**IN THE UNITED STATES DISTRICT COURT**
**FOR THE NORTHERN DISTRICT OF GEORGIA**
**ATLANTA DIVISION**

| | |
|---|---|
| ALPHA PHI ALPHA FRATERNITY INC., *et al.*,<br><br>*Plaintiffs*,<br><br>v.<br><br>BRAD RAFFENSPERGER,<br><br>*Defendant*. | CIVIL ACTION<br><br>FILE NO. 1:21-CV-05337-SCJ |

**EXPERT REPORT OF JOHN B. MORGAN**

Pursuant to 28 U.S.C. § 1746, Fed. R. Civ. P. 26, and F.R.E. 702 and 703, I, JOHN B. MORGAN, make the following declaration:

1. My name is John B. Morgan. I am over the age of 21 years, and I am under no legal disability which would prevent me from giving this declaration. If called to testify, I would testify under oath to these facts.

2. I hold a B.A. in History from the University of Chicago. As detailed in my CV, attached as Exhibit 1, I have extensive experience over many years in the field of redistricting. I have worked on redistricting plans in the redistricting efforts following the 1990 Census, the 2000 Census, the 2010 Census and the 2020 Census. I have testified as an expert witness in demographics and redistricting.

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Cooper

3. I am being compensated at a rate of $325 per hour for my services in this case.

4. The redistricting geographic information system (GIS) software package used for this analysis is Maptitude for Redistricting 2021 from Caliper Corporation. The redistricting software was loaded with the census PL94-171 data from the Census Bureau and the census geography for Georgia. I was also provided with election data files used by the Georgia General Assembly during the redistricting process. The full suite of census geography was available, including counties, places, voting districts, water bodies, and roads, as well as census blocks, which are the lowest level of geography for which the Census Bureau reports population counts. Census blocks are generally bounded by visible features, such as roads, streams, and railroads and they can range in size from a city block in urban and suburban areas to many square miles in rural areas.

5. I have been asked to review the House of Representatives and State Senate plans considered and adopted by the Georgia General Assembly and compare them to the proposed House and Senate plans drawn by Mr. Cooper and offer opinions regarding my analysis.

6. As a result of this analysis my opinion is that the Cooper 1205 Senate and House plans are focused on race, prioritizing race to the detriment of traditional redistricting factors.

**Data utilized for analysis**

7. Two House and two Senate plan were submitted for a preliminary injunction hearing, earlier in this case (I am designating these as PI1 and PI2 plans). Mr. Cooper submitted an additional House and Senate plan in his expert report in this case on December 5, 2022 (I am designating these as 1205 plans).

8. In preparing this analysis, I was given the block-equivalency files of the Cooper plans as well as the block-equivalency files of the 2021 adopted plans and incumbent databases used by the Georgia General Assembly during the redistricting process. The incumbent databases list the address locations and districts of the Representatives and Senators serving under the existing House (2015-enacted) and Senate (2014-enacted) plans prior to the election of 2022. I was also given information on incumbents who were not intending to run for re-election to their current offices in 2022.

9. I loaded the 2021 House and 2021 Senate plans enacted by the Georgia General Assembly into the Maptitude for Redistricting software using the block-equivalency files provided. I loaded the Cooper PI1 and PI 2 House and Senate

plans and the 1205 Cooper House and Senate plans into the Maptitude for Redistricting software using the block-equivalency files provided. I loaded the prior House (2015-enacted) and Senate (2014-enacted) plans into the Maptitude for Redistricting software using files provided with software. I loaded the associated incumbent databases provided.

10. Using the Maptitude for Redistricting software, I ran seven reports for each 1205 Cooper plan:

1- Measures of compactness report,

2- Districts & incumbents report,

3- Population summary report,

4- Political subdivision splits report,

5- Plan component report,

6- Core constituency report compared to PI2 plan,

7- Core constituency report compared to Enacted 2021 plan.

11. Each report is included in the exhibits to this report as Exhibits 2-15. I previously created these reports for the enacted plans that are included in my December 5, 2022 expert report. I also created population summary reports for the PI plans.

12. I also created a series of maps comparing the 1205 plans and the enacted plans. These maps show a theme of AP-Black % on the voting districts and overlays of selected districts in the enacted plans and the 1205 plans for comparison. Each of these Senate maps us included in the exhibits of this report as Exhibits 16-40 and each of these House maps is included as Exhibits 41-62.

**State Senate Plan Analysis**

13. Using the Population summary reports, I tallied the number of majority-Black districts using any-part Black voting age population (18+ AP-Black) for each Senate plan. The chart below shows the total number of majority-Black districts in the 2021 adopted Senate plan, the Cooper 1205 Senate plan and the Cooper PI2 Senate plan, as well as the number of districts in the percentage ranges using the any-part Black voting age population.

**Chart 1: Number of Majority-Black Senate Districts**

| Majority-Black Senate Districts | | | |
|---|---|---|---|
| **% AP Black VAP** | **2021 Adopted Plan** | **APA Cooper Illustrative 1205** | **APA Cooper Illustrative2 PI** |
| Over 75% | 0 | 1 | 1 |
| 70% to 75% | 3 | 0 | 0 |
| 65% to 70% | 3 | 1 | 1 |
| 60% to 65% | 3 | 4 | 2 |
| 55% to 60% | 3 | 3 | 3 |
| 52% to 55% | 1 | 4 | 4 |
| 50% to 52% | 1 | 5 | 8 |
| | | | |
| Total # Districts | 14 | 18 | 19 |

14. The 2021 adopted Senate plan includes 14 majority-Black districts, the Cooper 1205 Senate plan includes 18 majority-Black districts, and the Cooper PI2 Senate plan has 19 majority-Black districts.

15. The Core Constituency report comparing the Cooper Senate 1205 plan to the Cooper Senate PI2 plan (Ex. 7) shows that there are changes affecting many districts. The Senate plan drafted by Mr. Cooper (1205) has only one district (SD10) that is exactly the same as the plan submitted previously for the preliminary injunction hearing in this case (Cooper PI2). Including SD10, there are 17 districts that share over 90% of the same territory as a district in the Cooper PI2 plan and 27 districts that share over 80% the same territory as a district in the Cooper PI2 plan.

