# EXHIBIT N

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

ALPHA PHI ALPHA FRATERNITY, INC., a nonprofit organization on behalf of members residing in Georgia, et al.,

Plaintiffs,

CASE NO. 1:21-CV-05337-SCJ

vs.

BRAD RAFFENSPERGER, in his official capacity as Secretary of State of Georgia,

Defendant.

VIDEOTAPED DEPOSITION OF JOHN R. ALFORD, Ph.D.
APPEARING REMOTE FROM
ATLANTA, GEORGIA

FEBRUARY 27, 2023
10:01 A.M. EASTERN

Reported By:
Judith L. Leitz Moran
RPR, RSA, CCR-B-2312
APPEARING REMOTELY

Q -- area?
Sorry.
A Sorry, that was my fault.
Q No, no, go ahead.
A But the answer is, yes, they are supporting different --
MR. JACOUTOT: I'm going to object to form for that. Sorry, I'm a little late but...
MR. MILLER: Okay. Let me -- let me reask it. I may draw the same objection.
MR. JACOUTOT: Okay.
BY MR. MILLER:
Q But in -- in Appendix A2, are Black voters and white voters cohesively supporting different candidates?
MR. JACOUTOT: Object to form.
A Okay. So, yes, here I think, again, by any reasonable definition these are -- both cases are mostly above 90 percent. They're supporting different candidates, they're supporting them cohesively, and as a consequence the voting is polarized.
BY MR. MILLER:
Q Okay. And would you say that the -- how would you describe the degree of polarization in

the elections in Appendix A2?

MR. JACOUTOT: Object to form.

A I'd describe it as polarized.

BY MR. MILLER:

Q Would you say that it is starkly polarized in Appendix A2?

MR. JACOUTOT: Object to form.

A I -- I mean, I don't know. I -- it's -- again, the numbers speak for themselves. It's -- I think it's clearly -- this is clear polarization.

This is what polarization looks like when, you know, 90 percent of a group -- one group goes one way and 90 percent goes the other.

This is what polarization looks like in Congress when 90 percent of the Republicans vote one way and 90 percent of the Democrats vote the other.

It's not perfectly polarized or as sometimes as you know from reporting on Congress if -- if 12 percent of the Republicans in Congress crossed over to vote with the Democrats, some people would label that a bipartisan piece of legislation because it actually drew more than one person from the other side. So there is polarization worse than this and we've seen it.

But in terms of voter polarization, this is exactly -- this is unambiguous, the two groups are voting cohesively in different directions and they're doing so in an obvious pattern, right, that the Democrat -- the Republicans -- I'm sorry, the Black voters are voting overwhelmingly Democratic in this area, white voters are voting overwhelmingly Republican.

And so we can look down the list and each time we see that exact result, that -- that -- that is what's happening here. It's a very high degree of partisan polarization.

BY MR. MILLER:

Q Do you also see in this appendix Black voters cohesively supporting the Black candidate?

A Well, we can see in the first election they're supporting a Black candidate.

Interestingly enough, at 98.5 percent they're supporting Warnock. And then you have another Black candidate that's getting 1 percent of the vote. So that's -- again, the Black vote is -- within the Black vote it's polarized in favor of the Democratic candidate.

Black voters --

Q And just to make sure that we're on the

same page here, which -- which election are -- okay, so you're looking at either the 20 -- are you looking at the first election? I just want to make sure that we're --

A No.

Q -- we're talking about the same thing, the 2022 U.S. Senate with a Black --

A So A2 -- the first election in A2, 2022 General --

Q Okay.

A -- Warnock and Walker.

Q Okay. And so here you have -- you have cohesive support by Black voters for a Black candidate, right?

A Correct. And not for the other Black candidate. They're polarized in this election by party.

Q Okay.

A Black voters are polarized by party.

Q Okay.

A And then if you drop down to the 2021 U.S. Senate Election, Ossoff/Perdue, you have two white candidates. And you'll notice the exact same result, right, 98.9 against 1.1, right?

So, again, Black voters are polarized

here in favor of the Democratic candidate in spite of the fact that the Democratic candidate is white and there is no Black candidate here.

So, yeah, there's -- there is no evidence here of -- of a racial effect. And so probably that racially polarized voting in my view is -- is an overstatement.

And -- and if you sort of carefully exclude, which a definition of using only racially contested elections would do, right, the two elections we've talked about, Herschel Walker/Warnock and Ossoff/Perdue are not racially contested elections, they don't belong in this table.

But by her definition when you would take them out, you would be able to go through that entire table and show that in every case the voting was polarized with regard to the race of the candidate.

And that's just -- right, that's just misleading because as we can see when we see the Ossoff/Perdue contest or the Warnock/Walker contest, we see the exact same result.

And again, what that shows us is that this is polarized by party consistently and not

by -- it's only by -- by cutting out of the table everything that suggests that there's a party influence that's different than the -- than the racial influence that allows you to say what you were -- I mean, your question was, doesn't this show that Black voters are voting cohesively for Black candidates?

And the answer is when they are the Democrat they are and when they're not the Democrat they -- it makes no difference at all, right?

It's just this is just highly polarized partisan voting irrespective of the race of the candidates.

Q Is there -- Doctor, did you --

A That's what those two Senate races tell you. That's what -- those two Senate races are -- they're recent. They're extremely high profile. Everybody knew the race of the candidates, I suspect. Everybody knew the party of the candidates.

They're just -- that's -- all you need is to look at those two contests and they tell you unambiguously what this voting pattern is about. And particularly, they're telling you unambiguously what you can't attribute this to.