

EXHIBIT 3

Grant et al. v. Raffensperger et al.

United States District Court for the Northern District of Georgia

Expert Report of Orville Vernon Burton, Ph.D.

A handwritten signature in black ink, reading "Orville Vernon Burton". The signature is written in a cursive style with a large initial "O" and "V".

Dr. Orville Vernon Burton

January 10, 2022

I. STATEMENT OF INQUIRY

I have been asked by Plaintiffs' counsel to serve as an expert witness in litigation concerning Georgia redistricting. Plaintiffs' counsel asked me to analyze the history of voting-related discrimination in Georgia and to contextualize and put in historical perspective such discrimination.

I am being compensated at \$350 per hour for my work on this case. My compensation is not contingent on or affected by the substance of my opinions or the outcome of this case.

II. SUMMARY OF FINDINGS

Throughout Georgia's history, and through today, the state of Georgia has attempted, often successfully, to minimize the electoral influence of minority voters and particularly of Black Georgians. Voting rights in Georgia have followed a pattern where after periods of increased nonwhite voter registration and turnout, the state, through both legislation and extralegal means, finds methods to disfranchise and reduce the influence of minority voters.

This history has its roots in the Reconstruction era. As soon as formerly enslaved men gained the right to vote in Georgia, both violence and wholesale changes in voter registration laws ensured they could not vote. By the early 20th century, the cumulative effects of the poll tax, literacy tests, property requirements, and the white primary had nearly removed all Black Georgians from voter registration lists. Around this time, Georgia also structured its elections to the disadvantage of Black Georgians. Specifically, Georgia's county unit system, introduced in 1917 until it was outlawed by the Supreme Court in the 1960s, gave a greater share of proportion of votes to small, rural, and much whiter counties, compared to larger and more urban counties, where the majority of Black Georgia voters lived.

When the Supreme Court eventually ruled against white-only primaries in the 1940s, Georgia worked to circumvent the ability of African American citizens to vote through registration schemes, voter challenges, voter purges, and more. And when the county-unit system fell, Georgia replaced them with at-large districts and majority vote requirements, systems designed to ensure that Black candidates could not be elected to office. Those systems were wildly effective: By the time of the Voting Rights Act (VRA), there were only three Black elected officials in Georgia.

Even after the VRA of 1965, Black voters and Black elected officials in Georgia continued to be systematically underrepresented. To neutralize Black voting strength, Georgia officials used an array of mechanisms to block, discourage, dilute, or otherwise prevent or limit Black voting in

Georgia. Between 1965-1980, nearly 30% of all of the Department of Justice (DOJ)'s objections to voting-related changes under Section 5 were attributable to Georgia alone. When Congress did re-authorize the VRA in 1982, it cited systemic abuses by Georgia officials to evade Black voting rights.

Notably, the tactics that have plagued Georgia's history to dilute the power of Black Georgians have persisted into the modern era. These policies around voting have also come at a time of rapid demographic shifts in Georgia's electorate: Georgia is the only state in the Deep South where the percentage of the Black population has sharply increased over the past half century. In just the past ten years, much of it in the wake of *Shelby County v. Holder*, Georgia has slashed polling places by the hundreds (primarily in Black communities), increased voter purges and challenges against minority voters, launched state-sponsored investigations against minority voting groups, and more. In just the past year, Georgia enacted Senate Bill 202, a law DOJ could no longer stop under preclearance but which DOJ has alleged was passed with the intent and effect of limiting Black Georgians' voting power. While that suit remains to be litigated, the state has already begun replacing Black office holders in majority-Black counties and implementing policies to the disadvantage of Black Georgians.

The history of Georgia demonstrates a clear pattern, one that attempts (often successfully) to dilute and impair Black Georgians' voting power. Georgia's recently enacted redistricting plans must be viewed in this context.

III. EXPERT CREDENTIALS

A. Professional Background and Qualifications

I received my undergraduate degree from Furman University in 1969 and my Ph.D. in American History from Princeton University in 1976 and have been researching and teaching American History at universities since 1971. Currently I am the Judge Matthew J. Perry, Jr. Distinguished Professor of History, and Professor of Pan-African Studies, Sociology and Anthropology, and Computer Science at Clemson University. From 2008 to 2010, I was the Burroughs Distinguished Professor of Southern History and Culture at Coastal Carolina University. I am emeritus University Distinguished Teacher/Scholar, Professor of History, African American Studies, and Sociology at the University of Illinois. I am a Senior Research Scientist at the National Center for Supercomputing Applications (NCSA) where I was Associate Director for Humanities and Social Sciences (2004-2010).

I am the author or editor of more than twenty books and two hundred articles, which can be found on my Curriculum Vitae attached to the end of this report. I have received a number of academic awards and honors. I was selected nationwide as the 1999 U.S. Research and Doctoral University Professor of the Year (presented by the Carnegie Foundation for the Advancement of Teaching and by the Council for Advancement and Support of Education). I have been recognized by my peers and was elected president of the Southern Historical Association and of the Agricultural History Society and elected to the Society of American Historians.

My most recent book, co-authored with civil rights attorney Armand Derfner, *Justice Deferred: Race and the Supreme Court* (2021), was deemed “authoritative” by Harvard University Law professor Randall Kennedy in his review in *The Nation*. *Justice Deferred* was featured as a session at the November 2021 annual meeting of the Social Science History Association in Philadelphia, and is scheduled in April 2022 for a session at the Midwestern Political Science Association meeting in Chicago. My book *The Age of Lincoln*, published in 2007, won the *Chicago Tribune* Heartland Literary Award for Nonfiction and was selected for Book of the Month Club, History Book Club, and Military Book Club. One reviewer proclaimed, “If the Civil War era was America's ‘Iliad,’ then historian Orville Vernon Burton is our latest Homer.” The book was featured at sessions of the annual meetings of African American History and Life Association, the Social Science History Association, and the Southern Intellectual History Circle. Among the articles I have published are several related to the issues discussed in this report and at least two law review articles address these issues directly. I was one of ten historians selected to contribute to the *Presidential Inaugural Portfolio* (January 21, 2013) by the Joint Congressional Committee on Inaugural Ceremonies. I edit two academic book series for the University of Virginia Press: *The American South* and *A Nation Divided: Studies in the Civil War Era*.

As a scholar, I have had a long relationship with Georgia. I was born in Royston and own the family farm in Madison County, Georgia. I am a recognized authority on the Georgia educator and theologian Dr. Benjamin E. Mays, who taught at Morehouse College from 1921 to 1923, was the longtime president of Morehouse College (1940-67), and the president of the Atlanta schoolboard in (1971-80). My book, *In My Father House Are Many Mansions: Family and Community in Edgefield, South Carolina* (1985) is an intense study of a large section of South Carolina that is only separated from Georgia by the Savannah River, and the area has strong ties to Georgia and especially to the city of Augusta, which I have studied since before my Ph.D.

I have researched in the archives of the University of Georgia, Emory University, and Morehouse College. I have served on the Ph.D. committees, and am serving on one currently, at the University of Georgia. I gave one of Georgia's annual humanities lectures in conjunction with the Governor's Awards for the Humanities. I also keynoted one of the annual meetings of the Georgia Historical Society. I am currently serving on the Advisory Committee for the Atlanta History Museum to develop new exhibits on the modern South. I have been invited to present papers and talks and participate in seminars at a number of Universities and colleges in the state of Georgia. I was invited and spoke at the Carter Center, and spoke at the University of Georgia, Augusta University, Payne College, Mercer University, Morehouse College, Georgia State University, Georgia Southern University, Fort Valley State University, Berry College, Emory University, the Georgia Institute of Technology, Young Harris College. I have also led a workshop on teaching history for Georgia public school teachers in Athens, Georgia.

B. Prior Testimony

Over the past forty years, I have been retained to serve as an expert witness and consultant in numerous voting rights cases by the Voting Section of the Civil Rights Division of the United States Department of Justice (DOJ), the Voting Rights Project of the Southern Regional Office of the American Civil Liberties Union, the Brennan Center, the NAACP, the Legal Defense Fund (LDF) of the NAACP, the Mexican American Legal Defense and Educational Fund, the California Rural Legal Association, the League of United Latin American Citizens, the Lawyers' Committee for Civil Rights Under Law, the Legal Services Corporation, the Southern Poverty Law Center, and other individuals and groups.

I have extensive experience in analyzing social and economic status, discrimination, and historical intent in voting rights cases, as well as group voting behavior. I have been qualified as an expert in the fields of districting, reapportionment, and racial voting patterns and behavior in elections in the United States. My testimony has been accepted by federal courts on both statistical analysis of racially polarized voting and socioeconomic analysis of the population, as well as on the history of discrimination and the discriminatory intent of laws. In 2014, for example, my testimony and my report was cited by the U.S. District Court for the Southern District of Texas in finding that the in-person Texas Voter ID Law was racially motivated and had a disparate effect on minorities. *See Veasey v. Perry*, 71 F.Supp.3d 627 (S.D. Tex. 2014). My testimony and reports have also been cited by the U.S. Department of Justice. In 2012, for example, my report was cited

by the Justice Department as a reason for their objection to the in-person South Carolina Voter ID law. See Dkt. 118-1, *South Carolina v. United States*, No. 1:12-cv-00203-CKK-BMK-JDB (D.D.C. June 29, 2012).

To the best of my knowledge and memory, in the last five or so years I have given testimony and/or depositions in the following cases: (1) *League of Women Voters v. Lee*, No. 4:21-cv-186 (N.D. Fla.), (ii) *Community Success Initiative v. Moore*, No. 19-cv-15941 (N.C. Superior Court) (2020); (iii) *Perez v. Perry*, No. 5:11-CV-00360 (W.D. Tex.); (iv) *South Carolina v. United States*, No. 1:12-cv-00203 (D.D.C.); and (v) *Veasey v. Perry*, No. 2:13-CV-193 (S.D. Tex.). In addition, I testified on the VRA in a Congressional Briefing on December 4, 2015.

A detailed record of my professional qualifications is set forth in the attached Bio and Curriculum Vitae at Appendix B of this report.

C. Methodology and Sources

In this report, I have employed the standard methodology used by historians and other social scientists in investigating the adoption, operations, and maintenance of election laws. When analyzing political decision-making, historians examine the circumstantial and contextual evidence regarding the political, institutional, and social environment and context in which a decision is made, as well as direct evidence of the reasons asserted for the decision. We examine relevant scholarly studies, newspaper coverage of events, reports of local, state or federal governments, relevant court decisions, and the record in court cases, including expert reports, deposition and trial testimony, and statistical data. In writing this report, I have examined a wide range of sources. I have relied on primary and secondary sources available to me at the time of writing this report. This report makes extensive use of primary sources, especially contemporary newspapers, which record debates and speeches, and help to provide a barometer of public sentiment. Where possible, I have consulted historical and current newspaper and news magazines accounts, social media, miscellaneous online resources, from multiple perspectives, and checked for accuracy. I have also read the records of both houses of the Georgia General Assembly, the journals and debates of the Georgia constitutional conventions, bill histories, and public statutes, and the on-line New Georgia Encyclopedia. I have studied census data, election returns, state and federal reports, official elections records. I have also used videos that have been recorded and preserved. I have also consulted secondary published works, as well as MA and Ph.D. theses, on politics and race relations in Georgia by other historians and social scientists, specifically, as well

as in the South as a whole. This report features extensive footnotes to allow readers to assess the accuracy and credibility of my evidence and my conclusions.

IV. GEORGIA'S HISTORY OF RACIAL DISCRIMINATION IN VOTING

A. Introduction

Native Georgia historian, Dr. U. B. Phillips, argued in 1928 that the central theme of southern history was white racism. According to Phillips, white Southerners believed so strongly in white supremacy that they were determined the South “shall be and remain a white man’s country.”¹ Recently, Georgian and today’s most eminent historian of the American South, Spalding Distinguished Professor of History, emeritus at the University of Georgia, Dr. James C. Cobb, characterized Phillips’s argument as a “longstanding determination of whites to control people of color.” In Cobb’s own 2017 historical investigation of Georgia’s racial history, he concluded, “the historical and contemporary pervasiveness of this impulse [of white Georgians determination to control people of color] is difficult to deny.”² My own research has found the same underlying purpose. This report demonstrates that this white determination resonates even today and especially in the area of voting rights. Over generations, people of color in Georgia have been discriminated against, disfranchised, and their vote diluted in ingenious ways by those who control the franchise in state and local governments.

The courts have taken judicial notice of this long and continuing history of racial discrimination, particularly in the area of voting rights. In 1994, in *Brooks v. State Board of Elections*, 848 F. Supp. 1548, 1560 (S.D. Ga. 1994), the court found: “Georgia has a history chocked full of racial discrimination at all levels. This discrimination was ratified into state constitutions, enacted into state statutes, and promulgated in state policy. Racism and race discrimination were apparent and conspicuous realities, the norm rather than the exception.” This discrimination continues to this day.

In *A Voting Rights Odyssey: Black Enfranchisement in Georgia* (2003), Laughlin McDonald, an expert on the history of Georgia’s voting history, wrote:

¹ Ulrich B. Phillips, “The Central Theme of Southern History,” *American Historical Review*, Volume 34, Issue 1 (Oct. 1928), 31; Orville Vernon Burton, “The South as ‘Other,’ The Southerner as ‘Stranger,’” *The Journal of Southern History*, Volume 79, Issue 1 (February 2013): 7-50.

² Declaration of Dr. James C. Cobb at 8, *NAACP v. Gwinnett County Board of Registrations and Elections*, Civil Action No. 1:16-cv-02852, (N.D. Ga. Aug. 9, 2017).

“While Georgia was not an anomaly, no state was more systematic and thorough in its efforts to deny or limit voting and officeholding by African-Americans after the Civil War. It adopted virtually every one of the traditional ‘expedients’ to obstruct the exercise of the franchise by blacks, including literacy and understanding tests, the poll tax, felony disfranchisement laws, onerous residency requirements, cumbersome registration procedures, voter challenges and purges, the abolition of elective offices, the use of discriminatory redistricting and apportionment schemes, the expulsion of elected blacks from office, and the adoption of primary elections in which only whites were allowed to vote. And where these technically legal measures failed to work or were thought insufficient, the state was more than willing to resort to fraud and violence in order to smother black political participation and safeguard white supremacy.”³

As McDonald further explained, Georgia and other southern states “continued their opposition to equal voting rights into the twentieth century and after the passage of the Voting Rights Act in 1965.”⁴ Since McDonald published this assessment of Georgia’s history of voter discrimination and suppression in 2003, the state of Georgia has continued attempts to minimize the electoral influence of minority voters. Throughout the history of the state of Georgia, voting rights have followed a pattern where after periods of increased nonwhite voter registration and turnout, the state has passed legislation, and often used extralegal means, to disfranchise minority voters. Georgia continues attempts to minimize the electoral influence of minority voters, cumulating most recently in the redistricting plans passed by the Georgia General Assembly and signed by the Governor. The first section of this report describes this extensive history from as far back as Reconstruction through the present day.

B. Reconstruction Era (End of the Civil War to 1870s)

From Georgia’s beginning, Black Georgians were precluded from participating in nearly all of Georgia’s political and civil life. Near the start of the Civil War, in 1860, the United States census recorded 41,080 owners of 462,000 enslaved persons. Except for Virginia, Georgia had more enslaved persons and more owners of slaves than any state. But free Blacks were denied citizenship and voting rights in antebellum Georgia too; under the 1777 Georgia Constitution,

³ Laughlin McDonald, *A Voting Rights Odyssey: Black Enfranchisement in Georgia* (Cambridge: Cambridge University Press, 2003), 2–3. The history of voter suppression and voter intimidation of Black voters from 1867 till the 1990s in Georgia is carefully documented by Laughlin McDonald, Michael B. Binford, and Ken Johnson in “Georgia,” the third chapter of *Quiet Revolution in the South: The Impact of the Voting Rights Act, 1965-1990*, edited by Chandler Davidson and Bernard Grofman (Princeton, N.J.: Princeton University Press, 1994), 67-102.

⁴ McDonald, *A Voting Rights Odyssey*, 3.

voting was limited to “male white inhabitants, of the age of twenty-one years.” Before the start of the Civil War, in March 1861, Alexander H. Stephens, a Georgian and vice-president of the Confederacy, explained that the new government had as its cornerstone, “the great truth that the negro is not equal to the white man.”⁵

Immediately following the Civil War was a period of opportunity for the newly freed population. But in opposition to any such new freedom were targeted policies against Black Georgians.⁶ With the defeat of the Confederacy, turmoil and uncertainty roiled the countryside. In June 1865, the 9,000 U.S. Army soldiers provided some measure of order and, where they were stationed, some protection for the newly freed enslaved people. With President Andrew Johnson’s appointment of a provisional governor, white adult males who took a loyalty oath to the United States voted for delegates to write a new state constitution. While the new 1865 Georgia Constitution abolished slavery (as it was required to), the 1865 Constitution continued to limit the franchise to “free white male citizens of this State.” Georgia’s 1865 Constitution also excluded Black Georgians from holding office.⁷

At the end of the Civil War, Confederate states seeking to rejoin the Union were required to ratify the 13th Amendment, which specifically outlawed slavery.⁸ In December 1865, the Georgia General Assembly ratified the 13th Amendment, and President Andrew Johnson returned governing the state to Georgia’s elected officials. While the language of the prisoner exemption clause of the 13th Amendment was common to state constitutions and the Northwest Ordinance, historian Eric Foner notes that it “did not go unnoticed among white Southerners” that the 13th Amendment included a prisoner exemption clause.⁹ In November 1865, for instance, former

⁵ McDonald, *A Voting Rights Odyssey*, 16.

⁶ Jeffrey Robert Young, “Slavery in Antebellum Georgia,” *New Georgia Encyclopedia*, www.georgiaencyclopedia.org/articles/history-archaeology/slavery-antebellum-georgia/ (Oct. 20, 2003) (last edited Sep. 30, 2020); William Harris Bragg, “Reconstruction in Georgia,” *New Georgia Encyclopedia*, <https://www.georgiaencyclopedia.org/articles/history-archaeology/reconstruction-in-georgia/> (Oct. 21, 2005) (last edited Sep. 30, 2020)

⁷ Numan V. Bartley, *The Creation of Modern Georgia* (Athens: University of Georgia Press, 1983), 46-47; Bragg, “Reconstruction in Georgia.”

⁸ Orville Vernon Burton, *The Age of Lincoln* (New York: Hill and Wang, 2007), 269-70, 275, 298, 368; Orville Vernon Burton and Armand Derfner, *Justice Deferred: Race and the Supreme Court* (Harvard University Press, 2021), 37-38, 41, 44-45;

⁹ Eric Foner, *The Second Founding: How the Civil War and Reconstruction Remade the Constitution* (New York: W. W. Norton, 2019), 47-48, 110.

Confederate general John T. Morgan pointed out in a speech in Georgia that the 13th Amendment did not prevent states from enacting laws that enabled “‘judicial authorities’ to consign to bondage blacks convicted of crime.”¹⁰

Georgia, like other states in the former Confederacy, then enacted “Black Codes,” although the state did not refer to them with that name. This legislation regulated and restricted the rights of African Americans through neutral-sounding regulations.¹¹ Although Black Georgians could not be legally subjected to penalties or punishment that did not apply to whites, it was local white officials and all white juries who decided whom would be punished and whom would not. While Black Georgians were granted some property rights, they could not serve on juries, or vote, or, significantly, testify against whites in court. Thus white Georgia officials were able to apply supposedly race neutral laws in a way that targeted the former enslaved people. Around this time, the Georgia legislature elected two prominent former Confederate officials, Alexander Stephens and Herschel Johnson, as Georgia’s two U.S. Senators, which the North saw as a flagrant act of white Georgian defiance and led Congress to deny them a seat in Washington.

In reaction to the re-election of former Confederate leaders, to the Black Codes, and to increasing violence against newly freed Black people, *see infra* at 12-15, Georgia and nine other former Confederate States were placed under Federal military authority in 1867. As part of that oversight, adult Black males were given the right to vote, and the following time period was one of tremendous opportunity for Black Georgians. After the passage of the Second and Third Reconstruction Acts by Congress in 1867, Black males voted for the first time, and federally appointed-registrars added 98,507 Black men to the voting lists, and required Georgia, as a requirement for readmission as a state, to write Black suffrage into the state constitution, elect a government based on the new Constitution, and ratify the Fourteenth Amendment.¹² In December 1867, a new constitutional convention, held in Atlanta, guaranteed Black citizenship, protection of the laws, and the right of male suffrage. In the next election in April 1868, held under the new constitution, twenty-five Black Georgians were elected to the State House, and three were elected to the State Senate.

¹⁰ Sidney Andrews, *The South Since the Civil War* (Boston: Houghton Mifflin, 1971), 323-24 (first published by Ticknor and Fields, 1866); John Richard Dennett, *The South as It Is, 1865- 1866* (Tuscaloosa: University of Alabama Press, 2010), 110.

¹¹ Bartley, *The Creation of Modern Georgia*, 17; Bragg, “Reconstruction in Georgia.”

¹² Bartley, *The Creation of Modern Georgia*, 48.

Shortly afterward, white Georgians plotted to eliminate their power. Robert Toombs, a Democratic Party leader from Wilkes County, Georgia, exclaimed at a meeting of Georgia Democrats in July 1868 that it was an injustice that Georgia had been forced to accept “[Republican Governor Rufus] Bullock and nigger Government.”¹³ Toombs had served as secretary of state of the Confederacy and as a Confederate general, and he objected to Georgia’s Constitution of 1868, drafted during Reconstruction, because he believed it granted Black people too many rights of citizenship.¹⁴ That same year, *The Atlanta Constitution* also insisted that “the negro [was] incapable of self-government,” and that the “interest of the white race . . . should be held as paramount to all perilous experiments upon an alien race.”¹⁵

White Republicans also sought to eliminate Black suffrage. Samuel Bard, the editor of the *Atlanta Daily New Era*, a Republican newspaper, reassured his readers that “Reconstruction does not make negro suffrage a permanency,” and promised that “as soon as the State is once more in its place . . . they can amend their Constitution, disfranchise the negroes, and restore suffrage to the disfranchised whites.”¹⁶ By that December, Democrats, though in the minority, convinced a sufficient number of white Republicans to agree to expel all Black members of the Georgia legislature. By September 1868, just a few months after their election to office, all Black legislators were expelled from the General Assembly.¹⁷

This expulsion, along with the continuing high levels of racial violence directed at African Americans, convinced Congress to suspend Georgia’s status as a state once again. After the passage of the Congressional Reorganization Act of 1869, in 1870 the Georgia Legislature returned the expelled Black legislators to their seats and expelled twenty-two members who had

¹³ “Mammoth Democratic Mass Meeting,” *The Atlanta Constitution* (Atlanta, GA), July 24, 1868 (available online at <https://www.Newspapers.com/image/26848994>).

¹⁴ McDonald, *A Voting Rights Odyssey* at 35-36.

¹⁵ *The Atlanta Constitution* (Atlanta, GA), July 30, 1868 (available online at <https://www.Newspapers.com/image/26849014/>).

¹⁶ “Reconstruction and the Southern Whites,” *The Atlanta Daily New Era* (Atlanta, GA), January 4, 1868. For a scholarly overview of these post-Civil War and post-Reconstruction disfranchising measures, see McDonald, et al., “Georgia,” *Quiet Revolution in the South*, 67–70.

¹⁷ C. Mildred Thompson, *Reconstruction in Georgia: Economic, Social, Political, 1865-1872* (New York: Columbia University Press, 1915) 214; Edmund L. Drago, *Black Politicians and Reconstruction in Georgia: A Splendid Failure* (Baton Rouge: Louisiana State University Press, 1982), 148. There remains today a bronze sculpture on the Georgia Legislature’s grounds entitled “Expelled Because of Color” to the 33 Black members of the Georgia Legislature who were expelled at that time.

served as Confederate officers.¹⁸ That same year, Georgia passed the Akerman Law, prohibiting any person from challenging or hindering voters at the polls.¹⁹ White Georgians reacted with vengeance; between 1867 and 1872, “at least a quarter of the state’s Black legislators were jailed, threatened, bribed, beaten or killed.”²⁰ At the heart of Black voter suppression was both explicit and implicit white violence. As Sidney Andrews, a journalist from Massachusetts, wrote in 1865, “any man holding and openly advocating even moderately radical views on the negro question, stands an excellent chance, in many counties of Georgia and South Carolina, of being found dead some morning.”²¹

In October 1868, the *Atlanta Daily New Era* reported that those “despairing Democracy are resorting to the grossest acts of violence with the view of intimidating the negro away from the polls.”²² Historian Edmund Drago noted that, starting in the April 1868 election through the 1872 presidential election, Democrats resorted to murder, violence, fraud, and intimidation, and successfully decreased Republican votes. Black politicians were routinely threatened with violence, and some Black legislators were murdered by the Ku Klux Klan.²³

One such instance of political violence happened in Camilla, Georgia in the fall of 1868. Just two months after the Georgia Assembly expelled its African American members, local officials from Mitchell County and the surrounding area organized a march from Albany to Camilla that would end at a local Republican rally. Several hundred Black Georgians joined the planned march along with several white Republicans, but upon entering the town, local whites hiding out in storefronts along the town square gunned them down, murdering at least a dozen and wounding another thirty. The result of the massacre was that white Democrats took control of southwest Georgia.²⁴

¹⁸ Drago, *Black Politicians and Reconstruction in Georgia*, 55.

¹⁹ McDonald, *A Voting Rights Odyssey*, 17–25.

²⁰ McDonald, *A Voting Rights Odyssey*, 35.

²¹ Sidney Andrews, “The South Since the War,” in Brooks D. Simpson, ed., *Reconstruction: Voices From America’s First Great Struggle for Racial Equality* (New York: Library of America, 2018), 140

²² *The Atlanta Daily New Era* (Atlanta, GA), October 25, 1868.

²³ Drago, *Black Politicians and Reconstruction in Georgia*, 141-159.