There are many differences between the Cooper 1205 Senate plan and the Cooper PI2 Senate plan – with all the changes, one result is that the new Cooper 1205 Senate plan has one less majority-Black district than the PI2 plan.

16. Looking more closely at the Cooper 1205 Senate plan, below is a chart that summarizes top-line statistics about the plan and compares them to the enacted plan.

**Chart 2: Cooper 1205 Senate and Enacted Senate Plan comparisons**

| **Plan metrics** | **Cooper Senate 1205** | **Enacted Senate** |
|---|---|---|
| County splits | 28 | 29 |
| Voting precinct splits | 43 | 47 |
| Mean compactness - Reock | 0.43 | 0.42 |
| Mean compactness - Polsby Popper | 0.28 | 0.29 |
| # Paired incumbents | 6 | 4 |
| # Seats majority 18+_AP_Blk% | 18 | 14 |
| Deviation relative range | -1.00% to 1.00% | -1.03% to +0.98% |
| Deviation overall range | 2.01% | 2.01% |

17. The changes from the Cooper PI2 plan to the Cooper 1205 Senate plan appears to align the 1205 Senate plan more closely to the enacted Senate plan than to the Cooper PI2 plan. In addition to the overall plan metrics in the chart above,

the Core constituency report (Ex. 8) shows that the Cooper 1205 Senate plan has 21 districts that are exactly the same as the enacted Senate plan.

18. The Cooper 1205 Senate plan has 35 of 56 districts drawn differently, but still has mean compactness scores close to the enacted plan, with the mean compactness score on the Reock test higher and the mean compactness score on the Polsby-Popper test lower. The Cooper 1205 Senate plan changes 35 districts to create four new Black-majority Senate districts.

19. Below is a map showing the Metro region with a theme of AP-Black % on the voting districts, as well as maps of four districts in the Enacted Senate plan and four districts in the Cooper 1205 Senate plan.

20. Voting districts themed in red have an AP-Black % of greater than 65% and voting districts themed in yellow have an AP-Black % of 50% to 65%. Voting districts themed in green have an AP-Black % of 35% to 50%; light blue have an AP-Black % of 20% to 35%; and darker blue have an AP-Black % of less than 20%.

21. Looking at four districts in the Metro area south of Atlanta, Senate District 10 in the enacted plan is anchored in heavily Black southern DeKalb County (Stonecrest area) and follows the western boundary of Henry County down to its southern border with Spalding County. This district has a Reock compactness score of 0.28 and a Polsby-Popper compactness score of 0.23 and the district is 71.46% 18+AP Black. It is comprised of parts of two counties and measures 25 miles from north to south.

22. Senate District 44 in the enacted plan is anchored in heavily Black southern DeKalb County (Gresham Park area) and follows the eastern boundary of Clayton County including its southern "tail." This district has a Reock compactness score of 0.18 and a Polsby-Popper compactness score of 0.19 and the district is 71.3% 18+AP Black. It is comprised of parts of two counties and measures 20 miles from north to south.

23. Senate District 34 in the enacted plan is anchored in heavily Black northern Clayton County and combines with the northern portion of Fayette County and one voting precinct in Clayton County. This district has a Reock compactness score of 0.45 and a Polsby-Popper compactness score of 0.34 and the district is 69.5% 18+AP Black. It is comprised of parts of three counties and measures 15 miles from north to south.

24. Senate District 16 in the enacted plan is an ex-urban district that takes the balance of Fayette County and combines it with the whole counties of Spalding, Pike and Lamar to the south. This district has a Reock compactness score of 0.37 and a Polsby-Popper compactness score of 0.31 and the district is 22.7% 18+AP Black. It is comprised of three whole counties as well as part of one county and measures 50 miles from north to south.

25. By contrast, the Cooper 1205 Senate plan strategically cuts Clayton County in three places to connect heavier concentration of Black voters with whiter, more ex-urban population. The construction of Cooper 1205 SD 16 is anchored in heavily Black northern Clayton County, strategically avoids the Black population in the "tail" of southern Clayton County and stretches through Henry County to pick up predominantly white portions of Spalding County. This district has a Reock compactness score of 0.26, a Polsby-Popper compactness score of 0.19 and the

district is 56.5% 18+AP Black. It is comprised of parts of three counties and measures 34 miles from north to south.

26. The construction of Cooper 1205 SD 10 is anchored in heavily Black southern DeKalb County, (Gresham Park area) and combines with northern Henry County. This district has a Reock compactness score of 0.32, a Polsby-Popper compactness score of 0.25 and the district is 69.8% 18+AP Black. It is comprised of parts of two counties and measures 22 miles from north to south.

27. The construction of Cooper 1205 SD 34 combines heavily Black Fulton County with heavily Black northern Clayton County. This district has a Reock compactness score of 0.56, a Polsby-Popper compactness score of 0.4 and the district is 77.8% 18+AP Black. It is comprised of parts of two counties and measures 10 miles from north to south.

28. The construction of Cooper 1205 SD 28 combines heavily Black tail of southern Clayton County with part of Fayette County and part of Spalding County. The Cooper 1205 Senate plan strategically utilizes the Black population in these three counties in SD 28. Below is a summary chart of the Plan Component Report (appendix) in this area.

