISD folks identified, as Representative  
17 Lewis mentioned yesterday, when they found out the  
18 problem, they found out -- we asked them to get to  
19 the extent of it, how to solve it. They were able  
20 to solve it, and then Mr. Cohen gave us a mechanism  
21 on how to have the corrected bill that was  
22 subsequently sent to Justice for their  
23 pre-clearance.

24 BY MR. SPEAS:

25 **Q.** Okay. And let me try one more time. I'm just



1 interested in this: Hofeller drew maps, he gave  
2 them to ISD, the maps, ISD used its software to  
3 convert those maps into a bill that the legislature  
4 could vote on?

5 **A.** From my level of understanding in the computer, the  
6 maps were sent into ISD on the main computer frame,  
7 and then once that's in there, that's when the  
8 computer glitch occurred in the transfer to a bill  
9 draft and that's -- I'm not sure I can explain it  
10 any differently.

11 **Q.** And please realize you're dealing with someone who  
12 knows less than you do about this.

13 **A.** I'm not sure, but okay.

14 **Q.** If I can try again, a map gets stuck in one side  
15 and a bill comes out the other side; is that  
16 correct?

17 **A.** Yes, sir, I think that's probably about as accurate  
18 as I can describe it.

19 **Q.** And something happened in the machine and it didn't  
20 come out like it was supposed to?

21 **A.** That's correct.

22 **Q.** And that happened with the Senate plan, the Senate  
23 map, it happened with the House map and it happened  
24 with the Congressional map?

25 **A.** It happened to all the maps, not just those three.



1 It happened to every map that was submitted by the  
2 Senate and the minority party and from Senator  
3 McKissick in the black caucus. The glitch was  
4 consistent.

5 **Q.** It was a non-partisan glitch?

6 **A.** It surely was.

7 **Q.** Now, let's get back on little firmer ground, for  
8 me, anyway. Representative Lewis testified  
9 yesterday, I believe, that his committee -- that he  
10 never provided any written criteria to Mr. Hofeller  
11 to draw the House maps.

12 My question to you today is this: Did you  
13 as chair of the Senate Redistricting Committee ever  
14 provide any written criteria to Mr. Hofeller as to  
15 how he was to draw the maps?

16 **A.** The written criteria were the press public  
17 statements that we made.

18 **Q.** But just to clarify, there is no document anywhere  
19 that says, "Dear Dr. Hofeller, these are the  
20 criteria you are to apply in drawing the maps"?

21 **A.** To my knowledge, not from me there is no written  
22 document to him, but what he told him clearly was  
23 to follow the Stephenson criteria as harmonized  
24 with the Voting Rights Act and including the  
25 Strickland decision in formulating fair and legal



1 maps.

2 **Q.** Okay. So with regard to the Senate plan, the  
3 criteria that you gave Mr. Hofeller are reflected  
4 in the written statements that you and  
5 Representative Lewis issued beginning June 17th; is  
6 that correct?

7 **A.** The public statements that we made were the  
8 criteria that we established so that we could, one,  
9 draw fair and legal maps; two, get pre-clearance  
10 from the Justice Department; and three, keep the  
11 2012 election cycle on schedule, which is  
12 exactly -- which were our goals and to this point  
13 we've achieved our goals.

14 **Q.** Okay. So your first public statement was on  
15 June 17th?

16 **A.** Correct.

17 **Q.** And Mr. Hofeller had been engaged in drawing maps  
18 before then?

19 **A.** Yes. I'm assuming that's correct, yes, sir.

20 **Q.** And -- so, I mean, it dates earlier than June 17th.  
21 He didn't know what you were going to write on  
22 June 17th so how did he know what criteria to  
23 apply?

24 **A.** Well, I mean, during that period of time we had our  
25 public hearings. We were evaluating what public



1 comments were made. We evaluated comments that  
2 came from other stakeholders. We made a very  
3 concerted effort to reach out to all the  
4 stakeholders to get their input as we were  
5 formulating the criteria that we would include or  
6 utilize in drawing the maps. I'm sure there were  
7 verbal descriptions to Mr. Hofeller --

8 **Q.** Okay. That's good.

9 **A.** -- to meet that criteria.

10 **Q.** Did Mr. Hofeller attend the public hearings?

11 **A.** Not to my knowledge.

12 **Q.** Did you attend all the public hearings?

13 **A.** I think I -- out of 67 I think I missed one, yes,  
14 sir, if I'm not mistaken.

15 **Q.** At some point seems to me you must have met with  
16 Mr. Hofeller and said, "Hofeller, here's the way I  
17 want this done." Did that happen?

18 **A.** Well, I will say that Representative Lewis and I,  
19 you know, worked diligently as we were preparing  
20 for this responsibility to draw clear and legal  
21 criteria that we wanted Mr. Hofeller to follow in  
22 drawing those maps, and during the period of time  
23 I'm sure there were opportunities we had to meet  
24 with him to discuss those issues.

25 **Q.** Do you recall today sitting down on any occasion



1 with Mr. Hofeller and saying, "Mr. Hofeller, here's  
2 what I want you to do"?

3 **A.** Probably on a number of occasions as we may have  
4 been sitting down discussing those maps that we  
5 were watching him draw.

6 **Q.** And do you have a specific recollection today of  
7 any of those meetings?

8 **A.** As to specific dates, no.

9 **Q.** Do you have a specific recollection of where those  
10 meetings might have occurred?

11 **A.** I know at least they occurred at the Hillsborough  
12 location.

13 **Q.** The Republican headquarters?

14 **A.** Yes, sir.

15 **Q.** Did you sit down with Hofeller and say, "Hofeller,  
16 all I want you to do is follow the law"? Is that  
17 what you said to him?

18 **A.** Well, Mr. Hofeller is a very knowledgeable  
19 individual, has been --

20 **Q.** But he's not a lawyer.

21 **A.** He is a knowledgeable individual, has been involved  
22 in redistricting, you know, on many occasions, and  
23 what we came up with were the criteria that I've  
24 already elaborated plus what we had in the public  
25 statement. We explained that this is what we would



1 expect from him and that's what we expected of our  
2 maps.

3 **Q.** Pretend I'm Hofeller and just tell me what you  
4 would want me to do.

5 **A.** I'll repeat again for you that, you know, the way  
6 the law is understood by us that we would want  
7 Mr. Hofeller to use the Stephenson criteria along  
8 with harmonizing of the Voting Rights Act, to go  
9 through the Whole County Provision requirements  
10 that the Constitution of North Carolina expects us  
11 to perform whenever they can best be done and  
12 involve the Strickland criteria at the same time,  
13 and by putting all of that together we believed we  
14 would have maps that would meet the Department of  
15 Justice pre-clearance approval, which it did do.

16 **Q.** So sitting here today in May of 2012, do you think  
17 that you have accurately repeated the kind of  
18 conversation you would have had with Hofeller about  
19 what you wanted Hofeller to do?

20 **A.** I think maybe the only thing I might add to that,  
21 which I just thought about, is that I'm sure not  
22 only meeting those criteria but we would also ask  
23 him that he would also try to keep the --  
24 especially, in Congressional -- the VTDs whole  
25 when, if possible, as long as he's abiding by the



1 legal requirements that needed to be addressed both  
2 in the Congressional and I'll speak at this point  
3 on the Senate map, but we had a consistent approach  
4 on the map drawing throughout the entire process.

5 **Q.** Now, when you would meet with Hofeller, was anybody  
6 else -- did you and Lewis meet with Hofeller or did  
7 you meet with Hofeller by yourself? What do you  
8 remember about that?

9 **A.** There were times we met together, times that we met  
10 individually, say, for example, when I focused on  
11 the Senate map or David focused on the House map  
12 trying to get the job complete.

13 **Q.** On some of those occasions would Mr. Morgan be  
14 there?

15 **A.** He was there at the period of time that we needed  
16 him there.

17 **Q.** And some of the occasions Mr. Oldham was there?

18 **A.** He was also there at periods.

19 **Q.** And some of the occasions Mr. Raupe was there?

20 **A.** Yes, sir.

21 **Q.** Was Mr. Peters ever there?

22 **A.** No. No, sir.

23 **Q.** Mr. Farr?

24 **A.** Mr. Farr visited, but I don't think he was ever  
25 engaged in any of the activity while we were there.



- 1     **Q.** Now, let me just switch for a moment to  
2         Congressional. We've been talking about Senate,  
3         but with regard to the Congressional maps, you  
4         issued your public statement releasing the --  
5         publicly releasing the Congressional maps I think  
6         on July 1st.
- 7     **A.** I believe that's accurate.
- 8     **Q.** And that document is here, but that document laid  
9         out the things you all wanted, you were expecting  
10        with regard to the Congressional maps. Am I  
11        correct?
- 12    **A.** Especially on the first drawing that we presented.
- 13    **Q.** And so sometime prior to July you sat down with  
14        Hofeller, Lewis may have been there, probably was,  
15        I take it from your testimony, and you said,  
16        "Hofeller, this is what we want you to do"?
- 17    **A.** We outlined the criteria that we've discussed and,  
18        as you well know, the criteria for Congressional  
19        maps is different than the criteria that would be  
20        for legislative maps.
- 21    **Q.** And might Morgan have been there, John Morgan?
- 22    **A.** Not at the point I was talking with Hofeller, I  
23        don't believe.
- 24    **Q.** What about Oldham, might Oldham have been there?
- 25    **A.** He could have been there.



1       **Q.** Oldham used to work for the RNC, didn't he?

2       **A.** I guess. I don't know for a fact.

3       **Q.** He had a special interest in Congressional maps;  
4       isn't that correct?

5               MR. FARR: Objection.

6               MR. SPEAS: Just asking a question.

7               SENATOR RUCHO: I don't know if he has a  
8       special interest in that, sir.

9       BY MR. SPEAS:

10      **Q.** Okay. Mr. Raupe might have been there?

11      **A.** Yes, sir.

12      **Q.** Was anybody from the state Republican party staff  
13      present at these meetings? You were meeting in  
14      their building.

15      **A.** Yes. Well, it was very inexpensive space,  
16      actually. Thank you. But there was -- to my  
17      knowledge, there was never any time when Republican  
18      party staff were engaged in that process.

19      **Q.** Now, is one of the things you told Hofeller about  
20      the Senate plan "I want you to draw the VRA  
21      districts first"?

22      **A.** Well, in drawing the Senate plan, yes, sir, that  
23      was -- we -- you know, the good news is there was  
24      the Stephenson decision which helped us set out a  
25      roadmap of how to accomplish this task, and it in



1 my judgment is very -- it made the process a lot  
2 simpler than what it could have been because it  
3 went step-by-step, but the Voting Rights Act was  
4 priority that needed to be blended or harmonized  
5 with the Whole County Provisions that are required  
6 under the North Carolina Constitution, and then  
7 once that is done you move on to the next step  
8 dealing with whole county, single county,  
9 two-county groupings, three-county groupings.

10 But I guess the first step in the entire  
11 process is actually having a map that actually  
12 shows groupings of the state based on ideal  
13 populations, and I'm sure you know what I'm  
14 alluding to there.

15 **Q.** And at some point did Mr. Hofeller give you a map  
16 with Senate groupings?

17 **A.** I don't recollect directly that Mr. Hofeller gave  
18 that map. I know that was a nuts-and-bolts  
19 counting job, and I think Mr. Raupe was engaged in  
20 that at some point, but I can't be specific to say  
21 that Mr. Hofeller gave us that map.

22 **Q.** Do you recall a conversation with Mr. Hofeller when  
23 you talked about how many possible sets of  
24 groupings could be drawn?

25 **A.** I'm not sure I understand your question.



1       **Q.** All right. That's a confusing question, and the  
2       topic of groupings is one that confuses me even  
3       today.

4               MR. FARR: You can call it clusters if it  
5       makes it easier for you.

6               MR. SPEAS: Or pods, perhaps.

7       BY MR. SPEAS:

8       **Q.** Now, with regard to the VRA districts, did you tell  
9       Hofeller, "Now, Hofeller, when you draw a VRA  
10      district, it has to be at 50 percent plus one black  
11      voting age population at a minimum"?

12      **A.** In our criteria that we've outlined on the public  
13      statement, we consistently remained committed to  
14      the law as it is written which included the VRA  
15      harmonizing with the Strickland -- excuse me --  
16      with the Stephenson criteria and then incorporating  
17      Strickland, and all of that being said, it would be  
18      a requirement to -- in a VRA district to have  
19      50 percent plus.

20      **Q.** Plus one.

21              Now, with regard to the number of VRA  
22      districts, did you tell Hofeller, "Now, Hofeller,  
23      we want to get close to proportional population for  
24      African American citizens in North Carolina and in  
25      the Senate that means 10 of 50 seats"?



1 MR. PETERS: Objection.

2 SENATOR RUCHO: Based on the record that  
3 we put together, and I think it was outlined in our  
4 public statement which included testimony from a  
5 number of people, including Ms. Earls, who I have a  
6 great deal of respect for. I think she's a very  
7 knowledgeable individual.

8 MR. SPEAS: She's real smart, isn't she?

9 MR. FARR: We disagree with her on just a  
10 few things.

11 SENATOR RUCHO: But in formulating my  
12 thoughts on criteria, I used a lot of her evidence  
13 and testimony in determining, but under that  
14 circumstance, you know, she said that we -- that,  
15 quote, unquote, there was racial polarization in  
16 the state that needed -- and then majority-minority  
17 districts were important, and I believe in one of  
18 her legal articles talked about the fact that there  
19 were, let's say, not as many minority members in  
20 the House and the Senate and under that  
21 circumstance looked at the possibility of trying to  
22 have a roughly proportional and equal opportunity  
23 to elect -- to have the voters elect candidates of  
24 their choice.

25 BY MR. SPEAS:



1       **Q.** And the black population of the state is a little  
2           bit over 20 percent, so 20 percent of the 50 seats  
3           in the Senate would be approximately 10?

4       **A.** Yes, sir.

5       **Q.** And you instructed Hofeller, "That's your goal,  
6           10"?

7       **A.** With the caveat that there -- as is expected, that  
8           when a cohesive and compact population existed to  
9           allow that to be done.

10      **Q.** Now let's talk about the Whole County Provision of  
11           the Constitution which was interpreted in  
12           Stephenson.

13               Did you tell Hofeller, "Now, Hofeller, when  
14           you're drawing these plans, keep the number of  
15           divided counties to a minimum"?

16               MR. FARR: Objection.

17               SENATOR RUCHO: Our advice -- and I'm  
18           going to repeat it again -- that we have to have  
19           the Voting Rights Act blended with the Stephenson  
20           criteria and also with the Strickland criteria, and  
21           under that circumstance we believe with that  
22           criteria and that direction Mr. Hofeller was able  
23           to deliver and we enacted plans to meet all of the  
24           requirements of the Stephenson and Whole County  
25           Provisions.



1 BY MR. SPEAS:

2 **Q.** Did you tell him "We want these districts to be  
3 compact"?

4 MR. PETERS: Objection.

5 MR. FARR: Objection.

6 SENATOR RUCHO: We believed that by  
7 following the Stephenson criteria and that  
8 step-by-step down that that would have constituted  
9 compact districts as the final result.

10 BY MR. SPEAS:

11 **Q.** Now, Representative Lewis said yesterday, I believe  
12 I'm stating his testimony correctly, that he did  
13 not tell Hofeller to avoid splitting precincts in  
14 Voting Tabulation Districts.

15 Did you give Hofeller any instruction about  
16 VTDs?

17 **A.** I think Representative Lewis and I were consistent  
18 in the sense to try to keep them together where you  
19 can but you need to comply with the law as it is --  
20 as it is outlined in the criteria.

21 **Q.** And so if the law said don't split precincts, then  
22 you wanted Hofeller not to split precincts; is that  
23 correct?

24 MR. PETERS: Objection.

25 MR. FARR: Objection.



1           SENATOR RUCHO: We told Mr. Hofeller to  
2           comply with the law and that's basically the  
3           results that we got.

4           BY MR. SPEAS:

5           **Q.** Okay. Now let me ask you this: Again, I'm talking  
6           about the Senate plan. One of the things you talk  
7           about in your public statements is competitiveness.

8           **A.** Yes, sir.

9           **Q.** What did you tell Hofeller about competitiveness  
10          and what did you mean by competitiveness?

11          **A.** If we followed the criteria that we mentioned on a  
12          number of occasions here in drawing up the Voting  
13          Rights Act districts and once we established the  
14          Voting Rights Act districts, you know, with the  
15          Stephenson criteria, then we went into the non-VRA  
16          districts, we assumed that those districts would be  
17          competitive just as the outcome would result from  
18          it.

19          **Q.** Did you say, "Hofeller, now we want Republicans to  
20          win these districts"?

21          **A.** I don't ever --

22                 MR. FARR: Objection to the form of the  
23                 question.

24                 SENATOR RUCHO: I don't ever remember  
25                 saying we want Republicans to win these districts,



1 but we're not hiding the fact that -- the fact that  
2 politics has something to do with the whole  
3 process.

4 BY MR. SPEAS:

5 **Q.** Right much to do with it, doesn't it, Senator?

6 MR. PETERS: Objection.

7 SENATOR RUCHO: A lot less now than it did  
8 because we have Stephenson, Mr. Speas.

9 BY MR. SPEAS:

10 **Q.** And one of the purposes of Stephenson was to take  
11 politics out of it, right?

12 MR. PETERS: Objection.

13 MR. FARR: Objection.

14 BY MR. SPEAS:

15 **Q.** Can you answer that?

16 **A.** I think in degrees it has.

17 MR. SPEAS: Let me ask the court reporter  
18 to mark a document.

19 (WHEREUPON, Exhibit 199 was marked for  
20 identification.)

21 BY MR. SPEAS:

22 **Q.** Senator Rucho, I have put in front of you an  
23 exhibit consisting of three pages that's marked  
24 Exhibit 199. The first page is Rucho Senate VRA  
25 Districts, the second page is Rucho Senate 1 and



1 the last page is Rucho Senate 2.

2 Do you recognize those as maps of the plans  
3 drawn for you by Mr. Hofeller?

4 **A.** Yes, sir, I believe that would be correct.

5 **Q.** Now, the first of the maps, the VRA District map  
6 was released to the public on June 17th, I believe;  
7 is that correct?

8 **A.** To the best of my recollection.

9 **Q.** And it was given to you by Mr. Hofeller sometime  
10 prior to June 17th, I guess.

11 **A.** It was, I'm sure, reviewed by myself after  
12 Mr. Hofeller and it is a matter of -- it isn't like  
13 coming in and showing this map and this. You go  
14 iteration by iteration to reach a level that  
15 finally achieves the final goal of meeting our  
16 criteria.

17 **Q.** So on June 17th you were satisfied based on your  
18 review of Mr. Hofeller's work that this map, VRA  
19 Districts map, complied with your directions to  
20 Mr. Hofeller regarding the VRA districts, am I  
21 correct?

22 **A.** We made this available for public comment, yes,  
23 sir, I believe that would be meeting our criteria  
24 up to this process, and then we waited for public  
25 comments that would come from the many public



1       hearings that we had, and this one was the first  
2       one dealing with the VRA districts.

3       **Q.** And I take it from your last answer that the VRA  
4       District map reflects the final product of an  
5       evolutionary process, the maps evolved over time as  
6       you worked with Mr. Hofeller; is that correct?

7       **A.** I think that would be accurate in the sense that  
8       once you set the pods out and then you set in the  
9       Voting Rights Act district and then you were  
10      comfortable with that based on public comment and  
11      public input and then you go onto the next phase as  
12      we followed the Stephenson order.

13      **Q.** Now, Senator, as I did with Representative Lewis  
14      yesterday, I would like for you to look at --  
15      compare the VRA Districts map with the Rucho  
16      Senate 1 map and tell me what, if any, differences  
17      there are between those maps that you recall as we  
18      sit here today.

19      **A.** Well, one of the -- one of the changes that  
20      occurred based on public comment, and that includes  
21      a change in the two-county pod which is district --  
22      let me see. I think that's district -- I think we  
23      maintained it as District 21, but that goes from  
24      what was all encompassed in Cumberland to including  
25      the Section 5 county in Hoke in addition to the



1 population in Cumberland in forming, and I think,  
2 Mr. Speas, that is District 21. And then the other  
3 part of that two-county pod would be District  
4 Number 19. That's one that I can see clearly.

5 **Q.** Do you recall any other changes?

6 **A.** Give me a moment and I'll take a look. There may  
7 have been some minor changes in 38 and 40 in  
8 regards to some of the edges, but conceptually  
9 they're there.

10 **Q.** Did District 32 change between the VRA District  
11 plan and Rucho Senate 1?

12 **A.** Yes, sir, that appears to have a little bit of  
13 change in the -- in that shape.

14 **Q.** And do you know the reason for that change?

15 **A.** When I was trying to draw these maps, we were  
16 trying to achieve, as I alluded to earlier, a rough  
17 proportional and equal opportunity to elect --  
18 would have the voters from the districts elect the  
19 candidates of their choice.

20 We had nine what we called majority-  
21 minority districts. And the district in Forsyth  
22 county, 32, was, you know, keeping the two-county  
23 pod between Yadkin and Forsyth. We could not make  
24 what would -- could be or did not constitute a  
25 cohesive and compact population to achieve that



1 level of majority-minority status so, in essence,  
2 what we did on 32 was put together a district which  
3 we call a coalition district made up of African  
4 Americans and Hispanics, and some of the testimony  
5 that was -- or some of the public statements that  
6 alluded to my and Representative Lewis's  
7 conversation with Congressman Watt, he felt that  
8 that was a pretty reasonable interpretation of  
9 cohesive groups working together.

10 **Q.** And let me ask: Do you recall any other  
11 differences between the VRA District map and the  
12 Senate 1 map?

13 **A.** There may have been some changes in 14, and I'm  
14 trying to go from back and forth here a moment.

15 **Q.** Well, now the VRA District one -- oh, 14 is Wake  
16 county. All right.

17 **A.** Okay. As best I can tell, I mean, there's some  
18 fine tuning on Number 5 but not significant in  
19 regards to some of the structure there on -- going  
20 from VRA District map to Rucho Senate 1.

21 **Q.** Now, let's take a minute and compare Rucho Senate 1  
22 with Rucho Senate 2, and help me -- to the extent  
23 you can recall, tell me what the difference is  
24 between Senate -- Rucho Senate 1 and Rucho Senate 2  
25 are.



1       **A.** I think the major change on that involved trying to  
2       keep District 12, Sampson county and Duplin county,  
3       whole, Sampson county whole. And then we worked  
4       with Johnston county to -- again, one part of it  
5       was to keep Sampson county whole, trying to improve  
6       the number of whole counties that we had, and I  
7       think that reflected some of the change on that  
8       particular area.

9       **Q.** So in Rucho Senate 1, Sampson is divided, in Rucho  
10      Senate 2, Sampson is not divided; is that correct?

11      **A.** That is correct, sir.

12      **Q.** And so that action was consistent with your  
13      directions to Mr. Hofeller?

14               MR. FARR: To what?

15               MR. SPEAS: To minimize --

16               SENATOR RUCHO: To follow the Stephenson  
17      criteria.

18      BY MR. SPEAS:

19      **Q.** Do you recall any other differences just offhand?  
20      And I'm not -- you know, I just want you to recall  
21      the best you can the major differences between  
22      Rucho Senate 1 and Rucho Senate 2.

23      **A.** There was some additional -- apparently some  
24      additional changes in Randolph county in trying to  
25      blend in that two-county pod there -- well, what



1 was actually three-county pod. I think that was  
2 probably the extent of our significant changes.

3 **Q.** And Rucho Senate 2 is the enacted plan?

4 **A.** Yes, sir.

5 **Q.** That's the plan that went in the one side of that  
6 machine and came out the other?

7 **A.** It was good information coming in and some  
8 not-so-good information coming out, yes, sir.

9 **Q.** Let's go back to Rucho Senate VRA Districts for a  
10 minute. This was presented to you by Hofeller.  
11 And are the districts that are colored the VRA  
12 districts?

13 **A.** I would say to you that 13, which is listed there,  
14 is probably not what I would consider the VRA  
15 district even though it is composed of -- it's not  
16 a majority-minority district.

17 **Q.** Do you recall the minority population in that  
18 district?

19 **A.** Best I can tell -- it's been a while since I've  
20 looked at the number -- it's probably a third, a  
21 third, a third is my best recollection.

22 **Q.** But there are, in fact, 11 colored districts on the  
23 Senate VRA Districts map, correct?

24 **A.** There are actually nine majority-minority districts  
25 and there is one coalition district in 32 and



1           13 -- I'm not sure how I would define that one, but  
2           it is not a majority-minority district but it was  
3           there to provide information for public comment.

4           **Q.** But it was labeled a VRA district?

5                     MR. FARR: Objection.

6                     SENATOR RUCHO: Meeting the criteria that  
7           we established, the VRA districts that we were  
8           required to meet under Stephenson, under the Voting  
9           Rights Act organization and Strickland, I believe  
10          you have nine VRA districts and the coalition  
11          district in 32 and then a district that is non  
12          majority-minority District Number 13.

13          BY MR. SPEAS:

14          **Q.** Who labeled this map? Mr. Hofeller?

15          **A.** Meaning labeled number wise, title wise?

16          **Q.** Who gave it the label Rucho Senate VRA Districts?

17          **A.** I'm not sure whether Mr. Hofeller labeled it or  
18          not, but the intent was to be sure that everyone  
19          understood that this was the first step in meeting  
20          the Stephenson criteria.

21          **Q.** Now -- do you need a break? We can keep going?

22                     MR. FARR: Do you want a break? It's up  
23          to you.

24                     SENATOR RUCHO: Yeah, let's take a break.

25          Thank you.



(Brief Recess: 10:28 to 10:47 a.m.)

BY MR. SPEAS:

**Q.** Senator, I'd like to ask you to compare the VRA districts on the first page with those districts on the enacted plans, Rucho Senate 2. And would it be accurate that District 3 did not change between VRA Districts and Senate 2?

**A.** I'd say, yes, sir, I think that would be fair.

**Q.** And would it be accurate that District 13 remained the same?

**A.** Yes, sir, two-county pod.

**Q.** Now, I am going to ask the court reporter to mark this document as Exhibit 200.

(WHEREUPON, Exhibit 200 was marked for identification.)

BY MR. SPEAS:

**Q.** Senator Rucho, I would report to you that Exhibit 200 consists of two pages. The first is a copy of District 4 in the VRA Districts plan and the second page is a copy of District 4 in the Rucho Senate 2 plan. And I apologize for the lack of toner in the copier machine, but looking at Exhibit 200, does it appear that District 4 in the VRA Districts plan is essentially the same as District 4 as enacted?



1       **A.** It appears to be essentially the same.

2               (WHEREUPON, Exhibit 201 was marked for  
3       identification.)

4       BY MR. SPEAS:

5       **Q.** I am going to hand you another document marked as  
6       Exhibit 201 and I would report to you that this is  
7       VRA District 5 in the VRA Districts plan and  
8       District 5 in the enacted plan and I would ask you  
9       if the plan is essentially unchanged?

10           MR. FARR: Eddie, where did these come  
11       from?

12           MR. SPEAS: The website. They're printed  
13       from the General Assembly website.

14           SENATOR RUCHO: Repeat your question  
15       again, sir, please.

16       BY MR. SPEAS:

17       **Q.** Is Senate District 5 as proposed in the VRA  
18       Districts plan essentially identical to District 5  
19       as enacted in the Senate -- Rucho Senate 2 plan?

20       **A.** There are some minor changes but essentially  
21       correct.

22       **Q.** And I am going to ask the court reporter to mark  
23       this next document as Exhibit 202.

24           (WHEREUPON, Exhibit 202 was marked for  
25       identification.)



1 BY MR. SPEAS:

2 **Q.** 202 is Senate District 14. And I would ask you,  
3 Senator Rucho, if Senate District 14 as proposed in  
4 the VRA Districts plan is essentially identical to  
5 District 14 as enacted in Rucho Senate 2?

6 MR. FARR: You might want to look at this  
7 first.

8 SENATOR RUCHO: Mr. Speas, I'm not sure I  
9 understand in this case essentially how there are  
10 differences, but conceptually it covers the same  
11 zone.

12 BY MR. SPEAS:

13 **Q.** It is largely the same shape and largely covers the  
14 same area and the differences that are there are  
15 not major differences?

16 MR. FARR: Is that the way you described  
17 it?

18 MR. SPEAS: Yes.

19 SENATOR RUCHO: Under that scenario, I  
20 have to say I guess it is essentially the same.

21 MR. SPEAS: And I am going to ask the  
22 court reporter to mark this next document as  
23 Exhibit 203.

24 (WHEREUPON, Exhibit 203 was marked for  
25 identification.)



1 BY MR. SPEAS:

2 **Q.** Senator, this is District 20 in the VRA Districts  
3 plan and District 20 in the enacted plan, and I  
4 would ask you if it is correct that VRA District 20  
5 in the -- I mean District 20 in the VRA Districts  
6 plan is essentially the same as District 20 as  
7 enacted.

8 **A.** I lose a little detail on the darkening, but it is  
9 a two-county pod between Granville and Durham and I  
10 would say under the same criteria that we talked  
11 earlier it is essentially the same.

12 **Q.** Okay. And I'm going to ask the court reporter to  
13 mark this next document as 204.

14 (WHEREUPON, Exhibit 204 was marked for  
15 identification.)

16 BY MR. SPEAS:

17 **Q.** Senator Rucho, I put in front of you Exhibit 204  
18 which is a map of District 21 in the Senate VRA  
19 Districts plan and District 21 in the enacted plan.

20 And as you testified earlier, is it  
21 accurate that District 21 changed between the VRA  
22 Districts plan and the enacted plan to make the  
23 Cumberland county portion smaller and to add Hoke  
24 county?

25 **A.** Yes, sir.



1       **Q.** And I'll ask the court reporter to mark this next  
2       document as Exhibit 205.

3               (WHEREUPON, Exhibit 205 was marked for  
4       identification.)

5       BY MR. SPEAS:

6       **Q.** Senator Rucho, Exhibit 205 is District 28 in  
7       Guilford county as first proposed in the VRA  
8       Districts plan and as then enacted in Rucho  
9       Senate 2.

10              I would ask you if District 28 as enacted  
11       is essentially identical to District 28 as  
12       proposed?

13              MR. FARR: I am going to just object to  
14       the term "essentially identical," but you can go  
15       ahead and answer the question.

16              SENATOR RUCHO: It seems to be identical  
17       to that.

18              MR. SPEAS: And I would ask the  
19       court reporter to mark this next document as 206.

20              (WHEREUPON, Exhibit 206 was marked for  
21       identification.)

22       BY MR. SPEAS:

23       **Q.** And, Senator, Exhibit 206 is Senate District 38 in  
24       the VRA Districts plan and Senate District 38 as  
25       enacted in Rucho Senate 2, and I would ask you if



1 the district remains essentially the same from the  
2 date it was proposed until the date it was enacted?

3 **A.** Seems to be similar maps.

4 **Q.** And this is a Mecklenburg county district?

5 **A.** Yes, sir.

6 **Q.** And finally I would ask the court reporter to mark  
7 this next document as 207.

8 (WHEREUPON, Exhibit 207 was marked for  
9 identification.)

10 BY MR. SPEAS:

11 **Q.** Senator, is Exhibit 207 Senate District 40 as  
12 proposed in the VRA Districts plan and Senate  
13 District 40 as enacted in the Rucho Senate plan and  
14 did the district remain essentially unchanged from  
15 the time it was proposed until the time it was  
16 enacted?

17 MR. FARR: Objection.

18 MR. PETERS: Objection.

19 SENATOR RUCHO: It appears to be similar.

20 BY MR. SPEAS:

21 **Q.** Senator Rucho, yesterday Representative Lewis  
22 testified that at one point the Republican  
23 representatives were invited to meet with  
24 Mr. Hofeller to view their districts and that they  
25 went to view their districts in -- according to the



1           grouping in which their district was located.

2                     Did that same thing happen on the Senate  
3           side?

4       **A.**   An opportunity was given for anybody that would  
5           like to look at their district in that circumstance  
6           once the maps became available to visit so that  
7           they could look at it to my recollection the best I  
8           can remember time schedule.

9       **Q.**   And was that opportunity given to Republican  
10           senators?

11       **A.**   Yes. And I did have an opportunity to share with  
12           committee members the districts that they were  
13           into, Republicans and Democrats.

14       **Q.**   And did the Republican senators go to the  
15           Brownstone Hotel to meet with Hofeller or did they  
16           meet someplace else?

17       **A.**   They -- actually, we were at the Hillsborough  
18           location when they chose to -- it was not taken by  
19           everybody as they chose not to participate in it.  
20           That was fine.

21       **Q.**   Okay. I'm sorry, I just missed something. The  
22           Republican senators got a chance to meet with  
23           Hofeller, some chose to go, some chose not to go?

24       **A.**   Not every one of them met with Hofeller. They may  
25           have met with Mr. Raupe.



1       **Q.** Okay. And the meetings were at the Brownstone  
2       Hotel?

3       **A.** No, sir. At the Hillsborough location.

4       **Q.** At the Republican party headquarters?

5       **A.** Yes, sir.

6       **Q.** And what was the purpose of those meetings?

7       **A.** The purpose of the meeting was to let them know  
8       what criteria were formed as far as the groupings  
9       because in our maps the groupings ended up having  
10      to double bunk some Republicans and some Democrats.

11             And as Representative Lewis alluded to  
12      earlier, we considered the groupings to be pretty  
13      much sacrosanct because of the fact it was required  
14      by Stephenson to -- I say sacrosanct. I'm just  
15      saying it would be -- unfortunately, we didn't make  
16      changes other than the fact that the Stephenson  
17      criteria said that these groupings should be the  
18      same or together.

19      **Q.** Were Republican members of the Senate given the  
20      opportunity to propose changes to their districts?

21      **A.** Yes.

22      **Q.** And do you recall changes that members proposed?

23      **A.** Let me think. If they were, they were relatively  
24      insignificant along the edges or, you know.

25      **Q.** And were those -- to the extent changes were



1 proposed, were they proposed to you or to Hofeller?

2 **A.** They were proposed to -- if I was there, most of  
3 the time I was there, it was proposed to the map  
4 drawer.

5 **Q.** And who made the final decision as to whether the  
6 changes would be made or not?

7 **A.** That would be my decision based on meeting the  
8 letter of the law and the criteria that were  
9 established.

10 **Q.** It would be a decision you would make after talking  
11 to Hofeller?

12 **A.** Making sure that he was comfortable that the maps  
13 still met the criteria that we had previously set  
14 up.

15 **Q.** Now, the Democrat members of the committee who you  
16 said were given a preview of their districts, did  
17 they go up to the Republican headquarters?

18 **A.** They did not visit the Hillsborough location, but I  
19 had two occasions with them. One in the very  
20 beginning I met with -- I can remember clearly  
21 Representative Jones, Representative -- excuse  
22 me -- Senator Jones, Senator McKissick, Senator  
23 Graham and I believe Senator White, if I'm not  
24 mistaken.

25 And the first time was prior to any map



1 release because we wanted their thoughts and their  
2 opinions as to -- you know, there was an original  
3 letter sent out to all members of the General  
4 Assembly from Representative Lewis and myself  
5 talking about them getting involved, the  
6 Legislator's Guide and outlining the criteria that  
7 we ended up formulating and actually using to  
8 fabricate or to put the maps together.

9 But there was a second meeting after the  
10 maps were out where we had those same members of  
11 the committee together individually, actually, and  
12 had a chance to meet with them in the legislative  
13 building and let them have a chance to review what  
14 they saw and make comments.

15 **Q.** And who was present at those meetings?

16 **A.** Each time would be myself, a senator and  
17 Mr. Woodcox.

18 **Q.** Let's go back to Mr. Hofeller just a little bit.

19 Hofeller was not hired by the legislature. Am I  
20 correct about that?

21 **A.** My understanding is that Mr. Hofeller is being  
22 funded from state funds through Mr. Farr's office,  
23 Ogletree.

24 **Q.** But he does not have a contract with the  
25 legislature?



1       **A.** To the best of my recollection not.

2       **Q.** Does he have a contract with Mr. Farr's law firm?

3       **A.** I don't know the answer.

4       **Q.** If there is a contract, you have not seen it?

5       **A.** That is correct.

6       **Q.** Did you approve Mr. Farr's firm's decision to hire  
7       Hofeller?

8       **A.** I believe it was a joint decision from, you know,  
9       myself and Representative Lewis as far as committee  
10      chairs to authorize that decision on behalf of --

11      **Q.** Okay. Did you or Representative Lewis ever receive  
12      reports from Mr. Hofeller about the hours he was  
13      working, about the days he was working? Did you  
14      receive such reports?

15      **A.** No, sir.

16      **Q.** Do you know whether there are documents that record  
17      the amount of time Mr. Hofeller spent working on  
18      these plans?

19      **A.** I'm not aware of that.

20      **Q.** And so I assume you've never asked for such  
21      documents.

22      **A.** Never asked for them.

23      **Q.** Do you know how much money Mr. Farr's firm paid  
24      Mr. Hofeller?

25      **A.** I do not recollect that amount.



1       **Q.** Now, I want to talk to you a little bit about how  
2       you communicated with Mr. Hofeller. You've talked  
3       about meeting with him from time to time. Did you  
4       have e-mail communications with Mr. Hofeller?

5       **A.** I'm trying to remember if I did or not. I don't  
6       remember.

7       **Q.** Did you have e-mail communications with  
8       Mr. Hofeller through Mr. Farr?

9               MR. FARR: Objection.

10              SENATOR RUCHO: I don't recall.

11              May I ask a question? Was that using  
12       Mr. Hofeller to get to -- excuse me -- Mr. Farr to  
13       get to Mr. Hofeller? I don't remember that. Okay.  
14       I just wanted to be sure.

15       BY MR. SPEAS:

16       **Q.** Why did you not hire Mr. -- why did the legislature  
17       not hire Mr. Hofeller directly?

18              MR. PETERS: Objection.

19              MR. FARR: Instruct you not to answer that  
20       question.

21              MR. SPEAS: Can I ask the basis of it? Is  
22       that instruction based on the attorney-client --

23              MR. FARR: It involves legal advice.

24       BY MR. SPEAS:

25       **Q.** Why did the legislature not directly hire



1 Mr. Morgan?

2 **A.** I have no good reason. I don't know. It's just a  
3 matter we needed somebody to do the job for us.

4 **Q.** And why did the legislature not directly hire  
5 Mr. Oldham?

6 **A.** Same answer. I have no reason.

7 **Q.** And why did the legislature not hire Mr. --  
8 directly hire Mr. Raupe?

9 **A.** No specific reason.

10 **Q.** Okay. Senator, we'll come back to this particular  
11 redistricting, but I'd like to ask you about  
12 another redistricting for a minute.

13 The General Assembly in 2011 enacted  
14 legislation regarding the redistricting out of the  
15 Guilford County Board of Commissioners; is that  
16 correct?

17 **A.** Yes, sir, I believe that's correct.

18 **Q.** And did that particular legislation come through  
19 your committee, the Redistricting Committee?

20 **A.** No, sir.

21 **Q.** But you were familiar with that legislation?

22 **A.** I was on the floor during the debate.

23 **Q.** Can we mark this as the next exhibit, please.

24 (WHEREUPON, Exhibit 208 was marked for  
25 identification.)



1 BY MR. SPEAS:

2 **Q.** Senator, I'm handing you Exhibit 208 which is a  
3 copy of Session Law 2011-172 as printed from the  
4 General Assembly website and it is entitled An Act  
5 to Restructure the Guilford County Board of  
6 Commissioners.

7 Would you look at that and tell me whether  
8 you recognize that as a bill enacted by the General  
9 Assembly in 2011, specifically on June 17, 2011?

10 **A.** Well, as best I can remember -- I don't remember  
11 seeing it in this format because I usually work on  
12 the computer screen when I'm in the legislative  
13 building, but it seems like as best I can remember  
14 that that legislation was brought before the  
15 Senate.

16 **Q.** Do you remember whether you voted for this  
17 legislation?

18 **A.** I did vote for it.

19 **Q.** And in Section 2(a) is one of the directions the  
20 legislature issued to the Board of Commissioners of  
21 Guilford County to minimize the dividing of  
22 precincts?

23 **A.** It says that.

24 **Q.** And is one of the directions the legislature on  
25 June 17, 2011, issued to the Guilford County Board



1 of Commissioners to not consider the place of  
2 residence of incumbents except as necessary to  
3 comply with Section 5 of the Voting Rights Act?

4 **A.** It is on this particular bill.

5 **Q.** Now, this bill never came to your Redistricting  
6 Committee; is that correct?

7 **A.** No, sir.

8 **Q.** Did it go through the Elections Committee or where  
9 did it go?

10 **A.** I don't remember.

11 **Q.** Now, let me ask the court reporter to mark this as  
12 Exhibit 209.

13 (WHEREUPON, Exhibit 209 was marked for  
14 identification.)

15 MR. FARR: Eddie, I am going to -- he has  
16 not waived his legislative immunity on other bills  
17 besides the bills that are the subject of this  
18 lawsuit.

19 MR. SPEAS: Well, let me ask him some  
20 questions and if I cross the line, you will  
21 instruct him not to answer.

22 BY MR. SPEAS:

23 **Q.** Senator, Exhibit 209 is a copy of Session Law  
24 2011-407 which is a bill enacted by the General  
25 Assembly of North Carolina on 28 July 2011. It



1 concerns, among other things, the redistricting in  
2 the Mecklenburg County Board of Commissioners.

3 Do you recognize that document?

4 MR. FARR: Excuse me. May I take a  
5 session here with Mr. Peters.

6 (Discussion held off the record.)

7 MR. FARR: Eddie, I'm sorry, I was asleep  
8 at the switch on the Guilford county thing, but I  
9 am going to recommend Senator Rucho exercise  
10 legislative privilege on these other bills.

11 MR. SPEAS: Okay. Well, let me ask  
12 questions and then you just tell him not to answer  
13 because I think some of them are not covered, some  
14 of my questions are not covered by the privilege.

15 BY MR. SPEAS:

16 **Q.** Do you recognize this bill as a bill enacted by the  
17 General Assembly? Do you recognize Exhibit 209 as  
18 a bill enacted by the General Assembly?

19 **A.** Mr. Speas, I know that we had some election bills  
20 through that period of time and know Mecklenburg  
21 county was there, but to say I can specifically say  
22 yes to this, I can't because I don't remember the  
23 exact bill.

24 **Q.** All right. Let me ask the court reporter to mark  
25 this as Exhibit 210.



(WHEREUPON, Exhibit 210 was marked for  
identification.)

BY MR. SPEAS:

**Q.** Senator Rucho, I am handing you a document marked  
Exhibit 210, and I would report to you that this  
was taken from the web page of the County of  
Mecklenburg and I would report to you that it  
describes the process undertaken by the Mecklenburg  
County Board of Commissioners to redistrict the  
Board of Commissioners in 2011, and I would ask you  
to examine it and tell me whether -- first whether  
you've ever seen this portion of the web page of  
Mecklenburg County or not.

**A.** Mr. Speas, I don't remember ever seeing that page.

**Q.** Independent of this document, are you aware that  
the Mecklenburg County Board of Commissioners began  
the process to redistrict itself in 2011?

**A.** I'm aware that it occurred.

**Q.** And are you aware that the Mecklenburg County  
commissioners appointed a commission to assist it  
in that process?

**A.** I'm aware that they did.

**Q.** And are you aware that the Mecklenburg County  
commissioners adopted criteria that gave  
instructions to the committee in preparing the



1 plan?

2 **A.** I'm not aware of that.

3 **Q.** Senator, let's talk a little bit about the  
4 Congressional plan. And yesterday an exhibit was  
5 introduced. I'll find it in just a minute. It was  
6 Exhibit 196 from yesterday. If we could put that  
7 exhibit in front of you, Exhibit 190.

8 Representative Lewis testified about this  
9 yesterday. Do you remember his testimony about  
10 that generally, Senator Rucho?

11 **A.** Yes, sir, I was here and listened to it but maybe  
12 not in the specifics that he was answering.

13 **Q.** And do you recognize Exhibit 190 as containing the  
14 map of the first proposed Congressional plan,  
15 Rucho-Lewis Congress 1 and the successive plan  
16 Rucho-Lewis Congress 2, Rucho-Lewis Congress 2A and  
17 Rucho-Lewis Congress 3?

18 **A.** Yes, sir, they seem to be.

19 **Q.** And Rucho-Lewis Congress 1 is the map drawn for you  
20 and Representative Lewis by Mr. Hofeller, the first  
21 map?

22 **A.** The first map, yes, sir.

23 **Q.** And did you review this first map proposed by  
24 Mr. Hofeller or sent to you by Representative  
25 Hofeller (sic) in making a determination as to



1 whether it met the criteria that you and  
2 Representative Lewis had given to Mr. Hofeller?

3 **A.** Yes, sir. I will say to you that both myself and  
4 Representative Lewis had a chance to review it  
5 prior to its being issued publicly and, yes, it did  
6 meet the criteria that we had presented.

7 **Q.** And the successive versions of that plan,  
8 Rucho-Lewis Congress 2, 2A and 3, also met -- you  
9 reviewed them and also determined that those met  
10 the criteria you had given Mr. Hofeller?

11 MR. FARR: Objection.

12 SENATOR RUCHO: The criteria that we gave  
13 Mr. Hofeller is consistent. There were some  
14 changes into the second map because of some request  
15 made by or some request by Mr. -- Congressman  
16 Butterfield.

17 We did -- as was mentioned yesterday, had  
18 an opportunity to meet with him twice. One was to  
19 gather information about his thoughts. The second  
20 time was to share with him a map actually at the  
21 legislative building and get his opinion on that  
22 map and -- well, I'll say that the Map Number 1 is  
23 the one that we got his opinion on. The Map  
24 Number 2 was subsequent to a letter we received.

25 BY MR. SPEAS:



1       **Q.** Senator, I want to also put in front of you now  
2       Exhibit 55 from the Churchill deposition which  
3       Representative Lewis also testified about  
4       yesterday, and I would like for you to turn in that  
5       exhibit to the public statement issued by you and  
6       Representative Lewis on July 1, 2011, regarding the  
7       Congressional plan. I think it's the third.

8               Would you review that document?

9       **A.** Completely?

10      **Q.** Well, you're familiar with that document?

11      **A.** Yes, sir, I've had an opportunity to read it.

12      **Q.** And this is the document which on July 1, 2011, you  
13       state the criteria that you had previously provided  
14       to Hofeller orally, correct?

15      **A.** Repeat that again, please, sir.

16      **Q.** The July 1, 2011, public statement sets forth the  
17       criteria for the development of the Congressional  
18       plan that you had previously provided to Hofeller  
19       orally?

20      **A.** The criteria that is listed here was what was used  
21       to generate Rucho-Lewis Congress 1.

22      **Q.** Okay. Turn with me to page 7 of that July 1st  
23       document. And one of the criteria you issued to  
24       Mr. Hofeller was whole counties and whole  
25       precincts, and you stated, quote, "Counties and



1 precincts are two specific examples of communities  
2 of interest. Like other interests, they must be  
3 balanced. We have attempted to respect county  
4 lines and whole precincts when it was logical to do  
5 so and consistent with other relevant factors."

6 Did I read that correctly?

7 **A.** Yes, sir. I'd only say to you that the term  
8 "precinct" and "VTD" seem to get mixed back and  
9 forth, and I think what we told Mr. Hofeller is  
10 that whenever possible, whole counties and whole  
11 VTDs whenever possible as long as he was complying  
12 with the other federal and state requirements.

13 **Q.** So I just want to be very clear. I heard both you  
14 and Representative Lewis say that you did not  
15 inform Mr. Hofeller that he should avoid splitting  
16 precincts and VTDs in drawing the State House and  
17 State Senate plans, but here you and Representative  
18 Lewis are informing Mr. Hofeller to avoid splitting  
19 precincts in the Congressional plan.

20 Do I understand correctly what happened?

21 **A.** I think there is still a consistency, Mr. Speas, in  
22 the sense that it was clear -- you know, I mean,  
23 you understand under Congressional map there is no  
24 requirement for whole counties.

25 **Q.** That remains to be seen.



1       **A.** That's fine. I'm not a lawyer, and I don't expect  
2       to get into that battle with you, but in essence,  
3       we asked Mr. Hofeller to comply on legislative maps  
4       as we described with the criteria and on the  
5       Congressional maps to, whenever possible, keep them  
6       whole for counties and do the best he could with  
7       the VTDs keeping them whole.

8       **Q.** Okay. Let's focus on the county direction to keep  
9       counties whole here for a minute. Would you tell  
10      me how Congressional District 4 in Rucho-Lewis  
11      Congress 1 respects county lines?

12               MR. PETERS: Objection.

13      BY MR. SPEAS:

14      **Q.** And tell me further how you believe Congressional  
15      District 4 complies with the direction you gave to  
16      Mr. Hofeller about whole counties.

17      **A.** The Congressional District 4 -- and we gave  
18      Mr. Hofeller verbal instructions on using the same  
19      criteria in drawing District Number 12 which was to  
20      make it a strongly performing Democrat district.

21      **Q.** So --

22      **A.** And that being said, we asked him, whenever  
23      possible, to keep the VTDs whole and also to meet  
24      the necessary zero deviation, one person, one vote.

25      **Q.** So I read through the July 1, 2011, document. I



1 don't see any direction to Mr. Hofeller to create  
2 Democratic performing districts. Is there one or  
3 was that given to him orally?

4 **A.** When we inherited District Number 12, that was the  
5 way it was drawn, and we used that -- which has  
6 apparently received the Department of Justice  
7 approval on at least for 20 years, as  
8 Representative Lewis said, and we asked him to  
9 follow the same criteria in producing District  
10 Number 4.

11 **Q.** So are you -- is it your testimony that District 4  
12 is entirely -- the shape of District 4 and the fact  
13 that it divides -- is composed of no whole counties  
14 reflects your direction to Mr. Hofeller to create a  
15 Democratic performing district?

16 MR. FARR: Can we please take some time to  
17 look at this statement first?

18 MR. SPEAS: Sure. Sure. I'm sorry, I  
19 didn't mean to push you. And as you're looking  
20 through it, let me just say what I want to know is  
21 how Congressional District 4 complies with  
22 Criterion Number 7 in the July 1, 2011,  
23 instructions.

24 MR. FARR: What was your question?

25 BY MR. SPEAS:



1       **Q.** Have you had an opportunity to review the document  
2           now, Senator Rucho?

3       **A.** Yes, sir. And the question is?

4       **Q.** How you explain the fact that Congressional  
5           District 4 in Rucho-Lewis Congress 1 consists of  
6           only piece of counties in light of your direction  
7           to Mr. Hofeller with respect to whole counties in  
8           the Congressional plan?

9       **A.** The best I can recollect is that Representative  
10          Lewis and I gave Mr. Hofeller verbal directions in  
11          trying to produce a map or, excuse me, a district  
12          with the similar criteria as they were done to --  
13          as it was done to formulate what we inherited in  
14          District Number 12, meaning a highly Democrat  
15          performing district, and that is the same criteria  
16          that we gave regarding for District Number 4 to be  
17          fabricated and it was based on President Obama's  
18          election results in 2008.

19       **Q.** So you wanted to create -- looking at District 4,  
20          in some ways it's kind of a mirror image of  
21          District 12; is that right?

22               MR. PETERS: Objection.

23               SENATOR RUCHO: It's made -- it's built on  
24          the same criteria that, one, we inherited, and the  
25          whole purpose behind this was to be able to produce



1 Congressional maps that were fair and legal, that  
2 were competitive and that would meet the Justice  
3 Department approval for pre-clearance and then move  
4 the election process forward.

5 BY MR. SPEAS:

6 **Q.** There are no Voting Rights Act considerations at  
7 all present with regard to the shape and  
8 configuration of District 4, is there, Senator?

9 MR. FARR: Objection.

10 SENATOR RUCHO: To the best of my  
11 knowledge, we didn't consider that. It was  
12 strictly political.

13 BY MR. SPEAS:

14 **Q.** Now, help me with this. Was District 4 Hofeller's  
15 idea, the shape and configuration, was it  
16 Hofeller's idea or was it your idea?

17 **A.** I can't tell you whose idea it was. A lot of these  
18 maps came about because, you know, when District  
19 Number 1 or any of these districts are formulated,  
20 there is a concavity and a convexity in how they're  
21 formed, and so as they were being pieced together,  
22 it seemed like that was a reasonable way of trying  
23 to meet the same criteria we used on number 12.

24 **Q.** Okay, but help me. I wanted to know whether it was  
25 Hofeller's idea or yours, and your answer is you're



1 not sure?

2 **A.** It was a --

3 **Q.** It grew like topsy?

4 MR. FARR: I would object to the use of  
5 that term "topsy."

6 SENATOR RUCHO: It was one iteration in  
7 the process of producing maps.

8 BY MR. SPEAS:

9 **Q.** So could it have been Mr. Morgan's idea?

10 **A.** I don't recollect that.

11 **Q.** Could it have been Mr. Oldham's idea?

12 **A.** I don't remember that.

13 **Q.** Could it have been Mr. Raupe's idea?

14 **A.** I don't remember that.

15 **Q.** Okay. Isn't it fair to say, Senator, that  
16 District 4 is entirely the product of politics?

17 MR. PETERS: Objection.

18 SENATOR RUCHO: I think it's built on the  
19 same criteria that was established when District  
20 Number 12 was and has met DOJ approval and  
21 pre-clearance. And again, that was the intent of  
22 what we were trying to get accomplished because  
23 that is one of our goals.

24 BY MR. SPEAS:

25 **Q.** So let's look at District 1 with this criterion



1 about whole counties in mind. By my count,  
2 District 1 is composed of pieces of 15 counties and  
3 only five whole counties.

4 Would you take a look at that and see if  
5 that's --

6 **A.** Which map are we talking about now?

7 **Q.** Rucho-Lewis Congress 1.

8 **A.** Congress 1, okay.

9 **Q.** And, I guess, let me ask you this question: How  
10 many pieces of counties are contained in District 1  
11 and how many whole counties are contained in  
12 District 1 in Rucho-Lewis Congress 1?

13 **A.** To answer that question -- I don't know the answer  
14 to it.

15 To tell you about the original question  
16 that you asked, this is District 1 that we  
17 inherited from previous maps, had met preclearance  
18 approval by the Justice Department, had been  
19 approved by the Federal Court in regards to  
20 compactness of population, Section 5 counties  
21 involved with it, Section 2 counties involved in  
22 it, and we did not want to risk any problem with  
23 pre-clearance approval with the Justice Department.

24 So we attempted to comply -- other than the  
25 fact that it was nearly 97,000 people short in



1 population, and that was one of the reasons why in  
2 this case we moved into Wake -- in the final result  
3 we moved into Durham to try to help minimize the  
4 effect of under population and the issue dealing  
5 with one person, one vote over the next ten years.

6 **Q.** Would it be fair to say, Senator Rucho, that in  
7 presenting Rucho-Lewis Congress 1 to you,  
8 Mr. Hofeller paid no attention whatsoever to your  
9 direction to consider keeping counties whole in  
10 proposing Congressional District 1?

11 MR. PETERS: Objection.

12 MR. FARR: Objection.

13 SENATOR RUCHO: The criteria that you're  
14 alluding to is one part of blending in what has to  
15 be an acceptance by the Department of Justice to  
16 pre-clear these maps, otherwise we can't hold an  
17 election. And one of our major goals, as described  
18 earlier, is to achieve pre-clearance which we  
19 received very quickly and because of the fact that  
20 we followed the letter of the law.

21 BY MR. SPEAS:

22 **Q.** Okay. Let's talk about District 12 for a minute in  
23 Rucho-Lewis Congress 1.

24 District 12, like District 4, is composed  
25 only of pieces of counties; is that correct?



1       **A.** Mr. Speas, we ended up inheriting this same map  
2       that had met pre-clearance approval --

3       **Q.** I understand that.

4               MR. FARR: We'll stipulate it's comprised  
5       of pieces of counties.

6               MR. SPEAS: All right.

7       BY MR. SPEAS:

8       **Q.** Continue then.

9       **A.** And under that circumstance, our effort was to be  
10      in compliance with what was expected by the  
11      Department of Justice with pre-clearance, and all  
12      we did with that situation was told Mr. Hofeller to  
13      get the zero deviation ideal population in place,  
14      try to keep as many VTDs that can be kept whole  
15      whole and following the 2008 presidential election  
16      results in forming what is a Democrat performing  
17      district.

18      **Q.** But again, Senator Rucho, you had informed  
19      Mr. Hofeller orally that he was to take some  
20      account of keeping counties whole when drawing the  
21      Congressional plan and on July 1st you present  
22      Rucho-Lewis Congress 1 to the public containing  
23      District 12 which doesn't include any whole  
24      counties. And so Hofeller wasn't following your  
25      directions, was he?



1 MR. PETERS: Objection.

2 MR. FARR: Objection.

3 SENATOR RUCHO: I think the issue that  
4 needs to be clarified is the fact that part of the  
5 direction was that we needed to have maps that  
6 would meet DOJ approval. These 1 and 12 had  
7 already been validated on a number of occasions and  
8 we felt that using that base would allow us to get  
9 pre-clearance approval, and the good news is that's  
10 how it turned out.

11 BY MR. SPEAS:

12 **Q.** Senator, let's talk about another topic. Let's go  
13 back to the topic of divided counties a little bit  
14 and compliance with the Whole County Provision of  
15 the Constitution.

16 Would you place in front of you from  
17 yesterday Frey Exhibit 2, Deposition Exhibit 180.  
18 And that guys is this.

19 MR. FARR: That's his affidavit, Eddie.

20 MR. SPEAS: But I did not separately  
21 identify it.

22 MR. FARR: Do you have a copy?

23 MR. PETERS: Yes.

24 BY MR. SPEAS:

25 **Q.** Senator Rucho, you have in front of you Exhibit 180



1 from yesterday and it is -- my interest is in the  
2 second page of that and it is an excerpt from the  
3 Frey Affidavit, and in particular, Exhibit 2 from  
4 the Frey Affidavit is a document labeled Count of  
5 County Cluster Sizes for Enacted and Proposed  
6 Plans. And I would ask you if you have seen that  
7 chart before.

8 **A.** I saw it yesterday.

9 **Q.** Had you seen it before?

10 **A.** I don't recall.

11 **Q.** And do you know why Mr. Frey prepared this  
12 document?

13 **A.** There may have been a request during one of the  
14 committee meetings that this document -- by some  
15 member and I think the staff responded to it in  
16 that manner.

17 **Q.** And was it intended to demonstrate that Rucho  
18 Senate 2 complies with the Whole County Provision  
19 of the Constitution?

20 **A.** What it does is it shows that by following the  
21 criteria that we have of Stephenson, blending with  
22 the Voting Rights Act, following Strickland, we  
23 achieved a very low number of county groupings, and  
24 that was something we felt was going to be very  
25 important to have in place for the Department of



1 Justice to approve pre-clearance.

2 **Q.** Now, let's just look at this chart a minute,  
3 Senator, and down the left-hand column two of the  
4 plans that are compared are Rucho Senate 2, which  
5 is the enacted plan, and Senate Fair and Legal,  
6 which is Representative Martin Nesbitt's plan; is  
7 that correct?

8 **A.** I believe you're correct on that one.

9 **Q.** And this chart compares those two plans in terms of  
10 clusters, correct?

11 **A.** Only in clusters.

12 **Q.** And this chart tells us that both plans had one  
13 county cluster consisting -- one cluster consisting  
14 of one county, right?

15 **A.** Yes, sir.

16 **Q.** Both plans had two -- 11 clusters consisting of two  
17 counties?

18 **A.** Yes, sir.

19 **Q.** Your plan had four clusters consisting of three  
20 counties and Nesbitt's plan had three clusters  
21 consisting of three counties, correct?

22 **A.** That's correct.

23 **Q.** Your plan had three clusters consisting of four  
24 counties and Nesbitt's had seven clusters  
25 consisting of four counties, correct?



1       **A.** Yes, sir.

2       **Q.** Both plans had one cluster consisting of five  
3       counties?

4       **A.** Yes, sir.

5       **Q.** Your plan had one county consisting -- one cluster  
6       consisting of six counties and Nesbitt's had two  
7       clusters consisting of six counties, correct?

8       **A.** Yes, sir.

9       **Q.** Your plan had one cluster consisting of seven  
10      counties and Nesbitt's had two clusters consisting  
11      of seven counties, correct?

12      **A.** Yes, sir.

13      **Q.** Your cluster -- your plan had two clusters  
14      consisting of eight counties and Nesbitt's had  
15      none?

16      **A.** That's correct.

17      **Q.** Both plans had one cluster consisting of nine  
18      counties, correct?

19      **A.** Yes, sir.

20      **Q.** Your plan had one cluster consisting of ten  
21      counties and Nesbitt's had none?

22      **A.** That's correct.

23      **Q.** And all together your plan had 26 clusters and  
24      Nesbitt's had 28?

25      **A.** That chart is correct.



1 **Q.** Now, based on your understanding of the Stephenson  
2 decision, isn't it correct that the Nesbitt plan  
3 more closely corresponds to the whole county  
4 requirements than your plan?

5 MR. PETERS: Objection.

6 MR. FARR: Objection.

7 SENATOR RUCHO: I believe that when Rucho  
8 Senate 2 is done and as I've described to you with  
9 the Voting Rights Act, blending and harmonizing  
10 with the whole -- the Stephenson decision and the  
11 whole counties and following the groupings as we've  
12 done where the Senate Fair and Legal plan does not  
13 legally abide by the law and therefore there's no  
14 way to compare apples and oranges to that.

15 BY MR. SPEAS:

16 **Q.** So your testimony is that the Nesbitt plan -- well,  
17 let me rephrase that.

18 Let's examine your plan and the Nesbitt  
19 plan with respect to some undivided counties, and I  
20 think it would be most efficient if I would do  
21 that, Senator, by handing you this larger map which  
22 is essentially put together by, I think, Mr. Peters  
23 sometime ago and it has in it a copy of Rucho  
24 Senate 2 and it has in it a copy of State Fair and  
25 Legal Nesbitt.



1 And if I may put these in front of you, I  
2 want to ask you some questions. And think divided  
3 counties because that's what I'm going to talk to  
4 you about.

5 **A.** Which one do you want me to look at first?

6 **Q.** Why don't you look at your plan first and I want to  
7 ask you this question: Is it correct that your  
8 plan divides Iredell county --

9 **A.** This is Rucho 2, you said?

10 **Q.** Yes. Is it true that Rucho 2 divides Iredell  
11 county and Nesbitt does not?

12 MR. FARR: Hang on for a second. Can we  
13 pop these things out.

14 MR. SPEAS: Yes.

15 MR. FARR: Are you going to ask anything  
16 except for the map?

17 MR. SPEAS: No.

18 MR. FARR: We'll just object to that  
19 question since the maps speak for themselves, but,  
20 Senator Rucho, you may answer that question.

21 BY MR. SPEAS:

22 **Q.** So my question, just so the record is clear: Is it  
23 true that Iredell county is divided in your plan  
24 but is not divided in the Nesbitt plan?

25 **A.** That is correct.



1       **Q.** Why was it necessary to divide Iredell county in  
2       your plan?

3               MR. FARR: Objection.

4               SENATOR RUCHO: Well, it seems like there  
5       is a different podding between the two maps, so in  
6       reality, we're part of a five pod versus a two in  
7       that circumstance.

8               And then if you look at Catawba and  
9       Lincoln, that is a five that is splitting Catawba  
10      where we didn't split Catawba, so reality is it was  
11      a difference in podding.

12      BY MR. SPEAS:

13      **Q.** Your decision to -- or Hofeller's decision to  
14      divide Iredell county was not the result of any  
15      Voting Rights Act considerations, was it?

16              MR. FARR: Objection.

17              SENATOR RUCHO: I don't believe it was  
18      dealing with the Voting Rights Act. It was  
19      strictly in podding. And if you look at the maps  
20      with all the counties surrounding it, ours leaves  
21      two-county pods all around it where it doesn't  
22      appear to be that same value in dealing with the  
23      Stephenson decision.

24      BY MR. SPEAS:

25      **Q.** Let me make sure I'm clear.



1 MR. FARR: Could you -- before you ask him  
2 a question, may I just take a second with the  
3 witness?

4 MR. SPEAS: Sure.

5 Would you record the conference.

6 (Discussion held off the record between

7 Mr. Farr and Senator Rucho: 11:53 to 11:54 a.m.)

8 BY MR. SPEAS:

9 **Q.** Now, that you've had a conference with your  
10 counsel, do you want to answer my question?

11 **A.** Would you repeat the question again.

12 **Q.** Well, I don't think there was a question on the  
13 table before Mr. Farr asked to talk to you, but  
14 here's my question:

15 I understand your testimony to be that  
16 Iredell county is divided in your plan entirely  
17 because of clustering that you put together.

18 **A.** It would be a combination of clustering. And as I  
19 alluded to earlier, we had a legal set of criteria  
20 that we gave to Mr. Hofeller in drawing these  
21 districts where that same legal criteria which  
22 specifically dealt with not only the Voting Rights  
23 Act and the Stephenson blending or harmonizing  
24 Strickland but also majority-minority districts, so  
25 you would automatically see a different type of



1       podding by following the law as we did versus by  
2       not.

3       **Q.** Now, let's go to Rowan county. Is it accurate that  
4       Rowan county is divided in your plan and not  
5       divided in Senator Nesbitt's plan?

6       **A.** That is accurate.

7       **Q.** Can you tell me why Rowan county is divided in your  
8       plan?

9       **A.** It all goes back to my last comment was that if you  
10      follow the law as was described with Stephenson,  
11      Strickland, the Voting Rights Act,  
12      majority-minority districts, you will see a  
13      difference in how they're podded together.

14             And in this circumstance, they may be split  
15      because of the county grouping, but in others where  
16      we have the one and two -- I think we have 11  
17      two-county pods and then four and three that we  
18      complied more with what the Whole County Provision  
19      and the Stephenson requirement would be, so, you  
20      know, the reality is you can't compare apples and  
21      oranges if you're using a different set of rules,  
22      one being legal and one not being legal.

23      **Q.** So is it accurate, Senator, that the need to create  
24      as many two-pod clusters as possible was a  
25      determining factor for Mr. Hofeller in drawing



1 districts?

2 MR. FARR: Objection.

3 MR. SPEAS: That's a bad question.

4 BY MR. SPEAS:

5 **Q.** Did you instruct Mr. Hofeller that he should  
6 attempt to maximize the number of two-county  
7 clusters in drawing the Senate and the House plans?

8 MR. FARR: Objection.

9 You can answer the question.

10 SENATOR RUCHO: Mr. Hofeller -- the  
11 directions we gave Mr. Hofeller were to follow the  
12 Voting Rights Act, blending it and trying to get  
13 the Whole County Provision of the Stephenson in  
14 line, harmonizing it, following Strickland with the  
15 majority-minority districts that were originally  
16 discussed.

17 BY MR. SPEAS:

18 **Q.** And Mr. Hofeller went away and developed a plan and  
19 he came back with a plan and you approved the plan?

20 **A.** There's no such thing as coming back with a plan.

21 It's a continuation of trying to make one county  
22 pod fit together. It's not like some magic thing  
23 falls out of the sky. It's an iteration of a  
24 number of plans as you're moving through the  
25 process.



1       **Q.** Now, going back to Rowan county for just a minute,  
2       it would be accurate, would it not, Senator Rucho,  
3       that there are no Voting Rights Act reasons for  
4       dividing Rowan county?

5               MR. PETERS: Objection.

6               MR. FARR: Objection.

7               SENATOR RUCHO: The podding that would be  
8       required in that specific area of Rowan county  
9       probably would have been generated because, as I  
10      mentioned earlier, there is -- what affects one  
11      districts will affect it across the state and there  
12      is a likelihood that by following the law it would  
13      have made that kind of a podding arrangement in  
14      Rowan, Iredell and Davie county.

15      BY MR. SPEAS:

16      **Q.** So following your train of reasoning, the Voting  
17      Rights Act required pods to be drawn in a  
18      particular way, the pod in which Rowan county was  
19      included required Rowan county to be divided?

20              MR. PETERS: Objection.

21              MR. FARR: Objection.

22              SENATOR RUCHO: No, sir. What that means  
23      is as you draw the Voting Rights Act district under  
24      the law the way we believe and apparently the  
25      Department of Justice believed was legal, that



1       there is a -- oh, I'm trying to -- you push one  
2       part of a balloon and another one pops over. I'm  
3       trying to remember the right term for --

4               MR. SPEAS: Mr. Farr used it before.

5               MR. FARR: What was it?

6               SENATOR RUCHO: There was a --

7               MR. FARR: I could give it to you right  
8       now but --

9               SENATOR RUCHO: There was a term and, I'm  
10       sorry, I can't -- I can't remember it, but the  
11       effect is on the rest of the counties is reflected  
12       by following the Voting Rights Act in the  
13       Stephenson criteria being harmonized together and  
14       that affect -- God darn it, I wish I could remember  
15       that one.

16       BY MR. SPEAS:

17       **Q.** It will come to you.

18               Senator, let's look at Randolph county.

19       **A.** Yes, sir.

20       **Q.** Is Randolph county divided in your plan and not  
21       divided in Senator Nesbitt's plan?

22       **A.** That is correct.

23       **Q.** And why did you divide Randolph county in your  
24       plan?

25       **A.** Well, under the way we structured our plan in



1 taking into consideration what we just talked about  
2 as far as the Voting Rights districts that were  
3 formed, surrounding Randolph county, we had Yadkin  
4 and Forsyth being the two-county pod. We had  
5 Rockingham --

6 **Q.** It's a long way from Yadkin county to Randolph  
7 county.

8 **MR. PETERS:** Objection.

9 **SENATOR RUCHO:** No, sir, one county  
10 affects the other one depending on how you pod it,  
11 so if you look at it --

12 **BY MR. SPEAS:**

13 **Q.** Let me just interrupt for a moment. It's probably  
14 a hundred miles from Yadkin county to Randolph  
15 county, isn't it?

16 **A.** I have no clue.

17 **Q.** Well, I've driven it and it's a long way.

18 **A.** Well, reality is the map is being --

19 **MR. FARR:** You had a bad car.

20 **SENATOR RUCHO:** The map is the entire  
21 state and it isn't just specific counties that  
22 we're looking at it. You have to look at it across  
23 the entire state, and under those circumstances, if  
24 you look at what surrounds the Randolph county as  
25 far as, you know, two-county pods, you've got



1 Yadkin-Forsyth, you get Guilford-Rockingham, you  
2 get Davidson-Montgomery, you've got Orange-Chatham,  
3 so in reality it almost forces that kind of --

4 BY MR. SPEAS:

5 **Q.** This leads me to ask you this question again. Did  
6 you instruct Hofeller that he should maximize the  
7 number of two-county pods in drawing his plan?

8 MR. FARR: Objection. That's been  
9 answered several times.

10 SENATOR RUCHO: Yes, sir, that is part of  
11 the direction.

12 BY MR. SPEAS:

13 **Q.** Did you tell him that?

14 MR. FARR: Objection.

15 SENATOR RUCHO: We made it clear that he  
16 would have done that and that's what we attempted  
17 to achieve.

18 BY MR. SPEAS:

19 **Q.** Senator, I don't mean to be difficult, but I want  
20 to ask this very plainly. Did you say,  
21 "Mr. Hofeller, I want you to maximize the number of  
22 two-county pods in drawing the Senate plan"?

23 MR. FARR: Objection.

24 MR. PETERS: Objection.

25 SENATOR RUCHO: Mr. Speas, all I can say



1 to you is that we followed the Stephenson criteria  
2 in forming this, and that is one of the directions  
3 that we would move, and by following the law, which  
4 we told Mr. Hofeller to do, this is the result we  
5 were able to get for it.

6 BY MR. SPEAS:

7 **Q.** Let me ask the question this way: Did you instruct  
8 Mr. Hofeller that in drawing the Senate plan it was  
9 more important to create two-county pods than to  
10 keep counties whole?

11 MR. PETERS: Objection.

12 MR. FARR: Objection.

13 SENATOR RUCHO: The only county that  
14 allowed for a single county being whole would have  
15 been Mecklenburg because of the ideal population,  
16 and then as you saw in the chart that you gave us  
17 before, then we're talking about 11 two-county  
18 combinations and then so forth.

19 You know, the effort has been, as I told  
20 you before, that we are -- that we told  
21 Mr. Hofeller to achieve the very best possible in  
22 trying to blend Stephenson, the Voting Rights Act,  
23 Strickland and making sure that we achieved as many  
24 two-county pods as we can get and then three and  
25 then four based on what is left for us after



1 establishing the Voting Rights Act district.

2 BY MR. SPEAS:

3 **Q.** Let's look at Lenoir county, please. Senator, is  
4 it true that Lenoir county is divided in your plan  
5 and not in Senator Nesbitt's plan?

6 **A.** That is correct.

7 **Q.** And why is Lenoir county divided in your plan?

8 **A.** Well, it's a good example of what we talked about  
9 before, Mr. Speas, where District Number 5 is a  
10 Voting Rights Act district, and the result is the  
11 division of Lenoir and Wayne and Pitt.

12 So in essence, by trying to deliver a  
13 Voting Rights Act district where a former  
14 senator -- African American senator does reside,  
15 that is the result of it.

16 **Q.** Would you look at Nash county. Is Nash county  
17 divided in your plan and not in Senator Nesbitt's  
18 plan?

19 **A.** That is correct.

20 **Q.** And why is Nash county divided in your plan?

21 **A.** District Number 4 a majority-minority district and  
22 it is -- the pod is constructed based on, you know,  
23 what would have allowed us to have a  
24 majority-minority district in District Number 4.

25 I think Senator Jones resides in that



1 district as an incumbent, and we did tell  
2 Mr. Hofeller we wanted to be sure that every  
3 minority incumbent maintain their position there,  
4 and under that circumstance, the result is a split  
5 of Nash as it comes down into that pod.

6 **Q.** And is Pitt county split in your plan and not in  
7 Senator Nesbitt's plan?

8 **A.** Yes, sir.

9 **Q.** And why is Pitt split in your plan?

10 **A.** Because we complied with the law in Senate  
11 District 5.

12 **Q.** Which part of the law?

13 **A.** I'll repeat it again. The Voting Rights Act with  
14 Whole County, Stephenson decision delivering a  
15 harmonization, Strickland and making sure that the  
16 population was ideal.

17 **Q.** Now, let's do two at once. Now, is it true that  
18 Wayne county and Wilson county are divided in your  
19 plan and not in Senator Nesbitt's plan?

20 **A.** Wayne county, yes, sir.

21 **Q.** Why is Wayne county divided in your plan and not  
22 in -- why is Wayne county divided in your plan?

23 **A.** Wayne county is divided in our plan because we  
24 followed the law as it was described with  
25 Stephenson, Voting Rights Act, blend,



1 harmonization, Strickland decision, the  
2 majority-minority districts as the law requires us  
3 to do, and that is the result of Wayne county being  
4 split because of the majority-minority district in  
5 number 5.

6 **Q.** And the same is true of Wilson county, it's not  
7 divided -- it is divided in your plan and not in  
8 Nesbitt's plan and it's divided in your plan for  
9 the reasons you've explained?

10 **A.** Yes, sir.

11 **Q.** Senator, let me ask you this question: I hear you  
12 testifying and I want to know whether this is  
13 correct that you left it to Mr. Hofeller to  
14 determine what the law required.

15 MR. PETERS: Objection.

16 MR. FARR: Objection.

17 SENATOR RUCHO: Not true, no, sir.

18 BY MR. SPEAS:

19 **Q.** Not true?

20 **A.** No.

21 **Q.** But you told him to comply with the law and you  
22 didn't give him much other direction and he comes  
23 back with a plan and you accept it?

24 MR. PETERS: Objection.

25 MR. FARR: Objection.



1 BY MR. SPEAS:

2 **Q.** Isn't that what happened?

3 **A.** No, sir.

4 MR. FARR: Objection.

5 SENATOR RUCHO: The criteria has been laid  
6 out as it has been on the public statement and what  
7 we've discussed all day.

8 BY MR. SPEAS:

9 **Q.** When you sent Hofeller away to draw the maps, did  
10 you say, "Now, Hofeller, when you come back with a  
11 plan, I want you to create" -- well, let me strike  
12 that question.

13 Let me ask you this, Senator Rucho: Would  
14 you agree based on your experience that in the  
15 western part of North Carolina and in the Piedmont  
16 part of North Carolina that there is no reason to  
17 divide a county because of the Voting Rights Act?

18 MR. PETERS: Objection.

19 MR. FARR: Objection.

20 SENATOR RUCHO: I believe, Mr. Speas, that  
21 Mecklenburg county is a Section 2 as is all of  
22 those areas are, and that being said, I think -- I  
23 think the fact is they're all Section 2 counties in  
24 that circumstance and I don't know if I can agree  
25 with your question.



1 BY MR. SPEAS:

2 **Q.** You believed that the Gingles decision required  
3 Voting Rights districts to be drawn in Mecklenburg  
4 county?

5 MR. FARR: Objection.

6 SENATOR RUCHO: I believe from my  
7 understanding in talking with -- on the base of the  
8 record, speaking with counsel that the Gingles  
9 decision still is in effect in North Carolina,  
10 especially with the fact that there is clear  
11 evidence from many parties on racial polarization,  
12 and under that circumstance, it is -- well, repeat  
13 that question one more time if you would.

14 BY MR. SPEAS:

15 **Q.** The question was simply whether you believe the  
16 Gingles decision required you to draw Voting Rights  
17 district in Mecklenburg county.

18 MR. FARR: Objection.

19 SENATOR RUCHO: Yes, sir.

20 BY MR. SPEAS:

21 **Q.** And you base that belief on the advice you received  
22 from counsel?

23 MR. FARR: Objection.

24 I instruct you not to answer that.

25 BY MR. SPEAS:



1       **Q.** Did you reach that conclusion based upon advice  
2           provided you by Mr. Hofeller?

3       **A.** No.

4       **Q.** Did you base that decision based on advice provided  
5           to you by Mr. Morgan?

6       **A.** No.

7       **Q.** Mr. Oldham?

8       **A.** No.

9       **Q.** Mr. Raupe?

10      **A.** No.

11      **Q.** Did you base that decision on advice you received  
12           from Dr. Brunell?

13      **A.** I believe Dr. Brunell pretty much validated what  
14           Ms. Earls had presented and what Mr. Block had  
15           presented in regards to racial polarization in  
16           North Carolina and still in existence that pretty  
17           much holds that the Gingles case still is in effect  
18           in North Carolina.

19      **Q.** Have you ever met Dr. Brunell?

20      **A.** No, sir.

21      **Q.** Have you ever talked to him on the phone?

22      **A.** No, sir.

23      **Q.** Do you know his credentials?

24      **A.** I viewed them.

25      **Q.** And did the legislature contract with Dr. Brunell?



1     **A.** My best recollection is that it was paid through  
2     Ogletree, but I think that's correct.

3             MR. FARR: Are we approaching a break  
4     point?

5             MR. SPEAS: Sandwiches are going to be  
6     ready at some point, and instead of separate menus,  
7     I think there's just a bunch of sandwiches out  
8     there. I don't know whether they're here, but I  
9     can certainly check into.

10            (Brief Recess: 12:13 to 12:30 p.m.)

11            MR. SPEAS: Could you mark this, please, as  
12     an exhibit.

13            (WHEREUPON, Exhibit 211 was marked for  
14     identification.)

15     BY MR. SPEAS:

16     **Q.** Senator, we're putting in front of you an exhibit  
17     marked 211, and I would ask you to take a moment  
18     and review this and see if this in fact is a copy  
19     of the presentation made to the General Assembly at  
20     a public hearing on June 23, 2011, by Ms. Earls at  
21     a presentation you referred to earlier in your  
22     testimony?

23            MR. FARR: Eddie, I don't want to testify,  
24     but it's not.

25            MR. SPEAS: Okay.



1 MR. FARR: I think this may have been  
2 submitted at a subsequent meeting, but it was  
3 another statement.

4 BY MR. SPEAS:

5 Q. Have you reviewed this statement?

6 A. No, sir, not completely.

7 Q. Okay. Take your time and review it.

8 A. (Witness complying.)

9 Q. Have you had an opportunity to review it, Senator  
10 Rucho?

11 A. Yes, sir.

12 Q. And this -- have you seen this document before?

13 A. You know, I don't -- I don't remember reading it.

14 Q. Do you recall Ms. Earls coming to the legislature  
15 to the public hearing on June 23, 2011, and making  
16 a presentation?

17 A. Yes, sir.

18 Q. And reading this, does this refresh your  
19 recollection as to the things Ms. Earls said on  
20 that occasion?

21 A. I think Ms. Earls had been to the first one we had  
22 and then also one that we had a public hearing,  
23 too, if I'm not mistaken, so there were a couple of  
24 times I heard Ms. Earls' position on this in  
25 addition to a response that we had sent out to all



1 the stakeholders that -- what they thought we  
2 should look for.

3 **Q.** And is one of those occasions on June 23rd?

4 **A.** As best I can remember. I don't remember what day  
5 she was there.

6 **Q.** Is it accurate that the General Assembly requested  
7 that persons making oral presentations also provide  
8 the legislature with a written copy of their  
9 presentation?

10 **A.** I don't believe it was a requirement.

11 **Q.** But it was --

12 **A.** It may have been done and we'd have to check with  
13 staff on that.

14 **Q.** By June 23rd you had already released your VRA  
15 districts, correct?

16 **A.** Yes, on the 17th.

17 **Q.** And following the release of the Voting Rights  
18 districts, your plans were sharply criticized by  
19 African American members of the North Carolina  
20 General Assembly, correct?

21 **MR. PETERS:** Objection.

22 **SENATOR RUCHO:** I don't agree with  
23 "sharply criticized."

24 **BY MR. SPEAS:**

25 **Q.** Okay. Criticized.



1       **A.** They may not have believed in it, but they -- I  
2       guess there's a difference of opinion.

3       **Q.** Dan Blue, Senator Dan Blue indicated on the floor  
4       of the Senate that these plans packed black voters,  
5       correct?

6       **A.** Yes, he did make that statement.

7       **Q.** And in fact, one of the public statements that you  
8       and Senator or Representative Lewis issued was in  
9       response to those comments on the -- by Senator  
10      Blue and others, correct?

11      **A.** On the floor and/or the committee meeting and also  
12      in the media, yes, sir.

13      **Q.** And following those criticisms by African American  
14      members of the legislature and others, did you make  
15      any changes in your plans to accommodate those  
16      concerns?

17      **A.** Between the Voting Rights Act, number one, and a  
18      subsequent plan, you're talking about the VRA maps  
19      that we talked about earlier?

20      **Q.** Yes.

21      **A.** Repeat that question one more time, please, sir.

22      **Q.** Following the testimony by Ms. Earls reflected in  
23      the -- in Exhibit 211 in front of you and following  
24      the criticism -- and following the criticism voiced  
25      by Senator Blue and others of your plan, your



1 Voting Rights plan, the Voting Rights district  
2 plan, did you make any changes in the Voting Rights  
3 districts to reflect those comments and criticisms?

4 **A.** Based on the input that we got from public  
5 hearings, from discussion, there were some changes  
6 made.

7 **Q.** Can you identify those changes for me looking --

8 **A.** One of them --

9 **Q.** -- looking at Exhibit 199 in front of you?

10 **A.** One of them we talked about earlier is the  
11 difference between -- in District 21 where the  
12 two-county pod was there, and we worked with all of  
13 Hoke keeping it a whole county and then a portion  
14 of Cumberland, that is one of them that we did, one  
15 that I know of.

16 **Q.** Looking at Exhibit 199, the one change that you  
17 would recall at this point is in District -- Senate  
18 District 21; is that correct?

19 **A.** As we mentioned before, there were many other minor  
20 changes made and many of them could have been in  
21 response to comments that were made, but pretty  
22 much the same counties which are designed -- which  
23 we talked about the Voting Rights Act, but there  
24 are some differences.

25 **Q.** And, Senator Rucho, do you recall that in the vote



1 on your plan in the Senate no African American  
2 member of the Senate voted for your plan?

3 **A.** Yes, sir.

4 **Q.** And do you recall that in the vote in the Senate on  
5 your Congressional plan that no African American  
6 member of the Senate voted for your plan?

7 **A.** I remember it in the Senate vote, yes, sir.

8 **Q.** And are you aware that in the vote on your plan --  
9 your Senate plan in the House no African American  
10 member of the House voted for your plan?

11 **A.** I don't know that answer.

12 **Q.** And are you aware that in the vote in the House on  
13 your Congressional plan that no African American  
14 member of the House voted for the plan?

15 **A.** I don't remember that.

16 **Q.** And are you aware that in the vote in the House on  
17 Representative Lewis's House plan that no African  
18 American member of the House voted for that plan?

19 **A.** If it occurred in the House, I don't remember the  
20 vote.

21 **Q.** Now, you have testified that Ms. Earls did appear  
22 as you recall and testified on June 23, 2011. You  
23 indicated that she came on another occasion. Do  
24 you remember when that was?

25 **A.** I believe she spoke to a public hearing in Raleigh,



1 and I think actually we extended some additional  
2 time, and I can't remember if it was for the first  
3 or for -- I'm not sure, but there have been a  
4 couple of occasions.

5 **Q.** All right. Senator, I didn't ask you this in the  
6 beginning of your deposition but let me ask you  
7 now. In preparing for your deposition, what  
8 materials did you review?

9 **A.** Volumes of material. I tried to read all of the  
10 public statements. I tended to try to read the  
11 affidavit. I tried to read -- well, there were a  
12 number of exhibits that I, you know, reviewed so  
13 best I can recollect. I mean, there was a lot of  
14 reading to be done.

15 **Q.** And a part of the information before you and the  
16 legislature in considering these plans was the  
17 public hearing comments, correct?

18 **A.** Yes, sir. When I was in attendance, I was able to  
19 hear the public comments.

20 **Q.** And you had public hearings around the state?

21 **A.** Yes, sir.

22 **Q.** And you attended many of those public hearings?

23 **A.** Yes, sir.

24 **Q.** And in fact, a transcript was made of each of those  
25 public hearings?



1       **A.** They -- yes, we did have court reporters there.

2           Yes, I'm assuming that was done.

3       **Q.** And the transcripts of those public hearings were  
4           made a part of the legislative record?

5       **A.** And I believe sent to the Department of Justice as  
6           part of our submission.

7       **Q.** And those comments of citizens at those public  
8           hearings were one of the things you weighed?

9       **A.** I'm sorry. Repeat.

10      **Q.** One of the things you weighed in consideration of  
11          your plan?

12      **A.** One of many.

13      **Q.** Before coming here today, did you talk to anybody  
14          other than Mr. Farr about this deposition?

15      **A.** This one?

16      **Q.** Yes. Did you talk to Representative Lewis?

17      **A.** Not since last evening. I mean, is that what  
18          you're asking?

19      **Q.** Did you talk to him last evening?

20      **A.** No, sir. I hadn't spoke to him since we left  
21          together.

22      **Q.** All right. Did you speak to anybody else?

23      **A.** I told my staff that I was going to be here all day  
24          with you.

25      **Q.** Okay. Well, I think actually I'm right at the end



1 of my questions. Let me go check to see if the  
2 sandwiches are here and let's take a little break.

3 I know Anita's got some questions.

4 (Lunch Recess: 12:46 to 1:28 p.m.)

5 EXAMINATION

6 BY MS. EARLS:

7 **Q.** Senator Rucho, my name is Anita Earls. I represent  
8 plaintiffs in the NAACP lawsuit that's been filed.

9 I appreciate your time this afternoon. I promise  
10 we'll get you on the road when you need to be, but  
11 I do have some questions for you.

12 I want to follow up on a few things that  
13 Mr. Speas asked about first, and in particular,  
14 I'll start with I believe you testified that prior  
15 to releasing the Senate and Congressional maps you  
16 met with Senators Jones, McKissick, Graham and  
17 White; is that right?

18 **A.** May I answer that?

19 **Q.** Please.

20 **A.** I didn't want to cut you off. I know it was either  
21 the day before or the day of. It was real close.  
22 It was to get their opinion on their districts.

23 **Q.** So you were showing them the maps that you were  
24 intending to release?

25 **A.** Their district maps only, okay, not the full-blown.



1 And, Ms. Earls, I just don't remember what day it  
2 was. I know it was at the very beginning of either  
3 a day earlier than it came out or the day of it or  
4 something.

5 **Q.** Did you meet with any other democratic senators?

6 **A.** I spoke with Senator Robinson. I spoke with -- and  
7 that was the Sunday before enactment. We talked on  
8 Sunday. I called her and I said, "You know, is  
9 there anything I can answer for you," whatever, and  
10 that sort.

11 Either I spoke with or talked briefly with  
12 Senator Mansfield. I'm trying to remember who  
13 else. You did mention McKissick earlier, too,  
14 right, Senator McKissick.

15 **Q.** Yes.

16 **A.** I made an effort to reach out to most, if not all,  
17 of them.

18 **Q.** To most, if not all, of the democratic senators?

19 **A.** No. Well, to the members of the committee and the  
20 black caucus members of the Senate.

21 **Q.** When you spoke on the phone with Senators Robinson  
22 and Mansfield, did they have in front of them their  
23 districts to look at?

24 **A.** They actually -- I know in Ms. Robinson's case she  
25 had already seen the map. This was prior to us



1       returning on July 25 or something like that, so  
2       that was available to her early on to the best of  
3       my recollection.

4       **Q.** So we should be more precise. When we were talking  
5       about the discussions before the districts were  
6       released, was this before the June 17 release of  
7       the Voting Rights Act districts or before the July  
8       release of the House and Senate plans?

9       **A.** My best recollection was not at the VRA portion but  
10      it was when the entire map was released and their  
11      district was there because there were changes made  
12      between the VRA to the end of the next iteration in  
13      the map process.

14      **Q.** So all of these discussions, both the in-person  
15      meetings and the telephone discussions, happened  
16      after the VRA districts had been made public?

17      **A.** They would have seen the map, but I'm not sure if  
18      this was the VRA or the other, but they have either  
19      been knowledgeable of it or they would have had it  
20      in front of them at that point.

21      **Q.** And you may have answered this implicitly, but how  
22      did you decide who you were going to speak to on  
23      the democratic side?

24      **A.** Well, I mean, in that circumstance, I had my  
25      members of the committee, which that was the first



1 priority because I wanted to make sure everybody  
2 understood what we were doing, and there was plenty  
3 of opportunity to know that, but then secondly I  
4 wanted some feedback.

5 I had two meetings with each member of the  
6 committee, one prior to any release at all and then  
7 the one that they were able to see their district  
8 map.

9 **Q.** And did I understand you also reached out to  
10 members of the Legislative Black Caucus?

11 **A.** Well, through Senator McKissick. He was the  
12 chairman of it. I tried to do most of my  
13 communication through him. He made it clear that  
14 is who I needed to go through. He was chairman.

15 **Q.** I'm sorry. Was Senator Jones, Graham, Robinson and  
16 Mansfield all on the committee?

17 **A.** No. No. Senator McKissick, Senator Jones and  
18 Senator Graham were on the committee along with  
19 Senator Walters and Senator Nesbitt.

20 **Q.** Let's start with Senator Graham. What do you  
21 recall about what he told you about the districts  
22 when you met with him?

23 **A.** The first time?

24 **Q.** Yes.

25 **A.** Okay. Because that was prior to -- that was a time



1 when we were having public hearings trying to get a  
2 feel as to what their thoughts were dealing with  
3 what roughly proportional equal opportunity  
4 majority-minority districts as was outlined in the  
5 letter that we sent to every one of our senators --  
6 and I'll speak to that right now -- outlining what  
7 we were looking at as criteria and I wanted some  
8 feedback from them on -- on that portion of it.

9 **Q.** Sorry to interrupt you, but was this individual  
10 meetings, this first meeting, or was this a group  
11 meeting?

12 **A.** No. All individual. We spoke. I just wanted to  
13 know candidly what they thought of it, what their  
14 belief was, what their understanding was.

15 I think the first -- the first letter we  
16 put out trying to engage everybody and say, hey,  
17 this is where we're going with this, come back and  
18 let's talk feedback on it, and that went to all of  
19 the members of the -- at least the Senate and I'm  
20 pretty sure it was the General Assembly.

21 And then we just asked questions about what  
22 they thought about their districts, what they would  
23 like to do differently, if anything, whether it  
24 should be majority-minority, you know, and some of  
25 them said, "Well, I would like to think about it,"



1       you know, and had very good discussions with them  
2       as far as trying to understand what their beliefs  
3       would be.

4       **Q.** Just to be clear, you were talking about this  
5       letter that you sent out seeking input. Do you  
6       have Exhibit 57 in front of you? I can give you  
7       one.

8       **A.** I have 57.

9       **Q.** So looking at what's previously been marked as  
10       Deposition Exhibit 57, is this the letter you're  
11       referring to, letter or e-mail?

12       **A.** That was one of them, and I think I had another one  
13       out there that outlined some of the original  
14       criteria and asking for some feedback on that, too,  
15       and I don't remember, having read a lot of  
16       material, but I do remember one letter going out  
17       and I just can't remember which one it was.

18               But this was one of the ones that we  
19       sent -- let's see. This was the seven question  
20       one. This was one to the stakeholders mostly.  
21       There was another one that went to the members of  
22       the General Assembly.

23       **Q.** And do you know if that was provided in discovery,  
24       the one that went to the members of the General  
25       Assembly?



1       **A.** As best I can remember, that was part of the  
2       record.

3               MR. PETERS: For whatever it would help,  
4       it should have been in discovery and it is  
5       including in the correspondence.

6       BY MS. EARLS:

7       **Q.** And just to help us locate it, do you happen to  
8       remember whether it went out before March 31, 2011,  
9       which was the date of the one you were just looking  
10      at?

11      **A.** Ms. Earls, I'm sorry, I don't remember the date of  
12      it. We had a lot of pieces of information going  
13      out.

14      **Q.** Was it roughly about that time, that is, March,  
15      early April, or you just don't remember?

16      **A.** I just don't recollect. I'm sorry.

17      **Q.** So going back to the individual meetings that you  
18      had seeking input, I started to ask you about  
19      Senator Graham, what input you recall receiving  
20      from Senator Graham.

21      **A.** Can I ask my attorney a question, if I may.

22               (Discussion held off the record.)

23      BY MS. EARLS:

24      **Q.** To be clear what my question is, I'm just asking  
25      you what you recall now what information you got



1 from Senator Graham.

2 **A.** It was broad in the sense that, you know, what  
3 their thoughts were similar to questions like, you  
4 know, what they think about their district, what  
5 they envisioned it should be, areas they may  
6 encompass, whether they felt that there should  
7 be -- and it's not just a negative, but whether  
8 they feel it should be roughly proportional equal  
9 opportunity, whether there would be a  
10 majority-minority district, some basic questions on  
11 what we ended up setting the criteria to on  
12 Stephenson.

13 **Q.** Well, my understanding is Senator Graham represents  
14 Senate District 40 in Mecklenburg county.

15 **A.** Yes.

16 **Q.** And under the prior redistricting plan, using the  
17 2010 Census data, his district was 35.43 percent  
18 African American. In the enacted plan, it's  
19 51.84 percent African American.

20 My question to you is whether or not  
21 Senator Graham indicated to you that he thought in  
22 order for him to continue to represent that  
23 district or in order for the candidate of choice of  
24 African American voters to have a fair opportunity  
25 in Mecklenburg county that his district needed to



1 be increased from 35 percent to 51 percent?

2 **A.** I don't recollect him saying exactly that, but, you  
3 know, one of the other things I did in the scheme  
4 of things is recognized some of your  
5 recommendations on the map that you sent us on how  
6 Mecklenburg county should be treated.

7 **Q.** Let me ask you about Senator McKissick. He  
8 represents Senate District 20 in Durham county. Do  
9 you recall -- what do you recall about the -- in  
10 this initial meeting the instructions or concerns  
11 or anything expressed to you by Senator McKissick?

12 **A.** Well, I think Senator McKissick was -- one of his  
13 feelings was I would like to take a look and see  
14 what you all are presenting. There was always a  
15 position of show me what you got, and that's what  
16 it was most of the time.

17 But, I mean, I spoke with Senator McKissick  
18 on that and on many other occasions asking for  
19 input which we had requested for him as to feedback  
20 in how to -- you know, what his belief was and what  
21 you would like to see in establishing criteria and  
22 how we would work with the Stephenson and Voting  
23 Rights Act, Strickland, all of those factors.

24 It would have been better had we gotten  
25 probably more information from it, but there was



1 kind of sparse information.

2 **Q.** Well, I'm still trying to understand more clearly  
3 what information they did give you. You have said  
4 Senator McKissick wanted to see the maps first.

5 **A.** Yes.

6 **Q.** But any other information --

7 **A.** Nothing specific to say he would do one or the  
8 other to my recollection.

9 **Q.** Senate District 20 went from 44.64 percent, again,  
10 using the 2010 Census data, to in the newly drawn  
11 plan it's 51.04 percent.

12 Senator McKissick didn't tell you that in  
13 order for the voters in his district and in  
14 particular African American voters to continue to  
15 have a chance to elect their candidate of choice  
16 that his district needed to increase to 51 percent  
17 black?

18 **A.** I don't remember him saying that it should increase  
19 to that level, but, you know, in reality, that is  
20 what the -- that is what our consistent policy was  
21 in regard to managing that, especially ones that  
22 were determined to have, you know, racial  
23 polarization according to the expert testimony that  
24 we received throughout the entire process.

25 **Q.** Well, let me ask you about any of the meetings that



1       you had, then, after the various senators that  
2       you've referenced you met with or had telephone  
3       conversations with, after they saw the Voting  
4       Rights Act districts that were being proposed, what  
5       do you recall about what they said about those  
6       districts?

7       **A.** I think probably the time that I would have gotten,  
8       as best I can remember, would have been time  
9       probably they saw the entire map with those Voting  
10      Right Act or Voting Rights districts as part of the  
11      overall scheme of things, but to the best of my  
12      recollection, I don't think anybody said they  
13      didn't like it. They may not have said they liked  
14      it, but they didn't say they didn't like it. It  
15      was kind of a wait-and-see type attitude, I  
16      thought.

17      **Q.** Well, when you saw what maps they proposed, did  
18      that give you an indication of what they considered  
19      would be required to comply with the Voting Rights  
20      Act?

21      **A.** Well, when we saw the maps that they proposed, it  
22      was the day before we were voting on it, so what  
23      opportunity would we have to really input that data  
24      into the system.

25               We gave plenty of opportunity to have them



1 participate up front and, unfortunately, for  
2 whatever reason, there was no sharing of  
3 information. And it was actually given the Monday  
4 that we were ready to take on those -- the debate  
5 in the Senate and the bills would be introduced.

6 **Q.** So you're saying that by that point there was  
7 nothing you could do to change the map that you  
8 were going to pass?

9 **A.** Well, it isn't a matter of saying we weren't going  
10 to have time to change it. That was opportunity --  
11 they gave us no opportunity to include what their  
12 beliefs were and then, secondly, the maps came back  
13 as it was given to us by, you know, Senator  
14 McKissick specifically and it came back that it  
15 didn't even get close -- you know, all of our  
16 public statements said that it should take into  
17 consideration majority-minority districts, it  
18 should have taken into consideration the blending  
19 of the Voting Rights Act and Stephenson decision,  
20 it should have taken into consideration, you know,  
21 the other criteria that we established.

22 So in reality, they saw what was there.

23 They never commented about it and yet they came  
24 back on that Monday at the 11 and a half hour with  
25 maps that didn't even comply with what they knew



1        were our criteria.

2        **Q.** If I'm understanding you correctly, then, for the  
3        Senate map -- now just talking about the Senate  
4        map -- it was your belief that the Voting Rights  
5        Act required you to draw a majority-minority  
6        district wherever the population was compact  
7        enough -- wherever the black population was compact  
8        enough to do that?

9                MR. FARR: Objection.

10               SENATOR RUCHO: It was where it was  
11               cohesive and a compact population. And we also  
12               looked at the factor of whether there was either an  
13               incumbent there, African American incumbent, or  
14               whether there was one there prior to that since one  
15               or two of them were defeated. So it wasn't just  
16               one issue. It was a blending of all of them to  
17               determine if that was a, you know, feasible way to  
18               meet the legal requirements we had before us.

19        BY MS. EARLS:

20        **Q.** Well, was there anywhere in the state where it was  
21        geographically possible to draw a majority black  
22        district but you didn't draw one there?

23        **A.** The ones that we did draw presenting the nine VRA  
24        districts that we presented on our VRA map, and the  
25        only one that we weren't able to deliver a



1 majority-minority district was the one in Forsyth  
2 county. The population didn't allow it. So we  
3 worked with a coalition district.

4 **Q.** But my question is: In addition to the ones that  
5 you did draw, was there anywhere in the state where  
6 it was possible to draw an additional majority  
7 black district but you didn't draw it?

8 **A.** As best I can recollect, there was no other area  
9 that had the compact and cohesive population that  
10 would have allowed it to be drawn, at least the  
11 best I can recollect.

12 I mean, that was really the determining  
13 factor of it, you know. It wasn't just a matter of  
14 putting one out there. It was a matter if it fit  
15 the criteria.

16 **Q.** If I'm understanding your answer, you drew a  
17 majority black district everywhere that it was  
18 geographically possible in the state?

19 MR. FARR: Objection.

20 SENATOR RUCHO: You're using the term  
21 "geographically possible."

22 BY MS. EARLS:

23 **Q.** Where the black population was compact enough and  
24 large enough?

25 **A.** Where all of the criteria met, you know, that is



1       how we made that decision. It isn't like one  
2       answer, you know, a cohesive population. It was  
3       where all of the factors were involved, not only  
4       Stephenson but whether Gingles and Section 2  
5       counties and things of that sort were required and  
6       that's how we would have made that judgment.

7       **Q.** I understand, but I'm asking you -- you haven't  
8       been able to identify for me any place in the state  
9       where those -- where the black population was  
10      geographically compact enough, but the other -- in  
11      your view, the other criteria were met but you  
12      didn't draw a black district?

13               MR. FARR: Objection.

14               SENATOR RUCHO: My only answer is if it  
15      didn't fit all that criteria, we wouldn't have put  
16      it there and apparently it didn't so it didn't  
17      exist.

18      BY MS. EARLS:

19      **Q.** And then you did -- you rejected the districts  
20      proposed by the Legislative Black Caucus at least  
21      in part because they didn't draw majority black  
22      districts everywhere it was possible to?

23               MR. PETERS: Objection.

24               MR. FARR: Objection.

25               SENATOR RUCHO: I'm not sure that we



1 rejected it. I think we're in the same locations.

2 I don't have their map in front of me here.

3 BY MS. EARLS:

4 **Q.** I thought your testimony just a moment ago was that  
5 they introduced their plan at the last minute, but  
6 in addition, their plan didn't comply with the  
7 legal criteria that you had set out.

8 **A.** Okay, but what part am I not understanding?

9 **Q.** So my question is you're saying that their plan at  
10 least in part didn't comply with your understanding  
11 of what it took to comply with the Voting Rights  
12 Act.

13 **A.** What was legally required of us.

14 **Q.** Right.

15 **A.** And if it was legally required of us, then you  
16 would have to assume they would drawn a similar map  
17 unless they disagreed with that.

18 **Q.** Their map did not have as many majority black  
19 districts as yours, right?

20 **A.** All I can say is we used your map as an example of  
21 what we felt would be a reasonable way of meeting  
22 the requirements to pass the pre-clearance of the  
23 Department of Justice.

24 **Q.** But how is that even possible when our map was  
25 submitted to you on June 23rd after you had already



1 released the Voting Rights Act district maps on  
2 June 17th?

3 **A.** There were other changes in the map in the areas.

4 And I think we complied pretty closely with your  
5 map as far as areas are concerned. Now, whether  
6 the percentages were in BVAP, there may be some  
7 disagreement, but I think you had five of your nine  
8 districts with in excess of 50 percent so, I mean,  
9 we go -- your testimony, which I took a lot of  
10 interest in because you're a whole lot smarter than  
11 I am about that, you know, that was part of how we  
12 established the criteria based on the broad record.

13 **Q.** Let me go back and ask you about the criteria. And  
14 I understand your testimony from earlier today that  
15 the criteria is outlined in the joint public  
16 statements that were made.

17 **A.** Yes, ma'am.

18 **Q.** But those statements -- am I correct that those  
19 statements were written within a day or two or  
20 three days of them being issued?

21 **A.** Well, I think it was a matter of putting together  
22 over time as we had those series of public hearings  
23 early on when we were trying to fact find and get  
24 input from the stakeholders, one of which you  
25 participated in, and then as that was coming



1 forward, I mean, they were refined and determined  
2 that this is a criteria that we should follow to  
3 meet one of our critical goals and that was to come  
4 forward and get a DOJ pre-clearance approval.

5 **Q.** So let's look at the first statement. I believe  
6 these are Exhibit 55. Do you have that in front of  
7 you?

8 **A.** I don't know if I've got that. Thank you.

9 **Q.** Am I correct that the June 17, 2011, map, is that  
10 the first joint public statement that embodies the  
11 criteria that you followed in drawing these  
12 districts?

13 **A.** I know this was the public statement that we  
14 submitted to a public statement, but I think -- and  
15 I could be in error, but I thought we also outlined  
16 it very briefly in a memo, e-mail or something to  
17 the members of the General Assembly letting them  
18 know what we were looking at so we could get some  
19 feedback on that, but I don't have the date of  
20 that, I'll just tell you that.

21 **Q.** Do you have a rough recollection of the time  
22 period?

23 **A.** Well, it would probably be prior to that when we  
24 were trying to gather information and trying to  
25 say, hey, we're looking at it in this manner, you



1 know, what is your feedback on it, do you agree, do  
2 you disagree, but again, I don't know the date.

3 **Q.** So this earlier -- this earlier communication to  
4 members of the General Assembly outlining what you  
5 were looking at, who prepared that?

6 **A.** I would assume that Mr. Woodcox would have done so.

7 **Q.** And then yesterday we heard testimony that this  
8 June 17th memo was also prepared by Mr. Woodcox and  
9 then reviewed by you and Mr. Lewis, Representative  
10 Lewis.

11 **A.** Yes. Mr. Woodcox was our -- was my counsel to the  
12 Senate in trying to -- we worked together with  
13 Representative Lewis, in essence, since our  
14 policies were clear and hopefully similar in  
15 nature, then that was what Mr. Lewis was -- or  
16 excuse me -- Mr. Woodcox was able to present for  
17 both Representative Lewis and myself along with the  
18 fact that we did present early on the Legislator's  
19 Guide which had a number of areas listed, not so  
20 much specifically to say that this is the criteria,  
21 but in essence to say that we will be following the  
22 Stephenson criteria decisions.

23 **Q.** The June 17, 2011, memo, do you recall or do you  
24 know when the first draft of this was completed?

25 **A.** First draft?



1       **Q.** Yes.

2       **A.** No, ma'am.

3       **Q.** Do you recall how much in advance of June 17th you  
4       first reviewed it?

5       **A.** There was the redistricting going on. There was  
6       the budgeting going on. There was a lot of  
7       activity going on. And I have to tell you, I don't  
8       remember any specific date. We had a lot of  
9       activity happening at that time.

10      **Q.** This statement, for example, on page 3 refers to  
11      the 2011 House plan recommended by Chairman Lewis,  
12      then it goes on to discuss features of the  
13      different districts in the proposed plan.

14             You had to have drafted -- this had to have  
15      been drafted after those plans were drafted,  
16      correct?

17      **A.** What page are you on specifically, please?

18      **Q.** Well, for example page 3.

19      **A.** Okay. Whereabouts?

20      **Q.** If you look -- I was looking at the second sentence  
21      of the last full paragraph on that page.

22             "The 2011 House plan, recommended by  
23      Chairman Lewis, consists of 24 majority African  
24      American House districts and two additional  
25      districts in which the total black voting age



1 population percentage exceeds 43 percent."

2 Have I read that --

3 **A.** That was just before the time that we submitted the  
4 VRA maps, correct. So my gut feeling is that was a  
5 decision made and presented for public review.

6 **Q.** But my question to you is given that this document  
7 discusses those districts, they had to have been  
8 drawn before this document was drafted.

9 **A.** Well, conceptually, if we were able to identify the  
10 locations that they were going to be based upon  
11 existing incumbency and other areas that we had  
12 talked about earlier dealing with the cohesive and  
13 compact African American population, you know,  
14 those were some benchmarks that we were going to  
15 try to shoot for from Day One, but to say that  
16 they're done -- they may have been roughed out, I  
17 just can't recollect.

18 I know there was activity going on in the  
19 sense that you just -- you can start doing your  
20 work and then refine it accordingly based upon  
21 input you get. This was designed so people would  
22 have a say in what's going on and also following  
23 what is expected of us as far as Stephenson, and  
24 that is drawing the VRA districts first with the  
25 harmonizing effect of the Whole County.



1       **Q.** I'm trying to understand when this document that  
2           was released on June 17, 2011, might have first  
3           been drafted.

4       **A.** I don't know.

5       **Q.** Let's look at the next document in Exhibit 55. And  
6           at the top --

7       **A.** Which one, please?

8       **Q.** I'm sorry. The next document. So it starts --  
9           this is the statement regarding the proposed VRA  
10          districts.

11      **A.** Okay.

12      **Q.** The first sentence is "In anticipation of the  
13          public hearing scheduled for June 23, 2011."

14      **A.** Yes.

15      **Q.** And the statement -- the rest of that sentence:  
16          "We want to correct several erroneous statements  
17          that have appeared in the news media regarding our  
18          proposed Voting Rights Act districts."

19               This statement had to have been drafted  
20          sometime after the proposed VRA districts were made  
21          public, correct?

22      **A.** On the 23rd, yes, ma'am. When was it released? It  
23          was released either the 22nd or the 23rd. That's  
24          what it says in the upper right-hand corner.

25      **Q.** This had to have been drafted sometime after



1 June 17th when the VRA districts were released.

2 **A.** It was between the 17th and the 23rd.

3 **Q.** Let's look at the next one. This is the July 1st  
4 statement, and this may not be in chronological  
5 order. So the July 1, 2011, statement, do you have  
6 any recollection of when that was first drafted?

7 **A.** No, ma'am.

8 **Q.** Was it after the previous statement, that is, after  
9 June 22nd?

10 **A.** Well, I would have to say to you that it would be  
11 after that because of the fact that it was  
12 distributed on July 1st at the time we were going  
13 to -- that we submitted the Congressional maps for  
14 public review. To give you an exact date between  
15 the 23rd and the 1st of July, I couldn't begin to  
16 guess.

17 **Q.** The next statement is the July 12, 2011, statement.

18 **A.** That's when the legislative maps were put out for  
19 public review.

20 **Q.** And it was drafted sometime after the July 1st  
21 statement?

22 **A.** The VRA districts were out earlier, and between  
23 that period of time and where we would have gotten  
24 public input and when it was released has to be the  
25 time period that that was worked on, I'm sure.



1       **Q.** And then the last statement in this exhibit is --  
2             at the top it says 7-19-11 Joint Statement  
3             regarding the release of Rucho-Lewis Congress 2.

4             MR. FARR: There's a handwritten note up  
5             there.

6       BY MS. EARLS:

7       **Q.** This first sentence says, "On July 1, 2011, we  
8             released for public comment our first proposed  
9             Congressional Redistricting plan."

10            Was this statement drafted after the  
11            July 12th statement?

12       **A.** We had all of these plans going on for a period of  
13            time, and in a sense from when the original  
14            Congressional map was sent out and we got feedback  
15            from a number of people, I'm sure between that  
16            point forward and when this was released I believe  
17            on 7-19, that would have been the period of time  
18            that that information would have been reviewed and  
19            determined how we would make our maps comply with  
20            the law as required of us and try to take into  
21            consideration any of the comments that would come  
22            from it.

23            And if you remember correctly, Congressman  
24            Butterfield's letter had a large impact on how  
25            these maps -- the Congressional map, which is



1 Rucho-Lewis Congress 2, were drawn.

2 And I finally remembered the word that  
3 whenever a map is done, you have that domino  
4 effect. I should have helped you there, Mr. Speas.

5 **Q.** If the original maps for the Rucho-Lewis  
6 Congress 1, they were released on July 1st, 2011,  
7 so sometime between July 1st, 2011, and July 19,  
8 2011, the statement that you're looking at now  
9 released on July 19th was drafted?

10 **A.** Yes, ma'am, in explaining what we did to try to  
11 accommodate to the comments that were made, that is  
12 what the purpose of 19 was.

13 **Q.** So the bulk of these statements at least were not  
14 written before the first map was -- before the  
15 first maps were drawn, right?

16 **A.** The -- I'm not sure I understand what you mean by  
17 that.

18 **Q.** Well, you've testified that the criteria that you  
19 instructed Dr. Hofeller to follow, that you gave  
20 him verbal instructions to follow the Voting Rights  
21 Act, the Stephenson and the Strickland opinions and  
22 harmonize the Voting Rights Act with the Whole  
23 County and that the criteria was put in writing  
24 when you issued these public statements.

25 MR. PETERS: Objection.



1 BY MS. EARLS:

2 **Q.** So I'm trying to understand when the criteria was  
3 put into writing.

4 MR. PETERS: Objection.

5 SENATOR RUCHO: That is -- I mean, yes, it  
6 was done on the 17th when the criteria was put into  
7 writing, but it was evolving all along, otherwise  
8 we couldn't have gotten the maps ready to at least  
9 make them for public review to get comments from  
10 other individuals.

11 BY MS. EARLS:

12 **Q.** Well, let me ask you: The committee, the  
13 Redistricting Committee, did not consider any  
14 written document that embodied the criteria that  
15 you were following and vote on it in any way?

16 **A.** To my knowledge, never in the past has that been  
17 done in redistricting.

18 **Q.** But that's not my question. This time around that  
19 didn't happen, right?

20 **A.** Well, it was never done so then it was never --  
21 right from the beginning we tried to emulate, since  
22 none of it were really engaged in it, and I asked  
23 Ms. Churchill to tell us what exactly was done from  
24 Day One the best she could remember because we had  
25 a very sparse knowledge of what had happened in the



1 past, so she went back into the record and we  
2 followed everything and tried to improve it even to  
3 a higher level of even public hearings and all of  
4 the things that would allow for transparent and  
5 openness which part of our goal was.

6 But in reality, you know, you have these  
7 conceptual criteria that are in place and then you  
8 put it out for review and then when you -- the  
9 chairman of the committee generally comes forward,  
10 or in many legislative areas, someone comes forward  
11 with a bill to present for debate.

12 **Q.** But, Senator, what I am trying to understand is who  
13 had an opportunity to have input on the written  
14 embodiment of the criteria that you instructed  
15 Dr. Hofeller to follow. And I'm correct that, am I  
16 not, that no members of the Redistricting Committee  
17 other than you and Senator Lewis (sic) had input  
18 into the written embodiment of those criteria?

19 **A.** I think it was very clearly when we handed out the  
20 Legislator's Guide we would be following the  
21 Stephenson criteria because that pretty much laid  
22 it out exactly how much you have to implement the  
23 redistricting. It was very -- that was valuable to  
24 us because that was exactly how you laid out the  
25 maps. We just followed it to the letter of the



1 law.

2 **Q.** And am I understanding your testimony correctly  
3 that you didn't give Mr. Hofeller -- Dr. Hofeller  
4 anything in writing prior to the issuance of these  
5 public statements regarding the criteria that they  
6 should follow?

7 **A.** Not in writing. I think I made that statement  
8 earlier.

9 **Q.** I want to look at the documents that we were  
10 reviewing yesterday, some of the memoranda  
11 that -- oh, I'm sorry. I do want to follow up on  
12 one more question.

13 We were talking about the meetings that you  
14 had with Senators Graham, McKissick, Robinson,  
15 Mansfield, Jones. Did you convey to Dr. Hofeller  
16 anything about those meetings about their concerns,  
17 about their interpretations of the legal standards?  
18 Did you convey any of that to Dr. Hofeller?

19 **A.** Not regarding their specific meetings, but how any  
20 comments that they may have made regarding that as  
21 to how it would fit in the criteria and that would  
22 have been how our criteria would have been  
23 adjusted, if need be.

24 **Q.** Do you recall what you told Dr. Hofeller about  
25 their comments?



1       **A.** No, ma'am.

2       **Q.** But you do --

3       **A.** I don't even remember speaking to Dr. Hofeller  
4       about those specific meetings that I had.

5       **Q.** Okay. So you don't recall talking to him about  
6       those meetings?

7       **A.** Not specifically about my meetings individually  
8       with the members of the Senate.

9       **Q.** So then going to the documents that -- some of the  
10       legal memoranda, this is Exhibit 58. Why don't you  
11       just take a minute and review Deposition  
12       Exhibit 58.

13       **A.** I remember this document that I reviewed it. I  
14       reviewed it in preparing here.

15       **Q.** This is a memo to you dated June 13, 2010. And do  
16       you remember seeing that around about that time?

17       **A.** I don't remember, but I'm assuming it was there and  
18       it's part of the record and part of the submission  
19       also, I'm sure.

20       **Q.** Do you know -- did you provide this to  
21       Dr. Hofeller?

22       **A.** Not specifically, no.

23               These were questions that were submitted to  
24       Erika who -- you do need to understand that when  
25       Mr. Gilkeson left, the level of knowledge in regard



1 to redistricting diminished very drastically, and I  
2 think Erika was the only one that had experience  
3 there other than Mr. Cohen, but Mr. Cohen was not  
4 assigned to redistricting so that left Erika as the  
5 only person there. And apparently, she was so busy  
6 she handed it over to Walker Reagan, and I don't  
7 know if Mr. Walker Reagan has any knowledge on  
8 redistricting, and I'm not sure who did this for  
9 him and how he went about answering the questions.

10 **Q.** And previously we looked at Exhibit 57, the first  
11 page. Can you get that back in front of you,  
12 please.

13 Attached to Exhibit 57 is a legal  
14 memorandum from Robert Orr dated May -- well, he's  
15 responding to your letter of May 17th and it's  
16 dated June 3rd, 2011. Do you see that?

17 **A.** Uh-huh. Let's see where his -- where his testimony  
18 is there or his comments.

19 **Q.** Sure.

20 MR. FARR: It's the first one?

21 MS. EARLS: Yes.

22 MR. FARR: Okay.

23 BY MS. EARLS:

24 **Q.** Do you recall seeing this memorandum during the  
25 redistricting process?



1       **A.** That occurred somewhere -- when did he deliver it?

2             Around June 3rd.

3             I'll tell you, Ms. Earls, I'm sure I  
4             received it. Did I have a chance to review it at  
5             that minute, I don't remember. I know it was part  
6             of our record and, you know, reflected accordingly  
7             in how we structured and set the criteria as part  
8             of one person's comments versus everybody else's.

9       **Q.** And do you know Robert Orr?

10      **A.** Well, yes, ma'am. He was a Supreme Court justice,  
11             North Carolina Supreme Court justice, and I know  
12             that he ran for political office as governor, and  
13             we've met before but not good friends.

14      **Q.** Is he someone you would recognize as having some  
15             experience or expertise in Voting Rights law?

16      **A.** I really don't know his background to be able to  
17             say that's his expertise.

18      **Q.** And the next memorandum there is -- it's more than  
19             halfway through the packet -- dated May 27, 2011.  
20             It's titled Responses to Redistricting Questions  
21             from Senator Rucho and Representative Lewis from  
22             Michael Crowell and Bob Joyce at the UNC School of  
23             Government dated May 27, 2011.

24             You're shaking your head.

25      **A.** Tell me what's your question.



1       **Q.** My question is: Do you remember seeing this  
2       document during the redistricting process?

3       **A.** Yes, ma'am, I remember seeing it. It was a request  
4       that I asked Ms. Churchill to provide some  
5       individuals that could answer these questions and  
6       also present -- I think they presented at the first  
7       public hearing on when we were putting together our  
8       criteria, and I don't know them and I appreciated  
9       the fact that they were willing to offer their  
10      suggestions.

11      **Q.** Are they persons that you would recognize as having  
12      some experience and background in Voting Rights  
13      law?

14      **A.** I went on the recommendation of Ms. Churchill  
15      because I didn't know their expertise.

16      **Q.** Was it any significance to you that they're at the  
17      UNC School of Government one way or the other?

18      **A.** No.

19               MR. FARR: We didn't hold that against  
20      them.

21               SENATOR RUCHO: No, ma'am. I'm sorry.

22      BY MS. EARLS:

23      **Q.** So my next question is: Did you provide either of  
24      these memoranda, that is, the one from Robert Orr  
25      or the one from Michael Crowell and Bob Joyce, did



1 you provide those to Dr. Hofeller during the  
2 redistricting process?

3 **A.** Not to my recollection.

4 **Q.** You talked with Mr. Speas in some detail about the  
5 persons that were involved with Dr. Hofeller in  
6 drawing the maps, including Dale Oldham -- you  
7 probably remember the names better than I do. John  
8 Morgan.

9 MR. FARR: John Morgan, Joel Raupe, Dale  
10 Oldham. I can't remember if there's anybody else.

11 BY MS. EARLS:

12 **Q.** So my question is: You've testified just now about  
13 the skills of the legislative staff, but in  
14 addition to Erika Churchill, was there anyone else  
15 on the legislative staff who had the ability to  
16 draw maps?

17 **A.** My recollection is that I know Ms. Churchill was  
18 attempting to be prolific or, let's say, qualified  
19 to do that with the Maptitude software because this  
20 is a change from what we did back in 2001,  
21 different program, and I knew that -- at least I  
22 was made aware of the fact that each of the members  
23 on Ms. Churchill's team had gone and taken a course  
24 to become proficient at it, but it apparently  
25 requires a lot of practice to become proficient at



1 it to know how each of the -- each of it works.

2 **Q.** Well, how did you know that they didn't have the  
3 sufficiently proficient skills to be able to draw  
4 maps?

5 **A.** I asked.

6 **Q.** So they told you --

7 **A.** They said they had the course but they had work to  
8 do as far as become proficient at it. You know,  
9 it's -- it's a matter of saying, you know, yeah, I  
10 know the first time I ever used a computer, I know  
11 how to turn it on and I know that's a mouse, but  
12 there's a lot of parts of it that you have to  
13 understand to make it work, and I'm sure that would  
14 have been beneficial at the time to be a value.

15 **Q.** You testified about the meeting that you went to  
16 with the National Conference of State Legislators  
17 in Maryland, I believe you said.

18 **A.** Yes, ma'am.

19 **Q.** And the members of the General Assembly legislative  
20 staff also went to that meeting.

21 **A.** Yes, ma'am.

22 **Q.** And that was -- there was training opportunities  
23 concerning redistricting law as well as the  
24 mechanics of using Maptitude software available  
25 there as well, right?



1     **A.** I participated in the course with them, or many of  
2     them, on understanding the process on  
3     redistricting.

4             I didn't participate in the computer  
5     utilization, so I don't know if any of the others  
6     participated in that or whether it was available at  
7     that particular course.

8     **Q.** And so am I understanding, then, that your reason  
9     for not using the legislative staff to draw these  
10    maps is because you didn't think they were  
11    sufficiently proficient in using Maptitude?

12            MR. PETERS: Objection.

13            MR. FARR: Objection.

14            SENATOR RUCHO: I had a responsibility to  
15    get it finished and I needed to make sure that I  
16    had the people that were most competent to do it in  
17    a very quick manner.

18            And you saw the short timeframe we had  
19    because we had to wait for the budget to be  
20    finished before we could really start moving these  
21    maps forward. The budget was our priority.

22            And so I had a very short timeframe to get  
23    this thing before the General Assembly so we could  
24    submit it in a time that would have allowed the  
25    Department of Justice to review it and therefore



1 get our pre-clearance approval and hopefully  
2 continue on, and if it turned out we didn't get  
3 pre-clearance approval, we had to have a timeframe  
4 that we would have been able to adjust whatever the  
5 corrections would be, but, thank goodness, they  
6 thought our map was excellent and therefore chose  
7 to do that, and that worked out well as far as  
8 keeping our 2011 -- excuse me -- 2012 election  
9 cycle on schedule.

10 BY MS. EARLS:

11 **Q.** Is there any other reason why you didn't use the  
12 legislative staff for redistricting?

13 **A.** Well, we did use them for redistricting, just not  
14 map drawing.

15 **Q.** Any other reason why you didn't use them for map  
16 drawing?

17 **A.** Primarily because they were busy with a lot of  
18 other parts of the job that Ms. Churchill had  
19 because many of them -- this was not a dedicated  
20 group of individuals. Each of them had additional  
21 responsibilities that Walker Reagan assigned to  
22 them because they weren't just all dedicated to  
23 redistricting, especially during the time frame  
24 we're talking because that was budget time, and  
25 there was a lot of -- there was a lot of effort of



1 reaching out to them to participate in other  
2 committees that they were assigned to, including  
3 Ms. Churchill. She was stretched out pretty  
4 significantly.

5 **Q.** I want to make sure I understand your view of the  
6 legal standards and instructions that you gave to  
7 Dr. Hofeller. And you've mentioned -- you've  
8 mentioned compliance with the Voting Rights Act,  
9 Strickland, Stephenson criteria, Whole County  
10 Provision. I can't find anywhere in the written  
11 memos that you provided that capture your criteria  
12 and you haven't mentioned today that compliance  
13 with Shaw versus Reno was one of the criteria that  
14 you were concerned about.

15 **A.** I'm not an attorney and would probably not have  
16 understood completely Shaw versus Reno. I focused  
17 on the ones that I remembered in the process of  
18 trying to do that. I don't know what Shaw versus  
19 Reno, how it would be explained, I guess is  
20 probably, what does it mean.

21 **Q.** So as you sit here right now today, if I use the  
22 word racial gerrymandering instead of Shaw versus  
23 Reno, does that --

24 **A.** I remember in the Legislator's Guide that is one  
25 part of it, and I can say that I can visualize



1 maybe Shaw versus Reno was in there, but as far as  
2 following the criteria that was set out with the  
3 blending or harmonization of the Voting Rights Act  
4 with Stephenson, the Strickland decision, the  
5 majority-minority requirements that are there  
6 before us and following the federal and state law,  
7 that was the core of our -- you know, of our -- of  
8 the criteria.

9 If we followed the Stephenson decision and  
10 the legislative maps, we would be moving forward  
11 and then recognizing that we did need to get  
12 pre-clearance, and that was important to us.

13 **Q.** Did I also understand that you would be complying  
14 with compactness as long as you complied with the  
15 Whole County Provision?

16 **A.** Yes, ma'am.

17 MR. FARR: Objection.

18 Go ahead.

19 SENATOR RUCHO: Yes, ma'am.

20 BY MS. EARLS:

21 **Q.** So if you're looking at the shape of the Senate  
22 districts in Mecklenburg county, for example, that  
23 are wholly contained within a single county, is it  
24 your testimony, then, that you didn't -- you don't  
25 think there's any requirement to keep those



1 districts within Mecklenburg county geographically  
2 compact?

3 MR. PETERS: Objection.

4 MR. FARR: Objection.

5 SENATOR RUCHO: We felt we were following  
6 the Stephenson decision and all of the criteria I  
7 alluded to you on, and then recognizing that in  
8 Mecklenburg county it was important to us to have,  
9 as your map had, the majority-minority status of  
10 50 percent plus so that it would preclude the state  
11 from having to face a lawsuit under Section 2 of  
12 the Voting Rights Act.

13 BY MS. EARLS:

14 **Q.** Do you know if there's ever been a successful  
15 Section 2 lawsuit in Mecklenburg county?

16 **A.** No, ma'am.

17 **Q.** So you're not aware of any successful Section 2  
18 lawsuit in Mecklenburg county since 1986 when the  
19 Gingles decision came down?

20 **A.** No, ma'am.

21 **Q.** Am I understanding, then, that you did not -- well,  
22 let's talk about the data that was available to you  
23 during the redistricting process, and I'll start  
24 with data about the compactness of districts.

25 How familiar are you with the Mapitude



1 software?

2 **A.** Not at all.

3 **Q.** So you've never used it?

4 **A.** No.

5 **Q.** Have you ever seen it on the computer screen?

6 **A.** Yes, ma'am.

7 **Q.** Did you ever use the terminal that was at the -- we  
8 heard testimony yesterday about a separate laptop  
9 or terminal that was set up in an office between  
10 two offices that didn't have a number. And did you  
11 ever use that terminal to look at redistricting  
12 plans?

13 **A.** No, ma'am, I never did.

14 **Q.** So all of your review using the computer of  
15 redistricting plans was done with Dr. Hofeller?

16 **A.** Or one of the other people that drew maps.

17 **Q.** Are you aware of the various compactness measures  
18 that software can produce for a district?

19 **A.** Up until just recently I never knew it could do  
20 compactness, but also the fact there are many tests  
21 for compactness and there's no right one and they  
22 lead to many types of different answers and  
23 therefore didn't seem like it was a relevant way of  
24 measuring it.

25 **Q.** You talked earlier about Congressional District 1,



1 and I want to show you -- I thought I had another  
2 copy. I only have one copy, but I don't -- I'm  
3 happy to share it.

4 I want to show him an e-mail that has a  
5 case attached to it.

6 MR. FARR: Cromartie case?

7 MS. EARLS: Yes.

8 (WHEREUPON, Exhibit 212 was marked for  
9 identification.)

10 BY MS. EARLS:

11 **Q.** You're looking at a document that's been marked as  
12 Exhibit 212, and I believe you earlier testified  
13 that you were interested in or that you were aware  
14 that Congressional District 1 had previously been  
15 determined to be sufficiently compact, and I just  
16 want to ask you if that e-mail that's the first  
17 couple of pages of Exhibit 212, if that represents  
18 your request and the answer that you received  
19 regarding that.

20 **A.** Well, the request was made.

21 **Q.** And actually, if you look at page 2 of that  
22 document.

23 **A.** Again, I was looking at a lot of papers. I can't  
24 say that I looked specifically, but apparently it  
25 was validated.



1       **Q.** Right, but my question is: Does page 2, that's the  
2       request you made for information about the First  
3       Congressional District and the Cromartie decision.  
4       It's a memo -- I'm just asking is that the request  
5       you made?

6       **A.** Yes, ma'am, I'm assuming it is.

7       **Q.** And then the first page shows that they referred  
8       you to the 2000 Cromartie decision.

9       **A.** (Witness nodding head up and down.)

10               MR. PETERS: You need to answer.

11               SENATOR RUCHO: Yes. I apologize.

12       BY MS. EARLS:

13       **Q.** Did you actually -- do you recall if you actually  
14       read that opinion?

15       **A.** I'm not sure, not being a lawyer, that it would  
16       make a world of difference. I would probably go on  
17       the fact that Mr. Cohen probably said something to  
18       the effect, but I can't be sure who gave me that.

19       **Q.** Well, the opinion talks at some length about the  
20       various compactness scores and recites what the  
21       compactness scores were for the First Congressional  
22       District, and I'm just trying to understand what  
23       role, if any, your understanding of these  
24       compactness scores play in the redistricting  
25       process. And it sounds from what you said before



1       that, in fact, they really didn't, you didn't look  
2       at them, they didn't really influence them at all.

3       **A.** If we followed the Stephenson criteria as it was  
4       established by the North Carolina Supreme Court and  
5       then the U.S. Supreme Court, we felt we had  
6       achieved compactness if you're talking about it in  
7       that manner.

8       **Q.** So you didn't think it was necessary to look at the  
9       compactness scores of districts relative to --

10      **A.** Up until just recently I didn't know the software  
11      had that ability. I think it was either yesterday  
12      or today or sometime just recently I heard that it  
13      does have the ability to one particular measure on  
14      compactness for the district, but there apparently  
15      are many with inconsistencies.

16      **Q.** So going back to the data that was made available  
17      to you, do you know what election returns or voting  
18      registration data was on Dr. Hofeller's -- in  
19      Dr. Hofeller's software?

20      **A.** In working with Mr. Frey, I asked that all of the  
21      election returns for general elections going from I  
22      believe it's 2002 -- well, not 2002. Yeah, 2002 as  
23      many of them that occurred in this time period and  
24      Mr. Frey was able to gather all that information.

25               Apparently there were no -- there was a



1 shortage of space, and there's a term that it  
2 wouldn't accept all of them, but the lion share of  
3 all of the election returns were on the state  
4 computer and I have to assume that's what  
5 Mr. Hofeller moved onto his, but I imagine it would  
6 be just statewide elections.

7 **Q.** And do you know if he had data regarding election  
8 returns at any level below the precinct level?

9 MR. FARR: Objection.

10 SENATOR RUCHO: You need to ask  
11 Dr. Hofeller that question.

12 BY MS. EARLS:

13 **Q.** So you don't -- well, let me ask you this: You  
14 know the difference between a census block and a  
15 VTD?

16 **A.** I do understand that when the information comes  
17 from Census, the VTDs are there but it breaks it  
18 down into census blocks.

19 **Q.** Do you know whether the election return data which  
20 shows you how voters voted whether that data is  
21 available at the census block level?

22 **A.** I don't know the answer to that.

23 **Q.** What about voter registration data, do you know  
24 anything about the voter registration data that  
25 Dr. Hofeller had?



1       **A.** No, ma'am.

2       **Q.** Then keeping on the theme of data, let's look at  
3       the -- what information you had about past  
4       elections, and yesterday we were looking at some of  
5       this information for the past House races. I want  
6       to -- I don't know, it's probably not in front of  
7       you so I have what is Exhibit 82.

8               MR. FARR: We stipulated all of that stuff  
9       was in front of him. If you want to ask him about  
10      that individual is fine.

11             SENATOR RUCHO: I'm sorry, I didn't hear  
12      what you said.

13             MR. FARR: Nothing. She wants to ask you  
14      questions.

15             SENATOR RUCHO: Okay. All right.

16      BY MS. EARLS:

17       **Q.** Well, really I just wanted to make sure that you  
18       had it before you were ultimately voting on the  
19       redistricting plans that were enacted.

20       **A.** To the best of my recollection, all of this was  
21       requested by Representative Lewis and myself and it  
22       was difficult in compiling because of the long  
23       period of time, but, yes, this was all part of the  
24       record.

25       **Q.** And you received it before the plans were enacted?



1       **A.** I would say to you that it was received before we  
2       enacted the plans, so it's part of the record, yes,  
3       as best I can tell.

4       **Q.** So do you know how many African American members  
5       there are in the State Senate right now elected in  
6       2010?

7       **A.** I believe there's seven right now.

8       **Q.** And you know, don't you, that none of them were  
9       elected in districts that were majority black  
10      according to the 2010 Census?

11      **A.** I need to look back and see what the percentages  
12      were, but that may be accurate.

13      **Q.** So let's then talk a little bit about your  
14      understanding of racially polarized voting.

15             You testified that you had in the record  
16      information that there was racially polarized  
17      voting in North Carolina. Do you think it's  
18      important to know something about the level of  
19      racially polarized voting?

20             MR. FARR: Objection.

21             You can answer.

22             SENATOR RUCHO: As part of the record  
23      building on this subject, your testimony was that  
24      it exists. Your expert testified that it exists  
25      through the report that you submitted to us. I



1 asked Mr. Joyner from the NAACP during the public  
2 hearing that if indeed racially polarized voting  
3 existed and he said yes, and then Dr. Brunell  
4 validated Mr. Block or Dr. Block's record and  
5 apparently felt that there was racially polarized  
6 voting in each of the districts that had VRA  
7 districts in it and then I think all of the other  
8 urban areas that were in.

9 BY MS. EARLS:

10 **Q.** So your understanding of racially polarized voting,  
11 it was sufficient for you that there was testimony  
12 that it exists?

13 MR. FARR: Objection.

14 SENATOR RUCHO: Since that was -- I would  
15 just say to you yes.

16 BY MS. EARLS:

17 **Q.** And is it your belief that racially polarized  
18 voting is the same throughout North Carolina?

19 **A.** I don't know the answer to that question.

20 **Q.** And you didn't think it was important to know the  
21 answer to that question in order to decide where  
22 you needed to draw majority black districts?

23 MR. FARR: Objection.

24 SENATOR RUCHO: I will say to you that the  
25 evidence was that it existed, and that is, you



1 know, what we had as far as our record is  
2 concerned, and we wanted to make sure that we did  
3 succeed in getting Department of Justice  
4 pre-clearance and we did so in a very expedited  
5 manner and apparently we were correct in that  
6 judgment.

7 BY MS. EARLS:

8 **Q.** Yesterday Representative Lewis testified that he  
9 thought that statewide election returns were the  
10 only ones important to analyzing racially polarized  
11 voting. Do you agree with that?

12 MR. FARR: Objection.

13 MR. PETERS: Objection.

14 SENATOR RUCHO: Best I can remember, the  
15 statewide gives you the most realistic picture of  
16 it. You know, there's so many inconsistencies on  
17 individual races. They may be the same district,  
18 they may not be the same. There's no way of  
19 measuring. They could be different.

20 BY MS. EARLS:

21 **Q.** Let's look at Exhibit 189. I'm sorry, not 189.

22 MR. FARR: Excuse me for a second.

23 (Discussion held off the record.)

24 BY MS. EARLS:

25 **Q.** I want Exhibit 199.



1 MR. SPEAS: If it was a snake, it would bite  
2 you.

3 BY MS. EARLS:

4 Q. These are Rucho Senate VRA districts.

5 MR. SPEAS: First page.

6 SENATOR RUCHO: Yes, ma'am.

7 BY MS. EARLS:

8 Q. Do you recall when Dr. Hofeller first shared with  
9 you a map of Senate districts, redrawn Senate  
10 districts?

11 A. Not when he first shared it, no, ma'am.

12 Q. Can you give me a sense of how much in advance of  
13 this map being made public, that is, was it within  
14 a week, was it within two months?

15 A. I don't recall that timeframe.

16 (WHEREUPON, Exhibit 213 was marked for  
17 identification.)

18 BY MS. EARLS:

19 Q. So the court reporter has handed you what's been  
20 marked as Exhibit 213. Am I correct that's a  
21 document that has one sheet of paper on the top  
22 that has district numbers and percentages and then  
23 a map that says NC Senate April 22?

24 A. Yes, ma'am, I see it before me, and I'm not sure I  
25 know where it came from.



1       **Q.** Have you ever seen it before?

2       **A.** No, ma'am, not that I can remember.

3       **Q.** Then I'll ask you to also take a look at what's  
4       been marked as Exhibit 214.

5               (WHEREUPON, Exhibit 214 was marked for  
6       identification.)

7       BY MS. EARLS:

8       **Q.** And that's a map that says NC Senate May 13. Have  
9       you seen that map before?

10      **A.** It looks similar to our enacted map, but I don't  
11      know if I've seen it, this picture.

12              MR. FARR: Excuse me a minute.

13              (Discussion held off the record.)

14              MS. EARLS: I think we can then look at  
15      Exhibit 215.

16              (WHEREUPON, Exhibit 215 was marked for  
17      identification.)

18      BY MS. EARLS:

19      **Q.** And can you just read for me the title of the map  
20      that's part of Exhibit 215.

21      **A.** North Carolina Senate May 23, 3 -- I don't know  
22      what that -- 3 NE No SE.

23      **Q.** And have you ever seen that map?

24      **A.** It looks similar to the enacted map.

25      **Q.** Do you recall seeing that iteration or that version



1 of a district map at any point?

2 **A.** I've seen a lot of them. I can't say specifically  
3 that I saw this one. There are consistencies in  
4 regard to what this map is and what the enacted map  
5 is, but I can't say specifically I saw this one.

6 **Q.** Let's just look at one more. That's Exhibit 216.  
7 (WHEREUPON, Exhibit 216 was marked for  
8 identification.)

9 BY MS. EARLS:

10 **Q.** And can you tell me what that is.

11 **A.** That title is NC Sen 3 NE with SE Black.

12 **Q.** Do you know what that title refers to?

13 **A.** I don't remember seeing the map as it is here  
14 before me, so I'm not sure. I would be just  
15 guessing.

16 **Q.** Can you give me a general idea of how you did work  
17 with Dr. Hofeller once he started drawing maps.

18 **A.** Once we did the -- just one second. Once we did  
19 the groupings, then we moved onto where we could  
20 work with the VRA districts as requested or  
21 required of us.

22 **Q.** So how did you -- did he bring you a map that  
23 showed the groupings or you went to his office?

24 **A.** Well, the groupings were -- that was a calculation  
25 of putting pieces together, whichever counties that



1       approached or county combinations that approached  
2       the most ideal number for two, three or four  
3       counties is how that was done.

4       **Q.** You're talking now essentially a mathematical  
5       calculation?

6       **A.** When you put counties together.

7       **Q.** And is there a piece of paper that explains what  
8       those were?

9       **A.** I think Mr. Cohen put out or it may even be in the  
10      Legislator's Guide somewhere there is a listing of  
11      where one county, I think, was in the Senate was  
12      190 and 433 and the two county would be twice that  
13      and the three county.

14      **Q.** That's what you're referring to --

15      **A.** That's correct.

16      **Q.** -- as having done the county groupings?

17      **A.** That's correct.

18      **Q.** Thank you. So then once you had that, then what  
19      happened?

20      **A.** Then we would work with blending in the Voting  
21      Rights Act district, following the criteria that  
22      has been established, and then from that point,  
23      once we achieved that level, then we would be doing  
24      the non-VRA districts.

25      **Q.** When you say we would be doing them, were you and



1 he sitting at the computer together drawing the  
2 districts or would he produce the map and bring it  
3 to you?

4 **A.** He would probably, in essence, put some of the  
5 factors in there and say, hey, this is what we're  
6 looking at and what do you think about this and  
7 that and see how it worked and if it achieved the  
8 result of complying with the legal criteria of  
9 Stephenson.

10 **Q.** Were most of your discussions with him about the  
11 maps in person, face-to-face or was it over the  
12 phone? How did that happen?

13 **A.** Well, most of them were in person because, you  
14 know, you visualize it.

15 **Q.** When -- going back, then, to Exhibit 199, which is  
16 the smaller map that's the House -- I'm sorry --  
17 Senate VRA districts, when you first saw this map,  
18 were these the only districts you saw or was the  
19 rest of the map filled in?

20 **A.** There was probably some sketched out other  
21 non-VRA's. I mean, you have to do it altogether to  
22 make sure everything fits. And then this was the  
23 part that we delivered for public review and  
24 waiting for public comment and seeing if we needed  
25 to alter or change any of the districts.



1 But you know, these were the districts that  
2 we felt when we brought them forward that best met  
3 the criteria by Stephenson, and also all of the  
4 record that is there, including all the evidence  
5 that came down from racial polarization. You know,  
6 I'm not an expert. I go on what they tell me as  
7 far as, you know, each of the -- from your input  
8 and from Mr. Block's, from Dr. --

9 **Q.** Brunell?

10 **A.** -- Brunell, Dr. Brunell. So understand that when  
11 not being an attorney, not being an expert on  
12 racial polarization, not being a statistician, I go  
13 on the experts giving me the best advice as to how  
14 we would need to comply with the criteria that  
15 Stephenson lays out.

16 And to be candid with you, I'm not sure I  
17 could add any more to the fact that that's what I  
18 depended on along with Representative Lewis to  
19 establish the criteria that we felt would be  
20 important to draw fair and legal maps to be able to  
21 get pre-clearance approval and to move this cycle  
22 forward.

23 **Q.** I understand -- I mean, you said several times  
24 you're not an expert on racial polarization but you  
25 have run for public office numerous times, correct?



- 1       **A.** That does not make me an expert for racial  
2       polarization.
- 3       **Q.** But you have run for public office?
- 4       **A.** Yes, ma'am.
- 5       **Q.** And in the course of running campaigns, you do look  
6       at election returns?
- 7       **A.** You look at results.
- 8       **Q.** Right, election results.
- 9       **A.** Yes.
- 10      **Q.** You do have interactions with voters, correct, in  
11      the course of your duties as a senator?
- 12      **A.** Constituent services.
- 13      **Q.** And is it your view -- do you have any sense of  
14      whether white voters in North Carolina, whether any  
15      white voters are willing to vote for a black  
16      candidate?
- 17      **A.** To answer your question, I go on what the experts  
18      have told me about that, especially since I was --  
19      you know, my responsibility was to come forward  
20      with a Senate map, Congressional map and then  
21      working with Representative Lewis. We use the  
22      expert advice as part of the record of how to work  
23      this. I mean, I'm not going to question you,  
24      Mr. Block, Dr. Block, Mr. Funell (sic), you're all  
25      the experts, and if you say it existed and if it



1 exists, then we follow what would be expected of us  
2 under the law.

3 **Q.** So going back to these districts, the Senate VRA  
4 districts, can you tell me which of these districts  
5 you drew or you believe were justified by Section 5  
6 of the Voting Rights Act and which ones you believe  
7 were justified by Section 2 of the Voting Rights  
8 Act?

9 MR. FARR: Objection.

10 SENATOR RUCHO: Well, I would assume that  
11 Section 5 of the Voting Rights Act would be  
12 impacted by Guilford, by the 20 in Granville, by  
13 number 4, number 3, number 5. It would be -- well,  
14 not so much in this one, but in reality, it would  
15 be number 21 with Hoke county.

16 And then Section 2 would be all the others  
17 because they would be every other county in the  
18 state who would have it except for the ones who are  
19 Section 5 which are 40 of them.

20 BY MS. EARLS:

21 **Q.** And what's your understanding of what Section 5  
22 requires?

23 **A.** Well, of course, Section 5 is pre-clearance from  
24 the Department of Justice. And one of them was --  
25 let me remember the criteria, if I may.



1 Retrogression is one of them and there was another  
2 one and I've forgotten. I studied this a long time  
3 ago. And there is one other criteria to determine  
4 whether we met -- we received Section 5 compliance  
5 and it's discrimination but there's another term  
6 for it.

7 **Q.** And in determining -- in figuring out -- when  
8 you're looking at these districts that are covered  
9 by Section 5 and trying to decide what you have to  
10 do as a member of the legislature to avoid -- to  
11 get pre-clearance and to comply with Section 5 and  
12 to avoid retrogression, do you -- what was your  
13 understanding of what the benchmark was for those  
14 districts?

15 **A.** I'll go back to what our criteria was. It was  
16 harmonization of the Voting Rights Act with  
17 Stephenson, with Strickland, 50 percent plus, and I  
18 think that's it.

19 **Q.** Well, let me ask -- or let me ask it slightly  
20 different. Let's look at the Congressional  
21 districts.

22 **MR. FARR:** I just want to interject.

23 We're having a legal argument here, and I'm going  
24 to let this go on a little bit longer, but we have  
25 a disagreement on the law. We have a lawyer



1           arguing with a non-lawyer about what the law means.

2           MS. EARLS: No. I'm asking him his  
3           understanding which is completely legitimate as a  
4           person who instructed the map drawer.

5 BY MS. EARLS:

6 **Q.** So let's look at the Congressional districts.

7 **A.** Can we take a break?

8 **Q.** Sure.

9 **A.** This would be a good time.

10           (Brief Recess: 3:00 to 3:10 p.m.)

11 BY MS. EARLS:

12 **Q.** Before we broke, I was going to ask you about the  
13 Congressional districts, and I'll try to keep this  
14 fairly short, but Congressional District 1 in the  
15 prior plan was 47.76 percent black voting age  
16 population using the 2010 Census data and in the  
17 enacted plan you increased it to 52.65 percent  
18 black voting age population, and I'm trying to  
19 understand was it your view that that increase in  
20 black voting age population was necessary to comply  
21 with Section 5 of the Voting Rights Act?

22 **MR. FARR:** Objection.

23 **SENATOR RUCHO:** As best I can recollect,  
24 okay, that was Section 2. I think it was a Section  
25 2 case. And -- do we have a map of that?



1 BY MS. EARLS:

2 **Q.** Yes. That would be Exhibit 190. If you look at  
3 the fourth page of that exhibit, I believe those  
4 would be the enacted plans and I think it's right  
5 there.

6 MR. FARR: This.

7 BY MS. EARLS:

8 **Q.** Congressional. It's 190, looks like this. You can  
9 take a look at this.

10 **A.** As best I can remember, that is -- it's got  
11 Section 5 in there and Section 2 in that district,  
12 and our goal was to bring it up to the population  
13 it was missing of -- roughly missing 97,000 voters.  
14 We went into the Durham area to help keep that  
15 stable over the long period of time to minimize the  
16 underpopulation, and under that circumstances it  
17 was felt that we needed to restore that to -- under  
18 the Strickland decision to a 50 percent plus.

19 **Q.** And you had discussions with Representative  
20 Butterfield about that, am I right?

21 **A.** We discussed a number of things about it. I'm not  
22 sure we specifically got into the percentages. We  
23 told them about the difference in the population  
24 and we needed to get that restored under the one  
25 person, one vote.



1       **Q.** I am going to ask the court reporter to mark this  
2       document as Exhibit 217.

3               (WHEREUPON, Exhibit 217 was marked for  
4       identification.)

5       BY MS. EARLS:

6       **Q.** Do you recognize Exhibit 217 as a letter from -- a  
7       letter from G.K. Butterfield dated July 22, 2011,  
8       that was introduced in the record at a public  
9       hearing by Senator Ed Jones?

10      **A.** Yes, ma'am.

11      **Q.** And do you recall seeing this letter during the  
12      redistricting process?

13      **A.** Yes, ma'am, we took that into consideration.

14      **Q.** And do you see -- if you look at the top of page 2  
15      where he talks about the fact that it's not -- that  
16      he can maintain the historic rural nature of that  
17      district without going into an urban area and still  
18      comply with the Voting Rights Act?

19      **A.** I read what it says, and part of our decision in  
20      the process was that his district over the last ten  
21      years was -- many of the counties were either slow  
22      growth or no growth, and our effort was to try to  
23      maintain and not be -- not over time lose the one  
24      person, one vote requirement of making sure that  
25      the population stays similar to the rest, and



1       that's why it went into Durham county, initially  
2       into Wake and then into Durham.

3       **Q.** But he's suggesting that numerically it's possible  
4       to comply -- to draw a district that doesn't  
5       violate the general redistricting principles even  
6       those there's a large population deficit, he calls  
7       it, that District 1 can be preserved without going  
8       into the urban areas.

9               Are you saying you just didn't think that  
10       was right?

11              MR. FARR: Objection.

12              SENATOR RUCHO: We were concerned about  
13       minimizing the underpopulation of that district so  
14       we could stay, you know, in close proximity with  
15       one person, one vote, zero population differential.

16       BY MS. EARLS:

17       **Q.** When you say you were concerned about that --

18       **A.** Over time.

19       **Q.** Going forward, so the decade from 2011 to 2021?

20       **A.** We were -- we were trying to maintain a way of  
21       doing so.

22              And secondly, if I remember correctly, this  
23       precedent of going into Durham had been done in a  
24       previous map and it was something that was done a  
25       number of years back. I don't remember the exact



1 period of time, but it did and we felt that that  
2 was a precedent that was there and all of the --  
3 all of the factors dealing with our criteria were  
4 met, and I'm not sure how else to explain that.

5 **Q.** Let's talk about District 12 for just a moment.

6 Congressional District 12 went from 44.31 percent  
7 in the prior plan to 50.66 percent black voting age  
8 population roughly in the new plan.

9 And did you consider that was necessary to  
10 comply with the Voting Rights Act?

11 **A.** I'll repeat what I talked to Mr. Speas earlier this  
12 morning, and that was the district we inherited,  
13 our goal was to get pre-clearance done by the  
14 Justice Department. This map -- this District 12  
15 has had at least 20 years of approval by the  
16 Justice Department. We kept the same concept in  
17 there. There was a population, I think, overage of  
18 about 2,000 or some sort.

19 And secondly, this is -- it is in areas of  
20 Section 2 and Section 5, but this map was designed  
21 for its original purpose and that was to be a  
22 strong performing democratic district.

23 **Q.** So ultimately you're saying that you drew  
24 District 12 the way it is to make it a strong  
25 democratic performing district?



1 MR. PETERS: Objection.

2 SENATOR RUCHO: That was the original  
3 intent of what was approved by the court to my  
4 recollection.

5 BY MS. EARLS:

6 Q. I want what your intent was.

7 A. Our intent was passage by the Department of  
8 Justice.

9 Q. You felt it needed to go above 50.66 percent to be  
10 cleared by the Department of Justice?

11 MR. FARR: Objection.

12 SENATOR RUCHO: No. What we're saying is  
13 that when this map was drawn and it was -- and  
14 Mr. Hofeller was giving directions on this, his  
15 responsibility was to get it to an ideal  
16 population, zero deviation, secondly, to use whole  
17 VTDs wherever possible and, thirdly, to use the  
18 presidential election in 2008 as the measure of  
19 adding people to this district.

20 BY MS. EARLS:

21 Q. As a measure of partisan affiliation?

22 A. No, not partisan affiliation. The vote during the  
23 presidential election.

24 Q. So how people vote in terms of which party they  
25 support?



1       **A.** No. How you voted on the election.

2       **Q.** What I'm trying to understand is did you consider  
3       that -- what I am trying to understand is you're  
4       saying you instructed him to use the 2008 Obama  
5       election --

6       **A.** Results.

7       **Q.** -- results to indicate what?

8       **A.** In forming the VTDs that are in that -- in that --  
9       in the district.

10      **Q.** I see. And you did have conversations with  
11      Representative Watt about his district?

12      **A.** Yes.

13      **Q.** And I believe he also sent a letter. I am going to  
14      ask the court reporter to court reporter to mark  
15      this.

16                   (WHEREUPON, Exhibit 218 was marked for  
17      identification.)

18      BY MS. EARLS:

19      **Q.** I believe you have been handed a document that has  
20      been marked as Exhibit 218.

21                   Is that a letter from Representative Watt  
22      dated July 8, 2011? I'm really just trying to  
23      identify the document.

24      **A.** I want to read it first.

25                   Thank you. Yes.



1       **Q.** Do you recall receiving this letter during the  
2       redistricting process?

3       **A.** Yes. I think it was actually read by Senator  
4       Graham.

5       **Q.** You testified earlier that you drew the Forsyth  
6       county District 32 in part based on Representative  
7       Watt's statements that Hispanic and African  
8       American voters vote together, and this letter in  
9       Paragraph B on the first page says that he did not  
10      intend to indicate that he had any knowledge of  
11      whether African American and Hispanic voters vote  
12      together.

13             Did this letter have any impact on your  
14      decision about District 32?

15      **A.** My recollection in discussing with him -- and  
16      Mr. Woodcox was in with us at that point -- was  
17      that -- was that the white voter -- excuse me --  
18      the black voters and the Hispanic voters tended to  
19      vote cohesively, and that's what I remember him  
20      saying very clearly. Now he may disagree with what  
21      you understood, but that is what I remember  
22      clearly.

23      **Q.** But he at least put in writing prior to the passage  
24      of the plan that that wasn't what he intended,  
25      whatever he said, and you understood he's put in



1 writing that's not what he intended to indicate.

2 **A.** As I alluded to earlier, District Number 12 is what  
3 we inherited Congressionally. We followed the  
4 criteria I just alluded to you when I told you what  
5 we told Dr. Hofeller to make sure that we met zero  
6 deviation.

7 **Q.** I'm sorry.

8 MR. FARR: Can he finish.

9 SENATOR RUCHO: Zero deviation. We wanted  
10 to keep whole VTDs when we could, and we used  
11 President Obama's election results in determining  
12 how to fill out those VTDs so it would be a high  
13 democratic performance district as what was  
14 originally approved by the Supreme Court way back  
15 20 years or so.

16 BY MS. EARLS:

17 **Q.** I'm asking you now about Senate District 32 in  
18 Forsyth county.

19 **A.** Okay.

20 **Q.** And your testimony earlier today when Mr. Speas was  
21 asking you questions was that you considered that a  
22 coalition district based on what Representative  
23 Watt told you about Hispanic and African American  
24 voters voting together.

25 And my question is whether you gave any



1 weight to his written statement here on July 8th  
2 before the plan had been enacted that in fact that  
3 was not what he intended to suggest?

4 MR. PETERS: Objection to the  
5 characterization of what the letter says.

6 BY MS. EARLS:

7 Q. Did you give any weight to Paragraph B in this  
8 letter that's Exhibit 218?

9 A. All I can say is that even reading this now,  
10 apparently there was similar issues and similar  
11 concerns between the African American and Hispanics  
12 on the federal level issues and I assume that it  
13 would be translated down to the state issues and  
14 felt that the coalition district was appropriate  
15 based on our criteria.

16 Q. Do you recall Representative Watt telling you that  
17 very minor changes to his district would be  
18 sufficient to bring it into one person, one vote  
19 compliance, specifically switching as few as one or  
20 two precincts?

21 A. Yes, he did.

22 Q. Let's move -- I want to ask you a question about  
23 Brent Woodcox. You mentioned him a minute ago.  
24 What role did he play in the redistricting  
25 process?



1       **A.** He was the counsel to the Senate redistricting. He  
2       was a staff person, legislative staff person.

3       **Q.** And did he provide advice about -- or what did he  
4       do in that role as counsel?

5       **A.** Was involved in a number of the drafting of  
6       documents and making sure that letters got out to  
7       stakeholders and all of the work that was necessary  
8       for this committee to move forward.

9       **Q.** I want to ask you specifically about the public  
10      hearing that occurred on the Senate Voting Rights  
11      Act -- House and Senate Voting Rights Act  
12      districts. You chaired that public hearing, is  
13      that correct, you and Representative Lewis?

14      **A.** Okay. What day was it?

15      **Q.** This was the public hearing that was held on the  
16      Voting Rights Act districts -- I'm sorry. On  
17      June 23, 2011.

18      **A.** Do we have that before us?

19      **Q.** No. I'm just asking if you remember being at  
20      that -- if you chaired that hearing and you were  
21      there.

22      **A.** And it was the -- was it the Voting Rights Act maps  
23      that were put out that day?

24      **Q.** Yes. Well, they were put out a couple days before.  
25      The Voting Rights Act districts were released on



1 June 17th and the public hearing was June 23rd.

2 **A.** I assume I was there.

3 **Q.** What do you recall about the public reaction to the  
4 Voting Rights Act maps as expressed at that public  
5 hearing?

6 **A.** I think most -- the comment that came forward was  
7 that people felt that they saw that, okay, and they  
8 wanted to see what the rest of the maps look like,  
9 but this is the first step that we would have taken  
10 following the Stephenson criteria and that was why  
11 we did it in this manner so we could get public  
12 comment and we were following it just as we were  
13 told to in the law.

14 **Q.** Do you recall any public comments at that public  
15 hearing opposing the Voting Rights Act districts on  
16 the ground that they were packing black voters?

17 **A.** There was a concert of individuals, NAACP, League  
18 of Women Voters, and they all seemed to say the  
19 same messages almost like it was a canned speech.

20 **Q.** And did you give that any weight in your  
21 consideration of the Voting Rights Act?

22 **A.** We considered everything that was discussed there  
23 plus any other information we might have gotten  
24 over the internet, additional comments.

25 **Q.** The split precincts, we haven't been able to talk



1 about those much, but did you request any  
2 documentation of how much it might cost to  
3 administer the elections when there are split  
4 precincts?

5 **A.** It was requested by me only because it came about  
6 from a request of the member of the committee and  
7 Ms. Churchill had to spend some time with the Board  
8 of Elections, and my best recollection was that  
9 when we finally saw a document that is was  
10 insignificant.

11 **Q.** That the cost was insignificant?

12 **A.** That is correct.

13 **Q.** I want to go back to Senate District 32. Do you  
14 recall having -- this is Senator Garrou's district.  
15 Do you recall having an exchange with her on the  
16 floor of the Senate regarding that district?

17 **A.** Let's see. Senator Garrou and I probably had  
18 exchanges on a number of occasions I think  
19 about -- not necessarily related to redistricting.

20 There may have been some comments from her  
21 the best I can recollect. There were a number of  
22 folks that spoke on the issue.

23 **Q.** What do you recall about their comments on that  
24 district?

25 **A.** I guess the biggest one that she felt was the fact



1       that she was in a -- moved into -- let's see --  
2       into Senate District 31.

3       **Q.** And do you recall her saying -- her asserting that  
4       she was in fact the candidate of choice of African  
5       American voters in her current district?

6       **A.** I can't specifically say that I remember her saying  
7       that, but it could have been said.

8       **Q.** And similarly, do you recall having an exchange  
9       between Senate Minority Leader Nesbitt in the  
10      committee about Senate District 32?

11     **A.** I can't remember the specifics.

12     **Q.** Do you recall Senator Nesbitt saying, "but it says  
13      here Chairman Rucho also recommends that the  
14      current white candidate not be included in the  
15      proposed District 32. That doesn't sound like it  
16      just happened to me"?

17     **A.** That was designed to be a coalition district, and  
18      apparently, from some of the record that Senator  
19      Garrou defeated, I guess, a couple of minority  
20      candidates over 2006 and 2010 or somewhere in  
21      there, a couple of elections that occurred in the  
22      primary, and it, I guess, felt it was important to  
23      give the people of that district to select the  
24      candidate of their choice.

25     **Q.** So does that mean it was your view that Senator



1 Garrou could not be the candidate of choice of  
2 African American voters?

3 **A.** That was really up to the people in that district.  
4 And we wanted to give it its best effort to have  
5 that happen. I'm not sure I can answer that any  
6 further.

7 **Q.** Well, I think it's important to know what  
8 information you had and what your considerations  
9 were there.

10 Do you recall saying, "In a coalition  
11 district, we wanted to be sure that the people in  
12 that district have an opportunity to choose a  
13 candidate of their choice that are of the  
14 population in that district"?

15 MR. FARR: Is that a quote from the  
16 record?

17 MS. EARLS: Uh-huh.

18 SENATOR RUCHO: Repeat it again, then.

19 BY MS. EARLS:

20 **Q.** "In a coalition district, we wanted to be sure that  
21 the people in that district have an opportunity to  
22 choose a candidate of their choice that are of the  
23 population in that district."

24 **A.** I'm not sure I said that specifically, but it could  
25 be. I guess what I'm saying is very simply that



1 the people that are in that District 32 now will be  
2 able to have a chance to select a candidate of  
3 their choice and apparently there are two or three  
4 candidates presently running in that district.

5 **Q.** Why did you have to draw Linda Garrou out of that  
6 district in order to give them a choice to elect a  
7 candidate of their choice?

8 **A.** It was just a matter of where the lines drew.

9 **Q.** It's just an accident that you drew her out of that  
10 district?

11 **A.** No, probably not. It was just a matter that would  
12 be a better way to handle District 32.

13 **Q.** Would you have felt the same way if she had been  
14 black?

15 MR. FARR: Objection. That's a  
16 hypothetical.

17 BY MS. EARLS:

18 **Q.** You can answer the question.

19 **A.** If she was an incumbent and she was black, we would  
20 not have -- as I mentioned to you before, I told  
21 Mr. Hofeller that we would never or not double bunk  
22 or make sure that the incumbents were there because  
23 of the potential problems that could come from the  
24 Department of Justice.

25 **Q.** So you would have left her in District 32?



1 MR. PETERS: Objection.

2 SENATOR RUCHO: If that were the

3 circumstance, yes, I would have.

4 BY MS. EARLS:

5 Q. We talked about the meetings that you had with  
6 Representative Watt and Representative Butterfield.  
7 Did you have any other meetings with members of  
8 Congress about their districts?

9 A. I did. We invited everyone. I think we met with  
10 Congressman Price, Congressman McIntyre. I can't  
11 remember if Congressman Jones or not came, but I  
12 know those first two for sure.

13 Q. Just a moment.

14 Thank you very much. I have no further  
15 questions.

16 EXAMINATION

17 BY MR. FARR:

18 Q. Senator Rucho, have you memorized the entire record  
19 before the General Assembly to come here and  
20 testify today?

21 A. No, sir, that wouldn't be possible.

22 Q. Are there some documents that may relate to the  
23 criteria and the opportunities that you gave  
24 members of the General Assembly and public to have  
25 input on this that have not been produced during



1 this deposition by the plaintiffs?

2 **A.** There's multitude of documents that were alluded to  
3 but not presented, yes, sir.

4 **Q.** And is one of those documents the expert report by  
5 Ms. Earls' expert Mr. Block, I think his name is?

6 **A.** Yes, sir, we did not have a chance to see that here  
7 today.

8 **Q.** And you've been questioned about that, but no one  
9 has ever allowed you to review that document today,  
10 have they?

11 **A.** That document has been --

12 MR. SPEAS: Objection to the form.

13 BY MR. FARR:

14 **Q.** You've testified about that document, have you not?

15 **A.** I testified in the sense that that was part of our  
16 comprehensive, overall record and yet it was  
17 discussed today on a couple of occasions and never  
18 did get a chance to see a copy of it.

19 **Q.** Do you recall what's in that report sitting here  
20 today?

21 **A.** The only thing that I can remember distinctly was  
22 the fact that Mr. Block felt that African American  
23 candidates have a better opportunity of winning an  
24 election in the district with majority-minority  
25 status. That's the one I can remember the best I



1 can.

2 **Q.** Sitting here today, do you remember which races

3 Mr. Block analyzed in his report?

4 MR. SPEAS: Object to the form.

5 SENATOR RUCHO: My recollection is that he

6 looked at every election from, was it, 2006, 2008,

7 2010 where a minority candidate and a white

8 candidate would have participated in the election,

9 so I think he covered every single general election

10 up through that period and came out with the result

11 that I described to you.

12 BY MR. FARR:

13 **Q.** Did you rely upon that report in making your

14 decision in formulating the plans that were

15 ultimately enacted?

16 MR. SPEAS: Object to the form.

17 SENATOR RUCHO: Representative Lewis and I

18 both looked at that based on testimony, based on

19 the results that came from Dr. Block and

20 Dr. Brunell.

21 MR. FARR: All right. That's it.

22 FURTHER EXAMINATION

23 BY MR. SPEAS:

24 **Q.** We have five minutes.

25 **A.** Great.



1       **Q.** I'd like to talk to you about racially polarized  
2       voting for just a minute. And you discussed --  
3       you've been asked about racially polarized voting  
4       studies. What do you understand the purpose of  
5       those studies to be?

6       **A.** I'm not expert.

7       **Q.** Right. Neither am I.

8       **A.** And the only thing I can go on is the conclusions  
9       that come from the experts that say that racially  
10      polarized voting still exists today and especially  
11      at the time we enacted our maps in North Carolina.

12      **Q.** And do you know whether or not racially polarized  
13      voting exists everywhere in the United States?

14      **A.** I don't know the answer to that question.

15      **Q.** And based on your own experience, do you know that  
16      there are parts of the state where white citizens  
17      are more likely to vote for a black candidate than  
18      other parts of the state?

19               MR. PETERS: Objection.

20               SENATOR RUCHO: I don't know the answer to  
21      that question.

22      BY MR. SPEAS:

23      **Q.** But you know in Mecklenburg county, for example,  
24      that a number of black candidates have won  
25      Mecklenburg county as a whole on a regular basis



1 over the years since 1977 that you've been in  
2 Mecklenburg county?

3 MR. FARR: Objection.

4 You can answer the question.

5 SENATOR RUCHO: Of course, there are  
6 election results, but reality is -- is it  
7 Dr. Funell --

8 BY MR. SPEAS:

9 Q. Brunell.

10 A. Brunell, excuse me, mentioned specifically that he  
11 has -- and I'm -- he ended up going along with what  
12 Dr. Block said that there still is racially  
13 polarized voting in Mecklenburg county.

14 Q. So let me ask the question this way, and this will  
15 be my last one: When you were serving in your role  
16 as chair of the Senate Redistricting Committee, did  
17 you determine that racially polarized voting  
18 existed across North Carolina without any  
19 difference across North Carolina's counties?

20 MR. FARR: Objection.

21 SENATOR RUCHO: I could only go on what  
22 was told by the experts to us.

23 BY MR. SPEAS:

24 Q. And that's what you understood from Dr. Brunell?

25 A. Well, Dr. Brunell and there was comments from



1 Dr. Block.

2 **Q.** And you, of course, never had the opportunity to  
3 talk to Dr. Brunell I believe you testified.

4 **A.** No, sir.

5 MR. SPEAS: Thank you for coming. There's  
6 some outstanding matters that might require us to  
7 get back together, but we'll let you know about  
8 that.

9 SENATOR RUCHO: Thank you.

10 [SIGNATURE RESERVED]

11 [DEPOSITION CONCLUDED AT 3:41 P.M.]  
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1           A C K N O W L E D G E M E N T   O F   D E P O N E N T

2

3           I, SENATOR ROBERT RUCHO, declare under the

4 penalties of perjury under the State of North

5 Carolina that I have read the foregoing 199 pages,

6 which contain a correct transcription of answers made

7 by me to the questions therein recorded, with the

8 exception(s) and/or addition(s) reflected on the

9 correction sheet attached hereto, if any.

10          Signed this the       day of               , 2012.

11

12

13                               SENATOR ROBERT RUCHO

14

15

16          State of:

17          County of:

18               Subscribed and sworn to before me

19          this       day of               , 2012.

20

21

22

23                               Notary Public

24          My commission expires:

25



ERRATA SHEET

Case Name: NAACP vs. State or North Carolina, et al. and

Margaret Dickson et al. vs. Robert Rucho, et al.

Witness Name: Senator Robert Rucho

Deposition Date: Friday, May 4, 2012

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Signature

Date



STATE OF NORTH CAROLINA    )  
                                  ) C E R T I F I C A T E  
COUNTY OF WAKE            )

I, DENISE L. MYERS, Court Reporter and  
Notary Public, the officer before whom the foregoing  
proceeding was conducted, do hereby certify that the  
witness(es) whose testimony appears in the foregoing  
proceeding were duly sworn by me; that the testimony  
of said witness(es) were taken by me to the best of  
my ability and thereafter transcribed under my  
supervision; and that the foregoing pages, inclusive,  
constitute a true and accurate transcription of the  
testimony of the witness(es).

I do further certify that I am neither  
counsel for, related to, nor employed by any of the  
parties to this action, and further, that I am not a  
relative or employee of any attorney or counsel  
employed by the parties thereof, nor financially or  
otherwise interested in the outcome of said action.  
This the 13th day of May 2012.

Denise L. Myers  
Notary Public 200826100153



# EXHIBIT C



STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
COUNTY OF WAKE 11 CVS 16896  
11 CVS 16940

MARGARET DICKSON, et al., )

)  
Plaintiffs, )

vs. )

ROBERT RUCHO, in his )  
official capacity only as )  
the Chairman of the North )  
Carolina Senate )  
Redistricting Committee, )  
et al., )

)  
Defendants. )

\_\_\_\_\_)  
NORTH CAROLINA STATE )  
CONFERENCE OF BRANCHES OF )  
THE NAACP, et al., )

)  
Plaintiffs, )

vs. )

STATE OF NORTH CAROLINA, )  
et al., )

)  
Defendants. )

DEPOSITION OF  
REPRESENTATIVE DAVID LEWIS

\_\_\_\_\_  
9:31 A.M.

THURSDAY, MAY 3, 2012

\_\_\_\_\_  
POYNER SPRUILL  
301 FAYETTEVILLE STREET  
SUITE 1900  
RALEIGH, NC 27601

By: Denise Myers Byrd, CSR 8340, RPR



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Also Present: Senator Robert Rucho

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## STIPULATIONS

It is hereby stipulated and agreed between the parties to this action, through their respective counsel of record:

1. That the deposition of REPRESENTATIVE DAVID LEWIS may be taken on Thursday, May 3, 2012, at 9:30 a.m. in Raleigh, NC, before Denise Myers, CSR 8340, RPR.

2. That the deposition shall be taken and used as permitted by the applicable North Carolina Rules of Civil Procedure.

3. That any objections of any party hereto as to notice of the taking of said deposition or as to the time or place thereof, or as to the competency of the person before whom the same shall be taken, are deemed to have been met.

4. That objections to questions and motions to strike answers need not be made during the taking of this deposition, but may be made for the first time during the progress of the trial of this case, or at any pretrial hearing held before any judge of competent jurisdiction for the purpose of ruling thereon, or any other hearing at which said deposition shall be used, except that objections to



1 the form of the question must be made at the time  
2 such question is asked or objection as to the form of  
3 the question is waived.  
4 5. That the witness reserves the right to read and  
5 sign the transcript prior to it being sealed.  
6 6. That the sealed original of the transcript shall  
7 be mailed First Class Postage Paid or hand-delivered  
8 to the party taking the deposition for preservation  
9 and delivery to the Court if and when necessary.

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1 REPRESENTATIVE DAVID LEWIS,  
2 having been first affirmed by the Certified Shorthand  
3 Reporter and Notary Public to tell the truth, the whole  
4 truth and nothing but the truth, testified as follows:

5 EXAMINATION

6 BY MR. SPEAS:

7 **Q.** Would you state your full name for the record,  
8 please.

9 **A.** Good morning. My name is David Ray Lewis.

10 **Q.** Representative Lewis, my name is Eddie Speas. I'm  
11 representing the plaintiffs in the Dickson matter,  
12 and I appreciate you coming to the deposition  
13 today.

14 A couple of observations about the  
15 deposition before we begin with actual questioning.  
16 You've been sworn to tell the truth, and that's  
17 hard if you don't understand the questions that I  
18 ask or if I ask confusing questions, so I want you  
19 to feel free to ask me to rephrase a question to  
20 make sure you understand the question before you  
21 begin answering.

22 As we go through the day, if you need a  
23 break, we'll take a break at your convenience. We  
24 roughly will plan to take a break 11:00-ish or so,  
25 if this goes like I expect, and then later for



1 lunch.

2 Representative Lewis, have you ever been  
3 deposed before?

4 **A.** Yes, sir, I've been deposed one other time.

5 **Q.** And what setting was that?

6 **A.** It was a civil suit regarding a contractor that I  
7 had hired and some work they had done.

8 **Q.** I'd like to talk a little bit about your  
9 background. You were born in Harnett county?

10 **A.** Actually, I was born in Cumberland county at  
11 Cape Fear Valley Hospital in Fayetteville. My  
12 home -- my address has always been Dunn, but I  
13 actually grew up in Cumberland county about two  
14 miles on the other side of the line.

15 **Q.** And you attended the public schools there in  
16 Harnett county, Dunn or Cumberland?

17 **A.** I attended and graduated from the Cumberland county  
18 public schools.

19 **Q.** Okay. Did you go off to college after that?

20 **A.** Yes, sir. I attended and graduated from Campbell  
21 University.

22 **Q.** Do you have any other degrees other than your  
23 undergraduate degree from Campbell?

24 **A.** No, sir, I do not.

25 **Q.** Just briefly review for me your employment history.



1     **A.** Yes, sir. My first job after college, if you will,  
2         was on our family farm. I assisted my father in a  
3         time when he was experiencing some health issues.

4             After that, I went for what I thought would  
5         be a short period of time to manage Harnett Tractor  
6         Company, which is a John Deere franchise in Dunn,  
7         North Carolina. It is a business in which my  
8         father at the time was a minority shareholder.

9             The manager of the business retired rather  
10         unexpectedly. My father asked me to go and fill in  
11         for a while. I wound up being there for about  
12         15 years. I've often told people because they  
13         couldn't find anybody that would work as cheaply as  
14         I did.

15             On November 1st of 2007, Harnett Tractor  
16         Company, which had been a stand-alone, independent  
17         franchise, merged with four other John Deere  
18         businesses to form Quality Equipment, LLC, which is  
19         also a John Deere franchise. I agreed to stay on  
20         and to assist with the transition.

21             I continued to work at Quality until  
22         March 31st of 2008 at which time I formed another  
23         company. It was called the Tobacco Traceability  
24         Program. It dealt with trying to assist tobacco  
25         producers in being able to adapt to new



1 requirements that were going to be placed upon them  
2 with tobacco following under -- excuse me, pardon  
3 me -- falling under the purview of the Food and  
4 Drug Administration.

5 There are a lot more documentation  
6 challenges and whatnot that farmers now face that  
7 they didn't two or three years ago, and I was  
8 basically a subcontractor -- my main client was  
9 Philip Morris International. That went very well  
10 and I enjoyed it quite a lot.

11 When the project ended, I returned to the  
12 farm for a while, and in August of 2010 was asked  
13 to go back to Quality Equipment, the John Deere  
14 dealership, to work out of our Dunn branch and to  
15 be a salesman primarily to our larger clients. To  
16 this date, I remain employed at Quality and am in  
17 the role of a salesman.

18 **Q.** Okay. And how old are you, Representative Lewis?

19 **A.** Mr. Speas, I'm 41.

20 **Q.** 41. And so you've got about 20 years' experience  
21 working since college; is that correct?

22 **A.** Yes, sir.

23 **Q.** Now, you're a member of the General Assembly.

24 **A.** Yes, sir.

25 **Q.** And my understanding you were first elected in



1           2002; is that correct?

2           **A.** Yes, sir.

3           **Q.** And you've been reelected each two years since  
4           then; is that correct?

5           **A.** Yes, sir.

6           **Q.** Have you held any other elected offices?

7           **A.** No, sir.

8           **Q.** Now, let me ask you this: You have now served ten  
9           years or so in the legislature. Would you share  
10          with me what you believe your responsibility to  
11          your constituents in your district is as a  
12          legislator.

13          **A.** My responsibilities to my constituents are varied.  
14          I spend a great deal of time listening to the  
15          concerns that they have both in general regarding  
16          their state government and also specific  
17          constituency issues that my constituents need help  
18          with. I seek to act on those.

19                 I also -- as I said, there are often a lot  
20          of concerns about the general nature of state  
21          government, and I have sought to bring about  
22          practical solutions to them. Basically, I work to  
23          uphold the oath that I took and feel I have done a  
24          good job. I certainly have done the best job I've  
25          known how to do.



1     **Q.** It is my understanding, Representative Lewis, that  
2         you have chosen to waive your legislative privilege  
3         with respect to this lawsuit. Am I correct about  
4         that?

5             MR. FARR: I'll make a statement. He's  
6         waiving his legislative privilege as it relates to  
7         pre-enactment issues.

8             MR. SPEAS: Pre-enactment redistricting  
9         issues.

10            MR. FARR: Yes. And that would also  
11         encompass the issues related to the corrections  
12         bill that was passed, that he's waiving the  
13         legislative privilege as to that piece of  
14         legislation.

15            MR. SPEAS: And I'm sorry, which piece of  
16         legislation, the correction?

17            MR. FARR: Yes, sir.

18            MR. SPEAS: Okay. All right.

19     BY MR. SPEAS:

20     **Q.** Thank you. And Representative Lewis, do you  
21         understand that by waiving that privilege with  
22         respect to this redistricting litigation that you  
23         will explain to us your reasons for various actions  
24         that you took with regard to the redistricting  
25         legislation and your reasoning; is that correct?



1       **A.** Yes, sir.

2       **Q.** With respect to redistricting, you've explained  
3       your obligations to your constituents generally.  
4       Explain to me your view of your obligations to your  
5       constituents with respect to redistricting.

6       **A.** My obligations to my constituency in regards to  
7       redistricting is similar to the obligations I hold  
8       to them in other capacities within the House.  
9       I -- as I alluded earlier -- didn't allude but  
10      stated earlier, I took an oath to follow the  
11      Constitution of North Carolina and also of the  
12      United States and the laws thereof, and my job  
13      specifically in the area of redistricting was to  
14      make sure that the process observed all of the  
15      legal requirements that exist regarding  
16      redistricting and did so to the best of my ability.

17      **Q.** Representative Lewis, during the course of the day  
18      there will be a number of exhibits that I want to  
19      inquire about, and let me begin with the first of  
20      those and ask the court reporter to mark this as  
21      179.

22               (WHEREUPON, Exhibit 179 was marked for  
23      identification.)

24      BY MR. SPEAS:

25      **Q.** Representative Lewis, I've handed you a document



1 marked Exhibit 179 and I would tell you that I went  
2 to your website and I printed off parts of your  
3 website.

4 Would you examine Exhibit 179 and tell me  
5 whether these are documents that you recall  
6 appearing on your website as for your role as  
7 member of the North Carolina House of  
8 Representatives?

9 **A.** Mr. Speas, I do believe that all of this material  
10 is from my website.

11 **Q.** All right. And you maintain your website or  
12 somebody under your direction maintains your  
13 website; is that correct?

14 **A.** Yes to both. I do have the ability to add content  
15 to it. I'm not very good at it, to be frank with  
16 you. I do have -- the web master who does this  
17 also adds and updates -- adds and updates content  
18 at my direction.

19 **Q.** You control the content of the website; is that  
20 correct?

21 **A.** That's correct.

22 **Q.** Representative Lewis, I would like to just take a  
23 minute to walk through these documents. The first  
24 page is simply a description of much of your  
25 background and history and experience; is that



1 correct?

2 **A.** Yes, sir, that is correct.

3 **Q.** And if you would turn to the second and third pages  
4 of the exhibit, Representative Lewis, on those  
5 pages are there set forth your opening remarks with  
6 regard to redistricting?

7 **A.** Yes, sir.

8 **Q.** And from the content of that it looks like that you  
9 delivered those comments on the occasion of the  
10 introduction of Lewis-Dollar-Dockham 2; is that  
11 correct? If you would look at the first paragraph.

12 **A.** Yes, sir.

13 **Q.** Did you draft those remarks?

14 **A.** Mr. Speas, I did draft these remarks. Some of the  
15 content of these remarks was indeed taken directly  
16 from the joint statements that Senator Rucho and I  
17 had prepared.

18 **Q.** So these remarks were delivered after you and  
19 Senator Rucho had issued some of your public  
20 statements; is that correct?

21 **A.** Yes, sir, that is correct.

22 **Q.** Would you turn with me to the second page to the  
23 paragraph mid page which begins "In addition, our  
24 proposed plan complies with Section 2 of the Voting  
25 Rights Act."



1 Do you see that?

2 **A.** I do.

3 **Q.** And that paragraph reads: "Under the decision by  
4 the U.S. Supreme Court in Strickland v. Bartlett,  
5 the State is now obligated to draw majority black  
6 districts with true majority black voting age  
7 population. We have done so in all areas of the  
8 state we believe it was necessary to do so to  
9 foreclose costly litigation against the state under  
10 Section 2."

11 Those were your words?

12 **A.** Yes, sir.

13 **Q.** And do they accurately reflect your purpose in  
14 drawing the plans?

15 **A.** They reflect -- they reflect one of the intents of  
16 our plan which was to comply with Section 2 of the  
17 Voting Rights Act.

18 **Q.** Now, Representative Lewis, I do not want to inquire  
19 about any advice you've gotten from Mr. Farr, but I  
20 do want to ask you this: During this redistricting  
21 process, you had a number of lawyers who assisted  
22 you; is that correct?

23 **A.** Yes, sir, that is correct.

24 **Q.** One of those lawyers -- the lawyers would have  
25 included lawyers on the staff of the legislature?



1       **A.** Yes, sir.

2       **Q.** Would have included Mr. Farr and his law firm?

3       **A.** Yes, sir.

4       **Q.** Would have included Mr. Carvin and his law firm,  
5       Jones Day?

6       **A.** Mr. Carvin was involved with the pre-clearance of  
7       the maps, yes, sir.

8       **Q.** Was Mr. Carvin involved in the drafting or the  
9       enactment of the legislation or only after  
10      enactment of the legislation?

11      **A.** I don't recall any direct communication with  
12      Mr. Carvin prior to our attempts to seek  
13      pre-clearance.

14      **Q.** And did the Attorney General's Office also provide  
15      you advice?

16      **A.** They did.

17      **Q.** And in particular, did Mr. Peters provide you  
18      advice?

19      **A.** Yes, sir, he did.

20      **Q.** And did he provide you advice during the course of  
21      the enactment of the redistricting bills or only  
22      after?

23      **A.** He provided input before and after the enactment.

24      **Q.** And did any of your lawyers review this opening  
25      statement before you made it?



1       **A.** No one reviewed this opening statement prior to me  
2       making it, but as I said before, part of the  
3       material did come from our prepared statements  
4       which had been reviewed.

5       **Q.** Okay. All right, sir. Representative Lewis,  
6       pardon me if I occasionally refer to you as  
7       Mr. Lewis, but Representative Lewis, would you turn  
8       now to the fourth and fifth pages of Exhibit 179.  
9       And this is or appears to be from your website, but  
10      it is entitled "David quoted in WRAL, Laura  
11      Leslie's blog." Is that accurate?

12      **A.** Yes, sir, it is.

13      **Q.** And look with me at the fifth paragraph of that log  
14      and it reads: "House Redistricting Chairman David  
15      Lewis replied that precincts are not a concept that  
16      is addressed specifically in statute or case law  
17      that I am aware of and was not a consideration in  
18      the drafting of this plan."

19              Did I read that correctly?

20      **A.** You did.

21      **Q.** And did Ms. Leslie quote you accurately on that  
22      occasion?

23      **A.** Mr. Speas, I do not recall my exact remarks, but do  
24      not -- let me rephrase that. I do not recall my  
25      exact remarks, but I don't have any issue with the



1 way that it is portrayed here.

2 **Q.** And can you look at the first paragraph of that  
3 page and tell me if you can date when you made  
4 those remarks.

5 **A.** Mr. Speas, based on the first paragraph, I cannot  
6 answer that.

7 **Q.** And if you would, there is a paragraph that reads  
8 "Posted: 9:36 p.m., Friday the House and Senate  
9 Redistricting Committees voted on party lines today  
10 to approve proposals for new voting maps for the  
11 House, Senate and congressional seats."

12 Does that help you date when you would have  
13 talked to Ms. Leslie?

14 **A.** Mr. Speas, I do not believe that I actually spoke  
15 with Ms. Leslie. I think that she attended and  
16 reported on the House and Senate Redistricting  
17 Committee meetings. The fact that it says Friday  
18 would have certainly been during the July session  
19 when we met to do redistricting. I apologize, I do  
20 not know the exact date.

21 **Q.** Representative Lewis, there's a mass of information  
22 here. You do not need to apologize for not  
23 recalling all of it.

24 Look with me toward the bottom of that  
25 page, Representative Lewis. There's some



1 references to a Mr. Hofeller. I'm going to ask you  
2 some more questions about Mr. Hofeller later, but  
3 was a Mr. Hofeller a consultant who worked with you  
4 in drafting the redistricting plans?

5 **A.** Yes.

6 **Q.** And was he paid with state money?

7 **A.** It's my understanding, Mr. Speas, that  
8 Dr. Hofeller's fees were paid through Ogletree  
9 Deakins. Ogletree Deakins was paid with state  
10 funds, so I would infer then that ultimately, yes,  
11 he was paid with state funds.

12 **Q.** And to your memory, were there any other  
13 consultants to you in the redistricting process who  
14 were paid with state funds?

15 **A.** Again, I believe that -- to the best of my  
16 knowledge, all of the consultants that were  
17 involved were paid through Ogletree and Ogletree  
18 was paid with state funds.

19 **Q.** Would one of those consultants be Mr. or Professor  
20 Brunell?

21 **A.** Mr. Speas, Professor Brunell was hired to provide  
22 some information to the committee. I believe the  
23 actual decision to bring him on board was made  
24 slightly before I was named chair, and I do not  
25 recall if he was paid directly by the state or



1 through Ogletree. I am familiar with his name and  
2 I did read his research.

3 **Q.** Have you ever met him?

4 **A.** No, sir.

5 **Q.** And a Mr. Friedman, I believe, was retained as a  
6 consultant; is that correct?

7 (Brief Interruption.)

8 REPRESENTATIVE LEWIS: Mr. Speas, I do not  
9 recall his name.

10 BY MR. SPEAS:

11 **Q.** Now, Mr. Lewis, if you would turn with me to the  
12 last two pages of Exhibit 179, and let me ask you  
13 if this is an article that appeared, I take it, in  
14 the February 16th issue of the daily record.

15 **A.** Yes, sir, that appears to be correct.

16 **Q.** And is that -- that's not the Dunn newspaper, is  
17 it?

18 **A.** Yes, sir, it is.

19 **Q.** Oh, it is. I thought it was the Dunn Dispatch or  
20 maybe it used to be.

21 It's a report about you being named  
22 chairman of the Redistricting Committee, the House  
23 Redistricting Committee, correct?

24 **A.** That's correct, sir.

25 **Q.** And in the third paragraph on that page there's



1 this statement: "Representative Lewis is adamant  
2 to apply his regional knowledge to the new voting  
3 lines which will be used for the next ten years."

4 Those don't appear to be your words, but  
5 was that an accurate description of your views as  
6 of February 16, 2011, that you were adamant in  
7 applying your regional knowledge to the new voting  
8 plans -- lines?

9 **A.** Mr. Speas, I do not recall saying that and did not  
10 write those words.

11 **Q.** Okay. Let me inquire about this. In your work, in  
12 your education, you have focused -- Harnett county  
13 has been your focus, correct?

14 **A.** Yes, sir.

15 **Q.** And Cumberland county?

16 **A.** I grew up in Cumberland and consider us all a part  
17 of the Cape Fear region, but I've never actually  
18 represented any part of Cumberland.

19 **Q.** Okay. All right, sir. Now, let's turn more  
20 specifically to your appointment. You were  
21 appointed to chair or I think you were senior chair  
22 of the House Redistricting Committee by the speaker  
23 I think effective February 15, 2011; is that  
24 correct?

25 **A.** Yes, sir.



1     **Q.** Did you request that appointment or were you asked  
2         to assume that appointment?

3     **A.** Mr. Speas, the speaker inquired of all the members  
4         to express our -- any interest in which committees  
5         to serve on or to chair. I did express to him that  
6         I would be interested in working on the  
7         redistricting project. We had limited  
8         conversations about the redistricting process.

9             I know that there were other members that  
10            also desired to be a part of this process, and it  
11            is fair to say that I asked to chair.

12           That's -- again, being more than a year ago, I  
13           don't -- I don't really recall exactly how all the  
14           decisions were made.

15    **Q.** Representative Lewis, let me ask you this: What  
16         kind of special knowledge did you bring to the  
17         table that would serve you well in your role as  
18         senior chair of the Redistricting Committee?

19    **A.** Most of the knowledge that I acquired on the  
20         subject of redistricting came after I was named as  
21         chair. I did devote considerable time to try and  
22         understand and apply the law.

23           I think the main thing I brought as chair  
24           is my reputation and my standing with my fellow  
25           House members as being someone who attempts to be



1 fair and open in communicating issues and  
2 considering points of view, and I also prided  
3 myself in developing a reputation as being someone  
4 who works very hard in trying to move whatever  
5 matter I am attempting to move.

6 **Q.** You brought with you to the table, I assume, a  
7 fairly good knowledge of North Carolina's  
8 geography?

9 **A.** Yes, sir.

10 **Q.** Especially in the Cape Fear region?

11 **A.** I feel that I have -- that I brought with me and  
12 have an adequate understanding thereof.

13 **Q.** And I assume, Representative Lewis, that your work  
14 with the tractor company and later with the tobacco  
15 company would have brought you in contact with a  
16 lot of folks in the community, especially in the  
17 Cape Fear region?

18 **A.** Yes, sir.

19 **Q.** And being a politician, I suspect that you brought  
20 to the table a fair amount of knowledge about  
21 voting patterns and behavior in Harnett county and  
22 the Cape Fear region. Would that be correct?

23 **A.** Yes, sir.

24 **Q.** And I assume you brought to the table a fair amount  
25 of knowledge about who was winning and who was



1       losing elections in North Carolina, especially in  
2       your area?

3       **A.** Yes, sir.

4       **Q.** And I assume you brought to the table a fair amount  
5       of knowledge about communities of interest within  
6       the state, especially in the Cape Fear region.  
7       Would that be correct?

8               MR. PETERS: Objection to the form.

9               REPRESENTATIVE LEWIS: I brought to the  
10       table an adequate understanding as would have been  
11       afforded to anyone else about communities of  
12       interest.

13       BY MR. SPEAS:

14       **Q.** And was your knowledge of geography important to  
15       you in performing your duties as chair?

16       **A.** Mr. Speas, if you could perhaps define a little  
17       more what you mean by geography.

18       **Q.** By geography, I mean that North Carolina's divided  
19       into three distinct regions.

20               MR. FARR: Objection to the form.

21               REPRESENTATIVE LEWIS: Mr. Speas, my  
22       knowledge of geography that was very relevant to  
23       the redistricting process is that North Carolina is  
24       divided into 100 counties. Obviously I am aware  
25       that there are urban and there are rural parts of



1       our state and, yes, from elementary school I'm also  
2       aware of the coastal plains of Piedmont and the  
3       mountains.

4       BY MR. SPEAS:

5       **Q.** We all took North Carolina history at some point.

6               And was your knowledge about voting  
7       patterns and behavior important to you as you  
8       performed your role as senior chair?

9       **A.** It was one of the factors that was considered.

10      **Q.** When you assumed your position as senior chair on  
11      February 15th, had you had any prior redistricting  
12      experience?

13      **A.** I had never had any formal or practical experience  
14      in redistricting. I am a member of the Republican  
15      National Committee on redistricting and had  
16      attended two meetings, I believe, on the -- just  
17      the general principle and practices, and it  
18      was -- it was a very generic overview obviously  
19      dealing with all 50 states about who does the  
20      redistricting in each state, is there an  
21      independent commission, is there a gubernatorial  
22      veto, things like that.

23      **Q.** I'll come back to that in just a minute.

24               You were in the legislature in 2002?

25      **A.** No, sir.



1       **Q.** Okay, you were not. When were you first elected?

2       **A.** I was elected in November of 2002 and began in  
3       January of 2003.

4       **Q.** Okay. Did you participate in the redistricting  
5       process that occurred in 2003 in the legislature?

6       **A.** Yes, sir.

7       **Q.** Were you a member of any committee?

8       **A.** No, sir.

9       **Q.** So your participation was through your vote on  
10      particular plans?

11      **A.** Yes, sir.

12      **Q.** You live in Harnett county?

13      **A.** Yes, sir.

14      **Q.** And the county commissioners and school board in  
15      Harnett county are divided into districts, I  
16      believe.

17      **A.** Yes, sir.

18      **Q.** Have you ever participated in that process of  
19      redistricting of the county commissioners or the  
20      school board in Harnett county?

21      **A.** No, sir.

22      **Q.** Now, there were several other members of the House  
23      Redistricting Committee, I believe. Were they  
24      selected by the speaker or did you participate in  
25      the selection of those other members?



1       **A.** They were selected by the speaker.

2       **Q.** And do you know what criteria the speaker applied  
3       in selecting those people?

4       **A.** No, sir.

5       **Q.** He didn't confer with you about who should be  
6       appointed?

7       **A.** No, sir.

8       **Q.** I believe that Representative Dollar and  
9       Representative Dockham were also co-chairs or had  
10       some chair title for the Redistricting Committee;  
11       is that correct?

12       **A.** That is correct.

13       **Q.** Would you please explain to me the relationship  
14       between you and Dollar and Dockham with respect to  
15       responsibility for the running the House  
16       Redistricting Committee.

17       **A.** It was my responsibility ultimately to manage on  
18       behalf of the House the redistricting process.  
19       While I cannot and won't speak to the speaker's  
20       decision to name Representative Dockham and  
21       Representative Dollar as the co-chairs, I did  
22       consult with them on -- as a legislative courtesy  
23       the same you would a committee that has more than  
24       one chair.

25       Representative Dollar was more active in



1 the process than Representative Dockham I would  
2 speculate primarily because he -- and "he" being  
3 Representative Dockham -- chaired the Insurance  
4 Committee and they had enormous amount of work that  
5 was done this session as well.

6 **Q.** Would it be accurate, Representative Lewis, to say  
7 that you were effectively the chair of the House  
8 Redistricting Committee?

9 **A.** That would be accurate, yes, sir.

10 **Q.** Now, there was also a Senate Redistricting  
11 Committee.

12 **A.** Yes, sir, there was.

13 **Q.** Chaired by Senator Rucho?

14 **A.** Yes, sir.

15 **Q.** But there was not, to my knowledge, a Congressional  
16 Redistricting Committee; is that correct?

17 **A.** The House Committee on Redistricting dealt with  
18 both the legislative races and -- excuse me -- the  
19 legislative districts and the congressional  
20 districts.

21 **Q.** So with respect to congressional districting, is it  
22 fair to say that you and Senator Rucho jointly had  
23 responsibility for congressional redistricting?

24 **A.** Yes, sir.

25 **Q.** Now, according to my information, and this is in



1 your affidavit, the first committee meeting  
2 occurred on April 7, 2011. Is that consistent with  
3 your memory?

4 **A.** I know that it was in early April and that sounds  
5 correct, sir.

6 **Q.** Between the appointment of the committee on  
7 February 15th and April 7th, were you effectively  
8 making all redistricting decisions for -- in the  
9 House?

10 **A.** Yes, sir.

11 **Q.** And did those decisions include the hiring of  
12 consultants?

13 **A.** From that point forward, yes, sir.

14 **Q.** And law firms?

15 **A.** From that point forward, yes, sir.

16 **Q.** And the gathering of information?

17 **A.** Yes, sir.

18 **Q.** And did the same thing happen on the Senate side?

19 To the best of your knowledge, Senator Rucho was  
20 effectively making all the decisions for the Senate  
21 Redistricting Committee?

22 **A.** That is my understanding in how -- in practice that  
23 was what I experienced, but I can't -- I can't  
24 speak with direct knowledge of that.

25 **Q.** Now help me with this, and I looked but I can't



1 find the answer to it. After you met, your  
2 committee was formed in February and had its first  
3 meeting in April. When did it next meet? Do you  
4 know? Do you recall?

5 **A.** I do not recall the next time that the committee  
6 met. I know that we held a series of public  
7 hearings under the auspices, if you will, of the  
8 House and the Senate Redistricting Committees in  
9 which all of the members were invited to come, many  
10 participated, as the presiding officer at the  
11 various sites.

12 **Q.** So -- but these were not true meetings of the  
13 Redistricting Committee; these were simply public  
14 hearings sponsored by the Redistricting Committee;  
15 is that correct?

16 **A.** Yes, sir.

17 **Q.** Let me ask the question this way: Do you recall  
18 any meeting of the House Redistricting Committee  
19 between early April and July of 2011?

20 **A.** Other than the public hearings which we just  
21 defined, I don't recall if we met in that time  
22 period or not.

23 **Q.** And would it be accurate, then, that between the  
24 formation of the House Redistricting Committee in  
25 February and July you were effectively managing the



1           redistricting process for the House?

2           **A.** Yes, sir.

3           **Q.** And would it be accurate that between February and  
4           July you and Senator Rucho were effectively  
5           managing the Congressional redistricting process?

6           **A.** Yes, sir.

7           **Q.** And would it be accurate that between February and  
8           July you were the decisionmaker with respect to  
9           House redistricting?

10                 MR. FARR: Objection to the form.

11                 REPRESENTATIVE LEWIS: As with any bill  
12           that's filed before the General Assembly, the bill  
13           has an author who creates the bill and puts forth  
14           the idea, so with respect to the way the  
15           legislative process works, I was responsible for  
16           the drafting of the bills and the drawing of the  
17           maps.

18           BY MR. SPEAS:

19           **Q.** And the same would be true with you and  
20           Senator Rucho jointly with respect to the  
21           Congressional maps?

22           **A.** Yes, sir.

23           **Q.** During this period, February to July, did you --  
24           you got legal advice from members of the lawyers on  
25           the legislative staff?



1       **A.** Yes, sir.

2       **Q.** You got legal advice from the Attorney General's  
3       Office through Mr. Peters?

4       **A.** Yes, sir.

5       **Q.** And you got legal advice from the Ogletree firm  
6       through Mr. Farr?

7       **A.** Yes, sir.

8       **Q.** And who was your principal lawyer during that  
9       period?

10      **A.** Our principal attorney during that period would  
11      have been Mr. Farr.

12      **Q.** Now, there is a House Republican Caucus?

13      **A.** Yes, sir.

14      **Q.** And what is the House Republican Caucus?

15      **A.** The House Republican Caucus is comprised of all the  
16      68 elected members of the House who are  
17      Republicans.

18      **Q.** And is there a Joint House and Senate Republican  
19      Caucus?

20      **A.** Yes, sir.

21      **Q.** And is it composed of all the Republican members of  
22      the House and Senate?

23      **A.** Yes, sir.

24      **Q.** Is there a chairman of the House Republican Caucus  
25      or was there during this period?



1       **A.** Yes, sir. Representative Marilyn Avila is the  
2       chair.

3       **Q.** Was there a chair of the Senate Republican Caucus  
4       during that period?

5       **A.** Pardon me, sir, I would like to make sure I  
6       understood your previous question. I believe you  
7       asked if there was a joint caucus chair. The joint  
8       caucus chair is Representative Marilyn Avila. The  
9       House caucus chair is Representative Paul Stam and  
10      the Senate caucus chair is Senator Harry Brown.

11      **Q.** Okay. Thank you for clearing that up.  
12              How often did the House Republican Caucus  
13      meet?

14      **A.** The House Republican Caucus met every week during  
15      the session.

16      **Q.** Did it keep minutes?

17      **A.** To my knowledge, it did not.

18      **Q.** How often did the joint caucus meet?

19      **A.** To my knowledge, the joint caucus did not meet.  
20      The joint caucus is largely a ceremonial  
21      undertaking that convenes primarily after the  
22      elections in order to basically charge each  
23      respective chamber with going off into their  
24      private caucuses to elect their leadership.

25      **Q.** Now, let's focus a minute on the House Republican



1           Caucus. The House Republican members would attend  
2           those meetings, correct?

3           **A.** Yes, sir.

4           **Q.** Did legislative staff attend those meetings?

5           **A.** From time to time.

6           **Q.** Did Mr. Farr attend those meetings?

7           **A.** No, sir.

8           **Q.** Did Mr. Peters attend those meetings?

9           **A.** No, sir.

10          **Q.** Let me ask the question this way: Were any lawyers  
11          present at these meetings of the House Republican  
12          Caucus?

13               MR. PETERS: Objection.

14          BY MR. SPEAS:

15          **Q.** To your memory.

16          **A.** There are some members of the caucus who are  
17          attorneys and did attend.

18          **Q.** Right.

19          **A.** Occasionally a staff person from the speaker's  
20          office who is an attorney would attend and  
21          occasionally a staff person from our non-partisan  
22          Legislative Services commission who is an attorney  
23          would have been asked in by Representative Stam to  
24          answer questions or receive input on some matter  
25          that the caucus was discussing.



1       **Q.** And who was that person?

2       **A.** As far as the speaker's staff, that would have been  
3       Jason Kay. As far as our non-partisan staff, it  
4       would have been any one of a number of staff that  
5       Representative Stam asked in. Some are attorneys.  
6       Some are economists. Some are other. I don't know  
7       which ones were attorneys and which ones were not.

8       **Q.** Did Gerry Cohen attend those meetings?

9       **A.** No, sir.

10      **Q.** Did Walker Reagan attend those meetings?

11      **A.** No, sir.

12      **Q.** Did Erika Churchill attend those meetings?

13      **A.** No, sir.

14      **Q.** Now, at any time did the House caucus receive  
15      reports about redistricting, the status of it?

16      **A.** The House caucus receives reports from the chairs  
17      of almost all of the committees on all of the  
18      relevant matters being discussed, so, yes, sir, I  
19      did deliver reports to the caucus from time to  
20      time.

21      **Q.** And do you recall giving any instructions to the  
22      caucus with respect to who is to draw plans and who  
23      is not to draw plans?

24      **A.** We made available for the House Republican Caucus  
25      and the House Democratic Caucus and the Legislative



1 Black Caucus, which is a joint caucus between the  
2 House and Senate, hardware, software, which the  
3 state used the Maptitude software, and of course,  
4 they have access to the staff who draws the map. I  
5 do not recall giving any direct instructions to any  
6 member about how to draw a map.

7 **Q.** At any point to your memory did any member of the  
8 House Republican Caucus introduce any redistricting  
9 map in the legislature?

10 **A.** Yes, sir.

11 **Q.** And what -- who were those persons?

12 **A.** Representative Dollar, Representative Dockham and  
13 me.

14 **Q.** And you. Other than you three, did any member of  
15 the House Republican Caucus at any point in time  
16 introduce any House redistricting plan?

17 **A.** To my knowledge, none other than -- none -- no  
18 other Republican bills were filed.

19 **Q.** And to your knowledge, did any member of the House  
20 Republican Caucus, other than you, introduce any  
21 Congressional plan at any point during 2011?

22 **A.** To my knowledge, no, sir.

23 **Q.** Now, when you made your reports to the House  
24 Republican Caucus with regard to redistricting on  
25 an occasional basis, did you request that the



1 members of the caucus keep those discussions  
2 confidential?

3 **A.** I never made a request of that nature. It is  
4 customary that most of the conversations within the  
5 caucus are not discussed outside of the caucus.

6 **Q.** In your reports to the caucus, did you ever inform  
7 the members of the caucus about Mr. Hofeller's role  
8 in redistricting?

9 **A.** I do recall that on at least one occasion I  
10 mentioned Dr. Hofeller's name. I do not recall  
11 that I gave any report that involved him.

12 **Q.** At any point during the Republican caucus  
13 discussions did you ever inform the members of the  
14 caucus where they could go to look at draft plans?

15 **A.** I did not to the best of my remembrance discuss in  
16 the House caucus anything of that nature.

17 **Q.** To your memory, did any member of the House  
18 Republican Caucus, other than you, Representative  
19 Dollar or Representative Dockham, ever meet with  
20 Mr. Hofeller?

21 **A.** Yes, sir.

22 **Q.** And tell me who met with Dr. Hofeller to your  
23 memory and for what purpose.

24 **A.** Mr. Speas, to the best of my recollection, I  
25 invited in all of the members of the House



1 Republican Caucus whose districts were within a  
2 county grouping to come in jointly and review that  
3 county group; in other words, if Counties A, B and  
4 C were grouped together, then the members whose  
5 districts or who currently represented the  
6 districts that fell within that county group were  
7 asked in, they did sit and talk with Dr. Hofeller  
8 about their -- about their respective county group.

9 **Q.** Do you recall when these meetings would have begun?

10 **A.** These meetings would have begun sometime in July.

11 **Q.** And --

12 MR. FARR: When you get to a good point,  
13 can we take our break a little early?

14 MR. SPEAS: We can take a break whenever  
15 you want if Representative Lewis will approve a  
16 break.

17 MR. FARR: May I have a break, sir?

18 REPRESENTATIVE LEWIS: On the advice of  
19 legal counsel, I request a break.

20 MR. SPEAS: Sure. Why don't we take a  
21 ten-minute break. Is that enough?

22 MR. FARR: Yes.

23 (Brief Recess: 10:30 to 10:36 a.m.)

24 BY MR. SPEAS:

25 **Q.** Representative Lewis, we were talking about your



1 invitation to the members of the Republican caucus  
2 to go -- according to county groups to meet  
3 with -- to view the maps, correct?

4 **A.** Yes, sir.

5 **Q.** And that was in July?

6 **A.** I believe so, yes, sir.

7 **Q.** And by this point had you established the groupings  
8 of the counties that would be applied in the House  
9 redistricting plan?

10 **A.** Dr. Hofeller had advised what he felt was the  
11 necessary county groupings based on the Stephenson  
12 decision, and it is fair to say that based on his  
13 recommendation that I did adopt those.

14 **Q.** Okay. So you relied on Dr. Hofeller with respect  
15 to the grouping decision?

16 **A.** I relied on Dr. Hofeller's recommendation based  
17 upon the criteria set forth in the Stephenson  
18 decision.

19 **Q.** And who did you rely upon for what the criteria are  
20 in the Stephenson decision?

21 **A.** I did read the decision and the primary legal  
22 advice in understanding the decision further would  
23 have come from Mr. Farr.

24 **Q.** Now -- so members of the House Republican Caucus  
25 went in groups that corresponded to the group



1 within which their county was located, correct?

2 **A.** They were invited to do so. Not all chose to.

3 **Q.** And where did they go?

4 **A.** We -- most of the meetings to my knowledge were  
5 held in what I believe is commonly referred to as  
6 the Brownstone Hotel here in Raleigh on  
7 Hillsborough Street.

8 **Q.** And if I had been a member of the Republican caucus  
9 and I had gone to the Brownstone Hotel, what would  
10 I have seen? Would there have been a computer  
11 screen? Would there have been maps? Tell me what  
12 I would have seen.

13 **A.** You would have seen a computer screen.

14 **Q.** Did you attend these meetings of groups of members  
15 of the caucus?

16 **A.** I attended some of them, not all of them.

17 **Q.** When you did not attend, did Representative Dollar  
18 or Representative Dockham attend in your place?

19 **A.** Representative Dockham did not attend.  
20 Representative Dollar may have attended. I know he  
21 attended the Wake county meeting. I do not know if  
22 he attended any other ones.

23 **Q.** Did Mr. Farr attend the meetings?

24 **A.** Not that I recall.

25 **Q.** Dr. Hofeller was there?



1       **A.** Yes, sir.

2       **Q.** Anybody else from outside the Republican caucus  
3           present in these meetings of these groups? Do you  
4           remember?

5       **A.** Not that I recall, sir.

6       **Q.** Do you know John Morgan?

7       **A.** Yes, sir.

8       **Q.** Was John Morgan present at these meetings?

9       **A.** No, sir.

10      **Q.** Who is John Morgan?

11      **A.** John Morgan is a political consultant from Virginia  
12           or DC. Mr. Morgan had no input on the House maps.

13      **Q.** Pardon me for skipping around, but let me talk for  
14           a minute about the Congressional plan.

15      **A.** Yes, sir.

16      **Q.** Grouping is not a concept that has any application  
17           to the Congressional plan. Am I correct?

18           MR. FARR: Objection to the form, but you  
19           may answer it.

20           REPRESENTATIVE LEWIS: I do not believe  
21           county groupings were considered in drawing the  
22           Congressional plan.

23      BY MR. SPEAS:

24      **Q.** At any point were members of the House Republican  
25           Caucus invited to see or preview Congressional



1 plans?

2 **A.** No, sir.

3 **Q.** Do you know whether members of the Senate caucus  
4 were invited to the Brownstone in groups  
5 corresponding to the Senate groupings to preview  
6 the Senate plans?

7 **A.** I do not know.

8 **Q.** Were these meetings at the Brownstone in a hotel  
9 room or in a hotel conference room?

10 **A.** They were in a hotel room.

11 **Q.** And whose room was that?

12 **A.** The one in which Dr. Hofeller was staying.

13 **Q.** Did Dr. Hofeller have any assistants who worked  
14 with him in drawing maps?

15 **A.** To my knowledge, Dr. Hofeller drew the -- in terms  
16 of actually moving the mouse on the screen entirely  
17 on his own.

18 I know that occasionally Dale Oldham, who  
19 is an attorney I believe from Columbia and works  
20 with Dr. Hofeller, was involved in conversations  
21 that I held with Dr. Hofeller on the maps, but I do  
22 not believe that -- well, I'm certain that Dale  
23 Oldham did not draw the maps.

24 **Q.** Now, Dale Oldham is a lawyer; is that correct?

25 **A.** Yes, sir.



- 1     **Q.** Was he functioning as a lawyer when working with  
2         Mr. Hofeller or Dr. Hofeller?
- 3     **A.** Mr. Speas, I am not exactly sure what their  
4         relationship is.
- 5     **Q.** Do you know who employed Mr. Oldham?
- 6     **A.** I don't.
- 7     **Q.** Was Mr. Oldham present on most occasions with  
8         Dr. Hofeller?
- 9     **A.** Mr. Speas, I couldn't say most. I can say often.
- 10    **Q.** And based upon your contacts with Mr. Oldham, was  
11       Mr. Oldham involved in the development of the House  
12       map?
- 13    **A.** He was involved in so much as he would offer  
14       opinions on the various criteria that had to be  
15       applied in the drawing of the maps.
- 16    **Q.** And so he was offering opinions on the legal  
17       criteria that had to be applied?
- 18    **A.** Often he was offering his opinion on what the  
19       Stephenson decision and the Strickland decision  
20       would mandate.
- 21    **Q.** To your knowledge, is Mr. Oldham licensed as a  
22       lawyer in North Carolina?
- 23    **A.** I have no knowledge of that, sir.
- 24    **Q.** I believe I heard you say he works out of Columbia,  
25       South Carolina.



1       **A.** I just know that's where his home is, yes, sir.

2       **Q.** You indicated a few minutes ago that you  
3       attended -- that you were North Carolina's  
4       redistricting representative to the Republican  
5       National Committee. Did I understand you  
6       correctly?

7       **A.** You did.

8       **Q.** And you indicated that you had attended a couple of  
9       RNC redistricting meetings; is that correct?

10      **A.** Yes, sir.

11      **Q.** Where did those meetings take place?

12      **A.** Mr. Speas, if I could elaborate a bit more.

13      **Q.** Please.

14      **A.** The Republican National Committee is made up of 168  
15      people, three from each state in each U.S.  
16      territory, that meets -- it meets between two and  
17      four times a year at regularly scheduled meetings.

18             One of the meetings, to the best of my  
19      memory, took place in Kansas City, but I  
20      cannot -- and one of the meetings I believe was in  
21      Washington, DC, but it moves around geographically  
22      and I could be mistaken on that. It's probably  
23      been two years ago.

24      **Q.** And redistricting was a topic of at least a couple  
25      of meetings you attended?



1       **A.** Yes, sir.

2       **Q.** And were the specific redistricting meetings or  
3       general meetings at which redistricting was  
4       discussed?

5       **A.** The RNC has a committee on redistricting and  
6       redistricting was the sole topic that was  
7       discussed.

8       **Q.** Did the state pay for you to attend these meetings?

9       **A.** No, sir.

10      **Q.** Were there agendas for the topics of discussion at  
11      these meetings?

12      **A.** Yes, sir.

13      **Q.** Do you still have those agendas?

14      **A.** I do not recall, sir.

15      **Q.** Was Mr. Farr a presenter at these meetings?

16      **A.** No, sir.

17      **Q.** Mr. Oldham?

18      **A.** No, sir.

19      **Q.** Dr. Hofeller?

20      **A.** Dr. Hofeller did attend. I do not recall if he  
21      presented or not. He may have.

22      **Q.** Did Senator Rucho attend these meetings with you?

23      **A.** No, sir.

24      **Q.** I'm getting ready to ask about an exhibit  
25      previously introduced. I'm wondering if I should



1 wait for Mr. Farr's return.

2 MR. PETERS: I don't know how long he  
3 might be, but he said keep going.

4 BY MR. SPEAS:

5 Q. Couple more topics about the Brownstone.

6 To your knowledge, were any districts  
7 changed as a result of these meetings at the  
8 Brownstone Hotel with Dr. Hofeller?

9 A. Yes, sir.

10 Q. Do you recall which districts were changed as a  
11 result of these meetings?

12 A. It would be fair to say that several of the  
13 districts probably had subtle changes made to them.  
14 I have direct knowledge that the county grouping  
15 that includes Cleveland county -- I believe there  
16 are four seats in that grouping -- I know that  
17 there were some district boundary changes at the  
18 request of those members, and I know that the  
19 county grouping of New Hanover and Brunswick was  
20 changed at the request of those members, but I do  
21 not have actual knowledge of the subtle changes  
22 that may have been made in the other ones.

23 Q. Did the subtle changes require your approval?

24 A. Ultimately, yes, sir. I reviewed them en masse, if  
25 you will, as I was not able to attend all of the



1 meetings.

2 Dr. Hofeller would make the changes as  
3 requested by the members, and unless I had some  
4 reason to object to it, it would become a part of  
5 the proposal that I ultimately did introduce.

6 **Q.** Had a plan been introduced at the time of these  
7 meetings in July, a House plan?

8 **A.** We began to roll out the House plan as we  
9 understood it as required by Stephenson. The VRA  
10 districts had been released, but I cannot recall if  
11 we had introduced the non-VRA districts yet or  
12 the -- those districts that were not created as a  
13 requirement of the Voting Rights Act.

14 **Q.** Did the maps these members of the caucus viewed on  
15 these occasions include all the districts or just  
16 the VRA districts?

17 **A.** The maps that the members viewed include all --  
18 included all of the districts within their county  
19 grouping.

20 **Q.** So these meetings would have occurred after you  
21 presented the VRA districts publicly?

22 **A.** Yes, sir.

23 **Q.** But before a full plan was presented publicly?

24 **A.** I believe that's correct, sir.

25 **Q.** Now, you have testified that a change in the



1 grouping in Cleveland county or that set of  
2 counties was made as a result of these meetings and  
3 a change in the New Hanover/Brunswick grouping was  
4 made to the best of your memory. Do you recall any  
5 other change in a grouping as a result of those  
6 meetings?

7 **A.** Just to be clear, Mr. Speas, the changes that were  
8 made were not made to the county grouping  
9 themselves. They were made to the district lines  
10 within them.

11 **Q.** Thank you. Thank you.

12 As a result of these meetings at the  
13 Brownstone, were any changes made in any VRA  
14 district to your memory?

15 **A.** To my knowledge, no, sir.

16 **Q.** Representative Lewis, at the deposition of  
17 Ms. Churchill she identified a draft of the  
18 Legislator's Guide to Redistricting. That's  
19 Exhibit 45 at her deposition, and I would ask --

20 MR. FARR: I got it. You can give him  
21 one.

22 REPRESENTATIVE LEWIS: Thank you.

23 BY MR. SPEAS:

24 **Q.** I have put in front of you Exhibit 45 from the  
25 deposition of Erika Churchill. Would you look at



1           that and tell me if you recognize that as a draft  
2           legislative redistricting guide that you would have  
3           seen.

4           **A.** Mr. Speas, this appears to be a draft of the  
5           legislator's redistricting guide. It does not  
6           appear to be the final draft.

7           **Q.** Did you see the legislator's redistricting guide as  
8           it was being developed?

9           **A.** I saw the -- I saw the guide. I did review  
10          Ms. Churchill's deposition and do not believe that  
11          I was shown every draft of the staffs work product,  
12          if you will.

13          **Q.** Did you ultimately approve the Legislator's Guide  
14          prepared by the legislative staff?

15                 MR. FARR: Objection.

16                 You can answer.

17                 REPRESENTATIVE LEWIS: The draft was  
18          prepared by our staff and I found no objection on  
19          parts of the guide. I did not have editorial  
20          control of it.

21          BY MR. SPEAS:

22          **Q.** Was it prepared at your request?

23          **A.** Yes, sir.

24          **Q.** And was it prepared at the joint request of  
25          Representative Lewis and Senator Rucho?



1       **A.** Yes, sir.

2       **Q.** And it was ultimately issued by the legislative  
3       staff; is that correct?

4       **A.** Yes, sir.

5       **Q.** And you approved it before it was ultimately  
6       issued?

7               MR. FARR: Objection.

8               MR. PETERS: Objection.

9               REPRESENTATIVE LEWIS: I saw the guide. I  
10       can tell you as a legislator there are times that  
11       we would like for staff product to look a little  
12       bit differently than it does look, especially if  
13       it's a negative fiscal mode on a bill that you  
14       really want to pass.

15              So again, I did not have editorial control  
16       of the production of it, but it seemed to -- it  
17       seemed to accomplish what Senator Rucho and I hoped  
18       to do which was spell out in easy-to-understand  
19       terms the various issues that the committee would  
20       be dealing with and also in terms that the general  
21       public could understand.

22       BY MR. SPEAS:

23       **Q.** Did Mr. Farr participate in drafting it?

24       **A.** Mr. Farr did not participate in drafting the guide  
25       to my knowledge.



1 I know that in a meeting that was held in  
2 which Mr. Farr was present he did ask that certain  
3 things be included by the staff.

4 **Q.** What use did you make of the Legislator's Guide in  
5 performing your duties as chairman of the House  
6 committee?

7 **A.** It was a great help. It gave us a point of  
8 reference. Whenever we were asked to speak to a  
9 specific matter of redistricting, it did a good  
10 job, I thought, of trying to highlight important  
11 redistricting court cases and also did a good job  
12 of just trying to explain the very basic parts of  
13 redistricting, such as how do you arrive at the  
14 number of people that reside in each House  
15 district.

16 **Q.** Did Dr. Hofeller review the Legislator's Guide?

17 **A.** To my knowledge, he did not, sir.

18 **Q.** Representative Lewis, another document introduced  
19 at the deposition of Ms. Churchill was Exhibit 57  
20 which is a letter from you and Senator Rucho dated  
21 March 31, 2011, along with some responses to that  
22 received from Robert Orr and from the Institute of  
23 Government.

24 Would you look at Exhibit 57 and tell me  
25 whether you have seen and recall the letter to



1 "Dear Sir or Madam" from you and Senator Rucho and  
2 the responses received from Robert Orr in the  
3 Institute of Government.

4 **A.** Mr. Speas, in regard to the deposition exhibit in  
5 which you have just given to me, the first third of  
6 page 1 is an e-mail that was sent only to Senator  
7 Rucho. I recall seeing it only after reviewing  
8 Ms. Churchill's deposition.

9 I do recognize the e-mail at the bottom of  
10 page 1 and continuing on to page 2 as an e-mail  
11 that I did sign and sent out.

12 I further recognize what I believe to be a  
13 complete response that Bob Orr sent to me and  
14 Senator Rucho, and I further recognize what I  
15 believe to be a complete reproduction of the letter  
16 -- I think this came in letter form -- from Michael  
17 Crowell and Bob Joyce.

18 **Q.** Okay. Thank you. The March 31st letter addressed  
19 "Dear Sir or Madam," did you draft that letter?

20 **A.** I did not, sir.

21 **Q.** Do you know who did?

22 **A.** To the best of my knowledge, Senator Rucho and I  
23 directed Brent Woodcox, who was serving primarily  
24 as Senator Rucho's counsel but also aided me in my  
25 capacity in the House, to draft this and to send it



1 out in attempt to encourage citizens to attend the  
2 public hearing and to offer their ideas.

3 **Q.** The letter contains a series of questions, seven  
4 questions, correct?

5 **A.** Yes, sir.

6 **Q.** And to the best of your knowledge, Mr. Woodcox  
7 drafted those questions?

8 **A.** To the best of my knowledge, 1 through 7 are not  
9 all questions. They're solicitation for ideas or  
10 for input. For instance, if you look at Number 1,  
11 it says, you know, we'd like your -- or to  
12 paraphrase, it says, we'd like your thoughts on  
13 proposed legislative and congressional districts or  
14 plans. It doesn't really ask anything.

15 To the best of my knowledge, Brent  
16 composed this at Senator Rucho and my request.

17 **Q.** What was your purpose in sending this letter out?

18 **A.** We made every effort to garner as much input from  
19 the public and from legislators and, frankly,  
20 anyone else who wanted to have any input into the  
21 process, and this was one of the attempts to try  
22 and spur and get some feedback.

23 **Q.** Representative Lewis, if you would now turn to the  
24 memorandum to you and Senator Rucho from Robert  
25 Orr, the "Re:" line of that memo reads "Response to



1 your letter dated May 17, 2011." And I have not  
2 previously noted that particular sentence.

3 Did you address a letter specifically to  
4 Robert Orr on May 17, 2011, seeking his advice?

5 **A.** I believe that to be correct, sir.

6 **Q.** And that's not the March 31st letter that's the  
7 first two pages of this document, right, so that's  
8 a separate letter?

9 **A.** Yes, sir, that's correct.

10 **Q.** And in Mr. Orr's memorandum to you, he says he is  
11 reprinting the questions as they appeared in your  
12 May 17th letter; is that correct?

13 **A.** Yes, sir.

14 **Q.** Based on your review of Mr. Orr's memorandum, do  
15 you believe he's accurately restated the questions  
16 that were posed?

17 **A.** Yes, sir, I do.

18 **Q.** What would your purpose be in sending this letter  
19 to Mr. Orr on May 17, 2011?

20 **A.** The letter was sent to Mr. Orr and to a number of  
21 other people. We were attempting to make sure that  
22 we got as much input as possible in the preparation  
23 of the maps, and he was kind enough -- he was one  
24 of the handful of folks that was kind enough to  
25 respond.



1     **Q.** As of May 17, 2011, had you drafted any House  
2         plans?

3     **A.** I do not believe so, no, sir.

4     **Q.** As of May 17, 2011, to your knowledge had  
5         Mr. Hofeller drafted any House plans?

6     **A.** I do not believe so.

7     **Q.** You specifically identified persons to send the  
8         May 17th letter to, correct?

9     **A.** I had input into that, yes, sir.

10    **Q.** And who else had input?

11    **A.** Senator Rucho, and I don't wish to speculate, but I  
12         seem to recall that we asked the staff to send this  
13         out to any person that they considered an expert in  
14         this area. For instance, the next part of this  
15         exhibit to -- was responded to by Mr. Crowell. I  
16         know him only by reputation. So I would think that  
17         probably Ms. Churchill or someone else added his  
18         name to the list.

19    **Q.** But you knew Robert Orr?

20    **A.** I do.

21    **Q.** And you knew he had been on the North Carolina  
22         Court of Appeals?

23    **A.** I thought it was the Supreme Court.

24    **Q.** Well, both courts, actually.

25    **A.** Yes, sir.



1       **Q.** You knew he had been on the North Carolina Supreme  
2       Court?

3       **A.** Yes sir, I do.

4       **Q.** And you knew he had been on the North Carolina  
5       Supreme Court when the Stephenson decision was  
6       written?

7       **A.** Yes, sir.

8       **Q.** So you thought his opinions would be especially  
9       helpful?

10      **A.** Yes, sir.

11      **Q.** And you intended to give significant or substantial  
12      weight to his opinion?

13               MR. FARR: Objection.

14               REPRESENTATIVE LEWIS: We intended to  
15      evaluate his opinions and appreciated his input as  
16      we did all the other input that we received.

17      BY MR. SPEAS:

18      **Q.** Would you turn with me -- and unfortunately,  
19      Mr. Orr did not number the pages of his memorandum,  
20      but if you would turn with me to the page on which  
21      Questions 10 and 11 appear.

22               And let me observe for the record that  
23      there are some handwritten entries there. Those  
24      are not your handwritten entries; is that correct?

25      **A.** Yes, sir, that's correct.



1       **Q.** Now, would you take a minute to read Question 10  
2             and Justice Orr's answer to Number 10.

3       **A.** I have reviewed it, sir.

4       **Q.** Do you recall that advice from your receipt of this  
5             letter, I guess, sometime in June of 2011?

6       **A.** Yes, sir, I do.

7       **Q.** And is it fair to say that in Paragraph 10  
8             Justice Orr states that there are some instances  
9             where majority-minority districts are not required  
10            by Section 2 of the Voting Rights Act?

11           MR. FARR: Objection.

12           REPRESENTATIVE LEWIS: I apologize,  
13           Mr. Speas. I don't exactly understand what you're  
14           asking.

15       BY MR. SPEAS:

16       **Q.** In Paragraph 10, is it fair to say that Justice Orr  
17             explains based on the Bartlett versus Strickland  
18             decision that there are some instances where  
19             Section 2 of the Voting Rights Act does not require  
20             the creation of majority-minority districts?

21           MR. FARR: Objection.

22           REPRESENTATIVE LEWIS: In question -- in  
23           Justice Orr's response to Question 10, he appears  
24           to quote from the Bartlett decision -- excuse me --  
25           from the Bartlett versus Strickland decision.



1 BY MR. SPEAS:

2 Q. He underlines a sentence, doesn't he?

3 A. He does, sir.

4 Q. Okay. And did you take into account Justice Orr's  
5 views on this issue as you were drawing plans?

6 A. We took into account this reply that he sent forth,  
7 yes, sir.

8 Q. And during -- in the course of drawing your  
9 districts, did you conduct any investigation as to  
10 areas in which there was substantial crossover  
11 voting?

12 MR. FARR: Objection.

13 REPRESENTATIVE LEWIS: Mr. Speas, I did  
14 not personally conduct -- I'm not really able to  
15 define crossover.

16 BY MR. SPEAS:

17 Q. Did you ask anybody to conduct any investigation  
18 into areas where there's substantial crossover  
19 voting in North Carolina?

20 A. I do not recall making that specific request.

21 Q. Do you know what the phrase "substantial crossover  
22 voting" means?

23 A. I do not, sir.

24 Q. Do you know of examples in North Carolina where  
25 there is substantial crossover voting?



1 MR. FARR: Objection.

2 REPRESENTATIVE LEWIS: Ms. Speas, I do not  
3 understand the term "substantial crossover voting,"  
4 and I can -- I therefore cannot give you an  
5 example.

6 BY MR. SPEAS:

7 Q. Would you turn with me now, Representative Lewis,  
8 to -- unfortunately, this next page I want to ask  
9 you a question about is not numbered but it's the  
10 page immediately preceding Question 12.

11 A. I have it, sir.

12 Q. All right, sir. There's a middle paragraph there  
13 that begins "In Stephenson II." Would you read  
14 that, please. I want to ask you a couple questions  
15 about it.

16 A. Okay, sir.

17 Q. In this paragraph, Justice Orr speaks about  
18 Stephenson II, correct?

19 A. Yes, sir.

20 Q. And Justice Orr was on the court when Stephenson II  
21 was handed down, I believe; is that correct?

22 A. I don't have that knowledge, Mr. Speas.

23 MR. FARR: I'm interested, Mr. Speas, can  
24 you recall whether Justice Orr participated in the  
25 decision Stephenson II?



1 MR. SPEAS: I don't know. I think he did,  
2 but I don't know.

3 BY MR. SPEAS:

4 Q. Is it fair to say in this particular paragraph  
5 Justice Orr is speaking about the compactness  
6 requirement?

7 A. Yes, sir.

8 Q. Does he state in this paragraph that the  
9 North Carolina Supreme Court has unequivocally  
10 deemed non-compact districts to be in violation of  
11 the North Carolina Constitution?

12 A. He does write that, sir.

13 Q. And did you take that into account as you were  
14 drawing districts?

15 A. We did, yes, sir.

16 Q. And did you as you drew districts believe that the  
17 North Carolina Constitution required you to draw  
18 compact districts?

19 MR. FARR: Objection.

20 MR. PETERS: Objection.

21 REPRESENTATIVE LEWIS: The answer,  
22 Mr. Speas, is yes, which is one of the reasons that  
23 the county grouping requirement is so important.

24 BY MR. SPEAS:

25 Q. Now, Representative Lewis, if we could now turn to



1 the memo from Michael Crowell and Bob Joyce dated  
2 May 27, 2011, which is also part of Exhibit 57, and  
3 I would like to ask you: Do you recall receiving  
4 that memo?

5 **A.** Yes, sir, I do.

6 **Q.** What weight did you give that memo?

7 **A.** I read it in its entirety and appreciated the  
8 input.

9 **Q.** And do you know Mr. Crowell and Mr. Joyce?

10 **A.** I do not know either of them personally.

11 **Q.** Do you know they're on the faculty of the School of  
12 Government?

13 **A.** Yes, sir, I do.

14 **Q.** Do you know their area of expertise is elections  
15 law?

16 **A.** Yes, sir, I do.

17 **Q.** Would you turn with me to page 5 of Mr. Crowell and  
18 Mr. Joyce's memo.

19 **A.** Yes, sir, I'm there.

20 **Q.** And I'd like to call your attention to Question 10  
21 and ask you to take just a moment to read that,  
22 Question 10 and their response.

23 **A.** (Witness complying.)

24 (Discussion held off the record.)

25 REPRESENTATIVE LEWIS: Mr. Speas, I've



1 reviewed Item 10 as you requested.

2 BY MR. SPEAS:

3 **Q.** Does -- do Mr. Crowell and Mr. Joyce advise in that  
4 material you've just finished reading that the  
5 legislature should keep in mind in determining what  
6 Section 2 requires, that the Gingles decision was  
7 based on demographics as they existed in 1982 and  
8 an election history primarily from the '60s and  
9 '70s and, likewise, the Section 2 litigation  
10 involving local governments mostly was concluded by  
11 the early 1990s?

12 **A.** They do advise that, sir.

13 **Q.** And do they advise that North Carolina has changed  
14 significantly since then, especially in the  
15 Piedmont urban areas?

16 **A.** They do express that opinion.

17 **Q.** And do they further express the opinion that a more  
18 recent analysis of voting patterns and other  
19 Section 2 elements would be necessary to assert  
20 with any confidence that a Section 2 violation  
21 might be found in that particular part of the state  
22 today?

23 **A.** They do.

24 **Q.** Now, my question is this: Did you in drawing the  
25 House map undertake any analysis to determine



1 whether there had been changes in North Carolina  
2 since the '80s that would affect your decision to  
3 draw Voting Rights districts?

4 MR. FARR: Objection.

5 REPRESENTATIVE LEWIS: Mr. Speas, we  
6 obtained expert testimony that racially polarized  
7 voting does still occur in our state. And  
8 we -- while we did review and appreciate this  
9 input, we also received testimony at the various  
10 public hearings that we held that racially  
11 polarized voting did still -- does still occur in  
12 our state and as such, while I appreciate  
13 Mr. Crowell's opinion that is expressed here, we  
14 did follow, frankly, his advice and hire an expert  
15 to review that.

16 BY MR. SPEAS:

17 **Q.** And who was that expert?

18 **A.** I believe his last name is Brunell.

19 **Q.** And had you hired Mr. Brunell prior to receipt of  
20 this memo or did you hire him after receipt of this  
21 memo?

22 **A.** I believe he was hired before.

23 **Q.** And would it be correct that Brunell's advice is  
24 the principal source you used in determining  
25 whether or not there was racially polarized voting



1 in North Carolina?

2 MR. FARR: Objection.

3 REPRESENTATIVE LEWIS: It would be correct  
4 to say that his expert opinion was one of the  
5 factors that we used in making that determination.

6 BY MR. SPEAS:

7 **Q.** Now, you grew up in Cumberland county in the '60s?

8 **A.** '70s and '80s, but the gray hair confuses folks.

9 **Q.** And would you say based on your own experience that  
10 Cumberland county has changed in the intervening  
11 time between the '70s and the present?

12 MR. FARR: Objection.

13 MR. PETERS: Objection.

14 REPRESENTATIVE LEWIS: Mr. Speas, I think  
15 everything has changed.

16 BY MR. SPEAS:

17 **Q.** And would you believe -- based on your own  
18 experience, do you believe Harnett county has  
19 changed since you grew up there?

20 MR. PETERS: Objection.

21 REPRESENTATIVE LEWIS: Mr. Speas,  
22 obviously with the passage of time with each decade  
23 there are multiple changes -- there are multiple  
24 changes that have occurred.

25 BY MR. SPEAS:



1       **Q.** And Harnett county is a different place today than  
2           it was in 1970?