²⁴ See Lee W. Formwalt, “Camilla Massacre,” *New Georgia Encyclopedia*, <https://www.georgiaencyclopedia.org/articles/history-archaeology/camilla-massacre/> (Sep. 5, 2002) (last edited Aug 20, 2020) See also Lee Formwalt, “The Camilla Massacre of 1868: Racial

Klan violence against Black legislators around this time was severe. On October 29, 1869, a Black state legislator named Abram Colby from Greene County, Georgia was attacked by a group of sixty-five Klansmen, who dragged him into the woods and beat him for more than three hours before leaving him for dead. The mob explained that they were attacking Colby because he “had influence with the negroes of other counties.”²⁵ Colby later recounted before the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States that, as he was beaten with “sticks and with straps that had buckles on the ends of them,” his assailants had demanded that he promise to never “vote another damned Radical ticket.”²⁶ Colby testified that the same group of men had also attempted to bribe him to switch parties or resign from the legislature. Colby’s story, while horrific, was not unique—this kind of violence against Black Republicans was common between 1869 and 1872.²⁷

Some know the example of Georgian Tunis Campbell. Born in 1812, Tunis Campbell was a prominent African American abolitionist, who arrived in Georgia as an agent of the Freedman’s Bureau. In the spring of 1865, he traveled to the Georgia coast and established a freedmen’s settlement. When president Andrew Johnson began pardoning ex-Confederates and returning their land, Campbell purchased a large tract of land on St. Catherine’s Island, allocated new settlements, and organized what became a self-governing community.²⁸ From there, Campbell moved into politics, becoming the head of the Republican Party in Georgia, a local registrar of voters, a

Violence as Political Propaganda,” *The Georgia Historical Quarterly*, Vol. 71, No. 3 (Fall, 1987), 399-426.

²⁵ United States Congress, Joint Select Committee on the Condition of Affairs in the Late Insurrectionary States, Luke P. Poland, John Scott, and Woodrow Wilson Collection, *Report of the Joint select committee appointed to inquire into the condition of affairs in the late insurrectionary states, so far as regards the execution of laws, and the safety of the lives and property of the citizens of the United States and Testimony taken* (Washington: U.S. Government Printing Office, 1872). Available online from the Library of Congress, <https://lccn.loc.gov/35031867>, 350-355.

²⁶ Ibid.

²⁷ Ibid.; see also Kidada E. Williams, “The Wounds that Cried Out: Reckoning with African Americans’ Testimonies of Trauma and Suffrage from Night Riding” in *The World the Civil War Made*, Gregory P. Downs and Kate Masur, eds. (Chapel Hill: University of North Carolina Press, 2015) 159-62, 170-72.

²⁸ Russell Duncan, “Tunis Campbell, 1812-1891,” *New Georgia Encyclopedia*, <https://www.georgiaencyclopedia.org/articles/arts-culture/tunis-campbell-1812-1891/> (Dec. 10, 2004) (last modified Jul 15, 2020). See also Russell Duncan, *Freedom’s Shore: Tunis Campbell and the Georgia Freedmen* (Athens: University of Georgia Press, 1986).

delegate of Georgia's new Constitutional Convention, and eventually a state senator. He consulted with U.S. President Ulysses S. Grant and Senator Charles Sumner in 1871 on the need for voting rights for African Americans. He even headed up his own militia to protect him and his community from attacks from local bands of the Ku Klux Klan.²⁹ But local whites attempted to undermine him from the start. In 1867, while serving as a state registrar, he survived a poisoning attempt, which reportedly killed one of his colleagues. Two years later, when both Tunis and his son won seats in the Georgia General Assembly, white state officials voted to deny them their seats.

During this time of immense violence, intimidation, and chicanery, in 1871 white Democrats took control of the Georgia Legislature. With a majority of elected officials dedicated to white supremacy, the state of Georgia tightened its grip on would-be Black voters and especially on Black elected officials, reinstituting an annual poll tax to dissuade or outright prohibit impoverished Black Georgians from voting. The poll tax and continued violence was effective: in 1872 only four Blacks were elected to the Georgia Legislature, and only three in 1874.

In 1871, the state of Georgia also voted to remove the Republican Governor, thus basically ending political Reconstruction in Georgia. White Democrats then re-organized county elections and took control of local elections, thereby diminishing both the electoral power of Black voters, and negating Tunis Campbell's authority as the leading politician in McIntosh County. In 1874, for example, Campbell won a seat in Georgia's House of Representatives, but Georgia's Democratically-controlled legislature threw out all of the votes from Darien, Georgia (Campbell's base of support) after learning that a local election judge was not a registered property holder.³⁰

Finally, in 1876, after years of trying to thwart Campbell's political career, white Democrats arrested Campbell on trumped up charges alleging malfeasance in office. A Georgia court sentenced him to a yearlong term in prison, which he served while working as a convict-

²⁹ *Ibid*; See also Richard Hogan, "Resisting Redemption: The Republican Vote in Georgia in 1876," *Social Science History*, Vol. 35, No. 2 (Summer 2011), 13-166. See also, Jess McHugh, "He fought for Black voting rights in Georgia. He was almost killed for it." *The Washington Post* (Oct. 25, 2020) available at: <https://www.washingtonpost.com/history/2020/10/25/voting-rights-tunis-campbell-civil-war/>

³⁰ See Hogan, "Resisting Redemption," 147.

lease laborer at a state labor camp. He left Georgia upon his release and published a memoir entitled *The Sufferings of the Rev. T. G. Campbell and his Family in Georgia (1877)*.³¹

The story of Tunis Campbell illustrates the effectiveness of violence, intimidation, fraud, and the poll tax. After white Democrats seized control of the Georgia state legislature, they organized a new constitutional convention, chaired by the same Robert Toombs cited above, who had been the secretary of state of the Confederacy. The Georgia state constitution of 1877 implemented a cumulative poll tax for elections, so that potential voters had to pay all previous unpaid poll taxes before casting a ballot. The new 1877 Georgia constitution did not disfranchise its African American citizens in explicit words. But as historian Edmund Drago noted, however, new restrictions, combined with reinstated poll taxes,³² were “sufficient to render black participation in politics improbable.”³³

C. The Populist & Early Progressive Movement Era (1880s to 1910s)

Populism emerged in the late 1880s as a challenge to the post-Reconstruction settlement in Georgia. Populism meant different things to different people in different places, but it usually meant an emphasis on “the people” rather than on “the elite.” In Georgia, “the people” meant the white people and the maintenance of white supremacy and the avoidance of any challenges to one-party rule. Almost all Georgia white elites were committed to the maintenance of white supremacy. A leading political figure in Georgia in these years was not a Populist, but the Progressive Movement leader Henry Grady, who proclaimed the first of many “New Souths.” Grady wrote in 1885 that racial inequality is “instinctive—deeper than prejudice or pride—and bred in the bone and blood” and therefore it was essential that “the white race must dominate forever in the South.”³⁴

Populism and the Farmer’s Alliance became a major factor in Georgia politics in the late 1880s. Most Georgia Populists were not racial egalitarians, but they did denounce race hatred and lynching, and promoted enlightened and mutual self-interest as an economic strategy. The Populists also called for financial reforms and regulation of corporations, particularly the railroads.

³¹ See Duncan, “Tunis Campbell.” See also Tunis G. Campbell, *The Sufferings of the Rev. T.G. Campbell and his family, in Georgia* (Washington, D.C.: Enterprise Publishing Company, 1877). Available online at: <https://archive.org/details/sufferingsofrevt00camprich/page/9/mode/2up>

³² McDonald, *A Voting Rights Odyssey*, 35–37.

³³ Drago, *Black Politicians and Reconstruction in Georgia*, 156.

³⁴ Bartley, *The Creation of Modern Georgia*, 85–86.

Around this time, the *Atlanta Constitution* warned that maintaining white supremacy was more important than “all the financial reform in the world.”³⁵ In Georgia, progressivism was, in the words of historian John Dittmer, “conservative, elitist, and above all, racist.”³⁶

The populist career of Tom Watson, a Congressman and U.S. Senator from Georgia, demonstrated the difficulties of challenging white supremacy in the state. Watson was initially a supporter of the interracial alliance of the populist movement, advocating for the rights of African Americans to vote. But after 1900, in his Georgia congressional campaign, Watson refashioned himself as virulently racist (and anti-Semitic), a vehement defender of lynching, and ran on a platform of white supremacy.³⁷

Reacting to the interracial Populist Party challenge, Georgia then took additional steps to exclude Black voters from the franchise at the end of the 19th century. In 1890, the Georgia General Assembly passed a law ceding primary elections to party officials. The law kept political candidates from trying to appeal to Black voters or to build multiracial coalitions.³⁸ In 1898, the Georgia Democratic Party adopted the use of a statewide primary, a popular progressive reform to remove politics from “smoke-filled back rooms.” But the adoption in Georgia was not a reform to bring in more democracy. In 1900, following the lead of South Carolina, Georgia became the second state to bar Black voters from participating in the Democratic Party, under the pretense that the Democratic Party was a private “club” and only had to accept the patronage of its chosen “guests.” Because Georgia was a one-party Democratic state, this meant that Black Georgians had no effective role in the state’s politics. The white primary was one of the central ways Georgia evaded the Fifteenth Amendment.³⁹

³⁵ McDonald, *A Voting Rights Odyssey*, 37.

³⁶ John Dittmer, *Black Georgia in the Progressive Era, 1900–1920* (Urbana: University of Illinois, 1977), 214.

³⁷ Julia Mary Walsh, “‘Horny -Handed Sons of Toil’: Workers, Politics, and Religion in Augusta, Georgia, 1880—1910,” Ph.D. dissertation, University of Illinois, Urbana-Champaign, 1999). <https://www.ideals.illinois.edu/handle/2142/84756>; Donald A. Grant, *The Way it Was in the South: The Black Experience in Georgia* (1993; University of Georgia Press, 2001), 175-78; C. Vann Woodward, *Tom Watson: Agrarian Rebel* (1938; London: Oxford University Press, 1963); Barton Shaw, “Populist Party.” *New Georgia Encyclopedia*, (Sep. 3, 2002) (last modified Sep. 29, 2020), available at: <https://www.georgiaencyclopedia.org/articles/history-archaeology/populist-party/>

³⁸ Bartley, *The Creation of Modern Georgia*, 149; *GA History*, “White Primary Ends,” available at <http://gahistorysms.weebly.com/white-primary-ends.html>

³⁹ McDonald, *A Voting Rights Odyssey*, 38.

Georgia's government took another giant step towards evading the Fifteenth Amendment in 1908, when it passed the "Progressive era" Felder-Williams bill, which became known as the "Disenfranchising Act." Because the Fifteenth Amendment barred outright elimination of Black voting, other methods were used to curb and discourage Black voting without explicitly banning it. Even so, many Georgians agreed with the influential former Georgia Populist Congressman Tom Watson, who in 1921 served in the U.S. Senate as a Democrat, and who previously exclaimed that "the hour has struck for the south to say that the fifteenth amendment is not law and will no longer be respected."⁴⁰

While the 1908 Felder-Williams bill broadly disfranchised many Georgians, it included a series of exceptions that would continue to allow most white voters to vote, such as: (1) having served in either the U.S. or Confederate armies, (2) having descended from someone who had served in either the U.S. or Confederate armies, (3) owning forty acres of land or five hundred dollars' worth of property in Georgia, (4) being able to write or to understand and explain any paragraph of the U.S. or Georgia Constitution, or (5) being "persons of good character who understand the duties and obligations of citizenship."⁴¹ Overall, the Felder-Williams bill's literacy test, plus a property requirement and a cumulative poll tax, eliminated almost all existing Black voters in Georgia (along with a fair number of poor white voters).

While the bill became known as the "Disenfranchising Act," Georgia officials like "Progressive" Governor Hoke Smith justified the bill in the name of "honest elections in Georgia," which could begin by "keeping registration lists above suspicion."⁴² Pursuant to the this new law, a new registration of voters was held after its adoption by popular vote.⁴³ The technique of disfranchisement under the name of something else, such as honest elections, became more prevalent in Georgia and elsewhere. As the *Atlanta Journal* described the Felder-Williams bill, in passing it "Georgia takes her place among the enlightened and progressive states which have

⁴⁰ *Ibid*, 39–40

⁴¹ *Ibid*, 41.

⁴² Georgia General Assembly. House of Representatives, *Journal of the House of Representatives of the State of Georgia* (Atlanta, GA: Franklin-Turner Company, 1908), 11. Available online through the University of Georgia at: http://dlg.galileo.usg.edu/do:dlg_ggpd_y-ga-bl404-b1908.

⁴³ *Journal of the House of Representatives of the State of Georgia*, 19.

announced that the white man is to rule. She has declared in clear and specific terms for Anglo-Saxon supremacy and the integrity of the ballot.”⁴⁴

In the campaign to disfranchise Black voters, Georgia officials blamed a specter of voter fraud, echoing rhetoric from the violent overthrow of Reconstruction that Black residents did not deserve the rights of citizenship and the sanctity of the ballot. For Southern Progressives, as Governor Hoke Smith argued, “the first step toward purifying the ballot” was “the exclusion of the ignorant and purchasable negro.”⁴⁵ White Democrats blamed “fraudulent negro voters” for Republican rule during Reconstruction, and falsely claimed that denying African Americans the right to vote would eliminate fraud.⁴⁶ John M. Brown, the editor of *The Bainbridge Democrat*, argued that “the negro as a voter—by a very large majority—is purchasable,” and without disfranchisement a “minority of the whites” could control Black voters and take Georgia hostage.⁴⁷ The false claim that Black votes were fraudulent began during Reconstruction and continues as a trope today.⁴⁸

This pretext of voter fraud and purifying elections was used to justify the wholesale change in voter registration laws. In conjunction with the Felder-Williams bill which stripped Black men of their voter registrations, the Georgia General Assembly also approved a measure to amend the process for registering voters. The *Cartersville News* explained that this “pure election law” provided that “the registration list shall be placed on exhibit in the office of the clerk of the court, where all may inspect and may challenge those who are thought not worthy of a place.”⁴⁹ The bill stipulated that “the list from the voters’ books . . . shall be open to public inspection, and any citizen of the county shall be allowed to contest the right of registration of any person whose name

⁴⁴McDonald, *A Voting Rights Odyssey*, 42.

⁴⁵ “Hoke Smith Writes of Campaign Issues,” *The Atlanta Georgian and News* (Atlanta, GA), July 29, 1910.

⁴⁶ *The Atlanta Constitution* (Atlanta GA), June 16, 1898.

⁴⁷ “For Negro Disfranchisement,” *The Bainbridge Democrat* (Bainbridge, GA), September 3, 1908.

⁴⁸ *The Atlanta Constitution* (Atlanta GA), June 16, 1898.

⁴⁹ “Laws to Govern Georgia Elections,” *The Cartersville News* (Cartersville, GA), August 20, 1908.

appears upon the voters' list."⁵⁰ This "challenge" provision was incorporated into the 1910 Code of the State of Georgia, and remains largely unchanged to this day.⁵¹

The purpose of both the disfranchisement law and the registration law was clear: to disfranchise Black Georgians and keep it that way. Governor Smith explained that during his tenure that "we adopted a registration law" that "was intended to make complete and fully effective the disfranchisement law."⁵² The *Atlanta Semi-Weekly Journal* wrote that "the registration provision of the pure election law which guarantees the ballot to every real white citizen of the state" ensures that "his ballot's power shall not be vitiated by a corrupt and floating element," i.e. the Black voter whose vote was "fraudulent."⁵³

Together, these laws were devastatingly effective at eliminating both Black elected officials from seats of power and Black voters from the franchise. At this time of the Felder-Williams bill, the last remaining African American in the legislature was William H. Rogers, and he resigned after the passage of the bill. There would not be another Black Georgian in the legislature for half a century. In terms of voters, in 1908, 33,816 Black Georgians were registered to vote. Two years later, only 7,847 African Americans were registered, a decrease of more than 75 percent. In comparison, fewer than six percent of white voters were disfranchised by Georgia's new election laws.⁵⁴ From 1920 to 1930, the combined Black vote total in Georgia never exceeded 2,700.⁵⁵ In 1940, the total Black registration in Georgia was still only approximately 20,000, around two or three percent of eligible Black voters. If anything, this figure exaggerates Black

⁵⁰ Part I, Title VII, *Acts and Resolutions of the General Assembly of the State of Georgia, 1908* (Atlanta, GA: Charles P. Byrd, 1908), 60. Available online through the Digital Library of Georgia at: https://dlg.usg.edu/record/dlg_zlgl_102041291

⁵¹ Originally codified as § 34-605, the 1908 voter challenge provision was preserved in substantially the same form through extensive reorganization and modernization of the Georgia Election code in 1964 and 1981, when it was re-codified at § 21-2-230. As observed in the editor's note for the 2008 edition of *The Official Code of Georgia, Annotated* § 21-2-230, the voter challenge provision of the reorganized 1981 *Official Code of Georgia* was so similar to the 1933 *Code*'s voter challenge statute that any legal opinions decided under the older code would apply to § 21-2-230. See O.C.G.A § 21-2-230 (2008).

⁵² "Hoke Smith Writes of Campaign Issues," *The Atlanta Georgian and News* (Atlanta, GA), July 29, 1910

⁵³ "A Puerile Attack on a Great Law," *The Atlanta Semi-Weekly Journal* (Atlanta, GA), June 24, 1910.

⁵⁴ *Ibid.*; see also McDonald, et al., "Georgia," *Quiet Revolution in the South*, 67.

⁵⁵ McDonald, *A Voting Rights Odyssey*, 46.

voting strength, since until 1944 Black voters were barred from the only election that mattered, the Democratic Party primary.⁵⁶

D. Early 20th Century (1910s to 1940s)

During the early 20th century, beyond the poll tax and the white primary which had functionally removed nearly all Black Georgians from voter registration lists, Black Georgians also faced an array of state-sponsored discrimination across all aspects of life which led back to voting.⁵⁷ One was education. In *Cumming v. Richmond County School Board*, 175 U.S. 528 (1899), the U.S. Supreme Court not only accommodated prejudice but mandated Georgia's *de jure* segregation of white from Black students. The case arose after the school board in Augusta, Georgia, closed the only Black public high school in the county, while still operating its white high school. The Georgia Supreme Court approved of the closure and segregation, and so did the U.S. Supreme Court. And without support for schools for Black Georgians, not only could literacy tests be used to keep Black people from voting, but under-resourced education and segregated schools severely stalled economic and social mobility for Georgia's Black residents.⁵⁸

Like many southern states in the early years of the twentieth century, Georgia, on both a state and local level, instituted a vast array of Jim Crow legislation concerning restaurants, parks, zoos, chain gangs, and even prohibited white and Black Georgians from swearing on the same Bible in Atlanta courtrooms.⁵⁹ Georgia was also dead last among states in the percentage of Black

⁵⁶ *Ibid*, 49; see also J. Morgan Kousser, *Colorblind Injustice: Minority Voting Rights and the Undoing of the Second Reconstruction* (Chapel Hill: University of North Carolina, 1999), 201.

⁵⁷ The continuing effects of discrimination in Georgia hinder the ability of minority group members to participate effectively in the political process. Disparities in education, income, and health outcomes persist in Georgia, effectively disadvantaging many minority voters. Although another expert is providing census data and other statistics on racial disparities in socio-economic characteristics usually cited in connection with Senate Factor 5, I am providing a historical background here.

⁵⁸ Edward A. Hatfield, "Segregation," *New Georgia Encyclopedia*, (Jun 1, 2007) (last edited Jul 20, 2020) <http://www.georgiaencyclopedia.org/articles/history-archaeology/segregation>; Grant, *The Way it Was in the South*, 220. The Booker T. Washington High School in Atlanta opened in 1924; there were several denominational high schools for African Americans in Georgia.

⁵⁹ Bartley, *The Creation of Modern Georgia*, 148.

farmers who owned their own land, at only 12.8%.⁶⁰ Of course, under the Felder-Williams Disenfranchisement Act, ownership of land was one of the exceptions to access of the franchise.

In 1916, Georgia elected Hugh M. Dorsey as governor. While by no means a racial liberal, Dorsey did oppose the worst of Jim Crow. In his pamphlet entitled, *A Statement from Governor Hugh M. Dorsey as to the Negro in Georgia*, published before he left office in 1921, he highlighted the condition of Black Georgians at the time. He wrote, “in some counties the Negro is being driven out as though he were a wild beast. In others he is held a slave.” Governor Dorsey also wrote, in response to white mob violence against Black Georgians, that Georgia “stand[s] indicted before the world. If the conditions. . . should continue, both God and man would justly condemn Georgia more severely than man and God have condemned Belgium and Leopold for the Congo atrocities.”⁶¹ Governor Dorsey wrote the truth; violence and threat of violence was constant for many Black Georgians after white Democrats controlled the state in the late 19th and first part of the 20th century.

At the time, a common form of state-sanctioned violence was debt peonage and the convict lease system, which some have described as slavery by another name. In theory, the federal Debt Peonage Act of 1867 had outlawed the peonage system—the system of debt slavery—throughout the United States. But even up through the 1920s, the federal government investigated and prosecuted hundreds of employers across the South, including particularly in Georgia, for practicing peonage. But the federal government’s prosecutions rarely succeeded in punishing offending landowners. In the end, peonage was ended by outside social and economic forces. In 1915, the boll weevil was found on Georgia cotton plants and thereafter the insect devastated cotton agriculture. In addition to the boll weevil, the Great Depression and the mechanization of

⁶⁰ Adrienne Petty and Mark Schulz, “American Landowners and the Pursuit of the American Dream,” in *Lincoln’s Unfinished Work: The New Birth of Freedom from Generation to Generation*, Orville Vernon Burton and Peter Eisenstadt eds. (Baton Rouge: Louisiana State University, 2022), 133–171.

⁶¹ Hugh M. Dorsey, “A Statement from Governor Hugh M. Dorsey as to The Negro in Georgia,” 1921, <https://archive.org/details/statementfromgov00georrich> (from the California Digital Library in the Internet Archive)

(also available through the Library of Congress at <https://lcn.loc.gov/21027163>; cited in Cobb, Declaration, 22-23.

agriculture spelled the end of the cotton plantations of Georgia. Only the decline of the cotton plantations ended the practice of peonage.⁶²

Throughout World War I, Black Georgians also faced state-sanctioned racial discrimination. While the Selective Service Act of 1917 required all able-bodied men of a certain age to register for a national draft, regardless of race, it was local draft boards that were responsible for processing men registering for the draft and selecting which registrants would be inducted into military service.⁶³ In Fulton County, for example, the draft board “granted exemptions to 526 of the first 815 white registrants examined but turned down only six out of 202 black men.”⁶⁴ Statistically, across Fulton County, 65 percent of the whites but only three percent of Black Georgians were granted exemptions from military service. Fulton County’s racially discriminatory decisions were so flagrant that President Woodrow Wilson, who had lived in Augusta, Georgia as a boy, and who is today remembered as the president who segregated the federal government and endorsed the racist movie, *Birth of a Nation*, was forced to remove officials of the Fulton County Georgia Draft Board.

As Black Georgians were drafted into the war at a higher proportion than were whites, the NAACP established a chapter in Georgia in 1917, which was the same year that Georgia adopted the county-unit form of government. The county-unit system became the method for determining the winner of the Democratic primary, the only elections in the state that mattered.⁶⁵

⁶² Miller Handley Karnes, “Law, Labor, and Land in the Postbellum Cotton South: The Peonage Cases in Oglethorpe County, Georgia, 1865-1940,” Ph.D. dissertation, University of Illinois, Urbana-Champaign, 2000, <https://www.ideals.illinois.edu/handle/2142/84756> Cobb, Declaration, 19-22; Pete Daniel, *The Shadow of Slavery: Peonage in the South, 1901-1969* (New York: Oxford University Press, 1972), 110-131; Talitha L. Laflouria, *Chained in Silence: Black Women and Convict Labor in the New South* (Chapel Hill: UNC Press, 2016); Sarah Haley, *No Mercy Here: Gender, Punishment, and the Making of Jim Crow Modernity* (Chapel Hill: UNC Press, 2016).

⁶³ An Act To authorize the President to increase temporarily the Military Establishment of the United States,” U. S. Statutes at Large 40 (1917-1919), 65th Congress, <https://www.loc.gov/law/help/statutes-at-large/65thcongress/session-1/c65sch.pdf?locl=blogloc-ww1>.

⁶⁴ Arthur E Barbeau and Florette Henri, *The Unknown Soldiers: Black American Troops in World War I* (Philadelphia: Temple University Press, 1974), 35.

⁶⁵ Between 1872 and 1950, the Democratic candidate won every state-wide race. See McDonald, *A Voting Rights Odyssey* at 81.

Under the county-unit system, every county was given twice the number of unit votes as they had representatives in the state house. Each of Georgia's 159 counties had at least one seat in the legislature, and no county had more than three, no matter the county's population. The winner in each county's primary election received all that county's unit votes. This system gave a greater share of proportion of votes to small, rural, and much whiter counties, compared to larger and more urban counties, where the majority of still active Black voters lived.⁶⁶ As in many states prior to the *Baker v. Carr* decision, Georgia's election system had a strongly rural bias, but perhaps in no state was the rural tilt as pronounced as in Georgia, diluting the strength of Black voters across the state.

Against this backdrop, in 1919, the Atlanta chapter of the NAACP was wildly successful in its voter registration drive: in one month, they registered more than one thousand new Black voters, more than doubling the number of Black voters who participated in past elections. The success of the NAACP caused panic among leading white Georgians, and the following year, the Georgia General Assembly proposed legislation to prohibit Black Georgians from voting or from holding office.⁶⁷

As Black Georgians returned from the war, many white Georgians held a deep antipathy regarding Black WWI veterans, which led in part to the rise of the Ku Klux Klan in Georgia following the war. Historian Nancy MacLean wrote about this time, in which white Georgians engaged in racial violence after they saw Black men in military uniforms, "a symbol commanding respect."

After World War I, in Georgia and elsewhere, African Americans again continued to try to vote despite the *legal* means of disfranchisement which state officials had enacted, and whites again resorted to violence and intimidation to keep African Americans from the polls. For example, in Harris County, Georgia, African Americans planned to vote because President Franklin Roosevelt had a vacation home nearby, giving Black voters there a sense of federal protection.

⁶⁶ Scott E. Buchanan, "County Unit System," New Georgia Encyclopedia, (Apr 15, 2005) (last edited Aug 21, 2020), <http://www.georgiaencyclopedia.org/articles/counties-cities-neighborhoods/county-unit-system>.

⁶⁷ Nancy MacLean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (Athens: University of Georgia, 1994), 28.

Trying to eliminate that sense of protection, however, white Georgians in the area “dug some graves there by the courthouse... and burned some crosses at the crossroads.”⁶⁸

Of course, lynchings throughout the state served as a reminder for Black Georgians who challenged the status quo, and in practice lynchings did not need to be directly connected to the right to vote to act as a threat against all Black Georgians who dared participate in the franchise. From 1875 to 1930, there were 462 lynchings in Georgia. Only the state of Mississippi had more reported lynchings. Graphic descriptions of the lynchings sent messages to Black Georgians to stay in line (and to whites that racial violence would go unprosecuted).⁶⁹

E. World War II Era (1940s to 1950s)

Up until the 1940s, Black Georgians had been successfully excluded from the franchise by many means, including the white primary. In 1944, however, in *Smith v. Allwright* the United States Supreme Court issued a landmark decision holding that political parties could not exclude Black Americans from participating in the party’s primary elections, thereby prohibiting the widely utilized white primary system.⁷⁰

One year later, in 1945, the United States District Court for the Middle District of Georgia ruled in *King v. Chapman* that the Muscogee County Democratic Executive Committee and the state of Georgia had violated the Fourteenth, Fifteenth, and Seventeenth Amendment rights of Primus E. King, a Black voter who had been turned away when he had attempted to vote in the Democratic Party’s primary in Columbus, Georgia that prior summer. The judge, in part relying on *Smith v. Allwright*, found that despite Georgia’s attempts to make party primaries “purely private affairs,” primary elections were “by a law an integral part of the election machinery.”⁷¹

These cases, along with Governor Ellis Arnall’s decision not to attempt to “circumvent the [*Allwright*] decision,” and organizing efforts by groups like the NAACP-backed All Citizens

⁶⁸Testimony of William Simpson, Trial Transcript at 115, 118, *Brown v. Reames*, Civ. No. 75-80-COL (M. D. Ga.)