**Chart 3: Cooper 1205– SDs 34, 16, 28, 39 – plan components**

| COUNTY | | District 034 Total Pop. | District 034 AP_Blk | District 016 Total Pop. | District 016 AP_Blk | District 028 Total Pop. | District 028 AP_Blk | District 039 Total Pop. | District 039 AP_Blk |
|---|---|---|---|---|---|---|---|---|---|
| Clayton | Total: | 139632 | 100,905 | 84393 | 58,581 | 73570 | 56,865 | | |
| | | | 72.3% | | 69.4% | | 77.3% | | |
| | Voting Age | 102302 | 73,720 | 63302 | 43,544 | 54974 | 41,590 | | |
| | | | 72.1% | | 68.8% | | 75.7% | | |
| Fayette | Total: | | | | | 74742 | 27,910 | 44452 | 4,166 |
| | | | | | | | 37.3% | | 9.4% |
| | Voting Age | | | | | 58345 | 20,819 | 33453 | 2,909 |
| | | | | | | | 35.7% | | 8.7% |
| Spalding | Total: | | | 25726 | 7,534 | 41580 | 16,988 | | |
| | | | | | 29.3% | | 40.9% | | |
| | Voting Age | | | 20366 | 5,466 | 31757 | 12,045 | | |
| | | | | | 26.8% | | 37.9% | | |
| Fulton | Total: | 52788 | 49,181 | | | | | | |
| | | | 93.2% | | | | | | |
| | Voting Age | 39253 | 36,464 | | | | | | |
| | | | 92.9% | | | | | | |
| Coweta | Total: | | | | | | | 146158 | 28,289 |
| | | | | | | | | | 19.4% |
| | Voting Age | | | | | | | 111155 | 20,196 |
| | | | | | | | | | 18.2% |
| Henry | Total: | | | 79973 | 44,877 | | | | |
| | | | | | 56.1% | | | | |
| | Voting Age | | | 59467 | 31,887 | | | | |
| | | | | | 53.6% | | | | |
| | DISTRICT TOTALS | District 034 | | District 016 | | District 028 | | District 039 | |
| | | 192420 | 150,086 | 190092 | 110,992 | 189892 | 101,763 | 190610 | 32,455 |
| | | | 78.0% | | 58.4% | | 53.6% | | 17.0% |
| | | 141555 | 110,184 | 143135 | 80,897 | 145076 | 74,454 | 144608 | 23,105 |
| | | | 77.8% | | 56.5% | | 51.3% | | 16.0% |

29. The Plan Component Report (Ex. 6) shows the Spalding County portion of Cooper 1205 SD 28 has a population of 41,580 and is 38% 18+ AP-Black. The balance of Fayette County portion of SD 39 has a population of 44,452 and is 8.7% is 18+ AP-Black. Replacing the Spalding County portion of SD 28 with the balance of Fayette County would make Fayette County whole but would drop the 18+ AP-

Black below 50% to 44.5% 18+ AP-Black. The construction of Cooper 1205 Senate District 28 strategically bypasses Peachtree City in Fayette County, to ensure that the district remains slightly above 50% AP Black. SD 28 instead splits off Peachtree City in Fayette County to make room to include most of the Black population in Spalding County into SD 28, which is necessary to reach the 50% 18+ AP-Black. Cooper 1205 SD 28 has a Reock compactness score of 0.37, a Polsby-Popper compactness score of 0.18 and the district is 51.3% 18+AP Black. It is comprised of parts of three counties and measures 24 miles from north to south.

30. Looking at specific districts (as above) demonstrates the racial focus of the Cooper 1205 plan in this area. The Black percentage is lowered only by elongating the district to include lower concentrations of Black population. This allows the Black population to be redistributed and to create other majority Black districts.

31. Below is a map showing Augusta and the East Central region with a theme of AP-Black % on the counties. The map shows that Richmond County (Augusta) has a majority of AP-Black population. At over 200,000 in population, Richmond County has more than enough population for a Senate district. The map also shows some majority AP-Black population counties, which are not very

populous, to the west of Augusta – Washington, Jefferson, Hancock, Warren and Taliaferro.

32. A similarly themed map on the voting districts shows concentrations of Black population in the region.

33. Senate District 22 in the enacted plan is drawn entirely within Richmond County. Enacted Senate District 22 has a Reock compactness score of 0.41 and a Polsby-Popper compactness score of 0.29 and the district is 56.5% 18+AP Black. In the enacted plan, the balance of Richmond County is placed in Senate District 23 along with a portion of Columbia County and nine whole counties. Enacted Senate District 23 has a Reock compactness score of 0.37 and a Polsby-Popper compactness score of 0.16 and the district is 35.48% 18+AP Black.

34. In order to change the racial makeup of Senate Districts 22 and 23, the Cooper 1205 Senate plan pushes part of SD 22 out of Richmond County into McDuffie, Warren and Glascock counties, taking in their combined 40% Black population, which is relatively high in that area. The plan strategically utilizes the Black population in those counties, selecting higher concentration AP-Black population in order to keep SD 22 above 50% 18+AP Black population. By moving

SD 22 into in those counties, stronger concentrations of Black population in Richmond County can be transferred into Senate District 23.

35. The construction of Senate District 23 in the Cooper 1205 Senate plan splits Wilkes County, taking substantially Black population into the district, and excluding the predominantly white population (Ex. 6.) Senate District 23 connects separate enclaves of Black population, including Milledgeville in Baldwin County,

which measures more than 100 miles away from the eastern part of the district in Augusta.

36. The chart below compares the split counties in both the Enacted Senate and Cooper 1205 Senate plans as well as some demographic data for those counties. The enacted Senate plan splits 29 counties and the Cooper 1205 Senate plan splits 28 counties. Both plans split the same 24 counties.

**Chart 4: County splits Enacted Sen vs Cooper Sen 1205**

| County | Population | AP Blk | AP Blk % | 18+ Pop | 18+ AP Blk | 18+ AP Blk % | Split in Enacted Sen | Split in Cooper Sen 1205 |
|---|---|---|---|---|---|---|---|---|
| Barrow | 83,505 | 11,907 | 14.3% | 62,195 | 8,222 | 13.2% | X | X |
| Bartow | 108,901 | 13,395 | 12.3% | 83,570 | 9,377 | 11.2% | X | X |
| Bibb | 157,346 | 88,865 | 56.5% | 120,902 | 64,270 | 53.2% | X | X |
| Chatham | 295,291 | 115,458 | 39.1% | 234,715 | 85,178 | 36.3% | X | X |
| Cherokee | 266,620 | 21,687 | 8.1% | 202,928 | 14,976 | 7.4% | X | X |
| Clayton | 297,595 | 216,351 | 72.7% | 220,578 | 158,854 | 72.0% | X | X |
| Cobb | 766,149 | 223,116 | 29.1% | 591,848 | 166,141 | 28.1% | X | X |
| DeKalb | 764,382 | 407,451 | 53.3% | 595,276 | 314,230 | 52.8% | X | X |
| Douglas | 144,237 | 74,260 | 51.5% | 108,428 | 53,377 | 49.2% | X | X |
| Fayette | 119,194 | 32,076 | 26.9% | 91,798 | 23,728 | 25.8% | X | X |
| Floyd | 98,584 | 15,606 | 15.8% | 76,295 | 11,064 | 14.5% | X | X |
| Forsyth | 251,283 | 13,222 | 5.3% | 181,193 | 8,751 | 4.8% | X | X |
| Fulton | 1,066,710 | 477,624 | 44.8% | 847,182 | 368,635 | 43.5% | X | X |
| Gordon | 57,544 | 2,919 | 5.1% | 43,500 | 1,939 | 4.5% | X | X |
| Gwinnett | 957,062 | 287,687 | 30.1% | 709,484 | 202,762 | 28.6% | X | X |
| Hall | 203,136 | 17,006 | 8.4% | 153,844 | 12,094 | 7.9% | X | X |
| Henry | 240,712 | 125,211 | 52.0% | 179,973 | 89,657 | 49.8% | X | X |
| Houston | 163,633 | 56,520 | 34.5% | 122,118 | 39,605 | 32.4% | X | X |
| Muscogee | 206,922 | 102,212 | 49.4% | 157,052 | 74,301 | 47.3% | X | X |
| Paulding | 168,661 | 41,296 | 24.5% | 123,998 | 28,164 | 22.7% | X | X |
| Richmond | 206,607 | 119,970 | 58.1% | 160,899 | 87,930 | 54.6% | X | X |
| Walton | 96,673 | 18,804 | 19.5% | 73,098 | 13,165 | 18.0% | X | X |