3               MR. PETERS: Objection.

4               REPRESENTATIVE LEWIS: Still the best  
5           county in the state.

6       BY MR. SPEAS:

7       **Q.** I don't disagree. Senator Rucho might argue for  
8           Mecklenburg.

9               And race relations are better in Harnett  
10          county today than they were in 1970, aren't they?

11               MR. PETERS: Objection.

12               REPRESENTATIVE LEWIS: I certainly hope  
13          so.

14       BY MR. SPEAS:

15       **Q.** And race relations are better in Cumberland county  
16          today than they were in 1970?

17               MR. PETERS: Objection.

18               REPRESENTATIVE LEWIS: I certainly hope  
19          so.

20       BY MR. SPEAS:

21       **Q.** And race relations are better in the Cape Fear  
22          region today than they were in the 1970's?

23               MR. PETERS: Objection.

24               REPRESENTATIVE LEWIS: I would hope so.

25       BY MR. SPEAS:



1       **Q.** And have you conducted any analysis yourself to  
2       determine the extent to which the good folks in  
3       Harnett county would have voted for a black  
4       candidate in 1970 and whether they would do that  
5       today?

6               MR. PETERS: Objection.

7               REPRESENTATIVE LEWIS: I conducted no  
8       personal research of that kind.

9       BY MR. SPEAS:

10      **Q.** Do you believe based on your own personal  
11      experience that white citizens in Harnett county  
12      are more likely to vote for a black candidate for  
13      office today than they were in 1970?

14              MR. PETERS: Objection.

15              REPRESENTATIVE LEWIS: I don't know how to  
16      answer that, Mr. Speas.

17      BY MR. SPEAS:

18      **Q.** Based on your -- other than personal experience, do  
19      you believe that a white citizen in Cumberland  
20      county today is more likely to vote for a black  
21      candidate than white citizens in the 1970s?

22              MR. PETERS: Objection.

23              REPRESENTATIVE LEWIS: I'm afraid I can't  
24      answer that either.

25      BY MR. SPEAS:



1       **Q.** And I would assume you would not be able to answer  
2       that question for the Cape Fear region.

3       **A.** Your assumption would be correct.

4       **Q.** Now, one of the things that Mr. Crowell and  
5       Mr. Joyce observed there is that Section 2  
6       litigation involving local governments mostly was  
7       concluded by the early 1990s.

8               Did you conduct any investigation to  
9       determine whether that is true, that statement is  
10      true or not?

11      **A.** I did not conduct any investigation to that point.

12      **Q.** Do you have any reason to believe that that  
13      statement is not correct?

14      **A.** I don't know if that statement is correct or not.

15      **Q.** And as you were drafting the House plan, did you  
16      make any inquiry as to the last time a Section 2  
17      lawsuit was filed with regard to any redistricting  
18      plan enacted by the North Carolina General  
19      Assembly?

20              MR. PETERS: Objection.

21              REPRESENTATIVE LEWIS: I did not ask that  
22      specific question.

23      BY MR. SPEAS:

24      **Q.** And as you were performing your duties as chair of  
25      the House Redistricting Committee, did you



1 determine that the last time a Section 2 lawsuit  
2 was filed against any plan enacted by the  
3 North Carolina General Assembly was in the Gingles  
4 litigation in the '80s?

5 **A.** I did not make an inquiry of that nature.

6 **Q.** Do you know whether that is true or not?

7 **A.** I do not.

8 **Q.** Let me hand you, Representative Lewis, Exhibit 58  
9 which was identified at Erika Churchill's  
10 deposition, and it appears to be a June 13, 2010 --  
11 though I think that may be a typo -- memo to you  
12 and Senator Rucho from Walker Reagan. The reason I  
13 think it might be a typo, the "Re:" line is in  
14 response to redistricting questions May 17, 2011.

15 **A.** Mr. Speas, this does appear to be a reply to the  
16 same questions that you were asking me about  
17 in -- on the earlier exhibit.

18 **Q.** And Walker Reagan is an attorney on the legislative  
19 staff?

20 **A.** Yes, sir. He's the director of research, I  
21 believe.

22 **Q.** And what weight, if any, did you give this memo in  
23 the course of performing your duties as  
24 Redistricting House chair?

25 **A.** I read it and appreciated their input, and the



1 ideas stated in the memo were among the things that  
2 were considered in drawing the House map.

3 **Q.** Did you share the memos in Exhibits 57 and 58 from  
4 the Churchill depositions with Mr. Farr?

5 MR. FARR: Objection. That calls for  
6 attorney-client communication.

7 MR. SPEAS: I'm just asking if he shared.

8 MR. FARR: Well, I object and I instruct  
9 him not to answer that question.

10 MR. SPEAS: If it pleases you,  
11 Representative Lewis, that's my last set of questions  
12 about the memos.

13 MR. FARR: We liked all those questions.

14 MR. SPEAS: You did.

15 BY MR. SPEAS:

16 **Q.** Now, when you were managing the drawing of the  
17 House plan, did you at any point adopt any written  
18 criteria that Mr. Hofeller was to apply in actually  
19 drawing the plans?

20 **A.** No, sir, we did not.

21 **Q.** Did you consider adopting any written criteria to  
22 provide Mr. Hofeller to guide him in drawing plans?

23 **A.** We did not because we felt the case law that  
24 existed and the requirements of the one person, one  
25 vote and the Voting Rights Act were well understood



1 by Dr. Hofeller.

2 **Q.** So you didn't believe he needed any written  
3 criteria?

4 **A.** We believe that the written criteria was already  
5 found in the various case laws and statutes that  
6 had been -- that were in existence.

7 **Q.** Was one of the criteria -- well, let me back up one  
8 second.

9 So your instructions to Dr. Hofeller in  
10 drawing the maps were oral instructions?

11 **A.** Yes, sir.

12 **Q.** And your oral instructions, as I heard you testify  
13 just a moment ago, in summary were follow the law?

14 **A.** Yes, sir.

15 **Q.** And did you convey those instructions to  
16 Dr. Hofeller with Senator Rucho?

17 **A.** With respect to the Congressional map we did, yes,  
18 sir.

19 **Q.** But with respect to the House map, it was you and  
20 Hofeller, not you, Rucho and Hofeller?

21 **A.** Yes, sir, that's correct.

22 **Q.** All right. Was anybody else present when you  
23 conveyed those House instructions to Hofeller?

24 **A.** I don't recall, sir. That was -- those are sort of  
25 the guiding principles we've tried to use



1 throughout this process.

2 **Q.** Let me ask you this: Was one of the oral criteria  
3 you told Hofeller to comply with was to keep as  
4 many counties whole as possible?

5 MR. FARR: Objection.

6 REPRESENTATIVE LEWIS: We feel or I feel  
7 that that was addressed in the Stephenson opinion,  
8 and that is one of the things that is case law, and  
9 as such, yes, sir, that's what Dr. Hofeller was  
10 asked to do.

11 BY MR. SPEAS:

12 **Q.** So you told him to keep as many counties whole as  
13 he could?

14 MR. FARR: Objection.

15 REPRESENTATIVE LEWIS: We told him to  
16 follow the Stephenson criteria and the Strickland  
17 criteria.

18 BY MR. SPEAS:

19 **Q.** Is one of the Stephenson criteria counting the  
20 number of counties that's kept whole?

21 MR. FARR: Objection.

22 REPRESENTATIVE LEWIS: I believe that the  
23 Stephenson opinion mandates that if a county can be  
24 kept whole that it should be.

25 BY MR. SPEAS:



1 **Q.** Did you give Hofeller any guidance as to when he  
2 should endeavor to keep a county whole and when it  
3 was appropriate to divide a county?

4 **A.** I feel that that guidance was provided in the  
5 Stephenson and Strickland opinions.

6 **Q.** And when -- and your understanding was Hofeller to  
7 keep the county whole and when he could divide it?

8 **A.** It's my understanding that the Stephenson decision  
9 requires a county grouping to be as small as it can  
10 be when drawing the seats.

11 In other words, if a county can stand alone  
12 for one or more seats, then it has to stand alone  
13 for one or more seats. If a county must be  
14 grouped -- if a county can be grouped with another  
15 county in order to draw a seat, then it has to be  
16 grouped with that other county to draw the seats  
17 because that will form a two-county group, and a  
18 two-county group on my understanding of Stephenson  
19 is preferable to a three-county, a three-county  
20 preferable to a four and so on.

21 **Q.** Is it your understanding and did you so instruct  
22 Dr. Hofeller that compliance with the Whole County  
23 Provision of the North Carolina Constitution is  
24 determined by the number of groups rather than by  
25 the number of counties kept whole?



1 MR. FARR: Objection.

2 REPRESENTATIVE LEWIS: No, sir. The  
3 instructions were to follow the criteria set forth  
4 in the Stephenson decision which I believe mandate  
5 that if a county can be kept whole that it should  
6 be. If for population reasons it can't be, that it  
7 must be grouped with as few number of counties as  
8 are necessary.

9 BY MR. SPEAS:

10 Q. So at the end of the day and determining whether or  
11 not your plan complied with Stephenson, did you  
12 look at the number of counties kept whole?

13 A. Yes, sir.

14 Q. And when you did that, did you determine that your  
15 plan divided 49 counties?

16 A. I apologize, Mr. Speas, I don't understand what  
17 you're asking.

18 Q. Did you determine the number of counties that  
19 Lewis-Dollar-Dockham 4 divided at any point in  
20 time?

21 A. I specifically looked at the county groupings. I  
22 did not pay as close of attention to the way in  
23 which the lines were drawn or districts were  
24 created within those groups.

25 Q. So at the end of the day, you did not think



1 compliance with the Whole County Provision of the  
2 Constitution was determined by counting the number  
3 of counties that had been kept whole?

4 MR. FARR: Objection.

5 MR. PETERS: Objection.

6 REPRESENTATIVE LEWIS: Mr. Speas, the  
7 instructions that were given were to follow the  
8 law. I feel that those were carried out.

9 BY MR. SPEAS:

10 **Q.** I don't mean to beat the dead horse, but at the end  
11 of the day, you did not believe that compliance  
12 with the Whole County Provision was determined by  
13 counting the number of counties kept whole?

14 MR. FARR: Objection.

15 MR. PETERS: Objection.

16 BY MR. SPEAS:

17 **Q.** Yes or no?

18 MR. FARR: If you can answer it.

19 REPRESENTATIVE LEWIS: To the best of my  
20 understanding, the Whole County Provision  
21 requirement was met in our maps.

22 BY MR. SPEAS:

23 **Q.** And let me -- I'm going to show you an exhibit,  
24 Representative Lewis. It is actually an excerpt  
25 from a document previously introduced. It is Frey



1 Exhibit 2 -- and if I may just mark that as  
2 Exhibit 180. It's Frey Exhibit 2, Frey Exhibit 6  
3 and Frey Exhibit 7.

4 (WHEREUPON, Exhibit 180 was marked for  
5 identification.)

6 BY MR. SPEAS:

7 **Q.** Would you look at Exhibit 2 to the Frey exhibit  
8 which has been marked as Exhibit 180 and tell me  
9 whether you've seen that before or not.

10 **A.** I have, sir.

11 **Q.** And was this prepared by Mr. Frey?

12 **A.** Mr. Speas, I reviewed Mr. Frey's deposition and I  
13 believe that he said that it was.

14 **Q.** Did he prepare it at your direction?

15 **A.** No, sir, he did not prepare it at my direction.

16 **Q.** Do you believe it's an accurate statement as to the  
17 county grouping -- the count of county cluster  
18 sizes for enacted and proposed plans?

19 **A.** I do.

20 MR. FARR: Can I see that.

21 This is from his affidavit.

22 MR. SPEAS: Is it from his affidavit?

23 MR. PETERS: Yes.

24 MR. SPEAS: I'm sorry.

25 BY MR. SPEAS:



1       **Q.** Representative Lewis, I want to focus on the House  
2       plans. And in this document is it accurate that  
3       Mr. Frey compares county clusters in four different  
4       plans, House plans?

5       **A.** Yes, sir, it is.

6       **Q.** And one of them is Lewis-Dollar-Dockham 4 which is  
7       the enacted plan?

8       **A.** Yes, sir, that's correct.

9       **Q.** And another is the House Fair and Legal plan which  
10      was the plan introduced by Representative Grier  
11      Martin?

12     **A.** I believe Representative Martin did submit that,  
13     yes, sir.

14     **Q.** And Possible House Districts plan was introduced by  
15     Representative Alexander?

16     **A.** Yes, sir.

17     **Q.** And the SCSJ House plan is a plan prepared by the  
18     Southern Coalition?

19     **A.** It was a plan presented I believe by the director  
20     of the Southern Coalition. I think it was actually  
21     submitted by a larger group.

22     **Q.** Now, does this document prepared by Mr. Frey  
23     illustrate your -- the reason you believe that the  
24     enacted plan complies with the Whole County  
25     Provision and the other plans do not comply with



1 the Whole County Provision?

2 MR. FARR: Objection.

3 REPRESENTATIVE LEWIS: Yes.

4 BY MR. SPEAS:

5 **Q.** And I want to just focus on the comparison between  
6 Lewis-Dollar-Dockham 4 and House Fair and Legal.

7 **A.** Yes, sir.

8 **Q.** Both plans had 11 one-county clusters?

9 **A.** Yes, sir.

10 **Q.** Your plan had 15 county clusters -- two-county  
11 clusters and House Fair and Legal had nine?

12 **A.** Yes, sir.

13 **Q.** Your plan had three-county clusters and the House  
14 Fair and Legal had six?

15 **A.** Our plan had four.

16 **Q.** I'm sorry. Four and six?

17 **A.** Yes, sir, that's correct.

18 **Q.** Your plan had two four-county clusters and the  
19 House Fair and Legal had four four-county clusters?

20 **A.** Yes, sir.

21 **Q.** Your plan had two five-county clusters and House  
22 Fair and Legal had three five-county clusters?

23 **A.** Yes, sir.

24 **Q.** Your plan had no six-county clusters, House Fair  
25 and Legal had one?



1       **A.** Yes, sir.

2       **Q.** Your plan had seven -- had no seven-county  
3       clusters, House Fair and Legal had one?

4       **A.** Yes, sir.

5       **Q.** Neither plan had an eight-county cluster?

6       **A.** Yes, sir.

7       **Q.** Both plans had one nine-county cluster?

8       **A.** Yes, sir.

9       **Q.** Neither plan had a ten-county cluster?

10      **A.** Yes, sir.

11      **Q.** Neither plan had an 11-county cluster?

12      **A.** Yes, sir.

13      **Q.** Your plan had a 20-county cluster?

14      **A.** Yes, sir.

15      **Q.** House Fair and Legal had none?

16      **A.** Yes, sir.

17      **Q.** And both plans had a total of 36 county clusters;  
18      is that correct?

19      **A.** Yes, sir.

20      **Q.** Would you explain to me why your plan better  
21      complied with the Whole County Provision than the  
22      House Fair and Legal plan?

23               MR. FARR: Objection.

24               REPRESENTATIVE LEWIS: Yes, sir. I  
25      believe that Stephenson mandated that if you could



1 do a two-county combination or two-county grouping,  
2 that that's what you should do, that a two-county  
3 is preferable to a three. So in the enacted law,  
4 we have 15 two-county clusters. The alternative  
5 plan is showing nine. Therefore, I feel that 15 is  
6 superior to nine.

7 BY MR. SPEAS:

8 **Q.** And would it be accurate to say, Representative  
9 Lewis, that the fact that your plan had 15  
10 two-county clusters and House Fair and Legal had  
11 nine two-county clusters is the entire basis upon  
12 which you would say that your plan complies with  
13 the Whole County Provision and House Fair and Legal  
14 does not?

15 MR. FARR: Objection.

16 MR. PETERS: Objection.

17 REPRESENTATIVE LEWIS: Mr. Speas,  
18 unfortunately, I was not given any time prior to  
19 the enactment of the plan to really review the  
20 amendments set forth by Representative Martin and  
21 since that time I've not taken the time to do it.

22 BY MR. SPEAS:

23 **Q.** And at any point in this process did you ever  
24 determine the number of counties kept whole and the  
25 number of counties not kept whole in your plan?



1       **A.** Mr. Speas, I know there was a report run and I  
2       think it's contained in this exhibit. I reviewed  
3       it after the fact.

4       **Q.** Representative Lewis, if you could help me with  
5       this. There are a thousand documents, and I'm sure  
6       I've missed some, but I've never seen a document  
7       that compares the number of counties kept whole and  
8       the number of counties not kept whole in the  
9       enacted plans and in any of the other plans. Have  
10      you ever seen such a document?

11      **A.** I don't recall if I have or not, Mr. Speas.

12      **Q.** Now, was one of the criteria you orally  
13      communicated to Mr. Hofeller not to divide towns  
14      and cities in drawing districts to the extent  
15      possible?

16      **A.** Mr. Speas, I don't think that we specifically gave  
17      that instruction.

18      **Q.** Then I would assume that you did not give him any  
19      instructions about when he could divide a town or  
20      city and when he should not divide a town or city.

21      **A.** That's correct, sir.

22      **Q.** Now, did you inform Mr. Hofeller that he should not  
23      divide communities of interest in drawing plans?

24               MR. FARR: Objection.

25               MR. PETERS: Objection.



1 REPRESENTATIVE LEWIS: Mr. Speas, we -- I  
2 instructed Dr. Hofeller to follow the criteria set  
3 forth in the Stephenson case. I realize that the  
4 Stephenson case mentions communities of interest,  
5 but I do not know that it defines them, nor do I  
6 know that there's any statute or other controlling  
7 authority in the state which has defined what they  
8 are.

9 BY MR. SPEAS:

10 **Q.** Did you attempt to define communities of interest  
11 for Mr. Hofeller?

12 **A.** No, sir. It's just too hard to do because your  
13 interest may not be mine and mine may not be yours.  
14 I don't know of any hard and fast standard that can  
15 be used.

16 **Q.** Well, is a county a community of interest?

17 MR. PETERS: Objection.

18 REPRESENTATIVE LEWIS: I would say that  
19 under -- that our attempt to comply with Stephenson  
20 means that -- and they took time to define the  
21 county groupings that we indeed met the only  
22 discernible factor that we could meet in trying to  
23 comply with that.

24 BY MR. SPEAS:

25 **Q.** Do you think towns form communities of interest?



1 MR. PETERS: Objection.

2 REPRESENTATIVE LEWIS: Well, Mr. Speas, I  
3 don't have any controlling or hard and fast data  
4 that I can refer to. Many towns, be they quite  
5 large or be they even small, have various -- have  
6 various communities. Sometimes they are aligned  
7 and sometimes they are not. A lot of times it  
8 depends on the issue.

9 I remember during the committee discussion  
10 Representative Rapp talked about this quite a bit,  
11 and I appreciated his input, but even the closest  
12 that he could offer us to a discernible written  
13 standard was some statute in the state of Alabama,  
14 I believe.

15 BY MR. SPEAS:

16 Q. Having grown up in the Cape Fear region and having  
17 some understanding of that community, did you look  
18 at the House plan to see whether or not you believe  
19 that the House plan preserved communities of  
20 interest in that area as you understood them?

21 MR. FARR: Objection.

22 REPRESENTATIVE LEWIS: I believe that the  
23 House plan complies with the law. That is one of  
24 the requirements of the law.

25 BY MR. SPEAS:



1     **Q.** Now, based on a statement that you made to Laura  
2         Leslie that we talked about earlier, I assume you  
3         did not inform Mr. Hofeller that he should avoid  
4         dividing precincts or Voter Tabulation Districts as  
5         he was drawing the House plan.

6             MR. FARR: Objection.

7             REPRESENTATIVE LEWIS: That's correct,  
8         sir.

9     BY MR. SPEAS:

10    **Q.** And were you aware as you were serving as the chair  
11       of the House redistricting plan that there was a  
12       statute enacted by the General Assembly that talked  
13       about preserving precinct lines?

14            MR. PETERS: Objection.

15            REPRESENTATIVE LEWIS: Mr. Speas, I was  
16       made aware that a statute regarding that had been  
17       passed I believe in 1996. I was made aware that  
18       the Department of Justice had not pre-cleared that  
19       action, that they said that -- my understanding of  
20       their rationale was that without dividing precincts  
21       you would not be able to comply with the Voting  
22       Rights Act which is the reason they did not  
23       pre-clear it. It was therefore my understanding  
24       that it was not a consideration in drawing the  
25       plans.



1 BY MR. SPEAS:

2 **Q.** That actually is not the statute that I had in  
3 mind. Let me show you Exhibit 47 from the Erika  
4 Churchill deposition, Mr. Lewis, which is a copy of  
5 GS 163-132.1B which was first enacted, according to  
6 this copy in front of you, in 2006 and amended in  
7 2007, 2008 and 2009.

8 Have you ever seen that statute before?

9 **A.** Mr. Speas; I may have seen it prior. I did see it  
10 when I reviewed Ms. Churchill's deposition.

11 **Q.** Would you read the Purpose section of subsection A  
12 into the record, please.

13 **A.** Yes, sir. Subsection A, "Purpose - The State of  
14 North Carolina shall participate in the 2010 Census  
15 Redistricting Data Program, conducted pursuant to  
16 P.L. 94-171, of the United States Bureau of the  
17 Census, so that the State will receive the 2010  
18 Census data by voting precinct and be able to  
19 revise districts at all levels without splitting  
20 precincts and in compliance with the United States  
21 and North Carolina Constitutions and the Voting  
22 Rights Act of 1965, as amended."

23 **Q.** That law is on the books and is a part of the law  
24 of North Carolina, correct?

25 MR. PETERS: Objection.



1 REPRESENTATIVE LEWIS: I don't know, sir.

2 I would assume that to be correct based on what  
3 you've handed me.

4 BY MR. SPEAS:

5 **Q.** Did you vote for this -- you were in the  
6 legislature in 2006, 2007, 2008 and 2009. Did you  
7 vote for this law?

8 **A.** I don't recall.

9 **Q.** Your testimony is that you did not give the  
10 direction to Mr. Hofeller to avoid splitting  
11 precincts in the drawing of the House plan. Am I  
12 correct?

13 **A.** I apologize, Mr. Speas, I was reading this. Would  
14 you repeat that.

15 **Q.** Am I correct that you did not instruct Dr. Hofeller  
16 that in drawing the House map that he should make  
17 an effort to avoid splitting precincts?

18 **A.** That's correct, sir.

19 **Q.** Now, would I also be correct that in -- you did not  
20 give Dr. Hofeller an instruction to avoid splitting  
21 Voter Tabulation Districts in the drawing of the  
22 House plan?

23 **A.** Yes, sir, that's correct.

24 **Q.** Do you know whether Mr. Hofeller made any effort to  
25 avoid splitting precincts in drawing the House



1 plan?

2 **A.** I do not know that.

3 **Q.** Do you know whether Mr. Hofeller made any effort to  
4 avoid splitting Voter Tabulation Districts in  
5 drawing the House plan?

6 **A.** I do not know that.

7 **Q.** Let me talk a little bit more about precincts.

8 Would you say it is accurate that the  
9 purpose of a precinct is to provide a place where  
10 citizens living in that precinct can go vote?

11 MR. FARR: Objection.

12 MR. PETERS: Objection.

13 REPRESENTATIVE LEWIS: Mr. Speas, I would  
14 say that the precinct probably has multiple  
15 purposes, one of those being to provide people  
16 living in that precinct a place to go and vote.

17 I would also say that the importance of the  
18 precinct has been radically reduced with the rise  
19 in early voting in this state which essentially has  
20 created a variety of super precincts, if you will.

21 BY MR. SPEAS:

22 **Q.** Representative Lewis, would you agree that when you  
23 do divide a precinct, even today, and assign one  
24 set of voters in a precinct to one district and  
25 another set of voters in the precinct to another



1 district that you introduce the risk that a person  
2 is going to get assigned to the wrong district?

3 MR. FARR: Objection.

4 MR. PETERS: Objection.

5 REPRESENTATIVE LEWIS: No, sir. I think  
6 that -- well, first, no, sir, I would not agree  
7 with that so I'll just stop at that.

8 BY MR. SPEAS:

9 **Q.** All right. Let me talk a minute about Voter  
10 Tabulation Districts. What are they and why are  
11 they created?

12 **A.** Voter Tabulation Districts, or VTDs, as I  
13 understand it, were -- the current set of VTDs were  
14 created, I believe, in 2008. They were designed to  
15 allow the Census data, as reported back by the  
16 Census Bureau, to be reviewed in a set VTD or a set  
17 area that would remain fixed over time, and that's  
18 really my extent of the understanding of VTD.

19 **Q.** Do you understand the Voter Tabulation District is  
20 the district by which election results are reported  
21 to the state in order to determine who wins an  
22 election?

23 **A.** Yes, sir, I do.

24 **Q.** And would you agree that when you divide a Voter  
25 Tabulation District and assign one set of citizens



1 to -- in that Voter Tabulation District to one  
2 district and another set to another district that  
3 you introduce the risk that the election results --  
4 that people are going to get assigned to the wrong  
5 district and the election results are not going to  
6 be correct?

7 MR. PETERS: Objection.

8 MR. FARR: Objection.

9 REPRESENTATIVE LEWIS: No, sir, Mr. Speas,  
10 I would not agree with that.

11 BY MR. SPEAS:

12 **Q.** Did you simply not know that the law contemplated  
13 that precincts would be not be divided or did you  
14 not care?

15 MR. FARR: Objection.

16 MR. PETERS: Objection.

17 BY MR. SPEAS:

18 **Q.** You can answer the question.

19 MR. FARR: It's a mischaracterization of  
20 the statute, first of all.

21 REPRESENTATIVE LEWIS: Mr. Speas, I do not  
22 believe it's possible to comply with the Voting  
23 Rights Act without having to split precincts and/or  
24 VTDs.

25 BY MR. SPEAS:



1       **Q.** Did you monitor the number of precincts and VTDs  
2           that were being split in the plans that  
3           Dr. Hofeller was drawing for you?

4       **A.** I do not.

5       **Q.** So you did not make any analysis of whether he was  
6           dividing more precincts and more VTDs than had ever  
7           been divided in any House plan in the history of  
8           the state?

9           MR. PETERS: Objection.

10          REPRESENTATIVE LEWIS: During the drawing  
11          of the plans, I did not. After the plans were  
12          analyzed, we did find at least one example of a  
13          split VTD in Sampson county, as I recall, that  
14          literally had only one individual that lived there,  
15          and we were concerned that that would interfere  
16          with the ability of that individual to cast a  
17          secret ballot, so I know that we did adjust based  
18          on that.

19       BY MR. SPEAS:

20       **Q.** Have you received complaints from any citizens  
21           about the fact that precincts had been split in  
22           your House plan?

23       **A.** Mr. Speas, I receive complaints from citizens all  
24           the time. I don't recall that it's been about that  
25           particular issue.



1       **Q.** And similarly, I would assume you don't recall a  
2       voter complaining about a split VTD.

3       **A.** I do not, sir.

4       **Q.** Now, Representative Lewis, you will recall that  
5       Robert Orr talked about compactness in his memo to  
6       you.

7       **A.** I do.

8       **Q.** Did you instruct Dr. Hofeller in drawing the House  
9       plan that he should make an effort to keep  
10      districts compact?

11               MR. FARR: Objection.

12               You can answer that.

13               REPRESENTATIVE LEWIS: He was instructed  
14      to follow the law. Stephenson did refer to  
15      compactness so in that sense, yes.

16      BY MR. SPEAS:

17      **Q.** Did you provide Dr. Hofeller any instruction as to  
18      how he was to measure compactness?

19      **A.** No, sir.

20      **Q.** Did you ever receive -- well, do you know whether  
21      Dr. Hofeller did in fact make an effort to keep the  
22      districts compact?

23               MR. FARR: Objection.

24               REPRESENTATIVE LEWIS: Mr. Speas, it's my  
25      understanding that complying with the county



1 grouping requirement was really the only  
2 discernible measure of whether or not the district  
3 was compact.

4 BY MR. SPEAS:

5 **Q.** So let me understand. To your knowledge, the only  
6 effort Dr. Hofeller made to assure that House  
7 districts were kept compact was through compliance  
8 with the grouping?

9 **A.** I think that that question would probably only be  
10 answered by Dr. Hofeller himself.

11 **Q.** As chairman of the House committee, though, didn't  
12 you have an obligation to make sure that  
13 Mr. Hofeller, Dr. Hofeller, was complying with the  
14 compactness requirement?

15 MR. PETERS: Objection.

16 MR. FARR: Objection.

17 REPRESENTATIVE LEWIS: All of our efforts  
18 were designed to comply with the law and  
19 compactness is a part of the law.

20 BY MR. SPEAS:

21 **Q.** Are you aware that the legislative staff has the  
22 capacity to compute the mathematical measures of  
23 compactness of all the districts?

24 **A.** I believe that I have heard that, yes, sir.

25 **Q.** Have you ever asked a legislative staff member to



1 provide you the mathematical measures of  
2 compactness of the House districts?

3 **A.** No, sir.

4 **Q.** Have you ever conducted any analysis to determine  
5 whether those mathematical measures of compactness  
6 are valid measures of compactness?

7 MR. PETERS: Objection.

8 REPRESENTATIVE LEWIS: I have not.

9 BY MR. SPEAS:

10 **Q.** So you did not consider any mathematical measures  
11 of compactness in evaluating whether your plan  
12 complied with -- the House plan complied with the  
13 Constitution, correct?

14 **A.** The mathematical consideration was in regard to  
15 trying to equalize the population within each seat  
16 as much as we could.

17 **Q.** Now, I assume Dr. Hofeller -- well, we know he  
18 presented a number of plans to you, correct?

19 **A.** The map drawing process was an evolving process. I  
20 became aware, after Mr. Farr shared with me, that  
21 there were a lot of maps.

22 I'm sorry, Tom.

23 MR. FARR: I'll forgive you.

24 REPRESENTATIVE LEWIS: I dealt with the  
25 one map on the screen at a time, so I just wanted



1 to be clear it was not an issue of saying here's  
2 one map, here's a second map, here's a third map,  
3 which one do you like. That's not how the maps  
4 were drawn.

5 BY MR. SPEAS:

6 **Q.** Okay. Well, let me ask the question this way: On  
7 any occasion did you ever tell Dr. Hofeller "That  
8 district is not compact, it doesn't work"?

9 **A.** I never used those words.

10 **Q.** Let me ask you a related set of questions and let  
11 me introduce this set of questions by this  
12 statement. This week we were provided a disc that  
13 contains maps in Dr. Hofeller's files. I've only  
14 had a very limited opportunity to examine those  
15 maps, and there are many, and have not had an  
16 opportunity to examine the characteristics of those  
17 plans, but I have made a copy of some of those  
18 maps, and I only have one copy of those maps. And  
19 what I would like to do is show you those maps and  
20 I will arrange to get -- and we will mark it as an  
21 exhibit and I will arrange to copy it and provide  
22 everybody a copy.

23 Is that satisfactory, Mr. Farr?

24 MR. FARR: Sure.

25 Is that okay with you?



1 MR. PETERS: Yes.

2 BY MR. SPEAS:

3 Q. And if I may come around, Representative Lewis. I  
4 would first like to ask the court reporter to mark  
5 as an exhibit a map labeled NC House April 22.

6 (WHEREUPON, Exhibit 181 was marked for  
7 identification.)

8 BY MR. SPEAS:

9 Q. Representative Lewis, this is Exhibit 181. I would  
10 ask you to take a minute to look at that and see if  
11 that is a map you recognize.

12 A. Mr. Speas, while I cannot speak explicitly that I  
13 recognize this map, this appears to be a map that  
14 shows a possible 120 House seats.

15 Q. Do you recall ever seeing that particular map?

16 A. I do not know if I have ever seen this map or not.  
17 I recall -- the part of this map that is familiar  
18 to me, I can recall that this particular House draw  
19 divided my home county into three House seats and  
20 the plan that we were able -- that we ultimately  
21 presented and passed divided it only into two, and  
22 so I do recall having seen that aspect of this  
23 plan.

24 Q. Do you recall seeing any map from Dr. Hofeller as  
25 early as April 22, 2011?



1       **A.** Mr. Speas, I do not recall exactly when I first  
2       started to review the maps that he had drawn.

3       **Q.** Do you have any document that would refresh your  
4       memory as to the first occasion when you reviewed a  
5       map prepared by Dr. Hofeller?

6       **A.** I don't, sir.

7       **Q.** Do you recall approximately the first time you saw  
8       a map prepared by Dr. Hofeller?

9       **A.** I don't other than to say it would have had to have  
10      been prior to the release of our proposed VRA  
11      seats.

12      **Q.** So I think the record is that the VRA districts  
13      were made -- House VRA districts were made public  
14      on June 17th. So is your testimony that sometime  
15      before June 17th you saw a map prepared by  
16      Dr. Hofeller that divided the state into 120 House  
17      districts?

18      **A.** I don't recall if I saw a map divided into 120.  
19      Obviously I saw the proposed VRA seats.

20      **Q.** The April -- the Exhibit 181 in front of you does  
21      divide the state into 120 districts, correct?

22      **A.** Yes, sir, it does.

23      **Q.** And it does bear the date April 22nd?

24      **A.** Yes, sir, it does.

25      **Q.** Now, let me ask the court reporter to mark another



1 exhibit as Exhibit 182.

2 (WHEREUPON, Exhibit 182 was marked for  
3 identification.)

4 BY MR. SPEAS:

5 **Q.** Representative Lewis, I'm placing in front of you  
6 Exhibit 182 which is labeled NC House May 25.

7 Would you examine that map and tell me  
8 whether you recall ever seeing that map.

9 **A.** I do not recall ever having seen this map. It does  
10 appear very similar to Exhibit 181.

11 **Q.** But would it be correct that 181 and 182 are  
12 different in some respects?

13 **A.** I don't know, sir. If I had time to study a seat,  
14 I would probably be able to answer that, but  
15 unfortunately I don't know.

16 **Q.** So as we sit here today, you do not recall ever  
17 seeing the map labeled -- marked as Exhibit 182?

18 **A.** I do not recall that I saw it, no, sir.

19 **Q.** What instructions did you give to Dr. Hofeller with  
20 regard to the drawing of maps? Was he to present  
21 you a series of maps and consult with you as maps  
22 evolved? Was he to investigate on his own and then  
23 present you with a single map? What were your  
24 directions to him and how did he actually perform  
25 his work?



1       **A.** With respect to my directions to him, they were to  
2 follow the law and prepare the maps in accordance  
3 therewith.

4               In regard to the process of how he actually  
5 drew the maps, I really don't know. You may want  
6 to direct that to him.

7               And if there was a third part of that, I  
8 missed it. I apologize.

9       **Q.** No, you answered it.

10              As we sit here today, though, the first map  
11 you recall seeing was the VRA map; is that correct?

12       **A.** The first map that I recall seeing was the VRA map.

13       **Q.** Now, I'm going to ask the court reporter to mark  
14 another map as Exhibit 183.

15              (WHEREUPON, Exhibit 183 was marked for  
16 identification.)

17 BY MR. SPEAS:

18       **Q.** Representative Lewis, I am putting in front of you  
19 as Exhibit 183, it's labeled NC Congressional  
20 Delegation 9-4, May 11.

21              I would ask you if you've ever seen that in  
22 your role as Senator Rucho is in chairing the  
23 Congressional group.

24       **A.** Mr. Speas, I don't recall if I have ever seen this  
25 particular drawing or not. It does not look



1 familiar to me.

2 **Q.** And it's not similar to the enacted plan, is it?

3 **A.** I believe that in this plan the 12th district is  
4 very similar to the enacted plan. The 10th  
5 district is very similar to the enacted plan, but  
6 none of the other ones appear to be close to what  
7 the enacted plan was.

8 (WHEREUPON, Exhibit 184 was marked for  
9 identification.)

10 BY MR. SPEAS:

11 **Q.** Now, Representative Lewis, I'm putting an exhibit  
12 in front of you, an exhibit that is marked as 184  
13 which is labeled NC Congressional Delegation 10-3  
14 May 11, and I'll ask you if you recall ever seeing  
15 that map.

16 **A.** Mr. Speas, I do not recall if I've seen this map or  
17 not. It looks very familiar or more familiar to  
18 Rucho-Lewis 1 than the prior exhibit that you  
19 showed me. I do not recall if I've ever seen this  
20 exact draw or not.

21 **Q.** And let me ask the court reporter to mark this next  
22 document as Exhibit 185.

23 (WHEREUPON, Exhibit 185 was marked for  
24 identification.)

25 BY MR. SPEAS:



1     **Q.** I'm showing you a document that is labeled NC  
2         Senate April 22 but it appears to me to be a  
3         Congressional plan.

4             Would you first look at it and tell me  
5         whether you agree that that appears to be a  
6         Congressional plan?

7     **A.** I agree with that, sir.

8     **Q.** And have you seen that map before, to your  
9         recollection?

10    **A.** No, sir, I have not.

11    **Q.** When do you first recall seeing a Congressional map  
12         from Dr. Hofeller?

13    **A.** Mr. Speas, I don't recall the date. The  
14         legislative session is very hectic, and when you're  
15         in the middle of it, it seems to go on forever and  
16         when you look back, it doesn't really take that  
17         long. And I did not keep any kind of a diary or a  
18         calendar or anything like that that could refresh  
19         my memory. I kind of wish I had so I could answer  
20         you more directly.

21             MR. SPEAS: It's 12:30. This is a  
22         reasonable time to break from my perspective. If  
23         it's a time that you all would like to break, we  
24         can do so.

25             MR. PETERS: That's fine.



1 MR. FARR: This is fine.

2 (Lunch Recess: 12:27 to 1:04 p.m.)

3 BY MR. SPEAS:

4 **Q.** Representative Lewis, let me ask you a couple of  
5 questions I forgot to ask earlier today.

6 What did you do to prepare for this  
7 deposition?

8 **A.** Mr. Speas, to prepare for this deposition, I read  
9 the depositions of Erika Churchill and Dan Frey. I  
10 also requested and received the court prepared or  
11 the court reporter transcripts of our House  
12 committee meetings and House floor sessions. I  
13 read those. And to the extent I could, I tried to  
14 recall any evolutions in the map, for instance,  
15 conversion from 3 to 4 or whatever. That's --  
16 that's about it.

17 **Q.** Did you talk to Senator Rucho?

18 **A.** Yes, sir. Yes, sir.

19 **Q.** What did you all talk about?

20 MR. FARR: It was with counsel.

21 MR. SPEAS: Okay. If it was --

22 MR. FARR: If you talked to him outside of  
23 my presence, then you can answer the question.

24 REPRESENTATIVE LEWIS: No.

25 MR. FARR: And he had -- if I may



1 interrupt.

2 Representative Lewis, was there something  
3 you wanted to clarify about your testimony earlier  
4 this morning?

5 REPRESENTATIVE LEWIS: There was. I was  
6 going to get to it.

7 We were speaking earlier about the Whole  
8 County Provision, and my mind automatically goes to  
9 the House map because that's what I was more  
10 concerned with. I made the statement that if a  
11 county can be kept whole, it should be. Obviously,  
12 the number of people that it takes to populate a  
13 district influenced that.

14 What I should have went further to say is  
15 if the population of a county is enough to support  
16 a single seat, for instance, in the House plan,  
17 Iredell county is enough to support a single seat,  
18 then that county should have a single seat. If the  
19 county can support more than one seat, then those  
20 seats should all be drawn within that county equal  
21 to the population thereof, for instance, Wake or  
22 Mecklenburg or Durham, some of these that have the  
23 larger populations.

24 When the population of a county is not  
25 sufficient to justify a whole seat on its own or



1       it's perhaps too great to be contained by one House  
2       seat and requires part of a second seat, that's  
3       when you group the counties. And it is my  
4       understanding of the law that you group the  
5       counties in as few combinations as you need to.

6       BY MR. SPEAS:

7       **Q.** Let's go back to Mr. Hofeller for a little bit, and  
8       I don't think I asked this. If I did, I apologize.

9               When did you first meet Mr. Hofeller?

10      **A.** I probably met Mr. Hofeller two years ago after  
11      attending the RNC Redistricting Committee meeting  
12      and did not know him very well, just knew who he  
13      was, and when working on these maps -- obviously,  
14      that was this past spring -- so that's when I got  
15      to know him much better than I did.

16      **Q.** Now, just to clarify, you were a member of the  
17      Republican National Redistricting Committee before  
18      you became involved in North Carolina  
19      redistricting?

20      **A.** Yes, sir. Yes, sir.

21      **Q.** Now, the decision to hire Dr. Hofeller was made by  
22      you and Senator Rucho?

23      **A.** Yes, sir.

24      **Q.** And who had recommended that you hire Hofeller?

25      **A.** I don't recall. I know that when the map drawing



1 process began, we tried to see who in this state  
2 had the expertise to do it.

3 We lost -- at the General Assembly, at  
4 least, we lost most of the institutional knowledge  
5 that we had when Mr. Bill Gilkeson retired. You  
6 know, the fact that redistricting only comes around  
7 once a decade, there aren't that many folks to  
8 choose from.

9 **Q.** Now, there is no contract between the legislature  
10 and Dr. Hofeller; is that correct?

11 **A.** To my knowledge, that's correct.

12 **Q.** There is a contract between the Ogletree law firm  
13 and Dr. Hofeller; is that correct?

14 **A.** I don't know, sir.

15 **Q.** Is there a document someplace that describes what  
16 Hofeller is to do for -- was to do for the  
17 legislature?

18 **A.** Yes, sir, and I appreciate you asking that. The  
19 instructions that Dr. Hofeller was given and  
20 followed I think were outlined in the joint  
21 statements that Senator Rucho and myself released  
22 all along the way during the redistricting process.

23 **Q.** You're not aware of any specific document that says  
24 Dr. Hofeller shall perform Task A, B, C, D and E?

25 **A.** No, sir.



1       **Q.** But it is correct that he was hired -- that he  
2           performed the task of drawing the House districts  
3           for you?

4       **A.** Yes, sir.

5       **Q.** And he performed the task of drawing the  
6           Congressional districts for you and Senator Rucho?

7       **A.** Yes, sir.

8       **Q.** And I'll ask Senator Rucho about his part of it.  
9           Did anybody else ever draw any districts  
10          for you as chair of the House committee?

11      **A.** No, sir.

12      **Q.** To your knowledge, did anybody else ever draw any  
13          other districts for any other member of the  
14          Republican Caucus?

15      **A.** To my knowledge, no.

16      **Q.** To your knowledge, did anybody other than Hofeller  
17          ever draw any Congressional map for you and Senator  
18          Rucho other than Hofeller?

19      **A.** I can only speak for me, and the answer is, no,  
20          sir, no one else did.

21      **Q.** To your knowledge, did anybody else ever draw any  
22          map -- Congressional map for any member of the  
23          Republican Caucus other than you and Dockham and  
24          Dollar?

25      **A.** No, sir, but just to be clear, we did receive some



1 input from outside groups.

2 **Q.** I understand, but I'm talking about for you.

3 **A.** No, sir, no one else.

4 **Q.** And is it correct that the person responsible for  
5 giving directions to Hofeller in drawing the House  
6 map was you?

7 **A.** Yes, sir.

8 **Q.** And is it correct that the person responsible for  
9 giving directions to Hofeller for drawing the  
10 Congressional maps was you and Senator Rucho?

11 **A.** Yes, sir.

12 **Q.** And it would be also correct that nobody else had  
13 that authority?

14 **A.** Yes, sir, that's correct.

15 **Q.** Do you recall when Hofeller first began drawing  
16 maps?

17 **A.** I don't, sir.

18 **Q.** You testified that members of the House Republican  
19 Caucus went to the Brownstone and looked at maps  
20 with Hofeller.

21 **A.** Yes, sir, I did.

22 **Q.** Did any Democrats go to the Brownstone to look at  
23 maps with Hofeller?

24 **A.** No, sir.

25 **Q.** Did any Democrats go to the Brownstone and look at



1 Congressional maps with Hofeller?

2 **A.** No, sir.

3 **Q.** Now, you testified just a moment ago that the  
4 public statements that you and Senator Rucho issued  
5 were in effect your directions to Hofeller; is that  
6 correct?

7 **A.** Yes, sir.

8 **Q.** Those statements have been previously marked as  
9 Exhibit 55 to the deposition of Erika Churchill and  
10 I have put that document in front of you. And  
11 would you tell me whether Exhibit 55 is a copy of  
12 the four public statements issued by you and by  
13 Senator Rucho?

14 **A.** Mr. Speas, without any point of reference, these do  
15 appear to be the statements that we released.

16 **Q.** And there are four different public statements,  
17 correct?

18 **A.** Yes, sir.

19 **Q.** I want to ask you secondly about each of the set of  
20 questions. Looking at the June 17th public  
21 statement, is that the first public statement you  
22 and Senator Rucho issued?

23 **A.** I believe so, yes, sir.

24 **Q.** And who drafted that document?

25 MR. FARR: Objection.



1           You can answer the question.

2           **REPRESENTATIVE LEWIS:** The document was  
3           written as a joint effort between Senator Rucho,  
4           Brent Woodcox on his staff and me with input from  
5           our counsel.

6           **BY MR. SPEAS:**

7           **Q.** The statement was released on June 17th, correct?

8           **A.** Yes, sir.

9           **Q.** And so you reviewed it before June 17th?

10          **A.** Yes, sir.

11          **Q.** And you approved it?

12          **A.** Yes, sir.

13          **Q.** And in what -- how was it released to the public?

14          **A.** It was released in at least two ways. It was  
15          posted to the General Assembly's website and it was  
16          also e-mailed to the press contact list that are  
17          maintained by the Senate press secretary, whatever  
18          you call it, and House press staff person, so it  
19          was sent to the press and it was released to the  
20          public on line.

21          **Q.** And did this document go through multiple drafts?

22          **A.** I'm sure that it did, sir. I don't recall the  
23          exact -- the way in which it was prepared exactly.

24          **Q.** Do you know whether those drafts still exist?

25          **A.** I don't, sir.



1       **Q.** And do you recall in whose office it was drafted?

2               MR. FARR: Objection.

3               REPRESENTATIVE LEWIS: I don't recall.

4       BY MR. SPEAS:

5       **Q.** Did your secretary prepare the draft?

6       **A.** No, sir.

7       **Q.** Did Senator Rucho's secretary prepare the draft?

8       **A.** I don't think so.

9       **Q.** Did Mr. Woodcox have a secretary?

10      **A.** No, sir.

11      **Q.** Did Mr. Woodcox prepare the draft?

12      **A.** He worked quite a bit on it. I'm sure, sir.

13      **Q.** Did he prepare the draft on the legislative  
14              computer?

15      **A.** I would assume so, sir.

16      **Q.** Now, let's look at the second of the public  
17              statements for a minute. The second of the public  
18              statements is actually not dated but it is my  
19              understanding from earlier testimony that it was in  
20              fact issued on June 22, 2011.

21              Would that be consistent with your memory?

22      **A.** Yes, sir.

23      **Q.** Who drafted this statement?

24      **A.** Senator Rucho, Brent Woodcox and I drafted it with  
25              advice from counsel.



1       **Q.** And was that counsel Mr. Farr?

2       **A.** Yes, sir.

3       **Q.** And again, did this document go through multiple  
4       drafts?

5       **A.** I don't recall, Mr. Speas, if this -- I remember we  
6       had quite a bit of conversation about some of the  
7       press reports that were out there and wanted to try  
8       to respond to them. I don't remember if we  
9       e-mailed back and forth on this particular  
10      document.

11      **Q.** Was Mr. Woodcox involved in preparing these various  
12      drafts?

13      **A.** Yes, sir.

14      **Q.** And did he do that on a legislative computer?

15      **A.** I think so, yes, sir.

16      **Q.** And the third joint statement is dated July 1,  
17      2011. Let me ask you the same set of questions  
18      about that. Who drafted that document?

19      **A.** It was a collaborative effort, as I said before, by  
20      Senator Rucho, Brent Woodcox and me with advice  
21      from Mr. Farr.

22      **Q.** And did this document go through multiple drafts?

23      **A.** Mr. Speas, it probably did. This was very -- this  
24      was when time was very constrained. I don't  
25      recall.



1     **Q.** Okay. Now the fourth and final of the public --  
2         well, actually, there are five public statements,  
3         aren't there. The next public statement is also an  
4         undated statement, joint statement, of Senator  
5         Rucho and Representative Lewis regarding the  
6         release of Rucho-Lewis 2.

7     **A.** Hold on just a moment, Mr. Speas. I think --

8     **Q.** Maybe there's a copy problem here. Is the next one  
9         you have July 12th?

10    **A.** Yes, sir.

11    **Q.** Okay. Let's talk about the July 12th. Looking at  
12         the document dated July 12th, tell me who drafted  
13         this document.

14    **A.** Again, I think this was a collaborative effort -- a  
15         collaborative effort between Senator Rucho and me,  
16         created by Brent Woodcox and Mr. Farr.

17    **Q.** Now, is there a final joint statement there in your  
18         package?

19    **A.** Yes, sir.

20    **Q.** And is that -- that one doesn't bear a date, but I  
21         believe the record reflects that was issued about  
22         July 19th. Would that be consistent with your  
23         memory?

24    **A.** Yes, sir.

25    **Q.** Was this document prepared collaboratively by you



1 and Senator Rucho with the assistance of

2 Mr. Woodcox and the counsel of Mr. Farr?

3 **A.** Yes, sir.

4 **Q.** And like the other documents, it likely went  
5 through multiple drafts?

6 **A.** Probably so, sir.

7 **Q.** All right. Now, is this the full set of public  
8 statements issued by you and Senator Rucho?

9 **A.** I believe so, yes, sir.

10 **Q.** And is it correct that this set of public  
11 statements reflects from your perspective your  
12 directions to Hofeller in drawing the House map and  
13 the Congressional map?

14 **A.** Yes, sir.

15 **Q.** So you did not issue directions to Hofeller in any  
16 written form prior to any of these documents; is  
17 that correct?

18 **A.** Yes, sir.

19 **Q.** So the written instructions to Hofeller were issued  
20 beginning at the earliest June 17, 2011?

21 MR. PETERS: Objection.

22 MR. FARR: Objection.

23 REPRESENTATIVE LEWIS: I don't think there  
24 were any written instructions per se.

25 BY MR. SPEAS:



1       **Q.** But to the extent there were written instructions,  
2       I understood you to testify those instructions were  
3       in those public statements.

4               MR. FARR: Objection.

5               REPRESENTATIVE LEWIS: These statements  
6       reflected the -- reflect the criteria in which the  
7       maps that we released were based.

8       BY MR. SPEAS:

9       **Q.** Okay. And they were not issued in any written form  
10      to Hofeller prior to June 17, 2011?

11      **A.** No, sir.

12      **Q.** Now, let's go back. I want to ask you some  
13      questions about each of them, Representative Lewis,  
14      and let's start with the first one which is the  
15      June 17th document. And on June 17th, is it  
16      correct that you announced the coming release of  
17      the Voting Rights districts for the House and the  
18      Senate plans?

19      **A.** I'm sorry, Mr. Speas, would you rephrase that or  
20      restate.

21      **Q.** On June 17th, in this public statement, did you  
22      announce that you were releasing for public  
23      examination the Voting Rights districts for the  
24      House and the Senate plans?

25      **A.** Yes, sir.



1     **Q.** And you were announcing that you were going to have  
2         a public hearing -- you were going to have public  
3         hearings about those plans?

4     **A.** Yes, sir.

5     **Q.** Now, at the bottom of the first page you inform the  
6         public, as I read the sentence, that the Stephenson  
7         decision required that Voting Rights Act -- Voting  
8         Rights districts be drawn before the other  
9         legislative districts; is that correct?

10    **A.** Yes, sir.

11    **Q.** And were the Voting Rights districts that you  
12         released on June 17th to the public the first  
13         time -- first version of the Voting Rights  
14         districts you had seen? Let me rephrase that.

15             Prior to June 17th -- a version of Voting  
16         Rights districts was released on June 17th,  
17         correct?

18    **A.** I believe so.

19    **Q.** Prior to June 17th, had you ever seen any version  
20         of the Voting Rights districts other than the ones  
21         released on June 17th?

22    **A.** No, sir.

23    **Q.** Now, had you ever sat with Dr. Hofeller and  
24         reviewed drafts of the Voting Rights districts  
25         before June 17th?



1       **A.** We had discussed, again, the criteria in which they  
2           should be drawn.

3       **Q.** But you hadn't seen maps?

4       **A.** No, sir.

5       **Q.** Now, if we could turn to the second page,  
6           Representative Lewis, the sentence reads "The  
7           Chairs believe that there is a strong basis in the  
8           record to conclude that North Carolina remains  
9           obligated by federal and state law to create  
10          majority African American districts," correct?

11      **A.** Yes, sir.

12      **Q.** And you go on to say "Our conclusion is based upon  
13          the history surrounding the creation of VRA  
14          districts in the State of North Carolina both as  
15          ordered by the federal courts and as adopted by the  
16          Legislature from 1986 to the present."

17               And finally you say "Our conclusion is also  
18          supported by evidence and testimony submitted to  
19          the Joint Redistricting Committee or received at  
20          public hearings."

21               Did I read that correctly?

22      **A.** Yes, sir.

23      **Q.** Where is the record on which you made this  
24          statement? You say there's a strong basis in the  
25          record. Where would I go to find that record?



1       **A.** On line to the ncleg.net.

2       **Q.** And is that all the information contained on the  
3       legislative website?

4       **A.** I'm sorry, Mr. Speas.

5       **Q.** Well, let's do it this way. Let me show you a  
6       document that's previously been marked as  
7       Exhibit 93 to the Churchill deposition, and it's  
8       entitled Congressional Races 1992 through 2010.

9               Is this part of the record that you're  
10       referring to in your June 17th public statement?

11       **A.** Mr. Speas, it would be accurate and fair to say  
12       that I would consider this to be a part of that.  
13       Whether or not I had this document by June 17th I  
14       cannot recall.

15       **Q.** And let me, Representative Lewis, ask the  
16       court reporter to mark this document as an exhibit.  
17               (WHEREUPON, Exhibit 186 was marked for  
18       identification.)

19       BY MR. SPEAS:

20       **Q.** Representative Lewis, Exhibit 186 is a copy of a  
21       part of the web page of the North Carolina General  
22       Assembly concerning redistricting where it lists a  
23       series of documents.

24               Would you examine this document and tell me  
25       if this document lists the items included in the



1 record that you refer to in your June 17th public  
2 statement?

3 **A.** Mr. Speas, I believe that it does.

4 **Q.** Okay. And is the document in front of you,  
5 Exhibit 93 from the Churchill deposition, one of  
6 those documents? If you look near the end, do you  
7 see Congressional races with minority candidates  
8 1992 to 2010?

9 **A.** Yes, sir.

10 **Q.** Do you know when you first saw Exhibit 93 from the  
11 Churchill deposition?

12 MS. EARLS: Are you sure this isn't 83?

13 REPRESENTATIVE LEWIS: It says 93.

14 Mr. Speas, I don't remember the first time  
15 that I saw this. I will add that it took the staff  
16 a lot of work to prepare this. Some of the  
17 information was very hard to go back and dig up  
18 over the time period involved, but -- and I know  
19 that it took us a little bit longer than what we  
20 had hoped to get this, so I don't know when I first  
21 saw it.

22 BY MR. SPEAS:

23 **Q.** Did you have that information available when you  
24 proposed the VRA districts?

25 **A.** I can't recall.



1     **Q.** Now, let me show you, Representative Lewis, another  
2         document which was Exhibit 82 to the Churchill  
3         deposition which is labeled State Legislative Races  
4         With Minority Candidates 2006 to 2010 and ask you  
5         if this is a part of the record to which you were  
6         referring in Exhibit -- your June 17th statement?

7     **A.** I believe so, yes, sir.

8     **Q.** And do you know whether you had this information  
9         when you first proposed the VRA districts?

10    **A.** As this is relating to the Senate, I do not recall  
11       when I first saw this.

12    **Q.** So you don't -- as you sit here today, you don't  
13       recall whether you had it?

14    **A.** No, sir, I don't.

15    **Q.** Let me show you another document which is  
16       Exhibit 83 to the Churchill deposition entitled  
17       House Legislative Races With Minority Candidates  
18       2006 to 2010 and ask you whether or not this is a  
19       part of the record to which you refer in your  
20       June 17th statement.

21    **A.** It is certainly a part of the record.

22    **Q.** And now let me hand you a document marked as  
23       Exhibit 94 to the Churchill deposition and ask you  
24       if that is a part of the record that you referred  
25       to in your June 17th statement.



1 MR. FARR: Objection.

2 REPRESENTATIVE LEWIS: Mr. Speas, it is  
3 definitely a part of the public record. I do not  
4 recall if this came to me prior to June 17th or  
5 not.

6 BY MR. SPEAS:

7 Q. Okay. And now, Representative Lewis, let me show  
8 you a document marked Exhibit 56 to the deposition  
9 of Erika Churchill which is not labeled but which  
10 appears to be a history of redistricting in the  
11 '90s and ask you if that was part of the  
12 legislative record.

13 A. Mr. Speas, to the best of my knowledge, the first  
14 time I saw this was in reviewing Ms. Churchill's  
15 deposition.

16 Q. Okay. Was it available to you?

17 A. It could have been, sir. I just --

18 Q. You don't know?

19 A. I just don't remember this particular document.

20 Q. Now, let me ask the court reporter to mark this  
21 document as the next exhibit.

22 (WHEREUPON, Exhibit 187 was marked for  
23 identification.)

24 BY MR. SPEAS:

25 Q. Do you have Exhibit 187 in front of you,



1 Representative Lewis? Is that submission a part of  
2 the record that you referred to in your June 17th  
3 public statement? And it's a list of documents,  
4 correct?

5 **A.** Yes, sir.

6 **Q.** And is one of the documents listed there the report  
7 of Mr. Brunell, Dr. Brunell, I guess? Look toward  
8 the bottom.

9 **A.** Yes, sir.

10 **Q.** I'm going to ask the court reporter to mark this  
11 next document.

12 (WHEREUPON, Exhibit 188 was marked for  
13 identification.)

14 BY MR. SPEAS:

15 **Q.** Is that the affidavit or the report of Thomas  
16 Brunell?

17 **A.** Yes, sir, I believe it is.

18 **Q.** And it's dated June 14, 2011?

19 **A.** Yes, sir.

20 **Q.** And did you receive that prior to June 14, 2011, to  
21 your memory?

22 **A.** Mr. Speas, I don't recall exactly when this  
23 particular document came in.

24 **Q.** Did Mr. Brunell ever come to North Carolina?

25 **A.** I do not know, sir. He never met with me.



1       **Q.** And is there a contract between the legislature and  
2       Dr. Brunell for this report?

3       **A.** I believe there to be, sir.

4       **Q.** Was this report paid for with state money?

5       **A.** I believe so, yes, sir.

6       **Q.** Who recommended Dr. Brunell to do this report?

7       **A.** Dr. Brunell had already been contracted to provide  
8       this prior to my being named House chair so I don't  
9       know.

10      **Q.** So sometime prior to February of 2011 a contract  
11      was entered into with Dr. Brunell?

12      **A.** Somewhere prior to the 15th, I would say, yes, sir.

13      **Q.** Did you review this report when it came in?

14      **A.** Yes, sir.

15      **Q.** And are you a statistician?

16      **A.** No, sir.

17      **Q.** Who explained this report to you?

18      **A.** Well, while I'm not a statistician, I did read the  
19      report and he draws some pretty easy-to-understand  
20      conclusions in his report.

21      **Q.** What did you understand those conclusions to be?

22      **A.** That this was further information that racially  
23      polarized voting still exists in our state.

24      **Q.** And did Dr. Brunell explain to you what he meant by  
25      racially polarized voting? Well, you never met



1 with him so the only explanation you have is in the  
2 report itself?

3 **A.** Yes, sir.

4 **Q.** Does Dr. Brunell anywhere in this report tell you  
5 what racially polarized voting is?

6 **MR. FARR:** Objection.

7 Miss Court Reporter, I would just like to  
8 state on the record my objection is the report  
9 speaks for itself.

10 **REPRESENTATIVE LEWIS:** Mr. Speas, it  
11 appears in the report that Dr. Brunell describes  
12 the process that he used to determine it and he  
13 appears to refer back to his 2008 book on racially  
14 polarized voting.

15 **BY MR. SPEAS:**

16 **Q.** Okay. Did Dr. Hofeller have this report when he  
17 was drawing the VRA districts?

18 **A.** I know that he -- I'm certain that he was provided  
19 the report.

20 **Q.** But that wasn't my question. The report is dated  
21 June 14, 2011, and you made public the VRA district  
22 plans on June 17, 2011.

23 My question is: Did Dr. Hofeller have  
24 Dr. Brunell's report when he was drawing the VRA  
25 districts?



1       **A.** Thank you for the chance to clarify. The answer is  
2       I don't know.

3       **Q.** Representative Lewis, would you put Exhibit 186 in  
4       front of you. It's this document.

5       **A.** Yes, sir.

6       **Q.** Tom snatched it. It's over there. All right.

7               Now, this is a listing of the items in the  
8       record to which you refer in your June 17th report  
9       as I understand it; is that correct?

10              MR. FARR: Objection.

11              REPRESENTATIVE LEWIS: As far as I know,  
12       yes, sir.

13       BY MR. SPEAS:

14       **Q.** I want to ask you a question about some of those  
15       things. If you will look on the second page, there  
16       is a heading American Community Service Data, under  
17       that Household Income by County, Per Capita Income  
18       by County, Education Level by County, and Median  
19       Age by County. Can you tell me what that data is?

20       **A.** I believe that is just raw census information.

21       **Q.** And of what value was that to you in drawing the  
22       VRA districts to Dr. Hofeller?

23       **A.** I can't speak as to its value to Dr. Hofeller.

24              As far as its value to me, we attempted  
25       through this process to share as much of the



1 information that was before us with the general  
2 public in hopes that we could receive some input or  
3 feedback.

4 **Q.** So let's turn back now, Doctor -- I'm sorry, I've  
5 promoted you and given you a degree.

6 **A.** Maybe I could make more money then.

7 **Q.** Representative Lewis, let's look back at the  
8 June 17, 2011, report. And again, focusing on  
9 page 2, in the last sentence in the second  
10 paragraph on that page is this: "Thus, in  
11 constructing VRA majority black districts, the  
12 Chairs recommend that, where possible, these  
13 districts be drawn at a level equal to at least  
14 50 percent plus one BVAP."

15 Did I read that correctly?

16 **A.** Yes, sir, you did.

17 **Q.** And is that your direction to Dr. Hofeller?

18 **A.** Yes, sir.

19 **Q.** Does that accurately state your direction to  
20 Dr. Hofeller?

21 **A.** Yes, sir.

22 **Q.** In that sentence you use the phrase "where  
23 possible," correct?

24 **A.** Yes, sir.

25 **Q.** Did you explain to Dr. Hofeller what you meant by



1 the phrase "where possible"?

2 MR. PETERS: Objection.

3 REPRESENTATIVE LEWIS: No, sir, I did not  
4 explain the phrase "where possible."

5 Again, the instructions have to be viewed  
6 in their entirety, which was to equalize the  
7 population in the districts to conform to the  
8 Voting Rights Act, follow the Stephenson and  
9 Strickland criteria and any other applicable laws  
10 when he drew the maps.

11 BY MR. SPEAS:

12 **Q.** And did you mean in that sentence that he was to  
13 use that instruction to only draw compact  
14 districts?

15 MR. PETERS: Objection.

16 REPRESENTATIVE LEWIS: To the extent that  
17 the Stephenson criteria does mention compactness  
18 but does not define it, yes.

19 BY MR. SPEAS:

20 **Q.** Okay. And let's look at the top of page 3, please,  
21 Representative Lewis. There's a sentence there  
22 that says, "Based upon this testimony, along with  
23 input we have received from at least one black  
24 incumbent House member, the Chairs recommend, where  
25 possible, that each plan include a sufficient



1 number of majority African American districts to  
2 provide North Carolina's African American citizens  
3 with a substantially proportionality and equal  
4 opportunity to elect their preferred candidates of  
5 choice."

6 Did I read that correctly?

7 **A.** I think it actually says "substantially  
8 proportional."

9 **Q.** Okay. You're right.

10 **A.** Yes, sir, other than that.

11 **Q.** Was one of the directions to Dr. Hofeller that he  
12 draw a sufficient number of 50 percent plus African  
13 American districts to provide African American  
14 citizens some 24 of 120 seats in the House?

15 **MR. PETERS:** Objection.

16 **MR. FARR:** Objection.

17 **REPRESENTATIVE LEWIS:** Well, we wanted to  
18 make sure that we provided at least the opportunity  
19 for African Americans to elect the candidate of  
20 their choice, yes, sir.

21 **BY MR. SPEAS:**

22 **Q.** So you gave two directions to Dr. Hofeller: One,  
23 to draw districts at 50 percent plus BVAP, correct?

24 **MR. FARR:** Object to the form.

25 **BY MR. SPEAS:**



1 **Q.** That's one part of the objectives?

2 **A.** Insofar as we understood that the Strickland case  
3 made clear that a majority-minority seat was or  
4 district was a seat in which the minority  
5 population was truly a majority. And we picked  
6 that number, if you will, because we were trying to  
7 protect ourselves from any lawsuits. We felt that  
8 was an easily -- that was an easy-to-understand  
9 benchmark to shoot for.

10 **Q.** And the other part of your direction,  
11 Representative Lewis, was to draw these 50 percent  
12 districts in enough -- high enough numbers to  
13 provide African American substantially proportional  
14 representation?

15 MR. FARR: Objection.

16 MR. PETERS: Objection.

17 MR. SPEAS: That's not correct?

18 MR. FARR: The statement.

19 MR. SPEAS: How is it incorrect?

20 BY MR. SPEAS:

21 **Q.** The statement says, "The Chairs recommend, where  
22 possible, that each plan include a sufficient  
23 number of majority African American districts to  
24 provide North Carolina's African American citizens  
25 with a substantially proportional and equal



1 opportunity to elect their preferred candidates."

2 **A.** I think the key word there is opportunity,  
3 Mr. Speas. We were committed to making sure that  
4 we provided a proportional opportunity. It was not  
5 meant to in any way create any kind of proportional  
6 representation.

7 **Q.** Look with me, Representative Lewis, to the bottom  
8 of page 3 and let me ask you whether that document  
9 contains this sentence: "The 2011 House plan,  
10 recommended by Chairman Lewis, consists of 24  
11 majority African American House districts and two  
12 additional districts in which the total black  
13 voting age population exceeds 43 percent."

14 **A.** Yes, sir, it does.

15 **Q.** Was that a direction to Dr. Hofeller?

16 MR. FARR: Objection.

17 REPRESENTATIVE LEWIS: Again, Mr. Speas, I  
18 think you have to take the statement in its  
19 entirety and it is a moving target, if you will.  
20 The African American population in our state is  
21 somewhere around 20.6 percent, 21 percent, and that  
22 is the figure that was talked about with  
23 Dr. Hofeller. I don't know that we ever actually  
24 said 24 or 23 or anything like that.

25 BY MR. SPEAS:



1       **Q.** Now, would you look with me, Representative Lewis,  
2       to the last page and the last paragraph.

3       **A.** Yes, sir.

4       **Q.** The last sentence reads: "We also recommend that  
5       any proposed statewide plan contain a sufficient  
6       number of districts that will bring African  
7       American citizens as close as possible to  
8       substantial proportionality in the number of  
9       African American districts."

10               Did I read that correctly?

11       **A.** Yes, sir.

12       **Q.** Was that a part of the instructions you had  
13       previously given to Dr. Hofeller?

14       **A.** Yes, sir. As best I can recall, the Stephenson  
15       criteria said that the VRA districts should be  
16       drawn first, so any subsequent plans would have to  
17       include the districts that were already drawn.

18       **Q.** Let's look at the second statement, Representative  
19       Lewis. That's the June 22nd statement. And that  
20       was issued in response to, quote, the first  
21       sentence, "several erroneous statements that have  
22       appeared in the news media regarding our proposed  
23       VRA districts"; is that correct?

24       **A.** Yes, sir, that's correct.

25       **Q.** And does this also constitute part of your



1 directions to Dr. Hofeller?

2 MR. FARR: Objection.

3 MR. PETERS: Objection.

4 BY MR. SPEAS:

5 **Q.** Or does this reflect the directions that you had  
6 previously given to Dr. Hofeller?

7 **A.** Mr. Speas, I believe this was in response to some  
8 of the claims that were being thrown out about the  
9 maps, so part of the statement does reiterate the  
10 basis on which the maps were drawn and part of it  
11 is to refute some of what we believe to be false  
12 information that was -- that was expressed.

13 **Q.** And let me ask you to turn to page 6. In the next  
14 to last paragraph on page 6 there appears this  
15 sentence: "Majority black districts must be based  
16 upon reasonably compact black populations, not  
17 districts."

18 Did I read that correctly?

19 **A.** You did read correctly.

20 **Q.** Was that one of the directions that you issued to  
21 Dr. Hofeller that majority black districts must be  
22 based upon reasonably compact black populations,  
23 not districts?

24 **A.** Yes, sir.

25 **Q.** And how did you issue any instructions to



1 Dr. Hofeller about how he was determined whether  
2 the black population is reasonably compact or not?

3 MR. FARR: Objection.

4 REPRESENTATIVE LEWIS: I did not.

5 BY MR. SPEAS:

6 **Q.** Did you leave that determination to Dr. Hofeller?

7 MR. FARR: Objection.

8 REPRESENTATIVE LEWIS: It was left to

9 Dr. Hofeller to apply the law, yes, sir.

10 BY MR. SPEAS:

11 **Q.** Did you ever reject any district proposed by  
12 Dr. Hofeller because he was not -- it was not based  
13 upon a reasonably compact black population?

14 **A.** I rejected one of the proposed VRA seats.  
15 Compactness was not the dominant issue in the  
16 rejection of the seat.

17 **Q.** Was that the Brunswick-New Hanover district?

18 **A.** Yes, sir. At one of our public hearings there had  
19 been a speaker who had done a very good job of  
20 saying that he felt like that the African American  
21 population in primarily Wilmington was a very  
22 historic population and that he felt it was  
23 important to try to restore that seat, and based on  
24 that, we did draw a seat that would have met all of  
25 the other criteria and still probably would have



1       allowed an African American from Wilmington to be  
2       elected.

3               And once we released the maps, all of the  
4       other public comment was opposed to the way the  
5       seat was drawn, and in fact, no one spoke up for  
6       it, so I made the choice to do away with the seat.

7       **Q.** Now, Representative Lewis, look with me to the last  
8       page of this June 22nd statement. And let me ask  
9       you this -- read that sentence and I want to ask  
10      you this question: Does that sentence reflect the  
11      directions that you gave Dr. Hofeller in drawing  
12      the House plans?

13      **A.** You must be referring to the Senate side that  
14      begins with the word "however"?

15      **Q.** Right.

16      **A.** I'm sorry, Mr. Speas, there are two sentences on  
17      the back page. You're asking about one of them.

18      **Q.** I'm sorry. I really want you to read that last  
19      paragraph and tell me whether that accurately  
20      reflects the directions you gave to Dr. Hofeller.

21      **A.** Yes, sir.

22      **Q.** Okay. Let's look at the next public statement,  
23      Representative Lewis, which is dated July 1st. Do  
24      you have that one in front of you?

25      **A.** Yes, sir. Thank you.



1       **Q.** Is this the public statement you issued when you  
2           first revealed your Congressional plan to the  
3           public?

4       **A.** Yes, sir.

5       **Q.** And in this document do you list the factors that  
6           were considered in the drawing of the Congressional  
7           plan?

8       **A.** Yes, sir.

9       **Q.** And would another way of stating that be that these  
10          are the directions you issued to Dr. Hofeller?

11      **A.** Yes, sir.

12      **Q.** So one of the directions you issued to Hofeller was  
13          to use the current plan as a frame of reference?

14      **A.** Yes, sir.

15      **Q.** Another direction was that the plan had to comply  
16          with one person, one vote?

17      **A.** Yes, sir.

18      **Q.** The third was it had to comply with the Voting  
19          Rights Act?

20      **A.** Yes, sir.

21      **Q.** And the fourth is that there could be no point  
22          contiguity?

23      **A.** Yes, sir.

24      **Q.** And the fifth is that incumbents should not be  
25          placed together?



1 MR. FARR: Objection.

2 REPRESENTATIVE LEWIS: At that time that  
3 was one of our goals, yes, sir.

4 MR. FARR: Look at the document, please,  
5 before you answer the question.

6 REPRESENTATIVE LEWIS: Would you  
7 restate --

8 BY MR. SPEAS:

9 Q. Was one of the directions to Dr. Hofeller not to  
10 place incumbents in the same district?

11 A. Per the statement, we decided to avoid placing  
12 incumbents in the same district. All incumbents in  
13 the proposed plan are located in a district in  
14 which they face no opposition from another sitting  
15 member of Congress.

16 Q. So that was the direction you issued to Hofeller?

17 A. At the time, yes, sir.

18 Q. And the sixth direction was to take into account  
19 communities of interest?

20 A. Yes, sir, that's correct.

21 Q. And under that you say, and I quote, "Communities  
22 of interest are political considerations which will  
23 always create some interests that will be  
24 recognized and others that will not. The elected  
25 representatives are best equipped to determine this



1 balance."

2 Did I read that correctly?

3 **A.** Yes, sir.

4 **Q.** And was that a direction to Dr. Hofeller not to  
5 consider communities of interest, that you would do  
6 it?

7 MR. FARR: Objection.

8 REPRESENTATIVE LEWIS: No, sir.

9 Communities of interest is one of the factors that  
10 we were directed by law to take into account.

11 BY MR. SPEAS:

12 **Q.** And doesn't the direction say that the elected  
13 representatives are best equipped to determine this  
14 balance?

15 **A.** Yes, sir. If I could refer to one of your earlier  
16 questions in that everyone residing in a particular  
17 area doesn't agree on everything and there are  
18 always moving and changing communities of interest,  
19 and in this case it's referring to the elected  
20 members from within those districts who sometimes  
21 have to strike a balance or make a decision on  
22 what's best for the good of the whole.

23 **Q.** So is this one of the things that the members of  
24 the Republican Caucus visiting Hofeller to review  
25 the group within which their districts were located



1 were making a decision about?

2 MR. FARR: I'm a little confused. Is this  
3 about the Congressional statement?

4 MR. SPEAS: You're right. Thank you.

5 REPRESENTATIVE LEWIS: I don't think any  
6 member of the House looked at the Congressional  
7 map.

8 BY MR. SPEAS:

9 **Q.** Thank you. Direction number 7 concerns whole  
10 counties and whole precincts. You wrote this, you  
11 and Senator Rucho, and you said "Counties and  
12 precincts are two specific examples of communities  
13 of interest. Like other interests, they must be  
14 balanced. We have attempted to respect county  
15 lines and whole precincts when it was logical to do  
16 so and consistent with other relevant factors. Our  
17 plan includes 65 whole counties."

18 Now, did you direct Hofeller to keep as  
19 many counties whole as he could? Did you direct  
20 Hofeller to keep as many precincts whole as he  
21 could in the Congressional plan? Help me  
22 understand what the direction to Hofeller was with  
23 regard to counties and precincts.

24 MR. PETERS: Object to the form.

25 REPRESENTATIVE LEWIS: Mr. Speas, there



1 really wasn't a direction to Dr. Hofeller on these  
2 particular interest. This is more -- this one  
3 paragraph is more a report, if you will, or trying  
4 to -- basically we were trying to brag on the maps.  
5 We thought that was a nice thing.

6 BY MR. SPEAS:

7 **Q.** So this really wasn't a direction to Hofeller; this  
8 was just a description of the plans that you were  
9 provided?

10 **A.** Yes, sir.

11 **Q.** The eighth criterion concerns urban counties,  
12 correct?

13 **A.** Yes, sir.

14 **Q.** And the ninth concerns competitive districts,  
15 correct?

16 **A.** Yes, sir.

17 **Q.** Now, other than the things outlined here, do you  
18 recall as you sit here now any additional  
19 directions you gave to Dr. Hofeller with regard to  
20 Congressional plans?

21 **A.** Other than the things that were laid out in this  
22 statement, I can't think of anything else.

23 **Q.** And the next public statement is July 12, 2011.

24 **A.** Yes, sir, I have it.

25 **Q.** And this -- I'm not going to go through it in any



1 detail, but does this also reflect to the kind of  
2 directions you were giving to Hofeller?

3 **A.** Yes, sir.

4 **Q.** And looking at the final public statement, which is  
5 the July 19th joint statement, does this concern  
6 entirely the issue of competitiveness?

7 **A.** I'm sorry, Mr. Speas, you're talking about the  
8 joint statement regarding the release of  
9 Rucho-Lewis 2?

10 **Q.** Yes.

11 **A.** I believe the statement speaks for itself, sir, and  
12 I believe it does address more than the one  
13 question you asked.

14 **Q.** Okay. Great.

15 Representative Lewis, I want to give you an  
16 exhibit that we will mark as Exhibit 189.

17 (WHEREUPON, Exhibit 189 was marked for  
18 identification.)

19 BY MR. SPEAS:

20 **Q.** Representative Lewis, Exhibit 189 is a copy  
21 of -- from the legislative website of Lewis House  
22 VRA, Corrected; Lewis-Dollar-Dockham 1;  
23 Lewis-Dollar-Dockham 2; Lewis-Dollar-Dockham 3; and  
24 Lewis-Dollar-Dockham 4.

25 Does that in fact appear to be what --



1       **A.** Yes, sir, it does.

2       **Q.** And I want to go through these one at a time and  
3       I'm going to ask you about some differences between  
4       them as we go through.

5       **A.** Yes, sir.

6       **Q.** Lewis House VRA, Corrected, is the VRA plan drawn  
7       for you by Dr. Hofeller in accordance with your  
8       directions?

9       **A.** Yes, sir, that's correct.

10      **Q.** It is the plan that was released to the public on  
11      June 17, 2011?

12      **A.** I believe that to be the date, yes, sir.

13      **Q.** Now, would you look in the Wilmington area. There  
14      is a district of -- a very irregularly shaped  
15      district drawn in Bladen, Columbus, Brunswick and  
16      New Hanover counties.

17               MR. FARR: Objection.

18               MR. PETERS: Objection.

19               MR. SPEAS: What's wrong with that?

20               MR. FARR: Irregularly shaped.

21               MR. SPEAS: You surely wouldn't contest  
22      that.

23               MR. FARR: That's a legal issue.

24      BY MR. SPEAS:

25      **Q.** There's a district drawn in Bladen, Columbus



1 Brunswick and New Hanover; is that correct?

2 **A.** Yes, sir.

3 **Q.** Is that the one you eliminated?

4 **A.** Yes, sir.

5 **Q.** Did you eliminate it because it was too irregular?

6 MR. FARR: Objection.

7 REPRESENTATIVE LEWIS: We eliminated it  
8 because after we drew it there seemed to be no  
9 support for it.

10 BY MR. SPEAS:

11 **Q.** Okay. Now, let me ask you this question: Other  
12 than the elimination of that district, are the VRA  
13 districts in this map essentially the same as the  
14 VRA districts in the enacted map?

15 MR. FARR: Objection.

16 REPRESENTATIVE LEWIS: No, sir. There  
17 were some changes that were made to some of the  
18 districts. Many of them are the same but some of  
19 them are different.

20 BY MR. SPEAS:

21 **Q.** Was -- District 21 was changed in later plans; is  
22 that correct?

23 **A.** Yes, sir, it was.

24 **Q.** And it was moved out of Pender county into Duplin  
25 county, correct?



1       **A.** Yes, sir, that's correct.

2       **Q.** And Districts 8 and 9 were changed?

3       **A.** That's correct as well, sir.

4       **Q.** But other than those districts, would it be correct  
5       that the VRA districts in this map are essentially  
6       the same as the VRA districts in the final plan?

7       **A.** As best I can recall, yes, sir.

8       **Q.** Now, let's look at Lewis-Dollar-Dockham 1.  
9       Lewis-Dollar-Dockham 1 was drawn by Dr. Hofeller?

10      **A.** Yes, sir.

11      **Q.** And it was drawn by Dr. Hofeller pursuant to your  
12      directions?

13      **A.** Yes, sir.

14      **Q.** And the changes in the VRA districts between Lewis  
15      House VRA and Lewis-Dollar-Dockham were done at  
16      your direction?

17      **A.** They were certainly done with my approval, yes,  
18      sir.

19      **Q.** Now, let me go back just a minute to Lewis House  
20      VRA, Corrected. That title implies to me that  
21      there was a previous Lewis House VRA uncorrected.

22      **A.** That's correct.

23      **Q.** Can you tell me the difference between the first  
24      Lewis House VRA map and this Lewis House VRA,  
25      Corrected, map?



1     **A.** Yes, sir, I sure can. In the original draw of the  
2     VRA districts, Dr. Hofeller had incorrectly put  
3     that Representative Annie Mobley lived in Bertie  
4     county. In fact, she lives in Hertford and we were  
5     trying not to pair any incumbent in the VRA  
6     districts.

7             When it was discovered that her county of  
8     residence was incorrect, I made the choice to  
9     redesign the way District 2 looks to where  
10    Representative Mobley would not have been paired  
11    with Representative Ray, and that was simply a  
12    mistake in -- it did not -- we didn't lose anything  
13    in our county groupings by making that change. It  
14    was just -- it was just a mistake in the residence  
15    file of where she actually resides.

16    **Q.** All right. Now, Representative Lewis, I want you  
17    to direct your attention to Lewis-Dollar-Dockham 2,  
18    and I would like to ask you if that was the plan  
19    drawn for you at your direction by Dr. Hofeller.

20    **A.** Yes, sir.

21    **Q.** And what's the difference between 1 and 2, to your  
22    knowledge?

23             MR. FARR: Objection.

24    BY MR. SPEAS:

25    **Q.** And I understand that could be a very hard



1 question, but if you know off the top of your head.

2 **A.** Mr. Speas, I can only tell you the ones that I  
3 recall. I know that there were some changes in the  
4 New Hanover and the Brunswick county grouping.  
5 Some of the district lines were moved there.

6 I can't -- by looking at the map, I can  
7 tell that there was a change in district -- I was  
8 going to say there was a change in District 46, but  
9 I'm not certain of that. I don't want to  
10 speculate.

11 I really cannot recall what we changed  
12 between 1 and 2 other than that I'm certain I  
13 recall the Brunswick and New Hanover change.

14 **Q.** And the districts in Brunswick and New Hanover in 2  
15 and 3 do appear to be different, don't they?

16 **A.** Yes, sir.

17 **Q.** Now, putting Lewis-Dollar-Dockham 3 in front of  
18 you, that was the map drawn for you at your  
19 direction by Dr. Hofeller?

20 **A.** That's correct, sir.

21 **Q.** And can you tell me the difference between 2 and 3?

22 **A.** Mr. Speas, one of the changes was made to District  
23 21. If I recall correctly, the change was actually  
24 made at the request of a member of the minority  
25 party. There's some family connection or something



1 that in eastern -- in southeastern Sampson county

2 that he asked to be included in that district. I

3 don't recall the exact change that was made there.

4 **Q.** There's another change, Representative Lewis, that

5 Beaufort county is divided in Lewis-Dollar-Dockham

6 3 but not divided in Lewis-Dollar-Dockham 2?

7 **A.** Yes, sir. This was -- this was a change that was

8 made at the request of one of our members,

9 Representative Sanderson.

10 Sometimes when you're in the political

11 world and you've got to get enough votes to pass a

12 plan, sometimes you have to make some hard calls.

13 Representative Cook was opposed to this call, but

14 ultimately it was -- it was my choice to make.

15 **Q.** So Beaufort county which was not earlier divided

16 was then divided?

17 **A.** That's correct, sir.

18 **Q.** Now, looking at Lewis-Dollar-Dockham 4, is

19 Lewis-Dollar-Dockham 4 the enacted plan drawn by

20 Dr. Hofeller pursuant to your directions?

21 **A.** Yes, sir.

22 **Q.** And what's the difference between 3 and 4,

23 Dockham 3 and 4?

24 **A.** There are very subtle differences. Well, let me

25 begin again, please.



1 First of all, I know in District 21 the  
2 change that I had made to try to accommodate one of  
3 the members requests had created -- had  
4 inadvertently created a double traverse into  
5 Sampson county and so we corrected that.

6 Let's see. I believe that there is a  
7 slight change in Alamance county.

8 I would like to point out, if I could pause  
9 for just a moment, Mr. Speas, of everything that  
10 you've asked me, I've tried to answer completely.  
11 I would point out that in the transcript from the  
12 committee hearing where Lewis-Dollar-Dockham 4 was  
13 first discussed, I did explain in full detail and  
14 also showed on the board and whatnot the changes.  
15 I'm sorry, I just can't recall what they all are.

16 **Q.** No, I understand completely, Representative Lewis.  
17 You had a whole lot harder job than Senator Rucho,  
18 didn't you?

19 **A.** Yes, sir, we had a lot of a -- a lot of folks to  
20 talk to.

21 **Q.** Okay. Now, let's mark Exhibit 190.

22 (WHEREUPON, Exhibit 190 was marked for  
23 identification.)

24 BY MR. SPEAS:

25 **Q.** Exhibit 190, Representative Lewis, is a copy of the



1 legislative website of Rucho-Lewis Congress 1,  
2 Rucho-Lewis Congress 2 and Rucho-Lewis 2A and  
3 Rucho-Lewis Congress 3.

4 Would you look at those maps and see if  
5 that does appear what these maps are.

6 **A.** Yes, sir, it does.

7 **Q.** Is Rucho-Lewis Congress 1 the map drawn for you and  
8 Senator Rucho by Dr. Hofeller at y'all's direction  
9 that was first presented to -- made public, I  
10 think, on July 12 -- or July 1, 2011?

11 **A.** Yes, sir.

12 **Q.** Rucho-Lewis Congress 2, is that map drawn by  
13 Representative -- by Dr. Hofeller at your direction  
14 and Senator Rucho's direction?

15 **A.** Yes, sir, with one error that was not found until  
16 it was already on line.

17 **Q.** Okay. And is the essential difference between  
18 Congress 1 and Congress 2 that District 1 now goes  
19 into Wake county -- Durham county instead of Wake  
20 county?

21 **A.** Yes, sir.

22 **Q.** Is that the principal difference?

23 MR. FARR: Objection.

24 REPRESENTATIVE LEWIS: When we released  
25 Rucho-Lewis Congress 1, as outlined in the



1 statement, we had extended the courtesy of trying  
2 to talk to the incumbent in Congressional District  
3 1. We explained to him, and he understood, that  
4 his -- that the district in which he represented  
5 was significantly underpopulated and we were going  
6 to have to get additional population in order to  
7 comply with the zero deviation rule, and we felt  
8 that he was comfortable with the draw, and when we  
9 released our map, the congressman wrote a letter  
10 that I believe was actually read by former  
11 Representative Clayton in which he didn't like the  
12 map and so we made a couple of changes to it.

13 First of all, we took it -- we asked  
14 Dr. Hofeller to take it back into all of -- or to  
15 Section 5 counties that the first had gone into  
16 prior -- I mean in the last round of redistricting.  
17 We then also still had to get more population, so  
18 we asked him to go into Durham instead of into  
19 Wake. Part of the rationale for going into  
20 Durham -- into Wake at first and then into Durham  
21 in the redraw was that the first covers a very  
22 rural part of our state and we felt by carrying it  
23 into the triangle, which is a much faster growing  
24 area, that the odds that it would become  
25 significantly underpopulated again in the next ten



1 years would be -- would be reduced, but when he  
2 changed the first, that means that pretty much  
3 everything that had touched the first had to change  
4 too.

5 BY MR. SPEAS:

6 **Q.** And is one of the other differences between 1 and 2  
7 that District 4 is extended for the first time into  
8 Alamance county?

9 **A.** That is definitely a difference in the plan, yes,  
10 sir.

11 **Q.** Now, the next map, Rucho-Lewis Congress 2A, was  
12 this a map drawn by Dr. Hofeller at your direction  
13 and at Senator Rucho's direction?

14 **A.** Yes, sir.

15 **Q.** And can you briefly summarize the differences  
16 between 2 and 2A?

17 **A.** Yes, sir. In 2 Polk county was inadvertently  
18 placed into the 11th. That was never our intent.  
19 It was always our intent for it to be in the 10th.  
20 And when Dr. Hofeller inadvertently put Polk county  
21 into the 11th to make up the population loss, he  
22 took or went further into Buncombe, and so the  
23 change by adding Polk county back to the 10th,  
24 which is what our intent had always been, resulted  
25 in less of Buncombe county in the 10th.



1           It also helped us meet one of the goals  
2           that we had discussed which is to make sure that  
3           all of the metropolitan areas of the state,  
4           wherever possible, had more than one voice in  
5           Congress.

6       **Q.** Now, the final Congressional map, Rucho-Lewis  
7           Congress 3, was drawn by Dr. Hofeller under your  
8           direction and under Senator Rucho's direction,  
9           correct?

10       **A.** Yes, sir.

11       **Q.** What are the differences between 2A and 3 that you  
12           recall?

13       **A.** I believe and I should say -- I should preface  
14           these remarks that this is going purely on memory.  
15           I believe the change was primarily in the 10th and  
16           it related to Buncombe county. I don't recall that  
17           is definitely a change that was made. I believe  
18           that to be the case, and I don't recall there were  
19           any other changes to the map.

20       **Q.** Let's talk about Congressional District 4.

21       **A.** Yes, sir.

22       **Q.** Are you in Congressional District 4?

23       **A.** No, sir.

24       **Q.** You are in 2?

25       **A.** Yes, sir.



1       **Q.** But Congressional District 4 does include a part of  
2           your home county?

3       **A.** Yes, sir.

4       **Q.** And your county of birth, Cumberland county?

5       **A.** Yes, sir.

6       **Q.** And it includes pieces of Chatham, Durham, Orange  
7           and Alamance, correct?

8       **A.** Yes, sir.

9       **Q.** And it doesn't include any whole county?

10      **A.** Yes, sir.

11      **Q.** Help me understand why you would draw a district  
12           that stretches from Cumberland to Alamance,  
13           including no whole counties, consistent with the  
14           redistricting principles you were familiar with.

15               MR. PETERS: Objection.

16               REPRESENTATIVE LEWIS: Well, District 4 is  
17           a strong democratic district. It is consistent in  
18           that it let's us or let's the people of  
19           Fayetteville have two -- let's it have two voices  
20           in the U.S. House. Although not necessarily a  
21           major metropolitan area, it extends the same  
22           courtesy to Chapel Hill, and it's just -- it's --

23      BY MR. SPEAS:

24      **Q.** It's a product of politics?

25      **A.** Yes, sir, it is.



1 **Q.** Let's talk a little bit about -- let's go back to  
2 the House plan.

3 MR. SPEAS: Do you want to break?

4 MR. PETERS: I wonder if this is a good  
5 time.

6 MR. FARR: I think it's a good time for a  
7 break.

8 MR. PETERS: It's been a little over an  
9 hour and a half.

10 (Brief Recess: 2:34 to 2:45 p.m.)

11 BY MR. SPEAS:

12 **Q.** Would you put Exhibit 189 in front of you, which is  
13 the series of House maps.

14 **A.** Yes, sir, I have it.

15 **Q.** And let me ask you a question that I forgot to ask  
16 you with regard to the Lewis House VRA, Corrected.

17 In directions to Dr. Hofeller, did you  
18 advise Dr. Hofeller in drawing the VRA districts he  
19 should make an effort to keep as many counties  
20 whole as he could and to make these districts as  
21 compact as he could?

22 MR. FARR: Objection.

23 REPRESENTATIVE LEWIS: We asked him to  
24 follow the law to draw the VRAs. We do -- we do  
25 think that the law requires the VRAs to be drawn in



1           respect to the county grouping rule.

2           BY MR. SPEAS:

3           **Q.** Did Dr. Hofeller ever propose to you more than one  
4           grouping plan? Stated differently: Did the groups  
5           ever change from House VRA, Corrected, through the  
6           enactment of the final plan?

7           **A.** I know that they changed -- oh, between VRA,  
8           Corrected, no, sir, I don't believe so.

9           MR. FARR: Can we get that timeframe down.

10          BY MR. SPEAS:

11          **Q.** Between VRA, Corrected, and the final enacted plan,  
12          Dr. Hofeller proposed no plan that contained a  
13          grouping plan different than in VRA, Corrected?

14          **A.** I don't recall that he did, sir.

15          **Q.** Your lawyer didn't understand the question but you  
16          did. Thank you.

17                 The grouping plan never changed from this  
18          plan through to the enacted plan?

19          MR. FARR: Objection.

20          REPRESENTATIVE LEWIS: I don't recall the  
21          answer.

22          BY MR. SPEAS:

23          **Q.** Now, I want to talk to you about some divided  
24          counties in the House plan. We've already talked  
25          about Beaufort, but let me talk to you about



1 Bladen.

2 MR. PETERS: Beaufort's in the  
3 Congressional plan.

4 MR. SPEAS: Beaufort is divided.

5 MR. PETERS: My bad, I'm sorry.

6 REPRESENTATIVE LEWIS: About Bladen.

7 BY MR. SPEAS:

8 **Q.** Bladen county, yes. Bladen county is divided in  
9 each of your plans in a different way, but it is  
10 divided in each of your plans, correct?

11 **A.** Yes, sir.

12 **Q.** Can you tell me why it was necessary to divide  
13 Bladen?

14 MR. FARR: Objection to the form of the  
15 question.

16 BY MR. SPEAS:

17 **Q.** Well, okay. Do you know why Dr. Hofeller found it  
18 necessary to divide Bladen?

19 MR. FARR: Objection.

20 REPRESENTATIVE LEWIS: I don't know,  
21 Mr. Speas.

22 BY MR. SPEAS:

23 **Q.** Okay. Now, if you -- let's talk about Duplin a  
24 minute. If you will look, Duplin county is not  
25 divided in Lewis VRA House, Corrected, but it is



1 divided in each of the subsequent plans. Do you  
2 know why Dr. Hofeller found it necessary to divide  
3 Duplin county after Lewis House VRA, Corrected?

4 MR. FARR: Just so you know, my basis to  
5 this objection it may -- I wouldn't mind you asking  
6 him if he knows why he divided it, but I don't like  
7 the use of the word "necessary," so you can  
8 continue to use the word necessary if you want to.

9 MR. SPEAS: Thanks.

10 REPRESENTATIVE LEWIS: All I can recall,  
11 Mr. Speas, is that while Duplin became divided in  
12 the plan, Pender became whole, and all of us still  
13 remember the 2009 case with Pender county. And  
14 when we were able to keep it whole, we did.

15 BY MR. SPEAS:

16 **Q.** Now, Representative Lewis, Greene county is divided  
17 in each of your plans. Did you direct Dr. Hofeller  
18 to divide Greene county?

19 **A.** In so much as he was able to build a VRA district,  
20 that would have been the extent of my instructions  
21 to him.

22 **Q.** Did Dr. -- did you ever ask Dr. Hofeller why he  
23 divided Greene county?

24 **A.** Well, again, Greene county I believe is divided, as  
25 was explained in our earlier statements, as an



1 attempt to draw one of the VRA seats. It was just  
2 necessary to do so.

3 **Q.** So it was necessary to divide Greene county in  
4 order to comply with the VRA. Is that your  
5 testimony?

6 **MR. FARR:** Objection.

7 **REPRESENTATIVE LEWIS:** That is the reason  
8 that Greene county was divided as a result of our  
9 efforts to comply with the Voting Rights Act.

10 **BY MR. SPEAS:**

11 **Q.** Pasquotank county is divided in each of your plans.  
12 Did you direct Dr. Hofeller to divide Pasquotank  
13 county?

14 **A.** I did not.

15 **Q.** Do you know why Dr. Hofeller chose to divide  
16 Pasquotank county?

17 **A.** I believe it was to get a sufficient number of  
18 population to create one of our VRA seats.

19 **Q.** Do you know whether there were other plans that did  
20 not divide Pasquotank county?

21 **A.** I do not recall.

22 **Q.** Okay. Lee county.

23 **A.** Yes, sir.

24 **Q.** Lee county is not divided in VRA, Corrected, but it  
25 is divided in your subsequent plans. Did you give



1 any direction to Dr. Hofeller to divide Lee county?

2 MR. FARR: I'll object on the grounds the  
3 other districts are not shown on the VRA,  
4 Corrected.

5 MR. SPEAS: Okay. You're right. You're  
6 right. Pardon that.

7 BY MR. SPEAS:

8 **Q.** Lee county was not a VRA county, correct?

9 **A.** Yes, sir.

10 **Q.** Lee county is divided in Lewis-Dollar-Dockham 1, 2,  
11 3 and 4?

12 **A.** Yes, sir.

13 **Q.** Did you direct Dr. Hofeller to divide Lee county?

14 **A.** Yes, sir.

15 **Q.** You did?

16 **A.** Yes, sir.

17 **Q.** And why?

18 **A.** Chatham, Lee and Harnett form the smallest county  
19 grouping that could be formed in order to draw  
20 three seats. Chatham did not have enough  
21 population on its own, so we had to go into either  
22 Lee or Harnett in order to get the population that  
23 was needed to make the roughly 80,000 threshold.

24 We went -- Lee county is a very interesting  
25 county in that the majority of the population of



1 the county live in the city of Sanford itself so it  
2 was easier to get higher numbers of population by  
3 going into Sanford, and so that's what we did, we  
4 extended the line from Chatham into Lee. It kept  
5 most of Lee in the 51st, but again, for one-person,  
6 one-vote reasons we had to go into Lee.

7 **Q.** Implied in your testimony to me is that you worked  
8 directly with Dr. Hofeller on the drawing of the  
9 lines between Chatham, Lee and Harnett; is that  
10 correct?

11 **A.** Yes, sir.

12 **Q.** Is that the only set of counties on which you  
13 worked directly with Dr. Hofeller in the House  
14 plan?

15 **A.** Mr. Speas, it's the only one that I can recall and  
16 it was pretty consistent with the policy that I  
17 told you about which was that the incumbent members  
18 of the county grouped areas would have input on the  
19 way their map was drawn.

20 **Q.** You were one of the incumbents?

21 **A.** Yes, sir.

22 **Q.** Did you work directly with Dr. Hofeller in drawing  
23 the House districts in Cumberland?

24 **A.** I did not.

25 **Q.** And did you work directly with Dr. Hofeller in



1 drawing the districts in Moore county or Hoke  
2 county or Sampson county or Johnston county or Wake  
3 county which also would join Harnett?

4 **A.** I did not.

5 **Q.** Now, Franklin county -- let's move to Franklin.

6 Franklin is divided in each version of your plans.

7 Did you direct Dr. Hofeller to divide Franklin  
8 county?

9 **A.** Only in so much as we felt the two-county grouping  
10 of Franklin and Nash had a sufficient enough  
11 African American population to justify the drawing  
12 of a VRA seat.

13 **Q.** And Richmond county, Richmond county is divided in  
14 each of your plans. Did you direct Dr. Hofeller to  
15 divide Richmond county?

16 **A.** Again, only in so much as there was sufficient  
17 minority population to draw the 48th seat.

18 **Q.** Did you direct Dr. Hofeller to see whether it would  
19 be possible to continue to draw a 50 percent plus  
20 VRA district former 48 without dividing Richmond  
21 county?

22 **A.** I never even asked.

23 **Q.** Okay. Let me talk to you a little bit about  
24 grouping.

25 **A.** Yes, sir.



1 **Q.** And I am going to ask the court reporter to mark  
2 this next exhibit as Exhibit 191.

3 (WHEREUPON, Exhibit 191 was marked for  
4 identification.)

5 BY MR. SPEAS:

6 **Q.** The court reporter has handed you Exhibit 191. And  
7 this was from the legislature's website and it is a  
8 map -- I'm sorry, it's a bit faint, but it shows  
9 the groupings. Can you detect the groupings there?

10 **A.** I think so, yes, sir.

11 **Q.** I want to talk to you about the 20-county grouping.

12 **A.** Yes, sir.

13 **Q.** The 20-county grouping starts in Stanley county and  
14 winds its way all the way to Dare county, correct?

15 **A.** I believe that would be correct, yes, sir.

16 **Q.** And is it correct that the majority of counties in  
17 that grouping are divided?

18 MR. FARR: Can we look at a color copy of  
19 the exhibit?

20 MR. SPEAS: I'm sorry, I should have made  
21 a color one. You can probably see it --

22 MR. PETERS: I think if you look at  
23 Lewis-Dollar-Dockham 4 of the map it shows the  
24 groupings.

25 MR. SPEAS: I'll tell you what, I've got



1 your maps too. Here it is, this is better. This  
2 is your map.

3 MR. FARR: You don't need to mark it.

4 We'll stipulate he's looking at Lewis-Dollar-  
5 Dockham 4.

6 BY MR. SPEAS:

7 **Q.** I think those dark blue lines.

8 **A.** Yes, sir. Yes, sir, Mr. Speas, I can see that the  
9 county grouping in which you refer begins in  
10 Stanley county and appears to go over to Dare.

11 **Q.** Did you ever discuss with Dr. Hofeller whether it  
12 was possible to group counties in some way that  
13 would not require a 20-county group?

14 **A.** Yes, sir, extensively.

15 **Q.** What did Dr. Hofeller tell you?

16 **A.** Our problem was actually Mecklenburg, and the  
17 problem with Mecklenburg is the level of population  
18 that it had, we needed to -- if we were not going  
19 to draw legislative districts in a group, we want  
20 to keep Mecklenburg whole. The only way to do that  
21 was to draw the seats at a few percentage points  
22 below the ideal number.

23 Had we not have done that, had we grouped  
24 it with another county in order to absorb that  
25 excess population, we would have been able to



1 create more county or a smaller county grouping in  
2 the east, but based on what Dr. Hofeller told me,  
3 the cumulative effect -- which you can't really  
4 consider that when you're drawing within a county,  
5 but the cumulative effect of drawing within the  
6 court-approved range but also under the ideal  
7 population, the cumulative effect of doing that,  
8 the 12 seats I think that Mecklenburg has left us  
9 with no alternative but to create this 20-county  
10 grouping in the east.

11 **Q.** So you understood from Dr. Hofeller that this  
12 20-county grouping was required by equal  
13 population --

14 **A.** Yes, sir.

15 **Q.** -- considerations?

16 **A.** Yes, sir.

17 **Q.** Did you direct him to see if there were alternative  
18 groupings that would allow for different  
19 configurations and the creation of more groups or  
20 the division of fewer counties?

21 **A.** We talked extensively about Mecklenburg and did we  
22 want to group Mecklenburg, perhaps, with Gaston,  
23 what do we want to do. It was felt that keeping  
24 Mecklenburg as a whole county and drawing the  
25 legislative districts within that county would be



1 more in compliance with what the Stephenson  
2 decisions had said and so I deferred to his  
3 judgment that there was no other way to do that.

4 **Q.** So as I understand your testimony, the 20-county  
5 group is not a product of Voting Rights concerns,  
6 it's a product of equal protection concerns --  
7 equal population concerns arising out of  
8 Mecklenburg?

9 **A.** Yes, sir.

10 **Q.** Okay. You're aware that there are other plans that  
11 were before the legislature that would have created  
12 other groupings?

13 **A.** Yes, sir.

14 **Q.** And that would have resulted in a division of fewer  
15 counties in this area of the state?

16 MR. FARR: Objection.

17 REPRESENTATIVE LEWIS: I'm aware based on  
18 our earlier -- the earlier question that you asked  
19 me. There were plans that were drawn. We talked  
20 specifically about the plans submitted by  
21 Representative Martin and we felt that the plan  
22 that we ultimately offered because of its superior  
23 number of two-county groupings would make us more  
24 compliant with what the Stephenson criteria  
25 demanded that we do.



1 BY MR. SPEAS:

2 **Q.** Okay. Did you ever discuss with Dr. Hofeller the  
3 number of potential different groupings of counties  
4 that could be created from the maps?

5 **A.** We didn't. The conversation primarily was  
6 after -- we understood that while we were required  
7 to draw the VRA districts, that even those were  
8 still bound or our plan as a whole would be judged  
9 by the amount of compliance we had with the  
10 Stephenson county grouping rule.

11 (WHEREUPON, Exhibit 192 was marked for  
12 identification.)

13 BY MR. SPEAS:

14 **Q.** Representative Lewis, I have an additional set of  
15 questions, and I put in front of you a copy of that  
16 affidavit and I would like you to examine it and  
17 tell me whether that is in fact the affidavit that  
18 you filed in this action.

19 **A.** Mr. Speas, it appears that it is.

20 **Q.** Did you draft this affidavit?

21 **A.** No, sir, I didn't.

22 **Q.** Who drafted it?

23 **A.** Tom Farr.

24 **Q.** Did Dr. Hofeller participate in drafting it?

25 **A.** I don't know.



1       **Q.** Did you receive a draft of this affidavit from  
2           Mr. Farr?

3       **A.** I met with Mr. Farr and reviewed it, yes, sir.

4       **Q.** And did you suggest changes?

5       **A.** I don't believe I did to the draft.

6       **Q.** But you satisfied yourself it was accurate and  
7           signed it and filed it?

8       **A.** Yes, sir.

9       **Q.** Turn with me to paragraph 14 on page 5. And that  
10           paragraph says, "The comparisons stated above  
11           demonstrate how the shape and location of House  
12           Districts 12, 21, 48, 5, 7, 23, 24, 27 and 32, all  
13           of which are located in multiple counties, were  
14           driven by the requirement set forth in the  
15           Stephenson cases to create the smallest county  
16           groupings possible."

17               Did I read it correctly?

18       **A.** You did, sir.

19       **Q.** Now, a couple of questions about that. Each of  
20           those districts is located in more than one county?

21       **A.** I believe that would be correct, yes, sir.

22       **Q.** And each of those counties in which each of those  
23           districts is located is divided?

24               MR. FARR: Objection.

25               You can look at the map if you want to.



1 BY MR. SPEAS:

2 **Q.** Each of those contains divided counties. This will  
3 be a little bit tedious, Representative Lewis, but  
4 let's just do it one at a time.

5 District 12 contains parts of four  
6 counties -- three counties; is that correct?

7 **A.** Yes, sir, it is.

8 **Q.** District 21 contains parts of three counties; is  
9 that correct?

10 **A.** Yes, sir, it is.

11 **Q.** District 48 contains parts of four counties, is  
12 that correct, Richmond, Scotland, Hoke and Robeson?

13 **A.** Yes, sir. Yes, sir, you're correct.

14 **Q.** District 5 contains three whole counties, Bertie,  
15 Hertford, Gates and part of Pasquotank; is that  
16 correct, sir?

17 **A.** Yes, sir.

18 **Q.** District 23 contains two whole counties?

19 **A.** That's correct.

20 **Q.** And District 24 contains parts of Wilson county and  
21 part of Pitt County?

22 **A.** Yes, sir.

23 **Q.** And District 27 contains two whole counties,  
24 Northhampton and Halifax?

25 **A.** Yes, sir.



1 **Q.** Help me understand your statement in paragraph 14.

2 MR. FARR: Make sure you read the  
3 preceding paragraph.

4 REPRESENTATIVE LEWIS: Start at paragraph  
5 6.

6 MR. SPEAS: He's tough.

7 REPRESENTATIVE LEWIS: Mr. Speas, what was  
8 it that you asked me again?

9 BY MR. SPEAS:

10 **Q.** I wanted to understand what you mean by paragraph  
11 14 and Mr. Farr asked you to read the preceding  
12 several paragraphs and I understood you were  
13 reading that. I'll be glad to ask the question if  
14 you prefer.

15 **A.** Paragraph 14 refers back to the prior six or so  
16 paragraphs and analyzes the other plans that were  
17 submitted in, but I feel comfortable in trying to  
18 summarize it by saying that while we believe that  
19 the Voting Rights Act requires that these districts  
20 be drawn, we also believe that the Stephenson  
21 criteria bounds that the county groupings still  
22 have to be observed.

23 **Q.** Okay. The words are the shape and location of this  
24 set of districts, quote, "were driven by the  
25 requirement set forth in the Stephenson cases to



1 create the smallest county groupings possible."

2 Did I read it correctly?

3 **A.** Yes, sir.

4 **Q.** Now, I want to talk with you a minute about the  
5 groupings within which each of these districts is  
6 located.

7 **A.** Okay, sir.

8 **Q.** Look at District 5 in the map. Is that a  
9 nine-county grouping?

10 **A.** It appears to be, yes, sir.

11 **Q.** And let's look at District 12. Is District 12  
12 located in a 20-county grouping?

13 **A.** Yes, sir, it appears to be.

14 **Q.** And look at District 21, is that also located in a  
15 20-county grouping?

16 **A.** Yes, sir.

17 **Q.** And let's look at District 48, is that also located  
18 in a 20-county grouping?

19 **A.** Yes, sir.

20 **Q.** And let's look at District 32, is that located in a  
21 four-county grouping?

22 **A.** Yes, sir, it is.

23 **Q.** And District 7, District 23 and District 24 and  
24 District 27 are all located in two-county  
25 groupings, correct?



1       **A.** I'm sure that's correct, Mr. Speas.

2       **Q.** So one of the districts listed here is in a  
3       nine-county grouping, three are in 20-county  
4       groupings, one is in a four-county grouping and  
5       only three are in two-county groupings; is that  
6       correct?

7       **A.** Yes, sir.

8       **Q.** Thank you very much, Mr. Lewis. I think that's all  
9       the questions I have for now.

10      **A.** Mr. Speas, are you only the opening act?

11               MR. SPEAS: I saved the best, I can tell  
12      you that.

13                               EXAMINATION

14      BY MS. EARLS:

15      **Q.** As you know, my name is Anita Earls. I represent  
16      the plaintiffs in the lawsuit filed on behalf of  
17      the NAACP, Democracy North Carolina, League of  
18      Women Voters as well as the other individual voters  
19      in North Carolina, and I really do appreciate your  
20      time here today.

21               Many of our claims do overlap with those  
22      brought by the clients that Mr. Speas represents,  
23      so I think my questions will be fairly brief.

24               I want to better understand first what  
25      data you had available to you and specifically let



1 me ask you: Did you have access yourself to a  
2 laptop that had redistricting software on it for  
3 your own use during the redistricting process?

4 **A.** We made the decision in the House to provide a  
5 laptop that all of the members of the majority  
6 party, of which I belong, have access to. The  
7 minority party in the House had their own  
8 laptop -- excuse me -- their own computer, which  
9 was located in Representative Hackney's office, and  
10 Legislative Black Caucus had their own software, so  
11 I did not have a computer personally in my office,  
12 but I did have access to one, yes.

13 **Q.** I just want to make sure I'm clear. I think this  
14 would be Exhibit 193.

15 (WHEREUPON, Exhibit 193 was marked for  
16 identification.)

17 BY MS. EARLS:

18 **Q.** So the court reporter handed you what's been marked  
19 as Exhibit 193, and this is a copy of an e-mail  
20 that was provided to us in discovery. And am I  
21 right that the first e-mail from Friday, May 6th,  
22 is from Dan Frey to you and he's talking about  
23 having a redistricting terminal set up in a small  
24 office and then he's asking -- he needs to know who  
25 will be using it to finalize the setup and then, am



1 I correct, you responded to him trying to further  
2 make arrangements about getting instruction on how  
3 to use the computer; is that right?

4 **A.** Yes, ma'am.

5 **Q.** And so does this refer to the terminal you were  
6 just talking about?

7 **A.** Yes, ma'am. To be more clear, there was a small  
8 unused office on the sixth floor. The party -- the  
9 computer afforded to the Democratic Caucus, which  
10 was in Speaker Hackney's office which was a large  
11 office, had a lot of room. I didn't have that much  
12 room in mine. This room was not being used, so we  
13 requested and got a small room on the sixth floor.  
14 That's why it doesn't have a room number. It's  
15 just in between two other offices.

16 **Q.** And so then did you in fact get some instruction on  
17 how to use the software, the redistricting  
18 software?

19 **A.** I did not.

20 **Q.** Did you ever use that -- it appears it was a laptop  
21 in that room?

22 **A.** I did not, ma'am.

23 **Q.** So then were there some points in time during the  
24 redistricting process when you were looking at maps  
25 on the screen of the computer?



1       **A.** Only with the map drawer to Dr. Hofeller. I never  
2       looked at it on any of the NCGA computers.

3       **Q.** Do you know what data Dr. Hofeller had in his  
4       computer software that you were looking at when you  
5       were looking at maps with him?

6       **A.** In terms of the raw data?

7       **Q.** (Nodding head up and down.)

8       **A.** Thank you for that question as well. He had all of  
9       the information from the Census. We put that all  
10      on line so anyone that had the Maptitude software  
11      or any of the other software could get it straight  
12      from us, so he had the same information that would  
13      have been on the state computers.

14      **Q.** So is it your understanding that the Census data  
15      was then the PL 94171 data that has the population  
16      counts by -- at various levels of geography?

17      **A.** I'm not sure -- I'm not familiar with the PL  
18      whatever that you mentioned, but yes, ma'am, it had  
19      all of the -- all of the information by Census  
20      track, yes, ma'am.

21      **Q.** And so when you looked at the map on the screen,  
22      did he ever show you Census data by race for the  
23      various districts that you were considering?

24      **A.** He did on the Voting Rights Act district, yes,  
25      ma'am.



1       **Q.** And was there any data that he had that related to  
2       partisan considerations, either registered voter  
3       data or election results?

4       **A.** We had both, yes, ma'am.

5       **Q.** And do you know whether the election result data  
6       that he had was broken down at any level of  
7       geography below precincts or VTDs?

8       **A.** To my knowledge, no, ma'am. It was -- I think it  
9       was all by VTD, but I'm not -- I'm not completely  
10      sure of that.

11      **Q.** But that was at least your understanding of what  
12      you were considering?

13      **A.** Yes.

14      **Q.** And then in addition, I want to ask about what data  
15      you had about past elections and, in particular,  
16      which candidates had been elected where in state  
17      legislative races in the past.

18               Earlier Mr. Speas showed you Exhibits 81,  
19      82 and 83, or at least one of them. I'm not sure  
20      if they're still in front of you. I can get -- I  
21      can hand you my copy if you want.

22      **A.** That's okay, I have 83 -- I have 82, 83 --

23      **Q.** And actually he may have showed you 93 instead of  
24      81.

25      **A.** And I have 93, yes, ma'am.



1 **Q.** Okay. Thank you. He was trying to establish when  
2 you might have received that information. And I  
3 want to show you another e-mail. I'm sorry, I  
4 don't have copies of it.

5 (WHEREUPON, Exhibit 194 was marked for  
6 identification.)

7 BY MS. EARLS:

8 **Q.** Does that refresh your recollection about when you  
9 might have received at least some of the data?

10 **A.** Ms. Earls, yes, this does appear that it came in on  
11 Monday, June 13th. I do recognize that it has my  
12 name on it and almost certainly had those handouts,  
13 exhibits, that you referred to attached to it.

14 **Q.** And so certainly you had this information before  
15 the plans were finally enacted?

16 **A.** Yes, ma'am, it would appear so.

17 **Q.** Then looking at Exhibit 83 -- well, I'm sorry. Let  
18 me start with some general questions.

19 So you're aware that there have been  
20 African American candidates for North Carolina's  
21 House of Representatives that have been elected  
22 from districts that are not majority African  
23 American in voting age population, right?

24 **A.** Yes, ma'am.

25 **Q.** And that there are white candidates who have been



1       elected to serve districts that are majority black  
2       in population in North Carolina?

3       **A.** I don't know that.

4       **Q.** If we look at Exhibit 83, page 8, and the page  
5       numbers are very, very small on the bottom  
6       right-hand corner. I'm sorry. I mean page 9. I'm  
7       looking at the 2006 House District 27 race with  
8       Michael Wray.

9               And does this sheet show you that in 2006  
10       in the Democratic primary Michael Wray, a white  
11       candidate, got 76 percent of the vote and defeated  
12       two African American candidates who were running  
13       against him?

14       **A.** Yes, ma'am, I believe it does.

15       **Q.** And further down it shows in 2006 District 27 had a  
16       total black voting age population -- this is the  
17       sixth column over -- there was a total black voting  
18       age population of 52.93 percent?

19       **A.** Yes, ma'am, I see that.

20       **Q.** And then if you also look at page 24 -- I'm sorry.  
21       Before we leave Michael Wray, I think there's  
22       another -- I'll go to page 24.

23               So page 24 shows the 2008 election in House  
24       District 8. And this is a primary election but it  
25       shows that Edith Warren, who's white, defeated an



1 African American candidate in the Democratic  
2 primary, Ronnie Smith, and she had 60.83 percent of  
3 the vote.

4 **A.** Yes, ma'am, I can see that as well.

5 **Q.** And the total black age voting population in that  
6 district was 50.36 percent.

7 **A.** Yes, ma'am, I see that as well.

8 **Q.** And then examples of African American candidate --  
9 so those are two examples of white candidates  
10 winning in districts that are predominant or over  
11 50 percent African American.

12 And so I want to look at page 50 of this  
13 document. This is the 2010 -- shows the election  
14 results for the 2010 contest in House District 31  
15 and it shows that Mickey Michaux, an African  
16 American candidate, defeated a white candidate. He  
17 had 75 percent of the vote and then that House  
18 District 31 was 44.71 percent total black voting  
19 age population.

20 **A.** Yes, ma'am, I see that.

21 **Q.** And similarly, if you go to page 66, it shows the  
22 race in 2006 in House District 39. This is a  
23 general election. And it shows that Linda Coleman,  
24 who's black, defeated a white candidate, John  
25 Blackwell. She got 58.73 percent of the vote and



1 that district has a total voting age population of  
2 27.07 total black voting age population.

3 **A.** Yes, ma'am.

4 **Q.** And again, if you flip over to page 68, Linda  
5 Coleman in the 2008 general election defeats Duane  
6 Cutlip, who was white. She has 64.24 percent of  
7 the vote even though the district is only  
8 27.07 percent black in voting age population.

9 **A.** Yes, ma'am.

10 **Q.** Then if you look at page 70. This is House  
11 District 99 in 2008. Nick Mackey defeats a white  
12 candidate in the primary. He gets 53.08 percent of  
13 the vote and then goes on to win the general  
14 election. And this is a district that is -- that  
15 is 28.29 percent in black voting age population.

16 **A.** Yes, ma'am.

17 **Q.** And again, if you look at page 74, Nick Mackey is a  
18 candidate again for House District 99. He loses in  
19 the primary to Rodney Moore, who's African  
20 American. In the general election, Rodney Moore  
21 has a white challenger. Rodney Moore gets 72  
22 percent of the vote, 72.01 percent of the vote, and  
23 the district is 28.29 percent black voting age  
24 population.

25 **A.** Yes, ma'am.



1     **Q.** And then if we look at page 79, this is House  
2     District 41, the 2006 election. In both the  
3     primary and the general election, Ty Harrell has  
4     white opposition and he wins both the primary and  
5     general election. The district's total black  
6     population is 8.54 percent.

7             So if the General Assembly had Exhibit 83  
8     and you had Exhibit 83 in front of you prior to  
9     passing the plan, you had information that let you  
10    know that white candidates sometimes won in  
11    majority black districts and African American  
12    candidates won in some districts that were not  
13    majority black.

14    **A.** What this chart shows is exactly what you said.  
15    What it does not show is the power of incumbency  
16    which I believe applies to every race that you  
17    brought up except for Nick Mackey. It also -- you  
18    know, being an incumbent has a great deal of value  
19    in your ability to build name ID, to raise funds  
20    and to compete effectively.

21             I will say that when drawing the  
22    legislative maps themselves, we did not look at the  
23    individual results from past House races because  
24    those numbers really are not very reliable because,  
25    first of all, it was obvious that the districts



1 were going to change in shape and the way they were  
2 drawn out, and second of all, many of -- "many" may  
3 be too strong of a word, but there's a large  
4 percentage every year of legislative races that are  
5 not challenged, and so that also skews the vote.

6 We felt -- but not only felt but put into  
7 practice, we looked at statewide votes because  
8 that's the only real measure that we could use.  
9 I can recall actually having this conversation with  
10 our map drawer, the one with Dr. Hofeller, and the  
11 fields that we had to see were all statewide  
12 contests.

13 So, yes, ma'am, I do concede your point  
14 that what you're saying is correct, but I would  
15 qualify it with those two things, which is the  
16 power of incumbency affects the outcome of the  
17 race, first of all, and second of all, because this  
18 information really wasn't a consistent guideline  
19 for us to use, we only use statewide votes.

20 So, yes, ma'am, obviously I had this  
21 report, but its usefulness in trying to draw the  
22 maps was very little.

23 **Q.** So you're saying that in determining whether or not  
24 a district was required by the Voting Rights Act,  
25 you only looked at state -- you only looked at past



1 election returns for statewide races?

2 MR. FARR: Objection.

3 REPRESENTATIVE LEWIS: No, ma'am. To the  
4 extent required by law, we looked at where there  
5 was -- again, we have to use the word compact, but  
6 a reasonably compact minority population sufficient  
7 enough in order to draw a VRA seat. We applied  
8 that within the constraints of the county groupings  
9 and drew the seats, but yes, as far as the race  
10 obviously had to be looked at in those seats, but  
11 the election results that we viewed were all  
12 statewide, yes, ma'am.

13 BY MS. EARLS:

14 **Q.** So let me understand how the Voting Rights Act  
15 districts were drawn because you said it was  
16 important to -- you took into account the whole  
17 county groupings for the state legislative Voting  
18 Rights Act districts, but I also understood your  
19 testimony earlier to be that the VRA, Corrected,  
20 districts that are in Exhibit 189, that that was  
21 the only map you looked at before this map was made  
22 public.

23 **A.** Well, ma'am, let me attempt to clarify, then. I  
24 know that the VRA districts were drawn first as  
25 required --



1       **Q.** Can I just stop you there. How do you know that?

2       **A.** I know that's what I was shown first and that's  
3       what we released first, and it is my belief that  
4       the counties were grouped around in as small a  
5       number as could be to accommodate the VRAs.

6       **Q.** So your testimony is that these districts in  
7       Exhibit 189 were the first districts that you were  
8       shown?

9       **A.** Yes, ma'am.

10      **Q.** And when you were shown these districts, you didn't  
11      see the rest of the map, you just saw these  
12      districts?

13      **A.** That's correct.

14      **Q.** I want to show you some of the maps that were  
15      produced, and I -- again, like Mr. Speas, I don't  
16      have copies and I'm not sure if I'm showing you --  
17      he may have already marked one or two of these. I  
18      think there's only one overlap, so let me start  
19      with this.

20               (WHEREUPON, Exhibit 195 was marked for  
21      identification.)

22      BY MS. EARLS:

23      **Q.** You've been handed what's been marked as  
24      Exhibit 195. It's a printout of a map that we  
25      received in discovery and it has attached to it



1 three pages that has a list of district deviations  
2 and populations, and all I want to ask you -- and  
3 possibly the listing of the data that our system at  
4 least produced in connection with this map --

5 MR. FARR: Let me see this, please.

6 BY MS. EARLS:

7 **Q.** Whether you recall seeing that map at any time.

8 **A.** Ms. Earls, I don't -- I don't know what this is. I  
9 mean, obviously I know it's a map that shows 120  
10 seats. I've never -- I don't recall ever having  
11 seen this before.

12 **Q.** I want to ask you the same question about this map.

13 (WHEREUPON, Exhibit 196 was marked for  
14 identification.)

15 BY MS. EARLS:

16 **Q.** You've been handed what's been marked as  
17 Exhibit 196 which is again several pages of  
18 statistics about districts and then a map attached  
19 to it. Can you just read what the date of that map  
20 is.

21 **A.** It's marked April 22.

22 **Q.** And I'm not trying to confuse you. I think it may  
23 be the same map that was previously introduced as  
24 181, in case that's useful. And do you recall now  
25 whether you've seen that map at any time?



1       **A.** No, ma'am, I don't recall ever having seen this  
2       map.

3       **Q.** Because I wanted the data attached to this exhibit.  
4               (WHEREUPON, Exhibit 197 was marked for  
5       identification.)

6       BY MS. EARLS:

7       **Q.** Again, you've been handed an Exhibit Number 197,  
8       and that also has data for each of the districts  
9       and then a map attached and the map may be the same  
10      as what was previously introduced as 182, but if  
11      you could take a minute and look at that  
12      Exhibit 197 and tell me if you remember seeing  
13      that.

14      **A.** I don't recall that I ever have seen this map,  
15      ma'am, this draw.

16      **Q.** And could you just for the record read what the  
17      title -- the heading on that map is.

18      **A.** Yes, ma'am. It says NC House May 25.

19      **Q.** So do you have any knowledge of who those maps were  
20      prepared for if you never saw them?

21      **A.** Did I understand you to say this came as part of  
22      the discovery?

23      **Q.** Yes.

24              MR. FARR: It came from Dr. Hofeller's  
25      disc.



1 REPRESENTATIVE LEWIS: Ms. Earls, anything

2 I would offer would be speculation. I can tell you  
3 that in my line of work, I sell tractors and I  
4 often prepare various scenarios so I'm prepared to  
5 answer whatever question my customer asks me, you  
6 know, does he need two small tractors or one big  
7 tractor or whatnot.

8 I would speculate -- and again, you have to  
9 ask Dr. Hofeller -- that maybe he was doing the  
10 same thing, he was just trying to get a head start  
11 on what may come about, but this was not at my  
12 direction.

13 BY MS. EARLS:

14 **Q.** So the first map that you saw from Dr. Hofeller was  
15 the one we marked as Exhibit 189. Do you have a  
16 general sense of how much in advance of that map  
17 being made public that you saw it?

18 **A.** Well, just to be clear, the 189 is actually the  
19 corrected VRA. There was one map before this that  
20 I explained that they had the wrong residence for  
21 Representative Mobley.

22 **Q.** So was that one with the wrong residence the one  
23 that was first made public around June 17th?

24 **A.** It must have been, but I'm not certain of that.

25 **Q.** So then my question is how much in advance of



1 June 17th do you recall seeing the map that was  
2 made public?

3 **A.** Certainly -- certainly several days, but not a  
4 great deal of time in large part because part of  
5 our -- part of my responsibility as the House chair  
6 was to help make sure these public hearings were  
7 carried on correctly and we heard what folks had to  
8 say. I spent days and days on the road.

9 I mean, I was not here. And again, the  
10 dates that you're talking about was when we were  
11 winding up the general -- the first regular session  
12 this year or in 2011. Things were very tense and  
13 very busy.

14 **Q.** I want to come back to when these VRA districts  
15 were released, but I also want to ask you a couple  
16 questions about the legal standards and criteria  
17 that you were following in drawing the maps. And I  
18 am not going to go back over what you've already  
19 told Mr. Speas, but I do want to look at Exhibit 57  
20 which is from the Churchill deposition, so I think  
21 it's already been -- that you should have it in  
22 front of you. It starts out as an e-mail.

23 **A.** Yes, ma'am, I have it.

24 **Q.** That's the one. So Exhibit 57 is the e-mail that  
25 has some of the questions that you -- questions or



1 requests for information that you posed and then  
2 attached to it are Robert Orr and Michael Crowell's  
3 and Bob Joyce's responses. And my question about  
4 that document is whether this was ever provided to  
5 Dr. Hofeller during the redistricting.

6 **A.** Ms. Earls, I don't know. I don't know.

7 **Q.** Then I want to ask you a question about Exhibit 58,  
8 and I don't know if it's there or you have another  
9 copy available.

10 MR. FARR: Here you go.

11 REPRESENTATIVE LEWIS: Yes, ma'am.

12 BY MS. EARLS:

13 **Q.** Am I right the deposition Exhibit 58 is a memo to  
14 you and Senator Rucho dated June 13th from Walker  
15 Reagan responding to redistricting questions?

16 **A.** Yes, ma'am, I have it here.

17 **Q.** And I believe you testified earlier that you did  
18 receive that memo and reviewed it.

19 **A.** Yes.

20 **Q.** And I want to ask you in particular about page 2.  
21 And the statement in the last paragraph on page 2  
22 discussing Johnson versus DeGrandy, the second  
23 sentence of that paragraph says, "The Supreme Court  
24 rejected a rule that would require a state to  
25 maximize majority-minority districts."



1 And my question to you is: Did that make  
2 any impression on you? Do you recall what you made  
3 of that rule?

4 **A.** Ms. Earls, I don't recall that it had any effect at  
5 all on -- I mean, again, this is not an excuse,  
6 it's simply an explanation. All of this arrived in  
7 the fast and furious last days of the session as it  
8 was winding down.

9 **Q.** I also -- then if we can look at Exhibit 55 which  
10 is the collection of the five statements that  
11 Mr. Speas asked you about, the joint statements.

12 **A.** Yes, ma'am, I have it.

13 **Q.** The first statement is about the release of the  
14 Voting Rights Act districts?

15 **A.** Yes, ma'am.

16 **Q.** And on page 2 of that statement, the second full  
17 paragraph talks about the Stephenson I and II and  
18 Strickland v Bartlett decisions, and I'm trying to  
19 understand was it your understanding at the time  
20 that the Strickland decision required you to draw a  
21 black voting age population district at greater  
22 than 50 percent plus one wherever it was possible  
23 to do so?

24 MR. FARR: Objection.

25 REPRESENTATIVE LEWIS: We felt that the



1 VRA districts should be drawn at a level that was  
2 above 50 percent. We felt that would provide a  
3 little bit of -- well, we felt it would -- it would  
4 certainly comply with the spirit and the letter of  
5 the Strickland case and we also were certain that  
6 we avoid any kind of retrogression claim.

7 BY MS. EARLS:

8 **Q.** So you thought it was required under Section 5 of  
9 the Voting Rights Act that applies to 40 counties  
10 the prohibition against retrogression as well as  
11 Section 2 that applies throughout the whole state?

12 **A.** Well, again, when we talk about majority-minority  
13 districts, it is simply a matter of the district is  
14 one that comprises in which the majority population  
15 makes up a minority -- excuse me -- the minority  
16 population makes up a majority of the voting age  
17 population in the seat.

18 **Q.** So did you believe that the 50 percent plus one  
19 requirement applied to Voting Rights Act districts  
20 that come under Section 5 of the Voting Rights Act  
21 as well as Voting Rights Act districts that come  
22 under Section 2?

23 MR. FARR: Objection.

24 REPRESENTATIVE LEWIS: I understand that  
25 there is a different level of scrutiny, if you



1 will, on the 40 counties that you refer to. It  
2 seemed like a logical step to try to prevent  
3 lawsuits and to try to guarantee as much as we  
4 could a proportional opportunity to use that  
5 50 percent plus one threshold.

6 BY MS. EARLS:

7 **Q.** And help me understand why you thought it was  
8 necessary to draw a district that's 50 percent or  
9 greater in black population in areas where black  
10 candidates had been winning at less than 50 percent  
11 black?

12 MR. FARR: Objection.

13 REPRESENTATIVE LEWIS: Well, ma'am, as  
14 I've tried to point out before, we were talking  
15 about on the earlier exhibit, there are -- there  
16 are exceptional candidates everywhere. You  
17 take -- I remember in the Florida bay that this  
18 issue was discussed quite a bit.

19 You take a member of like Representative  
20 Michaux, he probably has as high a name recognition  
21 as any member of the House because of the years of  
22 time that he served, but we did not draw a seat for  
23 Representative Michaux. We drew the seat that he  
24 currently holds in accordance with trying to  
25 provide the proportional opportunity that I've



1 referred to before.

2 I don't think it's fair, frankly, to  
3 discount the power and the influence of incumbency  
4 on the election process.

5 BY MS. EARLS:

6 **Q.** Are there any circumstances in your understanding  
7 of the law where you would not be required to draw  
8 a 50 percent black district if it was -- the  
9 population was compact?

10 MR. FARR: Objection.

11 REPRESENTATIVE LEWIS: Ms. Earls, I'm  
12 sorry that I don't exactly understand what you are  
13 asking in that case. I mean, it's obvious that  
14 we've drawn 98 -- 96 seats that the voting age  
15 population is not 50 percent plus one black, so,  
16 yes, ma'am, I know you can draw a seat that's not  
17 50 percent plus one.

18 BY MS. EARLS:

19 **Q.** You described how you don't believe past election  
20 results should influence your decision about  
21 whether or not a majority black district is  
22 necessary because incumbents have so much power in  
23 the elections process and you also explained that  
24 you thought only statewide races were reliable to  
25 look at, and I'm just trying to understand whether



1 it's your view that you should always draw  
2 50 percent black districts where it's possible or  
3 whether there's some circumstances where you would  
4 not draw them.

5 MR. FARR: Objection.

6 REPRESENTATIVE LEWIS: I believe that  
7 we're required to draw them -- to draw VRA  
8 districts at 50 percent plus one wherever there is  
9 a compact minority population in order to do that.

10 BY MS. EARLS:

11 **Q.** Do you know in the House plan that was finally  
12 enacted whether you drew a 50 percent black  
13 district everywhere that's possible or whether  
14 there were any places in the state where you could  
15 have and you didn't?

16 **A.** We could have drawn one in Forsyth county and we  
17 didn't, nor did we claim that those were VRA seats  
18 because we had two established members of the  
19 House, and had we -- had we drawn one of the  
20 districts to over 50 percent, it could have put --  
21 it would have retrogressed the percentage in the  
22 other one, and so we -- I felt the danger of  
23 retrogression in the other seat meant that we  
24 couldn't take the one -- that we couldn't create  
25 one of those seats in Forsyth.



1       **Q.** Do you know whether Forsyth county is covered by  
2       Section 5 of the Voting Rights Act?

3       **A.** There are -- I know there are 40 counties, ma'am,  
4       and I apologize, I don't know that.

5       **Q.** I want to ask you to look at Exhibit 189 again.  
6       These are the corrected Voting Rights Act  
7       districts.

8               When you look at these Voting Rights Act  
9       districts, do you distinguish between the Section 5  
10      districts and those that are only covered by  
11      Section 2?

12      **A.** Not on this map. If I may, Ms. Earls -- Mr. Speas,  
13      may I borrow your notebook again.

14              MR. SPEAS: Sure.

15              REPRESENTATIVE LEWIS: Thank you.

16              Please go ahead, Ms. Earls.

17      BY MS. EARLS:

18      **Q.** No. Thank you for finding the right map.

19      **A.** I've got the one that you are referring to. I  
20      wanted to make sure I could see the whole map and  
21      be able to respond to your questions. Ma'am, I'm  
22      sorry.

23      **Q.** So my question is: As you look at the Voting  
24      Rights Act districts for the House --

25      **A.** Yes, ma'am.



1     **Q.** -- do you understand some of them to be covered by  
2         Section 5 and some of them to only be covered by  
3         Section 2 --

4             MR. FARR: Objection.

5     BY MS. EARLS:

6     **Q.** -- of the Voting Rights Act? I'll rephrase.

7             We know the whole state is covered by  
8         Section 2. When you look at this map, I'm  
9         ultimately trying to identify which ones are  
10        Section 2 and 5 districts and which ones are just  
11        Section 2 districts.

12    **A.** I understand what you are asking, ma'am. I  
13        understand that there are 40 counties that are  
14        under a higher level, if you will, of scrutiny  
15        based on past voting trends. I cannot list for you  
16        at this time which one of these is -- fall in those  
17        40 counties.

18    **Q.** So when you were working -- so did you -- did  
19        Dr. Hofeller decide that these were the right  
20        Voting Rights Act districts

21             MR. FARR: Objection.

22             REPRESENTATIVE LEWIS: Dr. Hofeller  
23        prepared the map and I did agree with the map, yes,  
24        ma'am.

25     BY MS. EARLS:



1 **Q.** And in drawing these districts, the main goal was  
2 to comply with either Section 2 or Section 5 or  
3 both of the Voting Rights Act?

4 **A.** In drawing these districts, the main goals, first  
5 of all, were outlined in the statement that we  
6 released, but as I've said before, it was  
7 compliance with the one person, one vote rule, the  
8 Voting Rights Act and then the Stephenson and  
9 Strickland criteria applied to those.

10 **Q.** I'm curious how you could understand the Strickland  
11 criteria applied to these districts if you're only  
12 looking at these maps with these districts. How do  
13 you -- I mean, this map doesn't show county  
14 groupings, right?

15 **A.** That's right.

16 **Q.** Other than some other notion of compactness or  
17 communities of interest from the Strickland  
18 decision, how do you figure out whether these  
19 districts are the best way to comply with  
20 Strickland looking at just this map?

21 **A.** Ms. Earls, I'll answer that by saying that in the  
22 attempt to draw the VRA districts -- for instance,  
23 if you look at -- just because this one is on my  
24 mind. If you look at 23, it is a majority-minority  
25 seat. It's obvious that it forms -- when you draw



1 that seat, the remaining population is enough for  
2 the -- for one more seat, so it's obvious that that  
3 forms a two-county group. I'm sorry that I don't  
4 know how to answer it any other way than that.

5 **Q.** Okay. Mr. Speas asked you about the Chatham and  
6 Lee county area, and I actually want to show you a  
7 slightly -- what I think is an easier-to-see  
8 version of that area which is actually contained in  
9 our complaint. I don't think I need to make this  
10 an exhibit. I am just going to show him page 56 of  
11 the complaint.

12 **A.** Yes, ma'am.

13 **Q.** If you'll take a look at page 56 of the amended  
14 complaint filed by the NAACP plaintiffs in this  
15 case. It shows -- the top map is the district as  
16 enacted and the bottom map shows the prior  
17 district. Does that vaguely look correct?

18 **A.** Yes, ma'am.

19 **Q.** And if I understand what you were explaining to  
20 Mr. Speas, are you saying that the way in which the  
21 Chatham county district dips into Lee county was  
22 done in order to get the population in Sanford?

23 **A.** Yes, ma'am.

24 **Q.** And that was the only way to get that Chatham  
25 county district up to the size it needed to be?



1 MR. PETERS: Objection.

2 REPRESENTATIVE LEWIS: No, ma'am. You  
3 could have certainly taken other parts of Lee. It  
4 would have been a larger geographic swath, if you  
5 will, because the north and western part of Lee is  
6 very rural, it's very low population, and this lets  
7 us get to the population center of Sanford and  
8 still largely keep -- largely keep Lee county  
9 whole.

10 MS. EARLS: Okay. Thank you.

11 MR. FARR: Anita, would you keep that  
12 available because I am going to ask him questions  
13 when you're finished.

14 MS. EARLS: Sure. I don't need it back,  
15 then.

16 BY MS. EARLS:

17 **Q.** I also want to ask you about the Halifax-Nash  
18 county region. Do you recall having e-mail  
19 correspondence with Representative Bryant about  
20 that configuration of districts?

21 **A.** I recall probably more conversation and exchanges  
22 with Representative Bryant than with any other  
23 member of the House.

24 **Q.** What were the concerns that were expressed about  
25 that region?



1       **A.** She was very clear that she felt strong ties to  
2       Halifax and that she wanted to continue to  
3       represent Halifax, and the public hearings that  
4       were held there was significant support expressed  
5       by the people that showed up to keep Representative  
6       Bryant or keep the district which Representative  
7       Bryant represents going into Halifax county.

8               I frankly wanted to make that change. I  
9       really pushed the idea. I became convinced,  
10      though, after talking with Dr. Hofeller that doing  
11      so would lessen our number of two-county groupings  
12      and would put our plan in danger of not being  
13      compliant with the Stephenson decision -- yeah, the  
14      Stephenson decision.

15             Had I been able to have moved  
16      Representative Bryant's district into Halifax  
17      county without putting our House map in jeopardy by  
18      losing that two-county grouping, I would have done  
19      that.

20      **Q.** In your conversations with her or in the public  
21      hearing testimony, were there -- was there  
22      testimony about why Halifax and Nash constituted a  
23      community of interest?

24      **A.** I think in large part that was the point that they  
25      were trying to make. I don't know that that



1 terminology was ever used. I think a lot of the  
2 support or the community outpouring, if you will,  
3 was because Representative Bryant is a very good  
4 member of the House and has worked very hard for  
5 that area and has a lot of support there. I don't  
6 think they wanted to lose a member with which they  
7 had a high level of comfort and respect.

8 **Q.** I guess I wanted to ask about their -- the  
9 arguments they were making about why these two  
10 counties had a history of working together, the  
11 interest that they shared in common, whether you  
12 found any of that useful or persuasive in defining  
13 what a community of interest might be.

14 **A.** I found it very useful and, frankly, very  
15 persuasive. I simply couldn't put -- I couldn't  
16 risk losing the two-county combination for fear of  
17 being outside the requirements imposed by us on the  
18 Stephenson decision.

19 **Q.** Do you recall any other issues that -- about  
20 significant changes in the maps that either members  
21 of the legislature or from the public hearings  
22 people wanted made beside this Halifax-Nash issue?

23 **A.** The biggest one was the elimination of the district  
24 that stretched from downtown Wilmington into  
25 Bladen. That just -- after we -- in order to get



1 enough population when we put the map out, folks  
2 didn't want it, so we took -- so we took it out.

3 I don't recall -- I don't recall any other  
4 changes that we -- pardon me one moment, please.

5 I don't recall any other changes that were  
6 made as a result of the public hearing process to  
7 the House member.

8 **Q.** The Voting Rights Act districts after your release  
9 there were public hearings -- do you recall or I  
10 want to ask what was your impression of the public  
11 response that was made at those public hearings to  
12 those districts.

13 **A.** It was very much appreciated that the people came  
14 out and express their concern. The comments were  
15 taken to heart. They were reviewed at the time  
16 they were made, and also, as we went back through  
17 the transcripts, it was obvious that many of the  
18 people who spoke truly had concerns about -- as I  
19 said, used the Representative Bryant example, that  
20 they had become comfortable with a certain member  
21 and that they didn't want to lose and we took that  
22 stuff to heart.

23 Unfortunately, there was also, I think, a  
24 little bit of organized effort to confuse the issue  
25 and instead of offering constructive directions



1 that would comply with all the laws and all the  
2 rules that we were trying to comply with chose  
3 instead to attack our motives as trying to stack,  
4 pack or crack, or all this kind of stuff, and I  
5 think that really, really hurt -- I think that  
6 approach as opposed to presenting something  
7 tangible has, at least one group did, that we could  
8 use really hurt the input process.

9 **Q.** So do you recall hearing comments about these  
10 Voting Rights Act districts that it wasn't  
11 necessary to draw as many districts that are  
12 50 percent or greater in black voting age  
13 population?

14 **A.** To my knowledge, no one made those comments at any  
15 of the public hearings that I can recall.

16 I do recall reading it in the newspaper,  
17 and I do recall seeing it, you know, on the news  
18 reports on TV and whatnot.

19 In fact, the only time I can recall  
20 anything to that nature being said was one of the  
21 speakers at the Raleigh site went ahead and  
22 threatened that we were going to be sued over the  
23 plans and -- but nobody said until the debate on  
24 the floor or in committee began that the district  
25 shouldn't be drawn at the percentage in which they



1        were drawn and no member of the House came to me  
2        and said in my particular seat, "I think you've got  
3        the BVAP too high, I want you to bring it down."

4        **Q.** I want to talk for a few minutes about the  
5        Congressional maps.

6        **A.** Yes, ma'am.

7        **Q.** You issued, am I right, two public statements about  
8        the Congressional maps of the five statements that  
9        we were looking at before?

10       **A.** Yes, ma'am, that's correct.

11       **Q.** And the first one in the -- this is again  
12       Exhibit 55.

13       **A.** Yes, ma'am, I have Exhibit 55.

14       **Q.** So the first one was on July 1st, 2011.

15       **A.** Yes, ma'am, I have that.

16       **Q.** On page 3 there you talk about meeting with  
17       Congressman Butterfield. Did you meet with him in  
18       person?

19       **A.** Yes, ma'am.

20       **Q.** And did you believe that it was necessary -- let's  
21       start with this. His district is -- do you agree  
22       his district is covered by Section 5 of the Voting  
23       Rights Act or at least several counties of --

24       **A.** Yes, I do.

25       **Q.** So you were trying to comply with Section 5 of the



1 Voting Rights Act in redrawing his districts?

2 MR. FARR: Objection.

3 REPRESENTATIVE LEWIS: Yes, ma'am, that  
4 was one of the considerations.

5 BY MS. EARLS:

6 **Q.** And even though he had previously been elected in  
7 that district -- I'm sorry. And I'm looking now --  
8 if you want to just follow along, I'm looking at  
9 Exhibit 93 where it reports on the 2008 and 2010  
10 election returns for the 1st Congressional  
11 district, and it basically just shows that that  
12 district at that time was 47 or that district is  
13 47.76 percent black in voting age population.

14 MR. FARR: We'll just stipulate to what it  
15 says, Anita. I'm sure you're quoting it properly,  
16 just to speed things along.

17 BY MS. EARLS:

18 **Q.** My question: He's been elected to a district  
19 that's 47.76 percent black. Did you consider that  
20 number the benchmark for complying with the Voting  
21 Rights Act?

22 MR. FARR: Objection.

23 REPRESENTATIVE LEWIS: Ms. Earls, I'm  
24 sorry, would you repeat what you asked?

25 BY MS. EARLS:



1     **Q.** Sure. Congressman Butterfield had won in the 1st  
2         Congressional district, a district that was a  
3         little over 47 percent black in voting age  
4         population, and my question is: Did you consider  
5         that 47 percent black voting age population to be  
6         the benchmark for complying with Section 5 of the  
7         Voting Rights Act?

8     **A.** We certainly understood that it could not be below  
9         that.

10    **Q.** Why did you feel it was necessary to draw the  
11        district over 50 percent black in voting age  
12        population?

13    **A.** Well, again, it was just our consistent application  
14        of -- if we draw a majority-minority district, the  
15        district should have a majority of minority  
16        therein.

17    **Q.** And that's the same for District 12?

18    **A.** No, ma'am.

19    **Q.** Okay. Then explain what your reasoning was with  
20        District 12.

21    **A.** District 12 was drawn largely as it has existed for  
22        20 years. We were trying to avoid anything that  
23        would stand in the way of the district being  
24        pre-cleared.

25                It was my understanding -- is my



1 understanding as defended by the State of  
2 North Carolina as being drawn as a heavily  
3 Democratic seat. Dr. Hofeller redrew the seat  
4 based on the percentage of vote in 2008 for  
5 President Obama. That was the factor that was  
6 used.

7 Race was not used in the drawing of that  
8 seat with the one exception of looking at Guilford  
9 county as it was covered by Section 5. We made  
10 sure that the black voting age population did not  
11 retrogress in that county, but it wasn't -- race  
12 was not reviewed in any of the other parts of that  
13 seat.

14 **Q.** I'd like to return to the issue of dividing  
15 precincts, and I want to talk about something we  
16 haven't talked about so far which is whether or not  
17 at any point during the redistricting process you  
18 took a look at any costs that might be associated  
19 in administering elections under a plan that had  
20 more divided precincts.

21 **A.** Yes, ma'am.

22 **Q.** What was your -- what's your recollection of what  
23 you learned about that -- those cost factors?

24 **A.** Pardon me, Ms. Earls. When I said "yes, ma'am," I  
25 was acknowledging that I understood what you were



1       trying to ask.

2       **Q.** I'm sorry.

3       **A.** At the time the maps were drawn, the cost of the  
4       election administration was not a factor that we  
5       looked at.

6       **Q.** Do you know if it came up at all during any of the  
7       floor debate or consideration of the bills?

8       **A.** I believe it did come up during the floor and the  
9       committee debate, but I don't know that there was a  
10      real quantitative answer.

11      **Q.** Then we haven't talked at all about the reenactment  
12      plans in November, and I would just like to hear  
13      from you your understanding of what was wrong with  
14      the initial enactment and what had to be corrected.

15      **A.** Yes, ma'am. It's my understanding both from the  
16      source that I was reviewing Mr. Frey's statement  
17      that the maps that were drawn by Dr. Hofeller  
18      according to the state's computer system were  
19      accurate in terms of the number of voters that  
20      reside in each of the districts, all of the  
21      demographic information was correct, but when the  
22      program was asked to generate the text of the bill  
23      itself that a programming error in the software  
24      developed by our staff to translate the Maptitude  
25      language into bill text failed to bring over



1 properly all of the census tracks that were  
2 included in the voting -- in the voting maps.

3 I was made aware of that I believe late on  
4 a Wednesday or a Thursday afternoon by Erika  
5 Churchill. I asked her -- she had apparently found  
6 out because the Wake County Board of Elections was  
7 posting Superior Court judge districts or something  
8 to their computer and when it generated the maps,  
9 there were unassigned areas. The numbers were  
10 correct, but the -- if you work from the printed  
11 text to create the map, the printed text omitted  
12 some of the census blocks that it was supposed to  
13 have.

14 And I asked her then to find out how big  
15 this issue was in terms of did it affect all of the  
16 plans. She let me know I'll just say Thursday --  
17 it could have been Friday. I don't know. She let  
18 me know on Thursday that it did appear that it  
19 had -- that the glitch had affected all of our  
20 plans, the House plan, the Congressional plan and  
21 the Senate plan.

22 I asked her to, of course, obviously, begin  
23 working on identifying all of the blocks that were,  
24 for lack of a better term, lost in translation  
25 between the maps and the printed text. I asked her



1 to -- I did consult with Senator Rucho. I asked  
2 her on our behalf to meet with Representative  
3 Hackney and representative -- excuse me -- Senator  
4 Nesbitt and I think also Senator McKissick because  
5 they had kind of been point folks on this and were  
6 the leadership of the respective minority party  
7 caucuses and I believe the black caucus.

8 We then began really a two- or three-prong  
9 attack to get this right. First of all, we  
10 verified beyond any doubt that all of the  
11 information that was in our stat packs that were  
12 currently under review by the Department of Justice  
13 were correct, and they were. Through the AG's  
14 office, we notified I believe on Monday the  
15 Department of Justice that we had found this issue  
16 and that all of the information that they were  
17 reviewing to study for retrogression and whatever  
18 other tests they were applying to it, all that was  
19 correct but the actual text of the bill was flawed  
20 because of a computer glitch. So that was prong  
21 one.

22 Prong two was to begin developing curative  
23 language to fill in the blanks, if you will.

24 Again, the curative language was to make sure that  
25 the maps could be -- that the intent of the bill



1 could be adequately conveyed by the printed text of  
2 the bill. We began getting that done right away  
3 and began to plan -- at that time the General  
4 Assembly was set to return in September, I believe,  
5 and we began to -- Senator Rucho and I, again as  
6 chairing this effort, began to develop our plans to  
7 run three separate bills to correct the flaws that  
8 were in the Lewis-Dollar-Dockham 4, the  
9 Rucho-Lewis -- I mean the Rucho-Lewis Congress 2 or  
10 whatever the final map was and the Rucho Senate 2.

11 We were able -- I'll add finally that the  
12 glitch, as it were, was present in the two other  
13 plans that were submitted on the floor, both that  
14 of Representative Martin and Representative  
15 Alexander, so truly it was a computer glitch.

16 **Q.** Thank you. And I also want to ask you in addition  
17 to seeking pre-clearance of the plans, a lawsuit  
18 was filed in DC District Court for pre-clearance.  
19 Why did you do both simultaneously?

20 MR. FARR: Objection.

21 MR. PETERS: Objection.

22 MR. FARR: And I instruct you not to  
23 answer that question.

24 MS. EARLS: I'm not asking you to tell me  
25 what your attorneys told you. I'm just trying to



1 understand why the legislature decided --

2 MR. FARR: Well, if that involves legal  
3 advice, then you should not answer that question.

4 REPRESENTATIVE LEWIS: Then on the advice  
5 of counsel, I won't be able to respond to that.

6 MS. EARLS: Thank you very much. I have no  
7 further questions.

8 REPRESENTATIVE LEWIS: Thank you, Ms. Earls.

9 MR. FARR: Could we have five minutes?

10 MR. SPEAS: Sure.

11 (Brief Recess: 4:36 to 4:48 p.m.)

12 EXAMINATION

13 BY MR. FARR:

14 **Q.** Representative Lewis, I've got a few questions to  
15 perhaps amplify some of your testimony on direct  
16 examination.

17 Ms. Earls asked you some questions about  
18 Chatham and Lee county based upon a couple of maps  
19 that she referred to that are listed on page 267 of  
20 her complaint.

21 **A.** Yes, sir.

22 **Q.** And are we now looking at page 267 of her  
23 complaint?

24 **A.** Yes, sir.

25 **Q.** Paragraph 267 has a color picture of the



1 Chatham-Lee area of the state as districts are  
2 drawn under the 2011 House redistricting plan; is  
3 that correct?

4 **A.** Yes, sir.

5 **Q.** And paragraph 268 has a picture of that same area  
6 of the state as House districts were drawn under  
7 the 2009 House plan; is that correct?

8 **A.** Yes, sir.

9 **Q.** All right. Now, District 54 under the 2009 House  
10 plan, can you tell what counties that that district  
11 goes into under the 2009 House plan?

12 **A.** Yes, sir. It goes into Orange, Chatham and Moore.

13 **Q.** And under the 2011 House plan, which counties does  
14 District 54 go into?

15 **A.** Chatham and Lee.

16 **Q.** Now you gave a lot of testimony about county  
17 groups. Under the 2009 plan, was Chatham county in  
18 the same county group that it is now in under the  
19 2011 House plan?

20 **A.** No, sir.

21 **Q.** Let's now turn to paragraph 58 of the NAACP  
22 complaint, and there were some questions that  
23 Ms. Earls asked you about District 7 under the 2011  
24 House plan and the lady who represents -- what's  
25 her name again?



1       **A.** Representative Bryant.

2       **Q.** And so paragraph 276 shows how Franklin county and  
3       Nash county are combined to form two districts  
4       under the 2011 House plan; is that correct?

5       **A.** Yes, sir.

6       **Q.** And paragraph 277 shows how the district that  
7       Franklin county was in under the 2009 House plan?

8       **A.** Yes, sir.

9       **Q.** What counties was -- or that was District 49, I  
10       guess, under the 2009 House plan.

11       Besides Franklin, what counties was  
12       District 49 included in under the 2009 House plan?

13       **A.** It appears that it went into Nash and Halifax.

14       **Q.** All right. So is Franklin county under the 2011  
15       plan included in the same county combination as it  
16       was under the 2009 House plan?

17       **A.** No, sir.

18       **Q.** All right. Now I want to ask you the question  
19       about some testimony you gave about looking at  
20       statewide elections with Dr. Hofeller. Do you  
21       remember that testimony?

22       **A.** Yes, sir.

23       **Q.** Working with Dr. Hofeller, what type of election  
24       results did he have on his computer that he was  
25       using?



1       **A.**    Statewide.

2       **Q.**    Did he have any House or Senate results on his  
3               computer?

4       **A.**    No, sir.

5       **Q.**    Did he have any local election results on his  
6               computer?

7       **A.**    No, sir.

8       **Q.**    And the database that Dr. Hofeller was using, did  
9               that not come from the General Assembly?

10      **A.**    Yes, sir.

11      **Q.**    And was there a decision not to include the results  
12               from legislative races or local races in the 2011  
13               database that was used for redistricting in 2011?

14      **A.**    Yes, sir.

15      **Q.**    So would it have been possible for you in working  
16               with Dr. Hofeller to look at past election results  
17               for legislative districts working with him on his  
18               computer?

19      **A.**    Not on his computer, no, sir.

20      **Q.**    All right. You were asked to identify Exhibit 186.  
21               This is when Mr. Speas was questioning you. And he  
22               asked some questions about does this reflect the  
23               record before the legislature during the  
24               redistricting process.

25               Do you have the entire record memorized,



1 Representative Lewis?

2 **A.** No, sir, I do not.

3 **Q.** How many -- do you have an estimate on how many  
4 thousand pages the record could represent during  
5 the 2011 redistricting process?

6 **A.** I don't. It's enormous.

7 **Q.** Is it possible that there's something that was  
8 before the legislature during redistricting that's  
9 not listed on Exhibit 186?

10 **A.** Yes.

11 **Q.** All right. I want to now ask you to look at  
12 Exhibit 188 which is a report that Mr. Speas asked  
13 you about that was prepared by Dr. Thomas Brunell.

14 **A.** Yes, sir.

15 **Q.** Would you just read the first two paragraphs on  
16 page 3 to yourself and then I want to ask you some  
17 questions.

18 **A.** Yes, sir, I'm ready.

19 **Q.** All right. Now, in Dr. Brunell's report, does he  
20 mention anything about information provided to the  
21 Redistricting Committee by Ms. Earls, counsel for  
22 the NAACP?

23 **A.** Yes, sir, he does. He refers back to an analysis  
24 done by Professor Block which was included in  
25 Ms. Earls' testimony regarding racially polarized



1 voting and he refers to it again in paragraph 2  
2 that he had reviewed the analysis by Professor  
3 Block and the testimony from Ms. Earls, found it  
4 very useful and good information -- excuse me --  
5 and a good overview about the presence of racially  
6 polarized voting. He said he wanted to conduct  
7 more analyzing using methods more straightforward  
8 and understandable.

9 **Q.** All right. Now reading that, Representative Lewis,  
10 does that refresh your memory about whether or not  
11 Ms. Earls or any group she represented submitted  
12 information to the Redistricting Committee during  
13 the redistricting process?

14 **A.** Yes, sir, they did.

15 **Q.** And do you recall -- can you recall what they  
16 submitted?

17 **A.** I know that there was an alternative map draw that  
18 was sent forward. There was a report by -- there  
19 was testimony, rather, by Ms. Earls that racially  
20 polarized voting does still exist in our state and  
21 the analysis by Professor Block as well.

22 **Q.** Now, that information has not been marked as an  
23 exhibit today, has it?

24 **A.** No, sir.

25 **Q.** I'm sorry, I don't have a copy with me. Do you



1 recall what was in the expert report that was  
2 submitted by Ms. Earls?

3 **A.** I do -- I do recall that the report indicated that  
4 racially polarized voting did still exist and to  
5 the best of my recollection the report advocated  
6 for majority-minority seats.

7 **Q.** Do you recall anything else about that report? If  
8 you don't, that's fine.

9 **A.** It just seemed to analyze some races and indicate  
10 that the African American candidate had lost  
11 because the makeup of the -- the district was  
12 not -- was not over the 50 percent mark.

13 **Q.** All right. Sir, if I had a copy of that report  
14 here today, which, I'm sorry, I don't, would that  
15 refresh your memory about what's in the report?

16 **A.** Yes.

17 **Q.** When you received that report and Ms. Earls'  
18 testimony and the maps she submitted, did the  
19 Redistricting Committee consider that information?

20 **A.** Yes, sir.

21 MR. FARR: I don't have any questions.

22 MR. SPEAS: I have a few more.

23 FURTHER EXAMINATION

24 BY MR. SPEAS:

25 **Q.** Representative Lewis, I heard you testify in answer



1 to the question from Ms. Earls that your  
2 instruction to Dr. Hofeller was to draw a  
3 50 percent plus one district wherever there is a  
4 sufficient compact black population. Did I hear  
5 you correctly?

6 MR. FARR: Objection.

7 REPRESENTATIVE LEWIS: Yes, sir, I believe  
8 you did.

9 BY MR. SPEAS:

10 **Q.** Did you give Dr. Hofeller any instructions about  
11 how he was to determine whether the black  
12 population was sufficiently compact or not?

13 **A.** Only in so much as we believe that even though the  
14 Voting Rights Act requires that the districts be  
15 drawn that the Stephenson criteria of the county  
16 grouping still applies.

17 **Q.** Well, I'm not sure that answered my question.

18 Other than telling Dr. Hofeller to make  
19 sure the grouping provision was applied, did you  
20 give Dr. Hofeller any instructions on how he was to  
21 determine whether the black population was  
22 sufficiently compact?

23 **A.** No, sir.

24 **Q.** You did not define compact for him, correct?

25 **A.** Yes, sir.



1       **Q.** You left it to Dr. Hofeller?

2               MR. FARR: Objection.

3               REPRESENTATIVE LEWIS: Mr. Speas, I did  
4 not attempt to define compactness because I had no  
5 point of reference in North Carolina law with which  
6 to use.

7       BY MR. SPEAS:

8       **Q.** So you left it to Dr. Hofeller?

9               MR. PETERS: Objection.

10              MR. FARR: Objection.

11              REPRESENTATIVE LEWIS: I did not attempt  
12 to define it.

13       BY MR. SPEAS:

14       **Q.** All right. Did any member of the Redistricting  
15 Committee attempt to define it?

16              MR. PETERS: Objection.

17              REPRESENTATIVE LEWIS: Not that I recall,  
18 Mr. Speas.

19       BY MR. SPEAS:

20       **Q.** And you would not recall any member of the  
21 Redistricting Committee giving any instruction to  
22 Dr. Hofeller about that, would you?

23              MR. PETERS: Objection.

24              REPRESENTATIVE LEWIS: No, sir.

25       BY MR. SPEAS:



1 **Q.** Now, you are familiar, I believe, with the test for  
2 determining violations of Section 2 of the Voting  
3 Rights Act, correct?

4 **A.** Mr. Speas, I'm sorry, I honestly did not hear what  
5 you just said.

6 **Q.** You are familiar with the test established by the  
7 courts for determining violations of Section 2 of  
8 the Voting Rights Act?

9 **A.** Somewhat, yes, sir.

10 **Q.** And you are aware that the test is whether under  
11 the totality of circumstances black citizens are  
12 not granted an opportunity to elect candidates of  
13 their choice?

14 MR. FARR: Objection.

15 REPRESENTATIVE LEWIS: I don't know that I  
16 would phrase it exactly that way. I do realize  
17 that that is the primary goal or objective of the  
18 VRA.

19 BY MR. SPEAS:

20 **Q.** Did you ever ask anyone to analyze the totality of  
21 circumstances with respect to each of these 23  
22 Voting Rights districts that you enacted in the  
23 House plan?

24 MR. FARR: Objection.

25 MR. PETERS: Objection.



1 REPRESENTATIVE LEWIS: I don't understand

2 "totality of circumstances."

3 BY MR. SPEAS:

4 **Q.** Okay. Well, let me just ask. Did you ask anyone  
5 to examine the totality of circumstances  
6 surrounding each of those 23 districts?

7 MR. PETERS: Objection.

8 MR. FARR: Objection.

9 REPRESENTATIVE LEWIS: No, sir, I did not.

10 BY MR. SPEAS:

11 **Q.** Do you know whether Dr. Hofeller examined the  
12 totality of the circumstances?

13 MR. PETERS: Objection.

14 REPRESENTATIVE LEWIS: I do not, sir.

15 MR. SPEAS: Three minutes after 5:00.

16 MS. EARLS: I actually have --

17 MR. SPEAS: Anita's got a question.

18 MS. EARLS: I do need to follow up.

19 REPRESENTATIVE LEWIS: Mr. Speas, while  
20 Ms. Earls prepares, may I ask these exhibits that  
21 you've given to me and the court reporter marked,  
22 there need to be copies made. Should I leave those  
23 here?

24 MR. SPEAS: Yes.

25 REPRESENTATIVE LEWIS: So I'll leave those



1 here for the court reporter.

2 MR. SPEAS: We'll make the copies.

3 FURTHER EXAMINATION

4 BY MS. EARLS:

5 **Q.** I want to follow up on the questions you were asked  
6 about materials that were submitted as part of my  
7 testimony, public hearing testimony, and I want to  
8 mark this as an exhibit. It's an e-mail.

9 (WHEREUPON, Exhibit 198 was marked for  
10 identification.)

11 BY MS. EARLS:

12 **Q.** My question is I'm trying to determine when the  
13 maps that were submitted on behalf of the AFRAM  
14 group were actually imported into the legislative  
15 system's database so they could be viewed on that  
16 system. And can you describe what Exhibit 198 is?

17 **A.** Ms. Earls, it appears to be an e-mail from Dan Frey  
18 with ISD replying to Brent Woodcox with a copy to  
19 Senator Rucho and me saying that he had complied  
20 with Brent's request.

21 Brent's request was that there are three  
22 maps that were submitted by the SCSJ being loaded  
23 into Maptitude and put on the state's computer  
24 system to be viewed.

25 **Q.** And what's the date on that e-mail? There's an



1 e-mail that says "Done," am I correct?

2 **A.** Yes, ma'am. The date that says "Done" is July 11,  
3 2011.

4 **Q.** So does that indicate, then, that the maps that  
5 were submitted by SCSJ were put on the system in  
6 July on July 11th?

7 **A.** Unfortunately, I believe it probably does. I can  
8 tell you that Senator Rucho and my intention was to  
9 put everything we possibly could up as fast as we  
10 could and some of the material got to the web  
11 slower than we had hoped that it would.

12 **Q.** But am I correct that e-mail is not about when it  
13 got to the website but about when it was put in the  
14 General Assembly's computer system?

15 **A.** Those two things I think are -- go hand in hand.

16 **Q.** I'm sorry, can I look at the exhibit. I don't have  
17 a copy. I apologize but I don't have an extra  
18 copy.

19 So this e-mail talks about having those  
20 maps -- those plans loaded into Maptitude and  
21 available on the I drive on the state system. So  
22 am I correct that that refers to having the maps  
23 available on the software that the General Assembly  
24 was using?

25 **A.** Ms. Earls, I believe you're correct. I am not a



1 computer person and unfortunately don't have  
2 firsthand knowledge of what the I drive even is.

3 **Q.** Two quick questions about precincts. You testified  
4 when Mr. Speas was asking you questions about the  
5 fact that you recalled or was aware of a state  
6 statute that had talked about not dividing  
7 precincts but that it had not been pre-cleared by  
8 the Justice Department. And my question was just  
9 as the Whole County Provision initially was not  
10 pre-cleared and now is interpreted to apply to  
11 those parts of the state where you don't have to  
12 draw Voting Rights Act districts, am I correct?

13 MR. FARR: Objection.

14 REPRESENTATIVE LEWIS: I don't follow you.

15 BY MS. EARLS:

16 **Q.** Let's start with the Whole County Provision. Do  
17 you know that originally was not pre-cleared and  
18 not enforced because of the Voting Rights Act?

19 MR. FARR: Whole County Provision of the  
20 North Carolina Constitution?

21 MS. EARLS: I'm sorry. That's right, yes.  
22 The Whole County Provision of the North Carolina  
23 Constitution.

24 REPRESENTATIVE LEWIS: I'm not familiar  
25 with that, Ms. Earls.



1 BY MS. EARLS:

2 **Q.** Then would you have considered applying the statute  
3 regarding not splitting precincts to parts of the  
4 state that aren't covered by the Voting Rights Act,  
5 Section 5 of the Voting Rights Act?

6 MR. PETERS: Objection.

7 REPRESENTATIVE LEWIS: Just never  
8 considered precincts when drawing the State House  
9 map that I can recall, ma'am.

10 BY MS. EARLS:

11 **Q.** Well, it was your testimony earlier that you  
12 believed you had to split precincts in order to  
13 comply with the Voting Rights Act.

14 **A.** Yes.

15 **Q.** Did you believe it was necessary to split them  
16 anywhere else in the map outside of the Voting  
17 Rights Act districts?

18 **A.** It was just not a factor that we considered.

19 **Q.** Thank you.

20 **A.** Yes, ma'am.

21 MR. FARR: I just want to ask you one  
22 thing.

23 FURTHER EXAMINATION

24 BY MR. FARR:

25 **Q.** This is part of Exhibit 55, and I'm looking at



1 page 6 of your statement by Bob Rucho and David  
2 Lewis regarding proposed VRA districts. And the  
3 first paragraph says, "In anticipation of the  
4 public hearing scheduled for June 23, 2011." Do  
5 you see that, Representative Lewis?

6 **A.** Yes, sir.

7 **Q.** I just want to turn to page 6 and I would just like  
8 you to read into the record the last paragraph on  
9 page 6 of your statement.

10 MR. SPEAS: Which date?

11 MR. FARR: It's this one. It doesn't have  
12 a date on it.

13 MR. SPEAS: 6/22. Okay.

14 MR. FARR: Well, it says 6/23 at the top.  
15 I guess it was 6/22.

16 MR. SPEAS: And where are you asking?

17 MR. FARR: Page 6.

18 MR. PETERS: Somebody handwrote the date  
19 on there.

20 BY MR. FARR:

21 **Q.** I would just like you to read into the record the  
22 last paragraph on page 6.

23 **A.** Last paragraph on page 6 reads: "Congressman  
24 Butterfield's First Congressional district has been  
25 found by a federal court to be based upon a



1 reasonably compact black population. Using  
2 Congressman Butterfield's district as an example,  
3 we believe that all of our proposed legislative  
4 districts are based upon reasonably compact black  
5 population."

6 **Q.** All right. Thank you. That's all I wanted to do.

7 MR. SPEAS: Thank you very much,  
8 Representative Lewis.

9 REPRESENTATIVE LEWIS: Thank you, sir.

10 MR. SPEAS: I believe that concludes the  
11 deposition.

12 [SIGNATURE RESERVED]

13 [DEPOSITION CONCLUDED AT 5:11 P.M.]  
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1           A C K N O W L E D G E M E N T   O F   D E P O N E N T

2

3           I, REPRESENTATIVE DAVID LEWIS, declare

4           under the penalties of perjury under the State of

5           North Carolina that I have read the foregoing 225

6           pages, which contain a correct transcription of

7           answers made by me to the questions therein recorded,

8           with the exception(s) and/or addition(s) reflected

9           on the correction sheet attached hereto, if any.

10          Signed this the        day of               , 2012.

11

12

13                               R E P R E S E N T A T I V E   D A V I D   L E W I S

14

15

16          State of:

17          County of:

18                Subscribed and sworn to before me

19          this        day of               , 2012.

20

21

22

23                               N o t a r y   P u b l i c

24          My commission expires:

25



ERRATA SHEET

Case Name: NAACP vs. State of North Carolina, et al. and

Margaret Dickson et al. vs. Robert Rucho, et al.

Witness Name: Representative David Lewis

Deposition Date: Thursday, May 3, 2012

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Signature

Date



STATE OF NORTH CAROLINA    )  
  ) C E R T I F I C A T E  
COUNTY OF WAKE                )

I, DENISE L. MYERS, Court Reporter and  
Notary Public, the officer before whom the foregoing  
proceeding was conducted, do hereby certify that the  
witness(es) whose testimony appears in the foregoing  
proceeding were duly sworn by me; that the testimony  
of said witness(es) were taken by me to the best of  
my ability and thereafter transcribed under my  
supervision; and that the foregoing pages, inclusive,  
constitute a true and accurate transcription of the  
testimony of the witness(es).

I do further certify that I am neither  
counsel for, related to, nor employed by any of the  
parties to this action, and further, that I am not a  
relative or employee of any attorney or counsel  
employed by the parties thereof, nor financially or  
otherwise interested in the outcome of said action.  
This the 9th day of May 2012.

Denise L. Myers  
Notary Public 200826100153



# **EXHIBIT D**



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

MARGARET DICKSON; *et al.*,

*Plaintiffs,*

v.

ROBERT RUCHO, *et al.*,

*Defendants.*

11 CVS 16896

NORTH CAROLINA STATE CONFERENCE  
OF BRANCHES OF THE NAACP, *et al.*,

*Plaintiffs,*

v.

THE STATE OF NORTH CAROLINA, *et al.*,

*Defendants.*

11 CVS 16940

*(Consolidated)*

**AFFIDAVIT OF THOMAS B.  
HOFELER, Ph.D.**

## INTRODUCTION

The undersigned, under penalty of perjury, declares as follows:

1. My name is Thomas B. Hofeller, Ph.D. My resume is attached as Exhibit 1. During the 2011 redistricting process in North Carolina, I was engaged by counsel Thomas J. Farr to provide demographic expertise in the drawing of redistricting maps for the Leadership of the North Carolina General Assembly.

2. I am a Partner in Geographic Strategies, LLC, located in Columbia, South Carolina. Geographic Strategies provides redistricting services including database construction, strategic political and legal planning in preparation for actual line drawing, support services and



training on the use of geographic information systems (GIS) used in redistricting, analysis of plan drafts, and actual line-drawing when requested. The corporation and its principals also provide litigation support.

3. I hold a Ph.D. from Claremont Graduate University, where my major fields of study were American political philosophy, urban studies and American politics. I hold a B.A. from Claremont McKenna College with a major in political science.

4. I have been involved in the redistricting process for over 46 years, and have played a major role in the development of computerized redistricting systems, having first supervised the construction of such a system for the California State Assembly in 1970-71.

5. I have been active in the redistricting process leading up to and following each decennial census since 1970. I have been intimately involved with the construction of databases combining demographic data received from the United States Census Bureau with election information which is used to determine the probable success of parties and minorities in proposed and newly enacted districts. Most of my experience has been related to congressional and legislative districts, but I have also had the opportunity to analyze municipal and county-level districts.

6. I served for a year and one half as Staff Director for the U. S. House Subcommittee on the Census in 1998-99.

7. I was Staff Director of the Subcommittee when the Census Bureau was proposing to substitute the American Community Survey (ACS) for the use of the decennial long form



questionnaire in the 2000 and previous decennial Censuses. The long form was not used in the 2010 Decennial Census.

8. I have drafted and analyzed plans in most states including, but not limited to, California, Nevada, Arizona, New Mexico, Colorado, Texas, Oklahoma, Kansas, Missouri, Minnesota, Wisconsin, Illinois, Indiana, Ohio, Arkansas, Mississippi, Louisiana, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, New York, New Jersey and Massachusetts.

9. In this decennial round of redistricting, I have already been intensely involved in Texas, Alabama, North Carolina, Virginia and Massachusetts. As much of my consulting activities involve work in states subject to the provisions of Section 5 of the Voting Rights Act, I am very familiar with the data used to analyze the expected performance of redrawn and newly created minority districts. I regularly advise clients about the characteristics of minority districts in their plans, and whether or not they are meeting the requirements of both Sections 2 and 5 of the Voting Rights Act.

10. I have given testimony as an expert witness in a number of important redistricting cases including, but not limited to, Gingles v. Edmisten, 590 F. Supp. 345 (N.D.N.C. 1984), *aff'd in part and rev'd in part* Thornburg v. Gingles 478 U.S. 30 (1986); State of Mississippi v. United States, 490 F. Supp. 569 (D.C.D.C. 1979); Shaw v. Hunt, 92-202-CIV-5-BR, U.S. District Court for the Eastern District of North Carolina, Raleigh Division (1993-4); Ketchum v. Byrne, 740 F.2d 1398, *cert. denied* City Council of Chicago v. Ketchum, 471 U.S. 1135 (1985), *on remand*, Ketchum v. City of Chicago 630 F. Supp. 551 (N.D. Ill. 1985); and Arizonans for Fair



Representation v. Symington, CIV 92-0256, U.S. District Court Arizona (1992), *aff'd mem. sub nom. Arizona Community Forum v. Symington*, 506 U.S. 969 (1992).

11. In this Declaration, I have been asked to briefly address three issues. First, I will give a brief explanation of the criteria I was instructed to follow in drawing legislative and congressional maps. Second, I will respond to incorrect allegations made by the NC NAACP and the plaintiffs in two lawsuits pending in Wake County Superior Court, that the 2011 enacted Senate, House and Congressional Plans “packed” African-American population into too few districts. Third, I will examine Dr. Peterson’s conclusions in his second affidavit to the Court.

#### **PRIMARY CRITERIA USED TO DRAW PLANS**

12. In drawing the legislative maps I was directed by leadership of the General Assembly to follow the criteria established by the United States Supreme Court and the North Carolina Supreme Court in *Strickland v. Bartlett*. I was also instructed to follow the criteria established under the State constitution in the *Stephenson* cases. Finally, I was also instructed to explore the possibility of creating a sufficient number of majority African-American districts so that African-American voters could have a roughly proportional opportunity to elect their preferred candidates of choice. I was instructed that plans which provide African-American voters a roughly proportional opportunity to elect candidates of their choice provide the State of North Carolina with a strong defense against any claims of vote dilution under the Fourteenth Amendment to the United States Constitution or Section 2 of the Voting Rights Act. *DeGrandy v. Johnson*. Rough proportionality would consist of 9 to 10 majority TBVAP senate districts and 24 to 25 majority TBVAP house districts.

13. Regarding congressional districts, I was instructed by the leadership to ensure that all congressional districts comply with the one person, one vote rule. I was also instructed to



draw the First Congressional District as a majority African-American district in compliance with the United States Supreme Court's holding in *Strickland v. Bartlett* and consistent with the holding by the District Court in *Easley v. Cromartie*, 532 U.S. 234 (2001). I was subsequently instructed to modify the First Congressional District so that the African-American voting age population in counties covered by Section 5 of the Voting Rights Act equaled or exceeded the total voting age population found in Section 5 counties within the 2001 version of the First Congressional District. I was also instructed to draw two strong Democratic congressional districts (Districts 4 and 12). This was accomplished by assigning census voting districts (VTDs) and census blocks to each district which reflected strong support for President Obama in the 2008 general election.

14. For legislative and congressional plans, I was also instructed to ensure that none of the plans involved illegal "packing" of African-American voters, based upon my understanding of how the term "packing" has been defined by the United States Supreme Court. I understand the term "packing" to mean situations in which two or more super majority African-American districts are drawn with the intent or effect of preventing the creation of an adjacent additional majority African-American district. The term "packing" would also apply when a plan created a single super majority African-American district when two majority African-American adjacent districts could be created. I am not aware of any evidence that the enacted legislative plans or the enacted congressional plan illegally "pack" African-American voters.

**RELATIVE CONCENTRATION OF AFRICAN-AMERICAN VOTERS IN ENACTED PLANS AS COMPARED TO ALTERNATIVE PLANS**

15. The NC NAACP alleges that the enacted 2011 Senate Plan "packs" 47% of all African-American voters into 10 senate districts, 50% of all African-American voters into 25



house districts, and 48% of all African-American voters into three congressional districts. I am not aware of any allegations by the NC NAACP that the 2011 enacted plans created super majority districts in order to prevent the creation of additional majority African-American districts. Nor am I aware of any allegations that the enacted 2011 plans, as compared to any alternative plan, created fewer districts that allow African-Americans to elect their preferred candidate of choice in the presence of racially polarized voting.

16. I am not aware of any cases holding that the creation of a majority African-American district or a series of majority African-American districts in the percentage ranges found in the General Assembly's enacted plans constitutes packing.

17. The NC NAACP allegations are out of context because they do not account for the concentration of African-American population found in alternative plans submitted during the public hearing or legislative process. When the enacted plans are compared to the alternative plans, it becomes clear that all plans before the General Assembly concentrated the African-American population of North Carolina in a minority of the total districts. Moreover, all of plaintiffs' redistricting schemes sacrifice majority TBVAP districts in order to create a higher number of districts that would be likely to elect white Democrats, but unlikely to elect African-Americans in the presence of racially polarized voting. I will explain this analysis below starting with the enacted 2011 Senate Plan.

#### **2011 SENATE PLAN**

18. In preparing this affidavit, I reviewed the official reports published by the General Assembly for the enacted 2011 Senate Plan ("2011 Senate Plan) and alternative plans offered by the Alliance for Fair Redistricting and Minority Voting Rights ("AFRAM"), Senate Minority Leader Martin Nesbitt ("Nesbitt Plan"), and the Leader of the Legislative Black Caucus, Senator



Floyd McKissick ("McKissick Plan"). The reports for all four plans include the amount of "Total Black Voting Age Population" ("TBVAP") that is included in each district.<sup>1</sup> I then ordered all districts in each plan based upon the percentage of TBVAP found in each district starting with the district with the highest TBVAP percentage and ending with the district with the lowest percentage of TBVAP. By making this calculation for the enacted plan as well as all alternatives, it became apparent that all plans concentrated the African-American voting age population in a minority of the total Senate districts. Chart A below explains this comparison for the fourteen districts in all four plans with the highest percentage of TBVAP. Appendix A contains a chart which lists all the relevant information on all these plans for all the districts in the State.

**Chart A**

**Comparison of African-American Concentration of TBVAP in Senate Plans**

	2011 Senate Plan	AFRAM Senate	Nesbitt Senate	McKissick Senate
1	5.61 %	5.24 %	4.91 %	4.99 %
2	10.61 %	10.00 %	9.24 %	9.61 %
3	15.25 %	14.48 %	13.49 %	14.24 %
4	20.06 %	19.23 %	17.76 %	18.49 %
5	24.70 %	23.78 %	21.72 %	22.58 %
6	29.32 %	28.20 %	25.74 %	26.60 %
7	33.75 %	32.31 %	29.59 %	30.66 %
8	38.29 %	36.40 %	33.40 %	34.20 %
9	43.09 %	40.12 %	37.15 %	37.95 %
10	46.97 %	43.51 %	40.18 %	41.13 %
11	49.42 %	46.64 %	43.18 %	44.16 %
12	51.88 %	49.35 %	46.32 %	47.16 %

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<sup>1</sup> The Census Bureau counted the total voting age population of those who considered themselves single-race black (Black Voting Age Population or "BVAP") and those who considered themselves any part black (TBVAP), which is referred to by the Census Bureau as "18+ APBLK" (18 years or above - any part black). The State of North Carolina refers to this as "(TBVAP)".



19. Thus, as shown by Chart A, the enacted 2011 Senate Plan concentrates 46.97% of the TBVAP in ten districts while all the alternate plans have over 46% of the TBVAP in either eleven districts (AFRAM Plan) or twelve districts (Nesbitt Plan and McKissick Plan).

20. One reason for the slight difference in each plan's concentration of 46% of the statewide TBVAP into 10 to 12 districts is to the number of majority TBVAP districts that are included in each plan. The enacted 2011 Senate Plan establishes nine districts in excess of 50% TBVAP (Districts 3, 4, 5, 14, 20, 21, 28, 38 and 40) as compared to five in the AFRAM Plan (Districts 3, 4, 28, 38 and 40), one in the Nesbitt Plan (District 4), and none in the McKissick Plan. Further, the enacted Senate Plan includes more districts in excess of 40% TBVAP (ten) as compared to SCSJ (nine), the Nesbitt Plan (seven) or the McKissick Plan (eight).

21. Another explanation for the slightly different concentration levels between the enacted 2011 Senate Plan and alternative plans is the preference in the alternative plans for districts in which the TBVAP is between 40% and 50%. For purposes of comparison, the 2011 Senate Plan has only one district that arguably fits within this definition (District 32). The AFRAM Senate Plan has four districts with TBVAP between 40% and 50% TBVAP (Districts 14, 20, 21 and 32), the Nesbitt Plan has six districts between 40% and 50% TBVAP (Districts 3, 14, 21, 28, 38 and 40) and the McKissick Plan has eight districts between 40% and 50% TBVAP (Districts 3, 4, 14, 20, 21, 28, 38 and 40).

22. The difference in concentration levels is also explained by an invidious intent found in all alternative plans to fracture African-American population away from potential majority TBVAP districts, or even crossover districts, to create adjoining districts that will more than likely elect non-minority Democrat senators, enhancing the probability of electing a Democrat majority to the State Senate. The motivation behind this racial gerrymandering



drawing African-American population away from potential majority minority and 40 - 50 percent districts is plainly alluded to by the plaintiffs' counsel, Anita Earls, in a letter Ms. Earls sent to the United States Department of Justice ("USDOJ"), on behalf of the SCSJ and the NC NAACP, in opposition to the preclearance under Section 5 of the Voting Rights Act of the 2011 Senate and House Plans. See Exhibit 2.

23. In her letter to the USDOJ, Ms. Earls stated that the "packing" [of the 2011 Senate Plan's majority TBVAP districts] "depletes the adjacent districts of a significant number of African-American voters. As a result, the African-Americans remaining in these adjacent districts have less ability to elect their candidates of choice, a clear retrogressive effect under Section 5 [of the Voting Rights Act]. Many of these adjacent districts are currently represented by a Democrat, the candidate of choice for the African-American voters. With fewer majority voters, these districts are far more likely to now elect a Republican candidate." See Exhibit 2, p. 8. The "candidate of choice" to which Ms. Earls refers is clearly intended to be a non-African-American Democrat.

24. In her statement, Ms. Earls identified four majority TBVAP districts in the 2011 Plan which allegedly "packed" voters - Senate Districts 14, 20, 21 and 28.<sup>2</sup> She then identifies the allegedly impacted adjacent districts (7, 13, 16, 18, 26 and 27) noting that these districts are currently represented by Democrats. In truth, all of the districts cited by Ms. Earls were represented by white Democrats except for District 26 which is currently represented by white Republican Majority Leader, Phil Berger.

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<sup>2</sup> Ms. Earls did not identify two majority TBVAP districts located in Mecklenburg County as "packed" districts (Districts 38 and 40), possibly because Ms. Earls' proposed plan recommended that both of these districts be drawn at a majority TBVAP level. Moreover, majority TBVAP District 5 is not mentioned, possibly because it replaced the 2003 version of District 5. The 2003 version of District 5 was approximately 30% TBVAP and a African-American incumbent, Don Davis, was defeated by white candidate Louis Pate in the 2010 General Election.



25. Ms. Earls summarized her argument to USDOJ with strong accusations of discriminatory intent by the General Assembly and contended that the 2011 Senate Plan was enacted with “the invidious intent to reduce and minimize the influence of African-Americans across the State of North Carolina and those who share their policy goals,” i.e., other Democrats.

26. Having considered Ms. Earls’ arguments, the USDOJ precleared all three enacted 2011 plans within the first 60 days of their submission to USDOJ. Preclearance by the USDOJ means that USDOJ has concluded that the State has carried the burden of showing that the 2011 redistricting plans are not retrogressive of African-American voting rights and that the plans have no discriminatory purpose.

#### **2011 HOUSE PLAN**

27. Chart B below explains the levels of concentration of the statewide TBVAP in the enacted 2011 House Plan as compared to the three alternative plans prepared by the SCSJ (“SCSJ House Plan”), Representative Grier Martin (“Martin House Plan”), and Legislative Black Caucus member Kelly (“LBC Plan”), all of which I have reviewed for purposes of making this declaration.



**Chart B**  
**Comparison of Concentration of TBVAP in House Plans**

	<b>2011 House</b>	<b>AFRAM House</b>	<b>Martin House</b>	<b>LBC House</b>
1	2.32%	2.26%	2.08%	2.25%
2	4.27%	4.36%	4.11%	4.17%
3	6.53%	6.55%	5.19%	6.32%
4	8.62%	8.61%	8.40%	8.30%
5	10.64%	10.75%	10.44%	10.34%
6	12.58%	12.86%	12.43%	12.38%
7	14.56%	14.84%	14.39%	14.43%
8	16.66%	17.01%	16.54%	16.52%
9	18.75%	19.22%	18.43%	18.62%
10	20.68%	21.14%	20.25%	20.52%
11	22.66%	23.16%	22.19%	22.46%
12	24.77%	25.08%	23.90%	24.33%
13	26.75%	26.79%	25.81%	26.14%
14	28.78%	28.52%	27.52%	27.90%
15	30.88%	30.35%	29.20%	29.72%
16	32.77%	32.16%	32.00%	31.47%
17	34.82%	33.85%	32.60%	33.28%
18	36.73%	35.56%	34.38%	34.95%
19	38.79%	37.19%	35.99%	36.82%
20	40.74%	38.80%	37.67%	38.61%
21	42.66%	40.33%	39.76%	40.25%
22	44.56%	41.87%	40.82%	41.73%
23	46.63%	43.35%	42.35%	43.42%
24	48.32%	44.51%	43.72%	44.84%
25	50.02%	45.70%	45.23%	46.07%
26	51.25%	46.89%	46.61%	47.25%
27	52.42%	48.08%	47.78%	48.37%
28	53.55%	49.26%	48.91%	49.59%
29	54.64%	50.46%	50.21%	50.81%

28. As shown by Chart B, the enacted 2011 House Plan concentrates 50.02% of the statewide TBVAP in 25 districts while all three alternative plans concentrate over 50% of the statewide TBVAP in 29 districts. Furthermore, the AFRAM redistricting scheme concentrates more TBVAP in the first thirteen districts than the 2011 enacted House Plan. This means that some of the AFRAM districts have higher minority concentrations than the 2011 enacted House Plan.



29. The enacted 2011 House Plan has twenty-three majority TBVAP districts (Districts 5, 7, 12, 21, 23, 24, 27, 29, 31, 32, 33, 38, 42, 43, 48, 57, 58, 60, 99, 101, 102, 106 and 107) and a twenty-fourth district that is a majority African-American citizen voting age district (District 71). In contrast, the AFRAM Plan has eleven majority TBVAP districts (Districts 7, 8, 24, 27, 31, 33, 43, 58, 60, 101 and 107). The Martin Plan has nine majority TBVAP districts (Districts 5, 7, 24, 27, 33, 43, 58, 60 and 101) and the LBC Plan has ten majority TBVAP districts (Districts 5, 7, 8, 24, 27, 33, 43, 58, 60 and 101). Moreover, the enacted House Plan has more districts with a TBVAP in excess of 40% (twenty-five as compared to the AFRAM Plan (twenty-one), the Martin Plan (twenty-one) or the LBC Plan (twenty-three)).

30. In further contrast, all of the alternative plans have more 40% to 50% districts than the 2011 enacted House Plan which has two such district; but District 72 is a 50% plus CBVAP district. The AFRAM Plan has ten districts between 40% and 50% TBVAP (Districts 5, 12, 21, 42, 48, 71, 72, 99, 100 and 102); the Martin Plan has twelve districts from 38.18% to 48.69% (Districts 8, 12, 21, 28, 29, 31, 42, 48, 71, 72, 99, and 107); and the LBC Plan has thirteen districts from 40% to 50% TBVAP (Districts 12, 21, 25, 29, 31, 32, 42, 48, 71, 72, 99, 102, and 107). In all the alternative plans the combination of majority-minority and potential 40% to 50% districts is less than that found in the enacted House Plan.

31. Yet another explanation, for a slightly higher concentration of TBVAP in enacted 2011 House Plan's districts, relates to the way counties were grouped to comply with the county grouping requirement under *Stephenson*. Under the *Stephenson* standard that districts must have enough population to be within plus or minus five percent of the ideal population, Mecklenburg County barely contains sufficient population for twelve house districts. If all



twelve Mecklenburg House districts contained exactly the ideal population for a house district (79,462 x 12), the total population located in all twelve Mecklenburg districts would be 953,544. In fact, the total population in Mecklenburg's twelve districts, and that of the entire county, is only 919,628, or 33,916 below the ideal for twelve house districts. This results in all twelve Mecklenburg districts having populations significantly under the ideal district population, with deviations ranging from (-2.20%) to (-4.94%).

32. In order to balance the cumulative under population of Mecklenburg's twelve house districts, and districts in several other county groups, as compared to the ideal population for a house district, and to remain in compliance with the *Stephenson* county grouping criteria, the enacted House Plan was required to contain a twenty-county group running from Stanly County through south central and southeastern North Carolina to Dare County on the Atlantic coast. Almost all of the districts in this county group had to be over-populated, as compared to the ideal number for a house district, in order to counter the under-populated Mecklenburg house districts and only contain fourteen districts. If this fourteen-district county group were to contain 15 districts, the entire plan would have 121 districts. This includes two of the three majority TBVAP districts located in this county grouping. For example, enacted Districts 21 has a population deviation of 4.48% while the corresponding district in the Martin House Plan has a deviation of -4.25%. Similarly, enacted District 48 has a deviation of 4.96% as compared to the Martin House Plan District 48 which has a negative deviation of -4.98%. The remaining enacted District 12 in this county grouping had to be drawn with a deviation of -3.85% to allow it to have a TBVAP percentage above 50 (50.60%) in order to conform to *Stephenson* and to provide a safe harbor under *Strickland*. This further complicated the district deviation levels within the group, causing them to be even higher on the positive side (averaging +4.63%).



33. A final explanation for the slight differences in concentration levels found in the various house plans is explained by the decisions of the drafters of all alternative plans to fracture TBVAP away from potential majority TBVAP districts in order to create more “influence” districts designed to elect white Democrats. This is again admitted by the SCSJ and the NC NAACP in their submission to the USDOJ in opposition to the preclearance of the General Assembly’s three plans.

34. Summarizing their opposition to the enacted House Districts, the SCSJ and the NAACP argued to USDOJ that:

By packing these house districts, the 2011 House Plan depletes the adjacent districts of a significant number of African-American voters. As a result, the African-Americans remaining in these adjacent districts have less ability to elect the candidate of choice for African-American voters. With fewer minority voters these districts are far more likely to elect a Republican candidate.<sup>3</sup>

35. The SCSJ letter then lists nine allegedly packed districts in the 2011 House Plan (Districts 5, 12, 21, 24, 29, 42, 48, 99 and 102) and fifteen other “Democrat” districts, all represented by white Democrats, which are allegedly impacted by the creation of majority TBVAP districts (Districts 1, 2, 8, 20, 22, 23, 30, 44, 45, 47, 54, 55, 56, 100 and 106).

36. As with their criticism of the Senate Plan, the main complaint of the SCSJ and the NC NAACP is not the ability of African-Americans to elect their preferred candidate of choice in the face of racially polarized voting. They cannot make this allegation because the 2011 House Plan, like the 2011 Senate Plan, provides African-American voters with a greater opportunity to elect their preferred candidates of choice than any prior enacted or proposed

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<sup>3</sup> In this quote, the SCSJ incorrectly uses the term “candidate of choice” to include white Democrats in non-majority minority districts. This is a position which was rejected by the United States Supreme Court in *LULAC v. Perry*, 548 U.S. 399 (2006).



house plan. To the contrary, the SCSJ and the NC NAACP are advocating the cracking of majority TBVAP districts in order to create safe Democrat districts that will likely elect white candidates, as opposed to African Americans, because of racially polarized voting.

## **2011 CONGRESSIONAL PLAN**

37. The General Assembly considered three congressional plans during the 2011 public hearing and legislative process: the enacted 2011 Congressional Plan, the AFRAM Congressional Plan, a plan introduced by Senator Josh Stein ("Stein Plan") and a plan introduced by House Minority Leader Joe Hackney ("Hackney Plan"). The Stein Plan and the Hackney Plan are identical.

38. Chart C below explains the levels of concentration of the statewide TBVAP in the enacted 2011 Congressional Plan as compared to the enacted 2001 Congressional Plan and two alternative plans placed before the 2011 General Assembly. Appendix C contains a chart which lists all the relevant information on all these plans for all the districts in the State.

**Chart C**  
**Comparison of African-American Concentration of TBVAP in Congressional Plans**

	<b>1997 (2010 Census)</b>	<b>2011 (2010 Census)</b>	<b>SCSJ (2010 Census)</b>	<b>Hackney-Stein (2010 Census)</b>
1	15.41%	19.24%	17.36%	17.44%
2	31.11%	37.20%	33.04%	32.32%
3	41.42%	48.85%	45.03%	43.63%
4	51.90%	55.70%	55.86%	53.29%
5	61.46%	62.21%	63.88%	61.41%
6	69.08%	68.55%	71.66%	69.32%

39. Thus, as shown above, the enacted 2011 Congressional Plan contains 37.20% of the statewide TBVAP in its two congressional districts with the highest number of African-



American adults, while the corresponding levels are 33.04% for the SCSJ Plan and 32.32% for the Hackney/Stein Plans. It is interesting to note that the enacted 2011 Congressional Plan contains 55.70% of the statewide TBVAP in its four congressional districts with the highest number of African-American adults, while the corresponding levels are 55.86% for the SCSJ Plan and 53.29% for the Hackney/Stein Plans. All three plans, as well as the enacted 2001 Plan each have only two districts which exceed a TBVAP of 40%. In each of these plans, the district with the third highest number of African-Americans, the TBVAP does not exceed 32.76%.

40. The General Assembly adopted a guideline directing that District 1 would be drawn so that the number of African-American adults it contained in counties covered under Section 5 would be equal to the number of similarly situated African-Americans in the enacted 2001 Plan. This guideline, not used in the original publically-released draft, was adopted at the request of the incumbent member. The other adopted guideline directed that the district be drawn with a TBVAP over 50% to protect the State from possible liability under VRA Section 2 or 5. Because the benchmark District 1 was under populated by 13.3%, or 97,563 persons, it was necessary to include a significant number of additional African-American adults to bring the TBVAP percentage above 50. So rather than contorting the boundaries of the District further, it was decided to move the District into Durham County.

41. The version of enacted District 12 closely corresponds in shape and placement to the same district in the enacted 2001 Plan and was drawn to incorporate VTDs which voted in high percentages for President Obama in the 2008 General Election. The incorporation of strongly Democratic VTDs in District 12 was the same justification used by the General Assembly in adopting District 12 in 1997 in response to a successful court challenge, and which was subsequently upheld by the United States Supreme Court (*See Cromartie v Hunt* 526 U.S.



541 (1999)). Obviously, the AFRAM and the Democrat members who drafted alternative maps elected to create a less Democratic District 12 in order to spread out Democratic votes to adjoining districts, which better suited their political goal of drawing a plan more favorable to their white incumbents.

42. Enacted District 4 was drafted to gather the most heavily Democrat voting VTDs in the Raleigh-Durham and Fayetteville areas to create a safe Democrat district and strengthen the Republican vote in surrounding districts.

43. While it is true that the AFRAM and the Democrat plan drafters strongly object to the enacted 2011 Plan, it is evident that their principal goal is a political one. They wish to distribute VTDs with strong Democratic voting percentages among more districts than Districts 1 and 12 in order to continue their political gerrymandering. I note that in the 2010 General Election, the Democratic candidates only received 45.53% of all the two-party votes cast for congressional candidates, yet won seven of the 13 seats (53.8%).<sup>4</sup> All of their proposed 2011 corresponding redistricting maps seem to be drawn with the maintenance of this electoral imbalance as their primary goal.

44. Since the alternative maps did not assert that a third majority TBVAP or opportunity congressional district should be constructed, it is difficult to justify an allegation that the General Assembly's enacted 2011 Congressional Plan contained packed districts in any legal sense.

**RESPONSE TO SECOND AFFIDAVIT OF DAVID W. PETERSON, PH.D.**

45. I was also requested to examine the Second Affidavit of David W. Peterson, Ph.D., to evaluate its usefulness for determining the motivation behind the choices made in the

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<sup>4</sup> See Appendix 3.



construction of the 12th District contained in the 2011 Congressional Plan (Rucho-Lewis Congress 3) enacted by the North Carolina General Assembly.

46. Dr. Peterson has elected to base his opinion the use of a "segment analysis" performed by the staff of the Southern Coalition for Social Justice (SCSJ), which he evaluated.

47. The data for SCSJ's segment analysis appears to consist of 330 voting district (VTD) pairs located along the 12th District boundary as well as associated political and demographic data for each of the VTDs in the pair. The study first determined the adjacency of VTD pairs found along the perimeter of the 12th District, the pairs being adjacent interior and exterior VTDs.

48. Although Dr. Peterson states that all the relevant data are contained in the appendix to his affidavit, I was unable to find a listing of the actual pairs along with the associated data. It was stated that VTDs which only touched by a single point were not included. His affidavit did not indicate how multiple adjacencies were handled, since often there is a one-to-many or many-to-many relationship between exterior and interior boundary VTDs. For instance, there is one interior VTD in Guilford County (VTD name "HP") which is adjacent to six exterior VTDs. It cannot be determined from Peterson's affidavit whether or not that turned into 6 pairings or that the interior VTD was only paired once.

49. Because there are no data values given, it is also not possible to determine the size of either the relative demographic or political numbers within each pair, or the population of one pair in relation to another. So a VTD within a pair or the pair together could contain any number of persons or voters, with all VTDs considered as having equal weight for purposes of SCSJ's analysis.



50. In addition to being unable to determine the relative weight of each VTD pair, the determination of the differences in the percentages of racial composition of the residents of each pair and the differences of the percentages of party preferences are also missing. So the differences in percentage could range between .01 and 99.99. SCSJ is once again treating each comparison with equal weight, determining just which way the difference turns out, not its amplitude.

51. It is also important to note that, of the 330 unknown VTD pairs determined for the segment analysis, it appears that SCSJ only used from 9 (2.72%) to 18 (5.45%) of the 330 segment pairs to make a sweeping generalization that the drafters placement of the boundary was more based on "racial considerations" than "party affiliations." They did so based on unweighted sizes and percentage differences.

52. Also, no explanation was given for which political contests were selected and why both total and voting age population were used since only the latter is used in voting rights determinations.

53. Thus, on the basis of 6 of 12 segment analyses using, at a maximum of 18 out of 330 segment pairs which seem to indicated some undetermined level of imbalance between racial composition and voting behavior between the pairs, Dr. Peterson draws his grand conclusion. This, of course, glosses over the fact that 6 of the 12 segments analyses do NOT support his analysis.

54. It is difficult to understand how so little information would be considered determinative, particularly since the method upon which his analysis relies does not actually reflect the way map drafters make these choices. They do not make them as a result of



comparisons between pairs of adjacent VTDs. They are often comparing one VTD to another at non-adjacent locations in the district.

55. A better way to look at the changes between the 2001 and 2011 12th Congressional Districts would be to examine the actual maps and the actual aggregate data, which are more relevant and readily available.

56. I have provided a map which shows the geographic relationship of the 2001 district to the 2011 district. Appendix 1 shows the territory contained in both districts in three colors. The green areas are common to both the old and new districts. The blue areas are only contained in the new District 12, while the red areas are only contained in the old District 12.

57. Far more relevant than an academic statistical study of selective pairs of boundary VTDs would be a study of the aggregate numbers of the colored portions of the map. This alleviates the problems in accounting for multiple pair adjacencies, the differences in VTD population sizes and differences in amplitude between the demographic and political percentages within the pairs. It also avoids the bias caused by basing a conclusion on a difference of two of 12 studies using only 5.45 of the VTD pairs out of a total of 330.

58. I used the census block file downloaded from the General Assembly's redistricting computer system and data received from that same system which was loaded on my personal laptop computer into Caliper Corporation's Maptitude for Redistricting software, which is the same system used by the General Assembly. The demographic data were originally obtained from the United States Bureau of the Census 2010 Redistricting Data File released in early 2011. From these data I constructed Appendix 2.




59. Appendix 2 clearly shows that the choice of VTDs included in the 2011 Enacted 12<sup>th</sup> are more consistent with the goal of including more Democratic VTDs than the Democrats' 2001 redistricting scheme. The final column in the chart shows the Obama percentages in the areas common to both the enacted and the prior 12<sup>th</sup> district as well as the areas only in the prior 12<sup>th</sup> and the enacted 12<sup>th</sup>. In the areas common to both, Obama received 79.92% of the vote. In the area included in only the enacted 12th district, Obama received 75.39% of the vote, which is generally consistent with the rest of the district. On the other hand, the areas that were included only in the prior 12<sup>th</sup> district, voted for Obama at a rate of 53.01%, a dramatic differential. Clearly if the principal goal is to place those VTDs which have the highest Obama vote as their measure of Democratic performance, then the enacted 12<sup>th</sup> district does a far better job at accomplishing this goal than the prior redistricting scheme, or any of plaintiffs' alternatives which are based on the prior 12<sup>th</sup> district. The only political decision which one can perceive by the desire to place the lower performing VTDs into the 12<sup>th</sup> district is an attempt to submerge Republican vote in a safe Democrat seat.

60. For these reasons, and the fact that I was closely involved in the drafting of the General Assembly's newly enacted 2011 congressional map, I find the conclusions and the underlying study behind Dr. Peterson's affidavit inconclusive with regard to his proposed hypothesis that the primary motivation driving 12th districts construction was racially based.

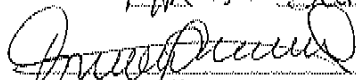


This the 19th day of January, 2012.

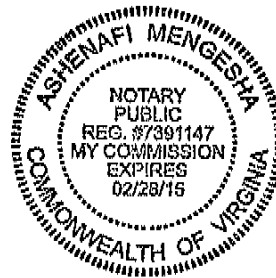
  
Thomas B. Hofeller, Ph.D.

Sworn and subscribed before me

this the 19<sup>th</sup> day of January, 2012.

  
Notary Public

My commission expires: 02/28/2015



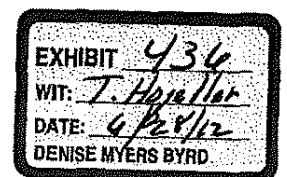


# EXHIBIT E



Carolina Proportionality Chart

Chamber	18+ Any Part Black					18+ Black Only (Single Race)			
	Pct.	# Seats	Exact Proportionality	Truncated	Rounded Up	Pct.	Exact Proportionality	Truncated	Rounded Up
Senate Proportionality	0.212	50	10.6	10	11	0.206	10.3	10	11
House Proportionality	0.212	120	25.44	25	26	0.206	24.72	24	25





# **EXHIBIT F**



1 STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE  
 COUNTY OF WAKE SUPERIOR COURT DIVISION  
 2 -----  
 MARGARET DICKSON, et al., )  
 3 Plaintiffs, ) 11-CVS-16896  
 )  
 4 vs. )  
 )  
 5 ROBERT RUCHO, et al., )  
 Defendants. ) T R A N S C R I P T  
 6 -----  
 NORTH CAROLINA STATE ) O F  
 7 CONFERENCE OF BRANCHES OF )  
 THE NAACP, et al., ) P R O C E E D I N G S  
 8 Plaintiffs, )  
 )  
 9 vs. ) 11-CVS-16940  
 ) (Consolidated)  
 10 THE STATE OF NORTH CAROLINA, )  
 et al., ) Volume I of II  
 11 Defendants. ) Pages 1 - 228  
 -----

12  
 13 The above-captioned cases coming on for hearing  
 14 Tuesday, June 4, 2013, Special Civil Session of the  
 15 Superior Court of Wake County, Raleigh, North Carolina,  
 before the Honorable Paul Ridgeway, the Honorable Alma  
 Hinton and the Honorable Joseph Crosswhite, Judges  
 presiding, the following proceedings were had:

16 -----  
 A P P E A R A N C E S

17 For the Plaintiffs:

18 EDWIN M. SPEAS, JR., ESQ. ADAM STEIN, ESQ.  
 JOHN W. O'HALE, ESQ. Tin Fulton Walker & Owen  
 19 CAROLINE P. MACKIE, ESQ. 312 West Franklin Street  
 Poyner Spruill, LLP Chapel Hill, NC 27516  
 20 Post Office Box 1801  
 Raleigh, NC 27602-1801

21 ANITA S. EARLS, ESQ.  
 22 CLARE BARNETT, ESQ.  
 ALLISON RIGGS, ESQ.  
 23 Southern Coalition for Social Justice  
 1415 West Highway 54, Suite 101  
 24 Durham, NC 27707

Appearances Continued >>>>

25 -----  
 Reported by: Ranae McDermott, RMR, CRR

Ranae McDermott, RMR, CRR  
 Official Court Reporter







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1 (The Special Session of the Superior Court of Wake County  
2 commenced on Tuesday, June 4, 2013 before the Honorable  
3 Paul Ridgeway, the Honorable Alma Hinton and the  
4 Honorable Joseph Crosswhite at 10:02 a.m.)

5 JUDGE RIDGEWAY: All right. Good morning,  
6 ladies and gentlemen. Thank you --

7 MR. SPEAS: Good morning.

8 JUDGE RIDGEWAY: -- thanks for being here  
9 for this bench trial on two issues that were identified  
10 previously. Yesterday we conducted a brief telephone  
11 conference for the purpose of setting some ground rules,  
12 if you will, for how this hearing would be conducted, and  
13 we certainly appreciate the parties thinking through  
14 these rules and -- and helping us come up with what seems  
15 to be a fair way of allocating the time that we have  
16 available to us.

17 It's our intention to conduct this hearing  
18 within the two days that we have, and so we've divided  
19 those two days into two six-hour blocks. And we're --  
20 each side will have six hours to conduct any opening and  
21 closing statements, if they wish, to conduct examination  
22 of witnesses that they call, to conduct cross-examination  
23 of witnesses called by opposing parties, and to conduct  
24 redirect or rebuttal examination of, again, witnesses  
25 that they call.

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1                   So that -- we're going to have the clerk  
2                   keeping time, and the parties are welcome to inquire with  
3                   the clerk to determine how much time they have left.

4                   We have indicated that we would be pleased  
5                   or willing to receive closing arguments in written form  
6                   at the conclusion of these hearings, and so that's  
7                   certainly an option that the parties can avail themselves  
8                   of, if they wish.

9                   We are -- just other ground rules that we  
10                  have, there are -- we will permit cross-examination of  
11                  witnesses by more than one lawyer. These cases are  
12                  joined, consolidated cases. There are lawyers that  
13                  represent different parties on each side of the  
14                  courtroom, and so the cross-examination can be conducted  
15                  by multiple lawyers as the parties see fit.

16                  And then there was -- there were pretrial  
17                  motions to exclude witnesses and for -- for various  
18                  reasons filed by the Defense. We've considered those  
19                  motions; and what we indicated to the parties is, is that  
20                  we are not going to -- we are declining to exclude  
21                  witnesses based on those grounds.

22                  However, this is a bench trial and we are  
23                  operating under the presumption that the Court will only  
24                  consider admissible and competent evidence and will  
25                  assign the appropriate weight to that evidence if

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1 admitted. So we're operating under that presumption.  
2 And so we're going to -- we're going to consider and  
3 entertain evidence despite the objections that were  
4 raised, but operating under that presumption.

5 All right. Anything that needs to be  
6 said?

7 All right. Well, very good. Why don't we  
8 begin, as we normally do, with a brief introduction by  
9 counsel and the parties they represent for the record,  
10 and then we'll turn immediately to the Plaintiffs' case.

11 Mr. Speas.

12 MR. SPEAS: May it please the Court, I'm  
13 Edwin Speas with Poyner & Spruill. I'm here today with  
14 two of my associates, Mr. O'Hale -- John O'Hale and  
15 Carolyn Mackie, and we represent the Plaintiffs in the  
16 Dickson matter.

17 MS. EARLS: Good morning, Your Honors. My  
18 name is Anita Earls. I represent the NAACP and the  
19 Plaintiffs in that action. With me is Adam Stein,  
20 Allison Riggs and Clare Barnett.

21 JUDGE RIDGEWAY: Thank you.

22 Mr. Peters.

23 MR. PETERS: May it please the Court, and  
24 good morning. My name is Alec Peters from the Attorney  
25 General's Office. With me is Susan Nichols also of that

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1 office, and we represent all the Defendants in both the  
2 Dickson and the NAACP actions.

3 MR. FARR: Good morning, Your Honors. I'm  
4 Tom Farr from the Raleigh Law Firm of Ogletree Deacons.  
5 With me today is my partner Phil Strach, and we are here  
6 representing the Legislative Defendants.

7 And thank you very much, Your Honors, for  
8 all that you put into this case. And it's been a  
9 difficult case, and I know I speak for all the lawyers  
10 that we really appreciate your time and effort.

11 JUDGE RIDGEWAY: Thank you, sir.

12 MR. FARR: Thank you.

13 JUDGE RIDGEWAY: Ms. Nichols --  
14 Mr. Peters, did you introduce Ms. Nichols or --

15 MR. PETERS: I -- I think I did.

16 JUDGE RIDGEWAY: Maybe you did. I'm  
17 sorry. I missed that. Thank you. All right. Thank  
18 you.

19 All right. Mr. Speas.

20 MR. SPEAS: Your Honor, I would like to  
21 begin with a -- just a brief opening statement from our  
22 allotted time. Good morning and thank you for being here  
23 and listening to us.

24 As we begin this trial, I wanted to take  
25 just a few minutes to describe for you the testimony that

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1 we would like to present and also to discuss what we  
2 think is a pivotal legal issue that we would like for you  
3 to bear in mind as you consider that evidence.

4           There are two issues, as the Court noted,  
5 that have been designated for trial. The first is this:  
6 Whether Defendants located the House and Senate and  
7 Congressional districts challenged in these cases in  
8 communities for which Defendants had compiled a strong  
9 basis for concluding that the Voting Rights Act required  
10 the construction of a race-based district to preclude  
11 Section 2 liability.

12           To address this issues (sic), we will call  
13 a series of experienced and knowledgeable citizens from  
14 across the state to provide examples of the repeated  
15 success of black candidates for elected office in those  
16 communities and to discuss the level of black support for  
17 those black candidates in those communities that made  
18 that success possible. These witnesses have spent  
19 decades evaluating voting -- voting patterns in the state  
20 and will include Senator Dan Blue and Congressman Mel  
21 Watt.

22           As the Court hears the evidence on this  
23 first issue, we would ask the Court to bear in mind what  
24 we think is the pivotal legal issue with respect to this  
25 first issue. And that is this: A statistically

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1 significant pattern of white citizens voting for white  
2 candidates and black citizens voting for black candidates  
3 is by itself legally meaningless and will not save  
4 race-based districts from a declaration of  
5 unconstitutionality.

6 Racially polarized voting only becomes  
7 legally significant and sufficient to save a race-based  
8 district from a declaration of unconstitutionality when  
9 the level of racially polarized voting is high enough  
10 usually to defeat the preferred candidate of black  
11 citizens.

12 This legal principle is in effect the  
13 third prong of the *Gingles* precondition -- preconditions.  
14 To establish this third prong and save their race-based  
15 districts from a declaration of unconstitutionality, the  
16 Defendants had to have compiled a strong basis in  
17 evidence demonstrating first that racially polarized  
18 exist -- voting exists; and, secondly, that as a result  
19 of that racially polarized voting, the candidate of black  
20 voters of choice usually is defeated. Both elements must  
21 be present, and the second element is not present here.

22 Indeed, the opposite is true. As our  
23 witnesses will establish, the candidates of choice of  
24 black voters do not usually lose in the places where the  
25 challenged districts have been created; they win.

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1           The second issue for decision by the Court  
2       is whether race was the predominant factor in the  
3       construction of Congressional Districts 4 and 12, Senate  
4       Districts 31 and 32, and House Districts 51 and 54.

5           Congressman Watt will testify about this  
6       issue with regard to Congressional District 4, and former  
7       Senator Linda Garrou will testify about that issue with  
8       respect to Senate District 32. Plaintiffs will rely on  
9       exhibits in the record with regard to House Districts 51  
10      and 54.

11           After the Defendants' evidence is  
12      completed, the Plaintiffs will call Dr. Allan Lichtman as  
13      a rebuttal witness to respond to the Defendants' evidence  
14      and to confirm mathematically the observations of our lay  
15      witnesses; that the Defendants did not have a strong  
16      basis in evidence for concluding that the third prong of  
17      the *Gingles* requirements is present in this case.  
18      Therefore, the districts that we challenge are defective  
19      and unconstitutional.

20           That's my opening statement, Your Honor.  
21      And with that, we would like to call our first witness.

22           JUDGE RIDGEWAY: All right. I'll provide  
23      an opportunity for opening, or you can reserve it.

24           MR. PETERS: I -- I would like to just  
25      make one very brief statement and also note something for

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1 the record with the Court.

2 And the very brief statement is this: We  
3 think it's important that the Court remembers as it goes  
4 forward, as we're sure it will, who has the burden of  
5 proof in this case and what that burden is. The  
6 Plaintiffs have the burden of proof. They have the  
7 burden of proof on the first issue of proving that the  
8 Legislature did not have a strong basis in the evidence  
9 for believing that the challenged districts were  
10 necessary where they were drawn and that the challenged  
11 districts themselves are not a reasonable response to  
12 that strong evidence. It is not the burden of the  
13 Defendants to prove that there was a basis in the  
14 evidence, but for the Plaintiffs to prove that there was  
15 not such a basis in the evidence.

16 And I just want to mention something with  
17 regard to what Mr. Speas just told you. He told you  
18 you're going to hear from, I believe in his words, a  
19 number of lay witnesses about their observations. The  
20 one witness you're not going to hear from, at least  
21 through the Plaintiffs, apparently, is the expert that  
22 AFRAM and the Southern Coalition for Social Justice,  
23 whose report they put before the Legislature when it was  
24 actually considering the plans. But we have noted that  
25 report in our designations because it is their expert was

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1 one of the ones who established and provided the  
2 Legislature with that basis for believing that the  
3 districts where they are drawn, racially polarized voting  
4 still exists and these districts would be a reasonable  
5 response to that.

6 With regard to the second issue, it is the  
7 Plaintiffs' burden of proving that race was the  
8 predominant motive and that the shapes and locations of  
9 these districts are inexplicable for any reason other  
10 than race.

11 So we would just ask the Court to bear  
12 that in mind as you hear the testimony of these lay  
13 witnesses, that they have that burden before these  
14 statutes can be declared unconstitutional.

15 And -- and then just as a matter of  
16 housekeeping, Your Honor, I know you noted on the record  
17 a little earlier about our motion to exclude, and we  
18 understand that ruling completely. We don't want to get  
19 caught in a question later on about whether we have  
20 waived any objection by allowing the witnesses to testify  
21 without repeating that objection, so we would ask the  
22 Court if we could have a standing objection throughout  
23 the trial on the basis set forth in our motion so that  
24 we're not constantly interrupting the flow of the trial  
25 with the witnesses.

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1 JUDGE RIDGEWAY: That's certainly fine  
2 that you have that standing objection. And that -- that  
3 actually brings to mind another issue. Both parties  
4 have -- have provided the Court yesterday a list of  
5 objections that they would make to items of evidence that  
6 the opposing party has designated. And we can handle  
7 that in one of two ways: You can either restate the --  
8 many of those objections for both sides are on the  
9 grounds of relevancy. And -- and I believe what you'll  
10 find is, is that on relevancy issues, you will hear our  
11 view that we're going to allow the evidence to be  
12 presented based on the presumption we spoke about  
13 earlier.

14 We can either have you make those  
15 objections each time that that evidence is tendered, or  
16 we can -- if you agree among yourselves that the written  
17 submissions that you have will suffice to preserve the  
18 record, we're satisfied with that as well.

19 I would urge you if there is an objection  
20 that falls out of that general category of relevancy that  
21 both of you have articulated very well to, that perhaps  
22 those would be the types of objections you may want to  
23 state for the record to give us the opportunity to  
24 perhaps consider them briefly. But I'll leave that up to  
25 you whether you wish to...

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1 MR. PETERS: I think the Defendants are  
2 certainly fine resting with the objections as we filed  
3 them yesterday and letting that -- state that for the  
4 record.

5 MR. SPEAS: And for the Dickson  
6 Plaintiffs, yes, that's satisfactory.

7 JUDGE RIDGEWAY: Ms. Earls.

8 MS. EARLS: Yes, your Honor, we do -- we  
9 may want to provide additional briefing post trial on our  
10 positions with regard to relevancy, but we would rest on  
11 that.

12 JUDGE RIDGEWAY: Mr. Farr.

13 MR. FARR: That's perfectly acceptable to  
14 the Legislative Defendants, Your Honor.

15 JUDGE RIDGEWAY: All right. Very good.  
16 Then that's -- that's what we'll do. We'll simply accept  
17 those designations of objections into the record, deem  
18 them noted with respect to all evidence that's being  
19 admitted that's described in those written documents and  
20 certainly will -- if you wish to make further arguments  
21 in writing, we'll consider them as well.

22 MR. PETERS: And then, Your Honors, if I  
23 may, I have got one other matter that I just want to make  
24 sure we preserve for the record.

25 We did indicate to the Court when the

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1 question of the issues first came up and the possibility  
2 of a trial first came up, the position of the Defendants  
3 that if the Court were to make findings of fact on narrow  
4 tailoring, there were other issues beside these two very  
5 specific issues on which we believe we're entitled to  
6 present evidence.

7 And so respectfully and just, again, so  
8 the record is clear, in the long run, we would like to  
9 lodge an objection to evidence being taken as to some  
10 issues without all of the issues that we think would be  
11 relevant to a narrow tailoring analysis.

12 JUDGE RIDGEWAY: All right. Thank you.  
13 That objection is noted.

14 All right. Very good. Mr. Speas,  
15 evidence for the Plaintiffs.

16 MR. SPEAS: Yes. I thank you, Your Honor.  
17 We would call Senator Dan Blue to the stand.

18 And as Senator Blue is coming up, let me  
19 just observe that in front of you there is a white  
20 notebook that has our trial exhibits in it. Various of  
21 the witnesses will refer to that during the course of  
22 their testimony.

23 In addition, Your Honors, we have maps  
24 from the prior proceedings that we will show on the  
25 screen to illustrate the testimony of the various

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1 witnesses at various times.

2 Senator Blue.

3 WHEREUPON, **SENATOR DAN T. BLUE, JR.**, was called as a  
4 witness, having been first duly sworn, and testified as  
5 follows:

6 **DIRECT EXAMINATION**

7 BY MR. SPEAS:

8 Q. Senator Blue, thank you for coming. Would you  
9 state your name for the record, please.

10 A. I'm Dan Blue -- Daniel T. Blue, Jr. -- and I  
11 live in Wake County.

12 Q. Would you take just a few minutes and describe  
13 for the judges your background in North Carolina.

14 A. Good morning, Your Honors.

15 I was born in Robeson County, Lumberton,  
16 grew up there, went to the public schools there, went to  
17 a college here in the Triangle; NC Central, Duke Law  
18 School. And I've practiced law here in Raleigh for the  
19 last 40 years; in fact, just went to my 40th law school  
20 reunion. And I -- I started with one of the bigger  
21 firms: Sanford, Cannon, Adams and McCullough. Stayed  
22 there for a while and then went to -- created our own  
23 firm, and I've been there ever since. And so I still  
24 practice with a small firm in Downtown Raleigh.

25 Q. Thank you, Senator. And I -- I believe that

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1 over the years, you've held elected office on a few  
2 occasions.

3 A. I have. I have. I was elected to the North  
4 Carolina House of Representatives in 1980, and I served  
5 in the House continuously from 1980 until December 31,  
6 2002. I -- during that time, I served two -- two  
7 complete terms as the Speaker of the House and served on  
8 every Redistricting Committee in '81 through -- through  
9 the '80s and sorted the tumultuous decisions during that  
10 time. I was appointed to the Redistricting Committees in  
11 the '90s and served on the Redistricting Committee in  
12 2001, 2002.

13 I left the Legislature again on December  
14 31, 2002 and came back to the House in October 2006. The  
15 gentleman who replaced me in the House died, and I was  
16 chosen by the committee to take that seat back. So I,  
17 again, was elected in 2006-2008 to the House. And in  
18 2009, I went over to the Senate and have since been  
19 reelected two times to the Senate.

20 Q. So by my count, Senator, you've been elected to  
21 office by Wake County voters 13 times; 11 to the House  
22 and two to the Senate.

23 A. It's more than 13 because --

24 Q. Okay.

25 A. -- I'm finishing up -- it will be 30 years at

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1 the end of this session, so I've been elected 15 times.

2 Q. Senator, by -- by virtue of all of those years'  
3 experience, have -- have you gained some understanding of  
4 voting patterns and election results in Wake County and  
5 North Carolina generally?

6 A. I have, Mr. Speas. I -- I'm sort of different  
7 in a way in that I'm probably -- well, I'm not the only,  
8 there may be one other -- but I was elected countywide in  
9 Wake County several terms when I was in the House before  
10 we went to single-member districts. And so I got a feel  
11 for the whole county when I was campaigning for myself  
12 countywide as well as a feel for the county campaigning  
13 on behalf of other people.

14 But just as well, I've also been very  
15 active across the state in political campaigns. In fact,  
16 that was one of the reasons I left the North Carolina  
17 House in 2002. I had a brief moment of something. My  
18 wife was out of town, and I decided to run for the United  
19 States Senate. And so I ran for the United States Senate  
20 in the -- in the 2002 primary and traveled extensively  
21 across the state and, again, developed firsthand  
22 knowledge of political coalitions, activities and stuff  
23 across the state. But during that entire time, I was  
24 still very active throughout Wake County in many  
25 capacities.

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1                   Elected to the Senate, it -- when I --  
2           when I was elected to the Senate, the Senate district  
3           encompassed most of my old House district. But as you  
4           would imagine, since the Senate is much smaller than the  
5           House is -- about two-and-a-half times the size of the  
6           House district -- so the demography of it is quite  
7           different than the House district, and -- but pretty much  
8           as -- as it was when I was running countywide in the  
9           '80s.

10           Q.     Senator, could you share with the Court some of  
11           your memory of occasions when the voters in Wake County  
12           have elected African Americans to various offices --

13           A.     Well --

14           Q.     -- at the local level, various ones?

15           A.     Well, since the 1970s -- in fact, I started  
16           practicing law here in 1973. And since the 1970s, Wake  
17           County has elected African Americans countywide. There's  
18           continuously been at least one, on several occasions two,  
19           African Americans on the county commission. That is a  
20           seven-member board, and all of them run countywide.

21                   And so continuously for the last 40-plus  
22           years -- I think Elizabeth Cofield was the first one  
23           elected -- there would have been black -- blacks elected  
24           to countywide boards. The same thing applies to the  
25           school board -- although now it's districts -- and pretty

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1 much every other countywide group.

2 But -- but as importantly, judges,  
3 District Court, are elected countywide. And I think  
4 there are three elected now. And continuously there's  
5 been one, two, three and sometimes more African Americans  
6 on the District Court bench.

7 Countywide and statewide elections  
8 consistently African Americans have won beginning in the  
9 1970s. And a couple of the marquee cases, I guess, was  
10 Henry Frye was elected in Wake County, won a majority of  
11 the votes in Wake County when he was running for the  
12 Supreme Court in the 1980s; Charles Becton. The list  
13 goes on and on. Richard Irving, Cliff Johnson, various  
14 others who have run statewide all have won in Wake County  
15 against pretty strong opposition.

16 More recently in 1990, Harvey Gantt won  
17 Wake County in a very high profile U.S. Senate race. He  
18 beat Jesse Helms in Wake County in 1990 countywide. He  
19 beat Jesse Helms in 1996 countywide. And, again, the  
20 list goes on and on and on continuously on countywide  
21 elections.

22 I would say -- and -- and -- and, again,  
23 the Board of Elections would have official stuff --  
24 but -- but probably greater than 90 percent of African  
25 Americans who have run -- serious candidates who have run

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1 countywide in Wake County have won. That includes  
2 judicial races. Again, President Obama won in Wake  
3 County in 2008. He won in Wake County in 2012 by  
4 comfortable margins.

5 And, again, I go back; Jim Wynn, who was  
6 running for the Supreme Court, Court of Appeals  
7 consistently won in Wake County. I -- I think the one  
8 exception may have been, I think G.K. Butterfield may  
9 have lost a Supreme Court race in Wake County; but he's  
10 the only noticeable one.

11 But black candidates in Wake County have  
12 had exceptional success. And I'm not surprised because,  
13 again, having moved around through the county as an  
14 elected official, as somebody campaigning, talking to,  
15 you know, countless hundreds and thousands of people in  
16 the county and their attitudes, it's not surprising that  
17 black candidates do quite well in Wake County countywide.

18 Q. And they have the support of white voters?

19 A. Sometimes great support of white voters than  
20 white candidates do in -- in primaries as well as general  
21 elections. There have been instances where I would  
22 imagine black candidates have gotten -- in fact, I know  
23 for a fact that black candidates have gotten majorities  
24 of black votes -- of white votes in several instances.  
25 Not just coupling the white vote with the black vote, but

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1 the majority of the white vote itself.

2 Q. And let's talk for just a minute for -- about  
3 your elections to the House.

4 A. Okay.

5 Q. You had white support when you ran and won  
6 those offices.

7 A. Sure. Sure. I -- an interesting thing -- it  
8 may have been 1982 -- but somebody who became a  
9 Congressman, Bill Cobey, made the observation -- Cobey  
10 was a Republican Congressman. I think he was elected in  
11 '82. It was right in the middle of the Reagan  
12 Administration. And -- and we joked because we were  
13 running basically neck and neck in Cary precincts. At  
14 that time, Cary was really a Raleigh -- Raleigh suburb.  
15 It's much, much more than that now. It's an independent  
16 city. But a Raleigh suburb. So we were looking at the  
17 voting patterns in Cary. And either he was leading in  
18 the precincts or I was leading in the precincts. This  
19 was 30 years ago.

20 And so, again, I followed those patterns  
21 over -- over the years. And if you look, again, go in  
22 and diagnose -- at least try to analyze the Obama vote  
23 and some of the other votes that I talked about  
24 countywide -- and by the way, Leonard Goldman also won  
25 in -- in Wake County countywide. And if you go look at

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1 some of the precincts where the black registration or  
2 African American registration was less than 20, 10  
3 percent, you would find black candidates winning in those  
4 precincts, which is a pretty good sign that they're  
5 getting a majority of the white vote, you know, in those  
6 precincts.

7 Q. Do you recall the election of Ty Harrell to the  
8 North Carolina House?

9 A. Yeah. And that raises two other interesting  
10 things. I thought -- and this is -- this is -- I think  
11 Wake County, while not unique, those of us from Wake  
12 County are proud because of the efforts that we make to  
13 ensure that it's inclusive in many regards.

14 After the 2001-2002 redistricting, I guess  
15 ultimately 2003 when it was finally settled in, the --  
16 you know, the business as usual. There are nine House  
17 seats in Wake County. There was only one district that  
18 was drawn as a majority-minority district; because if you  
19 tried to draw more than one, you're going to have to  
20 violate some of the traditional redistricting principles,  
21 split the communities of interest, just split out  
22 precincts creating confusion and stuff like that. So  
23 there was one -- one majority-minority district. The --  
24 it -- it later became District 33. It was the old  
25 district that I represented, but in a different form.

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1                   But in the -- in the 2000 cycle after that  
2     redistricting round, Linda Coleman was elected in an  
3     Eastern Wake County district. Now, if you know Wake  
4     County, most folk who look at it and analyze it consider  
5     Eastern Wake County one of the more conservative parts of  
6     the county. I don't necessarily feel that way because  
7     I've represented it my entire stint in the Senate and  
8     again a portion of my time in the House.

9                   But Linda Coleman won a district in  
10    Eastern Wake County that contains, I think, Zebulon,  
11    Wendell, Knightdale and other areas around up -- up US-1  
12    north in the Triangle Town Center area; won it handily.  
13    Beat a -- a -- a -- a person in a highly challenged  
14    primary, a fellow who later on got elected in his own  
15    right to the Legislature, and then beat the Republican  
16    incumbent in that district in East Wake County. She got  
17    reelected in that district. And in about the same  
18    time -- and -- and that district was less than probably  
19    somewhere in the neighborhood of 30 percent African  
20    American population. I don't know whether that was  
21    voting-age population, but about 30 percent African  
22    American population.

23                  But at about the same time, Ty Harrell,  
24    who you asked me about, was elected in the Northwestern  
25    Wake County district up near Morrisville, North Raleigh,

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1 up through that area. And that district -- he was  
2 elected and reelected. And that district has less  
3 than -- probably less than 10, 15 percent voting-age  
4 black population. Ty Harrell, the African American  
5 candidate, beat an incumbent when he was first elected;  
6 and, again, beat well-funded challengers when he was  
7 reelected, I think, in 2006 or 2008.

8 Q. Senator, let me turn to your Senate elections.

9 A. Okay.

10 Q. And this will challenge my technological  
11 skills, but I would like to see if we can put up on the  
12 screen your Senate Districts.

13 Senator, on the screen is a map showing  
14 the Senate Districts in the current plan, and on the  
15 screen now is the map I wanted to show you. Senator, on  
16 the screen is a map of Senate District 14 as you ran in  
17 that district in 2009, I guess, and the new Senate  
18 District 14.

19 A. Um-hum.

20 Q. And that particular chart on the screen shows  
21 that your old district was 44 percent African American  
22 and split 11 V -- Voting Tabulation Districts. The new  
23 district is 51.28 percent and splits 29 districts. Can  
24 you compare that old district to the new district in  
25 terms of your experiences and -- and --

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1           A.     Sure. The interesting thing is that in the  
2     2000 -- 2003 redistricting, the Court-ordered  
3     redistricting, Wake County had -- was -- had four  
4     self-contained senators. And as you'll notice, this  
5     is -- makes sense from a geometry standpoint. The county  
6     was basically split four equal ways. You know, there's  
7     contiguity. There is compactness. There are all of  
8     those features that you look for in this old Senate  
9     District 14. In that district, there were -- if you  
10    look, there were split Voting Tabulation Districts. It  
11    was primarily based on population of following historical  
12    markers and things like that.

13                 But, again, you can see the compactness of  
14    it as well as the clean borders. It took in Zebulon,  
15    which is the northeastern part of the county, all the way  
16    down to Garner. It didn't X anybody out and try to take  
17    them out of the district.

18                 When you look at the new District 14 -- we  
19    called it the "crab" when we first saw it a couple of  
20    years ago when it was introduced in Rucho I and II -- but  
21    as you see all of these contortions in it --

22                 MR. PETERS: Objection.

23           A.     As you see all of the appendages in it,  
24    Mr. Speas, these are appendages that reach out to capture  
25    for the most part heavily African American aggregates.

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1 And in -- or at least populations. It's a -- sort of as  
2 the population expands and people moved out of segregated  
3 neighborhoods, this appeared, at least through my  
4 experience, to be an effort to go back and recapture them  
5 so that they're still part of that segregated  
6 neighborhood.

7 But there's a solid core of African  
8 Americans who live in Southeast Raleigh, and that's  
9 basically toward the bottom, bottom right side of the  
10 district, 14-0, District 14, the benchmark. And they're  
11 contained as well sort of at the bottom of 14 in the new  
12 one. But as you see, there's appendages that go below  
13 rather than a smooth line and they jut out into different  
14 places.

15 I -- I will tell you the northern part of  
16 it, the left side of the crab, the left claw, is an  
17 effort to capture minority voters who moved way up in  
18 North Raleigh, up by Triangle Town Center and in that  
19 area, up US-1, 401 north. And it comes through newer  
20 neighborhoods that have a significant African American  
21 population, but not overwhelmingly. The black population  
22 is not like the solid core inside the city.

23 And the same thing with the right side of  
24 the claw. That's just taking the -- the black  
25 populations out of -- out of the cities like Knightdale

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1 and isolate the rest of Knightdale up into the district  
2 that remains.

3 Q. Senator, the black voting-age population was  
4 increased by approximately 6 or 7 percent from the 2003  
5 version to the 2011 version.

6 MR. PETERS: Objection.

7 BY MR. SPEAS:

8 Q. Based on --

9 JUDGE RIDGEWAY: What's the basis of your  
10 objection?

11 MR. PETERS: I don't believe that's what  
12 the map will show.

13 JUDGE RIDGEWAY: All right. Overruled.

14 BY MR. SPEAS:

15 Q. Okay. Senator, based on your many years'  
16 experience in Wake County, in your view, was there any  
17 reasonable basis to increase the African American  
18 population in that district in that map?

19 A. No reasonable basis. But the basis clearly was  
20 to pack all of the African American votes and people in  
21 the same district. There -- there can be no other  
22 reason, because since this district was created at the  
23 turn of the century, and I guess for this final parameter  
24 the Court put on it in 2002-2003, it had performed as it  
25 was designed to perform; that is, it had elected

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1 minorities and it elected the minority of choice.