⁶⁹ W. Fitzhugh Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930* (Urbana-Champaign: University of Illinois Press, 1993); McDonald, *A Voting Rights Odyssey*, 47; Georgia Lynching Project, circa 1875-1930,” <https://scholarblogs.emory.edu/galynchings/counties/>.

⁷⁰ *Smith v. Allwright*, 321 U.S. 649 (1944).

⁷¹ *King v. Chapman*, 62 F. Supp. 639 (M.D. Ga. 1945); *Chapman v. King*, 154 F.2d 460 (5th Cir. 1946); *Chapman v. King*, 327 U.S. 800 (1946); “Judge Rules Negroes May Vote,” *The Atlanta Constitution* (Atlanta, GA), October 13, 1945; “Georgia Reform Faces Test in Hot Primary,” *The Sunday News* (Lancaster, PA), July 14, 1946; Ronald H. Bayor, *Race and the Shaping of Twentieth-Century Atlanta* (Chapel Hill, NC: University of North Carolina Press, 1996), 34.

Registration Committee, led to a massive surge in voter registration in 1946, especially among Black voters.⁷² By the time of the 1946 primary, 118,387 Black Georgians had registered to vote. According to the *Jackson Progress-Argus* of Jackson, Georgia, this was “by all odds the largest registration in Georgia’s primary.”⁷³

This important progression in Black voter registration, however, was met by outright hostility from candidates in the 1946 Georgia gubernatorial election. For example, the race-baiting Democratic gubernatorial candidate in that election, Eugene Talmadge, campaigned on a platform of white supremacy and disfranchisement, threatening that if the “Democratic White Primary is not restored and preserved,” Black voters, “directed by influences outside of Georgia,” would control the Democratic Party.⁷⁴ This language echoed earlier comments from Georgia Governor Hoke-Smith which questioned the legitimacy of Black voters.⁷⁵ As Talmadge menacingly warned, “wise Negroes will stay away from white folks ballot boxes.” Similarly, Marvin Griffin, a candidate for Lieutenant Governor, made white supremacy a cornerstone of his campaign and announced that he believed “the White Democratic Party should be kept white in Georgia, and that carpet baggers and scalawags should not be permitted to take over this state and destroy southern racial traditions.”⁷⁶

As the 1946 gubernatorial race progressed, both Griffin’s and Talmadge’s campaigns relied on voter challenges to disfranchise Black voters and repudiate the recent court rulings.⁷⁷ In particular, Talmadge responded to *Smith v. Allwright* by mounting challenges to Black voter registration forms, claiming they were filled out incorrectly. Although the state law required specific reasons for voiding registrations, Talmadge’s crew cited spurious reasons. They created pre-filled forms with spaces to fill in the voter’s name and county, with reasons such as “the voter

⁷² McDonald, *A Voting Rights Odyssey*, 49.

⁷³ “Total Registration in Georgia May Reach Million When Deadline Falls,” *The Jackson Progress-Argus* (Jackson, GA), June 20, 1946; “118, 387 Qualified to Vote in Georgia Primary Election,” *The Plaindealer* (Kansas City, KS), July 19, 1946.

⁷⁴ “Georgia CAN Restore the Democratic White Primary and Retain County Unit System,” *The Forsyth County News* (Cummings, GA), July 4, 1946.

⁷⁵ “Our Last Chance for WHITE SUPREMACY,” *The Jackson Herald* (Jefferson, GA), July 11, 1946; “Georgia’s State Campaign To Be Red Hot Affair,” *The Gaffney Ledger* (Gaffney, SC), April 25, 1946.

⁷⁶ *The Houston Home Journal* (Perry, GA), May 30, 1946; Cobb, Declaration, 26.

⁷⁷ “Talmadge ‘Purge’ of Negro Voters Boggling Down in Georgia Counties,” *The Atlanta Constitution* (Atlanta, GA), July 12, 1946.

was not a resident, was not eighteen, was not a person of good character, could not read the English language,” and so forth.⁷⁸ These forms demonstrated that Talmadge’s campaign did not know the specific circumstances or qualifications of the voters they challenged; all they knew were that these voters “were black, and that was enough.”⁷⁹ Ultimately, the Talmadge machine challenged so many voters that when those voters arrived in person to prove their qualifications, “it proved impossible to process all of them on election day, and as a result the Black voters were allowed to cast their ballots.”⁸⁰ All in all, during this election, more than thirty counties challenged Black registrations, denying an estimated 15,000 to 25,000 Black registrants the right to vote.⁸¹

The state of Georgia also continued to attempt to circumvent the rule against white primaries. In 1947, the Georgia General Assembly introduced a bill that would allow the continuation of a white-only primary by divorcing primaries from state action entirely. Willis Smith, a representative from Carroll County, said “Georgia is in trouble with the Negroes unless this bill is passed.” Echoing historian U. B. Phillips’ central theme of Southern history, Smith continued “This is white man’s country, and we must keep it that way.”⁸²

But perhaps the most successful way Georgia continued to circumvent the rule against white primaries was the continuation of the county-unit system, which had both the purpose and the effect of containing the Black vote in the urban areas of the state. By the early 1940s, 43.5% of the state’s population (and 39.9% of the state’s white population) controlled 59% of the unit votes. The unit vote system was inherently non-majoritarian, and situations in which candidates won the popular vote but lost the unit vote were not uncommon. And it had the consequence that not only legislative races, but also state-wide races for governor and other executive branch positions had a rural and white bias. The main target of the county-unit system was Atlanta and Fulton County, where many Black Georgians lived. In 1946, each unit vote in Fulton County represented 14,092 votes, while each unit vote in Chattahooche County (a much whiter county) represented 132 voters. In other words, each voter in Chattahooche County had 120 times the weight of a Fulton County voter.

⁷⁸ McDonald, *A Voting Rights Odyssey*, 52-53.

⁷⁹ *Ibid.*, 52–54.

⁸⁰ *Ibid.*, 53.

⁸¹ *Ibid.*, 52–54.

⁸² *Ibid.*, 55. The bill was vetoed by Gov. Thompson who questioned its legality and believed it would invite fraud.

The county-unit system was a bulwark for the racist and die-hard white supremacist machine of long-time governor Eugene Talmadge. Talmadge claimed the enemies of the county unit system were a group of “liberals, white primary antagonists, and integrationists.” While five constitutional challenges were brought against the county-unit system in the 1940s and 1950s, none succeeded.⁸³

Following Governor Talmadge’s death, voter challenges to Black voters were used again during the 1948 Georgia gubernatorial special election. In Laurens County, Georgia, nearly three-quarters of 2,477 Black Georgians who were registered to vote were purged after they were unable to appear before the board of registrars, which a grand jury later found illegal.⁸⁴ Marion County also engaged in a similar, and unsuccessful purge that targeted Black voters, who were challenged because of their supposed “lack of education.”⁸⁵ While the efforts to purge Black voters in Laurens and Marion Counties failed, other counties pushed forward. The day before the Democratic primary election, 558 Black voters were purged from Spalding County’s registration list. Attempts to challenge and purge Black voters from voter registration lists also occurred in Lowndes, Schley, and Twiggs counties, and may have also taken place in Dougherty County as well. When attempts to challenge African American voters’ qualifications failed, other methods of voter intimidation were employed. For example, Augusta employed “slowdown” tactics in the 1948 elections that mirrored what Savannah did in 1946, whereby “several thousand blacks were unable to vote before the polls closed because of the delaying tactics of poll officials and were simply turned away.”⁸⁶ Election officials only allowed three Black voters to vote per hour, in the hopes that there would

⁸³ Ibid., 83.

⁸⁴ “Tax Collector of Laurens County Puts Negroes Back on List,” *The Butler Herald* (Butler, GA), June 17, 1948; “‘Vote Purge’ Evidence Said Insufficient,” *The Atlanta Constitution* (Atlanta, GA), August 29, 1948; “Twiggs Board Directed to Enroll Negroes,” *The Atlanta Constitution* (Atlanta, GA), August 14, 1948.

⁸⁵ “Marion County Striking 400 From Voting List,” *The Butler Herald* (Butler, GA), August 26, 1948; “Attempts to Intimidate Voters Told,” *The Alabama Tribune* (Montgomery, AL), September 17, 1948.

⁸⁶ “‘Vote Purge’ Evidence Said Insufficient,” *The Atlanta Constitution* (Atlanta, GA), August 29, 1948; “Twiggs Board Directed to Enroll Negroes,” *The Atlanta Constitution* (Atlanta, GA), August 14, 1948; “Attempts to Intimidate Voters Told,” *The Alabama Tribune* (Montgomery, AL), September 17, 1948; “Pre-Vote Klan Threats Substitute for Poll Purge of ‘46 – Thompson,” *The Atlanta Constitution* (Atlanta, GA), March 25, 1948.

“be plenty of Negroes standing in line when the polls close.”⁸⁷ Furthermore, in 1949 the state government (unsuccessfully) attempted to force a general re-registration, “with the obvious aim of ridding the rolls of Negro voters.”⁸⁸

Along with strategic election-related tactics, around this time there was also an upsurge of Klan activity and violence directed at Black voters.⁸⁹ In the days before the 1948 Democratic primary election, the Ku Klux Klan successfully suppressed Black voting in Lowndes County by burning crosses and threatening African American voters.⁹⁰ Acting Governor M.E. Thompson alleged that “intimidation of voters by the Ku Klux Klan is being employed as a substitute for the purge campaign of 1946.”⁹¹ Threats of the Ku Klux Klan, extralegal violence, and all white juries within the legal system made these tactics effective. For example, a Black minister and teacher in Bleckley County went to the courthouse to register to vote in the 1955 election, but the chief of police told him “[n]o niggers register in this courthouse.” The next year, someone burned a cross in his yard. He did not attempt to register again until 1964.⁹²

After the passage of the 1957 Civil Rights Act, Georgia Governor Marvin Griffin—the candidate whose campaign had filed thousands of spurious challenges against Black voters in 1946—formed a state election law revision committee, which introduced new voter requirements that were “aimed primarily . . . at curbing potential Negro voting strength in Georgia.”⁹³ Voters

⁸⁷ “Attempts to Intimidate Voters Told,” *The Alabama Tribune* (Montgomery, AL), September 17, 1948; “Pre-Vote Klan Threats Substitute for Poll Purge of ’46 – Thompson,” *The Atlanta Constitution* (Atlanta, GA), March 25, 1948.

⁸⁸ William M. Bates, “Require High School For Voters, Cook Asks,” *The Atlanta Constitution* (Atlanta, GA), November 20, 1957.

⁸⁹ McDonald, *A Voting Rights Odyssey*, 52–54.

⁹⁰ Patrick Novotny, *This Georgia Rising: Education, Civil Rights, and the Politics of Change in Georgia in the 1940s* (Macon: Mercer University Press, 2008), 270; “Attempts to Intimidate Voters Told,” *The Alabama Tribune*; “Pre-Vote Klan Threats Substitute for Poll Purge of ’46 – Thompson,” *The Atlanta Constitution*.

⁹¹ Novotny, *This Georgia Rising*, 270; “Attempts to Intimidate Voters Told,” *The Alabama Tribune*; “Pre-Vote Klan Threats Substitute for Poll Purge of ’46 – Thompson,” *The Atlanta Constitution*.

⁹² Even with the VRA, Bleckley County did not see significant increase in Black registration because of the legacy of terror associated with attempting to register at the courthouse. In 1984, Bleckley County allowed satellite registration, and Black registration did increase. See McDonald, *A Voting Rights Odyssey*, 56.

⁹³ William M. Bates, “Crime Barriers and Stiffer Tests Proposed to Curb Negro Voting,” *The Atlanta Constitution* (Atlanta, GA), November 22, 1957; “Griffins Poll Tax, Voter Registration Bids Face Scuttling Move in House,” *The Atlanta Constitution* (Atlanta, GA), February 13, 1958.

could be disqualified for offenses like “moonshine liquor law violations, adultery and child abandonment,” and the law would also impose a new, more stringent voter qualification test.⁹⁴ Rather than forcing a re-registration to ensure that all 1.2 million registered voters in the state could meet the new requirements, the new requirements “could be invoked against a registered voter upon challenge by another voter.”⁹⁵ Griffin’s insistence that the legislation include a \$1.00 poll tax (which had been previously eliminated in Georgia in 1945) and bi-annual re-registration ultimately led to the bill’s demise in the General Assembly.⁹⁶ From poll tax to registration schemes, the purpose in tweaking voting requirements was difficult to miss; the intent was to keep the numbers of eligible Black voters as low as possible, and to keep the requirements for voting accessible to the more marginal white voters.

F. Pre-Voting Rights Act (Early 1960s)

By the end of the 1950 and the start of the 1960s, Georgia’s malapportioned legislative districts continued to have the obvious effect of favoring rural white voters over urban Black voters. In 1960, even though the eight counties with the largest population had 41 percent of the state’s population, they had only 12 percent of the members in the Georgia House of Representatives.⁹⁷

Georgia’s congressional districts were also grossly malapportioned around this time. In 1957, Georgia’s Fifth District, consisting of Fulton, DeKalb, and Rockdale Counties, was the second most populous congressional district in the United States, with an estimated population of 782,800—about twice the size of the average congressional district. At the same time, Georgia’s Ninth District, a much whiter district in the northeast part of the state, had an estimated population of 238,790. By 1960, Fulton County was the most underrepresented county in its state legislature of any county in the United States. DeKalb County was in third place.⁹⁸ Over time, the explosive

⁹⁴ Bates, “Crime Barriers and Stiffer Tests Proposed to Curb Negro Voting”; Bates, “Griffins Poll Tax, Voter Registration Bids Face Scuttling Move in House.”

⁹⁵ Bates, “Crime Barriers and Stiffer Tests Proposed to Curb Negro Voting.”

⁹⁶ Bates, “Griffins Poll Tax, Voter Registration Bids Face Scuttling Move in House.”

⁹⁷ McDonald, *A Voting Rights Odyssey*, 80–84; V.O. Key, Jr., *Southern Politics in the State and Nation* (Knoxville: University of Tennessee Press, 1984), 117–124; J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910* (New Haven: Yale University Press, 1974), 203–204.

⁹⁸ “What About Justice For the Fifth District?,” *Atlanta Constitution*, 23 October 1952; Bruce Galphin, “Only State Legislature Can Effectuate Reapportionment,” 28 November 1957; “We

growth of Atlanta, and the consequent increase in Black voters, put increased pressure on the county-unit system. Although still badly disproportionate in comparison to registration for whites, growing Black voting strength in Georgia was increasingly able to make a difference in close elections, something the state's segregationists were acutely aware of.

Defending the county-unit system became an issue on which die-hard segregationists would take their stand. For Peter Zack Greer, elected lieutenant-governor of Georgia in 1962, "left-wing radicals and Pinks," were intent on unleashing the "bloc Negro vote in Atlanta."⁹⁹ Even more moderate segregationists expressed similar sentiments. Carl Sanders, elected Georgia's governor in 1962, stated that eliminating the county-unit system would leave state government in the hands of "pressure groups or bloc votes"—the leading white Georgia euphemism for Black voters—and would keep "liberals and radicals from taking over."¹⁰⁰

In an attempt to prevent the overturning of the county-unit system, in 1962, the Georgia General Assembly made some modifications to increase the representation of Fulton County in the state senate from three to seven. At the same time, however, they allowed the creation of multi-member, at-large districts so that the Black voters in a given county would always be outvoted, and Fulton County's state senators would be elected on an at-large basis. After this system was ruled unlawful, there were two majority-minority districts in Fulton County, one of which elected Leroy Johnson, the first African American to serve in a southern state legislature in many decades.¹⁰¹

Beginning in 1963, the United States Supreme Court fully outlawed Georgia's county-unit system in *Gray v. Sanders*, 372 U.S. 368 (1963), culminating in *Wesberry v. Sanders*, 374 U.S. 802 (1963), another case arising from Georgia in which the United States Supreme Court mandated equal apportionment for the upper houses of state legislatures and for congressional districts. As one Georgia scholar wrote, "[these cases were] not a racial discrimination case[s], but its concept that voting districts must be composed of substantially equal populations was to prove one of the keys that opened the door to minority officeholding in Georgia."¹⁰²

Challenge Congressman Jim Davis to Follow Seventh District's Example," *Atlanta Constitution*, 30 March, 1962.

⁹⁹ McDonald, *A Voting Rights Odyssey*, 82.

¹⁰⁰ *Ibid.*, 82-83.

¹⁰¹ *Ibid.*, 86-89.

¹⁰² *Ibid.*, 80, 89-90.

In an attempt to subvert the Court’s decisions and to curb Black voting strength and electoral victories, in 1963, the all-white Election Laws Study Committee of the Georgia General Assembly proposed new voting rules for the state of Georgia. The goal of the Committee was to “replace[] the invalid county unit law” with rules that could operate to the same effect.¹⁰³ These rules included, most notably, a majority-vote rule to elect any candidate to local, state, and federal office in both primary and general elections, thus requiring a runoff if any candidate received only a plurality of the vote. The bill’s sponsor, Representative Denmark Groover (a self-described “segregationalist”), explained such a requirement would reduce the influence of the “Negro bloc vote.”¹⁰⁴ And indeed, in practice, a majority-vote rule ensures that a Black candidate cannot be elected where Black voters are a minority of the population and voting is racially polarized, even when the white vote is split.¹⁰⁵ Groover’s majority-vote law was ultimately enacted by the Georgia General Assembly in 1964, and to this day Georgia requires a majority vote for office.¹⁰⁶

In addition to this majority vote requirement, in 1964 the Georgia legislature passed a new voting law with a literacy requirement, a strengthened voter understanding test, a prohibition on voter assistance except in cases of physical disability, a numbered-post provision (a specific method of at-large voting), and an anti-facsimile ballot provision, prohibiting voters from taking sample ballots or lists of candidates into the voting booth, to prevent, as one of the leaders in the Senate said, “bloc voting” by Black Georgians.¹⁰⁷

That same year, Georgia’s election laws underwent a substantial revision as the General Assembly passed “a simplified and comprehensive code of election laws” in response to criticism that the state’s election law was disorganized and disjointed.¹⁰⁸ The reorganization of Georgia’s

¹⁰³ McDonald, *A Voting Rights Odyssey*, 91.

¹⁰⁴ Kousser, *Colorblind Injustice*, 198; McDonald, *A Voting Rights Odyssey*, 92.

¹⁰⁵ See, e.g., *City of Port Arthur v. United States*, 459 U.S. 159, 167 (1982) (requiring removal of a majority vote rule for preclearance under Section 5, recognizing that “[i]n the context of racial bloc voting prevalent in [a city in which African Americans constituted a minority of the population], the [majority-vote] rule would permanently foreclose a black candidate from being elected”).

¹⁰⁶ See Ga. Code Ann. § 21-2-501.

¹⁰⁷ McDonald, *A Voting Rights Odyssey*, 91–103; Kousser, *Colorblind Injustice*, 105, 232–236.

¹⁰⁸ As Assistant Attorney General Paul Rodgers, a member of the Election Laws Study Committee, argued, “it’s the biggest mess you’ve ever seen.” “New Election Code an Attempt to Simplify ‘Hodgepodge’ Laws,” *The Atlanta Constitution* (Atlanta, GA), May 4, 1964. Lieutenant Governor Peter Zack Geer complained that the state’s election laws were “strewn helter-skelter through the

election laws introduced some important changes, such as the creation of the State Election Board and the standardization of calendars for county and state primaries. But Georgia maintained many other discriminatory laws in the 1964 revisions. For example, the state kept its voter challenge provision. The new election law code stipulated that “any elector of the county shall be allowed to challenge the right of registration of any person whose name appears on the electors list,” and outlined the process for contesting another citizen’s right to vote.¹⁰⁹ This voter challenge statute would end up surviving the modernization, recodification, and reorganization of the Georgia Code of Laws in 1981 and a subsequent update to provide for Georgia’s participation in the national “motor voter” program in 1994.¹¹⁰ In fact, as the editor’s note for the 2008 edition of *The Official Code of Georgia, Annotated* § 21-2-230 observed, the voter challenge provision of the reorganized 1981 *Official Code of Georgia* is so similar to the 1933 *Code*’s voter challenge statute that any legal opinions decided under the older code would also apply to § 21-2-230.¹¹¹

G. Voting Rights Act Era (1960s and 1970s)

On the eve of the enactment of the VRA in 1965, most Black Georgians’ voting power had been made ineffective by voting rules which were neutral in their language, but functionally discriminatory in effect. By the time of the VRA, while Black Georgians were 34 percent of the voting age population, there were only three elected Black officials, and those officials had been elected in just the previous three years before the enactment of the Voting Rights Act. Overall, less than a third of the eligible Black population was registered in the state, and in Georgia’s twenty-three counties with a Black voting age majority, only 16 percent of African Americans were registered, compared to 89 percent of whites.¹¹² “This exclusion from the normal political process

Code of Georgia,” and expressed his belief that the new code would be “surrounded with and imbedded in due process of law and judicial standards.” “Lieutenant Governor Geer Favors New Election Law Code,” *The Forsyth County News* (Cummings, GA), May 27, 1964.

¹⁰⁹ *Journal of the Senate of the State of Georgia at the Extraordinary Session*, 1964 (Hapeville, GA: Longino and Porter, Inc., 1964), 83.

¹¹⁰ “Revising Outdated State Laws a Painstaking Job,” *The Atlanta Constitution* (Atlanta, GA), July 12, 1981; “Legislators Give Update of ’94 General Assembly Session,” *Forsyth County News* (Cummings, GA), April 6, 1994.

¹¹¹ O.C.G.A § 21-2-230 (2008)

¹¹² U.S. Commission on Civil Rights, *Political Participation: A Study of the Participation by Negroes in the Electoral and Political Processes in Ten Southern States since the Passage of the Voting Rights Act of 1965* (Washington, D.C.: U.S. Government Printing Office, 1968), 216-17, 232-39.

was not fortuitous; it was the result of two centuries of deliberate and systematic discrimination by the state against its minority population.”¹¹³

The Voting Rights Act of 1965 would ultimately change the trajectory of voting rights for Black Georgians. In the award-winning book, *Quiet Revolution in the South: The Impact of the Voting Rights Act, 1965–1990*, Laughlin McDonald, Michael B. Binford, and Ken Johnson documented carefully the impact and opening of the franchise to African Americans in Georgia from 1965 onwards.¹¹⁴ Beyond statistical improvements in Black registration and elected officials, the VRA affected the tone of the political system itself. In 1974, Andrew Young, a civil rights activist with the Southern Christian Leadership Conference (SCLC) who would later be elected mayor of Atlanta in 1982, addressed the Association of Southern Black Mayors: “It used to be that Southern politics was just ‘nigger’ politics: who could ‘outnigger’ the other. Then you registered 10 to 15 percent in the community and folk would start saying ‘Nigra.’” After registration numbers went to 35 to 40 percent, “it’s amazing how quick they learned how to say ‘Nee-grow.’” And when registration increased to 70 percent of the Black votes registered in the South, “everybody’s proud to be associated with their black brothers and sisters.”¹¹⁵

But the VRA did not translate to instant success in Black voter registration numbers. Even eleven years after the VRA, Black voters in Georgia were systematically underrepresented as a percentage of registered voters.¹¹⁶ As the table below demonstrates, Black registration trailed white registration significantly even in 1976, particularly in the state of Georgia.¹¹⁷

¹¹³ McDonald, et. al., “Georgia,” in *Quiet Revolution in the South*, 67-102, 409-413, quotation on p. 67.

¹¹⁴ *Id.*

¹¹⁵ Jack Bass and Walter DeVries, *The Transformation of Southern Politics: Social Change and Political Consequence since 1945* (New York: Basic Books, 1976), 47; David S. Broder, *Changing of the Guard: Power and Leadership in America* (New York: Simon and Schuster, 1980), 367.

¹¹⁶ Campbell Gibson and Kay Jung, *Historical Census Statistics on Population Totals by Race* (Washington, DC: US Bureau of Census, 2002); McDonald, et al., “Georgia,” in *Quiet Revolution in the South*, 102.

¹¹⁷ Laughlin McDonald, *Voting Rights in the South: Ten Years of Challenging Continuing Discrimination Against Minorities* (Atlanta: ACLU, Southern Regional Office, 1982).

Table 1. States Covered in Their Entirety by VRA Section 5 Preclearance Provisions in which the largest non-White group are African Americans, Arranged by Decreasing Differential of White and Black Voting Registration

State	% whites registered to vote, 1976	% Blacks registered to vote, 1976	% Difference
Alabama	75.4	58.1	17.3
Georgia	73.2	56.3	16.9
Louisiana	78.8	63.9	14.9
Mississippi	77.7	67.4	10.3
South Carolina	64.1	60.6	3.5
Texas	69.4	64.0	5.5
Virginia	67.0	60.7	6.3

Source: McDonald, *Voting Rights in the South*, 38

The historical record also shows that most Georgia officials continued their hostility to Black voters and the VRA itself, especially the § 5 preclearance provisions to which they were now subject. As the VRA and other civil rights legislation gathered strength after the mid-1960s, white Georgia officials went to greater lengths to invent conditions and pretexts for challenging and neutralizing Black voting strength, both in the substance in their changes, and by refusing to seek preclearance at all.¹¹⁸

One of the most common tactics of preventing Black voters from electing candidates of choice was the change from voting by district to at-large voting. The effect of at-large voting, particularly in a jurisdiction with less than a majority of Black voters, is to ensure the white population can elect all the representatives to that district. In 1964, before the VRA, Calhoun County (63% Black), Clay (61% Black), Dooly (50% Black), Early (45% Black), Morgan (45% Black), Newton (31% Black), and Miller (28% Black) had district elections for county government. But after the VRA, all adopted at-large voting, directly violating § 5 preclearance

¹¹⁸ For examples of white Georgians' hostility to the Voting Rights Act and to African American attempts at voting, see especially the testimonies of Julian Bond and Laughlin McDonald in *Extension of the Voting Rights Act: hearings before the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary, House of Representatives, 97th Congress, 1st sess., May 6, 7, 13, 19, 20, 27, 28, June 3, 5, 10, 12, 16, 17, 18, 23, 24, 25, and July 13, 1981*).

rules. Between 1976 and 1980, all of these counties were sued, and now have district voting for county elections.¹¹⁹

In 1964, as previously discussed, in response to growing African American electoral strength, the Georgia General Assembly had adopted a law that required many offices to be won by a majority vote and not a mere plurality. At the time, the majority of Georgia's 159 counties had operated under a plurality system. The majority vote system was adopted to prevent a Black candidate being "first past the post" against a divided white vote.¹²⁰ Local jurisdictions also made the change to majority voting after the VRA. The city of Moultrie, Georgia, for example, adopted a majority voting procedure for city offices in 1965. All Black candidates were defeated until a § 5 suit forced the city to adopt districts in 1977. The city of Americus adopted a majority vote in 1968. Until a successful § 5 suit in 1977, two Black candidates who won by plurality in their Americus election races were defeated in the run-off election with a majority requirement. Around this time, Covington and St. Mary's, both cities with substantial Black populations, adopted a majority vote without seeking preclearance for doing so.¹²¹ Overall, between 1975 and 1982, the U.S. Attorney-General brought 66 suits against majority voting requirements, many of them in Georgia. Many of these Georgia-specific instances can be found in Appendix A, located at the end of this report.