| County | Population | AP Blk | AP Blk % | 18+ Pop | 18+ AP Blk | 18+ AP Blk % | Split in Enacted Sen | Split in Cooper Sen 1205 |
|---|---|---|---|---|---|---|---|---|
| Ware | 36,251 | 11,421 | 31.5% | 27,788 | 8,226 | 29.6% | X | X |
| White | 28,003 | 721 | 2.6% | 22,482 | 484 | 2.2% | X | X |
| Clarke | 128,671 | 33,672 | 26.2% | 106,830 | 24,776 | 23.2% | X | |
| Coffee | 43,092 | 12,575 | 29.2% | 32,419 | 9,191 | 28.4% | X | |
| Columbia | 156,010 | 32,516 | 20.8% | 114,823 | 22,273 | 19.4% | X | |
| Jackson | 75,907 | 6,148 | 8.1% | 56,451 | 4,268 | 7.6% | X | |
| Newton | 112,483 | 55,901 | 49.7% | 84,748 | 40,433 | 47.7% | X | |
| Monroe | 27,957 | 6,444 | 23.0% | 21,913 | 5,068 | 23.1% | | X |
| Rockdale | 93,570 | 57,204 | 61.1% | 71,503 | 41,935 | 58.6% | | X |
| Spalding | 67,306 | 24,522 | 36.4% | 52,123 | 17,511 | 33.6% | | X |
| Wilkes | 9,565 | 3,989 | 41.7% | 7,651 | 3,071 | 40.1% | | X |
| **TOTAL** | | | | | | | **29** | **28** |

37. In comparison to the Enacted Senate plan, the Cooper 1205 Senate plan makes five counties whole (Clarke, Coffee, Columbia, Jackson, and Newton counties) and introduces four new county splits (Monroe, Rockdale, Spalding, and Wilkes counties).

38. The four new county splits are attributable to the effort to create new Black majority seats in the Cooper 1205 Senate plan. The Plan Component report in the (Ex. 6) shows the population and select demographic data for each county portion in a district. While Newton County is made whole in the Cooper 1205 Senate plan, it is then necessary to split Rockdale County to allow Cooper 1205 SD 17 to transit through Rockdale County to connect to population in Henry County. Spalding County is split such that the two-thirds of the 18+ AP-Black population in

Spalding County is placed in Cooper 1205 SD 28, keeping the % 18+ AP-Black population above 50%. Monroe County is split as a result of taking Baldwin County out of the principal district in the area (Enacted SD 25 / Cooper 1205 SD 44). While Columbia County is made whole in the Cooper 1205 Senate plan, Wilkes County is split such that the portion in Cooper 1205 SD 23 is 70% 18+ AP-Black and the portion out of Cooper 1205 SD 23 is 25% 18+ AP-Black, a move that significantly contributes to keeping district barely above 50% 18+ AP-Black.

39. In the Cooper 1205 Senate plan, adjustments are made to the district boundaries to unsplit counties in areas of the state with less minority population to keep the total number of splits similar to the enacted Senate plan.

40. Based on my analysis of the Cooper 1205 Senate plan, the impact of engineering more majority Black districts can be seen in the overall plan metrics and the differences from the enacted plan.

41. Further, my analysis of the traditional redistricting factors – maintaining communities and traditional boundaries, compactness, and deviation – along with the manipulation of the boundaries of the new AP-Black districts, supports my opinion that the Cooper 1205 Senate plan is focused on race, prioritizing race to the detriment of traditional redistricting factors.

## State House Plan Analysis

42. Using the Population summary reports, I tallied the number of majority-Black districts using any-part Black voting age population for each House plan. The chart below shows the total number of majority-Black districts in the 2021 adopted House plan, the Cooper 1205 House plan and the Cooper PI2 House plan, as well as the number of districts in the percentage ranges using the any-part Black voting age population.

**Chart 5: Number of Majority-Black House Districts**

| Majority-Black House Districts | | | |
|---|---|---|---|
| **% AP Black VAP** | **2021 Adopted Plan** | **APA Cooper Illustrative 1205** | **Cooper Illustrative2 PI** |
| Over 75% | 2 | 1 | 5 |
| 70% to 75% | 9 | 7 | 4 |
| 65% to 70% | 7 | 8 | 5 |
| 60% to 65% | 8 | 9 | 7 |
| 55% to 60% | 11 | 12 | 15 |
| 52% to 55% | 10 | 13 | 5 |
| 50% to 52% | 2 | 4 | 13 |
| | | | |
| Total # Districts | 49 | 54 | 54 |

43. The 2021 adopted House plan includes 49 majority-Black districts, the Cooper 1205 House plan includes 54 majority-Black districts, and the Cooper PI2 House plan has 54 majority-Black districts.