2           Vernon Malone consistently won in that  
3 district, consistently won more than 60 percent of the  
4 vote in that district as it was configured in 2003. And  
5 the black population in the district percentage-wise, I  
6 think, was decreasing because of all the new development  
7 in Knightdale and in the eastern part and the northern  
8 part of the county. This district went up to Wake  
9 Forest, by the way, and so that's where the population  
10 was increasing.

11           So the black population in --  
12 percentage-wise, I think, was decreasing and he was still  
13 getting bigger and bigger margins. I believe that his  
14 last margin was 65, 66 percent of the vote in a  
15 contested -- highly contested race. I won in that  
16 district, I think, 67, 68 percent or more of the vote.  
17 Barack Obama won in that district in 2008 with 67, 68  
18 percent of the vote. And the African American candidates  
19 running countywide, statewide or even in the districts  
20 consistently won in that district with margins far  
21 greater than 55 and 60 percent. And so there was no need  
22 to do it to ensure in the election an African American.

23           Q. Senator, let me change gears slightly. You're  
24 a lawyer and I would like to call on your memory as a  
25 lawyer and ask you if you recall the last time a lawsuit

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1 was challenge -- filed claiming that the General Assembly  
2 violated Section 2 of the Voting Rights Act in drawing  
3 legislative districts.

4 A. I do. I -- I was sort of the subject of a  
5 lawsuit back in -- after the '91 redistricting, and the  
6 case came to be known as *Pope versus Blue*. It ultimately  
7 went to the Supreme Court, U.S. Supreme Court. But --  
8 but that was the contention. The effort was made in the  
9 early '90s --

10 Q. Now, let me interrupt, Senator. I'm talking  
11 about Section 2 lawsuits, not the -- not the *Shaw*  
12 litigation.

13 A. Oh, okay. Are you talking about the *Gingles* --

14 Q. *Gingles*.

15 A. *Gingles*. You're taking me further back.

16 Q. Sorry.

17 A. I -- I remember the *Gingles* litigation. I was  
18 on the Redistricting Committee as I met several times  
19 with representatives of the Justice Department and talked  
20 to our various lawyers about *Gingles*. So, yeah, I  
21 remember that.

22 Q. Okay. And to your knowledge, to your memory,  
23 has any lawsuit been filed since *Gingles* claiming that  
24 legislative districts violated Section 2 of the Voting  
25 Rights Act?

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1           A.    No.   No.   And -- and that makes sense.   The  
2   voting Rights Act was enacted -- I believe the history of  
3   it is basically to cure ills that we were experience --  
4   experiencing in this country, especially in the South.  
5   And, you know, the thought is that at some point over  
6   time, you work to make sure that this is one nation; and  
7   you don't need to set aside special places where black  
8   folk are considered differently than white people.  
9   Because if you are permanently inshrined in some system  
10   where everybody gets entitled to this or entitled to,  
11   you're never going to have one unified society.

12                   And so the -- the purpose of -- of the  
13   districts in *Gingles* -- and, again, to have control of  
14   the Congressional districts and the House districts --  
15   was to basically make sure that the *Gingles* factors were  
16   complied with.   That's what we did in '92 -- in '91,  
17   rather -- and that's what we did in 2001, basically  
18   create districts where minorities could elect a candidate  
19   of their choice if they had -- if you -- if you had -- if  
20   you could do it with a compact enough vote and they were  
21   contiguous and not intentionally track them or pack them  
22   or stack them and those kinds of things.

23                   MR. PETERS:   Objection.

24           A.    So, no, we have not had --

25                   JUDGE RIDGEWAY:   Overruled --

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1           A.    -- as I can recall, any -- any challenges to  
2   any districting based on the *Gingles* since *Gingles*  
3   itself.

4           Q.    Okay.  You were a member of the General  
5   Assembly back in the '80s.  I think you were elected  
6   first in '82.

7           A.    '80, I was elected.  I was elected in 1980; and  
8   then we instantly became members when we were certified,  
9   so I became a member in 1980.

10          Q.    And -- and the *Gingles* case, I think, was tried  
11   in '84.

12          A.    Yeah.

13          Q.    Could -- could you -- in your experience, have  
14   voting patterns changed in Wake County since the *Gingles*  
15   case was tried in '84?

16          A.    Voting patterns were changing in Wake County  
17   when *Gingles* was tried.  Again, in Wake County, Wake  
18   County elected the first black senator since the turn of  
19   the last century.  I think in the 1880s, 1890s, Wake  
20   County and Mecklenburg County were the two counties that  
21   elected the first black senators in modern times and  
22   reelected those black senators.  And, again, at the same  
23   time -- this was back in the '70s -- was reelecting  
24   county commissioners countywide, reelecting judges  
25   countywide.

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1                   And so it was an evolving kind of thing,  
2     which you would expect -- remember the whole Civil Rights  
3     Movement occurred in the '60s. And so by the '70s, there  
4     was a natural change in progression in Wake County and  
5     it -- it -- it continued then as *Gingles* was being  
6     decided, and it continues today. The housing patterns in  
7     Wake County, again, were such that you could not draw  
8     independent black districts in many places like you could  
9     in other parts of North Carolina.

10                  And -- and -- and -- and so -- so as a  
11     result, you had probably an extensive system of coalition  
12     building across racial lines; in some instances, across  
13     party lines. And so you would expect there to be fewer  
14     *Gingles* challenges or none that would be successful  
15     because you simply could not share the inability of the  
16     minorities to get elected, of whites to elect the  
17     minorities or minorities to elect whites.

18           Q.     Senator, did you -- you participated in the  
19     debates leading to the enactment of the districts that  
20     are challenged here?

21           A.     I did.

22           Q.     And the Senate, I think, debated the House plan  
23     and the Senate plan and the Congressional plan.

24           A.     We did.

25           Q.     And did you express views on the floor of the

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1 Senate about those districting plans similar to the ones  
2 you've expressed here?

3 A. I certainly did. And, again, when you've  
4 worked on something 30, 40 years, you get a certain sense  
5 of it. But not only the views that I expressed  
6 explaining, but the black members of the Senate and all  
7 of the African American members in the Senate voted  
8 against the plan that was enacted and pretty much for the  
9 same reasons; and that feeling was that you were going to  
10 thwart the progress that was being made with people  
11 voting across racial lines and the forming of coalitions  
12 and what have you to elect their candidates of choice.

13 And so I expressed to my colleagues in the  
14 Senate that the Voting Rights Act was, again, enacted for  
15 a purpose. And if you were going to freeze it in time --  
16 if you were going to freeze the Voting Rights Act in  
17 time, then you were never going to move us toward the  
18 society that we were capable of becoming and that we in  
19 many places were becoming.

20 Again, and so I as well expressed the fact  
21 that -- that in these districts, every one of them in the  
22 Senate -- there were nine minority districts in the  
23 Senate that were designed to elect minority members.  
24 There may have been one that had more than 50 percent  
25 voting-age population as a result of the 2003 plan.

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1                   But I think all but one of them had less  
2                   than 50 percent, and they range from the 30s up  
3                   through -- like mine was sort of in the middle of the  
4                   pack, District 14 that I represented, or it may have been  
5                   on -- on -- on the upper end. But all of them had  
6                   consistently, even in contested elections, elected  
7                   African Americans for an entire decade.

8                   And so if you were going to go back and  
9                   base all of the decisions on pre-'90 statistics and  
10                  criteria or feelings, then it was basically setting us  
11                  back. And that was what I tried to express and that's  
12                  what my other colleagues -- African American colleagues  
13                  in the Senate tried to express.

14                Q.    Senator, do you recall during those debates  
15                   engaging in any dialogue with Senator Rucho about whether  
16                   or not the Voting Rights Act required these districts?

17                A.    I did. I asked him specifically whether he  
18                   could tell me what districts Section 2 of the Voting  
19                   Rights Act required that they be made a minority district  
20                   or that you increased the population of -- you -- why --  
21                   why are you increasing a district that's 41 percent  
22                   electing an African American of choice of the community  
23                   with a 60 percent plus vote? Why -- why do you increase  
24                   the black population in something like that? That's what  
25                   I was thinking. But I asked Senator Rucho specifically

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1 to tell me how Section 2 required these kinds of  
2 districts to be drawn, and he never answered me  
3 satisfactorily.

4 Q. Senator, if you would, there's a white notebook  
5 there in front of you. Would you turn to -- it's a  
6 little bit confusing -- at Part D, Section 1.

7 MR. SPEAS: Which, Your Honors, is toward  
8 the back.

9 A. Okay.

10 Q. And is that the July 25, 2011 transcript of the  
11 Senate debates?

12 A. Yes. Transcript of the Proceedings.

13 Q. Yeah. And would you turn, Senator, to page --  
14 pages 149 through 153 -- 153 of that debate.

15 A. Okay. I got it.

16 Q. And are those the pages on -- of the transcript  
17 on which you engaged in this dialogue with Senator Rucho  
18 that you just described?

19 A. It is. Beginning on line 16 on page 149, the  
20 Lieutenant Governor recognized me to pose a question to  
21 Senator Rucho.

22 Q. Okay. And what was Senator Rucho's role in the  
23 redistricting?

24 A. Well, he was the chair of the Redistricting  
25 Committee in the Senate and basically was the shepherd

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1 (sic) of the bill. He controlled the debate on it. He  
2 controlled it in the committee. He controlled it on the  
3 House floor. He's the one who explained it and  
4 justified -- I said "House floor" -- the Senate floor in  
5 the typical committee chair role. And -- and as well as  
6 Senator Rucho was the one who early on said he was  
7 joining the districts -- I think he and Representative  
8 Lewis -- but he was joining the Senate districts.

9 MR. SPEAS: Senator, thank you very much.

10 JUDGE RIDGEWAY: Okay. Cross-examination?

11 MR. PETERS: Thank you, Your Honor.

12 **CROSS-EXAMINATION**

13 BY MR. PETERS:

14 Q. Senator Blue, again, I'm Alec Peters --

15 A. Sure.

16 Q. -- of the Attorney General's Office, and I  
17 have, I think, just a few questions that I would like to  
18 ask you.

19 First of all, I would like to go back to  
20 the version of Senate District 14 from 2003, the one that  
21 was enacted in 2003. I think I heard you refer to that  
22 earlier as the "benchmark plan." Did I hear that  
23 correctly?

24 A. I did that because that's what's written on it,  
25 on the map.

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1 Q. Okay. I just was -- wanted to clarify what you  
2 meant when you called it that.

3 A. Yeah. And -- and -- and -- and the right side  
4 there on top of it, it says "Senate District 14  
5 Benchmark." That's the only reason I used that.

6 Q. Thank you.

7 And I apologize for my mathematical error  
8 earlier. This is what happens when I try to look at too  
9 many columns at one time. But I would ask you: Do you  
10 recall what the white voting-age population of Senate  
11 District 2000 -- Senate District 14 from 2003 was?

12 A. I don't, right off.

13 Q. Do you recall if the district was majority  
14 white?

15 A. The district was -- you know, I -- I -- I'll be  
16 honest with you, Mr. Peters, I -- I -- I really don't  
17 know. I think it may have been 51, 52 percent white.  
18 Not an absolute population. The voting-age population is  
19 what's throwing me a little bit.

20 Q. Right.

21 A. Understand that there is a Hispanic presence in  
22 the district as well and so there's another minority  
23 population in the district. So the -- the total black  
24 and Hispanic population I'm sure exceeds 50 percent.

25 Q. Okay. Thank you.

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1                   Now, you testified earlier regarding  
2       various elections where black candidates had been elected  
3       in white counties since the '70s; and I believe you  
4       mentioned county commissioners, school board, District  
5       Court Judges. All of those are countywide elections, are  
6       they not?

7           A.     The ones that I was talking about --

8           Q.     Right.

9           A.     -- because those, I thought, were instructive  
10      on what the county does as a whole.

11          Q.     Right. But legislative races are not  
12      countywide, are they?

13          A.     Not anymore.

14          Q.     Right.

15          A.     Not in Wake County.

16          Q.     Correct.

17                   And, again, looking at the map of the  
18      previous version of District 14 and the current  
19      version -- and I believe you alluded to this -- isn't it  
20      correct that in the 2003 plan, district -- Wake County  
21      was a self-contained county. There were -- it did not  
22      share any districts with any other counties, did it?

23          A.     That's correct.

24          Q.     And am I correct that there were four districts  
25      in Wake County?

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1 A. That's correct.

2 Q. And isn't it correct that under the current  
3 plan, Wake County is combined with Franklin County?

4 A. It is.

5 Q. All right.

6 A. We came up about 5,000 people short of having  
7 five self-contained districts in Wake County.

8 Q. All right. So -- so Wake County was really  
9 close to being self-contained; but because of those few  
10 people short, it couldn't be. Correct?

11 A. That's correct.

12 Q. It had to be combined with Franklin County.  
13 And am I correct there are five Senate Districts between  
14 Franklin --

15 A. Five between Franklin and Wake. It didn't have  
16 to be combined with Franklin. Franklin was one of the  
17 possible configurations.

18 Q. It had to be combined with another county --

19 A. We had to get population from somewhere else,  
20 yes.

21 Q. -- is that correct?

22 And having worked in redistricting  
23 yourself, you would agree, wouldn't you, that when you  
24 bring another county into the equation, that's going to  
25 affect how all the districts are drawn within the county?

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1           A.    Well, you could draw four districts in Wake  
2   County that would meet certain criteria.  If you would  
3   look at the *Stephenson* criteria and just go down  
4   compactness, contiguity and all of that, you could draw  
5   four districts.  And wherever Franklin County joined in  
6   with a piece of Wake County, then you could have a  
7   well-contained, compact, contiguous piece from Wake  
8   County joining up with Franklin County.

9           Q.    Have you -- have you drawn districts --

10          A.    Oh, yeah.  I've done all kinds of different  
11   configurations like that.  If you -- if you joined it as  
12   Wake Forest and took the entire northeastern part of the  
13   county, you could do it.  If you joined it more closer to  
14   the, I guess, Franklin County, you could join it  
15   somewhere near Zebulon or up near Wake Forest, different  
16   places.  It depends on where you join it and then what  
17   the rest of it looked like, sure.

18          Q.    Did you provide any of those possibilities you  
19   came up with to the Redistricting Committee during  
20   your deliberations?

21          A.    What we did is jointly provided -- I -- I  
22   looked at the -- I don't know what it was labeled or what  
23   it's named now, but the -- the maps that were offered by  
24   Senator Nesbitt, and they sort of embodied my thoughts  
25   about how you could draw districts in a reasonable way.

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1 I looked at the ones that were drawn by  
2 Senator McKissick, and they captured somewhat different  
3 versions of how you could do it and still have greater  
4 contiguity, compactness; not concentrate so many minority  
5 voters and population into District 14.

6 Q. Let -- let me go back a little bit and -- go  
7 back a little bit in time. Did I understand you  
8 correctly to say -- I know you said you left the Senate  
9 at the end of 2002 to run for -- I mean, you left the  
10 House --

11 A. Yeah.

12 Q. -- in 2002 to run for the United States Senate.

13 A. Yes.

14 Q. And did I understand you correctly to say that  
15 when you came back to the House in 2006, you were  
16 appointed?

17 A. I was appointed -- the -- the statute does  
18 this -- and you guys are the experts -- but the statute  
19 says if a person dies within a certain period from the  
20 election --

21 Q. Right.

22 A. -- his replacement runs, but he runs under the  
23 name of the person who died. So that's how I ran in  
24 2006. I was running. But Bernard Allen died in, I want  
25 to say September, and so it was within that window.

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1                   And so when I went down and talked to the  
2     folk at the Board of the Elections after I was appointed,  
3     Sherri told me that I would actually be the candidate,  
4     but I would be running under Bernard's name. So  
5     that's -- that's how I got elected in 2006.

6           Q.     Okay. Now, I think you said all and all,  
7     you've run 15 times?

8           A.     It's my 15th -- 15 times.

9           Q.     All right. And --

10          A.     It may be 16.

11          Q.     Is that counting the U.S. Senate primary?

12          A.     If I counted the Senate primary, that would be  
13     one extra.

14          Q.     Okay. That would be one extra.

15          A.     Yes.

16          Q.     So not counting the U.S. Senate primary, have  
17     you ever lost an election?

18          A.     I won the Senate primary in Wake County?

19          Q.     But the -- but not --

20          A.     That's the only one I lost.

21          Q.     Okay.

22          A.     Yeah. And I lost it to a pretty good guy.

23          Q.     Right. So -- so pretty much with the exception  
24     of about four years in there, you've held office in Wake  
25     County since 1980; do I have that right?

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1           A.    That's correct, since 1980.

2           Q.    So it would be fair to say that -- and you were  
3 Speaker during --

4           A.    I was Speaker.

5           Q.    -- part of that time.

6           A.    Yes.

7           Q.    So it would be fair to say, wouldn't it, that  
8 you do have name recognition in Wake County.

9           A.    I think I do now.

10          Q.    Okay.

11          A.    But -- but, you know, you would be surprised;  
12 out of sight out of mind. But this county has changed  
13 so, so, so drastically and radically over the last 40  
14 years. Population-wise, you know, it was 250, 300  
15 thousand people when I was first running. Now it's a  
16 million people. And believe it or not, I had run in the  
17 '80s. When I was running for the United States Senate  
18 reorganizing some of these precincts, I would call and  
19 they'd say "Dan who?" and -- and I would explain it to  
20 them.

21                   But, again, this county has changed. I  
22 think it's progressed quite well and satisfactorily.  
23 But, again, you look at poles -- I -- I do them pretty  
24 often, too; not for myself and stuff -- but we looked at  
25 poles in the -- in the U.S. Senate race, and you would be

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1 surprised at how little number that was even in Wake  
2 County as late as 2002 because of the influx of new  
3 people.

4 Q. But would I -- would it be consistent with your  
5 experience that an incumbent is likely to have more name  
6 recognition than someone who is not an incumbent?

7 A. I think so, yeah. Yeah. That's a fair  
8 statement. And I think that that's -- you know, that was  
9 one of the things that surprised us about Ty Harrell,  
10 especially because Linda Coleman had been a chair of the  
11 county commissioners and she ran, again, in a district  
12 that was overwhelmingly white. But Ty Harrell had never  
13 run for anything that I'm aware of; and he ran in a  
14 virgin district that had not had any black candidates, as  
15 far as I'm aware of, and won comfortably as well as got  
16 reelected comfortably.

17 MR. PETERS: Your Honor, may I approach?

18 JUDGE RIDGEWAY: Yes.

19 MR. PETERS: We have -- and -- and I meant  
20 to deal with this earlier, too. And if I can approach  
21 the Court as well.

22 JUDGE RIDGEWAY: Yes, sir.

23 MR. PETERS: These are the notebooks of  
24 the Plaintiffs' exhibits -- I mean, of the Defendants'  
25 exhibits, and I had meant to make life easier and hand

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1       them up at the beginning.

2               BY MR. PETERS:

3               Q.     And I'll hand that to you, Senator.   And I'll  
4     ask you if you can turn to Tab No. 13 in that.

5               A.     13?

6               Q.     Yes.

7               A.     Okay.   Yes, sir, I have it.

8               Q.     All right.   An e-mail?

9               A.     An e-mail.

10              Q.     All right.   Do you recognize that e-mail?

11                     MR. SPEAS:   We -- we don't have it.

12                     MR. PETERS:   Do y'all not have it?

13                     MR. SPEAS:   Was this produced earlier?

14                     MR. PETERS:   Yes.   Yes.

15                     MR. SPEAS:   It wasn't given to us.   I'm  
16     sorry.   Can we have a minute, Your Honor, to look at  
17     this?

18                     JUDGE RIDGEWAY:   Yes.

19                     MR. PETERS:   It was designated last week.

20                     THE WITNESS:   I don't recognize it.

21                     MR. SPEAS:   Yep.   Your Honor, we would  
22     object to this on relevance grounds.

23                     JUDGE RIDGEWAY:   All right.   The objection  
24     is noted.   It's overruled.

25                     Was it designated, Mr. Peters?

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1 MR. PETERS: Yes, it was. It was -- it  
2 was designated as, I believe, part of our rebuttal.

3 JUDGE RIDGEWAY: All right. Go ahead and  
4 proceed, please.

5 BY MR. PETERS:

6 Q. Let me ask you, Senator, if you'll look down in  
7 the big block of addresses under the "cc" --

8 A. Um-hum.

9 Q. -- and I believe the fourth line, which begins  
10 "roxannabendezu" -- I'm not sure how that would be  
11 said -- "@gmail."

12 A. Yeah. I see that one.

13 Q. Would you look at the end of that and there's  
14 an address that says "blue1159@aol.com."

15 A. Um-hum.

16 Q. Is that your e-mail address?

17 A. No.

18 Q. Do you know whose e-mail address that is?

19 A. I have no idea. I do know that when I tried to  
20 get "Dan Blue" 20-some years ago, AOL had said it wasn't  
21 available. And so -- so I got no idea who the 11 -- the  
22 1159 is.

23 Q. All right. Did you have any -- you talked  
24 about working with Senator Nesbitt and Senator McKissick  
25 on their plans.

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1           A.     Um-hum.

2           Q.     Did you work at all with the Southern Coalition  
3     for Social Justice or with AFRAM on the plan that they  
4     proposed to the Legislature?

5           A.     No, I -- I didn't. I was aware that they were  
6     working; but, no, I didn't -- I didn't work with them  
7     specifically.

8           Q.     You didn't provide any input into it?

9           A.     I -- I may have said -- in fact, let me change  
10    that. I'm not sure. I may have told somebody who may  
11    have -- and I say "may have" and I know I'm not allowed  
12    to say that -- but I remember expressing my opinion  
13    wherever somebody would listen that you don't need to put  
14    huge black populations in these black districts freezing  
15    time in the 1960s and 1970s; that if we're going to move  
16    forward as a nation, as a state, we got to break up black  
17    concentrations in districts and white concentrations in  
18    districts and let people naturally form the coalitions  
19    and habits that they ought to form.

20                     I expressed that at many public forums.  
21    I -- I was on a panel at one point -- and I think maybe  
22    somebody from the Southern Coalition had been there, but  
23    I don't know exactly who -- and I -- I consistently  
24    expressed those kinds of feelings that -- that having  
25    observed voting in this state, districting in this

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1 state -- in fact, since the early 1970s -- that I thought  
2 that it was time that we start putting some life to the  
3 Voting Rights Act and make sure that you -- you just  
4 don't stuff people into districts because it's  
5 convenient.

6 Q. And I think you just said -- correct me if I'm  
7 wrong -- that what you would tell people is you don't  
8 need huge black populations. What do you mean by "huge  
9 population"? What would constitute a "huge" population?

10 A. Well, when you got a district that's such as  
11 the district in Charlotte where an African American beat  
12 an incumbent with 30, 35 percent of the district having a  
13 black population -- it was when Malcolm Graham beat  
14 Fountain Odom, who was a very powerful incumbent. He was  
15 the chairman of the Appropriations Committee in the  
16 Senate, and Malcolm Graham beat him in the primary and  
17 then went on to win a general election.

18 Where you have a district that is  
19 consistently electing a black senator, a district that  
20 wasn't even designed to be a minority district, electing  
21 the choice of the people of that district, what sense  
22 does it make to take it from 30, 35 percent up to 50  
23 percent plus? You -- you -- you -- you're basically  
24 characterizing the district as a racial -- a racialized  
25 district. And that offends some of us when you're doing

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1     it without having the reason of -- of -- of trying to  
2     correct some injustices that happened in the election  
3     system as Section 5 and Section 2 of the Voting Rights  
4     Act was designed to do.

5                     So -- so that's the kind of thing that I  
6     was going at. If you got a district that is -- is -- is  
7     60 percent African American and they still can't elect an  
8     African American, then somebody needs to do something to  
9     fix that. But you need valid studies to show that the  
10    district won't perform and that people are not able to  
11    elect the person of their choice and that race is the  
12    reason that they aren't able to elect the person of their  
13    choice.

14                    Different districts have different  
15    requirements, I think. And -- and I'm comfortable enough  
16    with the district here -- that is District 14 -- to know  
17    that you didn't need to move the population -- the black  
18    voting-age population six or eight or ten or however many  
19    points it was moved. That district was going to perform  
20    a predictable way with any reasonable black candidate,  
21    whether he had incumbency, whether he had name  
22    recognition.

23                    If he or she were a serious candidate and  
24    expressed the needs and desires of the people in that  
25    district -- black, white, Hispanic or anything else --

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1     that person would get elected in District 14. And I  
2     think that that's the case with many of the other Senate  
3     Districts where the population -- black voting-age  
4     population was raised from the low 40s to go over 50  
5     percent. That's -- that's -- that's the point that I was  
6     trying to make in most of those public forums.

7           Q. All right. And going back earlier, I think you  
8     said that when you had done up possibilities of how  
9     districts might be drawn that you talked about those with  
10    Senators Nesbitt and McKissick. Did you talk with --  
11    present those to the Redistricting Committee?

12          A. I wasn't on the Redistricting Committee.  
13    Again, I had asked to be put on it. I sort of monitored  
14    what they were doing, but I couldn't make amendments in  
15    the Redistricting Committee. I constantly told people  
16    what my thoughts were. I read the *Stephenson* decisions.  
17    I read *Strickland*. I read a good number of the Supreme  
18    Court cases.

19          Q. Well --

20          A. And -- and -- and I also read the criteria that  
21    *Stephenson I* and *II* set forth and sort of expressed my  
22    opinions based on that, but...

23          Q. Well, let me try the question this way --

24          A. Okay.

25          Q. -- districts that you said you drew up just to

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1 see what might work, did you present those to anyone  
2 other than Senators McKissick and Nesbitt?

3 A. I told the people how you could draw different  
4 districts in Wake County. The rules in the Senate  
5 Redistricting Committee -- again, I wasn't on it -- were  
6 that you had to have a comprehensive system because of  
7 the *Strickland* criteria -- or rather the *Stephenson*  
8 criteria, you had to have a map for the whole state. I'm  
9 interested in all of North Carolina, but I -- I -- I  
10 confess, I don't know as much detail about the mountains  
11 and some of the places on the coast as I do about here in  
12 Wake County and how you configure the districts within  
13 Wake County and not concentrate all the African American  
14 population in the same district.

15 Q. And who did you tell, other than Senators  
16 Nesbitt --

17 A. Anybody who would listen. I certainly told the  
18 people on the Redistricting Committee. I sat behind  
19 either Nesbitt or McKissick was the one that -- because  
20 Dan Lee came off of redistricting, and I asked to -- to  
21 replace him. And he asked that I replace him, but I  
22 wasn't put on it.

23 So I sat behind them in the Redistricting  
24 Committee and expressed my concerns throughout the one or  
25 two hearings. And nobody was going to have any impact on

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1 the plan that Senator Rucho introduced. So, you know --  
2 and everybody recognized that pretty quick. Even simple  
3 amendments couldn't pass.

4 And so the plan that he introduced as  
5 Rucho II, I believe, was going to be the plan enacted.  
6 My input was not welcome, it was not sought, and I'm sure  
7 it wasn't heeded very much.

8 MR. PETERS: I don't have any further  
9 questions. Thank you.

10 JUDGE RIDGEWAY: Okay. Redirect,  
11 Mr. Speas?

12 MR. SPEAS: No, Your Honor.

13 JUDGE RIDGEWAY: All right. Thank you.

14 MR. SPEAS: Thank you very much, Senator.

15 JUDGE RIDGEWAY: Thank you, Senator.

16 MR. STEIN: Your Honor, one point for the  
17 record, so that I can anticipate --

18 JUDGE RIDGEWAY: Yes, sir.

19 **CROSS-EXAMINATION**

20 BY MR. STEIN:

21 Q. What is your race, Senator Blue?

22 A. By the way, I am African American.

23 MR. STEIN: Thank you.

24 JUDGE RIDGEWAY: All right. Thank you --

25 THE WITNESS: Thank you.

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1 JUDGE RIDGEWAY: -- Senator.

2 Further evidence for the Plaintiff?

3 MS. EARLS: Your Honor, the Plaintiffs  
4 call Dr. Eric Mansfield.

5 WHEREUPON, **ERIC MANSFIELD, MD**, was called as a  
6 witness, having been first duly sworn, and testified as  
7 follows:

8 JUDGE RIDGEWAY: Please be seated.

9 THE WITNESS: Thanks.

10 **DIRECT EXAMINATION**

11 BY MS. EARLS:

12 Q. Would you state your name for the record,  
13 please.

14 A. Eric Mansfield.

15 Q. And how are you employed currently?

16 A. I'm an ear, nose and throat surgeon in  
17 Fayetteville, North Carolina.

18 Q. You were born in Louisiana and grew up in  
19 Columbus, Georgia; is that right?

20 A. Right.

21 Q. Would you briefly tell the Court your  
22 educational background.

23 A. I went to undergrad at Howard University,  
24 majored in chemistry; went to the Morehouse School of  
25 Medicine. Then went to Tulane University Medical School

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1 in New Orleans and specialized in ear, nose and throat  
2 surgery. And then came to Fayetteville to the 82nd  
3 Airborne; did four years in 82nd, and then got out and  
4 started my own practice in Fayetteville.

5 Q. And -- and you -- you are also an assistant  
6 pastor; is that correct?

7 A. Right. Yes. Yes, ma'am.

8 Q. And can you tell me briefly about your  
9 community service in Cumberland County?

10 A. Well -- well, we -- we do a lot of things.  
11 Starting through the church, we do a lot of things. We  
12 do a lot of after-school programs. We have a scholarship  
13 that we give through our office every year to about five  
14 or six youth going to college. I work on the Arts  
15 Council, and I'm on the board of trustees of Methodist  
16 University. I'm on the foundation board of trustees at  
17 Fayetteville State University.

18 We just started a backpack program and  
19 also an after-school program where there's a -- about 5  
20 percent of the Cumberland County kids who do not have  
21 food during the weekends, and so we started Backpack  
22 Foods with a group of other docs; just giving money so  
23 they have food over the weekends.

24 Q. So turning to your political experience, when  
25 did you first get involved in politics?

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1           A.    I -- around 2008 -- well, my wife got involved  
2   first because I was doing -- being a doctor. And my wife  
3   got involved in the Obama campaign with my son. They  
4   went down to South Carolina. And my son came back and  
5   said, You know, Dad, you got to -- I met this guy. He's  
6   going to be president. And I was like, Sure. I mean,  
7   what's his name? He said, Barack Obama. And I said,  
8   Yeah, right. And so my wife, you know, explained, Yeah.  
9   He walked in the -- he went through the Secret Service,  
10  walked right up to him and -- and he met him. And my son  
11  got excited. So I looked at my son and said, Wow, if he  
12  got excited, let me just kind of see what's going on.

13                   And then once I came to Fayetteville,  
14  we -- we opened up the first Obama office in  
15  Fayetteville, my wife and I. And it -- just kind of  
16  watching how everyday people -- which, you know, there's  
17  some Cumberland County people here today -- just watching  
18  all -- people from all different aspects of life, from  
19  very wealthy to very poor to different backgrounds --  
20  white, black, whatever -- all came together to kind of  
21  push forth this movement got me excited about, you know,  
22  what politics --

23                   I mean, I went to Howard University, so I  
24  was exposed to politics in Washington. So I thought  
25  that's what politics -- that's how politics was. But

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1 I -- I -- I -- I saw it -- see now that politics are very  
2 local and that, you know, you can do a lot of great  
3 things if people really want to come together and do  
4 something positive.

5 Q. And -- and so at some point, you decided to run  
6 for the North Carolina Senate?

7 A. Yes, I did.

8 Q. Can you -- I -- I want to talk about that  
9 campaign. What district did you run in?

10 A. District 21.

11 Q. And I think I can put that up. Okay. I --  
12 I've put up on the screen, which you should be able to  
13 see in front of you, a map of what District 21 looked  
14 like before the redistricting. Would that help you  
15 describe your district?

16 A. Sure.

17 Q. Okay. Can you -- do you know what the racial  
18 composition of -- of Senate District 21 was when it was  
19 enacted in 2003?

20 A. It -- it was roughly 45 percent African  
21 American. I think Senator C.R. Edwards was the first  
22 senator, if I'm correct. I -- roughly 45 percent African  
23 American and 55 percent white.

24 Q. My -- my math is not great, but 45 --

25 Okay. Do you know what the -- the -- the

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1 voting-age population was? Was it less than the total  
2 population?

3 A. Yes, I think so. In 2003 or when I ran?

4 Q. In -- when you ran.

5 A. Oh, when I ran.

6 Q. From your personal knowledge.

7 A. When I ran, it was 42 percent African American  
8 and 48 percent white or -- yeah. And so -- and, yeah, it  
9 was certainly more folks not voting than they were  
10 voting.

11 Q. And who had been elected in that district  
12 before you ran?

13 A. Before was Senator Larry Shaw, and then before  
14 him was Senator C.R. Edwards.

15 Q. And are both of those gentlemen African  
16 Americans?

17 A. Yes, ma'am.

18 Q. And you identify as African American, for the  
19 record.

20 A. Yes, ma'am.

21 Q. Thank you.

22 Then in your campaign for Senate District  
23 21, who supported you?

24 A. We had a lot of support from a lot of different  
25 areas. You know, I -- I have, one, a large patient

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1 population base because I've been practicing for 10 years  
2 in private practice, and so -- and my practice is 60  
3 percent white; which I only brought that to bear because  
4 I -- I really hadn't studied it until this redistricting  
5 took place. And so I had a lot of patients from all  
6 different walks of life. I had a lot of military because  
7 I was prior service, and so we had a lot of military  
8 folks. And then we had a lot of folks from my church,  
9 obviously. We have one of the largest churches in --  
10 in -- in the city.

11 And so we -- we -- we had a -- a very,  
12 very diverse campaign. We had -- in -- in my district,  
13 we have the very wealthiest street. We have the very  
14 poorest street. And -- and, you know, on my street  
15 alone, you know, we -- we had -- we had signs in every  
16 single yard on my street from the very beginning to the  
17 very end, but we also had the same signs in the very  
18 poorest areas.

19 So we had, you know, white, black; very,  
20 very rich; very, very poor; teachers. We had a really --  
21 we even had a fair amount of Republicans who supported us  
22 as well. And, you know, a lot of it, you know, is local  
23 politics. You know, people believe in the person. They  
24 believe in their policies before they believe in their  
25 politics. And so, you know, a lot of people supported us

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1     because they believe in what we were doing in -- in  
2     general.

3           Q.     And -- and what kinds of things did you do  
4     during your campaign that -- that -- that put you in  
5     touch with voters?

6           A.     Well, we knocked on doors. We started knocking  
7     on doors in January. From the -- the first snowfall in  
8     January, we started knocking on doors. And so we knocked  
9     on doors from January every day -- except on Sundays, of  
10    course -- from January all the way until November. We  
11    knocked on about 10,000 doors during our campaign.

12                     And, you know, one of the great things  
13    that we learned is that no matter if you're on the  
14    richest street or the poorest street, the overwhelming  
15    majority of people wanted the same thing. You know, they  
16    wanted a great education for their children, they wanted  
17    safe neighborhoods, they wanted a lower tax base, and  
18    then they wanted to be left alone.

19                     And that's -- those kind of four things  
20    summed up whether we were in Shaw Heights, which is the  
21    poorest area, or when in Skye Drive, which is the  
22    wealthiest area. Everyone basically kind of, you know,  
23    said the same thing. I mean, and it was very  
24    interesting, you know, knocking on those doors, you know,  
25    you get to see how people live day to day; but you also

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1 get to see how people think day to day.

2 And the overwhelming majority, you know,  
3 when we walked in the west, which is more white, not a  
4 single person ever, ever commented, you know, You're --  
5 you're a black candidate. Not -- not one time out of  
6 the -- the 10,000 doors we knocked on, not a single  
7 person ever opened the door and said, I didn't know I had  
8 a black, you know, senator, or, you know, I'm not going  
9 to vote for you because you're black.

10 Now, I certainly had people say, I'm not  
11 going to vote for you because you're Democrat, which is  
12 fine. But, you know, it was never -- you know, we -- we  
13 never thought about race. I mean, I never ran as a,  
14 quote/unquote, black candidate. So we -- we -- we never  
15 even, you know, brought that up.

16 Q. And then did -- what was your margin of victory  
17 in the general elections?

18 A. We won 21,000 to 10,000.

19 Q. And did you win any of the majority white  
20 precincts?

21 A. We won the majority of them. We lost four  
22 precincts and we lost those four precincts by a total of  
23 about 350 votes, about less than 1 percent of the overall  
24 vote total -- total. I lost in my own precinct, which is  
25 a -- which is over -- I lost by 120-some vote, which was

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1     overwhelmingly Republican; but it was the first time that  
2     any Democrat had actually come that close to winning.

3           Q.     And what is the racial breakdown of your  
4     precinct roughly?

5           A.     Oh, it was -- it's probably 88 percent. I  
6     mean, we're probably higher than 80 percent white.

7           Q.     So then based on your experience in Cumberland  
8     County politics, did Senate District 21 need to be  
9     increased from 45 percent black VAP, which is the 2010  
10    Census numbers, to almost 52 percent black VAP to provide  
11    black voters a fair chance to elect their candidate of  
12    choice?

13          A.     No. No, it did not. And it -- it -- it -- it  
14    bothered me somewhat. And I -- and I -- I talked to  
15    Senator Rucho about this personally. It bothered me  
16    somewhat because of what it said about our community.  
17    And -- and it really to me, you know, I've never gone to  
18    an integrated school. I've always -- I mean, a  
19    segregated school. I've been in integrated schools since  
20    I was a little boy, and I grew up in Columbus, Georgia.  
21    And, you know, my parents -- my dad died when I was 10,  
22    but my mom was a very big stickler on that, you know,  
23    never use your race as a disadvantage. Either you make  
24    it or you don't make it because you're smart enough, you  
25    worked hard enough or you just didn't make it.

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1                   And so, you know, we try to instill those  
2     same things in our children. And so it's -- one of the  
3     problems I had is that when we made it 52 percent, it  
4     basically said that only black folks can vote for black  
5     candidates and only white folks will vote for white  
6     candidates when I know for certain that's not true in  
7     District 21.

8           Q.     In front of you is our notebook with exhibits.  
9     We've included the legislative floor debates where you  
10    spoke. If you can look at Tab D. It's the last lettered  
11    tab, and then go to the No. 2 behind Tab D. Have you  
12    found that?

13          A.     Yes, ma'am.

14          Q.     And so the first page there says it's a  
15    Transcript of the Proceedings, the Senate Session, July  
16    25th. I -- I wanted to -- to ask you to flip through  
17    quite a ways to -- to the last debate -- floor debate  
18    that's included in that packet. So it will -- it will be  
19    a Transcript of the Proceedings for July 27 in the House.  
20    It's almost all the way toward the back, and I'm going to  
21    go to page 23 in that packet. Have you found that?

22          A.     Yes, ma'am.

23          Q.     And so you'll see on line 15 of that page, it  
24    starts: But the 21st Senatorial District wasn't drawn  
25    just for Senator Mansfield.

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1           A.     Right.

2           Q.     And this is a statement by -- if you looked at  
3     the page before, page 22, it's a statement by  
4     Representative Lewis. And -- and he -- he goes -- he's  
5     explaining that -- and I'll just read from it -- it's my  
6     understanding that the way to ensure that minorities have  
7     the opportunity to elect the candidate of their choice,  
8     and as a criteria required when you cross the county  
9     line, you must draw the majority-minority districts at at  
10    least 50 percent plus 1.

11                     And he's talking about how you -- you were  
12    an extraordinary candidate, and then an ordinary  
13    candidate of choice of black voters wouldn't be able to  
14    win in your district. Is that -- is that a fair  
15    assessment based on your knowledge of your voters in  
16    Cumberland County?

17           A.     No. No. One, I'm not an extraordinary  
18    candidate. I'm -- I'm just a regular Joe who gets up,  
19    goes to work and thought he could do something great for  
20    his community. And I'm no different than any other  
21    person who gets up and believes they can do something  
22    great for their community. They -- you know, it's --

23                     One thing I've learned about people,  
24    they don't really care about your title. They care about  
25    how much you care about them. And so when it comes to

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1 that perspective, you -- you -- you don't need 50-plus-1  
2 percent. It's -- it's never been in the history of  
3 District 21 that we've ever had 50-plus-1 percent. And  
4 yet throughout the history of that district, we've  
5 always -- we've always elected people who represented  
6 that community.

7 And -- and so, you know, to -- to -- to  
8 kind of use that as -- as an argument is -- to me is,  
9 first, the wrong argument. The wrong argument -- the  
10 right argument is: Can we develop districts that are  
11 fair and equitable so that when people run, they get a  
12 fair and equitable chance of being elected? Not based on  
13 whether that candidate has some -- some -- some  
14 superficial criteria that we believe is great, because  
15 the people have their own criteria of what greatness is.

16 Q. Did you have any conversation with Senator  
17 Rucho about Senate District 21?

18 A. We did. We did. And --

19 Q. What did you tell him?

20 A. Well, you know, I -- I -- I -- you know, I --  
21 I -- I didn't like where my district went from a very  
22 compact district to kind of this crab-looking district  
23 that we have.

24 Q. The -- the next slide shows the enacted  
25 district and --

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1           A.     Right.

2           Q.     -- and I believe this one shows a comparison.  
3     So this slide shows on the right-hand side what Senate  
4     District 21 used to look like and then on the left-hand  
5     side, how it was enacted.

6           A.     Right.

7           Q.     So what -- so I'm sorry. What did you --

8           A.     Right. And so I -- you know, we talked about  
9     how we went from a very compact to this crab-like  
10    district and also how nearly every single precinct was  
11    split in my district, which -- which bothered me for two  
12    reasons. Because, one, even with all -- on my own  
13    street, the people who live across the street from me who  
14    voted for me -- and -- and -- and -- and my street, the  
15    average age is probably 70 plus, because they're all  
16    retired dentists or docs or teachers. And they all voted  
17    for me -- well, you know, at least they said they did.

18                   So -- so I -- but, you know, across the  
19    street were some very good friends of ours who were all  
20    retired and they live less than 20 feet across the street  
21    from me. And all of them, you know, came -- you know,  
22    when they figured out what was going on said, I can't  
23    vote for you anymore because you're no longer in my -- in  
24    my district -- or I'm no longer in their district. And,  
25    you know, these are people who the only reason why you're

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1 saying they cannot vote for me is because I'm black; not  
2 because I'm not competent and not because I don't have  
3 great character.

4 Because, I mean, I'd rather people say,  
5 You're not a good neighbor and I don't like you so I'm  
6 not voting for you. But to say that you can't vote for  
7 me just merely because I'm an African American candidate,  
8 that -- that bothered me a lot, because it says to us  
9 that we as a society have not moved forward in a way that  
10 we want our children to move forward.

11 And so I -- you know, I talked to him, I  
12 said, you know, that I -- I didn't think that had to be  
13 done. But I also kind of offered, I said, Look, you  
14 know, Senator Meredith lives .3 miles away from me, who  
15 is in District 19. And certainly if you want to draw me  
16 into his district, I wouldn't have a problem if you draw  
17 me into his district because I believe based on my --  
18 my -- my personal and honest beliefs that if I ran  
19 against him in his district, even though it was set in a  
20 more Republican district, I -- I -- I think I would have  
21 a fair shot at winning.

22 Because I believe that we -- at this  
23 point, we -- we shouldn't read what's, quote/unquote, a  
24 post-racial society, which -- which means that we don't  
25 recognize race. We should recognize race. Races are

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1 different and we should -- we should applaud that. But  
2 our goal is not to be a post-racist society where your  
3 race gives you an advantage or disadvantage.

4 And I believe had I been in Senator  
5 Meredith's district, I would have had a good fight and  
6 I -- I may -- may even have won. And to me, that would  
7 have allowed for District 21 to stay very similar to what  
8 it is and not have this kind of crab configuration, I  
9 guess.

10 Q. And did you ask Senator Rucho about the racial  
11 composition of the -- of the Senate District 21 as it was  
12 being proposed, the new district?

13 A. Well, we talked about it on the Senate floor  
14 and I -- I kind of made my -- my impassioned plea.

15 Q. Let's talk a little about other candidates,  
16 African American candidates, in Cumberland County who  
17 have won countywide. Are you -- are you aware of any  
18 candidates, other African Americans, who have won  
19 countywide in Cumberland County?

20 A. Sure. We have Mayor Marshall Pitt won as a  
21 mayor, obviously; and then Commissioner Charles Evans won  
22 as well a countywide seat.

23 Q. And did Obama carry Cumberland County?

24 A. Yes. Obama carried Cumberland County in 2008  
25 and in 2012.

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1           Q.    And what about any African American candidates  
2    who have won in majority white districts?  In the city  
3    council --

4           A.    Yes.  Bill Crisp, Councilman Crisp.  Yeah, he's  
5    a retired Air Force (sic) Sergeant Major.

6                   MS. EARLS:  I have no other questions.

7                   JUDGE RIDGEWAY:  Cross-examination,  
8    Mr. Peters?

9                   MR. PETERS:  Just one second.

10                               (Pause.)

11                               **CROSS-EXAMINATION**

12                   BY MR. PETERS:

13           Q.    Senator Mansfield, I've got just a couple  
14    questions for you.

15           A.    Sure.

16           Q.    And, again, I'm Alec Peters from the Attorney  
17    General's Office.

18                   Did I understand you correctly earlier to  
19    say when you were describing the district, describing the  
20    area, that you said more folks are not voting than  
21    voting?

22           A.    Yeah.

23           Q.    Or did I mishear you?

24           A.    I probably misspoke.  I apologize.  But --  
25    yeah, but in -- in -- in -- in -- historically in

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1 Cumberland County, certainly our -- our -- our voting  
2 rate is around 12 percent; so that would be yes.

3 Q. Well, and isn't it true that District 21  
4 includes -- and in the previous version of District 21,  
5 the 2003 version, includes a good chunk of Fort Bragg?

6 A. Sure.

7 Q. Okay. And do you know whether soldiers who are  
8 stationed at Fort Bragg tend to register to vote in  
9 Cumberland County or do they vote elsewhere or do you  
10 have any sense of that?

11 A. I -- I do have, actually, a great sense of  
12 that. We had more vote in our election than had voted in  
13 any previous election. But a majority of them don't feel  
14 engaged into the community, and so they tend not to vote.  
15 The ones who actually live on Fort Bragg, they tend not  
16 to vote. And it is a difficult process because,  
17 obviously, the base itself does not allow for you to go  
18 door to door and to -- to -- to do any kind of political  
19 activity on base.

20 And, certainly, as a prior service guy and  
21 as a former commander deployed, we have some pretty  
22 strict rules about what happens at your home on base.  
23 Now, off the -- off base, you know, things are different;  
24 but on base -- so it's almost extremely difficult to get  
25 them engaged enough to say that they actually want to be

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1 a part of the community.

2 Q. But so is it accurate to say that when the  
3 population of Fort Bragg is taken into account in the  
4 district, then you have a population that you know is not  
5 likely to be as engaged in the election and not as likely  
6 to vote?

7 A. Sure.

8 Q. And let me ask you: The previous version of  
9 House District -- excuse me -- Senate District 21, do you  
10 know what percentage of that district was white?

11 A. In this -- in my map?

12 Q. In the previous -- in the previous version --  
13 the -- the version of Senate District 21 in which you  
14 were elected, do you know what percentage of population  
15 of that district was white?

16 A. It was probably around -- I would say it was  
17 about 8 percent Latino, so -- so it's 8 percent plus 44,  
18 52 percent. So 48 percent. Around roughly 48 percent,  
19 give or take a few percentage points.

20 Q. Okay. So whites were a minority in the  
21 district; is that correct?

22 A. If you add Latinos and African Americans  
23 together? Then I would say, yes. But if you just go  
24 black versus white, then, no.

25 Q. Okay. Do you know which -- do you know whether

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1 any -- let me rephrase this. Do you know whether Blacks  
2 constituted the majority of the registered voters in the  
3 district?

4 A. Registered voters?

5 Q. Yeah.

6 A. No. No, they don't. Not the registered  
7 voters.

8 Q. In -- in the previous version of 2000 -- of  
9 District 21, the version you were elected in, it's your  
10 understanding that they were not a majority -- the Blacks  
11 were not a majority of --

12 A. Right.

13 Q. -- registered voters?

14 What's your understanding of what that  
15 number was?

16 A. I don't remember.

17 Q. Okay. Now, when you ran in 2010, do you recall  
18 how much money you made -- or -- or money raised, I  
19 should say, and money you spent for the election?

20 MR. SPEAS: Objection on relevance  
21 grounds, Your Honor.

22 JUDGE RIDGEWAY: Overruled.

23 A. I don't know, actually. Probably 100,000  
24 maybe.

25 Q. I assume you filed reports with the State Board

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1 of Elections.

2 A. Yeah, we did. We did.

3 Q. Do you know how much -- I believe it was -- was  
4 it Wade Fowler?

5 A. Sure.

6 Q. Do you know how much he raised?

7 A. I don't at all. Yeah.

8 MR. PETERS: I've got no further  
9 questions.

10 JUDGE RIDGEWAY: Redirect, Ms. Earls?

11 MS. EARLS: Just one follow-up.

12 **REDIRECT EXAMINATION**

13 BY MS. EARLS:

14 Q. You were asked about the -- you mentioned as  
15 far as 8 percent Latino --

16 A. Right.

17 Q. -- voting-age population. Do you have any  
18 knowledge to what extent that's a citizen population?

19 A. I don't. Actually, I don't at all. And I -- I  
20 don't.

21 So as far as the raising money part, can I  
22 say that -- or is that -- does that matter?

23 Q. I don't -- I don't have --

24 JUDGE RIDGEWAY: If you'll respond to the  
25 questions.

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1 THE WITNESS: Oh, okay. I apologize.

2 JUDGE RIDGEWAY: Yes, sir.

3 BY MS. EARLS:

4 Q. Okay. So then I'll ask you if there is --  
5 in -- in terms of the money that you raised --

6 A. Right.

7 Q. -- did that impact your campaign or impact  
8 anything about white voters who supported you?

9 A. Well, I was actually very proud of the money we  
10 raised because of how we raised it. We raised money from  
11 so many different groups. We didn't raise money from  
12 just one section of our city. We got money from very  
13 wealthy people and then we'd get 10 -- \$1 or \$2 from very  
14 poor people. We got -- we got it from people who you  
15 would think would never support each other, from  
16 different political spectrums.

17 I mean, we -- we -- we were surprised  
18 because we were getting money from some very conservative  
19 people and then we were getting money from some -- a  
20 group of women who were very, very to the opposite side.  
21 And so we are actually very proud -- we got money from  
22 doctors in Cumberland County who had never given a single  
23 dime to any Democrat in their entire history.

24 And so we were accepting -- yeah, we  
25 raised a lot of money, and we're proud of it because we

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1 raised a lot of money from a bunch of different people.

2 I will certainly sit here and say if I got  
3 all the money from one small group of folks, then I would  
4 say, you're right, you pidgeon-holed me in. But our  
5 campaign, we got -- I -- I -- I would dare to say we got  
6 more money from white voters than we got from any African  
7 American voters.

8 MS. EARLS: Okay. Thank you.

9 JUDGE RIDGEWAY: Okay. Thank you.

10 Anything further?

11 MR. PETERS: One question. I'll be quick.

12 JUDGE RIDGEWAY: Go ahead.

13 **RECROSS-EXAMINATION**

14 BY MR. PETERS:

15 Q. But based on your experience, would you say  
16 that the more money you raised leads to more money you  
17 have to spend on advertising which leads to better name  
18 recognition?

19 A. Not in Cumberland County. In Cumberland  
20 County, the reason why we won is we knocked on doors. We  
21 knocked on 10,000 doors. And I don't care how much money  
22 you have, you can't beat -- you know, we -- we -- we --  
23 us -- us -- us -- us -- us prior service guys, we all  
24 talk about the same thing: The Air Force is good, but  
25 you got to have boots on the grounds. And you win -- you

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1 win combat -- you win campaigns by having boots on the  
2 ground.

3 So we just believe -- we really honestly  
4 believe that that big campaign, the big corporate type of  
5 campaign where you spend a lot of money with flyers and  
6 that kind of stuff, we -- we believe in more so is knock  
7 on a door, looking at a person in their eye no matter  
8 what color they were and say, This is what we believe.  
9 And if you don't believe it, you don't believe it not  
10 because I'm black; you don't believe it because that's  
11 not what you believe.

12 And I would much rather have somebody say,  
13 I didn't vote for you because I disagree with you about  
14 your campaign, as opposed to saying, I disagree with you  
15 because of your color. And I believe as a country and as  
16 a state that we've moved beyond that.

17 MR. PETERS: Thank you.

18 JUDGE RIDGEWAY: Okay. Anything further?

19 MS. EARLS: No.

20 JUDGE RIDGEWAY: All right. Thank you,  
21 sir. You may step down.

22 THE WITNESS: Thank you.

23 JUDGE RIDGEWAY: All right. We're going  
24 to take a 15-minute recess and we're going to resume at a  
25 quarter til 11:00.

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1 (Court was in recess from 10:33 a.m. to 10:48 a.m.)

2 JUDGE RIDGEWAY: All right. Further  
3 evidence for the Plaintiffs?

4 MR. SPEAS: Yeah. Plaintiffs would call  
5 Albert Kirby to the stand.

6 WHEREUPON, **ALBERT D. KIRBY, JR.**, was called as a  
7 witness, having been first duly sworn, and testified as  
8 follows:

9 JUDGE RIDGEWAY: Mr. Speas.

10 **DIRECT EXAMINATION**

11 BY MR. SPEAS:

12 Q. Would you state your name for the record  
13 please.

14 A. Albert D. Kirby, Jr.

15 Q. Mr. Kirby, would you describe for the Court a  
16 little bit of your background; where you grew up, where  
17 you went to school, that kind of thing.

18 A. Certainly. I was born and raised in -- or born  
19 and reared in Clinton, North Carolina; Sampson County. I  
20 graduated from Clinton High School in 1976, attended Wake  
21 Forest University on a football scholarship. Played  
22 football back in the days when Wake used to lose a whole  
23 lot more games than -- than they win now. I graduated  
24 from Wake Forest in 1980 and attended Campbell Law School  
25 subsequently after graduating from Wake. I graduated

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1 from Campbell University School of Law, the one that was  
2 over in Kivett Hall in Buies Creek and not this nice  
3 place here.

4 After getting out of law school, I started  
5 in the DA's Office in Cumberland County and left the DA's  
6 Office. And after meeting so many wonderful people such  
7 as Justice Timmons-Goodson and John Dickson, Ed Grannis,  
8 a great number of great individuals; Orlando Hudson and  
9 so forth.

10 And I left Cumberland County and went to  
11 Pitt County and taught at East Carolina as an adjunct  
12 first and then as a -- ultimately as a full professor. I  
13 was also in the DA's Office in Pitt County. After  
14 completing my -- my tour of duty, so to speak, I moved  
15 back home to Clinton in 1990 and opened my own practice  
16 there and have been there ever since.

17 Q. So you've been practicing in Clinton for over  
18 20 years now.

19 A. Yes, sir.

20 Q. And I believe you've been president of the  
21 local Bar.

22 A. I was; several years. I would like to tell the  
23 story that if you miss a Bar meeting down in -- in  
24 Clinton, you'll become president. I made the mistake of  
25 not going. They couldn't get anybody to miss a meeting

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1 for several years. It seemed like it went on for about  
2 six years or so, the local Bar in Sampson County.

3 Q. Mr. Kirby, do you have political experience to  
4 elected office?

5 A. Yes, sir. I have -- I'm presently serving in  
6 District 5 as county commissioner, was elected in 2010.

7 Q. Okay. And by virtue of your years in Sampson  
8 County and your work and experience in Sampson County,  
9 have you become familiar with the voting patterns in  
10 Sampson County?

11 A. Yes, sir, I have. I'm very familiar with them.

12 Q. Can you tell me how you've acquired that  
13 experience?

14 A. Well, when I had moved back to Clinton in the  
15 '90s, I -- I was already -- always politically curious  
16 about the way things worked. And I was -- I was engaged  
17 in the community. I was active in -- in helping several  
18 campaigns, helping out and observing; one being that  
19 of -- it was then Commissioner Larry Bell. He ultimately  
20 became a member of -- of the State House. He lived right  
21 next door to me. And -- and the other -- other matters,  
22 I was just always engaged in campaigns and -- and  
23 observing and...

24 Q. Okay. And did you -- tell me a little bit  
25 about your campaign. Did you have volunteers who worked

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1 for you?

2 A. Absolutely. When I decided to run -- in fact,  
3 my campaign ended up being a majority of -- of white and  
4 many Republicans. I'm a registered Democrat; but in my  
5 campaign, most of the individuals who helped out in my  
6 campaign were white Republicans. And we -- we -- we ran,  
7 I thought, against an incumbent and that we defeated by a  
8 3 to 1 margin in the primary. We had no -- no general  
9 election opposition in that particular district at that  
10 time, and...

11 Q. Did the Sampson County Commissioners recently  
12 redistrict?

13 A. They did -- we did.

14 Q. Can you tell the Court a little bit about that  
15 redistricting and your position in regard to that?

16 A. Absolutely. District 5 as I -- as I remember  
17 was -- it was a -- it was one of two what they call  
18 African American districts. There were two primarily  
19 Republican districts, and then -- that being District 1  
20 and 2. And, of course, District 3 was -- it was a swing  
21 district. That was the way it was set up to be.

22 District 5, the way the political --

23 Q. Is that your district?

24 A. My district being District 5. The way it was  
25 set up and -- and when I ran, there were probably about

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1 45 percent -- or 45, 48 percent African Americans.

2 And -- and I won by -- like I said, there was no general  
3 election, but I did win the primary by a 3-to-1 margin.  
4 I felt like I had a great deal of African -- of Caucasian  
5 support. Yet whenever the redistrict plans were drawn,  
6 there were African Americans taken from District 3, that  
7 swing district, and placed in District 5.

8 Q. And did you oppose this redistricting?

9 A. I did. I voted against it.

10 Q. Can you tell us why?

11 A. For the -- for the reasons that -- for the  
12 reason that many of the gentlemen who -- who testified  
13 earlier today, I did not think it was necessary. It was  
14 not needed. There was no need to take the African  
15 American votes from the swing district to put them into  
16 District 5. It was pretty -- pretty easy for an African  
17 American to win in District 5, and so there was no -- it  
18 was unnecessary, once again.

19 Q. Okay. Do you know who did that redistricting  
20 plan for the Sampson County Commissioners?

21 A. Yes. I think it was a Mr. Morgan, if I'm not  
22 mistaken, in the law firm of -- the name escapes me, but  
23 the gentleman sitting at the end. He came to our -- one  
24 of our meetings.

25 Q. The Ogletree law firm?

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1           A.     Yeah.   The Ogletree law firm.

2                     MR. FARR:   Mr. Kirby, I'm Tom Farr.

3                     THE WITNESS:   That's right, Mr. Farr.

4                     MR. FARR:   Good to see you.

5                     THE WITNESS:   Let me apologize for  
6     forgetting you.

7                     MR. FARR:   No, sir.   No apology needed.

8                     THE WITNESS:   Good to see you again.

9           A.     Yeah.   His law firm along with, I think,  
10    Mr. Morgan was the individual who did the districts.

11           Q.     Mr. Kirby, I want to talk a little bit about  
12    House District 21 now.   House District 21 has been  
13    occupied for some time by Representative Larry Bell; is  
14    that correct?

15           A.     That's correct.

16           Q.     And do you know Representative Bell?

17           A.     Very well, yes, sir.

18           Q.     You have known him?

19           A.     Yes, sir.

20           Q.     And tell the Court a little bit about  
21    Representative Bell.

22           A.     Well, Representative Bell is a native of  
23    Sampson County.   He was a well-respected gentleman in --  
24    in our community.   He went through the -- the county  
25    school systems there in Cumberland -- in -- in -- in

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1 Sampson County. He was the superintendent; if I'm not  
2 mistaken, the first African American superintendent of  
3 the school systems. And at the time he was the  
4 superintendent, he was also a county commissioner. He  
5 has a great deal of -- a great deal of respect among  
6 individuals in Sampson County, both white and black.  
7 And...

8 Q. And based on your experience, has  
9 Representative Bell received a -- a lot of white votes  
10 over the years?

11 A. Yes, sir. Most certainly. And when he was  
12 in -- even in his district -- District 5 days when he was  
13 the county commissioner, the number of Caucasians that  
14 voted for him was tremendous. He had a great -- great  
15 success in District 21. As I remember, he had as much as  
16 66 -- 60 or so percent of margins when he ran there in  
17 Sampson County, as best I remember.

18 Q. Mr. Kirby, I'm going to put on the screen now  
19 two maps of House District 21. The one on the left that  
20 is in Wayne, Sampson and Duplin Counties is House  
21 District 21 as enacted by the General Assembly in 2011.  
22 The one on the right is House District 21 as it existed  
23 before 2011 and from which Representative Bell was  
24 previously elected.

25 You will notice on that slide, Mr. Kirby,

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1 that the black voting-age population was increased from  
2 the old version of 21 to the new version of 21 by several  
3 percentages increasing it over 50 percent. And you will  
4 notice that it's now in three counties instead of two.

5 My question to you, Mr. Kirby, is this:  
6 Based on your years in Sampson County and your experience  
7 in living there, was there any reason, any necessity for  
8 the Legislature to increase the black percentage in that  
9 district to give Representative Bell or any other African  
10 American candidate a shot at that seat?

11 A. Based on my experience, Mr. Speas, there would  
12 be no reason whatsoever -- no plausible reason to  
13 increase the number of African American -- African  
14 Americans in -- in District 21 up to 51 percent.

15 This district mirrors what was mentioned  
16 by the two senators who spoke most -- most eloquently  
17 before me. Representative Bell had done just fine; in  
18 fact, had won without any problem whatsoever in District  
19 21 as it -- as it existed before the -- the black number  
20 of voters was increased to 51.9 percent. And I can think  
21 of no reason why you would want to do that.

22 MR. SPEAS: Okay. Thank you, Mr. Kirby.

23 JUDGE RIDGEWAY: Cross-examination  
24 Mr. Peters?

25 **CROSS-EXAMINATION**

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1 BY MR. PETERS:

2 Q. Mr. Kirby, you said you taught at ECU. What  
3 did you teach?

4 A. Criminal justice.

5 Q. And what did you study at Wake Forest?

6 A. History and philosophy.

7 Q. Okay. Now, Mr. Speas asked you some questions  
8 about House District 21 and the former version of that  
9 district and the current version of that district.

10 Do you know what the -- what percentage of  
11 the former version of that district was white?

12 A. If I'm not mistaken, it was just under 44  
13 percent. I could be wrong. It seemed like to me that  
14 the -- the black population, as I remember, was somewhere  
15 in the mid-40s. And then the white population was  
16 somewhere in that same area, if not lower. And then --  
17 but...

18 MR. PETERS: One second.

19 (Pause.)

20 BY MR. PETERS:

21 Q. The county commissioners' races in Sampson  
22 County, are those partisan?

23 A. You mean, are they Democrat or --

24 Q. Do -- do you run a political party or is it  
25 nonpartisan races?

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1           A.     It's partisan, sure.

2                     MR. PETERS:  I have no further questions.

3                     JUDGE RIDGEWAY:  Okay.  Anything further,  
4     Mr. Speas?

5                     MR. SPEAS:  No.  Thank you very much,  
6     Mr. Kirby.

7                     JUDGE RIDGEWAY:  Thank you, Mr. Kirby.  
8                     Further evidence for the Plaintiffs?

9                     MR. SPEAS:  The Plaintiffs call Larry  
10    Hall.

11                    WHEREUPON, **LARRY DWIGHT HALL**, was called as a  
12    witness, having been first duly sworn, and testified as  
13    follows:

14                               **DIRECT EXAMINATION**

15                    BY MS. EARLS:

16                    Q.    Would you state your name for the record,  
17    please.

18                    A.    Larry Dwight Hall.

19                    Q.    And would you briefly tell the Court a little  
20    bit about your background, where you were born and  
21    raised.

22                    A.    Well, I am a resident of Durham.  I was born in  
23    Durham.  My father was in the military.  So I immediately  
24    after birth went to Okinawa, spent about three years  
25    there, four years there; came back to North Carolina,

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1 enrolled in Durham Public Schools and attended Durham  
2 Public Schools until graduation. And in Durham, then  
3 attended Johnson C. Smith University and North Carolina  
4 Central University; and then went to law school at the  
5 University of North Carolina.

6 Kind of in between there, after graduation  
7 from Johnson C. Smith, I was commissioned in the United  
8 States Marine Corps and spent several years in the Marine  
9 Corps. And then I went to the University of North  
10 Carolina Law School.

11 Q. And -- and counting active and reserve, you  
12 have a total of 16 years in the Marine Corps; is that  
13 right?

14 A. That's correct.

15 Q. And your last rank was Major Lieutenant Colonel  
16 Select.

17 A. That's correct.

18 Q. You started practicing law after graduating  
19 from law school?

20 A. I started practicing approximately a year  
21 after -- a year and a half after graduating law school.  
22 I had to go back on active duty for approximately a year  
23 and a half and then returned and began practicing law.

24 I practiced in Oxford, North Carolina,  
25 initially with Floyd McKissick, Sr., and then moved to

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1 Durham after he was appointed a judge by then Governor  
2 Martin. I moved the practice to Durham and practiced  
3 with the law firm of Michaux & Michaux.

4 Q. Could you tell us how -- how you first became  
5 involved in politics?

6 A. Well, interesting, little did I know I was  
7 involved in politics the whole time. But when I began  
8 practicing in Durham at Michaux & Michaux, I was  
9 privileged to have the opportunity to help Mickey  
10 Michaux, who then ran for the newly drawn district or  
11 Congressional district that ran from Durham to Charlotte.  
12 And, actually, I think he lost that contest to a Mr. Mel  
13 Watt, who actually still occupies that seat.

14 Q. And that was in around 1992?

15 A. Yes. Yeah.

16 Q. Can you tell us a little bit about your  
17 involvement in community organizations in Durham County?

18 A. Well, I was fortunate not only in working at  
19 Michaux & Michaux where both partners were heavily  
20 involved in the community and in the state Bar  
21 activities, but also we had several judges in Durham who  
22 always tried to reach out and get young lawyers involved  
23 in community organizations.

24 So I started out with one of the first  
25 organizations I joined and stayed with approximately 10

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1 years, later become -- became chairman of Durham  
2 Companions, which was a mentorship program for youth to  
3 try to divert them from juvenile activities and -- and  
4 from court time and punishment. I also had the  
5 opportunity to work with an organization called Young  
6 Marines, and it's a -- sort of a spinoff from the Marine  
7 Corps, but not necessarily. It -- I was a member of the  
8 Marine Corps League, which helps Marines transitioning  
9 from active duty back to civilian life to get employment  
10 and get resources, and this was one of the community  
11 organizations we supported to help teach them leadership  
12 and character and other traits as part of the Marine  
13 Corps creed. So I had that opportunity to do that and  
14 continued that to this day.

15 I was chairman of the Durham Business &  
16 Professional Chain and -- which was an organization that  
17 helps small business and small business development in  
18 Durham, and also had the opportunity to be executive  
19 secretary for the -- the Durham Committee on the Affairs  
20 of Black People as really an administrative role helping  
21 in the regulation of the different committees that met.

22 And as chairman of the Durham Business &  
23 Professional Chain, I also had a seat on the Chamber of  
24 Commerce Board of Directors and held that for years as  
25 well. So I tried to kind of get involved both in the

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1 business development side as well as with youth and young  
2 people in particular to try to help them.

3 Q. And you talked a little bit about the Durham  
4 Committee, but I also want to ask you about any other  
5 local political organizations that you've been involved  
6 in.

7 A. Well, I've -- I've worked with several of them.  
8 I was a member of what was called then the Durham Voters  
9 Alliance, which no longer exists; and also the People's  
10 Alliance, which is an organization that continues to  
11 exist now. And, there again, the Durham Committee has a  
12 political action organization, and I was also involved  
13 with the North Carolina Black Leadership Caucus that I  
14 chaired from 2000 to 2004. So it was a statewide  
15 organization, had members from Durham and great history  
16 with the leadership in Durham.

17 Q. So when did you first run for public office?

18 A. The first time I ran was actually 2002. The --  
19 I ran for a clerk of court, which was obviously a  
20 countywide position, and ended up not prevailing in that  
21 race, but learning a lot from the candidate side. I had  
22 known a lot or experienced a lot from working in  
23 campaigns and working in organizations from the Get Out  
24 the Vote or voter participation side. But that was my  
25 first chance to be a candidate. Didn't do as well as I

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1 had wanted.

2 Q. And then you -- your next campaign was more  
3 successful.

4 A. Yes. In 2006, District 29 then, the  
5 representative was Paul Miller. He decided not to run  
6 for another term. And prior to 2000, we had -- and  
7 someone can correct me if I'm wrong, because I'm -- I'm  
8 not real keen on the point -- but prior to 2000, we had  
9 multimember districts. And then after 2000, we had  
10 single-member districts. And Paul Miller ran against  
11 then George Miller, who had been one of the  
12 representatives for, I think, 40 or 44 years in Durham.  
13 And he prevailed in the single-member district, which was  
14 District 29.

15 And Paul was an African American male,  
16 computer engineer. He won three terms, if I -- if I've  
17 got it correct, through the 2006. So he won three terms.  
18 And then I won each term since then, so I won in the 2006  
19 election. There were five candidates in the Democratic  
20 Primary, two African American females, myself, one  
21 African -- one white male and one white female.

22 Q. I'm -- I'm going to come back to that campaign,  
23 but I just want to ask you to identify, what's  
24 your current -- what is your current leadership role in  
25 the North Carolina General Assembly?

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1           A.    I'm the Democratic Leader in the State House of  
2           Representatives now. I was the Freshman Caucus Chair my  
3           first term, 2006-2007; and I was a Majority Whip back  
4           then. Unfortunately, I was the Minority Whip for two  
5           years, but I am the Democratic Leader in the House of  
6           Representatives.

7           Q.    I -- I -- I wanted to ask you a couple of  
8           questions about the floor debate on the redistricting  
9           plans. Were you present on July 27th when the House  
10          considered -- considered the Senate Redistricting Plan?

11          A.    Yes, I was.

12          Q.    If you look at the notebook in front of you,  
13          there's a -- at the -- there's a Tab D toward the back.  
14          And if you look at D2, on the -- I -- I want to ask  
15          you -- behind -- I'll just say behind Tab 3 in that  
16          notebook is the -- are the portions of the debates where  
17          you -- where your own statements on the floor of the  
18          House regarding Durham County are made, and those are  
19          part of the record.

20                       But I -- I also want to ask you about the  
21          debate behind Tab 2, which -- and it's the last -- the  
22          transcript of several sets of proceedings, but it's the  
23          one Wednesday, July 27th, 2011. And if you could turn to  
24          page 25. And actually -- it actually might be useful for  
25          you to start at page 24 -- at 24. Have you found that?

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1           A.    I think I have.  It starts at the top line 1:

2   REPRESENTATIVE MOORE:  Mr. Speaker.

3           Q.    Right.

4           A.    Yes.

5           Q.    And if you -- the first thing I will do is just  
6   make sure we're clear on the transcript.  If you look at  
7   page -- line 18 and -- lines 18 and 19, Representative  
8   Lewis says:  Thank you again for the question,  
9   Representative Martin.  Is that just a typographical  
10   error where it says "Representative Moore"?  Was it  
11   actually Representative Martin who was asking these  
12   questions, to your knowledge?

13          A.    Yes.  I -- I -- I think that based on my  
14   recollection, the statements attributed in here, the  
15   questions that indicate "Representative Moore" would have  
16   been questions that were from Representative Grier  
17   Martin.  And so as Representative Lewis responds, he's  
18   responding to Representative Martin.  You can see it in  
19   his comments that that's who he was talking to.  My  
20   recollection is that's who was speaking and asking these  
21   questions.

22          Q.    And you can take as -- a minute if you want to  
23   review the -- the exchange there that actually starts  
24   at -- it started on -- it started on page 24 and  
25   continues for several pages.  This is actually an

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1 exchange about Senate District 21 in Cumberland County.

2 And --

3 (Mr. Speas and Ms. Earls confer.)

4 Q. In particular, let me draw your attention to  
5 page 27, line 10 where this would have been  
6 Representative Martin says: When you were looking at  
7 Cumberland County and drawing State House districts, did  
8 you find the presence of racially polarized voting?

9 And then the -- the answer was:  
10 Representative Martin, again, to forestall the chance of  
11 a lawsuit, we chose simply to use the definition that a  
12 majority-minority district needs to be one in which is  
13 drawn to have a majority of minorities in there. We feel  
14 that this is in compliance with all state and federal  
15 law.

16 And then continuing on to page 28 and  
17 actually to the top -- right -- continuing on page 28,  
18 the question, again, is about line 4 of page 28: What I  
19 would like to know is, did you look to see if there were  
20 racially polarized voting in Cumberland County, and if  
21 so, what did you find? And the answer was:

22 Representative Martin, I do not recall the specific  
23 findings in regards to Cumberland County.

24 Is -- is that in a -- those answers about  
25 finding racially polarized voting, do you recall that

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1 exchange?

2 A. Yes; in particular, that line of questioning  
3 and responses given by Representative Lewis. One of the  
4 things we continued to ask: Was there a reason for these  
5 districts being drawn the way they were being drawn and  
6 was it meant to address some type of racial pattern that  
7 was shown in the voting, or what was the basis for  
8 continuing to draw these districts the way they were  
9 drawn?

10 And the response we -- we continued to  
11 get -- and Representative Martin was one of the members  
12 of the Democratic Caucus who was allowed time to question  
13 the plan and put forward proposals or amendments. And  
14 the question we continued to get was -- or the answer to  
15 the question continued not to be that they had found any  
16 racially polarized voting or they had any statistics or  
17 figures that showed that or were interpreted to mean  
18 that, but just that they wanted to make any district that  
19 they decided to be minority to be majority-minority --

20 MR. FARR: I object --

21 A. -- voters.

22 MR. FARR: -- and move to strike that  
23 testimony, because that's not what the transcript says.

24 JUDGE RIDGEWAY: All right. Sustained on  
25 the best evidence rule. The document will speak for

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1     itself.  If it --

2                   MS. EARLS:  Well, so I do have another  
3     question.

4                   JUDGE RIDGEWAY:  Go ahead.

5                   BY MS. EARLS:

6                 Q.    So my question is:  Is -- is the exchange that  
7     I pointed out in this transcript consistent with your  
8     recollection of the position taken by the proponents on  
9     the majority black districts generally in those plans?

10                A.    Yes.

11                Q.    So let me turn, then, to voting patterns in  
12     Durham County.  You -- you talked a little bit earlier  
13     about your involvement in Durham County politics.  Are  
14     you familiar with the voting patterns of white and black  
15     voters in Durham County?

16                A.    Yes.

17                Q.    And can you describe a little bit about the  
18     work that you've done in campaigns that would -- would  
19     familiar -- that would cause you to be familiar with  
20     them?

21                A.    Well, again, I was a member of several of the  
22     groups in Durham:  One, People's Alliance, Durham Voters  
23     Alliance and the Durham Committee.  And something that  
24     developed to be consistent in Durham was these  
25     organizations would represent in particular certain

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1 aspects of life or certain issues, and the organizations  
2 would endorse whenever we would have campaigns.

3 And so there would be interviews and  
4 questionnaires given to candidates and they would give  
5 their opinions and information on issues, and then  
6 certain precincts within the county would be areas where  
7 these organizations would have some influence as far as  
8 pole workers and making endorsements and so forth.

9 So I was a member of three of them, was on  
10 the coordinating committee for one, was the executive  
11 secretary for another, and just a member of a third. And  
12 then there are several others: The Friends of Durham,  
13 which is a more conservative business-oriented group and,  
14 of course, Police Benevolent Association, which I also  
15 did interviews about crime issues and some other  
16 organizations.

17 Q. And what can you tell us about the racial  
18 composition of these various organizations?

19 A. Interestingly enough, every one of the  
20 organizations was multiracial in its composition of  
21 membership and even in leadership as well. And even if  
22 you look at all of them today, that I can recall and the  
23 last time I interviewed -- and, again, I've interviewed  
24 every other year the last six years and had been a member  
25 of several of them at the same time -- that they have

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1 multicultural makeup, both membership and leadership.

2           And then the issues they deal with will be  
3 issues of health, quality of life, transportation. So  
4 the issues are not black and white on their face. The  
5 issues are issues of quality of life or the population of  
6 the neighborhoods and the best interests of the  
7 community.

8           Q. And can you give -- do you have an example --  
9 can you give us an example of an issue that did not break  
10 down along racial lines in Durham County?

11          A. Well, I -- I guess we have a couple of issues;  
12 but one in particular, we -- we passed legislation to  
13 allow us to have a referendum on a food tax in Durham.  
14 And a lot of people, obviously, would say a food tax  
15 would hit certain areas of the community harder than  
16 others, and the benefits of that tax would be applied in  
17 an unequal manner.

18           It was interesting that in that instance,  
19 the Durham Committee ended up in an alliance with the  
20 Americans for Prosperity in opposition to that, which is  
21 a state group that was functioning at the local level.  
22 And I think the State Restaurant Association in  
23 opposition to it and some of the other organizations as  
24 well as elected city council members were in favor of --  
25 of the referendum. And the referendum failed.

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1                   So it barely passed the General Assembly  
2     to allow it to go forward, and the legislative delegation  
3     all supported the right to have a referendum; but it  
4     failed because the community decided they did not want to  
5     have that food tax.

6           Q.     So -- so then specifically talking about  
7     candidates that run in Durham County, to what extent do  
8     white voters support black candidates in Durham?

9           A.     Well, I think it's, again, important to  
10    understand in Durham -- and I guess it's similar around  
11    the state -- that issues really dominate to a large  
12    extent who gets elected and what is your position on the  
13    issue after you've been examined by these organizations  
14    that endorse and -- and after that work to help you get  
15    elected.

16                   Whether you're black or white --  
17    certainly, if you're an African American candidate in  
18    Durham, we've got a long-serving mayor with plenty of  
19    other folks who have won in Durham, and you have to have  
20    both white and black voters. Many folks call it  
21    coalitions or whatever, but you work across race lines  
22    and income lines and every other line you want to think  
23    of because issues affect people up and down the scale and  
24    spectrum.

25           Q.     Can -- do you know of -- of African American

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1 candidates who have been elected countywide in Durham?

2 A. Yes. We had many county commissioners. They  
3 all run at-large. And right now our county commission is  
4 a five-member board with three African Americans, and I  
5 think there's been an African American majority for  
6 probably 12 years on the county commission. The city --  
7 and if you're familiar with Durham and the city, the  
8 boundaries within Durham County, the -- the city council  
9 has been majority African American even -- even though  
10 there are a few small areas of the county that aren't  
11 within the city boundaries.

12 The District Attorney was elected  
13 countywide African American, African American female.  
14 The judges -- several judges, four or five judges, who  
15 have been elected countywide African American and African  
16 American female. So we've -- we've had school board  
17 members as well, school board chair African American; and  
18 majority school board African American elected. So  
19 they've all gotten support from across the community to  
20 include white voters.

21 Q. Do you know when the first African American was  
22 elected to city council in Durham?

23 A. Now, you -- you -- you -- you're going a little  
24 bit beyond my -- my experience. But I -- I do know we  
25 had an elementary school named after a man named Renter

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1 Harris -- Rencher Harris and -- R.N. Harris. And I think  
2 1952, 1953 was the first time an African American was  
3 elected to the city council in Durham, and he was the  
4 person. But I think he also served on the school board  
5 as well, so he was the first African American who was  
6 elected in -- in Durham.

7 Q. And Representative Michaux, do you know when we  
8 was first elected to the General Assembly?

9 A. It wasn't quite before I was born, but it was I  
10 think in 1971, '72 when he -- when he was elected. So  
11 he's -- I think he's been there all told about  
12 17-and-a-half terms; about 35, 36 years. Not -- not as  
13 long as George Miller served, but...

14 Q. What about black candidates who run statewide;  
15 do they -- have they been successful in Durham County?

16 A. Durham is, I won't say unique, but very  
17 particular about statewide candidates that -- that come  
18 there. And, again, they all go through the same process  
19 I talked about being interviewed and -- and issues being  
20 responded to on questionnaires and live interviews, et  
21 cetera. And as far as I can tell, everybody except for  
22 the president -- presidential candidates have come  
23 through. So statewide candidates have all been  
24 interviewed and/or endorsed as a result of those  
25 interview questions.

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1 African American candidates have done well  
2 in Durham. And as far as I know, in recent memory, Linda  
3 Coleman running for Lieutenant Governor won. Ralph  
4 Campbell won in Durham. Even in the recent Democratic  
5 Senate Primary, the top vote-getter, I believe, was Ken  
6 Lewis, who did not win, but won in Durham County. So  
7 supporting African American candidates in Durham County  
8 happens frequently, whether it's statewide or local. And  
9 they get white votes all the time. It's no big deal.

10 Q. Let's talk about the elections for House  
11 District 29. Do you have a general idea of what the  
12 racial makeup of what the district was when you ran in  
13 2006?

14 A. The voting-age population, I think, before  
15 redistricting would have been about 43 or 44 percent  
16 African American and approximately 48 percent -- 47, 48,  
17 49 -- somewhere in there -- white voting-age population  
18 in the district at that time.

19 Q. And who in -- did you get endorsements when you  
20 ran in 2006?

21 A. In 2006, like I said, there were five  
22 candidates in -- in that race, and I did get  
23 endorsements. And I tried to get every single  
24 endorsement I could get from an organization that I  
25 agreed with. So there was some endorsements I didn't

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1 get.

2 I didn't get NRA and I didn't get a few  
3 like that. But I did get the People's Alliance, the  
4 Durham Committee, the PBA, the Friends of Durham, and  
5 UE-150, which was a labor endorsement in trying a labor  
6 case.

7 Q. And then PBA, can you -- what is that?

8 A. That's the Police Benevolent Association,  
9 Triangle Chapter. And they do the same thing that I  
10 talked about the other folks do. They would have a  
11 questionnaire. They bring them in for interviews. They  
12 ask you the questions on crime and punishment and  
13 resources for police activities, et cetera.

14 Q. And so the groups that endorsed you included  
15 representative white -- they were representative of white  
16 voters in Durham?

17 A. Yes. Well, and, again, it's hard to say white  
18 voters in Durham; although in District 29, the majority  
19 of our voting-age population and the majority of  
20 registered voters were white. But, still, the issues  
21 were what really dominated. So they represented the  
22 interests of white voters and black voters. It just so  
23 happened the majority of them in District 29 were white  
24 voters.

25 Q. And then what -- do you remember what

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1 percentage of the vote you won by in 2006?

2 A. 2006 was an interesting -- I think I got about  
3 37 percent in the primary. We had a run-off, and I got  
4 about 56, 55 percent in the run-off. So out of the 5,  
5 the top 2 went to the run-off; and then I got 55 percent  
6 56 percent.

7 Q. And you had no opposition in the general  
8 election?

9 A. Didn't have any opposition in the general  
10 election.

11 Q. And so to get that 55 percent of the vote in  
12 2006 in the -- in -- did you have the support of white  
13 voters?

14 A. Yes, I did. And the People's Alliance is a  
15 predominantly white organization. But, again, they have  
16 minority members and minority members in leadership. And  
17 the neighborhoods they represent or the neighborhoods  
18 where they have the most influence in Durham are around  
19 Duke East Campus and -- and that part of town.

20 But, yes, I got their endorsement. I got  
21 the Friends of Durham endorsement, which is primarily  
22 considered to be a business organization heavily --  
23 membership was -- is -- is heavily business owners,  
24 financial industry people as well as real estate industry  
25 people.

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1 Q. In 2008, you had -- did you -- you had  
2 opposition in the general election; is that correct?

3 A. Yes. Yes. Interesting race. I had a white  
4 male -- and I can't even remember his name now, and that  
5 shows what happens when you lose. But he -- he decided  
6 to run and started a campaign. It was after my first  
7 time of winning two years -- in the two-year term. So in  
8 my second term, I guess he figured to run against me  
9 being that I was the newest person -- he was in my  
10 district or in the district I represented -- and he  
11 started out a campaign saying reelect him when, in fact,  
12 I was the incumbent. But it didn't work out in the end  
13 for him.

14 Q. What percentage of the vote did you get?

15 A. I -- if -- if I recall, it was right at 92 or  
16 93 percent of the vote that I got.

17 Q. And that's the general election?

18 A. Right.

19 Q. And then you had no opposition in 2010; is that  
20 right?

21 A. No. No opposition in 2010.

22 Q. Then when the General Assembly was redrawing  
23 House District 29 following the 2010 Census data, was  
24 there any need to increase District 29, increase the  
25 black voting-age population to over 50 percent black in

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1 order to make it possible for African American voters in  
2 Durham to elect their preferred candidate?

3 MR. FARR: Objection.

4 JUDGE RIDGEWAY: Overruled.

5 A. I -- I looked at the history of District 29. I  
6 don't think there's any reason -- you know, my preference  
7 would have been for District 29 to be untouched. I  
8 didn't see any reason for the composition of it to need  
9 to be changed and certainly not in order to elect an  
10 African American candidate.

11 And I want to stress again that after we  
12 went to single-member districts and we had to break down  
13 in District 29 of voters, it was 40 percent registered  
14 black voters and 55 percent registered white voters in  
15 District 29.

16 And with that mix of voters, Paul Miller  
17 won three terms. And then after he decided not to run in  
18 2006, I won two terms -- three terms before this  
19 redistricting happened.

20 So the -- the record shows there was no  
21 need for it. We had different candidates who were  
22 African American who represented the district that the  
23 voting mix stayed primarily the same throughout that  
24 period. And, again, it came back to what were the  
25 issues, what was your interaction with the community,

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1     what has your service been and how responsive have you  
2     been as a leader or a community member.

3           Q.     Just for the record, Paul Miller is African  
4     American?

5           A.     Paul Miller is African American, yes, ma'am.

6           Q.     And, again, for the record, you're identified  
7     as African American?

8           A.     Yes, ma'am.

9           Q.     Okay. Let -- I want to ask you a little bit  
10    about House District 31, which I've put on the screen  
11    just to orient the -- what the enacted district looks  
12    like and what the prior district looked like. Who  
13    represents House District 31?

14          A.     Representative H.M. Mickey Michaux.

15          Q.     And I believe you testified earlier that he  
16    served 17 terms?

17          A.     17 and a half.

18          Q.     Thank you.

19                   And given what you know about voting  
20    patterns in Durham, and the extent to which white --  
21    white voters are willing to support black candidates, did  
22    District 31 need to be increased from 47 percent black  
23    voting-age population to almost 52 percent black  
24    voting-age population?

25                   MR. PETERS: Objection.

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1 MR. FARR: Objection.

2 JUDGE RIDGEWAY: Overruled.

3 A. Well, I'll say this: I -- I don't think that,  
4 once again, there was a need to redraw that district  
5 and -- and -- and increase the number of African  
6 Americans in that district. He was a known quantity as  
7 far as what he has done in response to community needs  
8 and community issues. He had a person run against him --  
9 I think Mickey has a challenge every two or three cycles  
10 on average. So he has been challenged throughout and has  
11 campaigned and responded, again, to community groups and  
12 organizations. Not only do they get to look at his  
13 history of service, but they've looked at what he has  
14 done in the campaigns at hand.

15 And so there was no need to add additional  
16 voters. The folks he was representing, there was  
17 sufficient numbers of them from all communities; and they  
18 continued to elect him, continued to examine him, examine  
19 his service and continued to elect him.

20 Q. But apart from his strength as a candidate, you  
21 know, would -- do voters -- do African American voters in  
22 Durham sufficiently have the opportunity to participate  
23 in politics, be engaged, form coalitions with white  
24 voters, can those voters elect their candidate of choice,  
25 whoever it is?

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1 MR. FARR: Objection.

2 A. I would say, yes, the African American --

3 JUDGE RIDGEWAY: Hold on just a second.

4 The objection is overruled.

5 Go ahead. Thank you.

6 A. The African American community, once again, in  
7 Durham has a -- a strong history and networking history  
8 from that standpoint getting voters registered and  
9 participating at the block captain level, which is,  
10 again, below the precinct level for folks who do that  
11 kind of work. And because of that and because of the  
12 history of participation on city council and the county  
13 commission, African Americans as a whole in Durham have  
14 several organizations they use to participate and ensure  
15 candidates reflect their issues. And African American  
16 candidates compete well and get that support, and they  
17 would be able to elect an African American based on those  
18 numbers and how that district is drawn.

19 As long as the African American, once  
20 again, represented community values and interests,  
21 they -- you would not be able to put someone down there  
22 who put -- no one would be able to win and be against the  
23 issues that are important to the African American  
24 community in that -- in that old district, and absolutely  
25 not in the new district.

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1           Q.    And -- and then I also want to ask you about  
2   Senate District 20, which, again, I put on the screen  
3   just to show the enacted -- as it's been enacted and what  
4   the prior district looked like. Are you familiar with  
5   the past elections for Senate District 20 in Durham?

6           A.    Yes. The -- Senator Jeanne Lucas for, I think,  
7   seven or eight terms was the senator who represented that  
8   district. And then it was Representative McKissick  
9   filled out her term and then ran twice, once under the  
10   old district and then under this new district.

11          Q.    And both of them are African American?

12          A.    Both of them are African American. Jeanne  
13   Lucas was the first African American female elected to  
14   the State Senate in North Carolina.

15          Q.    And to your knowledge, did they both have  
16   support from white voters in Durham?

17          A.    Yes. Both of them had support. Again, when  
18   you look at the quality of -- of the candidate, Senator  
19   Lucas had been a public education employee and manager,  
20   supervisor and instructor and had a long history in the  
21   public school system in Durham before she came to the  
22   Legislature. And Senator McKissick, likewise, was the  
23   former city councilman and had a history in Durham as  
24   well.

25          Q.    Was there any need to increase Senate District

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1 20 from 45 black percent VAP to 51 percent VAP?

2 A. I don't think so. I mean, again, it's another  
3 one of those cases where it's clear we had an African  
4 American candidate there, went through these same  
5 processes I had talked about, got -- continued to get  
6 reelected, did well in the Legislature and did well  
7 representing Durham.

8 And the same thing has happened since  
9 Senator McKissick became the senator from that district,  
10 and there's been no indication that African Americans  
11 would not be able to prevail in that district. Even if  
12 Senator McKissick was not the candidate again, that  
13 someone who came with the same level of qualification or  
14 commitment to the community and demonstrated that, that  
15 they would get the support of the black community and the  
16 black community could elect a senator out of Senate  
17 District 20.

18 MS. EARLS: I have no further questions.

19 JUDGE RIDGEWAY: Cross-examination?

20 **CROSS-EXAMINATION**

21 BY MR. PETERS:

22 Q. Representative Hall, I'm Alec Peters from the  
23 Attorney General's Office. Just a few questions.

24 For the record, you're a Democrat; is that  
25 correct?

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1 A. Absolutely.

2 Q. Okay. And you've talked this morning about a  
3 number of districts; your own District 29 and District 31  
4 and District 20. Are you aware -- well, let me start  
5 with -- with your District 29. As that district existed  
6 prior to this latest round of redistricting when you were  
7 elected in 2006, 2008 and 2010, that district had over 60  
8 percent Democratic voters, didn't it?

9 A. Yes.

10 Q. Okay. And the majority of those were black,  
11 weren't they?

12 A. Not the majority of them.

13 Q. The majority of registered voters -- of  
14 Democratic voters in the district?

15 A. I think the majority of the registered voters  
16 in the district were white.

17 Q. And what are you basing that recollection on?

18 A. That's -- that's my recollection.

19 Q. That's just your memory.

20 A. (Witness moves head up and down.)

21 Q. Okay. What about District 31; that also was  
22 over 60 percent Democratic. Is that correct?

23 A. I think it was.

24 Q. And do you recall about 70 percent of those  
25 Democrats were black?

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1 A. That's -- I'm not sure of the --

2 Q. Okay.

3 A. -- number of -- of Democratic black percentage  
4 on that.

5 Q. Okay.

6 A. And I'm not sure if you're talking about  
7 voting-age population or registered voters.

8 Q. I believe you said you did not have any  
9 opposition in 2010 --

10 A. That's correct.

11 Q. -- is that correct?

12 But that in 2008, you had someone who ran  
13 on a "reelect me" campaign?

14 A. Yes, sir.

15 Q. And was his name Justin Lallinger or Lallinger?

16 A. I think you're correct, Justin Lallinger.

17 Q. And he was a Libertarian?

18 A. Yes, sir.

19 Q. He ran as a Libertarian, didn't he?

20 A. Yes, sir. That's how he got to the general  
21 election.

22 Q. And would you agree that there is some  
23 advantage to running as an incumbent in terms of name  
24 recognition and a track record?

25 A. I think it depends on what you do with your

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1 time being in an elected office. If you've been  
2 interactive with the community and organizations that are  
3 involved and worked on the issues so that people know  
4 your stance, et cetera, and they agree with that and  
5 think that's in their best interest, it can be of  
6 benefit.

7 By the same token, if you're in office and  
8 you don't represent their needs and interests, et cetera,  
9 I think it's a hindrance.

10 Q. Well, you made the comment earlier that after  
11 all of his terms in the House, Representative Michaux, I  
12 think you said, was a known quantity and people knew who  
13 he was.

14 A. Yes.

15 Q. All right.

16 MR. PETERS: I think that's all I have.  
17 Thank you.

18 MR. FARR: Your Honor, may I ask a few  
19 questions?

20 JUDGE RIDGEWAY: Yes, sir, Mr. Farr.

21 MR. FARR: Thank you.

22 **CROSS-EXAMINATION**

23 BY MR. FARR:

24 Q. Representative Hall, it's a pleasure to meet  
25 you. My name is Tom Farr, and I thank you for your

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1 service to our state and to our country.

2 A. Pleasure to meet you again. You probably don't  
3 remember me, but --

4 Q. No, no. I -- I remember you.

5 A. -- the last -- the last redistricting. Okay.

6 Q. I wanted to ask you a couple of questions.

7 Is it -- does it sound about right that  
8 the Legislature came in to enact plans around July 25th  
9 of 2011?

10 A. Right.

11 Q. Okay. And do you recall that Senator Rucho and  
12 Representative Lewis released something called "Proposed  
13 VRA Districts"?

14 A. Yes.

15 Q. And that happened in the middle of June; does  
16 that sound about right?

17 A. That sounds about right.

18 Q. Okay. And is it correct that the Legislative  
19 Black Caucus did not submit any plans for consideration  
20 until the Legislature convened on July 25th?

21 A. The plan that was submitted to -- to my  
22 knowledge was worked on and discussed, but not officially  
23 submitted again, as you say, I think until the 25th when  
24 the actual plan itself was put forward.

25 Q. So the first time it became public was around

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1 July 25th.

2 A. I'm not sure if that's the first time it became  
3 public, but I believe that was the first time it was  
4 officially submitted for consideration or debate.

5 Q. Do you know when it was provided or if it was  
6 provided to Senator Rucho or Senator Lewis before July  
7 25th?

8 A. No, I do not.

9 Q. Okay. And were you familiar with a plan that  
10 was proposed by a group called AFRAM which is affiliated  
11 with the Southern Coalition for Social Justice?

12 A. No, I'm not.

13 Q. You're not familiar with that plan?

14 A. No, sir.

15 Q. Okay. But you were aware of the intent of the  
16 chairs as far as VRA districts from the middle of June of  
17 2011?

18 A. I was aware that they had published the plan.  
19 And, also, as -- as you might know, the Legislature is  
20 the home of all rumors and negotiations and that other  
21 plans might be coming forward and other work might be  
22 done. And as far as I understood, discussions would --  
23 would continue.

24 Q. All right. And if I recall from your testimony  
25 that besides serving our country in the Marines that you

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1 also are a lawyer?

2 A. Yes, sir.

3 Q. And are you familiar with expert testimony?

4 A. Yes, sir.

5 Q. Do you know what that is?

6 A. Yes, sir.

7 Q. All right. So between the time that -- that  
8 you were -- that you or others were aware of the VRA  
9 Districts through July 25th, did you personally provide  
10 the Legislature with any expert reports on the issue of  
11 racial polarization?

12 A. No, I did not.

13 Q. Did you provide them any reports on the issue  
14 of racial polarization and whether it existed in Durham?

15 A. I did not.

16 Q. Do you know whether the Legislative Black  
17 Caucus ever provided expert reports on whether racially  
18 polarized voting was present either in Durham or in North  
19 Carolina?

20 A. I'm -- I'm not familiar with a report being  
21 generated titled "Racial Polarization."

22 Q. Okay. And are you -- are you aware of whether  
23 or not the -- the Democratic leadership ever provided the  
24 General Assembly with a report on whether racial  
25 polarization existed in Durham or in North Carolina?

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1           A.    No, I'm not aware.

2           Q.    Okay.  So as far as you know, neither the  
3   Legislative Black Caucus nor the Democratic leadership  
4   submitted any expert testimony indicating that racially  
5   polarized voting had disappeared in any area of North  
6   Carolina?

7           A.    Well, I don't know that you would call it  
8   "racially polarized voting disappeared."  Now, I'm sure  
9   the information was submitted on the districts and what  
10   the current makeup of the districts and obviously the --  
11   the results of the last election in December.  So that  
12   information was available and pretty widely dispersed --

13          Q.    Well, let me --

14          A.    -- among all.

15          Q.    I'm sorry, sir.  Are you finished?

16          A.    Yes, sir.

17          Q.    I'm sorry.  Let me try to ask the question in a  
18   better way.  I -- I apologize for my poor question.

19                   Did the Legislative Black Caucus or the  
20   Democratic leaders from the time of the public hearing  
21   process started through the time the plans were enacted,  
22   did they ever submit any reports whatsoever offering  
23   expert opinions on racially polarized voting in any area  
24   of the State of North Carolina?

25          A.    As you characterize the -- the racially

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1 polarized voting, as -- as I said, as far as I  
2 understand, information was submitted on the percentages  
3 of voting by different races in all the districts in  
4 North Carolina and was pretty well disseminated, not just  
5 by the Black Caucus or Democratic leadership, but by the  
6 legislative staff as well.

7                   So the information on what the breakdown  
8 was and what the performance was in virtually every  
9 district and even precinct, down to the precinct level,  
10 was available and I think everyone had it.

11           Q.    I'm -- I'm sorry.  I -- I must not have asked  
12 my question the right way.

13                   My -- my question is:  Are you aware of  
14 any expert testimony given or produced or submitted by  
15 the Legislative Black Caucus or the Democratic leaders at  
16 any time during the public hearing process or during the  
17 legislative debates on the issue of racially polarized  
18 voting?

19                   MS. EARLS:  Objection, Your Honor.  It's  
20 been asked and answered.

21                   JUDGE RIDGEWAY:  Overruled.

22           A.    Again, I know that -- and now that you brought  
23 forward public hearings as well, I know that there were  
24 several experts who testified at public hearings about  
25 differences in racial voting patterns throughout the

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1 state. I'm not sure of the designation, whether you  
2 would call them actually Democratic experts, Black Caucus  
3 experts, academic experts; but I'm aware several of them  
4 did testify at public hearings, and I attended some of  
5 them.

6 Q. And do you think it would be reasonable for the  
7 General Assembly to consider those expert reports in  
8 making its decision on how to create these districts?

9 A. I think they said that they would take the  
10 information received in public hearings and -- and review  
11 it. I'm not sure how they used it.

12 Q. Okay. I wanted to ask you a question about the  
13 City of Durham. Do you know what the racial breakdown is  
14 of the City of Durham?

15 A. No, I do not.

16 Q. Okay. And I have a question I wanted to ask  
17 you about your county commissioner races. What -- what  
18 years did those take place?

19 A. They're on a four-year basis, and last year was  
20 the last election, so...

21 Q. So they're during the general election?

22 A. Yes.

23 MR. FARR: Okay. Representative Hall,  
24 thank you very much. I have no further questions.

25 THE WITNESS: Thank you. Good seeing you

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1 again.

2 MR. FARR: Good seeing you. I -- I hope  
3 to see you under more pleasant circumstances.

4 JUDGE RIDGEWAY: Ms. Earls, further re --  
5 redirect, ma'am?

6 MS. EARLS: Yes, Your Honor.

7 **REDIRECT EXAMINATION**

8 BY MS. EARLS:

9 Q. Representative Hall, did any African American  
10 member of the General Assembly vote in support of the  
11 Senate, House, or Congressional redistricting plans?

12 A. Not to my knowledge, none supported.

13 Q. And did other African American members of the  
14 General Assembly speak on the floor of the House opposing  
15 the plans?

16 A. Several members did speak. I -- I know that I  
17 spoke. And if my recollection serves me, Representative  
18 Lewis -- Lucas spoke. Representative Adams,  
19 Representative Michaux, probably several others; but a  
20 lot of folks spoke in opposition to the plan that was  
21 created and in support of other plans that -- and  
22 amendments that were asked to be made.

23 MR. SPEAS: Thank you.

24 JUDGE RIDGEWAY: Anything further?

25 MR. FARR: No, sir.

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1 MR. PETERS: No.

2 JUDGE RIDGEWAY: Thank you, sir. You may  
3 step down.

4 THE WITNESS: Okay. Thank you, Your  
5 Honor.

6 JUDGE RIDGEWAY: Further evidence for the  
7 Plaintiffs?

8 MR. STEIN: Walter Rogers. Come around,  
9 please.

10 WHEREUPON, **WALTER ROGERS**, was called as a witness,  
11 having been first duly sworn, and testified as follows:

12 **DIRECT EXAMINATION**

13 BY MR. STEIN:

14 Q. Mr. Rogers, for the record, please state your  
15 full name and where you live.

16 A. Walter Rogers, Sr.; Laurinburg, North Carolina.

17 Q. Tell us a little bit about your background;  
18 where you grew up, where you went to school, and what  
19 kind of work you've done over the years.

20 A. I was born in Bladen County, moved to Scotland  
21 County in 1953. I have 16 years of formal education. I  
22 also have extended studies in management and  
23 administration from UNC-Chapel Hill, Pembroke State and  
24 Fayetteville State. I'm also a graduate of the North  
25 Carolina Institute of Political Leadership.

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1           Q.    Mr. -- Mr. Rogers, have you been active over  
2           the years in politics in your area of this state and in  
3           the state?

4           A.    Yes, I have. I think about the ninth or tenth  
5           grade, I decided that I wanted to be a county  
6           commissioner; so I began attending some of the meetings.  
7           And over the years, I have gone from attending county  
8           commissioners -- and thinking about attending county  
9           commissioner meetings to help get other people elected in  
10          government.

11                    I have worked on numerous campaigns. I --  
12          as the chairman of the North Carolina Black Leadership  
13          Caucus, it has been my job to travel the state and share  
14          ideas and receive ideas as to what might be done to help  
15          low-level people and people of color.

16                    But even before that, I was the -- a --  
17          living in the 8th Congressional District. I held every  
18          office in the 8th Congressional District Black Caucus  
19          Leadership -- 8th Congressional District Black Leadership  
20          Caucus, except chair. And I chose not to hold that  
21          because I was able to move around more freely. Prior to  
22          that, I helped to form the only black political  
23          organization in Scotland County, which exists today.

24           Q.    And are you -- are you right now the president  
25           of the North Carolina Black Leadership Caucus?

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1 A. I will be for at least another two months.

2 Q. And you've done that four years?

3 A. I have done that four years.

4 Q. Tell us a little bit about your activity in --  
5 in Scotland and -- and also in any of the surrounding  
6 counties where you've been active.

7 A. As the --

8 MR. STEIN: And -- and could you put up  
9 the District 48.

10 A. Well, from a county's perspective, we have been  
11 able to elect a majority board of county commissioners.

12 Q. And you're talking about Scotland County.

13 A. For Scotland County -- excuse me -- for  
14 Scotland County.

15 Q. Yep.

16 A. We've also been able to do the same thing for  
17 the board of education. We've been able to do that for  
18 the City of Laurinburg, which is the county seat for  
19 Scotland County. We have been able to be successful in  
20 getting our first African American District Court Judge  
21 for Scotland and Hoke Counties. We have been very  
22 successful in having African Americans that had the right  
23 mindset elected to public office from a district  
24 perspective.

25 I'm also familiar with Hoke County. Hoke

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1 County just had a young lady that was the clerk of court  
2 that was African American to go out of that position.  
3 The sheriff of Hoke County, along with Scotland and  
4 Richmond Counties, the sheriffs are African Americans.  
5 The --

6 Q. Are you saying the sheriff in both counties?

7 A. All three: Richmond, Scotland and Hoke  
8 Counties. Also, the register of deeds for Hoke County is  
9 African American.

10 Q. Now, are any of those three counties majority  
11 African American?

12 A. No.

13 Q. So, for instance, the sheriffs in all three  
14 counties were elected with the participation of and the  
15 votes of white voters as well as African American voters?

16 A. That is correct. That is -- that is absolutely  
17 right.

18 Q. So -- and what about House District 48? We're  
19 looking at -- displayed there is the district as it was  
20 enacted in 2011.

21 A. Um-hum.

22 Q. Could we look at it as -- on the -- on the  
23 right of the screen -- I guess it's on the right of  
24 everybody's screen -- is the district as it was before  
25 the redistricting; is that correct?

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1 A. That's correct.

2 Q. And on the left -- left, of course, is the  
3 district as it -- as it is now and as challenged in this  
4 case.

5 A. Correct.

6 Q. Before the redistricting, who was the  
7 representative of -- from House District 48?

8 A. Representative Garland Pierce.

9 Q. And what's his race?

10 A. He's African American.

11 Q. And in his district, the -- it shows there on  
12 the screen that the district was 45.56 percent black VAP  
13 in the district he was elected -- being elected from  
14 then.

15 A. That's correct.

16 Q. And it's now up to 51.27.

17 A. Correct.

18 Q. Did -- in -- in your opinion and based on your  
19 experience in -- in -- in Hoke and -- and Scotland  
20 County, was it necessary for the district -- did the  
21 African American percentage -- voting-age percentage in  
22 the District 48 need to be raised above 50 percent in  
23 order for the African American voters of that area to  
24 have a fair opportunity to elect candidates of choice?

25 MR. FARR: Objection.

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1           A.     In my opinion, it --

2                     JUDGE RIDGEWAY:  Overruled.

3                     Go ahead, sir.

4           A.     In my opinion, it was not.  As -- as a matter  
5 of fact, it probably complicated Representative Pierce.  
6 As a matter of fact, we've talked about it a number of  
7 times.

8           Q.     In -- in what sense are you talking about?

9           A.     And I just asked him the effects of it on him  
10 as -- as a representative.  He said, Walter --

11                    MR. PETERS:  Objection to hearsay.

12                    JUDGE RIDGEWAY:  Sustained.

13                    MR. FARR:  Excuse me, Your Honor.  I don't  
14 want to interrupt things.  So on that question about  
15 whether they think it needed to be increased, could I  
16 just have a standing objection on that?

17                    JUDGE RIDGEWAY:  Yes, sir.  I assume it's  
18 under Rule 702.

19                    MR. FARR:  Yes.

20                    JUDGE RIDGEWAY:  Competency of the expert  
21 opinion that's being offered.

22                    MR. FARR:  Yes, sir.

23                    JUDGE RIDGEWAY:  All right, sir.  It's  
24 overruled on that basis.  We're allowing it under Rule  
25 701.

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1 MR. FARR: I won't -- I won't say it  
2 again.

3 JUDGE RIDGEWAY: Yes, sir.

4 MR. STEIN: And, Your Honor, we rely on --  
5 on Rule 701.

6 JUDGE RIDGEWAY: Yes, sir. That's --

7 MR. STEIN: Right.

8 JUDGE RIDGEWAY: -- the objection is  
9 overruled.

10 MR. STEIN: And there will be some  
11 briefing on that --

12 JUDGE RIDGEWAY: Yes, sir.

13 MR. STEIN: -- when we're done.

14 BY MR. STEIN:

15 Q. Is -- in terms of -- as -- as somebody active  
16 in the political process in working in House District 48,  
17 is the district as now configured, is that more or less  
18 difficult for somebody to get around the district?

19 A. It is more difficult. It is more difficult.  
20 It is -- it -- it actually makes it harder for you to  
21 have a better relationship because you've got a wider  
22 area and you got those little nooks and crannies that  
23 you've got to adjust for to make sure that you don't  
24 overlook anyone.

25 Q. Now, we've -- we've talked about the -- the

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1 ability of the African American community to elect  
2 candidates of choice. Is the candidates of choice of the  
3 African American community in your area, is that always  
4 of African American candidates?

5 MR. FARR: Objection.

6 A. No.

7 Q. Could you give some examples?

8 A. Well, we have --

9 JUDGE RIDGEWAY: Hold on. Let me --  
10 let's -- let's rule on the objection. The objection is  
11 overruled.

12 Go ahead, sir.

13 MR. STEIN: Sorry, Your Honor.

14 JUDGE RIDGEWAY: That's all right. If --  
15 just for all witnesses, when there's an objection, if you  
16 would pause for a moment and let us --

17 THE WITNESS: Yes, sir. Excuse me.

18 JUDGE RIDGEWAY: -- confer.

19 MR. STEIN: Your Honor, and I instructed  
20 him -- him that, and it was -- it was my fault to keep  
21 going.

22 THE WITNESS: Well, he did remind me.  
23 Sorry.

24 JUDGE RIDGEWAY: Thank you. Please  
25 continue.

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1           A.    There are candidates who are not of African  
2   American descent who the African American community felt  
3   like were in their best interest.  It was the issues that  
4   got them elected, and they were elected because the  
5   African American community felt like they were in their  
6   best interest.

7           Q.    And do you have some examples of -- of white  
8   candidates or any candidates?

9           A.    Oh, sure.  At one time, we elected two county  
10  commissioners who we felt like was in the best interest  
11  of the African American community.  We have a clerk of  
12  court now in Scotland County who the African American  
13  community felt like was in their best interest and has  
14  done an excellent job in -- in that position.

15          Q.    So looking again at Hoke County, tell me  
16  what -- what the -- the composition of the school board  
17  and the county commission is.

18          A.    I'm -- I'm not sure about the school board.  I  
19  know there are several.  I believe there might be three  
20  or four.  I know that the county commissioners have at  
21  least one African American female, and the chairman of  
22  the board is an African American male in Hoke County.  
23  And we also have one Indian who is on the board who was a  
24  previous chair of the Hoke County Commissioners.

25          Q.    Summing up in -- in your view, is it -- is it

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1 necessary for there to be an increased percentage of --  
2 of African American voters in District 48 over the -- the  
3 plan that was in effect at the time of redistricting  
4 in -- in -- in the way it was redistricted?

5 A. No, sir. I do not believe it was necessary.

6 Q. And were there any of the African American --  
7 predominantly African American political groups in the  
8 area who were supporting increasing the African American  
9 percentage in that district?

10 A. No. Were not.

11 MR. STEIN: Those are the questions.

12 JUDGE RIDGEWAY: Thank you.

13 Cross-examination?

14 MR. PETERS: Thank you, Your Honor.

15 **CROSS-EXAMINATION**

16 BY MR. PETERS:

17 Q. Mr. Rogers, I'm Alec Peters from the Attorney  
18 General's Office. And I'm sorry; I know this is probably  
19 something you said at the very outset, but I'm not sure I  
20 got it straight. Did you say you -- did you say you  
21 currently live in Hoke County or Scotland County?

22 A. I currently live in Scotland County. I always  
23 refer to it as "Laurinburg" because very few people know  
24 where Laurel Hill is.

25 Q. That's fine. I just -- I think I got myself

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1 confused there for a minute.

2 And you've talked about Hoke County,  
3 Scotland County and Richmond County.

4 A. (Witness moves head up and down.)

5 Q. District 48 both under its previous version and  
6 its current version is also in Robeson County; is that  
7 correct?

8 A. Yes, sir.

9 Q. Okay. Are you aware -- do you know,  
10 Mr. Rogers, what the -- in the -- in the earlier version,  
11 the pre-redistricting version of 2000 of -- of District  
12 48, do you know what percentage of the population of that  
13 district was white?

14 A. Are you taking into con -- what percentage was  
15 white?

16 Q. (Counsel moves head up and down.)

17 A. I don't have the -- the exact number; but I  
18 know a lot of it was American Indians, which -- which may  
19 have reduced it some.

20 Q. Okay. Do you know whether whites were a  
21 majority of the district or the majority of the  
22 population?

23 A. I would say yes.

24 Q. So then -- excuse me a minute. I lost my page  
25 here.

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1                   So it's not your understanding that whites  
2     were only about 30 percent of the population of the  
3     district?

4           A.     No, it's not my understanding.

5           Q.     Okay. Do you know what the voter registration  
6     of the district was, do you -- do you know what  
7     percentage of the district was registered as Democrat --  
8     as Democratic?

9           A.     The percentage of people in the original  
10    district that were registered to vote?

11          Q.     Registered as Democrats in the district, yes.

12          A.     Under the old district or the new one?

13          Q.     The old district.

14          A.     On the old district, I believe -- I'm not  
15    certain. I believe it was like 48 or 55 percent, but I'm  
16    not sure.

17          Q.     Okay. So it's not your recollection that it's  
18    closer to 75 percent?

19          A.     It is not my -- I really don't remember on  
20    that.

21          Q.     All right.

22          A.     I'm sorry.

23          Q.     And do you know what the percentage of  
24    registered Democrats in the district were black?

25          A.     What percentage of the --

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1 Q. Of the registered Democrats in the district  
2 were black in the old district.

3 A. In the old district?

4 Q. Um-hum.

5 A. 45 percent.

6 Q. Okay. Are you familiar -- let me back up.

7 When redistricting plans were being  
8 considered in the General Assembly in 2011, were you  
9 aware of a group called AFRAM, the Alliance for Fair  
10 Redistricting and Minority Voter Rights, I believe.

11 A. Was I familiar with it?

12 Q. Yes, sir.

13 A. I was not.

14 Q. Okay.

15 MR. PETERS: That's all I've got.

16 MR. FARR: I have one question.

17 JUDGE RIDGEWAY: Yes, Mr. Farr.

18 **CROSS-EXAMINATION**

19 BY MR. FARR:

20 Q. Hello, Mr. Rogers.

21 A. How are you, sir?

22 Q. Nice seeing you this morning.

23 I wanted to ask you about these races that  
24 you talked about where you said that the black voters  
25 that supported the white candidate of choice.

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1 A. Yes, sir.

2 Q. You said there were two county commissioners  
3 that were elected.

4 A. Um-hum.

5 Q. Were those partisan elections?

6 A. No.

7 Q. They were not?

8 A. (Witness moves head from side to side.)

9 Q. And who was the other candidate running against  
10 the white person who was elected?

11 A. It -- what happened, the way the election was  
12 is that there were -- the majority votes -- two out of  
13 three of the majority gets the offices.

14 Q. Okay. Who was the person who lost?

15 A. I can tell you the person who won.

16 Q. Okay. Tell me who won.

17 A. Scoofer Jordan.

18 Q. Um-hum.

19 A. And Clint Willis.

20 Q. And what was the race of the person who lost?

21 A. I believe it may -- they may have been African  
22 American.

23 Q. Do you remember that person's name?

24 A. I believe it was Betty Goldston.

25 Q. All right. And were the two commissioners who

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1 won, were they registered Democrats?

2 A. Yes.

3 Q. And there was a county clerk of court. Is that  
4 a partisan election?

5 A. No.

6 Q. And who was the person who won?

7 A. Walter Phillip McRae.

8 Q. And who -- do you know who ran against Walter?

9 A. I do not remember.

10 Q. Do you recall the race of that person?

11 A. I believe they were white.

12 Q. Okay. Was Walter a registered Democrat?

13 A. Yes.

14 Q. The person who -- the lady you think lost the  
15 county commissioner's race, was that person a Republican  
16 or Democrat?

17 A. A Democrat.

18 Q. Okay.

19 MR. FARR: That's all I have, Your Honor.

20 JUDGE RIDGEWAY: Redirect?

21 MR. STEIN: No, Your Honor.

22 JUDGE RIDGEWAY: All right. Thank you,  
23 sir. You may step down.

24 MS. RIGGS: Your Honor, Plaintiffs call  
25 Goldie Wells.

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1           WHEREUPON, **GOLDIE FRINKS WELLS**, was called as a  
2       witness, having been first duly sworn, and testified as  
3       follows:

4                           **DIRECT EXAMINATION**

5                       BY MS. RIGGS:

6               Q.     Good morning, Ms. Wells. Can you introduce  
7       yourself to the court, please.

8               A.     Good morning. My name is Goldie Frinks Wells.  
9       I live in Greensboro, North Carolina.

10            Q.     Okay. Can you tell us a little bit about your  
11       background, where you grew up and where you went to  
12       school?

13            A.     I grew up in Edenton, North Carolina, and went  
14       to first grade -- I was at Edenton High School. We were  
15       in consolidated schools. I went the whole time to  
16       Edenton High School, graduated from Edenton High School.  
17       I went to Hampton Institute, which is now Hampton  
18       University; graduated there. I came to Raleigh, taught  
19       here for three years. Got married and moved to  
20       Greensboro. I've been there the rest of the time.

21            Q.     Approximately when did you move to Greensboro?

22            A.     In 1968. 1968.

23            Q.     And what were you employed as in Greensboro?

24            A.     As a teacher, an elementary teacher. I taught  
25       for about 17 years in elementary school. Then I went

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1 back to school. I got a master's in elementary ed, a  
2 master's in educational administration. And then I moved  
3 out of the classroom, moved over to Statesville and  
4 worked there as an elementary supervisor. That's where I  
5 retired from the North Carolina system.

6 Q. Can you tell us a little bit about your  
7 political involvement in Greensboro?

8 A. Well, when I retired from -- from the public  
9 schools in North Carolina, I went to Mississippi to be  
10 the president of a church boarding school. I came back  
11 home. And one Tuesday night, a young fellow came by the  
12 house and he said, Ms. Wells, the Winn-Dixie is moving  
13 and the -- the -- the Winn-Dixie had been in our  
14 neighborhood ever since I lived there. I live in  
15 Northeast Greensboro. I said, Oh, the store can't leave.  
16 We -- we -- we have to have a grocery store. He said,  
17 No, it leaving.

18 So I called then my -- my councilwoman:  
19 Is this true, Claudia? Is this true? She said, Yes, it  
20 is. So that was Tuesday night. So then I said, We just  
21 got to do something about it. So I passed out flyers,  
22 told everybody about it.

23 So Friday night, everybody met up at the  
24 community center and that's how it got started. And we  
25 formed a group called the Concerned Citizens of Northeast

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1 Greensboro. That was in December of '98.

2 Q. 1998?

3 A. Um-hum.

4 Q. Can you tell us a little bit more about  
5 Northeast Greensboro?

6 A. Northeast Greensboro is -- well, I could say  
7 that it -- it's been neglected for a while.  
8 Greensboro -- the racial divide is that the African  
9 Americans tend to live on the east side and we live in  
10 the northeast.

11 But Northeast Greensboro was -- is --  
12 is -- has been plagued with the White Street landfill.  
13 First we had the -- the glass, EB (sic) Glass, I believe  
14 it is, landfill; and that's where one of the chemical  
15 companies had been dumping their chemicals -- in -- in  
16 the White -- in the EH Glass.

17 So then the city bought land over in  
18 east -- Northeast Greensboro, and now there are a  
19 thousand acres there that had been the landfill. So that  
20 area was kind of blighted. And the -- the Concerned  
21 Citizens got involved in that blight.

22 Q. Have you ever been elected to political office  
23 in Greensboro?

24 A. Yes. I served for two terms on the city  
25 council: 2000 -- 2005 to 2009.

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1 Q. Have you worked on any other political  
2 campaigns besides your own?

3 A. Oh, yes. Worked with Senator Katie Dorsett and  
4 Alma Adams -- Representative Alma Adams.

5 Q. Senator Katie Dorsett, what district does she  
6 represent?

7 A. She represented District 28.

8 Q. And Representative Adams, you said?

9 A. She -- well, it was 58 at that time. I think  
10 now -- now we in 57.

11 Q. Okay.

12 A. Um-hum.

13 Q. What have you done local -- worked on local  
14 campaigns as well?

15 A. Oh, yes. All with Yvonne Johnson, who was the  
16 first African American to be elected to the -- to -- to  
17 mayor in Greensboro. I worked closely with her.

18 Q. When you've worked on political campaigns, what  
19 kind of activities have you participated in?

20 A. Well, we have -- as a result of being involved  
21 with Concerned Citizens, we have a lot of -- we formed  
22 coalitions. People who when we started with the -- the  
23 White Street Landfill -- well, we still don't have the  
24 grocery store. But when we started with the issue of the  
25 White Street Landfill and wanted to close that, people

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1 from all over the city got involved with us.

2 So we formed another group that's called  
3 the Citizens for Economic and Environmental Justice and  
4 we worked to -- to get the landfill closed. I've also  
5 worked with -- and then we -- we found out that we needed  
6 people who were on the council who would be sensitive to  
7 our needs.

8 Q. Um-hum.

9 A. So we -- we -- we formed another group called  
10 the Greensboro Voter Alliance, and that's a coalition of  
11 people coming from all over the city. But we were  
12 working to reelect -- I mean to elect members to the  
13 council that we thought would work with us.

14 We -- I -- I also worked with another  
15 political group, the Simkins PAC, and that was started by  
16 George Simkins who was a Civil Rights activist, and I  
17 think he championed the cause -- they went all the way to  
18 the Supreme Court -- so that the African American  
19 physicians could practice at the hospital there in  
20 Greensboro.

21 So we -- we formed that coalition, and  
22 folks came from all over to help us. And I just told  
23 them, I said, We will see you in November. And so when  
24 November came, we unseated those people who wanted to  
25 reopen the landfill and we have other representatives.

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1           Q.    When you worked on political campaigns, did you  
2    have -- for Senator Dorsett, for Representative Adams and  
3    on your own, did you have the chance to look at election  
4    returns for various elections?

5           A.    Yes.   Yes.

6           Q.    Did you do any Get Out the Vote work?

7           A.    Yes.   We worked with the -- worked with the  
8    precincts; and what we found is that folk were really  
9    interested in what the person was going to do, you know,  
10   for them.

11          Q.    Okay.

12          A.    Um-hum.

13          Q.    I'm going to put up on the screen a map of  
14   House District 57.

15          A.    Um-hum.

16          Q.    Are you familiar with political campaigns in  
17   House District 57?

18          A.    Um-hum.   Yes.   That's -- that's the one that  
19   Alma was first -- Alma -- oh, now 57, we have Pricey  
20   Harrison, yeah.   Yes.

21          Q.    And you used to live in House District 58.

22          A.    Yeah, I used to live in 58.   Yes.   Um-hum.

23          Q.    Okay.   Before you lived in House District 57,  
24   did you have any opportunities to work with  
25   Representative Harrison?

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1           A.    Yes.  Because she is concerned about the  
2   environment, she was very much involved with us when we  
3   were in the -- in the White Street Landfill struggle.  
4   Um-hum.

5           Q.    Representative Harrison, what is her race?

6           A.    She's white.

7           Q.    Have you found that Representative Harrison is  
8   responsive to the needs of black voters in the district?

9           A.    Quite responsive.  She's quite responsive, yes.  
10   She listens.  And I've been able to talk to her and give  
11   concerns, and she is quite responsive to our needs.

12          Q.    Has she had interactions with grassroots  
13   organizing groups in the district?

14          A.    Yes.  She got -- she -- she was the  
15   door-knocker.  She went through that neighborhood and  
16   because -- because it was new to her and she didn't even  
17   have any oppo -- opposition in the primary, she still  
18   went to every door she could and introduced herself.  She  
19   was interested in learning the people and the people to  
20   know her.

21          Q.    Did Representative Harrison have a challenger  
22   in the Democratic Primary in 2012?

23          A.    No.

24          Q.    Thank you.

25                   I want to -- now I'm going to put up a map

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1 of Senate District 28, and this is a -- a map that has  
2 both the old version of Senate District 28 and the new  
3 version of Senate District 28.

4 Are you familiar with political campaigns  
5 in Senate District 28?

6 A. Yes. That's Katie Dorsett and now we have  
7 representative -- I mean, Senator Gladys Robinson.

8 Q. What was -- what is the race of former Senator  
9 Katie Dorsett?

10 A. She's African American.

11 Q. And Senator Gladys Robinson?

12 A. African American.

13 Q. Do you remember when Senator Dorsett first was  
14 elected?

15 A. I don't know when she was first elected, but  
16 she won several terms.

17 Q. Do -- did you have any opportunity to work on  
18 any of her campaigns?

19 A. Yes.

20 Q. Did you -- do you remember if she ever had --  
21 how she faired against challengers?

22 A. Well, yes. She did very well. She was running  
23 against a white opponent and a black opponent -- a white  
24 female and a black male -- and she won. She won.

25 Q. Was -- was that Senator Robinson, actually?

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1 A. What?

2 Q. Was that Senator Robinson, that race?

3 A. That was -- she was running -- oh, she was  
4 running against -- let me get this straight now --  
5 Bruce -- Bruce Davis was running with -- with -- oh, no.  
6 I'm sorry (snap). I'm sorry. That's right. That's  
7 right. It was Bruce was running -- Bruce was running  
8 with -- with Ms. Wade and with -- with Robinson. Yeah.

9 Q. What if --

10 A. I got it now. I'm sorry.

11 Q. First, let's go back a little bit --

12 A. Um-hum.

13 Q. -- though, to talk about Senator Dorsett.

14 A. Okay.

15 Q. She served for some time?

16 A. Yes, she did.

17 Q. And did she ever have challengers for her seat?

18 A. Yes, she did.

19 Q. And did she win successfully?

20 A. She won. She won, yes.

21 Q. Do you remember -- in working on those  
22 campaigns, do you remember if Senator Dorsett won in  
23 precincts that were majority white?

24 A. Yes.

25 Q. Was it your impression that she had support

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1 from the white -- white voters in her district?

2 A. Oh, yes. It was -- it was impossible to win --  
3 win those races without having white support, I believe.

4 Q. Why -- why is that?

5 A. Because you need -- because of the pre -- the  
6 way it is, the -- the black folk are not in the majority,  
7 so you have to have some white support.

8 Q. Do you know, did -- did Senator Dorsett receive  
9 financial support from different parts of the community?

10 A. Yes.

11 Q. What were --

12 A. Yes.

13 Q. -- where did she receive financial support; do  
14 you know?

15 A. I don't know the specific groups, but I do know  
16 that she did receive -- and in -- in Greensboro, there  
17 are certain organizations that give, too, and they  
18 give -- take you through screening and all that before  
19 they endorse you, and she did receive support.

20 Q. And, now, do you have any familiarity with  
21 Senator Robinson, the current serving senator, and her  
22 political campaigns?

23 A. Well, I -- I don't know her. I haven't worked  
24 as closely with Senator Robinson. I did support her and  
25 I worked with the -- with the PAC and the PAC endorsed

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1 her.

2 Q. I -- I want to ask you some more questions  
3 about the PAC. But, first, do you -- that -- the  
4 three-way race that you had mentioned, that was with  
5 Senator Robinson?

6 A. Yes.

7 Q. And who were the candidates involved in that  
8 election?

9 A. Trudy Wade, Bruce Davis and Senator Robinson.

10 Q. And what are the -- what is the race of Trudy  
11 Wade?

12 A. Trudy Wade is white.

13 Q. And Bruce Davis?

14 A. Is black.

15 Q. And -- and what was the result of that  
16 election?

17 A. She won. He only won a small pocket of the --  
18 of the votes and she prevailed.

19 Q. So you had mentioned the Simpson -- the Simkins  
20 PAC. Can you tell me a little bit more about what the  
21 Simkins PAC does?

22 A. Well, the Simkins PAC interviews candidates  
23 from state level on down to -- to municipal; call them  
24 in, ask them a set of questions. They're sensitive to  
25 finding candidates that will be sensitive to the cause of

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1 African Americans to make sure that they're not -- I  
2 guess you could use the word "prejudiced" -- but make  
3 sure that they are going to be fair and that they're  
4 going to -- to serve well. And they get -- carry them  
5 through this grilling process and then endorse the ones  
6 that we feel are the best.

7 Q. How long have you been a member of the Simkins  
8 PAC?

9 A. For about six or seven years.

10 Q. Are you familiar with the work that they've  
11 done even before you were a member?

12 A. Oh, yes. It -- it's like a political pillar in  
13 our -- in our community in Greensboro, and it is  
14 recognized by all of the people who plan to run. They  
15 recognize the PAC.

16 Q. Did the Simkins PAC endorse Representative  
17 Pricey Harrison?

18 A. Yes.

19 Q. I want to talk now a little bit about the City  
20 of Greensboro and your -- your political involvement  
21 there. Based on the campaigns that you've worked on in  
22 the City of Greensboro, have you noticed white support  
23 for African American candidates in the city?

24 A. Yes. A lot of support and -- and, personally,  
25 they -- they were very responsive to me. But the

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1 support -- I know that there's white support because our  
2 first mayor, Yvonne Johnson, ran at large. In fact,  
3 she's only been an at-large candidate and she's won. She  
4 served for 14 years before she became mayor, so she's  
5 always gotten support.

6 Q. Is -- is the City of Greensboro majority black?

7 A. No. Just 37 percent black, according to the  
8 2000 Census.

9 Q. Do you know what sort of groups endorsed  
10 Ms. Johnson in her race for mayor?

11 A. I know the Realtors Association. I know the  
12 PAC. I -- I don't know all of the organizations --

13 Q. Um-hum.

14 A. -- but she was a favorite. I don't know.

15 Q. Was -- is the Realtors Association a  
16 predominantly white organization?

17 A. Yes, it is.

18 Q. What about, have you noticed black support for  
19 white candidates in the city?

20 A. Oh, yes. In the last election when I was  
21 talking about we wanted to get the right people in, our  
22 present mayor is -- is a white male.

23 Q. What's his name?

24 A. Robbie Perkins.

25 Q. Okay.

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1           A.    And he was very supportive, helped us.  In  
2   fact, when we started to fight the reopening of the  
3   landfill, the former mayor, who was white, Keith  
4   Holliday, asked me to -- to pull folk together because  
5   things were going too fast and because he had an interest  
6   in the city, did not want to see the White Street  
7   Landfill reopened.  As a result in the -- the CEEJ, we  
8   have representatives, people who are from every district  
9   in Greensboro.

10          Q.    Is the CEEJ, is its membership predominantly  
11   African American or white?

12          A.    It's mixed.  We have mixed.  We even have  
13   Montagnards working with us.  We have all different  
14   ethnic groups that are a part.  And I never looked at the  
15   percentage of, you know, white to black.  I guess you  
16   would say maybe -- maybe predominantly black, because  
17   it's in our -- but -- but we have strong support from the  
18   community.

19          Q.    And -- and your organizations that you're  
20   involved in -- Concerned Citizens of Northeast  
21   Greensboro, the Citizens for Economic and Environmental  
22   Justice and the Greensboro Voter Alliance -- have you  
23   supported white candidates?

24          A.    Yes.  Yes, we do.  We've supported them.

25          Q.    And why was that?

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1           A.     Because of their stance, because of what they  
2     believe in and what we -- their -- their goals and  
3     objectives for the city. Mayor Perkins has been talking  
4     about us being one city, and that's what we've been  
5     working toward. Right now we have a -- that old shopping  
6     center, we're working together and -- and trying to get  
7     that done. We have lots of support from people.

8           Q.     Ms. Wells, do you think that Senate District  
9     28, did -- did the black voting-age population in the  
10    district need to be increased from 47 percent to over 56  
11    percent in order for black voters in the district to have  
12    a fair opportunity to elect candidates of their choosing?

13          A.     No. No. Huh-uh. We were doing fine. We  
14    didn't -- we didn't need that. It's about the candidate  
15    and what the candidate says. And -- and what we did, we  
16    worked on, is to get folk out to vote. That's the -- the  
17    hardest. Get them out, and then they will vote for the  
18    person that is the best choice.

19                   This caused a lot of confusion because  
20    people didn't know where to go to vote. They got there  
21    and they -- this was the wrong place. Somebody on one  
22    side of the street was voting one place and somebody --  
23    it -- it was -- it was confusing.

24                   MS. RIGGS: Thank you very much,  
25    Ms. Wells. No further questions.

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1 JUDGE RIDGEWAY: Cross-examination?

2 **CROSS-EXAMINATION**

3 BY MR. PETERS:

4 Q. Okay. Good afternoon, Ms. Wells.

5 A. Good afternoon.

6 Q. I'm Alec Peters from the Attorney General's  
7 Office. I know I keep saying that to all the people that  
8 have been sitting there. Just a few questions.

9 I -- I think you mentioned Robbie Perkins  
10 is the current mayor of Greensboro.

11 A. Yes.

12 Q. And is he a Democrat or Republican?

13 A. He's a Republican.

14 Q. What about Keith Holliday?

15 A. He's a Democrat.

16 Q. Okay. Now, you have been talking some about  
17 Senate District 28. And, well, let me back up. Just for  
18 the record, are you a Democrat or a Republican?

19 A. I'm a Democrat.

20 Q. Okay. Senate District 28 we've been talking  
21 about some, and do you know what the -- in the former  
22 version of Senate District 28, the one that was in effect  
23 for most of the 2000s up until 2000 -- up until the last  
24 election cycle, do you know what percentage of the voters  
25 in that district were registered as Democrats?

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1           A.    I really cannot tell you.  I don't know.

2           Q.    So would I be correct in assuming, then, that  
3   you also don't know what percentage of the registered  
4   Democrats in that district are black?

5           A.    I -- I -- I don't -- I'm -- I don't want to say  
6   something that's statistically wrong because I don't  
7   really know.

8           Q.    That's fine.  Thank you.

9                   And, again, that current -- that previous  
10   version of the district, do you know what percentage of  
11   the voting-age population in that district was white?

12          A.    What percent -- what percentage of voting --

13          Q.    Of the voting-age population --

14          A.    -- was --

15          Q.    -- in old Senate District 28 was white.

16          A.    The old.  Well, if 47 percent was black, I  
17   guess whatever that difference is.

18          Q.    I'm sorry?

19          A.    Wouldn't it be?  If -- if 47.20 percent says  
20   black voting age, is that -- is that what that means,  
21   that -- that VAP?

22          Q.    Yes, ma'am.

23          A.    So then I guess the difference between that  
24   would be the white ones that were registered to vote.

25          Q.    Well, to your knowledge, are there voters in

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1 that district who might have been Hispanics or Asian?

2 A. Oh. Oh, yeah. There would be some. Because,  
3 see, in -- in the City of Greensboro, there are 50 -- 55  
4 percent white, 37 percent black. So, you know, you have  
5 all those other "others" in there, small percentages,  
6 yes.

7 Q. So with that in mind, do you know what the  
8 percentage of the district was white -- or the voting-age  
9 population of the district was white?

10 A. No, I don't.

11 MR. PETERS: I believe that's all I have.  
12 Thank you.

13 THE WITNESS: Yes, sir.

14 MR. PETERS: No. I do have one other -- I  
15 do have one other little area of questions.

16 BY MR. PETERS:

17 Q. Are you familiar or were you -- when  
18 redistricting plans were being considered, were you  
19 familiar with a group called AFRAM?

20 A. Huh-uh.

21 Q. Or --

22 JUDGE HINTON: Is that yes or no, ma'am?

23 A. Oh, no.

24 JUDGE HINTON: Thank you.

25 A. I'm sorry. Just shaking my head. No.

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1 Q. Okay. Thank you.

2 And were you familiar with any plans that  
3 were being put forward by the Southern Coalition for  
4 Social Justice to the Legislature?

5 A. I wasn't aware of it.

6 Q. Okay.

7 A. No, I wasn't aware of it.

8 MR. PETERS: Thank you. That is all I  
9 have.

10 MR. FARR: No questions, Your Honor.

11 JUDGE RIDGEWAY: All right. Do you have  
12 anything further?

13 MS. RIGGS: Nothing further. Thank you.

14 JUDGE RIDGEWAY: All right. Thank you,  
15 ma'am. You may step down.

16 All right. We're going to take a  
17 one-hour-and-15-minute lunch recess, and so we'll resume  
18 at a quarter til 2:00.

19 All right, Bailiff.

20 (Court was in recess from 12:30 p.m. to 1:50 p.m.)

21 JUDGE RIDGEWAY: All right. Welcome back,  
22 ladies and gentlemen.

23 Further evidence for the Plaintiff?

24 MR. SPEAS: Yes, Your Honors. We would  
25 call Linda Garrou to the stand, please.

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1           WHEREUPON, **LINDA GARROU**, was called as a witness,  
2           having been first duly sworn, and testified as follows:

3                           **DIRECT EXAMINATION**

4                           BY MR. SPEAS:

5                   Q.     Would you state your name for the record,  
6                   please.

7                   A.     Linda Garrou.

8                   Q.     And, Ms. Garrou, would you tell the Court a  
9                   little bit about your background; where you grew up and  
10                  those kinds of things, where you went to school.

11                  A.     Thank you. I'm Linda Garrou and I grew up in  
12                  Georgia, and I had the good fortune of going to Chapel  
13                  Hill to get -- receive a master's degree in history. But  
14                  I was really looking for a M-A-T-E, and I was very lucky  
15                  I got an A in that course. I've been married for 47  
16                  years to -- to John Garrou. I felt especially blessed.

17                                 We moved to Winston-Salem after he  
18                  completed law school and he started work, and we've lived  
19                  there ever since. We've been active in the community and  
20                  I -- my first career was as a teacher, and I've been very  
21                  interested in teachers and children and the effect of the  
22                  world on children and have been involved in my volunteer  
23                  career through Juvenile Justice Council.

24                                 I worked for ten years with the  
25                  Administrative Offices of the Courts in the Guardian Ad

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1 Litem Program. And through that experience, I decided in  
2 1996 when no one was going to run for the Senate from our  
3 district that I would give it a shot. I felt that I was  
4 called to give it a shot and so I did, and that was my  
5 entrance into politics.

6 Q. So you were elected to the Senate in 1996 from  
7 Forsyth County, and I believe you were elected seven  
8 times all together.

9 A. Yes, sir. But I was not elected in '96. I  
10 lost by 1 percent of the vote. It was a two-seat  
11 district, and I came in third. My prayer had been I  
12 would come in fourth and I would say the calling that I  
13 felt was indigestion or something. But so I felt an  
14 obligation to give it one more shot, and I ran in '98 and  
15 led the ticket at that point.

16 Q. And in '98 and 2000, that district was a  
17 two-member district?

18 A. Yes.

19 Q. And you were elected and Hamilton Horton was  
20 also elected?

21 A. That's correct. Yes, that's correct.

22 Q. Okay. And then we got a new redistricting plan  
23 beginning in the 2002 election. And, Senator Garrou, you  
24 were elected from that district in 2002, '4, '6, '8 and  
25 '10, correct?

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1           A.    Yes.  We had a district that was -- that we  
2           drew in 2002 and it was appealed.  And then a judge drew  
3           the district from which I was elected the next few years,  
4           so it was a -- a -- a redrawn district.  But I was  
5           elected those next few years, yes.

6           Q.    Senator, in front of you on the screen is a map  
7           on the right-hand side of Senate District 32.  That is  
8           the district as it existed in the first decade of this  
9           millennium.

10                   MR. SPEAS:  And something has happened.  
11           We now have a case --

12           Q.    Okay.  Senator --

13           A.    Is -- is -- I don't see District 20.  Is that  
14           the district you're --

15           Q.    No.  32.

16           A.    Oh, sorry.  Excuse me.  Yes.

17           Q.    That is the district you were elected from in  
18           2002, '4, '6, '8 and '10.  It's called "benchmark."

19           A.    Yes, that's correct.  Sorry.  I was just  
20           confused about the districts.

21           Q.    The black voting-age population in that  
22           district is 42.52 percent, correct?

23           A.    That's what this says, yes, sir.

24           Q.    Now, you were elected from that district five  
25           times -- different times.  Can you tell the Court the

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1 kinds of things you did to appeal to African American  
2 voters in the Forsyth County district?

3 A. One of my first really kind of a big -- big  
4 case -- issue for me was I called on Governor Jim Hunt to  
5 call a special session for Reynolds Tobacco Company  
6 because the folks in Florida were trying to move some  
7 action that would require that Reynolds would -- it was  
8 the -- something, the bank and getting paid, bills.

9 And RJ Reynolds has made life so livable  
10 for so many people in Winston-Salem, particularly African  
11 Americans; and they've given them such opportunities.  
12 And I felt not only for Winston-Salem, Forsyth County,  
13 but for the State of North Carolina that that was so  
14 critical. But it affected so many African Americans in  
15 my -- in my district.

16 I had the opportunity through chairing the  
17 Appropriations Committee and working on the Education  
18 Committee, worked with the -- the bond issue to help the  
19 university system. And we have two universities in  
20 Winston-Salem. We have the North Carolina School of the  
21 Arts and Winston-Salem State. And we did some focus  
22 growth planning for Winston-Salem State so they could  
23 increase the -- the children that went to school there,  
24 increase their ability to stay in school and to grow and  
25 offer more courses.

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1                   And I was particularly proud of the  
2                   efforts that we made at Winston-Salem State. If you  
3                   drive in Winston-Salem State now, I mean, it is so  
4                   different from what it looked like when I first moved to  
5                   Winston-Salem. There have been a number of issues  
6                   that -- that I've worked on that affected the African  
7                   American community as far as jobs were concerned, because  
8                   we know that's a real issue for -- for everyone.

9                   Q.     And did you count yourself as the candidate of  
10                   choice of the African American community in those years  
11                   in Forsyth County?

12                   MR. FARR:   Objection.

13                   JUDGE RIDGEWAY:   Overruled.

14                   Q.     You may answer.

15                   A.     Well, actually, I went to a Democratic Party  
16                   Convention committee meeting recently and a number of  
17                   African Americans came up to me and told me I would  
18                   always be considered --

19                   MR. FARR:   Objection.

20                   MR. PETERS:   Objection as to hearsay.

21                   JUDGE RIDGEWAY:   Overruled.

22                   BY MR. SPEAS:

23                   Q.     Okay. During the -- those years that you were  
24                   running -- running from that district, Senator Garrou,  
25                   did you have an African American opponent at any point?

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1           A.    Yes, I did.  When I ran in '98, there were  
2   three of us on the ballot, and we worked with the party  
3   folks to try to get probably an African American to run  
4   for that seat, and we could not get anyone.  I had two  
5   people who ran against me in the primaries.  I guess it  
6   was 2004 and 2010.  I can't remember exactly.

7           Q.    And do you recall the percentage of votes you  
8   got in those occasions when you did have an African  
9   American primary opponent?

10          A.    I can't remember exactly, but it was over 70  
11   percent.

12          Q.    You won by significant margins?

13          A.    Yes.

14          Q.    Okay.  Now, Senator Garrou, you did not run for  
15   the Senate in -- this last time, did you?

16          A.    No.  I chose not to.

17          Q.    Okay.  And on the screen in front of you, on  
18   the other side of the screen, is Senate District 32 as it  
19   now exists.  Do you recognize that as the present  
20   district, Senator?

21          A.    Yes, I do.  Although I had not seen this latest  
22   thing, this little arm sticking out on the right.  I had  
23   not seen that part.

24          Q.    Okay.  Okay.  Were you excluded from that  
25   district that had previously been your district?

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1 A. Yes, I was.

2 Q. And -- and do you know why you were excluded  
3 from that district?

4 A. I can't remember the -- the words exactly, but  
5 I was on the floor. The chair said that it was to offer  
6 an African American the opportunity to win the election  
7 in that district.

8 Q. Okay. Senator Garrou, there is a white  
9 notebook in front of you just to your left there. If you  
10 could put that in front of you and turn to Tab D4, which  
11 is very near the back of the document, Senator. Did you  
12 find D4?

13 A. Yes, I do.

14 Q. Okay.

15 A. Page 86, yes.

16 Q. Okay. And is that the July 25, 2011 Transcript  
17 of Proceedings in the State Senate?

18 MR. SPEAS: May I -- may I approach the  
19 witness, Your Honor?

20 JUDGE RIDGEWAY: Yes.

21 BY MR. SPEAS:

22 Q. Let me -- I'm sorry to be so confusing about  
23 where it is.

24 A. I'm not sure about the date, but...

25 Q. It's Tab 4. Yeah. And let me see. Well, let

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1 me get the page myself.

2 A. Okay.

3 Q. It's page 91. And on page 91 beginning at page  
4 (sic) 19, Senator Rucho is speaking. And could you read  
5 that sentence beginning at line 19 into the record,  
6 please, Senator: We have, also...

7 A. Yeah. We have also removed the white incumbent  
8 from the district who had previously defeated African  
9 American primary challenges, and we think this will  
10 provide the minority community within the district with a  
11 better opportunity to elect a candidate of their choice.

12 Q. Okay. Thank you.

13 And that was Senator Rucho speaking on the  
14 floor of the State Senate?

15 A. Yes.

16 Q. And, Senator, I want to show you --

17 MR. SPEAS: Your Honors, I've shared this  
18 with the other side, but this is another map. It's one  
19 we did not have on the screen, and if I may ask the  
20 witness a few questions about it.

21 JUDGE RIDGEWAY: Yes, sir.

22 MR. SPEAS: I have a copy for the Court,  
23 if I may approach. And the other side has the copy. If  
24 I may approach the witness.

25 JUDGE RIDGEWAY: If you have one extra, if

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1 you'll give it to the clerk.

2 MR. SPEAS: Yes, I do have one extra.

3 BY MR. SPEAS:

4 Q. Senator Garrou, there is a set of documents in  
5 front of you that's marked as Exhibits 31A and 31B.  
6 Those are, I would represent to you, the VRA House and  
7 VRA District 32 as first introduced by Senator Rucho and  
8 the Rucho Senate District 32, which was the district as  
9 enacted by the General Assembly.

10 Can you point to the Court the precinct in  
11 which you live?

12 A. I live in Precinct 908, which is second from  
13 the left-hand margin. I think there's 131, and then 908  
14 is my -- my district -- my precinct.

15 Q. It's roughly parallel on the left with the  
16 words "Forsyth"; is that correct?

17 A. That's correct, yes, sir.

18 Q. Okay. And that's the precinct in which you  
19 live?

20 A. Yes, sir.

21 Q. Okay. Now, Senator Garrou, the -- there's a  
22 difference between Exhibit 31A and 31B, a couple of  
23 differences. 31A does not divide any precincts. 31B  
24 divides a lot of precincts.

25 MR. PETERS: Objection. Are these

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1 statements or questions?

2 JUDGE RIDGEWAY: All right. Overruled.

3 MR. SPEAS: Okay.

4 Q. Is that correct, Senator?

5 A. I -- yes. Yes, sir. I -- I -- I think I would  
6 say that's correct, yes.

7 Q. Do you know the reason those precincts were  
8 divided?

9 A. I really can't tell you. I mean, that was one  
10 of the things we talked about was trying to split as few  
11 precincts and districts as we possibly could when we --  
12 that was part of the process, was my understanding.

13 Q. Okay. Okay. Senator Garrou, did you choose  
14 not to run for reelection because you had been moved out  
15 of your old district?

16 A. Yes, sir. I -- I chose to run (sic) because I  
17 can count.

18 MR. SPEAS: Thank you, Senator. Those are  
19 all the questions I have.

20 JUDGE RIDGEWAY: Cross-examination?

21 MR. PETERS: We don't have any, Your  
22 Honor.

23 JUDGE RIDGEWAY: All right. Thank you,  
24 ma'am. You may step down.

25 THE WITNESS: Thank you.

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1 MR. SPEAS: Thank you, Senator.

2 THE WITNESS: Thank you.

3 JUDGE RIDGEWAY: Further evidence for the  
4 Plaintiff?

5 MS. EARLS: The Plaintiffs call  
6 Representative Mel Watt.

7 WHEREUPON, **MELVIN L. WATT**, was called as a witness,  
8 having been first duly sworn, and testified as follows:

9 **DIRECT EXAMINATION**

10 BY MS. EARLS:

11 Q. Would you state your name for the record,  
12 please.

13 A. My name is Melvin L. Watt.

14 Q. And you currently serve as a member of Congress  
15 from the 12th Congressional District of North Carolina.

16 A. I do.

17 Q. And you've been nominated by the President to  
18 be the Director of the Federal Housing Finance Agency,  
19 and that's a position that requires Senate confirmation.

20 A. That's correct, yes.

21 Q. Would you tell the Court a little bit about  
22 your background; where you were born and raised.

23 A. Yes. I was born in Mecklenburg County. I  
24 attended public segregated schools in Mecklenburg County.  
25 I attended the University of North Carolina at Chapel

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1 Hill, '63 to '67; and then was at Yale Law School from  
2 '67 to '70 and graduated from Yale Law School in 1970.

3 And went to Washington, took the DC Bar  
4 planning to go back to graduate school in law and decided  
5 not to do it. So I left Washington before I got my DC  
6 Bar results and went through New York to the NAACP Legal  
7 Defense Fund for about a year and then came back to  
8 Charlotte to join the Chambers firm in 1971.

9 Q. And you practiced law with the Chambers firm  
10 from '71 until you were elected to Congress in 1992; is  
11 that correct?

12 A. That's correct, yes.

13 Q. And so you were there when the firm was  
14 litigating the *Gingles* case?

15 A. That's correct.

16 Q. Could you give the Court an overview -- a brief  
17 overview of your political career when you first got  
18 involved in the politics?

19 A. I got a call one day from a guy name Harvey  
20 Gantt. He had been appointed to the Charlotte City  
21 Council. The African American community was split on who  
22 the appointment would go to. It was the city council  
23 that was going to make the appointment. And he was not  
24 affiliated with any of the three groups, but he got  
25 appointed to the city council. And he called me and

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1 asked me if I would manage his political campaign the  
2 first time he ran for the Charlotte City Council; and  
3 that was, I believe, in 1974. I have been either a  
4 campaign manager or a candidate in a political campaign  
5 every two years since 1974.

6 Q. And so in addition to the city council  
7 campaign, what other campaigns did you manage?

8 A. I managed his campaigns for city council in  
9 1979. He called me and said he was going to run for  
10 Mayor of Charlotte. I told him he was out of his mind  
11 because the City of Charlotte was approximately 23, 25  
12 percent African American and I didn't think he could win.  
13 And I asked him why he was planning to run, and he said  
14 he was -- he thought he was the best qualified candidate  
15 to -- to run for mayor.

16 He lost that election in the Democratic  
17 Primary in 1979 by 95 votes out of over 100,000 votes  
18 cast. In 1981, he ran for city council again and won  
19 at-large on the city council overwhelmingly, became the  
20 Mayor Pro Tem. In '83, he ran for mayor again and won  
21 the mayor's race; then subsequent mayors' races.

22 And then in 1990, he called me and said he  
23 was going to run against Jesse Helms for the United  
24 States Senate. And I told him he was out of his mind  
25 again. But if he was going to be there, I was going to

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1 be his campaign manager. And -- and so I managed that  
2 campaign in 1990 statewide; my first statewide campaign.

3 In 1991, they created the 12th  
4 Congressional District based on the 1990 Census. I  
5 called Harvey Gantt and said, I'm ready to manage your  
6 campaign for the United States House of Representatives.  
7 And he told me he was not going to run and asked me if I  
8 would consider running, and so I've been in Congress ever  
9 since.

10 Q. And you've also served in the North Carolina  
11 Senate?

12 A. I did. But I did not run for the North  
13 Carolina Senate much like I think Representative --  
14 Senator Dan Blue described this morning. I was selected  
15 by the committee structured to replace Phil Berry, whose  
16 name remained on the ballot, although he had died right  
17 at the end of -- of his campaign. I served one term in  
18 the North Carolina State Senate and then decided that it  
19 probably didn't make sense for me to do that with two  
20 boys at home growing up, so I got out.

21 Q. And can you tell us briefly what leadership  
22 positions you've held in Congress?

23 A. I have been on the Judiciary Committee and on  
24 the House Financial Services Committee the entire 21  
25 years that I've been in Congress, and I have held either

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1 ranking member or chairman positions on a number of  
2 subcommittees at various times on both of those  
3 committees.

4 When we were in the majority, of course, I  
5 would be a chair. When we were in the minority, I become  
6 a ranking member. I've been either chair or ranking  
7 member of the Immigration Subcommittee on the Judiciary,  
8 the Administrative Law Subcommittee on the Judiciary, the  
9 Constitution Subcommittee on the Judiciary and the  
10 Intellectual Property Subcommittee on the Judiciary,  
11 which I'm the ranking member of now.

12 On Financial Services, I've been the chair  
13 or ranking member of the Oversight Subcommittee. And  
14 during the Dodd-Frank period, I was the chair of the  
15 Domestic Monetary Policy Subcommittee, which is the  
16 subcommittee that if anybody in the federal government  
17 has oversight jurisdiction over the Federal Reserve, it's  
18 that subcommittee. Yeah.

19 Q. And were you also chairman of the Congressional  
20 Black Caucus in 2005-2006?

21 A. I was the chair of the Congressional Black  
22 Caucus in 2005 and 2006. And it was during that period  
23 that the Voting Rights Act was reauthorized. Because of  
24 my position on the Judiciary Committee and because I was  
25 chair of the Congressional Black Caucus and had pretty

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1 extensive background in voting rights because my district  
2 had been in litigation multiple times and had been  
3 changed during the 1990 cycle multiple times, I thought  
4 it would be good for me to be active in that. And so I  
5 formed a coalition with Chairman Sensenbrenner, who was  
6 the chair of the Ford Judiciary Committee. He had been  
7 involved in earlier authorizations of the Voting Rights  
8 Act, and we kind of made a deal that we would stand back  
9 to back and try to get the Voting Rights Act  
10 reauthorized. He would kind of fight off the people who  
11 wanted to make dramatic changes from the right and I  
12 would try to fight off the people who wanted to make  
13 dramatic changes from the left to make it cover more and  
14 more things. And we were successful in getting the  
15 Voting Rights Act reauthorized for 25 years.

16 Q. So coming back to Mecklenburg County, are  
17 you -- are you familiar to the extent to which African  
18 American candidates have been elected to public office in  
19 Mecklenburg County?

20 A. Yes.

21 Q. And can you give me some examples of either --  
22 well, first of all, the City of Charlotte makes up about  
23 what percentage roughly of the -- of Mecklenburg County?

24 A. I'm not sure. But, you know, over the years,  
25 the city has annexed more and more and more of the

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1 county. There are some towns -- Huntersville, Cornelius,  
2 Davidson -- that are not part of the city. But  
3 essentially most of that, except for the precinct where  
4 my mama lives where I grew up, have pretty much all been  
5 annexed into the city.

6 I -- I was born beyond the airport between  
7 the airport and Catawba River, and they have not  
8 annexed -- annexed anything beyond the airport; but  
9 there's only one -- one precinct beyond the airport. My  
10 mother still lives in the county.

11 Q. So either citywide or countywide, do you  
12 have -- can you give us some examples of -- of African  
13 American candidates who have been elected?

14 A. Well, obviously, Harvey Gantt as mayor and --  
15 and as an at-large member of city council. The current  
16 mayor, Anthony Foxx, who's the President's nominee to  
17 become Transportation Secretary, is elected citywide.

18 Q. How many times has he been elected?

19 A. He's been elected twice, I think. Yeah.

20 A number of school board candidates have  
21 been elected countywide. I think the current chair of  
22 the -- of the school board is African American and she  
23 was elected countywide. There are at-large members of  
24 the city council, David Howard and Patrick Cannon, who is  
25 the Mayor Pro Tem of the City of Charlotte who was

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1     elected county -- citywide, not countywide. But there's  
2     a long history of -- of coalition building going back a  
3     number of years in -- in the City of Charlotte and in  
4     Mecklenburg County.

5           Q.     What about the -- the -- the county commission?  
6     Do they -- are there at-large seats for the county  
7     commission?

8           A.     There are at-large county commission seats.  
9     Let me see. I'm -- I'm going to -- I'm refreshing my  
10    recollection here. Trevor Fuller is an African American  
11    male who's elected countywide. Kim Ratliff, the vice  
12    chairperson of the county commission, is an African  
13    American female who was elected countywide, yes.

14          Q.     And then I want to ask you about African  
15    American candidates who have been elected to State Senate  
16    and State House seats in Mecklenburg County that are not  
17    majority black districts. Have there been any examples  
18    of that?

19          A.     I suspect there have been a number of examples.  
20    I guess the one that springs most readily to mind is  
21    Malcolm Graham, who I -- I don't know the district  
22    numbers because I don't keep up with that. But he ran  
23    against an incumbent, Fountain Odom, and -- and won and  
24    has been reelected and still serves a number of -- has  
25    served a number of terms in the -- in the State Senate.

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1 And his district is -- is certainly not majority or  
2 any -- probably not even close to being majority African  
3 American.

4 Q. And what about in the House -- in the House  
5 district seats that are not majority black?

6 A. Let me look at my numbers here and I'll maybe  
7 be able to answer.

8 Nick Mackey, who's African American, won  
9 65 percent of the vote in a 27, almost 28 percent African  
10 American district. Rodney Moore won 72 percent of the  
11 vote in a district that's approximately 27, 28 percent  
12 African American. Charlie Dannelly, who represents the  
13 district that I represented -- that I was appointed to  
14 represent in -- or -- or the successor district, I guess  
15 you would say, got 73 percent of the vote in a 47 percent  
16 black district. And Malcolm Graham's district, who I  
17 just testified about, has approximately a 31 percent  
18 African American district. And he's won with 61 percent  
19 of the vote, 66 percent of the vote, almost 67 percent of  
20 the vote -- vote and 58 percent of the vote.

21 And I did run in 1998 -- well, I -- I --  
22 well, and I've -- I've -- I've -- in Congress, I have not  
23 been able -- been in a majority black district in a  
24 number of years and I've won handily, yes.

25 Q. So I'll -- I'll -- I'll talk a little bit more

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1 about District 12 in a minute. But I want to ask you  
2 about -- so you talked about the -- the every two years  
3 you've been involved either as a campaign manager or a  
4 candidate. Can you just describe a little bit about what  
5 knowledge you gained about voting patterns as a result of  
6 doing that work? Do you look at election returns? Do  
7 you talk to voters? Do you do public opinion polling?  
8 Can you tell us what you do?

9 A. I do all of those things and have done all of  
10 those things both as campaign manager and as candidate.  
11 And going back to 1979, 1983 when Harvey ran for mayor,  
12 one of the compelling arguments he made to me was that he  
13 was the person on city council who was making -- forming  
14 the coalitions of -- of groups across racial and  
15 community lines and that's how he decided he was going to  
16 run for mayor in the first place.

17 Q. So -- so based on your knowledge of voting  
18 patterns in Mecklenburg County from the -- the work that  
19 you've done in the -- in the political process and --  
20 and -- and what you -- and -- and going back to what  
21 you've just testified to, to the African Americans who  
22 won in majority House districts and majority Senate  
23 districts -- I'm sorry -- in House districts and Senate  
24 districts that are not majority black in Mecklenburg  
25 County, how do those -- if -- if voting is racially

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1 polarized, how do these African American candidates win?

2 A. Well, they win with a coalition of African  
3 American and white voters. And there's a long history of  
4 that in -- in Mecklenburg, and I think we are -- we are  
5 continuing to advance that history, which is actually why  
6 we didn't try to reauthorize the Voting Rights Act for --  
7 permanently. We -- we authorized it because it was  
8 intended to be a transitional remedy to level the playing  
9 field and make it possible for African American  
10 candidates to get elected.

11 As racial polarized voting was diminishing  
12 over time, we hoped. And so that was -- I mean, I think  
13 we are making progress toward that.

14 Q. So is it necessary, then, to draw a State House  
15 or State Senate District in Mecklenburg County that is  
16 over 50 percent black in voting-age population in order  
17 to get the black voters of that county a fair chance  
18 to -- to elect their candidates, their preferred  
19 candidates?

20 A. No.

21 Q. Are you aware of any successful Section 2  
22 lawsuit -- Section 2 of the Voting Rights Act -- brought  
23 against any office in Mecklenburg County since the  
24 *Gingles* litigation?

25 A. No. I don't think there has been one.

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1 Q. Okay. So now I want to turn to District 12.  
2 Do you know roughly what the racial composition was of  
3 Congressional District 12 when you first ran for Congress  
4 in 1992?

5 A. I think in 1992, ultimately, it was probably  
6 majority black.

7 Q. And -- and then how did the district change  
8 after you were elected?

9 A. Well, you know, it went through litigation in  
10 which the courts said that race was being taken into  
11 account to too much of an extent. And at various times,  
12 it has gone -- I've run in 32 percent African American  
13 districts. And, finally, it settled down to about a 40  
14 percent African American district, which is what it was  
15 up until the most recent round of redistricting.

16 Q. So do you recall, was it 1998 when the district  
17 was 32 percent black voting-age population?

18 A. I think that's probably the -- the -- yeah, it  
19 was -- yeah, it was -- that was the third or fourth  
20 iteration of the 12th Congressional District, and --

21 Q. And --

22 A. -- and the minority percentage was drawn way  
23 down, yes.

24 Q. But you still won in 1998?

25 A. I got about 56 percent of the vote in that

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1 election even though it was the election in which well  
2 over a million dollars was spent against me around an  
3 issue that I voted against and been the only member of  
4 the U.S. House of Representatives to vote against it.  
5 And they made it an issue. The -- the numbers were way  
6 down. They spent over a million dollars telling people  
7 how terrible I was.

8 In fact, the weekend before the election,  
9 my mother called me and said, Are you as bad as they say  
10 you are? And I assured her I was the same person that --  
11 that I -- she had grown up -- she had -- had grown up  
12 with her. Yeah.

13 Q. So between 1998 when the district went down to  
14 32 percent and 2012 when it was redrawn, in the -- in the  
15 other years -- in all those years in between, did it ever  
16 again become a majority black district?

17 A. Not the -- I don't think so. And in most of  
18 those elections, I was getting consistently above 60  
19 percent, 65 percent of the vote.

20 Q. So am I right that out of the 10 times that you  
21 were elected in District 12 between 1992 and 2010, only  
22 three of those times was your district majority black?

23 A. I think that's correct.

24 Q. Now, when the census data was released in 2011,  
25 was District 12 overpopulated or underpopulated as

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1 compared to the ideal district size?

2 A. It was 2,847 people overpopulated.

3 Q. So that meant -- what about how the district  
4 needed to change?

5 A. Well, it needed to lose 2,000 -- what did I  
6 say -- 2,847 people to get -- comply with the "one  
7 person, one vote" requirement.

8 Q. Out of how many thousands of people?

9 A. That was probably up to about 700,000 people at  
10 that time.

11 Q. Did you have any discussions with Senator Rucho  
12 about how Congressional District 12 could be redrawn?

13 A. I sure did, yes.

14 Q. Were those -- were those in-person discussions?

15 A. Yes. I -- I've known Senator Rucho -- "Bob" I  
16 call him -- because he was my orthodontist and I  
17 considered him a long-term friend. And he called and  
18 invited me to come to Raleigh to sit down with him and to  
19 express my views on what should be done with the 12th  
20 Congressional District.

21 I met with him on April 25, 2011 -- I'm --  
22 I have the notes here, so I'm refreshing my  
23 recollection -- in Raleigh. And I told Senator Rucho  
24 that I had looked at the numbers, that the 12th District  
25 was 2,847 people overpopulated; and that because the

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1 district had been through so much litigation in the '90s  
2 and a lot of confusion in the 2000s that I thought they  
3 should try to do what I call a minimum change district.

4 And I told him that the ideal way from --  
5 from my perspective to do it would be to drop two  
6 precincts in Mecklenburg County. I identified the two  
7 precincts. They were the Davidson College precinct and  
8 the precinct that was right beside of the Davidson  
9 College precinct. And the reason I identified those two  
10 precincts was that the people in Davidson at Davidson  
11 College had lobbied the Legislature in -- in 2000 to stay  
12 in the 12th Congressional District.

13 My district at that time went up 77 and up  
14 85. And so it was easy for me to get up to Davidson and  
15 represent the people in Davidson because I had  
16 Huntersville, Cornelius, Davidson, Mooresville. In fact,  
17 at one point, I went all the way into -- into Iredell  
18 County, had part of Statesville. But by that time, it --  
19 I think it stopped at Mooreville. And the folks in  
20 Davidson wanted to stay in the district, but a lot of  
21 people needed to go out of the district because of the  
22 pretty substantial population.

23 So to accommodate the folks in Davidson,  
24 the State Legislature based on the 19 -- based on the  
25 2000 Census had gone across the Cabarrus County line,

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1 across a heavily Republican precinct to the heavily  
2 Democratic Davidson precinct. Politically, it was a  
3 wash; but they wanted to stay in the district.

4 And I said, Bob -- Senator Rucho, I over  
5 the last ten years don't feel like I have represented the  
6 city -- the Town of Davidson because it's the only part  
7 of my district that is up Interstate 77. The rest of my  
8 district orients up Interstate 85. I get to all of the  
9 other parts of the district, but I seldom get to  
10 Davidson. I think -- I hate to lose Davidson, but it  
11 would be a political wash. And I think these are the two  
12 precincts you should -- you should drop. As a result of  
13 dropping those two precincts, which were pretty heavy  
14 population precincts, it would have been necessary to add  
15 two smaller precincts, and I suggested the precincts that  
16 he should add.

17 And he seemed very receptive to it. And  
18 we talked about Greensboro, because there had been some  
19 speculation that they might draw a district that would  
20 take part of Greensboro, Guilford County, out of my  
21 Congressional district. I told him that Greensboro was a  
22 Section 5 county, that he needed to be very careful about  
23 retrogressing because of that, based on my understanding  
24 of the law, and that he might -- might have some problems  
25 if he took Greensboro out. And then I left. He didn't

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1 show me any maps. I didn't show him any maps, but I  
2 talked about this minimum change concept with him.

3 That was April 25, 2011. In May or  
4 June -- and I don't have the specific date of this  
5 because it never got on my calendar because Bob Rucho  
6 called me at home over the weekend and said, Will you  
7 come and sit with me again? I said, Yeah, I would love  
8 to come and sit with you again; but I don't want to have  
9 to drive all the way to Raleigh to do it. Both of us  
10 live in Mecklenburg County. So he invited me out to his  
11 house and I went to his house.

12 And it was at that meeting that he told me  
13 that his leadership had told him that they were going to  
14 ramp the 12th Congressional District up to over 50  
15 percent black, that they believed it was required by  
16 the -- by the Voting Rights Act, and that -- and he  
17 seemed fairly distressed about it because he said that  
18 they had given him the task of going out and selling this  
19 to the black community as being in their interest.

20 MR. PETERS: I'm sorry, Your Honor.  
21 Objection. Move to strike for hearsay.

22 JUDGE RIDGEWAY: Sustained as to --

23 MS. EARLS: Your Honor, may -- may I be  
24 heard on that?

25 JUDGE RIDGEWAY: Go ahead.

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1 MS. EARLS: I believe this is an exception  
2 to the hearsay rule. It's the statement against the  
3 interest of the party opponent.

4 JUDGE RIDGEWAY: Mr. Peters.

5 MR. PETERS: Your Honor, I would suggest  
6 it's not a statement against the interest of the party  
7 opponent. It's at best a statement about what other  
8 people were saying, that we sort of have a double hearsay  
9 problem here with the testimony being that the  
10 Congressman is saying what Senator Rucho said other  
11 people told him.

12 JUDGE RIDGEWAY: All right. Ms. Earls, I  
13 think your point is well taken. To the extent you're  
14 repeating what the Senator said to you, other than what  
15 he said someone had said to him, the double hearsay  
16 problem, the objection is overruled. To the extent that  
17 you're repeating something that was told to Senator  
18 Rucho, it will be sustained.

19 MS. EARLS: Thank you, Your Honor.

20 THE WITNESS: Well --

21 BY MS. EARLS:

22 Q. So -- so I'll -- I'll -- tell me -- I want to  
23 ask you about the -- the second meeting. You were  
24 explaining that -- that he had told you they were going  
25 to take the district over 55 -- 50 percent black. What

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1 was your response to him about that?

2 A. It was the same response that I had given him  
3 in the earlier meeting in Raleigh. I -- I told him that  
4 from my understanding of the law, it was not required,  
5 nor sanctioned, by the Voting Rights Act. And to the  
6 extent that he was telling me his role in the process was  
7 going to be that he was going to have to sell this to the  
8 African American community as being in their interest, I  
9 told him -- I actually laughed and said, There is nobody  
10 in the African American community that's going to believe  
11 that you are doing this because it's in the black  
12 community's interest, and I'm not going to be able to --  
13 to support that because I don't think it's in the African  
14 American community's interest to do this.

15 I said, It's one thing not to retrogress.  
16 There may be an -- an -- a requirement not to diminish  
17 the African American vote. But there's certainly no  
18 requirement when I'm winning 65 percent of the vote to --  
19 in a 40 percent black district to increase the African  
20 American percentage to over 50 percent. I said, I might  
21 get 80 percent of the vote in this district. And, in  
22 fact, I did get 84, almost 85 percent of the vote in the  
23 newly drawn district in the -- in the last election.

24 Q. In front of you is a notebook. It's the big  
25 white exhibit notebook. And I would ask you to turn to

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1 the very last tab in the notebook. It's D, D5.

2 A. I'm sorry. Say it again.

3 Q. If you look at the very last tab in the  
4 notebook, it's Tab D5.

5 A. Yes.

6 Q. The first page behind that tab, can -- can --  
7 can you identify what that is?

8 A. Yes. This is a letter that I wrote. It's  
9 dated July 8, 2011, to the -- to Senator Rucho and  
10 Representative David Lewis in which I took him on for  
11 misrepresenting what I had said to him because I guess --  
12 well, I shouldn't say -- I can't say that.

13 Q. That's fine. Thank you.

14 But that is the letter that you wrote?

15 A. Yes.

16 Q. And then the next -- the next document behind  
17 the same tab is a portion of the transcript of the  
18 proceedings on the floor of the North Carolina Senate  
19 dated July 25th, 2011. And the excerpt starts at page  
20 37. And there beginning at line 11 --

21 MR. FARR: Your Honor --

22 Anita, excuse me. Where are you in your  
23 notebook?

24 MS. EARLS: It's Tab D5. It's the very  
25 last tab. And --

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1 MR. FARR: Okay.

2 BY MS. EARLS:

3 Q. And it's the -- it's essentially the third page  
4 behind D. It's starting there. And I'm looking at page  
5 37 of that transcript. That -- following up to page 39,  
6 is Senator Graham reading a statement that you submitted?  
7 Is that correct?

8 A. That's correct, yes. I submitted a statement,  
9 and I think this was on the floor. I also submitted a  
10 statement earlier for the committee.

11 Q. Well, that's what I want to ask you about,  
12 because it says on page -- on line 17 of that: First, I  
13 wish to reiterate all the comments I made in my statement  
14 submitted and read into the record by Senator Malcolm  
15 Graham at the public hearing on July 7th, 2011.

16 A. That's correct.

17 Q. Okay. I -- I want to show you --

18 MS. EARLS: Your Honor, this document is  
19 part of -- is a transcript of the public hearing. I -- I  
20 want to mark it as -- I'll have copies for the Court.  
21 Just one moment. I want to show opposing counsel. And  
22 if I can hand this up to the Court.

23 JUDGE RIDGEWAY: Yes, please. If you want  
24 to approach.

25 BY MS. EARLS:

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1 Q. I'm handing you what's been marked for  
2 identification as Plaintiffs' Exhibit 32.

3 A. Yes.

4 MS. EARLS: May I approach, Your Honor.

5 JUDGE RIDGEWAY: Yes, ma'am.

6 BY MS. EARLS:

7 Q. So what's been marked as Plaintiffs' Exhibit 32  
8 is a Transcript of the Proceedings of a public hearing on  
9 redistricting, and it's dated July 7th, 2011. This is  
10 just an excerpt. It starts at page 91. And if you look  
11 at line 22, you'll see that Senator Graham is beginning  
12 to read a statement on your behalf. Is that the  
13 statement you're referring to?

14 A. Yes, it is. I sent the statement to Senator  
15 Graham, because I was not able to be at the public  
16 hearing that was being held.

17 Q. And if you look through the pages of the  
18 transcript, 92 to 95, you'll see, for example, at line  
19 18, there's something -- it says in parentheses  
20 "unintelligible"; 21 -- line 21, it says  
21 "unintelligible"; on the next page, line 8,  
22 "unintelligible." And if you go through that, there's  
23 a -- I counted 14 different times where the reporter --  
24 court reporter found it unintelligible.

25 My -- my -- my question to you is: Do you

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1 have another document that actually has a transcript of  
2 the statement that you provided?

3 A. Yes, I do. I retained a copy of what I sent to  
4 Senator Graham and asked him to submit it for the record.

5 Q. And this is -- I --

6 MS. EARLS: Your Honor, this document I  
7 provided to opposing counsel this morning, and I've  
8 marked it as Plaintiffs' Exhibit 30. May -- may I  
9 approach?

10 JUDGE RIDGEWAY: Yes, please.

11 MS. EARLS: May I approach the witness?

12 JUDGE RIDGEWAY: Yes, please.

13 BY MS. EARLS:

14 Q. Okay. I'm handing you what's been marked as  
15 Plaintiffs' Exhibit 30. Is that the statement you -- you  
16 were just referencing?

17 A. It is the statement. Attached to the statement  
18 was six pages which I referenced in -- in the statement,  
19 and the six pages that are attachments to it are not  
20 attached to this; but one of them was the -- the two  
21 district -- two precincts that I suggested be taken out  
22 of the 12th District, the two precincts I suggested be  
23 added to the -- to the Congressional district, some maps  
24 that showed what those precincts looked like and why I  
25 was suggesting that they were appendages, and a press

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1 release that I had released once I heard through the  
2 media what -- what Senator Rucho was saying was part of  
3 his rationale for drawing the 12th Congressional District  
4 the way that it was drawn.

5 Q. So -- so when did you prepare this statement  
6 and the PAC that you just described?

7 A. I prepared it in preparation for the hearing  
8 that was held on July 7th, so it would have been sometime  
9 in late June or early July. I don't know the exact date  
10 of the --

11 Q. And then what did you do with it after you  
12 prepared it?

13 A. I sent it to Representative -- I sent it to  
14 Malcolm Graham and asked him to read it into the record  
15 or to submit it for the record at the public hearing that  
16 was being held regarding redistricting.

17 Q. And was it your understanding that he was going  
18 to submit the entire packet --

19 A. Yes.

20 Q. -- the maps, and the statements?

21 A. Yes.

22 MS. EARLS: Your Honor, at this time, I  
23 would move to admit Plaintiffs' Exhibits 32 and -- well,  
24 30 and 32.

25 JUDGE RIDGEWAY: Any objection?

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1 MR. PETERS: No objection.

2 MR. FARR: No.

3 JUDGE RIDGEWAY: All right. They are  
4 allowed.

5 MR. FARR: Your Honor.

6 JUDGE RIDGEWAY: Yes.

7 MR. FARR: I -- I do have an objection. I  
8 really don't have an objection to these exhibits, per se;  
9 but my objection is to restate the concerns we had about  
10 this witness not being listed as a witness who would  
11 testify at this hearing, thus depriving the Defendants a  
12 chance to take his deposition in anticipation of the  
13 testimony he's giving today.

14 JUDGE RIDGEWAY: All right. We -- we  
15 previously ruled on that objection, that we are  
16 admitting -- or we are not going to exclude evidence, but  
17 rather are resting on the presumption that only competent  
18 and admissible evidence will be considered by this Court  
19 and it will be given the appropriate weight.

20 MR. FARR: Thank you, Your Honor.

21 JUDGE RIDGEWAY: So your objection is  
22 noted.

23 MR. FARR: Thank you very much.

24 JUDGE RIDGEWAY: Thank you.

25 Ms. Earls.

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1 MS. EARLS: Thank you, Your Honor.

2 BY MS. EARLS:

3 Q. I wanted to ask you a couple questions about  
4 something you said about Guilford County being a Section  
5 5 county, and I just want to -- to be clear. When it --  
6 was it necessary to increase the black percentage of  
7 District 12 to over 50 percent black in order to comply  
8 with Section 5 of the Voting Rights Act?

9 MR. FARR: Objection.

10 A. Not in --

11 JUDGE RIDGEWAY: Overruled.

12 THE WITNESS: I'm sorry.

13 JUDGE RIDGEWAY: Go ahead, sir.

14 A. Not in my opinion.

15 Q. And -- and why not?

16 A. Well, if there had been a basis for it, it  
17 would had to have been in Guilford because it was a  
18 Section 5 county. There certainly wouldn't have been a  
19 basis for it in Mecklenburg. It's -- Mecklenburg is not  
20 a Section 5 county.

21 But I didn't think there was a basis for  
22 it anyway, because as I understood the law -- and, I  
23 mean, I'm pretty versed in this -- to the extent that  
24 there was a requirement -- there was a requirement not to  
25 retrogress, but certainly there was no requirement to

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1 increase or pack more and more African Americans into a  
2 district that was already electing candidates of the  
3 African American community's choice.

4 Q. And over the time that you've been involved  
5 in -- in politics in Mecklenburg County from 1974 until  
6 the present, have you seen a difference in the voting  
7 patterns of black and white voters in that county?

8 A. Yes. I mean, I think there is less and less  
9 attention to the race of the candidates and more and more  
10 attention to -- to what they stand for, and -- and that's  
11 consistent with the Voting Rights Act from my  
12 understanding of the reason the Voting Rights Act exists.

13 Q. In the submission that the State of North  
14 Carolina made to the Justice Department for preclearance  
15 of the Congressional Redistricting Plan and this was --  
16 this is a document that was designated by the Defendants  
17 for the purposes of this issue. I don't have a copy, but  
18 I'll just read -- I would just like to read to you from  
19 what the -- what was this -- and I'm reading from the  
20 North Carolina Section 5 Submission for the 2011  
21 Congressional Redistricting Plan, and this is the  
22 compendium at page 15.

23 In -- in the submission, the State wrote:  
24 Based in part on this input from Congressman Watt, the  
25 chair is recommending and the General Assembly enacted a

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1 version of District 12 that is similar to the 2001  
2 version. And then it goes on to say: Under the 2010  
3 Census, the total black voting-age population for the  
4 2001 version of District 12 is 43.77 percent. The total  
5 black voting-age population for the 2011 version is 50.66  
6 percent. Thus, the 2011 version maintains and, in fact,  
7 increases the African American community's ability to  
8 elect their candidate of choice in District 12.

9 And my question for you is: Based on your  
10 experience with knowing the voters of Mecklenburg County,  
11 does that increase -- actually increase the African  
12 American community's ability to elect their candidate of  
13 choice?

14 A. No. Because the African American community was  
15 already electing the candidate of choice for 40 --  
16 whatever the lower percentage was -- was and to -- and --  
17 and with 60 to 65 percent voting margin. And by  
18 increasing it, all you did was increase the voting margin  
19 to 84 or 85 percent, which is exactly what happened in  
20 the 2012 election.

21 MS. EARLS: Thank you. I have no further  
22 questions.

23 JUDGE RIDGEWAY: Cross-examination,  
24 Mr. Peters?

25 MR. PETERS: Thank you, Your Honor.

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**CROSS-EXAMINATION**

BY MR. PETERS:

Q. Good afternoon, Congressman Watt.

A. Good afternoon.

Q. Alec Peters from the Attorney General's Office.

Earlier when you were testifying about various districts in Mecklenburg County, I believe, in talking about the percentages of them, you were referring to some papers you have up there. I was wondering if you could tell me what it is you were looking at.

A. I accumulate a bunch of papers regarding -- what I did was just go back and pull stuff from a redistricting file. This was just a listing of -- of various African American candidates. And at the top of it, it says, "Evidence of African American Officials Elected in Nonmajority Black Districts In Front of General Assembly During the Redistricting Process."

I can't tell you where I got this because I -- I mean, I -- I -- I accumulate documents.

Q. Well, would that be something you compiled or --

A. No.

Q. -- the staff compiled?

A. It wouldn't be something I compiled, no. I didn't compile it, no.

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1 Q. All right. And -- but you don't recall who did  
2 compile it?

3 A. I don't know who compiled it, no.

4 Q. All right. Did I understand you -- and I  
5 apologize if I did not -- did I understand you to say  
6 looking through that that Representative Moore's  
7 district, which I believe is District 99, had a black  
8 total -- total black voting-age population of around 27  
9 percent?

10 A. According to this, it was 27.74.

11 Q. All right.

12 A. But I can't verify that that's accurate, if  
13 that's the question you're asking me.

14 Q. And so I would take it from that you don't know  
15 whether that's under the 2010 Census data or the 2000  
16 Census Data or -- or do you?

17 A. It says in the far left column "2010," but I  
18 don't know at what point it was compiled, so I don't know  
19 the answer to that.

20 Q. All right. So you -- you don't know whether  
21 that 27 percent is accurate?

22 A. I -- I can't personally verify it, no.

23 Q. Then you testified that at least in recent  
24 memory, district -- Congressional District 12 has not  
25 been a majority black district. Do I understand that

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1 correctly?

2 A. That's correct.

3 Q. Okay. It hasn't been a majority white district  
4 either, has it?

5 A. Probably not. There are -- actually between  
6 the 1990 and the 2000 Census, I think the 12th  
7 Congressional District had the highest percentage  
8 increase of Hispanic voters in the country. It's a  
9 little misleading because it was like below 1 percent --

10 Q. Right.

11 A. -- and it went to like 8 percent, so it was  
12 like an 800 percent increase. So I -- I know there  
13 are -- there are pockets of Hispanic voters throughout  
14 the district, yes.

15 Q. Do -- do you know in 2010 what the breakdown  
16 for the district would have been between white, black and  
17 Hispanic voting-age population?

18 A. I -- I don't know off the top of my head,  
19 because, you know, I've -- I've pretty much long since  
20 quit paying attention to that kind of stuff.

21 I represent all of the district. I try to  
22 represent -- and -- and I've been fortunate to get  
23 support from African Americans, Hispanics, whites,  
24 Democrats and Republicans over the years. So I -- I  
25 really don't pay a lot of attention to the statistics,

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1 except for situations like this.

2 Q. Okay. So does that mean, then, you don't pay  
3 attention to which specific voters or which groups of  
4 voters your support is coming from and which ones it's  
5 not coming from?

6 A. I -- I look after an election is over, but it  
7 doesn't influence the way I run a campaign, and it  
8 certainly doesn't influence the way I represent the  
9 district between campaigns.

10 Q. Right. Now, you testified some to the fact  
11 that the district was overpopulated and that you had the  
12 suggestion of moving two precincts out of the district  
13 and two other smaller precincts into the district; is  
14 that correct?

15 A. Yes.

16 Q. But, of course, at the same time, other  
17 districts were also either overpopulated -- other  
18 Congressional districts in North Carolina were either  
19 overpopulated or underpopulated, were they not?

20 A. Yes.

21 Q. So merely moving two districts and one  
22 Congressional district, like District 12, or trading two  
23 precincts might not take into account the needs of other  
24 districts that have an effect on District 12; is that  
25 correct?

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1           A.    That's correct.  And I was focused primarily on  
2   the 12th Congressional District.

3           Q.    Sure.

4                    Were you -- when the redistricting process  
5   was going on, were you familiar with the maps that were  
6   prepared by a group called AFRAM?

7           A.    No.  Not -- no.

8           Q.    Did you participate in any way in -- in the  
9   discussions on -- or the preparation of those maps?

10          A.    No.  The only map I actively participated in  
11   was a map that was prepared by the Congressional Black  
12   Caucus Institute.  We had some people drawing maps to try  
13   and make sure that -- that people who were already in  
14   Congress didn't get unintentionally adversely impacted,  
15   and that was the only involvement.  I sat with those  
16   people who were doing those maps to talk about the 12th  
17   District, and I think G.K. Butterfield probably sat with  
18   them to talk about the 1st Congressional District.  But  
19   those were -- that was the only map drawing in which I  
20   was actively a participant.

21                   MR. PETERS:  All right.  If I can have one  
22   minute.

23                   JUDGE RIDGEWAY:  Yes, sir.

24                                   (Pause.)

25                   MR. PETERS:  That's all I have.

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1 JUDGE RIDGEWAY: All right. Mr. Farr, any  
2 questions?

3 MR. FARR: I have some questions, Your  
4 Honor.

5 Your Honor, may I distribute maps of the  
6 2001 Congressional Plan and the 2011 Congressional Plan  
7 to the Court and to the witness? And these are in the  
8 map notebook --

9 JUDGE RIDGEWAY: Yes.

10 MR. FARR: -- but I noticed that y'all  
11 didn't have those with you.

12 JUDGE RIDGEWAY: We do. But it would  
13 probably be easier just to distribute it that way.

14 MR. FARR: All right.

15 JUDGE RIDGEWAY: But let's mark it for the  
16 record, if you haven't already.

17 MR. FARR: The 2001 Congressional Plan is  
18 called "Congress Zero Deviation." I've marked that as  
19 Defendant's Exhibit 15. And the 2011 plan, which is  
20 "Rucho-Lewis Congress 3," I've marked as Defendant's  
21 Exhibit 16.

22 JUDGE RIDGEWAY: That's fine. If you'll  
23 hand several up here and make sure the witness has one.

24 **CROSS-EXAMINATION**

25 BY MR. FARR:

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1 Q. Congressman Watt, good to see you again.

2 A. Good to see you.

3 Q. Congressman Watt, we seem to run into each  
4 other about once every 20 years, so it's nice to see you  
5 again.

6 A. I don't think you'll have me to beat up on 10  
7 years from now.

8 Q. I don't think I'll be the one doing the beating  
9 up.

10 Congressman Watt, did I recall that you  
11 practiced at the Ferguson Stein firm?

12 A. That's correct, yes.

13 Q. Did your tenure there overlap with Ms. Earls?

14 A. It did, yes.

15 Q. Do you know Ms. Earls?

16 A. Yes. I recruited her to the firm.

17 Q. Do you think she is a good lawyer?

18 A. The best.

19 Q. If she's made the statement "the districts were  
20 needed to comply with the Voting Rights Act," do you  
21 think it would be reasonable to rely upon that  
22 representation?

23 A. Well, you know, what's needed to comply with  
24 the Voting Rights Act I found sometimes is quite in the  
25 eye of the beholder, and sometimes I agree with her and

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1 sometimes I don't agree with her. So I -- I don't know  
2 that I would take anybody's representation about that at  
3 face value without knowing what stands behind it.

4 Q. Okay. As I think back through history, I  
5 believe that you were elected to Congress in 1982 when  
6 the district was challenged in the *Shaw* case; am I  
7 correct?

8 A. "1992" you mean.

9 Q. 1992.

10 A. Yes.

11 Q. Okay. So do you -- did you testify in the *Shaw*  
12 case?

13 A. I think I did --

14 Q. Yes, sir.

15 A. -- at some point. There were a lot of  
16 proceedings in that case, yes.

17 Q. Have you read that case?

18 A. Have I read the --

19 Q. Supreme Court.

20 A. -- Court's decision?

21 Q. Yes. Yes.

22 A. I probably have at various points in bits and  
23 pieces; maybe all of it at some point.

24 Q. Okay. So -- and you were in Congress elected  
25 in the district -- one of the districts that was at issue

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1 in the -- in the *Cromartie* case?

2 A. I'm sorry. Say it again.

3 Q. When the *Cromartie* case was decided by the  
4 Supreme Court, were you still the representative for the  
5 12th Congressional District.

6 A. In which case? Oh, *Cromartie*.

7 Q. *Cromartie*.

8 A. Okay. *Cromartie*.

9 Q. Well, Congressman, I -- I -- I say "Cromartie."

10 A. Okay.

11 Q. And Mr. Peters is from that part of the state  
12 and says "Cromartie."

13 A. Okay. I -- I --

14 Q. So I tend to go back and forth, but I think  
15 it's "Cromartie," if we say it that way.

16 A. I just didn't understand, yes.

17 Q. I'll probably say "Cromartie" --

18 A. I was there, yes.

19 Q. -- or "Cromartie." I'll say it both ways.

20 A. Okay.

21 Q. You were in the Congress when *Cromartie* was  
22 being decided by the Supreme Court.

23 A. I think that's right, yes.

24 Q. Okay. And that district was challenged as a  
25 racial gerrymander both in the *Shaw* case and in the

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1     *Cromartie* case; is that right?

2           A.     Yes.

3           Q.     Okay.  What -- when you met -- you described  
4     your discussion with Representative Rucho about him being  
5     told by the leadership to push the population in the 12th  
6     District over 50 percent.  Did I hear you say that you  
7     did not think that was a good thing for the black  
8     community?

9           A.     Yes.  I told him that, that I thought given the  
10    experience and history that it was unnecessary and not --  
11    not warranted or mandated by the Voting Rights Act.

12          Q.     Okay.  And based upon your knowledge of the  
13    *Shaw* and the *Cromartie* case, would a statement like that  
14    be relevant evidence for making the case that race was  
15    the predominant motive for drawing the district?

16                   MS. EARLS:  Objection.

17                   MR. FARR:  He testified about legal  
18    opinions on direct examination over my objection, Your  
19    Honor.

20                   JUDGE RIDGEWAY:  Overruled.

21          A.     So I'm sorry.  I didn't understand the question  
22    anyway, so...

23          Q.     Well, you're a lawyer.  You're -- I'm sorry,  
24    sir.  I apologize for that.  But you're -- you're a good  
25    lawyer, in my opinion, Congressman Watt.  And you were

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1 heavily involved in the *Shaw* and the *Cromartie* case since  
2 you were a congressman in that district. And Senator  
3 Rucho made a comment to you about others in the General  
4 Assembly wanting to draw that district intentionally over  
5 50 percent. Would that type of evidence in your view be  
6 relevant evidence in a racial gerrymander case?

7 A. Well, if it was -- if -- if the chairman of the  
8 Redistricting Committee told me that he was intentionally  
9 ramping up African American representation from 40 to 50  
10 percent, it would certainly be relevant, yes. And -- and  
11 if he told me, as he did, that he was doing it at the  
12 insistence of his leadership and if he told me, as he  
13 did, that he was doing it and was going to go out and --  
14 and convince the African American community that it was  
15 in their interest, all of those things would make it  
16 relevant, yes.

17 Q. Okay. And you didn't like the idea of the  
18 district being drawn over 50 percent.

19 A. It wasn't so much that I didn't like it. I  
20 mean, you know, it obviously from an electoral  
21 perspective made my reelection bid a lot easier, as the  
22 numbers reflect. But it was inconsistent with my view of  
23 what the Voting Rights Act was designed to accomplish,  
24 which is over time to have less and less and less  
25 consideration of race in the drawing of districts as

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1 racial attitudes softened over time, which is why the  
2 Voting Rights Act is a transitional remedy rather than a  
3 permanent remedy.

4 Q. All right, sir. And if Mr. -- if Senator Rucho  
5 had made that statement to you, as you testified,  
6 wouldn't that have been important information that the  
7 General Assembly should have been made known of? Would  
8 you agree with that?

9 A. Perhaps, yeah.

10 Q. Okay. Let's turn to the white notebook that's  
11 the Plaintiffs' trial notebook. And I guess this is --  
12 this is D5. It's your letter of July 8th, 2011.

13 A. I'm sorry. Which -- which tab are you?

14 Q. It's -- it's Tab D, No. 5.

15 A. Okay.

16 Q. All right. And --

17 A. That's the July 8, 2011 letter?

18 Q. Yes, sir.

19 A. Okay.

20 Q. And this meeting that you have described with  
21 Senator Rucho took place before this letter?

22 A. Yes.

23 Q. Okay. Now, this letter is July 8th, 2011; and  
24 the testimony you are giving today is -- what's today's  
25 date? June 4th, 2013; am I right?

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1 A. I think that's right.

2 Q. Okay.

3 A. Somewhere in that neighborhood.

4 Q. I'm close. It's -- it's approximately June --

5 A. Close enough for government work, as we say.

6 Q. Yes, sir.

7 Now, in your letter of July 8th of 2011 to  
8 Senator Rucho and Representative Lewis, you cc'd a number  
9 of people on the second page: Senator Floyd McKissick,  
10 Malcolm Graham -- Senator Malcolm Graham, Representative  
11 Kelly Alexander, Representative Beverly Earle,  
12 Representative Earline Parmon, Senator Dan Blue,  
13 Representative Angela Bryant. Is that correct?

14 A. Yes.

15 Q. Okay.

16 A. Um-hum.

17 Q. And those are all members the Legislative Black  
18 Caucus?

19 A. That's correct.

20 Q. Anywhere in this letter, Congressman Watt, did  
21 you reference or mention the statement that you have  
22 testified about that Senator Rucho allegedly -- excuse  
23 me -- you've testified that Senator Rucho made to you  
24 about being told by the leadership to ramp the black  
25 percentage over 50 percent; is that --

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1 A. No, I didn't mention it in this letter.

2 Q. Okay.

3 A. If you take a look at the second sentence of  
4 the second paragraph, it might give you some -- some  
5 basis for the -- for -- for why. I mean, Bob Rucho and I  
6 have been friends for -- for -- for a long time before he  
7 was even elected to the -- to the State Senate. And all  
8 of these conversations, until he misrepresented what I  
9 had said to him, I thought were private conversations  
10 between the two of us.

11 Q. But you've testified --

12 A. But I thought -- I -- I -- I actually thought I  
13 was being a good adviser to him on -- on how to draw  
14 these maps off the record until he put them on the  
15 record.

16 Q. But you've testified that he mentioned to you a  
17 statement by others indicating a desire to base this 12th  
18 District on race, and you decided that was not important  
19 enough to include in this letter of July 8th after  
20 Senator Rucho, in your terms, had misrepresented other  
21 things you had said.

22 A. That's right.

23 Q. Okay. Then let's go to the next statement from  
24 you, which is -- turn a few pages. There's a transcript  
25 from a hearing on July 25th of 2011.

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1 A. I'm sorry. Where -- where are you now?

2 Q. Congressman Watt, it's under the same tab, but  
3 it's a few pages into the tab. And there's a transcript  
4 there that says, "Transcript of the Proceeding, Monday,  
5 July 25th, 2011." Are you -- have you found that?

6 A. Yes.

7 Q. Okay. And then if you turn to page 37, you  
8 testified about this when you were under direct  
9 examination. Can you please refresh my memory for what  
10 this testimony -- this statement that's attributed to you  
11 in -- on page 37, what -- what exactly is that?

12 A. I'm sorry. Would you ask your question again?

13 Q. Well, on page 37 starting on line 11, one of  
14 the members is reading this statement of Congressman Mel  
15 Watt regarding proposed Rucho-Lewis Congress 2 Plan, July  
16 21st, 2011. Do you see where I am?

17 A. Yes.

18 Q. And then your statement was read into the  
19 record and -- on page 37 and going on to page 39; is that  
20 correct?

21 A. Yes.

22 Q. All right. Now, was this statement prepared by  
23 you after you had the meeting that you testified about  
24 with Senator Rucho?

25 A. Yes.

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1           Q.    And in the meeting, you've testified that  
2    Senator Rucho made statements that indicated someone in  
3    leadership had intended to draw the 12th District based  
4    upon race, right?

5           A.    Yes.

6           Q.    And in this statement that is -- that you  
7    prepared on July 21st and which was read into the record,  
8    is there any mention in your statement of July 21st about  
9    the conversation with Senator Rucho?

10          A.    No.

11          Q.    All right.  Then let's turn to Exhibit 32,  
12    Plaintiffs' Exhibit 32.  Do you have that, Congressman  
13    Watt?

14          A.    Yes.  The full context -- content of it is  
15    actually in Plaintiffs' Exhibit 30, I think --

16          Q.    Okay.

17          A.    -- the actual statement, I assume.

18          Q.    Let's look at both of these statements.  Let's  
19    look at the transcript.  Senator Graham is reading into  
20    the record on Thursday, July 7th, 2011 at a public  
21    hearing, it appears, a statement that you had prepared.  
22    Is that right?

23          A.    That's correct.

24          Q.    And this statement that was offered on July 7th  
25    that you had prepared was after the meeting that you had

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1 with Senator Rucho where he -- where you testified that  
2 he was told by leadership to draw the district up to over  
3 50 percent; is that right?

4 A. That's correct.

5 Q. Is there -- do you anywhere in this statement  
6 that you made and released on July 7th reference the  
7 conversation that you testified about with Senator Rucho?

8 A. I do not, no.

9 Q. Okay. And then Exhibit 30 is the -- you  
10 testified this is the actual statement.

11 A. Yes.

12 Q. And is there any date on this exhibit?

13 A. No date on the exhibit, but it was prepared to  
14 be submitted for the July 7, 2011, committee hearing.

15 Q. All right.

16 A. So it would have been probably a day or two or  
17 maybe even the same day sent down probably on the same  
18 day as that.

19 Q. Okay. And you've testified today about a  
20 statement by Senator Rucho that could be used to prove  
21 that the General Assembly intentionally drew the 12th  
22 District because of race. Did you mention that statement  
23 in Exhibit 30?

24 A. No, not directly.

25 MR. FARR: All right. No further

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1 questions, Your Honor.

2 JUDGE RIDGEWAY: Redirect?

3 MS. EARLS: Yes, your Honor.

4 **REDIRECT EXAMINATION**

5 BY MS. EARLS:

6 Q. Going back to the Tab 5 that you were just  
7 asked about, the -- this is -- this is the statement that  
8 was read on the floor of the Senate July 25, 2011. It  
9 comes right behind your letter. If you would look at  
10 page 38.

11 And beginning at line 8 of that  
12 transcript, do you see the transcript says: I have  
13 repeatedly expressed to Senator Rucho my belief that  
14 increasing the African American population in the 12th  
15 District is not required, justified or sanctioned by the  
16 Voting Rights Act. The Voting Rights Act, which I was  
17 instrumental as a member of the House Judiciary Committee  
18 and as a chairman of the Congressional Black Caucus to  
19 get Congress to reauthorize and extend, was designed to  
20 counteract the ethnic and racially polarized voting and  
21 level the playing field for African American candidates  
22 and voters. It was not, as several court decisions have  
23 indicated, designed to create racial ghettos in which  
24 African American candidates are given inordinate and  
25 unreasonable election advantages.

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1                   And that's what you wrote in your  
2     statement.

3           A.     That's correct.

4           Q.     So is it fair to conclude that from that  
5     statement that you made that -- that you considered  
6     increasing the district above 50 percent to be based on  
7     race?

8           A.     Yeah.

9                   MR. FARR:  Objection.

10          A.     I mean, I --

11                   JUDGE RIDGEWAY:  Sustained as to the form  
12     of the question.

13                   MS. EARLS:  I'm sorry.

14                   THE WITNESS:  I'm sorry.

15                   JUDGE RIDGEWAY:  It's -- it's a leading  
16     question.

17                   MS. EARLS:  Right.

18                   JUDGE RIDGEWAY:  If you want to re --  
19     rephrase it.

20                   MS. EARLS:  Thank you, Your Honor.

21                   BY MS. EARLS:

22          Q.     Then my question would be:  What -- what does  
23     this statement indicate about whether the 12th District  
24     as it was being proposed in -- by -- in the Rucho  
25     Congressional Plan, what was -- what was the motivating

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1 factor behind it?

2 A. Well, let me put this in context. You know,  
3 I've said this before: Bob Rucho is my friend. We've  
4 known each other for -- you know, we had discussions off  
5 the record. If he had not misrepresented what I said, I  
6 never would have done any of this. What led me to --  
7 to -- to submit both of these statements was his  
8 representation to the public that this was my idea to  
9 increase the African American population in the 12th  
10 Congressional District from 40 percent to over 50  
11 percent, which was just out and out not accurate.

12 Still doesn't mean that Bob Rucho and I  
13 are not friends. I'm not trying to out him publicly.  
14 But what is absolutely clear to me was that, number one,  
15 this was not my idea. Number two, I had told him  
16 unequivocally that it was not mandated, justified or  
17 anything under the Voting Rights Act.

18 That he had told me that -- that it was  
19 his job to go and sell it is -- is one thing for him to  
20 go and sell it; but to go and sell it by telling a lie  
21 about whose -- whose -- whose idea it was, was just in --  
22 in my opinion over the top.

23 But, still, you know, I'm not in the  
24 business of outing people. I'm trying to protect the  
25 friendship, and I -- I tried to do that. But regardless

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1 of how you put it, in my opinion, this was neither  
2 justified, sanctioned, mandated by the Voting Rights Act  
3 or anything that has occurred in North Carolina in the  
4 12th Congressional District that would justify going from  
5 a 40 percent district where an African American is  
6 getting over 60 percent of the vote consistently to a  
7 district that is over 50 percent black in which I  
8 predicted in retrospect correctly that -- that I would  
9 get over 80 percent of the -- the vote.

10 That is not what the Voting Rights Act, in  
11 my opinion, was -- was designed to do. And I made that  
12 clear from the very first time I met with Bob Rucho on  
13 April 25th to the second time I met with him when I  
14 laughed at his representation that he was going to go out  
15 and sell it to the black community to these two  
16 statements, both of which have been a part of the record.

17 So I don't know how else I can explain  
18 that. I don't know whether that's responsive to either  
19 your question or Mr. Farr's question, but I'm just trying  
20 to give you the context in which I try to conduct my  
21 life. I don't lie about people, but I don't expect them  
22 to lie about me either.

23 MS. EARLS: No further questions, Your  
24 Honor.

25 MR. FARR: I have some, Your Honor.

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1 JUDGE RIDGEWAY: Yes, sir.

2 **RECROSS-EXAMINATION**

3 BY MR. FARR:

4 Q. Congressman Watt, I recall your testimony was  
5 that Senator Rucho tells you that leadership told him  
6 that the district needed to go above 50 percent. Am I  
7 remembering that correctly?

8 A. That's correct.

9 Q. Okay.

10 A. And he seemed rather embarrassed about it  
11 because I thought he had been very receptive to -- at the  
12 first meeting to the minimum change idea that I advanced  
13 to him.

14 Q. Okay. I want to make sure that I understand  
15 what you claim Senator Rucho got wrong about what you  
16 told him. Can you point me to any public statement from  
17 Senator Rucho where he said that you were the person who  
18 came up with the idea to draw the district over 50  
19 percent?

20 A. Yeah. It said -- it's -- it's in two or three  
21 places. I don't know that I can put my fingers on it  
22 right now, but he -- he represented that -- that somehow  
23 this was my idea, that he was doing this at my instance;  
24 and that is just blatantly untrue.

25 Q. And you say there's a public statement by him

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1 where he represented that it was your idea to draw the  
2 district over 50 percent.

3 A. There's a question mark at the end of that?  
4 I'm sorry. Say it again.

5 Q. Yeah. There's a question.

6 A. Say it --

7 Q. I said: You're -- you're telling the Court  
8 that Senator Rucho made a public statement saying that  
9 you, Congressman Watt, was the person who came up with  
10 the idea to draw the district over 50 percent.

11 A. Well, I don't know if he said I came up with  
12 the idea, but he said he was doing it on -- at my  
13 instance and that I sanctioned it and it was -- I  
14 don't -- I don't -- I don't know the exact words, but it  
15 was untrue.

16 Q. Well, there's a lot to a district. When he  
17 said that he was doing something that your -- with your  
18 approval --

19 A. No. This was about the minority  
20 representation, the minority percentage in the district.

21 Q. Okay. So you're saying that he made a -- he  
22 has made a public statement saying that you were the  
23 person who told him to draw it over 50 percent.

24 A. Yes. That's why I did the first statement and  
25 that's why it starts by saying, I wish to submit this

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1 statement for the public record to provide additional  
2 context to the selective and misleading characterizations  
3 of my opinions that the chairs of the North Carolina  
4 Legislative Redistricting Panel have entered into the  
5 record.

6 Q. And that --

7 A. So it is in the record somewhere and I don't --

8 Q. And the letter -- the letter that you wrote and  
9 all the other statements that we've looked at by you do  
10 not state that one of the misleading things that Senator  
11 Rucho said was that you recommended to draw the district  
12 over 50 percent. You didn't say that in any of your  
13 statements, correct? You went over them and there's  
14 nothing in your statements about that.

15 A. I'm -- I'm sorry. I don't understand the  
16 question you asked.

17 Q. Okay. I'll try it again.

18 There's nothing -- there's nothing in your  
19 statements that we've looked at -- four different  
20 statements -- stating that Senator Rucho has  
21 misrepresented that "I was in favor of drawing the  
22 district over 50 percent"?

23 A. No. I think you are incorrect about that.

24 Q. Okay. Well, tell me -- you look for it and you  
25 tell me where it is.

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1 (Pause.)

2 A. If you look at the second sentence of the July  
3 8th, 2011, it says: I'm writing to correct statements  
4 that you attributed to me in Claim 2 of the statement  
5 that you either misconstrued or misrepresented.

6 Q. Okay. Anything else?

7 A. I -- I'm not sure what you mean is there  
8 "anything else"?

9 Q. Well, anything else that you say reflects a  
10 statement by you that Senator Rucho publicly and falsely  
11 attributed to you the idea of drawing the district over  
12 50 percent.

13 A. The first paragraph of the statement that I  
14 submitted --

15 Q. All right.

16 A. -- says the same thing. I don't know how many  
17 ways I can say it.

18 Q. All right. Thank you, Congressman Watt. I  
19 just have a couple other questions.

20 I -- I distributed to the Court and you  
21 the 2001 Congressional Plan which was called the  
22 "Congress Zero Deviation" as Exhibit 15 and the 2011  
23 Congressional Plan "Rucho-Lewis Congress 3," which is  
24 Exhibit 16. Can you take a look at those for a second?

25 A. Yes. I'm not sure I know what Congress Zero

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1 Deviation -- is that the original -- was that the --

2 Q. Yes, sir. I think everyone will agree that's  
3 the 2001 Congressional Plan.

4 A. That's the 2000 --

5 Q. And '1?

6 A. -- and '1 Congressional.

7 Q. Right.

8 A. Okay.

9 Q. And then Rucho-Lewis Congress 3 is -- is the  
10 plan that was enacted by the General Assembly in 2011.

11 A. Okay.

12 Q. In looking at the 12th District in both of  
13 those plans, is it fair to say that they -- that they  
14 have a similar appearance?

15 A. To an untrained eye, yes. But to somebody  
16 who's been dealing with this and knows the geography, no.  
17 In Mecklenburg County, Rucho-Lewis Congress 3 has  
18 substantially more of Mecklenburg County included in it.  
19 And if you know the precincts and the geography of  
20 Mecklenburg County, you'll know that virtually all of  
21 that additional geography is African American  
22 communities.

23 Q. Yes, sir. And is that the same --

24 A. And the same thing in -- in Guilford County,  
25 Moore territory, you'll know that all of those are

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1 African American communities. And if you go down to  
2 Davidson County, you'll see that it's skinnier and you'll  
3 know that what was eliminated was -- was white voters in  
4 Davidson County.

5 Q. Okay. And is it fair to say that the voters  
6 that were added in Mecklenburg County are strong Democrat  
7 voters?

8 A. Yes. Probably, yes.

9 Q. And is it fair to say that the voters added in  
10 Guilford County are very strong Democratic voters?

11 A. That -- that would probably be correct, yes.

12 Q. And is it fair to say that the -- the voters  
13 taken out of the 2001 12th District in Davidson County  
14 and put in other counties, is it fair to say those are  
15 probably strong Republican voters?

16 A. I wouldn't necessarily say that. I know that  
17 they would be white voters, but I don't know that they  
18 would necessarily be Democratic or Republican voters. I  
19 just -- I -- I mean, I know that Davidson County tends to  
20 be a lot more Republican than some of the other parts of  
21 my district, but I don't know for sure.

22 Q. Okay. And is it fair -- also fair to say,  
23 Congressman Watt, that the 2011 version of the 12th  
24 Congressional District is in the same six counties as the  
25 2001 version?

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1           A.     That's correct.

2                     MR. FARR:   That's all I have, Your Honor.

3                     JUDGE RIDGEWAY:   Anything further from the  
4     Plaintiffs?

5                     MS. EARLS:   No further questions for this  
6     witness, Your Honor.

7                     JUDGE RIDGEWAY:   All right.   Thank you,  
8     sir.   You may step down.

9                     THE WITNESS:   Should I take these or leave  
10    them?

11                    JUDGE RIDGEWAY:   Leave those.

12                    THE WITNESS:   And leave the notebook,  
13    obviously.

14                    JUDGE RIDGEWAY:   We're going to take a  
15    15-minute recess until a quarter til 4:00, Bailiff.

16                    (Court was in recess from 3:30 p.m. to 3:47 p.m.)

17                    JUDGE RIDGEWAY:   All right.   Further  
18    evidence for the Plaintiffs?

19                    MS. EARLS:   Your Honor, that concludes the  
20    witnesses that we intend to call.   If I may, I would like  
21    to go through the exhibits and move admission of those.

22                    JUDGE RIDGEWAY:   All right.

23                    MS. EARLS:   And first I just wanted to  
24    confirm, we earlier made a motion for judicial notice,  
25    which we wanted to be part of the record, and I don't

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1 know if that was granted or if there was any more --

2 JUDGE RIDGEWAY: Right. I believe the  
3 only objection to it was the relevance of the 2012  
4 election data.

5 MR. PETERS: That's right. Not to the  
6 authenticity of anything, but to relevance.

7 JUDGE RIDGEWAY: All right. I --  
8 consistent with our prior ruling, we're going to accept  
9 that evidence. And we do recognize it as a matter of  
10 judicial notice, the election results from a series of --  
11 I believe they were all statewide elections. All right.  
12 That's fine.

13 MS. EARLS: Thank you, Your Honor.

14 So then Plaintiffs' exhibits are in the --  
15 the big white notebook. And the first one, Exhibit No.  
16 1, and Exhibit No. 2 are a submission, a public document  
17 and record that was submitted to the Justice Department  
18 concerning the Franklin County Board of County  
19 Commissioners' Redistricting; then a letter from the  
20 Chief of the Voting Section of the Justice Department  
21 granting preclearance. And we had listed a witness,  
22 Chris Heagarty, who would come to authenticate these  
23 documents. And I believe the Defendants agreed that we  
24 could admit them, subject to their relevance objection;  
25 but they had no other objections to these two being

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1 admitted.

2 MR. PETERS: That's correct.

3 JUDGE RIDGEWAY: All right. And I'm  
4 not -- I don't think that we need to state a ruling on  
5 each of the relevancy objections. That's a blanket  
6 ruling. Although if there is a specific objection that  
7 you wish to be heard further on beyond relevancy or a  
8 more nuanced objection on relevancy, be sure to let us  
9 know so that we can consider that.

10 All right. Go ahead, Ms. Earls.

11 MS. EARLS: Then Exhibits 2 -- I'm  
12 sorry -- 3, 4 and 5 and 6 are scatter plots that plot the  
13 districts by black voting-age population for Senate and  
14 House enacted districts and benchmark districts. And  
15 then Exhibits 7 and 8, maps of -- of House District 54 in  
16 Lee County with data about the racial composition of  
17 Voting Tabulation Districts in Lee County and a portion  
18 of House District 54 that's in Lee County.

19 And then Exhibits 9 and 10 are maps of  
20 alternative Congressional District 4, configurations with  
21 the data of the total population, voting-age population,  
22 and election returns -- election results if the districts  
23 had been drawn that way.

24 These districts, again -- I'm sorry.  
25 These exhibits numbered 3 through 10 are exhibits that,

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1 again, we had listed a witness and the Defendants have  
2 agreed to not require us to call that witness to  
3 authenticate these exhibits. So the -- but, of course,  
4 there are relevance objections.

5 JUDGE RIDGEWAY: All right.

6 MS. EARLS: And then, finally, Exhibit 11  
7 is a letter that Senator Linda Garrou wrote to the  
8 Justice Department. This was actually already in the  
9 record attached to her affidavit. And out of an  
10 abundance of caution, because she testified live, we made  
11 it an exhibit. But I -- I would at this time move  
12 admission of Plaintiffs' Exhibits 1 through 11.

13 JUDGE RIDGEWAY: All right. Do the  
14 Defendants wish to be heard further on their objections  
15 to Exhibits 1 through 11?

16 MR. PETERS: No, Your Honor. I think  
17 we've laid all that out.

18 JUDGE RIDGEWAY: All right. They are  
19 admitted.

20 MR. PETERS: Yeah. Just --

21 MS. EARLS: The remaining, if I can --

22 MR. PETERS: I'm -- I'm sorry. I just  
23 want to clarify. They -- are they admitted or admitted  
24 subject to the same presumption you've discussed with  
25 other evidence that --

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1 JUDGE RIDGEWAY: Yes. I -- I -- yes.  
2 They're subject to the blanket presumption that the Court  
3 will only consider admissible and relevant evidence and  
4 assign weight -- the appropriate weight to it.  
5 MR. PETERS: Right.  
6 JUDGE RIDGEWAY: So for the purposes of  
7 the record, they are received in the record. Maybe  
8 that's a better way of phrasing it --  
9 MR. PETERS: Thank you.  
10 JUDGE RIDGEWAY: -- of stating it.  
11 MR. PETERS: Thank you.  
12 MS. EARLS: Okay. My co-counsel have --  
13 I -- I wanted to explain that Exhibits -- Plaintiffs'  
14 Exhibits 12 through 29 are exhibits we'll use with our  
15 rebuttal witness, so I'll wait with those.  
16 The exhibits behind Tab D are the excerpts  
17 from the floor debates, and so I would also move  
18 admission of Exhibits 1 through 5 under Tab D.  
19 JUDGE RIDGEWAY: All right. Any further  
20 objections, other than what's been previously stated with  
21 respects to Tab D, Exhibits 1 through 5?  
22 MR. PETERS: No, Your Honor.  
23 JUDGE RIDGEWAY: All right. Those are  
24 also received in the record subject to the relevancy  
25 objection.

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1 MR. SPEAS: Your Honor, I did ask Senator  
2 Garrou about 31A and B, which were a couple of maps.  
3 They were not previous -- they are already in evidence,  
4 but I would move them.

5 MR. FARR: We have no objection.

6 JUDGE RIDGEWAY: Right. I believe those  
7 have been received. They are admitted.

8 All right. Anything further from the  
9 Plaintiffs?

10 MS. EARLS: Not at this time, Your Honor.

11 JUDGE RIDGEWAY: Okay. Very good. Then  
12 let's turn to evidence for the --

13 MR. FARR: May we approach the bench, Your  
14 Honor?

15 JUDGE RIDGEWAY: -- Defense.

16 Yes.

17 (A bench conference was held outside the courtroom.)

18 JUDGE RIDGEWAY: All right. Ladies and  
19 gentlemen, thank you for your patience. We are going to  
20 recess for the afternoon and resume tomorrow morning at 9  
21 o'clock. I believe we are -- after conferring with  
22 counsel, we're still well within the schedule that we  
23 anticipated. So we'll expect a full day of testimony  
24 tomorrow and should be able to resolve it -- not resolve  
25 the matters, but to certainly conclude the hearing by the

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1 end of the day tomorrow. So that's the plan.

2 Just -- I meant to mention this earlier,  
3 but I just wanted to especially thank the folks who have  
4 made this facility and these arrangements possible.

5 First of all, Campbell Law School has been  
6 extremely gracious to us in providing their hospitality.  
7 The business -- North Carolina Business Court, Judge  
8 Jolly and Christy Rutan, his assistant, have been most  
9 hospitable and have graciously provided these wonderful  
10 facilities to us as well.

11 The Wake County Sheriff's Department has  
12 provided bailiffs to us. The Clerk of Court has provided  
13 our clerk; and our court reporter, who has been with us I  
14 believe through every hearing has been invaluable to us.  
15 We certainly appreciate that.

16 So with all of that said, we're going to  
17 recess for the afternoon and resume tomorrow morning at  
18 9:30 -- excuse me -- 9 o'clock.

19 (Court recessed on Tuesday, June 4, 2013 from 3:59 p.m.  
20 until Wednesday, June 5, 2013 at 9:00 a.m.)

21 (VOLUME I OF II.)

22

23

24

25

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**CERTIFICATION OF TRANSCRIPT**

This is to certify that the foregoing transcript of proceedings taken at the June 4, 2013 Special Session of Wake County Superior Court is a true and accurate transcript of the proceedings taken by me and transcribed by me. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 19th day of June, 2013.



---

RANAE McDERMOTT, RMR, CRR  
Official Court Reporter  
131 Saint Mellion Drive  
Raleigh, NC 27603  
919.602.2110

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# **EXHIBIT G**



1 STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE  
 COUNTY OF WAKE SUPERIOR COURT DIVISION  
 2 -----  
 MARGARET DICKSON, et al., )  
 3 Plaintiffs, ) 11-CVS-16896  
 )  
 4 vs. )  
 )  
 5 ROBERT RUCHO, et al., )  
 Defendants. ) T R A N S C R I P T  
 6 -----  
 NORTH CAROLINA STATE ) O F  
 7 CONFERENCE OF BRANCHES OF )  
 THE NAACP, et al., ) P R O C E E D I N G S  
 8 Plaintiffs, )  
 )  
 9 vs. ) 11-CVS-16940  
 ) (Consolidated)  
 10 THE STATE OF NORTH CAROLINA, )  
 et al., ) Volume II of II  
 11 Defendants. ) Pages 229 - 435  
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12  
 13 The above-captioned cases coming on for hearing  
 14 Wednesday, June 5, 2013 Special Civil Session of the  
 15 Superior Court of Wake County, Raleigh, North Carolina,  
 before the Honorable Paul Ridgeway, the Honorable Alma  
 Hinton and the Honorable Joseph Crosswhite, Judges  
 presiding, the following proceedings were had:

16 -----  
 A P P E A R A N C E S

17 For the Plaintiffs:

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 22 CLARE BARNETT, ESQ.  
 ALLISON RIGGS, ESQ.  
 23 Southern Coalition for Social Justice  
 1415 West Highway 54, Suite 101  
 24 Durham, NC 27707

Appearances Continued >>>>

25 -----  
 Reported by: Ranae McDermott, RMR, CRR

Ranae McDermott, RMR, CRR  
 Official Court Reporter







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1 (The Special Session of the Superior Court of Wake County  
2 continued on Wednesday, June 5, 2013 before the Honorable  
3 Paul Ridgeway, the Honorable Alma Hinton and the  
4 Honorable Joseph Crosswhite at 9:02 a.m.)

5 JUDGE RIDGEWAY: Good morning. Welcome  
6 back, ladies and gentlemen. I believe we were at a point  
7 yesterday asking whether the -- whether there was  
8 evidence for the Defense. Is there anything further from  
9 the Plaintiff?

10 MR. SPEAS: No, Your Honor.

11 JUDGE RIDGEWAY: All right. Very good.  
12 Let's turn then to the Defense.

13 MR. FARR: Thank you, Your Honor. The  
14 Defense would like to call Dr. Thomas Hofeller.

15 WHEREUPON, **THOMAS BROOKS HOFELLER, PhD**, was called as  
16 a witness, having been first duly sworn, and testified as  
17 follows:

18 JUDGE RIDGEWAY: Okay, Mr. Farr.

19 MR. FARR: Thank you, sir.

20 **DIRECT EXAMINATION**

21 BY MR. FARR:

22 Q. Could you please state your name.

23 A. Thomas Brooks Hofeller.

24 Q. And where do you reside?

25 A. I reside at 7119 Marine Drive, Alexandria,

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1 Virginia.

2 Q. All right, sir. And could I ask you, there's  
3 a -- there's a notebook up there, a little black notebook  
4 that says "Defendants' Identification of Witnesses and  
5 Exhibits." Would you please turn to Tab 1, which would  
6 be Defendants' Trial Exhibit 1.

7 A. Yes.

8 Q. And could you tell the Court what that is?

9 A. That is my resume.

10 MR. FARR: And, Your Honors, just one  
11 question about this -- to speed up the testimony, I don't  
12 propose to go through all his experience and background,  
13 unless you want me to.

14 Q. But do you -- what's your higher education  
15 experience?

16 A. I have a bachelor's degree from Claremont  
17 McKenna College, an MA and a PhD from Claremont Graduate  
18 University.

19 Q. So may I call you "Dr. Hofeller" during the  
20 course of this examination?

21 A. Certainly.

22 Q. Dr. Hofeller, thank you. Since that is what I  
23 call you normally anyway, that will be more comfortable  
24 for me.

25 Dr. Hofeller, could you tell the Court what

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1 your experience has been in -- in general in the area of  
2 redistricting?

3 A. Well, I actually first got my redistricting  
4 experience in California in 1965 in preparing a database  
5 for the State of California which was reacting to the One  
6 Person, One Vote rulings of the Supreme Court and had to  
7 redistrict at the State Legislative Chambers.

8 Q. What year was that?

9 A. 1965.

10 Q. And could you in general just tell the Court  
11 about your other experiences in redistricting since 1965  
12 through the present?

13 A. Well, I've, of course, been active in the  
14 redistricting process in the last five decennial census  
15 redistricting processes doing work at the Rose Institute  
16 of State and Local Government at Claremont McKenna  
17 College in the '70s. I was cofounder of a company which  
18 assembled a database and did redistricting plans for the  
19 California State Legislature in 1970 and '71.

20 I worked in several other states during that  
21 period of time. I worked in the State of Mississippi in  
22 *Connor v. Finch* in 1970 -- '78 for the Mississippi State  
23 Legislature, was trying for the third time to get the  
24 redistricting right, which they did at -- successfully at  
25 that period of time. I did work in many other states in

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1 the '80s, including North Carolina, testifying in the  
2 *Gingles* case. I have testified in Illinois cases, in the  
3 City of Chicago in city council cases. I've testified in  
4 the *Shaw* case and have been active in North Carolina  
5 since that time, since *Gingles*.

6 Q. All right. So you have background in  
7 redistricting in North Carolina and the demographics of  
8 the State of North Carolina?

9 A. I do.

10 Q. And do you have any experience drawing  
11 redistricting maps?

12 A. Yes.

13 Q. Could you tell the Court a little bit about  
14 that?

15 A. I'm -- I'm sorry. Do you mean in North  
16 Carolina or --

17 Q. In general.

18 A. -- in general?

19 I've -- I've drawn many plans in North Carolina  
20 over the decades, and I've also drawn plans across the  
21 nation in many, many states.

22 Q. Okay. Now, Dr. Hofeller, were you ever engaged  
23 by the General Assembly of North Carolina during the 2011  
24 redistricting cycle?

25 A. I was.

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1           Q.   And will you tell me the purpose of your  
2 engagement?

3           A.   Well, my first engagement with the General  
4 Assembly, actually through your office, was in database  
5 work preparing -- helped -- helping the legislative staff  
6 to prepare a database. They were a little bit behind in  
7 their database building work, and I had some technical  
8 discussions with their staff and helped move that process  
9 along so that the General Assembly could meet its  
10 redistricting schedule.

11           I was then retained to essentially be the --  
12 the gatekeeper and lead technical person, map drawer, in  
13 the creation of the three Chambers -- the two Chambers  
14 plans and the Congressional plan.

15           Q.   Okay. And when you say "built" the database,  
16 would you tell the judges briefly what you meant by  
17 what -- what went into the database?

18           A.   Well, the -- the census data is -- is easy  
19 because the census data comes from the U.S. Census  
20 Bureau. It's in a form that is built for redistricting  
21 specifically. The problem is, is that election history  
22 and registration data is also required for redistricting.  
23 And these databases do not come from the federal  
24 government. They have to be constructed on a  
25 state-by-state basis. Sometimes they're constructed

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1 privately. In this case, the main responsibility is in  
2 the hands of the legislative services organizations in  
3 North Carolina.

4           However, the problem is, is that these election  
5 databases are for multiple years. And so those years  
6 have -- those years' data, both the registration and the  
7 election data, have to be reconciled and put into one  
8 single database that covers all of the years. There also  
9 has to be primary data collected which is required for  
10 racial bloc voting analysis.

11           Q. All right, sir. And so is -- is it fair to say  
12 that you were involved in building the database and that  
13 you were responsible for making sure the -- the  
14 redistricting maps were drawn in a manner that would be  
15 approved by the General Assembly?

16           MR. SPEAS: Objection to the form. It's a  
17 leading question.

18           JUDGE RIDGEWAY: Overruled. I'll allow it  
19 as a threshold question, but...

20           MR. FARR: Thank you.

21           A. Well, it was important to get the databases  
22 built and built right and built completely. And I  
23 advised really on that rather than actually technically  
24 building them myself. My main responsibility was to  
25 ensure that the plans were built legally and to inform

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1 the leadership of what was -- what was possible to draw  
2 and, as I said, to become the gatekeeper; to make sure  
3 that the plans pressed forward, were kept track of; that  
4 there was a -- an official plan that was the plan into  
5 which any ideas or changes were made and to do it in a  
6 time frame which would allow the General Assembly to  
7 enact the plans; to get them precleared by the justice  
8 department and have them in the hands of the individual  
9 county election officials in time to determine where each  
10 voter lived district-wise and to be prepared to begin the  
11 primary election cycle.

12 Q. And who was the decision-maker, Dr. Hofeller,  
13 about what plans would be released to the public or  
14 inactive? Is that you or was it the General Assembly?

15 A. Those decisions were policy decisions, and all  
16 of those policy decisions were the purview of the General  
17 Assembly.

18 Q. All right, sir. And do you understand what --  
19 if I -- if I say a "racial polarization study," do you  
20 understand what that means?

21 A. I do.

22 Q. Were you ever asked to perform a racial  
23 polarization study?

24 A. I was not.

25 Q. Do you know why you were not asked to perform a

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1 racial polarization study?

2 A. Absolutely. Because, first of all, a policy  
3 decision was made that others would do those polarization  
4 studies, and there simply wasn't time enough for me to do  
5 those studies and to do what was necessary to bring the  
6 plans to completion. That was a very big job and that  
7 was what I was hired to do.

8 Q. All right, sir. And you've told the Court that  
9 you had redistrict -- past redistricting experience in  
10 North Carolina.

11 A. I did.

12 Q. And when -- when you began drawing maps, did  
13 you have any assumptions about whether racial  
14 polarization existed in the State of North Carolina?

15 A. I did.

16 Q. Could you explain what those assumptions were  
17 and why you had those assumptions?

18 A. Well, first of all, I had several decades of  
19 previous experience in North Carolina. And in my  
20 experience in North Carolina, racial polarization was  
21 also deemed to have been present. And I had never seen  
22 any studies to the contrary during that time period; and,  
23 indeed, I would have operated under the assumption that  
24 it was present this time, too. That was later confirmed  
25 by studies which were presented by other experts which

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1 confirmed that and also by testimony that was given  
2 before hearings.

3 Q. Did you have any familiarity with redistricting  
4 plans that had been enacted in North Carolina from the  
5 1980s through the 2000s?

6 A. I did.

7 Q. Did -- did those plans inform you at all in  
8 terms of your assumptions about the presence of racial  
9 polarization in North Carolina?

10 A. They did. And I was also mindful of the  
11 minority districts that were created in previous plans,  
12 particularly after *Gingles*, where they were located and  
13 how they were comprised.

14 Q. And did you ever have a chance to review  
15 alternative plans presented by Democrats or -- or the  
16 Southern Coalition for Social Justice or AFRAM during the  
17 2011 redistricting process?

18 A. Well, there was really only one set of plans  
19 that was presented during the process, and that was the  
20 AFRAM plans. The other plans came in at the very last  
21 minute and really didn't inform the district building  
22 process. The districts were all but finalized before  
23 those plans came out from the other side.

24 Q. Was there anything about those plans that  
25 further informed your opinion about whether racial

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1 polarization existed in North Carolina?

2 A. Well, I noted that many of the districts were  
3 created with 50 percent majority districts, and districts  
4 were located in the same places that the General  
5 Assembly's enacted plan placed the districts.

6 Q. All right. Thank you.

7 I want to move to a different topic now,  
8 Dr. Hofeller. I want to ask you about your recollections  
9 about how the 2011 Congressional District 12 was created,  
10 and I want to refer you and the Court to a map that's in  
11 front of you that's been marked Defendants' Trial Exhibit  
12 15. Do you -- do you have that map?

13 A. I do.

14 Q. Do you know what that map is?

15 A. I believe that's a map of the previous plan,  
16 the one that was enacted in the last decade.

17 Q. All right, sir. And do you have the  
18 Defendants' Trial Exhibit 16 in front of you?

19 A. I do.

20 Q. Can you tell the Court what that is?

21 A. That was Rucho-Lewis Congress 3, which was the  
22 enacted plan this decade.

23 Q. All right. And are you familiar with the  
24 decision by the U.S. Supreme Court in a case called  
25 *Cromartie versus Hunt* or *Cromartie versus Hunt*?

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1 MR. FARR: Alec, sorry.

2 A. I think I'll use "Cromartie."

3 There had been a lot of -- of court activity  
4 surrounding the 12th District, and this was a district  
5 which was redrawn to be a politically drawn district with  
6 the use of political data. And that was the  
7 justification that's often called "the *Cromartie* Defense"  
8 for that district.

9 Q. And was the -- was the district at issue in  
10 *Cromartie* taken to the U.S. Supreme Court?

11 A. Several times, I believe.

12 Q. Was -- was the -- did the -- ultimately did  
13 the -- did the Supreme Court accept the political  
14 justification or reject the political justification for  
15 *Cromartie*?

16 A. As it -- there was -- the General Assembly was  
17 successful in the *Cromartie* case with the political  
18 justification, which was approved by the U.S. Supreme  
19 Court.

20 Q. Now, in drawing Congressional District 12, who  
21 did you receive your instructions from?

22 A. I received the instructions from the General  
23 Assembly.

24 Q. And what were your instructions?

25 A. Well, everybody was well aware that the -- the

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1 12th was not a -- a VRA district. It was a political  
2 district and it was drawn for political reasons, and that  
3 that would be the only legal way to draw that district in  
4 this particular redistricting cycle. There was no doubt  
5 expressed by anybody that that was to be the way it was  
6 to be handled.

7 Q. All right, sir. And could you turn to  
8 Defendants' Trial Exhibit 8, which is in the black  
9 notebook?

10 A. Okay.

11 Q. Could you please tell the Court what that  
12 exhibit is?

13 A. If I have the right exhibit, it's -- there's no  
14 exhibit sticker on it.

15 Q. It's -- it's Tab 8 --

16 A. Okay. Well --

17 Q. -- which means it's Defendants' Exhibit 8.

18 A. I think I actually have the wrong map. Sorry.

19 MR. FARR: May I approach the witness,  
20 Your Honor?

21 JUDGE RIDGEWAY: If you'll approach,  
22 Mr. Farr.

23 JUDGE HINTON: Yes.

24 A. Well, I think I have --

25 Q. Let me just check.



1           A.    Sorry.  My eyes aren't all that good, actually.

2           Q.    Did you prepare this exhibit, Dr. Hofeller?

3           A.    I did.

4           Q.    Could you tell the Court what it is?

5           A.    It's a -- a set of two maps showing the

6           district passed in 2001 and the district as it was passed

7           in 2011.

8           Q.    Can you tell from this exhibit the counties

9           the -- the two districts are located in?

10          A.    Yes.

11          Q.    Could you tell the Court which counties those

12          are?

13          A.    The district -- it starts out in the north end

14          in Forsyth and Guilford Counties and transits through

15          Davidson, Rowan, and Cabarrus down to Mecklenburg.  The

16          district is -- the primary population centers in the

17          district are Forsyth, Guilford and Mecklenburg Counties.

18          Q.    I'm sorry.  Is that -- is your -- is that your

19          testimony for both districts?

20          A.    Yes.

21          Q.    Okay.  So did you -- are -- are both districts

22          in the same six counties?

23          A.    They are.

24          Q.    And you have a -- for the 2001 district, there

25          appears to be a line traversing the district and there's

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1 an entry "95 miles." What does that mean?

2 A. That is what I believe to be the longest  
3 distance between two points of -- of the district. In --  
4 in the 2001 district, it was 95 miles. In the 2011  
5 district, it was 100 miles; five miles' difference.

6 Q. Okay. And, Dr. Hofeller, stepping back for a  
7 second, you say you received your instructions from the  
8 General Assembly. Were there any particular members of  
9 the General Assembly that you dealt with more than  
10 others?

11 A. Yes.

12 Q. And who were they?

13 A. That was the chairmen of the two redistricting  
14 committees.

15 Q. And who were they?

16 A. Bob Rucho and David Lewis.

17 Q. And "Bob Rucho" is Senator Rucho?

18 A. I'm sorry. Yes.

19 Q. And --

20 A. And Representative Lewis.

21 Q. All right. Now, were you given any particular  
22 political goals for redrawing the 12th District in 2011?

23 A. Well, the political goals were -- they were  
24 political goals, but the whole plan was a political plan  
25 and there were political goals for the whole plan. So it

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1 is really impossible to understand the context of the --  
2 the 12th District without understanding the rest of the  
3 plan. But the goals for the 12th District were to draw  
4 it in such a manner that it would increase Republican  
5 opportunities in the surrounding districts.

6 So in the drafting of that plan, the idea was  
7 to take VTDs or precincts, as you might characterize  
8 them, that had the highest percentage of Obama vote and  
9 to make the district as Democratic as possible, to take  
10 Democratic strength out of the surrounding districts and  
11 to take it out of the surrounding districts in such a  
12 manner that it would suit the other political goals of  
13 the -- the drafters in the surrounding districts.

14 Q. So could you explain what -- what some of those  
15 surrounding districts were and what the goals were for  
16 those districts?

17 A. They were the -- the 6th, the 8th, the 9th, and  
18 the 5th.

19 Q. And what was the intent for those surrounding  
20 districts?

21 A. Well, again, it was to maximize the Republican  
22 political opportunity in all those districts. Do you  
23 want me to be more specific?

24 Q. Sure.

25 A. Okay. Probably the weakest GOP district in --

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1 in the plan was the 9th District in Mecklenburg County.  
2 The new plan was devised with about 100,000 more  
3 population in the 12th in Mecklenburg County to take  
4 heavily Democratic precincts out of the 9th. The 6th  
5 District was changing its location markedly from one plan  
6 to another, and one of the goals was to, again, take  
7 Democrats out of Guilford County in the 6th and put them  
8 in the 12th.

9           Whereas the strongest district going into it  
10 was the 5th, so less Democratic precincts needed to be  
11 included in the 12th for the benefit of the 6th and the  
12 9th.

