EXHIBIT B

REBUTTAL DECLARATION

Dr. Lisa Handley

Defendant in his Response to Plaintiffs' Motion for Preliminary Injunction contends that party, not race, accounts for the very different vote choices of Black and white voters in recent Georgia elections. This claim is flawed for at least two reasons. First, it ignores the evidence that voting is polarized not only in general elections, but in recent Democratic primaries in Georgia as well. This is important because party cannot explain this pattern of polarization – all of the voters chose to participate in the Democratic primary. Second, the argument suggests that the two variables – race and party – are competing options when, in fact, they are highly correlated explanations for the voting patterns found.[1]

Voting is racially polarized in Democratic primaries In the six areas of Georgia I studied, voting was racially polarized not only in general election contests that included Black candidates, but also in Democratic primaries in which Black candidates competed.[2] Quite simply, taking party out of the equation – all of the voters supported Democrats – did not change the fact that Black and white voters consistently voted for different candidates. As shown in Table 1, in all six areas, at least 62.5% of the eight Democratic primaries analyzed were polarized. Moreover, when voting was not polarized, it was usually because Black voters supported white candidates rather than because white voters cast their votes for Black candidates; in 11 of the 15 (73.3%) six area contests that were not polarized, Black and white voters preferred a white candidate over a Black candidate.

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[1] Racially polarized voting patterns that rest on the alignment of race, party and ideology has been referred to as *conjoined polarization*. Bruce Cain and Emily Zhang, "Blurred Lines: Conjoined Polarization and Voting Rights," *Ohio State Law Journal*, vol. 77 (4): 2016.

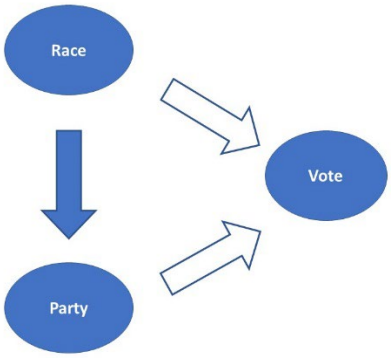
[2] I did not analyze Republican primaries because very few Black voters participate in Republican primaries and few Black candidates competed in recent statewide Republican primaries. In 2020, for example, only 2.3% of Black primary voters statewide chose the Republican primary rather than the Democratic primary. The two recent Black candidates who did run in Republican primaries in Georgia did not receive much support: Ben Carson, a candidate in the 2016 Republican presidential preference primary, garnered 6.2% of the vote; Derrick Grayson ran in the 2016 Republican primary for U.S. Senate and received only 12% of the vote.

Table 1: Voting Patterns in Democratic Primaries

Area	Map Area	Racially Polarized Primaries	Primaries Not Racially Polarized	Contests Not Racially Polarized: Black Voters Supported White Candidate	Contests Not Racially Polarized: White Voters Supported Black Candidate
Eastern Atlanta Metro Region	1	5/8 (62.5%)	3/8 (37.5%)	2/3 (66.7%)	1/3 (33.3%)
Southern Atlanta Metro Region	2	6/8 (75.0%)	2/8 (25.0%)	2/2 (100%)	0/2 (0%)
East Central Georgia	3	6/8 (75.0%)	2/8 (25.0%)	2/2 (100%)	0/2 (0%)
Southeastern Atlanta Metro Area	4	6/8 (75.0%)	2/8 (25.0%)	2/2 (100%)	0/2 (0%)
Central Georgia	5	5/8 (62.5%)	3/8 (37.5%)	2/3 (66.7%)	1/3 (33.3%)
Southwest Georgia	6	5/8 (62.5%)	3/8 (37.5%)	1/3 (33.3%)	2/3 (66.7%)

Argument that party rather than race explains vote ignores role of race in party choice

Insisting that the roles of race and party in voting can be evaluated separately by simply showing that Black and white voters support candidates from different parties ignores the role that race plays in explaining partisan identification and a voter's support for one party's candidates over the other party's candidates. The outlined arrows in the diagram below illustrate the argument being made; the solid arrow indicates the relationship being ignored in the contention that party, not race, explains vote choices.