44. The Core Constituency report comparing the Cooper House 1205 plan to the Cooper House PI2 plan (Ex. 14) shows that there are changes affecting many districts. The House plan drafted by Mr. Cooper (1205) has only two districts (HD 003 and HD 154) out of 180 that are exactly the same as the plan submitted previously for the preliminary injunction hearing in this case (Cooper House PI2). Including HD 003 and HD 154, there are only 16 out of 180 districts that share over 90% of the same territory as a district in the Cooper PI2 House plan and only 32 districts out of 180 that share over 80% of the same territory as a district in the Cooper PI2 House plan. There are many differences between the Cooper 1205 House plan and the Cooper PI2 House plan – but even with all the changes, one result is that the stays the same – the new Cooper 1205 House plan has the same number of majority-Black districts as the Cooper PI2 House plan.

45. Looking more closely at the Cooper 1205 House plan, below is a chart that summarizes top-line statistics about the plan and compares them to the enacted plan.

**Chart 6: Cooper 1205 House and Enacted House Plan comparisons**

| Plan metrics | Cooper House 1205 | Enacted House |
|---|---|---|
| County splits | 68 | 69 |
| Voting precinct splits | 193 | 184 |
| Mean compactness - Reock | 0.39 | 0.39 |
| Mean compactness - Polsby Popper | 0.27 | 0.28 |
| # Paired incumbents | 25 | 20 |
| # Seats majority 18+_AP_Blk% | 54 | 49 |
| Deviation relative range | -1.49% to 1.49% | -1.40% to 1.34% |
| Deviation overall range | 2.98% | 2.74% |

46. The Cooper 1205 House plan uses a deviation range that is slightly larger in range than the 2021 Enacted House plan.

47. The mean compactness scores on the Cooper 1205 House plan and the 2021 enacted House plan are similar. The Cooper 1205 House plan changes 93 districts from the enacted plan to create five new Black-majority house districts. The chart below shows the compactness scores of the newly created majority-Black districts which Mr. Cooper identified in his report and the compactness scores of the corresponding district number in the 2021 adopted plans.

**Chart 7: Compactness score summary**

| New Black-Majority District | Enacted Plan Reock | Cooper 1205 Plan Reock | Enacted Plan Polsby-Popper | Cooper 1205Plan Polsby-Popper |
|---|---|---|---|---|
| **House 74** | 0.5 | **0.63** | 0.25 | **0.36** |
| **House 117** | 0.41 | 0.41 | **0.28** | 0.26 |
| **House 133** | **0.55** | 0.26 | **0.42** | 0.2 |
| **House 145** | **0.38** | 0.25 | 0.19 | **0.22** |
| **House 171** | **0.35** | 0.28 | **0.37** | 0.2 |

48. Below is a map showing the Metro region with a theme of AP-Black % on the voting districts, as well as maps of a group of house districts in the Enacted House and the Cooper 1205 House plan.

49. As shown in the Senate plan analysis, the voting districts themed in red have an AP-Black % of greater than 65% and voting districts themed in yellow have an AP-Black % of 50% to 65%. Voting districts themed in green have an AP-Black % of 35% to 50%; light blue have an AP-Black % of 20% to 35%; and darker blue have an AP-Black % of less than 20%.

50. Looking at specific districts will show that the compactness of the districts is impacted by the efforts to create more majority Black districts. The Black

percentage is lowered only by elongating the district to include lower concentrations of Black population. This allows the Black population to be redistributed and to create other majority Black districts.

51. In the enacted House plan, House District 77 is entirely within Clayton County, in the heavily Black northern part of the county. Enacted House District 69 is anchored in heavily Black southern Fulton County and includes northeast and central Fayette County, which the Plan Component Report (Ex. 13) shows is 47% 18+ AP-Black. Enacted House District 73 is centered on Peachtree City in Fayette County and includes part of Coweta County to the west.

52. Enacted House District 74 is comprised of southern Fayette County, eastern Spalding and two voting precincts of Henry County.

53. In the Cooper 1205 House plan, the engineering of a new majority Black district is accomplished by elongating the districts to connect to Clayton and Fulton counties to more white areas of Fayette and Spalding Counties.

54. Cooper 1205 House District 69 is anchored in heavily Black southern Fulton County and follows a narrow path through central Fayette County to Peachtree City, which the Plan Component Report (Ex. 13) shows is only 34% 18+ AP-Black. By elongating the district and connecting with more distant white population, the 18+ AP-Black is lowered, and Black population can be strategically used in districts elsewhere. Cooper 1205 House District 77 takes a similar narrow path through Fayette County, connecting the predominantly white population which

the Plan Component Report (Ex. 13) shows is only 36% 18+ AP-Black to heavily Black Clayton County. These two elongated districts absorb white population and displace the area of enacted HD 74. The Cooper 1205 District 74 takes the "tail" of heavily Black southern Clayton County combining it with two Henry County voting precincts and two Spalding County voting precincts.

55. The data in the chart below shows that the configuration of these four districts in the Cooper House plan lowers the mean compactness score as compared with the configuration of the districts in the Enacted House plan.

**Chart 8: Compactness scores in four House districts**

| District | Enacted House | | | | Cooper House 1205 | | | |
|---|---|---|---|---|---|---|---|---|
| | % Devn. | Reock | Polsby-Popper | % 18+ AP Blk | % Devn. | Reock | Polsby-Popper | % 18+ AP Blk |
| 069 | -1.39 | 0.23 | 0.17 | 63.56% | 1.49 | 0.4 | 0.25 | 54.97% |
| 073 | 0.88 | 0.27 | 0.18 | 12.11% | 1.14 | 0.28 | 0.2 | 11.29% |
| 074 | -0.93 | 0.63 | 0.36 | 25.52% | 0.78 | 0.5 | 0.25 | 61.49% |
| 077 | -0.45 | 0.19 | 0.18 | 76.13% | -1.29 | 0.4 | 0.21 | 66.26% |
| | | | | | | | | |
| Mean Compactness | | 0.40 | 0.23 | | | 0.33 | 0.22 | |

56. Spalding County has a population of 67,306 and is 33.6% 18+ AP-Black. The population of Spalding County is about 13% more than the population of a House district (59,511). The 18+ AP-Black population is not sufficiently numerous to create district that is over 50% 18+ AP-Black within Spalding County.

The Plan Component report (Ex. 13) shows that in the Cooper 1205 House plan splits Spalding County such that the high concentrations of Black population is included in HD 117, and predominantly white population is excluded from HD 117. Having separated the Black population in Griffin from the rest of Spalding County, the district then connects to two populous majority-Black voting precincts in Henry County to yield a district that is 54.64% 18+ AP-Black.