13           Another thing that was required, as I think  
14 everybody knows -- well, not everybody -- is that  
15 Congressional maps have to be drawn with 0 deviation.  
16 There is no give at all in the deviations of the  
17 district. It's -- many people have said redistricting is  
18 like a -- a balloon where you push in at one point, it  
19 goes out at another point. I would characterize it more  
20 as being like a water balloon because there's no  
21 compression of water; so where you push on one side, you  
22 have to push on another.

23           And there were protracted negotiations in  
24 the -- with the Republican Caucus in particular about  
25 the -- the boundaries between the surrounding Republican

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1 districts; and, also, the population figures were  
2 different in 2011 than they were in 2001. And so in  
3 order to balance the populations out and to achieve the  
4 political goals and to meet One Person, One Vote given  
5 the context of those lines, the corridor through which  
6 the district -- the 12th District transits from Forsyth,  
7 Guilford to Mecklenburg County had to be moved farther  
8 towards the southeast to accommodate those population  
9 goals.

10 Q. All right. Now, what was the software program  
11 that you used to draw these districts?

12 A. The software program was Maptitude for  
13 Redistricting engineered by Caliper Corporation, a firm  
14 located in Boston -- well, not Boston, but in the Boston  
15 area; Newton, I think.

16 Q. All right. And do you know what a "thematic"  
17 is?

18 A. A thematic display in the terms of a Geographic  
19 Information System, which is essentially what the  
20 redistricting system was based upon, is a -- a system  
21 which displays maps and connects those maps with data  
22 which is related to the units of geography that are in  
23 the GIS system.

24 So a thematic is one way of displaying that  
25 information on the screen usually by color according to

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1 some piece of -- series of data on one item in the  
2 database that's connected with the GIS system. In this  
3 case, in redistricting, they're usually percentages of  
4 one kind or another.

5 Q. Okay. And do you recall when you were drawing  
6 this map the thematic that you had on your screen when  
7 you were drawing the district?

8 A. I'm sorry. Did I just --

9 Q. Did you have a particular thematic on your  
10 screen when you were drawing this district?

11 A. The 12th?

12 Q. Yes.

13 A. Yes. It was a -- a political thematic.

14 Q. Could you tell the Court what that was?

15 A. It was the percentage of vote that President  
16 Obama received of the two-party vote. So it was computed  
17 by dividing the Obama vote by the sum of the Obama and  
18 the McCain vote.

19 Q. And -- and so why were you doing that?

20 A. Well, because that was what we were using as  
21 the political thematic for drawing these districts. It  
22 was used in the other districts in the map, too, as the  
23 primary thematic.

24 Q. And what --

25 A. It was, after all, a politically drawn map.

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1 Q. And what -- what unit of geography were you  
2 applying to that thematic?

3 A. For the most part -- and particularly in the  
4 12th District outside of the 1st District, actually -- it  
5 was VTDs.

6 Q. And what are "VTDs"?

7 A. A VTD -- sometimes called a Vote Tabulation  
8 District; but, actually, a voting district officially by  
9 the Census Bureau -- is created for the Census -- I'm  
10 sorry -- by the Census Bureau for the states specifically  
11 for redistricting use. States send back either maps or  
12 electronic files which indicate where their election  
13 precinct boundaries are, and those boundaries are  
14 incorporated into the Census Bureau's geographic  
15 hierarchal structure actually called "TIGER," a TIGER  
16 file. It's an acronym. And the Census Bureau releases  
17 a -- a set of summary data for each VTD.

18 Q. Okay. So you were looking at VTDs with  
19 information on your thematic from which you could  
20 determine the Obama or McCain vote in that particular  
21 VTD.

22 A. Actually, it was just the Obama vote; but by  
23 the inverse, you knew what the other one was.

24 Q. Okay. Now, did you -- did you have to divide  
25 any VTDs in drawing this district?

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1           A.     I did.

2                     MR. FARR:   May I approach the witness,  
3   Your Honors?

4                     JUDGE RIDGEWAY:   Yes, sir.

5           Q.     Dr. Hofeller, I've just given you an exhibit  
6   that we've marked as Defendants' 14. Did you prepare  
7   that exhibit?

8           A.     I did.

9           Q.     Could you tell the Court what that is?

10          A.     That is a listing of the split VTDs in the 4th  
11   District and in the 12th District in the enacted plan  
12   showing the -- the populations in the plan. I could  
13   explain the columns going across.

14                    The first is the county in which the VTD is  
15   located. Second is the VTD itself, and you'll notice  
16   that there are two listings for each VTD that's on one  
17   side or the other side of the split. The next column is  
18   the district number. I've shaded the district numbers  
19   green for splits that involve the 4th CD and orange for  
20   the splits that involve the 12th Congressional District.

21                    The next column is the population in the split  
22   itself; so there are two numbers, one for one side and  
23   one for the other. The next column is the population of  
24   the whole VTD if it were unsplit, and the next column is  
25   the percentage of the population in the whole VTD which

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1 was located in each split side.

2 Q. And the last column -- Dr. Hofeller, you have  
3 that last column shaded in different colors. Could you  
4 explain?

5 A. I do. The -- the green -- I'm sorry -- the  
6 blue indicates splits that were done for population  
7 adjustment. The yellow indicates VTDs for political --  
8 split for political reasons. The red indicates VTD  
9 splits for district contiguity or compactness.

10 Q. All right. So let's -- let's start at the  
11 bottom and talk about the divided VTDs in -- in the 12th  
12 Congressional District and let's start with Mecklenburg.

13 A. From the very bottom.

14 Q. Yes, sir. We're going to work from the bottom  
15 up.

16 A. There was one precinct split in Mecklenburg and  
17 that was a split which added 17 people for the 12th  
18 District which was a population adjustment split.

19 Q. Now, tell -- why do you -- explain to the Court  
20 why you have to make population adjustments, please.

21 A. Well, again, there's -- there's no give on  
22 the -- on the population deviations in the Congressional  
23 Districts. They all have to be at 0 or plus or minus 1  
24 depending on how the State's population is divided --  
25 when it's divided by the number of districts. So

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1 adjustments have to be made at the boundaries of all the  
2 districts in order to equalize those populations.

3 Q. Is it fair to say you're equalizing the  
4 population between the two adjoining districts with these  
5 splits?

6 A. Yes.

7 Q. All right. Now, let's go to the next divided  
8 precinct, which appears to be in Guilford; and I think  
9 that's Jamestown 3. Could you explain to the Court why  
10 you made that divided VTD?

11 A. Again, that was the same reason as the split  
12 in -- in Mecklenburg County; that was a population  
13 adjustment.

14 Q. And that was between which two Congressional  
15 districts?

16 A. Between District 6 and District 12.

17 Q. Okay. And -- and then can we move to the next  
18 divided VTD in Guilford, which appears to be Guilford 64.

19 A. Guilford 64 was a split of the precinct that  
20 was done to bring the incumbent in the 6th into the 6th  
21 as the -- the plan was transiting through Guilford,  
22 through that precinct. So it was, in essence, a  
23 political split, but it was an incumbent seat.

24 Q. All right. And who was -- who was that  
25 incumbent?

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1           A.    I -- I believe -- I'm sorry.  I'm just having  
2   one of those...

3                   MR. FARR:  Do you mind if I ask him, Your  
4   Honor?

5           Q.    Is it Howard Coble?

6           A.    Yes.  I'm sorry.

7           Q.    Okay.  And if you had not made that division of  
8   that VTD, which district would have --

9           A.    He would have been in the 12th.

10          Q.    All right.  Let's go to the next division in  
11   Guilford, which appears to be Guilford 60.

12          A.    Again, Guilford 60 was split for population  
13   adjustment reasons.

14          Q.    And what were the two districts impacted?

15          A.    6 and 12 again.

16          Q.    And then the next division is in Guilford 46?

17          A.    Yes.

18          Q.    Would you explain that.

19          A.    Another population adjustment.  What happens  
20   when a plan is being finalized, often in re --  
21   redistricting, it's -- in Congressional maps, it's  
22   referred to as zeroing out the districts.  So until the  
23   districts are really pretty much settled, it's -- it's  
24   not fruitful to be zeroing out the districts.  So you  
25   would see a redistricting person going around the

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1 perimeter of the district and trying to find the  
2 appropriate bloc -- the blocs with the appropriate  
3 population or populations to hit that 0 mark. And there  
4 indeed might be other ways to do it, but that's the way  
5 it was done in this district.

6 Q. All right. Dr. Hofeller, then, there appears  
7 to be one final divided VTD in the -- the 12th District  
8 in Davidson. Could you explain that division, please?

9 A. Well, precinct 10 comes extremely close to  
10 bisecting the district. So I actually took off a -- a  
11 portion of the western extremity of that precinct and put  
12 it into District 12, 130 people, so that that corridor  
13 would be a little wider.

14 Q. All right. Now, in drawing the 12th District,  
15 is there a thematic on the Maptitude software for race?

16 A. No.

17 Q. There is not?

18 A. I'm sorry. Was there?

19 Q. Is there -- is there a thematic on the  
20 Maptitude consistent for race?

21 A. Well, you can create any thematic you want.

22 Q. Okay.

23 A. So it's possible to draw one for -- for any --  
24 any factor that's in the database --

25 Q. All right.

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1 A. -- including race.

2 Q. When you were drawing Congressional District  
3 12, were you looking at any racial data?

4 A. There was no thematic racial data displayed.

5 Q. All right. And were you here yesterday for  
6 Congressman Watt's testimony?

7 A. I was.

8 Q. Do you recall his testimony about what Senator  
9 Rucho stated to Congressman Watt about what Senator Rucho  
10 had been told by leadership to ramp the black percentage  
11 of District 12 over 50 percent?

12 A. I did.

13 Q. Did Senator Rucho ever instruct you to draw  
14 this district so that it would be over 50 percent in  
15 total black voting age population?

16 A. Absolutely not.

17 Q. Did he instruct you that it be over 50 percent  
18 in any sort of black category?

19 A. Absolutely not.

20 Q. All right. Could you turn to our black  
21 notebook again and turn to Tab 12. Are you at Tab 12 --

22 A. I'm at Tab 12.

23 Q. -- which is Defendants' Trial Exhibit 12?  
24 Did you prepare that chart?

25 A. I did.

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1 Q. Would you tell the Court what that chart is?

2 A. That's a chart of the Minority Census Data in  
3 several of the plans drawn in Forsyth County.

4 Q. I'm sorry, Dr. Hofeller. I've got you on the  
5 wrong exhibit. We'll get to that later.

6 Turn to Exhibit Tab 11.

7 MR. FARR: My apologies, Your Honors.

8 A. Tab 11 is minority and presidential election  
9 statistics for the enacted 2011 12th District and a  
10 demonstration plan I have drawn, which I call the "High  
11 Obama Vote Plan" showing the -- the differences between  
12 the two plans politically and demographically.

13 Q. Okay. So what is the -- just the -- the -- the  
14 main difference between the way you -- you drew the 2011  
15 enacted plan and the High Obama Vote Plan?

16 A. Well, as I stated before today, the goals of  
17 the enacted plan were political, but they were political  
18 in the sense that it was important which -- and precincts  
19 were taken from each of the major counties and which  
20 districts they were either taken or given to the  
21 surrounding Republican districts.

22 In the High Obama Vote Plan with the exception  
23 of the -- the corridor through the three counties, I put  
24 up thematic -- the political thematic again with a break  
25 on the Obama percentage which took the very highest Obama

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1 precinct votes from all of the three major counties,  
2 notwithstanding what would be the political effect on the  
3 surrounding Republican districts.

4 Q. Okay. So could you tell -- explain to the --  
5 the Court the chart that's at the top of that page, could  
6 you explain the columns that are in that chart?

7 A. Yes. First is the plan name. Second is the  
8 total population of both -- both districts, which of  
9 course had to be the same because the High Obama -- High  
10 Obama Vote Plan is a complete plan of the -- for the  
11 whole state. The deviation, again, which I probably  
12 didn't need to put it in because it's 00. The adult  
13 non-Hispanic/white percentage, the adult total black  
14 percentage, the adult non-Hispanic total black  
15 percentage, the adult Hispanic percentage, and the  
16 difference between the total black percentage and the  
17 total non-Hispanic/white percentage.

18 Q. All right. Dr. Hofeller, could you explain --  
19 give a little more detail to the Court about these  
20 categories that you just described? Are -- are these  
21 census categories?

22 A. All of them -- well, except -- with the  
23 exception of the last column, those are all data which  
24 are found in the TIGER file -- not the TIGER file -- the  
25 Census Bureau's redistricting data file.

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1           Q.   All right.  So starting with the percentage 18  
2   plus non-Hispanic/white, can you put that in -- in  
3   English to what that means instead of the census acronym?

4           A.   Well, I guess the easiest way to say it is that  
5   Hispanic is an ethnic identification and everybody  
6   identifies his or herself ethnically.  And a majority --  
7   well, in -- in -- in most redistricting instances, one is  
8   looking at Hispanics and blacks.  So some African  
9   Americans identify themselves as being ethnically  
10   Hispanic.  A good example of that would be Puerto Ricans  
11   who speak Spanish as their -- their native tongue if  
12   they've come -- if they live and have come from Puerto  
13   Rico.

14                So the -- it's important to differentiate that  
15   from total white population.  It gives a truer indication  
16   of what we would normally say the white voting strength  
17   is in the district.

18           Q.   And -- and when it says "18 plus," is that the  
19   same as saying "voting age"?

20           A.   It is.

21           Q.   All right.  And what about the next column is  
22   "18 plus total black," what does that mean?

23           A.   Again, all of the people who identified  
24   themselves as entire -- wholly black or black and any  
25   other race who were of voting age.

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1 Q. All right. And then, again, in -- in English,  
2 what's "18 percent plus non-Hispanic total black"?

3 A. Again, that -- that is the group of people who  
4 identified themselves as either all or partially African  
5 American, but did not identify themselves as being of  
6 Hispanic ethnicity.

7 Q. And "18 percent plus Hispanic," is that the  
8 same as --

9 A. Again, those are all the -- all the population  
10 that identified themselves as being ethnically  
11 Hispanic --

12 Q. And the voting --

13 A. -- or linguistically. You could also use that  
14 term interchangeably.

15 Q. And it means "voting age population Hispanic,"  
16 right?

17 A. Yes.

18 Q. All right. And then, again, explain what that  
19 last column is.

20 A. Again, it's -- it's the -- the -- the  
21 difference between the non-Hispanic whites and the total  
22 black population --

23 Q. Okay.

24 A. -- that are voting age.

25 Q. Now -- now, based upon that chart, is there any

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1 meaningful difference between the enacted plan and the  
2 High Obama plan as to those statistics?

3 A. Not in my judgment.

4 Q. All right. Now, let's go to the second chart  
5 on that page. What -- what does that chart show?

6 A. That looks at the -- the votes and percentages  
7 for Obama and McCain in both plans. And then it, of  
8 course, shows the total two-party presidential vote in  
9 the two districts. Again, it's important to note that  
10 the -- there are minimal differences.

11 Q. All right. Now, I want to go back to something  
12 I overlooked. The -- we talked about what you did when  
13 you drew the enacted 12th District and the -- the VTDs  
14 you divided. When you divided the VTDs, did that  
15 change -- did those divisions in the 12th District change  
16 in any significant way the political performance of that  
17 district for President Obama?

18 A. No.

19 Q. Did it change in any significant way the racial  
20 composition of that district?

21 A. No.

22 Q. All right. I want to do one more exhibit on  
23 12. Could you turn to Tab 6?

24 A. Okay.

25 Q. Can you tell the Court what this is?

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1           A.    That's a detailed map of the enacted 12th  
2   District showing major highways and VTDs and shading the  
3   surrounding districts.

4           Q.    Okay.  And just so the Court knows what a VTD  
5   is, could you take, say, Mecklenburg County and -- well,  
6   first let me say, are the VTDs identified by a number?

7           A.    Well, they're identified by what we would call  
8   a alphanumeric depending on how the county names their  
9   precincts.  So up in Guilford County, you could have a  
10   alpha designation followed by a number.  In other  
11   counties, they're just numeric.  So it --

12          Q.    Okay.

13          A.    -- depends on the naming system within each  
14   individual county.

15          Q.    All right.  Let's go into Mecklenburg County.  
16   Could you just point out for the Court a couple of  
17   numbers or a couple of VTDs so they can see how the VTDs  
18   are designated on this map?

19          A.    Again, my -- these are very small numbers.

20          Q.    Are you able to read it?

21          A.    I might have a little trouble with them.  
22   There's a VTD at -- at the far -- well, not -- kind of  
23   the nearest VTD to Union County in District 12, which I  
24   believe is 099.  It's like a test they put up on the  
25   screen when you're getting your new glasses, which I'm

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1 overdue for. And there's a number inside that VTD, which  
2 is the precinct number.

3 MR. FARR: Okay. And I think, Your  
4 Honors, I'll just state for the record, I think he's  
5 referring to 079.

6 A. To what?

7 MR. PETERS: No. I think he's correct.

8 MR. FARR: It is 099? Okay. I got it.  
9 My eyes are just as bad evidently. All right.

10 A. I had the numbers in larger type font on the  
11 screen when I was looking at them.

12 Q. All right. Now, let's turn to Congressional  
13 District 4. Can you tell the Court the instructions you  
14 received regarding the construction of Congressional  
15 District 4?

16 A. 4 was essentially constructed and finalized  
17 after the construction of Districts 12 and 1, and the  
18 purpose of the district was to gather in as many Obama --  
19 high Obama percentage precincts into one district in the  
20 central part of the state, again, to create more  
21 opportunities for Republican candidates in the  
22 surrounding districts.

23 Q. Okay. Could you please turn to Defendants'  
24 Exhibit 9, which is Tab 9 in the notebook? And did you  
25 prepare this exhibit, Dr. Hofeller?

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1 A. I did.

2 Q. And could you tell the Court what this exhibit  
3 reflects?

4 A. The red area is the -- is District 4 placed on  
5 a county grid, and it also has a -- a line with two  
6 arrows which indicates the farthest distance between two  
7 points in the district.

8 Q. And -- and what would that be?

9 A. 88 miles.

10 Q. All right. Now, could you turn to Tab 10,  
11 Defendants' Exhibit 10? And did you create this exhibit?

12 A. I did.

13 Q. Could you tell the Court what this exhibit  
14 reflects?

15 A. Again, this is the red -- the red shading  
16 indicates the 13th Congressional District was enacted in  
17 2001 by the General Assembly, and it stretched a distance  
18 of 111 miles from the northwest tip of Rockingham County  
19 to the far eastern tip of Wake County.

20 Q. And -- and what was that length?

21 A. 111 miles.

22 Q. Now, Dr. Hofeller, in your mind, is there any  
23 correlation between the 2011 4th Congressional District  
24 and the 2001 13th Congressional District?

25 A. In my mind, it was a -- a -- a distance of

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1 some -- a district of some miles, although not the  
2 largest in the -- the state, connecting three population  
3 centers through less-populated territory. So it  
4 essentially reached from Raleigh over to -- to Greensboro  
5 probably taking route longer than the total distance from  
6 one point in the district to another.

7 It also, incidentally, crossed through Guilford  
8 County actually at a -- a -- a point -- a point  
9 contiguity where I believe you would have to shrink down  
10 to infinity -- infinity small, the smallest -- you  
11 couldn't go from one part of the district to the other  
12 without disappearing like in a black hole. Point  
13 contiguity is -- has, I believe, been ruled to be  
14 unacceptable in North Carolina since then.

15 Q. Is there any sort of geometrical connection  
16 between the 2001 13th and the 2011 4th District?

17 A. Well, I would just characterize it in many ways  
18 as a counterclockwise rotation. Instead of going  
19 east-west, the district now goes -- District 4 goes  
20 north-south, again, connecting population centers.

21 Q. Okay. And mindful of your explanation of how  
22 you drew the 12th District, would you again explain to  
23 the Court how you went about drawing the 4th  
24 Congressional District?

25 A. Again, it was a -- a political draw. It was

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1 taking -- let me go back to that map -- taking highly  
2 Democratic precincts as defined by the Obama-McCain vote  
3 from Wake County and Orange County and part of Durham  
4 County, the part that wasn't in the 1st, and Alamance and  
5 connecting them with a large concentration of Democratic  
6 voters in Cumberland County.

7 Q. And, again, you are basing this on what  
8 geographic unit?

9 A. The VTD.

10 Q. And what information did you gather about each  
11 VTD?

12 A. Well, again, the -- the thematic that I was  
13 using in drawing this district was the percentage of the  
14 vote for President Obama.

15 Q. All right. In drawing this District 4, did you  
16 have to divide VTDs?

17 A. I did.

18 Q. Could you turn back to Exhibit 14, please?  
19 Let's start at the top and go towards the bottom for this  
20 one. So the first divided VTD you have listed for the  
21 4th District is in Alamance County; is that right?

22 A. Right. It's the 13th -- V -- VTD 13 in  
23 Alamance County.

24 Q. Okay. And --

25 A. And it was -- it was drawn as it was for a

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1 population adjustment between the -- the 4th District and  
2 the 6th District.

3 Q. And I want to make sure the Court understands  
4 this. The "Counties" states the county. The "Voting  
5 District" is 13. So that means that's the VTD 13, is  
6 that right, in Alamance County?

7 A. Yes.

8 Q. And then in district -- that's Congressional  
9 district, and it's your -- you're -- you're dividing that  
10 precinct between the 4th and the 6th Congressional  
11 District?

12 A. Yes. It's the same as we did for 12.

13 Q. Okay.

14 A. And then the population of the split on each  
15 side and the whole population of the VTD and, again, the  
16 percentages of each split.

17 Q. So just to make sure the Court understands, for  
18 Alamance 13, 5,194 people were put in the 4th District  
19 and 235 people were put in the 6th District; is that  
20 right?

21 A. That's correct.

22 Q. Okay. And the reason for doing this, again,  
23 was...

24 A. The -- the reason was to balance out the  
25 population between 4 and 6.

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1 Q. Okay. Now, let's go to Cumberland County.  
2 Could you go through the -- the divided VTDs in  
3 Cumberland County and explain why they were divided?

4 A. Well, there were -- there were -- let's see,  
5 one, two, three -- four divided precincts in Cumberland  
6 County. Again, you see that there are small populations  
7 split off from the major portion of the VTD in each case,  
8 and those were done to balance the population between the  
9 2nd and the 4th in Cumberland County.

10 Q. Okay. And -- and could you, again, just  
11 explain to the Court briefly -- we don't -- I don't think  
12 we need to go through every VTD, but could you explain  
13 the divisions of the VTD in Harnett County?

14 A. Well, the -- the -- the Harnett County VTD  
15 split is a 0 VTD split, and it was done for the reason  
16 of -- of making the district contiguous.

17 Q. All right. And then could you --

18 A. Legally contiguous.

19 Q. -- could you please explain the divided VTDs in  
20 Wake County?

21 A. In Wake County, the -- the VTD 01-33 and 01-36  
22 were split for political reasons. 01-39 was a population  
23 adjustment. 01-02 was, again, for a political reason.  
24 01-16 was for contiguity -- or I'm sorry -- for  
25 compactness. 01-18, 01-21 and 16-02 were, again, done

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1 for population adjustment.

2 Q. Did the divided VTDs in the 4th Congressional  
3 District have any significant impact on the political  
4 performance of that district?

5 A. None whatsoever.

6 Q. Did the divided --

7 A. If you -- if you saw it, it would be in the  
8 hundredths of percentages, I -- I would imagine.

9 Q. Did the divided VTDs have any impact on the  
10 racial percentages in Congressional District 4?

11 A. Not any significant impact, no.

12 Q. Okay.

13 MR. FARR: All right. Your Honors, I  
14 would like to now change to a different topic, and we  
15 have some testimony on the Senate Districts in Forsyth  
16 County.

17 (Pause.)

18 MR. FARR: Whoa, whoa, whoa. What did I  
19 do wrong here? I'm handing out the wrong map -- sorry.  
20 I did give you the right one. You got the right one.

21 You Honor, I'm missing the Southern  
22 Coalition map. I'm sorry. I don't know what happened to  
23 it.

24 JUDGE RIDGEWAY: I've got -- I have a book  
25 of maps here, so I've got it here.

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1 MR. FARR: Okay. All right.

2 MR. SPEAS: Mr. Farr, do we get one?

3 MR. FARR: I'm sorry.

4 MR. SPEAS: Or two?

5 MR. FARR: I can't find -- find the  
6 Southern Coalition map. Are there any extras? Sorry.  
7 I'm a bad paralegal. Here you go, Judge Hinton. I'm  
8 sorry.

9 JUDGE HINTON: Okay.

10 JUDGE RIDGEWAY: That's extra.

11 JUDGE HINTON: Um-hum.

12 BY MR. FARR:

13 Q. Dr. Hofeller, I now want to talk to you about  
14 Senate District 32 in Forsyth County. Could you identify  
15 the exhibit I've handed you marked as Defendants' Exhibit  
16 17?

17 A. Defendants' Exhibit 17 is a map showing the  
18 enacted Senate districts also indicating the county  
19 groupings in the solid blue line; so the shading is for  
20 the districts, and the -- the solid blue line is for the  
21 county groupings.

22 Q. And so, for example, could you tell the Court  
23 for the Rucho Senate 2, what county group is Forsyth  
24 County located in?

25 A. Forsyth County is located in a two-county

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1 group. And, also, the two-county group contains two  
2 districts.

3 Q. All right. Now --

4 A. Districts 31 and 32.

5 Q. What's -- tell the Court what Exhibit 18 is.

6 A. Exhibit 18 is the Southern Coalition for Social  
7 Justice Senate plan or the AFRAM plan, and it -- it has a  
8 three-county group for -- in which the Forsyth County  
9 districts are contained, which also has drawn within it  
10 three Senate Districts. The -- the -- again, the heavy  
11 blue line indicates the county groups throughout the --  
12 the plan.

13 Q. Okay. And in which -- in both of these maps,  
14 in which county or counties is Senate District 32 drawn?

15 A. Senate District 32 in both maps is drawn  
16 entirely within Forsyth County, primarily Winston-Salem.

17 Q. Okay. Now, I would like for you to turn to Tab  
18 12 of our notebook, which is exhibit -- Defendants'  
19 Exhibit 12.

20 All right. Now, Dr. Hofeller, what -- do  
21 you -- do you know the -- the population differences  
22 between the two-county group in which District 32 is  
23 located in the Rucho Senate 2 versus the three-county  
24 group that's found in the Southern Coalition plan?

25 A. I don't precisely remember or know the actual

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1 populations of the group as a whole. I knew that in the  
2 Southern Coalition district, the population of -- of the  
3 group allowed for the drafting of the three districts  
4 that they drew within that group at lower populations  
5 than was required by the two-county group found in  
6 Rucho-Lewis.

7 Q. So -- so let's explore that.

8 A. Rucho, I think. I'm sorry.

9 Q. When you draw a Senate District, is there  
10 something called an "ideal number"?

11 A. Well, there -- there are two numbers that you  
12 have to keep in mind. The first number is common to each  
13 specific set of districts -- one for the -- well, one for  
14 Congress, one for the State Senate, and one for the House  
15 of Representatives -- which is the ideal district  
16 population for the state, which is mathematically found  
17 by dividing the total population of the state by the  
18 number of districts into which it's being subdivided.

19 Q. So -- so to get an ideal number for a Senate  
20 District, you divide the population by 50?

21 A. That's right.

22 Q. Okay.

23 A. That's the ideal district size for the state.

24 Within each grouping -- the groupings being  
25 determined by the provisions of *Stephenson* -- there is --

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1 would be an average district population for districts  
2 drawn within the group which would be computed, again, by  
3 dividing the population within the county grouping by the  
4 number of districts you were going to draw in it. And  
5 those two numbers would be different.

6 And depending on where that -- that average  
7 number for the group ended up in relationship to the  
8 ideal district population for the entire state, you could  
9 find yourself facing different challenges in drawing the  
10 districts.

11 Q. Okay. So let me see if I can put this in  
12 context. Is -- is it fair to say that if you took a  
13 population in the Southern Coalition plan in that  
14 three-county group, that the average population for those  
15 three districts would be lower than the average  
16 population for two districts drawn within the two-county  
17 group in the enacted plan?

18 A. That's true.

19 Q. Okay.

20 A. That, of course, would be properly caused by  
21 the most optimal compliance to the *Stephenson* county  
22 grouping criteria.

23 Q. Okay.

24 A. It's not -- it's not really a choice of -- of  
25 the -- the map drafters.

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1           Q.    And does the *Stephenson* case put any outer  
2           limits on the population deviation that a district can  
3           have in order to still be lawful?

4           A.    You have to stay within the plus-or-minus 5  
5           percent range as -- as defined by the Court; a little bit  
6           different than in other states where the -- the lowest  
7           district -- the -- the difference between the lowest  
8           district in the -- drawn in the state and the highest  
9           district has to be just under 10 percent, what they call  
10          top to bottom.

11                 But in *Stephenson*, no matter where that average  
12          population falls for the county grouping, you're still  
13          limited by that plus-or-minus 5 range, which is mandated.

14          Q.    So under the population guidelines of  
15          *Stephenson*, all three districts in the Southern Coalition  
16          group have to be within plus-or-minus 5 of the -- of the  
17          ideal?

18          A.    Right.  If I could be excused to give an  
19          example here.

20          Q.    Sure.

21          A.    Let's say that the -- the population of your  
22          county grouping divided by the -- the number of districts  
23          to be drawn in the group is extremely high.  It's up at,  
24          let's say, 4.9 percent high above the ideal district  
25          population.  It would be much harder to draw a larger

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1 number of districts within that -- that particular group.  
2 If the two numbers were closer, it would be easier.

3 So you're constrained. If you make one  
4 district too high or too low, you might push the other  
5 district up over the 5 percent mark, and that's not  
6 allowable.

7 Q. Okay. Now, turning back to your -- Exhibit 12,  
8 did you make this chart?

9 A. I did.

10 Q. And could you explain to the Court what this  
11 chart represents?

12 A. Again, this is a comparison of -- of five  
13 different State Senate plans which are named in column  
14 one with the same figures you've seen in -- in the other  
15 chart that I drew. It showed the total population, the  
16 deviation -- which now is, of course, above 0, because  
17 we're not talking about Congressional districts. The  
18 non-Hispanic/white population, the total black  
19 population, the non-Hispanic total black population, the  
20 Hispanic population, and, again, the total black minus  
21 the non-Hispanic/white all for the adult voting age  
22 population.

23 Q. And -- and, Dr. Hofeller, does this chart --  
24 does it not apply to the different versions of Senate  
25 District 32?

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1 A. Yes.

2 Q. That's not noted on the chart, is it?

3 A. No.

4 Q. But it -- but it --

5 A. I'm sorry.

6 Q. -- it was intended to apply to Senate District  
7 32; is that right?

8 A. Yes. They're all the 32nd Senate District.

9 Q. So if I can just go over this for a second.  
10 Under the 2010 Census, the -- the 2003 version of Senate  
11 District 3 -- 32 had a deviation of minus 8.01 percent?

12 A. Yes.

13 Q. And that would make it illegal under the  
14 *Stephenson* criteria, right?

15 A. Well, certainly, because it wasn't within the  
16 allowable deviation.

17 Q. Okay. And the enacted plan 32 had a deviation  
18 of minus 0.79; is that right?

19 A. Right.

20 Q. And that's within the *Stephenson* range?

21 A. Right in the middle.

22 Q. Okay. That's the SCSJ plan had a deviation of  
23 minus 4.37 percent; is that correct?

24 A. That's correct.

25 Q. And that's -- that's at the lower range?

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1           A.    It's approaching the -- the lower limit,  
2   allowable limit.

3           Q.    Okay. And then the -- the Fair and Legal and  
4   McKissick possible Senate Districts appear to have the  
5   same deviation of 4.67 percent; is that correct?

6           A.    Yes. Although I notice there, I might have  
7   been dyslexic on that deviation.

8           Q.    Is it your understanding that they're --  
9   they're the same district?

10          A.    They appear to me to be the exact same  
11   district.

12          Q.    Okay. Now, let's now turn to the instructions  
13   that you received about redrawing Senate District 32.  
14   Could you -- could you keep the old version of Senate  
15   District 32?

16          A.    Well, no. There -- there -- there are two  
17   reasons that we couldn't have kept it. Possibly one was  
18   that it was under -- it was out of range of the ideal  
19   district deviation -- allowable district deviation,  
20   plus-or-minus 5 percent.

21                Also, what would play into it is that because  
22   of the mandates of *Stephenson* and the county grouping  
23   criteria, which is really a formulaic type of -- of draw,  
24   you might be limited by the -- the average district size  
25   within each group.

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1           Q.    Okay. Did you receive any instructions about  
2           how you should attempt to redraw Senate District 32?

3           A.    Well, first of all, it was determined by our  
4           initial analysis of the state that there should be a -- a  
5           minority district drawn within that -- that county  
6           grouping similar to the district that was there in the  
7           2003 map and that the placement of that district, which  
8           came out in the original VRA map, was known and approved  
9           by the -- the General Assembly. So --

10          Q.    Any further instructions?

11          A.    Well, again, after the initial plan was drawn,  
12          we were informed by the plan that was presented by SCSJ,  
13          which had a higher total black population in it than the  
14          original district we had drawn. We were also informed by  
15          the fact that the 2003 Senate map for District 32 had a  
16          higher percentage.

17                So I was instructed to bring that percentage  
18          into line with the percentages in the SCSJ map and the  
19          original map even though that district, the -- the 2003  
20          district, had to have added population in order to meet  
21          One Person, One Vote. That was the instruction that was  
22          given.

23          Q.    All right. And do you have an opinion for the  
24          difference in the shape and location of the enacted  
25          District 32 as compared to the Southern Coalition for

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1 Social Justice 32? Was there anything that caused the  
2 two districts to have a different shape or location?

3 A. Well, again, because of the county grouping,  
4 which the SCSJ District 32 was drawn within a  
5 three-county, three-district group, the -- it could be  
6 drawn at a much lower population. You can see, again,  
7 almost at the lowest allowable limit that districts could  
8 be drawn, which made it easier to draw the plan  
9 demographically as they drew it.

10 However, in the two-county, two-district group  
11 which was present in the enacted 2011 plan -- which,  
12 again, was mandated by *Stephenson* -- the districts had to  
13 be higher. And there was also a limit to the lowest  
14 population at which we could draw the 32nd District in  
15 the enacted map, because if we had drawn it significantly  
16 lower in deviation than the minus 0.79 percent to reach  
17 the -- the population of the SCSJ plan, not only would we  
18 be gone -- have gone out of limit -- well, we wouldn't  
19 have gone out of limit necessarily, but we would have  
20 driven the adjoining district in the pair way up over  
21 plus 5; I would estimate somewhere around 9 percent.

22 So we were limited in the population size of  
23 the 32nd by what it would cause population-wise in the  
24 31st, which was the paired district in the cluster.

25 Q. So -- so --

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1 A. So --

2 Q. Go ahead.

3 A. So in order to obtain the population we needed  
4 and to obtain the same demographics as were in the SC --  
5 SCSJ plan and the 2003 plan, we had to do -- we had to go  
6 out and reach out for the -- the populations that we did  
7 in drafting the plan.

8 Q. All right. And, Dr. Hofeller, do you recall  
9 whether the General Assembly when they first released  
10 maps, did they first release maps that only included the  
11 VRA districts?

12 A. That's true.

13 Q. All right. When you were drawing districts  
14 initially, did you have any knowledge of where the  
15 incumbents were located?

16 A. When I initially drew the districts both in  
17 terms of making the initial demographic analysis and  
18 drawing the -- and leaning towards the -- the  
19 finalization of the VRA planned districts, I did not know  
20 until the very end of the process where the incumbents  
21 actually lived.

22 Q. Did -- did Senator Rucho ever instruct you to  
23 draw Senator Garrou out of her district?

24 A. No.

25 Q. Prior to the release of the VRA districts,

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1 did -- did you determine that Senator Garrou was not in  
2 the district that you had drawn?

3 A. Yes.

4 Q. And did you have any discussions with -- with  
5 Senator Rucho about that before the VRA districts were  
6 released?

7 A. Well, part of the discussions that we would  
8 have with leadership -- and in this case since it's the  
9 Senate plan, it would be Senator Rucho. Prior to the  
10 release of any map, we would give a full presentation of  
11 the plan to Senator Rucho. And that would include all of  
12 the data on the plans, including incumbent residencies  
13 and possible pairings of incumbents in the plan. So  
14 there was no way we would not present the plan with -- to  
15 him with all the information that was needed for him to  
16 make an informed analysis of the plan and to approve it.

17 Q. And after you had that discussion with him and  
18 before the VRA districts were released, did Senator Rucho  
19 tell you either to keep her out of the district or to  
20 draw her back into the district?

21 A. No.

22 Q. Okay.

23 MR. FARR: All right. Your Honors, I  
24 would now like to turn to Dr. Rucho -- or excuse me,  
25 "Dr. Rucho." He is a doctor, by the way.

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1           Q.    Dr. Hofeller, could you turn to Tab 3 in the  
2           exhibit notebook, Defendants' Exhibit 3? Could you tell  
3           the Court what this is?

4           A.    This is a -- again, a detailed map much like  
5           the detailed maps produced that we looked at before for  
6           Congressional District 12 which shows the major highways,  
7           the VTD boundaries in -- in orange-lined shading and the  
8           surrounding districts as they enter Forsyth County with  
9           the 32nd in yellow and the 31st in green.

10                   MR. FARR: All right. Thank you.

11                   Your Honors, we're now going to turn to  
12           some testimony on the Chatham County/Lee County plan.  
13           And because of my abysmal ineptitude in handling the  
14           exhibits, I've asked Mr. Peters to hand the exhibits out.

15                   MR. PETERS: If I may approach.

16                   JUDGE RIDGEWAY: Yes.

17                   BY MR. FARR:

18           Q.    Okay. Dr. Hofeller, do you have the -- wait.  
19           Excuse me. I'll wait until all the maps are handed out.

20                                   (Pause.)

21           Q.    All right. Dr. Hofeller, you have Defendants'  
22           Exhibit 19.

23           A.    I do.

24           Q.    Can you tell the Court what that is?

25           A.    That is a map of the House districts in the

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1 Martin House Fair and Legal plan, which shows the  
2 districts -- the House districts colored and which shows  
3 the boundaries of the county groups for the plan in  
4 dark -- heavy dark blue lines.

5 Q. Okay. And do you -- do you notice the county  
6 grouping includes Lee County?

7 A. There's a three-county group of Chatham, Lee  
8 and Harnett, which is also containing three districts.

9 Q. Okay. And could you now turn to Exhibit 30 --  
10 20 -- excuse me -- and tell the Court what this is?

11 A. This is a -- again, a map of the  
12 Lewis-Dollar-Dockham 4 or enacted House of  
13 Representatives plan, again, showing the districts shaded  
14 in colors and the county group shaded or lined in heavy  
15 dark blue, which also indicates that it created a -- a  
16 three-county grouping in Harnett, Lee, and Chatham with  
17 three districts. So the county groups in both plans were  
18 identical.

19 Q. All right. And -- and in comparing the -- the  
20 three-county group in the Martin House Fair and Legal  
21 versus the Lewis-Dollar-Dockham plan, is it fair to say  
22 in the Martin House plan, there are two whole counties?

23 A. Yes.

24 Q. All right. And is it fair to say that in the  
25 Lewis-Dollar-Dockham plan, there's only one whole county,

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1 that being Chatham County?

2 A. Yes.

3 Q. In the Martin House Fair and Legal plan,  
4 Chatham and Lee are maintained as whole counties; is that  
5 correct?

6 A. Yes.

7 Q. Now, can you explain to the Court what a  
8 "traversal" is, as far as you understand it?

9 A. A traversal is --

10 MR. SPEAS: Objection, Your Honor. This  
11 is not relevant to the two issues in front of the Court.

12 JUDGE RIDGEWAY: Overruled.

13 A. A traversal is the crossing of a county line to  
14 connect to a portion of that county from an adjoining  
15 county.

16 Q. All right. And can -- can -- how many  
17 traversals, as you understand the term "traversal," are  
18 found in the Lewis-Dollar-Dockham plan in this  
19 three-county group that includes Lee County?

20 A. Two.

21 Q. Could you point the Court to what you consider  
22 to be a traversal?

23 A. The traversal is the extension of District 54  
24 into Lee County and the extension of -- well, the  
25 connection, actually, of Districts 51 and 53 across the

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1 Harnett/Lee line.

2 Q. Okay. So District 51 is -- is -- is created by  
3 a traversal of the Harnett and Lee County line; is that  
4 right?

5 A. Yes.

6 Q. Okay. Can -- when you look at the Martin House  
7 Fair and Legal plan, how many traversals are there in  
8 this county grouping?

9 A. Two.

10 Q. Could you explain to the Court what you believe  
11 to be the traversals in this?

12 A. Again, there's the traversal of District 56, I  
13 believe; am I seeing that clearly?

14 Q. That's -- that's correct.

15 A. Okay. Sorry -- across the Chatham/Harnett line  
16 and the traversal of District 53 across the Lee/Harnett  
17 line.

18 Q. So is it fair to say that there's a same number  
19 of traversals in both of these county groups?

20 A. Yes.

21 Q. All right. Now, could you tell the Court the  
22 instructions that you received in terms of drawing the  
23 districts in the -- the three-county group including Lee  
24 County in the Lewis-Dollar-Dockham plan?

25 A. Well, first of all, we're going to draw a

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1 district wholly within Harnett County. And next --

2 Q. Excuse me. You're going to do what? I didn't  
3 hear you.

4 A. An entire district within --

5 Q. Okay.

6 A. -- Harnett County.

7 Q. Okay.

8 A. And -- and, secondly, Chatham County was to  
9 remain whole. We -- we surmised that District 54 was  
10 going to be a Democratic district. And, also, we were  
11 mindful of -- of the fact that the then Speaker of the  
12 House had a residence in Chatham County and was also  
13 doubled up -- or the term they use in North Carolina is  
14 "double bunked" -- in -- in Orange County, and we felt  
15 that that should be made into a -- a stronger Democratic  
16 district, so we reached down into Lee County to find  
17 Democrats for the Chatham County district.

18 Q. All right. Now, could you please turn to  
19 Defendants' Tab 4, Defendants' Trial Exhibit 4? Can you  
20 tell the Court what that is?

21 A. That is a map of the Lee County portion of --  
22 of District 54 and also a part of the -- of District 51  
23 in Lee County -- County. Excuse me. It shows the 54th  
24 in yellow, the 51st in pink. It shows also the VTD  
25 boundaries of Lee County. It actually could have shown

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1 the boundaries of the portion in Chatham, too, but it  
2 probably is all in one VTD.

3 Q. All right. Dr. Hofeller, do you see that big  
4 white notebook that's up there, up next to you? Could  
5 you turn to Plaintiff's Exhibit 7?

6 A. Yes.

7 Q. Now, do you know what that exhibit represents?

8 MR. FARR: May I approach, Your Honor, to  
9 make sure --

10 JUDGE RIDGEWAY: Yes, sir.

11 MR. FARR: -- he's got the right one?

12 Q. That's it.

13 A. Yeah, I have it.

14 Q. Okay.

15 A. I'm sorry.

16 Q. Does that -- does that exhibit show the  
17 precinct -- the VTD lines in Lee County?

18 A. It shows a portion of Lee County, a little less  
19 detailed than the map we just looked at. It shows the  
20 VTD lines shaded in heavy blue, the district boundary in  
21 red, and looks at, I believe, the percentages of -- of  
22 black VAP -- I don't know whether that's 18-year-old or  
23 just total population -- in each of the VTDs.

24 Q. Well, and my question is: Does it show the VTD  
25 lines?

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1 A. It does show the VTD lines. I'm sorry.

2 Q. And do you know how many VTDs there are in Lee  
3 County?

4 A. I believe there are five.

5 Q. And how would you describe them?

6 A. And they're -- they're extremely large VTDs,  
7 even by North Carolina standards which has unusually  
8 large precincts as compared to a lot of them across the  
9 nation. I believe one of the -- the VTDs is over 18,000  
10 population, which is very, very high, which would give  
11 anybody drawing any type of district within that county a  
12 difficult time following VTD boundaries.

13 Q. All right. Now, how many -- how many VTDs  
14 include the City of Sanford in Lee County?

15 A. I actually believe that all of them touch a  
16 portion of Sanford, although one of them is just a very,  
17 very, very small piece. So certainly four of them go  
18 through the City of Sanford.

19 Q. Okay. And so that if -- if you included the  
20 entire City of Sanford in a district, that would split  
21 four or five VTDs by doing that, correct?

22 A. Yes.

23 Q. All right. Now, I want you to turn back to our  
24 Exhibit 5 -- it's 4. So let me know when you have that,  
25 Dr. Hofeller.

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1           A.    I have it.

2           Q.    All right.  I want you -- I want you to focus  
3   on part of this exhibit that shows how District 54 was  
4   drawn into Lee County, and I wanted to ask you:  How did  
5   you come to make this draw for House District 54?

6           A.    Well, once again, as I said before, the idea  
7   was to find highly Democratic portions of Lee County to  
8   include in District 54 because District 4 was intended to  
9   be drawn as a Democratic district.  So trying to find  
10   that out, I -- as in many cases in these maps -- was  
11   instructed by local knowledge of these areas and was  
12   essentially told that the strong Democratic --

13                   MR. SPEAS:  Objection.  Clearly hearsay.

14                   JUDGE RIDGEWAY:  I'm going to allow it as  
15   the basis of this expert's opinion on this matter.

16                   Go ahead, Mr. Farr.

17                   MR. FARR:  Thank you, sir.

18           A.    I'm sorry.  I --

19           Q.    What -- what -- what --

20           A.    That the Democratic -- the highly Democratic  
21   areas of Sanford were found in the central portion of the  
22   city.

23           Q.    Okay.  Now, what the Court has allowed you to  
24   testify on, Dr. Hofeller, is:  Explain why you drew these  
25   lines and why you thought these were the Democratic areas

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1 of Sanford.

2 A. Because the -- the people who were sitting by  
3 me when I drew the map told me that those were the highly  
4 Democratic areas.

5 Q. Okay. And did the large size of the VTDs  
6 render it impossible to determine where the Democratic  
7 voters resided simply by relying on VTDs?

8 A. Yes.

9 Q. Okay. When you drew this map, did you have any  
10 racial data up on your screen?

11 A. No.

12 Q. Did you get any instructions from any of the --  
13 or from Representative Lewis or anyone else that you  
14 should consider racial data in drawing this district?

15 A. No.

16 MR. FARR: All right. I have one more  
17 question, Your Honors, that I overlooked.

18 MR. PETERS: We have a couple more.

19 Q. Could you turn to in our black exhibit notebook  
20 Tab 5? Can you tell the Court what this is, Exhibit 5?

21 A. Exhibit 5 is a detailed -- more detailed map of  
22 Rucho-Lewis Congress 3 District 4, the Congressional --  
23 4th Congressional District in the enacted plan showing  
24 the 4th District and the surrounding district in colored  
25 shading -- which would actually be a thematic -- and

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1 county lines and VTD lines in a rather thin red line and  
2 major, major roads with VTD numbers on the VTDs.

3 Q. All right. Now, could you turn to Tab 7?

4 A. Yes.

5 Q. And did you -- did you prepare this exhibit,  
6 Dr. Hofeller?

7 A. I did.

8 Q. And could you tell the Court what this is?

9 A. This is a -- a -- a -- a map of the Stein 13th  
10 Congressional District shaded in red.

11 Q. And did you have a -- a diagonal line drawn on  
12 this particular map?

13 A. Yes.

14 Q. And what's the purpose of -- of that line?

15 A. It shows the boundary -- the boundary line  
16 that -- the farthest reach of the district.

17 Q. And, Dr. Hofeller, is it your understanding --  
18 when you say the "Stein 13th Congressional District," is  
19 that also known as the 2011 Fair and Legal Congressional  
20 plan?

21 A. Yes.

22 Q. All right.

23 JUDGE RIDGEWAY: Mr. Farr, if you're going  
24 to begin with a new district, we're going to take a break  
25 before you do that. Are you finishing up with a district

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1 we've already talked about or are you about to change?

2 MR. FARR: I just have one more exhibit to  
3 talk about.

4 JUDGE RIDGEWAY: Okay. Go ahead.

5 MR. FARR: It should take five minutes or  
6 less, then I'll be finished.

7 BY MR. FARR:

8 Q. Okay. Could you turn to the Plaintiffs' white  
9 exhibit notebook and turn to Tab 9? Now, have you --  
10 have you seen this exhibit before, Dr. Hofeller?

11 A. Yes.

12 Q. And do you understand this is an exhibit that  
13 has been prepared by a witness for the Plaintiffs named  
14 Chris Ketchie?

15 A. Yes.

16 Q. Can -- can you again tell us what the goals  
17 were for the Legislature in creating the enacted District  
18 4? There were two goals.

19 A. Well, again, the goal was to draw the -- the  
20 most Democratic district that could be drawn for District  
21 4 to make the surrounding districts better for Republican  
22 candidates.

23 Q. All right. And -- and in looking at Exhibit --  
24 Plaintiffs' Exhibit 9, can you offer an opinion as to  
25 whether if the Legislature had enacted this district they

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1 would have accomplished both of the goals that they gave  
2 you for drawing the enacted District 4?

3 A. No.

4 Q. And why -- why can't you render an opinion on  
5 that?

6 A. Well, I mean, there -- there are two reasons.  
7 One, I -- I know that -- that the District 4 as enacted  
8 was the -- the best configuration that we could find.  
9 And, number two, this map is just one district in both  
10 cases. So you have to place a district in context in the  
11 whole plan and the goals of the whole plan when you look  
12 at it. This -- this often happens in redistricting when  
13 people -- members, public -- many people submit a map and  
14 say "This is what I want this single district to look  
15 like" without either showing or having taken into  
16 consideration the way that district would fit into the  
17 rest of the state.

18 Q. So in looking at Exhibit 9, can you form an  
19 opinion on whether this variation in District 4 would  
20 have the same impact as the enacted District 4 of making  
21 adjoining districts more competitive for Republican  
22 candidates?

23 A. Well, it would change -- it would have changed  
24 the entire complexion of much of the map, and it  
25 certainly wouldn't have been a configuration that would

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1 have been approved by the General Assembly.

2 Q. And, also, do you see that Durham is included  
3 in this configuration?

4 A. Yes.

5 Q. And what district was Durham included in in the  
6 enacted plan?

7 A. Much of it was included -- I don't know whether  
8 it was all or much of it. I would have to look in -- in  
9 District 1.

10 MR. FARR: All right. That's all I have  
11 for now, Your Honor.

12 JUDGE RIDGEWAY: All right. We'll go  
13 ahead and take a recess until 11 o'clock. That's about  
14 18 minutes from now.

15 (Court was in recess from 10:44 a.m. to 11:02 a.m.)

16 JUDGE RIDGEWAY: All right. Welcome back.

17 It's my understanding Defendant has no  
18 further questions for this witness for the Defense.

19 All right. For the Plaintiff,  
20 cross-examination?

21 MR. SPEAS: Thank you, Your Honors.

22 **CROSS-EXAMINATION**

23 BY MR. SPEAS:

24 Q. Good morning, Dr. Hofeller. I'm Eddie Speas.  
25 We've met many times over the years, and I look forward

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1 to talking to you a little bit this morning about your  
2 testimony.

3 I want to clear up a few things to begin with.  
4 You were not actually retained by the Legislature in this  
5 case. You were retained by Mr. Farr's law firm. Is that  
6 correct?

7 A. Yes. I believe I said that, actually.

8 Q. And you have testified that you received  
9 instructions from the General Assembly with regard to  
10 drawing plans. I want to follow up on that. Actually,  
11 with regard to drawing the Senate plans, you received  
12 instructions only from Senator Rucho; is that correct?

13 A. I don't rightly recall if -- if I received any  
14 other comments that I would consider instructional, but  
15 he was the Chairman of the Senate Committee and his -- it  
16 was his job to have the final word.

17 Q. And you -- he is the person to whom you looked  
18 to gain your instructions with regard to the Senate plan.

19 A. Yes.

20 Q. And to the best of your memory, he's the sole  
21 source of instructions to you in drawing the Senate plan.

22 A. Once again, it's been two years, so I can't say  
23 that with absolute accuracy.

24 Q. But you do not recall any other instruction --  
25 any instructions from any other member of the Senate as

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1 we speak sitting here this morning.

2 A. If by "instructions" you mean any comments --

3 Q. No.

4 A. -- I -- I would say that -- once again, I would  
5 say my testimony is that -- that Senator Rucho was the  
6 final word.

7 Q. Okay. And he's the person who gave you  
8 instructions.

9 A. The policy instructions, yes.

10 Q. And he's the only person who gave you  
11 instructions.

12 A. Well, again, I -- it's been two years, so I  
13 don't --

14 Q. Well, let's distinguish between "comments" and  
15 "instructions." I'm sure there were a lot of comments.  
16 I'm talking about who told you how to draw districts.  
17 That was Senator Rucho and Senator Rucho alone, correct?

18 A. That's my memory, yes.

19 Q. Okay. Now, let's talk about the House plan a  
20 minute. You said you received instructions from the  
21 General Assembly. In fact, the only instructions you  
22 received were from Representative David Lewis with  
23 respect to the House; is that correct?

24 A. He was certainly the primary giver of  
25 instructions. At some point, I had input from other

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1 members; but he had the last word.

2 Q. And as you sit here this morning, you do not  
3 recall any other member of the House giving you any  
4 instructions with regard to the House plan.

5 A. Certainly in terms of the policy, the general  
6 policy of how it was to be drawn.

7 Q. Okay. And with regard to the Congressional  
8 plan, your instructions were from Senator Rucho and  
9 Representative Lewis jointly with regard to the drawing  
10 of that plan, correct?

11 A. To the best of my recollection, yes.

12 Q. And no other members of the House or Senate  
13 gave you instructions with regarding the -- the  
14 instruction of the Congressional plan other than Senator  
15 Rucho and Representative Lewis, to the best of your  
16 memory.

17 A. Again, I'd have to characterize it by saying  
18 Senator Rucho and Representative Lewis had the final word  
19 on what was going to go forward or not go forward.

20 Q. And as between Senator Rucho and Representative  
21 Lewis, Senator Lucho -- Rucho was the lead source of  
22 instructions for you with regard to the Congressional  
23 plan.

24 A. I don't really know that I can make that  
25 judgment one way or the other.

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1           Q.    You had more contact with Senator Rucho  
2           regarding the Congressional plan than Representative  
3           Lewis.

4           A.    If I did, it was more; but it was certainly not  
5           overarching.

6           Q.    Now, you were -- you, in fact, have said in  
7           earlier testimony in this case that it's fair to describe  
8           you as the chief architect of all three plans, correct?

9           A.    That's one way you could put it, yes.

10          Q.    You don't disagree with that today.

11          A.    Well, as I would define "architect," yes.

12          Q.    Now, let me talk just a minute about the order  
13          in which you drew the plans. Your first focus was the  
14          House plan, your next focus was the Senate plan, and your  
15          final focus was the Congressional plan -- is that  
16          correct -- of your map drawing efforts?

17          A.    Yes. Could I make a comment on the last  
18          question?

19          Q.    Please. Please.

20          A.    Okay. I think I described "architect" in the  
21          context of an architect building a house. And the client  
22          tells them how they want the house built; the architect  
23          engineers the House.

24                   But now to answer your question, I think I'm  
25          going to have to ask you to repeat it again. I'm sorry.

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1           Q.    Okay.  If I can remember it.  That's the  
2    problem.  But with regard to the order in which you drew  
3    the plans, you drew that -- your focus -- first focus was  
4    the House plan, your next focus was the Senate plan, and  
5    then you focused on the Congressional plan.  Is that --  
6    is that accurate?

7           A.    I -- I don't think that's really precisely  
8    accurate.

9           Q.    Okay.  Help me understand why it's not  
10   accurate.

11          A.    Well, the -- the three plans were not drawn  
12   consecutively.

13          Q.    Okay.

14          A.    We did not finish the House plan and then say,  
15   "Oh, ah-ha, let's draw a Senate map now"; and, "Oh,  
16   that's done, so let's focus on the Congressional plan."

17                If you have redistricting experience in this  
18   setting where the state Legislature is drawing three  
19   maps, because there are 120 districts in the House  
20   plan -- always a larger number of House districts than  
21   Senate districts in any state -- and then the next number  
22   of districts in the Senate and then finally the fewest  
23   number in Congress -- of course, unless you're in  
24   California where they have less State Senate districts  
25   than House districts, if you can believe that -- the

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1 complexities are actually much more difficult with the  
2 larger number of districts.

3 Q. Sure.

4 A. There are more moving parts, so to speak.

5 Q. Absolutely.

6 A. So I'm not wanting to give the Court the idea  
7 that they were being drawn one after the other. All  
8 three were going on together. But I had to put the  
9 greatest emphasis on the House map.

10 Q. And that's because it's the most complicated  
11 because it's got the most districts and it has the most  
12 moving parts.

13 A. That's correct.

14 Q. Okay. Now, and it would take the most effort.  
15 So, logically, it makes sense to start with the project  
16 that's going to take the most effort first; is that  
17 correct?

18 A. Well, that makes sense to me. It might not  
19 make sense to others because, of course, each -- each  
20 group of people think their plan is more important than  
21 the other plan.

22 Q. I -- I -- I --

23 A. You have to deal with that, too.

24 Q. I -- I understand that completely.

25 A. You've been there, I'm sure.

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1           Q.    Now, your prior testimony in this case was the  
2   first thing you did was to get the data organized.  And  
3   then you started your map drawing, and you started that  
4   right after receipt of the census data.  Do -- is my  
5   memory correct?  Is it --

6           A.    I think it is, yes.

7           Q.    Okay.

8           A.    I do that in a lot of states because I'm  
9   wanting to know what's possible.

10          Q.    And the census data was received, I believe, on  
11   March 22nd, 2011.  Is that consistent with your memory?

12          A.    That seems right to me.

13          Q.    Okay.

14          A.    It's one of the -- nearly the end of the --

15          Q.    Okay.

16          A.    -- the period which the PL94 tapes were being  
17   distributed by the Census Bureau.

18          Q.    Okay.  And let me ask this:  I know you've done  
19   a lot of map drawing and you've done a lot of map drawing  
20   for a lot of years.  Have you ever had the assignment  
21   of -- to draw the House and the Senate and the  
22   Congressional plans for any state?

23          A.    No.  I don't think so, actually.

24          Q.    So in some sense --

25          A.    Not that I can remember, again.

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1 Q. I understand.

2 A. I've drawn a lot of states in a lot of plans in  
3 a lot of decades.

4 Q. But as you're sitting here today, you would  
5 have to say this North Carolina project that you  
6 undertook was the biggest project you ever had.

7 A. You could characterize it that way, yes.

8 Q. Okay.

9 A. I had a lot more experience under my belt when  
10 I started it than I had maybe in other states.

11 Q. I understand.

12 Now, Dr. Hofeller, you did not draw these plans  
13 at the Legislative Building, did you?

14 A. No.

15 Q. None of the plans at the Legislative Building.

16 A. That's correct.

17 Q. You drew them, you testified at your  
18 deposition, in three places. One was just over here on  
19 Hillsborough Street at the Republican Headquarters. The  
20 other was at the Republican National Committee  
21 Headquarters in Washington, DC. And then you said you  
22 drew some of them while you were traveling on the plane  
23 and the train. Is that an accurate description of where  
24 you drew these plans?

25 A. Yes. I'd add that there were outside locations

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1 where I might have drawn the plans because they were on  
2 my computer, so...

3 Q. Now, on direct examination, you indicated at  
4 one point that there were people sitting with you as you  
5 were drawing the districts. I want to talk about that  
6 just a minute.

7 Is it accurate that your two principal  
8 assistants in drawing these plans were Mr. Dale Oldham  
9 and Mr. John Morgan?

10 A. No. I would be in trouble immediately if I got  
11 down off the witness stand and characterized Mr. Oldham  
12 as my "assistant." He's my counsel.

13 Q. Okay.

14 A. Okay. Please.

15 Q. Okay. But Mr. Oldham -- Mr. Oldham was your  
16 counsel in drawing these districts.

17 A. He was extremely interested in what was going  
18 on in the district. Mr. Morgan, I believe -- although  
19 I'm not privy to it -- was retained by the General  
20 Assembly, again, I believe, to assist in the Senate map.

21 Q. And Mr. Morgan is -- I'm sorry -- Mr. Oldham is  
22 a lawyer.

23 A. Yes.

24 Q. He's not licensed in North Carolina, is he?

25 A. You know, I don't rightly know. I -- it's not

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1 my business.

2 Q. And he's your business partner, right?

3 A. He is.

4 Q. And y'all have got a business that's located  
5 down in South Carolina, I believe.

6 A. That's his -- his home address, yes.

7 Q. Okay. And Mr. Morgan is a demographer; is that  
8 right?

9 A. Well, I don't know how he characterizes  
10 himself. I think he does a lot of -- of campaign work  
11 and he's also a -- a experienced redistricting plan  
12 drafter.

13 Q. That -- and I don't mean this in a pejorative  
14 sense, but he was one of your assistants when you were  
15 drawing these maps. He was one of the people sitting  
16 with you when you drew these maps.

17 A. Well, I think for the most part he was more  
18 drawing himself independently.

19 Q. Okay. Now, you testified at your deposition  
20 that you were the consultant for the Republican National  
21 Committee and for redistricting for the 1990s, the 2000  
22 and the 2010 series of redistricting cycles; is that  
23 correct?

24 A. I'm thinking back here. I believe in the '90s,  
25 I was the consultant to the -- let's see here -- the

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1 National Republican Congressional Committee, not the  
2 Republican National Committee. They are different.

3 Q. But it's fair to say that since the 19 -- since  
4 1990 or so, you have been retained in one capacity or  
5 another to draw districts or advise with regard to  
6 redistricting for the Republican National Committee.

7 A. Yes.

8 Q. And Mr. Oldham and Mr. Morgan also have an  
9 association with the Republican National Committee,  
10 correct?

11 A. They do, but I -- I don't really remember in  
12 2010 whether or not Mr. Morgan actually had any contracts  
13 with the Republican National Committee in this cycle, so  
14 I'm not really privy to who retained him to do what. He  
15 does a lot of independent redistricting work on his own.  
16 Mr. Oldham also has a lot of other legal interests and  
17 does a lot more work for various clients throughout the  
18 country.

19 Q. And was --

20 A. You'd really have to ask him.

21 Q. Yeah. Was Mr. Oldham advising you about legal  
22 matters?

23 A. Mr. Oldham and I have discussed many times  
24 redistricting in many different instances. Of course,  
25 part of his job and my job is to follow the redistricting

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1 process across the whole nation, which is very  
2 interesting, I might add.

3 Q. I'm -- I'm sure it is. I have no doubt.

4 Did -- let -- well, let me -- let me withdraw  
5 that question.

6 When you were qualified to testify today,  
7 Mr. Farr asked you the question whether you know a lot  
8 about North Carolina demographics. Did -- did -- do I  
9 remember that correctly?

10 A. I don't remember precisely what he asked me.  
11 I -- you -- I think the record would speak for itself.

12 Q. And let me just explore that for a minute.

13 You've been to North Carolina before with  
14 redistricting and you know a lot about election data and  
15 you know a lot about lines on charts, but you don't know  
16 much about North Carolina people and places, do you,  
17 Dr. Hofeller?

18 A. I -- I think you would have to put that in a  
19 little more context for me.

20 Q. Have you ever been to Yadkin County where I  
21 grew up?

22 A. No.

23 Q. Have you ever been to New Hanover County?

24 A. No.

25 Q. Do you know where it is?

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1           A.    Yes.

2           Q.    Where?

3           A.    It's Wilmington.

4           Q.    Okay.  Have you ever been to Ashe County?

5           A.    Yes.

6           Q.    Have you ever been to Wilson County?

7           A.    Yes, I have.

8           Q.    Ah.  Well, when did you go?

9           A.    Well, actually, I have driven through there and

10          I've gone through there on -- on the train.

11          Q.    You went -- you were on 95?

12          A.    Or I was on Amtrak.

13          Q.    And you didn't get off the train, I guess.

14          A.    No, I didn't.

15          Q.    Okay.  Might have stopped at the rest stop?

16          A.    I don't believe there -- well, there wasn't

17          time for a rest stop.

18          Q.    Is that about all you know about Wilson County,

19          Dr. Hofeller?

20          A.    Yes.  In the context that you asked me.

21          Q.    Okay.  Now, let's -- let's go back for just a

22          minute to your source of instructions.  Those

23          instructions about the policy decisions, we'll call them,

24          to use your term, came from Senator Rucho and

25          Representative Lewis for all three plans.

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1                   Now, my question is this: Those instructions  
2 were oral, correct?

3           A.     Yes.

4           Q.     While you were drawing the maps, the  
5 instructions were oral, correct?

6           A.     Well, there were also some documents, policy  
7 documents that had been produced which I was familiar  
8 with.

9           Q.     And -- and do those --

10          A.     Let me --

11          Q.     I'm sorry for interrupting.

12          A.     Let me continue, okay?

13                   As the maps were unfolded, the -- the -- the  
14 chairmen were very interested in monitoring the process  
15 and they would look frequently at what was being drawn  
16 and the state of the completion and the plan at various  
17 times. And they would comment on the plans, which it was  
18 my job to be very aware of and to take special notice of.

19          Q.     I -- I have no doubt that they gave you  
20 instructions.

21                   But my question is: Those instructions were  
22 oral, weren't they?

23          A.     Yes.

24          Q.     They were -- you did not receive any written  
25 instructions with regard to how to draw these districts

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1 in any of the three plans from either Senator Rucho or  
2 Representative Lewis, correct?

3 A. There -- there were not specific written  
4 instructions given directly to me, but there were policy  
5 statements that were publicly issued by the committees  
6 which I read and took note of.

7 Q. Okay.

8 A. And I certainly would have been cognizant of  
9 that as being part of the mandate.

10 Q. There is no memo or other document in written  
11 form anywhere that is addressed to Dr. Thomas Hofeller  
12 and signed either by Senator Rucho or Representative  
13 Lewis that says, Dr. Hofeller, we want you to draw these  
14 maps this way. There's no such document.

15 A. Not to my knowledge or recollection.

16 Q. And you, in fact, had an agreement with Senator  
17 Rucho and Representative Lewis you wouldn't e-mail each  
18 other, didn't you?

19 A. My general advice to anybody in life, including  
20 redistricting, is the less you say on the Internet, the  
21 better off you are.

22 Q. Okay.

23 A. So it would not be my practice to send those in  
24 e-mail fashion.

25 Q. I -- I -- I'm not questioning the soundness.

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1 I'm just questioning the fact.

2 A. Yes.

3 Q. There were no e-mail communications.

4 A. Well, I gave you all the e-mail communications  
5 that there were.

6 Q. Okay. Okay. Now, at one point after the plans  
7 were made public for the first time, Senator Rucho and  
8 Representative Lewis did release public statements,  
9 correct?

10 A. Yes.

11 Q. And -- and you are aware that --

12 A. And I believe they -- they issued public  
13 statements at the time several plans were released.

14 Q. Okay. And you're aware that they described  
15 those as the criteria that they wanted you to apply in  
16 drawing these districts, correct?

17 A. Yes. You know, it's been two years, again. I  
18 don't -- don't remember exactly specifically what was --  
19 are in those statements.

20 Q. But -- but and -- and it -- it's your memory  
21 this morning that there were public statements in those.

22 A. Absolutely.

23 Q. Okay. And those were intended to describe the  
24 reasoning, the rationale, the policy decisions that  
25 Senator Rucho --

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1 A. I believe there was --

2 Q. Let me finish my question, Dr. Hofeller.

3 A. I'm sorry.

4 Q. -- that doctor -- that Senator Rucho and  
5 Representative Lewis were following or directing you when  
6 they were drawing the plans, correct?

7 A. Well, it would be my understanding that when  
8 they released those statements, they were trying to  
9 explain to the public what was the policy and rationale  
10 behind the plans. They weren't written for me. They  
11 were written for the public.

12 Q. I understand.

13 A. Okay.

14 Q. You -- you reviewed those public statements  
15 before they were released, though, I believe.

16 A. I don't recall that I did, no.

17 Q. Okay. Now, you talked a little bit about what  
18 information you had as you were drawing your districts.  
19 I want to follow up on that just a little bit.

20 Now, you never conferred with anybody living in  
21 any of these districts as you were drawing the districts,  
22 did you?

23 A. I'm sorry. I don't understand what you mean by  
24 "these districts."

25 Q. Okay. Did you -- do you remember going to Wake

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1 County and asking anybody in Wake County about the House  
2 or Senate districts you were drawing in Wake County?

3 A. Okay. I -- I believe -- again, I -- I don't  
4 quite understand the context of your first question.

5 Q. Okay. Well, I'm sorry. I'm --

6 A. I'm trying to be accurate here.

7 Q. I --

8 A. Okay.

9 Q. And I appreciate that and let -- my obligation  
10 is to be clear, so let me try.

11 I would think that if you were drawing a  
12 district that you would want to hear from the people in  
13 the area where the district is located before you draw  
14 the district. And -- and my question is: Did you go out  
15 and talk with people in the -- any of these districts  
16 before you started drawing them?

17 A. Well, first of all, I think it's inaccurate to  
18 infer what my -- my desire would be by that question.  
19 That question assumes a predicate that isn't true. There  
20 were public hearings that were held by the committees  
21 across the state, and that was part of the division of  
22 labor involved in bringing a plan to completion.

23 The political leaders would go out and  
24 consult -- excuse me -- with the general public. They  
25 would get the comments. They would be informed by the

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1     comments and they would come back and they would then  
2     comment on it. That was not my job, nor was it proper  
3     for me to go out on my own. And, oh, by the way, I  
4     wouldn't have had time to do it anyway.

5             Q.     Okay.

6             A.     This is a very long and complex process, and  
7     just getting done what I got done was a big challenge.

8             Q.     I -- I don't doubt that. But what I -- I  
9     simply want to know is this: No matter how big this was,  
10    no matter how little time you had, you didn't go out and  
11    talk to anybody in any of these districts when you were  
12    drawing them, correct?

13            A.     I didn't go out to the general public, that's  
14    correct.

15            Q.     Now, you referenced the public hearings and  
16    there were public hearings. Did you attend any public  
17    hearings?

18            A.     No.

19            Q.     Did you -- they did transcripts of all those  
20    public hearings, every one of them. Did you read any of  
21    those transcripts?

22            A.     If I did, it would have only been a small  
23    portion of them. Again, I don't --

24            Q.     So all of your information as you were drawing  
25    these maps about what people were saying in North

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1 Carolina about these districts you were drawing was  
2 filtered through Senator Rucho and Representative Lewis.  
3 You didn't hear directly from anybody about these maps,  
4 did you?

5 A. At least for the most part, yes.

6 Q. Now, you didn't go to any legislative committee  
7 meetings either, did you?

8 A. No. Except I walked through one once, as I --  
9 I believe I said in my deposition.

10 Q. But didn't you --

11 A. But I didn't stop.

12 Q. Sort of like the train down in Wilson County.

13 A. I mean, not that massive.

14 Q. Okay. But you didn't read the transcripts of  
15 those legislative committee meetings.

16 A. No.

17 Q. Okay. Now, I want to talk to you a little bit  
18 more about your -- how you and -- and Senator Rucho and  
19 Representative Lewis did your work.

20 So would they draw sample districts and come to  
21 you and say, Dr. Hofeller, what do you think about this?  
22 Or would you draw districts -- sample districts and go to  
23 them?

24 MR. FARR: Your Honor, may I just state an  
25 objection for the Court to consider as we're going

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1 forward? This trial was supposed to be on specific  
2 topics, and we seem to be going far afield from the areas  
3 of inquiry that the Court asked the -- the parties to put  
4 evidence on. And I would just ask that there be some  
5 limit to this general inquiry, which is an -- and the  
6 reason, Your Honor, is why we have great concerns about  
7 the limited scope of this trial.

8 JUDGE RIDGEWAY: I believe the objection  
9 will be overruled. I -- I am trusting Mr. Speas will tie  
10 it together in -- into -- into the relevancy related to  
11 the specific issues of this bifurcated procedure.

12 MR. SPEAS: Yes, Your Honor. I think it's  
13 important to understand the context in which these maps  
14 were drawn. The question here is whether they were  
15 narrowly tailored. And we have the mapmaker here, and it  
16 just seemed I -- I -- my -- my intent is simply to find  
17 out what it was he had in front of him when he was doing  
18 it.

19 JUDGE RIDGEWAY: Yes. The objection is  
20 overruled.

21 BY MR. SPEAS:

22 Q. Let -- let me pursue what you -- what you had  
23 in front of you.

24 MR. SPEAS: You made reference -- and if I  
25 may approach, Your Honors, I'm going to ask the witness

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1 about a document previously -- my goodness.

2 MR. FARR: Your Honor, I would like to  
3 state an objection. This is not the entire exhibit.  
4 There are quite a few pages that are not included in this  
5 exhibit.

6 MR. SPEAS: That is accurate, Your Honor.  
7 There are some appendices that I did not include because  
8 of the -- I mean, I can postpone asking him about this  
9 exhibit, if you would prefer, until I get the entire  
10 document. They are appendices that are not related to  
11 the questions.

12 JUDGE RIDGEWAY: Well, let's do this.  
13 Under Rule 106 of the Rules of Evidence, if there are  
14 provisions of this document that ought -- in fairness  
15 ought to be provided to the Court at this time, then at  
16 the conclusion of your discussion about this exhibit, if  
17 the Defense wishes to have additional portions either  
18 added to the record, we'll certainly hear about that.

19 MR. FARR: My only concern, Your Honor,  
20 what if there is something in this exhibit that would  
21 relate to the witness's ability to respond to the  
22 question?

23 JUDGE RIDGEWAY: Again, Rule 106, in the  
24 event that there are portions of this document that  
25 ought -- in fairness ought to be provided, then we'll

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1 allow the Defense to -- to supplement the record.

2 BY MR. SPEAS:

3 Q. Dr. Hofeller, I just want to ask you a couple  
4 of general questions about that document.

5 You mentioned in your testimony a few minutes  
6 ago that you were aware of policy statements that had  
7 been made by the Legislature as you began your task of  
8 drawing districts. Am I correct?

9 A. Yes.

10 Q. And is the document in front of you, the  
11 Legislators' Guide, the document to which you have  
12 reference?

13 A. One of them, yes.

14 Q. Okay.

15 A. This was a -- this was a -- a document which I  
16 believe was also published in previous redistrictings by  
17 the General Assembly when the Democrats were in control  
18 of the redistricting process and I believe was updated by  
19 the -- the General Assembly staff for the current  
20 redistricting cycle.

21 Q. But that is one of the documents that did  
22 reflect the guidance that you received from the  
23 Legislature as you were -- from the Legislature as you  
24 were doing your work, correct?

25 A. Yes. I read the document.

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1 Q. And would you for the record simply state the  
2 number of that exhibit. I don't think that's been done.

3 A. I believe it says, "46E Churchill."

4 Q. Okay.

5 A. 3-20-12.

6 Q. That's correct.

7 A. Okay. Wow.

8 Q. Now, if you would look just briefly at the  
9 document, Dr. Hofeller, is it true that that document  
10 does describe, among other things, the legal parameters  
11 of *Gingles* claims under the Voting Rights Act?

12 MR. FARR: Your Honor, objection.

13 A. You know, I haven't read this document for two  
14 years.

15 JUDGE RIDGEWAY: Hold on. Hold on. Let  
16 me rule on the objection.

17 THE WITNESS: I'm sorry. Your Honor, I  
18 apologize.

19 JUDGE RIDGEWAY: Overruled.  
20 Go ahead. You may answer.

21 THE WITNESS: I'm sorry.

22 JUDGE RIDGEWAY: That's fine.

23 A. I haven't read this document for two years,  
24 so --

25 MR. SPEAS: Well, may I approach the

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1 witness --

2 A. -- I'd have to --

3 MR. PETERS: -- Your Honor?

4 JUDGE RIDGEWAY: Well, let him finish.

5 And, yes, sir.

6 Q. All right. All right.

7 A. And I -- I would have to review it both  
8 specifically as to what you're going to ask and in its  
9 entirety to make a complete evaluation of it.

10 Q. Okay. My question -- my first question is  
11 whether or not there is a section of that document that  
12 talks about the elements of a *Gingles* claim. I'm not  
13 asking you to say whether it's accurate or not. I'm just  
14 asking you whether it's there.

15 A. Well, I see that on page 5, it -- it mentions  
16 *Thorn v. -- Thornberg v. Gingles*, so it is in the  
17 document.

18 Q. And this is one of the documents that you read  
19 in doing your work.

20 A. Yes.

21 MR. SPEAS: Now, Your Honors, if I may  
22 distribute another set of documents, hopefully, this will  
23 be more efficient.

24 Q. Dr. Hofeller, I've put in front of you a set of  
25 documents that have previously been identified as

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1 exhibits in this case. And for -- let me just say  
2 initially it is Exhibits 81, 82, 83, 93, and 94 from the  
3 deposition of Erica Churchhouse -- Churchill on March 20,  
4 2012.

5 Dr. Hofeller, if you would -- I want to ask you  
6 the same question about each of those documents. Is that  
7 a document that you had available to you as you were  
8 deciding how to draw districts?

9 MR. FARR: Objection.

10 A. Again, I haven't seen these documents --

11 JUDGE RIDGEWAY: Hold on. Hold on.

12 JUDGE HINTON: Hold on a second.

13 MR. FARR: And, Your Honor, my objection  
14 is how he was deciding to draw the districts.

15 JUDGE RIDGEWAY: So sustained as to form.

16 MR. SPEAS: Okay. All right. I apologize  
17 for that.

18 BY MR. SPEAS:

19 Q. Dr. Hofeller, are -- my question to you with  
20 regard to these exhibits is whether these exhibits are  
21 documents you had before you as you were drawing  
22 districts.

23 A. I guess my answer would have to be to you: I  
24 have to look at the documents before I can tell you that.

25 Q. Would you take a minute to do that.

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1 (Pause.)

2 A. I'm sorry. I just --

3 Q. No. No. Take your time, please.

4 A. The data that are contained in these documents  
5 in some cases would be contained in the dataset that was  
6 compiled by the legislative staff for use in the  
7 redistricting process, specifically to be a part of the  
8 GIS system that was incorporated into Maptitude to be  
9 available on multiple levels of geography for  
10 redistricting line drawing processes. So to that extent,  
11 there's a relationship.

12 Also, one might in the case of two of the  
13 documents -- Exhibit 83, I believe, and 82 -- would be  
14 the basis for making a determination on more extensive  
15 data collection, which would need to be made primarily in  
16 order to do racial polarization studies.

17 Q. So these documents would be relevant to  
18 questions of determinations of Section 2 obligations of  
19 the General Assembly.

20 A. That's your statement.

21 Q. Is -- yes, it is.

22 A. Okay.

23 Q. Is that correct?

24 A. I -- I think that the largest determination  
25 would be as mandated in *Stephenson* as a first step to the

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1     redistricting process would be to make a demographic  
2     analysis of the state to determine where the demographics  
3     should lead you for legal conformance with *Stephenson* and  
4     the Voting Rights Act.

5             Q.     And that's a nice transition to my next  
6     question. I -- I want to ask Dr. Hofeller about another  
7     document previously introduced.

8             Dr. Hofeller, Exhibit 436 to your deposition on  
9     June 28th, 2012, is called a "Carolina Proportionality  
10    Chart." Do you recognize that as a document you  
11    prepared?

12            A.     Yes. Although I haven't seen it, again, for  
13    quite some time.

14            Q.     And you testified earlier that you put together  
15    this document in March of 2002. Is that your memory  
16    today?

17            A.     That makes sense, yes. That -- this document  
18    could not have been done before the redistricting data  
19    file had been released by the United States Census  
20    Bureau.

21            Q.     Okay. And is it correct that this district --  
22    this chart shows the number of African Americans who  
23    would need to be elected to State House and State Senate  
24    districts in order for African Americans to be said to  
25    have exact proportionality in those legislative bodies?

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1           A.    I don't think I would characterize it that way  
2   at all.

3           Q.    Well, could you -- could you tell me what it  
4   shows then?

5           A.    This shows nothing more than if you multiplied  
6   the number of districts in each chamber of the General  
7   Assembly by the percentage of, first, 18 plus any part  
8   black -- which we now call "Total Black" in the charts  
9   and -- and in the last four columns, "Single Race" --  
10   which is also a category that is in the Census Bureau --  
11   times their percentage of the State's population, it  
12   would yield a proportional number of seats. And then it  
13   said -- which kind of goes without saying -- if you  
14   truncated the result up or down, the result of the seats.

15          Q.    Okay.

16          A.    That's all it says at this point.

17          Q.    Okay. And -- and did you prepare this chart at  
18   the request of Senator Rucho or Representative Lewis?

19          A.    I don't really remember. I have to be honest.

20          Q.    And do you remember that one of the policy  
21   decisions they made was that you should make an effort to  
22   achieve proportionality for African American citizens as  
23   you were drawing districts?

24                   MR. FARR:  Objection to the form.

25          A.    I --

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1 JUDGE RIDGEWAY: Hold on just a second.  
2 (Judge Ridgeway, Judge Hinton and Judge Crosswhite  
3 confer.)

4 JUDGE RIDGEWAY: All right. We're going  
5 to sustain the objection on the grounds of relevancy.  
6 The -- the issue -- there are two issues, and those  
7 relating to Voting Rights Act districts are whether they  
8 were drawn in a place where a remedy or potential remedy  
9 of racial polarized voting was reasonable for the  
10 purposes of preclearance or protection.

11 The questions that I'm hearing now relate  
12 to the number, which is not -- which is a different issue  
13 than the place. And we are specifically interested in  
14 the geographic placement of Voting Rights Act districts.

15 With respect to the -- I believe there are  
16 six non-Voting Rights Act districts, that there may be  
17 broader inquiries; but -- but proportion -- a  
18 proportionality issue is not relevant to those six  
19 districts either.

20 MR. SPEAS: I -- I -- I appreciate that,  
21 Your Honor. It simply seemed to me that the number has a  
22 major impact on the location, and so I thought that was  
23 the reason for the questions.

24 JUDGE RIDGEWAY: We -- we -- we  
25 specifically are being very narrow in our inquiry in this

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1 bifurcated proceeding specifically for the reason stated  
2 by Mr. Farr, that it would be unfair to the Defense to  
3 allow a broader inquiry when the purpose of this hearing  
4 is related to two fairly narrow issues.

5 MR. SPEAS: Thank you, Your Honors.

6 BY MR. SPEAS:

7 Q. Dr. Hofeller, directing you to the racial  
8 proportionality analysis or issue, you yourself, I  
9 believe, testified you did not do any racially polarized  
10 voting analysis; am I correct?

11 A. I did.

12 Q. You did do one or did not?

13 A. You asked -- I believe you asked me if I  
14 testified to that.

15 Q. Yeah. I'm sorry. Maybe my question -- my -- I  
16 heard -- I heard you say you did not perform any racially  
17 polarized voting analysis yourself. Did I mishear you?

18 A. No, you did not mishear me.

19 Q. So you yourself and Dr. Thomas --

20 A. Could you ask that incidentally again, because  
21 I think that was like a double negative?

22 Q. Okay. Did you do any racially proportional --  
23 proportionalized voting analysis yourself?

24 A. No.

25 Q. Thank you.

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1           One of your obligations you -- that you said  
2           was to ensure that the plans were legal. Is that one of  
3           your obligations to your clients?

4           A. I think my more important role was to inform  
5           the General Assembly of what was possible and what was  
6           not possible, and the determination as to whether or not  
7           you would -- I would proceed or the plans would proceed  
8           under any certain policy was a decision made by them.

9           Again, the -- the -- the demographics and --  
10          and the county groupings and the populations and all the  
11          political elements of making a plan are extremely complex  
12          and difficult. And the -- the chairmen obviously could  
13          not sit through that whole process; so I think it was our  
14          job to, in essence, ensure that they were completely able  
15          to make informed policy choices.

16          Q. Is one of the policy choices that Senator Rucho  
17          and Representative Lewis made to insulate the state from  
18          Section 2 liability?

19          A. I believe it was -- I believe -- again, I'm not  
20          the lawyer -- that they were trying to insulate  
21          themselves from any liability.

22          Q. Did you inform the General Assembly with regard  
23          to their potential liability for Section 2 violations in  
24          each of the places where a Voting Rights district was  
25          drawn?

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1           A.    That was not -- again, it was my -- my job to  
2    queue up the facts.  They would make informed decisions  
3    based on that and other information that they received.

4           Q.    Okay.  In queuing up the facts, you did not do  
5    a racially polarized voting analysis yourself, correct?

6           A.    I already said I didn't.

7           Q.    All right.  They -- and -- and the only racial  
8    that -- you are aware of how many racially polarized  
9    voting analyses here?

10          A.    I believe before the plan was enacted, there  
11    were two.

12          Q.    And what were they?

13          A.    I think one was done by Dr. Brunell and one was  
14    done by the expert for, I believe, the SCSJ or AFRAM.

15          Q.    All right.  And do you know on what date  
16    Dr. Brunell completed his racially polarized voting  
17    analysis?

18          A.    No, I don't believe, at this point.

19          Q.    Could it be June 14, 2011?

20          A.    Again, I don't recall that.

21          Q.    Okay.  Do you recall whether you had  
22    Dr. Brunell's racially polarized voting analysis before  
23    you completed the draft of the VRA House and Senate  
24    districts that were released publicly?

25          A.    Again, I -- I'm -- I'm not completely sure of

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1 the timeline. This has been two years. I just can't  
2 say, and...

3 Q. But there's --

4 A. I -- I will -- I would say this is what I said  
5 before, is that all my past experience in North Carolina  
6 was that there was racially polarized voting. Indeed, I  
7 believe SCSJ made that statement in a public meeting.  
8 And I know of no other study that ever said differently,  
9 so I was following -- the policy decision was to proceed  
10 based on that basis. If something else came up that  
11 was -- that made a policy change different, it could be  
12 reacted to. It couldn't go the other way around.

13 Q. Now, your -- part of your duty was to queue up  
14 the information, to use your term, for the Legislature  
15 with respect to what it needed to know about Section 2  
16 liability; is that correct?

17 MR. FARR: Objection.

18 JUDGE RIDGEWAY: Overruled.

19 You may answer.

20 A. Again, I think you're making that more  
21 wide-ranging than it was. There are -- when you are  
22 drawing redistricting plans, especially when you're  
23 redrawing the whole state in the complexity we are, there  
24 are many different things you have to look at as you go  
25 along through the process.

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1           My job primarily was to guide through the --  
2     the thicket of information and try and present the  
3     information in a manner that the chairmen could  
4     understand it and could visualize it, and it would be  
5     user friendly for them, I might say. And I think that's  
6     not as wide-ranging a -- a job as you inferred in your  
7     question.

8           Q.     Well, you were reading more into my question  
9     than I intended.

10           I would like for you to describe for the Court  
11     the information that you presented to Representative  
12     Lewis and Senator Rucho relevant to this Section 2  
13     liability question. What did you give them?

14           A.     Again, I gave them the information they needed  
15     on all the minority districts -- what was possible, where  
16     they could be drawn -- so that they could make an  
17     informed judgment as to how they wished to proceed.

18           Q.     Okay. And what information did they need to  
19     make that decision?

20           A.     They needed to know where the minority  
21     population was located -- in -- in what places, in -- in  
22     what areas of the state -- what the possibilities were of  
23     districts that could be drawn, and what the possible  
24     levels of -- of the demographics of all the segments of  
25     the population were.

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1 Q. And would they need, also, to know about the  
2 degree to which African American candidates had been  
3 elected from districts?

4 A. It -- that's really not my job to make that  
5 determination.

6 Q. Okay. So that was not information you gave  
7 Senator Rucho and Representative Lewis?

8 A. No.

9 Q. Now, you testified, I believe, that you thought  
10 there was racially polarized voting in North Carolina.

11 A. All my prior experience in this state and  
12 everything that I had heard would have led me to that  
13 conclusion.

14 Q. You testified in the *Shaw* case, I believe.

15 A. I did.

16 Q. And were you asked in the *Shaw* case about the  
17 presence of racially polarized voting in North Carolina?

18 A. *Shaw* was a long time ago, so...

19 Q. So you don't remember.

20 A. I don't remember my testimony. I do -- yes.  
21 Okay.

22 Q. Let me show you -- whoops.

23 Dr. Hofeller, in your dep -- in your testimony  
24 from the *Shaw* case -- I have the full transcript here if  
25 you want to look at it. But I put in front of you -- I'm

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1     sorry. It was your deposition in the *Shaw versus James*  
2     *Hunt* on Wednesday, December 8, 1993, at the Law Offices  
3     of Maupin, Taylor & Ellis in Raleigh, North Carolina. I  
4     have included the pages that show the counsel who were  
5     present.

6             And I would ask you, if you would, please, to  
7     turn to the bottom of page 231 and ask you to read  
8     beginning at line 23 on 231 -- no, no. I'm sorry. I  
9     have -- I have directed you to the wrong place.

10            If you would read -- if you would go to page  
11    233, Dr. Hofeller, and look at line 3. And were you then  
12    asked the question: Did you begin today with an opinion  
13    about whether or not there exists racially polarized  
14    voting in North Carolina? Your answer was: Yes.

15            Do you see that?

16            A. Yes, my answer was "Yes."

17            Q. Okay. And then you were asked: What is your  
18    opinion? And you say your opinion is that racially  
19    polarized does -- voting does exist. And then you were  
20    asked: And is it your opinion that it exists at the  
21    level as required to be shown under the *Gingles* standard?  
22    And you said -- what? I think it would vary -- probably  
23    vary from area to area in the state.

24            Is that correct?

25            A. Yes.

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1           Q.    And was it your opinion in 1993 that racial --  
2               racially polarized voting in North Carolina varied from  
3               place to place?

4           A.    Yes.

5           Q.    Was that -- was that your opinion in 2011?

6           A.    I think that it would be mathematically  
7               impossible and unexpected to believe that the level of  
8               polarized voting would be absolutely homogeneous  
9               throughout the whole state.

10          Q.    And --

11          A.    That would be a foolish statement.

12          Q.    Okay. And did you go on to testify at this  
13               deposition in 1993 that you thought racially polarized  
14               voting probably didn't exist in the Raleigh- Durham area?

15                       MR. FARR:  Objection.  That's a  
16               misstatement of what the testimony is.

17                       JUDGE RIDGEWAY:  Sustained as to the best  
18               evidence.  If you want to read into the record that  
19               portion you're referring to or direct him to that, that  
20               would be fine.

21                       BY MR. SPEAS:

22          Q.    Yeah. Let me just read the question you were  
23               asked at the bottom of page 233. You were asked: Do you  
24               have an opinion as to whether you would find racially  
25               polarized voting in other portions of the state? Your

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1     answer: I'm sure you would find it in other portions. I  
2     am not in a position to go through the state area by area  
3     and say that it is 90, 80, 10. Again, I've read a lot of  
4     materials that have been submitted by people with regard  
5     to these districts, and I have been -- for instance, I  
6     read in several papers the opinion that in the  
7     Raleigh-Durham area, there is evidently a very low degree  
8     of racially polarized voting and some people are even  
9     contending that the present district in that area would  
10    elect a black. I didn't actually see anything to back  
11    that up. It would be interesting to see how anybody else  
12    feels about that.

13                 Was that your opinion in 1993?

14             A. I think you have to conclude the sentence.

15             Q. "But I haven't done any specific studies."

16             A. Thank you.

17                 Again, I think that dovetails with the answer I  
18    gave you previously that there could be racially  
19    polarized voting throughout the entire state, but it  
20    would be an unwarranted assumption to say it was  
21    homogeneous in its level throughout the whole state.

22             Q. So racially polarized voting to the extent it  
23    exists varies from place to place in the state?

24             A. It varies, yes.

25             Q. And you would need to look at each part of the

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1 state to decide whether it exists or not.

2 A. You would have to do a racially polarized  
3 voting study, yes.

4 Q. All right. You didn't do that study yourself?

5 A. I did not.

6 Q. And did you ever follow up on whether -- with  
7 your own study of whether racially polarized voting  
8 existed in the Wake County area?

9 A. No. Once again, it wasn't part of the -- of  
10 the testimony -- after the trial, there was really no  
11 need to pursue that.

12 Q. Dr. Hofeller, do you recall testifying in the  
13 case of *Boone versus Nassau County Legislature*?

14 A. I didn't testify.

15 Q. Do you recall providing an expert report in the  
16 case of *Boone -- Boone versus Nassau County Legislature*?

17 A. I -- I compiled an expert study, yes. And I'm  
18 not really absolutely certain -- again, that was two  
19 years ago -- whether or not that was actually presented  
20 to the court. I think that lawsuit might have been  
21 truncated by a higher court decision.

22 MR. SPEAS: If I may approach the witness,  
23 Your Honor, and hand him his report from that case.

24 Q. Dr. Hofeller, I've put in front of you a  
25 document marked as Exhibit 518 to your deposition on

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1 August 10, 2012. It is the expert report of Thomas B.  
2 Hofeller -- B. Hofeller in the case of *Boone versus*  
3 *Nassau County Legislature*. Do you recognize that as a  
4 report you prepared?

5 A. Yes.

6 Q. And would you turn to the last page of that  
7 report and tell me the date of the report?

8 A. July 11th of 2011.

9 Q. Okay. And would you turn with me to page 31 of  
10 that report -- I'm sorry -- page 9 of that report,  
11 paragraph 31. Are you there?

12 A. Yes.

13 Q. I'm going to read you a sentence from your  
14 report on July 11, 2011 and ask you whether you agree  
15 with it today: Some minority districts perform for the  
16 minority when the minority voting strength is  
17 considerably under 50 percent. Although this may raise  
18 questions as to whether the racial polarization is still  
19 legally significant, other percentages -- others require  
20 percentages well over 50 percent. The determining factor  
21 is the degree of racial or ethnic bloc voting and the  
22 partisan loyalty of the voters registered in the party of  
23 the candidate.

24 Did I read that correctly?

25 A. Yes.

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1 Q. And does that reflect your opinion today?

2 A. That reflects my opinion in this -- in the  
3 context of Nassau County, yes.

4 Q. And in advising Senator Rucho and  
5 Representative Lewis in North Carolina, did you undertake  
6 to make any determination whether some minority districts  
7 in North Carolina performed for the minority when voting  
8 minority strength is considerably under 50 percent?

9 A. No.

10 Q. Did you yourself undertake to make any  
11 determination whether districts in North Carolina  
12 performed -- some districts in North Carolina performed  
13 for minority districts at levels under 50 percent?

14 A. Again, that wasn't part of my task for which I  
15 was retained. I was retained to guide the plans to  
16 completion in a timely manner.

17 Q. So you did not provide them any information in  
18 that regard?

19 A. Well, I believe that information would have  
20 been available for other -- other sources within -- from  
21 other sources within the state. Again, as I said before,  
22 I had enough work to do getting the districts drawn with  
23 all the moving parts of that process.

24 Q. So you didn't -- you simply didn't give them  
25 that information. It was available someplace else, in

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1 your view.

2 A. It was not my job to do that.

3 Q. Okay. Do you know whether Senator Rucho and  
4 Representative Lewis undertook that analysis?

5 A. I think you would have to ask them that  
6 question.

7 Q. You do not of your own opinion -- of your own  
8 knowledge know whether they did or not.

9 A. No.

10 Q. Dr. Hofeller, let me turn to a slightly  
11 different subject. You testified about Senate District  
12 32 on direct examination. I would like to ask you some  
13 questions about that.

14 MR. SPEAS: And, Your Honors, I want to  
15 hand the witness a package of maps of District 32. It  
16 actually doesn't have an exhibit number on it yet. I  
17 think I need to put that exhibit number on it.

18 Do you know what number that will be?

19 MS. EARLS: Can you make it 34?

20 MR. SPEAS: 30 what?

21 MS. EARLS: Can you make it 34?

22 MR. SPEAS: 34.

23 MS. EARLS: I know I'm skipping.

24 BY MR. SPEAS:

25 Q. Senator -- Doctor, I put in front of you a set

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1 of maps of District 32. The first page of this document  
2 is the District 32 as first proposed in the VRA plan. Do  
3 you recognize that map?

4 A. Yes.

5 Q. And the second page is a more detailed map of  
6 that district as originally proposed. Do you recognize  
7 that?

8 A. It is the same map.

9 Q. Okay.

10 A. The same boundary.

11 Q. And the third page is District 32 as enacted.

12 A. Yes.

13 Q. And from that page of Exhibit 32, can you  
14 identify the -- can you tell whether the precincts have  
15 been split or not?

16 A. Certainly.

17 Q. And if you would look at the next page, is this  
18 a -- the boundaries of Rucho Senate 2 as enacted with  
19 some highways also included?

20 A. Yes.

21 Q. And the last pages of this document,  
22 Dr. Hofeller, are the split VTD report for the Senate  
23 District 32 as enacted. Do you recognize that as a VTD  
24 split report from the Legislature?

25 A. I think I would have to take your word on

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1 whether or not it came from the Legislature or not, but I  
2 recognize it as a split VTD.

3 Q. Is -- is one of the reports the -- you can  
4 generate from the Legislature's database a split precinct  
5 report?

6 A. I believe so, although I never generated such a  
7 report. The legislative system is extremely slow.

8 Q. Now, looking at -- back at the first page of  
9 Exhibit 32, Dr. Hofeller, you drew that district for  
10 Senator Rucho, correct?

11 A. I -- I think I would characterize it as I drew  
12 it for the General Assembly.

13 Q. You drew it under the directions of Dr. Rucho.

14 A. Again, I -- I would like to characterize  
15 that --

16 Q. All right.

17 A. -- accurately.

18 Q. Okay. All right. That -- that --

19 As you drew this district, did it contain any  
20 split precincts?

21 A. I believe it did.

22 Q. Could you identify those for me?

23 A. I'm not absolutely certain, because I  
24 believe -- I believe that Precinct 32 was split.

25 Q. Okay. I think --

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1           A.    But as the map is colored and shaded and such,  
2    I would have to -- you would have to give me a minute  
3    here to trace around that group.

4           Q.    Okay.

5           A.    Maybe also 34, but I'm not sure.

6           Q.    Okay.

7           A.    It's not the best copy I've ever seen.

8           Q.    No, it's not; and I apologize for that.

9                    If you will look now at Rucho Senate District  
10   32 as enacted, which is the third page, would it -- would  
11   it be fair to say comparing the plan, Senate District 32  
12   as first presented and Senate District 32 as enacted,  
13   that the final plan splits a large number of precincts?

14          A.    I believe if you'll look on page 7, it says 43  
15   splits.  So...

16          Q.    Now, did you revise Senate District 32 from its  
17   original form to its enacted form?  Are you the one who  
18   drew the enacted district?

19          A.    I think to be precise, yes, that -- I drew the  
20   enacted district.

21          Q.    Okay.  And did you -- the large -- did you  
22   split these precincts on your own or at the direction of  
23   the General Assembly?

24          A.    I think, as I stated before in my testimony  
25   today, that the policy decision was made to bring the

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1 racial demographics up to the level of the SCSJ district  
2 and the -- the previous district, the -- the original  
3 district. And that also was complicated by the fact that  
4 the district had to be drawn at a much higher population  
5 than the SCSJ plan mainly because the SCSJ plan did not  
6 follow the dictates of the *Stephenson* county grouping  
7 criteria and also because it couldn't be drawn at a -- a  
8 negative ideal population because it would drive the --  
9 the -- the partner district in the -- in the cluster over  
10 the allowable positive limit. In order to do that and  
11 achieve that level, those precincts had to be split.

12 Q. And is it true -- I'm not sure that I  
13 understood your testimony -- but is it true that these  
14 precincts, 43 of them, were split in order to increase  
15 the African American population in District 32?

16 A. To bring it up to the level that was present in  
17 the former district and in the district that was  
18 presented to us by AFRAM or SCSJ, yes, it was true.

19 Q. Okay. So the African American population in  
20 District 32 increased from the time it was first  
21 introduced until it was enacted; and in order to produce  
22 that increase, precincts were split.

23 A. It would not have been -- would not have been  
24 possible without splitting those precincts.

25 MR. SPEAS: That -- that would conclude my

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1 questions of this witness, Your Honor.

2 JUDGE RIDGEWAY: All right. Are there  
3 other questions on behalf of the Plaintiffs?

4 MS. EARLS: Yes, Your Honor.

5 JUDGE RIDGEWAY: All right. We intend to  
6 break around 12:30 for lunch, but if you -- if you need a  
7 few minutes to --

8 MS. EARLS: No, Your Honor. In fact, I'll  
9 try to finish by then.

10 JUDGE RIDGEWAY: Okay. That's fine.  
11 There's no -- no rush, but I'm just --

12 MS. EARLS: Thank you.

13 JUDGE RIDGEWAY: -- telling you just sort  
14 of our schedule.

15 MS. EARLS: Thank you.

16 JUDGE RIDGEWAY: Go ahead, Ms. Earls.

17 **CROSS-EXAMINATION**

18 BY MS. EARLS:

19 Q. Dr. Hofeller, good afternoon. My name is Anita  
20 Earls, and I just have a few questions for you.

21 I want to start with the testimony you gave  
22 about Exhibit -- Defendants' Exhibit 14. And this is --  
23 if you have that in front of you. I can hand up a copy  
24 if you don't.

25 A. Would you turn around and show that to me?

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1           Q.    Yes.  Defendant's Exhibit 14 is the chart you  
2           prepared with --

3           A.    Okay.  I think I have that in my stack.

4           Q.    Thank you.

5                    You testified that all of the yellow shaded  
6           boxes on the right-hand side of the chart indicate places  
7           where precincts were split for political reasons.  Is  
8           that correct?

9           A.    Yes.

10          Q.    And I -- I just want to make sure we're clear  
11       about what kind of data you had when you split a  
12       precinct.  And so on this chart, you have, for example,  
13       in the fourth column over, the population in each split.  
14       And that's the total population in the -- so when you  
15       split -- we can, just say, look at Wake County 01-33.  
16       When you split that between Districts 4 -- Congressional  
17       Districts 4 and 13, you can say there was a total of  
18       1,842 people in the part in District 4 and 335 in the  
19       part in District 13.  Is that correct?

20       A.    Yes.

21       Q.    But you couldn't say with -- you could  
22       estimate, but you couldn't say with certainty how many  
23       registered voters or how many people who voted for Obama  
24       were in that part of District 4 that you put into -- or,  
25       I mean, that part of the split that you put into

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1 Congressional District 4, correct? Because the data for  
2 Obama's election or for registered voters is only kept at  
3 the -- at the precinct level. It doesn't go down to the  
4 census block level. Is that correct?

5 A. In part. The --

6 Q. You can make an estimate based -- you can --  
7 you can make assumptions about where the voters might  
8 live within the precinct and you can make estimates, but  
9 you don't have -- you don't know the exact number.

10 A. Again, in part. The -- the GIS system,  
11 Maptitude, requires that the data be present in some form  
12 at all levels of geography, census geography.

13 Q. But when you go below the --

14 A. Could I --

15 MR. FARR: Let him finish his answer,  
16 please, Your Honor.

17 A. Okay. We've discussed before in my deposition  
18 how political data is allotted within VTDs, so -- and --  
19 and when you split a precinct, that is the acceptable  
20 method of handling political data throughout a  
21 redistricting field --

22 Q. Right.

23 A. -- throughout the country. We would have a  
24 good idea of how many voters are in each side of the  
25 split by the proportion of the population that is in each

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1 side of the split.

2 Q. But you wouldn't know whether they were  
3 registered Democrats or registered Republicans?

4 A. Specifically, no.

5 Q. Thank you.

6 Turning to Defendants' Exhibits -- these should  
7 be in the notebook -- Exhibit 7 through 10, these are the  
8 series of maps that you testified you prepared.

9 A. Yes.

10 Q. I'll give you a moment to look at those.

11 (Pause.)

12 Q. You're familiar with the measure -- the  
13 mathematical measures of geographic compactness that are  
14 contained in the Maptitude software, correct?

15 A. Yes.

16 Q. And how -- do you -- how many measures do they  
17 include in that software package?

18 A. I believe there's seven.

19 Q. And do you --

20 A. Once again, it's been a little while since I've  
21 had it before me, so...

22 Q. Seven or eight possibly and --

23 A. Yeah. Some of them take much longer to compute  
24 than others, as we learned.

25 Q. Thank you.

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1           My question to you is: I'm correct, am I not,  
2   that this -- that merely measuring the distance from one  
3   corner of the district to the other is actually none of  
4   the -- that's only a -- a rudimentary measure of  
5   compactness and, in fact, is not any of the seven or  
6   eight measures that are contained in the software.

7           A. I was not presenting that information in the  
8   context --

9           Q. I understand.

10          A. -- of a compactness report. I merely wished  
11   to -- to inform the Court that the distance traversed by  
12   the district to reach the population centers that was  
13   incorporated into it was that amount of mileage, if not  
14   more, if you stayed within the district.

15                 Now, the -- the -- the farthest distance  
16   between two points in a district would allow you to  
17   compute the circumscribing circle, which would be the  
18   beginning of one of the compactness measures.

19          Q. Okay. But if -- if -- to the extent that  
20   compactness is relevant to whether or not a district is a  
21   racial gerrymander or -- which is part of the question  
22   for some of the districts in this case, there are seven  
23   or eight measures in -- in the software that -- that  
24   computes geographic compactness and none of them are this  
25   measure.

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1           A.    Again, I have to repeat: This was not  
2   presented as a compactness factor at all, so I -- I don't  
3   know how that's relevant.

4           Q.    Well, I didn't ask you the relevance.

5           A.    Okay.

6           Q.    I just wanted to ask the question. Thank you.

7                   Let me turn to Congressional District 12, and  
8   you talked about thematics and you talked about the layer  
9   of data that you were using when you were drawing various  
10   districts.

11                   But isn't it true, Dr. Hofeller, that also  
12   contained in the Maptitude software program and on your  
13   screen when you're drawing districts is a box with  
14   district statistics in it, and it -- when you -- anytime  
15   you make a change to the district, it shows you the new  
16   composition of the district using those statistics and  
17   that those statistics would include total population,  
18   voting age population, and -- and racial data?

19           A.    It would depend upon what you put on that  
20   screen.

21           Q.    But that is -- that is --

22           A.    Well --

23           Q.    -- available in the software.

24           A.    -- let me explain. Could I explain?

25                   Okay. The -- the district change pop-up --

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1     which you have to ask the system to pop up. I put it on  
2     the lower -- lower right. Other people put it other  
3     places, mainly to get it out of the map -- gives you a  
4     listing of the summary fields that you direct Maptitude  
5     to keep when you set up the plan. So if you don't have  
6     those in the summary field selection when you are using  
7     the plan, they would not appear in that box.

8             So I don't want -- want to imply that every  
9     piece of data that is in the -- the database would be in  
10    that box; otherwise, you would spend all day going up and  
11    down that box trying to find out what you wanted. So  
12    it's -- it's a variable just as a -- a thematic would be.

13            Q.    But my question to you is: Even though the  
14    thematic that you're looking at might have political data  
15    or partisan data, it is -- it is at least available to  
16    you to also have on the screen a box that shows racial  
17    data.

18            A.    Well, just as it is available to you to change  
19    the thematic, you can change what displays within that  
20    box.

21            Q.    All right. So you testified about the -- the  
22    criteria that you were looking at in drawing  
23    Congressional District 12, and I just want to ask you  
24    about Section 5 of the Voting Rights Act. Guilford  
25    County is covered by Section 5 of the Voting Rights Act

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1 and is also a county that's included in the Congressional  
2 District 12, correct?

3 A. It is.

4 Q. So I assume that you were -- when -- when you  
5 were drawing Congressional District 12, you were making  
6 an assessment about whether or not that district -- as  
7 you were drawing it -- that district would comply with  
8 Section 5 of the Voting Rights Act.

9 A. Section 12 is not a -- a -- or I'm sorry.  
10 Congressional District 12 is not a voting rights  
11 district. So the important factor there was not the  
12 compliance with Guilford County. It was the Obama  
13 percentage in the precincts.

14 There had been no Section 5 objection raised  
15 that I can recall to the composition of the old District  
16 12; and the new District 12 was modeled after the old  
17 District 12, except more of Guilford County was in it.  
18 And that was a political decision, not a racial decision.

19 So when -- in the -- in the -- the baseline  
20 plan -- I guess you could call it a baseline plan when  
21 you're talking about Guilford County -- in the -- in the  
22 preceding redistricting, Guilford County was in three  
23 different districts, if I recall it correctly -- I'm not  
24 sure, though -- and no objections were raised to the  
25 Section 5 -- in -- in the Section 5 context of any of

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1 those districts, so there was no reason to really believe  
2 that it would be raised now.

3 Q. So is it your testimony, then, that when --

4 A. I don't think it has been raised, obviously.

5 Q. I'm sorry. Are you --

6 A. I'm sorry.

7 Q. Is it your testimony, then, that when you were  
8 considering compliance with Section 5 of the Voting  
9 Rights Act around the state -- around the 40 counties  
10 that are covered in the state, you were only considering  
11 that where there had previously been a Section 5  
12 objection?

13 MR. FARR: Objection.

14 JUDGE RIDGEWAY: Overruled.

15 A. I'm sorry. Could you ask that again?

16 Q. Right. When you were considering how your --  
17 the district you were drawing would comply with Section 5  
18 of the Voting Rights Act, which covers 40 counties in  
19 North Carolina, were you only considering the places  
20 where prior Section 5 objections had been raised?

21 A. In the context of what set of districts?

22 Q. The Congressional districts, the House  
23 districts and the Senate districts.

24 A. I -- well, we were talking about the  
25 Congressional districts and now you're asking to go to

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1 the -- the whole map. And the answer was absolutely  
2 in -- particularly in the Senate and the -- the House of  
3 Representatives map -- the State House of Representatives  
4 map, we were intensely concerned with making -- ensuring  
5 that African Americans had all the representation they  
6 were legally entitled to have, and that would include  
7 Section 5 considerations. You were asking me about  
8 Section 5 in the context of the 12th District, I believe,  
9 of the Congressional map.

10 Q. Well, and your answer to me was that: We did  
11 not consider Section 5 or Congressional District 12  
12 because there had been no Section 5 objection to that  
13 district. And so my question was: Does that mean that  
14 when you were considering Section 5 compliance, you were  
15 only looking at areas of the state where there had been  
16 objections?

17 A. That doesn't follow. Where -- I -- I --  
18 that -- that was -- my testimony, I believe, was that in  
19 the context of the 12th District and the former 12th  
20 District to which no Section 5 objection had been raised,  
21 that I can recollect, that wasn't a factor in the drawing  
22 of the district. Certainly, when the plans were  
23 submitted to DOJ, which incidentally was not my -- my  
24 job, those considerations would have been made by the  
25 submitters.

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1 MS. EARLS: It's 12:00 -- it's 12:30 and  
2 this might be a --

3 JUDGE RIDGEWAY: All right. We'll go  
4 ahead and break. And if you need to, we'll resume after  
5 the lunch recess. That's fine.

6 MS. EARLS: Thank you.

7 JUDGE RIDGEWAY: We will recess, again,  
8 for an hour and 15 minutes. So that will take us until a  
9 quarter til 2:00. We'll resume at that time.

10 (Court was in recess from 12:30 p.m. to 1:49 p.m.)

11 JUDGE RIDGEWAY: Welcome back, ladies and  
12 gentlemen.

13 I believe, Ms. Earls, do you have further  
14 questions for this witness?

15 MS. EARLS: No, I do not, Your Honor.

16 JUDGE RIDGEWAY: All right. Anything else  
17 for the Plaintiffs?

18 MR. SPEAS: (Counsel moves head from side  
19 to side.)

20 JUDGE RIDGEWAY: All right. Redirect?

21 MR. PETERS: No, Your Honor.

22 JUDGE RIDGEWAY: Thank you, sir. You may  
23 step down.

24 THE WITNESS: Thank you, Your Honor.

25 MR. FARR: Your Honor --

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1 JUDGE RIDGEWAY: Yes.

2 MR. FARR: -- we would like, with the  
3 Court's permission, to call two more witnesses.  
4 Yesterday we heard testimony from Congressman Watt about  
5 a conversation with Senator Rucho and the Court. I don't  
6 know if the Court reads the newspaper or not, but the  
7 headlines in the newspaper yesterday were reporting  
8 Congressman Watt's testimony and "Rucho doesn't take the  
9 stand." We would like to give Senator Rucho a chance to  
10 respond to Congressman Watt's testimony. And we also  
11 have a witness to that conversation, Representative Ruth  
12 Samuelson, whom we would like to put up.

13 We do not think this would be lengthy, and  
14 we request in the interest of the deadlines that we have  
15 that the cross-examination be limited to what the --  
16 Senator Rucho and Representative Samuelson will testify  
17 about.

18 JUDGE RIDGEWAY: All right. Let me hear  
19 the Plaintiffs' view on that proposal.

20 MR. SPEAS: Just one second. Your Honor.

21 (Pause.)

22 JUDGE RIDGEWAY: Hold on just a second.  
23 Let me just confer with my colleagues.

24 (Judge Ridgeway, Judge Hinton and Judge Crosswhite  
25 confer.)

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1 JUDGE RIDGEWAY: Yes, Mr. Speas.

2 MR. SPEAS: Your Honors, I'm assuming that  
3 these two witnesses' testimony would be limited to that  
4 very, very narrow issue and these witnesses at this late  
5 date would not be permitted to expand that testimony into  
6 the areas generally relevant to the two issues y'all have  
7 designated for trial.

8 With one caveat we would have no  
9 objection. We have about an hour and 12 minutes left.  
10 We would request that any cross-examination of these two  
11 witnesses not be counted against that hour and 12  
12 minutes.

13 JUDGE RIDGEWAY: All right. Well,  
14 let's -- let's do this --

15 Yes, sir. Mr. Farr, do you --

16 MR. FARR: Your Honor, we have no  
17 objection to that proposal.

18 JUDGE RIDGEWAY: All right. Good. We'll  
19 allow the testimony. It should be limited in scope, and  
20 I think the best way to limit it is to just simply say  
21 the cross-examination will be limited to the scope of the  
22 direct. So if the Defendants expand beyond that  
23 conversation, then in all fairness, the Plaintiffs will  
24 have an opportunity to cross-examine on any orders that  
25 have importance.

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1 MR. FARR: Your Honor, if -- if I attempt  
2 to expand it, would you please object to my question?

3 JUDGE RIDGEWAY: Yes. We will.

4 MR. FARR: We'd like to call Ruth  
5 Samuelson to the stand, please.

6 JUDGE RIDGEWAY: And just for  
7 clarification, we're not going to keep time for either  
8 parties on this -- on this line of questioning. I -- I  
9 anticipate it will be short for both, and I think that  
10 we're doing well on our time, so we're just not going to  
11 keep time for either party. All right.

12 WHEREUPON, **RUTH SAMUELSON**, was called as a witness,  
13 having been first duly sworn, and testified as follows:

14 JUDGE RIDGEWAY: Mr. Farr.

15 **DIRECT EXAMINATION**

16 BY MR. FARR:

17 Q. Could you please state your name for the  
18 record?

19 A. Ruth Samuelson.

20 Q. And, Ms. Samuelson, do you happen to be a  
21 member of the North Carolina General Assembly?

22 A. I am in House District 104.

23 Q. And where is that district located?

24 A. Part of South Charlotte.

25 Q. And do you happen to know Senator Bob Rucho?

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1 A. I do.

2 Q. Do you happen to know Congressman Mel Watt?

3 A. I do.

4 Q. During the redistricting process and before  
5 plans were enacted, did you attend a meeting at Senator  
6 Rucho's House which included Congressman Watt?

7 A. I did.

8 Q. Could you tell the Court what you recall  
9 Senator Rucho and -- and Congressman Watt discussing at  
10 that meeting?

11 A. We looked over a map of the proposed district,  
12 talked a little bit about where the lines were.  
13 Congressman Watt asked a few more questions for  
14 additional details. Senator Rucho said he would get the  
15 details; asked if he was okay with the plans.  
16 Congressman Watt demurred; but indicated, you know, there  
17 was no notice --

18 MR. SPEAS: Objection to what he  
19 indicated.

20 A. Okay. Said he would like more information.

21 JUDGE RIDGEWAY: Well, let me -- let me  
22 rule on that. I'm going to -- I think it would be  
23 allowed for corroborative or impeachment purposes of a  
24 witness who has already testified. It's not being  
25 allowed for the truth of the matter of what was said, but

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1 for that limited purpose, so it would be allowed.

2 So go ahead, ma'am.

3 A. Indicated that he wanted some more information  
4 before he could completely commit; but in my opinion, I  
5 didn't see any problems.

6 MR. SPEAS: Objection.

7 A. Okay.

8 MR. SPEAS: I'm sorry. I'll withdraw  
9 that.

10 BY MR. FARR:

11 Q. All right. Representative Samuelson, did  
12 Senator Rucho make a statement during that meeting that  
13 he had been told by leadership that he needed to ramp up  
14 Congressman Watt's district so the black population would  
15 go over 50 percent?

16 A. No.

17 Q. Did Senator Rucho tell Congressman Watt that he  
18 was going to have to go out and sell this 50-percent-plus  
19 district to the black community?

20 A. No.

21 Q. Did Senator Rucho make any comments during this  
22 meeting about the potential racial composition of  
23 Congressman Watt's district?

24 A. Not that I recall. They mostly talked about  
25 lines and precincts and that sort of thing.

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1 MR. FARR: All right, sir. That's all I  
2 have.

3 JUDGE RIDGEWAY: Cross-examination?

4 MR. SPEAS: Just a couple questions.

5 **CROSS-EXAMINATION**

6 BY MR. SPEAS:

7 Q. Representative Samuelson, do you recall the  
8 date of that meeting in Charlotte?

9 A. No. But it was either a Friday or a Saturday.

10 Q. Okay. And you testified you were there,  
11 Representative Rucho -- Senator Rucho was there and  
12 Congressman Watt. Was anybody else there?

13 A. His wife -- Rucho's wife may have been in the  
14 House, but I don't recall.

15 Q. Was anybody there with Congressman Watt?

16 A. No.

17 Q. Okay. And do you recall the time of this  
18 conversation in Senator Rucho's House in relationship to  
19 the status of the Congressional plans in the Legislature  
20 itself?

21 A. I'm not sure I understand what you mean by  
22 "status." I'll say process-wise, I knew that this was  
23 part of the process that we had to go through on  
24 releasing the maps and that -- and, as I recall, that map  
25 had been released, but we were supposed to show it to

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1 him. My understanding is I was there to witness that we  
2 had followed the process to show him the map that was  
3 supposed to be shown.

4 Q. Now, there was more than one Congressional map.  
5 Do you remember which of the maps was on the table for  
6 discussion at this occasion?

7 A. What I would have called the new map. Now,  
8 there might have been the other one there, but I don't  
9 recall that it was.

10 Q. Do you -- by "new map," do you mean "first  
11 map"?

12 A. Since I was not in the process of drawing all  
13 the maps, it would be whichever one needed the approval.

14 Q. So at the point you had the conversation,  
15 whatever the exact date, a Congressional map was -- had  
16 been publicly released.

17 A. That's what I recall. I could be incorrect,  
18 but that's what I recall.

19 Q. Did you meet with Congressman Watt and Senator  
20 Rucho on any other occasion?

21 A. Not about redistricting. We've known each  
22 other for a long time.

23 Q. I -- I understand.

24 A. Um-hum.

25 MR. SPEAS: Thank you.

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1 JUDGE RIDGEWAY: Okay. Ms. Earls, any  
2 further questions?

3 MS. EARLS: No, Your Honor.

4 JUDGE RIDGEWAY: All right. Anything  
5 further?

6 MR. FARR: No, Your Honor.

7 JUDGE RIDGEWAY: Thank you, ma'am. You  
8 may step down.

9 THE WITNESS: Thank you.

10 JUDGE RIDGEWAY: Further evidence?

11 MR. FARR: Yes, Your Honor. We would like  
12 to call Senator Bob Rucho.

13 WHEREUPON, **ROBERT RUCHO**, was called as a witness,  
14 having been first duly sworn, and testified as follows:

15 JUDGE RIDGEWAY: Mr. Farr.

16 MR. FARR: Thank you, Your Honor.

17 **DIRECT EXAMINATION**

18 BY MR. FARR:

19 Q. Could you please state your name.

20 A. Robert Rucho.

21 Q. And are -- Mr. Rucho, are you a member of the  
22 North Carolina General Assembly?

23 A. Yes, sir. I -- I am a member of the North  
24 Carolina Senate.

25 Q. Okay. And what district are you representing?

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1 A. 39.

2 Q. And what county is that in?

3 A. Mecklenburg County.

4 Q. And were you the chairman of the Senate  
5 Redistricting Committee during the redistricting process?

6 A. Yes.

7 Q. Do you recall a meeting at your home between  
8 you, Congressman Watt and Representative Samuelson?

9 A. Yes.

10 Q. Can you tell the Court when that took place?

11 A. It was a Friday or Saturday, but it was the --  
12 we released the first map of the Congressional plans on  
13 the 1st of July, which was a Friday. So it was the  
14 Friday, the 1st of July. And then we had a meeting -- a  
15 public hearing on the 7th. So what we were doing was  
16 sharing with Congressman Watt a map of his district, the  
17 12th District.

18 Q. Okay. And who was present for this meeting?

19 A. Representative Samuelson, Congressman Watt,  
20 myself, and my wife was in the house.

21 Q. All right. And can you tell the Court what you  
22 recall about what you said during this meeting and what  
23 Congressman Watt said?

24 A. I'm sorry. Repeat that, please, sir.

25 Q. Can you tell the Court what you recall today

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1 about what you said at this meeting and what Congressman  
2 Watt said at the meeting?

3 A. Well, this was a follow-up meeting from one  
4 that I had earlier in Raleigh with Congressman Watt, and  
5 what we were showing him is the -- the map of the  
6 district that we were presenting as part of -- of that  
7 Friday release of the Congressional map, specifically on  
8 the 12th District only. That was what we had there.  
9 There was very limited information on StatPac. Some of  
10 the questions that he asked were about that. And I said,  
11 We'll be able to provide you some more in-depth  
12 information, and he was comfortable with that.

13 Q. Okay. Do you recall any comments made by  
14 Congressman Watt?

15 A. Just the fact that he was interested in what we  
16 were presenting. It did achieve what he talked about  
17 from the previous meeting, and that was to pretty much  
18 keep the 12th District in the same counties as our -- as  
19 what was in the 2003 plan, and that was Charlotte --  
20 Mecklenburg all the way up to Forsyth and to Guilford --  
21 Guilford County.

22 Q. All right. Were you in the courtroom yesterday  
23 when Congressman Watt testified?

24 A. Yes, sir.

25 Q. Do you -- do you recall him testifying that you

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1 made a statement to him that leadership had told you to  
2 ramp the district up to so -- up to a point where the  
3 black population would be over 50 percent?

4 A. I -- I sure -- I heard him say that, yes, sir.

5 Q. Did -- did you make any comments of that  
6 nature?

7 A. No, sir.

8 Q. Did you state that you needed to sell that over  
9 50 percent black district to the black community?

10 A. No, sir.

11 Q. Did you make any statements during your meeting  
12 with Congressman Watt with Representative Samuelson  
13 present regarding the racial composition of the 12th  
14 District?

15 A. No, sir. I mean, it was evident that it was as  
16 the map presented it. That's what -- we were just  
17 sharing that with him as we told him we would.

18 Q. All right.

19 MR. FARR: That's all I have, Your Honor.

20 JUDGE RIDGEWAY: Cross-examination?

21 MR. SPEAS: A couple of questions.

22 **CROSS-EXAMINATION**

23 BY MR. SPEAS:

24 Q. Senator Rucho, was a map there at the meeting?

25 A. Yes, sir.

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1 Q. And your memory is it was the first  
2 Congressional map released.

3 A. That was correct.

4 Q. And your memory is it was July 1 --

5 A. July 1 is --

6 Q. -- or thereabouts.

7 A. July 1 is when we actually released the plan,  
8 so it was prior to that.

9 Q. Do you recall what the black voting age  
10 population in District 12 in the map in front of you on  
11 that occasion was?

12 A. It's been a long time, sir. I don't  
13 recollect -- recall that.

14 Q. All right. Now, you had a meeting with  
15 senator -- representative -- Congressman Watt earlier.

16 A. Yes, sir.

17 Q. And that was in your office in Raleigh.

18 A. Yes, sir.

19 Q. Okay. All right.

20 MR. FARR: Objection.

21 JUDGE RIDGEWAY: Overruled.

22 MR. SPEAS: Thank you.

23 JUDGE RIDGEWAY: Nothing further.

24 Ms. Earls?

25 MS. EARLS: No, Your Honor.

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1 JUDGE RIDGEWAY: All right. Anything  
2 further, Mr. Farr?

3 MR. FARR: No, Your Honor. Thank you very  
4 much.

5 JUDGE RIDGEWAY: Thank you, sir.

6 THE WITNESS: Thank you, sir.

7 MR. FARR: We would like to thank the  
8 Court for giving us the privilege of putting these  
9 witnesses up today.

10 JUDGE RIDGEWAY: Yes, sir.

11 All right. Is there further evidence for  
12 the Defense?

13 MR. PETERS: The only other thing we have,  
14 Your Honor, is the exhibits that have been offered up.  
15 We would move most of those into evidence. I think all  
16 told, there have been 20 exhibits identified. Number 2  
17 that's in your notebooks there is an affidavit of Raleigh  
18 Myers with some maps attached, and I believe the  
19 Plaintiffs have agreed they could stipulate as to the  
20 authenticity and the identification of those documents.  
21 I don't -- I don't want to suggest they've waived any  
22 relevancy objections or anything like that.

23 And then there's one exhibit, the last one  
24 that's in the notebook, is one that the witness in  
25 question did not identify, Dan Blue. Then we've had, I

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1 think, seven more that we have offered up that weren't in  
2 the notebook. Six of those are the maps that I think  
3 have probably been made part of the record quite a few  
4 times now.

5 I can go through the exhibits one by one  
6 if the Court likes; but, otherwise, we would move  
7 admission of Exhibit No. 1, 3 through 12, and then 14  
8 through 20.

9 MR. FARR: And -- and, Your Honor, there  
10 is one other point.

11 JUDGE RIDGEWAY: Yes, sir.

12 MR. PETERS: Oh, yes.

13 MR. FARR: Do you want to take that up?

14 MR. PETERS: I -- I -- I can. Thank you  
15 for the reminder.

16 In the No. -- No. 2, the maps that were  
17 attached to Raleigh Myers' affidavit, Exhibit E there, we  
18 did -- the Plaintiffs pointed out, I think on the phone  
19 conversation the other day and we agreed, Camden County  
20 on that map should not be shaded. That was a mistake  
21 in -- in getting the information to you. So we -- we do  
22 agree with the Plaintiffs on that, that Camden County  
23 should not be shaded.

24 But we would move the admission of those  
25 exhibits.

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1 JUDGE RIDGEWAY: All right. Let me hear  
2 from the Plaintiffs -- let's hear from the Plaintiffs,  
3 then, on the admission of Exhibits 1, 3 through 12 and 14  
4 through 20. Any specific objections? I know you've  
5 raised relevancy objections.

6 MS. EARLS: I'm not standing to object,  
7 Your Honor; but I do want to be clear. If I understand  
8 right, they -- they are moving to admit the maps  
9 behind -- that are behind Tab 2, so that's also being --

10 MR. PETERS: Right.

11 MR. SPEAS: And then on each of those maps  
12 that -- that --

13 MR. PETERS: Yes. Thank you. Thank you.  
14 I may have misspoken, because I was looking at the map  
15 that was behind Exhibit E. But you're right, it is each  
16 of those Camden County should not be colored.

17 JUDGE RIDGEWAY: So, in other words,  
18 Camden County is not a Section 5 county.

19 MR. PETERS: Correct.

20 MR. FARR: No, Your Honor. It's a Section  
21 5 county. But if you read Dr. Brunell's report, there  
22 was not enough evidence one way or the other to conclude  
23 whether there was statistically significant racially  
24 polarized voting in Camden County. So the reason why it  
25 got shaded is because it was a Section 5 county, and that

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1 was a mistake because the expert did not find racially  
2 polarized voting in that county because he didn't have  
3 enough elections to look at.

4 JUDGE RIDGEWAY: All right. Okay. Thank  
5 you.

6 All right. And any -- any other specific  
7 objections, other than the relevancy objection?

8 MS. EARLS: No, Your Honor.

9 JUDGE RIDGEWAY: All right. So we'll  
10 receive all of Exhibits 1, 3 through 12 and 14 through 20  
11 into evidence. Again, the Court's operating under the  
12 presumption that only relevant and admissible evidence  
13 will be considered and will be given the appropriate  
14 weight.

15 MR. FARR: And, your Honor, just to  
16 confirm Ms. Earls' comment, for which I thank her, we  
17 would also like Exhibit 2 to be admitted with the maps  
18 that are attached to Exhibit 2.

19 JUDGE RIDGEWAY: All right. Yeah. No. 2,  
20 I skipped that. So No. 2 is admitted as well and under  
21 the same concerns.

22 All right. So nothing further from the  
23 Defense?

24 MR. PETERS: No, Your Honor.

25 JUDGE RIDGEWAY: All right. Rebuttal

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1 evidence?

2 MS. EARLS: Yes, Your Honor. The  
3 Plaintiffs would like to call Dr. Allan Lichtman.

4 WHEREUPON, **ALLAN J. LICHTMAN, PhD**, was called as a  
5 witness, having been first duly sworn, and testified as  
6 follows:

7 MS. EARLS: Your Honor, before I begin, I  
8 would just like to request: The witness has indicated he  
9 does have a health issue. He may need to take a short  
10 break, and he'll let us know if that is necessary.

11 JUDGE RIDGEWAY: At any time, just let us  
12 know.

13 THE WITNESS: Thank you. Probably not,  
14 but...

15 JUDGE RIDGEWAY: At any time --

16 MS. EARLS: Thank you, Your Honor.

17 JUDGE RIDGEWAY: -- we'll be glad to  
18 accommodate you.

19 **DIRECT EXAMINATION**

20 BY MS. EARLS:

21 Q. Would you state your name for the record,  
22 please.

23 A. Allan J. Lichtman.

24 Q. And where are you employed?

25 A. American University in Washington, DC.

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1 Q. And how long have you been employed there?

2 A. Well, 40 years; but I started when I was 9.

3 Q. What position do you hold?

4 A. I now hold the position of Distinguished  
5 Professor of History. That's actually a university, not  
6 a department, designation. There are only four of us in  
7 the university, so I feel very honored to have that  
8 position.

9 Q. And -- and can you summarize briefly for the  
10 Court the -- the relevant areas of scholarship that you  
11 have?

12 A. Yeah. I would say there are three relevant  
13 areas of scholarship. The first is my scholarship on the  
14 statistical and mathematical analysis of social science  
15 information, particularly political data. That goes back  
16 to the late '70s to my monograph "Ecological Inference"  
17 in the SAGE series on quantitative methods in social  
18 science. Nothing to do with ecology. It has to do with  
19 analyzing returns -- like election returns -- collected  
20 for units -- like precincts. And that has further been  
21 developed in articles in journals such as *Social Science*  
22 *History*, *Political Methodology*, *Proceedings of the United*  
23 *States National Academy of Sciences*.

24 Secondary is the use of quantitative  
25 methodologies and historical methodologies to understand

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1 the history and current state of American politics. Many  
2 of my books fit in that. I -- I published or coauthored  
3 eight books. Among them that fit that category is my  
4 rewritten dissertation *Prejudiced in the Old Politics:*  
5 *The Presidential Election of 1928*; a recent book, *White*  
6 *Protestant Nation: The Rise of the American Conservative*  
7 *Movement* -- it was a finalist in the National Book Critic  
8 Circle Award -- and my series of books called *The Keys to*  
9 *the White House*, which is a -- a book on the history and  
10 prediction of the presidential election results that's  
11 now in its fifth edition. And I published many, many  
12 articles on that topic as well in journals like the  
13 *American Historic Review*, the *Journal of Social History*,  
14 the *International Journal of Forecasting*, and also the  
15 *Proceedings of the National Academy of Sciences*.

16 The final area would be the application of  
17 historical and social science and quantitative techniques  
18 to issues in voting rights and civil rights. I've  
19 written articles on that topic in journals such as  
20 *Evaluation Review*, *Journal of Legal Studies*, *Journal of*  
21 *Law and Politics*.

22 Q. And could you also briefly summarize your  
23 experience as an expert witness?

24 A. I hate to say it, but I've been an expert  
25 witness probably now in more than 80 redistricting and

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1 Civil Rights cases, Voting Rights cases. I have  
2 represented Civil Rights organizations and Plaintiffs  
3 suing states and jurisdictions, and I've represented  
4 states and jurisdictions defending themselves against  
5 such lawsuits.

6 And I have -- I don't know -- four or five or  
7 six cases as well that I was involved in here within the  
8 State of North Carolina. And in 2006, Justice Kennedy in  
9 the Texas redistricting case, *LULAC versus Perry*, I was  
10 very honored to have him cite positively my testimony.

11 Q. If you will open that white notebook in front  
12 of you and turn to Tab 12. It's Plaintiffs' -- it's  
13 actually C12 and it's Plaintiffs' Exhibit 12.

14 A. All right. I see my CV there.

15 Q. Is that a current CV and a list of cases that  
16 you've testified in?

17 A. Probably current at the time I gave you. It  
18 may not be immediately current now. My book *FDR and the*  
19 *Jews* is accepted for publication; it's now been published  
20 and extensively reviewed.

21 And let me look at the table of cases. That  
22 will be the major change in the CV. And the table of  
23 cases is pretty current, except for I was involved in two  
24 cases in DC, District Court, three-judge court in Texas  
25 for the redistricting case and the voter identification

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1 case.

2 MS. EARLS: Your Honor, to save me asking  
3 many more questions about his background and experience,  
4 I would move that -- for admission of Plaintiffs' Exhibit  
5 12.

6 MR. FARR: We -- we don't object, Your  
7 Honor.

8 MS. EARLS: And I would ask the Court to  
9 recognize Dr. Lichtman as an expert in voting rights, the  
10 statistical analysis of political data, and American  
11 politics.

12 JUDGE RIDGEWAY: Any objection?

13 MR. FARR: No, Your Honor.

14 JUDGE RIDGEWAY: His testimony will be  
15 received as proffered, and Exhibit No. 12 is received  
16 into evidence.

17 MS. EARLS: Thank you, Your Honor.

18 BY MS. EARLS:

19 Q. Dr. Lichtman, did you review the report of  
20 Dr. Brunell in this case dated -- or about North Carolina  
21 dated June 14th, 2011?

22 A. Yes.

23 Q. Did you also review the affidavit of  
24 Dr. Brunell that was filed in this action around December  
25 10th, 2012?

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1           A.    I did.

2           Q.    And have you had an opportunity to look at the  
3 deposition transcript of Dr. Brunell's deposition taken  
4 in this action on June 7th, 2012?

5           A.    Yes.

6           Q.    From Dr. Brunell's June 14th, 2011 report, can  
7 you tell us what elections he analyzed?

8           A.    Well, primarily, he analyzed for 51 counties --  
9 though he doesn't report the results for all 51 on his  
10 county-by-county analysis -- the 2008 statewide  
11 Democratic Primary for president, 2008 statewide general  
12 election for president, and the 2004 state auditor. And  
13 then he also examines a handful of local elections, more  
14 of them than not state legislative; but also some other  
15 elections, such as county commission and sheriff.

16          Q.    And what methods did he use?

17          A.    He used two methods, and I won't go too much  
18 into the technical details. But the first method is  
19 known as "ecological regression," like my book *Ecological*  
20 *Inference* from the '70s extensively discusses that  
21 methodology. And it is simply a way of taking into  
22 account, say, for a given county all of the precincts --  
23 voting precincts within that county. And what you're  
24 doing for each precinct, you're matching election returns  
25 with some measure of the racial composition of the

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1 county; say the percent black in -- among voters.

2 And the way Dr. Brunell does it, he basically  
3 dichotomizes the election. He breaks it in two. So it's  
4 percent black and what he calls percent white; but  
5 percent white also would include some others, some  
6 Hispanics and -- and other groups who are too small and  
7 too scattered to estimate simply. That's a standard way  
8 of doing it. That was done in *Thornburg versus Gingles*.  
9 It's -- I -- I do it myself.

10 And what the ecological regression methodology  
11 does, then, is compare, say, the percent black in a  
12 precinct with a percent vote for the black candidate.  
13 And on the basis of that comparison, it comes up with a  
14 prediction equation that estimates the vote for the black  
15 candidate based upon the percentage of blacks voting for  
16 that candidate and the percentage of whites voting for  
17 those candidates.

18 And from those estimates, you come up with  
19 overall -- with a little bit of algebra, you come up  
20 overall with -- in a given election -- say, in a given  
21 county or across the whole state -- with the percentage  
22 of African American voters voting for, let's just say,  
23 the black candidate, the African American candidate and  
24 the percentage of white voters voting for the African  
25 American candidate.

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1           The other method is to isolate certain  
2     precincts. This is called "extreme case" or "homogenous  
3     precinct analysis." You pick out precincts that are,  
4     say, 90 percent African American and precincts that are  
5     90 percent white, and you simply look at the actual  
6     election results in those precincts. The advantage is  
7     you are just looking at election results. The  
8     disadvantage is you're only looking at a very select  
9     number of precincts within the broader universe of  
10    precincts.

11           But if you have done it all correctly, the  
12    ecological regression results and the extreme case  
13    results should line up. And if they don't, there should  
14    be warning bells.

15           Q. Did you review his approach to racially  
16    polarized voting?

17           A. I did.

18           Q. And what did you find?

19           A. I found it was a half approach. That is, I  
20    didn't object to it as far as it went; but it was very  
21    far from telling you the complete and needed story of  
22    racially polarized voting wherever you might analyze it.  
23    And I've done this in scores of -- of jurisdictions  
24    across the country.

25           Dr. Brunell looks for whether racially

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1 polarized voting is present and whether it is  
2 statistically significant. So it is present if he finds,  
3 say, in a given election, in a given county or in a given  
4 district that the preferences of black voters and the  
5 preferences of white voters are different; put it again  
6 really simply, in a black/white election. So you would  
7 have racially polarization if a majority of the black  
8 voters voted for the black candidate, but a majority of  
9 the white voters voted for the white candidate.

10 It would be statistically significant -- and  
11 it's one of those terms that, you know, conveys more than  
12 it really carries. "Statistically significant" simply  
13 means that it is unlikely to get the results merely by  
14 chance or random processes alone. You wouldn't get these  
15 results if you just threw the precincts up in the air and  
16 let them fall where they may.

17 It says nothing about the true political  
18 significance of racially polarized voting. And that's  
19 always where the real analysis lies, but that's exactly  
20 where Dr. Brunell's analysis stops. And that is, we have  
21 to look at the question of white bloc voting. And this  
22 is the famous third prong of the three-prong *Gingles*  
23 standard which has been the hinge of almost every one of  
24 these cases for redistricting that I've been involved  
25 with in the past 10 or 15 years. And that is: Is white

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1 bloc voting usually sufficient to defeat the African  
2 American candidate of choice?

3 You could have statistically significant  
4 racially polarization. But even in districts with very  
5 small percentages of African Americans, they may not be  
6 politically significant in the sense I just described.

7 For example, you could have 90 percent of  
8 African Americans voting for the African American  
9 candidate and 49.9 percent of the white voters voting for  
10 the African American candidate, and that could be a  
11 statistically significant difference and that would count  
12 as racially polarized voting under Dr. Brunell's limited  
13 standard. But, of course, even for very low percentages  
14 of African Americans in a district, a 49.9 percent white  
15 crossover vote with a 90 percent African American  
16 cohesion would never be sufficient to defeat the African  
17 American candidate of choice.

18 So what you need to do then is for a given  
19 level of African American voting age population in a  
20 district, you have to figure out at that level: Is white  
21 bloc voting usually sufficient to defeat the African  
22 American candidate of their choice?

23 And here Dr. Hofeller and I completely agree.  
24 He testified -- and I think this is the wisdom among  
25 virtually every expert in this field -- there is no magic

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1 number.

2 MR. FARR: Your Honor, can I be heard for  
3 a second?

4 JUDGE RIDGEWAY: Yes, sir.

5 MR. FARR: I -- I have to object and move  
6 to strike this testimony. This is a rebuttal witness. I  
7 don't recall Dr. Brunell testifying during the course of  
8 this case, and the testimony is all directed towards  
9 Dr. Brunell. There is no testimony that I've heard so  
10 far rebutting anything that Dr. Hofeller testified to.  
11 And -- and this -- this is supposed to be a rebuttal  
12 witness responding to evidence that we put in during our  
13 case.

14 If -- if this was the testimony they  
15 intended, it should have been put on in their case in  
16 chief, not held in reserve as a -- what I would say a  
17 "phony rebuttal witness." This is evidence that should  
18 have come in when they were putting on their case. He's  
19 not rebutting Dr. Hofeller here. It's got nothing to do  
20 with the testimony the Defendants put on.

21 JUDGE RIDGEWAY: All right, Ms. Earls.

22 MS. EARLS: Your Honor, yes. We  
23 designated this witness as rebuttal, not -- not -- to all  
24 of the evidence that the Defendants have designated on  
25 these issues. They have designated and repeatedly

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1 referred to the -- Dr. Brunell's report, Dr. Block's  
2 report, and that -- Dr. Brunell's deposition. Those are  
3 designated -- that's designated material, and this  
4 witness is -- we are offering this witness to rebut that  
5 material.

6 JUDGE RIDGEWAY: The objection is  
7 overruled. Go ahead.

8 MR. FARR: Thank you, Your Honor.

9 THE WITNESS: Thank you Your Honor.

10 JUDGE RIDGEWAY: Yes.

11 THE WITNESS: I'm just about to wrap this  
12 part up.

13 A. So Dr. Hofeller and I agreed -- and I think  
14 every expert in the field would -- that there's no  
15 magical number that -- you know, you can't say you have  
16 to draw 50 percent or 40 percent; rather districts well  
17 under 50 percent could, in his words, perform for African  
18 American voters, or in my words, provide them reasonable  
19 opportunities. Or in some cases, it may require more  
20 than 50 percent, which is why we were always instructed  
21 to do a searching practical inquiry.

22 Q. Okay. So then based on your -- you and  
23 Dr. Brunell's report and the number -- on his numbers,  
24 did you find politically significant racially polarized  
25 voting as you just described the difference between

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1 "statistically significant" and "politically  
2 significant"?

3 A. Yeah. What -- what I did was I looked at  
4 whether or not based on his numbers there was politically  
5 significant racially polarized voting in a district that  
6 was constructed at 40 percent African American voting age  
7 population. And I did an analysis to see whether or not  
8 based on his measures of African American cohesion and  
9 white crossover voting what kind of success you could  
10 expect for the candidate of choice of African Americans  
11 in a district that was 10 points below 50 percent voting  
12 age population.

13 Q. And did you prepare a chart based on his number  
14 that would help you explain this review that you did?

15 A. I did. Okay.

16 MS. EARLS: Your Honor, may I approach?

17 JUDGE HINTON: Yes.

18 MS. EARLS: Your Honor, may I approach the  
19 witness?

20 JUDGE RIDGEWAY: Yes, ma'am.

21 Q. I'm handing you what's been marked as  
22 Plaintiff's Exhibit 33 and it -- would using that chart  
23 help illustrate your testimony?

24 A. I -- I think it does. It's based solely on --  
25 on Dr. Brunell's numbers and his description of those

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1 numbers in his December 2012 affidavit, which corrected  
2 an error in his original report. And it focuses on the  
3 two general elections that he looked at county by county,  
4 2008 president and the 2004 state auditor.

5 I focused on general elections because they're  
6 quite different from primaries. In primaries, African  
7 Americans are 95 percent Democratic. Whites in North  
8 Carolina tend to lean Republican. And so Democratic  
9 Primaries with any appreciable degree of African American  
10 voting age population in a district is going to be  
11 overwhelmingly black in its voters.

12 In the 2008 primary statewide -- there is only  
13 21-and-change percent black voting age population --  
14 Barack Obama won the primary 56 percent of the vote.  
15 According to the 2008 exit poles, 33 percent to 34  
16 percent of the voters were African American compared to  
17 just 21 percent. So the real rub comes in the general  
18 elections where both African Americans and -- and whites  
19 are participating.

20 And so, as I explained before, using  
21 Dr. Brunell's methodology and numbers, the vote for the  
22 black candidate is simply the sum of the black vote and  
23 the white vote at some given level of voting age  
24 population. I also very conservatively presumed here  
25 equal turnout for blacks and whites so that a 40 percent

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1 black VAP district would be a 40 percent black voter  
2 district.

3 And that's conservative, because exit poles  
4 going back to 2008 show there's now higher African  
5 American participation in North Carolina elections than  
6 white participation. This has been a big story. It's  
7 been in the *New York Times* and all over about how African  
8 American turnout across the South has reached and in many  
9 cases surpassed white turnout. So it's a conservative  
10 presumption of equal turnout.

11 And so a 40 percent black voting age population  
12 district translates into a 40 percent black voter  
13 district. And so to estimate the expected vote for the  
14 black candidate of choice, you would take the black  
15 cohesion number, which is the percent of black voters for  
16 candidate of choice, multiply it by 40 percent; and then  
17 take the white crossover, multiply it by 60 percent and  
18 add the two numbers together.

19 Before I get to the bottom line, one more  
20 little nuance here. The next-to-last column says,  
21 "Minimum Number of White Voters for Candidate of Choice  
22 of Black Voters," and there's a simple reason why it's  
23 minimum. If you look down the previous column, "Percent  
24 of Black Voters for Candidate of Choice," you see a lot  
25 of 100s because this is just the result you got from

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1 Dr. Brunell's numbers. But a lot of those estimates are  
2 actually more than a hundred. Even though we know not  
3 more than 100 percent of the black vote can go to the  
4 black candidate, the estimation procedure, as Dr. Brunell  
5 did it, sometimes gave you 110 percent.

6 So let's say there are 10,000 black voters.  
7 And if you're estimating the votes for the black  
8 candidate from the black voters at 110 percent, you're  
9 going to get an extra 1,000 votes. You can't have 11,000  
10 votes being cast for the black candidate from 10,000  
11 black voters. So where do those extra 1,000 votes come  
12 from? You can't subtract them from the candidate,  
13 because the candidate gets what the candidate gets.  
14 That's just an election return. They have to come from  
15 the white voters.

16 So whenever there's a hundred, these estimates  
17 of white crossover should be higher because some of the  
18 vote that is actually ascribed to black voters for the  
19 black candidate actually comes from the white voters. I  
20 didn't readjust. I simply used the minimum numbers here.

21 So using this procedure, here's what we find.  
22 The final column for each of these counties, which are  
23 counties of interest that counsel told me were identified  
24 by this Court that were also analyzed by Dr. Brunell --  
25 in some cases, there are stars, because Dr. Brunell did

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1 not do those counties; but he did most of them. There's  
2 only one district -- one county, rather -- that's -- it  
3 ironically happens to be the first one, and I always  
4 mispronounce these names -- Beaufort where you're getting  
5 a projection in a 40 percent black VAP district of less  
6 than a majority vote for the black candidate of choice of  
7 the black voters.

8 If you look down the list, in every other  
9 instance, the projection is over 50 percent. In 77  
10 percent of the cases, almost 80 percent, it is over 55  
11 percent. And on average, you just average this out;  
12 including the Beaufort one, the average is 58 percent.  
13 And so what this shows is based on Dr. Brunell's numbers  
14 alone, not only give African Americans a fair chance to  
15 elect candidates of their choice, but quite a good chance  
16 to elect candidates of their choice. You don't need to  
17 draw 50 percent black VAP districts. You could draw  
18 districts that are below 50 percent black VAP, but at 40  
19 percent or above. And, remember, I'm using the lowest  
20 end of the range; 40 to 49.9, I'm using the 40. If I  
21 used the middle of the range, all of these numbers would  
22 go up.

23 So this is the kind of searching practical  
24 inquiry that's called for and explains why you can't just  
25 look at the abstract polarization numbers and draw

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1 conclusions about prong three of *Gingles* from them.

2 Q. Just a couple more questions about your --  
3 the -- this -- this Plaintiffs' Exhibit 33. Am I right  
4 that the counties listed in the very first column are the  
5 counties that Dr. Brunell listed in his report that he  
6 was -- that those were the 51 counties of interest that  
7 he indicates?

8 A. Yes. With a couple of caveats. One, he didn't  
9 do all 51; and, two, there are some counties listed here  
10 that the Court was interested in that Dr. Brunell didn't  
11 do. Like Davidson has stars -- three stars next to it.  
12 So I -- I -- I couldn't include that simply because there  
13 was no ecological regression results from Dr. Brunell in  
14 those counties. But it's most of the counties that the  
15 Court is interested in.

16 Q. And did you find any other corroboration, then,  
17 for the -- the conclusions that you draw from the -- from  
18 this chart in Dr. Brunell's report?

19 A. I did. Another way of looking at it would be  
20 to do an analysis that incorporates all the counties as a  
21 whole. It's not a county by county, but it kind of gives  
22 you a sum of what it looks like statewide for these  
23 counties.

24 However, Dr. Brunell did not in his report  
25 include ecological regression results for all the

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1 counties he was interested in when you put them together  
2 statewide as a single entity, but he did report  
3 homogenous precinct results. And there's a lot of them,  
4 because, you know, you're putting all the counties  
5 together that are 90 percent plus African American and 90  
6 percent plus white. And he did report that for both the  
7 2008 general for president and the 2004 general for  
8 auditor, and they're almost identical. Pretty  
9 remarkable, two elections held four years apart for  
10 utterly different kinds of offices.

11 In both cases, the African American cohesion is  
12 about 97 percent and the white crossover for the  
13 candidate of choice of the African American voters is  
14 about 40 percent. So if you apply those two numbers to a  
15 40 percent VAP district, again, under the conservative  
16 assumption of equal turnout, you get a projected vote for  
17 the African American candidate of their choice taking  
18 into account all of the data in a 40 percent black voting  
19 age population district of 62.5 percent.

20 So it does corroborate what we found county by  
21 county. Again, you're getting majority results for the  
22 African American candidate of choice and a 40 percent  
23 African American VAP district.

24 Q. Now, I -- I -- I do want to ask you if you -- I  
25 mean, this -- your chart was based on his numbers. But

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1 did you have any issues with his analysis of American  
2 cohesion or -- or, put another way, the extent to which  
3 black voters support the same candidates?

4 A. I did. And I believe he issued about a year  
5 and a half later an updated affidavit in which he caught  
6 the problem with black cohesion in his first report, but  
7 it -- it's an important problem because the second  
8 affidavit came long after the redistricting process was  
9 completed here.

10 Q. And the --

11 A. And the first report, I believe, came June 14th  
12 before the adoption of the final plans here in North  
13 Carolina.

14 Q. And what was the problem there?

15 A. Yeah. Can I --

16 THE WITNESS: Your Honor, can I use --

17 Q. Would it help you to illustrate your testimony  
18 to be able to --

19 A. Yes.

20 Q. Okay.

21 JUDGE RIDGEWAY: Yes.

22 THE WITNESS: Okay. Thank you.

23 A. So, remember, I said in an ecological  
24 regression analysis -- it would really help to have a  
25 marker.

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1 JUDGE HINTON: Behind you.

2 Q. They're on the ledge.

3 A. Ah, thank you.

4 But you get -- you're estimating the percent  
5 just to say, again, the vote for black candidate, but the  
6 black versus white two-person election, the percent for  
7 African American candidate. And you're analyzing this  
8 precinct by precinct. And this is a function of a simple  
9 linear equation, a straight line through the precincts  
10 where you have a constant turn -- like any line, there's  
11 a constant, the point at which it starts, and a slope.  
12 Okay. And the slope is B times X. And I'll explain this  
13 all.

14 X is the percent black in a precinct. So when  
15 there were no blacks, X is 0. Multiply anything by 0,  
16 you get 0. And you get A, the constant term, which is  
17 the percent of white voters voting for the black  
18 candidate when there are no blacks.

19 But you can get an actual example for Robeson  
20 County that Dr. Brunell did in his second report  
21 affidavit. So he got a constant term of 38 percent. So  
22 that means when there are no blacks and only whites, 38  
23 percent of whites voted for the African American  
24 candidate. This was the 2008 presidential general. And  
25 he got a number of .6 times X. That is for every 1

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1 percent increase in the black percentage, you would get a  
2 6/10 of a percent increase in the vote for the African  
3 American candidate.

4 So if we multiply this by 100 where there are  
5 only blacks -- so it's an all-black, all-African-American  
6 vote -- we get 60 percent. So the increase over where  
7 there is 0 blacks to where there are all blacks is 60  
8 percent. So we expect the black vote for the black  
9 candidate to be 60 percent -- or this is really  
10 percentage points -- higher than the white vote. So it's  
11 going to be 60 percentage points higher than 38 percent  
12 or 98 percent. That's the black cohesion, and 38 percent  
13 is white crossover.

14 What Dr. Brunell did until corrected in his  
15 December of 2012 report, he misinterpreted this as the  
16 black cohesion number, failing to add on the constant  
17 term or the 38 percent. This is the increase going from  
18 0 black to 100 percent black, not the black vote for the  
19 black candidate, and he explained that in his second  
20 affidavit -- affidavit.

21 This is of profound importance because, again,  
22 in assessing whether there is politically significant  
23 white bloc voting -- that is white bloc voting to usually  
24 defeat the African American candidate of choice -- it  
25 makes a big difference whether African Americans are

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1 voting at 60 percent or at 98 percent. If they're voting  
2 at 98 percent, much lower white crossover is needed to  
3 elect the African American candidate of choice; if  
4 they're voting at 60 percent, much more.

5 Let me give you the example. So if we have  
6 a -- again, a 40 percent African American, 60 percent  
7 white district. So the African American vote is 60  
8 percent. You multiply that by 40 percent. You should  
9 get 24 percent. Right? So that would mean 26 percent  
10 would have to come from the white side. That's not going  
11 to happen if we multiple .38 times 60 percent, which is  
12 the white vote. It's 23.

13 So we would only project a 47 percent vote.  
14 And we would say, Wow, even in a 47 VAP black district,  
15 the white crossover -- the white bloc vote is sufficient  
16 to defeat the African American candidate of -- of their  
17 choice; or put it another way, the crossover isn't great  
18 enough. But if the real cohesion is 98 percent, it's  
19 up to 23; but if we multiple 40 times 98, we get 39, and  
20 we're now up to 62 percent.

21 So it makes a huge difference to do this  
22 properly. And so his first analysis greatly understated  
23 the ability of African American voters to elect  
24 candidates of their choice in districts that are  
25 considerably below 50 percent African American voting age

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1 population.

2 MS. EARLS: Before you continue, Your  
3 Honor, just to preserve the record, I would like to mark  
4 this as a Plaintiffs' exhibit.

5 JUDGE RIDGEWAY: Yes, ma'am.

6 MS. EARLS: And I think that means this  
7 would be marked as Plaintiffs' Exhibit 35.

8 BY MS. EARLS:

9 Q. So I -- I -- just to make clear that you --  
10 what implications did -- does this error have, then, for  
11 his analysis?

12 A. The implications are that it's going to look  
13 like you need higher percentages of African American  
14 voting age population in the district to give African  
15 Americans a reasonable opportunity to elect candidates of  
16 their choice than you really do when you use the correct  
17 and much higher numbers for black cohesion.

18 Q. Did you have an issue with his estimates of  
19 white crossover?

20 A. Yes. And I think I already explained that.  
21 I'll just briefly allude to it again. In about 80  
22 percent of his instances, you're getting estimates of  
23 black cohesion of over 100. That can't be. Those excess  
24 votes supposedly coming from black voters actually have  
25 to be coming from white voters for the black candidate,

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1 and that means that white crossover in all of those  
2 instances to some degree or another is underestimated and  
3 that the -- the effect is the same. Once again, it  
4 magnifies the percent African Americans one might think  
5 you need in a district to give African American voters a  
6 reasonable opportunity to elect candidates of their  
7 choice.

8 Q. Now, separate and apart from these issues that  
9 you've identified, what -- were there -- was there  
10 anything incomplete about Dr. Brunell's analysis?

11 A. Yes. I think there was a good bit that was  
12 incomplete. First of all, he chose for analysis 51  
13 counties. I believe there are about 100 counties in  
14 North Carolina, so about half the counties were left out  
15 of the analysis. And for some reason or another -- and  
16 I'm not sure. He wasn't clear on it -- he didn't analyze  
17 all 51 either. Maybe he just didn't have the -- the data  
18 he needed in the -- in the others. But the -- the big  
19 point is he picked about half the counties.

20 Q. And did he explain in the report why he picked  
21 those 51 counties?

22 A. Well, between the report and the depo, I think  
23 I got the explanation fairly clearly. He was asked to do  
24 these 51 counties. And he didn't just go out in the  
25 world and decide on his own, These are the 51 counties I

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1 want to look at. And as he explained it, particularly in  
2 his deposition, he was asked by the Legislature to look  
3 at 40 Section 5 counties and 11 additional counties in  
4 which wholly or partly they believed they could draw  
5 African American voting age majority districts.

6 Q. Now, I want to ask you to look -- hold this  
7 thin notebook that should be on the witness stand in  
8 front of you. It -- it looks like there's one right  
9 there --

10 A. Thank you.

11 Q. -- but it's the Defendants' exhibits.

12 A. I have it, I think.

13 Q. And could you turn to Tab 2E?

14 A. Yep.

15 Q. Now, this is a map that's been offered by the  
16 Defendants and the title -- the heading says, "Counties  
17 confirmed by Dr. Block or Dr. Brunell as experiencing  
18 statistically significant racially polarized voting in  
19 Senate Districts."

20 And you may have heard earlier, the Defendants  
21 did stipulate that Camden County should not have been  
22 shaded on this map because Dr. Brunell's report  
23 explicitly says he couldn't -- he did not find  
24 statistically significant racially polarized voting in  
25 Camden County.

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1 MR. FARR: Objection. That's not what the  
2 report says. The report says that he couldn't find it  
3 one way or the other because of the lack of election  
4 results.

5 BY MS. EARLS:

6 Q. Okay. So my question to you, Dr. Lichtman, is:  
7 Are there any other inaccuracies with this -- with --  
8 and -- with regard to this map?

9 A. Well, I'm not sure what you mean by  
10 "inaccuracies"; but, you know, if you want me to comment  
11 broadly on the issues I see with this map, I will.

12 Q. Yes, please.

13 A. The first issue I see is tied to this map and  
14 to Dr. Brunell's testimony. In other words, before they  
15 saw this, before they had any data on racially polarized  
16 voting from their experts updated to recent elections,  
17 given the selectivity here, and so many counties left out  
18 and Dr. Brunell saying it was the covered counties plus  
19 counties where they thought they could draw majority VAP  
20 African American districts, they had kind of already made  
21 up their mind on how they wanted to draw the districts  
22 before they saw the data. And that ties into my second  
23 problem, of course. It's all the white spaces. It may  
24 well have been based upon if Dr. Brunell had looked at  
25 those counties, I suspect given the way he defined

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1 racially polarized voting, most of those counties would  
2 have been shaded in as well and there would really be no  
3 distinction.

4           My third problem is: Note when it says  
5 "statistically significant." That doesn't mean it's  
6 politically -- you know, I went through an explanation of  
7 the differences. That simply means it's not likely to be  
8 the result of chance. It doesn't mean it's big enough --  
9 white bloc voting is big enough in any of these counties  
10 to usually defeat an African American candidate of  
11 choice.

12           My next problem -- and maybe this is an  
13 inaccuracy -- is there are a number of counties based  
14 upon Dr. Brunell's report that don't belong here that  
15 are -- either do not show a pattern of racially polarized  
16 voting or don't show racially polarized voting at all  
17 based on his numbers.

18           Let me go through the general elections first.  
19 Beaufort doesn't belong. He found racially polarized  
20 voting by his standard, that is white and black voters  
21 voting for different candidates in only one of two  
22 elections. We've already eliminated Camden.

23           In Durham, he found racially polarization  
24 voting in his limited sense of African Americans and  
25 white voting for different candidates in only one of

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1 three elections he looked at. I think it might be  
2 instructive to look at Durham, because that does show --  
3 it's a big county, and it -- it doesn't belong here.

4 If you look at Dr. Brunell's second reports,  
5 the affidavit of December 10th, I believe, 2012, and if  
6 you look at the paragraph 7, 2008 presidential general  
7 election -- and it's Table 2 -- and you run your finger  
8 down to Durham, you see the white crossover vote; the  
9 "constant" he calls them. But that's the white vote for  
10 Obama. The white vote for the black candidate is 59.4  
11 percent. By no definition is that polarized voting. The  
12 black cohesion is actually a little over 100 if you add  
13 the 41.3 and the 59.4. So Durham is certainly not  
14 polarized in that election.

15 And if you go to the next table, the state  
16 auditor table, which is Table 3 on page 7, and you go  
17 down to Durham, you see 50 percent of the white voters  
18 are voting for the African American candidate who is the  
19 candidate of choice of African American voters.

20 He does look at one other general election in  
21 Durham that does show by his standards racially polarized  
22 voting. But in two out of three of the elections he  
23 looks at, it's not there, and this should not be a shaded  
24 county.

25 In Gates County, he only found it in one of

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1 two; in Robeson, in one of three; and in Lee, in one of  
2 two. Primary elections, same problem with Durham; in  
3 this case, only one of two. Forsyth doesn't belong  
4 there. Let me illustrate that. And, again, this is  
5 based on his interpretation in his first report, which is  
6 the only one that they had until December of 2012 when  
7 the redistricting process was long over.

8 In Forsyth, the way he interpreted black  
9 cohesion in his first report, only 47.7 percent of  
10 African American voters voting for the African American  
11 candidate, and the white crossover was 45.3; so they  
12 favored the same candidate.

13 Guilford, Greene, and Mecklenburg don't belong  
14 in here either based upon primary elections.

15 Now, this also cites Dr. Block, but Dr. Block  
16 did not do it county by county. Dr. Block only looked at  
17 Congressional, State House and State Senate Districts,  
18 but did not parse out the counties. Plus, Dr. Block's  
19 report does not provide backing for racially polarized  
20 voting in North Carolina. In over 60 percent of the  
21 elections he looked at, African Americans and whites  
22 voted the same way. So the chart is not only  
23 uninclusive, but too inclusive in what it has shaded  
24 here.

25 Q. And if you look at the map behind Tab F and Tab

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1 G of that Exhibit 2, the same -- those just superimpose  
2 different sets of districts, but the same criticism of  
3 the -- what's shaded what -- the counties where --

4 A. They look the same to me.

5 Q. Right. So they would be the -- you would have  
6 the same issues with those two maps as well.

7 A. All of the same issues.

8 Q. All of the same issues.

9 A. Did you ask me to look at G as well? I --

10 Q. Yes. Well, the three -- all three.

11 A. Yeah. They're all the same.

12 Q. Now, in addition to the fact that his analysis  
13 only looked at 51 counties and he was looking at the  
14 Obama 2008 primary and the general election, am I right  
15 that -- that the data would be available for -- for --  
16 for every county in North Carolina because the election  
17 returns were available for every county?

18 A. Absolutely. I don't understand why he excluded  
19 some counties --

20 Q. Yeah.

21 A. -- except he was asked -- this was what he was  
22 asked to do.

23 Q. So other than that issue, was there anything  
24 else that was incomplete about his analysis?

25 A. Yes. Another thing that was incomplete about

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1 his report was the other elections that he chose to look  
2 at. He chose to look at a handful, maybe 10 elections,  
3 in counties and in districts.

4 And the problem was I could not discern any  
5 scientific selection criteria for why he picked the  
6 elections he did and why he excluded many, many others.  
7 Dr. Block analyzed scores or more State House,  
8 Congressional, and State Senate districts, which are what  
9 we call endogenous elections. They're the on-point  
10 elections in this case. Most of those were not analyzed  
11 in the Brunell report and yet other elections such as the  
12 sheriff and county commission were analyzed.

13 He also tended to focus on 2010, which is, you  
14 know, as we know, a very good Republican year. 2008 was  
15 a good Democratic year. So to balance it, it would have  
16 been, I think, wise to look at both.

17 And, in fact, in a couple of cases, he looked  
18 at 2010 elections and didn't look at 2008 elections  
19 involving the very same African American candidate.  
20 That's Don Davis in North Carolina State Senate District  
21 5 and Floyd McKissick in North Carolina State -- State  
22 Senate District 20. He analyzed the two 2010 elections,  
23 but you also had a 2008 election in those same districts  
24 involving exactly the same candidates. And based upon at  
25 least Dr. Block's results, neither of those 2008

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1 elections were polarized.

2 Q. Can -- can I ask you just briefly, so you did  
3 review Dr. Block's report.

4 A. I did.

5 Q. And what did his analysis show?

6 A. Well, as I said, the great majority -- more  
7 than 60 percent -- of the elections he looked at, they  
8 weren't polarized at all. And in many of the other  
9 elections he looked at, the polarization was minimal with  
10 white crossover being over 40 percent, sometimes close to  
11 50 percent.

12 And, finally, he compared success rates for  
13 African American candidates in majority-minority  
14 districts and no majority-minority districts. And that's  
15 not a useful comparison, because the category "no  
16 majority districts" is going to include districts 10  
17 percent, 20 percent, 5 percent minorities. So it --  
18 it -- you know, I -- I don't think that comparison, you  
19 know, really provided any additional information.

20 Q. So turning back to Dr. Brunell's report, was  
21 there anything else that was incomplete in that?

22 A. I haven't quite finished.

23 Q. I'm sorry.

24 A. That's okay. I was kind of in the middle.

25 So those -- that's an example of two elections

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1 with the same candidates in two different years that he  
2 didn't analyze; and the ones he didn't weren't polarized,  
3 at least according to Dr. Block.

4 He also reached back for one election back to  
5 2006, and that's in House District 60. And yet, in fact,  
6 there was a 2010 election in House District 60 which he  
7 didn't analyze. And, again, according to Dr. Block's  
8 report, that election was not polarized. Both  
9 candidates -- both whites and blacks had the same  
10 candidates of choice.

11 Not only was there a very small number of  
12 elections analyzed with no clear rationale, in cases  
13 where you're dealing with the same districts and even the  
14 same candidates in some cases, there was a high degree of  
15 selectivity which affected his conclusions.

16 Q. Dr. Lichtman, in light of our limited time, I  
17 want to ask you to -- with regards to Dr. Brunell's  
18 report, does his report show the results of the  
19 elections?

20 A. No. And this is really important. There's no  
21 way of assessing whether racially polarized voting is in  
22 the sense politically significant meeting the prong three  
23 of *Gingles* without knowing the outcome of elections and  
24 without knowing the African American composition of the  
25 counties or the districts in which those elections

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1 occurred. None of that information is presented in the  
2 Brunell report, so we -- we don't have a bottom line  
3 here.

4 Q. Did you do any analysis that looked at the  
5 outcome of elections?

6 A. I did.

7 Q. And -- and what did you do?

8 A. I took information that was publicly available  
9 to everyone; and that is, I looked at House, Senate, and  
10 Congressional existing districts. And I looked at, where  
11 possible, two sets of districts -- those over 40 percent  
12 African American VAP, but under 50 percent African  
13 American VAP, and if available, those that were 50  
14 percent or more African American VAP -- and I simply  
15 looked at who won those districts. And I looked at both  
16 2008 and 2010 to get in recent elections and to get in  
17 one good Democratic year and one good Republican year so  
18 we're not tilting the analysis.

19 And I also did one other thing, and that is I  
20 just made sure when there was a contest that -- whether  
21 or not the winning candidate was actually the African  
22 American candidate of choice. And that --

23 Q. Doctor --

24 A. Yeah.

25 Q. -- I'm sorry. Would you turn to the white

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1 exhibit notebook, the larger notebook --

2 A. Sure.

3 Q. -- in front of you and look at Plaintiffs'  
4 Exhibit 20, which is behind -- behind Tab C20.

5 A. Yep. I got it.

6 Q. Now, is there a table that you prepared --

7 A. Yes.

8 Q. -- that will help you explain?

9 A. Yes. That reflects the analysis I was just  
10 discussing for House districts. And this first table  
11 looks at House districts that were 40 percent or more --  
12 existing House districts -- African American voting age  
13 population, but under 50 percent African American voting  
14 age population. And there were 11 such districts. One  
15 was a little ambiguous, but I counted it here because  
16 based on 2010, although not 2000, it was under 50; and my  
17 two elections are closer to 2010. And what I found  
18 was --

19 Q. Excuse me. When you say "existing," you meant  
20 before the 2011 redistricting?

21 A. That is correct.

22 Q. Thank you.

23 A. That is correct.

24 And what I found was there are 11 such  
25 districts, so it's a reasonably good sample. And in 10

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1 of the 11 districts, African American candidates of  
2 choice of African American voters prevailed. That is  
3 black candidates won 10 of 11 of these districts and won  
4 all general and primaries or there was no contest in  
5 generals and/or primary elections. That is a win rate  
6 for African American candidates in districts at this  
7 level of 91 percent.

8 The only exception was in House District 102  
9 where a white candidate prevailed in all elections, and  
10 that white candidate was not the candidate of choice of  
11 African American voters.

12 So then the second step I did, you also had a  
13 reasonable sample of House districts prior to the current  
14 redistricting that were 50 percent or more African  
15 American in their voting age population, and there were  
16 10 such districts. I guess that's the very next table.  
17 It's labeled Table 2.

18 Q. And that's Plaintiffs' Exhibit 21?

19 A. Yes. And here African American candidates  
20 prevailed in 8 of 10 elections. That's an 80 percent win  
21 rate, 11 percentage points below the win rate for African  
22 American candidates in districts that were 40 percent or  
23 more African American VAP, but below 50 percent African  
24 American VAP.

25 If you add in House District 27 where you had a

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1 white candidate winning who was also the African American  
2 candidate of choice -- an African American candidate of  
3 choice could be white -- then the win rate goes up to 90  
4 percent comparable to the 91 percent win rate for the  
5 lower level districts, and that win rate was solely for  
6 African American candidates.

7 Then I did the same analysis for the Senate,  
8 and I think that's Tab 22.

9 Q. And exhibit -- Plaintiffs' Exhibit 22.

10 A. Yes. Now, for the Senate, we don't have  
11 districts that are 50 percent or more African American  
12 VAP for the previous round of redistricting, so I could  
13 only look at those districts that were 40 percent or more  
14 African American VAP but below 50 percent. I didn't have  
15 the comparative basis like I did for the House.

16 And I found 8 such districts, and African  
17 Americans prevailed -- African American candidates  
18 prevailed in 6 of those 8 districts for a win rate of 75  
19 percent. When you add in, as I did for the House, 50  
20 percent plus black VAP districts, a white candidate who  
21 was the candidate of choice of African Americans, then  
22 the win rate for candidates of choice of African  
23 Americans in these districts goes up to 88 percent.

24 And, by the way, I believe that that white  
25 candidate of choice was the same former state senator,

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1 Senator Garrou, who testified here in -- in -- in the  
2 courtroom.

3 And then, finally, I looked at Congressional.  
4 And, again, we didn't have any Congressional districts in  
5 the prior redistricting that were at the 50 percent or  
6 higher level; but we did have two at the 40 to 50 percent  
7 level. And in all cases in all elections, African  
8 American candidates who are candidates of choice of the  
9 African American voters prevailed for a win rate of 100  
10 percent.

11 Q. And that's reflected on Plaintiffs' Exhibit 23?

12 A. Yes. And finally I put it all together.

13 Q. Your Honor -- I'm sorry. Dr. Lichtman, before  
14 you do that --

15 A. Okay.

16 Q. -- I want to ask you a couple more questions.

17 A. Sure.

18 JUDGE RIDGEWAY: But let me, before you do  
19 that, just -- the clerk informs us that you have probably  
20 a little less than 25 minutes for the Plaintiffs' case,  
21 according to our ground rules.

22 MS. EARLS: Thank you, Your Honor.

23 THE WITNESS: Does that mean I should  
24 speak faster?

25 BY MS. EARLS:

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1           Q.    In front of you I believe there is a document  
2           that has previously been -- that -- that Mr. Speas handed  
3           up -- it's -- it's this -- it's labeled "Erica Churchill  
4           - Exhibit 81."  It's the next -- it's the big -- it's a  
5           big packet with a binder on it.

6           A.    Yes.

7           Q.    And -- and I just want to ask you to look --  
8           I'm going to focus on a particular election just to -- so  
9           you can have -- tell us about the data that's there.  And  
10          if you wouldn't mind, in the -- in that clip is a packet  
11          of actually several exhibits from that deposition, and  
12          the -- in the second packet is Exhibit 82.  So if you  
13          look at -- it's Senate --

14          A.    I don't know what you mean by "the second  
15          packet."  This one?

16          Q.    No, no.  In the same -- it's --

17          A.    I see it.  I got it.

18          Q.    Okay.  And if you could go about, it's roughly  
19          28 pages into that packet and look at the page that's  
20          headed "2006 Senate District 40."

21          A.    Good luck in finding it.  These pages are not  
22          numbered.  I'll try to find it.  I got it.

23          Q.    Okay.  If you look at the data that appears  
24          there, does that -- is that the kind of data that you  
25          relayed on -- relied on in the analysis that you just

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1 took us through?

2 A. Yes. It's the same data. In other words, it  
3 gives you the racial composition of the district and  
4 tells you whether the winner is black or white. You  
5 don't need me to compile this or even make those little  
6 tables. You know, it -- it's self-evident data, public  
7 data available well before the redistricting process.

8 Q. So then what did you find when you put together  
9 the House, Senate and Congressional election returns that  
10 you analyzed for 2008 and 2010?

11 A. Yes. With respect to districts that were under  
12 50 percent black VAP, but 40 percent or more -- there  
13 were 21 of them -- and African American candidates  
14 prevailed in 18 of 21 for a win rate of 86 percent. If  
15 we add in Senator Garrou as an African American candidate  
16 of choice who isn't African American, then African  
17 American candidates of choice in these districts  
18 prevailed 19 of 20 -- 19 of 21 districts -- House, Senate  
19 and Congressional -- for an overall win rate of 90  
20 percent.

21 Q. Okay. You -- I also would like you to look at  
22 Plaintiffs' Exhibits 24 to 27. And I am not going to ask  
23 you to explain them all in light of the time remaining,  
24 but could you just look at those and tell us if those are  
25 tables that you prepared?

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1           A.    They are tables I prepared, and the first two  
2           are extremely simple.

3           Q.    What do the first two show you?

4           A.    They simply look at the existing districts,  
5           that is the ones before the current redistricting, and  
6           the enacted districts and they simply look at for the  
7           House and the Senate districts with some con -- with some  
8           concentration of African Americans at least 30 percent or  
9           more.

10                   And the bottom line is -- is in the last  
11           column; and that is, if you look at the districts that  
12           were created in the enacted plan that had really any  
13           appreciable degree of African American concentration, 26  
14           of them, 23 of the 26 -- almost all of them -- were drawn  
15           at the 50 percent or above black voting age population.  
16           That -- that can't be an accident. That has to be a --  
17           you know, a design within this districting process which  
18           was also corroborated by the testimony I previously  
19           recounted from Professor Brunell.

20                   The second Table 6, Plaintiffs' Exhibit 25,  
21           does the same thing for the Senate. There are 10  
22           districts that are 30 percent or more African American  
23           voting age population, and 9 of the 10 were drawn above  
24           the 50 percent African voting age population mark.

25           Q.    Thank you.

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1 MS. EARLS: Your Honor, at this time, I  
2 would like to move admission of Exhibit 12, which is -- I  
3 think you admitted his CV, perhaps. So I -- I need to  
4 move admission of Exhibits 20 through 29 and Exhibit 33  
5 and Exhibit 35.

6 MR. FARR: Your Honor, just subject to our  
7 previous objection about the -- our view that this  
8 witness should not have been allowed to testify, we have  
9 no objection to the introduction of these exhibits.

10 JUDGE RIDGEWAY: All right.

11 MS. EARLS: And -- and -- and, Your Honor,  
12 just to be clear, Exhibit 29 is the -- Exhibits 28 and 29  
13 are affidavits of Dr. David Peterson. I was still trying  
14 to take care of everything all at once. He -- previously  
15 we had agreed he could --

16 MR. FARR: We've already agreed to that,  
17 Your Honor.

18 JUDGE RIDGEWAY: All right. So 20 through  
19 29, 33 and 35 are received into evidence subject to the  
20 relevancy objections that were raised previously and the  
21 presumption that this Court is operating on regarding  
22 considering only admissible and relevant evidence and  
23 assigning the appropriate weight thereto.

24 All right. So they are received.

25 MS. EARLS: I have no further questions

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1 for this witness.

2 JUDGE RIDGEWAY: All right.

3 Cross-examination?

4 MR. FARR: Yes, sir.

5 **CROSS-EXAMINATION**

6 BY MR. FARR:

7 Q. Dr. Lichtman, my name is Tom Farr. Somehow  
8 we've missed each other over the last 30 years.

9 A. It's hard to believe.

10 Q. I'm looking at the Plaintiffs' white notebook.

11 A. This one? This big trial notebook?

12 Q. Yes. I'm looking at your -- it's your CV.

13 It's Exhibit 12. And I want to ask you about your list  
14 of cases --

15 A. Sure.

16 Q. -- if you can find that, please.

17 A. Okay.

18 Q. First of all, have you worked before with any  
19 of the attorneys who are here today?

20 A. Yes. I've worked with Mr. Speas and Ms. Earls.

21 Q. Have you worked with them in North Carolina  
22 cases before?

23 A. I believe they were North Carolina cases.

24 Q. Okay. And do you -- do you recall when the  
25 legislation at issue here was enacted? Would you --

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1 would you disagree with me if I said it was July 2011?

2 A. That's my understanding.

3 Q. Okay. Did you submit any of the comments or  
4 opinions or testimony to the General Assembly of North  
5 Carolina before July of 2011?

6 A. No.

7 Q. Did you have any discussions with any of the  
8 lawyers who are here today about submitting comments to  
9 the General Assembly?

10 A. No.

11 Q. Okay. So your affidavits that you've filed in  
12 this case and your testimony here today were not in front  
13 of the General Assembly when they enacted the plans at  
14 issue?

15 A. No. But a lot of the information that I  
16 presented was.

17 Q. But your opinion of the information wasn't in  
18 front of the General Assembly?

19 A. That's correct.

20 Q. Okay. Now, you -- you got a lot of cases  
21 listed here. I think you said there were about 80.

22 A. That's an approximate count. I'm not sure I've  
23 had every case I've been in listed here, but it's most of  
24 them.

25 Q. Okay. Are you a registered Democrat?

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1 A. Yes.

2 Q. Have you run for office as a Democrat?

3 A. Very unsuccessfully.

4 Q. And you ran for the U.S. Senate --

5 A. Yes, I did.

6 Q. -- in Maryland; was that right?

7 A. Yes.

8 Q. Did you get arrested during that campaign?

9 A. I did for a political demonstration, and I was  
10 fully acquitted on all counts.

11 Q. Okay. Let me ask you about the cases you have  
12 listed here. In any of these cases that you've listed,  
13 did you -- were you testifying on behalf of a Republican  
14 candidate?

15 A. Yes. I think I -- I don't remember the case,  
16 but I worked for the Republican -- Massachusetts  
17 Republican Redistricting Task Force Committee in the  
18 1990s. And I don't think it's listed here as a case, but  
19 it's listed in my CV. My longest project in recent years  
20 has been for the Republican mayors of New York City,  
21 Rudolph Giuliani and Michael Bloomberg back when he was a  
22 Republican. I was the redistricting adviser for their  
23 Charter Review Commission that was trying to transform  
24 New York City elections into nonpartisan elections, and  
25 our biggest opponents by far were the Democratic --

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1 activists on the Democratic Party, which greatly  
2 benefited from partisan elections because New York City  
3 is so overwhelmingly Democratic.

4 Q. Okay. And out of all the -- these cases you  
5 have listed, are there any others where you've testified  
6 on behalf of a Republican?

7 A. There probably are, but I -- frankly, I'm not  
8 even sure in most of these cases necessarily what the --  
9 the political composition was. I know I testified  
10 against the Democratic government of Maryland, my home  
11 state, on a motor-voter case. I'm not sure who brought  
12 the case, but it was against a Democratic state, a  
13 Democratic governor, and a Democratic General Assembly.

14 Q. Let's talk about redistricting cases such as  
15 this one. How many of those types of cases have you  
16 testified on behalf of a Republican?

17 A. I can't say because a lot of them I don't know,  
18 you know, the partisan composition of those who were  
19 involved necessarily. So I -- I -- I -- I can't answer  
20 that question.

21 Q. Okay. But nothing comes to mind today?

22 A. Well, I think I mentioned a few things already.

23 Q. But --

24 A. Beyond that...

25 Q. -- in a redistricting case.

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1           A.    I think the Republican Redistricting Task Force  
2           was a redistricting matter.

3           Q.    That's in Massachusetts?

4           A.    Yes.

5           Q.    Okay.

6           A.    And other than that, I'm just not sure.

7           Q.    All right. I wanted to ask you --

8           A.    Oh, I think -- well, *DeGrandy vs. Wetherell*,  
9           yeah. I sat with kind of Tom Hofeller's counterpart. I  
10          forget -- the redhead guy. I forget his name. Maybe you  
11          can refresh me. He was head of their redistricting task  
12          force, and we were on the Republican side in the big  
13          *DeGrandy vs. Wetherell* case that became the Supreme Court  
14          case.

15               And the reason for that was Florida's got an  
16          interesting situation. Particularly back then, most of  
17          the Latinos in Florida were Republican. So I believe I  
18          was testifying on behalf of Latinos and also working with  
19          the Republicans on that case. So, you know, now that I  
20          think about it, there -- there are some others.

21          Q.    Okay. Were you a witness in the -- in  
22          connection with the Congressional plan that was enacted  
23          in Illinois --

24          A.    Yes, I was.

25          Q.    -- in 2011?

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1 A. You're talking about the most recent?

2 Q. Yes, sir.

3 A. Yes, sir.

4 Q. And what was the nature of your testimony  
5 there?

6 A. Well, there was a lot of testimony there. Part  
7 of the testimony was the same kind of testimony I'm  
8 giving here, and that is was there politically  
9 significant white bloc voting sufficient to defeat the --  
10 in this case it was Hispanic candidates of choice --

11 Q. Okay.

12 A. -- in districts or jurisdictions at a given  
13 level. And my bottom line conclusion was in a lot of  
14 districts and jurisdictions that were not majority  
15 Hispanic, the white bloc vote was not sufficient. I also  
16 testified on -- that was in the Congressional case.

17 I also testified on the state side not in live  
18 testimony, but in reports, because that was decided on  
19 the summary judgment; and my analysis was that they had  
20 not demonstrated -- again, the same point, that in the  
21 districts they were challenging that white bloc voting  
22 was sufficient to usually defeat the Hispanic candidates  
23 of choice. There were a lot other complicated issues  
24 that I testified about as well, including exactly how  
25 districts were crafted, whether districts were racially

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1 gerrymandered, particularly a Congressional district in  
2 Chicago.

3 Q. So is it fair to say you testified in support  
4 of a plan that was ultimately enacted?

5 A. Yes. And that the Court upheld in both cases.

6 Q. Okay.

7 MR. FARR: Your Honors, I would like to  
8 distribute some exhibits --

9 JUDGE RIDGEWAY: Yes.

10 MR. FARR: -- related to the Illinois  
11 Congressional plan.

12 THE WITNESS: Can I put this away? Can I  
13 put this away?

14 (Pause.)

15 BY MR. FARR:

16 Q. Dr. Lichtman, does Exhibit 21 appear to be a  
17 statewide map of the 2011 Illinois Congressional plan?

18 A. It appears to be; but it's been a couple of  
19 years since I looked at a plan. But I'll take your word  
20 for it. I'm not going to quibble.

21 Q. Okay. Is Exhibit 22 kind of an area map of the  
22 Congressional plan in Chicago?

23 A. I can't -- that's a little harder to verify,  
24 because you're now dealing with pretty fine points of  
25 geography, and I cannot verify that as I sit here.

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1 Q. Are you familiar --

2 A. It looks similar. But whether it's the same, I  
3 can't say.

4 Q. Okay. And are you familiar with the so-called  
5 "earmuff district" in --

6 A. I am.

7 Q. And on Exhibit 22, could -- does there appear  
8 to be a version of the "earmuff district"?

9 A. Yes. But I don't know whether that's the old  
10 version pre-2010 or the new version post-2010.

11 Q. Could you -- what -- on this particular  
12 exhibit, what number is assigned to the "earmuff  
13 district"?

14 A. Four.

15 Q. And why was it called the "earmuff district"?

16 A. Well, you know, districts take on colloquial  
17 names to identify them easily; and it's called an  
18 "earmuff" because in one construction, it could look like  
19 an earmuff.

20 Q. Okay. And is that a majority Hispanic  
21 district?

22 A. Yes. But wait, wait, wait. That's a difficult  
23 question, because there are three levels in which you  
24 would analyze it.

25 Q. Well, sir --

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1 A. Let me finish.

2 Q. Okay.

3 A. Yes. It's majority Hispanic total pop. Yes,  
4 it's a majority Hispanic VAP, but not probably Hispanic  
5 majority citizen voting age population. There's a huge  
6 dropoff in the City of Chicago between voting age  
7 population and citizen voting age. So citizen, it's  
8 probably not a majority Hispanic citizen voting age  
9 population district.

10 Q. And, Dr. Lichtman, hasn't that district been  
11 challenged before on the grounds of being a racial  
12 gerrymandering?

13 A. Well, not this exact district.

14 Q. An earlier version.

15 A. Earlier versions that are similar, but by no  
16 means identical.

17 Q. Right.

18 A. Very important differences between -- assuming  
19 this is the current district -- and I have no idea -- and  
20 previous. And a lot of my testimony was focused on those  
21 differences.

22 Q. Okay. But some -- an earlier version of this  
23 that looked kind of like this district was upheld in the  
24 case where it was challenged as a racial gerrymander?

25 A. I believe that's correct.

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1           Q.   And in that case, did the Court not find that  
2 all the *Gingles* preconditions were present?

3           A.   I don't recall. It's a 1990s case. I -- I --  
4 I -- I don't recall.

5           Q.   All right. Are you familiar with the political  
6 impact of -- of the 2011 Congressional plan in Illinois?

7           A.   Not for the whole state, but generally.

8           Q.   Did -- were you aware there were five or six  
9 Republican incumbents who were drawn into the districts  
10 with other incumbents?

11          A.   I don't know the number, but I know there was  
12 some.

13          Q.   And were you aware that either five or six  
14 Republican incumbents were defeated in the 2012 general  
15 elections?

16          A.   I don't know the exact number, but it was  
17 something in that range.

18          Q.   Okay. All right. Now, I wanted to turn to the  
19 black notebook.

20          A.   The thin one?

21          Q.   Yes, sir. This is the Defendants' note --  
22 exhibit notebook, and go to tab -- let's go to Tab E.

23          A.   I'm there.

24          Q.   And do you recall testifying about this map  
25 when under direct examination?

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1 A. I do.

2 Q. Now, Dr. Lichtman, your -- I -- I agree I --  
3 you're a common, well-known expert and I'm -- I'm glad to  
4 meet you finally.

5 A. Are you setting me up for something here?

6 Q. Of course, I am. I doubt that -- I doubt I'll  
7 be successful, but I'm going to try.

8 And you're familiar with the demographics in  
9 North Carolina?

10 A. Not intimately, no. I mean, I -- I know the  
11 population percentages and things of that nature. But,  
12 no, I haven't drawn any North Carolina plans or anything  
13 like that. So, no. And my testimony is not about that.

14 Q. Okay. Well, you -- you testified about this  
15 map and you --

16 A. But not in terms of the demographics; in terms  
17 of the counties included and excluded and the racial  
18 polarization. I did not testify about the racial  
19 composition of -- of -- of -- of counties in North  
20 Carolina.

21 Q. But did you not state that there was -- you can  
22 see no reason why there had not been a polarization study  
23 done in the white counties, or words to that effect?

24 A. I think if you're going to do a polarization  
25 study, you should not exclude counties, yes.

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1           Q.    Okay.  Do you know whether -- let's -- looking  
2   at the white counties, the ones that are not shaded, do  
3   you know if North Carolina has ever enacted a majority  
4   black or a majority-minority coalition district in any of  
5   those white counties since the *Gingles* case?

6           A.    I don't know, but that's not the standard I  
7   would use.

8           Q.    Well, I know it's not the standard you would  
9   use; but do you know whether there has been any districts  
10  enacted in those white counties that are either majority  
11  black or minority borders?

12          A.    That touch upon any of those white counties, I  
13  do not know.

14          Q.    Okay.  And do you know whether there are any  
15  pockets of African American population in any of those  
16  white counties that would be sufficiently numerous to  
17  form a majority in a compact district?

18          A.    They might in combination with other counties.  
19  Lots of districts, you know, include more than one  
20  county.

21          Q.    Well, what -- what counties would those be?

22          A.    I don't know.  That's why I said "might."

23          Q.    Okay.  All right.  I want to ask you, given  
24  your testimony, do you think it would be legally  
25  permissible for North Carolina to -- well, let me start

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1 over.

2 Do you know what the statewide voting age  
3 population is for African Americans in North Carolina?

4 A. I think it's a little over 21 percent.

5 Q. Okay. Do you think it would be legal for North  
6 Carolina to draw all of its Legislative and Congressional  
7 districts at a black voting age percentage of 21 percent?

8 A. I think I'll leave the legal issues to the  
9 judges. But it's not what I would recommend if I was  
10 asked to be the redistricting adviser, like I have been  
11 in other states.

12 Q. And why wouldn't you recommend that?

13 A. Because it may well be that you need a higher  
14 percentage than 21 percent to provide African Americans a  
15 reasonable opportunity to elect candidates of their  
16 choice.

17 Q. So -- so for -- for African Americans to have a  
18 reasonable opportunity to elect their candidate of  
19 choice, you believe that they have to have a black  
20 percentage in -- in the district that's higher than what  
21 the statewide average is in North Carolina.

22 A. I haven't looked at the statewide average; but  
23 from what I've looked at, the answer -- in -- in a given  
24 district, the answer is yes.

25 Q. Okay. Bear with me for a second.

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1 A. Sure.

2 Q. Let me see if I've got one of the exhibits or  
3 let me see if I can just ask the question.

4 You -- you showed us some charts and tables  
5 about the win rate for African Americans in districts  
6 that were between 40 percent and 49 percent.

7 A. I did.

8 Q. Can you tell me all of the data that you looked  
9 at in making that calculation?

10 A. I looked at census data, election returns for  
11 the district and precinct-by-precinct election returns.

12 Q. So you looked at the census data and you looked  
13 at the election returns?

14 A. Yes.

15 Q. And precinct-by-precinct information?

16 A. Yes. And, of course, the racial identification  
17 of the candidates.

18 Q. All right. Did you look at anything else?

19 A. Precinct-by-precinct demography, too; the  
20 breakdown of African Americans and whites in the  
21 precincts.

22 Q. Okay. And is that it?

23 A. Yes.

24 Q. Nothing else?

25 A. I don't believe so. Not as --

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1 Q. Okay.

2 A. -- to the best of my recollection.

3 Q. All right. Now, I'm going to try to find your  
4 affidavit in this notebook, the first affidavit.

5 All right. Dr. Lichtman, it's -- it's Tab 13  
6 in the white notebook.

7 A. Okay.

8 Q. Okay. Could you turn to paragraph 13?

9 A. Okay. Now, this is not the same affidavit from  
10 which those tables were taken. I just wanted to make  
11 that clear.

12 Q. What's that, sir?

13 A. This is not the same affidavit from which those  
14 tables were taken.

15 Q. Okay. I -- I -- that's all right. I just want  
16 to ask you --

17 A. Okay. I just want to make that clear.

18 Q. -- I just want to ask you to read your  
19 testimony.

20 A. Sure.

21 Q. Okay. Could you -- could you read into the  
22 record paragraph 13?

23 A. Tables 4 and 5 show the results of creating 50  
24 percent plus African American districts for State House  
25 and State Senate districts. As compared to the benchmark

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1 of the existing plan, the state proposed plan for State  
2 House needlessly packs African Americans into districts  
3 greater than 50 percent black in their voting age  
4 population. The result is to diminish substantially the  
5 influence of African American voters in other House  
6 districts. As indicated in Table 4, the existing  
7 benchmark State House plan has 32 districts that are 30  
8 percent or more black in their voting age population  
9 compared to 26 in the state-passed proposed State House  
10 plan. As indicated in Table 5, the existing benchmark  
11 State plan has 15 districts that are 30 percent or more  
12 black in their voting age population compared to 10 in  
13 the state proposed -- the state --

14 Q. Okay.

15 A. -- proposed State Senate plan.

16 Q. All right, sir. Now, were you here for the --  
17 the testimony with Dr. Hofeller and the testimony about  
18 this proportionality chart that he --

19 A. I heard it, but I didn't see any of the  
20 exhibits. I didn't follow it real well.

21 Q. And since you were a witness in the -- in the  
22 *DeGrandy* case, do you understand what the term  
23 "proportionality" means?

24 A. I do.

25 MR. SPEAS: Your Honor, I'm going to have

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1 to object to this line of questioning. Proportionality  
2 was not deemed relevant for Hofeller and I don't see how  
3 it's relevant here.

4 MR. FARR: Well, I --

5 JUDGE RIDGEWAY: Mr. Farr, I have  
6 sustained the objection there. Are -- are you bringing  
7 it back to a point that's --

8 MR. FARR: Yes, sir, if you would give me  
9 a chance.

10 JUDGE RIDGEWAY: Okay. Go ahead.

11 MR. FARR: All right. Thank you.

12 BY MR. FARR:

13 Q. So could you tell the Court what is meant by  
14 "proportionality"?

15 A. Well, in -- in -- in the most limited sense,  
16 that is, it is simply taking the African American, let's  
17 say, voting age population and seeing how many districts  
18 in a given plan -- Congress, State House, State Senate --  
19 would be represented by that percentage. So if you have  
20 100 districts and the African American VAP is 20,  
21 proportionality is 20. It's a simple mathematical  
22 calculation.

23 Q. All right. So -- and did you hear Dr. -- I  
24 think Dr. Hofeller's chart stated that in the House, the  
25 proportionality might be 24.

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1           A.    I don't know.  I did not see his chart.

2           Q.    Well, let's -- let's take -- if you would  
3   accept my word for that, I think that's what it says.

4           A.    I will accept your word that his chart says  
5   that, sure.

6           Q.    All right.  So you talk about in the old House  
7   plan, there were 32 districts that were above 30 percent  
8   black?

9           A.    That sounds right.

10          Q.    And that would be above proportionality if  
11   proportionality in North Carolina would be 24 House  
12   seats; is that not correct?

13          A.    32 is higher than 24, yes.

14          Q.    All right.  And you talked about African  
15   Americans having a reasonable opportunity to elect in a  
16   40 to 50 percent black voting age district in your  
17   affidavit; is that right?

18          A.    That's right.

19          Q.    So -- so, Dr. Lichtman, if they have a  
20   reasonable opportunity to elect in a 40 to 50 percent  
21   district, would it not follow that they would have a  
22   reasonable opportunity to elect in a district that was  
23   above 50 percent black?

24          A.    Yes.

25          Q.    And in paragraph 13 --

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1 MR. FARR: And, Your Honors, I won't ask  
2 him to read paragraph 14 into the record, unless we need  
3 to.

4 Q. But is it not true, Dr. Lichtman, that you  
5 state in your affidavit that the injury to African  
6 American voters by drawing the districts up to 50 percent  
7 is it decreases their influence in surrounding districts?

8 MS. EARLS: Objection, Your Honor. I  
9 think -- I think this goes beyond the issue that's before  
10 the Court, which is whether these districts were located  
11 in the right place, not the injury that -- that the  
12 Plaintiffs suffered.

13 MR. FARR: Your Honor, it goes to  
14 impeaching the expert witness here.

15 JUDGE RIDGEWAY: It -- it seems like that  
16 we're -- we're spending time on proportionality, which is  
17 one of not -- it's not one of the issues before the  
18 Court. I'll allow you to ask limited inquiry into this  
19 but urge you to move on.

20 MR. FARR: I'm about finished, Your Honor.

21 BY MR. FARR:

22 Q. Do you not say in this affidavit that the  
23 result of drawing the 50 percent districts is to diminish  
24 the influence of African American voters in other House  
25 districts?

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1           A.    That's only in comparison to the existing plan.  
2    There could be all kinds of other plans that, in fact,  
3    could create additional African American opportunity  
4    districts.  If you reduce the percentages down from 50  
5    percent to 40 percent, it naturally follows that you  
6    would have more African Americans to put in more  
7    districts.

8           Q.    But influence is different than having an  
9    opportunity to elect in Voting Rights' terminology; isn't  
10   that correct?

11          A.    Yes.  That's why I gave the answer that I did.  
12   You can create more 40-percent-plus districts.

13          Q.    Between the -- between the 2011 enacted plans  
14   and all the 2011 alternatives, do you know which plans  
15   have the highest number of districts that are 40 percent  
16   or higher?

17          A.    I haven't looked at any alternative plans.

18          Q.    Okay.  And -- and the -- the harm caused by the  
19   enacted 2011 plans as compared to the 2000 pair of plans  
20   is that drawing the districts up to 50 percent has  
21   decreased the influence of African Americans in adjoining  
22   districts.  Is that not --

23          A.    I don't think I used the word "harm."  I simply  
24   said that is a result.  I think, obviously, you got to  
25   compare it with other alternatives as well to really

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1 assess what the harm is.

2 MR. FARR: Okay. Your Honor, if I can  
3 just look at my notes for one second --

4 JUDGE RIDGEWAY: Yes.

5 MR. FARR: -- I think I'm about finished.

6 (Pause.)

7 MR. FARR: I think that's all I have, Your  
8 Honor.

9 JUDGE RIDGEWAY: Will there be redirect?  
10 We're going to take a break before that if there is; but,  
11 otherwise, is there redirect?

12 MS. EARLS: No, Your Honor.

13 JUDGE RIDGEWAY: Okay. Is there anything  
14 else, other than questions by way of cross-examination or  
15 anything else for this witness?

16 MR. FARR: No, Your Honor. I've --  
17 Dr. Lichtman has convinced me he's quite the expert.

18 JUDGE RIDGEWAY: All right. Thank you.  
19 Okay. Very good. Thank you, sir. I  
20 believe you may step down now.

21 THE WITNESS: Thank you, Your Honor.

22 JUDGE RIDGEWAY: Further rebuttal  
23 evidence?

24 MS. EARLS: No, Your Honor.

25 JUDGE RIDGEWAY: Okay. Re-rebuttal?

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1 MR. STRACH: No.

2 JUDGE RIDGEWAY: All right. With that  
3 then would conclude the evidence; as -- am I  
4 understanding that?

5 All right. Are there any closing remarks  
6 that either of you wish to make in the time that you have  
7 remaining? Again, we will certainly invite written  
8 closing arguments to be submitted at the same time as  
9 your proposed findings of fact, which I believe that's  
10 next Tuesday at 5 o'clock, if I recall the order  
11 correctly.

12 MR. PETERS: Your Honor, on behalf of the  
13 Defendants, we're content to put anything in writing.

14 JUDGE RIDGEWAY: All right. Very good.

15 MS. EARLS: We will do the same, Your  
16 Honor.

17 JUDGE RIDGEWAY: Okay. Very good.

18 All right. I believe, then, we can  
19 conclude today's hearing. Thank you very much for the  
20 excellent presentations. We appreciate it. I will look  
21 forward to receiving proposed findings of fact and your  
22 concluding remarks in writing next Tuesday.

23 We're in recess.

24 (Court concluded on Wednesday, June 5, 2013 at 3:36 p.m.)

25 (VOLUME II OF II.)

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**CERTIFICATION OF TRANSCRIPT**

This is to certify that the foregoing transcript of proceedings taken at the June 5, 2013 Special Session of Wake County Superior Court is a true and accurate transcript of the proceedings taken by me and transcribed by me. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 23rd day of June, 2013.



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# **EXHIBIT H**



Senator Bob Rucho, Chair



**NORTH CAROLINA GENERAL ASSEMBLY  
STATE LEGISLATIVE BUILDING  
RALEIGH, NORTH CAROLINA 27603**

**Joint Statement by Senator Bob Rucho, Chair of the Senate Redistricting Committee,  
and Representative David Lewis, Chair of the House Redistricting Committee,  
released on June 17, 2011**

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The Chairs of the Joint House and Senate Redistricting Committee are committed to proposing fair and legal districts for all citizens of North Carolina, including our minority communities. Therefore, on June 23, 2011, the Joint House and Senate Redistricting Committee will hold a public hearing on Voting Rights Act districts and four other districts proposed by the Chairs for the 2011 State Senate and State House redistricting plans.

Locations for this public hearing include the North Carolina Museum of History in Wake County, Fayetteville Technical Community College, Guilford Technical Community College, UNC Charlotte, UNC Wilmington, East Carolina University, and Roanoke-Chowan Community College. The public hearing will run from 3:00 PM to 9:00 PM. Individuals interested in speaking should call the General Assembly or consult the General Assembly's web site for sign-up procedures.

We have decided to focus this public hearing on proposed legislative Voting Rights Act ("VRA") districts and four other proposed districts. We have chosen this option because of the importance of minority voting rights. Moreover, the decisions by the North Carolina Supreme Court in *Stephenson v. Bartlett*, 355 N.C. 354 (2002) ("*Stephenson I*"), and *Stephenson v. Bartlett*, 357 N.C. 301 (2003) ("*Stephenson II*"), require that VRA districts be created before other legislative districts.



The Chairs believe that there is a strong basis in the record to conclude that North Carolina remains obligated by federal and state law to create majority African American districts. Our conclusion is based upon the history surrounding the creation of VRA districts in the State of North Carolina, both as ordered by the federal courts and as adopted by the Legislature, from 1986 through the present. Our conclusion is also supported by evidence and testimony submitted to the Joint Redistricting Committee or received at public hearings.

In creating new majority African American districts, we are obligated to follow the decisions in *Stephenson I* and *II* as well as the decisions by the North Carolina Supreme Court and the United States Supreme Court in *Strickland v. Bartlett*, 361 N.C. 491 (2007), affirmed, *Bartlett v. Strickland*, 129 S.Ct. 1231 (2009). Under the *Strickland* decisions, districts created to comply with section 2 of the Voting Rights Act, must be created with a "Black Voting Age Population" ("BVAP"), as reported by the Census, at the level of at least 50% plus one.<sup>[1]</sup> Thus, in constructing VRA majority black districts, the Chairs recommend that, where possible, these districts be drawn at a level equal to at least 50% plus one "BVAP." To determine the percentage of "BVAP" in proposed districts, we have used a more specific census category listed in our reports as "Total Black Voting Age Population" ("TBVAP"). This category includes any person 18 years old or older, who self identifies as wholly or partially "any part black." It is our understanding that this Census category is preferred by the United States Department of Justice and the United States Supreme Court. See *Georgia v. Ashcroft*, 539 U.S. 461, 473 n. 1 (2003).

During our proceedings we have asked for advice on the number, shape, and locations of VRA districts that should be included in the Senate and House plans. During our public hearings, members of the public requested that current majority African American districts be retained, where possible, and that additional majority black districts be created, where possible. Based upon this testimony, along with input we have received from at least one



black incumbent House member, the Chairs recommend, where possible, that each plan include a sufficient number of majority African American districts to provide North Carolina's African American citizens with a substantially proportional and equal opportunity to elect their preferred candidates of choice.

Based upon the statewide TBVAP figures, proportionality for the African American citizens in North Carolina means the creation of 24 majority African American House districts and 10 majority African American Senate districts. Based upon census figures for both 2000 and 2010, the 2003 plans do not satisfy this standard. The 2003 Senate plan, used in elections from 2004 to 2010, contains zero districts in which African Americans constitute a TBVAP majority. The 2003 House plan, as amended for the 2010 General Election, contains nine districts in which African Americans constitute a TBVAP majority based upon 2000 census figures. The 2003 House plan, as amended for the 2010 General Election, contains ten districts in which African Americans constitute a TBVAP majority based upon 2010 census figures.

The Chairs note that under the benchmark 2003 plans, only eighteen African American members are currently serving in the House and only seven African Americans are currently serving in the Senate. The Chairs also note that two incumbent African American senators were defeated in the 2010 General Election. Both of these former African American incumbents (Don Davis in District 5 and Tony Foriest in District 24) were defeated by white candidates in districts with a TBVAP population below 40%.

Unlike the 2003 benchmark plans, the Chairs' proposed 2011 plans will provide substantial proportionality for North Carolina's African American citizens. The 2011 House plan, recommended by Chairman Lewis, consists of 24 majority African American House districts and two additional districts in which the TBVAP percentage exceeds 43%. Moreover, the 2011 Senate plan proposed by Chairman Rucho consists of 9 majority African American



Senate districts. Chairman Rucho has been unable to identify a reasonably compact majority African American population to create a tenth majority African American district.

Increasing the number of majority African American districts will ensure non-retrogressive legislative plans. Thus, adopting plans that increase the number of majority black districts will expedite the preclearance of each plan pursuant to Section 5 of the Voting Rights Act. *See* Federal Register Vol. 76, no. 27 at 7471: Report by the United States House of Representatives, Committee on the Judiciary, 109<sup>th</sup> Congress, 2d Session, Report 109-478 at 68 – 72 (2006); *Beer v. United States*, 425 U.S. 130 (1976). Substantial proportionality also furthers the State's obligation to comply with Section 2 of the Voting Rights Act. *See Johnson v. DeGrandy*, 512 U.S. 997 (1994).

In creating proposed majority black districts, the Chairs have been guided by testimony and advice received from experts recommended by the Democratic legislative leadership. Based upon this information, the Chairs have rejected the possibility of any districts that would constitute the “cracking” or “packing” of any reasonably compact African American population, as those terms have been defined by the United States Supreme Court. *See Quilter v. Voinovich*, 507 U.S. 146, 153-154 (1993). Nor have the Chairs supported any district that would involve the “stacking” of a minority population. We understand the term “stacking” to mean the submergence of a less affluent, geographically compact, African American population capable of being a majority in a single member district, within a larger, more affluent majority white population.

We wish to point out several features of the proposed VRA districts upon which the Chairs invite public comment.

First, testimony during the public hearing in New Hanover County indicated that the minority community in that area of the State would support the creation of a new majority African American House district to replace the former House District 18. That district was



constructed in the 2003 House plan with an African American voting age population substantially below 50% plus one. In *Strickland v. Bartlett*, both the North Carolina Supreme Court and the Supreme Court of the United States ruled that African American districts needed by the State to comply with Section 2 of the Voting Rights Act must be established with a BVAP of 50% plus one. In response to testimony during the New Hanover public hearing, the plan proposed by Chairman Lewis includes a revised black voting age majority version of District 18 that complies with the *Strickland* decisions.

The Chairs also wish to receive comments regarding the Senate and House districts to be adopted in Forsyth County. Districts in Forsyth County were found to be in violation of Section 2 of the Voting Rights Act in the decision of *Thornburg v. Gingles*, 478 U. S. 30 (1986). This decision has never been vacated or over-ruled and is still binding on the State. Moreover, the historical and legislative records indicate that all of the elements necessary to prove a Section 2 violation in Forsyth County still remain, except as described below.

In 2003, as reported by the 2000 Census, the State created three legislative districts in Forsyth that consisted of a TBVAP in excess of 40%: Senate District 32 – 41.42%; House District 71 – 51.57%; and House District 72 – 43.40%. Pursuant to the 2010 Census, these districts have the following percentage of TBVAP population: Senate District 32 - 42.52%; House District 71 - 51.09%; and House District 72 - 45.40%. Unfortunately, also under the 2010 Census, all three districts are under-populated for compliance with the constitutional requirement of one person one vote. Because all three districts are under-populated, all three must be adjusted to add additional total population. *See Stephenson I and II*. Adding additional total population has the effect of decreasing the percentage of the African American voting age population in each district.

Because House Districts 71 and 72 are both significantly under-populated, Chairman



Lewis believes that it is not possible to create two majority African American House districts in Forsyth. He is concerned that it may not be possible to create one reasonably compact majority black house district in Forsyth County and another district that would keep District 72 at a TBVAP level that reasonably approaches its benchmark level. Based upon the experience in Democratic primaries for Senate District 32, there is also concern that a plurality House district in the 40% range or under may not re-elect the current African American incumbent in House District 72. Therefore, at this time, Chairman Lewis has recommended that both House districts, which currently elect two black incumbents, be created at TBVAP levels above 43%. Thus, under the 2010 Census, proposed House District 71 has a TBVAP population of 47.31%. Proposed District 72 would be established with a TBVAP percentage of 43.33%.

Chairman Rucho believes that it is not possible to create a majority black Senate district in Forsyth. He therefore recommends that proposed Senate District 32 be created at a TBVAP percentage of 39.32%.<sup>[2]</sup> Chairman Rucho also recommends that the current white incumbent for the Forsyth Senate district not be included in the proposed Senate District 32. The white incumbent has defeated African American candidates in Democratic primaries in 2004 and 2010. The Senate Chair recommends this adjustment in the absence of a tenth reasonably compact majority African American senate population. If adopted by the General Assembly, proposed coalition District 32 will provide African American citizens with a more equal, and tenth opportunity, to elect a candidate of choice.

The Chairs also wish to note their attempts to consider political access and opportunities for the Native American population located in southeastern North Carolina. In recognition of those important interests, the House Chair recommends that House District 47 be retained as a majority Native American District.

In the 2003 Senate plan, Robeson County was combined with Hoke County to create a two county, single Senate district (Senate District 13). Chairman Rucho believes that it is not



possible to create a majority Native American Senate district that complies with federal and state law. Because it is not possible to create a majority Native American Senate district, the *Stephenson I* and *II* county combination rules prevent the re-establishment of District 13 based upon a combination of Robeson and Hoke Counties. Under the 2010 Census, the combined population of Robeson and Hoke is slightly lower than the maximum negative population deviation range (minus 5%). Thus, unlike the 2003 Senate plan, Robeson County cannot be grouped with Hoke County. As a result, Robeson County has been combined with Columbus County to form a two county senate district. Under this configuration, proposed Senate District 13 will retain a significant and influential percentage of Native American citizens.

The Chairs have solicited redistricting input from North Carolina's Hispanic population. Based upon the 2010 Census, neither Chair was able to identify a reasonably compact Hispanic population that could form the basis for either a majority Hispanic House or Senate District. The Chairs would entertain any proposals for a majority Hispanic House or Senate district that complies with applicable federal and state law.

On March 24, 2011, we announced that the Chairs would recommend legislative redistricting plans that complied with the criteria established in *Stephenson I* and *II* and *Bartlett v. Strickland*. On that date, and on other occasions, including numerous public hearings, the Chairs have solicited members of the General Assembly and the public for any information, comments and advice related to redistricting. On March 24, 2011, every member of the General Assembly received notice of the resources available to them for the preparation of proposed districts and plans. The Chairs also have taken the unprecedented step of providing additional expert staff and technology assistance to the Legislative Black Caucus, requested by the Black Caucus in order to draw their own proposed districts and plans. As of today, we have not received any proposals for specific legislative districts or proposed state wide legislative plans from the Democratic leadership or the Legislative Black Caucus



Nevertheless, the Chairs remain interested and open to other proposed configurations for majority minority districts as well as non-VRA districts. The Chairs will also consider recommendations regarding legislative districts in Forsyth County and any proposed Senate plan that includes ten majority African American districts, provided any such proposals are based upon ten reasonably compact majority African American populations.

As we stated on March 24, 2011, the Chairs continue to recommend that alternative proposals comply with the requirements of *Stephenson I* and *II* and *Bartlett v. Strickland*. We also recommend that any proposed state-wide plan contain a sufficient number of districts that will bring African American citizens as close as possible to substantial proportionality in the number of majority African American districts.

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<sup>[1]</sup> The North Carolina Supreme Court described the required majority as Citizen Black Voting Age Population ("CBVAP"). The 2010 Census did not report on this category of information.

<sup>[2]</sup> Proposed Senate District 32 also contains a Hispanic population of 12.21%, thus rendering this district as a "majority minority" district. While we have not performed a cohesion analysis involving African Americans and Hispanics, we have been advised by Congressman Watt that, in his opinion, urban African American and Hispanic voters who reside in his congressional district are cohesive.