Numbered posts (another method of at-large voting) were another way to discriminate against Black voters and Black candidates. When, for instance, there were three open positions for county commissioner, rather than electing the three candidates with the highest vote totals, candidates had to run specifically for seats No. 1, No. 2, and No. 3, diminishing the chances of electing Black candidates. From 1975 to 1982, the Attorney-General objected to 60 submissions involving numbered posts, many again from Georgia. Dawson, Kingsland, and St. Mary's all adopted numbered posts elections for the city council in the 1960s and 1970s, none of them applying for preclearance in doing so.¹²²

Staggered voting was another technique used to limit Black voting strength, by limiting the numbers of open seats at any one time and making it more difficult for Black candidates to get

¹¹⁹ McDonald, *Voting Rights in the South*, 40–43

¹²⁰ McDonald, *A Voting Rights Odyssey*, 92–102; Kousser, *Colorblind Injustice*, 197–242.

¹²¹ McDonald, *Voting Rights in the South*, 43–46

¹²² *Ibid.* at 50–51.

elected, particularly if combined with at-large voting schemes. Peach County, for example, staggered the election of its county commissioners starting in 1968, and the city of Kingsland did the same in 1976 without seeking preclearance.¹²³

Annexations of territory by cities to decrease the percentage of the Black population were, through 1982, the most common type of suit brought by the DOJ. The city of Jackson, for example, used annexation to limit Black voting strength until enjoined in 1981.¹²⁴

There were many other forms of Section 5 noncompliance in Georgia. In 1981, Julian Bond, a Georgia State Senator, testified before the House of Representatives that there were over four hundred non-submissions of Section 5 notifications by Georgia jurisdictions.¹²⁵ Many jurisdictions in Georgia also simply refused to comply with Section 5 objections, such as Sumter County, Pike County, and Waynesboro. Local officials in other jurisdictions, such as Thomson, when faced with a Section 5 objection to majority voting, encouraged the two white candidates to have an informal “run-off” to avoid splitting the white vote and allowing the Black candidate to win. This practice, known as “cuing,” the endorsement by white community leaders of a specific candidate prior to the actual election, is in the words of Laughlin McDonald, “doing by indirection that which Section 5 expressly forbids.”¹²⁶

Overall, the number of VRA Section 5 preclearance challenges raised by private or federal suit show that Georgia was one of the most active and ingenious in trying to prevent Black voting strength. From 1965 to 1981, the DOJ received a total of 34,798 voting changes submitted for preclearance under Section 5. DOJ ultimately objected to 815 of these proposed changes, and of those, 226, or almost 30 percent, were from the state of Georgia.¹²⁷ This figure far exceeds that of other states. Louisiana, for example, the state that was subject to the second-most number of objections, was only the subject of 136 objections, which is just a little over half of Georgia’s objections.¹²⁸

This number likely significantly undercounts the number of actual and potential § 5 violations in Georgia prior to the 1982 reauthorization of the VRA. In a 1984 article, Drew Days

¹²³ *Ibid.* at 51-52

¹²⁴ *Ibid.* at 52-53

¹²⁵ Hearings Before the Subcommittee on Civil and Constitutional Rights of the Committee of the Judiciary, House of Representatives, Ninety-Seventh Cong., 1st Session, On the Extension of the Voting Rights Act. Testimony of Julian Bond, State Senator from Georgia, May-July 1981.

¹²⁶ McDonald, *Voting Rights in the South*, 60.

¹²⁷ *Ibid.*, 20-25.

¹²⁸ *Id.*

and Lani Guinier estimated that “covered jurisdictions have made literally hundreds of changes that have never met the preclearance requirement of Section 5,” and that the DOJ “has not been able to ensure that every electoral change by covered jurisdictions, or indeed most of them, was subjected to the Section 5 process.”¹²⁹ In another study, based on interviews with local attorneys in Georgia and Mississippi involved in voting issues, found that 36.4% of attorneys that responded to the survey reported that local jurisdictions went ahead with election changes despite a pending preclearance request. The survey revealed other ways of gaming the VRA system—waiting until shortly before the election to file the Section 5 request, not giving DOJ adequate time to respond, or alternatively, exhaustively arguing every nuance of a Section 5 request, hoping to win outright, or at least gain an advantage by exhaustion and attrition.¹³⁰ Even still, as noted, between 1965 and 1980, DOJ objected to more than 200 changes submitted by Georgia under Section 5.¹³¹

In 1969, the United States Supreme Court in *Allen v. State Board of Elections*, 393 U.S. 544 (1968), made clear that changes made under preclearance under Section 5 of the VRA were to be construed broadly because to limit its scope to a specific set of voting restrictions would be “underestimating the ingenuity of those bent on keeping Negroes from voting.” The *Allen* Court also made clear that preclearance extended to reapportionment plans.¹³²

Georgia’s congressional reapportionment in 1971 was the first held under Section 5 preclearance rules, and it showed, in the words of Laughlin McDonald, “the extraordinary lengths to which the legislature was prepared to go to exclude Blacks from the congressional delegation.”¹³³ A plan proposed by two African American state senators to increase the Black percentage of Georgia’s Fifth Congressional District from 34% to 45% was soundly defeated. The plan which *was* approved by the Georgia General Assembly carved the Black population in the Fourth, Fifth, and Sixth Districts to give the Fifth District a substantial white majority, and

¹²⁹ Drew Days III and Lani Guinier, “Enforcement of Section 5 of the Voting Rights Act,” in Chandler Davidson, ed. *Minority Vote Dilution*. (Washington, DC: Howard University Press, 1984), 168.

¹³⁰ Howard Ball, Dale Krane, and Thomas P. Lauth, “The View From Georgia and Mississippi: Local Attorneys’ Appraisal of the 1965 Voting Rights Act,” in Davidson ed., *Minority Vote Dilution*, 181–202.

¹³¹ McDonald, *Voting Rights in the South*, 20–23.

¹³² Cited in Orville Vernon Burton and Armand Derfner, *Justice Deferred: Race and the Supreme Court* (Cambridge, MA: Harvard University, 2021), 228.

¹³³ McDonald, *A Voting Rights Odyssey*, 149.

specifically excluded from the district the homes of Andrew Young—who had unsuccessfully run for Congress in the district in 1970—and Maynard Jackson, another budding Black politician.

The Georgia General Assembly’s 1971 reapportionment plan was rejected by the Department of Justice under Section 5. Under a revised reapportionment plan, in 1972, Georgian Andrew Young (along with Barbara Jordan in Texas) became the first African Americans elected to the United States House of Representatives from the South in the twentieth century. Young was elected three times, resigning his seat in 1977 to become President Carter’s ambassador to the United Nations. It would take another decade for another Black Georgian to be elected to the United States Congress from the state of Georgia.¹³⁴

H. End of the Twentieth Century (1980s–2002)

In the redistricting cycle after the 1980 census, the Georgia General Assembly again tried to limit Black voting strength in Atlanta. The Georgia General Assembly’s reapportionment plan contained white majorities in nine of the ten congressional districts, even though Georgia’s population at the time was nearly 30% Black. Julian Bond, by then a Georgia state senator, introduced a bill that would have made the Fifth Congressional District 69% Black. In response, the Chair of the Senate Reapportionment Committee criticized the proposal as one that would cause “white flight.” The Chair of the House Reapportionment Committee similarly criticized the proposal on the grounds that he was disinclined to draw “nigger districts” or support “nigger legislation.”¹³⁵ Some members of the Georgia General Assembly stated they did not want to go back to their districts and defend “why I was a leader in getting a black elected to the United States Congress.” Bond’s proposal was predictably rejected, and the reapportionment plan drawn by the Georgia General Assembly was, as in the previous decade, rejected under Section 5 of the Voting Rights Act. The Court then approved a new plan with a district that was 65% Black. Julian Bond and John Lewis, two old friends and comrades from the Student Nonviolent Coordinating Committee (SNCC) Civil Rights Movement, vied for the seat; Lewis ultimately won.¹³⁶

In 1980, Laughlin McDonald noted that of the 18 Black Georgians elected to county governments—about only 3% of all office holders—16 of them were elected in majority Black

¹³⁴ Charles S. Bullock III, “The History of Redistricting in Georgia,” *Georgia Law Review* 52, no. 4 (2018): 1065–1066; McDonald, *A Voting Rights Odyssey*, 149–150.

¹³⁵ McDonald, *A Voting Rights Odyssey*, 168–173.

¹³⁶ *Id.*

districts or counties. As McDonald wrote in 1982, “blacks in Georgia’s majority white counties or districts, for all practical purposes, cannot get elected.”¹³⁷

On the eve of the possible expiration of the VRA in the early 1980s, Georgia continued to show that such an extension was necessary. In 1980, DeKalb County adopted a policy that it would no longer allow community groups to conduct voter registration drives.¹³⁸ In 1981, Georgia was blocked from changing the rules about who could help voters at the polls under Section 5.¹³⁹ The early 1980s also saw continued use of voter challenges against Black voters. In 1981, white Georgians on the northside of Atlanta formed the Voter Information Project (VIP), which used Georgia’s voter challenge law to dispute the right to vote of more than 50,000 registered voters in Fulton County. Of these challenged voters, 58 percent were Black. As a result, in 1981, one in five registered voters was purged from Fulton County’s voters’ rolls.¹⁴⁰

That same year, the *New York Times* summarized the status of Black voters in Georgia as the country debated the 1982 re-authorization of the VRA:

“26.2 percent of the population is black, only 3.7 percent of the elected officials are black. The glitter of power in Atlanta, where two blacks are among the three frontrunners to succeed the city’s two-term black mayor, Maynard Jackson. In fifteen of the state’s twenty-two counties where blacks comprise a majority or close to it, no blacks serve on county commissions. It is not for want of trying; 34-year-old Edward Brown Jr. has twice run unsuccessfully for office in Mitchell Co. In Mr. Brown’s instance, all-white poll officials and paper ballots greatly reduced his chances for winning. Testifying in a court case, Mr. Brown stated that it is difficult to win when whites as a matter of policy vote against blacks. Citing his defeats, he

¹³⁷ McDonald, *Voting Rights in the South*, 40–43.

¹³⁸ Hearings Before the Subcommittee on Civil and Constitutional Rights of the Committee of the Judiciary, House of Representatives, Ninety-Seventh Cong., 1st Session, On the Extension of the Voting Rights Act. Testimony of Julian Bond, State Senator from Georgia, May-July 1981, 54–55.

¹³⁹ Sept. 18 Letter from William Bradford Reynolds to Michael Bowers at 2-3 (1981), quoted in Expert Witness Report of Dr. Peyton McCrary at 8, 18 (“McCrary Report”), *Fair Fight v. Raffensperger*, No. 1:18-cv-05391-SCJ (N.D. Ga. 2020), ECF No. 339. According to the 1970 census data (the latest available at the time of the DOJ objection), in Georgia, only 8 percent of whites over the age of 25 had completed less than five years of school while 32 percent of Blacks over the age of 25 had completed less than five years of school (also cited in the McCrary Report at 74-75).

¹⁴⁰ Barry King, “Notices Sent on Fulton Voter Purge,” *The Atlanta Constitution* (Atlanta, GA), March 3, 1981; Jim Walls, “One in Five Voters Dropped From Rolls,” *The Atlanta Constitution* (Atlanta, GA), April 16, 1981; Frederick Allen, “Voter Challenges Seen Through a Glass Darkly,” *The Atlanta Constitution* (Atlanta, GA), September 15, 1981.

said that whites were transported to and from polling places by county sheriffs who urged them not to vote for Mr. Brown ‘because he’s a nigger.’”¹⁴¹

When Congress did re-authorize the VRA in 1982, it cited systemic abuses by Georgia officials to evade Black voting rights.¹⁴²

At the end of the decade, Georgia again began another reapportionment cycle. Over the course of the 1990 redistricting cycle, the Department of Justice twice rejected the Georgia General Assembly’s state’s reapportionment plan, before finally approving the third submission.¹⁴³ After the 1992 election, a total of thirty-four African Americans were in the Georgia General Assembly, almost all of them from Black majority districts, almost all of whom owed their seats to litigation and to Section 5 of the Voting Rights Act.

I. Modern Era (2000s to Present Day)

The voter suppression tactics against Georgia’s Black voters that have plagued Georgia’s history have persisted into the modern era. These policies around voting have also come at a time of rapid demographic shifts in Georgia’s electorate: Georgia is the only state in the Deep South where the percentage of the Black population has sharply increased over the past half century. Because of the remarkable growth of metro Atlanta and its four core counties, Fulton, DeKalb, Gwinnett, and Cobb, these changing demographics in Georgia—especially in its Black, Latino/a, and Asian populations, who tend to support Democratic candidates—combined with minority voter mobilization efforts, are the “likeliest threat to Republican domination of Georgia elections.”¹⁴⁴

i. 2000s through 2010 Redistricting

For the fourth decade in a row, in the 2000 redistricting cycle the Georgia General Assembly passed redistricting plans that would not survive preclearance. Specifically, the district court in the District of Columbia refused to preclear the General Assembly’s Senate plan which

¹⁴¹ Reginald A. Stuart, “Once Again a Clash Over Voting Rights,” *New York Times* (Sept. 27, 1981).

¹⁴² S. Rep. No. 97-417, 97th Cong. 2d Sess. 10, 13 (1982).

¹⁴³ McDonald, *A Voting Rights Odyssey* 211–224.

¹⁴⁴ McCrary Report at 37; on the increasing influence of Latina/Latino peoples, see Victor Zuniga and Reuben Hernandez Leon, “The Dalton Story: Mexican Immigration and Social Transformation in the Carpet Capital of the World,” 34-50 and Mary E. Odem, “Latino Immigrants and the Politics of Space in Atlanta,” 112-125 in Mary E. Odem and Elaine Lacy, eds., *Latino Immigrants and the Transformation of the U.S. South* (University of Georgia Press, 2009).

decreased the Black voting age percentage in the districts surrounding Chatham, Albany, Dougherty, Calhoun, Macon, and Bibb Counties. Overall, the court found “the presence of racially polarized voting” and that “the State ha[d] failed to demonstrate by a preponderance of the evidence that the reapportionment plan for the State will not have a retrogressive effect.” *Georgia v. Ashcroft*, 195 F.Supp. 2d 25, 94 (D. D.C. 2002), *affirmed*, *King v. Georgia*, 537 U.S. 1100 (2003).

The 2002 election proved to be a watershed moment for the state of Georgia. For nearly half a decade, white voters in Georgia had been abandoning the Democratic Party for the Republican Party. When Republican Sonny Perdue defeated Democrat incumbent Roy Barnes as governor in 2002, the election “broke a Democratic stronghold on the Georgia governorship that had kept the GOP out since Reconstruction.”¹⁴⁵ In the 2004 election, Republicans also won the majority of House seats, shifting control of the legislature.

In 2005, the Georgia General Assembly promptly passed a photo ID law, limiting Georgians to only six acceptable forms of identification. Voters who lacked acceptable identification could purchase one from the state for \$20 to \$35. Sue Burmeister, the Georgia State Senator who had introduced the photo ID legislation, said in testimony before the Department of Justice that “if there are fewer black voters because of the bill, it will only be because there is less opportunity for fraud,” and that “when Black voters in her Black precincts are not paid to vote, they do not go to the polls.”¹⁴⁶ Shortly after the law’s enactment, the U.S. District Court for the Northern District of Georgia preliminarily enjoined the law, finding the photo ID law was “most likely to prevent Georgia’s elderly, poor, and African–American voters from voting.” *Common Cause/Georgia v. Billups*, 406 F. Supp. 2d 1326, 1365–66 (N.D. Ga. 2005). In reaction to the injunction, the Georgia General Assembly was forced to make the voter ID cards free.

Several years later, following the 2010 U.S. Census, white Republican Georgia lawmakers worked not only to maintain power but to create a super-majority through redistricting. The

¹⁴⁵ Danny Hayes and Seth C. McKee, “Booting Barnes: Explaining the Historic Upset in the 2002 Georgia Gubernatorial Election,” *Politics and Policy* 32 (December 2004), 1, quoted in McCrary Report at 29.

¹⁴⁶ Carol Anderson, *One Person, No Vote: How Voter Suppression is Destroying Our Economy* (New York: Bloomsbury, 2018), 60–62; Ari Berman, *Give Us the Ballot: The Modern Struggle for Voting Rights in America* (New York: Picador, 2015) 222–224, 226–229; Stacey Abrams, *Our Time is Now: Power, Purpose, and the Fight for a Fair America* (New York: Henry Holt, 2020), 75–76

Georgia General Assembly’s reapportionment plan created a record number of majority-Black districts, which, by packing Black votes together, solidified Republican holds in the surrounding districts. Ultimately, the Georgia Republican Party was successful in achieving a super-majority in the Senate; it fell one seat short of a super-majority in the House.¹⁴⁷

In 2015, the Georgia General Assembly engaged in mid-cycle redistricting after the Supreme Court invalidated Section 5’s preclearance formula in *Shelby County, Alabama v. Holder*, 570 U.S. 529 (2013).¹⁴⁸ No longer subject to preclearance, the Georgia General Assembly reduced the Black and Latino voting age percentage in House districts 105 and 111, both of which had become increasingly diverse over the prior half-decade (and unlikely to elect Republicans).¹⁴⁹ Plaintiffs initially brought suit over the changes under Section 2 of the Voting Rights Act, but the continued migration of voters of color into those districts rendered the General Assembly’s changes obsolete. After minority candidates prevailed in those districts in 2018, the plaintiffs withdrew their complaint.¹⁵⁰

ii. State-Sponsored Voter Investigations

As in Georgia’s past, modern-day elected officials, law enforcement officers, and political activists have continued to harass and intimidate Black voters and candidates in order to maintain political power. Nowhere is this more obvious than in Quitman, Georgia—a predominantly Black city in otherwise predominantly white Brooks County. In the early 2000s, Nancy Dennard, a Black educator, won a 2009 special election to the Brooks County School Board through a campaign that targeted citizens who did not traditionally vote and who had problems getting to the polls on election day. At the time, Dennard’s opponent complained about the large number of absentee ballots cast for Dennard. The Georgia secretary of state’s office conducted a brief investigation but found no evidence of fraud.¹⁵¹

¹⁴⁷ Bullock, “The History of Redistricting in Georgia,” 1095–1098; Expert Report of Laughlin McDonald at 17, *Dwight et al. v. Kemp*, ECF No. 178 (Aug. 6, 2018).

¹⁴⁸ Expert Report of Jowei Chen, *Georgia State Conference of NAACP v. State of Georgia*, No. 1:17-cv-1427, ECF No. 63 (N.D. Ga. Dec. 22, 2017).

¹⁴⁹ *Id.*

¹⁵⁰ *Georgia State Conference of NAACP*, No. 1:17-cv-1427, ECF No. 221.

¹⁵¹ John Ward, “How a Criminal Investigation in Georgia Set an Ominous Tone for African-American Voters,” Yahoo! News, August 6, 2019. <https://news.yahoo.com/how-a-criminal-investigation-in-georgia-set-a-dark-tone-for-african-american-voters-090000532.html> (accessed April 27, 2021).

The next year, two more Black women and allies of Dennard—Diane Thomas and Linda Troutman—ran for seats on the school board and again worked to increase voter turnout through absentee voting. This time, the Brooks County School Board hired a private investigator to track Dennard and her allies. More than 1,400 Black voters participated in the Democratic primary election for school board that year—three times the turnout in previous midterm elections—and Thomas and Troutman were elected as the Democratic Party’s nominees. In response, then-Secretary of State Brian Kemp (in cooperation with the Georgia Bureau of Investigation) opened a formal investigation into the 2010 election in Quitman.¹⁵²

Six weeks after Thomas and Troutman won seats on the school board, state and local police arrested Dennard, Thomas, Troutman, and seven other people. Two more women were arrested a year later. The “Quitman 10+2,” as they came to be known, were collectively charged with 102 felony counts. Prosecutors alleged that organizers had provided unlawful assistance to voters and had unlawfully possessed ballots when they delivered sealed ballots to the post office. Despite a paucity of evidence, then-Secretary Kemp doggedly pursued a case against the Quitman 10+2, only backing down in 2016 when Georgia’s attorney general issued an opinion clarifying that it was not a violation of the law for organizers to mail absentee ballots.

Afterward, Dennard argued the investigation and prosecution were an attempt to disqualify Black officeholders and stifle Black political activism. She insisted, “[T]hey thought they could make an example out of me, and that would kill the spirit of this movement.”¹⁵³ Thomas interpreted the Quitman 10+2’s arrest and investigation by explaining that “the message sent to our citizens was, if you don’t want the GBI to come visiting and put you in jail, you better not vote.”¹⁵⁴

In 2014, in comments to a group of Republican voters in Gwinnet County, then-Secretary Kemp made clear the connection between minority voting rights and election victories when he remarked that “the Democrats are working hard . . . registering all these minority voters that are

¹⁵² Ibid.

¹⁵³ Ibid.

¹⁵⁴ Ariel Hart, “Voting Case Mirrors National Struggle,” *The Atlanta Journal-Constitution*, December 13, 2014; Gloria Tatum, “Voter Fraud Charges from 2010 Fizzle in Quitman, South Georgia,” *The Atlanta Progressive News*, September 18, 2014, <http://atlantaprogressivenews.com/2014/09/18/voter-fraud-charges-from-2010-fizzle-in-quitman-south-georgia/>.

out there and . . . if they can do that, they can win these elections in November.”¹⁵⁵ Around the same time, Kemp’s office launched a criminal investigation into the New Georgia Project, an organization with the explicit goal of registering Georgia’s unregistered minority voters. The New Georgia Project was later cleared of any wrongdoing.¹⁵⁶

In 2015, Kemp’s office similarly launched an investigation into the Asian American Legal Advocacy Center (“AALAC”), an organization which had previously criticized Secretary Kemp for not registering all voters who had submitted voter registrations to Georgia. Secretary Kemp pursued the investigation for over two years before finding no evidence of wrongdoing. One journalist tracking these investigations described them as “legal terrorism, exploiting the law to intimidate and discourage citizens from accessing their constitutional right to vote.”¹⁵⁷

iii. Voting Restrictions in Georgia Post-*Shelby County*

After the Supreme Court invalidated the existing coverage formula in *Shelby County, Alabama v. Holder*, 570 U.S. 529 (2013), Georgia was no longer bound to submit any changes it made to its voting system through a preclearance regime. In her dissent in that case, Justice Ginsburg famously commented that “throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.” *Id.* at 590 (J. Ginsburg, dissenting). A few days after the decision, Daniel O. Franklin, a professor of political science at Georgia State University, predicted that “the court’s decision will likely change very little” in Georgia and the other

¹⁵⁵ Steve Benen, “Georgia GOP Official Express Concerns About ‘Minority Voters,’” MSNBC, September 11, 2014, <https://www.msnbc.com/rachel-maddow-show/georgia-gop-official-express-concerns-about-minority-voters-msna410401>.

¹⁵⁶ Spencer Woodman, “Register Minority Voters in Georgia, Go to Jail,” *The New Republic*, May 5, 2015, <https://newrepublic.com/article/121715/georgia-secretary-state-hammers-minority-voter-registration-efforts>; “State launches fraud investigation into voter registration group,” *WSB-TV 2* (Atlanta, Georgia), September 9, 2014.

¹⁵⁷ Austin Adkins, “Opinion: Voter Fraud Investigations Weaponized to Suppress Voters,” *The Mainline*, November 3, 2019, <https://www.mainlinezine.com/voter-fraud-investigations-weaponized-to-suppress-voters/>; Michael Wines, “Critics See Efforts by Counties and Towns to Purge Minority Voters From Rolls,” *New York Times* (New York, NY), July 31, 2016, <https://www.nytimes.com/2016/08/01/us/critics-see-efforts-to-purge-minorities-from-voter-rolls-in-new-elections-rules.html>; Kristina Torres, “Georgia suit settled alleging black voters wrongfully disqualified,” *Atlanta Journal-Constitution* (Atlanta, GA), March 16, 2017, <https://www.ajc.com/news/state--regional-govt--politics/georgia-suit-settled-alleging-black-voters-wrongfully-disqualified/djDlFYjpvYJJcZW8CJzgKL/>.

preclearance states.¹⁵⁸ But Franklin was wrong: Georgia took advantage of this change almost immediately.

Within four days of *Shelby County*, for example, the local Georgia press reported that the Augusta-Richmond County government (a consolidated city-county government) re-opened discussions of moving its elections from November to July. This change matters: Moving elections away from the usual election day, invariably reduces voter turnout and usually has an adverse impact on minority voter turnout, and DOJ had previously rejected the proposed change under Section 5. After a series of closed-door meetings, Augusta-Richmond County government changed the date of their elections in early 2014, just months after *Shelby County*.¹⁵⁹ Similarly, Greene County, Georgia approved a redistricting plan that would have eliminated one or two of the only Black districts on the county commission—a change that DOJ had previously refused to preclear. By the end of 2013, the Georgia General Assembly approved another plan for Greene County that reduced the Black voting age population in one district by 50% and placed the home of the other Black commissioner outside of the boundaries of the newly redrawn district. Without preclearance, the new redistricting plan went into effect.¹⁶⁰

But preclearance itself was never a panacea even before *Shelby County*. With Georgia's 159 counties and hundreds of local jurisdictions (part of the over 30,000 jurisdictions in the preclearance states), it was impossible to keep track of every local jurisdiction, many of which refused to file voting-related changes with DOJ. At-large, county-wide, or city-wide voting has been historically one of the main tactics used to curb voting rights strength, and preclearance had hardly ended the practice. In December 2013, of Georgia's 159 counties, thirty-four elected all county commissioners at-large. One of those was Baker County, where almost half of the population was Black, but all of the county commissioners were white. A former Baker County Commissioner, Robert Hall, was quoted in the *Atlanta Journal Constitution* as saying, "we don't

¹⁵⁸ Daniel P. Franklin, "Court's Decision is Likely to Change Little," *Atlanta Journal Constitution* (June 30, 2013).