57. Below is a map showing Augusta and the East Central region with a theme of AP-Black % on the voting districts.

58. Looking at the ten districts in this region, the enacted plan has five majority 18+AP Black districts in this region. Two majority-Black districts (HDs 129 and 130) are entirely within Richmond County. Two additional majority-Black districts are HD 132, which includes all of Jefferson County as well as a portion of Richmond County and HD 126, which includes all of Jenkins and Burke counties as well as a portion of Richmond County. The fifth majority-Black district in the enacted plan in this region is HD128, which includes all of Washington, Hancock,

Warren and Glascock counties as well as portions of McDuffie and Baldwin counties.

59. In order to create an additional majority 18+AP-Black district in this area, the Cooper 1205 House plan fractures seven rural counties: Screven, Burke, Jefferson, Johnson, Laurens, Oglethorpe and Wilkes. In the Cooper 1205 plan, HD 126 is anchored in heavily Black areas of Richmond County then combines all of Glascock County with fragments of Jefferson, Burke and Screven counties. District

126 has four split counties, which is the highest number split counties in a single district in the Cooper 1205 House plan. The Plan Component report (Ex. 13) shows that Screven County is split such that the high concentrations of Black population is included in HD126, and predominantly white population is excluded. By including the additional Black population from the Screven County fragment, HD 126 can split off Black population from Burke and Jefferson counties to use those fragments in another district.

60. The Cooper 1205 House plan breaks apart the established majority-Black HD 128 in the enacted plan. The Cooper 1205 House plan strategically utilizes the Black population in the split county fragments of Burke, Jefferson, and Johnson, spinning one district (HD 128) to the south to pick-up Black population from Dublin out of Laurens County. The resulting new HD 128 has four split counties, which is the highest number of split counties in a single district in the Cooper 1205 plan.

61. Another district (HD 133) sprawls to the north to pick-up Black population from Milledgeville out of Baldwin County and connect it to another split county, Wilkes County, which makes the district stretch 90 miles from South to North. The Plan Component Report (Ex. 13) shows that Wilkes County is split such that the Black population is sorted into HD 133 and the white population is sorted into HD 123. Introducing the split of Wilkes County in HD 133, makes adjacent HD 123 also split another county, Oglethorpe County. By introducing two new county splits into HD123, it also has four split counties, the highest of number split counties in the Cooper 1205 plan. (The only other district in the Cooper 1205 plan to have four split counties is HD 002 in Northwest Georgia.)

62. In the Cooper 1205 plan, HD 133 has the most split voting precincts of any district in the plan, at nine split voting precincts. The split voting precincts in

Baldwin County sort the population along racial lines, such that higher concentrations of Black population are included in HD 133 and lower concentrations are outside the district.

63. Below is a map showing Southwest Georgia region with a theme of AP-Black % on the voting districts.

64. Of the six districts in this region, the enacted plan has two majority 18+AP Black districts. One district is entirely within Dougherty County. Another combines part of Dougherty County with eight whole counties to the west, including three counties which are majority-18+AP Black and three more which are over 40% 18+AP Black.

65. In order to create an additional majority 18+AP-Black district in the Southwest region, the Cooper 1205 House plan splits Colquitt and Lee counties and

strategically utilizes Black population in Albany to connect to distant enclaves of additional Black population, such as Thomasville in Thomas County.

66. Thomas County has a population of 45,798 and is 35.2% 18+ AP-Black. Thomas County up about three-quarters of a House district (ideal HD = 59,511). The 18+ AP-Black population is not sufficiently numerous to create district that is over 50% 18+ AP-Black that includes all of Thomas County. Combining

Thomas County with additional adjacent population will not yield a majority Black district. The Plan Component Report (Ex. 13) shows that the Cooper 1205 plan splits Thomas County, separating the Black population from the white population, assigning the Black population to HD 171. This district 171 then connects over 50 miles north to combine with the Black population from Albany in Dougherty County.

67. As the above analysis demonstrates, the compactness of the districts is impacted by the efforts to create more majority Black districts. The Black percentage is lowered only by elongating the district to include lower concentrations of Black population. This allows the Black population to be redistributed and to create other majority Black districts.

68. Below is a map showing the Northwest Georgia region with a theme of AP-Black % on the voting districts, as well as maps of a group of 10 house districts (1-6, and 12-15) in the Enacted House and the Cooper 1205 House plan.

69. The map shows that this geographic area has very little Black population.

70. In the both the enacted House plan and the Cooper 1205 House plan, Districts 1-6 and 12-15 are in Northwest Georgia comprised of Dade, Walker, Catoosa, Whitfield, Murray, Chattooga, Floyd, Gordon, and Bartow counties as well as three voting precincts of Cherokee County. In the enacted plan, Gordon County

is split between HD 004 and HD 005, but Gordon County is not split in the Cooper 1205 House plan.

71. As a group, these 10 districts cover the same geographic area in both plans, but the internal district boundaries are different. The treatment of the districts in this area looks similar, but there are subtle differences.

72. The districts in the Cooper 1205 House plan are drawn in such a way that there are only three split voting precincts (including one affecting zero population) and Gordon County is made whole.

73. The Political Subdivision Splits report (Ex. 12) shows the split voting precincts in the Cooper 1205 House plan and the Enacted House plan. The chart below shows summarizes the split voting precincts in this Northwest region of 10 districts for the Enacted House plan and the Cooper 1205 House plan. The districts

in this area do not have any majority Black districts, nor do they overlap with any areas containing majority Black districts.