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# **EXHIBIT I**



District	2010 Pop	Ideal Pop	Ideal +/-	% +/-
3	181,535	190,710	-9,175	-4.81%
4	190,988	190,710	278	0.15%
5	181,276	190,710	-9,434	-4.95%
13	192,266	190,710	1,556	0.82%
14	189,121	190,710	-1,589	-0.83%
20	190,767	190,710	57	0.03%
21	183,084	190,710	-7,626	-4.00%
28	194,031	190,710	3,321	1.74%
32	192,402	190,710	1,692	0.89%
38	184,155	190,710	-6,555	-3.44%
40	183,963	190,710	-6,747	-3.54%



Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
3	181,535	77,545	42.72%	97,550	53.74%	797	0.44%	674	0.37%	3,039	1.67%	1,930	1.06%	1,253	0.69%	98,803	54.43%	5,262	2.90%	176,273	97.10%	76,006	41.87%
4	190,988	74,383	38.95%	102,710	53.78%	3,671	1.92%	1,162	0.61%	6,293	3.29%	2,769	1.45%	1,826	0.96%	104,536	54.73%	10,462	5.48%	180,526	94.52%	71,426	37.40%
5	181,276	70,660	38.98%	96,448	53.21%	707	0.39%	1,946	1.07%	7,905	4.36%	3,610	1.99%	2,244	1.24%	98,692	54.44%	13,240	7.30%	168,036	92.70%	66,843	36.87%
13	192,266	74,612	38.81%	50,350	26.19%	53,347	27.75%	1,260	0.66%	8,422	4.38%	4,275	2.22%	1,824	0.95%	52,174	27.14%	13,594	7.07%	178,672	92.93%	71,228	37.05%
14	189,121	62,336	32.96%	97,344	51.47%	1,314	0.69%	5,498	2.91%	16,905	8.94%	5,724	3.03%	3,586	1.90%	100,930	53.37%	31,569	16.69%	157,552	83.31%	51,878	27.43%
20	190,767	69,128	36.24%	97,040	50.87%	1,019	0.53%	3,780	1.98%	15,402	8.07%	4,398	2.31%	2,668	1.40%	99,708	52.27%	25,142	13.18%	165,625	86.82%	61,901	32.45%
21	183,084	69,591	38.01%	90,860	49.63%	2,412	1.32%	4,889	2.67%	6,314	3.45%	9,018	4.93%	5,722	3.13%	96,582	52.75%	18,314	10.00%	164,770	90.00%	62,200	33.97%
28	194,031	60,437	31.15%	108,520	55.93%	1,265	0.65%	8,753	4.51%	9,664	4.98%	5,392	2.78%	3,690	1.90%	112,210	57.83%	17,981	9.27%	176,050	90.73%	54,435	28.05%
32	192,402	87,690	45.58%	75,954	39.48%	886	0.46%	3,596	1.87%	19,365	10.06%	4,911	2.55%	2,951	1.53%	78,905	41.01%	30,539	15.87%	161,863	84.13%	79,575	41.36%
38	184,155	58,778	31.92%	99,700	54.14%	979	0.53%	10,142	5.51%	9,394	5.10%	5,162	2.80%	3,261	1.77%	102,961	55.91%	18,810	10.21%	165,345	89.79%	52,053	28.27%
40	183,963	51,502	28.00%	97,215	52.84%	1,205	0.66%	7,704	4.19%	20,445	11.11%	5,892	3.20%	3,587	1.95%	100,802	54.79%	35,073	19.07%	148,890	80.93%	40,561	22.05%
Totals:	2,063,588	756,662	36.67%	1,013,691	49.12%	67,602	3.28%	49,404	2.39%	123,148	5.97%	53,081	2.57%	32,612	1.58%	1,046,303	50.70%	219,986	10.66%	1,843,602	89.34%	688,106	33.35%



Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
3	140,833	63,537	45.12%	73,246	52.01%	618	0.44%	508	0.36%	1,874	1.33%	1,050	0.75%	597	0.42%	73,843	52.43%	3,276	2.33%	137,557	97.67%	62,542	44.41%
4	145,507	60,734	41.74%	75,903	52.16%	2,720	1.87%	872	0.60%	3,826	2.63%	1,452	1.00%	857	0.59%	76,760	52.75%	6,267	4.31%	139,240	95.69%	58,994	40.54%
5	136,943	58,310	42.58%	69,859	51.01%	561	0.41%	1,584	1.16%	4,896	3.58%	1,733	1.27%	908	0.66%	70,767	51.68%	8,106	5.92%	128,837	94.08%	55,945	40.85%
13	142,807	59,791	41.87%	37,019	25.92%	37,826	26.49%	976	0.68%	5,173	3.62%	2,022	1.42%	642	0.45%	37,661	26.37%	8,181	5.73%	134,626	94.27%	57,735	40.43%
14	135,852	49,179	36.20%	68,423	50.37%	877	0.65%	4,082	3.00%	10,474	7.71%	2,817	2.07%	1,575	1.16%	69,998	51.53%	19,416	14.29%	116,436	85.71%	42,567	31.33%
20	144,280	56,073	38.86%	72,369	50.16%	741	0.51%	3,045	2.11%	9,673	6.70%	2,379	1.65%	1,279	0.89%	73,648	51.05%	15,927	11.04%	128,353	88.96%	51,329	35.58%
21	134,372	55,058	40.97%	64,995	48.37%	1,832	1.36%	3,981	2.96%	4,299	3.20%	4,207	3.13%	2,304	1.71%	67,299	50.08%	11,605	8.64%	122,767	91.36%	50,099	37.28%
28	149,023	51,798	34.76%	80,947	54.32%	929	0.62%	6,317	4.24%	6,119	4.11%	2,913	1.95%	1,833	1.23%	82,780	55.55%	11,391	7.64%	137,632	92.36%	47,879	32.13%
32	145,498	72,747	50.00%	55,887	38.41%	613	0.42%	2,717	1.87%	11,048	7.59%	2,486	1.71%	1,321	0.91%	57,208	39.32%	17,768	12.21%	127,730	87.79%	67,743	46.56%
38	136,213	48,352	35.50%	70,806	51.98%	701	0.51%	7,723	5.67%	5,881	4.32%	2,750	2.02%	1,521	1.12%	72,327	53.10%	11,758	8.63%	124,455	91.37%	44,032	32.33%
40	133,284	41,786	31.35%	68,796	51.62%	812	0.61%	5,876	4.41%	12,920	9.69%	3,094	2.32%	1,642	1.23%	70,438	52.85%	22,105	16.58%	111,179	83.42%	34,764	26.08%
Totals:	1,544,612	617,365	39.97%	738,250	47.80%	48,230	3.12%	37,681	2.44%	76,183	4.93%	26,903	1.74%	14,479	0.94%	752,729	48.73%	135,800	8.79%	1,408,812	91.21%	573,629	37.14%



Registration by Party																		Registration by Race Without Regard to Party			
District	VR Total	% D	Racial %s among D's				% R	Racial %s among R's				% U	Racial %s among U's				% L	% White	% Black	% NA	% Other
			White % of D	Black % of D	NA % of D	Other % of D		White % of R	Black % of R	NA % of R	Other % of R		White % of U	Black % of U	NA % of U	Other % of U					
3	120,324	73.81%	32.47%	65.96%	0.21%	1.36%	13.94%	88.45%	9.99%	0.11%	1.44%	12.20%	68.06%	26.84%	0.28%	4.82%	0.05%	44.63%	53.37%	0.20%	1.80%
4	125,382	70.19%	28.14%	67.96%	1.66%	2.24%	15.75%	87.56%	10.01%	0.47%	1.96%	13.97%	62.21%	31.18%	1.01%	5.61%	0.09%	42.29%	53.66%	1.38%	2.68%
5	106,666	63.38%	29.34%	67.75%	0.17%	2.75%	19.69%	89.86%	7.17%	0.20%	2.78%	16.80%	63.97%	28.26%	0.26%	7.51%	0.13%	47.13%	49.11%	0.19%	3.57%
13	105,838	72.06%	36.14%	36.05%	25.69%	2.12%	12.73%	78.19%	5.46%	13.62%	2.72%	15.13%	57.35%	17.99%	18.88%	5.78%	0.07%	44.71%	29.41%	23.12%	2.76%
14	108,105	62.50%	21.38%	72.34%	0.25%	6.03%	16.27%	86.63%	7.32%	0.23%	5.83%	21.08%	52.14%	31.74%	0.29%	15.84%	0.15%	38.55%	53.12%	0.25%	8.08%
20	115,628	66.89%	27.64%	67.88%	0.23%	4.26%	13.98%	89.09%	7.16%	0.17%	3.59%	19.01%	57.97%	28.17%	0.30%	13.56%	0.12%	42.05%	51.78%	0.24%	5.94%
21	112,128	56.37%	20.94%	71.25%	0.70%	7.12%	20.49%	80.22%	8.39%	0.88%	10.51%	22.99%	49.22%	32.79%	0.81%	17.18%	0.15%	39.65%	49.45%	0.76%	10.14%
28	131,940	66.61%	18.56%	77.16%	0.33%	3.96%	14.07%	84.74%	9.94%	0.37%	4.96%	19.21%	51.16%	38.31%	0.47%	10.06%	0.11%	34.19%	60.18%	0.36%	5.27%
32	118,230	58.14%	30.89%	64.89%	0.16%	4.06%	21.53%	92.38%	4.38%	0.17%	3.06%	20.19%	65.60%	24.24%	0.30%	9.85%	0.14%	51.20%	43.59%	0.19%	5.02%
38	114,423	62.79%	17.10%	76.01%	0.27%	6.63%	15.84%	85.81%	8.37%	0.22%	5.61%	21.25%	51.59%	31.92%	0.43%	16.06%	0.12%	35.37%	55.86%	0.29%	8.48%
40	107,663	64.19%	16.68%	75.34%	0.31%	7.66%	14.45%	82.47%	10.19%	0.30%	7.05%	21.20%	46.97%	34.45%	0.43%	18.14%	0.16%	32.67%	57.18%	0.34%	9.81%
Totals:	1,266,327	65.26%	25.58%	67.42%	2.78%	4.22%	16.22%	86.28%	7.95%	1.19%	4.58%	18.40%	56.10%	30.19%	1.73%	11.98%	0.12%	41.09%	50.87%	2.32%	5.72%

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
3	120,324	52,050	43.26%	67,342	55.97%	932	0.77%	120,324	12,130	10.08%	26,060	21.66%	55,402	46.04%	26,732	22.22%	120,324	274	0.23%	100,132	83.22%	19,918	16.55%
4	125,217	54,597	43.60%	69,947	55.86%	673	0.54%	125,272	14,415	11.51%	29,061	23.21%	57,122	45.62%	24,674	19.70%	125,218	648	0.52%	108,378	86.55%	16,192	12.93%
5	106,413	45,387	42.65%	60,164	56.54%	862	0.81%	106,554	14,139	13.29%	27,755	26.08%	46,230	43.44%	18,430	17.32%	106,434	887	0.83%	89,964	84.53%	15,583	14.64%
13	105,838	45,739	43.22%	59,698	56.41%	401	0.38%	105,838	11,983	11.32%	26,366	24.91%	47,900	45.26%	19,589	18.51%	105,838	669	0.63%	95,978	90.68%	9,191	8.68%
14	107,891	46,708	43.29%	60,005	55.62%	1,178	1.09%	107,943	14,435	13.38%	36,612	33.93%	45,129	41.83%	11,767	10.91%	107,883	2,610	2.42%	74,987	69.51%	30,286	28.07%
20	115,868	48,975	42.27%	64,319	55.51%	2,574	2.22%	115,899	14,894	12.85%	34,920	30.14%	49,626	42.83%	16,459	14.20%	115,853	1,651	1.43%	81,721	70.54%	32,481	28.04%
21	111,914	48,455	43.30%	61,586	55.03%	1,873	1.67%	111,893	16,556	14.79%	34,006	30.39%	45,556	40.71%	15,775	14.10%	111,906	4,590	4.10%	79,852	71.36%	27,464	24.54%
28	132,079	55,415	41.96%	76,323	57.79%	341	0.26%	132,055	23,805	18.02%	40,515	30.67%	49,124	37.19%	18,611	14.09%	132,066	1,517	1.15%	108,840	82.41%	21,709	16.44%
32	118,241	50,103	42.37%	66,833	56.52%	1,305	1.10%	118,234	16,761	14.18%	32,742	27.69%	47,742	40.38%	20,989	17.75%	118,241	2,117	1.79%	87,376	73.90%	28,748	24.31%
38	114,468	48,251	42.15%	63,424	55.41%	2,793	2.44%	114,481	16,219	14.17%	39,102	34.16%	46,624	40.73%	12,536	10.95%	114,471	2,097	1.83%	83,245	72.72%	29,129	25.45%
40	106,943	45,134	42.20%	59,217	55.37%	2,592	2.42%	107,023	13,342	12.48%	35,727	33.41%	45,918	42.94%	12,036	11.25%	106,934	2,950	2.76%	78,910	73.79%	25,074	23.45%
Totals:	1,265,196	540,814	42.75%	708,858	56.03%	15,524	1.23%	1,265,516	168,679	13.33%	362,866	28.67%	536,373	42.38%	197,598	15.61%	1,265,168	20,010	1.58%	989,383	78.20%	255,775	20.22%



	2004 Auditor Campbell-Merritt				2004 Governor Easley-Ballantine-Howe						2004 President Kerry-Bush-Badnarik								2004 US Senate Bowles-Burr-Bailey							
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %
3	34,052	69.57%	14,895	30.43%	37,384	72.10%	13,877	26.76%	587	1.13%	29,876	57.26%	22,152	42.45%	135	0.26%	17	0.03%	32,350	62.48%	18,880	36.46%	540	1.04%	6	0.01%
4	33,805	69.37%	14,923	30.63%	37,195	73.31%	13,123	25.86%	419	0.83%	29,801	59.16%	20,474	40.64%	83	0.16%	18	0.04%	32,056	63.41%	18,049	35.70%	440	0.87%	11	0.02%
5	22,067	63.22%	12,839	36.78%	24,451	66.19%	12,134	32.85%	358	0.97%	20,909	55.69%	16,553	44.09%	70	0.19%	15	0.04%	21,664	58.83%	14,864	40.37%	290	0.79%	5	0.01%
13	28,794	69.10%	12,876	30.90%	30,468	68.32%	13,649	30.61%	479	1.07%	22,332	50.88%	21,428	48.82%	106	0.24%	25	0.06%	26,217	59.43%	17,273	39.15%	620	1.41%	7	0.02%
14	26,577	70.15%	11,311	29.85%	27,855	71.72%	10,382	26.73%	600	1.54%	25,118	65.32%	13,172	34.26%	140	0.36%	22	0.06%	26,077	68.18%	11,719	30.64%	451	1.18%	0	0.00%
20	30,839	74.98%	10,293	25.02%	32,069	75.56%	9,809	23.11%	566	1.33%	29,003	68.45%	13,241	31.25%	104	0.25%	25	0.06%	30,100	71.13%	11,740	27.74%	475	1.12%	3	0.01%
21	23,331	62.46%	14,021	37.54%	26,113	67.76%	11,784	30.58%	638	1.66%	21,148	55.41%	16,891	44.26%	94	0.25%	30	0.08%	22,991	59.86%	14,831	38.62%	584	1.52%	0	0.00%
28	32,149	76.81%	9,707	23.19%	34,215	78.92%	8,349	19.26%	788	1.82%	32,053	73.55%	11,328	25.99%	198	0.45%	0	0.00%	32,938	75.87%	9,883	22.76%	593	1.37%	0	0.00%
32	31,215	63.74%	17,755	36.26%	35,053	67.39%	16,098	30.95%	865	1.66%	30,793	59.47%	20,804	40.18%	186	0.36%	0	0.00%	31,062	59.51%	20,553	39.38%	561	1.07%	20	0.04%
38	23,318	67.29%	11,333	32.71%	25,842	71.02%	10,042	27.60%	502	1.38%	24,033	65.00%	12,832	34.70%	91	0.25%	20	0.05%	24,409	66.91%	11,601	31.80%	468	1.28%	0	0.00%
40	26,419	72.20%	10,170	27.80%	28,727	74.82%	9,019	23.49%	648	1.69%	27,157	69.81%	11,587	29.79%	124	0.32%	31	0.08%	27,553	71.69%	10,313	26.83%	566	1.47%	0	0.00%
Totals:	312,566	69.05%	140,123	30.95%	339,372	71.58%	128,266	27.06%	6,450	1.36%	292,223	61.62%	180,462	38.05%	1,331	0.28%	203	0.04%	307,417	65.03%	159,706	33.78%	5,588	1.18%	52	0.01%



	2008 A. G. Cooper-Crumley				2008 Comm. Ag Ansley-Troxler				2008 Comm. of Labor Donnan-Berry				2008 State Auditor Wood-Merrit				2008 Comm. of Insurance Goodwin-Odom								2008 Super.of P.I. Atkinson-Morgan			
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %
3	65,063	78.74%	17,568	21.26%	54,138	65.98%	27,915	34.02%	55,349	68.45%	25,506	31.55%	57,936	71.74%	22,818	28.26%	58,469	71.66%	21,750	26.66%	1,344	1.65%	25	0.03%	57,563	71.11%	23,391	28.89%
4	71,027	81.55%	16,068	18.45%	58,291	67.62%	27,909	32.38%	59,039	68.85%	26,710	31.15%	61,206	71.58%	24,299	28.42%	61,005	70.99%	23,528	27.38%	1,377	1.60%	26	0.03%	61,601	71.83%	24,162	28.17%
5	55,278	74.57%	18,849	25.43%	45,688	62.35%	27,593	37.65%	46,233	63.36%	26,736	36.64%	49,003	67.17%	23,948	32.83%	47,961	65.42%	23,705	32.33%	1,609	2.19%	40	0.05%	48,435	66.36%	24,553	33.64%
13	46,047	73.91%	16,254	26.09%	40,131	65.09%	21,528	34.91%	38,871	63.18%	22,657	36.82%	42,819	69.98%	18,368	30.02%	41,141	66.66%	18,795	30.45%	1,755	2.84%	26	0.04%	40,183	65.49%	21,174	34.51%
14	65,599	82.59%	13,832	17.41%	55,778	70.91%	22,886	29.09%	56,565	72.07%	21,926	27.93%	58,066	74.08%	20,312	25.92%	58,285	74.07%	18,124	23.03%	2,237	2.84%	38	0.05%	60,201	76.85%	18,135	23.15%
20	71,248	83.78%	13,795	16.22%	61,165	72.66%	23,020	27.34%	62,251	74.18%	21,668	25.82%	64,570	77.17%	19,104	22.83%	63,853	75.91%	17,860	21.23%	2,376	2.82%	31	0.04%	65,061	77.61%	18,773	22.39%
21	53,705	74.90%	18,000	25.10%	48,314	68.09%	22,641	31.91%	47,509	66.94%	23,462	33.06%	49,764	70.18%	21,146	29.82%	48,872	68.57%	20,299	28.48%	2,064	2.90%	36	0.05%	49,650	70.00%	21,281	30.00%
28	69,541	83.28%	13,962	16.72%	64,349	77.57%	18,612	22.43%	65,241	78.91%	17,438	21.09%	67,779	82.33%	14,543	17.67%	66,610	80.56%	13,962	16.89%	2,063	2.50%	49	0.06%	67,812	82.29%	14,594	17.71%
32	60,823	74.53%	20,790	25.47%	53,429	66.46%	26,960	33.54%	54,883	68.18%	25,611	31.82%	57,498	71.71%	22,678	28.29%	55,425	68.90%	22,513	27.99%	2,462	3.06%	40	0.05%	57,353	71.64%	22,700	28.36%
38	57,619	80.02%	14,389	19.98%	54,487	76.59%	16,653	23.41%	54,285	75.98%	17,163	24.02%	55,810	78.34%	15,432	21.66%	54,547	76.22%	15,252	21.31%	1,717	2.40%	53	0.07%	55,404	77.94%	15,686	22.06%
40	55,734	82.37%	11,931	17.63%	53,006	79.29%	13,845	20.71%	52,777	78.57%	14,397	21.43%	54,184	80.91%	12,785	19.09%	52,951	78.56%	12,618	18.72%	1,777	2.64%	53	0.08%	53,857	80.59%	12,974	19.41%
Totals:	671,684	79.29%	175,438	20.71%	588,776	70.23%	249,562	29.77%	593,003	70.91%	243,274	29.09%	618,635	74.17%	215,433	25.83%	609,119	72.62%	208,406	24.85%	20,781	2.48%	417	0.05%	617,120	73.95%	217,423	26.05%



	2008 Lt. Governor Dalton-Pittenger-Rhodes						2008 Governor Perdue-McCrory-Munger						2008 President Obama-McCain-Barr								2008 US Senate Hagan-Dole						2008 Straight Party					
District	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib.	Lib%
3	58,433	70.64%	23,151	27.99%	1,134	1.37%	61,003	72.18%	22,410	26.52%	1,100	1.30%	52,958	62.18%	31,872	37.42%	233	0.27%	112	0.13%	55,599	65.75%	27,669	32.72%	1,298	1.53%	44,617	81.61%	9,809	17.94%	243	0.44%
4	61,529	70.75%	24,291	27.93%	1,143	1.31%	61,776	70.18%	25,057	28.47%	1,189	1.35%	58,517	65.96%	29,813	33.60%	255	0.29%	131	0.15%	60,418	68.57%	26,320	29.87%	1,378	1.56%	48,992	81.94%	10,579	17.69%	221	0.37%
5	48,717	65.56%	24,205	32.57%	1,385	1.86%	51,177	67.67%	23,185	30.66%	1,269	1.68%	47,322	61.73%	28,970	37.79%	240	0.31%	123	0.16%	47,876	63.21%	26,447	34.92%	1,423	1.88%	35,438	75.12%	11,522	24.42%	216	0.46%
13	42,053	67.19%	18,949	30.27%	1,589	2.54%	44,052	68.49%	19,081	29.67%	1,188	1.85%	34,134	52.42%	30,427	46.73%	348	0.53%	207	0.32%	37,842	58.61%	25,345	39.25%	1,383	2.14%	26,285	79.44%	6,404	19.36%	398	1.20%
14	58,871	74.08%	18,583	23.38%	2,016	2.54%	58,008	71.98%	20,423	25.34%	2,158	2.68%	61,699	75.90%	19,061	23.45%	345	0.42%	189	0.23%	60,286	74.77%	18,484	22.93%	1,854	2.30%	41,167	82.54%	8,459	16.96%	247	0.50%
20	64,481	75.64%	18,659	21.89%	2,106	2.47%	63,636	73.57%	20,444	23.63%	2,421	2.80%	66,103	75.58%	20,813	23.80%	334	0.38%	210	0.24%	65,454	75.59%	19,297	22.29%	1,837	2.12%	41,235	83.79%	7,729	15.71%	248	0.50%
21	49,391	68.72%	20,829	28.98%	1,651	2.30%	50,364	69.08%	21,001	28.80%	1,546	2.12%	50,122	67.47%	23,716	31.93%	261	0.35%	184	0.25%	49,977	68.38%	21,451	29.35%	1,658	2.27%	35,238	76.56%	10,472	22.75%	314	0.68%
28	67,115	80.29%	14,577	17.44%	1,898	2.27%	67,515	79.58%	15,183	17.90%	2,138	2.52%	70,521	81.67%	15,366	17.80%	274	0.32%	183	0.21%	69,545	81.81%	13,816	16.25%	1,644	1.93%	53,070	86.66%	7,853	12.82%	319	0.52%
32	56,631	69.35%	22,911	28.06%	2,113	2.59%	57,666	69.50%	23,160	27.91%	2,151	2.59%	59,341	70.54%	24,166	28.73%	406	0.48%	207	0.25%	59,295	71.22%	22,026	26.46%	1,931	2.32%	40,574	78.53%	10,826	20.95%	268	0.52%
38	54,372	74.92%	16,772	23.11%	1,430	1.97%	51,816	70.19%	20,763	28.12%	1,246	1.69%	58,532	77.93%	16,127	21.47%	270	0.36%	175	0.23%	57,043	77.42%	14,942	20.28%	1,698	2.30%	41,259	82.30%	8,608	17.17%	264	0.53%
40	52,685	77.22%	14,053	20.60%	1,491	2.19%	50,458	72.78%	17,520	25.27%	1,354	1.95%	56,700	80.61%	13,190	18.75%	280	0.40%	166	0.24%	54,924	79.42%	12,501	18.08%	1,734	2.51%	39,462	84.55%	6,973	14.94%	236	0.51%
Totals:	614,278	72.33%	216,980	25.55%	17,956	2.11%	617,471	71.51%	228,227	26.43%	17,760	2.06%	615,949	70.43%	253,521	28.99%	3,246	0.37%	1,887	0.22%	618,259	71.53%	228,298	26.41%	17,838	2.06%	447,337	81.40%	99,234	18.06%	2,974	0.54%



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
3	22,560	82.13%	4,715	17.16%	195	0.71%	32,805	58.50%	22,581	40.27%	692	1.23%
4	26,949	79.73%	6,676	19.75%	177	0.52%	34,881	62.56%	20,111	36.07%	760	1.36%
5	20,294	70.30%	8,491	29.41%	82	0.28%	26,262	57.18%	19,156	41.71%	512	1.11%
13	12,427	74.17%	4,095	24.44%	232	1.38%	19,514	49.67%	19,146	48.73%	630	1.60%
14	23,227	78.26%	6,344	21.37%	110	0.37%	34,001	71.16%	12,971	27.15%	810	1.70%
20	18,354	81.49%	4,075	18.09%	93	0.41%	36,638	72.38%	13,250	26.17%	734	1.45%
21	14,437	72.38%	5,396	27.05%	114	0.57%	24,073	62.37%	13,885	35.97%	639	1.66%
28	19,590	80.31%	4,699	19.26%	103	0.42%	30,777	75.72%	9,301	22.88%	569	1.40%
32	14,015	65.23%	7,358	34.25%	111	0.52%	26,272	60.27%	16,597	38.08%	721	1.65%
38	17,335	78.33%	4,721	21.33%	75	0.34%	27,802	73.57%	9,465	25.05%	523	1.38%
40	17,157	81.02%	3,926	18.54%	92	0.43%	27,531	76.02%	8,135	22.46%	548	1.51%
Totals:	206,345	76.93%	60,496	22.55%	1,384	0.52%	320,556	65.12%	164,598	33.44%	7,138	1.45%



# **EXHIBIT J**



District	2010 Pop	Ideal Pop	Ideal +/-	% +/-
1	187,327	190,710	-3,383	-1.77%
2	183,118	190,710	-7,592	-3.98%
3	181,535	190,710	-9,175	-4.81%
4	190,991	190,710	281	0.15%
5	181,547	190,710	-9,163	-4.80%
6	187,925	190,710	-2,785	-1.46%
7	190,081	190,710	-629	-0.33%
8	200,133	190,710	9,423	4.94%
9	197,372	190,710	6,662	3.49%
10	192,056	190,710	1,346	0.71%
11	186,653	190,710	-4,057	-2.13%
12	191,817	190,710	1,107	0.58%
13	192,266	190,710	1,556	0.82%
14	189,566	190,710	-1,144	-0.60%
15	188,841	190,710	-1,869	-0.98%
16	199,393	190,710	8,683	4.55%
17	194,407	190,710	3,697	1.94%
18	189,405	190,710	-1,305	-0.68%
19	183,181	190,710	-7,529	-3.95%
20	190,767	190,710	57	0.03%
21	183,202	190,710	-7,508	-3.94%
22	199,919	190,710	9,209	4.83%
23	197,306	190,710	6,596	3.46%
24	188,171	190,710	-2,539	-1.33%
25	199,294	190,710	8,584	4.50%
26	191,444	190,710	734	0.38%
27	191,166	190,710	456	0.24%
28	199,439	190,710	8,729	4.58%
29	192,959	190,710	2,249	1.18%
30	190,414	190,710	-296	-0.16%
31	199,875	190,710	9,165	4.81%
32	189,201	190,710	-1,509	-0.79%
33	190,676	190,710	-34	-0.02%
34	197,348	190,710	6,638	3.48%
35	189,794	190,710	-916	-0.48%
36	189,509	190,710	-1,201	-0.63%
37	183,253	190,710	-7,457	-3.91%
38	183,694	190,710	-7,016	-3.68%
39	181,619	190,710	-9,091	-4.77%
40	188,928	190,710	-1,782	-0.93%
41	182,134	190,710	-8,576	-4.50%
42	191,556	190,710	846	0.44%
43	197,035	190,710	6,325	3.32%
44	200,108	190,710	9,398	4.93%
45	190,341	190,710	-369	-0.19%
46	188,990	190,710	-1,720	-0.90%
47	187,477	190,710	-3,233	-1.70%
48	184,866	190,710	-5,844	-3.06%
49	193,282	190,710	2,572	1.35%
50	194,102	190,710	3,392	1.78%



Rucho Senate 2

Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
1	187,327	137,564	73.44%	40,316	21.52%	748	0.40%	1,276	0.68%	4,202	2.24%	3,221	1.72%	1,671	0.89%	41,987	22.41%	8,807	4.70%	178,520	95.30%	133,842	71.45%
2	183,118	141,819	77.45%	29,866	16.31%	897	0.49%	2,942	1.61%	3,336	1.82%	4,258	2.33%	2,025	1.11%	31,891	17.42%	8,925	4.87%	174,193	95.13%	137,354	75.01%
3	181,535	77,545	42.72%	97,550	53.74%	797	0.44%	674	0.37%	3,039	1.67%	1,930	1.06%	1,253	0.69%	98,803	54.43%	5,262	2.90%	176,273	97.10%	76,006	41.87%
4	190,991	74,384	38.95%	102,712	53.78%	3,671	1.92%	1,162	0.61%	6,293	3.29%	2,769	1.45%	1,826	0.96%	104,538	54.73%	10,462	5.48%	180,529	94.52%	71,427	37.40%
5	181,547	70,178	38.66%	97,021	53.44%	721	0.40%	1,913	1.05%	8,125	4.48%	3,589	1.98%	2,227	1.23%	99,248	54.67%	13,475	7.42%	168,072	92.58%	66,371	36.56%
6	187,925	137,985	73.43%	30,961	16.48%	1,295	0.69%	3,876	2.06%	5,869	3.12%	7,939	4.22%	3,869	2.06%	34,830	18.53%	18,294	9.73%	169,631	90.27%	128,775	68.52%
7	190,081	143,640	75.57%	30,820	16.21%	718	0.38%	2,680	1.41%	8,501	4.47%	3,722	1.96%	1,769	0.93%	32,589	17.14%	14,860	7.82%	175,221	92.18%	138,413	72.82%
8	200,133	149,569	74.73%	38,043	19.01%	1,832	0.92%	920	0.46%	6,244	3.12%	3,525	1.76%	1,668	0.83%	39,711	19.84%	11,449	5.72%	188,684	94.28%	145,369	72.64%
9	197,372	159,484	80.80%	25,692	13.02%	974	0.49%	2,537	1.29%	4,758	2.41%	3,927	1.99%	1,738	0.88%	27,430	13.90%	10,512	5.33%	186,860	94.67%	154,890	78.48%
10	192,056	124,109	64.62%	40,265	20.97%	1,991	1.04%	906	0.47%	21,183	11.03%	3,602	1.88%	1,547	0.81%	41,812	21.77%	30,654	15.96%	161,402	84.04%	116,758	60.79%
11	186,653	126,756	67.91%	42,513	22.78%	864	0.46%	1,526	0.82%	11,744	6.29%	3,250	1.74%	1,651	0.88%	44,164	23.66%	19,532	10.46%	167,121	89.54%	120,445	64.53%
12	191,817	132,351	69.00%	37,555	19.58%	1,939	1.01%	1,792	0.93%	12,839	6.69%	5,341	2.78%	2,590	1.35%	40,145	20.93%	25,234	13.16%	166,583	86.84%	122,548	63.89%
13	192,266	74,612	38.81%	50,350	26.19%	53,347	27.75%	1,260	0.66%	8,422	4.38%	4,275	2.22%	1,824	0.95%	52,174	27.14%	13,594	7.07%	178,672	92.93%	71,228	37.05%
14	189,566	61,709	32.55%	96,925	51.13%	1,330	0.70%	5,299	2.80%	18,427	9.72%	5,876	3.10%	3,614	1.91%	100,539	53.04%	34,140	18.01%	155,426	81.99%	50,451	26.61%
15	188,841	155,589	82.39%	18,651	9.88%	505	0.27%	6,733	3.57%	3,523	1.87%	3,840	2.03%	1,591	0.84%	20,242	10.72%	9,728	5.15%	179,113	94.85%	150,411	79.65%
16	199,393	134,374	67.39%	30,425	15.26%	1,048	0.53%	19,279	9.67%	8,743	4.38%	5,524	2.77%	2,356	1.18%	32,781	16.44%	18,975	9.52%	180,418	90.48%	126,202	63.29%
17	194,407	152,657	78.52%	17,348	8.92%	728	0.37%	15,612	8.03%	3,683	1.89%	4,379	2.25%	1,598	0.82%	18,946	9.75%	11,285	5.80%	183,122	94.20%	146,016	75.11%
18	189,405	133,220	70.34%	39,373	20.79%	1,221	0.64%	2,317	1.22%	9,218	4.87%	4,056	2.14%	1,965	1.04%	41,338	21.83%	18,570	9.80%	170,835	90.20%	125,934	66.49%
19	183,181	120,509	65.79%	40,810	22.28%	3,486	1.90%	4,954	2.70%	5,305	2.90%	8,117	4.43%	3,982	2.17%	44,792	24.45%	16,813	9.18%	166,368	90.82%	112,310	61.31%
20	190,767	69,128	36.24%	97,040	50.87%	1,019	0.53%	3,780	1.98%	15,402	8.07%	4,398	2.31%	2,668	1.40%	99,708	52.27%	25,142	13.18%	165,625	86.82%	61,901	32.45%
21	183,202	64,827	35.39%	92,023	50.23%	6,166	3.37%	3,962	2.16%	7,381	4.03%	8,843	4.83%	5,637	3.08%	97,660	53.31%	19,200	10.48%	164,002	89.52%	57,581	31.43%
22	199,919	133,138	66.60%	42,855	21.44%	1,009	0.50%	9,214	4.61%	9,233	4.62%	4,470	2.24%	2,100	1.05%	44,955	22.49%	17,754	8.88%	182,165	91.12%	126,213	63.13%
23	197,306	147,732	74.87%	24,320	12.33%	914	0.46%	9,791	4.96%	9,960	5.05%	4,589	2.33%	1,750	0.89%	26,070	13.21%	19,245	9.75%	178,061	90.25%	139,856	70.88%
24	188,171	139,458	74.11%	30,837	16.39%	1,311	0.70%	2,040	1.08%	10,741	5.71%	3,784	2.01%	1,957	1.04%	32,794	17.43%	19,743	10.49%	168,428	89.51%	132,389	70.36%
25	199,294	135,041	67.76%	48,703	24.44%	5,567	2.79%	2,402	1.21%	4,433	2.22%	3,148	1.58%	1,444	0.72%	50,147	25.16%	7,710	3.87%	191,584	96.13%	132,544	66.51%
26	191,444	150,827	78.78%	28,874	15.08%	639	0.33%	3,658	1.91%	3,980	2.08%	3,466	1.81%	1,823	0.95%	30,697	16.03%	8,876	4.64%	182,568	95.36%	146,659	76.61%
27	191,166	138,256	72.32%	33,863	17.71%	1,023	0.54%	7,700	4.03%	6,357	3.33%	3,967	2.08%	2,048	1.07%	35,911	18.79%	12,712	6.65%	178,454	93.35%	133,057	69.60%
28	199,439	60,317	30.24%	113,817	57.07%	1,277	0.64%	8,543	4.28%	9,946	4.99%	5,539	2.78%	3,829	1.92%	117,646	58.99%	18,397	9.22%	181,042	90.78%	54,256	27.20%
29	192,959	160,044	82.94%	17,547	9.09%	1,393	0.72%	2,137	1.11%	8,537	4.42%	3,301	1.71%	1,367	0.71%	18,914	9.80%	16,855	8.74%	176,104	91.26%	153,021	79.30%
30	190,414	171,771	90.21%	7,495	3.94%	508	0.27%	813	0.43%	7,311	3.84%	2,516	1.32%	1,075	0.56%	8,570	4.50%	12,181	6.40%	178,233	93.60%	167,645	88.0



Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
1	145,913	109,454	75.01%	30,774	21.09%	581	0.40%	978	0.67%	2,626	1.80%	1,500	1.03%	532	0.36%	31,306	21.46%	5,495	3.77%	140,418	96.23%	107,088	73.39%
2	143,986	114,847	79.76%	22,129	15.37%	701	0.49%	2,157	1.50%	2,256	1.57%	1,896	1.32%	658	0.46%	22,787	15.83%	5,698	3.96%	138,288	96.04%	111,947	77.75%
3	140,833	63,537	45.12%	73,246	52.01%	618	0.44%	508	0.36%	1,874	1.33%	1,050	0.75%	597	0.42%	73,843	52.43%	3,276	2.33%	137,557	97.67%	62,542	44.41%
4	145,510	60,735	41.74%	75,905	52.16%	2,720	1.87%	872	0.60%	3,826	2.63%	1,452	1.00%	857	0.59%	76,762	52.75%	6,267	4.31%	139,243	95.69%	58,995	40.54%
5	137,031	57,854	42.22%	70,307	51.31%	568	0.41%	1,551	1.13%	5,014	3.66%	1,737	1.27%	909	0.66%	71,216	51.97%	8,242	6.01%	128,789	93.99%	55,492	40.50%
6	140,779	106,403	75.58%	22,411	15.92%	1,022	0.73%	3,195	2.27%	4,183	2.97%	3,565	2.53%	1,351	0.96%	23,762	16.88%	12,031	8.55%	128,748	91.45%	100,211	71.18%
7	147,031	114,380	77.79%	23,077	15.70%	535	0.36%	2,084	1.42%	5,162	3.51%	1,793	1.22%	629	0.43%	23,706	16.12%	9,013	6.13%	138,018	93.87%	111,164	75.61%
8	158,646	122,365	77.13%	28,653	18.06%	1,349	0.85%	711	0.45%	3,902	2.46%	1,666	1.05%	575	0.36%	29,228	18.42%	7,062	4.45%	151,584	95.55%	119,726	75.47%
9	158,279	131,486	83.07%	18,808	11.88%	759	0.48%	1,950	1.23%	3,199	2.02%	2,077	1.31%	700	0.44%	19,508	12.33%	6,983	4.41%	151,296	95.59%	128,394	81.12%
10	141,336	95,053	67.25%	29,974	21.21%	1,443	1.02%	655	0.46%	12,645	8.95%	1,566	1.11%	489	0.35%	30,463	21.55%	17,936	12.69%	123,400	87.31%	90,828	64.26%
11	138,563	97,521	70.38%	30,836	22.25%	621	0.45%	1,070	0.77%	7,093	5.12%	1,422	1.03%	564	0.41%	31,400	22.66%	11,608	8.38%	126,955	91.62%	93,819	67.71%
12	139,900	100,640	71.94%	26,604	19.02%	1,306	0.93%	1,355	0.97%	7,738	5.53%	2,257	1.61%	800	0.57%	27,404	19.59%	14,731	10.53%	125,169	89.47%	94,904	67.84%
13	142,807	59,791	41.87%	37,019	25.92%	37,826	26.49%	976	0.68%	5,173	3.62%	2,022	1.42%	642	0.45%	37,661	26.37%	8,181	5.73%	134,626	94.27%	57,735	40.43%
14	136,074	48,650	35.75%	68,184	50.11%	889	0.65%	3,959	2.91%	11,474	8.43%	2,918	2.14%	1,595	1.17%	69,779	51.28%	21,079	15.49%	114,995	84.51%	41,529	30.52%
15	140,805	117,840	83.69%	13,528	9.61%	362	0.26%	4,961	3.52%	2,302	1.63%	1,812	1.29%	656	0.47%	14,184	10.07%	6,327	4.49%	134,478	95.51%	114,411	81.25%
16	161,095	113,667	70.56%	22,982	14.27%	725	0.45%	14,645	9.09%	5,807	3.60%	3,269	2.03%	1,223	0.76%	24,205	15.03%	12,835	7.97%	148,260	92.03%	107,935	67.00%
17	135,110	107,913	79.87%	12,209	9.04%	490	0.36%	10,471	7.75%	2,246	1.66%	1,781	1.32%	597	0.44%	12,806	9.48%	6,731	4.98%	128,379	95.02%	103,885	76.89%
18	139,053	100,595	72.34%	28,604	20.57%	832	0.60%	1,715	1.23%	5,520	3.97%	1,787	1.29%	678	0.49%	29,282	21.06%	10,984	7.90%	128,069	92.10%	96,216	69.19%
19	134,722	92,294	68.51%	28,890	21.44%	2,593	1.92%	3,840	2.85%	3,578	2.66%	3,527	2.62%	1,405	1.04%	30,295	22.49%	10,355	7.69%	124,367	92.31%	87,071	64.63%
20	144,282	56,075	38.86%	72,369	50.16%	741	0.51%	3,045	2.11%	9,673	6.70%	2,379	1.65%	1,279	0.89%	73,648	51.04%	15,927	11.04%	128,355	88.96%	51,331	35.58%
21	131,935	49,836	37.77%	65,790	49.87%	4,260	3.23%	3,198	2.42%	4,859	3.68%	3,992	3.03%	2,197	1.67%	67,987	51.53%	11,789	8.94%	120,146	91.06%	45,164	34.23%
22	158,747	108,589	68.40%	33,158	20.89%	752	0.47%	7,836	4.94%	6,071	3.82%	2,341	1.47%	930	0.59%	34,088	21.47%	11,921	7.51%	146,826	92.49%	103,729	65.34%
23	155,496	119,697	76.98%	19,176	12.33%	668	0.43%	7,341	4.72%	6,280	4.04%	2,334	1.50%	743	0.48%	19,919	12.81%	12,147	7.81%	143,349	92.19%	114,647	73.73%
24	143,634	110,081	76.64%	23,140	16.11%	884	0.62%	1,508	1.05%	6,345	4.42%	1,676	1.17%	634	0.44%	23,774	16.55%	11,416	7.95%	132,218	92.05%	105,998	73.80%
25	152,151	107,051	70.36%	35,650	23.43%	3,828	2.52%	1,608	1.06%	2,588	1.70%	1,426	0.94%	436	0.29%	36,086	23.72%	4,650	3.06%	147,501	96.94%	105,416	69.28%
26	146,745	117,940	80.37%	21,800	14.86%	453	0.31%	2,534	1.73%	2,501	1.70%	1,517	1.03%	621	0.42%	22,421	15.28%	5,347	3.64%	141,398	96.36%	115,456	78.68%
27	147,489	111,354	75.50%	24,310	16.48%	753	0.51%	5,352	3.63%	3,863	2.62%	1,857	1.26%	772	0.52%	25,082	17.01%	7,759	5.26%	139,730	94.74%	108,116	73.30%
28	152,543	51,908	34.03%	84,296	55.26%	936	0.61%	6,159	4.04%	6,273	4.11%	2,971	1.95%	1,883	1.23%	86,179	56.49%	11,617	7.62%	140,926	92.38%	47,954	31.44%
29	148,190	126,186	85.15%	12,862	8.68%	1,023	0.69%	1,556	1.05%	5,144	3.47%	1,419	0.96%	413	0.28%	13,275	8.96%	9,889	6.67%	138,301	93.33%	122,086	82.38%
30	147,140	134,932	91.70%	5,865	3.99%	388	0.26%	585	0.40%	4,203	2.86%	1,167	0.79%	324	0.22%	6,189	4.21%	6,893	4.68%	140,247	95.32%	132,596	90.12%
31	154,400	137,648	89.15%	9,470	6.13%	422	0.27%	2,258	1.46%	3,298	2.14%	1,304	0.84%	447	0.29%	9,917	6.42%	6,570	4.26%	147,830	95.74%	134,803	87.31%
32	140,337	63,585	45.31%	58,334	41.57%	660	0.47%	2,650	1.89%	12,552	8.94%	2,556	1.82%	1,352	0.96%	59,686	42.53%	19,927	14.20%	120,410	85.80%	58,110	41.41%
33	145,058	122,043	84.13%	14,531	10.02%	674	0.46%	1,737	1.20%	4,852	3.34%	1,221	0.84%	327	0.23%	14,858	10.24%	8,186	5.64%	136,872	94.36%	119,141	82.13%
34	150,173	120,787	80.43%	20,908	13.92%	487	0.32%	1,360	0.91%	5,225	3.48%	1,406	0.94%	468	0.31%	21,376	14.23%	9,117	6.07%	141,056	93.93%	117,520	78.26%
35	132,039	105,593	79.97%	15,744	11.92%	569	0.43%	2,170	1.64%	6,370	4.82%	1,593	1.21%	516	0.39%	16,260	12.31%	12,265	9.29%	119,774	90.71%	100,426	76.06%
36	137,603	109,049	79.25%	18,811	13.67%	485	0.35%	2,572	1.87%	5,166	3.75%	1,520	1.10%	587	0.43%	19,398	14.10%	9,898	7.19%	127,705	92.81%	105,106	76.38%
37	143,245	83,731	58.45%	36,562	25.52%	732	0.51%	6,334	4.42%	12,923	9.02%	2,963	2.07%	1,169	0.82%	37,731	26.34%	24,161	16.87%	119,084	83.13%	74,553	52.05%
38	135,980	48,905	35.96%	69,874	51.39%	695	0.51%	8,038	5.91%	5,743	4.22%	2,725	2.00%	1,526	1.12%	71,400	52.51%	11,419	8.40%	124,561	91.60%	44,736	32.90%
39	135,905	115,798	85.21%	8,918	6.56%	311	0.23%	7,268	5.35%	1,961	1.44%	1,649	1.21%	587	0.43%	9,505	6.99%	6,146	4.52%	129,759	95.48%	111,983	82.40%
40	137,160	44,418	32.38%	69,385	50.59%	801	0.58%	6,059	4.42%	13,266	9.67%	3,231	2.36%	1,714	1.25%	71,099	51.84%	22,915	16.71%	114,245	83.29%	36,953	26.94%
41	134,000	107,374	80.13%	16,938	12.64%	512	0.38%	4,386	3.27%	3,042	2.27%	1,748	1.30%	678	0.51%	17,616	13.15%	7,987	5.96%	126,013	94.04%	103,030	76.89%
42	146,308	125,192	85.57%	11,314	7.73%	447	0.31%	3,627	2.48%	4,368	2.99%	1,360	0.93%	434	0.30%	11,748	8.03%	8,698	5.94%	137,610	94.06%	121,409	82.98%
43	149,991	120,517	80.35%	21,596	14.40%	623	0.42%	1,798	1.20%	3,862	2.57%	1,595	1.06%	530	0.35%	22,126	14.75%	7,396	4.93%	142,595	95.07%	117,542	78.37%
44	150,318	128,383	85.41%	14,462	9.62%	495	0.33%	2,047	1.36%	3,442	2.29%	1,489	0.99%	434	0.29%	14,896	9.91%	7,883	5.24%	142,435	94.76%	124,512	82.83%
45	153,886	143,745	93.41%	4,649	3.02%	414	0.27%	891	0.58%	2,799	1.82%	1,388	0.90%	324	0.21%	4,973	3.23%	5,599	3.64%	148,287	96.36%	141,285	91.81%
46	145,804	119,571	82.01%	19,307	13.24%	425	0.29%	2,746	1.88%	2,446	1.68%	1,309	0.90%	446	0.31%	19,753	13.55%	4,537	3.11%	141,267	96.89%	118,007	80.94%
47	147,841	135,556	91.69%	7,623	5.16%	461	0.31%	646	0.44%	2,340	1.58%	1,215	0.82%	251	0.17%	7,874	5.33%	4,560	3.08%	143,281	96.92%	133,656	90.41%
48	147,107	134,555	91.47%	4,762	3.24%	527	0.36%	1,600	1.09%	4,036	2.74%	1,627	1.11%	390	0.27%	5,152	3.50%	8,675	5.90%	138,432	94.10%	130,372	88.62%
49	154,410	137,183	88.84%	9,803	6.35%	634	0.41%	1,357	0.88%	3,246	2.10%	2,187	1.42%	665	0.43%	10,468	6.78%	7,266	4.71%	147,144	95.29%	133,666	86.57%
50	156,458	143,449	91.69%	1,906	1.22%	6,111	3.91%	811	0.52%	2,													



Registration by Party																		Registration by Race Without Regard to Party			
District	VR Total	Racial %s among D's					Racial %s among R's					Racial %s among U's					% L	Party			
		% D	White % of D	Black % of D	NA % of D	Other % of D	% R	White % of R	Black % of R	NA % of R	Other % of R	% U	White % of U	Black % of U	NA % of U	Other % of U		% White	% Black	% NA	% Other
1	129,722	47.25%	59.78%	38.03%	0.14%	2.06%	26.33%	95.78%	2.19%	0.12%	1.91%	26.26%	87.42%	8.13%	0.23%	4.22%	0.16%	76.56%	20.69%	0.16%	2.59%
2	124,024	38.65%	62.65%	34.57%	0.18%	2.60%	36.16%	95.83%	1.57%	0.16%	2.44%	25.07%	87.00%	7.78%	0.20%	5.02%	0.13%	80.78%	15.88%	0.18%	3.16%
3	120,324	73.81%	32.47%	65.96%	0.21%	1.36%	13.94%	88.45%	9.99%	0.11%	1.44%	12.20%	68.06%	26.84%	0.28%	4.82%	0.05%	44.63%	53.37%	0.20%	1.80%
4	125,384	70.19%	28.14%	67.96%	1.66%	2.24%	15.75%	87.56%	10.01%	0.47%	1.96%	13.97%	62.21%	31.18%	1.01%	5.61%	0.09%	42.29%	53.66%	1.38%	2.68%
5	107,238	63.72%	29.02%	68.04%	0.17%	2.77%	19.46%	89.62%	7.36%	0.20%	2.82%	16.69%	63.49%	28.59%	0.27%	7.65%	0.13%	46.62%	49.58%	0.19%	3.61%
6	92,394	37.62%	52.79%	41.27%	0.27%	5.67%	34.21%	91.43%	2.83%	0.24%	5.50%	27.96%	78.38%	12.13%	0.41%	9.08%	0.21%	73.22%	19.90%	0.30%	6.58%
7	111,483	44.67%	57.17%	39.17%	0.18%	3.48%	34.28%	95.75%	1.73%	0.16%	2.36%	20.90%	82.34%	11.26%	0.27%	6.14%	0.15%	75.70%	20.45%	0.19%	3.66%
8	135,241	43.57%	60.55%	36.91%	0.50%	2.05%	31.50%	96.25%	2.00%	0.23%	1.52%	24.79%	88.04%	7.53%	0.44%	3.99%	0.14%	78.65%	18.59%	0.40%	2.36%
9	142,337	36.32%	69.47%	26.80%	0.22%	3.51%	34.90%	96.83%	1.05%	0.12%	2.00%	28.51%	87.41%	6.21%	0.23%	6.16%	0.26%	84.18%	11.88%	0.19%	3.75%
10	106,179	46.88%	49.97%	46.08%	0.84%	3.11%	34.11%	95.49%	2.12%	0.33%	2.06%	18.91%	81.60%	11.06%	0.70%	6.64%	0.10%	71.51%	24.42%	0.64%	3.43%
11	118,704	45.85%	54.07%	42.93%	0.25%	2.75%	34.30%	95.86%	2.18%	0.16%	1.80%	19.74%	82.55%	11.26%	0.33%	5.86%	0.11%	74.06%	22.66%	0.24%	3.04%
12	106,590	44.98%	56.53%	39.05%	0.60%	3.82%	33.29%	94.31%	1.99%	0.36%	3.34%	21.51%	80.38%	11.41%	0.65%	7.56%	0.23%	74.30%	20.69%	0.53%	4.48%
13	105,838	72.06%	36.14%	36.05%	25.69%	2.12%	12.73%	78.19%	5.46%	13.62%	2.72%	15.13%	57.35%	17.99%	18.88%	5.78%	0.07%	44.71%	29.41%	23.12%	2.76%
14	108,074	62.43%	21.57%	72.05%	0.26%	6.13%	16.26%	86.67%	7.28%	0.22%	5.83%	21.16%	52.13%	31.62%	0.28%	15.98%	0.15%	38.69%	52.88%	0.26%	8.18%
15	135,917	35.22%	73.62%	20.14%	0.19%	6.05%	37.11%	95.96%	0.74%	0.10%	3.20%	27.49%	85.42%	5.20%	0.15%	9.23%	0.19%	85.18%	8.80%	0.15%	5.87%
16	125,074	42.32%	62.01%	28.53%	0.32%	9.14%	25.47%	93.27%	1.40%	0.20%	5.13%	31.89%	75.82%	8.37%	0.26%	15.55%	0.32%	74.44%	15.11%	0.27%	10.17%
17	125,885	31.62%	68.87%	22.56%	0.28%	8.29%	36.95%	95.28%	0.84%	0.12%	3.76%	31.21%	82.91%	4.34%	0.17%	12.59%	0.22%	83.05%	8.80%	0.19%	7.96%
18	117,247	44.15%	50.86%	45.11%	0.27%	3.76%	33.51%	95.60%	1.84%	0.17%	2.39%	22.20%	81.98%	10.64%	0.31%	7.07%	0.14%	72.81%	22.90%	0.25%	4.04%
19	108,695	47.43%	39.36%	52.46%	1.26%	6.92%	28.60%	87.98%	4.00%	1.00%	7.02%	23.81%	64.30%	20.32%	1.45%	13.93%	0.16%	59.26%	30.89%	1.23%	8.63%
20	115,631	66.89%	27.64%	67.88%	0.23%	4.26%	13.98%	89.09%	7.16%	0.17%	3.59%	19.01%	57.97%	28.17%	0.30%	13.56%	0.12%	42.04%	51.78%	0.24%	5.94%
21	108,346	57.19%	20.50%	70.76%	2.70%	6.04%	19.47%	80.39%	8.21%	1.78%	9.63%	23.21%	50.47%	31.90%	2.47%	15.17%	0.14%	39.17%	49.49%	2.47%	8.87%
22	137,156	53.98%	55.35%	38.72%	0.26%	5.66%	20.62%	93.95%	2.25%	0.18%	3.62%	25.23%	76.42%	10.93%	0.31%	12.33%	0.17%	68.67%	24.13%	0.26%	6.94%
23	141,744	50.94%	71.85%	21.75%	0.24%	6.16%	20.38%	94.98%	1.21%	0.12%	3.69%	28.46%	82.87%	5.31%	0.26%	11.56%	0.22%	79.73%	12.84%	0.22%	7.21%
24	111,324	40.99%	58.99%	37.12%	0.24%	3.66%	37.16%	97.00%	1.14%	0.14%	1.72%	21.71%	85.07%	8.03%	0.32%	6.58%	0.14%	78.81%	17.39%	0.22%	3.58%
25	125,335	50.79%	54.99%	41.78%	1.25%	1.97%	29.63%	95.34%	2.17%	0.81%	1.68%	19.51%	83.82%	10.22%	1.99%	3.97%	0.07%	72.59%	23.87%	1.26%	2.28%
26	132,909	41.01%	65.46%	31.67%	0.17%	2.71%	36.43%	97.01%	1.18%	0.11%	1.71%	22.42%	86.19%	8.09%	0.22%	5.49%	0.14%	81.63%	15.24%	0.16%	2.97%
27	138,493	39.66%	60.24%	35.00%	0.25%	4.51%	37.73%	96.82%	1.13%	0.17%	1.88%	22.45%	82.18%	9.99%	0.29%	7.53%	0.15%	79.01%	16.56%	0.23%	4.20%
28	135,790	66.67%	19.92%	75.78%	0.33%	3.97%	13.88%	84.64%	10.05%	0.39%	4.92%	19.33%	51.91%	37.56%	0.46%	10.06%	0.12%	35.14%	59.21%	0.37%	5.28%
29	123,488	27.87%	69.90%	26.80%	0.53%	2.77%	46.42%	97.58%	0.72%	0.25%	1.45%	25.53%	90.81%	4.81%	0.46%	3.91%	0.18%	88.13%	9.04%	0.38%	2.45%
30	114,541	34.09%	87.73%	10.39%	0.12%	1.76%	46.09%	98.64%	0.37%	0.06%	0.93%	19.68%	94.87%	2.07%	0.17%	2.89%	0.13%	94.17%	4.12%	0.10%	1.60%
31	135,433	31.07%	74.32%	22.17%	0.13%	3.38%	46.34%	97.85%	0.51%	0.10%	1.55%	22.46%	89.78%	4.67%	0.21%	5.35%	0.13%	88.71%	8.18%	0.13%	2.98%
32	114,399	57.70%	28.83%	66.82%	0.18%	4.17%	22.10%	92.13%	4.47%	0.19%	3.21%	20.04%	64.23%	25.25%	0.33%	10.19%	0.16%	49.99%	44.63%	0.21%	5.17%
33	116,014	34.65%	69.89%	27.17%	0.24%	2.70%	43.89%	98.05%	0.75%	0.19%	1.00%	21.28%	91.13%	4.85%	0.31%	3.71%	0.18%	86.81%	10.78%	0.23%	2.17%
34	125,341	34.49%	60.84%	36.12%	0.19%	2.86%	42.83%	97.38%	1.09%	0.13%	1.40%	22.58%	87.73%	8.01%	0.22%	4.04%	0.10%	82.59%	14.74%	0.17%	2.51%
35	114,432	30.93%	61.39%	33.02%	0.29%	5.30%	43.15%	96.28%	1.10%	0.18%	2.44%	25.73%	86.57%	6.62%	0.28%	6.53%	0.19%	82.97%	12.40%	0.24%	4.40%
36	115,279	34.14%	60.88%	34.17%	0.19%	4.76%	40.93%	96.56%	1.06%	0.19%	2.19%	24.75%	84.47%	7.77%	0.28%	7.48%	0.18%	81.37%	14.03%	0.21%	4.38%
37	114,573	46.43%	43.99%	47.47%	0.34%	8.19%	24.57%	91.67%	3.35%	0.18%	4.80%	28.82%	72.64%	14.21%	0.31%	12.84%	0.19%	64.02%	26.98%	0.29%	8.70%
38	115,044	62.75%	17.19%	75.91%	0.26%	6.64%	15.84%	85.89%	8.41%	0.22%	5.48%	21.29%	51.53%	31.92%	0.45%	16.11%	0.13%	35.44%	55.79%	0.30%	8.48%
39	138,710	28.16%	74.87%	17.58%	0.27%	7.28%	43.42%	96.35%	0.57%	0.12%	2.96%	28.27%	86.01%	4.33%	0.30%	9.36%	0.14%	87.35%	6.43%	0.22%	6.00%
40	111,174	63.73%	17.16%	75.03%	0.30%	7.51%	14.84%	83.30%	9.77%	0.30%	6.63%	21.28%	48.08%	33.79%	0.42%	17.71%	0.16%	33.60%	56.50%	0.33%	9.57%
41	122,869	32.54%	59.58%	33.49%	0.24%	6.69%	39.22%	95.70%	1.05%	0.13%	3.12%	28.07%	83.77%	7.44%	0.24%	8.55%	0.17%	80.58%	13.41%	0.20%	5.82%
42	122,975	31.19%	75.08%	20.72%	0.12%	4.09%	44.16%	97.62%	0.63%	0.08%	1.67%	24.53%	90.35%	3.94%	0.14%	5.57%	0.12%	88.80%	7.71%	0.11%	3.39%
43	117,880	37.66%	63.30%	33.19%	0.18%	3.34%	38.90%	97.31%	1.03%	0.15%	1.51%	23.29%	85.46%	8.96%	0.35%	5.23%	0.15%	81.72%	15.00%	0.21%	3.07%
44	127,081	32.68%</																			

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



Registration by Party																		Registration by Race Without Regard to Party			
District	VR Total	% D	Racial %s among D's				% R	Racial %s among R's				% U	Racial %s among U's				% L	% White	% Black	% NA	% Other
			White % of D	Black % of D	NA % of D	Other % of D		White % of R	Black % of R	NA % of R	Other % of R		White % of U	Black % of U	NA % of U	Other % of U					
49	140,037	45.46%	84.51%	11.39%	0.18%	3.92%	25.47%	96.71%	0.85%	0.13%	2.32%	28.86%	90.02%	3.12%	0.23%	6.63%	0.21%	89.22%	6.30%	0.18%	4.30%
50	137,406	41.08%	93.79%	1.90%	2.66%	1.65%	33.07%	96.88%	0.15%	1.66%	1.32%	25.74%	92.28%	0.62%	3.90%	3.20%	0.11%	94.42%	0.99%	2.65%	1.94%
Totals:	6,102,467	44.65%	53.37%	41.38%	1.16%	4.09%	31.60%	95.24%	1.92%	0.33%	2.51%	23.60%	80.78%	10.74%	0.68%	7.80%	0.15%	73.12%	21.63%	0.78%	4.47%

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



Rucho Senate 2

	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
1	129,722	59,362	45.76%	69,250	53.38%	1,110	0.86%	129,722	12,598	9.71%	28,629	22.07%	60,824	46.89%	27,671	21.33%	129,722	542	0.42%	86,220	66.47%	42,960	33.12%
2	124,024	56,536	45.58%	66,212	53.39%	1,276	1.03%	124,024	11,767	9.49%	26,604	21.45%	56,310	45.40%	29,343	23.66%	124,024	1,073	0.87%	105,292	84.90%	17,659	14.24%
3	120,324	52,050	43.26%	67,342	55.97%	932	0.77%	120,324	12,130	10.08%	26,060	21.66%	55,402	46.04%	26,732	22.22%	120,324	274	0.23%	100,132	83.22%	19,918	16.55%
4	125,219	54,598	43.60%	69,948	55.86%	673	0.54%	125,273	14,415	11.51%	29,061	23.21%	57,123	45.62%	24,674	19.70%	125,220	648	0.52%	108,380	86.55%	16,192	12.93%
5	106,835	45,510	42.60%	60,437	56.57%	888	0.83%	107,001	14,163	13.26%	27,785	26.01%	46,456	43.48%	18,597	17.41%	106,860	910	0.85%	90,162	84.37%	15,788	14.77%
6	92,394	40,811	44.17%	50,535	54.70%	1,048	1.13%	92,394	13,993	15.14%	27,380	29.63%	37,748	40.86%	13,273	14.37%	92,394	2,606	2.82%	76,948	83.28%	12,840	13.90%
7	111,886	50,509	45.14%	60,415	54.00%	962	0.86%	111,720	16,860	15.07%	28,944	25.87%	48,131	43.02%	17,785	15.90%	111,861	1,016	0.91%	96,453	86.23%	14,392	12.87%
8	135,257	62,243	46.02%	71,911	53.17%	1,103	0.82%	135,267	11,353	8.39%	27,762	20.53%	63,087	46.64%	33,065	24.45%	135,271	872	0.64%	103,708	76.67%	30,691	22.69%
9	142,321	64,066	45.02%	75,586	53.11%	2,669	1.88%	142,311	17,181	12.07%	40,646	28.56%	59,361	41.71%	25,123	17.65%	142,307	1,154	0.81%	119,162	83.74%	21,991	15.45%
10	106,300	47,403	44.59%	57,902	54.47%	995	0.94%	106,269	10,016	9.42%	26,242	24.69%	49,731	46.78%	20,280	19.08%	106,326	1,491	1.40%	90,831	85.43%	14,004	13.17%
11	118,862	54,100	45.51%	64,276	54.08%	486	0.41%	118,787	11,726	9.87%	30,252	25.45%	56,356	47.41%	20,453	17.21%	118,850	1,325	1.11%	103,516	87.10%	14,009	11.79%
12	106,476	48,022	45.10%	58,048	54.52%	406	0.38%	106,528	11,679	10.97%	28,300	26.58%	48,081	45.16%	18,468	17.34%	106,461	2,262	2.12%	84,803	79.66%	19,396	18.22%
13	105,838	45,739	43.22%	59,698	56.41%	401	0.38%	105,838	11,983	11.32%	26,366	24.91%	47,900	45.26%	19,589	18.51%	105,838	669	0.63%	95,978	90.68%	9,191	8.68%
14	107,783	46,417	43.07%	60,178	55.83%	1,188	1.10%	107,842	14,481	13.44%	36,427	33.80%	44,868	41.63%	12,066	11.19%	107,782	2,650	2.46%	74,888	69.48%	30,244	28.06%
15	136,140	63,219	46.44%	72,164	53.01%	757	0.56%	136,099	12,846	9.44%	38,353	28.17%	66,372	48.75%	18,528	13.61%	136,128	1,659	1.22%	113,427	83.32%	21,042	15.46%
16	124,974	58,560	46.86%	65,290	52.24%	1,124	0.90%	124,988	19,356	15.49%	45,387	36.32%	46,866	37.50%	13,379	10.71%	124,975	2,375	1.90%	91,519	73.23%	31,081	24.87%
17	125,562	59,409	47.31%	65,504	52.17%	649	0.52%	125,661	12,201	9.72%	35,919	28.61%	64,342	51.24%	13,199	10.51%	125,587	1,983	1.58%	99,457	79.19%	24,147	19.23%
18	117,738	54,462	46.26%	62,493	53.08%	783	0.67%	117,607	11,323	9.62%	32,239	27.38%	57,845	49.13%	16,200	13.76%	117,725	1,712	1.45%	94,752	80.49%	21,261	18.06%
19	108,077	48,142	44.54%	58,386	54.02%	1,549	1.43%	108,178	14,445	13.37%	30,571	28.29%	46,685	43.20%	16,477	15.25%	108,108	3,779	3.50%	80,504	74.47%	23,825	22.04%
20	115,871	48,976	42.27%	64,321	55.51%	2,574	2.22%	115,901	14,894	12.85%	34,920	30.14%	49,627	42.83%	16,460	14.21%	115,856	1,651	1.43%	81,723	70.54%	32,482	28.04%
21	108,964	47,454	43.55%	60,086	55.14%	1,424	1.31%	108,863	15,825	14.52%	34,234	31.42%	44,565	40.90%	14,239	13.07%	108,933	4,317	3.96%	80,421	73.83%	24,195	22.21%
22	136,916	61,246	44.73%	74,051	54.08%	1,619	1.18%	136,886	15,245	11.13%	41,351	30.20%	58,973	43.07%	21,317	15.57%	136,931	1,883	1.38%	104,931	76.63%	30,117	21.99%
23	141,744	63,581	44.86%	76,528	53.99%	1,635	1.15%	141,744	23,755	16.76%	35,507	25.05%	60,212	42.48%	22,270	15.71%	141,744	2,139	1.51%	112,763	79.55%	26,842	18.94%
24	111,324	49,789	44.72%	60,923	54.73%	612	0.55%	111,324	11,345	10.19%	25,411	22.83%	51,648	46.39%	22,920	20.59%	111,324	1,282	1.15%	90,768	81.53%	19,274	17.31%
25	125,335	56,640	45.19%	67,708	54.02%	987	0.79%	125,335	13,261	10.58%	29,499	23.54%	57,709	46.04%	24,866	19.84%	125,335	494	0.39%	109,488	87.36%	15,353	12.25%
26	132,832	60,518	45.56%	72,202	54.36%	112	0.08%	132,840	12,093	9.10%	30,736	23.14%	64,673	48.69%	25,338	19.08%	132,827	881	0.66%	120,046	90.38%	11,900	8.96%
27	138,735	63,102	45.48%	75,382	54.34%	251	0.18%	138,668	13,166	9.49%	33,734	24.32%	64,316	46.36%	27,452	19.79%	138,698	1,434	1.03%	124,940	90.08%	12,324	8.89%
28	135,625	57,107	42.11%	78,166	57.63%	352	0.26%	135,684	24,080	17.75%	41,732	30.77%	50,641	37.34%	19,231	14.18%	135,667	1,548	1.14%	111,960	82.53%	22,159	16.33%
29	123,488	56,612	45.84%	66,639	53.96%	237	0.19%	123,488	11,538	9.34%	26,874	21.76%	55,335	44.81%	29,741	24.08%	123,488	1,285	1.04%	109,834	88.94%	12,369	10.02%
30	1																						



	2004 Auditor Campbell-Merritt				2004 Governor Easley-Ballantine-Howe						2004 President Kerry-Bush-Badnarik								2004 US Senate Bowles-Burr-Bailey							
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %
1	23,800	49.64%	24,144	50.36%	29,455	57.55%	20,616	40.28%	1,114	2.18%	20,851	40.63%	30,242	58.93%	208	0.41%	15	0.03%	23,602	46.65%	26,041	51.47%	945	1.87%	7	0.01%
2	16,915	41.44%	23,902	58.56%	21,696	50.46%	20,583	47.88%	714	1.66%	14,811	33.86%	28,732	65.68%	182	0.42%	22	0.05%	16,678	38.42%	25,908	59.69%	810	1.87%	9	0.02%
3	34,052	69.57%	14,895	30.43%	37,384	72.10%	13,877	26.76%	587	1.13%	29,876	57.26%	22,152	42.45%	135	0.26%	17	0.03%	32,350	62.48%	18,880	36.46%	540	1.04%	6	0.01%
4	33,805	69.37%	14,923	30.63%	37,195	73.31%	13,123	25.86%	419	0.83%	29,801	59.16%	20,474	40.64%	83	0.16%	18	0.04%	32,056	63.41%	18,049	35.70%	440	0.87%	11	0.02%
5	22,444	63.71%	12,783	36.29%	24,805	66.56%	12,100	32.47%	362	0.97%	21,259	56.20%	16,485	43.58%	70	0.19%	15	0.04%	22,030	59.32%	14,808	39.88%	293	0.79%	5	0.01%
6	11,657	39.74%	17,678	60.26%	15,431	48.61%	15,607	49.17%	706	2.22%	9,701	30.75%	21,722	68.85%	109	0.35%	16	0.05%	10,817	35.45%	19,068	62.50%	620	2.03%	6	0.02%
7	15,283	43.29%	20,020	56.71%	18,868	50.01%	18,494	49.02%	368	0.98%	13,125	34.55%	24,750	65.16%	91	0.24%	18	0.05%	14,675	38.97%	22,703	60.29%	280	0.74%	0	0.00%
8	21,798	51.82%	20,269	48.18%	27,019	59.30%	17,965	39.43%	576	1.26%	19,998	43.40%	25,914	56.23%	151	0.33%	20	0.04%	21,489	47.82%	22,687	50.49%	761	1.69%	0	0.00%
9	23,146	43.03%	30,644	56.97%	31,147	52.84%	26,809	45.48%	992	1.68%	25,094	42.50%	33,694	57.07%	235	0.40%	21	0.04%	25,573	44.57%	30,483	53.12%	1,322	2.30%	4	0.01%
10	20,801	47.42%	23,066	52.58%	24,349	53.00%	21,146	46.03%	443	0.96%	16,363	35.82%	29,182	63.88%	110	0.24%	30	0.07%	18,731	41.27%	26,178	57.68%	461	1.02%	13	0.03%
11	20,207	45.90%	23,820	54.10%	24,626	53.16%	21,250	45.87%	447	0.96%	15,841	34.32%	30,206	65.45%	99	0.21%	7	0.02%	18,313	39.73%	27,340	59.32%	435	0.94%	3	0.01%
12	21,777	47.27%	24,290	52.73%	25,520	52.71%	22,221	45.90%	675	1.39%	17,280	35.58%	31,145	64.12%	123	0.25%	25	0.05%	20,232	41.95%	27,317	56.64%	661	1.37%	15	0.03%
13	28,794	69.10%	12,876	30.90%	30,468	68.32%	13,649	30.61%	479	1.07%	22,332	50.88%	21,428	48.82%	106	0.24%	25	0.06%	26,217	59.43%	17,273	39.15%	620	1.41%	7	0.02%
14	26,395	69.91%	11,363	30.09%	27,718	71.61%	10,362	26.77%	627	1.62%	24,958	65.15%	13,175	34.39%	151	0.39%	23	0.06%	25,899	67.93%	11,779	30.89%	449	1.18%	0	0.00%
15	27,374	44.79%	33,747	55.21%	34,394	53.65%	28,800	44.93%	909	1.42%	25,969	40.51%	37,845	59.04%	240	0.37%	44	0.07%	27,730	43.83%	34,817	55.04%	714	1.13%	0	0.00%
16	27,831	56.10%	21,783	43.90%	32,666	62.33%	18,560	35.42%	1,181	2.25%	28,015	53.36%	24,081	45.86%	329	0.63%	81	0.15%	28,707	55.54%	22,066	42.69%	915	1.77%	0	0.00%
17	21,391	42.11%	29,408	57.89%	28,065	52.14%	24,892	46.25%	865	1.61%	20,885	38.80%	32,630	60.62%	269	0.50%	41	0.08%	22,013	41.51%	30,197	56.95%	817	1.54%	0	0.00%
18	21,196	47.06%	23,840	52.94%	25,166	54.00%	20,778	44.58%	660	1.42%	18,205	39.22%	28,041	60.41%	148	0.32%	22	0.05%	20,112	43.62%	25,390	55.07%	606	1.31%	1	0.00%
19	19,833	50.32%	19,581	49.68%	23,953	57.86%	16,730	40.41%	716	1.73%	16,634	40.51%	24,287	59.15%	116	0.28%	26	0.06%	18,853	45.69%	21,722	52.64%	688	1.67%	0	0.00%
20	30,841	74.98%	10,293	25.02%	32,071	75.56%	9,809	23.11%	566	1.33%	29,004	68.45%	13,241	31.25%	104	0.25%	25	0.06%	30,102	71.13%	11,740	27.74%	475	1.12%	3	0.01%
21	21,822	64.60%	11,956	35.40%	24,217	69.26%	10,216	29.22%	531	1.52%	19,784	56.97%	14,844	42.74%	74	0.21%	26	0.07%	21,401	61.54%	12,861	36.98%	513	1.48%	0	0.00%
22	25,958	60.61%	16,868	39.39%	29,714	65.05%	15,044	32.93%	921	2.02%	24,848	54.15%	20,754	45.23%	221	0.48%	67	0.15%	25,770	56.42%	19,226	42.09%	683	1.50%	0	0.00%
23	25,321	59.70%	17,095	40.30%	28,678	63.96%	15,201	33.90%	961	2.14%	24,767	55.08%	19,803	44.04%	309	0.69%	87	0.19%	25,787	57.59%	18,280	40.82%	709	1.58%	2	0.00%
24	16,470	41.42%	23,296	58.58%	20,905	49.43%	20,695	48.93%	696	1.65%	14,992	35.41%	27,165	64.17%	154	0.36%	23	0.05%	16,757	39.66%	24,816	58.73%	675	1.60%	3	0.01%
25	22,164	49.17%	22,909	50.83%	26,313	54.88%	20,811	43.40%	823	1.72%	19,448	39.84%	29,211	59.83%	138	0.28%	24	0.05%	21,338	44.49%	25,764	53.71%	823	1.72%	41	0.09%
26	22,427	45.33%	27,045	54.67%	29,389	55.28%	22,835	42.95%	942	1.77%	20,439	38.21%	32,820	61.36%	208	0.39%	24	0.04%	22,293	41.90%	30,123	56.62%	782	1.47%	4	0.01%
27	19,041	41.35%	27,008	58.65%	25,368	51.56%	22,906	46.55%	930	1.89%	18,293	37.03%	30,842	62.44%	259	0.52%	0	0.00%	20,323	41.26%	28,163	57.18%	766	1.56%	0	0.00%
28	33,195	76.99%	9,923	23.01%	35,285	78.93%	8,572	19.18%	847	1.89%	33,124	73.73%	11,587	25.79%	213	0.47%	0	0.00%	34,031	75.99%	10,117	22.59%	637	1.42%	0	0.00%
29	16,345	34.66%	30,809	65.34%	22,176	44.29%	27,233	54.39%	664	1.33%	14,706	29.47%	35,028	70.19%	162	0.32%	11	0.02%	16,749	33.55%	32,449	65.01%	719	1.44%	0	0.00%
30	19,423	37.40%	32,512	62.60%	26,114	47.05%	28,541	51.42%	847	1.53%	16,027	29.02%	38,993	70.60%	194	0.35%	18	0.03%	17,632	31.63%	37,287	66.90%	814	1.46%	4	0.01%
31	23,372	35.93%	41,671																							



2008 A. G. Cooper-Crumley					2008 Comm. Ag Ansley-Troxler				2008 Comm. of Labor Donnan-Berry				2008 State Auditor Wood-Merritt				2008 Comm. of Insurance Goodwin-Odom								2008 Super. of P.I. Atkinson-Morgan			
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %
1	48,000	56.72%	36,632	43.28%	41,225	49.21%	42,548	50.79%	40,367	48.46%	42,936	51.54%	43,510	52.17%	39,894	47.83%	42,836	50.97%	37,858	45.05%	3,307	3.94%	38	0.05%	43,668	52.37%	39,723	47.63%
2	43,641	53.22%	38,361	46.78%	32,948	40.72%	47,974	59.28%	32,699	40.57%	47,892	59.43%	37,228	46.18%	43,381	53.82%	35,678	44.06%	42,385	52.34%	2,877	3.55%	45	0.06%	36,591	45.48%	43,858	54.52%
3	65,063	78.74%	17,568	21.26%	54,138	65.98%	27,915	34.02%	55,349	68.45%	25,506	31.55%	57,936	71.74%	22,818	28.26%	58,469	71.66%	21,750	26.66%	1,344	1.65%	25	0.03%	57,563	71.11%	23,391	28.89%
4	71,028	81.55%	16,068	18.45%	58,292	67.62%	27,909	32.38%	59,040	68.85%	26,710	31.15%	61,207	71.58%	24,299	28.42%	61,006	70.99%	23,528	27.38%	1,377	1.60%	26	0.03%	61,602	71.83%	24,162	28.17%
5	55,773	74.87%	18,720	25.13%	46,212	62.74%	27,441	37.26%	46,771	63.77%	26,573	36.23%	49,529	67.55%	23,791	32.45%	48,499	65.80%	23,551	31.95%	1,615	2.19%	40	0.05%	48,972	66.76%	24,387	33.24%
6	27,802	53.38%	24,286	46.62%	22,136	43.24%	29,058	56.76%	22,084	43.40%	28,797	56.60%	24,021	47.22%	26,852	52.78%	22,504	43.89%	26,034	50.78%	2,682	5.23%	51	0.10%	23,553	46.22%	27,403	53.78%
7	46,204	58.44%	32,855	41.56%	30,977	39.73%	46,988	60.27%	31,720	40.92%	45,803	59.08%	35,753	46.29%	41,478	53.71%	34,584	44.58%	40,866	52.68%	2,090	2.69%	37	0.05%	35,254	45.59%	42,078	54.41%
8	51,471	57.32%	38,329	42.68%	41,540	46.96%	46,909	53.04%	41,757	47.46%	46,234	52.54%	44,623	50.79%	43,239	49.21%	42,783	48.18%	41,744	47.01%	4,241	4.78%	29	0.03%	43,825	49.86%	44,076	50.14%
9	53,210	57.84%	38,778	42.16%	40,447	45.19%	49,048	54.81%	40,726	45.48%	48,826	54.52%	43,072	48.29%	46,124	51.71%	41,906	46.62%	42,625	47.42%	5,270	5.86%	92	0.10%	44,756	50.06%	44,644	49.94%
10	44,928	61.45%	28,185	38.55%	30,536	42.04%	42,100	57.96%	31,904	44.42%	39,916	55.58%	35,157	49.07%	36,483	50.93%	34,371	47.78%	35,636	49.54%	1,889	2.63%	38	0.05%	35,294	49.22%	36,409	50.78%
11	53,953	64.59%	29,579	35.41%	32,240	39.11%	50,192	60.89%	34,271	42.04%	47,242	57.96%	37,808	46.46%	43,577	53.54%	37,135	45.57%	42,239	51.83%	2,066	2.54%	52	0.06%	38,916	47.83%	42,447	52.17%
12	43,585	61.74%	27,008	38.26%	28,218	40.38%	41,664	59.62%	29,894	43.19%	39,322	56.81%	33,445	48.53%	35,471	51.47%	32,130	46.34%	34,591	49.89%	2,553	3.68%	60	0.09%	33,803	48.90%	35,325	51.10%
13	46,047	73.91%	16,254	26.09%	40,131	65.09%	21,528	34.91%	38,871	63.18%	22,657	36.82%	42,819	69.98%	18,368	30.02%	41,141	66.66%	18,795	30.45%	1,755	2.84%	26	0.04%	40,183	65.49%	21,174	34.51%
14	65,679	82.62%	13,813	17.38%	55,852	70.96%	22,860	29.04%	56,633	72.11%	21,900	27.89%	58,108	74.07%	20,347	25.93%	58,387	74.15%	18,061	22.94%	2,254	2.86%	36	0.05%	60,310	76.92%	18,100	23.08%
15	65,268	62.14%	39,767	37.86%	39,805	38.62%	63,255	61.38%	42,925	41.81%	59,737	58.19%	45,651	44.52%	56,881	55.48%	47,024	45.76%	51,771	50.38%	3,894	3.79%	66	0.06%	52,445	51.27%	49,852	48.73%
16	63,853	71.34%	25,656	28.66%	46,550	52.91%	41,425	47.09%	49,036	55.86%	38,747	44.14%	51,233	58.60%	36,192	41.40%	51,889	59.11%	31,345	35.71%	4,477	5.10%	76	0.09%	55,908	64.04%	31,400	35.96%
17	55,665	59.78%	37,444	40.22%	35,329	38.66%	56,066	61.34%	37,788	41.44%	53,408	58.56%	40,627	44.72%	50,222	55.28%	41,199	45.32%	44,960	49.45%	4,683	5.15%	73	0.08%	45,100	49.64%	45,758	50.36%
18	55,589	64.22%	30,977	35.78%	36,304	42.29%	49,538	57.71%	38,774	45.59%	46,278	54.41%	41,376	48.65%	43,666	51.35%	41,779	49.15%	40,018	47.08%	3,171	3.73%	31	0.04%	44,292	52.24%	40,495	47.76%
19	44,607	63.39%	25,765	36.61%	35,816	51.57%	33,634	48.43%	35,118	50.58%	34,311	49.42%	38,302	55.33%	30,926	44.67%	37,279	53.62%	30,003	43.16%	2,210	3.18%	26	0.04%	38,158	55.07%	31,130	44.93%
20	71,251	83.78%	13,795	16.22%	61,168	72.66%	23,020	27.34%	62,254	74.18%	21,668	25.82%	64,573	77.17%	19,104	22.83%	63,856	75.91%	17,860	21.23%	2,376	2.82%	31	0.04%	65,064	77.61%	18,773	22.39%
21	51,114	75.44%	16,637	24.56%	45,752	68.22%	21,311	31.78%	45,223	67.56%	21,718	32.44%	47,565	71.06%	19,373	28.94%	46,514	69.19%	18,748	27.89%	1,932	2.87%	28	0.04%	47,115	70.35%	19,857	29.65%
22	74,086	74.67%	25,130	25.33%	56,039	57.48%	41,461	42.52%	58,006	59.94%	38,765	40.06%	61,622	63.98%	34,696	36.02%	61,175	63.15%	31,807	32.84%	3,816	3.94%	71	0.07%	62,840	65.02%	33,800	34.98%
23	76,939	74.57%	26,242	25.43%	60,420	59.51%	41,109	40.49%	63,412	62.70%	37,727	37.30%	66,008	65.69%	34,475	34.31%	65,392	64.75%	30,908	30.60%	4,589	4.54%	103	0.10%	67,983	67.53%	32,683	32.47%
24	43,365	55.81%	34,330	44.19%	29,134	37.81%	47,925	62.19%	30,682	40.23%	45,584	59.77%	35,523	47.03%	40,017	52.97%	33,650	44.28%	39,521	52.00%	2,797	3.68%	27	0.04%	34,411	45.57%	41,098	54.43%
25	47,302	57.69%	34,694	42.31%	36,837	45.64%	43,868	54.36%	36,996	45.70%	43,954	54.30%	42,077	52.63%	37,865	47.37%	42,821	52.21%	36,430	44.42%	2,723	3.32%	46	0.06%	39,851	49.74%	40,275	50.26%
26	50,497	54.43%	42,275	45.57%	32,849	35.62%	59,381	64.38%	37,635	41.62%	52,785	58.38%	42,171	47.16%	47,258	52.84%	40,683	45.16%	45,647	50.67%	3,706	4.11%	54	0.06%	42,150	47.14%	47,261	52.86%
27	52,620	55.68%	41,879	44.32%	35,792	38.27%	57,729	61.73%	39,177	42.46%	53,087	57.54%	43,879	48.05%	47,446	51.95%	42,434	46.21%	46,040	50.14%	3,284	3.58%	68	0.07%	44,154	48.30%	47,253	51.70%
28	71,899	83.38%	14,328	16.62%	66,267	77.37%	19,388	22.63%	67,287	78.86%	18,034	21.14%	69,948	82.34%														



2008 Lt. Governor Dalton-Pittenger-Rhodes							2008 Governor Perdue-McCrory-Munger							2008 President Obama-McCain-Barr							2008 US Senate Hagan-Dole							2008 Straight Party					
District	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib.	Lib%	
1	43,960	51.52%	38,751	45.42%	2,607	3.06%	48,179	54.92%	37,386	42.61%	2,168	2.47%	39,977	44.64%	48,794	54.49%	499	0.56%	281	0.31%	40,126	45.41%	46,079	52.15%	2,158	2.44%	25,264	59.07%	17,088	39.95%	419	0.98%	
2	36,141	43.65%	44,352	53.57%	2,299	2.78%	44,647	52.79%	37,886	44.80%	2,043	2.42%	32,933	38.73%	51,371	60.41%	461	0.54%	266	0.31%	35,800	42.39%	46,138	54.63%	2,525	2.99%	19,941	48.57%	20,765	50.57%	352	0.86%	
3	58,433	70.64%	23,151	27.99%	1,134	1.37%	61,003	72.18%	22,410	26.52%	1,100	1.30%	52,958	62.18%	31,872	37.42%	233	0.27%	112	0.13%	55,599	65.75%	27,669	32.72%	1,298	1.53%	44,617	81.61%	9,809	17.94%	243	0.44%	
4	61,530	70.75%	24,291	27.93%	1,143	1.31%	61,777	70.18%	25,057	28.47%	1,189	1.35%	58,518	65.96%	29,813	33.60%	255	0.29%	131	0.15%	60,419	68.57%	26,320	29.87%	1,378	1.56%	48,993	81.94%	10,579	17.69%	221	0.37%	
5	49,248	65.94%	24,050	32.20%	1,391	1.86%	51,688	67.99%	23,059	30.33%	1,276	1.68%	47,872	62.14%	28,796	37.38%	241	0.31%	125	0.16%	48,413	63.58%	26,302	34.54%	1,430	1.88%	35,897	75.47%	11,451	24.07%	219	0.46%	
6	23,869	45.19%	26,834	50.81%	2,111	4.00%	27,798	51.16%	24,459	45.01%	2,082	3.83%	21,877	39.47%	33,095	59.71%	315	0.57%	143	0.26%	23,941	43.94%	28,132	51.63%	2,410	4.42%	10,928	49.54%	10,762	48.78%	371	1.68%	
7	36,103	45.57%	41,314	52.15%	1,806	2.28%	39,600	48.77%	39,954	49.20%	1,651	2.03%	31,993	39.00%	49,542	60.39%	303	0.37%	196	0.24%	34,679	42.67%	44,741	55.04%	1,862	2.29%	20,093	50.37%	19,521	48.94%	273	0.68%	
8	43,128	47.35%	43,970	48.27%	3,985	4.38%	46,386	49.92%	42,790	46.05%	3,752	4.04%	41,422	43.92%	52,037	55.17%	552	0.59%	302	0.32%	47,894	51.40%	41,476	44.51%	3,810	4.09%	23,097	54.39%	18,583	43.76%	788	1.86%	
9	42,807	46.01%	45,759	49.18%	4,474	4.81%	46,257	48.38%	45,267	47.34%	4,087	4.27%	46,476	47.63%	50,139	51.38%	565	0.58%	399	0.41%	50,406	52.50%	41,678	43.41%	3,920	4.08%	22,038	53.96%	18,365	44.97%	439	1.07%	
10	35,664	48.66%	36,089	49.24%	1,542	2.10%	36,940	49.43%	36,367	48.66%	1,431	1.91%	30,852	41.03%	43,836	58.30%	330	0.44%	167	0.22%	35,123	46.96%	37,875	50.64%	1,791	2.39%	21,916	55.90%	17,014	43.40%	274	0.70%	
11	38,231	46.05%	43,068	51.88%	1,714	2.06%	38,982	46.01%	44,181	52.15%	1,557	1.84%	34,644	40.64%	49,995	58.65%	391	0.46%	207	0.24%	38,320	45.26%	44,504	52.56%	1,842	2.18%	23,249	52.81%	20,520	46.61%	255	0.58%	
12	32,757	46.40%	35,818	50.73%	2,025	2.87%	33,516	46.47%	36,677	50.85%	1,929	2.67%	30,006	41.40%	41,821	57.70%	429	0.59%	218	0.30%	33,144	45.95%	36,695	50.88%	2,286	3.17%	18,122	54.52%	14,777	44.46%	339	1.02%	
13	42,053	67.19%	18,949	30.27%	1,589	2.54%	44,052	68.49%	19,081	29.67%	1,188	1.85%	34,134	52.42%	30,427	46.73%	348	0.53%	207	0.32%	37,842	58.61%	25,345	39.25%	1,383	2.14%	26,285	79.44%	6,404	19.36%	398	1.20%	
14	58,915	74.07%	18,595	23.38%	2,025	2.55%	58,022	71.97%	20,415	25.32%	2,178	2.70%	61,863	76.07%	18,927	23.27%	340	0.42%	194	0.24%	60,395	74.87%	18,400	22.81%	1,876	2.33%	41,221	82.55%	8,468	16.96%	245	0.49%	
15	47,745	45.56%	53,372	50.93%	3,672	3.50%	45,772	42.59%	57,590	53.58%	4,121	3.83%	53,303	49.15%	54,104	49.89%	716	0.66%	331	0.31%	52,409	48.69%	52,288	48.57%	2,948	2.74%	22,987	48.28%	24,295	51.03%	330	0.69%	
16	52,507	58.63%	33,029	36.88%	4,013	4.48%	50,827	55.18%	36,886	40.04%	4,400	4.78%	59,039	63.21%	33,207	35.55%	742	0.79%	413	0.44%	56,984	61.70%	32,180	34.84%	3,190	3.45%	28,909	65.73%	14,605	33.21%	467	1.06%	
17	41,204	44.19%	48,335	51.83%	3,713	3.98%	41,003	42.74%	51,012	53.18%	3,910	4.08%	47,264	48.73%	48,646	50.16%	751	0.77%	326	0.34%	46,090	47.98%	46,612	48.52%	3,366	3.50%	20,700	47.60%	22,417	51.55%	371	0.85%	
18	42,245	48.85%	41,597	48.10%	2,631	3.04%	42,305	47.99%	43,190	48.99%	2,665	3.02%	42,507	47.91%	45,390	51.16%	578	0.65%	243	0.27%	43,940	49.85%	41,557	47.15%	2,643	3.00%	23,735	55.24%	18,923	44.04%	310	0.72%	
19	38,092	54.00%	30,632	43.43%	1,813	2.57%	39,408	54.82%	30,820	42.87%	1,663	2.31%	36,305	49.74%	36,220	49.62%	284	0.39%	182	0.25%	38,540	53.45%	31,715	43.99%	1,849	2.56%	23,962	61.34%	14,748	37.76%	352	0.90%	
20	64,484	75.64%	18,659	21.89%	2,106	2.47%	63,639	73.57%	20,444	23.63%	2,421	2.80%	66,106	75.58%	20,813	23.80%	334	0.38%	210	0.24%	65,457	75.59%	19,297	22.29%	1,837	2.12%	41,237	83.79%	7,729	15.70%	248	0.50%	
21	47,118	69.45%	19,234	28.35%	1,496	2.20%	48,133	69.84%	19,429	28.19%	1,360	1.97%	47,615	67.82%	22,224	31.65%	232	0.33%	140	0.20%	47,467	68.70%	20,103	29.10%	1,522	2.20%	33,508	77.32%	9,552	22.04%	276	0.64%	
22	61,424	61.92%	34,326	34.60%	3,450	3.48%	61,261	60.09%	36,346	35.65%	4,345	4.26%	64,401	62.15%	38,211	36.87%	646	0.62%	367	0.35%	64,243	62.84%	35,320	34.55%	2,677	2.62%	35,241	72.15%	13,181	26.99%	422	0.86%	
23	66,000	63.83%	33,322	32.23%	4,074	3.94%	65,213	61.37%	36,386	34.24%	4,669	4.39%	71,668	66.49%	34,934	32.41%	759	0.70%	429	0.40%	70,353	65.94%	33,280	31.19%	3,064	2.87%	41,100	73.01%	14,805	26.30%	391	0.69%	
24	33,859	43.70%	41,199	53.17%	2,424	3.13%	35,750	45.13%	40,672	51.35%	2,785	3.52%	33,313	41.73%	45,752	57.31%	553	0.69%	214	0.27%	36,490	46.05%	39,987	50.46%	2,765	3.49%	21,149	50.05%	20,735	49.07%	375	0.89%	
25	39,242	47.59%	41,019	49.74%	2,204	2.67%	38,065	45.00%	44,863	53.03%	1,668	1.97%	35,980	42.17%	48,551	56.91%	498	0.58%	286	0.34%	40,996	48.50%	40,572	48.00%	2,959	3.50%	22,827	57.56%	16,428	41.42%	403	1.02%	
26	41,346	44.63%	48,056	51.88%	3,230	3.49%	43,275	45.41%	48,613	51.01%	3,415	3.58%	41,508	43.16%	53,700	55.83%	687	0.71%	288	0.30%	46,840	49.06%	45,472	47.62%	3,171	3.32%	22,534	48.77%	23,205	50.22%	468	1.01%	
27	42,671	45.30%	48,669	51.67%	2,847																												



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
1	10,758	54.67%	8,656	43.99%	264	1.34%	21,912	38.10%	34,301	59.63%	1,306	2.27%
2	9,539	39.78%	14,278	59.54%	164	0.68%	17,393	31.26%	37,109	66.70%	1,133	2.04%
3	22,560	82.13%	4,715	17.16%	195	0.71%	32,805	58.50%	22,581	40.27%	692	1.23%
4	26,949	79.73%	6,676	19.75%	177	0.52%	34,882	62.57%	20,111	36.07%	760	1.36%
5	20,558	70.67%	8,447	29.04%	85	0.29%	26,574	57.59%	19,048	41.28%	519	1.12%
6	3,975	46.00%	4,492	51.98%	175	2.02%	10,015	33.20%	19,362	64.19%	785	2.60%
7	9,824	40.22%	14,494	59.34%	106	0.43%	16,313	32.84%	32,714	65.85%	654	1.32%
8	13,727	49.10%	13,921	49.79%	309	1.11%	26,597	38.48%	41,161	59.54%	1,369	1.98%
9	8,372	43.28%	10,779	55.73%	191	0.99%	23,736	38.00%	37,303	59.72%	1,426	2.28%
10	11,865	47.82%	12,781	51.51%	167	0.67%	19,231	38.01%	30,593	60.47%	769	1.52%
11	13,438	46.68%	15,105	52.48%	242	0.84%	22,131	37.93%	35,213	60.35%	1,007	1.73%
12	8,449	42.72%	11,179	56.52%	150	0.76%	17,647	38.14%	27,718	59.90%	905	1.96%
13	12,427	74.17%	4,095	24.44%	232	1.38%	19,514	49.67%	19,146	48.73%	630	1.60%
14	23,170	78.21%	6,348	21.43%	108	0.36%	33,865	71.16%	12,912	27.13%	812	1.71%
15	13,046	40.20%	19,277	59.40%	132	0.41%	29,120	40.13%	41,733	57.51%	1,717	2.37%
16	14,578	58.24%	10,296	41.13%	156	0.62%	29,370	55.01%	22,445	42.04%	1,574	2.95%
17	12,072	40.75%	17,412	58.77%	143	0.48%	24,374	39.41%	35,812	57.90%	1,666	2.69%
18	13,910	47.96%	14,961	51.58%	132	0.46%	24,642	42.32%	32,361	55.58%	1,226	2.11%
19	10,107	54.88%	8,201	44.53%	110	0.60%	18,547	44.91%	21,998	53.27%	753	1.82%
20	18,355	81.49%	4,075	18.09%	93	0.41%	36,640	72.38%	13,250	26.17%	734	1.45%
21	13,746	72.80%	5,032	26.65%	103	0.55%	22,795	63.08%	12,795	35.41%	544	1.51%
22	14,967	67.15%	7,159	32.12%	162	0.73%	37,075	57.82%	25,779	40.20%	1,270	1.98%
23	23,449	72.99%	8,562	26.65%	114	0.35%	43,402	61.53%	25,502	36.15%	1,634	2.32%
24	9,270	40.11%	13,671	59.16%	168	0.73%	17,238	34.23%	31,812	63.17%	1,312	2.61%
25	10,458	53.65%	8,767	44.98%	268	1.37%	21,850	40.85%	30,613	57.23%	1,030	1.93%
26	9,228	37.71%	14,995	61.27%	250	1.02%	19,753	33.42%	37,802	63.96%	1,546	2.62%
27	10,763	37.84%	17,561	61.74%	118	0.41%	21,693	36.76%	36,097	61.18%	1,216	2.06%
28	20,314	80.36%	4,859	19.22%	106	0.42%	32,111	75.71%	9,666	22.79%	634	1.49%
29	6,836	25.41%	19,922	74.05%	145	0.54%	13,925	26.63%	37,014	70.79%	1,346	2.57%
30	5,795	30.61%	12,851	67.87%	288	1.52%	15,020	28.64%	36,055	68.75%	1,370	2.61%
31	7,154	27.53%	18,591	71.55%	238	0.92%	18,926	29.09%	44,876	68.97%	1,264	1.94%
32	13,509	63.47%	7,654	35.96%	120	0.56%	24,461	59.15%	16,122	38.98%	774	1.87%
33	6,912	30.54%	15,527	68.61%	191	0.84%	14,509	29.44%	33,627	68.24%	1,139	2.31%
34	7,832	35.84%	13,745	62.90%	274	1.25%	17,522	31.58%	36,559	65.89%	1,406	2.53%
35	6,884	34.15%	13,163	65.31%	109	0.54%	13,415	29.02%	31,743	68.68%	1,064	2.30%
36	6,417	40.29%	9,381	58.90%	130	0.82%	16,691	32.42%	33,671	65.41%	1,115	2.17%
37	11,835	61.99%	7,155	37.48%	102	0.53%	22,058	57.65%	15,318	40.04%	884	2.31%
38	17,464	78.24%	4,787	21.45%	70	0.31%	27,931	73.49%	9,537	25.09%	540	1.42%
39	8,200	29.06%	19,904	70.55%	110	0.39%	20,425	33.28%	39,758	64.79%	1,182	1.93%
40	17,477	80.29%	4,195	19.27%	94	0.43%	28,195	75.25%	8,716	23.26%	557	1.49%
41	9,374	37.54%	15,482	62.00%	114	0.46%	18,935	37.61%	30,438	60.46%	969	1.92%
42	6,875	32.31%	14,195	66.72%	206	0.97%	16,533	30.70%	35,956	66.76%	1,370	2.54%
43	7,826	37.91%	12,662	61.33%	157	0.76%	14,895	31.63%	31,082	66.01%	1,113	2.36%
44	6,767	33.67%	13,172	65.54%	159	0.79%	16,730	30.21%	37,266	67.29%	1,383	2.50%
45	6,731	37.12%	11,127	61.36%	277	1.53%	19,801	34.48%	35,947	62.59%	1,684	2.93%
46	8,396	50.32%	8,032	48.14%	256	1.53%	18,769	38.04%	29,548	59.89%	1,024	2.08%
47	9,137	44.78%	10,871	53.28%	394	1.93%	21,314	34.98%	38,045	62.44%	1,573	2.58%
48	9,845	36.34%	17,012	62.79%	238	0.88%	22,200	34.84%	39,941	62.68%	1,579	2.48%
49	17,753	62.37%	10,458	36.74%	254	0.89%	33,055	52.87%	27,761	44.40%	1,708	2.73%
50	9,079	48.30%	9,154	48.70%	565	3.01%	25,165	38.43%	38,165	58.28%	2,150	3.28%
Totals:	597,972	51.24%	559,834	47.98%	9,111	0.78%	1,141,700	43.04%	1,454,082	54.82%	56,817	2.14%



# **EXHIBIT K**



District	2010 Pop	Ideal Pop	Ideal +/-	% +/-
2	82,099	79,462	2,637	3.32%
7	76,790	79,462	-2,672	-3.36%
8	80,982	79,462	1,520	1.91%
9	77,322	79,462	-2,140	-2.69%
12	75,796	79,462	-3,666	-4.61%
20	82,667	79,462	3,205	4.03%
21	82,384	79,462	2,922	3.68%
23	75,539	79,462	-3,923	-4.94%
27	82,653	79,462	3,191	4.02%
30	78,818	79,462	-644	-0.81%
31	80,891	79,462	1,429	1.80%
33	82,829	79,462	3,367	4.24%
38	80,867	79,462	1,405	1.77%
42	78,909	79,462	-553	-0.70%
43	79,130	79,462	-332	-0.42%
47	82,939	79,462	3,477	4.38%
48	83,339	79,462	3,877	4.88%
60	82,178	79,462	2,716	3.42%
63	79,329	79,462	-133	-0.17%
64	80,369	79,462	907	1.14%
71	77,847	79,462	-1,615	-2.03%
72	78,829	79,462	-633	-0.80%
80	76,525	79,462	-2,937	-3.70%
82	76,784	79,462	-2,678	-3.37%
86	76,630	79,462	-2,832	-3.56%
87	77,553	79,462	-1,909	-2.40%
89	76,642	79,462	-2,820	-3.55%



Lewis House VRA - Corrected

Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
2	82,099	34,098	41.53%	44,730	54.48%	537	0.65%	505	0.62%	934	1.14%	1,295	1.58%	860	1.05%	45,590	55.53%	2,220	2.70%	79,879	97.30%	33,181	40.42%
7	76,790	30,558	39.79%	42,004	54.70%	2,172	2.83%	422	0.55%	762	0.99%	872	1.14%	576	0.75%	42,580	55.45%	1,457	1.90%	75,333	98.10%	30,165	39.28%
8	80,982	23,982	29.61%	52,294	64.57%	254	0.31%	206	0.25%	3,279	4.05%	967	1.19%	659	0.81%	52,953	65.39%	4,975	6.14%	76,007	93.86%	22,750	28.09%
9	77,322	29,804	38.55%	41,730	53.97%	236	0.31%	903	1.17%	3,055	3.95%	1,594	2.06%	1,023	1.32%	42,753	55.29%	5,187	6.71%	72,135	93.29%	28,326	36.63%
12	75,796	30,735	40.55%	39,168	51.68%	315	0.42%	1,121	1.48%	2,936	3.87%	1,521	2.01%	890	1.17%	40,058	52.85%	5,203	6.86%	70,593	93.14%	29,095	38.39%
20	82,667	33,465	40.48%	42,172	51.01%	1,524	1.84%	304	0.37%	3,386	4.10%	1,816	2.20%	1,165	1.41%	43,337	52.42%	5,650	6.83%	77,017	93.17%	31,912	38.60%
21	82,384	30,401	36.90%	43,031	52.23%	683	0.83%	669	0.81%	5,840	7.09%	1,760	2.14%	1,024	1.24%	44,055	53.48%	8,955	10.87%	73,429	89.13%	28,147	34.17%
23	75,539	32,178	42.60%	38,617	51.12%	555	0.73%	657	0.87%	2,200	2.91%	1,332	1.76%	880	1.16%	39,497	52.29%	3,976	5.26%	71,563	94.74%	30,987	41.02%
27	82,653	34,578	41.84%	42,635	51.58%	1,244	1.51%	342	0.41%	2,648	3.20%	1,206	1.46%	801	0.97%	43,436	52.55%	4,568	5.53%	78,085	94.47%	33,222	40.19%
30	78,818	24,064	30.53%	41,216	52.29%	452	0.57%	1,318	1.67%	9,647	12.24%	2,121	2.69%	1,266	1.61%	42,482	53.90%	15,078	19.13%	63,740	80.87%	19,963	25.33%
31	80,891	26,869	33.22%	41,350	51.12%	405	0.50%	3,604	4.46%	6,517	8.06%	2,146	2.65%	1,224	1.51%	42,574	52.63%	11,122	13.75%	69,769	86.25%	23,356	28.87%
33	82,829	24,990	30.17%	42,903	51.80%	597	0.72%	3,519	4.25%	8,150	9.84%	2,670	3.22%	1,677	2.02%	44,580	53.82%	15,317	18.49%	67,512	81.51%	19,964	24.10%
38	80,867	26,887	33.25%	43,031	53.21%	462	0.57%	2,022	2.50%	6,358	7.86%	2,107	2.61%	1,290	1.60%	44,321	54.81%	11,537	14.27%	69,330	85.73%	23,168	28.65%
42	78,909	27,232	34.51%	40,650	51.52%	704	0.89%	2,649	3.36%	3,313	4.20%	4,361	5.53%	2,835	3.59%	43,485	55.11%	9,643	12.22%	69,266	87.78%	23,494	29.77%
43	79,130	31,670	40.02%	40,254	50.87%	1,152	1.46%	1,306	1.65%	1,671	2.11%	3,077	3.89%	1,985	2.51%	42,239	53.38%	5,344	6.75%	73,786	93.25%	29,289	37.01%
47	82,939	18,935	22.83%	12,627	15.22%	44,114	53.19%	907	1.09%	4,133	4.98%	2,223	2.68%	839	1.01%	13,466	16.24%	7,068	8.52%	75,871	91.48%	17,105	20.62%
48	83,339	25,438	30.52%	43,054	51.66%	9,419	11.30%	541	0.65%	2,717	3.26%	2,170	2.60%	1,172	1.41%	44,226	53.07%	4,720	5.66%	78,619	94.34%	24,160	28.99%
60	82,178	26,025	31.67%	42,385	51.58%	592	0.72%	5,147	6.26%	5,342	6.50%	2,687	3.27%	1,786	2.17%	44,171	53.75%	9,471	11.52%	72,707	88.48%	22,936	27.91%
63	79,329	30,894	38.94%	41,127	51.84%	483	0.61%	1,958	2.47%	3,020	3.81%	1,847	2.33%	1,308	1.65%	42,435	53.49%	5,712	7.20%	73,617	92.80%	28,976	36.53%
64	80,369	30,574	38.04%	40,519	50.42%	455	0.57%	3,042	3.79%	3,658	4.55%	2,121	2.64%	1,396	1.74%	41,915	52.15%	6,642	8.26%	73,727	91.74%	28,502	35.46%
71	77,847	27,183	34.92%	35,659	45.81%	395	0.51%	897	1.15%	11,558	14.85%	2,155	2.77%	1,304	1.68%	36,963	47.48%	17,427	22.39%	60,420	77.61%	23,195	29.80%
72	78,829	32,643	41.41%	34,518	43.79%	373	0.47%	1,446	1.83%	7,825	9.93%	2,024	2.57%	1,312	1.66%	35,830	45.45%	12,358	15.68%	66,471	84.32%	29,212	37.06%
80	76,525	21,767	28.44%	39,249	51.29%	494	0.65%	4,921	6.43%	7,896	10.32%	2,198	2.87%	1,388	1.81%	40,637	53.10%	13,139	17.17%	63,386	82.83%	17,848	23.32%
82	76,784	20,036	26.09%	41,315	53.81%	512	0.67%	2,769	3.61%	9,415	12.26%	2,737	3.56%	1,611	2.10%	42,926	55.90%	16,358	21.30%	60,426	78.70%	15,057	19.61%
86	76,630	25,341	33.07%	41,565	54.24%	290	0.38%	4,601	6.00%	2,714	3.54%	2,119	2.77%	1,300	1.70%	42,865	55.94%	5,855	7.64%	70,775	92.36%	23,093	30.14%
87	77,553	24,646	31.78%	40,455	52.16%	401	0.52%	2,599	3.35%	7,216	9.30%	2,236	2.88%	1,175	1.52%	41,630	53.68%	14,332	18.48%	63,221	81.52%	19,175	24.73%
89	76,642	23,983	31.29%	42,445	55.38%	462	0.60%	3,965	5.17%	3,771	4.92%	2,016	2.63%	1,338	1.75%	43,783	57.13%	7,288	9.51%	69,354	90.49%	21,523	28.08%
Totals:	2,146,640	748,976	34.89%	1,090,703	50.81%	69,282	3.23%	52,340	2.44%	129,961	6.05%	55,378	2.58%	34,084	1.59%	1,124,787	52.40%	230,602	10.74%	1,916,038	89.26%	677,801	31.57%



Lewis House VRA - Corrected

Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
2	64,215	27,716	43.16%	34,392	53.56%	429	0.67%	376	0.59%	617	0.96%	685	1.07%	405	0.63%	34,797	54.19%	1,513	2.36%	62,702	97.64%	27,042	42.11%
7	59,572	24,998	41.96%	31,725	53.25%	1,612	2.71%	309	0.52%	470	0.79%	458	0.77%	269	0.45%	31,994	53.71%	912	1.53%	58,660	98.47%	24,748	41.54%
8	60,818	19,423	31.94%	38,515	63.33%	191	0.31%	156	0.26%	2,021	3.32%	512	0.84%	320	0.53%	38,835	63.85%	3,018	4.96%	57,800	95.04%	18,691	30.73%
9	57,931	24,665	42.58%	29,711	51.29%	182	0.31%	730	1.26%	1,869	3.23%	774	1.34%	403	0.70%	30,114	51.98%	3,148	5.43%	54,783	94.57%	23,748	40.99%
12	57,273	24,949	43.56%	28,775	50.24%	248	0.43%	762	1.33%	1,845	3.22%	694	1.21%	350	0.61%	29,125	50.85%	3,259	5.69%	54,014	94.31%	23,880	41.70%
20	62,699	27,183	43.35%	31,109	49.62%	1,119	1.78%	244	0.39%	2,135	3.41%	909	1.45%	516	0.82%	31,625	50.44%	3,489	5.56%	59,210	94.44%	26,224	41.83%
21	62,048	24,562	39.59%	31,950	51.49%	504	0.81%	552	0.89%	3,577	5.76%	903	1.46%	468	0.75%	32,418	52.25%	5,409	8.72%	56,639	91.28%	23,207	37.40%
23	58,260	26,334	45.20%	28,965	49.72%	420	0.72%	517	0.89%	1,363	2.34%	661	1.13%	377	0.65%	29,342	50.36%	2,434	4.18%	55,826	95.82%	25,591	43.93%
27	63,059	28,059	44.50%	31,653	50.20%	912	1.45%	255	0.40%	1,554	2.46%	626	0.99%	368	0.58%	32,021	50.78%	2,644	4.19%	60,415	95.81%	27,294	43.28%
30	57,435	19,855	34.57%	29,080	50.63%	319	0.56%	1,045	1.82%	5,976	10.40%	1,160	2.02%	618	1.08%	29,698	51.71%	9,387	16.34%	48,048	83.66%	17,226	29.99%
31	63,480	22,728	35.80%	31,878	50.22%	305	0.48%	3,026	4.77%	4,298	6.77%	1,245	1.96%	666	1.05%	32,544	51.27%	7,436	11.71%	56,044	88.29%	20,264	31.92%
33	58,797	19,490	33.15%	29,799	50.68%	365	0.62%	2,615	4.45%	5,188	8.82%	1,340	2.28%	755	1.28%	30,554	51.97%	9,578	16.29%	49,219	83.71%	16,311	27.74%
38	62,091	23,688	38.15%	31,186	50.23%	342	0.55%	1,770	2.85%	3,865	6.22%	1,240	2.00%	660	1.06%	31,846	51.29%	7,125	11.48%	54,966	88.52%	21,266	34.25%
42	56,703	21,087	37.19%	28,662	50.55%	514	0.91%	2,149	3.79%	2,256	3.98%	2,035	3.59%	1,145	2.02%	29,807	52.57%	6,047	10.66%	50,656	89.34%	18,614	32.83%
43	59,043	24,982	42.31%	29,570	50.08%	857	1.45%	1,049	1.78%	1,136	1.92%	1,449	2.45%	853	1.44%	30,423	51.53%	3,336	5.65%	55,707	94.35%	23,416	39.66%
47	60,298	15,580	25.84%	9,179	15.22%	31,206	51.75%	707	1.17%	2,536	4.21%	1,090	1.81%	288	0.48%	9,467	15.70%	4,218	7.00%	56,080	93.00%	14,488	24.03%
48	61,534	20,502	33.32%	31,400	51.03%	6,597	10.72%	399	0.65%	1,692	2.75%	944	1.53%	382	0.62%	31,782	51.65%	2,885	4.69%	58,649	95.31%	19,672	31.97%
60	61,797	22,257	36.02%	30,715	49.70%	419	0.68%	3,657	5.92%	3,431	5.55%	1,318	2.13%	756	1.22%	31,471	50.93%	6,024	9.75%	55,773	90.25%	20,249	32.77%
63	62,182	26,324	42.33%	30,960	49.79%	386	0.62%	1,542	2.48%	1,887	3.03%	1,083	1.74%	715	1.15%	31,675	50.94%	3,628	5.83%	58,554	94.17%	25,044	40.28%
64	60,051	24,960	41.56%	29,495	49.12%	311	0.52%	1,994	3.32%	2,215	3.69%	1,076	1.79%	655	1.09%	30,150	50.21%	3,963	6.60%	56,088	93.40%	23,706	39.48%
71	56,447	21,931	38.85%	26,131	46.29%	259	0.46%	667	1.18%	6,375	11.29%	1,084	1.92%	575	1.02%	26,706	47.31%	9,864	17.47%	46,583	82.53%	19,513	34.57%
72	60,597	27,832	45.93%	25,631	42.30%	262	0.43%	1,173	1.94%	4,613	7.61%	1,086	1.79%	627	1.03%	26,258	43.33%	7,340	12.11%	53,257	87.89%	25,726	42.45%
80	57,792	18,681	32.32%	28,458	49.24%	335	0.58%	3,986	6.90%	5,074	8.78%	1,258	2.18%	718	1.24%	29,176	50.48%	8,428	14.58%	49,364	85.42%	16,127	27.91%
82	54,709	16,129	29.48%	28,793	52.63%	346	0.63%	2,033	3.72%	5,935	10.85%	1,473	2.69%	768	1.40%	29,561	54.03%	10,369	18.95%	44,340	81.05%	12,875	23.53%
86	57,530	20,765	36.09%	30,176	52.45%	206	0.36%	3,538	6.15%	1,708	2.97%	1,137	1.98%	611	1.06%	30,787	53.51%	3,732	6.49%	53,798	93.51%	19,269	33.49%
87	60,645	21,345	35.20%	30,485	50.27%	313	0.52%	2,163	3.57%	4,924	8.12%	1,415	2.33%	637	1.05%	31,122	51.32%	9,883	16.30%	50,762	83.70%	17,515	28.88%
89	54,278	19,318	35.59%	28,540	52.58%	320	0.59%	2,816	5.19%	2,304	4.24%	980	1.81%	565	1.04%	29,105	53.62%	4,388	8.08%	49,890	91.92%	17,799	32.79%
Totals:	1,611,284	615,343	38.19%	796,933	49.46%	49,279	3.06%	40,230	2.50%	80,864	5.02%	28,635	1.78%	15,470	0.96%	812,403	50.42%	143,457	8.90%	1,467,827	91.10%	569,505	35.34%



Registration by Party																		Registration by Race Without Regard to Party			
		Racial %s among D's					Racial %s among R's					Racial %s among U's									
District	VR Total	% D	White % of D	Black % of D	NA % of D	Other % of D	% R	White % of R	Black % of R	NA % of R	Other % of R	% U	White % of U	Black % of U	NA % of U	Other % of U	% L	% White	% Black	% NA	% Other
2	52,793	70.17%	30.42%	66.98%	0.30%	2.30%	13.62%	86.79%	9.99%	0.22%	3.00%	16.10%	67.69%	24.88%	0.25%	7.19%	0.10%	44.14%	52.39%	0.28%	3.18%
7	50,435	74.52%	31.14%	64.68%	2.29%	1.89%	11.84%	85.28%	11.96%	0.89%	1.88%	13.57%	63.57%	29.35%	1.45%	5.63%	0.07%	41.97%	53.62%	2.01%	2.40%
8	54,071	75.66%	21.46%	76.90%	0.15%	1.48%	12.92%	84.14%	14.16%	0.09%	1.62%	11.36%	56.07%	38.72%	0.29%	4.92%	0.06%	33.52%	64.43%	0.16%	1.89%
9	46,715	62.62%	28.66%	68.39%	0.18%	2.77%	19.27%	89.63%	7.74%	0.20%	2.42%	17.93%	65.73%	26.24%	0.35%	7.69%	0.18%	47.14%	49.04%	0.21%	3.60%
12	48,593	60.83%	31.58%	66.13%	0.15%	2.15%	21.33%	90.06%	6.77%	0.21%	2.95%	17.76%	69.53%	23.92%	0.24%	6.30%	0.08%	50.84%	45.92%	0.18%	3.06%
20	54,772	62.21%	40.58%	55.39%	1.74%	2.28%	16.78%	90.81%	6.49%	0.54%	2.15%	20.87%	72.74%	20.33%	0.95%	5.97%	0.14%	55.78%	39.81%	1.37%	3.04%
21	48,449	62.73%	26.04%	70.24%	0.37%	3.35%	21.56%	89.78%	6.68%	0.21%	3.33%	15.59%	58.53%	31.04%	0.40%	10.03%	0.11%	44.89%	50.37%	0.34%	4.40%
23	52,986	61.14%	32.14%	65.06%	0.43%	2.37%	23.81%	91.84%	6.21%	0.14%	1.81%	14.96%	69.69%	24.07%	0.53%	5.70%	0.09%	52.01%	44.87%	0.38%	2.75%
27	52,854	72.32%	33.49%	63.22%	1.33%	1.95%	13.73%	89.78%	7.83%	0.32%	2.08%	13.85%	68.22%	26.03%	0.82%	4.93%	0.10%	46.06%	50.43%	1.12%	2.39%
30	46,704	68.86%	27.54%	67.22%	0.19%	5.05%	11.41%	87.01%	8.67%	0.09%	4.22%	19.64%	54.30%	30.72%	0.22%	14.76%	0.10%	39.62%	53.33%	0.19%	6.87%
31	55,831	68.02%	26.24%	67.75%	0.29%	5.71%	9.72%	84.64%	9.62%	0.15%	5.59%	22.11%	55.98%	26.78%	0.28%	16.95%	0.15%	38.56%	52.97%	0.28%	8.19%
33	46,376	63.24%	20.47%	72.26%	0.24%	7.03%	14.88%	83.48%	8.61%	0.28%	7.64%	21.73%	48.87%	32.26%	0.33%	18.55%	0.16%	36.09%	54.00%	0.26%	9.64%
38	43,681	66.30%	18.38%	76.10%	0.26%	5.25%	12.04%	84.62%	9.79%	0.34%	5.25%	21.49%	50.04%	33.83%	0.23%	15.89%	0.17%	33.24%	58.95%	0.27%	7.54%
42	44,389	55.34%	15.67%	75.18%	0.60%	8.56%	19.80%	75.81%	9.73%	0.88%	13.59%	24.71%	45.17%	34.73%	0.69%	19.41%	0.15%	34.95%	52.13%	0.68%	12.25%
43	52,952	59.31%	21.93%	71.49%	0.95%	5.64%	20.00%	83.03%	8.35%	1.13%	7.49%	20.55%	49.50%	34.44%	1.39%	14.67%	0.14%	39.88%	51.17%	1.07%	7.88%
47	41,886	74.51%	23.03%	24.40%	49.61%	2.96%	10.92%	58.10%	5.25%	32.33%	4.33%	14.48%	38.28%	14.84%	38.99%	7.88%	0.09%	29.07%	20.91%	46.17%	3.84%
48	51,352	70.28%	28.92%	58.50%	10.32%	2.26%	12.34%	79.11%	10.06%	6.89%	3.93%	17.32%	56.61%	26.82%	10.06%	6.51%	0.06%	39.92%	47.01%	9.86%	3.21%
60	51,997	61.85%	23.67%	70.59%	0.45%	5.29%	17.78%	85.63%	8.07%	0.47%	5.84%	20.24%	55.20%	31.59%	0.52%	12.68%	0.12%	41.14%	51.51%	0.47%	6.88%
63	59,845	64.73%	28.12%	68.35%	0.27%	3.25%	16.06%	89.89%	7.01%	0.31%	2.79%	19.08%	61.10%	30.49%	0.37%	8.05%	0.13%	44.39%	51.21%	0.30%	4.10%
64	56,878	62.00%	28.08%	68.35%	0.24%	3.32%	18.43%	90.52%	6.26%	0.23%	3.00%	19.43%	56.08%	35.75%	0.40%	7.77%	0.14%	45.09%	50.52%	0.27%	4.13%
71	45,357	62.70%	22.10%	73.57%	0.17%	4.16%	17.89%	89.96%	6.24%	0.23%	3.57%	19.29%	57.19%	30.89%	0.33%	11.59%	0.11%	41.06%	53.24%	0.21%	5.49%
72	49,219	59.66%	28.76%	66.84%	0.19%	4.21%	20.36%	91.36%	5.12%	0.15%	3.37%	19.82%	63.72%	25.51%	0.38%	10.38%	0.16%	48.52%	46.00%	0.22%	5.26%
80	42,830	65.11%	14.86%	76.89%	0.31%	7.94%	12.65%	81.66%	10.59%	0.33%	7.42%	22.09%	46.27%	34.06%	0.42%	19.25%	0.15%	30.29%	58.98%	0.34%	10.39%
82	44,645	64.33%	17.16%	74.44%	0.35%	8.05%	14.54%	81.80%	10.31%	0.32%	7.57%	20.98%	43.73%	37.27%	0.34%	18.65%	0.15%	32.18%	57.25%	0.35%	10.22%
86	50,120	62.39%	15.65%	77.72%	0.23%	6.40%	15.77%	86.71%	7.60%	0.23%	5.45%	21.72%	54.51%	29.57%	0.39%	15.54%	0.13%	35.35%	56.14%	0.27%	8.24%
87	50,067	62.13%	17.54%	74.96%	0.32%	7.18%	14.47%	81.40%	11.63%	0.23%	6.73%	23.21%	52.62%	30.00%	0.52%	16.87%	0.19%	35.03%	55.25%	0.35%	9.37%
89	45,960	62.40%	19.12%	73.97%	0.32%	6.58%	17.27%	86.10%	8.15%	0.26%	5.48%	20.19%	50.80%	32.86%	0.51%	15.83%	0.13%	37.16%	54.22%	0.35%	8.27%
Totals:	1,341,757	65.05%	25.32%	67.75%	2.67%	4.25%	16.00%	86.09%	8.20%	1.22%	4.50%	18.83%	56.59%	29.71%	1.76%	11.94%	0.12%	40.98%	51.00%	2.27%	5.75%

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
2	52,672	22,647	43.00%	29,357	55.74%	668	1.27%	52,730	6,451	12.25%	12,009	22.80%	23,339	44.31%	10,931	20.75%	52,656	159	0.30%	37,673	71.55%	14,824	28.15%
7	50,435	21,608	42.84%	28,307	56.13%	520	1.03%	50,435	5,109	10.13%	10,854	21.52%	23,054	45.71%	11,418	22.64%	50,435	131	0.26%	44,754	88.74%	5,550	11.00%
8	54,328	23,362	43.00%	30,704	56.52%	262	0.48%	54,236	6,193	11.40%	12,576	23.15%	24,935	45.90%	10,532	19.39%	54,353	230	0.42%	45,812	84.29%	8,311	15.29%
9	46,329	19,663	42.44%	26,433	57.05%	233	0.50%	46,467	6,574	14.19%	13,479	29.09%	19,369	41.81%	7,045	15.21%	46,318	370	0.80%	40,743	87.96%	5,205	11.24%
12	48,220	20,709	42.95%	27,232	56.47%	279	0.58%	48,329	5,245	10.88%	11,554	23.96%	21,532	44.65%	9,998	20.73%	48,223	474	0.98%	39,551	82.02%	8,198	17.00%
20	54,262	24,181	44.56%	29,449	54.27%	632	1.16%	54,521	6,200	11.43%	14,299	26.35%	24,052	44.33%	9,970	18.37%	54,218	399	0.74%	42,700	78.76%	11,119	20.51%
21	48,542	20,552	42.34%	27,182	56.00%	808	1.66%	48,473	5,237	10.79%	11,309	23.30%	21,837	44.99%	10,090	20.79%	48,534	545	1.12%	38,829	80.00%	9,160	18.87%
23	52,731	23,391	44.36%	29,111	55.21%	229	0.43%	52,823	5,866	11.12%	12,472	23.65%	24,217	45.93%	10,268	19.47%	52,719	352	0.67%	44,735	84.86%	7,632	14.48%
27	52,723	23,217	44.04%	29,031	55.06%	475	0.90%	52,757	6,175	11.71%	11,633	22.06%	24,209	45.92%	10,740	20.37%	52,701	263	0.50%	43,722	82.96%	8,716	16.54%
30	46,960	19,615	41.77%	26,471	56.37%	874	1.86%	46,953	5,670	12.07%	15,483	32.97%	19,834	42.24%	5,966	12.70%	46,976	858	1.83%	32,762	69.74%	13,356	28.43%
31	55,887	23,650	42.32%	31,035	55.53%	1,202	2.15%	55,894	8,558	15.31%	19,817	35.46%	20,939	37.47%	6,580	11.77%	55,873	940	1.68%	36,993	66.21%	17,940	32.11%
33	46,059	19,573	42.50%	25,940	56.32%	546	1.19%	46,115	6,201	13.46%	15,786	34.27%	19,208	41.70%	4,920	10.68%	46,056	1,264	2.74%	31,803	69.05%	12,989	28.20%
38	43,931	19,662	44.76%	23,708	53.97%	561	1.28%	43,908	9,525	21.68%	14,385	32.74%	15,702	35.74%	4,296	9.78%	43,946	953	2.17%	27,651	62.92%	15,342	34.91%
42	44,707	19,611	43.87%	24,274	54.30%	822	1.84%	44,649	6,574	14.70%	14,919	33.37%	18,222	40.76%	4,934	11.04%	44,673	2,430	5.44%	31,200	69.84%	11,043	24.72%
43	52,070	22,390	43.00%	28,844	55.39%	836	1.61%	52,227	7,993	15.35%	14,281	27.43%	21,523	41.33%	8,430	16.19%	52,115	1,400	2.69%	37,710	72.36%	13,005	24.95%
47	41,401	17,563	42.42%	23,631	57.08%	207	0.50%	41,536	5,544	13.39%	10,839	26.18%	18,251	44.08%	6,902	16.67%	41,362	390	0.94%	37,882	91.59%	3,090	7.47%
48	51,004	21,794	42.73%	28,880	56.62%	330	0.65%	51,299	5,990	11.74%	13,208	25.90%	22,877	44.85%	9,224	18.08%	50,988	455	0.89%	43,275	84.87%	7,258	14.23%
60	51,111	21,761	42.58%	29,212	57.15%	138	0.27%	51,352	6,644	13.00%	15,841	30.99%	20,773	40.64%	8,094	15.84%	51,164	735	1.44%	42,708	83.47%	7,721	15.09%
63	60,063	25,243	42.03%	34,685	57.75%	135	0.22%	60,023	11,018	18.34%	16,633	27.69%	22,508	37.47%	9,864	16.42%	60,058	486	0.81%	50,543	84.16%	9,029	15.03%
64	56,744	24,581	43.32%	32,009	56.41%	154	0.27%	56,767	9,453	16.66%	16,699	29.43%	21,764	38.35%	8,851	15.60%	56,758	518	0.91%	48,045	84.65%	8,195	14.44%
71	45,304	18,954	41.84%	25,765	56.87%	585	1.29%	45,299	7,336	16.19%	13,320	29.40%	17,789	39.27%	6,854	15.13%	45,299	922	2.04%	32,268	71.23%	12,109	26.73%
72	48,704	20,669	42.44%	27,478	56.42%	557	1.14%	48,851	7,195	14.77%	12,584	25.84%	19,737	40.52%	9,335	19.17%	48,738	845	1.73%	35,599	73.04%	12,294	25.22%
80	42,659	17,936	42.05%	23,424	54.91%	1,299	3.05%	42,684	7,406	17.36%	15,259	35.77%	16,217	38.02%	3,802	8.91%	42,655	1,007	2.36%	30,268	70.96%	11,380	26.68%
82	44,245	18,529	41.88%	24,727	55.89%	989	2.24%	44,291	5,409	12.23%	14,713	33.25%	19,195	43.38%	4,974	11.24%	44,261	1,391	3.14%	32,660	73.79%	10,210	23.07%
86	50,413	21,667	42.98%	27,771	55.09%	975	1.93%	50,384	6,203	12.30%	17,344	34.40%	21,254	42.16%	5,583	11.07%	50,421	874	1.73%	37,823	75.01%	11,724	23.25%
87	49,411	21,757	44.03%	26,376	53.38%	1,278	2.59%	49,517	7,057	14.28%	19,238	38.93%	18,376	37.19%	4,846	9.81%	49,404	1,262	2.55%	35,773	72.41%	12,369	25.04%
89	45,373	18,853	41.55%	25,321	55.81%	1,199	2.64%	45,464	5,309	11.70%	14,973	33.00%	19,789	43.61%	5,393	11.89%	45,354	779	1.72%	33,063	72.90%	11,512	25.38%
Totals:	1,336,288	573,138	42.89%	746,357	55.85%	16,793	1.26%	1,337,984	182,135	13.61%	385,507	28.81%	560,502	41.89%	209,840	15.68%	1,336,258	20,432	1.53%	1,036,545	77.57%	279,281	20.90%



	2004 Auditor Campbell-Merritt				2004 Governor Easley-Ballantine-Howe						2004 President Kerry-Bush-Badnarik								2004 US Senate Bowles-Burr-Bailey							
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %
2	12,807	70.13%	5,454	29.87%	13,597	71.42%	5,176	27.19%	264	1.39%	11,592	60.27%	7,537	39.19%	94	0.49%	9	0.05%	12,389	65.35%	6,358	33.54%	210	1.11%	1	0.01%
7	15,990	70.86%	6,576	29.14%	17,677	75.00%	5,709	24.22%	183	0.78%	14,110	60.01%	9,367	39.84%	27	0.11%	7	0.03%	15,127	64.19%	8,239	34.96%	196	0.83%	4	0.02%
8	16,126	75.46%	5,244	24.54%	17,359	78.31%	4,627	20.87%	182	0.82%	14,545	65.73%	7,545	34.10%	36	0.16%	3	0.01%	15,448	69.82%	6,491	29.34%	186	0.84%	1	0.00%
9	9,953	63.60%	5,697	36.40%	11,304	67.69%	5,176	30.99%	220	1.32%	9,631	56.33%	7,411	43.34%	45	0.26%	11	0.06%	9,816	59.16%	6,603	39.80%	172	1.04%	1	0.01%
12	10,304	61.59%	6,426	38.41%	11,381	64.55%	6,055	34.34%	195	1.11%	9,754	54.59%	8,064	45.13%	48	0.27%	1	0.01%	10,198	58.01%	7,181	40.85%	198	1.13%	4	0.02%
20	12,895	68.43%	5,949	31.57%	14,189	70.00%	5,767	28.45%	315	1.55%	12,096	59.12%	8,291	40.52%	69	0.34%	5	0.02%	12,540	63.15%	6,972	35.11%	344	1.73%	3	0.02%
21	10,042	67.50%	4,835	32.50%	10,904	70.13%	4,500	28.94%	144	0.93%	9,284	60.19%	6,107	39.59%	29	0.19%	4	0.03%	9,865	63.79%	5,443	35.20%	155	1.00%	1	0.01%
23	11,496	62.18%	6,993	37.82%	13,050	68.32%	5,831	30.53%	220	1.15%	9,854	52.06%	9,020	47.66%	43	0.23%	10	0.05%	10,762	56.67%	8,014	42.20%	213	1.12%	1	0.01%
27	14,956	70.72%	6,192	29.28%	16,076	72.07%	6,022	27.00%	207	0.93%	12,778	57.96%	9,224	41.84%	38	0.17%	6	0.03%	13,821	62.39%	8,118	36.65%	205	0.93%	9	0.04%
30	11,588	77.18%	3,426	22.82%	11,930	77.66%	3,220	20.96%	212	1.38%	11,122	72.43%	4,187	27.27%	36	0.23%	10	0.07%	11,469	74.64%	3,711	24.15%	186	1.21%	0	0.00%
31	15,928	82.64%	3,346	17.36%	16,452	83.01%	3,030	15.29%	337	1.70%	15,986	80.55%	3,764	18.97%	71	0.36%	25	0.13%	16,193	81.56%	3,436	17.31%	223	1.12%	2	0.01%
33	12,363	71.81%	4,854	28.19%	12,871	72.96%	4,501	25.51%	269	1.52%	11,756	67.25%	5,650	32.32%	66	0.38%	8	0.05%	12,190	69.97%	5,037	28.91%	195	1.12%	0	0.00%
38	11,241	76.59%	3,436	23.41%	11,590	76.65%	3,250	21.49%	281	1.86%	10,857	72.43%	4,048	27.01%	63	0.42%	21	0.14%	11,091	74.46%	3,621	24.31%	184	1.24%	0	0.00%
42	8,551	63.25%	4,969	36.75%	9,448	68.15%	4,192	30.24%	223	1.61%	7,960	57.90%	5,760	41.90%	21	0.15%	7	0.05%	8,546	61.77%	5,079	36.71%	210	1.52%	0	0.00%
43	11,946	65.14%	6,393	34.86%	13,228	69.72%	5,441	28.68%	303	1.60%	10,776	57.42%	7,920	42.20%	57	0.30%	13	0.07%	11,687	61.79%	6,956	36.78%	271	1.43%	0	0.00%
47	11,579	71.01%	4,727	28.99%	12,143	69.94%	5,045	29.06%	175	1.01%	8,631	51.07%	8,218	48.63%	43	0.25%	7	0.04%	10,373	60.40%	6,545	38.11%	254	1.48%	3	0.02%
48	12,481	74.99%	4,162	25.01%	13,244	74.50%	4,252	23.92%	282	1.59%	11,397	63.80%	6,409	35.88%	37	0.21%	20	0.11%	12,098	68.35%	5,298	29.93%	269	1.52%	34	0.19%
60	11,793	71.02%	4,813	28.98%	12,896	74.59%	4,029	23.30%	364	2.11%	11,699	67.60%	5,508	31.83%	100	0.58%	0	0.00%	12,148	70.12%	4,891	28.23%	285	1.65%	0	0.00%
63	14,457	74.58%	4,927	25.42%	15,494	76.42%	4,400	21.70%	381	1.88%	14,528	71.10%	5,808	28.42%	98	0.48%	0	0.00%	14,942	73.53%	5,106	25.13%	272	1.34%	0	0.00%
64	11,952	69.82%	5,166	30.18%	13,201	73.27%	4,491	24.93%	325	1.80%	11,874	65.79%	6,074	33.65%	101	0.56%	0	0.00%	12,513	69.42%	5,265	29.21%	248	1.38%	0	0.00%
71	12,068	68.09%	5,655	31.91%	13,206	71.02%	5,076	27.30%	314	1.69%	11,935	64.54%	6,504	35.17%	53	0.29%	0	0.00%	12,086	64.87%	6,296	33.79%	238	1.28%	12	0.06%
72	13,495	66.27%	6,869	33.73%	14,999	69.13%	6,320	29.13%	378	1.74%	13,405	62.16%	8,072	37.43%	87	0.40%	0	0.00%	13,551	62.22%	7,990	36.69%	232	1.07%	7	0.03%
80	9,496	74.52%	3,247	25.48%	10,229	76.74%	2,877	21.58%	223	1.67%	9,806	72.31%	3,703	27.31%	44	0.32%	8	0.06%	9,892	74.15%	3,263	24.46%	186	1.39%	0	0.00%
82	11,004	71.96%	4,288	28.04%	11,901	74.47%	3,805	23.81%	274	1.71%	11,142	69.20%	4,892	30.39%	49	0.30%	17	0.11%	11,416	71.31%	4,359	27.23%	235	1.47%	0	0.00%
86	10,517	69.21%	4,678	30.79%	11,724	73.39%	4,048	25.34%	202	1.26%	11,139	68.49%	5,080	31.23%	33	0.20%	12	0.07%	11,237	70.00%	4,647	28.95%	168	1.05%	0	0.00%
87	11,320	77.20%	3,343	22.80%	12,198	79.12%	2,922	18.95%	297	1.93%	11,917	76.08%	3,666	23.41%	68	0.43%	12	0.08%	11,938	77.29%	3,273	21.19%	235	1.52%	0	0.00%
89	9,269	62.76%	5,501	37.24%	10,410	66.90%	4,914	31.58%	237	1.52%	9,343	59.28%	6,369	40.41%	43	0.27%	7	0.04%	9,647	61.90%	5,697	36.55%	242	1.55%	0	0.00%
Totals:	325,617	70.36%	137,166	29.64%	352,701	72.81%	124,676	25.74%	7,007	1.45%	308,917	63.72%	174,198	35.93%	1,499	0.31%	223	0.05%	322,983	66.87%	153,889	31.86%	6,012	1.24%	83	0.02%



	2008 A. G. Cooper-Crumley				2008 Comm. Ag Ansley-Troxler				2008 Comm. of Labor Donnan-Berry				2008 State Auditor Wood-Merrit				2008 Comm. of Insurance Goodwin-Odom								2008 Super.of P.I. Atkinson-Morgan			
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %
2	26,208	75.09%	8,692	24.91%	24,045	69.18%	10,713	30.82%	24,272	70.74%	10,038	29.26%	24,868	72.25%	9,550	27.75%	25,093	72.33%	8,801	25.37%	788	2.27%	12	0.03%	24,992	72.60%	9,432	27.40%
7	28,380	80.83%	6,729	19.17%	24,130	69.33%	10,676	30.67%	24,033	69.61%	10,491	30.39%	24,711	71.61%	9,795	28.39%	24,858	71.82%	9,241	26.70%	495	1.43%	16	0.05%	24,919	72.10%	9,645	27.90%
8	31,191	84.85%	5,569	15.15%	26,609	72.86%	9,912	27.14%	27,170	75.15%	8,985	24.85%	28,243	78.32%	7,820	21.68%	28,126	77.58%	7,672	21.16%	450	1.24%	5	0.01%	28,144	77.79%	8,036	22.21%
9	24,319	75.92%	7,715	24.08%	20,643	65.28%	10,977	34.72%	20,761	65.74%	10,820	34.26%	21,903	69.42%	9,648	30.58%	21,308	67.26%	9,498	29.98%	852	2.69%	22	0.07%	21,549	68.36%	9,975	31.64%
12	22,405	71.18%	9,070	28.82%	18,730	60.11%	12,427	39.89%	18,838	60.62%	12,237	39.38%	20,403	65.60%	10,701	34.40%	19,688	63.10%	10,785	34.57%	716	2.29%	13	0.04%	19,797	63.77%	11,247	36.23%
20	25,908	74.51%	8,865	25.49%	22,487	65.49%	11,852	34.51%	22,506	65.77%	11,714	34.23%	23,731	69.57%	10,381	30.43%	23,105	66.97%	10,063	29.17%	1,313	3.81%	18	0.05%	23,169	67.88%	10,962	32.12%
21	24,918	74.81%	8,389	25.19%	21,085	64.08%	11,819	35.92%	21,274	64.89%	11,509	35.11%	22,131	67.63%	10,593	32.37%	22,016	66.70%	10,171	30.81%	808	2.45%	12	0.04%	22,271	67.97%	10,494	32.03%
23	29,400	79.82%	7,433	20.18%	21,245	58.49%	15,077	41.51%	22,057	61.23%	13,969	38.77%	23,120	64.30%	12,838	35.70%	23,048	63.75%	12,309	34.04%	784	2.17%	15	0.04%	23,287	64.65%	12,733	35.35%
27	30,743	80.82%	7,295	19.18%	24,623	65.24%	13,117	34.76%	25,464	68.01%	11,977	31.99%	26,804	71.94%	10,453	28.06%	26,461	70.53%	10,364	27.62%	682	1.82%	12	0.03%	26,913	71.82%	10,559	28.18%
30	30,062	86.80%	4,573	13.20%	26,656	77.77%	7,620	22.23%	26,942	78.73%	7,277	21.27%	27,716	81.15%	6,437	18.85%	27,379	79.83%	5,936	17.31%	962	2.80%	21	0.06%	27,901	81.61%	6,287	18.39%
31	36,408	88.86%	4,564	11.14%	33,115	81.74%	7,399	18.26%	33,503	82.56%	7,077	17.44%	34,182	84.48%	6,279	15.52%	34,088	83.92%	5,295	13.04%	1,221	3.01%	17	0.04%	34,788	85.84%	5,739	14.16%
33	28,616	83.87%	5,502	16.13%	24,713	73.22%	9,041	26.78%	25,022	74.17%	8,712	25.83%	25,698	76.25%	8,004	23.75%	25,652	75.82%	7,172	21.20%	990	2.93%	17	0.05%	26,500	78.71%	7,170	21.29%
38	27,257	86.20%	4,363	13.80%	24,374	77.66%	7,011	22.34%	24,582	78.51%	6,730	21.49%	25,061	80.33%	6,138	19.67%	25,185	80.34%	5,233	16.69%	911	2.91%	18	0.06%	25,787	82.54%	5,455	17.46%
42	21,671	76.47%	6,668	23.53%	20,075	71.42%	8,032	28.58%	19,772	70.31%	8,351	29.69%	20,497	72.99%	7,585	27.01%	20,141	71.46%	7,213	25.59%	814	2.89%	18	0.06%	20,442	72.79%	7,642	27.21%
43	25,563	75.16%	8,449	24.84%	22,614	67.29%	10,993	32.71%	22,196	66.04%	11,416	33.96%	23,466	69.83%	10,140	30.17%	23,052	68.10%	9,839	29.07%	946	2.79%	14	0.04%	23,317	69.29%	10,332	30.71%
47	17,223	76.11%	5,406	23.89%	15,190	67.72%	7,240	32.28%	14,314	63.52%	8,221	36.48%	16,265	72.80%	6,076	27.20%	15,533	69.03%	6,320	28.09%	641	2.85%	8	0.04%	15,162	67.58%	7,272	32.42%
48	23,685	78.42%	6,516	21.58%	20,977	70.14%	8,930	29.86%	20,864	69.93%	8,971	30.07%	22,576	75.93%	7,155	24.07%	22,812	75.00%	6,859	22.55%	739	2.43%	5	0.02%	21,657	72.68%	8,139	27.32%
60	25,450	79.50%	6,562	20.50%	23,091	72.67%	8,683	27.33%	23,458	74.13%	8,185	25.87%	24,535	77.91%	6,957	22.09%	24,063	75.74%	6,730	21.18%	957	3.01%	22	0.07%	24,571	77.88%	6,979	22.12%
63	32,100	80.82%	7,616	19.18%	28,125	71.51%	11,204	28.49%	28,957	74.06%	10,143	25.94%	30,125	77.56%	8,716	22.44%	29,878	76.67%	8,019	20.58%	1,043	2.68%	32	0.08%	30,592	78.71%	8,277	21.29%
64	28,454	77.30%	8,356	22.70%	24,384	66.75%	12,144	33.25%	25,478	70.27%	10,777	29.73%	26,670	74.18%	9,283	25.82%	26,323	72.78%	8,845	24.46%	984	2.72%	16	0.04%	26,852	74.64%	9,122	25.36%
71	23,490	77.59%	6,786	22.41%	21,587	72.08%	8,363	27.92%	21,776	72.76%	8,151	27.24%	22,840	76.44%	7,039	23.56%	22,071	73.60%	7,035	23.46%	869	2.90%	13	0.04%	22,592	75.59%	7,294	24.41%
72	25,811	76.40%	7,971	23.60%	22,974	69.04%	10,303	30.96%	23,617	70.81%	9,736	29.19%	24,517	73.80%	8,704	26.20%	23,724	71.01%	8,645	25.87%	1,024	3.06%	18	0.05%	24,511	73.89%	8,661	26.11%
80	22,983	84.73%	4,141	15.27%	22,158	82.53%	4,691	17.47%	21,923	81.39%	5,014	18.61%	22,542	83.82%	4,350	16.18%	22,053	81.65%	4,223	15.63%	710	2.63%	24	0.09%	22,447	83.61%	4,399	16.39%
82	23,914	82.41%	5,103	17.59%	22,636	79.03%	6,006	20.97%	22,591	78.50%	6,188	21.50%	23,194	80.79%	5,514	19.21%	22,638	78.44%	5,467	18.94%	735	2.55%	21	0.07%	23,034	80.42%	5,609	19.58%
86	26,007	80.22%	6,411	19.78%	24,501	76.58%	7,491	23.42%	24,450	76.15%	7,656	23.85%	25,188	78.60%	6,856	21.40%	24,619	76.66%	6,652	20.71%	815	2.54%	29	0.09%	25,049	78.34%	6,926	21.66%
87	22,957	82.56%	4,848	17.44%	21,772	79.26%	5,697	20.74%	21,828	78.93%	5,826	21.07%	22,266	80.93%	5,248	19.07%	21,832	78.83%	5,032	18.17%	815	2.94%	17	0.06%	22,126	80.70%	5,292	19.30%
89	22,636	77.63%	6,522	22.37%	21,277	73.86%	7,529	26.14%	21,196	73.25%	7,742	26.75%	21,778	75.51%	7,064	24.49%	21,240	72.99%	7,113	24.44%	732	2.52%	13	0.04%	21,584	75.03%	7,182	24.97%
Totals:	707,759	79.71%	180,114	20.29%	623,816	70.99%	254,947	29.01%	628,844	71.72%	247,913	28.28%	655,030	74.92%	219,324	25.08%	645,986	73.43%	210,532	23.93%	22,796	2.59%	448	0.05%	653,953	74.75%	220,860	25.25%



	2008 Lt. Governor Dalton-Pittenger-Rhodes						2008 Governor Perdue-McCrory-Munger						2008 President Obama-McCain-Barr								2008 US Senate Hagan-Dole						2008 Straight Party					
District	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib.	Lib%
2	25,158	71.67%	9,345	26.62%	598	1.70%	26,202	72.84%	9,273	25.78%	498	1.38%	23,743	65.04%	12,560	34.41%	118	0.32%	85	0.23%	23,654	65.64%	11,879	32.96%	504	1.40%	19,367	80.13%	4,672	19.33%	129	0.53%
7	25,212	71.85%	9,449	26.93%	427	1.22%	25,464	71.61%	9,624	27.07%	470	1.32%	22,928	64.26%	12,627	35.39%	81	0.23%	46	0.13%	24,207	68.01%	10,863	30.52%	521	1.46%	19,425	83.55%	3,753	16.14%	71	0.31%
8	28,314	77.23%	7,954	21.70%	393	1.07%	29,013	78.07%	7,753	20.86%	396	1.07%	26,849	71.48%	10,620	28.27%	71	0.19%	23	0.06%	27,557	74.11%	9,158	24.63%	471	1.27%	23,145	86.67%	3,471	13.00%	88	0.33%
9	21,678	67.47%	9,747	30.34%	705	2.19%	22,618	69.26%	9,393	28.76%	647	1.98%	21,357	64.84%	11,408	34.64%	117	0.36%	54	0.16%	21,482	65.76%	10,502	32.15%	683	2.09%	16,208	77.13%	4,708	22.41%	97	0.46%
12	19,869	62.76%	11,159	35.25%	631	1.99%	21,975	68.29%	9,614	29.88%	589	1.83%	19,033	58.28%	13,447	41.17%	126	0.39%	53	0.16%	19,263	59.89%	12,171	37.84%	730	2.27%	14,486	73.50%	5,111	25.93%	113	0.57%
20	23,536	66.90%	10,419	29.62%	1,225	3.48%	24,350	67.89%	10,421	29.05%	1,098	3.06%	22,252	60.77%	14,088	38.47%	180	0.49%	96	0.26%	23,904	66.38%	10,995	30.53%	1,111	3.09%	15,386	78.70%	3,967	20.29%	198	1.01%
21	22,374	66.78%	10,404	31.05%	728	2.17%	22,866	66.92%	10,554	30.89%	748	2.19%	21,920	63.31%	12,547	36.24%	107	0.31%	48	0.14%	22,388	65.34%	11,099	32.39%	778	2.27%	16,143	75.76%	4,923	23.10%	242	1.14%
23	23,294	63.58%	12,719	34.72%	625	1.71%	23,547	63.38%	12,990	34.96%	618	1.66%	22,045	59.30%	14,891	40.06%	158	0.43%	81	0.22%	23,137	62.26%	13,270	35.71%	755	2.03%	17,574	76.00%	5,445	23.55%	105	0.45%
27	26,695	70.07%	10,824	28.41%	578	1.52%	26,394	68.18%	11,689	30.19%	630	1.63%	25,233	64.54%	13,672	34.97%	129	0.33%	63	0.16%	26,302	67.90%	11,749	30.33%	688	1.78%	20,335	82.28%	4,271	17.28%	107	0.43%
30	27,758	79.91%	6,133	17.66%	844	2.43%	27,277	77.52%	6,819	19.38%	1,089	3.10%	28,711	80.67%	6,665	18.73%	123	0.35%	90	0.25%	28,160	79.82%	6,441	18.26%	680	1.93%	17,292	86.63%	2,576	12.91%	93	0.47%
31	34,159	82.91%	5,887	14.29%	1,155	2.80%	33,802	80.74%	6,672	15.94%	1,393	3.33%	36,660	86.25%	5,574	13.11%	174	0.41%	95	0.22%	35,335	84.18%	5,863	13.97%	778	1.85%	21,802	90.28%	2,228	9.23%	118	0.49%
33	25,936	75.96%	7,319	21.44%	890	2.61%	25,591	73.91%	8,048	23.24%	987	2.85%	27,300	78.16%	7,420	21.24%	125	0.36%	83	0.24%	26,588	76.76%	7,261	20.96%	791	2.28%	18,337	84.14%	3,337	15.31%	119	0.55%
38	25,424	80.33%	5,419	17.12%	806	2.55%	24,900	77.46%	6,388	19.87%	856	2.66%	26,904	82.57%	5,452	16.73%	158	0.48%	69	0.21%	26,022	80.86%	5,453	16.95%	705	2.19%	18,427	87.76%	2,453	11.68%	117	0.56%
42	20,348	71.58%	7,427	26.13%	652	2.29%	20,692	71.91%	7,472	25.97%	611	2.12%	21,019	71.52%	8,217	27.96%	92	0.31%	60	0.20%	20,651	71.54%	7,585	26.28%	630	2.18%	14,672	77.98%	4,025	21.39%	119	0.63%
43	23,278	68.15%	10,099	29.57%	781	2.29%	23,742	68.47%	10,228	29.50%	703	2.03%	23,324	66.27%	11,660	33.13%	125	0.36%	89	0.25%	23,367	67.26%	10,571	30.43%	805	2.32%	16,735	76.80%	4,886	22.42%	170	0.78%
47	15,815	69.65%	6,274	27.63%	617	2.72%	16,553	70.74%	6,487	27.72%	359	1.53%	13,064	55.16%	10,387	43.86%	133	0.56%	100	0.42%	13,236	56.13%	9,968	42.27%	377	1.60%	9,314	81.03%	2,018	17.56%	163	1.42%
48	21,916	72.15%	7,745	25.50%	713	2.35%	22,203	71.36%	8,353	26.85%	558	1.79%	20,902	66.05%	10,496	33.17%	160	0.51%	87	0.27%	21,435	68.54%	9,064	28.98%	774	2.47%	15,334	84.78%	2,633	14.56%	120	0.66%
60	24,202	75.35%	7,077	22.03%	841	2.62%	24,366	74.74%	7,266	22.29%	967	2.97%	25,379	76.71%	7,468	22.57%	156	0.47%	82	0.25%	25,239	77.22%	6,668	20.40%	779	2.38%	18,967	82.34%	3,929	17.06%	139	0.60%
63	30,082	75.89%	8,560	21.59%	998	2.52%	30,080	74.38%	9,245	22.86%	1,114	2.75%	32,044	77.89%	8,851	21.51%	160	0.39%	86	0.21%	32,036	79.04%	7,753	19.13%	744	1.84%	22,443	84.28%	4,039	15.17%	148	0.56%
64	26,437	71.94%	9,413	25.61%	901	2.45%	26,560	70.90%	9,887	26.39%	1,014	2.71%	27,816	73.14%	9,965	26.20%	165	0.43%	86	0.23%	28,315	75.41%	8,468	22.55%	764	2.03%	19,694	80.82%	4,538	18.62%	135	0.55%
71	22,415	73.91%	7,182	23.68%	732	2.41%	22,807	74.34%	7,085	23.09%	789	2.57%	23,274	74.83%	7,610	24.47%	147	0.47%	71	0.23%	23,112	75.09%	6,945	22.56%	721	2.34%	17,026	82.33%	3,551	17.17%	103	0.50%
72	24,276	71.61%	8,748	25.81%	874	2.58%	24,587	71.35%	8,999	26.12%	872	2.53%	25,553	73.08%	9,135	26.12%	184	0.53%	95	0.27%	25,341	73.28%	8,462	24.47%	777	2.25%	17,715	80.00%	4,295	19.40%	133	0.60%
80	22,012	80.66%	4,677	17.14%	602	2.21%	21,126	76.16%	6,050	21.81%	563	2.03%	23,575	83.80%	4,408	15.67%	84	0.30%	64	0.23%	22,835	82.46%	4,249	15.34%	608	2.20%	16,470	87.39%	2,285	12.12%	91	0.48%
82	22,545	77.05%	6,081	20.78%	635	2.17%	21,569	72.65%	7,554	25.44%	566	1.91%	24,148	80.26%	5,749	19.11%	114	0.38%	75	0.25%	23,496	79.27%	5,447	18.38%	696	2.35%	16,565	84.28%	2,993	15.23%	96	0.49%
86	24,588	75.17%	7,450	22.78%	671	2.05%	23,064	69.19%	9,713	29.14%	555	1.67%	26,813	79.21%	6,857	20.26%	105	0.31%	74	0.22%	26,005	78.25%	6,443	19.39%	784	2.36%	17,854	82.50%	3,681	17.01%	107	0.49%
87	21,817	77.47%	5,616	19.94%	729	2.59%	20,501	71.31%	7,607	26.46%	643	2.24%	24,132	82.16%	5,023	17.10%	147	0.50%	71	0.24%	23,078	80.42%	4,894	17.05%	724	2.52%	16,822	85.49%	2,709	13.77%	146	0.74%
89	21,143	71.83%	7,710	26.19%	582	1.98%	20,286	67.81%	9,083	30.36%	545	1.82%	22,542	74.15%	7,627	25.09%	144	0.47%	89	0.29%	22,061	73.92%	6,987	23.41%	797	2.67%	16,436	79.50%	4,115	19.91%	122	0.59%
Totals:	650,281	72.98%	220,837	24.78%	19,933	2.24%	652,135	71.96%	234,267	25.85%	19,878	2.19%	658,520	71.69%	254,424	27.70%	3,583	0.39%	2,015	0.22%	658,206	72.52%	230,208	25.36%	19,175	2.11%	473,974	82.01%	100,612	17.41%	3,389	0.59%



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
2	8,843	80.23%	2,110	19.14%	69	0.63%	12,953	60.01%	8,344	38.66%	286	1.33%
7	10,286	81.30%	2,309	18.25%	57	0.45%	13,603	61.65%	8,196	37.14%	267	1.21%
8	12,006	87.32%	1,658	12.06%	85	0.62%	16,636	69.39%	7,089	29.57%	251	1.05%
9	8,439	74.06%	2,914	25.57%	42	0.37%	11,025	58.98%	7,399	39.58%	269	1.44%
12	8,296	69.61%	3,563	29.90%	59	0.50%	11,103	53.23%	9,440	45.26%	315	1.51%
20	8,728	78.02%	2,311	20.66%	148	1.32%	14,196	57.25%	10,128	40.85%	472	1.90%
21	9,369	69.76%	4,014	29.89%	48	0.36%	12,621	58.20%	8,800	40.58%	266	1.23%
23	10,726	70.85%	4,368	28.85%	45	0.30%	13,648	56.34%	10,270	42.39%	307	1.27%
27	10,887	83.53%	2,071	15.89%	76	0.58%	15,231	60.25%	9,635	38.11%	414	1.64%
30	7,316	85.76%	1,176	13.79%	39	0.46%	16,671	79.34%	4,079	19.41%	263	1.25%
31	8,662	89.58%	970	10.03%	38	0.39%	19,706	83.12%	3,674	15.50%	327	1.38%
33	9,945	80.56%	2,357	19.09%	43	0.35%	14,473	73.51%	4,899	24.88%	317	1.61%
38	9,943	86.43%	1,519	13.20%	42	0.37%	14,173	80.20%	3,217	18.20%	283	1.60%
42	6,171	76.33%	1,874	23.18%	40	0.49%	9,844	67.36%	4,556	31.18%	213	1.46%
43	6,845	70.77%	2,775	28.69%	52	0.54%	11,669	60.86%	7,171	37.40%	334	1.74%
47	4,207	76.28%	1,233	22.36%	75	1.36%	6,919	50.90%	6,473	47.62%	200	1.47%
48	6,962	81.10%	1,528	17.80%	94	1.10%	11,535	63.50%	6,303	34.70%	327	1.80%
60	6,354	71.99%	2,421	27.43%	51	0.58%	10,771	68.29%	4,674	29.63%	328	2.08%
63	9,183	77.31%	2,650	22.31%	45	0.38%	15,072	69.45%	6,308	29.07%	321	1.48%
64	7,979	71.06%	3,207	28.56%	42	0.37%	12,773	63.41%	7,031	34.90%	340	1.69%
71	5,543	69.44%	2,415	30.25%	25	0.31%	9,470	65.04%	4,857	33.36%	233	1.60%
72	6,187	68.36%	2,802	30.96%	62	0.69%	11,560	63.56%	6,314	34.72%	313	1.72%
80	6,493	85.75%	1,061	14.01%	18	0.24%	10,697	81.76%	2,230	17.05%	156	1.19%
82	7,731	81.46%	1,720	18.12%	39	0.41%	12,348	76.18%	3,622	22.35%	238	1.47%
86	8,346	80.86%	1,948	18.87%	28	0.27%	13,857	76.48%	4,027	22.23%	234	1.29%
87	6,700	81.73%	1,462	17.83%	36	0.44%	10,394	75.61%	3,070	22.33%	283	2.06%
89	6,776	73.45%	2,403	26.05%	46	0.50%	10,688	68.30%	4,670	29.84%	291	1.86%
Totals:	218,923	77.85%	60,839	21.64%	1,444	0.51%	343,636	66.34%	166,476	32.14%	7,848	1.52%



# **EXHIBIT L**



District	2010 Pop	Ideal Pop	Ideal +/-	% +/-
1	82,880	79,462	3,418	4.30%
2	83,143	79,462	3,681	4.63%
3	83,172	79,462	3,710	4.67%
4	83,211	79,462	3,749	4.72%
5	82,109	79,462	2,647	3.33%
6	83,234	79,462	3,772	4.75%
7	75,609	79,462	-3,853	-4.85%
8	83,385	79,462	3,923	4.94%
9	83,346	79,462	3,884	4.89%
10	82,841	79,462	3,379	4.25%
11	83,217	79,462	3,755	4.73%
12	76,402	79,462	-3,060	-3.85%
13	76,622	79,462	-2,840	-3.57%
14	77,065	79,462	-2,397	-3.02%
15	77,307	79,462	-2,155	-2.71%
16	75,617	79,462	-3,845	-4.84%
17	77,263	79,462	-2,199	-2.77%
18	77,681	79,462	-1,781	-2.24%
19	76,666	79,462	-2,796	-3.52%
20	78,488	79,462	-974	-1.23%
21	83,020	79,462	3,558	4.48%
22	82,965	79,462	3,503	4.41%
23	81,057	79,462	1,595	2.01%
24	82,651	79,462	3,189	4.01%
25	80,850	79,462	1,388	1.75%
26	82,926	79,462	3,464	4.36%
27	76,790	79,462	-2,672	-3.36%
28	83,355	79,462	3,893	4.90%
29	80,137	79,462	675	0.85%
30	79,990	79,462	528	0.66%
31	78,465	79,462	-997	-1.25%
32	82,631	79,462	3,169	3.99%
33	82,568	79,462	3,106	3.91%
34	83,083	79,462	3,621	4.56%
35	77,896	79,462	-1,566	-1.97%
36	83,373	79,462	3,911	4.92%
37	83,318	79,462	3,856	4.85%
38	83,403	79,462	3,941	4.96%
39	81,394	79,462	1,932	2.43%
40	76,609	79,462	-2,853	-3.59%
41	82,866	79,462	3,404	4.28%
42	78,925	79,462	-537	-0.68%
43	79,233	79,462	-229	-0.29%
44	78,020	79,462	-1,442	-1.81%
45	83,253	79,462	3,791	4.77%
46	83,143	79,462	3,681	4.63%
47	82,820	79,462	3,358	4.23%
48	83,406	79,462	3,944	4.96%
49	83,266	79,462	3,804	4.79%
50	80,467	79,462	1,005	1.26%
51	75,538	79,462	-3,924	-4.94%
52	76,894	79,462	-2,568	-3.23%
53	81,777	79,462	2,315	2.91%
54	78,734	79,462	-728	-0.92%
55	75,792	79,462	-3,670	-4.62%
56	82,329	79,462	2,867	3.61%
57	79,344	79,462	-118	-0.15%
58	79,055	79,462	-407	-0.51%
59	83,275	79,462	3,813	4.80%
60	80,527	79,462	1,065	1.34%
61	83,062	79,462	3,600	4.53%
62	83,143	79,462	3,681	4.63%
63	75,550	79,462	-3,912	-4.92%
64	75,581	79,462	-3,881	-4.88%
65	81,444	79,462	1,982	2.49%
66	83,380	79,462	3,918	4.93%
67	83,372	79,462	3,910	4.92%
68	76,067	79,462	-3,395	-4.27%
69	76,381	79,462	-3,081	-3.88%
70	76,125	79,462	-3,337	-4.20%
71	76,671	79,462	-2,791	-3.51%
72	77,038	79,462	-2,424	-3.05%
73	77,256	79,462	-2,206	-2.78%
74	80,474	79,462	1,012	1.27%
75	78,634	79,462	-828	-1.04%
76	80,735	79,462	1,273	1.60%
77	78,424	79,462	-1,038	-1.31%
78	76,980	79,462	-2,482	-3.12%
79	79,093	79,462	-369	-0.46%
80	81,522	79,462	2,060	2.59%
81	81,356	79,462	1,894	2.38%
82	78,861	79,462	-601	-0.76%
83	78,419	79,462	-1,043	-1.31%
84	77,282	79,462	-2,180	-2.74%
85	78,372	79,462	-1,090	-1.37%
86	79,175	79,462	-287	-0.36%



District	2010 Pop	Ideal Pop	Ideal +/-	% +/-
87	83,029	79,462	3,567	4.49%
88	75,622	79,462	-3,840	-4.83%
89	77,838	79,462	-1,624	-2.04%
90	76,583	79,462	-2,879	-3.62%
91	83,319	79,462	3,857	4.85%
92	77,711	79,462	-1,751	-2.20%
93	78,360	79,462	-1,102	-1.39%
94	75,933	79,462	-3,529	-4.44%
95	82,155	79,462	2,693	3.39%
96	76,520	79,462	-2,942	-3.70%
97	78,265	79,462	-1,197	-1.51%
98	76,887	79,462	-2,575	-3.24%
99	77,118	79,462	-2,344	-2.95%
100	78,386	79,462	-1,076	-1.35%
101	77,335	79,462	-2,127	-2.68%
102	76,572	79,462	-2,890	-3.64%
103	75,672	79,462	-3,790	-4.77%
104	76,073	79,462	-3,389	-4.26%
105	75,712	79,462	-3,750	-4.72%
106	75,539	79,462	-3,923	-4.94%
107	77,001	79,462	-2,461	-3.10%
108	76,926	79,462	-2,536	-3.19%
109	75,517	79,462	-3,945	-4.96%
110	75,573	79,462	-3,889	-4.89%
111	76,148	79,462	-3,314	-4.17%
112	79,547	79,462	85	0.11%
113	81,089	79,462	1,627	2.05%
114	82,902	79,462	3,440	4.33%
115	79,883	79,462	421	0.53%
116	75,533	79,462	-3,929	-4.94%
117	79,251	79,462	-211	-0.27%
118	76,322	79,462	-3,140	-3.95%
119	75,548	79,462	-3,914	-4.93%
120	80,814	79,462	1,352	1.70%



Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
1	82,880	63,714	76.88%	15,686	18.93%	280	0.34%	730	0.88%	1,088	1.31%	1,382	1.67%	657	0.79%	16,343	19.72%	2,418	2.92%	80,462	97.08%	62,700	75.65%
2	83,143	56,550	68.02%	21,528	25.89%	558	0.67%	388	0.47%	2,735	3.29%	1,384	1.66%	810	0.97%	22,338	26.87%	5,268	6.34%	77,875	93.66%	54,520	65.57%
3	83,172	61,344	73.76%	16,304	19.60%	417	0.50%	1,128	1.36%	2,006	2.41%	1,973	2.37%	943	1.13%	17,247	20.74%	4,999	6.01%	78,173	93.99%	58,945	70.87%
4	83,211	58,146	69.88%	13,215	15.88%	337	0.40%	825	0.99%	9,000	10.82%	1,688	2.03%	621	0.75%	13,836	16.63%	13,497	16.22%	69,714	83.78%	54,567	65.58%
5	82,109	34,119	41.55%	44,719	54.46%	537	0.65%	505	0.62%	934	1.14%	1,295	1.58%	860	1.05%	45,579	55.51%	2,220	2.70%	79,889	97.30%	33,202	40.44%
6	83,234	64,089	77.00%	14,555	17.49%	346	0.42%	379	0.46%	2,701	3.25%	1,164	1.40%	547	0.66%	15,102	18.14%	5,293	6.36%	77,941	93.64%	61,918	74.39%
7	75,609	32,092	42.44%	38,808	51.33%	549	0.73%	605	0.80%	2,208	2.92%	1,347	1.78%	881	1.17%	39,689	52.49%	4,001	5.29%	71,608	94.71%	30,888	40.85%
8	83,385	53,593	64.27%	24,174	28.99%	260	0.31%	921	1.10%	3,023	3.63%	1,414	1.70%	755	0.91%	24,929	29.90%	4,779	5.73%	78,606	94.27%	52,204	62.61%
9	83,346	61,514	73.81%	16,208	19.45%	279	0.33%	1,522	1.83%	2,192	2.63%	1,631	1.96%	872	1.05%	17,080	20.49%	4,112	4.93%	79,234	95.07%	59,969	71.95%
10	82,841	63,617	76.79%	12,999	15.69%	371	0.45%	845	1.02%	3,493	4.22%	1,516	1.83%	727	0.88%	13,726	16.57%	6,246	7.54%	76,595	92.46%	61,402	74.12%
11	83,217	55,758	67.00%	12,658	15.21%	595	0.71%	6,687	8.04%	5,025	6.04%	2,494	3.00%	1,041	1.25%	13,699	16.46%	10,570	12.70%	72,647	87.30%	51,336	61.69%
12	76,402	31,564	41.31%	39,255	51.38%	307	0.40%	976	1.28%	2,836	3.71%	1,464	1.92%	890	1.16%	40,145	52.54%	5,044	6.60%	71,358	93.40%	29,977	39.24%
13	76,622	65,741	85.80%	7,330	9.57%	373	0.49%	681	0.89%	1,002	1.31%	1,495	1.95%	677	0.88%	8,007	10.45%	2,639	3.44%	73,983	96.56%	64,318	83.94%
14	77,065	54,800	71.11%	13,211	17.14%	521	0.68%	2,108	2.74%	2,627	3.41%	3,798	4.93%	1,887	2.45%	15,098	19.59%	7,986	10.36%	69,079	89.64%	50,900	66.05%
15	77,307	58,090	75.14%	11,619	15.03%	585	0.76%	1,504	1.95%	2,409	3.12%	3,100	4.01%	1,474	1.91%	13,093	16.94%	8,017	10.37%	69,290	89.63%	53,863	69.67%
16	75,617	58,456	77.31%	12,111	16.02%	423	0.56%	455	0.60%	2,385	3.15%	1,787	2.36%	797	1.05%	12,908	17.07%	5,087	6.73%	70,530	93.27%	56,363	74.54%
17	77,263	66,925	86.62%	6,701	8.67%	471	0.61%	381	0.49%	1,612	2.09%	1,173	1.52%	477	0.62%	7,178	9.29%	3,456	4.47%	73,807	95.53%	65,432	84.69%
18	77,681	48,174	62.02%	23,982	30.87%	595	0.77%	645	0.83%	2,315	2.98%	1,970	2.54%	1,125	1.45%	25,107	32.32%	5,001	6.44%	72,680	93.56%	46,124	59.38%
19	76,666	66,806	87.14%	4,941	6.44%	382	0.50%	961	1.25%	2,114	2.76%	1,462	1.91%	566	0.74%	5,507	7.18%	4,279	5.58%	72,387	94.42%	65,009	84.80%
20	78,488	67,586	86.11%	6,574	8.38%	318	0.41%	1,170	1.49%	1,445	1.84%	1,395	1.78%	558	0.71%	7,132	9.09%	3,529	4.50%	74,959	95.50%	65,884	83.94%
21	83,020	29,812	35.91%	42,902	51.68%	427	0.51%	774	0.93%	7,410	8.93%	1,695	2.04%	1,009	1.22%	43,911	52.89%	10,858	13.08%	72,162	86.92%	27,235	32.81%
22	82,965	49,313	59.44%	21,888	26.38%	1,882	2.27%	317	0.38%	8,057	9.71%	1,508	1.82%	692	0.83%	22,580	27.22%	11,300	13.62%	71,665	86.38%	46,862	56.48%
23	81,057	34,942	43.11%	43,086	53.16%	242	0.30%	209	0.26%	1,760	2.17%	818	1.01%	523	0.65%	43,609	53.80%	2,873	3.54%	78,184	96.46%	34,150	42.13%
24	82,651	26,190	31.69%	48,561	58.75%	281	0.34%	960	1.16%	5,043	6.10%	1,616	1.96%	1,034	1.25%	49,595	60.01%	8,035	9.72%	74,616	90.28%	24,022	29.06%
25	80,850	61,442	76.00%	13,054	16.15%	437	0.54%	461	0.57%	4,135	5.11%	1,321	1.63%	646	0.80%	13,700	16.94%	6,790	8.40%	74,060	91.60%	59,360	73.42%
26	82,926	61,725	74.43%	13,683	16.50%	422	0.51%	719	0.87%	4,736	5.71%	1,641	1.98%	799	0.96%	14,482	17.46%	9,106	10.98%	73,820	89.02%	58,091	70.05%
27	76,790	30,558	39.79%	42,004	54.70%	2,172	2.83%	422	0.55%	762	0.99%	872	1.14%	576	0.75%	42,580	55.45%	1,457	1.90%	75,333	98.10%	30,165	39.28%
28	83,355	61,484	73.76%	11,684	14.02%	505	0.61%	351	0.42%	7,690	9.23%	1,641	1.97%	648	0.78%	12,332	14.79%	12,373	14.84%	70,982	85.16%	57,725	69.25%
29	80,137	26,481	33.04%	41,001	51.16%	404	0.50%	3,574	4.46%	6,563	8.19%	2,114	2.64%	1,195	1.49%	42,196	52.65%	11,119	13.87%	69,018	86.13%	23,002	28.70%
30	79,990	51,546	64.44%	14,977	18.72%	389	0.49%	6,817	8.52%	4,190	5.24%	2,071	2.59%	861	1.08%	15,838	19.80%	8,528	10.66%	71,462	89.34%	48,084	60.11%
31	78,465	23,888	30.44%	41,112	52.40%	452	0.58%	1,315	1.68%	9,584	12.21%	2,114	2.69%	1,26									



Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
53	81,777	54,670	66.85%	18,168	22.22%	987	1.21%	960	1.17%	4,437	5.43%	2,555	3.12%	1,323	1.62%	19,491	23.83%	8,659	10.59%	73,118	89.41%	51,490	62.96%
54	78,734	55,385	70.34%	13,856	17.60%	502	0.64%	822	1.04%	6,566	8.34%	1,603	2.04%	711	0.90%	14,567	18.50%	12,338	15.67%	66,396	84.33%	50,519	64.16%
55	75,792	53,470	70.55%	18,433	24.32%	337	0.44%	545	0.72%	1,923	2.54%	1,084	1.43%	549	0.72%	18,982	25.04%	3,724	4.91%	72,068	95.09%	51,969	68.57%
56	82,329	61,445	74.63%	9,954	12.09%	356	0.43%	5,362	6.51%	3,029	3.68%	2,183	2.65%	768	0.93%	10,722	13.02%	6,637	8.06%	75,692	91.94%	58,315	70.83%
57	79,344	29,795	37.55%	40,337	50.84%	452	0.57%	3,033	3.82%	3,629	4.57%	2,098	2.64%	1,378	1.74%	41,715	52.57%	6,587	8.30%	72,757	91.70%	27,744	34.97%
58	79,055	30,629	38.74%	41,119	52.01%	483	0.61%	1,958	2.48%	3,020	3.82%	1,846	2.34%	1,308	1.65%	42,427	53.67%	5,710	7.22%	73,345	92.78%	28,712	36.32%
59	83,275	67,622	81.20%	11,196	13.44%	315	0.38%	1,357	1.63%	1,355	1.63%	1,430	1.72%	751	0.90%	11,947	14.35%	3,102	3.73%	80,173	96.27%	66,133	79.42%
60	80,527	25,393	31.53%	41,917	52.05%	568	0.71%	4,815	5.98%	5,194	6.45%	2,640	3.28%	1,759	2.18%	43,676	54.24%	9,220	11.45%	71,307	88.55%	22,376	27.79%
61	83,062	60,207	72.48%	13,514	16.27%	495	0.60%	4,359	5.25%	2,930	3.53%	1,557	1.87%	770	0.93%	14,284	17.20%	5,943	7.15%	77,119	92.85%	57,736	69.51%
62	83,143	64,879	78.03%	10,816	13.01%	281	0.34%	3,889	4.68%	1,547	1.86%	1,731	2.08%	812	0.98%	11,628	13.99%	4,264	5.13%	78,879	94.87%	62,527	75.20%
63	75,550	52,887	70.00%	14,405	19.07%	636	0.84%	878	1.16%	5,109	6.76%	1,635	2.16%	878	1.16%	15,283	20.23%	9,081	12.02%	66,469	87.98%	49,886	66.03%
64	75,581	54,533	72.15%	13,964	18.48%	384	0.51%	1,017	1.35%	4,182	5.53%	1,501	1.99%	780	1.03%	14,744	19.51%	7,558	10.00%	68,023	90.00%	51,832	68.58%
65	81,444	60,705	74.54%	16,837	20.67%	318	0.39%	375	0.46%	1,819	2.23%	1,390	1.71%	737	0.90%	17,574	21.58%	3,915	4.81%	77,529	95.19%	58,968	72.40%
66	83,380	52,498	62.96%	19,088	22.89%	4,803	5.76%	1,001	1.20%	3,447	4.13%	2,543	3.05%	1,111	1.33%	20,199	24.23%	6,927	8.31%	76,453	91.69%	50,038	60.01%
67	83,372	67,421	80.87%	9,847	11.81%	297	0.36%	1,550	1.86%	3,220	3.86%	1,037	1.24%	554	0.66%	10,401	12.48%	5,335	6.40%	78,037	93.60%	65,614	78.70%
68	76,067	59,525	78.25%	8,635	11.35%	236	0.31%	1,858	2.44%	4,236	5.57%	1,577	2.07%	677	0.89%	9,312	12.24%	8,495	11.17%	67,572	88.83%	55,810	73.37%
69	76,381	58,666	76.81%	9,580	12.54%	407	0.53%	1,223	1.60%	4,958	6.49%	1,547	2.03%	665	0.87%	10,245	13.41%	9,560	12.52%	66,821	87.48%	54,663	71.57%
70	76,125	63,479	83.39%	4,827	6.34%	503	0.66%	1,140	1.50%	4,761	6.25%	1,415	1.86%	560	0.74%	5,387	7.08%	9,117	11.98%	67,008	88.02%	59,853	78.62%
71	76,671	27,807	36.27%	33,753	44.02%	394	0.51%	1,111	1.45%	11,380	14.84%	2,226	2.90%	1,335	1.74%	35,088	45.76%	17,298	22.56%	59,373	77.44%	23,694	30.90%
72	77,038	31,630	41.06%	35,122	45.59%	323	0.42%	1,176	1.53%	7,091	9.20%	1,696	2.20%	1,110	1.44%	36,232	47.03%	10,868	14.11%	66,170	85.89%	28,857	37.46%
73	77,256	68,946	89.24%	3,245	4.20%	180	0.23%	462	0.60%	3,403	4.40%	1,020	1.32%	463	0.60%	3,708	4.80%	5,371	6.95%	71,885	93.05%	67,296	87.11%
74	80,474	66,259	82.34%	8,679	10.78%	348	0.43%	940	1.17%	2,828	3.51%	1,420	1.76%	645	0.80%	9,324	11.59%	5,622	6.99%	74,852	93.01%	63,984	79.51%
75	78,634	62,067	78.93%	10,077	12.82%	278	0.35%	2,042	2.60%	2,674	3.40%	1,496	1.90%	760	0.97%	10,837	13.78%	5,421	6.89%	73,213	93.11%	59,748	75.98%
76	80,735	64,961	80.46%	10,689	13.24%	301	0.37%	604	0.75%	2,983	3.69%	1,197	1.48%	566	0.70%	11,255	13.94%	5,141	6.37%	75,594	93.63%	63,161	78.23%
77	78,424	59,217	75.51%	13,306	16.97%	242	0.31%	948	1.21%	3,455	4.41%	1,256	1.60%	632	0.81%	13,938	17.77%	6,263	7.99%	72,161	92.01%	56,816	72.45%
78	76,980	67,009	87.05%	4,789	6.22%	527	0.68%	396	0.51%	3,072	3.99%	1,187	1.54%	507	0.66%	5,296	6.88%	6,209	8.07%	70,771	91.93%	64,378	83.63%
79	79,093	66,854	84.53%	6,189	7.82%	263	0.33%	1,694	2.14%	2,652	3.35%	1,441	1.82%	699	0.88%	6,888	8.71%	5,062	6.40%	74,031	93.60%	64,908	82.07%
80	81,522	69,381	85.11%	7,009	8.60%	402	0.49%	689	0.85%	2,859	3.51%	1,182	1.45%	484	0.59%	7,493	9.19%	5,369	6.59%	76,153	93.41%	67,274	82.52%
81	81,356	67,978	83.56%	7,412	9.11%	392	0.48%	1,332	1.64%	3,012	3.70%	1,230	1.51%	551	0.68%	7,963	9.79%	5,039	6.19%	76,317	93.81%	66,212	81.39%
82	78,861	57,666	73.12%	13,199	16.74%	297	0.38%	2,440	3.09%	3,592	4.55%	1,667	2.11%	860	1.09%	14,059	17.83%	7,516	9.53%	71,345	90.47%	54,409	68.99%
83	78,419	58,228	74.25%	12,417	15.83%	287	0.37%	1,021	1.30%	4,627	5.90%	1,											



Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
105	75,712	58,153	76.81%	7,085	9.36%	216	0.29%	6,534	8.63%	2,033	2.69%	1,691	2.23%	680	0.90%	7,765	10.26%	6,073	8.02%	69,639	91.98%	54,583	72.09%
106	75,539	21,311	28.21%	39,249	51.96%	464	0.61%	4,803	6.36%	7,561	10.01%	2,151	2.85%	1,358	1.80%	40,607	53.76%	12,596	16.67%	62,943	83.33%	17,561	23.25%
107	77,001	25,995	33.76%	41,049	53.31%	297	0.39%	4,689	6.09%	2,829	3.67%	2,142	2.78%	1,308	1.70%	42,357	55.01%	6,063	7.87%	70,938	92.13%	23,651	30.72%
108	76,926	59,716	77.63%	11,495	14.94%	343	0.45%	1,208	1.57%	2,751	3.58%	1,413	1.84%	690	0.90%	12,185	15.84%	5,072	6.59%	71,854	93.41%	57,763	75.09%
109	75,517	54,878	72.67%	15,145	20.06%	293	0.39%	1,096	1.45%	2,597	3.44%	1,508	2.00%	824	1.09%	15,969	21.15%	5,218	6.91%	70,299	93.09%	52,771	69.88%
110	75,573	60,428	79.96%	12,053	15.95%	276	0.37%	377	0.50%	1,270	1.68%	1,169	1.55%	590	0.78%	12,643	16.73%	2,615	3.46%	72,958	96.54%	59,312	78.48%
111	76,148	60,267	79.14%	13,070	17.16%	170	0.22%	640	0.84%	828	1.09%	1,173	1.54%	705	0.93%	13,775	18.09%	2,052	2.69%	74,096	97.31%	59,257	77.82%
112	79,547	68,044	85.54%	8,052	10.12%	198	0.25%	690	0.87%	1,168	1.47%	1,395	1.75%	759	0.95%	8,811	11.08%	2,620	3.29%	76,927	96.71%	66,814	83.99%
113	81,089	74,798	92.24%	2,584	3.19%	241	0.30%	390	0.48%	1,793	2.21%	1,283	1.58%	538	0.66%	3,122	3.85%	3,935	4.85%	77,154	95.15%	72,857	89.85%
114	82,902	65,627	79.16%	10,973	13.24%	335	0.40%	1,059	1.28%	2,690	3.24%	2,218	2.68%	1,144	1.38%	12,117	14.62%	5,927	7.15%	76,975	92.85%	62,851	75.81%
115	79,883	74,227	92.92%	1,960	2.45%	281	0.35%	651	0.81%	1,330	1.66%	1,434	1.80%	522	0.65%	2,482	3.11%	3,448	4.32%	76,435	95.68%	72,376	90.60%
116	75,533	68,338	90.47%	2,278	3.02%	332	0.44%	996	1.32%	2,246	2.97%	1,343	1.78%	568	0.75%	2,846	3.77%	4,879	6.46%	70,654	93.54%	66,014	87.40%
117	79,251	69,326	87.48%	2,850	3.60%	375	0.47%	1,032	1.30%	4,084	5.15%	1,584	2.00%	565	0.71%	3,415	4.31%	8,575	10.82%	70,676	89.18%	65,423	82.55%
118	76,322	73,197	95.91%	741	0.97%	289	0.38%	247	0.32%	980	1.28%	868	1.14%	213	0.28%	954	1.25%	2,397	3.14%	73,925	96.86%	71,971	94.30%
119	75,548	63,014	83.41%	1,089	1.44%	7,720	10.22%	535	0.71%	1,615	2.14%	1,575	2.08%	261	0.35%	1,350	1.79%	3,417	4.52%	72,131	95.48%	61,746	81.73%
120	80,814	75,746	93.73%	878	1.09%	1,126	1.39%	412	0.51%	1,292	1.60%	1,360	1.68%	300	0.37%	1,178	1.46%	3,370	4.17%	77,444	95.83%	73,962	91.52%
Totals:	9,535,483	6,528,950	68.47%	2,048,628	21.48%	122,110	1.28%	215,566	2.26%	414,030	4.34%	206,199	2.16%	102,828	1.08%	2,151,456	22.56%	800,120	8.39%	8,735,363	91.61%	6,223,995	65.27%



H-ST-6 Lewis-Dollar-Dockham 4

Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
1	63,999	49,992	78.11%	11,919	18.62%	222	0.35%	566	0.88%	697	1.09%	603	0.94%	163	0.25%	12,082	18.88%	1,480	2.31%	62,519	97.69%	49,370	77.14%
2	64,474	44,472	68.98%	16,907	26.22%	428	0.66%	311	0.48%	1,748	2.71%	608	0.94%	262	0.41%	17,169	26.63%	3,363	5.22%	61,111	94.78%	43,174	66.96%
3	64,476	48,833	75.74%	12,254	19.01%	327	0.51%	895	1.39%	1,316	2.04%	851	1.32%	305	0.47%	12,559	19.48%	3,146	4.88%	61,330	95.12%	47,292	73.35%
4	62,318	45,449	72.93%	9,832	15.78%	245	0.39%	642	1.03%	5,357	8.60%	793	1.27%	213	0.34%	10,045	16.12%	7,928	12.72%	54,390	87.28%	43,384	69.62%
5	64,226	27,735	43.18%	34,384	53.54%	429	0.67%	376	0.59%	617	0.96%	685	1.07%	405	0.63%	34,789	54.17%	1,513	2.36%	62,713	97.64%	27,061	42.13%
6	65,867	52,049	79.02%	10,989	16.68%	258	0.39%	291	0.44%	1,673	2.54%	607	0.92%	183	0.28%	11,172	16.96%	3,325	5.05%	62,542	94.95%	50,655	76.90%
7	58,173	26,146	44.95%	29,100	50.02%	415	0.71%	479	0.82%	1,367	2.35%	666	1.14%	374	0.64%	29,474	50.67%	2,450	4.21%	55,723	95.79%	25,396	43.66%
8	62,690	42,316	67.50%	17,129	27.32%	185	0.30%	666	1.06%	1,782	2.84%	612	0.98%	238	0.38%	17,367	27.70%	2,856	4.56%	59,834	95.44%	41,443	66.11%
9	66,720	50,872	76.25%	12,191	18.27%	215	0.32%	1,190	1.78%	1,414	2.12%	838	1.26%	337	0.51%	12,528	18.78%	2,660	3.99%	64,060	96.01%	49,847	74.71%
10	63,125	50,147	79.44%	9,381	14.86%	275	0.44%	590	0.93%	2,094	3.32%	638	1.01%	214	0.34%	9,595	15.20%	3,657	5.79%	59,468	94.21%	48,848	77.38%
11	67,054	47,032	70.14%	9,417	14.04%	390	0.58%	5,456	8.14%	3,273	4.88%	1,486	2.22%	537	0.80%	9,954	14.84%	6,961	10.38%	60,093	89.62%	44,028	65.66%
12	57,832	25,555	44.19%	28,912	49.99%	236	0.41%	673	1.16%	1,794	3.10%	662	1.14%	350	0.61%	29,262	50.60%	3,170	5.48%	54,662	94.52%	24,519	42.40%
13	61,839	54,015	87.35%	5,619	9.09%	302	0.49%	529	0.86%	660	1.07%	714	1.15%	202	0.33%	5,821	9.41%	1,700	2.75%	60,139	97.25%	53,084	85.84%
14	56,588	41,730	73.74%	9,228	16.31%	400	0.71%	1,726	3.05%	1,890	3.34%	1,614	2.85%	611	1.08%	9,839	17.39%	5,094	9.00%	51,494	91.00%	39,197	69.27%
15	59,638	45,959	77.06%	8,610	14.44%	480	0.80%	1,269	2.13%	1,795	3.01%	1,525	2.56%	590	0.99%	9,200	15.43%	5,657	9.49%	53,981	90.51%	42,909	71.95%
16	56,936	44,884	78.83%	9,143	16.06%	307	0.54%	333	0.58%	1,468	2.58%	801	1.41%	247	0.43%	9,390	16.49%	2,991	5.25%	53,945	94.75%	43,636	76.64%
17	64,270	57,012	88.71%	4,985	7.76%	367	0.57%	310	0.48%	1,029	1.60%	567	0.88%	138	0.21%	5,123	7.97%	2,193	3.41%	62,077	96.59%	56,048	87.21%
18	61,478	40,411	65.73%	17,503	28.47%	461	0.75%	520	0.85%	1,533	2.49%	1,050	1.71%	471	0.77%	17,974	29.24%	3,290	5.35%	58,188	94.65%	39,040	63.50%
19	60,681	53,954	88.91%	3,618	5.96%	289	0.48%	712	1.17%	1,378	2.27%	730	1.20%	224	0.37%	3,842	6.33%	2,713	4.47%	57,968	95.53%	52,806	87.02%
20	63,095	55,283	87.62%	4,998	7.92%	238	0.38%	895	1.42%	971	1.54%	710	1.13%	200	0.32%	5,198	8.24%	2,363	3.75%	60,732	96.25%	54,131	85.79%
21	62,288	24,177	38.81%	31,876	51.18%	316	0.51%	627	1.01%	4,440	7.13%	852	1.37%	452	0.73%	32,328	51.90%	6,488	10.42%	55,800	89.58%	22,607	36.29%
22	62,541	38,793	62.03%	16,520	26.41%	1,394	2.23%	237	0.38%	4,934	7.89%	663	1.06%	235	0.38%	16,755	26.79%	6,734	10.77%	55,807	89.23%	37,366	59.75%
23	61,743	28,157	45.60%	31,756	51.43%	184	0.30%	153	0.25%	1,072	1.74%	421	0.68%	244	0.40%	32,000	51.83%	1,717	2.78%	60,026	97.22%	27,691	44.85%
24	62,122	22,039	35.48%	35,165	56.61%	214	0.34%	787	1.27%	3,097	4.99%	820	1.32%	452	0.73%	35,617	57.33%	4,894	7.88%	57,228	92.12%	20,717	33.35%
25	60,489	47,353	78.28%	9,473	15.66%	315	0.52%	324	0.54%	2,435	4.03%	589	0.97%	237	0.39%	9,710	16.05%	3,951	6.53%	56,538	93.47%	46,123	76.25%
26	59,094	45,161	76.42%	9,631	16.30%	301	0.51%	502	0.85%	2,822	4.78%	677	1.15%	261	0.44%	9,892	16.74%	5,333	9.02%	53,761	90.98%	43,063	72.87%
27	59,572	24,998	41.96%	31,725	53.25%	1,612	2.71%	309	0.52%	470	0.79%	458	0.77%	269	0.45%	31,994	53.71%	912	1.53%	58,660	98.47%	24,748	41.54%
28	60,926	46,573	76.44%	8,377	13.75%	350	0.57%	251	0.41%	4,665	7.66%	710	1.17%	166	0.27%	8,543	14.02%	7,313	12.00%	53,613	88.00%	44,402	72.88%
29	62,777	22,351	35.60%	31,582	50.31%	303	0.48%	2,998	4.78%	4,323	6.89%	1,220	1.94%	647	1.03%	32,229	51.34%	7,429	11.83%	55,348	88.17%	19,910	31.72%
30	64,605	42,973	66.52%	11,465	17.75%	273	0.42%	5,884	9.11%	2,821	4.37%	1,189	1.84%	441	0.68%	11,906	18.43%	5,902	9.14%	58,703	90.86%	40,445	62.60%
31	57,181	19,716	34.48%	29,012	50.74%	319	0.56%	1,043	1.82%	5,936	10.38%	1,155	2.02%	615	1.08%	29,627	51.81%						



H-ST-6 Lewis-Dollar-Dockham 4

Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
54	60,696	44,262	72.92%	10,673	17.58%	352	0.58%	624	1.03%	4,033	6.64%	752	1.24%	241	0.40%	10,914	17.98%	7,449	12.27%	53,247	87.73%	41,363	68.15%
55	57,260	41,389	72.28%	13,632	23.81%	265	0.46%	382	0.67%	1,130	1.97%	462	0.81%	178	0.31%	13,810	24.12%	2,231	3.90%	55,029	96.10%	40,450	70.64%
56	66,529	50,800	76.36%	7,908	11.89%	279	0.42%	4,252	6.39%	2,086	3.14%	1,204	1.81%	388	0.58%	8,296	12.47%	4,540	6.82%	61,989	93.18%	48,627	73.09%
57	59,215	24,288	41.02%	29,366	49.59%	308	0.52%	1,986	3.35%	2,199	3.71%	1,068	1.80%	651	1.10%	30,017	50.69%	3,931	6.64%	55,284	93.36%	23,049	38.92%
58	61,968	26,117	42.15%	30,954	49.95%	386	0.62%	1,542	2.49%	1,887	3.05%	1,082	1.75%	715	1.15%	31,669	51.11%	3,626	5.85%	58,342	94.15%	24,838	40.08%
59	64,403	53,259	82.70%	8,462	13.14%	234	0.36%	996	1.55%	794	1.23%	658	1.02%	286	0.44%	8,748	13.58%	1,867	2.90%	62,536	97.10%	52,323	81.24%
60	60,602	21,754	35.90%	30,376	50.12%	398	0.66%	3,434	5.67%	3,336	5.50%	1,304	2.15%	749	1.24%	31,125	51.36%	5,857	9.66%	54,745	90.34%	19,796	32.67%
61	64,204	48,782	75.98%	9,575	14.91%	372	0.58%	2,985	4.65%	1,786	2.78%	704	1.10%	269	0.42%	9,844	15.33%	3,646	5.68%	60,558	94.32%	47,241	73.58%
62	63,531	50,654	79.73%	8,115	12.77%	191	0.30%	2,755	4.34%	999	1.57%	817	1.29%	335	0.53%	8,450	13.30%	2,747	4.32%	60,784	95.68%	49,135	77.34%
63	57,278	41,803	72.98%	10,714	18.71%	412	0.72%	649	1.13%	3,004	5.24%	696	1.22%	273	0.48%	10,987	19.18%	5,215	9.10%	52,063	90.90%	40,080	69.97%
64	58,410	43,637	74.71%	10,535	18.04%	281	0.48%	753	1.29%	2,483	4.25%	721	1.23%	283	0.48%	10,818	18.52%	4,477	7.66%	53,933	92.34%	42,008	71.92%
65	63,540	48,026	75.58%	13,268	20.88%	253	0.40%	261	0.41%	1,133	1.78%	599	0.94%	222	0.35%	13,490	21.23%	2,327	3.66%	61,213	96.34%	47,022	74.00%
66	60,905	40,410	66.35%	13,328	21.88%	3,210	5.27%	747	1.23%	2,096	3.44%	1,114	1.83%	357	0.59%	13,685	22.47%	4,021	6.60%	56,884	93.40%	38,966	63.98%
67	64,295	53,460	83.15%	7,353	11.44%	243	0.38%	1,001	1.56%	1,823	2.84%	415	0.65%	138	0.21%	7,491	11.65%	2,956	4.60%	61,339	95.40%	52,476	81.62%
68	49,871	39,713	79.63%	5,613	11.26%	170	0.34%	1,205	2.42%	2,531	5.08%	639	1.28%	222	0.45%	5,835	11.70%	5,048	10.12%	44,823	89.88%	37,481	75.16%
69	54,263	42,697	78.69%	6,709	12.36%	280	0.52%	905	1.67%	2,990	5.51%	682	1.26%	205	0.38%	6,914	12.74%	5,719	10.54%	48,544	89.46%	40,303	74.27%
70	57,325	49,199	85.82%	3,465	6.04%	373	0.65%	804	1.40%	2,911	5.08%	573	1.00%	148	0.26%	3,613	6.30%	5,365	9.36%	51,960	90.64%	47,083	82.13%
71	56,783	22,958	40.43%	25,230	44.43%	259	0.46%	841	1.48%	6,349	11.18%	1,146	2.02%	601	1.06%	25,831	45.49%	9,924	17.48%	46,859	82.52%	20,419	35.96%
72	57,993	26,212	45.20%	25,588	44.12%	228	0.39%	952	1.64%	4,127	7.12%	886	1.53%	522	0.90%	26,110	45.02%	6,365	10.98%	51,628	89.02%	24,518	42.28%
73	59,532	54,087	90.85%	2,581	4.34%	155	0.26%	315	0.53%	1,967	3.30%	427	0.72%	111	0.19%	2,692	4.52%	3,021	5.07%	56,511	94.93%	53,174	89.32%
74	61,632	52,078	84.50%	6,327	10.27%	248	0.40%	641	1.04%	1,673	2.71%	665	1.08%	239	0.39%	6,566	10.65%	3,306	5.36%	58,326	94.64%	50,735	82.32%
75	60,220	49,232	81.75%	7,133	11.84%	207	0.34%	1,451	2.41%	1,554	2.58%	643	1.07%	270	0.45%	7,403	12.29%	3,274	5.44%	56,946	94.56%	47,752	79.30%
76	61,416	50,718	82.58%	7,730	12.59%	231	0.38%	432	0.70%	1,743	2.84%	562	0.92%	179	0.29%	7,909	12.88%	2,977	4.85%	58,439	95.15%	49,673	80.88%
77	59,974	46,663	77.81%	9,856	16.43%	195	0.33%	665	1.11%	2,031	3.39%	564	0.94%	205	0.34%	10,061	16.78%	3,667	6.11%	56,307	93.89%	45,278	75.50%
78	58,404	51,778	88.65%	3,669	6.28%	374	0.64%	277	0.47%	1,797	3.08%	509	0.87%	131	0.22%	3,800	6.51%	3,488	5.97%	54,916	94.03%	50,341	86.19%
79	60,130	52,085	86.62%	4,667	7.76%	167	0.28%	1,127	1.87%	1,522	2.53%	562	0.93%	180	0.30%	4,847	8.06%	2,971	4.94%	57,159	95.06%	50,869	84.60%
80	61,819	53,737	86.93%	5,072	8.20%	294	0.48%	479	0.77%	1,702	2.75%	535	0.87%	129	0.21%	5,201	8.41%	3,168	5.12%	58,651	94.88%	52,496	84.92%
81	62,187	53,084	85.36%	5,552	8.93%	285	0.46%	939	1.51%	1,805	2.90%	522	0.84%	134	0.22%	5,686	9.14%	2,954	4.75%	59,233	95.25%	52,067	83.73%
82	55,280	41,976	75.93%	8,727	15.79%	208	0.38%	1,620	2.93%	2,105	3.81%	644	1.16%	253	0.46%	8,980	16.24%	4,313	7.80%	50,967	92.20%	40,122	72.58%
83	58,046	45,082	77.67%	8,527	14.69%	210	0.36%	757	1.30%	2,740	4.72%	730	1.26%	292	0.50%	8,819	15.19%	4,961	8.55%	53,085	91.45%	43,256	74.52%
84	58,924	47,537	80.68%	7,987	13.55%	165	0.28%	696	1.18%	2,008	3.41%	531	0.90%	175	0.30%	8,162	13.85						



H-ST-6 Lewis-Dollar-Dockham 4

Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
107	58,033	21,391	36.86%	29,855	51.44%	213	0.37%	3,633	6.26%	1,777	3.06%	1,164	2.01%	624	1.08%	30,479	52.52%	3,865	6.66%	54,168	93.34%	19,831	34.17%
108	59,400	47,484	79.94%	8,365	14.08%	263	0.44%	885	1.49%	1,763	2.97%	640	1.08%	206	0.35%	8,571	14.43%	3,259	5.49%	56,141	94.51%	46,195	77.77%
109	56,493	42,832	75.82%	10,442	18.48%	223	0.39%	784	1.39%	1,589	2.81%	623	1.10%	224	0.40%	10,666	18.88%	3,197	5.66%	53,296	94.34%	41,500	73.46%
110	57,987	47,490	81.90%	8,697	15.00%	218	0.38%	298	0.51%	767	1.32%	517	0.89%	176	0.30%	8,873	15.30%	1,552	2.68%	56,435	97.32%	46,845	80.79%
111	58,045	47,151	81.23%	9,291	16.01%	135	0.23%	490	0.84%	508	0.88%	470	0.81%	184	0.32%	9,475	16.32%	1,225	2.11%	56,820	97.89%	46,542	80.18%
112	61,671	53,632	86.96%	6,168	10.00%	157	0.25%	435	0.71%	741	1.20%	538	0.87%	140	0.23%	6,308	10.23%	1,593	2.58%	60,078	97.42%	52,887	85.76%
113	66,177	61,998	93.69%	1,953	2.95%	175	0.26%	290	0.44%	1,111	1.68%	650	0.98%	162	0.24%	2,115	3.20%	2,455	3.71%	63,722	96.29%	60,783	91.85%
114	67,453	55,428	82.17%	8,086	11.99%	269	0.40%	789	1.17%	1,761	2.61%	1,120	1.66%	396	0.59%	8,482	12.57%	3,893	5.77%	63,560	94.23%	53,575	79.43%
115	63,911	60,023	93.92%	1,529	2.39%	222	0.35%	484	0.76%	832	1.30%	821	1.28%	205	0.32%	1,734	2.71%	2,107	3.30%	61,804	96.70%	58,893	92.15%
116	58,114	53,593	92.22%	1,601	2.75%	266	0.46%	696	1.20%	1,349	2.32%	609	1.05%	161	0.28%	1,762	3.03%	2,908	5.00%	55,206	95.00%	52,184	89.80%
117	62,434	56,024	89.73%	2,104	3.37%	278	0.45%	753	1.21%	2,523	4.04%	752	1.20%	157	0.25%	2,261	3.62%	5,215	8.35%	57,219	91.65%	53,637	85.91%
118	60,837	58,718	96.52%	603	0.99%	194	0.32%	186	0.31%	610	1.00%	526	0.86%	81	0.13%	684	1.12%	1,419	2.33%	59,418	97.67%	58,015	95.36%
119	61,452	52,836	85.98%	982	1.60%	5,207	8.47%	409	0.67%	1,066	1.73%	952	1.55%	124	0.20%	1,106	1.80%	2,155	3.51%	59,297	96.49%	51,983	84.59%
120	65,097	61,750	94.86%	649	1.00%	801	1.23%	303	0.47%	799	1.23%	795	1.22%	82	0.13%	731	1.12%	2,092	3.21%	63,005	96.79%	60,624	93.13%
Totals:	7,253,848	5,155,756	71.08%	1,497,453	20.64%	87,111	1.20%	158,730	2.19%	256,529	3.54%	98,269	1.35%	38,780	0.53%	1,536,233	21.18%	492,330	6.79%	6,761,518	93.21%	4,964,325	68.44%



Registration by Party																		Registration by Race Without Regard to Party			
District	VR Total	Racial %s among D's					Racial %s among R's					Racial %s among U's					% L	% White	% Black	% NA	% Other
		% D	White % of D	Black % of D	NA % of D	Other % of D	% R	White % of R	Black % of R	NA % of R	Other % of R	% U	White % of U	Black % of U	NA % of U	Other % of U					
1	57,202	45.19%	61.42%	36.81%	0.17%	1.61%	26.12%	95.62%	2.22%	0.15%	2.01%	28.53%	88.88%	7.08%	0.29%	3.76%	0.15%	78.24%	19.23%	0.20%	2.33%
2	47,443	53.07%	52.92%	44.71%	0.33%	2.05%	25.47%	95.64%	2.17%	0.31%	1.88%	21.31%	82.84%	11.93%	0.49%	4.74%	0.15%	70.24%	26.82%	0.36%	2.58%
3	51,114	43.54%	53.21%	44.33%	0.18%	2.27%	33.25%	95.15%	1.92%	0.16%	2.77%	23.12%	84.03%	10.50%	0.18%	5.30%	0.09%	74.30%	22.37%	0.18%	3.15%
4	41,187	45.45%	54.29%	42.16%	0.15%	3.40%	33.48%	95.74%	1.80%	0.08%	2.39%	20.96%	82.78%	10.39%	0.15%	6.68%	0.10%	74.15%	21.95%	0.13%	3.77%
5	52,803	70.18%	30.41%	66.99%	0.30%	2.30%	13.61%	86.79%	9.99%	0.22%	3.00%	16.10%	67.68%	24.89%	0.25%	7.19%	0.10%	44.13%	52.41%	0.28%	3.18%
6	59,292	48.36%	68.35%	29.91%	0.12%	1.62%	27.49%	97.06%	1.59%	0.06%	1.29%	24.00%	91.05%	5.27%	0.18%	3.50%	0.15%	81.73%	16.17%	0.12%	1.99%
7	53,143	60.80%	32.24%	64.88%	0.44%	2.44%	24.06%	91.72%	6.26%	0.15%	1.87%	15.05%	69.73%	23.97%	0.55%	5.75%	0.09%	52.23%	44.57%	0.39%	2.82%
8	54,137	51.75%	48.73%	48.99%	0.12%	2.15%	30.22%	95.48%	2.83%	0.10%	1.59%	17.95%	80.15%	14.90%	0.16%	4.78%	0.07%	68.53%	28.89%	0.12%	2.45%
9	50,665	44.54%	59.08%	37.24%	0.21%	3.47%	31.86%	96.25%	1.51%	0.13%	2.11%	23.41%	83.92%	9.72%	0.29%	6.08%	0.18%	76.79%	19.36%	0.20%	3.65%
10	51,492	45.42%	60.60%	36.43%	0.14%	2.83%	34.33%	95.53%	1.83%	0.19%	2.44%	20.10%	84.32%	10.09%	0.24%	5.34%	0.14%	77.39%	19.22%	0.18%	3.21%
11	52,681	41.48%	60.84%	29.15%	0.38%	9.63%	25.27%	93.17%	1.52%	0.17%	5.14%	32.92%	76.42%	8.58%	0.29%	14.71%	0.34%	74.21%	15.32%	0.30%	10.17%
12	49,155	60.96%	32.31%	65.53%	0.13%	2.03%	21.41%	90.43%	6.57%	0.22%	2.78%	17.55%	70.37%	23.64%	0.22%	5.77%	0.09%	51.47%	45.50%	0.17%	2.86%
13	55,069	36.21%	75.49%	22.35%	0.19%	1.97%	37.91%	97.38%	0.76%	0.16%	1.69%	25.74%	92.18%	3.90%	0.19%	3.73%	0.14%	88.11%	9.39%	0.18%	2.32%
14	40,636	35.33%	50.36%	42.07%	0.25%	7.33%	35.12%	89.96%	3.12%	0.22%	6.71%	29.33%	76.55%	13.15%	0.45%	9.84%	0.22%	72.02%	19.83%	0.30%	7.85%
15	32,034	35.12%	53.68%	39.71%	0.37%	6.23%	35.43%	91.51%	2.81%	0.29%	5.39%	29.22%	77.46%	12.39%	0.38%	9.76%	0.22%	74.10%	18.58%	0.35%	6.98%
16	45,508	40.31%	59.36%	38.03%	0.16%	2.45%	35.19%	96.12%	1.70%	0.16%	2.02%	24.29%	87.30%	6.86%	0.25%	5.59%	0.21%	79.14%	17.61%	0.18%	3.07%
17	57,194	33.66%	80.90%	17.19%	0.27%	1.64%	38.09%	97.19%	1.40%	0.17%	1.23%	28.11%	92.97%	4.04%	0.28%	2.71%	0.14%	90.52%	7.46%	0.23%	1.79%
18	51,809	49.17%	44.20%	52.29%	0.29%	3.23%	23.68%	93.54%	3.73%	0.26%	2.47%	26.89%	77.35%	14.97%	0.42%	7.25%	0.26%	64.91%	30.64%	0.32%	4.14%
19	56,120	32.36%	83.06%	13.17%	0.24%	3.52%	38.12%	97.59%	0.50%	0.11%	1.80%	29.26%	91.55%	3.04%	0.21%	5.20%	0.26%	91.10%	5.35%	0.18%	3.36%
20	56,865	32.46%	77.05%	19.28%	0.20%	3.47%	39.60%	97.19%	0.70%	0.12%	2.00%	27.72%	89.52%	4.24%	0.22%	6.01%	0.23%	88.51%	7.72%	0.17%	3.60%
21	46,995	63.80%	25.42%	70.70%	0.26%	3.63%	20.50%	88.49%	7.26%	0.21%	4.05%	15.61%	56.43%	32.77%	0.40%	10.40%	0.09%	43.22%	51.73%	0.27%	4.78%
22	48,844	54.73%	45.40%	49.76%	1.89%	2.96%	29.38%	94.57%	2.68%	0.65%	2.10%	15.81%	76.88%	14.24%	1.80%	7.08%	0.08%	64.85%	30.28%	1.51%	3.36%
23	54,559	73.46%	31.09%	67.62%	0.14%	1.15%	15.64%	88.85%	9.83%	0.08%	1.24%	10.85%	65.08%	30.33%	0.22%	4.38%	0.05%	43.83%	54.51%	0.14%	1.51%
24	49,446	68.09%	20.34%	76.31%	0.18%	3.16%	15.61%	84.34%	12.28%	0.26%	3.12%	16.14%	57.00%	33.87%	0.45%	8.68%	0.16%	36.33%	59.37%	0.24%	4.07%
25	50,522	45.01%	56.30%	41.10%	0.35%	2.25%	36.13%	96.72%	1.60%	0.18%	1.50%	18.72%	86.64%	8.73%	0.30%	4.33%	0.14%	76.63%	20.72%	0.28%	2.37%
26	51,074	37.11%	60.21%	35.54%	0.32%	3.93%	37.50%	95.91%	1.59%	0.20%	2.30%	25.24%	84.85%	8.82%	0.32%	6.01%	0.15%	79.85%	16.02%	0.28%	3.85%
27	50,435	74.52%	31.14%	64.68%	2.29%	1.89%	11.84%	85.28%	11.96%	0.89%	1.88%	13.57%	63.57%	29.35%	1.45%	5.63%	0.07%	41.97%	53.62%	2.01%	2.40%
28	48,801	39.84%	63.53%	32.85%	0.29%	3.33%	38.41%	96.47%	1.45%	0.21%	1.87%	21.59%	84.12%	8.72%	0.43%	6.73%	0.17%	80.67%	15.54%	0.29%	3.51%
29	55,039	68.32%	25.87%	68.20%	0.29%	5.64%	9.56%	84.55%	9.75%	0.15%	5.55%	21.97%	55.67%	27.11%	0.29%	16.93%	0.14%	38.09%	53.51%	0.28%	8.12%
30	55,818	52.67%	58.38%	32.67%	0.26%	8.70%	18.48%	91.80%	2.18%	0.15%	5.87%	28.62%	72.69%	9.83%	0.32%	17.16%	0.22%	68.70%	20.43%	0.26%	10.61%
31	46,544	68.88%	27.46%	67.28%	0.19%	5.07%	11.40%	86.95%	8.71%	0.09%	4.24%	19.62%	54.15%	30.81%	0.22%	14.82%	0.10%	39.52%	53.40%	0.19%	6.89%
32	52,842	72.49%	33.33%	63.39%	1.33%	1.95%	13.62%	89.71%	7.88%	0.32%	2.10%	13.79%	68.09%	26.13%	0.82%	4.95%	0.10%	45.83%	50.65%	1.12%	2.39%
33	44,740	66.02%	18.28%	76.04%	0.27%	5.40%	12.34%	84.56%	9.89%	0.34%	5.21%	21.47%	50.01%	33.79%	0.24%	15.96%	0.17%	33.35%	58.73%	0.27%	7.65%
34	58,107	47.63%	65.87%	27.67%	0.21%	6.24%	24.80%	93.98%	1.77%	0.12%	4.14%	27.29%	79.08%	9.51%	0.16%	11.25%	0.28%	76.50%	16.23%	0.17%	7.10%
35	47,909	36.91%	54.66%	39.46%	0.22%	5.66%	37.13%	95.21%	1.27%	0.15%	3.37%	25.81%	82.30%	8.47%	0.19%	9.03%	0.14%	76.90%	17.23%	0.19%	5.68%
36	58,178	32.23%	75.04%	17.98%	0.22%	6.76%	37.56%	95.68%	0.80%	0.08%	3.44%	30.01%	85.92%	3.66%	0.15%	10.27%	0.20%	86.08%	7.20%	0.15%	6.57%
37	53,337	33.44%	63.36%	30.89%	0.27%	5.48%	38.50%	96.39%	0.91%	0.19%	2.52%	27.82%	85.81%	5.86%	0.22%	8.12%	0.23%	82.38%	12.32%	0.22%	5.08%
38	46,469	62.94%	20.88%	72.02%	0.23%	6.87%	15.05%	84.23%	8.11%	0.26%	7.41%	21.85%	49.65%	31.78%	0.32%	18.25%	0.15%	36.78%	53.51%	0.25%	9.46%
39	49,905	48.61%	41.69%	52.80%	0.31%	5.20%	28.34%	93.81%	2.77%	0.15%	3.27%	22.91%	72.17%	17.37%	0.37%	10.09%	0.14%	63.49%	30.44%	0.28%	5.80%
40	49,635	31.02%	68.27%	22.01%	0.34%	9.38%	38.10%	95.21%	0.64%	0.15%	4.00%	30.63%	81.31%	5.22%	0.24%	13.23%	0.25%	82.58%	8.67%	0.24%	8.51%
41	49,288	29.48%	66.53%	19.45%	0.40%	13.62%	35.32%	94.15%	0.70%	0.11%	5.04%	34.97%	77.50%	3.92%	0.23%	18.35%	0.23%	80.16%	7.36%	0.24%	12.24%
42	44,398	55.33%	15.67%	75.17%	0.60%	8.56%	19.80%	75.82%	9.72%	0.88%	13.58%	24.71%	45.18%	34.72%	0.69%	19.41%	0.15%	34.96%	52.12%	0.68%	12.24%
43	53,015	59.30%	21.95%	71.48%	0.95%	5.63%	20.01%	83.06%	8.33%	1.13%	7.48%	20.55%	49.54%	34.42%	1.39%	14.66%	0.14%	39.91%	51.15%	1.07%	7.87%
44	47,267	48.30%	42.08%	50.61%	0.81%	6.50%	27.77%	88.78%</													

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



Registration by Party																		Registration by Race Without Regard to Party			
District	VR Total	Racial %s among D's					Racial %s among R's					Racial %s among U's					% L	% White	% Black	% NA	% Other
		% D	White % of D	Black % of D	NA % of D	Other % of D	% R	White % of R	Black % of R	NA % of R	Other % of R	% U	White % of U	Black % of U	NA % of U	Other % of U					
49	64,911	37.44%	78.36%	16.30%	0.13%	5.21%	36.50%	96.36%	0.66%	0.11%	2.87%	25.88%	85.83%	4.67%	0.13%	9.38%	0.17%	86.88%	7.55%	0.12%	5.44%
50	57,586	48.68%	69.19%	25.52%	0.21%	5.09%	26.17%	95.73%	1.11%	0.11%	3.05%	24.96%	82.69%	5.96%	0.19%	11.15%	0.19%	79.53%	14.20%	0.18%	6.08%
51	42,043	45.35%	61.84%	33.79%	0.41%	3.95%	31.62%	94.71%	1.75%	0.28%	3.26%	22.88%	82.23%	10.58%	0.41%	6.78%	0.15%	76.93%	18.31%	0.37%	4.39%
52	52,582	29.72%	61.37%	35.99%	0.72%	1.92%	42.54%	97.04%	1.10%	0.30%	1.56%	27.55%	90.39%	5.87%	0.48%	3.26%	0.20%	84.59%	12.79%	0.48%	2.14%
53	46,032	45.96%	51.29%	43.99%	0.86%	3.86%	33.64%	93.06%	2.59%	0.50%	3.85%	20.11%	76.26%	13.80%	0.96%	8.98%	0.29%	70.46%	23.88%	0.76%	4.90%
54	49,029	48.87%	64.94%	31.12%	0.19%	3.76%	25.64%	96.22%	1.23%	0.10%	2.45%	25.37%	87.48%	5.59%	0.19%	6.74%	0.12%	78.70%	16.95%	0.17%	4.19%
55	48,593	46.42%	53.50%	44.43%	0.18%	1.89%	33.89%	96.56%	1.83%	0.19%	1.43%	19.61%	88.34%	8.31%	0.28%	3.06%	0.08%	74.95%	22.88%	0.20%	1.97%
56	63,826	53.79%	73.18%	18.86%	0.28%	7.69%	14.96%	93.12%	1.47%	0.17%	5.25%	30.98%	79.97%	5.98%	0.31%	13.74%	0.28%	78.31%	12.22%	0.27%	9.21%
57	56,205	62.10%	27.83%	68.57%	0.25%	3.35%	18.34%	90.38%	6.34%	0.23%	3.05%	19.42%	55.76%	35.98%	0.40%	7.86%	0.14%	44.78%	50.77%	0.27%	4.17%
58	59,642	64.80%	27.97%	68.50%	0.27%	3.26%	16.01%	89.82%	7.06%	0.31%	2.81%	19.07%	60.94%	30.61%	0.37%	8.08%	0.13%	44.21%	51.38%	0.30%	4.12%
59	61,727	38.09%	64.43%	32.35%	0.20%	3.02%	39.10%	97.50%	0.97%	0.09%	1.43%	22.65%	86.53%	7.96%	0.24%	5.27%	0.16%	82.41%	14.51%	0.17%	2.91%
60	50,598	62.37%	23.33%	71.10%	0.45%	5.12%	17.43%	85.78%	8.14%	0.48%	5.60%	20.09%	55.17%	31.98%	0.52%	12.33%	0.12%	40.67%	52.21%	0.47%	6.65%
61	59,557	37.07%	57.63%	36.86%	0.28%	5.23%	40.65%	96.46%	1.14%	0.17%	2.24%	22.14%	80.91%	10.21%	0.33%	8.55%	0.14%	78.61%	16.39%	0.25%	4.76%
62	61,258	35.45%	64.83%	29.41%	0.19%	5.57%	39.52%	96.91%	0.81%	0.11%	2.17%	24.88%	84.07%	7.73%	0.20%	8.00%	0.15%	82.33%	12.68%	0.16%	4.83%
63	46,079	45.35%	58.32%	37.93%	0.24%	3.50%	33.13%	96.41%	1.48%	0.11%	2.00%	21.37%	82.59%	9.50%	0.26%	7.65%	0.15%	76.16%	19.73%	0.21%	3.90%
64	42,806	43.62%	54.62%	41.07%	0.18%	4.13%	34.53%	96.81%	1.19%	0.13%	1.87%	21.72%	83.81%	8.73%	0.32%	7.13%	0.14%	75.56%	20.22%	0.19%	4.02%
65	51,466	49.26%	58.09%	40.28%	0.15%	1.47%	29.70%	96.63%	1.83%	0.18%	1.37%	20.94%	87.07%	9.00%	0.31%	3.63%	0.10%	75.63%	22.28%	0.20%	1.90%
66	47,483	57.45%	49.27%	44.89%	3.36%	2.47%	20.89%	89.36%	3.27%	2.19%	5.18%	21.56%	74.13%	14.77%	3.63%	7.47%	0.10%	63.03%	29.67%	3.18%	4.13%
67	51,191	38.77%	71.84%	25.59%	0.09%	2.49%	40.10%	97.49%	0.80%	0.17%	1.54%	21.02%	90.73%	5.00%	0.21%	4.06%	0.11%	86.10%	11.30%	0.14%	2.45%
68	44,345	27.53%	58.49%	34.66%	0.31%	6.54%	45.27%	96.19%	1.01%	0.12%	2.67%	26.98%	85.81%	6.27%	0.24%	7.68%	0.22%	82.99%	11.69%	0.21%	5.11%
69	45,997	31.79%	60.51%	32.85%	0.31%	6.33%	42.44%	95.70%	1.30%	0.24%	2.77%	25.53%	84.89%	7.31%	0.36%	7.45%	0.23%	81.72%	12.87%	0.29%	5.12%
70	46,188	26.43%	75.97%	19.59%	0.39%	4.06%	49.09%	97.75%	0.56%	0.21%	1.49%	24.30%	90.11%	4.33%	0.50%	5.06%	0.19%	90.12%	6.51%	0.32%	3.05%
71	45,667	60.07%	27.27%	67.91%	0.17%	4.65%	18.88%	90.27%	5.73%	0.23%	3.77%	20.90%	60.97%	26.86%	0.36%	11.82%	0.15%	46.27%	47.52%	0.22%	5.99%
72	49,144	59.77%	27.81%	68.22%	0.18%	3.79%	21.51%	91.91%	4.81%	0.21%	3.08%	18.58%	63.01%	27.08%	0.31%	9.60%	0.14%	48.21%	46.87%	0.21%	4.72%
73	47,944	27.33%	86.42%	11.25%	0.10%	2.23%	51.03%	98.68%	0.31%	0.05%	0.95%	21.54%	94.68%	2.11%	0.15%	3.05%	0.11%	94.46%	3.69%	0.09%	1.76%
74	53,767	35.27%	65.41%	31.75%	0.15%	2.69%	42.95%	97.79%	0.65%	0.12%	1.45%	21.64%	88.41%	6.14%	0.21%	5.23%	0.14%	84.32%	12.82%	0.15%	2.71%
75	52,285	35.77%	63.54%	32.22%	0.16%	4.08%	40.82%	96.83%	0.92%	0.12%	2.13%	23.25%	85.05%	8.17%	0.27%	6.51%	0.17%	82.16%	13.81%	0.17%	3.86%
76	51,642	34.23%	64.21%	32.99%	0.21%	2.59%	43.18%	97.74%	0.95%	0.18%	1.13%	22.49%	88.75%	7.36%	0.25%	3.64%	0.10%	84.23%	13.36%	0.21%	2.20%
77	50,375	36.37%	58.45%	38.73%	0.19%	2.63%	40.59%	96.82%	1.39%	0.13%	1.66%	22.92%	85.92%	9.54%	0.23%	4.30%	0.11%	80.36%	16.85%	0.18%	2.62%
78	47,157	26.83%	76.90%	20.19%	0.36%	2.55%	50.04%	98.15%	0.46%	0.21%	1.18%	23.00%	92.78%	3.45%	0.37%	3.40%	0.13%	91.21%	6.45%	0.29%	2.05%
79	52,051	28.08%	71.50%	24.77%	0.10%	3.63%	48.87%	98.25%	0.40%	0.10%	1.24%	22.92%	90.39%	4.88%	0.13%	4.61%	0.13%	88.93%	8.28%	0.11%	2.69%
80	50,333	28.45%	70.63%	26.55%	0.28%	2.55%	49.97%	98.42%	0.60%	0.21%	0.78%	21.38%	92.50%	4.41%	0.26%	2.82%	0.20%	89.24%	8.80%	0.24%	1.72%
81	49,694	35.43%	73.68%	23.29%	0.24%	2.78%	42.57%	98.07%	0.73%	0.17%	1.03%	21.81%	91.98%	3.97%	0.31%	3.74%	0.19%	88.09%	9.44%	0.23%	2.25%
82	46,744	33.96%	54.03%	39.55%	0.20%	6.22%	39.73%	95.60%	1.29%	0.16%	2.95%	26.11%	81.34%	9.05%	0.29%	9.32%	0.21%	77.75%	16.32%	0.21%	5.73%
83	46,770	36.85%	60.66%	34.94%	0.19%	4.21%	38.56%	96.61%	1.19%	0.23%	1.97%	24.45%	84.60%	8.18%	0.28%	6.93%	0.14%	80.41%	15.35%	0.22%	4.02%
84	49,653	37.21%	63.75%	32.76%	0.13%	3.37%	40.40%	96.94%	1.22%	0.11%	1.73%	22.30%	87.03%	7.60%	0.28%	5.08%	0.09%	82.37%	14.38%	0.16%	3.10%
85	50,551	26.45%	93.08%	5.31%	0.07%	1.53%	48.29%	98.86%	0.20%	0.08%	0.86%	25.16%	96.16%	1.09%	0.18%	2.57%	0.10%	96.65%	1.78%	0.10%	1.47%
86	49,635	39.86%	83.09%	14.07%	0.13%	2.71%	35.16%	97.46%	0.64%	0.11%	1.79%	24.78%	92.10%	3.16%	0.14%	4.60%	0.19%	90.39%	6.62%	0.13%	2.86%
87	52,134	33.84%	84.07%	13.57%	0.12%	2.24%	44.90%	98.18%	0.44%	0.06%	1.32%	21.06%	94.82%	1.78%	0.14%	3.27%	0.20%	92.70%	5.16%	0.10%	2.04%
88	57,541	32.79%	76.26%	17.49%	0.29%	5.96%	38.30%	96.35%	0.79%	0.10%	2.76%	28.76%	87.17%	4.33%	0.24%	8.27%	0.14%	87.10%	7.29%	0.20%	5.41%
89	50,267	31.14%	71.55%	24.30%	0.14%	4.01%	43.84%	97.54%	0.76%	0.08%	1.62%	24.90%	90.05%	4.40%	0.16%	5.39%	0.12%	87.58%	9.00%	0.12%	3.31%
90	44,695	39.75%	89.28%	8.68%	0.10%	1.94%	40.19%	98.61%	0.24%	0.05%	1.10%	19.92%	94.83%	2.06%	0.20%	2.91%	0.14%	94.14%	3.96%	0.10%	1.80%
91	51,627	40.84%	69.35%	28.99%	0.15%	1.50%	39.38%	97.89%	0.91%	0.12%	1.07%	19.64%	90.69%	5.39%	0.19%	3.73%	0.14%	84.81%	13.26%	0.15%	1.78%
92	49,065	36.41%	49.24%	42.71%	0.20%	7.85%	34.23%	94.65%	1.46%	0.13%	3.76%	29.22%	78.59%	10.49%	0.20%	10.72%	0				

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



Registration by Party																		Registration by Race Without Regard to Party			
		Racial %s among D's					Racial %s among R's					Racial %s among U's									
District	VR Total	% D	White % of D	Black % of D	NA % of D	Other % of D	% R	White % of R	Black % of R	NA % of R	Other % of R	% U	White % of U	Black % of U	NA % of U	Other % of U	% L	% White	% Black	% NA	% Other
97	49,429	33.17%	83.10%	14.30%	0.14%	2.46%	42.30%	98.07%	0.39%	0.10%	1.45%	24.44%	93.30%	2.73%	0.21%	3.77%	0.09%	91.92%	5.58%	0.14%	2.36%
98	53,005	29.93%	65.70%	28.14%	0.16%	6.00%	40.68%	96.35%	0.86%	0.10%	2.69%	29.20%	86.56%	5.81%	0.22%	7.41%	0.20%	84.31%	10.47%	0.15%	5.07%
99	45,405	64.25%	17.00%	74.39%	0.36%	8.25%	14.57%	80.88%	10.73%	0.33%	8.06%	21.01%	43.25%	37.27%	0.35%	19.13%	0.17%	31.87%	57.24%	0.36%	10.53%
100	45,035	54.02%	37.34%	54.43%	0.31%	7.92%	19.10%	89.23%	5.01%	0.27%	5.49%	26.68%	66.18%	19.19%	0.33%	14.29%	0.21%	55.02%	35.51%	0.31%	9.16%
101	49,533	60.45%	20.56%	72.19%	0.34%	6.91%	18.06%	86.65%	7.60%	0.28%	5.48%	21.33%	54.09%	30.49%	0.48%	14.94%	0.16%	39.74%	51.54%	0.36%	8.37%
102	46,214	64.34%	15.90%	76.91%	0.30%	6.89%	13.36%	79.68%	13.10%	0.21%	7.01%	22.13%	49.14%	32.32%	0.55%	17.99%	0.16%	31.87%	58.42%	0.34%	9.37%
103	50,571	34.91%	57.46%	35.65%	0.27%	6.63%	39.14%	95.88%	0.94%	0.13%	3.05%	25.82%	81.80%	8.95%	0.30%	8.95%	0.13%	78.80%	15.15%	0.22%	5.84%
104	59,870	30.66%	74.88%	19.02%	0.17%	5.94%	41.57%	96.64%	0.62%	0.13%	2.60%	27.61%	87.03%	4.82%	0.26%	7.89%	0.16%	87.29%	7.43%	0.18%	5.10%
105	53,403	27.28%	65.58%	23.10%	0.46%	10.86%	42.26%	95.05%	0.84%	0.16%	3.95%	30.32%	81.95%	5.39%	0.43%	12.23%	0.14%	83.03%	8.29%	0.32%	8.36%
106	42,686	65.26%	14.69%	77.01%	0.32%	7.98%	12.63%	81.22%	10.96%	0.33%	7.48%	21.96%	45.85%	34.39%	0.44%	19.32%	0.15%	29.98%	59.25%	0.35%	10.42%
107	50,042	62.09%	15.97%	77.37%	0.22%	6.43%	15.79%	86.99%	7.33%	0.23%	5.46%	22.00%	55.00%	29.05%	0.37%	15.58%	0.12%	35.83%	55.62%	0.26%	8.30%
108	45,928	37.20%	63.77%	32.16%	0.21%	3.85%	38.31%	97.31%	0.94%	0.15%	1.60%	24.31%	85.80%	8.30%	0.33%	5.56%	0.19%	82.01%	14.36%	0.22%	3.42%
109	46,499	38.62%	56.20%	39.93%	0.16%	3.71%	38.76%	96.80%	1.39%	0.15%	1.66%	22.49%	82.17%	11.55%	0.34%	5.94%	0.14%	77.82%	18.56%	0.20%	3.42%
110	45,212	42.06%	63.71%	34.17%	0.17%	1.95%	36.05%	97.55%	1.12%	0.14%	1.20%	21.80%	88.71%	7.13%	0.32%	3.84%	0.10%	81.37%	16.34%	0.20%	2.09%
111	46,242	47.30%	65.08%	33.31%	0.13%	1.48%	32.06%	97.01%	1.48%	0.11%	1.39%	20.53%	88.56%	6.92%	0.14%	4.38%	0.11%	80.15%	17.67%	0.13%	2.05%
112	47,551	42.46%	80.26%	17.76%	0.08%	1.89%	33.62%	97.29%	1.09%	0.08%	1.54%	23.81%	91.78%	4.73%	0.23%	3.26%	0.11%	88.74%	9.04%	0.12%	2.11%
113	57,861	29.58%	89.21%	8.35%	0.16%	2.28%	38.91%	98.43%	0.29%	0.09%	1.19%	31.36%	95.61%	1.37%	0.20%	2.82%	0.14%	94.81%	3.01%	0.15%	2.03%
114	63,203	51.34%	75.37%	19.44%	0.18%	5.01%	17.27%	94.53%	2.14%	0.16%	3.17%	31.10%	85.26%	5.47%	0.27%	9.00%	0.29%	81.80%	12.06%	0.21%	5.94%
115	57,738	40.63%	92.87%	3.89%	0.19%	3.05%	31.55%	97.38%	0.32%	0.13%	2.16%	27.65%	93.84%	1.19%	0.19%	4.78%	0.18%	94.56%	2.02%	0.17%	3.25%
116	51,229	37.72%	91.89%	5.08%	0.18%	2.85%	34.61%	97.48%	0.32%	0.14%	2.06%	27.54%	93.68%	1.51%	0.24%	4.57%	0.13%	94.31%	2.45%	0.18%	3.06%
117	55,453	26.10%	86.27%	9.67%	0.21%	3.85%	40.51%	97.45%	0.40%	0.12%	2.02%	33.24%	93.31%	1.96%	0.22%	4.51%	0.15%	93.14%	3.35%	0.18%	3.33%
118	56,708	45.83%	97.34%	1.42%	0.16%	1.09%	31.31%	98.76%	0.18%	0.11%	0.95%	22.77%	96.34%	0.54%	0.30%	2.81%	0.10%	97.55%	0.83%	0.18%	1.44%
119	50,934	46.84%	90.19%	2.29%	5.32%	2.20%	25.69%	93.04%	0.21%	4.72%	2.03%	27.34%	85.85%	0.86%	8.80%	4.48%	0.12%	89.73%	1.36%	6.12%	2.79%
120	60,602	34.24%	96.00%	1.48%	1.03%	1.48%	40.37%	98.35%	0.12%	0.50%	1.03%	25.28%	96.21%	0.54%	0.83%	2.42%	0.12%	97.00%	0.70%	0.77%	1.54%
Totals:	6,102,467	44.65%	53.37%	41.38%	1.16%	4.09%	31.60%	95.24%	1.92%	0.33%	2.51%	23.60%	80.78%	10.74%	0.68%	7.80%	0.15%	73.12%	21.63%	0.78%	4.47%

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



H-ST-6 Lewis-Dollar-Dockham 4

	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
1	57,324	26,630	46.46%	30,307	52.87%	387	0.68%	57,263	5,333	9.30%	12,649	22.07%	27,066	47.22%	12,215	21.31%	57,340	203	0.35%	35,904	62.62%	21,233	37.03%
2	47,555	21,293	44.78%	25,558	53.74%	704	1.48%	47,526	4,232	8.90%	11,344	23.85%	23,516	49.45%	8,434	17.74%	47,571	366	0.77%	37,659	79.16%	9,546	20.07%
3	51,476	23,294	45.25%	27,696	53.80%	486	0.94%	51,418	5,121	9.95%	11,427	22.20%	23,248	45.16%	11,622	22.58%	51,440	494	0.96%	42,547	82.71%	8,399	16.33%
4	41,786	18,761	44.90%	22,366	53.53%	659	1.58%	41,596	4,304	10.30%	9,661	23.12%	19,641	47.00%	7,990	19.12%	41,820	632	1.51%	34,354	82.15%	6,834	16.34%
5	52,681	22,650	42.99%	29,363	55.74%	668	1.27%	52,742	6,462	12.27%	12,011	22.80%	23,337	44.30%	10,932	20.75%	52,665	159	0.30%	37,675	71.54%	14,831	28.16%
6	59,246	27,268	46.03%	31,674	53.46%	304	0.51%	59,266	4,723	7.97%	12,364	20.87%	28,433	47.99%	13,746	23.20%	59,253	230	0.39%	45,627	77.00%	13,396	22.61%
7	52,704	23,413	44.42%	29,057	55.13%	234	0.44%	52,848	5,900	11.19%	12,512	23.74%	24,310	46.13%	10,126	19.21%	52,700	358	0.68%	44,727	84.87%	7,615	14.45%
8	54,531	24,373	44.70%	30,016	55.04%	142	0.26%	54,411	5,507	10.10%	14,373	26.36%	24,927	45.71%	9,604	17.61%	54,505	393	0.72%	50,237	92.17%	3,875	7.11%
9	50,920	23,059	45.28%	27,712	54.42%	149	0.29%	50,813	11,041	21.68%	13,894	27.29%	19,353	38.01%	6,525	12.81%	50,920	398	0.78%	46,090	90.51%	4,432	8.70%
10	51,098	22,930	44.87%	27,672	54.15%	496	0.97%	51,151	5,222	10.22%	11,579	22.66%	23,185	45.37%	11,165	21.85%	51,144	435	0.85%	43,267	84.60%	7,442	14.55%
11	52,235	24,725	47.33%	27,018	51.72%	492	0.94%	52,294	8,519	16.31%	18,861	36.11%	19,445	37.23%	5,469	10.47%	52,247	1,067	2.04%	38,439	73.57%	12,741	24.39%
12	48,907	21,122	43.19%	27,510	56.25%	275	0.56%	48,960	5,232	10.70%	11,442	23.40%	21,985	44.95%	10,301	21.06%	48,883	435	0.89%	40,303	82.45%	8,145	16.66%
13	55,069	25,495	46.30%	28,919	52.51%	655	1.19%	55,069	4,744	8.61%	10,829	19.66%	26,349	47.85%	13,147	23.87%	55,069	254	0.46%	47,226	85.76%	7,589	13.78%
14	40,904	17,726	43.34%	22,757	55.64%	421	1.03%	40,849	6,428	15.71%	12,583	30.76%	16,523	40.39%	5,315	12.99%	40,890	1,403	3.43%	33,744	82.52%	5,743	14.04%
15	31,801	14,184	44.60%	17,193	54.06%	424	1.33%	31,844	5,283	16.61%	9,648	30.34%	12,362	38.87%	4,551	14.31%	31,813	964	3.03%	26,450	83.14%	4,399	13.83%
16	45,473	20,895	45.95%	24,153	53.12%	425	0.93%	45,485	4,705	10.35%	10,826	23.81%	21,255	46.74%	8,699	19.13%	45,475	423	0.93%	37,915	83.38%	7,137	15.69%
17	57,331	26,649	46.48%	30,291	52.84%	391	0.68%	57,290	3,773	6.58%	9,103	15.88%	26,471	46.17%	17,943	31.30%	57,333	331	0.58%	41,124	71.73%	15,878	27.69%
18	51,800	23,020	44.44%	27,771	53.61%	1,009	1.95%	51,829	7,641	14.75%	16,238	31.35%	20,364	39.31%	7,586	14.64%	51,791	505	0.98%	39,273	75.83%	12,013	23.20%
19	56,120	25,612	45.64%	29,616	52.77%	892	1.59%	56,120	5,444	9.70%	15,124	26.95%	25,508	45.45%	10,044	17.90%	56,120	370	0.66%	48,547	86.51%	7,203	12.83%
20	56,737	25,613	45.14%	30,035	52.94%	1,089	1.92%	56,749	6,330	11.16%	15,540	27.39%	23,591	41.58%	11,288	19.90%	56,744	463	0.82%	48,523	85.51%	7,758	13.67%
21	46,820	19,522	41.70%	26,340	56.26%	958	2.05%	46,902	5,192	11.09%	10,793	23.05%	20,989	44.83%	9,928	21.20%	46,781	629	1.34%	36,797	78.66%	9,355	20.00%
22	48,792	21,794	44.67%	26,693	54.71%	305	0.63%	48,808	4,565	9.36%	11,348	23.26%	22,745	46.62%	10,150	20.80%	48,811	595	1.22%	42,470	87.01%	5,746	11.77%
23	54,559	23,599	43.25%	30,689	56.25%	271	0.50%	54,559	5,843	10.71%	12,334	22.61%	25,358	46.48%	11,024	20.21%	54,559	147	0.27%	45,764	83.88%	8,648	15.85%
24	48,797	20,807	42.64%	27,725	56.82%	265	0.54%	49,024	7,226	14.81%	13,936	28.56%	20,527	42.07%	7,335	15.03%	48,823	478	0.98%	43,118	88.31%	5,227	10.71%
25	50,961	23,616	46.34%	27,081	53.14%	264	0.52%	50,817	4,786	9.39%	12,455	24.44%	25,053	49.16%	8,523	16.72%	50,965	499	0.98%	43,907	86.15%	6,559	12.87%
26	51,112	23,503	45.98%	27,288	53.39%	321	0.63%	51,105	4,828	9.45%	14,887	29.13%	24,834	48.59%	6,556	12.83%	51,112	682	1.33%	41,496	81.19%	8,934	17.48%
27	50,435	21,608	42.84%	28,307	56.13%	520	1.03%	50,435	5,109	10.13%	10,854	21.52%	23,054	45.71%	11,418	22.64%	50,435	131	0.26%	44,754	88.74%	5,550	11.00%
28	48,732	22,143	45.44%	26,276	53.92%	313	0.64%	48,752	4,944	10.15%	13,141	26.97%	22,766	46.72%	7,901	16.21%	48,723	616	1.26%	39,665	81.41%	8,442	17.33%
29	55,183	23,364	42.34%	30,638	55.52%	1,181	2.14%	55,173	8,458	15.33%	19,561	35.45%	20,694	37.50%	6,460	11.71%	55,171	920	1.67%	36,449	66.07%	17,802	32.27%
30	55,368	24,330	43.94%	30,122																			



H-ST-6 Lewis-Dollar-Dockham 4

	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
55	48,734	22,437	46.04%	25,817	52.98%	480	0.98%	48,705	5,132	10.53%	11,307	23.20%	23,274	47.76%	8,992	18.45%	48,746	314	0.64%	43,532	89.30%	4,900	10.05%
56	63,826	28,244	44.25%	34,991	54.82%	591	0.93%	63,826	16,783	26.29%	18,826	29.50%	21,948	34.39%	6,269	9.82%	63,826	1,244	1.95%	48,676	76.26%	13,906	21.79%
57	56,012	24,263	43.32%	31,595	56.41%	154	0.27%	56,045	9,390	16.76%	16,491	29.44%	21,466	38.32%	8,698	15.53%	56,025	514	0.92%	47,372	84.56%	8,139	14.53%
58	59,846	25,147	42.02%	34,564	57.75%	135	0.23%	59,812	11,002	18.38%	16,571	27.69%	22,416	37.46%	9,823	16.41%	59,841	486	0.81%	50,340	84.12%	9,015	15.06%
59	61,903	28,338	45.78%	33,472	54.07%	93	0.15%	61,852	5,213	8.42%	14,888	24.05%	30,414	49.13%	11,337	18.31%	61,884	366	0.59%	56,890	91.93%	4,628	7.48%
60	50,059	21,290	42.53%	28,635	57.20%	134	0.27%	50,159	6,496	12.98%	15,546	31.06%	20,290	40.53%	7,827	15.64%	50,052	692	1.38%	41,816	83.55%	7,544	15.07%
61	59,544	27,042	45.42%	32,386	54.39%	116	0.19%	59,556	5,164	8.67%	14,016	23.54%	27,983	47.00%	12,393	20.81%	59,565	728	1.22%	53,476	89.78%	5,361	9.00%
62	61,623	28,247	45.84%	33,294	54.03%	82	0.13%	61,563	6,627	10.75%	16,204	26.30%	29,329	47.59%	9,403	15.26%	61,620	754	1.22%	55,791	90.54%	5,075	8.24%
63	46,011	20,396	44.33%	25,363	55.12%	252	0.55%	46,032	4,188	9.10%	10,545	22.92%	21,507	46.74%	9,792	21.28%	46,015	586	1.27%	37,679	81.88%	7,750	16.84%
64	42,874	19,027	44.38%	23,548	54.92%	299	0.70%	42,853	4,916	11.47%	9,751	22.74%	19,363	45.16%	8,823	20.58%	42,870	491	1.15%	34,448	80.35%	7,931	18.50%
65	51,454	23,422	45.52%	27,937	54.30%	95	0.18%	51,466	4,564	8.87%	11,068	21.51%	25,001	48.59%	10,833	21.05%	51,455	233	0.45%	44,552	86.58%	6,670	12.96%
66	48,887	21,864	44.72%	26,839	54.90%	184	0.38%	48,273	5,175	10.59%	13,715	28.05%	21,592	44.17%	7,791	15.94%	48,889	904	1.85%	41,357	84.59%	6,628	13.56%
67	51,204	23,724	46.33%	27,231	53.18%	249	0.49%	51,203	5,197	10.15%	11,356	22.18%	23,581	46.05%	11,069	21.62%	51,205	245	0.48%	46,213	90.25%	4,747	9.27%
68	44,573	20,981	47.07%	23,251	52.16%	341	0.77%	44,529	4,507	10.11%	11,375	25.52%	23,947	53.73%	4,700	10.54%	44,560	1,076	2.41%	38,384	86.14%	5,100	11.45%
69	45,628	21,096	46.23%	24,174	52.98%	358	0.78%	45,701	4,839	10.61%	12,808	28.07%	21,621	47.39%	6,433	14.10%	45,629	991	2.17%	39,739	87.09%	4,899	10.74%
70	46,188	21,116	45.72%	24,914	53.94%	158	0.34%	46,188	4,779	10.35%	11,282	24.43%	21,232	45.97%	8,895	19.26%	46,188	692	1.50%	38,563	83.49%	6,933	15.01%
71	45,197	19,100	42.26%	25,505	56.43%	592	1.31%	45,310	7,479	16.55%	13,450	29.76%	17,506	38.73%	6,875	15.21%	45,233	996	2.20%	32,434	71.70%	11,803	26.09%
72	48,661	20,806	42.76%	27,313	56.13%	542	1.11%	48,854	7,090	14.57%	11,620	23.88%	20,462	42.05%	9,682	19.90%	48,635	723	1.49%	35,735	73.48%	12,177	25.04%
73	47,944	22,659	47.26%	24,898	51.93%	387	0.81%	47,943	4,333	9.04%	10,627	22.17%	22,681	47.31%	10,302	21.49%	47,945	364	0.76%	43,085	89.86%	4,496	9.38%
74	54,288	24,823	45.72%	29,175	53.74%	290	0.53%	54,085	5,056	9.31%	11,537	21.25%	26,742	49.26%	10,750	19.80%	54,308	509	0.94%	44,642	82.20%	9,157	16.86%
75	52,500	23,497	44.76%	28,641	54.55%	362	0.69%	52,445	4,785	9.11%	13,724	26.14%	24,354	46.39%	9,582	18.25%	52,482	730	1.39%	42,658	81.28%	9,094	17.33%
76	51,642	23,855	46.19%	27,573	53.39%	214	0.41%	51,642	4,953	9.59%	11,940	23.12%	24,294	47.04%	10,455	20.25%	51,642	350	0.68%	45,332	87.78%	5,960	11.54%
77	50,375	23,433	46.52%	26,674	52.95%	268	0.53%	50,375	5,761	11.44%	11,631	23.09%	22,939	45.54%	10,044	19.94%	50,375	374	0.74%	44,393	88.13%	5,608	11.13%
78	47,121	21,937	46.55%	25,071	53.21%	113	0.24%	47,146	4,758	10.10%	10,695	22.70%	22,573	47.90%	9,120	19.35%	47,116	443	0.94%	40,075	85.06%	6,598	14.00%
79	52,268	23,896	45.72%	28,223	54.00%	149	0.29%	52,220	4,779	9.14%	11,874	22.72%	25,381	48.56%	10,186	19.49%	52,256	508	0.97%	44,761	85.66%	6,987	13.37%
80	50,333	23,386	46.46%	26,893	53.43%	54	0.11%	50,333	5,017	9.97%	11,553	22.95%	24,022	47.73%	9,741	19.35%	50,333	398	0.79%	42,569	84.57%	7,366	14.63%
81	49,694	23,107	46.50%	26,511	53.35%	76	0.15%	49,694	4,808	9.68%	11,294	22.73%	23,825	47.94%	9,767	19.65%	49,694	348	0.70%	42,294	85.11%	7,052	14.19%
82	46,744	21,393	45.77%	24,751	52.95%	600	1.28%	46,744	4,267	9.13%	13,646	29.19%	22,769	48.71%	6,062	12.97%	46,744	901	1.93%	36,236	77.52%	9,607	20.55%
83	46,770	20,787	44.45%	25,525	54.58%	458	0.98%	46,770	4,588	9.81%	12,658	27.06%	21,586	46.15%	7,938	16.97%	46,770	720	1.54%	37,453	80.08%	8,597	18.38%
84	49,653	22,997	46.32%	26,422	53.21%																		



	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
109	46,459	20,586	44.31%	25,338	54.54%	535	1.15%	46,476	4,752	10.23%	11,068	23.82%	22,463	48.35%	8,193	17.63%	46,457	549	1.18%	40,548	87.28%	5,360	11.54%
110	45,252	20,273	44.80%	24,662	54.50%	317	0.70%	45,235	4,172	9.22%	10,410	23.00%	21,393	47.28%	9,260	20.46%	45,254	259	0.57%	39,436	87.14%	5,559	12.28%
111	46,242	20,934	45.27%	25,112	54.31%	196	0.42%	46,242	4,506	9.74%	10,697	23.13%	22,049	47.68%	8,990	19.44%	46,242	242	0.52%	39,583	85.60%	6,417	13.88%
112	47,551	21,780	45.80%	25,411	53.44%	360	0.76%	47,551	4,789	10.07%	10,541	22.17%	22,177	46.64%	10,044	21.12%	47,551	267	0.56%	41,472	87.22%	5,812	12.22%
113	57,861	26,830	46.37%	30,689	53.04%	342	0.59%	57,861	4,938	8.53%	10,187	17.61%	24,686	42.66%	18,050	31.20%	57,861	352	0.61%	47,646	82.35%	9,863	17.05%
114	62,884	27,709	44.06%	34,182	54.36%	993	1.58%	62,994	7,872	12.52%	19,983	31.78%	24,290	38.63%	10,849	17.25%	62,885	690	1.10%	48,865	77.71%	13,330	21.20%
115	57,733	26,540	45.97%	30,524	52.87%	669	1.16%	57,717	5,206	9.02%	12,761	22.10%	27,565	47.75%	12,185	21.11%	57,718	323	0.56%	47,947	83.07%	9,448	16.37%
116	51,553	23,468	45.52%	27,600	53.54%	485	0.94%	51,459	4,696	9.11%	12,345	23.95%	23,706	45.98%	10,712	20.78%	51,567	331	0.64%	43,447	84.25%	7,789	15.10%
117	55,453	25,048	45.17%	30,039	54.17%	366	0.66%	55,453	4,492	8.10%	11,297	20.37%	23,758	42.84%	15,906	28.68%	55,453	695	1.25%	42,632	76.88%	12,126	21.87%
118	56,678	26,670	47.06%	29,631	52.28%	377	0.67%	56,703	5,502	9.71%	12,225	21.57%	25,733	45.40%	13,243	23.37%	56,679	221	0.39%	49,287	86.96%	7,171	12.65%
119	50,964	23,301	45.72%	27,065	53.11%	598	1.17%	50,939	6,229	12.22%	11,553	22.67%	21,591	42.37%	11,566	22.69%	50,963	284	0.56%	45,199	88.69%	5,480	10.75%
120	60,602	28,248	46.61%	32,138	53.03%	216	0.36%	60,602	5,070	8.37%	11,720	19.34%	26,892	44.37%	16,920	27.92%	60,602	249	0.41%	54,707	90.27%	5,646	9.32%
Totals:	6,102,467	2,752,159	45.10%	3,298,068	54.04%	52,240	0.86%	6,102,467	678,580	11.12%	1,590,397	26.06%	2,750,157	45.07%	1,083,333	17.75%	6,102,467	77,411	1.27%	5,031,668	82.45%	993,388	16.28%



	2004 Auditor Campbell-Merritt				2004 Governor Easley-Ballantine-Howe						2004 President Kerry-Bush-Badnarik								2004 US Senate Bowles-Burr-Bailey							
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %
1	9,255	48.26%	9,924	51.74%	11,290	53.37%	9,361	44.25%	503	2.38%	8,341	38.40%	13,280	61.14%	94	0.43%	6	0.03%	9,352	45.04%	10,980	52.88%	431	2.08%	0	0.00%
2	8,419	55.00%	6,887	45.00%	9,711	59.22%	6,447	39.32%	239	1.46%	6,979	42.60%	9,348	57.06%	53	0.32%	4	0.02%	7,636	46.86%	8,433	51.75%	225	1.38%	1	0.01%
3	7,391	45.89%	8,715	54.11%	9,363	54.97%	7,428	43.61%	241	1.41%	6,348	37.03%	10,725	62.55%	68	0.40%	4	0.02%	7,145	41.97%	9,579	56.26%	298	1.75%	3	0.02%
4	5,420	44.43%	6,779	55.57%	6,604	50.75%	6,276	48.23%	133	1.02%	4,126	31.75%	8,840	68.02%	25	0.19%	5	0.04%	4,885	37.51%	7,999	61.43%	135	1.04%	3	0.02%
5	12,812	70.15%	5,453	29.85%	13,601	71.43%	5,176	27.18%	264	1.39%	11,596	60.28%	7,537	39.18%	94	0.49%	9	0.05%	12,394	65.36%	6,357	33.52%	210	1.11%	1	0.01%
6	12,185	48.72%	12,824	51.28%	15,656	58.39%	10,577	39.44%	582	2.17%	10,460	39.25%	16,088	60.37%	93	0.35%	9	0.03%	12,057	45.20%	14,136	52.99%	475	1.78%	8	0.03%
7	11,495	61.81%	7,101	38.19%	13,063	67.99%	5,924	30.83%	227	1.18%	9,848	51.74%	9,134	47.99%	43	0.23%	10	0.05%	10,756	56.28%	8,133	42.56%	220	1.15%	1	0.01%
8	9,501	48.31%	10,164	51.69%	11,436	54.26%	9,440	44.79%	199	0.94%	8,013	37.60%	13,237	62.11%	55	0.26%	8	0.04%	8,947	42.61%	11,895	56.66%	153	0.73%	0	0.00%
9	8,400	46.00%	9,860	54.00%	10,403	53.23%	8,952	45.81%	188	0.96%	7,771	39.34%	11,928	60.39%	45	0.23%	7	0.04%	8,355	42.79%	11,037	56.52%	133	0.68%	2	0.01%
10	6,797	41.32%	9,653	58.68%	8,404	47.66%	9,027	51.20%	201	1.14%	5,472	30.88%	12,199	68.85%	43	0.24%	5	0.03%	6,334	35.98%	11,071	62.90%	195	1.11%	2	0.01%
11	12,198	55.10%	9,939	44.90%	14,499	61.75%	8,373	35.66%	609	2.59%	12,257	52.18%	11,008	46.86%	185	0.79%	40	0.17%	12,608	54.50%	10,021	43.32%	506	2.19%	0	0.00%
12	10,476	61.21%	6,638	38.79%	11,596	64.24%	6,258	34.67%	197	1.09%	9,879	53.96%	8,376	45.75%	51	0.28%	1	0.01%	10,347	57.48%	7,450	41.39%	201	1.12%	3	0.02%
13	8,852	40.23%	13,153	59.77%	11,366	49.24%	11,349	49.17%	367	1.59%	7,434	31.62%	15,959	67.88%	95	0.40%	21	0.09%	8,570	36.55%	14,458	61.66%	414	1.77%	5	0.02%
14	4,688	37.61%	7,778	62.39%	6,273	47.28%	6,642	50.06%	352	2.65%	4,013	30.51%	9,076	69.00%	59	0.45%	6	0.05%	4,733	35.74%	8,211	62.01%	298	2.25%	0	0.00%
15	3,688	38.27%	5,950	61.73%	5,230	48.54%	5,300	49.19%	244	2.26%	3,110	29.54%	7,377	70.07%	33	0.31%	8	0.08%	3,164	33.01%	6,210	64.78%	210	2.19%	2	0.02%
16	6,666	43.53%	8,648	56.47%	8,536	50.88%	8,004	47.71%	236	1.41%	6,256	36.64%	10,771	63.09%	40	0.23%	5	0.03%	6,707	40.43%	9,603	57.89%	275	1.66%	4	0.02%
17	7,713	44.97%	9,438	55.03%	10,428	56.92%	7,637	41.69%	255	1.39%	6,916	37.41%	11,481	62.11%	74	0.40%	15	0.08%	7,681	42.33%	10,093	55.62%	372	2.05%	0	0.00%
18	10,130	62.76%	6,010	37.24%	11,657	67.23%	5,330	30.74%	351	2.02%	10,536	60.48%	6,803	39.05%	74	0.42%	7	0.04%	10,476	61.87%	6,049	35.73%	404	2.39%	2	0.01%
19	8,581	38.57%	13,664	61.43%	12,164	49.79%	11,896	48.69%	372	1.52%	9,292	38.03%	15,044	61.57%	92	0.38%	4	0.02%	9,549	40.22%	13,651	57.49%	543	2.29%	0	0.00%
20	7,848	37.49%	13,087	62.51%	11,172	48.55%	11,490	49.93%	348	1.51%	8,567	37.14%	14,402	62.44%	88	0.38%	10	0.04%	8,953	39.86%	13,038	58.05%	466	2.07%	2	0.01%
21	9,416	68.35%	4,361	31.65%	9,985	69.86%	4,170	29.18%	138	0.97%	8,547	60.45%	5,554	39.28%	32	0.23%	6	0.04%	9,117	64.00%	4,990	35.03%	133	0.93%	6	0.04%
22	10,522	53.41%	9,177	46.59%	12,248	58.98%	8,319	40.06%	201	0.97%	8,797	42.29%	11,940	57.40%	49	0.24%	15	0.07%	9,679	47.90%	10,349	51.22%	175	0.87%	3	0.01%
23	15,752	68.48%	7,250	31.52%	17,550	73.15%	6,216	25.91%	225	0.94%	13,337	55.76%	10,536	44.05%	41	0.17%	4	0.02%	14,627	61.00%	9,116	38.02%	236	0.98%	1	0.00%
24	11,583	71.98%	4,509	28.02%	12,545	74.02%	4,230	24.96%	173	1.02%	11,395	65.72%	5,895	34.00%	41	0.24%	8	0.05%	11,488	68.18%	5,199	30.85%	163	0.97%	0	0.00%
25	9,167	45.54%	10,963	54.46%	11,457	54.74%	9,226	44.08%	246	1.18%	7,179	34.60%	13,507	65.10%	56	0.27%	6	0.03%	8,241	39.53%	12,351	59.24%	256	1.23%	1	0.00%
26	8,194	42.77%	10,965	57.23%	9,889	49.49%	9,865	49.37%	228	1.14%	6,624	33.15%	13,300	66.56%	49	0.25%	9	0.05%	7,555	38.07%	12,109	61.01%	183	0.92%	0	0.00%
27	15,990	70.86%	6,576	29.14%	17,677	75.00%	5,709	24.22%	183	0.78%	14,110	60.01%	9,367	39.84%	27	0.11%	7	0.03%	15,127	64.19%	8,239	34.96%	196	0.83%	4	0.02%
28	9,029	42.41%	12,259	57.59%	10,522	47.25%	11,525	51.75%	223	1.00%	6,345	28.66%	15,719	71.01%	43	0.19%	30	0.14%	7,670	3						