¹⁵⁹ Harry Baumgarten, "*Shelby County v. Holder*'s Biggest and Most Harmful Impact May Be On Our Nation's Smallest Towns," Harry Baumgarten, Campaign Legal Center, 20 June 2016, <https://campaignlegal.org/update/shelby-county-v-holders-biggest-and-most-harmful-impact-may-be-our-nations-smallest-towns>

¹⁶⁰ Ariel Hart, Jeff Ernsthausen, and David Wickett, "Disputed Voting Systems, Racial Power Gap Persists," *Atlanta Journal Constitution*, (Dec. 7, 2013).

have many Blacks in Baker County that are landowners and taxpayers and responsible.”¹⁶¹ This trend is not unique to Baker County. In December 2013, the *Atlanta-Journal Constitution* reported that across Georgia, while “more than half of majority-black counties have majority-white commissions,” “no majority-white county has a majority-black commission.”¹⁶² These type of electoral arrangements continue to disadvantage Black Georgians: As of 2013, in Georgia, white Georgians were 59% of registered voters, but accounted for 77% of the commissioners, while for Black Georgians were 30% of registered voters, but only 22% of county commissioners.¹⁶³

Overall, the end of preclearance has opened the doors to all manner of voter suppression and disenfranchisement, largely directed against minority voters. The U.S. Commission on Civil Rights, found that among the former preclearance states as of 2018, only Georgia had adopted all five of the most common restrictions that impose roadblocks to the franchise for minority voters, including (1) voter ID laws, (2) proof of citizenship requirements, (3) voter purges, (4) cuts in early voting, and (5) widespread polling place closures.¹⁶⁴ This report discusses a few of these changes below, concluding with a brief overview of Senate Bill 202, passed by the Georgia General Assembly in 2021, which the U.S. Department of Justice has challenged under Section 2 of the Voting Rights Act as a law with the effect and intent of making it more difficult for Black Georgians to vote.

a. Polling Place Closures

In a 2015 memo to local election officials, then-Secretary of State Kemp encouraged counties to reduce voting locations, noting that “as a result of the *Shelby vs. Holder* Supreme Court decision, [counties are] no longer required to submit polling place changes to the Department of Justice for preclearance.”¹⁶⁵ And to be sure, in the first presidential election after *Shelby County*,

¹⁶¹ *Id.*

¹⁶² *Id.*

¹⁶³ *Id.*; Ariel Hart, Jeff Ernsthausen, and David Wickett, “Racial Politics Not So Clear Cut,” *Atlanta Journal Constitution*, (Dec. 9, 2013)

¹⁶⁴ U.S. Commission on Civil Rights, *An Assessment of Minority Voting Rights Access in the United States: 2018 Statutory Enforcement Report* (Washington, 2018), 369. The restrictions on naturalized citizens were later curtailed; see “Georgia Must Ease Rules Proving Citizenship, Judge Says” PBS News Hour, November 2, 2018, <https://www.pbs.org/newshour/politics/georgia-must-ease-rule-for-voters-proving-citizenship-judge-says> ().

¹⁶⁵ The Leadership Conference Education Fund, *Democracy Diverted: Polling Place Closures and the Right to Vote* (Sept. 2019), 32.

throughout Georgia “dozens of polling places” were “closed, consolidated, or moved.”¹⁶⁶ In Macon-Bibb County, a majority-Black county, the number of polling places dropped from forty to thirty-two; those closures took place in primarily Black neighborhoods. When the Memorial Gym precinct in Macon, in a Black neighborhood, was closed for renovations, local officials suggested the sheriff’s office as an alternative. Lowndes County, which has a substantial Black population, reduced the number of polling places from thirty-seven to nine, and Tift County was considering, until heated local protests, consolidating all twelve county polling places into a single location. Hancock County proposed closing several polling places, including one in a Black neighborhood that was seventeen miles from its nearest alternative. Hancock County relented only after an outcry from the Georgia NAACP and the Georgia Lawyers’ Committee for Civil Rights Under the Law, who claimed that “the planned closures would have disproportionately affected voters in the majority Black county in poor and rural areas with no access to regular transportation.”¹⁶⁷ Social Scientists have analyzed these kinds of changes to polling places. One recent study found, even a seemingly minor inconvenience, like locating a new polling place, depresses turnout, especially for poor and young voters.¹⁶⁸

By 2019, the Leadership Conference Education Fund found that Georgia had closed over 200 polling locations in Georgia since the *Shelby County* decision despite adding millions of voters to the voter rolls in that time.¹⁶⁹ By 2019, “eighteen counties in Georgia closed more than half of their polling places, and several closed almost 90 percent.”¹⁷⁰ In 2020, the nine counties in metro Atlanta that had nearly half of the registered voters (and the majority of the Black voters in the state) had only 38% of the state’s polling places.¹⁷¹ Unsurprisingly, because of the fewer polling

¹⁶⁶ Kristina Torres, “Cost-Cutting Raises Voter Access Fears,” *Atlanta Journal Constitution*, Oct. 13, 2016; Kristina Torres, “State Monitored For Voting Rights Issues,” *Atlanta Journal Constitution*, Jun. 20, 2016.

¹⁶⁷ *Id.*

¹⁶⁸ Henry E. Brady & John E. McNulty, *Turning Out to Vote: the Costs of Finding and Getting to the Polling Place*, 105 Am. Pol. Sci. Rev. 115 (2011).

¹⁶⁹ The Leadership Conference Education Fund, *Democracy Diverted: Polling Place Closures and the Right to Vote* (Sept. 2019), 31.

¹⁷⁰ *Id.*

¹⁷¹ Stephen Fowler, “Why Do Nonwhite Georgia Voters Have to Wait in Line for Hours? Their Numbers Have Soared, and Their Polling Places Have Dwindled,” *ProPublica*, Oct. 17, 2020, <https://www.propublica.org/article/why-do-nonwhite-georgia-voters-have-to-wait-in-line-for-hours-their-numbers-have-soared-and-their-polling-places-have-dwindled>.

places, the lines at majority-Black polling places increased, and sometimes dramatically so. In the June 2020 primary, for example, waiting times to vote in some metro Atlanta suburbs, such as Union City (a subdivision that is 88% Black majority) was as long as five hours.¹⁷² Union City was not an outlier. A 2020 study found that “about two-thirds of the polling places that had to stay open late for the June primary to accommodate waiting voters were in majority-Black neighborhoods, even though they made up only about one-third of the state's polling places.”¹⁷³

b. Voter Purges and Challenges

After *Shelby County*, Georgia officials also made more systematic efforts to purge the voting rolls in ways that particularly disadvantaged minority voters and candidates. Between 2012 and 2018, for example, then-Secretary of State Kemp removed 1.4 million voters from the eligible voter rolls. In a single day in 2017, Georgia removed over 500,000 names from the list of 6.6 million registered voters, which according to election law experts might be the “largest mass disenfranchisement in U.S. history.”¹⁷⁴ While there can be legitimate reasons to drop names from the eligibility rolls (such as for a voter who is deceased or who has a felony conviction), the vast majority of those purged were those who simply had not voted in intervening years. While those kinds of purges are technically permitted (though not required) by federal law, those purged were significantly over-represented in precincts that overwhelmingly voted for Stacey Abrams, the Black candidate in the 2018 gubernatorial race.¹⁷⁵

One of the most insidious forms of voter disenfranchisement by Georgia in recent years which disproportionately affected minority voters was Georgia’s “exact matching” procedures. As the Northern District of Georgia has explained, Georgia’s exact match procedures policies meant that when a prospective voter submitted a voter registration application, Georgia would check the registration against its Department of Driver Services (“DDS”) or files from the Social Security Administration (“SSA”). If the applicant’s information did not match those files exactly, “then the

¹⁷² Mark Niese and Nick Thieme, “Fewer Polls Cut Voter Turnout Across Georgia,” *Atlanta Journal Constitution*, 15 December, 2009; Fowler, “Why Do Nonwhite Georgia Voters Have to Wait in Line for Hours?,” *NPR*, October 17, 2020.

¹⁷³ Fowler, “Why Do Nonwhite Georgia Voters Have to Wait in Line for Hours?”

¹⁷⁴ Alan Judd, “Georgia’s Strict Laws Lead to Large Purge of Voters,” *Atlanta Journal Constitution*, 27 October 2018.

¹⁷⁵ Angela Caputo, Geoff Hing, and Johnny Kaufman, “After the Purge: How a Massive Voter Purge Affected the 2018 Election,” *APM Reports*, Oct. 29, 2019, <https://www.apmreports.org/story/2019/10/29/georgia-voting-registration-records-removed>.

voter registration application is placed in ‘pending status,’ and the person may not vote until the person corrects the information. The burden is on the applicant to take the next steps to correct any information and/or present the necessary proof required to the appropriate officials to become a Georgia voter.” *Georgia Coal. for People's Agenda, Inc. v. Kemp*, 347 F. Supp. 3d 1251, 1255–56 (N.D. Ga. 2018). If the voter did not present new information, their application was rejected. *Id.*

The legal history of exact-match legislation in Georgia is complex. It was originally passed by the Georgia General Assembly in 2008, and was originally blocked under preclearance, though it received Department of Justice approval in 2010 when the Secretary of State agreed to place “safeguards” on the practice. As the Department of Justice later argued, however, it is not clear if those safeguards were ever used. After *Shelby County*, Georgia operated the exact match procedures without strict safeguards, leading to federal suits such as the one above.

As civil rights groups have shown, Georgia’s exact match procedures were more likely to disenfranchise minority voters. Between 2013 and 2016, more than 34,000 Georgia voters’ applications were suspended using the exact-match system. Under the DDS match, Black Georgians, who made up only 28.2 percent of the registered voters, were 53.3 percent of those voters whose applications were cancelled or placed in pending status. By contrast, non-Hispanic whites, who were almost half of registered voters in Georgia, made up a far lower 18.3 percent of those applications that were canceled or placed on hold (pending status). Under the SSA match, the discrepancy was even starker. Black Georgians made up 74.6 percent of those in the cancelled and pending files, while non-Hispanic whites were only 9.5 percent. By July 2018, 51,111 voters’ applications were suspended, and placed in the “pending voter” category, of whom 80% were either African American, Hispanic/Latino, or Asian.¹⁷⁶ By 2019, Georgia agreed to largely abandon its exact matching process.¹⁷⁷

¹⁷⁶ Abrams, *Our Time is Now*, 58–61; Anderson, *One Person, No Vote*, 78-81; McCrary Report, *passim*, eps 7, 55-99.

¹⁷⁷ Aja Arnold, “Ex Post Facto: Abrams v Kemp,” *The Mainline* May 11, 2020, <https://www.mainlinezine.com/ex-post-facto-abrams-vs-kemp-2018/>; Brentin Mook, “How Dismantling the Voting Rights Act Helped Georgia Discriminate Again,” Bloomberg City Lab, 15 October 2018, <https://www.bloomberg.com/news/articles/2018-10-15/how-georgia-s-exact-match-program-was-made-possible>; Stanley Augustin, “Georgia Largely Abandons its Broken ‘Exact Match’ Voter Registration Process,” Lawyers’ Committee For Civil Rights, 5 April 2019, <https://www.lawyerscommittee.org/georgia-largely-abandons-its-broken-exact-match-voter-registration-process/>

Voter challenges directed at minority voters have also persisted in modern Georgia. In advance of the 2016 election, the Hancock County Election Board, which at the time was majority white, used the voter challenge process to challenge approximately 180 voters, almost all of whom were African American. Those Black residents made up nearly a fifth of the city's registered voters. In pursuit of the challenges, the Hancock County Board dispatched the local police to summon those Black residents to hearings to prove their residence or lose their voting rights. Many thought they were being arrested, and many of those challenged were intimidated and did not vote in the fall election. The white candidate for mayor won a narrow victory.¹⁷⁸

Although the Hancock County attorney denied that this purge was “about . . . race,” the Georgia State Conference of the NAACP, the Georgia Coalition for the People's Agenda, and four voters who had their registrations challenged sued the Hancock County Board of Elections seeking an injunction to force the Board to end their use of the challenge procedures. The U.S. District Court for the Northern District of Georgia later ordered the defendants to pay the plaintiffs' attorney fees and required the Board of Elections to follow a strict process that required the Board to notify the plaintiffs' counsel if the Board made any future voter challenges.¹⁷⁹

c. Senate Bill 202

Of final note is the Georgia General Assembly's passage of Senate Bill (SB) 202 in the spring of 2021 in the wake of significant minority voting strength in Georgia and the election of Georgia's first Black United States Senator. SB 202 is currently the subject of multiple lawsuits which allege that it violates both Section 2 of the VRA and the Fourteenth and Fifteenth Amendments, including by the United States Department of Justice.¹⁸⁰

These allegations are not surprising. Many of the provisions of SB 202 target methods of voting that Black voters used to tremendous effect in the 2020 General Election and 2021 Runoff

¹⁷⁸ Michael Wines, “Critics: Racial Bias Creeping Back Into Electoral Purges,” *Atlanta Journal Constitution*, 1 August 2016

¹⁷⁹ *Ga. State Conference of the NAACP v. Hancock Cnty. Bd. of Elections & Registration*, No. 5:15-CV-00414 (CAR) (M.D. Ga. Mar. 30, 2018); Michael Wines, “Critics See Efforts by Counties and Towns to Purge Minority Voters From Rolls,” *New York Times* (New York, NY), July 31, 2016, <https://www.nytimes.com/2016/08/01/us/critics-see-efforts-to-purge-minorities-from-voter-rolls-in-new-elections-rules.html>; Kristina Torres, “Georgia suit settled alleging black voters wrongfully disqualified,” *Atlanta Journal-Constitution* (Atlanta, GA), March 16, 2017, <https://www.ajc.com/news/state--regional-govt--politics/georgia-suit-settled-alleging-black-voters-wrongfully-disqualified/djDIfYjpvYJJcZW8CJzgKL/>.

¹⁸⁰ See *United States v. Georgia*, No. 1:21-cv-02575 (N.D. Ga. June 25, 2021).

election, and also specifically target voting in the Atlanta metro area, home to the majority of Georgia's Black voters.¹⁸¹ While SB 202 has more than 40 provisions, some of its most notable changes are: (1) reducing the time available to request an absentee ballot, (2) increasing identification requirements for absentee voting, (3) banning state and local governments from sending unsolicited absentee ballot applications, (4) limiting the use of absentee ballot drop boxes, (5) banning mobile polling places, (6) and prohibiting anyone who is not a poll worker from giving food or drink to voters in line to vote.¹⁸²

One of SB 202's most notable changes to voting access is to drop boxes, which were used extensively by Black voters in the 2020 General Election. In that election, in the four core Atlanta Metro counties, Cobb, DeKalb, Fulton, and Gwinnett, 56% of absentee ballot voters, or 305,000 of 547,000, used drop boxes.¹⁸³ After SB 202, the number of drop boxes in those counties is estimated to drop from the 111 available in the 2020 election to 23.¹⁸⁴ In Fulton County, the number is estimated to drop from 38 to 8. Cobb County Election Director Janine Eveler told the *Atlanta Journal-Constitution* that, in light of SB 202, drop boxes "are no longer useful. The limited numbers mean you cannot deploy them in sufficient numbers to reach the voting population."¹⁸⁵

SB 202 also made significant changes to how votes will be counted and who will supervise the counting. These changes included (1) removing the Secretary of State as the Chair of the State Election Board and replacing the Chair with someone appointed by a majority of the Georgia General Assembly, (2) giving the State Election Board (and by extension the Georgia General

¹⁸¹ For a helpful summary, see Stephen Fowler, "What Does Georgia's New Voting Law SB 202 Do?" NPR, March 27, 2021, <https://www.gpb.org/news/2021/03/27/what-does-georgias-new-voting-law-sb-202-do>

¹⁸² Georgia Senate Bill 202 (2021); see also Stephen Fowler, "What Does Georgia's New Voting Law SB 202 Do?" NPR, <https://www.gpb.org/news/2021/03/27/what-does-georgias-new-voting-law-sb-202-do>

¹⁸³ Niese, et. al., "Drop box use heavy in Democratic areas before Georgia voting law," *Atlanta Journal-Constitution*, July 12, 2021, <https://www.ajc.com/politics/drop-box-use-soared-in-democratic-areas-before-georgia-voting-law/N4ZTGHLWD5BRBOUKBHTUCFVOEU/>.

¹⁸⁴ "How New State Voting Laws Could Impact Voters," *Brennan Center for Justice*, September 1, 2021, <https://www.brennancenter.org/our-work/research-reports/how-new-state-voting-laws-could-impact-voters>.

¹⁸⁵ Mark Niese, "ID Law Adds Hurdles For Thousands," *Atlanta Journal-Constitution*, 1 June 2021; "Application For Official Georgia Absentee Ballot," https://sos.ga.gov/admin/uploads/2021_Absentee_Ballot_Application2.pdf; "Democratic Counties Showed Higher Drop Box Use"

Assembly) more power to intervene in county election boards, and (3) allowing the State Election Board (and by extension the Georgia General Assembly) more power to suspend election board members and replace them.¹⁸⁶

SB 202 is already being used against county election officials, and particularly Black officials. By June 2021, Georgia County commissions had replaced ten county election officials, most Democrats, half of them Black.¹⁸⁷ As of December 2021, six counties in Georgia have fully reorganized their county board of supervisors since the passage of SB 202. In Spaulding County, in particular, the three Black women who constituted a majority of the Board have been replaced, as has the elections supervisor. A majority of three white Republicans now control the board and has already moved to restrict voting access, including by eliminating Sunday voting, a popular day to vote for Black voters.¹⁸⁸ In five of the counties that restructured election boards—Troup, Morgan, Pickens, Stephens, and Lincoln—the Georgia General Assembly shifted the power to appoint some or all election board to local county commissioners, all of which are controlled by Republicans. Previously the appointments had been split evenly between the local Democratic and Republican parties, with the intent to ensure a politically balanced election board.¹⁸⁹ Just this past month, Lincoln County, whose elections board was recently disbanded under SB 202, indicated plans to close six of the county’s seven polling places, a move that would require some registered voters to travel as far as twenty-three miles to the nearest polling site and which would disadvantage the county’s Black voters.¹⁹⁰ And while it has not yet occurred, shortly after the passage of SB 202, the Georgia State Election Board set up a review board to review the

¹⁸⁶ Georgia Senate Bill 202 (2021); see also Stephen Fowler, “What Does Georgia’s New Voting Law SB 202 Do?”

¹⁸⁷ Nick Corasanti and Reid J. Epstein, “How Republican States Are Expanding Their Power Over Elections,” *New York Times*, July 1, 2021, <https://www.nytimes.com/2021/06/19/us/politics/republican-states.html>; Mark Niesse and Brad Branch, “Fulton County Elections Takeover Mulled,” 27 July, 2021

¹⁸⁸ James Oliphant and Nathan Layne, “Georgia Republicans purge Black Democrats from County Election Boards,” Reuters, 9 December 2021, <https://www.reuters.com/world/us/georgia-republicans-purge-black-democrats-county-election-boards-2021-12-09/>.

¹⁸⁹ *Id.*

¹⁹⁰ Susan McCord, “Lincoln County Looks to Eliminate All Polling Places But One,” *Augusta Chronicle*, 21 December 2021.

performance of the Fulton County Election Board, setting up the prospect for a takeover of the Elections Board in Fulton, the home of hundreds of thousands of Black Georgians.¹⁹¹

These disfranchising measures have racial roots. As Dr. Peyton McCrary, a historian who recently retired after a 26-year career with the Department of Justice, has explained: “In Georgia politics since 2002, state government is dominated by the Republican Party, the party to which now most non-Hispanic white persons belong. The greatest electoral threat to the Republican Party and Georgia’s governing elected officials is the growing number of African American, Hispanic, and Asian citizens, who tend strongly to support Democratic candidates. The increase in minority population and the threat of increasing minority voting strength provides a powerful incentive for Republican officials at the state and local level to place hurdles in the path of minority citizens seeking to register and vote. That is what has happened.”¹⁹²

d. 2021 General Assembly Officials by Composition of District

Even today, more than fifty years after the original 1965 VRA, most Black candidates in Georgia are only able to win in districts which are majority Black. The following tables show just how stark this phenomenon has been in Georgia’s most recent elections for the General Assembly. In the Georgia House, for example, none of Georgia’s Black House members were elected from a district with more than 55% white voters. In the Georgia Senate, none of Georgia’s Black Senators were elected from a district with more than 47% white voters. This trend is not surprising given the historically pervasive racially polarized voting in the state. These figures are shown below:¹⁹³

¹⁹¹ Nick Corasanti and Reid J. Epstein, “How States are Expanding Their Control Over Elections,” New York Times, 19 June 2021; Mark Niesse and Brad Branch. “Fulton County Elections Takeover Mullied,” 27 July 2021

¹⁹² McCrary Report, 8.

¹⁹³ Lawyers Committee for Civil Rights, *The Central Role of Racial Demographics in Georgia Elections: How Race Affects Elections for the Georgia General Assembly* (May 2021).

Table 2. **Winning Candidates in 2020 in Georgia House of Representatives by Party and Race**

Percentage white registered voters in district	White Republicans¹⁹⁴	Black Democrats	White Democrats
Under 40%	0	48	7
40–46.2%	1	3	2
46.2–54.9	11	1	6
55–62.4%	23	0	5
Over 62.4%	68	0	0

Source: Lawyers Committee for Civil Rights, *The Central Role of Racial Demographics in Georgia Elections: How Race Affects Elections for the Georgia General Assembly* (May 2021), 10

Table 3. **Winning Candidates in 2020 in Georgia State Senate by Party and Race**

Percentage white registered voters in district	White Republicans	Black Democrats	White Democrats
Under 47%	0	16	1
47–54.9%	3	0	3
Over 55%	51	0	0

Source: Lawyers Committee for Civil Rights, *The Central Role of Racial Demographics in Georgia Elections: How Race Affects Elections for the Georgia General Assembly* (May 2021) 10

J. Conclusion

As this report has shown, Georgia has worked for decades to diminish the voting power of Black Georgians, both at the structural electoral level (in terms of redistricting and electoral arrangements), and at the individual level (in terms of voter requirements). These efforts have often been successful, stymying Georgia's Black voters from exercising their full political power. It is my opinion that Georgia's newest redistricting plans are best viewed within this historical context.

¹⁹⁴ There are currently no Black Republicans in the Georgia General Assembly.

APPENDIX A: Representative Discriminatory Voting Tactics in Georgia

Voting Mechanism Adoption	Name of Georgia Jurisdiction	Details
Majority voting requirement	Americus (city)	Adopted plurality to majority vote for mayor and city council in 1968
	Jackson (city)	Adopted majority vote after passage of VRA, enjoined in 1981
	Covington (city)	Adopted a majority vote and runoff election requirement for city council in 1967
	St. Mary's (city)	Adopted majority vote requirement for city council in 1967
	Waynesboro (city)	Adopted a majority vote requirement in 1971, ignored \$5 finding against the city until 1976
	Moultrie (city)	Adopted majority vote requirement for city council in 1965; used at-large elections
	Augusta, Alapaha, Ashburn, Athens, Butler, Cairo, Camilla, Crawfordville, East Dublin, Hartwell, Hinesville, Hogansville, Jesup, Jonesboro, Lakeland, Louisville, Lumber City, Madison, Nashville, Newman, Palmetto, Sandersville, Sylvester, Thomson, Wadley, Waynesboro, Wrens	Other cities in Georgia that adopted majority vote requirements after 1970

At-Large Voting	Dooly County	Utilized at-large voting from 1967 to 1981
	Miller County	Utilized at-large voting from 1967 to 1980
	Pike County	Utilized at-large voting from 1967 to 1980. No preclearance was sought. In 1979, the US AG said preclearance was necessary, but county refused to honor this until a subsequent lawsuit in 1980.
	Harris County	Utilized at-large voting for board of commissioners starting in 1974
	Sumter County	Utilized at-large voting for county commissioners in 1972 following Section 5 finding that the county was malapportioned. In 1981 a three-judge federal panel found that this required preclearance.
	Jackson (city)	Utilized at-large voting following passage of Voting Rights Act; Annexed several dozen areas to suppress Black voting; enjoined by federal court in 1981
	Burke County	Utilized at-large voting until 1976, until enjoined by a federal court in 1981

	Putnam County	Utilized at-large voting until 1981
	McDuffie County	Utilized at-large voting until a 1978 consent decree .
	Coffee County	Utilized at-large voting until a 1977 consent decree .
	Douglas County	Utilized at-large voting until a 1977 consent decree.
	Peach County	Utilized at-large voting until a 1979 consent decree .
	Waynesboro (city)	Utilized at-large voting until a 1977 consent decree.
	Americus (city)	Utilized at-large voting until a 1980 consent decree.
	Dawson County	Utilized at-large voting until a 1980 consent decree.
	Madison County	Utilized at-large voting until a 1978 consent decree.
	Morgan, Newton, and Twiggs Counties	Adopted at-large voting in 1971
	Wilkes, McDuffie Counties	Adopted at-large voting in 1972
	Newton and Bibb Counties	Adopted at-large voting for Board of Education in 1971
	Baldwin, Truetlen, McDuffie, Camden, Putnam, Pike, Spalding, and Wilkes Counties	Adopted at-large voting for Board of Education in 1972
	Toombs, Sumter, and Clarke Counties	Adopted at-large voting for Board of Education in 1973
	Harris, Charlton, and Taylor Counties	Adopted at-large voting for Board of Education in 1975

	Long County	Adopted at-large voting for Board of Education in 1975
Numbered Post System	Dawson (city)	Adopted numbered-post system in 1970
	Kingsland (city)	Adopted numbered-post system in 1967
Other tactics	DeKalb County	Limited minority voting registration drives in 1980
	Seminole County	Used voting districts drawn in 1933 (which severely diluted Black voting strength) up until 1980.
	Camden County	Designated an all-white women's club as the new municipal polling place in 1978
	Peach County	Adopted staggered voting for County Commissioners in 1968
	Moultrie (city)	Instituted a literacy test for new Black poll workers but grandfathering in all previously serving all-white poll workers in 1978.