Social science research reveals the significant role that race, racial attitudes, and racial policy preferences play in dictating individuals' partisan preferences.[3] The relationship between racial attitudes and partisan affiliation is especially strong in the South, where the partisan affiliations of white voters and Black voters have fluctuated directly with the racial policies embraced by the Democratic and Republican parties. Researchers have traced Southern realignment – the shift of white voters from overwhelming support for the Democratic party to nearly equally strong support for the Republican party – to the Democratic party's support for civil rights legislation beginning in the 1960s.[4] According to a recent study by two Princeton economists, "[u]sing newly available data, we conclude that defection among racially conservative whites just after Democrats introduce sweeping Civil Rights legislation explains virtually all of the party's losses in the region."[5] The differences in attitudes on racial issues between Republican and Democrats persist today.[6]

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[3] See, for example, Edward Carmines and James Stimson, *Issue Evolution: Race and the Transformation of American Politics.* Princeton, NJ: Princeton University Press, 1989; Maruice Mangum, "The Racial Underpinnings of Party Identification and Political Ideology," *Social Science Quarterly* vol. 94 (5): 2013; Carlos Algara and Isaac Hale, "Racial Attitudes and Political Cross-Pressures in Nationalized Elections: The Case of the Republican Coalition in the Trump Era," *Electoral Studies*, vol. 68: December 2020.

[4] See, for example, Carmines and Stimson, 1989; J. Morgan Kousser, "The Immutability of Categories and the Reshaping of Southern Politics," *Annual Review of Political Science* vol. 13: 2010; Ilyana Kuziemko and Ebonya Washington, "Why did the Democrats Lose the South? Bringing New Data to an Old Debate," *American Economic Review,* vol. 108 (10): October 2018.

[5] Kuziemko and Washington, 2018, p. 2865.

[6] The gap is actually increasing, but primarily due to the more liberal attitudes of Democrats. Robert Griffin, Mayesha Quasem, John Sides, and Michael Tesler, "Racing Apart: Partisan Shifts on Racial Attitudes Over the Last Decade," A Research Report from the Democracy Fund Voter Study Group, October 2021. A recently published study of racial attitudes by the Pew Research Center reports several examples of differences in racial attitudes between Democrats and Republicans, including: (1) the need for increased attention to the history of slavery and racism (Republicans are far more likely than Democrats to say increased attention to these issues is bad for the country); (2) the need to ensure equal rights for all Americans (Republicans overwhelmingly think only a little (47%) or nothing (30%) needs to be done to ensure equal rights for all Americans; Democrats (74%) agree that a lot more needs to be done to achieve racial equality; and (3) the progress made thus far towards racial equality (Republicans (71%) are much more likely than Democrats (29%) to say the nation has made a lot of progress toward racial equality over the past half-century). *See* "Deep Divisions in Americans' Views of Nation's Racial History – and How to Address It," Report of the Pew Research Center, August 12, 2021. Similarly, a Harvard political economist and his colleagues recently reported finding "a stark partisan gap among white respondents, particularly in the perceived causes of racial inequities and what should be done about them. White Democrats and Black respondents are much more likely to attribute racial inequities to adverse past and present circumstances and want to act on them with race-targeted and general redistribution policies. White Republicans are more likely to attribute racial gaps to individual actions." Alberto Alesina, Matteo

Updated Appendix B I am appending to this rebuttal an updated version of Appendix B. When I analyzed recent state legislative contests in the six areas of interest, I inadvertently left out recent elections in State House District 144. There were biracial contests for this seat in the 2016 and 2020 general elections, as well as in the 2018 Democratic primary and runoff. I analyzed these elections and included the results in the summary table for state house elections in Appendix B (these are the only changes made). These elections provide additional support for my conclusion that voting in state legislative contests in the six areas of interest is racially polarized: in all four of the contests analyzed, Black and white voters supported different candidates. The Black-preferred candidate won none of these racially polarized elections.[7] In the text of my report I indicate that I analyzed 24 general elections – with the addition of these two elections, I have analyzed 26 state legislative general elections. The average percentage of white vote for the Black-preferred candidate in state house general elections declined from the reported 9.4% to 8.7% as a consequence of these two additional contests.

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I reserve the right to modify and/or supplement my opinions, as well as to offer new opinions.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted and executed on January 20, 2022.

Dr. Lisa Handley

Ferroni, and Stephanie Stantcheva, "Perceptions of Racial Gaps, Their Causes, and Ways to Reduce Them," National Bureau of Economic Research Working Papers Series, October 2021.

[7] The Black candidate of choice in the 2018 Democratic primary in State House District 144 received enough votes to proceed to a runoff but lost this racially polarized runoff to the white candidate preferred by white voters despite overwhelming support from Black voters.