	2004 Auditor Campbell-Merritt				2004 Governor Easley-Ballantine-Howe						2004 President Kerry-Bush-Badnarik								2004 US Senate Bowles-Burr-Bailey							
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %
62	8,225	41.79%	11,459	58.21%	11,082	52.48%	9,632	45.61%	402	1.90%	8,292	38.95%	12,899	60.60%	96	0.45%	0	0.00%	9,011	42.58%	11,831	55.90%	323	1.53%	0	0.00%
63	6,917	45.74%	8,204	54.26%	8,598	53.05%	7,320	45.17%	289	1.78%	6,390	39.29%	9,805	60.29%	60	0.37%	9	0.06%	7,048	43.52%	8,891	54.90%	254	1.57%	1	0.01%
64	6,496	44.54%	8,089	55.46%	7,986	51.41%	7,314	47.08%	234	1.51%	5,934	38.12%	9,563	61.44%	54	0.35%	14	0.09%	6,512	41.91%	8,774	56.46%	251	1.62%	2	0.01%
65	11,090	49.47%	11,328	50.53%	13,665	56.95%	9,937	41.41%	393	1.64%	9,241	38.22%	14,854	61.44%	62	0.26%	19	0.08%	10,002	41.65%	13,653	56.86%	356	1.48%	1	0.00%
66	8,873	59.88%	5,944	40.12%	10,131	63.90%	5,509	34.75%	215	1.36%	7,685	47.69%	8,390	52.06%	31	0.19%	9	0.06%	8,562	53.87%	7,108	44.72%	218	1.37%	7	0.04%
67	8,725	40.93%	12,591	59.07%	10,884	48.65%	11,139	49.79%	347	1.55%	7,331	32.34%	15,265	67.34%	70	0.31%	4	0.02%	8,227	36.99%	13,645	61.34%	370	1.66%	2	0.01%
68	3,335	30.22%	7,702	69.78%	4,608	39.03%	7,051	59.73%	146	1.24%	3,498	28.92%	8,542	70.62%	44	0.36%	11	0.09%	3,716	31.33%	7,994	67.41%	149	1.26%	0	0.00%
69	4,201	31.60%	9,093	68.40%	5,816	40.99%	8,158	57.50%	215	1.52%	4,241	29.20%	10,220	70.37%	53	0.36%	10	0.07%	4,601	32.36%	9,406	66.16%	210	1.48%	0	0.00%
70	5,034	30.11%	11,684	69.89%	7,325	41.72%	9,910	56.45%	321	1.83%	4,385	25.61%	12,677	74.03%	62	0.36%	0	0.00%	5,183	29.59%	12,003	68.51%	333	1.90%	0	0.00%
71	12,027	66.28%	6,118	33.72%	13,244	69.10%	5,535	28.88%	387	2.02%	11,877	62.38%	7,088	37.22%	76	0.40%	0	0.00%	11,981	62.40%	6,929	36.09%	279	1.45%	11	0.06%
72	13,790	65.83%	7,157	34.17%	15,339	68.61%	6,679	29.88%	338	1.51%	13,644	61.35%	8,506	38.25%	89	0.40%	0	0.00%	13,746	61.24%	8,490	37.82%	205	0.91%	5	0.02%
73	7,513	33.45%	14,949	66.55%	10,256	43.20%	13,104	55.20%	379	1.60%	5,786	24.92%	17,359	74.77%	68	0.29%	2	0.01%	6,851	28.97%	16,464	69.62%	335	1.42%	0	0.00%
74	10,056	38.24%	16,242	61.76%	13,564	47.90%	14,386	50.81%	366	1.29%	9,161	32.38%	19,036	67.28%	98	0.35%	0	0.00%	9,538	33.57%	18,571	65.36%	302	1.06%	3	0.01%
75	9,017	38.90%	14,165	61.10%	12,032	48.28%	12,494	50.14%	394	1.58%	8,408	33.76%	16,401	65.86%	94	0.38%	0	0.00%	8,695	34.74%	16,037	64.07%	293	1.17%	5	0.02%
76	8,332	35.65%	15,037	64.35%	11,380	46.14%	12,822	51.98%	464	1.88%	7,043	28.54%	17,521	71.01%	103	0.42%	7	0.03%	8,061	32.74%	16,028	65.09%	534	2.17%	0	0.00%
77	8,205	40.04%	12,289	59.96%	10,579	48.90%	10,633	49.14%	424	1.96%	7,134	32.81%	14,508	66.73%	85	0.39%	14	0.06%	7,942	36.81%	13,201	61.19%	431	2.00%	0	0.00%
78	6,067	30.83%	13,609	69.17%	8,404	40.48%	12,041	58.00%	316	1.52%	5,175	25.02%	15,440	74.64%	72	0.35%	0	0.00%	6,214	30.06%	14,128	68.35%	328	1.59%	0	0.00%
79	7,569	33.35%	15,129	66.65%	10,397	43.09%	13,278	55.02%	456	1.89%	6,955	28.73%	17,146	70.83%	98	0.40%	9	0.04%	7,208	29.77%	16,695	68.94%	296	1.22%	17	0.07%
80	6,286	31.42%	13,718	68.58%	9,089	42.80%	11,768	55.41%	380	1.79%	5,301	24.94%	15,864	74.65%	74	0.35%	13	0.06%	6,201	29.21%	14,648	69.00%	379	1.79%	0	0.00%
81	8,069	40.25%	11,978	59.75%	10,779	50.66%	10,102	47.48%	396	1.86%	6,850	32.15%	14,364	67.42%	82	0.38%	9	0.04%	7,830	36.82%	13,030	61.27%	406	1.91%	0	0.00%
82	6,391	37.61%	10,604	62.39%	8,859	48.51%	9,093	49.79%	309	1.69%	6,128	33.49%	12,091	66.08%	73	0.40%	5	0.03%	6,766	37.02%	11,200	61.29%	309	1.69%	0	0.00%
83	7,546	39.19%	11,711	60.81%	10,209	49.47%	10,097	48.93%	331	1.60%	6,697	32.43%	13,878	67.21%	66	0.32%	9	0.04%	7,617	36.90%	12,605	61.07%	418	2.03%	0	0.00%
84	8,286	39.78%	12,543	60.22%	10,470	48.08%	10,949	50.28%	355	1.63%	6,814	31.29%	14,883	68.35%	48	0.22%	31	0.14%	7,848	35.98%	13,600	62.36%	356	1.63%	6	0.03%
85	6,458	33.60%	12,765	66.40%	8,415	40.05%	12,198	58.06%	398	1.89%	5,732	27.17%	15,244	72.25%	97	0.46%	25	0.12%	6,529	31.80%	13,548	65.99%	448	2.18%	5	0.02%
86	7,685	42.73%	10,298	57.27%	8,630	46.59%	9,571	51.67%	321	1.73%	6,460	36.12%	11,353	63.48%	72	0.40%	0	0.00%	7,337	39.71%	10,780	58.34%	360	1.95%	0	0.00%
87	6,337	36.81%	10,879	63.19%	8,119	44.87%	9,618	53.15%	359	1.98%	5,508	30.47%	12,457	68.91%	75	0.41%	36	0.20%	6,197	34.31%	11,474	63.53%	383	2.12%	7	0.04%
88	8,629	41.18%	12,323	58.82%	11,514	50.48%	10,883	47.72%	410	1.80%	9,585	41.48%	13,390	57.95%	105	0.45%	27	0.12%	10,665	46.56%	11,881	51.87%	358	1.56%	0	0.00%
89	9,611	35.46%	17,491	64.54%	12,700	45.02%	15,079	53.46%	429	1.52%	9,209	31.93%	19,523	67.68%	92	0.32%	20	0.07%	9,900	35.27%	17,720	63.13%	450	1.60%	0	0.00%
90	7,057	39.85%	10,654	60.15%	9,330	49.24%	9,326	49.22%	292	1.54%	5,839	30.10%	13,480	69.48%	81	0.42%	1	0.01%	6,233	32.40%	12,750	66.27%	252	1.31%	4	0.02%
91	11,085	42.60%	14,936	57.40%	14,505	52.65%	12,602	45.74%	445	1.62%	9,355	34.30%	17,823	65.36%	74	0.27%	19	0.07%	9,937	36.00%	17,285	62.63%	374	1.36%	3	0.01%
92	5,186	38.28%	8,361	61.72%	6,997	48.32%	7,238	49.98%	246	1.70%	5,558	37.95%	9,033	61.68%	46	0.31%	9	0.06%	5,935	40.96%	8,343	57.57%	213	1.47%	0	0.00%
93	8,805	44.05%	11,184	55.95%	10,606	49.57%	10,258	47.95%	531	2.48%	8,519	39.37%	12,964	59.92%	146	0.67%	8	0.04%	8,541	39.70%	12,478	58.00%	494	2.30%	0	0.00%
94	7,541	37.72%	12,449	62.28%	10,004	46.52%	11,177	51.97%	324	1.51%	6,254	29.42%	14,923	70.21%	69	0.32%	9	0.04%	7,070	32.98%	14,013	65.36%	356	1.66%	0	0.00%
95	6,723	35.15%	12,401	64.85%	9,344	46.06%	10,548	52.00%	394	1.94%	6,335	31.07%	13,937	68.35%	70	0.34%	49	0.24%	7,153	35.14%	12,817	62.96%	383	1.88%	3	0.01%
96	9,645	34.87%	18,013	65.13%	12,941	44.74%	15,552	53.76%	433	1.50%	9,638	32.32%	20,063	67.29%	90	0.30%	26	0.09%	10,245	35.52%	18,207	63.12%	391	1.36%	0	0.00%
97	7,733	36.62%	13,384	63.38%	10,213	45.86%	11,698	52.53%	358	1.61%	6,754	30.50%	15,312	69.15%	72	0.33%	4	0.02%	7,749	34.86%	14,013	63.04%	465	2.09%	0	0.00%
98	5,777	34.70%	10,870	65.30%	8,084	45.13%	9,563	53.39%	266	1.48%	6,478	35.61%	11,662	64.11%	48	0.26%	4	0.02%	6,852	37.96%	10,968	60.76%	232	1.29%	0	0.00%
99	11,146	72.07%	4,319	27.93%	12,050	74.50%	3,838	23.73%	287	1.77%	11,289	69.28%	4,935	30.29%	52	0.32%	19	0.12%	11,564	71.33%	4,398	27.13%	249	1.54%	0	0.00%
100	9,824	64.08%	5,508	35.92%	11,112	68.23%	4,784	29.37%	390	2.39%	10,268	62.23%	6,130	37.15%	85	0.52%	16	0.10%	10,471	64.23%	5,499	33.73%	332	2.04%	0	0.00%
101	10,198	63.56%	5,846	36.44%	11,426	67.62%	5,195	30.74%	277	1.64%	10,333	60.43%	6,704	39.20%	53	0.31%	10	0.06%	10,643	62.87%	6,010	35.50%	275	1.62%	0	0.00%
102	10,352	77.68%	2,975	22.32%	11,134	79.44%	2,625	18.73%	257	1.83%	10,882	76.32%	3,310	23.21%	58	0.41%	9	0.06%	10,900	77.64%	2,936	20.91%	203	1.45%	0	0.00%
103	6,985	35.85%	12,498	64.15%	9,331	44.76%	11,215	53.80%	301	1.44%	7,243	34.37%	13,747	65.24%	72	0.34%	11	0.05%	7,842	37.53%	12,741	60.98%	312	1.49%	0	0.00%
104	8,390	36.66%	14,495	63.34%	11,536	46.50%	12,898	51.99%	376	1.52%	9,279	37.07%	15,650	62.52%	89	0.36%	14	0.06%	10,449	41.89%	14,188	56.88%	308	1.23%	0	0.00%
105	5,931	32.55%	12,289	67.45%	8,381	42.91%	10,891	55.76%	259	1.33%	6,637	33.74%	12,972	65.94%	55	0.28%	7	0.04%	7,083	36.25%	12,194	62.40%	264	1.35%	0	0.00%
106	9,476	74.50%	3,243	25.50%	10,202	76.72%	2,871	21.59%	225	1.69%	9,791	72.32%	3,696	27.30%	44	0.32%	8	0.06%	9,869	74.10%	3,258	24.46%	191	1.43%	0	0.00%
107	10,426	69.17%	4,648	30.83%	11,625	73.33%	4,025	25.39%	202	1.27%	11,042	68.44%	5,048	31.29%	33	0.20%	12	0.07%	11,140	69.96%	4,619	29.01%	164	1.03%	0	0.00%



2008 A. G. Cooper-Crumley					2008 Comm. Ag Ansley-Troxler				2008 Comm. of Labor Donnan-Berry				2008 State Auditor Wood-Merritt				2008 Comm. of Insurance Goodwin-Odom								2008 Super. of P.I. Atkinson-Morgan			
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %
1	18,971	51.91%	17,572	48.09%	16,894	46.49%	19,448	53.51%	16,513	45.87%	19,484	54.13%	17,824	49.44%	18,227	50.56%	17,977	49.27%	16,994	46.58%	1,489	4.08%	26	0.07%	18,233	50.61%	17,796	49.39%
2	23,246	68.67%	10,605	31.33%	15,289	45.90%	18,022	54.10%	15,803	48.07%	17,074	51.93%	17,890	54.88%	14,708	45.12%	17,388	52.90%	14,276	43.43%	1,195	3.64%	10	0.03%	17,740	54.22%	14,979	45.78%
3	18,440	55.61%	14,718	44.39%	14,758	45.17%	17,912	54.83%	14,365	44.05%	18,248	55.95%	16,178	49.66%	16,398	50.34%	15,489	47.32%	16,159	49.37%	1,072	3.28%	11	0.03%	15,649	48.06%	16,914	51.94%
4	16,558	57.32%	12,331	42.68%	10,957	38.32%	17,634	61.68%	11,326	40.14%	16,893	59.86%	12,566	44.74%	15,519	55.26%	12,364	43.72%	15,214	53.80%	689	2.44%	11	0.04%	12,463	44.29%	15,679	55.71%
5	26,218	75.11%	8,688	24.89%	24,055	69.20%	10,709	30.80%	24,281	70.76%	10,035	29.24%	24,878	72.27%	9,546	27.73%	25,103	72.34%	8,799	25.36%	788	2.27%	12	0.03%	25,002	72.62%	9,428	27.38%
6	23,703	59.17%	16,356	40.83%	18,651	47.31%	20,775	52.69%	18,427	47.05%	20,738	52.95%	20,263	51.72%	18,912	48.28%	19,752	49.92%	18,327	46.32%	1,478	3.74%	8	0.02%	19,882	50.74%	19,301	49.26%
7	29,363	79.60%	7,527	20.40%	21,156	58.16%	15,222	41.84%	21,963	60.86%	14,122	39.14%	23,037	63.96%	12,983	36.04%	22,964	63.39%	12,440	34.34%	808	2.23%	17	0.05%	23,215	64.33%	12,872	35.67%
8	24,822	63.75%	14,113	36.25%	17,184	44.61%	21,336	55.39%	17,735	46.47%	20,433	53.53%	19,632	51.48%	18,504	48.52%	19,032	49.84%	18,381	48.13%	767	2.01%	10	0.03%	19,518	51.17%	18,628	48.83%
9	22,229	61.13%	14,133	38.87%	16,101	45.07%	19,625	54.93%	16,262	45.50%	19,480	54.50%	18,207	51.11%	17,415	48.89%	17,371	48.63%	17,215	48.19%	1,110	3.11%	27	0.08%	17,856	50.10%	17,785	49.90%
10	19,637	55.80%	15,556	44.20%	12,856	36.97%	21,918	63.03%	13,121	38.05%	21,359	61.95%	15,369	44.61%	19,080	55.39%	14,697	42.38%	19,020	54.84%	956	2.76%	10	0.03%	14,853	43.09%	19,613	56.91%
11	26,038	71.18%	10,545	28.82%	18,812	52.24%	17,199	47.76%	19,856	55.32%	16,037	44.68%	20,850	58.33%	14,897	41.67%	21,108	58.77%	12,791	35.61%	1,980	5.51%	36	0.10%	22,729	63.60%	13,007	36.40%
12	22,842	70.82%	9,411	29.18%	18,957	59.40%	12,959	40.60%	19,079	60.00%	12,720	40.00%	20,732	65.09%	11,120	34.91%	19,976	62.52%	11,227	35.14%	737	2.31%	12	0.04%	20,111	63.28%	11,671	36.72%
13	19,796	51.65%	18,534	48.35%	13,402	35.37%	24,486	64.63%	13,850	36.86%	23,728	63.14%	15,617	41.66%	21,866	58.34%	15,315	40.52%	21,036	55.66%	1,414	3.74%	27	0.07%	15,684	41.83%	21,809	58.17%
14	12,107	52.92%	10,771	47.08%	9,995	44.53%	12,450	55.47%	9,902	44.19%	12,506	55.81%	10,636	47.53%	11,742	52.47%	9,992	44.40%	11,291	50.18%	1,202	5.34%	18	0.08%	10,597	47.23%	11,840	52.77%
15	8,957	52.28%	8,175	47.72%	7,165	42.79%	9,581	57.21%	7,133	42.74%	9,558	57.26%	7,630	45.64%	9,087	54.36%	7,174	42.59%	8,683	51.54%	966	5.73%	23	0.14%	7,610	45.50%	9,116	54.50%
16	15,508	52.51%	14,025	47.49%	11,990	41.16%	17,143	58.84%	12,185	42.21%	16,683	57.79%	13,102	45.56%	15,654	54.44%	12,393	42.26%	15,219	51.90%	1,696	5.78%	15	0.05%	12,888	44.69%	15,951	55.31%
17	19,758	51.30%	18,760	48.70%	15,626	41.36%	22,151	58.64%	15,596	41.46%	22,017	58.54%	16,762	44.47%	20,931	55.53%	15,919	42.00%	20,111	53.06%	1,859	4.90%	12	0.03%	16,460	43.76%	21,153	56.24%
18	22,370	69.96%	9,607	30.04%	19,534	62.10%	11,924	37.90%	19,420	61.82%	11,995	38.18%	20,247	64.50%	11,142	35.50%	19,622	62.14%	10,258	32.48%	1,674	5.30%	24	0.08%	20,267	64.61%	11,099	35.39%
19	19,602	54.01%	16,693	45.99%	13,991	39.66%	21,288	60.34%	14,217	40.30%	21,063	59.70%	15,137	43.14%	19,954	56.86%	14,722	41.59%	18,455	52.13%	2,192	6.19%	32	0.09%	15,927	45.21%	19,302	54.79%
20	20,305	53.59%	17,582	46.41%	14,666	39.92%	22,073	60.08%	14,833	40.34%	21,935	59.66%	15,761	43.04%	20,860	56.96%	15,421	41.79%	19,359	52.46%	2,081	5.64%	39	0.11%	16,575	45.16%	20,128	54.84%
21	24,731	75.87%	7,865	24.13%	20,902	64.80%	11,355	35.20%	21,046	65.59%	11,039	34.41%	21,943	68.32%	10,173	31.68%	21,882	67.74%	9,757	30.20%	651	2.02%	14	0.04%	22,093	68.71%	10,062	31.29%
22	21,428	64.26%	11,918	35.74%	16,038	48.36%	17,129	51.64%	16,522	50.24%	16,367	49.76%	17,808	54.47%	14,884	45.53%	17,506	53.11%	14,711	44.63%	728	2.21%	14	0.04%	17,620	53.75%	15,159	46.25%
23	30,603	81.07%	7,144	18.93%	24,182	64.62%	13,239	35.38%	24,847	67.16%	12,151	32.84%	26,359	71.56%	10,474	28.44%	26,444	71.27%	10,107	27.24%	548	1.48%	7	0.02%	26,163	70.71%	10,836	29.29%
24	26,773	80.82%	6,353	19.18%	23,896	72.75%	8,951	27.25%	24,012	73.25%	8,769	26.75%	24,818	75.79%	7,928	24.21%	24,366	74.07%	7,774	23.63%	734	2.23%	21	0.06%	24,701	75.48%	8,0	



2008 A. G. Cooper-Crumley					2008 Comm. Ag Ansley-Troxler				2008 Comm. of Labor Donnan-Berry				2008 State Auditor Wood-Merritt				2008 Comm. of Insurance Goodwin-Odom								2008 Super.of P.I. Atkinson-Morgan			
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %
67	17,790	48.87%	18,616	51.13%	12,702	35.60%	22,982	64.40%	12,788	35.68%	23,057	64.32%	14,946	42.22%	20,458	57.78%	14,135	39.39%	20,275	56.50%	1,451	4.04%	24	0.07%	14,039	39.67%	21,351	60.33%
68	12,849	42.61%	17,308	57.39%	10,567	35.80%	18,949	64.20%	10,711	36.16%	18,909	63.84%	11,135	37.73%	18,374	62.27%	10,782	36.41%	17,809	60.15%	1,002	3.38%	17	0.06%	11,013	37.48%	18,367	62.52%
69	13,803	45.42%	16,588	54.58%	11,046	37.20%	18,648	62.80%	11,202	37.55%	18,629	62.45%	11,915	40.20%	17,727	59.80%	11,364	37.97%	17,416	58.20%	1,126	3.76%	19	0.06%	11,724	39.60%	17,879	60.40%
70	13,222	44.11%	16,752	55.89%	7,728	26.20%	21,764	73.80%	8,356	28.55%	20,909	71.45%	10,052	34.70%	18,913	65.30%	9,017	30.79%	18,791	64.17%	1,464	5.00%	10	0.03%	9,419	32.48%	19,578	67.52%
71	23,104	76.61%	7,052	23.39%	20,865	70.01%	8,940	29.99%	21,199	71.12%	8,607	28.88%	22,240	74.83%	7,482	25.17%	21,405	71.67%	7,416	24.83%	1,026	3.44%	18	0.06%	22,067	74.25%	7,653	25.75%
72	25,916	75.41%	8,452	24.59%	22,603	66.91%	11,179	33.09%	23,386	69.05%	10,484	30.95%	24,205	71.79%	9,512	28.21%	23,551	69.43%	9,401	27.72%	945	2.79%	22	0.06%	24,384	72.49%	9,254	27.51%
73	15,091	43.93%	19,262	56.07%	9,671	28.47%	24,298	71.53%	10,142	30.14%	23,513	69.86%	12,365	37.14%	20,928	62.86%	10,904	32.39%	21,365	63.47%	1,378	4.09%	14	0.04%	11,533	34.63%	21,769	65.37%
74	20,595	51.83%	19,138	48.17%	14,068	36.04%	24,968	63.96%	15,570	40.01%	23,348	59.99%	17,390	45.02%	21,234	54.98%	15,911	41.10%	21,282	54.97%	1,503	3.88%	18	0.05%	17,005	44.12%	21,540	55.88%
75	20,247	53.22%	17,794	46.78%	14,331	38.34%	23,049	61.66%	15,309	41.05%	21,988	58.95%	17,218	46.56%	19,765	53.44%	16,002	43.07%	19,656	52.91%	1,479	3.98%	15	0.04%	17,092	46.19%	19,910	53.81%
76	16,484	47.59%	18,151	52.41%	11,399	33.27%	22,868	66.73%	12,003	35.06%	22,235	64.94%	13,919	41.12%	19,927	58.88%	12,638	37.01%	19,898	58.27%	1,601	4.69%	13	0.04%	13,026	38.51%	20,797	61.49%
77	17,777	52.35%	16,179	47.65%	12,518	37.31%	21,033	62.69%	13,217	39.48%	20,263	60.52%	15,016	45.43%	18,038	54.57%	14,058	42.14%	17,760	53.24%	1,514	4.54%	28	0.08%	14,522	43.97%	18,506	56.03%
78	14,482	44.91%	17,766	55.09%	8,002	25.07%	23,914	74.93%	8,859	28.15%	22,615	71.85%	10,738	34.38%	20,499	65.62%	9,756	30.97%	20,331	64.55%	1,400	4.44%	11	0.03%	10,339	33.04%	20,955	66.96%
79	17,902	46.57%	20,538	53.43%	11,778	31.11%	26,077	68.89%	12,670	33.57%	25,070	66.43%	14,912	39.80%	22,554	60.20%	13,345	35.51%	22,818	60.71%	1,401	3.73%	19	0.05%	14,406	38.53%	22,984	61.47%
80	14,690	43.48%	19,099	56.52%	9,024	26.94%	24,473	73.06%	9,778	29.38%	23,508	70.62%	11,839	35.84%	21,190	64.16%	10,621	31.94%	21,315	64.09%	1,302	3.91%	19	0.06%	10,979	33.25%	22,037	66.75%
81	16,658	49.58%	16,942	50.42%	10,918	32.79%	22,377	67.21%	11,869	35.89%	21,201	64.11%	14,479	44.07%	18,378	55.93%	12,824	38.86%	18,763	56.85%	1,387	4.20%	28	0.08%	13,114	39.99%	19,678	60.01%
82	16,939	50.91%	16,331	49.09%	13,100	40.36%	19,357	59.64%	13,660	41.69%	19,102	58.31%	14,895	45.90%	17,555	54.10%	14,053	43.12%	17,064	52.36%	1,475	4.53%	0	0.00%	14,493	44.88%	17,802	55.12%
83	16,605	51.60%	15,573	48.40%	12,377	39.27%	19,140	60.73%	12,839	40.48%	18,878	59.52%	14,375	45.78%	17,022	54.22%	13,338	42.20%	16,799	53.15%	1,466	4.64%	1	0.00%	13,794	44.01%	17,547	55.99%
84	17,439	49.56%	17,749	50.44%	13,165	38.00%	21,477	62.00%	13,471	38.85%	21,204	61.15%	15,228	44.29%	19,156	55.71%	14,098	40.59%	19,219	55.34%	1,392	4.01%	20	0.06%	14,555	42.33%	19,831	57.67%
85	14,115	43.59%	18,265	56.41%	10,443	32.63%	21,566	67.37%	10,770	34.03%	20,878	65.97%	12,117	38.49%	19,361	61.51%	11,479	36.01%	18,737	58.77%	1,642	5.15%	22	0.07%	12,144	38.57%	19,338	61.43%
86	18,056	55.05%	14,743	44.95%	14,422	44.66%	17,868	55.34%	13,791	42.54%	18,629	57.46%	15,486	48.13%	16,687	51.87%	14,553	44.90%	16,540	51.03%	1,299	4.01%	22	0.07%	14,803	45.83%	17,496	54.17%
87	16,809	49.14%	17,398	50.86%	12,635	37.94%	20,667	62.06%	11,996	35.58%	21,719	64.42%	14,348	43.03%	18,997	56.97%	13,018	38.71%	18,809	55.93%	1,788	5.32%	15	0.04%	13,231	39.69%	20,104	60.31%
88	20,946	55.23%	16,978	44.77%	14,910	40.80%	21,630	59.20%	17,010	45.84%	20,096	54.16%	17,163	46.84%	19,481	53.16%	16,449	44.71%	18,968	51.56%	1,342	3.65%	32	0.09%	16,784	46.15%	19,581	53.85%
89	15,703	46.39%	18,150	53.61%	11,842	35.47%	21,543	64.53%	11,624	34.49%	22,079	65.51%	13,513	40.74%	19,656	59.26%	12,363	36.97%	19,633	58.71%	1,425	4.26%	22	0.07%	12,811	38.67%	20,322	61.33%
90	15,024	50.08%	14,975	49.92%	10,376	35.06%	19,215	64.94%	10,827	36.80%	18,595	63.20%	13,287	45.50%	15,918	54.50%	12,044	41.09%	16,234	55.39%	1,017	3.47%	16	0.05%	12,514	42.94%	16,628	57.06%
91	18,907	51.09%	18,102	48.91%	13,019	35.44%	23,716	64.56%	14,498	40.06%	21,695	59.94%	16,712	46.56%	19,180	53.44%	15,502	42.83%	18,954	52.36%	1,707	4.72%	34	0.09%	15,716	43.83%	20,137	56.17%
92	17,931	56.60%	13,750	43.40%	15,216	49.03%	15,819	50.97%	15,568	49.84%	15,667	50.16%	16,309	52.46%	14,779	47.54%	15,362	49.44%	14,625	47.07%	1,065	3.43%	21	0.07%	16,047	51.91%	14,866	48.09%
93	22,137	56.49%	17,048	43.51%	17,477	45.74%	20,734	54.26%	17,54																			



2008 Lt. Governor Dalton-Pittenger-Rhodes						2008 Governor Perdue-McCrory-Munger						2008 President Obama-McCain-Barr								2008 US Senate Hagan-Dole						2008 Straight Party						
District	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib.	Lib%
1	18,039	49.03%	17,589	47.80%	1,166	3.17%	19,885	52.07%	17,303	45.31%	998	2.61%	15,954	40.55%	23,019	58.50%	235	0.60%	139	0.35%	15,811	40.99%	21,885	56.74%	875	2.27%	9,595	55.07%	7,620	43.74%	208	1.19%
2	17,732	52.55%	15,055	44.61%	959	2.84%	17,883	51.46%	15,891	45.73%	977	2.81%	16,353	46.48%	18,516	52.63%	205	0.58%	107	0.30%	17,728	51.02%	16,001	46.05%	1,020	2.94%	10,170	63.14%	5,804	36.03%	134	0.83%
3	15,747	47.06%	16,895	50.49%	818	2.44%	19,175	56.23%	14,165	41.53%	764	2.24%	14,478	42.17%	19,623	57.16%	156	0.45%	75	0.22%	15,474	45.40%	17,679	51.87%	928	2.72%	9,510	54.36%	7,848	44.86%	135	0.77%
4	12,997	44.95%	15,345	53.07%	573	1.98%	14,243	47.89%	14,982	50.37%	518	1.74%	10,692	35.50%	19,278	64.00%	92	0.31%	59	0.20%	12,481	41.86%	16,694	55.99%	642	2.15%	7,161	50.33%	6,979	49.05%	89	0.63%
5	25,168	71.69%	9,341	26.61%	598	1.70%	26,211	72.85%	9,271	25.77%	498	1.38%	23,753	65.06%	12,556	34.39%	118	0.32%	85	0.23%	23,663	65.65%	11,875	32.95%	504	1.40%	19,375	80.14%	4,671	19.32%	129	0.53%
6	20,501	50.72%	18,710	46.29%	1,212	3.00%	22,906	55.23%	17,559	42.33%	1,012	2.44%	18,172	43.29%	23,457	55.88%	233	0.56%	119	0.28%	18,983	45.54%	21,549	51.70%	1,150	2.76%	11,472	59.11%	7,759	39.98%	176	0.91%
7	23,204	63.21%	12,867	35.05%	640	1.74%	23,476	63.05%	13,121	35.24%	634	1.70%	21,966	58.99%	15,024	40.35%	164	0.44%	84	0.23%	23,055	61.93%	13,406	36.01%	769	2.07%	17,490	75.67%	5,513	23.85%	110	0.48%
8	19,552	50.33%	18,632	47.96%	666	1.71%	20,454	51.66%	18,536	46.82%	602	1.52%	17,723	44.48%	21,938	55.06%	117	0.29%	66	0.17%	19,389	49.02%	19,519	49.34%	649	1.64%	12,607	55.62%	9,981	44.03%	79	0.35%
9	17,979	49.34%	17,503	48.03%	959	2.63%	19,330	51.84%	17,133	45.95%	825	2.21%	17,257	45.82%	20,154	53.51%	137	0.36%	114	0.30%	17,873	47.88%	18,600	49.83%	856	2.29%	10,583	54.44%	8,741	44.96%	116	0.60%
10	15,254	43.04%	19,352	54.60%	835	2.36%	18,180	50.05%	17,398	47.89%	748	2.06%	12,376	33.86%	23,939	65.50%	172	0.47%	63	0.17%	14,125	38.91%	21,244	58.52%	934	2.57%	8,181	47.80%	8,772	51.26%	161	0.94%
11	21,209	57.87%	13,678	37.32%	1,765	4.82%	20,772	55.16%	14,936	39.66%	1,952	5.18%	23,782	62.36%	13,823	36.25%	314	0.82%	215	0.56%	23,031	61.00%	13,240	35.07%	1,486	3.94%	11,860	65.28%	6,095	33.55%	214	1.18%
12	20,176	62.23%	11,619	35.83%	629	1.94%	22,409	67.99%	9,975	30.26%	577	1.75%	19,235	57.48%	14,049	41.98%	131	0.39%	50	0.15%	19,531	59.28%	12,699	38.54%	718	2.18%	14,571	73.12%	5,243	26.31%	114	0.57%
13	15,595	40.34%	21,916	56.69%	1,150	2.97%	19,215	48.54%	19,352	48.88%	1,020	2.58%	13,483	33.92%	25,901	65.16%	229	0.58%	139	0.35%	15,497	39.20%	22,775	57.61%	1,261	3.19%	6,986	41.16%	9,816	57.84%	170	1.00%
14	10,553	45.61%	11,651	50.36%	933	4.03%	12,117	51.13%	10,651	44.94%	931	3.93%	10,098	41.67%	13,950	57.56%	128	0.53%	58	0.24%	10,690	44.99%	12,004	50.52%	1,068	4.49%	4,870	49.39%	4,853	49.21%	138	1.40%
15	7,690	44.08%	8,984	51.50%	770	4.41%	8,900	49.45%	8,340	46.34%	758	4.21%	7,151	38.86%	11,081	60.21%	113	0.61%	59	0.32%	7,906	43.79%	9,285	51.43%	863	4.78%	3,440	47.87%	3,622	50.40%	124	1.73%
16	12,836	42.65%	15,837	52.63%	1,421	4.72%	14,536	47.13%	14,863	48.19%	1,441	4.67%	12,134	38.80%	18,845	60.26%	197	0.63%	95	0.30%	13,918	45.02%	15,529	50.23%	1,471	4.76%	6,863	47.50%	7,101	49.15%	485	3.36%
17	15,600	40.00%	21,604	55.40%	1,795	4.60%	17,177	43.15%	20,964	52.66%	1,668	4.19%	15,538	38.60%	24,326	60.43%	246	0.61%	142	0.35%	18,979	47.53%	19,216	48.12%	1,735	4.35%	6,916	42.96%	8,969	55.71%	215	1.34%
18	20,042	61.86%	10,750	33.18%	1,608	4.96%	20,873	63.20%	10,740	32.52%	1,413	4.28%	21,336	62.95%	12,244	36.12%	195	0.58%	119	0.35%	21,953	66.21%	9,947	30.00%	1,257	3.79%	12,279	71.82%	4,637	27.12%	180	1.05%
19	14,946	40.71%	19,913	54.24%	1,855	5.05%	16,507	43.72%	19,600	51.92%	1,645	4.36%	16,239	42.29%	21,773	56.70%	225	0.59%	164	0.43%	18,260	48.17%	18,022	47.54%	1,628	4.29%	6,959	46.56%	7,801	52.19%	186	1.24%
20	15,825	41.32%	20,760	54.21%	1,712	4.47%	17,290	43.86%	20,503	52.02%	1,624	4.12%	17,058	42.46%	22,705	56.52%	237	0.59%	171	0.43%	19,023	48.07%	18,951	47.89%	1,596	4.03%	7,408	46.36%	8,401	52.58%	169	1.06%
21	22,280	68.03%	9,888	30.19%	583	1.78%	22,744	68.23%	10,034	30.10%	557	1.67%	21,519	63.71%	12,099	35.82%	105	0.31%	51	0.15%	22,042	65.88%	10,796	32.27%	619	1.85%	16,200	76.99%	4,731	22.48%	112	0.53%
22	18,110	54.06%	14,778	44.11%	613	1.83%	18,510	54.16%	15,103	44.19%	565	1.65%	15,354	44.48%	18,943	54.87%	143	0.41%	82	0.24%	17,482	51.11%	16,000	46.78%	721	2.11%	11,502	60.95%	7,246	38.40%	122	0.65%
23	2																															



2008 Lt. Governor Dalton-Pittenger-Rhodes							2008 Governor Perdue-McCrory-Munger						2008 President Obama-McCain-Barr								2008 US Senate Hagan-Dole						2008 Straight Party					
District	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib.	Lib%
76	12,563	36.04%	21,165	60.72%	1,128	3.24%	11,924	33.48%	22,843	64.14%	849	2.38%	12,308	34.48%	23,003	64.44%	283	0.79%	103	0.29%	13,937	39.19%	20,131	56.60%	1,496	4.21%	6,672	41.28%	9,325	57.69%	167	1.03%
77	13,686	40.11%	19,307	56.59%	1,126	3.30%	13,144	37.59%	20,997	60.05%	825	2.36%	13,726	39.02%	21,042	59.82%	272	0.77%	136	0.39%	15,162	43.37%	18,414	52.67%	1,384	3.96%	7,737	49.58%	7,760	49.73%	107	0.69%
78	10,262	31.93%	20,773	64.64%	1,103	3.43%	11,084	33.82%	20,486	62.51%	1,203	3.67%	9,261	28.21%	23,181	70.60%	258	0.79%	133	0.41%	11,435	34.95%	19,795	60.50%	1,491	4.56%	5,006	30.26%	11,377	68.76%	163	0.99%
79	13,974	36.39%	23,251	60.55%	1,172	3.05%	15,204	38.66%	22,877	58.17%	1,247	3.17%	14,381	36.31%	24,890	62.84%	240	0.61%	97	0.24%	15,731	39.94%	22,462	57.02%	1,197	3.04%	6,850	37.71%	11,139	61.31%	178	0.98%
80	10,970	32.49%	21,677	64.21%	1,115	3.30%	12,055	35.13%	21,066	61.40%	1,191	3.47%	10,239	29.77%	23,827	69.28%	241	0.70%	83	0.24%	12,259	35.65%	20,836	60.59%	1,294	3.76%	5,869	31.88%	12,371	67.19%	172	0.93%
81	13,260	39.44%	19,061	56.70%	1,298	3.86%	14,344	41.91%	18,554	54.21%	1,329	3.88%	12,192	35.66%	21,589	63.15%	295	0.86%	110	0.32%	14,445	42.15%	18,384	53.64%	1,441	4.20%	6,757	41.03%	9,503	57.70%	210	1.28%
82	13,587	40.35%	19,104	56.74%	981	2.91%	12,227	35.33%	21,633	62.51%	747	2.16%	15,007	43.27%	19,459	56.10%	206	0.59%	12	0.03%	15,835	46.01%	17,255	50.14%	1,327	3.86%	7,657	48.18%	8,117	51.07%	119	0.75%
83	12,965	39.98%	18,404	56.75%	1,061	3.27%	11,932	35.99%	20,486	61.78%	739	2.23%	13,524	40.77%	19,434	58.59%	205	0.62%	9	0.03%	14,911	45.13%	16,802	50.86%	1,324	4.01%	6,937	48.46%	7,250	50.65%	128	0.89%
84	13,786	39.02%	20,433	57.83%	1,111	3.14%	12,892	35.69%	22,440	62.12%	790	2.19%	13,424	37.04%	22,465	61.99%	226	0.62%	127	0.35%	14,879	41.30%	19,630	54.48%	1,521	4.22%	7,323	45.98%	8,426	52.90%	178	1.12%
85	11,739	35.72%	19,946	60.69%	1,183	3.60%	12,848	37.95%	19,770	58.40%	1,233	3.64%	10,987	32.15%	22,714	66.46%	262	0.77%	212	0.62%	12,868	37.89%	19,452	57.27%	1,645	4.84%	4,871	35.58%	8,576	62.64%	243	1.78%
86	15,021	45.59%	16,972	51.51%	953	2.89%	14,084	41.91%	18,773	55.87%	746	2.22%	13,547	40.27%	19,702	58.57%	243	0.72%	146	0.43%	15,587	46.48%	16,664	49.69%	1,287	3.84%	7,737	47.89%	8,174	50.59%	245	1.52%
87	13,229	38.50%	19,768	57.53%	1,365	3.97%	12,172	34.57%	22,066	62.67%	971	2.76%	12,065	34.36%	22,497	64.08%	331	0.94%	217	0.62%	14,293	40.72%	18,900	53.85%	1,905	5.43%	6,048	42.17%	8,066	56.24%	229	1.60%
88	16,193	42.00%	21,382	55.45%	984	2.55%	12,208	30.60%	26,824	67.23%	868	2.18%	19,999	49.92%	19,717	49.21%	215	0.54%	133	0.33%	19,740	49.82%	18,607	46.96%	1,279	3.23%	7,982	44.21%	9,931	55.01%	140	0.78%
89	12,287	36.15%	20,596	60.59%	1,108	3.26%	11,194	32.26%	22,756	65.58%	749	2.16%	12,222	35.22%	22,076	63.61%	243	0.70%	164	0.47%	13,498	39.05%	19,564	56.59%	1,507	4.36%	7,068	39.88%	10,436	58.89%	217	1.22%
90	12,469	41.60%	16,626	55.46%	882	2.94%	13,625	44.40%	16,026	52.42%	976	3.18%	10,780	35.02%	19,645	63.82%	245	0.80%	112	0.36%	13,027	42.44%	16,590	54.05%	1,076	3.51%	6,169	44.20%	7,584	54.33%	205	1.47%
91	16,016	43.38%	19,544	52.93%	1,361	3.69%	17,425	46.17%	18,846	49.94%	1,469	3.89%	14,437	38.10%	22,908	60.45%	387	1.02%	163	0.43%	16,753	44.30%	19,390	51.27%	1,676	4.43%	8,408	48.00%	8,884	50.72%	223	1.27%
92	15,228	47.55%	15,945	49.79%	849	2.65%	13,347	40.58%	18,928	57.54%	619	1.88%	17,499	52.97%	15,310	46.34%	139	0.42%	88	0.27%	17,591	53.72%	14,089	43.02%	1,067	3.26%	9,392	52.75%	8,301	46.62%	112	0.63%
93	18,516	47.03%	19,013	48.29%	1,841	4.68%	19,004	46.49%	20,381	49.86%	1,490	3.65%	19,430	46.89%	21,260	51.30%	426	1.03%	325	0.78%	20,058	48.88%	19,172	46.72%	1,802	4.39%	9,624	51.76%	8,689	46.73%	281	1.51%
94	12,088	38.23%	18,320	57.94%	1,213	3.84%	13,557	41.56%	17,861	54.76%	1,199	3.68%	10,483	31.97%	21,735	66.29%	352	1.07%	216	0.66%	12,826	39.24%	18,348	56.13%	1,514	4.63%	4,327	39.84%	6,326	58.25%	208	1.92%
95	12,459	35.02%	21,946	61.68%	1,175	3.30%	10,950	29.95%	24,813	67.86%	801	2.19%	13,876	37.63%	22,652	61.44%	219	0.59%	124	0.34%	14,523	39.88%	20,276	55.68%	1,619	4.45%	6,417	38.78%	9,970	60.25%	162	0.98%
96	12,897	37.93%	20,023	58.88%	1,086	3.19%	11,789	33.97%	22,173	63.90%	740	2.13%	13,429	38.66%	20,913	60.20%	247	0.71%	148	0.43%	14,425	41.64%	18,905	54.57%	1,314	3.79%	7,337	41.72%	10,059	57.20%	190	1.08%
97	11,963	34.36%	21,725	62.39%	1,132	3.25%	10,691	29.98%	24,193	67.85%	773	2.17%	11,713	32.72%	23,631	66.01%	273	0.76%	181	0.51%	13,597	38.28%	20,333	57.24%	1,593	4.48%	5,790	38.92%	8,922	59.97%	166	1.12%
98	13,852	39.17%	20,568	58.16%	947	2.68%	11,226	30.76%	24,503	67.14%	767	2.10%	16,860	46.00%	19,521	53.26%	194	0.53%	75	0.20%	16,974	46.67%	18,158	49.92%	1,241	3.41%	7,551	40.47%	10,947	58.67%	161	0.86%
99	22,788	77.05%	6,120	20.69%	666	2.25%	21,817	72.70%	7,596	25.31%	596	1.99%	24,396	80.25%	5,787	19.04%	131	0.43%	86	0.28%	23,746	79.27%	5,481	18.30%	730	2.44%	16,762	84.24%	3,031	15.23%	106	0.53%
100	19,047	67.85%	8,130	28.96%	896	3.19%	17,319	60.31%	10,606	36.93%	793	2.76%	21,327	73.15%	7,570	25.96%	175	0.60%	85	0.29%	20,659	72.20%	7,036	24.59%	917	3.20%	13,234	76.88%	3,848	22.35%	132	0.77%
101	21,914	70.46%	8,502	27.34%	686	2.21%	20,814	65.70%	10,248	32.35%	616	1.94%	23,510	73.20%	8,356	26.02%	155	0.48%	98	0.31%	23,052	72.96%	7,687	24.33%	858	2.72%	16,683	78.14%	4,521	21.18%	146	0.68%
102	20,940	79.52%	4,776	18.14%	618	2.35%	19,891	74.15%	6,369	23.74%	565	2.11%	23,036	83.80%	4,256	15.48%	136	0.49%	62	0.23%	21,970	82.05%	4,153	15.51%	654	2.44%	16,513	87.31%	2,278	12.04%	122	0.65%
103	13,895	40.45%	19,693	57.33%	764	2.22%	12,059	34.20%	22,563	63.99%	636	1.80%	16,162	45.70%	18,956	53.59%	164	0.46%	87	0.25%	16,526	47.12%	17,364									



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
1	4,423	54.23%	3,603	44.18%	130	1.59%	9,043	35.41%	15,927	62.37%	566	2.22%
2	4,976	57.91%	3,536	41.15%	80	0.93%	9,339	43.33%	11,727	54.41%	488	2.26%
3	4,699	48.03%	5,024	51.35%	60	0.61%	8,074	35.41%	14,319	62.80%	409	1.79%
4	3,933	40.31%	5,783	59.26%	42	0.43%	6,176	31.78%	13,014	66.98%	241	1.24%
5	8,845	80.23%	2,110	19.14%	69	0.63%	12,956	60.02%	8,343	38.65%	286	1.32%
6	5,207	53.94%	4,317	44.72%	130	1.35%	10,825	37.09%	17,701	60.65%	661	2.26%
7	10,695	70.41%	4,446	29.27%	48	0.32%	13,609	55.95%	10,393	42.73%	320	1.32%
8	7,382	53.74%	6,201	45.14%	154	1.12%	11,735	42.41%	15,502	56.02%	434	1.57%
9	4,691	46.85%	5,278	52.71%	44	0.44%	7,868	38.16%	12,503	60.63%	250	1.21%
10	4,082	38.43%	6,477	60.98%	63	0.59%	7,064	29.40%	16,580	69.00%	386	1.61%
11	5,869	58.10%	4,167	41.25%	65	0.64%	11,586	54.07%	9,122	42.57%	721	3.36%
12	8,444	69.34%	3,676	30.19%	57	0.47%	11,358	52.61%	9,907	45.89%	323	1.50%
13	3,488	32.10%	7,283	67.03%	95	0.87%	7,638	28.48%	18,590	69.32%	590	2.20%
14	1,663	44.85%	1,979	53.37%	66	1.78%	4,167	33.67%	7,902	63.84%	308	2.49%
15	1,137	42.33%	1,486	55.32%	63	2.35%	3,006	31.19%	6,343	65.81%	289	3.00%
16	3,776	44.23%	4,677	54.78%	85	1.00%	7,071	33.92%	13,324	63.92%	449	2.15%
17	3,672	32.87%	7,386	66.12%	113	1.01%	9,560	31.61%	20,050	66.30%	632	2.09%
18	5,122	63.26%	2,890	35.69%	85	1.05%	11,041	55.09%	8,555	42.68%	447	2.23%
19	2,714	35.15%	4,932	63.88%	75	0.97%	8,459	32.87%	16,677	64.80%	601	2.34%
20	2,880	36.78%	4,879	62.30%	72	0.92%	9,000	33.59%	17,209	64.23%	582	2.17%
21	9,477	69.92%	4,038	29.79%	39	0.29%	12,365	58.81%	8,412	40.01%	250	1.19%
22	7,326	59.32%	4,910	39.75%	115	0.93%	11,105	44.13%	13,719	54.51%	342	1.36%
23	9,849	81.09%	2,213	18.22%	84	0.69%	14,653	59.95%	9,513	38.92%	277	1.13%
24	11,295	80.89%	2,600	18.62%	69	0.49%	13,812	69.91%	5,691	28.81%	253	1.28%
25	5,390	44.74%	6,615	54.91%	43	0.36%	8,841	36.44%	14,982	61.75%	439	1.81%
26	4,297	38.65%	6,741	60.63%	81	0.73%	8,198	34.49%	15,065	63.38%	507	2.13%
27	10,286	81.30%	2,309	18.25%	57	0.45%	13,603	61.65%	8,196	37.14%	267	1.21%
28	3,192	34.11%	6,059	64.75%	107	1.14%	6,787	30.21%	15,257	67.91%	422	1.88%
29	8,582	89.94%	926	9.70%	34	0.36%	19,480	83.45%	3,551	15.21%	312	1.34%
30	5,949	72.76%	2,178	26.64%	49	0.60%	16,560	66.11%	7,988	31.89%	501	2.00%
31	7,296	85.74%	1,174	13.80%	39	0.46%	16,611	79.34%	4,063	19.41%	263	1.26%
32	10,924	83.72%	2,049	15.70%	76	0.58%	15,275	60.45%	9,579	37.91%	414	1.64%
33	10,291	86.22%	1,603	13.43%	42	0.35%	14,581	79.82%	3,400	18.61%	287	1.57%
34	7,407	59.58%	4,945	39.78%	80	0.64%	15,744	56.69%	11,340	40.83%	688	2.48%
35	4,989	41.39%	7,020	58.24%	45	0.37%	8,963	38.73%	13,656	59.01%	523	2.26%
36	5,582	38.55%	8,829	60.97%	69	0.48%	11,979	38.61%	18,268	58.89%	776	2.50%
37	4,768	38.61%	7,517	60.87%	65	0.53%	9,264	36.55%	15,412	60.81%	669	2.64%
38	9,749	79.98%	2,398	19.67%	43	0.35%	14,320	72.99%	4,980	25.38%	318	1.62%
39	7,348	56.78%	5,540	42.81%	54	0.42%	12,581	51.27%	11,441	46.62%	518	2.11%
40	4,541	38.49%	7,199	61.02%	57	0.48%	9,391	37.86%	14,693	59.23%	721	2.91%
41	4,916	43.46%	6,350	56.14%	46	0.41%	9,681	41.60%	12,937	55.59%	653	2.81%
42	6,172	76.32%	1,875	23.19%	40	0.49%	9,845	67.35%	4,559	31.19%	213	1.46%
43	6,852	70.75%	2,781	28.71%	52	0.54%	11,679	60.83%	7,187	37.43%	334	1.74%
44	4,186	57.06%	3,105	42.33%	45	0.61%	8,290	45.10%	9,799	53.31%	292	1.59%
45	3,851	48.81%	3,989	50.56%	50	0.63%	6,878	40.81%	9,660	57.31%	317	1.88%
46	5,716	68.65%	2,433	29.22%	177	2.13%	9,686	42.72%	12,560	55.40%	427	1.88%
47	4,441	76.65%	1,288	22.23%	65	1.12%	6,906	52.82%	5,978	45.72%	191	1.46%
48	6,951	81.31%	1,504	17.59%	94	1.10%	11,535	63.68%	6,250	34.50%	329	1.82%
49	6,409	41.14%	9,108	58.47%	60	0.39%	15,234	41.32%	20,883	56.64%	752	2.04%
50	7,375	64.89%	3,944	34.70%	46	0.40%	16,228	53.03%	13,673	44.68%	700	2.29%
51	3,535	43.46%	4,543	55.86%	55	0.68%	7,080	38.27%	11,051	59.73%	371	2.01%
52	4,078	32.85%	8,285	66.74%	50	0.40%	8,130	31.91%	16,852	66.14%	498	1.95%
53	3,407	43.01%	4,443	56.09%	71	0.90%	7,670	39.39%	11,423	58.67%	378	1.94%



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
54	8,333	62.66%	4,921	37.01%	44	0.33%	13,782	50.27%	13,040	47.57%	592	2.16%
55	4,369	48.67%	4,537	50.55%	70	0.78%	7,418	36.90%	12,345	61.41%	338	1.68%
56	10,516	84.18%	1,932	15.47%	44	0.35%	20,241	74.32%	6,387	23.45%	607	2.23%
57	7,914	71.30%	3,144	28.32%	42	0.38%	12,638	63.56%	6,910	34.75%	337	1.69%
58	9,169	77.39%	2,634	22.23%	45	0.38%	15,034	69.58%	6,253	28.94%	320	1.48%
59	4,875	35.53%	8,792	64.07%	55	0.40%	9,728	34.93%	17,487	62.80%	632	2.27%
60	6,230	72.87%	2,271	26.56%	48	0.56%	10,583	69.00%	4,454	29.04%	301	1.96%
61	3,856	32.59%	7,928	67.01%	47	0.40%	8,189	32.94%	16,169	65.03%	506	2.04%
62	4,402	35.28%	8,022	64.29%	54	0.43%	8,969	34.79%	16,313	63.27%	501	1.94%
63	4,515	48.11%	4,801	51.16%	69	0.74%	8,482	38.39%	13,031	58.99%	579	2.62%
64	3,753	44.77%	4,559	54.39%	70	0.84%	6,964	35.86%	11,981	61.69%	475	2.45%
65	4,555	50.52%	4,319	47.90%	142	1.57%	8,195	35.90%	13,978	61.23%	657	2.88%
66	4,205	63.55%	2,344	35.42%	68	1.03%	8,693	49.06%	8,764	49.46%	261	1.47%
67	3,099	38.42%	4,854	60.18%	113	1.40%	7,647	30.72%	16,751	67.28%	498	2.00%
68	2,645	33.95%	5,102	65.49%	44	0.56%	5,344	28.78%	12,791	68.88%	435	2.34%
69	2,943	34.87%	5,460	64.70%	36	0.43%	5,446	30.22%	12,148	67.40%	430	2.39%
70	1,706	18.48%	7,462	80.82%	65	0.70%	3,558	21.14%	12,749	75.74%	526	3.12%
71	5,302	67.70%	2,486	31.74%	44	0.56%	9,346	62.67%	5,276	35.38%	290	1.94%
72	6,137	66.38%	3,056	33.06%	52	0.56%	11,666	59.68%	7,559	38.67%	324	1.66%
73	2,294	28.71%	5,478	68.55%	219	2.74%	6,382	25.80%	17,732	71.69%	621	2.51%
74	3,426	31.17%	7,506	68.29%	59	0.54%	8,232	32.80%	16,385	65.29%	477	1.90%
75	3,655	33.77%	7,111	65.70%	57	0.53%	8,081	34.42%	14,958	63.72%	437	1.86%
76	2,739	33.57%	5,308	65.06%	112	1.37%	6,397	29.95%	14,446	67.63%	518	2.42%
77	3,212	39.12%	4,903	59.71%	96	1.17%	7,238	34.14%	13,374	63.09%	586	2.76%
78	2,054	19.38%	8,486	80.06%	59	0.56%	4,029	21.41%	14,213	75.51%	580	3.08%
79	2,899	26.95%	7,770	72.24%	87	0.81%	7,051	27.33%	18,236	70.70%	508	1.97%
80	2,457	22.76%	8,265	76.56%	73	0.68%	4,779	23.10%	15,452	74.68%	461	2.23%
81	2,946	31.76%	6,258	67.46%	73	0.79%	6,468	30.99%	13,884	66.51%	522	2.50%
82	3,077	45.02%	3,705	54.21%	52	0.76%	7,468	35.17%	13,321	62.73%	447	2.10%
83	2,473	43.61%	3,147	55.49%	51	0.90%	6,758	33.82%	12,763	63.86%	464	2.32%
84	3,043	39.15%	4,633	59.61%	96	1.24%	7,244	32.03%	14,736	65.16%	635	2.81%
85	1,612	25.92%	4,449	71.54%	158	2.54%	6,014	26.73%	15,873	70.54%	615	2.73%
86	3,023	43.52%	3,813	54.89%	110	1.58%	7,764	37.95%	12,242	59.83%	455	2.22%
87	2,185	31.91%	4,535	66.23%	127	1.85%	6,908	31.41%	14,382	65.39%	705	3.21%
88	3,583	34.40%	6,789	65.18%	43	0.41%	9,281	38.59%	14,260	59.30%	508	2.11%
89	2,643	30.68%	5,919	68.70%	54	0.63%	6,177	29.81%	13,998	67.55%	547	2.64%
90	2,470	34.52%	4,581	64.02%	105	1.47%	5,979	30.45%	13,266	67.56%	390	1.99%
91	3,299	35.52%	5,847	62.96%	141	1.52%	7,233	30.70%	15,672	66.51%	658	2.79%
92	4,368	46.96%	4,892	52.59%	42	0.45%	8,159	43.96%	10,038	54.08%	364	1.96%
93	3,899	45.12%	4,644	53.74%	99	1.15%	10,383	39.34%	15,262	57.83%	747	2.83%
94	2,102	31.70%	4,387	66.16%	142	2.14%	6,702	30.40%	14,663	66.51%	680	3.08%
95	2,557	30.73%	5,705	68.55%	60	0.72%	5,680	27.90%	14,174	69.63%	502	2.47%
96	2,512	30.76%	5,600	68.57%	55	0.67%	6,470	31.28%	13,705	66.27%	506	2.45%
97	2,387	32.49%	4,891	66.58%	68	0.93%	6,958	30.01%	15,653	67.51%	575	2.48%
98	3,721	34.02%	7,167	65.52%	50	0.46%	7,782	35.72%	13,597	62.40%	410	1.88%
99	7,877	81.42%	1,756	18.15%	42	0.43%	12,552	76.19%	3,663	22.23%	260	1.58%
100	5,445	70.02%	2,282	29.35%	49	0.63%	9,561	65.14%	4,806	32.75%	310	2.11%
101	6,831	72.21%	2,580	27.27%	49	0.52%	10,968	67.07%	5,058	30.93%	328	2.01%
102	6,622	83.47%	1,278	16.11%	33	0.42%	10,056	77.56%	2,666	20.56%	244	1.88%
103	4,131	38.73%	6,497	60.92%	37	0.35%	8,147	37.51%	13,193	60.74%	379	1.75%
104	3,769	31.36%	8,202	68.24%	48	0.40%	9,852	35.98%	17,016	62.15%	512	1.87%
105	3,267	31.37%	7,098	68.15%	51	0.49%	6,779	33.12%	13,266	64.81%	425	2.08%
106	6,502	85.69%	1,068	14.07%	18	0.24%	10,696	81.67%	2,239	17.10%	162	1.24%



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
107	8,234	80.92%	1,914	18.81%	28	0.28%	13,711	76.57%	3,965	22.14%	230	1.28%
108	3,203	37.19%	5,363	62.27%	46	0.53%	5,880	32.51%	11,794	65.21%	413	2.28%
109	3,403	41.16%	4,804	58.10%	61	0.74%	6,277	33.20%	12,209	64.58%	419	2.22%
110	3,156	43.80%	3,968	55.07%	81	1.12%	6,366	33.61%	12,134	64.06%	441	2.33%
111	3,435	52.15%	3,051	46.32%	101	1.53%	7,206	36.13%	12,341	61.87%	399	2.00%
112	2,688	38.48%	4,163	59.59%	135	1.93%	6,370	30.24%	14,175	67.30%	518	2.46%
113	4,440	37.44%	7,276	61.35%	143	1.21%	11,159	36.07%	19,015	61.47%	762	2.46%
114	9,698	75.84%	2,981	23.31%	109	0.85%	17,655	66.88%	8,010	30.34%	733	2.78%
115	6,514	52.80%	5,705	46.25%	117	0.95%	12,292	44.29%	14,665	52.84%	797	2.87%
116	4,690	47.78%	5,046	51.41%	80	0.81%	9,048	38.38%	13,930	59.09%	597	2.53%
117	3,789	32.68%	7,724	66.62%	81	0.70%	8,152	32.28%	16,500	65.33%	605	2.40%
118	5,994	53.95%	4,944	44.50%	173	1.56%	12,403	42.23%	16,191	55.12%	779	2.65%
119	4,264	59.03%	2,826	39.12%	134	1.85%	10,591	46.03%	11,788	51.23%	631	2.74%
120	2,735	37.22%	4,254	57.89%	360	4.90%	9,909	32.86%	19,081	63.28%	1,161	3.85%
Totals:	597,972	51.24%	559,834	47.98%	9,111	0.78%	1,141,700	43.04%	1,454,082	54.82%	56,817	2.14%



# **EXHIBIT M**





**NORTH CAROLINA GENERAL ASSEMBLY  
STATE LEGISLATIVE BUILDING  
RALEIGH, NORTH CAROLINA 27603**

**Statement by Sen. Bob Rucho and Rep. David Lewis Regarding Proposed VRA Districts**

In anticipation of the public hearing scheduled for June 23, 2011, we want to correct several erroneous statements that have appeared in the news media regarding our proposed Voting Rights Act ("VRA") districts.

**Claim 1:** The proposed VRA districts plan includes an illegal "packing" strategy.

"I think they unnecessarily and probably illegally pack minority voters into districts," said Sen. Dan Blue, D-Wake. "I need to analyze them a little bit further, but my initial impression is they're engaged in packing in non-Section 5 Voting Rights Act districts." ("Blue questions legality of draft redistricting maps," SGR Today, 6/20/11)

"How... 'packing' may dilute minority voting strength is not difficult to conceptualize. A minority group, for example, might have sufficient numbers to constitute a majority in three districts. So apportioned, the group inevitably will elect three candidates of its choice, assuming the group is sufficiently cohesive. But if the group is packed into two districts in which it constitutes a super-majority, it will be assured only two candidates." *Voinovich v. Quilter*, 507 U.S. 146, 153-154 (1993).

Senator Dan Blue, among others, has stated that our proposed majority black districts result in illegal "packing" of black voters. There is no factual or legal basis for this argument.

The U.S. Supreme Court has defined the term "packing" to mean the intentional creation of super majority black districts designed to prevent the creation of one or more other majority black districts. See *Voinovich v. Quilter*, 507 U.S. 146 (2003). We have not engaged in this practice. Senator Blue is presumably aware of the Supreme Court's definition of packing. If there is another Supreme Court case that supports Senator Blue's definition we request that he provide it to us.

**Claim 2:** The proposed VRA districts plan includes too many majority-minority districts.



“The new maps include 24 majority-black districts in the N.C. House and 10 in the Senate, according to an attached memo.” (“North Carolina redistricting maps may hurt Republican allies William Brisson, Dewey Hill,” Fayetteville Observer, 6/20/11)

“Any legislative district designated as a Section 2 district under the current redistricting plans, and any future plans, must satisfy either the numerical majority requirement as defined herein, or be redrawn in compliance with the Whole County Provision of the Constitution of North Carolina and with *Stephenson I* requirements.” *Strickland v. Bartlett*, 649 S.E.2d 364, 376 (N.C. 2007).

Our proposed Senate plan includes only nine majority black Senate districts. We were unable to identify a tenth reasonably compact majority black population which could be used to create a tenth majority black Senate district. Senate District 32 is not a majority black district because of the absence of sufficient black population in Forsyth County. In proposed Senate District 32, blacks comprise 39.48% of the voting age population. Voting age Hispanics constitute 12.21%.

Congressman Watt has advised us that urban Hispanic populations in his Congressional district tend to vote for the same candidates favored by urban African Americans voters. Thus, our proposed version of Senate District 32 provides the black community with a tenth opportunity to elect a candidate of their choice, provided African American voters in Forsyth County can build a coalition with urban Hispanic voters.

Our proposed Senate District 13 was constructed, as was the predecessor District 13, to have a plurality Native American population (26.49%). The Native American population combines with the black population (25.92%) to establish a majority minority district. However, this district is neither majority Native American nor majority black.

Congressman Watt has advised us that black voters and Native American voters do not tend to vote for the same candidate and are not politically cohesive. The predecessor district to our proposed Senate District 13 has always elected a white candidate. Current Senate District 13 never elected a black or a Native American candidate. The failure of an African American or



Native American to be elected from current Senate District 13 seems to support Congressman Watt's opinion.

There are only twenty four proposed majority black House districts in our proposed plan. Some media outlets have reported that there are twenty seven majority black House districts.

The alleged twenty-fifth district, House District 47, is a majority Native American district and replicates a similar district in the 2003 house plan. It does not count towards giving the black community a proportional and equal opportunity to elect candidates of their choice.

Two other alleged majority black districts, House Districts 71 and 72 in Forsyth County cannot both be drawn with a black voting age population of over 50%. Neither district is therefore a majority black district.

**Claim 3:** The proposed VRA districts plan is solely an attempt to maintain Republicans' political power.

"Democrats charged that Republicans are trying to pack black Democrats into districts so as to make it easier for the GOP to win the remaining ones... 'They want to make sure they maintain their power,' said Fleming El-Amin, a local activist who sits on the Democratic committee that will review the redistricting recommendations." ("GOP well within rights on redistricting, but Garrou would be heavy loss," Winston-Salem Journal, 6/22/11)

The State has an obligation to comply with the Voting Rights Act. In the 2003 plans, rather than comply with the VRA, the previous Legislative leadership engaged in a redistricting technique called "cracking."

Under Supreme Court precedent, one example of "cracking" or "fragmenting" occurs when Legislative leaders remove black population from a majority black district and spread these voters into other adjoining districts that will elect a white candidate but not a black candidate.

*See Voinovich v Quilter* 507 US 146, 153 (2003); *Thornburg v Gingles*, 478 U.S. 30, 46 n.11

(1986). Based upon these Supreme Court definitions, in creating the 2003 plans, the former Legislative leaders "cracked" majority black districts in two different ways.



First, in the 2003 plans, populations in several formerly majority black districts were reduced to populations levels of 39% to 49% black. This practice was rejected by the North Carolina and United States Supreme Courts in *Strickland v Bartlett*, 129 S.Ct. 1231 (2009). Where possible, majority black districts drawn to comply with the VRA must be based upon an actual majority of black voters.

Second, the Legislative leaders rejected several majority black districts in locations at which the black community had a right, under the VRA, to a majority black district.

While districts that adjoin majority black districts may become more competitive for Republican candidates because of compliance with the VRA, such competitiveness results from compliance with the VRA. This is the opposite of the prior Legislative leadership intentionally cracking majority black districts required by the VRA to ensure the re-election of white incumbents.

**Claim 4:** The proposed VRA districts plan dilutes the influence of minority voters.

“It is illegal to arbitrarily pack minorities into the same districts just for the sake of doing it because you dilute the minorities’ voting strength in other districts.” Senator Dan Blue, D-Wake (“Blue questions legality of draft redistricting maps,” SGR Today, 6/20/11)

“[A] minority group must constitute a numerical majority of the voting population in the area under consideration before Section 2 of the VRA requires the creation of a legislative district to prevent the dilution of the votes of that minority group.” *Strickland v. Bartlett*, 649 S.E.2d 364, 371 (N.C. 2007).

In 2003, the Legislative leadership pursued a strategy which reduced the number of majority black districts and replaced them with two types of districts.

Districts that were between 40 and 50% black were called “effective” majority districts. The Legislative leaders argued that it was not necessary to create majority black districts under the VRA because black populations over 40% were “good enough” to elect a black candidate.

In 2003, Legislative leaders also supported “influence districts.” These were districts with black populations between 30% and 40%. These districts have very rarely elected black



candidates, but the Legislative leaders argued that black voters would be able to “influence” the election of candidates who were “sympathetic” to their point of view.

A Supreme Court case called *Georgia v Ashcroft*, 539 U.S. 461 (2000), provided some legal support for this proposition. However, in a case called *LULAC v Perry*, 548 U.S. 399 (2006), the US Supreme Court clarified that “influence” districts were not required by the VRA.

Moreover, *Georgia v Ashcroft* was legislatively over-ruled in 2006 when the Congress re-enacted Section 5 of the VRA. See Federal Register Vol. 76, no. 27 at 7471: Report by the United States House of Representatives, Committee on the Judiciary, Report 109-478 at 68-72.

Finally, in *Strickland v Bartlett*, 361 N.C. 491 (2007), *affirmed by Bartlett v Strickland*, 129 S.Ct. 123 (2009), the North Carolina and U.S. Supreme Courts announced that majority black districts must be drawn with an actual majority black voting age population.

Thus, the current 2003 plans violate the voting rights of black citizens in two ways. Alleged majority black districts were not drawn with a true majority of black voters. And “influence districts” were incorrectly substituted for true majority black districts. Our proposed VRA districts do not repeat these violations.

**Claim 5:** These districts are a done deal and will be enacted with no input from voters.

We have had an unprecedented number of public hearings. For example, in 2001 Legislative leaders held 26 public hearings including hearings in 13 counties covered by section 5 of the Voting Rights Act. In 2001, Legislative leadership did not produce proposed legislative or congressional plans until the end of the public hearing process. In 2003, we are aware of no public hearings held on proposed plans.

By way of contrast, in 2011, we have already held 36 public hearings including 24 in counties that are covered by section 5 of the Voting Rights Act. Under our current schedule we intend to hold three public hearings. The first will be on June 23 and will focus on proposed



VRA districts and four other districts. On July 7, 2011, we intend to hold an additional public hearing.

We have also provided an unprecedented level of redistricting support to the Black Caucus. This included the hiring of additional staff with special redistricting expertise and technology assistance not provided to other members of the General Assembly.

Starting on March 24, 2011, we have repeatedly asked for input from the Democratic leadership and the Black Caucus on the issue of majority black districts. We understand that the Black Caucus has produced alternative maps, however, they have not been provided to us. Further, while we have received some input from individual members regarding specific districts, to date we have received no suggestions for proposed plans from the Democratic leadership or any of several interest groups to whom we have made requests for recommendations and input.

We are more than willing to entertain specific suggestions related to our proposed plans and specific districts.

**Claim 6:** The proposed VRA districts plan violates principles of compactness.

“State Sen. Eric Mansfield, a Democrat, said he's disappointed by the shape of his new district. The old district is a compact, somewhat rectangular shape covering the northwest corner of Cumberland County. Mansfield said the new shape resembles a crab.” (“North Carolina redistricting maps may hurt Republican allies William Brisson, Dewey Hill,” Fayetteville Observer, 6/20/11)

This argument misstates the law. Majority black districts must be based upon reasonably compact black populations, not districts.

Congressman Butterfield's First Congressional district has been found by a federal court to be based upon a reasonably compact black population. Using Congressman Butterfield's district as an example, we believe that all of our proposed legislative districts are based upon reasonably compact black populations.

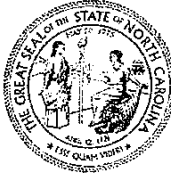


However, we would entertain any specific suggestions from the Black Caucus or others identifying more compact majority black populations to form the core of alternative majority black districts, provided the total districts proposed provide black voters with a substantially proportional state-wide opportunity to elect candidates of their choice. Moreover, any such districts must comply with *Strickland v Bartlett*, and be drawn at a level that constitutes a true majority of black voting age population.



# **EXHIBIT N**





**NORTH CAROLINA GENERAL ASSEMBLY  
STATE LEGISLATIVE BUILDING  
RALEIGH, NORTH CAROLINA 27603**

**Statement by Senator Bob Rucho and Representative David Lewis Regarding  
Proposed State Legislative Redistricting Plans**

**July 12, 2011**

Today we are pleased to release our initial proposals for 2011 state legislative redistricting maps.

These maps are available on the General Assembly's website.

We will hold public hearings on these proposed plans on July 18, 2011, from 3:00 P.M. until 9:00 P.M. Locations for these hearings will include: the North Carolina Museum of History in Wake County, Fayetteville Technical Community College, Nash Community College, Roanoke-Chowan Community College, UNC Wilmington, Guilford Technical Community College, Central Piedmont Community College, Western Carolina University, Appalachian State University, and Asheville-Buncombe Technical Community College.

Individuals interested in providing comments should call the General Assembly or consult the General Assembly's web site for sign-up procedures.

North Carolina has been the subject of numerous legal challenges to redistricting plans. Given this history, our primary goal is to propose maps that will survive any possible legal challenge. The first legal requirement is that legislative districts comply with the "one person one vote" standard affirmed in *Stephenson v Bartlett*, 355 N.C. 354 (2002) ("*Stephenson I*") and *Stephenson v Bartlett*, 357 N. C. 301 (2003) ("*Stephenson II*"). The second requirement is the creation of plans that will obtain preclearance under Section 5 of the Voting Rights Act



(“VRA”), and foreclose the possibility of a successful challenge under Section 2 of the Voting Rights Act. Finally, plans must comply with State constitutional requirements as explained in the *Stephenson* decisions, and the decisions by the North Carolina Supreme Court and the United States Supreme Court in *Strickland v Bartlett*, 361 N.C. 491 (2007), *affirmed*, *Bartlett v. Strickland*, 129 S.Ct. 1231 (2009).

1. One person, one vote

All of our districts have been constructed with sufficient population so that they are within plus or minus 5% of the ideal population for state senate districts (190,710) and state house districts (79,462).

2. Voting Rights Act districts (“VRA districts”)

We have explained our understanding of the Voting Rights Act in our statement issued on June 17, 2011. In our original plans, we proposed nine majority black Senate districts and twenty four majority black House districts. “Majority” means in excess of 50% as required by the *Strickland* decision and affirmed by the US Supreme Court.

Based upon comments we received during the public hearing process, we have made several changes in our proposed VRA districts. For example, in the House plan, we elected to delete a majority black district we had proposed for southeastern North Carolina based upon the strong statements opposing such a district, including from the Southern Coalition for Social Justice (“SCSJ”) as part of the broader Alliance for Fair Redistricting and Minority Voting Rights. The remaining 23 districts with a majority of black voting age population (“BVAP”) combined with two over 40% BVAP districts, continue to provide black voters with a substantially proportional and equal opportunity to elect candidates of their choice. See *Johnson v DeGrandy*, 512 U.S. 997 (1994). Creating these districts also provides the State with a strong



argument for preclearance of the plans under Section 5 of the Voting Rights Act. Federal Register Vol. 76, no. 27 at 7471; Report by the United States House of Representatives, Committee on the Judiciary, 109<sup>th</sup> Congress, 2d Session, Report 109-478 at 68-72 (2006); *Beer v. United States*, 425 U.S. 130 (1976).

Consistent with feedback provided at the public hearings or in person and as permitted by law, we have also made other changes in our proposed House VRA districts affecting Rep. Mobley, Rep. Gill, Rep. Earle, and the elimination of the southeastern district described above.

In the Senate, we have made two significant changes. Hoke and Cumberland Counties have been combined to form a majority black district (District 21). In the 2003 Senate plan, minorities in Hoke County were included in District 13 which was a mixed minority district which has elected a white Senator. Under our revised proposal, the black community in Hoke will now be part of a cohesive majority black district which should be able to elect a candidate of the minority community's choice. Both Cumberland and Hoke are covered by Section 5 of the Voting Rights Act.

We have also elected to change our proposed Senate District 32 in Forsyth County to create a district with a percentage of BVAP (42.53%) which exceeds the percentage suggested for that district by the SCSJ.

Several of our critics have incorrectly argued that our plans "pack" African American voters. We have repeatedly asked Democratic leaders and others to provide a legal case which defines "packing" as either a majority black district or creating enough districts to give black voters a substantially equal and proportional opportunity to elect candidates of their choice. To date, we have not received any case citations to this effect from any of our critics. Regardless, in 1982, these same arguments were considered and rejected by Congress when it amended Section 2 of the Voting Rights Act. See *Gingles v. Edmisten*, 590 F. Supp. 345, 356-357 (E.D. N.C. 1984) (Phillips, J.), *affirmed*, *Thornburg v. Gingles*, 478 U.S. 30 (1986).



Since March 17, 2011, we have repeatedly requested Democratic leaders and members of the minority community to provide us with proposed redistricting plans. To date, only the SCSJ has submitted alternative plans. In prior testimony, Anita Earls, Executive Director of the SCSJ, advised us that majority black districts are still needed in the State of North Carolina. Consistent with that testimony, the SCSJ has proposed nine senate districts with a BVAP from 40% to over 50%, twenty house districts with a BVAP from 40% to over 50%, and one house district with a BVAP of 37.06%. Even though all of the SCSJ districts have been drawn to achieve a specific level of black population, no one has accused the SCSJ of packing black voters.

There are two major differences between the SCSJ minority districts and our proposed VRA districts.

First, we have complied, as we must, with the holding by the United States Supreme Court and the North Carolina Supreme Court in *Strickland v Bartlett*, 361 N.C. 491 (2007), *affirmed*, *Bartlett v Strickland*, 129 U.S. 1231 (2009). These decisions require that districts drawn to insulate the State from liability under the Voting Rights Act must be drawn with a black voting age population in excess of 50% plus one.

Five of the nine districts SCSJ contends are “VRA” senate districts are drawn at majority black levels while four are drawn at levels above 40% BVAP. We have proposed ten senate districts with nine of those districts drawn at majority levels. We agree with the SCSJ that our tenth senate district, District 32, cannot be drawn within Forsyth County in excess of 50% plus one.

The SCSJ has also proposed eleven majority black house districts, nine house districts with black populations in excess of 40%, and one house district with black population at 37.5%. We have drawn all of our house districts at levels above 50% except for two districts in Forsyth



County. We again agree with the position of the SCSJ that two majority BVAP districts cannot be drawn in Forsyth County.

Aside from the lack of black population in Forsyth County, which prevents a majority black senate district and two majority black house districts, in light of *Bartlett*, we see no principled legal reason not to draw all VRA districts at the 50% or above level when it is possible to do so. Now that it is apparent that these majority black districts can be drawn, any decision to draw a few selected districts at less than a majority level could be used as evidence of purposeful discrimination or in support of claims against the State filed under Section 2. Thus, in order to best protect the State from costly and unnecessary litigation, we have a legal obligation to draw these districts at true majority levels.

Second, we have a disagreement with the SCSJ regarding the number of majority black districts that should be drawn in each map. SCSJ has proposed nine districts it contends are “VRA” senate districts as compared to the ten districts in our proposed senate plan. In the House, the SCSJ has recommended 21 districts it contends are “VRA” districts as compared to the 25 districts we have suggested. Our proposed plan provides black voters in North Carolina with substantial or rough proportionality in the number of VRA districts in which they have an equal opportunity to elect their preferred candidates of choice. Our plans, therefore, give the State an important defense to any lawsuit that might be filed challenging the plans under Section 2 of the Voting Rights Act. *See Johnson v DeGrandy*, 512 U.S. 997 (1994). The plans proposed by the SCSJ fail to give black voters a proportional and equal opportunity and therefore would not provide the State with this defense.

3. State Constitutional requirements

Our senate and house plans have been drawn in compliance with the State constitutional requirements stated in *Stephenson I* and *II*, along with the decision of the North Carolina



Supreme Court in *Strickland v Bartlett*, 361 N.C. 491 (2007), *affirmed*, *Bartlett v Strickland*, 109 S.Ct. 1231 (2009). These decisions establish a hierarchy of constitutional rules for drawing districts within a whole county or combinations of counties. We encourage interested members of the public to consult these decisions as well as the *Legislator's Guide to North Carolina Legislative and Congressional Redistricting* published on the General Assembly's website.

We look forward to hearing comments and suggestions related to these proposed legislative maps during the public hearing scheduled for July 18, 2011.



# **EXHIBIT O**



Appendix 6:  
Racially Contested State  
Legislative District Elections  
2006-2011 (with District  
Demographic Data)



### Recent Elections of African-American Officials from Non-Majority Black Districts

Year	District	Representative	Race	Racially Contested Election?	District BVAP%	Winner % of Vote	Record Citation
2008	HD 5	Annie Mobley	Black	N	48.76%	-	Churchill Depo. Ex. 83, p. 22
2010	HD 5	Annie Mobley	Black	Y	48.76%	58.99%	Churchill Depo. Ex. 83, p. 43
2006	HD 12	William Wainwright	Black	Y	47.09%	66.28%	Churchill Depo. Ex. 83, p. 5
2008	HD 12	William Wainwright	Black	Y	47.09%	69.14%	Churchill Depo. Ex. 83, p. 25
2010	HD 12	William Wainwright	Black	Y	47.09%	60.21%	Churchill Depo. Ex. 83, p. 47
2006	HD 18	Thomas Wright	Black	Y (prim)	39.09%	67.84%	Churchill Depo. Ex. 83, p. 6
2008	HD 18	Sandra Hughes	Black	Y	39.09%	67.18%	Churchill Depo. Ex. 83, p. 26
2006	HD 21	Larry Bell	Black	N	47.94%	-	Churchill Depo. Ex. 83, p. 7
2008	HD 21	Larry Bell	Black	N	47.94%	-	Churchill Depo. Ex. 83, p. 27
2006	HD 29	Larry Hall	Black	Y (prim)	44.12%	55.47%	Churchill Depo. Ex. 83, p. 10
2008	HD 29	Larry Hall	Black	Y	44.12%	90.73%	Churchill Depo. Ex. 83, p. 29
2010	HD 29	Larry Hall	Black	N	44.12%	-	Churchill Depo. Ex. 83, p. 49
2006	HD 31	Mickey Michaux	Black	N	44.20%	-	Churchill Depo. Ex. 83, p. 11



2008	HD 31	Mickey Michaux	Black	N	44.20%	-	Churchill Depo. Ex. 83, p. 30
2010	HD 31	Mickey Michaux	Black	Y	44.20%	75.50%	Churchill Depo. Ex. 83, p. 50
2006	HD 33	Bernard Allen	Black	N	49.19%	-	Churchill Depo. Ex. 83, p. 12
2008	HD 33	Dan Blue	Black	Y	49.19%	81.85%	Churchill Depo. Ex. 83, p. 31
2010	HD 33	Rosa Gill	Black	Y	49.19%	77.79%	Churchill Depo. Ex. 83, p. 51
2006	HD 39	Linda Coleman	Black	Y	26.70%	58.73%	Churchill Depo. Ex. 83, p. 66
2008	HD 39	Linda Coleman	Black	Y	26.70%	64.24%	Churchill Depo. Ex. 83, p. 68
2006	HD 41	Ty Harrell	Black	Y	8.30%	51.64%	Churchill Depo. Ex. 83, p. 79
2008	HD 41	Ty Harrell	Black	Y	8.30%	53.77%	Churchill Depo. Ex. 83, p. 81
2006	HD 42	Marvin Lucas	Black	N	43.94%	-	Churchill Depo. Ex. 83, p. 13
2008	HD 42	Marvin Lucas	Black	N	43.94%	-	Churchill Depo. Ex. 83, p. 32
2010	HD 42	Marvin Lucas	Black	N	43.94%	-	Churchill Depo. Ex. 83, p. 53
2006	HD 43	Mary McAllister	Black	N	47.75%	-	Churchill Depo. Ex. 83, p. 15
2008	HD 43	Elmer Floyd	Black	N	47.75%	93.31%	Churchill Depo. Ex. 83, p. 33
2006	HD 48	Garland Pierce	Black	N	45.24%	-	Churchill Depo. Ex. 83, p. 16
2008	HD 48	Garland Pierce	Black	N	45.24%	-	Churchill



							Depo. Ex. 83, p. 36
2010	HD 48	Garland Pierce	Black	Y	45.24%	74.80%	Churchill Depo. Ex. 83, p. 55
2006	HD 72	Earline Parmon	Black	N	42.93%	-	Churchill Depo. Ex. 83, p. 20
2008	HD 72	Earline Parmon	Black	N	42.93%	-	Churchill Depo. Ex. 83, p. 40
2010	HD 72	Earline Parmon	Black	Y	42.93%	69.48%	Churchill Depo. Ex. 83, p. 59
2008	HD 99	Nick Mackey	Black	Y (prim)	27.74%	65.32%	Churchill Depo. Ex. 83, p. 70
2010	HD 99	Rodney Moore	Black	Y	27.74%	72.01%	Churchill Depo. Ex. 83, p. 74
2006	SD 4	Robert Holloman	Black	Y	49.14%	69.67%	Churchill Depo. Ex. 82, p. 4
2008	SD 4	Edward Jones	Black	N	49.14%	-	Churchill Depo. Ex. 82, p. 11
2008	SD 5	Don Davis	Black	Y	30.14%	52.90%	Churchill Depo. Ex. 82, p. 29
2008	SD 14	Vernon Malone	Black	Y	41.01%	69.45%	Churchill Depo. Ex. 82, p. 13
2010	SD 14	Dan Blue	Black	Y	41.01%	65.92%	Churchill Depo. Ex. 82, p. 21
2006	SD 20	Jeanne Lucas	Black	N	44.58%	-	Churchill Depo. Ex. 82, p. 6
2008	SD 20	Floyd McKissick	Black	Y	44.58%	73.58%	Churchill Depo. Ex. 82, p. 14
2010	SD 20	Floyd McKissick	Black	Y	44.58%	73.11%	Churchill Depo. Ex. 82, p. 22
2008	SD 21	Larry Shaw	Black	N	41.00%	-	Churchill Depo. Ex. 82,



							p. 15
2010	SD 21	Eric Mansfield	Black	Y	41.00%	67.61%	Churchill Depo. Ex. 82, p. 23
2006	SD 24	Tony Foriest	Black	Y (prim)	20.79%	70.06%	Churchill Depo. Ex. 82, p. 36
2008	SD 24	Tony Foriest	Black	Y	20.79%	52.51%	Churchill Depo. Ex. 82, p. 39
2006	SD 28	Katie Dorsett	Black	N	44.18%	-	Churchill Depo. Ex. 82, p. 8
2008	SD 28	Katie Dorsett	Black	N	44.18%	-	Churchill Depo. Ex. 82, p. 16
2010	SD 28	Gladys Robinson	Black	Y	44.18%	47.38% [black (I) candidate received 13.47%]	Churchill Depo. Ex. 82, p. 24
2006	SD 38	Charlie Dannelly	Black	N	47.69%	-	Churchill Depo. Ex. 82, p. 9
2008	SD 38	Charlie Dannelly	Black	Y	47.69%	73.33%	Churchill Depo. Ex. 82, p. 17
2010	SD 38	Charlie Dannelly	Black	N	47.69%	-	Churchill Depo. Ex. 82, p. 26
2006	SD 40	Malcolm Graham	Black	Y	31.11%	61.48%	Churchill Depo. Ex. 82, p. 28
2008	SD 40	Malcolm Graham	Black	Y	31.11%	66.96%	Churchill Depo. Ex. 82, p. 31
2010	SD 40	Malcolm Graham	Black	Y	31.11%	58.16%	Churchill Depo. Ex. 82, p. 34
1998	CD 1	Eva Clayton	Black	Y	46.54%	62.24%	Churchill Depo. Ex. 81, p. 10
2000	CD 1	Eva Clayton	Black	Y	46.54%	66%	Churchill Depo. Ex. 81, p. 12
2002	CD 1	Frank Ballance	Black	Y	47.76%	63.73%	Churchill



							Depo. Ex. 81, p. 15
2004	CD 1	G.K. Butterfield	Black	Y	47.76%	63.97%	Churchill Depo. Ex. 81, p. 17
2006	CD 1	G.K. Butterfield	Black	N	47.76%	-	Churchill Depo. Ex. 81, p. 20
2008	CD 1	G.K. Butterfield	Black	Y	47.76%	70.28%	Churchill Depo. Ex. 81, p. 24
2010	CD 1	G.K. Butterfield	Black	Y	47.76%	59.31%	Churchill Depo. Ex. 81, p. 26
1998	CD 12	Mel Watt	Black	Y	32.56%	55.95%	Churchill Depo. Ex. 81, p. 11
2000	CD 12	Mel Watt	Black	Y	43.36%	65%	Churchill Depo. Ex. 81, p. 14
2002	CD 12	Mel Watt	Black	Y	42.31%	65.34%	Churchill Depo. Ex. 81, p. 16
2004	CD 12	Mel Watt	Black	Y (prim)	42.31%	66.82%	Churchill Depo. Ex. 81, p. 19
2006	CD 12	Mel Watt	Black	N	42.31%	-	Churchill Depo. Ex. 81, p. 22
2008	CD 12	Mel Watt	Black	Y	42.31%	71.55%	Churchill Depo. Ex. 81, p. 25
2010	CD 12	Mel Watt	Black	Y	42.31%	63.88%	Churchill Depo. Ex. 81, p. 29



### Recent Elections of African-American Officials from Majority White Districts

Year	District	Representative	Race	Racially Contested Election?	District WVAP%	Record Citation
2006	HD 18	Thomas Wright	Black	Y (prim)	57.73%	Churchill Depo. Ex. 83, p. 6
2008	HD 18	Sandra Hughes	Black	Y	57.73%	Churchill Depo. Ex. 83, p. 26
2006	HD 39	Linda Coleman	Black	Y	67.68%	Churchill Depo. Ex. 83, p. 66
2008	HD 39	Linda Coleman	Black	Y	67.68%	Churchill Depo. Ex. 83, p. 68
2006	HD 41	Ty Harrell	Black	Y	82.85%	Churchill Depo. Ex. 83, p. 79
2008	HD 41	Ty Harrell	Black	Y	82.85%	Churchill Depo. Ex. 83, p. 81
2006	HD 72	Earline Parmon	Black	N	51.33%	Churchill Depo. Ex. 83, p. 20
2008	HD 72	Earline Parmon	Black	N	51.33%	Churchill Depo. Ex. 83, p. 40
2010	HD 72	Earline Parmon	Black	Y	51.33%	Churchill Depo. Ex. 83, p. 59
2008	HD 99	Nick Mackey	Black	Y (prim)	62.20%	Churchill Depo. Ex. 83, p. 70
2010	HD 99	Rodney Moore	Black	Y	62.20%	Churchill Depo. Ex. 83, p. 74
2008	SD 14	Vernon Malone	Black	Y	51.84%	Churchill Depo. Ex. 82, p. 13
2010	SD 14	Dan Blue	Black	Y	51.84%	Churchill Depo. Ex. 82, p. 21
2006	SD 24	Tony Foriest	Black	Y (prim)	75.17%	Churchill Depo. Ex. 82, p. 36
2008	SD 24	Tony Foriest	Black	Y	75.17%	Churchill Depo. Ex. 82, p. 39
2006	SD 40	Malcolm Graham	Black	Y	59.89%	Churchill Depo. Ex. 82, p. 28
2008	SD 40	Malcolm Graham	Black	Y	59.89%	Churchill Depo. Ex. 82, p. 31
2010	SD 40	Malcolm Graham	Black	Y	59.89%	Churchill Depo. Ex. 82, p. 34
2008	SD 5	Don Davis	Black	Y	65.13%	Churchill Depo. Ex. 82, p. 29
2006	SD 28	Katie Dorsett	Black	N	50.74%	Churchill Depo. Ex. 82, p. 8



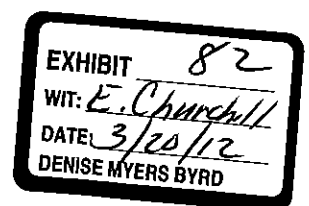
2008	SD 28	Katie Dorsett	Black	N	50.74%	Churchill Depo. Ex. 82, p. 16
2010	SD 28	Gladys Robinson	Black	Y	50.74%	Churchill Depo. Ex. 82, p. 24
1998	CD 1	Eva Clayton	Black	Y	52.42%	Churchill Depo. Ex. 81, p. 10
2000	CD 1	Eva Clayton	Black	Y	52.42%	Churchill Depo. Ex. 81, p. 12
1998	CD 12	Mel Watt	Black	Y	65.85%	Churchill Depo. Ex. 81, p. 11
2000	CD 12	Mel Watt	Black	Y	55.05%	Churchill Depo. Ex. 81, p. 14
2002	CD 12	Mel Watt	Black	Y	50.57%	Churchill Depo. Ex. 81, p. 16
2004	CD 12	Mel Watt	Black	Y (prim)	50.57%	Churchill Depo. Ex. 81, p. 19
2006	CD 12	Mel Watt	Black	N	50.57%	Churchill Depo. Ex. 81, p. 22
2008	CD 12	Mel Watt	Black	Y	50.57%	Churchill Depo. Ex. 81, p. 25
2010	CD 12	Mel Watt	Black	Y	50.57%	Churchill Depo. Ex. 81, p. 29



# **EXHIBIT P**



Senate Legislative Races  
With Minority Candidates  
2006-2010





2006-2010 Senate Races  
with Minority Candidates  
in Legislative Districts with  
Greater than  
40% Total Minority Population



2006 - Senate District 3

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Samuel Clark Jenkins	2006	Senate 3	Primary (D)	White	Winner	Democrat	7,969	64.28%
Shelly Willingham	2006	Senate 3	Primary (D)	Black	Defeated	Democrat	4,429	35.72%

District 3	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2006	153,002	71,540	76,503	641	77,144	363	594	2,760	1,242
	100.00%	46.76%	50.00%	0.42%	50.00%	0.24%	0.39%	1.80%	0.81%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Multi-Race
	112,547	56,742	52,607	276	52,883	274	465	1,792	667
	100.00%	50.42%	46.74%	0.25%	46.99%	0.24%	0.41%	1.59%	0.59%
Counties:	Edgecombe	Pitt	Martin						
Includes Section 5									
County:	Yes								



2006 - Senate District 4

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Kenneth R. Chandler	2006	Senate 4	General	No Available Record	Defeated	Republican	8,312	30.33%
Robert L. Holloman	2006	Senate 4	General	Black	Winner	Democrat	19,031	69.67%

District 4	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2006	158,240	71,757	81,813	617	82,430	2,335	559	678	1,098
	100.00%	45.35%	51.70%	0.39%	52.09%	1.48%	0.35%	0.43%	0.69%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	118,092	57,223	57,716	319	58,035	1,669	412	426	646
	100.00%	48.46%	48.87%	0.27%	49.14%	1.41%	0.35%	0.36%	0.55%
Counties:	Halifax	Bertie	Northampton	Hertford	Gates	Chowan	Perquimans		
Includes Section 5									
County:	Yes								



2006 - Senate District 13

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
R. Benjamin Clark III	2006	Senate 13	Primary (D)	Black	Defeated	Democrat	6,389	34.96%
David F. Weinstein	2006	Senate 13	Primary (D)	White	Winner	Democrat	11,884	65.04%

District 13	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2006	156,985	55,442	43,637	697	44,334	50,748	811	3,837	2,460
	100.00%	35.32%	27.80%	0.44%	28.24%	32.33%	0.52%	2.48%	1.57%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	111,129	42,810	29,349	222	29,571	34,480	616	2,706	1,168
	100.00%	38.52%	26.41%	0.20%	26.61%	31.03%	0.55%	2.44%	1.05%
Counties:	Hoke	Robeson							
Includes Section 5									
County:	Yes								



2006 - Senate District 20

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Jeanne H. Lucas*	2006	Senate 20	General	Black	Winner	Democrat	26,760	100%

District 20	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2006	152,995	68,158	72,713	1,156	73,869	462	2,411	6,761	2,490
	100.00%	44.55%	47.53%	0.76%	48.28%	0.30%	1.58%	4.42%	1.63%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Multi-Race
	115,413	55,607	50,824	626	51,450	350	1,981	5,053	1,598
	100.00%	48.18%	44.04%	0.54%	44.58%	0.30%	1.72%	4.38%	1.38%
Counties:	Durham								
Includes Section 5									
County:	No								



2006 - Senate District 21

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Eronomy (Mohammed) Neon Smith	2006	Senate 21	Primary (D)	Black	Defeated	Democrat	138	2.33%
Larry Shaw	2006	Senate 21	Primary (D)	Black	Winner	Democrat	3,384	57.11%
Curtis Worthy	2006	Senate 21	Primary (D)	Black	Defeated	Democrat	2,403	40.56%
Juanita M. Gonzalez	2006	Senate 21	Primary (R)	White	Winner	Republican	679	59.56%
Richard D. Evans	2006	Senate 21	Primary (R)	Two or more races	Defeated	Republican	461	40.44%

District 21	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2006	167,581	78,235	70,384	3,032	73,416	1,483	4,610	6,729	6,140
	100.00%	46.68%	42.00%	1.81%	43.81%	0.88%	2.75%	4.02%	3.66%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Multi-Race
	120,898	60,165	48,347	1,226	49,573	1,097	3,713	4,566	3,010
	100.00%	49.77%	39.99%	1.01%	41.00%	0.91%	3.07%	3.78%	2.49%
Counties:	Cumberland								
Includes Section 5 County:	Yes								



2006 - Senate District 28

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Katie G. Dorsett	2006	Senate 28	Primary (D)	Black	Winner	Democrat	3,025	88.71%
Carlton Roberson	2006	Senate 28	Primary (D)	Black	Defeated	Democrat	385	11.29%

District 28	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2006	157,613	75,473	72,224	1,084	73,308	761	3,915	2,953	2,287
	100.00%	47.89%	45.82%	0.69%	46.51%	0.48%	2.48%	1.87%	1.45%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Multi-Race
	116,685	59,206	51,007	542	51,549	548	2,670	1,936	1,318
	100.00%	50.74%	43.71%	0.46%	44.18%	0.47%	2.29%	1.66%	1.13%
Counties: Includes Section 5	Guiford								
County:	Yes								



2006 - Senate District 38

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Charlie Dannelly	2006	Senate 38	General	Black	Winner	Democrat	20,372	100%

District 38	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2006	163,463	69,241	81,828	1,117	82,945	686	4,617	4,430	2,661
	100.00%	42.36%	50.06%	0.68%	50.71%	0.42%	2.82%	2.71%	1.63%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	119,741	54,647	56,538	568	57,106	503	3,203	3,162	1,688
	100.00%	45.64%	47.22%	0.47%	47.69%	0.42%	2.67%	2.64%	1.41%
Counties:	Mecklenburg								
Includes Section 5									
County:	No								



2008 - Senate District 3

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Henry Williams, II	2008	Senate 3	Primary (D)	Black	Defeated	Democrat	2,652	8.28%
Samuel Clark Jenkins	2008	Senate 3	Primary (D)	White	Winner	Democrat	16,187	50.52%
Shelly Willingham	2008	Senate 3	Primary (D)	Black	Defeated	Democrat	13,200	41.20%

District 3	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	153,002	71,540	76,503	641	77,144	363	594	2,760	1,242
	100.00%	46.76%	50.00%	0.42%	50.00%	0.24%	0.39%	1.80%	0.81%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	112,547	56,742	52,607	276	52,883	274	465	1,792	667
	100.00%	50.42%	46.74%	0.25%	46.99%	0.24%	0.41%	1.59%	0.59%
Counties:	Edgecombe	Pitt	Martin						
Includes Section 5									
County:	Yes								



2008 - Senate District 4

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Edward Jones	2008	Senate 4	General	Black	Winner	Democrat	57,429	100%

District 4	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	158,240	71,757	81,813	617	82,430	2,335	559	678	1,098
	100.00%	45.35%	51.70%	0.39%	52.09%	1.48%	0.35%	0.43%	0.69%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	118,092	57,223	57,716	319	58,035	1,669	412	426	646
	100.00%	48.46%	48.87%	0.27%	49.14%	1.41%	0.35%	0.36%	0.55%
Counties:	Halifax	Bertie	Northampton	Hertford	Gates	Chowan	Perquimans		
Includes Section	Yes								



2008 - Senate District 13

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
R. Benjamin Clark III	2008	Senate 13	Primary (D)	Black	Defeated	Democrat		38.83%
David F. Weinstein	2008	Senate 13	Primary (D)	White	Winner	Democrat		61.17%

District 13	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	156,985	55,442	43,637	697	44,334	50,748	811	3,887	2,460
	100.00%	35.32%	27.80%	0.44%	28.24%	32.33%	0.52%	2.48%	1.57%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	111,129	42,810	29,349	222	29,571	34,480	616	2,706	1,168
	100.00%	38.52%	26.41%	0.20%	26.61%	31.03%	0.55%	2.44%	1.05%
Counties:	Hoke	Robeson							
Includes Section 5									
County:	Yes								



2008 - Senate District 14

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Ann House Akland	2008	Senate 14	Primary (D)	White	Defeated	Democrat	11,383	28.50%
Vernon Malone	2008	Senate 14	Primary (D)	Black	Winner	Democrat	28,564	71.50%
Vernon Malone	2008	Senate 14	General	Black	Winner	Democrat	67,823	69.45%
Carol B. Dalenko	2008	Senate 14	General	White	Defeated	Republican	29,835	30.55%

District 14	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	152,942	75,564	64,728	1,363	66,091	597	2,842	6,377	2,834
	100.00%	49.41%	42.32%	0.89%	43.21%	0.39%	1.86%	4.17%	1.85%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	111,167	57,633	44,952	640	45,592	436	2,089	4,475	1,582
	100.00%	51.84%	40.44%	0.58%	41.01%	0.39%	1.88%	4.03%	1.42%
Counties:	Wake								
Includes Section 5									
County:	No								



2008 - Senate District 20

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Ryan O'Neal Echoles	2008	Senate 20	Primary (D)	Black	Defeated	Democrat	9,542	22.80%
Floyd B. McKissick, Jr.	2008	Senate 20	Primary (D)	Black	Winner	Democrat	32,313	77.20%
Floyd B. McKissick, Jr.	2008	Senate 20	General	Black	Winner	Democrat	64,178	73.58%
Kenneth R. Chandler	2008	Senate 20	General	No Available Record	Defeated	Republican	19,666	22.55%
David C. Rollins	2008	Senate 20	General	White	Defeated	Libertarian	3,377	3.87%

District 20	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2008	152,995	68,158	72,713	1,156	73,869	462	2,411	6,761	2,490
	100.00%	44.55%	47.53%	0.76%	48.28%	0.30%	1.58%	4.42%	1.63%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Multi-Race
	115,413	55,607	50,824	626	51,450	350	1,981	5,053	1,598
	100.00%	48.18%	44.04%	0.54%	44.58%	0.30%	1.72%	4.38%	1.38%
Counties:	Durham								
Includes Section 5									
County:	No								



2008 - Senate District 21

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Ermony (Mohammed) Neon Smith	2008	Senate 21	Primary (D)	Black	Defeated	Democrat	4,501	18.93%
Larry Shaw	2008	Senate 21	Primary (D)	Black	Winner	Democrat	19,274	81.07%
Larry Shaw	2008	Senate 21	General	Black	Winner	Democrat	48,430	100.00%

District 21	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	167,581	78,235	70,384	3,032	73,416	1,483	4,610	6,729	6,140
	100.00%	46.68%	42.00%	1.81%	43.81%	0.88%	2.75%	4.02%	3.66%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	120,898	60,165	48,347	1,226	49,573	1,097	3,713	4,566	3,010
	100.00%	49.77%	39.95%	1.01%	41.00%	0.91%	3.07%	3.78%	2.49%
Counties:	Cumberland								
Includes Section 5 County:	Yes								



2008 - Senate District 28

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Bruce Edward Davis, Sr.	2008	Senate 28	Primary (D)	Black	Defeated	Democrat	11,083	35.05%
Katie G. Dorsett	2008	Senate 28	Primary (D)	Black	Winner	Democrat	20,534	64.95%
Katie G. Dorsett	2008	Senate 28	General	Black	Winner	Democrat	61,911	100%

District 28	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	157,613	75,473	72,224	1,084	73,308	761	3,915	2,953	2,287
	100.00%	47.89%	45.82%	0.69%	46.51%	0.48%	2.48%	1.87%	1.45%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	116,685	59,206	51,007	542	51,549	548	2,670	1,936	1,318
	100.00%	50.74%	43.71%	0.46%	44.18%	0.47%	2.29%	1.66%	1.13%
Counties:	Gulford								
Includes Section 5									
County:	Yes								



2008 - Senate District 38

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Charlie Dannelly	2008	Senate 38	General	Black	Winner	Democrat	67,755	73.33%
James R. Soder	2008	Senate 38	General	White	Defeated	Republican	22,056	23.87%
C. Travis Wheat	2008	Senate 38	General	White	Defeated	Libertarian	2,588	2.80%

District 38	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	163,463	69,241	81,828	1,117	82,945	686	4,617	4,430	2,661
	100.00%	42.36%	50.06%	0.68%	50.71%	0.42%	2.82%	2.71%	1.63%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	119,741	54,647	56,538	568	57,106	503	3,203	3,162	1,688
	100.00%	45.64%	47.22%	0.47%	47.69%	0.42%	2.67%	2.64%	1.41%
Counties:	Mecklenburg								
Includes Section 5									
County:	No								



2010 - Senate District 3

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Frankie L. Bordeaux	2010	Senate 3	Primary (D)	Black	Defeated	Democrat	7,119	38.01%
Florence A. Armstrong	2010	Senate 3	Primary (D)	Black	Defeated	Democrat	2,295	12.26%
Clark Jenkins	2010	Senate 3	Primary (D)	White	Winner	Democrat	9,313	49.73%
Henry Williams*	2010	Senate 3	Primary (R)	Black	Defeated	Republican	530	23.69%
C.B. Daughtridge*	2010	Senate 3	Primary (R)	White	Winner	Republican	1,707	76.31%

District 3	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2010	153,002	71,540	76,503	641	77,144	363	594	2,760	1,242
	100.00%	46.76%	50.00%	0.42%	50.00%	0.24%	0.39%	1.80%	0.81%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Multi-Race
	112,547	56,742	52,607	276	52,883	274	465	1,792	667
	100.00%	50.42%	46.74%	0.25%	46.99%	0.24%	0.41%	1.59%	0.59%
Counties:	Edgecombe	Pitt	Martin						
Includes Section 5 County:	Yes								



2010 - Senate District 4

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Edward Jones	2010	Senate 4	Primary (D)	No Available Record	Winner	Democrat	14,000	82.41%
James C. Ferguson, Sr.	2010	Senate 4	Primary (D)	Black	Defeated	Democrat	2,988	17.59%

District 4	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2010	158,240	71,757	81,813	617	82,430	2,335	559	678	1,098
	100.00%	45.35%	51.70%	0.39%	52.09%	1.48%	0.35%	0.43%	0.69%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	118,092	57,223	57,716	319	58,035	1,669	412	426	646
	100.00%	48.46%	48.87%	0.27%	49.14%	1.41%	0.35%	0.36%	0.55%
Countries:	Halifax	Bertie	Northampton	Hertford	Gates	Chowan	Perquimans		
Includes Section 5	Yes								



2010 - Senate District 13

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Michael P. Walters	2010	Senate 13	Primary (D)	White	Winner	Democrat	13,559	68.87%
Robert B. Clark, III	2010	Senate 13	Primary (D)	Black	Defeated	Democrat	6,129	31.13%

District 13	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2010	156,985	55,442	43,637	697	44,334	50,748	811	3,887	2,460
	100.00%	35.32%	27.80%	0.44%	28.24%	32.33%	0.52%	2.48%	1.57%
Total VAP	111,129	42,810	29,349	222	29,571	34,480	616	2,706	1,168
	100.00%	38.52%	26.41%	0.20%	26.61%	31.03%	0.55%	2.44%	1.05%
Counties:	Hoke	Robeson							
Includes Section 5	Yes								
County:									



2010 - Senate District 14

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Daniel T. Blue, Jr.	2010	Senate 14	General	Black	Winner	Democrat	40,746	65.92%
Geoffrey M. Hurlburt	2010	Senate 14	General	Two or more races	Defeated	Republican	21,067	34.08%

District 14	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2010	152,942	75,564	64,728	1,363	66,091	597	2,842	6,377	2,834
	100.00%	49.41%	42.32%	0.89%	43.21%	0.39%	1.86%	4.17%	1.85%
Total VAP	111,167	57,633	44,952	640	45,592	436	2,089	4,475	1,582
	100.00%	51.84%	40.44%	0.58%	41.01%	0.39%	1.88%	4.03%	1.42%
Countries:	Wake								
Includes Section 5 County:	No								



2010 - Senate District 20

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Floyd B. McKissick, Jr.	2010	Senate 20	General	Black	Winner	Democrat	38,309	73.11%
John P. Tarrantino, Jr.	2010	Senate 20	General	Other	Defeated	Republican	14,092	26.89%

District 20	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2010	152,995	68,158	72,713	1,156	73,869	462	2,411	6,761	2,490
	100.00%	44.55%	47.53%	0.76%	48.28%	0.30%	1.58%	4.42%	1.63%
Total VAP	115,413	55,607	50,824	626	51,450	350	1,981	5,053	1,598
	100.00%	48.18%	44.04%	0.54%	44.58%	0.30%	1.72%	4.38%	1.38%
Countries:	Durham								
Includes Section 5 County:	No								



2010 - Senate District 21

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Curtis Worthy	2010	Senate 21	Primary (D)	Black	Defeated	Democrat	1,978	24.44%
Eugene Slackhouse	2010	Senate 21	Primary (D)	Black	Defeated	Democrat	533	6.59%
Eric L. Mansfield	2010	Senate 21	Primary (D)	Black	Winner	Democrat	2,813	34.76%
Robert L. Evans	2010	Senate 21	Primary (D)	Black	Defeated	Democrat	454	5.61%
Lula G. Greshaw	2010	Senate 21	Primary (D)	Black	Defeated	Democrat	2,315	28.60%
Eric L. Masfield	2010	Senate 21	General	Black	Winner	Democrat	21,004	67.61%
Wade R. Fowler, Jr.	2010	Senate 21	General	White	Defeated	Republican	10,062	32.39%

District 21	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2010	167,581	78,235	70,384	3,032	73,416	1,483	4,610	6,729	6,140
	100.00%	46.68%	42.00%	1.81%	43.81%	0.88%	2.75%	4.02%	3.66%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	120,898	60,165	48,347	1,226	49,573	1,097	3,713	4,566	3,010
	100.00%	49.77%	39.99%	1.01%	41.00%	0.91%	3.07%	3.78%	2.49%
Counties:	Cumberland								
Includes Section 5									
County:	Yes								



2010 - Senate District 28

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Gladys A. Robinson	2010	Senate 28	Primary (D)	Black	Winner	Democrat	4,702	74.65%
Evelyn W. Miller	2010	Senate 28	Primary (D)	Black	Defeated	Democrat	1,597	25.35%
Gladys A. Robinson	2010	Senate 28	General	Black	Winner	Democrat	21,496	47.38%
Trudy L. Wade	2010	Senate 28	General	White	Defeated	Republican	17,383	38.69%
Bruce Edward Davis, Sr.	2010	Senate 28	General	Black	Defeated	Unaffiliated	6,054	13.47%

District 28	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2010	157,613	75,473	72,224	1,084	73,308	761	3,915	2,953	2,287
	100.00%	47.89%	45.82%	0.69%	46.51%	0.48%	2.48%	1.87%	1.45%
Total VAP	116,685	59,206	51,007	542	51,549	548	2,670	1,936	1,318
	100.00%	50.74%	43.71%	0.46%	44.18%	0.47%	2.29%	1.66%	1.13%
Counties:	Guilford								
Includes Section 5 County:	Yes								



2010 - Senate District 32

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Edward Francis Hanes, Jr.	2010	Senate 32	Primary (D)	Black	Defeated	Democrat	1,155	18.66%
Linda D. Garrou	2010	Senate 32	Primary (D)	White	Winner	Democrat	5,036	81.34%

District 32	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2010	153,042	73,174	67,466	1,381	68,847	553	1,443	7,815	2,591
	100.00%	47.81%	44.08%	0.90%	44.90%	0.36%	0.94%	5.11%	1.69%
Total VAP	116,216	60,549	47,391	741	48,132	399	1,143	5,150	1,584
	100.00%	52.10%	40.78%	0.64%	41.42%	0.34%	0.98%	4.43%	1.36%
Counties:	Forsyth								
Includes Section 5 County:	No								



2010 - Senate District 38

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Charlie Dannelly	2010	Senate 38	General	Black	Winner	Democrat	33,692	68.67%
Cedric Scott	2010	Senate 38	General	Black	Defeated	Republican	15,369	31.33%

District 38	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Am	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2010	163,463	69,241	81,828	1,117	82,945	686	4,617	4,430	2,661
	100.00%	42.36%	50.06%	0.68%	50.71%	0.42%	2.82%	2.71%	1.63%
Total VAP	119,741	54,647	56,538	568	57,106	503	3,203	3,162	1,688
	100.00%	45.64%	47.22%	0.47%	47.69%	0.42%	2.67%	2.64%	1.41%
Counties:	Mecklenburg								
Includes Section 5									
County:	No								



2006-2010 Senate Races  
with Minority Candidates  
in Legislative Districts with  
Between 30% and 40%  
Total Minority Population



2006 - Senate District 40

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Malcolm Graham	2006	Senate 40	General	Black	Winner	Democrat	21,247	61.48%
Ed Mulheren	2006	Senate 40	General	White	Defeated	Republican	13,314	38.52%

District 40	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2006	165,921	95,005	54,625	1,057	55,682	540	6,288	6,900	2,563
	100.00%	57.26%	32.92%	0.64%	33.56%	0.33%	3.79%	4.16%	1.54%
Total VAP		VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Multi-Race
	123,630	74,040	37,890	573	38,463	431	4,594	5,103	1,572
	100.00%	59.89%	30.65%	0.46%	31.11%	0.35%	3.72%	4.13%	1.27%
Countries:	Mecklenburg								
Includes Section 5									
County:	No								



2008 - Senate District 5

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Don G. Davis	2008	Senate 5	Primary (D)	Black	Winner	Democrat	10,303	35.81%
Charles Johnson	2008	Senate 5	Primary (D)	White	Defeated	Democrat	1,581	5.49%
Tony P. Moore	2008	Senate 5	Primary (D)	White	Defeated	Democrat	3,553	12.35%
Chuck Stone	2008	Senate 5	Primary (D)	White	Defeated	Democrat	2,514	8.74%
Ed Wilson	2008	Senate 5	Primary (D)	White	Defeated	Democrat	3,882	13.49%
Kathy A. Taft*	2008	Senate 5	Primary (D)	White	Defeated	Democrat	6,942	24.13%
Don G. Davis	2008	Senate 5	General	Black	Winner	Democrat	40,982	52.90%
Louis M. Pate, Jr.	2008	Senate 5	General	White	Defeated	Republican	46,493	47.10%

District 5	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	159,686	99,096	51,408	886	52,294	506	1,990	4,697	1,989
	100.00%	62.06%	32.19%	0.55%	32.75%	0.32%	1.25%	2.94%	1.25%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	121,158	78,911	36,099	412	36,511	391	1,561	3,081	1,115
	100.00%	65.13%	29.79%	0.34%	30.14%	0.32%	1.29%	2.54%	0.92%
Counties:	Wayne	Greene	Pitt						
Includes Section 5									
County:	Yes								



2008 - Senate District 25

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Betty Gholston	2008	Senate 25	Primary (D)	Black	Defeated	Democrat	10,203	35.91%
Bill Purcell	2008	Senate 25	Primary (D)	White	Winner	Democrat	18,206	64.09%

District 25	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pt	Total Pop: Other	Total Pop: Multi-Race
2008	165,937	110,443	46,601	552	47,153	4,224	1,729	1,334	1,606
	100.00%	66.56%	28.08%	0.33%	28.42%	2.55%	1.04%	0.80%	0.97%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pt	Total Pop: Other	Total Pop: Multi-Race
	122,924	85,574	31,843	226	32,069	2,828	974	836	869
	100%	69.62%	25.90%	0.18%	29.09%	2.39%	0.79%	0.68%	0.71%
Counties:	Stanly	Anson	Richmond	Scotland					
Includes Section 5									
County:	Yes								



2008 - Senate District 40

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Malcolm Graham	2008	Senate 40	General	Black	Winner	Democrat	66,307	66.96%
Mr. Ed Mulheren	2008	Senate 40	General	White	Defeated	Republican	32,711	33.04%

District 40	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2008	165,921	95,005	54,625	1,057	55,682	540	6,288	6,900	2,563
	100.00%	57.26%	32.92%	0.64%	33.56%	0.33%	3.79%	4.16%	1.54%
Total VAP	123,630	74,040	37,890	573	38,463	431	4,594	5,103	1,572
	100.00%	59.89%	30.65%	0.46%	31.11%	0.35%	3.72%	4.13%	1.27%
Counties:	Mecklenburg								
Includes Section 5									
County:	No								



2010 - Senate District 5

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Don G. Davis	2010	Senate 5	General	Black	Defeated	Democrat	21,488	45.46%
Louis M. Pate, Jr.	2010	Senate 5	General	White	Winner	Republican	25,780	54.54%

District 5	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2010	159,686	99,096	51,408	886	52,294	506	1,990	4,697	1,989
	100.00%	62.06%	32.19%	0.55%	32.75%	0.32%	1.25%	2.94%	1.25%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	121,158	78,911	36,099	412	36,511	391	1,561	3,081	1,115
	100.00%	65.13%	29.79%	0.34%	30.14%	0.32%	1.29%	2.54%	0.92%
Counties:	Wayne	Greene	Pitt						
Includes Section 5 County:	Yes								



2010 - Senate District 37

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
C. Morgan Edwards	2010	Senate 37	Primary (R)	Black	Winner	Republican	1,850	61.12%
Vince Coscia	2010	Senate 37	Primary (R)	White	Defeated	Republican	1,177	38.88%
Daniel (Dan) Clodfelter	2010	Senate 37	General	White	Winner	Democrat	24,956	61.45%
C. Morgan Edwards	2010	Senate 37	General	Black	Defeated	Republican	16,656	38.55%

District: 37	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2010	162,957	101,635	44,907	1,224	46,131	663	5,120	7,455	3,171
	100%	62.37%	27.56%	0.75%	28.31%	0%	3.14%	5%	2%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	127,179	84,142	31,162	622	31,784	525	3,856	5,514	1,980
	100%	66.16%	24.50%	0.49%	24.99%	0.41%	3.03%	4.34%	1.56%
Counties:	Mecklenburg								
Includes Section 5 County:	No								



2010 - Senate District 40

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
John Montgomery	2010	Senate 40	Primary (D)	Black	Defeated	Democrat	1,364	24.60%
Malcolm Graham	2010	Senate 40	Primary (D)	Black	Winner	Democrat	4,180	75.40%
Malcolm Graham	2010	Senate 40	General	Black	Winner	Democrat	32,168	58.16%
John Aneralla	2010	Senate 40	General	White	Defeated	Republican	23,145	41.84%

District 40	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2010	165,921	95,005	54,625	1,057	55,682	540	6,288	6,900	2,563
	100.00%	57.26%	32.92%	0.64%	33.56%	0.33%	3.79%	4.16%	1.54%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Multi-Race
	123,630	74,040	37,890	573	38,463	431	4,594	5,103	1,572
	100.00%	59.89%	30.65%	0.46%	31.11%	0.35%	3.72%	4.13%	1.27%
Counties:	Mecklenburg								
Includes Section 5 County:	No								



2006-2010 Senate Races  
with Minority Candidates  
in Legislative Districts with  
Less than 30%  
Total Minority Population



2006 - Senate District 6

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Harry Brown	2006	Senate 6	General	White	Winner	Republican	13,917	64.73%
Carolyn Pittman-Dorsey	2006	Senate 6	General	Black	Defeated	Democrat	7,582	35.27%

District 6	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2006	160,736	114,680	31,514	1,938	33,452	1,145	2,829	5,625	4,943
	100.00%	71.35%	19.61%	1.21%	20.82%	0.71%	1.76%	3.50%	3.08%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	118,733	87,231	21,735	729	22,464	878	2,290	4,158	2,241
	100.00%	73.47%	18.31%	0.61%	18.92%	0.74%	1.93%	3.50%	2.06%
Counties:	Onslow	Jones							
Includes Section 5 County:	Yes								



2006 - Senate District 24

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Anthony E. Forrest	2006	Senate 24	Primary (D)	Black	Winner	Democrat	2,090	70.06%
Tim Purgason	2006	Senate 24	Primary (D)	White	Defeated	Democrat	893	29.94%

District 24	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Am	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2006	154,301	113,252	33,127	689	33,816	507	1,242	4,453	1,720
	100.00%	73.40%	21.47%	0.45%	21.92%	0.33%	0.80%	2.89%	1.11%
Total VAP		VAP: White	VAP: Black	VAP: Mixed Race Bla	VAP: Total Black	VAP: Native America	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	117,695	88,471	24,189	282	24,471	380	875	2,822	958
	100.00%	75.17%	20.55%	0.24%	20.79%	0.32%	0.74%	4.40%	0.81%
Counties:	Caswell	Alamance							
Includes Section 5	Yes								
County:									



2006 - Senate District 48

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Tom Apodaca	2006	Senate 48	General	White/Hispanic or Latino	Winner	Republican	41,210	100%

District 48	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2006	160,760	149,897	5,200	451	5,651	465	1,008	2,667	1,523
	100.00%	93.24%	3.23%	0.28%	3.52%	0.26%	0.63%	1.66%	0.95%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Multi-Race
	126,012	118,692	3,659	124	3,783	344	744	1,743	830
	100.00%	94.19%	2.90%	0.10%	3.00%	0.27%	0.59%	1.38%	0.66%
Counties:	Buncombe	Henderson	Polk						
Includes Section 5									
County:	No								



2008 - Senate District 23

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Moses Carey, Jr.	2008	Senate 23	Primary (D)	Black	Defeated	Democrat	15,099	35.72%
Ellie Kinnaird	2008	Senate 23	Primary (D)	White	Winner	Democrat	27,172	64.28%

District 23	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	153,850	116,776	26,347	867	27,214	675	4,923	2,799	2,330
	100.00%	75.90%	17.13%	0.56%	17.69%	0.44%	3.20%	1.82%	1.51%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	121,316	93,849	19,568	456	20,024	525	3,880	2,046	1,448
	100%	77.36%	16.13%	0.38%	16.51%	0.43%	3.20%	1.69%	1.19%
Counties:	Orange	Person							
Includes Section 5									
County:	Yes								



2008 - Senate District 24

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Anthony E. Foriest	2008	Senate 24	General	Black	Winner	Democrat	38,539	52.51%
Richard W. Gunn, Jr.	2008	Senate 24	General	White	Defeated	Republican	34,854	47.49%

District 24	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	154,301	113,252	33,127	689	33,816	507	1,242	4,453	1,720
	100.00%	73.40%	21.47%	0.45%	21.92%	0.33%	0.80%	2.89%	1.11%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	117,695	88,471	24,189	282	24,471	380	875	2,822	958
	100.00%	75.17%	20.55%	0.24%	20.79%	0.32%	0.74%	4.40%	0.81%
Counties:	Caswell	Alamance							
Includes Section 5									
County:	Yes								



2008 - Senate District 48

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Tom Apodaca	2008	Senate 48	General	White/Hispanic or Latino	Winner	Republican	64,183	100%

District 48	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2008	160,760	149,897	5,200	451	5,651	465	1,008	2,667	1,523
	100.00%	93.24%	3.23%	0.28%	3.52%	0.26%	0.63%	1.66%	0.95%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Multi-Race
	126,012	118,692	3,659	124	3,783	344	744	1,743	830
	100.00%	94.19%	2.90%	0.10%	3.00%	0.27%	0.59%	1.38%	0.66%
Counties:	Buncombe	Henderson	Polk						
Includes Section 5									
County:	No								



2010 - Senate District 24

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Anthony E. Forrest	2010	Senate 24	General	Black	Defeated	Democrat	20,430	42.11%
Richard W. Gunn, Jr.	2010	Senate 24	General	White	Winner	Republican	25,674	52.92%
Barry L. Coe	2010	Senate 24	General	American Indian or Alaska Native	Defeated	Libertarian	2,412	4.97%

District 24	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Multi-Race
2010	154,301	113,252	33,127	689	33,816	507	1,242	4,453	1,720
	100.00%	73.40%	21.47%	0.45%	21.92%	0.33%	0.80%	2.89%	1.11%
Total VAP	117,695	88,471	24,189	282	24,471	380	875	2,822	958
	100.00%	75.17%	20.55%	0.24%	20.79%	0.32%	0.74%	4.40%	0.81%
Counties:	Caswell	Alamance							
Includes Section 5 County:	Yes								



2010 - Senate District 48

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Chris Dixon*	2010	Senate 48	General	White	Defeated	Democrat	22,447	34.06%
Tom Apodaca	2010	Senate 48	General	White/Hispanic or Latino	Winner	Republican	43,457	65.94%

District 48	Total Pop.	Total Pop: White	Total Pop: Black	Mixed Race Black	Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Multi-Race
2010	160,760	149,897	5,200	451	5,651	465	1,008	2,667	1,523
	100.00%	93.24%	3.23%	0.28%	3.52%	0.28%	0.63%	1.66%	0.95%
Total VAP									
	126,012	118,692	3,659	124	3,783	344	744	1,743	830
	100.00%	94.19%	2.90%	0.10%	3.00%	0.27%	0.59%	1.38%	0.66%
Counties:	Buncombe	Henderson	Polk						
Includes Section 5 County:	No								



House Legislative Races  
With Minority Candidates  
2006-2010

EXHIBIT 83  
WIT: E. Churchill  
DATE: 3/20/12  
DENISE MYERS BYRD



2006 - House District 7

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Edward Jones	2006	House 7	General	Black	Winner	Democrat	7,264	100%

District 7 2006	Total Pop. 63,774	Total Pop: White 24,011	Total Pop: Black 37,823	Total Pop: Mixed Race Black 296	Total Pop: Total Black 38,119	Total Pop: Native Amer. 388	Total Pop: Asian/PI 448	Total Pop: Other 548	Total Pop: Mixed Race 556
	100%	37.65%	59.31%	0.46%	59.77%	0.61%	0.70%	0.86%	0.87%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	46,872	19,468	26,099	165	26,264	282	323	371	329
	100.00%	41.53%	55.68%	0.35%	56.03%	0.60%	0.69%	0.79%	0.70%
Counties: Includes Section 5	Halifax	Nash							
Country:	Yes								



2006 - NC House District 12

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
William L. Wainwright	2006	House 12	General	Black	Winner	Democrat	7,941	66.28%
John P. Wetherington Jr.	2006	House 12	General	White	Defeated	Republican	4,040	33.72%

District 12	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2006	63,733	28,918	32,051	442	32,493	206	453	1,202	903
	100.00%	45.37%	50.29%	0.69%	50.98%	0.32%	0.71%	1.89%	1.42%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	47,490	23,260	22,364	198	22,562	160	368	846	492
	100.00%	48.98%	47.09%	0.42%	47.51%	0.34%	0.77%	1.78%	1.04%
Counties:	Craven	Lenoir							
Includes Section 5 County:	Yes								



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2006 - House District 27

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Michael H. Wray	2006	House 27	Primary (D)	White	Winner	Democrat	8,551	76.71%
Anthony Butler	2006	House 27	Primary (D)	Black	Defeated	Democrat	1,878	16.85%
Howard Ervin	2006	House 27	Primary (D)	Black	Defeated	Democrat	718	6.44%

District 27	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2006	66,874	27,208	37,140	299	37,439	1,075	199	747	505
	100.00%	40.69%	55.54%	0.45%	55.98%	1.61%	0.30%	1.12%	0.76%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	50,322	22,136	26,479	154	26,633	784	143	497	283
	100.00%	43.95%	52.62%	0.31%	52.93%	1.56%	0.28%	0.99%	0.56%
Counties:	Northampton	Vance	Warren						
Includes Section 5	Yes								
County:									



2006 - House District 31

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
H.M. (Mickey) Michaux	2006	House 31	General	Black	Winner	Democrat	11,555	100%
District 31	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Mixed Race
2006	64,023	27,124	30,777	444	31,221	238	1,689	3,146
	100.00%	42.37%	48.07%	0.69%	48.77%	0.37%	2.64%	4.91%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Mixed Race
	47,405	21,923	20,951	244	21,195	180	1,358	2,335
	100.00%	46.25%	44.20%	0.51%	44.71%	0.38%	2.86%	4.93%
Counties:	Durham							
Includes Section 5 County:	No							



2006 - House District 42

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Marvin W. Lucas	2006	House 42	General	Black	Winner	Democrat	5,610	100%
District 42	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Mixed Race
2006	63,745	26,731	28,793	1,418	30,211	569	1,861	2,823
	100.00%	41.93%	45.17%	2.22%	47.39%	0.89%	2.92%	4.43%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Mixed Race
	42,733	19,042	18,775	501	19,276	392	1,460	1,878
	100.00%	44.56%	43.94%	1.17%	45.11%	0.92%	3.42%	4.39%
Counties:	Cumberland							
Includes Section 5 County:	Yes							



2006 - House District 47

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Ronnie Sutton	2006	House 47	General	American Indian	Winner	Democrat	5,791	100%

District 47	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2006	65,255	16,463	10,547	191	10,738	35,357	313	1,607	968
	100.00%	25.23%	16.16%	0.29%	16.46%	54.18%	0.48%	2.46%	1.48%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	46,326	13,137	7,179	76	7,255	24,146	234	1,112	518
	100.00%	28.36%	15.50%	0.16%	15.66%	52.12%	0.51%	2.40%	1.12%
Counties:	Robeson								
Includes Section 5 County:	Yes								



2006 - House District 58

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Alma Adams	2006	House 58	General	Black	Winner	Democrat	10,391	65.63%
Olga Morgan Wright	2006	House 58	General	Black	Defeated	Republican	5,441	34.37%

District 58	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2006	70,419	29,940	37,870	499	38,369	310	412	1,060	827
	100.00%	42.52%	53.78%	0.71%	54.49%	0.44%	0.59%	1.51%	1.17%
Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race	
	53,169	23,372	28,078	288	28,366	228	275	706	510
	100.00%	43.96%	52.81%	0.54%	53.35%	0.43%	0.52%	1.33%	0.96%
Counties:	Guilford								
Includes Section 5 County:	Yes								



2006 - House District 71

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Larry Womble	2006	House 71	General	Black	Winner	Democrat	7,101	100%

District 71	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2006	63,731	22,685	34,099	819	34,918	259	444	4,869	1,375
	100.00%	35.59%	53.50%	1.29%	54.79%	0.41%	0.70%	7.64%	2.16%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	47,118	18,745	23,839	462	24,301	189	320	3,179	846
	100.00%	39.78%	50.59%	0.98%	51.57%	0.40%	0.68%	6.75%	1.80%
Counties:	Forsyth								
Includes Section 5 County:	No								



2006 - House District 101

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Beverly Miller Earle	2006	House 101	General	Black	Winner	Democrat	8,535	100%

District 101	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2006	66,901	27,212	35,283	439	35,722	206	1,737	1,613	850
	100.00%	40.68%	52.74%	0.66%	53.40%	0.31%	2.60%	2.41%	1.27%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	49,632	21,875	24,882	233	25,115	164	1,090	1,106	515
	100.00%	44.07%	50.13%	0.47%	50.60%	0.33%	2.20%	2.23%	1.04%
Counties:	Mecklenburg								
Includes Section 5 County:	No								



2008 - House District 7

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Regina Reaves	2008	House 7	Primary (D)	No AV/AP/Eligible Record	Defeated	Democrat	3,396	23.71%
Angela R. Bryant	2008	House 7	Primary (D)	Black	Winner	Democrat	10,928	76.29%
Angela R. Bryant	2008	House 7	General	Black	Winner	Democrat	22,928	100%

District 7	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2008	63,774	24,011	37,823	296	38,119	388	448	548	556
	100.00%	37.65%	59.31%	0.46%	59.77%	0.61%	0.70%	0.86%	0.87%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	46,872	19,468	26,099	165	26,264	282	323	371	329
	100.00%	41.53%	55.68%	0.35%	56.03%	0.60%	0.69%	0.79%	0.70%
Counties:	Halifax	Nash							
Includes Section 5 County:	Yes								



2008 - House District 12

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
William L. Wainwright	2008	House 12	General	Black	Winner	Democrat	17,659	69.14%
Mark Wesley Griffin	2008	House 12	General	White	Defeated	Republican	7,882	30.86%

District 12	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2008	63,733	28,918	32,051	442	32,493	206	453	1,202	903
	100.00%	45.37%	50.29%	0.69%	50.98%	0.32%	0.71%	1.89%	1.42%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	47,490	23,260	22,364	198	22,562	160	368	846	492
	100.00%	48.98%	47.09%	0.42%	47.51%	0.34%	0.77%	1.78%	1.04%
Counties:	Craven	Lenoir							
Includes Section 5 County:	Yes								



2008 - House District 21

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Larry M Bell	2008	House 21	General	Black	Winner	Democrat	21,964	100%

District 21	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2008	70,394	29,181	35,244	405	35,649	857	342	3,888	882
	100.00%	41.45%	50.07%	0.58%	50.64%	1.22%	0.49%	5.52%	1.25%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	51,951	23,116	24,906	212	25,118	599	264	2,529	537
	100.00%	44.50%	47.94%	0.41%	48.35%	1.15%	0.51%	4.87%	1.03%
Counties:	Sampson	Wayne							
Includes Section 5 County:	Yes								



2008 - House District 29

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Larry Hall	2008	House 29	General	Black	Winner	Democrat	31,524	90.73%
Justin Lallinger	2008	House 29	General	White	Defeated	Libertarian	3,219	9.27%

District 29	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2008	64,967	28,908	30,415	558	30,973	180	2,224	2,057	1,183
	100.00%	44.50%	46.82%	0.86%	47.67%	0.28%	3.42%	3.17%	1.82%
Total VAP	50,387	23,937	22,230	296	22,526	138	1,821	1,534	727
	100.00%	47.51%	44.12%	0.59%	44.71%	0.27%	3.61%	3.04%	1.44%
Counties:	Durham								
Includes Section 5 County:	No								



2008 - House District 33

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Daniel T Blue, Jr	2008	House 33	General	Black	Winner	Democrat	32,466	81.85%
Paul F Terrell, III	2008	House 33	General	White	Defeated	Republican	7,199	18.15%

District 33	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2008	70,241	26,692	36,338	784	37,122	251	1,936	3,425	1,599
	100.00%	38.00%	51.73%	1.12%	52.85%	0.36%	2.76%	4.88%	2.28%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	52,191	21,458	25,674	405	26,079	191	1,432	2,480	956
	100.00%	41.11%	49.19%	0.78%	49.97%	0.37%	2.74%	4.75%	1.83%
Counties:	Wake								
Includes Section 5 County:	No								



2008 - House District 43

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Mary E. McAllister	2008	House 43	Primary (D)	Black	Defeated	Democrat	4,204	48.78%
Elmer Floyd	2008	House 43	Primary (D)	Black	Winner	Democrat	4,414	51.22%
Elmer Floyd	2008	House 43	General	Black	Winner	Democrat	16,807	99.31%

District 43	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2008	63,986	25,740	31,999	965	32,964	547	1,311	2,465	1,924
	100.00%	40.23%	50.01%	1.51%	51.52%	0.85%	2.05%	3.85%	3.01%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	48,260	20,828	23,043	457	23,500	430	1,062	1,814	1,083
	100.00%	43.16%	47.75%	0.95%	48.69%	0.89%	2.20%	3.76%	2.24%
Counties:	Cumberland								
Includes Section 5 County:	Yes								



2008 - House District 47

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Charles Graham	2008	House 47	Primary (D)	American Indian	Defeated	Democrat	4,713	40.47%
Ronnie Sutton	2008	House 47	Primary (D)	American Indian	Winner	Democrat	6,932	59.53%
Ronnie Sutton	2008	House 47	General	American Indian	Winner	Democrat	17,238	100%

District 47	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2008	65,255	16,463	10,547	191	10,738	35,357	313	1,607	968
	100.00%	25.23%	16.16%	0.29%	16.46%	54.18%	0.48%	2.46%	1.48%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	46,326	13,137	7,179	76	7,255	24,146	234	1,112	518
	100.00%	28.36%	15.50%	0.16%	15.66%	52.12%	0.51%	2.40%	1.12%
Counties:	Robeson								
Includes Section 5 County:	Yes								



2008 - House District 58

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Alma Adams	2008	House 58	General	Black	Winner	Democrat	29,113	71.35%
Olga Morgan Wright	2008	House 58	General	Black	Defeated	Republican	11,690	28.65%

District 58	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2008	70,419	29,940	37,870	499	38,369	310	412	1,060	827
	100.00%	42.52%	53.78%	0.71%	54.49%	0.44%	0.59%	1.51%	1.17%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	53,169	23,372	28,078	288	28,366	228	275	706	510
	100.00%	43.96%	52.81%	0.54%	53.35%	0.43%	0.52%	1.33%	0.96%
Counties:	Guilford								
Includes Section 5 County:	Yes								



2008 - House District 71

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Larry Womble	2008	House 71	General	Black	Winner	Democrat	21,583	90.02%
Bobby Richmond	2008	House 71	General	No AVAPilable Record	Defeated	Lib	2,392	9.98%

District 71	Total Pop..	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2008	63,731	22,685	34,099	819	34,918	259	444	4,869	1,375
	100.00%	35.59%	53.50%	1.29%	54.79%	0.41%	0.70%	7.64%	2.16%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	47,118	18,745	23,839	462	24,301	189	320	3,179	846
	100.00%	39.78%	50.59%	0.98%	51.57%	0.40%	0.68%	6.75%	1.80%
Counties:	Forsyth								
Includes Section 5 County:	No								



2008 - House District 101

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Beverly Miller Earle	2008	House 101	General	Black	Winner	Democrat	30,195	79.29%
Beth Martin	2008	House 101	General	No AVAP/liable Record	Defeated	Republican	7,886	20.71%

District 101	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2008	66,901	27,212	35,283	439	35,722	206	1,737	1,613	850
	100.00%	40.68%	52.74%	0.66%	53.40%	0.31%	2.60%	2.41%	1.27%
Total VAP	49,632	21,875	24,882	233	25,115	164	1,090	1,106	515
	100.00%	44.07%	50.13%	0.47%	50.60%	0.33%	2.20%	2.23%	1.04%
Counties:	Mecklenburg								
Includes Section 5 County:	No								



2010 - House District 5

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Annie Ward Mobley	2010	House 5	General	Black	Winner	Democrat	11,850	58.99%
Matthew Peeler	2010	House 5	General	White	Defeated	Republican	8,237	41.01%

District 5	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2010	64,258	29,906	33,087	245	33,332	420	154	238	453
	100%	46.54%	51.49%	0.38%	51.87%	0.65%	0.24%	0.37%	0.70%
Total VAP	47,959	23,712	23,387	124	23,511	319	122	160	259
	100%	49.44%	48.76%	0.26%	49.02%	0.67%	0.25%	0.33%	0.54%
Counties:	Bertie	Gates	Hertford	Perquimans					
Includes Section 5 County:	Yes								



2010 - House District 8

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Edith Doughtie Warren	2010	House 8	Primary (D)	White	Winner	Democrat	5,319	62.55%
Mildred A Council	2010	House 8	Primary (D)	Black	Defeated	Democrat	3,184	37.45%

District 8	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2010	66,579	28,698	35,583	352	35,935	162	319	1,189	628
	100.00%	43.10%	53.44%	0.53%	53.97%	0.24%	0.48%	1.79%	0.94%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	48,879	22,929	24,454	160	24,614	126	249	788	333
	100.00%	46.91%	50.03%	0.33%	50.36%	0.26%	0.51%	1.61%	0.68%
Counties:	Martin	Pitt							
Includes Section 5 County:	Yes								



2010 - House District 21

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Larry M Bell	2010	House 21	General	Black	Winner	Democrat	11,678	65.59%
Deann Gray Poirier	2010	House 21	General	White	Defeated	Republican	6,126	34.41%

District 21	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2010	70,394	29,181	35,244	405	35,649	857	342	3,888	882
	100.00%	41.45%	50.07%	0.58%	50.64%	1.22%	0.49%	5.52%	1.25%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	51,951	23,116	24,906	212	25,118	599	264	2,529	537
	100.00%	44.50%	47.94%	0.41%	48.35%	1.15%	0.51%	4.87%	1.03%
Counties:	Sampson	Wayne							
Includes Section 5 County:	Yes								



2010 - House District 29

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Larry D Hall	2010	House 29	General	Black	Winner	Democrat	18,130	100%

District 29	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2010	64,967	28,908	30,415	558	30,973	180	2,224	2,057	1,183
	100.00%	44.50%	46.82%	0.86%	47.67%	0.28%	3.42%	3.17%	1.82%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	50,387	23,937	22,230	296	22,526	138	1,821	1,534	727
	100.00%	47.51%	44.12%	0.59%	44.71%	0.27%	3.61%	3.04%	1.44%
Counties:	Durham								
Includes Section 5 County:	No								



2010 - House District 33

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Rosa U Gill	2010	House 33	Primary (D)	Black	Winner	Democrat	3,048	71.57%
Doctor Kamau Aal Anubiainhotepoko	2010	House 33	Primary (D)	No AVAPilable Record	Defeated	Democrat	78	1.83%
Bernard Allen II	2010	House 33	Primary (D)	Black	Defeated	Democrat	1,133	26.60%
Rosa U. Gill	2010	House 33	General	Black	Winner	Democrat	18,426	77.79%
Paul Francis Terrell III	2010	House 33	General	White	Defeated	Republican	5,262	22.21%

District 33	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed
2010	70,241	26,692	36,338	784	37,122	251	1,936	3,425	1,599
	100.00%	38.00%	51.73%	1.12%	52.85%	0.36%	2.76%	4.88%	2.28%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	52,191	21,458	25,674	405	26,079	191	1,432	2,480	956
	100.00%	41.11%	49.19%	0.78%	49.97%	0.37%	2.74%	4.75%	1.83%
Counties:	Wake								
Includes Section 5 County:	No								



2010 - House District 43

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Mary E. McAllister	2010	House 43	Primary (D)	Black	Defeated	Democrat	1,127	34.16%
Elmer Floyd	2010	House 43	Primary (D)	Black	Winner	Democrat	2,172	65.84%
Elmer Floyd	2010	House 43	General	Black	Winner	Democrat	7,967	100%

District 43	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2010	63,986	25,740	31,999	965	32,964	547	1,311	2,465	1,924
	100.00%	40.23%	50.01%	1.51%	51.52%	0.85%	2.05%	3.85%	3.01%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	48,260	20,828	23,043	457	23,500	430	1,062	1,814	1,083
	100.00%	43.16%	47.75%	0.95%	48.69%	0.89%	2.20%	3.76%	2.24%
Counties:	Cumberland								
Includes Section 5 County:	Yes								



2010 - House District 48

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Garland E. Pierce	2010	House 48	General	Black	Winner	Democrat	9,698	74.80%
John F. Harry	2010	House 48	General	Other	Defeated	Republican	3,267	25.20%

District 48	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2010	63,839	19,160	30,441	290	30,731	12,228	241	964	805
	100.00%	30.01%	47.68%	0.45%	48.14%	19.15%	0.38%	1.51%	1.26%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	44,752	15,115	20,248	97	20,345	8,147	175	676	391
	100.00%	33.78%	45.24%	0.22%	45.46%	18.20%	0.39%	1.51%	0.87%
Counties:	Hoke	Robeson	Scotland						
Includes Section 5 County:	Yes								



2010 - House District 60

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Earl Jones	2010	House 60	Primary (D)	Black	Defeated	Democrat	1,092	40.19%
Marcus Brandon	2010	House 60	Primary (D)	Black	Winner	Democrat	1,625	59.81%
Marcus Brandon	2010	House 60	General	Black	Winner	Democrat	10,664	69.65%
Lonnie R. Wilson	2010	House 60	General	White	Defeated	Republican	4,646	30.35%

District 60	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2010	69,418	27,450	37,283	580	37,863	523	1,590	1,431	1,141
	100.00%	39.54%	53.71%	0.84%	54.54%	0.75%	2.29%	2.06%	1.64%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	50,780	22,300	25,448	243	25,691	377	1,072	973	610
	100.00%	43.91%	50.11%	0.48%	50.59%	0.74%	2.11%	1.92%	1.20%
Counties:	Guilford								
Includes Section 5 County:	Yes								



2010 - House District 72

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Earline W. Parmon	2010	House 72	Primary (D)	Black	Winner	Democrat	2,205	75.64%
Gardenia M. Henley	2010	House 72	Primary (D)	Black	Defeated	Democrat	710	24.36%
Earline W. Parmon	2010	House 72	General	Black	Winner	Democrat	9,980	69.48%
John Magee	2010	House 72	General	White	Defeated	Republican	4,384	30.52%

District 72	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2010	63,731	29,947	29,707	456	30,163	208	525	2,457	887
	100.00%	46.99%	46.61%	0.72%	47.33%	0.33%	0.82%	3.86%	1.39%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	49,102	25,203	21,080	228	21,308	147	450	1,685	537
	100.00%	51.33%	42.93%	0.46%	43.40%	0.30%	0.92%	3.43%	1.09%
Counties:	Forsyth								
Includes Section 5 County:	No								



2010 - House District 102

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Kim Ratliff	2010	House 102	Primary (D)	Black	Defeated	Democrat	714	29.20%
Ken Davies	2010	House 102	Primary (D)	White	Defeated	Democrat	221	9.04%
Becky Carney	2010	House 102	Primary (D)	White	Winner	Democrat	1,510	61.76%

District 102	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed
2010	69,833	25,496	35,054	589	35,643	308	1,976	5,676	1,323
	100.00%	36.51%	50.20%	0.84%	51.04%	0.44%	2.83%	8.13%	1.89%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	52,432	21,855	23,837	338	24,175	242	1,349	4,288	861
	100.00%	41.68%	45.46%	0.64%	46.11%	0.46%	2.57%	8.18%	1.64%
Counties:	Mecklenburg								
Includes Section 5 County:	No								



2006-2010 House Races  
with Minority Candidates  
in Legislative Districts with  
Between 30% and 40%  
Total Minority Population



2006 - House District 38

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Deborah K. Ross	2006	House 38	Primary (D)	White	Winner	Democrat	2,197	95.44%
Derrian Dellinger	2006	House 38	Primary (D)	Black	Defeated	Democrat	105	4.56%

District 38	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2006	70,398	40,810	24,177	537	24,714	363	1,445	2,430	1,173
	100.00%	57.97%	34.34%	0.76%	35.11%	0.52%	2.05%	3.45%	1.67%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	57,254	35,289	17,799	308	18,107	321	1,263	1,784	798
	100.00%	61.64%	31.09%	0.54%	31.63%	0.56%	2.21%	3.12%	1.39%
Counties:	Wake								
Includes Section 5 County:	No								



2006 - House District 69

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Pryor Gibson	2006	House 69	General	White	Winner	Democrat	8,616	66.66%
Jim H. Benton, Sr.	2006	House 69	General	Black	Defeated	Republican	4,309	33.34%

District 69	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2006	70,161	43,001	23,234	207	23,441	310	296	2,645	675
	100.00%	61.29%	33.12%	0.30%	33.41%	0.44%	0.42%	3.77%	0.96%
Total VAPP	Total VAPP	VAPP: White	VAPP: Black	VAPP: MR Black	VAPP: Total Black	VAPP: AI	VAPP: A/PI	VAPP: Other	VAPP: MR
	51,758	33,398	15,825	80	15,905	220	195	1,731	389
	100.00%	64.53%	30.57%	0.15%	30.73%	0.43%	0.38%	3.34%	0.75%
Counties:									
Includes Section 5 County:	Yes								



2008 - NC House District 63

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Alice Borden	2008	House 63	General	White	Winner	Democrat	16,658	62.70%
Celo Faucette	2008	House 63	General	Black	Defeated	Republican	9,909	37.30%

District 63	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2008	65,174	40,996	18,994	379	19,373	284	719	3,243	938
	100.00%	62.90%	29.14%	0.58%	29.73%	0.44%	1.10%	4.98%	1.44%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	49,067	32,226	13,532	140	13,672	203	498	2,082	526
	100.00%	65.68%	27.58%	0.29%	27.86%	0.41%	1.01%	4.24%	1.07%
Counties:	Guilford								
Includes Section 5 County:	Yes								



2010 - House District 18

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
James Leroy Utley Jr.	2010	House 18	Primary (D)	Black	Defeated	Democrat	1,692	49.11%
Susan Holladay Hamilton	2010	House 18	Primary (D)	White	Winner	Democrat	1,753	50.89%

District 18	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2010	64,005	40,959	20,829	326	21,155	293	483	692	749
	100.00%	63.99%	32.54%	0.51%	33.05%	0.46%	0.75%	1.08%	1.17%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	51,008	34,957	14,455	141	14,596	238	409	503	446
	100.00%	68.53%	28.34%	0.28%	28.62%	0.47%	0.80%	0.99%	0.87%
Counties:	New Hanover								
Includes Section 5 County:	No								



2010 - House District 55

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
W. A. (Winkie) Wilkins	2010	House 55	Primary (D)	White	Winner	Democrat	4,876	60.03%
R. Miles Standish	2010	House 55	Primary (D)	White	Defeated	Democrat	348	4.28%
Fred Foster, Jr.	2010	House 55	Primary (D)	Black	Defeated	Democrat	2,899	35.69%

District 55	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2010	65,424	40,272	22,359	388	22,747	296	416	1,328	753
	100.00%	61.56%	34.18%	0.59%	34.77%	0.45%	0.64%	2.03%	1.15%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	49,344	31,831	15,620	164	15,784	218	326	922	427
	100.00%	64.51%	31.66%	0.33%	31.99%	0.44%	0.66%	1.87%	0.87%
Counties:	Durham	Person							
Includes Section 5 County:	Yes								



2006-2010 House Races  
with Minority Candidates  
in Legislative Districts with  
Less than 30%  
Total Minority Population



2006 - House District 14

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Kever Clark	2006	House 14	Primary (D)	Black	Winner	Democrat	600	59.11%
Edgar Midgett, Sr.	2006	House 14	Primary (D)	White	Defeated	Democrat	415	40.89%
George G. Cleveland	2006	House 14	General	White	Winner	Republican	5,238	58.05%
Kever Clark	2006	House 14	General	Black	Defeated	Democrat	3,785	41.95%

District 14	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2006	67,606	45,898	15,316	947	16,263	441	1,659	1,875	2,417
	100.00%	67.89%	22.65%	1.40%	24.06%	0.65%	2.45%	2.77%	3.58%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	47,818	33,773	10,087	312	10,399	315	1,318	1,211	1,114
	100.00%	70.63%	21.09%	0.65%	21.75%	0.66%	2.76%	2.53%	2.33%
Counties:	Onslow								
Includes Section 5 County:	Yes								



2006 - House District 41

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Ty Harrell	2006	House 41	Primary (D)	Black	Winner	Democrat	1,556	75.75%
Chris Mintz	2006	House 41	Primary (D)	White	Defeated	Democrat	498	24.25%
Ty Harrell	2006	House 41	General	Black	Winner	Democrat	13,051	51.64%
J. Russell Capps	2006	House 41	General	White	Defeated	Republican	12,224	48.36%

District 41	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2006	66,886	54,935	5,559	261	5,820	162	4,565	648	1,017
	100.00%	82.13%	8.31%	0.39%	8.70%	0.24%	6.83%	0.97%	1.52%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	49,142	40,714	4,079	119	4,198	110	3,243	455	541
	100.00%	82.85%	8.30%	0.24%	8.54%	0.22%	6.60%	0.93%	1.10%
Counties:	Wake								
Includes Section 5 County:	No								



2008 - House District 41

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Ty Harrell	2008	House 41	General	Black	Winner	Democrat	30,929	53.77%
Bryan Gossage	2008	House 41	General	White	Defeated	Republican	26,595	46.23%

District 41	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2008	66,886	54,935	5,559	261	5,820	162	4,565	648	1,017
	100.00%	82.13%	8.31%	0.39%	8.70%	0.24%	6.83%	0.97%	1.52%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	49,142	40,714	4,079	119	4,198	110	3,243	455	541
	100.00%	82.85%	8.30%	0.24%	8.54%	0.22%	6.60%	0.93%	1.10%
Counties:	Wake								
Includes Section 5 County:	No								



2008 - House District 65

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
VAPnessa McGee Smith-Kearney*	2008	House 65	Primary (D)	2 or more races	Defeated	Democrat	2,626	24.43%
Nelson Cole	2008	House 65	Primary (D)	White	Winner	Democrat	8,121	75.57%

District 65	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed
2008	66,769	49,148	15,495	250	15,745	158	236	1,160	572
	100.00%	73.61%	23.21%	0.37%	23.58%	0.24%	0.35%	1.74%	0.86%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	51,251	38,634	11,271	94	11,365	113	169	756	308
	100.00%	75.38%	21.99%	0.18%	22.18%	0.22%	0.33%	1.48%	0.60%
Counties:	Rockingham								
Includes Section 5 County:	Yes								



2008 - House District 110

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Davy Lowman*	2008	House 110	General	White	Defeated	Democrat	14,173	49.12%
Pearl Burris Floyd	2008	House 110	General	Black	Winner	Republican	14,683	50.88%

District 110	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2008	70,421	61,447	7,829	158	7,829	174	212	452	465
	100.00%	87.26%	10.89%	0.22%	11.12%	0.25%	0.30%	0.64%	0.66%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	52,897	46,821	5,276	38	5,314	135	152	268	245
	100.00%	88.51%	9.97%	0.07%	10.05%	0.26%	0.29%	0.51%	0.46%
Counties:	Gaston	Cleveland							
Includes Section 5 County:	Yes								



2010 - House District 53

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Abraham Oudeh	2010	House 53	Primary (D)	Other	Winner	Democrat	1,696	56.29%
Thomas E. Ellis II	2010	House 53	Primary (D)	Black	Defeated	Democrat	1,317	43.71%

District 53	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/Pi	Total Pop: Other	Total Pop: Mixed Race
2010	69,925	49,270	16,311	414	16,725	650	466	2,237	991
	100.00%	70.46%	23.33%	0.59%	23.92%	0.93%	0.67%	3.20%	1.42%
	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/Pi	VAP: Other	VAP: Mixed Race
	51,961	37,998	11,150	150	11,300	465	368	1,474	506
	100.00%	73.13%	21.46%	0.29%	21.75%	0.89%	0.71%	2.84%	0.97%
Counties:	Harnett								
Includes Section 5 County:	Yes								



2010 - House District 111

Candidate	Year	District	Election (General/Primary)	Race/Ethnicity	Outcome of Election	Party Affiliation	Vote Total	% of Vote
Mary S. Accor	2010	House 111	General	Black	Defeated	Democrat	6,413	34.88%
Tim Moore	2010	House 111	General	White	Winner	Republican	11,972	65.12%

District 111	Total Pop.	Total Pop: White	Total Pop: Black	Total Pop: Mixed Race Black	Total Pop: Total Black	Total Pop: Native Amer.	Total Pop: Asian/PI	Total Pop: Other	Total Pop: Mixed Race
2010	67,909	50,088	16,175	235	16,410	112	606	380	548
	100.00%	73.76%	23.82%	0.35%	24.16%	0.16%	0.89%	0.56%	0.81%
Total VAP	Total VAP	VAP: White	VAP: Black	VAP: Mixed Race Black	VAP: Total Black	VAP: Native American	VAP: Asian/PI	VAP: Other	VAP: Mixed Race
	50,823	38,823	10,967	66	11,033	90	439	228	276
	100.00%	76.39%	21.58%	0.13%	21.71%	0.18%	0.86%	0.45%	0.54%
Counties:	Cleveland								
Includes Section 5 County:	Yes								



# EXHIBIT Q



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SOUTHERN COALITION  
for SOCIAL JUSTICE



North Carolina General Assembly  
2011 Redistricting Public Hearing  
June 23, 2011

Testimony of Anita S. Earls, Esq.  
Executive Director, Southern Coalition for Social Justice  
**On Behalf of AFRAM – the Alliance for Fair Redistricting and Minority Voting Rights**

Mr. Chairmen and Members of the North Carolina General Assembly:

Today I am speaking on behalf of the Alliance for Fair Redistricting and Minority Voting Rights, a coalition of non-profit, non-partisan organizations in North Carolina. As a part of that Alliance, my organization, the Southern Coalition for Social Justice, worked with other AFRAM members to involve the community in statewide redistricting. We held redistricting workshops where we invited members of the public to come in and work directly with our demographer to examine redistricting plan options for the State Senate and State House districts. We then posted the draft maps on a website and invited further public comment.

What I am submitting today are the district plans that resulted from that process. To be clear, AFRAM is not advocating for the adoption of these plans at this time. There may be better configurations, additional input and further refinements to these plans before AFRAM formally endorses a particular plan. However, we submit these complete plans for your consideration because these plans comply with the Voting Rights Act, comply with the *Stephenson* criteria, create geographically compact districts, and recognize important communities of interest. More specifically, the plans were drawn following these criteria:

1. Comply with the federal constitutional one-person, one-vote requirement as refined by the *Stephenson* court to require no more than a plus or minus 5% deviation from the ideal district size for each district.
2. Comply with the non-retrogression criteria for districts in counties covered by Section 5 of the Voting Rights Act.
3. Comply with Section 2 of the Voting Rights Act in Mecklenburg, Forsyth and Wake Counties.
4. Comply with the State Constitutional whole county provision as specified in the *Stephenson* opinions.
5. Draw geographically compact and contiguous districts.
6. Recognize communities of interest.
7. Preserve the cores of existing districts.
8. Avoid pairing incumbents to the extent possible.
9. Avoid splitting precincts to the extent possible.



In addition to the district maps and population data, we can provide shapefiles electronically. I am also submitting today reports that show which districts we considered to be Section 2 VRA Districts and which districts are Section 5 VRA districts, with the Black voting age population of each district in the current districts and in our proposed districts. We identify the county cluster groupings mandated by *Stephenson* that we followed in each plan. Finally, we identify the incumbent pairings that were unavoidable given the population shifts reflected in the 2010 census and the need to comply with the other redistricting criteria identified above.

Again, on behalf of AFRAM, we have the following comment on the Voting Rights Act districts that the committee has made public.

It is impossible to analyze fully the impact of these districts on minority voters in North Carolina in isolation. We cannot assess the impact of a partial plan. We need to know the composition of all of the districts in the plan in order to understand the implications of the interests of minority voters.

With that caveat, however, it does appear that these districts go beyond what the Voting Rights Act requires both in terms of the number of majority-minority districts and in terms of the Black population percentages in the Voting Rights Act districts. These districts appear to be premised on at least three fundamental legal errors.

First, the Committee states their central goal is to achieve proportional representation for Black voters. However, Section 2 of the Voting Rights Act explicitly states that it is not a guarantee of proportional representation. The Act states: "nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population." 42 U.S.C. § 1973 (2010). Thus, achieving proportional representation for a protected racial group is not required by the Voting Rights Act.

Second, the theory that the Voting Rights Act requires the drawing of a "max black" plan that creates a majority black district where ever possible was explicitly rejected by the U.S. Supreme Court in the *Miller v. Johnson* case, where the court explained:

The Justice Department refused to preclear both of Georgia's first two submitted redistricting plans. The District Court found that the Justice Department had adopted a "black-maximization" policy under § 5, and that it was clear from its objection letters that the Department would not grant preclearance until the State ... created a third majority-black district. 864 F. Supp., at 1366, 1380. It is, therefore, safe to say that the congressional plan enacted in the end was required in order to obtain preclearance. It does not follow, however, that the plan was required by the substantive provisions of the Act.



*Miller v. Johnson*, 515 U.S. 900, 921 (1995).

The Supreme Court went on to explain why the Voting Rights Act does not require "maximization" by stating:

Based on this historical understanding, we recognized in *Beer* that "the purpose of § 5 has always been to insure that no voting-procedure changes would be made that would lead to a retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise." 425 U. S., at 141. The Justice Department's maximization policy seems quite far removed from this purpose. We are especially reluctant to conclude that § 5 justifies that policy given the serious constitutional concerns it raises.

*Id.*, 515 U.S. at 926.

Indeed, by following a maximization policy, these districts threaten the very principles that the Voting Rights Act exists to promote. The goal of the Act is to ensure a fair opportunity to participate, not a guarantee of racial proportionality. By drawing districts that go far beyond what the Voting Rights Act requires, the General Assembly frustrates the purpose of the Act and creates a threat to its constitutionality.

Third, the purported justification for these districts is based on a crucial legal error: conflating the standards under Section 2 and Section 5 of the Voting Rights Act. The Section 5 non-retrogression requirement prevents the drawing of districts that, compared to the benchmark of existing districts, makes it harder for Black voters to elect their candidates of choice. It does not mean that Section 5 districts must be 50% or greater in Black population. A district that has a Black voting age population of 45% and has been electing the candidate of choice of Black voters, need only be redrawn to meet the benchmark of 45%. Instead, this plan appears to be based on the assumption that the Section 2 standards also apply under Section 5. The Supreme Court explicitly rejected this proposition in the *Bossier Parish* case, and has been very clear on numerous occasions since then that the standards under these two sections of the Act are different. See *Reno v. Bossier Parish*, 520 U.S. 471, 476-480 (1997). Most recently in *Bartlett v. Strickland* the court explained:

Petitioners claim the majority-minority rule is inconsistent with §5, but we rejected a similar argument in *LULAC*, 548 U. S. 399, 446 (2006) (opinion of Kennedy, J.). The inquiries under §§2 and 5 are different. Section 2 concerns minority groups' opportunity "to elect representatives of their choice," 42 U. S. C. §1973(b) (2000 ed.), while the more stringent §5 asks whether a change has the purpose or effect of "denying or abridging the right to vote," §1973c.



*Bartlett v. Strickland*, 129 S. Ct. 1231 (2009) (citing *LULAC v. Perry*, 548 U.S. 399, 446 (2006)).

By conflating the Section 2 and Section 5 standards, the plan exceeds what the Voting Rights Act requires and, in particular, increases the percentage of Black voters in Section 5 districts beyond what is required by the non-retrogression standard.

Finally, this plan is not in the best interests of racial minority voters in North Carolina because it concentrates their voting strength in a smaller number of districts and does not balance the goals of minority representation with the goals of reflecting important communities of interest.

I look forward to having the opportunity to comment on other matters relating to Section 2 and Section 5 compliance once the full districting plans are made public.

Thank you again for the kind invitation to provide this information.



# **EXHIBIT R**



STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

COUNTY OF WAKE 11 CVS 16896  
11 CVS 16940

MARGARET DICKSON, et al., )

Plaintiffs, )

vs. )

ROBERT RUCHO, in his )

official capacity only as )

the Chairman of the North )

Carolina Senate )

Redistricting Committee, )

et al., )

Defendants. )

NORTH CAROLINA STATE )

CONFERENCE OF BRANCHES OF )

THE NAACP, et al., )

Plaintiffs, )

vs. )

STATE OF NORTH CAROLINA, )

et al., )

Defendants. )

DEPOSITION OF THOMAS HOFELLER, Ph.D.  
VOLUME II

9:31 A.M.

FRIDAY, AUGUST 10, 2012

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STIPULATIONS

It is hereby stipulated and agreed between the parties to this action, through their respective counsel of record:

1. That Volume II of the deposition of the Thomas Hofeller, Ph.D., may be taken on August 10, 2012, at 9:30 a.m. in Raleigh, NC, before Denise Myers, CSR 8340, RPR.

2. That the deposition shall be taken and used as permitted by the applicable North Carolina Rules of Civil Procedure.

3. That any objections of any party hereto as to notice of the taking of said deposition or as to the time or place thereof, or as to the competency of the person before whom the same shall be taken, are deemed to have been met.

4. That objections to questions and motions to strike answers need not be made during the taking of this deposition, but may be made for the first time during the progress of the trial of this case, or at any pretrial hearing held before any judge of competent jurisdiction for the purpose of ruling thereon, or any other hearing at which said deposition shall be used, except that objections to



1 the form of the question must be made at the time  
2 such question is asked or objection as to the form of  
3 the question is waived.

4 5. That the witness reserves the right to read and  
5 sign the transcript prior to it being sealed.

6 6. That the sealed original of the transcript shall  
7 be mailed First Class Postage Paid or hand-delivered  
8 to the party taking the deposition for preservation  
9 and delivery to the Court if and when necessary.



1 THOMAS HOFELLER, Ph.D.,  
2 having been previously affirmed by the Certified Shorthand  
3 Reporter and Notary Public to tell the truth, the whole  
4 truth and nothing but the truth, testified as follows:

5 FURTHER EXAMINATION

6 BY MS. EARLS:

7 Q. Good morning, Dr. Hofeller. This is the  
8 continuation of your deposition that we started on  
9 Thursday, June 28th.

10 So I will remind you that you're still  
11 under oath and all of the things I said at the  
12 beginning of that day, including to ask you if you  
13 need a break, let me know.

14 And if there are any documents that would  
15 help you answer a question that I ask, please let  
16 me know. We have all of the exhibits that we used  
17 on that day here again.

18 And I certainly want to thank you for  
19 coming back. And I don't have a lot more, but I do  
20 have some areas that we were not able to cover that  
21 day.

22 Let me start by explaining that your  
23 testimony identified four main areas of involvement  
24 in North Carolina's redistricting following the  
25 2010 Census: The gathering data before the Census



1 data was actually released, discussion about  
2 criteria and the architecture of the plans, then  
3 the actual drawing of the maps, and then once they  
4 had been enacted, your role as an expert doing  
5 expert analysis for the purposes of this  
6 litigation.

7 I think we had pretty much concluded the  
8 drawing-maps stage, but I have a few more questions  
9 about that and then I want to turn to your expert  
10 testimony in this case.

11 My first question about the map drawing is  
12 I want to ask you about information that you had  
13 available to you and I want to show you what has  
14 previously been marked as Exhibit 81. This was an  
15 exhibit to the deposition of Erica Churchill.

16 Would you take a minute to review  
17 Exhibit 81.

18 **A.** (Witness complying.)

19 **Q.** Have you had a chance to look at it?

20 **A.** Yes. Thank you.

21 **Q.** Can you tell me what Exhibit 81 is?

22 **A.** Well, it looks to me like a list of races for  
23 Congressional districts in North Carolina from, I  
24 guess, 1992 through 2010.

25 **Q.** Did you ever see this information, whether in this



1 format or some other format, at any time prior to  
2 the redistricting plans being enacted?

3 **A.** This specific list that I have in front of me?

4 **Q.** Or similar data, if it was in electronic format as  
5 opposed to printed out. Did you have this --

6 **A.** I'm sorry, but this isn't data. This is just a  
7 list of races. Oh, I see, it's the results.

8 **Q.** Right.

9 **A.** You know, I probably would not have looked directly  
10 at these results. We were using the Maptitude  
11 computer system and the computer system had  
12 election results in it and that's what we used.

13 **Q.** If you look at the 1st Congressional race on the  
14 first page of Exhibit 81, in addition to showing  
15 the vote total for the candidates in the 1st  
16 Congressional District, it also identifies the race  
17 and ethnicity of the candidates.

18 Do you see that?

19 **A.** I see that, yes. Thank you.

20 **Q.** And then it has the voter registration by race in  
21 the district at the time of the election.

22 MR. FARR: Objection to the form.

23 You can answer.

24 BY MS. EARLS:

25 **Q.** I'm sorry. Voting age population. I said voter



1 registration.

2 **A.** I was looking at --

3 **Q.** I apologize. It has total population and voting  
4 age population for the election year.

5 **A.** Yes, but I presume that that would be from the 1990  
6 Census. The Census data is not updated for every  
7 election.

8 **Q.** Right.

9 Then the next page has similar information  
10 for the 12th Congressional District, by that I mean  
11 it has the race and ethnicity of the candidates and  
12 it has 1990 population and voting age population  
13 data for --

14 **A.** Yes.

15 **Q.** -- that district.

16 And then the same is true for every other  
17 contest, that is, it shows the race and ethnicity  
18 of the candidates and the total population and  
19 voting age population broken down by race in that  
20 district.

21 **A.** That's what it appears to me to be.

22 **Q.** In the data that you had available to you when you  
23 were looking at the election returns, did you also  
24 know the race of the candidates in the elections?

25 **A.** I wouldn't have had all of the candidates that ran



1 and all of their races. I would have known that  
2 the 12th District and the 1st District were  
3 represented by African Americans.

4 **Q.** But you don't recall seeing Exhibit 81 prior to  
5 drawing --

6 **A.** I don't recall seeing it. I don't really think I  
7 ever saw that exhibit.

8 **Q.** Can you also turn to Exhibit 82 and just read for  
9 us what Exhibit 82 is.

10 **A.** It says Senate Legislative Races with Minority  
11 Candidates 2006 through 2010.

12 **Q.** And if you wish, you can take a minute to look at  
13 that exhibit.

14 **A.** It looks to be similar results for selected Senate  
15 districts.

16 **Q.** And again, it indicates the race and ethnicity of  
17 the candidates in the elections and it also tells  
18 you the total population and voting age population  
19 and broken down by race for that district.

20 **A.** Yes.

21 **Q.** And can you also look at Exhibit 83.

22 **A.** (Witness complying.)

23 **Q.** Can you tell us the --

24 **A.** Well, again, I think I'm going to see that it's the  
25 same general data again for selected districts in



1 previous elections.

2 Q. And Exhibit 83 are the House legislative races?

3 A. Yes, the State House of Representatives.

4 Q. Did you see Exhibits 82 or 83 at any time prior to  
5 the plans being enacted?

6 A. I never saw these exhibits.

7 Q. And then I do -- finally let me ask you about  
8 Exhibit 94 which I think is the last one there.

9 A. Well, the title says Statewide Partisan and  
10 Non-Partisan and U.S. Senate Races which, of  
11 course, are also statewide.

12 Again, it looks like selected races for  
13 statewide candidates.

14 Q. And this information includes the race and  
15 ethnicity of the candidate and the -- because  
16 they're statewide, it has the statewide Census data  
17 for population and voting age population and broken  
18 down by race; is that correct?

19 A. Yes, although the statewide data would not have  
20 changed from race to race. It's just all Census  
21 data.

22 Q. Did you see Exhibit 94 at any time prior to the  
23 redistricting plans being enacted?

24 A. No, not to my recollection.

25 Q. The other thing I want to try to understand is when



1       you were drawing the redistricting plans -- and I'm  
2       really talking now about the legislative and  
3       Congressional districts -- what information you had  
4       in front of you on the screen. So what I would  
5       like to do is use this screen here and pull up a  
6       map of the enacted plan and ask you a few  
7       questions.

8               To preserve the record, we will create  
9       screen shots and we will label them as exhibit  
10      numbers and we'll print them out at the first break  
11      so that everyone will have a copy of them.

12             As I'm asking the questions, you'll also be  
13      able to see the screen shots and the exhibit  
14      numbers so you can confirm that we're preserving  
15      what we're looking at.

16             So the first shot here that we're looking  
17      at now, we have loaded the block assignment files  
18      from the General Assembly website for the Rucho  
19      Senate 2 plan, the enacted plan.

20             And can I ask you, Dr. Hofeller, does that  
21      appear to you to be the Rucho Senate 2 enacted  
22      redistricting plan for North Carolina?

23      **A.**    Yes.

24             MR. FARR: Can we have an exhibit number  
25      for that?



1 MS. EARLS: That's what I was about to  
2 say. Can you take a screen shot of that.

3 THE WITNESS: It's your exhibit so I don't  
4 know if it's compact or not. I can't tell that,  
5 but it looks like it's right.

6 MS. EARLS: Can you mark that as  
7 Exhibit 504.

8 (WHEREUPON, Exhibit 504 was marked for  
9 identification.)

10 BY MS. EARLS:

11 Q. Looking at what we've marked as Exhibit 504, does  
12 that appear to you to be the Maptitude  
13 Redistricting program that you were using?

14 A. It is.

15 Q. Can you now zoom into Senate District 14 in Wayne  
16 county.

17 What we have on the screen now, does that  
18 appear to be Senate District 14 in the Rucho  
19 Senate 2 plan?

20 A. Yes.

21 Q. And the other elements that we see on the screen,  
22 so we see a map. On the left-hand side there's a  
23 data box. Can you describe what that is?

24 A. Yes, although I usually put it on the other side,  
25 but at any rate, that is a panel which will tell



1           you when you add or subtract an area to a district  
2           or just when you click on the district, there's a  
3           way you can bring the panel up. Another way will  
4           show you the characteristics of the district.

5                   MS. EARLS: Can you move the panel to the  
6           other side.

7 BY MS. EARLS:

8   **Q.** Did the screen generally look like this when you  
9       were working with maps?

10   **A.** Well, there's another panel that I usually put  
11       above the panel, which is the tool box that you use  
12       to actually make the assignments of the areas.

13                   MS. EARLS: Can you add that tool bar.

14                   MR. KETCHIE: I think it's this right  
15       here.

16                   THE WITNESS: Yeah. I usually put it  
17       above that. Everybody places their little boxes in  
18       different spots. Maybe it's because I'm  
19       left-handed. I don't know.

20 BY MS. EARLS:

21   **Q.** I just want to get a general sense of what this  
22       screen might have looked like.

23                   Was there anything else that you were  
24       using as a tool generally when you were drawing  
25       redistricting maps?



1     **A.**    There's another tool box that allows you to zoom in  
2            and zoom out, go back to the previous map, which I  
3            usually put on the far left. Over farther. I  
4            mean, that's all right. That shows what there was.

5     **Q.**    So let's mark this as an exhibit.

6                   (WHEREUPON, Exhibit 505 was marked for  
7            identification.)

8     BY MS. EARLS:

9     **Q.**    So this is Exhibit 505. Does this generally begin  
10           to look like what you were looking at when you were  
11           drawing districts?

12    **A.**    Generally, yes.

13    **Q.**    It might help at this point to zoom in to a closer  
14           area on the map because I'm assuming you're going  
15           to be looking at a more zoomed-in level when you're  
16           working with the district.

17    **A.**    Sometimes. Sometimes not.

18    **Q.**    So before you change this, when you were working at  
19           a level or a scale, I guess I would say, that  
20           showed the entire district, were there any other  
21           layers of data that you had showing on the map?

22    **A.**    Of course there were different layers showing at  
23           different times for different purposes, so you  
24           have -- well, never mind.

25    **Q.**    Well, could you explain generally what types of



1 layers you would be using and for what purposes?

2 **A.** Well, generally, I guess county lines would be on  
3 there, but I think maybe you have county lines, but  
4 just by virtue of the fact that these particular  
5 sets of districts stop at the county line, so I  
6 might have county showing usually under the  
7 district boundary and wider so it showed as a  
8 background to the district line when you were  
9 following a county line.

10 I could have VTDs up there, a VTD layer.  
11 I could have a Census place layer, Census place as  
12 being both incorporated cities and Census  
13 designated places. And I could have blocks  
14 showing, although at this level of scale it would  
15 be a little difficult to use them.

16 **Q.** Well, let's zoom in to a particular precinct so we  
17 can get to -- I don't know if you call it a higher  
18 or lower scale but a more zoomed-in picture. Can  
19 you zoom in on Precinct 09-01.

20 Now, what you're looking at right now, do  
21 you recognize those labels that show it's Precinct  
22 9-01?

23 **A.** Yes, except for we wouldn't have all those numbers  
24 to the left of the 9-01. They don't need to be up  
25 there. It just crowds the map and makes it



1 unnecessarily busy.

2 **Q.** And I think we were trying to use only the data  
3 that was on the General Assembly website, and I  
4 think that's why we made changes, and I think  
5 that's why we have such long label of numbers for  
6 precinct labels.

7 **A.** I don't know what elements he actually selected to  
8 put in that field.

9 Did you use the label or did you use the  
10 precinct number or the name?

11 MR. KETCHIE: The voting district layer  
12 labeling. I used the VTD field.

13 THE WITNESS: You might try name. There  
14 you go.

15 MS. EARLS: Thank you.

16 So let's mark this as an exhibit.

17 (WHEREUPON, Exhibit 506 was marked for  
18 identification.)

19 BY MS. EARLS:

20 **Q.** So Exhibit 506 shows Precinct 09-01 as it's labeled  
21 in the very middle of the page there.

22 As you can see up to the upper left,  
23 there's Precinct 19-09 and then to the right lower  
24 right there's Precinct 9-3; is that right?

25 **A.** 9-03.



1 Q. And then on this particular picture, the red line  
2 is the district line and the blue lines are the  
3 precinct lines; is that correct?

4 A. That's correct.

5 Q. Can you add --

6 A. Maybe I'd make those districts a little bit bigger.

7 MR. KETCHIE: The voting district or the  
8 actual --

9 THE WITNESS: The actual district. I  
10 can't really read it. My eyes aren't as good as  
11 yours, I guess.

12 Good. Thanks.

13 MS. EARLS: So now I will mark this, but  
14 let me see if I can add a couple of other things so  
15 hold off a minute.

16 BY MS. EARLS:

17 Q. So now we have labeled District 14 inside the red  
18 area and District 18 -- Senate District 18 is all  
19 the area outside of it; is that right?

20 A. Yes.

21 Q. In addition to these lines, can you add the Census  
22 block lines and the layer that shows the gradations  
23 by race.

24 Just for illustrative purposes, we've now  
25 added a layer that shows the Census blocks and



1           there's a key on the left-hand side that shows by  
2           zero to -- or 20 percent and below, 20 to  
3           40 percent, 40 to 60, 60 to 80 and 80 to  
4           100 percent.

5       **A.**   Is that screen actually in focus or are my eyes  
6           really that bad?

7                     Dale, can you read that legend?

8                     MR. OLDHAM:   Barely, though.   I'm having  
9           issues as well.

10                    MS. EARLS:   My technical skills to operate  
11           this projector are similarly limited, but I would  
12           be happy for you to walk up there if that would  
13           make it easier to see.

14                    THE WITNESS:   It's clearer from here.

15       BY MS. EARLS:

16       **Q.**   So when you stand there, we'll need you to speak  
17           up.

18       **A.**   All right.

19       **Q.**   Thanks.

20                    MS. EARLS:   So let's mark this as an  
21           exhibit so we know what we're talking about.

22                    (WHEREUPON, Exhibit 507 was marked for  
23           identification.)

24       BY MS. EARLS:

25       **Q.**   So what we're looking at right now which has been



1 marked as Exhibit 507, am I -- have I correctly  
2 described what's on that screen?

3 **A.** Would you repeat your description again.

4 **Q.** So my description is we're looking at precinct --  
5 in the center of the screen is precinct 09-01 in  
6 Wake county. The red line defines the District 14,  
7 the other district bordering it is District 18.  
8 The smaller areas of geography are the Census  
9 blocks and a layer of data has been added to show  
10 the racial composition, the total any part black  
11 voting age population, 18 and over population using  
12 2010 Census data and the screen goes from the gray  
13 areas being 20 percent 18 and over any part black  
14 and below up to 80 percent and above being the  
15 darkest green.

16 **A.** Well, you've correctly described what is on the  
17 screen, yes.

18 **Q.** Does that -- is that an example of what might have  
19 been on -- what you were looking at when you were  
20 drawing this district and wanting to evaluate the  
21 voting age population of the district?

22 **A.** Not precisely, no.

23 **Q.** What else would you be -- what else would you have?

24 **A.** First of all, I would have added the population of  
25 the blocks in. Go up to size and raise it to



1 eight. Go to color -- excuse me. Go to color and  
2 make it black. Go down and bold it. Okay. Go up  
3 to overlaps. Clear the -- I don't know what the  
4 scale is. Okay. That's cleared. See what comes  
5 up. Good.

6 **Q.** Are there any other changes?

7 **A.** I would not have used a monochromatic scale.

8 **Q.** So what scale would you have used?

9 **A.** The rainbow colors.

10 That will do for this display.

11 **Q.** Are there any other changes you would make?

12 **A.** Well, I may have scaled them differently, but  
13 that's not important. This is illustrative of what  
14 might be used. That wasn't always what was up  
15 there, of course, but that is a display that could  
16 have been used.

17 MS. EARLS: Can we mark this as  
18 Exhibit 508.

19 (WHEREUPON, Exhibit 508 was marked for  
20 identification.)

21 BY MS. EARLS:

22 **Q.** So then if I understand your testimony,  
23 Exhibit 508, which is what we're looking at right  
24 now on the screen, is illustrative of what you  
25 would have been looking at when you were drawing



1 Senate districts in the Wake county area, although  
2 there would have been other data in other screens  
3 you would have looked at?

4 MR. FARR: Objection to the form.

5 THE WITNESS: That's illustrative of one  
6 of the themes I might have had.

7 BY MS. EARLS:

8 Q. What other themes were you using?

9 A. Well, I might have used a political factor on the  
10 screen and I might not have had a thematic on the  
11 blocks at all. I might have just had populations.

12 Q. We might try to do those or at least the political  
13 theme in a minute, but I want to just take a look  
14 at what happens when you are actually drawing the  
15 district and putting in some Census blocks and  
16 taking out other Census blocks.

17 So just as an example, can you --

18 A. Pardon me. Can you keep these chairs from going  
19 backward and forward?

20 MR. SPEAS: I don't know. I'm having the  
21 same problem. Do you want me to hold you up?

22 THE WITNESS: Well, I hope that's not your  
23 function through the whole deposition. It's all  
24 right, I'll live with it.

25 (Discussion held off the record.)



1 BY MS. EARLS:

2 Q. So I want to be able to understand what data you  
3 had available to you as you were actually putting  
4 precincts in or taking precincts out.

5 What I am going to -- or at least what  
6 Chris has done is take out a precinct.

7 A. I think you meant to say take out or put in a  
8 block.

9 Q. Block. Thank you.

10 So am I right that what you're looking at  
11 now, if you were thinking of changing the boundary  
12 of Senate District 14, to take out a Census block,  
13 that the screen would have given you the  
14 information about that proposed change that's shown  
15 in the data box on the right-hand side?

16 A. Well, the data box -- the Pending Changes data box  
17 would show you both the characteristics of the  
18 pending change and what the new totals would be for  
19 all the districts involved.

20 For instance, if you were adding that to --  
21 what district?

22 MS. EARLS: What district did you add it  
23 to --

24 THE WITNESS: 18 -- you would have the new  
25 district in 18 so it would show that information,



1 yes.

2 MS. EARLS: We'll make it show that.

3 THE WITNESS: It just reversed the  
4 positions of the districts in the Pending Changes  
5 box.

6 BY MS. EARLS:

7 Q. So am I right that what we're looking at right now  
8 shows the Census block that we're proposing to take  
9 out and then the data on the right-hand side shows  
10 you how that would impact District 18 and how it  
11 would impact District 14?

12 A. That is correct.

13 MS. EARLS: Can we mark this as an  
14 exhibit.

15 (WHEREUPON, Exhibit 509 was marked for  
16 identification.)

17 MS. EARLS: And then similarly, if you can  
18 put that Census block back in and show us what it  
19 would look like if you were trying to add a precinct,  
20 a neighboring Census block.

21 BY MS. EARLS:

22 Q. So this time we're looking at what the impact on  
23 District 14 and District 18 would be if we -- if  
24 you decided to extend the boundary of District 14  
25 on the left-hand side of the map out to include an



1 additional Census block; is that right?

2 **A.** That's correct.

3 MS. EARLS: Can you mark this as an  
4 exhibit.

5 (WHEREUPON, Exhibit 510 was marked for  
6 identification.)

7 BY MS. EARLS:

8 **Q.** So we're now looking at Exhibit 510 showing what  
9 data would be available to you when you're  
10 considering adding a Census block to the district.

11 So you said that sometimes you would have  
12 used this data as your layer but that other times  
13 you would use other data; is that right?

14 **A.** Yes, and I might scale it differently.

15 **Q.** How would you scale it differently?

16 **A.** Well, there are different ways to scale it. I  
17 mean, there are various scales that were used.  
18 This particular scale that you put has five  
19 divisions. I might want something that is a little  
20 more precise.

21 **Q.** Were you typically using 10 -- 10 percent and  
22 below, 10 to 20? What was your practice?

23 **A.** Mostly I would be using eight different divisions.  
24 Sometimes I would be using a different -- I'm  
25 sorry. You have to go back where you were. Okay.



1 A different method, optimal breaks.

2 Q. So can you describe what we're looking at now in  
3 terms of the scale, the thematic?

4 A. Well, now it's running 0 to 3, 3 to 9 and a half, 9  
5 and a half to 17, 17 to 26, 26 to 40, 40 to 64, 64  
6 to 90 and 90 and above.

7 Q. Does this represent --

8 A. But that particular break would depend on the map  
9 that you had up at the time. It wasn't that you  
10 started, at least that's my understanding of how  
11 the system works.

12 Q. But does this represent what you typically were  
13 using when you were drawing these districts?

14 MR. FARR: Objection.

15 THE WITNESS: No, not necessarily. I may  
16 make my own breaks.

17 BY MS. EARLS:

18 Q. So it just varied from time to time?

19 A. Yes.

20 Q. Is this one of the types of thematics using the  
21 Census data that you would have used?

22 A. I don't usually -- wouldn't usually have used this  
23 group of breaks, no. Depends on what I'm trying to  
24 do. Okay. It's more trouble to do a custom break  
25 of the different thematics so it would depend on



1           what's going on.

2       **Q.**    So you had the capacity to make the color scheme  
3           vary depending on what you were trying to do?

4       **A.**    Maptitude has the capacity to vary the thematic  
5           displays quite considerably.

6       **Q.**    So what would you be trying to do if you were using  
7           a thematic similar to this one, a thematic based on  
8           the voting age any part black data?

9       **A.**    Generally, something in the neighborhood of 0 to  
10           30, 30 to 35, 35 to 40, 40 to 45, 45 to 50, 50 to  
11           55, 55 to 60, 60 and above.

12                   Do you want me to tell you how to do it?

13       **Q.**    Yes, please.

14       **A.**    Okay. Well, first of all, cancel that and start  
15           again. Okay, now do it. Again, go down below in  
16           the lower right-hand corner where it says Manual  
17           and you can put them in there using a decimal  
18           equivalent of the percentage. Right there. Class  
19           setting 0 to .3. Hit the next one.

20                   I'll let you work that through and I'll go  
21           get a drink.

22                   MS. EARLS: We can go off the record  
23           briefly.

24                   (Discussion held off the record.)

25       BY MS. EARLS:



1     **Q.**   Dr. Hofeller, while we were taking a quick break,  
2           we worked with our software a bit.  What we're  
3           looking at now on the screen, is that the kind of  
4           thematic that you were setting up that you  
5           described before the break with the different  
6           percentages in the legend?

7     **A.**   That is typical of a thematic I might have used,  
8           yes.

9                   MS. EARLS:  Can we mark this as  
10           Exhibit 511.

11                   (WHEREUPON, Exhibit 511 was marked for  
12           identification.)

13   BY MS. EARLS:

14   **Q.**   And am I correct -- so Exhibit 511 is what we've  
15           just discussed, a thematic you may have used.

16                   Am I correct that the numbers in the box on  
17           the right-hand side, those don't change based on  
18           the thematic?

19   **A.**   No.

20   **Q.**   So what we did earlier with adding a precinct --  
21           I'm sorry -- adding a Census block or taking out a  
22           Census block, that would show the same data on the  
23           right-hand side no matter what your color scheme  
24           was?

25   **A.**   I'm sorry, I don't quite -- if you changed it, it



1 wouldn't be the same data.

2 **Q.** I don't mean change the layer. I mean change the  
3 scale. What do you call it, the legend on the  
4 left-hand side that's giving us whether you have  
5 six or eight or ten?

6 **A.** Right, the thematic legend would not change, no.  
7 You'd have to change that yourself.

8 **Q.** But my question -- we can go back through the  
9 exercise of adding a precinct or -- adding a Census  
10 block or taking a Census block out, but I'm just  
11 trying to avoid that by saying it would change --  
12 the box on the right would look the same, all we've  
13 changed are the colors on the map?

14 **A.** The box on the right would show the same pieces of  
15 data. The data internally in the box would change  
16 as you add and subtract.

17 **Q.** You said that you also used a thematic that showed  
18 political data from time to time; is that right?

19 **A.** Yes.

20 **Q.** And that would be either election returns or voter  
21 registration data?

22 **A.** Most likely election returns.

23 **Q.** So when you're looking at election returns, I want  
24 to understand what you learned at a Census block  
25 level.



1                   So we're going to load -- is there a  
2                   particular election that would be most useful for  
3                   you?  
4       **A.**       Typical election we would use is the two-party vote  
5                   for president in '08.  
6       **Q.**       The general election?  
7       **A.**       Yes.  
8                   Let's see. Generally would use 100 times  
9                   Obama or Bush divided by Obama plus Bush, not the  
10                  total vote cast for president.  
11       **Q.**       So you're getting a percentage?  
12       **A.**       You're getting a percentage, but it's a percentage  
13                  of the vote for both Obama and Bush, one or the  
14                  other of the candidates.  
15                  MR. FARR: Do you McCain?  
16                  THE WITNESS: What?  
17                  MR. FARR: Do you mean McCain?  
18                  THE WITNESS: McCain, yes. Pardon me.  
19                  I'm an election behind.  
20                  MR. FARR: Halfway.  
21       BY MS. EARLS:  
22       **Q.**       Can you show us how to do that now?  
23       **A.**       Certainly.  
24       **Q.**       Is that going to take a moment so we should go off  
25                  the record again?



1     **A.**    That's your choice.

2     **Q.**    We'll just go ahead and let you show us how to do  
3            it.

4     **A.**    Okay.  You're going to select -- well, first of  
5            all, we wouldn't do it at the block level anyway  
6            because the percentages are the same throughout the  
7            VTD except for the anomalies created by rounding.

8     **Q.**    So when you were drawing this piece of Senate  
9            District 14 drawn at the block level because it's  
10          dividing that precinct, correct?

11    **A.**    Yes.

12    **Q.**    You would not be -- that thematic would not give  
13          you any useful information?

14               MR. FARR:  Objection.

15               THE WITNESS:  Well, if I were not  
16            interested in that particular draw in the racial or  
17            ethnic information, it would because it would show  
18            me what the precinct was like and I might be able  
19            to decide whether I wanted to split this precinct  
20            or the other precinct based on the political  
21            percentage in this precinct or that precinct, but I  
22            would still need in many cases the block  
23            populations that would show up in order to balance  
24            the populations.

25               MS. EARLS:  I'm sorry, if you would just



1           give me a moment. I'm trying to understand how  
2           this works.

3       BY MS. EARLS:

4       **Q.**   But going back to the precinct that we're looking  
5           at now, Precinct 09-03 in Wake county, when you  
6           were deciding how to divide this precinct, you  
7           didn't have a political data thematic on the block  
8           level that would help you decide how to divide  
9           Precinct 09-03?

10      **A.**   No.

11      **Q.**   We have the -- we can pull up a similar map for the  
12           state legislative districts, but I would only want  
13           to do that if you did anything significantly  
14           different between the House map or the Senate map.  
15           So when you were -- we've been looking at the  
16           Senate map.

17                   When you were drawing the House map, did  
18           you do anything significantly different?

19      **A.**   In that precinct?

20      **Q.**   Not in that precinct but in drawing the districts  
21           in Wake county or --

22      **A.**   It would depend on which district.

23      **Q.**   I'm sorry. What would depend on which district?

24      **A.**   It would depend on what type of a district was and  
25           what I was looking for when I was drawing that



1 particular district.

2 Q. So --

3 A. So -- never mind.

4 Q. Can you give me an example of how -- what you were  
5 looking at on the screen would vary depending on  
6 which district you were drawing?

7 A. Again, I might be looking at a city limit line. I  
8 might be looking at street patterns. I might be  
9 looking at incumbent residences. I might be  
10 looking at politics. I might be looking at race  
11 ethnicity.

12 So the displays could vary depending on  
13 what I was trying to do and how important it was to  
14 have them up.

15 Q. But the information available to you at the Census  
16 block level, which is the level that's shown here  
17 in this portion of Senate District 14 and 18, that  
18 was only the PL 94 data; is that right?

19 A. Yes, the 2010 Census Bureau redistricting data set.

20 Q. Okay. Thank you.

21 A. You're welcome.

22 Q. Did we mark this as an exhibit. I think that's all  
23 I have.

24 MR. FARR: What exhibit was the last one?

25 MR. PETERS: Exhibit 511.



1 MS. EARLS: We'll show you on the screen.

2 That's 511.

3 MR. FARR: Okay.

4 BY MS. EARLS:

5 Q. Thank you, Dr. Hofeller.

6 A. Are we done with the screen?

7 Q. Yes, we are.

8 MR. FARR: Can we take a quick break?

9 MS. EARLS: Sure.

10 (Brief Recess: 10:26 to 10:38 a.m.)

11 MS. EARLS: So if we can go back on the  
12 record. I want to make sure we're all in agreement  
13 about the exhibits.

14 So we marked the file that's on the  
15 computer, the printouts, and I want to make sure  
16 you have a chance to mark your copies and agree  
17 that they're correct.

18 This is what is 504.

19 MR. FARR: Can we have Tom look at the  
20 original?

21 MS. EARLS: Sure.

22 MR. PETERS: This one is 504?

23 MS. EARLS: Right. And he can bring it up  
24 on the screen there if you want to confirm it.

25 This is 505.



1 MR. FARR: I think just to make sure we  
2 don't make a mistake unintentionally, let's put the  
3 screen shots up. You're ahead of me.

4 Tom, would you look at this and agree, is  
5 that 504?

6 THE WITNESS: The first one they did and  
7 this is the second one and this is the third one,  
8 and assuming they started at 504, that's right.

9 MR. FARR: So we have 505 and 506.

10 MR. PETERS: I don't have 506 yet.

11 THE WITNESS: I've got it.

12 MS. EARLS: I was trying not to get ahead  
13 of you. There's 505. There's 506.

14 MR. FARR: Okay.

15 MS. EARLS: Then show them 507.

16 MR. FARR: Thank you.

17 MS. EARLS: Then show them 508.

18 Then show 509.

19 MR. PETERS: Is this 509?

20 MR. FARR: Yes.

21 MS. EARLS: 510.

22 And then this is 511.

23 So are we all in agreement about the  
24 exhibit numbers?

25 MR. FARR: Seem to be.



1 MS. EARLS: Thank you.

2 BY MS. EARLS:

3 Q. The final thing I want to ask you about concerning  
4 the map-drawing process of your involvement was if  
5 you could describe for us what role you had between  
6 the time that the first maps were introduced and  
7 the final plans were enacted.

8 A. As is the case in most redistricting, there is a  
9 process of modifications to the map as it goes  
10 through the process from first release, I would  
11 say, to when it passes, and it was my function to  
12 the extent that I was able to look at the maps and  
13 see that they were technically correct and to keep  
14 track of the changes as they were occurring and to  
15 help people make the changes that they wanted to  
16 make.

17 For the plans, I kept what we like to call  
18 the controlling copy, so that was the map as it  
19 stood at that particular moment. People might go  
20 off and want to look at something or the Chairman  
21 specifically would ask me to look at something, I  
22 would create another map, they would look at it.  
23 If they wanted it, I would incorporate it back into  
24 the main map. If not, it would just stay out  
25 there.



1 MS. EARLS: Mark this as Exhibit 512.  
2 (WHEREUPON, Exhibit 512 was marked for  
3 identification.)

4 BY MS. EARLS:

5 Q. If you would take a minute to look at Exhibit 512.

6 A. (Witness complying.)

7 Q. Can you tell us what that exhibit is?

8 A. That's an e-mail, well that's actually two e-mails.  
9 It's an e-mail sent to me by Joel Raupe on  
10 June 13th and it's a reply, which is a second  
11 e-mail, sent from me to Joel with a copy to Dale  
12 Oldham sent the following day.

13 Q. Did the first e-mail have an attachment or what was  
14 he sending you with the first e-mail?

15 A. I can't really tell from this whether there was an  
16 attachment or not, so I can't see one way or the  
17 other actually.

18 Q. Well, the text of your --

19 A. Excuse me. If it was in my e-mail file, it would  
20 have been the -- the original would have been in  
21 there, too.

22 Q. The text of your e-mail says, "Attached is the fix  
23 to the file you sent yesterday."

24 Do you recall getting this file from Joel  
25 Raupe?



1     **A.**    I must have gotten it if I said that.  I wouldn't  
2            have said it if I didn't get it, but I don't recall  
3            getting it.

4     **Q.**    During the redistricting process, at any point did  
5            you meet with Art Pope?

6     **A.**    I don't know what you describe by "meet with Art  
7            Pope."  If you could be more specific.

8     **Q.**    Did you have any in-person conversation with Art  
9            Pope about redistricting?

10    **A.**    Yes.

11    **Q.**    And when was that conversation?

12    **A.**    I don't really remember.  Art came in to the  
13            redistricting headquarters several times to see  
14            what was happening.

15    **Q.**    And do you recall what Art Pope said to you in any  
16            conversation that you had with him regarding  
17            redistricting?

18    **A.**    No, not specifically.

19    **Q.**    Do you know whether -- the e-mail here has as its  
20            subject NC House with Changes to Wake by Art Pope.

21                Do you recall what changes to Wake he  
22            wanted to make?

23    **A.**    No.

24    **Q.**    And you said that he came in to the headquarters  
25            from time to time.  Can you give us an idea of how



1 many conversations you had with him about  
2 redistricting?

3 **A.** You mean North Carolina redistricting?

4 **Q.** Yes.

5 **A.** Okay. I don't know, two or three maybe.

6 **Q.** Did you have other communications other than  
7 in-person conversations with Art Pope about  
8 North Carolina redistricting?

9 **A.** Not that I can recall, no.

10 **Q.** So just to be clear, the original attachments to  
11 this e-mail don't show up in the paper Exhibit 512,  
12 but we do have -- your testimony is that if there  
13 were attachments, you produced them in discovery  
14 and we would have them in the discovery materials?

15 **A.** That's my assumption, yes.

16 **Q.** Okay. Thank you.

17 So I'd like to turn now to your role and  
18 activities as an expert witness.

19 Can you tell us what you are -- what your  
20 understanding is of what you are an expert in for  
21 the purposes of this litigation?

22 **A.** Redistricting.

23 **Q.** The identification of expert witnesses that counsel  
24 provided to us identified you as an expert in  
25 demography, redistricting and voting behavior, and



1 I want to ask you about the voting behavior aspect  
2 of that.

3 Do you also have expertise in voting  
4 behavior?

5 **A.** I do.

6 **Q.** And can you explain more specifically what aspects  
7 of voting behavior you have expertise in?

8 **A.** Well, the voting behavior that I've been involved  
9 with early in my career, I did voting behavior in  
10 terms of campaigning and precinct analysis, voter  
11 list work and also later on more specifically  
12 voting behavior as it involves building districts.

13 **Q.** And so when you say precinct behavior, what do you  
14 mean by that?

15 **A.** A lot of it was targeting, precinct targeting.

16 **Q.** Describe to me how voting behavior impacted your  
17 precinct targeting.

18 **A.** Well, sort of an axiom that says that past voting  
19 behavior is most predictive of future voting  
20 behavior. And a lot of people do a lot of  
21 different analyses to try and find different  
22 methods, but I think always past behavior is more  
23 indicative of future behavior, although it changes  
24 over time, but then you have further elections to  
25 add in and look at.



1 Q. You then also mentioned more recently having  
2 expertise in voting behavior as it relates to  
3 redistricting?

4 A. I've done redistricting for 45 years so I think  
5 I've gained a lot of experience on how voting  
6 behavior relates to redistricting.

7 Q. And can you tell me more specifically what you mean  
8 about voting behavior as it relates to  
9 redistricting?

10 A. Well, once again, as you're drawing districts,  
11 you're trying to gain -- you're trying to predict  
12 or to understand how the districts you're drawing  
13 will behave, and by doing that you have to look at  
14 the data that's available to you and make a  
15 decision based on one or two or whatever number of  
16 factors you're going to look at.

17 Q. And typically, then, in looking at voting behavior,  
18 what factor are you looking at?

19 A. Primarily partisan voting behavior.

20 Q. Have you also -- do you also have expertise in  
21 evaluating racially polarized voting?

22 A. I don't do racially polarized voting studies.

23 Q. So your voting behavior experience relates to  
24 partisan voting behavior primarily?

25 A. Primarily. Registration, too, but my experience is



1           that registration is not as predictive as actual  
2           voting behavior.

3       **Q.**   When you say not as predictive, you mean not as  
4           predictive of party -- not as predictive of what?

5       **A.**   Well, people crossover when they vote. You have  
6           switch voting. You have crossover voting. You  
7           have a lot of independents who are registered, more  
8           actually now than there used to be decades ago.  
9           And you really can't predict how they're going to  
10          vote just using registration.

11                       So once again, the partisan voting behavior  
12           for candidates is much more indicative of what you  
13           can expect to see in the future.

14       **Q.**   Your c.v. is attached to what we previously  
15           marked -- actually, I think it's attached to a  
16           couple of exhibits, but the one in this case is  
17           Exhibit 435 which -- do you have -- I can provide  
18           you --

19                       MR. FARR: I have it, Anita. I've got it.

20                       MS. EARLS: Great. Thank you.

21                       MR. FARR: Do you want him to look at his  
22           resume?

23                       MS. EARLS: Yes, please.

24       BY MS. EARLS:

25       **Q.**   It's one of the exhibits to -- or one of the



1 attachments to Exhibit 435. And my question is  
2 whether any of the cases that you identified where  
3 you've participated in lawsuits whether any of  
4 those you were testifying about voting behavior.

5 **A.** Again, it would depend on what you want to define  
6 as voting behavior.

7 **Q.** Well, actually, I'm trying to understand your  
8 expertise and so how you define it.

9 **A.** I would be testifying on voting behavior as it  
10 pertains to how the districts were constructed and  
11 what the expected result would be in the districts.

12 **Q.** And that would be partisan voting behavior; is that  
13 right?

14 **A.** For the most part.

15 **Q.** Can you give me an example from your prior cases a  
16 case where you testified about partisan voting  
17 behavior as it related to how the districts would  
18 perform?

19 **A.** I'd have to say it's a more integral part of what I  
20 do and how I describe the plans that I'm doing. A  
21 lot of cases normally in light of just analyzing  
22 the plans that I was asked to look at and render an  
23 opinion on.

24 **Q.** Okay. Thank you.

25 **A.** You're welcome.



1 Q. So in this case, in your capacity as an expert  
2 witness, what analyses were you requested to  
3 perform?

4 A. You know, I'd have to review my affidavit.

5 Q. We were just looking at it. It's Exhibit 435.

6 A. Primarily I was asked to respond to the affidavit  
7 of David W. Peterson particularly with regard to  
8 the 12th District.

9 Q. I wanted to ask you a couple of questions about the  
10 Chart A that appears on page 7 of your affidavit.  
11 And I want to make sure I understand the  
12 percentages as they appear in this chart.

13 It looks like what you're saying is that  
14 the number one on the left-hand side, that doesn't  
15 refer to -- I'll back up. Chart A is about the  
16 Senate district and several versions, so it's the  
17 enacted plan and then three other alternative  
18 Senate plans; is that right?

19 A. Yes.

20 Q. And the first row, Number 1 doesn't refer to  
21 District Number 1?

22 A. No, it doesn't. It's a rank number.

23 Q. So if I understand it, you took the districts and  
24 ranked them by percentage African-American?

25 A. Yes, from high to low.



1     **Q.**     So Number 1 refers to the highest, the district in  
2             the -- were you sorting those along the enacted  
3             plan?

4     **A.**     No. They were sorted with the individual plans.

5     **Q.**     So Number 1 in the 2011 Senate plan is not the same  
6             district as Number 1 in the AFRAM Senate?

7     **A.**     No, it is not.

8     **Q.**     So let's just look at the 2011 Senate plan. The  
9             5.61 percent means that the district in that -- in  
10            the enacted plan that has the highest percentage  
11            black voting age population, total black voting age  
12            population contained 5.61 percent of the overall  
13            total black voting age population in the state?

14    **A.**     Yes.

15    **Q.**     So Number 2 means that when the 10.61 percent means  
16             when you take the top two districts in terms of  
17             total black voting age population, they comprise  
18             10.61 percent of the overall total black voting age  
19             population?

20    **A.**     That's correct.

21    **Q.**     Then on down to when you take the top 12 districts  
22             in the Senate plan ranked by total black voting age  
23             population, they comprise 51.88 percent of the  
24             state's total black voting age population?

25    **A.**     Correct.



1     **Q.**    In the paragraph -- and I'm really looking at the  
2            sentence immediately above the chart, it says,  
3            "Appendix A contains a chart which lists all the  
4            relevant information and all these plans for all  
5            the districts in the state."

6                    And my question to you is whether I'm  
7            correct that Appendix A is actually either not  
8            attached or -- well, we have a map that's labeled  
9            as Appendix 1, but we don't have an Appendix A.

10    **A.**    Okay.

11    **Q.**    Is something mislabeled? Am I missing it? Is it  
12            there?

13    **A.**    No, I don't see it attached there.

14    **Q.**    But that is a chart that you prepared that you  
15            could provide to us?

16    **A.**    Yes.

17    **Q.**    Similarly, if you would look at page 10 through 11,  
18            there's Chart B which has the same data for the  
19            House plan, but it's not a chart of all 120 House  
20            districts.

21    **A.**    No.

22    **Q.**    Is there an Appendix B that has the data for all  
23            the districts?

24    **A.**    I'm sure I have such a chart, but I don't know that  
25            I listed it as an appendix.



1 Q. But you could provide that chart to us?

2 A. I could provide a chart, yes. I'll have to see if  
3 I have it, but even if I didn't have it, I could  
4 probably make it, but that would be something new.

5 Q. Well, let's look at paragraph 38 on page 15. The  
6 last sentence of that paragraph says, Appendix C  
7 contains a chart which lists all the relevant  
8 information on all these plans for all the  
9 districts in the state referring to the  
10 Congressional plan.

11 Am I right that we also don't have  
12 Appendix C?

13 A. Yes.

14 Q. But that's a chart you could provide to us?

15 A. Yes, be happy to do it.

16 Q. Thank you.

17 (WHEREUPON, Exhibit 513 was marked for  
18 identification.)

19 BY MS. EARLS:

20 Q. I've marked your second affidavit at Exhibit 513.  
21 Can you --

22 MR. PETERS: I'm sorry, Anita, I couldn't  
23 hear.

24 MR. FARR: 513.

25 BY MS. EARLS:



1 Q. Am I correct this is the second affidavit you  
2 prepared for this case?

3 A. I believe I prepared something. Let me read the  
4 affidavit.

5 Do you want me to read it all the way  
6 through?

7 Q. Take whatever time you need, please.

8 A. Okay.

9 MR. FARR: While he's reading that, I am  
10 going to step out for a minute. I'll be right  
11 back.

12 BY MS. EARLS:

13 Q. Have you had an adequate opportunity to review  
14 Exhibit 513?

15 A. Yes.

16 Q. Is that the second affidavit that you provided in  
17 this case?

18 A. Yes.

19 Q. Are there any other analyses that you've done of  
20 any data relating to redistricting in  
21 North Carolina in your capacity as an expert  
22 witness other than what's presented in these two  
23 affidavits, that is, your first affidavit, which is  
24 Exhibit 435, and this second affidavit, which is  
25 Exhibit 513?



1 A. Not in connection with being an expert witness, no.

2 Q. Are there any other affidavits or reports that  
3 you've written about North Carolina's redistricting  
4 in any capacity?

5 A. I'm sorry, either -- say that again.

6 Q. Are there any other reports -- affidavits or  
7 reports that you've written about North Carolina's  
8 2010 redistricting?

9 A. Okay. There are no more affidavits.

10 Q. Okay. Are there other reports?

11 A. There are no reports per se.

12 Q. What --

13 A. Attorney-client work product.

14 Q. Without telling me what's in the documents, can you  
15 identify what document you're referring to that  
16 would be covered by the privilege?

17 A. Then I would be telling you what's in the  
18 documents.

19 Q. Well, I'm trying to understand. You're not an  
20 attorney.

21 MR. FARR: There's stuff he's looking at  
22 to help establish our legal argument in the briefs.

23 MS. EARLS: Okay.

24 THE WITNESS: Yes, I am not an attorney.

25 BY MS. EARLS:



1     **Q.**    But your counsel has clarified what you're  
2           referring to, so thank you.

3                   I want to ask you to look at another  
4           exhibit that's in the exhibit book. I think  
5           they're right there. If you would look at  
6           Exhibit 432.

7     **A.**    Yes.

8     **Q.**    So Exhibit 432 is the set of invoices for your work  
9           assisting the Chairman of the North Carolina  
10          General Assembly Redistricting Committees.

11                   Could you look at page 4, which the date of  
12          that invoice is December 7, 2011.

13    **A.**    Yes.

14    **Q.**    The next to the last sentence in the description of  
15          the work says, "Preparation of chart showing split  
16          precinct percentages and examination of enacted  
17          plans to document reasons for precinct splitting."

18                   Can you tell me what the chart showing  
19          split precinct percentages refers to?

20    **A.**    The precincts that were split by the plans.

21    **Q.**    So the chart just -- because I couldn't find a  
22          chart that seemed to be that.

23    **A.**    Well, again, attorney-client work product. It's  
24          something the attorneys asked me to do.

25                   MS. EARLS: I'm sorry. Can I have a



1 minute?

2 (Discussion held off the record.)

3 BY MS. EARLS:

4 Q. But let me understand. When you say a chart  
5 showing split precinct percentages, what does the  
6 percentage -- Maptitude will print out a chart of  
7 all the precincts that are split, but I don't  
8 understand what the split precinct percentages is.

9 A. Well, I'm sorry. I'm trying to make it clear.  
10 It's the percentage of the precinct that's on one  
11 side of the line and the percentage of the precinct  
12 on the other side of the line with data about the  
13 characteristics of those precincts.

14 Q. And that's data that you prepared. Who did you  
15 provide that to?

16 A. Who did I what?

17 Q. Who did you give it to?

18 A. Mr. Farr.

19 Q. So you didn't -- did you show it to the Chairman,  
20 that's Rucho, or Chairman Lewis?

21 A. No.

22 Q. And you haven't produced it in discovery in this  
23 litigation?

24 A. No.

25 Q. Did you rely on that information in coming to any



1 of the opinions expressed in your -- in either of  
2 your affidavits?

3 **A.** Not really, no.

4 **Q.** So you didn't use that information in any way  
5 in --

6 **A.** Not in my affidavits, no.

7 **Q.** Let's look at what you said about Dr. Arrington's  
8 affidavit. And am I correct -- so this is  
9 paragraph 9 of Exhibit 513.

10 Am I understanding you to say that --

11 **A.** Could I read it?

12 **Q.** Oh, please, yes.

13 **A.** Okay. So now you want to ask me the question again  
14 about the paragraph, please.

15 **Q.** My question about this paragraph is whether the  
16 opinions you expressed as an expert in that  
17 paragraph were informed in any way by the analysis  
18 that you did concerning the split precinct  
19 percentages?

20 **A.** No.

21 **Q.** So the sentence that says -- this is maybe the next  
22 to last sentence. "He also fails to mention that  
23 splitting VTD lines is often necessary in order to  
24 create TBVAP districts or indeed even some  
25 districts with a total black VAP with 42 percent or



1 higher," that that opinion did not relate to or was  
2 not informed in any way by the chart you prepared  
3 on split precinct percentages?

4 **A.** No.

5 **Q.** In describing the chart, you said you were looking  
6 at what percentage of the precinct was in one  
7 district -- when a precinct is split, what  
8 percentage of the precinct is in one district and  
9 what percentage is in another district?

10 **A.** Yes.

11 **Q.** And when you say percentage, were you talking  
12 percentage of total population or you weren't  
13 talking about land area?

14 MR. FARR: I think we're getting into area  
15 of land where he helped us to evaluate the plan to  
16 make our legal arguments, so I am going to tell him  
17 not to answer these questions.

18 MS. EARLS: So are you instructing him not  
19 to tell us how he did his analysis?

20 MR. FARR: Yes, because it's been asked  
21 for and requested to help us develop our legal  
22 arguments.

23 MS. EARLS: Are you instructing him not to  
24 provide that document to us?

25 MR. FARR: Yes.



1 MS. EARLS: I'll just note for the record  
2 that we disagree and believe that we are entitled  
3 to that.

4 MR. FARR: We'll turn over that analysis  
5 as soon as you give us the analysis that your folks  
6 made to support the allegations in the complaint  
7 about the percentage of the population and divided  
8 precincts.

9 MS. EARLS: I think we have. I actually  
10 think we have given you that analysis. I don't  
11 know that I have it -- I don't have our discovery  
12 production with us, but I believe we have, but I  
13 will move on.

14 BY MS. EARLS:

15 Q. This Exhibit 513 is dated February 8, 2012. Have  
16 you done any additional analysis of data relating  
17 to redistricting in North Carolina since the date  
18 of this affidavit?

19 A. I'm sorry. Which exhibit are you --

20 Q. 513.

21 A. I'm sorry, Court Exhibit 513. The documents have  
22 exhibits in them too, so.

23 Q. Yes. I apologize.

24 A. Have I done any other work?

25 Q. Yes.



1       **A.**    Yes.

2       **Q.**    What additional analysis have you done?

3       **A.**    Again, that's work that the attorneys have asked me  
4              to do and that I've done for them.

5       **Q.**    Well, if you're going to testify as an expert and  
6              express opinions about North Carolina's  
7              redistricting, we're entitled to know what analysis  
8              you've done and what informs those opinions.

9                      MR. FARR:  We agree with that, but what  
10                     he's done since then at this point in time is to  
11                     inform us on how to make our legal arguments in the  
12                     case.

13       BY MS. EARLS:

14       **Q.**    So are there any other opinions that you've  
15              formulated about North Carolina's redistricting  
16              other than the opinions expressed in your first and  
17              second affidavit?

18                     MR. FARR:  That he's going to --

19       BY MS. EARLS:

20       **Q.**    That you expect to testify to as an expert in this  
21              case.

22       **A.**    I think that depends on how the strategy of the  
23              case unfolds.

24       **Q.**    We're entitled to know what opinions you're going  
25              to express regarding North Carolina's



1           redistricting, and if they're not contained in your  
2           first or second affidavit, I need to know what they  
3           are.

4       **A.**    Again --

5                   MR. FARR: We agree with that. If that  
6           happens, you'll have a chance to ask Dr. Hofeller.

7                   MS. EARLS: Additional questions?

8                   MR. FARR: Yes.

9                   MS. EARLS: Okay. Thank you.

10       BY MS. EARLS:

11       **Q.**    Are you presently performing any additional  
12           analyses relating to your expert opinions in this  
13           case?

14       **A.**    Not at the present, no.

15       **Q.**    I'm going to ask you about the deposition -- the  
16           first part of our deposition on June 28th.

17                   Prior to that day, what did you do to  
18           prepare for the deposition?

19       **A.**    I read or reread some of the materials that had  
20           been submitted. I reviewed some of the documents  
21           that had been involved in the redistricting. I did  
22           a lot of looking and re-looking and sort of  
23           reconnecting myself with a lot of the plans. It  
24           had been a long time and I didn't really remember  
25           exactly what was in them. Mainly the usual



1 preparation that one would make for a deposition.

2 **Q.** Did you talk with anyone else other than counsel in  
3 the course of preparing for your deposition?

4 **A.** Not that I recall, no.

5 **Q.** And then in preparation for the continuation of  
6 your deposition today, what did you do to prepare?

7 **A.** Well, much the same, and I did not speak with  
8 anybody but counsel.

9 **Q.** And when you say "much the same," you mean you  
10 reviewed -- can you describe what you did before  
11 today?

12 **A.** Reviewed some affidavits, reviewed some papers,  
13 again, looked at the map. It had been now, what,  
14 two months. So, again, I have a lot of other  
15 things going on in my life right now and I had to  
16 just reacquaint myself and sort of get back into  
17 the North Carolina process.

18 (WHEREUPON, Exhibit 514 was marked for  
19 identification.)

20 BY MS. EARLS:

21 **Q.** I'm handing you what's been marked as Exhibit 514.  
22 Can you identify what this is?

23 **A.** It's an article that I wrote for the RNC to put in  
24 one of their publications.

25 **Q.** And can I just -- the copy that you have, does it



1 show the maps in color on the second page? I may  
2 have given you the wrong copy.

3 **A.** It does.

4 **Q.** Do you remember when you wrote this article?

5 **A.** Not specifically, but it was before the election of  
6 2010.

7 **Q.** So it was in 2010 and sometime before the November  
8 election in 2010?

9 **A.** No, I didn't say that. I said it was before the  
10 2010 election.

11 **Q.** Do you know if you wrote it in 2010?

12 **A.** I don't specifically know the date I wrote it. It  
13 could actually very well have been in 2010, but I  
14 can't state that for a fact. I would have to go  
15 back and look at the document file and find out  
16 what the date is.

17 **Q.** The website where we found this document had a date  
18 of May 10, 2010. Would that possibly be --

19 **A.** Sure.

20 **Q.** -- right?

21 All right. Thank you.

22 (WHEREUPON, Exhibit 515 was marked for  
23 identification.)

24 BY MS. EARLS:

25 **Q.** Could you take a look at Exhibit 515 and tell me



1           what this is.

2       **A.**   This is a PowerPoint that I have given several  
3           times before the National Conference of State  
4           Legislators with Kimball Brace, who is roughly a  
5           counterpart on the other side of the partisan  
6           aisle, to explain some of the factors surrounding  
7           compactness, what is it, how is it measured, what's  
8           it good for, and it is primarily to get people  
9           thinking about it and kind of jog some memories and  
10          make people pay attention to it when they need to.

11       **Q.**   When you say people, what -- can you --

12       **A.**   Normally the audience, is that what you're trying  
13          to say?

14       **Q.**   Yes, the audience.

15       **A.**   The NCSL meeting has legislators, a lot of staff  
16          people, attorneys and other people interested in  
17          redistricting. They have their own redistricting  
18          committee, and they hold meetings, and they're  
19          usually about two days long, and this is a  
20          presentation that I've made probably once or twice  
21          a decade.

22       **Q.**   Is the presentation -- the presentation itself  
23          isn't dated, but this particular presentation on  
24          compactness was from the website of -- the NCSL  
25          website appeared to have been done in 2009. Does



1           that sound about right to you?

2       **A.**    That could very well be. It was certainly done  
3           after the 2000 redistricting cycle.

4       **Q.**    Am I correct it was done in anticipation of the  
5           2010 redistricting cycle?

6       **A.**    Yes.

7                       MR. FARR: This one?

8                       THE WITNESS: Well, parts of it are kind  
9           of held over from the 2000 cycle. Oh, I know.

10                      MR. FARR: Oh, I understand.

11                      THE WITNESS: It's a dedication.

12       BY MS. EARLS:

13       **Q.**    And I want to direct your attention to the slides,  
14           and the pages aren't numbered, but this is about  
15           the fourth page in. There's two slides on the  
16           page, and the top one is State of Tennessee and the  
17           bottom says "What the Democrats Have Done Before."

18       **A.**    Yes.

19       **Q.**    And following that are "Here are some other great  
20           examples" and then there's several pages of  
21           examples of districts.

22                      In your presentation, are you using these  
23           as examples of districts that are not in your view  
24           geographically compact?

25       **A.**    No, not specifically. We're just using them as



1 demonstrations of what people have drawn.

2 Q. And then there's a slide toward the middle of the  
3 packet and you have -- maybe the easiest way to  
4 find it is to find the Shaw versus Reno slides.

5 A. North Carolina 1993?

6 Q. Yes. And then I'm looking actually at three pages  
7 over from that.

8 MR. PETERS: Behind.

9 MS. EARLS: Behind it, yes.

10 THE WITNESS: "Where does that leave us?"

11 BY MS. EARLS:

12 Q. Yes. And then the slide below it, there's three  
13 slides with "Where does that leave us?" I want to  
14 go to the page one over from where you are right  
15 now.

16 A. One over which way?

17 Q. Behind. One more. So the top slide says "Where  
18 does this leave us?" The bottom one says "Where  
19 does compactness fit?"

20 A. Yes.

21 Q. And you have a bullet point that says, "Be careful  
22 of the compactness standards you adopt. They may  
23 come to bite you on the rear in court."

24 Can you explain sort of the advice that  
25 you're giving?



1     **A.**    I think the statement really speaks for itself.  If  
2            you adopt a specific standard, you'll be held to  
3            it.

4                        Is that it?

5                        MS. EARLS:  For this one.  We have one  
6            more.

7                        (WHEREUPON, Exhibit 516 was marked for  
8            identification.)

9    BY MS. EARLS:

10   **Q.**    I am showing you what's been marked as Exhibit 516.

11   **A.**    I think it looks pretty much like the one you gave  
12            me before.  Did you mean to give me that?

13   **Q.**    The difference is the first one had 58 slides and  
14            was in 2009 and this one has 63 slides and was done  
15            in 2010.

16   **A.**    Okay.

17   **Q.**    I wanted to ask you about the summary slide which  
18            is on the last page -- well, the last page is a  
19            single slide, but the last double page "In  
20            Summary."  Could you take a minute and look at that  
21            slide.

22   **A.**    (Witness complying.)

23   **Q.**    So you say Compactness Measures, the third bullet  
24            point, "Are one of the Expert Witnesses' best  
25            friends."



1 What does that mean?

2 **A.** It means that expert witnesses have been paid to  
3 opine on it.

4 **Q.** You've also written an article on compactness, and  
5 if you look at Exhibit 429, which is the first  
6 exhibit from the last session, look at page 2 of  
7 that affidavit that's Exhibit 429 and the second  
8 paragraph and you're referencing there an article  
9 that you've coauthored on measuring compactness.

10 **A.** I'm sorry. Which paragraph?

11 **Q.** Paragraph 2.

12 **A.** Okay. Are you through with this?

13 **Q.** No. I want to ask you -- the next exhibit I want  
14 to give you which is 517.

15 (WHEREUPON, Exhibit 517 was marked for  
16 identification.)

17 BY MS. EARLS:

18 **Q.** Is Exhibit 517 the article you're referring to in  
19 paragraph 2 of Exhibit 429?

20 **A.** Yes.

21 **Q.** And you say in paragraph 2 that this article is  
22 still considered to be a seminal study on measures  
23 of compactness for legislative -- for Congressional  
24 legislative and local representative districts.

25 So does that mean that you still stand



1 behind the statements and findings in the article  
2 that's now Exhibit 517?

3 MR. PETERS: Object to the form.

4 THE WITNESS: That article was written by  
5 four people and it was written in 1990 or before  
6 and there have been other articles that have been  
7 written and there have been a lot more districts  
8 drawn, and so I guess I would have to say you would  
9 have to point out a specific statement to me you're  
10 interested in and I would tell you whether I still  
11 feel exactly the same way about it.

12 BY MS. EARLS:

13 Q. Have you written any seminal articles on measures  
14 of compactness since 1990?

15 A. No.

16 Q. And in terms of the general topic of the article,  
17 that is, compactness as a test for partisan and  
18 racial gerrymandering, is there anything in  
19 particular that has substantially changed since  
20 1990 that would impact the views that you've  
21 expressed in this article?

22 A. I don't think so. Of course, we have better  
23 mathematical processes available to us that have  
24 changed a few of the ways that the measurements can  
25 actually be done as, for instance, you see in



1 Maptitude.

2 Q. The other statement that I want to ask you about in  
3 Exhibit 429, in paragraphs 5, 6 and 7 you're  
4 reporting on compactness scores; is that correct?

5 A. Yes.

6 Q. And I just want to clarify. I think it's in the  
7 context of the affidavit. Is the Reock test the  
8 test that you were using to generate those scores?

9 A. I'm not sure I remember which test I used.

10 Q. Well, if you look at paragraph 4, you're talking  
11 about the Reock test.

12 A. Okay. Well, then, probably yes.

13 Q. So the opinions that you expressed in this  
14 affidavit in the Mississippi case were based on  
15 the -- on just one compactness test?

16 A. Yes.

17 (WHEREUPON, Exhibit 518 was marked for  
18 identification.)

19 BY MS. EARLS:

20 Q. Can you identify what Exhibit 518 is.

21 A. Exhibit 518 is a report that I submitted in some  
22 litigation in Nassau County in the -- regarding the  
23 redistricting of the county council districts in  
24 that county.

25 Q. I'm going to ask you a question about paragraph 35



1 in that affidavit.

2 (WHEREUPON, Exhibit 519 was marked for  
3 identification.)

4 MR. FARR: Anita, I'm sorry, would you let  
5 him read this for just a second.

6 MS. EARLS: Sure.

7 (Discussion held off the record.)

8 BY MS. EARLS:

9 Q. So you have in front of you what's been marked as  
10 Exhibit 519, and I'm asking you whether 519 is the  
11 map that you're referring to in paragraph 35 of  
12 Exhibit 518.

13 A. Yes.

14 (WHEREUPON, Exhibit 520 was marked for  
15 identification.)

16 BY MS. EARLS:

17 Q. You're looking at what the court reporter has  
18 marked as Exhibit 520.

19 And just for counsel's reference, I believe  
20 that a version of this was previously marked in  
21 these depositions as Exhibit 394, but it may not be  
22 exactly the same.

23 MR. FARR: We'll take your word for it,  
24 Anita. I think this one doesn't have the place for  
25 making notes on the left-hand side of it.



1 MS. EARLS: Exactly.

2 BY MS. EARLS:

3 Q. But I would like to ask you, Dr. Hofeller, if you  
4 can identify what this Exhibit is, 520.

5 A. It's a presentation I gave on the last day of the  
6 NCSL meeting in Providence, Rhode Island, on  
7 September 28, 2010.

8 Q. And again, was the audience similar to the audience  
9 you described for the earlier PowerPoint  
10 presentations?

11 A. Yes.

12 Q. And is it fair to say you were trying to give  
13 people who would be involved in the redistricting  
14 process in the states the benefit of your  
15 experience, your years of experience in  
16 redistricting?

17 A. As you know, redistricting, for the most part, is  
18 very seasonal, only happens once a decade, and part  
19 of the purpose of these sessions is to get the  
20 audience thinking about redistricting and  
21 considering the factors they need to consider.

22 This PowerPoint is designed to do that in  
23 such a way that keeps their attention and gets them  
24 thinking about those factors that they have to  
25 consider.



1 Q. But it was based on your experience?

2 A. Yes.

3 Q. And you were giving your best general advice as to  
4 how to go about drawing redistricting plans?

5 A. I wouldn't characterize it as giving my best  
6 general advice, but really getting them used to the  
7 considerations that they had to be thinking about.  
8 If I were counseling them privately, I might have  
9 said some things differently.

10 Q. Well, for example, let's -- I'd like you to turn to  
11 the slide that's one of the Legal Perils slides  
12 maybe two-thirds of the way back. It's right after  
13 the slide that says Washington Post.

14 So the top point says, "Don't get caught in  
15 'criteria hell.'" And the third bullet says, "Make  
16 sure you can live by your own criteria BEFORE you  
17 state them publicly."

18 Can you explain what advice you were  
19 giving legislators, legislative staff, people who  
20 would be involved in redistricting with this slide.

21 A. Where?

22 Q. Well --

23 A. No. I mean where?

24 Q. When you were giving this presentation.

25 A. When I was giving this presentation in general?



1 Q. Yes.

2 A. I would say that I was saying that if you state  
3 some criteria, you may find yourself not being able  
4 to live by them. Of course, that's not really  
5 applicable to that in the North Carolina context,  
6 but just be careful what you promise you're going  
7 to do.

8 Q. And why do you say it's not really applicable in  
9 the North Carolina context?

10 A. Well, because the Stephenson court has given us a  
11 rather specific outline of how we're to treat the  
12 redistricting process in the state.

13 (WHEREUPON, Exhibit 521 was marked for  
14 identification.)

15 BY MS. EARLS:

16 Q. You have in front of you what's been marked as  
17 Exhibit 521. This is a few excerpts from a very  
18 long transcript of your deposition in the Shaw  
19 versus Hunt case which was taken on Wednesday,  
20 December 8, 1993, and I just want to ask you a  
21 couple of questions about some of the statements  
22 that you made in that deposition.

23 A. Okay. I'm not sure how well I can read this.

24 Q. Because it's so small?

25 A. Yes, because it's so small.



1 Q. I apologize.

2 A. It's my fault. I need to get new glasses.

3 Q. I will read portions and just let me know if you  
4 need time to review it.

5 MR. FARR: What number is this one?

6 MS. EARLS: 521.

7 MR. FARR: Are you reading it, Tom?

8 THE WITNESS: I am reading. It will take  
9 a while. There's a lot here.

10 MS. EARLS: Well, I can tell you what I want  
11 to ask you about.

12 MR. FARR: Why don't you ask him the  
13 question and if he needs to read the whole thing at  
14 that point in time he will. Maybe he won't have  
15 to.

16 BY MS. EARLS:

17 Q. The first question I want to ask is about the  
18 testimony you gave which is on page 128 of the  
19 transcript. So in this -- and I do apologize. I  
20 was trying to save paper, but the page 128 is  
21 across from the cover of the deposition transcript.

22 And beginning at line 10, your testimony is  
23 "If one sees a lot of county splitting going on,  
24 particularly in a congressional plan where the  
25 districts are very large, one's attention is



1 immediately drawn to the question of why this is  
2 happening. So a lot of county splitting leads to  
3 another line of investigation."

4 My question is whether there's any reason  
5 that that observation would be different in 2010  
6 than it was in 1993.

7 **A.** No, I think that's one of the factors that you'd be  
8 looking at if you were examining a plan de novo, so  
9 to speak.

10 **Q.** Then the next page has a page 150 on the right and  
11 page 151 on the left, and I want to ask you about  
12 the testimony that begins with the question at  
13 line 9 on page 150 and Tiare Smiley is asking you:  
14 "Do you have an opinion yourself as a redistricter  
15 what percentage of minorities need to be in a  
16 district to create a majority minority district?"

17 And then your answer is that "My experience  
18 has taught me over 20 years that it is unwise to  
19 deal in absolutes. When we all started out in the  
20 late '70s, a lot of people were talking about the  
21 65 percent rule. And it became apparent that two  
22 factors: One, the situation is different  
23 everywhere, and two, I think the Voting Rights Act  
24 was starting to have a positive effect and so the  
25 percentages needed were decreasing in many places.



1 So it is really a situation by situation analysis."

2 And then I have other questions about the  
3 rest of it, but particularly about that answer. Is  
4 there any reason why that's different in 2010 than  
5 today -- I mean, than it was in 1993?

6 **A.** Well, as a general statement, I don't think it  
7 would be markedly different. I mean, each district  
8 is an entity unto itself. Of course, we didn't  
9 have Strickland then, too. That makes a little  
10 different equation.

11 **Q.** How in your view does Strickland impact this  
12 opinion?

13 **A.** I don't think it has much impact on that opinion,  
14 actually. It's a general statement.

15 **Q.** Then the next part I want to ask you about is on  
16 page 152, which is the next page over. At line 16,  
17 you say, "Well, it is my opinion that in the  
18 drawing of the districts, the 1st and in the 12th  
19 District, that the overriding and only criteria of  
20 the districts as a whole was race and that they  
21 were drawn for the express purpose of creating  
22 minority black districts and that was the reason  
23 that they were drawn and that that particular  
24 criteria was used to the exclusion of all other  
25 criteria, at least legitimate criteria."



1 And then you're asked what you base the  
2 conclusion on and you continue, "Well, I base it on  
3 the fact that there could be no other reason why a  
4 district such as that was drawn and that the data  
5 speak for -- the demographic speak for that  
6 conclusion, that there is simply no reason why  
7 anybody would draw contorted districts such as  
8 these, outlandishly contorted districts, other than  
9 to achieve that goal.

10 "And so in drawing my plan, I was trying to  
11 show the court with a less extreme focus on that  
12 one criteria might result in."

13 And again, the same question is whether  
14 there's anything different about how you analyze  
15 whether or not race was the express purpose of  
16 creating minority black districts that's changed  
17 since 1993.

18 MR. FARR: Objection to the form.

19 You can answer.

20 THE WITNESS: Well, of course, this was in  
21 the context of an entirely different set of  
22 districts than we're looking at now, and you really  
23 have to have the districts before you and both the  
24 districts created and the districts that I drew in  
25 order to really answer that question.



1 BY MS. EARLS:

2 Q. Right. But you're expressing an opinion there that  
3 the demographic data is what illustrated to you  
4 that the districts were drawn solely on the basis  
5 of race, and that's what I'm trying to get at.

6 Is it also true in this round of  
7 redistricting that that would be the basis for  
8 determining whether race was the express purpose of  
9 creating a district?

10 A. No.

11 Q. So what has changed?

12 A. Well, I think -- if my memory serves me correctly,  
13 the difference is as a result of this lawsuit there  
14 was a new set -- a new district drawn for the 12th  
15 which was more based on political factors, or at  
16 least it was purported to be based on political  
17 factors.

18 And so I think you have to look at the  
19 motives as to why people drew the districts the way  
20 they drew them. So I don't think you could base it  
21 entirely on the demographics. I think you have to  
22 look at the whole context of the plan.

23 Q. And in drawing the Congressional redistricting plan  
24 this time around, were you -- did you take into  
25 account the experience that you had as an expert



1 witness in the Shaw versus Hunt litigation?

2 **A.** Well, a lot of jurisprudence has happened since  
3 then, so certainly my experience in this case would  
4 still be there and I'd still be thinking of those  
5 past plans, but again, we're dealing with a  
6 different set of legal standards than we are --  
7 than we were then.

8 **Q.** So what, then, is your understanding -- as you were  
9 drawing the maps, you had to decide what would  
10 be -- maps that would comply or you were at least  
11 instructed by the chairs to comply with the law.

12 **A.** I was just going to say that the policy decisions  
13 were made by the two chairmen when you're talking  
14 in relationship to the Congressional map and the  
15 way they wanted the plan to be designed and what  
16 factors were going to go into it, so it wasn't  
17 really my choice.

18 **Q.** So particularly on the question of whether or not  
19 the 1st and the 12th Congressional Districts in the  
20 enacted plan -- the 2011 enacted plan would comply  
21 with the requirements of Shaw versus Reno and all  
22 subsequent cases, is it your testimony that you  
23 didn't have any role in that judgment, that that  
24 was totally up to the Chairs?

25 **A.** Again, the Chairs set the policy of how the



1 districts would be drawn. Certainly if I had an  
2 opinion, I might express it, but they made the  
3 decisions and they were pretty clear about what  
4 they wanted.

5 **Q.** When you say they were clear about what they  
6 wanted, in what regard were they clear?

7 **A.** What they wanted the districts to look like.

8 **Q.** And so you're saying it was their judgment that  
9 determined whether or not what they wanted was in  
10 their view compliant with Shaw versus Reno and  
11 subsequent cases, that you didn't -- you didn't  
12 have any role in informing that decision?