**Chart 9: Split comparisons in Northwest Georgia**

| | | Enacted House | | Cooper House 1205 | |
|---|---|---|---|---|---|
| **County** | **Voting District** | **District** | **Population** | **District** | **Population** |
| Whitfield | 2A | 002 | 3864 | Not Split | |
| Whitfield | PLEASANT GROVE | 002 | 6210 | Not Split | |
| Whitfield | 2A | 004 | 1000 | Not Split | |
| Whitfield | PLEASANT GROVE | 006 | 2122 | Not Split | |
| Whitfield | VARNELL | Not Split | | 004 | 7389 |
| Whitfield | VARNELL | Not Split | | 006 | 712 |
| Floyd | ALTO PARK | 012 | 1576 | Not Split | |
| Floyd | MT ALTO NORTH | 012 | 1080 | Not Split | |
| Floyd | ALTO PARK | 013 | 3847 | Not Split | |
| Floyd | MT ALTO NORTH | 013 | 4509 | Not Split | |
| Bartow | CASSVILLE | 014 | 15558 | 014 | 15581 |
| Bartow | WHITE | 014 | 3335 | 014 | 3546 |
| Bartow | CASSVILLE | 015 | 1047 | 015 | 1024 |
| Bartow | WHITE | 015 | 211 | 015 | 0 |
| | | | | | |
| Gordon | | 005 | 53738 | Not Split | |
| Gordon | | 006 | 3806 | Not Split | |
| | | | | | |
| TOTALS | | 6 split vtds | | 2 split vtds | |
| | | 0 (no pop) split vtd | | 1 (no pop) split vtd | |
| | | | | | |
| | | 1 split county | | 0 split counties | |

74. The enacted House plan splits six voting precincts and one county in this region, while the Cooper 1205 House plan splits only three voting precincts and no counties in this region. Rather than draw these 10 districts the same as the enacted House plan, the Cooper 1205 House plan makes many changes in this area such that

the number of overall county and voting precinct splits is reduced. In the Cooper 1205 House plan, there is a pattern of making adjustments to the district boundaries to unsplit counties and unsplit voting precincts in areas of the state with little minority population, such that the net effect is to keep the total number of splits similar to the enacted House plan. Making these changes in areas of the state with little minority population masks the differences between the enacted plan and the Cooper 1205 plan.

75. The chart below compares the split counties in both the Enacted House and Cooper 1205 House plans as well as some demographic data for those counties. The enacted House plan splits 69 counties and the Cooper 1205 Senate plan splits 68 counties. Both plans split the same 58 counties.

**Chart 10: County splits Enacted HD vs APA Cooper 1205**

| Name | Population | AP Blk | AP Blk % | 18+ Pop | 18+ AP Blk | 18+ AP Blk % | Split in Enacted House | Split in Cooper House 1205 |
|---|---|---|---|---|---|---|---|---|
| Baldwin | 43,799 | 18,985 | 43.3% | 35,732 | 14,515 | 40.6% | x | x |
| Barrow | 83,505 | 11,907 | 14.3% | 62,195 | 8,222 | 13.2% | x | x |
| Bartow | 108,901 | 13,395 | 12.3% | 83,570 | 9,377 | 11.2% | x | x |
| Bibb | 157,346 | 88,865 | 56.5% | 120,902 | 64,270 | 53.2% | x | x |
| Bryan | 44,738 | 7,463 | 16.7% | 31,828 | 5,025 | 15.8% | x | x |
| Bulloch | 81,099 | 24,375 | 30.1% | 64,494 | 18,220 | 28.3% | x | x |
| Carroll | 119,148 | 24,618 | 20.7% | 90,996 | 17,827 | 19.6% | x | x |
| Catoosa | 67,872 | 2,642 | 3.9% | 52,448 | 1,684 | 3.2% | x | x |
| Chatham | 295,291 | 115,458 | 39.1% | 234,715 | 85,178 | 36.3% | x | x |
| Cherokee | 266,620 | 21,687 | 8.1% | 202,928 | 14,976 | 7.4% | x | x |
| Clarke | 128,671 | 33,672 | 26.2% | 106,830 | 24,776 | 23.2% | x | x |

| Name | Population | AP Blk | AP Blk % | 18+ Pop | 18+ AP Blk | 18+ AP Blk % | Split in Enacted House | Split in Cooper House 1205 |
|---|---|---|---|---|---|---|---|---|
| Clayton | 297,595 | 216,351 | 72.7% | 220,578 | 158,854 | 72.0% | x | x |
| Cobb | 766,149 | 223,116 | 29.1% | 591,848 | 166,141 | 28.1% | x | x |
| Coffee | 43,092 | 12,575 | 29.2% | 32,419 | 9,191 | 28.4% | x | x |
| Columbia | 156,010 | 32,516 | 20.8% | 114,823 | 22,273 | 19.4% | x | x |
| Coweta | 146,158 | 28,289 | 19.4% | 111,155 | 20,196 | 18.2% | x | x |
| DeKalb | 764,382 | 407,451 | 53.3% | 595,276 | 314,230 | 52.8% | x | x |
| Dougherty | 85,790 | 61,457 | 71.6% | 66,266 | 45,631 | 68.9% | x | x |
| Douglas | 144,237 | 74,260 | 51.5% | 108,428 | 53,377 | 49.2% | x | x |
| Effingham | 64,769 | 10,035 | 15.5% | 47,295 | 6,831 | 14.4% | x | x |
| Fayette | 119,194 | 32,076 | 26.9% | 91,798 | 23,728 | 25.8% | x | x |
| Floyd | 98,584 | 15,606 | 15.8% | 76,295 | 11,064 | 14.5% | x | x |
| Forsyth | 251,283 | 13,222 | 5.3% | 181,193 | 8,751 | 4.8% | x | x |
| Fulton | 1,066,710 | 477,624 | 44.8% | 847,182 | 368,635 | 43.5% | x | x |
| Glynn | 84,499 | 22,098 | 26.2% | 66,468 | 15,620 | 23.5% | x | x |
| Grady | 26,236 | 7,693 | 29.3% | 19,962 | 5,678 | 28.4% | x | x |
| Gwinnett | 957,062 | 287,687 | 30.1% | 709,484 | 202,762 | 28.6% | x | x |
| Habersham | 46,031 | 2,165 | 4.7% | 35,878 | 1,675 | 4.7% | x | x |
| Hall | 203,136 | 17,006 | 8.4% | 153,844 | 12,094 | 7.9% | x | x |
| Harris | 34,668 | 5,742 | 16.6% | 26,799 | 4,431 | 16.5% | x | x |
| Henry | 240,712 | 125,211 | 52.0% | 179,973 | 89,657 | 49.8% | x | x |
| Houston | 163,633 | 56,520 | 34.5% | 122,118 | 39,605 | 32.4% | x | x |
| Jackson | 75,907 | 6,148 | 8.1% | 56,451 | 4,268 | 7.6% | x | x |
| Jasper | 14,588 | 2,676 | 18.3% | 11,118 | 1,966 | 17.7% | x | x |
| Liberty | 65,256 | 31,146 | 47.7% | 48,014 | 21,700 | 45.2% | x | x |
| Lowndes | 118,251 | 46,758 | 39.5% | 89,031 | 33,302 | 37.4% | x | x |
| Madison | 30,120 | 3,196 | 10.6% | 23,112 | 2,225 | 9.6% | x | x |
| Meriwether | 20,613 | 7,547 | 36.6% | 16,526 | 5,845 | 35.4% | x | x |
| Monroe | 27,957 | 6,444 | 23.0% | 21,913 | 5,068 | 23.1% | x | x |
| Muscogee | 206,922 | 102,212 | 49.4% | 157,052 | 74,301 | 47.3% | x | x |
| Newton | 112,483 | 55,901 | 49.7% | 84,748 | 40,433 | 47.7% | x | x |
| Paulding | 168,661 | 41,296 | 24.5% | 123,998 | 28,164 | 22.7% | x | x |
| Peach | 27,981 | 12,645 | 45.2% | 22,111 | 9,720 | 44.0% | x | x |
| Putnam | 22,047 | 5,701 | 25.9% | 17,847 | 4,229 | 23.7% | x | x |
| Richmond | 206,607 | 119,970 | 58.1% | 160,899 | 87,930 | 54.6% | x | x |
| Rockdale | 93,570 | 57,204 | 61.1% | 71,503 | 41,935 | 58.6% | x | x |
| Spalding | 67,306 | 24,522 | 36.4% | 52,123 | 17,511 | 33.6% | x | x |
| Sumter | 29,616 | 15,546 | 52.5% | 23,036 | 11,479 | 49.8% | x | x |