Corrected Appendix B to Dr. Handley's Preliminary Report on Newly Enacted Georgia State House and Senate Plans

Recent State Senate Contests	Race	Party	Vote	Estimates of Voting Patterns by Race in Recent State Legislative Elections					
				Black Voters			White Voters		
				HP	ER	EI	HP	ER	EI
General Elections 2020									
State Senate 16 2020									
Cinquez Jester	B	D	31.8		102.7	99.0		4.3	6.0
Marty Harbin	W	R	68.2		-3.0	1.1		95.7	94.0
Black turnout/VAP			*57.3*						
White turnout/VAP			*73.4*						
State Senate 20 2020									
Julius Johnson	B	D	35.0		107.0	98.7		1.4	2.6
Larry Walker	W	R	65.0		-7.1	1.1		98.6	97.7
Black turnout/VAP			*56.2*						
White turnout/VAP			*67.0*						
State Senate 23 2020									
Ceretta Smith	B	D	40.7		101.6	98.7	8.4	2.7	4.8
Max Burns	W	R	59.3		-1.5	1.7	91.6	97.3	95.0
Black turnout/VAP			*56.3*						
White turnout/VAP			*64.3*						
State Senate 25 2020									
Veronica Brinson	B	D	32.3		110.9	98.8	13.1	3.5	7.4
Burt Jones	W	R	67.7		-11.0	0.7	86.9	96.5	92.5
Black turnout/VAP			*51.7*						
White turnout/VAP			*69.9*						
General Elections 2018									
State Senate 17 2018									
Phyllis Hatcher	B	D	45.5		115.7	99.1		1.1	2.9
Brian Strickland	W	R	54.5		-15.6	1.0		98.9	97.1
Black turnout/VAP			*48.0*						
White turnout/VAP			*60.0*						
State Senate 34 2018									
Valencia Seay	B	D	82.9		107.5	99.5		7.2	6.6
Tommy Smith	W	R	17.1		-7.5	0.4		92.8	90.1
Black turnout/VAP			*45.5*						
White turnout/VAP			*51.3*						
General Elections 2016									
State Senate 17 2016									
Bill Blackmon	B	D	40.4		116.7	99.4		2.0	3.0
Rick Jeffares	W	R	59.6		-16.6	1.1		98.0	97.0
Black turnout/VAP			*42.7*						
White turnout/VAP			*67.0*						
State Senate 43 2016									
Tonya Anderson	B	D	70.4	96.0	104.8	99.3		2.4	3.3
Janice Frey Van Ness	W	R	29.6	4.0	-4.8	0.8		97.6	96.6
Black turnout/VAP			*47.5*						
White turnout/VAP			*60.6*						

Recent State House Contests	Race	Party	Vote	Estimates of Voting Patterns by Race in Recent State Legislative Elections					
				Black Voters			White Voters		
				HP	ER	EI	HP	ER	EI
General Elections 2020									
State House 63 2020									
Debra Bazemore	B	D	78.8		101.0	99.4		17.4	16.9
David Callahan	W	R	21.2		-1.2	0.6		82.8	83.4
Black turnout/VAP			*61.6*						
White turnout/VAP			*73.4*						
State House 110 2020					116.8	95.6		-3.1	2.9
Ebony Carter	B	D	44.2		-17.0	4.4		103.0	97.0
Clint Crowe	W	R	55.8						
Black turnout/VAP			*61.7*						
White turnout/VAP			*63.0*						
State House 129 2020									
Sharonda Bell	B	D	26.3		93.2	98.2		1.3	4.1
Susan Holmes	W	R	69.6		9.4	13.7		94.0	92.6
Joe Reed	W	I	4.2		-3.2	11.2		4.6	2.4
Black turnout/VAP			*49.3*						
White turnout/VAP			*73.0*						
State House 130 2020									
Sheila Henley	B	D	41.6		106.5	99.2		3.3	5.6
David Knight	W	R	58.4		-6.5	0.6		96.7	94.5
Black turnout/VAP			*53.8*						
White turnout/VAP			*65.7*						
State House 138 2020									
Marc Arnett	B	D	46.2		106.5	98.5		3.3	8.3
Mike Cheokas	W	R	53.9		-6.4	1.1		96.7	92.1
Black turnout/VAP			*49.2*						
White turnout/VAP			*55.6*						
State House 144 2020									
Mary Whipple-Lue	B	D	30.9		98.7	97.5		0.2	1.8
Danny Mathis	W	R	69.1		1.6	1.3		99.8	97.9
Black turnout/VAP			*67.9*						
White turnout/VAP			*68.4*						
State House 145 2020									
Quentin Howell	B	D	43.8		109.9	97.5		8.8	9.7
Ricky Williams	W	R	56.2		-9.9	1.4		91.5	90.1
Black turnout/VAP			*47.1*						
White turnout/VAP			*59.2*						
State House 173 2020									
Booker Gainor	B	D	40.6		103.1	96.8		5.5	8.1
Darlene Taylor	W	R	59.4		-3.0	3.1		94.4	91.8
Black turnout/VAP			*51.7*						
White turnout/VAP			*63.9*						