Source: Laughlin McDonald, *Voting Rights in the South: Ten Years of Challenging Continuing Discrimination Against Minorities* (ACLU, Southern Regional Office, 1982); Laughlin McDonald, *A Voting Rights Odyssey: Black Enfranchisement in Georgia* (Cambridge: Cambridge University Press, 2003), 141–143.

APPENDIX B

ORVILLE VERNON BURTON

History Department, 126 Hardin Hall, 403 Calhoun Drive, Clemson University, Clemson, SC 29634-0527; O: 864/656-3153 C: 217/649-0608; Fax: 864/656-1015; H: 864/543-2552

Home: 107 Baywood Circle, Ninety Six, SC 29666 or 110 Houston St., Clemson, SC 29631

vburton@clemson.edu

(<http://justice-deferred.clemson.edu>) (<https://ageoflincoln.wpengine.com>)

Education: 1976, Ph.D. Princeton University Ph.D. dissertation: “Ungrateful Servants?

Edgefield's Black Reconstruction: Part I of the Total History of Edgefield County, South Carolina.” Advisors Sheldon Hackney and James McPherson

1969, B.A. Furman University, magnum cum laude

Military Service: active service 1969, 1974 U.S. Army, Honorably Discharged as Captain, 1977

Academic Positions:

Clemson University, 2010-

The Judge Matthew J. Perry, Jr. Distinguished Professor of History

Professor Sociology and Anthropology, Clemson University, 2014-

Creativity Chair of Humanities, Clemson University, 2013-15

Professor Pan-African Studies, 2012-

Professor Computer Science, Clemson University, 2011-

Director Clemson CyberInstitute, 2010-

Associate Director Humanities, Arts, and Social Sciences, Clemson CyberInstitute, 2010

Professor of History, Clemson University, 2010-

Burroughs Distinguished Prof. Southern Hist. & Culture, Coastal Carolina University, 2008-10

University of Illinois at Urbana-Champaign (UIUC), 1974-2008

2009- Chair, Advisory Board for Institute for Computing in Humanities, Arts, and Social Science (I-CHASS)

2008-11, Consultant for Humanities to Chancellor's and Provost's Office

2004-09, Founding Director I-CHASS

2008 - Emeritus University Distinguished Teacher/Scholar, University Scholar, and Professor History, African American Studies, and Sociology

2006-08, Professor African American Studies

1989-2008, Professor History

1989-2008, Professor Sociology

1988-2008, Graduate College Statistics Faculty

1986-2008, Campus Honors Program

1985-2006, Faculty Affiliate, African American Studies and Research Program

1982-1989, Associate Professor, History

1976-1982, Assistant Professor History

1974-1976, Instructor

National Center for Supercomputing Applications (NCSA)

2002-10, Associate Director, Humanities and Social Sciences

1993-2002, Head, Initiative for Social Sciences and Humanities

1986- Senior Research Scientist

Princeton University

1972-74, Assistant Master, Woodrow Wilson Residential College

1971-72, Instructor, Mercer County Community College, NJ

College of Charleston

2001-, Executive Director, Program in the Carolina Lowcountry and the Atlantic World (CLAW) <http://claw.cofc.edu>

1987, Professor of History, Governor's School of South Carolina

Selected Honors, Fellowships, Awards

U.S. Professor of the Year, Outstanding Research and Doctoral Universities Professor (Council for Advancement and Support of Education and Carnegie Foundation for the Advancement of Teaching), 1999

American Historical Association Eugene Asher Distinguished Teaching Prize, 2004

Chicago *Tribune's* Heartland 2007 Literary award for nonfiction for *The Age of Lincoln*

Illinois House Resolution of Congratulations, HR 0711, 2007. The Illinois State legislature passed a special resolution acknowledging my contributions as a scholar, teacher, and citizen of Illinois.

South Carolina Governor's Award for Lifetime Achievement in the Humanities, presented by the SC Humanities Council, 2017 (selected 2016)

Society of American Historians, Elected 2012

Fellow, National Humanities Center (NEH Senior Scholar Award), 1994-95

Fellow, Woodrow Wilson International Center for Scholars, 1988-89

Fellow, Pew Foundation, 1996

National Fellowship Program for Carnegie Scholars, 2000-2002

Rockefeller Humanities Fellowship, 1978

Earl and Edna Stice Lectureship in the Social Sciences at the University of Washington, 2005

Strickland Visiting Scholar, Department of History, Middle Tennessee State University, 2006

Pew-Lilly Foundation Graduate Professor, Notre Dame University, 2001

Mark W. Clark Distinguished Chair of History, The Citadel, 2000-01

Elected to honorary life membership in BrANCH (British American Nineteenth-Century Historians)

Organization of American Historians Distinguished Lecturer, 2004-

Choice Outstanding Academic Book for *The Age of Lincoln*, 2008

Choice Outstanding Academic Title for *Slavery and Anti-Slavery: Transnational Archive*, 2009

Booklist's Editors' Choice Title for *Slavery and Anti-Slavery: A Transnational Archive*, 2009

Choice Outstanding Academic Book for *Computing in the Social Sciences and Humanities*, 2003

Richard F. Fenno Prize, Legislative Studies Section, American Political Science Association, for *Quiet Revolution*, 1995

President Southern Historical Association, 2011-12

President Agricultural History Society, 2001-02

Elected to the South Carolina Academy of Authors, 2015, inducted 2016.

Certificate of Excellence from the Carnegie Academy for the Scholarship of Teaching and Learning for Work that Advances the Practice and Profession of Teaching In Support of Significant Student Learning, 2001

H-Net received the James Harvey Robinson Prize for teaching from the American Historical Association, 1997 (I was one of the founders, and the first treasurer).

Award of Distinction in the Film/Video-History/Biography category from the International Academy of the Visual Arts, 16th Annual Communicator Awards, for "People: A Lincoln

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Portrait” television interstitial series (The Communicator Awards is the leading international awards program honoring creative excellence for communications professionals), 2010 (part of program I put together for Lincoln commemoration at UIUC).

SC African American Heritage Commission's 2009 “Preserving Our Places in History” Project Award for Claw’s (Executive Director, College of Charleston Carolina Lowcountry and Atlantic World) work in commemorating the banning of the international slave trade

Florida Historical Society, Medallion Lecture, 2002

Auburn University, Eminence in the Arts and Humanities Fellows Lectures Medallion, “awarded to persons of distinguished achievement in the arts and humanities: writers, artists or renowned scholars in one or more of the liberal arts disciplines,” 2012

Senior Research Fellow, Southern Studies, University of South Carolina, 1988

Phi Beta Kappa, Furman University, 1986

Princeton University Scholar Award, 1969

National Defense Educational Award Title IV Fellowship, 1971 (Princeton University)

Clark Foundation Scholarship, 1966-69 (Furman University)

Wicker Award for Outstanding Student (sophomore), Furman University, 1967

Endel History Award, Furman, 1969

Bradshaw-Feaster General Excellence Award (Furman’s highest honor for the graduating senior selected by faculty), 1969

Honors Clemson University and Recognition

College of Architecture, Art, and Humanities (CAAH), Dean’s Award for “Outstanding Service,” 2019

Inaugural Class 2018 University Research Scholarship and Artistic Achievement Award

Inaugural Judge Matthew J. Perry Distinguished Chair of History, 2017-

CAAH, Dean’s Award for “Excellence in Research,” 2016

CAAH, Creativity Professor Humanities, 2013-15

Featured Clemson Homepage 2017, “Meet a Tiger,” <http://newsstand.clemson.edu/meet-a-tiger-vernon-burton/>

UIUC Honors and Teaching Awards and Recognition

Inaugural University “Distinguished Teacher/Scholar,” 1999-2008

University Scholar, 1988 – 2008

Campus Award for Excellence in Public Engagement, 2006

Graduate College Outstanding Mentoring award, 2001-02

Fellow, Center for Advanced Study, 1982, Associate, 1994

Burlington Northern Faculty Achievement Award (UIUC), 1986

Study in a Second Discipline, Statistics and Demography, 1984

All-Campus Award for Excellence in Undergraduate Teaching, 1999

LAS Dean’s Award for Excellence in Undergraduate Teaching, 1999

LAS Award for Distinguished Teaching, 1986

School of Humanities Teaching Award, 1986

George and Gladys Queen Excellence in Teaching Award in History, 1986

Undergraduate Instructional Award (UIUC), 1984

Every semester and for every undergraduate course that I taught at the University of Illinois (excluding large survey classes of between 300-750 students), I was deemed excellent in the UIUC “Incomplete List of Excellent Teachers.” I was noted on the list for more than twenty different courses. I was noted as “outstanding” from 1979 as long as they used that designation.

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Recognized by the Pan-Hellenic Council at as an “outstanding staff member for furthering scholastic achievement”

Selected by History Department as the “one instructor whom you believe best at creating intellectual excitement in students” for an educational study of teaching practices of college teachers, 1978

Received the Resident Hall Association Award for the Best Educational Program for lectures/discussion on *Gone With the Wind* and *Jubilee* for Black History Month, 1996

The Honor Society of Phi Kappa Phi, UIUC, Vice President, 2002-03; President, 2003-04

Ronald E. McNair Scholars Program Dedicated Service Award for service to Minority Students, 1996

Associate Vice Chancellor Academic Affairs award for contributions to the Student Research Opportunities Program and work with minority students (1995, 2006)

Publications:

Books:

(with Armand Derfner) *Justice Deferred: Race and the Supreme Court*. Cambridge: Belknap Press of Harvard University Press, 2021. The Social Science History Association is featuring a session on the book at the annua meeting in November 2021.

(with Beatrice Burton and Megan Shockley) *Fort Sumter and Fort Moultrie National Historical Park, Charleston, SC Administrative History*. Washington, DC: The National Park Service, November, 2020.

Penn Center: A History Preserved. Athens: University of Georgia Press, 2014; paperback edition, 2017.

The Age of Lincoln. NY: Hill and Wang, 2007. (Audio: Blackstone Audio Books). Paperback edition 2008. Selection for Book of the Month Club, History Book Club, Military Book Club. *The Age of Lincoln* was nominated by Farrar, Straus, and Giroux for the Pulitzer Prize. Three historical associations featured sessions on the book, Association for the Study of African American Life and History, 2008; Social Science History Association, 2008; The Southern Intellectual History Circle, 2009.

(with Judy McArthur) “*A Gentleman and an Officer*”: *A Military and Social History of James B. Griffin's Civil War*. NY: Oxford University Press, 1996; second printing 1999.

In My Father's House Are Many Mansions: Family and Community in Edgefield, South Carolina. Chapel Hill: University of North Carolina Press, 1985. Paperback edition 1987; 5th printing 1998. *In My Father's House* was nominated by the University of North Carolina Press for the Pulitzer Prize. Two Historical Associations featured this book in sessions at their annual meetings: Social Science History Association, 1986; Southern Historical Association, 1987.

Editor, *Becoming Southern Writers: Essays in Honor of Charles Joyner*. Columbia: University of South Carolina Press, 2016.

(edited with Ray Arsenault) *Dixie Redux: Essays in Honor of F. Sheldon Hackney*. Montgomery, AL: New South Books, 2013.

(edited with Jerald Podair and Jennifer L. Weber) *The Struggle for Equality: Essays on Sectional Conflict, the Civil War, and the Long Reconstruction in Honor of James M. McPherson*. Charlottesville: University of Virginia Press, 2011.

Editor, *The Essential Lincoln*. NY: Hill and Wang, 2009.

(edited with David O'Brien) *Remembering Brown at Fifty: The University of Illinois Commemorates Brown v. Board of Education*. Urbana: University of Illinois Press, 2009.

Burton, page 5

- (edited with Winfred B. Moore, Jr.) *“Toward the Meeting of the Waters”: Currents in the Civil Rights Movement in South Carolina during the Twentieth Century*. Columbia: The University of South Carolina Press, 2008. Paperback 2011.
- Editor, *Slavery in America: Gale Library of Daily Life*, 2 vols. NY, Detroit: Gale Cengage Learning, 2008.
- (edited and annotated with Georganne B. Burton, introduction pp. 1-48) *“The Free Flag of Cuba”: The Lost Novel of Lucy Pickens* [orig. pub. 1854] in the Library of Southern Civilization series, edited by Lewis P. Simpson. Baton Rouge: Louisiana State University Press, 2002. Paperback 2003.
- Editor, *Computing in the Social Sciences and Humanities*. Urbana: University of Illinois Press, 2002.
- (edited with David Herr and Terence Finnegan) *Wayfarer: Charting Advances in Social Science and Humanities Computing*. Urbana: University of Illinois Press, 2002. This CD-ROM contains more than 65 essays and research and teaching applications, including illustrative interactive multimedia materials.
- (with et al.) *Documents Collection America's History*, vol. 1, to accompany James Henretta, et al., *America's History*, 2nd ed. NY: Worth Publishers, 1993.
- (edited with Robert C. McMath, Jr.) *Class, Conflict, and Consensus: Antebellum Southern Community Studies*. Westport, Conn: Greenwood Press, 1982.
- (edited with Robert C. McMath, Jr.) *Toward a New South? Studies in Post-Civil War Southern Communities*. Westport, Conn: Greenwood Press, 1982.

In Press:

- (edited with Brent Morris) *Reconstruction at 150: Reassessing the Revolutionary "New Birth of Freedom"*. Charlottesville: University of Virginia Press, expected 2022.
- (edited with Peter Eisenstadt) *Lincoln's Unfinished Work: The New Birth of Freedom from Generation to Generation*. Baton Rouge: Louisiana State University Press, expected 2022.

Promised, but not Finished:

- Air Conditioning and the Voting Rights Act: The Voting Rights Act of 1965 in Historical Perspective*. Stice Lectures University of Washington. Seattle: University of Washington Press contracted, (withdrawn from press to include the 2013 recent challenge to Sections 5, which ended preclearance in 2013, and the recent challenges to Section 2, the in-person Voter Id controversies, and partisan redistricting challenges).
- Lincoln and the South Revisited*. Under contract. Carbondale: University of Southern Illinois Press.
- The South as Other: The Southerner as Stranger—The Contradictions of Southern Identity*. The expansion of my presidential address for the Southern Historical Association. Promised to University of South Carolina Press.

Plays:

- (with Georganne Burton) “Abraham Lincoln’s Beardstown Trial: The Play” Premiered Sept. 29, 2009, Beardstown, IL. (Endorsed by the Congressional Abraham Lincoln Bicentennial Commission, November 2009; Play available upon request);
<http://www.lincolnbicentennial.gov/calendar/beardstown-trial-11-10-09.aspx>;
<http://www.civilwar.org/aboutus/events/grand-review/2009/almanac-trial.html>

Burton, page 6

Editor, Book Series, *A Nation Divided: Studies in the Civil War Era Series*, University of Virginia Press, 2011-

Editor, Book Series, *The American South Series*, University of Virginia Press, 2013-

Introductions and Forewords to Books:

“Foreword,” pp. ix-liv to *Born to Rebel: An Autobiography* by Benjamin Elijah Mays. Athens: University of Georgia Press Brown Thrasher edition, 1987, also in paperback edition (book without foreword originally published by Charles Scribner's Sons, 1971). Revd. Foreword 2003.

“Introduction,” pp. 9-11 to *Roll the Union On: Southern Tenant Farmers Union*. As told by its Co-founder, H.L. Mitchell. Chicago: Charles H. Kerr Publishing Company, 1987.

“Introduction,” pp. xiii-xviii to *Soldiering with Sherman: The Civil War Letters of George F. Cram*. Jennifer Cain Bohrnstedt, ed., DeKalb: Northern Illinois University Press, 2000.

“Introduction,” pp. x-xxxiv to *Pitchfork Ben Tillman: South Carolinian* by Francis Butler Simkins, for the reprint edition of the Southern Classics Series of the Institute for Southern Studies. Columbia: University of South Carolina Press, 2002 (book without Introduction originally published by Louisiana State University Press, 1944).

(with James Barrett) “Foreword,” pp. xi-xxv to paperback edition of *Cause at Heart: A Former Communist Remembers* by Junius Irving Scales with Richard Nickson. Athens: University of Georgia Press, 2005 (book without Foreword originally published 1987).

“Foreword,” pp. vii-xi to *Recovering the Piedmont Past: Unexplored Moments in Nineteenth-Century Upcountry South Carolina History*, edited by Timothy P. Grady and Melissa Walker. Columbia: University of South Carolina Press, 2013.

“Foreword,” pp. vii-xiii to *Our Ancestors – Our Stories: The Memory Keepers*, edited by Harris Bailey, et al. Suwanee, Georgia: The Write Image, 2014.

“Foreword,” pp. iv-xiv, to Kevin M. Cherry, *Virtue of Cain, Biography of Lawrence Cain* Washington: *From Slave to Senator*: Takoma Park, MD: Rocky Pond Press, 2019.

“Foreword,” pp. vi-x, to Frankie Felder, *OURstory Unchained and Liberated from HISTORY*. Anderson, S.C.: Edelweiss Publishers, 2021.

Journals Edited:

Special issue on the “Digital South,” *Southern Quarterly: A Journal of Arts and Letters in the South*, 58: 1-2 (expected soon, Fall 2020/Winter 2021).

“Three Articles from a Century of Excellence: The Best of *The South Carolina Historical Magazine*,” pp. 182-89 for *South Carolina History Magazine* 101: 3 (July 2000).

“Introduction,” pp. 161-65 for *Social Science Computer Review* 12:2 (Summer 1994).

Co-editor, “Technology and Education,” *International Journal of Social Education* 5:1 (Spring 1990).

History Articles, Chapters, and Essays:

“The South as Other, The Southerner as Stranger,” Presidential address for the Southern Historical Association, *The Journal of Southern History* LXXIX:1 (February 2013): 7-50.

“Reaping What We Sow: Community and Rural History,” Presidential address for the Agricultural History Society in *Agricultural History* (Fall 2002): 631-58.

“Building the Transcontinental Railroad,” *Presidential Inaugural Portfolio*, Joint Congressional Committee on Inaugural Ceremonies, January 21, 2013.

Burton, page 7

- “Modeling the Baptist Faith” in *Walk with Me: Reflections on the Life and Influence of James Milton Pitts*. Edited by Cecil P. Staton and John Adams (Macon, Georgia: Smyth and Helwys, 2021), 125-134.
- “Epworth Native Earned Place in History: Benjamin E. Mays, Schoolmaster of the Civil Rights Movement,” 99-101, in *10 Years Preserving History: Building a Legacy, Gleams Dr. Benjamin E. Mays Historical Preservation Site*. Ed. Christopher Thomas (Greenwood: Gleams Center, 2021).
- “The Creation and Destruction of the Fourteenth Amendment During the Long Civil War,” *Louisiana Law Review*, Vol. 79 (Fall 2018): 189-239.
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- (with James W. Loewen, Terence Finnegan, Robert Brischetto) "It Ain't Broke, So Don't Fix It: The Legal and Factual Importance of Recent Attacks on Methods Used in Vote Dilution Litigation," lead article in *The University of San Francisco Law Review* 27:4 (Summer 1993): 737-780.
- "Teaching Historians with Databases," *History Microcomputer Review* 9:1 (Spring 1993): 7, 9-17.
- (with Terence Finnegan), "Two Societies at War, 1861-1865," pp. 273-90 in *Documents Collection America's History*, vol. 1. Edited by Orville Vernon Burton, et al., to accompany James Henretta, et al., *America's History*, 2nd ed. (NY: Worth Publishers, 1993).
- "Populism," pp. E7-E11, in *Instructor's Resource Manual America's History*, 2nd ed., vol. 2 to accompany James Henretta, et al., *America's History* (NY: Worth Publishing, 1993).
- "Quantitative Methods for Historians: A Review Essay," *Historical Methods* 25:4 (Fall 1992): 181-88.
- "Computers, History, and Historians: Historians and Converging Cultures?" *History Microcomputer Review* 7:2 (Fall 1991): 11-23.
- (with Terence Finnegan) "Historians, Supercomputers, and the U.S. Manuscript Census," in *Proceedings of the Advanced Computing for the Social Sciences Conference*. Edited by Bruce Tonn and Robert Hammond. Washington, D.C.: GPO (U.S. Department of Commerce Bureau of the Census), 1990. Revised edition published in *Social Science Computer Review* 9:1 (Spring 1991), 1-12.
- (with Terence Finnegan) "Developing Computer Assisted Instructional (CAI) Materials in the American History Surveys," *The History Teacher* 24:1 (Nov. 1990): 1-12.
- (with Terence Finnegan) "Teaching Historians to Use Technology: Databases and Computers," *International Journal of Social Education* 5:1 (Spring 1990): 23-35.
- "Complementary Processing: A Supercomputer/Personal Computer U.S. Census Database Project" in *Supercomputing 88*, vol. 2 *Science and Applications*. Edited by Joanne L. Martin and Stephen Lundstrom. Washington, D.C.: IEEE Computer Society Press, 1990, pp. 167-177.
- "History's Electric Future" in *OAH* (Organization of American Historians) *Newsletter* 17: #4 (November 1989): 12-13.
- "New Tools for 'New' History: Computers and the Teaching of Quantitative Historical Methods" in *Proceedings of the 1988 IBM Academic Information Systems University AEP Conference, "Tools for Learning,"* Dallas/Ft. Worth, Texas, June 1988. Edited by Frederick D. Dwyer. Abstract in *Agenda*, pp. 73-74. An expanded and significantly different version with Terence Finnegan as coauthor appears in *History Microcomputer Review* 5:1 (Spring 1989): 3, 13-18.
- (with Robert Blomeyer, Atsushi Fukada, and Steven J. White) "Historical Research Techniques: Teaching with Database Exercises on the Microcomputer," *Social Science History* 11:4 (Winter 1987): 433-448.
- The United States in the Twentieth Century* (History 262). Champaign: University of Illinois Guided Individual Study, Continuing Education and Public Service, 1986.
- "The South in American History" in *American History: Survey and Chronological Courses, Selected Reading Lists and Course Outlines from American Colleges and Universities*,

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Edited by Warren Susman and John Chambers, vol. 1: 121-27. (NY: Marcus Wiener Publishing, Inc., 1983, rev. 2nd ed. 1987, rev. 3rd ed. 1991).

“Using the Computer and the Federal Manuscript Census Returns to Teach an Interdisciplinary American Social History Course,” *The History Teacher* 12 (November 1979): 71-88. Reprinted with a few changes in *Indiana Social Studies Quarterly* 33 (Winter 1980-81): 21-37.

In Press:

(with Simon Appleford) “Digital History Memories” *Southern Quarterly: A Journal of Arts and Letters in the South*, 58: 1-2 (Fall 2020/Winter 2021).

Collaborative Research with Dermatologists--Medical doctors and Computer Scientists

Published Articles:

With Urso, B, Updyke KM, Domozych R, Solomon JA, Brooks I, Dellavalle RP, MD, PhD. Acne Treatment: Analysis of Acne-Related Social Media Posts and the Impact on Patient Care." 2018 *Cutis* **102**(1): 41-43.

With Updyke KM, Urso B, Ali H, Brooks I, Dellavalle RP, Solomon JA.” “Following Autoimmune Diseases Through Patient Interactive Diaries: Continuous Quality Improvement.” *Practical Dermatology* 2017; 14 (12) 48-54.

Publication Abstracts:

Su A, Jueng J, Dupuis L, Brooks I, Sinha R, Maner B, Dellavalle R, Burton V, Solomon JA. Artificial intelligence (AI) comparison of social media-based patient-reported outcomes of PD-1, BRAF, and CTLA-4 inhibitors for melanoma treatment. *Journal of Clinical Oncology*. 2021;39(15_suppl). doi:10.1200/jco.2021.39.15_suppl.e21572.

Jueng J, Dupuis L, Su A, Kunadia A, Dellavalle R, Brooks I, Sinha R, Maner B, Siddiqui F, Burton V, Seyffert J, Solomon JA. Using Artificial Intelligence to Understand Patient Perspectives Towards Treatment of Dermatologic Diseases. *Journal of Investigative Dermatology*: July 2020 Ed. Abstract

Su A, Dupuis L, Jueng J, Kunadia A, Brooks I, Sinha R, Siddiqui F, Maner B, Harding T, Burton V, Dellavalle R, Seyffert J, Solomon J A. Use of Artificial Intelligence for Analyzing Emotions vs. Patient Global Impression of Change of Melanoma Treatments. *Journal of Clinical Oncology*. 38: 2020 (suppl; abstr e24177).

Jueng J, Dupuis L, Su A, Kunadia A, Dellavalle R, Brooks I, Sinha R, Maner B, Siddiqui F, Burton V, Seyffert J, Solomon JA. Using Artificial Intelligence to Understand Patient Perspectives Towards Treatment of Dermatologic Diseases. Publication, 2020 Society of Investigative Dermatology Annual Meeting Abstract Booklet, Scottsdale, AZ, March 13, 2020

With Urso B, Updyke KM, Domozych R, Solomon JA, Brooks I, Dellavalle R. Acne treatment utilization among patients on social media platforms (abstract). *J Invest Dermatol.*;137(5):s66, 2017

Updyke KM, Urso B, Solomon JA, Brooks I, Burton V, Dellavalle RP. Identifying the most influential social media networks utilized by different populations of patients with autoimmune diseases (abstract). *J Invest Dermatol.*;137(5):s13, 2017

With Updyke KM, Urso B, Solomon JA, Brooks I, Dellavalle RP. An overview of social media posts related to psoriasis patients’ perspectives towards Humira (abstract). *J Invest Dermatol.*;137(5):s13, 2017]

Presentation Papers:

Meisenheimer J, Su A, Maner B, Dupuis L, Jueng J, Kunadia A, Brooks I, Sinha R, Siddiqui F, Dellavalle R, Burton V, Seyffert J, Solomon JA. Using Social Media to Understand the Patient Perspective and the Emotional Impact of Dermatologic Conditions. Presented at PRISM Virtual Health Symposium 2020, sponsored by University California San Francisco, 3-4 Dec 2020

Su A, Maner B, Dupuis L, Jueng J, Kunadia A, Brooks I, Sinha R, Siddiqui F, Dellavalle R, Burton V, Seyffert J, Solomon JA. Capturing Patient-Centered Perspectives via Social Media Data Sentiment Mining of Acne, Alopecia Areata, and Melanoma. Poster presentation, 2020 International Dermatology Outcome Measures Conference, Washington, DC, October 23-24, 2020.

Presentations, Posters:

Dupuis L, Jueng J, Su A, Kunadia A, Siddiqui F, Harding TP, Brooks I, Solomon JA, Burton V, Dellavalle R, Seyffert J. Comparing Patient Perspectives of Melanoma to Non-Oncologic Dermatological Disease (Non- Oncologic) via Social Media Data Mining. Poster presentation The Autoimmunity Conference, Athens, Greece, May 28, 2021.