13 **A.** I'm sure they were informed by the advice and  
14 counsel given to them by their attorneys.

15 **Q.** So the opinions that you -- the opinions that you  
16 expressed in the Shaw -- in your testimony in the  
17 Shaw versus Hunt litigation about geographic  
18 compactness and the ways in which the districts at  
19 issue in that case were not geographically compact  
20 and therefore racial gerrymanders did not play a  
21 role in advising the chairmen, Chairmen Rucho and  
22 Lewis, about the Congressional districts that you  
23 were drawing for this round of redistricting?

24 MR. FARR: Objection to form.

25 THE WITNESS: That's a very long question.



1 Can we divide that up?

2 BY MS. EARLS:

3 Q. Well, am I right that you expressed opinions in the  
4 Shaw versus Hunt litigation regarding the  
5 compactness of the 1st and 12th Congressional  
6 Districts; is that correct?

7 A. No, I don't think I really expressed opinions with  
8 regard to the compactness of the districts.

9 Remember, we're talking about an entire  
10 Congressional map. We're not just talking about  
11 two districts just existing all by themselves.

12 Q. So what's your recollection about your testimony  
13 regarding compactness in the Shaw versus Hunt  
14 litigation?

15 A. Well, I think it speaks for itself. I'm not  
16 retracting my testimony that I gave there.

17 Q. And then my question is -- and I realize this is  
18 just excerpts and that we have an -- there is an  
19 entire deposition as well as trial testimony in  
20 that case, but it was your opinion in that case  
21 that the District 1 and 12 were racial  
22 gerrymanders, right? I mean, we just read it.

23 A. Yes.

24 Q. And my question to you, then, is: Did that opinion  
25 influence the judgments about whether or not the



1 districts that you were drawing for this round of  
2 redistricting complied with the federal  
3 constitution?

4 **A.** Well, I believe these did and those didn't, but you  
5 could spend a whole day, in fact, a whole series of  
6 litigation, and we did, considering all those  
7 districts and how they all interacted together and  
8 what was there.

9 So, yes, the districts that were there and  
10 what happened and what judgments the court made  
11 certainly are things I know about, but once again,  
12 I have to reiterate that the policy decisions were  
13 made by the two chairmen.

14 **Q.** I don't have any more questions. Thank you.

15 **A.** Okay.

16 MS. EARLS: This is probably a good time  
17 to break for lunch.

18 MR. SPEAS: And I'm not sure how long it  
19 will take.

20 (Lunch Recess: 12:06 to 12:58 p.m.)

21 EXAMINATION

22 BY MR. SPEAS:

23 **Q.** Dr. Hofeller, I have a few questions for you. The  
24 same rules apply that applied with regard to  
25 Ms. Earls' examination. If you need a break, let



1 me know. I would emphasize if I ask a question  
2 that's not clear, ask me to clarify it. The chance  
3 that I will ask a question that is not clear is  
4 fairly high.

5 **A.** Is what?

6 **Q.** Is fairly high.

7 **A.** Okay.

8 **Q.** Couple of clarifying points to begin with: You are  
9 a partner in an entity called Geographic  
10 Strategies, I believe.

11 **A.** I am.

12 **Q.** And at your first -- the initial deposition you  
13 testified there are three principals in that  
14 entity. You are one of them, correct?

15 **A.** Yes.

16 **Q.** Mr. Oldham is one?

17 **A.** Yes.

18 **Q.** Who's the third?

19 **A.** Michael Wild.

20 **Q.** And Michael Wild works at RNC?

21 **A.** He does now, yes.

22 **Q.** In the redistricting area at least cyclicly?

23 **A.** Actually, now he's working more for a department  
24 that's called Strategic Planning.

25 **Q.** And Geographic Strategies is incorporated in



1 South Carolina.

2 A. It is.

3 Q. And I believe it was incorporated in 2011; is that  
4 correct?

5 A. Yes.

6 Q. And Mr. Oldham is the registered agent for  
7 Geographic Strategies?

8 A. I don't rightly know who the registered agent is.

9 Q. And I think we never asked you where you actually  
10 reside. Where do you reside?

11 A. I reside at -- you want the full address?

12 Q. Please.

13 A. 7119 Marine Drive, Alexandria, Virginia, 22307.

14 Q. And how long have you resided there?

15 A. Since January of 1998.

16 Q. Dr. Hofeller, if you would put Exhibit 513 in front  
17 of you for a moment. It should be over there. It  
18 is your second affidavit. Mr. Farr has found is.

19 MR. FARR: You can use this one if you  
20 want.

21 BY MR. SPEAS:

22 Q. I have a question about paragraph 2 of that  
23 affidavit. I think you reviewed that earlier. And  
24 more specifically, I have a question about the  
25 sentence appearing on page 2 near the end of that



1 paragraph where you state, and I quote, "The intent  
2 of the WCP is met when a legislative redistricting  
3 plans combines counties in the smallest numbers  
4 necessary to create districts within a single  
5 county or county group that comply with the one  
6 person, one vote standards requiring each district  
7 to be within plus or minus five percent of the  
8 ideal population number."

9 Did I read that correctly?

10 **A.** You did.

11 **Q.** And you wrote that?

12 **A.** I did.

13 **Q.** And that is the standard that you applied in  
14 performing your task for Senator Rucho and  
15 Representative Lewis in drawing the House and  
16 Senate plans?

17 **A.** I did.

18 **Q.** And I want to make sure I understand how that  
19 standard works. If a plan created 26 groups and  
20 another plan created 28 groups, the plan with 28  
21 groups would better comply with your standard than  
22 the plan with 26 groups?

23 MR. PETERS: Objection.

24 MR. FARR: Objection.

25 MR. PETERS: Objection to form.



1 THE WITNESS: My standard is that first  
2 you must create all the county groupings containing  
3 one county no matter how many districts are in that  
4 one county, and then you must create next the  
5 maximum number of groupings containing two counties  
6 and then three counties.

7 BY MR. SPEAS:

8 Q. And then four counties?

9 A. And then four counties and then five counties and  
10 so on.

11 Q. And at the end you total it all up?

12 A. No. You just -- well, you total up the number of  
13 groups in each category, one-county groups,  
14 two-county groups, three-county groups.

15 Q. Okay. So let me just --

16 A. And if you --

17 Q. Pardon me.

18 A. Go ahead. No, I'll just let you ask the question.

19 Q. If you have a plan that creates the same number of  
20 one-county groups -- not a very good phrase --  
21 two-county groups and three-county groups but one  
22 plan creates one more four-county group than the  
23 other plan, the one that creates the additional  
24 four-county group is the plan that better complies  
25 with the W --



1     **A.**    If I understand you correctly, that would be yes.

2     **Q.**    Now, let me ask you this:  You talked a little bit  
3            on about Exhibit 520.  520 is the presentation that  
4            you made to I think the National Conference of  
5            State Legislators in 2010.  It's 520.

6                    Now, as I understood your testimony, you've  
7            given presentations like this on a number of  
8            occasions.

9     **A.**    I have.

10    **Q.**    And these presentations reflect your cumulative  
11            experience in the redistricting arena?

12    **A.**    The part I want to present in the particular  
13            presentation, yes.

14    **Q.**    And you've been at it for about 30 plus years now.

15    **A.**    Well, since 1965.

16    **Q.**    So that's a pretty good while.

17                    Now, did Senator Rucho and Representative  
18            Lewis attend this presentation or did they attend a  
19            presentation like this?

20    **A.**    I can't really say whether they were in the  
21            audience or not.

22    **Q.**    Do you know whether they attended one of your  
23            presentations on this particular topic?

24    **A.**    No.

25    **Q.**    When you were retained by them to assist them, did



1           you give them the benefit of your hard-earned  
2           experiences as set forth in Exhibit 520?

3       **A.**    No.

4       **Q.**    What did you give them the benefit of based on all  
5           your many years experience?

6       **A.**    I guess the benefit I gave them was helping them to  
7           craft the best set of redistricting plans for the  
8           State of North Carolina that could be drawn in  
9           accordance with the criteria laid down by the  
10          Stephenson court and the Voting Rights Act and in  
11          accordance with their wishes as to how the plan  
12          should be architected.

13      **Q.**    Did you tell them not to use e-mail?

14      **A.**    I don't remember whether I specifically told them  
15           not to use e-mail. If it comes up, I usually  
16           advise everybody to be careful about their e-mails.  
17           Not exactly radical advice.

18      **Q.**    Were you careful in the use of e-mail when you were  
19           performing your task?

20      **A.**    I hope so.

21      **Q.**    And consistent with that practice, did you avoid  
22           e-mailing Senator Rucho and Representative Lewis  
23           with your advice?

24      **A.**    Most of the time.

25      **Q.**    So your advice to them was always oral with perhaps



1 a few exceptions?

2 MR. FARR: Objection to the form.

3 You can answer it if you want to.

4 THE WITNESS: You know, it kind of be a  
5 little bit flippant to me to be telling Senator  
6 Rucho and Representative Lewis what to do and how  
7 to handle their communications.

8 BY MR. SPEAS:

9 Q. So you don't recall telling them that they should  
10 be sure to protect their communications and --

11 A. I don't recall. I might have. I would -- it would  
12 not have been bad advice, I don't think.

13 Q. Did you tell them, as you told the folks on  
14 September 28, 2010, that e-mails are the tool of  
15 the devil?

16 A. I don't know specifically if I made that statement.

17 Q. Did you tell them don't create stupid  
18 irregularities in boundaries?

19 A. No, not specifically.

20 Q. But that's advice you have given to folks over the  
21 years, correct, in public?

22 A. It's in the PowerPoint.

23 Q. Did you tell them make the plan as neat as  
24 possible?

25 A. Did I tell them?



1 Q. Yes.

2 A. No.

3 Q. So you testified on examination by Ms. Earls that  
4 the policy decisions here were made by  
5 Representative Lewis and Senator Rucho, correct?

6 A. That's correct.

7 Q. What were those policy decisions?

8 A. The policy decisions were, first of all, to follow  
9 the criteria laid down by the Stephenson court, and  
10 that was to -- as I think they saw it and I agreed  
11 with it was a two-track approach to determine what  
12 minority districts could be created and determine  
13 what county groupings could be created and to  
14 harmonize the two requirements in the context of  
15 the Voting Rights Act.

16 Q. Were those -- were there other policy decisions  
17 made by them?

18 A. Well, there were numerous policy decisions made  
19 throughout the whole process, when the plans would  
20 be done, when they wanted them to be done, how the  
21 databases would be built, what kind of software  
22 would be used, if there was a disagreement between  
23 legislators as to where a line should be, that was  
24 their policy choice.

25 There were a number of issues, and it was



1 my job to make sure that they were informed of what  
2 decisions had to be made and that they made the  
3 decisions.

4 Q. Now, Dr. Hofeller, I want to talk to you about some  
5 of the districts that are at issue here. And let  
6 me tell you in advance that what I am going to do  
7 is present you a series of maps of particular  
8 districts in the House plan and in the Senate plan,  
9 and I will present you with the original map and if  
10 it was a VRA district. If not, in the case of the  
11 Rucho plans, Rucho Senate 1, and then I want to ask  
12 you questions about how you came to draw that and  
13 the differences among the various versions of the  
14 maps of these particular districts.

15 So let's begin by looking at Senate  
16 District 4. And I'll ask the court reporter to  
17 mark this as Exhibit 522.

18 (WHEREUPON, Exhibit 522 was marked for  
19 identification.)

20 BY MR. SPEAS:

21 Q. Dr. Hofeller, Exhibit 522 consists of three pages.  
22 It is a map of District 4 in the Rucho Senate VRA  
23 Districts, a map of District 4 in Rucho Senate 1  
24 and a map of District 4 in Rucho Senate 2.

25 Do you recognize these maps?



1     **A.**    Yes, although the third map is a little dim.

2     **Q.**    It is a little dim.

3     **A.**    So I don't know exactly where that boundary goes.

4     **Q.**    Did you draw each of these maps?

5     **A.**    I think -- yes, I drew this map.

6     **Q.**    Now, let me ask you first about the Rucho Senate  
7            VRA Districts version of District 4.

8                    Did you confer with anybody who resided  
9            within that proposed district prior to drawing that  
10           district?

11    **A.**    Not that I recollect.

12    **Q.**    Did you confer with anybody who resided in the  
13            counties encompassed within that district prior to  
14           drawing the district?

15    **A.**    Not that I can recall.

16    **Q.**    Did you confer with Senator Rucho prior -- about  
17            this district prior to drawing the district?

18    **A.**    I think the original version of this district was  
19            presented to him for his approval.

20    **Q.**    Do you recall when the original version of this  
21            district was presented to him for his approval?

22    **A.**    Not exactly, no.

23    **Q.**    Did you receive instructions from Senator Rucho  
24            before drawing this district as to how this  
25           district -- as to how this district was to be



1 drawn?

2 **A.** The only instruction that he would have given me  
3 regarding this and many of the other districts is  
4 that I was to follow Stephenson -- the Stephenson  
5 criteria of county groupings and the Voting Rights  
6 Act.

7 **Q.** Did you present to Senator Rucho more than one  
8 version of District 4 to your memory or is this the  
9 only version of District 4 that you ever presented  
10 to him?

11 **A.** I don't remember.

12 **Q.** I have examined the three maps here, and it appears  
13 to me that there were few, if any, changes in  
14 District 4 from the time it was first presented in  
15 the VRA plan through its enactment in Rucho  
16 Senate 2. Would you agree with that?

17 **A.** That's what it appears to be to me.

18 **Q.** Now, did you recommend this district to Senator  
19 Rucho?

20 **A.** I don't quite understand what you mean by  
21 recommend.

22 **Q.** Did you tell him this was a good district that met  
23 his goals?

24 **A.** I don't think specifically so.

25 I think the plan was presented as a general



1 plan, and he looked at the plan and some things he  
2 liked better than other things.

3 Q. And did you tell Senator Rucho this is a compact  
4 district?

5 A. I don't think we discussed compactness.

6 Q. What standard -- as I understand your testimony  
7 earlier, to the extent you considered compactness  
8 in drawing these districts, you determined  
9 compactness based on the so-called intraocular  
10 test; is that correct?

11 MR. FARR: Objection to form.

12 THE WITNESS: I think what I said was we  
13 did not -- we did not use the system, the Maptitude  
14 system, to output any of the compactness reports so  
15 that all that was there was the shape of the  
16 districts and you looked at them.

17 You can credit Bernie Grofman with the  
18 intraocular test.

19 BY MR. SPEAS:

20 Q. I understand we can.

21 Did you advise Senator Rucho that this  
22 district was compact from your perspective?

23 A. No.

24 Q. Did he ask you if this district was compact from  
25 your perspective?



1       **A.**    No.

2       **Q.**    This is a VRA district, correct, one of the Voting  
3               Rights districts?

4       **A.**    I guess I don't know how you define VRA.

5       **Q.**    This is one of the districts you drew in accordance  
6               with Senator Rucho's direction to draw districts at  
7               the 50 percent plus one?

8       **A.**    Yes.

9       **Q.**    Did you divide any precincts in drawing this  
10              district? You can't tell from these maps.

11      **A.**    You can't tell from these maps, sorry.

12      **Q.**    I'll ask -- I can ask you about that with some  
13              other maps that I have that will actually display  
14              the precincts, but let me ask you this question  
15              generally: What standard did you apply in drawing  
16              districts to determine when to divide a precinct or  
17              VTD and when not to divide a precinct or VTD?

18      **A.**    What standard did I use in drawing any districts in  
19              any situation?

20      **Q.**    Yes. I want to know when you -- what standard you  
21              applied in deciding to divide a precinct and when  
22              not to divide a precinct generally.

23      **A.**    Generally.

24      **Q.**    Yes.

25      **A.**    Okay. Well, obviously, one of the first reasons



1           you might divide a precinct is to balance  
2           populations.

3                     Another standard you might use to divide  
4           precincts is in some instances you might divide it  
5           to follow a city line.

6                     Another reason you might want to divide is  
7           to satisfy a request by an incumbent.

8                     Another reason you might divide it is to  
9           allow for the creation of a minority district.

10       **Q.**    Okay.

11       **A.**    That's all I can think of at the moment.

12       **Q.**    Did you confer with any incumbent before drawing  
13           any of these districts?

14       **A.**    Sometimes.   Sometimes not.

15       **Q.**    Let's look at the next exhibit, which would be  
16           Exhibit 523.

17                     (WHEREUPON, Exhibit 523 was marked for  
18           identification.)

19       BY MR. SPEAS:

20       **Q.**    Dr. Hofeller, I've showed you Exhibit 523 which  
21           consists of three pages.   It is District 5 as it  
22           appears in Rucho Senate VRA Districts, District 5  
23           as it appears in Rucho Senate 1 and District 5 as  
24           it appears in Rucho Senate 2.

25       **A.**    I might want to trade you copies here because I



1 have writing on this.

2 Q. I'm sorry. Thank you. It will make it easier for  
3 me to ask my questions.

4 Do these maps appear to be the maps of  
5 District 5 as it appeared in these three  
6 different --

7 A. Yes.

8 Q. Did you draw these districts?

9 A. I don't rightly remember whether I drew this  
10 district as it was or not, but I certainly was  
11 aware as it's been drawn.

12 Q. If you didn't draw it, who would have drawn it?

13 A. Well, maybe John Morgan would have drawn it. Maybe  
14 he would have drawn it and I looked at it and said  
15 it would be better this way or that way. I don't  
16 remember how the process unfolded.

17 Q. But you were involved in the drawing of the  
18 district?

19 A. Yes, that would be a correct statement.

20 Q. Did you confer with anybody in this proposed  
21 district before drawing this district?

22 A. No.

23 Q. Did you present this district to Senator Rucho for  
24 his approval prior to its inclusion in the Rucho  
25 Senate VRA Districts plan?



1     **A.**    Yes.

2     **Q.**    And when did you do that?

3     **A.**    Probably just before the plan became that plan.

4     **Q.**    And did you inform him that this is a compact  
5            district?

6     **A.**    Again, I don't believe we discussed compactness.

7     **Q.**    Do you ever recall speaking with Senator Rucho at  
8            any point in time with respect to whether any  
9            district -- Senate district was compact or not?

10    **A.**    Yes.

11    **Q.**    When did you do that?

12    **A.**    Well, we had a discussion about the Wilmington  
13            district. You might have that in your group of  
14            districts. That was proposed at one point.

15    **Q.**    And the Wilmington district is the district that  
16            was in the VRA plan but not in the later plans?

17    **A.**    That's correct.

18    **Q.**    And it was abandoned?

19    **A.**    I guess you could term it that way. It's your  
20            word.

21    **Q.**    And was that in the House plan or the Senate plan?

22    **A.**    I believe there was a district in the House plan  
23            and a district in the Senate plan.

24    **Q.**    And why was it abandoned?

25    **A.**    I wouldn't characterize it as abandoned. It was



1 just deleted from the plan.

2 Q. Why was it deleted?

3 A. Well, because -- the House district was deleted  
4 because there was a lot of objection made to it,  
5 and I don't think in the case of the House district  
6 that Representative Lewis was particularly in favor  
7 of that district and he made the decision that it  
8 should be deleted. And I think mostly the same was  
9 true with Senator Rucho. He just didn't feel that  
10 district should be left in the plan.

11 Q. Did he delete it -- did you have any discussion  
12 with him about the compactness of that district in  
13 that plan?

14 A. He thought it was pretty oddly shaped.

15 Q. What did you think?

16 A. I thought it was pretty oddly shaped.

17 Q. Did you advise him it was not compact?

18 A. I don't think we really said whether or not it was  
19 compact. That wasn't the language. He just didn't  
20 like it and he didn't want it there and I  
21 concurred. Not that it would have made any  
22 difference because, you know, Senator Rucho, you  
23 know, what he wants to do you'll do.

24 Q. Going back to Exhibit 523, I believe your testimony  
25 was -- let me just make sure I understand it -- you



1 do not recall any conversation with Senator Rucho  
2 about the compactness of this plan, this district?

3 **A.** Not specifically compactness.

4 **Q.** In your judgment, is this a compact district?

5 **A.** I think in the context of North Carolina it's  
6 acceptably compact.

7 **Q.** What standards do you apply in reaching the  
8 conclusion that this is acceptably compact?

9 **A.** Well, I look at two things: One is what has shown  
10 up before in North Carolina in terms of districts,  
11 and two, I was informed by some of the other plans  
12 that were submitted to the legislature as to what  
13 districts looked like.

14 **Q.** Is this a VRA district?

15 **A.** Yes, it's one of the districts. It's a  
16 majority-minority district.

17 **Q.** In drawing your districts, to the extent you  
18 considered compactness, did you apply a different  
19 compactness standard in drawing a district -- a VRA  
20 district than in drawing other districts?

21 MR. FARR: Objection to form.

22 THE WITNESS: You know, I don't really  
23 think we applied --

24 BY MR. SPEAS:

25 **Q.** Any standard?



1       **A.**     Compactness standards.

2                   What had to be done in order to follow the  
3       dictates of Stephenson court was that one was  
4       really obligated to determine what minority  
5       districts had to be drawn to, again, harmonize them  
6       with the county grouping criteria, and once the  
7       groups were determined and the minority districts  
8       were determined, then they had to be harmonized  
9       with relationship to one person, one vote, and then  
10      the other districts had to be put in essentially  
11      around them.

12      **Q.**     In drawing District 5, did you make any effort to  
13      keep any county other than Greene County whole in  
14      this district?

15      **A.**     To the best of my knowledge, you couldn't have  
16      drawn this as a minority district without doing it  
17      as it was.

18      **Q.**     You've testified about your understanding of the  
19      requirements of Stephenson with respect to  
20      grouping. Let me ask you this, which is a  
21      different question:

22                   In drawing your districts, did you make an  
23      effort to keep counties whole?

24      **A.**     Well, with relation to the Stephenson criteria,  
25      with the exception of minority districts, there are



1 certain rules you have to follow, such as you can't  
2 have double transits across county lines and where  
3 in a county grouping you can keep a county whole,  
4 you should do that.

5 **Q.** So if you have a grouping, you should, as you  
6 understand the Stephenson decision, make an effort  
7 to keep as many counties within that grouping whole  
8 as you can; is that right?

9 MR. FARR: Objection to the form.

10 THE WITNESS: I'm sorry.

11 MR. FARR: I just objected to the form.

12 THE WITNESS: Okay. Let me give you an  
13 example. If you have a two-county grouping and you  
14 have two districts and one county is larger than  
15 the other county, you would have to make the  
16 division in the larger county.

17 BY MR. SPEAS:

18 **Q.** What about a three-county district, three-county  
19 cluster?

20 **A.** Depends on the population sizes of the counties.

21 **Q.** So did you or did you not make an effort to keep  
22 counties whole as you were drawing your maps, your  
23 districts?

24 **A.** Yes.

25 **Q.** And that effort was as you've described it?



1       **A.**    Yes.

2       **Q.**    Looking at Exhibit 523, it appears to me that with  
3               minor changes that the District 5 was enacted as it  
4               was originally proposed in Rucho Senate VRA  
5               Districts. Am I correct?

6       **A.**    Again, it's a little faint on the third page, but I  
7               would agree with you on that.

8       **Q.**    Now, let's mark this as Exhibit 524.

9                       (WHEREUPON, Exhibit 524 was marked for  
10                      identification.)

11       BY MR. SPEAS:

12       **Q.**    Dr. Hofeller, I've put in front of you Exhibit 524  
13               which is a copy of a map of District 7 as it  
14               appeared in Rucho Senate 1 and as it was enacted in  
15               Rucho Senate 2.

16                      Do you recognize these maps or this  
17               district?

18       **A.**    I do.

19                      MR. FARR: What district is this?

20                      MR. SPEAS: Seven.

21       BY MR. SPEAS:

22       **Q.**    This is not a VRA district, is it?

23       **A.**    It's actually the remaining portion of the  
24               four-county grouping in which the minority district  
25               was created.



1 Q. Is District 7 compact in your -- from your  
2 perspective?

3 MR. PETERS: Object to the form.

4 BY MR. SPEAS:

5 Q. From your perspective, is it compact?

6 A. In the North Carolina context, yes. It's the only  
7 way it could have been drawn anyway if you accept  
8 the other district.

9 Q. If you accept the other district and you accept the  
10 four-county grouping, correct?

11 A. Yes.

12 Q. So within this county grouping of four counties,  
13 given your obligation under the directions from  
14 Senator Rucho to draw a VRA district at 50 percent  
15 plus one, this is what you get?

16 A. That's true.

17 Q. Now, District 7 -- to my eye anyway, District 7 did  
18 not change from the point it was presented in Rucho  
19 Senate 1 and enacted in Rucho Senate 2. Would you  
20 agree with that?

21 A. Yes. 5 didn't change. 7 didn't change.

22 Q. And did you confer with anybody in this district  
23 before drawing this map?

24 A. No.

25 Q. And just am I correct that you did not confer with



1 any citizens residing in any of the districts that  
2 you drew prior to the time you drew the districts?

3 **A.** It was not my job to do that. That was the job of  
4 the chairman of the committee and the other  
5 legislators in the committee.

6 **Q.** So the answer is you did not confer with anybody in  
7 any of these districts prior to drawing these  
8 districts? Just yes or no.

9 **A.** No.

10 **Q.** Okay. Thank you.

11 Now, before drawing this district, did you  
12 confer with any senator about this district other  
13 than Senator Rucho?

14 **A.** Not that I recall.

15 **Q.** Did you give any -- did you make any determination  
16 as to whether or not it was possible in this  
17 four-county grouping to keep all the counties  
18 whole?

19 **A.** You couldn't keep all the counties whole. It's not  
20 possible mathematically to keep all the counties  
21 whole.

22 **Q.** In this four-county cluster?

23 **A.** Right.

24 **Q.** Did you look to see whether it would be possible to  
25 keep the counties whole?



1       **A.**    No, because -- no.

2       **Q.**    Okay.  Let's look at Exhibit 525.

3                       (WHEREUPON, Exhibit 525 was marked for  
4                       identification.)

5       BY MR. SPEAS:

6       **Q.**    Dr. Hofeller, Exhibit 525 is a three-page exhibit  
7               consisting of a map of District 14 as it appeared  
8               in Rucho Senate VRA District, Rucho Senate 1 and as  
9               finally enacted.

10                      Did you draw this district?

11       **A.**    Yes.

12       **Q.**    Now, this map does -- from this map you can  
13               determine where VTDs are divided, correct?

14       **A.**    Yes.

15       **Q.**    And there are a number of VTDs divided in each  
16               version of this district, correct?

17                      MR. PETERS:  Object to the form.

18                      THE WITNESS:  Yes.

19       BY MR. SPEAS:

20       **Q.**    And what was your purpose -- what goal were you  
21               accomplishing or trying to accomplish in dividing  
22               these precincts, VTDs?

23       **A.**    In this particular district?

24       **Q.**    Yes.

25       **A.**    To create a majority-minority district.



1     **Q.**   Now, if you compare this district as it first  
2           appeared in Rucho Senate VRA Districts and as  
3           enacted, the district changes in the area of  
4           Precincts 10-02 and 9-01, am I correct -- and  
5           10-04? The appendage at the right side of the  
6           district changes from Senate Rucho VRA to Rucho  
7           Senate 2, correct?

8     **A.**   Well, it actually changes from Rucho VRA to  
9           Senate 1. Senate 1 and 2 are pretty much the same.

10    **Q.**   What was the reason for that change?

11    **A.**   The primary reason for that was the district  
12           populations within Wake were not balanced and we  
13           wished to balance those populations without losing  
14           our VRA district.

15    **Q.**   So Rucho Senate VRA District 14, was it within plus  
16           or minus five percent as originally drawn?

17    **A.**   All the districts were --

18    **Q.**   But as it was first drawn, it was within plus or  
19           minus five percent?

20    **A.**   Yes.

21    **Q.**   Then you revised it. Help me to understand why.

22    **A.**   To make its population more in line with the other  
23           districts in that one-county grouping.

24    **Q.**   To avoid a Larios problem?

25                   MR. FARR: Objection to form.



1                   You can answer it if you want to or if you  
2                   can.

3                   THE WITNESS: I don't think it really  
4                   constituted a Larios issue.

5 BY MR. SPEAS:

6 Q. But the change that was made in this district from  
7 the VRA version to the Rucho Senate 1 version was  
8 made for the purpose of bringing the population  
9 more in line with other districts in Wake county?

10 A. Yes.

11 Q. In making that change, though, you did maintain the  
12 50 percent plus one VRA standard that you had been  
13 instructed to maintain by Senator Rucho?

14 A. That's true.

15 Q. Dr. Hofeller, I want to now show you Exhibit 526  
16 which is Senate District 21.

17                   (WHEREUPON, Exhibit 526 was marked for  
18 identification.)

19 BY MR. SPEAS:

20 Q. Dr. Hofeller, is Exhibit 526 a map of District 21  
21 as it appeared in Rucho Senate VRA, Rucho Senate 1  
22 and Rucho Senate 2?

23 A. I believe so.

24 Q. Did you draw this map?

25 A. Well, there are actually three maps.



1 Q. Did you draw each of the maps?

2 A. No.

3 Q. Who drew them?

4 A. I believe I drew the first map. The second and  
5 third maps were drawn by Mr. Morgan.

6 Q. And in drawing the first map, what was your goal?

7 A. Well, once again, to draw a majority-minority  
8 district.

9 Q. And in drawing this district, you divided a number  
10 of precincts, correct?

11 MR. FARR: Objection.

12 You can answer the question.

13 THE WITNESS: Yes.

14 BY MR. SPEAS:

15 Q. And in dividing -- you divided those precincts in  
16 order to achieve your goal of drawing a 50 percent  
17 plus one district?

18 A. That's correct.

19 Q. And did you make any determination that this  
20 district was compact?

21 A. Once again, within the North Carolina context, I  
22 believe it's acceptably compact.

23 Q. Now, looking at Rucho Senate 1, the map of Rucho  
24 Senate 1, it changes in one -- significantly Hoke  
25 county is now a part of it. Otherwise, the part



1 within Cumberland county looks remarkably like  
2 Rucho Senate VRA; is that correct?

3 **A.** That's your description.

4 **Q.** Would you disagree?

5 **A.** It's similar.

6 **Q.** This was drawn by Mr. Morgan?

7 **A.** Yes.

8 **Q.** Did you review it?

9 **A.** I reviewed it, yes. At this point in the -- never  
10 mind. Go ahead.

11 **Q.** Go ahead.

12 **A.** No, I'm not going ahead.

13 **Q.** Why did Mr. Morgan alter Rucho Senate VRA  
14 District 21 from the way you had drawn it?

15 **A.** Well, my understanding was a desire to bring Hoke  
16 county in combination with Cumberland county  
17 because it was a VRA county, Section 5 county, and  
18 that policy decision was made by the Chairman to  
19 make a draw of that nature rather than containing  
20 the district entirely within Cumberland county.

21 **Q.** Did Mr. Morgan recommend to Senator Rucho that  
22 District 21 be drawn as illustrated in Rucho  
23 Senate 1?

24 **A.** I think you would have to talk to Mr. Morgan to  
25 find out what he did or did not recommend.



1 Q. And do you know whether in drawing this District 21  
2 Mr. Morgan complied with Senator Rucho's goal to  
3 draw this as a district -- a VRA district with more  
4 than 50 percent black VAP?

5 A. I know that was Senator Rucho's policy.

6 Q. And in drawing this district, precincts had to be  
7 divided?

8 A. Yes.

9 Q. And those precincts had to be divided in order to  
10 achieve the 50-percent-plus-one direction?

11 A. Yes.

12 Q. Now, the version of Rucho Senate -- of District 21  
13 in Rucho Senate 1 is essentially identical to  
14 Senate District 21 as enacted, correct?

15 A. Appears to be so, yes.

16 Q. Now, let me ask the court reporter to mark this as  
17 Exhibit 527.

18 (WHEREUPON, Exhibit 527 was marked for  
19 identification.)

20 BY MR. SPEAS:

21 Q. 527 consists of two maps. One is a map of  
22 District 19 as it appeared in Rucho Senate 1 and  
23 secondly a map of District 19 as it appeared in  
24 Rucho Senate 2. Am I correct?

25 A. Appear to be so, yes.



1 Q. Did you draw the Rucho Senate 1 version of  
2 District 19?

3 A. No, but I testified that I didn't draw the  
4 District 21 in Rucho Senate 1, and this is just the  
5 rest of the county grouping.

6 Q. So this District 19 is a consequence of  
7 District 21?

8 A. That is correct.

9 Q. That is the entire explanation for its shape and  
10 location?

11 MR. FARR: Objection.

12 THE WITNESS: It is.

13 MR. SPEAS: Let's mark this as Exhibit 528.

14 (WHEREUPON, Exhibit 528 was marked for  
15 identification.)

16 BY MR. SPEAS:

17 Q. Dr. Hofeller, Exhibit 528 is a map of District 20  
18 as it appeared in Rucho Senate VRA, Rucho Senate 1  
19 and Rucho Senate 2.

20 Did you draw each of the versions of this  
21 District 21?

22 A. Yes.

23 Q. And did you present it to Senator Rucho?

24 A. I presented everything to Senator Rucho.

25 Q. Did Rucho sign off on your version of District 20?



1       **A.**    He signed off on this version, yes.

2       **Q.**    Do you recall him suggesting any change in any --  
3               in District 20?

4       **A.**    No.

5       **Q.**    And in District 20 a large number of precincts are  
6               split in Durham.

7       **A.**    Yes.

8                       MR. FARR:  Objection.

9       BY MR. SPEAS:

10      **Q.**    And in the Durham county portion of District 20 is  
11               oddly shaped?

12                      MR. FARR:  Objection.

13                      THE WITNESS:  That's your description,  
14               yes.

15      BY MR. SPEAS:

16      **Q.**    And is it oddly shaped in order to achieve Senator  
17               Rucho's direction to draw districts at 50 percent  
18               plus one black VAP?

19                      MR. FARR:  Objection.

20                      MR. PETERS:  Objection.

21                      THE WITNESS:  Yes.

22      BY MR. SPEAS:

23      **Q.**    And are the precincts split in District 20 in order  
24               to achieve Senator Rucho's goal of drawing a  
25               district at 50 percent plus one?



1       **A.**    Yes again.

2                   MR. SPEAS:   Let's mark this as  
3       Exhibit 529.

4                   (WHEREUPON, Exhibit 529 was marked for  
5       identification.)

6   BY MR. SPEAS:

7       **Q.**    Dr. Hofeller, Exhibit 529 is a collection of three  
8       maps of District 28 as it appeared in Rucho Senate  
9       VRA, Rucho Senate 1 and Rucho Senate 2.

10                  Did you draw that district?

11       **A.**    Yes.

12       **Q.**    And you drew that district in order to achieve  
13       Senator Rucho's goal of drawing districts at  
14       50 percent plus one?

15       **A.**    Yes.

16       **Q.**    And this district contains divided precincts?

17       **A.**    Some, yes.

18       **Q.**    And the precincts were divided in order to allow  
19       you to achieve the goal of drawing it at 50 percent  
20       plus one?

21       **A.**    Yes.   If my memory serves me, there might have been  
22       an incumbency involved, but I'm not sure that my  
23       recollection is correct.

24       **Q.**    Is District 28 oddly shaped?

25                  MR. FARR:   Objection.



1 THE WITNESS: Not in my judgment, no.  
2 (WHEREUPON, Exhibit 530 was marked for  
3 identification.)

4 BY MR. SPEAS:

5 Q. Exhibit 530 is a map -- maps of District 32.  
6 Exhibit 530, Dr. Hofeller, is a set of three maps  
7 of District 32 in Forsyth county.

8 Did you draw these maps?

9 A. Yes.

10 Q. Now, if you examine the Rucho Senate VRA version of  
11 District 32, you will observe, as best I can tell,  
12 only one precinct that's split. It's precinct 032  
13 in the upper left.

14 A. I see, yes.

15 Q. And if you will compare that with exhibit to the  
16 Rucho Senate 1 version, you will see that Rucho  
17 Senate 1 splits many, many precincts. Am I  
18 correct?

19 MR. FARR: Object to the form.

20 THE WITNESS: I don't think "many, many"  
21 is a term of accuracy.

22 BY MR. SPEAS:

23 Q. Well, it's close enough.

24 MR. FARR: We'll agree it splits more than  
25 the first version.



1 BY MR. SPEAS:

2 Q. Tell me, please, why the large number of precincts  
3 that were split in this Rucho Senate 1 were split?

4 MR. PETERS: Objection.

5 MR. FARR: Go ahead. Unless we tell you  
6 not to answer, we're saying we don't like the way  
7 Eddie asked the question. Frankly, it doesn't  
8 really matter all the much at the end of the day,  
9 but go ahead.

10 THE WITNESS: We had an issue with the  
11 Forsyth county district and that was that  
12 particularly when we looked at the SCSJ plan -- am  
13 I characterizing it correctly?

14 MS. EARLS: (Shaking head from side to  
15 side.)

16 MR. FARR: AFRAM.

17 THE WITNESS: The AFRAM plan. I'll try to  
18 do that.

19 The drafters of the AFRAM plan had a much  
20 easier job to create the Forsyth district because  
21 they didn't follow Stephenson and they ended up  
22 with a county grouping which had a lower  
23 average -- significantly lower average district  
24 population for this grouping, and this was an  
25 attempt to match their percentages in the context



1 of a district that had to be much larger population  
2 wise.

3 BY MR. SPEAS:

4 Q. So would it be accurate, Dr. Hofeller, that these  
5 precincts that are split in the Rucho Senate 1  
6 version of District 32 are split for the purpose of  
7 increasing the black population in the district?

8 A. Well, yes, in accordance with the goals I stated in  
9 the last answer.

10 Q. And in Rucho Senate VRA District 32, was Senator  
11 Garrou included in this district?

12 A. I don't have a map of that before me, do I? Oh, I  
13 do. I'm sorry.

14 You know, I don't really know where the  
15 senator is.

16 Q. Were you instructed at any point to draw the  
17 district to exclude Senator Rucho -- Senator Garrou  
18 from this district?

19 A. No.

20 Q. Did you draw it to exclude Senator Garrou from this  
21 district?

22 A. No.

23 Q. There has been testimony and exhibits in this case  
24 to the effect, as I recall it, that the racially  
25 polarized voting analysis of this district would



1 not support the drawing of a minority district.

2 Were you involved in any such discussions?

3 MR. PETERS: Object to the form.

4 THE WITNESS: No, I wouldn't say I was. I  
5 was more interested in what the facts were on the  
6 ground.

7 BY MR. SPEAS:

8 Q. What were the facts on the ground?

9 A. Well, what could be drawn and what couldn't be  
10 drawn.

11 Q. Did Senator Rucho instruct you to revise Rucho  
12 Senate VRA?

13 A. Not specifically, no.

14 Q. Did you revise --

15 A. But he knew we were going to do it.

16 Q. How did he know you were going to do it?

17 A. Because Senator Rucho was informed of everything  
18 that was happening in the plans.

19 Q. What did you tell him with regard to your  
20 revision --

21 A. We told him that we wanted to raise the percentage,  
22 even though we couldn't get above 50 percent, to  
23 match the standard that had been given to us by  
24 other plans that had been presented and that we had  
25 to change it in order to do that and get that



1 percentage higher.

2 Q. And the only way to do that was to divide a bunch  
3 of precincts?

4 A. Yes.

5 Q. At any point in time did Senator Rucho direct you  
6 to lower the black voting age population in any  
7 district to conform to alternative plans that had  
8 been presented?

9 A. You mean in any district in the state --

10 Q. Yes.

11 A. -- or any VRA district?

12 Q. Any VRA district.

13 A. Okay. No, not to my recollection.

14 Q. Any other district --

15 A. Well, except, of course, the district in  
16 New Hanover which was eliminated.

17 Q. Abandoned?

18 A. Abandoned, drawn out of the map, whatever.

19 (WHEREUPON, Exhibit 531 was marked for  
20 identification.)

21 BY MR. SPEAS:

22 Q. Exhibit 531, Dr. Hofeller, is three maps of  
23 District 38 in Mecklenburg county.

24 Did you draw this district --

25 A. Yes.



1 Q. -- or these maps?

2 A. Yes.

3 Q. And did you draw this district to comply with  
4 Senator Rucho's directions to draw districts at  
5 50 percent plus one?

6 A. Yes.

7 Q. And is that the reason precincts are divided in  
8 this plan?

9 A. Yes.

10 Q. Let me show you another document which we will mark  
11 as Exhibit 532.

12 (WHEREUPON, Exhibit 532 was marked for  
13 identification.)

14 BY MR. SPEAS:

15 Q. Dr. Hofeller, Exhibit 532 is three maps of  
16 District 40 as it appeared in the various Rucho  
17 Senate plans.

18 Did you draw this district?

19 A. I did.

20 Q. Did you draw it to achieve the 50-percent-plus-one  
21 direction from Senator Rucho?

22 A. I did.

23 Q. Now, one of Senator Rucho's goals as you have  
24 testified, or at least as I understand it, was to  
25 achieve some level of proportionality in



1 representation in the General Assembly for African  
2 American citizens; is that correct?

3 **A.** Yes.

4 **Q.** Is this one of the districts drawn for that  
5 purpose?

6 MR. FARR: Objection.

7 You can answer the question.

8 THE WITNESS: Well, that was the purpose  
9 of the entire map, yes.

10 BY MR. SPEAS:

11 **Q.** Under the old map there was one VRA district in  
12 Mecklenburg county. Now under the enacted map  
13 there are two VRA districts.

14 **A.** That's correct.

15 **Q.** Would it be correct that either District 38 or  
16 District 40 was drawn pursuant to Senator Rucho's  
17 direction to achieve some level of proportionality?

18 MR. FARR: Objection.

19 THE WITNESS: I think it was also drawn  
20 because it was clear that the district was there.

21 BY MR. SPEAS:

22 **Q.** Now, the prior plan had eight districts that had --  
23 the new plan had two more districts characterized  
24 as VRA districts than the old plan, correct?

25 MR. FARR: Objection to form.



1 THE WITNESS: I believe so, yes.

2 BY MR. SPEAS:

3 Q. And where were those two additional districts  
4 drawn?

5 A. I believe there was an additional district in the  
6 northeast and there was an additional district in  
7 Mecklenburg.

8 Q. Referring back to Exhibit 522, is District 4 the  
9 additional northeastern district?

10 A. I don't think that you can say any particular  
11 district is the new district.

12 You had to -- the state had to be regrouped  
13 in accordance with Stephenson, and the first  
14 directive in one -- the first directive in  
15 Stephenson was to see what VRA districts could be  
16 drawn.

17 It was fairly easy to understand that two  
18 majority-minority VRA Senate districts could be  
19 drawn in Mecklenburg and a new district could be  
20 added in the northeast, but then, of course, you  
21 had to rectify it with the county grouping criteria  
22 and they interplay and iterate.

23 Q. Would you put Exhibit 522 back in front of you for  
24 just a minute. That's Senate District 4?

25 A. Yes.



1 Q. Senate District 4 as depicted in Exhibit 522 is  
2 composed of three whole counties --

3 A. I'm sorry. I've got the wrong exhibit.

4 Q. District 4 is composed of three whole counties,  
5 Vance, Warren and Halifax, and part of two  
6 counties, Nash and Wilson; is that correct?

7 A. That's correct.

8 Q. Could District 4 have been drawn without extending  
9 it into Wilson county?

10 A. I don't believe so, no.

11 Well, drawn in any format?

12 Q. Yes.

13 A. Well, obviously, yes.

14 Q. Was it extended into Wilson county solely for the  
15 purpose of getting it above 50 percent plus one?

16 A. I believe the district generally in that area was  
17 already above that level.

18 Q. So why did you extend it into Wilson county?

19 A. Well, because there's a very large African American  
20 community in Wilson county and that was needed to  
21 be added to Vance, Warren, Halifax and Nash in  
22 order to bring the district up to the  
23 majority-minority status.

24 Q. Without adding Wilson, it could not have been drawn  
25 at majority-minority status?



1     **A.**    I do not believe so.

2     **Q.**    Did you experiment with drawing it without adding  
3             Wilson county?

4     **A.**    I guess I could best answer that question to say as  
5             many times as I've looked at the demographics  
6             around this area, I was pretty sure that it could  
7             not happen, and I think if I tried now I would be  
8             proved correct. I'm very confident.

9                     MR. FARR: Excuse me for a second.

10                    (Discussion held off the record.)

11    BY MR. SPEAS:

12    **Q.**    After conferring with your counsel, do you want to  
13             change one of your answers?

14    **A.**    No.

15                    Is this yours?

16                    MR. FARR: Yes.

17                    MR. SPEAS let's mark as Exhibit 533.

18                    (WHEREUPON, Exhibit 533 was marked for  
19             identification.)

20    BY MR. SPEAS:

21    **Q.**    Dr. Hofeller, Exhibit 533 is a map of District 41  
22             as it appears in Rucho Senate 1 and Rucho Senate 2.

23                    Did you draw this district?

24    **A.**    Yes.

25    **Q.**    And did you draw this district at Senator Rucho's



1 direction?

2 **A.** Under the directions given to me by Senator Rucho  
3 to draw the two majority-minority districts, this  
4 district had to result.

5 **Q.** So this district is entirely -- well, let me  
6 rephrase it.

7 The shape of this district is entirely a  
8 consequence of drawing Districts 38 and 40 the way  
9 you drew them?

10 **A.** Right.

11 MR. FARR: Objection.

12 THE WITNESS: Not entirely, but  
13 Mecklenburg was a one-county group and I believe  
14 there's another Senate district -- other Senate  
15 district down there, but the northern portion of  
16 Mecklenburg county is isolated and it has to be  
17 brought around either to the east or west of the  
18 county in order to gain the necessary population to  
19 comply with one person, one vote.

20 BY MR. SPEAS:

21 **Q.** But to restate my question: District 41 is  
22 principally a consequence of the decision to draw  
23 38 and 40 the way they were drawn?

24 MR. FARR: Objection.

25 BY MR. SPEAS:



1 Q. Your answer is yes?

2 A. My answer is yes.

3 Q. And precincts are divided in District 41?

4 A. Yes.

5 Q. And they're divided as a consequence of the  
6 direction to draw 38 and 40 at 50 percent plus?

7 MR. FARR: Objection.

8 THE WITNESS: In part.

9 BY MR. SPEAS:

10 Q. Is District 41 compact from your perspective?

11 A. It's acceptably compact because of the reason for  
12 which it had to be drawn.

13 Q. Is it accurate, Dr. Hofeller, that in drawing these  
14 maps that you determined and believed and acted on  
15 the assumption that compactness was not a  
16 requirement with respect to VRA districts?

17 MR. FARR: Objection.

18 MR. PETERS: Objection.

19 THE WITNESS: I think that the first  
20 requirement was to draw the VRA districts as best  
21 they could be drawn and then to draw them in that  
22 context as compact as you could, so I guess that's  
23 the way I would answer that question.

24 BY MR. SPEAS:

25 Q. Let's talk about some of your House districts.



1     **A.**    They're not my House districts, sir.  They're the  
2            General Assembly's House districts.

3     **Q.**    The ones you drew.

4            Let's start with Exhibit 534.

5            (WHEREUPON, Exhibit 534 was marked for  
6            identification.)

7     BY MR. SPEAS:

8     **Q.**    Dr. Hofeller, Exhibit 534 is in front of you.  It  
9            is a set of three maps -- I'm sorry.  It is a set  
10           of two maps.  Lewis House VRA Corrected and  
11           Lewis-Dollar-Dockham 4.

12           Did you draw this district in these --

13    **A.**    Yes.  It's kind of hard to identify because part of  
14           the drawing of both of them it seems to be badly  
15           reproduced.  The Pasquotank section is pretty  
16           illegible.

17    **Q.**    I apologize for that.

18           MS. EARLS:  I think your copy is better.

19           My copy is probably better.

20           THE WITNESS:  I can see it now.

21    BY MR. SPEAS:

22    **Q.**    Let me give you the better one.  Yes, it is fading  
23           Pasquotank.

24           Is Exhibit 534 a map of District 2 as you  
25           drew it in VRA Corrected?



1     **A.**    Yes.

2     **Q.**    And did you draw this district -- did you confer  
3           with anybody in any House district prior to drawing  
4           the districts? I assume the answer is no.

5     **A.**    You know, I just have a question in my mind here.  
6           Well, I drew the district -- let me put this this  
7           way. I did not personally confer with anybody.

8     **Q.**    Did you confer with any member of the legislature  
9           other than Representative Lewis with regard to this  
10          district?

11    **A.**    No.

12    **Q.**    This is one of the VRA districts in the House?

13    **A.**    It is.

14    **Q.**    And I take it that Representative Lewis gave you  
15           the same direction that Senator Rucho gave you  
16           which was to draw VRA districts at 50 percent plus  
17           one.

18    **A.**    He did.

19    **Q.**    And he gave you the direction to draw as many of  
20           them as you could to achieve proportionality?

21                   MR. FARR: Objection.

22                   THE WITNESS: No, he did not.

23    BY MR. SPEAS:

24    **Q.**    What did he tell you?

25    **A.**    He said we should work toward proportionality.



1 Q. Tell me why this district divides Pasquotank  
2 county.

3 A. It has to divide some county. You have a whole  
4 county -- Gates and Hertford and Bertie are whole  
5 counties. It has to be somewhere to pick up its  
6 required population.

7 Q. Could it have been drawn as a single district  
8 consisting of the full counties of Gates, Hertford,  
9 Bertie and Martin?

10 A. I don't know at this point.

11 Q. But Pasquotank county is divided in District 2  
12 solely for the purpose of getting to the black  
13 population in Elizabeth City; is that correct?

14 A. Would you ask that question again.

15 Q. Pasquotank county is divided in District 2 solely  
16 for the purpose of getting to the black population  
17 in Elizabeth City?

18 MR. FARR: Objection.

19 THE WITNESS: No. It's divided because it  
20 can't fit entirely within the district and so part  
21 of it has to be put into the district.

22 BY MR. SPEAS:

23 Q. Did you examine alternative plans that would have  
24 put -- kept Pasquotank county whole and still  
25 created a VRA district in that area?



1     **A.**    I guess, then, my answer has to be that you have to  
2            examine the entire map in terms of the Stephenson  
3            county groupings and what effect each move would  
4            have on the county groupings, so you can't just  
5            say, all right, we'll take this district here. You  
6            would then end up maybe having to regroup the whole  
7            area of the state and some of those ripple effects  
8            from the regroupings could reach halfway across the  
9            state.

10    **Q.**    Is it correct, Dr. Hofeller, that the House plan as  
11            enacted contains five more VRA districts than the  
12            prior plan?

13    **A.**    I don't rightly recall the count either way at this  
14            moment.

15    **Q.**    Do you recall that it includes more?

16    **A.**    Yes.

17    **Q.**    And do you recall where those additional districts  
18            are located?

19    **A.**    I'd have to look at the map really to --

20    **Q.**    Well, let me let you look. This is the notebook  
21            that Mr. Peters conveniently gave us I think on the  
22            first day that we did of deposition and it's proved  
23            valuable. Over here is the House section. Pardon  
24            me.

25    **A.**    I got it.



1     **Q.**   And if you could look at the enacted plan and the  
2           prior plan and tell me where the additional VRA  
3           districts are located, I would appreciate it. Let  
4           me take my sticky off of that. It would give you a  
5           hint.

6     **A.**   Once again, it's hard to say exactly where the new  
7           districts are located because we're dealing with  
8           new 2010 populations of the counties and the  
9           clusters therefor are entirely different than they  
10          were previously, but -- go ahead. Never mind.

11    **Q.**   Would it refresh your memory if I told you there  
12          was one more VRA district in Mecklenburg county in  
13          the new plan than in the old plan?

14    **A.**   Yes.

15                   MR. FARR: Objection to the form.

16    BY MR. SPEAS:

17    **Q.**   And that there is one more VRA district in Guilford  
18          county than in the old plan?

19    **A.**   Yes.

20    **Q.**   And that there's one more VRA district in Wake  
21          county than in the old plan?

22    **A.**   Yes.

23    **Q.**   And that there are two more VRA districts in the  
24          northeast than in the prior plan?

25                   MR. FARR: Objection.



1 THE WITNESS: I believe that's correct,  
2 yes.

3 BY MR. SPEAS:

4 Q. Wouldn't it be correct that by adding the African  
5 American population in Elizabeth City to District 2  
6 you were able to better achieve the goal of  
7 proportionality?

8 MR. FARR: Objection.

9 THE WITNESS: It's equally true if not  
10 more true that that was the county grouping that we  
11 had to put in there in order to satisfy the  
12 requirements of Stephenson.

13 So as I said before, you can't really say  
14 this district was the extra district. It's just  
15 not an accurate statement of the facts.

16 BY MR. SPEAS:

17 Q. But it is accurate that there are two additional  
18 VRA districts in the northeastern part of the  
19 state?

20 A. That's correct.

21 MR. FARR: Objection.

22 THE WITNESS: Depending on how you define  
23 the northeastern part of the state.

24 MR. SPEAS: Well, let's leave it at that.

25 ///



1 (WHEREUPON, Exhibit 535 was marked for  
2 identification.)

3 BY MR. SPEAS:

4 Q. Dr. Hofeller, Exhibit 535 in front of you is two  
5 maps of District 10 in the Senate plan. The two  
6 maps are Lewis-Dollar-Dockham 1 and  
7 Lewis-Dollar-Dockham 4.

8 Did you draw this district?

9 A. Yes.

10 Q. And is this district compact?

11 MR. PETERS: Objection.

12 THE WITNESS: Within the context of the  
13 surrounding districts which required it to be drawn  
14 the way it was drawn, it is acceptably compact in  
15 the North Carolina context, yes.

16 BY MR. SPEAS:

17 Q. And is this district entirely a product of the  
18 African American district drawn in this same area?

19 MR. FARR: Objection.

20 BY MR. SPEAS:

21 Q. Is the shape of it entirely -- is it the mirror  
22 district of District 12?

23 A. No, that's not correct.

24 Q. Let me show you a document that we will mark as  
25 Exhibit 536.



1 (WHEREUPON, Exhibit 536 was marked for  
2 identification.)

3 BY MR. SPEAS:

4 Q. Exhibit 536 are maps of District 12. The two maps  
5 are the district as it appeared in Lewis House VRA  
6 and the district as it appeared in the enacted  
7 plan.

8 Did you draw that district?

9 A. I did.

10 Q. And was this district drawn pursuant to  
11 Representative Lewis's directions to you to draw a  
12 VRA district, with regard to VRA districts?

13 A. To maintain the existing 12th District and to make  
14 it a majority-minority district, yes.

15 Q. And is this district compact?

16 MR. PETERS: Objection.

17 THE WITNESS: Again, in terms of the  
18 requirements for drawing districts in  
19 North Carolina, yes.

20 BY MR. SPEAS:

21 Q. Have you ever drawn a district this non-compact for  
22 any entity?

23 MR. FARR: Objection.

24 MR. PETERS: Objection.

25 THE WITNESS: Have I?



1 BY MR. SPEAS:

2 Q. Yes.

3 A. You mean as an enacted plan?

4 Q. As a map drawer.

5 A. At all?

6 Q. At all.

7 A. Yes.

8 Q. Worse than this one?

9 MR. FARR: Objection.

10 THE WITNESS: Depends on how you define  
11 "worse."

12 BY MR. SPEAS:

13 Q. Okay.

14 A. There's a reason for the way this district is  
15 drawn --

16 Q. Now --

17 A. -- which is more germane.

18 Q. Comparing Exhibit 535, which is the map of  
19 District 10, and 536, which is the map of  
20 District 12, is it correct that District 10 is  
21 largely a consequence of the shape of District 12?

22 MR. FARR: Objection.

23 THE WITNESS: The answer is still no  
24 because there's another VRA district involved. If  
25 you want to come back to it.



1 MR. SPEAS: I want to ask the court reporter  
2 to mark Exhibit 537.

3 (WHEREUPON, Exhibit 537 was marked for  
4 identification.)

5 BY MR. SPEAS:

6 Q. Dr. Hofeller, Exhibit 537 is three maps of  
7 District 21, specifically maps of District 21 in  
8 Lewis House VRA, Lewis-Dollar-Dockham 1 and  
9 Lewis-Dollar-Dockham 4.

10 MR. FARR: What number is this, please?

11 MR. SPEAS: 537.

12 BY MR. SPEAS:

13 Q. Did you draw this district?

14 A. I drew all three of them.

15 Q. District 21 changed from Lewis House VRA to  
16 Lewis-Dollar-Dockham 1, correct?

17 A. It did.

18 Q. And it changed in this regard: It came out of  
19 Pender county and it went into Duplin county,  
20 correct? That's the principal difference?

21 A. That's correct.

22 Q. And what was the reason for that change?

23 A. The reason for that change was a regrouping in that  
24 region due to the elimination of the  
25 majority-minority district that went into



1           Wilmington and because you could no longer -- you  
2           had to create a pair -- a three-county grouping, I  
3           think, in Columbus, Pender and New Hanover.

4                   MR. FARR: Look at it again, Tom.

5                   THE WITNESS: What? Right. I'm sorry.  
6           Pender went into -- went in with Onslow. Duplin  
7           before was in with Onslow, but for population  
8           reasons, you could not keep the combination the  
9           same.

10          BY MR. SPEAS:

11          **Q.** Is it correct, Dr. Hofeller, that regardless of the  
12               county in which it was finally located, this  
13               district was drawn in order to comply with  
14               Representative Lewis's directions to create VRA  
15               districts at least of 50 percent BVAP?

16          **A.** Yes, although I would add that it's very similar to  
17               other districts drawn in this plan in this area.

18          **Q.** I understand.

19                   And in drawing this district in its various  
20               manifestations, the goal that remained constant was  
21               to draw it as a 50 percent plus one district?

22          **A.** Yes.

23          **Q.** And its shape is entirely a product of the decision  
24               to draw this as a 50 percent plus one district?

25                   MR. FARR: Objection.



1 THE WITNESS: Certainly not.

2 BY MR. SPEAS:

3 Q. Its shape is certainly a part of the reason?

4 A. Yes, but I wouldn't say it's the principal reason  
5 because if you look at other plans of districts  
6 that were drawn in that area as well as the 12th  
7 District you'll find they're very similar.

8 MR. FARR: Can we take a break when it's a  
9 good time, Eddie.

10 MR. SPEAS: Now is as good as any.

11 (Brief Recess: 2:19 to 2:29 p.m.)

12 (WHEREUPON, Exhibit 538 was marked for  
13 identification.)

14 BY MR. SPEAS:

15 Q. Dr. Hofeller, Exhibit 538 is a copy of District 4  
16 of Lewis-Dollar-Dockham 1 and  
17 Lewis-Dollar-Dockham 4.

18 Did you draw that district?

19 A. I did.

20 Q. It is not a Voting Rights district, correct?

21 A. It is not a Voting Rights district.

22 Q. Is its shape a consequence of the adjoining Voting  
23 Rights district?

24 A. Well, its shape is a consequence of the adjoining  
25 Voting Rights district as well as the county



1 grouping system and the group in which it's located  
2 which limited where it could go.

3 **Q.** Did the county grouping system as you understand it  
4 to be required by the Stephenson decision require  
5 you to draw less compact districts than you might  
6 otherwise have drawn?

7 MR. FARR: Objection.

8 THE WITNESS: Yes.

9 BY MR. SPEAS:

10 **Q.** Did the county grouping system as you understand it  
11 to be required by Stephenson require you to divide  
12 counties you otherwise wouldn't have divided?

13 **A.** It's hard to say. If the groups were not there, if  
14 that was not a requirement -- and, of course,  
15 that's not the case -- the context of the whole  
16 plan would have been different.

17 But since you asked the question, I would  
18 have to say if you go back and look at a lot of the  
19 districts that we looked at and the shapes of the  
20 districts, you would see that the places that the  
21 districts could go were limited by the boundaries  
22 of the group.

23 For instance, like that Senate district in  
24 Mecklenburg where you could have drawn a much  
25 better district in the north and the south of



1 Mecklenburg if you could have exited the county, so  
2 I think it's fair to say that both in terms of the  
3 majority-minority districts and in terms of the  
4 districts that surrounded them, if you were not  
5 limited by the special requirement of the  
6 Stephenson case, which is unique to North Carolina,  
7 you would have had districts that would have been  
8 better shaped.

9 Q. I'm going to ask the court reporter to mark this as  
10 Exhibit 539.

11 (WHEREUPON, Exhibit 539 was marked for  
12 identification.)

13 BY MR. SPEAS:

14 Q. Dr. Hofeller, Exhibit 539 is maps of District 23 in  
15 Lewis House VRA and Lewis-Dollar-Dockham 4.

16 Did you draw District 23 in these maps?

17 A. I did.

18 Q. Is District 23 a VRA district?

19 A. It is.

20 Q. Is it one of the districts drawn at the direction  
21 of Representative Lewis?

22 A. It is.

23 Q. And let me ask the court reporter to mark this next  
24 document as Exhibit 540.

25 ///



1 (WHEREUPON, Exhibit 540 was marked for  
2 identification.)

3 (Discussion held off the record.)

4 BY MR. SPEAS:

5 Q. Dr. Hofeller, I put in front of you Exhibit 540  
6 which is a map of District 25 as it appeared in  
7 Lewis-Dollar-Dockham 1 and Lewis-Dollar-Dockham 4.

8 Did you draw that map -- that district?

9 A. I did. And this is a classic example, I might add,  
10 of the effects of the county clustering system  
11 which is dictated by Stephenson, and that is there  
12 was the necessity to draw a two-county cluster in  
13 Nash and Franklin and yet to preserve a district  
14 for the minority population in those two counties.

15 So Exhibit 39 displays District 23 and  
16 Exhibit 40 displays District 25 which are the two  
17 districts contained entirely within that cluster.

18 This goes back to my original statement to  
19 you which was you can't take each district in its  
20 singular context without looking at the entire map  
21 and the context of the map and the county clusters.

22 Q. But Districts 23 and 25 as illustrated in Exhibits  
23 539 and 540 are entirely a product of your  
24 determination that you needed to draw as many  
25 two-county clusters as you could and your



1 determination -- and Dr. -- excuse me -- and  
2 Representative Lewis's directions to draw VRA  
3 districts?

4 **A.** It's part of the harmonization between those two  
5 criteria mandated by the Stephenson court and by  
6 the Supreme Court.

7 **Q.** Did you undertake any analysis to determine whether  
8 there's a community of interest of any kind between  
9 Franklin and Nash counties?

10 **A.** No.

11 **Q.** Do you know whether anybody ever did that?

12 **A.** No.

13 (WHEREUPON, Exhibit 541 was marked for  
14 identification.)

15 BY MR. SPEAS:

16 **Q.** Dr. Hofeller, in front of you is Exhibit 541, and  
17 it is a map of a Durham county district. In Lewis  
18 VRA Corrected, it is labeled District 31. In  
19 enacted Lewis-Dollar-Dockham 4, it is labeled  
20 District 29.

21 Did you draw this district?

22 **A.** I did.

23 **Q.** Do you know the reason for the change in the  
24 numbering?

25 **A.** I believe at some point in the plan we renumbered a



1 lot of these districts and this was just one that  
2 got renumbered.

3 I think the attempt was here to match as  
4 many numbers as we could to the incumbents whose  
5 residences were in the district, the old district  
6 that they had.

7 **Q.** Is this one of the districts drawn at  
8 Representative Lewis's VRA directions?

9 **A.** Yes.

10 (WHEREUPON, Exhibit 542 was marked for  
11 identification.)

12 BY MR. SPEAS:

13 **Q.** Dr. Hofeller, I put Exhibit 542 in front of you,  
14 which is a map of District 39 (sic) in Lewis House  
15 VRA and a map of District 31 in  
16 Lewis-Dollar-Dockham 4. They appear to me to be  
17 the same district though the numbers are different.

18 Did you draw these districts?

19 **A.** I believe you said that was District 39. Did I  
20 mishear that?

21 **Q.** Maybe I misspoke. It is District 30 in Lewis House  
22 VRA and District 31 in Lewis-Dollar-Dockham 4.

23 **A.** It is.

24 **Q.** Did you draw this district?

25 **A.** I did.



1 Q. It did not change from Lewis House VRA to  
2 Lewis-Dollar-Dockham?

3 A. It didn't change appreciably.

4 Q. And it was drawn at Senator Lewis's (sic) VRA  
5 directions?

6 A. Well, not only his VRA directions, but the general  
7 directions of the entire map, yes.

8 Q. But there is no county grouping issue here? This  
9 district is drawn entirely within Durham?

10 A. That's true.

11 Q. And to state the obvious, there are no grouping  
12 issues in districts drawn entirely within a county?

13 MR. FARR: Objection.

14 BY MR. SPEAS:

15 Q. Correct?

16 A. I don't think that's generally true, no. You have  
17 to look at all the districts that were drawn within  
18 the county, and so whereas it might not be true for  
19 one district, it might be true for others.

20 Q. But for Wake and Mecklenburg counties in  
21 particular, there is no county -- there's no  
22 clustering issue?

23 MR. FARR: Objection.

24 THE WITNESS: I'm sorry. Say again.

25 BY MR. SPEAS:



1 Q. For Mecklenburg county and for Wake county, in the  
2 House plan there's no clustering issue?

3 MR. FARR: Objection.

4 THE WITNESS: Aside from the fact that  
5 they are one-county clusters and you can't leave  
6 the boundaries of the county, so that's always  
7 present in all of the districts be they VRA  
8 districts or not VRA districts.

9 (WHEREUPON, Exhibit 543 was marked for  
10 identification.)

11 BY MR. SPEAS:

12 Q. In front of you, Dr. Hofeller, is Exhibit 543. It  
13 is District 38 in Lewis House VRA and District 33  
14 in Lewis-Dollar-Dockham 4.

15 Though the numbers of the districts are  
16 different, it appears to me to be the same  
17 district; is that correct?

18 A. Well, not entirely, but they are generally the  
19 same.

20 Q. Did you draw it?

21 A. I did.

22 Q. Did you draw it pursuant to Representative Lewis's  
23 directions?

24 A. I did.

25 Q. And this district contains divided precincts,



1 correct?

2 **A.** It does.

3 **Q.** And were precincts divided in order to achieve the  
4 direction to draw this at 50-percent-plus-one  
5 level?

6 **A.** For the most part, yes.

7 **Q.** And I'm going to ask the court reporter to mark  
8 this next document as 544.

9 (WHEREUPON, Exhibit 544 was marked for  
10 identification.)

11 BY MR. SPEAS:

12 **Q.** Dr. Hofeller, Exhibit 544 consists of two pages,  
13 maps of District 34 as it appeared in  
14 Lewis-Dollar-Dockham 1 and Lewis-Dollar-Dockham 4.  
15 This is a Wake county district.

16 Did you draw this?

17 **A.** Yes, I did.

18 **Q.** It's not a VRA district, correct?

19 **A.** It is not a VRA district.

20 **Q.** Did you consult with Art Pope in drawing this  
21 district?

22 **A.** No.

23 **Q.** Do you recall which Wake county districts you  
24 discussed with Art Pope?

25 **A.** I didn't discuss any Wake county districts with Art



1 Pope.

2 Q. I misunderstood your testimony. Sorry.

3 (WHEREUPON, Exhibit 545 was marked for  
4 identification.)

5 BY MR. SPEAS:

6 Q. Exhibit 545 is a map of District 33 in Lewis House  
7 VRA and District 38 in Lewis-Dollar-Dockham 4.

8 Did you draw these maps?

9 A. Yes.

10 Q. And was this district drawn as a VRA district? If  
11 it was in Lewis House VRA Corrected, it was.

12 MR. FARR: If you don't know, you can look  
13 at the percentages in the map.

14 THE WITNESS: Sometimes I don't recognize  
15 them if the whole map of the county isn't up.

16 MR. FARR: Can I show him to speed this  
17 up?

18 MR. SPEAS: Yes.

19 BY MR. SPEAS:

20 Q. It was enacted as 38.

21 A. Okay. I'm sorry.

22 Yes. Better repeat your question so I'm  
23 clear as to what I was answering yes to.

24 Q. Was this district drawn pursuant to Representative  
25 Lewis's directions regarding VRA districts?



1       **A.**     Yes.

2                       (WHEREUPON, Exhibit 546 was marked for  
3                       identification.)

4       BY MR. SPEAS:

5       **Q.**     Dr. Hofeller, Exhibit 546 is a map of District 42  
6                       in Lewis House VRA and Lewis-Dollar-Dockham 4.

7                       Did you draw this district?

8       **A.**     I did.

9       **Q.**     And was this district drawn pursuant to  
10                      Representative Lewis's VRA directions?

11       **A.**     Yes, but not only his VRA directions but his county  
12                      grouping directions.

13                      This is another example where you may have  
14                      been able to cross the county line and draw a more  
15                      regularly shaped district, but again, once limited  
16                      by the boundaries of the county grouping which in  
17                      almost all cases in the state determine the shape  
18                      of the districts.

19       **Q.**     Precincts are divided in this district, correct?

20       **A.**     That's correct.

21       **Q.**     And were precincts divided in order to achieve the  
22                      50-percent-plus-one direction?

23                      MR. FARR:  Objection.

24                      MR. PETERS:  Objection.

25                      THE WITNESS:  Again, precincts had to be



1 divided if you stayed within the county grouping to  
2 do this, but also there was another VRA district  
3 that was being drawn within that county also.

4 MR. SPEAS: And we're going to talk about  
5 that now.

6 (WHEREUPON, Exhibit 547 was marked for  
7 identification.)

8 BY MR. SPEAS:

9 Q. Dr. Hofeller, in front of you is Exhibit 547 which  
10 is a map of District 43 in Lewis House VRA and  
11 Lewis-Dollar-Dockham 4.

12 Did you draw this district?

13 A. I did.

14 Q. Was it the second VRA district you mentioned a  
15 moment ago?

16 A. Within the Cumberland --

17 Q. Within Cumberland county.

18 A. Within Cumberland single county group. I don't  
19 think it was a single county group. Yes, it was.

20 Q. And a number of precincts are divided in drawing  
21 this district.

22 A. Yes.

23 Q. And precincts were divided in order to comply with  
24 the 50-percent-plus-one direction?

25 MR. FARR: Objection.



1 THE WITNESS: My recollection is there  
2 were other reasons why the precincts were divided.  
3 There was an issue with the incumbencies in this  
4 county.

5 BY MR. SPEAS:

6 Q. Presumably dividing one precinct would resolve an  
7 incumbent problem, correct?

8 A. Depends on where the incumbent is.

9 Q. Let's go to the last district in Cumberland county.  
10 (WHEREUPON, Exhibit 548 was marked for  
11 identification.)

12 BY MR. SPEAS:

13 Q. Exhibit 548 is District 45 in Lewis-Dollar-  
14 Dockham 1 and Lewis-Dollar-Dockham 4.

15 Did you draw this district?

16 A. I did.

17 Q. And is its shape a consequence of the shape of the  
18 two VRA districts in Cumberland county?

19 MR. PETERS: Objection.

20 MR. FARR: Objection.

21 THE WITNESS: Not primarily. It's a  
22 consequence of the county grouping requirement of  
23 North Carolina. You could have done a much better  
24 job with the northern and southern portions of that  
25 district if you could have crossed out of the



1 one-county group.

2 (WHEREUPON, Exhibit 549 was marked for  
3 identification.)

4 BY MR. SPEAS:

5 Q. Dr. Hofeller, Exhibit 549 is a map of District 47  
6 in Lewis House VRA, Lewis-Dollar-Dockham 1 and  
7 Lewis-Dollar-Dockham 4.

8 Did you draw this district?

9 A. Both of these districts. They're different  
10 districts.

11 Q. Different in what sense?

12 A. Well, different in one sense in that we had to  
13 comply with the county clustering rules of the  
14 State Supreme Court.

15 As you can see, the 1st District had a  
16 double traverse -- actually had a triple traverse  
17 between Hoke and Robeson counties, and you'll  
18 notice that the enacted plan or that  
19 Lewis-Dollar-Dockham 1 eliminated that traverse and  
20 put the district entirely within Robeson county in  
21 line with the requirement of the Supreme Court.

22 Q. Did you make that change on your own or at  
23 Representative Lewis's direction?

24 A. Well, I made the change first and then I said I've  
25 done this for this reason and they concurred.



1                   It's part of my job to try and eliminate  
2           those double, triple traverses out of the  
3           districts.

4       **Q.**   Is this a Native American district?

5       **A.**   Yes.

6       **Q.**   Drawn pursuant to Representative Lewis's  
7           directions?

8       **A.**   Yes.

9                   (WHEREUPON, Exhibit 550 was marked for  
10          identification.)

11   BY MR. SPEAS:

12       **Q.**   Exhibit 550, Dr. Hofeller, is a map of District 48  
13           in Lewis House VRA and Lewis-Dollar-Dockham 4.  
14           This district is contained in parts of four  
15           counties.

16                   Did you draw it?

17       **A.**   I did.

18       **Q.**   And for what purpose did you draw this district?

19       **A.**   My purpose was -- well, there were multiple  
20           purposes. One purpose was to draw a VRA district.  
21           The other purpose was that this district as well as  
22           Districts 12 and 21 and 47 are all contained in the  
23           very large 20-county grouping that was required by  
24           the need to draw all the Mecklenburg districts very  
25           low in population in order to satisfy Stephenson.



1           So all of these districts in this cluster  
2           had to be drawn almost above the limit of plus five  
3           percent. So part of the context of this district  
4           and, indeed, Districts 21 and 12 were guided by the  
5           fact that they had to be larger in population than  
6           they would be without adherence to the county  
7           grouping rules, and so that was a principal factor  
8           in the drafting of this district as well as trying  
9           to draw a majority-minority district. It would  
10          have been a lot easier if the population had been  
11          lower.

12       **Q.** So this district is a product of the Stephenson  
13          decision?

14       **A.** Well, again, it's the harmonization of  
15          Stephenson -- that Stephenson requires between the  
16          Voting Rights Act and the county grouping.

17       **Q.** Now, a number of precincts are divided in this  
18          district, correct?

19       **A.** They are.

20       **Q.** And were those precincts divided in order to get to  
21          50 percent plus one?

22               MR. FARR: Objection.

23               THE WITNESS: Again, in order to get to  
24          50 percent one in the context of the grouping rule  
25          where the district had to be very high in



1 population.

2 BY MR. SPEAS:

3 Q. Have you counted the number of county traverses in  
4 this district?

5 A. I'm sorry. I need to know how you define a county  
6 traverse.

7 MR. FARR: Thanks.

8 BY MR. SPEAS:

9 Q. I would like for you to count the number of county  
10 traverses as you define county traverses.

11 A. Okay. This particular district has a traverse  
12 between Richmond and Scotland. It has a traverse  
13 between Scotland and Hoke. There is a traverse  
14 between Hoke and Robeson.

15 Q. And are there two traverses between Robeson and  
16 Scotland?

17 A. There are. I'm sorry. Between Robeson -- no.

18 Q. There's only one?

19 A. There's only one.

20 MR. FARR: Yes, that's right.

21 THE WITNESS: There's one between Hoke and  
22 Robeson and one between Scotland and Robeson.

23 BY MR. SPEAS:

24 Q. Isn't it true that on this map there are two  
25 extensions out of Scotland county into Robeson



1 county?

2 **A.** In VRA or in Dockham 4?

3 MR. FARR: You guys are looking at  
4 different maps.

5 BY MR. SPEAS:

6 **Q.** Oh, we are looking at different maps.

7 **A.** I'm looking at the final map.

8 **Q.** I was looking at the first one. I apologize.

9 **A.** There it is.

10 **Q.** With regard to the 20-county cluster that you  
11 talked about a minute ago, Dr. Hofeller, did you  
12 experiment with the possibility of drawing clusters  
13 in a way that would not produce a 20-county  
14 cluster?

15 **A.** Actually, I didn't personally experiment with it,  
16 but it was experimented with by --

17 **Q.** Mr. Oldham?

18 **A.** -- Mr. Oldham, and I saw what Mr. Oldham did and I  
19 concurred with what he did.

20 Again, the problem is Mecklenburg has to be  
21 a single-county grouping and that creates a series  
22 of very -- of districts in Mecklenburg with very  
23 low population. And a lot of the solutions that  
24 you come up with end up having 121 districts, so  
25 you had to have a large enough county grouping to



1       amortize, as you might say, that large -- that  
2       smaller number of districts into a cluster which  
3       drives the average district size per cluster or  
4       grouping up very, very high.

5               So indeed, we took the county grouping for  
6       the House of Representatives plan that was most  
7       compliant with the dictates of the decision, the  
8       Stephenson decision.

9       **Q.**    So the way you interpreted the Stephenson decision,  
10       the 20-county grouping was the grouping most  
11       compliant with Stephenson?

12       **A.**    Well, it wasn't my job to determine --

13               MR. PETERS:  Objection.

14               THE WITNESS:  -- that.  Again, those were  
15       decisions that were made by the Chairman in both  
16       the Senate map and the House map.

17       BY MR. SPEAS:

18       **Q.**    Did you advise Representative Lewis that the  
19       20-county grouping is the grouping that is most  
20       compliant with the Stephenson --

21       **A.**    Yes.

22       **Q.**    And did you reach that decision in consultation  
23       with Mr. Oldham?

24       **A.**    Yes.

25       **Q.**    In fact, was that decision principally made by



1 Mr. Oldham?

2 MR. FARR: Objection.

3 THE WITNESS: The decision was principally  
4 made by the Chairman.

5 BY MR. SPEAS:

6 Q. You relied on Mr. Oldham for grouping decisions --  
7 you relied on Mr. Oldham with respect to grouping  
8 issues, correct?

9 MR. FARR: Objection.

10 THE WITNESS: I don't think that's a true  
11 representation of how it works.

12 BY MR. SPEAS:

13 Q. Okay.

14 A. You have a harmonization that needs to be done  
15 between the Voting Rights Act and the county  
16 groupings and that requires a large number of  
17 iterations to be made which involves a lot of  
18 district drawing and a lot of experimentation of  
19 districts. So, again, one has to see what works in  
20 the context of both the grouping structure and the  
21 VRA requirements.

22 Q. So your testimony is that in the context of the VRA  
23 requirements, the only grouping that would work --  
24 that would harmonize with the Stephenson  
25 requirements was the 20-county grouping?



1 MR. FARR: Objection.

2 Answer the question.

3 THE WITNESS: It's certainly the only one  
4 I saw and it was better compliant than any of the  
5 other plans that were presented.

6 (WHEREUPON, Exhibit 551 was marked for  
7 identification.)

8 BY MR. SPEAS:

9 Q. Do you have an exhibit in front of you,  
10 Exhibit 551?

11 A. I do.

12 Q. Exhibit 551 is District 64 in the Lewis House VRA  
13 and District 57 in Lewis-Dollar-Dockham 4.

14 The number changed, but did you draw those  
15 districts?

16 A. I did.

17 Q. And this district is located entirely within  
18 Guilford county?

19 A. It is.

20 Q. And this district was drawn at Representative  
21 Lewis's directions, VRA directions, correct?

22 MR. FARR: Objection.

23 THE WITNESS: It was drawn, again, due to  
24 their directions to harmonize both the Voting  
25 Rights Act and the county grouping requirements.



1 BY MR. SPEAS:

2 Q. This district is located entirely within Guilford  
3 county, so you weren't concerned about grouping,  
4 were you --

5 MR. FARR: Objection.

6 BY MR. SPEAS:

7 Q. -- in drawing this district?

8 A. Well, again, all the groups and all the districts  
9 within the group are part of the grouping, so this  
10 was one of those.

11 (WHEREUPON, Exhibit 552 was marked for  
12 identification.)

13 BY MR. SPEAS:

14 Q. Exhibit 552 is Lewis House VRA District 63 and  
15 Lewis-Dollar-Dockham 4 District 58. Again, the  
16 number changed.

17 Did you draw this district?

18 A. I drew them both, yes.

19 Q. And you drew them pursuant to Representative  
20 Lewis's directions?

21 A. Yes.

22 Q. Did you go to Representative Lewis or Senator Rucho  
23 at any point in time and say, "Senator Rucho,  
24 Representative Lewis, but for this Stephenson  
25 decision, we could have drawn these districts a lot



1 better"?

2 MR. PETERS: Objection.

3 MR. FARR: Objection.

4 THE WITNESS: I certainly don't recollect  
5 having that conversation. We were, all of us,  
6 familiar with the requirements of the State Supreme  
7 Court, with the Voting Rights Act and Strickland  
8 and everybody knew that.

9 (WHEREUPON, Exhibit 553 was marked for  
10 identification.)

11 BY MR. SPEAS:

12 Q. Dr. Hofeller, Exhibit 553 is District 60 in Lewis  
13 House VRA and District 60 in Lewis-Dollar-  
14 Dockham 4.

15 Did you draw these two districts?

16 A. I did. I'm sorry, these -- yes, the two  
17 iterations.

18 Q. Two iterations of District 60?

19 A. Yes.

20 Q. The changes between Lewis House VRA and  
21 Lewis-Dollar-Dockham 4 would reasonably be  
22 described as minor?

23 A. Well, actually, there's a little bit of county or  
24 precinct uniting in between the two plans and line  
25 smoothing.



1 Q. And where did you smooth the line? Can you help me  
2 by identifying the precinct where a line got  
3 smoothed?

4 A. Well, I think if you look at Precinct H03 and that  
5 area down there, that was smoothed out. There's no  
6 extrusion into H01 and H02. Precinct H10 is made  
7 whole. The line down in H06 is smoothed out. Not  
8 much change in the northern half.

9 (WHEREUPON, Exhibit 554 was marked for  
10 identification.)

11 BY MR. SPEAS:

12 Q. Dr. Hofeller, 554 is a map of District 66 in  
13 Lewis-Dollar-Dockham 1 and Lewis-Dollar-Dockham 4.

14 Did you draw that?

15 A. I did.

16 Q. From your perspective, is it a compact district?

17 MR. PETERS: Objection.

18 THE WITNESS: In the context of  
19 North Carolina redistricting and in the context of  
20 the requirements of the Stephenson decision and the  
21 Voting Rights Act, it is acceptably compact.

22 This is another brilliant example of the  
23 problem of being locked within the boundaries of a  
24 county grouping by the Stephenson requirement and  
25 having no way to break out of it without violating



1           that requirement. One was stuck with this  
2           configuration which, as you can see, goes around  
3           the African American district, Richmond, Scotland,  
4           Hoke and Robeson, and that's the way it had to be  
5           drawn.

6       BY MR. SPEAS:

7       **Q.**   Excuse me just one minute. I have to straighten  
8           something out here.

9                       (WHEREUPON, Exhibit 555 was marked for  
10           identification.)

11      BY MR. SPEAS:

12      **Q.**   Dr. Hofeller, I put in front of you as Exhibit 555  
13           a two-page exhibit that includes maps of District  
14           75 in Forsyth county in Lewis-Dollar-Dockham 1 and  
15           Lewis-Dollar-Dockham 4.

16                       Did you draw that map?

17      **A.**   I did.

18      **Q.**   And it's not a VRA district, correct?

19      **A.**   It is not.

20      **Q.**   And is the shape of that district a consequence of  
21           the VRA districts within Forsyth county?

22                       MR. FARR: Objection.

23                       THE WITNESS: No.

24      BY MR. SPEAS:

25      **Q.**   What accounts for that shape?



1     **A.**    What accounts for the shape of that district is an  
2            interplay between the incumbents in that grouping  
3            and what they wanted to do with the area  
4            surrounding the two African American districts.

5     **Q.**    And is that grouping Forsyth county and Davie  
6            county?

7     **A.**    Yes.

8     **Q.**    Let's talk a little bit about Mecklenburg county.  
9            Let's begin with Exhibit 556.

10                   (WHEREUPON, Exhibit 556 was marked for  
11            identification.)

12    BY MR. SPEAS:

13     **Q.**    And -- oh, shoot, I've given you the wrong exhibit.  
14            Well, actually we can use this.

15                   Is Exhibit 556 a copy of a map of District  
16            92 in Lewis-Dollar-Dockham 4?

17     **A.**    Well, the first sheet is.

18     **Q.**    And the second sheet is a map of the districts in  
19            Mecklenburg county, correct?

20     **A.**    It is.

21     **Q.**    Did you draw District 92?

22     **A.**    I did.

23     **Q.**    Is it a VRA district?

24     **A.**    No.

25     ///



1 (WHEREUPON, Exhibit 557 was marked for  
2 identification.)

3 BY MR. SPEAS:

4 Q. Is 557, Dr. Hofeller, District 82 in Lewis House  
5 VRA and District 99 in Lewis-Dollar-Dockham 4?

6 A. I'll have to take your word for it because I  
7 certainly can't see on this map I have out of the  
8 exhibit book any detail in Mecklenburg.

9 As I look back at the previous Exhibit  
10 Number 556, I can say, yes, it is.

11 Q. That's why that page was there.

12 A. Thank you.

13 Q. Did you draw it --

14 A. I did.

15 Q. -- at Representative Lewis's direction?

16 A. Yes.

17 Q. What role, if any, did Senator Rucho play in the  
18 drawing of the House districts in Mecklenburg  
19 county?

20 A. None that I know of.

21 (WHEREUPON, Exhibit 558 was marked for  
22 identification.)

23 BY MR. SPEAS:

24 Q. Exhibit 558, Dr. Hofeller, is a map of District 89  
25 in Lewis House VRA and District 101 in



1 Lewis-Dollar-Dockham 4.

2 The numbers are different, but isn't this  
3 essentially the same district?

4 **A.** I think it's just a little bit more than different.

5 **Q.** Tell me about the changes from the Lewis House VRA  
6 version to the enacted version.

7 **A.** If my recollection is correct, we actually shifted  
8 the African American districts in Mecklenburg at  
9 the request of one of the African American  
10 incumbents. There was also a shift made in another  
11 district at the request of a white Democratic  
12 incumbent, too.

13 **Q.** And do you recall the name of the African American  
14 member of the legislature?

15 **A.** No, I'm sorry, I don't.

16 **Q.** Was the shift to put -- add -- to change -- to put  
17 the incumbent in a particular district or to move  
18 the -- help me understand what you were  
19 accommodating.

20 **A.** The incumbent expressed -- and again, this wasn't  
21 expressed to me by the incumbent; it was expressed  
22 to Representative Lewis -- the desire to be put  
23 into a different district and, of course, in order  
24 to accommodate that, some substantial territory had  
25 to be shifted around.



1 (WHEREUPON, Exhibit 559 was marked for  
2 identification.)

3 BY MR. SPEAS:

4 Q. Exhibit 559 is a map of District 87 in Lewis House  
5 VRA and the same or similar district but different  
6 number District 102 in Lewis-Dollar-Dockham 4.

7 Did you draw these iterations of this  
8 district?

9 A. Yes.

10 (WHEREUPON, Exhibit 560 was marked for  
11 identification.)

12 BY MR. SPEAS:

13 Q. Exhibit 560 is District 80 in Lewis House VRA and  
14 District 106 in Lewis-Dollar-Dockham 4.

15 Did you draw both iterations of this  
16 district?

17 A. I did.

18 (WHEREUPON, Exhibit 561 was marked for  
19 identification.)

20 BY MR. SPEAS:

21 Q. Exhibit 561 is a map of District 86 in Lewis House  
22 VRA and District 107 in Lewis-Dollar-Dockham 4.  
23 Appears to me to be iterations of the same  
24 district.

25 Did you draw both these iterations?



1       **A.**    I did.

2       **Q.**    Was this district drawn pursuant to Representative  
3               Lewis's directions with regard to VRA districts?

4       **A.**    Yes.

5                       MR. FARR:  Objection.

6       BY MR. SPEAS:

7       **Q.**    And in Mecklenburg county, you drew one more VRA  
8               district than in the prior plan?

9                       MR. FARR:  Can we look at the prior plan  
10                      before he answers that question?

11                     THE WITNESS:  Yes, we need to look at the  
12                      prior plan.  I think it depends on what you call a  
13                      VRA district.

14                     MR. SPEAS:  So you want to take a look  
15                      there.  And the numbers of the districts are  
16                      different so it gets confusing.

17                     MR. FARR:  Number 2 is missing.

18                     MR. SPEAS:  What do you mean number 2 is  
19                      missing?

20                     MR. FARR:  In this copy of the --

21                     MR. SPEAS:  That's not it.

22                     MR. FARR:  Maybe you can find it.

23                     THE WITNESS:  Is this it?

24                     MR. FARR:  Yes.

25                     THE WITNESS:  One of the problems with the



1 maps produced by the General Assembly staff is they  
2 didn't put insets in making larger views of the  
3 more highly populated counties.

4 MR. FARR: We need the chart from Joel  
5 Raupe -- or not Joel Raupe -- from Dan Frey  
6 affidavit. This is going to take him a while to  
7 figure that out.

8 MR. SPEAS: If I could lay my hands on  
9 that quickly, I would, but I can't.

10 But if he looks at District 107 -- well, I  
11 believe the BVAP in that district is 51.44.

12 THE WITNESS: Just let me look at it.

13 MR. FARR: Can I ask a question. How many  
14 majority black districts were there in the 2009  
15 plan versus the --

16 THE WITNESS: Well, that's where I'm  
17 going, but I have to determine which districts were  
18 in -- I believe it was 98 through 105.

19 I believe, if I'm reading it right, there  
20 was only one majority-minority district in  
21 Mecklenburg in the previous plan.

22 BY MR. SPEAS:

23 Q. And how many did you draw?

24 A. Five.

25 Q. And was that at Representative Lewis's direction?



1     **A.**    Yes.   That changes the context of several previous  
2            questions that you asked me, too, particularly the  
3            one where you were saying how many new districts  
4            there were.

5     **Q.**    Let me ask you about some other documents,  
6            Dr. Hofeller.   We're not too far from the end, but  
7            perhaps we should plow ahead.

8                   MR. FARR:   What time is it?

9                   MR. SPEAS:   It's 3:20.

10                  MR. FARR:   Let's take a five-minute break  
11                  so he can just walk around for a second.

12                  MR. SPEAS:   All right.

13                         (Brief Recess:   3:17 to 3:24 p.m.)

14                         (WHEREUPON, Exhibit 562 was marked for  
15                         identification.)

16   BY MR. SPEAS:

17     **Q.**    Dr. Hofeller, I have been trying to find the author  
18            of Exhibit 562 and I have yet to find the author.  
19            This document may have been identified as an  
20            exhibit before, but would you take a minute to read  
21            this and tell me whether -- if you drafted it, and  
22            if not, if you know who drafted it.

23     **A.**    Okay, I did it.

24     **Q.**    Okay, thank you.   When did you do it?

25     **A.**    I think kind of late one evening when somebody was



1 asking a question for some talk they had to give to  
2 somebody and was kind of summarily informed that  
3 actually that wasn't my function so it was never  
4 actually given to anybody.

5 Q. Was this before or after the plans were enacted, if  
6 you remember?

7 A. Before.

8 Q. And does this document summarize your views with  
9 respect to the Stephenson requirements?

10 A. No. It's pretty simplified.

11 Q. Is it your effort to explain the Stephenson  
12 requirements to a layperson?

13 A. Pretty much so. Sort of like explaining Stephenson  
14 in one paragraph or less.

15 Q. Let me ask the court reporter to mark this as  
16 Exhibit 563.

17 (WHEREUPON, Exhibit 563 was marked for  
18 identification.)

19 BY MR. SPEAS:

20 Q. Is Exhibit 563 an e-mail exchange between you and  
21 Joel Raupe in June of 2011?

22 A. That's what it looks like.

23 Q. And in an e-mail to Mr. Raupe on June 20th at  
24 1:57 p.m., did you, among other things, ask Joel  
25 how is the map being received in the African



1 American community?

2 A. I did. I think we covered this in the last --

3 Q. Did we?

4 A. Yes.

5 Q. Pardon me.

6 A. Well, no, you can cover it again. That's your  
7 prerogative.

8 Q. If it's already been marked, I don't want to --

9 MS. EARLS: Just a second. No. Oh, yes,  
10 it's a different typeface.

11 MR. SPEAS: All right. I don't need to  
12 ask any more questions about it.

13 Let's mark this as 564.

14 (WHEREUPON, Exhibit 564 was marked for  
15 identification.)

16 BY MR. SPEAS:

17 Q. Exhibit 564 is an e-mail exchange on June 30th.  
18 You were copied.

19 Do you recognize Exhibit 564?

20 MR. FARR: Didn't we say this was produced  
21 by mistake?

22 MR. SPEAS: I don't see how it's  
23 privileged.

24 BY MR. SPEAS:

25 Q. And my question is simply this: Dr. Hofeller, did



1           you participate in drafting the joint statement  
2           issued by Representative Lewis and Senator Rucho  
3           with respect to the Congressional plans? I think  
4           it was issued on July 1st.

5       **A.**   Not to my recollection, no.

6       **Q.**   Did you participate in drafting the June 17th  
7           public statement issued by Representative Lewis and  
8           Senator Rucho regarding the House and Senate VRA  
9           districts?

10      **A.**   No.

11      **Q.**   I want to ask you a question about the data you had  
12           in your machine and the data the General Assembly  
13           had on its machine.

14                   To your knowledge, was the data on your  
15           Maptitude -- did the data you have or the data you  
16           used identical to the data on the legislative  
17           redistricting system?

18      **A.**   I can't really accurately answer that question.  
19           There were -- there are multiple levels of data  
20           both as to the databases that were built, what was  
21           brought into the redistricting process for drawing  
22           reasons, what was loaded on the Maptitude software.

23                   And if you remember, the State had a  
24           different version of Maptitude than we did. And  
25           then what you select out of the database on



1 Maptitude to actually display in the data tables or  
2 in the little box that we saw more previously on  
3 the screen that was in the lower right-hand corner  
4 which reflects the changes in the districts.

5 So not knowing all of what they had and not  
6 having used, for the most part, all of what we had  
7 in Maptitude but may not have displayed, I really  
8 can't answer that question accurately.

9 **Q.** But you did participate in developing the database  
10 for the General Assembly system?

11 **A.** Well, it depends on what participate and  
12 development means. I advised on how they might get  
13 it done better and quicker. I didn't actually do  
14 the data work. That was done by the staff of the  
15 General Assembly.

16 **Q.** With respect to the different versions of  
17 Maptitude, you've testified there was one version  
18 at the legislature of Maptitude and you had another  
19 version. What were the differences in what those  
20 two versions would do?

21 **A.** Well, the State had a desire to house Maptitude on  
22 a central computer, which in my judgment has its  
23 drawbacks. And in order to do that, my  
24 understanding is that they had to create an  
25 interface with ArcView, which is not a Caliper



1 product, and it changed a lot of the display  
2 capabilities. And the other principal thing was  
3 the system was a lot slower.

4 **Q.** The legislature's system?

5 **A.** Yes, a lot slower.

6 **Q.** Is one difference that the legislature's system  
7 would draw grouping plan maps and yours wouldn't?

8 **A.** No, I don't think so.

9 In my discussions with Dan Frey, my  
10 understanding was that a group of individuals would  
11 take a plan after it had been developed and would  
12 develop an overlay that would be put out on the  
13 system. So I don't know -- if you're thinking of  
14 something that actually came up with suggested  
15 groupings, if it was there, I had no knowledge of  
16 it.

17 **Q.** Let me just ask the court reporter to mark this as  
18 Exhibit 565.

19 (WHEREUPON, Exhibit 565 was marked for  
20 identification.)

21 BY MR. SPEAS:

22 **Q.** Dr. Hofeller, 565 is an e-mail exchange between you  
23 and Senator Rucho and Representative Lewis on  
24 July 14th.

25 Would you take a minute to review that and



1 tell me whether you can identify this as an e-mail  
2 chain in which you participated.

3 **A.** It's certainly a discussion that I took part in.

4 **Q.** Help me understand what you meant when you said in  
5 your e-mail at the bottom of the first page "All  
6 this is a long way to say that Dan should not post  
7 our cluster map, but develop his own overly."

8 Was there something defective about your  
9 cluster map?

10 **A.** We weren't doing cluster maps. At the beginning of  
11 the process, I was trying to keep up with the  
12 various clustering schemes, and I determined it was  
13 a colossal waste of time because the State data  
14 group was set up to do it already and they did a  
15 nice job of it.

16 **Q.** How then did you know what clusters your maps had  
17 created if you were not drawing your own cluster  
18 maps?

19 **A.** Well, we had hand drawn cluster maps, okay, which  
20 you have.

21 **Q.** Right.

22 **A.** And those were the cluster maps. I know when I'm  
23 crossing out of a cluster. And generally what  
24 happens in a cluster -- let me take 20-county  
25 cluster that we ended up using, okay, which



1 determined, once again, the shape of the minority  
2 districts. One would draw the minority districts  
3 first, as directed by the court, and then fill in  
4 the rest from one end to the other, okay. So we  
5 knew what the clusters were but -- and we knew the  
6 count of the clusters.

7 **Q.** And just to reiterate what I think is your prior  
8 testimony, you and Mr. Oldham were making your  
9 determinations about the possible clustering of the  
10 counties using maps and colored pencils.

11 **A.** He was using maps and colored pencils. I was using  
12 Maptitude.

13 **Q.** Okay.

14 **A.** Again, it was an iterative process because you  
15 don't just draw one set of clusters for the State  
16 and then that's it and it's all over with. It's an  
17 iterative process. And every time -- many times  
18 when a decision is made, such as the one not to  
19 build the minority district down in the New Hanover  
20 area both in the Senate and in the House, I might  
21 add, everything -- not everything but a major  
22 portion of the state had to be reclustered or  
23 sometimes we'd just figure out a better way to do  
24 it.

25 **Q.** And were there maps that had -- did not contain the



1 20-county cluster?

2 **A.** Yes.

3 **Q.** And did you attempt to identify ways to cluster  
4 that would not create the 20-county cluster?

5 **A.** Yes.

6 **Q.** But you didn't succeed?

7 **A.** I think you'd actually have to talk to Dale more  
8 about that.

9 **Q.** But to your knowledge didn't succeed?

10 **A.** Couldn't find a better way. If we had found a  
11 better way, we would have done it.

12 **Q.** And the 20-county cluster was a consequence of the  
13 population in Mecklenburg county?

14 **A.** Yes.

15 No, I'm sorry, that's not an accurate  
16 statement. You have to look at the whole state's  
17 clusters, how many ones there are first, how many  
18 twos there are first, how many threes there are  
19 first, fours, fives, sixes, sevens and eights and  
20 so on, to do the best job there.

21 So Mecklenburg was just one of a number of  
22 counties that were single-county groupings, kind of  
23 a misnomer, but single-county group that were in  
24 the state, so you have to look at the context of  
25 the whole state. It's very complex, but it has to



1 add up to the best -- it has to contain the best  
2 set of clusters and it has to have the correct  
3 populations within the clusters. It, oh, by the  
4 way, has to add up to 120 districts and it has to  
5 satisfy the requirements of the Voting Rights Act.

6 So, now, I wouldn't say it's just that  
7 result, but that certainly made it a lot more  
8 difficult.

9 Q. Let me to ask the court reporter to mark this as  
10 566.

11 (WHEREUPON, Exhibit 566 was marked for  
12 identification.)

13 BY MR. SPEAS:

14 Q. Dr. Hofeller, is Exhibit 566 an e-mail you  
15 exchanged between you and Joel Raupe on July 5,  
16 2011?

17 A. Uh-huh.

18 Q. And your e-mail to Mr. Raupe reads: "Ok. We can  
19 fix that. Was that the only objection -- Ha Ha."

20 What did you mean by that?

21 A. I meant usually there's some other objection. I  
22 don't know. I was just --

23 Q. Was this one of the e-mails you wish you hadn't  
24 sent?

25 A. No, I don't really care one way or the other. I



1 don't think it's significant of anything. He found  
2 a technical error. There probably would be more.

3 Q. Is there, to your knowledge, any e-mail anywhere in  
4 which Senator Rucho or Representative Lewis gives  
5 you any directions or instructions of any kind?

6 A. Any kind at all?

7 Q. Yes.

8 A. Maybe -- I don't know. I'd have to look through  
9 all my e-mails. Nothing concerning the plans that  
10 I can remember. Maybe could you be there -- we  
11 really would like you to be there on such and such  
12 a day or something like that.

13 Q. All right. Well, I think I don't have any other  
14 questions.

15 MR. FARR: Great.

16 THE WITNESS: Okay.

17 MR. FARR: We're done.

18 MS. EARLS: I have just one followup to  
19 something that Eddie asked that I didn't cover, if  
20 I could.

21 MR. FARR: Okay.

22 FURTHER EXAMINATION

23 BY MS. EARLS:

24 Q. You testified when asked by Mr. Speas that you --  
25 that within a cluster, within a county cluster,



1           what your understanding of the implementation of  
2           the Whole County Provision, within a county cluster  
3           you tried to keep the counties whole within that  
4           cluster.

5       **A.**   Well, to the extent that you could do it, again,  
6           the harmonization of the cluster with the Voting  
7           Rights Act.

8       **Q.**   Right.

9       **A.**   Yes.

10      **Q.**   Okay. Can I ask you to look at the  
11           Lewis-Dollar-Dockham 4 map, and then I also want to  
12           compare that to the -- I think it's called House  
13           Fair and Legal map, and I think they're both in  
14           there.

15      **A.**   Okay.

16      **Q.**   So I need you to also look at the House Fair and  
17           Legal. And so you're looking at a map that's  
18           labeled Martin House Fair and Legal.

19                   And my first question is: Am I correct  
20           that Harnett, Lee and Chatham are a three-county  
21           cluster in both of these maps?

22                   MR. FARR: This one right here.

23                   THE WITNESS: Yes.

24      BY MS. EARLS:

25      **Q.**   And is it also true that the three districts --



1           that none of the three districts, that is, 53, 51  
2           or 54, is a Voting Rights Act district as we've  
3           been using that term, that is, a district that's  
4           50 percent or more black voting age population?

5       **A.**    Yes.

6       **Q.**    And isn't it also true that in Lewis-Dollar-  
7           Dockham 4, all three -- Chatham county is whole,  
8           Lee county is divided and Harnett county is  
9           divided?

10      **A.**    True.

11      **Q.**    And in Martin Fair and Legal, there's only one  
12           county that's divided?

13      **A.**    Right, it's divided three ways.

14      **Q.**    But you still have two counties that are whole and  
15           only one that's divided.

16      **A.**    That's correct. It's obvious from the maps.

17      **Q.**    So in your view, would a map in that cluster where  
18           there's no Voting Rights Act districts that only  
19           divides -- has one divided county and two whole  
20           counties would better comply with Stephenson than a  
21           map that has two divided counties and only one  
22           whole county?

23                   MR. PETERS: Object to the form.

24                   THE WITNESS: Probably so, yes.

25                   MS. EARLS: That's all. Thank you.



1 THE WITNESS: You're welcome.

2 MR. FARR: I've got one question on that.

3 THE WITNESS: Yes.

4 EXAMINATION

5 BY MR. FARR:

6 Q. Let me look at this for a second. I'm looking at  
7 this county group that we just looked at.

8 A. Chatham, Lee and Harnett?

9 Q. Yes. So Harnett is in the Fair and Legal plan.  
10 Harnett is in three different districts?

11 A. Yes.

12 Q. Okay. In the Lewis-Dollar-Dockham plan, Harnett is  
13 in two districts?

14 A. Right.

15 Q. How many county traverses are there in the Martin  
16 House Fair and Legal plan?

17 A. Two. There's a traverse between Chatham and  
18 Harnett and there's a traverse between Lee and  
19 Harnett.

20 Q. And how many are there in the Lewis-Dollar-Dockham  
21 plan?

22 A. Two.

23 Q. So the traverses are identical?

24 A. The number of traverses are identical.

25 Q. Okay. Thanks.



1 MR. SPEAS: One more question.

2 FURTHER EXAMINATION

3 BY MR. SPEAS:

4 Q. Beaufort county is divided in Lewis-Dollar-  
5 Dockham 4, correct?

6 A. It is.

7 Q. And there's no voting rights reason to divide  
8 Beaufort county, is there?

9 MR. PETERS: Objection.

10 MR. FARR: I object, too.

11 THE WITNESS: District 6 in the plan is  
12 comprised of all of Dare county, all of Hyde  
13 county, all of Washington county and a portion of  
14 Beaufort county.

15 I don't know how else you could build the  
16 map and come up with the county grouping design  
17 that was required under Stephenson.

18 BY MR. SPEAS:

19 Q. So is that an example of a situation where a county  
20 had to be divided because of the grouping  
21 requirements?

22 A. Yes. There were lots of situations like that all  
23 over the map. Even when you were asking me the  
24 questions about the Senate districts, you know, I  
25 don't know. I was talking about within the



1 clusters, right. The clusters force you to do  
2 things that are decisions that are out of your  
3 control, so to speak, which I think is probably the  
4 purpose of Stephenson.

5 **Q.** Okay. Do you know whether in the first map, in  
6 Lewis-Dollar-Dockham 1, Beaufort county was  
7 divided? And I don't have a map of that.

8 **A.** I think it might have been, but it was divided  
9 differently. I'm not sure.

10 **Q.** Okay. That's fine. I don't have any other  
11 questions.

12 **A.** Okay.

13 MR. FARR: That's it.

14 MR. SPEAS: Thank you, Dr. Hofeller.

15 THE WITNESS: You're welcome.

16 [SIGNATURE RESERVED]

17 [DEPOSITION CONCLUDED AT 3:51 P.M.]

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A C K N O W L E D G E M E N T O F D E P O N E N T

I, Thomas Hofeller, Ph.D., declare under the penalties of perjury under the State of North Carolina that I have read the foregoing 186 pages, which contain a correct transcription of answers made by me to the questions therein recorded, with the exception(s) and/or addition(s) reflected on the correction sheet attached hereto, if any.

Signed this the            day of            , 2012.

THOMAS HOFELLER, Ph.D.

State of:

County of:

Subscribed and sworn to before me  
this            day of            , 2012.

Notary Public

My commission expires:



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E R R A T A S H E E T

Case Name: NAACP vs. State of North Carolina, et al. and  
Margaret Dickson et al. vs. Robert Rucho, et al.  
Witness Name: Thomas Hofeller, Ph.D. - Volume II  
Deposition Date: August 10, 2012

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Signature Date



Thomas Hofeller, Ph.D. August 10, 2012  
Margaret Dickson, et al. v. Robert Rucho, et al. 11 CvS 16896 & 16940

STATE OF NORTH CAROLINA           )  
   )      C E R T I F I C A T E  
COUNTY OF WAKE                         )

I, DENISE L. MYERS, Court Reporter and Notary Public, the officer before whom the foregoing proceeding was conducted, do hereby certify that the witness(es) whose testimony appears in the foregoing proceeding were duly sworn by me; that the testimony of said witness(es) were taken by me to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of the testimony of the witness(es).

I do further certify that I am neither counsel for, related to, nor employed by any of the parties to this action, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereof, nor financially or otherwise interested in the outcome of said action. This the 21st day of August 2012.

Denise L. Myers

My commission expires 9/14/2013

5813 Shawood Drive  
Raleigh, NC 27609

VIVIAN TILLEY & ASSOCIATES  
ctrpr4u@aol.com

tel:919.847.5787  
fax: 919.847.2265



# **EXHIBIT S**



**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
NO. 1:15-cv-00399**

SANDRA LITTLE COVINGTON, et al.,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, et al.,

Defendants.

**DECLARATION OF  
JOANNA KING**

I, Joanna King, upon my oath, declare and say as follows:

1. I am over the age of eighteen (18) and competent to testify as to the matters set forth herein.
2. My name is Joanna King, and I am a paralegal with Poyner Spruill LLP.
3. In connection with my work on the *Covington v. State of North Carolina* (“*Covington*”) lawsuit, I retrieved information regarding the *Covington* plaintiffs from the North Carolina State Board of Elections’ web site.
4. I logged onto the North Carolina State Board of Elections web site at <http://www.ncsbe.gov>.
5. Once on the web site, I clicked on “Voter Registration,” then “Check Your Registration Status.”
6. I used the NC Public Voter Search tool of the Board of Elections’ web site to search for each *Covington* plaintiff by first and last name.



7. For each *Covington* plaintiff, I printed the voter information page, which contains the individual plaintiff's name, address, precinct, and other relevant voter information for each plaintiff.

8. The attached voter information records for the *Covington* plaintiffs (Exhibit 1) are true and accurate copies of the information I obtained directly from the Board of Elections' web site, which information is publicly available.

This the 7<sup>th</sup> day of October, 2015.

/s/ Joanna King  
Joanna King



## CERTIFICATE OF SERVICE

I hereby certify that on this date I served a copy of the foregoing **DECLARATION OF JOANNA KING**, with service to be made by electronic filing with the Clerk of the Court using the CM/ECF System, which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have appeared and consent to electronic service in this action.

This the 7th day of October, 2015.

/s/ Allison J. Riggs  
Allison J. Riggs  
N.C. State Bar No. 40028  
allison@southerncoalition.org  
Southern Coalition for Social Justice  
1415 Highway 54, Suite 101  
Durham, NC 27707  
Telephone: 919-323-3380  
Facsimile: 919-323-3942

*Counsel for Plaintiffs*





## NC Public Voter Information

[New Search](#)

### Voter Details

SUSAN SANDLER CAMPBELL  
1208 BROOKSTOWN AVE  
WINSTON SALEM, NC 27101

**County:** FORSYTH  
**Status:** ACTIVE  
**Voter Reg Num:** 000010188023  
**NCID:** BN246506

**Party:** DEM  
**Race:** WHITE  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 08/05/1997  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** 901  
**Muni:** WINSTON SALEM  
**Ward:** NORTHWEST WARD  
**Cong:** CONGRESSIONAL DISTRICT 5  
**Supct:** 21B SUPERIOR COURT  
**Jud:** 21ST JUDICIAL DISTRICT  
**Ncsen:** NC SENATE DISTRICT 32  
**Nchse:** NC HOUSE DISTRICT 72  
**Ccom:** COUNTY COMMISSIONER B  
**Bded:** BOARD OF EDUCATION 2  
**Pros:** 21ST PROSECUTORIAL DISTRICT  
**Vtd:** 901

### Polling Place

[REYNOLDS HIGH GIRLS GYM](#)  
1404 NORTHWEST BLVD  
WINSTON SALEM, NC 27104

### ☐ Sample Ballots

Election	Ballot(s)
11/3/2015 MUNICIPAL	No eligible ballots.

### ☐ Voter History (28)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	FORSYTH	
07/15/2014 SECOND PRIMARY	ABS-1STOP	FORSYTH	DEMOCRATIC
05/06/2014 PRIMARY	ABS-1STOP	FORSYTH	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	FORSYTH	
09/10/2013 PRIMARY	ABS-1STOP	FORSYTH	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	FORSYTH	
07/17/2012 SECOND PRIMARY	ABS-1STOP	FORSYTH	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	FORSYTH	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	FORSYTH	
06/22/2010 SECOND PRIMARY	ABS-1STOP	FORSYTH	DEMOCRATIC
05/04/2010 PRIMARY	ABS-1STOP	FORSYTH	DEMOCRATIC
11/03/2009 MUNICIPAL	ABS-1STOP	FORSYTH	
11/04/2008 GENERAL	ABS-1STOP	FORSYTH	
06/24/2008 SECOND PRIMARY	IN-PERSON	FORSYTH	DEMOCRATIC
05/06/2008 PRIMARY	IN-PERSON	FORSYTH	DEMOCRATIC
11/07/2006 GENERAL	IN-PERSON	FORSYTH	
05/02/2006 PRIMARY	IN-PERSON	FORSYTH	DEMOCRATIC
11/08/2005 MUNICIPAL	IN-PERSON	FORSYTH	
11/02/2004 GENERAL	IN-PERSON	FORSYTH	
08/17/2004 SECOND PRIMARY	IN-PERSON	FORSYTH	DEMOCRATIC
07/20/2004 PRIMARY	IN-PERSON	FORSYTH	DEMOCRATIC
11/05/2002 GENERAL	IN-PERSON	FORSYTH	
09/10/2002 PRIMARY	IN-PERSON	FORSYTH	DEMOCRATIC
11/06/2001 GENERAL	IN-PERSON	FORSYTH	
09/25/2001 PRIMARY	IN-PERSON	FORSYTH	
11/07/2000 GENERAL	ABSENTEE	FORSYTH	
11/03/1998 GENERAL	LEGACY	FORSYTH	
05/05/1998 PRIMARY	LEGACY	FORSYTH	

## ☐ Absentee Request (0)

For more information, please contact the [Forsyth County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

VIOLA RYALS FIGUEROA  
508 COLONIAL TERRACE DR  
GOLDSBORO, NC 27530

**County:** WAYNE

**Status:** ACTIVE

**Voter Reg Num:** 000030018708

**NCID:** EM75721

**Party:** DEM

**Race:** BLACK or AFRICAN AMERICAN

**Ethnicity:** NOT HISPANIC or NOT LATINO

**Gender:** FEMALE

**Registration Date:** 06/29/2004

**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** 17

**Muni:** GOLDSBORO

**Ward:** CITY DIST #4 GOLDSBORO

**Ccom:** COMM DIST #2

**Bded:** SCH DIST #2

**Cong:** CONGRESSIONAL DISTRICT 1

**Ncsen:** NC SENATE DISTRICT 5

**Nchse:** NC HOUSE DISTRICT 21

**Jud:** 8TH JUD DIST

**Pros:** 8TH PROS DIST

**Supct:** 8B SUP CT DIST

**Vtd:** 17

### Polling Place

[17 - WAYNE CENTER](#)

208 W CHESTNUT ST  
GOLDSBORO, NC 27530

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 PRIMARY	<a href="#">N002</a>
11/3/2015 GENERAL	G021

### ☐ Voter History (10)

<a href="#">Election</a>	<a href="#">Voted Method</a>	<a href="#">Voted County</a>	<a href="#">Voted Party</a>
11/04/2014 GENERAL	ABS-1STOP	WAYNE	
05/06/2014 PRIMARY	ABS-1STOP	WAYNE	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	WAYNE	
07/17/2012 SECOND PRIMARY	IN-PERSON	WAYNE	DEMOCRATIC
05/08/2012 PRIMARY	IN-PERSON	WAYNE	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	WAYNE	
11/04/2008 GENERAL	IN-PERSON	WAYNE	
05/06/2008 PRIMARY	ABS-1STOP	WAYNE	DEMOCRATIC
11/07/2006 GENERAL	IN-PERSON	WAYNE	
11/02/2004 GENERAL	IN-PERSON	WAYNE	

Exhibit 1 to Declaration of Joanna King



## ☐ Absentee Request (1)

<u>Election Date</u>	<u>County</u>	<u>Absentee Status</u>	<b>Request</b>	<b>Send</b>	<b>Return</b>
10/06/2015	WAYNE	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 09/30/2015	<b>Date:</b> 09/30/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 09/30/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED

For more information, please contact the [Wayne County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

DEDREANA IRENE FREEMAN  
1005 WORTH ST  
DURHAM, NC 27701

**County:** DURHAM  
**Status:** ACTIVE  
**Voter Reg Num:** 000030108851  
**NCID:** BL342238  
  
**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 10/04/2007  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** 17  
**Muni:** DURHAM  
**Ward:** WARD 1  
**Cong:** CONGRESSIONAL DISTRICT 1  
**Supct:** 14B SUPERIOR COURT  
**Jud:** 14TH JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 20  
**Nchse:** NC HOUSE DISTRICT 29  
**Bded:** SCHOOL 2A  
**Pros:** 14TH PROSECUTORIAL  
**Vtd:** 17

### Polling Place

[DURHAM COUNTY MAIN LIBRARY](#)  
300 N ROXBORO ST  
DURHAM, NC 27701

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 PRIMARY	<a href="#">N001</a>
11/3/2015 MUNICIPAL	Ballots not assigned yet.

### ☐ Voter History (16)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	IN-PERSON	DURHAM	
05/06/2014 PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
11/05/2013 MUNICIPAL	IN-PERSON	DURHAM	
10/08/2013 PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	DURHAM	
05/08/2012 PRIMARY	IN-PERSON	DURHAM	DEMOCRATIC
11/08/2011 MUNICIPAL	IN-PERSON	DURHAM	
10/11/2011 PRIMARY	IN-PERSON	DURHAM	NONPARTISAN
11/02/2010 GENERAL	ABS-1STOP	DURHAM	
06/22/2010 SECOND PRIMARY	IN-PERSON	DURHAM	DEMOCRATIC
05/04/2010 PRIMARY	IN-PERSON	DURHAM	DEMOCRATIC
11/03/2009 MUNICIPAL	IN-PERSON	DURHAM	
10/06/2009 PRIMARY	IN-PERSON	DURHAM	DEMOCRATIC
11/04/2008 GENERAL	ABS-1STOP	DURHAM	
05/06/2008 PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
11/06/2007 MUNICIPAL	IN-PERSON	DURHAM	

## ☐ Absentee Request (0)

For more information, please contact the [Durham County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

CHANNELLE DARLENE JAMES  
25 BLUESTONE LN  
GREENSBORO, NC 27407

**County:** GUILFORD  
**Status:** ACTIVE  
**Voter Reg Num:** 000000332957  
**NCID:** BY309453  
  
**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 10/02/1996  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** G61  
**Vtd:** G61  
**Muni:** GREENSBORO  
**Ward:** CITY CNCL G5  
**Cong:** CONGRESSIONAL DISTRICT 12  
**Ncsen:** NC SENATE DISTRICT 28  
**Nchse:** NC HOUSE DISTRICT 60  
**Ccom:** CNTY COMM 8  
**Bded:** SCH 6  
**Jud:** JUD 18  
**Resc:** GSO CITY COUNCIL 5  
**Supct:** JUD18D  
**Pros:** 18TH PROC DIST  
**Water:** CITY COUNCIL DIST 6

### Polling Place

[ALDERMAN ELEMENTARY SCHOOL](#)  
4211 CHATEAU DR  
GREENSBORO, NC 27407

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	<a href="#">B002</a>
11/3/2015 MUNICIPAL	Ballots not assigned yet.

### ☐ Voter History (20)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	IN-PERSON	GUILFORD	
05/06/2014 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/05/2013 MUNICIPAL	IN-PERSON	GUILFORD	
10/08/2013 MUNICIPAL	IN-PERSON	GUILFORD	
11/06/2012 GENERAL	IN-PERSON	GUILFORD	
05/08/2012 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/08/2011 MUNICIPAL	IN-PERSON	GUILFORD	
10/11/2011 MUNICIPAL	IN-PERSON	GUILFORD	
11/02/2010 GENERAL	IN-PERSON	GUILFORD	
05/04/2010 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/03/2009 MUNICIPAL	IN-PERSON	GUILFORD	
11/04/2008 GENERAL	IN-PERSON	GUILFORD	
05/06/2008 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/06/2007 GENERAL	IN-PERSON	GUILFORD	
11/07/2006 GENERAL	IN-PERSON	GUILFORD	
11/02/2004 GENERAL	IN-PERSON	GUILFORD	
11/04/2003 MUNICIPAL	IN-PERSON	GUILFORD	
11/05/2002 GENERAL	IN-PERSON	GUILFORD	
11/07/2000 GENERAL	IN-PERSON	GUILFORD	
11/05/1996 GENERAL	IN-PERSON	GUILFORD	

## ☐ Absentee Request (0)

For more information, please contact the [Guilford County Board of Elections](#).





# NC Public Voter Information

[New Search](#)

## Voter Details

CATHERINE WILSON KIMEL  
209 S CHAPMAN ST  
GREENSBORO, NC 27403

**County:** GUILFORD  
**Status:** ACTIVE  
**Voter Reg Num:** 000000116644  
**NCID:** BY106272  
  
**Party:** DEM  
**Race:** WHITE  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 02/24/1978  
**NCDMV Customer:** Yes

## Jurisdictions

**Pct:** G14  
**Vtd:** G14  
**Muni:** GREENSBORO  
**Ward:** CITY CNCL G4  
**Cong:** CONGRESSIONAL DISTRICT 6  
**Ncsen:** NC SENATE DISTRICT 28  
**Nchse:** NC HOUSE DISTRICT 58  
**Ccom:** CNTY COMM 5  
**Bded:** SCH 6  
**Jud:** JUD 18  
**Resc:** GSO CITY COUNCIL 4  
**Supct:** JUD18D  
**Pros:** 18TH PROC DIST  
**Water:** CITY COUNCIL DIST 3

## Polling Place

[ST ANDREWS EPISCOPAL CHURCH](#)  
2105 W MARKET ST  
GREENSBORO, NC 27403

## ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	<a href="#">B002</a>
11/3/2015 MUNICIPAL	Ballots not assigned yet.

## ☐ Voter History (67)

<a href="#">Election</a>	<a href="#">Voted Method</a>	<a href="#">Voted County</a>	<a href="#">Voted Party</a>
11/04/2014 GENERAL	ABS-1STOP	GUILFORD	
05/06/2014 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/05/2013 MUNICIPAL	IN-PERSON	GUILFORD	
10/08/2013 MUNICIPAL	IN-PERSON	GUILFORD	
11/06/2012 GENERAL	ABS-1STOP	GUILFORD	
05/08/2012 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/08/2011 MUNICIPAL	IN-PERSON	GUILFORD	
10/11/2011 MUNICIPAL	IN-PERSON	GUILFORD	
11/02/2010 GENERAL	ABS-1STOP	GUILFORD	
06/22/2010 SECOND PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC

Exhibit 1 to Declaration of Joanna King



05/04/2010 PRIMARY	ABS-1STOP	GUILFORD	DEMOCRATIC
11/03/2009 MUNICIPAL	IN-PERSON	GUILFORD	
10/06/2009 MUNICIPAL	IN-PERSON	GUILFORD	
11/04/2008 GENERAL	ABS-1STOP	GUILFORD	
05/06/2008 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
10/09/2007 PRIMARY	IN-PERSON	GUILFORD	
11/07/2006 GENERAL	ABS-1STOP	GUILFORD	
05/30/2006 SECOND PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/08/2005 GENERAL	IN-PERSON	GUILFORD	
10/11/2005 PRIMARY	IN-PERSON	GUILFORD	
11/02/2004 GENERAL	ABSENTEE	GUILFORD	
08/17/2004 SECOND PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
07/20/2004 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/04/2003 MUNICIPAL	IN-PERSON	GUILFORD	
10/07/2003 MUNICIPAL	IN-PERSON	GUILFORD	
11/05/2002 GENERAL	IN-PERSON	GUILFORD	
09/10/2002 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
10/09/2001 MUNICIPAL	IN-PERSON	GUILFORD	
11/07/2000 GENERAL	IN-PERSON	GUILFORD	
05/02/2000 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
10/05/1999 MUNICIPAL	IN-PERSON	GUILFORD	
11/03/1998 GENERAL	IN-PERSON	GUILFORD	
06/02/1998 SECOND PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
05/05/1998 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/04/1997 MUNICIPAL	IN-PERSON	GUILFORD	
10/07/1997 MUNICIPAL	IN-PERSON	GUILFORD	
11/05/1996 GENERAL	IN-PERSON	GUILFORD	
05/07/1996 PRIMARY	IN-PERSON	GUILFORD	
11/07/1995 MUNICIPAL	IN-PERSON	GUILFORD	
10/10/1995 MUNICIPAL	IN-PERSON	GUILFORD	
11/08/1994 GENERAL	IN-PERSON	GUILFORD	
05/31/1994 SECOND PRIMARY	IN-PERSON	GUILFORD	
05/03/1994 PRIMARY	IN-PERSON	GUILFORD	
11/02/1993 MUNICIPAL	IN-PERSON	GUILFORD	
10/05/1993 MUNICIPAL	IN-PERSON	GUILFORD	
11/03/1992 GENERAL	IN-PERSON	GUILFORD	
05/05/1992 PRIMARY	IN-PERSON	GUILFORD	
03/10/1992 MUNICIPAL	IN-PERSON	GUILFORD	
11/05/1991 MUNICIPAL	IN-PERSON	GUILFORD	
10/08/1991 MUNICIPAL	IN-PERSON	GUILFORD	
02/26/1991 MUNICIPAL	IN-PERSON	GUILFORD	
11/06/1990 GENERAL	IN-PERSON	GUILFORD	
06/05/1990 SECOND PRIMARY	IN-PERSON	GUILFORD	
05/08/1990 PRIMARY	IN-PERSON	GUILFORD	
11/07/1989 MUNICIPAL	IN-PERSON	GUILFORD	
10/10/1989 MUNICIPAL	IN-PERSON	GUILFORD	
11/08/1988 GENERAL	IN-PERSON	GUILFORD	
10/11/1988 SPECIAL	IN-PERSON	GUILFORD	
05/31/1988 SECOND PRIMARY	IN-PERSON	GUILFORD	
05/03/1988 PRIMARY	IN-PERSON	GUILFORD	
03/08/1988 PRIMARY	IN-PERSON	GUILFORD	
11/03/1987 MUNICIPAL	IN-PERSON	GUILFORD	
10/06/1987 MUNICIPAL	IN-PERSON	GUILFORD	
05/19/1987 BOND	IN-PERSON	GUILFORD	

Exhibit 1 to Declaration of Joanna King



11/04/1986 GENERAL	IN-PERSON	GUILFORD	
06/03/1986 SECOND PRIMARY	IN-PERSON	GUILFORD	
05/06/1986 PRIMARY	IN-PERSON	GUILFORD	

## Absentee Request (0)

For more information, please contact the [Guilford County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

HERMAN BENTHLE LEWIS JR  
422 WESTOVER AVE  
WILSON, NC 27893

**County:** WILSON  
**Status:** ACTIVE  
**Voter Reg Num:** 000000016664  
**NCID:** EP13486

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** MALE  
**Registration Date:** 09/29/1976  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** WILSON C  
**Muni:** WILSON  
**Ward:** CITY COUNCIL #2  
**Cong:** CONGRESSIONAL DISTRICT 1  
**Supct:** SUPERIOR CT 7B  
**Jud:** 7TH JUDICIAL DISTRICT  
**Ncsen:** NC SENATE DISTRICT 4  
**Nchse:** NC HOUSE DISTRICT 24  
**Ccom:** COMMISSIONER #3  
**Bded:** SCHOOL #3  
**Pros:** 7TH PROSECUTORIAL DISTRICT  
**Vtd:** PRWC

### Polling Place

[VANDAHLIA H REID COMMUNITY CENTER](#)  
502 PARKVIEW ST  
WILSON, NC 27893

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	No eligible ballots.
11/3/2015 MUNICIPAL	<a href="#">G011</a>

### ☐ Voter History (22)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	WILSON	
05/06/2014 PRIMARY	ABS-1STOP	WILSON	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	WILSON	
07/17/2012 SECOND PRIMARY	IN-PERSON	WILSON	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	WILSON	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	WILSON	
06/22/2010 SECOND PRIMARY	ABS-1STOP	WILSON	DEMOCRATIC
05/04/2010 PRIMARY	IN-PERSON	WILSON	DEMOCRATIC
11/04/2008 GENERAL	ABS-1STOP	WILSON	
05/06/2008 PRIMARY	ABS-1STOP	WILSON	DEMOCRATIC
11/06/2007 MUNICIPAL	IN-PERSON	WILSON	
11/07/2006 GENERAL	IN-PERSON	WILSON	
11/02/2004 GENERAL	IN-PERSON	WILSON	
07/20/2004 PRIMARY	IN-PERSON	WILSON	DEMOCRATIC
11/05/2002 GENERAL	IN-PERSON	WILSON	
09/10/2002 PRIMARY	IN-PERSON	WILSON	DEMOCRATIC
11/07/2000 GENERAL	LEGACY	WILSON	
05/02/2000 PRIMARY	LEGACY	WILSON	DEMOCRATIC
11/02/1999 MUNICIPAL	LEGACY	WILSON	
11/03/1998 GENERAL	LEGACY	WILSON	
11/05/1996 GENERAL	LEGACY	WILSON	
11/03/1992 GENERAL	LEGACY	WILSON	

## ☐ Absentee Request (0)

For more information, please contact the [Wilson County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

DAVID LEE MANN  
501 VISTA DR  
FAYETTEVILLE, NC 28305

**County:** CUMBERLAND  
**Status:** ACTIVE  
**Voter Reg Num:** 000000027526  
**NCID:** BE29432

**Party:** DEM  
**Race:** WHITE  
**Ethnicity:** UNDESIGNATED  
**Gender:** MALE  
**Registration Date:** 01/01/1900  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** CROSS CREEK 08  
**Muni:** FAYETTEVILLE  
**Ward:** 2ND  
**Cong:** CONGRESSIONAL DISTRICT 2  
**Supct:** 12C SUPERIOR COURT  
**Jud:** 12TH JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 21  
**Nchse:** NC HOUSE DISTRICT 43  
**Ccom:** COMMISSIONER #2  
**Bded:** SCHOOL #4  
**Pros:** 12TH PROSECUTORIAL  
**Vtd:** CC08

### Polling Place

[CITY OF FAYETTEVILLE FIRE STATION #2](#)  
101 OLIVE RD  
FAYETTEVILLE, NC 28305

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 PRIMARY	<a href="#">N003</a>
11/3/2015 MUNICIPAL	G003

### ☐ Voter History (33)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	CUMBERLAND	
05/06/2014 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	CUMBERLAND	
11/02/2010 GENERAL	ABS-1STOP	CUMBERLAND	
05/04/2010 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/03/2009 GENERAL	IN-PERSON	CUMBERLAND	
11/04/2008 GENERAL	IN-PERSON	CUMBERLAND	
05/06/2008 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
02/06/2007 SPECIAL	IN-PERSON	CUMBERLAND	
11/07/2006 GENERAL	IN-PERSON	CUMBERLAND	
05/02/2006 PRIMARY	ABSENTEE	CUMBERLAND	DEMOCRATIC
11/08/2005 MUNICIPAL	IN-PERSON	CUMBERLAND	
11/02/2004 GENERAL	IN-PERSON	CUMBERLAND	
07/20/2004 PRIMARY	IN-PERSON	CUMBERLAND	REPUBLICAN
11/04/2003 MUNICIPAL	IN-PERSON	CUMBERLAND	
10/07/2003 MUNICIPAL	IN-PERSON	CUMBERLAND	
11/05/2002 GENERAL	IN-PERSON	CUMBERLAND	
09/10/2002 PRIMARY	IN-PERSON	CUMBERLAND	REPUBLICAN
11/06/2001 GENERAL	IN-PERSON	CUMBERLAND	
10/09/2001 PRIMARY	IN-PERSON	CUMBERLAND	
11/07/2000 GENERAL	LEGACY	CUMBERLAND	
05/02/2000 PRIMARY	LEGACY	CUMBERLAND	
11/02/1999 MUNICIPAL	LEGACY	CUMBERLAND	
10/05/1999 PRIMARY	LEGACY	CUMBERLAND	
11/03/1998 GENERAL	LEGACY	CUMBERLAND	
11/04/1997 MUNICIPAL	LEGACY	CUMBERLAND	
10/07/1997 PRIMARY	LEGACY	CUMBERLAND	
11/05/1996 GENERAL	LEGACY	CUMBERLAND	
05/07/1996 PRIMARY	LEGACY	CUMBERLAND	
11/07/1995 MUNICIPAL	LEGACY	CUMBERLAND	
11/08/1994 GENERAL	LEGACY	CUMBERLAND	
11/02/1993 GENERAL	LEGACY	CUMBERLAND	
11/03/1992 GENERAL	LEGACY	CUMBERLAND	

## ☐ Absentee Request (0)

For more information, please contact the [Cumberland County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

ANTOINETTE DENNIS MINGO  
13411 ADA CT  
CHARLOTTE, NC 28213

**County:** MECKLENBURG

**Status:** ACTIVE

**Voter Reg Num:** 000999847083

**NCID:** CW750766

**Party:** DEM

**Race:** TWO or MORE RACES

**Ethnicity:** UNDESIGNATED

**Gender:** FEMALE

**Registration Date:** 08/02/2007

**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** PCT 204

**Muni:** CHARLOTTE

**Ward:** CITY COUNCIL DISTRICT 4

**Cong:** CONGRESSIONAL DISTRICT 12

**Supct:** JUDICIAL DISTRICT 26B

**Jud:** JUDICIAL DISTRICT 26

**Ncsen:** NC SENATE DISTRICT 40

**Nchse:** NC HOUSE DISTRICT 99

**Ccom:** BOARD OF COMMISSIONERS DISTRICT 3

**Bded:** SCHOOL BOARD DIST 3

**Pros:** 26TH PROS DIST

**Vtd:** 204.1

### Polling Place

[BACK CREEK PRESBYTERIAN CHURCH - GYM](#)

1821 BACK CREEK CHURCH RD  
CHARLOTTE, NC 28213

### ☐ Sample Ballots

Election	Ballot(s)
9/15/2015 PRIMARY	<a href="#">D002</a>
10/6/2015 2NDPRIMARY	<a href="#">D001</a>
11/3/2015 GENERAL	G007

### ☐ Voter History (18)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
09/15/2015 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/04/2014 GENERAL	ABS-1STOP	MECKLENBURG	
05/06/2014 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/05/2013 GENERAL	ABS-1STOP	MECKLENBURG	
10/08/2013 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
09/10/2013 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	MECKLENBURG	
07/17/2012 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/08/2011 GENERAL	ABS-1STOP	MECKLENBURG	
11/02/2010 GENERAL	ABS-1STOP	MECKLENBURG	
06/22/2010 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
05/04/2010 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/03/2009 GENERAL	ABS-1STOP	MECKLENBURG	
09/15/2009 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/04/2008 GENERAL	ABS-1STOP	MECKLENBURG	
05/06/2008 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/06/2007 GENERAL	IN-PERSON	MECKLENBURG	

## ☐ Absentee Request (2)

<u>Election Date</u>	<u>County</u>	<u>Absentee Status</u>	<u>Request</u>	<u>Send</u>	<u>Return</u>
10/06/2015	MECKLENBURG	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 09/29/2015	<b>Date:</b> 09/29/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 09/29/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED
09/15/2015	MECKLENBURG	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 09/08/2015	<b>Date:</b> 09/08/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 09/08/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED

For more information, please contact the [Mecklenburg County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

ROSA HODGE-MUSTAFA  
8034 LOBILIA LN  
CHARLOTTE, NC 28214

**County:** MECKLENBURG  
**Status:** ACTIVE  
**Voter Reg Num:** 000001159571  
**NCID:** CW510258

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 10/13/2000  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** PCT 080  
**Muni:** CHARLOTTE  
**Ward:** CITY COUNCIL DISTRICT 3  
**Cong:** CONGRESSIONAL DISTRICT 9  
**Supct:** JUDICIAL DISTRICT 26C  
**Jud:** JUDICIAL DISTRICT 26  
**Ncsen:** NC SENATE DISTRICT 38  
**Nchse:** NC HOUSE DISTRICT 101  
**Ccom:** BOARD OF COMMISSIONERS DISTRICT 2  
**Bded:** SCHOOL BOARD DIST 2  
**Pros:** 26TH PROS DIST  
**Vtd:** 080

### Polling Place

[THRIFT BAPTIST CHURCH - TROY HARKEY  
FELLOWSHIP HALL](#)  
8415 MOORES CHAPEL RD  
CHARLOTTE, NC 28214

### ☐ Sample Ballots

Election	Ballot(s)
9/15/2015 PRIMARY	<a href="#">D005</a>
10/6/2015 2NDPRIMARY	<a href="#">D001</a>
11/3/2015 GENERAL	G006

### ☐ Voter History (22)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
09/15/2015 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/04/2014 GENERAL	ABS-1STOP	MECKLENBURG	
05/06/2014 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/05/2013 GENERAL	IN-PERSON	MECKLENBURG	
09/10/2013 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	MECKLENBURG	
07/17/2012 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
05/08/2012 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/08/2011 GENERAL	ABS-1STOP	MECKLENBURG	
09/13/2011 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	MECKLENBURG	
05/04/2010 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/03/2009 GENERAL	IN-PERSON	MECKLENBURG	
09/15/2009 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/04/2008 GENERAL	ABS-1STOP	MECKLENBURG	
05/06/2008 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/07/2006 GENERAL	IN-PERSON	MECKLENBURG	
11/08/2005 GENERAL	ABSENTEE	MECKLENBURG	
11/02/2004 GENERAL	ABSENTEE	MECKLENBURG	
11/04/2003	IN-PERSON	MECKLENBURG	
11/05/2002 GENERAL	IN-PERSON	MECKLENBURG	
11/07/2000 GENERAL	ABSENTEE	MECKLENBURG	

## Absentee Request (0)

For more information, please contact the [Mecklenburg County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

RUTH E SLOANE  
2112 ST LUKE ST  
CHARLOTTE, NC 28216

**County:** MECKLENBURG  
**Status:** ACTIVE  
**Voter Reg Num:** 000000473324  
**NCID:** CW120000

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 04/01/1986  
**NCDMV Customer:** No

### Jurisdictions

**Pct:** PCT 055  
**Muni:** CHARLOTTE  
**Ward:** CITY COUNCIL DISTRICT 2  
**Cong:** CONGRESSIONAL DISTRICT 12  
**Supct:** JUDICIAL DISTRICT 26A  
**Jud:** JUDICIAL DISTRICT 26  
**Ncsen:** NC SENATE DISTRICT 40  
**Nchse:** NC HOUSE DISTRICT 107  
**Ccom:** BOARD OF COMMISSIONERS DISTRICT 3  
**Bded:** SCHOOL BOARD DIST 2  
**Pros:** 26TH PROS DIST  
**Vtd:** 055

### Polling Place

[LINCOLN HEIGHTS ELEMENTARY SCHOOL - MULTI PURPOSE ROOM](#)  
1900 NEWCASTLE ST  
CHARLOTTE, NC 28216

### ☐ Sample Ballots

Election	Ballot(s)
9/15/2015 PRIMARY	<a href="#">D004</a>
10/6/2015 2NDPRIMARY	<a href="#">D001</a>
11/3/2015 GENERAL	G003

### ☐ Voter History (47)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
09/15/2015 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/04/2014 GENERAL	ABS-1STOP	MECKLENBURG	
05/06/2014 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/05/2013 GENERAL	ABS-1STOP	MECKLENBURG	
10/08/2013 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
09/10/2013 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	MECKLENBURG	
07/17/2012 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
05/08/2012 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/08/2011 GENERAL	ABS-1STOP	MECKLENBURG	
09/13/2011 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/02/2010 GENERAL	IN-PERSON	MECKLENBURG	
06/22/2010 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
05/04/2010 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/03/2009 GENERAL	ABS-1STOP	MECKLENBURG	
09/15/2009 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/04/2008 GENERAL	ABS-1STOP	MECKLENBURG	
05/06/2008 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/06/2007 GENERAL	IN-PERSON	MECKLENBURG	
11/07/2006 GENERAL	ABS-1STOP	MECKLENBURG	
05/02/2006 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/08/2005 GENERAL	ABSENTEE	MECKLENBURG	
09/27/2005 PRIMARY	ABSENTEE	MECKLENBURG	DEMOCRATIC
11/02/2004 GENERAL	IN-PERSON	MECKLENBURG	
11/05/2002 GENERAL	IN-PERSON	MECKLENBURG	
11/06/2001	IN-PERSON	MECKLENBURG	
09/25/2001	IN-PERSON	MECKLENBURG	
06/05/2001	IN-PERSON	MECKLENBURG	
11/07/2000 GENERAL	IN-PERSON	MECKLENBURG	
11/02/1999	IN-PERSON	MECKLENBURG	
11/03/1998 GENERAL	IN-PERSON	MECKLENBURG	
11/05/1996 GENERAL	IN-PERSON	MECKLENBURG	
05/07/1996 PRIMARY	IN-PERSON	MECKLENBURG	
11/07/1995	IN-PERSON	MECKLENBURG	
11/08/1994 GENERAL	IN-PERSON	MECKLENBURG	
11/03/1992 GENERAL	IN-PERSON	MECKLENBURG	
05/05/1992 PRIMARY	IN-PERSON	MECKLENBURG	
11/06/1990 GENERAL	IN-PERSON	MECKLENBURG	
06/05/1990 SECOND PRIMARY	IN-PERSON	MECKLENBURG	
05/08/1990 PRIMARY	IN-PERSON	MECKLENBURG	
11/07/1989	IN-PERSON	MECKLENBURG	
10/17/1989	IN-PERSON	MECKLENBURG	
10/10/1989	IN-PERSON	MECKLENBURG	
11/08/1988 GENERAL	IN-PERSON	MECKLENBURG	
05/31/1988 SECOND PRIMARY	IN-PERSON	MECKLENBURG	
03/08/1988 PRIMARY	IN-PERSON	MECKLENBURG	
11/03/1987	IN-PERSON	MECKLENBURG	

## ☐ Absentee Request (1)

Exhibit 1 to Declaration of Joanna King



<u>Election Date</u>	<u>County</u>	<u>Absentee Status</u>	<u>Request</u>	<u>Send</u>	<u>Return</u>
10/06/2015	MECKLENBURG	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 10/01/2015	<b>Date:</b> 10/01/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 10/01/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED

For more information, please contact the [Mecklenburg County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

MARY EVELYN THOMAS  
217 CECIL AVE  
SPRING LAKE, NC 28390

**County:** CUMBERLAND

**Status:** ACTIVE

**Voter Reg Num:** 000065984783

**NCID:** BE187120

**Party:** DEM

**Race:** BLACK or AFRICAN AMERICAN

**Ethnicity:** NOT HISPANIC or NOT LATINO

**Gender:** FEMALE

**Registration Date:** 03/07/2001

**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** SPRING LAKE-2-G11

**Muni:** SPRING LAKE

**Cong:** CONGRESSIONAL DISTRICT 2

**Supct:** 12B SUPERIOR COURT

**Jud:** 12TH JUDICIAL

**Ncsen:** NC SENATE DISTRICT 21

**Nchse:** NC HOUSE DISTRICT 42

**Ccom:** COMMISSIONER #1

**Bded:** SCHOOL #1

**Pros:** 12TH PROSECUTORIAL

**Vtd:** G11

### Polling Place

[SPRING LAKE LIBRARY](#)

101 LAKETREE BLVD

SPRING LAKE, NC 28390

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 PRIMARY	No eligible ballots.
11/3/2015 MUNICIPAL	<a href="#">G013</a>

### ☐ Voter History (20)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	CUMBERLAND	
05/06/2014 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	CUMBERLAND	
11/06/2012 GENERAL	ABS-1STOP	CUMBERLAND	
05/08/2012 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/08/2011 MUNICIPAL	IN-PERSON	CUMBERLAND	
11/02/2010 GENERAL	ABS-1STOP	CUMBERLAND	
06/22/2010 SECOND PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
05/04/2010 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/03/2009 GENERAL	IN-PERSON	CUMBERLAND	
11/04/2008 GENERAL	ABS-1STOP	CUMBERLAND	
05/06/2008 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/06/2007 MUNICIPAL	IN-PERSON	CUMBERLAND	
11/07/2006 GENERAL	IN-PERSON	CUMBERLAND	
05/02/2006 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/08/2005 MUNICIPAL	IN-PERSON	CUMBERLAND	
11/02/2004 GENERAL	ABSENTEE	CUMBERLAND	
11/04/2003 MUNICIPAL	IN-PERSON	CUMBERLAND	
11/05/2002 GENERAL	IN-PERSON	CUMBERLAND	
11/06/2001 GENERAL	IN-PERSON	CUMBERLAND	

## ☐ Absentee Request (0)

For more information, please contact the [Cumberland County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

GREGORY KEITH TUCKER  
207 STUTZ ST  
GREENVILLE, NC 27834

**County:** PITT

**Status:** ACTIVE

**Voter Reg Num:** 000030095293

**NCID:** DL217515

**Party:** DEM

**Race:** BLACK or AFRICAN AMERICAN

**Ethnicity:** NOT HISPANIC or NOT LATINO

**Gender:** MALE

**Registration Date:** 03/04/2011

**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** GREENVILLE #3

**Muni:** GREENVILLE

**Ward:** GREENVILLE #1

**Cong:** CONGRESSIONAL DISTRICT 1

**Supct:** 3A SUPERIOR COURT

**Jud:** 3A JUDICIAL

**Ncsen:** NC SENATE DISTRICT 5

**Nchse:** NC HOUSE DISTRICT 24

**Ccom:** COMMISSIONER #2 & A

**Bded:** SCHOOL #2

**Pros:** 3A PROSECUTORIAL DISTRICT

**Vtd:** 1503

### Polling Place

[EPPES RECREATION CENTER](#)

400 NASH ST

GREENVILLE, NC 27834

### ☐ Sample Ballots

Election	Ballot(s)
11/3/2015 MUNICIPAL	<a href="#">G001</a>

### ☐ Voter History (6)

Election	Voted Method	Voted County	Voted Party
11/04/2014 GENERAL	IN-PERSON	PITT	
05/06/2014 PRIMARY	IN-PERSON	PITT	DEMOCRATIC
11/05/2013 MUNICIPAL	IN-PERSON	PITT	
11/06/2012 GENERAL	IN-PERSON	PITT	
05/08/2012 PRIMARY	IN-PERSON	PITT	DEMOCRATIC
11/08/2011 MUNICIPAL	IN-PERSON	PITT	

### ☐ Absentee Request (0)

For more information, please contact the [Pitt County Board of Elections](#).

Exhibit 1 to Declaration of Joanna King





## NC Public Voter Information

[New Search](#)

### Voter Details

JOHN RAYMOND VERDEJO  
5601 LEONARD MILL RD  
RALEIGH, NC 27616

**County:** WAKE  
**Status:** ACTIVE  
**Voter Reg Num:** 000031230848  
**NCID:** EH588293

**Party:** DEM  
**Race:** OTHER  
**Ethnicity:** HISPANIC or LATINO  
**Gender:** MALE  
**Registration Date:** 04/12/2004  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** PRECINCT 13-07  
**Muni:** RALEIGH  
**Ward:** RALEIGH MUNICIPAL DISTRICT B  
**Bded:** BOARD OF EDUCATION DISTRICT 03  
**Ccom:** COUNTY COMMISSIONER DIST 01  
**Cong:** CONGRESSIONAL DISTRICT 4  
**Ncsen:** NC SENATE DISTRICT 14  
**Nchse:** NC HOUSE DISTRICT 38  
**Supct:** NC SUPERIOR COURT DISTRICT 10B  
**Jud:** NC JUDICIAL DISTRICT 10  
**Pros:** 10TH PROSECUTORIAL  
**Vtd:** 13-07

### Polling Place

[BODY OF CHRIST CHURCH](#)  
4501 SPRING FOREST RD  
RALEIGH, NC 27616

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	<a href="#">M005</a>
11/3/2015 MUNICIPAL	No eligible ballots.

### ☐ Voter History (16)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	WAKE	
05/06/2014 PRIMARY	ABS-1STOP	WAKE	DEMOCRATIC
10/08/2013 MUNICIPAL	ABS-1STOP	WAKE	
11/06/2012 GENERAL	ABS-1STOP	WAKE	
07/17/2012 SECOND PRIMARY	IN-PERSON	WAKE	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	WAKE	DEMOCRATIC
11/08/2011 MUNICIPAL	IN-PERSON	WAKE	
10/11/2011 MUNICIPAL	ABS-1STOP	WAKE	
11/02/2010 GENERAL	ABS-1STOP	WAKE	
06/22/2010 SECOND PRIMARY	ABS-1STOP	WAKE	DEMOCRATIC
05/04/2010 PRIMARY	ABS-1STOP	WAKE	DEMOCRATIC
10/06/2009 MUNICIPAL	IN-PERSON	WAKE	
11/04/2008 GENERAL	ABS-1STOP	WAKE	
06/24/2008 SECOND PRIMARY	IN-PERSON	WAKE	DEMOCRATIC
05/06/2008 PRIMARY	IN-PERSON	WAKE	DEMOCRATIC
11/02/2004 GENERAL	IN-PERSON	WAKE	

## ☐ Absentee Request (1)

<u>Election Date</u>	<u>County</u>	<u>Absentee Status</u>	<u>Request</u>	<u>Send</u>	<u>Return</u>
10/06/2015	WAKE	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 09/24/2015	<b>Date:</b> 09/24/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 09/24/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED

For more information, please contact the [Wake County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

MARSHALL ANSIN  
10037 AVON FARM LN  
CHARLOTTE, NC 28269

**County:** MECKLENBURG  
**Status:** ACTIVE  
**Voter Reg Num:** 000001209636  
**NCID:** CW548030

**Party:** DEM  
**Race:** WHITE  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** MALE  
**Registration Date:** 03/19/2002  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** PCT 128  
**Muni:** CHARLOTTE  
**Ward:** CITY COUNCIL DISTRICT 4  
**Cong:** CONGRESSIONAL DISTRICT 9  
**Supct:** JUDICIAL DISTRICT 26B  
**Jud:** JUDICIAL DISTRICT 26  
**Ncsen:** NC SENATE DISTRICT 38  
**Nchse:** NC HOUSE DISTRICT 107  
**Ccom:** BOARD OF COMMISSIONERS DISTRICT 1  
**Bded:** SCHOOL BOARD DIST 1  
**Pros:** 26TH PROS DIST  
**Vtd:** 128

### Polling Place

[MALLARD CREEK ELEMENTARY SCHOOL - GYM](#)  
9801 MALLARD CREEK RD  
CHARLOTTE, NC 28262

### ☐ Sample Ballots

Election	Ballot(s)
9/15/2015 PRIMARY	<a href="#">D002</a>
10/6/2015 2NDPRIMARY	<a href="#">D001</a>
11/3/2015 GENERAL	G007

### ☐ Voter History (10)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
09/15/2015 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/04/2014 GENERAL	ABS-1STOP	MECKLENBURG	
05/06/2014 PRIMARY	ABS-MAIL	MECKLENBURG	DEMOCRATIC
11/05/2013 GENERAL	ABS-1STOP	MECKLENBURG	
10/08/2013 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
09/10/2013 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	MECKLENBURG	
11/07/2006 GENERAL	ABS-1STOP	MECKLENBURG	
11/02/2004 GENERAL	ABSENTEE	MECKLENBURG	
11/05/2002 GENERAL	ABSENTEE	MECKLENBURG	

## ☐ Absentee Request (1)

<u>Election Date</u>	<u>County</u>	<u>Absentee Status</u>	<u>Request</u>	<u>Send</u>	<u>Return</u>
09/15/2015	MECKLENBURG	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 09/09/2015	<b>Date:</b> 09/09/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 09/09/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED

For more information, please contact the [Mecklenburg County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

VALENCIA APPLEWHITE  
5813 MONDAVI PL  
FAYETTEVILLE, NC 28314

**County:** CUMBERLAND

**Status:** ACTIVE

**Voter Reg Num:** 000165984762

**NCID:** BE267950

**Party:** DEM

**Race:** BLACK or AFRICAN AMERICAN

**Ethnicity:** NOT HISPANIC or NOT LATINO

**Gender:** FEMALE

**Registration Date:** 07/18/2007

**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** CROSS CREEK 28-1-G5

**Muni:** FAYETTEVILLE

**Ward:** 7TH

**Cong:** CONGRESSIONAL DISTRICT 4

**Supct:** 12B SUPERIOR COURT

**Jud:** 12TH JUDICIAL

**Ncsen:** NC SENATE DISTRICT 21

**Nchse:** NC HOUSE DISTRICT 44

**Ccom:** COMMISSIONER #1

**Bded:** SCHOOL #3

**Pros:** 12TH PROSECUTORIAL

**Vtd:** G5

### Polling Place

[JOHN D FULLER SR RECREATIONAL ATHLETIC  
COMPLEX](#)

6627 OLD BUNCE RD  
FAYETTEVILLE, NC 28314

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 PRIMARY	<a href="#">N002</a>
11/3/2015 MUNICIPAL	G002

### ☐ Voter History (17)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	CUMBERLAND	
05/06/2014 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	CUMBERLAND	
10/08/2013 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	CUMBERLAND	
07/17/2012 SECOND PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/08/2011 MUNICIPAL	ABS-1STOP	CUMBERLAND	
10/11/2011 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	CUMBERLAND	
06/22/2010 SECOND PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
05/04/2010 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/03/2009 GENERAL	IN-PERSON	CUMBERLAND	
10/06/2009 MUNICIPAL	ABS-1STOP	CUMBERLAND	
11/04/2008 GENERAL	ABS-1STOP	CUMBERLAND	
05/06/2008 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/06/2007 MUNICIPAL	ABS-1STOP	CUMBERLAND	

## ☐ Absentee Request (1)

<u>Election Date</u>	<u>County</u>	<u>Absentee Status</u>	<u>Request</u>	<u>Send</u>	<u>Return</u>
10/06/2015	CUMBERLAND	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 09/24/2015	<b>Date:</b> 09/24/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 09/24/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED

For more information, please contact the [Cumberland County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

SANDRA LITTLE COVINGTON  
6309 GLENLEA CIR  
FAYETTEVILLE, NC 28314

**County:** CUMBERLAND

**Status:** ACTIVE

**Voter Reg Num:** 000000031786

**NCID:** BE33676

**Party:** DEM

**Race:** BLACK or AFRICAN AMERICAN

**Ethnicity:** NOT HISPANIC or NOT LATINO

**Gender:** FEMALE

**Registration Date:** 10/10/1988

**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** CROSS CREEK 28-1-G5

**Muni:** FAYETTEVILLE

**Ward:** 7TH

**Cong:** CONGRESSIONAL DISTRICT 4

**Supct:** 12B SUPERIOR COURT

**Jud:** 12TH JUDICIAL

**Ncsen:** NC SENATE DISTRICT 21

**Nchse:** NC HOUSE DISTRICT 42

**Ccom:** COMMISSIONER #1

**Bded:** SCHOOL #3

**Pros:** 12TH PROSECUTORIAL

**Vtd:** G5

### Polling Place

[JOHN D FULLER SR RECREATIONAL ATHLETIC COMPLEX](#)

6627 OLD BUNCE RD  
FAYETTEVILLE, NC 28314

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 PRIMARY	<a href="#">N002</a>
11/3/2015 MUNICIPAL	G002

### ☐ Voter History (39)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	CUMBERLAND	
05/06/2014 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	CUMBERLAND	
10/08/2013 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	CUMBERLAND	
07/17/2012 SECOND PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	CUMBERLAND	DEMOCRATIC
11/08/2011 MUNICIPAL	IN-PERSON	CUMBERLAND	
10/11/2011 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	CUMBERLAND	
05/04/2010 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/04/2008 GENERAL	ABS-1STOP	CUMBERLAND	
05/06/2008 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/06/2007 MUNICIPAL	IN-PERSON	CUMBERLAND	
02/06/2007 SPECIAL	IN-PERSON	CUMBERLAND	
11/07/2006 GENERAL	IN-PERSON	CUMBERLAND	
05/02/2006 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/08/2005 MUNICIPAL	IN-PERSON	CUMBERLAND	
11/02/2004 GENERAL	IN-PERSON	CUMBERLAND	
07/20/2004 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/04/2003 MUNICIPAL	IN-PERSON	CUMBERLAND	
10/07/2003 MUNICIPAL	IN-PERSON	CUMBERLAND	
11/05/2002 GENERAL	IN-PERSON	CUMBERLAND	
09/10/2002 PRIMARY	IN-PERSON	CUMBERLAND	DEMOCRATIC
11/06/2001 GENERAL	IN-PERSON	CUMBERLAND	
11/07/2000 GENERAL	LEGACY	CUMBERLAND	
05/02/2000 PRIMARY	LEGACY	CUMBERLAND	
11/02/1999 MUNICIPAL	LEGACY	CUMBERLAND	
10/05/1999 PRIMARY	LEGACY	CUMBERLAND	
11/03/1998 GENERAL	LEGACY	CUMBERLAND	
11/04/1997 MUNICIPAL	LEGACY	CUMBERLAND	
10/07/1997 PRIMARY	LEGACY	CUMBERLAND	
11/05/1996 GENERAL	LEGACY	CUMBERLAND	
05/07/1996 PRIMARY	LEGACY	CUMBERLAND	
11/08/1994 GENERAL	LEGACY	CUMBERLAND	
05/31/1994 SECOND PRIMARY	LEGACY	CUMBERLAND	
05/03/1994 PRIMARY	LEGACY	CUMBERLAND	
11/03/1992 GENERAL	LEGACY	CUMBERLAND	
05/05/1992 PRIMARY	LEGACY	CUMBERLAND	

## ☐ Absentee Request (0)

For more information, please contact the [Cumberland County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

JAMAL TREVON FOX  
2026 CHAPEL PARK LN  
GREENSBORO, NC 27405

**County:** GUILFORD  
**Status:** ACTIVE  
**Voter Reg Num:** 000009960764  
**NCID:** BY507569

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** MALE  
**Registration Date:** 02/25/2008  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** G09  
**Vtd:** G09  
**Muni:** GREENSBORO  
**Ward:** CITY CNCL G2  
**Cong:** CONGRESSIONAL DISTRICT 12  
**Ncsen:** NC SENATE DISTRICT 28  
**Nchse:** NC HOUSE DISTRICT 57  
**Ccom:** CNTY COMM 7  
**Bded:** SCH 4  
**Jud:** JUD 18  
**Resc:** GSO CITY COUNCIL 2  
**Supct:** JUD18E  
**Pros:** 18TH PROC DIST  
**Water:** CITY COUNCIL DIST 2

### Polling Place

[CRAFT RECREATION CENTER](#)  
3911 YANCEYVILLE ST  
GREENSBORO, NC 27405

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	<a href="#">B002</a>
11/3/2015 MUNICIPAL	Ballots not assigned yet.

### ☐ Voter History (14)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	GUILFORD	
05/06/2014 PRIMARY	ABS-1STOP	GUILFORD	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	GUILFORD	
10/08/2013 MUNICIPAL	ABS-1STOP	GUILFORD	
11/06/2012 GENERAL	ABS-1STOP	GUILFORD	
07/17/2012 SECOND PRIMARY	ABS-1STOP	GUILFORD	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	GUILFORD	DEMOCRATIC
11/08/2011 MUNICIPAL	ABS-1STOP	GUILFORD	
10/11/2011 MUNICIPAL	ABS-1STOP	GUILFORD	
11/02/2010 GENERAL	ABS-1STOP	GUILFORD	
11/03/2009 MUNICIPAL	IN-PERSON	GUILFORD	
10/06/2009 MUNICIPAL	IN-PERSON	GUILFORD	
11/04/2008 GENERAL	ABS-1STOP	GUILFORD	
05/06/2008 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC

## ☐ Absentee Request (1)

<u>Election Date</u>	<u>County</u>	<u>Absentee Status</u>	<u>Request</u>	<u>Send</u>	<u>Return</u>
10/06/2015	GUILFORD	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 09/24/2015	<b>Date:</b> 09/24/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 09/24/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED

For more information, please contact the [Guilford County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

CLAUDE DORSEY HARRIS III  
836 OAK STUMP RD  
ELIZABETH CITY, NC 27909

**County:** PASQUOTANK  
**Status:** ACTIVE  
**Voter Reg Num:** 000000007407  
**NCID:** DG8449

**Party:** DEM  
**Race:** WHITE  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** MALE  
**Registration Date:** 03/19/1980  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** MT HERMON  
**Cong:** CONGRESSIONAL DISTRICT 1  
**Supct:** 1ST SUPERIOR COURT  
**Jud:** 1ST JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 1  
**Nchse:** NC HOUSE DISTRICT 5  
**Ccom:** CD-SO  
**Bded:** OCL  
**Pros:** 1ST PROSECUTORIAL  
**Vtd:** MH

### Polling Place

[EVANGELICAL METHODIST CHURCH](#)  
820 OKISKO RD  
ELIZABETH CITY, NC 27909

### ☐ Sample Ballots

Election	Ballot(s)
5/12/2015 SPE. ELEC.	No eligible ballots.
10/6/2015 MUNICIPAL	No eligible ballots.
11/3/2015 RUNOFF EL.	Ballots not assigned yet.

### ☐ Voter History (21)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	PASQUOTANK	
05/06/2014 PRIMARY	ABS-1STOP	PASQUOTANK	DEMOCRATIC
10/08/2013 MUNICIPAL	ABS-1STOP	PASQUOTANK	
11/06/2012 GENERAL	ABS-1STOP	PASQUOTANK	
05/08/2012 PRIMARY	ABS-1STOP	PASQUOTANK	REPUBLICAN
10/11/2011 MUNICIPAL	ABS-1STOP	PASQUOTANK	
11/02/2010 GENERAL	ABS-1STOP	PASQUOTANK	
06/22/2010 SECOND PRIMARY	IN-PERSON	PASQUOTANK	DEMOCRATIC
11/04/2008 GENERAL	ABS-1STOP	PASQUOTANK	
05/06/2008 PRIMARY	ABS-1STOP	PASQUOTANK	DEMOCRATIC
11/02/2004 GENERAL	ABSENTEE	PASQUOTANK	
09/10/2002 PRIMARY	IN-PERSON	PASQUOTANK	DEMOCRATIC
11/07/2000 GENERAL	ABSENTEE	PASQUOTANK	
05/02/2000 PRIMARY	LEGACY	PASQUOTANK	DEMOCRATIC
11/03/1998 GENERAL	LEGACY	PASQUOTANK	
05/05/1998 PRIMARY	LEGACY	PASQUOTANK	
11/05/1996 GENERAL	LEGACY	PASQUOTANK	
05/07/1996 PRIMARY	LEGACY	PASQUOTANK	
05/03/1994 PRIMARY	LEGACY	PASQUOTANK	
11/03/1992 GENERAL	LEGACY	PASQUOTANK	
05/05/1992 PRIMARY	LEGACY	PASQUOTANK	

## ☐ Absentee Request (0)

For more information, please contact the [Pasquotank County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

CRYSTAL GRAHAM JOHNSON  
1170 BENJAMIN DR  
GREENVILLE, NC 27834

**County:** PITT  
**Status:** ACTIVE  
**Voter Reg Num:** 000030121010  
**NCID:** DL191950

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 09/11/2004  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** BELVOIR  
**Cong:** CONGRESSIONAL DISTRICT 1  
**Supct:** 3A SUPERIOR COURT  
**Jud:** 3A JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 5  
**Nchse:** NC HOUSE DISTRICT 24  
**Ccom:** COMMISSIONER #2 & A  
**Bded:** SCHOOL #2  
**Pros:** 3A PROSECUTORIAL DISTRICT  
**Vtd:** 0301

### Polling Place

[HOLLY HILL ORIGINAL FREE WILL BAPTIST CHURCH](#)  
755 PORTER RD  
GREENVILLE, NC 27834

### ☐ Sample Ballots

Election	Ballot(s)
11/3/2015 MUNICIPAL	No eligible ballots.

### ☐ Voter History (11)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	IN-PERSON	PITT	
05/06/2014 PRIMARY	IN-PERSON	PITT	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	PITT	
11/06/2012 GENERAL	ABS-1STOP	PITT	
11/06/2012 GENERAL	ABS-1STOP	PITT	
05/08/2012 PRIMARY	PROV	PITT	DEMOCRATIC
05/08/2012 PRIMARY	PROV	PITT	DEMOCRATIC
11/04/2008 GENERAL	IN-PERSON	PITT	
11/04/2008 GENERAL	IN-PERSON	PITT	
05/06/2008 PRIMARY	TRANSFER	PITT	DEMOCRATIC
05/06/2008 PRIMARY	TRANSFER	PITT	DEMOCRATIC

## ☐ Absentee Request (0)

For more information, please contact the [Pitt County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

CYNTHIA C MARTIN  
1301 BROWN STRAW DR  
RALEIGH, NC 27610

**County:** WAKE  
**Status:** ACTIVE  
**Voter Reg Num:** 000010057345  
**NCID:** EH125113

**Party:** DEM  
**Race:** WHITE  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 01/01/1988  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** PRECINCT 17-07  
**Muni:** UNINCORPORATED  
**Bded:** BOARD OF EDUCATION DISTRICT 04  
**Ccom:** COUNTY COMMISSIONER DIST 05  
**Cong:** CONGRESSIONAL DISTRICT 4  
**Ncsen:** NC SENATE DISTRICT 14  
**Nchse:** NC HOUSE DISTRICT 33  
**Supct:** NC SUPERIOR COURT DISTRICT 10B  
**Jud:** NC JUDICIAL DISTRICT 10  
**Pros:** 10TH PROSECUTORIAL  
**Vtd:** 17-07

### Polling Place

[WAKE COUNTY COMMONS BUILDING](#)  
4011 CARYA DR  
RALEIGH, NC 27610

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	No eligible ballots.
11/3/2015 MUNICIPAL	No eligible ballots.

### ☐ Voter History (16)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	WAKE	
11/06/2012 GENERAL	ABS-1STOP	WAKE	
05/08/2012 PRIMARY	IN-PERSON	WAKE	DEMOCRATIC
10/11/2011 MUNICIPAL	IN-PERSON	WAKE	
11/02/2010 GENERAL	IN-PERSON	WAKE	
11/04/2008 GENERAL	ABS-1STOP	WAKE	
05/06/2008 PRIMARY	IN-PERSON	WAKE	DEMOCRATIC
11/02/2004 GENERAL	ABSENTEE	WAKE	
11/05/2002 GENERAL	IN-PERSON	WAKE	
09/10/2002 PRIMARY	IN-PERSON	WAKE	DEMOCRATIC
11/07/2000 GENERAL	IN-PERSON	WAKE	
11/03/1998 GENERAL	LEGACY	WAKE	
05/05/1998 PRIMARY	LEGACY	WAKE	
11/05/1996 GENERAL	LEGACY	WAKE	
11/08/1994 GENERAL	LEGACY	WAKE	
05/03/1994 PRIMARY	LEGACY	WAKE	

## ☐ Absentee Request (0)

For more information, please contact the [Wake County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

VANESSA VIVIAN MARTIN  
1713 HUFFINE MILL RD  
GREENSBORO, NC 27405

**County:** GUILFORD  
**Status:** ACTIVE  
**Voter Reg Num:** 000000501673  
**NCID:** BY359112

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 02/19/2002  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** G06  
**Vtd:** G06  
**Muni:** GREENSBORO  
**Ward:** CITY CNCL G2  
**Cong:** CONGRESSIONAL DISTRICT 12  
**Ncsen:** NC SENATE DISTRICT 28  
**Nchse:** NC HOUSE DISTRICT 57  
**Ccom:** CNTY COMM 7  
**Bded:** SCH 9  
**Jud:** JUD 18  
**Resc:** GSO CITY COUNCIL 2  
**Supct:** JUD18A  
**Pros:** 18TH PROC DIST  
**Water:** CITY COUNCIL DIST 2

### Polling Place

[BESSEMER ELEMENTARY SCHOOL](#)  
918 HUFFINE MILL RD  
GREENSBORO, NC 27405

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	<a href="#">B002</a>
11/3/2015 MUNICIPAL	Ballots not assigned yet.

### ☐ Voter History (14)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	GUILFORD	
05/06/2014 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	GUILFORD	
10/08/2013 MUNICIPAL	ABS-1STOP	GUILFORD	
11/06/2012 GENERAL	ABS-1STOP	GUILFORD	
05/08/2012 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/08/2011 MUNICIPAL	ABS-1STOP	GUILFORD	
10/11/2011 MUNICIPAL	IN-PERSON	GUILFORD	
11/02/2010 GENERAL	ABS-1STOP	GUILFORD	
11/04/2008 GENERAL	ABS-1STOP	GUILFORD	
05/06/2008 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/06/2007 GENERAL	IN-PERSON	GUILFORD	
11/02/2004 GENERAL	ABSENTEE	GUILFORD	
11/05/2002 GENERAL	IN-PERSON	GUILFORD	

## ☐ Absentee Request (1)

<u>Election Date</u>	<u>County</u>	<u>Absentee Status</u>	<u>Request</u>	<u>Send</u>	<u>Return</u>
10/06/2015	GUILFORD	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 09/29/2015	<b>Date:</b> 09/29/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 09/29/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED

For more information, please contact the [Guilford County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

MARCUS WALTER MAYO  
3877 COUNTRYAIRE DR  
AYDEN, NC 28513

**County:** PITT  
**Status:** ACTIVE  
**Voter Reg Num:** 000030117655  
**NCID:** EP29848

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** UNDESIGNATED  
**Gender:** MALE  
**Registration Date:** 11/01/2012  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** AYDEN A  
**Muni:** AYDEN  
**Cong:** CONGRESSIONAL DISTRICT 3  
**Supct:** 3A SUPERIOR COURT  
**Jud:** 3A JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 5  
**Nchse:** NC HOUSE DISTRICT 8  
**Ccom:** COMMISSIONER #6 & B  
**Bded:** SCHOOL #6  
**Pros:** 3A PROSECUTORIAL DISTRICT  
**Vtd:** 0200A

### Polling Place

[AYDEN CHRISTIAN CHURCH](#)  
462 2ND ST  
AYDEN, NC 28513

### ☐ Sample Ballots

Election	Ballot(s)
11/3/2015 MUNICIPAL	<a href="#">G003</a>

### ☐ Voter History (14)

### ☐ Absentee Request (0)

For more information, please contact the [Pitt County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

LA'TANTA DENISHIA MCCRIMMON  
12776 PEA BRIDGE RD  
LAURINBURG, NC 28352

**County:** SCOTLAND

**Status:** ACTIVE

**Voter Reg Num:** 000000308055

**NCID:** EH482963

**Party:** DEM

**Race:** BLACK or AFRICAN AMERICAN

**Ethnicity:** NOT HISPANIC or NOT LATINO

**Gender:** FEMALE

**Registration Date:** 10/08/2008

**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** 05

**Cong:** CONGRESSIONAL DISTRICT 8

**Supct:** 16A SUPERIOR COURT

**Jud:** 16A JUDICIAL

**Ncsen:** NC SENATE DISTRICT 25

**Nchse:** NC HOUSE DISTRICT 48

**Twps:** STEWARTSVILLE

**Pros:** 16A PROSECUTORIAL

**Vtd:** 05

### Polling Place

[JOHNS FIRE STATION](#)

8781 JOHNS RD  
NC 28352

### ☐ Sample Ballots

Election	Ballot(s)
11/3/2015 MUNICIPAL	No eligible ballots.

### ☐ Voter History (7)

<a href="#">Election</a>	<a href="#">Voted Method</a>	<a href="#">Voted County</a>	<a href="#">Voted Party</a>
11/06/2012 GENERAL	ABS-MAIL	SCOTLAND	
05/08/2012 PRIMARY	ABS-MAIL	SCOTLAND	DEMOCRATIC
11/02/2010 GENERAL	ABS-MAIL	SCOTLAND	
11/04/2008 GENERAL	ABS-MAIL	SCOTLAND	
05/06/2008 PRIMARY	ABS-MAIL	WAKE	DEMOCRATIC
11/02/2004 GENERAL	ABSENTEE	WAKE	
09/10/2002 PRIMARY	IN-PERSON	WAKE	DEMOCRATIC

Exhibit 1 to Declaration of Joanna King



## Absentee Request (0)

For more information, please contact the [Scotland County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

CATHERINE OREL MEDLOCK-WALTON  
1521 BRIDFORD PKWY # 12-F  
GREENSBORO, NC 27407

**County:** GUILFORD  
**Status:** ACTIVE  
**Voter Reg Num:** 000010098279  
**NCID:** BY612700

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** UNDESIGNATED  
**Gender:** FEMALE  
**Registration Date:** 10/28/2012  
**NCDMV Customer:** No

### Jurisdictions

**Pct:** FR1  
**Vtd:** FR1  
**Muni:** GREENSBORO  
**Ward:** CITY CNCL G5  
**Cong:** CONGRESSIONAL DISTRICT 6  
**Ncsen:** NC SENATE DISTRICT 27  
**Nchse:** NC HOUSE DISTRICT 60  
**Ccom:** CNTY COMM 6  
**Bded:** SCH 5  
**Jud:** JUD 18  
**Resc:** GSO CITY COUNCIL 5  
**Supct:** JUD18C  
**Pros:** 18TH PROC DIST  
**Water:** CITY COUNCIL DIST 5

### Polling Place

[UNITARIAN UNIVERSALIST CHURCH](#)  
5603 HILLTOP RD  
JAMESTOWN, NC 27282

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	<a href="#">B002</a>
11/3/2015 MUNICIPAL	Ballots not assigned yet.

### ☐ Voter History (3)

<a href="#">Election</a>	<a href="#">Voted Method</a>	<a href="#">Voted County</a>	<a href="#">Voted Party</a>
11/04/2014 GENERAL	ABS-1STOP	GUILFORD	
05/06/2014 PRIMARY	IN-PERSON	GUILFORD	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	GUILFORD	

### ☐ Absentee Request (0)

Exhibit 1 to Declaration of Joanna King



For more information, please contact the [Guilford County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

BRYAN OLSHAN PERLMUTTER  
1000 N DUKE ST  
DURHAM, NC 27701

**County:** DURHAM  
**Status:** ACTIVE  
**Voter Reg Num:** 000030236493  
**NCID:** CW899894

**Party:** UNA  
**Race:** UNDESIGNATED  
**Ethnicity:** UNDESIGNATED  
**Gender:** MALE  
**Registration Date:** 07/01/2014  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** 20  
**Muni:** DURHAM  
**Ward:** WARD 1  
**Cong:** CONGRESSIONAL DISTRICT 1  
**Supct:** 14B SUPERIOR COURT  
**Jud:** 14TH JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 22  
**Nchse:** NC HOUSE DISTRICT 31  
**Bded:** SCHOOL 1A  
**Pros:** 14TH PROSECUTORIAL  
**Vtd:** 20

### Polling Place

[DURHAM COUNTY AGRICULTURAL BUILDING](#)  
721 FOSTER ST  
DURHAM, NC 27701

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 PRIMARY	<a href="#">N001</a>
11/3/2015 MUNICIPAL	Ballots not assigned yet.

### ☐ Voter History (4)

<a href="#">Election</a>	<a href="#">Voted Method</a>	<a href="#">Voted County</a>	<a href="#">Voted Party</a>
11/04/2014 GENERAL	ABS-1STOP	DURHAM	
11/06/2012 GENERAL	ABS-1STOP	WAKE	
05/08/2012 PRIMARY	ABS-1STOP	MECKLENBURG	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	MECKLENBURG	

### ☐ Absentee Request (0)

Exhibit 1 to Declaration of Joanna King



For more information, please contact the [Durham County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

JULIAN CHARLES PRIDGEN SR  
2711 WESTBROOKE DR  
KINSTON, NC 28504

**County:** LENOIR

**Status:** ACTIVE

**Voter Reg Num:** 000000055002

**NCID:** CM40753

**Party:** UNA

**Race:** BLACK or AFRICAN AMERICAN

**Ethnicity:** NOT HISPANIC or NOT LATINO

**Gender:** MALE

**Registration Date:** 04/04/2000

**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** KINSTON-9

**Muni:** KINSTON

**Cong:** CONGRESSIONAL DISTRICT 1

**Supct:** 08A SUPERIOR COURT

**Jud:** 8TH JUDICIAL

**Ncsen:** NC SENATE DISTRICT 5

**Nchse:** NC HOUSE DISTRICT 12

**Ccom:** D3

**Bded:** S3

**Pros:** 8TH PROSECUTORIAL

**Vtd:** K9

### Polling Place

[KINSTON FIRST PENTECOSTAL HOLINESS  
CHURCH](#)

711 PHILLIPS RD  
KINSTON, NC 28504

### ☐ Sample Ballots

Election	Ballot(s)
11/3/2015 MUNICIPAL	G002

### ☐ Voter History (24)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	LENOIR	
05/06/2014 PRIMARY	IN-PERSON	LENOIR	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	LENOIR	
11/06/2012 GENERAL	ABS-1STOP	LENOIR	
05/08/2012 PRIMARY	ABS-1STOP	LENOIR	DEMOCRATIC
11/08/2011 MUNICIPAL	ABS-1STOP	LENOIR	
09/13/2011 PRIMARY	IN-PERSON	LENOIR	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	LENOIR	
05/04/2010 PRIMARY	IN-PERSON	LENOIR	DEMOCRATIC
11/03/2009 MUNICIPAL	IN-PERSON	LENOIR	
09/15/2009 PRIMARY	IN-PERSON	LENOIR	NONPARTISAN
11/04/2008 GENERAL	ABS-1STOP	LENOIR	
05/06/2008 PRIMARY	IN-PERSON	LENOIR	DEMOCRATIC
11/07/2006 GENERAL	ABS-1STOP	LENOIR	
11/02/2004 GENERAL	IN-PERSON	LENOIR	
07/20/2004 PRIMARY	IN-PERSON	LENOIR	DEMOCRATIC
11/04/2003 MUNICIPAL	IN-PERSON	LENOIR	
09/23/2003 PRIMARY	IN-PERSON	LENOIR	DEMOCRATIC
11/05/2002 GENERAL	IN-PERSON	LENOIR	
09/10/2002 PRIMARY	IN-PERSON	LENOIR	DEMOCRATIC
11/06/2001 MUNICIPAL	LEGACY	LENOIR	
09/25/2001 PRIMARY	LEGACY	LENOIR	
11/07/2000 GENERAL	LEGACY	LENOIR	
05/02/2000 PRIMARY	LEGACY	LENOIR	

## Absentee Request (0)

For more information, please contact the [Lenoir County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

MILO PYNE  
806 VICKERS AVE  
DURHAM, NC 27701

**County:** DURHAM  
**Status:** ACTIVE  
**Voter Reg Num:** 000000677013  
**NCID:** BL204572

**Party:** DEM  
**Race:** WHITE  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** MALE  
**Registration Date:** 07/04/1996  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** 08  
**Muni:** DURHAM  
**Ward:** WARD 1  
**Cong:** CONGRESSIONAL DISTRICT 1  
**Supct:** 14B SUPERIOR COURT  
**Jud:** 14TH JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 20  
**Nchse:** NC HOUSE DISTRICT 29  
**Bded:** SCHOOL 2A  
**Pros:** 14TH PROSECUTORIAL  
**Vtd:** 08

### Polling Place

[MOREHEAD MONTESSORI MAGNET SCHOOL](#)  
909 COBB ST  
DURHAM, NC 27707

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 PRIMARY	<a href="#">N001</a>
11/3/2015 MUNICIPAL	Ballots not assigned yet.

### ☐ Voter History (41)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	DURHAM	
05/06/2014 PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	DURHAM	
10/08/2013 PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	DURHAM	
07/17/2012 SECOND PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
11/08/2011 MUNICIPAL	ABS-1STOP	DURHAM	
10/11/2011 PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	DURHAM	
06/22/2010 SECOND PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
05/04/2010 PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
11/03/2009 MUNICIPAL	IN-PERSON	DURHAM	
10/06/2009 PRIMARY	ABS-1STOP	DURHAM	DEMOCRATIC
11/04/2008 GENERAL	ABS-1STOP	DURHAM	
06/24/2008 SECOND PRIMARY	IN-PERSON	DURHAM	DEMOCRATIC
05/06/2008 PRIMARY	IN-PERSON	DURHAM	DEMOCRATIC
11/06/2007 MUNICIPAL	IN-PERSON	DURHAM	
10/09/2007 PRIMARY	IN-PERSON	DURHAM	
11/07/2006 GENERAL	IN-PERSON	DURHAM	
05/30/2006 SECOND PRIMARY	ABSENTEE	DURHAM	DEMOCRATIC
05/02/2006 PRIMARY	ABSENTEE	DURHAM	DEMOCRATIC
11/08/2005 MUNICIPAL	ABSENTEE	DURHAM	
10/11/2005 PRIMARY	ABSENTEE	DURHAM	
11/02/2004 GENERAL	ABSENTEE	DURHAM	
08/17/2004 SECOND PRIMARY	ABSENTEE	DURHAM	DEMOCRATIC
07/20/2004 PRIMARY	ABSENTEE	DURHAM	DEMOCRATIC
11/04/2003 MUNICIPAL	IN-PERSON	DURHAM	
10/07/2003 PRIMARY	ABSENTEE	DURHAM	
11/05/2002 GENERAL	IN-PERSON	DURHAM	
09/10/2002 PRIMARY	IN-PERSON	DURHAM	DEMOCRATIC
11/06/2001 GENERAL	IN-PERSON	DURHAM	
10/09/2001 PRIMARY	ABSENTEE	DURHAM	
11/07/2000 GENERAL	ABSENTEE	DURHAM	
10/05/1999	ABSENTEE	DURHAM	
12/08/1998	LEGACY	DURHAM	
11/03/1998 GENERAL	LEGACY	DURHAM	
05/05/1998 PRIMARY	LEGACY	DURHAM	
11/04/1997	LEGACY	DURHAM	
10/07/1997	LEGACY	DURHAM	
01/01/1800 SPECIAL	IN-PERSON	DURHAM	

## ☒ Absentee Request (1)

<u>Election Date</u>	<u>County</u>	<u>Absentee Status</u>	<u>Request</u>	<u>Send</u>	<u>Return</u>
10/06/2015	DURHAM	VALID RETURN	<b>Type:</b> ONE-STOP <b>Date:</b> 09/25/2015	<b>Date:</b> 09/25/2015 <b>Method:</b> IN PERSON	<b>Date:</b> 09/25/2015 <b>Method:</b> IN PERSON <b>Status:</b> ACCEPTED

Exhibit 1 to Declaration of Joanna King



For more information, please contact the [Durham County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

JAMES EDWARD ALSTON  
9471 ALSTON ST  
CASTALIA, NC 27816

**County:** NASH  
**Status:** ACTIVE  
**Voter Reg Num:** 000000000318  
**NCID:** DA2352

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** MALE  
**Registration Date:** 03/13/1982  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** CASTALIA  
**Muni:** TOWN OF CASTALIA  
**Cong:** CONGRESSIONAL DISTRICT 1  
**Supct:** 7A SUPERIOR COURT  
**Jud:** 7TH JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 11  
**Nchse:** NC HOUSE DISTRICT 7  
**Ccom:** COMMISSION #1  
**Bded:** SCHOOL #1  
**Pros:** 7TH PROSECUTORIAL  
**Vtd:** 0003

### Polling Place

[CASTALIA VOLUNTEER FIRE DEPARTMENT](#)  
11065 LANCASTER STORE RD  
CASTALIA, NC 27816

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	No eligible ballots.
11/3/2015 MUNICIPAL	<a href="#">G006</a>

### ☐ Voter History (31)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	NASH	
05/06/2014 PRIMARY	ABS-1STOP	NASH	DEMOCRATIC
11/05/2013 MUNICIPAL	IN-PERSON	NASH	
11/06/2012 GENERAL	ABS-1STOP	NASH	
07/17/2012 SECOND PRIMARY	IN-PERSON	NASH	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	NASH	DEMOCRATIC
11/08/2011 MUNICIPAL	IN-PERSON	NASH	
11/02/2010 GENERAL	IN-PERSON	NASH	
06/22/2010 SECOND PRIMARY	IN-PERSON	NASH	DEMOCRATIC
05/04/2010 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/03/2009 MUNICIPAL	IN-PERSON	NASH	
11/04/2008 GENERAL	IN-PERSON	NASH	
06/24/2008 SECOND PRIMARY	IN-PERSON	NASH	DEMOCRATIC
05/06/2008 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/06/2007 MUNICIPAL	IN-PERSON	NASH	
11/07/2006 GENERAL	IN-PERSON	NASH	
05/02/2006 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/02/2004 GENERAL	ABSENTEE	NASH	
07/20/2004 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/04/2003 MUNICIPAL	IN-PERSON	NASH	
11/05/2002 GENERAL	IN-PERSON	NASH	
09/10/2002 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/06/2001 MUNICIPAL	IN-PERSON	NASH	
11/07/2000 GENERAL	LEGACY	NASH	
05/02/2000 PRIMARY	LEGACY	NASH	
11/03/1998 GENERAL	LEGACY	NASH	
05/05/1998 PRIMARY	LEGACY	NASH	
11/05/1996 GENERAL	LEGACY	NASH	
05/07/1996 PRIMARY	LEGACY	NASH	
11/08/1994 GENERAL	LEGACY	NASH	
05/03/1994 PRIMARY	LEGACY	NASH	

## Absentee Request (0)

For more information, please contact the [Nash County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

MARVIN CORNELOUS ARRINGTON  
6311 NC 48  
BATTLEBORO, NC 27809

**County:** NASH  
**Status:** ACTIVE  
**Voter Reg Num:** 000000051110  
**NCID:** DA53124  
  
**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** MALE  
**Registration Date:** 04/05/1996  
**NCDMV Customer:** No

### Jurisdictions

**Pct:** ROCKY MOUNT BATTLEBORO  
**Cong:** CONGRESSIONAL DISTRICT 1  
**Supct:** 7A SUPERIOR COURT  
**Jud:** 7TH JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 4  
**Nchse:** NC HOUSE DISTRICT 7  
**Ccom:** COMMISSION #1  
**Bded:** SCHOOL #1  
**Pros:** 7TH PROSECUTORIAL  
**Vtd:** 0002

### Polling Place

[ROCKY MOUNT #7 FIRE STATION](#)  
9914 NC 4  
BATTLEBORO, NC 27809

### ☐ Sample Ballots

Election	Ballot(s)
10/6/2015 MUNICIPAL	No eligible ballots.
11/3/2015 MUNICIPAL	No eligible ballots.

### ☐ Voter History (25)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	NASH	
05/06/2014 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/06/2012 GENERAL	ABS-1STOP	NASH	
07/17/2012 SECOND PRIMARY	IN-PERSON	NASH	DEMOCRATIC
05/08/2012 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/02/2010 GENERAL	ABS-1STOP	NASH	
06/22/2010 SECOND PRIMARY	IN-PERSON	NASH	DEMOCRATIC
05/04/2010 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/04/2008 GENERAL	IN-PERSON	NASH	
06/24/2008 SECOND PRIMARY	IN-PERSON	NASH	DEMOCRATIC
05/06/2008 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/07/2006 GENERAL	IN-PERSON	NASH	
05/02/2006 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/02/2004 GENERAL	ABSENTEE	NASH	
08/17/2004 SECOND PRIMARY	IN-PERSON	NASH	DEMOCRATIC
07/20/2004 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/05/2002 GENERAL	IN-PERSON	NASH	
09/10/2002 PRIMARY	IN-PERSON	NASH	DEMOCRATIC
11/07/2000 GENERAL	LEGACY	NASH	
05/02/2000 PRIMARY	LEGACY	NASH	
11/03/1998 GENERAL	LEGACY	NASH	
05/05/1998 PRIMARY	LEGACY	NASH	
12/03/1996 SPECIAL	LEGACY	NASH	
11/05/1996 GENERAL	LEGACY	NASH	
05/07/1996 PRIMARY	LEGACY	NASH	

## Absentee Request (0)

For more information, please contact the [Nash County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

MARK R ENGLANDER  
625 BALDWIN AVE  
CHARLOTTE, NC 28204

**County:** MECKLENBURG  
**Status:** ACTIVE  
**Voter Reg Num:** 000000561352  
**NCID:** CW149397

**Party:** DEM  
**Race:** WHITE  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** MALE  
**Registration Date:** 05/01/1982  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** PCT 002  
**Muni:** CHARLOTTE  
**Ward:** CITY COUNCIL DISTRICT 1  
**Cong:** CONGRESSIONAL DISTRICT 9  
**Supct:** JUDICIAL DISTRICT 26B  
**Jud:** JUDICIAL DISTRICT 26  
**Ncsen:** NC SENATE DISTRICT 37  
**Nchse:** NC HOUSE DISTRICT 102  
**Ccom:** BOARD OF COMMISSIONERS DISTRICT 4  
**Bded:** SCHOOL BOARD DIST 4  
**Pros:** 26TH PROS DIST  
**Vtd:** 002

### Polling Place

[ST JOHN'S BAPTIST CHURCH - BROACH HALL](#)  
300 HAWTHORNE LN  
CHARLOTTE, NC 28204

### ☐ Sample Ballots

Election	Ballot(s)
9/15/2015 PRIMARY	<a href="#">D002</a>
10/6/2015 2NDPRIMARY	<a href="#">D001</a>
11/3/2015 GENERAL	G001

### ☐ Voter History (31)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
09/15/2015 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/04/2014 GENERAL	IN-PERSON	MECKLENBURG	
05/06/2014 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/05/2013 GENERAL	IN-PERSON	MECKLENBURG	
09/10/2013 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/06/2012 GENERAL	IN-PERSON	MECKLENBURG	
07/17/2012 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
05/08/2012 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/08/2011 GENERAL	IN-PERSON	MECKLENBURG	
11/02/2010 GENERAL	IN-PERSON	MECKLENBURG	
06/22/2010 SECOND PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
05/04/2010 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/03/2009 GENERAL	IN-PERSON	MECKLENBURG	
11/04/2008 GENERAL	ABS-1STOP	MECKLENBURG	
05/06/2008 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/06/2007 GENERAL	IN-PERSON	MECKLENBURG	
11/07/2006 GENERAL	IN-PERSON	MECKLENBURG	
11/08/2005 GENERAL	IN-PERSON	MECKLENBURG	
11/02/2004 GENERAL	ABSENTEE	MECKLENBURG	
07/20/2004 PRIMARY	IN-PERSON	MECKLENBURG	DEMOCRATIC
11/05/2002 GENERAL	ABSENTEE	MECKLENBURG	
11/07/2000 GENERAL	IN-PERSON	MECKLENBURG	
05/07/1996 PRIMARY	IN-PERSON	MECKLENBURG	
11/07/1995	IN-PERSON	MECKLENBURG	
11/03/1992 GENERAL	IN-PERSON	MECKLENBURG	
05/05/1992 PRIMARY	IN-PERSON	MECKLENBURG	
11/06/1990 GENERAL	IN-PERSON	MECKLENBURG	
06/05/1990 SECOND PRIMARY	IN-PERSON	MECKLENBURG	
05/08/1990 PRIMARY	IN-PERSON	MECKLENBURG	
11/07/1989	IN-PERSON	MECKLENBURG	
11/08/1988 GENERAL	IN-PERSON	MECKLENBURG	

## Absentee Request (0)

For more information, please contact the [Mecklenburg County Board of Elections](#).





## NC Public Voter Information

[New Search](#)

### Voter Details

JUANITA ROGERS  
117 ORANGE ST  
OXFORD, NC 27565

**County:** GRANVILLE  
**Status:** ACTIVE  
**Voter Reg Num:** 000000003726  
**NCID:** BW4677

**Party:** DEM  
**Race:** BLACK or AFRICAN AMERICAN  
**Ethnicity:** NOT HISPANIC or NOT LATINO  
**Gender:** FEMALE  
**Registration Date:** 10/26/1968  
**NCDMV Customer:** Yes

### Jurisdictions

**Pct:** SOUTH OXFORD  
**Muni:** OXFORD  
**Cong:** CONGRESSIONAL DISTRICT 1  
**Supct:** 9TH SUPERIOR COURT  
**Jud:** 9TH JUDICIAL  
**Ncsen:** NC SENATE DISTRICT 20  
**Nchse:** NC HOUSE DISTRICT 32  
**Ccom:** COMMISSION #4  
**Bded:** SCHOOL #4  
**Pros:** 9TH PROSECUTORIAL  
**Vtd:** SOOX

### Polling Place

[AGRICULTURAL EXTENSION OFFICE](#)  
208 WALL ST  
OXFORD, NC 27565

### ☐ Sample Ballots

Election	Ballot(s)
11/3/2015 MUNICIPAL	<a href="#">G011</a>

### ☐ Voter History (40)



<u>Election</u>	<u>Voted Method</u>	<u>Voted County</u>	<u>Voted Party</u>
11/04/2014 GENERAL	ABS-1STOP	GRANVILLE	
05/06/2014 PRIMARY	ABS-1STOP	GRANVILLE	DEMOCRATIC
11/05/2013 MUNICIPAL	ABS-1STOP	GRANVILLE	
11/06/2012 GENERAL	ABS-1STOP	GRANVILLE	
07/17/2012 SECOND PRIMARY	ABS-1STOP	GRANVILLE	DEMOCRATIC
05/08/2012 PRIMARY	ABS-1STOP	GRANVILLE	DEMOCRATIC
11/08/2011 MUNICIPAL	ABS-1STOP	GRANVILLE	
11/02/2010 GENERAL	ABS-1STOP	GRANVILLE	
06/22/2010 SECOND PRIMARY	ABS-1STOP	GRANVILLE	DEMOCRATIC
05/04/2010 PRIMARY	ABS-1STOP	GRANVILLE	DEMOCRATIC
11/03/2009 MUNICIPAL	ABS-1STOP	GRANVILLE	
11/04/2008 GENERAL	ABS-1STOP	GRANVILLE	
06/24/2008 SECOND PRIMARY	IN-PERSON	GRANVILLE	DEMOCRATIC
05/06/2008 PRIMARY	ABS-1STOP	GRANVILLE	DEMOCRATIC
11/06/2007 MUNICIPAL	ABS-1STOP	GRANVILLE	
11/07/2006 GENERAL	ABS-1STOP	GRANVILLE	
05/02/2006 PRIMARY	IN-PERSON	GRANVILLE	DEMOCRATIC
11/08/2005 MUNICIPAL	ABSENTEE	GRANVILLE	
11/02/2004 GENERAL	ABSENTEE	GRANVILLE	
07/20/2004 PRIMARY	ABSENTEE	GRANVILLE	DEMOCRATIC
11/04/2003 MUNICIPAL	IN-PERSON	GRANVILLE	
11/05/2002 GENERAL	IN-PERSON	GRANVILLE	
09/10/2002 PRIMARY	IN-PERSON	GRANVILLE	DEMOCRATIC
11/06/2001 MUNICIPAL	IN-PERSON	GRANVILLE	
11/07/2000 GENERAL	LEGACY	GRANVILLE	
05/02/2000 PRIMARY	LEGACY	GRANVILLE	DEMOCRATIC
11/02/1999 MUNICIPAL	LEGACY	GRANVILLE	
11/03/1998 GENERAL	LEGACY	GRANVILLE	
09/15/1998 SPECIAL	LEGACY	GRANVILLE	
05/05/1998 PRIMARY	LEGACY	GRANVILLE	DEMOCRATIC
11/04/1997 MUNICIPAL	LEGACY	GRANVILLE	
11/05/1996 GENERAL	LEGACY	GRANVILLE	
06/04/1996 SECOND PRIMARY	LEGACY	GRANVILLE	DEMOCRATIC
05/07/1996 PRIMARY	LEGACY	GRANVILLE	DEMOCRATIC
11/07/1995 MUNICIPAL	LEGACY	GRANVILLE	
11/08/1994 GENERAL	LEGACY	GRANVILLE	
05/03/1994 PRIMARY	LEGACY	GRANVILLE	
11/02/1993 MUNICIPAL	LEGACY	GRANVILLE	
11/03/1992 GENERAL	LEGACY	GRANVILLE	
05/05/1992 PRIMARY	LEGACY	GRANVILLE	

## Absentee Request (0)

For more information, please contact the [Granville County Board of Elections](#).



# EXHIBIT T



District	2010 Pop	Ideal Pop	Ideal +/-	% +/-
1	78,595	79,462	-867	-1.09%
2	67,751	79,462	-11,711	-14.74%
3	73,905	79,462	-5,557	-6.99%
4	82,523	79,462	3,061	3.85%
5	71,601	79,462	-7,861	-9.89%
6	82,016	79,462	2,554	3.21%
7	59,436	79,462	-20,026	-25.20%
8	69,997	79,462	-9,465	-11.91%
9	88,399	79,462	8,937	11.25%
10	77,125	79,462	-2,337	-2.94%
11	78,345	79,462	-1,117	-1.41%
12	63,600	79,462	-15,862	-19.96%
13	76,622	79,462	-2,840	-3.57%
14	84,004	79,462	4,542	5.72%
15	69,750	79,462	-9,712	-12.22%
16	93,684	79,462	14,222	17.90%
17	94,557	79,462	15,095	19.00%
18	72,850	79,462	-6,612	-8.32%
19	88,350	79,462	8,888	11.19%
20	70,972	79,462	-8,490	-10.68%
21	69,625	79,462	-9,837	-12.38%
22	83,941	79,462	4,479	5.64%
23	75,657	79,462	-3,805	-4.79%
24	62,129	79,462	-17,333	-21.81%
25	73,935	79,462	-5,527	-6.96%
26	95,937	79,462	16,475	20.73%
27	68,869	79,462	-10,593	-13.33%
28	93,901	79,462	14,439	18.17%
29	70,046	79,462	-9,416	-11.85%
30	72,027	79,462	-7,435	-9.36%
31	91,274	79,462	11,812	14.86%
32	79,540	79,462	78	0.10%
33	94,755	79,462	15,293	19.25%
34	74,378	79,462	-5,084	-6.40%
35	78,497	79,462	-965	-1.21%
36	79,940	79,462	478	0.60%
37	129,250	79,462	49,788	62.66%
38	84,275	79,462	4,813	6.06%
39	104,910	79,462	25,448	32.03%
40	125,208	79,462	45,746	57.57%
41	129,780	79,462	50,318	63.32%
42	68,445	79,462	-11,017	-13.86%
43	50,825	79,462	-28,637	-36.04%
44	68,344	79,462	-11,118	-13.99%
45	83,066	79,462	3,604	4.54%
46	77,493	79,462	-1,969	-2.48%
47	73,340	79,462	-6,122	-7.70%
48	66,444	79,462	-13,018	-16.38%
49	77,779	79,462	-1,683	-2.12%
50	73,491	79,462	-5,971	-7.51%
51	92,118	79,462	12,656	15.93%
52	83,301	79,462	3,839	4.83%
53	80,426	79,462	964	1.21%
54	83,728	79,462	4,266	5.37%
55	73,704	79,462	-5,758	-7.25%
56	68,752	79,462	-10,710	-13.48%
57	75,915	79,462	-3,547	-4.46%
58	83,145	79,462	3,683	4.63%
59	81,897	79,462	2,435	3.06%
60	70,339	79,462	-9,123	-11.48%
61	87,087	79,462	7,625	9.60%
62	90,023	79,462	10,561	13.29%
63	70,427	79,462	-9,035	-11.37%
64	80,704	79,462	1,242	1.56%
65	66,595	79,462	-12,867	-16.19%
66	70,881	79,462	-8,581	-10.80%
67	75,179	79,462	-4,283	-5.39%
68	140,076	79,462	60,614	76.28%
69	77,122	79,462	-2,340	-2.94%
70	72,392	79,462	-7,070	-8.90%
71	68,206	79,462	-11,256	-14.17%
72	67,546	79,462	-11,916	-15.00%
73	82,874	79,462	3,412	4.29%
74	67,946	79,462	-11,516	-14.49%
75	82,603	79,462	3,141	3.95%
76	71,116	79,462	-8,346	-10.50%
77	67,312	79,462	-12,150	-15.29%
78	69,360	79,462	-10,102	-12.71%
79	74,556	79,462	-4,906	-6.17%
80	78,723	79,462	-739	-0.93%
81	65,650	79,462	-13,812	-17.38%
82	93,684	79,462	14,222	17.90%
83	84,327	79,462	4,865	6.12%
84	65,274	79,462	-14,188	-17.86%
85	71,855	79,462	-7,607	-9.57%
86	64,053	79,462	-15,409	-19.39%



District	2010 Pop	Ideal Pop	Ideal +/-	% +/-
87	68,349	79,462	-11,113	-13.99%
88	67,590	79,462	-11,872	-14.94%
89	72,894	79,462	-6,568	-8.27%
90	65,180	79,462	-14,282	-17.97%
91	74,449	79,462	-5,013	-6.31%
92	68,165	79,462	-11,297	-14.22%
93	78,360	79,462	-1,102	-1.39%
94	69,340	79,462	-10,122	-12.74%
95	94,835	79,462	15,373	19.35%
96	72,247	79,462	-7,215	-9.08%
97	78,265	79,462	-1,197	-1.51%
98	125,672	79,462	46,210	58.15%
99	112,312	79,462	32,850	41.34%
100	75,204	79,462	-4,258	-5.36%
101	94,041	79,462	14,579	18.35%
102	69,314	79,462	-10,148	-12.77%
103	92,636	79,462	13,174	16.58%
104	73,428	79,462	-6,034	-7.59%
105	106,109	79,462	26,647	33.53%
106	77,456	79,462	-2,006	-2.52%
107	93,460	79,462	13,998	17.62%
108	79,640	79,462	178	0.22%
109	73,605	79,462	-5,857	-7.37%
110	74,293	79,462	-5,169	-6.50%
111	68,632	79,462	-10,830	-13.63%
112	75,804	79,462	-3,658	-4.60%
113	75,113	79,462	-4,349	-5.47%
114	73,570	79,462	-5,892	-7.41%
115	79,480	79,462	18	0.02%
116	85,268	79,462	5,806	7.31%
117	85,227	79,462	5,765	7.26%
118	69,261	79,462	-10,201	-12.84%
119	73,640	79,462	-5,822	-7.33%
120	72,565	79,462	-6,897	-8.68%



Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
1	78,595	54,923	69.88%	19,715	25.08%	298	0.38%	864	1.10%	1,195	1.52%	1,600	2.04%	826	1.05%	20,541	26.14%	2,801	3.56%	75,794	96.44%	53,698	68.32%
2	67,751	50,289	74.23%	14,327	21.15%	220	0.32%	340	0.50%	1,558	2.30%	1,017	1.50%	459	0.68%	14,786	21.82%	3,554	5.25%	64,197	94.75%	48,535	71.64%
3	73,905	58,983	79.81%	10,396	14.07%	392	0.53%	1,125	1.52%	1,323	1.79%	1,686	2.28%	774	1.05%	11,170	15.11%	3,712	5.02%	70,193	94.98%	57,061	77.21%
4	82,523	52,311	63.39%	17,931	21.73%	411	0.50%	541	0.66%	9,526	11.54%	1,803	2.18%	771	0.93%	18,702	22.66%	14,083	17.07%	68,440	82.93%	48,873	59.22%
5	71,601	33,736	47.12%	35,620	49.75%	476	0.66%	312	0.44%	561	0.78%	896	1.25%	597	0.83%	36,217	50.58%	1,370	1.91%	70,231	98.09%	33,164	46.32%
6	82,016	56,475	68.86%	20,077	24.48%	335	0.41%	692	0.84%	3,183	3.88%	1,254	1.53%	748	0.91%	20,825	25.39%	5,150	6.28%	76,866	93.72%	54,969	67.02%
7	59,436	19,699	33.14%	36,939	62.15%	529	0.89%	495	0.83%	977	1.64%	797	1.34%	523	0.88%	37,462	63.03%	1,753	2.95%	57,683	97.05%	19,227	32.35%
8	69,997	29,487	42.13%	36,118	51.60%	234	0.33%	572	0.82%	2,471	3.53%	1,115	1.59%	687	0.98%	36,805	52.58%	4,084	5.83%	65,913	94.17%	28,425	40.61%
9	88,399	58,683	66.38%	23,936	27.08%	294	0.33%	1,711	1.94%	1,902	2.15%	1,873	2.12%	1,042	1.18%	24,978	28.26%	3,903	4.42%	84,496	95.58%	57,139	64.64%
10	77,125	47,635	61.76%	20,402	26.45%	411	0.53%	409	0.53%	7,001	9.08%	1,267	1.64%	556	0.72%	20,958	27.17%	11,165	14.48%	65,960	85.52%	44,274	57.41%
11	78,345	54,722	69.85%	17,787	22.70%	286	0.37%	1,161	1.48%	2,622	3.35%	1,767	2.26%	905	1.16%	18,692	23.86%	4,791	6.12%	73,554	93.88%	53,000	67.65%
12	63,600	28,570	44.92%	30,495	47.95%	239	0.38%	1,280	2.01%	1,484	2.33%	1,532	2.41%	866	1.36%	31,361	49.31%	3,577	5.62%	60,023	94.38%	27,058	42.54%
13	76,622	65,741	85.80%	7,330	9.57%	373	0.49%	681	0.89%	1,002	1.31%	1,495	1.95%	677	0.88%	8,007	10.45%	2,639	3.44%	73,983	96.56%	64,318	83.94%
14	84,004	57,722	68.71%	16,411	19.54%	566	0.67%	2,281	2.72%	2,883	3.43%	4,141	4.93%	2,112	2.51%	18,523	22.05%	8,678	10.33%	75,326	89.67%	53,558	63.76%
15	69,750	55,006	78.86%	8,103	11.62%	528	0.76%	1,240	1.78%	2,126	3.05%	2,747	3.94%	1,232	1.77%	9,335	13.38%	7,194	10.31%	62,556	89.69%	51,086	73.24%
16	93,684	75,989	81.11%	12,275	13.10%	446	0.48%	835	0.89%	2,496	2.66%	1,643	1.75%	636	0.68%	12,911	13.78%	5,027	5.37%	88,657	94.63%	73,916	78.90%
17	94,557	79,795	84.39%	9,676	10.23%	660	0.70%	583	0.62%	2,095	2.22%	1,748	1.85%	803	0.85%	10,479	11.08%	4,636	4.90%	89,921	95.10%	77,708	82.18%
18	72,850	46,894	64.37%	21,185	29.08%	448	0.61%	726	1.00%	1,902	2.61%	1,695	2.33%	960	1.32%	22,145	30.40%	4,342	5.96%	68,508	94.04%	45,075	61.87%
19	88,350	77,171	87.35%	5,716	6.47%	402	0.46%	1,204	1.36%	2,196	2.49%	1,661	1.88%	648	0.73%	6,364	7.20%	4,541	5.14%	83,809	94.86%	75,208	85.13%
20	70,972	45,133	63.59%	20,328	28.64%	1,946	2.74%	215	0.30%	2,289	3.23%	1,061	1.49%	532	0.75%	20,860	29.39%	3,575	5.04%	67,397	94.96%	44,178	62.25%
21	69,625	27,964	40.16%	31,887	45.80%	940	1.35%	444	0.64%	6,929	9.95%	1,461	2.10%	807	1.16%	32,694	46.96%	10,030	14.41%	59,595	85.59%	25,691	36.90%
22	83,941	53,040	63.19%	22,530	26.84%	2,197	2.62%	917	1.09%	2,794	3.33%	2,463	2.93%	1,139	1.36%	23,669	28.20%	5,938	7.07%	78,003	92.93%	50,704	60.40%
23	75,657	41,442	54.78%	28,671	37.90%	229	0.30%	519	0.69%	3,811	5.04%	985	1.30%	513	0.68%	29,184	38.57%	5,713	7.55%	69,944	92.45%	39,929	52.78%
24	62,129	22,703	36.54%	35,450	57.06%	178	0.29%	302	0.49%	2,637	4.24%	859	1.38%	559	0.90%	36,009	57.96%	4,115	6.62%	58,014	93.38%	21,588	34.75%
25	73,935	46,022	62.25%	22,677	30.67%	460	0.62%	513	0.69%	3,080	4.17%	1,183	1.60%	712	0.96%	23,389	31.63%	5,024	6.80%	68,911	93.20%	44,511	60.20%
26	95,937	67,344	70.20%	17,928	18.69%	454	0.47%	665	0.69%	7,642	7.97%	1,904	1.98%	916	0.95%	18,844	19.64%	13,254	13.82%	82,683	86.18%	62,730	65.39%
27	68,869	27,103	39.35%	38,043	55.24%	1,221	1.77%	260	0.38%	1,308	1.90%	934	1.36%	661	0.96%	38,704	56.20%	2,188	3.18%	66,681	96.82%	26,557	38.56%
28	93,901	73,332	78.10%	10,188	10.85%	952	1.01%	480	0.51%	7,096	7.56%	1,853	1.97%	730	0.78%	10,918	11.63%	11,542	12.29%	82,359	87.71%	69,808	74.34%
29	70,046	32,983	47.09%	27,933	39.88%	316	0.45%	3,216	4.59%	3,789	5.41%	1,809	2.58%	977	1.39%	28,910	41.27%	7,053	10.07%	62,993	89.93%	30,422	43.43%
30	72,027	42,147	58.52%	15,794	21.93%	342	0.47%	5,154	7.16%	6,729	9.34%	1,861	2.58%	750	1.04%	16,544	22.97%	11,385	15.81%	60,642	84.19%	38,465	53.40%
31	91,274	32,985	36.14%	43,613	47.78%	536	0.59%	3,476	3.81%	8,306	9.10%	2,358	2.58%	1,357	1.49%	44,970	49.27%	14,045	15.39%	77,229	84.61%	28,593	31.33%
32	79,540	45,956	57.78%	28,119	35.35%	415	0.52%	404	0.51%	3,378	4.25%	1,268	1.59%	716	0.90%	28,835	36.25%	6,342	7.97%	73,198	92.03%	43,661	54.89%
33	94,755	29,423	31.05%	49,004	51.72%	645	0.68%	3,330	3.51%	9,538	10.07%	2,815	2.97%	1,756	1.85%	50,760	53.57%	17,261	18.22%	77,494	81.78%	23,937	25.26%
34	74,378	54,187	72.85%	12,233	16.45%	291	0.39%	2,086	2.80%	3,802	5.11%	1,779	2.39%	867	1.17%	13,100	17.61%	7,778	10.46%	66,600	89.54%	51,058	68.65%
35	78,497	54,921	69.97%	11,079	14.11%	487	0.62%	5,997	7.64%	3,918	4.99%	2,095	2.67%	889	1.13%	11,968	15.25%	8,264	10.53%	70,233	89.47%	51,527	65.64%
36	79,940	65,061	81.39%	6,209	7.77%	305	0.38%	4,334	5.42%	2,199	2.75%	1,832	2.29%	673	0.84%	6,882	8.61%	5,546	6.94%	74,394	93.06%	62,201	77.81%
37	129,250	101,167	78.27%	15,853	12.27%	667	0.52%	4,400	3.40%	4,086	3.16%	3,077	2.38%	1,324	1.02%	17,177	13.29%	10,543	8.16%	118,707	91.84%	95,722	74.06%
38	84,275	50,156	59.51%	24,533	29.11%	629	0.75%	2,232	2.65%	4,880	5.79%	1,845	2.19%	876	1.04%	25,409	30.15%	9,479	11.25%	74,796	88.75%	46,701	55.42%
39	104,910	53,834	51.31%	37,347	35.60%	707	0.67%	1,749	1.67%	8,158	7.78%	3,115	2.97%	1,726	1.65%	39,073	37.24%	15,466	14.74%	89,444	85.26%	48,450	46.18%
40	125,208	100,607	80.35%	15,442	12.33%	385	0.31%	4,276	3.42%	1,867	1.49%	2,631	2.10%	1,163	0.93%	16,605	13.26%	6,206	4.96%	119,002	95.04%	96,964	77.44%
41	129,780	88,190	67.95%	14,810	11.41%	387	0.30%	20,536	15.82%	2,480	1.91%	3,377	2.60%	1,294	1.00%	16,104	12.41%	7,379	5.69%	122,401	94.31%	83,976	64.71%
42	68,445	27,379	40.00%	31,264	45.68%	631	0.92%	2,241	3.27%	2,885	4.22%	4,045	5.91%	2,542	3.71%	33,806	49.39%	8,744	12.78%	59,701	87.22%	23,801	34.77%
43	50,825	18,317	36.04%	27,145	53.41%	496	0.98%	1,035	2.04%	1,537	3.02%	2,295	4.52%	1,444	2.84%	28,589	56.25%	4,733	9.31%	46,092	90.69%	16,233	31.94%
44	68,344	36,741	53.76%	22,541	32.98%	793	1.16%	2,620	3.83%	2,277	3.33%	3,372	4.93%	1,882	2.75%	24,423	35.74%	6,954	10.17%	61,390	89.83%	33,588	49.15%
45	83,066	48,393	58.26%	25,905	31.19%	1,772	2.13%	1,577	1.90%	2,224	2.68%	3,195	3.85%	1,772	2.13%	27,677	33.32%	6,323	7.61%	76,743	92.39%	45,665	54.97%
46	77,493	42,343	54.64%	20,375	26.29%	7,721	9.96%	855	1.10%	3,538	4.57%	2,661	3.43%	1,197	1.54%	21,572	27.84%	6,851	8.84%	70,642	91.16%	40,052	51.68%
47	73,340	16,138	22.00%	11,821	16.12%	38,579	52.60%	821	1.12%	4,060	5.54%	1,921	2.62%	714	0.97%	12,535	17.09%	6,844	9.33%	66,496	90.67%	14,329	19.54%
48	66,444	18,490	27.83%	30,100	45.30%	13,648	20.54%	288	0.43%	2,202	3.31%	1,716	2.58%	889	1.34%	30,989	46.64%	3,814	5.74%	62,630	94.26%	17,526	26.38%
49	77,779	49,703	63.90%	21,355	27.46%	2,068	2.66%	439	0.56%	2,867	3.69%	1,347	1.73%	714	0.92%	22,069	28.37%	5,166	6.64%	72,613	93.36%	48,079	61.81%
50	73,491	53,082	72.23%	15,408	20.97%	356	0.48%	871	1.19%	2,213	3.01%	1,561	2.12%	702	0.96%	16,110	21.92%	4,612	6.28%	68,879	93.72%	51,188	6



Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
53	80,426	54,861	68.21%	17,216	21.41%	1,014	1.26%	710	0.88%	4,542	5.65%	2,083	2.59%	1,055	1.31%	18,271	22.72%	8,384	10.42%	72,042	89.58%	51,936	64.58%
54	83,728	64,279	76.77%	10,515	12.56%	472	0.56%	1,690	2.02%	5,110	6.10%	1,662	1.98%	692	0.83%	11,207	13.39%	9,456	11.29%	74,272	88.71%	60,603	72.38%
55	73,704	43,127	58.51%	24,883	33.76%	411	0.56%	724	0.98%	3,138	4.26%	1,421	1.93%	864	1.17%	25,747	34.93%	5,187	7.04%	68,517	92.96%	41,571	56.40%
56	68,752	49,254	71.64%	7,014	10.20%	239	0.35%	7,311	10.63%	3,067	4.46%	1,867	2.72%	643	0.94%	7,657	11.14%	6,175	8.98%	62,577	91.02%	46,501	67.64%
57	75,915	41,419	54.56%	22,810	30.05%	489	0.64%	4,527	5.96%	4,407	5.81%	2,263	2.98%	1,397	1.84%	24,207	31.89%	8,297	10.93%	67,618	89.07%	38,364	50.54%
58	83,145	33,717	40.55%	43,903	52.80%	446	0.54%	1,002	1.21%	2,342	2.82%	1,735	2.09%	1,232	1.48%	45,135	54.28%	4,417	5.31%	78,728	94.69%	32,331	38.89%
59	81,897	47,729	58.28%	25,772	31.47%	419	0.51%	3,051	3.73%	2,999	3.66%	1,927	2.35%	1,110	1.36%	26,882	32.82%	5,719	6.98%	76,178	93.02%	45,680	55.78%
60	70,339	23,205	32.99%	39,084	55.57%	535	0.76%	2,222	3.16%	3,391	4.82%	1,902	2.70%	1,346	1.91%	40,430	57.48%	6,011	8.55%	64,328	91.45%	21,341	30.34%
61	87,087	57,674	66.23%	17,965	20.63%	449	0.52%	5,752	6.60%	3,447	3.96%	1,800	2.07%	915	1.05%	18,880	21.68%	6,980	8.01%	80,107	91.99%	54,768	62.89%
62	90,023	74,781	83.07%	9,365	10.40%	256	0.28%	2,857	3.17%	1,089	1.21%	1,675	1.86%	778	0.86%	10,143	11.27%	3,402	3.78%	86,621	96.22%	72,744	80.81%
63	70,427	39,142	55.58%	21,268	30.20%	588	0.83%	790	1.12%	6,773	9.62%	1,866	2.65%	1,014	1.44%	22,282	31.64%	11,702	16.62%	58,725	83.38%	35,359	50.21%
64	80,704	68,278	84.60%	7,101	8.80%	432	0.54%	1,105	1.37%	2,518	3.12%	1,270	1.57%	644	0.80%	7,745	9.60%	4,937	6.12%	75,767	93.88%	66,359	82.23%
65	66,595	47,453	71.26%	15,344	23.04%	232	0.35%	346	0.52%	2,013	3.02%	1,207	1.81%	715	1.07%	16,059	24.11%	3,916	5.88%	62,679	94.12%	45,875	68.89%
66	70,881	43,827	61.83%	19,455	27.45%	1,283	1.81%	840	1.19%	4,129	5.83%	1,347	1.90%	632	0.89%	20,087	28.34%	6,641	9.37%	64,240	90.63%	41,850	59.04%
67	75,179	64,347	85.59%	6,992	9.30%	227	0.30%	1,356	1.80%	1,437	1.91%	820	1.09%	417	0.55%	7,409	9.86%	2,504	3.33%	72,675	96.67%	63,440	84.39%
68	140,076	118,417	84.54%	11,487	8.20%	537	0.38%	2,938	2.10%	3,952	2.82%	2,745	1.96%	1,126	0.80%	12,613	9.00%	10,229	7.30%	129,847	92.70%	112,853	80.57%
69	77,122	42,923	55.66%	24,844	32.21%	423	0.55%	553	0.72%	7,009	9.09%	1,370	1.78%	732	0.95%	25,576	33.16%	11,238	14.57%	65,884	85.43%	39,416	51.11%
70	72,392	60,352	83.37%	5,277	7.29%	570	0.79%	947	1.31%	3,789	5.23%	1,457	2.01%	615	0.85%	5,892	8.14%	7,737	10.69%	64,655	89.31%	57,096	78.87%
71	68,206	21,268	31.18%	33,599	49.26%	370	0.54%	593	0.87%	10,510	15.41%	1,866	2.74%	1,169	1.71%	34,768	50.97%	15,527	22.76%	52,679	77.24%	17,938	26.30%
72	67,546	26,208	38.80%	31,040	45.95%	339	0.50%	1,045	1.55%	7,243	10.72%	1,671	2.47%	1,086	1.61%	32,126	47.56%	10,985	16.26%	56,561	83.74%	23,442	34.71%
73	82,874	68,010	82.06%	8,522	10.28%	352	0.42%	1,187	1.43%	3,264	3.94%	1,539	1.86%	706	0.85%	9,228	11.13%	6,421	7.75%	76,453	92.25%	65,422	78.94%
74	67,946	57,079	84.01%	7,091	10.44%	232	0.34%	1,102	1.62%	1,319	1.94%	1,123	1.65%	526	0.77%	7,617	11.21%	3,032	4.46%	64,914	95.54%	55,637	81.88%
75	82,603	62,440	75.59%	11,961	14.48%	239	0.29%	3,062	3.71%	3,233	3.91%	1,668	2.02%	821	0.99%	12,782	15.47%	6,652	8.05%	75,951	91.95%	59,615	72.17%
76	71,116	62,340	87.66%	4,180	5.88%	235	0.33%	630	0.89%	2,770	3.90%	961	1.35%	418	0.59%	4,598	6.47%	4,791	6.74%	66,325	93.26%	60,624	85.25%
77	67,312	43,583	64.75%	18,212	27.06%	233	0.35%	805	1.20%	3,223	4.79%	1,256	1.87%	675	1.00%	18,887	28.06%	5,853	8.70%	61,459	91.30%	41,362	61.45%
78	69,360	60,817	87.68%	2,899	4.18%	382	0.55%	517	0.75%	3,772	5.44%	973	1.40%	372	0.54%	3,271	4.72%	6,961	10.04%	62,399	89.96%	58,109	83.78%
79	74,556	59,517	79.83%	9,061	12.15%	267	0.36%	890	1.19%	3,489	4.68%	1,332	1.79%	695	0.93%	9,756	13.09%	5,964	8.00%	68,592	92.00%	57,511	77.14%
80	78,723	72,041	91.51%	3,309	4.20%	370	0.47%	568	0.72%	1,494	1.90%	941	1.20%	334	0.42%	3,643	4.63%	3,074	3.90%	75,649	96.10%	70,708	89.82%
81	65,650	48,830	74.38%	10,126	15.42%	349	0.53%	1,182	1.80%	3,975	6.05%	1,188	1.81%	595	0.91%	10,721	16.33%	6,492	9.89%	59,158	90.11%	46,658	71.07%
82	93,684	68,129	72.72%	15,350	16.38%	330	0.35%	2,602	2.78%	5,218	5.57%	2,055	2.19%	1,076	1.15%	16,426	17.53%	10,122	10.80%	83,562	89.20%	64,069	68.39%
83	84,327	66,020	78.29%	11,869	14.07%	329	0.39%	976	1.16%	3,446	4.09%	1,687	2.00%	892	1.06%</								



Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
105	106,109	85,031	80.14%	8,037	7.57%	277	0.26%	8,485	8.00%	2,008	1.89%	2,271	2.14%	906	0.85%	8,943	8.43%	6,768	6.38%	99,341	93.62%	80,732	76.08%
106	77,456	40,986	52.92%	21,911	28.29%	421	0.54%	3,088	3.99%	8,981	11.59%	2,069	2.67%	912	1.18%	22,823	29.47%	16,640	21.48%	60,816	78.52%	34,843	44.98%
107	93,460	35,926	38.44%	44,907	48.05%	438	0.47%	4,649	4.97%	5,051	5.40%	2,489	2.66%	1,480	1.58%	46,387	49.63%	11,117	11.89%	82,343	88.11%	31,252	33.44%
108	79,640	65,073	81.71%	8,844	11.10%	360	0.45%	1,430	1.80%	2,540	3.19%	1,393	1.75%	632	0.79%	9,476	11.90%	4,810	6.04%	74,830	93.96%	63,144	79.29%
109	73,605	51,475	69.93%	16,832	22.87%	285	0.39%	885	1.20%	2,623	3.56%	1,505	2.04%	860	1.17%	17,692	24.04%	5,265	7.15%	68,340	92.85%	49,359	67.06%
110	74,293	63,030	84.84%	8,112	10.92%	256	0.34%	324	0.44%	1,460	1.97%	1,111	1.50%	543	0.73%	8,655	11.65%	2,743	3.69%	71,550	96.31%	61,946	83.38%
111	68,632	49,290	71.82%	16,674	24.29%	169	0.25%	649	0.95%	700	1.02%	1,150	1.68%	707	1.03%	17,381	25.32%	1,848	2.69%	66,784	97.31%	48,382	70.49%
112	75,804	64,642	85.28%	8,155	10.76%	183	0.24%	334	0.44%	1,157	1.53%	1,333	1.76%	774	1.02%	8,929	11.78%	2,688	3.55%	73,116	96.45%	63,326	83.54%
113	75,113	69,164	92.08%	2,530	3.37%	228	0.30%	342	0.46%	1,658	2.21%	1,191	1.59%	498	0.66%	3,028	4.03%	3,655	4.87%	71,458	95.13%	67,359	89.68%
114	73,570	64,994	88.34%	4,623	6.28%	258	0.35%	618	0.84%	1,589	2.16%	1,488	2.02%	624	0.85%	5,247	7.13%	3,866	5.25%	69,704	94.75%	62,990	85.62%
115	79,480	67,926	85.46%	7,213	9.08%	317	0.40%	798	1.00%	1,445	1.82%	1,781	2.24%	834	1.05%	8,047	10.12%	3,570	4.49%	75,910	95.51%	66,092	83.16%
116	85,268	75,272	88.28%	3,375	3.96%	373	0.44%	1,290	1.51%	3,232	3.79%	1,726	2.02%	776	0.91%	4,151	4.87%	6,818	8.00%	78,450	92.00%	72,159	84.63%
117	85,227	74,960	87.95%	2,904	3.41%	388	0.46%	1,080	1.27%	4,219	4.95%	1,676	1.97%	605	0.71%	3,509	4.12%	8,855	10.39%	76,372	89.61%	70,921	83.21%
118	69,261	66,326	95.76%	834	1.20%	262	0.38%	242	0.35%	806	1.16%	791	1.14%	183	0.26%	1,017	1.47%	2,114	3.05%	67,147	96.95%	65,139	94.05%
119	73,640	61,405	83.39%	921	1.25%	7,715	10.48%	559	0.76%	1,474	2.00%	1,566	2.13%	258	0.35%	1,179	1.60%	3,288	4.46%	70,352	95.54%	60,146	81.68%
120	72,565	67,851	93.50%	814	1.12%	1,079	1.49%	354	0.49%	1,187	1.64%	1,280	1.76%	287	0.40%	1,101	1.52%	2,978	4.10%	69,587	95.90%	66,330	91.41%
Totals:	9,535,483	6,528,950	68.47%	2,048,628	21.48%	122,110	1.28%	215,566	2.26%	414,030	4.34%	206,199	2.16%	102,828	1.08%	2,151,456	22.56%	800,120	8.39%	8,735,363	91.61%	6,223,995	65.27%



Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
1	60,453	42,771	70.75%	15,324	25.35%	232	0.38%	659	1.09%	768	1.27%	699	1.16%	257	0.43%	15,581	25.77%	1,730	2.86%	58,723	97.14%	42,006	69.49%
2	53,523	40,809	76.25%	10,719	20.03%	186	0.35%	263	0.49%	1,023	1.91%	523	0.98%	141	0.26%	10,860	20.29%	2,306	4.31%	51,217	95.69%	39,669	74.12%
3	57,482	46,890	81.57%	7,869	13.69%	294	0.51%	855	1.49%	861	1.50%	713	1.24%	245	0.43%	8,114	14.12%	2,220	3.86%	55,262	96.14%	45,737	79.57%
4	60,640	39,921	65.83%	13,607	22.44%	304	0.50%	418	0.69%	5,644	9.31%	746	1.23%	243	0.40%	13,850	22.84%	8,136	13.42%	52,504	86.58%	37,973	62.62%
5	56,296	27,585	49.00%	27,230	48.37%	383	0.68%	233	0.41%	367	0.65%	498	0.88%	284	0.50%	27,514	48.87%	968	1.72%	55,328	98.28%	27,136	48.20%
6	64,792	46,632	71.97%	14,820	22.87%	233	0.36%	564	0.87%	1,901	2.93%	642	0.99%	292	0.45%	15,112	23.32%	3,106	4.79%	61,686	95.21%	45,710	70.55%
7	45,603	16,341	35.83%	27,478	60.25%	391	0.86%	384	0.84%	610	1.34%	399	0.87%	235	0.52%	27,713	60.77%	1,093	2.40%	44,510	97.60%	16,027	35.14%
8	53,056	23,985	45.21%	26,370	49.70%	183	0.34%	456	0.86%	1,530	2.88%	532	1.00%	279	0.53%	26,649	50.23%	2,463	4.64%	50,593	95.36%	23,338	43.99%
9	68,804	47,769	69.43%	17,345	25.21%	225	0.33%	1,328	1.93%	1,227	1.78%	910	1.32%	383	0.56%	17,728	25.77%	2,514	3.65%	66,290	96.35%	46,746	67.94%
10	58,159	37,558	64.58%	15,162	26.07%	302	0.52%	306	0.53%	4,212	7.24%	619	1.06%	203	0.35%	15,365	26.42%	6,647	11.43%	51,512	88.57%	35,572	61.16%
11	59,852	43,017	71.87%	13,264	22.16%	221	0.37%	931	1.56%	1,622	2.71%	797	1.33%	318	0.53%	13,582	22.69%	2,936	4.91%	56,916	95.09%	41,949	70.09%
12	48,300	23,389	48.42%	22,104	45.76%	194	0.40%	892	1.85%	1,032	2.14%	689	1.43%	332	0.69%	22,436	46.45%	2,413	5.00%	45,887	95.00%	22,327	46.23%
13	61,839	54,015	87.35%	5,619	9.09%	302	0.49%	529	0.86%	660	1.07%	714	1.15%	202	0.33%	5,821	9.41%	1,700	2.75%	60,139	97.25%	53,084	85.84%
14	61,660	43,980	71.33%	11,527	18.69%	435	0.71%	1,869	3.03%	2,077	3.37%	1,772	2.87%	708	1.15%	12,235	19.84%	5,542	8.99%	56,118	91.01%	41,274	66.94%
15	54,169	43,654	80.59%	6,064	11.19%	435	0.80%	1,044	1.93%	1,580	2.92%	1,392	2.57%	498	0.92%	6,562	12.11%	5,137	9.48%	49,032	90.52%	40,797	75.31%
16	72,763	60,109	82.61%	9,336	12.83%	323	0.44%	613	0.84%	1,582	2.17%	800	1.10%	212	0.29%	9,548	13.12%	3,139	4.31%	69,624	95.69%	58,803	80.81%
17	77,112	66,757	86.57%	7,278	9.44%	500	0.65%	455	0.59%	1,319	1.71%	803	1.04%	242	0.31%	7,520	9.75%	2,883	3.74%	74,229	96.26%	65,442	84.87%
18	59,686	40,934	68.58%	15,445	25.88%	361	0.60%	613	1.03%	1,333	2.23%	1,000	1.68%	433	0.73%	15,878	26.60%	3,050	5.11%	56,636	94.89%	39,621	66.38%
19	70,133	62,480	89.09%	4,195	5.98%	307	0.44%	891	1.27%	1,438	2.05%	822	1.17%	248	0.35%	4,443	6.34%	2,900	4.14%	67,233	95.86%	61,210	87.28%
20	54,724	35,933	65.66%	15,341	28.03%	1,412	2.58%	170	0.31%	1,347	2.46%	521	0.95%	226	0.41%	15,567	28.45%	2,104	3.84%	52,620	96.16%	35,339	64.58%
21	51,690	22,177	42.90%	23,569	45.60%	707	1.37%	334	0.65%	4,195	8.12%	708	1.37%	339	0.66%	23,908	46.25%	5,955	11.52%	45,735	88.48%	20,836	40.31%
22	61,529	40,217	65.36%	16,335	26.55%	1,588	2.58%	668	1.09%	1,757	2.86%	964	1.57%	346	0.56%	16,681	27.11%	3,490	5.67%	58,039	94.33%	38,835	63.12%
23	57,331	33,127	57.78%	20,981	36.60%	162	0.28%	365	0.64%	2,249	3.92%	447	0.78%	172	0.30%	21,153	36.90%	3,392	5.92%	53,939	94.08%	32,221	56.20%
24	46,524	18,285	39.30%	25,814	55.49%	132	0.28%	231	0.50%	1,612	3.46%	450	0.97%	271	0.58%	26,085	56.07%	2,507	5.39%	44,017	94.61%	17,594	37.82%
25	56,302	36,396	64.64%	16,776	29.80%	351	0.62%	360	0.64%	1,867	3.32%	552	0.98%	284	0.50%	17,060	30.30%	2,994	5.32%	53,308	94.68%	35,502	63.06%
26	69,266	50,278	72.59%	12,781	18.45%	328	0.47%	465	0.67%	4,606	6.65%	808	1.17%	291	0.42%	13,072	18.87%	7,826	11.30%	61,440	88.70%	47,620	68.75%
27	53,716	22,642	42.15%	28,642	53.32%	906	1.69%	191	0.36%	814	1.52%	521	0.97%	339	0.63%	28,981	53.95%	1,310	2.44%	52,406	97.56%	22,336	41.58%
28	68,117	54,864	80.54%	7,196	10.56%	669	0.98%	346	0.51%	4,269	6.27%	773	1.13%	183	0.27%	7,379	10.83%	6,765	9.93%	61,352	90.07%	52,820	77.54%
29	55,968	27,624	49.36%	21,823	38.99%	235	0.42%	2,708	4.84%	2,522	4.51%	1,056	1.89%	558	1.00%	22,381	39.99%	4,787	8.55%	51,181	91.45%	25,773	46.05%
30	57,646	35,288	61.22%	12,048	20.90%	242	0.42%	4,525	7.85%	4,431	7.69%	1,112	1.93%	370	0.64%	12,418	21.54%	7,716	13.39%	49,930	86.61%	32,654	56.65%
31	67,781	26,894	39.68%	31,360	46.27%	380	0.56%	2,778	4.10%	5,127	7.56%	1,242	1.83%										



Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
54	64,924	51,072	78.66%	8,365	12.88%	332	0.51%	1,273	1.96%	3,126	4.81%	756	1.16%	232	0.36%	8,597	13.24%	5,712	8.80%	59,212	91.20%	48,867	75.27%
55	56,221	34,537	61.43%	18,212	32.39%	304	0.54%	548	0.97%	1,980	3.52%	640	1.14%	327	0.58%	18,539	32.98%	3,225	5.74%	52,996	94.26%	33,556	59.69%
56	56,781	42,300	74.50%	5,543	9.76%	205	0.36%	5,510	9.70%	2,135	3.76%	1,088	1.92%	356	0.63%	5,899	10.39%	4,387	7.73%	52,394	92.27%	40,278	70.94%
57	59,760	34,689	58.05%	17,242	28.85%	349	0.58%	3,378	5.65%	2,901	4.85%	1,201	2.01%	643	1.08%	17,885	29.93%	5,471	9.15%	54,289	90.85%	32,632	54.61%
58	64,025	27,082	42.30%	33,589	52.46%	337	0.53%	704	1.10%	1,376	2.15%	937	1.46%	622	0.97%	34,211	53.43%	2,606	4.07%	61,419	95.93%	26,251	41.00%
59	63,231	39,427	62.35%	18,536	29.31%	294	0.46%	2,090	3.31%	1,855	2.93%	1,029	1.63%	530	0.84%	19,066	30.15%	3,554	5.62%	59,677	94.38%	38,113	60.28%
60	52,189	19,501	37.37%	27,807	53.28%	406	0.78%	1,578	3.02%	2,021	3.87%	876	1.68%	564	1.08%	28,371	54.36%	3,569	6.84%	48,620	93.16%	18,343	35.15%
61	66,173	46,317	69.99%	12,636	19.10%	332	0.50%	3,941	5.96%	2,132	3.22%	815	1.23%	330	0.50%	12,966	19.59%	4,303	6.50%	61,870	93.50%	44,521	67.28%
62	68,545	57,838	84.38%	7,038	10.27%	171	0.25%	2,007	2.93%	716	1.04%	775	1.13%	316	0.46%	7,354	10.73%	2,171	3.17%	66,374	96.83%	56,522	82.46%
63	52,310	30,866	59.01%	15,701	30.02%	397	0.76%	575	1.10%	3,944	7.54%	827	1.58%	338	0.65%	16,039	30.66%	6,717	12.84%	45,593	87.16%	28,684	54.83%
64	63,378	54,574	86.11%	5,548	8.75%	296	0.47%	827	1.30%	1,543	2.43%	590	0.93%	218	0.34%	5,766	9.10%	2,975	4.69%	60,403	95.31%	53,404	84.26%
65	51,796	37,890	73.15%	11,709	22.61%	168	0.32%	248	0.48%	1,264	2.44%	517	1.00%	212	0.41%	11,921	23.02%	2,301	4.44%	49,495	95.56%	37,027	71.49%
66	53,336	34,696	65.05%	14,186	26.60%	891	1.67%	625	1.17%	2,344	4.39%	594	1.11%	207	0.39%	14,393	26.99%	3,697	6.93%	49,639	93.07%	33,597	62.99%
67	57,906	50,512	87.23%	5,199	8.98%	189	0.33%	858	1.48%	818	1.41%	330	0.57%	96	0.17%	5,295	9.14%	1,470	2.54%	56,436	97.46%	49,966	86.29%
68	95,930	82,334	85.83%	7,746	8.07%	380	0.40%	1,998	2.08%	2,345	2.44%	1,127	1.17%	342	0.36%	8,088	8.43%	6,071	6.33%	89,859	93.67%	78,987	82.34%
69	57,381	33,866	59.02%	17,959	31.30%	318	0.55%	400	0.70%	4,219	7.35%	619	1.08%	254	0.44%	18,213	31.74%	6,744	11.75%	50,637	88.25%	31,733	55.30%
70	54,333	46,505	85.59%	3,925	7.22%	400	0.74%	666	1.23%	2,283	4.20%	554	1.02%	154	0.28%	4,079	7.51%	4,438	8.17%	49,895	91.83%	44,654	82.19%
71	50,046	17,542	35.05%	25,036	50.03%	242	0.48%	475	0.95%	5,807	11.60%	944	1.89%	532	1.06%	25,568	51.09%	8,785	17.55%	41,261	82.45%	15,511	30.99%
72	51,203	22,251	43.46%	22,741	44.41%	235	0.46%	861	1.68%	4,228	8.26%	887	1.73%	506	0.99%	23,247	45.40%	6,387	12.47%	44,816	87.53%	20,606	40.24%
73	62,412	52,786	84.58%	5,927	9.50%	265	0.42%	837	1.34%	1,951	3.13%	646	1.04%	227	0.36%	6,154	9.86%	3,813	6.11%	58,599	93.89%	51,219	82.07%
74	52,828	45,341	85.83%	5,246	9.93%	166	0.31%	774	1.47%	780	1.48%	521	0.99%	204	0.39%	5,450	10.32%	1,883	3.56%	50,945	96.44%	44,402	84.05%
75	62,736	49,201	78.43%	8,657	13.80%	170	0.27%	2,086	3.33%	1,859	2.96%	763	1.22%	301	0.48%	8,958	14.28%	4,020	6.41%	58,716	93.59%	47,393	75.54%
76	54,057	48,468	89.66%	2,979	5.51%	191	0.35%	444	0.82%	1,557	2.88%	418	0.77%	103	0.19%	3,082	5.70%	2,696	4.99%	51,361	95.01%	47,492	87.86%
77	51,429	34,743	67.56%	13,375	26.01%	180	0.35%	582	1.13%	1,949	3.79%	600	1.17%	247	0.48%	13,622	26.49%	3,499	6.80%	47,930	93.20%	33,439	65.02%
78	52,705	47,219	89.59%	2,107	4.00%	286	0.54%	366	0.69%	2,280	4.33%	447	0.85%	95	0.18%	2,202	4.18%	4,084	7.75%	48,621	92.25%	45,676	86.66%
79	56,482	46,420	82.19%	6,675	11.82%	165	0.29%	597	1.06%	2,105	3.73%	520	0.92%	171	0.30%	6,846	12.12%	3,592	6.36%	52,890	93.64%	45,187	80.00%
80	60,428	55,908	92.52%	2,494	4.13%	271	0.45%	412	0.68%	904	1.50%	439	0.73%	90	0.15%	2,584	4.28%	1,827	3.02%	58,601	96.98%	55,118	91.21%
81	49,622	38,246	77.07%	7,445	15.00%	250	0.50%	817	1.65%	2,361	4.76%	503	1.01%	145	0.29%	7,590	15.30%	3,795	7.65%	45,827	92.35%	37,000	74.56%
82	67,280	50,941	75.71%	10,410	15.47%	236	0.35%	1,785	2.65%	3,085	4.59%	823	1.22%	325	0.48%	10,735	15.96%	5,898	8.77%	61,382	91.23%	48,593	72.23%
83	61,950	50,287	81.17%	8,076	13.04%	237	0.38%	663	1.07%	2,028	3.27%	659	1.06%	254	0.41%	8,330	13.45%	3,825	6.17%	58,125	93.83%	48,805	78.78%
84	52,352	48,892	93.39%	1,712	3.27%	179	0.34%	153	0.29%	1,024	1.96%	392	0.75%	64	0.12%	1,776	3.39%	1,749	3.34%	5			



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Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
107	68,947	28,853	41.85%	31,848	46.19%	322	0.47%	3,352	4.86%	3,315	4.81%	1,257	1.82%	655	0.95%	32,503	47.14%	7,248	10.51%	61,699	89.49%	25,715	37.30%
108	61,436	51,428	83.71%	6,441	10.48%	276	0.45%	1,032	1.68%	1,634	2.66%	625	1.02%	184	0.30%	6,625	10.78%	3,085	5.02%	58,351	94.98%	50,162	81.65%
109	55,220	40,364	73.10%	11,763	21.30%	220	0.40%	646	1.17%	1,610	2.92%	617	1.12%	232	0.42%	11,995	21.72%	3,234	5.86%	51,986	94.14%	39,021	70.66%
110	56,762	49,168	86.62%	5,780	10.18%	201	0.35%	253	0.45%	863	1.52%	497	0.88%	157	0.28%	5,937	10.46%	1,608	2.83%	55,154	97.17%	48,548	85.53%
111	52,448	38,980	74.32%	11,912	22.71%	131	0.25%	501	0.96%	450	0.86%	474	0.90%	204	0.39%	12,116	23.10%	1,140	2.17%	51,308	97.83%	38,423	73.26%
112	58,645	50,994	86.95%	6,052	10.32%	149	0.25%	249	0.42%	717	1.22%	484	0.83%	137	0.23%	6,189	10.55%	1,610	2.75%	57,035	97.25%	50,203	85.60%
113	61,250	57,280	93.52%	1,917	3.13%	169	0.28%	252	0.41%	1,028	1.68%	604	0.99%	150	0.24%	2,067	3.37%	2,281	3.72%	58,969	96.28%	56,151	91.68%
114	59,141	53,256	90.05%	3,353	5.67%	204	0.34%	460	0.78%	1,012	1.71%	856	1.45%	248	0.42%	3,601	6.09%	2,414	4.08%	56,727	95.92%	52,004	87.93%
115	64,391	56,198	87.28%	5,467	8.49%	253	0.39%	608	0.94%	949	1.47%	916	1.42%	295	0.46%	5,762	8.95%	2,339	3.63%	62,052	96.37%	54,982	85.39%
116	65,946	59,590	90.36%	2,396	3.63%	300	0.45%	901	1.37%	1,981	3.00%	778	1.18%	219	0.33%	2,615	3.97%	4,155	6.30%	61,791	93.70%	57,666	87.44%
117	67,361	60,742	90.17%	2,140	3.18%	284	0.42%	791	1.17%	2,606	3.87%	798	1.18%	169	0.25%	2,309	3.43%	5,389	8.00%	61,972	92.00%	58,269	86.50%
118	55,549	53,513	96.33%	688	1.24%	187	0.34%	174	0.31%	500	0.90%	487	0.88%	73	0.13%	761	1.37%	1,295	2.33%	54,254	97.67%	52,783	95.02%
119	59,623	51,208	85.89%	836	1.40%	5,193	8.71%	434	0.73%	1,006	1.69%	946	1.59%	123	0.21%	959	1.61%	2,076	3.48%	57,547	96.52%	50,384	84.50%
120	58,429	55,313	94.67%	607	1.04%	769	1.32%	260	0.44%	729	1.25%	751	1.29%	77	0.13%	684	1.17%	1,843	3.15%	56,586	96.85%	54,352	93.02%
Totals:	7,253,848	5,155,756	71.08%	1,497,453	20.64%	87,111	1.20%	158,730	2.19%	256,529	3.54%	98,269	1.35%	38,780	0.53%	1,536,233	21.18%	492,330	6.79%	6,761,518	93.21%	4,964,325	68.44%



Registration by Party																		Registration by Race Without Regard to Party			
		Racial %s among D's					Racial %s among R's					Racial %s among U's									
District	VR Total	% D	White % of D	Black % of D	NA % of D	Other % of D	% R	White % of R	Black % of R	NA % of R	Other % of R	% U	White % of U	Black % of U	NA % of U	Other % of U	% L	% White	% Black	% NA	% Other
1	53,176	46.55%	52.55%	44.89%	0.16%	2.40%	24.19%	94.49%	2.64%	0.18%	2.69%	29.08%	84.34%	10.20%	0.32%	5.14%	0.19%	72.00%	24.51%	0.21%	3.27%
2	49,620	51.21%	65.47%	32.74%	0.12%	1.66%	23.81%	96.23%	2.25%	0.07%	1.46%	24.82%	90.09%	6.10%	0.21%	3.60%	0.16%	78.96%	18.81%	0.13%	2.10%
3	47,454	39.98%	63.44%	34.54%	0.17%	1.84%	35.78%	96.53%	1.38%	0.11%	1.98%	24.14%	88.33%	7.60%	0.17%	3.90%	0.10%	81.31%	16.14%	0.15%	2.40%
4	40,649	49.40%	49.50%	47.43%	0.17%	2.90%	28.58%	93.98%	2.94%	0.19%	2.88%	21.90%	83.08%	10.09%	0.28%	6.56%	0.12%	69.59%	26.49%	0.20%	3.72%
5	46,255	69.69%	34.86%	62.96%	0.34%	1.84%	14.76%	89.06%	8.82%	0.19%	1.93%	15.48%	75.76%	19.24%	0.20%	4.80%	0.07%	49.23%	48.17%	0.29%	2.31%
6	52,669	48.44%	54.05%	43.47%	0.15%	2.33%	30.17%	96.29%	2.05%	0.14%	1.52%	21.26%	84.29%	10.62%	0.23%	4.86%	0.14%	73.25%	23.94%	0.16%	2.64%
7	40,839	71.25%	24.24%	72.59%	0.88%	2.29%	14.78%	84.19%	13.22%	0.36%	2.22%	13.91%	55.66%	36.89%	0.67%	6.78%	0.06%	37.48%	58.83%	0.78%	2.91%
8	43,240	67.75%	32.31%	66.06%	0.14%	1.49%	16.96%	90.02%	8.37%	0.12%	1.49%	15.23%	69.08%	26.67%	0.29%	3.96%	0.06%	47.73%	50.24%	0.16%	1.87%
9	55,439	48.70%	47.92%	48.04%	0.24%	3.79%	29.28%	94.66%	2.84%	0.17%	2.34%	21.82%	77.19%	15.11%	0.33%	7.36%	0.20%	68.06%	27.55%	0.24%	4.15%
10	42,357	54.71%	52.49%	45.26%	0.13%	2.12%	27.64%	94.80%	2.90%	0.15%	2.16%	17.53%	80.46%	13.83%	0.23%	5.48%	0.11%	69.12%	28.00%	0.15%	2.73%
11	44,735	44.05%	50.50%	45.06%	0.17%	4.27%	36.73%	94.58%	1.97%	0.17%	3.28%	19.08%	76.71%	15.42%	0.22%	7.65%	0.14%	71.74%	23.53%	0.18%	4.55%
12	42,655	56.25%	28.47%	68.36%	0.17%	3.01%	23.86%	89.17%	6.07%	0.28%	4.47%	19.79%	68.95%	22.61%	0.23%	8.22%	0.10%	51.01%	44.38%	0.21%	4.41%
13	55,069	36.21%	75.49%	22.35%	0.19%	1.97%	37.91%	97.38%	0.76%	0.16%	1.69%	25.74%	92.18%	3.90%	0.19%	3.73%	0.14%	88.11%	9.39%	0.18%	2.32%
14	44,950	37.02%	45.98%	46.30%	0.29%	7.43%	33.71%	89.02%	3.63%	0.24%	7.11%	29.05%	74.01%	15.06%	0.45%	10.48%	0.21%	68.72%	22.76%	0.32%	8.20%
15	27,375	32.79%	65.16%	28.94%	0.28%	5.63%	37.15%	93.18%	1.97%	0.25%	4.61%	29.81%	82.19%	8.81%	0.38%	8.62%	0.25%	80.69%	12.86%	0.30%	6.16%
16	63,724	35.70%	65.55%	31.83%	0.14%	2.48%	38.26%	97.16%	1.08%	0.11%	1.65%	25.85%	89.46%	5.00%	0.19%	5.35%	0.19%	83.87%	13.08%	0.14%	2.91%
17	66,916	34.61%	75.70%	22.00%	0.30%	2.00%	37.63%	97.32%	1.10%	0.18%	1.39%	27.62%	92.25%	4.22%	0.34%	3.20%	0.15%	88.43%	9.20%	0.27%	2.11%
18	50,414	47.68%	47.77%	48.42%	0.25%	3.56%	23.86%	93.70%	3.34%	0.21%	2.75%	28.11%	78.03%	13.83%	0.30%	7.83%	0.35%	67.37%	27.79%	0.26%	4.58%
19	65,292	32.97%	83.10%	13.12%	0.23%	3.54%	38.34%	97.63%	0.51%	0.11%	1.76%	28.46%	91.35%	3.11%	0.20%	5.34%	0.23%	91.04%	5.41%	0.18%	3.37%
20	45,169	62.19%	55.98%	39.85%	2.93%	1.24%	19.05%	93.60%	4.49%	0.64%	1.28%	18.69%	79.00%	16.48%	1.41%	3.10%	0.08%	67.46%	28.73%	2.21%	1.59%
21	40,483	62.75%	24.53%	70.55%	1.22%	3.70%	23.01%	90.10%	6.29%	0.58%	3.03%	14.18%	55.14%	32.82%	1.38%	10.66%	0.07%	43.97%	50.39%	1.09%	4.54%
22	52,402	54.10%	47.78%	46.95%	1.60%	3.66%	23.88%	90.95%	3.19%	1.29%	4.57%	21.93%	74.41%	15.28%	2.01%	8.29%	0.10%	63.96%	29.53%	1.62%	4.90%
23	47,143	62.08%	41.57%	56.70%	0.10%	1.63%	24.17%	93.53%	4.84%	0.04%	1.60%	13.69%	76.28%	18.31%	0.17%	5.24%	0.06%	58.90%	38.88%	0.09%	2.12%
24	42,007	69.55%	21.78%	75.95%	0.16%	2.11%	17.90%	87.82%	10.05%	0.13%	1.99%	12.48%	57.75%	35.53%	0.21%	6.50%	0.06%	38.12%	59.08%	0.16%	2.64%
25	50,589	51.38%	46.01%	51.45%	0.47%	2.07%	32.97%	95.64%	2.97%	0.14%	1.24%	15.55%	80.01%	15.04%	0.48%	4.47%	0.10%	67.69%	29.76%	0.36%	2.18%
26	57,092	40.60%	57.47%	38.60%	0.26%	3.67%	35.64%	95.75%	1.89%	0.23%	2.13%	23.63%	83.24%	10.02%	0.29%	6.46%	0.14%	77.23%	18.72%	0.26%	3.79%
27	44,755	76.15%	30.48%	66.22%	1.48%	1.81%	11.09%	88.25%	9.45%	0.42%	1.87%	12.67%	66.80%	27.81%	0.99%	4.41%	0.09%	41.51%	55.03%	1.30%	2.16%
28	55,872	35.37%	67.66%	28.24%	0.65%	3.46%	43.19%	96.75%	1.09%	0.27%	1.90%	21.28%	85.97%	7.15%	0.63%	6.25%	0.17%	84.15%	11.98%	0.48%	3.39%
29	52,038	62.35%	37.46%	56.21%	0.29%	6.04%	13.03%	89.79%	5.49%	0.04%	4.68%	24.48%	66.53%	18.85%	0.27%	14.35%	0.15%	51.44%	40.39%	0.25%	7.91%
30	48,192	54.72%	59.45%	32.37%	0.20%	7.98%	18.22%	92.81%	1.94%	0.14%	5.11%	26.88%	71.20%	10.03%	0.23%	18.54%	0.17%	68.72%	20.77%	0.20%	10.31%
31	55,874	64.65%	24.49%	69.65%	0.25%	5.61%	14.07%	87.08%	7.25%	0.20%	5.47%	21.11%	55.15%	28.69%	0.36%	15.80%	0.17%	39.85%	52.13%	0.27%	7.75%
32	45,376	60.63%	43.73%	53.99%	0.15%	2.13%	21.77%	93.55%	4.08%	0.20%	2.17%	17.47%	77.60%	16.29%	0.35%	5.77%	0.13%	60.55%	36.48%	0.20%	2.77%
33	54,311	65.63%	19.61%	73.98%	0.22%	6.19%	13.41%	82.83%	9.13%	0.22%	7.81%	20.77%	48.28%	33.91%	0.27%	17.54%	0.19%	34.13%	56.85%	0.23%	8.78%
34	52,992	42.35%	67.23%	26.69%	0.20%	5.89%	31.63%	95.50%	1.27%	0.12%	3.11%	25.84%	81.58%	8.19%	0.16%	10.07%	0.18%	79.90%	13.83%	0.16%	6.10%
35	51,139	43.94%	68.70%	23.23%	0.26%	7.81%	25.47%	94.56%	1.18%	0.15%	4.12%	30.26%	78.62%	7.95%	0.23%	13.20%	0.33%	78.33%	12.94%	0.22%	8.52%
36	57,502	33.84%	77.43%	15.11%	0.18%	7.29%	34.90%	95.62%	0.65%	0.09%	3.64%	31.06%	84.97%	3.76%	0.16%	11.12%	0.20%	86.14%	6.51%	0.14%	7.21%
37	81,067	33.34%	62.30%	31.09%	0.34%	6.27%	37.95%	95.93%	1.01%	0.16%	2.91%	28.49%	84.63%	5.89%	0.23%	9.25%	0.22%	81.48%	12.43%	0.24%	5.85%
38	51,119	53.33%	43.81%	50.56%	0.32%	5.31%	21.37%	92.67%	3.48%	0.18%	3.67%	25.07%	70.09%	16.15%	0.27%	13.48%	0.23%	60.91%	31.79%	0.28%	7.02%
39	60,985	52.94%	34.05%	60.40%	0.27%	5.28%	25.44%	93.09%	3.45%	0.19%	3.27%	21.50%	66.62%	22.56%	0.35%	10.47%	0.12%	56.12%	37.72%	0.26%	5.90%
40	85,331	32.06%	65.81%	27.60%	0.23%	6.36%	40.10%	95.44%	0.95%	0.13%	3.47%	27.67%	84.43%	6.04%	0.16%	9.37%	0.17%	82.88%	10.90%	0.17%	6.04%
41	80,714	33.62%	62.85%	24.50%	0.32%	12.32%	32.24%	93.64%	0.89%	0.17%	5.31%	33.88%	75.99%	5.86%	0.24%	17.92%	0.27%	77.29%	10.51%	0.25%	11.95%
42	33,582	56.86%	14.03%	77.90%	0.48%	7.59%	18.71%	76.36%	9.71%	0.84%	13.08%	24.32%	43.80%	36.98%	0.69%	18.54%	0.11%	33.00%	55.12%	0.60%	11.29%
43	30,805	63.30%	14.56%	78.98%	0.36%	6.09%	15.91%	78.38%	11.65%	0.39%	9.59%	20.62%	42.51%	40.81%	0.41%	16.27%	0.17%	30.56%	60.31%	0.38%	8.76%
44	43,307	49.65%	35.60%	55.42%	0.66%	8.32%	25.2														

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



Registration by Party																		Registration by Race Without Regard to Party			
District	VR Total	% D	Racial %s among D's				% R	Racial %s among R's				% U	Racial %s among U's				% L	% White	% Black	% NA	% Other
			White % of D	Black % of D	NA % of D	Other % of D		White % of R	Black % of R	NA % of R	Other % of R		White % of U	Black % of U	NA % of U	Other % of U					
49	47,927	53.97%	47.19%	47.67%	2.66%	2.48%	27.18%	94.86%	2.70%	0.44%	2.00%	18.71%	83.03%	10.99%	0.97%	5.01%	0.15%	66.92%	28.52%	1.74%	2.83%
50	49,426	53.67%	59.97%	37.13%	0.17%	2.73%	23.74%	95.94%	1.95%	0.12%	1.99%	22.41%	86.05%	7.70%	0.24%	6.01%	0.18%	74.40%	22.12%	0.17%	3.31%
51	49,003	46.45%	56.25%	38.81%	0.43%	4.51%	30.04%	93.53%	2.07%	0.34%	4.06%	23.35%	79.19%	12.06%	0.48%	8.27%	0.17%	72.84%	21.47%	0.42%	5.27%
52	56,930	29.96%	61.15%	36.21%	0.71%	1.92%	42.55%	97.07%	1.09%	0.31%	1.54%	27.30%	90.37%	5.91%	0.47%	3.25%	0.20%	84.46%	12.93%	0.48%	2.13%
53	45,861	46.71%	54.35%	41.83%	0.78%	3.04%	34.09%	94.35%	2.26%	0.43%	2.95%	18.93%	79.69%	12.59%	0.85%	6.86%	0.26%	72.87%	22.71%	0.67%	3.75%
54	56,710	48.53%	70.98%	24.50%	0.21%	4.30%	24.51%	96.18%	1.14%	0.11%	2.57%	26.84%	87.68%	4.59%	0.27%	7.46%	0.12%	81.65%	13.41%	0.20%	4.73%
55	48,104	57.90%	45.92%	50.73%	0.33%	3.03%	20.57%	94.83%	2.95%	0.26%	1.96%	21.41%	76.19%	16.74%	0.41%	6.66%	0.12%	62.51%	33.56%	0.33%	3.59%
56	53,315	53.00%	74.68%	15.60%	0.28%	9.44%	13.89%	91.55%	1.19%	0.20%	7.06%	32.78%	77.17%	5.62%	0.24%	16.97%	0.32%	77.88%	10.28%	0.25%	11.59%
57	52,357	50.53%	47.61%	46.14%	0.39%	5.87%	25.77%	93.40%	2.65%	0.27%	3.69%	23.55%	72.72%	16.90%	0.40%	9.98%	0.16%	65.37%	27.99%	0.36%	6.28%
58	62,878	62.65%	19.18%	77.78%	0.25%	2.79%	20.13%	91.69%	6.49%	0.24%	1.59%	17.11%	54.25%	38.78%	0.38%	6.59%	0.11%	39.82%	56.71%	0.27%	3.20%
59	59,105	51.27%	48.23%	47.93%	0.23%	3.61%	25.84%	94.72%	2.65%	0.14%	2.49%	22.71%	74.09%	18.31%	0.31%	7.29%	0.18%	66.18%	29.43%	0.23%	4.16%
60	44,983	64.10%	19.02%	77.44%	0.40%	3.13%	18.66%	88.83%	7.82%	0.42%	2.93%	17.17%	53.59%	37.12%	0.56%	8.73%	0.07%	38.02%	57.50%	0.43%	4.06%
61	60,796	38.86%	52.86%	41.07%	0.26%	5.82%	38.18%	95.83%	1.35%	0.17%	2.66%	22.82%	78.24%	11.92%	0.28%	9.56%	0.14%	75.10%	19.20%	0.23%	5.47%
62	68,868	34.56%	71.84%	23.40%	0.16%	4.61%	40.95%	97.26%	0.71%	0.09%	1.94%	24.32%	86.34%	6.33%	0.19%	7.14%	0.17%	85.80%	9.92%	0.14%	4.14%
63	38,912	54.90%	41.21%	54.68%	0.23%	3.88%	25.14%	94.58%	2.98%	0.12%	2.31%	19.84%	74.66%	15.90%	0.32%	9.12%	0.11%	61.32%	33.93%	0.23%	4.53%
64	49,973	36.43%	74.60%	21.50%	0.19%	3.71%	40.55%	97.59%	0.54%	0.12%	1.75%	22.85%	88.95%	4.54%	0.27%	6.23%	0.17%	87.21%	9.09%	0.18%	3.51%
65	41,601	50.26%	56.82%	41.45%	0.15%	1.59%	29.41%	96.26%	2.21%	0.16%	1.36%	20.24%	84.52%	11.14%	0.30%	4.04%	0.09%	74.04%	23.75%	0.19%	2.02%
66	43,020	62.32%	55.21%	42.30%	0.52%	1.97%	19.74%	93.33%	3.43%	0.78%	2.46%	17.87%	78.67%	14.49%	1.44%	5.40%	0.07%	66.93%	29.64%	0.74%	2.70%
67	48,184	33.68%	75.64%	22.02%	0.07%	2.27%	44.73%	97.84%	0.64%	0.16%	1.36%	21.47%	92.66%	3.90%	0.16%	3.28%	0.11%	89.24%	8.54%	0.13%	2.09%
68	87,849	25.96%	68.67%	24.41%	0.33%	6.59%	46.96%	96.59%	0.73%	0.16%	2.51%	26.87%	88.12%	4.89%	0.28%	6.71%	0.22%	87.04%	8.00%	0.24%	4.72%
69	43,650	56.68%	43.63%	53.73%	0.19%	2.44%	24.81%	93.59%	4.03%	0.26%	2.12%	18.43%	79.10%	15.04%	0.37%	5.48%	0.08%	62.59%	34.24%	0.24%	2.93%
70	43,784	27.83%	73.51%	22.29%	0.47%	3.73%	48.26%	97.73%	0.62%	0.23%	1.42%	23.77%	90.14%	4.70%	0.45%	4.71%	0.15%	89.17%	7.62%	0.35%	2.86%
71	40,955	64.62%	21.61%	73.79%	0.20%	4.41%	15.61%	87.42%	7.93%	0.28%	4.36%	19.61%	55.09%	32.46%	0.36%	12.09%	0.16%	38.52%	55.33%	0.24%	5.91%
72	40,068	62.80%	23.88%	72.06%	0.17%	3.88%	19.13%	90.71%	5.90%	0.14%	3.25%	17.94%	59.29%	29.78%	0.36%	10.57%	0.13%	43.09%	51.74%	0.20%	4.96%
73	52,597	29.87%	67.31%	28.69%	0.18%	3.82%	46.94%	97.78%	0.56%	0.15%	1.51%	22.97%	88.71%	5.87%	0.27%	5.15%	0.21%	86.58%	10.19%	0.19%	3.04%
74	49,358	37.12%	72.08%	25.01%	0.13%	2.78%	41.00%	97.72%	0.59%	0.12%	1.57%	21.75%	88.41%	5.91%	0.22%	5.46%	0.13%	86.16%	10.82%	0.15%	2.87%
75	54,955	36.02%	62.89%	32.53%	0.13%	4.46%	40.35%	96.89%	0.87%	0.11%	2.13%	23.48%	84.09%	8.33%	0.20%	7.38%	0.15%	81.62%	14.03%	0.14%	4.21%
76	44,192	27.66%	80.37%	17.18%	0.16%	2.29%	48.76%	98.46%	0.37%	0.14%	1.03%	23.52%	93.83%	3.14%	0.20%	2.83%	0.06%	92.36%	5.67%	0.16%	1.81%
77	44,260	43.94%	45.71%	51.11%	0.23%	2.95%	33.98%	95.21%	2.61%	0.15%	2.04%	21.97%	78.95%	15.48%	0.27%	5.31%	0.12%	69.88%	26.75%	0.21%	3.16%
78	42,574	24.24%	83.26%	13.33%	0.23%	3.18%	52.26%	98.20%	0.37%	0.17%	1.26%	23.33%	92.85%	2.67%	0.42%	4.06%	0.17%	93.33%	4.05%	0.24%	2.38%
79	47,336	30.75%	62.59%	33.28%	0.16%	3.96%	46.81%	97.50%	0.93%	0.12%	1.45%	22.34%	88.67%	6.59%	0.15%	4.59%	0.11%	84.78%	12.15%	0.14%	2.93%
80	50,696	26.11%	83.29%	14.28%	0.29%	2.14%	51.77%	98.77%	0.33%	0.21%	0.69%	21.95%	95.24%	2.40%	0.21%	2.16%	0.17%	93.94%	4.43%	0.23%	1.39%
81	37,801	42.77%	61.75%	35.15%	0.22%	2.88%	35.83%	97.04%	1.54%	0.16%	1.27%	21.21%	87.86%	7.08%	0.39%	4.66%	0.20%	79.98%	17.09%	0.24%	2.69%
82	55,568	35.14%	56.53%	37.50%	0.18%	5.79%	38.84%	95.75%	1.31%	0.17%	2.78%	25.85%	81.90%	8.60%	0.27%	9.23%	0.18%	78.37%	15.92%	0.20%	5.51%
83	51,511	34.77%	63.31%	32.76%	0.20%	3.73%	41.13%	97.10%	0.93%	0.24%	1.73%	23.92%	86.34%	7.56%	0.30%	5.80%	0.18%	82.76%	13.59%	0.24%	3.41%
84	46,371	26.83%	91.47%	6.77%	0.10%	1.66%	50.97%	98.83%	0.25%	0.08%	0.83%	22.08%	95.80%	1.16%	0.27%	2.76%	0.11%	96.18%	2.20%	0.13%	1.48%
85	42,562	36.29%	92.28%	5.70%	0.08%	1.94%	37.22%	98.39%	0.27%	0.08%	1.26%	26.38%	95.48%	1.32%	0.11%	3.10%	0.11%	95.40%	2.52%	0.09%	2.00%
86	40,679	42.22%	81.96%	15.34%	0.14%	2.56%	33.00%	97.26%	0.79%	0.10%	1.86%	24.58%	91.69%	3.61%	0.14%	4.56%	0.20%	89.43%	7.63%	0.13%	2.82%
87	43,589	33.40%	86.28%	11.39%	0.12%	2.22%	45.27%	98.24%	0.36%	0.06%	1.34%	21.13%	95.24%	1.38%	0.10%	3.28%	0.20%	93.61%	4.26%	0.09%	2.05%
88	43,505	34.23%	74.37%	22.75%	0.11%	2.77%	42.24%	97.92%	0.67%	0.08%	1.33%	23.40%	90.53%	4.73%	0.13%	4.61%	0.13%	88.12%	9.18%	0.10%	2.60%
89	47,227	29.63%	78.47%	18.21%	0.10%	3.22%	45.79%	98.15%	0.45%	0.06%	1.33%	24.49%	92.55%	2.86%	0.18%	4.41%	0.09%	90.95%	6.30%	0.10%	2.65%
90	38,368	43.45%	90.11%	7.95%	0.08%	1.87%	36.08%	98.46%	0.30%	0.07%	1.17%	20.32%	94.56%	1.86%	0.21%	3.37%	0.15%	94.03%	3.95%	0.10%	1.93%
91	46,424	35.21%	82.07%	16.26%	0.21%	1.46%	43.65%	98.42%	0.36%	0.14%	1.09%	20.99%	93.99%	2.32%	0.24%	3.46%	0.16%	91.72%	6.37%	0.19%	1.72%
92	41,699	26.95%	88.14%	9.55%	0.13%	2.18%	52.57%	98.66%	0.25%	0.04%	1.04%	20.40%	94.86%	2.10%	0.25%	2.79%	0.08%	95.04%	3.14%	0.11%	1.71%
93	59,024	32.88%	94.81%	2.55%	0.11%	2.53%	37.36%	98.46%	0.17%	0.05%	1.31%	29.47%	93.47%	1.08%	0.20%	5.26%	0.29%	95.76%	1.22%	0.11%	2.90%
94	41,796	28.85%	87.26%	10.93%	0.08%	1.73%	51.65%	98.71%	0.49%	0.03%	0.77%	19.40%	94.54%	2.53%	0.09%	2.85%	0.10%	94.59%	3.90%	0.06%	1.46%
95	60,450	30.79%	65.25%	30.44%	0.15%	4.16%	41.78%	96.58%	0.99%	0.11%	2.33%	27.24%	88.64%	5.61%	0.21%	5.54%	0.19%	84.75%	11.32%	0.15%	3.78%
96	45,585	30.28%	73.26%	20.70%	0.13%	5.91%	44.31%	97.00%	0.71%	0.09%	2.20%	25.31%	88.59%	4.09%	0.10%	7.21%	0.11%	87.68%	7.62%	0.11%	4.60%

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



Registration by Party																		Registration by Race Without Regard to Party			
		Racial %s among D's					Racial %s among R's					Racial %s among U's									
District	VR Total	% D	White % of D	Black % of D	NA % of D	Other % of D	% R	White % of R	Black % of R	NA % of R	Other % of R	% U	White % of U	Black % of U	NA % of U	Other % of U	% L	% White	% Black	% NA	% Other
97	49,429	33.17%	83.10%	14.30%	0.14%	2.46%	42.30%	98.07%	0.39%	0.10%	1.45%	24.44%	93.30%	2.73%	0.21%	3.77%	0.09%	91.92%	5.58%	0.14%	2.36%
98	85,005	33.77%	54.92%	38.45%	0.16%	6.48%	37.34%	95.81%	1.18%	0.12%	2.88%	28.70%	82.81%	8.54%	0.25%	8.40%	0.18%	78.26%	15.88%	0.17%	5.69%
99	65,865	55.36%	22.27%	67.85%	0.35%	9.53%	18.97%	87.05%	5.79%	0.23%	6.92%	25.50%	56.19%	25.52%	0.28%	18.01%	0.17%	43.27%	45.20%	0.31%	11.21%
100	41,752	56.54%	29.29%	61.85%	0.36%	8.51%	18.61%	88.08%	5.91%	0.23%	5.78%	24.68%	58.10%	25.64%	0.40%	15.87%	0.17%	47.39%	42.44%	0.34%	9.83%
101	60,185	64.90%	16.63%	77.24%	0.25%	5.88%	15.44%	85.44%	9.27%	0.27%	5.01%	19.54%	50.56%	34.54%	0.43%	14.47%	0.11%	33.94%	58.34%	0.29%	7.43%
102	43,705	61.14%	28.48%	65.64%	0.28%	5.60%	15.01%	87.59%	7.99%	0.18%	4.24%	23.70%	63.55%	23.06%	0.34%	13.05%	0.15%	45.73%	46.82%	0.28%	7.17%
103	60,496	39.80%	46.70%	45.36%	0.32%	7.62%	34.68%	94.22%	1.93%	0.17%	3.68%	25.36%	75.69%	13.25%	0.34%	10.72%	0.16%	70.56%	22.11%	0.27%	7.05%
104	57,494	30.02%	78.87%	15.66%	0.19%	5.28%	43.07%	97.03%	0.52%	0.09%	2.35%	26.75%	88.87%	3.96%	0.18%	6.99%	0.15%	89.36%	6.00%	0.14%	4.50%
105	77,937	26.64%	69.67%	19.94%	0.39%	10.00%	43.03%	95.37%	0.70%	0.16%	3.77%	30.18%	83.25%	4.75%	0.38%	11.62%	0.14%	84.85%	7.05%	0.29%	7.81%
106	49,983	48.01%	40.40%	52.61%	0.33%	6.67%	25.33%	92.33%	3.82%	0.17%	3.67%	26.50%	71.70%	15.70%	0.37%	12.24%	0.15%	61.91%	30.41%	0.30%	7.39%
107	59,949	57.74%	20.52%	72.18%	0.27%	7.03%	19.14%	87.55%	6.41%	0.19%	5.84%	22.96%	58.69%	25.20%	0.46%	15.65%	0.15%	42.20%	48.72%	0.30%	8.79%
108	49,782	34.52%	70.92%	24.87%	0.19%	4.01%	40.36%	97.37%	0.73%	0.15%	1.75%	24.90%	87.24%	6.57%	0.31%	5.88%	0.21%	85.70%	10.53%	0.21%	3.57%
109	43,921	40.76%	50.37%	45.86%	0.17%	3.60%	37.31%	96.75%	1.62%	0.14%	1.48%	21.82%	80.29%	13.69%	0.37%	5.66%	0.10%	74.24%	22.30%	0.20%	3.26%
110	42,680	39.84%	74.03%	24.23%	0.15%	1.60%	37.67%	98.11%	0.66%	0.14%	1.09%	22.39%	91.22%	5.13%	0.29%	3.36%	0.11%	86.96%	11.05%	0.18%	1.81%
111	42,445	50.20%	55.53%	42.50%	0.16%	1.81%	29.69%	96.17%	2.22%	0.12%	1.49%	20.01%	85.37%	9.66%	0.19%	4.78%	0.10%	73.59%	23.94%	0.15%	2.32%
112	46,270	43.98%	76.98%	21.20%	0.10%	1.71%	33.25%	97.18%	1.25%	0.08%	1.49%	22.66%	90.91%	5.56%	0.22%	3.31%	0.11%	86.86%	11.01%	0.12%	2.01%
113	53,253	30.29%	88.92%	8.72%	0.15%	2.21%	38.45%	98.40%	0.31%	0.09%	1.20%	31.13%	95.51%	1.45%	0.21%	2.83%	0.14%	94.62%	3.21%	0.15%	2.02%
114	54,743	46.88%	86.19%	9.80%	0.16%	3.85%	23.46%	97.06%	0.71%	0.09%	2.15%	29.43%	90.23%	2.82%	0.22%	6.73%	0.23%	89.95%	5.59%	0.16%	4.30%
115	59,239	45.01%	80.09%	15.65%	0.21%	4.05%	25.63%	96.23%	1.13%	0.18%	2.46%	29.14%	89.25%	3.86%	0.20%	6.69%	0.22%	86.91%	8.47%	0.20%	4.42%
116	58,188	39.36%	89.61%	6.62%	0.18%	3.59%	32.37%	96.98%	0.46%	0.14%	2.42%	28.11%	91.79%	2.18%	0.29%	5.74%	0.16%	92.61%	3.37%	0.20%	3.83%
117	60,061	25.74%	86.76%	9.20%	0.21%	3.82%	40.80%	97.56%	0.38%	0.12%	1.95%	33.31%	93.57%	1.84%	0.21%	4.37%	0.15%	93.44%	3.14%	0.17%	3.25%
118	48,827	48.49%	97.17%	1.66%	0.16%	1.01%	28.12%	98.74%	0.16%	0.16%	0.94%	23.30%	96.39%	0.54%	0.33%	2.74%	0.09%	97.42%	0.97%	0.20%	1.40%
119	50,453	43.38%	89.50%	2.24%	5.80%	2.45%	28.44%	93.35%	0.21%	4.31%	2.13%	28.05%	85.89%	0.81%	8.67%	4.63%	0.14%	89.58%	1.26%	6.18%	2.98%
120	54,417	34.15%	95.97%	1.45%	1.13%	1.45%	40.51%	98.40%	0.10%	0.53%	0.97%	25.23%	96.26%	0.56%	0.89%	2.29%	0.12%	97.02%	0.68%	0.83%	1.47%
Totals:	6,102,467	44.65%	53.37%	41.38%	1.16%	4.09%	31.60%	95.24%	1.92%	0.33%	2.51%	23.60%	80.78%	10.74%	0.68%	7.80%	0.15%	73.12%	21.63%	0.78%	4.47%

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
1	53,176	24,401	45.89%	28,232	53.09%	543	1.02%	53,176	6,394	12.02%	12,607	23.71%	24,344	45.78%	9,831	18.49%	53,176	241	0.45%	29,926	56.28%	23,009	43.27%
2	49,620	22,795	45.94%	26,594	53.60%	231	0.47%	49,620	4,152	8.37%	10,606	21.37%	23,804	47.97%	11,058	22.29%	49,620	168	0.34%	37,344	75.26%	12,108	24.40%
3	48,098	21,992	45.72%	25,724	53.48%	382	0.79%	48,008	4,515	9.39%	10,075	20.95%	21,410	44.51%	12,008	24.97%	48,069	357	0.74%	41,103	85.51%	6,609	13.75%
4	40,649	17,834	43.87%	22,175	54.55%	640	1.57%	40,649	4,308	10.60%	9,991	24.58%	18,350	45.14%	8,000	19.68%	40,649	726	1.79%	34,114	83.92%	5,809	14.29%
5	46,255	20,175	43.62%	25,640	55.43%	440	0.95%	46,255	4,399	9.51%	9,855	21.31%	21,337	46.13%	10,664	23.05%	46,255	95	0.21%	35,072	75.82%	11,088	23.97%
6	52,587	23,712	45.09%	28,526	54.25%	349	0.66%	52,615	6,994	13.30%	12,381	23.54%	22,485	42.76%	10,755	20.45%	52,592	317	0.60%	44,530	84.67%	7,745	14.73%
7	40,520	17,494	43.17%	22,764	56.18%	262	0.65%	40,652	4,666	11.52%	9,551	23.57%	18,567	45.82%	7,868	19.42%	40,512	175	0.43%	35,476	87.57%	4,861	12.00%
8	43,806	18,884	43.11%	24,817	56.65%	105	0.24%	43,651	5,360	12.24%	11,186	25.54%	19,331	44.13%	7,774	17.75%	43,816	202	0.46%	39,271	89.63%	4,343	9.91%
9	54,955	24,284	44.19%	30,475	55.45%	196	0.36%	55,082	10,147	18.46%	16,199	29.48%	21,733	39.55%	7,003	12.74%	54,940	499	0.91%	49,805	90.65%	4,636	8.44%
10	42,187	19,023	45.09%	22,935	54.37%	229	0.54%	42,266	4,514	10.70%	9,504	22.53%	19,943	47.27%	8,305	19.69%	42,177	505	1.20%	35,633	84.48%	6,039	14.32%
11	44,773	19,801	44.23%	24,130	53.89%	842	1.88%	44,752	5,023	11.22%	10,614	23.71%	20,835	46.53%	8,280	18.49%	44,768	376	0.84%	36,147	80.74%	8,245	18.42%
12	42,140	18,085	42.92%	23,715	56.28%	340	0.81%	42,170	4,704	11.16%	10,358	24.58%	18,284	43.39%	8,824	20.94%	42,171	538	1.28%	34,101	80.86%	7,532	17.86%
13	55,069	25,495	46.30%	28,919	52.51%	655	1.19%	55,069	4,744	8.61%	10,829	19.66%	26,349	47.85%	13,147	23.87%	55,069	254	0.46%	47,226	85.76%	7,589	13.78%
14	44,950	19,342	43.03%	25,110	55.86%	498	1.11%	44,950	7,171	15.95%	13,871	30.86%	18,058	40.17%	5,850	13.01%	44,950	1,579	3.51%	36,842	81.96%	6,529	14.53%
15	27,375	12,448	45.47%	14,570	53.22%	357	1.30%	27,375	4,479	16.36%	8,225	30.05%	10,746	39.25%	3,925	14.34%	27,375	777	2.84%	23,065	84.26%	3,533	12.91%
16	63,761	29,355	46.04%	33,571	52.65%	835	1.31%	63,750	5,624	8.82%	15,697	24.62%	29,361	46.05%	13,068	20.50%	63,766	455	0.71%	53,874	84.49%	9,437	14.80%
17	66,991	31,045	46.34%	35,390	52.83%	556	0.83%	66,987	4,750	7.09%	12,594	18.80%	30,712	45.84%	18,931	28.26%	67,007	391	0.58%	49,422	73.76%	17,194	25.66%
18	50,377	22,243	44.15%	26,996	53.59%	1,138	2.26%	50,388	8,913	17.69%	16,139	32.04%	18,455	36.63%	6,881	13.66%	50,372	526	1.04%	38,590	76.61%	11,256	22.35%
19	65,292	29,562	45.28%	34,662	53.09%	1,068	1.64%	65,292	6,271	9.60%	17,093	26.18%	29,239	44.78%	12,689	19.43%	65,292	416	0.64%	56,610	86.70%	8,266	12.66%
20	45,094	20,395	45.23%	24,546	54.43%	153	0.34%	45,098	4,025	8.93%	10,157	22.52%	20,891	46.33%	10,025	22.23%	45,078	201	0.45%	38,037	84.38%	6,840	15.17%
21	40,390	17,091	42.31%	22,734	56.29%	565	1.40%	40,412	4,078	10.10%	9,470	23.45%	18,097	44.81%	8,767	21.71%	40,408	607	1.50%	33,644	83.26%	6,157	15.24%
22	52,218	23,564	45.13%	28,168	53.94%	486	0.93%	52,280	6,087	11.66%	13,107	25.10%	24,636	47.18%	8,450	16.18%	52,219	1,001	1.92%	40,628	77.80%	10,590	20.28%
23	47,143	20,927	44.39%	26,024	55.20%	192	0.41%	47,143	4,802	10.19%	11,296	23.96%	22,022	46.71%	9,023	19.14%	47,143	305	0.65%	41,532	88.10%	5,306	11.26%
24	42,007	18,091	43.07%	23,657	56.32%	259	0.62%	42,007	4,930	11.74%	9,950	23.69%	19,228	45.77%	7,899	18.80%	42,007	237	0.56%	35,846	85.33%	5,924	14.10%
25	50,661	22,961	45.32%	27,602	54.48%	98	0.19%	50,638	5,050	9.97%	11,964	23.62%	23,995	47.36%	9,629	19.01%	50,659	371	0.73%	45,206	89.24%	5,082	10.03%
26	57,355	26,105	45.51%	30,897	53.87%	353	0.62%	57,238	5,622	9.80%	15,939	27.79%	27,215	47.45%	8,462	14.75%	57,337	850	1.48%	46,823	81.66%	9,664	16.85%
27	44,755	19,643	43.89%	24,654	55.09%	458	1.02%	44,755	4,761	10.64%	9,091	20.31%	20,422	45.63%	10,481	23.42%	44,755	152	0.34%	37,117	82.93%	7,486	16.73%
28	55,705	25,562	45.89%	29,774	53.45%	369	0.66%	55,802	5,360	9.62%	15,287	27.44%	26,591	47.74%	8,564	15.37%	55,718	589	1.06%	46,416	83.31%	8,713	15.64%
29	52,202	22,346	42.81%	28,850	55.27%	1,006	1.93%	52,197	7,241	13.87%	18,870	36.15%	19,374	37.11%	6,712	12.86%	52,210	759	1.45%	36,220	69.37%	15,231	29.17%
30	48,051	21,329	44.39%	25,958	54.02%	764																	



	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
55	48,245	21,240	44.03%	26,538	55.01%	467	0.97%	48,215	4,382	9.08%	12,198	25.28%	23,073	47.82%	8,562	17.75%	48,246	410	0.85%	37,324	77.36%	10,512	21.79%
56	53,315	23,491	44.06%	29,319	54.99%	505	0.95%	53,315	15,813	29.66%	16,118	30.23%	16,076	30.15%	5,308	9.96%	53,315	1,194	2.24%	39,570	74.22%	12,551	23.54%
57	52,289	23,356	44.67%	28,817	55.11%	116	0.22%	52,312	6,734	12.88%	16,378	31.32%	20,895	39.96%	8,305	15.88%	52,285	710	1.36%	45,596	87.21%	5,979	11.44%
58	62,754	26,954	42.95%	35,661	56.83%	139	0.22%	62,776	10,633	16.94%	16,030	25.54%	25,298	40.31%	10,815	17.23%	62,767	451	0.72%	53,452	85.16%	8,864	14.12%
59	59,102	25,806	43.66%	33,151	56.09%	145	0.25%	59,104	8,888	15.04%	17,323	29.31%	23,330	39.47%	9,563	16.18%	59,103	532	0.90%	51,180	86.59%	7,391	12.51%
60	45,214	19,350	42.80%	25,771	57.00%	93	0.21%	45,164	5,639	12.47%	12,271	27.14%	19,821	43.84%	7,433	16.44%	45,171	386	0.85%	38,127	84.41%	6,658	14.74%
61	60,711	27,328	45.01%	33,262	54.79%	121	0.20%	60,732	5,359	8.83%	15,342	25.27%	28,225	46.49%	11,806	19.45%	60,734	852	1.40%	54,013	88.93%	5,869	9.66%
62	68,917	31,533	45.76%	37,284	54.10%	100	0.15%	68,899	6,639	9.63%	16,372	23.76%	34,329	49.81%	11,559	16.77%	68,927	609	0.88%	63,317	91.86%	5,001	7.26%
63	38,912	16,597	42.65%	22,024	56.60%	291	0.75%	38,912	3,881	9.97%	9,348	24.02%	17,574	45.16%	8,109	20.84%	38,912	633	1.63%	30,229	77.69%	8,050	20.69%
64	49,973	22,826	45.68%	26,887	53.80%	260	0.52%	49,973	5,223	10.45%	10,948	21.91%	23,296	46.62%	10,506	21.02%	49,973	444	0.89%	41,898	83.84%	7,631	15.27%
65	41,593	18,609	44.74%	22,983	55.26%	1	0.00%	41,596	3,984	9.58%	8,913	21.43%	19,496	46.87%	9,203	22.13%	41,593	240	0.58%	36,682	88.19%	4,671	11.23%
66	43,029	19,492	45.30%	23,372	54.32%	165	0.38%	43,025	4,614	10.72%	10,190	23.68%	19,369	45.01%	8,852	20.57%	43,030	326	0.76%	36,705	85.30%	5,999	13.94%
67	48,183	22,526	46.75%	25,417	52.75%	240	0.50%	48,176	4,937	10.25%	10,757	22.33%	22,675	47.06%	9,807	20.35%	48,183	137	0.28%	44,291	91.92%	3,755	7.79%
68	87,951	41,465	47.15%	45,884	52.17%	602	0.68%	87,922	8,636	9.82%	23,362	26.56%	45,198	51.39%	10,726	12.20%	87,943	1,841	2.09%	76,842	87.38%	9,260	10.53%
69	43,539	19,453	44.68%	23,542	54.07%	544	1.25%	43,579	5,070	11.64%	10,430	23.96%	19,870	45.64%	8,209	18.85%	43,545	510	1.17%	38,031	87.34%	5,004	11.49%
70	43,786	19,967	45.60%	23,678	54.08%	141	0.32%	43,784	4,514	10.31%	10,404	23.76%	20,275	46.30%	8,591	19.62%	43,786	590	1.35%	36,174	82.62%	7,022	16.04%
71	40,363	16,983	42.08%	22,813	56.52%	567	1.40%	40,505	7,017	17.38%	11,460	28.39%	15,731	38.97%	6,297	15.60%	40,352	829	2.05%	28,327	70.20%	11,196	27.75%
72	39,865	16,720	41.94%	22,687	56.91%	458	1.15%	39,971	6,148	15.42%	9,732	24.41%	16,204	40.65%	7,887	19.78%	39,860	672	1.69%	28,667	71.92%	10,521	26.39%
73	52,753	24,276	46.02%	28,223	53.50%	254	0.48%	52,734	4,939	9.36%	13,235	25.09%	25,522	48.38%	9,038	17.13%	52,765	677	1.28%	43,143	81.76%	8,945	16.95%
74	49,654	22,678	45.67%	26,690	53.75%	286	0.58%	49,516	4,535	9.13%	10,785	21.72%	23,827	47.99%	10,369	20.88%	49,678	405	0.82%	41,106	82.74%	8,167	16.44%
75	55,298	24,453	44.22%	30,472	55.11%	373	0.67%	55,207	5,338	9.65%	14,145	25.58%	25,818	46.69%	9,906	17.91%	55,278	782	1.41%	44,986	81.38%	9,510	17.20%
76	44,306	20,741	46.81%	23,418	52.86%	147	0.33%	44,261	4,258	9.61%	10,277	23.20%	20,822	47.00%	8,904	20.10%	44,300	257	0.58%	40,050	90.41%	3,993	9.01%
77	44,146	20,181	45.71%	23,688	53.66%	277	0.63%	44,191	5,217	11.82%	10,229	23.17%	19,704	44.63%	9,041	20.48%	44,152	373	0.84%	38,045	86.17%	5,734	12.99%
78	42,572	19,871	46.68%	22,575	53.03%	126	0.30%	42,574	4,292	10.08%	9,960	23.40%	20,275	47.63%	8,047	18.90%	42,572	505	1.19%	35,934	84.41%	6,133	14.41%
79	47,095	21,854	46.40%	25,110	53.32%	131	0.28%	47,171	4,544	9.65%	10,655	22.62%	22,376	47.51%	9,596	20.38%	47,110	594	1.26%	41,597	88.30%	4,919	10.44%
80	50,632	23,824	47.05%	26,760	52.85%	48	0.09%	50,657	4,769	9.42%	11,507	22.73%	24,542	48.47%	9,839	19.43%	50,643	290	0.57%	43,367	85.63%	6,986	13.79%
81	37,865	17,266	45.60%	20,527	54.21%	72	0.19%	37,840	4,006	10.58%	8,587	22.68%	17,664	46.65%	7,583	20.03%	37,854	356	0.94%	31,851	84.14%	5,647	14.92%
82	55,568	25,092	45.16%	29,781	53.59%	695	1.25%	55,568	5,196	9.35%	15,818	28.47%	26,261	47.26%	8,293	14.92%	55,568	1,054	1.90%	43,307	77.94%	11,207	20.17%
83	51,511	23,454	45.53%	27,636	53.65%	421	0.82%	51,511	4,898	9.51%	13,551	26.31%	24,801	48.15%	8,261	16.04%	51,511	661	1.28%	42,012	81.56%	8,838	17.16%
84	46,349	21,801	47.04%	24,327	52.49%	221	0.																



	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
109	44,018	19,405	44.08%	24,099	54.75%	514	1.17%	43,992	4,486	10.19%	10,488	23.83%	21,182	48.12%	7,836	17.80%	44,015	527	1.20%	38,309	87.04%	5,179	11.77%
110	42,864	19,404	45.27%	23,163	54.04%	297	0.69%	42,799	3,934	9.18%	10,009	23.35%	20,342	47.46%	8,514	19.86%	42,852	229	0.53%	37,748	88.09%	4,875	11.38%
111	42,350	18,787	44.36%	23,392	55.23%	171	0.40%	42,385	4,166	9.84%	9,557	22.57%	20,051	47.35%	8,611	20.33%	42,357	239	0.56%	35,726	84.34%	6,392	15.09%
112	46,272	21,045	45.48%	24,871	53.75%	356	0.77%	46,269	4,618	9.98%	10,229	22.11%	21,472	46.40%	9,950	21.50%	46,272	276	0.60%	40,158	86.79%	5,838	12.62%
113	53,253	24,656	46.30%	28,302	53.15%	295	0.55%	53,253	4,684	8.80%	9,452	17.75%	22,749	42.72%	16,368	30.74%	53,253	330	0.62%	44,192	82.98%	8,731	16.40%
114	55,036	24,955	45.34%	29,365	53.36%	716	1.30%	54,936	6,087	11.06%	15,935	28.95%	23,366	42.46%	9,548	17.35%	55,028	396	0.72%	43,923	79.82%	10,709	19.46%
115	59,013	26,436	44.80%	31,762	53.82%	815	1.38%	59,074	6,123	10.38%	14,527	24.62%	26,312	44.59%	12,112	20.52%	59,006	455	0.77%	47,814	81.03%	10,737	18.20%
116	58,121	26,326	45.30%	31,179	53.64%	616	1.06%	58,160	5,564	9.57%	14,627	25.17%	25,883	44.53%	12,086	20.79%	58,136	493	0.85%	48,522	83.46%	9,121	15.69%
117	60,061	27,222	45.32%	32,426	53.99%	413	0.69%	60,061	4,746	7.90%	12,032	20.03%	25,695	42.78%	17,588	29.28%	60,061	717	1.19%	46,086	76.73%	13,258	22.07%
118	48,966	22,674	46.31%	26,003	53.10%	289	0.59%	48,824	4,688	9.57%	10,242	20.92%	21,957	44.84%	11,937	24.38%	48,952	206	0.42%	42,977	87.79%	5,769	11.79%
119	50,254	23,215	46.20%	26,413	52.56%	626	1.25%	50,430	6,199	12.34%	11,635	23.15%	21,469	42.72%	11,127	22.14%	50,262	278	0.55%	44,330	88.20%	5,654	11.25%
120	54,495	25,476	46.75%	28,832	52.91%	187	0.34%	54,447	4,562	8.37%	10,500	19.27%	24,274	44.54%	15,111	27.73%	54,492	220	0.40%	49,199	90.29%	5,073	9.31%
Totals:	6,102,467	2,752,159	45.10%	3,298,068	54.04%	52,240	0.86%	6,102,467	678,580	11.12%	1,590,397	26.06%	2,750,157	45.07%	1,083,333	17.75%	6,102,467	77,411	1.27%	5,031,668	82.45%	993,388	16.28%



	2004 Auditor Campbell-Merritt				2004 Governor Easley-Ballantine-Howe						2004 President Kerry-Bush-Badnarik								2004 US Senate Bowles-Burr-Bailey							
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %
1	8,724	50.89%	8,419	49.11%	10,237	56.08%	7,559	41.41%	458	2.51%	7,905	42.46%	10,619	57.04%	89	0.48%	5	0.03%	8,681	48.69%	8,780	49.25%	367	2.06%	0	0.00%
2	10,187	53.59%	8,823	46.41%	12,674	59.95%	7,960	37.65%	506	2.39%	9,341	43.91%	11,853	55.71%	77	0.36%	4	0.02%	10,512	49.80%	10,182	48.24%	407	1.93%	6	0.03%
3	5,774	40.45%	8,499	59.55%	7,567	49.85%	7,395	48.71%	219	1.44%	4,971	32.30%	10,354	67.27%	65	0.42%	2	0.01%	5,592	36.70%	9,366	61.46%	279	1.83%	1	0.01%
4	7,215	48.85%	7,556	51.15%	8,588	54.08%	7,092	44.66%	199	1.25%	5,814	36.74%	9,968	63.00%	33	0.21%	8	0.05%	6,654	41.95%	8,973	56.57%	225	1.42%	9	0.06%
5	11,606	66.88%	5,748	33.12%	12,442	68.55%	5,482	30.20%	226	1.25%	10,252	56.00%	7,958	43.47%	86	0.47%	10	0.05%	11,101	61.52%	6,754	37.43%	190	1.05%	1	0.01%
6	10,132	48.16%	10,906	51.84%	12,876	57.71%	9,090	40.74%	347	1.56%	8,735	39.23%	13,451	60.41%	69	0.31%	11	0.05%	9,814	44.22%	12,072	54.40%	302	1.36%	5	0.02%
7	11,523	71.08%	4,688	28.92%	12,652	75.73%	3,906	23.38%	149	0.89%	10,292	62.10%	6,240	37.65%	29	0.17%	11	0.07%	11,039	66.02%	5,529	33.07%	151	0.90%	2	0.01%
8	10,755	64.72%	5,862	35.28%	12,216	69.00%	5,336	30.14%	153	0.86%	9,673	53.72%	8,302	46.11%	26	0.14%	4	0.02%	10,229	58.02%	7,271	41.24%	129	0.73%	1	0.01%
9	9,379	48.84%	9,823	51.16%	11,345	55.33%	8,938	43.59%	222	1.08%	8,737	42.02%	11,992	57.68%	49	0.24%	14	0.07%	9,294	45.34%	11,050	53.90%	156	0.76%	0	0.00%
10	6,859	45.91%	8,080	54.09%	8,135	50.74%	7,779	48.52%	120	0.75%	5,575	34.49%	10,545	65.24%	39	0.24%	4	0.02%	6,350	39.78%	9,475	59.36%	137	0.86%	1	0.01%
11	4,781	44.06%	6,069	55.94%	5,682	49.78%	5,582	48.90%	150	1.31%	3,821	33.84%	7,436	65.85%	28	0.25%	7	0.06%	4,450	39.04%	6,834	59.95%	116	1.02%	0	0.00%
12	8,320	62.75%	4,939	37.25%	9,247	66.26%	4,531	32.47%	178	1.28%	8,084	56.98%	6,067	42.76%	36	0.25%	0	0.00%	8,360	60.08%	5,373	38.62%	176	1.26%	5	0.04%
13	8,852	40.23%	13,153	59.77%	11,366	49.24%	11,349	49.17%	367	1.59%	7,434	31.62%	15,959	67.88%	95	0.40%	21	0.09%	8,570	36.55%	14,458	61.66%	414	1.77%	5	0.02%
14	5,363	39.60%	8,179	60.40%	7,023	48.81%	6,978	48.50%	388	2.70%	4,635	32.51%	9,551	67.00%	63	0.44%	7	0.05%	5,408	37.63%	8,637	60.10%	326	2.27%	0	0.00%
15	3,009	35.18%	5,545	64.82%	4,377	46.04%	4,924	51.79%	206	2.17%	2,446	25.63%	7,066	74.03%	28	0.29%	5	0.05%	2,398	28.83%	5,747	69.08%	169	2.03%	5	0.06%
16	9,004	40.85%	13,040	59.15%	12,099	49.91%	11,835	48.82%	307	1.27%	9,283	38.11%	14,994	61.55%	75	0.31%	7	0.03%	9,761	40.92%	13,672	57.32%	416	1.74%	2	0.01%
17	8,429	44.95%	10,323	55.05%	11,333	56.68%	8,384	41.93%	277	1.39%	7,634	37.78%	12,479	61.76%	81	0.40%	13	0.06%	8,418	42.49%	11,001	55.53%	392	1.98%	0	0.00%
18	10,502	57.95%	7,619	42.05%	12,476	63.35%	6,797	34.51%	421	2.14%	11,223	56.79%	8,440	42.70%	87	0.44%	14	0.07%	11,084	57.91%	7,548	39.44%	505	2.64%	2	0.01%
19	10,133	38.44%	16,228	61.56%	14,544	50.08%	14,065	48.43%	433	1.49%	11,036	38.01%	17,880	61.59%	111	0.38%	4	0.01%	11,394	40.41%	16,181	57.39%	619	2.20%	0	0.00%
20	10,447	64.30%	5,801	35.70%	11,133	63.43%	6,188	35.25%	232	1.32%	8,441	47.78%	9,163	51.86%	53	0.30%	11	0.06%	9,742	55.98%	7,383	42.42%	278	1.60%	1	0.01%
21	9,046	65.56%	4,751	34.44%	9,862	69.56%	4,180	29.48%	135	0.95%	8,139	58.13%	5,835	41.68%	26	0.19%	1	0.01%	8,761	62.11%	5,241	37.15%	102	0.72%	2	0.01%
22	10,209	55.45%	8,203	44.55%	12,089	61.09%	7,410	37.45%	290	1.47%	8,420	42.38%	11,385	57.30%	55	0.28%	8	0.04%	9,439	48.24%	9,815	50.16%	312	1.59%	0	0.00%
23	10,518	56.99%	7,937	43.01%	12,217	62.55%	7,153	36.62%	161	0.82%	8,609	43.98%	10,915	55.76%	49	0.25%	3	0.02%	9,665	49.58%	9,635	49.43%	192	0.99%	0	0.00%
24	11,020	71.56%	4,379	28.44%	11,811	74.12%	3,992	25.05%	131	0.82%	10,095	63.15%	5,855	36.63%	34	0.21%	2	0.01%	10,655	67.05%	5,101	32.10%	134	0.84%	0	0.00%
25	8,802	49.07%	9,137	50.93%	11,037	59.04%	7,486	40.04%	171	0.91%	6,992	37.92%	11,416	61.91%	30	0.16%	2	0.01%	7,963	42.93%	10,402	56.08%	182	0.98%	1	0.01%
26	10,274	45.36%	12,377	54.64%	12,146	51.40%	11,228	47.51%	257	1.09%	8,093	34.33%	15,425	65.44%	47	0.20%	8	0.03%	9,308	39.65%	13,933	59.36%	230	0.98%	3	0.01%
27	13,907	73.31%	5,064	26.69%	14,875	74.60%	4,899	24.57%	167	0.84%	12,272	61.94%	7,509	37.90%	28	0.14%	5	0.03%	13,076	65.71%	6,639	33.36%	175	0.88%	11	0.06%
28	8,927	37.52%	14,866	62.48%	10,864	43.73%	13,736	55.28%	246	0.99%	6,301	25.51%	18,299	74.07%	59	0.24%	45	0.18%	7,617	31.27%	16,494	67.71%	242	0.99%	6	



	2004 Auditor Campbell-Merritt				2004 Governor Easley-Ballantine-Howe						2004 President Kerry-Bush-Badnarik								2004 US Senate Bowles-Burr-Bailey							
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %
62	9,214	41.28%	13,109	58.72%	12,542	52.13%	11,059	45.97%	457	1.90%	9,289	38.33%	14,814	61.13%	131	0.54%	0	0.00%	10,098	41.88%	13,662	56.66%	352	1.46%	0	0.00%
63	7,467	57.11%	5,607	42.89%	8,578	62.29%	4,976	36.13%	217	1.58%	7,050	51.04%	6,701	48.51%	55	0.40%	7	0.05%	7,512	54.52%	6,040	43.83%	226	1.64%	1	0.01%
64	5,946	35.75%	10,686	64.25%	8,006	44.55%	9,658	53.75%	306	1.70%	5,274	29.27%	12,667	70.31%	59	0.33%	16	0.09%	6,048	33.69%	11,625	64.75%	279	1.55%	2	0.01%
65	8,957	50.48%	8,786	49.52%	11,188	59.25%	7,387	39.12%	309	1.64%	7,592	39.97%	11,338	59.69%	52	0.27%	14	0.07%	8,133	43.13%	10,451	55.42%	271	1.44%	3	0.02%
66	10,125	61.20%	6,419	38.80%	11,190	63.88%	6,036	34.46%	292	1.67%	8,655	49.39%	8,812	50.28%	40	0.23%	18	0.10%	9,547	54.53%	7,627	43.56%	292	1.67%	42	0.24%
67	6,669	35.53%	12,102	64.47%	8,933	44.91%	10,648	53.54%	308	1.55%	5,679	28.05%	14,503	71.62%	64	0.32%	3	0.01%	6,490	32.78%	12,977	65.54%	333	1.68%	0	0.00%
68	6,693	27.50%	17,646	72.50%	9,601	36.93%	16,055	61.76%	339	1.30%	6,817	25.65%	19,657	73.95%	87	0.33%	20	0.08%	7,442	28.54%	18,309	70.21%	327	1.25%	0	0.00%
69	7,311	55.29%	5,911	44.71%	8,482	59.90%	5,489	38.76%	189	1.33%	6,629	45.83%	7,795	53.89%	32	0.22%	8	0.06%	7,050	49.78%	6,923	48.88%	188	1.33%	1	0.01%
70	5,494	31.58%	11,903	68.42%	7,849	42.90%	10,118	55.31%	327	1.79%	4,813	26.93%	13,005	72.76%	57	0.32%	0	0.00%	5,680	31.18%	12,204	66.99%	333	1.83%	0	0.00%
71	11,562	71.31%	4,651	28.69%	12,523	73.34%	4,208	24.64%	344	2.01%	11,559	68.30%	5,302	31.33%	62	0.37%	0	0.00%	11,677	68.34%	5,140	30.08%	259	1.52%	11	0.06%
72	11,346	68.19%	5,293	31.81%	12,410	70.31%	4,980	28.22%	260	1.47%	11,130	63.41%	6,358	36.22%	65	0.37%	0	0.00%	11,408	64.30%	6,169	34.77%	159	0.90%	5	0.03%
73	7,130	31.64%	15,402	68.36%	10,316	42.87%	13,365	55.54%	384	1.60%	6,368	26.45%	17,614	73.15%	93	0.39%	4	0.02%	6,955	28.79%	16,848	69.74%	350	1.45%	4	0.02%
74	10,533	42.26%	14,393	57.74%	13,667	50.60%	12,940	47.90%	405	1.50%	9,895	36.63%	17,004	62.95%	111	0.41%	0	0.00%	9,830	36.28%	17,011	62.78%	255	0.94%	2	0.01%
75	9,604	39.89%	14,471	60.11%	12,608	48.77%	12,874	49.80%	371	1.44%	9,106	35.29%	16,606	64.35%	95	0.37%	0	0.00%	9,203	35.47%	16,491	63.56%	246	0.95%	4	0.02%
76	5,884	29.52%	14,046	70.48%	8,474	40.58%	11,993	57.43%	416	1.99%	4,664	22.25%	16,202	77.29%	87	0.42%	10	0.05%	5,515	26.48%	14,825	71.19%	484	2.32%	0	0.00%
77	8,348	48.15%	8,989	51.85%	10,163	55.58%	7,763	42.46%	359	1.96%	7,651	41.75%	10,597	57.83%	66	0.36%	10	0.05%	8,266	45.30%	9,643	52.85%	337	1.85%	0	0.00%
78	4,685	28.20%	11,929	71.80%	6,691	38.31%	10,493	60.07%	283	1.62%	3,944	22.74%	13,328	76.85%	71	0.41%	0	0.00%	4,820	27.64%	12,334	70.73%	285	1.63%	0	0.00%
79	6,823	35.15%	12,588	64.85%	9,088	44.66%	10,850	53.32%	412	2.02%	5,888	28.81%	14,458	70.75%	67	0.33%	21	0.10%	6,485	31.78%	13,572	66.51%	331	1.62%	18	0.09%
80	5,829	28.46%	14,652	71.54%	8,876	40.64%	12,568	57.55%	394	1.80%	4,733	21.73%	16,957	77.85%	79	0.36%	13	0.06%	5,706	26.12%	15,749	72.10%	387	1.77%	0	0.00%
81	7,579	49.44%	7,750	50.56%	9,427	58.11%	6,500	40.07%	296	1.82%	6,600	40.46%	9,648	59.15%	59	0.36%	5	0.03%	7,389	45.62%	8,480	52.36%	328	2.03%	0	0.00%
82	7,966	38.93%	12,495	61.07%	10,960	49.71%	10,722	48.63%	364	1.65%	7,562	34.20%	14,459	65.39%	83	0.38%	8	0.04%	8,368	37.90%	13,336	60.39%	378	1.71%	0	0.00%
83	8,276	36.97%	14,111	63.03%	11,430	47.65%	12,167	50.73%	389	1.62%	7,125	29.73%	16,740	69.86%	91	0.38%	7	0.03%	8,237	34.38%	15,230	63.56%	493	2.06%	0	0.00%
84	6,640	36.44%	11,582	63.56%	8,194	41.53%	11,177	56.65%	360	1.82%	6,127	31.02%	13,505	68.38%	82	0.42%	37	0.19%	6,697	34.61%	12,265	63.39%	385	1.99%	3	0.02%
85	5,904	38.41%	9,467	61.59%	7,238	44.73%	8,656	53.49%	288	1.78%	4,888	30.89%	10,854	68.59%	70	0.44%	12	0.08%	5,698	35.39%	10,058	62.47%	343	2.13%	2	0.01%
86	6,657	46.04%	7,802	53.96%	7,305	48.90%	7,376	49.37%	258	1.73%	5,617	38.96%	8,740	60.62%	61	0.42%	0	0.00%	6,335	42.58%	8,258	55.51%	284	1.91%	0	0.00%
87	5,295	36.45%	9,232	63.55%	6,851	44.84%	8,121	53.15%	306	2.00%	4,584	30.03%	10,583	69.33%	64	0.42%	33	0.22%	5,185	34.01%	9,720	63.76%	333	2.18%	7	0.05%
88	8,443	39.55%	12,902	60.45%	10,667	47.91%	11,249	50.53%	347	1.56%	7,700	34.22%	14,705	65.36%	77	0.34%	18	0.08%	8,502	38.26%	13,422	60.41%	295	1.33%	0	0.00%
89	8,127	33.72%	15,972	66.28%	10,978	43.73%	13,765	54.84%	359	1.43%	7,382	28.87%	18,099	70.78%	66	0.26%	24	0.09%	8,185	32.73%	16,464	65.83%	358	1.43%	1	0.00%
90	6,339	43.93%	8,091	56.07%	8,104	52.70%	7,037	45.76%	236	1.53%	5,247	33.11%	10,536	66.48%	65	0.41%	0	0.00%	5,508	35.21%	9,950	63.60%	184	1.18%	2	0.01%
91	9,236	38.69%	14,638	61.31%	12,496	49.37%	12,379	48.91%	434	1.71%	7,535	30.10%	17,413	69.55%	69	0.28%	18	0.07%	8,177	32.22%	16,833	66.32%	369	1.45%	1	0.00%
92	6,448	31.58%	13,968	68.42%	9,209	42.32%	12,202	56.08%	347	1.59%	5,014	23.27%	16,466	76.42%	62	0.29%	6	0.03%	5,729	26.29%	15,743	72.24%	319	1.46%	3	0.01%
93	8,805	44.05%	11,184	55.95%	10,606	49.57%	10,258	47.95%	531	2.48%	8,519	39.37%	12,964	59.92%	146	0.67%	8	0.04%	8,541	39.70%	12,478	58.00%	494	2.30%	0	0.00%
94	6,767	35.46%	12,319	64.54%	9,130	44.31%	11,176	54.23%	301	1.46%	5,622	27.88%	14,469	71.75%	66	0.33%	10	0.05%	6,513	31.81%	13,603	66.44%	358	1.75%	0	0.00%
95	8,270	36.64%	14,304	63.36%	11,236	47.01%	12,220	51.13%	445	1.86%	7,689	32.01%	16,203	67.46%	76	0.32%	50	0.21%	8,680	36.20%	14,873	62.03%	422	1.76%	4	0.02%
96	8,390	34.05%	16,251	65.95%	11,250	43.75%	14,043	54.61%	422	1.64%	8,138	30.84%	18,148	68.77%	86	0.33%	18	0.07%	8,729	34.08%	16,456	64.24%	432	1.69%	0	0.00%
97	7,733	36.62%	13,384	63.38%	10,213	45.86%	11,698	52.53%	358	1.61%	6,754	30.50%	15,312	69.15%	72	0.33%	4	0.02%	7,749	34.86%	14,013	63.04%	465	2.09%	0	0.00%
98	10,182	37.58%	16,915	62.42%	13,841	47.63%	14,766	50.81%	453	1.56%	11,200	38.06%	18,129	61.60%	83	0.28%	16	0.05%	11,821	40.50%	16,981	58.17%	389	1.33%	0	0.00%
99	11,674	61.92%	7,180	38.08%	13,131	66.21%	6,293	31.73%	407	2.05%	12,133	60.42%	7,853	39.11%	71	0.35%	24	0.12%	12,417	62.43%	7,131	35.85%	343	1.72%	0	0.00%
100	9,516	64.72%	5,187	35.28%	10,631	68.45%	4,561	29.37%	338	2.18%	9,789	62.34%	5,835	37.16%	65	0.41%	13	0.08%	10,018	64.39%	5,260	33.81%	280	1.80%	0	0.00%
101	13,373	69.69%	5,815	30.31%	14,710	73.00%	5,196	25.78%	246	1.22%	13,666	66.72%	6,764	33.02%	45	0.22%	7	0.03%	13,951	69.01%	6,028	29.82%	238	1.18%	0	0.00%
102	11,040	75.51%	3,581	24.49%	12,111	78.35%	3,074	19.89%	272	1.76%	11,630	74.05%	4,004	25.49%	63	0.40%	9	0.06%	11,769	76.03%	3,494	22.57%	216	1.40%	0	0.00%
103	9,372	40.84%	13,577	59.16%	11,926	48.66%	12,185	49.72%	398	1.62%	9,627	38.90%	15,011	60.66%	93	0.38%	15	0.06%	10,287	41.87%	13,865	56.44%	416	1.69%	0	0.00%
104	7,876	35.99%	14,005	64.01%	10,962	46.00%	12,524	52.55%	346	1.45%	8,847	36.73%	15,140	62.85%	87	0.36%	14	0.06%	10,109	42.19%	13,575	56.65%	279	1.16%	0	0.00%
105	8,975	32.31%	18,807	67.69%	12,727	42.73%	16,646	55.89%	409	1.37%	10,042	33.49%	19,840	66.16%	92	0.31%	14	0.05%	10,868	36.41%	18,580	62.25%	399	1.34%	0	0.00%
106	9,523	58.04%	6,886	41.96%	11,285	63.83%	6,050	34.22%	345	1.95%	10,183	56.68%	7,666	42.67%	89	0.50%	28	0.16%	10,791	60.73%	6,680	37.60%	297	1.67%	0	0.00%
107	10,789	66.55%	5,422	33.45%	12,068	70.65%	4,731	27.70%	282	1.65%	11,268	64.90%	6,035	34.76%	52	0.30%	6	0.03%	11,382	66.69%	5,441	31.88%	244	1.43%	0	0.00



2008 A. G. Cooper-Crumley					2008 Comm. Ag Ansley-Troxler				2008 Comm. of Labor Donnan-Berry				2008 State Auditor Wood-Merritt				2008 Comm. of Insurance Goodwin-Odom								2008 Super. of P.I. Atkinson-Morgan			
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %
1	18,817	55.83%	14,889	44.17%	17,324	51.71%	16,181	48.29%	16,804	50.52%	16,460	49.48%	17,861	53.57%	15,482	46.43%	17,511	52.24%	14,466	43.16%	1,514	4.52%	29	0.09%	18,353	55.09%	14,963	44.91%
2	20,002	61.77%	12,378	38.23%	17,117	53.55%	14,846	46.45%	16,821	52.93%	14,958	47.07%	18,146	57.12%	13,622	42.88%	18,137	56.28%	12,848	39.87%	1,231	3.82%	12	0.04%	18,038	56.90%	13,662	43.10%
3	16,367	52.18%	15,002	47.82%	12,728	41.17%	18,185	58.83%	12,271	39.81%	18,552	60.19%	14,482	46.85%	16,427	53.15%	13,538	43.78%	16,348	52.86%	1,029	3.33%	11	0.04%	13,873	45.03%	16,935	54.97%
4	16,121	60.90%	10,350	39.10%	12,284	46.80%	13,965	53.20%	12,490	48.21%	13,415	51.79%	13,555	52.47%	12,280	47.53%	13,148	50.38%	12,043	46.15%	887	3.40%	20	0.08%	13,266	51.16%	12,663	48.84%
5	22,097	71.64%	8,747	28.36%	19,935	64.86%	10,802	35.14%	20,292	67.07%	9,965	32.93%	20,849	68.68%	9,508	31.32%	21,276	69.37%	8,811	28.73%	578	1.88%	5	0.02%	20,883	68.77%	9,483	31.23%
6	22,453	60.82%	14,462	39.18%	16,462	45.37%	19,820	54.63%	16,560	45.80%	19,595	54.20%	18,358	50.89%	17,713	49.11%	17,804	48.95%	17,439	47.95%	1,118	3.07%	8	0.02%	17,858	49.37%	18,311	50.63%
7	23,512	84.18%	4,420	15.82%	19,786	71.62%	7,841	28.38%	19,794	71.99%	7,702	28.01%	20,306	73.89%	7,174	26.11%	20,431	74.06%	6,725	24.38%	424	1.54%	7	0.03%	20,501	74.55%	7,000	25.45%
8	23,549	78.02%	6,636	21.98%	18,796	62.91%	11,083	37.09%	19,284	65.25%	10,270	34.75%	20,598	69.89%	8,876	30.11%	20,247	68.47%	8,736	29.54%	579	1.96%	8	0.03%	20,345	68.83%	9,215	31.17%
9	25,546	64.55%	14,032	35.45%	19,450	49.89%	19,537	50.11%	19,550	50.17%	19,421	49.83%	21,541	55.40%	17,341	44.60%	20,575	52.70%	17,221	44.11%	1,207	3.09%	36	0.09%	21,097	54.25%	17,792	45.75%
10	18,336	62.15%	11,168	37.85%	12,251	41.99%	16,922	58.01%	12,829	44.36%	16,093	55.64%	14,455	50.17%	14,359	49.83%	14,059	48.36%	14,337	49.32%	664	2.28%	12	0.04%	13,930	48.25%	14,942	51.75%
11	18,255	57.00%	13,772	43.00%	11,781	37.19%	19,893	62.81%	12,210	39.02%	19,081	60.98%	13,509	43.23%	17,740	56.77%	13,397	42.64%	17,264	54.95%	746	2.37%	9	0.03%	13,652	43.60%	17,657	56.40%
12	18,321	69.46%	8,054	30.54%	16,074	61.65%	9,997	38.35%	15,880	60.94%	10,177	39.06%	17,131	65.66%	8,960	34.34%	16,496	62.95%	9,005	34.36%	696	2.66%	10	0.04%	16,798	64.51%	9,240	35.49%
13	19,796	51.65%	18,534	48.35%	13,402	35.37%	24,486	64.63%	13,850	36.86%	23,728	63.14%	15,617	41.66%	21,866	58.34%	15,315	40.52%	21,036	55.66%	1,414	3.74%	27	0.07%	15,684	41.83%	21,809	58.17%
14	13,705	54.79%	11,309	45.21%	11,519	46.87%	13,056	53.13%	11,407	46.51%	13,120	53.49%	12,174	49.70%	12,323	50.30%	11,483	46.55%	11,844	48.01%	1,322	5.36%	20	0.08%	12,137	49.41%	12,425	50.59%
15	7,133	48.63%	7,536	51.37%	5,433	37.97%	8,876	62.03%	5,391	37.92%	8,827	62.08%	5,876	41.19%	8,391	58.81%	5,474	38.10%	8,044	55.98%	833	5.80%	18	0.13%	5,812	40.82%	8,427	59.18%
16	22,502	52.15%	20,643	47.85%	16,986	40.28%	25,187	59.72%	17,283	41.08%	24,788	58.92%	18,374	43.81%	23,565	56.19%	17,738	41.75%	22,308	52.51%	2,415	5.68%	22	0.05%	18,790	44.73%	23,213	55.27%
17	23,367	52.19%	21,407	47.81%	18,365	41.79%	25,583	58.21%	18,435	42.16%	25,290	57.84%	19,708	44.97%	24,115	55.03%	18,821	42.71%	23,005	52.20%	2,230	5.06%	14	0.03%	19,439	44.48%	24,262	55.52%
18	21,631	69.87%	9,329	30.13%	18,675	61.66%	11,614	38.34%	18,418	60.74%	11,904	39.26%	19,328	63.93%	10,903	36.07%	18,640	61.15%	10,048	32.96%	1,757	5.76%	38	0.12%	19,529	64.51%	10,744	35.49%
19	23,340	54.58%	19,420	45.42%	16,420	39.56%	25,089	60.44%	16,786	40.41%	24,756	59.59%	17,815	43.14%	23,480	56.86%	17,423	41.82%	21,700	52.08%	2,501	6.00%	40	0.10%	18,851	45.44%	22,634	54.56%
20	19,614	68.32%	9,097	31.68%	16,705	59.11%	11,554	40.89%	16,574	59.08%	11,481	40.92%	17,745	63.45%	10,224	36.55%	17,137	60.62%	10,146	35.89%	981	3.47%	7	0.02%	16,702	59.61%	11,315	40.39%
21	21,087	75.53%	6,830	24.47%	17,629	63.73%	10,034	36.27%	17,887	64.89%	9,676	35.11%	18,573	67.58%	8,908	32.42%	18,550	67.14%	8,570	31.02%	497	1.80%	12	0.04%	18,815	68.38%	8,699	31.62%
22	21,738	64.39%	12,021	35.61%	17,162	51.27%	16,310	48.73%	17,007	51.02%	16,329	48.98%	18,772	56.65%	14,363	43.35%	18,164	54.36%	14,230	42.58%	1,010	3.02%	13	0.04%	18,195	54.82%	14,994	45.18%
23	22,930	70.24%	9,716	29.76%	16,708	51.63%	15,652	48.37%	17,207	53.75%	14,808	46.25%	18,642	58.41%	13,275	41.59%	18,537	57.79%	12,989	40.50%	540	1.68%	8	0.02%	18,428	57.68%	13,523	42.32%
24	23,267	79.86%	5,869	20.14%	19,539	67.57%	9,379	32.43%	19,899	69.14%	8,880	30.86%	20,610	71.75%	8,116	28.25%	20,507	71.16%	7,948	27.58%	359	1.25%	5	0.02%	20,804	72.29%	7,975	27.71%
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District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %
67	15,388	44.64%	19,085	55.36%	10,799	32.00%	22,953	68.00%	10,816	31.88%	23,114	68.12%	12,553	37.46%	20,953	62.54%	11,668	34.35%	20,876	61.46%	1,397	4.11%	25	0.07%	11,937	35.67%	21,529	64.33%
68	23,833	40.28%	35,331	59.72%	18,696	32.33%	39,132	67.67%	19,056	32.84%	38,967	67.16%	20,172	34.91%	37,603	65.09%	19,238	33.11%	36,706	63.17%	2,129	3.66%	36	0.06%	19,810	34.43%	37,723	65.57%
69	18,337	64.83%	9,946	35.17%	15,507	55.73%	12,317	44.27%	15,543	55.79%	12,319	44.21%	16,694	60.40%	10,947	39.60%	16,265	58.17%	10,936	39.11%	746	2.67%	14	0.05%	16,101	58.24%	11,543	41.76%
70	13,296	45.64%	15,836	54.36%	7,756	26.96%	21,014	73.04%	8,479	29.81%	19,967	70.19%	10,273	36.45%	17,912	63.55%	9,242	32.48%	17,873	62.80%	1,332	4.68%	11	0.04%	9,585	33.99%	18,618	66.01%
71	21,359	80.26%	5,253	19.74%	19,868	75.34%	6,503	24.66%	20,046	76.08%	6,304	23.92%	20,880	79.40%	5,418	20.60%	20,221	76.36%	5,418	20.46%	826	3.12%	17	0.06%	20,697	78.68%	5,608	21.32%
72	21,419	77.72%	6,140	22.28%	19,501	71.70%	7,698	28.30%	19,816	72.78%	7,411	27.22%	20,640	75.99%	6,522	24.01%	20,015	73.37%	6,545	23.99%	709	2.60%	12	0.04%	20,473	75.57%	6,617	24.43%
73	17,057	45.32%	20,576	54.68%	11,123	29.90%	26,074	70.10%	12,201	33.04%	24,725	66.96%	14,183	38.70%	22,462	61.30%	12,878	34.92%	22,353	60.62%	1,621	4.40%	23	0.06%	13,638	37.21%	23,010	62.79%
74	20,928	55.94%	16,482	44.06%	13,926	38.16%	22,564	61.84%	15,795	43.19%	20,777	56.81%	17,056	47.12%	19,144	52.88%	15,913	43.82%	19,012	52.35%	1,366	3.76%	24	0.07%	17,383	48.08%	18,770	51.92%
75	21,857	54.25%	18,432	45.75%	15,648	39.62%	23,852	60.38%	16,614	42.05%	22,900	57.95%	18,679	47.61%	20,553	52.39%	17,377	44.25%	20,418	51.99%	1,464	3.73%	13	0.03%	18,585	47.47%	20,569	52.53%
76	12,016	41.05%	17,254	58.95%	7,418	25.66%	21,486	74.34%	7,876	27.26%	21,021	72.74%	9,513	33.31%	19,046	66.69%	8,550	29.67%	18,816	65.30%	1,431	4.97%	18	0.06%	8,912	31.21%	19,641	68.79%
77	17,949	60.52%	11,710	39.48%	13,888	47.30%	15,474	52.70%	14,457	49.37%	14,825	50.63%	15,892	54.87%	13,071	45.13%	15,032	51.47%	12,916	44.22%	1,237	4.24%	23	0.08%	15,440	53.39%	13,481	46.61%
78	11,780	42.03%	16,248	57.97%	6,335	22.95%	21,270	77.05%	6,962	25.47%	20,371	74.53%	8,492	31.36%	18,587	68.64%	7,599	27.80%	18,396	67.30%	1,332	4.87%	8	0.03%	7,804	28.84%	19,258	71.16%
79	16,104	47.23%	17,993	52.77%	11,372	33.78%	22,290	66.22%	11,871	35.37%	21,688	64.63%	13,807	41.40%	19,543	58.60%	12,449	37.09%	19,821	59.05%	1,275	3.80%	19	0.06%	13,108	39.41%	20,154	60.59%
80	13,986	40.88%	20,225	59.12%	8,038	23.71%	25,868	76.29%	8,824	26.19%	24,863	73.81%	11,205	33.53%	22,216	66.47%	9,700	28.84%	22,520	66.96%	1,397	4.15%	15	0.04%	10,048	30.08%	23,360	69.92%
81	14,204	57.51%	10,496	42.49%	10,294	42.08%	14,169	57.92%	10,933	44.95%	13,390	55.05%	12,779	52.82%	11,416	47.18%	11,664	47.99%	11,661	47.98%	957	3.94%	23	0.09%	11,839	49.04%	12,302	50.96%
82	20,255	51.88%	18,787	48.12%	15,513	40.67%	22,635	59.33%	16,268	42.31%	22,186	57.69%	17,770	46.67%	20,302	53.33%	16,783	43.85%	19,711	51.50%	1,776	4.64%	1	0.00%	17,255	45.52%	20,651	54.48%
83	17,585	48.76%	18,483	51.24%	12,575	35.54%	22,803	64.46%	13,118	36.89%	22,446	63.11%	15,030	42.76%	20,123	57.24%	13,722	38.75%	20,078	56.70%	1,612	4.55%	0	0.00%	14,228	40.53%	20,879	59.47%
84	13,502	45.91%	15,910	54.09%	10,785	37.30%	18,133	62.70%	10,780	37.50%	17,967	62.50%	11,749	41.11%	16,829	58.89%	11,117	38.44%	16,506	57.08%	1,273	4.40%	23	0.08%	11,561	40.44%	17,027	59.56%
85	13,106	48.15%	14,114	51.85%	9,793	36.25%	17,220	63.75%	9,898	36.88%	16,941	63.12%	11,402	42.74%	15,274	57.26%	10,800	40.05%	14,825	54.97%	1,329	4.93%	15	0.06%	11,098	41.62%	15,568	58.38%
86	15,641	58.02%	11,316	41.98%	12,691	47.84%	13,835	52.16%	12,161	45.66%	14,473	54.34%	13,540	51.23%	12,888	48.77%	12,798	48.07%	12,702	47.71%	1,102	4.14%	19	0.07%	13,004	48.99%	13,540	51.01%
87	13,914	48.45%	14,806	51.55%	10,346	36.98%	17,635	63.02%	9,791	34.58%	18,526	65.42%	11,789	42.09%	16,217	57.91%	10,662	37.77%	16,051	56.86%	1,508	5.34%	10	0.04%	10,906	38.96%	17,086	61.04%
88	15,584	50.31%	15,390	49.69%	11,987	39.42%	18,420	60.58%	11,761	38.41%	18,861	61.59%	13,372	44.11%	16,945	55.89%	12,286	40.23%	17,138	56.12%	1,110	3.63%	6	0.02%	13,123	43.36%	17,139	56.64%
89	14,192	43.45%	18,472	56.55%	10,149	31.55%	22,018	68.45%	10,140	31.28%	22,278	68.72%	11,920	37.32%	20,016	62.68%	10,870	33.80%	19,972	62.11%	1,297	4.03%	18	0.06%	11,214	35.16%	20,679	64.84%
90	13,899	53.73%	11,967	46.27%	9,716	38.13%	15,765	61.87%	10,241	40.65%	14,950	59.35%	12,389	49.40%	12,691	50.60%	11,268	44.79%	13,006	51.69%	876	3.48%	10	0.04%	11,666	46.67%	13,333	53.33%
91	15,461	46.59%	17,725	53.41%	9,892	30.01%	23,069	69.99%	11,193	34.49%	21,256	65.51%	13,433	41.75%	18,744	58.25%	12,145	37.44%	18,584	57.29%	1,686	5.20%	25	0.08%	12,372	38.49%	19,770	61.51%
92	12,331	42.20%	16,888	57.80%	7,225	24.89%	21,805	75.11%	7,975	27.91%	20,601	72.09%	10,128	35.86%	18,115	64.14%	8,894	31.18%	18,394	64.48%	1,217	4.27%	20	0.07%	9,249	32.72%	19,018	67.28%
93	22,137	56.49%	17,048	43.51%	17,477	45.74%	20,734	54.26%	17,588	46.08%	20,581	5																



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District	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib	Lib %	
1	18,082	53.27%	14,722	43.38%	1,137	3.35%	19,519	55.72%	14,588	41.65%	921	2.63%	16,539	45.93%	19,112	53.07%	223	0.62%	139	0.39%	16,040	45.37%	18,521	52.38%	795	2.25%	10,534	61.51%	6,394	37.34%	198	1.16%	
2	18,369	56.23%	13,326	40.79%	974	2.98%	19,949	59.10%	13,013	38.55%	793	2.35%	16,714	48.58%	17,360	50.46%	195	0.57%	137	0.40%	16,721	49.13%	16,500	48.48%	812	2.39%	10,932	64.41%	5,893	34.72%	148	0.87%	
3	13,708	43.25%	17,207	54.29%	781	2.46%	17,575	54.24%	14,142	43.64%	686	2.12%	12,411	38.11%	19,916	61.15%	165	0.51%	76	0.23%	13,405	41.46%	18,083	55.92%	848	2.62%	7,702	48.64%	8,010	50.59%	122	0.77%	
4	13,830	51.69%	12,186	45.55%	739	2.76%	15,391	56.24%	11,309	41.32%	668	2.44%	11,507	41.54%	16,005	57.78%	131	0.47%	55	0.20%	13,458	49.08%	13,198	48.14%	762	2.78%	8,328	60.51%	5,297	38.48%	139	1.01%	
5	21,085	68.01%	9,447	30.47%	469	1.51%	22,162	69.60%	9,272	29.12%	406	1.28%	19,480	60.25%	12,690	39.25%	97	0.30%	67	0.21%	19,727	61.82%	11,761	36.86%	423	1.33%	15,993	76.68%	4,762	22.83%	103	0.49%	
6	18,307	49.28%	17,851	48.06%	988	2.66%	20,519	54.20%	16,420	43.37%	918	2.42%	16,812	44.05%	21,168	55.46%	140	0.37%	45	0.12%	18,096	47.79%	18,705	49.39%	1,068	2.82%	10,723	57.85%	7,666	41.36%	148	0.80%	
7	20,593	73.91%	6,935	24.89%	335	1.20%	20,788	73.91%	7,001	24.89%	338	1.20%	19,496	69.31%	8,520	30.29%	69	0.25%	43	0.15%	20,110	71.49%	7,616	27.08%	403	1.43%	16,715	85.15%	2,847	14.50%	68	0.35%	
8	20,571	68.31%	9,087	30.18%	456	1.51%	21,725	70.76%	8,549	27.85%	428	1.39%	18,932	61.05%	11,970	38.60%	73	0.24%	37	0.12%	19,799	64.48%	10,436	33.99%	469	1.53%	14,846	79.22%	3,813	20.35%	82	0.44%	
9	21,248	53.44%	17,496	44.00%	1,020	2.57%	22,667	55.90%	16,997	41.91%	888	2.19%	20,506	50.18%	20,062	49.09%	171	0.42%	128	0.31%	21,035	51.84%	18,574	45.78%	967	2.38%	13,567	60.70%	8,663	38.76%	120	0.54%	
10	14,498	48.91%	14,546	49.08%	596	2.01%	16,731	55.08%	13,105	43.14%	542	1.78%	11,845	38.64%	18,640	60.81%	118	0.38%	49	0.16%	13,347	43.96%	16,334	53.80%	679	2.24%	8,314	56.39%	6,322	42.88%	109	0.74%	
11	14,048	43.83%	17,352	54.14%	653	2.04%	14,841	45.08%	17,442	52.98%	639	1.94%	12,226	36.69%	20,918	62.78%	121	0.36%	55	0.17%	13,418	40.65%	18,842	57.09%	746	2.26%	7,731	48.25%	8,165	50.95%	128	0.80%	
12	16,631	62.64%	9,338	35.17%	580	2.18%	18,550	68.80%	7,867	29.18%	545	2.02%	16,428	59.98%	10,780	39.36%	115	0.42%	64	0.23%	16,340	60.57%	9,966	36.94%	671	2.49%	12,418	73.01%	4,484	26.36%	106	0.62%	
13	15,595	40.34%	21,916	56.69%	1,150	2.97%	19,215	48.54%	19,352	48.88%	1,020	2.58%	13,483	33.92%	25,901	65.16%	229	0.58%	139	0.35%	15,497	39.20%	22,775	57.61%	1,261	3.19%	6,986	41.16%	9,816	57.84%	170	1.00%	
14	12,097	47.75%	12,213	48.21%	1,023	4.04%	13,730	52.97%	11,173	43.10%	1,019	3.93%	11,712	44.18%	14,586	55.02%	146	0.55%	65	0.25%	12,245	47.09%	12,589	48.41%	1,171	4.50%	5,804	52.35%	5,123	46.21%	160	1.44%	
15	5,949	39.86%	8,326	55.78%	651	4.36%	7,098	45.78%	7,752	50.00%	655	4.22%	5,211	32.86%	10,508	66.25%	90	0.57%	51	0.32%	6,058	38.97%	8,726	56.14%	760	4.89%	2,397	41.22%	3,298	56.72%	120	2.06%	
16	18,057	41.21%	23,727	54.15%	2,031	4.64%	19,948	44.43%	22,959	51.13%	1,995	4.44%	18,745	41.15%	26,379	57.90%	271	0.59%	163	0.36%	21,199	47.06%	21,850	48.51%	1,993	4.42%	9,457	46.33%	10,462	51.25%	495	2.42%	
17	18,617	41.09%	24,542	54.16%	2,152	4.75%	20,400	44.13%	23,875	51.65%	1,948	4.21%	18,686	39.93%	27,652	59.09%	285	0.61%	177	0.38%	22,419	48.37%	21,941	47.34%	1,989	4.29%	8,592	44.79%	10,325	53.83%	264	1.38%	
18	19,162	61.17%	10,613	33.88%	1,549	4.95%	19,966	62.30%	10,654	33.24%	1,430	4.46%	20,810	63.07%	11,859	35.94%	197	0.60%	129	0.39%	21,123	65.57%	9,841	30.55%	1,248	3.87%	11,705	71.47%	4,516	27.57%	157	0.96%	
19	17,750	41.03%	23,415	54.12%	2,098	4.85%	19,540	43.91%	23,080	51.87%	1,878	4.22%	19,169	42.35%	25,655	56.68%	251	0.55%	188	0.42%	21,513	48.17%	21,290	47.67%	1,859	4.16%	8,191	47.07%	9,009	51.77%	201	1.16%	
20	17,438	60.12%	10,655	36.74%	910	3.14%	18,566	62.46%	10,297	34.64%	863	2.90%	13,721	45.60%	16,095	53.49%	185	0.61%	89	0.30%	17,178	57.75%	11,545	38.81%	1,022	3.44%	10,361	72.09%	3,818	26.57%	193	1.34%	
21	18,891	67.47%	8,688	31.03%	419	1.50%	19,095	67.02%	8,992	31.56%	403	1.41%	18,095	62.89%	10,528	36.59%	95	0.33%	53	0.18%	18,725	65.56%	9,328	32.66%	508	1.78%	13,778	76.14%	4,244	23.45%	74	0.41%	
22	18,794	55.38%	14,275	42.07%	865	2.55%	19,399	55.93%	14,474	41.73%	809	2.33%	16,157	45.84%	18,886	53.58%	148	0.42%	58	0.16%	18,150	52.20%	15,670	45.07%	948	2.73%	11,157	63.72%	6,179	35.29%	174	0.99%	
23	18,784	57.70%	13><																														



2008 Lt. Governor Dalton-Pittenger-Rhodes							2008 Governor Perdue-McCrory-Munger						2008 President Obama-McCain-Barr								2008 US Senate Hagan-Dole						2008 Straight Party					
District	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib.	Lib%
76	8,313	28.26%	20,062	68.20%	1,042	3.54%	7,920	26.32%	21,410	71.16%	756	2.51%	8,014	26.55%	21,805	72.23%	247	0.82%	124	0.41%	9,572	31.84%	19,089	63.50%	1,402	4.66%	3,709	28.39%	9,213	70.53%	141	1.08%
77	14,842	49.79%	14,057	47.16%	909	3.05%	14,277	46.77%	15,545	50.92%	707	2.32%	15,090	49.13%	15,287	49.77%	227	0.74%	113	0.37%	15,915	52.13%	13,558	44.41%	1,055	3.46%	9,335	63.14%	5,358	36.24%	92	0.62%
78	8,025	28.81%	18,808	67.52%	1,024	3.68%	8,833	31.02%	18,565	65.21%	1,073	3.77%	7,324	25.69%	20,824	73.03%	259	0.91%	107	0.38%	9,155	32.19%	17,982	63.23%	1,300	4.57%	3,654	25.91%	10,321	73.18%	129	0.91%
79	12,603	36.89%	20,472	59.92%	1,089	3.19%	13,138	37.58%	20,810	59.53%	1,008	2.88%	12,611	35.85%	22,212	63.14%	241	0.69%	114	0.32%	13,920	39.83%	19,758	56.53%	1,272	3.64%	6,575	40.74%	9,347	57.92%	215	1.33%
80	10,110	29.56%	22,884	66.91%	1,207	3.53%	11,365	32.69%	22,100	63.56%	1,306	3.76%	9,197	26.44%	25,220	72.50%	269	0.77%	98	0.28%	11,448	32.85%	21,988	63.10%	1,413	4.05%	4,651	26.57%	12,663	72.34%	190	1.09%
81	11,956	48.37%	11,845	47.92%	918	3.71%	12,576	50.02%	11,659	46.37%	906	3.60%	11,158	44.28%	13,772	54.66%	198	0.79%	70	0.28%	12,698	50.42%	11,485	45.61%	1,000	3.97%	7,003	54.24%	5,757	44.59%	151	1.17%
82	16,188	40.97%	22,104	55.95%	1,216	3.08%	14,578	35.94%	25,093	61.86%	895	2.21%	17,727	43.60%	22,664	55.74%	257	0.63%	10	0.02%	18,820	46.62%	19,979	49.49%	1,573	3.90%	8,899	49.62%	8,888	49.55%	149	0.83%
83	13,458	37.03%	21,757	59.86%	1,129	3.11%	12,452	33.50%	23,911	64.34%	802	2.16%	13,734	36.96%	23,182	62.38%	235	0.63%	13	0.03%	15,538	41.98%	19,976	53.97%	1,501	4.06%	7,060	43.60%	8,993	55.54%	139	0.86%
84	11,365	38.17%	17,436	58.57%	971	3.26%	11,967	38.95%	17,889	58.23%	865	2.82%	10,914	35.44%	19,427	63.08%	246	0.80%	211	0.69%	12,578	40.89%	16,855	54.79%	1,330	4.32%	6,262	42.64%	8,236	56.08%	187	1.27%
85	10,972	39.84%	15,614	56.70%	951	3.45%	11,440	40.79%	15,624	55.71%	982	3.50%	9,534	33.91%	18,165	64.61%	255	0.91%	162	0.58%	11,530	41.05%	15,218	54.18%	1,340	4.77%	4,741	39.88%	6,914	58.16%	233	1.96%
86	13,203	48.73%	13,112	48.40%	778	2.87%	12,393	44.80%	14,634	52.90%	634	2.29%	11,938	43.08%	15,471	55.83%	188	0.68%	116	0.42%	13,632	49.36%	12,934	46.83%	1,053	3.81%	6,838	52.62%	5,973	45.96%	184	1.42%
87	10,864	37.64%	16,832	58.32%	1,167	4.04%	9,893	33.47%	18,866	63.82%	803	2.72%	9,935	33.68%	19,096	64.73%	288	0.98%	181	0.61%	11,694	39.69%	16,168	54.87%	1,605	5.45%	4,838	40.47%	6,926	57.94%	190	1.59%
88	12,409	39.94%	17,744	57.12%	914	2.94%	11,541	36.41%	19,550	61.67%	608	1.92%	12,059	37.97%	19,264	60.66%	274	0.86%	161	0.51%	13,479	42.66%	16,931	53.59%	1,186	3.75%	7,274	45.28%	8,656	53.88%	134	0.83%
89	10,665	32.55%	21,091	64.37%	1,010	3.08%	9,590	28.66%	23,176	69.25%	700	2.09%	10,304	30.75%	22,859	68.22%	201	0.60%	142	0.42%	11,805	35.42%	20,082	60.25%	1,444	4.33%	5,450	34.47%	10,184	64.40%	179	1.13%
90	11,615	45.02%	13,417	52.00%	770	2.98%	12,565	47.44%	13,074	49.36%	846	3.19%	10,116	38.10%	16,086	60.58%	248	0.93%	103	0.39%	12,047	45.47%	13,498	50.95%	949	3.58%	5,454	48.58%	5,596	49.85%	176	1.57%
91	12,591	38.05%	19,169	57.93%	1,330	4.02%	13,958	41.24%	18,393	54.35%	1,491	4.41%	11,046	32.58%	22,310	65.80%	383	1.13%	165	0.49%	13,393	39.50%	18,888	55.71%	1,626	4.80%	5,852	39.21%	8,883	59.52%	190	1.27%
92	9,415	32.22%	18,871	64.58%	934	3.20%	10,543	35.22%	18,426	61.55%	968	3.23%	8,016	26.64%	21,713	72.15%	237	0.79%	127	0.42%	10,220	34.16%	18,454	61.69%	1,241	4.15%	3,587	31.60%	7,597	66.92%	169	1.49%
93	18,516	47.03%	19,013	48.29%	1,841	4.68%	19,004	46.49%	20,381	49.86%	1,490	3.65%	19,430	46.89%	21,260	51.30%	426	1.03%	325	0.78%	20,058	48.88%	19,172	46.72%	1,802	4.39%	9,624	51.76%	8,689	46.73%	281	1.51%
94	10,275	35.85%	17,274	60.27%	1,112	3.88%	11,685	39.55%	16,779	56.79%	1,081	3.66%	8,934	30.06%	20,288	68.25%	301	1.01%	201	0.68%	11,029	37.23%	17,206	58.09%	1,385	4.68%	3,834	37.22%	6,277	60.94%	190	1.84%
95	15,443	36.47%	25,513	60.24%	1,393	3.29%	13,667	31.44%	28,817	66.29%	984	2.26%	16,928	38.63%	26,486	60.45%	263	0.60%	139	0.32%	17,699	40.85%	23,710	54.73%	1,915	4.42%	8,066	41.06%	11,375	57.90%	204	1.04%
96	11,209	36.65%	18,314	59.88%	1,062	3.47%	10,321	33.09%	20,180	64.70%	687	2.20%	11,263	36.15%	19,494	62.57%	249	0.80%	150	0.48%	12,488	40.11%	17,325	55.65%	1,318	4.23%	6,318	39.69%	9,394	59.01%	208	1.31%
97	11,963	34.36%	21,725	62.39%	1,132	3.25%	10,691	29.98%	24,193	67.85%	773	2.17%	11,713	32.72%	23,631	66.01%	273	0.76%	181	0.51%	13,597	38.28%	20,333	57.24%	1,593	4.48%	5,790	38.92%	8,922	59.97%	166	1.12%
98	25,352	44.02%	30,726	53.36%	1,508	2.62%	21,276	35.87%	36,851	62.13%	1,189	2.00%	30,069	50.43%	29,154	48.89%	283	0.47%	124	0.21%	30,099	50.94%	27,024	45.73%	1,967	3.33%	14,643	47.23%	16,123	52.00%	240	0.77%
99	30,659	70.86%	11,472	26.51%	1,139	2.63%	28,696	65.00%	14,495	32.83%	955	2.16%	33,432	74.91%	10,855	24.32%	181	0.41%	160	0.36%	32,628	74.13%	10,211	23.20%	1,177	2.67%	20,992	77.83%	5,785	21.45%	194	0.72%
100	18,178	68.84%	7,476	28.31%	751	2.84%	17,029	63.26%	9,224	34.26%	667	2.48%	20,030	73.38%	7,036	25.78%	157	0.58%	73	0.27%	19,529	72.73%	6,523	24.29%	800	2.98%	13,161	77.94%	3,617	21.42%	109	0.65%
101	28,531	75.24%	8,685	22.90%	705	1.86%	27,331	70.90%	10,563	27.40%	657	1.70%	30,438	77.81%	8,468	21.65%	137	0.35%	75	0.19%	29,686	77.12%	7,920	20.58%	885	2.30%	21,855	82.31%	4,559	17.17%	139	0.52%
102	20,081	74.57%	6,129	22.76%	719	2.67%	18,229	66.14%	8,651	31.39%	682	2.47%	22,392	79.70%	5,499	19.57%	134	0.48%	71	0.25%	21,417	78.03%	5,311	19.35%	718	2.62%	14,474	83.66%	2,730	15.78%	98	0.57%
103	18,711	46.53%	20,521	51.03%	983	2.44%	16,852	40.94%	23,498	57.09%	812	1.97%	21,183	51.21%	19,832	47.95%	221	0.53%	125	0.30%	21,425	52.28%	18,122	44.22%								



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
1	4,240	59.00%	2,837	39.47%	110	1.53%	8,575	39.85%	12,418	57.70%	527	2.45%
2	4,908	61.55%	2,965	37.18%	101	1.27%	9,605	41.19%	13,197	56.60%	516	2.21%
3	3,685	41.62%	5,117	57.79%	52	0.59%	6,760	31.10%	14,589	67.11%	390	1.79%
4	4,674	57.50%	3,391	41.72%	63	0.78%	6,999	39.66%	10,344	58.62%	304	1.72%
5	7,821	75.70%	2,445	23.67%	65	0.63%	11,262	55.34%	8,852	43.50%	236	1.16%
6	5,164	52.02%	4,671	47.05%	92	0.93%	9,329	38.00%	14,781	60.22%	437	1.78%
7	9,023	80.24%	2,188	19.46%	34	0.30%	11,061	66.26%	5,453	32.67%	179	1.07%
8	7,044	76.98%	2,052	22.42%	55	0.60%	10,694	57.59%	7,657	41.24%	217	1.17%
9	6,576	54.65%	5,415	45.00%	43	0.36%	10,049	43.30%	12,852	55.38%	307	1.32%
10	5,107	50.35%	4,991	49.20%	46	0.45%	7,513	36.28%	12,914	62.37%	279	1.35%
11	4,299	37.13%	7,232	62.47%	46	0.40%	6,723	31.85%	14,096	66.78%	289	1.37%
12	6,582	69.58%	2,834	29.96%	44	0.47%	9,008	53.27%	7,630	45.12%	273	1.61%
13	3,488	32.10%	7,283	67.03%	95	0.87%	7,638	28.48%	18,590	69.32%	590	2.20%
14	2,003	47.82%	2,110	50.37%	76	1.81%	4,791	35.80%	8,253	61.66%	340	2.54%
15	776	35.40%	1,361	62.09%	55	2.51%	2,272	26.64%	6,005	70.42%	251	2.94%
16	4,850	40.76%	6,960	58.49%	89	0.75%	10,647	33.80%	20,209	64.16%	642	2.04%
17	4,522	34.56%	8,436	64.48%	125	0.96%	11,352	32.66%	22,683	65.25%	727	2.09%
18	4,276	65.42%	2,188	33.48%	72	1.10%	10,076	55.47%	7,647	42.10%	442	2.43%
19	3,216	35.83%	5,673	63.21%	86	0.96%	10,229	33.28%	19,814	64.46%	694	2.26%
20	5,490	66.63%	2,600	31.55%	150	1.82%	9,155	44.57%	10,994	53.52%	391	1.90%
21	7,811	69.60%	3,366	29.99%	46	0.41%	10,662	58.14%	7,478	40.78%	199	1.09%
22	6,884	66.29%	3,362	32.38%	138	1.33%	10,908	45.63%	12,576	52.61%	422	1.77%
23	7,684	64.06%	4,165	34.72%	146	1.22%	11,251	49.32%	11,207	49.13%	353	1.55%
24	9,796	79.60%	2,423	19.69%	88	0.72%	12,698	64.22%	6,834	34.56%	241	1.22%
25	7,503	53.95%	6,371	45.81%	33	0.24%	10,115	41.44%	13,980	57.27%	316	1.29%
26	4,928	40.52%	7,138	58.70%	95	0.78%	9,219	35.40%	16,309	62.62%	518	1.99%
27	10,199	85.11%	1,717	14.33%	67	0.56%	14,032	62.14%	8,221	36.41%	327	1.45%
28	3,290	28.50%	8,146	70.58%	106	0.92%	7,302	27.47%	18,794	70.70%	488	1.84%
29	7,248	84.29%	1,320	15.35%	31	0.36%	17,418	76.96%	4,863	21.49%	352	1.56%
30	4,848	72.22%	1,839	27.39%	26	0.39%	13,663	64.21%	7,236	34.01%	378	1.78%
31	8,481	81.89%	1,814	17.52%	61	0.59%	19,395	75.32%	5,943	23.08%	411	1.60%
32	6,859	71.06%	2,738	28.37%	55	0.57%	10,219	50.59%	9,557	47.31%	424	2.10%
33	12,542	83.24%	2,472	16.41%	54	0.36%	18,153	76.59%	5,188	21.89%	362	1.53%
34	6,171	49.16%	6,324	50.38%	58	0.46%	13,040	46.36%	14,468	51.43%	621	2.21%
35	5,678	57.33%	4,170	42.10%	56	0.57%	12,382	54.05%	9,867	43.07%	658	2.87%
36	5,686	42.11%	7,745	57.36%	72	0.53%	12,456	42.07%	16,387	55.35%	762	2.57%
37	7,497	39.14%	11,561	60.36%	96	0.50%	14,379	36.90%	23,541	60.41%	1,048	2.69%
38	7,615	67.60%	3,586	31.84%	63	0.56%	13,494	61.46%	7,970	36.30%	490	2.23%
39	10,228	61.56%	6,325	38.07%	62	0.37%	16,287	55.30%	12,596	42.77%	568	1.93%
40	7,914	37.18%	13,297	62.46%	77	0.36%	16,302	36.71%	26,995	60.79%	1,113	2.51%
41	8,538	47.91%	9,196	51.60%	88	0.49%	16,831	45.54%	19,120	51.74%	1,004	2.72%
42	4,725	79.25%	1,206	20.23%	31	0.52%	7,398	70.82%	2,921	27.96%	127	1.22%
43	4,193	79.02%	1,092	20.58%	21	0.40%	7,136	70.85%	2,821	28.01%	115	1.14%
44	4,398	62.16%	2,631	37.19%	46	0.65%	8,236	49.36%	8,124	48.69%	324	1.94%
45	5,260	56.20%	4,047	43.24%	52	0.56%	9,401	46.43%	10,478	51.75%	368	1.82%
46	3,608	58.20%	2,525	40.73%	66	1.06%	6,486	44.09%	7,931	53.91%	295	2.01%
47	3,631	75.96%	1,082	22.64%	67	1.40%	6,027	51.10%	5,596	47.45%	171	1.45%
48	5,795	85.92%	907	13.45%	43	0.64%	8,735	66.65%	4,218	32.18%	153	1.17%
49	6,392	59.29%	4,334	40.20%	55	0.51%	10,208	46.41%	11,358	51.64%	430	1.95%
50	7,572	67.06%	3,657	32.39%	63	0.56%	13,030	52.15%	11,354	45.44%	601	2.41%
51	4,470	47.85%	4,805	51.43%	67	0.72%	8,402	40.94%	11,714	57.07%	409	1.99%
52	4,402	32.88%	8,936	66.74%	52	0.39%	8,759	31.86%	18,165	66.08%	564	2.05%
53	3,372	41.30%	4,728	57.91%	65	0.80%	7,820	38.56%	12,089	59.60%	373	1.84%



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
54	9,956	65.92%	5,101	33.77%	47	0.31%	17,096	54.01%	13,840	43.72%	717	2.27%
55	5,420	66.93%	2,600	32.11%	78	0.96%	12,584	54.38%	10,137	43.81%	419	1.81%
56	8,551	85.57%	1,405	14.06%	37	0.37%	16,986	77.35%	4,508	20.53%	467	2.13%
57	5,403	58.49%	3,788	41.00%	47	0.51%	9,809	52.57%	8,458	45.33%	393	2.11%
58	9,895	68.71%	4,455	30.93%	52	0.36%	15,136	63.07%	8,516	35.48%	347	1.45%
59	6,226	55.69%	4,904	43.86%	50	0.45%	11,153	50.29%	10,557	47.60%	467	2.11%
60	5,829	68.93%	2,594	30.67%	34	0.40%	9,883	65.93%	4,917	32.80%	190	1.27%
61	4,330	37.01%	7,327	62.62%	44	0.38%	9,004	36.50%	15,129	61.33%	535	2.17%
62	4,763	32.74%	9,723	66.82%	64	0.44%	10,156	32.94%	20,009	64.90%	665	2.16%
63	5,142	62.63%	3,007	36.63%	61	0.74%	8,452	50.72%	7,824	46.95%	389	2.33%
64	3,126	32.71%	6,353	66.47%	78	0.82%	6,994	28.15%	17,188	69.18%	665	2.68%
65	3,011	52.06%	2,630	45.47%	143	2.47%	6,358	35.55%	10,958	61.28%	567	3.17%
66	4,194	68.70%	1,801	29.50%	110	1.80%	9,441	50.43%	8,923	47.66%	357	1.91%
67	2,391	30.31%	5,413	68.62%	84	1.06%	6,156	26.74%	16,428	71.36%	437	1.90%
68	4,209	27.49%	11,033	72.05%	71	0.46%	9,076	25.11%	26,190	72.47%	874	2.42%
69	5,506	64.78%	2,916	34.31%	77	0.91%	8,519	49.14%	8,541	49.27%	276	1.59%
70	1,878	20.13%	7,383	79.14%	68	0.73%	3,680	22.33%	12,297	74.61%	505	3.06%
71	5,104	73.22%	1,835	26.32%	32	0.46%	8,667	68.25%	3,778	29.75%	254	2.00%
72	5,317	69.84%	2,259	29.67%	37	0.49%	9,586	66.06%	4,713	32.48%	211	1.45%
73	2,666	23.66%	8,553	75.90%	50	0.44%	5,681	25.20%	16,367	72.59%	500	2.22%
74	3,395	34.44%	6,390	64.82%	73	0.74%	9,029	35.83%	15,711	62.35%	460	1.83%
75	3,989	35.90%	7,070	63.63%	52	0.47%	8,899	35.24%	15,912	63.02%	439	1.74%
76	1,469	20.16%	5,722	78.54%	94	1.29%	4,140	23.00%	13,361	74.24%	496	2.76%
77	3,942	53.21%	3,375	45.56%	91	1.23%	7,799	43.21%	9,785	54.22%	463	2.57%
78	1,381	15.31%	7,592	84.14%	50	0.55%	2,966	18.32%	12,711	78.51%	514	3.17%
79	2,868	32.01%	5,992	66.88%	100	1.12%	6,625	29.05%	15,645	68.59%	539	2.36%
80	1,754	17.40%	8,241	81.76%	85	0.84%	4,274	20.51%	16,066	77.09%	500	2.40%
81	3,290	45.98%	3,811	53.26%	54	0.75%	6,124	39.87%	8,863	57.71%	371	2.42%
82	3,405	45.31%	4,047	53.85%	63	0.84%	8,793	35.56%	15,369	62.16%	563	2.28%
83	2,685	40.27%	3,919	58.78%	63	0.94%	7,129	30.98%	15,389	66.88%	493	2.14%
84	3,174	38.48%	4,923	59.69%	151	1.83%	7,249	32.46%	14,484	64.86%	598	2.68%
85	1,683	32.24%	3,402	65.16%	136	2.60%	5,367	29.70%	12,221	67.63%	482	2.67%
86	2,697	48.28%	2,796	50.05%	93	1.66%	6,937	40.84%	9,679	56.99%	369	2.17%
87	1,787	30.86%	3,903	67.41%	100	1.73%	5,748	30.79%	12,339	66.10%	579	3.10%
88	3,276	39.87%	4,827	58.74%	114	1.39%	7,272	34.32%	13,418	63.33%	496	2.34%
89	2,022	26.04%	5,695	73.35%	47	0.61%	5,455	26.57%	14,577	70.99%	502	2.44%
90	2,159	37.85%	3,447	60.43%	98	1.72%	5,865	33.30%	11,374	64.59%	371	2.11%
91	2,390	27.29%	6,257	71.44%	111	1.27%	5,672	26.48%	15,133	70.64%	618	2.88%
92	1,303	21.04%	4,717	76.15%	174	2.81%	4,473	22.20%	15,216	75.51%	462	2.29%
93	3,899	45.12%	4,644	53.74%	99	1.15%	10,383	39.34%	15,262	57.83%	747	2.83%
94	1,891	29.91%	4,312	68.21%	119	1.88%	5,619	28.84%	13,233	67.93%	629	3.23%
95	3,237	33.14%	6,457	66.10%	74	0.76%	7,265	29.46%	16,749	67.93%	643	2.61%
96	2,172	29.40%	5,149	69.69%	67	0.91%	5,423	29.56%	12,402	67.59%	523	2.85%
97	2,387	32.49%	4,891	66.58%	68	0.93%	6,958	30.01%	15,653	67.51%	575	2.48%
98	7,191	41.40%	10,111	58.21%	68	0.39%	14,280	41.25%	19,698	56.90%	638	1.84%
99	9,274	75.71%	2,921	23.85%	54	0.44%	15,782	71.55%	5,926	26.87%	350	1.59%
100	5,316	70.10%	2,220	29.28%	47	0.62%	8,836	64.83%	4,527	33.21%	267	1.96%
101	9,403	78.27%	2,572	21.41%	39	0.32%	15,162	73.36%	5,196	25.14%	310	1.50%
102	5,933	78.24%	1,617	21.32%	33	0.44%	10,391	72.84%	3,605	25.27%	270	1.89%
103	5,974	47.04%	6,673	52.54%	54	0.43%	10,858	43.56%	13,603	54.57%	466	1.87%
104	3,349	28.73%	8,267	70.92%	41	0.35%	9,207	34.13%	17,287	64.09%	479	1.78%
105	4,693	30.21%	10,777	69.37%	66	0.42%	10,298	32.83%	20,417	65.09%	652	2.08%
106	5,119	60.27%	3,338	39.30%	37	0.44%	9,910	56.26%	7,361	41.79%	344	1.95%



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
107	8,098	72.46%	3,027	27.08%	51	0.46%	12,820	66.34%	6,148	31.82%	356	1.84%
108	2,994	32.28%	6,226	67.13%	54	0.58%	5,995	29.65%	13,735	67.93%	490	2.42%
109	3,617	45.51%	4,277	53.82%	53	0.67%	6,202	35.46%	10,916	62.41%	372	2.13%
110	2,408	38.04%	3,841	60.67%	82	1.30%	5,298	30.06%	11,920	67.64%	405	2.30%
111	3,748	58.88%	2,528	39.72%	89	1.40%	7,463	40.63%	10,545	57.41%	360	1.96%
112	2,813	40.66%	3,979	57.51%	127	1.84%	6,395	30.63%	13,983	66.97%	503	2.41%
113	4,088	38.15%	6,489	60.55%	140	1.31%	10,366	36.58%	17,263	60.91%	712	2.51%
114	7,108	64.91%	3,752	34.26%	91	0.83%	13,491	56.04%	9,919	41.20%	665	2.76%
115	8,036	63.11%	4,582	35.98%	116	0.91%	14,575	53.20%	12,051	43.99%	771	2.81%
116	5,758	51.16%	5,398	47.96%	99	0.88%	10,929	41.63%	14,635	55.74%	691	2.63%
117	4,141	32.51%	8,511	66.83%	84	0.66%	8,945	32.12%	18,252	65.53%	655	2.35%
118	4,659	57.01%	3,408	41.70%	105	1.28%	10,492	43.44%	13,057	54.06%	602	2.49%
119	3,723	53.38%	3,080	44.16%	172	2.47%	9,737	43.02%	12,141	53.64%	755	3.34%
120	2,395	36.70%	3,807	58.34%	324	4.96%	8,805	32.59%	17,190	63.63%	1,021	3.78%
Totals:	597,972	51.24%	559,834	47.98%	9,111	0.78%	1,141,700	43.04%	1,454,082	54.82%	56,817	2.14%



# EXHIBIT U



District	2010 Pop	Ideal Pop	Ideal +/-	% +/-
1	179,312	190,710	-11,398	-5.98%
2	183,118	190,710	-7,592	-3.98%
3	167,669	190,710	-23,041	-12.08%
4	163,184	190,710	-27,526	-14.43%
5	183,899	190,710	-6,811	-3.57%
6	187,925	190,710	-2,785	-1.46%
7	186,929	190,710	-3,781	-1.98%
8	217,746	190,710	27,036	14.18%
9	202,667	190,710	11,957	6.27%
10	181,431	190,710	-9,279	-4.87%
11	177,074	190,710	-13,636	-7.15%
12	210,500	190,710	19,790	10.38%
13	181,120	190,710	-9,590	-5.03%
14	232,514	190,710	41,804	21.92%
15	200,862	190,710	10,152	5.32%
16	220,672	190,710	29,962	15.71%
17	246,945	190,710	56,235	29.49%
18	207,334	190,710	16,624	8.72%
19	190,504	190,710	-206	-0.11%
20	181,624	190,710	-9,086	-4.76%
21	164,117	190,710	-26,593	-13.94%
22	202,925	190,710	12,215	6.41%
23	173,265	190,710	-17,445	-9.15%
24	174,850	190,710	-15,860	-8.32%
25	170,329	190,710	-20,381	-10.69%
26	196,857	190,710	6,147	3.22%
27	182,024	190,710	-8,686	-4.55%
28	177,037	190,710	-13,673	-7.17%
29	169,550	190,710	-21,160	-11.10%
30	170,635	190,710	-20,075	-10.53%
31	175,400	190,710	-15,310	-8.03%
32	175,270	190,710	-15,440	-8.10%
33	189,009	190,710	-1,701	-0.89%
34	179,668	190,710	-11,042	-5.79%
35	249,030	190,710	58,320	30.58%
36	210,610	190,710	19,900	10.43%
37	179,453	190,710	-11,257	-5.90%
38	238,282	190,710	47,572	24.94%
39	208,922	190,710	18,212	9.55%
40	245,233	190,710	54,523	28.59%
41	207,713	190,710	17,003	8.92%
42	184,148	190,710	-6,562	-3.44%
43	173,686	190,710	-17,024	-8.93%
44	173,941	190,710	-16,769	-8.79%
45	184,898	190,710	-5,812	-3.05%
46	165,888	190,710	-24,822	-13.02%
47	168,288	190,710	-22,422	-11.76%
48	193,127	190,710	2,417	1.27%
49	172,441	190,710	-18,269	-9.58%
50	175,858	190,710	-14,852	-7.79%



Total Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	Total % Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
1	179,312	128,589	71.71%	41,195	22.97%	683	0.38%	1,329	0.74%	4,473	2.49%	3,043	1.70%	1,556	0.87%	42,751	23.84%	9,054	5.05%	170,258	94.95%	124,898	69.65%
2	183,118	141,819	77.45%	29,866	16.31%	897	0.49%	2,942	1.61%	3,336	1.82%	4,258	2.33%	2,025	1.11%	31,891	17.42%	8,925	4.87%	174,193	95.13%	137,354	75.01%
3	167,669	77,230	46.06%	80,805	48.19%	544	0.32%	1,209	0.72%	5,351	3.19%	2,530	1.51%	1,567	0.93%	82,372	49.13%	8,840	5.27%	158,829	94.73%	74,721	44.56%
4	163,184	73,468	45.02%	82,694	50.68%	2,691	1.65%	793	0.49%	1,589	0.97%	1,949	1.19%	1,267	0.78%	83,961	51.45%	3,294	2.02%	159,890	97.98%	72,369	44.35%
5	183,899	108,428	58.96%	58,957	32.06%	766	0.42%	2,867	1.56%	8,924	4.85%	3,957	2.15%	2,110	1.15%	61,067	33.21%	15,581	8.47%	168,318	91.53%	103,233	56.14%
6	187,925	137,985	73.43%	30,961	16.48%	1,295	0.69%	3,876	2.06%	5,869	3.12%	7,939	4.22%	3,869	2.06%	34,830	18.53%	18,294	9.73%	169,631	90.27%	128,775	68.52%
7	186,929	104,394	55.85%	69,479	37.17%	1,864	1.00%	923	0.49%	7,171	3.84%	3,098	1.66%	1,779	0.95%	71,258	38.12%	13,001	6.96%	173,928	93.04%	100,100	53.55%
8	217,746	164,684	75.63%	39,273	18.04%	2,897	1.33%	1,023	0.47%	6,126	2.81%	3,743	1.72%	1,739	0.80%	41,012	18.83%	11,405	5.24%	206,341	94.76%	160,454	73.69%
9	202,667	160,298	79.09%	29,907	14.76%	1,005	0.50%	2,540	1.25%	4,852	2.39%	4,065	2.01%	1,840	0.91%	31,747	15.66%	10,716	5.29%	191,951	94.71%	155,631	76.79%
10	181,431	101,192	55.77%	56,022	30.88%	1,786	0.98%	844	0.47%	18,585	10.24%	3,002	1.65%	1,401	0.77%	57,423	31.65%	26,416	14.56%	155,015	85.44%	95,205	52.47%
11	177,074	95,753	54.08%	67,336	38.03%	895	0.51%	1,459	0.82%	8,799	4.97%	2,832	1.60%	1,672	0.94%	69,008	38.97%	13,739	7.76%	163,335	92.24%	91,927	51.91%
12	210,500	156,693	74.44%	32,590	15.48%	1,088	0.52%	1,488	0.71%	14,465	6.87%	4,176	1.98%	1,857	0.88%	34,447	16.36%	24,684	11.73%	185,816	88.27%	148,357	70.48%
13	181,120	60,149	33.21%	48,353	26.70%	56,014	30.93%	1,680	0.93%	9,415	5.20%	5,509	3.04%	2,491	1.38%	50,844	28.07%	16,755	9.25%	164,365	90.75%	55,302	30.53%
14	232,514	99,749	42.90%	98,721	42.46%	1,514	0.65%	6,312	2.71%	19,506	8.39%	6,712	2.89%	3,963	1.70%	102,684	44.16%	36,529	15.71%	195,985	84.29%	87,319	37.55%
15	200,862	157,816	78.57%	25,030	12.46%	633	0.32%	7,149	3.56%	5,804	2.89%	4,430	2.21%	1,921	0.96%	26,951	13.42%	13,886	6.91%	186,976	93.09%	151,229	75.29%
16	220,672	148,684	67.38%	34,462	15.62%	1,081	0.49%	22,721	10.30%	7,973	3.61%	5,751	2.61%	2,461	1.12%	36,923	16.73%	18,234	8.26%	202,438	91.74%	140,413	63.63%
17	246,945	191,297	77.47%	28,297	11.46%	1,275	0.52%	12,758	5.17%	7,645	3.10%	5,673	2.30%	2,223	0.90%	30,520	12.36%	19,273	7.80%	227,672	92.20%	181,575	73.53%
18	207,334	138,495	66.80%	39,328	18.97%	1,133	0.55%	8,703	4.20%	14,598	7.04%	5,077	2.45%	2,208	1.06%	41,536	20.03%	28,222	13.61%	179,112	86.39%	127,318	61.41%
19	190,504	112,746	59.18%	57,251	30.05%	4,433	2.33%	3,372	1.77%	5,913	3.10%	6,789	3.56%	3,539	1.86%	60,790	31.91%	14,766	7.75%	175,738	92.25%	106,596	55.95%
20	181,624	72,704	40.03%	82,206	45.26%	957	0.53%	4,983	2.74%	16,401	9.03%	4,373	2.41%	2,494	1.37%	84,700	46.63%	26,659	14.68%	154,965	85.32%	64,885	35.72%
21	164,117	71,124	43.34%	72,134	43.95%	1,456	0.89%	5,018	3.06%	5,804	3.54%	8,581	5.23%	5,240	3.19%	77,374	47.15%	17,926	10.92%	146,191	89.08%	63,395	38.63%
22	202,925	149,213	73.53%	35,812	17.65%	2,124	1.05%	1,986	0.98%	8,698	4.29%	5,092	2.51%	2,543	1.25%	38,355	18.90%	17,620	8.68%	185,305	91.32%	142,194	70.07%
23	173,265	126,463	72.99%	26,574	15.34%	836	0.48%	9,184	5.30%	6,209	3.58%	3,999	2.31%	1,600	0.92%	28,174	16.26%	12,610	7.28%	160,655	92.72%	121,025	69.85%
24	174,850	122,239	69.91%	36,389	20.81%	1,105	0.63%	1,959	1.12%	9,641	5.51%	3,517	2.01%	1,891	1.08%	38,280	21.89%	17,383	9.94%	157,467	90.06%	116,231	66.47%
25	170,329	108,224	63.54%	47,932	28.14%	5,469	3.21%	2,193	1.29%	3,713	2.18%	2,798	1.64%	1,317	0.77%	49,249	28.91%	6,473	3.80%	163,856	96.20%	106,195	62.35%
26	196,857	155,069	78.77%	30,233	15.36%	774	0.39%	2,726	1.38%	4,590	2.33%	3,465	1.76%	1,748	0.89%	31,981	16.25%	9,813	4.98%	187,044	95.02%	150,604	76.50%
27	182,024	101,491	55.76%	58,170	31.96%	1,008	0.55%	8,260	4.54%	8,219	4.52%	4,876	2.68%	3,027	1.66%	61,197	33.62%	15,761	8.66%	166,263	91.34%	95,674	52.56%
28	177,037	72,825	41.14%	84,178	47.55%	1,057	0.60%	7,851	4.43%	6,939	3.92%	4,187	2.37%	2,695	1.52%	86,873	49.07%	12,958	7.32%	164,079	92.68%	68,480	38.68%
29	169,550	140,331	82.77%	13,407	7.91%	1,072	0.63%	1,908	1.13%	10,000	5.90%	2,832	1.67%	1,206	0.71%	14,613	8.62%	18,624	10.98%	150,926	89.02%	133,080	78.49%
30	170,635	153,242	89.81%	5,997	3.51%	481	0.28%	644	0.38%	8,074	4.73%	2,197	1.29%	875	0.51%	6,872	4.03%	13,162	7.71%	157,473	92		



Voting Age Population by Race																		Total Population by Ethnicity					
District	Total	White	% White	Black	% Black	NA	% NA	A/PI	% A/PI	Other	% Other	MR	% MR	MR Black	% MR Black	Total Black	% Total Black	Hisp	% Hisp	Non Hisp	% Non Hisp	White Non Hisp	% White Non Hisp
1	139,732	102,623	73.44%	31,383	22.46%	519	0.37%	1,020	0.73%	2,766	1.98%	1,421	1.02%	497	0.36%	31,880	22.82%	5,596	4.00%	134,136	96.00%	100,297	71.78%
2	143,986	114,847	79.76%	22,129	15.37%	701	0.49%	2,157	1.50%	2,256	1.57%	1,896	1.32%	658	0.46%	22,787	15.83%	5,698	3.96%	138,288	96.04%	111,947	77.75%
3	127,267	62,299	48.95%	59,078	46.42%	407	0.32%	975	0.77%	3,286	2.58%	1,222	0.96%	647	0.51%	59,725	46.93%	5,362	4.21%	121,905	95.79%	60,779	47.76%
4	127,344	59,954	47.08%	62,704	49.24%	2,031	1.59%	592	0.46%	1,016	0.80%	1,047	0.82%	580	0.46%	63,284	49.70%	2,175	1.71%	125,169	98.29%	59,173	46.47%
5	141,894	88,481	62.36%	43,130	30.40%	590	0.42%	2,264	1.60%	5,431	3.83%	1,998	1.41%	850	0.60%	43,980	30.99%	9,535	6.72%	132,359	93.28%	85,202	60.05%
6	140,779	106,403	75.58%	22,411	15.92%	1,022	0.73%	3,195	2.27%	4,183	2.97%	3,565	2.53%	1,351	0.96%	23,762	16.88%	12,031	8.55%	128,748	91.45%	100,211	71.18%
7	142,935	82,331	57.60%	52,659	36.84%	1,382	0.97%	707	0.49%	4,322	3.02%	1,534	1.07%	743	0.52%	53,402	37.36%	7,828	5.48%	135,107	94.52%	79,721	55.77%
8	172,164	133,993	77.83%	29,723	17.26%	2,121	1.23%	789	0.46%	3,752	2.18%	1,786	1.04%	605	0.35%	30,328	17.62%	6,947	4.04%	165,217	95.96%	131,337	76.29%
9	162,254	132,220	81.49%	21,872	13.48%	782	0.48%	1,953	1.20%	3,267	2.01%	2,160	1.33%	756	0.47%	22,628	13.95%	7,129	4.39%	155,125	95.61%	129,078	79.55%
10	135,952	79,736	58.65%	41,751	30.71%	1,324	0.97%	617	0.45%	11,163	8.21%	1,361	1.00%	514	0.38%	42,265	31.09%	15,579	11.46%	120,373	88.54%	76,262	56.09%
11	134,087	76,393	56.97%	49,313	36.78%	657	0.49%	1,066	0.80%	5,324	3.97%	1,334	0.99%	664	0.50%	49,977	37.27%	8,259	6.16%	125,828	93.84%	74,074	55.24%
12	153,389	117,577	76.65%	23,453	15.29%	775	0.51%	1,077	0.70%	8,726	5.69%	1,781	1.16%	546	0.36%	23,999	15.65%	14,547	9.48%	138,842	90.52%	112,763	73.51%
13	131,008	47,066	35.93%	34,813	26.57%	39,512	30.16%	1,292	0.99%	5,866	4.48%	2,459	1.88%	812	0.62%	35,625	27.19%	9,991	7.63%	121,017	92.37%	44,186	33.73%
14	165,228	75,610	45.76%	68,755	41.61%	1,001	0.61%	4,652	2.82%	12,018	7.27%	3,192	1.93%	1,666	1.01%	70,421	42.62%	22,281	13.49%	142,947	86.51%	67,867	41.07%
15	150,168	120,242	80.07%	18,173	12.10%	453	0.30%	5,320	3.54%	3,829	2.55%	2,151	1.43%	800	0.53%	18,973	12.63%	9,133	6.08%	141,035	93.92%	115,824	77.13%
16	176,276	123,796	70.23%	26,152	14.84%	746	0.42%	16,926	9.60%	5,302	3.01%	3,354	1.90%	1,294	0.73%	27,446	15.57%	12,285	6.97%	163,991	93.03%	118,030	66.96%
17	174,708	138,127	79.06%	20,116	11.51%	855	0.49%	8,616	4.93%	4,644	2.66%	2,350	1.35%	775	0.44%	20,891	11.96%	11,463	6.56%	163,245	93.44%	132,287	75.72%
18	162,020	111,849	69.03%	30,168	18.62%	808	0.50%	7,335	4.53%	9,266	5.72%	2,594	1.60%	930	0.57%	31,098	19.19%	17,878	11.03%	144,142	88.97%	104,653	64.59%
19	140,386	87,122	62.06%	40,712	29.00%	3,275	2.33%	2,560	1.82%	3,817	2.72%	2,900	2.07%	1,213	0.86%	41,925	29.86%	8,949	6.37%	131,437	93.63%	83,294	59.33%
20	137,916	60,134	43.60%	60,326	43.74%	683	0.50%	4,052	2.94%	10,288	7.46%	2,433	1.76%	1,241	0.90%	61,567	44.64%	16,908	12.26%	121,008	87.74%	54,980	39.86%
21	120,577	55,371	45.92%	52,040	43.16%	1,097	0.91%	4,081	3.38%	4,009	3.32%	3,979	3.30%	2,133	1.77%	54,173	44.93%	11,354	9.42%	109,223	90.58%	50,195	41.63%
22	151,949	116,139	76.43%	25,551	16.82%	1,447	0.95%	1,511	0.99%	5,177	3.41%	2,124	1.40%	819	0.54%	26,370	17.35%	10,125	6.66%	141,824	93.34%	112,081	73.76%
23	136,182	102,167	75.02%	20,466	15.03%	628	0.46%	6,900	5.07%	4,017	2.95%	2,004	1.47%	668	0.49%	21,134	15.52%	8,181	6.01%	128,001	93.99%	98,549	72.37%
24	134,518	97,285	72.32%	27,725	20.61%	766	0.57%	1,448	1.08%	5,702	4.24%	1,592	1.18%	642	0.48%	28,367	21.09%	10,167	7.56%	124,351	92.44%	93,727	69.68%
25	130,177	86,419	66.39%	35,102	26.96%	3,748	2.88%	1,463	1.12%	2,187	1.68%	1,258	0.97%	404	0.31%	35,506	27.28%	3,955	3.04%	126,222	96.96%	85,055	65.34%
26	150,564	120,923	80.31%	22,831	15.16%	549	0.36%	1,893	1.26%	2,805	1.86%	1,563	1.04%	602	0.40%	23,433	15.56%	5,826	3.87%	144,738	96.13%	118,291	78.57%
27	142,199	84,849	59.67%	42,864	30.14%	719	0.51%	5,967	4.20%	5,290	3.72%	2,510	1.77%	1,372	0.96%	44,236	31.11%	10,124	7.12%	132,075	92.88%	81,005	56.97%
28	133,717	59,295	44.34%	61,907	46.30%	795	0.59%	5,463	4.09%	4,200	3.14%	2,057	1.54%	1,206	0.90%	63,113	47.20%	7,871	5.89%	125,846	94.11%	56,594	42.32%
29	128,090	108,946	85.05%	9,939	7.76%	781	0.61%	1,351	1.05%	5,908	4.61%	1,165	0.91%	313	0.24%	10,252	8.00%	10,586	8.26%	117,504	91.74%	104,908	81.90%
30	131,724	120,549	91.52%	4,618	3.51%	359	0.27%	455	0.35%	4,700	3.57%	1,043	0.79%	269	0.20%	4,887	3.71%	7,515	5.71%	124,209	94.29%	118,102	89.66%
31	134,272	114,526	85.29%	12,469	9.29%	440	0.33%	2,596	1.93%	2,925	2.18%	1,316	0.98%	489	0.36%	12,958	9.65%	6,415	4.78%	127,857	95.22%	111,527	83.06%
32	130,997	59,928	45.75%	54,453	41.57%	580	0.44%	2,248	1.72%	11,458	8.75%	2,330	1.78%	1,253	0.96%	55,706	42.52%	17,973	13.72%	113,024	86.28%	55,159	42.11%
33	144,303	122,956	85.21%	13,428	9.31%	658	0.46%	2,140	1.48%	3,849	2.67%	1,272	0.88%	359	0.25%	13,787	9.55%	7,024	4.87%	137,279	95.13%	120,199	83.30%
34	136,975	111,322	81.27%	18,377	13.42%	460	0.34%	1,194	0.87%	4,348	3.17%	1,274	0.93%	420	0.31%	18,797	13.72%	7,647	5.58%	129,328	94.42%	108,538	79.24%
35	175,762	140,015	79.66%	21,698	12.35%	790	0.45%	3,191	1.82%	7,958	4.53%	2,110	1.20%	729	0.41%	22,427	12.76%	15,464	8.80%	160,298	91.20%	133,471	75.94%
36	153,066	121,120	79.13%	21,024	13.74%	587	0.38%	2,898	1.89%	5,655	3.69%	1,782	1.16%	683	0.45%	21,707	14.18%	11,014	7.20%	142,052	92.80%	116,642	76.20%
37	135,441	75,078	55.43%	39,578	29.22%	751	0.55%	4,603	3.40%	12,600	9.30%	2,831	2.09%	1,297	0.96%	40,875	30.18%	21,609	15.95%	113,832	84.05%	67,809	50.07%
38	176,471	72,923	41.32%	81,155	45.99%	902	0.51%	7,831	4.44%	10,113	5.73%	3,547	2.01%	1,740	0.99%	82,895	46.97%	20,737	11.75%	155,734	88.25%	64,660	36.64%
39	156,717	129,791	82.82%	12,433	7.93%	425	0.27%	8,632	5.51%	3,383	2.16%	2,053	1.31%	716	0.46%	13,149	8.39%	9,337	5.96%	147,380	94.04%	124,355	79.35%
40	182,311	95,833	52.57%	62,882	34.49%	764	0.42%	10,122	5.55%	9,304	5.10%	3,406	1.87%	1,716	0.94%	64,598	35.43%	17,921	9.83%	164,390	90.17%	89,094	48.87%
41	156,739	134,200	85.62%	14,978	9.56%	488	0.31%	1,922	1.23%	3,663	2.34%	1,488	0.95%	415	0.26%	15,393	9.82%	8,041	5.13%	148,698	94.87%	130,392	83.19%
42	140,323	119,371	85.07%	11,069	7.89%	423	0.30%	3,561	2.54%	4,575	3.26%	1,324	0.94%	418	0.30%	11,487	8.19%	8,895	6.34%	131,428	93.66%	115,609	82.39%
43	132,146	104,705	79.23%	20,177	15.27%	557	0.42%	1,599	1.21%	3,674	2.78%	1,434	1.09%	492	0.37%	20,669	15.64%	7,019	5.31%	125,127	94.69%	101,893	77.11%
44	134,967	120,135	89.01%	7,666	5.68%	430	0.32%	2,464	1.83%	3,018	2.24%	1,254	0.93%	355	0.26%	8,021	5.94%	5,092	3.77%	129,875	96.23%	118,612	87.88%
45	148,534	138,438	93.20%	4,814	3.24%	353	0.24%	971	0.65%	2,679	1.80%	1,279	0.86%	320	0.22%	5,134	3.46%	5,205	3.50%	143,329	96.50%	136,178	91.68%
46	127,666	104,363	81.75%	19,765	15.48%	319	0.25%	823	0.64%	1,350	1.06%	1,046	0.82%	370	0.29%	20,135	15.77%	3,104	2.43%	124,562	97.57%	102,864	80.57%
47	134,893	127,603	94.60%	2,919	2.16%	521	0.39%	578	0.43%	2,201	1.63%	1,071	0.79%	159	0.12%	3,078	2.28%	4,155	3.08%	130,738	96.92%	125,891	93.33%
48	152,609	139,788	91.60%	4,714	3.09%	580	0.38%	1,663	1.09%	4,223	2.77%	1,641	1.08%	379	0.25%	5,093	3.34%	9,095	5.96%	143,514	94.04%	135,422	88.74%
49	138,222	121,746	88.08%	9,570	6.92%	558	0.40%	1,241	0.90%	3,065	2.22%	2,042	1.48%	630	0.46%	10,200	7.38%	6,816	4.93%	131,406	95.07%	118,477	85.72%
50	142,244	129,169	90.81%	2,420	1.70%	5,992	4.21%	756	0.53%	1,971													



Registration by Party																		Registration by Race Without Regard to Party			
		Racial %s among D's					Racial %s among R's					Racial %s among U's									
District	VR Total	% D	White % of D	Black % of D	NA % of D	Other % of D	% R	White % of R	Black % of R	NA % of R	Other % of R	% U	White % of U	Black % of U	NA % of U	Other % of U	% L	% White	% Black	% NA	% Other
1	123,913	48.58%	58.43%	39.49%	0.14%	1.95%	25.70%	95.78%	2.24%	0.12%	1.87%	25.56%	86.75%	8.62%	0.25%	4.39%	0.16%	75.32%	21.97%	0.16%	2.56%
2	124,024	38.65%	62.65%	34.57%	0.18%	2.60%	36.16%	95.83%	1.57%	0.16%	2.44%	25.07%	87.00%	7.78%	0.20%	5.02%	0.13%	80.78%	15.88%	0.18%	3.16%
3	104,680	66.42%	31.91%	66.18%	0.15%	1.76%	18.99%	90.92%	7.29%	0.17%	1.62%	14.50%	69.36%	25.12%	0.31%	5.22%	0.09%	48.58%	49.00%	0.18%	2.24%
4	107,264	70.61%	34.12%	62.76%	1.29%	1.83%	14.21%	88.36%	9.34%	0.45%	1.85%	15.11%	71.39%	22.85%	0.73%	5.02%	0.07%	47.49%	49.12%	1.08%	2.32%
5	108,344	52.42%	42.83%	53.23%	0.18%	3.75%	27.27%	93.46%	3.42%	0.15%	2.96%	20.15%	73.49%	18.28%	0.23%	8.00%	0.16%	62.87%	32.54%	0.19%	4.40%
6	92,394	37.62%	52.79%	41.27%	0.27%	5.67%	34.21%	91.43%	2.83%	0.24%	5.50%	27.96%	78.38%	12.13%	0.41%	9.08%	0.21%	73.22%	19.90%	0.30%	6.58%
7	112,423	61.07%	40.27%	56.66%	0.86%	2.21%	21.94%	93.71%	3.97%	0.23%	2.09%	16.85%	77.94%	16.34%	0.50%	5.21%	0.14%	58.40%	38.24%	0.66%	2.70%
8	145,252	44.75%	63.34%	33.55%	1.41%	1.71%	31.18%	96.46%	1.88%	0.26%	1.40%	23.93%	88.08%	7.74%	0.56%	3.62%	0.14%	79.62%	17.46%	0.85%	2.07%
9	146,263	37.30%	66.66%	29.66%	0.23%	3.45%	34.15%	96.66%	1.21%	0.12%	2.00%	28.29%	86.67%	6.86%	0.23%	6.23%	0.26%	82.62%	13.43%	0.19%	3.75%
10	101,887	55.72%	40.68%	56.16%	0.72%	2.44%	28.11%	93.98%	3.56%	0.38%	2.08%	16.09%	76.32%	16.67%	0.76%	6.25%	0.08%	61.42%	34.98%	0.63%	2.97%
11	118,919	56.24%	37.96%	59.38%	0.30%	2.36%	27.96%	93.67%	4.57%	0.13%	1.63%	15.72%	73.61%	20.66%	0.39%	5.34%	0.08%	59.17%	37.93%	0.27%	2.63%
12	123,878	38.57%	61.95%	34.01%	0.30%	3.74%	38.62%	96.10%	1.51%	0.19%	2.20%	22.65%	84.25%	8.98%	0.35%	6.42%	0.16%	80.23%	15.75%	0.27%	3.76%
13	96,048	68.83%	27.21%	39.47%	30.46%	2.86%	13.74%	73.01%	5.98%	15.28%	5.73%	17.33%	51.30%	19.79%	20.36%	8.55%	0.10%	37.70%	31.43%	26.61%	4.26%
14	133,998	57.43%	25.66%	68.26%	0.24%	5.85%	20.91%	90.19%	4.97%	0.19%	4.65%	21.52%	59.13%	26.60%	0.29%	13.98%	0.14%	46.41%	45.99%	0.24%	7.36%
15	142,696	35.99%	68.91%	24.45%	0.21%	6.44%	36.17%	95.57%	0.91%	0.11%	3.41%	27.64%	83.73%	6.21%	0.16%	9.90%	0.20%	82.68%	10.85%	0.16%	6.31%
16	137,977	42.03%	62.40%	28.39%	0.33%	8.88%	26.11%	93.40%	1.44%	0.19%	4.97%	31.55%	75.73%	8.32%	0.25%	15.70%	0.31%	74.76%	14.95%	0.27%	10.02%
17	160,489	34.13%	65.89%	27.12%	0.27%	6.72%	36.71%	95.72%	0.96%	0.13%	3.18%	28.96%	83.69%	5.42%	0.21%	10.68%	0.19%	82.03%	11.19%	0.20%	6.58%
18	134,541	50.51%	61.01%	32.64%	0.26%	6.09%	22.91%	94.34%	1.71%	0.16%	3.78%	26.41%	79.76%	8.62%	0.25%	11.37%	0.16%	73.63%	19.17%	0.24%	6.97%
19	119,275	51.78%	43.28%	50.44%	1.48%	4.80%	25.78%	89.70%	3.74%	1.19%	5.37%	22.32%	68.46%	18.66%	1.72%	11.16%	0.12%	60.91%	31.26%	1.46%	6.37%
20	119,335	64.80%	30.90%	63.70%	0.23%	5.16%	14.31%	89.60%	6.17%	0.15%	4.07%	20.76%	58.92%	25.47%	0.29%	15.31%	0.13%	45.18%	47.46%	0.23%	7.12%
21	93,619	56.59%	18.68%	73.14%	0.44%	7.74%	20.02%	78.74%	9.03%	0.61%	11.62%	23.23%	47.20%	34.08%	0.55%	18.17%	0.16%	37.40%	51.15%	0.50%	10.95%
22	122,106	37.75%	56.35%	39.90%	0.75%	3.00%	37.92%	95.51%	1.64%	0.36%	2.49%	24.10%	85.00%	9.01%	0.62%	5.37%	0.23%	78.17%	17.87%	0.57%	3.39%
23	124,403	52.87%	69.17%	24.63%	0.29%	5.90%	18.98%	94.62%	1.44%	0.19%	3.74%	27.92%	81.12%	6.79%	0.33%	11.76%	0.23%	77.38%	15.20%	0.28%	7.14%
24	103,953	46.90%	54.24%	42.25%	0.19%	3.33%	31.90%	96.43%	1.57%	0.12%	1.87%	21.06%	83.25%	9.59%	0.27%	6.89%	0.14%	73.85%	22.34%	0.19%	3.63%
25	106,567	55.47%	52.31%	44.38%	1.33%	1.98%	25.71%	94.16%	2.88%	1.05%	1.91%	18.75%	81.17%	12.14%	2.41%	4.27%	0.07%	68.50%	27.64%	1.46%	2.40%
26	133,085	39.74%	64.41%	32.76%	0.20%	2.63%	37.73%	97.23%	1.11%	0.15%	1.52%	22.39%	86.96%	7.45%	0.26%	5.34%	0.15%	81.87%	15.11%	0.19%	2.83%
27	130,545	52.28%	47.29%	48.10%	0.28%	4.32%	25.03%	94.23%	2.61%	0.19%	2.97%	22.54%	73.24%	18.15%	0.32%	8.29%	0.15%	64.94%	29.91%	0.27%	4.88%
28	123,542	58.24%	22.18%	73.55%	0.30%	3.98%	22.57%	91.12%	5.65%	0.24%	2.99%	19.08%	58.60%	31.57%	0.41%	9.43%	0.11%	44.74%	50.16%	0.31%	4.80%
29	102,345	30.07%	73.29%	23.11%	0.30%	3.29%	46.89%	97.78%	0.60%	0.20%	1.41%	22.89%	90.40%	4.47%	0.44%	4.70%	0.15%	88.71%	8.26%	0.29%	2.74%
30	103,375	34.39%	88.45%	9.53%	0.12%	1.90%	45.34%	98.56%	0.29%	0.07%	1.07%	20.13%	94.85%	1.83%	0.22%	3.10%	0.13%	94.33%	3.78%	0.12%	1.77%
31	121,085	33.33%	71.87%	24.46%	0.13%	3.54%	43.61%	97.63%	0.57%	0.11%	1.69%	22.90%	88.47%	5.55%	0.21%	5.77%	0.16%	86.93%	9.68%	0.14%	3.25%
32	105,318	59.41%	26.96%	68.71%	0.18%	4.16%	20.74%	91.37%	5.04%	0.22%	3.37%	19.71%	62.30%	26.77%	0.35%	10.57%	0.14%	47.35%	47.16%	0.22%	5.27%
33	120,047	32.33%	71.10%	25.55%	0.26%	3.09%	45.87%	98.08%	0.68%	0.18%	1.06%	21.62%	90.61%	4.95%	0.29%	4.15%	0.18%	87.73%	9.65%	0.23%	2.39%
34	114,963	32.91%	61.39%	35.72%	0.19%	2.69%	44.36%	97.57%	1.02%	0.13%	1.28%	22.63%	88.16%	7.92%	0.20%	3.72%	0.10%	83.53%	14.01%	0.17%	2.30%
35	154,165	31.63%	60.96%	33.12%	0.29%	5.63%	42.75%	96.21%	1.08%	0.18%	2.53%	25.44%	85.54%	7.21%	0.29%	6.97%	0.18%	82.32%	12.78%	0.24%	4.66%
36	126,716	34.40%	60.98%	34.07%	0.19%	4.77%	39.85%	96.50%	1.10%	0.18%	2.22%	25.57%	84.85%	7.66%	0.25%	7.24%	0.18%	81.29%	14.13%	0.20%	4.39%
37	113,432	50.00%	40.45%	51.73%	0.31%	7.52%	23.48%	91.94%	3.78%	0.17%	4.11%	26.34%	69.57%	17.38%	0.30%	12.74%	0.18%	60.27%	31.36%	0.27%	8.10%
38	147,801	58.63%	19.93%	73.25%	0.27%	6.55%	18.82%	87.75%	6.84%	0.22%	5.18%	22.40%	57.87%	27.14%	0.40%	14.58%	0.15%	41.28%	50.33%	0.29%	8.10%
39	156,354	28.82%	72.47%	19.34%	0.32%	7.88%	42.39%	95.91%	0.70%	0.13%	3.26%	28.65%	85.12%	4.73%	0.32%	9.82%	0.14%	86.04%	7.23%	0.24%	6.49%
40	153,250	49.20%	28.85%	63.32%	0.27%	7.57%	25.09%	91.92%	3.66%	0.16%	4.26%	25.55%	66.80%	19.52%	0.31%	13.38%	0.16%	54.43%	37.08%	0.25%	8.23%
41	132,384	32.99%	71.14%	25.27%	0.16%	3.43%	42.21%	97.23%	0.81%	0.12%	1.84%	24.68%	89.94%	5.00%	0.25%	4.81%	0.13%	86.81%	9.91%	0.17%	3.11%
42	118,458	31.11%	73.27%	22.33%	0.13%	4.27%	44.14%	97.44%	0.67%	0.08%	1.81%	24.64%	89.85%	4.18%	0.15%	5.82%	0.11%	88.04%	8.27%	0.11%	3.57%
43	103,280	38.54%	61.95%	34.47%	0.17%	3.41%	38.17%	97.16%	1.10%	0.15%	1.59%	23.14%	84.58%	9.56%	0.36%	5.50%	0.15%	80.66%	15.93%	0.21%	3.21%
44	108,103	36.82%	84.23%	13.																	

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



Registration by Party																		Registration by Race Without Regard to Party			
District	VR Total	% D	Racial %s among D's				% R	Racial %s among R's				% U	Racial %s among U's				% L	% White	% Black	% NA	% Other
			White % of D	Black % of D	NA % of D	Other % of D		White % of R	Black % of R	NA % of R	Other % of R		White % of U	Black % of U	NA % of U	Other % of U					
49	124,811	46.41%	83.59%	12.22%	0.18%	4.01%	24.33%	96.67%	0.95%	0.11%	2.26%	29.03%	89.54%	3.37%	0.24%	6.85%	0.23%	88.51%	6.89%	0.18%	4.41%
50	124,214	37.45%	91.75%	3.05%	3.19%	2.01%	35.28%	96.85%	0.18%	1.70%	1.28%	27.15%	91.76%	0.91%	4.03%	3.31%	0.13%	93.55%	1.45%	2.89%	2.11%
Totals:	6,102,467	44.65%	53.37%	41.38%	1.16%	4.09%	31.60%	95.24%	1.92%	0.33%	2.51%	23.60%	80.78%	10.74%	0.68%	7.80%	0.15%	73.12%	21.63%	0.78%	4.47%

D=Democratic, R=Republican, U=Unaffiliated, L=Libertarian, NA= American Indian.  
Voters who do not designate a race are omitted from this chart, so the percentages may not add up to 100%



	Voter Registration by Gender							Voter Registration by Age								Voter Registration by Ethnicity							
District	Total	Male	Male %	Female	Female %	Undes.		Total	18-25	18-25 %	26-40	26-40 %	41-65	41-65 %	66+	66+ %	Total	Hispanic	Hisp %	Non-Hisp	Non H %	Undesign.	Undes. %
1	123,913	56,552	45.64%	66,385	53.57%	976	0.79%	123,913	12,160	9.81%	27,490	22.18%	58,060	46.86%	26,203	21.15%	123,913	527	0.43%	84,464	68.16%	38,922	31.41%
2	124,024	56,536	45.58%	66,212	53.39%	1,276	1.03%	124,024	11,767	9.49%	26,604	21.45%	56,310	45.40%	29,343	23.66%	124,024	1,073	0.87%	105,292	84.90%	17,659	14.24%
3	104,947	45,728	43.57%	58,789	56.02%	430	0.41%	104,847	13,168	12.55%	26,742	25.48%	47,002	44.79%	17,935	17.09%	104,958	512	0.49%	91,465	87.14%	12,981	12.37%
4	107,264	46,487	43.34%	59,745	55.70%	1,032	0.96%	107,264	10,510	9.80%	22,907	21.36%	49,113	45.79%	24,734	23.06%	107,264	252	0.23%	88,407	82.42%	18,605	17.35%
5	108,144	47,315	43.75%	59,692	55.20%	1,137	1.05%	108,241	17,328	16.02%	28,515	26.37%	44,800	41.43%	17,598	16.27%	108,135	1,195	1.11%	91,144	84.29%	15,796	14.61%
6	92,394	40,811	44.17%	50,535	54.70%	1,048	1.13%	92,394	13,993	15.14%	27,380	29.63%	37,748	40.86%	13,273	14.37%	92,394	2,606	2.82%	76,948	83.28%	12,840	13.90%
7	112,423	50,231	44.68%	60,805	54.09%	1,387	1.23%	112,423	11,951	10.63%	26,249	23.35%	53,599	47.68%	20,624	18.35%	112,423	879	0.78%	91,690	81.56%	19,854	17.66%
8	145,252	66,802	45.99%	77,460	53.33%	990	0.68%	145,252	11,916	8.20%	29,939	20.61%	67,517	46.48%	35,880	24.70%	145,252	811	0.56%	114,638	78.92%	29,803	20.52%
9	146,263	65,798	44.99%	77,705	53.13%	2,760	1.89%	146,263	17,667	12.08%	41,741	28.54%	61,141	41.80%	25,714	17.58%	146,263	1,178	0.81%	121,895	83.34%	23,190	15.86%
10	101,887	44,465	43.64%	56,543	55.50%	879	0.86%	101,887	9,821	9.64%	23,038	22.61%	47,017	46.15%	22,011	21.60%	101,887	1,253	1.23%	87,441	85.82%	13,193	12.95%
11	118,919	53,230	44.76%	65,307	54.92%	382	0.32%	118,919	12,681	10.66%	28,568	24.02%	55,470	46.65%	22,200	18.67%	118,919	915	0.77%	105,829	88.99%	12,175	10.24%
12	123,811	56,551	45.68%	66,195	53.46%	1,065	0.86%	123,814	12,376	10.00%	33,799	27.30%	59,040	47.69%	18,599	15.02%	123,809	1,489	1.20%	100,874	81.48%	21,446	17.32%
13	96,048	41,231	42.93%	54,448	56.69%	369	0.38%	96,048	11,977	12.47%	26,881	27.99%	42,351	44.09%	14,839	15.45%	96,048	1,548	1.61%	86,180	89.73%	8,320	8.66%
14	134,250	58,808	43.80%	74,162	55.24%	1,280	0.95%	134,181	16,239	12.10%	43,994	32.77%	59,029	43.97%	14,919	11.11%	134,242	3,071	2.29%	97,646	72.74%	33,525	24.97%
15	142,592	65,704	46.08%	76,028	53.32%	860	0.60%	142,625	13,880	9.73%	41,119	28.84%	68,177	47.81%	19,449	13.64%	142,597	1,986	1.39%	117,605	82.47%	23,006	16.13%
16	137,475	64,600	46.99%	71,627	52.10%	1,248	0.91%	137,550	20,972	15.26%	48,808	35.50%	53,100	38.63%	14,670	10.67%	137,480	2,490	1.81%	100,359	73.00%	34,631	25.19%
17	160,843	75,946	47.22%	84,122	52.30%	775	0.48%	160,804	15,429	9.59%	45,383	28.22%	81,968	50.96%	18,024	11.21%	160,841	2,444	1.52%	128,469	79.87%	29,928	18.61%
18	134,716	59,875	44.45%	73,055	54.23%	1,786	1.33%	134,694	14,430	10.71%	38,925	28.89%	57,036	42.34%	24,303	18.04%	134,723	2,522	1.87%	105,531	78.33%	26,670	19.80%
19	119,513	53,015	44.36%	65,190	54.55%	1,308	1.09%	119,482	14,447	12.09%	31,460	26.32%	53,864	45.07%	19,711	16.49%	119,507	3,053	2.55%	91,035	76.18%	25,419	21.27%
20	119,160	51,280	43.03%	65,632	55.08%	2,248	1.89%	119,182	15,504	13.01%	36,407	30.55%	50,728	42.57%	16,543	13.88%	119,153	1,919	1.61%	83,791	70.32%	33,443	28.07%
21	93,381	40,798	43.69%	50,864	54.47%	1,719	1.84%	93,412	14,780	15.83%	29,558	31.65%	36,725	39.33%	12,349	13.22%	93,387	4,201	4.50%	66,025	70.70%	23,161	24.80%
22	122,106	55,219	45.22%	66,647	54.58%	240	0.20%	122,106	12,220	10.01%	29,038	23.78%	53,239	43.60%	27,609	22.61%	122,106	1,641	1.34%	105,078	86.05%	15,387	12.60%
23	124,403	55,827	44.88%	67,584	54.33%	992	0.80%	124,403	22,757	18.29%	32,914	26.46%	51,971	41.78%	16,761	13.47%	124,403	1,773	1.43%	98,222	78.95%	24,408	19.62%
24	103,953	46,169	44.41%	57,138	54.97%	646	0.62%	103,953	10,339	9.95%	23,401	22.51%	48,293	46.46%	21,920	21.09%	103,953	1,124	1.08%	84,436	81.23%	18,393	17.69%
25	106,567	47,753	44.81%	57,882	54.32%	932	0.87%	106,567	11,343	10.64%	25,070	23.53%	48,690	45.69%	21,464	20.14%	106,567	413	0.39%	92,327	86.64%	13,827	12.97%
26	133,009	61,394	46.16%	71,495	53.75%	120	0.09%	133,036	12,532	9.42%	29,996	22.55%	65,683	49.38%	24,825	18.66%	133,017	979	0.74%	119,692	89.98%	12,346	9.28%
27	130,829	57,119	43.66%	73,429	56.13%	281	0.21%	130,761	17,452	13.34%	38,460	29.40%	52,662	40.25%	22,187	16.96%	130,807	1,302	1.00%	114,304	87.38%	15,201	11.62%
28	123,391	53,164	43.09%	69,950	56.69%	277	0.22%	123,418	17,811	14.43%	33,078	26.81%	51,937	42.09%	20,592	16.69%	123,408	1,348	1.09%	104,885	84.99%	17,175	13.92%
29	102,345	47,204	46.12%	54,810	53.55%	331	0.32%	102,345	10,280	10.04%	23,739	23.20%	47,902	46.80%	20,424	19.96%	102,345	1,263	1.23%	85,367	83.41%	15,715	



	2004 Auditor Campbell-Merritt				2004 Governor Easley-Ballantine-Howe						2004 President Kerry-Bush-Badnarik								2004 US Senate Bowles-Burr-Bailey							
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %
1	23,742	50.62%	23,156	49.38%	29,230	58.42%	19,694	39.36%	1,110	2.22%	20,799	41.46%	29,151	58.11%	198	0.39%	16	0.03%	23,469	47.47%	25,041	50.65%	918	1.86%	9	0.02%
2	16,915	41.44%	23,902	58.56%	21,696	50.46%	20,583	47.88%	714	1.66%	14,811	33.86%	28,732	65.68%	182	0.42%	22	0.05%	16,678	38.42%	25,908	59.69%	810	1.87%	9	0.02%
3	25,565	63.99%	14,387	36.01%	28,854	68.62%	12,806	30.45%	390	0.93%	22,774	53.73%	19,528	46.08%	74	0.17%	7	0.02%	24,299	57.92%	17,297	41.23%	357	0.85%	1	0.00%
4	29,333	68.43%	13,534	31.57%	32,331	71.04%	12,687	27.88%	492	1.08%	26,142	57.02%	19,565	42.67%	126	0.27%	17	0.04%	28,192	62.01%	16,796	36.94%	470	1.03%	5	0.01%
5	17,945	52.99%	15,918	47.01%	20,833	57.96%	14,703	40.91%	405	1.13%	16,100	44.57%	19,912	55.13%	83	0.23%	24	0.07%	17,453	48.57%	18,176	50.58%	305	0.85%	2	0.01%
6	11,657	39.74%	17,678	60.26%	15,431	48.61%	15,607	49.17%	706	2.22%	9,701	30.75%	21,722	68.85%	109	0.35%	16	0.05%	10,817	35.45%	19,068	62.50%	620	2.03%	6	0.02%
7	28,059	62.14%	17,095	37.86%	30,825	65.18%	15,896	33.61%	571	1.21%	23,575	50.14%	23,310	49.57%	122	0.26%	15	0.03%	25,757	54.75%	20,728	44.06%	550	1.17%	11	0.02%
8	24,133	52.04%	22,241	47.96%	29,165	58.16%	20,322	40.52%	663	1.32%	21,243	42.01%	29,125	57.60%	169	0.33%	28	0.06%	23,591	47.52%	25,177	50.72%	872	1.76%	1	0.00%
9	24,382	44.21%	30,770	55.79%	32,420	53.70%	26,947	44.63%	1,007	1.67%	26,374	43.62%	33,831	55.95%	238	0.39%	21	0.03%	26,808	45.62%	30,608	52.09%	1,338	2.28%	4	0.01%
10	21,337	53.25%	18,733	46.75%	24,527	58.03%	17,395	41.16%	342	0.81%	18,479	43.58%	23,832	56.20%	86	0.20%	8	0.02%	20,238	48.11%	21,464	51.03%	348	0.83%	15	0.04%
11	23,046	54.87%	18,956	45.13%	27,156	61.71%	16,461	37.41%	389	0.88%	19,485	44.52%	24,178	55.24%	97	0.22%	11	0.03%	21,604	49.37%	21,740	49.68%	413	0.94%	1	0.00%
12	19,533	41.75%	27,255	58.25%	23,324	47.66%	25,073	51.24%	537	1.10%	14,651	30.07%	33,910	69.59%	113	0.23%	56	0.11%	17,200	35.61%	30,603	63.35%	495	1.02%	7	0.01%
13	24,008	69.24%	10,666	30.76%	25,748	69.86%	10,703	29.04%	405	1.10%	18,855	52.28%	17,106	47.43%	85	0.24%	22	0.06%	21,892	60.11%	13,984	38.40%	535	1.47%	6	0.02%
14	29,105	63.23%	16,923	36.77%	31,709	67.17%	14,820	31.39%	681	1.44%	27,328	58.41%	19,282	41.22%	150	0.32%	23	0.05%	28,708	61.76%	17,235	37.08%	543	1.17%	0	0.00%
15	28,589	45.18%	34,687	54.82%	35,681	53.82%	29,635	44.70%	985	1.49%	27,222	41.10%	38,707	58.44%	262	0.40%	48	0.07%	28,852	44.11%	35,784	54.71%	767	1.17%	0	0.00%
16	30,709	55.87%	24,253	44.13%	36,148	62.21%	20,682	35.59%	1,278	2.20%	30,768	52.85%	27,010	46.39%	354	0.61%	87	0.15%	31,673	55.26%	24,648	43.00%	994	1.73%	0	0.00%
17	27,464	42.44%	37,246	57.56%	34,981	51.32%	32,121	47.13%	1,058	1.55%	25,859	37.99%	41,845	61.48%	315	0.46%	46	0.07%	27,635	41.14%	38,576	57.42%	968	1.44%	0	0.00%
18	28,219	57.19%	21,125	42.81%	32,658	62.31%	18,842	35.95%	908	1.73%	26,535	50.27%	25,943	49.15%	247	0.47%	60	0.11%	28,447	54.31%	23,193	44.28%	733	1.40%	2	0.00%
19	22,954	52.94%	20,407	47.06%	27,522	59.81%	17,845	38.78%	650	1.41%	19,014	41.45%	26,726	58.26%	113	0.25%	23	0.05%	21,515	47.12%	23,473	51.41%	673	1.47%	0	0.00%
20	28,884	74.24%	10,022	25.76%	30,318	75.66%	9,093	22.69%	659	1.64%	27,909	69.68%	11,982	29.91%	132	0.33%	31	0.08%	28,741	71.68%	10,841	27.04%	516	1.29%	1	0.00%
21	19,916	63.92%	11,242	36.08%	21,949	68.44%	9,552	29.78%	569	1.77%	18,356	57.66%	13,379	42.02%	77	0.24%	24	0.08%	19,727	61.65%	11,784	36.83%	486	1.52%	0	0.00%
22	20,445	43.64%	26,405	56.36%	24,784	50.07%	24,111	48.71%	602	1.22%	17,316	34.73%	32,384	64.96%	139	0.28%	14	0.03%	19,635	39.83%	29,028	58.88%	627	1.27%	11	0.02%
23	21,742	61.20%	13,783	38.80%	24,786	65.61%	12,164	32.20%	830	2.20%	21,253	56.20%	16,233	42.93%	251	0.66%	77	0.20%	22,023	58.43%	15,069	39.98%	600	1.59%	1	0.00%
24	17,395	47.62%	19,133	52.38%	21,070	53.89%	17,407	44.52%	618	1.58%	15,793	40.24%	23,294	59.36%	129	0.33%	29	0.07%	17,189	43.95%	21,319	54.52%	595	1.52%	3	0.01%
25	19,993	54.65%	16,589	45.35%	22,994	58.90%	15,418	39.49%	630	1.61%	17,764	44.54%	22,001	55.16%	100	0.25%	21	0.05%	19,261	49.31%	19,162	49.05%	599	1.53%	41	0.10%
26	21,218	42.31%	28,929	57.69%	28,188	52.54%	24,464	45.60%	995	1.85%	18,671	34.62%	35,021	64.94%	209	0.39%	24	0.04%	20,612	38.43%	32,189	60.01%	832	1.55%	4	0.01%
27	25,936	60.82%	16,709	39.18%	30,214	66.51%	14,219	31.30%	997	2.19%	26,299	57.49%	19,211	41.99%	239	0.52%	0	0.00%	27,619	60.62%	17,191	37.73%	752	1.65%	0	0.00%
28	25,195	63.95%	14,200	36.05%	28,416	69.10%	12,104	29.44%	601	1.46%	24,749	59.99%	16,313	39.54%	196	0.48%	0	0.00%	25,962	63.11%	14,678	35.68%	499	1.21%	0	0.00%
29	14,294	34.14%	27,572	65.86%	19,139	43.60%	24,045	54.78%	711	1.62%	12,256	28.25%	30,972	71.40%	147	0.34%	3	0.01%	14,325	32.73%	28,711	65.59%	733	1.67%	2	0.00%
30	17,553	36.96%	29,943	63.04%	23,901	47.34%	25,781	51.06%	806	1.60%	14,245	28.24%	36,013	71.40%	168	0.33%	9	0.02%	15,410	30.31%	34,768	68.38%	664	1.31%	4	0.01%
31	21,646	37.59%	35,931																							



2008 A. G. Cooper-Crumley					2008 Comm. Ag Ansley-Troxler				2008 Comm. of Labor Donnan-Berry				2008 State Auditor Wood-Merritt				2008 Comm. of Insurance Goodwin-Odom								2008 Super. of P.I. Atkinson-Morgan			
District	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %
1	47,862	58.74%	33,615	41.26%	40,343	50.11%	40,173	49.89%	39,571	49.44%	40,465	50.56%	42,748	53.39%	37,321	46.61%	41,812	51.81%	35,654	44.18%	3,204	3.97%	37	0.05%	42,686	53.31%	37,388	46.69%
2	43,641	53.22%	38,361	46.78%	32,948	40.72%	47,974	59.28%	32,699	40.57%	47,892	59.43%	37,228	46.18%	43,381	53.82%	35,678	44.06%	42,385	52.34%	2,877	3.55%	45	0.06%	36,591	45.48%	43,858	54.52%
3	55,713	76.19%	17,408	23.81%	44,765	61.88%	27,574	38.12%	45,616	63.51%	26,206	36.49%	48,507	67.69%	23,150	32.31%	47,872	66.51%	22,671	31.50%	1,416	1.97%	20	0.03%	47,843	66.68%	23,909	33.32%
4	54,752	75.16%	18,100	24.84%	47,755	65.95%	24,652	34.05%	48,023	67.10%	23,550	32.90%	49,552	69.17%	22,086	30.83%	50,427	69.77%	20,568	28.46%	1,258	1.74%	25	0.03%	49,801	69.45%	21,906	30.55%
5	50,956	66.74%	25,395	33.26%	38,639	51.32%	36,652	48.68%	39,228	52.27%	35,827	47.73%	42,622	56.97%	32,193	43.03%	41,629	55.32%	31,618	42.02%	1,941	2.58%	57	0.08%	42,237	56.34%	32,725	43.66%
6	27,802	53.38%	24,286	46.62%	22,136	43.24%	29,058	56.76%	22,084	43.40%	28,797	56.60%	24,021	47.22%	26,852	52.78%	22,504	43.89%	26,034	50.78%	2,682	5.23%	51	0.10%	23,553	46.22%	27,403	53.78%
7	59,304	73.96%	20,877	26.04%	43,756	55.00%	35,805	45.00%	45,920	58.34%	32,795	41.66%	49,069	62.55%	29,383	37.45%	48,313	61.24%	28,370	35.96%	2,182	2.77%	28	0.04%	49,466	62.84%	29,250	37.16%
8	55,005	57.31%	40,972	42.69%	44,564	47.24%	49,780	52.76%	44,647	47.59%	49,163	52.41%	47,748	50.94%	45,982	49.06%	45,721	48.26%	44,439	46.91%	4,548	4.80%	29	0.03%	46,361	49.47%	47,355	50.53%
9	55,449	58.76%	38,924	41.24%	42,587	46.37%	49,247	53.63%	42,849	46.62%	49,056	53.38%	45,222	49.41%	46,305	50.59%	44,038	47.75%	42,768	46.37%	5,336	5.79%	92	0.10%	46,950	51.16%	44,813	48.84%
10	45,802	65.53%	24,090	34.47%	34,731	50.15%	34,521	49.85%	35,456	51.61%	33,244	48.39%	38,324	55.92%	30,204	44.08%	37,618	54.54%	29,831	43.25%	1,499	2.17%	24	0.03%	38,034	55.41%	30,611	44.59%
11	60,367	72.71%	22,662	27.29%	41,280	50.39%	40,648	49.61%	42,928	52.92%	38,189	47.08%	45,636	56.35%	35,356	43.65%	45,129	55.55%	34,557	42.54%	1,526	1.88%	30	0.04%	46,074	56.83%	34,996	43.17%
12	49,202	57.56%	36,284	42.44%	28,345	33.41%	56,500	66.59%	30,604	36.52%	53,200	63.48%	34,893	41.73%	48,718	58.27%	33,899	40.45%	47,242	56.37%	2,611	3.12%	58	0.07%	35,910	42.98%	47,642	57.02%
13	40,245	74.38%	13,860	25.62%	35,168	65.47%	18,549	34.53%	34,055	63.48%	19,594	36.52%	37,753	70.69%	15,655	29.31%	36,116	67.18%	16,083	29.92%	1,541	2.87%	22	0.04%	35,676	66.62%	17,874	33.38%
14	77,079	77.55%	22,316	22.45%	62,573	63.56%	35,872	36.44%	63,879	65.14%	34,185	34.86%	65,684	66.96%	32,404	33.04%	66,318	67.53%	28,938	29.47%	2,910	2.96%	34	0.03%	69,043	70.54%	28,840	29.46%
15	68,396	62.59%	40,879	37.41%	43,192	40.26%	64,088	59.74%	46,150	43.19%	60,710	56.81%	48,999	45.90%	57,764	54.10%	50,242	46.93%	52,586	49.12%	4,161	3.89%	66	0.06%	55,590	52.19%	50,921	47.81%
16	69,573	70.89%	28,573	29.11%	50,163	52.00%	46,305	48.00%	53,005	55.06%	43,264	44.94%	55,351	57.73%	40,527	42.27%	56,216	58.41%	35,257	36.63%	4,675	4.86%	91	0.09%	60,611	63.29%	35,157	36.71%
17	73,331	60.66%	47,553	39.34%	46,145	38.79%	72,814	61.21%	49,415	41.68%	69,131	58.32%	53,255	45.09%	64,843	54.91%	53,961	45.67%	58,310	49.35%	5,805	4.91%	79	0.07%	58,863	49.87%	59,171	50.13%
18	72,000	73.04%	26,576	26.96%	53,723	55.51%	43,058	44.49%	56,283	58.49%	39,944	41.51%	59,789	62.38%	36,055	37.62%	58,951	61.29%	33,186	34.50%	3,986	4.14%	59	0.06%	61,686	64.15%	34,477	35.85%
19	50,297	64.89%	27,214	35.11%	39,952	52.15%	36,662	47.85%	39,356	51.48%	37,093	48.52%	43,138	56.66%	32,993	43.34%	41,959	54.82%	32,303	42.20%	2,251	2.94%	26	0.03%	42,572	55.84%	33,669	44.16%
20	73,926	83.65%	14,449	16.35%	63,284	72.42%	24,096	27.58%	64,331	73.88%	22,742	26.12%	66,360	76.41%	20,492	23.59%	65,960	75.45%	18,694	21.38%	2,710	3.10%	54	0.06%	67,134	77.14%	19,898	22.86%
21	45,453	75.45%	14,793	24.55%	41,415	69.48%	18,192	30.52%	40,788	68.40%	18,840	31.60%	42,520	71.32%	17,095	28.68%	41,789	69.79%	16,322	27.26%	1,732	2.89%	32	0.05%	42,478	71.21%	17,170	28.79%
22	46,766	55.91%	36,877	44.09%	31,258	37.85%	51,330	62.15%	33,100	40.35%	48,937	59.65%	36,476	44.56%	45,390	55.44%	35,008	42.54%	44,129	53.63%	3,093	3.76%	58	0.07%	39,888	48.30%	42,692	51.70%
23	67,717	76.06%	21,309	23.94%	53,122	60.79%	34,266	39.21%	55,044	63.18%	32,076	36.82%	57,756	66.85%	28,638	33.15%	57,290	65.93%	25,616	29.48%	3,902	4.49%	93	0.11%	59,236	68.39%	27,383	31.61%
24	43,393	59.57%	29,448	40.43%	30,588	42.28%	41,765	57.72%	32,137	44.91%	39,417	55.09%	36,540	51.53%	34,367	48.47%	34,977	49.07%	33,859	47.50%	2,415	3.39%	30	0.04%	35,677	50.32%	35,222	49.68%
25	42,700	61.35%	26,898	38.65%	34,202	49.99%	34,214	50.01%	34,125	49.67%	34,578	50.33%	38,556	56.84%	29,271	43.16%	39,759	56.97%	27,906	39.99%	2,083	2.98%	38	0.05%	36,615	53.83%	31,407	46.17%
26	48,477	52.28%	44,251	47.72%	30,795	33.28%	61,747	66.72%	35,440	39.14%	55,110	60.86%	40,524	45.26%	49,012	54.74%	38,492	42.62%	47,961	53.10%	3,804	4.21%	62	0.07%	39,674	44.29%	49,895	55.71%
27	61,225	70.03%	26,201	29.97%	48,523	56.17%	37,862	43.83%	51,559	60.29%	33,964	39.71%	54,993	64.84%	29,814	35.16%	54,156	63.60%	27,870	32.73%	3,063	3.60%	65	0.08%	56,248	66.30%	28,585	33.70%
28	58,491	73.36%	21,238	26.64%	51,108	64.64%	27,956	35.36%	52,327	66.56%	26,284	33.44%	55,000	70.37%														



2008 Lt. Governor Dalton-Pittenger-Rhodes							2008 Governor Perdue-McCrory-Munger						2008 President Obama-McCain-Barr								2008 US Senate Hagan-Dole						2008 Straight Party					
District	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Dem	Dem %	Rep	Rep %	Lib	Lib %	Other	Other %	Dem	Dem %	Rep	Rep %	Other	Other %	Dem	Dem %	Rep	Rep %	Lib.	Lib%
1	43,198	52.60%	36,395	44.32%	2,526	3.08%	47,511	56.32%	34,743	41.19%	2,099	2.49%	39,019	45.41%	46,159	53.73%	481	0.56%	258	0.30%	39,577	46.62%	43,168	50.85%	2,151	2.53%	25,122	61.50%	15,326	37.52%	401	0.98%
2	36,141	43.65%	44,352	53.57%	2,299	2.78%	44,647	52.79%	37,886	44.80%	2,043	2.42%	32,933	38.73%	51,371	60.41%	461	0.54%	266	0.31%	35,800	42.39%	46,138	54.63%	2,525	2.99%	19,941	48.57%	20,765	50.57%	352	0.86%
3	48,344	66.21%	23,501	32.18%	1,175	1.61%	50,545	68.13%	22,530	30.37%	1,109	1.49%	45,050	60.34%	29,317	39.27%	176	0.24%	112	0.15%	46,999	63.33%	25,954	34.97%	1,260	1.70%	36,359	76.49%	10,973	23.09%	200	0.42%
4	50,337	68.91%	21,657	29.65%	1,054	1.44%	52,041	69.67%	21,610	28.93%	1,045	1.40%	46,096	61.03%	29,090	38.52%	211	0.28%	131	0.17%	47,641	63.65%	26,102	34.87%	1,105	1.48%	37,861	79.34%	9,650	20.22%	210	0.44%
5	42,685	55.72%	32,213	42.05%	1,704	2.22%	44,879	57.27%	31,949	40.77%	1,531	1.95%	40,712	51.37%	38,053	48.02%	292	0.37%	195	0.25%	42,053	53.56%	34,761	44.27%	1,698	2.16%	27,100	63.55%	15,288	35.85%	254	0.60%
6	23,869	45.19%	26,834	50.81%	2,111	4.00%	27,798	51.16%	24,459	45.01%	2,082	3.83%	21,877	39.47%	33,095	59.71%	315	0.57%	143	0.26%	23,941	43.94%	28,132	51.63%	2,410	4.42%	10,928	49.54%	10,762	48.78%	371	1.68%
7	48,994	61.07%	29,411	36.66%	1,820	2.27%	48,656	59.57%	31,120	38.10%	1,897	2.32%	46,311	56.28%	35,353	42.96%	421	0.51%	208	0.25%	48,929	59.90%	30,695	37.58%	2,063	2.53%	33,618	72.71%	12,315	26.64%	300	0.65%
8	46,025	47.32%	47,031	48.36%	4,203	4.32%	49,967	50.29%	45,418	45.71%	3,976	4.00%	42,291	42.04%	57,345	57.01%	619	0.62%	341	0.34%	50,771	50.99%	44,633	44.83%	4,157	4.18%	24,711	54.55%	19,722	43.54%	865	1.91%
9	44,999	47.14%	45,921	48.11%	4,537	4.75%	48,453	49.42%	45,447	46.36%	4,138	4.22%	48,840	48.79%	50,295	50.24%	570	0.57%	405	0.40%	52,661	53.49%	41,834	42.49%	3,954	4.02%	23,595	55.59%	18,408	43.37%	445	1.05%
10	38,852	55.35%	30,102	42.89%	1,238	1.76%	42,050	58.75%	28,389	39.67%	1,131	1.58%	33,839	46.78%	38,109	52.68%	275	0.38%	119	0.16%	37,350	52.18%	32,827	45.86%	1,406	1.96%	26,048	63.80%	14,546	35.63%	231	0.57%
11	46,108	55.93%	35,080	42.55%	1,250	1.52%	46,924	56.04%	35,640	42.56%	1,170	1.40%	42,751	50.71%	41,103	48.75%	308	0.37%	147	0.17%	45,740	54.63%	36,618	43.73%	1,376	1.64%	34,137	65.50%	17,771	34.10%	207	0.40%
12	35,059	41.04%	48,192	56.41%	2,181	2.55%	35,924	41.10%	49,428	56.55%	2,056	2.35%	31,618	35.95%	55,637	63.26%	464	0.53%	235	0.27%	35,207	40.27%	49,699	56.84%	2,532	2.90%	18,219	45.77%	21,223	53.31%	367	0.92%
13	36,923	68.03%	16,015	29.51%	1,334	2.46%	38,353	68.84%	16,453	29.53%	904	1.62%	32,285	57.18%	23,726	42.02%	283	0.50%	167	0.30%	33,297	59.44%	21,700	38.74%	1,022	1.82%	23,618	78.57%	6,129	20.39%	312	1.04%
14	67,076	67.50%	29,741	29.93%	2,551	2.57%	66,295	65.73%	31,903	31.63%	2,657	2.63%	70,031	68.82%	31,044	30.51%	444	0.44%	239	0.23%	68,923	68.29%	29,582	29.31%	2,420	2.40%	45,260	76.14%	13,894	23.37%	289	0.49%
15	50,853	46.60%	54,380	49.83%	3,897	3.57%	49,055	43.86%	58,439	52.25%	4,342	3.88%	56,698	50.25%	54,999	48.75%	770	0.68%	361	0.32%	55,684	49.73%	53,108	47.43%	3,179	2.84%	25,576	50.15%	25,052	49.13%	366	0.72%
16	56,974	58.01%	37,053	37.73%	4,185	4.26%	54,923	54.33%	41,450	41.01%	4,712	4.66%	63,951	62.44%	37,234	36.36%	784	0.77%	446	0.44%	61,803	61.00%	36,146	35.68%	3,366	3.32%	31,153	64.88%	16,369	34.09%	494	1.03%
17	53,932	44.61%	62,306	51.54%	4,646	3.84%	53,759	43.36%	65,452	52.79%	4,775	3.85%	60,211	48.07%	63,724	50.88%	933	0.74%	376	0.30%	59,364	47.82%	60,592	48.81%	4,191	3.38%	27,327	48.52%	28,555	50.70%	444	0.79%
18	59,387	60.22%	35,743	36.24%	3,493	3.54%	58,998	58.30%	37,995	37.55%	4,197	4.15%	62,714	61.25%	38,684	37.78%	651	0.64%	340	0.33%	62,525	61.65%	36,024	35.52%	2,872	2.83%	34,615	70.51%	14,111	28.75%	364	0.74%
19	43,103	55.46%	32,672	42.04%	1,938	2.49%	44,613	56.24%	32,970	41.56%	1,750	2.21%	39,229	48.71%	40,836	50.70%	311	0.39%	162	0.20%	42,675	53.69%	34,808	43.79%	2,005	2.52%	26,549	63.83%	14,686	35.31%	360	0.87%
20	66,228	74.74%	19,907	22.47%	2,476	2.79%	65,410	72.65%	21,583	23.97%	3,046	3.38%	69,388	76.10%	21,112	23.16%	405	0.44%	271	0.30%	67,915	75.29%	20,355	22.57%	1,932	2.14%	40,663	83.02%	8,015	16.36%	302	0.62%
21	42,148	69.78%	16,905	27.99%	1,345	2.23%	42,850	69.98%	17,099	27.93%	1,282	2.09%	43,307	69.29%	18,845	30.15%	198	0.32%	155	0.25%	42,745	69.58%	17,342	28.23%	1,346	2.19%	30,417	77.21%	8,707	22.10%	271	0.69%
22	35,567	42.40%	45,831	54.64%	2,480	2.96%	36,555	42.72%	46,727	54.61%	2,279	2.66%	34,409	40.00%	50,892	59.15%	487	0.57%	244	0.28%	38,203	44.64%	44,649	52.17%	2,729	3.19%	20,267	47.64%	21,898	51.47%	377	0.89%
23	57,932	65.00%	27,753	31.14%	3,446	3.87%	57,477	62.52%	30,531	33.21%	3,928	4.27%	62,252	66.55%	30,296	32.39%	631	0.67%	363	0.39%	61,259	66.34%	28,481	30.85%	2,595	2.81%	35,612	74.97%	11,533	24.28%	356	0.75%
24	35,042	48.22%	35,461	48.80%	2,169	2.98%	36,766	49.44%	35,119	47.22%	2,483	3.34%	34,463	45.82%	40,067	53.27%	519	0.69%	166	0.22%	37,134	49.87%	35,015	47.03%	2,311	3.10%	22,541	56.43%	17,059	42.71%	345	0.86%
25	36,181	51.68%	32,088	45.83%	1,739	2.48%	35,228	49.05%	35,295	49.14%	1,302	1.81%	33,053	45.58%	38,842	53.56%	380	0.52%	240	0.33%	37,450	52.19%	31,991	44.58%	2,319	3.23%	21,653	63.23%	12,247	35.76%	345	1.01%
26	39,222	42.34%	50,109	54.10%	3,300	3.56%	41,959	44.14%	49,569	52.14%	3,533	3.72%	38,144	39.77%	56,747	59.16%	726	0.76%	302	0.31%	43,448	45.64%	48,258	50.69%	3,498	3.67%	21,287	45.47%	25,028	53.46%	502	1.07%
27	54,401	62.40%	29,983	34.39%	2,801	3.2																										



2010 Straight Party							2010 US Senate Marshall-Burr					
District	Dem	Dem %	Rep	Rep %	Lib.	Lib %	Dem	Dem %	Rep	Rep %	Other	Other %
1	10,988	57.67%	7,805	40.96%	260	1.36%	21,971	39.23%	32,737	58.46%	1,295	2.31%
2	9,539	39.78%	14,278	59.54%	164	0.68%	17,393	31.26%	37,109	66.70%	1,133	2.04%
3	17,991	73.61%	6,335	25.92%	115	0.47%	25,150	56.58%	18,822	42.35%	475	1.07%
4	19,314	78.37%	5,185	21.04%	146	0.59%	27,027	56.70%	20,048	42.06%	592	1.24%
5	14,738	56.37%	11,313	43.27%	93	0.36%	21,588	45.64%	25,093	53.06%	615	1.30%
6	3,975	46.00%	4,492	51.98%	175	2.02%	10,015	33.20%	19,362	64.19%	785	2.60%
7	18,512	70.52%	7,596	28.94%	141	0.54%	27,629	52.35%	24,129	45.72%	1,019	1.93%
8	13,324	46.40%	15,061	52.45%	329	1.15%	26,393	36.77%	43,935	61.21%	1,451	2.02%
9	9,030	45.11%	10,796	53.93%	193	0.96%	25,066	39.21%	37,412	58.53%	1,445	2.26%
10	15,154	58.23%	10,756	41.33%	116	0.45%	21,574	44.38%	26,428	54.37%	607	1.25%
11	20,672	62.22%	12,313	37.06%	238	0.72%	28,034	48.74%	28,664	49.83%	821	1.43%
12	8,969	33.97%	17,217	65.20%	220	0.83%	17,604	30.53%	38,977	67.59%	1,089	1.89%
13	10,565	72.70%	3,833	26.37%	135	0.93%	16,651	53.27%	14,136	45.23%	470	1.50%
14	25,968	70.56%	10,700	29.08%	133	0.36%	38,870	63.19%	21,547	35.03%	1,096	1.78%
15	14,285	41.97%	19,602	57.60%	147	0.43%	30,402	41.04%	41,861	56.51%	1,818	2.45%
16	15,779	57.03%	11,728	42.39%	159	0.57%	32,181	53.84%	25,918	43.36%	1,672	2.80%
17	15,837	40.95%	22,646	58.56%	187	0.48%	31,871	39.48%	46,806	57.99%	2,040	2.53%
18	17,528	63.66%	9,891	35.92%	115	0.42%	37,360	56.26%	27,717	41.74%	1,333	2.01%
19	13,339	61.32%	8,200	37.70%	213	0.98%	22,745	45.64%	26,223	52.62%	867	1.74%
20	16,929	80.95%	3,883	18.57%	100	0.48%	39,064	72.25%	14,202	26.27%	803	1.49%
21	12,121	74.21%	4,138	25.33%	75	0.46%	20,334	64.51%	10,697	33.94%	489	1.55%
22	9,099	36.98%	15,357	62.42%	147	0.60%	19,207	35.19%	34,272	62.80%	1,098	2.01%
23	18,311	75.53%	5,795	23.90%	136	0.56%	36,124	62.77%	20,099	34.92%	1,327	2.31%
24	10,721	49.80%	10,639	49.42%	168	0.78%	18,844	38.77%	28,571	58.79%	1,184	2.44%
25	10,049	60.77%	6,262	37.87%	225	1.36%	20,343	44.32%	24,745	53.91%	814	1.77%
26	8,874	34.99%	16,230	64.00%	255	1.01%	18,466	31.52%	38,572	65.84%	1,550	2.65%
27	14,365	58.94%	9,904	40.64%	104	0.43%	26,070	52.94%	22,179	45.03%	1,000	2.03%
28	15,989	64.69%	8,624	34.89%	103	0.42%	26,524	60.32%	16,797	38.20%	653	1.48%
29	4,768	22.80%	15,979	76.42%	163	0.78%	9,908	24.54%	29,299	72.55%	1,175	2.91%
30	4,797	28.49%	11,721	69.61%	321	1.91%	13,172	27.11%	34,287	70.56%	1,131	2.33%
31	7,342	29.77%	17,171	69.63%	147	0.60%	17,945	31.31%	38,253	66.74%	1,116	1.95%
32	12,770	66.08%	6,465	33.45%	90	0.47%	23,068	61.47%	13,821	36.83%	636	1.69%
33	6,480	27.21%	17,180	72.13%	158	0.66%	13,744	27.34%	35,353	70.32%	1,176	2.34%
34	6,718	33.00%	13,390	65.78%	247	1.21%	15,302	30.59%	33,486	66.93%	1,243	2.48%
35	9,822	34.25%	18,720	65.27%	139	0.48%	19,163	30.18%	42,962	67.67%	1,363	2.15%
36	7,113	41.35%	9,949	57.83%	141	0.82%	18,088	32.98%	35,523	64.76%	1,241	2.26%
37	12,832	63.00%	7,431	36.48%	105	0.52%	24,238	58.80%	16,170	39.23%	813	1.97%
38	20,659	73.61%	7,287	25.97%	118	0.42%	33,221	67.94%	14,842	30.35%	834	1.71%
39	9,603	30.83%	21,418	68.75%	132	0.42%	22,523	33.97%	42,448	64.02%	1,338	2.02%
40	18,645	62.15%	11,245	37.48%	109	0.36%	32,583	58.72%	22,001	39.65%	907	1.63%
41	7,222	33.54%	14,131	65.62%	181	0.84%	17,443	29.91%	39,430	67.60%	1,452	2.49%
42	5,957	30.36%	13,503	68.82%	160	0.82%	14,962	29.80%	33,946	67.61%	1,300	2.59%
43	7,069	39.70%	10,596	59.51%	139	0.78%	13,428	32.54%	26,851	65.06%	991	2.40%
44	5,513	37.72%	8,846	60.53%	256	1.75%	15,418	34.40%	28,178	62.87%	1,220	2.72%
45	7,510	38.60%	11,632	59.78%	315	1.62%	19,888	34.10%	36,748	63.00%	1,693	2.90%
46	7,451	49.41%	7,386	48.98%	243	1.61%	15,883	35.12%	28,373	62.74%	967	2.14%
47	8,924	46.71%	9,839	51.50%	342	1.79%	21,255	37.26%	34,308	60.15%	1,476	2.59%
48	11,439	39.28%	17,460	59.95%	226	0.78%	23,237	34.97%	41,567	62.55%	1,649	2.48%
49	16,318	64.33%	8,820	34.77%	229	0.90%	30,202	54.81%	23,372	42.42%	1,529	2.77%
50	7,055	42.25%	9,086	54.41%	558	3.34%	22,529	37.32%	35,806	59.32%	2,026	3.36%
Totals:	597,972	51.24%	559,834	47.98%	9,111	0.78%	1,141,700	43.04%	1,454,082	54.82%	56,817	2.14%



# **EXHIBIT V**



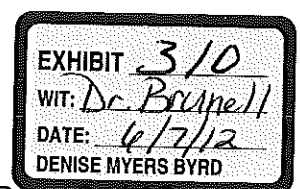
Report on Racially Polarized Voting in North Carolina

June 5, 2011

Thomas L. Brunell, Ph.D.  
Professor of Political Science  
Senior Associate Dean of Graduate Education  
University of Texas at Dallas<sup>1</sup>

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<sup>1</sup> The opinions expressed in this report are solely my own and do not necessarily represent those of the University of Texas at Dallas or the state of Texas.





North Carolina has 40 districts covered by Section 5 of the Voting Rights Act and Section 2 of the VRA requires states, given certain conditions, to draw majority minority districts for both congressional and state legislative electoral boundaries. One of these conditions, from the *Thornburg v. Gingles* (478 US 30 – 1986) case, is that voting in the state is racially polarized, which means a majority of white voters prefer a different candidate than a majority of voters from the protected minority. In this report examine the 40 counties covered by Section 5 of the VRA, along with four other counties: Durham, Forsyth, Mecklenburg, and Wake.

#### 2010 U.S. Senate Democratic Primary

This election had six candidates, three of whom are African American (Ann Worthy, Ken Lewis, and Marcus Williams) and three of whom are White (Cal Cunningham, Elaine Marshall, and Susan Harris). I collapsed votes into two groups – vote for a Black candidate or a White candidate.

#### Homogenous Precincts

There are 98 precincts with 90 percent or greater Black votes in the dataset. On average the districts cast 58.1 percent of their votes for one of the Black candidates. For the 1,003 precincts with 90 percent or greater non-Black voters, the average percent for one of the Black candidates was 19.6 percent. A difference of means test for these two percentages indicates very strong statistical significance ( $p < .001$ ). We can conclude that voting was racially polarized for this election.

#### Bivariate Regression

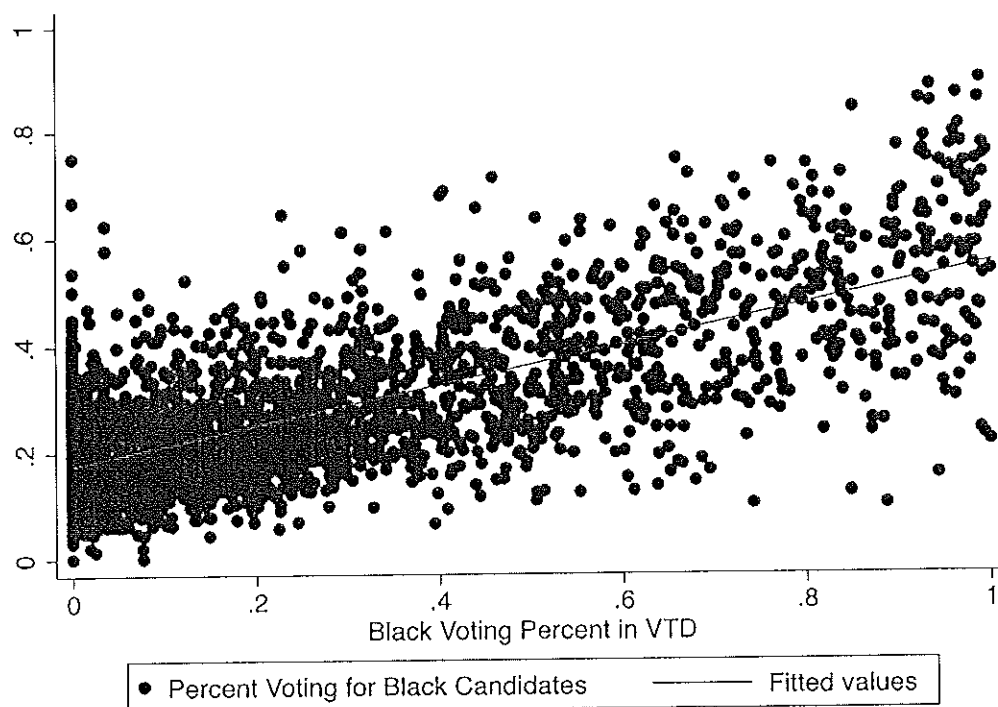
The equation describing the linear relationship between percent whites voting in a precinct and the percent of votes for White Candidates is

$$\text{Percent votes for Black candidates} = .376(\text{Percent Black in Precinct}) + 18.1.$$

The coefficients for both the constant (18.1) and the percent whites in precinct are statistically significant (respective t-values of 57.3 and 49.5). There are 2,588 observations in the analysis and the R-squared is .49. So for every ten-percentage point increase in the Black population in a district, we expect the percentage of votes in a district for Black candidates to increase by 3.75 points. The scatter-plot below is a graphical representation of this relationship. As we move from left to right on the x-axis (horizontal axis) the precincts have heavier percentage of Black voters. There is a strong linear relationship with the percentage of votes cast for Black candidate as well. We can conclude that voting is clearly racially polarized in this election.

Figure 1. 2010 US Senate Democratic Primary – Racial Bloc Voting





### 2008 Presidential election

The most recent presidential election is a good data point to investigate whether racially polarized voting exists in North Carolina. The candidates were Barack Obama and John McCain. Elections that have an African American running against a White candidate are the best elections to look for bloc voting.

First we can examine homogeneous precincts in the 44 counties in question. There are 64 VTD's in which the proportion of votes casted by African Americans exceeds .90. In those precincts the average vote for President Obama was 97.8 percent. It ranged from a low of 92.8 percent to a high of 99.8 percent. The standard deviation of the Obama vote in these precincts was 1.6 percent. In the 342 VTD's in which the African American vote proportion was less than .10, the average vote for President Obama was 40.5 percent, with a high of 87.1 and a low of 8.7. The standard deviation of the vote was 13.2 percent. A t-test to see whether these averages are different indicates they are different and the statistical significance is very high (p-value is less than .001). We can conclude that there is statistical significant racially polarized voting in these counties in North Carolina.

Next, we conducted bivariate regression analysis to look the linear relationship between percent black voters in a VTD and percent of the vote for the African American candidate. We use the data for all matched VTD's in the



dataset, not just homogeneous precincts. Since we are interested in the presence of racial bloc voting in specific counties, these analyses were running separately for each of the 44 counties in question. The dependent variable is the percent of the two-party vote received in each VTD by President Obama. The independent variable is the percentage of voters in each VTD who are black. The table lists the coefficient for the Black Voter percentage for each county and the constant. I also list the number of observations for each county (the number of matched VTD's in the dataset) and the R-squared which is a measure of how well the black voting percentage explains the variance in the percentage of votes for President Obama. This number can range from 0 to 1.0, with numbers closer to 1.0 indicating a excellent linear relationship between these two variables. A positive sign on the coefficient for the Black Voter percentage indicates that as the proportion of voters who are black in a precinct increases, so does the percentage of the votes for President Obama. All of the coefficients below are positive. The constant can be interpreted as the percent of the vote that President Obama receives when the percentage of voters in that county that are African American is zero. So for Anson County, for instance, President Obama would receive, on average, 22.6 percent of the vote from a precinct that had zero black voters. For every 10 percentage point increase in the black voters in a precinct, we expect President Obama to receive 7.92 percent votes. These results are typically of statistically significant racially polarized voting.

There are some counties, like Wake, Durham, Jackson, Mecklenburg, in which there is a considerable amount of white cross-over voting for President Obama. All four of these have a constant of at least 40, and Durham's constant is 59.4. There are five homogeneous precincts in Durham that have less than 10 percent African American voters. In these districts the average vote percent for Obama is 69.6 percent. Thus at least for the 2008 presidential election, it appears that in Durham County a majority of both White and Blacks supported President Obama.

In Mecklenburg County, the homogenous precincts that are less than 10 percent Black, a majority of voters supported McCain (roughly 56 percent), so voting is racially polarized in Mecklenburg County. In Wake County, voting is also polarized, though it is quite close inasmuch as in the homogeneous precincts, there was a bare majority of support for McCain (51.3). In Jackson County, the homogeneous precincts also indicate majority non-black support for President Obama (52.7 percent).

#### 2008 Presidential Election Racial Bloc Voting Analysis

County	Black Voter %	Constant	Number of Observations	R-sq
Anson	.792***	22.6***	11	.97
Beaufort	.453***	5.4***	21	.89
Bertie	.94***	10.3***	12	.99
Bladen	.910***	14.8***	17	.99



Camden	.427	27.1*	3	.86
Caswell	.801***	20.9***	10	.98
Chowan	.883***	22.6***	6	.94
Cleveland	.877***	20.1***	28	.96
Craven	.749***	26.1***	27	.85
Cumberland	.823***	24.0***	37	.97
Durham	.413***	59.4***	53	.49
Edgecombe	.879***	14.5***	21	.99
Forsyth	.689***	36.1***	101	.85
Franklin	.723***	28.4***	18	.93
Gaston	.825***	24.3***	46	.91
Gates	.843***	21.9***	6	.99
Granville	.755***	26.5***	15	.95
Greene	.906***	12.8**	9	.92
Guilford	.667***	37.3***	152	.82
Halifax	.815***	21.0***	30	.86
Harnett	.784***	23.2***	13	.90
Hertford	.859***	18.0***	13	.93
Hoke	.795***	25.1***	12	.86
Jackson	2.24*	48.0***	10	.43
Lee	N/A			
Lenoir	.869***	14.5***	22	.99
Martin	.861***	15.4***	13	.98
Mecklenburg	.639***	41.9***	195	.89
Nash	.924***	15.8***	26	.98
Northampton	.813***	18.6***	18	.98
Onslow	.830***	22.1***	22	.91
Pasquotank	.822***	24.4***	13	.96
Perquimans	.677**	26.9***	7	.86
Person	.876***	20.5***	14	.97
Pitt	.704***	30.9***	38	.76
Robeson	.599***	37.8***	41	.63
Rockingham	.816***	24.8***	16	.96
Scotland	.768***	26.7***	10	.98
Union	.903***	25.1***	48	.88
Vance	.831***	19.9***	16	.99
Wake	.569***	45.8***	188	.68
Washington	.979***	10.0**	6	.99
Wayne	.902***	14.6***	30	.99
Wilson	.821***	19.6***	24	.98



2004 State Auditor Election Racial Bloc Voting Analysis

County	Black Voter %	Constant	Number of Observations	R-sq
Anson	.619***	43.0***	8	.89
Beaufort	.869***	29.1***	20	.92
Bertie	.688***	34.8***	11	.97
Bladen	.613***	45.1***	15	.92
Camden	N/A		2	
Caswell	.728***	37.8***	11	.82
Chowan	.702***	34.5***	4	.90
Cleveland	.877***	20.1***	28	.78
Craven	.785***	27.8***	18	.94
Cumberland	.629***	33.5***	64	.93
Durham	.514***	50.0***	32	.76
Edgecombe	.633***	37.4***	21	.96
Forsyth	.654***	34.1***	101	.84
Franklin	.833***	33.5***	17	.89
Gaston	.754***	26.8***	46	.85
Gates	.259	54.3***	5	.25
Granville	.819***	34.2***	14	.89
Greene	1.00***	23.8***	10	.76
Guilford	.674***	34.8***	115	.85
Halifax	.616***	40.6***	30	.88
Harnett	.666***	35.3***	22	.69
Hertford	.598***	39.2***	13	.94
Hoke	.784**	30.5**	11	.66
Jackson	3.40*	48.4***	18	.19
Lee	.636***	39.2***	13	.80
Lenoir	.733***	28.2***	21	.97
Martin	.609***	40.8***	13	.88
Mecklenburg	.711***	31.6***	180	.90
Nash	.821***	28.8***	24	.94
Northampton	.537***	46.9***	18	.87
Onslow	.608***	27.9***	23	.75
Pasquotank	.600***	42.1***	6	.89
Perquimans	1.08*	27.1*	6	.64
Person	.728***	36.6***	6	.98
Pitt	.627***	36.2***	38	.80
Robeson	.322***	61.7***	41	.26
Rockingham	.637***	37.0***	30	.90
Scotland	.646***	43.0***	7	.93
Union	.858***	22.1***	35	.85
Vance	.613***	41.2***	13	.96



Wake	.595***	40.3***	181	.71
Washington	.812***	33.8**	6	.95
Wayne	.784*	29.3*	3	.99
Wilson	.696***	32.4***	24	.97

### **Mecklenburg County**

To further probe for the presence of racial bloc voting in Mecklenburg County I analyzed a Democratic state primary from 2010 that had two White candidates (Becky Carney and Ken Davies) and one African American candidate (Kim Ratliff). For the purposes of this analysis I grouped votes for the two white candidates into one variable.

### **Homogeneous Precincts**

There are 3 VTD's in the data in which black voters make up 90 percent of the voters or better, in these districts the African American candidate received an average of 59.1 percent of the vote. There are 4 precincts with less than 10 percent black voters and in these districts the black candidate received an average of 5.8 percent of the vote. This indicates significant racially polarized voting.

### **Bivariate Regression Analysis**

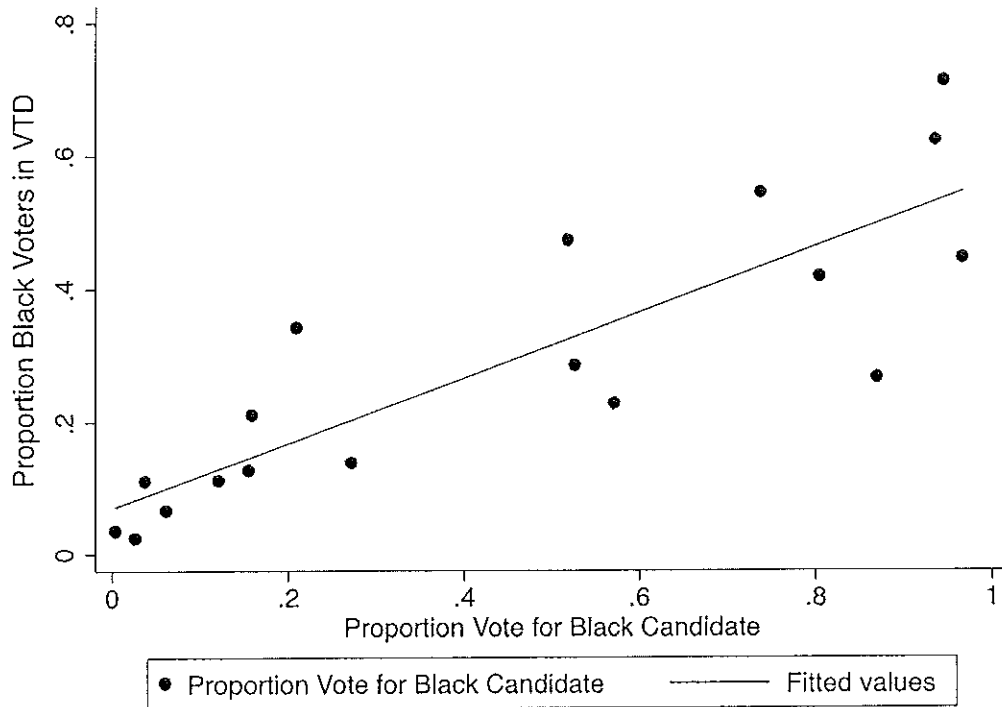
The equation for this relationship is:

Percentage vote for Black candidate = 7.5 percent + .493(Black voter percentage).

The number of observations is 18, and the R-squared is .74. The analysis weighted each observation by the total number of votes in each VTD. The results are statistically significant and indicate racial bloc voting.

Figure 2. State House 2010 Democratic Primary LD 106





### **Durham County**

The general election in Senate District 20 in 2010 pitted a Black Democrat (Floyd B. McKissick, Jr.) versus a White Republican (John Tarantino). This provides another opportunity to see if racial bloc voting exists in Durham County.

### **Homogeneous Precincts**

There are 6 VTD's in the data in which black voters make up 90 percent of the voters or better, in these districts the African American candidate received an average of 97.8 percent of the vote. There are 2 precincts with less than 10 percent black voters and in these districts the black candidate received an average of 40.1 percent of the vote. This indicates significant racially polarized voting with statistical significance at the  $p < .001$  level.

### **Bivariate Regression Analysis**

The equation for this relationship is:

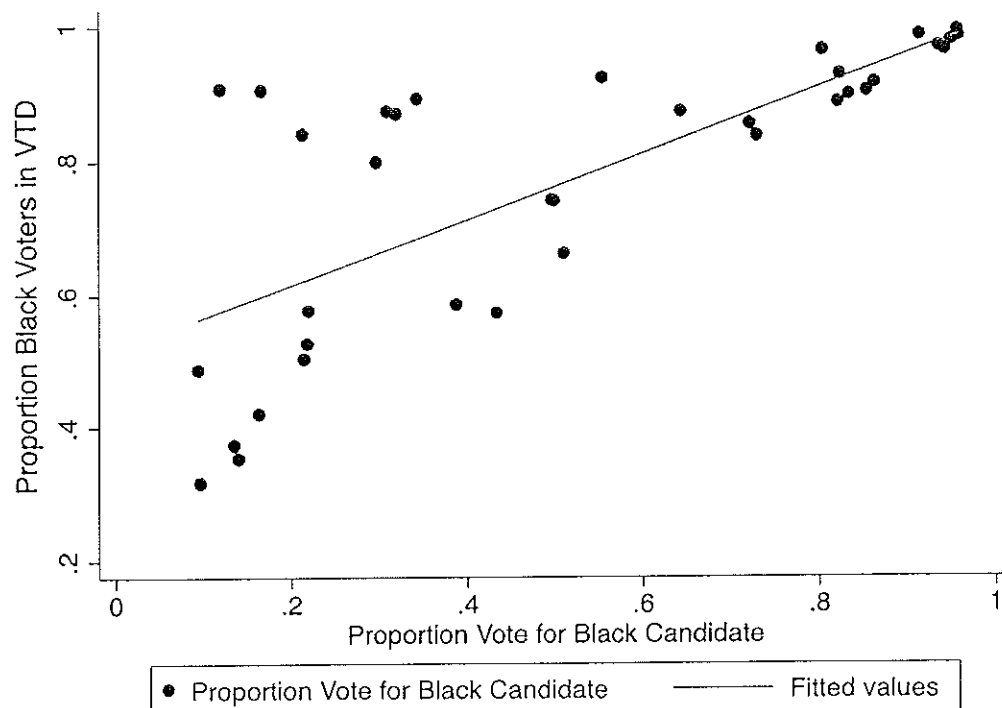
Percentage vote for Black candidate = 45.3 percent + .561(Black voter percentage).



The number of observations is 36, and the R-squared is .61. The analysis weighted each observation by the total number of votes in each VTD. The results are statistically significant and indicate racial bloc voting.

The graph below depicts the linear relationship between proportion black in a precinct and the proportion of vote the black candidate received in this election. There is clearly a linear relationship and it is statistically significant. Voting is racially polarized in Durham County for this election.

Figure X. Senate 20 General Election 2010



## Wake County

### Board of Commissioners District 1

In 2010 an election for the Board of Commissions in Wake County pitted a Black Democrat (Don Mial) versus a White Republican (Joe Bryan).

### Homogeneous Precincts

In the 81 VTD's that had less than 10 percentage of the votes cast by Blacks, the Black candidate averaged 39.5 percent of the vote. In the 5 VTD's that had over 90 percent of the votes cast by Blacks, the Black candidate averaged 96.5



percent of the vote. The difference in the averages is statistically significant at  $p < .001$ , indicating statistically significant racially polarized voting.

#### **Bivariate Regression Analysis**

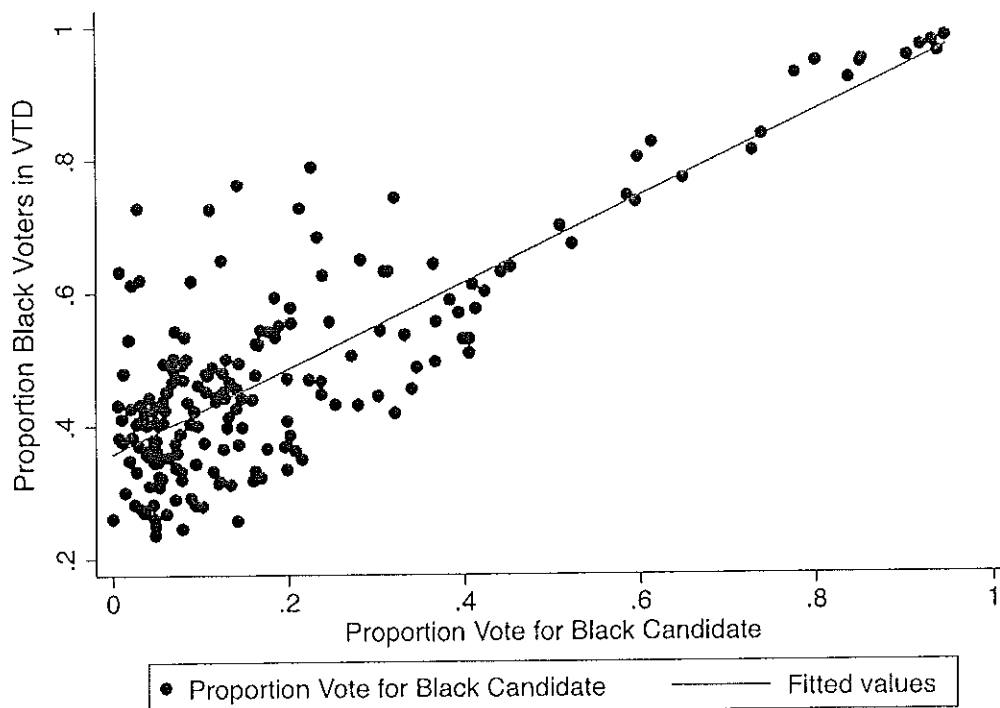
The equation for this relationship is:

Percentage vote for Black candidate = 34.0 percent + .657(Black voter percentage).

The number of observations is 188, and the R-squared is .70. The analysis weighted each observation by the total number of votes in each VTD. The results are statistically significant and indicate racial bloc voting.

The graph below depicts the linear relationship between proportion black in a precinct and the proportion of vote the black candidate received in this election. There is clearly a linear relationship and it is statistically significant. Voting is racially polarized in Wake County for this election.

Figure X. 2010 Board of Commissions Election District 1, Wake County



#### **Board of Commissioners District 2**

In 2010 an election for the Board of Commissioners in Wake County pitted a Black Democrat (Lindy Brown) versus a White Republican (Phil Matthews).



### Homogeneous Precincts

In the 81 VTD's that had less than 10 percentage of the votes cast by Blacks, the Black candidate averaged 43.0 percent of the vote. In the 5 VTD's that had over 90 percent of the votes cast by Blacks, the Black candidate averaged 97.0 percent of the vote. The difference in the averages is statistically significant at  $p < .001$ , indicating statistically significant racially polarized voting.

### Bivariate Regression Analysis

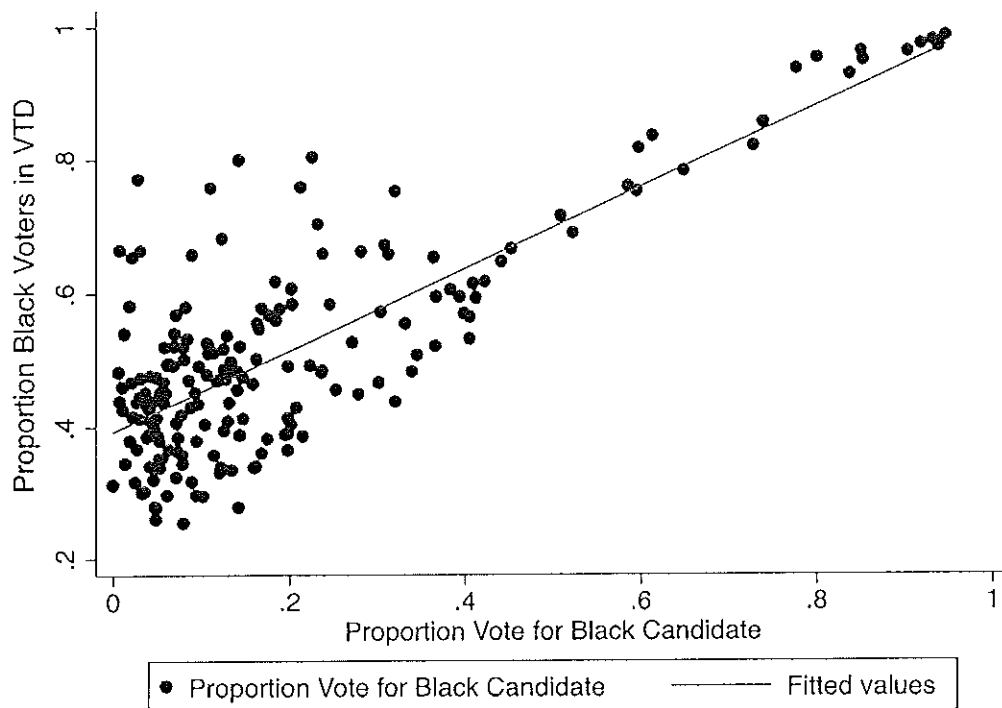
The equation for this relationship is:

Percentage vote for Black candidate = 37.3 percent + .625(Black voter percentage).

The number of observations is 188, and the R-squared is .67. The analysis weighted each observation by the total number of votes in each VTD. The results are statistically significant and indicate racial bloc voting.

The graph below depicts the linear relationship between proportion black in a precinct and the proportion of vote the black candidate received in this election. There is clearly a linear relationship and it is statistically significant. Voting is racially polarized in Wake County for this election.

Figure X. 2010 Board of Commissions Election District 2, Wake County



### Senate District 5 – 2010 General Election



Don Davis, a Black Democrat ran against Louis M. Pate, a White Republican in this election. The data demonstrate statistically significant racially polarized voting was present in this election.

### **Homogeneous Precincts**

In the 3 VTD's that had less than 10 percent of the votes cast by Blacks, the Black candidate averaged 40.7 percent of the vote. In the 2 VTD's that had over 90 percent of the votes cast by Blacks, the Black candidate averaged 93.9 percent of the vote. The difference in the averages is statistically significant at  $p < .01$ , indicating statistically significant racially polarized voting.

### **Bivariate Regression Analysis**

The equation for this relationship is:

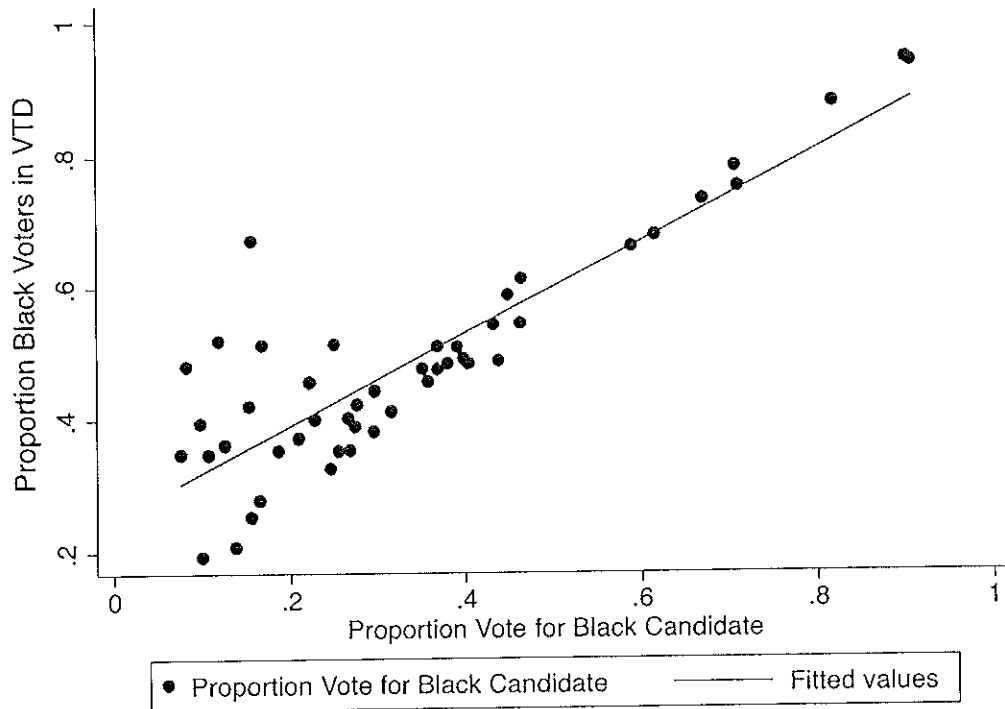
Percentage vote for Black candidate = 22.7 percent + .727(Black voter percentage).

The number of observations is 49, and the R-squared is .79. The analysis weighted each observation by the total number of votes in each VTD. The results are statistically significant and indicate racial bloc voting.

The graph below depicts the linear relationship between proportion black in a precinct and the proportion of vote the black candidate received in this election. There is clearly a linear relationship and it is statistically significant. Voting is racially polarized in this election and the results are statistically significant.

Figure X. 2010 Senate District 5 General Election





### 2006 General Election in State House District 60

This is a Guilford County example of racially polarized voting. This election pitted a Black Democrat, Earl Jones against a White Republican, Bill Wright.

#### Homogeneous precincts

There are three precincts in the data that have an African American voter population of 90 percent or greater. In each of these VTD's the percentages of votes for the Black Democratic candidate were greater than 90 percent (92.5, 93.7, and 96.3). There are four VTD's with non-Black population of 90 percent or greater and the vote percentages for the Democratic candidate were: 20.9, 15.9, 19.1, and 12.2.

#### Bivariate Regression

The equation describing the linear relationship between percent whites voting in a precinct and the percent of votes for White Candidates is

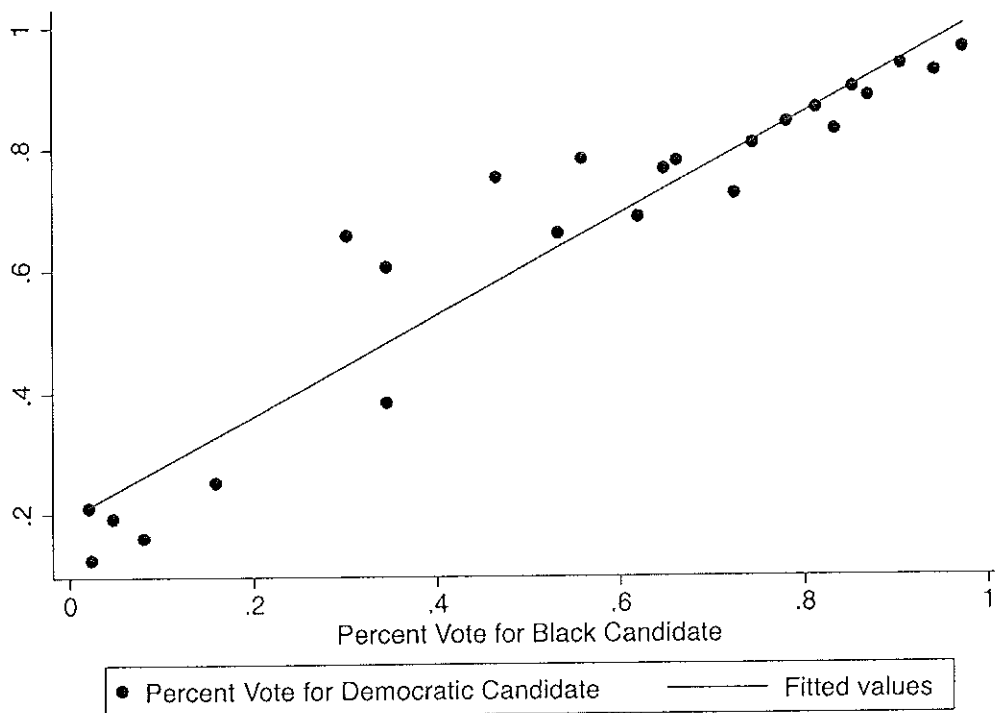
$$\text{Percent votes for Black candidate} = .870(\text{Percent Blacks in Precinct}) + 15.8.$$

The coefficients for both the constant and the percent Blacks in precinct are statistically significant (respective t-values of 5.12 and 16.8). There are 24 observations in the analysis and the R-squared is .92. So for every ten-percentage point increase in the Black population in a district, we expect the



percentage of votes in a district for Black candidate to increase by 8.70 points. The scatter-plot below is a graphical representation of this relationship. There is a strong linear relationship between the percent African American in a precinct and the percentage of votes received by the Black Democratic candidate. Voting is clearly racially polarized in Guilford County.

Figure 1. 2006 General Election State House District 60





**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
No. 1:15-cv-00399**

SANDRA LITTLE COVINGTON, et al.,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, et al.,

Defendants.

**[PROPOSED] ORDER ON  
PLAINTIFFS'  
MOTION FOR PRELIMINARY  
INJUNCTION**

THIS MATTER came before the undersigned three-judge panel of this Court on Plaintiffs' Motion for Preliminary Injunction. Having considered that Motion and all exhibits filed in connection therewith, as well as the pleadings of record and the arguments of counsel, the Court finds that the Plaintiffs' Motion for Preliminary Injunction should be GRANTED. The Court hereby makes the following findings and conclusions:

1. This Court has jurisdiction to hear Plaintiffs' claims pursuant to 42 U.S.C. §§ 1983 and 1988, and 28 U.S.C. §§ 1331, 1343(a)(3), and 1357.
2. Plaintiffs are likely to succeed on the merits of their claims that North Carolina Senate Districts 4, 5, 14, 20, 21, 28, 32, 38 and 40 in the 2011 Enacted State Senate Plan, and North Carolina House Districts 5, 7, 12, 21, 24, 29, 31, 32, 33, 38, 42, 48, 57, 99, 102, and 107 in the 2011 Enacted State House Plan, each constitute racial gerrymanders in violation of the Equal Protection Clause of the Fourteenth Amendment.



3. The 2011 State Senate and House Plans containing these unconstitutional racial gerrymanders are causing irreparable injury to Plaintiffs and will continue to cause irreparable injury unless such conduct is preliminarily enjoined.
4. The equities favor granting this preliminary injunction, in part because any potential harm to Defendants resulting from granting this preliminary injunction is far outweighed by the irreparable harm to Plaintiffs that would result from denying such relief.
5. Granting a preliminary injunction in this case will serve the public interest.

IT IS THEREFORE ORDERED THAT:

1. Defendants and all persons acting in concert or participation with Defendants, or pursuant to Defendants' authority, direction or control, are hereby immediately enjoined from beginning the 2016 election process for the following districts-- North Carolina Senate Districts 4, 5, 14, 20, 21, 28, 32, 38 and 40 as drawn in the 2011 Enacted State Senate Plan, and North Carolina House Districts 5, 7, 12, 21, 24, 29, 31, 32, 33, 38, 42, 48, 57, 99, 102, and 107 as drawn in the 2011 Enacted State House Plan—until further order from this Court;
2. It is further ordered that this matter be scheduled for trial promptly, and the parties shall appear for a conference to schedule trial matters on \_\_\_\_\_, 2015, at \_\_\_\_\_; and
3. This Order shall remain in effect until further order of the Court.



So ordered, this the \_\_\_\_ day of \_\_\_\_\_, 2015.

By: \_\_\_\_\_  
Thomas Schroeder  
United States District Court Judge  
Middle District of North Carolina

By: \_\_\_\_\_  
James Wynn, Jr.  
United States Circuit Judge  
United States Court of Appeals for the Fourth  
Circuit

By: \_\_\_\_\_  
Catherine Eagles  
United States District Court Judge  
Middle District of North Carolina