| Name | Population | AP Blk | AP Blk % | 18+ Pop | 18+ AP Blk | 18+ AP Blk % | Split in Enacted House | Split in Cooper House 1205 |
|---|---|---|---|---|---|---|---|---|
| Tattnall | 22,842 | 6,331 | 27.7% | 17,654 | 4,886 | 27.7% | x | x |
| Telfair | 12,477 | 4,754 | 38.1% | 10,190 | 3,806 | 37.4% | x | x |
| Thomas | 45,798 | 16,975 | 37.1% | 35,037 | 12,332 | 35.2% | x | x |
| Tift | 41,344 | 12,734 | 30.8% | 31,224 | 8,963 | 28.7% | x | x |
| Troup | 69,426 | 25,473 | 36.7% | 52,581 | 18,202 | 34.6% | x | x |
| Walker | 67,654 | 3,664 | 5.4% | 52,794 | 2,454 | 4.6% | x | x |
| Walton | 96,673 | 18,804 | 19.5% | 73,098 | 13,165 | 18.0% | x | x |
| Ware | 36,251 | 11,421 | 31.5% | 27,788 | 8,226 | 29.6% | x | x |
| Wayne | 30,144 | 6,390 | 21.2% | 23,105 | 4,662 | 20.2% | x | x |
| Whitfield | 102,864 | 4,919 | 4.8% | 76,262 | 3,349 | 4.4% | x | x |
| Appling | 18,444 | 3,647 | 19.8% | 13,958 | 2,540 | 18.2% | x | |
| Ben Hill | 17,194 | 6,537 | 38.0% | 13,165 | 4,745 | 36.0% | x | |
| Cook | 17,229 | 5,014 | 29.1% | 12,938 | 3,595 | 27.8% | x | |
| Dawson | 26,798 | 392 | 1.5% | 21,441 | 249 | 1.2% | x | |
| Gordon | 57,544 | 2,919 | 5.1% | 43,500 | 1,939 | 4.5% | x | |
| Jones | 28,347 | 7,114 | 25.1% | 21,575 | 5,341 | 24.8% | x | |
| Lamar | 18,500 | 5,220 | 28.2% | 14,541 | 4,017 | 27.6% | x | |
| Lumpkin | 33,488 | 685 | 2.0% | 27,689 | 507 | 1.8% | x | |
| McDuffie | 21,632 | 9,045 | 41.8% | 16,615 | 6,425 | 38.7% | x | |
| Oconee | 41,799 | 2,280 | 5.5% | 30,221 | 1,660 | 5.5% | x | |
| White | 28,003 | 721 | 2.6% | 22,482 | 484 | 2.2% | x | |
| Burke | 24,596 | 11,430 | 46.5% | 18,778 | 8,362 | 44.5% | | x |
| Colquitt | 45,898 | 10,648 | 23.2% | 34,193 | 7,461 | 21.8% | | x |
| Jefferson | 15,709 | 8,208 | 52.3% | 12,301 | 6,324 | 51.4% | | x |
| Johnson | 9,189 | 3,124 | 34.0% | 7,474 | 2,513 | 33.6% | | x |
| Laurens | 49,570 | 19,132 | 38.6% | 37,734 | 13,695 | 36.3% | | x |
| Lee | 33,163 | 7,755 | 23.4% | 24,676 | 5,503 | 22.3% | | x |
| Oglethorpe | 14,825 | 2,468 | 16.6% | 11,639 | 1,853 | 15.9% | | x |
| Screven | 14,067 | 5,527 | 39.3% | 10,893 | 4,144 | 38.0% | | x |
| Upson | 27,700 | 8,324 | 30.1% | 21,711 | 6,202 | 28.6% | | x |
| Wilkes | 9,565 | 3,989 | 41.7% | 7,651 | 3,071 | 40.1% | | x |
| **TOTAL** | | | | | | | **69** | **68** |

76. In comparison to the enacted House plan, the Cooper 1205 House plan makes 11 counties whole but introduces ten new county splits. The additional split counties are attributable to the effort to create new majority Black districts.

77. Based on my analysis of the Cooper 1205 House plan, the impact of engineering more majority Black districts can be seen in the overall plan metrics and the differences from the enacted plan. Further, my analysis of the traditional redistricting factors – maintaining communities and traditional boundaries, compactness, and deviation – along with the manipulation of the boundaries of the new AP-Black districts, supports my opinion that the Cooper 1205 House plan is focused on race, prioritizing race to the detriment of traditional redistricting factors.

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

Executed this 23rd day of January, 2023.

JOHN B. MORGAN