Kunadia A, Brooks I, Solomon JA, Burton V, Dellavalle R, Seyffert J, Harding TP. Utilization of Patient Interactive Diaries to Establish a Database of Patient Reported Outcomes Generating a Cycle of Continuous Quality Improvement. Poster presentation The Autoimmunity Conference, Athens, Greece, May, 28 2021.

Jueng J, Maner B, Dupuis L, Su A, Kunadia A, Dellavalle R, Brooks I, Sinha R, Siddiqui F, Burton V, Seyffert J, Solomon JA. Discerning Patient Perspectives and Attitudes Towards Treatment of Dermatological Diseases Using Artificial Intelligence. Poster presentation, 2020 International Dermatology Outcome Measures Conference, Washington, DC, October 23-24, 2020.

Kunadia A, Brooks I, Solomon JA, Burton V, Dellavalle R, Seyffert J, Harding TP. Combining Social Media Mining and Patient Interactive Diaries for Population-Based Care. E-Poster Exhibit, American Academy of Dermatology Virtual Meeting Experience event, Denver, CO, June 13, 2020.

Dupuis L, Su A, Jueng J, Kunadia A, Dellavalle R, Brooks I, Sinha R, Maner B, Siddiqui F, Burton V, Seyffert J, Solomon J A. Capturing Patient Perspectives: Natural Language Processing of Social Media to Evaluate Patient Global Impression of Change in Dermatological Treatments. Poster presentation, Cochrane Skin Conference, Denver, CO, March 19, 2020.

Kunadia A, Haresh S, Shih S, Brooks I, Solomon JA, Burton V, and Dellavalle, R. Positive Sentiment for Biologic Therapies among Psoriasis Patients on Social Media: An Analysis of 4.8 million Social Media Posts from 2008-2019. ePoster Presentation. 24th World Congress of Dermatology 2019, Milan, Italy 10-15 June 2019

With Updyke KM, Urso B, Solomon JA, Brooks I, Dellavalle RP. "Identifying the most influential social media networks utilized by different populations of patients with autoimmune diseases." Oral poster presentation, 2017 Society for Investigative Dermatology Annual Meeting, Portland, OR. April 2017

With Updyke KM, Urso B, Solomon JA, Brooks I, Dellavalle RP. "An overview of social media posts related to psoriasis patients' perspectives towards Humira." Oral poster presentation, 2017 Society for Investigative Dermatology Annual Meeting, Portland, OR. April 2017

With Urso B, Updyke KM, Domozych R, Solomon JA, Brooks I, Dellavalle RP. "Acne treatment utilization among patients on social media platforms." Oral poster presentation, 2017 Society for Investigative Dermatology Annual Meeting, Portland, OR. April 2017

Interviews, Reports, and Other Publications:

- “The GA election and the Voting Rights Act,” for the Clemson Humanities Hub and it was posted on June 17, 2020 at <https://blogs.clemson.edu/humanitieshub/2020/06/17/the-ga-election-and-the-voting-rights-act/?fbclid=IwAR2Gx4S5JIJrK784YnwCk5ezMkdQVMTLX7av9dQiwWz2nytvVbdkKaWzeLU>
- “A Brief Conversation with James M. McPherson,” in *The Struggle for Equality: Essays on Sectional Conflict, the Civil War, and the Long Reconstruction in Honor of James M. McPherson*. Edited by Burton et al., pp. 288-92 (Charlottesville: University of Virginia Press, 2011).
- “We must learn not to hide from our racist past,” *Greenville News* December 27, 2014.
- “Dr. Lacy K. Ford Jr.,” *Caroliniana Columns: University of South Caroliniana Society Newsletter*, Issue 35 (Spring, 2014), pp. 3-4.
- “A Few Words about Allen Stokes as He Retires as Director of the South Caroliniana Library,” *Caroliniana Columns: University of South Caroliniana Society Newsletter*, Spring 2013, pp. 1, 4-5.
- “UI Earns Right to be Mr. Lincoln’s University: Excerpted from remarks by Prof. Vernon Burton, April 1, 2010 keynote address at the UI College of Law,” *The News Gazette* (Champaign, Illinois) May 23, 2010, pp. C-1 and C-4.
- “Learning from the Bicentennial: Lincoln’s Legacy Gives Americans Something for which to Strive,” *The News Gazette* (Champaign, Illinois) February 12, 2010, pp. C-1 and C-4.
- “Life of Lincoln Resonates Today,” *The Atlanta Journal-Constitution*, Opinion, Dec. 9, 2009, A19.
- “Colbert History,” *Pan-African Studies*, Fall 2009, p. 3.
- “Remarks by Professor Orville Vernon Burton at the October 10, 2009 Celebration of Abraham Lincoln’s September 30, 1959 Speech,” Delivered at the Milwaukee War Memorial Center at the Invitation of the Wisconsin Lincoln Bicentennial Commission, Appendix pages 166-177 in *Final Report and Appendix of the Wisconsin Lincoln Bicentennial Commission*, To: The Governor of the State of Wisconsin, Jim Doyle, Responsive to: Executive Order #245, Date: February 12, 2010.
- “Max Bachmann’s Bust of Abraham Lincoln, Circa 1915,” pp. 88-89 in *Lincoln in Illinois*, Ron Schramm, Photographer and Richard E. Hart, Compiler and Editor (Springfield: published by the Abraham Lincoln Association, 2009).
- “Liberty,” in the Fetzer Institute’s *Booklet of Notable Lincoln Quotations*, 2009.
- “Is There Anything Left to Be Said about Abraham Lincoln?” *Historically Speaking* 9:7 (September/October 2008): 6-8.
- “An Interview with Vernon Burton” *Lincoln Lore*, no. 1894 (Fall 2008), pp. 18-24.
- “Lincoln’s Generation also Faced Crisis Involving Religion and Terrorism,” in *History Network Newsletter*, February 25, 2008.
- “Abraham Lincoln, Southern Conservative: An Interview with Orville Vernon Burton” (2 Parts), posted by Allen Barra, October 2, 2007.
http://www.americanheritage.com/blog/200710_2_1259.shtml and
http://www.americanheritage.com/blog/200710_2_1260.shtml
- Interview by Roy A. Rosenzweig, 2001, “Secrets of Great History Teachers,” *History Matters*, at <http://historymatters.gmu.edu/browse/secrets/>.
- “Keeping Up With the e-joneses: Information Technology and the Teaching of History,” *Proceedings for First Annual Charleston Connections: Innovations in Higher Education Conference. Learning from Each Other: The Citadel, The College of Charleston, The*

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Medical University of South Carolina, Charleston Southern University and Trident Technical College. June 1 and 2, 2001, The Citadel, Charleston, South Carolina, p. 63.
 (with Terence Finnegan and Barbara Mihalas) "Developing a Distributed Computing U.S. Census Database Linkage System," Technical Report 027 (December 1994). National Center for Supercomputing Applications, UIUC.
 "On the Study of Race and Politics," *Clio: Newsletter of Politics & History, An Organized Section of the American Political Science Association* 3:1 (Fall & Winter, 1992/1993): 6.
 "Benjamin Mays of Greenwood County: Schoolmaster of the Civil Rights Movement," *South Carolina Historical Society News Service*, published in various newspapers, 1990.
 "Quantitative Historical U.S. Census Data Base" in *Science: The State of Knowing*. National Center for Supercomputing Applications, Annual Report to the National Science Foundation 1987, p. 29.
 "Computer-Assisted Instructional Database Programs for History Curricula" *Project EXCEL*. 1986-87 Annual Report. Office of the Chancellor, UI at Urbana-Champaign, pp. 41-42.
 "Postmodern Academy," *The Octopus*, January 24, 1997, p. 6.
 (with David Herr and Ian Binnington) "Providing Lessons in Mississippi River Basin Culture and History: riverweb.ncsa.uiuc.edu," in *Touch the Future: EOT-PACI*, 1997, p. 43.
 "The Coming of Age of Southern Males During Reconstruction: Edgefield County, South Carolina," Working Papers in Population Studies, School of Social Sciences, University of Illinois at Urbana-Champaign, 1984.
 In Memorial – Essays for Charles Joyner, F. Sheldon Hackney, Bertram Wyatt-Brown in the American Historical Association (AHA) *Perspectives*; Thomas Krueger and Philip Paladin in Organization of American Historians *OAH Newsletter*, and F. Sheldon Hackney JSH LXXXI:2 (May 2015), pp. 350-52, and Ernest L. "Whitey" Lander, in *Journal of Southern History*.
 "Creating a Major Research Archive on Southern History," *Caralogue: The Journal of the South Carolina Historical Society*, June, 2015.
 A number of brief essays about the Clemson CyberInstitute, for example, "Clemson's CyberInstitute encourages Collaboration," <http://features.clemson.edu/inside-clemson/inside-news/clemson%E2%80%99s-cyberinstitute-encourages-collaboration/>
 In addition, I have written a number of reports as expert witness for minority plaintiffs in voting rights and discrimination cases.

Digital Publications and Projects:

Editor in Chief, *The Long Civil War: A Digital Research and Teaching Resource*, Alexander Street Publishers (Now Proquest) , 2013-
 Editor in Chief, *Slavery and Anti-Slavery: A Transnational Archive*. The Largest Digital Archive on the History of Slavery. Farmington Hills, MI: Thompson-Gale, 2007--14.
<http://www.galetrials.com/default.aspx?TrialID=16394;ContactID=15613>. Advisory Board: Ira Berlin, Laurent Dubois, James O. Horton, Charles Joyner, Wilma King, Dan Littlefield, Cassandra Pybus, John Thornton, Chris Waldrep.
 Part I: Debates Over Slavery and Abolition, 2009
 Part II: Slave Trade in the Atlantic World, 2011
 Part III: Institution of Slavery, 2012
 Part IV: Age of Emancipation, 2014
 Webmaster for the Abraham Lincoln Bicentennial Commission Website, 2007-10, now maintained by the ALB Foundation. <http://www.lincolnbicentennial.gov/>
 "Does Southern Exceptionalism Exist," Inside Clemson, May 14, 2014
<http://newsstand.clemson.edu/does-southern-exceptionalism-exist/>

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- Lincoln Remembered: Nine essays – “Lincoln and the Founding of Democracy’s Colleges,” “Lincoln: America’s “First and Only Choice,” “Picturing Lincoln,” “Putting His Politics on Paper,” “Belief in the Rule of Law,” “Taking a Stand Against Slavery,” “The Movement Toward Civil Rights,” “Political Brilliance on the Path to the Emancipation Proclamation,” “Lincoln’s Last Speech,” commemorating the bicentennial of Lincoln’s birth, February 2009 to February 2010. A monthly blog for the Illinois LAS On-line Newsletter; available at <http://www.las.illinois.edu/news/lincoln/>.
- Writing the South in Fact, Fiction and Poetry: A Conference Honoring Charles Joyner. Thursday and Friday Sessions. DVD produced of Conference I organized at Coastal Carolina University, Conway, SC, Feb. 17-19, 2011. Produced CD Aug. 2011.
- Editor, “Slavery in America in Sources in U.S. History Online.” Farmington Hills, MI: Thompson Gale, 2007.
- “The Mississippi River in American History,” for *Mark Twain’s Mississippi*, including essays with Simon Appleford and Troy Smith, on “Economic Development, 1851–1900,” “Politics, 1851–1900,” “African Americans in the Mississippi River Valley, 1851–1900,” “Native Americans in the Mississippi River Valley, 1851–1900,” “Religion and Culture, 1851–1900,” and “Women in the Trans-Mississippi West, 1851–1900.” Edited by Drew E. VandeCreek, Institute of Museum and Library Services (IMSL) Project (2007). Online Resource: <http://dig.lib.niu.edu/twain/>.
- RiverWeb: An interdisciplinary, multimedia, collaborative exploration of the Mississippi River’s interaction with people over time (now redone as Cultural Explorer). CD-ROM and Website <http://riverweb.ncsa.uiuc.edu/>.
- The Illinois RiverBottom Explorer (IBEX). Part of the East Saint Louis Action Research Project (ESLARP) where Faculty and East St. Louis neighborhood groups and local churches work on tangible and visible projects that address the immediate and long-term needs of some of the city’s poorest communities. (More is available at <http://www.eslarp.uiuc.edu/>). IBEX serves as a resource for historical documents, primary and secondary sources, and oral history interviews. Website: <http://www.eslarp.uiuc.edu/ibex/archive/default.htm>.
- Text96. A collection of primary source electronic texts for teaching American History. Website <http://www.history.uiuc.edu/uitext96/uitexttoc.html>.
- “Database Exercises and Quantitative Techniques: Exercise I: Colonial America.” Madison, WI: Wiscware, 1987. (for IBM and compatible computers, 1 disk, Instructional Workbook, and Teacher’s Instructional Sheet).
- “Lessons in the History of the United States.” Wentworth, NH: COMPress, 1987 (1989 with QUEUE, Fairfield, CT). For IBM color monitor; originally 50 computer exercise modules on 25 computer disks + instructor’s manual. An interactive electronic textbook of U.S. history.
- Automated linkage and statistical systems Unix Matchmaker, AutoLoad, RuleMatch, DisplayMatch, ViewCreate (Urbana: UI NCSA, 2000).
Website <http://www.granger.uiuc.edu/aitg/maps/1870/htm/default.htm>
- "Illinois Windows Dataentry System for U.S. Census." University of Illinois, 1988 (for IBM PS2 and compatible computers with Windows applications, 1 disk, Instructional Sheet)
- The Age of Lincoln* website at <https://ageoflincoln.app.clemson.edu>.
- Current Digital Projects include Social Media Learning Center Studies of Elections, Redistricting, Minorities, and Discussions of the American South, Race, and the Civil War. Also text and data analytics (mining) – developing techniques using the HathiTrust, Internet Archive II Digital Book Collection, and Library of Congress Chronicling America U.S. newspaper archive to study “DNA” of writings of Abraham Lincoln,

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changing views of American South over time, interpretations of Civil War and development of “Lost Cause Mythology.”

In addition, I continue to use Edgefield County, South Carolina to investigate, “large questions in small places.” I have accumulated a quantitative database that includes every person and farm recorded in the U.S. manuscript census returns linked from 1850 to 1880 for old Edgefield District, South Carolina (a region now comprising five different counties). With this unique database I (and my students) can study, test, and suggest themes in American History with details and specificity related to the lives of ordinary folks.

Selected Grants:

National Science Foundation (NSF), GK-12: Ed Grid Graduate Teaching Fellows Program, 2003-09 (\$4,990,015)

NSF, EAGER: Prototype Tool for Visualizing Online Polarization (co-Pi), 2012-14 (\$262,654)

NSF CISE/IRIS Division Award, Grant No. ASC 89-02829, Automated Record Linkage, 1991

NSF Grant No. CDA-92-11139, “Historical U.S. Census Database with High Performance Computing,” 1992

NSF, EPIC Grant, 2006-08 (\$20,000)

NSF Catalyst Grant for Social Science Learning Center (with MATRIX, Michigan State University), 2006-09 (\$175K)

NSF, Senior Investigator on the MRI award, Award #1228312 MRI: Acquisition of High Performance Computing Instrument for Collaborative Data-Enabled Science (\$1,009,160) See:

http://nsf.gov/awardsearch/showAward?AWD_ID=1228312&HistoricalAwards=false

Abraham Lincoln Bicentennial Foundation, Lincoln’s “Unfinished Work”: Conference on The South and Race,” 2012-2018 (\$27,000)

National Parks Service, “*Administrative Histories of Fort Sumter National Monument and Charles Pinckney National Historic Site*,” \$110,000.00

Clemson University, “Tracking Themes Across Time and Space,” 2012 (\$10,000)

National Endowment for the Humanities (NEH) Challenge Grant for Institute for Computing in Humanities, Arts, and Social Science, 2008-11 (\$750,000, 3 mil. Total with challenge matches)

NEH Educational Technologies Grant, ED-20758, 1997-99

NEH Humanities High Performance Computing Advance Research and Technology (HpC): Coordinating High Performance Computing Institutes and the Digital, 2008-09 (\$249,997). To support a total of nine institutes and one joint conference for humanities scholars, to be hosted by three different high-performance computer centers: the National Center for Supercomputing Applications, the Pittsburgh Supercomputing Center, and the San Diego Supercomputer Center.

NEH, NSF, and the Joint Information Systems Committee, “Digging Into Image Data to Answer Authorship Related Questions,” 2009-11 (\$100,000).

(with Max Edelson) NEH, The Cartography of American Colonization Database Project, To support the development of a database of 1000 historical maps illustrating the trajectory of colonization in the Americas. The database will provide a searchable introduction to the mapping of the western hemisphere in the era of European expansion, ca. 1500-1800. 2008-09 (\$24,997)

NEH Conference Grant (with R. C. McMath, Jr., History and Social Sciences, Georgia Institute of Technology), 1978

NEH Summer Research Fellowship, 1983

American Council of Learned Societies (ACLS) Travel grant, 1977

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American Council of Learned Societies (ACLS) Grant- to Recent Recipients of the Ph.D., 1977
 PT3/Technology Across Learning Environments for New Teachers grant, U.S. Department of
 Education, 2002-03, 2003-04
 Academy of Academic Entrepreneurship, 2006-08
 National Archives Record Administration grant for digital records, 2003-05
 IBM Shared University Research Grant, 1994
 IBM Innovations grant, Educational Technologies Board, 1992
 IBM Technology Transfer IBM grant, 1988
 IBM EXCEL II, History Database Teaching Project, 1987
 IBM EXCEL Project, History Database Teaching Project, 1986
 Partnership Illinois Award, 1998 (with Brian Orland, Pennsylvania State University Landscape
 Architecture, East St. Louis Research Project), RiverWeb 2002-03, 2003-04
 East Saint Louis Action Research Program Grant, 2005-06, 06-07, 07-08
 Andrew Carnegie Foundation 3-year Baccalaureate Study Grant, 1976
 Sloan Center for Asynchronous Learning Environment Grant, 1998
 South Carolina Humanities Grant for Lincoln's Unfinished Work, \$7,000, 2018-19
 The Humanities Council (South Carolina) Outright Grant (\$8,000), THC grant #10-1363-1
 (Writing the South in Fact, Fiction, and Poetry), 2011
 South Carolina Humanities Council Conference Grant (with Tricia Glenn), 2005
 South Carolina Humanities Council Conference Grant (with Winfred Moore), 2002-03
 South Carolina Humanities Council Conference Grant (with Bettis Rainsford), 2000-01
 (with Ian Brooks, University of Illinois) "Improving patient outcomes by listening to their social
 media communications," **H**omecare **E**ducation **A**nd **R**esource **T**eam Support
 (**H/E/A/R/T/S**), \$15,000, 2017-19
 Grant for Conference on "Lincoln's Unfinished Work," Thomas Watson Brown Foundation,
 \$17,560, 2017- 18
 Grant for Lincoln's Unfinished Work, The Abraham Lincoln Bicentennial Foundation, \$27,000,
 2017-20
 Self Family Foundation, \$6,000 for Lincoln's Unfinished Work, 2018-19.
 The Humanities Council (South Carolina) Outright Grant (\$8,000) for Lincoln's Unfinished
 Work Conference.
 Ford Foundation Grant to bring Minority Students and their Teachers to participate in "Lincoln's
 Unfinished Work" conference and workshop on how to teach the History of race relations
 in South Carolina public schools, \$5,000, 2018...
 NEH Public Humanities Exhibitions: Implementation Grant (with Rhondda Thomas), 2020-23

Selected Grants from University of Illinois

Office of Continuing Education Grant, 2005-06, 06-07
 Chancellor, Provost, and Vice Chancellor Research, RiverWeb Grant, 2004-05 (\$30K)
 Advanced Information Technologies Group Research Award, 1994, 96, 97, 2000
 Applications of Learning Technologies in Higher Education grant for UI--Text96 Project, 1995--
 2000 (co-principal investigator with Richard Jensen of UIC campus)
 Educational Technologies Board Grant for RiverWeb 1998
 Guided Individual Study Grant for RiverWeb, 1997-98
 Program for the Study of Cultural Values and Ethics, Course Development Award, 1993
 Arnold O. Beckman Research Grant Award, UIUC Research Board, 1989, 1992
 Language Laboratory Computer Assisted Instruction Award, 1988
 Research Board Humanities Faculty Research Grant, 1986
 Graduate Research Board, support for various projects, 1976-08

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Selected Grants from Clemson University

2011/2012 University Research Grant Committee (URGC) Program (\$10,000)

2013-14 CAAH & Library Digital Humanities Grant (\$4000)

2018- Clemson Humanities Hub Short Term Visiting Humanities Fellowship, a grant to help fund the Conference on Lincoln's Unfinished Work (\$5,000)

CAAH Equipment Grant, \$1,500, 2021.

CAAH Faculty Research and Development Grant, \$5,000, 2021-22.

Selected Professional Activities and Service:Officer Congressional Abraham Lincoln Bicentennial Commission Foundation, 2008-2010;
Board of Directors, Abraham Lincoln Bicentennial Foundation, interim President, 2010,
vice-chair 2010-17Southern Historical Association, President 2011-12, President Elect, 2011, Vice President Elect,
2010, Executive Council, 2005-08, 09-15; Program Committee 1989, 1998; 2005 (Chair);
Membership Committee, 1986-87, 1991-92; 1995-98; 2002; Committee on Women,
1992-95, Nominating Committee, 1999-2000, Chair H.L. Mitchell Book Award
Committee, 2000-02Agricultural History Society, President 2001-02, Vice President 2000-01, Executive Committee,
1997-2006; Committee to Review and Revise Constitution and By-Laws, 2004-05;
Nominating Committee, 1991-94, chair 1993-94; Committee to Select first Group of
Fellows for Society, 1995; Committee to select new Secretary/Treasurer, 2009-10Organization of American Historians, Included in the Organization of American Historians Race
Relations Expert Guide, 2015-, OAH/ALBC (Abraham Lincoln Bicentennial
Commission) Abraham Lincoln Higher Education Awards Committee, 2007-09; ABC-
CLIO "America: History and Life" Award Committee, 1997-99; Membership
Committee, 1990-94, nominated for executive board 1989.Social Science History Association, Executive Committee 2000-03; Nominating Committee
1990-91; Program Committee 1989, 1993; Community History Network Convener,
1976-79; Rural History Network Convener, 1988-90, 1993-94Social Science Computing Association, Executive Council, 1993-2002; Organizing Committee
Chairperson for Annual Conference, 1993, Conference on Computing for the Social
Sciences (CSS93); program committee 1993-95, 2001

American Historical Association, Nominated for Vice President for Teaching, 2009

Southern Association for Women Historians, Membership Committee, 1996-99

The Society of Civil War Historians, Chair Thomas Watson Brown Book Award for the best
book published on the causes, conduct, and effects, broadly defined, of the Civil
War, 2017-18.

South Carolina Historical Association, Executive Board, 2009-12

H-Net, founding member of H-Net, Treasurer and Executive Committee, 1993-99; Chair,
committee to evaluate multimedia NEH grant; Editor H-South (book review editor 1997-
2000); Editorial Board of H-Rural, H-Slavery, and H-CivWar.

Scholarly Advisory Group, President Lincoln's Cottage at the Soldier's Home, 2012-

Executive Council, The University South Caroliniana Society, 2011-15

University of South Carolina, Search Committee for Director South Caroliniana Library, 2012

Executive Board South Carolina Jubilee Project, 2012-14

Member South Carolina Abraham Lincoln Bicentennial Commission, 2008-2010

Member Champaign County, Illinois, Abraham Lincoln Bicentennial Commission, 2006-10
Council, U.S. Civil War Sesquicentennial Commission, 2009-15

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Historical Advisory Committee to the “Fort Sumter/Fort Moultrie Trust,” charged with organizing Sesquicentennial Activities in Charleston and South Carolina Lowcountry, 2010-15

The Illinois Humanities Council Scholar, 2004-05

Presented to President’s Information Technology Advisory Commission (PITAC), 9-16-2004

Invited to NEH Digital Humanities Initiative Mini-Conference, March 2006 and Digital Humanities Summit, April 2011, December 2007

Digital Library Federation Scholars’ Advisory Panel, 2004-7

University of Tennessee Knoxville Horizon Project Steering Committee, 2014-

Peer Reviewer, ACH/ALLC/SDH-SEMI Joint Digital Humanities Conferences, 2007-13

E-Docs, (one of 3 founding members) Editorial Board, 1998-2005

Mentor for Southern Regional Council Minority Scholars Program, 1992-96

UIUC Representative to Lincoln Presidential Library Committee: Educational Activities Committee, 2001; Fellowship Committee, 2002

Faculty Associate, Council for International Exchange of Scholars, 2002-03

Evaluator/Referee (one of two for history) for the Pew Foundation Faculty Research Fellowships, 1997-98, 1998-99; 2001 (for graduate students for summer seminar)

Evaluator and Referee for American Council of Learned Societies Grants, 2005-08

National Endowment Humanities, Review Panels: Scholarly Editions Program, 2007-08, for Digital Humanities Grants, 2010, NEH Division of Public Programs Panel, “America’s Historical and Cultural Organizations” (AHCO) grant initiative, 2013; Humanities Connections, 2016

National Science Foundation Review Panel for Knowledge and Distributed Intelligence grants, 1998, 1999

Humanities, Arts, Science, and Technology Advanced Collaboratory (HASTAC), Steering Committee and Planning Committee, 2003-04, Program Committee, 2009, 2010, 2013-14

Advisory Committee, American Studies Program, Bureau of Educational and Cultural Affairs, U.S. Information Agency, 1989-93

Delegate to the Mexican/American Commission on Cultural Cooperation, Mexico City, June 1990; Chairperson of United States delegation (Co-Chairperson with Mexican counterpart), U.S. Studies Working Group

Advisor for “Crossroads of Clay”: NEH Alkaline Glazed Stoneware Exhibition and Catalog, McKissick Museum, University of South Carolina, 1987-90

Advisory Committee Film Project for Historic Southern Tenant Farmers Union, 1986-90

Consultant, Commercial film, “Roll the Union On” about H.L. Mitchell and the Southern Tenant Farmers Union

Consultant on the Renewal of the 1965 Voting Rights Act, 1981-82, 2004-07, including consultation for an NBC TV Special.

Consultant for Documentary, “Behind the Veil,” 1995-2005

Board of Directors of the Abraham Lincoln Historical Digitization Project, 1997-

Advisory Council for the Lincoln Prize at Gettysburg College, 1997-

Prize Committee for the Technology and History Award, The Gilder Lehrman Institute of American History, 2000-01

International Committee on Historic Black Colleges and Universities, 2001-15

Consultant, Belle Meade and The Hermitage and Vanderbilt University. Presentations of slavery.