Recent State House Contests	Race	Party	Vote	Estimates of Voting Patterns by Race in Recent State Legislative Elections					
				Black Voters			White Voters		
				HP	ER	EI	HP	ER	EI
General Elections 2018									
State House 111 2018									
El-Mahdi Holly	B	D	56.6		124.1	96.7		-7.7	6.7
Geoffrey Cauble	W	R	43.4		-23.9	3.2		107.5	93.3
Black turnout/VAP			*48.3*						
White turnout/VAP			*61.7*						
State House 128 2018									
Mack Jackson	B	D	57.0		101.0	98.6	8.8	9.6	15.0
Jackson Williams	W	R	43.0		-0.9	1.0	91.2	90.5	85.0
Black turnout/VAP			*47.4*						
White turnout/VAP			*58.3*						
State House 152 2018									
Marcus Batten	B	D	26.0		102.7	98.6	8.9	1.1	3.7
Ed Rynders	W	R	74.0		-2.6	0.8	91.1	98.9	96.3
Black turnout/VAP			*45.2*						
White turnout/VAP			*56.0*						
State House 175 2018									
Treva Gear	B	D	28.5		92.1	74.9		4.6	5.4
John LaHood	W	R	71.5		7.2	23.5		95.3	94.7
Black turnout/VAP			*46.4*						
White turnout/VAP			*47.2*						
General Elections 2016									
State House 73 2016									
Rahim Talley	B	D	35.5		105.4	98.2		1.5	2.2
Karen Mathiak	W	R	64.5		-5.2	1.7		98.5	97.7
Black turnout/VAP			*46.4*						
White turnout/VAP			*63.5*						
State House 111 2016									
Darryl Payton	B	D	48.3		120.9	99.2		-4.3	5.7
Brian Strickland	W	R	51.7		-20.8	0.8		104.3	94.8
Black turnout/VAP			*40.7*						
White turnout/VAP			*70.5*						
State House 144 2016									
Joyce Denson	B	D	32.3		96.2	96.0	13.1	4.4	4.1
James Bubber Epps	W	R	67.7		4.0	4.0	86.9	95.6	95.7
Black turnout/VAP			*59.5*						
White turnout/VAP			*59.2*						
State House 145 2016									
Floyd Griffin	B	D	43.4		108.1	99.3	14.6	6.7	8.6
Ricky Williams	W	R	56.6		-8.0	0.9	85.4	93.4	91.3
Black turnout/VAP			*43.3*						
White turnout/VAP			*52.0*						

Recent State House Contests	Race	Party	Vote	Estimates of Voting Patterns by Race in Recent State Legislative Elections					
				Black Voters			White Voters		
				HP	ER	EI	HP	ER	EI
State House 173 2016									
Tommy Hill	B	D	38.9		99.7	97.0	13.3	5.6	6.7
Darlene Taylor	W	R	61.1		0.2	3.1	86.7	94.5	93.4
Black turnout/VAP			*46.8*						
White turnout/VAP			*56.2*						
State House 177 2016									
Dexter Sharper	B	D	64.4		93.3	95.2		36.1	40.4
Deidra White	W	R	35.6		6.2	4.9		64.5	59.6
Black turnout/VAP			*30.6*						
White turnout/VAP			*65.1*						
Democratic Primaries 2018									
State House 144 2018 PR									
Jessica Walden	W	D	34.0		24.7	25.5		58.8	59.5
Gregory Odoms	B	D	28.6		36.1	34.7		16.0	20.0
Mary Whipple-Lue	B	D	27.7		32.0	31.7		11.8	5.4
Cheyenne Warnock	W	D	9.8		7.7	2.2		13.3	33.3
Black turnout/VAP			*23.0*						
White turnout/VAP			*3.3*						
State House 152 2018									
Marcus Batten	B	D	57.9		60.8	63.3		40.2	37.1
Mary Egler	W	D	42.1		39.3	36.7		59.7	62.9
Black turnout/VAP			*14.3*						
White turnout/VAP			*1.1*						
State House 153 2018									
CaMia Whitaker Hopson	B	D	51.3	43.0	42.4	43.7		96.0	92.3
Darrel Ealum	W	D	48.7	57.0	57.5	56.3		4.7	6.6
Black turnout/VAP			*13.9*						
White turnout/VAP			*4.6*						
Democratic Primaries 2016									
State House 153 2016									
Darrel Ealum	W	D	56.8	43.2	40.3	40.1		90.9	92.0
Muarlean Edwards	B	D	29.8	42.8	45.3	44.4		-0.1	0.1
Antonio Screen	B	D	13.4	14.0	14.2	17.4		14.2	9.2
Black turnout/VAP			*14.9*						
White turnout/VAP			*14.9*						
Democratic Runoff 2018									
State House 144 2018									
Gregory Odoms	B	D	47.5		54.2	56.5		22.6	30.9
Jessica Walden	W	D	52.5		45.4	44.3		77.4	67.6
Black turnout/VAP			*12.8*						
White turnout/VAP			*1.4*						