Consultant, Morven Park, 2010-12

Consultant, for Matt Burrows, documentary “The Assassination of N.G. Gonzales by James H. Tillman,” 2010-

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Consultant, for Chris Vallilo musical performance, “This Land is Your Land: Woody Guthrie and the Meaning of America,” 2010-
 Organizing and Founding Committee International Society for the Scholarship of Teaching and Learning (IS-SOTL), 2003-7. Drafted initial mission statement for Society.
 Furman University Alumni Council Board, 2010-16
 International African American Museum (IAAM) Program Subcommittee (Charleston, SC), 2016-
 IAAM, Content team for an exhibit wall located in the Carolina Gold gallery entitled Built on Slavery, 2018-
 Dr. Benjamin E. Mays Historical Preservation Site Foundation Board, 2015-
 Advisory Board for “History of the American South,” Atlanta History Center, 2021-

Editorial Boards:

Associate Editor for History, *Social Science Computer Review*, 2012- (reappointed 2020-)
 Editorial Board, [International Journal of Humanities and Social Science Research](#), 2015-
 Editorial Board, Digital Humanities Series, University of Illinois Press, 2005-
 Editorial Board, *Change and Continuity*, 1995-
 Editorial Board *Fides et Historia*, 2010-
 Editorial Board *Proceedings of the South Carolina Historical Association*, 2009-14
 Editorial Board, *History Computer Review*, 1990-2003
 Editorial Board, *Locus: An Historical Journal of Regional Perspectives on National Topics*, 1994-96
 Editorial Advisory Board, *The South Carolina Encyclopedia*, gen. editor Walter Edgar, 2000-06

Other Advisory Boards:

Advisory Board for *International Journal of Social Education*, 1986-2000
 Advisory Reviewer for *The Journal of Negro History* (since 2002, *The Journal of African American History*), 1992-
 Advisory board for the online *South Carolina Encyclopedia*. Southern Studies Institute, University of South Carolina, 2015-
 Advisory Board, Digital Library on American Slavery, University of North Carolina, Greensboro, 2004-10
 Advisory Board, Biographies: The Atlantic Slaves Data Network (ASDN), 2010-
 Advisory Board, Simms Initiatives of the Library at the University of South Carolina, 2009-14
 Advisory Board, American Insight, 2013- (www.AmericanINSIGHT.org)
 Strategic Advisory Council for MATRIX: The Center for Humane Arts, Letters and Social Sciences On-line at Michigan State University, 2004-
 Advisory board, of the Michigan State University MATRIX online project, “Mapping Civil War Politics”
 External Advisory Board (EAB) of proposed Center of Data for the Public Good, University of North Carolina, Chapel Hill
 Advisory Board, The Virtual Archives for Land-Grant History Project, Association of Public-Land Grant Universities, 2012-
 External Advisory Board, National Historic Preservation Research Commission (NHPRC) “Effective User-Centered Access For Heterogeneous Electronic Archives” project, Illinois Institute of Technology, 2003-05
 Advisory Board, *Postwar America: An Encyclopedia of Social, Political, Cultural, and Economic History*
 External Advisory Board (EAB) of the proposed NSF Center for Data Science and Engineering, University of North Carolina, Chapel Hill, 2014-

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National Advisory Board to Alan Lomax's Global Jukebox: 1993-2015

The Civil Rights Project at University of California, Berkeley, Advisory Board for “The Decade Ahead: Reauthorization of the Voting Rights Act and the Future of Democratic Participation,” 2004-07

Advance Research and Technology Collaboratory for the Americas (ARTCA) –Organization of American States, Advisory Board Chair, 2008-

History Advisor for Gullah-Geechee Corridor Board, 2019-

Reconstruction and Civil Rights Movement National Park Service Advisory Board for Beaufort area

Service Clemson University:

Chair, Search committee for Dean of the Library, 2017-18

Search Committee for Dean of CAAH, 2019-20

Search for University Historian, 2019-20

Screening committee for the new University Historian, 2021

Faculty Advisory Committee for Education & Interpretation MAP - Historic Properties, in process of becoming an official Faculty Museum committee, 2021-

Provost's Research Strategy Committee, 2014-16

Martin Luther King, Jr. program planning committee, 2013-

Pan-African Advisory Committee, 2014-17; Steering Committee, 2017-, Chair Speaker's committee, 2018-19

History Department Graduate Committee, 2017-18

Search Committee for Director Digital History Ph.D. Program, 2019-20

History Department Civil War Sesquicentennial Committee, 2010-15

History Department Digital MA, then Digital Ph.D. committee, 2011-

Clemson Center for Geospatial Technologies Advisory Committee, 2017-

GIS Steering Committee, 2012-

Clemson University Computational Advisory Team (CU-CAT), 2010-

University Academic Technology Council, 2010-

Ex-officio Steering Committee, Clemson CyberInstitute, 2010-

University Committee to commemorate 50th Anniversary Integration Clemson, 2011-13

Outstanding Staff Employee Award, Academic Affairs Selection Committee, 2011

University Morrill Act Anniversary Celebration, 2011-13

Ben Robertson Society (BRS) Foundation Advisory Board, 2013-

Chair, Clemson University Humanities Grid committee, 2012-14

Chair, CAAH Digital Humanities Computing committee, 2013-15

CAAH, Digital Humanities Ph.D. taskforce, 2014-16

CAAH taskforce on undergraduate “Creativity Certificate”

History Department committee to review university signage, 2015-

First Faculty in Residence (Norris Hall), 2011-13

Workshop on Diversity and Inclusion, 2013

Lincoln's Unfinished Work Conference, 2018

Service - University of Illinois (three campus system – Urbana, Chicago, Springfield)

UI Senate Conferences (elected), all three campuses of the University of Illinois, 2006-09, Presiding officer (chair) 2007-08

Lincoln Bicentennial Commission, 2006-09

Academic Affairs Management Team, 2007-08

Task Force for Global Campus, 2006-07

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External Relations Management Team, 2006-09
Strategic Plan Committee, 2005-06

Service (selected) University of Illinois at Urbana-Champaign
Faculty Senate (elected), 1999-2001, 2002-03; 2005-06, 2006-07, Presiding Officer (Chair, Senate Executive Committee), 2005-06, 2006-07 (was Senate Council) elected 2000-01, 2003-04; 2005-06; 2006-07; Chair, Education Policy Committee, 2002-03, Chair 2003-04; Budget and Priorities Committee, 1999-01, Chair 2000-01

As Chair Faculty Senate Executive Committee, 2005-07 represented faculty at Board of Trustee meetings, and CIC meetings. Led in developing ideas of shared governance, helped in the drafting and implementing of a strategic plan for both the University of Illinois and the Urbana-Champaign campus. Oversaw establishment of the Illinois Informatics Institute (I3) and the School of Earth, Society, and Environment. Dealt with issues of multi-year contracts for research faculty and staff policy, rehiring of retirees, Global Campus, and led study of Academic effects of Chief Illini and diversity issues.

Organizer and Chair, Planning Committee for the Lincoln Bicentennial, 2006-09

Task Force for Diversity and Freedom of Speech, 2007-08

Convocation address, August 21, 2000

Search Committee for Chancellor, vice-chair, 2004-5

Association of American Colleges and Universities campus representative and Assoc., 2004-05

Martin Luther King, Jr., Week Planning Committee, co-chair, 2002-03, 03-04, 04-05, 05-06

Strategic Plan Committee, 2005-06

Chancellor's Task Force ("Kitchen Cabinet") for the Humanities, 2002-04

Provost's ad hoc Committee on Evaluating Public Service for Promotion and Tenure, 2003-04

Brown Jubilee Planning Committee, Diversity Initiative, 2002-04

Law-Education *Brown* Jubilee Conference Program Committee, 2002-04

East St. Louis Action Research Projects (ESLARP) Campus Advisory Committee, 2004-9

University Planning Council, 2000-01

Selection Committee for University Scholars, 1999 -- 2000, Chair Subcommittee for Social Sciences, Humanities, FAA, Communications, Education, Law 2000

UI President's Distinguished Speakers Program, 2000-02, 2006-08

University of Illinois Press Board, 1995-2000, Chair 1998-2000

Search Committee for Director University of Illinois Press, 1998-99

Committee on University Publishing, 1997-98

Graduate College Executive Committee, 1998-2000; Committee to Evaluate Dean of Graduate College, Committee to Review and Implement Graduate Program Revisions, Graduate Student Grievance Policy Committee

Graduate College Office of Minority Affairs Strategic Planning Committee, 1999-2000

University Administration Budget and Benefits Study Committee, 2000-02

Budget Strategies Committee, 1993-94, Subcommittee for Library. Subcommittee for Faculty Productivity and Teaching Models

Illinois Program for Research in the Humanities (IPRH) Advisory Committee, 2001-03

Center for Democracy in a Multicultural Society, Advisory Committee, 2002-08

Center for Advanced Study George A. Miller Committee, 2000-03

African American Studies and Research Program (AASRP), later Department of African American Studies, Advisory Council, 1982-86; Curriculum Development & Faculty Recruitment Committee, 2002-2003; Research and Course Competition Committee, 1991-94, Chair 93-94; Electronic Networking Committee, 1996-2000, Chair 1997-98; Library Advisory Committee, 1997-2003

UI-Integrate Faculty Advisory Committee, 2003-04

Graduate College Area Subcommittee for the Humanities and Creative Arts, 1996-98

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Campus-wide Advisory Committee for the Center for Writing Studies, 2000-01
 Committee on Institutional Cooperation (CIC), Selection Committee for CIC Research Grants in the Humanities, 1993-94
 Chancellor's Task Force for Minority Graduate Students, 1989-92
 Chair, Subcommittee for Summer Program for Minority Graduate Students, 1990
 Computer Resources Development Committee, Program for the Study of Cultural Values and Ethics, 1991-93
 High Performance Computing Committee for the Social Sciences, 1989-95
 Rural History Workshop Convener, 1989-94 (with Sonya Salamon)
 Faculty Fellow, 1990-2003
 Graduate College Fellowship Committee, 1988
 Selection Committee for Lily Fellows, 1987
 Social Studies Committee for the Preparation of Teachers, Council on Teacher Education, 1986
 Chair, Search Committee for African-American Scholar, 1986-87
 Search Committee, Director for AASRP, 1985-86, Chair 87-88
 Graduate College Appeals Committee, 1984
 Chancellor's Allerton Conference, 1988; Chancellor's Beckman Conference, 2001-06;
 Chancellor's Conference on Diversity, 2002, faculty facilitator
 Combating Discrimination and Prejudice Workshop, 1988
 Krannert Art Museum, Committee on The Black Woman as Artist, 1992
 H. W. Wilson Faculty Panel, 1993
 Advanced Information and Technology Committee, 1992-97, Advisory Committee, 1993-94
 Honors Symposium for UI recruitment of High School Seniors, 1993
 Search Committee for Archivist, UIUC Computing and Communications Service Office, 1993
 Search Committee for Research Librarian, UIUC Library, 1997; Undergraduate Library Advisory Committee, 2002-9
 Member Human Dimensions of Environmental Systems Group, 1997-2017
 Faculty Learning Circle for 2003-04
 Illini Days Speaker, 1999, 2000, 2002
 Public Interest Fund of Illinois Representative, 1996- 08
 Facilitator for Interinstitutional Faculty Summer Institute on Learning Technologies, UIUC, 2000, 2002
 Board Advisors, Collaborative for Cultural Heritage and Museum Practices (CHAMP), 2005-08
 Faculty Mentor for Campus Honors Program, 1980-2008

Service - College of Liberal Arts and Science UI:

Lecturer at Pedagogy 2000: Teaching, Learning and Technology, Annual UIUC Retreat on Active Learning (2000)
 Keynote Address at LAS Awards Banquet, 2000 and Keynote at UIUC Campus Awards Banquet, 2000
 Dean's Committee to Evaluate Chair of History Department (1 of 3 elected by History Department), 1996
 Oversight Committee Computing for the Social Sciences, 1993-95
 Committee to select nominees for election to College Executive Committee, 1992
 Academic Standards Committee, 1983-85, Chair 1984-85
 School of Humanities Scholarship and Honors, 1986-88, Chair 1987-88
 Social Sciences and Humanities Respondent to the Joint Task Force on Admission Requirements and Learning Outcomes, 1988
 Advisory Committee, Social Sciences Quantitative Laboratory, 1987-88, 1989-93
 Alumni Association Annual Speaker, 1990

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General Education Committee, 1990-91
Awards Committee, Chair, 1991-92
Race & Ethnicity, Class & Community Area Committee of Sociology Graduate Program, 1993-2009
LAS Alumni Association Speaker, 2000
Cohn Scholars Honors Mentoring Program (choosing the 10 best Humanities first-year students), 1986-88, 1989-90, 1992-93, 1995-96, 1998-99, 2002 -05
Faculty Mentor, Committee of Institutional Cooperation Summer Research Opportunities Program for Minority Students, 1987, 1991-95, 1997-2000, 2002, 2003
Faculty Mentor, McNair Minority Scholars, 1993-94, 1996-97
Summer Orientation and Advance Enrollment Program, Faculty Leader, 1991-93, 2000, 2002, 2004
Gender Inclusivity Seminar, 1992
The African-American Experience: A Framework for Integrating American History: An Institute for High School Teachers of History, instructor 1992, 1994
Faculty Advisor for UIUC Law School Humanities Teaching Program, 1998-99
Senior Faculty Mentor, LAS Teaching Academy, 1999-2008

Service - Department of History UI:

Lincoln Bicentennial Committee, Chair, 2005-06, co-Chair 2006-08
Department Distance Learning and Global Campus committee, 2007-08
Carnegie Initiative on the Doctorate, 2003-05
Ethical Conduct Liaison, 2004-05
Phi Alpha Theta Faculty Advisor, 2005-06
Graduate Placement Officer, 1990, 1991-94, 1997-99
Graduate Admissions Officer, 1990-91
Graduate Committee, 1990-93
Organizer of OAH Breakfast Meeting, 1989-90, 1993-94
Computer Resources, 1976-88, 1989-91, 1995-99, Chair 1976-85, 1997-99
Teaching Awards, 1986-88, 1992-93, 1997-98, 1999-2000, Chair, 1987-88, 1997-98, 1999-2000
T.A. Evaluation, 1975-76, 1978-82, 1984-88, 1990-91, 1995, 1998-99, 2002, 2005-06
Speakers and Colloquia, 1981-82
Grants and Funding, 1981-82
Capricious Grading, 1985-86, 2002-03
Social Science History Committee, 1980
Advisor, History Undergraduate Club, 1976-78
Swain Publication Prize Essay Committee, 1991
Proposal-Writing Workshop, 1991-92, 2002
Teaching Workshop, 1993
Chair Library Committee, 1996-97
Faculty Advisor for Phi Alpha Theta, 2005-06
American History Search Committee, 1991-92
Chair, American History Search Committee, 1993-94
James G. Randall Distinguished Chair Search Committee, 1999-2000

Service Coastal Carolina University:

Search committee for Archaeologist, 2008-09
Selection Committee for Clark Chair of History, 2010
Third Year Assistant Professor Faculty Review Committee, 2010

A more complete list of Service and Public Engagement is available upon request.

Conferences Organized (selected list):

In 1978, I (with Robert C. McMath, Jr.) organized and chaired a National Endowment for the Humanities Conference on Southern Communities at the Newberry Library. In 1993, I organized, hosted, and chaired the annual meeting of the Conference on Computing for the Social Sciences at the National Center for Supercomputing Applications. In 1999, I organized and hosted the 12th Annual Meeting of the Southern Intellectual History Circle (SIHC) in Edgefield and Ninety Six, S.C, and again hosted SIHC for its 16th Annual meeting in 2004 at the College of Charleston, and the 2013 meeting in Edgefield. In 2001, I organized a workshop and conference on diversity and racism in the classroom with Carnegie Scholars at The Citadel in Charleston, S.C. In 2001, I organized a South Carolina Humanities Council Edgefield Summit History Conference. In January 2003, I organized a Workshop on Diversity and Racism and a Conference on the Scholarship of Teaching and Learning, both at the University of Illinois. In March 2003 I organized The Citadel Conference on the South: “The Citadel Symposium on the Civil Rights Movement in South Carolina.” I organized the Humanities, Arts, Science, and Technology Advanced Collaboratory (HASTAC) meeting in January 2004 in Washington, D.C. I organized and hosted a Humanities Computing Summit in August 2004 at NCSA and UIUC. In 2005, I planned and hosted the British American Nineteenth Century History (BrANCH) Conference in Edgefield, South Carolina and a symposium honoring Jim McPherson’s retirement in April 2005 in Princeton. As program chair I helped organize the Southern Historical Annual meeting in Atlanta in November 2005. In 2011, I organized a conference in honor of Charles Joyner, *Writing the South in Fact, Fiction, and Poetry*, at Coastal Carolina University. In 2013, I organized a conference honoring F. Sheldon Hackney at Martha’s Vineyard. On Nov. 28-Dec 1, 2018, I organized and hosted an international conference on “Lincoln’s Unfinished Work,” and on the afternoon of Dec. 2 lead a workshop for teachers on how to teach about the history of race in South Carolina k-12 schools. As Director of I-CHASS, I regularly organized conferences and workshops, at least two major conferences a year such as “Computing in Humanities, Arts, and Social Sciences” (2005), “Spatial Thinking in the Social Sciences and Humanities” (2006), and the “e-Science for Arts and Humanities Research: Early Adopters Forum” (2007). In 2007 we hosted the annual international meeting of The Alliance of Digital Humanities Organizations including The Association for Computers and the Humanities. As Director of the Clemson CyberInstitute, I regularly organized workshops, brownbags, conferences, and meetings. And as Executive Director of the College of Charleston Atlantic World and Lowcountry (CLAW) Program, I regularly work with others to organize conferences and meetings.

Reviews:

I have reviewed books for numerous journals and book manuscripts for numerous presses. In addition, I have refereed article manuscripts for numerous journals. I have also reviewed proposals for various granting agencies. I have also reviewed and written outside letters of recommendation for promotion, tenure, and endowed chair decisions for more than a hundred cases at various colleges and universities. Lists of these reviews, presses, journals, universities, and granting agencies are available upon request.

Invited lectures and conference participation available upon request. Recently, selected invited lectures include those at Harvard University, University of Pennsylvania, Black Congressional

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Caucus on Lincoln (2009), Printers Row Book Fair, Society of Civil War Historians, Society of Historians of Early America, Abraham Lincoln Bicentennial Commission (ALBC), Atlanta Town Hall meeting on Race at Morehouse College and at Jimmy Carter Presidential Library Center, the Crown Forum Martin Luther King, Jr. lecture at Morehouse College, Western Illinois University, Drake University, University of Illinois Law School, Union League Club of Chicago, Association of Archivists and Librarians, CASC, University of Georgia, Lawrence University, Wisconsin Lincoln Bicentennial, University of Wisconsin at Milwaukee, University of Wisconsin at Madison, University of Wisconsin at Eau Claire, University of Kansas, Samford University, Talladega University, ALBC Morrill Act Conference, Arkansas State University, San Francisco State University, Lewis University, Notre Dame, University of Oklahoma, University of Florida, University of Southern Florida, Florida State University, University of South Carolina, South Carolina State University, North Greenville University, Anderson University, Augusta State University, Auburn University, Mercer University, American Historical Association, Organization of American Historians, Southern Historical Association, Agricultural History Society, Wheaton College, University of Illinois, Florida Atlantic University, Lincoln College, Claflin University, Francis Marion University, Policy Studies Association, Southern Studies Association Meeting (regional affiliate of American Studies Association), Association for the Study of African American Life and History (ASALH), Penn Center, Coastal Carolina University, Virginia Polytechnic Institute and State University (Virginia Tech), South Carolina Historical Society, South Carolina Department of Archives and History Civil War Symposium, Supercomputing11 (Seattle), History Miami, William Patterson University, USC Upstate, University of Hawaii, University of North Carolina at Charlotte, University of North Carolina at Chapel Hill, The Lincoln Forum, Abraham Lincoln Presidential Library and Museum, Furman University, Berry College, High Noon series at S.C. Upstate Museum, Erskine College, Mississippi State University, University of Manchester, Cambridge University, Edinburg University, University of London, Oxford University.

Samples of recognition given to me or my work:

The Chronicle of Higher Education, Vol. L: 2 (September 5, 2003), cover page, A37-38. On-line at <http://chronicle.com/prm/weekly/v50/i02/02a03701.htm>

C. Vann Woodward, "District of Devils," *New York Review of Books*, xxxii #15: 30-31

Chicago Tribune, October 13, 2007, cover of the Book Review Section, "Orville Vernon Burton's Heartland Prize-winning *The Age of Lincoln*." Catherine Clinton, "Lincoln and His Complex Times," pp. 4-5; Cover page 1988 on *In My Father's House*

Washington Post, Hannah Natanson, "Lincoln's forgotten legacy as America's first 'green president'" in the *Washington Post* on Feb. 16, 2020

(<https://www.washingtonpost.com/.../lincoln-green-president-e.../>)

USA Today, February 25, 2010, Larry Bleiberg, 10 Civil Rights Sites You Should See before Black History Month Comes to a Close,"

<https://www.usatoday.com/story/travel/destinations/10greatplaces/2020/02/25/black-history-month-10-civil-rights-sites-you-should-check-out/4832666002/>

Featured as example of "Faculty Excellence" on UIUC Homepage:

<http://www.uiuc.edu/overview/explore/>

Call out in Sonia Sotomayor, *My Beloved World* (NY: Alfred A. Knopf, 2013), p. 132, and her Commencement Address at the University of South Carolina, 2011 (on C-Span) and "Supreme Court Justice Sonia Sotomayor uses vivid examples from two key figures in her life—her mother and South Carolina native and historian [Vernon Burton](#)"; Wayne Washington, "You Learn Values from Your Family, Supreme Court Justice Tells Grads," *The Columbia State*, May 9, 2011;

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<http://www.thestate.com/2011/05/07/1808978/sotomayor-parents-are-key.html#storylink=misearch#ixzz1NljBBgHA> and <http://dailygamecock.com/news/item/1422-sonya-sotomayor-delivers-personal-inspiring-message-at-university-of-south-carolina-graduation>; and at Clemson 2017 with Supreme Court Justice Sonia Sotomayor, <https://www.youtube.com/watch?v=Sn3GbXen58c>; <https://www.youtube.com/watch?v=zq1LAQmHh0I> (4 April 1992 on history and high performance computing);

The South Carolina Encyclopedia Guide to South Carolina Writers. Edited by Tom Mack (Columbia: University of South Carolina Press, 2014), pp. 33-35 (SC Humanities)

In last few years, numerous international, national and local television, radio interviewed me (especially about the murders at Mother Emanuel in Charleston and the removal of the Confederate battle flag from the statehouse grounds). A number of interviews about the Voting Rights Act (VRA) or Voter ID, for example, Congressional Briefing on the Voting Rights Act (2015), [Voting Rights Act 1965, Dec 4 2015 | Video | C-SPAN.org](#) and [Historians Expert Witnesses Civil Rights, Jan 7 2017 | C-SPAN.org](#), NPR—for example, June 27, 2013, “On Point” discussing the Supreme Court Ruling on VRA, Sections 4 and 5-- <http://onpoint.wbur.org/2013/06/27/scotus-voting-rights>; and <http://wbur.fm/138DolQ>, and NPR and BBC, see for example recently, Jorge Valenca, Feb. 26, 2020, “The Abroad Primary,” ([For overseas voters, a primary of their own](#) [www.pri.org > stories > overseas-voters-primary-their-o-...](http://www.pri.org/stories/overseas-voters-primary-their-o-...)) and commercial, and other media interviews and programs, including several C-SPAN Book TV (for example, “President Lincoln and Secession,” <http://www.c-spanvideo.org/program/293631-3>) and a two-hour Clemson University lecture on Southern Identity at “Lectures in History,” <http://www.c-span.org/History/> – downloaded 492,791 times in first year after it debuted October 25, 2012. Numerous appearances on SC ETV for documentaries. In Feb., 2019 the Clemson Area Pledge to End Racism (CAPER) began using a training video featuring Vernon Burton speaking on racism (Video on youtube at ([CAPER Burton Video](#)). Power of Perspective Panel, “Independence Day: Land of the Free?” (<https://www.clemson.edu/centers-institutes/gantt/multicultural-programs/educational-programming.html> Scroll down the Power of Perspective Panel Series tab), July 9, 2020); Aug. 24, 2020, first virtual Lincoln Cottage’s Scholar Session. “Dr. Vernon Burton and Dr. Edna Greene Medford discuss the lasting meaning and impact of Confederate iconography with our members: (https://www.youtube.com/watch?v=_uNbG5Odagg&feature=youtu.be; and . (<https://www.c-span.org/video/?475387-1/confederate-monuments-memorials>)). May 2021, commentator on the *Last Rice River*, a half-hour experience examining the rise and fall of the Rice Kingdom on South Carolina’s Combahee River, which went public this month ([here](#)); “South Carolina Between World Wars (www.npr.org/podcasts/381444475/walter-edgar-s-journal?fbclid=IwAR1vw_-xMxe3L36oRXNLunDdfYt8u9wUJj1qnWez1eguRzBpwlB8j4mhu4) and “Rediscovered Ancestry: a Family Learns the Story of Their Remarkable Ancestor, Senator Lawrence Cain. <https://www.southcarolinapublicradio.org/show/walter-edgars-journal/2021-04-12/rediscovered-ancestry-a-family-learns-the-story-of-their-remarkable-ancestor-senator-lawrence-cain>,” both interviewed by Walter Edgar, for Walter Edgar’s Journal, *South Carolina Public Radio*, Columbia, SC, Jan. 13, 2020, Apr. 12, 2021; guest for Dr. James Howell’ Bible study on “Lincoln and the Bible,” at Myers Park United Methodist Church, Charlotte, available at https://www.facebook.com/watch/live/?v=1322571451267316&ref=watch_permalink; interview “Southern History, Influence and Tradition ” with Dr. James on the series “Maybe I’m Amazed.” (<https://podfollow.com/1497598414/episode/eb3f38a51902c7934a090355abb3af200256e2ad/view>); “Juneteenth: Reflecting on the Past to Understand Today” June 18, 2020 to Lawrence Livermore National Laboratory in Livermore California (<https://www.llnl.gov/>). The lecture can

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be found at , <https://youtu.be/6u60Pu5KVY4>; “Reparations and World Change,” June 19, 2020. Thurgood Marshall Law School @ at <https://youtu.be/7hgl8bS1G8E>; “Confederate Monuments Continue to Come Down in Racial Justice Protests,” interviewed by Jeremy Hobson, *NPR*, Boston, MA: WBUR, June 19, 2020. <https://www.wbur.org/hereandnow/2020/06/19/confederate-monuments-come-down> . _ (more complete list available upon request).